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PROCEEDINGS AND DEBATES OF THE 91st CONGRESS, FIRST SESSION

SENATE—*Friday, March 7, 1969*

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Eternal Father, who hast called men to serve Thee in the councils of the Nation as before the altars of God, invest all Members of this body with a solemn sense of divine vocation. Spare us from growing careless in thought, callous in conscience, or neglectful in discipline lest we crowd Thee from our lives. While we honor Thee in public may we open our innermost being to Thy light and truth. Help us to be good men that we may be good leaders of a good nation striving to know and to do Thy will on earth.

In Thy holy name. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, March 4, 1969, be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT RECEIVED DURING ADJOURNMENT

Under authority of the order of the Senate of March 4, 1969, the Secretary of the Senate, on March 6, 1969, received messages in writing from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations received on March 6, 1969, see the end of proceedings of today, March 7, 1969.)

EXECUTIVE REPORTS OF COMMITTEES SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of March 4, 1969, the following favorable executive reports of nominations and a treaty were submitted:

On March 5, 1969:

By Mr. YARBOROUGH, from the Committee on Labor and Public Welfare:

James C. Counts, of California, to be Federal Mediation and Conciliation Director.

On March 6, 1969:

By Mr. MURPHY, from the Committee on Armed Services:

Lt. Gen. Harry Jacob Lenley, Jr., Army of the United States (major general, U.S. Army) for appointment as Senior U.S. Army member of the Military Staff Committee of the United Nations;

Lt. Gen. Ferdinand Joseph Chesarek, Army of the United States (major general, U.S. Army), for promotion to general;

Maj. Gen. William Eugene DePuy, Army of the United States (brigadier general, U.S. Army), for promotion to lieutenant general; and

Rear Adm. Edwin B. Hooper, U.S. Navy, for commands and other duties determined by the President, for appointment to the grade of vice admiral while so serving.

By Mr. FULBRIGHT, from the Committee on Foreign Relations, without reservation, together with the supplemental views of Mr. Dodd:

Executive H, 90th Congress, second session, Treaty on the Nonproliferation of Nuclear Weapons, signed in Washington on July 1, 1968 (Ex. Rept. No. 91-1).

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Geisler, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, informed the Senate that, pursuant to the provisions of section 1, Public Law 689, 84th Congress, as amended, the Speaker had appointed Mr. Hays, Chairman, Mr. Rodino, Mr. Rivers, Mr. Clark, Mr. Brooks, Mr. Arends, Mr. Bates, Mr. Findley, and Mr. Quie as members of the U.S. Group of the North Atlantic Assembly, on the part of the House.

The message also informed the Senate that, pursuant to the provisions of section 1, Public Law 86–420, the Speaker had appointed Mr. Steiger of Arizona as a member of the U.S. delegation of the Mexico-United States Interparliamentary Group, to fill the existing vacancy thereon.

The message further informed the Senate that, pursuant to Public Law 301 of the 78th Congress, the chairman of the Merchant Marine and Fisheries Committee had appointed Mr. Downing, Mr. Murphy of New York, and Mr. Mosher as members of the Board of Visitors to the U.S. Merchant Marine Academy, on the part of the House; and Mr. Garmatz, ex officio member.

The message announced that the House had passed a bill (H.R. 497) to amend section 301 of the Manpower Development and Training Act of 1962, as amended, in which it requested the concurrence of the Senate.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider nominations on the Executive Calendar, beginning with "New Reports."

There being no objection, the Senate proceeded to the consideration of executive business.

The VICE PRESIDENT. The nominations on the Executive Calendar, beginning with "New Reports," will be stated.

DEPARTMENT OF COMMERCE

The bill clerk read the nomination of Robert A. Podesta, of Illinois, to be an Assistant Secretary of Commerce.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

CALIFORNIA DEBRIS COMMISSION

The bill clerk read the nomination of Col. George D. Fink, Corps of Engineers, U.S. Army, to be a member of the California Debris Commission.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

DEPARTMENT OF LABOR

The bill clerk read the nomination of Geoffrey H. Moore, of New Jersey, to be Commissioner of Labor Statistics.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

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FEDERAL MEDIATION AND CONCILIATION SERVICE

The bill clerk read the nomination of James C. Counts, of California, to be Federal Mediation and Conciliation Director.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

U.S. ARMY

The bill clerk proceeded to read sundry nominations in the U.S. Army.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations are considered and confirmed en bloc.

U.S. NAVY

The bill clerk proceeded to read sundry nominations in the U.S. Navy.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. ELLENDER. When does the Senator anticipate taking up the nomination of James V. Smith to be Administrator of the Farmers Home Administration?

I think it should be taken up, Mr. President. We have waited long enough.

Mr. MANSFIELD. It has only been on the calendar this week, I believe. I assure the Senator that I shall do my best to see if it can be brought up shortly.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, for the information of the Senate, I wish to state that it is the intention of the leadership to lay before the Senate, before the conclusion of its business today, Executive H, 90th Congress, second session, the Treaty on the Nonproliferation of Nuclear Weapons; that it will be the pending business when the Senate convenes on Monday; and that debate on the treaty will start on Monday.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. TOWER. Will there be a controlled-time situation on the discussion of the treaty?

Mr. MANSFIELD. I would be delighted if there were, but I think we should go a day or so before facing up to that. If there is an agreement on both sides, or all sides, as to that, I will meet them more than half way.

Mr. TOWER. I thank the distinguished majority leader.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon, Monday next.

The VICE PRESIDENT. Without objection, it is so ordered.

(Subsequently the above order was modified to provide for a recess, instead of an adjournment.)

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT ON ESTABLISHING A NATIONWIDE SCHOOL DESEGREGATION PROGRAM

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report on the Department's actions to develop a school desegregation program in the North that is equal in size and scope to its program in the South (with an accompanying report); to the Committee on Appropriations.

REPORT OF OFFICE OF EMERGENCY PREPAREDNESS

A letter from the Director, Office of Emergency Preparedness, Executive Office of the President, transmitting, pursuant to law, a copy of the statistical supplement, stockpile report for the period ended December 31, 1968 (with an accompanying report); to the Committee on Armed Services.

REPORT ON PROCUREMENT RECEIPTS FOR MEDICAL STOCKPILE OF CIVIL DEFENSE EMERGENCY SUPPLIES AND EQUIPMENT

A letter from the Secretary of Health, Education, and Welfare, reporting, pursuant to law, on actual procurement receipts for medical stockpile of civil defense emergency supplies and equipment purposes, for the quarter ended December 31, 1968; to the Committee on Armed Services.

REPORT ON MILITARY CONSTRUCTION CONTRACTS AWARDED ON OTHER THAN A COMPETITIVE BID BASIS

A letter from the Director, Contractor Administration, Naval Facilities Engineering Command, Department of the Navy, transmitting, pursuant to law, a report on military construction contracts awarded on other than a competitive bid basis to the lowest responsible bidder for the period July 1, 1968, to December 31, 1968 (with an accompanying report); to the Committee on Armed Services.

REPORT OF THE COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on practices followed in adjusting Federal grants awarded for construction of academic facilities, Office of Education, Department of Health, Education, and Welfare, dated March 4, 1969 (with an accompanying report); to the Committee on Government Operations.

REPORT OF U.S. INFORMATION AGENCY

A letter from the Director, U.S. Information Agency, transmitting, pursuant to law, a report on the disposal of foreign excess property of the Agency for the fiscal year 1968 (with an accompanying report); to the Committee on Government Operations.

REPORT OF BOY SCOUTS OF AMERICA

A letter from the chief scout executive, Boy Scouts of America, transmitting, pursuant to law, the 59th annual report of the Boy Scouts of America (with an accompanying report); to the Committee on Labor and Public Welfare.

PROPOSED LEGISLATION CONCERNING APPOINTMENTS AND PROMOTIONS IN THE POST OFFICE DEPARTMENT AND POSTAL FIELD SERVICE

A letter from the Postmaster General, transmitting a draft of proposed legislation to provide that appointments and promotions in the Post Office Department and postal field service be made on the basis of merit and fitness (with accompanying papers); to the Committee on Post Office and Civil Service.

REPORT OF NEW ENGLAND REGIONAL COMMISSION

A letter from the Federal Cochairman, New England Regional Commission, transmitting, pursuant to law, a report on the activities of the Commission during the fiscal year 1968 (with an accompanying report); to the Committee on Public Works.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

The petition of Percival E. Jackson, of Brookville, Long Island, N.Y., praying for a review and revision of the Military Code; to the Committee on Armed Services.

Four resolutions of the Legislature of the Commonwealth of Massachusetts; to the Committee on Finance:

"Resolutions memorializing Congress to pass legislation amending the Internal Revenue Code to permit homeowners to deduct up to $500 a year for the maintenance, preservation, and rehabilitation of their homes

"Whereas, The existing stock of residential property in the cities and towns of America provides the core of the residential resources of our Country; and

"Whereas, The creation of new housing can never provide more than a small percentage of the units available in the existing housing stock; and

"Whereas, The preservation of this priceless natural and economic resource must be the keystone of national housing policy; therefore be it

"*Resolved,* That the Massachusetts House of Representatives respectfully urges the Congress of the United States to amend the Internal Revenue Code to permit homeowners to deduct up to five hundred dollars a year for the maintenance, preservation and rehabilitation of their homes; and be it further

"*Resolved,* That copies of these resolutions be transmitted by the Secretary of the Commonwealth to the President of the United States, to the presiding officer of each branch of Congress and to the members thereof from this Commonwealth.

"House of Representatives, adopted, February 13, 1969.

"WALLACE C. MILLS,
"*Clerk.*

"Attest:

"JOHN F. X. DAVOREN,
"*Secretary of the Commonwealth.*"

"Resolution memorializing Congress to enact legislation granting tax incentives to those business which will locate in the slums and to those which give training necessary for the employment of the disadvantaged in or from slum areas

"Whereas, One out of every three residents living in our city slums has a serious employment problem; and

"Whereas, The continuing shift of the more affluent population, businesses and industries from the central cities to the suburbs is intensifying the employment problems of the poor who remain in central cities; and

"Whereas, Strong measures are needed now to stem the flight of business and industry from the central city areas and to encourage private enterprise to offer opportunities for training to the nation's disadvantaged; therefore be it

"*Resolved*, That the Massachusetts House of Representatives respectfully urges the Congress to enact legislation granting tax incentives to those businesses which will locate in the slums and to those which give training necessary for the employment of the disadvantaged in or from slum areas; and be it further

"*Resolved*, That copies of these resolutions be transmitted by the Secretary of the Commonwealth to the President of the United States, to the presiding officer of each branch of Congress and to the members thereof from this Commonwealth.

"House of Representatives, adopted, February 13, 1969.

"Wallace C. Mills,
"*Clerk*.

"Attest:

"John F. X. Davoren,
"*Secretary of the Commonwealth*."

"Resolution memorializing the Congress of the United States to enact legislation increasing the amounts of minimum monthly payments under the Social Security Act

"Whereas, The cost of the necessities of life in this country has risen to an all time high; and

"Whereas, A substantial portion of the people of this nation depend to a large extent, if not entirely, upon the monthly payments received by them under the Social Security Act; and

"Whereas, The current minimum monthly payments under said program have now become grossly inadequate for their needs; and

"Whereas, An increase of such minimum payments to one hundred and fifty dollars per month per person and two hundred and fifty dollars per month per married couple would tend to relieve such conditions; now, therefore, be it

"*Resolved*, That the General Court of Massachusetts respectfully urges the Congress of the United States to enact legislation increasing the minimum monthly payments under the Social Security Act to one hundred and fifty dollars per month per person and two hundred and fifty dollars per month per married couple; and be it further

"*Resolved*, That copies of these resolutions be transmitted forthwith by the Secretary of the Commonwealth to the President of the United States, the presiding officer of each branch of the Congress and to the members thereof from this commonwealth.

"Senate, adopted, February 12, 1969.

"Norman L. Pidgeon,
"*Clerk*.

"House of Representatives, adopted in concurrence, February 19, 1969.

"Wallace C. Mills,
"*Clerk*.

"Attest:

"John F. X. Davoren,
"*Secretary of the Commonwealth*."

"Resolution memorializing the Congress of the United States to enact legislation removing the restriction on the amount of income a person may earn while receiving social security benefits

"Whereas, Under present law a person receiving social security benefits is not permitted to earn more than sixteen hundred and eighty dollars in any one year without a decrease in payments received by him; and

"Whereas, Many of the persons receiving such payments are almost totally dependent upon them for their living expenses; and

"Whereas, The cost of living has increased substantially so that the benefits referred to are now totally inadequate; and

"Whereas, The removal of the restriction on the amount of income that a person may earn while receiving social security benefits will enable such person to retain his self respect; now, therefore, be it

"*Resolved*, That the General Court of Massachusetts respectfully urges the Congress of the United States to enact legislation removing the restrictions on the amount of income a person may earn while receiving social security benefits; and be it further

"*Resolved*, That copies of these resolutions be transmitted forthwith by the Secretary of the Commonwealth to the President of the United States, the presiding officer of each branch of the Congress and to the members thereof from the Commonwealth.

"Senate, adopted, February 12, 1969.

"Norman L. Pidgeon,
"*Clerk*.

"House of Representatives, adopted in concurrence, February 19, 1969.

"Wallace C. Mills,
"*Clerk*.

"Attest:

"John F. X. Davoren,
"*Secretary of the Commonwealth*."

A resolution adopted by the Syndicate of Puerto Rico's Labor Leaders, San Juan, P.R., praying for the pardoning of a group of imprisoned Puerto Rican political leaders; to the Committee on the Judiciary.

The petition of Willa V. Walker, of Leavenworth, Kans., praying for a redress of grievances; to the Committee on the Judiciary.

A resolution of the Legislature of the Commonwealth of Massachusetts; to the Committee on Labor and Public Welfare:

"Resolution memorializing Congress to amend the Health Professional Educational Assistance Act

"Whereas, There is a lack of well trained medical professionals in this country; and

"Whereas, This problem is particularly critical in central city areas; and

"Whereas, There is definite need for action to meet the problem of the lack of well trained medical professionals in central city areas; therefore be it

"Resolved, That the Massachusetts House of Representatives respectfully urges the Congress of the United States to amend the Health Professional Educational Assistance Act to provide one hundred per cent reduction of loans for graduates who practice in poor, urban areas; and be it further

"Resolved, That copies of these resolutions be transmitted by the Secretary of the Commonwealth to the President of the United States, to the presiding officer of each branch of Congress and to the members thereof from this Commonwealth.

"House of Representatives, adopted, February 13, 1969.

"Wallace C. Mills,
"*Clerk*.

"Attest:

"John F. X. Davoren,
"*Secretary of the Commonwealth*."

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SPARKMAN, from the Committee on Banking and Currency, without amendment:

S.J. Res. 37. Joint resolution to extend the time for the making of a final report by the Commission To Study Mortgage Interest Rates (Rept. No. 91–92).

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, without amendment:

S. Res. 98. Resolution authorizing the printing of the report entitled "Mineral and Water Resources of Utah" as a Senate document (Rept. No. 91–91).

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. ELLENDER, from the Committee on Agriculture and Forestry:

T. Carroll Atkinson, Jr., of South Carolina, and James D. Dean, of Kansas, to be members of the Federal Farm Credit Board, Farm Credit Administration.

By Mr. SPARKMAN, from the Committee on Banking and Currency:

Betty Higby, of Colorado, to be Superintendent of the Mint of the United States at Denver.

CHANGE OF REFERENCE

Mr. TALMADGE. Mr. President, S. 414 was introduced on January 21, 1969, the legislative day of January 10, which is a bill to subject interest income on loans sold out of the agricultural credit insurance fund to Federal income taxes.

This bill was referred to the Committee on Agriculture and Forestry.

Since it relates to the treatment of income for tax purposes, at the request of the Committee on Agriculture and Forestry I ask that the Committee on Agriculture and Forestry be discharged and that the bill be referred to the Committee on Finance.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. COTTON:

S. 1372. A bill for the relief of Tommaso Mangold; to the Committee on the Judiciary.

By Mr. COTTON (for himself, Mr. Magnuson, Mr. Pastore, Mr. Mansfield, and Mr. Dirksen):

S. 1373. A bill to amend the Federal Aviation Act of 1958; to the Committee on Commerce.

By Mr. FANNIN (for himself and Mr. Goldwater):

S. 1374. A bill to authorize the Secretary of Agriculture and the Secretary of the Interior to cooperate with States, local agencies, and individuals in the planning and carrying out of practices for water yield improvement, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WILLIAMS of Delaware:

S. 1375. A bill to establish a free guide service for the U.S. Capitol Building; to the Committee on Rules and Administration.

By Mr. TOWER:

S. 1376. A bill to amend chapter 73 of title

10, United States Code, relating to annuities based on retired or retainer pay; to the Committee on Armed Services.

(See the remarks of Mr. Tower when he introduced the above bill, which appear under a separate heading.)

By Mr. TOWER (for himself and Mr. Pell):

S. 1377. A bill to establish a commission to study the usage, customs, and laws relating to the flag of the United States; to the Committee on the Judiciary.

(See the remarks of Mr. Tower when he introduced the above bill, which appear under a separate heading.)

By Mr. TOWER:

S. 1378. A bill to amend the Internal Revenue Code of 1954 to provide a 15-year period for carryover of losses arising from expropriation of property by governments of foreign countries; and

S. 1379. A bill to amend section 107 of the Internal Revenue Code of 1954 relating to exclusion of rental allowances by ministers of the gospel; to the Committee on Finance.

S. 1380. A bill to redesignate the position of hearing examiner as administrative trial judge; to the Committee on the Judiciary.

(See the remarks of Mr. Tower when he introduced the above bills, which appear under separate headings.)

By Mr. TOWER (for himself and Mr. Baker):

S. 1381. A bill for the relief of Mr. Carl Johnstone, Jr.; to the Committee on the Judiciary.

By Mr. MILLER:

S. 1382. A bill to amend the Internal Revenue Code of 1954 to permit the inclusion of insurance proceeds for destruction or damage to crops in the year following the year in which the damage occurred under certain conditions; to the Committee on Finance.

(See the remarks of Mr. Miller when he introduced the above bill, which appear under a separate heading.)

By Mr. BENNETT:

S. 1383. A bill for the relief of Manuel Nelson Gonzalez and his wife, Norma Silvia Gonzalez, and their minor children, Norma Ingrid Gonzalez and Nelson Antonio Gonzalez; to the Committee on the Judiciary.

By Mr. BENNETT (for himself, Mr. Baker, Mr. Curtis, Mr. Dirksen, Mr. Dole, Mr. Eastland, Mr. Fannin, Mr. Hansen, Mr. Hatfield, Mr. Holland, Mr. Hruska, Mr. Jordan of Idaho, Mr. McClellan, Mr. Murphy, Mr. Stennis, Mr. Thurmond, Mr. Tower, and Mr. Williams of Delaware):

S. 1384. A bill to protect the freedom of choice of Federal employees in employee-management relations; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Bennett when he introduced the above bill, which appear under a separate heading.)

By Mr. PERCY:

S. 1385. A bill for the relief of Myong-Sok Chu;

S. 1386. A bill for the relief of Guiseppe Giaimo; and

S. 1387. A bill for the relief of Dr. Andres Obedoza Botuyan and his wife, Irene Furagganan Botuyan; to the Committee on the Judiciary.

By Mr. THURMOND (for himself, Mr. Bennett, Mr. Dole, Mr. Miller, Mr. Pearson, Mr. Randolph, and Mr. Yarborough):

S. 1388. A bill to require a health warning on the labels of bottles containing certain alcoholic beverages; to the Committee on Commerce.

(See the remarks of Mr. Thurmond when he introduced the above bill, which appear under a separate heading.)

By Mr. SCOTT:

S. 1389. A bill for the relief of Alex G. W. Miller; and

S. 1390. A bill for the relief of Angelo Caruso; to the Committee on the Judiciary.

By Mr. ERVIN:

S. 1391. A bill for the relief of certain Kaw Indians; to the Committee on the Judiciary.

By Mr. INOUYE:

S. 1392. A bill for the relief of Li Wang Kwong, Wong Yau On, Lam Ah Fuk, Poon Tak and Ho Yeh Sze; to the Committee on the Judiciary.

By Mr. SPARKMAN (for himself and Mr. Bennett) (by request):

S. 1393. A bill to require all insured banks to clear checks at par; to the Committee on Banking and Currency.

(See the remarks of Mr. Sparkman when he introduced the above bill, which appear under a separate heading.)

By Mr. SPARKMAN (for himself and Mr. Bennett):

S. 1394. A bill to establish a graduated system of reserve requirements for member banks of the Federal Reserve System; to the Committee on Banking and Currency.

(See the remarks of Mr. Sparkman when he introduced the above bill, which appear under a separate heading.)

By Mr. DODD:

S. 1395. A bill for the relief of Francisco Ribeiro Gomes; to the Committee on the Judiciary.

By Mr. ANDERSON (for himself and Mr. Montoya):

S. 1396. A bill to amend section 5(d)(2) of Public Law 874, Eighty-first Congress, to permit payments of that Act to be considered as local resources for the purpose ascertaining the ability of a local educational agency to provide a minimum education; to the Committee on Labor and Public Welfare.

By Mr. EAGLETON:

S. 1397. A bill for the relief of John Richard Wallington; to the Committee on the Judiciary.

By Mr. MAGNUSON (for himself, Mr. Allott and Mr. Dominick) (by request):

S. 1398. A bill to amend section 5(2)(a) of the Interstate Commerce Act, relating to acquisition of carriers, to add a requirement that any acquiring person not a carrier must be enagaged primarily in the business of transportation or a related business; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (for himself, Mr. Jackson, Mr. Montoya, and Mr. Dominick):

S. 1399. A bill to amend the Federal Aviation Act of 1958 in order to provide for certain requirements with respect to the installation of downed aircraft rescue transmitters on civil aircraft; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (for himself and Mr. Cotton) (by request):

S. 1400. A bil to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

By Mr. FANNIN (for himself, Mr. Griffin, Mr. Bennett, Mr. Ervin, Mr. Hansen, Mr. Hatfield, Mr. Holland, Mr. Thurmond, Mr. Goldwater and Mr. Stevens):

S. 1401. A bill relating to the authority of the States to control, regulate, and manage fish and wildlife within their territorial boundaries; to the Committee on Commerce.

(See the remarks of Mr. Fannin when he introduced the above bill, which appear under a separate heading.)

By Mr. RIBICOFF:

S. 1402. A bill to amend title XVIII of the Social Security Act to provide payment for optometrists' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Finance.

(See the remarks of Mr. Ribicoff when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey:

S. 1403. A bill to amend the Internal Revenue Code of 1954 so as to increase the amount of the deduction for each personal exemption to $900, to remove the limitations on the deduction of medical expenses, to allow a deduction for expenses of transportation to and from work, and for other purposes; to the Committee on Finance.

S. 1404. A bill for the relief of Yun Sung Tam;

S. 1405. A bill for the relief of Cheung Chan;

S. 1406. A bill for the relief of Luk Samg Tsang;

S. 1407. A bill for the relief of Lun Pui Tsui;

S. 1408. A bill for the relief of Pokan Fong;

S. 1409. A bill for the relief of Yat Sang Chau;

S. 1410. A bill for the relief of Tung Shing Ho;

S. 1411. A bill for the relief of Shui Chung Man;

S. 1412. A bill for the relief of Lee Qua Wong;

S. 1413. A bill for the relief of Fai Yuen Wong;

S. 1414. A bill for the relief of Ping Wah Cheng;

S. 1415. A bill for the relief of Tin Kang Kong;

S. 1416. A bill for the relief of Tung Ming Cheung; and

S. 1417. A bill for the relief of Ting Cheong Liu; to the Committee on the Judiciary.

By Mr. SCOTT:

S. 1418. A bill for the relief of Carleton R. McQuown; to the Committee on the Judiciary.

By Mr. BIBLE:

S. 1419. A bill to require an act of Congress for public land withdrawals in excess of 5,000 acres in the aggregate for any project or facility of any department or agency of the Government; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Bible when he introduced the above bill, which appear under a separate heading.)

By Mr. BIBLE (by request):

S. 1420. A bill to require the Postmaster General to seek special reduced rates of international postage for postal cards sent by amateur radio operators; to the Committee on Post Office and Civil Service.

By Mr. PROUTY:

S. 1421. A bill to amend the District of Columbia Legal Aid Act; to the Committee on the District of Columbia.

(See the remarks of Mr. Prouty when he introduced the above bill, which appear under a separate heading.)

By Mr. SPONG:

S. 1422. A bill for the relief of Donal E. McGonegal; to the Committee on the Judiciary.

By Mr. JAVITS (for himself and Mr. Hart):

S. 1423. A bill to amend the Act of October 3, 1965; to the Committee on the Judiciary.

(See the remarks of Mr. Javits when he introduced the above bill, which appear under a separate heading.)

By Mr. NELSON:

S. 1424. A bill to amend the Fair Packaging and Labeling Act to require the disclosure by retail distributors of unit retail prices of packaged consumer commodities, and for other purposes; to the Committee on Commerce.

S. 1425. A bill for the relief of Pao Fen Lee;

S. 1426. A bill for the relief of Ta Shai Zee (Teh Tsang Hsu);

S. 1427. A bill for the relief of Tak Kuan Chan;

S. 1428. A bill for the relief of Hok Ming Ko;

S. 1429. A bill for the relief of Teh Hsing Huang;

S. 1430. A bill for the relief of Sik Cho Ng; and

S. 1431. A bill for the relief of Chiu Weng; to the Committee on the Judiciary.

(See the remarks of Mr. Nelson when he introduced the first above bill, which appears under a separate heading.)

By Mr. BYRD of West Virginia:

S. 1432. A bill to change the definition of ammunition for purposes of chapter 44 of title 18 of the United States Code; to the Committee on the Judiciary.

By Mr. SCHWEIKER (for himself, Mr. Bayh, Mr. Cook, Mr. Cooper, Mr. Cranston, Mr. Dole, Mr. Mathias, Mr. Packwood, Mr. Percy, Mr. Scott, and Mr. Jordan of Idaho):

S. 1433. A bill to amend the Military Selective Service Act of 1967; to the Committee on Armed Services.

(See the remarks of Mr. Schweiker when he introduced the above bill, which appear under a separate heading.)

By Mr. BYRD of West Virginia:

S. 1434. A bill to amend title II of the Social Security Act so as to provide for an increase in the benefits payable thereunder; to the Committee on Finance.

By Mr. FONG:

S. 1435. A bill for the relief of Fat Hing Hui;

S. 1436. A bill for the relief of Kok Jan Foo;

S. 1437. A bill for the relief of Emilio Ramelb, his wife, Felipa Ramelb, and her son, Ernesto Aceret;

S. 1438. A bill for the relief of Yau Ming Chinn (Gon Ming Loo); and

S. 1439. A bill for the relief of Hyun Ok Shin; to the Committee on the Judiciary.

By Mr. DIRKSEN (for himself and Mr. Percy):

S. 1440. A bill for the creation of the Lincoln Homestead National Recreation Area, and for other purposes; and

S. 1441. A bill providing for the designation of the gravesite and the ancestral home of Jane Addams in Cedarville, Ill., as national historical landmarks; to the Committee on Interior and Insular Affairs.

By Mr. MOSS:

S. 1442. A bill to amend section 131 of title 23 of the United States Code, relating to control of outdoor advertising along Federal-aid highways, in order to authorize one or more pilot programs for the purpose of such section; to the Committee on Public Works.

(See the remarks of Mr. Moss when he introduced the above bill, which appear under a separate heading.)

By Mr. CANNON:

S. 1443. A bill to amend the Internal Revenue Code of 1954 to increase the amount of the deduction for each personal exemption to $1,000; to the Committee on Finance.

(See the remarks of Mr. Cannon when he introduced the above bill, which appear under a separate heading.)

By Mr. CANNON (for himself and Mr. Bible):

S. 1444. A bill to amend the Internal Revenue Code of 1954 to allow a credit against the occupational tax on coin-operated gaming devices for similar taxes presently imposed by a State where the operation of such devices is legal; to the Committee on Finance.

S. 1445. A bill to provide for the construction of a Veterans' Administration hospital in the State of Nevada; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Cannon when he introduced the above bills, which appear under separate headings.)

By Mr. MOSS (for himself, Mr. Case, Mr. Dodd, Mr. Hart, Mr. Metcalf, and Mr. Yarborough):

S. 1446. A bill to establish a Department of Natural Resources; to the Committee on Government Operations.

(See the remarks of Mr. Moss when he introduced the above bill, which appear under a separate heading.)

By Mr. DIRKSEN:

S.J. Res. 70. Joint resolution to provide that the nuclear accelerator to be constructed at Weston, Ill., shall be named the "Enrico Fermi Nuclear Accelerator" in memory of the late Dr. Enrico Fermi; to the Joint Committee on Atomic Energy.

By Mr. CURTIS:

S.J. Res. 71. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of the President and Vice President, and Members of Congress; to the Committee on the Judiciary.

By Mr. HATFIELD:

S.J. Res. 72. Joint resolution proposing an amendment to the Constitution of the United States relating to the nomination and election of the President and Vice President of the United States; to the Committee on the Judiciary.

(See the remarks of Mr. Hatfield when he introduced the above joint resolution, which appear under a separate heading.)

S. 1374—INTRODUCTION OF BILL TO BE KNOWN AS THE PACIFIC SOUTHWEST WATER YIELD IMPROVEMENT ACT

Mr. FANNIN. Mr. President, on behalf of myself and Senator Goldwater I introduce, for appropriate reference, a bill to authorize the Secretary of Agriculture and the Secretary of the Interior to cooperate with States, local agencies, and individuals in planning and carrying practices for water yield improvement.

Mr. President, the bill would authorize $150 million to improve water yield and other renewable resources in the States of Arizona, California, Colorado, Nevada, New Mexico, and Utah. It would make the production of water a major function of our public lands. This would be accomplished by means of a partnership between the Federal Goverment and other entities interested in bringing public land watersheds to their full potential. This would includes States, municipalities, irrigation districts, and onsite beneficiaries, such as Indian tribes. The multiple use principle would be adhered to in the program.

It has been positively shown, that the watershed areas of the West urgently need attention if they are to continue to efficiently serve the individuals and industries which need the products of the watershed.

The provisions of this bill will be of considerable value in enhancing the watershed program already begun. I hope this proposal will be favorably considered. It promises to return in benefits many times the amounts of the expenditure contemplated.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1374) to authorize the Secretary of Agriculture and the Secretary of the Interior to cooperate with States, local agencies, and individuals in the planning and carrying out of practices for water-yield improvement, and for other purposes, introduced by Mr. Fannin (for himself and Mr. Goldwater), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

S. 1376—INTRODUCTION OF A BILL TO IMPROVE DEATH BENEFITS FOR BENEFICIARIES OF RETIRED RESERVISTS

Mr. TOWER. Mr. President, I introduce, for appropriate reference a measure which would correct what I consider to be an unfair situation regarding retirement benefits for retired reservists and their wives. Under present law, the career reservist cannot receive retirement pay before age 60. It is not uncommon for reservists who have qualified for retirement to die before reaching entitlement age. The reservist dedicates 1 night a week for a minimum of 20 years, mostly in an unpaid status. He often performs 2 weeks active duty, and may give up 2 weeks vacation to do it. In my estimation, there is a distinct unfairness in having the citizen-soldier satisfy all retirement requirements and then have to wait for his 60th birthday before receiving any benefits. The legislation which I introduce would seek to correct this situation.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1376) to amend chapter 73 of title 10, United States Code, relating to annuities based on retired or retainer pay, introduced by Mr. Tower, was received, read twice by its title, and referred to the Committee on Armed Services.

S. 1377—INTRODUCTION OF A MEASURE ESTABLISHING A PRESIDENTIAL FLAG COMMISSION

Mr. TOWER. Mr. President, I introduce, on behalf of myself and the Senator from Rhode Island (Mr. Pell), for appropriate reference, a measure which calls for the establishment of a Presidential commission to study the usage, customs, and laws relating to the flag of the United States and to make specific recommendations in this regard. This commission shall be composed of 10 members to be appointed by the President as follows: First, two Members of the Senate from different political parties; second, two Members of the House of Representatives from different political parties; third, one member from the Department of Defense, and, fourth, five members from private life who have a special interest in or knowledge of the flag of the United States.

Mr. President, the laws of this country concerning the proper use and display of the flag are virtually nonexistent and what few we do have are confusing. This commission would serve a great purpose in establishing what is the proper method of displaying the flag and this legislation would prevent desecration of our national emblem.

One of my major concerns in introducing this legislation is to clear up the confusion that exists because there is no one standard set of regulations controlling the use of our flag. Many organizations have adopted their own flag codes, which in many instances vary widely one from the other. If we could but clear up this problem, we could once and for all have a viable flag code.

Mr. President, it is only fitting that the emblem under which so many millions of Americans have lived and for whom so many have given their lives be properly honored and its desecration prohibited. I think that it is imperative that this year we adopt a suitable flag code. We are currently approaching the 200th anniversary of our Nation, the time has come to honor the flag in the proper manner.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1377) to establish a commission to study the usage, customs, and laws relating to the flag of the United States, introduced by Mr. Tower (for himself and Mr. Pell) was received, read twice by its title, and referred to the Committee on Commerce.

S. 1378—INTRODUCTION OF BILL TO ALLOW CARRYOVER OF CERTAIN LOSSES UNDER THE INTERNAL REVENUE CODE

Mr. TOWER. Mr. President, the legislation I introduce today would make changes in the Internal Revenue Code of 1954. The 10-year net operating loss carryover for foreign expropriation losses provided by section 172(b)(1)(D), is insufficient to permit those businesses, whose productive assets have been expropriated by the host country, to recover such losses. This section was originally enacted in 1964 due to the Congress belief that losses incurred by expropriation are usually so large that the 3-year carryback and the 5-year carryover would be insufficient to recoup these losses.

If a business has substantial productive assets and operations in nations other than that which expropriated its properties, then the 10-year recovery period is generally long enough to permit the company to recover its losses through its operations that continue to generate revenue throughout the world. However, if the operations of the company were centralized in the country that expropriated its productive assets, then the company must start anew in another country.

The income for the business in this situation would, in all probability, be considerably less for the first few years of new operation. In this situation the company could not take advantage of the 10-year carryover period until several years had passed. Thus, the effective carryover period is considerably less than 10 years.

Congress wisely enacted section 172 (b)(1)(D) because it realized that a longer period of time was needed to recover losses caused by expropriation. My amendment would lengthen the period of time for recovery to 15 years in order to give these businesses that are centralized in expropriating countries a more reasonable length of time to relocate, develop new lines of activity, and begin earning income in order that they may fully realize the benefits that Congress intended to confer when it originally enacted this legislation.

I believe the introduction of my bill will give us the opportunity to view the matter of carryover objectively. Perhaps this will be the best way to approach this subject through committee hearings and competent witnesses.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1378) to amend the Internal Revenue Code of 1954 to provide a 15-year period for carryover of losses arising from expropriation of property by governments of foreign countries, introduced by Mr. Tower, was received, read twice by its title, and referred to the Committee on Finance.

S. 1379—INTRODUCTION OF BILL TO AMEND IRS CODE EXCLUDING MINISTERS' ALLOWANCES

Mr. TOWER. Mr. President, the subject of tax reform has recently received some much needed attention. I would like to bring to the attention of the Senate one example of the inequities which exist in our tax code.

I refer specifically to the IRS provisions relating to the exclusion of rental allowances by ministers of the gospel. Recognized ministers of certain churches or religious organizations cannot qualify for the minister's housing allowance under IRS ruling due to the specific wording of the regulation relating to the church's policy lacking central authority or formal ordination. This situation results in an inequity to those meeting the spirit, but not the letter of the law.

The purpose of the legislation which I introduce is to broaden the eligibility requirements. For instance—because of an October 15, 1962, ruling—Public Law 62–171—in the Internal Revenue Bulletin—ministers of the Church of Christ who teach in Abilene Christian College, Abilene, Tex., and other Christian colleges are left out entirely and are not recognized as eligible for the minister's housing exclusion.

Due to the rather autonomous structuring and decentralized bureaucracy of the Christian Church, many teaching ministers do not qualify for exclusion from taxation the rental allowances paid them as part of their compensation. My bill amends the term "integral agency" of section 107 of Internal Revenue Code of 1954 to include those teaching ministers in schools, colleges, or universities which are identified with a church or church denomination as long as the members of the governing body and faculty are required to be members of the said church or denomination.

This new qualifying provision is strict enough to limit consideration to institutions of higher learning actually related to a religious denomination: for all the members of the governing body and faculty are required to be members of the said church. My bill is also broad enough to provide allowances to teaching ministers at religious-affiliated colleges regardless of the nature of their formal ties with the particular denomination. The colleges must be affiliated with a denomination, but the manner of affiliation should not—and will not—prohibit due tax allowances if my bill is enacted.

The code of internal revenue should truly allow all teaching ministers tax credits for rental allowances as a part of their teaching compensation. This has not been possible in the past; enaction of this legislation will remedy this longtime inequity.

The VICE PRESIDENT. The bill will not be received and appropriately referred.

The bill (S. 1379) to amend section 107 of the Internal Revenue Code of 1954 relating to exclusion of rental allowances by ministers of the gospel; introduced by Mr. Tower, was received, read twice by its title, and referred to the Committee on Finance.

S. 1380—INTRODUCTION OF A MEASURE TO REDESIGNATE THE POSITION OF HEARING EXAMINERS AS ADMINISTRATIVE TRIAL JUDGE

Mr. TOWER. Mr. President, late in the last session of Congress I submitted legislation which would have redesignated "hearing examiners" in administrative agencies as "administrative trial judges." As sometimes happens, the Congress adjourned before full and adequate consideration could be given this measure. Consequently, I desire to reintroduce it at this time.

Perhaps the change I seek may appear trivial upon cursory examination, but a closer study of the situation which prompts me to introduce this measure will demonstrate the true significance of this redesignation. Members of the Federal Bar Association, the American Bar Association, and the Federal Trial Examiners Conference have told me that this simple change in nomenclature would greatly assist the recruitment of qualified attorneys to fill what are essentially judicial positions with Government agencies. The added prestige associated with the title "administrative trial judge" could very well be the deciding factor which would persuade a qualified applicant to serve with our Government. Furthermore, the dedicated people now serving in this capacity deserve adequate recognition of their position.

This change has one other merit: one of extreme importance in this age of spiraling costs and inflation. It will add little or no expense to the budget. I think that all of us will agree that a measure which increases the effectiveness of the operation of governmental agencies without substantially increasing the cost of the services they provide is too rare a thing to be overlooked. I therefore, urge my colleagues to give careful consideration to this bill, an opportunity which was denied them during the last session.

I ask unanimous consent that this bill may be printed in its entirety at this point in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred;

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and, without objection, the bill will be printed in the Record.

The bill (S. 1380) to redesignate the position of hearing examiner as administrative trial judge, introduced by Mr. Tower, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

S. 1380

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) sections 556(b)(3), 559, 1305, 3105, 3344, and 5362 of title 5, United States Code, are amended by striking out the phrase "hearing examiners" wherever it appears and inserting in lieu thereof the words "administrative trial judges".

(b) Sections 554(a)(2), 4301(2)(E), 5108(a), 5335(a)(B), and 7521 of such title are amended by striking out the phrase "hearing examiner" wherever it appears and inserting in lieu thereof the words "administrative trial judge".

(c)(1) The analysis of chapter 13 of such title, immediately preceding section 1301, is amended by striking out the item:

"1305. Hearing examiners."

and inserting in lieu thereof the following:

"1305. Administrative trial judges.".

(2) The analysis of chapter 33 of such title, immediately preceding section 3301, is amended by striking out the item:

"3344. Details; hearing examiners."

and inserting in lieu thereof the following:

"3344. Details; administrative trial judges.".

(3) The analysis of chapter 53 of such title, immediately preceding section 5301, is amended by striking out the item:

"5362. Hearing examiners."

and inserting in lieu thereof the following:

"5362. Administrative trial judges.".

(d)(1) The analysis of chapter 75 of such title, immediately preceding section 7501, is amended by striking out

"SUBCHAPTER III—HEARING EXAMINERS"

and inserting in lieu thereof

"SUBCHAPTER III—ADMINISTRATIVE TRIAL JUDGES".

(2) The heading of subchapter III of such chapter, immediately preceding section 7521, is amended by striking out

"SUBCHAPTER III—HEARING EXAMINERS"

and inserting in lieu thereof

"SUBCHAPTER III—ADMINISTRATIVE TRIAL JUDGES".

Sec. 2. Section 509(1) of title 28, United States Code, is amended by striking out the phrase "hearing examiners" and inserting in lieu thereof the words "administrative trial judges".

Sec. 3. Whenever reference is made in any Act of Congress (other than this Act), regulation, document, or record of the United States to the position of hearing examiner or trial examiner such reference shall be held to be a reference to the position of administrative trial judge.

Sec. 4. The provisions of this Act shall not affect the tenure of any person holding the position of hearing examiner or trial examiner on the date of the enactment of this Act.

S. 1384—INTRODUCTION OF BILL—FEDERAL EMPLOYEES FREEDOM OF CHOICE ACT OF 1969

Mr. BENNETT. Mr. President, I rise to introduce the Federal Employees Freedom of Choice Act of 1969. I am joined in cosponsoring this bill by the following Senators:

Mr. Baker, Mr. Curtis, Mr. Dirksen, Mr. Dole, Mr. Eastland, Mr. Fannin, Mr. Hansen, Mr. Hatfield, Mr. Holland, Mr. Hruska, Mr. Jordan of Idaho, Mr. McClellan, Mr. Murphy, Mr. Stennis, Mr. Thurmond, Mr. Tower, and Mr. Williams of Delaware.

A brief explanation as to why the bill is necessary will be helpful. In 1962, the late President Kennedy issued Executive Order No. 10988, which guaranteed to Federal employees the right to join a Government employee union. It also guaranteed the right of an employee to refrain from joining a union if he chose to do so.

Last year that Executive order was subjected to an in-depth review by a Labor Management Review Commission, headed by then Secretary of Labor W. Willard Wirtz. There were numerous reports in the press that the Commission would recommend to President Johnson that Executive Order No. 10988 be changed and the right to refrain provision be eliminated. Should this ever occur, Federal employees who are part of the world's finest merit system would have to join a union to retain their jobs.

After long consideration by the Commission, Secretary Wirtz wrote me stating the Commission had decided against recommending to the President that the right to refrain provision be eliminated. I was pleased with this development. It indicated that President Johnson viewed the matter the same as President Kennedy. The position of these two Presidents is similar to the Republican platform upon which President Nixon campaigned. That platform called for a guarantee of the right to refrain by Federal employees.

While I welcome the positions of the last three Presidents of the United States, I remain strongly convinced that voluntary unionism among U.S. Government employees must be guaranteed by law and not just by Executive order. We are talking about a basic freedom, and therefore it should not be subject to the policies or ideas of any given President. The guarantees to join a union and to refrain from joining a union should be placed on the law books in order to preserve their performance. I should point out that this freedom of choice bill in no way prevents Government employee unions, nor does it prevent or even discourage Federal employees from joining a union. It simply guarantees to them the right to make a choice. To me that is the fundamental concept of free government.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1384) to protect the freedom of choice of Federal employees in employee-management relations, introduced by Mr. Bennett (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

S. 1393 AND S. 1394—INTRODUCTION OF BILLS RELATING TO MEMBER BANKS OF THE FEDERAL RESERVE SYSTEM

Mr. SPARKMAN. Mr. President, for myself and for the senior Senator from Utah (Mr. Bennett), I introduce two bills so that they may be properly referred.

The first of these which the senior Senator from Utah and I introduce, by request, is a bill to require all insured banks to clear checks at par. In some areas of the United States, many of the commercial banks that are not members of the Federal Reserve System make charges for the payment of checks drawn on themselves when the checks are presented by mail. These charges are generally known as "exchange charges" and the banks that impose such charges are referred to as "nonpar banks" because they do not pay at par, that is, at face value, all checks drawn on them. This legislation is being requested by the Federal Reserve Board. For the Record, I introduced the same bill (by request) in the 90th Congress. However, no action was taken upon it, and we introduce the bill, by request, again today in order that the proposition will be before the Senate in this Congress.

The second bill which the senior Senator from Utah and I introduce is a bill to establish a guaranteed system of reserve requirements for member banks of the Federal Reserve System. Last Congress, I introduced a bill, S. 1298, by request, which would have established a graduated system of reserve requirements for all insured banks, and would have authorized Federal Reserve banks to extend credit to all insured banks. No action was taken on that measure during the 90th Congress. The bill that Senator Bennett and I introduce today differs from S. 1298, in that it would establish a graduated reserve requirement for only member banks of the Federal Reserve System rather than for all insured banks.

Mr. President, I ask unanimous consent that the two bills be printed in the Record.

The VICE PRESIDENT. The bills will be received and appropriately referred; and, without objection, the bills will be printed in the Record.

The bills, introduced by Mr. Sparkman (for himself and Mr. Bennett), were received, read twice by their titles, referred to the Committee on Banking and Currency, and ordered to be printed in the Record, as follows:

S. 1393

A bill to require all insured banks to clear checks at par

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 18 of the Federal Deposit Insurance Act (12 U.S.C. 1828) is amended by adding the following subsection:

"(k) No insured bank shall pay any check drawn on it at less than its face amount or make any charge, by exchange or otherwise, against a person in his capacity as payee or indorsee for the payment of such checks and remission of the proceeds thereof. For each violation of this subsection, the offending bank shall be subject to a penalty of not more than $100, which the Corporation may recover for its use."

Sec. 2. The first paragraph of section 13 of the Federal Reserve Act (12 U.S.C. 342) is amended by striking ": *Provided further,* That nothing in this or any other section of this Act shall be construed as prohibiting a member or nonmember bank from making reasonable charges, to be determined and regulated by the Board of Governors of the

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Federal Reserve System, but in no case to exceed 10 cents per $100 or fraction thereof, based on the total of checks and drafts presented at any one time, for collection or payment of checks and drafts and remission therefor by exchange or otherwise; but no such charges shall be made against the Federal reserve banks".

SEC. 3. The amendments made by this Act shall become effective one year after the date of the enactment of this Act.

S. 1394

A bill to establish a graduated system of reserve requirements for member banks of the Federal Reserve System

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 19(b) of the Federal Reserve Act (12 U.S.C. 461) is amended to read as follows:

"(b) Every member bank shall maintain reserves against its deposits in such ratios and according to such reasonable basis or bases as shall be determined by the Board within the following limitations:

"(1) the required reserve ratio or ratios for deposits other than demand deposits shall be not less than 3 per centum nor more than 10 per centum;

"(2) the required reserve ratio or ratios for demand deposits not exceeding $5,000,000 shall be not less than 7 per centum nor more than 14 per centum;

"(3) the required reserve ratio or ratios for demand deposits exceeding $5,000,000 and not exceeding $100,000,000 shall be not less than 8 per centum nor more than 20 per centum;

"(4) the required reserve ratio or ratios for demand deposits exceeding $100,000,000 shall be not less than 10 per centum nor more than 22 per centum; and

"(5) the $5,000,000 figure may be increased by the Board to not more than $10,000,000 or decreased to not less than $2,500,000, and the $100,000,000 figure may be increased to not more than $500,000,000 or decreased to not less than $50,000,000."

SEC. 2. Section 11(e) of the Federal Reserve Act (12 U.S.C. 248(e)) is repealed.

S. 1398—INTRODUCTION OF BILL RELATING TO ACQUISITION OF CARRIERS SUBJECT TO ICC AUTHORITY

Mr. MAGNUSON. Mr. President, I introduce by request for myself, and the Senators from Colorado (Messrs. ALLOTT and DOMINICK) for appropriate reference a bill to amend section 5(2)(a) of the Interstate Commerce Act relating to acquisition of carriers.

This bill, which is identical to a measure already introduced in the House of Representatives by the chairman of the House Commerce Committee (Mr. STAGGERS), would add a new requirement that any acquiring person that is not a carrier must be engaged primarily in the business of transportation or a business which is economically necessary for or incidental to the business of transportation in order to acquire a carrier subject to the provisions of section 5(2)(a) of the act.

Mr. President, this measure represents a possible solution to a problem now affecting many industries involving the acquisition of a company which is required to be operated in the public interest. Individuals or business entities which have not previously engaged in the regulated industry involved may be ill-equipped or unable to continue the appropriate operation of the company involved in the public interest. This bill would enhance the authority of the ICC to protect the public from any acquisition detrimental to the public interest.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1398) to amend section 5(2)(a) of the Interstate Commerce Act, relating to acquisition of carriers, to add a requirement that any acquiring person not a carrier must be engaged primarily in the business of transportation or a related business, introduced by Mr. MAGNUSON (for himself, Mr. ALLOTT, and Mr. DOMINICK), by request, was received, read twice by its title, and referred to the Committee on Commerce.

Mr. ALLOTT. Mr. President, on behalf of my colleague, Mr. DOMINICK, and myself, I am delighted to join with the distinguished chairman of the Commerce Committee in sponsoring this legislation. This bill, which has a similar counterpart over in the other body, appears to me to be a most necessary and reasonable legislative effort to plug a possible legal loophole with regard to the acquisition of an individual common carrier. As Senators are aware, for nearly 30 years the public interest with regard to mergers and the acquisition of contol of carriers has been protected by the provisions of the Interstate Commerce Act. The one area which remained outside the purview of the statute, however, and which is the subject of legitimate Federal concern had to do with the question of the acquisition of a single carrier by an individual entity or person as defined in this act.

As Senators are aware, prior to the time my junior colleague was hospitalized at Bethesda Naval Hospital, he expressed considerable interest in the question of the growing conglomerate merger movement. In remarks delivered to the Senate on February 18, 1969, Senator DOMINICK pointed out the possibilities of abuse which are inherent in allowing purely paper entities to acquire control of certain common carriers where they do not display any of the necessary expertise requisite for the proper management of such carriers.

It seems manifestly clear to me, Mr. President, that there is a potential area of public concern when impersonal conglomerates which are not primarily in the business of transportation or a related business activity, nor possessed of any of the expertise incidental thereto, are allowed to acquire, through manipulation or otherwise, a common carrier unless the ICC is afforded the legislative opportunity to assure the protection of the public interest. The legislative avenue taken today will assure that the legitimate public interest is being protected in this area without imposing undue or unnecessary Federal control over the free enterprise system.

On behalf of my colleague I want to commend the senior Senator from Washington for asserting his considerable leadership and support of this legislative endeavor to protect the public interest, and to assure him of our continued support in urging its final enactment.

S. 1399—INTRODUCTION OF BILL RELATING TO DOWNED AIRCRAFT RESCUE TRANSMITTERS

Mr. MAGNUSON. Mr. President, I introduce, for appropriate reference, a bill to amend the Federal Aviation Act of 1958 in order to provide for certain requirements for the installation of downed aircraft rescue transmitters on civil aircraft.

Mr. President, this legislation represents an attempt to respond affirmatively and expeditiously to a serious defect in our air safety program which now threatens the safety of increasingly large numbers of U.S. citizens. The problem to which I refer is the very serious one attending efforts to locate downed aircraft.

There is at this time urgent need for the Congress to give thoughtful attention to this matter of significant national concern. More than 100,000 aircraft of all sizes and descriptions are traveling across the skies of this great Nation each day. Millions of people each year are crossing large bodies of water and rugged mountainous terrain so remote and treacherous that no human being could long survive there. As long as man has flown aircraft and become lost, we have relied on human sight and skill to find and rescue them. The present air search and rescue methods are often costly, dangerous, and unreliable. Many of these searches have been successful, but hundreds of them have not, and many lives have been lost because of these failures.

It is imperative, therefore, that action be taken. We must provide a means of accomplishing an air search which incorporates modern concepts.

Perhaps one of the most costly and disappointing air search failures occurred in my own State of Washington. On May 17, 1965, a single-engine seaplane carrying a talented and promising young Seattle city councilman, Mr. Wing Luke, was lost. Also aboard the plane was Mr. Sidney Gerber, a very prominent member of the Seattle community. The pilot's last words by radio reported the plane's position at an altitude of 5,000 feet over Lake Wenatchee. The plane was apparently about to begin crossing the rugged Cascade Mountains which separate eastern and western Washington. Weather at the time was very poor, winds were in excess of 70 miles per hour at 5,000 feet and snow was falling in many sections of the Cascade Mountain Range. When the aircraft did not arrive in Seattle on Sunday afternoon, the pilot's wife requested the Washington State Aeronautics Commission to initiate a search for the missing plane. For 14 consecutive days and nights, professional search and rescue leaders directed the efforts of thousands of volunteer searchers. Hundreds of civil and military aircraft flew a record number of hours and exhausted all available State search and rescue funds. To reinforce the State's effort, Federal military assistance was authorized and their participation alone accounted for the most extensive air search and rescue effort in the annals of Washington State aviation history. A flight of four U.S. Navy

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jet aircraft specially equipped for high altitude aerial photography was employed. Their efforts provided over 9,000 5-by-5-inch negatives of the northern Cascade range. Each negative was then individually evaluated by experts. It is estimated that the total cost of all participating local, State, and Federal forces totaled nearly $1 million. Despite all the expertise, all the effort, and all the cost expended in this search, the plane was not found until 3½ years later when it was by chance spotted from the air. There was no emergency transmitting equipment on board this plane.

Compare the most recent successful air search in Washington State which was conducted on March 17, 1969. A young student pilot was hopelessly lost following an emergency landing at an elevation of 4,000 feet in deep snow with subzero temperatures. One of the State's search aircraft equipped with new very-high-frequency direction-finding equipment was directed to the last known position of the downed aircraft. Within 30 minutes the search aircraft had positively established the location of the missing plane by homing in on a radio signal transmitted from the downed aircraft. It is of utmost importance to note that the people aboard the search aircraft established the location of the downed aircraft without actual visual contact. For the first time in the State of Washington a successful air search was completed solely through use of electronic equipment.

I have referred only to examples from my own State of Washington. However, I hasten to add that no State in our Nation is without similar experiences. We are all aware of the recent tragedy in the State of California where an entire family managed to survive for more than 30 days and yet perished because they were not visible from the air.

Records show a substantial number of aircraft and persons missing for many years without being located, particularly in the Western United States mountainous area and the Alaska mountainous area. To illustrate the extent of the problem in the Western region, 31 aircraft have been listed as missing and have not been located during the 10-year period between 1957 and 1967. Fifty-seven persons were reported to be on board these aircraft. Occasionally, long-lost aircraft are happened upon, with evidence indicating that the occupants survived the crash and later perished as a result of exposure, starvation, or injuries sustained in the crash. Many of these fatalities can be avoided if a means for rapid location of the crash site is available.

Study of survival situations, particularly in respect to overwater search, has established that 50 percent of all persons who are retrieved alive from downed aircraft situations are recovered within the first 12 hours of going down. Twenty-five percent more are recovered in the next 12 hours—or a total of 75 percent within 24 hours. The probability of recovery dwindles rapidly thereafter. The history of inland search and rescue indicates that downed aircraft searches expend an average of more than 30 sorties for each aircraft searched for. A sortie entails the dispatch of a flight of searching aircraft; number of aircraft on a mission will vary. A sortie lasts an average of 2 hours. Adverse weather conditions usually prevail when search is initiated limiting the mission flight time. Most search missions, under present conditions, without utilization of rescue-aid equipment by the downed aircraft occupants extend for many days, with low probability of success.

We tend to think of these disasters as occurring in areas remote from the population centers. Shockingly, however, there have been several incidents involving downed aircraft near cities or short distances from airport runways which have remained undetected for several hours or even days.

These tragedies cannot be allowed to continue unabated. Lives lost to those persons aboard unlocated aircraft is reason enough for the Federal Government to take immediate action. But this is by no means the only factor involved. Those persons who take to aircraft in search of missing planes place their lives in some jeopardy. In addition, the high cost of utilizing large numbers of aircraft and large amounts of man-hours is reaching the point where it is prohibitive. How much better it would be if we could send out one plane in the certainty that that one aircraft could in most cases find the missing plane.

The very nature of today's modern, high-speed, long-range aircraft dictates that all of them must be equipped with a reliable downed-aircraft rescue transmitter. Adequate devices are now being manufactured, and mass production should reduce the prices substantially so as to put them within the means of all aircraft owners.

Further, this device could transmit on a frequency of 121.5 megacycles, which is a long-established international distress frequency. It is my understanding that all aircraft radios are equipped with this frequency.

The FAA has recently announced that its flight inspection aircraft which fly nearly 10 million miles each year will now constantly monitor emergency radio frequencies during routine flights. This service will greatly assist in pinpointing signals from crash locator and emergency position indicating beacons, and is an additional indication of the importance of finding downed aircraft quickly.

The bill which I introduce today is a simple one. It will insure that all aircraft used for air transportation and air commerce will eventually be equipped with a downed aircraft rescue transmitter—DART. First of all, the bill would require that all manufacturers install the downed aircraft rescue transmitter—DART—in all new aircraft constructed 6 months after the date of the bill's enactment. Second, the bill would require all existing aircraft for hire to have the device installed within 2 years after the date of passage.

Third, all general aviation aircraft would be required to have the device installed within 5 years after the date of enactment.

I want to emphasize that I do not necessarily consider this legislative language to be inviolable. I intend to remain flexible, hopeful that we will develop the best possible legislative course.

Mr. President, the urgency of this problem calls for early congressional attention. Insofar as that is within my power to control, there will be prompt and, I hope, favorable consideration of this legislation.

I ask unanimous consent that the bill be printed in the RECORD at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1399) to amend the Federal Aviation Act of 1958 in order to provide for certain requirements with respect to the installation of downed aircraft rescue transmitters on civil aircraft, introduced by Mr. MAGNUSON (for himself and other Senators), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 1399

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 601 of the Federal Aviation Act of 1958 is amended by inserting at the end thereof a new subsection as follows:

"DOWNED AIRCRAFT RESCUE TRANSMITTERS

"(d) Minimum standards pursuant to this section shall include a requirement that downed aircraft rescue transmitters shall be installed—

"(1) on any aircraft for use in air commerce, the manufacture of which is completed, or which is imported into the United States, after six months following the date of enactment of this subsection;

"(2) on any aircraft used in air transportation after two years following such date; and

"(3) on any aircraft used in air commerce after five years following such date."

S. 1400—INTRODUCTION OF BILL RELATING TO ESTABLISHMENT OF THE MARITIME ADMINISTRATION AS AN INDEPENDENT AGENCY

Mr. MAGNUSON. Mr. President, I introduce for appropriate reference a bill to amend title II of the Merchant Marine Act of 1936 to create an independent Federal Maritime Administration.

This bill is identical to a measure enacted by Congress last year but vetoed by President Johnson. The previous administration maintained that the proper administrative location of the Maritime Administration was within the Department of Transportation. However, in the previous Congress the Senate Commerce Committee held hearings over a period of some 5 months on the issue of an independent maritime agency and other issues concerning the present state and future of the U.S. merchant marine. We found that the U.S. merchant fleet was in critical condition, its future in doubt, and remedial action of a major nature essential if the United States were to remain a leading seafaring nation. Late in the second session of the previous Congress the Senate Commerce Committee favorably reported without dissent legislation to create an independent Mari-

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time Administration. In large measure our action stemmed from the conviction that the Department of Transportation could not provide the necessary leadership in developing the revitalization program that our fleet so desperately required.

There is no question that the merchant marine requires special attention. It cannot at this juncture be viewed merely as another mode of transportation subject to the general problems we face in the field of transportation, but rather it must be viewed as an essential industry in serious trouble requiring special remedial action. It is my present belief that the necessary attention is more apt to be received if an independent Maritime Administration is created.

Briefly, the bill I am introducing provides as follows:

The act would be cited as the "Federal Maritime Act of 1969."

It would establish an independent Federal Maritime Administration with a Federal Maritime Administrator at its head, who shall be appointed by the President by and with the advice and consent of the Senate, for a term of 4 years, to be compensated as provided by level III of the executive schedule.

The bill establishes within the Federal Maritime Administration a Maritime Board, composed of three members. These would be the Federal Maritime Administrator, who shall be Chairman of the Board, and two additional members appointed by the President by and with the advice and consent of the Senate. Not more than two members shall be from the same political party. The two additional Board members appointed by the President shall be compensated at the rate provided by level IV of the executive schedule.

Provisions are made with regard to the expiration dates of the initial appointments; for the filling of vacancies; and for continuous service upon expiration of a term until a successor shall have been appointed and qualified. No appointed member shall engage in any other business, vocation, or employment.

Under the bill, all functions, powers, and duties of the Secretary of Commerce and other offices and officers of the Department of Commerce under the Merchant Marine Act of 1936 and other specifically enumerated laws and provisions of law are transferred to and vested in (a) the Administrator. Provision is made for a Deputy Maritime Administrator empowered to serve as Acting Administrator during the absence or disability of the Administrator, provided that he shall at no time sit as a member or acting member of the Maritime Board; and (b) the Maritime Board.

Generally speaking, the functions, powers, and duties transferred under this bill are those presently exercised by the Secretary of Commerce under Reorganization Plan No. 7 of 1961.

Provision is made to permit the board by published order or rule to delegate to the Administrator, any office or officer within the administration, an individual member of the board, a hearing examiner, or an employee or employee board, any function of the board to expedite the board's business. Safeguard is provided by retention of the discretionary right in the board to review any action taken pursuant to delegated functions. The vote of one member of the board shall be sufficient to bring any such action before the board for review.

Decisions of the board made pursuant to the exercise of its functions, powers, and duties shall be administratively final, with appeals to be taken directly to the courts as authorized by law.

The bill makes it unlawful for any member, officer, or employee of either the Administration or the board to have any business, pecuniary or official relationship with any person with whom they may have business relations. The Administrator and members of the board are to be appointed with due regard for their fitness for office and can be removed only for neglect of duty or malfeasance in office. Provisions are made for the transfer of personnel and property to the Administration and the board; for the repeal of the appropriate provisions of existing reorganization plans and to make it clear that nothing in this legislation will affect the Federal Maritime Commission or any of its functions.

The bill requires the board to submit to the President and to the Congress within 1 year after enactment a report surveying the condition of the American merchant marine, evaluating the effectiveness of existing law, and making appropriate recommendations.

Finally, the bill provides that the act is to take effect on the 60th day after enactment.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1400) to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes, introduced by Mr. MAGNUSON (for himself and Mr. COTTON), by request, was received, read twice by its title, and referred to the Committee on Commerce.

S. 1401—INTRODUCTION OF BILL RELATING TO FISH AND WILDLIFE

Mr. FANNIN. Mr. President, on behalf of myself and Senators GRIFFIN, BENNETT, ERVIN, HANSEN, HATFIELD, HOLLAND, THURMOND, GOLDWATER, and STEVENS, I introduce for appropriate reference a bill to confirm in the States the control over and authority to regulate the resident species of fish and wildlife on Federal lands within their boundaries.

I introduced this same bill in the last Congress and it received extensive hearings before the Senate Commerce Committee.

I am hopeful that further hearings can be held soon so that this subject, which has plagued the orderly administration of State wildlife conservation programs, can be resolved.

I ask unanimous consent that my remarks on the floor of the Senate last year upon introduction of this bill be included at this point in the RECORD in explanation of the provisions of the proposed legislation.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the remarks will be printed in the RECORD.

The bill (S. 1401) relating to the authority of the States to control, regulate, and manage fish and wildlife within their territorial boundaries, introduced by Mr. FANNIN (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Commerce.

The remarks, presented by Mr. FANNIN, are as follows:

CONSERVATION OF OUR FISH AND GAME

Mr. FANNIN. Mr. President, on March 21, 1968, I introduced a bill confirming the authority of the States to control, regulate, and manage fish and wildlife within their territorial boundaries.

At this time I would like to explain its purpose. This proposed legislation would end the Federal-State dispute, over the ownership of fish and wildlife on Federal lands and, with certain exceptions, reaffirm the States' ownership of these resident species. My bill restates the established law that Federal ownership of land does not carry with it Federal ownership of the resident species of fish and game on that land.

Not in issue here and therefore exempted from the bill are first, hunting and fishing rights of Indians and Alaskan natives protected under treaty or Federal statute; second, the authority of the Federal Government to control and regulate fish and wildlife under treaty or on lands to which a State has ceded exclusive jurisdiction; or, third, the right of the Federal Government under article IV, section 3, clause 2 of the U.S. Constitution to protect its lands from damage by wildlife. Nor will my bill infringe upon existing Federal laws, such as the Rare and Endangered Species Act and the Bald Eagle Act, enacted for the protection of certain species of wildlife. My bill in no way dilutes the authority of the Federal Government to restrict or prohibit hunting and fishing on its lands in the interest of public safety or protection of its property.

This bill does meet, however, a very specific issue. The Federal Government, through the Department of the Interior, is claiming ownership of all resident species of fish and wildlife found on Federal lands. This assertion is without constitutional authority and defies the long precedent of the U.S. Supreme Court, other Federal and State court decisions which clearly establishes that resident species of fish and wildlife located within the boundaries of a State, whether on Federal, State, or private land, are owned by that respective State in trust for its citizens. The legal arguments are presented in two briefs submitted by the International Association of Game, Fish, and Conservation Commissioners and the Solicitor of the Department of the Interior, copies of which I ask unanimous consent to have printed in the RECORD following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. FANNIN. Essentially, the Solicitor argues that the Federal Government possesses unquestioned jurisdiction over resident fish and wildlife by virtue of the property and supremacy clauses of the U.S. Constitution and that any Federal rules and regulations promulgated in exercise of this alleged jurisdiction are subject only to the test of reasonableness and appropriateness. The flaw in this analysis is the lack of constitutional authority to claim ownership of resident species of fish and game just because they happen to be located on Federal lands. It is elemental constitutional law that Federal authority over anything arises only from enumerated powers in the Constitution. And although those powers has been given elastic proportions by the U.S. Supreme Court, the property clause in the Con-

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stitution has never and cannot now be so stretched by a department of the Federal Government.

It is true that the property clause does empower the Federal Government to control, and in fact eradicate, wildlife when these species are damaging or destroying Federal land. The U.S. Supreme Court so held in *U.S.* v. *Hunt* (278 U.S. 96, (1928)). To that extent, but, I emphasize, to that extent only, the Federal Government can exercise control over resident species of fish and wildlife. Protection of Federal property is one thing but the claim of Federal ownership and control over all game just because they happen to be found on Federal lands is an entirely different question.

The authority of the States in this field has been clearly defined throughout the years since initially spelled out by the U.S. Supreme Court in 1896. *Geer* v. *Conn.* (161, U.S. 519).

Congress did attempt to assume control over migratory waterfowl early in this century but the statute was struck down by the Federal courts as an unconstitutional exercise of Federal power. *U.S.* v. *Shauver* (214 Fed. Rep. 154); and *U.S.* v. *McCullagh* (2211 Fed. Rep. 288). Only after consumation of a treaty between the United States and Great Britain was Congress empowered to so legislate, and a careful reading of Justice Holmes decision in the case of *Missouri* v. *Holland* (252 U.S. 416), which upheld this later Migratory Bird Treaty Act, evidences that absent the treaty the statute would have lacked constitutional life.

I do not wish, however, to leave the impression that this is merely a legal dispute. It is much more. For unless Congress acts to pass this bill, we will see the demise of many State wildlife conservation programs, the possible establishment of a Federal hunting and fishing license, and the senseless fracturing of uniform fish and game management within the borders of each State. If the Interior's position is permitted to stand, it is not hard to imagine what would happen, for example, in the State of Arizona, where over 70 percent of our land is in some form of Federal ownership or control. The sound conservation practices of Arizona's Game and Fish Department could well be eviscerated and replaced by a myriad of different hunting and fishing regulations issued by the Department of Agriculture, the National Park Service, the Bureau of Land Management, the Bureau of Sport Fisheries, the U.S. Air Force, the U.S. Army, or any other Federal department, agency, or bureau encouraged by Interior's position to assume like powers.

Mr. President, the wise management of fish and game, particularly within those States with large Federal land holdings, depends on cooperation, not competition, between the State and Federal Governments. Over the years, the States, through their fine International Association of Game, Fish, and Conservation Commissioners, have tried unsuccessfully to reach accord with the Department of the Interior. The obstacle has been the Solicitor's opinion of 1964 and the rigid insistence of the Department of the Interior on the validity of that wide ranging opinion.

Relying on that opinion, the Department of the Interior has now acted to enforce it. In December of last year, the superintendent of Carlsbad National Park, N. Mex., initiated a program in the park to kill some 50 deer over a 2-year period in order to study the contents of their stomachs. The Park Service admitted the deer were not posing a present threat to the park lands, and that the purpose of the killings was to gather information for future studies. The State of New Mexico requested that in accordance with New Mexico law all personnel involved in the killing of these deer acquire the necessary State permit. The Park Service refused, claiming that this was a Federal project on Federal lands and therefore not subject to State law. The State of New Mexico filed suit in Federal district court to enjoin the Park Service, who by then had killed 15 deer in violation of State law. On March 12, 1968, the court enjoined the defendants from further killing of deer for the purpose of conducting the research study.

This decision, even if affirmed on appeal, however, cannot settle the overall dispute between the State and Federal Governments, for the trial judge decided the case on the narrow grounds of statutory construction, thereby avoiding the substantive question of constitutional authority. The text of the court's opinion will follow my remarks.

The proposed legislation I have introduced is in no way a criticism of those conservationists and wildlife biologists working for the Bureau of Sport Fisheries and Wildlife. Their efforts within the proper limits of Federal responsibility, particularly the preservation and propogation of endangered species and migratory waterfowl, mirror the dedication of our contemporary wildlife conservationists.

But the actions of the National Park Service in New Mexico should leave little doubt about the consequences of permitting this dispute to continue. At stake here is an irreplaceable resource threatened by administrative flexing of the Federal Government. The bill I have introduced will put an end to this controversy and permit the States to continue their fine efforts toward uniform fish and game conservation.

I urge the support of my colleagues for this bill.

Mr. President, I express my thanks and appreciation to the distinguished Senator from South Carolina for permitting me to present this statement at this time.

"Exhibit 1

"Brief of the Legal Committee, International Association of Game, Fish and Conservation Commissioners in Opposition to Memorandum Opinion No. 36672 Issued by Solicitor for the Department of the Interior

"Re: Authority of the Secretary of the Interior to manage and control resident species of wildlife which inhabit wildlife refuges, game ranges, wildlife ranges, and other Federally-owned property under the administration of the Secretary.

"1. STATEMENT OF QUESTION INVOLVED

"The Solicitor for the United States Department of the Interior has recently issued an opinion on the subject of 'authority of the Secretary of Interior to manage and control resident species of wildlife which inhabit wildlife refuges, game ranges, wildlife ranges, and other Federally-owned property under the administration of the Secretary.'

"The specific question asked by the United States Fish and Wildlife Service is:

" 'Does the Secretary of the Interior have the *authority to promulgate regulations which control the hunting and fishing activities of the general public on land within the refuge system,* when such regulations are more restrictive than State fish and game laws?'

"This question, as submitted to the Solicitor, grew out of the position taken by various State fish and game departments and the ad hoc committee of the International Association of Game, Fish and Conservation Commissioners. As set forth in the Solicitor's opinion, this position is:

" 'That the Secretary may issue *only* hunting and fishing regulations for resident species of wildlife that incorporate completely State law, because all resident species of wildlife, other than migratory birds, are subject to the *exclusive* jurisdiction and control of the several States, and the States have some semblance of title to the resident species of wildlife.'

"The Solicitor affirmatively answered the specific question asked by the United States Fish and Wildlife Service, and concluded:

" 'It is our conclusion that the Secretary has ample legal authority to make hunting and fishing regulations for particular areas within the National Wildlife Refuge System that prohibit activities authorized and permitted by State law. The regulation of the wildlife populations on Federally-owned land is an appropriate and necessary function of the Federal government when the regulations are designed to protect and conserve the wildlife as well as the land.'

"But the most ominous contention made by the Solicitor is to be found in the following all-inclusive statement (page 5) of his opinion:

" 'From the foregoing authorities it is apparent that the United States constitutionally empowered as it is, may gain a proprietary interest in land within a State and, in the exercise of this proprietary interest, has constitutional power to enact laws and regulations controlling and protecting that land, including the persons, inanimate articles of value, and resident species of wildlife situated on such land, and that this authority is superior to that of a State.'

"It is the considered opinion of the legal committee of the International Association of Game, Fish and Conservation Commissioners that the Solicitor's opinion is erroneous.

"II. EFFECT OF SOLICITOR'S OPINION ON STATES' CONSERVATION PROGRAMS

"If the opinion of the Solicitor prevails, the States will suffer serious consequences with respect to their conservation programs. A tabulation annexed hereto indicates the extensive ownership of lands by the Federal government within the States. If the courts uphold the sweeping contention made in the Solicitor's opinion, the States would lose their regulatory power over resident game and fish on Federally-owned lands within their jurisdiction and also a considerable revenue derived from licenses since such licensing power would be displaced by Federal licensing structure as a result.

"III. HISTORICAL DOCTRINE—STATE OWNERSHIP OF GAME AND FISH

"The historical dictrine of ownership of game and fish by the several States is still basically the law of the land, as decided in *Geer* v. *Connecticut,* 161 U.S. 519 (1896).

"It must be conceded in this day that whatever doubts may have existed as to the ownership of game and fish by the several States, that doubt was finally put at rest by the United States Supreme Court decision in the *Geer* case. The issue here was whether a statute passed by the Connecticut legislature prohibiting the transportation of game outside State boundaries violated the Commerce Clause of the Constitution. The Supreme Court went to great lengths researching the law which had been extant in many countries and through several centuries of history. The conclusion was that the States had inherited from the Crown and Parliament of England all the rights, both of property and sovereignty, which were exercised in England over game and fish.

"In the majority opinion of Mr. Justice White, this transfer of sovereignty and proprietary right over game and fish is succinctly stated:

" 'Undoubtedly this attribute of government to control the taking of animals *ferae naturae,* which was thus recognized and enforced by the common law of England, was vested in the colonial governments, where not denied by their charters, or in conflict with grants of the royal prerogative. It is also certain that the power which the colonies thus possessed passed to the States with the separation from the mother country, and remains in them at the present day, in so far as its exercise may be not incom-

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patible with, or restrained by the rights conveyed to the Federal government by the Constitution.'

"In discussing the issue involved, namely, whether a State violated the Commerce Clause in prohibiting the transportation of game outside its borders, Mr. Justice White made the following salient observations:

" 'The foregoing analysis of the principles upon which alone rests the right of an individual to acquire a qualified ownership in game, and the power of the State, deduced therefrom, to control such ownership for the common benefit, clearly demonstrates the validity of the statute of the State of Connecticut here in controversy. The sole consequence of the provision forbidding the transportation of game, killed within the State, beyond the State, is to confine the use of such game to those who own it, the people of that State. The proposition that the State may not forbid carrying it beyond her limits involves, therefore, the contention that a State cannot allow its own people the enjoyment of the benefits of the property belonging to them in common, without at the same time permitting the citizens of other States to participate in that which they do not own. It was said in the discussion at bar, although it be conceded that the State has an absolute right to control and regulate the killing of game as its judgment deems best in the interest of its people, inasmuch as the State has here chosen to allow the people within her borders to take game, to dispose of it, and thus cause it to become an object of State commerce, as a resulting necessity such property has become the subject of interstate commerce, and is hence controlled by the provisions of article 1, section 8, of the Constitution of the United States. But the errors which this argument involves are manifest. It presupposes that where the killing of game and its sale within the State is allowed, that it thereby becomes commerce in the legal meaning of that word. In view of the authority of the State to affix conditions to the killing and sale of game, predicated is this power on the peculiar nature of such property and its common ownership by all the citizens of the State, it may well be doubted whether commerce is created by an authority given by a State to reduce game within its borders to possession, provided such game be not taken, when killed without the jurisdiction of the State. The common ownership imports the right to keep the property, if the sovereign so chooses, always within its jurisdiction for every purpose. The qualification which forbids its removal from the State necessarily entered into and formed part of every transaction on the subject, and deprived the mere sale or exchange of these articles of that element of freedom of contract and of full ownership which is an essential attribute of commerce. Passing, however, as we do, the decision of this question, and granting that the dealing in game killed within the State, under the provision in question, created internal State commerce, it does not follow that such internal commerce became necessarily the subject-matter of interstate commerce, and therefore under the control of the Constitution of the United States. The distinction between internal and external commerce and interstate commerce is marked, and has always been recognized by this court.'

"That the United States government is not the owner of game and fish, despite its superior treaty-making power, was decided in *Sickman* v. *United States* (1950), 184 F 2d. 616. In this case, plaintiff landowners located adjacent to a game preserve brought action under the Federal Tort Claims Act to recover damages to their crops claimed to have been destroyed by migratory waterfowl. The landowners alleged that the United States by having wild geese in its possession and control is responsible for any depredations which such geese may commit; and that the United States, when geese are in this country, is the owner of said geese, or is trustee for the high contracting parties to the treaties governing these migratory birds, and by reason of said trust owes the duty to protect innocent persons from damage which they may cause.

"As to the ownership claim, the Court said:

" 'In the oral argument before this court, plaintiffs' counsel insisted that the United States government was the owner of the wild geese, at least while they were within the geographical confines of this nation. If counsel's theory is correct, presumably as such geese passed the Canadian boundary on their northern flight, and the Rio Grande River if they flew that far south, their ownership passed then to the governments of Canada and Mexico respectively. Plaintiffs' theory as to the ownership of migratory wild fowl which have not been reduced to possession is without merit and cannot be sustained. * * *

" 'The United States, *considered as a private person*, did not have any ownership, control or possession of these wild geese which imposed liability for their trespasses. * * *'

"IV. U.S. SUPREME COURT DECISIONS MODIFYING STATE OWNERSHIP DOCTRINE

"The doctrine of State ownership of game and fish has been only slightly modified by the United States Supreme Court in three cases. These are:

"(1) *Missouri* v. *Holland*, 252 U.S. 416 (64 L. Ed. 641), held that the treaty-making power of the United States is supreme and thus the Migratory Bird Treaty and the Migratory Bird Treaty Act passed pursuant thereto are the supreme laws of the land. Previously there had been an act of Congress regulating migratory birds which had been declared unconstitutional in *United States* v. *Shauver*, 214 Fed. 154, and *United States* v. *McCullagh*, 221 Fed. 288. This decision was based on the concept that the States owned migratory birds and that they could not be the subject of Congressional exercise of power. However, since the treaty-making power vested in the United States is part of the Supremacy Clause, the Supreme Court speaking through Justice Holmes held that a treaty on the subject of migratory birds supervenes all Federal and State constitutions and laws and creates rights superior to those previously exercised either by the States or their citizens. There is nothing in this decision which otherwise negates the holding in the *Geer* case that the States are owners of resident game and fish.

"(2) *Toomer* v. *Witsell*, 334 U.S. 385, (92 L. Ed. 1460), held that when a State permits and encourages fish to enter the stream of interstate commerce, it cannot discriminate by imposing licensing fees and taxes on nonresidents greater than those imposed on residents. This case involved the constitutionality of South Carolina statutes governing commercial shrimp fishing in the three-mile maritime belt off the coast of that State. The statutes in question permitted transportation of shrimp out of South Carolina but imposed a tax considerably higher than that paid by a resident of the State. They also imposed a fee on the shrimp boat—$25 if owned by a resident, and $2500 if owned by a non-resident.

"Chief Justice Vinson in distinguishing this situation from that in *McCready* v. *Virginia*, 94 U.S. 391 (24 L. Ed. 248), pointed out that the *McCready* case related to a non-migratory fish species. It was also observed in the opinion that although the *Geer* case involved a statute prohibiting the transportation of game out of the State, these statutes of South Carolina not only permitted the shrimp to be placed in interstate commerce but even encouraged the citizens of South Carolina to do so.

"In applying the Commerce Clause the Court said (p. 402):

" 'The whole ownership theory, in fact, is now generally regarded as but a fiction expressive in legal shorthand of the importance to its people that a State have power to preserve and regulate the exploitation of an important resource. And there is no necessary conflict between that vital policy consideration and the constitutional command that the State exercise that power, like its other powers, so as not to discriminate without reason against citizens of other States.'

"Thus the fullest import of this decision is that even though a State may have plenary authority over its game and fish, it cannot avoid or circumvent the command of the Commerce Clause when it permits its game and fish to be placed in the stream of interstate commerce.

"(3) *Takahashi* v. *Fish and Game Commission*, 334 U.S. 410, (92 L. Ed. 1478), held that a State could not discriminate in the granting of fishing licenses as between aliens and citizens since under the Federal Constitution the power to regulate the activities of aliens is vested in the Congress.

"Torao Takahashi, an alien of Japanese origin, was denied a license to engage in commercial fishing in the coastal waters of the State of California under a statute passed in 1943 prohibiting the issuance of such licenses to aliens ineligible for United States citizenship. Japanese fell within the class. Having been denied a license, Takahashi filed an action in mandamus in the State court to compel the Commission to issue him a license. The Supreme Court of California, 30 Cal. (2d) 719, 185 P. (2d) 805, validated the statute chiefly on the ground that California had a proprietary interest in the fish found in the three-mile belt and thus could bar aliens from participating in the taking of this species of State property.

"Justice Black, writing the majority opinion, referred to *Truax* v. *Raich*, 239 U.S. 33, which involved the validity of an Arizona law militating against employers hiring alien employees. He stated:

" 'This court, in upholding Raich's contention that the Arizona law was invalid, declared that Raich, having been lawfully admitted into the country under federal law, had a federal privilege to enter and abide in "any State in the Union" and thereafter under the Fourteenth Amendment to enjoy the equal protection of the laws of the state in which he abided; that this privilege to enter in and abide in any state carried with it the "right to work for a living in the common occupations of the community," a denial of which right would make of the Amendment "a barren form of words." '

"The holding in this case of course must be limited to the issue involved, namely, whether a State can discriminate against an alien who apparently was making his livelihood from fishing in the waters of that State. The holding merely is to the effect that even though the State may have plenary authority over its resources such as game and fish, it cannot in the exercise of that authority deny aliens the same rights that it accords to its citizens because under the Federal Constitution the rights and immunities of aliens is a subject which has been vested in the Congress.

"This again in no way upset or militated against the basic doctrine that the States not only are the owners of but exercise plenary authority over game and fish located within their boundaries.

"Consequently, it is still the law of the land as can be garnered from decisions of both State and Federal courts that irrespective of the ownership of the land itself, the States still possess the primary proprietary and sovereign power to regulate and control the resident games and fish within their respective boundaries.

"V. ANALYSIS OF SOLICITOR'S OPINION

"A. Bases of Solicitor's contention

"The Solicitor premises Federal power in the Congress to authorize the Secretary of

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the Interior to make the limited hunting and fishing regulations here specified upon:

"1. Article IV, Sec. 3, clause 2 of the Federal Constitution, which provides:

" 'The Congress shall have the Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States * * *.'

"2. The authority of the Federal government to acquire lands within a State by eminent domain for purposes within the ambit of its constitutional powers.

"3. Article VI, clause 2 of the Federal Constitution, which provides:

" 'This Constitution, and the laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; * * *.'

"4. The sovereign proprietary interest of the United States as a landowner.

"Based upon the cases cited, the Solicitor concludes:

" '* * * it is apparent that the United States constitutionally empowered as it is, may gain a proprietary interest in land within a State and, *in the exercise of this proprietary interest*, has constitutional power to enact laws and regulations controlling and protecting that land, including * * * resident species of wildlife situated on such land, and that this authority is superior to that of a state.'

"B. Analysis of cases cited by Solicitor

"It is the purpose here to analyze critically the cases cited in the Solicitor's opinion, as well as others, to test the validity of the Solicitor's interpretation of the scope of Federal power under Art. IV, Sec. 3, clause 2 of the Federal Constitution to include the regulation by the United States of resident species of game upon Federally-owned lands. None of the cases cited expressly support the Solicitor's broad conclusion.

"1. *Hunt* v. *United States*, 278, U.S. 96 (1928)

"This case involves the killing of deer on the Grand Canyon National Game Preserve by the District Forester under the direction of the Secretary of Agriculture. It arose because officers of the State of Arizona threatened to arrest and prosecute any person attempting to kill or possess or transport such deer for violation of the game laws of Arizona. Three persons who had killed deer under the authority of the United States officials were arrested. The United States brought suit against the Governor and Game Warden of the State of Arizona to enjoin them from continuing or threatening such proceedings. From a lower court decree in favor of the United States, the Governor and Game Warden appealed to the United States Supreme Court.

"The Kaibab National Forest and the Grand Canyon National Game Preserve covered practically the same area in the State of Arizona. They were created by proclamations of the President under authority of Congress.

"The Supreme Court found that the evidence made clear that the deer had injured the lands in the reserves by overbrowsing upon and killing young trees, shrubs, bushes, and forage plants; that thousands of deer had died because of insufficient forage; and that the direction given by the Secretary of Agriculture to kill large numbers of the deer and ship the carcasses outside the reserve limits was necessary to protect from injury *the lands* of the United States within the reserve. The Court specifically mentioned the fact that observance of the State game laws 'would have so restricted the number of deer to be killed as to render futile the attempt *to protect the reserves.*' (Emphasis supplied.)

"The Court said:

" 'The direction given by the Secretary of Agriculture was within the authority conferred upon him by act of Congress. And the power of the United States *to thus protect its lands and property* does not admit of doubt (citing the Camfield case, the Utah Power and Light case, the McKelvey case and the Alford case), the game laws or any other statute of the state to the contrary notwithstanding."

"The Supreme Court did not disturb or review a provision in the decree of the lower court that it 'should not be construed to permit *the licensing* of hunters to kill deer within the reserve in violation of the state game laws.' The decree of the lower court was modified by requiring all carcasses of deer and parts shipped outside the boundaries of the reserves to be marked to show that the deer were killed under the authority of the United States officials within the limits of the reserves.

"2. *Camfield* v. *United States*, 167 U.S. 518 (1897)

"Before analyzing the portion of the Solicitor's opinion which touches upon the constitutional powers of Congress to acquire, presumably without cession, the lands within the National Wildlife Refuge System for the various purposes of wildlife conservation, (1) we shall examine the early and often cited case of *Camfield* v. *United States*, 167 U.S. 518 (1897), from which the Solicitor has quoted as follows:

"(1) The portion of the opinion referred to is that which reads: 'There can be no doubt that the Federal Government may acquire lands within a State for purposes within the ambit of its constitutional powers, and that it may do so by virtue of the power of eminent domain. *Fort Leavenworth R.R.* v. *Lowe* 114 U.S. 525, 531 (1885). In the exercise of this power the United States has acquired land for many purposes, including wildlife refuges, game ranges, preserves, parks, and reservations, to name a few.

" 'The general Government doubtless has a power *over its own property* analogous to the police power of the several States, and the extent to which it may go in the exercise of such power is measured by the exigencies of the particular case.' (Emphasis supplied.)

"This quotation, while accurate, is taken out of context and does not accurately reflect the Court's own word of limitation contained in that opinion.

"The *Camfield* case involved the construction and application of an act of Congress to prevent unlawful occupancy of public lands by making unlawful all fencing of public lands by persons having no claim of title. Defendants had fenced their own alternate odd numbered sections of land so as to enclose 20,000 acres of public land. The United States proceeded under this act to compel defendants to remove their fences. With respect to public domain land, the Court there said:

" 'While the lands in question are all within the state of Colorado, the Government has with respect to its own lands, the rights of an ordinary proprietor, to maintain its possession and to prosecute trespassers. It may deal with such lands precisely as a private individual may deal with his farming property. It may sell or withhold from sale. It may grant them in aid of railways or other public enterprises. It may open them to preemption or homestead settlement but it would be recreant to its duties as a trustee for the people of the United States to permit any individual or private corporation to *monopolize them for private gain*, and *thereby practically drive intending settlers from the market.* * * *' (Emphasis supplied.)

"The Court there held the statute before it applicable to defendants' lands, and said:

" 'Considering the obvious purposes of this structure (fencing the specific odd numbered sections) and *the necessities* of preventing the inclosure of public lands, we think the fence is clearly a nuisance, and that it is within the constitutional power of Congress to order its abatement, notwithstanding such action may involve an entry upon the lands of a *private individual*. The government doubtless has a power over its own property analogous to the police power of the several States, and the extent it may go in the exercise of such power is measured by the exigencies of the particular case. *If it be found necessary for the protection of the public, or of intending settlers, to forbid all inclosures of public lands, the government may do so,* though the alternate sections of private lands are thereby rendered less available for pasturage. * * *

" 'While we do not undertake to say that Congress has the unlimited power to legislate against nuisances within a state, which it would have within a territory, we do not think the admission of a territory as a state deprives it of the power of legislating *for the protection of the public lands,* though it may thereby involve the exercise of what is ordinarily known as the police power, *so long as such power is directed solely to its own protection.* A different rule would place the public domain of the United States completely at the mercy of state legislation. (Emphasis supplied.)

"3. *Utah Power and Light Co.* v. *United States* 243 U.S. 389 (1917)

"The Solicitor quotes the following from the *Utah Power and Light Co.* case:

" 'True, for many purposes a State has civil and criminal jurisdiction over lands within its limits belonging to the United States, but this jurisdiction does not extend to any matter that is not consistent *with full power in the United States* to protect its lands, to *control their use,* and to prescribe in what manner others may acquire rights in them.' (Emphasis supplied.)

"From this quotation the Solicitor seems to read into that case a determination that the ownership of land by the United States carries with it plenary power 'to control the use of its land.' There is the implication that this power extends to establishing a refuge for game other than such as is the subject of treaty. (2) It is submitted that this case must be read within the framework of the facts and claims of the parties.

"(2) See U.S. Attorney General Opinion, Vol. XXIII, page 589 (Nov. 29, 1901) attached hereto.

"The *Utah Power and Light Co.* case involved suits brought by the United States to enjoin the continued occupancy and use, without permission, of certain lands in forest reservations in Utah as sites for works employed in generating electric power. Almost all of the lands in the reservation belonged to the United States and before reservation by executive order with the express sanction of Congress were public lands subject to disposal under the general land laws.

"The defendants (among them the Utah Power and Light Company) contended that their claims to the right to occupy such land must be tested by the laws of the State in which the lands were situated rather than by legislation of Congress.

"Defendants also claimed that some of the regulations promulgated by the Secretary of the Interior under the Congressional act empowering the Secretary to make general regulations to permit the use of rights of way through public lands, forest reservations and others go beyond what is appropriate for the protection of the interest of the United States and are unconstitutional, unauthorized and unreasonable.

"To this the Court said:

" 'If any of the regulations go beyond what Congress can authorize, or beyond what is authorized, those regulations are void and may be disregarded; but not so of such as are thought merely to be illiberal, inequitable, or not conducive to the best results.'

"It should be noted that the Court supported only the position of the government that under Congressional authorization it had the constitutional power to protect government lands against trespass and injury. This is the right of every property owner whether public or private. There is no support in this case for the unfounded proposition in the Solicitor's opinion that this holding accords to the United States government rights in the game and fish on such lands—rights which belong to the States and cannot be taken away from them by mere ownership of lands even by the United States.

"4. *United States* v. *Alford*, 274 U.S. 264, 267 (1927)

"The Solicitor has made the following statement, citing in support thereof the cases of *United States* v. *Alford* and *Camfield* v. *United States*, supra:

" 'The authority of the proprietary interest is so substantial that it has been protected by holding enforceable Congressional statutes forbidding the acts on land adjoining Federally-owned lands that might endanger the latter.'

"Although this statement may be true, nevertheless the *Alford* case fails to support the proposition that by mere ownership of lands with its concomitant right to protect such lands against injury, the government of the United States ipso facto become the regulatory owner of resident game and fish.

"5. *Chalk* v. *United States*, 114 F 2d 207 (4th Cir., 1940)

"The Solicitor's opinion concludes with the following declaration:

" 'The basic constitutional authority appertaining to the proprietary interest in land owned by the United States has sustained the killing of game on Federally-owned land by Federal officials while acting within the scope of their authority, although acting in violation of the game laws of the State in which the land was located. *Hunt* v. *United States*, 278 U.S. 96 (1928); *Chalk* v. *United States*, 114 F 2d 207 (4th Cir., 1940).

" 'From the foregoing authorities it is apparent that the United States contitutionally empowered as it is, may gain a proprietary interest in land within a State and, in the exercise of this proprietary interest, has constitutional power to enact laws and regulations controlling and protecting that land, *including* the persons, inanimate articles of value, and *resident species of wildlife situated on such land*, and that this authority is superior to that of a State.'

"We totally disagree with these broad and unqualified conclusions and we submit the cases cited do not support them.

"The *Hunt* case did not decide that there was Constitutional power under Art. IV to regulate and protect game *as a part* of the land in the exercise of Federal power to protect the land and property thereon.

"The *Chalk* case planted decision on two grounds, namely, the protection of forest land itself from damage by an overabundance of game without sufficient pasturage and upon cession of the exclusive jurisdiction over wild game on the game preserve.

"The *Chalk* case was a suit brought by the United States against the Commissioner of Game and Inland Fisheries of North Carolina and State officials under his direction and supervision to enjoin and restrain them from enforcing state-wide game laws respecting game, birds and fish on lands of the United States known as Pisgah National Forest and the Pisgah National Game Preserve.

"The case arose out of a determination by the United States Secretary of Agriculture that the deer herd in the Game Preserve was damaging and injuring the land and forest and authorizing the diminishing of the herd by hunting and trapping under conditions as the Chief of the Forest Service might find necessary.

"On authority of *Hunt* v. *United States*, supra, the Court held that the United States had the undoubted right to protect its lands and property from severe damage. But the controlling issue upon which the Court planted its decision was that the land constituting the national forest had been acquired by the United States *with the consent of the State of North Carolina; and that there had been a cession of exclusive jurisdiction over the control of wildlife in the Pisgah Game Preserve by North Carolina to the United States under a 1915 act of the North Carolina legislature* (3) which was accepted by subsequent amendments to the Weeks Act under which the game preserve was established within the boundaries of the National Forest. (4)

"(3) 'An act to give the consent of the State of North Carolina to the making by the Congress of the United States, or under its authority, of all such rules and regulations as in the opinion of the Federal Government may be needful in respect to game animals, game and non-game birds, and fish on lands, and in or on the waters thereon, acquired by the Federal Government in the western part of North Carolina for the conservation of the navigability of navigable rivers.'

"(4) The amendment prohibited the taking of wildlife on such Preserves except under rules and regulations made by the Secretary of Agriculture.

"Concerning this power, the Court stated:

" 'In addition to the inherent power of the Government to protect its property we have the power expressly ceded to the plaintiff by the State of North Carolina in the Act of 1915 * * *. In this Act the state ceded exclusive jurisdiction over the control of wildlife in the Pisgah Game Preserve to the Federal Government and such cession of jurisdiction for a limited purpose is exclusive as to that purpose, while not necessarily a cession of the right to legislate for all purposes. * * *

" 'The State of North Carolina having granted to the plaintiff exclusive jurisdiction over the wild life in the Game Preserve, the State could not, by the passage of any General Game Law, in any way affect the right of the plaintiff under the cession.' (Emphasis supplied.)

"Again we say that these decisions in no manner support the magisterial but tenuous propositions and conclusions of the Solicitor that the United States government as the result of mere ownership of lands thereby acquires regulatory power over resident game and fish to the exclusion of the State in which the lands are located.

"VI—BASIC FALLACY OF SOLICITOR'S OPINION

"Failure to recognize the rule governing determination of rights accruing to the United States out of ownership of property (not public domain land, but property acquired by purchase or condemnation).

"The fallacy of the Solicitor's broad and sweeping conclusions stems from his failure to recognize the elementary premise that the United States, despite its awesome sovereignty, in purchasing or acquiring lands in the several States secures only those muniments of title possessed by the owner in the role of seller.

"Concededly, under the law of every State, the prior private owner did not own any rights in the game and fish found on such lands as against the State, or at most he had a very limited and qualified right in the game and fish. By purchasing or acquiring lands from such prior private owner, the United States did not and could not secure the proprietary and sovereign rights which the State possessed in the resident game and fish involved.

"That the United States government in acquiring land in the several States gets only such rights therein as are prescribed by State law is a proposition well supported by many court decisions. Among these decisions are the following:

"(1) *United States* v. *Fallbrook Public Utility District, 165, F. Supp. 806 (1958):* In this case the United States sought to claim certain water rights arising out of government ownership of lands in California by reason of its sovereign status in spite of its prior stipulation disclaiming that for such reason it had 'rights to a greater quantity of water than a person not a sovereign would have, standing in the position of the United States.'

"The District Court in ruling on a pre-trial motion refused to allow this claim and restricted the government's claim to that made stipulation, which the Court stated to be

" 'The rights to the use of water which the United States acquired when it purchased the Rancho Santa Margarita. Such rights are the same rights, no more and no less, than the Rancho had, and hence the United States acquired the same rights as any private party who might have purchased the Rancho.'

"In the memorandum opinion, the Court said:

" 'Finally, we believe that the *stipulation accords with the law* in the matter (1) as to the rights claimed by the United States and (2) that state law controls. The stipulation recognized well-established law—that when the United States contracts or acquires property within a state, the law of that state controls what rights in the United States arise therefrom. (*United States* v. *Burinson*, 1950, 339 U.S. 87, 90, 70 S. Ct. 503, 94 L. Ed. 675; *Reading Steel Casting Co.* v. *United States*, 1925, 268 U.S. 186, 188, 45 S. Ct. 469, 69 L. Ed. 907; *United States* v. *Fox*, 1876, 94 U.S. 315, 320, 24 L. Ed. 192; *United States* v. *Nebo Oil Co.*, 5 Cir., 1951, 190 F. 2d 1003, 1010; *United States* v. *Williams*, 5 Cir., 1947, 164 F. 2d 989, 993; *Los Angeles & Salt Lake R. Co.* v. *United States*, 9 Cir., 1944, 140 F. 2d 436, 437, certiorari denied 1944, 332 U.S. 757, 64 S. Ct. 1264, 88 L. Ed. 1586; *Werner* v. *United States* D.S.C.D. Cal. 1950, 10 F.R.D. 245, 247. All that Mr. Veeder has done is to stipulate in accordance with applicable law.'

"(2) *United States* v. *Nebo Oil Co., 190 Fed. 2d 1003 (1951):* The doctrine that the law of the State where United States property is located governs determination of specific property rights in such land was upheld in the case of *United States* v. *Nebo Oil Co.*, supra. This was a suit brought by the United States for a declaratory judgment that it was the owner of minerals in 800 acres of land in Louisiana purchased for national forest subject to the prior sale of minerals under the land under statutory prescription. The Louisiana State Supreme Court had held a subsequent Louisiana statute which made mineral rights in lands sold to the United States subject to reservation or prior sale of such rights imprescriptible applicable to sales made to the United States prior to the effective date of the Act. This opinion was based upon a holding that, under Louisiana law, laws of prescription are retrospective in operation. The Federal Circuit Court of Appeals held it was bound by the State Court's interpretation of the subsequent statute. In disposing of the United States' contention that the latter statute as construed was unconstitutional as disposing of property belonging to the United States in violation of Art. IV, Section 3, C1. 2 of the United States Constitution, the Court held that under Louisiana law the United States acquired no vested interest in the minerals protected by the Constitution.

"(3) *United States* v. *Fox (1876), 94 U.S. 315, 320:* In this case the Court held that a devise of land in New York to the United States was void under a New York statute of wills which provided that a devise of lands in that State could be made only to natural persons and to corporations created under the laws of the State which were authorized to take by devise. It also held that it was

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bound by the holding of the New York Court of Appeals construing the state statute.

"In arriving at its decision, the Court said:

" 'The power of the State to regulate the tenure of real property within her limits, and the modes of its acquisition and transfer, and the rules of its descent, and the extent to which a testamentary disposition of it may be exercised by its owners, is undoubted. It is an established principle of law, everywhere recognized arising from the necessity of the case, that the *disposition of immovable property, whether by deed, descent, or any other mode, is exclusively subject to the government within whose jurisdiction of the property is situated*. McCormick v. Sullivan, 10 Wheat. 202. The power of the State in this respect follows from her sovereignty within her limits, as to all matters over which jurisdiction has not been expressly or by necessary implication transferred to the Federal government. *The title and modes of disposition of real property within the State whether inter vivos or testamentary, are not matters placed under the control of Federal authority*. Such control would be foreign to the purposes for which the Federal Government was created, and would seriously embarrass the landed interests of the State."

"The principle of *United States* v. *Fox*, supra, was reaffirmed in *United States* v. *Burnison* (1950), 339 U.S. 87.

"*(4) United States* v. *Williams, 5 Cir. (1947) 164 Fed. 2d 989; and Los Angeles & Salt Lake R. Co.* v. *United States, 9 Cir. (1944), 140 Fed. 2d 436:* State law controlled construction of the rights acquired by the United States as a purchaser at a judicial sale in *United States* v. *Williams,* supra; and in *Los Angeles & Salt Lake R. Co.* v. *United States,* supra, a deed conveying California land to the United States was interpreted by California law.

"*(5) Werner* v. *United States, D.C.S.D. Cal. (1950), 10 F.R.D. 245:* The *Werner* case involved a lease of land in California to the United States. The Court there said:

" 'Validity of the lease and option to renew in controversy here and the rights of the parties derived therefrom are governed by the law of California where the land is situated and the lease was made. (Citations)'.

"*(6) Reading Steel Casting Co.* v. *United States (1925), 286, U.S. 186:* It is a basic legal doctrine that the rights of the United States in its property are determined by the same principles as govern conveyances between individuals. Such was the holding in *Reading Steel Casting Co.* v. *United States,* supra. This case involved rights in chattels. The Court there said:

" 'The contract is to be construed and rights of the parties are to be determined by the application of the same principle as if the contract were between individuals. *Smoot's Case,* 15 Wall. 36, 47; *Manufacturing Co.* v. *United States,* 17 Wall. 592, 595; *United States* v. *Smith,* 94 U.S. 214, 217.'

"*(7) United States* v. *Smith, 94 U.S. 214, 217:* The above doctrine was also delineated in *United States* v. *Smith,* supra, where the Court through Mr. Justice Waite said:

" '* * * it was decided in *Smoot's Case,* 15 Wall. 546, that the principles which govern inquiries as to the conduct of individuals, in respect to contracts, are equally applicable where the United States is a party.'

"But the Solicitor attempts to overcome this hurdle by arrogating to the United States rights and powers beyond that of a mere individual land owner by stating:

" 'These broad powers arise out of the proprietary interest of the United States to control the use of its land *and they exceed the powers of an ordinary land owner in the respect that the interest is held by a sovereign and carries with it enforcement powers, referred to as police powers.*'

"It is clear that this statement of the Solicitor is not supported by the cases, above cited and discussed.

"VII. REGULATION OF MIGRATORY SPECIES

"In United States v. Shauver, 214 Fed. 154, 156, the proposition that the United States government had inherent sovereign powers over migratory birds was rejected by the courts. In this case the constitutionality of the Act of March 4, 1913, c. 145, 37 Stat. at L. 847, protecting migratory birds and game, was before the District Court of the Eastern District of Arkansas. It was there contended by the United States that the Congress possessed the power to regulate migratory birds and game as an 'implied attribute of sovereignty in which the national government has concurrent jurisdiction with the States."

"The court disposed of this contention as follows:

" 'A similar argument was presented to the court in Kansas v. Colorado, 206 U.S., 46, 89, 27 Sup. Ct. 655, 664 (51 L. Ed. 956), but held untenable. Mr. Justice Brewer, speaking for the court, disposed of it by saying:

" ' "But the proposition that there are legislative powers affecting the nation as a whole, which belong to, although not expressed in, the grant of powers, is in direct conflict with the doctrine that this is a government of enumerated powers. That this is such a government clearly appears from the Constitution, independently of the amendment, for otherwise there would be an instrument granting certain specified things made operative to grant other and distinct things. This natural construction of the original body of the Constitution is made absolutely certain by the tenth amendment. This amendment, which was seemingly adopted with prescience of just such a contention as the present, disclosed the wide-spread fear that the national government might, under the pressure of a supposed general welfare, attempt to exercise powers which had not been granted. With equal determination the framers intended that no such assumption should ever find justification in the organic act, and that, if in the future further powers seemed necessary, they should be granted by the people in the manner they had provided for amending that act. * * * Its principal purpose was not the distribution of power between the United States and the states, but a reservation of the people of all powers not granted." '

"Apparently the soundness of this decision was accepted by the United States officials and it was succeeded by the negotiation of the Migratory Bird Treaty and adoption of the Migratory Bird Treaty Act, both sanctioned by the Supreme Court in *Missouri* v. *Holland,* supra.

"Consequently, the rights and powers acquired by the United States when it secures title to lands by purchase or condemnation cannot be tested by any nebulous or far-fetched assertion of inherent sovereignty. The true test is similar to that applicable to lands owned by a private owner, namely, the doing of those things or the taking of such action as may be necessary to preserve and protect the muniments of title which the government received from the former private owner. The extent of these muniments of title must be tested by the laws of the States in which the land is situated. Since game and fish are not part of the muniments of title, and since the United States does not have any inherent sovereignty over game and fish as such, this contention of the Solicitor must necessarily fall because it cannot be sustained by its own bootstraps.

"VIII. SCOPE OF FEDERAL POWER DEFINED

"The correct approach to the problem of the Federal government's power to regulate resident species of wildlife on Federally-owned land in the National Wildlife Refuge System is developed by the Court in *United States v. 2,271.29 Acres, More or Less, of Land in La Crosse, Trempealeau, Vernon and Grant Counties, Wis., et al.,* 31 F 2d 617 (1928). This was a condemnation proceeding for lands in the Upper Mississippi Wild Life and Fish Refuge, provided for by Act of Congress of June 7, 1924. The Attorney General of Wisconsin appeared and contended that the legislative consent involved in the case violated the State Constitution. He argued:

" '* * * the state holds and controls navigable waters in trust for its people, and may not delegate such trust to another sovereignty, and it is under similar nondelegable obligation to its people with respect to game animals, fowl, and fish.

" '*It is not to be denied that the national government may acquire lands necessary or convenient for the exercise of its powers, within any of the states, and that neither the consent of the states nor of individuals is necessary*. Kohl v. United States, 91 U.S. 367, 23 L. Ed. 449.'

"The court found that no navigable waters were involved so that no question of unlawful abdication of the State's obligation to the people in that respect was considered

"On the question of Federal power to regulate game in connection with refuges established under the Migratory Bird Treaty Act, the court said:

" 'But it is clear, also, that the right to regulate the taking and use of game and fish is, generally speaking, in the state as an attribute of its sovereignty, subject only to valid exercise of authority under the provisions of the Federal Constitution. Geer v. Connecticut, 161 U.S. 519, 16 S. Ct. 600, 40 L. Ed. 793; Ward v. Racehorse, 163 US 504, 16 S. Ct. 1076, 41 L. Ed. 244; Kennedy v. Becker, 241 U.S. 556, 564, 36 S Ct. 705, 60 L. Ed 1106; Carey v. South Dakota, 250 U.S 118, 120, 39 S Ct. 403, 63 L. Ed. 886

" 'In so far as the "Refuge Act" relates to migratory birds within the terms of the treaty with Great Britain (39 Stat. 1702) and the Migratory Bird Act (40 Stat. 755 (16 USCA Sec. 703 et seq.)), the state's power to consent to the acquisition of land for the purpose of conserving migratory bird life is not open to question. The national government's power to regulate the taking and use of such birds was upheld in Missouri v. Holland, 252 U.S. 416, 40 S. Ct. 382, 64 L. Ed. 641. 11 A.L.R. 984, and there can exist in the State of Wisconsin no trust or obligation to its people requiring it to refuse consent that the national government carry out the latter's constitutional powers On this branch of the case there remains only the question of the validity of the state's consent relating to game animals, birds (other than migratory), and fish.

" 'In this connection it may be well to note that the "Refuge" Act contemplates no general regulation of the game and fish within the state but merely that the United States shall acquire and own a limited tract or tracts of land to be used as a refuge and breeding place for such game. Manifestly the purpose is conservation by an approved and effective method, providing a place of limited area where such game may resort, thrive, and multiply, and to that end hunters and fishermen may be excluded under regulations of the Secretaries of Agriculture and Commerce, and prosecuted by the federal authorities in federal courts for violation of such regulations. * * *

" 'As I view the so-called "Refuge" Act, it establishes primarily a refuge for migratory birds. Congress apparently recognized the fact that, as a necessary and natural result of establishing such a refuge, nonmigratory birds, game generally, and insofar as the lands were overflowed, fish, would resort thereto and breed therein, so that incidentally the area would become a refuge for many kinds of game. Their increase in the area might or might not become inimical to the welfare of migratory birds. On the other hand, the pressure of some varieties of other game and fish, and the conservation of aquatic plants, etc., will undoubtedly be of

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great value to the area as a refuge for migratory fowl. So it seems quite essential that as an incident to the maintenance of the refuge for migratory birds, those in charge have some power of regulation over the number and kinds of other game present, and also, in order that the migratory birds may be secure in their refuge that hunters and fishermen be at times excluded. Thus as an incident to the main purposes arises the necessity of regulation of game which ordinarily is subject to regulation by the state alone. *United States* v. *Shauver* (D.C.) 214 F. 154; *U.S.* v. *McCullaugh* (D.C.) 221 F. 288. This intent of Congress to give to the Secretaries of Agriculture and Commerce the right of regulation of game other than migratory birds, as an incident merely to the main purpose, is clearly and definitely indicated by the phrases "to such intent", as they are used in section 3 of the act. * * *

" 'What has been said goes far to solve the other questions raised by the challenge of the validity of the "Refuge" Act as beyond the power of Congress. *The power of Congress to establish a refuge for game, other than such as is the subject of treaty, may well be seriously doubted.* See *Missouri* v. *Holland, U.S.* v. *Shauver* and *U.S.* v. *McCullaugh, supra.* It may be assumed that it has no such power. Nevertheless it may conserve migratory birds, and do what is reasonably necessary to carry out that power.

" 'It has long been settled that Congress may select the means to carry out a federal function, without interference from the courts. Granting the power to establish a refuge for migratory birds, it follows that it is well within the power of Congress to authorize the Secretary of Agriculture to acquire lands within a state for that purpose, and to authorize the Secretaries of Agriculture and Commerce to make such regulations relating to wild life generally including nonmigratory game and fish, as becomes reasonably necessary to maintain a proper and efficient migratory bird refuge, and such other regulations as may attend the proprietary ownership of the area by the government under subsection 2, sec. 3, Art. 4 of the Constitution. Thus viewed, no lack of power in Congress to enact the "Refuge" Act is perceived.' (Emphasis supplied.)

"Although the Solicitor recognizes the general power of the States to protect fish and game within their territorial limits as an attribute of the States' sovereignty, nevertheless he infers that it is open to question whether the States' sovereign power over hunting and fishing extends to any Federally-owned land. This inference is not consistent with prior decisions of the Solicitor for the Department of the Interior, or the Attorney General of the United States.

"In an opinion by Attorney General John W. Griggs to the Secretary of State dated September 20, 1898 (Opinions of U.S. Attorney General, vol. 22, page 214 et seq.) pertaining to the power of the United States to enter into treaty stipulations with Great Britain for the regulation of the fisheries in waters of the United States and Canada along the international boundary, he said:

" 'The regulation of fisheries in navigable waters within the territorial limits of the several States, in the absence of a Federal treaty, is a subject of State rather than of Federal jurisdiction. Congress has the paramount right to regulate navigation in the navigable waters of the United States, but Congress has no authority, in the absence of treaty regulations, to pass laws to regulate or protect fisheries within the territorial jurisdiction of the States. *McCready* v. *Virginia,* 94 U.S. 391; *Lawton* v. *Steele,* 152 U.S. 133.)'

"In an opinion of the Department of the Interior dated April 15, 1931 (Vol. 53, page 349), on the applicability of State fish and game laws to lands alloted to Indians from the public domain it is said (page 361):

" '* * * and on the public domain "The power of all the States to regulate the killing of game within their borders will not be gainstaid." (*Ward* v. *Race Horse,* 163 U.S. 504).'

"In another opinion of the Department of the Interior dated February 12, 1943 (Vol. 58, page 331), the following was expressed relating to regulations of hunting and fishing on land ceded by the Shoshone and Arapahoe to the United States under treaty for disposition as provided by Congressional Act (33 Stat. 1016):

" 'But it is still necessary to determine whether the United States had any interest in the ceded lands that the State was barred from exercising its police power over them. Although the tribal councils no longer could regulate hunting and fishing on the ceded lands, such a power, it might be argued, was vested in the Secretary of the Interior as conservator of the public domain.

" 'There is no doubt, however, that the State can enforce its conservation laws on public lands. The Federal Government, to be sure, if necessary to protect its interests in such lands, may disregard State conservation laws, but in the absence of an overriding *Federal interest,* they remain applicable. Although it has been held that, under authority conferred by statute, Federal administrative officers could proceed to exterminate deer committing depredations in a national forest despite inhibitions of State conservation laws, it is implicit in this decision that the State conservation laws would normally have governed (Hunt v. United States, 278 U.S. 96). Federal jurisdiction over game in a national forest was based on an express cession of State jurisdiction in Chalk v. United States, 114 F (2d) 207 (C.C.A. 4, 1940). As said by Mr. Justice Brandeis in Omaechevarria v. Idaho, 246 U.S. 343, 346:

" ' " * * * The police power of the State extends over the federal public domain, at least when there is no legislation by Congress on the subject. * * * "

" 'The crucial question in determining the applicability of State conservation laws to ceded Indian lands is whether the exercise of this jurisdiction will interfere with or embarrass the Federal Government in the execution of *the purpose for which it holds the lands.* Even if State jurisdiction over such lands be conceded, still it does not extend as the court said in the Utah Power and Light Co. v. United States, 243 U.S. 389, 404:

" ' " * * * to any matter that is not consistent with full power in the United States to protect its lands, to control their use and to prescribe in what manner others may acquire rights in them."

" 'See also Fort Leavenworth R.R. Co. v. Lowe, 114 U.S. 525; Arlington Hotel Company v. Fant, 278 U.S. 439; Surplus Trading Company v. Cook, 281 U.S. 647; James v. Dravo Contracting Co., 302 U.S. 134; Stewart & Co. v. Sadrakula, 309 U.S. 94.* * *

" 'I fail to perceive, however, any overriding Federal interest which would justify regulation by the Secretary of Interior of hunting and fishing on the ceded lands.'

"IX. CONCLUSIONS

"Therefore, in view of the well-established and historical concept that all fish and wildlife found within the territorial limits of the States are the property of the several States and thus subject to their primary and sovereign control and regulation, various situations and relationships have to be considered in determining what authority the Federal government may exercise over fish and wildlife found on Federally-owned lands. These are outlined below:

"1. Lands owned by the Federal government concerning which the State has made no cession of jurisdiction

"(a) The State can regulate resident species of game and require persons to secure State licenses in order to hunt on such lands.

"(b) Within the limits of Congressional authority, the Federal government through its duly authorized agency can prohibit hunting and impose restrictions on hunting which are more restrictive in their nature than those provided by State law. This it does in the exercise of its prerogatives and rights as a proprietor of the land it owns.

"(c) When it becomes necessary to protect Federally-owned property from injury or destruction caused by depredations of resident species of wildlife, within the limits of Congressional authority the Federal agency in charge of such lands may reduce by its own agents the species involved. This the Federal government does as an ordinary proprietor of such lands for their protection against destruction by wildlife. This authority is no different from the right exercised by a private land owner, although many State laws require that he secure a permit for the killing of such wildlife.

"(d) The Federal lands referred to in the Solicitor's opinion are designated as 'wildlife refuges, game ranges, wildlife ranges and other Federally-owned property under the administration of the Secretary.' So long as there has been no cession of jurisdiction by the State to the Federal government with respect to any lands, it is of no importance what they are called or what uses the Federal government intends to make of them.

"2. Federal enclaves

"(a) In many States there exist areas known as Federal enclaves. These are areas containing Federally-owned lands concerning which there has been an unconditional cession of jurisdiction to the United States government. By this act of cession the State has relinquished its authority and jurisdiction excepting as to such matters which it might have reserved in the cession of jurisdiction. In effect, the lands of such Federal enclaves revert to their status of Federal territory. Consequently, assuming that in such unconditional cession of jurisdiction the State has not reserved the right to regulate and control hunting and fishing, the Federal government and not the State in such instance would have the authority to regulate these activities and the species of wildlife found upon such lands.

"(b) Federal enclaves of course do not encompass the entire area of any State, and consequently the State can regulate and license the possession and transportation of wildlife occurring within the territory over which it still has jurisdiction. Therefore any person who either hunts or fishes on such enclaves nevertheless must comply with State laws regulating licensing, possession and transportation of game and fish taken in the enclave upon leaving the enclave and setting foot on the area under State jurisdiction.

"3. Principles applicable to fisheries

"The principles applicable to the fisheries and fishing are different from those applicable to resident game. In some States the riparian owner is given title to the bottomland of such waters; but even in those States, such as in Michigan, the State has a paramount and perpetual trust in all of its waters for the maintenance and preservation of the fish life therein. Consequently, whenever the Federal government purchases or condemns privately owned lands riparian to a body of water, it acquires only those rights which the private owner possesses. Therefore, whatever rights and authority States exercise over such waters and the bottom lands thereunder (except such rights as the Federal government exercises under the Commerce Clause), States may continue to exercise despite Federal ownership of such riparian lands.

"The result is that the Federal government, even though it owns riparian lands, has no

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authority to regulate or control in any way either the fishery or the right of fishing in waters under State jurisdiction. Of course, should the State make an unconditional cession of jurisdiction to the Federal government of an area which includes lakes or rivers without reserving its authority over the fisheries, then the State has lost its authority to regulate or manage such fisheries.

"4. The effect of treaties on wildlife and fish

"A treaty negotiated under the treaty-making power of the United States becomes the supreme law of the land and all State or Federal laws become subordinate to the provisions of such a treaty. The Migratory Bird Treaty implemented by the Migratory Bird Treaty Act supervenes any State or Federal law. The government of the United States exercises the powers granted under the treaty, not as a land owner, but as a sovereign. The provisions of treaty vesting authority in the Federal government to regulate certain species of migratory wildlife supersedes State authority and consequently any State laws in contravention of a treaty are null and void.

"At the present time there is no treaty vesting the Federal government with authority to regulate the fisheries found within the States of the United States. Thus it cannot regulate any of the fisheries, even those found within the Great Lakes."

"MEMORANDUM 36672 OF THE U.S. DEPARTMENT OF THE INTERIOR, OFFICE OF THE SOLICITOR, DECEMBER 1, 1964

"To: Assistant Secretary for Fish and Wildlife.

"From: Deputy Solicitor.

"Subject: Authority of the Secretary of the Interior to manage and control resident species of wildlife which inhabit wildlife refuges, game ranges, wildlife ranges, and other Federally-owned property under the administration of the Secretary.

"The Secretary of the Interior has promulgated general regulations, contained in Title 50 of the Code of Federal Regulations, and special regulations,[1] published annually in the Federal Register, that control the hunting and fishing activities of the general public upon those lands within the National Wildlife Refuge System (i.e., game ranges, wildlife ranges, wildlife refuges, and waterfowl production areas). These hunting and fishing regulations have taken one of two forms. Either the regulations incorporate by reference all the hunting and fishing laws of the States in which the refuge, range, or area is located, or the regulations expressly prohibit certain hunting and fishing activities which are permitted by State law. For example, if the State law authorizes the killing of two deer of either sex during a fixed season, the Secretary has either expressly adopted the State's season and bag limit for a particular refuge or has authorized only the killing of one deer of the male sex during a time period which is less than the deer hunting season prescribed by the State. The latter type of regulation is specifically designed to be more restrictive than the State hunting and fishing laws.

"During the past several years Commissioners and Directors of the various State fish and game departments have questioned the authority of the Secretary to promulgate hunting and fishing regulations for lands within the National Wildlife Refuge System, when the regulations prohibit those activities which the State fish and game laws permit. These State officials have argued that the Secretary of the Interior does not have the authority to manage and control resident species of wildlife (i.e., all species of fish and game), which inhabit Federally-owned land under the administration of the Secretary. These State fish and game departments and the Ad Hoc Committee of the International Association of Fish and Game Commissioners, through conferences and correspondence with this Department, have maintained that the Secretary may issue *only* hunting and fishing regulations for resident species of wildlife that incorporate completely State law, because all resident specie of wildlife, other than migratory birds, are subject to the *exclusive* jurisdiction and control of the several States, and the States have some semblance of title to the resident species of wildlife. Accordingly, the U.S. Fish and Wildlife Service has raised the following question: Does the Secretary of the Interior have the authority to promulgate regulations which control the hunting and fishing activities of the general public on lands within the refuge system, when such regulations are more restrictive than State fish and game laws?

"In order to analyze and answer this question it is necessary to eliminate certain collateral issues. When the States have ceded exclusive jurisdiction over land to the Federal Government, pursuant to Article I, Section 8 of the Federal Constitution and Section 355 of the Revised Statutes, as amended, 40 U.S.C. § 255 (1958), there is no question, in our opinion, that State fish and game laws have no application to the Federally-owned land. In those areas where there has been a cession of exclusive jurisdiction to the Federal Government, by definition, a State has no jurisdiction or control over the area.

"Similarly, we do not feel that it is necessary to give extensive analysis to the problem of the States controlling the hunting and fishing activities of the general public on nonfederally-owned land. There is no question that the States have control and jurisdiction over the hunting and taking of resident species of wildlife, provided that such hunting activity occurs *only* upon land which is not owned by the Federal Government. The general power of a State to protect fish and game has always been considered an attribute of the sovereign power of the State. This proposition is supported by a long line of precedents. *Geer* v. *Connecticut,* 161 U.S. 519 (1896); *Ward* v. *Race Horse,* 163 U.S. 504 (1896); *LaCoste et al.* v. *Department of Conservation of the State of Louisiana,* 263 U.S. 545, 552 (1925); *Foster Packing Company* v. *Haydel,* 278 U.S. 1, 11 (1928); *State* v. *McCoy,* 387 P. 2d 942 (1963).

"It is important to recognize that in all the above-cited cases the relationship involved was between a State and an individual, not between a State and the Federal Government. Therefore, when hunting activities occur on Federally-owned land, an entirely different analysis and approach is required, since the relationship would then involve a State and the Federal Government.

"There can be no doubt that the Federal Government may acquire lands within a State for purposes within the ambit of its constitutional powers, and that it may do so by virtue of the power of eminent domain. *Fort Leavenworth R.R.* v. *Lowe,* 114 U.S. 525, 531 (1885). In the exercise of this power the United States has acquired land for many purposes, including wildlife refuges, game ranges, preserves, parks, and reservations, to name a few. Furthermore, the property clause of the Constitution, Article IV, Section 3, states, 'The Congress shall have the Power to dispose of and *make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States* . . .'. (Emphasis added). Finally, there is the supremacy clause of the Constitution, Article VI, which reads, "This Constitution, and the laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme law of the land . . .". The powers contained in the property and supremacy clauses of the Consitution extend not only to the public domain but also to property acquired by purchase or eminent domain. *McKelvey* v. *United States,* 260 U.S. 353 (1922); *Utah Power and Light Company* v. *United States,* 243 U.S. 389 (1917). It is the exercise of this power under the property and supremacy clauses which is dispositive of the question of the authority of the Federal Government, acting through the Secretary of the Interior, to manage and control resident species of wildlife, on Federal lands under his jurisdiction, through regulations which prohibit what State law permits.

"The exercise of this constitutional authority to make rules and regulations for Federally-owned lands has often been challenged, but just as often upheld by the Courts. 'The States and the public have almost uniformly accepted this [Federal] legislation as controlling, and in instances where it has been questioned in this Court *its validity has been upheld and its supremacy over State enactments sustained.*' (Emphasis added). *Utah Power and Light Company* v. *United States, supra,* at 404, and cases cited therein.

" 'The general Government doubtless has a power over its own property analogous to the police power of the several States, and the extent to which it may go in the exercise of such power is measured by the exigencies of the particular case.' *Camfield* v. *United States,* 167 U.S. 518, 525 (1897).

"These broad powers arise out of the proprietary interest of the United States to control the use of its land, and they exceed the powers of an ordinary landowner in the respect that the interest is held by a Sovereign and carries with it enforcement powers, referred to as police powers. *Utah Power and Light Company* v. *United States, supra,* at 405.

"Even the property interest of an ordinary landowner is protected to the extent that: 'The State cannot, within constitutional limits, by the issuance of hunting licenses which purport to give a hunter the right to invade the private hunting grounds owned by another person, or by any other means, authorize one to enter another's premises, for the purpose of taking game, without the latter's permission.' 24 Am. Jur. *Game and Game Laws,* § 5. (See cases cited).

"A fortiori, the Sovereign's proprietary interest includes that of an ordinary landowner. It too may protect its holding and forbid trespass and control people on the land whether they be hunting, fishing, or just visiting. In addition, articles of value on the land—timber, hay, water, resident game and wildlife—may also be protected by control over the land and persons on the land. 'True, for many purposes a State has civil and criminal jurisdiction over lands within its limits belonging to the United States, but this jurisdiction does not extend to any matter that is not consistent with full power in the United States to protect its lands, to control their use, and to prescribe in what manner others may acquire rights in them.' *Utah Power and Light Company* v. *United States, supra,* at 404.

"The authority of the proprietary interest is so substantial that it has been protected by holding enforceable Congressional statutes forbidding acts on lands adjoining Federally-owned lands that might endanger the latter. *United States* v. *Alford,* 274 U.S. 264, 267 (1927); *Camfield* v. *United States, supra.*

"The basic constitutional authority appertaining to the proprietary interest in land

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"[1] The authority of the Secretary to promulgate special hunting and fishing regulations for particular refuges, ranges, or areas has been delegated to the Regional Directors of the Bureau of Sport Fisheries and Wildlife. See 25 F.R. 8524, 4 AM 4.9C, Administrative Manual of the Bureau of Sport Fisheries and Wildlife, as amended by 28 F.R. 12834.

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owned by the United States has sustained the killing of game on Federally-owned land by Federal officials while acting within the scope of their authority, although acting in violation of the game laws of the State in which the land was located. *Hunt* v. *United States,* 278 U.S. 96 (1928); *Chalk* v. *United States,* 114 F. 207 (4th Cir. 1940). See also *Arizona* v. *California,* 283 U.S. 423 (1931) and *Johnson* v. *Maryland,* 254 U.S. 51, 56 (1920).

"From the foregoing authorities it is apparent that the United States constitutionally empowered as it is, may gain a proprietary interest in land within a State and, in the exercise of this proprietary interest, has constitutional power to enact laws and regulations controlling and protecting that land, including the persons, inanimate articles of value, and resident species of wildlife situated on such land, and that this authority is superior to that of a State.

"This broad Federal power to regulate and manage resident species of wildlife on Federally-owned land, which is derived from the Federal Constitution and the inherent powers of the Federal Government as a landowner, has been vested in the Secretary of the Interior with respect to those land and water areas which comprise the National Wildlife Refuge System by the regulatory sections of the following legislation:

"Section 4 of the Act of September 28, 1962, 76 Stat. 653, 654 (1962); 16 U.S.C. § 460k–3 (Supp. V, 1959–63).

"Section 4 of the Fish and Wildlife Coordination Act, 48 Stat. 401, 402 (1934), as amended, 16 U.S.C. §§ 661, 664 (1958).

"Section 10 of the Migratory Bird Conservation Act, 45 Stat. 1222, 1224 (1929), as amended, 16 U.S.C. §§ 661, 664 (1958).

"Section 4 of the Duck Stamp Act, 48 Stat. 451 (1934), as amended, 16 U.S.C. § 718d(b) (1958).

"Furthermore, this authoritly to regulate and manage resident species of wildlife, which has been delegated to the Secretary by the above legislation, has been supplemented by *specific* legislation for the administration of particular areas. Examples of the regulatory sections of this specific legislation are as follows:

"Bear River Migratory Bird Refuge, Section 5 of the Act of April 23, 1928, 45 Stat. 449, 16 U.S.C. § 690d (1958).

"Lea Act Refuges, Section 3 of the Act of May 18, 1948, 62 Stat. 239, 16 U.S.C. § 695b (1958).

"National Key Deer Refuge, Section 1 of the Act of August 22, 1957, 71 Stat. 412, 16 U.S.C. § 696 (1958).

"Upper Mississippi River Wildlife and Fish Refuge, Section 3 of the Act of June 7, 1924, 43 Stat. 650, 16 U.S.C. § 723 (1958).

"We interpret the regulatory sections of these statutes as containing sufficient legal authority for the Secretary to make all appropriate rules and regulations which are necessary for the effective administration of these lands within the National Wildlife Refuge System, including the authority to regulate such activities as public use, access, recreation, hunting and fishing, provided the regulations are (1) reasonable and appropriate (i.e., 'needful'); (2) not inconsistent with the statutory source of the regulatory authority; and (3) consistent with the purposes for which the area was placed under the administration of the Secretary.

"Concerning the restrictions that the regulations must not be inconsistent with the statutory source of the regulatory power, it is to be noted that the language contained in the regulatory sections of these statutes (*supra*) is broad in both scope and intent. An examination of the regulatory sections will show that sweeping, general language was used by Congress to authorize the Secretary to make rules and regulations which are necessary for the effective administration of refuge areas. This statutory source of regulatory authority is, in our opinion, sufficiently broad to permit the Secretary to prohibit all forms of public access, entry, and use of any portion of a refuge area. A fortiori, the statutory source necessarily includes the lesser power to permit the access and use of a refuge for limited purposes and upon such conditions as the Secretary may prescribe.

"'. . . we think the sound construction of the Constitution must allow to the national legislature that discretion, with respect to the means by which the powers it confers are to be carried into execution, which will enable that body to perform the high duties assigned to it, in the manner most beneficial to the people. Let the end be legitimate, let it be within the scope of the Constitution, and all means which are appropriate, which are plainly adopted to that end, which are not prohibited, but consist with the letter and spirit of the constitution, are constitutional.' *McCulloch* v. *Maryland,* 4 U.S. (4 Wheat.) 415, 431 (1819).

"Accordingly, the only meaningful legal issue to be discussed is whether the regulations governing fishing and hunting of resident species of wildlife within a refuge area are reasonable and appropriate, as well as related to the purpose for which the refuge area was acquired or established. Although these issues are primarily questions of fact, a discussion of the principles involved is in order.

"Many areas within the National Wildlife Refuge System were acquired primarily for the protection and development of the migratory bird populations; however, some areas, such as the Desert Game Range, were established for the primary purpose of protecting an endangered species. It should also be noted that the Secretary, by law, is required to protect and manage resident species of wildlife which inhabit areas primarily acquired for migratory waterfowl. 48 Stat. 451 (1934), as amended, 16 U.S.C. § 718d (1958). Regardless of the particular species of wildlife for which the refuge area was primarily acquired, the Secretary must use sound conservation principles which are designed to prevent the overpopulation of wildlife, prevent the destruction of food supplies, and protect the general ecology, in administering all refuge areas.

"In addition, the Secretary is now required to manage all areas within the National Wildlife Refuge System in such a manner as to allow various forms of recreational activity, which includes hunting and fishing, that are not inconsistent with the purposes for which the area was established. 76 Stat. 653 (1962), 16 U.S.C. § 460k (Supp. V, 1959–63). In managing areas within the refuge system, the Secretary must, out of necessity to preserve the area, control hunting and fishing pressures. Any regulation concerning hunting and fishing which has as its focal point sound conservation principles is not only reasonable and proper but is also related to the purpose for which the area was acquired. To argue otherwise is to say that the Secretary is helpless to properly manage Federally-owned land and the public use of that land.

Inevitably, out of any discussion concerning the control of resident species of wildlife it is not surprising to have the questions of title to wild animals raised by the States.

"With respect to game and wildlife generally, the Supreme Court has said that the power to control lodged in the State is to be exercised as a *trust for the benefit of the people* and not as a prerogative for the advantage of the Government, *Geer* v. *Connecticut, supra; Foster Packing Company* v. *Haydel, supra; State* v. *Rodman,* 58 Minn, 393 (1894); *Magner* v. *People,* 97 Ill. 320 (1881); *In Re Eberle,* 98 Fed. 295 (1899).

It is the law that he who claims title to game must first reduce it to possession. This proposition is supported by State court decisions too numerous to recite which enunciate that principle. These decisions extend from *Pierson* v. *Post,* 3 Caines 175 (New York, 1805), to *Koop* v. *United States,* 296 F. 2d 53 (8th Cir., 1961).

"'The statutes declaring the title to game and fish as being in the State *speak only in aid of the State's power of regulations; leaving the landowner's interest what it is.*' (Emphasis added). *McKee* v. *Gratz,* 260 U.S. 127, 135 (1922).

"It is clear that the 'ownership' of wildlife by a State is a trust interest, and not a possessory title, *McKee* v. *Gratz, supra; Missouri* v. *Holland,* 252 U.S. 416 (1920); *Sickman et al.* v. *United States,* 184 F. 2d 616 (7th Cir., 1950). Further, the Supreme Court states that as between a State and its inhabitants, the State may regulate the killing and sale of migratory birds, 'but it does not follow that its authority is exclusive of paramount powers. To put the claim of the State upon title is to lean upon a slender reed'. *Missouri* v. *Holland, supra,* at 434. This authority of the State to regulate the killing of wildlife is based upon a trust concept, not upon ownership of or title in the wild animals. Under basic constitutional doctrine the trust or police power (i.e., regulatory jurisdiction) of a State yields to the exercise by the national government of its powers under the property clause of the constitution.

"In this memorandum we have attempted to set out the broad authority of the Federal Government, *as a landowner,* to make needful rules and regulations for the management of its property. We have set forth some of the more pertinent legislation which delegated this broad power to the Secretary of the Interior. It is our conclusion that the Secretary has ample legal authority to make hunting and fishing regulations for particular areas within the National Wildlife Refuge System that prohibit activities authorized and permitted by State law. The regulation of the wildlife populations on Federally-owned land is an appropriate and necessary function of the Federal Government when the regulations are designed *to protect and conserve the wildlife as well as the land.*

"EDWARD WEINBERG,
"Deputy Solicitor."

"[No. 7373—Civil action in the U.S. District Court for the District of New Mexico]

"THE NEW MEXICO STATE GAME COMMISSION, PLAINTIFF, *v.* STEWART L. UDALL, SECRETARY OF THE INTERIOR; STANLEY A. CAIN, ASSISTANT SECRETARY OF THE INTERIOR; GEORGE HARTOG, JR., DIRECTOR OF NATIONAL PARK SERVICE; NEAL G. GUSE, SUPERINTENDENT OF CARLSBAD CAVERNS NATIONAL PARK; R. R. MABERY, CHIEF RANGER; AND ROBERT J. SCHUMERTH, NEAL R. BULLINGTON, WILLIAM J. WILSON, ROBERT M. TURNER, WALTER B. O'NEAL, WALTER H. KITTAM, DERRICK C. COOKE, PARK RANGERS, DEFENDANTS

"OPINION

"This is a contest between the New Mexico State Game Commission and the Secretary of the Interior and his delegates. Ostensibly, the issue presented concerns the Secretary's authority to order the destruction of wildlife in the Carlsbad Caverns National Park, in violation of New Mexico law, for the purpose of conducting a scientific research study. The broader issue presented relates to the role of the States in the activity of wildlife management. Because federal lands located in states other than New Mexico might be affected by the outcome of this dispute, a number of states have appeared an *amicus curiae.*

"Plaintiff has requested (1) a declaratory judgment pursuant to 28 U.S.C. § 2201, and (2) that the defendants be enjoined from killing any more wildlife on the park, Defendants contend that they are acting within their authority, and that this is in reality a suit, without consent, against the United States. They have responded with a motion for summary judgment.

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"The parties have filed herein a stipulation of the facts, and the case is being decided on its merits and not on the defendants' motion for summary judgment. Both parties desire that the Court decide the case on the stipulation as though a trial had been held.

"When the parties signed and filed the stipulation of facts, the Court inquired whether the deer in question were to be killed to prevent injury to the park lands, or to permit a study to determine the likelihood of future depredation. The Court was informed that the Government did not intend to kill the deer because of present knowledge of depredation, but merely to gather information as the basis for a study. It has been stipulated that the State of New Mexico has offered to provide the defendants with state permits authorizing the killing of the deer, and that the defendants have refused the offer.

"As mentioned, defendants contend this is, in reality, an unconsented-to suit against the United States. In this regard, the Court is cognizant of the rule that an officer of the United States, such as the Secretary of the Interior, is immune to suit in his official capacity when the suit is, in effect, one against the United States. However, there exists an exception to the rule where there are allegations that the officer's actions exceeded his statutory authority. Actions of an official that exceed his authority are not actions of the United States, and in such case, the doctrine of sovereign immunity does not apply. *Malone* v. *Bowdoin, 369 U.S. 643; Pan American Petroleum Corp. v. Pierson, 234 F. 2d 649 (10 Cir., 1960)*; *Frost v. Garrison, 201 F. Supp. 389 (D. Wyo., 1962)*. In the instant case, plaintiff alleges that defendants are without authority to do the arts complained of, and the Court concludes that the doctrine of sovereign immunity does not preclude this action.

"In the alternative to the contention that the defendants have exceeded their authority, plaintiff alleges that any such authority found to exist is clearly unconstitutional. Should it be determined that defendants were acting within their statutory authority, and that a substantial question of constitutionality with respect to the statute, or statutes, challenged exists, the Court would initiate the convening of a three-judge panel to hear the matter. *Ex parte Poresky, 290 U.S. 30, and cases following*. However, insofar as the problem is one of statutory construction, and the constitutional question is not reached, the parties and the Court are in agreement that the case is not one appropriate for adjudication by a three-judge court.

"The parties are apparently in agreement that the United States has not acquired exclusive jurisdiction over the Carlsbad Caverns National Park. If the Federal Government possessed exclusive jurisdiction over this area, a different problem would be presented. See, for example, Chalk v. United States, 114 F. 2d 207 (4 Cir., 1940), Cert. denied, 312 U.S. 679. No evidence to the contrary having been introduced, the Court concludes that the land in question was not acquired under circumstances which authorize the United States to exercise exclusive jurisdiction, and that New Mexico has not ceded exclusive jurisdiction over the area to the Federal Government. From this conclusion, it follows that the authority of the Federal Government upon the Carlsbad National Park is not absolute. The question then remains whether Congress has provided the Secretary with the authority that he now asserts. If the asserted authority exists, State Law that is inconsistent therewith must fall.

"According to the law of the State of New Mexico, the State Game Commission is charged with the responsibility of managing, controlling, and of regulating the hunting of all resident species of wildlife within the state. The defendants are charged by federal law with the responsibility of managing and controlling federal lands in the state, including the area known as Carlsbad Caverns National Park.

"In accordance with a program planned by the National Park Service, the defendants notified the New Mexico State Game Commission that they intended to issue federal permits to persons selected by them authorizing the killing of fifty deer in the Carlsbad Caverns National Park. The killing would take place out of the New Mexico deer hunting season, and the consent and cooperation of the Game Commission would not be obtained. Thereafter, certain of the defendants were issued such permits by another of the defendants, and fifteen deer were killed. Pending a determination of their rights to continue, defendants have temporarily abandoned the program.

"The parties' stipulation includes facts already recited, and makes reference to an affidavit filed in this case by the Director of the National Park Service in describing the program which is underway on Carlsbad Caverns National Park. The Director states that the federal officers are conducting studies concerning the 'Dry Season Food Habits of Deer' within the Carlsbad Caverns National Park, and he concludes that—

" '(T)hese research programs are absolutely necessary for proper management and administration of Carlsbad Caverns National Park in order to fulfill the responsibilities and obligations of the Secretary of the Interior and his delegated agents to conserve the scenery, natural and historic objects, and wildlife of the park; and that this research project is required in order that reliable scientific information may be gathered and used as a basis for other decisions affecting the management and administration of the area for the purpose of preserving and protecting the park lands from injury or damage.'

"The responsibility of administering protecting, and developing Carlsbad Caverns National Park is placed with the National Park Service, subject to the provisions of Title 16, Sections 1 and 2–4 of the United States Code. 16 U.S.C. § 407a. By the terms of Section 1 of Title 16, the National Park Service is obligated to implement the fundamental purpose of the national parks. This fundamental purpose is to conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the employment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.' 16 U.S.C. § 1. The defendants' assert they are conforming with this directive in conducting their present study. They rely for their authority, as well, upon Section 3 of Title 16, which authorizes the Secretary to provide in his discretion for the destruction of such animals and of such plant life as may be detrimental to the use of any of said parks. . . .'

"Section 3 of Title 16 is clearly inapplicable in the present situation. No showing has been made that the deer involved are detrimental to the use of the park, and indeed, defendants make no such claims. It is the opinion of the Court that the Secretary's authority under this section must be predicated upon such a finding.

"The question remains whether the board mandate contained in Section 1 includes the authority the defendants have asserted. The Court has concluded that this section does not include such authority. Reading Section 1 of Title 16 as broadly as defendants contend it should be read would render Section 3 unnecessary, as the authority to order the destruction of wildlife "as may be detrimental to the use" of national parks would be provided without the specific authorization found in Section 3. It seems to the Court an unreasonable conclusion that Congress authorized an activity in Section 3 that was already permitted by Section 1. The conclusion that Congress intended the Secretary's authority to be proscribed by the conditions set forth in Section 3 seems the more logical to the Court.

"Defendants rely in part upon Hunt v. United States, 278 U.S. 96 (1928). It seems to the Court that the defendants' reliance is misplaced, however, for that decision is distinguishable from the present case in more than one respect. In *Hunt*, the Supreme Court permitted the destruction of deer on a national forest and game preserve by United States officials, noting (1) that the deer were in such excess numbers 'that the forage is insufficient for their subsistence' and the deer 'have greatly injured the lands in the reserves by over-browsing upon and killing valuable young trees, shrubs, bushes and forage plants,' and (2) observance with the game laws of the State 'would have so restricted the number of deer to be killed as to render futile the attempt to protect the reserves.' 278 U.S. 96, 99, 100. Neither of the recited factors is present in this case. No depredation is known to be occurring, and New Mexico has offered to cooperate with the Federal officers. Clearly, *Hunt* does not authorize the killing of deer for the purpose of conducting a study. No one doubts the Government's authority to protect its lands, and it seems to the Court that *Hunt* merely reaffirms that proposition, as does Section 3 of Title 16, U.S.C.

"Section 53–3–23 of the New Mexico Statutes provides in pertinent part as follows:

" 'The state director may issue permits to any person to . . . kill . . . game . . . at any time when satisfied that such person desires the same exclusively . . . for scientific . . . purposes.'

"The Court concludes that Sections 1 and 2–4 of Title 16, U.S.C., do not authorize the destruction of wildlife upon the park for the purposes outlined in the Director's affidavit. The Court further concludes that enforcement of Section 53–3–23. New Mexico Statutes Annotated, quoted above, will not interfere with the Secretary's task as defined in 16 U.S.C. § 1. For these reasons, defendants must comply with Section 53–3–23, N.M.S.A., if they intend to pursue this study further.

"This Court has jurisdiction to enjoin acts of officials which are unsupported by statutory authority. Leedom v. Kyne, 358 U.S. 184; Frost v. Garrison (D. Wyo., 1962) 201 F. Supp. 389; Harper 1. Jones (10 Cir. 1952), 195 F. 2d 705, and cases cited therein. Accordingly, it is the opinion of the Court that the defendants should be restrained and enjoined from the further killing of wildlife within the boundaries of Carlsbad Caverns National Park for the purpose of conducting a research study, unless they first secure authority for their acts by compliance with State Law.

"This opinion shall constitute the Court's findings of fact and conclusions of law, as required by Rule 52(a) of the Federal Rules of Civil Procedure.

"At Albuquerque, this 12th day of March, 1968.

"H. VEARLE PAYNE,
"U.S. District Judge."

S. 1402—INTRODUCTION OF BILL TO AMEND THE MEDICARE ACT

Mr. RIBICOFF. Mr. President, I introduce, for appropriate reference, a bill to amend title XVIII of the Social Security Act. This bill will provide payment for the services of optometrists under the program of supplementary medical insurance benefits available to the aged.

This bill is a simple amendment to the historic Medicare Act enacted over 3½ years ago. It is designed to eliminate a small loophole in medicare and will neither add nor subtract from the basic medicare benefits. The sole purpose of

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the amendment is to eliminate the present requirement that a patient of an optometrist must first have certification from a medical doctor before obtaining the special services of an optometrist which are available under the provisions of title XVIII.

When the Senate passed medicare it was our clear intent that the law would not alter the organization or form of health practices in the United States. The patient's free choice of a doctor or a hospital would not be impaired in any way. The only change was to affect who would pay the bills.

Under the present application of the law, however, a problem has arisen affecting optometrists and those who rely on them for eye care. Of course, routine eye examinations and the cost of glasses are not covered by medicare. There are eye care services, however, which may properly be performed by optometrists under appropriate State laws. These services are covered and paid for by medicare—but only when countersigned by a medical doctor. This requirement of an extra referral is unfair to both the patient and the optometrist.

It is unfortunate that this situation has occurred. I do not believe it was the intent of Congress to require a title XVIII beneficiary to secure the prior approval of a physician in order to receive the services of the optometrist of his choice.

More than 60 million Americans turn to optometrists for eye care services. The great majority of our citizens over 65 have vision problems, and at least 75 percent of them rely on optometrists for diagnosis and care which does not require surgery or drugs.

Medical doctors are allowed to practice optometry. But optometric care and medical vision care are not the same. Both are highly specialized skills. The two complement each other and provide a balanced approach to professional eye care. It is inconceivable that either should be excluded from the basic or supplemental health provisions of medicare.

As long ago as 1966, Dr. Phillip R. Lee, former Assistant Secretary of the Department of Health, Education, and Welfare for Health and Scientific Affairs said in a letter to the Honorable HENRY HELSTOSKI, of New Jersey:

> The profession of optometry is accepted by the Department as a legitimate and essential health profession which is performing highly useful functions in promoting solutions to the eye health needs of this Nation.
>
> The Department agrees that the American public should continue to have freedom of choice in the selection of a practitioner to care for vision problems.

It appears to me that the time has come to straighten out this discrepancy and to allow full recognition under medicare of the valuable contributions made by optometrists to the well-being of our citizens.

Mr. President, this week has been proclaimed "National Save Your Vision Week" by the President of the United States. It is fitting, therefore, to recognize the substantial contributions of our Nation's optometrists toward preserving the eyesight of all of our citizens and particularly those over 65.

Last year the Senate passed a similar bill which I introduced. Unfortunately, the House of Representatives failed to take action and the amendment was dropped in conference. I hope that once again the Senate will see the merit in this legislation and that we can eliminate this unfair discrimination from the law.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1402) to amend title XVIII of the Social Security Act to provide payment for optometrists' services under the program of supplementary medical insurance benefits for the aged, introduced by Mr. RIBICOFF, was received, read twice by its title, and referred to the Committee on Finance.

S. 1421—INTRODUCTION OF BILL TO AMEND THE DISTRICT OF COLUMBIA LEGAL AID ACT

Mr. PROUTY. Mr. President, today I am introducing a bill to amend the District of Columbia Legal Aid Act.

The 86th Congress in 1960 created the District of Columbia Legal Aid Agency to provide legal representation of indigents in judicial proceedings in the District of Columbia. This Agency is the public defender for indigents in the District. The statute provides that the Board of Trustees of the Agency shall appoint a Director of the Agency who shall receive compensation of $16,000 per annum. In turn, the Director was authorized to employ professional and office staff at salaries following the salary scale for employees of similar qualifications and seniority in the office of the U.S. attorney for the District of Columbia.

The $16,000 limit on the Director's salary which may have been realistic in 1960 is no longer realistic. The Director must supervise a large, full-time staff of attorneys, investigators, and clerical help. He is also expected to do a sizable share of the Agency's trial work, invariably handling important felony cases. A senior trial attorney might well qualify for a salary of $20,000 and the Trustees could indeed authorize such a salary because the statute provides that the Trustees should follow the salary scale for employees of similar qualifications and seniority in the Office of the U.S. Attorney. Morale and management difficulties, however, are invited if any employee is paid more than the boss.

The restriction on the Director's salary prevents the trustees from paying little more than the going rate for new law school graduates. The 1960 statute should be amended to permit the trustees to pay reasonable salaries to all employees, retaining the valuable proviso that salaries be kept in the range of those paid for comparable undertakings in the office of the U.S. attorney.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1421) to amend the District of Columbia Legal Aid Act, introduced by Mr. PROUTY, was received, read twice by its title, and referred to the Committee on the District of Columbia.

S. 1424—INTRODUCTION OF BILL RELATING TO IMPROVING THE TRUTH-IN-PACKAGING ACT

Mr. NELSON. Mr. President, I am introducing legislation today to relieve American housewives of the burden of having to be mathematicians when they go to the supermarket. This bill will finally give housewives a real opportunity for comparative shopping—to be able to determine which product actually is the least expensive.

Recent consumer studies have shown that the Truth-in-Labeling Act has failed to eliminate deception and confusion in the marketplace.

Despite the intent of Congress in 1966 to remove deceptively packaged products from supermarkets and stores, consumers today still must be mathematicians before they can select the best bargain from among the vast variety of odd-sized packages on the market.

It is virtually impossible for housewives to compare prices when they are confronted by 32 different choices of pancake mix in 13 different sized packages at 21 different prices.

My proposal will amend the 1966 Fair Packaging and Labeling Act to require the price per unit to be placed on the label of consumer commodities, including food, household goods, drugs, and cosmetics.

For example, a 60-cent package of pancake mix, containing 42 ounces, would be priced not only at 60 cents but also at 23 cents per pound. Products would be priced on a per ounce or pound basis for solid commodities, per ounce, pint, or quart for fluids, and per unit for items like napkins.

This legislation is vitally needed by our housewives because the Fair Packaging and Labeling Act of 1966 is not really giving the aid to consumers that Congress had hoped. Congress and the proponents of that act placed in it a provision that every consumer commodity be labeled both in terms of ounces, and, if applicable, in pounds for weight units. Similar requirements apply for volume packages as well as by liquid measure. Thus, on consumer packages today, a package contains a label stating its weight of 1 pound 7 ounces and also a total weight of 23 ounces.

It was hoped in 1966 that the act would enable consumers to make better comparisons of packages than had been possible with only one form of weight stated on the package. In urging passage of the Fair Packaging and Labeling Act in 1966, President Johnson pointed out that:

> Practices have arisen that cause confusion and conceal information even when there is no deliberate intention to deceive. The housewife often needs a scale, a yardstick, and a slide rule to make a rational choice.
>
> She has enough to do without performing complicated mathematics in the stores. An accurate and informative package and label need not add to the producer's cost. It will add to the welfare of the American consumer.

However, the results of two California consumer tests, conducted before and after the Truth-in-Packaging Act, have

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indicated that housewives are no better able today to select the most economical buys among everyday grocery items than they were 6 years ago.

In 1962, five college-educated housewives were asked to purchase a total of 70 items based on the lowest unit cost. The women made 36 correct choices and 34 incorrect ones.

In an identical test made after the Truth-in-Packaging Act, the women made 38 incorrect selections, four more than in 1962, and only 32 correct choices.

This research clearly shows that additional legislation is needed to end confusion in the marketplace. Every consumer should have the right to judge products on their merits alone and not be mislead by deceptively priced packages.

This requirement for per unit pricing would not be new to American supermarkets. It has long been a practice to print the per pound price on packages of meat, fish, and poultry.

If shoppers are expected to make intelligent decisions in their buying, they should be able to compare prices on products without having a calculating machine in their shopping carts.

I ask unanimous consent that an article on "What's Happened to Truth in Packaging?" which appeared in the January 1969 issue of Consumer Reports magazine, be placed in the Congressional Record at this time along with the text of the bill I have introduced today.

The **VICE PRESIDENT**. The bill will be received and appropriately referred; and, without objection, the bill and article will be printed in the Record.

The bill (S. 1424) to amend the Fair Packaging and Labeling Act to require the disclosure by retail distributors of unit retail prices of packaged consumer commodities, and for other purposes, introduced by Mr. Nelson, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the Record, as follows:

S. 1424

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 4 of the Fair Packaging and Labeling Act (15 U.S.C. 1453) is amended by adding at the end thereof the following new subsection:

"(c) No person engaged in business in the sale at retail of any packaged consumer commodity which has been distributed in commerce, or the distribution of which affects commerce, shall sell, offer for sale, or display for sale any package containing any such commodity unless such person theretofore shall have placed upon such package a retail price mark. Such retail price mark shall be prepared and placed upon or affixed to the principal display panel of the label appearing upon such package in such manner and form as the promulgating authority named in section 5(a) shall prescribe by regulations, and shall contain information effective to disclose plainly to purchasers and prospective purchasers (1) the retail price of the entire contents of such package, and (2) the unit retail price of such contents determined in such manner as such promulgating authority shall prescribe by regulations.".

(b) Section 10 of that Act (15 U.S.C. 1459) is amended by adding at the end thereof the following new subsection:

"(g) The term 'unit retail price', when used in relation to the contents of a package of any consumer commodity, means the retail price of the contents of that package expressed in terms of the retail price of such contents per single whole unit of weight, volume, or measure—

"(1) in which the net quantity of contents of such package is stated upon the label appearing on such package; or

"(2) if the net quantity of the contents of such package is so stated in terms of more than one such unit of weight, volume, or measure, the unit thereof prescribed by regulations which shall be promulgated by the authority named in section 5(a).".

Sec. 2. Section 7(a) of that Act (15 U.S.C. 1456(a)) is amended by striking out the words "or delivered for introduction in commerce", and inserting in lieu thereof a comma and the following: "delivered for introduction in commerce, or sold at retail, offered for sale at retail, or displayed for sale at retail,".

Sec. 3. The amendments made by this Act shall take effect on the first day of the seventh month beginning after the date of enactment of this Act.

The article presented by Mr. Nelson is as follows:

[From Consumers Report, January 1969]

What's Happened to Truth in Packaging?

"We can't compare prices," housewives complained during the long fight for a truth-in-packaging bill. Can prices be compared now, two years after the Federal Fair Packaging and Labeling Act was signed into law?

The troublemaker has been the odd-sized package, which almost completely superseded the pound, the pint and the quart as basic pricing units for household commodities. All manner of peculiar package sizes boggled the mind, often with deception intended. Manufacturers instituted the practice of "packaging to price"—taking covert price increases by cutting quantity. A 150-sheet box of tissues quietly dropped in quantity to 125, say, or a 16-ounce can of vegetables to 14½ ounces—with no reduction in price.

Down the long self-service aisles, the package has done the selling. Some consumers may have found cart-shopping more convenient and efficient than waiting while the corner grocer pulled down a package from a ceiling-high pile with his long-handled clamp. But the grocer at least knew his prices per pound—and would tell you. The odd-sized package defied you to find out for yourself. Somewhere—anywhere—on the surface of the can, bag, box, carton, or bottle a statement of net quantity lurked. Somewhere else, usually, was a price, often smudged and indecipherable. Once you'd managed to ferret out the pertinent data, all you had to do was engage in some modest calculating. Let's say a box of detergent was labeled "1 lb. 7 oz. net weight" and stamped "3/89."

Step 1: Convert odd-sized quantity to total ounces (1 pound 7 ounces equals 23 ounces).

Step 2: Convert multiple price into price per package (3 for 89¢ comes to about 30¢ a package) or price per total ounces (3 times 23 equals 69 ounces for 89¢).

Step 3: Divide price by quantity to get price per ounce (30¢ divided by 23 ounces or 89¢ divided by 69 ounces equals about 1.3¢ per ounce).

Step 4: Convert price per ounce to price per pound or pint, frequently a more realistic measure of effect on the purse (16 times 1.3¢ equals about 21¢ per pound).

Step 5: Repeat process for the several competing brands and sizes of the same product.

Step 6: Make whatever quality judgments you can, based on almost no label information about comparative quality.

Step 7: Make a selection based on price, quality judgment and brand preference.

THE PROWLING COMPUTER

"A woman in a store is a mechanism, a prowling computer," said Scott Paper Co. when arguing against truth-in-packaging legislation. To be a successful comparison shopper, one really *did* have to be some kind of calculating machine. But few women are.

The Fair Packaging and Labeling Act, which was signed into law November 3, 1966, was intended to allow flesh-and-blood shoppers to make intelligent price comparisons. As we said at the time, the act provided "some truth-in-packaging . . . but not enough" (Consumer Reports, February 1967). The act requires statements of net quantity in standard form to appear in a well-defined place and in reasonably large type on the front or main panel of every package entering interstate commerce. (State labeling laws are being revised to conform to the Federal rules.) The quantity declaration has to be made in total ounces to eliminate one conversion step from price computations. Larger units of measure must be declared as well, if the package holds from one to four pounds or from one quart to one gallon. Example: 28 oz. net weight (1 lb. 12 oz.).

The act also has provisions that could help the Government reverse the trend to proliferating package sizes, curb deceptive claims on cents-off labels, clamp down on oversized packages (slack fill), and standardize the meaning of such package-size rubrics as "Regular," "Giant" and "King."

A big problem facing the Federal Trade Commission and the Food and Drug Administration, which were the agencies assigned to write and enforce labeling regulations, has been cripplingly small budgets. As a result they have been slow in getting started. But "Truth Day" for labels on food products did finally come last July 1, although the FDA extended the deadline one more year for thousands of brands. Nonfood labeling comes under the gun on July 1, 1969, except that as this issue went to press, no date had been set for cosmetics and nonprescription drugs.

Even with administrative action proceeding at such a crawl, the Fair Packaging and Labeling Act has had an impact. Against the kaleidoscope of 8000 ever-changing package faces on supermarket shelves, a pattern of candor is already emerging. Net quantity statements on many if not most packages have moved around to the front and, usually, the lower third of the panel. The type is growing larger, bolder and more contrasting in color. Quantity is more and more often expressed in total ounces.

There was enough apparent improvement by the end of last October to justify a look at whether the new law is, indeed, helping consumers to compare prices. So CU commissioned a study of how that "prowling computer," the housewife, is doing these days.

As a point of reference we turned to a test conducted in 1962 in Sacramento, Calif., under the aegis of the California Consumer Counsel, Helen Ewing Nelson. She had sent to a supermarket five college-educated women who shopped regularly for the family larder. Their instructions were to buy 14 specified everyday grocery items. They were told to disregard brand preferences and quality in making their choices, but to buy the package that, in their judgment, offered the largest amount of the product for the lowest unit cost. The five women had a total of 70 items to buy. Of the 70 selections they made, 34 were wrong. About half of the time, those five women—experienced shoppers well above the average educational level—were just plain unable to recognize the best price when they saw it.

How well might they be expected to do in 1968? In practical consumer terms, what had the Fair Packaging and Labeling Act accomplished in its two years of existence? We arranged for five women, with educational backgrounds and homemaking experience similar to those of the 1962 group, to take an identical test. It was directed by a nonprofit group, the Consumer Research

Foundation (headed by Mrs. Nelson, who has since returned to private life and is now on CU's Board of Directors). A list containing the same 14 everyday grocery items was handed to each of the five housewives. They were dispatched, half an hour apart and unbeknownst to each other, to the same Sacramento supermarket where the previous test had been held. Their instructions, as before: In a two-hour time limit, select the package of each item that offers the largest amount at lowest price per product unit.

The shopping list appears in the table below. Some items on it had not yet come under the act. Dog food was one. Because it contains meat, it is permanently exempt, but it does fall under the similar labeling rules of the Department of Agriculture. The four nonfood items—liquid dishwashing detergent, toilet soap, toilet tissue and shampoo—do not yet have to comply with the truth-in-packaging rules. The other nine items, however, had been packaged and labeled under the FDA rules for four months, and a new frankness in labeling was indeed discernible.

Not discernible, however, was any reduction in the number of package choices. In fact, the display of groceries had continued to proliferate. In 1962, those 14 products were represented by 246 brands, types and sizes. This time the number had gone up to 286—an increase of 16 per cent. It was no surprise, then, that the women took longer to make their selections. In 1962 average shopping time was 43 minutes; last fall the average time was 50 minutes.

CURSES, FLUNKED AGAIN

It's discouraging to have to report that the 1968 shoppers did not improve on the record of correct choices made in pre-truth-in-packaging days. This time, in fact, the women were a bit less successful. They made 38 wrong choices, as compared with 34 wrong ones in 1962:

	1968 results		1962 results	
	Right choice	Wrong choice	Right choice	Wrong choice
Rice	3	2	0	5
Canned tomatoes	3	2	3	2
Hot cereal	2	3	4	1
Chunk Cheddar cheese	2	3	5	0
Canned tuna	5	0	2	3
Salt	4	1	2	3
Imitation maple syrup	2	3	3	2
Pancake mix	0	5	3	2
Peanut butter	3	2	3	2
Dishwashing detergent	3	2	3	2
Toilet soap	1	4	0	5
Toilet tissue	2	3	4	1
Liquid shampoo	1	4	1	4
Canned dog food	1	4	3	2
Total	32	38	36	34

PANCAKE MIXES FOUND ON DISPLAY IN 1 SACRAMENTO SUPERMARKET

	Net contents as stated on package	Price on package	Calculated price per pound[1]
Albers flapjack buttermilk	32 oz. (2 lb.)	$0.41	$0.21
Aunt Jemima buttermilk	2 lb	.65	.33
Do	4 lb	.79	.20
Aunt Jemima buttermilk[2]	32 oz. (2 lb.)	.65	.33
Aunt Jemima	32 oz. (2 lb.)	.53	.27
Aunt Jemima buckwheat	32 oz. (2 lb.)	.57	.29
Aunt Jemima deluxe easy pour	2 lb	.57	.29
Betty Crocker buttermilk	28 oz. (1 lb. 12 oz.)	.51	.29
Do	42 oz. (2 lb. 10 oz.)	.60	.23
Do	4 lb	.83	.21
Betty Crocker complete buttermilk	26 oz. (1 lb. 10 oz.)	.55	.34
Do	40 oz. (2 lb. 8 oz.)	.69	.28
Do	56 oz. (3 lb. 8 oz.)	.85	.24
Bisquick Variety baking mix	20 oz. (1 lb. 4 oz.)	.31	.25
Do	40 oz. (2 lb. 8 oz.)	.44	.18
Do	60 oz. (3 lb. 12 oz.)	.63	.17
Fisher's Deluxe Biskit all purpose mix	40 oz. (2½ lb.)	.39	.16
Krusteaz old-fashioned buttermilk	56 oz. (3 lb. 8 oz.)	.79	.23
Lund's Swedish pancake mix	1 lb	.43	.43
Morrisons Bis-Kits prepared biscuit mix	6 oz	.10	.27
Morrisons Pan-Kits prepared pancake mix	6 oz	.10	.27
Pillsbury extra lights	48 oz. (3 lb.)	.55	.18
Do	4 lb	.79	.20
Do	8 lb	1.45	.18
Pillsbury buckwheat	32 oz. (2 lb.)	.55	.28
Pillsbury sweet cream	2 lb. (32 oz.)	.65	.33
Pillsbury Hungry Jack buttermilk	16 oz. (1 lb.)	.39	.39
Do	32 oz. (2 lb.)	.57	.29
Do	48 oz. (3 lb.)	.77	.26
Do	64 oz. (4 lb.)	.89	.22
Pillsbury Hungry Jack pure wheat	2 lb	.49	.25
Sambos instant pancake mix	1 lb. 12 oz. (28 oz.)	.51	.29

[1] To nearest cent.
[2] With "free" 5½-oz. bottle of syrup.

It's obvious, then, that plainer labeling alone doesn't solve the shopper's difficulty. At the pancake-mix display, for example, most labels appeared to conform to regulations, and the rest at least made no secret of quantity. Yet nobody found the brand at lowest unit price (see below). One can sympathize if the shoppers felt too discouraged to do the necessary mathematical computations for 32 selections in 13 different sizes of flour—excluding boxes and sacks. Under somewhat less unfavorable conditions (25 selections in 11 different sizes), three shoppers had made the correct choice last time.

At the dog-food shelf the results were little better. The (presumably) USDA-approved quantity declaration on each can was forthright enough. Yet the shoppers in 1968 had less success in buying the right dog food than the 1962 shoppers did. Perhaps it's no wonder in view of the explosion of brands and types—from 14 to 35, canned in nine net weights, up from five. Only one shopper recognized the day's bargain price for canned dog food.

Not only *didn't* the shoppers make a reasonable number of correct choices, they *couldn't*—not in any practical terms. It took the five-woman project staff six hours and the services of an electric calculating machine to get all the answers figured out.

But the shoppers tried. Lacking a calculating machine, and not themselves being prowling computers, they tried short-cuts. For example: All five bought the right can of tuna fish, probably because it was the only brand of grated tuna and because all the women correctly assumed that to be the lowest-priced type.

But shortcuts didn't always work. The largest size was not necessarily the one with the lowest unit price, for example, nor was the smallest necessarily the most costly. A 16-ounce can of tomatoes cost more per pound than an 8¼-ounce can, and a roll of 650 sheets of toilet tissue gave more sheets for the money than a 1000-sheet roll.

Even when the largest-quantity package did offer the lowest unit price, the shoppers didn't always spot it. Only two bought the five-pound box of *Buckeye Rolled Oats* as the right choice in thrifty hot cereals among the 31 different selections in 15 sizes filling the shelf. Feeling pressed for time, one shopper bought hominy grits on the logical—but incorrect—theory that it would give the most for the money. It cost half again as much per pound as the rolled oats. Indeed, the prices represented in those 31 different cereal packages ranged from 15¢ to 98¢ a pound.

Things went better at the rice display, where the number of package sizes had dropped from six in 1962 to four in 1968 (though the one-pound size, missing in 1962, was missing still). No one had found the right choice last time, but in 1968 three women did. That's progress of a sort in the Sacramento Valley, one of the nation's richest rice-growing regions.

It would appear, then, that the odd-sized package is still the consumer's most formidable foe in the battle of the bargains. Forthright disclosures of quantity and price are not much help so long as they are obscured by enough variety of package sizes to discourage the computations needed to make quantity and price figures meaningful.

PRODDING THE PACKAGER

The key to success in comparison shopping, CU and many others have argued, lies in mandatory Federal standards for package sizes. They should be limited for each product to as few as logically meet consumers' needs; and common-sense pound and pint units should be reestablished. Once held to a few logical quantities, manufacturers could no longer conceal price hikes by lopping off an ounce or a fraction of an ounce here and there.

When the present law was under consideration, the manufacturers concentrated their lobbying effort on defeating Federal regulation of package sizes. They succeeded in getting the proposed provision watered down to a point where the Secretary of Commerce may only make a *finding* of undue package proliferation in a given product line. He cannot force an industry to change its ways.

Nevertheless, the threat of a proliferation finding has served as a prod in itself. By late 1968, the Secretary had goaded 48 packaging industries toward reducing or agreeing to reduce the number of their package sizes to a standardized set. The whole program is strictly voluntary and unenforceable. But significant reductions in number of sizes have already been announced as in effect for most types of dry detergents, jams and jellies, mayonnaise and salad dressing, peanut butter and pickles. As of January 1, the list was to be expanded to include dry cereals (except in single servings), cookies and crackers, instant coffee, and salad and cooking oils. A third batch of reductions is due to start July 1. The Commerce Department cautions, though, that nonstandard sizes will continue to be sold until inventories are used up.

The new standards, if adhered to, would be welcome. They would, for example, reduce the sizes of toothpaste from 57 to a mere 5; of dry detergent from 24 to 6; of adhesive bandage from 37 to 10; of paper towels from 33 to 8; of dry cereal from 33 to 16; of cookies and crackers from 73 to 56; and of macaroni products from 32 to 16. With that kind of reductions, the food industry itself should enjoy fat savings from marketing efficiencies.

But in many instances the consumer may be no better off than before because even a significant reduction in package sizes at the disposal of manufacturers will not necessarily reduce the variety of sizes displayed in any given supermarket. In the Sacramento store chosen for our shopping test shoppers found six sizes each of imitation maple syrup

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and peanut butter. With the kind of odd-size problem we've described, six computations were difficult enough. Yet the new standards would merely ask manufacturers to limit themselves to 16 sizes of syrup and 12 sizes of peanut butter. Whatever cutting down may take place during packaging, it's not likely to show upon the shelves of that particular supermarket in Sacramento, nor in stores anywhere else, we'd guess.

So much for truth-in-packaging, 1969. Judging by this look at it, the consumer still can't compare prices and cannot anticipate being able to compare them any time soon. CU is now convinced that we did not go far enough in our proposals for price disclosure.

The best method for making comparisons stares out from just about every supermarket meat counter. Because of their random size, meat and poultry have long been subject to state laws requiring declaration not only of weight and price but also of price per pound.

Why shouldn't all packages be labeled with the price per pound or pint or other relevant unit? In considering such a requirement, the drafters of the Fair Packaging and Labeling Act decided it might be too costly for the small, independent grocer. Since manufacturers could not usually print prices on their packages without violating the laws against price-fixing, the price labeling job would fall, as it does now, to the retailer. But regional offices of supermarket chains could readily include unit prices on the master price lists sent to all store managers, and suppliers could equip small groceries with easy-to-use price tables. The extra cost, if any, would probably prove negligible.

CU therefore urges Congress to amend the law to require unit pricing. Further, we suggest that the price unit should represent the quantities customarily purchased—not price per ounce (unless possibly for caviar, spices and such) but price per pound, per pint, per 100 paper towels and so forth). Many CU readers have already asked why that pricing system isn't used to solve their shopping problem. A letter-writing campaign to your Senators and Representatives would seem to be in order. It's high time to turn all those prowling computers back into people again.

S. 1443—INTRODUCTION OF BILL TO INCREASE THE PERSONAL EXEMPTION UNDER THE INTERNAL REVENUE CODE OF 1954

Mr. CANNON. Mr. President, I am today introducing, for appropriate reference, a bill to amend the Internal Revenue Code of 1954 to increase the personal exemption from $600 to $1,000.

As every American is so consciously aware, the $600 figure is now unreal and obsolete for its purpose. The last time this figure was revised was in 1948. Since that time the cost of living has increased by 44.6 percent. To expect the American taxpayer to provide the basic minimum necessities of life for himself, his wife, and his children for $50 per month each is totally unrealistic.

A person works for the major purpose of supporting his family and it stands to reason that taxes should not be applied to the income of persons until their minimum basic needs have been allowed for.

A 1947 Treasury Department study discusses minimum living standards as follows:

> According to a widely accepted view, the exemption should be at least adequate to cover some minimum essential living costs, such as the amount required for reasonable maintenance. It is conceded that the adjustment of exemptions to living costs may not be exact and that under emergency conditions it may be necessary to go below ordinary minima. For the long run, however, it is to be regarded as essential to exempt amounts required to maintain the individual and his family in health and efficiency.

An exemption of $600 per person is unrealistic and unfair. It provides only $2,400 deductible for a family of four, yet a recent Department of Labor study shows that a family's financial need for a moderate standard of living today is about $9,191. The personal exemptions for a family of four today should certainly comprise a greater percentage of this total than the present $2,400.

We have been vitally concerned in recent times about achieving equity in the tax structure as it relates to wealthy individuals so that they too pay their fair share of the costs of funding our country. This is the area of our greatest tax abuse and these "loopholes" must be closed. The average American is fully aware of the inequities in this area, and there is a limit to what the taxpayer is willing to put up with in allowing the rich to get special benefits while everyone else pays through the nose.

We must make the tax system as equitable as possible if we are to maintain the confidence of the taxpayer.

A major first step is to raise the unfair $600 per person exemption to $1,000.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1443) to amend the Internal Revenue Code of 1954 to increase the amount of the deduction for each personal exemption to $1,000, introduced by Mr. Cannon, was received, read twice by its title, and referred to the Committee on Finance.

S. 1444—INTRODUCTION OF BILL RELATING TO A TAX INEQUITY EXISTING IN THE STATE OF NEVADA

Mr. CANNON. Mr. President, on behalf of myself and Senator Bible, I send to the desk, for appropriate reference, a bill designed to remedy a long-standing tax inequity that exists in Nevada.

I first made this proposal, with my colleague (Mr. Bible), in 1965. Our proposal recognizes that since Federal legislation in the field of coin-operated gaming devices is designed for purposes of regulation rather than for the raising of revenue, a more realistic formula should be instituted.

Our proposal stipulates that 80 percent of the occupational taxes collected on these devices be credited for similar taxes imposed by a State where the operation of such devices is legal. In our opinion, this proposal is consistent with the 1965 action taken by the Congress on the New Hampshire lottery. Like New Hampshire, Nevada urgently needs more locally raised revenue to meet the increasing costs of Government, especially the demands of our schools.

For several years, the Nevada Legislature has sought to impose an additional tax on coin-operated gaming devices, and I ask that relevant documents from the Nevada Legislature, as well as the text of the bill I am introducing, be printed in the Record following my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and documents will be printed in the Record.

The bill (S. 1444) to amend the Internal Revenue Code of 1954 to allow a credit against the occupational tax on coin-operated gaming devices for similar taxes presently imposed by a State where the operation of such devices is legal, introduced by Mr. Cannon (for himself and Mr. Bible), was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the Record, as follows:

S. 1444

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subchapter B of chapter 36 of the Internal Revenue Code of 1954 (relating to occupational tax on coin-operated devices) is amended by adding at the end thereof the following new section:

"Sec. 4464. Credit for State-imposed taxes.

"(a) In General.—There shall be allowed as a credit against the tax imposed by section 4461 with respect to any coin-operated gaming device for any year an amount equal to the amount of State tax paid for such year with respect to such device by the person liable for the tax imposed by section 4461, if such State tax (1) is paid under a law of the State in which the place or premises on which such device is maintained or used is located, and (2) is similar to the tax imposed by section 4461 (including a tax, other than a general personal property tax, imposed on such device).

"(b) Limitations.—

"(1) Devices must be legal under state law.—Credit shall be allowed under subsection (a) for a tax imposed by a State only if the maintenance of the coin-operated gaming device by the person liable for the tax imposed by section 4461 on the place or premises occupied by him does not violate any law of such State.

"(2) Credit not to exceed 80 percent of tax.—The credit under subsection (a) with respect to any coin-operated gaming device shall not exceed 80 percent of the tax imposed by section 4461 with respect to such device.

"(3) Credit not to apply to new taxes.—Credit shall be allowed under subsection (a) for a tax imposed by a State only if such State imposed such tax or a substantially similar tax (whether or not conditionally) on the date of the enactment of this section.

"(c) Special Provision for Payment of Tax.—Under regulations prescribed by the Secretary or his delegate, a person who believes he will be entitled to a credit under subsection (a) with respect to any coin-operated gaming device for any year shall, for purposes of this subtitle and subtitle F, satisfy his liability for the tax imposed by section 4461 with respect to such device for such year if—

"(1) on or before the date prescribed by law for payment of the tax imposed by section 4461 with respect to such device for such year, he has paid the amount of such tax reduced by the amount of the credit which he estimates will be allowable under subsection (a) with respect to such device for such year, and

"(2) on or before the last day of such year, pays the amount (if any) by which the credit for such year is less than the credit estimated under paragraph (1)."

(b) The table of sections for subchapter B of chapter 36 of such Code is amended by adding at the end thereof the following new item:

"Sec. 4464. Credit for State-imposed taxes."

(c) The amendments made by subsections (a) and (b) shall apply on and after July 1, 1969.

The documents presented by Mr. Cannon are as follows:

Statutes of Nevada 1967—Assembly Joint Resolution No. 8—Committee on Taxation—File No. 46

Assembly joint resolution memorializing the Congress of the United States to allow a credit against the federal tax for slot machine taxes imposed by the states

Whereas, The State of Nevada, like all areas of rapidly expanding population, is faced with continuing crisis in the field of education as it strives with limited resources to meet ever-growing needs; and

Whereas, The Federal Government has recognized the crucial importance of education in developing a citizenry informed and prepared to meet the challenge of our complex society; and

Whereas, Federal law now imposes a tax of $250 per year on each slot machine, and certain controls upon the use of such machines; and

Whereas, The process of collection and return is cumbersome, costly and time-consuming; and

Whereas, The State of Nevada stands ready to collect such a tax directly and to take all necessary measures to insure its payments for each machine; and

Whereas, Legislation is now pending in this state to impose such a tax to the extent that the corresponding federal tax is diminished, and to devote its proceeds to the support of the public schools; now, therefore, be it

Resolved by the Assembly and Senate of the State of Nevada, jointly, That this legislature on behalf of the people of the State of Nevada respectfully memorializes the Congress of the United States to enact legislation providing a credit of 80 percent against the tax imposed by 26 U.S.C. § 4461 upon slot machines for the amount of any tax paid upon such machines to a state; and be it further

Resolved, That this legislature urgently requests each member of the Nevada congressional delegation to work for the enactment of such legislation; and be it further

Resolved, That copies of this resolution be forwarded by the legislative counsel to the Vice President of the United States, the Speaker of the House of Representatives and each member of the Nevada congressional delegation.

Statutes of Nevada 1967—Assembly Bill No. 174—Committee on Taxation—Chapter 314

An act to amend chapter 463 of NRS, relating to the licensing and control of gambling, by adding a new section imposing an additional tax upon slot machines contingent upon the allowance of an offsetting federal tax credit; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Section 1. Chapter 463 of NRS is hereby amended by adding thereto a new section which shall read as follows:

1. In addition to any other license fees and taxes imposed by this chapter, there is hereby imposed upon each slot machine operated in this state a tax equal to the amount of any credit which may be allowed against the tax imposed on slot machines by 26 U.S.C. § 4461 for the payment of a state tax. If no such credit is allowed, no tax is payable under this subsection.

2. The commission shall:

(a) Collect the tax annually in advance, prior to June 20, as a condition precedent to the issuance of a state gaming license to operate any slot machine.

(b) Include the proceeds of the tax in its reports of state gaming taxes collected.

3. The commission shall pay over the tax as collected to the state treasurer to be deposited to the credit of the state distributive school fund.

Sec. 2. If the Congress of the United States enacts legislation after January 10 of any calendar year by virtue of which a credit against the tax on slot machines by 26 U.S.C. § 4461 is allowable for a state tax paid during such calendar year, the Nevada gaming commission shall charge and collect, as soon as practicable after the effective date of such federal legislation, a tax on each slot machine licensed in this state equal to the amount of such credit allowable.

Sec. 3. This act shall become effective upon passage and approval.

S. 1445—INTRODUCTION OF BILL TO PROVIDE FOR THE CONSTRUCTION OF A VETERANS' ADMINISTRATION HOSPITAL IN THE STATE OF NEVADA

Mr. CANNON. Mr. President, I am introducing a bill today for myself and my Nevada colleague, Senator Bible, to provide for the construction of a Veterans' Administration hospital in the southern part of the State of Nevada.

At the present time veterans in Nevada are served by only one VA hospital, located in Reno, in northwest Nevada.

Veterans in more populous southern Nevada, 500 miles to the southeast, have no VA facilities whatsoever and are completely dependent on VA hospitals in crowded Los Angeles, 300 miles away.

It think it is a gross disservice to our veterans to force them to travel to Los Angeles to get treatment for service-related disabilities. In addition, it certainly is not fair to make the veterans of southern California wait for treatment because their facilities are overcrowded.

It is just this inequity that my legislation is designed to overcome. I urge early consideration and passage of this bill.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1445) to provide for the construction of a Veterans' Administration hospital in the State of Nevada, introduced by Mr. Cannon (for himself and Mr. Bible), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

ADDITIONAL COSPONSORS OF BILLS

Mr. SPARKMAN. Mr. President, I ask unanimous consent that, at its next printing, the name of the senior Senator from Washington (Mr. Magnuson) be added as a cosponsor of the bill (S. 1213) to create a Small Business Capital Bank.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, at its next printing, my name be added as a cosponsor of the bill (S. 355) introduced by my distinguished and able colleague, the senior Senator from West Virginia (Mr. Randolph), the coal mine safety bill.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Connecticut (Mr. Dodd), I ask unanimous consent that, at its next printing, the name of the Senator from Utah (Mr. Moss) be added as a cosponsor of the bill (S. 1208) to provide one routine physical checkup each year for individuals insured under medicare.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Nevada (Mr. Cannon) I ask unanimous consent that, at its next printing, the names of the Senator from Nevada (Mr. Bible), the Senator from Utah (Mr. Bennett), the Senator from North Dakota (Mr. Burdick), the Senator from Mississippi (Mr. Eastland), the Senator from Arizona (Mr. Fannin), the Senator from Hawaii (Mr. Fong), the Senator from Alaska (Mr. Gravel), the Senator from Wyoming (Mr. Hansen), the Senator from Oklahoma (Mr. Harris), the Senator from Indiana (Mr. Hartke), the Senator from Hawaii (Mr. Inouye), the Senator from Washington (Mr. Magnuson), the Senator from Wyoming (Mr. McGee), the Senator from Minnesota (Mr. Mondale), the Senator from Utah (Mr. Moss), the Senator from Rhode Island (Mr. Pell), the Senator from Illinois (Mr. Percy), the Senator from Connecticut (Mr. Ribicoff), the Senator from Pennsylvania (Mr. Scott), the Senator from Alaska (Mr. Stevens), the Senator from Maryland (Mr. Tydings), the Senator from Texas (Mr. Yarborough), and the Senator from Ohio (Mr. Young) be added as cosponsors of the bill (S. 819) to exempt senior citizens from paying national parks and forests entrance, admission, or user fees.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the senior Senator from West Virginia (Mr. Randolph), I ask unanimous consent that, at its next printing, the name of the Senator from Alaska (Mr. Gravel) be added as a cosponsor of the joint resolution (S.J. Res. 7) proposing an amendment to the Constitution of the United States extending the right to vote to citizens 18 years of age or older.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. HATFIELD. Mr. President, on behalf of the Senator from South Dakota (Mr. McGovern) and myself, I ask unanimous consent that, at its next printing, the names of the Senator from Alaska (Mr. Gravel) and the Senator from Wyoming (Mr. McGee) be added as cosponsors of S. 1285, to establish a National Economic Conversion Commission.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MOSS. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Hawaii (Mr. Inouye), the Senator from Washington (Mr. Magnuson), the Senator from Kansas (Mr. Dole), the Senator from Oregon (Mr. Packwood), the Sen-

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ator from Tennessee (Mr. GORE), the Senator from Wyoming (Mr. MCGEE), the Senator from Michigan (Mr. HART), the Senator from Hawaii (Mr. FONG), the Senator from Alaska (Mr. STEVENS), the Senator from Indiana (Mr. HARTKE), and the Senator from Kentucky (Mr. COOK) be added as cosponsors of the resolution (S.J. Res. 5) to establish a Joint Committee To Investigate Crime.

The VICE PRESIDENT. Without objection, it is so ordered.

SENATE CONCURRENT RESOLUTION 10—CONCURRENT RESOLUTION RECOGNIZING THE 26TH ANNIVERSARY OF THE WARSAW GHETTO UPRISING

Mr. JAVITS (for himself and Mr. GOODELL) submitted a concurrent resolution (S. Con. Res. 10) recognizing the 26th anniversary of the Warsaw ghetto uprising, which was referred to the Committee on the Judiciary.

(See the above concurrent resolution printed in full when submitted by Mr. JAVITS, which appears under a separate heading.)

SENATE RESOLUTION 162—RESOLUTION TO REFER SENATE BILL 1391 TO COURT OF CLAIMS

Mr. ERVIN submitted the following resolution (S. Res. 162); which was referred to the Committee on the Judiciary:

S. RES. 162

Resolved, That the bill (S. 1391) entitled "A bill for the relief of certain Kaw Indians", now pending in the Senate, together with all the accompanying papers, is hereby referred to the chief commissioner of the Court of Claims; and the chief commissioner shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28 of the United States Code, as amended by the Act of October 15, 1966 (80 Stat. 958), and report thereon to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States or a gratuity and the amount, if any, legally or equitably due from the United States to the claimant.

NOTICE OF PUBLIC HEARING ON POWER ASPECTS OF TOCKS ISLAND DAM; DELAWARE RIVER BASIN

Mr. YOUNG of Ohio. Mr. President, I wish to announce that the Subcommittee on Flood Control-Rivers and Harbors of the Committee on Public Works, will hold a public hearing to consider the matter of hydroelectric power development at the Tocks Island Dam and Reservoir with particular reference to pumped-storage facilities.

The subcommittee will meet at 10 a.m., Tuesday, March 18, 1969, in room 4200, New Senate Office Building. In the event the subcommittee is unable to hear all interested parties at that time, remaining witnesses will be heard at 10 a.m. on Wednesday, March 19, 1969.

Any Senator or other person wishing to testify should notify Mr. Joseph F. Van Vladricken, professional staff member, on extension 6176, in order that he might be scheduled as a witness.

NOTICE OF HEARING

Mr. McCLELLAN. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Wednesday, March 12, 1969, at 10:30 a.m., in room 2228, New Senate Office Building, on the nominations of Charles H. Ragovin, of Massachusetts, to be Administrator of Law Enforcement Assistance, and Richard W. Velde, of Virginia, to be an Associate Administrator of Law Enforcement Assistance.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

The subcommittee consists of the Senator from Mississippi (Mr. EASTLAND), the Senator from Nebraksa (Mr. HRUSKA), and myself, chairman.

NOTICE CONCERNING NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. McCLELLAN. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Richard A. Dier, of Nebraska, to be U.S. attorney for the district of Nebraska for the term of 4 years, vice Theodore L. Richling, resigned.

Allen L. Donielson, of Iowa, to be U.S. attorney for the southern district of Iowa for the term of 4 years, vice James P. Rielly, resigned.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Friday, March 14, 1969, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

THE NONPROLIFERATION TREATY

Mr. GOLDWATER. Mr. President, my views on the Nuclear Nonproliferation Treaty have become well enough known by now so that I will not be disclosing any secret by here stating my intention to oppose Senate ratification of the treaty in its present form. When formal debate on the treaty opens, I shall express my position in detail at that time, both as to the substance of the treaty and as to its relationship to present world conditions.

Today I wish to bring to the attention of my colleagues my strong apprehension about one aspect of this treaty—the question of to what extent this treaty may commit the United States to guarantee the security of the approximately 100 nonnuclear states that are expected to sign the treaty.

It is my hope that the Committee on Foreign Relations might take another look at the treaty in light of the points which I shall now raise. These points are of great concern to me and, I believe, to other Members also. They are sufficiently important to make me wonder whether the Foreign Relations Committee really wants this body to accept the treaty in its entirety without amendment.

I believe that the United Nations Security Council Resolution 255 of 1968 on security guarantees and the U.S. declaration made in explanation of its vote for such resolution clearly give rise to the interpretation that the United States will have to act immediately to provide assistance to any nonnuclear nation signing the treaty that is a victim of a nuclear attack or threat.

Both of these documents include specific references to the concern of countries which desire to subscribe to the treaty that "appropriate measures be undertaken to safeguard their security" if they adhere to the treaty. The term "appropriate measures," of course, means whatever measures are necessary to suppress the attack or remove the threat. Certainly, the country that is victim to a nuclear attack would not consider any measures to be "appropriate" which did not promptly stop the attack and prevent the aggressor from invading its territory in the aftermath of the attack.

This interpretation is reinforced by another provision in the declaration which reads that:

> Any State which commits aggression accompanied by the use of nuclear weapons or which threatens such aggression must be aware that its actions are to be countered effectively.

Obviously aggression is not "countered effectively" so long as it is permitted to continue.

Both of these documents are quite emphatic in committing the nuclear powers to react immediately. The resolution commands that:

> The Security Council, and above all its nuclear-weapon State permanent members, would have to act immediately.

Likewise, the U.S. declaration states:

> Nuclear-weapon States would have to act immediately through the Security Council to take the measures necessary to counter such (nuclear) aggression or to remove the threat of (nuclear) aggression.

In addition, both instruments take specific notice of the fact that the Security Council might not be able to respond at once. Each contains an express provision that reaffirms in particular the right of individual and collective self-defense if an armed attack occurs, until the Security Council has taken measures necessary to maintain peace and security. Clearly, these provisions show that the United States is not limited merely to taking action which is called for by the Security Council.

Mr. President, a commonsense interpretation of the plain words used in this resolution and the accompanying declaration definitely reveals that the United States is pledged to act immediately to take whatever measures are necessary to counter a nuclear attack or threat against a nonnuclear party to the treaty, either by acting through the Security Council, if possible, or outside the United Nations, if not.

Any interpretation that these devices represent merely a gesture to display our concern about the security of nonnuclear nations is purely an expression of wishful thinking. Regardless of what one wishes our obligations would be under the treaty, these two documents make it crystal clear that we have given an ironclad promise to police the security of nonnuclear countries that sign the treaty.

And we must recognize that the treaty and the two documents cannot be read in a vacuum. The expectations of the nonnuclear countries must be considered by anyone who wants to seek an honest answer to the question of our commitments under the treaty. Insofar as the nonnuclear nations are concerned, these instruments and the treaty would be worthless and ridiculous unless they could expect that, in giving up the right to develop nuclear weapons of their own, they would receive effective assurances against an attack by such weapons.

That the commitment made in the documents was in response to this concern of the nonnuclear countries and was an integral part of the course of negotiations leading to the signing of the treaty is beyond question. The letter of submittal of the treaty by Secretary Rusk includes the following:

> In the course of the negotiation of the treaty, a number of non-nuclear-weapon states, including especially non-aligned states, expressed the need for some form of assurance with respect to their security that would be appropriate in light of their renunciation of the right to acquire nuclear weapons.

This expectation of the nonnuclear nations was fed throughout the negotiating stage by the former administration. On at least two occasions President Johnson promised "our strong support against threats of nuclear blackmail." Secretary McNamara went so far as to pooh-pooh the idea of any nation taking time to go through the United Nations. In testimony before the Joint Committee on Atomic Energy, he said:

> In case of a nuclear attack by country A on country B, the very survival of country B would be immediately at issue and it might well require military intervention by one of the great powers immediately, without time for the negotiation and discussion in international forums that would otherwise take place.

The history is clear. The language is clear. An implied provision has become attached to the treaty, confirmed by the Security Council resolution and related declaration, that would bind the United States to guarantee the security of any nonnuclear weapon party that is a victim of nuclear aggression or the threat of such aggression. The very process of ratification could surely be claimed at some future date to constitute the constitutional procedure required to confirm these guarantees. Thus, the role of the United States as the policeman of the world would truly be assured if the Senate approves this treaty.

Mr. President, I ask unanimous consent that the text of the Security Council resolution and the U.S. declaration be printed at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

UNITED NATIONS SECURITY COUNCIL RESOLUTION 255 (1968)

ADOPTED BY THE SECURITY COUNCIL AT ITS 1433D MEETING ON JUNE 19, 1968

The Security Council,

Noting with appreciation the desire of a large number of States to subscribe to the Treaty on the Non-Proliferation of Nuclear Weapons, and thereby to .undertake not to receive the transfer from any transferor whatsoever of nuclear weapons or other nuclear explosive devices or of control over such weapons or explosive devices directly, or indirectly; not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices; and not to seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices,

Taking into consideration the concern of certain of these States that, in conjunction with their adherence to the Treaty on the Non-Proliferation of Nuclear Weapons, appropriate measures be undertaken to safeguard their security,

Bearing in mind that any aggression accompanied by the use of nuclear weapons would endanger the peace and security of all States,

1. *Recognizes* that aggression with nuclear weapons or the threat of such aggression against a non-nuclear-weapon State would create a situation in which the Security Council, and above all its nuclear-weapon State permanent members, would have to act immediately in accordance with their obligations under the United Nations Charter;
2. *Welcomes* the intention expressed by certain States that they will provide or support immediate assistance, in accordance with the Charter, to any non-nuclear-weapon State Party to the Treaty on the Non-Proliferation of Nuclear Weapons that is a victim of an act or an object of a threat of aggression in which nuclear weapons are used;
3. *Reaffirms* in particular the inherent right, recognized under Article 51 of the Charter, of individual and collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security.

DECLARATION OF THE GOVERNMENT OF THE UNITED STATES OF AMERICA

(Made in the United Nations Security Council in explanation of its vote for Security Council Resolution 255 (1968))

The Government of the United States notes with appreciation the desire expressed by a large number of States to subscribe to the treaty on the non-proliferation of nuclear weapons.

We welcome the willingness of these States to undertake not to receive the transfer from any transferor whatsoever of nuclear weapons or other nuclear explosive devices or of control over such weapons or explosive devices directly, or indirectly; not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices; and not to seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices.

The United States also notes the concern of certain of these States that, in conjunction with their adherence to the treaty on the non-proliferation of nuclear weapons, appropriate measures be undertaken to safeguard their security. Any aggression accompanied by the use of nuclear weapons would endanger the peace and security of all States.

Bearing these considerations in mind, the United States declares the following:

Aggression with nuclear weapons, or the threat of such aggression, against a non-nuclear-weapon State would create a qualitatively new situation in which the nuclear-weapon States which are permanent members of the United Nations Security Council would have to act immediately through the Security Council to take the measures necessary to counter such aggression or to remove the threat of aggression in accordance with the United Nations Charter, which calls for taking "* * * effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace * * *". Therefore, any State which commits aggression accompanied by the use of nuclear weapons or which threatens such aggression must be aware that its actions are to be countered effectively by measures to be taken in accordance with the United Nations Charter to suppress the aggression or remove the threat of aggression.

The United States affirms its intention, as a permanent member of the United Nations Security Council, to seek immediate Security Council action to provide assistance, in accordance with the Charter, to any non-nuclear-weapon State party to the treaty on the non-proliferation of nuclear weapons that is a victim of an act of aggression or an object of a threat of aggression in which nuclear weapons are used.

The United States reaffirms in particular the inherent right, recognized under Article 51 of the Charter, of individual and collective self-defence if an armed attack, including a nuclear attack, occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security.

The United States vote for the resolution before us and this statement of the way in which the United Nations intends to act in accordance with the Charter of the United Nations are based upon the fact that the resolution is supported by other permanent members of the Security Council which are nuclear-weapon States and are also proposing to sign the treaty on the non-proliferation of nuclear weapons, and that these States have made similar statements as to the way in which they intend to act in accordance with the Charter.

AMENDMENT OF SECTION 301 OF THE MANPOWER DEVELOPMENT AND TRAINING ACT OF 1962

Mr. MANSFIELD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on H.R. 497. This request has been cleared by the joint leadership.

The VICE PRESIDENT laid before the Senate H.R. 497, to amend section 301 of the Manpower Development and Training Act of 1962, as amended, which was read twice by its title.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to its immediate consideration.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, it is my understanding that this measure merely brings about a correction of some technicalities connected with this matter, and that it is noncontroversial.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. JAVITS. Mr. President, would the Senator have inserted in the RECORD an explanation of the bill?

Mr. MANSFIELD. Yes, indeed.

Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the House report, explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

REPORT

BACKGROUND

On September 5, 1968, the House passed, by unanimous vote, H.R. 15045, a bill to amend the Manpower Development and Training Act of 1962, as amended.

On October 7, 1968, the Senate passed S. 2938, a bill to amend the Manpower Development and Training Act, which was subsequently concurred in by unanimous consent by the House on October 10, 1968. This bill also included American Samoa and the Trust Territory in the definition of "State" for the purposes of the act, with specific exceptions to take into account the peculiar fiscal limitations of the government of the Trust Territory.

Another amendment included in S. 2938 placed a floor on the money to be made available to each State under title II of the Manpower Development and Training Act in the amount of $750,000. This amendment specifically exempted Guam, American Samoa, and the Virgin Islands from this floor, setting instead a floor of $100,000 for each of these territories. Because the floor-setting amendment failed to list the trust territory with the other areas entitled to $100,000 minimum annual funding, the language of the act, if read literally would now seem to require that the trust territory be allocated a minimum of $750,000, while Guam, American Samoa, and the Virgin Islands are only assured of $100,000.

It was the original intention of the proponents of each of these amendments that the four areas in question should be treated similarly. It was most certainly not the intention of the committee last year that any of these areas, some of which are quite sparsely populated, should have funds reserved in amounts beyond those which are available for other territories similarly situated.

H.R. 497 received bipartisan support and was unanimously ordered reported by the full Committee on Education and Labor.

Mr. PROUTY. Mr. President, there is no reason why the bill to amend the Manpower Development and Training Act of 1962 now before us, H.R. 497, should not be passed immediately.

This bill is identical to one which I introduced on January 16 on behalf of myself and the junior Senator from Minnesota, S. 279.

The MDTA legislation which we passed last fall contained an amendment of mine which provided a floor of $750,000 in MDTA funds for each of the States and a floor of $100,000 for Guam, the Virgin Islands, and American Samoa. Inadvertently the Trust Territories of the Pacific Islands were omitted from this latter group. As a result, there is authority in the legislation passed last October to provide $750,000 for the Trust Territories of the Pacific Islands. The bill now before us merely corrects this technical mistake by placing the Trust Territories in the group where they should have been originally with a floor of $100,000.

H.R. 497, therefore, merely carries out what we intended to do last year. In these circumstances, there is no necessity for it to be referred to or considered by our Committee on Labor and Public Welfare, and I urge its immediate passage.

The VICE PRESIDENT. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill (H.R. 497) was ordered to a third reading, read the third time, and passed.

ORDER FOR RECOGNITION OF SENATOR MANSFIELD

Mr. MANSFIELD. Mr. President, I ask unanimous consent, if I am not recognized before, that I may be recognized at the conclusion of the morning hour.

The VICE PRESIDENT. Without objection, it is so ordered.

THE NONPROLIFERATION TREATY

Mr. AIKEN. Mr. President, since the Nonproliferation Treaty will be before the Senate the first of the week, it may be helpful if I have printed in the RECORD some pertinent material.

When this treaty was first introduced, I made it plain that I was quite apprehensive over two provisions, namely, article V, which disturbed me considerably because testimony before the Joint Committee on Atomic Energy indicated that this provision might be used as an open-ended subsidy to industry, and article III, which deals with the inspection system, which also is not very clear.

Therefore, I took up the matter with Mr. Seaborg of the Atomic Energy Commission, and he replied to me under date of February 14, 1969. This letter related primarily to the meaning of article V.

Mr. President, I ask unanimous consent to have printed in the RECORD Mr. Seaborg's letter to me dated February 14, 1969.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C., February 14, 1969.

Hon. GEORGE D. AIKEN,
U.S. Senate.

DEAR SENATOR AIKEN: In accordance with our telephone conversation of February 11, I am writing in response to the interest you have expressed in obtaining more explicit assurances from the Administration that Article V of the Non-Proliferation Treaty will not impose a burden on the U.S. taxpayer by compelling us to subsidize peaceful nuclear explosion projects in foreign countries.

I can understand and endorse your desire for clear and unequivocal assurances regarding the character of the commitment undertaken by the U.S. in this Treaty. It is in this spirit that I am writing you this letter. As you know, the Atomic Energy Commission will be the agency for carrying out peaceful nuclear explosion projects, both domestic and foreign. Therefore, we are sensitive to the points you have raised and I also believe that we are in position to provide you with the assurances that you understandably desire on this matter, and we would welcome having these assurances made a matter of record.

I believe your concern is related to two points: first, the nature and terms of the services to be provided in accordance with Article V of the proposed Non-Proliferation Treaty; and second, the possibility that the Treaty could be misinterpreted as requiring the undertaking of peaceful nuclear explosion services of a research and development nature abroad.

First, the negotiating record makes it clear that Article V contemplates the performance of peaceful nuclear explosion services only for developed applications on a commercial basis. I should like to assure you that such services will be performed on the basis of full cost recovery, excluding only the charges for the general costs of research and development on nuclear explosive devices (including our cumulative costs to date) since these costs have been and will be incurred in the furtherance of our own technical programs, much of them in the past development of nuclear weapons.

All other costs of furnishing the explosion service, including, among other things, the full cost of all materials, the fabrication of the explosive devices, the costs of emplacing and firing the device, and the appropriate overhead costs would be borne by the foreign user and not the Atomic Energy Commission. We would also be reimbursed if we undertook development work relating to a particular adaption of a nuclear device or our operations for the benefit of a specific user. This overall approach is consistent with the pricing policy which the Commission follows in connection with other materials and services which it provides domestically and abroad.

As you have suggested, clear-cut assurances that the explosion services provided pursuant to Article V of the Treaty would be compensated for as I have described above could well be considered in connection with the legislation authorizing the Commission to furnish these services.

In order for us to reach the point where we can provide the type of commercial service anticipated by Article V, the Commission intends to continue to carry out a vigorous experimental program. This leads us to the second point that I would like to discuss. Article V of the Treaty does not obligate the United States to undertake experimental peaceful nuclear explosions abroad. In most cases, this experimental program will be conducted within the United States. In a few cases, however, it may be in our programmatic interest, although not required by the Treaty, to carry out an experiment overseas in collaboration with another nation. The Australian project at Cape Keraudren, for which the feasibility of nuclear evacuation techniques is now under study, could be a case in point and an example of this type of experiment. Any research and development project that we might wish to conduct would have to be considered and evaluated, on a case-by-case basis, in terms of its programmatic interest to the Commission and our financial contribution to any such project would be related to that interest. I can assure you that the Joint Committee on Atomic Energy will be consulted with regard to any such project; and, moreover, any such project involving the expenditure of Commission funds would have to be reviewed by the Joint Committee and Appropriations Committees as part of the authorization and appropriation process.

I hope these comments shall serve to clarify how we view this question and to provide the assurances which you have sought against the possibility that Article V of the Treaty will work to our disadvantage.

I realize that Article V was regarded by the negotiators as a central element in our ability to encourage the other prospective signers to relinquish their options to manufacture nuclear explosive devices. I am confident that provision will be administered on the basis that I have described, and that the interest of the United States will be well served by the ratification of this important Treaty. Secretary Rogers has asked me to let you know that he concurs in this letter.

Cordially,

GLENN T. SEABORG,
Chairman.

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Mr. AIKEN. Mr. President, thereafter the Committee on Foreign Relations held hearings. At that time, I made some inquiries relative to various provisions, but I did not complete all of my questioning. Therefore, under date of February 24, 1969, I wrote a letter to Secretary Rogers, and I enclosed a memorandum covering eight questions. I have received a reply from the Department of State, which is dated March 5, 1969.

Mr. President, I ask unanimous consent to have printed in the Record my letter to Secretary of State William P. Rogers and the reply I received from the Department of State, dated March 5, 1969.

There being no objection, the letters were ordered to be printed in the Record, as follows:

U.S. Senate,
Committee on Foreign Relations,
Washington, D.C., February 24, 1969.

Hon. William P. Rogers,
Secretary of State,
Washington, D.C.

Dear Mr. Secretary: The nuclear Non-Proliferation Treaty (NPT) represents a significant move in United States foreign policy. Of particular importance are the scope and implications of the United States commitment related to the NPT made by President Johnson in December 1967 and endorsed by President Nixon earlier this month. This commitment states in part: " . . . when such safeguards are applied under the Treaty, the United States will permit the International Atomic Energy Agency to apply its safeguards to all nuclear activities in the United States—excluding only those with direct national security significance."

Russia has made no such pledge.

The Senate is now reviewing this Treaty and must consider the magnitude of the United States pledge. In this connection it seems to me that many details concerning the implementation of the United States commitment are left to future times. I know from some experience that it is dangerous to agree "in principle" and leave the details to future negotiations. To illustrate my concern, I asked Dr. Seaborg during the hearing if he would tell the Committee how many existing United States nuclear facilities will be placed under IAEA safeguards when the NPT goes into effect. Dr. Seaborg answered:

"Well, *this would have to be determined.* What we would do is *negotiate an agreement* with the IAEA that would specify the terms and conditions. I *couldn't state at this time,* but I would *hope* that it would be limited to *would negotiate this agreement.*" (Emphasis added.)

I also asked Dr. Seaborg whether he expected rules and guidelines on this to be laid down. He said:

"I would think that this would be not until the Treaty *was in full effect* and inspections were taking place in other countries that were adhering to the Treaty, *then we would negotiate this agreement.*" (emphasis added)

On the matter of who will inspect United States nuclear facilities, the following exchange took place:

"Senator Aiken. . . . could citizens of Russia, or citizens of Soviet bloc nations inspect United States facilities?

"Dr. Seaborg. They may not.

"Secretary Rogers. They may not.

"Dr. Seaborg. They may not, *if* we ask they not be included on the inspection team." (Emphasis added.)

It is my understanding that a Yugoslav national has already participated in an inspection of the Yankee atomic energy facility at Rowe, Massachusetts, and a Romanian national has been trained at a United States safeguards school at Argonne National Laboratory.

I understand that the United States can veto a particular inspector if our Government finds him objectionable. However, I would appreciate it if you would advise me of the specific number of vetoes the United States is allowed or if the vetoes are unlimited, what criteria has been established for such a veto.

I realize that every detail cannot be ironed out before the Senate approves the Treaty. However, we are undertaking a commitment to allow foreign nationals to inspect industrial facilities in the United States, a commitment that is *not* required of the United States under the NPT. As far as I know, we do not know the specific installations the foreign inspectors will visit, nor do we know exactly what they will inspect. We do not know how much they will enroach on the operational effectiveness of the plant to be inspected, nor do we know how United States industry will protect its trade secrets. It seems to me in making this unilateral gesture the Government has raised fundamental questions. I hope that they can be answered satisfactorily. In this connection, it would be appreciated if you would respond to the attached questions.

A related concern of mine is the matter of so-called Plowshare undertakings including both experimental and commercial activities. This matter was discussed at some length during the February 18, 1969 hearing, and Dr. Seaborg agreed to provide the Committee with a history of the Cape Keraudren project to include a breakdown of costs and the extent to which the United States or foreign private enterprise would participate and benefit in such experiments. I expect that the Department of State and the Atomic Energy Commission will keep the Foreign Relations Committee and the Joint Committee on Atomic Energy informed prior to any decision to go ahead on the Cape Keraudren project or any other peaceful uses of atomic energy nuclear detonation outside the continental limits of the United States.

Sincerely yours,
George D. Aiken.

Questions

1. What authority does the U.S. Government have to require private companies in the United States to accept foreign inspection of their plants?

2. What is the estimated cost of inspecting U.S. facilities per year for the next five years? What is the basis for your estimate?

Who will pay for the cost of these foreign (IAEA) inspections of U.S. facilities? (These costs would include such items as overseas travel, per diem, and administrative expenses).

Has the matter of cost for inspections of United States facilities been firmly established or is it subject to renegotiation whereby the United States might find itself paying more than its 31% assessment for the IAEA budget?

3. Has the type and degree of inspection been established? For example, have manuals been written to show how to conduct an inspection of a reprocessing plant?

Have these manuals been standardized and approved by United States' representatives to IAEA?

Have any representatives of United States' industry reviewed these manuals to determine if they place an undue burden on the company to be inspected? If so, please list the company and manual.

If no manuals or specific procedures have been established to date, when will they be established? Will it clearly be before the first inspection of United States facilities following the entry into force of the NPT?

Will Congress have an opportunity under law to review procedures and manuals before they become effective?

4. If we are to impose a burden not technically required under the NPT on United States industry, it should be clear to what degree United States industry will be inspected by foreign officials. For example, a cursory bookkeeping inspection might take only a day or two. On the other hand, a thorough technical analysis of an entire plant might take several weeks and cause interruptions and loss of revenue by the company.

Can you be specific on the numbers and types of inspections the United States plants will be subjected to? Can you be specific on the length of time each inspection will take and the depth of each inspection?

If not, will these answers be known before the United States becomes committed to accept foreign inspectors under the December 2, 1967 commitment?

5. What provisions are made to protect United States industrial "trade secrets" from foreign inspectors?

6. Are there any plans for foreign "resident inspectors"?

7. Have you asked industrial representatives at Nuclear Fuel Services (NFS) if inspections have caused excessive loss of time or money because of the additional efforts required to take care of inspectors?

8. Have foreign inspectors carried out inspection of nuclear fuel at Hanford?

Department of State,
Washington, D.C., March 5, 1969.

Hon. George D. Aiken,
U.S. Senate,
Washington, D.C.

Dear Senator Aiken: The Secretary has asked me to reply to your letter of February 24 concerning the U.S. safeguards offer which was made in connection with the Non-Proliferation Treaty.

Enclosed are answers, prepared by the Atomic Energy Commission, to the questions attached to your letter and to the additional question asked on page 2 of your letter.

With respect to the concern expressed in the last paragraph of your letter, I shall see to it that you are informed prior to any decision to go ahead on the Cape Keraudren project.

Sincerely yours,
William B. Macomber, Jr.,
Assistant Secretary for Congressional Relations.

Answers to Questions Submitted by Senator Aiken

1. What authority does the U.S. Government have to require private companies in the United States to accept foreign inspection of their plants?

Answer: It is our intention in making this offer to rely upon the voluntary cooperation of the U.S. nuclear industry in implementing it. Our consultations with them, prior to making the offer, have given us confidence that this cooperation will be forthcoming. However, if it becomes necessary in any instance to rely on the regulatory powers of the U.S. Atomic Energy Commission to require the participation in the inspection system by specific companies, the Attorney General would have to determine the extent to which the Commission's current authority would permit it to require a licensee to open his facility to inspection by an organization other than the Commission or other U.S. agencies.

2. (a) What is the estimated cost of inspecting U.S. facilities per year for the next five years? What is the basis for your estimate?

Answer: The U.S. offer will not be implemented until the NPT comes into effect and safeguards are applied in non-nuclear-weapon states under the treaty. For purposes of illustration, however, one can show the effect of the IAEA beginning to safeguard a small fraction of U.S. activities and gradually increasing the number of activities safeguarded, until as much as one-fourth of all those

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activities eligible under the offer are safeguarded, as follows:

IAEA safeguards costs

1970	$250,000
1971	750,000
1972	1,200,000
1973	1,600,000
1974	2,000,000
1975	2,500,000

If by 1975, the IAEA were safeguarding *all* U.S. activities eligible under the offer, the costs during that year would be about $10 million.

2.(b) Who will pay for the cost of these foreign (IAEA) inspections of U.S. facilities? (These costs would include such items as overseas travel, per diem, and administrative expenses.)

Answer: We anticipate that the safeguards agreement to be negotiated with the IAEA pursuant to the U.S. offer will contain a provision relating to the costs incurred under the Agreement. We would also anticipate, however, that the Agreement would follow the pattern of the Agency's current safeguards agreements which provide that the Agency will be responsible for the expenses which it incurs in carrying out inspections under the agreement. Under the IAEA's present system of financing, safeguards costs are included in the assessed budget, with the assessment for each member calculated in accordance with a formula similar to those employed by UN organizations.

2.(c) Has the matter of cost for inspections of United States facilities been firmly established or is it subject to renegotiation whereby the United States might find itself paying more than its 31% assessment for the IAEA budget?

Answer: See answer to 2.(b). No discussion has taken place in the IAEA, in light of the NPT or the U.S. offer, to revise the present system of financing the IAEA's safeguards activities.

3.(a) Has the type and degree of inspection been established? For example, have manuals been written to show how to conduct an inspection of a reprocessing plant?

Answer: The IAEA general safeguards principles and procedures have been set forth in INFCIRC/66/Rev. 2, a copy of which is enclosed. The IAEA has prepared for the use of its inspectors more detailed manuals of safeguards practice, as for example, for a reprocessing plant. That manual was based in part on a 3-volume manual prepared for the AEC by Nuclear Fuel Services, West Valley, New York, for safeguards at its commercial reprocessing plant and made available by AEC to the IAEA.

3.(b) Have these manuals been standardized and approved by U.S. representatives to IAEA?

Answer: The IAEA reprocessing plant safeguards manual was reviewed in draft in Vienna by U.S. experts in safeguards and chemical reprocessing, and comments were given to the IAEA.

3.(c) Have any representatives of United States industry reviewed these manuals to determine if they place an undue burden on the company to be inspected? If so, please list the company and manual.

Answer: The IAEA manual is considered to be proprietary information and not for dissemination to potential subjects of IAEA inspection. However, Nuclear Fuel Services did not complain of any undue burden placed on them by the IAEA safeguards which were conducted there in accordance with the IAEA manual.

Based on the experience of IAEA implementation of safeguards in the NFS, West Valley plant, it appears that the IAEA manual for reprocessing plants is quite similar to the manual produced by NFS.

Nuclear Fuel Services considered, in preparation of its manual, the expected impact on its plant and did not conclude that it placed an undue burden on NFS. Several other U.S. companies have received copies of the NFS manual, including Allied Chemical Company and the General Electric Company who are planning to construct their own chemical reprocessing plants. Neither company has advised the AEC that the safeguards procedures in that manual would constitute an undue burden.

3.(d) If no manuals or specific procedures have been established to date, when will they be established? Will it clearly be before the first inspection of United States facilities following the entry into force of the NPT?

Answer: See answer to 3.(a) above.

3.(e) Will Congress have an opportunity under law to review procedures and manuals before they become effective?

Answer: As noted in the answer to 3.(b) above, the IAEA considers its detailed inspection procedures to be privileged information. They do not consider open disclosure of their detailed inspection techniques and plans to be in the best interest of their safeguards responsibility. Further, they would not wish to be placed in a position of appearing to invite modifications to their procedures by parties which may be subject to those procedures and which may therefore not be completely objective. However, a member who felt that procedures were ineffective or too burdensome would have recourse to the Board of Governors.

4. If we are to impose a burden not technically required under the NPT on United States industry, it should be clear to what degree United States industry will be inspected by foreign officials. For example, a cursory bookkeeping inspection might take only a day or two. On the other hand, a thorough technical analysis of an entire plant might take several weeks and cause interruptions and loss of revenue by the company.

Can you be specific on the numbers and types of inspections the United States plants will be subjected to? Can you be specific on the length of time each inspection will take and the depth of each inspection?

If not, will these answers be known before the United States becomes committed to accept foreign inspectors under the December 2, 1967 commitment?

Answer: INFCIRC/66/Rev. 2 sets forth a guide as to the maximum frequency of inspections for smaller facilities. For major types of nuclear plants handling substantial quantities of nuclear material, INFCIRC/66/Rev. 2 provides that inspectors shall have access at all times, which will normally be implemented by continuous inspection. In view of the limited objectives of safeguards inspections, i.e., to verify that diversions of nuclear material have not taken place, it would not be expected and it has not been our experience that IAEA safeguards are applied in such intensity and breadth that plant operation is interrupted or that revenue is lost by the operator. The inspection, in each case, will be conducted in a manner appropriate to the particular circumstances surrounding the nuclear material involved. One such factor is the extent to which the plant's own nuclear material control system has been efficient and effective prior to the time of inspection. Such factors cannot be specified in detail in advance. In any event, we do not foresee that safeguards will impose any significant burden on U.S. industry.

5. What provisions are made to protect United States industrial "trade secrets" from foreign inspectors?

Answer: INFCIRC/66/Rev. 2, "The Agency's Safeguards System" states in paragraph 13: "In implementing safeguards, the Agency shall take every precaution to protect commercial and industrial secrets. No member of the Agency's staff shall disclose, except to the Director General and to such other members of the staff as the Director General may authorize to have such information by reason of their official duties in connection with safeguards, any commercial or industrial secret or any other confidential information coming to his knowledge by reason of the implementation of safeguards by the Agency." Paragraph 14 further states: "The Agency shall not publish or communicate to any State, organization or person any information obtained by it in connection with the implementation of safeguards, except that:

(a) Specific information relating to such implementation in a State may be given to the Board and to such Agency staff members as require such knowledge by reason of their official duties in connection with safeguards, but only to the extent necessary for the Agency to fulfill its safeguards responsibilities;

(b) Summarized lists of items being safeguarded by the Agency may be published upon decision of the Board; and

(c) Additional information may be published upon decision of the Board and if all States directly concerned agree."

INFCIRC/6/Rev. 2 states in regulation 106: "Members of the Secretariat shall exercise the utmost discretion in regard to all matters of official business. They shall not communicate to any person or government any information know to them by reason of their official position which has not been made public, except in the course of the performance of their duties or by authorization of the Director General. They shall not at any time use such information to provide advantage and they shall not at any time publish anything based thereon except with the written approval of the Director General. These obligations shall not cease upon separation from the Secretariat."

In addition to the protection provided by the IAEA's regulations, the operator of each facility being inspected may withhold from the inspectors any data which is not necessary for the performance of safeguards. We are not aware of any instance of the IAEA requiring, for purposes of its safeguards, any information which any plant operator considered to be a "trade secret".

6. Are there any plans for foreign "resident inspectors"?

Answer: Large facilities, such as the Yankee Power reactor and NFS, while processing large quantities of safeguarded nuclear material, qualify for what the IAEA calls "access at all times" by inspectors. IAEA inspectors were present at NFS during the more than seven weeks in 1967 during which safeguarded Yankee fuel was being processed. During each of several refuelings of the Yankee Power Reactor, the IAEA has had personnel in residence for each period of several weeks when the reactor was opened.

There are no plans at present for the IAEA to station personnel permanently at any U.S. facility currently subject to IAEA safeguards.

7. Have you asked industrial representatives at Nuclear Fuel Services (NFS) if inspections have caused excessive loss of time or money because of the additional efforts required to take care of inspectors?

Answer: Mr. J. Clark of NFS in a report of October 1967 requested by US AEC on the first inspection of IAEA of NFS stated that: "The safeguards exercise caused no delays in processing, but involved significant man-hours of NFS operations and staff." He added that the requirements for assistance by the facility should decrease as the IAEA inspectorate became more knowledgeable and inspection procedures were optimized.

Messrs. C. Runion and J. Clark of NFS in referring to the IAEA inspection stated at the Atomic Industrial Forum at Boca Raton, Florida in March 1968: "Contrary to our fears in 1963 the inspection did not place an undue burden upon NFS." They did point out that large numbers of visitors other than inspectors visited the plant during inspection and that this influx of visitors created extra burdens on the NFS staff and some extra expense.

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8. Have foreign inspectors carried out inspection of nuclear fuel at Hanford?

Answer: The plutonium obtained from the safeguarded Yankee fuel reprocessed at Nuclear Fuel Services under IAEA safeguards in August and September 1967 is stored at Richland, Washington, formerly known as Hanford. After a visit by an IAEA inspector, the facility, which is located in an area outside that in which classified work is carried out, was approved for storage. The safeguarded plutonium stored there has been inspected by the IAEA upon two occasions.

Question from page 2 of Senator Aiken's letter to Secretary Rogers.

"I understand that the U.S. can veto a particular inspector if our Government finds him objectionable. However, I would appreciate it if you would advise me of the specific number of vetoes the United States is allowed or if the vetoes are unlimited, what criteria has been established for such veto."

Answer: IAEA provisions for designation of inspectors are as follows:

"1. When it is proposed to designate an Agency inspector for a State, the Director-General shall inform the State in writing of the name, nationality and grade of the Agency inspector proposed, shall transmit a written certification of his relevant qualifications and shall enter into such other consultations as the State may request. The State shall inform the Director-General, within 30 days of receipt of such a proposal, whether it accepts the designation of that inspector. If so, the inspector may be designated as one of the Agency's inspectors for that State, and the Director-General shall notify the State concerned of such designation.

"2. If a State, either upon proposal of a designation or at any time after a designation has been made, objects to the designation of an Agency inspector of that State, it shall inform the Director-General of its objection. In this event, the Director-General shall propose to the State an alternative designation or designations. The Director-General may refer to the Board, for its appropriate action, the repeated refusal of a State to accept the designation of an Agency inspector if, in his opinion, this refusal would impede the inspections provided for in the relevant project or safeguards agreement."

In practice, the IAEA informally advises the State concerned of its intention to designate specific inspectors, prior to the formal written proposal of designation of an inspector called for in paragraph *1* above. During this informal process, the State concerned has an opportunity to make the IAEA aware that no inspectors of a certain nationality, for example, would be acceptable. The variety of nationalities represented among the IAEA's inspectors permit the Director-General to designate inspectors for a particular State, which will not be unacceptable, while avoiding a situation where a State accepts only inspectors of friendly nationalities.

ABM COULD BE NIXON'S VIETNAM

Mr. YOUNG of Ohio. Mr. President, the decision by President Johnson to begin construction of an anti-ballistic-missile system was a tragic mistake, exceeded in magnitude and gravity only by his decision to escalate our involvement in the civil war in Vietnam raging between the forces of the National Liberation Front and the Saigon militarists since our puppet President of South Vietnam canceled the election promised in the Geneva agreement to be held in 1956 to unify Vietnam.

President Nixon has inherited this problem. It is reported that he will soon announce whether he will recommend that this boondoggle be continued. The word "boondoggle" is hardly strong enough to describe the idiocy of the ABM proposal—a program that could eventually cost taxpayers more than $100 billion and add nothing whatever to the defense of the United States.

Mr. President, should President Nixon decide to proceed with this lunacy and make this horrendous blunder, it could well turn out to be the Achilles heel of his administration. Just as many of those who applauded the escalation and expansion of the war in Vietnam by President Johnson in 1964, 1965, and 1966 were calling it "Lyndon's war" throughout the political campaign of 1968, so many of those now urging the deployment of the ABM system may well be calling it "Nixon's folly" in 1972.

Apart from our involvement in Vietnam, there is no issue now of greater portent to the welfare of our Nation or to the cause of world peace than that of the ABM. Estimates of the cost for the so-called thin Sentinel ABM system alone now approximate $10 billion—this from an original estimate in 1967 of $3.5 billion. We all know that costs of Defense Department proposals seem to multiply rapidly before these programs are completed. The distinguished senior Senator from Missouri (Mr. SYMINGTON) recently referred to a report published by the Brookings Institution to substantiate this fact. The report stated in part:

> During the 1950's, virtually all large military contracts reflected an acceptance by the military agencies of contractor estimates which proved highly optimistic. Such contracts ultimately involved costs in excess of original contractual estimates of from 300 to 700 percent.

If work on the Sentinel system is allowed to continue, before long we would be faced with the construction of the biggest boondoggle in the history of mankind. It would financially fatten the military-industrial complex, but would also result in the production of huge masses of junk that would be meaningless in terms of national security.

The Sentinel ABM installed close to cities at tremendous cost would be obsolete before completion. Furthermore, how silly to establish a thin ABM system against any threat from Red China which has only an inferior Navy and Air Force.

This indefensible expenditure would be an utter waste of taxpayers' money, just as all of the millions heretofore spent on anti-ballistic-missile systems have been fruitless and wasteful. The fact is that the United States has spent almost $19 billion since World War II on missile systems that either were never finished or were out of service and no good whatever when completed because of obsolescence. More than $5 billion was spent on the Nike-Ajax missile system, the Nike-Zeus, and following that the Nike X. This was taxpayers' money down the drain, utterly wasted. These systems were ineffective and useless by the time they were completed.

Mr. President, when this boondoggle was first conceived Americans were told that it was to be a defense for intercepting and destroying low-grade unsophisticated Chinese missiles—that it would be totally useless against sophisticated missiles which the Soviet Union already has and which in years to come China will develop. President Nixon has publicly admitted that the Sentinel system was not designed as a permanent limited defense against any possible attack from the Chinese.

Actually, it was clear to anyone who has studied this matter carefully that the Chinese rationale was a fiction from its inception. The Sentinel system will require at least 5 years for full deployment at a cost estimated at $10 billion but which would undoubtedly be much higher. Nobody in or out of the Pentagon has more than the vaguest notion of what China's nuclear capability might be at the end of that 5-year period. Given this inability to accurately assess what the Chinese will be able to produce 5 years from now, it is quite possible that the ABM system would be as useless against China as it would be today against the Soviet Union.

Even if we could predict the Chinese capability 5 years hence, it does not follow that we should spend billions of dollars to ring our cities with hydrogen bombs. The fact is that we already have the most formidable system of deterrence in the world. It lies in our capability of totally destroying any adversary, even if most of our offensive missile sites were destroyed. Both the United States and the Soviet Union have long possessed this power of overkill. It provides a precarious equilibrium of balance of terror which has thus far prevented limited wars from escalating into an all-out military confrontation.

Our only real defense against the threat of a nuclear attack is the deterrence of our overwhelming offensive forces. Our tremendous potential offensive is our best defense. We must keep our offensive power so far ahead of the Russian and Chinese defenses that it will remain perfectly clear and obvious to the Soviet and Chinese leadership that a first strike against us will trigger an unbearable response. Soviet missiles may threaten our land-based ICBM force, but they cannot threaten our large and highly effective Polaris force which is based on submarines and is invulnerable to attack. These nuclear submarines are capable of remaining underwater for as long as 300 days and nights. These missiles have a maximum range of 2,875 miles. No area in the vast land mass of the Soviet Union or Communist China is safe from devastation by missiles fired from these submarines. Soon we shall have a capability of striking on target with nuclear warheads fired from Polaris submarines at a distance of 6,000 miles.

Should we proceed to build this ABM system, the leaders of the Soviet Union are almost certain to respond with increases in offensive strength which would negate any advantage from ABM deployment. By plunging ahead with an ABM system, we run the risk of escalating the arms race to a fantastically high and unbelievably costly plateau. This upward spiral of the arms race would leave both sides with no more real security than each has now.

After both sides have anti-ballistic-missile systems, we may rest assured that the race will then start all over again to produce new, more expensive and more sophisticated missiles that can penetrate the antimissile systems. After another costly race is over, there is every reason to believe that the balance of power will settle at the same point where it now rests.

To embark upon a project of such dubious value at such fantastic expense against the advice of former Secretary of Defense McNamara and the scientific advisers to three Presidents—Eisenhower, Kennedy, and Johnson—makes no sense whatever. It is now perfectly clear that Secretary McNamara was opposed to construction of any ABM system and only reluctantly compromised for the "thin" system under great pressure from the Joint Chiefs of Staff and other powerful figures in the military-industrial complex and also very likely from President Johnson. Let us hope that Defense Secretary Laird will show a greater resistance to this sort of pressure.

Mr. President, in the March 1, 1969, issue of Forbes magazine, one of the Nation's leading and most authoritative business publications, there appeared an excellent editorial entitled "Shoot It Down," which succinctly stated the case against proceeding with this half-baked ABM proposal. I ask unanimous consent that this editorial be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SHOOT IT DOWN

Sentinel, a half-baked $6- to $10-billion antimissile program, I think will be shot down by a combination of worried constituents and sensible congressmen.

When Defense Secretary Laird first said he was going ahead with this "thin" facade, I felt most glum about him.

The prime justification put forward for this vastly expensive boondoggle was that it would help us to bargain with the Russians. The logic of this totally escaped me, since the Reds presumably could read in our papers that the "system" couldn't interfere with the kind of nuclear assault the Russians could launch, and was intended primarily as a negotiating ploy.

My hopes for Mr. Laird rebounded when he responded to Congressional doubters and postponed the Sentinel "for further study." Now he talks of it as a defense against Chinese missiles and/or as a project to give us "experience" in constructing a missile defense, etc.

If Mr. Laird doesn't have the sense to sentence Sentinel to be shot down, there's high hope that Congress will do it for him.

Mr. YOUNG of Ohio. Mr. President, to devote billions and billions of dollars, the brains of thousands of our most brilliant scientists and the industry of hundreds of thousands of our most skilled workers to the construction of an ABM system is pure madness. To divert a great part of our Nation's resources to this boondoggle would be unconscionable at a time when millions of Americans are living in poverty and hunger. We can no longer afford to indulge the Generals of the Joint Chiefs of Staff in this most recent of their expensive fantasies for which they have created a multimillion-dollar public relations program to promote.

Let us hope that the President and his advisers will soon decide to allow the ABM proposal to be abandoned unwept, unhonored, and unsung.

WASTE AND CARELESSNESS IN ADMINISTRATION OF AID PROGRAM

Mr. WILLIAMS of Delaware. Mr. President, on yesterday, I received from Mr. J. K. Mansfield, the Inspector General of our foreign aid program, operating in the Department of State, some examples of the waste and carelessness in our AID program.

Mr. President, I ask unanimous consent to have printed in the RECORD a letter I received from the Department of State, signed by J. K. Mansfield, dated March 5, 1969, which accompanied the reports.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
March 5, 1969.

Hon. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: I am happy to submit the enclosed material to you in response to your request for another set of examples of the work of our office similar to the compilations you have received in the past.

With best personal regards, I am,

Sincerely yours,

J. K. MANSFIELD.

Mr. WILLIAMS of Delaware. Later I shall ask to have the entire list of examples accompanying this letter be printed in the RECORD, but first I invite the attention of the Senate to a few of the more pertinent cases as abuse:

AFGHANISTAN

At the Kandahar Airport, an IGA team inspected an idle twin-engine C–45 airplane which had been given to Afghanistan in 1959, flown but a few times, and never used for its intended purpose. Steps were thereupon taken to employ the aircraft for instructional purposes in a training school.

BOLIVIA

IGA contributed to the locating of 53 U.S.-financed trucks worth $320,000 which had been supplied to the Bolivian Army. Because of some slipup in the control system, the U.S. country team did not know these trucks were in the country, and knew nothing about their location, condition, or use. The situation was immediately corrected.

BRAZIL

First. IGA inspectors visiting the port of Santos came across a military assistance financed airport cleaner machine which they were told had been sitting in a customs warehouse for 11 years. The machine was thereupon released from the warehouse and issued for use.

Second. IGA reported that an AID-financed generator, which had been granted to the Brazilian Air Ministry at least 4 years before, had never been used. The generator was thereupon installed at the Sao Paulo airport for use in running weather radar equipment.

INDIA

At the Calcutta port, an IGA team found 20 cases of AID-financed heavy equipment which was to be used at the Central Ropeway project in the State of Bihar. The goods had been in storage for about 6 months. They were thereupon cleared from the port.

IRAN

IGA pointed out that the U.S. military mission in Iran had received 1,175 official visitors from the United States during the course of 1 year. This number of visits appeared to IGA to be excessive—in terms both of drain on the time of the members of the mission, and costs of per diem and transportation money. The per diem rate in Tehran is $20 per day, and a roundtrip ticket from Washington to Tehran costs $979.

These observations stimulated a worldwide Department of Defense review, aimed at cutting down unnecessary visits to overseas military missions.

SENEGAL

IGA expressed concern over some $500,000 worth of MAP-furnished engineering equipment which had not been used since 1964. This equipment now is being put to its intended use.

TURKEY

At an IGA suggestion, AID revised instructions to its overseas missions toward the end of insuring that AID-controlled local currency will not be used to finance gambling facilities or hotels proposing to have such facilities.

VIETNAM

IGA cited instances of where, although large amounts of money had been spent to airlift AID-financed goods to Vietnam in the interest of speed, the goods went unused for long periods of time after their arrival. Despite a last-minute attempt by AID to stop the use of air transport, in one case $40,000 had been spent to ship 12 tons worth $6,000 of pipes and fittings. In another case $25,000 had been spent to ship $125,000 of teletype equipment for which no immediate use seemed indicated. IGA therefore recommended a general tightening up of procedures governing air shipments. This was done.

PRIOR SCREENING OF COMMODITY ELIGIBILITY FOR AID FINANCING

Information developed by IGA on AID-financed imports of luxury and ineligible goods played an important part in causing Members of the Congress to urge that AID start screening commodities for eligibility prior to financing, rather than relying upon postaudit. A commodity eligibility prevalidation system was thereupon put into effect. The screening unit established in the spring of last year has to date ruled that over $6 million of proposed imports should not be financed by AID.

LABELS

IGA took exception to the prices being charged for pasting AID handclasp and Alliance for Progress labels on AID-financed taxis. In one case, a supplier was charging $7.50 for affixing two gummed paper labels on a car. The labels in question cost less than 2 cents apiece and can be pasted on a car in a matter of seconds.

Mr. President, I now ask unanimous consent that a more extended set of examples as furnished by Mr. J. K. Mansfield, the inspector general, be printed at this point in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

SOME EXAMPLES OF IGA WORK, MARCH 1969

(Prepared by the Department of State, Office of the Inspector General of Foreign Assistance (IGA))

This memorandum has been prepared in response to Congressional requests for another set of unclassified examples of the work of the office of the Inspector General of Foreign Assistance. It is similar to compilations furnished to the Congress in the past.

Most of the summaries in this memorandum have to do with work performed in 1968. Some are 1967 examples which have not been reported previously.

Supporting documentation for these summaries is contained in an annex.

AFGHANISTAN

1. There were long-standing plans for building an AID-financed railroad spur between Chaman, in Pakistan, and Spin Baldak, in Afghanistan. Finding no real economic justification for the project, IGA recommended that the project not go forward and that the $650,000 set aside for it be deobligated. This was done.

The decision not to proceed with the spur also freed for other purposes some $200,000 worth of local currency which had been generated under P.L. 480 and earmarked for the project. Thus, the total of the equivalent of $850,000 was freed for more productive uses.

2. At the Kandahar Airport, an IGA team inspected an idle twin-engine C–45 airplane which had been given to Afghanistan in 1959, flown but a few times, and never used for its intended purpose. Steps were thereupon taken to employ the aircraft for instructional purposes in a training school.

BOLIVIA

1. IGA contributed to the locating of 53 U.S.-financed trucks worth $320,000 which had been supplied to the Bolivian Army. Because of some slip-up in the control system, the United States country team did not know these trucks were in the country, and knew nothing about their location, condition or use. The situation was immediately corrected.

2. IGA recommended that three U.S.-financed mobile shop vans costing a total of $47,000, which were going unused in La Paz, where they were not needed, be moved to the countryside, where they were needed. Two of the vans were thereupon sent to operating units and efforts are being made to find a use for the third van.

BRAZIL

1. IGA inspectors visiting the Port of Santos came across a military assistance-financed airport cleaner machine which they were told had been sitting in a customs warehouse for eleven years. The machine was thereupon released from the warehouse and issued for use.

2. IGA reported that an AID-financed generator, which had been granted to the Brazilian Air Ministry at least four years before, had never been used. The generator was thereupon installed at the Sao Paulo airport for use in running weather radar equipment.

3. After examining the system the AID Mission was using to keep track of goods arriving in Brazil, IGA suggested that it might be useful to adopt certain features of the arrival accounting system used in Turkey, which had previously attracted favorable notice from both AID headquarters and IGA. The suggestion was adopted.

CHILE

IGA said there had been excessive delay in putting to work some 30 million escudos generated from P.L. 480 sales. Because of inflation, the idle escudos were rapidly losing much of their value.

Following the IGA comments, AID made renewed efforts to put these monies to work. Program uses were found for two-thirds of the money, and the remaining one-third—equivalent at the time to $1.7 million—was released for United States Government uses, thus assisting our balance-of-payments.

CHINA

1. An IGA review helped focus attention upon $1,000,000 of Cooley loan funds which were standing idle. The funds were subsequently decommitted and placed in a Treasury account where they were available for general U.S. uses, thereby making a contribution to easing the balance-of-payments problem.

2. At a time when Voluntary Agency feeding programs were phasing out, IGA cooperated with AID in a review designed to make sure that good use was made of the large remaining inventories of foodstuffs.

COLOMBIA

1. At IGA's suggestion, 141 U.S. Military Assistance-financed radio/vehicle installation units costing a total of $14,000 were declared excess to Colombia's needs and made available for use elsewhere.

2. An IGA team noted deficiencies in the manner in which U.S. Military Assistance-financed ammunition was stored. The situation posed a safety hazard. Corrective action was taken immediately.

3. IGA noted that some $60,000 had been set aside to import tires for civic action construction battalions, although many of the sizes needed were being manufactured locally. The AID Mission agreed the tires should be bought locally with Colombian pesos, and not dollars.

CONGO (KINSHASA)

AID had paid a company with an investment guaranty $80,000 worth of dollars in exchange for its local currency earnings. In the interest of the balance-of-payments, IGA strongly urged that the Congolese National Bank be asked to agree to convert the local currency earnings into dollars. This was done, and AID has made no further dollar payments.

DOMINICAN REPUBLIC

IGA inspectors crossing a bridge over the Yuna River noticed that, although the bridge was equipped with twelve tall lighting fixtures, there was no electricity. The bridge had been built more than two years before with AID help. Electricity was promptly provided after the situation was brought to the attention of the AID Mission.

ETHIOPIA

An IGA review of a vocational training project with a troubled history supported AID Mission decisions to defer the purchase of some $120,000 worth of training equipment and to take certain administrative steps which hold out promise of improving the project.

GREECE

Greece had a need for some uniform cloth which was in long supply in the United States Army. However, Greece was reluctant to buy the cloth using dollars exclusively. IGA noted that the United States Government was spending dollars to buy drachmas for its own needs in Greece. It pointed out that any drachmas obtained through sale of this cloth would reduce the need for buying drachmas with dollars. Such purchases with dollars have an adverse effect upon the U.S. balance-of-payments.

IGA thereupon cooperated with State, Defense and Treasury in working out an arrangement whereby the cloth was sold for $225,000 plus the equivalent of $750,000 in drachmas. The drain on the United States balance-of-payments was reduced correspondingly.

GUINEA

Because of staff reductions, the AID Mission had excess furniture and vehicles at a time when the Peace Corps was resuming a program in Guinea. IGA alerted the Peace Corps to the existence of these surplus goods, and the Peace Corps is moving to make use of them.

HONDURAS

IGA observations proved useful when AID took steps to bolster an investment guaranty housing project which was in trouble.

INDIA

1. After visiting several AID-financial projects in Eastern India, IGA recommended early deobligation action on four loans. Approximately $2.5 million was subsequently deobligated.

2. IGA suggestions played a part in bringing about more effective and economical management practices at the AID-financed Indian Institute of Technology at Kanpur.

3. At the Calcutta port, an IGA team found 20 cases of AID-financed heavy equipment which was to be used at the Central Ropeway project in the State of Bihar. The goods had been in storage for about six months. They were thereupon cleared from the port.

INDONESIA

Further progress was made in adopting a comprehensive series of IGA recommendations aimed at using U.S.-owned near-excess Indonesian rupiahs, rather than dollars, to pay for housing rents, voluntary agency expenses, and air travel to the United States. The resulting contribution to the U.S. balance-of-payments is now approaching $500,000 annually.

IRAN

IGA pointed out that the United States military mission in Iran had received 1175 official visitors from the United States during the course of one year. This number of visits appeared to IGA to be excessive—in terms both of drain on the time of the members of the Mission, and costs of per diem and transportation money. The per diem rate in Tehran is $20 per day, and a round-trip ticket from Washington to Tehran costs $979.00.

These observations stimulated a worldwide Department of Defense review, aimed at cutting down unnecessary visits to overseas military missions.

IVORY COAST

In 1966 the United States Government furnished the Ivory Coast with a fishing ship toward which AID made a $495,000 contribution of which $265,000 was a grant and $230,000, a local currency loan. It was beset with technical and operating problems from the time it made its maiden voyage to Abidjan. IGA expressions of concern helped speed corrective action.

KOREA

IGA found that certain gaps in Peace Corps regulations were resulting in foreign procurement when buy-American would have been possible and preferable. New regulations were adopted.

LAOS

1. Following IGA's suggestion that this be done, 20 new windmills costing a total of about $50,000, which were not needed in Laos, were declared excess in 1968 and transferred to Thailand, where they were needed.

2. To promote economy, IGA recommended that two separate AID Mission motor pools at Pakse be consolidated into one. This was done.

LEBANON

After IGA collaborated with AID in investigating an excess property transaction in Lebanon involving a voluntary agency, AID issued new manual orders to bring about closer monitoring of such matters in the future.

XUM

LIBERIA

IGA's suggestions contributed to putting some $4,000 worth of idle AID-financed machine tools to work.

MALAYSIA

On a trip to Malaysia in November, 1968, IGA noted that the Peace Corps was sending air freight for Malaysia to the United States via foreign air lines. In the interest of the balance-of-payments, IGA suggested that henceforth foreign lines be used only to a point of connection with an American carrier. This will be done.

MICRONESIA

The Peace Corps took corrective action after an IGA review focused attention on weaknesses in Peace Corps procurement procedures which had resulted in insufficient competitive bidding and a failure to use General Services Administration procurement services.

MOROCCO

IGA inspectors visited three tanneries and reported upon hazardous working conditions caused by inadequate safety guards on AID-financed machines. The Mission is working with the Government of Morocco to try to bring about improvements.

NEPAL

At the suggestion of IGA, the AID Mission developed a workable plan for putting to work nine steel truss bridge units which had long been in storage.

NICARAGUA

1. In 1967, the United States Government bought $900,000 worth of local currency on the commercial market. This constituted a balance-of-payments outflow. In 1968, IGA suggested methods of securing additional local currency in Nicaragua through the use of Special Letters of Credit. The suggestion was adopted and our balance-of-payments outflow will be reduced by about $500,000 annually.

2. IGA made a detailed review of the status of sub-loans being made under an AID industrial development loan. It came upon two local currency sub-loans which were not being used for industrial development purposes. IGA suggested that a refund claim be filed. AID subsequently was reimbursed the equivalent of $179,000.

NIGERIA

1. IGA expressions of concern over the lack of adequate maintenance at the Aiyetoro Comprehensive School, partially-AID financed, had a catalytic effect in bringing about corrective measures.

2. IGA observations played an important part in causing AID headquarters and the AID Mission in Nigeria to undertake a comprehensive management systems study of the Mission. Wide-ranging improvements in management practices and procedures are expected as a result.

PAKISTAN

1. In the interest of the United States balance-of-payments, an IGA team recommended that a survey be made to see whether contractor employees under AID-financed loans were in fact buying rupees through official channels, rather than on the open market. The subsequent audit found that such rupee purchases were generally not being made through official channels, and estimated the magnitude of unofficial conversions at approximately $500,000 annually. There was a corresponding adverse impact upon the United States balance-of-payments. AID is now negotiating with the Treasury to devise procedures to avoid this problem.

2. IGA observed that, in the case of an American company providing AID-financed services to the Government of Pakistan, AID made payments to a foreign subsidiary of the company located in a third country, rather than the United States corporation itself. Such transactions appear on the United States balance-of-payments as a negative item. AID thereupon issued a manual order designed to prevent situations of this kind.

PHILIPPINES

IGA inspectors reviewed the status of Cooley and Section 402 local currency accounts. Their subsequent observations made a contribution to a decision to unfund about $510,000 worth of pesos, thus making them available for general United States uses and assisting the balance-of-payments in the process.

SENEGAL

IGA expressed concern over some $500,000 worth of MAP-furnished engineering equipment which had not been used since 1964. This equipment now is being put to its intended use.

TANZANIA

Two duplicate obligations had been made for the same purchase—38 typewriters costing $7,728. When IGA brought this situation to the attention of the AID Mission, steps were immediately taken to correct the error and to employ one of the obligations for other uses.

THAILAND

In IGA review of the malaria eradication program revealed that about $30,000 worth of AID-financed commodities were excess to the project's needs in North Thailand. The commodities were shifted to Bangkok for use there.

TUNISIA

1. About $560,000 worth of AID-financed equipment had been supplied to agricultural machinery repair shops. An IGA team noted that four of the shops were not open and that others were underemployed. IGA thereupon recommended that the Mission make a high-level approach to the Government of Tunisia, aimed at bringing about effective use of these shops. This was done, and marked improvements resulted.

2. In the interest of U.S. balance-of-payments, IGA recommended that the U.S. country team do more to encourage the use of U.S.-owned excess dinars by all those authorized to purchase them. This was done.

TURKEY

At an IGA suggestion, AID revised instructions to its overseas missions toward the end of insuring that AID-controlled local currency will not be used to finance gambling facilities or hotels proposing to have such facilities.

URUGUAY

1. IGA recommended arrangements whereby local currency, rather than U.S. dollars, would be used to pay certain technical and administrative support costs. AID adopted the suggestion. Budgetary and balance-of-payments savings will be in the neighborhood of $90,000.

2. IGA endorsed a proposal whereby the Uruguayan Armed Forces would be permitted to sell used United States-financed jeeps and to use the sales proceeds for buying new jeeps in the United States. The arrangement was designed to reduce repair costs and to assist the U.S. balance-of-payments situation. The Department of Defense thereupon said that it would take steps to carry out the proposal.

VIETNAM

1. Information developed by IGA furnished the starting point for an AID and Congressional investigation of transactions involving a United States supplier for the commodity import program. The supplier was in due course indicted for filing false certificates to obtain AID funds, pleaded no contest to the indictment, and is now awaiting sentence.

2. A comprehensive IGA review of the computer-based information system employed for the Viet-Nam AID program proved of assistance to senior mission officials in their efforts to make the system a more effective management tool.

3. $1.4 million worth of structural steel was sent to Viet-Nam for the construction of barges. Only a small quantity was used for this purpose and IGA's expression of concern over the stored balance contributed to its reallocation for use in the post-Tet emergency.

4. After visiting a warehouse complex, IGA inspectors reported to the AID Mission about considerable quantities of rice which, because of poor warehousing practices, had become infected. The Mission reported that the U.S. Army had been requested to fumigate the warehouses, and had done so. In keeping with IGA recommendations, the Mission then took additional steps aimed at keeping the rice vermin-free.

5. IGA findings to the effect that large numbers of people still on refugee lists had long been resettled and integrated in new locations contributed to efforts to establish a more accurate count of the true refugee population.

6. Noting that the large bulk of the refugees are in the I and II Corps areas, IGA recommended that additional resources in men and materiel be transferred to these Corps areas from III and IV Corps, where the need for them is less pressing. This was done.

7. IGA observations played a part in steps taken to beef up staffing in refugee reception centers. IGA expressions of concern over inadequate transportation support for the refugee program were followed by corrective steps.

8. IGA inspectors going through Saigon docks came upon some 18,000 AID-financed instruction books, which were earmarked for auction and of whose existence the AID Mission was unaware. Steps were taken to recover the books for use in the Viet-Nam education system.

9. AID-financed shipments of iron and steel secondary products from the United States had a troubled history. IGA expressions of concern played a part in a decision to have the Government of Viet-Nam henceforth buy such products with its own foreign exchange.

10. Information developed by IGA on certain supplier payments permitted AID to obtain a $9,900 refund.

11. IGA cited instances of where, although large amounts of money had been spent to airlift AID-financed goods to Viet-Nam in the interest of speed, the goods went unused for long periods of time after their arrival. Despite a last-minute attempt by AID to stop the use of air transport, in one case $40,000 had been spent to ship 12 tons worth $6,000 of pipes and fittings. In another case $25,000 had been spent to ship $125,000 of teletype equipment for which no immediate use seemed indicated. IGA therefore recommended a general tightening up of procedures governing air shipments. This was done.

BALANCE OF PAYMENTS AND THE SPECIAL LETTERS OF CREDIT PROCEDURE

IGA learned that several AID missions in Latin America were using the so-called Special Letter of Credit procedure to generate local currency for loan projects, but not for grant projects. Monies needed for the grant projects were being purchased instead with dollars, thus contributing to the United States balance-of-payments drain. AID adopted an IGA recommendation that the SLC procedure be used both for grants and loan projects. As a result, the United States balance-of-payments drain should be reduced by several million dollars annually.

DEOBLIGATION OF INVESTMENT SURVEY FUNDS

Under this program, AID may, in certain circumstances, pay one-half of the cost of surveys conducted by private industries or companies to determine the feasibility of a possible foreign investment.

A detailed IGA financial analysis of this program brought to light many instances in which monies not required for the program were still tied up and carried on the books. When AID learned of this situation, it agreed to make an immediate review of outstanding obligations. About $800,000 was deobligated as a result.

SCHOOL PARTNERSHIP PROGRAM

Under this program American school children make contributions to foreign schools with which the Peace Corps is associated. The Peace Corps adopted IGA recommendations for improving the financial management of this program.

USE OF EXCESS U.S.-OWNED CURRENCY FOR AIR TRAVEL AND AIR FREIGHT

Through an oversight, instructions requiring the use of excess U.S.-owned currency for air travel and air freight to and from Bolivia and Morocco had never been issued. This was done after IGA pointed out the gap.

BALANCE OF PAYMENTS AND PUBLIC LAW 480 SALES

IGA recommended that for countries where the United States needs local currency, the initial down payments on P.L. 480 loans consist not only of the standard 5 per cent dollar payment, but also an additional payment in local currency. This could in certain conditions produce a current saving in the U.S. balance-of-payments. AID, with other Inter-Agency Staff Committee members, is exploring this and other P.L. 480 financing techniques.

UNCOLLECTED BILL

A bookkeeping review of a contract between CUNA International and AID showed that some $30,000 of money owed to AID had gone uncollected for a long period of time. Prompt corrective action was taken after IGA invited the attention of AID to this matter.

PROCUREMENT OF AUTOMOBILES

IGA cited instances of where AID contractors were buying autos from private dealers at prices substantially above those the government would pay if it purchased the cars through the General Services Administration. AID issued instructions calling for greater reliance on GSA procurement.

PRIOR SCREENING OF COMMODITY ELIGIBILITY FOR AID FINANCING

Information developed by IGA on AID-financed imports of luxury and ineligible goods played an important part in causing members of the Congress to urge that AID start screening commodities for eligibility prior to financing, rather than relying upon post-audit. A commodity eligibility pre-validation system was thereupon put into effect. The screening unit established in the spring of last year has to date ruled that over $6 million of proposed imports should not be financed by AID.

LABELS

IGA took exception to the prices being charged for pasting AID handclasp and Alliance for Progress labels on AID-financed taxis. In one case, a supplier was charging $7.50 for affixing two gummed paper labels on a car. The labels in question cost less than 2¢ apiece and can be pasted on a car in a matter of seconds.

One supplier thereupon agreed to refund over $6,000 to AID for past labeling charges and to make no further charges in the future. Another supplier agreed to stop additional charges and to make a partial refund of past charges.

AID is now following an IGA recommendation that it makes a comprehensive review of all labeling costs for AID-financed equipment.

ADELA: CAPITAL IDEA FOR LATIN AMERICA

Mr. SPARKMAN. Mr. President, the current issue of Reader's Digest contains an article condensed from the Rotarian magazine for March concerning a unique and successful enterprise through which United States, European, and Latin American interests have been pooled to create going industries in a number of countries in Central and South America. This project—and I would like to have the attention of the Senator from New York, if I may—is called ADELA. The Reader's Digest article gives deserved praise to the senior Senator from New York, who, I happen to know, played a major role—and I am glad to say I had a part in it—in the inauguration of this enterprise.

I ask unanimous consent that the article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ADELA: CAPITAL IDEA FOR LATIN AMERICA

(By Scott Seegers)

(NOTE.—ADELA is derived from the Spanish for Atlantic Community Group for the Development of Latin America.)

Victor Ramón Anaya hands a sheaf of diagrams to the foreman of the woodworking shop of Studio 501, a big furniture factory in Lima, Peru. The diagrams show precisely how to cut each plank of the company's precious tropical hardwood in order to use it most efficiently. To work out the diagrams, 27-year-old Victor Ramón has to know the dimensions and qualities of thousands of planks in Studio 501's racks. A mistake would waste quantities of wood, turn profit into loss.

"When I came to work here as an odd-job man, I never dreamed that I could learn to do anything like this," he says. "I had no technical training. If Señor Armin Wiedemann, the owner, had not worked with me, I would still be doing odd jobs today."

Victor Ramón's heartening rise in the world demonstrates the thesis of ADELA Investment Company, S.A., a unique international firm willing to invest cold cash in the belief that a good man given a chance will improve himself and his community.

ADELA's business investments are designed to help boost the economies of Latin America into the 20th century. They run from $100,000 to modernize a small sand-and-gravel operation in El Salvador to a three-million-dollar stake in a shoe factory in Brazil. Projects promoted and partly financed by ADELA manufacture locks and hardware in Venezuela, hardboard in Mexico, synthetic fibers in Chile, glass bottles in Ecuador and vegetable oils in Paraguay. Thanks to its help, too, Colombians get cheaper agricultural tools, visitors to Nicaragua can stay in a modern hotel, and dwellers in the steam-bath-climate areas of Ecuador have access to refrigerated beef.

Studio 501 is typical of ADELA's projects. Armin Wiedemann was a 31-year-old cabinetmaker when he came to Lima in 1961. He opened a small woodworking shop with one employe. Within two years his well-designed furniture was selling so fast that he was employing 45 people, most of whom he trained personally. In April 1968, ADELA lent him $200,000 for a new plant. Studio 501 now employs 450 people and sells four million dollars' worth of furniture and fine tropical veneers a year.

ADELA's resources alone won't go far in revolutionizing Latin American economies. But its directors count heavily on the "multiplier effect" that its investments will have in attracting local and international capital. Already considerable additional funds have been brought, from sources other than ADELA, into enterprises, approved by ADELA.

Recently, for example, ADELA studied the feasibility of building an industry around one of the greatest remaining stands of high-grade pine in the world, on the north coast of Honduras. Satisfied that such a project could be a success, it organized a company and committed $3,500,000. The $74 million more that it will cost to get the giant enterprise started is to be split among the Honduras National Development Bank, private Central American investors, the Central American Development Bank, the International Paper Co., and other foreign investors. This year construction is scheduled to begin on roads, a seaport, a sawmill that will export 120,000 cubic meters of pine boards annually to Europe and a pulp and paper plant that will produce cardboard shipping boxes—formerly imported—for exporting bananas. The project will provide 1300 new jobs and convert Honduras' traditional balance-of-payments deficit to a $20-million-a-year surplus.

Once a firm is well launched, ADELA may sell its shares at a profit, and reinvest the money to start other businesses. It believes in leaving control and management in the hands of local participants and in spreading ownership among as many people as possible. Where no buying public exists, ADELA may create one.

In Honduras, for example, ADELA helped Jorge Facussé and his three sons to expand and modernize the family's textile mill, Río Lindo, which had never produced more than $800,000 gross per year. ADELA put up $1 million, and the family $3 million. ADELA then suggested that the local public be given a chance to buy in. The Facussés protested: "Most Hondurans don't even know what a share of stock is." But they agreed to try. The stock was peddled door to door, and in two months Hondurans bought $60,000 worth. Says an ADELA man: "The money doesn't mean much to Rio Lindo. But owning a share means a lot to those who bought it. It's the beginning of a capital market in Honduras."

Today Río Lindo annually turns out more than five million dollars' worth of textiles and work clothing. The shirt that Hondurans used to buy for $1.75 now costs $1.12. Imported print dresses that sold for $6 each have been replaced by Río Lindo quality dresses that retail for $4. The mill has now caught up with Honduras' demand for cloth and is exporting to other members of the Central American Common Market.

The idea of ADELA originatd in the fertile mind of Sen. Jacob Javits of New York. Javits had watched with concern as Latin America's industrial development lagged behind its mushrooming birth rate. "While the rest of the free world was improving its prospects, Latin America was steadily losing ground," he recalls. "Government aid programs hadn't kept up with the job, so it seemed obvious that private capital was the only force that could put it across."

If it were to be exclusively U.S. private capital, the old bugaboo of the imperialistic colossus of the North would be invoked by nationalist *latinos*. Europeans had to be prominent in it. To avoid control by a single giant industry or banking combine, no shareholder could subscribe more than $500,000. And nobody was to expect dividends for a few years.

This was not the easiest package to sell to bankers and industrialists, who have to justify their investments to boards of directors. Moreover, the presence of Javits in the effort made some Europeans suspect that the U.S. government was hiding in the wings. The State Department thought that Javits was trying to muscle in on their Alliance for

Progress. Ironically, Europeans thought he was "trying to get us to bail out the Alliance for Progress." A French banker exclaimed, "Aha! The big American locomotive is trying to pull a train of small European cars into the jungles of South America!"

But Javits' idea received impressive support from three leaders of the business world: George Moore, chairman of the First National City Bank of New York; Emilio Collado, executive vice president of Standard Oil (New Jersey); and Henry Ford II, chairman of the Ford Motor Co. In addition, Arthur Watson, president of the IBM World Trade Corp., and Howard Petersen, chairman of the Fidelity Bank of Philadelphia, and several European counterparts—Giovanni Agnelli, chairman of Italy's Fiat Motor Co., Samuel Schweizer, chairman of the Swiss Bank Corp., and Tore Browaldh, chairman of Svenska Handelsbanken—all helped line up shareholders for Adela.

On September 30, 1964, Adela was born as a Luxembourg corporation. The tiny duchy was too far from Wall Street to be sinister, too little to be imperialistic, and it had certain tax advantages. Marcus Wallenberg, head of Stockholms Enskilda Bank, became its first chairman. The new entity had 54 shareholders from 16 countries, an executive committee representing nine of the world's greatest corporations, $16 million of capital, and an operating staff of one—Ernst Keller, a dynamic, 44-year-old Swiss.

Keller had earned master's degrees in business administration and engineering in night school. After some years with W. R. Grace & Co. in Latin America, he opened his own engineering consulting office in Lima. In 1960, he raised $750,000 and founded a small, multi-national development bank, which within four years had assets of $15 million. "Adela offered me a wonderful deal," he says wryly. "Start over from scratch, with no program and no staff, and work night and day at a 60-percent cut in income. But I jumped at the job because it was a chance to do in a big way what I had proved practical on a small scale."

Today Keller has a staff of 55 young economists, analysts, engineers and accountants, all with considerable firsthand experience in Latin America. "When a project is presented to us for financing, we look first at the man who heads it," says Keller. "If he's good, we can build a good project around him."

The philosophy works. Javits' brainchild is now well established as a stimulator of new industries in Latin America. Dr. Alfonso Montero, a major Peruvian industrialist and financier, predicts that within ten years the firm will have had a significant impact on development in Latin American countries. Further proof of acceptance lies in a recent decision by another international group to organize an Asian counterpart of Adela.

And there are other yardsticks. Normally, an international investment firm counts on six months to a year to iron the wrinkles out of a new project, and it does well to develop two projects during its first year. By the end of 1965, its first full year of operation, Adela had committed nearly $15 million to 21 projects in Mexico and in nine countries of Central and South America. Today its commitments have risen to $51 million in 74 projects in 18 countries. In the process it has helped to create more than 19,000 new jobs for local people, of whom Víctor Ramón Anala, of Studio 501, is one.

FINANCIAL ASSISTANCE FOR SMALL BUSINESS

Mr. SPARKMAN. Mr. President, last Friday I joined with a number of my colleagues in introducing legislation which was designed to assist American small business firms in obtaining the financial assistance they need from small business investment companies.

It is my hope that Congress can take prompt action in considering these bills.

In the meantime, the administration can and should take a step which will immediately augment the ability of SBIC's to render this financial assistance. I refer to the release of appropriated dollars which have been blocked by the Bureau of the Budget. If the Bureau will only release the $21 million Congress approved for the SBIC program for fiscal 1969, the Small Business Administration will be able to fill most of the pending loan applications from SBIC's which it now holds.

Two weeks ago, articles on the funds crisis facing the SBIC industry appeared in the New York Times, the Washington Post, and the Washington Evening Star.

Mr. President, I ask unanimous consent to have printed at this point in my remarks the articles from those three newspapers.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the New York Times, Feb. 16, 1969]

SBIC's Languishing With Funds Held Back

(By Edwin L. Dale Jr.)

Washington, February 15.—The only airline running north-south flights in Idaho has just shut down its operations—an unintended victim of the Government's severe budget austerity and its effect on the nation's nearly 400 privately owned Small Business Investment Companies.

Since last July 1, the Small Business Administration, under orders from the Budget Bureau, has not disturbed any long-term loan funds to Small Business Investment Companies, which in turn reinvests them in smaller business concerns.

The Small Business Administration continues to be headed by a holdover from the Johnson Administration. Howard Samuels. He is expected to be replaced shortly. Mr. Samuels is known to believe that the Budget Bureau should have released the funds.

Thus, Sun Valley Airlines did not get the investment it counted on from a Small Business Investment Company, Capital Investors, Inc., of Missoula, Mont., and has shut down. Thus the Roe Financial Corporation of Beverly Hills, Calif., another S.B.I.C. is faced with a possible lawsuit from a company in which it is legally committed to invest.

And thus, the Commerce Capital Corporation of Milwaukee, a third S.B.I.C., has borrowed short-term from banks to meet its investment commitments but will be under the gun when these loans come due in less than a year, unless it can get the long-term funds it assumed would be forthcoming from the Small Business Administration.

All of this, leading to an urgent plea for relief from the National Association of Small Business Investment Companies, has come about for three reasons:

The Congressionally imposed $6 billion expenditure reduction, with some exceptions, which forced the Budget Bureau to search in every corner for possible savings;

The rapid rise in interest rate, which had the practical effect of destroying the alternative tried by the Budget Bureau and the S.B.A.—a program of S.B.A. guaranteed private loans by insurance companies and other investors, to substitute for direct Government loans;

The change of Administrations, which has made action slow and difficult in many areas.

There is no problem, all sides seem to agree, about the eligibility of the S.B.I.C.'s for the loans, under their licenses and the rules of the program. They are entitled to $2, and in some cases $3, in 15-year debenture loans from the S.B.A. for every $1 of private capital they raise and commit, providing they meet normal requirements.

Nor is there a problem of Congressional appropriations. About $22-million is available. But the Budget Bureau has not released it, and thus the S.B.A. cannot make the debenture loans.

It is understood qualified applications for some $25-million are awaiting disbursement of funds from the S.B.A. The agency estimated that it would lend between $40 million and $50 million in the new fiscal year if the restrictions were lifted.

However, the Johnson budget provided no new funds, apart from the small amount needed to back up the guarantee program, which has proved unsuccessful.

Belatedly, the Government raised the permissible interest rate on guaranteed loans to 7 per cent. But this came just as market rates were moving above that point on many attractive debt instruments. Thus the insurance companies and others have not been interested.

President Nixon has released funds in two other areas on the ground of unintended hardship. One was grants to universities for scientific research, and the other was advance payments to farmers under the feed-grain program.

Pressure has begun to build from Congress to make the Small Business Investment Company program a third exception. One frequently used argument is that the program, directly and indirectly, returns to the Government much more than is spent or lent.

The National Association of Small Investment Companies is hoping to have legislation passed that would convert the program into a self-financing "bank" or revolving fund, authorized to issue its own Government-guaranteed securities in the market and not subject to budgetary restrictions. The Nixon Administration's position on this proposal is not yet known.

[From the Washington (D.C.) Post, Feb. 17, 1969]

SBIC's Hit by Tight Money

The Nation's small business investment companies, founded over ten years ago, to provide capital for small businesses, are being hard pressed.

Spokesmen for the group say that last year's tightening of the Federal budget has all but cut out the SBICs and that 40 of the Nation's 385 SBICs are now out of money.

In addition SBICs which promise loan commitments to small businesses are being sued because they do not have the necessary capital to back the promised loans.

Normally SBICs can get government money from the Small Business Administration at a rate of 2–1 against the private capital raised by the SBICs. This money is then invested in small businesses. It is repayable to the government after 15 years.

Since the act setting up SBICs was passed, the National Association of Small Business Investment Companies said its members have backed 30,000 companies for a total of $1.3 billion. NASBIC maintains that a number of these companies are now in trouble because SBICs have not been able to come through on their commitments.

NASBIC argues that its members have been hit unusually hard by the money squeeze with only $12 million of the Congressional allotment of $30 million released to them. At the same time the SBICs have been paying back earlier loans to the Treasury.

Although the government has authorized the SBA to guarantee private capital loaned to the SBAs at 7 per cent, the money markets have eschewed the government-backed investment groups.

[From the Evening Star, Washington (D.C.), Feb. 18, 1969]

SBIC's Pinched for Funds

(By Thomas Dimond)

Some of the nation's small business investment companies have found themselves in an awkward position and blame the federal government for their embarrassment.

After committing themselves to making loans to fledgling companies, the investment companies have discovered they don't have the cash themselves. One of the SBICs, as a result, is fearing a suit from an unhappy borrower.

The problem, according to the National Association of Small Business Investment Companies, is that the federal government is not keeping its commitment to the SBICs. Although Congress allocated $55 million in fiscal 1968 and $30 million in the current fiscal year for the programs the Budget Bureau has released a total of $27 million.

The funds, which the SBICs would have had to repay with interest, was cut by the bureau in the economy move required by Congress as the price for the federal surtax.

GUARANTEE AUTHORIZED

To compensate for the cutback, the Small Business Administration, which administers the loan program, was authorized to guarantee loans from institutional investors to the SBICs. But SBA was told not to back interest rates greater than 7 percent, and investors have taken their money elsewhere.

George C. Williams, president of the SBIC association (and of Allied Capital Corp., a publicly-held Washington SBIC), says those investment companies that are short of capital are beginning to condition lending commitments on their being able to borrow themselves from the federal government.

Williams cited a Beverly Hills, Calif., SBIC which has three months to raise $60,000 it promised to a small businessman who has hinted he'll sue if he doesn't get the money.

Meanwhile, the association is badgering congressmen and the White House and is trying to get an appointment with President Nixon's budget chief, Robert Mayo, to get the tap turned back on.

POOL FOR FUNDS

The SBIC program was inaugurated by Congress about 10 years ago to provide funds for small businessmen who can't obtain capital from conventional sources, except for short-term loans. The small business investment companies lend money for terms of five to 15 years.

The association says SBICs have invested more than $1.3 billion in 30,000 small business loans. Of that amount, $250 million was borrowed from the government and the rest was private capital.

The SBICs say the Treasury not only gets its money back, but also additional taxes paid by everyone who benefits from the program—the investment companies and their employes, and the small businesses and their employes and suppliers. The association estimated these additional taxes at $11.4 million for fiscal 1968.

Williams said small businessmen are suffering along with the SBICs, mentioning a Midwest commuter airline which had to suspend its operations because SBICs were unable to lend it money.

ALABAMA'S ABLE JUNIOR SENATOR

Mr. SPARKMAN. Mr. President, recently a syndicated column entitled "Alabama's Junior Senator, a Man of Towering Abilities," and written by Holmes Alexander, was published in various newspapers, one of which was the Nashville Banner.

I ask unanimous consent that the article to which I have referred, published in the Nashville Banner on March 3, 1969, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Alabama's Junior Senator a Man of Towering Abilities

Washington.—It's fun to watch the rookie senators break in. You ask yourself "Will he shine, or will he fade?"

Hubert Humphrey, elected in 1948, threw his career into temporary eclipse by an impudent assault upon Sen. Harry Byrd Sr., a pillar of the citadel. Bill Proxmire, elected 1957, to replace Joe McCarthy, overacted to the limelight by trying to upstage his floor-leader, Lyndon Johnson, and was sent into banishment for a couple of years.

A new member can play it safe by saying nothing except to answer the roll call. Or he can sound off with opinions that will mark him for much time to come.

Sen. James Browning Allen, the rangy Alabama Democrat who succeeded Lister Hill, chose to leave nobody in suspense. Allen is a take-my-stand Southern Democrat, of course, and at 56 he's been a politician all his adult life; but he's the kind who gives those two breeds a good name.

Last year, soon after election, he disposed of all stocks and put his savings into government bonds. He also resigned a 33-year affiliation with his Gadsden law firm where his father had been a member before him. He also exceeded the Senate's ethical requirements by publishing a notarized statement of his financial condition, and promising to do so every year of his service.

"The Senate's a full-time job," says Allen. Not many freshmen have gone so fast and so far to prove the point.

One of his first acts of identification as a true Senateman was his vote to preserve Rule 22 which protects extended debate, alias filibuster, alias minority opinion in the Senate. Lots of incoming Southerners take this position, but I haven't heard of any who did so with better aim and authority.

Senator Allen on Jan. 15, a fortnight in office, drew deadly aim on a live target, Vice President Humphrey, who was about to make a ruling against the Rule. Allen pointed out that the Senate should be governed by its regulations and by the U.S. Constitution, not "by the gavel." It was a telling argument.

A week earlier, on Jan. 6, Allen had fired on another notable live target, Sen. Muskie of Maine. Humphrey's Democratic running mate of 1968. Muskie had a resolution to disqualify the "faithless elector" from North Carolina who exercised the discrimination allowed by the U.S. Constitution. Allen cited the little-known incident from the presidential election of 1872. Horace Greeley, a candidate, died between election day and inaugural day. Allen demanded in debate:

"Had Horace Greeley been successful . . . would the senator from Maine contend that . . . electors . . . would have to vote for a dead man . . . ?

You seldom hear classy, cogent, documented arguments from beginners, and Allen has yet to take an inconsistent or indefensible position.

On Jan. 21, having removed himself from conflicts-of-interest, Allen was well-positioned to withhold his advise-and-consent to President Nixon's nomination of Interior Secretary Hickel. On Feb. 4, observing that he'd run for the Senate with full knowledge of the salary, Allen voted against the 40 per cent pay-raise. He also observed, while he was about it, that he'd prefer to raise the pensions than the salaries of Supreme Court Justices, in order to encourage a reasonable retirement age. Today, in interview, Allen handed me a nine-point statement on his opposition to the nonproliferation treaty.

Here's a new senator who didn't waste any time, or mince any words, or create any ambiguities.

He's also the kind who keeps his opponents watching for that first and fatal blunder.

S. 1382—INTRODUCTION OF A BILL TO AMEND THE INTERNAL REVENUE CODE TO PERMIT CASH BASIS FARMERS TO REPORT INSURANCE PROCEEDS FOR CROP DAMAGE THE FOLLOWING YEAR

Mr. MILLER. Mr. President, I introduce a bill to amend the Internal Revenue Code of 1954 to permit cash-basis farmers to include insurance proceeds received for destruction or damage to crops in the year following the year in which the damage occurred. I ask unanimous consent that the bill be printed in the Record at the conclusion of my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred, and, without objection, the bill be printed in the Record in accordance with the Senator's request.

(See exhibit 1.)

Mr. MILLER. My bill is designed to remove a present inequity in our Federal income tax law with respect to the tax treatment of insurance proceeds received by cash-basis farmers resulting from the destruction of or damage to crops by hail.

Farmers who are on a cash basis of accounting quite often will raise a crop in one year and not sell it until the following year. They do this as a matter of consistent practice. When those crops are destroyed in the same year in which the farmer sells the previous year's crop, under the present tax law he is required to report and pay tax on the insurance proceeds, which are a substitute for the income from the crops, and the income from the present year's crops in the same year.

If the farmer had not been subject to the vicissitudes of weather, such as hail, his crops would have been raised and he would have sold them in the following year. There would then have been no doubling-up of income.

All my bill does is to give the cash-basis farmer the opportunity, where he has consistently followed the practice of selling crops in the year following the year of production, to avoid this doubling-up hardship.

The bill would take care of a hardship situation which arises only because of an act of God and not due to any fault of the farmer at all. I understand there have been a number of these hardship situations, not only in the corn and wheat areas of the Midwest, but also in other areas such as the citrus and rice areas.

The bill (S. 1382) to amend the Internal Revenue Code of 1954 to permit the inclusion of insurance proceeds for destruction or damage to crops in the year following the year in which the damage occurred under certain conditions, introduced by Mr. Miller, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

EXHIBIT 1

S. 1382

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

CROP INSURANCE PROCEEDS

Section 451 of the Internal Revenue Code of 1954, as amended (relating to general rule for taxable year of inclusion), is amended by adding the following subparagraph:

"(c) In the case of insurance proceeds received as a result of destruction or damage to crops, a taxpayer reporting on the cash basis of accounting may elect to include such proceeds in income for the year following the year of destruction or damage provided he establishes to the satisfaction of the Secretary or his delegate that, under his practice, income from such crops would not have been reported in the year in which raised."

DANGERS FACING THE AMERICAN ECONOMY

Mr. JAVITS. Mr. President, the American economy is now entering an extremely delicate period. Inflation, of course, is the number one problem. Another is the unfavorable consequences of high interest rates on consumers and especially on housing starts at a time of severe housing shortages in our cities. There is danger that if fiscal and monetary policies now in effect will remain in effect for long, they could bring about severe unemployment. Imports continue at a high level, bringing new demands for the imposition of so-called voluntary or mandatory restraints. Mandatory restrictions remain on U.S. investments and lending overseas which were imposed as the price of European agreement on delayed changes in the international monetary system, which have thus far not materialized. There is growing evidence that restrictions on U.S. direct investment overseas are in part responsible for the failure of the growth in U.S. exports to keep pace with the growth of U.S. imports. There are new indications of another wave of international financial instability in the making—speculators are bidding up the price of gold, the French franc and the British pound are again threatened.

There ought to be no question about the sincerity of President Nixon, Chairman McCracken of the Council of Economic Advisers, Secretary of Treasury Kennedy, and Budget Director Mayo to deal with the prevailing inflationary psychology in this country in a fashion that would not bring about severe unemployment. A continuation of rising consumer prices would hurt millions of American wage earners, pensioners, and those on fixed income. An overheated economy would continue to undermine our balance-of-payments situation as a result of rapidly rising imports and of gradually declining or a stable level of exports. Should speculators abroad suspect that we are not coming to grips with our inflationary problem, we could once again subject the dollar to speculative attacks with serious dangers to the world economy. So there are compelling reasons for taking steps to bring inflation under control. And, therefore, I supported the 10-percent tax surcharge. I supported the reduction of spending caused by the Williams-Smathers amendment. And I believe that monetary policy should not run counter to anti-inflationary fiscal policy.

I am concerned, however, that fighting inflation may become a crusade, not only to our monetary authorities but to congressional leaders and private groups, at the cost of excluding or subordinating other high priority national goals such as maintaining maximum employment, economic expansion, and Federal spending at adequate levels to deal with the problems that are giving us a dangerous crisis in our central cities. If we permit this to happen and lose our perspective and, as a result of honest error, we come to a situation of high unemployment and lagging economic activity, we would be doing this country great disservice and possibly irreparable damage.

I speak now, therefore, to alert us to this possibility, which could come upon us quite unwittingly. In the hope of conditioning our thinking, we should have this caution constantly in mind: that a recession cannot and should not be invited, because if it comes, its extent, acceleration and consequences could get away from us and lead to a depression.

Economic and monetary policy today is not an exact science; there are lags of unknown length before the effects of certain economic policies can be measured; economic data on which policy is based is far from complete.

So, therefore, I urge the Nixon administration and the Federal Reserve Board to keep anti-inflationary policy fluid and to take immediate steps to alleviate the undesirable side effects of tight money and fiscal policy while maintaining an overall policy of restraint until inflationary psychology has been dampened; and this, I believe, can be done.

The VICE PRESIDENT. The time of the Senator has expired.

Mr. JAVITS. I ask unanimous consent that I may proceed for 3 additional minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. JAVITS. To alleviate the undesirable side-effects of high interest rates and tight credit on mortgage rates and on residential housing, I strongly urge that the Federal Reserve System begin to buy and sell the securities of Fannie Mae, GNMA, and the Federal Home Loan Bank Board and thereby perform a similar function for the housing industry that it does for the commercial banking system—provide a flexible credit basis. I supported legislation proposed by Senator PROXMIRE and Senator SPARKMAN last year which would have authorized the Federal Reserve System to do this and thereby ease the credit squeeze on housing, and I will do so again this year, unless the Fed does this on a voluntary basis—which I urge strongly.

We as a Nation have set ourselves ambitious housing goals, and with good reason. Our central cities are in decay and desperately in need of modernization and reconstruction. An overly tight monetary policy will necessarily run counter to this goal, and we should not let this happen.

The rapid expansion of our economy over the past 3 years was only of marginal benefit to the hard core unemployed. Deflationary policy may bring about less inflation, but it will also aggravate the employment problems of the hard core unemployed, of youth, and of minority groups. I, therefore, urge the Nixon administration—and I will do all that I can as ranking Republican on the Committee on Labor and Public Welfare to assist it—to undertake a major Government-business manpower training effort directed at these groups, now that fiscal and monetary restraint is slowing down overall economic activity. There are many approaches to accomplish this—direct Government spending programs, subsidies to training institutions, or tax incentives to firms who train such workers on the job. We should move along this front as rapidly as possible.

There is a growing need to tie the Federal Reserve Board more closely to the economic policy machinery of the executive branch and the Congress. To a limited extent, this is already being done through the periodic meetings of the Quadriad—the Secretary of the Treasury, the Chairman of the Council of Economic Advisers, Director of the Budget, and the Chairman of the Federal Reserve Board—which informally attempts to coordinate monetary policy with the fiscal and economic policies of the executive branch. Congress, through the Joint Economic Committee, is also overseeing monetary policy to a certain degree. As a result of recommendations made by the JEC last June, the Federal Reserve Board now provides the committee with an annual monetary report, which is considered by the committee at its annual hearings along with the President's Economic Report and budget message, and quarterly reports on financial and monetary developments.

I believe, however, that both these areas require more systematic approaches. On January 28, 1966, I presented a concurrent resolution to the Senate which would improve on existing coordination between the Federal Reserve Board and the executive branch by placing Congress on record as favoring: regular meetings—at least six times a year—of the "Quadriad"; procedures which would require key administration economic advisers to keep the Federal Reserve Chairman informed of any developments which would be needed to make possible the effective discharge of the Board's responsibility; procedures requiring the Federal Reserve Chairman to keep all members of the Board fully informed about any information received from the executive branch relevant to the execution of the Board's responsibility; and notification of the President by the Board Chairman of any request from Federal Reserve banks to raise the discount rate. I shall reintroduce this resolution again shortly.

I also believe that the annual and quarterly monetary reports being received by the JEC from the Federal Reserve Board should be formalized through an amendment to the Employment Act of 1946, which I plan to offer in the near future.

On June 30, the 10-percent tax surcharge will expire. Should the fiscal-monetary restraint appear to be leading to an excessive degree of economic slowdown, Congress and the President should carefully examine whether the surcharge should be extended, and if so, for how long and at what rate. It may be that this will be impossible to decide with precision. In that case the Congress should give the President authority to vary the rate from 0 to 10 percent for a fixed period, say to the remainder of the year.

President Nixon made strong campaign commitments last year to do away, at the earliest opportunity, with the capital export controls imposed by the Johnson administration. Secretary of Commerce Stans told the Joint Economic Committee on February 27 that he is reviewing controls on U.S. direct investments which are administered by his Department and that he favors their easing and elimination as soon as possible but that it was unlikely that this could take place in 1969.

I would hope very much that these restrictions could be ended this year, for two main reasons.

First, because we have not obtained significant concessions with respect to reforms in the international monetary system from our European friends in exchange for these controls—the SDR's are still not ratified; the countries in persistent surplus are still unwilling to agree to a mechanism to aid countries in a balance-of-payments deficit position by lending some of these surpluses to them. They refuse even to discuss changes in the present fixed-exchange system which has been under heavy attack in recent years.

Second, because it is becoming increasingly clear that restraints on direct investments result in loss of U.S. exports. I do not see how we can mount a major export expansion effort with any degree of success while we restrain the most significant element contributing to rising exports—oversea private investment. While it is true that we have experienced a trade deficit last year for the first time, it is also true that our private investments abroad—now valued at $80 billion—brought back $7 billion in dividends and interest and resulted in more than $125 billion in exports from those foreign based facilities, mostly for sale abroad.

The U.S. Council of the International Chamber of Commerce has developed strong arguments in support of ending controls over U.S. direct investment abroad in 1969 and substantially easing the interest equalization tax and the restrictions over commercial bank lending administered by the Federal Reserve Board. I support these changes in policy.

There is a third danger from letting these controls continue. As arguments are developed in support of these controls by those responsible for their administration, we condition ourselves more and more to the use of controls which break down our natural distaste for controls in other areas—voluntary or mandatory quotas over imports, travel restrictions, wage-price controls, and so on. For the past 30 years we have constructed, at great effort, a forward-looking commercial policy that looked with confidence on increasing international competition and the freer flow of capital and labor. There is grave danger both here and in Europe that if we continue in this vein, we will fall back on restrictions in retaliation for the restrictions of others rather than to proceed to higher ground—greater monetary cooperation, greater willingness to let our economies adjust to each other, and through greater willingness to absorb each others exports and greater exchange rate flexibility.

In the field of trade policy, we are also coming to a crossroads this year—we have a choice between helping to create a trading system based on restrictions, quotas, nontariff barriers or continuing on the road we have had so much to do with building of world trade liberalization. I believe the evidence supports the latter approach as being the more successful and productive and that is the policy I advocate.

Specifically, Mr. President, I urge that Congress enact trade legislation this year that would first provide the President with tariff-cutting authority so that we can offer compensation to foreign countries that may be affected by our escape clause actions; second, liberalize adjustment assistance to firms and workers adversely affected by increased imports by liberalizing the present rigid statutory criteria; third, express the support of Congress for negotiations to eliminate nontariff barriers to trade; and fourth, establish, on a statutory basis, in the White House an office charged with trade negotiations and also with the coordination of U.S. trade policy. Consideration should also be given to delegating to the President authority, subject to congressional veto, to explore and negotiate, if he deems it desirable, trading arrangements with common markets or free trade areas to enable us to cope with new regional trading arrangements.

I would also like to see the United States take aggressive action against countries which compete unfairly against U.S. exports and in our own home market to underwrite a major export expansion program that would bring into the field of export many more American business enterprises than are now engaged.

Trus, there are risks involved. As a Nation, every one of our great achievements—the Revolutionary War, the Civil War, World War II, the Marshall Plan, Point III, NATO, the Alliance for Progress, and the open skies proposals and agreements on nuclear weapons limitation—were the result of our willingness to take great risk to get great gains for peace and well-being. We should continue this tradition today. The risks involved in more farsighted international economic policy are far less than the risks we have taken on many other occasions. The benefits are great as has been demonstrated by the vast expansion of the world economy in the past 30 years.

Mr. President, I ask unanimous consent to have printed in the RECORD an article published in last Sunday's New York Times entitled "Reserve Under Attack From Friends," which shows that the Federal Reserve Board has made plenty of mistakes itself.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RESERVE UNDER ATTACK FROM "FRIENDS"

(By H. Erich Heinemann)

The Federal Reserve System is America's unique contribution to the art of central banking.

In Washington, a seven-man board, appointed by the President, confirmed by the Senate, but, by virtue of a 14-year term independent of the Administration, holds the principal reins of power.

In 12 major cities across the country, regional Federal Reserve Banks (each with its own directors and stockholders) are responsible for monetary housekeeping (clearing checks and transferring funds), and, through their senior officers and economists, participate in determining monetary policy.

In the top position is the Federal Reserve Bank of New York, which has the added responsibility for day-to-day execution of monetary policy and also represents the system in its dealings abroad.

INSULATED POWERS

Grounded solidly in the pre-World War I era, when its basic charter was drafted, is the mystique of Federal Reserve independence. The nation would be ill-served, so this argument runs, were the money-creating powers of the central bank not insulated from the pressures of partisan politics.

The Reserve's independence—much as the now-repealed requirement that United States currency be backed by gold—has been regarded as an extra barrier, if not a guarantee, against inflation.

The money managers, to be sure, have been careful to limit the scope of the independence they claim. As Alfred Hayes, president of the New York bank, put it recently: "We in the Federal Reserve like to emphasize that the System is not independent *of* the Government, but independent *within* the "Government." (Mr. Hayes's emphasis).

At the present time, the issue of the position of the central bank within the structure of American Government is once again a live one.

DETERMINATION VOICED

For one thing, as William McChesney Martin Jr. made plain before the Joint Economic Committee of Congress last week, the Federal Reserve System is determined to do its part to bring inflation to a halt.

Mr. Martin, who has been Chairman of the Reserve longer than any other man, told the committee that tight money was now "fully reinforcing" the restraint that is being imposed as the Federal budget moves toward surplus.

No matter how much the politicians may dance around the subject, the fact is that this economic restraint is going to be painful. Interest rates are already in stratosphere (and may well go higher), and, before long, as the pace of activity starts to slow, unemployment should start to rise.

The Reserve will be the visible cutting edge of this policy, and, as it takes hold, will be bound to bear the brunt of public dissatisfaction. But the political problems of the central bank are, in fact, far deeper than that.

In a memorandum that is being circulated privately in the financial community, Carter H. Golembe, a Washington economist con-

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sultant, argues that "with the coming of the Nixon Administration there has seldom been such a line-up of professed friends of the Federal Reserve System in power, but, ironically, never has the independence of the American central bank been so likely to be going the way of virtually all other central banks—that of clear subservience to the Administration in power."

Mr. Golembe's memorandum, which throughout is sharply critical of the Reserve, has caused a furor in banking circles. A former official of the American Bankers Association, Mr. Golembe has emerged in recent years as the "house philosopher" of the banking industry, which traditionally has been a defender of both the Reserve and its independence.

One Reserve Bank president is reported to have sent copies of the Golembe memo to his colleagues as a valentine, with an attached note saying that the analysis raised some serious quetions.

Mr. Golembe says the Reserve is vulnerable at the present time on these three counts:

Recent monetary policy has been wrong.

Its supervisory position has been unrealistic.

Its organization structure creaks to the point of imminent collapse.

"These criticisms," Mr. Golembe adds, "provide the reason for expecting a subtle change to take place; the presence of Government officials in high places who know how to obtain the changes without producing a cause célèbre provides the vehicle for such a change."

By the end of the Nixon Administration, Mr. Golembe predicts, there will be no doubt that the Reserve is no longer independent of the administration in power—even though no clear break will have occurred.

"The fact is," he says, "that no Administration can afford to give the Reserve a veto over its program. Whether by change in personnel, intellectual osmosis or hard talk, the message will get across."

"What happens, however," Mr. Golembe went on to say, "will not be a Republican conspiracy to end the freedom of a truly independent agency; it will merely mark the culmination of a long-term trend, and constitute explicit recognition that the Federal Reserve really has not been immune to White House influence for a long time."

In the key area of monetary policy—the use of discretionary control over the supply of money and credit to stabilize the economy—Mr. Golembe charged, "virtually no one has a kind word to say."

Under the Democrats, he said, Administration economists were most upset by what they regarded as an attempt by the money managers to "sabotage" their program to improve the rate of national economic growth.

REPUBLICAN THRUST

In Congress, "Republicans concentrated their fire on the high rate of monetary expansion and consequent effects on prices.

"Democrats," Mr. Golembe continued, "particularly those of a populist streak, hit at high interest rates."

Mr. Golembe focused on the fact that Paul W. McCracken, the chairman of President Nixon's Council of Economic Advisers, despite past close association with the Federal Reserve, has been among the system's severest critics.

He quoted Mr. McCracken as having said last summer that from mid-1965 to late 1967 the management of monetary policy was "exceedingly poor. In mid-1965 as the economy was re-entering the zone of full employment, the rate of monetary expansion should have decelerated."

"Unfortunately," Mr. McCracken continued, "it was allowed to accelerate. Much of the erratic course of the economy has its origins at this point. In 1966, apparently fearful about the inflation that had been unleashed, the Federal Reserve threw the speeding car [that is, the economy] into reverse with an outright monetary contraction.

"Apparently nervous about the results of this cruch," he went on to say, "the Federal Reserve through most of 1967 pursued an inflationary rate of monetary expansion."

The severe inflationary pressures that were apparent in 1968, Mr. McCracken argued, represented "almost the classic lagged response to this overly expansionist monetary and credit policy in 1967."

The McCracken attack, which was written eight months ago, Mr. Golembe asserted, "is undoubtedly mild in comparison to what might be said of policy since then."

Last summer, on the mistaken judgment that the Federal income tax surcharge might slow the economy too much, the Federal Reserve allowed the rate of monetary expansion to accelerate, which in turn helped to speed up the rate of inflation late in the year, and also forced the money managers to impose the rigid monetary clampdown that is currently in progress.

"Proponents of the tax surcharge and and spending limitation were in a position," Mr. Golembe said, "to claim that inappropriate monetary policy was sabotaging the fiscal policy."

Why, Mr. Golembe asked, has monetary policy been incorrect for so long?

FRIEDMAN'S APPROACH

Prof. Milton Friedman of the University of Chicago, the leader of the monetarist school of economics and the best-known critic of Federal Reserve policy, Mr. Golembe noted, has suggested as a policy goal a steady rate of growth in the money supply.

There should be little attention paid, in the Friedmanite approach, "to temporary movements in employment and production" and none to fluctuations in interest rates.

In the top rank of the Nixon Administration, Mr. Golembe said, "there are no followers of Milton Friedman."

Professor Friedman was, however, one of the President's campaign advisers.

Mr. McCracken and the two Under Secretaries of the Treasury, Charls E. Walker and Paul A. Volcker, are not, according to Mr. Golembe, "strict believers in the money-supply doctrine."

But the three men—"who together will probably have the most to say about Administration views on monetary policy"—agree with Professor Friedman, Mr. Golembe said, "that there should be much less frenetic movement in monetary policy than has been seen recently."

GROUP PSYCHOLOGY

The tri-weekly meetings of the Reserve central policy body, the Federal Open Market Committee, Mr. Golembe said, are "the all-time classic of group psychology."

The 19 principals of the Federal Reserve—the seven members of the board and 12 Reserve Bank presidents (of whom only five have a vote)—for a few hours "live in a world bounded by short time periods, by confusing statistics, and by false straws in the wind."

"Unfortunately, responding to monthly, daily and weekly figures is a poor substitute," Mr. Golembe charged, "for a well-thought-out policy."

"Even those who have little use for Milton Friedman's call for a long-run goal in terms of the rate of growth of the money supply," he said, "do have the feeling that a definite course of action, adopted and adhered to over a long period of time, has definite advantages."

Such a course of action has had less trial than might be expected, Mr. Golembe said. "The temptation to fiddle has been too great."

The lack of realism in Federal Reserve regulatory policy—on mergers, branching, holding company controls and so forth—has been apparent for a long time, he continued, but "still is difficult to explain."

PROBLEM IN BANKING

During a period when the banking industry has been subject to strong pressure to expand and diversify its operations, Mr. Golembe charged, the Federal Reserve regulatory outlook has frequently been one of narrow legalism.

The board's tendency has been to hold that unless a particular service was specifically authorized in the law, then banks could not provide it. Other Federal banking agencies, by contrast, have said that unless a service was prohibited in the law, banks could offer it.

"The results were easily predictable," Mr. Golembe said. There were "continuing squabbles with the other regulatory agencies combined with the shift of number of large banks—and a goodly number of small banks—to national charters."

National banks, while they are required by law to be members of the Federal Reserve, are supervised by the Controller of the Currency, who in recent years has been very liberal in his interpretations of the banking laws.

"For whatever reason," Mr. Golembe said, "the [Federal Reserve] Board, in its regulatory posture, has made few friends among the industry it supervises or among its regulatory colleagues—Federal and state. To the extent that this can be attributed to its posture of independence, there will be few to champion its continuance."

ANACHRONISM DETECTED

The decentralized nature of the Federal Reserve, Mr. Golembe said, is largely an anachronism today, and serves simply to mask the reality that most of the power has long since shifted.

"Whereas most other Government agencies have seen a rather ceaseless process of self-examination and change as conditions changed the importance of their function," he said, "the overly-specific nature of the original Federal Reserve legislation and the fact that the enemy of the Federal Reserve, [Representative] Wright Patman [Democrat of Texas, chairman of the House Banking Committee], had first say on any changes, has resulted in a completely obsolescent organizational structure."

If the Federal Reserve begins to participate in stabilization policy as an equal partner rather than as an independent player who may or may not go along with the crowd, Mr. Golembe concluded, it will be joining the mainstream of central banking.

"One Bank of England official, when questioned about their independence from Treasury influence, is said to have replied, 'we value our independence highly and would not think of doing anything to show it.'"

Mr. JAVITS. Also, I call to the attention of the Senate the March 1969 issue of the Monthly Economic Letter of the First National City Bank, released yesterday, which in effect says that the probable cost of checking inflation raises the question of whether the cure is more painful than the disease.

Mr. PROXMIRE. Mr. President, first, I should like to comment on the very fine and able presentation made by the distinguished Senator from New York. He is a valuable member of the Joint Economic Committee; in fact, he is the ranking minority member of it. I can agree with him in many respects. I think his statement on housing is very sound. I enthusiastically support it. I agree with him on his statement on the Manpower Training Act, which must be stepped up under present circumstances. I agree with him on his emphasis on trade. I agree with him on the need to formalize the reports which the Federal Reserve Board provides to the executive branch and the Joint Economic Committee, which are not formalized now.

However, I disagree with him on the notion that we should give the President the right to reduce taxes from 10 percent to zero, by phasing out the surtax. It is significant that there have been suggestions in our committee that the President be allowed to increase taxes, but not to reduce taxes, for obvious reasons. This is not a partisan matter. The same argument was made when President Johnson and President Kennedy were in office. I think all Presidents will act on the basis of the interest of the country, but the timing of his action and the nature of his action may be suspect. If a President is in a position to reduce taxes, as the Javits proposal states, it seems to me the President would be politically suspect. It also would deprive the Congress of one of the very real powers it has, the power over the purse, and begin to weaken it in a significant way.

Mr. President, I ask unanimous consent to proceed for 10 minutes on the basis of my principal disagreements.

The **VICE PRESIDENT**. Without objection, it is so ordered.

ADMINISTRATION FISCAL AND MONETARY POLICIES

Mr. **PROXMIRE**. Mr. President, after listening, during 3 weeks of hearings on the President's economic report, to the administration's outstanding economic spokesmen and the leading private, labor, and business economists, I have concluded that the administration's attempt to fight inflation with neutral fiscal and monetary policies and gentle generalizations is a sure-lose formula, but that seems to me to be the principal conclusion and policy prescription of the present administration.

On Wednesday, Chairman Paul McCracken delivered, before the New York Economic Club, a very timely message in this regard.

For the first time since the Nixon administration took office, a leading spokesman of the administration called on American labor and industry for wage and price restraint.

Chairman McCracken is absolutely right to do this. Without restraint in wage settlements, without calculated resistance to price increases, there is no hope of slowing the rise in the costs of living this year.

But even this call is far too little and it may be much too late.

From the testimony before the Joint Economic Committee, we will have neither the budget surplus nor the monetary policy will restrain inflation this year. Neither the policies of industry nor labor will slow it down. And the President refuses to speak out against staggering price increases.

I might point out that last month we had one of the biggest increases in the wholesale price index we have had in years; we had the biggest increase in manufacturing costs we have had in 10 years; and these are the consumer prices of the future.

The administration's Budget Director and its Secretary of the Treasury have told the Joint Economic Committee that they expect to keep the budget in balance—but in bare balance, and only provided we continue to have the 10-percent surtax. Apparently there is no intention to reduce the $11.5 billion budget increase called for in President Johnson's proposal for 1970; and I think this is the heart of the inflationary matter.

If we are lucky there may be a slight surplus, but no more. This means fiscal policy will contribute little or nothing in the coming year to restrain inflation.

It will be neutral.

Chairman Martin of the Federal Reserve Board testified before the committee that he expected money and credit to increase at about a 3- to 6-percent rate during the year, with interest rates remaining close to the present level.

Since the economy is expected to grow at a real rate of between 3 to 6 percent and the supply of credit is to keep pace with its growth, where is the restraint? This means monetary policy too will not actively stem inflation. It will be neutral. It will do nothing to slow rising prices.

President Meany, the Nation's top labor leader told our committee Wednesday he is strongly against any governmental restraints either by law or by Presidential expression against specific wage proposals by American unions.

On Thursday spokesmen for the Nation's two largest organizations representing management—the Chamber of Commerce and the National Association of Manufacturers vigorously opposed any Government efforts to restrain price increases.

Now at least Chairman McCracken has recognized what he calls "the logic of the arithmetic of the guidelines—that is, the wage-price guidelines—and he has called for a general restraint.

Chairman McCracken's speech exposes the emptiness of the administration's fight against inflation. He admits that wage increases far exceeding productivity increases are inflationary.

Certainly price increases by an American industry that has smashed one profitmaking record after another, and has just completed its most profitable year in history, fuel the fires. Price hikes under these circumstances are inflationary.

Chairman McCracken has implied as much. But where Dr. McCracken and the Nixon administration have failed is in resolutely walking away from the tough unpopular presidential duty to nail inflationary wage demands and price increases in their tracks—by name.

During the past week the oil industry has sharply increased its price after an immensely profitable 1968. That price hike may cost American consumers a billion dollars in higher gas and fuel oil prices.

If Lyndon Johnson or John F. Kennedy were in the White House, the President of the United States would be fighting to rescind this price increase, and he might well have succeeded.

Neither President Nixon nor Chairman McCracken will specifically call on the oil industry to reverse this price hike. The result: higher gas and oil prices.

This pattern will repeat itself over and over again in the next few months in industry after industry. Refusal of the Nixon administration to bite the bullet will cost the American consumer dearly.

This generalized opposition to wage and price hikes does not hurt the big economic interest groups. The policy is popular with them.

But it is an economic tragedy because it means expanded and continued wage-price inflation, and then, eventually, an unnecessarily high degree of economic stagnation and unemployment to bring the inflation under control.

OIL PRICE INCREASE INJURES NATION

Mr. **PROXMIRE**. Mr. President, a number of recent newspaper stories indicate confusion about the effect the recent rise in the price of gasoline and crude oil will have on our Nation's economy. A good deal of the confusion stems from the oil industry's massive public relations campaign in which they attempt to overwhelm the public with such "evidence" the industry can dredge up to justify their price increase.

Let me set the record straight.

PRICE INCREASE IS INFLATIONARY

The 1-cent-a-gallon increase in gasoline prices will cost the American consumers approximately $800 million a year according to a letter I received last August from Arthur M. Okun who was Chairman of the Council of Economic Advisers at that time.

Such a gigantic increase in consumer costs is highly inflationary and highly injurious to the health of our Nation's economy, this is true, particularly now that we are gripped in such a dangerous inflationary spiral.

It seems that the oil industry pays no more heed to President Nixon's general pleas to stem the tide of inflation than they do to the anguished cries of the consumers and taxpayers who contribute to the oil companies' record high profits.

The consumers have no choice. They must buy gasoline.

EFFECT ON THE DEPLETION ALLOWANCE

Texaco raised the price it would pay for crude by 20 cents a barrel and some other majors have followed the price increase. This is a transparent ploy by Texaco to justify even larger depletion allowances than they are now receiving. Since Texaco produces most of the crude it refines, the increased cost on the 11,000 barrels a day it buys from outsiders will be more than offset by the larger depletion allowances it will claim on the oil which it sells to itself.

Texaco did pay 1.9 percent of its net income in taxes in 1967.

Some commentators have used this 20-cents-a-barrel price increase as an indication of what would happen to oil prices if that sacred cow—the depletion allowance—were tampered with. But, look what has happened in spite of—or, rather, because of—the depletion allowance.

Many notable economists, including those mentioned by the Treasury Department in its tax reform message to the Congress, believe that, without the economic distortion caused by the depletion allowance, the oil companies would become more economically rational and could produce oil at a lower cost.

IMPORTER OIL COST $1.45 LESS

The oil import program has acted to restrict the amount of cheap foreign oil that can enter the domestic market.

Foreign oil now costs about $1.45 a barrel less than the price Texaco is charging itself for crude oil. This is too great a disparity.

According to recent studies by the Interior Department, the oil import program costs the American consumer between $2 and $4 billion a year. The justification: national security. Yet, no one has taken the time to determine what our national security needs in this field actually are. We do know that the program does cost the American consumers $2 to $4 billion a year.

TEXACO'S JUSTIFICATION

Texaco attempts to justify the price increase in terms of higher labor costs. However, the claim is patently absurd. Oil refineries have probably the lowest per-unit labor cost of any major industry. In fact, so few men are needed to run the refineries that during the recent strike most refineries were kept running by supervisory personnel.

Alternatively, Texaco attempted to justify its increased price by talking about depressed wholesale gasoline prices. Its press release, however, flatly contradicts Texaco's 1968 annual report which stated:

> Sales prices remained relatively firm in most areas and contributed to overall improvement in gasoline sales revenue.

Nor, does it seem that depressed prices have adversely affected Texaco's profit structure. In 1968, Texaco's after-tax profits increased by 10.8 percent to $835,500,000—the highest profit level Texaco has ever recorded.

Finally, the old saw has been trotted out that the independent oilmen are not exploring as much as they were and, thus, prices need to be raised to give them more incentive to explore. It is true that the independents are no longer exploring as much as they were. Unfortunately for them, most of the untapped domestic oil producing geological structures are on the Outer Continental Shelf or in Alaska and most of the independents do not have the capital necessary to exploit these structures. This is not a problem for the major oil companies like Texaco. Between 1958 and 1967, according to the American Petroleum Institute, the majors increased their exploratory-development outlays 39 percent, to $3.2 billion.

The conclusions to be drawn from these facts are fairly obvious. First, the present tax treatment of the oil industry is encouraging inflation. Second, unless some action is taken to reform the situation, the small independent producers will not be able to compete with the gigantic resources of the major oil companies. And, finally, the major oil companies have such great power over the market and, apparently, over the Government that they manipulate prices and profits.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. JAVITS. Mr. President, I have listened with the deepest interest to the statement of the Senator. I agree with much of it. The major things that deal with inflation are production and imports, with relation to oil and other things, and the elimination of tax loopholes and other problems involving inequity.

There was a clear denunciation by the President of price increases. However, we would be much better advised to address ourselves to the specific substance of the things required to accomplish this.

Mr. PROXMIRE. At the heart of this matter is the controlling of governmental expenditures. If we can do that, we can then have an effect on the rising prices. In addition to that, there are places where the private power on concentrated industries is so great that it can raise prices, far beyond any justification in costs.

This is inflationary. The President can assist greatly in this respect by calling vigorous national attention to it, as President Kennedy and President Johnson did. And they can and did succeed in persuading some of these firms to rescind their price increases.

Mr. KENNEDY. Mr. President, the Senator from Wisconsin has most forcefully stated the case against the recent oil and gasoline price rise. On Wednesday, I myself wrote the President, suggesting the propriety of immediate Executive action to counter the price rise announced by the major oil companies. I ask that the letter be printed in the RECORD at the end of this statement.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibit 1.)

Mr. KENNEDY. Mr. President, in the letter I questioned the absence of any response to the price rise from the Council of Economic Advisers, the Justice and Interior Departments, and the Office of Emergency Preparedness, as well as from the President himself. I pointed out that in the prior administration there had been immediate and forceful response to such rises in such markets as steel and automobiles, and particularly in the petroleum markets.

I believe that one of the reasons the executive branch has been slow in acting to protect the public and the economy in this instance is that the existing mechanisms for representation of the consumer interest within the executive branch have not yet been activated by the new administration. The oil industry—like most industry groups—is sufficiently organized to make itself heard in the councils of government—and felt. The consumer is not.

But the preceding administration made efforts to redress this imbalance. It had two advocates of consumer interests with Government-wide jurisdiction: The President's Special Assistant for Consumer Affairs and the Consumer Counsel in the Justice Department. Both of these offices lie vacant. As we are all aware, a nomination was made to the first, but it was withdrawn. No action at all has been taken with regard to the Consumer Counsel, and I have therefore written to the Attorney General pointing out the need for filling this position as soon as possible. I ask that this letter also be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibit 2.)

Mr. KENNEDY. Thus, the question of the lack of response to the oil price rise raises a broader question of whether all the interests of the consumer are being given enough emphasis and priority in the executive branch. I hope that we will have an answer to these questions soon.

EXHIBIT 1

LETTER FROM SENATOR EDWARD M. KENNEDY TO PRESIDENT NIXON REGARDING RECENT INCREASES IN PRICES OF GASOLINE AND OIL

MARCH 5, 1969.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: As you know, during the past two weeks, most of the major oil companies have announced substantial rises in the price of gasoline and of crude oil. The gasoline price rise will apparently result in an increase in the cost of gasoline to consumers at the retail level of one cent a gallon. Since over 80 billion gallons of gasoline are expected to be sold in 1969, the price increase in this product alone will cost more than 800 million dollars. The crude increase will produce a further substantial rise in consumer prices of many petroleum products and derivatives.

The magnitude of these rises is clear from the fact that their impact on the economy is about the same as the proposed steel price rises of recent years, and the proposed $100 automobile price increases last year, all of which were opposed vigorously by the last Administration. These and several other announced price rises were the subject of Presidential statements, of public and private pressure from the Council of Economic Advisers, and of threatened counteraction by the Office of Emergency Planning and other Executive Branch agencies. In the petroleum field in particular, the last Administration was prompt and strong in its efforts to resist major price rises. For example, after a few producers raised petroleum product prices in early 1967, the Acting Secretary of the Interior sent a wire to the major oil companies strongly urging those who had not raised prices to hold the line and those who had raised prices to rescind the increases. Later that year, when price rises were again being discussed, the Chairman of the Council of Economic Advisers lectured an oil industry meeting on the need for the industry to meet its responsibility to the public by deciding against price rises which would bring significant inflationary pressures. Again in 1968 the Council of Economic Advisers entered into direct contact with industry representatives after an announced price rise in gasoline and fuel oil prices, demanded to see the justification for the rises, and vehemently urged a rollback of the unjustified rises. In fact a partial rollback did occur.

By contrast, we have not heard one word from the Council of Economic Advisers, from the Department of the Interior, or from anyone else in the Administration regarding the recent rises. Since I know that certain members of the industry were very unhappy with the fact and timing of the rise by the first company to make an announcement, I can only conclude that the failure of the Executive Branch to do anything or say anything about that announcement played a role in the adoption of the increases by the other companies. Especially at a time when the oil industry is seeking Executive Branch support

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for the protection and preservation of its special advantages, I should think that some sign of disapproval from you or the Council would have fallen on receptive ears.

In addition, under Section 6(a) of Presidential Proclamation 3279, as amended, which established the Oil Import program, the Office of Emergency Planning (now Office of Emergency Preparedness) is required to maintain surveillance over the program and "In the event prices of crude oil or its products or derivatives should be increased . . . such surveillance shall include a determination as to whether such increase or increases are necessary to accomplish the national security objectives" of the applicable statute and order.

Since the major oil companies all had record-breaking profits in 1968, with most of them showing a 10% or greater rise in profits over 1967, which also was a record-breaking year for most of the industry, it is clear that these price rises are not "necessary" in the public interest in any sense of the word. This is especially so for an industry that pays almost no federal corporate taxes and receives direct and indirect subsidies from the taxpayers in several forms, and where the companies' own annual reports admit that recent profit levels are due to "favorable prices" in petroleum product markets. Clearly the O.E.P. must analyze these circumstances and, if it reaches the same conclusion, must recommend an increase in imports or some other measures to bring prices down.

In the light of these facts regarding the recent price rises, the history and law relating to Executive Branch responsibilities for dealing with such rises, and conditions in the industry, and so that the Congress and the American public may have a full understanding of how the present Administration intends to meet its responsibilities both in this specific area and in the general area of inflationary price rises, I would appreciate receiving as soon as possible the answers to the following questions:

1. Has the Council of Economic Advisers or any other Administration official contacted the industry with regard to the recent price rises, and, if so, when? Have they asked for or received facts indicating the justification, if any, for the price rises, and, if so, what justifications were offered? Is the CEA satisfied with the justifications? Does the Administration plan to urge a rollback of the rises?
2. Has the Attorney General been requested to determine whether, in the light of their timing and similarity, the price rises raise any questions under the anti-trust laws?
3. Has it been made clear to Mr. Ellsworth that the re-study of the oil import program must include an examination of the impact of the program on consumer prices and industry profits?
4. Has the OEP, in accordance with its duties under the law and proclamation, begun its determination as to whether the price rises are "necessary" in the interests of national security? Has it reached a conclusion, and if so, what conclusion? What steps will be taken if the rises are found not to be "necessary?"

I regret that both of us need to devote so much time and energy to this subject, but I am sure you will agree that very vital interests of the American people are at stake.

I thank you for your assistance.

Sincerely,

EDWARD M. KENNEDY.

EXHIBIT 2

FEBRUARY 27, 1969.

Hon. JOHN N. MITCHELL,
Attorney General,
Department of Justice,
Washington, D.C.

DEAR MR. ATTORNEY GENERAL: As you may know, many proposals have been introduced in the 91st Congress to establish various kinds of entities, positions and machinery to enhance consumer and citizen representation before agencies and departments of the Federal Government. As Chairman of the Subcommittee on Administrative Practice and Procedure of the Senate Judiciary Committee, I have applauded the purpose of these proposals and I expect to introduce legislation along these lines myself.

As you well know, we do have an existing position which is intended to perform, in a limited way, some of the same functions and which, at least until some more comprehensive plan is adopted, can serve an extremely useful purpose. This is the office of Consumer Counsel within your Department. Unfortunately the death of the first incumbent, and the change in administration early in the term of the second incumbent have prevented this office from fulfilling its potential. However, I am hopeful that you will move quickly to fill the vacancy with a motivated and well qualified individual, and that you will give him a strong and flexible mandate to represent consumer and citizen interests throughout the government.

I would be most interested to hear from you regarding your plans in this area.

Best regards.

Sincerely,

EDWARD M. KENNEDY,
Chairman, Subcommittee on Administrative Practice and Procedure.

S. 1388—INTRODUCTION OF A BILL TO REQUIRE HEALTH HAZARD LABELING ON CERTAIN ALCOHOL BEVERAGES

Mr. THURMOND. Mr. President, I send to the desk a bill, on behalf of myself and Senators BENNETT, DOLE, MILLER, PEARSON, RANDOLPH and YARBOROUGH.

The purpose of this bill is to require every bottle containing hard liquor, 24 percent or more alcohol by volume, and moving in interstate or foreign commerce to carry a simple health warning: "Caution: Consumption of alcoholic beverages may be hazardous to your health and may be habit forming."

Mr. President, this bill, which is essentially a consumer protection measure, is prompted by two major considerations: First, the serious hazards to health posed by excessive use of alcohol; and second, the continued widespread use of alcohol among Americans.

The first consideration—the health hazard posed by alcohol—has two important aspects. The first is the effect of heavy drinking upon organic tissue, the circulatory system, and proper nutrition. Alcoholism is unique in that every system of the body is measurably damaged: Other disorders may damage specific systems of the body, but alcoholism damages them all. Three of the body systems may find fatal or permanently crippling damage: first, the cardiovascular system, comprising the heart and blood vessels; second, the nervous system, comprising the brain, spinal cord, and the various nerves running to all parts of the body; and third, the liver itself.

The frequent drinking of large quantities of alcohol tends to raise the blood level of fats; it may also result in damage to the heart muscle. At any rate, it is sufficient to note that a disproportionate number of alcoholics suffer crippling or fatal heart attacks.

Damage to the nervous system of alcoholics has been evident for centuries. Such damage is manifested by numbness in hands and feet, frequent tremors, and noticeable irregularities in brain wave patterns.

These are only a few of the phenomena associated with advanced stages of alcoholism.

As a person grows older his brain cells naturally die and are absorbed. Fortunately, the healthy individual has more such cells than he needs. In the case of the alcoholic, however, the brain is literally destroyed, since this reserve is not sufficient to offset the rapid brain cell damage resulting from his intemperate use of alcohol. The results of this deterioration are the well-known effects of delirium tremens, complete loss of memory, and mental incapacity.

While it is true that not all alcoholics advance to this state, many of them die from other causes, principally cirrhosis of the liver. Cirrhosis appears eight times more frequently among alcoholics than among nonalcoholics. Although it has been thought that malnutrition in the alcoholic is the sole cause of this disease, in recent years it has been found that alcohol itself has the capacity to cause liver damage even where the diet is adequate.

Mr. President, there is a second aspect to the problem of drinking alcoholic beverages which is of great concern not only to those directly involved in the plight of the alcoholic, but to the entire public as well. I am referring here to the great number of deaths on our highways which result from automobile accidents involving drunk drivers. This tragic problem points up the critical need for an intensive campaign among our adults and young people concerning the possible disastrous effects which can result from the excessive consumption of alcohol.

In a recent editorial in the Columbia Record, Columbia, S.C., the editor noted that 991 persons were killed on the highways of South Carolina last year, and that as many as 700 of these "were killed on South Carolina highways last year because of intemperate use of alcohol."

One of the major underwriters of automobile liability insurance has begun an extensive advertising campaign to alert the public about the dangers lurking on our highways due to the irresponsible driving of those under the influence of alcohol.

I would like to quote some typical language being used in these ads, which appear in leading newspapers in 22 States:

> Are you frightened? You should be. 1968 was a record year for traffic crashes. Some 55,000 Americans were killed, nearly 4,000,000 others injured. Similar early estimates indicate both the number and the severity of crashes hit all-time highs.
>
> The records may be smashed again in 1969. Alcohol is the biggest single identifiable villain. A study done for the Insurance Institute for Highway Safety shows that one driver out of every 50 is drunk. Not just drinking—drunk! The drunk driver's vision is dimmed, his reflexes are dulled, his reaction time slowed by 15% . . . and as a result he's about 25 times more likely to cause a crash than when he's sober.

Mr. President, I ask unanimous consent that the editorial entitled "Drunk Drivers Cause 700 Deaths," which appeared in the Columbia Record on Tues-

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day, January 7, be printed in the Record at this point.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Drunk Drivers Cause 700 Deaths

During the past year South Carolina continued to have one of the worst traffic fatality records in the nation.

According to the last official count, a new record of 991 persons died from automobile accidents that occurred on public streets and roads in 1968.

Why should the state have such carnage when it has well marked, well engineered and well patrolled highways?

One of the principal reasons is that we have so many drinking drivers.

It is estimated that at least one-half the 55,000 Americans killed in automobile accidents in a year die because drinking is involved in the tragedies.

In South Carolina it is estimated that possibly more than 70 per cent of the traffic fatalities result from alcohol consumption.

This statewide figure cannot be proved from available records, but it is suspected by law enforcement officers on the basis of their experience and observation.

One county keeps accurate statistics on the involvement of alcohol in traffic fatalities. This county has no reputation for alcoholism, but it has found that drinking plays a part in 70 per cent of its road deaths.

Nationally, the U.S. Department of Transportation reports, one of every 50 drivers on the road is drunk. The ratio is evidently higher in this state.

If the suspicions of the traffic regulators are correct, 700 persons were killed on South Carolina highways last year because of intemperate use of alcohol.

When the alcohol content in the blood reaches 0.15 per cent, a driver is 25 times more accident prone than when he is sober. Five hours are required before he is able to drive safely. Recent studies show that a driver loses control of faculties essential for safe driving at a much lower alcohol content.

The carnage on the highways should be alarming to every citizen. The loss of 700 lives in the state in a single year because of drunken driving is a clear indication that drastic action should be taken.

One of the problems is the courts. A patrolman has to drag a drunk driver from under the wheel when he makes an arrest. But when the offender appears in court he is sober, neat and rational. Neighbors and friends testify to his general sobriety. They confirm his contention that he had only one drink before dinner, or two beers. It is always just one drink or two beers. No advocate of the public's interest is on hand, and the drunk driver is turned loose to menace the highways again.

One of the problems of conviction is determining when a driver is drunk. An implied consent law, similar to the one that has caused a sensational reduction in traffic deaths in England, would be an effective method of determining drunkenness.

Under such a law, a driver suspected of being under the influence would be required to take a breath test which would either confirm or dismiss the suspicion. Refusal to take the test would cost the motorist his driving privileges.

Judicial reforms and breathalyzer tests are just two of numerous steps that should be taken to cut down the number of road fatalities. If nothing is done soon, 700 more persons will be killed on South Carolina highways in 1969 as the result of drunk driving.

The General Assembly should face up to the responsibility of getting drunk drivers, all of them potential killers, off the highways.

Mr. THURMOND. Mr. President, looking at the evidence presently available, it becomes clear that we need to step up the campaign to make the public aware of the dangers of excessive use of alcohol.

A recent Gallup poll emphasizes the extent of the problem we will be dealing with.

In 1939 when the poll was first taken, 58 percent of the American public reported that they used alcoholic beverages. In the most recent poll, which was published just yesterday, the figure had climbed to 64 percent. In breaking this down, Gallup indicates that among men the figure has climbed from 70 to 72 percent over the 30-year period, while among women the increase has been 12 percent. The greatest proportion of drinkers is to be found in the 20 to 30 age group.

Mr. President, I ask unanimous consent that the article entitled "Drinking in 1969" by George Gallup which appeared in the Washington Post on March 6, 1969, be printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

Drinking In 1969

(By George Gallup)

Princeton, N.J., March 5.—Two persons in every three (64 per cent) say they use alcoholic beverages, only a percentage point under the result for 1966 when a 20-year high was reached.

The latest figure is 6 points higher than in 1939, when the Gallup drinking audit was started. The proportion of male drinkers has changed very little over this 30-year period, but the proportion of female drinkers has climbed dramatically. Among men the percentage has increased from 70 per cent to 72 per cent, among women from 45 per cent to 57 per cent.

Here are the results of the latest Gallup Poll audit of drinking and the national trend since 1939.

[In percent]

	Drinkers
1939	58
1945	67
1946	67
1947	63
1949	58
1950	60
1951	59
1952	60
1956	60
1957	58
1958	55
1960	62
1964	63
1966	65
1969	64

A greater proportion of young persons, those in their 20s, are apt to be drinkers than are older persons.

Income is also a big factor. More than eight in ten (83 per cent) of persons whose family income is $15,000 or more say they have occasion to use alcoholic beverages. The proportion of drinkers falls off steadily in relation to income level, with a majority (54 per cent) being abstainers in the under $5,000 income group.

Major differences are also found in terms of religion, education, occupation and region.

Audit of drinkers, by groups, 1969

	Percent
Men	72
Women	57
21–29 years	80
30–49 years	69
50 years and older	53
$15,000 and over income	83
$10,000–$14,999	78
$5,000–$6,999	61
Under $5,000	46
$7,000–$9,999	72
East	77
Midwest	64
South	43
West	75
Professional, business	74
Clerical, sales	68
Manual laborers	66
Farmers	48
College-trained	74
High school	66
Grade school	51
Protestants	56
Catholics	82

Mr. THURMOND. Mr. President, few people today are aware that different individuals may face different hazards when they drink. Both the drinking and nondrinking general public assume that limiting one's self to infrequent social drinking is a mere matter of willpower and choice. Those with a physical susceptibility for alcoholism—estimated at 20 percent of the population—are unaware that they are exposing themselves to dangers that others do not face.

Stormed with a barrage of propaganda for social acceptability of alcohol the addict, or potential addict, gets no warning that it may affect him in a different, and tragic, way. A health warning such as I am proposing will serve as an objective guideline upon which he can base his own judgment, or spur him on to make further inquiries.

It seems that, despite all of the physically identifiable health hazards and great weight of evidence that alcohol is a major cause of highway deaths and accidents, it continues to be the practice to label the alcoholic instead of the alcohol.

The bill is not a prohibition measure. All it does is require a health warning label, similar to that now required on cigarette packages, on alcoholic beverages containing more than 24 percent alcohol by volume.

Mr. President, I feel that this is a reasonable and necessary approach to the problem. Congress should face up to the acknowledged health hazards caused by alcoholism and take notice of the alarming percentage of automobile accidents which can be directly attributed to alcohol consumption. By taking prompt action on this bill, we will have taken a step in the right direction.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1388) to require a health warning on the labels of bottles containing certain alcoholic beverages, introduced by Mr. Thurmond (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Commerce.

SENTINEL—LET'S GIVE IT THE GREEN LIGHT

Mr. THURMOND. Mr. President, I commend the Evening Star for the wisdom it reflected in an editorial on Sunday, February 23, 1969, entitled "Sen-

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tinel—Let's Give It the Green Light." This editorial puts the realities of the world we live in with the Soviets and the Chinese in the true perspective.

Mr. President, the Chinese Communists detonated their eighth nuclear device on December 27, 1968. The Secretary of Defense reports that they could have 15 to 25 ICBM's by the mid-1970's.

I seriously doubt any of my distinguished colleagues would say that they trust the Chinese Communists. Then, how can anyone deny protection for 23 million Americans who would be killed in Chinese attack when ABM would save an estimated 22 million of them.

Mr. President, we have a grave responsibility to the American people to provide them protection in the face of an ever-increasing Soviet and Chinese nuclear threat. The Soviets have built and flown the fractional orbit bombardment system—FOBS. This poses a serious new dimensional attack from space which makes detection a much greater problem for the United States. In addition, there is new evidence that the Soviets are constructing more effective missile submarines and a sophisticated ABM system. In the face of these threats to our survival, we have but one choice—move ahead rapidly with the approved Sentinel system.

Mr. President, the editorial reads in part:

> If the legislators want to block the program by refusing to appropriate the necessary funds, let them take the responsibility—and let them also be held accountable for the consequences of what could be a disastrous decision on their part.

Mr. President, I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SENTINEL—LET'S GIVE IT THE GREEN LIGHT

A bit more than 20 years ago a "great debate" was under way in this country's scientific community.

The question was whether it was possible to build an H-bomb and, if it was possible, whether it was desirable to do so. The opposition arguments ran along several lines: It was not technically feasible to produce an H-bomb. In any event it would be morally wrong for the United States to create this hideous threat to mankind. With our large stockpile of A-bombs, what purpose would be served by arming ourselves with vastly more powerful weapons? Assuming the capability, if we should push ahead with the H-bomb development, would not Russia feel compelled to do likewise? And so on.

This debate continued behind closed doors for weeks and weeks. But then Dr. Edward Teller, sometimes called the "father" of the H-bomb, came up with a "brilliant invention" which settled one aspect of the argument. It *was* technically possible to build the more powerful weapon. Armed with this, proponents took their case to President Truman. Back from the White House came the word: Build it.

The United States can count itself fortunate that it then had a President who was willing and able to make hard decisions. For shortly after we had tested our first thermonuclear device, the Russians successfully tested theirs. Life for us in the 1950s might have been quite a different matter if the Soviet Union, and only the Soviet Union, had had the H-bomb in its armory.

A somewhat similar debate is under way in this country today. But this time the debate has to do with defense. Is it technically possible to develop and deploy an effective anti-ballistic missile system? If the answer is yes, should we get off the dime and start work on a "thin" ABM system, popularly known as Sentinel?

Opposition is mounting in Congress, especially on the part of self-appointed military experts on the Foreign Relations Committee. There is also opposition by some scientists and among some other people who, for various reasons, do not want Sentinel deployed in or near the cities in which they live.

The word from the White House is that the Sentinel system as envisioned in the Johnson administration is under review. It will not be surprising if some modifications are proposed. But there is strong indication that the final decision, expected around the middle of March, will be to push ahead with an ABM system.

It is important to keep in mind what could and what could not be expected from the deployment of a thin system. No one in the present state of the "art" thinks that a thin, or any other system, could provide meaningful protection for the United States in event of a massive first strike by the Soviet Union. Many millions of Americans would be killed and our major cities laid waste. Our shield against this threat has to be the maintenance of an assured capability to strike back on such a scale, after absorbing the initial blow, that the cost to the Russians of a surprise attack would be prohibitive. If this is not an especially reassuring prospect should a Soviet attack come, it is the best that can be offered as of today.

The pro-Sentinel people are confident, however, that a thin system could give very substantial protection in four and perhaps five other situations. They believe, for one thing, that it would provide an important safeguard against the kind of nuclear attack which Communist China is expected to be able to launch by 1975–77.

There has been considerable skepticism concerning any threat from Red China. What this comes down to is a suspicion that the real purpose in proceeding with Sentinel would be for the United States to have at least a start on deployment as a card to play in missile negotiations with the Kremlin, if and when that stage of nuclear arms limitation is reached, but such a purpose, if it exists, would not necessarily be without merit. Our intelligence people know that the Russians have started work on what is apparently a rather primitive ABM system of their own. And Defense Secretary Laird told the Foreign Relations Committee last week that the Soviet Union has begun testing a new and "sophisticated" ABM system. Common sense suggests, or so it seems to us, that the United States would be in a weaker position at the arms negotiating table if the Russians were going forward with a sophisticated ABM program while we were standing still.

The Communist Chinese threat, however, apparently is not something to be lightly brushed aside. Laird, originally one of the skeptics, now says that he has changed his mind, that on the basis of information which has come to him as Secretary of Defense he thinks Peking can have from 15 to 25 nuclear-tipped intercontinental missiles capable of hitting the United States by the mid-1970s. In his last report as Secretary of Defense, Clark Clifford said: "We believe it is both prudent and feasible on our part to deploy the Sentinel ABM system designed to protect against this (the Chinese) threat." Without the Sentinel ABM system, he went on to say, "we might suffer as many as 23 million fatalities from an attack by a Chinese intercontinental ballistic missile force. With the Sentinel, we might be able to hold fatalities to 1 million or less." These informed opinions, coming from two secretaries of defense, impose a heavy burden of proof on those who scoff at the Chinese threat or who are simply against the deployment of Sentinel, period.

The Sentinel proponents also contend that the thin system would be effective protection in case of an accidental launch of a few missiles against the United States from any source, that for several years after its deployment it could cope with missiles fired against us from submarines, and that it could destroy a missile or missiles fired from an orbiting platform, if this weapon should be developed. The fifth possible benefit would be to provide some protection for our underground ICBMs in event of a Soviet attack, thereby enhancing our strike-back capability.

The Sentinel system, as planned, would consist of long-range Spartan missiles and short-range Sprints placed in some 15 to 20 antimissile complexes. The cost estimate is from $5 to $6 billion, and it might go as high as $10 billion. Congress has already invested about $4 billion in this project, and the request in the 1970 fiscal year defense budget is for $1.8 billion.

Some opponents say it would be better to spend new Sentinel money on rehabilitating slums instead of investing it in what they call an unreliable ABM system. Others profess to fear that for the United States to do what the Russians are doing in missile defense would serve only to escalate the arms race. Further opposition comes from local groups who, without any real basis in past experience, fear a missile complex explosion; still others who say that a site near the city in which they live would invite an enemy attack, and this despite the fact that our major cities in any event probably would be targets. Finally, there are some who simply don't want to give up the real estate (some 200 acres) that each missile complex would require.

Congressional opponents, especially in the Senate, are claiming that they have or will have the votes to block any further appropriation for Sentinel. Perhaps they have. It is always easy for a politician to stand on the side of the angels, to be for spending to aid the poor and against spending for defense, and to capitalize on the apprehensions of many people as they contemplate any enlargement, offensive or defensive, of our nuclear capability.

As a responsible President, however, Richard Nixon cannot indulge in politicking on this question. If he is persuaded, as we think he will be, that our national security requires him to give the go-ahead signal on the Sentinel program, he should grasp that painful nettle—just as Harry Truman did two decades ago. If the legislators want to block the program by refusing to appropriate the necessary funds, let them take the responsibility—and let them also be held accountable for the consequences of what could be a disastrous decision on their part.

ORDER OF BUSINESS

Mr. THURMOND. Mr. President, I ask unanimous consent that I may be permitted to speak for 10 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

CIVIL RIGHTS COMPLIANCE IN TEXTILE INDUSTRY

Mr. THURMOND. Mr. President, much has been said and written in recent days in reference to compliance with the Civil Rights Act by the textile industry.

I represent the State of South Carolina, where approximately two-thirds of the industrial payroll is involved in textile and textile-affiliated business.

Charges have been made that minority

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groups are being discriminated against by the textile industry, and the impression has been given that Negro female employees are practically nonexistent.

Nothing could be further from the truth. It is time for the records to be set straight, so that the American people will not be misinformed on a subject of such vital interest.

Mr. John K. Cauthen, executive director of the South Carolina Textile Manufacturers Association, has stated that around 20 percent of textile employees in my State come from minority groups. Of this percent he reported "that there are about 6,000 Negro females employed in the State's textile labor force of about 140,000 persons."

Mr. President (Mr. Gravel in the chair), these figures do not seem to find their way into print here in Washington. We seem to be getting only one side of the story, and this through unsubstantiated allegations, which are calculated to mislead the American people.

All three of the textile firms awarded contracts in early February 1969, despite considerable pressure to deny them this work, are clearly on the record as favoring equal employment opportunity. These firms—Dan River Mills, Burlington Industries, and J. P. Stevens—have accelerated their efforts in this area in recent years.

As a result of these recent attacks on the character of their management they have restated their positions of commitment to equal employment opportunity.

Typical of their position on this question was the statement by Robert Small of Dan River Mills who stated:

> Allegations about Dan River made early this week by Senator Mondale, of Minnesota, were both intemperate and untrue.
>
> Dan Rivers is committed to a policy of nondiscrimination in employment. Application of this policy has resulted in a steady increase both in the number and kinds of positions held by minority persons.
>
> Moreover, Dan River has developed a written affirmative action program which we believe is in compliance with the EO on equal employment opportunity.
>
> Currently minorities represent more than 16 percent of Dan River's total employment.

Fortunately, we now have men in key Government positions who are willing to look before they leap. They have found the story quite different from what some represent it to be.

These men seek solutions where problems are found. They are aware of the textiles' long record of splendid service to our armed services since World War I. One supplier of cloth, J. P. Stevens & Co., Inc., has been a supplier of textile goods to our Government since the War of 1812. In fact, today textiles stand as the second most important industry in our national security picture, next to steel.

Mr. Cauthen says the textile industry has a double desire—to supply goods for the Armed Forces as well as to do business with the Government. If Government contracts with South Carolina's textile industry were canceled, Cauthen says, it is problematical whether the Government would get the goods it needs.

Mr. President, the Defense Department has wisely decided to proceed with the business of buying, at the best price available, the cloth needed by the armed services. The Defense Department has accepted assurances that the firms would try to do even better in their efforts to meet Federal requirements to provide equal employment opportunity.

The fact of the matter is that denial of the contracts would punish the industrious minority textile workers who are employed by the firms under fire. The American Textile Institute reports there were 94,000 Negroes, 8.7 percent of the work force, employed in the textile manufacturing industry in 1968. They also report that minority groups are being employed at a faster pace in textiles than in any other industry.

Many seem to lose sight of the fact that the textile industry today is the largest employer of minority groups. Such a circumstance could not be so if discrimination was practiced to any extent. While these conditions may have just developed in recent years, they are nevertheless facts of the day.

Of equal importance, to my way of thinking, is the attitude of our textile leaders regarding this matter of equal employment opportunity. These executives are men of patriotism and character. I do not know of any employer in my State who wants to keep qualified persons of any race or color from free access to a job. In fact, many jobs in the textile industry and other industries in South Carolina cannot be filled because of a lack of manpower. We have underway in my State numerous education programs designed to train and qualify all our citizens for the opportunities open to them in a rapidly industrializing economy. The textile firms also have their own programs to move employees on up the ladder of advancement as fast as their ability will permit.

These efforts have been underway for some time. They are reflected in the reports submitted regularly by many of our textile firms to various agencies of our Government. They will be reflected in future reports.

Mr. President, I am certain that the confidence our Government has placed in the textile industry will be substantiated. I am confident the investigations presently underway will substantiate my statements on this subject. The facts will speak for themselves. All I desire is for the American people to get the truth.

In the South, the textile employee is the heart of our economy. He works hard for a good day's wage. His efforts have brought progress to our State, and have provided the catalyst for the industrial revolution we are now enjoying. No other segment of our economy has contributed more to the advances we have enjoyed in all phases of our development.

Arbitrary actions resulting in the withdrawal of Government contracts to the textile industry would seriously disrupt the economy of my State and that of many others. I am grateful that we have in Government men of wisdom and judgment who do not bow to pressure based on ill-founded and ill-stated reports.

The textile industry is moving forward in many areas. It is moving forward in raising the standard of living of those who have labored in its mills and at its looms. It is moving forward in its technology. It is concerned with noise abatement. Yes, it is active in the area of equal employment opportunity.

I know the people who work in the mills, and I know the people who manage them. They are all good people, not persons who would deny their fellow man. I welcome an investigation of the rights of all men, and I am confident that such an examination will reveal that fairness and good will prevail.

SENATE CONCURRENT RESOLUTION 10—CONCURRENT RESOLUTION RECOGNIZING THE 26TH ANNIVERSARY OF THE WARSAW GHETTO UPRISING

Mr. JAVITS. Mr. President, I submit, for appropriate reference, for myself and Senator Goodell, of New York, a concurrent resolution expressing the sense of the Senate in recognizing the significance to the world of the uprising in the Warsaw ghetto 26 years ago. At the same time that we are submitting this concurrent resolution in the Senate, Representative Emanuel Celler, of New York, dean of the New York delegation and chairman of the House Judiciary Committee, is submitting it in the House of Representatives. I wish to note that the Jewish Nazi Victims Organization of America was instrumental in the preparation of this resolution.

It was 26 years ago in April that the world was electrified by the news of the heroic resistance against the mighty Nazi war machine by the outnumbered and beleaguered Jews of the Warsaw ghetto.

We who live in security and freedom must long remember and be inspired by those who, under such hopeless circumstances, died for freedom and dignity. Their resistance will remain forever a monument of light in a dark era of man's history.

The PRESIDING OFFICER. The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 10), which reads as follows, was referred to the Committee on the Judiciary:

S. Con. Res. 10

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress to recognize and acknowledge the world significance of the Warsaw ghetto uprising as a reaffirmation of the ineradicable determination to fight for freedom from oppression and that Congress joins in commemorating on April 25 the twenty-sixth anniversary of the Warsaw ghetto uprising against the Nazi occupation forces by the beleaguered and outnumbered Jews of the Warsaw ghetto.

S. 1423—INTRODUCTION OF CUBAN REFUGEE BILL

Mr. JAVITS. Mr. President, the Immigration Reform Act of 1965 imposed for the first time a numerical limitation on the number of immigrants who would be allowed to enter this country from the Western Hemisphere.

Our longstanding policy of free immigration with our Pan American neighbors has now been replaced with one limiting Western immigration to 120,000 persons a year. I opposed the imposition of these quotas and was particularly distressed to learn that Cuban political refugees will be included in the overall limitation. Mr. President, I certainly did not favor this restriction. It was one of the prices we paid for getting the bill.

According to statistics for fiscal year 1968, Cuban refugees are arriving primarily by airlift at approximately 4,000 per month. Charging them to the annual allotment of 120,000 quota numbers per year, upon adjustment of status, would effectively reduce the number of immigration visa numbers available for other Western Hemisphere natives.

As one who was a member of the Judiciary Committee at the time the Immigration Reform Act of 1965 was considered, I can state that Congress did not contemplate the extent of Cuban immigration, for the Cuban Government did not liberalize its exit policy until after the bill had been passed. Certainly we did not intend that fully such a large portion of this quota should go to a single small country, but neither would we want to bar the Cubans who are essentially political refugees. Accordingly I introduce for appropriate reference, on behalf of myself and the Senator from Michigan (Mr. HART) a bill to provide that Cuban immigrants be admitted without being charged to the quota.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1423) to amend the act of October 3, 1965, introduced by Mr. JAVITS (for himself and Mr. HART), was received, read twice by its title, and referred to the Committee on the Judiciary.

BIRTHDAY OF THOMAS MASARYK

Mr. JAVITS. Mr. President, March 7 marks the birthday of Thomas Masaryk, President-liberator of Czechoslovakia. Many Americans of Czech and Slovak descent assisted Masaryk in World War I to win Czechoslovakia's independence. Czechoslovakia was given only 20 years of peace, yet in this brief time she established a democracy, economically and culturally progressive, dedicated to social justice and freedom.

Twice in the last 30 years Czechoslovakia was overrun by a dictatorial world power; the first time, by Nazi Germany; the second time, by Communist U.S.S.R. The first tragedy was expiated by Hitler's total defeat and by the Slovak national uprising against home Fascists, which once again united Czechoslovakia. The second tragedy began in 1948 with Communist seizure of power. Masaryk's name was defiled and history books were destroyed to erase for future generations the achievements of this illustrious statesman. Then, miraculously, a strong rebirth of freedom began to sweep the country, Masaryk's name was again remembered publicly and students, despite 20 years of Communist indoctrination, began to turn to his teachings and to new ideals. Unfortunately, on August 20, 1968, this liberalization upsurge was ruthlessly put down by the Warsaw Pact forces and by Soviet occupation, which continues to this day.

It has been 6 months since the invasion, but the people of Czechoslovakia are still opposing the Soviet occupation of their country. They are fighting to save something of their hard-won freedoms. I believe that the free world can keep alive the memory of free Czechoslovakia by honoring President Masaryk's birthday and thus help to sustain the aspiration for freedom of the freedom-loving people of Czechoslovakia.

TYRANNY OF THE MINORITY

Mr. JAVITS. Mr. President, a recent AFL-CIO News editorial aptly labeled Senate rule XXII "the tyranny of the minority." It also reminds us that even the small modification of the rule sought in this Congress was turned back. The labor movement has supported every effort to reform the filibuster rule—and I am sure that the labor movement will continue its support until the battle for democratic principle is won—as it surely will be. I think that editorial should have the widest possible circulation. For that reason, I ask unanimous consent that the editorial, entitled "The Senate's Separate Way," be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE SENATE'S SEPARATE WAY

The "tyranny of the minority" will continue as a way of life in the U.S. Senate for at least another two years with the defeat of the latest attempt to reform the filibuster rules.

The struggle to allow a simple majority to bring an issue to a vote in the Senate after full discussion and protection of the minority has been going on for decades. The conservative coalition has prevailed to the extent that even the matter of changing the Senate rules is subject to a filibuster, overcome only by a two-thirds vote.

With the opening of the 91st Congress the liberal forces who have done valiant battle for democratic principle proposed a limited change of the cloture rule that requires two-thirds of the senators present and voting to shut off debate. They proposed lowering the figure to three-fifths, or 60 of the 100 senators if all were present and voting. But this essentially small modification was too much for the conservatives and it went down to defeat.

Historically the Senate filibuster is linked with the civil rights issue. A Southern-led coalition succeeded for many years in blocking an obvious national sentiment for civil rights legislation. In the past few years, however, the public demand for action has prevailed.

But the filibuster has become a major weapon for the conservatives in other areas. In the 90th Congress they used the unlimited debate procedures to block a floor vote on repeal of Section 14(b) of the Taft-Hartley Act and on the nomination of Supreme Court Justice Abe Fortas to become chief justice. In both cases it was clear that a majority existed in the Senate for approval of the repeal measure and the nomination—but not two-thirds.

So the Senate continues on its separate way. A simple majority of the voters is enough to win a candidate a seat in the Senate. But a simple majority is not enough to bring a bill or a nomination to the Senate floor for a vote. Such is the tyranny of the minority.

CARIBBEAN FREE TRADE ASSOCIATION

Mr. JAVITS. Mr. President, foremost among the great blessings we enjoy as Americans is the presence on our borders and on front-door islands of nations and territories all for the most part close friends and well-wishers; among them the rapidly developing West Indian states whose history and culture are closely related to that of the United States of America.

A recent West Indian development of great significance is the coming together of the area's political leadership for the formation of an economic union under the heading of "Carifta"—Caribbean Free Trade Association. With a combined population of over 4 million peace-loving, ambitious and energetic citizens, these West Indies islands are destined to become a strategically important ally and factor in our total "good neighbor policy" concept and the policy of the good partner.

The New York Times on Tuesday, February 4, published a full-page advertisement of Expo '69 scheduled for opening on April 5 in the island of Grenada. All of the member nations of Carifta will be participating—Antigua, Barbados, Dominica, Grenada, Guyana, Jamaica, Montserrat, St. Kitts, St. Lucia, St. Vincent, Trinidad, and Tobago among them.

Grenada and its Premier, Eric M. Gairy, are to be congratulated for vision and foresight in arranging for and hosting this first international fair in the Caribbean.

S. 1419—INTRODUCTION OF BILL RELATING TO PUBLIC LAND WITHDRAWALS

Mr. BIBLE. Mr. President, I introduce, for appropriate reference, a bill to require an act of Congress for any withdrawal of public lands in excess of 5,000 acres for any project or facility of the Federal Government.

Mr. President, this legislation is identical to S. 1935, which I introduced in the 90th Congress. It is a withdrawal limitation similar to the one which we passed in the 85th Congress that applies to the Department of Defense except that it would apply to all executive agencies.

The need for this legislation became painfully apparent in 1967 when the Interior Department, at the stroke of an administrator's pen, moved to withdraw from public entry millions of acres of Federal land without limitation. These were "all lands of the United States" which had or might have geothermal steam value. Fortunately, we were successful in having this order modified and reasonable limitations placed upon it. But it remained a huge withdrawal, and it was performed under "implied power" of case law. There is no way of knowing at what time in the future some other administrator will decide to exercise implied power and withdraw millions of acres.

Speaking quite frankly, Mr. President, the real solution most probably lies with the Public Land Law Review Commission, which is to make its report next year. I am a member of that commission, and I intend to see firm recommendations adopted to control withdrawals along the lines of the bill I introduce today. Meanwhile, I wish to reintroduce this legislation to let it be known this withdrawal question has not been dropped and that Congress has the instrument with which to limit administrative withdrawals should it decide to act.

One thing is clear: With the vastly increased public demands on Federal lands and resources, including recreation, the time has come for Congress to regain firm control of public land policies. This bill, or similar action taken upon the recommendation of the Public Land Law Review Commission, would accomplish this end.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1419) to require an act of Congress for public land withdrawals in excess of 5,000 acres in the aggregate for any project or facility of any department or agency of the Government, introduced by Mr. BIBLE, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

CRIME AND THE SMALL BUSINESSMAN

Mr. BIBLE. Mr. President, for some time now the members of the Senate Small Business Committee have been gravely concerned about the impact of crime upon the small business community. Today, the small businessman is worried not so much about his competitive status as his personal safety and the safety of his employees. Many a small retailer who opens his store in the morning wonders if he will be alive to close up that night. He wonders, also, if it is worth risking life and limb every day to earn a modest living for his family. And he sometimes may wonder what has happened to America. If he becomes bitter when he discusses these matters, if he indicts the society which tolerates these conditions, who can honestly blame him?

ENORMITY OF THE PROBLEM

Mr. President, an exhaustive crime study just completed by the Small Business Administration offers a shocking profile of lawlessness in America. It pegs business crime losses at $3 billion a year—30 percent more than the entire Federal outlay for America's natural resource program.

The study makes it plain that thievery and vandalism are reaching epidemic proportions in the business world and that the small businessman is the one who is getting the worst of it. Consider these statistics in the study:

Total "ordinary crime" against all business—$3 billion.

Burglary losses—$958 million, with small business—those with receipts of less than $1 million a year—absorbing 71 percent of the losses.

Shoplifting—$504 million, with small business taking 77 percent.

Vandalism—$813 million, with small business taking 58 percent.

Employee theft—$381 million, with small business taking 60 percent.

Bad checks—$316 million, with small business taking 77 percent.

Robbery—$77 million, with small business taking 68 percent.

These figures do not include losses from organized crime and rioting. They are sufficient by themselves to demonstrate that crime is a deadly enemy of American business that could—and does—wipe out a lifetime of hard and honest labor.

It is a grim irony that small businesses, while hit hardest by crime, are financially less capable of dealing with the losses than the bigger competitors in the private sector of the economy. Small businessmen usually find it more difficult to pay for prevention measures such as expensive burglary prevention and warning systems. As for insurance, too often it is least available where it is needed most, while costs are highest where they can be afforded the least.

Mr. President, it was a recommendation by the Senate Small Business Committee that led to legislation authorizing this comprehensive crime study, and the results will be of tremendous help in directing us to legislative solutions. And solutions are urgently indicated. We have measured and described this nationwide assault by crime. We know where it is most destructive and where countermeasures are most urgently needed. Now it is time to act.

WAR ON CRIME

Mr. President, the SBA study to which I referred did not examine the sociological aspect of the crime problem, but it did suggest immediate broad countermeasures that would provide substantial relief to the small businessman; these include:

Research to develop improved deterrents such as more efficient policing and burglar-proofing devices;

Centralized alarm systems;

A priority Federal program to develop a nonlethal bullet; and

Revised insurance ratemaking.

I believe we are obligated to give each of these recommendations the earliest possible consideration. But this is only a fraction of our total obligation, for the 91st Congress must confront the national crime crisis in its enormity and its entirety before it destroys the fabric of America.

Some affirmative steps already have been taken. Congress in 1968 enacted the Omnibus Crime Control and Safe Streets Act, and before that, my own omnibus anticrime legislation for the District of Columbia. These are significant laws—let no one dispute that. But they represent only the first step of a long journey.

In my judgment, we have reached the critical point where nothing short of a total national commitment will be required to discourage the lawless elements in our society and return civilization to the streets of our cities. Too much time already has been squandered in a fruitless search for philosophical solutions aimed at pleasing all segments of our society. While the debate goes on, thousands upon thousands of innocent Americans are victimized by savage acts of violence that destroy human life and property.

Mr. President, it is my belief that the accused in our society is ably represented by articulate spokesmen. His rights are jealously guarded by those within the legal fraternity and the judiciary. If he is indigent, he will be provided expert counsel. If he is disturbed, he will be provided expert psychiatric care. And if he is guilty, he will be provided a full arsenal of legal weaponry enabling him to pursue an alternative to prison. He may receive probation or a suspended sentence. He may ask for a new trial and, quite frequently, he will get it. Or he may request that his conviction be set aside on legal ground. Here again, his chances for success are excellent.

Unfortunately, the victims of crime are not accorded the same advantages. The victim of an armed robbery may hear the trample of sympathetic feet, but chances are, the footsteps will go right on by, headed in the direction of his assailant to insure that his constitutional guarantees are not abridged. Whatever sympathy the victim receives all too often comes only from his loved ones, neighbors, and business acquaintances. And whatever compensation he receives will generally be far below the expense he suffers as the victim of a crime.

Mr. President, it is a shameful fact of life that our society sometimes expends far more effort to protect the criminal than the law-abiding citizen. Is this just? It is not. It is not even commonsense. If anything, it is a symptom of moral decay. And the symptom threatens to become a disease.

Our Nation must reverse this alarming trend once and for all, and it must begin now. Government at every level must direct its energies toward protecting innocent citizens. If this means building more prisons, and handing down harsher sentences, then so be it. We can no longer afford to waste time talking about new concepts in penology while armed predators turn our cities into jungles. The American people have a right to live without fear for their lives and property.

The 91st Congress can lead by example, just as the 89th and 90th Congresses led by example. But we are obligated to go far beyond the good works of the recent past. At this moment, the tragic victim of crime in our society does not have an influential friend at court. We can be that friend. Our laws can give him the same measure of protection now guaranteed the accused criminal.

CRIMINALS AT LARGE

Armed robbery is only one of many crimes which threaten the small business community. If the small merchant is fortunate enough to escape the gunman, he may still be the victim of a host of offenses classified under the larceny-theft category by the FBI. These include day or night burglary, shoplifting, auto theft, pilferage, and similar thefts as well as losses resulting from "con games," forgery, and worthless checks.

According to FBI statistics larceny thefts—valued at $50 or more—increased 110 percent from 1960 to 1967. Shoplifting offenses increased 112 percent over the same period. And the saddest sta-

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tistic of all: In 1967, the FBI reported that only 20 percent of burglary crimes and only 18 percent of larceny-theft offenses were cleared by police. As my colleagues well know, a crime is "cleared" when an offender is identified, charged on the basis of "sufficient" evidence, and taken into custody. The arrest of one person can clear several crimes or conversely, several persons may be arrested in clearing one crime. Unfortunately, we do not have statistics on the convictions of those apprehended, nor on those offenders who have been released by the courts, pending trials, but the point I want to make is that well over 80 percent of these offenders are still at large. And, if early press reports are correct, this year will bring new crime records in all of the categories mentioned.

HELP FOR SMALL BUSINESS

Mr. President, the Senate Small Business Committee was created by Senate Resolution 58, agreed to on February 20, 1950. It is specifically authorized—

> To study and survey by means of research and investigation all problems of American small business enterprises and to obtain all facts possible in relation thereto which would not only be of public interest, but which would aid the Congress in enacting remedial legislation, and to report to the Senate from time to time the results of such studies and surveys.

The 90th Congress passed some excellent legislation which, if properly implemented, should have far-reaching effects on criminal activity. I already have mentioned the Crime Control and Safe Streets Act of 1968, which provides grants to strengthen State and local law enforcement. Also, the Gun Control Law of 1968 will have beneficial effects in reducing criminal use of firearms. The Housing and Urban Development Act of 1968 provides insurance for victims of urban street crimes, and the Truth-in-Lending Act of 1968 makes loansharking a Federal offense punishable by up to 20 years in prison.

But, crime has many facets and faces, and all of them are ugly. Our committee also has been probing what might be called "the silent steal"—the theft and pilferage of cargo and merchandise in transit at airports, docks and freight terminals. All too often these thefts, running to billions of dollars each year, are not reported to police authorities, but they can have devastating results on the small shipper, importer, or exporter.

We learned there are nine Federal, State, and local government agencies with jurisdiction on the piers of the port of New York. Yet, importers tell us that theft and pilferage of imported merchandise is so widespread on New York docks that they are considering using other U.S. ports of entry. One small businessman told us:

> These thefts are like a hold-up or robbery of a store or retail outlet. The results are identical and often more tragic. Recently my company had one entire shipment stolen from the piers. Since this merchandise had already been sold, we not only lost the shipment, but two distributors lost faith in our ability to deliver and cancelled their contracts.

The problem is one which demands prompt attention. Accordingly, the Senate Small Business Committee will examine it carefully and will offer legislation aimed at providing practical solutions.

Mr. President, over the years, the Senate Small Business Committee has been the watchdog over the welfare of the small businessman. We helped to create a new Federal agency, the Small Business Administration, whose entire mission is directed toward helping the individual who contributes so much to the private sector of our economy. Today, more than ever before, the small businessman needs our help. Increasingly, he is threatened by the loss of his lifelong investment or by the loss of life itself. We owe it to him—and to ourselves—to halt the malignant spread of crime in America.

Few of us will forget the 1967 crime hearings conducted by the Senate Small Business Committee when several businessmen, fearing reprisals, agreed to testify only if allowed to wear masks. They were afraid—just as millions of other Americans today are afraid. And no free society, no just society, can long endure in a climate of fear.

ORDER OF BUSINESS

Mr. **BYRD** of West Virginia. Mr. President, I ask unanimous consent that I may be permitted to proceed for 25 minutes.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

"HIGH NOON" FOR THE SCHOOLS

Mr. **BYRD** of West Virginia. Mr. President, a former U.S. Supreme Court Justice—Story—remarked:

> Every successive generation becomes a living memorial of our public schools, and a living example of their excellence. Never, never, may this glorious institution be abandoned or betrayed by the weakness of its friends, or the power of its adversaries.

The time has come, Mr. President, for friends of the public schools to take a strong stand against those who would destroy the educational system in this country.

Already, New Left and black extremist activities have contributed to the mushrooming of a lawless and insurrectionary atmosphere in the academic community—an atmosphere that is conducive to increased criminal behavior marked by violence, and a growing contempt for lawful authority, all of which spells danger to our national welfare and security.

The front runner of the New Left is the SDS—the misnamed Students for a Democratic Society.

The SDS of today was established in June 1962 at Port Huron, Mich. It was at a founding convention there that a group of students who referred to themselves as "liberals and radicals" drafted the "Port Huron Statement," the "bible" of the SDS movement.

The Port Huron statement covers a multitude of subjects including peace, poverty, and civil rights, and its chief architect was Thomas Emmett Hayden. Hayden was the object of much attention, nationally and internationally, in December 1965 and January 1966, when he went with Communist Party theoretician Herbert Aptheker to North Vietnam in open defiance of laws which proscribe travel to countries designated by the Secretary of State and prohibiting misuse of a U.S. passport. Aptheker is the father of Bettina Aptheker, a self-admitted Communist who has been active in SDS affairs and who has participated in demonstrations from Washington, D.C., to Berkeley, Calif.

The Students for a Democratic Society opposes selective service, U.S. participation in the war in Vietnam, academic and administrative practices of our colleges and universities, and is anti-"establishment" in general.

SDS speaks of "participatory democracy" as an ideal form of society, but it is a system bordering on anarchy and one which is characterized by opposition to established authority.

The preamble to the constitution of SDS carries the following sentence which constitutes the cornerstone of "participatory democracy," SDS fashion:

> It (meaning SDS) maintains a vision of a democratic society, where at all levels the people have control of the decisions which affect them and the resources on which they are dependent.

In other words, it would matter little to SDS as to whether an individual possessed or did not possess either the education or the experience, the imperative facts or the ability, to enable him to efficiently participate in or to control the decisions that are of critical importance to the policies of our republican form of government—a government of laws and not of men.

The "participatory democracy" of which SDS speaks has been seen in action on campuses all across America, where SDS members have fomented chaos and anarchy.

The "participatory democracy" of SDS was exemplified at its national convention in June 1965 at Camp Maplehurst, Kewadin, Mich. From the beginning to the end of that convention, all facilities at the convention site were "coed," and over 250 participants—regardless of sex or color—shared cabins and bathrooms. The facilities were filthy, but no more so than were many of the barefooted, bearded, unkempt delegates.

One of Detroit's Wayne State University faculty members, who was a participant in the convention, advocated that peace could be promoted by chain-ins and sit-ins on some of the main thoroughfares. It was also suggested that traffic be tied up in Washington, D.C., through an emergency crisis program which would call for the stalling of cars on expressways and lie-ins in front of fire stations and police stations. SDS members were also asked to violate the Espionage Act of 1917, as well as the Military Code of Justice and the Smith Act of 1940. A University of Chicago graduate, who was national secretary of SDS, advocated that members enter American military bases to distribute printed matter urging servicemen to desert and avoid participation in the Vietnam conflict.

J. Edgar Hoover, FBI Director, described SDS in an October 1966 issue of the FBI Law Enforcement Bulletin as "a militant youth group which receives support from the Communist Party and which in turn supports Communist objectives and tactics."

A week later, the official SDS newspaper, New Left Notes, ran an article stating:

> Well, for once J. Edgar Hoover is right. There are some communists in SDS. Every regular reader of "New Left Notes" must be fully aware of that fact, and he must also know that some of those communists have openly admitted their membership in both organizations. . . SDS is an open organization which welcomes all who seek for solutions to the problems of our day.

Former Attorney General Nicholas Katzenbach was also quoted in the press on October 17, 1965, as having stated that the Department of Justice had discovered "some Communists and some persons very closely associated with Communists" working for SDS.

Among those Communists who have been prominent in SDS meetings are Bettina Aptheker and Carl Bloice, two members of the National Committee of the Communist Party, U.S.A., who participated in the SDS national convention some time ago at Clear Lake, Iowa. These two Communist Party officials joined in a panel which discussed the subject "Working With Communists." Another participant on the panel represented the pro-Peking Progressive Labor Party.

Many Communist Party members joined in the SDS-organized demonstration which occurred during the highly publicized April 17, 1965, "March on Washington," to protest U.S. action in Vietnam.

SDS sponsored the appearance of Edward Lamansky, a Communist who works for the Progressive Labor Party, at the University of Washington in January 1966. Lamansky was also the leader of the student group which went to Cuba in the summer of 1964.

Among those highly active in SDS affairs has been Bruce David Dancis, who was elected SDS president at Cornell University in October 1966. Dancis was indicted by the Auburn, N.Y., Federal Grand Jury in April 1967 on the charge of mutilating his selective service card in the presence of a number of persons on the Cornell campus.

SDS has been very active in opposing military conscription, has engaged in campus demonstrations against Dow Chemical Co.—manufacturer of napalm—job applicant interviewers, and has staged fund-raising drives in support of medical care for persons injured in napalm raids in the Vietnam war.

SDS members have insisted also that university administrations not cooperate with the House Committee on Un-American Activities, more recently named the Committee on Internal Security.

The SDS has been involved in unrest at the University of Michigan revolving around a ban on disruptive sit-in demonstrations by the university and the refusal of the university to stop compiling class rankings for the Selective Service System's assistance in determining draft deferments.

The SDS engaged in a sit-in at the Ann Arbor Police Department following confiscation of an obscene motion picture by the police which was shown on the campus.

The SDS has been prominent in campus disorders at the University of California at Berkeley and at other universities throughout the land.

An SDS leader at the University of Chicago, Steve Kindred, expressed this view:

> This University owes quite a lot of reparations. This whole society owes quite a lot of reparations. With what the University's done, and the way it's followed in the footsteps of the other major institutions of this society, it may burn some day. ("The New Left"—Senate Internal Security Subcommittee, op. cit.)

Publications of Students for a Democratic Society contain articles and poems which would shock the ordinary citizen—particularly citizens who are repulsed by the sight of four-letter words.

Favorite targets for attack in SDS propaganda publications include the military industrial complex, the draft, poverty, and discrimination.

For example, the January 20, 1967, issue of "New Left Notes" contained an announcement which read as follows:

> Make draft resistance a reality. Keep the national office informed regarding draft resistance programs and activities in your area. Submit your reports and/or requests for information to: Resist, SDS, 1608 West Madison, Chicago, Illinois. . . . Watch 'New Left Notes' for the names and addresses of your local resistance agents. Why don't you organize a draft-resistors' union?

The February 3, 1967, issue of "New Left Notes" carried an article which made the following suggestion:

> There are numerous ways of messing up draft boards. Some are only harassment techniques, while others may be good for organizing. . . . You have the right to see the file your draft board has on you if you make an appointment. . . . There is nothing to prevent you from absconding with all or part of your file, or, possibly inserting new data. . . . Go to a draft board and register under a false name and address. The fun ensues when this mythical person does not respond to any mail and fails to report for a physical or induction. Ultimately, Federal agents will spend much time attempting to track down people who do not exist. . . . It is possible to fake a IV–F without using drugs to wreck yourself. . . . At the physical itself, you could keep a straight pin on the inside of your shorts and prick your finger lightly when asked for a urine sample so that a drop of blood becomes mixed with the urine which would look very much like kidney trouble. . . . One thing which is very important to remember is that these centers are rarely on Federal property, in which case orders from soldiers should be resisted firmly and as loudly as possible.

The author of the above quotes appears to be Mark Allen Kleiman, who is reported to be a drug user and who has functioned as an organizer for SDS.

In December 1966, the National Council of SDS adopted a very strong "antidraft resolution" at a meeting in Berkeley, Calif. The resolution stated, in part:

> SDS reaffirms its opposition to conscription in any form. . . . SDS encourages all young men to resist the draft. . . . SDS members will organize unions of draft resistors. . . . The primary task of SDS is that of building a movement for social change in the United States. . . .

Among other targets of SDS criticism and abuse is America's foreign policy.

According to the so-called Walker report, which was authorized for release on December 1, 1968, by the National Commission on the Causes and Prevention of Violence, SDS was one of the groups which cooperated in one way or another with the National Mobilization Committee To End the War in Vietnam during the violent confrontation of demonstrators and police in the parks and streets of Chicago during the week of the Democratic National Convention of 1968.

While SDS chose not to be officially identified with the major antiwar demonstration planned by National Mobilization at Chicago, it opened movement centers and its main objective appeared to be the recruitment of disillusioned McCarthy supporters. The organization was largely committed to the organization of university campuses—especially at Columbia.

According to the Walker report:

> The SDS publication, "New Left Notes," on August 19 published a guide to the convention, giving addresses of five movement centers in the city, and with respect to planning stated: "Hang loose and maintain contact mobility."

All those who are disturbed by the growth of SDS on college campuses would do well to ponder quotes from position papers drafted in anticipation of the Lake Villa National Conference in northern Illinois, which was called for the purpose of fusing the peace movement with support for black liberation. Perhaps the most thorough and deliberate paper was one jointly prepared by Tom Hayden and Rennie Davis.

Tom Hayden—to whom I have already alluded, and who worked on the 1961 summer project of the Student Nonviolent Coordinating Committee—SNCC—in Mississippi—went to Paris in early July of 1968 "for 2 weeks to consult with the North Vietnamese." He was reportedly active in the Columbia University rebellion in the spring of 1968.

Rennie Davis, like Tom Hayden, was a young activist who, after 1 year of graduate study at Michigan, went in 1965 to New York, where he worked as a community organizer for SDS. In the summer of 1967, he traveled to North Vietnam and joined the mobilization committee upon his return.

Davis was an organizer of the Resistance Inside the Army—RITA—and he was a principal participant in the New Politics Convention in Chicago where he gained a reputation for his theory of building local organizations as bases for militant political action.

Focusing on the Chicago Democratic Convention-related activities, the paper suggested that decentralized demonstrations would be combined with a massive assembly of all protest groups joining in a funeral march to the National Amphitheater if President Johnson was renominated—it being assumed at the time that Mr. Johnson would run for renomination.

Here are some excerpts from the Davis-Hayden paper:

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> Such a march could be led by retired generals, admirals and Vietnam veterans. The funeral procession might be organized by constituencies: blacks followed by clergy followed by women followed by farmers and faculty and workers and resistors and so on. This funeral would speak for those who say that the elections represent no choice and a complete breakdown of democracy. . . .
>
> We must be arguing that the Democratic Party and the limits of the electoral system itself are what we oppose . . . our strategy is to build political organizations of our own rather than to "reform" the Democratic Party.
>
> The summer would be capped by three days of sustained, organized protests at the Democratic National Convention, clogging the streets of Chicago with people demanding peace, justice and self determination for all people.

At the Lake Villa meeting, there was a discussion of tactics to be used at the Democratic Convention. Rennie Davis was quoted as saying:

> I think we can do better than attempting to prevent the Convention from taking place, as some have suggested, by closing down the city on the first day of pre-Convention activity. . . . The delegates should be allowed to come to Chicago, so long as they give their support to a policy of ending racism and the war. I favor letting the delegates meet in the International Amphitheatre and making our demands and the actions banning those demands escalate in militancy as the Convention proceeds.

Excerpts from a National Mobilization key position paper, also written by Davis and Hayden, are as follows:

> We must continually show that the antiwar movement is increasing in militancy and numbers. We can show the establishment that deeper social conflict at home will result from the Vietnam crisis. We can accelerate the breakdown of confidence in the government and military by stressing that the decisions which led to the Vietnam war were rigged in the same way and by the same people who are rigging the conventions and elections in 1968.

At a meeting in New York City in January 1968 sponsored by the National Lawyers Guild, Tom Hayden, according to minutes supplied by an informant, stated:

> We should have people organized to fight the police, people who are willing to get arrested. No question that there will be a lot of arrests. My thinking is not to leave the initiative to the police. We have to have isolated yet coordinated communications. We don't want to get into the trap of violence versus passive action.

The following quote by Tom Hayden is taken from a Ramparts wall poster, dated August 25, 1968:

> Consider the dilemmas facing those administering the regressive apparatus. . . . They cannot distinguish "straight" radicals from newspapermen or observers from delegates to the convention. They cannot distinguish rumors about the demonstrations from the real thing. . . .
>
> There is a point beyond which the security system turns into its opposite, eclipsing the democratic image and threatening the security of the convention itself.

These remarks refer to the Democratic National Convention in Chicago:

> The threat of disorder, like all fantasies in the establishment mind, can create total paranoia . . . at a minimum, this process will further erode the surface image of pseudo-democratic politics; at a maximum, it can lead to a closing of the convention—or a shortening of its agenda—for security reasons.

The chairman of National Mobilization is David Dellinger, whose efforts contributed significantly to mobilizing for the massive antiwar demonstration and march on the Pentagon in October 1967. Dellinger graduated magna cum laude from Yale College in 1936 and was elected to Phi Beta Kappa. He served two prison terms during World War II for refusing to serve in the Army. He has visited both Hanoi and Cuba at least twice and he organized a delegation of 41 members which met with North Vietnamese and National Liberation Front members in Bratislava, Czechoslovakia, in September 1967. In November of that year he was one of the 14 war crime tribunal members who met in Denmark to hear charges, against American forces, of war crimes in Vietnam.

After the 1967 march on the Pentagon, Dellinger wrote:

> We wanted something with far more teeth in it, a real confrontation instead of a legitimatized one . . . we refused to negotiate the terms of the civil disobedience or direct action at all. . . .
>
> . . . One of the lessons of the weekend was that it is indeed practical to forge a creative synthesis of Gandhi and guerrilla. . . . (Liberation magazine, November 1967)

Dellinger is the editor of Liberation magazine, a pacifist publication. According to FBI Director J. Edgar Hoover, Dellinger "has described himself as a Communist, although not of the Soviet variety."

I refer to Dellinger because he was chairman of the National Mobilization Committee to End the War in Vietnam—which organized the demonstrations which occurred at the Democratic National Convention—and because Tom Hayden, Rennie Davis, and other SDS leaders played a prominent part therein with him.

I have referred extensively to statements by Hayden and Davis because I feel that those statements—coming from SDS leaders—reveal the kind of seditious and revolutionary leadership which is at the head of the SDS movement on our college campuses and which now threatens our secondary schools. It will be remembered that Tom Hayden was the chief architect of the "Port Huron Statement," the "bible" of the SDS movement established in June 1962 at Port Huron, Mich.

I now wish to call attention to statements by J. Edgar Hoover, SDS members themselves, and others which will throw some further light upon the character and makeup of SDS and its methods and its objectives.

The FBI in its annual report released on October 1, 1968, stated:

> The SDS has been the striking arm of student rebellions, such as at Columbia University in New York City, where violence erupted, including the kidnaping of academic personnel, the seizure of buildings, and the destruction of property.

According to the FBI report, Mr. Gus Hall, General Secretary, Communist Party, U.S.A., has described the SDS as one of the groups the Communist Party "has going for us." The FBI report goes on to state:

> Two of SDS's recently elected national officers have publicly identified themselves as communists "with a small c" to signify that while they are communists, they are a brand different from the so-called "Old Left" Communist Party, U.S.A.
>
> In June, 1968, the SDS held its National Convention at Michigan State University, East Lansing, Michigan. The mood was one of militancy, referred to as the "Columbia Spirit," meaning the aggressive violence of the Columbia University riot. One of the workshops dealt with sabotage and explosives. The participants discussed various devices which might be developed for use against Selective Service facilities. In addition, they discussed Molotov cocktails fired from shotguns and combustible materials and bombs which might be directed against communication and plumbing systems.

The heroes of the new left—of which SDS is the core—are Castro, Che Guevara, Mao Tse-tung, Ho Chi Minh, and others of the guerrilla type. A major influence in their writings has been Marxism. Karl Marx is frequently quoted, and they talk much about the concept of "alienation," by which is meant their separation from, and lack of allegiance to, the institutions of contemporary society. These institutions include, significantly, our educational system.

As one new leftist put it:

> From the moment he enters school, the student is subjected to innumerable procedures designed to humiliate him and remind him that he is worthless and that adults are omnipotent.

One SDS leader says:

> We have to build a movement out of people's guts, out of their so-far internalized rejection of American society, and present people with a revolutionary alternative to the American way of life.

After favorably quoting Karl Marx, an SDS writer makes the following statement:

> It is important that we begin to talk in terms of five, ten, fifteen years because that is the time and energy it will take to build a Revolutionary movement and socialist political party able to take power in America. At this point, we in SDS must begin to write about and talk about socialist theory, so that we will be prepared to play a major role in developments, creating larger numbers of socialists, and developing socialist consciousness in all institutions in which we organize.

The news media not long ago quoted a top New Leftist as saying:

> We are working to build a guerrilla force in an urban environment. . . . We are actively organizing sedition.

The New Left delights in desecrating the American flag, mocking American heroes, and disparaging American history. Its adherents are contemptuous of public speakers whose views are not in accordance with theirs, and they hiss and boo officials of our Government and show scornful disdain for the opinions of others who disagree with them. They preach tolerance but are virulently intolerant. They preach the doctrine that conditions in the social organization are so bad as to make destruction desirable for its own sake, independent of any constructive program or possibility. In this spirit of nihilism, the New Left manifests a nauseating air of self-righteousness, and hysterically repudiates the older generation—defined as any person past 30, and this age minimum is rapidly decreasing.

The New Left movement is a nebulous, undisciplined conglomeration of students, faculty members, political and social malcontents, extremists, intellectuals, pseudointellectuals, intellectual tramps, and subversives. The anarchistic SDS is the catalytic agent, although its membership is small in number, and during the past half-dozen years has played a major part in organizing demonstrations and inciting violence. The disgraceful and obscene behavior of SDS members and others of the New Left has served to undermine the Nation's confidence in itself and in its goals.

Black extremist groups are becoming better organized nationally and the impact on black students is becoming more and more apparent as black student militancy and racial strife in the schools continue to increase.

(At this point Mr. CRANSTON took the chair as Presiding Officer.)

Mr. BYRD of West Virginia. Mr. President, Mr. J. Edgar Hoover in testimony before a House Appropriations Subcommittee on February 23, 1968, made the following statement regarding Students for a Democratic Society:

> The new left student movement in this country . . . is many-sided. It is political theory, sociology, and bitter protest. It is linked with civil rights, the fight against poverty, the American war in Vietnam. It involves students, faculty members, writers, intellectuals, beatniks, most of them being quite young. The mood of this movement, which is best typified by its primary spokesman, the Students for a Democratic Society, is a mood of disillusionment, pessimism, and alienation. At the center of the movement is an almost passionate desire to destroy, to annihilate, to tear down. If anything definite can be said about the Students for a Democratic Society, it is that it can be called anarchistic.
>
> In late June 1967, the Students for a Democratic Society held its national convention on the campus of the University of Michigan, Ann Arbor, Michigan. In continuance of past programs, the organization continued demonstrations against U.S. policy in Vietnam, radicalizing the student power movement by connecting it with radical off-campus issues, and the taking over of the colleges and universities by the students.
>
> The New Left identifies itself with the problems of American society, such as civil rights, poverty, disease, and slums. With its anarchistic bent, however, it refuses to cooperate sincerely with other groups interested in eradicating these same problems, and despite the new leftist's protestations of sincerity, he is not legitimately interested in bringing about a better nation. On the contrary, he is dedicated—in his bizarre and unpredictable ways—to cut the taproots of American society.
>
> The New Left should not be arbitrarily equated with the traditional old-line left. Although they become prey to the superior organizational ability and talents of the old-line subversive organizations, such as the Communist Party-U.S.A., the Socialist Workers Party, and the like, to simply identify them as Moscow or Peking Communists would be missing the point. To put it bluntly, they are a new type of subversive and their danger is great. In a population which is becoming increasingly youthful, the New Left can be expected to find wider fields of endeavor and to try to do all that it can to infect the rising generation with its anti-American prattle.

An interesting article on SDS was written by Ernest Dunbar, Look senior editor, and appeared in Look on October 1, 1968. The article, entitled "Vanguard of the Campus Revolt," begins with the following statement:

> The idealists, visionaries and truncheon-scarred campus guerrillas of Students for a Democratic Society have shaken the American university to its roots. But Columbia was only the first wave of an SDS campaign aimed at far more than the colleges.

The article went on to say that:

> SDS's ranks contain activists of all political varieties: Marxists, anarchists, Socialists, Democrats, Communists (pro-Moscow, pro-Peking, pro-Castro and lower-case "c" varieties) as well as the alienated apolitical types and hippie exotics.

The article points out that while pursuing the strategy of confrontation on the American university scene—where administrators have been imprisoned, buildings have been barricaded, clerical help has been harassed, classes have been disrupted, university switchboards have been tied up, expensive equipment has been destroyed, and speakers have been heckled—the SDS does not intend to limit its goals to college campuses.

The article states:

> SDS, has already turned on what it hopes will be an energetic drive to radicalize U.S. servicemen, factory workers, high school students and people in professions.

The eminently alarming sentence in the article is the following one:

> While college students do not find it easy to convert time-clock punchers to their revolutionary doctrines, SDS is winning numerous converts in its high school campaign.

The SDS laid plans in Colorado last October for subverting our high school youngsters, and passed a resolution to organize in the high schools to move students to overthrow the system by the process of confrontation. In a recent column by Robert S. Allen and John A. Goldsmith, entitled "SDS Aims at High Schools," the adopted resolution was quoted as having contained the following principal passages:

> One of the most important divisions of the American educational industry is the high school. This public institution affects the lives of 30 million Americans. The atmosphere of the high school is repressive, nonproductive and inhuman. Instead of educating young people, the high school attempts to press upon them the bankrupt values of a decaying society.
>
> We feel that high schools and the society which spawns need drastic change. Knowing that the school cannot change to the extent we want unless we change the system which uses it, we will organize in the high schools to move students to overthrow that system by confronting the issues that directly affect them.

Here, then, Mr. President, is the blueprint for destruction of the entire American educational system.

The blueprint calls for confrontations in the high schools of America—confrontations designed to provoke disorder, undermine the peace and safety of students, intimidate faculties, destroy discipline, and bring the educational community under the control of those who would use it as a means to revolutionize American society according to Marxist precepts.

SDS could become a menace in West Virginia, but our college campuses have thus far been spared, generally speaking, of incidents involving rebellion and anarchy, one notable exception being the unrest which has plagued Bluefield State College for several months—unrest that was marked by bombings, intimidation, and other varieties of confrontation techniques. The president of West Virginia University, in the northern part of the State, recently vetoed SDS' effort to gain formal recognition at that institution, which is to his great credit. The organization is presently trying to make inroads at Marshall University in southern West Virginia.

The SDS could better be called "Students to Destroy Society," and that is exactly what the self-styled revolutionaries will try to do if they are able to gain a foothold in West Virginia universities and colleges. Our public high schools will be next on the list, and there already are symptoms indicating that militants from Marshall University are working through contacts with some of the high school students in the area.

Mr. President, I do not maintain that all of the persons, students or otherwise, who are associated with the relatively unstructured SDS—so unstructured that it might be thought of as a nonorganization rather than an organization—are Communists or Socialists. As in all generations of past history, one can expect to see some unrest among students and one can also expect to find dissenters. But the New Left goes far beyond this. Although some of the students who participate in SDS activities may simply be misguided but well-intentioned youngsters, I think it would be safe to say that these would constitute the exception rather than the rule. Certainly, the main core of the Students for a Democratic Society is composed of those for whom the tactic is confrontation and the aim is disruption. Many of these are pure revolutionaries and, as far as they are concerned, SDS spells "Trouble" in boxcar letters for the colleges and high schools of our country.

Under the guise of academic freedom, these arrogant, hard-core militants are determined to destroy our educational system, as it presently exists, and finally our Government itself. Under the guise of freedom of speech, they profess to seek a dialog, when actually they are contemptuous of anyone whose opinions differ from theirs, and they do not want anyone to be heard whose ideas do not conform with theirs. They seek a confrontation with established authority to provoke disorder, and, as J. Edgar Hoover has said:

> Their cries for revolution and their advocacy of guerrilla warfare evolve out of a pathological hatred for our way of life and a determination to destroy it.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BYRD of West Virginia. I ask unanimous consent that I may be permitted to proceed for an additional 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, Dr. S. I. Hayakawa, acting president of strife-ridden San Francisco State College—and a major target of today's student rebels—had this to say during an interview with staff members of U.S. News & World Report:

> The radical group . . . always uses the slogans of "racial injustice" or "free speech" or "peace in Vietnam"—all the "liberal" shibboleths to which many people respond, or at least are unwilling to oppose.
>
> In answer to the question, "Are these the same students who so often say that they are speaking 'from conscience' and in the name of 'morality'?", Dr. Hayakawa responded: "Yes, and this claim is so hypocritical it makes you want to throw up."

Mr. President, in the Washington Post of February 18, 1969, Drew Pearson wrote:

> My conclusions from having visited many campuses is that it is time for University authorities to realize that they must provide education for the majority, not submit to disruption by the minority. Otherwise, education in their strike-torn colleges will gradually erode. The easiest way to prevent disruption is to get back to previous disciplinary rules and expel violators immediately.
>
> Today, in contrast with the past, striking students have been mollycoddled, given second and third chances and then allowed to remain in school. All of this puts a premium on violence.
>
> This is unfair to the majority of the students who are trying to get an education; also unfair to the taxpayers who put up the money for education and to the alumni who help to finance private colleges.

I could not agree more with what Mr. Pearson said.

Washington Evening Star columnist James J. Kilpatrick recently had this to say about appeasement of militants on college campuses:

> The campus of a college or university is like any other community. In the presence of violence, the rights of the law-abiding residents—the students who want to learn, the teachers who want to teach—have to be defended at any cost. These come first. Any compromise with this principle is an invitation to anarchy.

I concur with Mr. Kilpatrick.

Mr. President, it would be a serious mistake for educators, public officials, law enforcement officers, and parents to ignore or dismiss lightly the actions of black militants and SDS revolutionaries who threaten to take over the colleges and high schools. To allow them to do so would be to allow them to undermine and destroy our educational system, which constitutes the basic foundation pillar upon which our free and open society rests.

The action that has been taken thus far to stem the rebellion has been too little and almost too late. Concerted action on the part of all concerned Americans is needed to save our schools and colleges and universities.

Let me emphasize a point that needs emphasizing. The troublemakers, despite their widespread activities, form only a minority. The vast majority of students—and the vast majority of parents, and teachers, and school administrators—still believe in America. Most students still want an education.

This majority should rule. But what we have been witnessing on campus after campus is minority rule-or-ruin—often staged under the pretext of attempting to force a school administration to offer a so-called black studies program. If law-abiding and public-spirited citizens do not soon take a strong and determined stand against this small but militant and rebellious minority, the academic community—and a lawful and orderly society—will have been damaged beyond repair.

It is time, Mr. President, to end the violence. It is time to recognize the saboteurs for what they are. It is time to end minority rule-by-force.

To continue to countenance what has been going on is unfair to the students who want an education, unfair to parents who sacrifice to keep their sons and daughters in college, unfair to taxpayers who help support institutions of higher learning—unfair, in short, to the majority in America.

The spineless response, the overtoleration, that has provided the climate in which SDS and black militants have flourished has got to be replaced with discipline stern enough to protect the rights of the majority.

I am not advocating that our colleges and universities be turned into authoritarian educational enclaves. But we will have no educational institutions left if the institutions themselves do not take steps strong enough to preserve their physical and educational integrity.

Applications at Columbia University for its last freshman class were down 21 percent following the destructive rioting.

As Mr. Drew Pearson stated, in his column to which I have alluded:

> Any business firm that loses 21 per cent of its customers in one year is in danger of going out of business."

What is needed, I think, is the approach taken at Notre Dame, where those who threaten the university's existence will be given, in the words of its realistic and tough-minded president, the Reverend Theodore M. Hesburgh, "15 minutes" to think it over before they face disciplinary action.

High school principals should be encouraged to enforce discipline, and expel militant, insolent students who disrupt classes and disturb the peace and decorum of the school through disobedience, loud and obscene language, and belligerent conduct. These militants know better but they have no respect for order and decorum, and they have formed the impression that no restraints or penalties will be applied.

But the high school principals cannot apply effective sanctions unless they are assured of the full backing of the school boards, the public, and the press. Recently, in talking with a high school principal in West Virginia, I was told that if he attempted to discipline or expel a Negro student for disorderly conduct, a delegation from the local NAACP would be in the office of the county superintendent of schools the next morning, or would meet with the board of education at its next meeting urging that action be taken to reinstate the student and to discipline the school head. A school principal cannot long stand against this kind of pressure unless he feels he has the backing of his superiors and the public.

It is time for parents, and alumni, and boards of education, and boards of regents, and State officials, and church officials, and serious-minded students, and elected public officials at every level of our Government, and the majority of Americans who realize the vital importance of education to this Nation's future to rise up as one and demand that those who defy and disrupt and destroy be promptly expelled from the colleges and from the high schools and arrested for disorderly conduct and for destruction of property where this has occurred.

No one forces the average student to go to a particular college. It follows that if he goes he should be expected to abide by the college's rules and regulations. To permit anything else is to court chaos. There has been too much permissiveness already. If there had been a crackdown on participating students and faculty members at the beginning, the country would not have experienced the rash of rebellions that have occurred.

A school is a society in microcosm. Just as a society cannot long continue to exist without the rule of law, so a school, a college, or a university cannot long continue to exist without the rule of law.

The SDS, Mr. President, is the veritable antithesis of a lawful, and orderly, and democratic society.

Mr. President, what we put into the schools will, in a generation, dominate the Nation and be a controlling force in the lives of our people. If ours is to remain a republican form of government, if ours is to continue to be a government of laws and not a government of men, we must protect our public school system as well as our higher educational system against those who would destroy both and, in so doing, destroy the American way of life for future generations.

Ralph Waldo Emerson said:

> The true test of civilization is, not the census, nor the size of cities, nor the crops; no, but the kind of man the country turns out.

Mr. President, the kind of man our country turns out largely depends upon the integrity and quality of the system in which he acquires an education. If that system is destroyed, America will turn out a different kind of man. And the eclipse of our American civilization—the greatest in all history—will have become complete.

As the foundation is undermined, the structure is weakened; when it is destroyed, the fabric must fall.

Mr. President, I ask unanimous consent to insert in the RECORD various articles to which I have alluded.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

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[From the Weirton (W. Va.) Daily Times, Dec. 23, 1968]

SDS Aims at High Schools

(By Robert S. Allen and John A. Goldsmith)

WASHINGTON.—The sinister scheme of the aggressive revolutionary Students for a Democratic Society to extend its notorious rioting, violence and lawlessness on college campuses to high schools is making headway.

SDS organizing of this kind is making inroads in high schools in New York, Chicago, St. Louis, New Orleans, San Francisco and the heavily populated Maryland and Virginia suburbs of Washington, D.C. The latter largely white and affluent areas appear to be particular targets in the far-flung SDS plot to "activate" and "radicalize" high school students so they will be ready for "extremist agitation" when they reach college.

This nationwide drive to suborn high school students was approved at a meeting of the SDS' National Council at the University of Colorado, Boulder, Colo., in October.

It was decided to employ a special "coordinator" to direct this campaign. He has still not been selected.

College and non-student SDS chapters were instructed to actively cooperate in infiltrating high schools and organizing of students. They were urged to take the lead in launching underground newspapers, conducting so-called "workshops" on the Vietnam war and anti-draft propaganda, and staging demonstrations on civil rights and other headline issues.

After much discussion and wrangling, the SDS Council adopted a resolution of which the following are the principal highlights:

"One of the most important divisions of the American educational industry is the high school. This public institution affects the lives of 30 million Americans. The atmosphere of the high school is repressive, non-productive and inhuman. Instead of educating young people, the high school attempts to press upon them the bankrupt values of a decaying society.

"We feel that high schools and the society which spawns need drastic change. Knowing that the school cannot change to the extent we want unless we change the system which uses it, we will organize in the high schools to move students to overthrow that system by confronting the issues that directly affect them."

Basically, these are the same tenets and tactics that underlie SDS revolutionary violence, lawlessness and disruption on college campuses. Now, SDS is undertaking to apply them to high schools.

HOW THEY'RE DOING IT

In Chicago, a high school organizing "conference" was held in the University of Illinois Circle Campus with around 150 attending—most of them local high school students.

The stellar attraction was Mark Rudd, Columbia University SDS leader, who delivered a harangue and then conducted a question and answer period, after which a movie was shown of the Columbia rioting and violence in which Rudd played a prominent role. This propaganda movie is a key feature of SDS proselyting.

In St. Louis a college SDS organizer is directing a group of high school students in publishing an underground paper—that has incurred the wrath of school authorities for indecency and defamation. Also being circulated there and in other cities is an increasing volume of SDS literature aimed particularly at high school students.

An article titled "High School Reform: Toward A Student Movement" by Mark Kleiman, identified as a California high school student; and a small leaflet titled "An Introduction: SDS. Our Struggle is Just Commencing." This is unsigned. With this leaflet is a copy of a mimeographed piece caption "Freedom School, An Experimental School for High School Students."

This so-called Freedom School allegedly was held in Takoma Park, Md., last summer under the auspices of SDS for the purpose of training high school student organizers.

Jonathan Lerner, 20-year-old Antioch College dropout, who attended the Boulder, Colo., conference last October, is in the forefront of SDS high school organizing in the capital's Maryland suburbs. He boastfully claims that from 25 to 30 high schools in that area are "SDS involved"—whatever that means!

"Most of our kids are white, middle-class and suburban," he proclaims suavely. "They run the gamut from McCarthyites to the New left. They are definitely not moderates. The kids get in touch with us. They come to us in various ways, through word of mouth and by direct contact. We are now averaging several letters and several or more telephone calls a day."

Lerner admitted that in most high schools SDS operates under a different designation. "Kids are afraid of that name," he conceded. "It's got a bad connotation so they are leery of it. But we're able to take care of that in various ways."

One way that he carefully did not mention was trickery and deception—inveigling high school students to attend an innocent-sounding conference that apparently was being conducted by highly reputable American University.

Actually, the university had nothing to do with the affair. As disclosed by this column, the so-called conference was an out-and-out SDS propaganda scheme. The leaflet advertising it listed a telephone number that was a complete give-away. This number was that of the SDS regional office.

Further, the site of the conference—the Kay Spiritual Life Center—is under the direction of Reverend Charles Rother, Methodist, who is a militant "peacenik," civil rights activist and long prominent in SDS-sponsored demonstrations and other activities.

IN THE OLD DOMINION

Lerner's counterpart in Virginia is Larry Yates, 18-year-old University of Michigan dropout, who claims to be the top SDS organizer in Northern Virginia. He is currently concentrating on densely populous Fairfax County where he went to high school and personally knows many students.

"The main thing in this kind of organizing he says knowingly, "is to hold weekly meetings at someone's house. It's important to gather and to 'rap' (expression for chewing the rag). Lots of these meetings are a waste of time, but it keeps the kids together so that they will identify with each other.

"It is true that a lot of kids have a negative attitude towards SDS. They have read and heard too many wrong things about it. But they are slowly getting over that and getting turned on. We're making progress. The kids know we're around."

One way of letting them know is underground (free press) papers. According to Yates, five Fairfax County high schools publish such papers. "The SDS supplied the press," relates Yates, "so it didn't cost much. The kids sold the copies and broke even."

[From the Washington (D.C.) Post, Feb. 18, 1969]

It's Time for Crackdown at Colleges

(By Drew Pearson)

CLARKSVILLE, TENN.—During the past twelve months, this writer has visited approximately 50 college campuses, ranging from the University of Warsaw in Communist Poland and the Sorbonne in Paris to the University of Montana, the University of Pennsylvania, the University of Florida, Washington State, MIT, Stout State College in Wisconsin and Austin Peay State College here in Tennessee. It has been a cross-section of colleges, large and small, and at all of the American institutions I have addressed student assemblies and conducted student forums.

From this experience I believe I can accurately report that American students generally are alert, dedicated and far ahead of previous generations in their desire to tackle the problems of the world. They are not interested primarily in becoming engineers, businessmen or insurance salesmen, as was my generation in college. The majority want to devote at least part of their lives to helping their fellow men. They are interested in the Peace Corps, Vista or going into government.

There was a day when the top graduates of the Harvard Law School were immediately gobbled up by the top Wall Street law firms. That day is over. These graduates and others from the best law schools are now more interested in spending some time in Government or other productive community work. If they do sign up with big New York law firms, many specify that they must have time off to handle indigent clients or other community work.

MINORITY RULE

In contrast, there is a minority in many colleges, led by Negroes, which seems determined to disrupt education altogether. It has done so by reversing the American system of majority rule for a system of minority rule.

It has done this, moreover, by using a technique outlawed by American law and tradition—violence.

Minority rule by force and violence has almost paralyzed San Francisco State College, killed one college president, Dr. Courtney Smith of Swarthmore, and disrupted some of the most liberal institutions in America such as Brandeis, a Jewish university, the University of Chicago under liberal President Edward Levi, and the University of Wisconsin, long proud of its liberal Lafollette tradition. All have tried hard for several years to enlist more qualified Negro students, yet this is one of the demands of the Negro minority.

In each of the above institutions there has been a small minority of students which has used violence to sabotage education for the majority. In Swarthmore forty black students locked themselves into the admission office and disrupted education for a thousand others. At Brandeis the ratio was about the same. At Chicago, 400 students tried to force their demands on the 9,000-student University by occupying the administration building. At Columbia, a University where I once taught, about 400 students tied up an institution of 30,000 also by occupying the administration building where they rifled the private papers of President Grayson Kirk.

TOUGHNESS JUSTIFIED

My conclusions from having visited many campuses is that it is time for University authorities to realize that they must provide education for the majority, not submit to disruption by the minority. Otherwise, education in their strike-torn colleges will gradually erode. The easiest way to prevent disruption is to get back to previous disciplinary rules and expel violators immediately.

Today, in contrast with the past, striking students have been mollycoddled, given second and third chances and then allowed to remain in school. All of this puts a premium on violence.

This is unfair to the majority of the students who are trying to get an education; also unfair to the taxpayers who put up the money for education and to the alumni who help to finance private colleges.

In San Francisco State, only 350 teachers out of a total of 1100 belong to Local 1352 of the American Federation of Teachers. And

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of these 350, only 200 wanted to strike. Yet this minority threw the entire campus into turmoil and got the backing of the San Francisco AFL–CIO Labor Council. This is something AFL–CIO President George Meany would hardly sanction—if he knew the facts.

What minority faculty members have got to realize is that alumni can strike, too. So can majority students. Applicants at Columbia's last freshman class were down 21 per cent, in contrast to Harvard and Yale, which had no riots and whose freshmen applications are up 10 to 15 per cent. Students don't want to enroll at a university that may be riot-torn.

Any business firm that loses 21 percent of its customers in one year is in danger of going out of business. Columbia can weather the slump. But it has been given a stiff reminder that the majority of students go to college to study, not to demonstrate.

More serious may be a Columbia alumni boycott in fund-giving. This is neither organized nor advertised, but it is a fact. If it spreads to other riot-torn campuses, it could be the most serious boycott of all.

[From the Wheeling (W. Va.) News-Register, Feb. 21, 1969]

Sees the Threat: Notre Dame Head Sounds a Warning

Congratulations to The Rev. Theodore M. Hesburg, president of the University of Notre Dame for standing up and letting all know that he intends to run his university and any rebellious student with other ideas had better pack his bags.

Father Hesburgh announced the other day that he has established a timetable for squelching campus demonstrators who "substitute force for rational persuasion." He promised on-the-spot expulsion from the university for any student or faculty member who disrupts normal campus operations.

"Anyone or any group that substitutes force for rational persuasion, be it violent or nonviolent," said the Rev. Hesburgh, "will be given 15 minutes of meditation to cease and desist."

At that point, he said, demonstrators would be asked for campus identity cards. Those with cards will immediately be suspended and given five minutes more to cease demonstrations before being expelled from the university. Those without cards will be presumed to be nonmembers of the university community and will be subject to arrest as trespassers.

"Without the law," said Father Hesburgh, "the university is a sitting duck for any small group from outside or inside that wishes to destroy it, to incapacitate it, to terrorize it at whim . . . somewhere a stand must be made."

This is precisely the kind of tough talk that has been needed on the college campuses of America ever since the student uprisings began. No unruly student has the right to disrupt the education of other students. Young men and women attend college to gain an education and not to protest, riot or attempt to take over the administration of the educational institution. When they break the rules set down by the college they must pay the price, be it suspension for a semester or outright expulsion.

Likewise, if college authorities cannot maintain order on their campuses they have no alternative but to call for assistance from law enforcement agencies. There can be no other way if our institutions of higher learning are going to survive.

Father Hesburgh, we believe, is right in warning that "we are about to witness a revolution on the part of legislatures, state and national, benefactors, parents, alumni and the general public for what is happening in higher education today."

"If I read the signs of the times correctly," Father Hesburgh said, "this may well lead to a suppression of the liberty and autonomy that are the lifeblood of a university community . . . a rebirth of fascism. . . . We rule ourselves or others rule us."

It would be tragic if at the very time when support for higher education in this country is at an all-time high; when every campus in the land is displaying gleaming new physical plants; when curriculums are expanding and all sorts of aids are being provided for students; that a band of unruly, irresponsible, troublemaker students would reverse this progressive trend in education and turn many supporters away. That is the message Father Hesburgh has delivered and we believe he is reading the signs correctly.

[From the Washington (D.C.) Post, Mar. 3, 1969]

Continued Disruption at Berkeley May Destroy a Great University

(By Rowland Evans and Robert Novak)

Berkeley, Calif.—More ominous to the future of the University of California at Berkeley than the daily campus confrontation between helmeted state highway patrolmen and longhaired demonstrators is the cold, quiet fear now gripping the faculty.

Ever since the Free Speech Movement of 1964–65 transformed Berkeley into a cockpit for agitation, professors have criticized student radicals only at the price of rising vituperation from them. Now, faculty members feel, that price is going up. The fear of disruption of their classrooms and even of physical violence is now endemic among nonradical faculty members.

If the fear becomes reality, Berkeley could be headed for the same catastrophe as an educational institution that is now wrecking San Francisco State College across the bay. Berkeley is one of the greatest U.S. universities. Thus its degeneration—well along right now—is a tragedy of national proportions.

The sad course of events here was predicted to us almost four years ago by worried liberal professors. They forecast descent into chaos unless Roger Heyns, then newly arrived as Berkeley's chancellor, imposed much sterner discipline on the student rebels. Significantly, every one of those professors have since departed for calmer campuses.

In contrast to past presidents of San Francisco State, Heyns is no wooly-headed idealist coddling the revolutionaries. He believes they can actually destroy the University. But as a social psychologist, Heyns has used elaborate strategies—efforts at conciliation and continuous negotiation—rather than stern, implacable discipline.

As a result, Berkeley over the past five years has become a haven for agitators—a fact that has inexorably transformed the campus here. Students and faculty members fascinated by the tactics of radical politics have swarmed into Berkeley; each year there are mass transfers of students from other, tamer branches of the University of California who want to be "where the action is." Conversely, many students and faculty members most interested in the prosaic business of higher education avoid Berkeley.

This has basically distorted the view of politics given the student here. Conventional politics that is, Republican or Democratic—is absent. Of the incessant speech-making from the steps of Sproul Plaza, 90 per cent is of left-wing radical nature.

Berkeley is fertile soil for the hard-core 300 or so trouble-seeking student radicals out of a student body of 28,000 plus some nonstudent auxiliaries (having sympathy of perhaps 5,000 other students). When the university administration dragged its heels in beginning a black studies program, the radicals—black and white—found the perfect crucible for provoking a crisis.

Moreover, radical faculty members have lobbied strenuously against strong reprisal by Chancellor Heyns. They are now protesting publicly the presence of highway patrolmen, neglecting to mention that reinforcements were summoned only because of growing violence. Before the patrolmen arrived, demonstrators would "serpentine" in and out of university buildings, smashing windows and destroying property.

Faculty pressures against strong action have made Heyns sluggish in cracking down on student rebels, and the Board of Regents, newly packed with conservatives by Gov. Ronald Reagan, has now for the first time seized control of some student disciplinary problems at Reagan's urging. One Regent, an anti-Reagan moderate, while regretting the power grasp by a politically-appointed body, told us Heyns left him no choice but to go along with the Governor.

Anti-intellectualism in both the Governor's office and the Board of Regents is greatly enhanced by the campus disorder. With the general public pro-Reagan and anti-Berkeley, the Governor's narrow view of the University as fundamentally a teaching institution—with little creative or research activities—is helped.

All that can be safely predicted next for this tormented university is the almost certain departure of Heyns, perhaps by resignation but more likely by vote of the Regents, before the fall term.

For the Regents to find *any* qualified successor will be no small accomplishment. Because if the new chancellor is to save Berkeley, it may take a miracle.

"Gangsters" Cash In on Student Revolt

(Note.—Now it is a mobster-style quest for money that is turning up as the latest element in the violence on the U.S. campus.

(To get that untold story, members of the staff of "U.S. News & World Report" interviewed in their conference room a noted educator—and a major target of today's student rebels.)

Question. Dr. Hayakawa, is a conspiracy developing to disrupt higher education in America?

Anwser. That seems to be the case. Certain familiar faces appear and reappear—at Berkeley, Columbia University, the University of Michigan, San Francisco State College, and Chicago. In fact, the day the newspapers published the first list of those arrested at demonstrations at San Francisco State College after I became president, I got a telephone call from the police chief at Chico, Calif. He told me that the same people had been arrested the week before at Chico State College. So a kind of connection is becoming apparent.

Question. Are these disrupters enrolled students, or outsiders?

Answer. Many are outsiders, but they are closely in touch with students.

Question. You have called them "revolutionaries." What do you mean?

Answer. They're not interested in reform. That is, they don't simply want improvement of the educational system or establishment of a black-studies program. They actually want to close down or destroy the college or university.

Question. What seems to be their ultimate aim?

Answer. Insofar as the white revolutionaries are concerned—the Students for a Democratic Society—it is becoming increasingly clear by their record over the past few years that they simply want to destroy for the sake of destruction. In their view, this society is thoroughly corrupt and hypocritical, and deserves to be blown apart. When you ask: "What kind of society would you like to see in its place?" they answer vaguely or are silent.

In the case of black students, many revolutionaries see disruptive tactics as the only way of getting reforms. Once they see that reforms are being made, they are willing to give up their tactics, because they really

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want a better deal in our society—not its destruction. That makes good sense.

But a third type of young revolutionary is now coming to light: the one who sees any uproar as a means of getting power and—more importantly—access to money. He seeks control of student-association funds which exist in most universities and colleges of America. Bluntly speaking, an element of gangsterism is developing in some of our institutions.

Question. Can this be proved?

Answer. I expect so. The State's attorney general has taken the books of the Associated Students at San Francisco State College for the past two years and has found clear indications of skulduggery in use of the student funds.

Question. How does this misuse of funds work?

Answer. At San Francisco State, student-body funds come to around $300,000 yearly. This represents the $10 "activity fee" that each student pays at registration to support all kinds of student enterprises—athletics, drama, lectures, concerts and so on.

Now, the most militant of the black students, with help from white radicals, have taken control of the Associated Students and are turning a considerable portion of these funds to their own uses. Instead of spending the money on activities supported in the past, they devise programs going under labels such as "tutorial help for ghetto youngsters" which are actually a way to ladle out patronage and reward their followers. There has been no satisfactory accounting for expenditures, and the programs themselves are pretty thin and unsupervised.

This is a systematic attempt on the part of some radicals to grab that booty waiting for them every year. And by working themselves into student government, they can draw pay from the college while carrying on their revolution.

Question. How do they win such jobs?

Answer. A school like San Francisco State College is a "street-car college" essentially: Most students go home right after their classes. Many are adults—the average age is 25, which means that some students are 30 or 40 years old, even older. Some have children to look after as soon as classes end. Others have to report to jobs. Our students include lawyers, policemen, insurance men, bankers, bartenders and all sorts of other occupations.

Therefore, the only students who can take a serious interest in campus politics are the few who are on the campus all the time, including the 800 living in our dormitories and the activists—many of whom make a profession of being part-time students and use their free time to work for power and money in student politics.

Question. Is this problem becoming widespread in America's urban colleges and universities?

Answer. I believe so. What I call the "gangsterism" of radicals at San Francisco State College has occurred often in the non-college context of our cities. You find it notably in "war on poverty" programs in one city after another where groups of militants may suddenly find themselves with their hands on a million-dollar appropriation for wiping out poverty. Then a big power struggle develops to see who will control those funds, and a lot of money somehow disappears and is never accounted for.

Therefore, the struggle for money and power is a very important element in racial disturbances, and I think this struggle is going to move increasingly from the "ghettos" into our urban institutions of learning, if we stand by and do nothing.

Question. Does this process enable student militants to bring education to the black masses?

Answer. It has nothing to do with education. It is just the availability of money which concerns this type of militant.

PATRONAGE AND PAYOFFS

Question. Why do you call it "gangsterism"?

Answer. These militants—all colors—in their pursuit of money and power will stop at very little in harassment and intimidation of all kinds. There have been incidents where carefully bent nails have been scattered all over the parking lots. There have been as many as 50 fires set in one day in different parts of the campus. Moderate students have been brutally assaulted, offices have been wrecked, college administrators have had their homes attacked. One professor had all tires slashed on his two cars, which were completely painted over with the words "fascist pig."

Is this sort of thing going to become widespread? Yes—wherever there is a chance of easy access to a lot of money. The disposition of student funds is an important area of decision making, and wise things can be done with that money—really creative things. But if a gang gets hold of it, then it will be drained off into patronage and payoffs.

Question. Are these the same students who so often say that they are speaking "from conscience" and in the name of "morality"?

A. Yes, and this claim is so hypocritical it makes you want to throw up.

Question. What about the faculty? Don't they have any control over student funds?

A. Not really, because the prevailing idea is that you can only teach responsibility to students by giving it to them.

Question. Will college authorities have to assume tighter control over these funds to protect them from takeovers?

A. We are in the process of reviewing the entire matter of student-controlled funds as we wait for the results of the attorney general's investigation. Certainly ways must be found for more responsive control over some of the abuses which have recently occurred. However, total control by the college would surely inhibit the appropriate direction by student leaders of their own funds and affairs. This clearly becomes a task for the "silent majority." They simply must organize and energize themselves so that student control can be resumed in a healthy way and yet avoid excesses and even illegalities.

Question: Might gangsterism develop in another way if black militants win their demand for a completely autonomous department of black studies at San Francisco State College?

Answer: That is why we are insisting that this department be just like the others at our college—part of the regular administrative structure. A great deal of autonomy is retained by the departments, which can accept or reject applicants for faculty posts, but final decisions are reviewed by deans and the president. In this kind of a setup, I don't think there can be much chance of corruption in a department of black studies, because if they hire incompetent people or pay off gang friends with "cushy" jobs, the whole educational structure would be threatened—and the administration would not permit this.

I do think that a good black-studies department could be a real asset, intellectually, to the community. But so far, our black administrators and professors have not been able to produce such a department. I think that this is because they are being threatened by radical or gangster elements if they go along with the mainstream.

Question: Why did San Francisco State hire Dr. Nathan Hare to head up its black-studies department when he had been ousted from Howard University after some highly inflammatory statements?

Answer: I believe that Dr. Hare is not a true revolutionary. One part of him wants to be a professor, in the usual sense of the term. He got his Ph.D. in sociology at the University of Chicago, and has a respectable background in scholarship.

But another part of him, I think, wants to be a leader of the black revolution. He is the victim of many conflicting pressures: his desire to be a teacher and scholar, his personal concern with the legitimate demands of the black movement, and the intimidation of black radical militants.

WHY TEACHERS JOIN REBELS

Question: Is the teachers' strike at San Francisco State part of the revolutionary drive?

Answer: Yes, but I think that the strikers are mainly seeking power. I don't think they really want to close down the university—because they don't want to lose their jobs. What they want is more power in the academic structure, along with changes in salary and working conditions.

Question: Are the majority of teachers supporting the strike?

Answer: This is very odd. Two thirds of the faculty members have indicated that they are opposed to the strike, but some would resign if the strikers were fired *en bloc*. Of course, others would be tempted to resign if the strikers are not not fired.

There are divided sympathies among non-strikers.

Question: Have you fired any teachers who have made trouble?

Answer: No.

Question. Do you intend to?

Answer. The situation is this: Some of the striking teachers have said, "We're not going to drop our strike until all demands of the students are met." If they really mean what they say, they are not coming back to work—because not all of the 15 demands of the student militants are going to be met. Certainly we are not going to grant absolute autonomy to the department of black studies, and we are not going to admit all black students regardless of qualifications.

Question. Have you expelled or suspended any students?

Answer. Very few. We have an academic senate, composed of the elected representatives of the faculty, that is actually not very representative. This body has a voice in student discipline, but the antiauthority faction has tried to hobble the administration as much as possible.

Question. Can't you just call a student into your office and tell him that he is expelled?

Answer. Not really. I may suspend or expel students only after a hearing, but I want to work with the academic senate rather than fight it. Therefore, I don't want a head-on collision, although it may come to that eventually.

Question. Would wholesale expulsion of student troublemakers solve your problems?

Answer. Actually I think the problem can be much reduced in the coming semester, because the cases of about 500 arrested students are coming up. These are students picked up on criminal charges ranging from unlawful assembly to assaults on policemen.

Question. If convicted, they can be expelled, can't they?

Answer. I would think so. There is some talk that they cannot be punished both by civil and school authorities because this, allegedly, is double jeopardy. On the other hand, a bank cashier who absconds with funds can be punished twice: Civil authorities can put him in the jug, and the bank can fire him.

Question. Do troubles on the campus indicate that something is seriously wrong with today's students?

Answer. I look at it this way: Certainly there is a very intense impatience over social reform. I think this impatience is caused—at least in part—by television, which makes all social problems seem more urgent and intense.

Furthermore, television doesn't teach us how democracy works. It is too much governed by the demands of "show business." Its commercials proclaim instant solutions for upset stomach, neuralgia or bad breath, and its news reporting sums up even complex events in half-hour programs with a neat wrap-up at the end. The boring details of the democratic process, such as hearings before city council, endless facts about taxation or school budgets—these you seldom learn on television.

Today we are dealing with a whole generation of youngsters who know about "democracy" as a slogan. But they don't know a lot about its actual operational requirements--the patience, the tedium, the long debates and compromises needed to arrive at democratic decisions.

Therefore, I have an unverifiable feeling that maybe one of our problems is that we have created within the younger generation, largely through television, a whole bunch of young people who are impatient with the democratic process because they don't understand it. They think that violent and immediate "confrontation," which has all the advantages of television drama, is the way to solve social problems.

The promise of democracy is never a guarantee that you will get your wishes. It's a promise that you will have a chance to state your wishes and try to argue other people into supporting you. So many young people seem to believe that if they want something, they simply must have it right now, and that there is something terribly wrong with the society that doesn't give it to them right now.

Question. Are many of them Communists?

Answer. I think most of the militants in the SDS are too revolutionary even for the Communists—who, after all, have an idea of the kind of world they want, however much you or I may disagree with it. In a way, some of these youngsters are more like the old-fashioned anarchists on the order of Prince Petr Kropotkin, who thought that if you abolished governments and the military, you would have a kind of heaven on earth—a Rousseau-istic utopia.

Actually, I don't see the worst disrupters as being either Communists or Kropotkin-style anarchists. They are just plain nasty.

WHICH YOUTHS GET "NASTY"

Question. Why do students in the humanities and liberal arts seem so much more inclined to be demanding—or "nasty"—than students enrolled in physical sciences and professional schools?

Answer. That is an interesting question. People who major in English and drama and philosophy often are people who are uncommitted. They are still in the process of finding themselves.

Youngsters who go into, let's say, nursing or chemistry or zoology know who they are. They know they are going to become nurses or chemists or zoologists. They're not floundering around with an "identity problem." If you are wrestling with that problem—not knowing what you want to do with yourself—and if you are also imaginative and have read a lot of existentialist philosophy and are intelligent, then the idea of revolutionary and dramatic confrontation may have some appeal to you.

Notice, too, that in marching with the pickets or in staging a confrontation, you are postponing for a little while your problem of identity. You may feel you are doing something "socially significant": You are "fighting racism," you are helping "establish social justice," you are involved in something dramatic—and the television cameras are focused on you. This, for some people, solves the "identity problem"—at least for the time being.

Question. Do the professional students get involved in troublemaking at all?

Answer. Quite a few social-welfare students tend to go along with the activists. But, on the whole, the people who want to become chemists, scientists, conservationists, nurses, businessmen and so on are not involved.

Strangely enough, our history department seems peculiary immune to activism—it is functioning almost 100 per cent. I had thought history was one of the liberal arts, but apparently it is a more intellectually sturdy discipline at San Francisco State.

Question. Why don't the hard-working students oppose the revolutionaries' grab for power and money?

Answer. I don't really know how to answer that question simply.

The radical group comes to no more than 500 students out of 18,000. But it always uses the slogans of "racial justice" or "free speech" or "peace in Vietnam"—all the "liberal" shibboleths to which many people respond, or at least are unwilling to oppose.

Furthermore, the serious students are spending too much of their time in the laboratory or library to get mixed up in student politics. And I think that the more dedicated a student is to his work, the more likely he is to be an individualist and the less likely he is to join a mob.

I believe the serious students are beginning to organize. But essentially they have no defenses against what is really an unprecedented state of affairs.

Q. Why do you say that?

A. Let's take a hypothetical case: Professor A is teaching his 11 o'clock class in Geology I. He has never felt it necessary for police to be stationed outside his door to keep out hooligans. But suddenly we have this situation where a bunch of hoodlums bust in on Professor A's class yelling, "This class is dismissed," or, "The Ice Age is irrelevant to our problems"—all the while threatening to beat up students and the professor if they don't comply with demands.

We have no defenses against this because it has not happened before. Lacking any other resources, what I have done is to rely upon the police ever since I became acting president.

Question. What, exactly, were your tactics?

A. First, I stationed the police in each building, so all the disorder was eliminated from the buildings of the central campus. Then later we drove the hoodlums off the central campus and onto the streets. And that is where they were when last seen.

Question. Has your personal safety been jeopardized?

Answer. I've never been fearful of my own safety, but the policemen keep telling me I should be, so I get a police escort to and from the school every day.

AT STAKE: REAL FREEDOM

Question. Is academic freedom on the campuses of America seriously threatened by the kind of disorders you have described?

Answer. I believe so. Until now, we have been organized to defend that freedom against attacks from the "right wing," from high political authority and from elements outside the college. But today the attack on academic freedom comes from the "left," from below—the disadvantaged, the militants and so on—and from within the college. And our defenses, like the guns of Singapore in 1941, are pointed the wrong way.

This is a serious problem. Through all the disruption there runs this theme: "Let's shut down the college so we can establish social justice and have racial equality." Clearly this argument is profoundly phony. It is as if these people were saying: "Let's get a relevant education—let's shut down education altogether." But, however phony, this kind of attack on academic freedom will force us to devise a whole new system of defense.

Question. What are some of the things that colleges ought to be doing to fend off these attacks?

Answer. First, we need firmer administration and a facing of the fact that universities don't run themselves. There must be a clearly understood network of obligations that relate instructors, professors, department heads and administrators to each other.

Secondly, we must have more-effective student participation in decision making.

Third, we seriously need more-effective student disciplinary procedures, as well as methods for resolving grievances.

Finally, we need better teaching—more dedicated, more innovative, more student-centered.

Question. Aren't many of these militants getting financial aid from the Government in the form of grants or loans? Could that aid be cut off?

Answer. Yes—and I would favor such a step except for students who are absent because their professors are on strike. According to the last figures I heard, about 89 of the 500 or so students arrested since last fall were getting some kind of financial aid—and certainly their aid is going to be reviewed. Under the law, actually, we are required to cut-off federal aid to students found guilty of participating in disorders.

Question. Do you think the taxpayers will continue to support colleges and universities that are in constant disorder?

Answer. I'm sure the taxpayers are going to rebel. There are already signs of this, as I have been able to observe in testifying before a congressional committee and in talking with State legislators in Sacramento.

Question. How much longer can these disorders go on before the whole educational system goes down the drain?

Answer. There is a limit, but I don't know just where it is. Certainly our colleges and universities can't sustain these disruptions indefinitely. And neither can our high schools—which appear to be next on the firing line.

On the other hand, I do see signs of hope that these disturbances will pass out of fashion in the very near future, so far as colleges are concerned. On our own campus, for instance, support seems to be growing in the academic senate for a stricter system of student discipline. We used to be outnumbered by about 3 to 1, but now it is closer to 4 to 3. We're sneaking up on them.

Furthermore, hundreds of our students have braved taunts and physical threats to attend classes that were open. A big majority of the 800 or so black students are going to class—or would like to do so if they weren't scared of being beaten up.

One of the very gratifying things to me so far has been the fantastic support I've been getting from the general public. There have been bushels and bushels of fan mail and telegrams—nearly 100 per cent in my favor.

Q. Where does this support come from?

A. It comes from our own students and from students in other institutions. It comes from parents. People have placed petitions of support for me in drugstores for customers to sign; then they send a whole stack of petitions along to me. They have even been wearing armbands proclaiming their support of me in various parts of San Francisco.

When you study the fan mail, something very interesting comes out of all this:

Much of the mail is from people who have been to college, graduating as recently as 1965 or as long ago as 1915. They see the American college system going down the drain because of the things that have happened in Madison and Ann Arbor and at Columbia University, and they see me as someone who is trying to preserve academic freedom and restore order.

But there is also an enormous amount of mail from people who never went to college and who say: "I want my children to go to college, and I'm glad you are there to preserve the college that we aspired to but could never attain."

SO MUCH FOR THE PUNKS

Q. Are these letters from the less affluent, for whom the militants claim to speak?

A. Exactly. People without advanced, formal education—servicemen, first and second-generation immigrants, working people—all seem to be 100 per cent in support of my position. So much for the punks who are abusing this wonderful privilege of going to a college that they now want to destroy.

Vanguard of the Campus Revolt

(By Ernest Dunbar)

I saw him loping across the manicured campus of San Francisco State College, bearded and Christlike, carrying a large wooden cross. A student rebellion was swirling around us, chaotic, exhilarating, tinged with incipient danger. (In the face of the insurrection, State's president had fled, saying, as he boarded an Ethiopia-bound jet, that he was "tired of being the goat.") Second-echelon administrators were trapped in their offices, while the halls, gorged with demonstrators, resounded to the din of students pounding on doors and wastebaskets. Campus policemen, heavily outnumbered, wandered by, benign and neutralized. But the air was heavy with the expectation that tactical police might arrive at any moment and the tenuous benevolence give way to head-cracking, hair-pulling and groin-gouging.

I pulled the bearded crossbearer out of the melee and, on the steps of a fire escape in a now-deserted classroom building, asked him how he had arrived at his present state. The words came haltingly at first, then in a stream. He would not tell me his last name, but said I should call him Steve. He is 20, a sociology major. His family is steeped in the tradition of the U.S. Navy. His grandfather had been a naval officer, and his father and two brothers are officers in that service now. "But I couldn't see that," he says. In his high school days in a conservative California county, he spoke up for civil rights and against the war in Vietnam. That got him into trouble and, eventually, a suspension. When a screening committee of faculty members weeded him out of a high school election, that added to his resentment. After graduating in 1964, he went on to junior college and there attended his first meeting of Students for a Democratic Society. Steve recalls: "They had a member of Berkeley's SDS as a speaker, and it scared me to death. I thought these people were Communists. But then I began to weigh what they were saying and what I felt, and it was the same, even if the terminology was different." For a while, Steve dropped out of college. He couldn't see its value in his life. Now, he's back and he's a member of SDS. "I look back on what I did in high school, and it was dumb," he says ruefully. "I had nothing to back me up. If that suspension had happened now, there would have been a big protest." Steve says he has changed too: "Six months ago, I would have avoided conflict and confrontations. Now, I understand that you can't bring about change by doing nothing. Love is getting hit over the head by a cop for something you believe in. And I'm sold on the Movement because it's for change."

As the nation has come to automatically anticipate violent "long hot summers" in the ghetto, college administrators are bracing for another academic term of student unrest. Even the most remote university administration now knows that many students are unhappy about life in the groves of academe. Newspaper editorials grump about a generation hatched under Spock-tainted permissiveness; politicians threaten deans who hesitate about throwing the rascals out; administrators wonder whether to lay in a supply of Mace, and parents scratch their heads over how their gentle Johnny became the Che Guevara of his class. While there are as many reasons advanced for the campus explosions as there are affected universities, everybody seems to agree that the center of the vortex is the national organization called Students for a Democratic Society, or SDS.

With the spectacular shutdown of prestigious Columbia University in May, capping a season of academic eruptions led by SDS or its adherents, that organization has emerged as the most powerful engine of student protest. What is less well-known is what SDS is after, who its principal movers are and how it has captured the allegiance of some of the most brilliant students on the American campus.

FBI director J. Edgar Hoover, in a congressional appearance to plead for more men and money for his agency, recently termed SDS "a new type of subversive," warning, "their danger is great." The organization that he accused of being "infiltrated by Communist party members" (in 1966, he charged SDS was financed by the Communist party) has, according to Hoover, "seized upon every opportunity to foment discord among the youth of this country." Syndicated columnists Drew Pearson and Jack Anderson have asserted that the campus disturbances of 1968 were the result of "an international conspiracy," linking Columbia University SDS president Mark Rudd with student leaders Rudi Dutschke in Germany and Danny "The Red" Cohn-Bendit in France as the architects of that conspiracy.

To uptight college administrators, irate alumni and some bewildered parents, the Hoover-Pearson-Anderson explanations present an easily grasped rationale: conspiring Communists and surreptitious student schemers.

But SDS—indeed, the student world itself—is a lot more complicated that that. And for what the growing student disaffection may portend, both are worth a serious look.

Students for a Democratic Society came into existence in 1962, when young members of the old socialist League for Industrial Democracy quit the parent group and set up their own unit, SDS. Its founding meeting in Port Huron, Mich., drew 59 people from 11 colleges; and out of that meeting came the SDS credo, the "Port Huron Statement," drafted mainly by SDS's first president, a University of Michigan student named Tom Hayden. According to that document: ". . . We seek the establishment of a democracy of individual participation, governed by two central aims: that the individual share in those social decisions determining the quality and direction of his life; that society be organized to encourage independence in men and provide the media for their common participation."

The Port Huron Statement advocated something called "participatory democracy," a leaderless, decentralized system in which every man's view would be as important as that of his fellow.

SDS's central theme was and is that the present American corporate capitalist system manipulates and oppresses the individual, is run by a corporate/military elite that profits while the rest of the citizenry are only depersonalized pawns in the game. Basic to this thesis is the accusation that the nation's universities are key accomplices in this process, furnishing research and ideas to the military-industrial complex and psychologically conditioning students to take their places submissively in the corporate slots that await them. SDS is out to overturn this setup, starting where the system's strategic resources are located: in the universities.

In its early period, SDS endorsed liberal Democratic congressional candidates, later worked among poor whites and in black ghettos of the North. SDSers, drawing their inspiration from the Southern civil rights movement, in which many had earlier worked, did little to construct an elaborate political theory. Action was their style. They were content to leave the theorizing to the Old Left, whose wrangles and internecine warfare over ideology had, in SDS's view, used up much of whatever energies the aging radicals once had.

Some SDS founders came out of service with SNCC in the rural South, where they had suffered jail and beatings in their efforts to obtain the vote for blacks. They had sought a minimum of the American Dream—the ballot—for black sharecroppers in Mississippi and Alabama, and a number of them had been brutalized, in some cases by local law-enforcement officers. They were denied the aid and protection of the Federal Government in implementing rights they had been brought up to believe the Constitution guaranteed every American. These searing experiences were to have an important influence in shaping SDS's attitudes about the efficacy of the law, the nature of power and the lack of response of "moderates" to oppression heaped upon an impotent minority.

SDS now has its national headquarters in a squalid section of Chicago on the second floor of a building hunched between two short-order joints. The door to the building is kept locked, and you ring for admission, which is granted if you seem OK to whoever comes to the stairs to look you over. Top SDS people are leery of the press and of cops. They feel their views have been abused by the former, and their bodies, by the latter. Inside the dimly lit rooms that house the small administrative staff, anti-war, pro-Castro posters cover the walls along with other placards celebrating various revolutionary idols. Back issues of *New Left Notes*, the SDS newspaper, are piled up in random mounds.

After a lot of verbal maneuvering, Tim McCarthy, a young, laconic, open-shirted fellow who is assistant national secretary of SDS, agreed to talk to me—not in the office but downstairs in one of the greasy spoons. A lot of reporters come ringing that doorbell these days, and SDS people apparently figure that they might as well be eating (on the reporter's tab) while they are furnishing the facts to the minions of the mass media. It is also obvious that they would like to get said minions out of the place and into more neutral territory.

McCarthy did not go for a suggestion that we photograph in his office. He told me how a CBS crew was permitted to film a TV interview there "and one of the sound men turned out to be an FBI agent." (I tucked that bit away in my mental miscellaneous file from which it was retrieved when, sometime later, the three major networks complained to the Justice Department that FBI men were in fact masquerading as TV newsmen to get evidence against draftcard burners.) McCarthy, like other SDS leaders I've spoken to around the country, operates on the assumption that his phone is tapped and his mail opened. He is 26, was a founding member of the State University of Iowa's SDS chapter, and has been in the group for two years. (He has since gone out into the field as an organizer.)

SDS's national hierarchy consists of three national secretaries, elected yearly, and an eight-man national interim committee. Below them come some 20-odd organizers who operate across the country on $15 a week and "a little help from our friends." Being an SDS national officer doesn't mean what it might in some other kind of association. "There's not a great deal of hero worship in this organization," McCarthy said. That turned out to be an understatement. Other SDS people I talked to around the nation were unaware of the names of some key national officers. And while the group's national convention sets general policy lines, in reality, each chapter decides for itself what its goals and strategies will be, dictated by the particular circumstances of its campus.

This abhorrence of form is evident in SDS's membership rules. Anybody who wants to can become a member. "National members" are those who pay $5 dues to the national organization, but only about 6,000 of 35,000 members (on 300 campuses) are national members.

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SDS has changed since those early days after Port Huron. "We wouldn't say we were anti-imperialist in 1965," McCarthy said. "Now, we do. The word has become more respectable, partly because we keep using it. We demand you listen to the content, not the emotive value of the words we use." SDS has changed in other, more significant, ways. From nonviolent sit-ins and marches, it has shifted to what it calls "resistance" that sometimes involves violent confrontations. In a document called "Toward Institutional Resistance," Carl Davidson, one of SDS's major theorists and a national officer, remarked last year: "Some of us have fared better than others, but nobody goes limp anymore, or meekly to jail. Police violence does not go unanswered: Sit-ins are no longer symbolic, but strategic: to protect people or hold positions, rather than to allow oneself to be passively stepped over or carted off."

SDS's ranks contain activists of all political varieties: Marxists, anarchists, Socialists, Democrats, Communists (pro-Moscow, pro-Peking, pro-Castro and lower-case "c" varieties) as well as the alienated apolitical types and hippie exotics. Remembering a college generation of the fifties that had been frightened into silence by Communist witch-hunts, SDS's organizers deliberately decided to open its ranks to anyone of whatever political creed, and so to remove the Red-baiting weapon from its enemies. Like participatory democracy, which usually manifests itself in interminable, often dull debate, the SDS policy of opening its arms to everybody doesn't always work out well. SDS is increasingly threatened with a take-over by student members of the Progressive Labor party (PL), a disciplined, secretive Communist cadre sympathetic to Peking, or, alternatively, with being torn apart by anarchists.

A look at the way SDS chapters function on several campuses across the country reveals a number of similarities and some important differences. Many of the issues SDS focuses upon stem from its determined opposition to the Vietnam war: issues such as the draft, on-campus recruiting by the military, the CIA and war-connected firms like Dow Chemical Company. With equal vehemence, it opposes the ROTC and university involvement in military research. The reform of university structure and curricula, the student's participation in administration, the admission of more minority-group students and opposition to dismissal of radical faculty members are also key SDS goals.

The targets at each university vary according to the political climate of the campus as well as the relative sophistication of the student body. At Princeton or Wisconsin, the issue may be the school's stockholdings in the Chase Manhattan Bank, an institution that is attacked for its commercial participation in apartheid South Africa's commerce. At Dartmouth, the crusade may be over ROTC. The issues, whatever they may be, are fixed upon to expose what SDS calls the university's collusion with undemocratic, militarist or racist practices—and to show the student that he has the power to change all that if he will.

Though SDS frequently acts in alliance with black student groups on campus, there is an embarrassing gulf between the white radicals and the black activists. The blacks insist on running the own show for their objectives, which frequently turn out to be a demand for a greater hunk of the Establishment action, and they suspect the motives and attitudes of middle-class white radicals. A member of San Francisco State's Black Students' Union accused SDS there of "pimping off the moral fervor of the black revolution." Some white radicals see these attacks as black racism, and keep a pained distance. Older SDS people say they see the wisdom of the black demand that white revolutionaries organize the white community (a job they agree is formidable and just in its embryo stage) and maintain comradely but aloof postures toward the blacks.

Though young, SDS organizers are frequently shrewd judges of the human animal. John Kauffman, 22, a student at the University of Wisconsin in Madison, told me about how he organized for SDS in dormitories there. "We talk nitty-gritty, basic radicalism, getting control of your life from the forces which are manipulating you," he said. "Dorms are a prime area to work in because the people in them are in frequent contact, will be together for a number of months and live in generally repressive circumstances. We start on the top floor of the dorm with a list of people we already know. We call meetings and talk to students about draft resistance, the nature of the university, and how you change these things. Then we help them call meetings of people on other floors, and we exchange ideas and information on what they are doing."

Soon the ferment spreads to all floors of the dorm. "Our main problem," Kauffman says, "is that people feel they are impotent. You have to convince them that they *can* change things. That means coming back to talk with them again and again.

"We started with the rule: 'No parties on Friday night.' We demanded we be allowed to give a party on Friday night. Then we went to the rules on having visitors in your room, then to the price of rooms, which is high here. You have to give the issue a nitty-gritty context, and the price of rooms, visiting rules, parties are all things that affect everybody in the dorm no matter what their politics. You show them that radicalism is in their interests!"

Kauffman transferred to Wisconsin from Hobart College (Geneva, N.Y.), where his earlier organizing effort in the student government had not worked out well. "The president threatened to throw me *and* the student government out," he recalled, "so the students backed down. But we learned from that mistake. Now, when an administrator calls one of us in, he has to see all of us. They'll have to enlarge their offices!"

The enshrinement of "leaders" or an "elite" is a constant fear of SDS people. When registering with the student-affairs office, an SDS chapter will often file the names of a number of chapter members with no title or ranking. (Besides discouraging elitism, this practice also makes it hard for administrators to single out individuals for punishment.) John Fuerst, a bespectacled graduate student at Wisconsin, is one of the key figures in SDS activity on that campus and leads the Wisconsin Draft Resistance Union, another SDS project. "Over thirty percent of the people who have joined WDRU have never been involved in any political activity before," he told me. "Four years ago, they would have been affected by the draft, but they still wouldn't have taken any action. Now, they will. It's a radical thing in America when people begin to act out of their needs." The WDRU mobilized 800 people in three hours to mount an egg-throwing, tumultuous protest against a campus visit by draft director Lt. Gen. Lewis B. Hershey.

Fuerst, a 1967 Columbia University graduate, helped organize Columbia's SDS chapter and recruited its eventual head, Mark Rudd, into that unit. Like Rudd and most of SDS's revolutionaries, Fuerst comes from a comfortable middle-class background. His father is city manager of New Rochelle, an affluent New York City suburb.

SDS is repeatedly denounced for not having an alternative to the system it is attacking—often by critics who, in the same breath, score the organization for thinking it has the only solutions. But Fuerst shrugs off the charge: "Our job is not to give answers or to put another bigger, shinier product on the shelves; it's to get people to the point where they can take power in their own lives."

Bob Minkoff, a 25-year-old Ph. D. candidate at the University of Texas, Austin, agreed. "I can give you a few ideas," he said, "but I can't tell you who'll collect the garbage after the revolution! The ways will come out in the struggle." Like many in the Movement, Minkoff derides the oft-heard criticisms of the behavior of radical youth: "I explain to our kids that just as the middle-class kid is alienated, so are his parents, but they don't know it. All those pills, tranquilizers, and liquor their parents are on, we make kids realize that comes from being hung-up. Take those parents who marry and divorce, marry and divorce—I call that serial polygamy—is that really different from my sleeping with one person after another? We make people realize they're hung-up because they grew up in a hung-up society that doesn't recognize human values."

SDS in Texas takes on a different style from Wisconsin, Columbia or San Francisco State. "We are not trying to make the administration here make changes," says Gary Thiher, an SDS leader, "We are trying to get the students to see that *they* should be controlling the university." But Thiher and his associates have an uphill fight. Recently, the Texas Senate passed a law making any regulation passed by the state's Board of Regents a state law. In turn, the Regents have ruled that anyone participating in a demonstration that disrupts a school's functioning will be automatically expelled.

Thiher, a philosophy student, and Thorne Dreyer, another SDS worker, publish *The Rag*, one of the better of the myriad "underground" newspapers that carry the comments, analyses and exposés written by SDS's sages and the gurus of the New Left. Austin's SDS has contributed several prominent figures to the national SDS scene, but last year, the bullet-punctured body of one of its most publicized activists was found stuffed in a freezer in the Austin grocery store where he worked after school. Locals attributed his death to a holdup attempt, but many Texas SDS people think otherwise.

On more conservative campuses, to belong to SDS is still a cause for scandal or reprisal, and its members are reticent about acknowledging their affiliation. Moreover, its activists often work in *ad hoc* committees set up to focus on a specific issue but encompassing people from more prosaic campus groups. Not everyone on such committees is aware of who is SDS and who it not. At Chicago's Roosevelt University, a student coalition seeking the reappointment of controversial professor-author-North Vietnam visitor Staughton Lynd was headed by Paul Shain, a non-SDS apolitical type, but the Lynd backers were basically an SDS group. At San Francisco State College, where students are pushing a variety of demands, SDS allies itself openly with organizations representing blacks, Mexican-American students and others. Its campaigners work diligently for the cause they join, and, since SDS tends to draw its key activities from among the most gifted students on campus, Columbia's Grayson Kirk was not the first university president to find himself out-field-marshaled by a fuzz-faced undergraduate.

SDS has evoked emotions ranging from sympathy to apoplexy among faculty. Its move to "resistance" and power confrontations with administrators has left many professors adrift in their classroom rhetoric as student guerrillas fought their way into academic provinces that had heretofore been under faculty rule. Many teachers were shocked by the rebels' tactics, but some of the same teachers admitted the justice of student demands. Like administrators and parents, the professors are fairly ignorant of the men and ideas that move the SDS types. At Wisconsin, SDS organizers held a seminar for interested faculty, using a list of writers, philosophers and economists admired by the New Left. After several meetings, the faculty members complained to the undergraduate seminar leaders that there were too many books listed for them to read in the scant time their crammed schedules allowed.

While shaking up the American university scene with the tactic of confrontation, SDS and its adherents have imprisoned administrators, barricaded buildings, wrestled with police, harassed clerical help, disrupted classes, heckled speakers, tied up university switchboards and driven military and corporate recruiters from the campus. In return, they have received bloodied heads, expulsions, suspensions, lost student deferments—and were thus drafted. Some have gone to jail. The U.S. House of Representatives has voted to deny Federal funds to students who demonstrate, and several state legislatures have passed laws with similar intent.

But each clash with the police or university authorities has delivered increasing numbers of angry or alienated students into the psychological arms of SDS—and that is no accident. SDS seeks to "radicalize" students by exposing the universities' complicity in enterprises ranging from chemical- and biological-warfare research to a personnel-agency relationship with the corporate world that belies acadame's exalted claim that its mission is simply the pursuit of knowledge. And SDS seeks to show that a university administration's ultimate weapon is force, not the consent of its constituents.

At the same time, the student organization has attacked outmoded educational and administrative practices that have stifled generations of more tractable undergrads. The widespread alienation of the young bred by the Vietnam war has been a key factor in the success of the SDS movement, but it is not the only ingredient. The sense of powerlessness before huge, impersonal forces that pervade the student community has been no small ally.

As the vanguard of the student revolt, SDS has seen some of its heresies gain respectability. When it held the first large anti-Vietnam war demonstration in Washington in 1965, it brought down upon itself the wrath of the Attorney General, the FBI, outraged congressmen; a Federal investigation followed. But today, even Richard Nixon talks about "de-Americanizing" the war, and the dove, if not the national symbol, has at least become an acceptable member of the political aviary. Similarly, the judgment contained in the 1962 Port Huron Statement that "The awe inspired by the pervasiveness of racism in American life is only matched by the marvel of its historical span in American traditions" has been echoed six years later in the Kerner Report, commissioned by President Johnson.

The SDS-led attack on the university-affiliated Institute for Defense Analyses, which performs services for the Department of Defense, forced IDA recently to loosen its direct links to the campus. And at Duke, George Washington, New York University and many other schools—including embattled Columbia—major reforms have been announced that will give students—and faculty—a far greater voice in the running of these institutions.

But the organization that spurred these changes never intended to limit its goals to the campus, nor does it see these gains as ends in themselves. SDS has already turned on what it hopes will be an energetic drive to radicalize U.S. servicemen, factory workers, high school students and people in the professions. While college students do not find it easy to convert time-clock punchers to their revolutionary doctrines, SDS is winning numerous converts in its high school campaign. And it is drawing more and more servicemen to its anti-war coffeehouses set up near military bases in an attempt to radicalize troops.

As SDS expands, it is being troubled by a swarm of problems that go to the group's very foundation. One of the biggest is how to tackle effectively the problem of organizing outside the college community. There is sharp disagreement within the leadership over whether poor whites, blue-collar workers or the so-called "new working class" of technicians, scientists and academics are the most promising populations to woo. A major worry that eats at SDS's best activists is how to maintain their radical zeal once they've graduated. An SDS document noted: "The Movement is one of the only places where people can and actually do try to deal with each other as human beings, after college. However, if the only alternative we can offer adults is to join the Movement and live like the younger organizers, or stay put and give money, we have little to offer." Several organizations have been formed to channel the energies of the post-campus SDSer, but no one has yet satisfactorily resolved the hang-up of the Movement vs. the mortgage.

The fluid, sometimes confused SDS structure, in which each chapter calls its own shots, has given the movement verve and excitement, but has also made for a patchwork of programs, some admirable, some frivolous, but with little coordination.

Lastly, while many SDS activists deny the need to have political alternatives to the structures they would dismantle, others feel it is imperative to go beyond sporadic confrontations to work out a coherent, long-range political philosophy.

Sometimes inspired, often chaotic, the Students for a Democratic Society represents an effort by a key minority of the Nuclear Generation to break out of a political and moral maze built by their elders. It is an upheaval being duplicated around the world, in Communist and non-Communist countries alike. What began on the campus may well prove educational for our entire society.

HOUSE WAYS AND MEANS COMMITTEE REFUSES TO CHANGE METHOD OF CALCULATING NATIONAL DEBT CEILING

Mr. BYRD of Virginia. Mr. President, the Ways and Means Committee of the House of Representatives Thursday refused President Nixon's request to change the method of calculating the ceiling on the national debt.

By a bipartisan vote of both Democrats and Republicans, it refused to eliminate from the debt ceiling Government borrowings from the trust funds.

I applaud the action of the Ways and Means Committee.

I appeared before the committee Wednesday and urged that it reject the proposal submitted by President Nixon and Secretary of the Treasury Kennedy.

Under able questioning by committee members, Secretary Kennedy admitted that the proposed plan would permit the administration to spend, during the next 4 years, $40 billion more than it takes in, and yet that $40 billion would not be subject to the debt limitation.

To put this figure of $40 billion into perspective, I cite these figures, Mr. President:

During the nearly 8 years of President Truman's administration, the national debt was increased by $33 billon; during President Eisenhower's 8 years, the national debt increased by $23 billion; during the 8 years of the Kennedy-Johnson administrations, the national debt was increased by $70 billion.

Again, Mr. President, I applaud and commend the House Ways and Means Committee. I think it struck a blow for good government when it refused to eliminate from the debt ceiling vast sums of moneys which the Government borrows from its own trust funds, the largest being social security.

As a strong advocate of social security, I do not want to run any risk whatsoever of jeopardizing the integrity of the social security funds, which funds mean so much to the American people when they reach their twilight years.

U.S. CASUALTIES IN VIETNAM

Mr. BYRD of Virginia. Mr. President, U.S. casualties in Vietnam this past week, February 22 to March 1, totaled 3,069.

Of this total, 453 were killed, 2,593 were wounded, and 23 are missing.

The total of American dead last week was the seventh highest incurred in any week in the Vietnam war.

Reports from the allied command in Saigon make clear that the enemy has concentrated his attack on American installations and managed to kill significantly more U.S. soldiers this year than during the first week of the enemy's Tet offensive last year.

Mr. President, almost weekly for a number of months now, I have expressed the view in the Senate that the American fighting men in Vietnam have become the forgotten men.

Will not the Nation pay heed to last week's casualty figures—3,069?

During the calendar year 1968, the United States suffered an average of 2,000 casualties per week. So, last week's casualty figure is 50 percent greater than the average week of 1968.

For those who feel the Vietnam war will go away if nothing is said about it, I cite the fact that during the 2 months of January and February of this current year 1969, the United States suffered 12,667 casualties. This in just 2 months.

I shall continue, Mr. President, to focus attention on the casualty figures. Are we going to continue to draft Americans, take them from their communities, their homes, and their families, and send them to Southeast Asia to fight, and yet, not give them full protection from the enemy onslaught?

Wishful thinking is not going to end the war in Vietnam. That war, in my judgment, is the Nation's dominant problem and should have first attention by the new President and his new team.

ORDER OF BUSINESS

Mr. SCHWEIKER. Mr. President, I ask unanimous consent to address the Senate for 25 minutes, for the purpose of introducing a bill during the morning hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 1433—INTRODUCTION OF DRAFT REFORM BILL OF 1969

Mr. SCHWEIKER. Mr. President, I have long been interested in achieving meaningful reform of present draft procedures. I know that a number of my colleagues agree that we must do everything

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that we possibly can to reform the inequitable and outdated means we are now using to register, classify, and induct young men into the military services.

While the various bills which have been introduced this year are not identical in all respects, it is clear to me that there is growing sentiment in this body that much needs to be done if we are going to have a draft system which will, at the very least, be fair to all whose lives it touches, even though it may never be totally acceptable to our young population. To implement some of the reforms which I feel are critically needed Mr. President, I am introducing today the Draft Reform Act of 1969. I believe this bill will go a long way toward accomplishing some of the changes which need to be made, and would provide the following:

First. Limit the time that a young person is draft-eligible to a 1-year period except in cases of a dire national emergency. This would eliminate the present uncertainty clouding a young man's life for as long as 7 years.

Second. Uniform national standards which each local board would be required to follow for induction, classification, and deferments. This would provide equal treatment for all and eliminate many of the present inequities.

Third. One national manpower pool, with random selection by Selective Service System headquarters of those eligible for induction. This would insure that a person's place of residence or date of birth would not be a factor in his induction.

Fourth. Student deferments, whether for college, graduate school, junior college, vocational school, or apprentice training, with the express stipulation that the individual would be exposed to the same 1-year liability for drafting immediately following the completion of his educational training or at age 25, whichever came first. This would permit educational and training deferments but close all loopholes.

Fifth. A 6-year term for the Director of Selective Service with the advice and consent of the Senate. This would provide closer congressional review of Selective Service System administrative procedures and policies.

Mr. President, I am pleased to announce that I have been joined in cosponsoring this proposed legislation by the following Senators: the Senator from Indiana (Mr. BAYH), the Senators from Kentucky (Mr. COOK and Mr. COOPER), the Senator from California (Mr. CRANSTON), the Senator from Kansas (Mr. DOLE), the Senator from Maryland (Mr. MATHIAS), the Senator from Oregon (Mr. PACKWOOD), the Senator from Illinois (Mr. PERCY), the Senator from Pennsylvania (Mr. SCOTT), and the Senator from Idaho (Mr. JORDAN).

As a Member of the other body, representing the 13th District of Pennsylvania, I have been active in a number of ways during the last few years, in an effort not only to reform and modernize our draft system, but also to work toward the eventual creation of an all volunteer army.

In 1965 it came to my attention that Pennsylvania's draft quota was larger than the State's share of draft-eligible men. At that time Pennsylvania was providing 10.3 percent of the young men being drafted during a given month in this country, whereas its draft age population was only 6.4 percent of the national total of draft age men. In effect, Pennsylvania was being penalized because its relatively more efficient system of processing registrants was resulting in its reporting more men as eligible for induction.

After reviewing the procedures then being used by Selective Service officials for determining their monthly quotas, and after discussing with them possible ways of making the calls more equitable for each State, I asked them to establish a fairer formula for determining a State's draft quota, and they accomplished this.

During 1966 a number of my colleagues and I gave very close study to possible ways of reforming the draft system. The more I studied the system, and the more mail that I received from constituents giving details of the problems which they were experiencing with their local draft boards, the more I became convinced that only a full scale revision of the existing draft structure would be adequate to clean up what can only be described as a horse-and-buggy system in the jet age.

Numerous examples of the inequities of the system cross my desk every day. I recall one rather vividly. Two pilots, both working for the same airline, both flying cargoes of critically needed materials to South Vietnam, both doing exactly the same job—one of them was classified 1–A by his local draft board, the other was given a critical skills deferment by his local board in another State. Interestingly, the more experienced pilot was drafted. Many similar instances have come to my attention since then.

The problem of student deferments has been a serious one for some time. A man who goes to college and completes his 4 years of college, in the 4 years alloted to him, usually will have no difficulties. If the man starts 4 years of college, and, because of sickness, financial hardship, or some other unforeseen reason, he drops out for a term, Selective Service's position has usually been that he is not making "normal progress"; therefore they usually reopen his classification and take his 2–S student deferment away from him and give him a 1–A. Naturally, the man will have appeal rights, but in the meantime, he has uncertainty hanging over his head. He does not know whether, in fact, he will have to be drafted or whether Selective Service will eventually tell him he can go back to school, or at least will not draft him until the end of that school year.

There have been all too many cases of young men being drafted while going to junior college, or to a training school of one sort or another. There has been no standard policy for these people. It is all up to the local boards.

If a young man wants to go to a 2-year vocational training school immediately after high school, then I feel that we should let him. I feel that he has every right in the world to learn a trade, and we can just as well make him eligible for the draft for a year after his 2 years, instead of interrupting his schooling. These have been some of the problems which we have had to face.

During 1967 I introduced my own draft reform bill which contained many of the provisions in the bill I am introducing today. The Johnson administration had established its own commission to make recommendations on reforming the draft, and one would have hoped that with all of the public attention which was being focused on the draft, some meaningful changes would have been made.

Unfortunately, this was the case. Today, most of the reforms which my colleagues and I have advocated for so many months have not yet been made. I feel the changes which we are advocating today in this bill are long overdue. It seems to me that no reasonable man could argue that we are seeking change merely for change's sake.

I believe that we can and we eventually will have an all-volunteer army. But, in the meantime, I see no reason why the people of this country should accept a system for recruiting soldiers which is not fair to all, and which could, with relative ease, be made responsive both to the needs of the country in general, and to the needs of our young people in particular.

One of the most effective means of doing this will be to enact the legislation which I am introducing today, or legislation similar to it, which will provide a specified term for the Director of Selective Service. I admire General Hershey's long period of outstanding public service and dedication, but I feel that new leadership and new ideas are needed in the top post in this critical agency of our Government. General Hershey is a fine, patriotic American who has served his country well, and I feel that it is now time for someone else to take on the critical responsibilities which he has carried for so long.

In his March 1967 message to Congress, President Johnson directed the establishment of a task force to review the recommendations for restructuring the Selective Service System which had been made by the National Advisory Commission on the Draft, more commonly known as the Marshall Commission. As my colleagues will recall, the Marshall Commission recommended a number of very sweeping changes in the Selective Service System; many of those changes met with my approval. However, in directing the establishment of this task force, the President included the present director of the Selective Service System as a member of the task force. I cannot conceive how a director of any agency could be expected to take a rational and unbiased look at a report critical of the agency which he was heading.

The task force recommended, among other things, that "the present structure of the Selective Service be retained." It also recommended that "the proposed improvements suggested or supported by the task force in chapter IX, which require no legislation, be transmitted to the Director of Selective Service System for his consideration." In other words, the task force, with the

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Director of Selective Service sitting as a member, decided that nothing should be done, despite the sweeping changes recommended by the President's Marshall Commission.

No wonder our young population is disappointed and disillusioned with the workings of the system which affects them as a group more than any other in the country.

The provisions of the legislation which I am introducing today are the very minimum which need to be accomplished if we are to have a system which can truly be called fair. While my colleagues and I may differ on some of the details of the various proposals which have been introduced this year, and while I will, of course, be most anxious to see that these provisions, at a minimum, are enacted, it seems to me that the most important thing we must do is to realize that the eyes of our young people are upon us, and that they are expecting us to produce meaningful draft reform.

I therefore hope that all of my colleagues who feel so inclined, will want to join me in cosponsoring this bill; even more important, I hope that all of us who favor reform in the draft can work very closely together to see that real changes are made this year.

Mr. President, I ask unanimous consent that the text of the bill be printed in the Record at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 1433) to amend the Military Selective Service Act of 1967, introduced by Mr. Schweiker (for himself and other Senators), was received, read twice by its title, referred to the Committee on Armed Services, and ordered to be printed in the Record, as follows:

S. 1433

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Draft Reform Act of 1969".

Sec. 2. The Military Selective Service Act of 1967 is amended as follows:

(1) Subsection (c) of section 1 is amended to read as follows:

"(c) The Congress further declares that involuntary service in the Armed Forces should be required only when necessary to insure the security of the Nation, and that whenever involuntary service is required, the obligations and privileges of serving in the Armed Forces and the reserve components thereof should be shared generally, in accordance with a system of selection which is fair and just, and which is consistent with the maintenance of an effective national economy."

(2) Section 5 is amended by striking out subsections (a) and (b) and inserting in lieu thereof the following:

"Sec. 5. (a)(1) The selection of persons for training and service under section 4 shall be made as provided in this subsection from persons who are liable for such training and service and who at the time of selection are registered and classified, but not deferred or exempted.

"(2) Each local board shall transmit to the Director the name of each person registered with it, the classification assigned to such person, and such other information as the President may prescribe by rule or regulation. Such information and all changes with respect to such information shall be transmitted by each local board to the Director as expeditiously as possible.

"(3) Quotas of men to be inducted for training and service under this Act shall be established from time to time by the President and such quotas shall be met by the selection of persons from the primary selection group, after the selection of delinquents and volunteers, to the extent that such primary selection group has a sufficient number of qualified registrants to meet such quotas. The order of induction of persons in the primary selection group shall be determined by a random selection system prescribed by the President.

"(4) As used in this section the term 'primary selection group' means persons who are liable for training and service under this Act, who at the time of selection are registered and classified and who are—

"(A) between the ages of nineteen and twenty and are not deferred or exempted;

"(B) between the ages of nineteen and thirty-five and, on or after the effective date of the Draft Reform Act of 1969, were in a deferred status, but are no longer in such status; or

"(C) between the ages of twenty and twenty-six on the effective date of the Draft Reform Act of 1969 and are not deferred or exempted.

Notwithstanding the foregoing provisions of this paragraph, in order to provide for the effective administration of this subsection, the President is authorized, in the case of persons described in subparagraphs (B) and (C) of this paragraph, to postpone, on the basis of age, the inclusion of any such persons in the primary selection group for any period not exceeding four years following the effective date of the Draft Reform Act of 1969.

"(5) Unless selected for induction or unless otherwise deferred from induction into the Armed Forces, a person shall remain in the primary selection group for a period of one year. Any person who is in a deferred status upon attaining the age of nineteen shall, upon the termination of such deferred status, and if qualified, be liable for induction as a registrant within the primary selection group irrespective of his actual age, unless he is otherwise deferred under authority of this Act. Any person who is removed from the primary selection group because of a deferment shall again be placed in the primary selection group, if he otherwise qualifies, whenever such deferment is terminated. In no event shall any person be placed in the primary selection group for any period or periods totaling more than one year; nor shall any person be liable for induction as a registrant within such group after he has attained the thirty-fifth anniversary of the date of his birth.

"(6) No order for induction shall be issued under this Act to any person who has not attained the age of nineteen years unless the President finds that such action is necessary to meet the military manpower requirements of the Nation.

"(7) There shall be no discrimination against any person on account of race, color, or creed in the selection of persons for training and service under this Act or in the interpretation and execution of any provision of this Act.

"(8) Nothing in this section shall be construed to prohibit the President, under such rules and regulations as he may prescribe, from providing for the selection or induction of persons qualified in needed medical, dental, or allied specialist categories pursuant to requisitions submitted by the Secretary of Defense.

"(9) Notwithstanding any other provision of law, except section 314 of the Immigration and Nationality Act (8 U.S.C. 1425), no person who is qualified in a needed medical, dental, or allied specialist category, and who is liable for induction under section 4 of this Act, shall be held to be ineligible for appointment as a commissioned officer of an Armed Force of the United States on the sole ground that he is not a citizen of the United States or has not made a declaration of intent to become a citizen thereof, and any such person who is not a citizen of the United States and who is appointed by a commissioned officer may, in lieu of the oath prescribed by section 3331 of title 5, United States Code, take such oath of service and obedience as the Secretary of Defense may prescribe."

(3) Section 5 is further amended by redesignating subsection (c) as subsection (b).

(4) Paragraph (1) of section 6(h) is amended to read as follows:

"(1) Except as otherwise provided in this subsection, the President shall, under such rules and regulations, as he may prescribe, provide for the deferment from training and service in the Armed Forces of persons satisfactorily pursuing a full-time course of instruction at a university, college, junior college, community college, technical college, vocational school, or similar institution of learning, or who are satisfactorily pursuing, on a substantially full-time basis, an apprentice-training program or similar occupational instructional program, and who requests such deferment. A deferment granted to any person under authority of this paragraph shall continue until such person completes the requirements for his baccalaureate degree, completes the training program, fails to pursue satisfactorily his course of instruction or training or attains the twenty-fourth anniversary of the date of his birth, whichever first occurs, except that in the case of any person who has been awarded a baccalaureate degree and has been accepted by a university or college to engage in post-graduate work on a full-time basis, such person shall continue to be deferred until he completes the requirements for a post-graduate degree, fails to pursue his post-graduate work satisfactorily, or attains the twenty-fifth anniversary of the date of his birth, whichever first occurs. Notwithstanding the foregoing provisions of this paragraph, student deferments under this paragraph shall be discontinued upon a declaration of war by the Congress after the effective date of the Draft Reform Act of 1969, except to the extent that such deferments are determined by the President to be necessary to the maintenance of the national health, safety, or interest."

(5) The fifth sentence of paragraph (2) of section 5(h) is amended to read as follows: "The President is authorized under such rules and regulations as he may prescribe, to provide for the deferment from training and service in the Armed Forces of any or all categories of persons who have children, or wives and children, with whom they maintain a bona fide family relationship in their homes; except that no person who has been deferred from training and service in the Armed Forces on the grounds prescribed in the first sentence of this paragraph or in paragraph (1) of this subsection may thereafter be deferred under the provisions of this sentence on account of a marriage contracted after the date of enactment of the Draft Reform Act of 1969 or on account of a child born more than nine months after such date of enactment."

(6) Paragraph (2) of section 6(h) is further amended by striking out the last sentence and inserting in lieu thereof the following: "Notwithstanding any other provision of this Act, the President shall, in the administration of this Act, establish, whenever practicable, national criteria for the classification of persons subject to induction under this Act, and, to the extent that such action is determined by the President to be consistent with the national interest, require

such criteria to be administered uniformly throughout the United States."

(7) Paragraph (3) of section 10(a) is amended to read as follows:

"(3) The Director shall be appointed by the President, by and with the advice and consent of the Senate, for a period of six years. The term of office of any person serving as Director on the day before the effective date of the Draft Reform Act of 1969 shall expire on such date."

Sec. 3. The amendments made by section 2 of this Act shall take effect on the ninetieth day after the date of enactment of this Act.

BOARD OF VISITORS TO THE U.S. MILITARY ACADEMY—APPOINTMENTS BY THE VICE PRESIDENT

The VICE PRESIDENT. The Chair, pursuant to Public Law 84–1028, appoints the following Senators to the Board of Visitors to the U.S. Military Academy: The Senator from Florida (Mr. HOLLAND), the Senator from Nevada (Mr. CANNON), the Senator from Michigan (Mr. HART), and the Senator from New York (Mr. GOODELL).

THE BOARD OF VISITORS TO THE U.S. NAVAL ACADEMY—APPOINTMENTS BY THE VICE PRESIDENT

The VICE PRESIDENT. The Chair, pursuant to Public Law 80–816, appoints the following Senators to the Board of Visitors to the U.S. Naval Academy: The Senator from Washington (Mr. MAGNUSON), the Senator from Maryland (Mr. TYDINGS), the Senator from Pennsylvania (Mr. SCHWEIKER), and the Senator from Florida (Mr. GURNEY).

THE BOARD OF VISITORS TO THE U.S. AIR FORCE ACADEMY—APPOINTMENTS BY THE VICE PRESIDENT

The VICE PRESIDENT. The Chair, pursuant to Public Law 84–1028, appoints the following Senators to the Board of Visitors to the U.S. Air Force Academy: The Senator from Louisiana (Mr. ELLENDER), the Senator from North Dakota (Mr. BURDICK), the Senator from Colorado (Mr. DOMINICK), and the Senator from Arizona (Mr. FANNIN).

THE BOARD OF VISITORS TO THE U.S. MERCHANT MARINE ACADEMY—APPOINTMENT BY THE VICE PRESIDENT

The VICE PRESIDENT. The Chair, pursuant to the provisions of Public Law 78–301, appoints the Senator from Virginia (Mr. BYRD) to the Board of Visitors to the U.S. Merchant Marine Academy.

THE BOARD OF VISITORS TO THE U.S. COAST GUARD ACADEMY—APPOINTMENT BY THE VICE PRESIDENT

The VICE PRESIDENT. The Chair, pursuant to the provisions of Public Law 81–207, appoints the Senator from New Mexico (Mr. MONTOYA) to the Board of Visitors to the U.S. Coast Guard Academy.

REPRESENTATIVE MOORHEAD ON MAJOR ECONOMIC ISSUES

Mr. PROXMIRE. Mr. President, one of the delights of being vice chairman of the Joint Economic Committee is the stimulating and rewarding association with able Members of both Houses. In the last Congress, when I had the honor to be chairman of the Joint Economic Committee, we were strengthened substantially as a committee by the addition of Representative BILL MOORHEAD, of Pennsylvania. He has been an able and hard-working member of the committee to whom I am very grateful for his participation and contribution.

On February 25, my good friend BILL MOORHEAD addressed the Economic Club of Pittsburgh on the subject of major economic issues before the Congress this session. It is a most informative speech and I commend it to the attention of Senators. Among other things, he indicates that the traditional gap that has existed between economists and politicians has diminished substantially. This is an important point which is supported by the experience of many of you, I am sure, and by my own experience.

He also makes some cogent statements about the importance of tax reform and its relation to the promotion of economic stability. I feel most strongly that we must reform our tax system to make it more equitable, and I am encouraged by BILL's remarks on the subject.

BILL MOORHEAD has addressed himself most ably to a number of current economic problems. I ask unanimous consent that his speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

A VIEW FROM THE 91ST CONGRESS

(Remarks of Representative WILLIAM S. MOORHEAD, Democrat, of Pennsylvania, before the Economic Club of Pittsburgh, February 25, 1969, Pittsburgh, Pa.)

First of all I would like to say that I am very happy to be here, and especially with a captive audience of economists. I have just been the captive audience of the economic officials of the Nixon Administration for a week at the hearings of the Joint Economic Committee. If you don't understand why that is an ordeal, remember that an economist has been defined as a man who would marry Elizabeth Taylor for her money.

Today I would like to talk with you about what I think will be the major economic issues before the Congress this session. More importantly, however, I would hope that today I could establish a relationship with all of the members of the Economic Club of Pittsburgh so that I could turn to you when I need advice on economic issues facing the nation; and so that you would feel free to volunteer advice when I either don't have the time or the perception to seek it from you.

Before I get into my main subject, therefore, I would like to make some observations about the gap between economists and politicians—very similar in some respects to the generation gap. However, I believe the economic-political gulf is contracting and I'm not sure about the generation gap.

When I first went to Congress I heard many interesting and intelligent debates on subjects of defense hardware, housing, manpower training, medicare and so forth. When the subject became economics—interest rates, the Federal Reserve, the international monetary system—the level of the debate declined.

At that time there were, to my knowledge, no professional economists in the House of Representatives. Today only two Members are professional economists and neither of them serve on the three major economic committees. This is significant and very unfortunate because the major constitutional power of the Congress of the United States is economic.

In today's nuclear age, Congress' traditional role in shaping foreign policy has been diminished by necessity. Decisions in military and foreign affairs demand instant response by the President. However, in the field of economics the Congress can and should reassert its constitutional role.

Believing this, I sought membership on committees having to do with economic matters, and I have tried to educate myself in the field of economics. I hope that you will help me continue my education.

In my first term in Congress I became a member of the Committee on Banking and Currency, which, as all of you know, has legislative jurisdiction over domestic monetary policy, and which, as some of you may not know, has considerable influence in foreign policy by reason of jurisdiction over the international financial and economic institutions such as the World Bank, International Development Association, International Finance Corporation, International Monetary Fund, Inter-American Development Bank, and the Asian Development Bank.

In later Congresses I became a member of the Government Operations Committee, whose mandate is "budget and accounting measures," and whose duty is "studying the operation of Government activities at all levels with a view to determining its economy and efficiency."

Later I sought and obtained membership on the Joint Economic Committee.

Membership on this Committee will, I hope, help me to bridge the gap between economists and politicians.

The Joint Economic Committee is an unusual committee. Most committees are established under the rules of the Senate or the rules of the House of Representatives.

The Joint Economic Committee is a statutory committee. It was established by the Employment Act of 1946 to provide advice to the legislative branch on matters economic. A parallel group, the Council of Economic Advisors, was similarly established to advise the President as head of the Executive Branch.

The Employment Act is a unique piece of legislation. It vests no new powers in the Government, but declares for the first time in our history the explicit responsibility of the Government to conduct and use all of its plans, functions, and resources "to promote maximum employment, production, and purchasing power."

This is a significant responsibility, especially today, considering the role of growth in our economy in achieving so many of our social goals.

One of the main difficulties in dealing with the economic problems of the United States is this gap in understanding between professional economists and professional politicians.

The gap exists because too few politicians are educated in economics and too few economists fully understand politics.

One of the functions of the Joint Economic Committee is to help bridge that gap.

The gap exists because economists are essentially specialists and politicians are among the most extreme of the generalists.

The difference between a specialist and a politician was once described as follows: A specialist is a man who gets to know more and more about less and less until he knows everything about nothing. Whereas, a poli-

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tician is a man who gets to know less and less about more and more until he knows nothing about everything.

If, indeed, economists do have the specialized knowledge and training required to solve the nation's economic problems, your first job is to persuade politicians of that fact.

I believe you are doing that job and that the gap has narrowed considerably over the last 8 years. I think that we in the Congress have been educated on the theory of the management of aggregate demand through both the tax cut of 1964 and the tax increase of 1968.

It was just 8 years ago this month that the third recession of the Eisenhower Administration hit bottom. For 96 months since then the American economy has experienced the longest and strongest uninterrupted advance in history. It has been a stunning performance. It is worth noting that the purchasing power of households has risen from the recession trough in February 1961 by one-third and that is after taxes, and after adjusting for price increases.

I think that this expansion has shown that economists and politicians, on the whole, have indeed been communicating.

A strong beginning was made by Walter Heller, the Chairman of the CEA under Kennedy and Johnson. He began the dialogue, and let us hope it continues.

I think that this meeting here today is indication that you share my feeling of the great importance of discussions between politicians and economists.

Certainly we have plenty to talk about. Never, since I have been in Congress have economic issues so completely dominated the scene:

Inflation, balance of payments, the international monetary system, one-bank holding companies, taxes and tax reform, and the coming battle over the division of the post-Vietnam fiscal dividend.

Just to name the items in such a list staggers the imagination.

Anything like a thorough discussion would take us several days.

I'll just touch them lightly.

Continued inflation throughout 1968 was the headline news as the year-end figures were released. But I noted that the 4th quarter increase in GNP and the monthly consumer price increase for December were both the smallest for comparable periods all year.

It is my hunch that the Revenue and Expenditure Control Act of 1968 is beginning to take effect. This may be the message we should get from last week's shake-out in the stock market.

The inflationary outlook which looks so bad at first may turn out to be better than we think.

Contrariwise, the balance of payments outlook, which looks so good, with the first annual surplus in eleven years may not be so rosy.

The improvement in 1968 reflected a massive inflow of foreign capital—inflows which are unlikely to continue. Meanwhile, our merchandise trade surplus dwindled to the vanishing point.

The international monetary system presents similar paradoxes. We are on the way toward implementation of the most important reform since Bretton Woods—special drawing rights. Sixty seven members with 80% of the weighted votes are needed for ratification. At the present time the count is 29 members with 47% of the weighted vote.

I am confident that a sufficient number of IMF members will ratify the SDR facility to bring it into effect this year.

Despite progress toward SDR's, the international monetary system is, in my opinion, in disarray. Three money crises in 12 months indicates a monetary system in need of some overhaul. I believe that we should be studying ways to get some more flexibility into our exchange rates or an international money crisis could lead to a world-wide depression.

The top priority item before my Banking and Currency Committee—one-bank holding companies—could have particular importance to Pittsburgh.

A major reason for Pittsburgh's success and importance is that it is a corporate headquarters town. The recent wave of takeovers of corporations headquartered in Pittsburgh could mean, if it continues, that Pittsburgh will lose the industrial and civic leadership it has built up over the years.

Some of the conglomerates and the big banks are beginning to realize what an opportunity for corporate take-overs the one-bank holding company offers to them.

As you know, Congress in 1933 barred banks from engaging in non-banking activities. In 1956, The Bank Holding Company Act applied the same general rule to multi-bank holding companies, but exempted holding companies owning only one bank.

That Act was passed to prevent undue concentration of control of banking and to keep the business of banking somewhat separate from the rest of American business. Until the last two or three years this exemption was used primarily in small towns. But the fad has just recently hit the big national banks. In the last four months of 1968, plans were completed or announced for the creation of 99 new ones involving banks with deposits of $90 billion. The suddenness and significance of this spate of activity is clear when these figures are compared with those of last September 1 when 684 one-bank holding companies involved banks with deposits of $18 billion.

Because of feeling of reform is in the air, I think we are going to pass one-bank holding company legislation.

Reform is also in the air for Federal taxation.

As you know, Mr. Mills began hearings on the subject a week ago, today, which I believe will have very far-reaching consequences. Fortunately, the talk is not about another study but a program of reform.

The study has just been completed by the Johnson Administration Treasury. It is not slanted toward partisanship, but toward a modernized tax system with equity for people in all income brackets.

By far the greatest innovation coming from the Treasury study is the concept of a "minimum tax."

The Treasury plan seems an ingenious combination of the fair and the politically acceptable. We are all aware by now of the Treasury findings that "many persons with incomes of $1 million or more actually pay the same effective rate of tax as do persons with incomes of one-fifth as large." This happens largely because some types of incomes are not taxable; half or more of income from capital gains, interest on municipal bonds, part of the income from oil and other mineral properties. In addition, there are ways of taking large deductions against that part of income that is taxable—such as oil drilling expenses, or on the interest borrowed to buy stocks, with which to make capital gains. To meet this situation, the Treasury proposed a minimum tax graduated from 7 to 35% to catch these people with large incomes who now pay nothing because of these loopholes in the present law.

The essence of the proposal is that it gets at the problem of the tax escapee without tackling the deep philosophical and political question of whether the tax free exclusions are justified in the first place.

We can then examine the question of the overtaxation of the poor. The Treasury study shows that Federal income taxes are now being collected from 2.2 million families who are living in poverty. At a time when there is much talk about a negative income tax—the automatic payment of benefits to those below the poverty line—this exaction of substantial taxes from the poor is especially indefensible. Significant relief for families in this group could come from increasing the minimum standard deduction from the present $200 plus $100 per allowable exemption to $600 plus $100. The annual revenue loss would be $1.1 billion. The important fact of this reform is that $835 million of this would provide relief for families with gross incomes below $5,000.

It seems pretty clear from the Treasury reform package that meaningful reform to make our tax system more fair—which means making the rich pay something like a reasonable share and lighten the burden on the poor—will not bring in the billions that many thought would make tax reduction possible for the balance of the country. This may be difficult to accept, but tax changes that save $30–$80 a year for millions of low income families easily offset other changes that add as much as several million dollars each to the tax bills of some 40,000 wealthy taxpayers who now largely escape tax.

However, I firmly believe that reform to achieve tax equity is highly desirable in itself and should be the major thrust of reform in the Congress this year.

We should, in addition, consider reforms to improve the tax system as a mechanism to promote economic stability. Presidents Kennedy and Johnson have sought to achieve this by asking Congress to give the President standby power to raise or lower tax rates temporarily to stimulate or depress demand. Congress will never grant this power because a politically unscrupulous President could, a few months before an election, insure the election of his party by handing the people a tax cut. Furthermore, Presidential power to cut taxes is not necessary. Congress learned in 1964 that a tax cut can be good politics as well as good economics.

Therefore, on several occasions, I have urged that the Congress delegate to the President only the power to raise, but not the power to lower, the tax rate.

In August of 1966, an election year for me, I had the good economic judgment, though very questionable political judgment, to introduce a bill giving power to the President to raise taxes 5 percentage points during the adjournment of Congress. In retrospect, I think the country would have been better off if the Moorhead bill had become law and a 5 percent surtax had been imposed in 1966. I am inclined to think that a 5 percent surtax in 1966 would have obviated the necessity of the 10 percent surtax in 1968 and there would have been less inflation.

A national struggle even more basic and important than tax reform is shaping up—a national struggle that will affect the course of our destiny as a nation for years to come.

When the war in Vietnam is over, there will be budget savings estimated at 19 to 20 billion dollars, which would be achieved over a period of 2, possibly 3 budgets.

The struggle is over how the post-Vietnam fiscal dividend shall be divided among the military, the private sector through a tax-cut and to the public sector through social programs.

The most disturbing thing is that post-Vietnam demands for new weapons systems, and especially an anti-ballistic missile system, will be so great that they will use up all, or almost all, of the fiscal dividends that are so crucially needed for our domestic goals.

One of the reasons the military may be able to get away with this is that the Bureau of the Budget does not have effective control over the Defense Department.

Mr. Mayo, President Nixon's Budget Director, testified last week before the Joint Economic Committee and it was clear from his answers to questioning that the Bureau of the Budget does not scrutinize the mili-

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tary budget to the extent or in the same way they handle domestic programs. In all other Departments of the Government, budget examiners conduct an independent analysis and review which is submitted to the Director of the Budget. In Defense, budget examiners work not independently, but with their defense counterparts and the analysis and review is submitted first to the Secretary of Defense, rather than to the Budget Director.

Only after the Secretary has approved it, is the Review submitted to the Budget Director.

In legal parlance, the burden of proof has been shifted. Whereas other Secretaries must go to the President to have him overrule the Budget Bureau, in the case of Defense, the Budget Director must go to the President to overrule the Secretary.

In mid-March the Military Operations Committee, on which I serve, will hold hearings on defense procurement and it is my hope that we can bring to light this budgetary situation.

It is essential that Congress get a handle on the military budget, or otherwise the wonderful opportunities to use the post-Vietnam fiscal dividends in our domestic sector—both public and private—will vanish.

We have been discussing isolated and largely unrelated specific economic issues facing the first session of the 91st Congress.

I would now like to discuss with you and seek your help on a more fundamental and basic politico-economic situation.

For some time now I have been interested in and concerned about the institutional problems surrounding fiscal policy actions—both on the part of the Congress and the President.

Congress has virtually abdicated its Constitutional role in the overall budget process.

One of the most important functions of the budget process is to judge the combined impact of Federal spending and taxes on employment, prices and economic growth.

By varying its own spending levels, Government can affect total spending, and it can further influence spending by consumers and business by means of tax policy.

Congress does not properly or adequately participate in these decisions.

By fragmenting its decisions on the budget, Congress rarely, if ever, looks at the budget as a whole or considers its impact on the economy, on credit markets, or on our balance of payments position.

In reality, the Congress makes fiscal policy by legislating expenditure authorizations and revenue measures through two separate and unrelated processes. Revenue measures are considered by the House Ways and Means and Senate Finance Committees, and in the case of appropriations they are considered by the respective Appropriations sub-committees in a dozen or more individual legislative actions.

Therefore, the overall impact on the economy of the total fiscal package of the Federal Government is not weighed by the Congress at the time of individual actions. For example, during the 1st session of the 90th Congress, there were 14 regular appropriation bills enacted. The dates on which these bills were signed into law ranged from June 24, 1967, to January 2, 1968. All of these bills were authorizing expenditures, thus it would have been futile to try to establish any realistic total expenditure estimates before Congress completed action on these measures. In addition to the 14 regular appropriation bills referred to above, the Congress enacted 3 supplemental appropriation measures which granted appropriations in excess of $16 billion. All of these legislative acts were considered and authorized without explicitly relating them to the impact they would have on the overall economy.

There must be a better way.

I am now working on some proposals which hopefully will lead to a more reasonable and workable economic stabilization process. I would welcome any suggestions or criticisms from you.

This is the way I see the proposal working:

1. The President would send up his Budget and Annual Economic Report as usual in January, but he would include a recommended rate of a tax surcharge, which might be positive, zero or even negative based on his budget and his view of the economy.

2. The Joint Economic Committee, after independent analysis and hearings starting in early January, would propose a joint resolution establishing Congressional opinion of the economic prospects for the current year which would be debated and passed by March 1.

3. The Revenue and Appropriations Committees of both Houses would also begin hearings and studies early in January designed to produce a legislative budget resolution for debate and approval by April 1. This legislative budget would be debated against the background of the economic assumptions approved on March 1. It would include the following:

a. The Congressional target for total spending;

b. The Congressional target for total lending;

c. The foreign exchange costs of the spending-lending programs;

d. A program for financing the spending-lending budgets including passing, amending, or rejecting the President's surcharge proposal;

e. A program for financing the foreign exchange cost of Federal programs; and

f. An explanation and defense of the priorities involved.

4. After approving a resolution embodying an economic opinion and a legislative budget, the Congress can proceed as usual with its fragmented approach to the budget. They will, however, be able to do so against their own target and their own budget.

This is not an impossible recommendation. The Congress essentially followed this very procedure in the Revenue and Expenditure Control Act of 1968.

It is responsive to the constitutional intent of vesting control over money in the Congress.

In the surcharge, both the Congress and the President would have a vehicle for making an overall fiscal decision in a fairly routine way, without declaring or acknowledging any emergency, and with assurance that the decision is temporary.

It offers some hope to a rational approach to resolving the priority of claims on Federal resources that I see looming ahead.

It will put the Congress back on a more equal posture with the President in fiscal matters.

VICE PRESIDENT AGNEW'S ADDRESS ON OCEANOLOGY

Mr. FONG. Mr. President, all who view the oceans as the last, vast unexplored and undeveloped frontier on this planet will be heartened by the remarks of Vice President AGNEW on marine affairs. His remarks are especially noteworthy because they are the Vice President's first public statement on this subject since he became the Chairman of the National Council on Marine Resources and Engineering Development.

Last fall President Nixon pledged strong leadership in opening new opportunities in the seas. He said his administration will make full use of the Marine Resources Act of 1966.

That act, which I was privileged to cosponsor, established the Cabinet-level Council, presided over by the Vice President and composed of the heads of six departments and several agencies. Its main task is to advise and assist the President in planning and coordinating Federal marine activities.

Vice President AGNEW underscored the new administration's commitment to oceanography in a speech delivered in New York City on February 24 at the American Management Association's briefing session on "Oceanology—The Challenge to Industry."

The Vice President recognized both the opportunities and challenges involved in the wide scope of marine science affairs, including national security, foreign affairs, fishing, recreation, resources development, pollution abatement, transportation and trade, scientific research and exploration.

At the explicit request of President Nixon and in accordance with its legal mandate, Vice President AGNEW said the Council will "continue to develop a comprehensive program of marine affairs; clarify agency responsibilities where they overlap; carry out long range policy studies; and coordinate a program of international cooperation."

It is gratifying to know that the Marine Resources Council will give first consideration to the recommendations of the Commission on Marine Science, Engineering, and Resources. This Commission, created under the same 1966 act which established the Council, recently completed an outstanding report—a plan for national action titled "Our Nation and the Sea." The Council's review and recommendations to the President on the Commission's report will contribute much to shape our national oceanographic effort.

Vice President AGNEW brings to his oceanic mission the valuable experience he gained while serving as Governor of Maryland, a coastal State. I am confident he will apply his informed knowledge in striving for solutions to marine problems at the international, national, regional, and local levels.

As one who has actively worked for the advancement of marine science and technology, I wish for the Vice President every success in his capacity as Chairman of the Marine Resources Council. I extend to him and to the other members of the Council my wholehearted encouragement and cooperation.

I ask unanimous consent to have printed in the RECORD the Vice President's remarks on "Oceanology—The Challenge to Industry."

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

OCEANOLOGY—THE CHALLENGE TO INDUSTRY

(Address by Vice President SPIRO T. AGNEW)

A turn of the century writer defined the ocean as "a body of water occupying about two-thirds of a world made for man, who has no gills." With all the millions of words written about the ocean and its fathomless allure—this precisely, if irreverently, reaches to the root of our problems.

Our nation, its history and greatness are inextricably linked to the sea. Ninety percent of our international commerce is transported by ships; seventy-five percent of our population lives in coastal areas. Fifty million people look to our coastal waters for recreation. All two hundred million Americans depend upon the ocean and its resources for life. Our national power, security, and defense require mastery of the sea. At the same time advances in international cooperation in the peaceful development of resources furthering the prosperity of all nations, can be achieved by unlocking the secret treasury that is the sea.

Millions of years ago life first emerged from the oceans. Now—to flourish—life shall return there. America has always looked to the sea and found success. Now it is time for fresh vision.

As chairman of the National Council on Marine Resources and Engineering Development, I welcome the opportunity to serve at this moment when we stand on the threshold of penetrating mysteries of the deep and tapping the ocean's rich potential.

The Council, established by Congress in 1966, has a broad mandate to promote fuller realization of the sea's promise. The 1966 Legislation assigned a leadership role to the Federal government but anticipated a full partnership with state and local governments, and with industry and universities.

The fact that the American Management Association has devoted this briefing session to oceanology indicates private leadership's recognition of this important subject. I hope it also implies your readiness to participate in vital oceanographic programs.

The rich agenda for this conference reflects many of the facets of our national interest in the sea and underscores the importance of industrial involvement in all phases of our broadened ocean endeavors.

Last fall President Nixon stated that an integrated and comprehensive program in oceanography would receive priority attention by his Administration. And as recently as last week, he urged that we now move forward to develop specific policies and programs. We recognize the key role of industry in marine affairs—in providing the necessary entrepreneurship, in developing the unique and complex tools that are needed, in harvesting marine resources—and I can assure you that this Administration is interested in a public-private partnership whether it concerns land, sea or air.

The development of a comprehensive oceanography program first requires coordination. The scope of marine science affairs delineated by Congress encompasses national security, foreign affairs, fishing, recreation, resource development, pollution abatement, transportation and trade, scientific research and exploration. Numerous federal agencies are involved.

The National Council on Marine Resources and Engineering Development will serve as the focal point and forum for this extraordinary range of important interests. All reports from both Republicans and Democrats give the Council high marks in mobilizing our resources, focusing attention on major policy issues, and stimulating ideas and action in all sectors of the marine community.

The President has explicitly requested the Council to provide advice on our ocean policies and programs—and where we go from here.

In response to that assignment and in accordance with its statutory responsibilities, the Council will continue to develop a comprehensive program of marine affairs; clarify agency responsibilities where they overlap; carry out long range policy studies; and coordinate a program of international cooperation.

The President is deeply interested in firmly establishing America as a first-rate maritime power.

We intend to build on our existing technological readiness—the arsenal of ships, research submersibles, buoys, laboratories, instruments, and manpower developed since World War II—to the fullest extent.

We intend to rely upon our talented scientists and engineers.

We intend to blend together the wide and varied interests and capabilities of our states, our industrial and academic communities, and our Federal establishment.

We intend to use the science of oceanology to serve the pressing needs of our society. The knowledge of the seas must be used to serve the cause of world peace.

And we shall pursue these policies—as the Nixon Administration shall pursue all national policies—with an emphasis on realism and a reliance upon the technological genius of our nation.

More than a decade of study and analysis has passed since Congress initially recognized the importance of a national marine program. In 1970 the International Decade of Ocean Exploration will begin. The past years have been a time of preparation, the present year should be one of organization, so that the next decade can be one of cooperation climaxing in realization of the sea's promise.

Yet, even as we explore the depths of the open sea in concert with other nations, we shall complement this effort with a decade of coastal development. Here our goal is to balance economic development with conservation of irreplaceable national resources.

As advisor to the President, the Council on Marine Sciences will give first consideration to recommendations of the Commission on Marine Science, Engineering and Resources. This Commission was composed of distinguished Americans from many different areas—industry, banking, science, state governments. It had a set of Congressional advisors of both parties. It is to be commended for looking at our ocean interests in the broad perspective of the nation's stake in the sea and for adding a further dimension to our understanding of needs and opportunities. While some of the recommendations are controversial, there are cases where bold steps are needed to take advantage of emerging opportunities in this field.

However, apart from the particular points of controversy, the report provides a revealing balance sheet of what we know and what we need to do if America is to enjoy a leadership position in marine science.

We know that the world's ocean contains a storehouse of food critically needed in developing areas where malnutrition rages.

We need improved processes for manufacturing fish protein concentrate (FPC) and the development of marketing and distribution systems. For FPC can make significant contributions toward bringing these vast unused resources into the diets of protein deficient populations.

We know that the oceans provide an indispensible commercial highway with traffic growing at an ever-increasing rate. We know, too, that our existing ports and harbors cannot accommodate the larger and deeper draft ships that are rapidly entering service.

We need to incorporate new technology into our port system, and we need to integrate this system into the transportation needs of the entire nation. The Federal government must work closely with local and regional port authorities and industrial interests to achieve this goal.

We know that the seabed, and particularly the continental shelf, contains a reservoir of fuel and minerals for our expanding economy. At the same time, many of these resources are presently uneconomical to recover. Also, the recent oil spill near Santa Barbara was a grim reminder of related environmental hazards that we still do not completely understand, nor are fully able to control.

We need more knowledge in these areas and we need to develop sound national policies balancing environmental and economic interests.

Delay in this area could be devastating. Consequently, the Administration is now reevaluating the government's offshore leasing policy for fuels and minerals and, with the assistance of industry, we will seek to develop a framework for managing this resource for the benefit of all of our citizens.

We know that the oceans provide us with a deterring shield to protect our country. However, we have no monopoly on Naval technology.

Improved capability to operate in the deep oceans, developed jointly by the Navy and industry, is needed for our national security.

We know that the nation's future in the sea depends on an adequate supply of trained specialists, particularly ocean engineers and technicians, for the technological development of marine resources in the 1970's.

We need an expanded Sea Grant Program to assist in fulfilling this need.

We know that the world's ocean has an important influence on global weather patterns. New technology is at hand to extend our capabilities to obtain the extensive observations required to understand and predict environmental conditions.

We need to continue our work with industry toward the development of buoys, spacecraft, and other platforms to collect oceanographic and meteorological data.

While particularly emphasizing these areas, I wish to point out that the Administration is not unaware of many other aspects of marine affairs which deserve attention. The legal regime of the oceans and seabeds, the decline of our domestic fishing industry, the need for more adequate protection of life and property on the water and along the shores—these and many other problems will receive our earnest consideration.

Finally, I would like to turn to that part of marine environment which I know best—the coastal zone.

As past Governor of Maryland, I claim considerable experience with the blessing and curse of coastal land. Maryland, as you know is almost bisected by the Chesapeake Bay. The Bay is 195 miles long and up to 40 miles in width, and covers more than 4,000 square miles. It receives fresh water from the Susquehanna, Potomac, Rappahannock, York, James and many other rivers, mixed with salt water tides from the Atlantic Ocean.

The shores of the Bay are homes to 4 million people. It supports a commercial fishery resource valued at more than $65 milion annually, one which provides a livelihood for 20,000 persons. It is a thoroughfare for more than 100 million tons of waterborne commerce each year and provides a prime location for industry, with easy access to markets, labor and transportation. It is a first class tourist attraction and recreation retreat for tens of thousands from all levels of our society. They flock to the Bay to enjoy swimming, boating, fishing or sightseeing. Some 60,000 sport boats use its waters.

At the same time, the Bay is the final repository of wastes from all these people and all these industries. Its shorelines are eroding at an alarming rate and some of its islands have disappeared within my memory. Its wetlands are being transformed to accommodate the needs of a growing population. Sediments washed from the uplands and excavated from navigation channels cover thousands of acres of the bottom of the Bay.

We do not know in detail the effects of any of these activities, much less the complex interactions which occur. But we do know that the Bay, and the rest of the Nation's coastal zone, cannot continue to accommodate all of the diverse demands being imposed upon it at random and at an increasing rate, as it has in the past.

During my tenure as Governor of Maryland, we developed and saw enacted the most massive pollution abatement program in the state's history. Even this program—which more than tripled all past efforts—is just the beginning of what must be done.

The problems of Maryland may be applied equally well to many of the bays, sounds, estuaries, and shorelines of all the coastal and Great Lakes states. The total resources of the coastal zone must be better managed.

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A system of management is needed that permits each use to be considered in its own right, but subordinate to the total economic, social, esthetic, and cultural needs of the people as a whole.

Over two years ago the Council began to examine the coastal zone, using the Chesapeake Bay as a case study. Congress has taken a number of initiatives to examine estuarine conservation and development. And the Marine Commission took a sharp look at the coastal zone and submitted many recommendations for improved management.

All of these considerations can contribute to a sound system of coastal management which takes into account national, regional, and local interests. Such a system should of course recognize the appropriate role of the states and private enterprise—seeking a harmony of compatible uses for the nation's sake. We will seek to put the Federal house in order by strengthening coordination of Federal programs in the coastal zone, by eliminating the conflicts and unnecessary overlaps resulting from the fragmentation of responsibilities and programs among more than a dozen departments, agencies, councils and committees. We hope to increase public awareness of the need for wise management of coastal lands and waters. We will examine steps as to responsibilities of the individual states in the development of their coastal zone resources, and provide for closer collaboration between state and federal agencies.

In conclusion, I want to underscore that this Administration will implement the full terms of the Marine Resources and Engineering Development Act. We are reviewing goals and programs of the prior administration. We are examining the Commission findings. And we will be developing a clear program of our own for the future.

THE BREZHNEV DOCTRINE

Mr. DODD. Mr. President, I have received from Mr. Stefan Korbonski, the chairman of the Polish delegation to the Assembly of Captive European Nations, a most impressive analysis of the international implications of the so-called Brezhnev doctrine. I invite the attention of Senators to this analysis because I believe it spells out the intentional possibilities inherent in this doctrine better than any other statement I have come across.

Mr. Korbonski brings to his analysis impressive personal background credentials. Prior to World War II, he was a distinguished member of the Warsaw bar and a leader of the Polish Peasant Party. During World War II he was in charge of all civilian resistance in Poland. During the fraudulent surface democracy which preceded the installation of the totalitarian Communist regime in the postwar period, Mr. Korbonski played a courageous role as a leader of the parliamentary opposition to the Communists.

Since the recent death of Prime Minister Mikolajczyk, he remains the one authentic spokesman in exile of the free Poland which once existed and which, I am confident, will someday soon exist again.

Mr. Korbonski points out that:

> In the wake of the Soviet invasion and occupation of Czechoslovakia, the Soviet Government moved to elevate their action to the status of a doctrine, which would, in advance, sanction Soviet military intervention in numerous other countries.

Mr. Korbonski also points out that the Soviet Government has reserved to itself the right to define what constitutes a Socialist country. Potentially, its definition, he says, might be broad enough to include not only the Communist governments of Central Europe, but also Communist China and Cuba and the several Arab governments which describe themselves as "Socialist." It also could have application to Socialist or Communist governments which may in the future emerge in Europe or elsewhere.

Because I believe that this matter requires the most careful thought and analysis, I ask unanimous consent that the complete text of Mr. Korbonski's letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

ASSEMBLY OF CAPTIVE EUROPEAN
NATIONS, POLISH DELEGATION,
Washington, D.C.

DEAR SENATOR DODD: In the wake of the Soviet invasion and occupation of Czechoslovakia, the Soviet Government moved to elevate their action to the status of a doctrine, which would, in advance, sanction Soviet military intervention in numerous other countries.

The so called "Brezhnev Doctrine" was proclaimed by Leonid Brezhnev at the Congress of the Polish Communist Party held in Warsaw on November 11–16, 1968 in the following words:

"When the internal and external forces hostile to socialism seek to turn back the development of any socialist country to restore the capitalist order, when a threat emerges to the cause of socialism in that a country, a threat to the security of the socialist commonwealth as a whole, this is no longer a matter only for the people of the country in question, but it is also a common problem which is a matter of concern for all socialist countries.

"It goes without saying that such a action as military aid to a fraternal country to thwart the threat to the socialist order is an extraordinary, enforced measure. It can be caused only by the direct actions of the enemies of socialism inside the country and beyound its boundaries—actions which create a threat to the common interests of the socialist camp."

Mr. Brezhnev's doctrine proclaims Soviet Russia's right to military intervention, in the circumstances enumerated in his declaration,

(a) In all European countries governed by communist regimes—Poland, where his doctrine was publicly proclaimed; Czechoslovakia, which became its first victim and whose invasion made it imperative for Kremlin rulers to find some doctrinal justification; East Germany; Hungary; Bulgaria; Albania; Romania; and, last but not least, Yugoslavia.

(b) In Communist China. Under this doctrine Soviet Russia having reserved for herself the sole right to define what is a "socialist" country, and when and by whom it is threatened, could intervene militarily to support anti-Mao factions.

(c) In Cuba, in case the Cuban communist regime would be in danger of being overthrown by anticommunist forces.

(d) In the United Arab Republic and Algeria, since they also have dictatorial governments which call themselves "socialist."

(e) In all countries which may in the future be governed by dictatorial governments that call themselves "socialist."

(f) In all countries where, by way of democratic elections, the communist party should come to power, for instance in Italy or France, which have the most powerful communist parties outside the Soviet Union. If, by a miracle, a newly elected communist regime in either of these countries did not abolish free elections and were then defeated in the next elections, according to the Brezhnev doctrine, Soviet Russia would be authorized to intervene militarily to prevent the change of government from "socialist" to democratic.

The true meaning and significance of the Brezhnev doctrine puts it beyond the category of average policy statements. It has to be classified as a doctrine of the same rank as Marx's and Lenin's doctrines of the dictatorship of the proletariat and class struggle. Its universal application and the caliber of its threat to the whole world outside Soviet Russia calls not only for repudiating statements on the part of the American Government, but, in my opinion, it also calls for a congressional declaration of repudiation.

On behalf of the Polish Delegation to the Assembly of Captive European Nations which represents the true feelings and aspirations of the Polish people who hopes for self-determination were damped by the Brezhnev doctrine, I respectfully request the Honorable Members of the United States Congress to adopt a resolution repudiating the Brezhnev doctrine.

Respectfully,

STEFAN KORBONSKI,
Chairman.

OIL-DRILLING OPERATIONS OFF THE CALIFORNIA COAST

Mr. CRANSTON. Mr. President, last Friday I introduced a bill to ban oil drilling permanently and completely in the Santa Barbara channel.

The bill also provides for a temporary halt to drilling on all Federal tidelands off the coast of California until we have assurances that oil operations will not endanger our beaches and marine resources.

I am also asking the Department of the Interior to present to Congress and the President an oil drilling and producing program that will protect our coastlines against pollution and other damage to the environment and to ecological values.

I am requesting that the Department prepare now a schedule for phasing out oil production in the channel should Congress deem that necessary.

I am taking these steps because I am convinced that present technology cannot provide adequate guarantees against further spills, and because weak Federal regulations and inspection procedures for tidelands oil production threaten the Nation's coastlines with new oil spill disasters similar to that at Santa Barbara.

The hearings in Santa Barbara earlier this week by the Senate Committee on Public Works revealed a pitifully weak Federal program for planning, developing, and supervising oil production on the tidelands, and a complete lack of planning and techniques for dealing with spills when they occur.

One month ago, the Union Oil Co. well in the Santa Barbara channel blew out and began pouring 21,000 gallons of oil daily into the ocean and onto the southern California beaches.

Today, oil is still pouring either from that well, from another well, or from nearby fissures on the ocean floor.

Not only have the company and the Department of the Interior been unable to control its well, but they have failed completely to deal with the massive oil slicks in the ocean.

Now we are told that the thick, black petroleum may be fouling beaches as far south as Los Angeles, 100 miles away.

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On the basis of what we found out at the Santa Barbara hearings, I am convinced that drilling for oil in the channel should never have been permitted.

I am also convinced that neither the Federal Government nor the oil industry is ready for deep-water oil production in Santa Barbara channel. The technology is not far enough advanced. Safeguards have not been developed. Inspection and regulations are inadequate. And no effective oil spill cleanup techniques exist.

I am suggesting that the following steps be taken:

First. I am asking for funding by the National Science Foundation of a 2-year study, to be conducted by the University of California at Santa Barbara, of the earthquake geology of the Santa Barbara channel and of the threat of earthquakes to oil production there.

That study, which would cost $58,000, would provide us with detailed information on the types of earthquakes occuring in the channel and their effects on the rock structures and oil facilities there.

The Santa Barbara area has had four major earthquake activities in the last 150 years, and there were 66 quakes in less than 2 months last summer in the same area where wells were being drilled until a month ago.

Second. We must proceed with the utmost caution until we hear the full report of the Public Land Law Review Commission, headed by Representative Wayne Aspinall.

The review the Commission is conducting of the operation of the Outer Continental Shelf Act is the first since 1953.

It is clear from the Santa Barbara disaster that such a review is vitally needed. Newspaper and magazine reports of one study submitted to the Commission raise serious questions about the complex operations on the tidelands. Those operations appear to threaten recreational and marine resources and seem to be conducted with little or no regard for the wishes of the States or communities affected by them.

I say let us stop, look, and listen until we have a better idea of what is going on off our shores in the name of development. Our Nation's beaches and marine resources are at stake. We cannot afford any more Santa Barbara disasters.

Third. The Santa Barbara disaster is an example of a deplorable failure by our Federal agencies. Not a single inspection by a Federal engineer or technician was made in the 2 weeks that elapsed between the start of drilling and the blowout of the Union Oil well on platform A.

The Federal Government today has exactly two men to supervise oil operations off Santa Barbara on tidelands for which $600,000,000 was paid in leases.

In addition, there is grave question whether the proper drilling program was followed on that well. If additional casing had been required, as many engineers have suggested, there may never have been a blowout.

But the further fact is that we are in no position to make a good judgment about the matter because the U.S. Geological Survey refuses to divulge information about the drilling program and the geology of the lease in question.

That is another matter that must be investigated by Congress.

Fourth. We need immediate research studies to improve techniques and systems for dealing with marine oil spills both from wells and oil tankers.

Today, men armed only with common straw and rakes are being asked to clean up the oil mess on the beaches. A dozen different methods have been experimented with for controlling the oil slick at the platform.

All have failed miserably. The fact is, there are no effective means for dealing with oil spills. They must be developed through Government research.

Santa Barbara has been a sad and costly demonstration of the follies of haste and shortsightedness. It must never again be repeated.

TV STATEMENTS BY SENATOR BYRD OF WEST VIRGINIA ON COAL MINE SAFETY LEGISLATION AND STUDENTS FOR A DEMOCRATIC SOCIETY

Mr. BYRD of West Virginia. Mr. President, on March 3, 1969, I made statements for television regarding the need for coal mine safety legislation and the threat which the Students for a Democratic Society pose to the Nation's high schools.

I ask unanimous consent that transcripts of the statements be printed in the Record.

There being no objection, the transcripts were ordered to be printed in the Record, as follows:

Mine Safety Legislation

I have great sympathy for the coal miners who are seeking improved conditions in the mines. Hearings have been started by a Senate Committee in Washington on new health and safety legislation, and I am hopeful that measures can be adopted which will bring about the improvements that are needed. I am glad, also, to note that a new medical compensation bill covering 'black lung' is being enacted by the West Virginia Legislature. The Appalachian Regional Health Laboratory in Morgantown, which I obtained for West Virginia, will conduct research on mine health problems, which can have great benefits for the future. All who work in the mining industry should have the best health and safety conditions that modern technology can provide.

Senator Byrd Warns of SDS

The mis-named Students for a Democratic Society, which has led the way in fomenting demonstrations and disorders on our college campuses, has pledged to carry its disruptive, violent tactics into our high schools as well. It could become a menace in West Virginia. The SDS laid plans in Colorado last October for subverting our high school youngsters. It passed a resolution to organize in the high schools, to move students to overthrow the system through a process of confrontation. The SDS could better be called Students to Destroy Society, and that is exactly what it will try to do, if it gains a foothold in West Virginia colleges and universities. Our high schools will be next on the list.

TRENDS IN THE AIR FREIGHT INDUSTRY

Mr. PEARSON. Mr. President, I have a deep personal and official interest in aviation and air transportation. Aviation is an exciting and dynamic field. The industry's dramatic growth and the advances in aviation technology have been prime movers in this dynamism. One characteristic which shows the maturity of the air transportation industry has been its ability to broaden and diversify its scope of activity. The air freight industry is one of these broadening economic activities. Since I have recently had the opportunity to become more closely acquainted with this industry, I would like to discuss some of the air freight industry trends I see emerging.

Most certainly technology has been a prime force in the creation of this new area of economic activity. The technology of jet aircraft has made the economics of the air freight business amenable to public needs and demands. The advantages of length of haul and speed of haul have made the economic problem less of an obstacle to the growth of air freight.

And today, this aeronautics technology is evolving at an ever-increasing rate. Aircraft manufacturers, seeing the potential of the air cargo industry, are constructing their aircraft with this cargo potential in mind. The Boeing 747, which just recently took its initial test flight, promises a dual purpose, passenger-cargo load and is capable of over a 100-ton payload. Both McDonnell Douglas and Lockheed are in the process of constructing subsonic aircraft solely for the purpose of cargo carriage with maximum load capabilities. The Lockheed L–500, called by some the "flying freight train," is currently projected to have a maximum payload of 150 tons. The continued application of this air technology can provide the means for boosting, by record proportions, the cargo carrying capacity of our air carriers.

And the market developing around this new technology shows promising trends. Since World War II, the total annual domestic cargo load has increased from 14 million to 1.4 billion ton-miles—a 100-fold increase over approximately 2 decades. On the international side, the ton-miles payload has increased 640 percent in the last decade. But after these accelerated growth figures are acknowledged, it is far more difficult to understand that the air cargo share of the total domestic intercity freight market is still less than 1 percent. Of course, these statistics, calculated in ton-mile measurements, do not take into account the higher value of air cargo commodities, but they do indicate the broad opportunities for increasing air transportation's share of this freight market.

The character of air freight cargo is distinct. Commodities which have been attracted to air freight services are generally those of high intrinsic value in which air speed of delivery is of the utmost importance. Machinery and machine parts of all kinds, clothing, chemicals, perishable foods and plants make up the bulk of air freight commodities. And it is true that the nature of these

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commodities has not changed greatly in recent years. But with the possibility that current trends toward lower air freight rates will continue, the spectrum of these commodities is sure to broaden.

All indications project a bright future for air freight. I see, for example, that in 1968 capital investment for the major airlines is $2.86 billion and that this figure is approximately three times the average annual investment of these industries over the past 8 years. And with the 1968 statistics of airline traffic now in, the new figures show that the air freight is increasing at a rate more rapid than that of passenger travel. In particular, the regional lines are showing a healthy and developing market as their 1968 air freight volume is nearly a 40-percent increase over 1967. Moreover, the fact that the major aircraft manufacturers are willing to invest large sums of money in designing single purpose cargo aircraft suggests that the future is good. All of these facts and statistics simply show in a general way that many enterprising individuals are willing to place some stake in the future of air freight.

While the potentials of the air freight industry are large, this industry does face real political problems, for an expansion of the air freight market depends upon a better understanding and a greater degree of coordination among the shippers, carriers, and regulatory bodies responsible for their promotion and development. Currently there is a lack of understanding and a lack of coordination among the various modes of transportation. And I think this fact stems from the inhibiting regulatory structure which has developed around the transportation industry.

In the past, the various modes of transportation have been segregated by means of pricing, by means of regulation, through technology and in the public mind. This existing pattern necessarily lends itself to a splintering of regulatory policy that militates against cooperation and coordination among the modes.

The issue of intermodal coordination, I think, has been the underlying conflict for many transportation problems that have come before the Congress. And there is no doubt in my mind that questions of intermodal coordination will be the most important transportation issues before the Congress in the next 5 years. Congress has created a framework for interagency communication on intermodal questions. The Federal Aviation Act provided for the establishment of joint boards composed of members of the regulatory agency concerned with transportation to consider and resolve problems that cross intermodal lines, and the failure to utilize this device is inexcusable.

I think that the creation of the Department of Transportation has been a major step toward recognizing the issues and problems in intermodal coordination. Through the leadership of the Transportation Department, which has a congressional mandate to facilitate coordination in transportation, new political force can be directed toward the revision of the current inhibiting structure. Government and industry must work together to create a framework in which the different modes can discuss problems of mutual concern, can explore the means to take advantage of the benefits which each mode has to offer, and can contribute positively to the advances in transportation technology.

If we can make progress toward better intermodal communication and move toward a truly national transportation system, I think there are many benefits which air freight can provide to the community and to the economy. If you will permit me one diversion, let me explain just one of the beneficial consequences that I see. As a U.S. Senator from Kansas, I have a deep personal interest in and concern for our Nation's rural areas. And I think that the transportation potentials offered by air freight can be a new force in attracting industry to these rural areas.

Historically, transportation costs have been one of the major determinates of plant location. The economics of transportation have tended to pull industry into our overcrowded and expensive urban areas. Particularly in recent years, the rural areas, which are the source of many raw materials, have lost processing, production, and manufacturing facilities to the more urbanized areas—a major factor being transportation costs. The rural areas can offer relatively lower labor costs, a compatible social environment, and with new transportation opportunities, an excellent environment for industrial expansion.

BUREAUCRATIC STUPIDITY

Mr. YOUNG of Ohio. Mr. President, Federal authorities turned a deaf ear recently to Donald B. Leach, a Columbus, Ohio, nursing home owner, who has put into action a meritorious plan to cut down on waste in the medicare program. Mr. Leach estimates he has reduced drug costs for his convalescents by about 15 percent simply by using individual doses rather than requiring medicare recipients to purchase their drugs by the bottle. Medication, he found, is often stopped by the medical staff before the bottle or box of medicine is consumed. Regulations require unused medicine to be returned to the pharmacist. One druggist received back $1,600 in unused drugs during a period of 1 month.

Strange to relate, Mr. Leach's plan hit a roadblock in Washington. Bureaucrats like to spend and spend. Saving taxpayers' money is too often regarded as unorthodox and reprehensible by some lame-brain appointee drawing down a big salary. Also Mr. Leach was then warned by bureaucrats in the Social Security Administration to start adhering to regulations—no matter how silly and costly—or else.

DEPLOYMENT OF THE SENTINEL ANTI-BALLISTIC-MISSILE SYSTEM

Mr. PEARSON. Mr. President, followthrough with a pledge made during the 1968 campaign, President Nixon has initiated reviews of national policies affecting a broad range of problems. One of the most important of these reviews is in the area of national security.

I am referring to the present activity directed toward the reevaluation of the proposed Sentinel anti-ballistic-missile system. This system, which is basically composed of ground-to-air missiles, armed with nuclear warheads and guided by means of radar, is designed to intercept and destroy incoming nuclear warheads carried by enemy missiles. In the Senate a great deal of debate has arisen over the desirability of proceeding with the deployment of the Sentinel system.

There are, in my view, several reasons why opposition to the system has gained so much strength.

A principal reason is that Sentinel, particularly the "thin" version now under discussion, has been presented to the Congress as a marginal system, one that cannot do much harm and should be deployed just in case it will do some good. And for this marginal system the cost to the American taxpayers is estimated variously from $6 to $10 billion.

Another reason is that the rationale for Sentinel has changed so many times that those of us on Capitol Hill who follow these matters are beginning to question whether there is any real justification for deploying Sentinel at all. First, we heard that it would defend against the Chinese. Then we heard it was really directed against an attack by the Soviet Union. Now we hear it will make a good bargaining tool in arms control talks with the Russians. And that it will protect our coastal cities against submarine-launched missiles.

Perhaps the most important reason among all those behind congressional opposition to Sentinel deployment is the conviction—one I share—that the present balance of nuclear terror is sufficient to prevent the nuclear holocaust we all fear. While I am concerned about recent efforts by the Soviets to expand their nuclear arsenal, I believe our country is under no compulsion to deploy a system of questionable value in response to Soviet activity. The idea that Russia is "catching up" with us in the nuclear arms race is not a valid one. Both we and the Soviets have the capacity to absorb an initial strike and proceed to inflict unacceptable damage on the other side. In this situation there is no such thing as "catching up" or "reaching parity."

These are some of the reasons why in my opinion a large number of Senators, perhaps a majority, entertain serious reservations about Sentinel deployment. No one who has studied the issue believes we should stop research and development programs that might lead to a significant breakthrough in antimissile technology. I, for one, am very much in favor of continuing—and as soon as possible expanding—such programs.

However, I have serious reservations about deploying the present system at this time. Some of the underlying reasons for these reservations have been mentioned. There are further, more specific reasons that concern the merits and drawbacks of the weapons system itself, as I understand it in light of our overall position in international politics.

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First. I have some serious reservations about the reliability of Sentinel as it is presently conceived. With the present enormous destructive capacity of nuclear weapons, just one warhead that slips through unharmed will render an antimissile defense system a failure. Previous antimissile systems such as Nike X have been rejected because they were judged unable to provide a material increase in the security of our Nation. Also, it has been recognized that an ABM system, considered one of the most complex engineering undertakings ever attempted, cannot be tested as a complete system—yet it must work perfectly the first time.

Now we are being asked to approve funds to deploy Sentinel, which is at best only a step or two advanced from Nike X. Until we can place much more confidence in Sentinel's reliability, I believe we should not spend the money to deploy it.

Second. Related to my reservations about the reliability of Sentinel are further reservations concerning its military effectiveness. Over the long-term technology as we now know it portends that offensive weapons will be more flexible and therefore more effective than defensive ones. Given the "present state of the art," as the experts say, the technology of anti-ballistic-missile systems is far more costly and complex than the technology of devices that can effectively penetrate Sentinel's radar warning shield. Among these devices are decoy objects carried by attacking ICBM's, multiple warhead missile and nuclear explosive devices to bring about temporary radar blackout.

We are developing our own multiple warhead missile and there is no reason to believe the Soviets and the Chinese will not do the same. This is especially true if we give them an incentive by deploying a thin, relatively vulnerable ABM system.

Third. I believe the action and reaction pattern of previous nuclear arms competition between the United States and the Soviet Union strongly suggests that our deployment of Sentinel will begin a new phase of the arms race. It makes little difference whether we say Sentinel is intended to defend against China or Russia. The fact will remain that we and the Soviets will have entered a new competition in defensive weaponry, a competition I believe to be unwise.

Fourth. Because of my reservations about the technical, military and strategic aspects of Sentinel, I do not believe its present deployment can be justified as a bargaining tool in talks with Russia, or as a thin defense against predicted Chinese ICBM capability during the 1970's. My reservations about the Sentinel system itself lead me to believe it would make only the most questionable contribution to American security as a whole. Therefore, I do not believe the system should be accepted by Congress or the American people because of its side benefits.

Fifth. Proceeding with deployment of Sentinel at this time would be inconsistent with the expressed intent of the Nuclear Nonproliferation Treaty to bring about arms limitations talks "at an early date." If the Senate is going to ratify this treaty, as both President Nixon and Secretary Laird have requested, then we should not, in my opinion, proceed to mock the spirit of the treaty by deploying a new weapons system at this time.

These, then are some of my more specific objections to proceeding with the deployment of Sentinel. They are by no means intended to reflect ill on the men who designed the system or those who favor its early deployment.

The question here is not one of endangering America or "leaving her naked," as some have suggested. Sentinel is not a weapons system of essential importance to American security at this time. It is not a system in which our policymakers could have a high level of confidence during a crisis. And yet it is an expensive system, particularly so in a time that urgently calls for budgetary restraint.

I believe our best defense in this age of nuclear standoff is a realistic approach to the dangers inherent in further arms competition. Realism, by the same token, also calls for pursuit, through research and development, of potentially fruitful ideas in the area of defensive weapons. In fact, such research and development may be our best bargaining tool when it comes to negotiations with the Soviet Union.

Therefore, I urge our Government to defer deployment and divert our energies toward further research. If this research indicates at some later time that anti-ballistic-missile defense offers substantial prospects of increased security for our country, then I will move to have the issue reassessed again.

SELECTIONS REVIEW

Mr. DODD. Mr. President, a necessary prerequisite of effective democracy is the interest and active participation of its citizens in the political process. It is therefore discouraging to note that less than half of the people in this Nation were able to identify their Congressmen when a recent study was conducted.

In the past two decades, the problems of our legislators have increased in number, size, and complexity. This situation calls for an acute awareness by the public of the workings of its Government. This goal can only be promoted by an educational system which encourages realistic appraisal, not only of what is accomplished in the legislative branch of Government, but how, in essence, the system functions.

In light of this concern, I believe I should draw the attention of Senators to a relatively new periodical entitled "Selections From the Congressional Record and Review."

This noteworthy publication has been adopted for use by many schools across the country as a valuable supplement to social studies textbooks. It contains excerpts from major congressional debates, in addition to many articles concerning such significant topics as the operation of various Government services, vital issues which the Government faces today, and profiles of prominent legislators.

It is small wonder, then, that Selections Review has been acclaimed by educators and Government officials alike as a great step forward in the process of American political education.

I extend my congratulations to the editors of this fine publication, and I commend it to the attention of the Senate.

FEDERAL AID TO EDUCATION

Mr. EAGLETON. Mr. President, the distinguished Senator from Virginia (Mr. Spong) has recently spoken about an area of great concern in the field of Federal aid to education. His remarks are printed in the Congressional Record of February 28, 1969, on pages 4897 and 4898.

He has rightfully indicated that Congress has not yet met the need to coordinate the Federal appropriations and allotment process with the yearly school budget process.

The failure to provide information concerning receipt of funds often destroys the budgetary planning of individual school districts. This uncertainty adversely affects the orderly procurements of equipment and materials as well as the necessary recruitment of qualified personnel for the upcoming school year.

Late and uncertain funding are problems faced by all school districts, but they impose particular hardships on impacted areas.

The impacted areas program has been one of our most successful Federal aid programs since its inception in fiscal year 1951.

This program, which provides aid for the maintenance and operation of schools in federally impacted areas under Public Law 874 currently assists approximately 4,000 school districts containing about 40 percent of the Nation's children.

Under this program in my home State of Missouri, 138 school districts in 39 counties and the city of St. Louis receive between $7,000,000 and $8,000,000 with payments ranging from $1,950 in Polo District in Caldwell County to $940,000 in the Waynesville District in Pulaski County.

This program is not only important to Missouri; it is important to the Nation as a whole.

Senator Spong admirably elucidates the difficulties of this fine program due to late and uncertain funding and points the way toward constructive solutions. I, therefore, invite the attention of the Senate to his excellent speech on this important problem.

IMPACT OF AN $80 BILLION DEFENSE BUDGET

Mr. FULBRIGHT. Mr. President, the growing debate over the impact of an $80 billion defense budget and the manner in which it is spent is eliciting comment from many areas of our public media. One most interesting editorial appeared in the most widely read professional journal of the aerospace industry, which often reflects the interests of those who are virtually affected by the way the Pentagon allocates its funds.

Because of the perspective which this editorial takes, I thought it would be of interest to Senators. I therefore ask

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unanimous consent that the editorial, entitled "The Defense Dilemma," published in Aviation Week & Space Technology of February 24, 1969, be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE DEFENSE DILEMMA

(By Robert Hotz)

The U.S. and the U.S.S.R. are facing a dilemma in defense expenditures. Both are spending more and getting less in the way of protection and relative stability of position in relation to each other. In both countries, the defense dilemma has reached such proportions that it is forcing major policy changes on the two governments.

The U.S. appears to be heading for a point of diminishing return in the amount of money it can prudently pour into its defense establishment and toward a dead end in the mainstream of technological development that once gave it a significant superiority over the Soviet Union.

A decade of furious technical development has given the Soviet Union the opportunity to draw close enough to the U.S. in land- and sea-based nuclear missile power to erode the margin of measurable military significance. The same decade of inflationary spiral has also drasticaly reduced the genuine military value bought by the U.S. defense budgets that have risen about $40 billion in that interval. During the last half of this decade, the U.S. involvement in Southeast Asia has drained nearly half of the defense budget into the rat hole of Asian combat.

At the same time that the twin drains of inflation and the Vietnam war were drastically reduced the real protective power the defense budgets could provide, the Defense Dept. was also subjected to an era of fiscal juggling that makes the most piratical corporate raider look like a Boy Scout. In order to conceal the real effects of inflation and the true costs of the Vietnam war, the corporate assets of the Defense Dept. were drained from virtually all areas of future development to pay the mounting costs of the present.

MORTGAGED FUTURE

What the Republican Administration is really taking over in the fiscal affairs of the Defense Dept. is a hollow shell with its future well mortgaged to pay past-due bills. Although operations analysis and cost-effectiveness studies were used to justify almost any desired decision during the past seven years, self-critical analysis was not encouraged.

Nevertheless, some independent souls with long experience in defense matters defiantly made their own fiscal analysis. Their results indicate that the Pentagon is from $20 to $80 billion short in financing its current requirements. This is a pretty sizable deficit even for the biggest business in the world. It is pretty grim news for the taxpayers whose tattered shirts must be wrung further to plug the gap. This is one of the reasons so many misgivings are now crystallizing around the Sentinel anti-ballistic missile system. It is becoming apparent that deployment of this system will add an enormous new increment—from $15 to $20 billion—to the defense budget without offering any real possibility of making the nation more secure. In addition, the U.S. is beset by a wide variety of domestic problems whose solution requires increased federal funds. The U.S. taxpayer is beginning to realize that he faces the prospect of being squeezed in an intolerable tax wringer unless some forms of government expenditure are curbed. Hence the growing resentment and rebellion against an astronomical defense budget that represents the largest slice of the tax dollar.

The USSR is facing a similar situation. Even a casual traveler in Russia during the past few years noticed the rising pressure of the Soviet people on their government for a better life as at least a partial reward for their arduous labors. The Soviet government truthfully could tell its people that they were living better than any generation in Russian history. But the increasing flow of western visitors since the Iron Curtain was partially lifted in 1954 also convinced the Russian people that the best in their history still ranked far below any western standard. Their appetite for better clothes, cars and consumer goods has been growing into such a strong tide of public opinion that even the gray elders in the Kremlin cannot ignore it.

NO REAL SECURITY

The tremendous progress of the Soviet Union in modern military technologies has been achieved at an even higher relative cost than that in the U.S. And, like the U.S., the Soviets have found no real military security in the mighty array of supersonic aircraft, nuclear missiles and submarine fleets. They have been hard-pressed to keep within hailing distance of U.S. military technology. They have been unable to exert any real leverage with their military power except along the geographic borders of the Soviet empire.

These then are the internal pressures that are driving the leaders of both countries to seek some sort of accommodation to level off or limit the portions of their national budgets they must devote to military forces. For with both countries already operating at an oppressively high level of defense expenditures, any new technological race or even a drastic expansion of present force levels could ignite economic and political explosions. We suspect that neither of these two titans wants to diminish its sphere of influence or change its basic power thrust. Rather, the goal of any summit discussions appears to be to lay down a new and less expensive set of ground rules under which the old game of international poker can be played.

How the history of the final half of this century unfolds may be determined largely by the relative pace of the rising domestic pressures within the U.S. and the USSR in relation to the ability of both governments to devise non-nuclear methods of manipulating the international power structure.

RETIREMENT OF LAWSON B. KNOTT, JR., AS ADMINISTRATOR OF THE GENERAL SERVICES ADMINISTRATION

Mr. BYRD of Virginia. Mr. President, on February 28 Mr. Lawson B. Knott, Administrator of the General Services Administration, retired after nearly 34 years of Federal service. He has served in a most brilliant and dedicated manner over a long period of time and he deserves the recognition of us all.

The position of head of the General Services Administration is one of the most difficult in Government involving vast amounts of money and the management of land, buildings, and supplies to operate the Federal Government. Mr. Knott directed these vast activities in a most capable and impartial manner, fully protecting the Federal Government while at the same time performing responsive service for the thousands of people interested in the GSA activities.

Mr. Knott, a 56-year-old native of North Carolina, has been Administrator since June of 1965 following 7 months service as Acting Administrator and nearly 4 years as Deputy Administrator.

He started his career in Federal service in 1935 with the Department of Agriculture, served in the U.S. Army during World War II, and remained with the Army in a civilian capacity after the war until 1956 when he joined the General Services Administration.

A graduate of Duke University and an attorney, Mr. Knott during his long Federal career held legal and administrative positions relating to real property management before his promotion to GSA's top executive posts.

As Administrator of General Services, he has directed an agency with 39,000 employees and a wide range of responsibilities including the construction and operation of Federal buildings, procurement, and distribution of common-use supplies, and the issuance of procurement regulations, operation of the National Archives and Federal Records Centers, utilization and disposal of excess and surplus property, management of stockpiles of strategic and critical materials for use in national emergencies, and transportation and communications management.

I commend him for his notable career in the Federal service and wish the best for him and his family in his richly deserved retirement.

MAJ. GEN. JOHN A. LANG, JR., WINNER OF THE EXCEPTIONAL CIVILIAN SERVICE AWARD

Mr. ERVIN. Mr. President, on January 27, 1969, Secretary of the Air Force Harold Brown presented to Maj. Gen. John A. Lang, Jr., the Air Force's highest decoration for public service, the Exceptional Civilian Service Award.

As one who has been familiar with General Lang's distinguished and varied public service to his community, his State, and his Nation, I rejoice in this well-merited recognition which he has received. I ask unanimous consent that a release made by the Public Information Division of the Department of the Air Force, and the citation which accompanied the Exceptional Civilian Service Award be printed in the RECORD.

There being no objection, the documents were ordered to be printed in the RECORD, as follows:

[From the Department of the Air Force, Office of Information, Public Information Division]

JOHN ALBERT LANG, JR., THE ADMINISTRATIVE ASSISTANT TO THE SECRETARY OF THE AIR FORCE

John A. Lang, Jr., was born in Carthage, North Carolina, on November 15, 1910. He graduated from the University of North Carolina with a Bachelor of Arts Degree in 1930. He received his Master of Arts Degree from the same institution in 1931. From 1931 to 1932, he continued graduate study at Mercer University. He is a member of Phi Beta Kappa.

Mr. Lang married the former Catherine Gibson on November 20, 1947, and they have four children.

From 1931 to 1933, Mr. Lang headed the English Department at the Georgia Military Academy. He then served as President of the National Student Government Federation in New York City from 1933 to 1935. From 1935 to 1938, he was Assistant to the Director, CCC Camp Educational Program, U.S. Office of Education. Following this position, he was State Administrator, National Youth Administration in North Carolina from 1938 to 1942.

Mr. Lang's civilian career was interrupted

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in May 1942 when he enlisted as a Private in the U.S. Army Air Force. He saw over four years of active duty during his military service with 18 months overseas duty in Alaska, North Africa and Italy. He separated from the service with the rank of Major in June 1946. In the same month he accepted appointment as Major, USAFRes, the beginning of a long career with the Reserves which has continued down to the present. On May 19, 1967, Mr. Lang was promoted to the rank of Major General, AFRes. His mobilization assignment is Assistant to the Superintendent, United States Air Force Academy, Colorado.

His decorations include: Legion of Merit, Army Commendation Medal, National Defense Medal, European Theatre Medal with two stars, Asiatic-Pacific Theatre Medal, American Theatre Medal, World War II Victory Medal, Reserve Officers Service Ribbon.

Mr. Lang resumed his civilian career as Staff Assistant, Better Health Association in Raleigh, North Carolina, from 1946 to 1947. For the next fourteen years, 1947 to 1961, he held the following staff positions in the U.S. Congress: Administrative Assistant to Honorable Charles B. Deane (N.C.), 1947 to 1956; Staff Specialist, House Government Operations Committee, 1956 to 1957; Administrative Assistant to Honorable Robert E. Jones (Ala.) 1957 to 1961.

Mr. Lang joined the Office of the Secretary of the Air Force on July 17, 1961 as Deputy for Reserve and ROTC Affairs. During the 1961 Berlin crisis and the Cuban crisis, he was cited for "Exceptional Civilian Service" in the rapid mobilization of Air Force Reservists and Air Guardsmen. He served in this position until February 17, 1964, when he was appointed to his present position as The Administrative Assistant to the Secretary of the Air Force. He is responsible for the management and administration of the Office of the Secretary of the Air Force, including advisory services on Departmental management and administrative matters. From May 28, 1965 to June 5, 1966, he was assigned, as an additional duty, to the position of Acting Special Assistant for Manpower, Personnel & Reserve Forces. In this position, he was responsible for the direction, guidance and supervision of all matters pertaining to the formulation and execution of plans, policies and programs relative to: Manpower and organization, military and civilian personnel, reserve components, security, military boards and the Air Force Personnel Council.

PERSONAL DATA

1. Born in Carthage, North Carolina, on November 15, 1910; son of John A. Lang, Sr. and Laura K. Lang.

2. He was married to Catherine Gibson on November 20, 1947. They have four children—John A. III, Richard G., Laura Catherine and Martha Elizabeth.

3. Residence: 2430 32d Street, S.E., Washington, D.C.

4. Mr. Lang is a member of Bolling Air Force Base Officers Club.

[Presented by Secretary of the Air Force Harold Brown on Wednesday, January 29, 1969, the Pentagon]

CITATION TO ACCOMPANY THE AWARD OF THE EXCEPTIONAL CIVILIAN SERVICE AWARD TO JOHN A. LANG, JR.

Mr. John A. Lang, Jr. has rendered exceptionally distinguished service as The Administrative Assistant to the Secretary of the Air Force from 6 June 1966 to 20 January 1969. In this demanding position, Mr. Lang has demonstrated an inexhaustible capacity to assume responsibility and discharge it effectively and expeditiously. His wealth of experience in management and administration, accumulated in thirty years of public service, has enabled the Office of the Secretary of the Air Force to function smoothly and effectively in administering the affairs of the Department. Moreover, Mr. Lang has been particularly effective in dealing with substantive issues in a variety of sensitive problem areas which demanded a high order of initiative and judgment. His mature counsel and calm approach under incessant and most demanding pressure have been substantial factors in enabling the Secretary of the Air Force to fulfill his statutory role. Mr. Lang's devotion to duty and dedicated performance reflect the highest traditions of career government service and have contributed directly to the accomplishment of the Air Force mission. In recognition of his distinctive achievements and outstanding service, he is hereby awarded the Air Force's highest decoration for public service, the Exceptional Civilian Service Award.

TRANSPORTATION COMPETITION

Mr. EAGLETON. Mr. President, the new concepts constantly being advanced by the major transport companies under the spur of competition benefit the public by providing improved service to the public at lower cost.

The Waterways Journal, published in St. Louis, in an editorial in its January 18, 1969, issue, stressed that the surest way to maintain and improve efficiency is to encourage vigorous, healthy competition among the various modes of transportation.

I wish to share this editorial with Senators and ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

NEW CONCEPTS

Confucius, according to the Chinese, once was asked if he could sum up all the wisdom of the ages in one sentence. After some thought, he replied: "This, too, shall pass away." The ancient sage recognized that change is inevitable.

F. A. Mechling, executive vice-president of A. L. Mechling Barge Lines Inc., expressed the same conviction in modern phrasing when he addressed a meeting of the Grain and Feed Dealers National Association in New Orleans on January 9. Answering his own question, "is transportation change worth the cost?" he warned that "if we don't look 10 to 20 years ahead, we may all lose sight of the tremendous technological advances possible for the future."

It is to the credit of the inland waterway transport industry and its leaders that it has been setting an example in developing new ideas in transportation, using bigger and more efficient equipment, new types of barges and new concepts of utilizing the inherent advantages of other modes of transportation. In the 1960s, as Mr. Mechling pointed out, the emphasis has been on lowering the cost of each transport function. The 1970s, he said, should be a decade in which the developments of the '60s are coordinated.

He cited as an example current discussions going on with the Toledo, Peoria and Western Railroad and the Continental Grain Company. The railroad serves 19 counties in Illinois with its mid-point at Peoria. Within 30 miles of the rail line in those counties, 369,000,000 bushels of grain were produced in 1967, much of it shipped for export. Assuming that Continental Grain Company can assure sufficient volume. Mr. Mechling believes it "is highly probable that a system of incentive volume rates could be developed which would be more flexible than rent-a-train, match rent-a-train's economics and not require anyone to put up $1,000,000 in advance."

There are serious objections to the Illinois Central Railroad's rent-a-train tariff, as The American Waterways Operators, Inc., emphasized in exceptions filed this month to the recommended report and order of an ICC examiner. The AWO emphasizes that the tariff not only violates Section 6(1) of the IC Act, but also that there is no way to determine in advance the effective cost to the shipper. Moreover, the effective rate is secret from competing carriers and grain shippers, and the proposal is designed to, and will in effect tie the rent-a-train shipper to the use of the rail service.

The plan now being discussed by Mechling with the Toledo, Peoria and Western envisions the development of large riverside agricultural centers. Its advantages are obvious. It provides, as Mr. Mechling explained, an extra competitive dimension for the interior farmer. He can ship directly to the most favorable market by rail, or by using a rail-barge route, and get the benefit of service and rate competition. The agricultural centers would be the source of river-delivered commodities suitable for back hauls for both trucks and railroads, thereby spreading costs and taking advantage of the economies by high volume. The centers, he explained, would have fertilizer blending and storage facilities, as well as tanks for petroleum and liquid chemicals. They could also provide feed and seed storage facilities.

How the plan can work is illustrated by another example cited by Mr. Mechling. Discussions are also under way to reorganize the distribution of Canadian potash, he pointed out. There is an indicated saving of between 30 and 34 per cent over the present all-rail movements into St. Louis and Guntersville, Ala., if the potash can be moved by rail into Minneapolis and St. Paul and from there on by barge.

One thing that has not changed over the years, Mr. Mechling said, is the basic concept that "the surest way to maintain and improve efficiency is to encourage vigorous, healthy competition among the various modes of transportation." The American secret of industrial and agricultural success, he said, "has been to keep stimulating that self-powering cycle of increased volume and new investment, improved efficiency and lowered costs."

PROJECT MONEYWISE-SENIOR IN HAWAII

Mr. FONG. Mr. President, the Senate Special Committee on Aging, of which I am a member, has received much testimony over the years about inadequate income among most older Americans.

While the committee and Congress must continue efforts to secure an adequate retirement income for our senior citizens, it is also important that we take whatever action is possible to assure that the elderly get full value for the limited number of dollars they have in today's marketplace.

For that reason I am very much pleased that a course called Project Moneywise-Senior has just been concluded in Hawaii under the auspices of the Administration on Aging in cooperation with the Bureau of Federal Credit Unions. Participants in this workshop learned how to prepare a budget, avoid fraud and deception, practice good buying habits, mobilize group efforts to combat financial ills. The State of Hawaii, I am happy to announce, is among the first in the Nation to participate in this course.

A news release issued by the Department of Health, Education, and Welfare contains the details of this admirable effort to give helpful information where it is needed most. I ask unanimous con-

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sent to have the release printed in the Record as a model for action elsewhere.

There being no objection, the release was ordered to be printed in the Record, as follows:

A First for Hawaii: Project Moneywise-Senior

Senior citizens in Hawaii will be among the first in the nation to participate in a new consumer education course under the auspices of the Administration on Aging.

The course, called Project Moneywise-Senior, teaches senior citizens how to stretch their often limited, fixed incomes and how to recognize the sharp practices of unscrupulous merchants.

Instructors for the course report that older Americans are one of our most financially exploited groups. Low income and loneliness, and declining health and despair combine to make senior citizens prime targets of smooth talking confidence men and "get rich quick" schemes.

Participants will learn how to prepare a budget, avoid fraud and deception, practice good buying habits, and mobilize group efforts to combat financial ills. Special emphasis will be placed on nutrition, food fads, and health frauds—areas often cited as pitfalls for the older consumer.

Forty participants, many of them senior citizens, are enrolled. They will be trained to conduct consumer education programs among their friends and neighbors. Project Moneywise-Senior will be held at the Old Lihikai School, School Street, Kahului, Maui, Hawaii, February 17 to 28.

Project Moneywise-Senior will be conducted by the Bureau of Federal Credit Unions of the Social Security Administration. It is another effort by the BFCU, the supervisory agency for Federal credit unions, to respond to the needs of the times. Earlier, in 1966, the Bureau originated Project Moneywise, a highly successful consumer education training program for low-income people.

A credit union—truly a "self-help" organization—is a cooperative savings and lending institution of people having a common bond of association, occupation, or residence. In a credit union, the limited-income person finds, for the first time, that he can borrow at reasonable rates of interest, cultivate the habit of saving regularly, and receive financial counseling to get the most out of his income.

Director for Project Moneywise-Senior is Mr. William M. O'Brien, Assistant Director for Education and Training. Instructors include two from the original Project Moneywise team: Mr. Joseph Bellenghi and Mr. Richard Clinkscales; and a Home Economist, Mrs. Mary Jane Kaniuka.

Agenda, Project Moneywise-Senior, Kahului, Maui, Hawaii, February 17, 1969, to February 28, 1969

[Date, time, and subject]

Monday, February 17, 9 to 10 a.m., registration, introduction, and orientation; 10 a.m. to 4:30 p.m., overview of the problem of the aged.

Tuesday, February 18, 9 a.m. to 4:30 p.m., overview of the problems of the aged, including consumer problems.

Wednesday, February 19, 9 a.m. to 12 noon, exploitation of the aged; 1 to 4:30 p.m., budgeting for the senior citizen.

Thursday, February 20, 9 a.m. to 12 noon, budgeting for the senior citizen; 1 to 4:30 p.m., food and nutrition for older Americans.

Friday, February 21, no classes—holiday.

Monday, February 24, 9 a.m. to 4:30 p.m. food and nutrition for older Americans, including food fads, etc.

Tuesday, February 25, 9 to 11 a.m., consumer food programs of USDA; 11 a.m. to 12 noon, and 1 to 3 p.m., health frauds and quackery; 3 to 4:30 p.m., credit union operations.

Wednesday, February 26, 9 a.m. to 4:30 p.m., consumer counseling.

Thursday, February 27, 9 a.m. to 12 noon, co-ops and buying clubs; 1 to 4:30 p.m., communication skills and teaching techniques.

Friday, February 28, 9 to 11 a.m., communication skills and teaching techniques; 11 a.m. to 12 noon, panel discussion, "Prospects for the Future"; 1 to 4:30 p.m., open forum and closing ceremony.

EXPLORATION OF BLANCHARD SPRINGS CAVERNS, ARKANSAS

Mr. FULBRIGHT. Mr. President, the Arkansas House of Representatives has passed a resolution commending some of the individuals who were instrumental in the exploration and development of Blanchard Springs Caverns in Stone County, Ark.

The Blanchard Springs Caverns, which are located in the Ozark National Forest, are being developed by the U.S. Forest Service and within the next few years the caverns will be open to visitors. The caverns are among the most spectacular in the country and should become an outstanding tourist attraction.

Hail Bryant, Hugh Shell, and others, including Mike Hill, Paul Buchanan, Jr., Charlie Rogers, Ronnie Sims, Robert Hanford, and Billy Sneed, devoted many months to exploring, mapping, and photographing the caverns and unselfishly made the result of their exploration available to the National Forest Service.

It is fitting that they were honored in this resolution passed by the Arkansas House of Representatives. I ask unanimous consent that the resolution be printed in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

H.R. 39

Resolution commending Hail Bryant, Hugh Shell and others, for their unselfish efforts in the exploration and development of Blanchard Springs Cavern

Whereas, Hail Bryant and Hugh Shell of Batesville, Independence County, Arkansas, have explored over 1,000 caves including some under contract for the government; and

Whereas, in the late 1950's Hail Bryant and Hugh Shell learned of Half-Mile Cave located approximately one-half mile from Blanchard Springs in Stone County and for the next few years undertook extensive exploration of such cave; and

Whereas, in the course of these explorations, it was discovered that this cave constitutes one of the great undiscovered natural wonders of this region; and

Whereas, Hail Bryant, Hugh Shell and many others including Mike Hill, Paul Buchanan, Jr., Charlie Rogers, Ronnie Sims, Robert Hanford and Billy Sneed, have devoted many months to exploring, mapping and photographing this cave and unselfishly made the results of their exploration available to the National Forest Service and the news media which has attracted nationwide attention to such cave; and

Whereas, their efforts were instrumental in the National Forest Service obtaining funds from the Federal government to erect an elevator and entrance into such cave; and

Whereas, this cavern with its large chambers and passageways and its previously undiscovered underground river and its natural beauty of stalagmites, stalactites, drapes, pallet, and aragonite are of awesome beauty and will constitute a major tourist attraction comparable to Mammoth Cave and other major caves in this nation; and

Whereas, the pioneering spirit, the determination and unselfish efforts of the persons named above have played a major role in the discovery and development of Blanchard Springs Caverns which will constitute one of the major tourist attractions of this State and region in the near future; Now, therefore, be it

Resolved By the House of Representatives of the Sixty-Seventh General Assembly of the State of Arkansas, That Hail Bryant, Hugh Shell and the other persons whose efforts have been instrumental in the exploration and development of Blanchard Springs Caverns, including Mike Hill, Paul Buchanan, Jr., Charlie Rogers, Ronnie Sims, Robert Hanford and Billy Sneed, are hereby commended for their untiring and unselfish efforts leading to the discovery, exploration and development of the Blanchard Springs Caverns as a previously unknown natural wonder of this State and region, and for their generosity in making available the results of their explorations and scientific data gathered therefrom which were instrumental in the present efforts to develop Blanchard Springs Caverns; and be it further

Resolved, That appropriate copies of this Resolution shall be prepared by the Chief Clerk of the House of Representatives for presentation to Hail Bryant, Hugh Shell, Mike Hill, Paul Buchanan, Jr., Charlie Rogers, Ronnie Sims, Robert Hanford and Billy Sneed.

PRESIDENT NIXON'S EUROPEAN TRIP

Mr. PEARSON. Mr. President, it has been 6 years since an American President has visited the European continent.

It was, indeed, time for us, in a personal sense, to renew ties with our European allies. In retrospect, the President's decision to do so was wise and timely.

In his 8-day journey to five European capitals and the Vatican confidence within the Atlantic community seems once again firmly established.

Beyond that the trip has created new spirit in our relations with our European friends. We are turning a new page in the history of United States-European relations. I am encouraged by this. It holds a great promise for closer ties with the nations of Western Europe, for a strengthened alliance, and for new initiatives in the cause of peace.

I join with Senators in welcoming President Nixon home from a trip which can only be described as an outstanding success.

THOMAS MASARYK—1850 TO 1937

Mr. PERCY. Mr. President, today, on the 119th anniversary of his birth, free men honor the memory of Thomas Masaryk, one of the greatest European statesmen of modern times.

This gifted son of a humble coachman possessed exceptional aptitude for learning. He was graduated from the University of Vienna with honors and became a lecturer there in 1879. But when he realized that he could serve the cause of his countrymen better at home, he relinquished his position in Vienna and returned to Prague. There he threw himself into the whirlpool of politics. He was elected to parliament, and in parliament he was the outspoken champion of peoples oppressed by the regime in Vienna. At the outbreak of the First World War he fled to France and then went to England, where he laid the foundation of the future Czechoslovak Republic.

It was a difficult but highly rewarding task that Masaryk performed during the war in presenting the Czechoslovak cause to Allied leaders. With others, he succeeded in convincing these statesmen, our own President Wilson among them, that the cause of Czechoslovakia was the cause of humanity. Triumphant in his efforts, he was elected first president of the newborn Czechoslovak Republic in 1918, and guided the destiny of his country until 1935 when he resigned at the age of 85.

By the time of his death in 1937, he had already secured for himself a place among the immortals of European history as a man dedicated to the cause of freedom.

THOUGHTFUL REMARKS OF ALAN CRANSTON

Mr. NELSON. Mr. President, late last month, the Senator from California (Mr. CRANSTON) delivered a thoughtful speech to the United World Federalists in Washington, D.C., on January 29.

While to some this talk may have appeared to be hard hitting, it seems to me that it was a well thought out and a candid approach to a subject that so profundly affects all of our lives—Vietnam and the quest for world peace.

The crisp and constructive observations of Senator Cranston are well worth the Senate's attention. Accordingly, I ask unanimous consent that his excellent paper be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS BY SENATOR ALAN CRANSTON

I'm particularly delighted today to see so many men and women I've known so long.

Some of those who joined with us to found United World Federalists have dropped by the wayside over the years, some discouraged, perhaps some even embittered. But some of you, and many more like you across the land and around the world, have meanwhile enlisted in the struggle for world peace through world law. Event after event, and war after war, prove and prove again, that nothing less than world law will suffice.

Now we fight a bloody war in Vietnam, face famine in Africa. We witness in the Middle East the ominous and familiar cycle of terrorism and reprisal repeating itself endlessly. Czechoslovakia serves as a reminder that brute force is still on the loose in Central Europe.

Casting appalling shadows in the background are the problems of nuclear proliferation. Mirv missiles and antiballistic missile systems, and the increasingly desperate race between food and population in two-thirds of the world.

There are those who would choose to retreat into the comfortable cocoon of our isolationist past. In disgust and despair, they would build bombs instead of bridges.

But that is not a realistic choice. We live on a small and dangerous planet. We can no more withdraw from the world, we can no more ignore the rest of the world, than we can retreat to the suburbs and escape the social and economic problems of our cities and rural areas.

Nor can we build a good society at home if we practice irresponsibility abroad. We must continue the most urgent task of mankind: We must create the institutions and the environment that will enable us to move forward along the road to enduring peace. We must acknowledge the tragic mistakes we made in Vietnam—but we must not allow those mistakes to put us out of the business of conducting an active and outward-looking foreign policy.

There are a number of specific steps I believe we should be taking now to right our course. Let me suggest some of them.

We must sustain and support the struggle to move the Vietnam war from the battlefield to substantive discussions at the conference table. At the same time, without waiting for successful negotiations to produce peace, we must rapidly reduce the American combat role. As soon as possible, we must extricate all our troops from the conflict.

I was shocked this week by the totally uncritical, unstinted praise of our present Vietnam policy uttered this week by U. Alexis Johnson, the Nixon Administration's highest ranking career diplomat.

That is hardly what the American people were promised by President Nixon last August when he called for "a new Administration that has given no hostages to the mistakes of the past—an Administration neither defending old errors nor bound by the old record."

Ambassador Johnson believes "our Vietnam policy is paying dividends." We've heard that before. It's the same old tune we've heard from both Ambassador Bunker and Ambassador Lodge—two other old Vietnam hands who have switched to the Nixon team.

I think it's time we paid more attention to the American people, high time we paid attention to knowledgeable men who have not helped devise or administer our unsuccessful Vietnam policies, high time we paid less deference to the Vietnamese and American mandarins in Saigon. There is little reason to believe that security in the provinces of South Vietnam is any better now than when the Lodge and Bunker statements were made a year ago.

Alexis Johnson should know that the real dividends of our Vietnam policy are a nation divided at home, and a record low in our prestige abroad.

Despite their having retained a pretty old new team of diplomats—the tired triumvirate of Lodge, Bunker and Johnson—the Nixon administration, I pray, will infuse new ideas and fresh approaches in the search for peace.

There are hopeful signs that some of the old attitudes are changing, and that some members of the old cast are having second thoughts.

The world is waiting, anxiously and hopefully for President Nixon to provide us imaginative, constructive leadership—the leadership of the peacemaker—that he so eloquently envisioned in his Inaugural Address.

Actually, President Nixon and Secretary of State Bill Rogers may well have been very wise—and known exactly what they were doing—in appointing Johnson, Lodge, and Bunker. They do know the ins and outs of the Vietnam situation at firsthand—however erroneous their conclusions may have been in the past.

They do have the confidence of Saigon officials. And if President Nixon plans a dramatic change in our Vietnam policies, the participation of old hands involved in our past policies there may facilitate that change.

These men are, of course, not decision makers. They will get orders at their delicate posts from Washington.

Since 1961 we have given the Government of South Vietnam $82 billion dollars in help. As of this week, 30,795 American boys have died there and 194,324 others have been wounded. By contrast, Communist military assistance from Russia and China totaled $2 billion from 1965 to 1967. And as far as I am aware, no Russians or Chinese boys have been killed.

It seems to me that we have done more, much more, than anyone could reasonably expect us to do to meet our commitments in Southeast Asia.

I am convinced that the South Vietnamese government will not fight its own fight until we announce a firm timetable for a phased withdrawal of our troops from Vietnam.

The South Vietnamese must learn to stand on their own.

We must, of course, strengthen the United Nations and other international organizations through institutional and procedural reforms. We must funnel more aid and actions through the United Nations.

Even the most dedicated supporters of the United Nations must admit that its performance has been less than satisfactory in recent years.

The Security Council's failure in the Middle East is deeply disappointing, and so have many of its Middle East resolutions. The record is inexcusable. In the fall of 1966, the Soviet Union vetoed a mild and ambiguous condemnation of Syrian terrorist attacks against Israel. But then the Council passed a resolution condemning a raid Israel had launched in retaliation.

This month, the Council condemned the Israeli raid on the Beirut airport, but onesidedly made no mention of the Arab terrorist attack on the El Al plane that took a human life and triggered the retaliatory raid.

The unhappy habit of bloc voting in the General Assembly has lessened that body's effectiveness as a forum even to air, let alone solve, serious international problems.

Moreover the multiplication of staffs of various United Nations agencies, along with the overlapping jurisdictions, have often served to retard progress rather than promote progress. It is hard to take seriously a United Nations organization when an 8 week conference consists of 2 weeks of speeches in plenum, 2 weeks of the same speeches in committees, 2 weeks more of the same speeches in subcommittees, and 2 weeks to negotiate and discuss the real issues.

Those of us who care deeply about the United Nations must seek reforms that will make the U.N. and its institutions more accurately reflect the realities and responsibilities of member states.

It is absurd that Upper Volta, Chad, and the Central African Republic, three small landlocked African countries, could conceivably outvote the United States and the Soviet Union at a U.N. meeting on the law of the sea—or on any other matter.

Progress will not be easy, but I am convinced that until the U.N. is reapportioned, it will be impossible to add significantly to its powers.

There is one step that the United States could and should take, on its own, right now. We should repeal the Connelly amendment. Our reservation on the jurisdiction of the World Court has been copied by other nations. As a result the world community has been deprived of a useful vehicle for settling international disputes.

The junior Senator from California would be delighted to see the Court able to decide such matter as the width of territorial seas. That is a legal question that should be solved by legal means, not by the seizure of vessels and the unilateral imposition of fines or economic reprisals.

A move now to repeal our reservation would demonstrate our determination to promote the rule of law in the international community.

Since trade, monetary policy, and foreign assistance are becoming increasingly interdependent, we should do far more than we are doing to channel foreign aid through multilateral agencies, like the World Bank. We should strengthen and broaden the man-

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date of organizations like the Organization for Economic Cooperation and Development. Senate approval of the United States' portion of the funding of the International Development Association—the soft loan window of the World Bank—should be a priority item at this session of Congress.

We must also ratify the Nuclear Nonproliferation Treaty, begin strategic missile talks with the Soviet Union, and move first to scale down and then to control, the arms of all nations, great and small alike.

I think there is something obscene about public officials proclaiming that any effort in those fields must wait until we can negotiate from a position of superiority—whatever that terms means in an age of nuclear missiles, nerve gas, and napalm. Mankind already has enough weapons to blow, fry, burn, and mutate itself out of existence.

I say: Let's seek agreement on reducing the arsenal we have now—before it's too late.

Those are just a few of the many things I believe we should be doing.

As most of you know, I've had as many ups and downs in my political career as our U.W.F. has had in its life. Those of us who banded together after World War II had a clear idea of the kind of world we wanted to build. We knew then, and we know even more surely now, that all the evil, ambition, greed and danger in the world was not wiped out in the Nazi defeat.

Those of us who have fought and now fight for a rational world order have been joined by the most promising generation in the world's history. The one clear signal our youngsters are giving us, from New Hampshire and Chicago to Moscow and Prague, is that they are fed up with wars, both hot and cold, and that bureaucracy and technology must not be allowed to trample the human spirit.

Across a gap of twenty or so years I salute our youngsters; I admire them and I look forward to working with them.

And I offer them a quote from William the Silent, which has a special meaning for someone like myself who has spent much of his life jousting with the devisive forces of fear, reaction and despair:

"It is not necessary to hope in order to undertake or to succeed in order to persevere."

DR. GLEN L. TAGGART INAUGURATED PRESIDENT OF UTAH STATE UNIVERSITY; SCHOOL CELEBRATES 81ST FOUNDERS DAY

Mr. BENNETT. Mr. President, this weekend, Utah State University has a dual occasion for celebrating—a distinguished educator, Dr. Glen L. Taggart, is being inaugurated as 11th president as USU celebrates the 81st anniversary of its founding.

Dr. Taggart comes to Utah State with solid credentials in education, government service, and foreign relations. He is replacing one of Utah's leading educational figures, Dr. Daryl Chase, as head of the Logan, Utah, school.

The new President, who is a native of the Logan area, most recently has been dean of international studies and programs at Michigan State University. From 1964 to 1966 he was on leave of absence from Michigan State to serve as vice chancellor, or president, of the University of Nigeria.

Utah State, which is part of America's great land-grant system, has come to be recognized as one of our Nation's leading educational institutions in helping less developed countries surmount the basic technological problems that inhibit growth and a high standard of living. Under Dr. Taggart's leadership, these international programs will undoubtedly receive a vigorous new impetus.

Utah State University has made numerous invaluable contributions toward bettering the lot of citizens in Utah, the Nation, and the world. Our State and Nation can be justly proud of the history and potential of this fine university.

THE PRICE OF A GOOD CREDIT RATING

Mr. PROXMIRE. Mr. President, the National Observer on March 3, 1969, carried a most informative article by Douglas Davis, concerning his problems in maintaining a good credit rating. In today's complex credit economy, I am sure that thousands or even millions of individuals have at one time or another encountered difficulty in keeping their credit records straight.

Mr. Davis relates a 2-year struggle of his with various credit card companies, creditors, and credit bureaus to maintain his good credit rating. About 2 years ago Davis was rejected for credit by a number of creditors. Repeated attempts to obtain an explanation from his various creditors produced no results.

Because of some unknown reason he was listed as a bad credit risk. His American Express card was even canceled. In attempting to correct the situation, Mr. Davis relates the following experience:

> But I didn't get really upset until American Express canceled my new card last month. Until then, I had accepted, however reluctantly, the mysterious decisions of the credit machine that touches us all, in one way or another. But no more. When I received that cancellation, I picked up the phone and dialed my "Customer Representative," in New York City, a mythical figure named "R. Brophy," to whom I had been writing for months, with no answer. Mr. Brophy, predictably, wasn't in (to this day, I don't believe he exists), but a girl identified as his secretary told me not to worry about the cancellation. "It's a computer error," she said.
>
> "Well, please correct it," I said. "This cancellation could damage my credit rating."
>
> "Oh, I can't do that," she said. "You'll have to talk to another department. Just a minute, I'll switch you."
>
> Another department came on. It, too, couldn't help me. Soon I found myself talking to a third department.
>
> "That's not our job," a man at the other end said. "You have to talk to your customer representative, Mr. Brophy."
>
> I exploded, shouting, "I just talked to them. Now you take care of this yourself."
>
> The voice on the other end was surprisingly chastened. "Yes, sir," it said.

American Express finally relented and reinstated Mr. Davis' credit card, but only after considerable effort on his part. How many Americans have had the same frustrating experience?

Next, Mr. Davis visited the credit bureau to attempt to restore his good credit rating. In reviewing his record, he was shocked by a number of inaccuracies found in his file. To quote from Mr. Davis, as he reviewed his file:

> I blanched as the "facts" went by. Half of them were wrong (One example: the Raleighs, Inc. entry read "declined credit," though I had charged an $85 overcoat there just one week before). More important, the report omitted all kinds of good news—the two car loans paid off at my bank; my accounts in solid standing with a wide variety of companies, including Sears, Gulf Oil, and Sun Oil; my checking and saving account balances; even my income (listed simply as "unverified").

His most frustrating experience, however, was in attempting to straighten out his record with his local bank. Although the bank finally conceded that an adverse credit report was a factor in his being turned down for a loan, the local credit bureau showed no record of the bank's inquiry. The banker finally explained, somewhat lamely:

> I'm not saying that people have been completely truthful in their statements to you.

Fortunately, through persistence and diligence, Mr. Davis was able to reinstate his good credit record. But how many thousands of Americans lose their credit standing because they are not as persistent or as diligent or as knowledgeable or as articulate as a reporter for the National Observer.

I have introduced a fair credit reporting bill to provide consumers with some measure of protection against an inaccurate credit report. Given the potential harm an adverse credit report can do to a person's ability to obtain credit and perhaps even employment, I am convinced such legislation is long overdue.

Mr. President, I ask unanimous consent to have Mr. Davis' article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NO. 044-566-502-8 DEMANDS JUSTICE IN CREDIT RATING—CREDITORS AND COMPUTERS REBUFF A BILL PAYER; HOW HE WON THE BATTLE

(By Douglas M. Davis)

"You don't buy any customer rights when you buy one of our credit cards. You pay for the convenience of using it, that's all."

"I'm sorry you insisted on talking to me. It's been a very busy day. One of my assistants could have taken care of you."

"Yes, I've had your letter on my desk all morning, but I haven't gotten the chance to read it. Come back tomorrow."

"I wish more people would try to clear up their credit, as you're doing. But it's a pity you have to pay a lawyer to help."

So went the reactions when I began invading credit bureaus, banks, and various companies in an attempt to clear up my mysterious credit problem. Now I have a few ideas about why banks have been brusquely rebuffing me for more than two years, along with several department stores and mail-order houses. It took a lot of time, expense, and sleuthing, but I believe I am through with the trouble. More important, I think I know what to do if the problem occurs again.

For a long time I thought, like most people, that a good credit rating was a simple matter. Work hard, pay your bills on time (particularly loan payments at the bank), period. Wrong. Dead wrong. When the rejections first started coming, about two years ago, I did nothing. I had been late on a few small bills during the previous year, owing to a family crisis, and assumed that continued promptness would pull me out of the hole. But it didn't. Six months of regular payments counted for nothing when I started applying for credit once more.

Last fall I called my lawyer, an old friend. "I can't understand it," he said. "You're a better risk than I am and I get credit all the

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time" (he had just furnished his new law office on a bank loan). We both concluded that the local credit bureaus had me confused with somebody else (there are a lot of Davises around, good and bad). The lawyer wrote two letters for me—to Stone's Mercantile Agency, Inc., and the Credit Bureau, Inc., the two major sources of credit information in the Washington, D.C., area. Stone's replied that it had no record to speak of on me, the Credit Bureau that I was in "good condition."

For a while, all went well. Two local stores that had turned me down in the past (the Hecht Co. and Raleigh's, Inc.) promptly approved my charges. American Express let me purchase one of their cards. Then the roof caved in again. I was injured in a car crash one week after I began negotiating the purchase of a house. My car, smashed beyond repair, had to be replaced, quickly. When I tried to reacquire the same car loan granted me the year before, my bank first said yes, tentatively, then cut the loan by $400. Another bank approved a larger loan, then called me back one hour later to refuse it. A third bank said yes, but I was still obliged to pay out more cash than I had anticipated—and this, together with emergency medical expenses, doomed my house buying.

THE LAST STRAW

But I didn't get really upset until American Express canceled my new card last month. Until then, I had accepted, however reluctantly, the mysterious decisions of the credit machine that touches us all, in one way or another. But no more. When I received that cancellation, I picked up the phone and dialed my "Customer Representative," in New York City, a mythical figure named "R. Brophy," to whom I had been writing for months, with no answer. Mr. Brophy, predictably, wasn't in (to this day, I don't believe he exists), but a girl identified as his secretary told me not to worry about the cancellation. "It's a computer error," she said.

"Well, please correct it," I said. "This cancellation could damage my credit rating."

"Oh, I can't do that," she said. "You'll have to talk to another department. Just a minute, I'll switch you."

Another department came on. It, too, couldn't help me. Soon I found myself talking to a third department.

"That's not our job," the man at the other end said. "You have to talk to your customer representative, Mr. Brophy."

I exploded, shouting, "I just talked to them. Now you take care of this yourself."

The voice on the other end was surprisingly chastened. "Yes, sir," it said.

TIME FOR ACTION

But nothing was done. Two weeks later, J. C. Penney Co. rejected me. Now, it seemed, was the time for action beyond mere writing and phoning. I consulted my lawyer friend again.

"Some kind of inaccurate reporting has been done," he theorized. "I think you've got to visit these people, personally. After all, the credit industry is testifying right now before Congress that anybody can examine his record if he is having trouble. I'll write to everybody concerned, including the banks, but you better confront them yourself if you want it settled once and for all."

I agreed—and made the American Express office in New York City my first stop. I called ahead for an appointment with the legendary Mr. Brophy. I steamed in, right on time, and startled the receptionist.

"Who are you?" he asked.

"I am 044-526-502-8," I replied, "and I demand justice.

"What's that again?"

"044-526-502-8," I said.

"You've got a good memory," she said.

Ten minutes later a small, Oriental man came out, introduced himself as Brophy, and beckoned me to a small room. What followed, for a time, was the strangest conversation I've ever held in my life. The man knew nothing at all about me, apparently despite my many letters, my appointment, or even my account number. Nor did he reveal this until I had spent 15 minutes explaining my problem. Only then did he rise to get my file. And reveal that he *wasn't* Brophy. He was "Mr. Crawford."

"But the girl promised me I would see Mr. Brophy."

Mr. Crawford smiled. "Mr. Brophy has the flu."

THE MAN WHO WASN'T THERE

It was the same as though he were really there, however. Every time we came to a point of disagreement, Mr. Crawford always referred to the absent Mr. Brophy. He could not speak for Mr. Brophy in this or that matter. He could not explain why Mr. Brophy had not answered my letters. He was not sure whether Mr. Brophy would do this or that to clear my account. I began to lose my temper. At one point, when he refused to grant that American Express had an obligation to answer customers' letters, I jumped out of my seat.

"Now just repeat that," I said, grabbing for pencil and paper. "Just tell me again you aren't responsible for answering letters."

For the first time, he stopped smiling. "Well, perhaps you are right. Perhaps you do have a right to get replies. It's only that—"

"Put that in writing," I demanded.

"Mr. Brophy will be happy to put that in writing."

Later, after considerable backing and tracking, Mr. Crawford satisfied most of my complaints. He promised that Mr. Brophy would write a letter. (It came, all right, but was very vaguely worded.) Mr. Crawford issued me a new card. But he never explained why the cancellation had occurred.

Next I visited the Credit Bureau, Inc., in Washington, D.C. Kept waiting when I arrived on time for my appointment, I was not too surprised that the person who finally showed was not the "Alice White" I had spoken with on the phone. I demanded nonetheless to see Miss White, as previously agreed, and waited 30 minutes more for the privilege.

Miss White proved disarmingly sympathetic. She began by saying how sorry she was to hear about my trouble, that she had read my lawyer's detailed account of my recent rejections with great attention. "We had nothing to do with the two banks," she said. "They never called us. But Penney's did, and they turn down many people with good records."

Then, drawing from a sheaf of papers before her, she read from my record, the record passed on to Penney's, presumably. I blanched as the "facts" went by. Half of them were wrong (One example: the Raleighs, Inc. entry read "declined credit," though I had charged an $85 overcoat there just one week before). More important, the report omitted all kinds of good news—the two car loans paid off at my bank; my accounts in solid standing with a wide variety of companies, including Sears, Gulf Oil, and Sun Oil; my checking and savings account balances; even my income (listed simply as "unverified".)

I protested.

"Well," she said, making note of everything I said, "a lot of these are out-of-town accounts, difficult for us to verify."

"What about Sears?" I countered. I've bought several major appliances from Sears."

"I'll check that," she said.

"And one other thing. I've read that rumors about a man's character are sometimes put on his record. I've heard, too, that you can check your record to see whether any . . ."

At this point the boss arrived, and the dialog ended. "You read that in the newspaper," he fumed, interrupting my request. "Journalists! They get a liberal-arts degree and they think they know everything." He snatched my record, or whatever it was, from Miss White's desk and shoved it in front of my face.

"Go ahead, look at it. Do you see any rumors there?"

I saw nothing but numbers.

"You haven't got any problems," he said. "I can look at your record and tell. Perhaps a few mistakes were made by some people along the way. That happens. But we're always ready to straighten them out with you, or anyone. Just come and see us."

PROMISE OF CORRECTIONS

After more conversation, we parted—successfully, on the whole. I had angered the boss, but both he and Miss White promised to enter my corrections, once verified, and to co-operate if future problems arose.

That left only the banks, but their actions, during the summer, had been the most puzzling of all, for both responded well to my first requests, then backed down, giving no clear explanation. I received no co-operation from my neighborhood bank, the Riggs National. Mr. John D. Hamilton, who handled me curtly during the summer, was still curt five months later. The first morning I went in, he said he couldn't tell me anything because he didn't have time to read my lawyer's letter. The next day he was still evasive. "I don't understand what you're after," he said.

"I'm after the reason my loan got reduced, despite my good record of payment at the bank."

"Your lawyer will explain that for you," he said, cryptically.

"But that's why I'm here—he can't."

More questions by me, more cryptic replies by Mr. Hamilton. Finally, he conceded—as he hadn't before—that my "credit record" was a factor in the summer decision. "But the Credit Bureau has no record of your inquiry," I replied, "and Stone's no record of anything. How can I pin down what there is in my record that's so bad?"

He smiled, still impatient. "I'm not saying that people have been completely truthful in their statements to you," he concluded, cryptic to the end.

The other bank, Maryland National, in the suburbs, was much franker. "We apparently overlooked the fact that you and your wife are separated, which made the auto loan impossible," Mr. Howard A. Watson, a bank official told me. "Unless you're single or divorced, we always require both husband and wife to sign for an auto loan. Of course, we were wrong to okay it and take it back. That was a bad error."

When I explained that the divorce was now completed, he urged me to pass the news on quickly to both credit agencies. "More people ought to take the vigorous action you have. You must help to keep your credit record straight. Otherwise, it's frequently in the hands of the office workers who take down information over the phone."

Well, I still can't explain how my record got so distorted, why that American Express computer picked me for cancellation, or a number of other curious contradictions. But I do know that by shouting and complaining, I got justice, of a kind.

—DOUGLAS M. DAVIS

PRESIDENT OF AMERICAN BAR ASSOCIATION POINTS THE WAY TO A LAWFUL SOCIETY

Mr. TYDINGS. Mr. President, many observers have commented upon the wave of crime and violence which has disturbed the domestic tranquility of our Nation and eroded the cherished freedom of our society. Few, however, have as-

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sessed the crime problem in as reasoned and perceptive a manner as did William T. Gossett, president of the American Bar Association, in an address to the District of Columbia Bar Association on February 12. In this speech Mr. Gossett analyzed the crime problem and pointed the way for effective response by both the society at large and the legal profession.

Mr. Gossett accurately describes the impact of crime when he states:

> The fear of random attack or organized violence imprisons a people, as surely as any Berlin Wall. And, that, fundamentally, is why violence is such a threat to us today. It threatens not simply our property or even our safety; it threatens our free society as well.

In face of this fear and violence, President Gossett cautions against mass hysteria. Crime will not be halted by heated outcry. A reasoned response will be the only real counterforce to the crime problem.

Harsh sentences are no sure cure. As Mr. Gossett states, our prisons have had doubtful value because rehabilitative programs are "nonexistent," and today's prisons at best serve merely a custodial role. In fact, our prison systems return to the society a convict who has not been rehabilitated and who is probably more dangerous when released than when he entered the prison. If punishment is to deter crime, if sentences are to rehabilitate criminals, if our correctional institutions are going to protect society, then our correctional institutions must be made to correct, not destroy or degenerate, the inmate.

Further, Mr. Gossett makes a clear plea for sane gun laws. Gun control, he says, is indeed effective in limiting crime—as I have argued, Mr. President, on many occasions. We must see that guns are kept out of the hands of juveniles, lunatics, and criminals.

Citizen participation in the struggle against crime is another necessary ingredient in the maintenance of a truly democratic and safe society. To further the involvement of citizens from every walk of life and every part of the society, President Gossett endorses the efforts of a group called Citizens for Justice and Order. That organization intends to raise up to $30 million a year from corporations and foundations to finance specific action programs to combat crime. President Gossett states that the American Bar Association, the International Association of Chiefs of Police, the Urban League, the National District Attorneys Association, the League of Women Voters, as well as numerous other organizations are being called upon to participate in this program—each doing what it is best qualified to do in a nationwide effort to prevent and control crime and violence.

But as President Gossett indicates, more effective citizen participation in crime control is but a part of the effort that must be made. He said:

> It is time for us as a people to recognize the sad fact that our whole system of law could be fairer and more equitable for the millions of Americans who have in fact been denied the most basic constitutional protections. For if we do not understand not only the deprivation of the dispossessed, but the way in which the law affects them in their daily lives, we will never understand the roots of the disrespect for law and order which now threatens us; if we do not understand it, we will not master it.

President Gossett recognizes a "hard fact" which many of us have not been ready to acknowledge, namely that "it is simply, and without glossing over an unpalatable truth that the poor, black and white, resent and fear the law." President Gossett explains:

> The conditions under which the poor live their hapless lives seldom expose them directly to law as their protector. They experience far more often and far more vividly instances of the law doing something to them rather than for them. The law has always been the hostile policemen on the beat, the landlord who has come to serve an eviction notice, the installment seller who has come to repossess. As every lawyer knows, there are appalling injustices in laws governing the relations between landlords and tenants. * * * Legislative changes in these laws are long overdue.

Recognizing the imperfections in our legal system is an important element of our society's response to crime. Mr. Gossett points out that many agencies, both public and private, have been making efforts to channel grievances through the court system and to make the judicial system more attentive to the needs of the poor. The American Bar president points to the community action legal services project, the National Office for the Rights of the Indigent, California Rural Legal Assistance Group as examples of agencies which have sought to channel and correct grievances through the legal process.

The call of the president of the American Bar Association is for greater and more sweeping assumption of social responsibility by members of the legal profession.

> The law—

He asserts—

> must serve both as an avenue of progress and as a bulwark of stability. Its practitioners must bear many responsibilities in insuring this dual objective.

As Mr. Gossett states:

> As democracy moves on, our vision of our public responsibility must broaden.

Mr. President, William Gossett has shown a keen awareness of the legal profession's social responsibility and commitment to public service. He has in his own right an outstanding record of public service. In 1962, at the request of President Kennedy, he accepted appointment as Deputy Special Representative for Trade Negotiations with the rank of Ambassador. In addition to his duties as president of the American Bar Association, Mr. Gossett is a member of several government advisory bodies including the Advisory Commission on Executive Legislative and Judicial Salaries and the Legal Advisory Committee of the Department of Transportation's Motor Vehicle Accident Compensation System Study.

Mr. President, I ask that the text of Mr. Gossett's address to the District of Columbia Bar Association be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY WILLIAM T. GOSSETT, PRESIDENT, AMERICAN BAR ASSOCIATION, AT MEETING OF BAR ASSOCIATION OF THE DISTRICT OF COLUMBIA, WASHINGTON, D.C., FEBRUARY 12, 1969

You have honored me, and the American Bar Association, by inviting me to share with you this pleasant occasion.

First of all, let me pay tribute to the enormous vitalizing influence of this distinguished Bar upon the objectives and achievements of the American Bar Association, in which the District, with its 14,000 lawyers, has given generously of its sons and its unique traditions.

Four annual meetings of the ABA—the first in 1914 and the last in 1960 (registration—5,827)—have been held here; and a fifth has been scheduled for 1973. Four of our Presidents have been Washington lawyers; and you have provided two Chairmen of our House of Delegates, one Treasurer, and one Secretary. Seven District lawyers have served on our Executive Committee or Board of Governors; and the names of 369 members from the District are listed in the 1968–69 directory of the ABA—the Red Book, many of them (too numerous to mention) being Section or Committee chairmen.

In the creative contributions of these men, and indeed of the whole District of Columbia Bar, to the growth of the law in America, there has been a vigorous affirmation of the fundamental doctrine that gives all laws its strength and life: that is, the concept of the law in motion—the law as an avenue of progress—while sustaining with equal vigor those principles that make the law a bulwark of stability.

We meet today at a time of transition, a time when a new national leadership is preparing to confront the dilemmas that have sent this nation into a period of doubt and uncertainty. And this is a time when those dilemmas remain urgently before us; when the demands of the national agenda will not await even the briefest of pauses. So I would talk with you tonight about one of the most disturbing and dismaying problems before us as a people: the problem of crime and violence in America.

The national election of last Fall was the first, perhaps, in at least a century when we debated not the great issues of national purpose and world leadership, but the issue of domestic tranquility and order. The debate—often responsible and productive, at times hysterical and uninformed—was a reflection of an unhappy truth: it is that our country's security is threatened—threatened from within—by startling and accelerating increases in crimes against persons and property, and by violence and the threat of violence.

As you know, violence is not new to us as a people. It has always been a ready avenue of expression to those who hold deep grievances and believe that other avenues of change have been foreclosed—as well as those who have seen in other Americans of other races and origins threats to their own comfort and safety.

Today, however, the situation is different. Today the concentration of our population into great urban centers has made violence not simply a resort to revolt, but a direct personal threat to millions of citizens. Today, too, the pervasive eye of the news media instantly sends word of mass violence across the nation, reminding each of us of his own vulnerability, and further increasing the spread of fear.

But more than that, today we see that the use of violence has spread to other groups than the economically disadvantaged. Within our universities, small groups of students have resorted to physical force and sabotage as a means of expressing their discontent.

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Many are substituting brute force and storm-trooper tactics for reason and persuasion, publicly declaring their intention to disrupt, and even destroy, the institutions of organized society. Even among respectable citizens, the promise of violence is heard. Suburban housewives train with pistols, and firearms sales have tripled in many sections of the country. The government has begun to arm itself against its own citizenry, purchasing armored personnel carriers, bazookas, and other weaponry more suited to war than the preservation of domestic tranquility.

Whatever the sources of this growing resort to force, one thing must be made clear: mob violence, random terror and organized destruction cannot be tolerated by any nation that counts itself civilized. Of course we must understand; but to understand is not to permit. The first response—of government and of citizens—is a clear and effective demonstration that resort to force will be deterred and punished to the fullest extent of the law.

That response is more than an attempt at self-preservation; it is an attempt, fundamentally, to preserve the peaceful framework that alone can provide the atmosphere for effective justice. Listen to the words of a distinguished Pennsylvania judge: "In the whole history of law and order, the longest step forward was taken by primitive man, when, as if by common consent, the tribe sat down in a circle and allowed one man to speak at a time. An accused who is shouted down has no rights whatever."

This sense of fairness and decency—this sense of mutual respect for the rights of others—is, as you know, what the law has come to call "due process". And it is that very concept of due process that is most threatened by violence.

For a man—or a city—fearful of violent attack is not free; not free to walk the streets in confidence; not free to trust a stranger; not free to live in happiness among the people of his own community. The fear of random attack or organized violence imprisons a people, as surely as any Berlin Wall. And that, fundamentally, is why violence is such a threat to us today. It threatens not simply our property or even our safety; it threatens our free society as well.

Thus, the danger of crime and violence tells us that we must respond. But it does not tell us *how* to respond; it does not tell us what measures will most effectively prevent or control crime or how to avoid or curb violence when it erupts. Nor—perhaps most important—does it tell us what responses would best protect due process and the rule of law, and what responses would tend to undermine that very respect for law that we seek to uphold.

What, then, should be our response to the problem of rising crime and violence; that is, what should be our response other than locking the doors of our cars and homes, adequately lighting the streets, resolute law enforcement, and other simplistic solutions.

Let us recognize at the outset that rising crime rates, while a cause of deep concern, should not result in mass hysteria. In the words of the President's Commission on Law Enforcement:

"Thoughtless, emotional, or self-serving discussions of crime, especially by those who have the public's attention and can influence the public's thinking, are an immense disservice. They do not and cannot lead to significant action against crime. They can, and sometimes do, lead to panic." Several factors suggest that the President's Commission's warning is sound and also suggests that more efficient law enforcement by the criminal justice system—the police, courts and correctional institutions—should not be our sole objective.

First, there is some evidence of a cyclical trend in the incidence of violent crime. For instance, while the present annual rate of willful homicide is 6.1 per 100,000 population, the corresponding rate in 1948 was 5.2, and criminologists say the 1933 rate was even higher than today, although comprehensive statistics for that year are not available. Moreover, the increase in crimes of violence seems to be far behind the increase of non-violent crime, both in absolute number of offenses and in rate per 100,000 population. Violent crimes account for only 13% of the total reported index crimes in the 1967 Uniform Crime Reports.

Second, law enforcement, at least on the police level, appears to be more efficient in combatting crimes of violence than in controlling crimes against property. In 1967, 88% of all reported criminal homicides were cleared by arrest. The clearance rates for forcible rape and aggravated assault were 61% and 69%, respectively. Of the F.B.I. index of violent crimes, only robbery—which is a combined crime against person and property—had a low clearance rate (30%). Other property offenses had relatively low clearance rates: in 1967 burglary was 20%, larceny 18%, and automobile theft 20%.

An important factor related to fear of violence is that most such crimes are committed by persons who know their victims. Rape, assaults and murders are not usually committed by strangers. The President's Crime Commission concluded that "the risk of serious attack from spouses, family members, friends, or acquaintances is almost twice as great as it is from strangers on the street." The F.B.I. Uniform Crime Reports reached the same conclusion. Most violent crimes result from domestic quarrels, barroom altercations and romantic triangles.

Those figures, showing a high arrest clearance rate for crimes of violence and a pattern of victim-assailant acquaintance, suggest that stricter law enforcement can only have limited effects on crimes of violence. Stricter law enforcement alone probably would not greatly reduce the frequency of such crimes of passion as assaults, rapes and criminal homicides.

Robbery, which increased 32% during the first nine months of 1968, is, however, a different matter. The Uniform Crime Reports include in "robbery" all reported acts of "stealing or taking anything of value from the person by use of force or threat of force." (In this city, the robbery rate in 1968 was 750 per 100,000 of population—the highest of all American cities.) In 1967, the U.C.R. disclosed that in cities with populations of 250,000 or more, half of all robberies were committed in the street, and that the 1967 robbery rate was 27% higher than 1966. As pointed out earlier, because the arrest clearance rate for robbery is relatively low, and because the number of robberies is up more sharply than any other violent crime, stricter law enforcement, specifically more intensive street patrol, could have significant effects on the incidence of robbery. The same reasoning would apply, I think, to non-violent crimes—auto theft, for example.

It has been said that increasing of criminal penalties would make for "stricter" and more effective law enforcement. But such a seemingly common-sense assumption is of doubtful validity. The high rate of recidivism suggest that prison terms may only delay the recurrence of crime for a significant proportion of prisoners. Long prison terms alienate many prisoners from the norms of society, especially where prison "treatment" programs are non-existent and imprisonment amounts only to custody.

This is not to argue that we should never increase penalties for criminal behavior. But in a country with the stiffest penalties in the western world, let us remember that the purpose of criminal penalties is not vindictive; the purpose is to rehabilitate and to prevent and deter further criminal action by the same person or others. And so, indiscriminate and arbitrary increases of sanctions without awareness of the effects of such change are not rational steps toward effective law enforcement.

There *is* a rational step that can be taken to curb violence: it is to enact legislation that will effectively keep guns out of the hands of criminals, juveniles and lunatics.

The facts are overwhelming. In the five years since President Kennedy was murdered by gunfire, more than 75,000 Americans have been killed with guns. More Americans have died from misuse of guns than have been killed in all our wars. More than ninety per cent of policemen killed on duty have been killed with guns. Uncontrolled firearms are an integral part of the explosive mixture of violence in America. They serve to transform a sudden passion into an irreversible act.

Moreover, gun control *does* work. New York City, for example, is the largest, most pressure-ridden city in America. It has more poverty than any other city; more potential for violent explosion. Yet New York ranks *last* among the ten largest cities in homicide rate. Why? Because, according to its Deputy Police Commissioner, it has a tough, well enforced ordinance controlling the use of concealed firearms.

But London's gun licensing system is even more restrictive. Of every 100 murders in the two cities, 36 die by gunfire in Manhattan as compared to five in London. And although New York has the lowest homicide rate of American cities, Manhattan Island alone suffers more murders each year than all of England and Wales.

Another rational step is to involve citizens and groups from every part of society—from the slum and the suburb—in the planning and implementation of programs to deal with crime and its underlying causes. In the words of the President's Crime Commission, "the best way to mobilize the community against crime is to lay before it a set of practical and coherent plans."

To that end, the ABA has been working with a group called Citizens for Justice and Order. That organization proposes to raise $25 to $30 million a year from corporations and foundations to finance specific action projects. The ABA, along with many other national organizations, such as the International Association of Chiefs of Police, The Urban League, The National District Attorneys Association, The League of Women Voters, and numerous business, labor and minority groups, would participate in the program—each doing what it is best qualified to do in a nationwide effort to prevent and control crime and violence and especially to organize broad citizen involvement in that effort.

The umbrella organization (CJO) will be headed by a man of great ability and of national stature—yet to be selected; and we are hopeful that President Nixon and the new Administration will lend their full support and encouragement to this effort.

Let me emphasize tonight that the prevention and control of crime and violence—especially mob violence—extends far beyond the bounds of strict law enforcement—beyond the imposition of the public force.

Obviously, the law's contribution to order depends in part upon the public force. On the other hand, adherence to the law in a free society has never rested primarily upon applications or threats of force by public authority. Indeed, to be a viable social system even a totalitarian society ruled by fear and force must ultimately have behavioral obedience of the masses, which means, in effect, non-violent conformity.

Since the police are in the vanguard of our system of justice, they need and should have our strong support—yours and mine. But the police themselves must not resort to excessive, vindictive violence in controlling disorders. Experience has shown that potential disorders can best be stopped by an immediate, firm, disciplined show of force *combined* with a deliberate attempt to avoid provocation; that is, a determination to keep the peace, fused with a determination to avoid bloodshed.

This is no new concept. A generation ago, Mr. Justice Brandeis reminded us that police lawlessness is the most dangerous; for when those who are sworn to enforce the law instead violate it, then there is no element in society left to serve as a model, and no example to be set for others to follow.

We conclude, then, that only in consistent, orderly, legal enforcement of the law is there a promise of restoring order. And the principle should be applied on college campuses, I suggest, where disruption and coercion is posing a serious threat to the freedom and integrity of higher education, and where the totalitarian tactics of some student groups tend to overshadow and nullify whatever idealistic goals may motivate their actions.

But, manifestly, law enforcement is only one part of the dilemma. It is time for us as a people to recognize the sad fact that our whole system of law could be fairer and more equitable for the millions of Americans who have in fact been denied the most basic constitutional protections. For if we do not understand not only the deprivation of the dispossessed but the way in which the law affects them in their daily lives, we will never understand the roots of the disrespect for law and order that now threatens us; and if we do not understand it, we will not master it.

In the words of the President's Crime Commission, "the people [of the slums] are people with extraordinary strains on their respect for law and order." What are those extraordinary strains to which the Commission refers? One of them is clear; and it is a fact very hard for us to acknowledge: it is simply, and without glossing over an unpalatable truth, that the poor, black and white, resent and fear the law. And the reason seems to me obvious. The conditions under which the poor live their hapless lives seldom expose them directly to the law as their protector. They experience far more often and far more vividly instances of the law doing something *to* them rather than *for* them. The law has always been the hostile policeman on the beat, the landlord who has come to serve an eviction notice, the installment seller who has come to repossess.

As every lawyer knows, there are appalling injustices in the laws governing the relations between landlords and tenants; indeed, those laws are relics of feudal times when judges tended to view each side of a contract as independent of the other; and so, in most states, the tenant still is obligated to keep paying the rent even if the landlord has broken all his promises and even if he has violated the building code.

Legislative changes in these laws are long overdue. And there are other pressing needs. Much could be done, for example, in improving the standards of criminal justice. And new standards are being formulated through a massive project launched by the American Bar Association, under which about eighty of the leading criminal lawyers, judges and scholars of the country have worked for four years in that vital area of the law. The proposed new standards will not reduce crime, of course, but they will facilitate the efficient administration of criminal justice.

My own city of Detroit also has made progress in the wake of the turmoil and destruction of 1967. The "New Detroit Committee", on which I served, was appointed to take action alleviating some of the legitimate grievances of the ghetto community. Our goal has been to speak not through promises but through achievements.

We have managed, I am pleased to say, to persuade the Michigan legislature to pass a Fair Housing Act, which prohibits racial discrimination in the sale or rental of homes. It has also enacted legislation to protect tenants from summary evictions for complaining to a government agency about a landlord's violations of the building code; and it has created laws to permit tenants to divert rent money to make repairs in case of code violations.

At the same session, the legislature enacted legislation in the area of public safety: it redefined the crimes of rioting and inciting to riot; approved a new emergency state police reserve; and made it a felony to interfere with a fireman in the performance of his duties. Under the new statute, urging another to riot will carry the same penalty as rioting—a maximum of five years in prison and a $5,000 fine.

Finally, the legislature defined as criminal conduct the possession of a Molotov cocktail, the blocking of a public thoroughfare without authority, and the forging of an application to buy or carry a pistol.

The effect of those enactments will be to strengthen public confidence in the rule of law, first in the area of landlord and tenant relations, and second, in the area of public safety; and the legislature should be commended for its action.

A lawful society cannot achieve a better society if it is ever content with the legal *status quo*. It cannot fail to achieve a better society if it is always alert to its own imperfections and swift to remedy them.

Across the country, legal agencies—public and private—have been making efforts to channel grievances through the court system. For example, the Community Action Legal Services Project is permitting ghetto residents to challenge certain conduct in the courts—conduct ranging from public housing rules to the way in which their neighborhoods have been changed without their consent.

A new arm of the Legal Defense Fund—the National Office for the Rights of the Indigent—has begun to give victims of fraud effective remedies in the courts.

The California Rural Legal Assistance group has fought cutbacks in medical care for the poor, and attempted to protect California's Mexican-Americans against discriminatory legislation.

It may seem that some of these cases are dubious; or that "they are asking too much." But I believe deeply that it is far better to press a grievance through the courts than through the streets. And I believe that if our legal system demonstrates that it can give due process to everyone, we have little to fear from those who preach violence and force as a resort for grievances.

We are in a time, after all, when discontent is increasing; when those who lack, see what wonders are available to those who have; when those with grievances are tempted to think that only extreme action can win for them their fair share of the fruits of our society.

We cannot win universal respect for the law—the indispensable ingredient of a free society—unless the law respects all men equally. Seventeen years ago, Reginald Heber Smith, one of the great pioneers in legal aid, said: "Nothing rankles more in the human heart than a brooding sense of injustice. Illness we can put up with; but injustice makes us want to pull things down."

In those areas of our nation where there has been clear evidence that the law has not been effective as a constructive force, we must move to substantive reforms; for example, in laws governing union practices that restrict job opportunities; laws covering building codes and practices; laws governing relationships between consumers and installment sellers; and many others. And we must foster a commonly shared view in our society that change *within* the system is ultimately possible.

If we are to promote trust in the lawful society as the srtaightest and broadest avenue to a better society—if we are to avoid violence—we must be skillful in employing all the machinery of the law—from its application by the city policeman to its codification of economic morality in business. We must convince the dissident members of our society by what we do—not just what we say—that the law is on their side—not against them. We must so employ it that they will not see the law as rigged to serve others in enforcing rights against them; they must see it as an instrument to protect them against injustice—the corrupt landlord, for example, or the cheating installment seller. Let us remember that laws were instituted among men intent on a better society, in the first place, for the common good of all men—not just the most, not just the strongest and not just the uncomplaining.

The social responsibilities of our profession implied in what I have said to you tonight are, of course, gigantic and sweeping. But the heritage of our profession has not been the assumption of small burdens. Carrying out that responsibility is not a price we pay but a privilege we enjoy for membership in a disciplined and noble profession whose social horizons are the horizons of democracy itself. And as democracy moves on, our vision of our public responsibility must broaden.

As we live out this last third of our troubled but magnificent century, let us work together to fulfill the high mission so vividly summarized by a great lawyer and public servant, Joseph Choate, when he said: ". . . if the personal liberty of all, under the protection of equal laws, is the end of government, then lawyers can safely challenge men of other professions to show a larger share in the whole work of human progress."

WHO REALLY GIVES A DAMN ABOUT HOUSING?

Mr. PERCY. I invite the attention of Members of Congress to the outstanding efforts made by the editors and staff of American Builder in presenting a candid evaluation of the spectrum of issues and possible solutions to our housing problems which appeared in the November 1968 issue. To read this issue, entitled "Who Really Gives a Damn About Housing?" is a worthwhile exercise, as it offers a clear exposure to all sides of our housing problems. It also offers viable solutions while reminding us that neither the problems nor their solutions are simple. I ask unanimous consent, that portions of this issue be printed in the Record.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

> We can talk all we like about the great and urgent need for housing. But we're not going to satisfy that need unless the power structure—from the President of the United States to the chairman of the local zoning board—makes a commitment to get the housing produced.
>
> The job won't be done—unless a national commitment to get it done is made and fulfilled.
>
> An economic analysis by the Department of Housing and Urban Development says that the country needs—and is capable of producing—26 million dwelling units by 1978.
>
> The chances for reaching that goal are not good. The demand for private nonfarm housing in the current decade, according to marketing consultant William R. Smolkin of New Orleans, will total 14,592,000 units. But most of the demand (and this excludes public

housing) is for houses selling for less than $25,000 and apartments renting for less than $160.

For the decade 1970–1980, Smolkin projects a demand for 17,323,000 private nonfarm units. The following 10 years, demand will rise to 18,458,000; and in 1990–2000, the demand will total 19,720,000.

The key point revealed by Smolkin's figures—and confirmed by almost every student of housing—is that a large number of people who need homes can't afford the housing that is being produced today.

HUD is predicting that 6 million additional units will be built with government subsidies over the next decade. Included in that figure are nearly 2 million rehabilitated units, indicating HUD's determination to move rehab out of the experimental stage and make it a major factor in the production of standard housing.

An important factor in HUD's plans is the 1968 housing act. It is intended to broaden the private housing market by subsidizing all but 1% of mortgage interest rates. The new programs are expected to yield nearly 3½ million housing units—2,165,000 rental units and 1.3 million for-sale houses.

There is no agreement on how many more families will be brought into the housing market as a result of the new programs. Sen. John Sparkman (D-Ala.), chairman of the Banking and Currency committee and the housing subcommittee, says, "The 1% rate should get to families below the poverty line." Others contend the subsidies will reach no lower than the $4,000 income level. Much depends, of course, on the administration of the programs.

Household formations, the most important component of the housing market, are running at a rate dangerously close to current production and will go higher yet. This year, 1,078,000 new households will be formed, a 10% increase over the 1967 figure. Increases in household formations will occur every year through 1981, when the number will be 1,381,000.

The ability of the population to pay for those units may improve between now and 1978. The percentage of families earning $8,000 a year or more (in terms of 1965 dollars) is increasing. In 1965, nearly 40% of all families earned at least $8,000. By 1975, the percentage will increase to 57.4. At the same time, there will be fewer families below the poverty line. In 1965, more than 16% of the nation's families earned less than $3,000. In 1975 12.6% will be below the poverty line, and by the year 2000, only 5.6% will be earning less than $3,000.

The improvement in income, however, has to be balanced against the rise in construction costs—nearly 18% in the past four years for single-family houses, 10% over the same period for apartments. Other costs involved in the production of housing also have been rising—notably the costs of obtaining land and money—and the median price of a single-family house is fast approaching $25,000.

URBAN RENEWAL

The average urban renewal project requires 7½ years to complete, which means that a lot of housing is removed long before it is replaced. An estimated 400,000 dwelling units have been demolished through the urban renewal program, while only 200,000 have been built or are in the process of being built. Many sites cleared long ago are still vacant, waiting for a redeveloper, waiting for government review of a proposed development, just waiting.

But there is evidence of change. "FHA," says Pittsburgh Mayor Joe Barr, "has changed its face," and is now providing mortgage insurance for urban areas it once redlined. Life insurance companies are pumping $1 billion of mortgage money into the cities. Large corporations are undertaking city rebuilding projects. Big-city mayors are appointing housing coordinators to help builders run the gamut of bureaucrat. And the model cities program may produce a better record.

CAN BIG BUSINESS SOLVE THE URBAN PROBLEM?

It is not tenable for them (large corporations) to become landlords in cities where they are an important part of the economy. But the key to profit in low-income housing lies in the tax benefits which come only with long-term ownership.

If large corporations were to approach housing as a profit-making venture, they more than likely would build in cities in which they are not a major factor in the local economy. They would retain the housing, and they would take the benefits of depreciation bestowed by the Internal Revenue Code to offset income from their main business.

What is overlooked by many corporate decision-makers is the leverage possible in any real estate investment and the tax benefits which often are more attractive than the direct before-tax profits on housing development.

BREAK UP THE GHETTO OR IMPROVE IT?

In attacking the problems of the cities, there are two distinct philosophies. One holds that the ghettos should be reclaimed—eliminating blight, bringing housing up to standard condition, bringing in industry to create jobs, and thus improving the ghetto dweller's plight. The other contends the ghettos should be cleared and redeveloped and their residents dispersed throughout the metropolitan areas.

"I think both of these are wrong," says Robert C. Weaver, former Secretary of the Department of Housing and Urban Development. "You have to do the two things simultaneously. You have to improve the living conditions where people are now concentrated. I don't believe this means gilding the ghetto; it means bringing it up to a standard of decency, involving the people in the decisions which affect their lives, and making these attractive and viable places to live. At the same time, you open up the other areas, so that the person now living in the ghetto can have some mobility. I say you can work both sides of the street."

Improving the ghetto involves rehabilitation of substandard but structurally sound dwelling units. It is said to provide low-income housing faster and at less cost than does new construction—and if it were undertaken on a large scale, the result supposedly would be a new market with a multibillion-dollar potential. As a political and social tool, rehabilitation has the advantage of minimizing displacement of low-income families and preserving long established neighborhoods (a benefit when the neighborhood is worth preserving).

THE GHETTOES CAN'T TAKE THE POPULATION INCREASES THAT ARE COMING

In addition, there is the continued migration of Negroes from the farmlands of the South to the urban centers of the North.

The population increase and the migration to the cities will require more housing than is now available. Some dispersion of the Negro population is inevitable; the alternative is for entire cities to become ghettoes.

There is a time factor, too. As desirable as a long-term solution to the urban housing problem may be, recurring riots in the ghetto serve notice that immediate improvement is essential. The process of clearing land and redeveloping it through urban renewal is too slow and produces too little low-income housing. The 400,000 dwelling units demolished in urban renewal areas since 1949 have been replaced by only 200,000 new units, not all of them within the reach of low-income families. Approximately half the sites cleared through urban renewal are vacant today.

One factor in the failure of the urban renewal program to meet its objectives is the unwillingness of developers to go into a ghetto and build or rehabilitate housing. Urban renewal has been too slow and too limited to convince investors that it can convert a ghetto into a viable housing market.

CITIES TACITLY ADMIT SPECIAL EFFORTS ARE NEEDED TO BRING DEVELOPERS INTO THE GHETTOES

All of this activity is directed at improving conditions in the ghetto. The common denominator, interestingly enough, is the tacit admission that the usual procedures for developing housing in the central cities are not adequate. The nonprofit groups are formed, presumably, on the assumption that entrepreneurs will continue to avoid the ghettoes. The city governments recruiting housing experts are admitting that something extraordinary is needed to encourage developers to tackle projects in the ghetto—and that the extraordinary efforts are needed to help the developers cope with city agencies.

Every sector of society, it seems, has turned its attention toward the ghetto. And while there are those who contend that the ghetto should not be allowed to exist, they are outnumbered by those who believe it is more pragmatic to bring the ghetto and its residents up to a decent standard of living. Once that is accomplished the larger question of how—or whether—the ghetto should be broken up can be dealt with.

THE CITIES BASIC PROBLEM: THE MIGRATION FROM RURAL AREAS

Both commissions say it is important to stop the migration and ultimately reverse it. What are the prospects for reversing it?

Says Secretary of Agriculture Orville Freeman: "We can only reverse it by providing in the countryside some of the same advantages that hitherto have resulted in people going to the big cities. It has begun to reverse itself already. This is attributable to the attraction of new industries, new opportunities. I am firmly persuaded that there are many people in the big cities who would be delighted to go back to their own communities if they could get good jobs."

Says HUD Secretary Weaver: "The possibility of developing a large volume of employment in rural America is not too great. I wouldn't mean to say there are not many small towns which are natural growth centers. Nor do I say we will not be able to make the smaller communities in the nonagricultural rural areas blossom forth more strongly than we have. But it's a snare and a delusion to think that we're going to solve the problems of urban America by making the nonurban America expand both economically and by population."

Disagreement on this issue by two cabinet members of the same Administration reflects the failure of the country to establish a policy for dealing with what may be the most critical domestic problem of the Twentieth Century.

Comments the Commission on Rural Poverty: "We have not yet adjusted to the fact that in the brief period of 15 years, from 1950 to 1965, new machines and new methods increased farm output in the United States by 45%—and reduced farm employment by 45%. Nor is there adequate awareness that during the next 15 years the need for farm labor will decline by another 45%."

Farm workers who are replaced by machines and move to the cities are ill-prepared for the transition. They have no marketable skills; they cannot compete effectively in the job market. "For many migrants who lack the training and skills for employment in the cities," says the Commis-

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sion on Rural Poverty, "the move is like jumping from the frying pan into the fire."

LABOR POOL IS IN THE CITIES

There are three factors to consider in any discussion of the cities' housing problem:

(1) There is not enough manpower in the construction industry to permit a rapid and large increase in housing production.

(2) Unemployment in ghetto areas runs as high as 15.6%.

(3) More than half the Negro families in the United States earn less than $5,000 a year; 32% earn less than $3,000.

There are not enough craftsmen to build the houses needed—and there won't be enough until the construction industry taps the supply of labor in the ghettos. Even if there were an adequate manpower supply, the people who need the houses can't afford them, because they don't have the jobs which provide the necessary income.

It is an oversimplification to state that putting the unemployed in the ghetto to work building houses in the ghetto would solve the urban problem. But it would help.

The use of ghetto residents in building and rehabilitating housing is one of the requirements of the model cities program. "We are committed to this," says former HUD secretary Weaver. "I don't think there's any way of getting around it. We have to do it—for two reasons. One, if you don't involve these people, you're not going to have any rehabilitation. Two, if we approach the housing goal of 26 million units in 10 years, we're going to create about a million new jobs, in construction. And we just don't have enough people who are trained."

The ghetto is unquestionably the place to take a training program. The unemployment rate in the Cleveland metropolitan area in 1966 was 3.7%; in the ghetto, it was 15.6%. Detroit's overall unemployment rate is 4.3%, in the ghetto, it's 10.1%. "The severe unemployment rate which the Negro experiences in the 1960's," states a report of the National Committee Against Discrimination in Housing, "is comparable to that experienced by the American public-at-large only in the depth of the Great Depression." The unemployment figures are probably understated. "Among teenagers, 16 to 19 years old," says the NCADH report, "the average unemployment rate [in ghettoes] was 28%; the unemployment rate for nonwhite boys in the age group from 14 to 19 was 31%, and for nonwhite girls, 46%."

About 3.6 million Negroes are now between the ages of 15 and 24, the age bracket in which Negro unemployment is highest. In the next 10 years, another 8 million Negroes will enter that age bracket. Those who do find jobs, often do not earn enough to rise above the poverty level: "One of every five working full time in these areas [the ghettoes] earned less than the basic minimum needs for a family of four, or $60 a week," states the NCADH report.

Construction unions have not made it easy for Negroes to enter the apprenticeship programs. Several builder groups have trained Negroes for sub-trades-rough carpentry, drywall installers—but have not had support from unions.

Most builders—and civil rights groups—would like to have that problem. For now, builders want the craftsmen, and Negroes want the jobs. "If we're going to solve our manpower problems," says NAHB president Lloyd Clarke, "We're going to have to find a way to tap that manpower pool in the cities."

INDUSTRY IS MOVING FROM THE CITIES

"If you stand at O'Hare Airport in Chicago at seven in the morning, says urbanologist Ed Logue, "you can watch the white people commuting to the city and the black people leaving the city for work in the suburbs."

Reverse commuting by Negroes is the result of a trend which has seen a growth of manufacturing industries in the suburbs at the expense of the cities.

According to the Department of Labor more than half of the industrial and commercial facilities constructed between 1954 and 1965 was built in the suburbs.

"The central city is becoming less and less a center for production of goods," says former HUD secretary Weaver. "But it is becoming a tremendous center for a lot of services, a lot of research activities."

The open occupancy provision of the 1968 civil rights act, if it is enforced, will help. But, says Weaver, "it doesn't solve the problem, because you've got to have housing produced as well as having it open. If it's open and it's out of their income possibilities, it doesn't mean anything."

NOT THE SUBURBS

Urban sprawl, commuting, and ever-rising property taxes may be punishment enough for the suburbanites. But their misuse of home rule also has helped devastate the cities. They have left the cities without a strong middle class and a broad tax base. They've left behind the blue-collar workers and the poor. They use the cities as centers of employment and cultural activities and pay little for the services which cities have to provide.

Housing is the key here. One way or another—zoning, codes, subdivision regulations—the suburbs have managed to exclude most of the poor and large segments of the middle class.

A builder put it this way: "The guy living on a quarter-acre lot wants to make sure that the next guy to move in lives on a half-acre lot."

Public housing in some central cities is inordinately expensive—between $20,000 and $25,000 a unit. A large component of the cost is the price of acquiring and clearing land in the city. Land in the suburbs is less expensive, and if it is undeveloped, the cost of clearing existing buildings would be saved. But building public housing in the suburbs today is virtually impossible. Most suburbs won't permit it.

Many suburban communities will not permit government-assisted moderate-income housing, either. They have had the unwitting cooperation of the federal government in locking out builders who would put up housing under Section 221(d)(3) of the National Housing Act. The government requires a community to have a workable program before it qualifies as the site of (d)(3) housing.

The objective was to get communities to prepare workable programs—comprehensive plans for improving the quality of existing and future development. The result has been to provide communities with the perfect device for preventing construction of (d)(3) housing.

A similar situation exists with the rent supplement program. When Congress appropriated funds for supplements, it also required approval of a local government before rent supplement housing could be built.

NEW TOWNS WON'T PROVIDE THE ANSWER TO SUBURBAN SPRAWL

The cities are not going to experience significant population growth. The rural areas will do well to stabilize their population between now and the end of the century. The growth will come in the suburbs, in the urbanizing rings around the central cities. And, possibly, in new towns.

The difficulty in mustering the courage to establish new cities on the order of Detroit or Philadelphia lies in the misfortune of those who have tried to develop more modest new towns. From Radburn in the 1930's to Reston in the 1960's, new towns have met failure more often than they have encountered success.

Many major planned communities currently in progress are financially strapped by shortages of working capital. Housing in these projects is often priced over the market to compensate for higher cost planning, architecture, and community amenities. Prospective buyers, may not place a value on these bonus features in proportion to their extra costs.

There are other difficulties. Frequently, the required commuting times to remote jobs are prohibitive, where there is insufficient local employment to generate a beginning stable population. Or where there are jobs to be had, the available housing is often out of reach of the workers' earnings. Land planning and housing designs may be far ahead of widespread consumer acceptance.

One new town which did succeed is Park Forest, Illinois, 30 miles south of Chicago. Philip Klutznick headed the group which developed Park Forest in the years after World War II, and Klutznick thinks the chances for repeating the success are almost nonexistent.

"We succeeded," he says, "because we had the hottest market in recent history in the United States. It was not our genius. The demand was almost unbelievable."

To increase the chances for success and thus stimulate development of new towns, some level of government obviously has to assume part of the front-end load of community development.

Klutznick thinks the states could perform the function: "They ought to decide that new towns are going to be developed and then select the sites. Then we would have site selection not on the basis of the ability of someone to assemble 10,000 acres at the right price but on the basis of the need to accommodate future growth. Public funds would provide the public facilities of the new town, because it is a public responsibility to build the sewer facility and the water facility and the major arterial. Private developers would be able to acquire parts of the site and develop them."

State governments have shown no inclination to support new town ventures. "Without distorting reality," says Columbia University's Chester Rapkin, "it can be said that the lack of public policy and federal and state governmental participation lies at the root of many of the problems faced by those courageous entrepreneurs who are building America's new towns today."

Rapkin sees new towns "in a structured relationship with the total metropolitan employment-residence system, and not as discrete, fully self-contained units meant to have only occasional contacts with other sections of the region."

But Rapkin recognizes the barriers to new town development. He points out that the mayors of the central cities have been suspicious of the new town concept, fearing that its implementation "would accelerate the drain of population and employment from existing central cities and only serve to compound the already complex problems of these cities."

He knows that the problems of land acquisition, front-end money, and sales resistance have not been overcome. Rapkin has proposals to make new towns feasible. One of them is the use of eminent domain to assemble land. In stressing the importance of eminent domain, he outlines what is likely to happen in the next 32 years: "Without it, the new town technique will be mostly limited to peripheral sites, many of them subject to development only in the later part of the century, and an excessive amount of presently urbanized land will be surrendered to the current wasteful system of scattered suburban development.

"It is thus evident that massive effort is needed if we are to think through the problems, muster the tools, and develop the agencies that will enable us to build new towns on a meaningful scale. As exciting as the opportunity is, it is difficult to be sanguine about its prospects."

NOT THE RURAL AREAS: EVERYONE'S LEAVING THEM

The needs of rural America are at least as great as those of the cities. No one has estimated its potential as a viable housing market. But it is considerable. There are indications, too, that the rural housing problem is easier of solution than is its urban counterpart. Most estimates divide the number of substandard units evenly between urban and nonurban areas, although there is increasing evidence that rural areas contain more than half the substandard housing in the country. Proportionally, of course, rural America has more than its share of substandard housing—less than a third of the country's population lives in nonurban areas. The Commission on Rural Poverty spells it out in its report:

"Less than one in four occupied rural farm dwellings have water piped into their homes.

"About 30% of all rural families still use the traditional privy.

"Fewer than half of all rural homes have central heating. Most rural homes are heated by kerosene-, gas-, wood-, or coal-burning stoves. The result is uneven heating and an ever-present danger of fire.

"Nearly 60% of all rural families with income of less than $2,000 lived in houses that were dilapidated or lacked complete plumbing."

Among some groups, housing conditions are even worse. "Of the 76,000 houses on Indian reservations and trust lands," says the Commission on Rural Poverty, "at least three fourths are below minimum standards of decency. The houses are grossly overcrowded. More than half are too dilapidated to repair."

The inadequacy of rural housing has been ignored for so long, it sometimes ceases to exist, except for those who have to live with it.

The absence of apartment construction during a long period of time in many rural towns indicates a strong multifamily market in all rental ranges. The need, of course, is greatest in the lowest end of the rental range. "The rural poor, by virtue of their poverty," says the Commission on Rural Poverty, "usually cannot afford to buy a house even with low-interest rate insured loans. . . . In many instances, renting will allow the needed flexibility, and it does not rule out later ownership."

The commission recommends reversing the present administration of the rent supplement program to make it easier for private enterprise to service the market: "Instead of being a supplement, it would be a basic grant. The tenant then would be free to supplement it with his own income and rent housing on the open market. . . . Poor people with housing money and the freedom to shop would provide an incentive for profit-making builders, as well as nonprofit organizations, to supply their housing."

The commissions call for nothing less than a political restructuring of rural areas, broadening the tax base by organizing multicounty governmental units and enticing industry through area development districts. This is the rural version of metropolitan government or regional planning.

IF WE WERE REALLY SERIOUS ABOUT HOUSING, THIS IS WHAT WE'D DO

(1) "We've never had an urban land policy in this country," says HUD former secretary Weaver, "and we clearly need one."

We do indeed, and it is the responsibility of the federal and state governments to establish the broad outlines of a policy for using land in the decades to come. What we have now, as Weaver points out, is "a land policy which reflects an agricultural past and all that's involved in that."

(2) A more immediate need is mass transit. With industry building more and more of its plants in the suburbs and blue-collar workers concentrated in the cities, reverse commuting is fast becoming an important fact of urban life. Reverse commuting is more expensive (proportionate to the commuter's income) and difficult than is ordinary commuting.

We need to re-examine our attitudes toward rapid transit to determine how it affects land use in a metropolitan area; and what is its potential for changing land use.

Whatever we decide, it should be a decision made in the context of intelligent land use.

(3) The states are going to have to take a larger role in urban development. And if they're going to subsidize transportation facilities, as they are, and education, as many are, they are going to need greater control over land use.

(4) There are too many codes now. Even if they were all reasonable, the variations from one code to the next would inhibit the efficiency of the housing industry.

Similarly, states should establish code review groups to act as liaison with the national committee and would also supervise testing.

(5) The property tax in its present form is inadequate. In the cities, it serves as a penalty to property owners who fix up their buildings. In the suburbs, it enables speculators to hold land off the market at little expense and encourages home owners to retard development through restrictive zoning practices.

The case for a site value tax is stated by Mary Rawson in another Urban Land Institute research monograph, *Property Taxation and Urban Development* (ULI has done some of the best research in this area, although the results have not had wide circulation.) "Taxation," says Miss Rawson, "may be viewed as an instrument for the promotion of sound urban development." The present system, she says, "intensifies the housing shortage, lowers standards of space, and cuts into quality."

In the central cities, the site-value tax would have a similar benefit effect. "To exempt improvements and at the same time to tax land more heavily," says Miss Rawson, "would provide a double incentive to the owners of derelict properties to demolish them and to use the land more intensively. Here surely is a golden key to urban renewal, to the automatic regeneration of the city—and not at public expense."

(6) Create a housing investment credit. Corporations have responded well to the 7% investment credit on plant and equipment, says Logue, because "private enterprise responds to one thing—net income after taxes."

(7) It is clear that the apprenticeship period is too long, particularly for residential construction. It is also clear that new training methods will be needed if the pool of labor in the ghettoes is to be tapped.

(8) There are too many crafts now. The best evidence of that is the frequency with which jurisdictional disputes arise. Adhering to jurisdictional lines threaten the feasibility of housing rehabilitation and low-income housing.

(9) There is no question about who should eliminate discrimination by unions. The federal government has the authority and the leverage to force unions to lower the racial barriers.

(10) Congress should be prepared to take greater risks on low-income housing programs—and let HUD know it recognizes the need for risks.

(11) The appropriate vehicle for producing low-income housing is a limited-dividend corporation formed by a group of builders. Local home builders associations could organize the corporations.

Establishment of a multi-builder corporation would not preclude separate ventures by individual builders. In fact, experience gained through the corporation may encourage builders to strike out on their own. The corporation, however, would carry greater weight than any of its builder-stockholders when cooperation is sought from government agencies or lenders.

(12) Lack of credit has been a major impediment to development of a large housing market in rural America, and FHA has gone as far as it could to fill the credit gap. If county supervisors promote the new program, the rural housing market could move into high gear.

(13) The most obvious test of whether we are serious about housing is the action of Congress on appropriations. Until now, housing and urban programs have not been funded adequately, and that fact, more than anything else, accounts for the feeling that a national commitment has not been made.

(14) We need more temporary government employees, young men recruited from industry to serve a few years before resuming their careers. They should have experience in the housing industry, so they can identify with the problems confronting private enterprise.

THERE ARE SOME MEN WHO REALLY DO GIVE A DAMN ABOUT HOUSING

If anyone is going to convince the power structure that housing should have a high priority, it is going to be the kind of man exemplified by Sparkman and Percy, capable of putting aside partisan politics and willing to offer innovative programs.

Percy in particular offers hope. He has devoted considerable time to field research of housing.

Percy will be heard from again. He is going to be an important factor in any effort to accelerate the rate of housing production in this country.

The past year has been characterized by a lot of housing proposals, a lot of talk about housing. Much of the discussion has been worthwhile. Sparkman, Kennedy, Percy, and others have made a contribution by awakening their colleagues and a sizable portion of the country to the urgency of the need to house this country adequately. But the test is coming next year. We will learn in 1969 just how many people really give a damn about housing—and if they care enough to do something about it.

APPOINTMENTS BY SECRETARY OF THE INTERIOR HICKEL

Mr. METCALF. Mr. President, I am pleased to see that Secretary of the Interior Walter Hickel is getting around to naming some of his assistant secretaries.

I understand that Secretary Hickel has finally named three of the assistant secretaries. That is progress. It is about time we had some action from the Secretary. Three assistant secretaries remain to be named, and I hope they will be named soon.

When Stewart Udall took over as Secreary of the Interior, he announced his key people before the inauguration. Their confirmation hearings were held shortly afterward.

Secretary Hickel, however, has allowed dedicated and devoted conservationists, career civil servants such as Director George Hartzog, Jr., of the National Park Service, Director Boyd Rasmussen, of the Bureau of Land Management, Director John Gottschalk, of the Bureau of Sport Fisheries and Wildlife, and Director William Pecora, of the U.S. Geological Survey, to go without guidance as to administration position from superiors because

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Secretary Hickel has been laggard in naming them. In this time of vacillation, we have already lost the immensely capable director of the Bureau of Outdoor Recreation, Mr. Edward Crafts. He stuck round for a while, then gave up in frustration to take a more lucrative and challenging position.

Congress, going into the legislative program, is also without administration recommendations and the departmental reports which are basic to intelligent action.

I had began to wonder whether Secretary Hickel was planning to run the show alone. I wondered whether he was planning to do away with subordinate bureaus and agencies and write out his own departmental reports for Congress on pending legislation. I am happy to see that he apparently plans to appoint some Under Secretaries to assist with the management of the Department.

Now he should announce what he is going to do with the dedicated career civil servants who, although they are in the second echelon, are so vital to conservation, wise management, orderly development, and the highest possible use of our natural resources.

FEDERAL TAX PROBLEMS OF NONPROFIT ORGANIZATIONS—ADDRESS BY SENATOR MILLER

Mr. WILLIAMS of Delaware. Mr. President, on February 24 the Senator from Iowa (Mr. MILLER) delivered an address before the American University Fifth Annual Conference on Federal Tax Problems of Nonprofit Organizations.

It is a most thought-provoking analysis of the manner in which abuses have developed or can develop under our existing tax laws as they relate to tax-exempt foundations.

I am sure that his statement will be of interest to the members of both the Senate Finance Committee and the House Ways and Means Committee as well as to other Members of Congress as we approach the question of legislation dealing with this subject.

I ask unanimous consent that the complete text of Senator MILLER's remarks be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

FEDERAL TAX PROBLEMS OF NONPROFIT ORGANIZATIONS—PRIVATE FOUNDATIONS

(By JACK MILLER, U.S. Senator, Iowa)

Last week the House Ways and Means Committee commenced hearings on tax reform proposals, and the first item on the agenda was the subject of this conference. I don't know of a better indication of the timeliness of such a subject for our consideration.

There are over 30,000 tax exempt foundations with an estimated net worth in excess of $20 billion. Compared to an estimated 7,000 foundations in 1949, their growth over the past twenty years has been highly significant—"alarming," some would say.

The public policy of this Nation has long been to encourage private philanthropy through tax exemptions for charitable organizations and tax deductions for contributors to such organizations. It is an indirect way for the federal government to finance philanthropic activities which the government itself would otherwise have to directly undertake in order to meet the needs of our society.

Private philanthropic foundations can possess important characteristics which government lacks: they may be free of administrative superstructure, possess unique initiative and creativity, be able to experiment with new and untried ventures, and be capable of quick and flexible action—all of these helpful to the shape and direction of charity.

Inasmuch as the federal tax laws have been an important factor in the growth of foundations, Congress has a responsibility to see to it that those laws are so drawn and enforced as to insure that these foundations operate in a manner befitting their purpose. It is only natural, then, for the Treasury Department and the Congress to periodically review the tax laws relating to private foundations to determine whether or not public policy is being served and whether any changes are indicated to enable that policy to be better served.

Important legislation was enacted in 1950 to restrict opportunities for what is known as "self-dealing" and for the accumulation of income; additionally, the income of feeder organizations and the unrelated business income of certain classes of organizations were subjected to tax.

In the Revenue Act of 1964, further restrictions were imposed on foundations seeking to qualify as recipients of unlimited charitable contributions.

Four years ago, pursuant to Congressional requests, the Treasury Department published a comprehensive report on private foundations which was designed to evaluate the revisions of 1950 to see whether they had eliminated the abuses with which they were concerned; also whether any new areas of abuse had developed which should be addressed.

On February 5, of this year, the Tax Reform Studies of the Treasury Department were published, and a goodly portion of Volume 3 is devoted to private foundations. It largely carries forward the recommendations contained in the 1965 study. Significantly, it contains the following language:

"This study [referring to the 1965 study] revealed that the preponderant number of private foundations are performing their functions without tax abuse. However, the study also revealed that a minority of such organizations are being operated so as to bring private advantage to certain individuals, to delay for extended periods of time benefits to charity, and to cause competitive disadvantage between businesses operated by foundations and those operated by private individuals."

So let it be understood that we are here concerned with only a minority of these foundations.

At the same time, that minority has stirred a great deal of concern. Congressman Wright Patman of Texas, who has long been engaged in looking at the impact of private foundations on small business, gave some harsh testimony before the Ways and Means Committee just a week ago. He charged that some foundations engage in practices which not only prejudice their tax-exempt status, but may also be in violation of the antitrust laws through reciprocity arrangements. For example, he cited donations to the Conrad Hilton Foundation by a number of suppliers of the Hilton Hotel chain and asked: "Does not this kind of situation appear to raise the specter of business reciprocity—we will buy from you if you contribute to our Foundation?"

Congressman Patman raised a question of conflict of interest when officials of a foundation work for the federal government, asking whether it isn't inconsistent for Congress to worry about a businessman's conflict of interest "when, at the same time, it permits Mr. McGeorge Bundy to wander in and out of the Government while retaining his $65,000 annual salary from the Ford Foundation." He was critical of the $131,000 in Ford Foundation study grants given last year for travel throughout the world by eight staff members of the late Senator Robert Kennedy, asking if this is what Congress had in mind when it granted tax exemption to charitable foundations. Mr. Bundy's answer that these were especially "gifted" young people in a hardship situation didn't satisfy many people who find that their charitable contributions to individuals and families in need are not deductible. And he ran into suggestions that the Ford Foundation's footing of the bill for overseas trips of Members of Congress constituted lobbying.

Congressman Patman expressd displeasure over some research studies conducted by some foundations, singling out the Mellon Foundation's interest in decoration of medieval tombstones in Bosnia and Herzegovina.

Another Congressman, Representative John Rooney of New York, charged that one foundation became active in charities in his district in behalf of his opponent in a primary campaign.

The foundations themselves are not in agreement on what to do about these problems. The president of one large foundation has come out in favor of the tighter controls recommended in the 1965 Treasury study. Dana Creel, president of the Rockefeller Brothers Fund, suggests that state courts have at their disposal a wide range of remedies, including their power to require erring foundations to revise their boards and to make trustees liable for damages. The president of the foundation center suggests a voluntary system of foundation accreditation administered by the foundations themselves.

Speaking only for myself, I would have to say that leaving the problems up to the states would lay a foundation for considerable nonuniformity under federal tax laws which are supposed to be uniformly applied. The voluntary, self-regulating approach has some merit, but it could scarcely be argued that policy devised by the foundations can substitute for public policy determined by the Congress.

At the same time, I am also concerned over tax laws which, in effect, place the responsibility for policy determinations on revenue agents of the Internal Revenue Service. The agents are not qualified to make such determinations, and it is a certainty that they don't want to do so. It seems to me that some changes in the law are needed, but that these changes must be most carefully drawn, bearing in mind not only the need for equity among all foundations but also the need for administrative feasibility. I would like to say a few words about the areas of need, as I see them, and then, later on tomorrow, let Mr. Arnold discuss specific ways of meeting these needs.

THE PROBLEM OF SELF-DEALING

This relates to transactions between a foundation and a donor which result in financial advantage to the donor and disadvantage to the charitable purpose of the foundation or, at least, no benefit to that purpose.

The present limitations on such transactions were enacted in 1950 and, for the most part, merely prohibit loans by a foundation to a donor which do not have *adequate* security and do not bear a *reasonable* rate of interest, and *substantial* purchases of property by a foundation from a donor for more than an *adequate* consideration or sales of property by a foundation to a donor for less than an *adequate* consideration. Not covered are unrealistic rental transactions between a donor and a foundation, purchases by a foundation of property to keep it out of the hands of a business competing with the donor or his controlled corporation, postponing benefits to charity by having a foundation use its funds to provide capital to a

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donor or his controlled corporation (granted that interest rates are "reasonable"); and there are others.

The standards of "adequate," "reasonable," and "substantial," needless to say, have been found terribly difficult and time-consuming to administer, as anyone with experience in cases involving alleged improper accumulation of surplus so well knows. In one case the Tax Court held that, on the particular facts, a mere oral promise by a donor to execute a mortgage in the future constituted "adequate" security for his controlled corporation's loan from the foundation—although the Court recognized that such security would have been ineffective if the property had been sold before the mortgage was executed. In another case, the foundation purchased 20,000 shares of stock in a publicly-held corporation from a donor for $20 per share, although the stock traded at $18 per share on the New York Stock Exchange on the date of the sale.

It would appear that self-dealing transactions have no relevance to the purposes of tax exemption for foundations and tax deductions for donors, and the conclusion is clear that present law does not prevent them. Moreover, since we are talking about only a relatively small percentage of foundations and donors, the benefits to charity and the public interest (not to mention public support of foundations) from a tightening of the law would seem to outweigh any losses which might result from such action. In arriving at a solution, it would seem desirable to keep policy on regular contribution deductions and exemptions for foundations consistent with policy on unlimited contribution deductions to foundations.

In the Revenue Act of 1964, we placed limitations on the kinds of foundations which enable a donor's contributions to qualify for the unlimited charitable contribution deduction, namely: only those which do not engage in financial transactions with their donors or related parties.

DELAY IN BENEFIT TO CHARITY

Inasmuch as charitable undertakings are looked upon with favor because government would otherwise have to assume the burden, it would be logical to expect that a current tax deduction for a contribution to a foundation, or exemption from tax of a foundation's current income, both of which result in loss of revenue to the government, would be accompanied by a current benefit to charitable activities. In the case of contributions to foundations which operate charities, this is generally what happens. In the case of contributions to non-operating foundations, there is a problem.

The 1950 Act sought to deal with the problem by denying tax exempt status to an otherwise qualifying organization for the year that its accumulated income is *unreasonable* in amount or duration, used to a *substantial* degree for purposes other than charity, or invested in such manner as to *jeopardize* the carrying out of charitable activities.

Here, too, the standards of "unreasonable," "substantial," and "jeopardize" have been found terribly difficult and time-consuming to administer. Moreover, a 1962 Treasury survey of tax exempt foundations disclosed that about 25 percent of all private foundations failed to pay out for charitable purposes an amount equal to their regular (not including capital gains) net income.

One Tax Court decision held an accumulation neither "unreasonable in amount or duration" when 80 percent of its income over a five-year period was used to retire debt on property which (other than the production of income) had no relationship to charitable activity. The reasoning in a federal district court decision could be interpreted as sanctioning a ten-year accumulation of income merely to increase a foundation's capital. Treasury can recite numerous cases of accumulations of current income running up to in excess of a million dollars.

It is recognized that accumulations may take the form of capital and activities which some day in the future will benefit charity and the public interest. But they don't do so at the time of the loss of federal revenue, and it would seem only fair to the public that this loss in revenue be accompanied by current benefits to charity—at least equal in amount to the loss of revenue.

In dealing with this problem, it would seem desirable to keep policy on regular tax contribution deductions and exemptions for foundations consistent with policy on unlimited contribution deductions to foundations. The 1964 Act requires a foundation, for purposes of a donor's unlimited charitable contribution deduction, to expend all of its income and one-half the unlimited contribution for charity within three years after the current year.

I am, of course, aware of the "income equivalent" proposal of the Treasury study. Although keeping an open mind on it, I should in all fairness state that I can see difficult administration problems with it. And I would hope that we could simplify the law and its administration rather than merely replace the problems arising from such standards as "unreasonable," "substantial," and "jeopardize" with problems arising from "income equivalent".

FOUNDATION INVOLVEMENT IN BUSINESS

There are at least four policy problems in this area: (1) unfair competition with taxpaying businesses, (2) possibilities for subtle and varied forms of self-dealing not readily covered by legislation, (3) deferral of charitable benefits through accumulations by the business itself rather than by the foundation, and (4) preoccupation of officers and directors of a foundation with business rather than charitable activities for which the tax break accorded foundations was intended.

The fact that the large majority of private foundations do not own businesses (although they may have portfolios of stock in noncontrolled corporations), and that their charitable activities do not appear to have been hampered as a result of the lack of business ownership, suggests that, as a general proposition, there is no need for foundations to engage in business—other than business directly related to the charitable functions of the foundation. I am not referring to "passive" business activities from inactive investments producing interest, rental, or royalty income; or to the business of selling merchandise received as gifts or contributions to a foundation, or sales of items by Goodwill Industries incidental to their fine work of rehabilitation and assistance to the handicapped. I am referring to management of commercial businesses or of a foundation-controlled corporation engaged in commercial business which is unrelated (except as a source of revenue) to the charitable purposes of a foundation.

What does one say to the owner of a business or to the stockholders of a corporation who complain that a tax exempt foundation owns a corporation which can undersell them or outbid them for labor and management talent because profits go tax free to the foundation in the form of tax-deductible rentals. It recalls the perennial efforts of the National Tax Equality Association to have co-operatives subject to tax—efforts which did, at least, result in action by Congress to see to it that someone pays tax on current income (either the co-op or the patron).

Congress tried to do something about foundation competition in the Revenue Act of 1950, subjecting the so-called unrelated business income of foundations and certain other exempt organizations to tax at ordinary rates and removing the immunity formerly enjoyed by so-called "feeder" organizations. However, the exceptions contained in the Act have undercut the expressed intent of Congress. But even if these exceptions are removed—as it would seem they should—there is a problem of competition. Because contributions to foundations are deductible, capitalization of foundations businesses can be achieved with tax-free dollars rather than, as in the case of other businesses, after-tax dollars. A corporation wishing to build a new plant for $1 million would only have $520,000 of its $1 million in profits left over after taxes to use for this purpose. But the same corporation could, instead, pay over its $1 million in profits to a foundation, thus escaping tax, and, through the foundation, have the $1 million plant constructed. The tax immunity of dividends, interest, and royalties coming from passive investments enables foundations to supply capital to their businesses with exempt income not available to the usual business. Moreover, foundations are in a position to defer indefinitely the realization of profits from their controlled corporations, thus enabling profits to be plowed back in to a greater extent than in the case of the usual corporation whose stockholders desire reasonable dividend payments. Treasury can cite examples running into the millions of dollars. Of course, the needs of charity are put aside when this happens.

Finally, a major reason for foundation tax exemption is that, properly managed, a foundation possesses unique capabilities for activity not possessed by government if it had to take on this activity. However, these capabilities are in the foundations officers and directors, and if their time is preoccupied because of the foundations involvement in business—if commercial enterprise becomes the tail that wags the dog, charity suffers and the intent of Congress is frustrated.

Owners and stockholders of taxpaying businesses have become increasingly concerned over the future of our free enterprise system resulting from government competition. There are today an estimated 24,000 commercial and industrial activities of the federal government capitalized at from $30 billion to $150 billion, depending on the accounting approach used. Their income amounts to $5 billion annually, and they employ 700,000 people. State and local governments engage in business activities with annual income and employment approximately half as great. Business involvement of private, tax exempt foundations is only one step removed. I believe action is indicated—beyond merely closing the gaps left in the 1950 Act.

FAMILY USE OF FOUNDATIONS

Some taxpayers have contributed voting stock in a corporation which their family controls to a foundation which the family also controls. They receive income and gift tax deductions for the donations, cut down their estate tax, and achieve tax free control of a corporation to the younger members of the family by later shifting control of the foundation to them. Treasury apparently sees this as bad per se, because it lays a foundation for self-dealing, delay in benefit to charity, and excessive involvement of the foundation in business. My reaction is that these particular problems can be dealt with, regardless of who the contributors are or who controls a foundation or a business. The important thing to bear in mind is the public good, and if family involvement is reconcilable with that, I am not worried about family involvement or prestige as such.

FINANCIAL TRANSACTIONS UNRELATED TO CHARITABLE FUNCTIONS

There are three problem areas here. First is that of foundation borrowing. It is not a widespread problem, but one which would seem to have led to frustration of Congressional intent by those few which have abused it. Involved here is the "bootstrap sale" of

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passive income-producing property to a foundation, where the foundation has no personal obligation for the purchase price and the only security for payment is the transferred property itself. The seller is able to receive an inflated purchase price or, if the property is rental property, he can lease it back at reduced rentals—only because the foundation is tax exempt on income from the property. Foundation borrowing for investment purposes, in such a case, results in diverting the tax exemption designed to benefit charity to the benefit of the seller, who may be an officer, director, or trustee of the foundation.

Also involved is what is called "capitalizing upon the tax exemption". By borrowing to acquire investment assets, a foundation can extend the operations of its tax exemption beyond the protection of income from deductible donor gifts to develop funds which eventually enable it to be independent of donor capital. The Revenue Act of 1950 tried to deal with the problem by providing for the taxation of a portion of rent which a foundation receives from property acquired with borrowed funds. However, an exception exists in the case of rents from leases whose terms are not longer than five years, and foundations have readily adapted their acquisitions of investment property to meet this exception. Moreover, the 1950 Act did not cover borrowing to acquire royalties, oil payments, or securities. It would seem that the objective of reasonably current benefit to charity from the loss of tax revenue is being subverted by these practices.

The second problem area is foundation lending to private parties—not in the self-dealing category—which bears no relationship to the needs of charity for a "prudent man rule" to protect investments.

And the third area, somewhat related, is trading and speculation by foundations. While I recognize the problems, I dislike seeing the Internal Revenue Service become involved in them. These are areas which the states or the foundations themselves, as a group, ought to be able to handle. And if the problem of "capitalizing upon the tax exemption" is covered, it would substantially reduce the problem of trading and speculation.

CONTRIBUTIONS OF UNPRODUCTIVE PROPERTY

What should be done about the situation where a donor secures a substantial deduction for contributing assets to a foundation which produce no benefit to charity? Treasury cites the example of a taxpayer who claimed a deduction of $39,500 for the gift of family jewelry to the family foundation. At last report it had been in the foundation's safe deposit box for six years, and it may be there today. Clearly this frustrates the intention of Congress to have the loss to the revenue accompanied by a correlative benefit to charity, and action is indicated.

CONTRIBUTIONS OF SECTION 306 STOCK AND OTHER ORDINARY INCOME ASSETS

In 1954, Congress sought to take care of the problem of the preferred stock bailout and adopted legislation which provides that the amount which a shareholder realizes upon the sale, redemption, or other disposition of certain types of stock (designated Section 306 stock) will be taxed as ordinary income. Unfortunately this coverage does not extend to disposition in the form of a contribution to charity. Accordingly, a stockholder in a corporation which has substantial undistributed earnings can, without tax, receive a dividend of redeemable preferred stock, take a deduction for the full value of the stock by contributing it to a private foundation, and, if no prearranged plan for redemption exists, have no income tax problem when the corporation redeems the stock from the foundation. In effect, the corporate profits have gone from the corporation, through the stockholder, to the foundation; but the stockholder has never paid tax on them and has reduced his income by their entire value; and, of course, the foundation pays no tax.

Treasury cites as example of a taxpayer in the 60 percent bracket who sells Section 306 stock for $20,000. The tax of $12,000 would leave him $8,000. However, if he simply gives the stock to a foundation, he would save $12,000 in taxes, for a net increase of $4,000 by giving rather than by selling.

Similar results can be obtained by donating inventory items and stock in a collapsible corporation to a foundation.

It would seem that these represent genuine "loopholes" which ought to be plugged.

I have tried to cover most of the major problem areas involved in the tax treatment of private foundations. There are other related problems involving the definition of "charitable," "scientific," "literary," and "educational". Does a voter registration drive put on by a foundation come within the definition of "educational"? Granted that it may have a certain amount of social impact, Congress did not think it sufficient to warrant attention by the OEO and specifically prohibited OEO funds from being used for such activity. Senator Murphy's argument was that no funds were required to get out the vote in the election in South Vietnam, and a majority agreed with him.

What about the work of the Ford Foundation in developing hybrid rice seed for Indian farmers to improve their production? Most of us would probably agree that this was "scientific" or "educational". But suppose the activity was extended to countries prohibited from receiving our foreign aid?

And, finally, what do we do about Congressman Patman's problem with the Hilton chain: "We will buy from you if you contribute to our Foundation"?

I guess the Finance Committee will let Ways and Means figure that one out.

OVERCHARGES BY ELECTRIC UTILITIES

Mr. METCALF. Mr. President, electric utilities are requesting record rate increases, despite record profits.

Their 1969 overcharge amounted to $1.4 billion, up $58 million from the previous year.

Yet, despite the fallacious utility advertisements about the decreasing price of electricity, the electric utilities had requests for $190,299,000 in rate increases—an all-time record—pending at the beginning of this year. That, of course, was before Potomac Electric Power Co. filed its request for another $18,850,000.

The overcharge is the difference between what the large investor-owned utilities earned and what they would have made with a 6-percent rate of return. Because interest rates on long-term IOU debt are low, averaging 4 percent, a 6-percent rate of return would bring a return of about 9 percent on their common stock. That is a reasonable return on common stock. That is what the Bell telephone system makes. In contrast, power companies averaged 12.8 percent return on their common stock in 1967, as they did in 1966. Thirty years ago, the power companies were paying 4 percent interest, as they are now, but earning only 7.7 percent on their stock, instead of the 12.8 percent they average now.

The 1967 overcharge hit consumers hardest in Texas, $172,307,000; Illinois, $136,202,000; Ohio, $133,230,000; Pennsylvania, $83,647,000; and Michigan, $73,889,000. Next were Indiana, $70,910,000; California, $70,733,000; and Florida, $69,482,000.

The biggest bite on the electric consumer, for the third straight year, came from Commonwealth Edison, which serves the Chicago area. It had a rate of return of 8.8 percent, a return on common stock equity of 14.8 percent. Its $96,867,000 overcharge was bigger than the combined budgets of the utility regulatory commissions in all the States. Next were:

Company	Overcharge	Rate of return (percent)	Return on common stock (percent)
Houston Lighting & Power	$39,100,000	9.8	14.7
Detroit Edison	37,448,000	7.93	11.8
Pacific Gas & Electric	35,298,000	6.76	12.4
Consumers Power (Michigan)	33,644,000	8.26	12.8
Florida Power & Light	33,581,000	8.13	12.3
Southern Cal. Edison	31,121,000	6.81	11.7
Ohio Edison	31,065,000	8.75	16
Ohio Power	30,499,000	8.56	19.7
Cleveland Electric Illuminating	25,801,000	9.1	15.0

That makes a total annual overcharge of $394,424,000 for the big 10 power companies. However, these are huge systems. Customers of some smaller utilities are worse off.

For example, Montana Power had a higher rate of return—10.667—than any of the big 10. It had a 16.4 percent rate of return on common stock equity. It collected a $12,129,000 overcharge from only 142,237 residential and 20,311 small commercial customers. The overcharge cost each of those customers an average of $75 in 1967—and that was before the $7 million rate increase for the company just approved by the Montana Public Service Commission.

Mr. President, I ask unanimous consent to have printed in the RECORD the statistics on electric utility earnings in 1967, furnished by the Federal Power Commission from the reports filed with it by utilities, as well as the cover letter from FPC Chairman Lee White of January 31, 1969, which explains that the Commission refers to the overcharge as the "difference" in view of the fact that various States use different rate base and income calculations. The great value of the uniform reports is that they permit meaningful comparison between utility earnings in different States. The comparison of earnings based on different rate bases is akin to comparing a lemon with a grapefruit. To illustrate, the 1967 rate of return of Montana Power was actually 10.66 percent. But the Montana utility commission and Montana Power contended that it was only 5.33 percent, based on the inflated and unfair "fair value" rate base used in Montana and some other States.

There being no objection, the letter and statistics were ordered to be printed in the RECORD, as follows:

FEDERAL POWER COMMISSION,
Washington, January 31, 1969.

HON. LEE METCALF,
U.S. Senate,
Washington, D.C.

DEAR SENATOR METCALF: As requested in your letter of December 10, 1968, acknowledged December 18, 1968, we are enclosing a schedule showing the dollar differences together with the tax effect between earnings at the 1967 rates of return appearing for individual companies in the 1967 edition of Statistics of Privately Owned Electric Utilities in the United States and an assumed six percent rate of return.

As noted in our publication, the rates of return shown in the publication result from rate base and income calculations according to FPC formulae which may differ in important respects from formulae used in the various states. In many, the method of determining the rate base differs from that used in the FPC formulae. Also, the treatment of income taxes differs among the various jurisdictions as does the treatment of other elements of the cost of service. The rates of return as calculated according to FPC formulae are not intended as an evaluation of the reasonableness of the earnings of any electric utility company under the applicable State or local regulatory standards and for this reason the Commission does not use any evaluative phrase such as "overcharge" to characterize the differential. During 1968 this Commission received several inquiries concerning the use of the term "overcharge" and in each case we advised the individual making the inquiry that we did not use "overcharge" to describe the difference between reported earnings and earnings at an assumed rate of six percent or at any other assumed rate.

Sincerely,

LEE C. WHITE,
Chairman.

DOLLAR DIFFERENCE BETWEEN EARNINGS AT RATES OF RETURN APPEARING IN THE RATE-OF-RETURN SECTION OF THE 1967 EDITION OF STATISTICS OF PRIVATELY OWNED ELECTRIC UTILITIES AT AN ASSUMED 6-PERCENT RETURN

Class A Electric Utility Companies

[Dollar amounts in thousands]

State and company	Operating income at published rate of return		Operating income at an assumed 6-percent rate	Difference	Tax effect (at 48-percent rate)	Difference plus tax effect	State total difference plus tax effect
	Amount	Rate (percent)[1]					
Alabama							$19,260
Alabama Power Co	$50,452	7.24	$41,821	$8,631	$7,967	$16,598	
Southern Electric Generating Co	8,056	7.25	6,671	1,384	1,278	2,662	
Arizona							4,149
Arizona Public Service Co	19,676	5.80	20,340				
Citizens Utilities Co	1,317	8.06	980	336	310	647	
Tucson Gas & Electric Co	7,493	7.93	5,672	1,821	1,681	3,502	
Arkansas							9,363
Arkansas-Missouri Power Co	1,894	6.86	1,657	236	218	454	
Arkansas Power & Light Co	27,339	7.22	22,706	4,633	4,276	8,909	
California							70,733
Pacific Gas & Electric Co	163,429	6.76	145,074	18,355	16,943	35,398	
San Diego Gas & Electric Co	17,730	6.87	15,487	2,243	2,070	4,314	
Southern California Edison Co	135,886	6.81	119,703	16,183	14,938	31,121	
Colorado							9,746
Home Light & Power Co	661	7.52	527	133	123	256	
Public Service Co. of Colorado	27,604	7.31	22,669	4,934	4,555	9,490	
Western Colorado Power Co	662	4.31	923				
Connecticut							23,582
Connecticut Light & Power Co	27,810	7.52	22,184	5,626	5,193	10,820	
Hartford Electric Light Co	17,423	7.36	14,212	3,211	2,964	6,176	
United Illuminating Co	11,918	8.42	8,493	3,424	3,161	6,586	
Delaware							4,672
Delmarva Power & Light Co	11,411	7.62	8,981	2,429	2,242	4,672	
District of Columbia							8,342
Potomac Electric Power Co	42,804	6.68	38,466	4,338	4,004	8,342	
Florida							69,482
Florida Power Corp	35,394	8.11	26,170	9,223	8,514	17,737	
Florida Power & Light Co	66,728	8.13	49,265	17,462	16,119	33,581	
Gulf Power Co	11,139	8.56	7,812	3,327	3,071	6,398	
Tampa Electric Co	20,225	8.60	14,106	6,118	5,647	11,766	
Georgia							25,266
Georgia Power Co	61,817	7.49	49,506	12,311	11,364	23,675	
Savannah Electric & Power Co	4,970	7.20	4,142	827	764	1,591	
Idaho							1,560
Idaho Power Co	21,862	6.23	21,051	811	749	1,560	
Illinois							136,202
Central Illinois Light Co	9,151	7.83	7,012	2,139	1,974	4,114	
Central Illinois Public Service Co	22,528	8.66	15,607	6,921	6,389	13,311	
Commonwealth Edison Co	158,245	8.80	107,874	50,371	46,496	96,867	
Electric Energy, Inc	4,049	3.50	6,936				
Illinois Power Co	32,317	9.27	20,923	11,393	10,517	21,910	
Indiana							70,910
Alcoa Generating Corp	1,041	3.99	1,567				
Commonwealth Edison Co. of Indiana	4,931	6.23	4,749	181	167	349	
Indiana-Kentucky Electric Corp	3,980	3.52	6,784				
Indiana & Michigan Electric Co	30,833	7.93	23,331	7,502	6,925	14,427	
Indianapolis Power & Light Co	19,459	9.80	11,913	7,545	6,965	14,511	
Northern Indiana Public Service Co	25,318	9.41	16,146	9,171	8,465	17,637	
Public Service Co. of Indiana, Inc	37,889	8.41	27,021	10,868	10,032	20,901	
Southern Indiana Gas & Electric Co	5,758	8.32	4,153	1,604	1,481	3,085	
Iowa							22,851
Interstate Power Co	10,410	7.33	8,525	1,884	1,739	3,624	
Iowa Electric Light & Power Co	9,035	8.52	6,363	2,671	2,484	5,138	
Iowa-Illinois Gas & Electric Co	8,694	8.73	5,972	2,721	2,512	5,233	
Iowa Power & Light Co	9,599	6.76	8,517	1,082	999	2,081	
Iowa Public Service Co	8,005	7.65	6,275	1,730	1,597	3,328	
Iowa Southern Utilities Co	4,394	10.13	2,601	1,792	1,654	3,447	
Kansas							14,756
Central Kansas Power Co	1,120	7.09	948	172	159	332	
Kansas Gas & Electric Co	13,296	7.50	10,638	2,657	2,453	5,110	
Kansas Power & Light Co	13,707	7.95	10,351	3,355	3,097	6,453	
Western Power & Gas Co., Inc	6,421	7.81	4,933	1,487	1,373	2,861	
Kentucky							24,722
Kentucky Power Co	6,895	8.76	4,725	2,170	2,003	4,173	
Kentucky Utilities Co	16,278	8.80	11,094	5,183	4,785	9,969	
Louisville Gas & Electric Co	16,190	8.89	10,925	5,264	4,859	10,124	
Union Light, Heat & Power Co	1,736	6.95	1,498	237	219	456	
Louisiana							35,466
Central Louisiana Electric Co	9,337	8.66	6,468	2,868	2,647	5,516	
Louisiana Power & Light Co	24,200	7.83	18,549	5,650	5,215	10,865	
New Orleans Public Service, Inc	18,435	13.00	8,511	9,924	9,160	19,085	
Maine							4,200
Bangor Hydro-Electric Co	2,585	7.16	2,167	418	385	804	
Central Maine Power Co	15,809	6.68	14,194	1,615	1,491	3,107	
Maine Public Service Co	1,444	6.70	1,294	150	138	289	

See footnote at end of table.

DOLLAR DIFFERENCE BETWEEN EARNINGS AT RATES OF RETURN APPEARING IN THE RATE-OF-RETURN SECTION OF THE 1967 EDITION OF STATISTICS OF PRIVATELY OWNED ELECTRIC UTILITIES AT AN ASSUMED 6-PERCENT RETURN—Continued

Class A Electric Utility Companies—Continued

[Dollar amounts in thousands]

State and company	Operating income at published rate of return		Operating income at an assumed 6-percent rate	Difference	Tax effect (at 48-percent rate)	Difference plus tax effect	State total difference plus tax effect
	Amount	Rate (percent)[1]					
Maryland							$15,452
Baltimore Gas & Electric Co	$36,901	7.36	$30,101	$6,800	$6,276	$13,077	
Conowingo Power Co	450	5.31	508				
Delmarva Power & Light Co. of Maryland	2,526	5.64	2,689				
Potomac Edison Co	6,511	7.40	5,276	1,235	1,140	2,375	
Massachusetts							37,317
Boston Edison Co	31,871	7.96	24,032	7,839	7,236	15,075	
Brockton Edison Co	2,416	9.31	1,557	859	793	1,653	
Cambridge Electric Light Co	2,044	9.34	1,312	731	675	1,406	
Cape & Vineyard Electric Co	1,628	8.82	1,107	521	481	1,002	
Fall River Electric Light Co	1,130	10.15	668	462	426	888	
Fitchburg Gas & Electric Light Co	1,112	7.55	884	227	210	438	
Holyoke Power & Electric Co	55	5.84	57				
Holyoke Water Power Co	2,186	7.91	1,657	528	487	1,016	
Massachusetts Electric Co	15,906	6.07	15,714	192	177	369	
Montaup Electric Co	2,324	5.89	2,369				
New Bedford Gas & Edison Light Co	2,884	9.01	1,920	963	889	1,853	
New England Power Co	21,061	8.01	15,769	5,292	4,885	10,177	
Western Massachusetts Electric Co	8,391	7.63	6,602	1,789	1,651	3,440	
Yankee Atomic Electric Co	1,559	5.50	1,743				
Michigan							73,889
Consumers Power Co	63,904	8.26	46,409	17,494	16,149	33,644	
Detroit Edison Co	79,921	7.93	60,448	19,473	17,975	37,448	
Edison Sault Electric Co	966	9.76	593	372	343	716	
Michigan Gas & Electric Co	920	9.81	563	357	330	687	
Upper Peninsula Generating Co	975	4.38	1,334				
Upper Peninsula Power Co	2,454	8.52	1,729	725	669	1,394	
Minnesota							23,160
Minnesota Power & Light Co	7,890	6.62	7,147	742	685	1,428	
Northern States Power Co	43,932	8.08	32,632	11,300	10,431	21,732	
Mississippi							13,920
Mississippi Power Co	11,273	8.06	8,295	2,878	2,656	5,534	
Mississippi Power & Light Co	17,442	8.00	13,081	4,360	4,025	8,386	
Missouri							27,006
Empire District Electric Co	4,264	8.14	3,142	1,121	1,035	2,157	
Kansas City Power & Light Co	21,930	7.22	18,218	3,712	3,426	7,139	
Missouri Edison Co	883	5.35	989				
Missouri Power & Light Co	2,887	6.20	2,794	93	86	180	
Missouri Public Service Co	5,913	7.63	4,653	1,260	1,163	2,423	
Missouri Utilities Co	1,163	5.78	1,208				
St. Joseph Light & Power Co	2,836	7.77	2,191	644	595	1,239	
Union Electric Co	51,737	6.97	44,525	7,211	6,656	13,868	
Montana							12,129
Montana Power Co	14,433	10.66	8,126	6,307	5,822	12,129	
Nevada							4,563
Nevada Power Co	6,428	7.13	5,406	1,021	942	1,963	
Sierra Pacific Power Co	6,230	7.66	4,877	1,352	1,248	2,600	
New Hampshire							3,194
Concord Electric Co	349	6.76	309	39	36	75	
Granite State Electric Co	547	7.74	424	123	113	236	
Public Service Co. of New Hampshire	11,319	6.92	9,820	1,499	1,384	2,883	
New Jersey							38,615
Atlantic City Electric Co	16,629	7.12	14,008	2,620	2,418	5,039	
Jersey Central Power & Light Co	24,117	7.26	19,924	4,193	3,870	8,063	
New Jersey Power & Light Co	6,227	6.23	5,994	232	214	447	
Public Service Electric & Gas Co	89,371	6.98	76,856	12,514	11,551	24,066	
Rockland Electric Co	1,561	9.00	1,040	520	480	1,000	
New Mexico							7,409
New Mexico Electric Service Co	1,548	12.15	765	783	723	41,507	
Public Service Co. of New Mexico	8,710	9.27	5,640	3,069	2,833	5,902	
New York							41,579
Central Hudson Gas & Electric Corp	9,379	6.49	8,674	705	651	1,357	
Consolidated Edison Co. of New York, Inc	167,715	5.61	179,494				
Long Island Lighting Co	37,749	7.11	31,860	5,889	5,436	11,325	
New York State Electric & Gas Corp	27,717	7.16	23,222	4,494	4,148	8,643	
Niagara Mohawk Power Corp	61,525	6.66	55,466	6,058	5,592	11,651	
Orange & Rockland Utilities, Inc	7,907	7.56	6,275	1,632	1,506	3,138	
Rochester Gas & Electric Corp	14,057	7.52	11,215	2,841	2,623	5,465	
North Carolina							37,679
Carolina Power & Light Co	34,046	7.31	27,938	6,108	5,638	11,746	
Duke Power Co	59,926	7.64	47,060	12,865	11,875	24,741	
Nantahala Power & Light Co	1,376	10.43	792	584	539	1,124	
Yadkin, Inc	1,100	6.20	1,064	35	33	68	
North Dakota							3,224
Montana-Dakota Utilities Co	4,964	7.24	4,116	847	782	1,630	
Otter Tail Power Co	5,971	6.97	5,142	829	765	1,594	
Ohio							133,230
Cincinnati Gas & Electric Co	29,613	9.37	18,957	10,656	9,836	20,493	
Cleveland Electric Illuminating Co	39,420	9.10	26,003	13,416	12,384	25,801	
Columbus & Southern Ohio Electric Co	19,004	7.39	15,426	3,578	3,302	6,880	
Dayton Power & Light Co	20,315	8.69	14,032	6,283	5,800	12,083	
Ohio Edison Co	51,344	8.75	35,190	16,154	14,911	31,065	
Ohio Power Co	53,036	8.56	37,176	15,859	14,639	30,499	
Ohio Valley Electric Corp	5,299	4.36	7,290				
Toledo Edison Co	15,355	7.66	12,022	3,332	3,076	6,409	
Oklahoma							21,485
Oklahoma Gas & Electric Co	27,837	7.99	20,898	6,939	6,405	13,344	
Public Service Co. of Oklahoma	19,105	7.71	14,871	4,233	3,907	8,141	
Oregon							8,005
California-Pacific Utilities Co	1,615	6.86	1,412	203	187	390	
Pacific Power & Light Co	41,876	6.31	39,810	2,066	1,907	3,973	
Portland General Electric Co	20,508	6.61	18,614	1,894	1,748	3,642	

See footnote at end of table.

DOLLAR DIFFERENCE BETWEEN EARNINGS AT RATES OF RETURN APPEARING IN THE RATE-OF-RETURN SECTION OF THE 1967 EDITION OF STATISTICS OF PRIVATELY OWNED ELECTRIC UTILITIES AT AN ASSUMED 6-PERCENT RETURN—Continued

Class A Electric Utility Companies—Continued

[Dollar amounts in thousands]

State and company	Operating income at published rate of return		Operating income at an assumed 6-percent rate	Difference	Tax effect (at 48-percent rate)	Difference plus tax effect	State total difference plus tax effect
	Amount	Rate (percent) [1]					
Pennsylvania							$83,647
Duquesne Light Co	$37,132	8.04	$27,715	$9,416	$8,692	$18,108	
Metropolitan Edison Co	19,290	6.90	16,772	2,517	2,323	4,841	
Pennsylvania Electric Co	34,243	7.16	28,688	5,555	5,127	10,682	
Pennsylvania Power Co	6,934	7.74	5,377	1,556	1,436	2,992	
Pennsylvania Power & Light Co	42,186	6.92	36,584	5,602	5,171	10,773	
Philadelphia Electric Co	70,415	7.19	58,741	11,673	10,775	22,449	
Potomac Edison Co. of Pennsylvania	708	4.99	852				
Safe Harbor Water Power Corp	945	4.93	1,151				
United Gas Improvement Co	1,952	7.50	1,562	389	359	749	
West Penn Power Co	26,716	8.04	19,928	6,787	6,265	13,053	
Rhode Island							2,105
Blackstone Valley Electric Co	2,318	10.01	1,389	928	856	1,785	
Narragansett Electric Co	7,762	5.73	8,123				
Newport Electric Corp	702	7.86	535	166	153	320	
South Carolina							9,765
South Carolina Electric & Gas Co	19,696	8.08	14,618	5,077	4,687	9,765	
South Dakota							926
Black Hills Power & Light Co	2,002	6.47	1,858	144	133	277	
Northwestern Public Service Co	2,027	7.20	1,689	337	311	649	
Tennessee							246
Kingsport Power Co	865	6.57	789	75	69	145	
Tapoco, Inc	1,066	6.31	1,013	52	48	101	
Texas							172,307
Central Power & Light Co	24,056	10.29	14,031	10,025	9,254	19,279	
Community Public Service Co	4,796	7.51	3,831	965	891	1,856	
Dallas Power & Light Co	21,844	7.86	16,682	5,162	4,765	9,927	
El Paso Electric Co	8,263	9.55	5,188	3,074	2,837	5,912	
Gulf States Utilities Co	38,540	8.25	28,017	10,523	9,714	20,238	
Houston Lighting & Power Co	52,424	9.80	32,092	20,332	18,768	39,100	
Southwestern Electric Power Co	17,316	9.08	11,444	5,872	5,420	11,292	
Southwestern Electric Service Co	1,089	7.49	872	217	200	417	
Southwestern Public Service Co	23,211	7.82	17,799	5,411	4,995	10,407	
Texas Electric Service Co	34,446	8.87	23,300	11,145	10,288	21,434	
Texas Power & Light Co	37,494	9.17	24,533	12,960	11,963	24,924	
West Texas Utilities Co	10,712	9.45	6,801	3,911	3,610	7,521	
Utah							1,638
Utah Power & Light Co	19,359	6.28	18,507	851	786	1,638	
Vermont							1,494
Central Vermont Public Service Corp	3,511	7.06	2,983	528	487	1,016	
Green Mountain Power Corp	1,808	6.96	1,559	248	229	478	
Vermont Electric Power Co., Inc	494	5.07	585				
Virginia							22,535
Old Dominion Power Co	423	5.62	452				
Potomac Edison Co. of Virginia	1,436	6.05	1,425	11	10	21	
Virginia Electric & Power Co	71,642	7.17	59,935	11,707	10,806	22,514	
Washington							4,720
Puget Sound Power & Light Co	16,810	5.79	17,411				
Washington Water Power Co	16,616	7.04	14,161	2,454	2,266	4,720	
West Virginia							16,714
Appalachia Power Co	37,794	7.32	30,998	6,796	6,273	13,069	
Monongahela Power Co	11,818	7.13	9,942	1,875	1,731	3,606	
Potomac Edison Co. of West Virginia	1,279	5.37	1,429				
Wheeling Electric Co	1,269	6.10	1,248	20	19	39	
Wisconsin							18,624
Consolidated Water Power Co	525	8.50	371	154	142	296	
Lake Superior District Power Co	1,848	6.92	1,602	245	226	472	
Madison Gas & Electric Co	2,848	6.31	2,707	140	129	269	
Northern States Power Co	6,180	6.99	5,303	876	809	1,685	
Superior Water, Light & Power Co	458	7.23	380	78	72	150	
Wisconsin Electric Power Co	30,640	6.72	27,371	3,268	3,017	6,285	
Wisconsin Michigan Power Co	4,026	6.67	3,623	402	371	774	
Wisconsin Power & Light Co	12,659	7.60	9,999	2,659	2,454	5,114	
Wisconsin Public Service Co	10,252	7.33	8,390	1,861	1,718	3,579	
Wyoming							91
Cheyenne Light, Fuel & Power Co	544	6.57	497	47	43	91	
Hawaii							5,507
Hawaiian Electric Co., Inc	13,071	7.59	10,339	2,732	2,521	5,253	
Hilo Electric Light Co., Ltd	1,303	6.46	1,211	91	84	176	
Maki Electric Co., Ltd	763	6.34	722	40	37	78	
Total							1,397,437

[1] The published rates of return result from rate base and income calculations according to FPC formulas which may differ in important respects from formulas used in the various States. For example, the method of determining rate base and the treatment of income taxes may result in substantial differences in the reported income using FPC standards compared to some State standards.

INCREASES IN CONGRESSIONAL SALARIES

Mr. WILLIAMS of Delaware. Mr. President, the Washington Daily News of March 5 contains an article by Dan Thomasson pointing out the ridiculous aftereffects of the recent congressional action raising top executive, judicial, and congressional salaries from 40 to 70 percent.

As the article points out, the Doorkeeper of the House of Representatives will now get $40,000 per year, and the Sergeant at Arms, who has charge of the Capitol Hill Police activities, will get $40,000 per year, or $15,000 per year more than the Washington Chief of Police.

The pay of the postmaster in the Capitol is scheduled to be raised to $36,000 per year. I understand similar resolutions will be introduced to raise the salary of the Senate employees. These increases have reached the ridiculous stage. Why should the postmaster of the Capitol draw a salary 30 percent higher than the postmasters of any of our largest cities?

With our Government still operating at a deficit of over $500 million per month this extravagant round of salary increases cannot be justified. Inflation is still the second greatest problem confronting our country, and thus far no effective steps have been taken to control it.

How can Congress or the executive branch urge fiscal restraint on the part of private industry and organized labor while at the same time proceeding on this slap-happy merry-go-round of raising its own salaries?

The time is long past due when both Congress and the executive branch should begin expressing some concern for the plight of the millions of taxpayers, who next month will have a struggle to meet their obligations to the Government.

The first order of business of the 91st Congress, instead of initiating a round of large salary increases, should have been a determined effort to control Government expenditures and bring our precarious financial structure under control. The American dollar is still not out of trouble, as was demonstrated by the price of gold reaching a new high this week.

I ask unanimous consent that the Daily News article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The $40,000 Doorman

(By Dan Thomasson)

House doorkeeper William M. (Fishbait) Miller, whose annual big moment comes when he announces the President as he enters the House for his state of the union message, is now making $40,000 a year.

Mr. Miller, the gregarious Mississippian whose other responsibilities include supervising page boys, door men and rest room attendants, is a member of an elite group of five house employes boosted to the $40,000-a-year level as a result of the recent congressional pay increase.

So is Sergeant at Arms Zeake W. Johnson Jr., guard of the mace which is the official symbol of house authority, and supervisor of Capitol Hill police activities. Mr. Johnson's salary is $15,000 a year more than that of Washington's chief of police.

The other three House employes now earning $40,000 annually are Clerk W. Pat Jennings, legislative counsel Edward O. Craft and the chief of staff of the Joint Committee on Internal Revenue Taxation, Laurence N. Woodworth.

All five, who are Democratic patronage employes, were being paid $29,500-a-year before lawmakers boosted top government salaries by refusing to veto former President Johnson's recommended increases for members of Congress, federal judges and high-ranking officials of the executive branch.

The salaries of the five House employes are tied to level three of the pay schedule for executive branch officials. When that level went up to $40,000 on Feb. 15, so did the pay of the House officials.

Another House official whose salary jumped $10,000 annually because of the congressional pay boost is parliamentarian Lewis Deschler. At $41,191—only $1,309 less than a Congressman makes—Mr. Deschler is the highest paid employe in the House.

One House employe not tied to the executive pay schedule is Postmaster H. H. (Hap) Morris.

PAY HIKE PUSHED

But a resolution to boost Mr. Morris' pay to $36,000 a year has been introduced by his fellow Kentuckians, Democratic Reps. Carl D. Perkins and John C. Watts. If approved, as expected, the resolution would make Mr. Morris the highest paid postmaster in the nation.

Mr. Morris now earns $27,800 a year. This is the top salary that can be paid the postmasters of the five leading cities in the nation—New York City, Chicago, Los Angeles, Boston and Philadelphia. The top salaries of these postmasters will jump to $32,154 on July 1.

Mr. Morris supervises 85 employes serving the 435 members of the House, their office staffs and the staffs of committees. In comparison, the New York City postmaster oversees work of 49,000 employes serving 3.4 million mail users in Manhattan.

The huge increases being paid these House officers is forcing Republican leaders to seek healthy pay boosts for their own top employes. Plans call for introducing resolutions to jump the yearly salary of the minority clerk, sergeant at arms, doorkeeper and others from $28,500 to $36,000.

The congressional pay increase also has paved the way for pushing the salaries of top House committee staff members to $33,000 annually by next July.

And within the next few weeks, congressional leaders hope to push thru the House and Senate whopping increases for House Speaker John McCormack, D., Mass., Vice President Spiro T. Agnew, Senate Democratic Leader Mike Mansfield (Mont.), House Democratic Leader Carl Albert (Okla.), Senate Republican Leader Everett M. Dirksen (Ill.), House Republican Leader Gerald R. Ford (Mich.), and Senate President Pro-Tem Richard B. Russell, D-Ga.

Mr. Agnew and Rep. McCormack would go from $43,000 annually to $62,500. Sen. Mansfield, Rep. Albert, Rep. Ford, Sen. Dirksen and Sen. Russell who now earn $42,500 would jump to $55,000. Under the old congressional pay schedule the majority and minority leaders received $35,000—$5,000 more than was paid to rank-and-file members.

MOVE DELAYED

Congressional leaders had planned to push the pay hike for these six officers thru the House last Monday under suspension of the rules but backed off because of increasing public outcries over the congressional salary increases. Plans now call for bringing the bill to the floor in about two weeks.

Senate employes apparently are less well off than their House counterparts. The top Senate employes are not tied to the executive pay schedule and must depend upon an order from Sen. Russell for their pay increases.

Senate Secretary Francis R. Valeo, whose position is comparable to House Clerk Jennings, jumped from $28,500 to $32,000 on March 1 as did Senate Sergeant-at-Arms Robert G. Dunphy. Senate officials are now studying whether to recommend to Sen. Russell that the salaries of Mr. Valeo and Mr. Dunphy be raised to $40,000.

SENATE POWER OVER FOREIGN POLICY AND THE HUMAN RIGHTS CONVENTIONS—XXII

Mr. PROXMIRE. Mr. President, we live in a plural world, and if we have any moral fiber and meaning as a nation, our power as an international policymaker must be used. However, at the same time, a delicate judgment has to be made as to when that power should be restrained by considerations of national interest and a tolerance for the diversity of ideologies. By right and authority that power and judgment ultimately rests in the office of the Presidency upon the advice and counsel of appropriate executive departments and the Congress. The Constitution vests the Executive with broad powers over the conduct of our foreign policy. The President is Commander in Chief of our Armed Forces, he appoints all our Ambassadors and emissaries, and he is vested with authority to enter into treaties and other international agreements.

But real power does exist in Congress in helping to direct our foreign policy:

An international treaty must be ratified by the Senate;

Appropriations to support or curtail our international commitments, such as foreign aid, defense, and so forth must be approved by the Congress;

The Senate and House Chambers can provide an open and public forum for debate on foreign policy matters;

Resolutions can be passed either to support or censure Executive actions on international affairs;

And, legislation can be implemented to limit presidential action.

Power exists within the Senate with regard to our Nation's foreign policy—the main question is over the implementation of that power.

We in the Senate have neglected to exercise that power by not ratifying the very basic Human Rights Conventions on Genocide, Forced Labor, and Women's Rights. We should not allow the U.S. Senate to be only an echo of Executive policy in this area of foreign policy. It is basic to our very concept as a nation and as a part of the world body to ratify these conventions now.

REPRESENTATIVE WILBUR D. MILLS RECEIVES SENATOR ARTHUR WATKINS DISTINGUISHED CONGRESSIONAL SERVICE AWARD

Mr. BENNETT. Mr. President, on February 27, my good friend, the distinguished chairman of the House Ways and Means Committee, Wilbur D. Mills, was awarded the Senator Arthur V. Watkins Distinguished Congressional Service Award at the University of Utah.

The award was created a few years ago to honor my former colleague and friend, Arthur V. Watkins, for the courage and integrity that he exhibited during his lifetime of public service. The recipient of the award last year was my good friend the distinguished majority leader Senator Mike Mansfield whom I might add richly deserved the prize. By receiving it, Senator Mansfield in turn distinguished the award itself.

This year the selection committee for the Arthur V. Watkins Award did not have to look very far to find an American in public service in the same tradition of Arthur Watkins and Mike Mansfield. Looking down the events of 1968, and more broadly, the 90th Congress, they found, in his own words, "A country boy from Arkansas" who stood on his principles. Wilbur Mills almost singlehandedly forced the Johnson administration to accept a reduction in Federal expenditures if it wanted Congress to pass the recommended surtax bill. I think to appreciate the courage of that stand one must realize the pressures and the powerful persons who took the opposition position of Chairman Mills. I think it can be said of the chairman of the Ways and Means Committee that his courageous and successful stand not only restored balance to Federal financing, but also to the separation-of-powers concept in the American system of government. More important than the restored balance in Federal spending was his courageous contribution to a redress of the imbalance between Congress and the Presidency which has grown tremendously in favor of the executive branch in the past few years. I am sure this is one reason why the committee chose Wilbur D. Mills to receive the Watkins Award. I ask unani-

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mous consent that the remarks of Representative Mills in accepting the award be printed in the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

Remarks of Congressman Wilbur D. Mills, Accepting the Arthur V. Watkins Distinguished Congressional Service Award, University of Utah, February 27, 1969

Senator Watkins, President Fletcher, distinguished trustees, faculty, students, alumni and friends of the University of Utah, ladies and gentlemen: To say that I am honored beyond fondest expectations to be here at this great university on this occasion is an understatement of grossest proportions. Nice things like this just don't happen very often to a country boy from Arkansas.

Mrs. Mills and I are receiving a two-fold blessing in this most enjoyable experience of visiting your remarkable and progressive State. First and foremost, of course, is the honor of receiving the coveted Arthur V. Watkins Distinguished Congressional Service Award. Though this is only the second year that the award has been given, all of us in the Congress are very much aware of its existence, and those of us in the House of Representatives take considerable pride in the fact that this year your selection committee has chosen one from our ranks.

I heartily congratulate the committee on last year's choice—the Honorable Mike Mansfield, the senior Senator from Montana and Majority Leader of the Senate. And—out of a grateful heart and perhaps a superabundance of modesty—I feel compelled to congratulate the committee on its selection this year, also.

Seriously, let me say that I am accepting the Arthur V. Watkins award this evening in the full realization and sincere conviction that it is not simply a personal honor but one intended for the many courageous individuals in the Congress, Republican and Democrat alike, who during the last Session insisted that the price of a tax increase must be Federal expenditure control. It is in their behalf, so many of whom are your old friends and colleagues, Senator Watkins, that I am here this evening. They, as well as I, are very proud indeed that this award carries your name. It recalls to our minds so many warm memories of our long friendship and association with you throughout your very outstanding and distinguished career in the United States Senate and the succeeding years as well.

Mrs. Mills and I are also pleased to have an opportunity for the first time to really see some of the wonders of the great State of Utah and Salt Lake City. It is good for one's spirit, soul and outlook to get away on occasion from the strains and pressures that are peculiar to the Washington scene and to enjoy briefly the vast interior of our Nation; wherein in my judgment lies the basic strength of our country.

We have been very much impressed by the natural beauty and massive grandeur of Utah. We in Arkansas take justifiable pride in our Ozarks, which are the most substantial mountains between the great mountains here in the West and the Appalachians in the East. Our Ozarks unquestionably have their distinctive scenic beauty, but in all candor I must confess that they are like "hills and hollers" as we say back home in White County, compared with your spectacular peaks, deep valleys and magnificent basins here in Utah.

What is equally significant and impressive about your State is the tremendous economic activity and development that is very obviously taking place and about which the whole country is hearing. It is evident all across Utah—in your prosperous cities and towns, burgeoning manufacturing activity, highly productive mines, ranches and farms, and your almost unlimited recreational facilities, modern and commodious enough to host literal armies of tourists and sightseers in grand style.

Now I realize and appreciate that one of the prime considerations in my selection for this cherished honor this evening was the part I played in the passage last year of the "Revenue and Expenditure Control Act of 1968". This Act has provided the presently effective 10 percent income tax surcharge, and more importantly, it has required reductions in Federal expenditures and spending authority—a $6-billion cut in Federal expenditures and a $10-billion cut in new obligational authority in the current fiscal year.

The Congress has reached its goal as far as the $10-billion reduction in new authority in 1969 is concerned. It has even exceeded this required amount. It also has cut spending in specific actions by something less than $4 billion, and under the requirements of the law the President is to make cuts in nonexempted programs to the extent that the Congress in its actions has failed to reach the full $6 billion reduction figure.

Not only does the Congressional action in the Revenue and Expenditure Control Act bode well and strengthen precedent for similar and even more effective future responsible fiscal action, but it has also had an immediate and salutary impact in the marked improvement in the Federal budget picture for the current fiscal year compared to last year. The deficit for fiscal 1968 was a regrettably large $25.2 billion, but the present estimate is that we will end this year—that is the year ending this June 30—with a small but welcome $2.4-billion surplus. A surplus is also presently estimated for fiscal year 1970 in the amount of some $3.4 billion based on a one year's extension of the tax surcharge proposed in the Budget Message.

However, let me say that if we do attain a surplus as presently estimated this year, it will be the first time that we will have done so in nine years. It will be only the second time in the over eleven years that I have been Chairman of the Committee on Ways and Means that we will have enough revenues to cover Federal expenditures.

At this point let me clarify a matter, if I may. While I have over a long period of time been very seriously and personally concerned with the magnitude of Federal expenditures, and have spoken and acted whenever and wherever I could to bring them under control, I must remind you that the Committee on Ways and Means does not have direct legislative committee jurisdiction over Federal appropriations. At one time it was true that we did. This dual jurisdiction over both receipts and appropriations ended back in the last century, however—as a matter of fact, in 1865, when the appropriations function was placed in another committee.

For the past 100 years plus, therefore, we on Ways and Means have had the responsibility of initiating bills to raise revenue, but our Committee has not had jurisdiction over the disposition of these revenues. This is the province and essential function of the Committees on Appropriations of the House and Senate. To put it in the vernacular, our responsibility is to "get" revenues rather than to appropriate them. And I don't need to tell anyone in this room—whether you are a businessman, a university administrator, a salaried person, a housewife or what have you—that the "getting" of money is vastly more difficult than the spending of it.

In more recent years—particularly the past four years—the Committee's revenue raising responsibility has taken on more of the nature of a frustrating task of persistently trying to catch up with accelerated Federal expenditures. That is, constantly endeavoring to make our revenues keep pace with them.

To be specific, since 1965 alone Federal expenditures have soared from $118 billion in that year to an estimated $184 billion for the current fiscal year. In this short period of time expenditures have thus increased by about $66 billion, which is more than three times the amount of the increase in the preceding four-year period. Only about $27 billion of this increase can be attributed to Vietnam, leaving $40 billion—or twice the increase of the prior four-year period—attributable to non-Vietnam expenditures. For the next fiscal year, 1970, Federal expenditures will go up to an estimated $195.3 billion, which is uncomfortably close to $200 billion, a level of spending which will undoubtedly be breached in the succeeding fiscal year, 1971.

The unenviable position of the Committee on Ways and Means in this effort to catch up revenuewise with accelerated Federal expenditures reminds me of the story of old man Mart Henthorn who owned a very few acres of cotton on a worn-out hillside farm near my home back in White County. One bright summer's morning Mart went out to hitch to a plow his ancient and emaciated mule. But to his consternation and chagrin he found the mule literally on strike. He was lying down there in the lot—or corral as you would say out here—and try as Mart would, he could not budge him. After considerable effort and much strong language, Mart angrily ordered one of his numerous young ones to fetch the local veterinarian, Dr. Smith.

When several hours later the Doctor finally arrived, he immediately sized up the situation and in a very professional manner drew forthwith from his medical bag a needle and syringe and gave the mule a shot. Whereupon the mule immediately jumped up and galloped at almost unbelievable speed out of the lot, through Mart's cotton patch, over a barbed wire fence and disappeared into the woods. Mart stood there in open-mouthed awe and wonder for a moment and then happily blurted out, "Doc, that is the most powerful medicine I have ever seen. What do I owe you?" Dr. Smith replied that his fee would be $1.00. You could tell Mart was satisfied with that noninflationary price, and he hurriedly handed the Doctor the dollar and said, "Doc, here you are, and here is $2.00 more. Now give me two of those shots right quick, so I can catch up with my mule."

Well now, we certainly cannot compare our present domestic economy unto that stubborn mule on strike in Mr. Henthorn's lot, because today's economy is not lying down. To the contrary, it is carrying us along the furrows just about as fast as we can safely go. We are presently in the heady atmosphere of the 96th month of the most sustained and vigorous economic expansion in our history. And the economy obviously does not need nor could it, under present conditions, gracefully assimilate a stimulating shot either from the tax or spending side of fiscal policy.

I, therefore, am convinced that in spite of favorable prospects for attainment of a small surplus in the current fiscal year, we must continue to diligently strive in our every Congressional action and in the Executive Branch as well to restrain the rate of increase of Federal spending. If it is necessary, we must also repeat the establishment of legislated mandatory ceilings as we did in the Revenue and Expenditure Control Act last year.

Let me now turn to a subject that I am convinced is one of the most significant beneficial results of this record period of economic expansion that has taken place over the past eight years. I am speaking of the renewed—and in my judgment, very healthy and welcome—interest in the subject of tax reform, a matter that is now before the Committee on Ways and Means.

This intensified concern on the part of the public has occurred for at least two reasons. First of all, incomes have been rising rapidly

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over this period of time. As we all know, when an individual's income rises under our progressive rates, the tax bite increases each time it reaches into a new bracket. As the rate of tax thus becomes higher, the taxpayer's interest in the new tax system very naturally increases. Secondly, the tax surcharge has had a similar effect in inducing and motivating the taxpayer to take a harder look at our revenue system and to register greater concern about whether or not he is being treated in the same manner as everyone else in economic circumstances similar to his own.

This, I believe, is a very desirable public reaction and augurs well for improvements in the Internal Revenue Code in this Congress. We are presently embarked and have been since the 18th of this month on one of the most extensive tax reform hearings in our history. Over the past week the Committee has been examining the present tax-exempt status of private foundations. The basic question we are asking is whether or not under today's changed conditions the operations of these foundations should continue to enjoy the same full scale tax exemption that has been extended them ever since the inception of our income tax law.

From there we are going on to examine some 16 or more other important areas of the Code to determine if the tax treatment in these areas is as it should be. We are going to question into these instances in which some special tax treatment has been accorded—no matter how long ago it was enacted or how vested that special treatment appears to be—to determine whether it is justified and warranted in the light of today's economic conditions and modern business practices. We shall be looking into the treatment of charitable contributions, depletion, capital gains, corporate mergers, multiple trusts—every area of the Code where various categories of income are treated differently from ordinary income.

Like so much of our noble effort and endeavor to govern ourselves in this great country, our Internal Revenue Code starts out on a very positive, unequivocal and forthright note. The very first section commences by simply declaring that ". . . there is hereby imposed on the taxable income of every individual" the prescribed progressive rates of Federal income tax. Then following that, a very large part of the remainder of the Code, right through section 8000 and something, is given to compromising this first section through exclusions, exemptions, deductions and other special provisions. The end result is that the concept of taxable income comes out of the computation wringer shrunken, faded, dissipated and much less inclusive than it could and should be.

What we want to do in our current public hearings is to discover ways to reconstitute, to reinvigorate, to expand and give a more meaningful form to the taxable income base. We would all be well served by making this base just as wide as possible. Not only would a much broader base afford possibilities for reduction in the rate structure when that is feasible, but it will assure greater equity and fairness and enhanced confidence of the American people in their tax system.

In conclusion, let me say to this distinguished audience that beyond any doubt our self-assessment system in this country is still the greatest revenue system in the world. It has a demonstrated capacity and ability to gather the revenues necessary to finance the ever-mounting range of public services to meet the needs of a rapidly increasing population in a growing urban society. At this juncture like any tree which bears good fruit it simply needs to have some of the suckers, water sprouts and dead wood pruned from it, and that is our present intention and task in the extensive public hearings now being conducted in the Committee on Ways and Means.

Again, on behalf of Mrs. Mills, my colleagues in the House of Representatives and myself, let me express my profound gratitude for this honor you have bestowed upon me this evening and to express appreciation for the splendid brand of Utah hospitality that it has been our pleasure to enjoy in this visit to your great State.

TAX BENEFITS FOR WORKING PEOPLE

Mr. WILLIAMS of New Jersey. Mr. President, our income tax law incorporates a progressive rate scale and theoretically, therefore, exacts a tax from each taxpayer in accordance with his ability to pay. The fact of the matter, however, is that some individuals with very large incomes escape, each year, paying any income tax whatsoever, or very little at the most. On the other hand, persons with far less income; indeed, persons living below the poverty standard are required to pay a significant portion of their income in taxes. It is estimated, for example, that some 25 million people living below the $3,000-a-year poverty level pay some $1.5 billion in Federal income tax alone. The cases of the 21 notorious millionaires who paid no income tax in 1967 are well known by now.

This prostitution of the graduated income tax system results in part from the fact that income tax liability depends not upon the amount of income, but upon the source of the income. Wages and salaries of working people and the income of the middle classes are heavily taxed, but the rich and superrich, by the use of such legal tax-avoidance devices as the trust, capital gains, and States and municipal bonds, pay little or no taxes at all.

The fact is that every tax dollar lost through these loopholes must be paid by another source. For the most part, this loss—and it has been estimated to be a whopping $50 billion—is paid by moderate income groups—small people with incomes between $7,000 and $20,000 who cannot afford to hire high-priced accountants and tax lawyers to locate loopholes.

This basic unfairness in our tax laws—the rich living off the poor—must be corrected. But closing the loopholes is not enough. Positive tax advantages must be enacted to give relief to the middle- and low-income groups who pay an unfair share of their income in taxes.

Mr. President, I am introducing, for appropriate reference, a bill which, if enacted, will ease the tax burdens of these income levels tremendously. My bill will result in tax savings to people who will not bank and reinvest them to perpetuate great dynasties, but to people who will put these savings back into the economy to pay for commodities and services.

The first proposal would raise the present $600 exemption to $900. The personal exemption should bear some relationship to the income level necessary to provide minimum living standards. The present rate was established in 1948, and since that time, the cost of living index has risen 44.6 percent. A corresponding increase, in round figures, would raise the exemption to $900. The benefits in this long-overdue adjustment to the taxpayer are obvious.

Under present law, a taxpayer can only deduct a pittance of his medical and drug expenses under a complicated formula. The emphasis and importance that we place on good health today should be reflected in our income tax laws. A man should be encouraged to seek the best medical treatment available and by allowing him a full deduction for medical and drug expenses, the Federal Government would do just that. My bill would allow the full deduction, and estimates indicate that some 55 percent of all taxpayers would receive some benefit.

A third proposal in my bill is what I refer to as the poor man's business expense. It would allow a taxpayer to deduct money he spends on transportation getting to and from work. Our tax laws should not ignore the progress we have made over the years and the way our communities have developed. People are moving farther and farther away from their work, and getting to and from work is an expensive proposition. Transit fares alone, for example, have tripled since 1948. Furthermore, a transportation expense has a strong affinity to the business expense, and there is no logical basis for permitting a deduction for one and rejecting the other.

The idea, Mr. President, of allowing a deduction for transportation expenses is not entirely foreign to our tax system. A recent edition, February 24, 1969, of the Bergen Record carried a column by Sylvia Porter containing an excellent discussion of how court decisions have gradually eased the restrictions on the general rule disallowing commuting expenses. The piecemeal approach by court decision, however, is too indefinite and is unfair to taxpayers who are unable to institute a court proceeding. I feel that the formula in my bill is a fair one and should be enacted. I ask unanimous consent that Miss Porter's column be included in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

YOUR MONEY'S WORTH—VI: BREAK FOR COMMUTER, IF

(By Sylvia Porter, in collaboration with the Research Institute of America)

If you are among the millions who have to drive a car to work in order to carry along heavy or bulky tools or equipment, court decisions are shedding increasing light for you on how much of your driving expenses you can deduct.

A general tax rule is that you cannot deduct commuting expenses—but there are exceptions to this rule. The Treasury itself allows you, an employe, to deduct the cost of your car commuting expenses if you use the car to carry your tools, etc., and if you would not have used the car otherwise.

Some higher courts give the taxpayer an even better break. If you would have used your car to commute, even though you did not have to carry heavy tools, etc., the courts have nevertheless let you deduct a portion of your reasonable driving expenses which is allocable to transporting your tools. Last year, the Tax Court answered the question of how you figure the portion of costs allocable to carrying tools in the following situation.

Where an individual carried along a bag of tools weighing 32 pounds and measured 24"

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by 18" by 6", the court arbitrarily decided that he could deduct one-third of his car commuting expenses because that was the portion attributable to carrying the tools. If your tools and equipment are even bulkier or heavier, the Court may possibly allow a deduction for an even higher proportion of your car commuting expenses.

Even if you don't carry any tools or equipment, you may be able to deduct commuting expenses if you have to travel by car to a remote place of work.

The courts have made another exception to the general rule against deducting commuting expenses by allowing deductions for car commuting expenses to remote areas such as a logging area 20 to 40 miles from the nearest town, or a desert that was 46 miles from the nearest habitable area.

Last year, one court allowed a person who had to travel 27 miles from Bingham City, Utah, to his plant, to deduct his commuting expenses. It explained that the plant was in a remote area because the nearest possible home site to the plant was a small town of 500 persons 20 miles from the plant and this town had no adequate water or sewage facilities. There also was no public transportation from Bingham City to the plant.

Since many employes travel 25–30 miles each way to work, the key to a possible commuting expense deduction is whether the area in which the place of business is located is isolated enough from other possible residential areas and from public transportation to be remote. If it is, you might want to deduct your car commuting expense, although you may have to fight the Treasury in court on the deduction.

If you are among the huge numbers of employes who shifted to a new job location in 1968, you may find that because of a court decision, you owe more tax than you expected. Here's why.

Employers who shift employes or hire new ones who have to move, often pay all their direct moving expenses to the new location plus reimbursing them for post-arrival meals and temporary lodgings until they can move into a permanent home.

The tax law makes it clear that the employe is not taxable if the employer reimburses him for, or pays the direct expenses. But the Treasury insists that the post-arrival reimbursements are income to the employe. The Tax Court said the Treasury was wrong but an appeals court reversed and supported the Treasury.

It held that reimbursements to you, an employe, for post-arrival moving expenses are in the nature of cash bonuses intended to induce you to make the switch. And you cannot deduct these actual expenses because they are nondeductible personal expenses.

Mr. **WILLIAMS** of New Jersey. Mr. President, a ceiling of $400 or 5 percent of the taxpayer's adjusted gross income would be placed on the transportation deduction. In addition, the taxpayer could claim a deduction only for the first 80 miles of the round trip to and from work and only one round trip per day would be allowed.

The final proposal would reduce the statute of limitations applicable to persons with gross incomes less than $25,000 from 3 to 2 years. Since a taxpayer is allowed only 3½ months to file his return, I see no reason why the Government needs more than 2 years to decide if the return is correct.

Mr. President, I believe these proposals will greatly benefit the taxpayer whose income results primarily from wages and salaries—the taxpayer who for so long has carried more than his fair share of the income tax burden.

CHICAGO CITY COLLEGE

Mr. **PERCY**. Mr. President, the Chicago City College has an outstanding allied health training program which I should like to bring to the attention of my colleagues in the Senate.

We all know of the serious shortage of trained specialists in the health field. More than any other one factor, such a personnel shortage threatens the health of our Nation. Ways and means must be found to attract and train the necessary personnel to staff our Nation's clinics and hospitals. The Chicago City College program appears to be an excellent one and I ask unanimous consent that an article describing the program be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CITY COLLEGE TRAINS AIDS IN MEDICAL FIELD—PROGRAM FILLS GAP FOR PERSONNEL

At least a dozen colleges and schools across the country are pounding at the door of Chicago City college.

The reason is simple: Chicago City college's allied health program (A. H. P.) is the first of its kind in the nation, and it is succeeding in taking many persons, a large majority from the inner city, and training them for hospital jobs with good pay.

A. H. P. began in September, 1967, at the Crane campus in affiliation with 16 Chicago area hospitals. In general, the program consists of 14 weeks of general core curriculum on the particular field, coupled with communications skills needed in medicine, and then 14 weeks of on-the-job training in a cooperating hospital.

SEVERAL FIELDS AIDED

The program offers classes in these fields: Operating room technician, transfusion therapy aid, inhalation therapy aid, occupational therapy aid, ward clerk, pharmacy aid, and psychiatric aid.

There also are two-year programs leading to associate in arts degrees for inhalation therapists and X-ray technologists. There is no tuition for Chicago residents who enroll in courses at Chicago City college. There are limited registration fees.

John Robinson, an A. H. P. staff member and vocational guidance counselor said in the beginning the program had a high dropout rate.

He said 79 students enrolled in September, 1967, and only 31 graduated in March, 1968.

DROPOUT REASONS

"There are many reasons why they dropped out," he said. "Perhaps the most important is financial. Heads of households had to drop out when they realized they had too many responsibilities that kept them from attending classes."

Others found it "tough," he said. But, he added, of the 39 who dropped out, 20 returned at a later date.

"They find that you can get a job without too much effort, but these are mostly low-paying, boring and routine occupations," he said. "In comparison, by completing the allied health program they can get a challenging job with a good salary plus prestige."

JOBS ARE AVAILABLE

Word got around, and more people came, and more stayed in. When the fall term began last September, 280 students enrolled. And a spokesman for the college said he would like to see the program expanded even more. He calls it a job training program with promise, "because jobs are available when they graduate. It isn't just on paper."

"We could place 400 persons right now," Robinson said. In expansion, the college is adding community health aid and dental health aid to the courses.

Teachers for the course are well qualified, the spokesman said. Hospitals help supply instructors. One such key figure is Dr. Peter Farago, a member of the American Board of Internal Medicine and an assistant clinical professor of medicine at the University of Illinois medical school. He helped institute the program at Presbyterian-St. Luke's Hospital.

COMPLEX COURSE GIVEN

Dr. Farago said the course for operating room technician, instead of the usual 28-week course, lasts for a year due to its complexity.

Other trainees in various fields have pointed out other benefits to them. Potential for high incomes, pride in oneself, and pride that comes to them thru their children.

One woman, a divorcee and mother of seven children, hadn't thought of getting a full-time job because of the children. But, with help, she found day care for the children and enrolled in inhalation therapy aid training.

CHILDREN TELL PRIDE

She said her children now boast to friends, "Mommy works in a hospital and wears a white uniform to work every day and makes sick people well again."

Mrs. Elizabeth Wolfey Seigel, program director and assistant dean at the Crane campus, said the program was designed to ease the shortage of trained hospital technicians.

Chicago City college also is making plans for a skill center for 12-week courses to help the hard-core unemployed.

SAVE YOUR VISION WEEK

Mr. **WILLIAMS** of New Jersey. Mr. President, this is the sixth annual Save Your Vision Week proclaimed by the President on authority of Congress. It is a fitting time to take a moment to remind Senators of the significance this special observance carries to all our citizens.

The purpose of observing this week continues to be the education of the public to the importance of good vision and on ways to protect it. This importance is illustrated by the fact that each year 30,000 Americans become blind. Early detection would prevent half of these tragedies.

This irreplaceable gift of vision can be preserved. Eye examinations, beginning during preschool years and continuing periodically through life, can detect sight defects early enough for corrective or preventive measures. Periodic examinations of adults can reveal elevated pressure within the eye soon enough to prevent blindness from glaucoma.

John Masefield wrote:

> One ought to see everything that one has a chance of seeing; because in life not many have one chance and none has two.

This expresses the importance of the wonderful and priceless gift of sight.

The task of preserving this gift is in the able hands of optometry, medicine and other health care professions. This week is a proper time for Congress to express its appreciation to these men and women of the health care professions by extending sincere thanks for a job well done.

This week should also mark the rededication by the health care professions and Congress to the goal of better vision care for all Americans.

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TRIBUTE TO THE LATE SENATOR BARTLETT

Mr. FONG. Mr. President, I regret very much that I was unavoidably absent in Hawaii when the Senate paid tribute to our late friend and distinguished colleague, Bob Bartlett.

Bob Bartlett held a distinctive place in the history of Alaska and in the Congress. He was elected seven times as Delegate from the Territory of Alaska to the U.S. House of Representatives—a longer tenure than was served by any other person representing that territory. He held the post immediately prior to the time Alaska became the 49th State, a goal he vigorously championed.

After statehood, he became the first senior Senator from Alaska. He was elected three times to the Senate. If he had survived the recurrent heart condition last December and returned to these Chambers for the 91st Congress, Bob and I would have been the only Members to have served continuously in the Senate since our respective Territories were admitted into statehood.

Statehood was Bob's greatest goal and achievement. He poured his tremendous energy and enthusiasm into the drive that made Alaska the 49th State a decade ago.

With the statehood dream fulfilled, the people of Alaska in fitting tribute returned Bob Bartlett to Congress—no longer as a voteless Delegate in the House from a territory but now as a full-fledged Senator from the largest State of the Nation.

Bob labored diligently on the many difficult problems of Alaska's transition from a territory to a State. He continued to serve his State with the dedication and zeal characteristic of his long and outstanding career of public service before, during, and after statehood. His record of legislative achievements won the high esteem and respect of the people of Alaska.

To those of us who had the privilege of serving with him, Bob Bartlett symbolized his beloved Alaska and her people—warmhearted, forward-looking, generous. In his unpretentious ways, he won numerous friends for Alaska. He will be sorely missed by all of us.

Mrs. Fong and I extend our heartfelt sympathy and sorrowful aloha to Mrs. Bartlett and the family.

TRIBUTE TO ALAN JAY MOSCOV

Mr. SPARKMAN. Mr. President, I wish to congratulate Alan Jay Moscov for his 5½ years of service to the Federal Home Loan Bank Board and to our Government. Mr. Moscov recently announced his resignation as the Board's General Counsel to enter the private practice of law in California.

After 3 years of service as a top aide on the staff of Gov. Edmund G. Brown, of California, Alan moved to Washington to become the Board's Deputy General Counsel in 1963. As Deputy General Counsel his work included participation in some of the Board's major litigation and he assisted in the drafting of new regulations on the scope of insurance coverage under the National Housing Act. He was the Board's chief lawyer in the first involuntary liquidation proceeding for a saving and loan association in modern time.

In 1967, during the chairmanship of John E. Horne, Mr. Moscov was appointed General Counsel to the Board. As General Counsel, he has had a key role in the promulgation of many regulations, the most notable of which implement the Holding Company Act of 1967, the Receivership and Housing and Urban Development Acts of 1968, and he has been responsible for interpretation of these and other statutes.

Alan Moscov was born in Syracuse, N.Y., and graduated from Syracuse University magna cum laude and Phi Beta Kappa in 1951. In 1954 he graduated from Yale Law School and then served for 1 year as law clerk to Judge Carroll C. Hincks of the U.S. Circuit Court of Appeals for the Second Circuit. Thereafter he served for 1 year as law clerk to Mr. Justice Harold H. Burton of the U.S. Supreme Court. He was a founder of the Jerry D. Worthy Memorial Fund, which honors the late Director of the Federal Savings and Loan Insurance Corporation.

He has had many occasions to work with the Senate Committee on Banking and Currency and its staff, and I have admired his performance. I wish him and his family well in California and am confident that his devotion to service in the public interest will continue.

WELL DONE, MR. PRESIDENT

Mr. BENNETT. Mr. President, President Nixon has returned from Europe after successfully implementing the principles contained in his brilliant, but realistic inaugural address. Facing the problem of a declining NATO, a disunited Europe, and a certain amount of distrust and misunderstanding in major European capitals, the new President went to Europe to discuss and to listen. He knew that an American President could no longer tell Europe collectively or separately what must be done. Mr. Nixon, as he did in his inaugural address, did not go to Europe advocating that he would solve all the problems. He knew that the times called for a lowering of voices and a new dialog, not only between the leaders, but with the people. He went with a keen sense of history, knowing that problems still exist that must be resolved in new ways. Wherever the President went, he left an impression that there is new leadership in Washington, leadership that can be trusted, and perhaps more importantly, leadership that will communicate with Europeans as equals. President Nixon reaffirmed the American role in NATO. He traveled to Berlin and restated America's unequivocable commitment to keep that brave city free. He went to Paris and rekindled the dying spark of American-French friendship and cooperation. He returned to the United States with a new understanding, having left behind a new trust which will now be used to formulate new policies and directions. In the field of American-European relations, he has accomplished what he has also been able to do in the United States. The President has brought a new calm and a new atmosphere wherein new solutions can be forged.

Being a realist, Mr. Nixon has not returned home claiming that solutions had been found to existing and pressing problems. He fully realizes the futility of hollow success claims.

Press comment and reports regarding President Nixon's trip have been very complimentary. The New York Times said:

> President Nixon's successful tour of Europe has opened a vital effort to unite the West for negotiations with the East . . . But the new and more intimate kind of consultation with the NATO allies initiated by Mr. Nixon will be useful whatever the future may hold . . . the progressive estrangement of the United States from its European partners has been halted and perhaps reversed.

The Washington Star stated:

> President Nixon has reason to feel a deep sense of satisfaction with the mission he has accomplished in free Europe . . . a promising beginning has been made. He has impressed all the leaders—in Brussels, London, Bonn, West Berlin, Rome and Paris—with his repeated emphasis on give-and-take consultation between us.

As I review the performance of President Nixon in the first 6 weeks, I feel that he combines some of the great attributes of many Presidents. Mr. Nixon brings to his office the courage and fortitude of Harry Truman, the dignity and respect of Dwight Eisenhower, the unique ability to communicate of President Kennedy, and a compassion for people as displayed by President Johnson. Added to this is a unique Nixon sense of history and the Lincoln attribute of having gone to the top in spite of past devastating political defeats. I share the views of the people of my State when I say that we are proud, exceptionally proud, of the President of the United States. His tremendous victory in Utah, his decision to invite the Mormon Tabernacle Choir to the Inauguration, and his choice of many Utahans to serve at Cabinet and sub-Cabinet levels have prompted the Utah Legislature to pass a concurrent resolution congratulating the President.

I wish to add my complete support and endorsement of the resolution, and ask unanimous consent that it be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

SENATE CONCURRENT RESOLUTION 2

A concurrent resolution of the 38th Legislature of the State of Utah, the Governor concurring therein, congratulating the President of the United States on his inauguration, pledging support to the President, and expressing appreciation to the President for recognition of the State of Utah and her people in his inauguration and administration

Be it resolved by the Legislature of the State of Utah, the Governor concurring therein:

Whereas, Richard Milhous Nixon has now been inaugurated as the thirty-seventh President of the United States, and

Whereas, the President invited the participation of the Mormon Tabernacle Choir, the Tooele High School Band, and individuals from the State of Utah in the very successful inaugural ceremony, and

Whereas, the President has appointed George W. Romney and David M. Kennedy, two famous former Utahans, to the Cabinet of the Administration: Now, therefore, be it

Resolved, That the 38th Legislature of the State of Utah, the Governor concurring therein, hereby congratulates Richard Milhous Nixon on his inauguration, pledges support to the President, commends the President on his most timely and important message contained in his inaugural address, and conveys sincere thanks to the President for his consideration of the State of Utah and her people; be it further

Resolved, That a copy of this resolution be sent to the President of the United States and the Congressional delegation from Utah.

AMERICA'S ENDANGERED WILDLIFE

Mr. MUNDT. Mr. President, last Saturday I had the privilege of visiting with Mr. George Laycock of Cincinnati, Ohio, author of the new book entitled: "America's Endangered Wildlife."

Mr. Laycock is one of the country's most knowledgeable conservationists as well as being a top-notch writer and photographer. His new book discusses the plight of many of our most endangered species of wildlife, including the Key deer, Ivory-billed woodpecker, the Masked Bobwhite quail and the Whooping crane.

It is well written, understandable to the layman, while still pinpointing many technical conservation problems. I commend this book to my colleagues and to citizens everywhere who are interested in preserving America's threatened wildlife resources.

"America's Endangered Wildlife" is published by W.W. Norton & Co., Inc., of New York City, and should be a constructive addition to all school and college libraries and to the personal libraries of sportsmen and conservationists throughout the Nation, as well.

THOMAS MASARYK

Mr. SCOTT. Mr. President, today freedom-loving people the world over pause to observe the birth date of a great patriot, Thomas Masaryk, first President of Czechoslovakia.

Many Americans of Czech and Slovak descent helped Masaryk win Czechoslovakia's independence in World War I. For the next 20 years, democratic government flourished in Czechoslovakia. Then came the tragic ordeal of Hitler and World War II.

For a brief period following the war, Czechoslovakia again emerged as a free republic under the leadership of Jan Masaryk, the son of the first President. But Communist occupation, and the mysterious death of Jan Masaryk, dealt a new blow to Czech aspirations for freedom.

The Communists, for 20 years, attempted to defile the name of Thomas Masaryk and his son. History books were destroyed or rewritten in order to erase from the Czech mind the name of Masaryk.

Despite Communist indoctrination, the name Masaryk and the ideal for which it stands lives on in Czechoslovakia. Despite the ruthless Soviet invasion 6 months ago, and the stifling of liberalization since then, the spark of freedom still lives in the name of Masaryk and in the hearts of the Czech people. In the past 6 months in Czechoslovakia new names, such as Jan Palach, have been added to the long list of those who make the supreme sacrifice for the sake of freedom.

From suffering the lack of liberty to protest, to sacrifice—each step is longer and more painful than the one before. But the goal propels mankind onward, and the example of Czechoslovakia is one which inspires men to achieve that goal of freedom from tyranny.

DANGEROUS EMPHASIS ON VIOLENCE ON TV PROGRAMS

Mr. DODD. Mr. President, I was particularly heartened to read in the press of the excellent suggestion made by the senior Senator from Rhode Island (Mr. Pastore) that the Department of Health, Education, and Welfare take immediate action to put an end to the morbid and dangerous emphasis on violence which characterizes so many of our TV programs.

I am equally heartened by the prompt response given to the distinguished Senator by the Secretary of Health, Education, and Welfare.

It is high time for action.

Because the Senate Juvenile Delinquency Subcommittee has been active in this field for many years, I have today written a letter to Secretary Finch on the subject.

The letter points out that I made a similar request for action to the Department of Health, Education, and Welfare in 1962 and received assurance that the Department would move on this matter immediately.

I regret to say, however, that 7 years have now passed and nothing has been accomplished.

If anything there is more violence, more mayhem, more programs appealing to our baser instincts on television today than there was in 1955 when the late Senator Estes Kefauver first brought this matter to the attention of the Congress and the American public.

Mr. President, I ask unanimous consent that my letter to the Secretary of the Department of Health, Education, and Welfare be printed in the Record, along with several other items pertaining to the work which the Senate Juvenile Delinquency Subcommittee has done through the years on this matter.

There being no objection, the material was ordered to be printed in the Record, as follows:

U.S. Senate,
Washington, D.C., March 7, 1969.

Hon. Robert H. Finch,
Secretary, Department of Health, Education, and Welfare, Washington, D.C.

Dear Mr. Secretary: I was very pleased to read in the press that the Department of Health, Education, and Welfare, under your leadership, has taken prompt action in response to Senator Pastore's request to make every effort to terminate the harmful effects which television violence has had on youthful viewers.

I stand ready to assist you in this effort in any way that I can, for, as you may know, the Senate Juvenile Delinquency Subcommittee, which I chair, has been involved in this subject for many years.

The late Senator Estes Kefauver conducted extensive hearings in 1955 and a report was released which indicated, beyond any question of a doubt, that violence on television has a demonstrable adverse effect on youthful viewers.

After assuming the chairmanship of the Subcommittee, I called executives of the television industry in June and July of 1961 and again in January and May of 1962 to testify further on the "Effects on Young People of Violence and Crime Portrayed on Television."

In addition, in March of 1962, I requested the Secretary of Health, Education, and Welfare to sponsor a conference on TV violence. In response to this request, action was promised by the Department.

In July of 1964, with TV violence increasing instead of decreasing, the Senate Juvenile Delinquency Subcommittee reopened hearings. At the termination of the hearings, an interim report was issued which strongly urged the networks to reduce the violence portrayed in their programs. Responsibility for achieving this goal was firmly placed on all three networks.

Seven years have now passed since the assumption of control on the part of the Department of Health, Education, and Welfare and since the networks were charged with self-policing. Although many requests were made during this period for progress reports, I regret to say that no such reports have been received and nothing of significance has been accomplished. For this reason, I am especially heartened to learn of your initiative in this matter.

In an effort to assist you, I am enclosing copies of the transcript of the relevant hearings, a copy of the interim report of the Subcommittee on Juvenile Delinquency which contains pertinent findings and recommendations, and copies of my correspondence with the Department of Health, Education, and Welfare.

I think you will agree upon reading the enclosures that most of the facts are already in. While it may well prove necessary to bring the material up to date, I suspect that you will not need an extensive investigation. What is needed, instead, as the enclosures so clearly indicate, is an immediate effort to terminate violence on television.

Once again, I commend you on your prompt action in response to Senator Pastore's request, and I look forward to assisting you in any way that I can.

With kind regards.

Sincerely yours,

Thomas J. Dodd.

March 19, 1962.

Hon. Abraham Ribicoff,
Secretary of Health, Education, and Welfare, Washington, D.C.

Dear Secretary Ribicoff: As you may know, a number of eminent witnesses, in testifying before the Senate Subcommittee to Investigate Juvenile Delinquency in its inquiry into the impact and effects of crime-and-violence television programs on children and adolescents, have reported a need for a special conference on the subject. Their testimony has confirmed that much useful research also remains to be done with regard to the effects on young people of other aspects of television.

In the light of this testimony, Dr. Ralph J. Garry of the School of Education, Boston University, who has been acting as special consultant to the subcommittee in its television inquiry, has worked out a project for a conference that would bring expert researchers and leaders in the television industry together to take affirmative action to get the necessary research accomplished. The conference would also discuss the general problems of programming for children

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and adolescents and how programs for them may be improved. The conference would take place in two stages—the first stage consisting of small meetings (a) of expert researchers, to map out the necessary research, and (b) of program specialists, to make recommendations on need programs for children and adolescents. The second stage would be a meeting of the industry leaders to consider the recommendations prepared in the first stage, to determine how the necessary research should be financed and administered, and to reach conclusions on programming for children and adolescents. It is hoped that the first stage can meet around May 1, and the second stage at the end of May or in early June. Dr. Garry has already had a preliminary discussion of this project with Dr. Lloyd Ohlin of your department.

I am heartily in favor of the project and believe that the Department of Health, Education, and Welfare can be of material assistance. With this in mind I should like to make several requests. First, that your department be the sponsoring agency and that invitations to the conference be issued directly by you. Second, that your department provide a meeting place and the accessory services, such as secretarial assistance, for the second stage of the conference. This will not be necessary for the first stage because of the small number of its participants. I might add that it is Dr. Garry's anticipation that the travel and other expenses of participants will be met by either the Foundation for Character Education (Boston, Massachusetts) or the Ford Foundation or both, and hence there need be no expenditure of funds by your department for this purpose. Third, that the findings and final recommendations of the conference with regard to future research into the effects of television on children and adolescents be published by your department, perhaps as an Office of Education document. A second document, this one on children's programming, will also come out of the conference, but it is anticipated that it will be published by the Foundation for Character Education.

If the foregoing meets with your approval, I suggest that you appoint a representative of your department to work out with Dr. Garry the many necessary details.

With best personal regards, I am,

Sincerely yours,

Thomas J. Dodd,
Chairman.

March 30, 1962.

Hon. Thomas J. Dodd,
U.S. Senate,
Washington, D.C.

Dear Senator Dodd: Thank you for your letter of March 19, 1962, regarding your proposal for a series of conferences on the impact and effects of crime and violence television programs on children and youth. I believe this is a very important subject and one that requires careful, professional scrutiny. Therefore, I will be happy to do whatever I can to assist in this inquiry.

We will be very glad to accept this responsibility of sponsoring these inquiries as you outlined in your letter. I have appointed Mr. Bernard Russell, my Deputy Special Assistant for Juvenile Delinquency, to work with Dr. Garry on this project.

Please feel free to call on him for any help that is necessary.

Sincerely yours,

Abraham Ribicoff,
Secretary.

April 5, 1962.

Dr. Frank Stanton,
President, Columbia Broadcasting System, Inc., New York, N.Y.

Dear Dr. Stanton: I enclose a copy of an exchange of correspondence between myself and the Secretary of Health, Education, and Welfare, Abraham Ribicoff, in which I have asked that a conference be called under the aegis of his agency to discuss further necessary research into the effects of television on children and to discuss the problems of progamming for children. The Secretary has endorsed the conference proposal set forth in my letter.

I am sure you will agree that such a conference can produce lasting beneficial results, both to the television industry and to the American public generally. I am equally sure you will want your network to participate in the conference as fully as possible, and with this in mind I should like to request that you select as your representative a person of sufficient position to speak authoritatively for you. If you would let me know the name of your representative, I will pass this information on to Dr. Ralph Garry, the subcommittee's special consultant, and Mr. Bernard Russell, of the Department of Health, Education, and Welfare, who will work out with him the necessary arrangements.

Sincerely yours,

Thomas J. Dodd,
Chairman.

Columbia Broadcasting System, Inc.,
New York, N.Y., June 29, 1962.

Hon. Thomas J. Dodd,
U.S. Senate,
Washington, D.C.

Dear Senator Dodd: In response to your letter requesting me to suggest a CBS representative to participate in the conference you proposed to the Secretary of Health, Education and Welfare, I named Frank Shakespeare, Vice President of the CBS Television Network Division. Now that Dr. Joseph Klapper is about to take up his duties as Director of Social Research, Columbia Broadcasting System, Inc., I would like to propose that he also represent us, if this is agreeable with you.

In our recent meeting, I told you of Dr. Klapper's appointment. As you know, Dr. Ralph Garry has invited Dr. Klapper to attend a meeting in connection with the conference. We are pleased to be able to have Dr. Klapper serve. I am sure he is well qualified to do so, and will be helpful.

I am enclosing a copy of the announcement we made regarding Dr. Klapper's appointment. He will take up his duties at CBS beginning July 10.

With all good wishes.

Sincerely,

Frank Stanton,
President.

April 5, 1962.

Mr. Leonard H. Goldenson,
President, American Broadcasting Co.
New York, N.Y.

Dear Mr. Goldenson: I enclose a copy of an exchange of correspondence between myself and the Secretary of Health, Education, and Welfare, Abraham Ribicoff, in which I have asked that a conference be called under the aegis of his agency to discuss further necessary research into the effects of television on children and to discuss the problems of programming for children. The Secretary has endorsed the conference proposal set forth in my letter.

I am sure you will agree that such a conference can produce lasting beneficial results, both to the television industry and to the American public generally. I am equally sure you will want your network to participate in the conference as fully as possible, and with this in mind I should like to request that you select as your representative a person of sufficient position to speak authoritatively for you. If you would let me know the name of your repesentative, I will pass this information on to Dr. Ralph Garry, the subcommittee's special consultant, and Mr. Bernard Russell, of the Department of Health, Education, and Welfare, who will work out with him the necessary arrangements.

Sincerely yours,

Thomas J. Dodd,
Chairman.

American Broadcasting Co.,
New York, N.Y., April 12, 1962.

Hon. Thomas J. Dodd,
U.S. Senate,
Washington, D.C.

Dear Senator Dodd: I have your letter of April 5 relating to the exchange of correspondence between yourself and Secretary Ribicoff with respect to the conference you have proposed. We believe that such a conference might also explore many of the facets of the problems your committee has been dealing with, in addition to television, and apppreciate your kind invitation to participate in all its phases.

Since the television phase of the conference will deal with both research and program matters, we believe it would be most helpful to have us designate both a research and a program person to participate. Accordingly, we would like to designate Mr. Fred Pierce, our Director of Research and Mr. Giraud Chester, our Vice President in Charge of Daytime Programming as our representatives to the conference.

Sincerely,

Leonard H. Goldenson,
President.

April 5, 1962.

Hon. LeRoy Collins,
President, National Association of Broadcasters, Washington, D.C.

Dear Governor Collins: I enclose a copy of an exchange of correspondence between myself and the Secretary of Health, Education, and Welfare, Abraham Ribicoff, in which I have asked that a conference be called under the aegis of his agency to discuss further necessary research into the effects of television on children and to discuss the problems of programming for children. The Secretary has endorsed the conference proposal set forth in my letter.

I am sure you will agree that such a conference can produce lasting beneficial results, both to the television industry and to the American public generally. I am equally sure you will want your organization to participate in the conference as fully as possible, and with this in mind I should like to request that you select as your representative a person of sufficient position to speak authoritatively for you. If you would let me know the name of your representative, I will pass this information on to Dr. Ralph Garry, the subcommittee's special consultant, and Mr. Bernard Russell, of the Department of Health, Education, and Welfare, who will work out with him the necessary arrangements.

Sincerely yours,

Thomas J. Dodd,
Chairman.

National Broadcasting Co., Inc.,
New York, N.Y., April 11, 1962.

Hon. Thomas J. Dodd,
Chairman, Subcommittee To Investigate Juvenile Delinquency, U.S. Senate, Washington, D.C.

My Dear Senator Dodd: Thank you for your letter of April 5, with the enclosed correspondence, informing me of the proposed conference on the impact and effects on children and adolescents of crime and violence programs on television, to be held under the auspices of the Secretary of Health, Education and Welfare.

In accordance with your request, I am pleased to designate as NBC's representative, Mr. Hugh M. Beville, Jr., Vice President, Planning and Research. Mr. Beville is not only recognized as one of the outstanding experts in the field of broadcast research, but he also has a broad knowledge and background in broadcasting generally. I am certain that he can be of valuable assistance in both phases of the proposed conference.

While you and your Committee have been deeply interested in the question of television programming and its relationship, if any, to juvenile delinquency, I am sure that you recognize that the problem is broader than that. Therefore, I should like to express the hope that the scope of the conference will be broad enough to include the effects of other mass media upon children and that it will study the whole range of possible effects rather than only possibly detrimental ones.

Warm regards,

Cordially,

ROBERT W. SARNOFF.

[From the U.S. Department of Health, Education, and Welfare, July 9, 1962]

JUVENILE DELINQUENCY

Plans for a series of conferences leading to research into the effect of television upon children were announced today by the Secretary of Health, Education, and Welfare, Abraham Ribicoff.

"We expect these conferences to outline research projects which will be designed to provide greater knowledge of the impact of television on children and to make this knowledge available in a practical way as material for consideration by those having responsibility for the presentation of television programs," Mr. Ribicoff said in announcing plans for the conferences.

The project was hailed by the president of the National Association of Broadcasters, LeRoy Collins, former Governor of Florida, who said:

"We are pleased to see the undertaking of such broadly based planning of research. The television industry welcomes the development of authoritative information regarding the effects of television on children which should prove helpful in serving their needs and interests. Our association stands ready to assist in whatever ways it can."

Preceding actual research will be planning conferences, sponsored by HEW and participated in by professional educators, specialists in child welfare, mass communications researchers, and representatives of the television industry.

Purposes of these conferences are:

To devise ways of conducting research on this subject.

To recommend specific research projects on the relationship of television to children.

To recommend research projects that would be of aid to the television industry in its exploration of techniques to be used in programs for children.

Directing the planning conferences will be a steering committee, under the chairmanship of Bernard Russell, Deputy Special Assistant to Secretary Ribicoff, and consisting also of the following representatives of education and television:

Howard H. Bell, vice president for industry affairs, National Association of Broadcasters; Hugh M. Beville, Jr., vice president for planning and research, National Broadcasting Company; Giraud Chester, vice president in charge of daytime programming, American Broadcasting Company television network; Dr. Ralph Garry, College of Education, Boston University; Donald H. McGannon, president, Westinghouse Broadcasting Company, and Frank Shakespeake, vice president and assistant to the president, Columbia Broadcasting System television network.

This steering committee will meet shortly to prepare the schedule and invite participants for the planning conferences, which are expected to be held early this fall.

The Foundation for Character Education will contribute funds and services to the planning conferences. HEW will publish results of the conference.

Financing for or sponsorship of research growing out of the planning conferences may be undertaken by a number of different organizations.

The project originated from a recommendation by Senator Thomas J. Dodd of Connecticut, suggested by Governor Collins during the course of hearings held by Senator Dodd's subcommittee on juvenile delinquency, that the Secretary of Health, Education, and Welfare sponsor the planning of research.

Commenting on the project, Secretary Ribicoff said:

"There are a great number of factors which influence the lives of children—their families, schools, communities, books, movies, and television. Much has been said of the influence of television, good and bad, on the behavior and lives of children. Since children spend a great deal of time in watching television, it is our hope that we can separate fact from fancy in the variety of claims and counterclaims that surround this medium.

"We are sponsoring this project with no preconceived ideas but with a sincere desire to find out what we can about the relationship between television and the behavior of children in relation to the various other influences on their behavior.

"Out of this project, we hope, will come a better understanding of the effects of television upon young people and data indicating how its rich potentials can best be utilized to help fulfill the special needs of children in this complex and changing world."

The steering committee, according to Chairman Russell, will select the projects to be undertaken, attempt to arrange necessary financial support, and establish the appropriate mechanism for supervising the research work.

"We recognize, of course, that the responsibility for determining the content of programming lies with the broadcasters, and it is not our intention to interfere with that responsibility," he said.

"On the contrary, we expect the results of this work to be an aid, an additional resource, to the broadcasting industry.

"We hope that these results will be of sufficient merit—from the standpoint of practical application as well as scholarly research—to be of genuine assistance to those responsible for television programming and, thereby, of great indirect advantage to the American people."

[From the Chicago (Ill.) News, July 9, 1962]

U.S. PLANS STUDY OF TV IMPACT ON YOUNG PEOPLE—BROADCASTERS ASSOCIATION PLEDGES SUPPORT

WASHINGTON.—The government has announced plans for a thorough study of the impact television has on the nation's children. The industry offered its support.

Welfare Sec. Abraham A. Ribicoff said Sunday project's aim is to "separate fact from fancy" in the charges and countercharges about TV's effect on the young.

"Out of this project, we hope," Ribicoff said, "will come a better understanding of the effects of television upon young people and data indicating how its rich potentials can best be utilized to help fulfill the special needs of children in this complex and changing world."

Leroy Collins, president of the National Assn. of Broadcasters, said:

"The television industry welcomes the development of authoritative information regarding the effects of television on children which should prove helpful in serving their needs and interests. Our association stands ready to assist in whatever way it can."

Planning conferences leading up to actual research in the field will be held this fall. These will be directed by a steering committee headed by Ribicoff's deputy special assistant, Bernard Russell.

To take part in the planning sessions are professional educators, child welfare specialists, mass communications research experts and representatives of the TV industry.

Russell said the steering committee will select specific projects, arrange financial support and set up a system for supervising the research.

The study grew out of recommendations by Collins and Sen. Thomas J. Dodd (D-Conn.) during hearings by Dodd's subcommittee on juvenile delinquency.

Ribicoff said the research would be carried out within the framework of various other factors that influence children, such as families, and movies.

[From the New York Herald Tribune, July 9, 1962]

TV EFFECT ON CHILDREN? NEW GOVERNMENT STUDY

WASHINGTON.—The government announced plans yesterday for a thorough study of the impact television has on the nation's children. The industry offered its blessing and support.

Secretary Abraham A. Ribicoff, of Health, Education and Welfare, said in announcing the project that a principal aim was to "separate fact from fancy" in the claims and counterclaims about television's effect on the young.

"Out of this project, we hope," Mr. Ribicoff said, "will come a better understanding of the effects of television upon young people and data indicating how its rich potentials can best be utilized to help fulfill the special needs of children in this complex and changing world."

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"We recognize, of course," he said, "that the responsibility for determining the content of programming lies with the broadcasters, and it is not our intention to interfere with that responsibility.

"On the contrary, we expect the results of this work to be an aid, an additional resource, to the broadcasting industry.

"We hope that these results will be of sufficient merit—from the standpoint of practical application as well as scholarly research—to be of genuine assistance to those responsible for television programming and, thereby, of great advantage to the American people."

The study grew out of recommendations by Mr. Collins and Sen. Thomas J. Dodd, D., Conn., during hearings by Sen. Dodd's subcommittee on juvenile delinquency.

Secretary Ribicoff said the research would be carried out within the framework of families, schools, communities, books and movies.

"We are sponsoring this project with no preconceived ideas," the Secretary said, "but with a sincere desire to find out what we can do about the relationship between television and the behavior of children in relation to the various other influences on their behavior."

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[From the New York Times, July 9, 1962]

Impact of TV on Children To Be Evaluated by United States—Ribicoff Announces Far-Reaching Study To Distinguish "Fact From Fancy"—Industry Offers Its Support

WASHINGTON, July 8.—The Government announced plans today for a thorough study of the impact of television on the nation's children. The industry offered its approval and support.

Abraham A. Ribicoff, Secretary of Health, Education, and Welfare, said in announcing the project that a primary aim was to "separate fact from fancy" in the claims and counterclaims on television's effect on children. He said:

"Out of this project, we hope will come a better understanding of the effects of television upon young people and data indicating how its rich potentials can best be utilized to help fulfill the special needs of children in this complex and changing world."

Leroy Collins, president of the National Association of Broadcasters, said:

"The television industry welcomes the development of authoritative information regarding the effects of television on children which should prove helpful in serving their needs and interests. Our association stands ready to assist in whatever way it can."

Planning conferences leading up to actual research in the field will be held this fall. They will be directed by a steering committee headed by Mr. Ribicoff's deputy special assistant, Bernard Russell.

Taking part in the planning session will be professional educators, child welfare specialists, mass communications research experts and representatives of the television industry.

Mr. Russell said the steering committee would select specific projects, arrange financial support and set up a system for supervising the research.

"We recognize, of course," Mr. Russell said, "that the responsibility for determining the content of programming lies with the broadcasters, and it is not our intention to interfere with that responsibility.

"On the contrary, we expect the results of this work to be an aid, an additional resource, to the broadcasting industry."

The study grew out of recommendations by Mr. Collins and Senator Thomas J. Dodd, Democrat from Connecticut, during hearings by Mr. Dodd's subcommittee on juvenile delinquency.

Mr. Ribicoff said the research would be carried out within the framework of various other factors that influence children. Such as families, schools, communities, books and movies.

"We are sponsoring this project with no preconceived ideas," the Secretary said, "but with a sincere desire to find out what we can about the relationship between television and the behavior of children in relation to the various other influences on their behavior."

[From the St. Louis Post-Dispatch, July 9, 1962]

Television Impact on Children To Be Studied by Government—Industry Offers Its Cooperation—Research Not Intended To Interfere With Programing

WASHINGTON, July 9.—The Government plans a thorough study of the impact television has on children. The industry has offered its support.

Secretary of Health, Education and Welfare Abraham A. Ribicoff said yesterday the principal aim of the project was to separate fact from fancy about television's effect on the young.

"Out of this project," Ribicoff said, "we hope will come a better understanding of the effects of television upon young people and data indicating how its rich potentials can best be utilized to help fulfill the special needs of children in this complex and changing world."

Leroy Collins, president of the National Association of Broadcasters, said:

"The television industry welcomes the development of authoritative information regarding the effects of television on children which should prove helpful in serving their needs and interests. Our association stands ready to assist in whatever way it can."

Planning conferences will be held this fall, before field studies begin. Professional educators, child welfare specialists, mass communications research experts and representatives of the television industry will take part.

Bernard Russell, deputy special assistant to Ribicoff, said a steering committee will select specific projects, arrange financial support and set up a system for supervising the research.

"We recognize, of course," Russell said, "that the responsibility for determining the content of programing lies with the broadcasters, and it is not our intention to interfere with that responsibility.

"On the contrary, we expect the results of this work to be an aid, an additional resource, to the broadcasting industry."

The study grew out of recommendations by Collins and Senator Thomas J. Dodd (Dem.), Connecticut, in hearings by Dodd's subcommittee on juvenile delinquency.

[From the Washington Post & Times-Herald, July 9, 1962]

TV's Effects on Children To Be Studied

Whether Johnny can't read and gets into a lot of trouble because he watches too much television will be investigated by the Department of Health, Education and Welfare.

HEW Secretary Abraham Ribicoff has announced that his Department, in conjunction with educators and members of the television industry, will conduct research on the effects of television on children.

Ribicoff said a series of conferences would be held, beginning in the fall, to set up specific projects both to investigate the effects of TV and to find ways to use the medium for children's programming.

He said the project stemmed from a recommendation of Sen. Thomas J. Dodd (D-Conn.) made during hearings held by his subcommittee on juvenile delinquency.

Ribicoff said he feels that much of the material presently available in the field is contradictory. "It is our hope," he said, "that we can separate fact from fancy in the variety of claims and counterclaims that surround this medium."

"We are sponsoring this project with no preconceived ideas but with a sincere desire to find out what we can about the relationship between television and the behavior of children in relation to the various other influences" on them, he said.

[From the Raleigh (N.C.) News & Observer, July 10, 1962]

Government Plans Study of TV's Impact on Kids

WASHINGTON.—The government Monday announced plans for a thorough study of the impact television has on the nation's children. The industry offered its blessing and support.

Secretary Abraham A. Ribicoff of Health, Education and Welfare said in announcing the project that a big aim was to "separate fact from fancy" in the claims and counterclaims about television's effect on the young.

"Out of this project, we hope," Ribicoff said, "will come a better understanding of the effects of television upon young people and data indicating how its rich potentials can best be utilized to help fulfill the special needs of children in this complex and changing world."

NAB SUPPORTS STUDY

Leroy Collins, president of the National Association of Broadcasters NAB, said:

"The television industry welcomes the development of authoritative information regarding the effects of television on children which should prove helpful in serving their needs and interests. Our association stands ready to assist in whatever way it can."

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To take part in the planning sessions are professional educators, child welfare specialists, mass communications research experts and representatives of the television industry.

Russell said the steering committee will select specific projects, arrange financial support and set up a system for supervising the research.

"We recognize of course," Russell said, "that the responsibility for determining the content of programming lies with the broadcasters, and it is not our intention to interfere with that responsibility.

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FREEDOMS FOUNDATION

Mr. PERCY. Mr. President, last week I was privileged to attend a luncheon in the Capitol sponsored by the Freedoms Foundation at Valley Forge, a patriotic group of Americans.

The purpose of the lunch was to honor 13 members of the Armed Forces who had won the 1968 George Washington Honor Medal Award by preparing an outstanding essay on the subject: "A Free Ballot—A Free Country." That the lunch proved to be such a success was due in no small part to the Senate sponsor, the distinguished senior Senator from South Dakota (Mr. MUNDT), who

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was its host and who has been a guiding spirit behind the Freedoms Foundation for years.

I was most pleased that one of the 13 awardees, Lt. (jg.) Richard R. Hobbs, is a native of Bloomington, Ill. This young naval officer wrote a fine essay and I was pleased to be able to congratulate him personally.

The purpose of the Freedoms Foundation is:

To create and build an understanding of the spirit and philosophy of the Constitution and the Bill of Rights and of our indivisible bundle of political and economic freedoms inherent in them.

To inspire love of freedom and to support the spiritual unity born of the belief that man is a dignified human being created in the image of his Maker and, by that fact, possessor of certain inalienable rights.

It is a nonprofit, nonpartisan, nonsectarian, independent organization. Its funds come from the widest national sources—individuals, corporations and financial foundations. Every American is invited to contribute $1 or more annually and to participate in the foundation's awards program. Contributions to the foundation are deductible for Federal income tax purposes as provided by the Internal Revenue Code.

Freedoms Foundation constantly emphasizes the importance of education in strengthening and supporting the American way of life. Through its graduate credit seminars, teacher workshops, forums and lectures, the Foundations American Freedom Center now provides a focal point for teachers, educators, researchers and thought-leaders to be more fully informed of our heritage.

Over the years, more than 25,000 independent jury-selected awards have been granted. Every area of spiritual, economic, and civic life has been affirmatively recognized for work for God and country.

CONCLUSION OF MORNING BUSINESS

Mr. MANSFIELD. Mr. President, is there further morning business?

The VICE PRESIDENT. Is there further morning business? If not, morning business is concluded.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I believe that I received unanimous consent to be recognized at the conclusion of morning business. I ask unanimous consent at this time that I may yield to the distinguished Senator from Maryland (Mr. MATHIAS) and that at the conclusion of his remarks, I may then be recognized.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MATHIAS. Mr. President, I express my deep appreciation to the distinguished majority leader for his consideration in making this time available to me.

THE ANTI-BALLISTIC-MISSILE SYSTEM

Mr. MATHIAS. Mr. President, with the candor and objectivity that have distinguished the beginning of the Nixon administration, the President this week disclosed to the American people and to the world the fact that the National Security Council is completing its study of our defense against missiles and is making its final recommendations to him. By saying that he will address himself to these recommendations in the days immediately ahead the President has signaled to us that he now faces the anxiety and the loneliness that are inescapable in the course of making a fateful presidential determination. We cannot and should not be silent witnesses to this grave and historic process, for our concern for the Nation and our respect for the President demand that we contribute to the general dialog out of which the broadest possible public understanding may evolve. It is only in a climate of informed debate and widespread knowledge that the President can have that full latitude of decision which is necessary in dealing with a question that is complex enough to confound our minds and basic enough to stir very deep emotions.

We are facing a crucial decision which will affect the defense and security of the United States for years to come. We must decide whether to proceed with deployment of the Sentinel anti-ballistic-missile system, whose construction has recently been halted; and we must consider whether to expand that system beyond the level now planned for it.

Today I would like to present my own thoughts on these issues.

I believe that there can be no compromise with our defense, no avenue left unexplored, no possibility overlooked which might contribute to our search for security and peace. There is no cost or sacrifice too great to bear if it will make us all more safe.

But we must understand that we are now living in an age when increasing reliance on military force, and the purchase of every new weapon may not contribute to our defense. Now, as never before, we must critically examine each and every suggestion on its merits, not merely because of the immense cost of today's weapons systems—cost which inevitably mean sacrificing some other national goal. We must also be sure that the defenses we buy will indeed defend, and we must be sure that new defensive systems do not actually decrease our overall security.

Today our Nation is more involved in the world community than at any other time in our history, not just because we have assumed major burdens for the defense of peace and freedom in many areas beyond our shores, but also because we have become, for the first time, directly vulnerable to massive attack by potential adversaries. The strategic bomber and the intercontinental ballistic missile have obliterated our traditional protection of the seas and our continental defense.

Civilization that was millennial in the making can be disintegrated in minutes. We have no shield that will permit us to survive a holocaust and still welcome the future. We have been forced back upon a second line of security: the deterrence of attack by any potential aggressor, through our ability to rain destruction on him in inexorable retaliation.

We have achieved this deterrence of nuclear attack—and deterrence of other threats to our vital interests and those of our allies—at significant cost. For 23 years we have survived in the nuclear age and in that time we have learned that our own security—the success of our own deterrence—requires us to have concern for the security of our adversary, the Soviet Union, as well.

Over time, and after appalling risks during the Berlin and Cuban crises, we and the Soviets have both realized that for deterrence to succeed, for nuclear war to be prevented, we must both feel a mutual confidence in that deterrent. In short, for one of us to have security, both of us must have it. This is an inescapable requirement if we are both to live in a world free from the active threat of nuclear war.

This conclusion is supported by the hard realities of the nuclear arms race which stand out in stark and bold relief.

First, there is nothing that we can presently do to prevent the Soviet Union from being able to attack us and destroy our Nation beyond recognition or repair. Continued superiority in numbers of nuclear arms will not help us evade this reality, just as the Soviets' present search for nuclear "parity" will bring them no new security.

Second, nothing which the Russians do, now or in the foreseeable future, will enable them to launch a nuclear attack on us, and prevent us from destroying them in return. No anti-ballistic-missile system yet conceived, no new weapon in development by the Soviets, will enable them to escape this reality.

Third, security and survival in the nuclear age depend on mutual deterrence and mutual safety. Only if both the United States and the Soviet Union are able to stop the arms race will either of us have any confidence of being able to prevent a future nuclear war through accident, miscalculation, or heightened tensions and a new edition of the old cold war.

We must do nothing to upset mutual deterrence and the strategic balance. Only by preserving it can Americans and Russians begin to approach the political problems that divide us; to reduce the importance of nuclear weapons in the world; to lessen the risks that a nuclear war will begin despite ourselves; and to live in a world not continually held hostage to fear.

Thus, one of the standards which we must use in weighing each proposed strategic weapons system, including the Sentinel, is whether its deployment would reinforce mutual deterrence or undermine it without substituting any reliable alternative.

The Sentinel system, when completed, would be the most difficult and impressive engineering achievement in history, requiring the skills and techniques developed to send men to the moon. It would embody two different sets of advanced radar, complex computers, and, if fully deployed, two missile systems meeting standards of reliability higher than those for our offensive missile systems like Polaris and Minuteman. Unlike Apollo, Polaris, and Minuteman, this system would have to be in readiness to respond

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with incredible precision, accuracy, and reliability at every single moment for a decade or more.

American industry and science, given sufficient time and money, could certainly meet the standards set for the Sentinel system. But that is not enough. We must also ask whether these standards of performance themselves will actually make this system effective in the face of any enemy's determined efforts to counter it. Even if Sentinel works, will it really provide us with defense against nuclear attack? Or will it only pose an additional threat to the stability of mutual deterrence?

It is vitally necessary to appreciate the difficulty of defending against a nuclear attack. In World War II, for example, if we had lost 10 percent of our attacking bombers in each raid on Germany, we would eventually have failed, because in a few missions we would have lost our entire strategic air force, in exchange for the relatively light damage which the bombs of that era could do.

But in the nuclear age, a single aircraft carrying hydrogen bombs can bear the destructive power of all the wars in history, and to defeat 10 percent of the enemy's attack would mean very little. Indeed, stopping 95 or 99 percent of the oncoming missiles would accomplish little, if one nuclear warhead still penetrated to its target and exploded to wreak incredible damage.

At the end of World War II, I walked across the ashes of both Hiroshima and Nagasaki, during those first few weeks of September 1945 when the full magnitude of the destruction and death in those two cities was scarcely impressed upon an uncomprehending world. Today we are concerned with weapons 100 to 1,000 times more powerful.

Defending successfully against an attack with intercontinental ballistic missiles, therefore, will require a level of performance by the Sentinel system that is staggering to contemplate. A single failure in the course of a nuclear attack could leave millions of Americans dead.

It is sometimes argued that with the Sentinel system we could reduce our casualties in a nuclear war to an "acceptable" level. But what Solomon can be found to set that level and to doom one and spare another? My personal experience in Japan is a reminder to me of the difficulty of making that judgment. We must not provide ourselves with a partial defense which by its very existence will only make nuclear war more likely.

For several years, in pursuing this subject, we had thought of an ABM system only as a defense against a possible attack by the Soviet Union. The arguments against trying to defend against such an attack were overwhelming then, and they are overwhelming now. Quite simply, we know that no defense system yet conceived can stop enough of the missiles launched against us to make such a prospect tolerable. For each step that we might take to improve our defenses, the Soviets could develop new ways of overcoming our new defenses. At the end of the spiral, we would be almost as vulnerable as before. Even worse, we would have seen a new round of the arms race, with new uncertainties about our ability to deter one another, heralding a possible return to the tensions and anxieties of the 1950's.

Wisely, we decided not to proceed with missile defenses against the Soviet Union which would only undermine each side's confidence in mutual deterrence.

Today we face a new and somewhat different issue. During the next few years, China will probably develop the ability to launch long-range missiles aimed at targets within the United States. By the mid-1970's we may face the prospect that China could attack us with a number of ballistic missiles.

Obviously, no one can view this forecast with equanimity, nor oppose whatever steps might be possible to protect our Nation against such an attack. But we must ask very carefully what the best way to do this would be.

There can be no doubt that we will do all in our power to deter an attack by the Chinese against the United States, including the maintenance of sufficient nuclear power to insure that we could retaliate against Peking and destroy China as a society.

Whether such maintenance is enough depends on our estimate of the rationality of Chinese behavior. Only a madman could conceive of attacking the United States, given the certainty of instant and fatal retribution. I wonder if it is really possible to insure against that exception to the doctrine of mutual deterrence?

Yet however we answer that question, there are other factors to consider, including the effectiveness of a defense against Chinese attack, and the other risks that would be involved in the purchase of "madman insurance."

When we evaluate the Sentinel system as a defense against a Chinese attack, it is generally assumed that it would be effective only for a limited number of years, within the decade from approximately the mid-1970's to the mid-1980's.

After that—despite a current lag in Chinese missile development—improved Chinese offensive capabilities would goad us to rebuild, renew or replace the system and could even make meaningful defense impossible.

We must also face the prospect that a madman's attack on the United States might not proceed in obvious ways. We would have to cope with the ingenuity of the insane, including nuclear bombs which might be directed against our country in ways that would elude the antimissile defenses. Missiles lobbed ashore from a Polaris-type vessel lying off either of our coasts would not alert the Sentinel. A nuclear device slipped into the country by abuse of diplomatic courtesy or by simple smuggling would not set even an unsleeping Sentinel in motion. The miniaturization which is a mark of the evolution of nuclear weapons as well as of domestic radios and television sets makes such speculative attacks even more feasible. There is no guarantee that the construction of a perfect Sentinel system will give us perfect defense.

There are other risks involved in arming ourselves with even a limited form of defense against the Chinese. For one thing, technical uncertainties in trying to intercept incoming nuclear warheads are still considerable. We would never be sure of the effectiveness of the Sentinel system—either as a total defense against China, or as a partial defense against the Soviet Union—unless we undertook exhaustive tests of the full system. This would mean violating the limited test-ban treaty of 1963 by resuming full-scale testing of nuclear weapons in the atmosphere. Such action would be irrevocable.

We must also realize that projects like Sentinel, directed against the Chinese, will likely lead to greater Chinese isolation and undermine our efforts to bring China into the international community.

But there is a far graver risk. For in the process of building defenses against Chinese missile attack—defenses of limited value—we would run the risk of confusing our strategic relations with the Soviet Union.

Current debate makes it clear that, strategically, diplomatically and psychologically, it is almost impossible for us—or the rest of the world—to distinguish with perfect clarity between an ABM system on guard against Red China and one focused on the Soviet Union. Obviously, any Sentinel system designed to counter a Chinese attack could also be used to intercept some of the Russian missiles that could be launched against us. As we improved the Sentinel to cope with more sophisticated Chinese missile capabilities, we could raise growing doubts in Moscow both about our own intentions and about the stability of mutual deterrence.

Already there is a certain confusion in American debate about the real object of an ABM deployment. Some Americans may reassure the Russians and they may be believed for the moment. But judging Soviet intentions is always uncertain, as evidenced by our nearly universal surprise over the Soviet invasion of Czechoslovakia.

The possibilities for misunderstanding by Moscow are already vast. They will be multiplied if we proceed with deployment of even the most limited ABM system. And the risk of such a misunderstanding is one which, in my judgment, we can ill afford. Its price in increased tensions, in heightened suspicion, in greater belligerence and an accelerated arms race is a high premium to pay for a policy of madman insurance with millions of lives deductible. Only by minimizing uncertainties can we preserve the strategic stability that now steadies the world.

There is a serious concern in the United States that the Soviet Union does not share our caution; after all, they and not we have initiated the construction of antiballistic missiles. But we must examine closely just what the Russians have been doing. In the first place, their ABM system is a limited one, providing protection only for one city, Moscow. Second, their system is far less sophisticated than the Sentinel would be, and consequently more subject to countermeasures. Third, the Russians themselves appear to have recognized the weaknesses of their ABM system, just as we are recognizing the potential weaknesses of our own proposals. In fact, they

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have slowed or stopped work on the defensive system deployed around Moscow.

We must consider, too, the historic obsession the Russians have had with defense. Ravaged by successive conquerors over the centuries, invaded and occupied by Napoleon, and decimated by the forces of Nazi Germany in our lifetime, the Russians have developed an emotional preoccupation with security. They outspent us by a factor of more than three to one in defenses against manned bombers, even long after our missiles had rendered their bomber defenses useless. It is just possible that the present half-hearted attempt by the Russians to defend one city—just one—against missile attack is only a last gasp of a defense policy that, for the Russians as for ourselves, has little relevance in the age of nuclear missiles which grow more and more sophisticated, powerful and accurate.

I do not argue that we should rely on the Soviet Union's good faith. No rational security policy can be based on anything but the strongest, surest efforts to provide for our own security. But we can test the Russians' restraint, at relatively little cost to ourselves. We can, to begin with, continue to equip our leaders with the most sophisticated of intelligence-gathering devices, including "spy-in-the-sky" satellites, so that we will know at any moment the status of offensive and defensive missile deployment in the Soviet Union and, of course, in China. This is one area of military development where our efforts are certain to contribute directly to our security, while strengthening mutual deterrence between our Nation and the Soviet Union.

We must also continue to develop techniques for countering the limited ABM system deployed around Moscow, and any other system the Russians, in ignorance or defiance of its futility, should choose to build. These techniques will be effective, and will give our offensive missiles effective superiority over their defenses. For us to continue with the development of these techniques is an important part of our overall national security policy.

Furthermore, we must continue developing our techniques of antimissile defense against the possibility that missile defense will some day really work, not just against an unsophisticated attack by China, but against a full attack by the Soviet Union. On the basis of the most authoritative information and analysis to me, that day will be a long time dawning. But we must prepare against the possibility, however remote, that it will come.

These are the strategic problems involved in the Sentinel system. There are serious diplomatic and domestic problems, as well. To begin with, it has been argued that Sentinel will increase the Russians' incentive to talk about arms control, covering a comprehensive list of offensive and defensive systems. I believe that these talks should take place, but I am not convinced that Sentinel will help us in bargaining with the Russians on these delicate and crucial matters. To the contrary, past experience—as with the bomber and missile gaps—indicates that any step, however minor, taken to upset the strategic balance will only decrease the chances for meaningful discussions. We have found that upsets in the strategic balance produce not mutual conciliation but mutual fear for survival. We must remember that there are still leading members of the Soviet Government who question the good intentions of the United States. If we appear to be justifying their skepticism—as we would by proceeding with a Sentinel system, a system that was not clearly and precisely limited to defending against a possible Chinese missile attack—then we should not be surprised at another period of suspicion and difficult relations with Moscow.

During the past few years, strategic stability has permitted a certain relaxation of tensions in our relations with the Soviet Union. I do not suggest that our real conflicts of interest have been resolved, or that they will be resolved in the near future. But we have had a period of relative relaxation, and have taken the first tentative steps back from the nuclear abyss—with the limited test-ban treaty, the hot line between Washington and Moscow, and our mutual efforts to prevent the spread of nuclear weapons. But if we lose our present confidence in strategic stability and mutual deterrence, we will invite a new period of disagreement with the Soviet Union even on matters of crucial importance to us both—including issues affecting the prospects for nuclear war.

Furthermore, beginning talks with the Soviet Union on an end to the arms race, as well as forswearing new strategic nuclear programs, may be the price of preventing the spread of nuclear weapons to many nations not now possessing them. Several countries have already declared that their support for the nonproliferation treaty is conditional on a show of self-restraint by the Soviet Union and the United States. This is a matter to which we must give serious consideration before deciding either to proceed with Sentinel or to delay the start of these arms control talks.

These diplomatic factors, as well as reasons of strategy, argue against deployment of the Sentinel system at this time. There is also its high cost. I have said that cost must be no object where the security of the United States is at stake. But where a program, such as Sentinel and its variants, is of unproven merit—and may actually be of real harm—we must look at the economic factor.

At present, the planned Sentinel system is estimated to cost no less than $5 billion, and probably about $10 billion. If the system expands to be directed against Russian missiles, the cost of Sentinel in the next few years could soar to $100 billion or more for the full system. And there will be no guarantee, even then, that we will have any real defense for our money.

We are now facing grave problems in this country, with urgent demands for money to combat poverty, curb crime, and meet the crises of blight in our cities. We need to invest our resources in those things which will most enrich and enhance our lives and those of our neighbors. But if we spend billions of dollars on shaky systems which we may not need, we will have less for those challenges of urgent priority. Unless we are careful, the inertia of Government spending—that often irresistible force—will set in and carry the Sentinel's costs beyond our control. If we are to prevent this inertia from taking command, I submit, Mr. President, that we must exert ourselves now.

Finally, there is a fundamental problem, the question of our attitudes concerning the role of force in security, and the role of weapons in the conduct of diplomacy. For many years I have been concerned by what I believe is our tendency to look at problems of military policy without considering the related questions of diplomacy and the securing of peace through political means. We must not delude ourselves: in the long run, we must deal with our adversaries on political and human levels as well as on the military plane. We can no longer hide beyond the oceans, nor will we be able to hide behind a screen of missile defenses which do not work.

Fortunately, we have learned some lessons in our dealings with our chief adversary, the Soviet Union. We have had modest successes in making the world a safer place, and in exercising a mutual caution and mutual trust. As a result, the specter of nuclear war has receded a little farther from us. We must not lose the chance to carry on with these developments, including talks with the Soviet Union to end the nuclear arms race.

For all these reasons, I reaffirm the conclusion that I formed and acted upon last year as a Member of the other body. On the basis of all of the information available to me, it is still my view that a limited ABM system should not be deployed at this time. Rather, we should redouble our efforts to tip the international balance on the side of peace, by vigorously pursuing talks on the limitation of nuclear arms, and seeking to expand the constructive communication with other nations which the President's trip to Europe has so greatly improved.

In the longer run, we must continue our search for new ways to order our relations with other nations—ways that do not depend upon the power of nuclear weapons to deter, nor require the piling up of unneeded weapons of systems. Peace will be won by men, not by missiles or machines. It will be achieved by a patient process of political effort, not by the unconsidered purchase of new, complex military hardware.

We must never neglect the hard demands of our own sure defense. But we must also not lose what chances we have to lessen the uncertainties of the nuclear age, and advance the search for lasting peace.

Mr. FULBRIGHT. Mr. President, will the Senator from Maryland yield?

Mr. MATHIAS. I am happy to yield to the Senator from Arkansas.

Mr. FULBRIGHT. First, I wish to compliment the Senator from Maryland and congratulate him on a very thoughtful and penetrating speech. I think his statement covers much of the ground which the Committee on Foreign Relations and its subcommittees have been looking into, and he has brought the

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relevant material together in a very effective way.

I was particularly impressed by his last point as to whether the security of a country can be assured by weapons and military means. It seems to me that the whole experience of the human race negates the prospect that peace can be attained by military means. Since the beginning of recorded history that is one proposition which has been tested time after time and been found wanting.

So there certainly is no assurance the piling up more weapons will bring peace. In fact, history and experience suggest the opposite. So the Senator's suggestion that we should look elsewhere for peace is well taken, and I think he has put it in an extremely effective manner.

I was impressed by the Senator's statement that he walked personally over the ruins of Hiroshima, if I understood him correctly. Very few people have done that, and very few people, I think, really understand the nature of nuclear warfare and what we are faced with. When we have testimony before our committee, and elsewhere, and in the press, to the effect that an exchange of nuclear weapons will result in 100 million deaths of Americans, and that if we have the ABM it will be only 40 million or 20 million or 30 million—intimating that this is acceptable—I think it is a wholly unrealistic way to talk about the whole situation. I cannot imagine that anyone can consider 20 million or 10 million deaths as being acceptable if he has in mind the preservation of what we call a democratic, free country.

Does the Senator think we could preserve what are the essentials of our society if we had an exchange which would kill even only 10 million?

Mr. MATHIAS. That is why I suggested that a Solomon could not be found to decide which 10 million should go and which should stay. It would be an impossible choice.

Mr. FULBRIGHT. Would it not really destroy our kind of society and result, among those who survived, in a complete change of our society, and probably a dictatorship, the kind of dictatorship we are supposed to be opposing by these means and these military weapons?

Mr. MATHIAS. It would be the ultimate in State planning.

Mr. FULBRIGHT. And would destroy all confidence in the future, it seems to me, of any possibility of making peace among the human race. So I particularly like the way the Senator has treated the last statement—that there is not any hope along that path.

I do not think the Senator thinks this is equivalent to unilateral disarmament. I have heard it said by the opponents of the treaty; that is, the proponents of the Sentinel ABM, that if we do not do this, it means unilateral disarmament. I think there is nothing further from the truth. That is not at all what the Senator from Maryland is saying. Nor am I. Is that correct?

Mr. MATHIAS. Absolutely. The Senator has stated my feeling absolutely—that we must keep our guard up, and this is a rabbit warren into which we should not fall.

Mr. FULBRIGHT. It seems to me that people who say, "I am interested in the security of this country regardless of the cost" miss the point completely. The Senator from Maryland is interested, and I am interested, in the security of the country. Where we differ with those who wish to rely upon military weapons so strongly is in the means to assure our security. I share the Senator's belief that the route to security is by a newer approach. We must affect the attitudes of our people so they will understand diplomatic means and negotiations will be in the interests and mutual security of, in this instance, both great nuclear powers, and finally all powers. Is that a correct interpretation?

Mr. MATHIAS. I think that is clearly the direction we have to take.

Mr. FULBRIGHT. It irritates me to have someone say, "You know, my primary responsibility is the security of the United States," as if no one else were interested, as if the Senator from Maryland or I were not interested, because we differ upon the way to achieve that security. Really, the narrow point is how we achieve the security of the United States. I could not agree more with the Senator's judgment that it is not by piling up more and more nuclear weapons.

One other point. Other Senators wish to comment on the Senator's statement. Mention was made of the Chinese. Of course, I have never believed that there was any real point in building up the Sentinel system just for the benefit of protection against the Chinese. That was a way of taking advantage of the emotion of the moment growing out of the Vietnam war, which would facilitate the approval by the Congress of a Sentinel system. That technique succeeded last year. But it has now become quite evident that it was just a maneuver without substance.

I was reminded of the editorial appearing in the principal Communist paper in Peking some months ago which showed how little they were thinking of bombarding or attacking the United States. The editorial expressed the gratitude of the Chinese people for the fact that the Government of the United States was bringing American soldiers to Asia, where they could be destroyed in the paddy fields and jungles of Asia; whereas, if the Americans had stayed at home, the Chinese had no means of getting to the United States and thus no prospect of destroying or weakening us. So the Chinese were expressing gratitude to the Government of the United States for sending our people there and subjecting them to the deaths that we have suffered, now over 32,000 and 200,000 casualties.

So I think it is quite clear, from the Chinese themselves, that they have no idea of attacking the United States by missiles, because it would be wholly ineffective; but it is very effective when we go to Asia and subject our soldiers to those conditions.

I certainly congratulate the Senator from Maryland on a very fine speech.

Mr. MATHIAS. I thank the distinguished chairman of the Foreign Relations Committee for his very valuable and very generous comments.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. MATHIAS. I yield to the Senator.

Mr. COOPER. Mr. President, I want to congratulate the Senator from Maryland for the very fine speech he has made. I am sure all of us who have attended this debate agree that it is one of the best balanced speeches we have heard. It goes thoroughly into the political and social implications and consequences of this decision.

I think the discussion of the Senator from Maryland with the Senator from Arkansas has pointed out very clearly that installation of the system will not solve the real problems affecting the security of our country. So I commend the Senator from Maryland for his valuable contribution to this debate.

I have talked with the Senator from Montana (Mr. MANSFIELD), who, I know, is going to speak later on this subject. I must leave and cannot be here when he delivers his statement. I had intended to make a short statement following that of the distinguished majority leader, directed chiefly to the testimony we heard yesterday in the first day of hearings held by the Foreign Relations Committee's Subcommittee on Disarmament chaired by the distinguished Senator from Tennessee (Mr. GORE). I intend to direct my attention to the testimony of the scientists, chiefly to point out that at least two, and I believe in the second case all three of them, spoke on the deployment of the Sentinel system. Two of them said there was no immediate danger, and that there was time for negotiations. As to the new variant on this Sentinel system—that of the deployment of the Sprints around our Minuteman sites or some similar system, two said clearly that there was no danger in delaying deployment until negotiations or nuclear arms limitation had been tried.

Mr. MATHIAS. I thank the distinguished Senator from Kentucky and appreciate his contribution.

I yield now to the Senator from New Jersey.

Mr. CASE. Mr. President, I join my colleagues in expressing my appreciation for the fine talk which the Senator from Maryland has just made. Those of us on this side of the Capitol who have been expressing our concern about this specific matter for many months now welcome the addition of someone who brings the same viewpoint, and great strength to it, as a new Member of this body.

He has expressed with clarity the position which all of us feel. His statement, as the chairman of our Committee on Foreign Relations has said, was an excellent summary of the position that we believe is bringing matters more and more to the point that the burden of proof of the necessity of such a system is now upon its proponents. The burden, if it ever was on those who oppose it, has certainly shifted, and I think we are correct in calling upon its advocates, whether it be the administration, if that should be its position, or those in this body who have taken that viewpoint in the past, to demonstrate clearly, and with the burden of proof on their side, not only that this step is necessary, but also that it is not positively harmful, as the Senator has so well suggested.

I think, in this connection, it is proper to point out that we have all heard suggestions that the point of view from which the argument for a so-called light system is advanced is now going to be shifted from the defense of our cities to the defense of our missile bases. If that is so, it invalidates much of what, even at the time, some of us thought was ineffective, and an inadequate reason for this action, when expressed and advanced last year.

I again express my appreciation to our colleague from Maryland.

Mr. MATHIAS. I thank the Senator for his kind remarks.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MATHIAS. I yield to the Senator from New York.

Mr. JAVITS. Mr. President, I join with my colleagues in expressing great pleasure at the speech, balanced and informative and obviously the result of much thought and soul searching, of the Senator from Maryland. He has made his first major speech in this body on as historic a question, and at as historic a moment, as our country may very well face before the turn of the year 2000. We are about to ascend or not to ascend to a new plateau of military preparation, which may be of such a character as to put beyond us the ability to control it through subsequent arms limitation efforts.

As I said at that disrupted luncheon some of us attended the other day, the next generation of nuclear weapons systems may propel us into the realm of automaticity where it will no longer be men but rather computers that decide whether there is to be a nuclear response or not, so fast will be the course of events.

Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks the full text of my statement.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibit 1.)

Mr. JAVITS. I welcome Senator MATHIAS to the company here. He came to Congress marked as a progressive. He has not left us in doubt that the transition from the House of Representatives to the Senate has not changed his profound convictions, his powers of persuasion, or his learning and judgment.

Mr. President, like the Senator from Kentucky, I, too, had hoped to say a word following the speech of the majority leader. I, too, must leave the Chamber on a very important mission; nonetheless, I should like to say that all of us take tremendous heart from the fact that the majority leader, as well as the Senator from Arkansas (Mr. FULBRIGHT), the Senator from Missouri (Mr. SYMINGTON), and other distinguished members of the majority, especially noted in this field, take the same position that we do.

Mr. President, this is not a decision without risk. I should like to say this in tribute to my friend, the Senator from Maryland: One cannot simply dismiss the arguments of those who would mount an anti-ballistic-missile defense now. For all we know, in the long corridor of history, they may be right and we may be wrong, however deeply we now feel it is not so. But we know one thing, Mr. President: We know that if there is a risk involved we know the direction in which the risk should be taken. As the Senator from Kentucky has said, we have Gerard Smith, who, in a negative way, tells us we will not prejudice negotiations with the Russians; and we have the scientists who tell us in a positive way that we do have the time—in a sense which will not prejudice the national security of the United States—to consider this matter much more deeply and to try the arts of negotiation before plunging irrevocably ahead.

We have assurances from both that there is some time. The axe does not have to fall now.

Many of us deeply feel that if we start on this program of deployment, appropriation, and further deployment, the jig is up—it will inevitably go on and on and on. We would then never know whether this possible opening which we have now, when everybody wants to negotiate, could have been availed of in such a way as to stop the mad momentum of the nuclear arms race—which could end in the extinction of the human race if it is not checked.

Because the question now must be resolved in favor of man, I am delighted that, intellectually, I find myself in this company. I think it will be a source of gratification to me for the rest of my life, and I feel the same way about the very distinguished statement which has today been made by the Senator from Maryland. I thank him very much for yielding.

EXHIBIT 1

[From the office of Senator Jacob K. Javits, of New York, Mar. 5, 1969]

NUCLEAR-WEAPONS CONTROL AND WORLD ORDER

(An address by Senator Javits to The Fund For Education and World Order, New York Hilton Hotel, March 5, 1969)

According to the "Statement of Purpose" I received, the central theme of this Convocation is ". . . citizen education as a sound basis for citizen participation in the formation of policies for lasting peace." With this in mind, I have chosen to address myself today to what is the overriding issue before our nation—the control of nuclear weapons and the prospects for lasting peace; and, especially, since "citizen education" and "citizen participation" with respect to this issue are likely to be the decisive elements in the crucial decisions which the nation must make in the months ahead.

The great debate in our nation concerning nuclear arms control has focused largely on whether or not we should proceed with the deployment of the Sentinel anti-ballistic missile system. Some sixteen months ago, in November 1967, when the ABM public debate was just getting under way, I had occasion to speak on this subject in a lecture at New York University. As you may recall, at that time former Defense Secretary McNamara had just announced the Johnson Administration's decision to deploy a "thin", Chinese-oriented ABM system. I began my remarks that night by expressing deep concern over ". . . the inadequacy of the national debate which preceded the ABM decision."

In recalling those remarks from the perspective of today I see reason to be encouraged by the scope of the public debate which subsequently has developed on the ABM issue. The interest and the participation of the public at large in this debate has increased strikingly, and has done much to broaden the scope of the debate and to relate it more directly to the fundamental issues of national policy which are at stake.

But a realistic assessment of where we stand today with respect to the isue of nuclear arms control precludes any sense of complacency. Ratification by the Senate of the Non-Proliferation Treaty (NPT) can restore some momentum to the cause of international arms control. But there is still no certainty of early negotiations with the USSR on limitation of missile systems, pursuant to Article VI of the NPT. And, most important, no final decision has yet been made on whether good faith negotiations under Article VI of the NPT requires us to delay further procurement or deployment of the Sentinel ABM. Moreover, in addition to the ABM a whole new generation of nuclear weapons systems is reaching technological maturity in the R & D field and we are poised just short of a possible major escalation in the nuclear arms race—an escalation which could gravely endanger prospects for continuing world peace.

Even in the earliest stages of the ABM debate it was apparent that the important differences between the proponents and the opponents of the Sentinel system concerned broad matters of policy and basic assumptions and judgments about the kind of world we will be living in in the 1970's.

On the most important policy questions we are far from having reached a broadly acceptable national consensus. In my judgment, the most important service which leaders on both sides of the ABM debate can now perform for the nation is that of clarification and crystalization of the fundamental, underlying policy issues.

I am concerned by the danger that the ABM debate could take on some of the more bitter and destructive attributes which have characterised the dispute over Vietnam policy. Our nation would be ill-served indeed if this should prove to be the case.

Personally, I am strongly of the view that it would be a mistake for this country to procure and deploy an antiballistic missile defense system at this time.

But as I also know of Senators whose intelligence and integrity I deeply respect who strongly favor deployment of the Sentinel system, I would like to suggest here certain informal ground rules which, if observed by both sides, could give heightened clarity and relevance to the ABM debate.

First, the burden of proof clearly lies with those who wish to proceed with the deployment of the Sentinel system.

The advocates of the Sentinel ABM have done their case serious and unnecessary harm, in my judgment, by constantly shifting the arguments in favor of the system. Originally, Sentinel was proposed to Congress as a defense against a projected Chinese nuclear missile capability in the mid-1970's. A plausible case on these grounds must have been developed within the Administration but this case has never been placed before the public in a convincing manner. The legitimate questions raised against the rationale for a Chinese-oriented ABM have never been answered.

Yet, during the discussions in the Senate last year on the ABM question, the leading proponents made it clear that they view Sentinel as a Soviet-oriented defense system. In addition, they went so far as to characterise the "thin" Sentinel system as but a building block toward a "thick", or full-blown, ABM system. In advancing this line of argument, no satisfactory answers were given to the classic brief against a Soviet-oriented ABM system articulated by former Defense Secre-

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tary McNamara in his landmark speech of September 18, 1967. It was these circumstances which most aroused and alarmed the opponents of the Sentinel deployment and produced real skepticism in the minds of the opponents of the Sentinel system with respect to the soundness of the whole rationale for an ABM defense system.

More recently, Defense Secretary Clifford and his successor, Melvin Laird, have introduced the argument that the United States must proceed with the deployment of the Sentinel system in order to strengthen our hand in prospective negotiations with the Soviet Union on the limitation of both offensive and defensive strategic missile deployments. Suffice it to say that this argument has not been sufficiently articulated to overcome the fear of many that the deployment of the Sentinel system would have the opposite result—that of gravely prejudicing the chances of successful negotiation.

Two additional justifications for Sentinel have also been introduced in the past year which, in the general confusion and swirl of debate, have not received adequate justification or refutation. One of these arguments is that a modified Sentinel system which would provide "hard point" protection to our retaliatory offensive missiles is now necessary to maintain the credibility of our deterrent following the development of MIRV's (multiple warhead missiles) which might tempt Soviet strategists to attempt a preemptive first strike at our missile force.

Personally, I am inclined to feel that this would not be a cost-effective decision, to borrow Mr. McNamara's pet phrase, in view of the great competing demands on the federal budget and the strength of our offense. But, if there is good argument on this score I urge that it be developed and put forth seriously. I, for one, am prepared to listen.

The second of these latter two arguments is that ABM technology has been carried forward in the R&D stage now to the point where further meaningful advances require experience with deployment which alone, it is said, can enable a working out of the "bugs" and provide the possibility for significant technical breakthroughs.

In my view, this argument deserves to be considered seriously only after it became apparent that no reasonable agreement with the USSR on control of the nuclear arms race is possible. But to proceed on the basis of this rationale before we have even started negotiations violates the dictates of basic common sense, in my view.

While the burden of proof so far as the ABM is concerned clearly lies with the proponents—and clearly has not been established, to my mind—the opponents of ABM have not adequately articulated the deeper reasons for their opposition.

In essence, what is needed is a more compelling presentation of the necessity for moving away from the nuclear arms race through the deliberate creation of a more effective world order.

President Nixon has made a beginning in this direction—by consciously seeking the title of "Peacemaker" in his Inaugural Address, and by declaring his intention to move the United States out of the era of confrontation with the Soviet Union and into the era of negotiation. His choice of the concept of "sufficiency" with respect to nuclear weapons—rather than concepts of "superiority" or "parity"—is a useful contribution in this direction.

But the declaration of intentions and the articulation of broad concepts—as useful and important as these are—will not be sufficient to free us from the complusions of the nuclear arms race. It is not enough to just be against the arms race. We must have well-conceived alternatives.

The question of alternatives to the nuclear arms race assumes an immediacy when we examine the costs involved. The "thick" ABM system favored by the Joint Chiefs of Staff might cost $50 to $75 billion. Moreover, according to the former Director of the Arms Control and Disarmament Agency, "three weapons systems which have been suggested but not yet approved bear a price tag, over the next few years, of somewhere between $60 and $100 billions."

Certainly the economy of even this nation is in no position to absorb expenditures for new weapons in this magnitude, unless we are prepared to become a real garrison state. We have urgent domestic problems—the crisis of the cities—which will require large new federal expenditures in the years immediately ahead. The choices we make with respect to the allocation of our national resources as between military and civilian demands will determine the nature and quality of life in the United States in the decades ahead.

A clearer perception of this direct relationship between arms control agreements and domestic problems is required if we are to make the correct national decisions.

An urgent first step toward resolving the dilemma we face can be taken by a prompt agreement to begin the long-delayed negotiations with the USSR on the limitation of strategic nuclear missile systems. Such negotiations are clearly in the mutual self-interest of both the US and the USSR. The outcome of those negotiations could be prejudiced even before they commence, if they are delayed until after decisions are made concerning the deployment of the Sentinel ABM system. It is for this reason that members of the Senate Foreign Relations Committee pressed so hard for a decision by Defense Secretary Laird to delay deployment of the Sentinel until efforts had been made through negotiations to relieve both the US and the USSR of the burden of undertaking the major expenses involved.

I am not so naive as to think that mere good intentions on the part of the United States can produce meaningful agreements with the Soviet Union. Certainly, it takes two parties to make an agreement and we must face the possibility that no agreement proves possible with the Soviet Union to curb the nuclear arms race despite our best efforts.

The challenge before us is far from simple. We must do more, out of our own self-interest, than just enter negotiations in good faith. We must pursue policies which consciously and actively seek to influence the Soviet Union to move in the direction we desire. I believe that President Nixon understands this. Before his election, he said: ". . . for arms control to be successful, we must first establish prerequisites and incentives, and this requires a cooperative pursuit of common objectives. We will succeed, first, to the extent that we can convince our adversaries to share our interest in stability and to rely on peaceful, not military, means for effecting change. Second, our success will depend not so much on mutual trust as on mutual knowledge, so that each side can know with reasonable assurance what the other is about."

In addition, during the campaign President Nixon promised: ". . . the evolution of a strategic doctrine, stressing the non-belligerent aspects of our national security posture." This is a philosophy which many in the United States will wish to support. And the effectiveness of the support he receives in this direction from the public and from members of Congress will determine the freedom of action he has in this regard. He is going to need all the help we can give him.

The more chances he has to practice creative diplomacy the greater is the likelihood that we can avoid being locked into dangerous new escalation of the arms race.

There is little doubt that successful negotiations to end the Vietnam war; to prevent a new war—or super-power "eyeball to eyeball" confrontation—in the Mideast; to bring about the integration of free Europe; to end tensions on its Eastern border; and to deal with the massive problems of the developing nations and of the population explosion—and to free resources for our crises at home—would contribute infinitely more to the security of this country, and the world, than could any combination of exotic new weapons systems.

Mr. JAVITS. Mr. President, I ask unanimous consent that a statement by my colleague, Senator Goodell, entitled "Do We Really Need the ABM?" be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Do We Really Need the ABM?

There have been serious questions raised regarding the present ABM Sentinel system and what its future should be. These questions have not yet been answered satisfactorily by the Pentagon and arguments against deployment persist.

I am pleased to join the continuing efforts of Senator Cooper and other Senators in underscoring the need for further review of the ABM Sentinel system and its contribution to the requirements of our national security.

Last year, I supported Senator Cooper's amendment to the Defense Appropriations bill which would have delayed deployment of the Sentinel system. Although Congress passed these initial funds for Sentinel deployment, the ABM issue has erupted again this year as citizen opposition to site-acquisition provides additional restraint to deployment.

On February 6, President Nixon called for a temporary halt in ABM site-acquisition and construction pending further review. This halt is a welcome opportunity to take another look at the Sentinel and the grave problems of our country's defense against nuclear striking power.

I am opposed to the deployment of the ABM Sentinel system at the present time. There is, I believe, an urgent need for more facts about the real effectiveness of such a system, its costs and its impact upon our domestic priorities before we commit ourselves irrevocably to such a multi-billion dollar project.

While the Pentagon has argued for the ABM on the grounds of preparedness to meet nuclear threats, there is need for pause before we get hopelessly bogged down in a quagmire of competing ABM objectives and inconsistent policies encouraging the arms race on the one hand while pursuing arms control on the other. There is need for pause before we proceed further on a program with unclear cost estimates based on speculative calculations. There is need to pause to reassess alleged nuclear threats, in view of conflicting measurements of foreign nuclear capabilities and guessitudes of use. Indeed, there is need for serious reflection if we are to avoid a tremendous waste of resources; if we are to avoid spending billions of dollars on an ABM system and at the end be left with still unmet domestic needs of the American people and be relatively at the same point on the security scale as we are now.

Presently, the interplay of multiple perspectives has produced discussion on a variety of ABM programs.

There is the present "thin" Sentinel ABM system proposed by the Johnson Administration aimed against Red China's nuclear threat. The military has estimated its cost at $5.8 billion, but it may be much higher.

There is the proposed ABM system attributed to Secretary Laird. This might be called an "expanded thin" ABM system geared to protection against the nuclear threat of Red China but with added protection against that of the Soviet Union. The military has estimated its cost at from $6 to $10 billion, but it too may be much higher.

Then there is the so-called "thick" ABM system aimed primarily against the Soviet nuclear threat. The cost of this is beyond estimate.

There appears to be widespread consensus in both Soviet and American scientific communities that a "thick" ABM system would be an exercise in futility. Regardless of cost in the hundreds-of-billions of dollars, it would merely produce a nuclear action-reaction escalation. A heavy ABM system, geared to fire defensive missiles at offensive warheads, would only motivate increases in offensive capability to cancel out defensive advantage.

In addition, consensus is that the technology of nuclear attack has so outstripped the technology of defense that obstacles to an effective missile defense—an impenetrable nuclear shield—seem virtually insurmountable. Deterrence against U.S. and Soviet nuclear striking power, then, has rested on "assured destruction capability" and the knowledge that nuclear aggression means suicide to the aggressor.

My concern, now then, centers on the present Sentinel system and its proposed revision.

What will be the effectiveness of such an ABM system aimed primarily against Red China? In approaching this question, a most disturbing fact here again is the technology of nuclear attacks. Effectiveness would relate to the very question of time it would take Red China to develop its nuclear capability to penetrate the nuclear shield making it useless.

I am deeply concerned that the ABM system may simply be obsolete by the time we have spent billions of dollars to install it.

Military experts have testified that Red China is not expected to have available the more sophisticated penetration aids for several years following initial nuclear capability.

But what if Red China develops penetration aids before or after our anti-missile system is operative?

We have learned the hard and costly way that our own defense projects often fails to meet target deadlines. In the case of the ABM, there is the possibility that penetration technology before ABM implementation would make the system meaningless. There is the other possibility that penetration after implementation merely means expanding the ABM system to meet increased Chinese nuclear capability.

Here again is the vicious circle of nuclear action-reaction escalation.

On these grounds of doubtful effectiveness and likely nuclear action-reaction response, I have opposed deployment of the ABM Sentinel system.

The points raised today cautioning against deployment of the Sentinel system are serious ones. I am hopeful that President Nixon's forthcoming statement of position on the ABM will take them into consideration.

While we will spend much time this year examining the ABM, the time will come to consider appropriations for defense and to make a decision on the future of the ABM system.

Today there seems to be more confidence in our military means than there is clarity of our national purposes.

Have we failed to learn the lesson of the Cuban missile crisis epitomizing as it does the dangers of confrontation in this thermonuclear age? Have we failed to learn the urgent need for restraints against nuclear offensive and defensive escalation?

What about the domestic impact of our defense policy? Surely, our military spending must be considered in the context of the urgent need to meet pressing social problems at home, in our deteriorating cities and in areas of rural poverty. We simply cannot afford to let our domestic priorities be distorted by limitless spending on costly military hardware of questionable usefulness.

It is presently estimated that expenditures for Vietnam will decline by $3.5 billion due to the bombing halt, but non-Vietnam defense spending will rise by $5 billion or more due to development and deployment of ABM. These figures are a startling blow to those of us who would like to see savings from Vietnam transferred to pressing needs at home, not automatically siphoned off for more military weaponry.

And after recent disclosures by the military that the Soviets out-distance us in the production of biological and chemical warfare (BCW), will there be defense requests to expand efforts on this insidious weaponry?

There is a way out of this arms escalation if we have both reason and will.

I speak of arms limitations and confidence-building among nations.

Article VI of the Nonproliferation Treaty provides that each party to the Treaty "undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control."

This Treaty is a most hopeful sign to proceed with limitation of all weapons by the nations of the world. Another hopeful sign is President Nixon's willingness to meet with the Soviet Union on missile talks.

It is an irony that while we look forward to arms limitation, we are still confronted with the possibility of ABM deployment.

I am following with interest the hearings on ABM before the Senate Foreign Relations Committee as so many of us are.

There are a few people today who are confirmed optimists denying evidence of nuclear peril; there are some who are pessimists denying any hope for disarmament agreement.

But between these, there are many who realize the grave perils in arms escalation; and who are alarmed at the absurd point at which government spending on arms has jeopardized vital services to people. There are many who recognize and are receptive to opportunities to international cooperation; and want restraints against an arms race course of action.

I am hopeful that we will move forward in this critical area of disarmament.

I am hopeful that while strengthening international peace-keeping measures, we will move toward reduction, parallel reduction and progressive reduction in nuclear weapons as well as limitation of production and condemnation of use of biological and chemical weaponry (BCW).

The most compelling arguments for these disarmament moves are survival and humanity.

Today Senator Mathias has presented a very thoughtful statement on the ABM. I have read the text of his statement and wish to associate myself with the purposes of his thoughtful comments. I congratulate him in his thought-provoking examination of the ABM issue.

Mr. MATHIAS. I thank the distinguished Senator from New York, not only for his contribution to the debate over a long period of time, but for his kind personal comments today.

Mr. PERCY. Mr. President, will the Senator yield?

Mr. MATHIAS. I yield to the Senator from Illinois.

Mr. PERCY. Mr. President, I have worked with the distinguished Senator from Maryland for a number of years. The first intimate experience we had together was when I was in the private sector and he was in the House of Representatives, in connection with the Mathias amendment to try to approach one of the most complex domestic problems this country has faced; and I think now, several years later, that his wisdom, his foresight, and his judgment have proven correct in his proposals in the area of civil rights. I think they have advanced the cause of justice in this country a great deal.

I think now, as he turns, on this historic occasion, to this subject in his own maiden speech in the U.S. Senate, he has addressed himself to a problem that not only deals with our posture abroad and our national security and defense, but to a problem that will deeply involve us for a long time to come, as to whether we are going to be able to turn our attention to nation-building here at home, in a constructive, positive manner.

I think the analysis he has made of the deployment of the antiballistic missile, and the course that it would carry us and the country through, has been perceptive and wise, and I am pleased to associate myself with his position.

I believe, Mr. President, that we have arrived at the moment of truth. This is an important moment for this body and for the decisionmaking process of the Nation. Though I cast my vote last session for continued research and development, and energetically support proceeding with research and development in the field of antiballistic missiles, I do feel the ABM should not be deployed now, and I did cast my vote against deployment.

I did so after considered judgment, although at that time I had wished I had more testimony available to study. As has been admitted quite frankly by the Armed Services Committee, they heard only proponents of the system; witnesses to the contrary did not ask to be heard. It was not the fault of the committee; witnesses who oppose the system did not ask to be heard.

I really feel that many in this body voted on the deployment proposal without the ability to study adequately all factors involved in the decision. I believe that a body of knowledge has now been brought to bear on the subject which enables us more intelligently to appraise where we are going, and I believe also that discussion has alerted the Nation as to the consequences of what we are doing.

I think, and I deeply believe, on the basis of information available to me at the present time, that the decision to deploy the Sentinel anti-ballistic missile system at this time would be wrong—militarily, diplomatically, economically, and psychologically—and it would be wrong from the standpoint of national unity. Deployment now would adversely affect the Nation both at home and abroad. Militarily, ABM deployment would not increase our security, because the system can be saturated and penetrated by incoming missiles; and this is supported, certainly, by the best advice that we can obtain from military experts.

Diplomatically, to proceed with deployment now would be to say to the Soviets that we have no confidence in the forthcoming talks on missile limitation and that we are unwilling to delay deployment even a few months until we can see whether useful and enforceable agreement may be reached.

Economically, the deployment of a system which would cost upwards of $10 billion and could lead to a much larger system would be a serious drain on natural resources desperately needed to solve the problems of crime, urban decay, and education. Massive ABM spending would create further inflationary pressures at a time when inflation must be controlled. Nation-building here at home is essential to our strength, our national security, and our worldwide leadership position.

Psychologically, ABM deployment would encourage a new escalation of the nuclear arms race, heightening the dangers of micalculation, and bringing us back toward cold-war thinking.

From the standpoint of national unity, the approval of ABM deployment could cause the first major division between the administration and the American people, because on this issue millions of Americans are deeply concerned that we are setting forth on the wrong course.

I do not believe there is a single Senator who is not searching his soul and conscience and bringing to bear every bit of knowledge he can in order to be able to render a proper and correct decision.

Each Senator is trying to make a reasoned and thoughtful statement. We are all well aware of the gravity of the decision which only the President at this stage can make.

We hope and pray that the decision will be made after all of the facts are available and after every branch of the Government has been heard from.

I only hope that all of the evidence can be brought out in the forthcoming hearings before the Committee on Foreign Relations and the Committee on Armed Services and that full light can be shed on the subject before a fateful decision is made that might commit us to a course of action for many years to come.

I thank the distinguished Senator from Maryland for yielding, and I congratulate him for the excellence of his thinking in this area.

Mr. MATHIAS. Mr. President, I thank the distinguished Senator not only for his contributions today, but also for those contributions made by him during the years.

Mr. President, I once again take the opportunity to express my very deep appreciation to the Senator from Montana, whose courtesy and consideration are his hallmark, for yielding to me today.

Mr. MANSFIELD. Not at all. I have been well repaid by the outstanding and well-thought-out and carefully detailed speech of the distinguished Senator.

I am glad that so many Senators were present to participate in the discussion and to express on a nonpartisan basis their feelings on a statesmanlike subject at this time.

Mr. President, at this time, I ask unanimous consent that I may yield 3 minutes to the distinguished senior Senator from Missouri (Mr. SYMINGTON), with the proviso that I do not lose my right to the floor and that I may be recognized after his speech.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SYMINGTON. Mr. President, I appreciate the courtesy of the distinguished majority leader. I congratulate the distinguished and able Senator from Maryland on his talk. I believe that it is appropriate to discuss a few figures concerning this matter at this time.

OVER $23 BILLION ALREADY EXPENDED IN ABANDONED MISSILE PROGRAMS

Mr. SYMINGTON. Mr. President, in a statement earlier this week, I presented that in recent years approximately $15 billion of the taxpayers' money has been expended on missile systems first placed in production, then deployed, then abandoned; and that $4.2 billion additional was spent on additional missile systems which were abandoned in the research and development stage.

I mentioned at that time that this list was not complete. More up-to-date figures are now available. These figures show that the total investment in what are now acknowledged to be unworkable or obsolete missiles is much higher than originally reported—in fact totals over $23 billion.

In other words, as of now we already know that nearly a quarter of a trillion dollars has been expended in recent years on missile systems which were terminated either prior to or after deployment.

Nor is this figure complete. It is certain to go higher.

As we consider this Sentinel ABM system, let us also consider, if deployed in its present stage of technology, that this system could only add to the $23 billion that has already been spent for missile systems that have now been abandoned.

In this connection, Secretary McNamara, in his posture statement of January 1967, said:

> It is worth noting that had we produced and deployed the Nike-Zeus system proposed by the Army in 1959 at an estimated cost of $13 to $14 billion, most of it would have had to be torn out and replaced, almost before it became operational, by the new missiles and radars of the Nike-X system. By the same token, other technological developments in offensive forces over the next seven years may make obsolete or drastically degrade the Nike-X system as presently envisioned. We can predict with certainty that there will be substantial additional costs for updating any system we might consider installing at this time against the Soviet missile threat.

I point out that that has already happened. The very fact that we are now discussing the Sentinel shows that McNamara was correct and that the Nike-Zeus system is now obsolete.

In February of that same year in hearings on "U.S. Armament and Disarmament Problems," Dr. John Foster, Director of Defense Research and Engineering, made the following statement with respect to a thick ABM system:

> I am concerned that with a very heavy system we would be in the following kind of position: Because of the enormous quantities involved, quantities of equipment involved, and the very rapid rate at which the technology changes, to maintain an effective system one would essentially have to turn over the whole system, the whole $20 billion system, every few years. I do not believe we would do this. As a consequence, I am afraid we would have a heavy deployment of a system most of which was obsolete, made obsolete by changes in the enemy's offense.

I ask unanimous consent to insert at this point in the RECORD two tables showing the specific abandoned missile systems in question and their respective costs.

There being no objection, the tabulations were ordered to be printed in the RECORD, as follows:

MAJOR MISSILE PROJECTS TERMINATED DURING THE PAST 16 YEARS (PRIOR TO DEPLOYMENT)

Project	Year started	Year canceled	Funds invested (millions)
Army:			
Hermes	1944	1954	$96.4
Dart	1952	1958	44.0
Loki	1948	1956	21.9
Terrier, land based	1951	1956	18.6
Plato	1951	1958	18.5
Mauler	1960	1965	200.0
Total, Army			399.4
Navy:			
Sparrow I	1945	1958	195.6
Regulus II	1955	1958	144.4
Petrel	1945	1957	87.2
Corvus	1954	1960	80.0
Eagle	1959	1961	53.0
Meteor	1945	1954	52.6
Sparrow II	1945	1957	52.0
Rigel	1943	1953	38.0
Dove	1949	1955	33.7
Triton	1948	1957	19.4
Oriole	1947	1953	12.5
Typhon	1958	1964	225.0
Total, Navy			993.4
Air Force:			
Navaho	1954	1957	679.8
Snark	1947	1962	677.4
GAM-63 Rascal	1946	1958	448.0
GAM-87 Skybolt	1960	1963	440.0
Talos, land based	1954	1957	118.1
Mobile Minuteman	1959	1962	108.4
Q-4 Drone	1954	1959	84.4
SM-72 Goose	1955	1958	78.5
GAM-67 Crossbow	1957	1958	74.6
MMRBM	1962	1964	65.4
Total, Air Force			2,774.6
Grand total			4,167.4

Total investment costs for missile systems no longer deployed

	Millions
Army:	
Nike-Ajax	$2,256
Entac (antitank missile)	50
Redstone	586
Lacrosse	347
Corporal	534
Jupiter	327
Total, Army	4,100
Navy:	
Polaris A1	1,132
Regulus	413
Total, Navy	1,545
Air Force:	
Houndog A	255
Atlas D, E, F	5,206
Titan I	3,415
Bomarc A	1,405
Mace A	328
Jupiter	498
Thor	1,415
Total Air Force	13,241
Grand total	18,886
Plus missile systems terminated prior to deployment	4,167
Total	23,053

Mr. SYMINGTON. Mr. President, I express my gratitude to the distinguished majority leader for yielding to me.

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Mr. MANSFIELD. Mr. President, I thank the distinguished Senator from Missouri. I again express my appreciation to the distinguished Senator from Maryland (Mr. MATHIAS) for making his maiden speech in such a statesmanlike manner on one of the most important subjects of the day.

Mr. President, before I go into my prepared remarks, I want to say a few words. In the first place, I want it clearly understood that this is not a political matter, that there is no partisanship involved. I think that the debate today and prior to today, which has included Members from both sides of the aisle, emphasizes that fact. Second, as far as I am concerned personally, I wish to state for the record that I had grave doubts in my mind about the ABM during the previous 2 years of a Democratic administration under President Johnson. I have grave doubts today, also.

I am not one of those who think that an American citizen who wears a star, or two or three or four stars, on his shoulder, should be automatically branded as a brass hat and as someone who does not have the interest of the country at heart. I think that has been a caricature of the military. I think that the military by and large is trying to do what they can, as they see the situation, in the interest and the security of the country.

The fact that we may differ with them from time to time in no way should be cause for denigration of dedicated service.

The questions I have raised about the particular proposal under discussion, the ABM, has to do with the cost—the accurate cost and not a guess or an assumption—with the validity, the accuracy, of the system, and whether it is already obsolescent.

I think it should be emphasized that those of us who have raised questions about the ABM have, to the best of my knowledge, unanimously advocated a continuing research and development program to the end that if such a system became necessary, we would have the best possible one at our disposal.

Incidentally, if I were certain that the program were necessary, I would vote for every dime required to put it into operation.

I also have some questions about the Soviet ABM system, the Galosh, around Moscow, which may be a system on which work has stopped entirely, or which may be a system which is quite ineffective. Then, of course, there is the Tallin system along the northern coast, which I understand is not an ABM system in any sense of the word but is an aircraft defense system.

There is also the question of the United States and U.S.S.R. negotiations I recall, as I have several times, the statement by the President, Mr. Nixon, in his inauguration address, in which he stressed negotiation and not confrontation. And I believe that what he has done to date indicates that he meant it.

Then I have to weigh against each other the internal security of this country and its external security. It is a balance which we must maintain in some way, because we could become far stronger than we are at the present time in our external security and far weaker in our internal security as it is involved in the difficult and dangerous situations which have become so apparent in our urban areas and in our rural areas as well.

Mr. President (Mr. COOK in the chair), the deployment of the Sentinel antiballistic-missile system does not boil down to the question of whether or not dangerous hardware should be placed close to or distant from the densely inhabited locations of the Nation—whether in urban or rural settings. The decision involves much more. It involves more, even, than the initiation of another round of armaments escalation. Important as these considerations may be, the ramifications of this issue reach far beyond them.

The decision for or against deployment of the Sentinel, in present circumstances, may well determine the basic direction of public leadership for a decade or more. If we decide to go ahead with this project, as we have done in other more affluent times with other weapons systems of questionable value, the decision can only be seen as a continuance of both the practices and the priorities of the past. It will be seen, properly, as an inability to escape from the shackles of our own rhetoric. Having spoken so long and so loudly of a distant danger, we are not able to hear the rising voice of need at hand. We are unable to do other than keep the emphasis of our national efforts on costly military systems as we have for the past two decades. We are not able to shift gears despite the serious inner difficulties which loom ahead.

Yet it is these inner difficulties, in my judgment, which present the Nation with the clearest and most imminent danger. The multibillion-dollar Sentinel does not meet these difficulties any more than Vietnam has met them. On the contrary, it, too, may well act to intensify them.

As I have indicated, the Sentinel is not the first costly and dubious new weapons system which has been brought to the attention of the Senate during the past two decades. What is new at this moment is our altered capacity to take on a great expenditure of questionable value in the light of the other demands which are being made on the tax-burdened and inflation-pressed citizens of the Nation. Quite apart from the technical shortcomings of the Sentinel, its deployment would be, in my opinion, a movement of the Nation's leadership in the wrong direction and at the wrong time. Sentinel will not add one iota to the security of life in the United States. It may well detract from it.

Let me illustrate the point. Since the near catastrophe of the Cuban missile crisis, in 1962, nuclear weapons seem to me to have been eliminated as a practical alternative in the international strategy of both the Soviet Union and the United States. It did not require a written agreement to confirm this understanding. The message came through loud and clear, from the brink of nuclear annihilation. We learned and, I believe, they learned that a relevant survival for both countries and the world depended upon neither nation entering on any path of policy which, in the end, had to lead to nuclear confrontation. The Cuban crisis when coupled with the Nuclear Test Ban Treaty has provided a respite of many years from the pressure of ever-incipient nuclear conflict between the Soviet Union and the United States.

In my judgment, the deployment of a Sentinel ABM system would once again open up a period of grave uncertainty. It would tend to revitalize the use of nuclear weaponry as a component of the international strategy of the United States and the Soviet Union. Moreover, it would have that effect without benefit to either nation but with increased risks to the survival of both.

That such is the case is indicated by the so-called action-reaction pattern of strategic armament, as it has operated between the two countries over the years. For two decades or more, when the Soviet Union has acted by making a weapons advance which imbalances the nuclear equations between the two countries, we have reacted by an advance in order to maintain the balance of terror. In the same fashion, the Soviet Union has responded to our nuclear advances.

Even if the action-reaction process is recognized as necessary to the maintenance of a precarious peace of mutual terror, it does not follow that it is being applied in a relevant fashion in the context of the ABM issue. It is argued, for example, that since the Soviet Union is deploying an ABM system around Moscow, we must respond with the Sentinel ABM system. However, the relevant reaction to the deployment of a Soviet ABM is not necessarily an identical action on our part but rather a balancing action. We have, in fact, already responded to the Soviet ABM system. In the fully developed MIRV system we will have assured that whatever defense the Soviet Union might build in the way of an ABM structure, let alone what has actually been deployed, our capacity to penetrate it will be more than sufficient. To respond, now, a second time by putting into place an American ABM system—that is, by deploying the Sentinel—is not a relevant response. It is, rather, the opening of another round of nuclear escalation.

Under the action-reaction formula, the deployment of the Sentinel should and undoubtedly would precipitate a relevant response from the Soviet Union, regardless of the testimony to date. The Russians may be expected to increase even further their offensive capacity in order to assure penetration of the Sentinel defense. By deploying the latter, in short, we will have put ourselves in the ironic position of stimulating the expansion of the over-all offensive capabilities of the Soviet Union against the American people.

Recent statements in favor of deployment indicate the possibility that an alternative plan of deployment for the Sentinel will be offered in the near future. As I understand the new concept, the chief protection of the system will be transferred from the vicinity of great

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cities to the remote ICBM missile sites. Instead of offering protection to people which obviously it cannot do, the Sentinel is now proposed as a missile to protect other missiles. To put it another way, the Sentinel deployment is about to be billed not as a safeguard for our cities but of our deterrent capacity in the event of an attack against the United States. To what degree is this additional protection of the deterrent actually necessary? Is there any question about the adequacy—the enormous adequacy—of our present deterrence? Indeed, the accumulation is already so immense as to be almost beyond calculation. It is many times what anyone can perceive as necessary for the total destruction not only of the Soviet Union but of the entire structure of civilization. Moreover, the delivery systems for this great power are multiple in number and widely dispersed. So I repeat is there any question about the sufficiency of our present deterrent? Why is it necessary, then, to add the Sentinel protection?

To shift the Sentinel from the population centers may allay the current concern of the residents thereof about the dangers of accidental disaster. The shift may make it easier to get legislation for Sentinel through the Congress. I repeat, however, what value does Sentinel as it is now proposed to deploy it, add to an already bulging overloaded arsenal of deterrence? Beyond the emplaced missiles of ICBM have we forgotten the deterrent effect of the Polaris submarine fleet? Nevertheless, if further assured deterrent capability of the land-based ICBM is really needed, would not an additional hardening of the sites be equally or more effective than trying to protect them with other missiles?

It has been said last year and again this year, in effect, that Sentinel deployment will improve our bargaining position with the Soviet Union. It will make it easier, it is contended, to bring about mutual disarmament. The fact is that for more than two decades, every major escalation in the arms race, every significant new addition to the nuclear arsenals has been introduced with precisely the same assurances—that somehow a movement forward in armament will produce agreement on disarmament. It is now 25 years later. Where are the disarmament agreements which the expansion of armaments were to produce? A quarter of a century later, where is there one such agreement on a reduction of armaments? The fact is that not a single nuclear weapon has been dismantled on the basis of a disarmament agreement between the Soviet Union and the United States. So let us at least have the good sense to reason from this experience that whatever its other merit or demerit, Sentinel is hardly an instrument for bringing about disarmament.

The Sentinel system is already, admittedly, dated—dated back to 1962, as I recall. It is readily acknowledged that it will not work against a Soviet attack. Nevertheless, it is contended it will be useful against the Chinese. This contention presupposes not one irrational Chinese decision but two. In the first place the Chinese would have to make the irrational decision to launch a dubiously effective nuclear attack upon us with their most inadequate nuclear resources even though it would bring great retaliatory destruction to their homeland. This initial irrationality, however, would then have to be coupled with an irrational Chinese choice of delivery systems if the Sentinel's deployment is to be justified as a defense against China. The Chinese would have to decide to use intercontinental ballistics missiles to launch the nuclear warheads, a nuclear approach into the United States against which we would have the defensive capacity of the Sentinel. They would have to choose that means, rejecting the use of off-coast submarines which, firing nuclear weapons of low trajectory, could eliminate Seattle, Portland, San Francisco, Los Angeles, San Diego, Boston, New York, Philadelphia, Baltimore, Washington, Norfolk, Charleston, S.C., Miami, New Orleans, and Houston without activating Sentinel. Why would they have to reject this latter approach by sea and with intermediate range missiles which would be clearly the more promising from their point of view? Because the Sentinel is ineffective against missiles of insufficiently high trajectory. It is amazing to what lengths of irrationality the Chinese are expected to go in order to validate the deployment of this system. Is it any wonder that President Nixon has already rejected completely this specious contention as a basis for decision?

There are other arguments which are made to justify the Sentinel deployment arguments of greater or lesser fragility. There is no need to reiterate them now. Each of us has had the benefit of the prolonged probing into the substance of this issue.

I do not know what the President's decision will be in this matter. The responsibility which is his is grave and, whatever he may decide, it goes without saying that it will be because he is persuaded that it is in the best interests of the Nation. However, the Senate, too, has its responsibilities—its independent responsibilities. We must arrive at our own conclusions with respect to this question.

As one Senator, as a Senator from Montana, I have seen enough and heard enough to be persuaded that it would be inadvisable almost to the point of tragedy to spend out of the constricted financial resources of this Government the enormous cost of deployment of this weapons system. To be sure, I can see as warranted a continuance of research and development on Sentinel in the hopes of a significant technological breakthrough which might give meaning to the weapon in later circumstances. But to deploy the system now? We will begin that deployment at a cost estimated at somewhere below $10 billion. We will end, however, in the tens of billions if this deployment actually takes place.

I see no safety for this Nation in bristling and burnished missiles whether they stand tall around deteriorating cities, or rise in the empty fields of an impoverished rural society. I see, rather, the beginnings of a deep trouble if we ever permit a driven pursuit of an elusive security against threats abroad to distract us from the rising tide of insecurity at home.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. SYMINGTON. Let me congratulate the able majority leader on his presentation as to why he opposes the proposed Sentinel system. I am glad, also, that I had the opportunity to hear the fine address on this subject by the distinguished junior Senator from Maryland (Mr. MATHIAS).

I would ask the majority leader, is it not true that the ABM system was first offered as a system to defend against the Chinese; but that was changed when it appeared the system could not be sold on that basis? Then after the cities objected, it was changed, as the Senator from Montana so well brought out, to a system that would protect our missile sites.

Is it not true that none of this has anything to do with the missiles which would be launched from our Polaris submarines?

Mr. MANSFIELD. That is correct. So far as the Sentinel system being directed against China was concerned, that, in my opinion, was always a phony and unpalatable argument. I just could not swallow it. I could not believe it. I was glad to note that President Nixon did not, to use his words, "buy it" either.

Of course, during the debate last year, it was brought out that instead of this system being directed against China, it was being directed against the Soviet Union. This produced a popular outcry when it was announced—not so much in my part of the country; we are used to it. When the country focused on this issue and asked what the ABM would look like, or what the results would be—for the first time we find the President ordering a review. I honor the President for what he has done. I recognize the fact that the Director of the Disarmament Agency, Girard Smith, a very fine man and a good Government official, and Mr. Melvin Laird, a former outstanding Representative, have indicated there is a possibility that a really thin ABM system will be put into operation. Despite this fact and the rumors that it will be put into operation around the missile sites and not in the cities, I nevertheless, have faith and confidence in the President of the United States who, I believe, is keeping an open mind and is trying to arrive at a decision after a thorough review of all the facts. It is he who will make the final decision, sometime next week. We cannot go beyond that point.

Mr. SYMINGTON. We know that our Polaris submarines have hundreds of nuclear missiles ready to be launched against any aggressor, missiles that are a great deal more lethal than the Hiroshima bomb. In addition, is it not also true that we have many thousands of shorter range nuclear weapons all over Europe, and in other parts of the world, which could come into action for the defense of our country, or the country of an ally. The proposed Sentinel would have nothing whatever to do with those

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thousands of warheads. Is that not correct?

Mr. MANSFIELD. The Senator is correct. Many thousands of missiles, is the correct way to state it.

Mr. SYMINGTON. I again thank the able majority leader and congratulate him on his outstanding presentation of this critically important issue.

Mr. PERCY. Mr. President, I also would like to comment on the remarks of the majority leader, which I believe have been exceedingly helpful. I wonder whether I might ask a question of the Senator from Montana on how we could protect our ICBM bases or missiles in another way. As I read the January 15 statement by the outgoing Secretary of Defense, Clark Clifford, he indicated that for a relatively modest appropriation—I think it was $58 million—they could superharden the missile sites and withstand an impact of tremendous power. As I understand it, within a quarter of a mile, they could withstand that kind of blast.

Would this not be a better system, and would not the majority leader support such a request for funds as a means of protecting our ICBM bases, rather than going into the deployment of the system we are now discussing?

Mr. MANSFIELD. Yes, indeed. I so stated during the course of my remarks. I think it would be a cheap price to pay for this additional protection. At the same time, as the Senator knows, those of us who have raised questions about the ABM system would like to see continued research and development in that field so that if and when it became necessary—and that day might come—we would have the best possible weapons system available.

Mr. PERCY. May I further ask whether the distinguished majority leader is aware of the feelings of the Honorable William Foster who, for 8 years after coming to the Disarmament Agency, probably had as much to do with negotiating with the Soviet Union as any American, and what his attitude would be as to whether it would be wise for us to sit down with the Soviet Union now to discuss a potential agreement, and whether he might have expressed to the majority leader an opinion as to whether a useful agreement could be reached in this area?

Mr. MANSFIELD. He has not expressed that opinion to me, but I have heard that he had expressed it to other Members.

I would throw the ball back to the Senator from Illinois and ask him whether he could answer the question which he has just raised, because I believe he has been a close friend of Mr. Foster for a good many years.

Mr. PERCY. It is my feeling that he was of that impression, that a very high priority should be placed on discussions with the Soviet Union.

I believe that I could quote the former Vice President of the United States, in a conversation with him in which I asked him, during a briefing at the White House, when I first came to the Senate, to show us why we should not deploy an ABM system and why it would not make any sense for the country to build one. I also asked him at the time whether, if we reached an agreement in this area, we had the ability to police the agreement, whether our satellite reconnaissance would be adequate, and whether an ABM system could be deployed in the Soviet Union without detection.

He indicated at the time that they could not deploy such a system without detection. Just as in Cuba we were able to pick out what was being done there and progressively to follow it through photo reconnaissance the same could be done with ABM sites.

So that here we can draw up an agreement, the integrity of which can be preserved with our present scientific and technical capability. It would not require on-the-site inspection in order to preserve the useful integrity of a useful agreement.

Mr. MANSFIELD. If the Senator will allow me to interrupt him let me say that on the question of Mr. Foster and his associate director or deputy, Adrian Fisher, this country has been served well. I anticipate that we will be served just as well by the present Director, Girard Smith, who has had previous experience in the State Department, who is a well-known, highly regarded, and well-respected individual, and who, in response to a question before the Gore subcommittee yesterday, stated flatly that while there had been a meeting of the National Security Council—and this is all in public—absolutely no decision had been reached. It is that, in part, which makes me hopeful that the President is giving this his closest, personal attention and is trying to look at all the factors involved, keeping in mind the need for funds to take care of the decay, disintegration, violence, and crime which are occurring within the Nation itself. I feel for him, because he has a great and grave responsibility.

To repeat: I know that no matter what his decision will be, it will be because he thinks it will be in the best interests of the security of this Nation.

Mr. PERCY. One last question for the majority leader, if I may. Does it not seem a bit strange that, in response to the deployment of an ABM system in Moscow, which admittedly has been slowed up or almost arrested now, we are going to build an ABM system, as last announced in some 20 cities, but we do not propose to build it in Washington, D.C., because, as I understand it, there is not to be an ABM installation within 200 miles of our Nation's Capital?

If it is so important to protect Chicago, Detroit, and Pittsburgh in response to a Moscow deployment, why, in the infinite wisdom of the Defense Department, have they not chosen to protect the Nation's Capital?

Mr. MANSFIELD. That is a good question. I do not know the answer.

Mr. PERCY. May I just comment, finally, that several days ago I had the privilege of going out on a nuclear submarine for the first time. I spent 3 years in Naval Avation, but I never had been in a submarine. I had the opportunity to spend a leisurely period of some hours in the wardroom of that nuclear submarine, one which carried the potential, with all the Polaris missiles it had on board, of possessing more explosive power than both sides dropped during all of World War II. That was just one of 41 nuclear submarines.

I put the question to the crew and to the officers—to the officers, essentially—of this submarine: "Let us role play here. Suppose you are ordered to attack Moscow because they have attacked us, and suppose also that they not only have the ABM missile system that they have partially deployed there, but they have everything we now know how to install in the Sentinel system. They have a full complex of Sprints, Spartans, softwear, computers, and everything else. Would you be able to penetrate it?" They said, "Absolutely. All we would have to do is exhaust them and then put up sufficient firepower. Our reconnaissance would know what their system is capable of doing, and we would always be sure that we had one more. Even if everything we were able to put up were knocked down up to 100, the 101st is all we need. So we would just exhaust the system." From their standpoint, it was less expensive to build the extra offensive power than to build the defensive system.

So the psychology the majority leader has pointed out, about this senseless and reckless escalation of nuclear war capabilities, would be carried on because that is the military mentality, and it is their responsibility and obligation to always build something to offset the defensive weapons established. The same mentality that exists in the Pentagon can be assumed to exist in the Soviet military service.

I thank the Senator for yielding.

Mr. MANSFIELD. I thank the Senator from Illinois. I think this action-reaction process holds true not only in the field of armaments, but also in this body as well.

Mr. MATHIAS. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. MATHIAS. I wish to thank the distinguished majority leader for his continued efforts to shed light in this area, not only by what he has said today but what he has done over a long period of time. I was particularly struck by the value of that part of his remarks today which detailed the chronology of thinking in the ABM field, as to the objective of such a system, on the one hand directed against a Russian attack, on the other hand directed against a Chinese attack. I think by detailing the chronology, as he has done, he made it very clear that the proponents of the system are not able to define what their objective is, over an extended period of time, with any great precision. This is certainly a very major factor that has to be considered before a decision to go ahead. I am singling out this particular aspect of the Senator's remarks. I am not in any way overlooking the value of the rest of what he said, but I think the question of where we are aiming has to be decided conclusively, and until it is, we cannot make any intelligent decision.

Mr. MANSFIELD. I appreciate the remarks of the able Senator. I am hopeful that the discussion this afternoon, and the discussions over the past several weeks—discussions which, I want to emphasize, have been carried on in a very statesmanlike manner and on a very high plane—will be given the consideration which many of us feel they warrant. It is my belief that what has been said on both sides of the aisle will be given that attention, and, hopefully, will play a part before a final decision is reached.

Mr. COOPER. Mr. President, I do not know what decision the President may make on the deployment of the Sentinel ABM system as was proposed by the administration of President Johnson, or some modification of that system. Whatever decision is made, I have no doubt that President Nixon will act in what he considers to be in the security and best interest of the United States.

I argue today that the President should not order a deployment of an ABM system. Since last year when the Congress provided the original funds for deployment, there has been a continuing and more informed debate in the Congress and in the country as to its necessity. I believe that the process of consultation with the Congress, and of education and open debate in our country, should go on until all facts available have been presented to the Congress and the country before a decision is made to deploy. We do not yet know all the facts.

My second reason is that deployment should be delayed until the President has had an opportunity to determine whether the Soviet Union will enter negotiations and negotiate in good faith on the control of defensive and offensive nuclear weapons systems. There is no surer way to test the fidelity of the Soviet offer to negotiate a cessation of the nuclear arms race. The clearly understood ability of both the United States and the Soviet Union that each has the assured ability to destroy each other has been the deterrent against nuclear war and is the basis for a possible settlement. It is the only kind of "bargaining from strength" that has meaning.

Is there some new element of danger which we do not yet know which requires the early deployment of some defensive system? And it is to this question that I address myself chiefly today.

Over the past year, the Senate and public have become aware that the rationale offered for the Sentinel ABM system has been confusing and contradictory, whether described as a protection against a Soviet Union or Communist Chinese nuclear attack. This was crisply clarified during the first days of hearings held by the Senate Foreign Relations Subcommittee on Disarmament under Senator GORE, by the testimony of three of the country's most informed nuclear missile scientists, Dr. Hans Bethe, Dr. J. P. Ruina, and Dr. Daniel Fink. Their testimony confirmed the position that former Secretaries of Defense McNamara and Clifford and Dr. Foster, Chief of Research and Development of the Department of Defense, had stoutly maintained that the Sentinel system would provide no protection against a massive Soviet attack. Dr. Bethe and Dr. Ruina gave little support for the argument that it would provide limited protection against China or that there was credibility in reasoning that such attack might occur.

Senator RICHARD RUSSELL's instinctive judgment that the Chinese rationale for the Sentinel system is not credible is also held by these two scientists and by many in the Senate and throughout the country. You will recall that Senator RUSSELL said in hearings before the Senate Appropriations Committee last year:

> This concept of a missile attack originating in China any time in the near future seems to me to be very remote. The Chinese are not completely crazy; they are not going to attack us with four or five missiles when they know we have the capability of virtually destroying their entire country. They will fight us with conventional weapons, if we do have a war, in order to run us out of Korea or some similar area. All of this talk about preparing for a Chinese missile attack, in my judgment, is just to cover up an admission of error in not starting an anti-ballistic missile system against Soviet Russia any earlier than we did.

Later in the same testimony, the distinguished chairman said:

> I don't think there is any question but what they will proceed to develop one. It is inconceivable to me that they would fire the first ones they had against this country and know they would be destroyed if they did so. I am glad we are going ahead, you understand, but I don't like people to think I am being kidded by this talk of defense against a Chinese nuclear threat because I don't think that the Chinese are likely to attack us with an intercontinental ballistic missile at any time in the near future.
>
> I am delighted that the executive branch finally decided to proceed with the deployment of even this "thin" ABM system, because it is the first step toward the deployment of the complete system that I think is required. I have often said that I felt that the first country to deploy an effective ABM system and an effective ASW system is going to control this world militarily.

The three witnesses raised another key issue in their testimony which must be considered. It is relevant because I believe the issue is one that the administration is presently considering, and upon which it may base its recommendations to the Congress. The scientists agreed that the deployment of the radars and the Sprints to protect the sites of our offensive ICBM missiles would provide needed protection if the Soviet Union increased the number and quality of its offensive missile forces by the development of MIRV, FOBS, and related offensive weapons. The capacity of such offensive weapons to neutralize our ICBM missiles and destroy our offensive ICBM capability would destroy or degrade our deterrent.

I comment on this issue by noting that the United States is also proceeding with the development of MIRV, and that it posseses over 600 missiles positioned in our Polaris submarines. We have not been told that the Soviet Union is deploying any missiles such as Sprint to protect its ICBM bases.

Unless there are new facts which would upset the existing assured balance, that make it imperative for the United States to deploy such a site defensive system now, and if there are such facts, they should be made clear to the Congress and the American people. I do not believe that the United States should initiate the deployment of a Sentinel system whether as proposed by the past administration as an area of defense to protect our cities and industries, or a missile site defensive system. If the United States does so without new facts to justify immediate danger, it could be responsible for the commencement of a new stage in the nuclear arms race—a stage that would be matched by the Soviet Union and a continuing nuclear race which could become irreversible.

Out of all the testimony heard yesterday, I think it very important that the Congress, the news media, and the people of our country remember the statements of the three scientists on this issue. Is there such a present danger as to require the deployment of either the proposed Sentinel system, or the deployment of Sprint or similar missiles at our ICBM sites, before negotiations occur? Both Dr. Bethe and Dr. Ruina gave their opinion that there is not such a danger. They suggested that before the deployment of Sprint at missile sites there should be greater study of the type of defense that should be provided. I believe that Dr. Fink said with respect to the necessity of immediate deployment of Sprint at missile sites, that he would want to study the question further.

Senator SYMINGTON has spoken about the enormous costs involved in the deployment of an ABM system. If we do not enter into negotiations and conclude an arms limitation agreement, our country will face an annual investment of offensive and defensive missiles in the tens of billion of dollars. If this expenditure is necessary for the security of our country, I will support it. But we must recognize that both the United States and the Soviet Union have the capacity to keep up with the other in offensive and defensive weapons. With a continuing nuclear arms race we will end up at some later stage no further ahead, and we will be less secure because of the proliferation of United States and Soviet nuclear weapons in the world.

Because of the enormous stakes involved, the costs, our security and human life, I hope the President will defer deployment until he can determine whether negotiations leading to a limitation of the nuclear arms race will be successful. It would be in harmony with his stated desire and purpose to be a peacemaker. He has, I believe, an opportunity that perhaps no other President has had before him. It is the chance to halt the nuclear arms race.

Mr. President, I ask unanimous consent that three articles that appeared in the Wall Street Journal, the Washington Star, and the New York Times on the hearings held by the Foreign Relations Committee yesterday be placed in the RECORD at the conclusion of my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Mar. 5, 1969]

THE GREAT ABM DEBATE

Were its implications not so grave, the great debate over the anti-ballistic missile would be somewhat comical. At first blush, it is hard to believe that a number of competent men, presumably proceeding from the same data, can arrive at diametrically opposed conclusions.

In any event, the Center for the Study of Democratic Institutions has performed a useful service in publishing a microcosm of the debate, in the form of statements and a discussion by experts and others at least familiar

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with the territory. It may not make up your mind one way or another—it didn't ours—but it gets to the core, or rather cores, of the ABM issue. And in the course of the give-and-take it becomes clear why it is in fact extremely difficult to reach a rational decision whether to deploy an ABM system.

Mostly in the news now is the setting up, as approved by Congress, of the so-called thin Sentinel system, at a purported cost of around $5 billion. The Nixon Administration is reviewing this question. Meantime, the suspicion remains strong that the military really want Sentinel as a step toward a thick system, costing maybe $20 billion—or maybe $100 billion or, as Senator Symington charges, $400 billion.

Part of the argument is technical, of course. Will an ABM, thin or thick, work well enough, be able to destroy enough incoming enemy ballistic missiles to justify the investment? Investment, it may be noted, not only in money but in scientific talent and manpower to service the system.

Opponents contend that Sentinel would be obsolete before it was finished, and they have large doubts about the workability of a thick ABM. Proponents retort that Sentinel is actually pretty sophisticated, compared with earlier designs; as for the thick system, they believe it could radically cut fatalities in a nuclear attack.

It isn't just whether an ABM network would be effective against the capabilities of existing offensive missiles. Those missiles can be refined to outwit ABMs, diminishing or nullifying their effectiveness. Here lies one possibility of constant escalation of the arms race: The Soviets develop missiles to penetrate our ABM system, we improve the system and at the same time develop means of penetrating their ABMs. And so on and on.

Another part of the argument turns on domestic political-economic considerations. Is an ABM system essential to national security or is it one more "toy" for the "military-industrial complex" to play with, enhancing their power, prestige and economic position?

Certainly we do not question the motives of the military and the defense contractors or think there is some incipient conspiracy afoot to take over the country. But we do sense a danger in the very momentum of the arms build-up; the bigger it gets, it seems, the still-bigger it tends to get. Undoubtedly it could get too big for the economic and political health of the nation.

Perhaps the basic part of the argument concerns what the Russians are up to and will be up to depending on what the U.S. does. It appears definite they have deployed some kind of ABMs around Moscow, and perhaps elsewhere. Beyond that, the intelligence evidently isn't very precise; little agreement merges as to how good their system is, whether it is strictly speaking an ABM system at all, whether they intend to extend it.

Now if the Soviets are seriously deploying ABMs, it would seem plain that the U.S. has little choice but to do the same. The opponents, however, say not necessarily; the U.S. can rely on its offensive missiles, adapted to penetrate any Soviet ABMs, to deter a Soviet attack. Our nuclear capability is what has deterred attack these 20 or more difficult years.

One reason for the depth of the confusion, we suspect, is that the ABM is not just a new weapons system; it represents to some extent a new strategy, defense on top of offensive capacity.

True, the nation has long had an early-warning system, but successive Administrations have up to now rejected the ABM approach, just as the nation couldn't maintain any great interest in fallout shelters and other manifestations of defensive psychology. If, in other words, the U.S. has the offensive power to deter, does it need this costly defensive arrangement too?

Then there is the issue of possible negotiations with the Soviets. ABM advocates say the U.S. has to start installing the network in order to have a bargaining counter; that is, we would agree to stop ours if they stop theirs. It may be so, but it can also be reasoned that the obvious threat of U.S. deployment, in the failure of agreement, would be a sufficient bargaining point.

In negotiations, anyway, lies what hope exists of averting this mammoth new venture—negotiations, needless to say, conducted with the sharpest of eye to Soviet deception. Some hope of avoiding the defensive-missile race and curbing the offensive-missile race does exist, if only because the current and prospective costs may be getting intolerable for the Soviets.

As a general principle we would say that the U.S. must do whatever is necessary for its security, although we do not overlook the danger of ending up as a sort of garrison state in the process. The profoundly disturbing thing about the ABM debate so far is that some of the best minds in the field cannot agree on what is or is not necessary for that security.

[From the New York Times, Mar. 7, 1969]

NIXON AIDE DENIES SENTINEL IMPERILS ATOM ARMS TALKS—CHALLENGES SENATORS' VIEW AN ANTIMISSILE NET WOULD INTENSIFY WEAPONS RACE—OPPONENTS SET BACK—THREE SCIENTISTS ALSO LEAN TO SYSTEM IN TESTIMONY AT "EDUCATIONAL" HEARING

(By John W. Finney)

WASHINGTON, March 6.—The Administration asserted today that a deployment of the Sentinel ballistic missile defense system would not disrupt attempts to reach a strategic arms control agreement with the Soviet Union.

The position was presented by Gerard C. Smith, the new director of the Arms Control and Disarmament Agency, to the Senate Foreign Relations Subcommittee on Disarmament, which began "educational" hearings on the strategic and foreign policy implications of an antiballistic missile system.

Senator J. W. Fulbright, Democrat, of Arkansas, described the hearings as "an exercise in persuasion," directed at President Nixon, that the United States should not deploy the Sentinel. But the exercise did not go exactly as many subcommittee members had hoped.

If anything, the Sentinel opponents came out of the first round with their case perhaps weakened. Mr. Smith, the President's chief disarmament adviser, challenged their arguments that the Sentinel system would accelerate the arms race and impede arms talks with the Soviet Union.

SCIENTISTS DISAGREE

Their technical-strategic arguments found a panel of scientists leaning toward a missile defense system designed to protect missile and bomber bases from Soviet attack. That is precisely the direction in which the Administration is leaning in its current review of the Sentinel program.

As initially presented by the Johnson Administration, the Sentinel system, now estimated to cost at least $5.5-billion, was to protect the American population from a Chinese missile attack in the nineteen-seventies.

However, the Nixon Administration is moving toward a plan to provide protection of strategic bases from a Soviet attack as well as some protection for population centers from a Chinese attack.

Under this modification, Sentinel bases would be moved away from population centers and additional bases providing "terminal defense" would be set up around missile and bomber bases.

President Nixon, who canceled a weekend trip to Florida so he could review the issue, plans to announce his decision early next week.

The Administration's apparent inclination to proceed with a modified version of the Sentinel system, combined with the President's desire to make a decision before the Senate subcommittee could hold its hearings, produced a note of testiness toward the Administration from influential members of the committee.

COOPER GIVES VIEW

Senator John Sherman Cooper, Republican of Kentucky, who is a leader of the Sentinel opposition, said that it was apparent the Administration was trying to modify the Sentinel in such a way so that it could win votes in the Senate

Senator Fulbright, chairman of the Foreign Relations Committee, said it was apparent that the Administration had decided to proceed with the Sentinel. Mr. Smith emphatically denied this, saying that no decision had been made.

Mr. Fulbright, noting that a pig's head had been thrown at his feet yesterday during a peace luncheon in New York City, asked: "What good is this defense if we are going to blow up internally?"

Senators Fulbright and Cooper repeatedly came back to the arguments that a deployment of the Sentinel system would accelerate the atomic arms race, hinder arms control talks with the Soviet Union and violate the spirit of Article VI of the treaty against the spread of nuclear weapons.

That article calls upon the atomic powers to enter into "good faith" negotiations to stop their nuclear arms race. All these arguments were disputed by Mr. Smith, providing a further indication of the Administration's intention to proceed with the Sentinel.

Noting that there had been no significant adverse Soviet reaction on the initial decision to deploy the Sentinel system in 1967, Mr. Smith said:

"I would think that a decision to resume such deployment at this time would not prevent strategic arms limitation talks."

LITTLE REACTION SEEN

He also said that he did not believe a reorientation of the Sentinel system to provide protection of strategic bases from Soviet missiles would result in a significant Soviet reaction against arms talks.

To subcommittee suggestions that the United States delay the Sentinel while it seeks an arms agreement with the Soviet Union, Mr. Smith said that was what the Administration was proposing to do.

It will be several years, he said, before the Sentinel system is deployed, and in the meantime the Administration hopes to enter into arms talks.

During the four-hour hearing, the subcommittee also heard from a panel of scientific experts in the nuclear missile field.

They were Dr. Daniel Fink, former deputy director of Defense Research and Engineering and now general manager of General Electric's Space Division in Valley Forge, Pa.; Dr. John P. Ruina, former director of the Pentagon's Advanced Research Projects Agency and now professor of electrical engineering at the Massachusetts Institute of Technology, and Dr. Hans A. Bethe, a physicist at Cornell University who is a Nobel Prize winner.

The three scientists agreed that there would be no military danger in delaying the Sentinel. They also agreed that it would be impractical to build an effective defense system to protect population centers from a Russian attack.

They differed somewhat on the effectiveness of the sentinel system against a Chinese attack.

PERIOD OF EFFECTIVENESS

Dr. Fink contended that it would be effective for "some period of time." Dr. Bethe and Dr. Ruina argued that Communist China could overcome and "exhaust" the Sentinel system by using radar decoys, such as balloons or metallic chaff.

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However, Dr. Bethe and Dr. Ruina, who have been among the leading scientific critics of the Sentinel, joined Dr. Fink in saying that some ABM protection of strategic bases might be needed against Soviet missiles. They differed on the urgency of such a "hard point" defense and on how it should be done.

Because the Soviet Union does not now have the capability of knocking out the United States' retaliatory force of missiles and bombers, Dr. Ruina and Dr. Bethe contended that the United States could wait one or two years before making a decision on whether to provide a defense for the strategic bases.

The point at which the United States should begin to worry, Dr. Bethe said, is when the Soviet Union develops multiple warheads with sufficient accuracy to hit a missile base.

[From the Washington (D.C.) Star, Mar. 7, 1969]

SCIENTIST LINKED TO ABM DISCOUNTS DANGER IN DELAY

(By Orr Kelly)

One of the scientists who helped develop the Sentinel antimissile system has told a Senate committee he would be "hard-pressed to say there would be any great danger from a delay of a year" in deployment of the system.

Dr. Daniel Fink, former deputy director of defense research and engineering for strategic weapons, told a Senate Foreign Relations subcommittee yesterday that he favors the Sentinel system both as a defense against China and to protect American offensive missiles.

But when pressed on the urgency for deployment, he agreed that a delay of a year might be safe.

Fink was joined at the hearing table by two other scientists with long experience in weapons systems development—both firmly opposed to the "thing," Chinese-oriented Sentinel system now under review by the new administration.

DEPLOYMENT OPPOSED

Dr. Hans Bethe, Nobel prize winner in physics from Cornell University, and Dr. J. P. Ruina, professor at the Massachusetts Institute of Technology and former director of the Pentagon's advanced projects research agency, both told the committee they oppose Sentinel deployment and would thus welcome a delay of a year or more.

But the three also told the committee that the system could be effective against the possible Chinese threat for some years if the effort were made to keep up with the growth of Chinese missile development.

"If we deploy the Sentinel system we shall probably be tempted to improve it in quality and to increase the number of our antimissiles so as to keep up with the developing Chinese threat," Bethe said. "I believe that it would be possible for us to engage in such a race, and to stay ahead of the Chinese ICBM capability for a long time. This would probably be costly but would certainly be within our financial capability."

The three scientists also agreed that some form of missile defense designed to protect the American Minuteman missiles against a Soviet first strike might be desirable. Fink said such protection seemed to him fairly urgent, while the other two said they thought the United States had time to wait to see whether the Soviet capability to hit American missiles in their silos was going to increase.

President Nixon has said he will announce a decision on deployment of an ABM early next week and there has been speculation that he might advocate a relatively small system designed to protect Minuteman missiles. The argument is that once the U.S. and Russia begin talks on limiting strategic arms, each country would thus have something to trade off.

Earlier, the committee questioned Gerard C. Smith, new director of the Arms Control and Disarmament Agency. But, since he is involved in advising the President on the Sentinel decision, he said he could not answer many of the more specific questions.

He did, however, say he did not think a decision to go ahead with deployment of a system similar in scope to Sentinel would "prejudice the prospects for strategic arms limitation talks" with the Soviet Union.

TIMING NOTED

It was after the decision to deploy Sentinel had been announced by the Johnson administration, he noted, that the Soviets had agreed to arms limitation talks.

Sen. Albert Gore, D-Tenn., chairman of the subcommittee, said the purpose of the hearings, which will continue next Tuesday, is to "examine the question to the fullest extent possible in public hearings in order to develop a body of information which can serve as a basis for judgment by the Senate and by the American people."

But Sen. J. William Fullbright, D-Ark., chairman of the full committee and an opponent of Sentinel deployment, seemed disappointed that the President had announced he would reveal his decision on Sentinel before the hearings have run their course.

"My understanding of the purpose of these hearings," he said, "was to influence the President's decision. It's late, but I think they still might."

Mr. PELL. Mr. President, I congratulate the majority leader on a singularly lucid, closely reasoned speech on the reasons why we should not at this time deploy an ABM system. This speech has made a very valuable contribution to our current debate—a debate whose importance far transcends the halls of this Chamber. I know it has helped clarify my own thinking on this subject—a subject in which I personally find reasonably valid arguments can be made on either side.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider executive business.

TREATY ON THE NONPROLIFERATION OF NUCLEAR WEAPONS

Mr. MANSFIELD. Mr. President, I move that the Senate turn to the consideration of Executive H, 90th Congress, second session, the Treaty on the Nonproliferation of Nuclear Weapons.

The PRESIDING OFFICER. The treaty will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A treaty on the nonproliferation of nuclear weapons.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to, and the Senate, as in committee of the whole, proceeded to consider the treaty, which was read the second time, as follows:

TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

The States concluding this Treaty, hereinafter referred to as the "Parties to the Treaty",

Considering the devastation that would be visited upon all mankind by a nuclear war and the consequent need to make every effort to avert the danger of such a war and to take measures to safeguard the security of peoples,

Believing that the proliferation of nuclear weapons would seriously enhance the danger of nuclear war,

In conformity with resolutions of the United Nations General Assembly calling for the conclusion of an agreement on the prevention of wider dissemination of nuclear weapons,

Undertaking to cooperate in facilitating the application of International Atomic Energy Agency safeguards on peaceful nuclear activities,

Expressing their support for research, development and other efforts to further the application, within the framework of the International Atomic Energy Agency safeguards system, of the principle of safeguarding effectively the flow of source and special fissionable materials by use of instruments and other techniques at certain strategic points,

Affirming the principle that the benefits of peaceful applications of nuclear technology, including any technological by-products which may be derived by nuclear-weapon States from the development of nuclear explosive devices, should be available for peaceful purposes to all Parties to the Treaty, whether nuclear-weapon or non-nuclear-weapon States,

Convinced that, in furtherance of this principle, all Parties to the Treaty are entitled to participate in the fullest possible exchange of scientific information for, and to contribute alone or in cooperation with other States to, the further development of the applications of atomic energy for peaceful purposes,

Declaring their intention to achieve at the earliest possible date the cessation of the nuclear arms race and to undertake effective measures in the direction of nuclear disarmament,

Urging the cooperation of all States in the attainment of this objective,

Recalling the determination expressed by the Parties to the 1963 Treaty banning nuclear weapon tests in the atmosphere in outer space and under water in its Preamble to seek to achieve the discontinuance of all test explosions of nuclear weapons for all time and to continue negotiations to this end,

Desiring to further the easing of international tension and the strengthening of trust between States in order to facilitate the cessation of the manufacture of nuclear weapons, the liquidation of all their existing stockpiles, and the elimination from national arsenals of nuclear weapons and the means of their delivery pursuant to a treaty on general and complete disarmament under strict and effective international control.

Recalling that, in accordance with the Charter of the United Nations, States must refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the Purposes of the United Nations, and that the establishment and maintenance of international peace and security are to be promoted with the least diversion for armaments of the world's human and economic resources,

Have agreed as follows:

ARTICLE I

Each nuclear-weapon State Party to the Treaty undertakes not to transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices directly, or indirectly; and not in any way to assist, encourage, or induce any non-nuclear-weapon State to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices.

ARTICLE II

Each non-nuclear weapon State Party to the Treaty undertakes not to receive the

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transfer from any transferor whatsoever of nuclear weapons or other nuclear explosive devices or of control over such weapons or explosive devices directly, or indirectly; not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices; and not to seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices.

ARTICLE III

1. Each non-nuclear-weapon State Party to the Treaty undertakes to accept safeguards, as set forth in an agreement to be negotiated and concluded with the International Atomic Energy Agency in accordance with the Statute of the International Atomic Energy Agency and the Agency's safeguards system, for the exclusive purpose of verification of the fulfillment of its obligations assumed under this Treaty with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices. Procedures for the safeguards required by this article shall be followed with respect to source or special fissionable material whether it is being produced, processed or used in any principal nuclear facility or is outside any such facility. The safeguards required by this article shall be applied on all source or special fissionable material in all peaceful nuclear activities within the territory of such State, under its jurisdiction, or carried out under its control anywhere.

2. Each State Party to the Treaty undertakes not to provide: (a) source or special fissionable material, or (b) equipment or material especially designed or prepared for the processing, use or production of special fissionable material, to any non-nuclear-weapon State for peaceful purposes, unless the source or special fissionable material shall be subject to the safeguards required by this article.

3. The safeguards required by this article shall be implemented in a manner designed to comply with article IV of this Treaty, and to avoid hampering the economic or technological development of the Parties or international cooperation in the field of peaceful nuclear activities, including the international exchange of nuclear material and equipment for the processing, use or production of nuclear material for peaceful purposes in accordance with the provisions of this article and the principle of safeguarding set forth in the Preamble of the Treaty.

4. Non-nuclear-weapon States Party to the Treaty shall conclude agreements with the International Atomic Energy Agency to meet the requirements of this article either individually or together with other States in accordance with the Statute of the International Atomic Energy Agency. Negotiation of such agreements shall commence within 180 days from the original entry into force of this Treaty. For States depositing their instruments of ratification or accession after the 180-day period, negotiation of such agreements shall commence not later than the date of such deposit. Such agreements shall enter into force not later than eighteen months after the date of initiation of negotiations.

ARTICLE IV

1. Nothing in this Treaty shall be interpreted as affecting the inalienable right of all the Parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I and II of this Treaty.

2. All the Parties to the Treaty undertake to facilitate, and have the right to participate in, the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy. Parties to the Treaty in a position to do so shall also cooperate in contributing alone or together with other States or international organizations to the further development of the applications of nuclear energy for peaceful purposes, especially in the territories of non-nuclear-weapon States Party to the Treaty, with due consideration for the needs of the developing areas of the world.

ARTICLE V

Each Party to the Treaty undertakes to take appropriate measures to ensure that, in accordance with this Treaty, under appropriate international observation and through appropriate international procedures, potential benefits from any peaceful applications of nuclear explosions will be made available to non-nuclear-weapon States Party to the Treaty on a non-discriminatory basis and that the charge to such Parties for the explosive devices used will be as low as possible and exclude any charge for research and development. Non-nuclear-weapon States Party to the Treaty shall be able to obtain such benefits, pursuant to a special international agreement or agreements, through an appropriate international body with adequate representation of non-nuclear-weapon States. Negotiations on this subject shall commence as soon as possible after the Treaty enters into force. Non-nuclear-weapon States Party to the Treaty so desiring may also obtain such benefits pursuant to bilateral agreements.

ARTICLE VI

Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control.

ARTICLE VII

Nothing in this Treaty affects the right of any group of States to conclude regional treaties in order to assure the total absence of nuclear weapons in their respective territories.

ARTICLE VIII

1. Any Party to the Treaty may propose amendments to this Treaty. The text of any proposed amendment shall be submitted to the Depositary Governments which shall circulate it to all Parties to the Treaty. Thereupon, if requested to do so by one-third or more of the Parties to the Treaty, the Depositary Governments shall convene a conference, to which they shall invite all the Parties to the Treaty, to consider such an amendment.

2. Any amendment to this Treaty must be approved by a majority of the votes of all the Parties to the Treaty, including the votes of all nuclear-weapon States Party to the Treaty and all other Parties which, on the date the amendment is circulated, are members of the Board of Governors of the International Atomic Energy Agency. The amendment shall enter into force for each Party that deposits its instrument of ratification of the amendment upon the deposit of such instruments of ratification by a majority of all the Parties, including the instruments of ratification of all nuclear-weapon States Party to the Treaty and all other Parties which, on the date the amendment is circulated, are members of the Board of Governors of the International Atomic Energy Agency. Thereafter, it shall enter into force for any other Party upon the deposit of its instrument of ratification of the amendment.

3. Five years after the entry into force of this Treaty, a conference of Parties to the Treaty shall be held in Geneva, Switzerland, in order to review the operation of this Treaty with a view to assuring that the purposes of the Preamble and the provisions of the Treaty are being realized. At intervals of five years thereafter, a majority of the Parties to the Treaty may obtain, by submitting a proposal to this effect to the Depositary Governments, the convening of further conferences with the same objective of reviewing the operation of the Treaty.

ARTICLE IX

1. This Treaty shall be open to all States for signature. Any State which does not sign the Treaty before its entry into force in accordance with paragraph 3 of this article may accede to it at any time.

2. This Treaty shall be subject to ratification by signatory States. Instruments of ratification and instruments of accession shall be deposited with the Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland and the Union of Soviet Socialist Republics, which are hereby designated the Depositary Governments.

3. This Treaty shall enter into force after its ratification by the States, the Governments of which are designated Depositaries of the Treaty, and forty other States signatory to this Treaty and the deposit of their instruments of ratification. For the purposes of this Treaty, a nuclear-weapon State is one which has manufactured and exploded a nuclear weapon or other nuclear explosive device prior to January 1, 1967.

4. For States whose instruments of ratification or accession are deposited subsequent to the entry into force of this Treaty, it shall enter into force on the date of the deposit of their instruments of ratification or accession.

5. The Depositary Governments shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification or of accession, the date of the entry into force of this Treaty, and the date of receipt of any requests for convening a conference or other notices.

6. This Treaty shall be registered by the Depositary Governments pursuant to article 102 of the Charter of the United Nations.

ARTICLE X

1. Each Party shall in exercising its national sovereignty have the right to withdraw from the Treaty if it decides that extraordinary events, related to the subject matter of this Treaty, have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all other Parties to the Treaty and to the United Nations Security Council three months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.

2. Twenty-five years after the entry into force of the Treaty, a conference shall be convened to decide whether the Treaty shall continue in force indefinitely, or shall be extended for an additional fixed period or periods. This decision shall be taken by a majority of the Parties to the Treaty.

ARTICLE XI

This Treaty, the English, Russian, French, Spanish and Chinese texts of which are equally authentic, shall be deposited in the archives of the Depositary Governments. Duly certified copies of this Treaty shall be transmitted by the Depositary Governments to the Governments of the signatory and acceding States.

In witness whereof the undersigned, duly authorized, have signed this Treaty.

Done in triplicate, at the cities of Washington, London and Moscow, this first day of July one thousand nine hundred sixty-eight.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into legislative session.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate resumed the consideration of legislative business.

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IMPORTANCE OF CLOSE CONSULTATION OF UNITED STATES AND THE VATICAN

Mr. PELL. Mr. President, at his press conference on March 4, President Nixon emphasized the importance he attached to close consultation between the United States and the Vatican on foreign policy matters. Replying to a question, he said that the possibility of sending an American envoy to the Vatican was under study. I agree completely with the President's statement regarding the importance of close consultation with the Vatican, and I hope that the study to which the President referred will conclude that we should take steps to improve our relationship with the Vatican, which, it seems to me, can best be done by appointing an envoy.

There is nothing new or novel in this idea.

For 73 years, from 1797 to 1870 when the Kingdom of a United Italy took over the papal states, the United States had consular relations with the Vatican. In fact, the United States maintained regular diplomatic relations with the Vatican from 1848 to 1868.

Before and after World War II, from 1939 to 1950, Presidents Roosevelt and Truman sent Myron Taylor, complete with an official staff, as a personal representative to the Pope. I suggest that this latter approach or one similar to it, would be of great advantage to us at this time.

The initiative of Pope John, which Pope Paul continues, puts the Vatican in the vanguard of peace. Pope Paul's recent historic visits to the Holy Land, India, Latin America and the United States provided a dramatic demonstration of the profound influence for peace which his papacy holds. In this age of total and instant annihilation, the U.S. Government surely should be in daily, official contact with the Roman Catholic Church's campaign literally to save the world from destroying itself.

Simply from the viewpoint of knowing more about the world, and particularly behind the curtain, I believe we are at a serious disadvantage in not having direct access to Vatican sources of information and intelligence. Furthermore, we need a more effective method of bringing our Government's views on world issues to the attention of the papacy.

If such a strong Protestant country as England, where Anglicanism is the established church, can maintain full diplomatic relations with the Vatican, as has been the case since 1914, certainly we can do so.

In fact, 63 countries, including Communist Cuba and Poland, presently maintain diplomatic representatives at the Vatican. Only about two-thirds of these nations could be characterized as Catholic nations. Moreover, 10 of the 15 members of the United Nations Security Council are amongst those nations maintaining diplomatic relations with the Vatican.

I am not unmindful of the sensitivities of my fellow Protestants, but I am simply saying that I believe our national interests would be best served by having an official, open channel of communication with the Vatican.

I am glad President Nixon is considering this matter, and strongly hope that his conclusion will be to send an envoy there.

LETTER OF RONALD W. PARTRIDGE ON DISENGAGEMENT OF AMERICAN FORCES FROM VIETNAM

Mr. PELL. Mr. President, I have received a letter from Ronald W. Partridge who has spent 2 years in Vietnam with the International Voluntary Services. Mr. Partridge makes a very good case, it seems to me, for a publicly stated schedule of disengagement of American forces from Vietnam beginning immediately. It is his view that such a step could improve the political climate because, among other things, the South Vietnamese Government would be forced to broaden its base of support and the National Liberation Front would thus lose a major recruiting argument.

I believe that readers of the CONGRESSIONAL RECORD would find Mr. Partridge's letter interesting, and I therefore ask unanimous consent that it be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JANUARY 31, 1969.

Hon. CLAIBORNE PELL,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PELL: I would like to thank you for your time and attention during our recent meeting. I am sorry that your schedule did not permit us to personally visit. I am sending you a summary of points which I feel are of great concern for our Vietnam policy. They are based largely on my experiences as a volunteer teacher in Vietnam (Bac Lieu on the southern coast of the Mekong Delta) for International Voluntary Services (IVS is a private, Peace Corps type agency funded by the United States government) from September 1966, until December 1968. From June 1968, I administered the educational part of the IVS program and will continue in that capacity upon my return to Vietnam next month.

Although all eyes are focused on the Paris negotiations, I would agree with the recent statement by South Vietnam's Prime Minister Huong to the effect that "the success of the negotiations depends on events in South Vietnam." With this in mind, I would suggest that our exclusive support of the Thieu/Ky regime has resulted in the following consequences:

1. Potentially viable middle ground political life is being eroded, leading to a polarization of political choices: between the Saigon regime and the NLF.

2. Those who disagree with policies or personalities of the present regime are faced with two choices: dropping out of political life or going over to the NLF.

3. The present regime continues political imprisonment and remains oblivious to the need to: broaden its political base, reach accommodation with non-Communist Nationalist forces, and respond to the needs of the people.

4. The middle ground of political forces is left open to exploitation by the NLF, which capitalizes on the Saigon regime's behavior as justification for the charge that it is merely a tool of the United States.

Through a *publicly stated* schedule of disengagement from Vietnam, *beginning immediately,* we could improve the political climate in these ways:

1. Saigon would out of necessity make a strong effort to broaden its base of support in order to stay in power, thereby responding to its domestic responsibilities more effectively in order to win respect.

2. The NLF would lose a major recruitment argument point (i.e., the Saigon government is a puppet of the U.S.), as well as losing some of its adherents who are not hard core Communists.

3. A more broadly based Saigon government would be more favorably inclined toward the Paris talks, expressing the widespread and deeply felt desire of the people for peace.

4. The NLF cadres would be more willing to lay down their arms to participate in a viable political atmosphere.

5. Should Saigon respond by liberalizing its policies, the possibilities for speeding up the American disengagement would improve, and the people of Vietnam would have gained a better chance of determining their own future without external pressures.

After two years of working with the people of Vietnam for International Voluntary Services, the above represents the thinking which resulted.

Thanking you again for your attention, may I express the hope I know we all share: that this terrible problem may reach a settlement favorable to the interests of both the Vietnamese and American peoples.

Sincerely,

RONALD W. PARTRIDGE.

P.S.—I would suggest that you keep in contact with Stu Bloch of the Vietnam Education Project. He is an excellent source of information on how events in South Vietnam effect the people's attitudes towards their government and the United States.

THE NEEDS AND CHALLENGES OF TOMORROW

Mr. MOSS. Mr. President, recently Mr. Elmo Roper, who is a senior consultant of Roper Research Associates, Inc., delivered a memorable address at the annual meeting of the Life Insurance Agency Management Association at the Palmer House in Chicago. In his address, Mr. Roper very frankly and rather eloquently summarized the many problems that confront America today, and in his analysis pointed the way for our solution of some of these problems. I commend the reading of his address to my colleagues who will find it stimulating and provocative. Mr. Roper has many important assignments at this time. I therefore ask that a brief summary of his career and present affiliations be printed at the beginning of the speech, and that the text of his speech along with the biography be printed in the RECORD at this point.

There being no objection, the biography and speech were ordered to be printed in the RECORD, as follows:

BIOGRAPHY OF ELMO ROPER

Elmo Roper, Senior Consultant of Roper Research Associates Inc., was born in Hebron, Nebraska, in 1900. He attended the University of Minnesota and the University of Edinburgh, Scotland. His early business experience was in jewelry retailing and manufacturing. And from the gamut of this experience, he began to grasp the importance of learning what the public wanted rather than trying to sell them what some designer or corporation president thought they should want. His own amateur applications of what he later learned were "marketing research techniques" in jewelry merchandising gradually led him into what became his life's work. He is best known for his articles, radio

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and television broadcasts and election analyses. During World War II, he served as a dollar-a-year man for the Office of Strategic Services, the Army Air Force, Navy and Marines and other government agencies. Much of his time in recent years has been devoted to race relations and national and international affairs. He is also a successful and respected business leader and serves as a member of the Board of Directors of Home Life Insurance Company, Tiffany & Co., International Research Associates, Haug Associates, Encyclopedia Brittanica, Encyclopedia Brittanica Educational Corporation, Elba Systems Corporation, and other companies. He has been accorded a number of honorary degrees for his contributions toward informing man's understanding of his fellow man and the world he lives in. Mr. Roper and his wife, Dorothy, make their home in West Redding, Connecticut. His office is at 111 West 50th Street, New York City.

Address by Elmo Roper to Life Insurance Agency Management Association

When I saw the title of my speech, I first thought they had gotten me mixed up with Jean Dixon, the woman in Washington who predicts the fate of presidents and the events which will befall the nation. When I confirmed that the subject was indeed meant for me, I was at least relieved that I could talk about the world of "sometime" tomorrow, and not next week. But today even that is risky. Last spring I had lunch with a friend of mine, to whom I made the oracular statement, "The one thing you can be sure of these days is that you have no idea what the news will bring by tomorrow morning." That statement, at least, was correct. Some hours later, Martin Luther King was shot, and that was not the end of the dramatic events which this year have changed overnight the look of the world in which we live. These are violent and troubled times, in which the projection of tomorrow's world is repeatedly shattered by today's events. But perhaps it is possible to get beyond those events and find some clues to the direction in which we are moving. In my effort to do this, I have been fortunate in having the help of some of the best, most far-sighted minds in America, because of a special depth interview study our firm recently completed.

This study, which was done for Standard Oil of New Jersey, explored the problems of tomorrow with 30 highly influential thought leaders from a wide range of fields. Our standards for selecting the men we talked to were very strict: Each had to be a recognized leader in his field. Each is an acknowledged man of ideas. Each has a demonstrated record of having influenced public policy or social direction. And each is a person with a record of concern for the emerging problems of tomorrow as well as the pressing problems of today. I can't tell you who the men were, because we wanted absolutely frank, off-the-cuff, speculative discussions of possibilities and didn't want to bind them to the public commitments or positions, so we guaranteed them complete anonymity. I can tell you that they included U.S. Senators, foundation presidents, respected journalists and authors, educators, as well as former high government officials and outstanding business leaders.

What did these knowledgeable observers visualize as the social challenges on the horizon? Their answers ranged widely, but a number of recurrent themes ran through the interviews. One of the major themes was put this way by a former high government official: "To me the biggest problem of the next decade is pretty damn obvious—it is that man must once again address himself to the problem of getting on top of his environment." The choice confronting us, their comments indicated, is between letting things drift toward chaos and possible catastrophe or of bringing the forces of our world under rational human control.

Take, for example—as many of them did—our cities. I think we would all agree that they are big enough. However, while they may still be tolerable enough places to visit, today you have to be very rich or very poor or very crazy to live there. In our thought leader study, a U.S. Senator had this to say: "There is no question that the all-important problem of the next decade is the big city. I am not just referring to decent housing. I am talking about transportation, race relations, education, recreation—practically everything that affects the human being. There simply has to be a better way of getting into and out of the city, and there also has to be a better way of getting around in the city, and most important, to live in it." A leading editor took this dim view: "Cities are half out of control now and going further out each day. I think we are in for an era of social turbulence the likes of which we have never seen before in the history of this country, except during the Civil War."

To talk about cities is to open a Pandora's Box of problems including water and air and noise pollution and traffic congestion and just plain jamming too many people into too little space. What are we doing about it? In New York our latest approach to the problem is to build a new skyscraper on top of Grand Central Terminal—and adding about 10,000 people to the mid-town jam. But our cities are not isolated pest-pockets which one can evade by means of superhighways. For there is urban sprawl, and now suburban sprawl, and the plain fact is that cities are only the most glaring example of what happens when our physical environment is allowed, like Topsy, to "just grow."

That is what Stewart Udall, Secretary of the Interior, has written about the crisis of values that we face: "One could contemplate the United States a century from now with equanimity if our growth rate and growth patterns reflected a mature purposeful national will. Arrogant events and the headlong pace of material progress have left us little time to ask what people are for or to agree on long-term societal aspirations. We have no environmental index, no census statistics to measure whether the country is more or less livable from year to year. A tranquillity index, a cleanliness index, a privacy index might have told us something about the condition of man, but a fast-growing country bent on piling up material things has been indifferent to the 'little things' that add joy to everyday living. We have learned neither how to grow nor at what pace, and that is our failing and our future trouble. If we are to establish the secure foundations of an equal-opportunity society and master the sensitive arts of building a life-encouraging environment, then at this moment in history we need to realize that: bigger is not better; slower may be faster; less may well mean more."

And, I add, more may well mean less. Where this is clearest is in the implications of the population exploding around us. It took all the thousands of years of history up until the mid-nineteenth century to amass the first billion of human beings on earth. But it took less than one century to reach the second billion and only one generation beyond that to get to the third billion. At the present rate of world population growth, the number of people on earth will double about every 35 years. And this frightening increase is not limited to the "unenlightened" regions of the world; some population experts predict that the U.S. population, too, will double by the year 2000.

A population of this size will vastly exceed the facilities for the care and feeding of human beings now available on this planet. Remember each one-acre plot in a new subdivision or a new highway is one acre that won't grow food, thus reducing capacity at the same time we increase demand. Last year one and one-half million acres of farm land became subdivisions or shopping centers. To put it in one simple figure, agricultural experts estimate that a tripling of the world's food supply will be necessary between now and the turn of the century, if the people then alive are to be reasonably adequately fed. This perhaps sounds Utopian since most of the people alive on this planet are not now and have perhaps never been adequately fed. Yet this is only the minimum humane requirement of the population now around the corner.

If these needs can be met at all, the only way is through the careful use and nurturing of the land we now have—in short, through enlightened policies and practices of conservation. Much is being done, but even in the United States, what we are now doing falls far short of what is needed. Agriculture now takes three to four million tons more nutrients from the soil than are replaced each year. About a quarter of the land now used for crops is being damaged by erosion at a critically severe rate. Another quarter is eroding at a less rapid but still serious rate. The need for conservation, of course, goes far beyond the proper use and treatment of land. It implies respect for and proper cultivation of all the natural resources on which life depends. For example, it is anticipated that our water needs may quadruple in the next forty years while our population is doubling. So we will need access to new supplies of fresh water, and we will need to vastly improve our treatment of the water now being used. Water pollution is an ugly luxury that can no longer be afforded by our expanding society. Conservation also means going beyond the basic questions of how much of what resources we need to live. It means asking how much unspoiled nature we need to keep in order to nourish and revitalize our lives. It means conserving the open spaces we need to periodically refresh our lives. It means conserving the joy we take in contemplating both the loveliness of nature and the beauty of well-run human enterprises.

However, our efforts to achieve the needed environmental control will fail to bring us a habitable world unless at the same time we achieve a measure of population control. As a prominent biologist has put it: "Improving food production is treating a symptom, not the disease. It is like using morphine as the sole treatment for acute appendicitis. The patient feels better for a while and then dies in agony. The disease of this planet is overpopulation. One of the symptoms is hunger and it can be suppressed temporarily. The only possible cures are a drastic reduction in birth rate or a drastic increase in death rate. Regardless of any improvement of food production, sooner or later we will have one cure or the other, make no mistake about it."

Our choice, in regard to our physical environment, is ever-increasing population pressures on the finite resources of our globe, which will lead inexorably to overcrowding, even more polluted streams and beaches, even more polluted air and finally, famine and war—or a controlled development of the fruits of the earth—including man—to create a humane and habitable planet.

The first task, then, is to make manageable the physical world in which we live. What, then, are we to do in and with this world? This was the second major theme of the thought leaders we interviewed in our survey of the problems of tomorrow. There emerged from these interviews a clear consensus that the major problems of tomorrow will not be economic. There was general agreement that in America, despite the pockets of poverty that remain, the basic economic problems have been solved and that we can expect affluence and prosperity to be part of our future. And so the focus of our concern will shift. This is what one noted author said:

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"In recent decades we have been chiefly concerned with who gets what share of the economic pie. But today the content of the political dialogue is sharply changing. Now there are questions about the character and quality of life the individual will achieve—how we and our children will live." Or, as a former high government official put it: "Now the question will be less 'What do I get?' and more 'What do I get out of it?' The question may not be conscious, but it will be there."

Now this is a profound change, with implications that extend into many areas of life. It means that we have to stop measuring progress—both indivdual and social—by "How many?" and "How much?" and begin to ask "What kind?" It means that Gross National Product is no longer the best index of how well off the nation is. It means that how many schools are built each year is less important than what is happening inside them. And how many millions our population contains is less important than the kinds of lives those millions are leading. I am not suggesting that anyone will or ought to be indifferent to the level of his yearly income. A good income enables a man to take care of the needs of his family, to send his kids to college, as well as to share in the multiplicity of things that make life easier, more pleasant and more fun. What I am saying is that now that the good material things of life are within the reach of most of us, the question turns to whether our lives are lived with meaning, with zest and satisfaction. A foundation executive expressed the challenge this way:

"We must have a more intelligent search for the meaning of life—the purpose on this planet for every living human being. The taking up and rejecting of religion is an example of the search for meaning. The search takes many strange forms. The experimentation with drugs on the part of the young is another example. In fact, all of the "isms" that continue to come up, it seems to me, are examples of the search for meaning. Our increased leisure time has had the national effect of spurring this search for meaning."

For generations, we struggled to get enough. Now we have found that affluence is not enough. This is evident in the attitudes and behavior of the young, and I don't just mean the hippies and Yippies. Young people all over the country are expressing in many ways that they want more than the chance to make a bundle; they want careers that offer personal satisfaction and meaningful involvement. What they want is not more, but better.

I think we will all find ourselves increasingly involved in this quest for a better quality of American life. And I think we will find that this quest has a number of dimensions. Here are some of the areas in which I think the struggle for quality of life will focus in tomorrow's world:

First, the dimension of change. One thing that it is hard to get used to is the prevalence of newness. The world alters as we walk in it—not some small growth or rearrangement or moderation of the old, but a great upheaval. The fact of continuing change implies a permanent state of restlessness, and a permanent problem of social disorder in the world of tomorrow. Wonderful new possibilities will continue to open up, but the winds of discontent will be with us too, and the threat of riot and rebellion will not soon disappear. We have the choice of channeling the stirring energies of the restless and awakened, the disadvantaged and the young into healthy growth and creative effort or seeing those frustrated energies turned against society. This means that we shall have to give up the security of familiar ways and take the risks of innovation and experiment. Tomorrow's world will be an open-ended thrust into the future. We cannot stop change, but we can make a choice between allying ourselves with the forces of constructive change and watching the ugly growth of violence and anarchy.

The issue of coming to terms with change is closely involved with a second issue: the nature of freedom in the world of tomorrow. As we become caught up in the currents of change, and challenges arise to the beliefs, customs and institutions we once took for granted, challenges will also arise to the freedoms we have taken for granted. We can already perceive the threat in the increasing virulence of the extremists of both left and right, where leftist cries of "Up against the wall" are met with rightist promises to run over the next protester who lies down in front of the presidential limousine. It is easy to identify the threat to freedom with the unruly protests of hecklers and demonstrators, and if dissent takes violent forms, it is indeed such a threat. If it takes the form of wildly irrational accusations, oversimplified assumptions and a lumping together of everything it objects to in our society under such labels as racism or fascism or genocide, it is, in a subtler way, also a threat to freedom.

But the threat to freedom is more far-reaching than the acts and words of a small group of New Left or New Right or black militant extremists. We can see it also in the rising temper of intolerance for opposing points of view, in the waning of rational discourse and the polarization of opinion, and in a tendency to equate dissent with disloyalty. If the answer to protest is not to explore the reasons for that protest but rather to shut the shouters up, we have come a long way from the concept of freedom which guarantees to minority opinion the same right to expression as that possessed by the majority. If laws are broken, appropriate actions must be taken. No freedom is possible without due process and the rule of law. But we must also ask whether our laws are just, and whether our system of laws is flexible and responsive to the needs of a changing society. The choice before us is to affirm our traditional commitment to diversity of opinion and freedom of expression or to fall into the sterile trap of attempting to deal with discontent by forced conformity and repression.

A third dimension of the quest for quality in the life of tomorrow is what might be called the human dimension. A focal point of the discontent that is already making itself felt is a demand that the large and often impersonal institutions of an increasingly technological society be humanized. Citizens and voters, employees of large corporations, as well as students in universities, have experienced feelings of powerlessness and alienation, and a sense that major decisions concerning their lives are taken by people they do not know and made in indifference to their needs. There is a revolt against this drift toward decisionmaking from remote centers and a demand for more local and personal control over the crucial areas of people's lives. The solution to this problem will not be easy; the young have offered more Protest than Program, and decentralization is a simple slogan but not an automatic remedy. Institutions will continue to be big and computers will continue to take many matters out of human hands. We cannot really go back to the world of the town meeting and the small entrepreneur. There are, of course, many areas in which small, local, self-governing groups can make an effective contribution, and we should make efforts and experiments in this direction. But big business and big government are not going to go away. The belief that smaller units can take over all their major functions is romantic escapism. What we must do is find ways to make our large institutions more flexible and responsive to human needs. The goal of a technological society must be not just more efficiency but the liberation of creative human energies.

There is another dimension of the search for a more rewarding, meaningful life in the world of tomorrow. In an automated world, run partly by computers, economics ceases to be the chief fundamental. What is more fundamental is the organization of communities, including the world community, for the common good. This dimension of community is crucial to man's future fulfillment and to his very survival. We must establish a new sense of community on several levels.

To begin with, we must regain our place in nature. As Stewart Udall has written, "The time has come for us to evolve an ecology of man in harmony with the constantly unfolding ecologies of other living things. We need a man-centered science which will seek to determine the interrelationships of life, interrelationships whose understanding will enhance the condition of man."

We must also establish a new sense of community with the human beings among whom we live. This country was founded on a strong sense of individualism, and in the days of the frontier and nation building rugged individualism was a highly fruitful philosophy. In a situation where, if you didn't get along with your neighbors, you could always move on to the next settlement or start one of your own, manners didn't matter so much and much could be achieved by one man struggling alone. But the frontier is gone and the old individualism is no longer an adequate philosophy in our emerging world. If we try to live in tomorrow's world with yesterday's philosophy, we shall be doomed to an existence of insecurity, fear, distrust and isolation. Today we must live together and in order to do so fruitfully, we must develop beyond the narrow struggle for personal achievement and establish new connections with other human beings. When the flower children suggest that we should all love one another, they may be naive, but they are expressing in their way this very real need to supplement the old individualism with a new sense of genuine human involvement and responsibility.

The most obvious example of this need for a new sense of community is the need to establish a genuine racial community in the world of tomorrow. Today blacks and whites watch each other wearily across a gulf of distrust and misunderstanding. Many whites feel that Negroes want and have gotten too much, while most blacks feel that what has been done to solve their problems is pitifully little in proportion to their past and present deprivation. Despite their frustrations and disappointments, surveys show that the majority of Negroes still hope to make it into the mainstream of American society. But as the struggle for Negro rights has moved from the legal level to the tougher task of implementing school and housing integration, and the intensity of white resistance to Negro advances in these areas has been revealed, the old dream of integration has come under attack. The militants now talk of a separate black society, and the emphasis is to development within the ghetto rather than working to get people out of it. Of course nothing is more pleasing to the whites who want blacks to stay in their place than to find blacks saying they're happy to do so. But if blacks are to get "a piece of the action," they will have to leave the ghetto and go where the action is. Ghetto communities, cut off from the rest of society, will inevitably remain pockets of economic and cultural poverty. In the short run, it may be necessary and desirable to pour money and effort into ghetto development. But two separate societies, one white, one black, existing permanently side by side, can only perpetuate racism and injustice, and trouble.

Integration does not mean that every tenth house on every block be occupied by a black family; Negroes may often choose to live in their own neighborhoods as Jews or second generation Poles or Italians often do today. Integration does mean that blacks have full access to the myriad activities and rewards available in American society. Because the going is tough, because skin color and a heritage of slavery are hard barriers to overcome does not mean the goal of integration should be abandoned. No society can develop in a healthy way if an important segment of its citizens exists on its fringes and is excluded at its heart. Once again, we are faced with two alternatives: either increasing distance and tension and hostlity between the races, accompanied by various forms of black rebellion countered by police repression, or the gradual expansion of opportunities for Negroes and their gradual integration in all the major areas of American society.

Finally, we must create a new world community in which peaceful development is possible and men can fight the battle of health, education, and food supply instead of each other. That, of course, is easier said than done. Russia has recently taught us how precarious is the so-called detente between East and West—indeed even between East and East. Vietnam is presently embittering our relations with much of the world. And De Gaulle goes his obstructive way. In the UN, the true voices of peace are nearly lost in the clamor of propaganda and accusation, and nations go their chosen ways despite high-minded statements about the interdependence of man.

What is to be done? Though a world community may seem today to be a Utopian dream, I think that our only hope of surviving into the world of tomorrow is through moving beyond nationalism—as at home we must move beyond narrow individualism—to create new governmental bonds in which nations can work together. Obviously we cannot do this in any meaningful sense with dictatorships, whose concept of government has nothing in common with ours. But I think we could start with some of the democracies, such as the countries of Western Europe, to work out new arrangements for joint action and policy. De Gaulle may presently be a stumbling block, but I suspect his successor will see things somewhat differently. It is an old truth that in unity there is strength, and I think we have seen enough of the pitfalls of unilateral action that we should be ready to try a more cooperative approach.

I can report that surveys we have done show that there is considerable receptivity on the part of the American public to closer ties with Europe. Our people know that whatever short-term difficulties and disruptions may mark our relations with Europe, long history, common values and traditions, as well as economic and political self-interest, act to unite us most closely with the democratic nations across the Atlantic. And Atlantic integration itself could be followed by an even broader integration which would gradually come to include all the nations anywhere in the world which are governed by democratic principles. Such a union could ally itself with the forces of growth and development throughout the world and be a force for peace. For the choice ahead of us is between a world of anarchy, famine and war or a world where gradual steps are taken toward the rule of law, in which mankind can flourish under a political superstructure of his own choosing.

These, then, are the needs and challenges of the world of tomorrow: to gain human control over our environment, and to create, within that environment, the conditions for living more meaningful, satisfying human lives. We must come to terms with change, preserve our liberty, enlarge our humanity, and establish a new sense of community within a technological society. To do all this will require all the wisdom and imagination of which the human race is capable. And to realize this needed human potential, we shall need something else: a reconsideration of our basic approach to education. Robert Hutchins has observed that "in an advanced technological society, futility dogs the footsteps of those who try to prepare the child for any precise set of conditions. Hence the most impractical education is the one that looks most practical, and the one that is most practical in fact is the one that is commonly regarded as remote from reality, one dedicated to the comprehension of theory and principles. An education that tried to assist the formation of the world community would seek to connect rather than divide men; it would seek to do so by drawing out the elements of their common humanity. It would be theoretical rather than practical, because, though men do different things, they can all share in understanding. It would be general rather than specialized, because, though all men are not experts in the same subject, they all ought to grasp the same principles. It would be liberal rather than vocational, because though all men do not follow the same occupations, the minds of all men should be set free. An education that helps all men to become human by helping them gain complete possession of all their powers would seem to be the only defensible education in a world of rapid technological change; it would seem to be the best for a national community and for the world community as well."

The world of tomorrow will be a learning society in which I hope the old truths and authorities will carry some weight—more weight than now—but they also will be inadequate guides, and all of us—students and teachers, young people and mature adults alike—will have to live with a permanent sense of impermanence, participants in an unending search, not for ultimate truth and the perfect society, but for the partial and limited truths which will help us find our way to a better, fuller life amid the changing challenges that lie ahead. The genius of man has made possible a good life economically. But the genius of man has also created a society in which it is difficult for genius to continue to flourish—crowded cities, polluted streams and beaches, and air not fit to breathe. The challenge of tomorrow is to create an environment in which genius can be happy—and continue to flourish.

S. 1442—INTRODUCTION OF A BILL TO CREATE A PILOT OUTDOOR ADVERTISING SIGN REMOVAL PROGRAM

Mr. MOSS. Mr. President, because of its cost, and other problems, it has never been possible to implement the highway beautification program that Congress enacted several years ago. Today highway beautification is just barely alive. Only $2 million has been authorized for the removal of nonconforming outdoor advertising signs from Federal highways in the fiscal year 1970, and in fiscal 1968 and 1969 there was no money at all. Many people in the Congress, the executive branch of the Government, and the outdoor advertising industry have been seeking earnestly a course which might be followed which would be satisfactory to all concerned.

Some 18 months ago I began conferring with a young advertising executive of Salt Lake City, Mr. Douglas T. Snarr, about the plan he had developed to eliminate outdoor advertising signs at a cost substantially below the problem which the States have developed, and in a manner which would assure the advertising industry that it had been treated fairly by both the State and the Federal Government.

Basically, the program calls for acquiring by contract all of the nonconforming signs of a company at one time, and authorizing the owning company to dismantle and remove the signs on an agreed time schedule. This would cost less, and would remove the uncertainties facing sign companies under the present plan. Because of these uncertainties, small sign companies have been particularly apprehensive. They have found themselves unable to maintain lines of credit, and are being forced toward bankruptcy as their nonconforming signs simply deteriorate. But if they could retain their employees and proceed to remove the offending signs, they could also continue business in areas where outdoor signs are acceptable.

I made arrangements for Mr. Snarr to present his program to the Highway Beautification Coordinator in the Department of Transportation, and also to the Bureau of Public Roads. After a careful review of the recommendations, Mr. F. C. Turner, recently appointed Director of Public Roads, wrote me on February 20, 1969, that he believes the Snarr approach was a desirable one.

The Utah State Highway Department has also made an exhaustive study of the Snarr proposals, and endorses them without qualification. The department has checked the Snarr cost estimates and found them to be accurate and to be below estimates of total cost if the State condemned and removed the signs. The State has now adopted the Snarr program as its own. Many of the Utah sign companies heartily endorse it.

Under legal requirements to distribute funds to all States by formula, insufficient money is available to inaugurate this program. Even on a pilot basis it would be necessary to use a substantial portion of the money appropriated for nationwide use on one or two States. This is not possible without congressional authorization.

I am, therefore, introducing today a bill to amend section 131 of title 23 of the United States Code—the section which deals with the control of outdoor advertising along Federal-aid highways—to authorize one or more pilot programs along the lines of the Snarr advertising sign removal program and to authorize the appropriation of $5 million to finance a pilot program or pilot programs.

This proposal has received favorable comment from private enterprise, the Utah State Highway Department, and the Federal highway officials who have looked it over I think Congress should now check it out. If it has the merit I believe it has, we should authorize such a pilot program, to prove through actual experience whether or not it does point the direction the highway beautification program should take.

I send my bill to the desk, for appropriate reference, and I ask unanimous consent that the bill be printed in the Record.

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The PRESIDING OFFICER. The bill will be received and appropriately referred, and, without objection, will be printed in the Record, in accordance with the Senator's request.

The bill (S. 1442) to amend section 131 of title 23 of the United States Code, relating to control of outdoor advertising along Federal-aid highways, in order to authorize one or more pilot programs for the purpose of such section, introduced by Mr. Moss, was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the Record, as follows:

S. 1442

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 131 of title 23 of the United States Code is amended by inserting at the end thereof a new subsection as follows:

"(o) (1) The Secretary is authorized to enter into agreements with one or more States for the purpose of carrying out one or more pilot programs to determine the best means of accomplishing the purpose of this section. Any such agreement shall provide for the payment of the Federal share, prescribed in subsection (g), of the cost of the program, and shall be in accordance with the other provisions of this section to the extent applicable for the purpose of this subsection.

"(2) There are authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, not to exceed $5,000,000 to carry out the provisions of this subsection. Amounts appropriated for the purpose of this subsection shall remain available until expended."

NURSING HOME STANDARDS MUST BE RAISED, NOT LOWERED

Mr. MOSS. Mr. President, the 1967 amendments to the Social Security Act included two expressions of congressional intent about the need for raising standards of care and management in long-term-care institutions that receive Federal payments under title IX, the medicaid program.

One amendment, advanced by Senator Edward Kennedy, requires the licensing of nursing home administrators. Another—which I proposed was intended to broaden services and elevate standards for skilled nursing homes furnishing services under State-approved title IX plans. The two amendments resulted from long and intensive hearings of the Subcommittee on Long-Term Care of the Senate Special Committee on Aging. It is one thing for Congress to require new standards. It is quite another for those standards to be implemented realistically and with some dispatch. I have, therefore, been following the steps toward implementation of my amendment with mixed feelings. I am pleased by the careful attention given to the proposed regulations by governmental and nongovernmental analysts, but I had hoped that this lengthy period of evaluation would have resulted in earlier action leading toward higher standards.

My feelings were mixed further within the past weeks by reports that the Medical Services Administration of the Social and Rehabilitation Service may soon act on standards for payment for skilled nursing home care under title XIX of the Social Security Act that apparently could be regressive, rather than helpful. I submit for the Record at this point an article which appeared in the Washington Star. I have not yet had time to evaluate this account of the facts, but I have heard expressions of concern from individuals who are concerned about the need for better care in long-term-care institutions. It is essential, I believe, that no action be taken on the proposed standards until the matter has been more fully explored.

Additional evidence on the need for evaluation of the situation was provided in the most recent issue of the Senior Citizens News, a publication issued by the National Council of Senior Citizens. The article discusses the need for continuing an intensive scrutiny of the care provided in long-term-care institutions. While the article does not discuss the many progressive and farsighted improvements and standards now in effect in what is probably the majority of most such institutions—both proprietary and nonprofit—it nevertheless provides a helpful summary of the abuses that spring up all too quickly if the public is unaware or tolerant of abuses.

I ask unanimous consent to have printed in the Record an article entitled "Nursing Homes Fight Standards," written by Judith Randal, and published in the Washington Star of February 20, 1969, and an article entitled "Nursing Homes in Your Community May be Deadly Houses of Horror," published in the Senior Citizen News of February 1969.

There being no objection, the articles were order to be printed in the Record, as follows:

[From the Washington (D.C.) Star, Feb. 20, 1969]

Washington Close-Up: Nursing Homes Fight Standards

(By Judith Randal)

In another of those remarkable arrangements that always seem to be happening in this capital, a special interest group is trying to get government approval of performance standards that will bring more public money in return for less service to the public.

At issue is whether it will become legal to have a double standard for federally financed nursing home care—on the one hand for people over 65 whose bills are paid for by medicare, and on the other for the "medically indigent" under 65 who qualify for medicaid.

If the American Nursing Home Association has its way, standards for the latter will be lower, at a considerable economic advantage to its members. The American Medical Association is supporting the nursing home group. It should be noted that many doctors have financial interests in such establishments.

The matter may be said to have come to a head during the week of Jan. 10, when the Nursing Home Association was meeting here.

Harold G. Smith, a paid consultant both to this trade association and to the Department of Health, Education and Welfare, and himself the former operator of a nursing home, conveyed the lobby's displeasure over proposed standards to Dr. Francis L. Land, HEW medicaid chief. The standards were revised downwards over the following weekend and Smith was in on the rewriting.

This happened in the last 72 hours of the Johnson administration, so there was little that the outgoing HEW secretary, Wilbur J. Cohen, could have done, and nothing to prevent someone from sending Nursing Home Association members copies of the new draft proposal.

A sidelight on the situation is that Land thereafter began to be mentioned as a possible candidate for the post of assistant secretary for health and scientific affairs. Organized medicine—in the person of the American Medical Association and the American Academy of General Practice—has vigorously objected to the Nixon administration's first choice for the job, Dr. John Knowles of the Massachusetts General Hospital, while Land is a name that is acceptable to both groups.

In a recent telephone conversation, Dr. Amos Johnson of Garland, N.C., a power in the AAGP who also is a medicaid consultant to HEW said that, in his view, Land is the best man for the top HEW health job.

Fortunately for the public, Rep. L. H. Fountain, D-N.C., chairman of the House subcommittee on intergovernmental relations, wrote HEW Secretary Robert H. Finch after the change of administration, asking for an explanation both of what had happened to the guidelines and of why Smith was a consultant to both HEW and the nursing home lobby.

Whatever may be the merits of the dispute over new standards, it was made clear last week by a recognized expert on nursing homes that standards now demanded for medicare patients are only minimal and are often laxly enforced.

In testimony before the Advisory Council of the American Hospital Association in Chicago, Mary Adelaide Mendelson of the Welfare Foundation of Cleveland told of visits to nursing homes in many places, including the Nation's Capital.

Mrs. Mendelson, a nursing home planning consultant, said: "Poor quality health care is provided to both private and public patients . . . throughout the country."

In one New York City home, patients were lined up and left to themselves in windowless halls like passengers on a train. In Detroit, all patients were served the same dinner—a chicken wing and a scoop of mashed potatoes—despite special diet instructions that accompanied the patient's name on labels for each tray. In Uniontown, Pa., the door labeled "physical therapy" in an expensive home led into a storeroom.

Mrs. Mendelson and a Cleveland Press reporter found it almost impossible to get a response from any level of government, even the federal. After an exposé of conditions in Cleveland, one nursing home administrator admitted having bilked his patients of funds. The county welfare department obtained reimbursement, but authorities refused to reveal the amounts or the identities of the patients involved.

"Why," asked Mrs. Mendelson, "has Social Security not analyzed its checks to the patients to verify the administration's own admission that he, himself, signed most of these checks with an 'X' without legal authority—and in some instances, it is charged, that he signed for patients not in the home?"

Mrs. Mendelson says that families of medicare or medicaid repicients are at the mercy of nursing home operators. To complaints about surcharges and conditions, she asserts, the stock response of administrators is, "If you don't like what's happening take the patient away."

Clearly, something needs to be done about nursing-home standards, but lowering them does not seem to be the indicated solution.

[From Senior Citizens News, February 1969]

Nursing Homes in Your Community May Be Deadly Houses of Horror

It is time for the nation's seniors to insist upon improvement of U.S. nursing homes.

Every day, some of us have to go to these places.

In many instances, they are the deadliest places in America.

Thousands of smaller nursing homes are firetraps.

At Fountaintown, Ind., 20 residents died in a nursing home fire.

At Fitchfield, Ohio, 63 lost their lives when flames consumed the nursing home where they were patients.

At Warrenton, Mo., 72 died in a nursing home blaze.

Testifying before the U.S. Senate Special Committee on Aging, Rexford Wilson, field representative of the National Fire Protection Association, said that over a recent period six persons died in nursing home fires for every patient killed in a hospital fire.

After the Fitchfield nursing home fire, Ohio authorities made an inspection that showed only 386 of the State's 1,153 nursing homes met minimum safety requirements.

FAILURE OF THE STATES

The Fire Protection Association insists that automatic sprinklers offer the only real protection against fire, yet most States do not require these devices in their nursing homes.

Federal law requires that, by the end of this year, nursing homes must, to be eligible for Medicaid reimbursement, have sprinklers if they are not in so-called fire-resistant buildings (fire resistant being steel frame construction with the steel covered by non-combustible material).

However, this provision of the law has a gaping escape hatch you could drive a 10-ton truck through. It allows States to waive the law's fire safety requirements in so-called hardship cases.

Fire is just one of the threats to health and safety for residents of a great many nursing homes.

At the Senate hearing just mentioned, Dr. Joseph B. Stocklen, Controller of Chronic Illness for Cuyahoga County (Cleveland, Ohio), told of shocking conditions found by his investigators in Cleveland area nursing homes.

NURSING CARE DEFICIENT

He testified: "Inadequacy of professional personnel and particularly nursing personnel is the rule rather than the exception in the nursing homes surveyed.

"One nursing home with 91 patients had only one licensed practical nurse. The same is true of another nursing home with 69 patients."

The witness told of a complaint from a woman about a nursing home where her 101-year-old mother fell during the night, broke her hip and lay without help until morning.

The mother was then moved to another nursing home, Dr. Stocklen testified, adding: "When the daughter visited her mother she found the bed wet. Looking for a nurse to change the bed clothing, she was told the nurse's aide supposed to attend her mother was drunk and in no condition to help with this task."

The Cleveland area nursing homes probably are neither better nor worse than the 23,000 licensed homes and facilities for care of the aged across the U.S.A.

MANHATTAN HORROR STORY

The New York *Daily News* assigned a young woman reporter to look into conditions in Manhattan nursing homes.

She found it easy to be hired as a nurse's aide. Nobody asked her for a character reference or a health certificate. She revealed that in one home, where she worked, average weight of the patients was 75 pounds, that their food was abominable and, when she mentioned this to a supervisor, she was told not to listen to the patients because they were senile and confused.

The *Daily News* reporter told of seeing filthy rooms, roaches in glasses, dirt in water pitchers and "indescribable conditions in bath rooms."

WHERE THEY GO TO DIE

Here are additional examples of the neglect of nursing home patients cited by Richard W. Garvin and Robert E. Burger in a recently published book, "Where They Go to Die: The Tragedy of America's Aged."

A chain of 17 licensed nursing homes with 558 welfare patients in Cook County (Chicago), Illinois, closed after lice were found on clothing of patients transferred to hospitals and the hair of one woman was so matted it had to be cut off.

A Special Commission in Massachusetts, investigating complaints by doctors about cases that had come to them from nursing homes, reported finding extensive misuse of drugs and ignoring of simple medical techniques with the result that several nursing home residents died.

The neglect by some nursing home operators of those in their charge is matched only by the operators' greed.

SENIORS MUST BRING ACTION

The 2,500 clubs and councils affiliated with the National Council of Senior Citizens are urged to take an interest in the nursing homes in their communities—proprietary as well as non-profit.

"We are asking club leaders to set up committees to visit nursing homes for the purpose of observing how they are run," John W. Edelman, 75-year-old National Council president, asserts, adding:

"We want our club members to join with other individuals and organizations—churches, service clubs, trade unions, for example—in regular visits not only to keep nursing home managements and staff on their toes but also to bring a little happiness or comfort into the patients' lives by providing entertainment, if desired, or helping write letters for patients or attending otherwise to their personal needs."

Meantime, the National Council of Senior Citizens will ask Congress to insist on adequate health services under Federally aided public assistance programs including Medicaid, Edelman states.

CALIFORNIA SCANDAL

Many California nursing homes force patients or their relatives to make illegal "under the table" payments on top of what the homes collect under the California Medicaid program (Medi-Cal), California Chief Deputy Attorney General Charles A. O'Brien has revealed in a blistering exposé of cheating by nursing home operators.

(A State regulation forbids health care vendors reimbursed under Medi-Cal to collect or demand additional reimbursement from or in behalf of beneficiaries, O'Brien noted.)

O'Brien also charged that it is common practice for nursing home operators to extort "kickbacks" from providers of services to persons in their care. In some instances, kickbacks ran to 35 per cent of the fees received by such providers as pharmacists, physical therapists, x-ray technicians and laboratories, O'Brien disclosed.

Probably the meanest "gyp" was the withholding by some California nursing home operators from their patients of the $15 a month spending money allowed the patients under Medi-Cal, according to O'Brien.

In the case of Medicare recipients, Medi-Cal pays what Medicare does not cover and O'Brien said his investigation showed some nursing home operators were collecting twice by submitting claims under both programs.

(Medicare, the Federal health insurance program for those 65 or over, does *not* pay the first $50 of a doctor bill and does *not* pay a fifth of the remaining doctor bill, Medi-Cal, the California version of Medicaid, is a Federal-State program for the needy regardless of age.)

One California nursing home received duplicate payments of approximately $50,000, O'Brien stated.

This kind of knavery can be costly to the taxpayers. O'Brien has estimated cheating by doctors, nursing homes and other health care providers under Medi-Cal has ranged from $6 to $8 million a year.

Despite the evil reputation of many nursing homes, demand for nursing home beds is, for all but the well to do, far greater than the supply and the cost of nursing home care has skyrocketed as alarmingly as the cost of hospital care.

NURSING HOME CHARGES

In fact, paying for the care for one senile relative in a nursing home can bankrupt a young family. Accommodation in an average nursing home can range between $400 and $900 a month. Very few families can bear such an expense.

There is no accurate estimate of the number of places that provide care for the aged in the U.S.A., the Department of Health, Education, and Welfare reports. In addition to the 23,000 that are licensed, thousands more operate without licensing.

Nine out of ten are proprietary homes run for profit, health authorities state. An estimated 5 per cent or more are owned by doctors.

The most recent statistics indicate there is a shortage of 130,000 nursing home beds.

As a consequence, mental hospitals have been used for many years as human warehouses for those infirm and elderly whose families and communities have failed to provide for them.

The New York Times recently reported that half the 6,300 patients at New York's Creedmoor State Hospital are elderly and that many could be released after relatively simple treatment but there is no place for them to go.

ECONOMY AT EXPENSE OF AGED

Yet, even a mental institution is better than simply denying the elderly care as was the case back in 1961 when Colorado, having exhausted a $10,000,000 appropriation for medical care for the aged, forbade admission of the elderly to hospitals except in emergencies until the Legislature should provide additional financing.

Since then, Colorado has been releasing non-psychotic residents from Colorado State Hospital. In a three-year period the number of patients over 65 in that hospital has been reduced almost by two-thirds.

A huge amount of public funds goes to support our inadequate, often deplorable, system of care for the infirm and elderly.

A Federal Housing Administration survey of nursing homes has brought out that only two out of every five patients pay for their care, the cost for the remainder being largely met by welfare, social security and relatives.

Workmen's compensation, private health insurance, Veterans Administration benefits, union-won industrial pensions and teachers' retirement benefits cover the care of a very small segment of nursing home patients, the survey revealed.

President Johnson's Older Americans message of 1967 estimated the U.S. Government was then providing one-third of the $1.2 billion a year spent on nursing home care.

NURSING HOMES GRIM

Still nursing home care has become a necessity for more and more disabled and aged in this era of small homes and small apartments.

"Of all America's sins against the elderly none is more deadly than the institutions we provide for those who no longer can care for themselves," Roul Tunley has written in the "American Health Care Scandal," published in 1966.

Life is grim even in the best of these places and in some it is slow torture, he asserts.

"And the real disgrace of the situation," says David Sullivan, president of the Service Employees International Union, AFL–CIO,

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"is that the nursing home is heavily subsidized by the Government through Medicaid, welfare and other aid programs and it is also heavily subsidized by the underpaid men and women who work in non-professional and semi-professional jobs."

Dr. Harold Baumgarten, Jr., of Columbia University's School of Public Health and Administrative Medicine, has reviewed survey reports on nursing homes going back to 1948 and found "an almost universal deficiency in providing adequate nursing service."

NURSES SHUN NURSING HOMES

In a widely read manual on nursing home administration (Concepts of Nursing Home Administration, Macmillan, 1965), Dr. Baumgarten reports: "Registered nurses who form the foundation of the nursing home program are reluctant to apply for positions (in nursing homes) because of the low professional standards associated with the nursing home nurse."

Yet, there are greater demands on the professional knowledge and skill of a nursing home nurse than in many other health care areas, he insists.

Another physician, Dr. David D. Rutstein, head of the Harvard Medical School's Department of Preventive Medicine, regards the care of the chronically ill in the U.S.A. "the shame of modern medicine."

He says: "Even with the upgrading implicit in Medicare, our institutions for the chronically ill provide such a sharp contrast with facilities for patients with acute illnesses that future historians may well compare the care they (nursing homes) provide with that given by tribes who sent their aged and chronically ill out of the village to fend for themselves."

BEST NONE TOO GOOD

Standards of even the most expensive nursing homes can be surprisingly low as three sisters living in the Washington, D.C., area learned to their dismay.

Their father was receiving a low standard of care in a nursing home that charged them $2,500 a month, or $30,000 a year. So, they rented a house in the national capital, staffed it round-the-clock with nurses and nurses aides and their father now gets decent care at a cost of about $40,000 a year.

The sisters are among the few who can afford to spend at this rate to assure proper care for an ailing parent.

The nursing home has long been the stepchild of medicine. At the turn of the century, there were relatively few such places because a much smaller proportion of people developed chronic ailments requiring long term care.

Tuberculosis, influenza, internal ailments and pneumonia were leading killers. The average person's life span was 48 years. Science has since conquered the worst infectious diseases so that the average person's life span is now 70 years.

GROWTH OF NURSING HOMES

Today, heart and circulatory ailments, stroke, cancer and accidents on the job and on the highway are among the leading causes of disability and death.

As the need grew for places providing long term care, those with an eye on the dollar got into the nursing home business, frequently with no training or experience in the care of the ill.

As a result, the nursing home today has the same grim population the hospital did in the days before antiseptic surgery.

Here is what a nursing home resident had to say at a recent Department of Health, Education, and Welfare hearing at Denver, Colo., on standards for the licensing of nursing home administrators under the 1967 amendments to the Social Security Act. The licensing provision of the amendments becomes effective in 1972.

DEATH FASTER IN NURSING HOMES

A recent University of Chicago study shows 24 percent of elderly residents died in the first six months after entering three nursing homes in the Chicago area as against only 10 percent of a control group of similar age awaiting entrance. The study covered 1,000 nursing home residents and a slightly larger control group.

"Too often, the U.S. nursing home is a human warehouse where people wait for death," 75-year-old John W. Edelman, president of the National Council of Senior Citizens, observes. "We can and must make them into places of life and hope," he states.

ONE WOMAN'S EXPERIENCE

Marjorie B. Thurber of Lakewood, Colo., testified: "A nursing home is the last port of call, a place to go when no one needs you, a place to live, or more likely to exist, for the rest of your days. For some it is a place to die and they do it promptly."

The witness told of the hardships visited on nursing home residents, often unconsciously, such as assigning a woman who smoked to a room with a woman who detested tobacco, assigning a man who cried aloud all night, even after sedation, with a mentally alert man who wanted to sleep, upbraiding a confused resident who thought the buzzer reserved for summoning a nurse was the telephone.

COMPASSION IS ABSENT

The witness added: "I am not trying to pillory any particular nursing home. Actually, the one I'm in is considered, by those in a position to compare, one of the better ones but I just hope something can be done to help administrators and staff to gain more understanding of the social, psychological and emotional needs of those in their charge."

Medicare, the Federal health insurance program for the elderly, and Medicaid, the Federal-State program for financing health care for the needy of all ages, have helped focus attention on these shameful conditions.

UPGRADING IS SLOW

Under Medicare, the Public Health Service sets standards for reimbursement of extended care facilities (nursing homes).

Medicare covers 100 days' care in an extended care facility (nursing home) after three or more days' hospitalization.

At the end of 1968, only 4,800 nursing homes had been certified for reimbursement under Medicare.

The Public Health Service reports that, of 4,484 extended care facilities (nursing homes) certified for Medicare reimbursement as of May, 1968, only 1,219 or a little over one in four met Medicare standards.

The most glaring deficiencies dealt with physical environment, social services and nursing services, the Public Health Service has revealed.

Nor is Medicare approval necessarily a guarantee of quality in a nursing home.

LIFE-CONTRACT NO BARGAIN

One of the questionable aspects of nursing home care is the life contract, Robert E. Burger writes in the January 25, 1969, issue of the *Saturday Review*.

In an article entitled "Who Cares for the Aged?" the magazine states: "The notorious 'life care contract' . . . amounts to an insurance policy, paid in advance by the patient or his family in a lump sum and guaranteeing a bed as long as the patient lives.

"Whether he lives or dies, however, the money is in the hands of the person who stands to benefit from the patient's early demise. By stripping the patient of his will to live—through daily sniping, snubs and slurs—a nursing home can kill a man.

"Even where life-care contracts are simply a reasonable bet by both parties, the unconscious resentment of a guest who is 'overdue' cannot fail to have its effect."

A DOCTOR'S OPINION

Dr. James D. Coyle, Jr., of Sacramento, Calif. who specializes in treatment of older patients, reported in *Medical Economics* magazine ("Ways to Tell Good Nursing Homes from Bad," 4-3-67) that, whether a nursing home is certified for Medicare reimbursement or not, the physician should make a check before recommending it for his patients.

"The first thing to find out is whether a nursing home is designed for negative or positive care," he states, adding:

"A negative care home gives only custodial care. No effort is made to improve the patient's condition. Almost no patients go home. They're there to vegetate until death."

Dr. Coyle describes a positive care nursing home as one that concentrates on rehabilitation of the patients.

He says: "These homes have active physical therapy units. Their goal is to motivate patients so they'll want to get about, to get well, and eventually go home."

He continues: "I've seen other doctors' patients who would be up and around if only somebody would approach them more positively. Unfortunately, too many doctors put patients in nursing homes and completely forget them."

NURSING HOMES OF FUTURE

Dr. Coyle warned against nursing homes with high turnover of the staff. "That usually means the staff is unhappy and the patients suffer," he says.

Dr. Rutstein, the Harvard expert on preventive medicine, predicts that care of the chronically ill in the U.S.A. will eventually be provided in buildings specifically designed as nursing homes and located near hospitals.

In his book, "The Coming Revolution in Medicine" (Massachusetts Institute of Technology Press, 1967), Dr. Rutstein says: "The chronic disease unit will of course be a simpler structure than that of the general hospital since patients who need more intensive care can be transferred.

"The close proximity of these institutions will allow for the education of (medical) interns and resident physicians in both acute and chronic illnesses and will make possible easy consultation with specialists when needed."

Much must be done before Dr. Rutstein's prediction is realized.

How much is reflected by the action of the Maryland Board of Health and Mental Hygiene in reducing State standards for 55 substandard nursing homes dropped from the Medicaid program to allow these homes to keep their 720 indigent patients.

WHAT IS THE ANSWER?

In nursing home care as in other areas, there must be greater appreciation and understanding of the needs of the elderly and their right to all the benefits of U.S. civilization on the same basis as other age groups.

The elderly themselves should insist on this, 75-year-old John W. Edelman, National Council President, states.

The able-bodied elderly should inspect public nursing homes in their communities and visit friends or relatives in nursing establishments, keeping an eye out for obvious deficiencies, Edelman asserts.

The National Council of Senior Citizens particularly asks affiliated clubs to make this a part of their agenda.

Nursing homes are seldom burdened with visitors, Edelman observes, adding:

"The more people learn firsthand about the shortcomings of nursing home care, the sooner these shortcomings will be corrected.

"The neglect of the elderly in so many nursing homes is a crime that cries out for redress.

"The able-bodied elderly must see that sub-standard nursing homes are replaced," he insists.

XUM

WE CAN LEARN FROM EUROPE

Day hospitals care for the infirm and elderly in Europe, Mrs. Marie McGuire, Assistant for Problems of the Elderly and Handicapped, U.S. Department of Housing and Urban Development, asserts.

She reports her observations during a European trip as follows: "The day hospitals are somewhat like U.S. community centers but include more services, staff and equipment. The effectiveness of these day hospitals comes not only from in-house services but also from a wide range of services the hospital staff provides.

"These arrangements make it possible for the older person to remain in his own home longer than would be possible otherwise. Costly institutional care in a nursing home, hospital or other facility is thus delayed, even avoided."

THE LIMITATIONS OF THE REGULATORY AGENCIES ON THE ADVERTISING OF CIGARETTES

Mr. MOSS. Mr. President, earlier this year I addressed the Senate, calling attention to the fact that the limitations which we placed on the regulatory agencies to control the advertising of cigarettes would expire on the 30th of June, 1969, and that I, for one, would do everything in my power to see that the limitation did expire so that the regulatory agencies might then limit or ban the advertising of cigarettes. Subsequent to that address, the Federal Communications Commission, by a 6-to-1 vote, announced a proposed rulemaking to ban the advertising of cigarettes on radio and television after the 30th of June. I hailed this landmark decision.

Today, I call the attention of the Senate to a new article which appeared in the New York Times on the 28th day of February, 1969, to the effect that the Canadian Medical Association has called for Federal legislation to forbid all advertising of cigarettes and to require a warning on the packages that smoking is a hazard to health. In a brief to the House of Commons body conducting the inquiry into smoking, the Canadian Medical Association said:

> There is no longer any doubt that cigarette smoking is a direct threat to the user's health.

We still hear in this country feeble defensive statements that the question is not yet resolved on the threat to health, but elsewhere in the countries of Europe and especially in our neighbor's area of Canada, the question is answered conclusively. I ask unanimous consent that the text of the news article referred to be carried in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CANADA URGED TO BAN CIGARETTE ADVERTISING

OTTAWA, February 27.—The Canadian Medical Association called today for federal legislation to forbid all advertising of cigarettes and to require a warning on packages that smoking is a hazard to health.

In a brief to a House of Commons body conducting an inquiry into smoking, the organization said: "There is no longer any doubt that cigarette smoking is a direct threat to the user's health."

The association also urged more effective control over sales to minors and the discontinuation of Government financial support or subsidies to the tobacco industry.

The brief added that the Government should at least require warnings on cigarette labels and advertising, including levels of tar, nicotine and other toxic substances.

Mr. MOSS. Mr. President, also I ask unanimous consent to include in the RECORD a news item from the New York Times of March 6, 1969, entitled "More Actors Opposing Smoking by Shunning Roles on TV Ads."

There being no objection, the article was orderd to be printed in the RECORD, as follows:

MORE ACTORS OPPOSING SMOKING BY SHUNNING ROLES IN TV ADS

(By Robert Windeler)

Increasing numbers of actors are joining the fight against cigarette smoking. Some are refusing to participate in radio and television commercials. Others are speaking out about the hazards of tobacco.

Joseph Sirola, an actor ("Golden Rainbow") who made $250,000 last year as an off-camera voice on commercials, said yesterday he was renouncing cigarette ads after his current spot for Benson & Hedges. Mr. Sirola has received $50,000 to $100,000 for his work in cigarette commercials. Currently, he portrays Benson in one TV spot.

Henry Morgan, who concedes to smoking three packs of cigarettes a day, has told his agent that he is not available for any tobacco company commercials. He appears on panel shows (many of which have cigarette sponsors) and apologizes for his habit, all the while smoking on camera.

"I say things like 'I'll probably die right in front of your eyes'; and I implore other people not to start smoking, or to give it up, even though I can't," he said.

Vic Roby, a National Broadcasting Company staff announcer who does many ads on a free lance basis, took an ad in this week's Variety proclaiming that he was "not available for commercials for cigarettes, because evidence indicates that smoking can lead to: cancer, heart attacks, strokes, emphysema—and fires."

WORRIED ABOUT THE YOUNG

Mr. Roby, who is 51 years old and quit smoking 20 years ago, explained his action this way:

"I have a 16-year-old daughter and smoking is one of the things I don't want her to do. How can I take money to tell someone else's 16-year-old girl to smoke a particular brand and then ask my daughter not to smoke at all?" Mr. Roby has received $3,000 to $5,000 for TV tobacco commercials.

Lee Stevens, who once was paid $30,000 as the on-camera spokesman for L & M cigarettes, gave up smoking for the second time three years ago and later gave up cigarette commercials forever.

"The number of actors who are refusing to do cigarette commercials is growing every day," says Marje Fields, a partner in Voigts & Fields, one of the largest talent agencies devoted solely to commercials.

Miss Fields estimates that as many as 10 per cent of her 1,700 adult clients now refuse to participate in tobacco ads. That does not include women, who are less involved in cigarette commercials and who have been less active in withdrawing from them, and Christian Scientists like Dodie Goodman, who have always abstained for religious reasons.

Perhaps the most dramatic instance of an actor allied with the antismoking cause is that of William Tallman, who appeared opposite Raymond Burr on the "Perry Mason" series for many years.

Mr. Tallman, who died of lung cancer, made a one-minute film for the American Cancer Society six weeks before his death last August warning on the hazards of smoking.

And Tony Curtis, who recenty quit smoking, will assume the national chairmanship next week of a new American Cancer Society drive "to get more Americans to give up smoking."

It is expected that Mr. Curtis will enlist other major Hollywood names in his effort, some of whom would be able to insist that tobacco companies not be allowed to sponsor their television shows. Doris Day and Lawrence Welk were reported to have done just that in their new contracts for next season.

By taking a stand against cigarette commercials, a top-paid actor like Mr. Sirola loses the most (from $50 to $100,000), but he also has the most alternatives:

"I can afford to be moral," Mr. Sirola says. "If I were busted I might have to think twice about it."

Mr. Stevens' reward was that his two sons, aged 20 and 18, gave up smoking without a word from him.

That was worth any number of thousands of dollars I might have made," he says.

An actor's fee for a cigarette commercial can range from as little as $90 for a one-shot radio spot to $100,000 for serving as an on-camera TV spokesman for one brand for one year.

Younger, or less well known actors, like Peter Coffeen, Barney Hughes, John Beal and John Connell, all of whom have renounced cigarette commercials in recent weeks, probably would get $500 to $3,000 for a shooting session, plus residual fees each time a spot is used. Cigarette commercials have long been among the most lucrative, partly because they are changed less often.

Some actors, like Dan Frazer and Ed Penn, who feel most strongly against cigarette smoking, do volunteer radio and TV spots for the American Cancer Society (for which they get a $120 fee, no residuals, and no chance to change their minds.

"Once they've done the Cancer Society," Molly Bryant, an agent says, "no company would touch them."

Mr. MOSS. Mr. President, on March 5 the Federal Trade Commission submitted a report on the tar and nicotine yields of cigarettes tested in their laboratory.

I ask unanimous consent that the letter of transmittal, the report, the latest Government ratings on tar and nicotine content of cigarettes, and a press release which I issued today be printed at this point in the RECORD.

There being no objection the material was ordered to be printed in the RECORD, as follows:

FEDERAL TRADE COMMISSION,
Washington, D.C., March 5, 1969.

Hon. WARREN G. MAGNUSON,
Chairman, Committee on Commerce, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Submitted herewith is a report of the tar and nicotine yields of 126 varieties of cigarettes, as determined by tests recently conducted by the Commission's laboratory.

This is the second time that the Commission's laboratory has tested samples of the various domestic varieties of cigarettes during a single testing period. The first time was by Report dated October 10, 1968, covering 122 varieties of cigarettes.

A comparison of results released in October with current results reveals that a number of varieties tested have undergone changes of statistical significance[1] in measurements of tar and nicotine yields. Specifically, 46 varieties have undergone such changes in tar content and 79 varieties in nicotine content out of a total of 121 varieties which were tested on both occasions.

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[1] For purposes of this report only, differences between October 1968 results and Feb-

Concerning the 46 varieties, 32 comparisons involve increases in tar while 14 involve decreases. The sum of these changes when divided by 46 equals +0.4 milligrams per variety.

Concerning the 79 varieties, 78 comparisons involve increases in nicotine while one involves a decrease. The sum of these changes when divided by 79 equals +0.11 milligrams per variety.

Thus, whether viewed in terms of number of varieties or net average change, there does not appear to have been any decrease in tar and nicotine content levels registered from the earlier testing period to the later among the compared varieties.

Submitted with the latest results is a report indicating those varieties which as defined have increased and those that have decreased measurements in either tar or in nicotine.

By direction of the Commission.

JOSEPH W. SHEA,
Secretary.

ruary 1969 results pertaining to any given cigarette variety have not been deemed of statistical significance unless the particular difference exceeds twice its standard deviation.

REPORT OF TAR AND NICOTINE CONTENT OF THE SMOKE OF 126 VARIETIES OF CIGARETTES, FEBRUARY 27, 1969

The Federal Trade Commission's laboratory has determined the tar (dry particulate matter) and total alkaloid (reported as nicotine) content of 126 varieties of cigarettes. The laboratory utilized the Cambridge filter method with the following specifications as set forth in the Commission's announcement of July 31, 1967:

1. Smoke cigarettes to a 23 mm. butt length, or to the length of the filter and overwrap plus 3 mm. if in excess of 23 mm.,

2. Base results on a test of 100 cigarettes per brand, or type,

3. Cigarettes to be tested will be selected on a random basis, as opposed to "weight selection",

4. Determine particulate matter on a "dry" basis employing the gas chromatography method published by C. H. Sloan and B. J. Sublett in Tobacco Science 9, page 70, 1965, as modified by F. J. Schultz' and A. W. Spears' report published in Tobacco Vol. 162, No. 24, page 32, dated June 17, 1966, to determine the moisture content,

5. Determine and report the "tar" content after subtracting moisture and alkaloids (as Nicotine) from particulate matter.

Concerning the 126 varieties tested, 32 were capable of being smoked to 23 mm. or to an average range of between 23 and 24 mm. The butt lengths of the other 94 varieties tested ranged from 23 mm. to an average of between 34 and 36.5 mm. The butt lengths of 25 of the 126 varieties tested exceeded 30 mm.

The samples used were obtained from attempting to purchase two packages of each variety of cigarettes during October of 1968 in each of 50 geographic locations throughout the country. All varieties of cigarettes were not available in each of the 50 geographic locations and in these instances, one or more additional packages of cigarettes were purchased in those geographic locations where the respective varieties were available. The samples utilized in the tests were representative of the 126 varieties of cigarettes as available throughout the country at the time of purchase.

In the interest of scientific accuracy the tar content is reported to the nearest 1/10 milligram and the nicotine to the nearest 1/100 milligram, each with appropriate statistical values, in the table in which varieties are listed in alphabetical order. In the two tables which respectively list varieties in increasing order of tar values and in increasing order of nicotine values, the average weight and butt length columns have been eliminated; types of cigarettes are more clearly described; tar figures have been rounded off to whole numbers and nicotine figures to tenths of milligrams; and figures representing the standard deviation of the mean have been eliminated. Accordingly, tar and nicotine figures in these two tables represent rounded off averages without indication of their precision.

"TAR"[1] AND NICOTINE[2] CONTENT OF 126 VARIETIES OF DOMESTIC CIGARETTES

Name	Type[3]	Average weight[4]	Butt length[5] (millimeters)	TPM dry[1,6]	Nicotine[2,6]
Alpine	F, M, SP (85 mm.)	1,0680	27-30	19.9±0.3	1.31±0.02
Belair	F, M, SP (85 mm.)	0.9908	23-29	18.9±0.4	1.56±0.03
Benson & Hedges	F, HWP (70 mm.)	0.8728	23	20.1±0.5	1.38±0.03
Do	F, HWP (85 mm.)	1.0585	26-28	20.5±0.3	1.50±0.03
Do	F, SP (100 mm.)	1.2178	32.5-35.5	21.4±0.3	1.51±0.03
Do	F, M, SP (100 mm.)	1.2121	34.5-36	21.3±0.4	1.52±0.03
Bull Durham	F, SP (85 mm.)	1.2238	25.5-28	29.3±0.5	1.86±0.03
Camel	NF, SP (70 mm.)	0.9906	23	25.6±0.4	1.55±0.03
Do	F, SP (85 mm.)	1.0597	24-28	21.2±0.3	1.31±0.02
Carlton	F, SP (85 mm.)	1.0734	32-34.5	4.6±0.4	0.37±0.03
Cascade	F, M, SP (85 mm.)	1.1259	25.5-28.5	7.9±0.4	0.27±0.01
Century	F, SP (100 mm.)	1.2264	26.5-34	23.0±0.4	1.47±0.04
Chesterfield	NF, SP (70 mm.)	0.9789	23	24.9±0.3	1.39±0.01
Do	NF, SP (85 mm.)	1.1564	23	29.1±0.4	1.64±0.02
Do	F, SP (85 mm.)	1.0496	25.5-27	23.0±0.5	1.47±0.02
Do	F, M, SP (85 mm.)	1.0619	26-27.5	20.8±0.5	1.22±0.03
Do	F, SP (101 mm.)	1.2452	28.5-30.5	20.5±0.5	1.27±0.03
Colony	F, SP (100 mm.)	1.2272	26-28	28.6±0.4	1.75±0.04
Do	F, M, SP (100 mm.)	1.2265	26.7-27.7	26.2±0.5	1.44±0.04
Domino	NF, SP (85 mm.)	1.2307	23	25.4±0.5	1.08±0.04
Do	F, SP (85 mm.)	1.1859	23-24.5	21.8±0.5	0.95±0.03
Do	F, M, SP (85 mm.)	1.1516	23-24.5	14.2±0.5	0.68±0.04
Duke	F, SP (85 mm.)	1,1641	32.5-34	10.3±0.3	0.38±0.01
DuMaurier	F, HWP (85 mm.)	1.0326	27.5-28.5	18.3±0.4	1.47±0.04
English Ovals	NF, HWP (70 mm.)	0.9810	23	27.1±0.5	1.92±0.04
Do	NF, HWP (85 mm.)	1.2020	23	35.6±0.7	2.58±0.07
Fatima	NF, SP (85 mm.)	1.2139	23	32.7±0.5	1.86±0.02
Frappe	F, M, SP (85 mm.)	1.1119	25-28	9.7±0.4	0.33±0.01
Galaxy	F, SP (85 mm.)	1.1470	26.5-30.5	21.3±0.3	1.52±0.03
Gauloises Caporal	NF, SP (70 mm.)	1.0777	23	25.2±0.5	1.32±0.04
Gauloises Disque Bleu	F, SP (70 mm.)	1.0423	23	23.2±0.5	1.27±0.03
Half & Half	F, SP (85 mm.)	1.1532	26-28	24.1±0.5	1.65±0.04
Helmar	F, HP (80 mm.)	1.0428	24-25.5	25.2±0.5	1.52±0.04
Herbert Tareyton	NF, SP (85 mm.)	1.1175	23	30.5±0.5	1.79±0.04
Holiday	NF, SP (85 mm.)	1.2116	23	34.5±0.8	2.09±0.04
Do	F, SP (85 mm.)	1.2253	23-25	26.5±0.4	1.71±0.04
Home Run	NF, SP (70 mm.)	0.9033	23	20.4±0.5	1.67±0.05
Kent	F, SP (70 mm.)	0.9060	23-28	11.9±0.7	0.68±0.04
Do	F, HP (80 mm.)	1.0063	24.5-27.5	17.7±0.4	1.09±0.02
Do	F, SP (85 mm.)	1.0225	27.5-28.5	17.0±0.4	1.08±0.03
Do	F, SP (100 mm.)	1.2201	32.5-34	20.0±0.4	1.29±0.02
King Sano	F, SP (85 mm.)	1.1307	26.5-29	7.4±0.4	0.25±0.01
Do	F, M, SP (85 mm.)	1.1629	27-29	7.6±0.4	0.25±0.01
Kool	NF, M, SP (70 mm.)	0.8771	23	21.5±0.4	1.63±0.03
Do	F, M, SP (85 mm.)	0.9926	27-29	18.9±0.4	1.55±0.03
Do	F, M, SP (100 mm.)	1.1430	32-34.5	20.8±0.3	1.63±0.03
Lark	F, SP (85 mm.)	1,1887	29.9-32	18.4±0.3	1.16±0.03
Do	F, SP (100 mm.)	1,3209	27-29	19.3±0.3	1.26±0.02
Life	F, SP (85 mm.)	1.0047	32-34	11.1±0.3	0.74±0.02
L & M	F, SP (70 mm.)	0.8975	23-25	17.8±0.4	1.03±0.02
Do	F, HP (80 mm.)	0.9747	26.5-27.5	18.5±0.5	1.11±0.03
Do	F, SP (85 mm.)	1.0246	28.0-27.5	20.3±0.4	1.23±0.03
Do	F, SP (100 mm.)	1.2528	27-31	19.7±0.4	1.24±0.03
Do	F, M, SP (100 mm.)	1.2435	29-31.5	20.4±0.5	1.25±0.02
Lucky Strike	NF, SP (70 mm.)	0.9578	23	28.8±0.5	1.69±0.03
Lucky Filters	F, SP (85 mm.)	1.0938	26-28	21.4±0.3	1.38±0.03
Do	F, M, SP (85 mm.)	1.0693	25.5-29	20.1±0.4	1.14±0.03
Do	F, SP (100 mm.)	1.2558	32-34	20.9±0.4	1.36±0.03
Do	F, M, SP (100 mm.)	1.2169	32-34	18.9±0.4	1.10±0.02
Mapleton	NF, SP (70 mm.)	1.0029	23	24.1±0.6	0.88±0.02
Do	F, SP (85 mm.)	1.0815	28-30	21.4±0.4	0.91±0.02
Marlboro	F, HP (80 mm.)	0.9924	25.5-26.5	20.8±0.4	1.43±0.02
Do	F, SP (85 mm.)	1.0445	27-28.5	21.5±0.4	1.47±0.03
Do	F, SP (100 mm.)	1.2089	32-34	22.5±0.3	1.55±0.03
Do	F, HP (100 mm.)	1,1797	30-34	21.7±0.4	1.53±0.03
Do	F, M, SP (85 mm.)	1.0563	27-29	20.9±0.4	1.41±0.03
Marvels	NF, SP (70 mm.)	0.9970	23	19.2±0.4	0.67±0.01
Do	F, SP (70 mm.)	0.9530	27.5-29	3.7±0.2	0.14±0.01
Do	NF, SP (85 mm.)	1.1880	23	24.7±0.5	0.87±0.03
Do	F, M, SP (85 mm.)	1.1167	27.5-29	4.7±0.2	0.21±0.01
Do	F, SP (85 mm.)	1.1072	27-28.5	6.8±0.3	0.26±0.03
Montclair	F, M, SP (85 mm.)	1.0524	26.7-27.7	10.5±0.4	0.68±0.03
Newport	F, M, HP (80 mm.)	0.9892	23.5-26.5	21.1±0.4	1.35±0.03
Do	F, M, SP (85 mm.)	1.0037	26-28.5	21.1±0.3	1.34±0.03
Do	F, M, SP (100 mm.)	1.2125	26-35	21.0±0.4	1.35±0.07
Oasis	F, M, SP (85 mm.)	1.0534	23.5-28.5	21.3±0.4	1.18±0.03
Old Gold	NF, SP (70 mm.)	0.9111	23	23.3±0.5	1.42±0.03
Do	NF, SP (85 mm.)	1.0961	23	29.2±0.4	1.84±0.04
Do	F, SP (85 mm.)	1.0143	26.5-28.5	20.7±0.4	1.24±0.03
Omar	NF, SP (70 mm.)	0.9839	23	29.5±0.5	1.67±0.04
Pall Mall	NF, SP (85 mm.)	1.1181	23	28.5±0.6	1.71±0.05
Do	F, HWP (95 mm.)	1.1317	23-34	19.1±0.4	1.23±0.03
Do	F, M, HWP (95 mm.)	1.1275	33-34	18.5±0.3	1.14±0.01
Do	F, SP (100 mm.)	1.1836	32-35	20.4±0.3	1.34±0.02
Do	F, M, SP (100 mm.)	1.1795	27-34	19.2±0.3	1.21±0.02
Parliament	F, HP (80 mm.)	1.0197	27.5-32	16.3±0.4	1.07±0.03
Do	F, SP (85 mm.)	1.0865	32.5-34	16.6±0.3	1.10±0.02
Philip Morris	NF, SP (70 mm.)	0.9469	23	24.9±0.3	1.61±0.02
Philip Morris Commander.	NF, SP (85 mm.)	1.1443	23	31.9±0.3	2.14±0.04
Philip Morris	F, PB (85 mm.)	1.1445	28.5-30.5	19.2±0.3	1.41±0.03
Do	F, M, PB (85 mm.)	1.1466	27-30.5	20.4±0.4	1.45±0.03
Picayune	NF, SP (70 mm.)	0.9155	23	20.9±0.3	1.73±0.04
Piedmont	NF, SP (70 mm.)	0.9877	23	25.4±0.4	1.44±0.03
Players	NF, HWP (70 mm.)	1.0913	23	31.9±0.2	2.01±0.02
Raleigh	NF, SP (85 mm.)	1.0951	23	29.7±0.6	2.17±0.05
Do	F, SP (85 mm.)	1.0392	26.5-29.5	19.0±0.4	1.49±0.03
Salem	F, M, SP (85 mm.)	1.0786	26-28.5	20.7±0.4	1.40±0.03
Do	F, M, SP (100 mm.)	1.2795	32.5-34	21.7±0.3	1.53±0.03
Sano	NF, SP (70 mm.)	1.0094	23	17.0±0.7	0.51±0.02
Do.[7]	F, SP (70 mm.)	0.9462	26 -28	4.0±0.2	0.16±0.01
Silva Thins	F, SP (100 mm.)	1.0828	32 -34.5	14.9±0.4	0.91±0.03
Do	F, M, SP (100 mm.)	1.0807	32 -34.5	14.9±0.3	0.91±0.03
Spring	F, M, SP (100 mm.)	1.2179	27.5-33.3	21.2±0.5	1.15±0.03
Stratford	NF, SP (85 mm.)	1.1808	23	25.9±0.6	1.06±0.04
Do	F, SP (85 mm.)	1.1325	27 -29	19.5±0.3	0.74±0.02
Do	F, M, SP (85 mm.)	1.0750	24.5-30	21.4±0.4	0.80±0.01
Sweet Caporal	F, SP (85 mm.)	1.0815	26.5-28	22.8±0.3	1.41±0.02
Tareyton	F, SP (85 mm.)	1.1095	25 -29	18.1±0.5	1.08±0.03
Do	F, SP (100 mm.)	1.2662	31.5-34	18.1±0.2	1.12±0.03
Tempo	F, SP (85 mm.)	1.0843	26 -34	13.9±0.5	0.75±0.14
True	F, SP (85 mm.)	1.0831	32 -35	13.2±0.3	0.74±0.02
Do	F, M, SP (85 mm.)	1.0708	32-35	12.6±0.3	0.72±0.02
Tryon	F, SP (85 mm.)	1.1470	27-29	12.4±0.3	0.90±0.02
Do	F, M, SP (85 mm.)	1.1315	26.5-29	11.4±0.3	0.77±0.03
Viceroy	F, SP (85 mm.)	1.0336	27-29	19.5±0.4	1.50±0.03
Do	F, SP (100 mm.)	1.2181	31-5-35	20.5±0.4	1.54±0.03

See footnotes at end of table.

"TAR"[1] AND NICOTINE[2] CONTENT OF 126 VARIETIES OF DOMESTIC CIGARETTES—Continued

Name	Type[3]	Average weight[4]	Butt length[5] (millimeters)	TPM dry[1 6]	Nicotine[2 6]
Virginia Slims	F, SP (100 mm.)	1.0078	34–36.5	18.4±0.3	1.28±0.02
Do	F, M, SP (100 mm.)	1.0202	35–36	19.2±0.3	1.35±0.02
Vogue (colors)	F, HWP (85 mm.)	1.1459	23–24	12.8±0.3	0.38±0.01
Vogue (black)	F, HWP (85 mm.)	1.1348	23–24	19.5±0.8	0.63±0.02
Wings	F, SP (85 mm.)	1.0159	26–29.5	20.2±0.4	1.54±0.05
Winston	F, HP (80 mm.)	1.0280	23–25	21.7±0.4	1.36±0.02
Do	F, SP (85 mm.)	1.0750	26–28	21.3±0.3	1.32±0.03
Do	F, SP (100 mm.)	1.2846	32.5–34	22.2±0.3	1.57±0.02
Do	F, M, SP (100 mm.)	1.2811	33–34	22.2±0.4	1.56±0.02
Yukon	F, M, SP (85 mm.)	1.1566	23–25	20.4±0.4	0.82±0.03

[1] TPM dry (tar)—milligrams total particulate matter less nicotine and water.

[2] Milligrams total alkaloids reported as nicotine.

[3] F—filter; NF—nonfilter; M—menthol; HP—hard pack: SP—soft pack; HWP—hard wide pack; mm.—millimeters; PB—plastic box.

[4] Average weight reported in grams.

[5] Range used for butt length because of variance of overwrap.

[6] Tolerance shown is 2 standard deviation of the mean.

[7] Limited availability: based on reduced sampling.

TAR AND NICOTINE CONTENT OF 126 VARIETIES OF DOMESTIC CIGARETTES

[Shown in increasing order of tar values]

Brand	Type	Milligrams per cigarette	
		Tar	Nicotine
Marvels	Regular size, filter	4	0.1
Sano	do	4	.2
Carlton	King size, filter	5	.4
Marvels	King size, filter, menthol	5	.2
Do	King size, filter	7	.3
King Sano	do	7	.3
Do	King size, filter, menthol	8	.3
Cascade	do	8	.3
Frappe	do	10	.3
Duke of Durham	King size, filter	10	.4
Montclair	King size, filter, menthol	11	.7
Life	King size, filter	11	.7
Tryon	King size, filter, menthol	11	.8
Kent	Regular size, filter	12	.7
Tryon	King size, filter	12	.9
True	King size, filter, menthol	13	.7
Vogue (colors)	King size, filter (hard pack)	13	.4
True	King size, filter	13	.7
Tempo	do	14	.8
Domino	King size, filter, menthol	14	.7
Silva Thins	100 mm., filter, menthol	15	.9
Do	100 mm., filter	15	.9
Parliament	King size, filter (hard pack)	16	1.1
Do	King size, filter	17	1.1
Sano	Regular size, nonfilter	17	.5
Kent	King size, filter	17	1.1
Do	King size, filter (hard pack)	18	1.1
L & M	Regular size, filter	18	1.0
Tareyton	100 mm., filter	18	1.1
Do	King size, filter	18	1.1
DuMaurier	King size, filter (hard pack)	18	1.5
Lark	King size, filter	18	1.2
Virginia Slims	100 mm., filter	18	1.3
L & M	King size, filter (hard pack)	19	1.1
Pall Mall	95 mm, filter, menthol (hard pack)	19	1.1
Lucky Filters	100 mm, filter, menthol	19	1.1
Kool	King size, filter, menthol	19	1.6
Belair	do	19	1.6
Raleigh	King size, filter	19	1.5
Pall Mall	95 mm, filter (hard pack)	19	1.2
Virginia Slims	100 mm, filter, menthol	19	1.4
Pall Mall	do;	19	1.2
Philip Morris	King size, filter (plastic box)	19	1.4
Marvels	Regular size, nonfilter	19	.7
Lark	100 mm, filter	19	1.3
Stratford	King size, filter	20	.7
Viceroy	do	20	1.5
Vogue (black)	King size, filter (hard pack)	20	.6
L & M	100 mm, filter	20	1.2
Alpine	King size, filter, menthol	20	1.3
Kent	100 mm, filter	20	1.3
Lucky Filters	King size, filter, menthol	20	1.1
Benson & Hedges	Regular size, filter (hard pack)	20	1.4
Wings	King size, filter	20	1.5
L & M	do	20	1.2
Pall Mall	100 mm., filter	20	1.3
Yukon	King size, filter, menthol	20	.8
Philip Morris	King size, filter menthol (plastic box)	20	1.5
L & M	100 mm., filter, menthol	20	1.3
Home Run	Regular size, nonfilter	20	1.7
Benson & Hedges	King size, filter (hard pack)	21	1.5
Viceroy	100 mm., filter	21	1.5
Chesterfield	101 mm., filter	21	1.3
Salem	King size, filter, menthol	21	1.4
Old Gold	King size, filter	21	1.2
Kool	100 mm., filter, menthol	21	1.6
Marlboro	King size, filter (hard pack)	21	1.4
Chesterfield	King size, filter, menthol	21	1.2
Picayune	Regular size, nonfilter	21	1.7
Lucky Filters	100 mm., filter	21	1.4
Marlboro	King size, filter, menthol	21	1.4
Newport	100 mm., filter, menthol	21	1.4
Do	King size, filter, menthol	21	1.3
Do	King size, filter, menthol (hard pack)	21	1.4
Spring	100 mm., filter, menthol	21	1.2
Camel	King size, filter	21	1.3
Oasis	King size, filter, menthol	21	1.2
Winston	King size, filter	21	1.3
Galaxy	do	21	1.5
Benson & Hedges	100 mm., filter, menthol	21	1.5
Stratford	King size, filter, menthol	21	.8
Mapleton	King size, filter	21	.9
Lucky Filters	do	21	1.4
Benson & Hedges	100 mm., filter	21	1.5
Marlboro	King size, filter	22	1.5
Kool	Regular size, nonfilter, menthol	22	1.6
Salem	100 mm., filter, menthol	22	1.5
Winston	King size, filter (hard pack)	22	1.4
Marlboro	100 mm., filter (hard pack)	22	1.5
Domino	King size, filter	22	1.0
Winston	100 m.m. filter	22	1.6
Do	100 m.m. filter, menthol	22	1.6
Marlboro	100 m.m. filter	23	1.6
Sweet Caporal	King size, filter	23	1.4
Century	100 m.m., filter	23	1.5
Chesterfield	King size, filter	23	1.5
Gauloises Disque Bleu	Regular size, filter	23	1.3
Old Gold	Regular size, nonfilter	23	1.4
Half & Half	King size, filter	24	1.7
Mapleton	Regular size, nonfilter	24	.9
Marvels	King size, nonfilter	25	.9
Chesterfield	Regular size, nonfilter	25	1.4
Philip Morris	do	25	1.6
Gauloises Caporal	do	25	1.3
Helmar	King size, filter (hard pack)	25	1.5
Piedmont	Regular size, nonfilter	25	1.4
Domino	King size, nonfilter	25	1.1
Camel	Regular size, nonfilter	26	1.6
Stratford	King size, nonfilter	26	1.1
Colony	100 mm, filter, menthol	26	1.4
Holiday	King size, filter	26	1.7
English Ovals	Regular size, nonfilter	27	1.9
Pall Mall	King size, nonfilter	29	1.7
Colony	100 mm, filter	29	1.8
Lucky Strike	Regular size, nonfilter	29	1.7
Chesterfield	King size, nonfilter	29	1.6
Old Gold	do	29	1.8
Bull Durham	King size, filter	29	1.9
Omar	Regular size, nonfilter	30	1.7
Raleigh	King size, nonfilter	30	2.2
Herbert Tareyton	do	31	1.8
Players	Regular size, nonfilter (hard pack)	32	2.0
Philip Morris Commander	King size, nonfilter	32	2.1
Fatima	do	33	1.9
Holiday	do	35	2.1
English Ovals	do	36	2.6

TAR AND NICOTINE CONTENT OF 126 VARIETIES OF DOMESTIC CIGARETTES

[Shown in increasing order of nicotine values]

Brand	Type	Milligrams per cigarette	
		Tar	Nicotine
Marvels	Regular size, filter	4	0.1
Sano	do	4	.2
Marvels	King size, filter, menthol	5	.2
King Sano	King size, filter	7	.3
Marvels	do	7	.3
Cascade	King size, filter, menthol	8	.3
King Sano	do	8	.3
Frappe	do	10	.3
Duke of Durham	King size, filter	10	0.4
Vogue (colors)	King size, filter (hard pack)	13	.4
Carlton	King size, filter	5	.4
Sano	Regular size, nonfilter	17	.5
Vogue (black)	King size, filter (hard pack)	20	.6
Life	King size, filter, menthol	11	.7
Montclair	King size, filter	11	.7
Kent	Regular size, filter	12	.7

TAR AND NICOTINE CONTENT OF 126 VARIETIES OF DOMESTIC CIGARETTES—Continued

[Shown in increasing order of nicotine values]

Brand	Type	Milligrams per cigarette	
		Tar	Nicotine
True	King size, filter	13	0.7
Do	King size, filter, menthol	13	.7
Domino	do	14	.7
Marvels	Regular size, nonfilter	19	.7
Stratford	King size, filter	20	.7
Do	King size, filter, menthol	21	.8
Tryon	do	11	.8
Yukon	do	20	.8
Tempo	King size, filter	14	.8
Tryon	do	12	.9
Mapleton	do	21	.9
Do	Regular size, nonfilter	24	.9
Silva Thins	100 mm, filter, menthol	15	.9
Do	100 mm, filter	15	.9
Marvels	King size, nonfilter	25	.9
L & M	Regular size, filter	18	1.0
Domino	King size, filter	22	1.0
Pall Mall	95 mm, filter, menthol (hard pack)	19	1.1
Parliament	King size, filter	17	1.1
Kent	King size, filter (hard pack)	18	1.1
Lucky Filters	100 mm., filter, menthol	19	1.1
Parliament	King size, filter (hard pack)	16	1.1
Kent	King size, filter	17	1.1
Tareyton	100 mm., filter	18	1.1
Do	King size, filter	18	1.1
L & M	King size, filter (hard pack)	19	1.1
Lucky Filters	King size, filter, menthol	20	1.1
Domino	King size, nonfilter	25	1.1
Stratford	do	26	1.1
Pall Mall	100 mm., filter, menthol	19	1.2
Lark	King size, filter	18	1.2
Pall Mall	95 mm., filter (hard pack)	19	1.2
L & M	King size, filter	20	1.2
Do	100 mm., filter	20	1.2
Oasis	King size, filter, menthol	21	1.2
Old Gold	King size, filter	21	1.2
Chesterfield	King size, filter, menthol	21	1.2
Spring	100 mm., filter, menthol	21	1.2
Virginia Slims	100 mm, filter	18	1.3
Lark	do	19	1.3
Alpine	King size, filter, menthol	20	1.3
Pall Mall	100 mm, filter	20	1.3
Kent	do	20	1.3
L & M	100 mm, filter, menthol	20	1.3
Camel	King size, filter	21	1.3
Newport	King size, filter, menthol	21	1.3
Winston	King size, filter	21	1.3
Chesterfield	101 mm, filter	21	1.3
Gauloises Disque Bleu	Regular size, filter	23	1.3
Gauloises Caporal	Regular size, nonfilter	25	1.3
Virginia Slims	100 mm, filter, menthol	19	1.4
Philip Morris	King size, filter, plastic box	19	1.4
Benson & Hedges	Regular size, filter (hard pack)	20	1.4
Marlboro	King size, filter (hard pack)	21	1.4
Lucky Filters	King size, filter	21	1.4
Marlboro	King size, filter, menthol	21	1.4
Newport	King size, filter, menthol (hard pack)	21	1.4
Salem	King size, filter, menthol	21	1.4
Lucky Filters	100 mm, filter	21	1.4
Newport	100 mm, filter, menthol	21	1.4
Winston	King size, filter (hard pack)	22	1.4
Sweet Caporal	King size, filter	23	1.4
Old Gold	Regular size, nonfilter	23	1.4
Chesterfield	do	25	1.4
Piedmont	do	25	1.4
Colony	100 mm, filter, menthol	26	1.4
DuMaurier	King size, filter (hard pack)	18	1.5
Raleigh	King size, filter	19	1.5
Philip Morris	King size, filter, menthol (plastic box)	20	1.5
Viceroy	King size, filter	20	1.5
Wings	do	20	1.5
Benson & Hedges	King size, filter (hard pack)	21	1.5
Do	100 mm., filter	21	1.5
Galaxy	King size, filter	21	1.5
Benson & Hedges	100 mm., filter, menthol	21	1.5
Viceroy	100 mm., filter	21	1.5
Marlboro	King size, filter	22	1.5
Do	100 mm., filter (hard pack)	22	1.5
Salem	100 mm., filter, menthol	22	1.5
Chesterfield	King size, filter	23	1.5
Century	100 mm., filter	23	1.5
Helmar	King size, filter (hard pack)	25	1.5
Belair	King size, filter, menthol	19	1.6
Kool	do	19	1.6
Do	100 mm., filter, menthol	21	1.6
Winston	100 mm., filter	22	1.6
Do	100 mm., filter, menthol	22	1.6
Kool	Regular size, nonfilter, menthol	22	1.6
Marlboro	100 mm., filter	23	1.6
Philip Morris	Regular size, nonfilter	25	1.6
Camel	do	26	1.6
Chesterfield	King size, nonfilter	29	1.6
Home Run	Regular size, nonfilter	20	1.7
Picayune	do	21	1.7
Half & Half	King size, filter	24	1.7
Holiday	do	26	1.7
Lucky Strike	Regular size, nonfilter	29	1.7
Pall Mall	King size, nonfilter	29	1.7
Omar	Regular size, nonfilter	30	1.7
Colony	100 mm, filter	29	1.8
Old Gold	King size, nonfilter	29	1.8
Herbert Tareyton	do	31	1.8
English Ovals	Regular size, nonfilter	27	1.9
Bull Durham	King size, filter	29	1.9
Fatima	King size, nonfilter	33	1.9
Players	Regular size, nonfilter (hard pack)	32	2.0
Philip Morris Commander	King size, nonfilter	32	2.1
Holiday	do	35	2.1
Raleigh	do	30	2.2
English Ovals	do	36	2.6

REPORT ON COMPARISON OF TESTS OF TAR AND NICOTINE CONTENT, FEBRUARY 27, 1969

A comparison of test results between Commission October 10, 1968 and February 27, 1969 Reports on tar and nicotine content of cigarette smoke discloses statistically significant[1] difference in the measurements of the tar and nicotine content of certain cigarettes.

These test results for the following varieties registered increases in tar or in nicotine content:

Name	Type[1]	Increased tar or nicotine
Alpine	F, M, SP, 85 mm	Nicotine.
Belair	do	Do.
Benson & Hedges	F, HWP, 70 mm	Do.
Do	F, HWP 85 mm	Do.
Do	F, SP, 100 mm	Tar and nicotine.
Do	F, M, SP, 100 mm	Nicotine.
Bull Durham	F, SP, 85 mm	Do.
Camel	NF, SP 70 mm	Do.
Carlton	F, SP, 85 mm	Do.
Cascade	F, M, SP, 85 mm	Tar and nicotine.
Chesterfield	NF, SP, 70 mm	Nicotine.
Do	NF, SP, 85 mm	Do.
Do	F, SP, 85 mm	Tar and nicotine.
Do	F, SP, 101 mm	Nicotine.
Colony	F, SP, 100 mm	Tar and nicotine.
Do	F, M, SP, 100 mm	Nicotine.
Domino	NF, SP, 85 mm	Nicotine.
Do	F, SP, 85 mm	Do.
DuMaurier	F, HWP, 85 mm	Do.
English Ovals	NF, HWP, 70 mm	Do.
Do	NF, HWP, 85 mm	Do.
Fatima	NF, SP, 85 mm	Do.
Frappe	F, M, SP, 85 mm	Tar and nicotine.
Galaxy	F, SP, 85 mm	Nicotine.
Gauloises Caporal	NF, SP, 70 mm	Tar and nicotine.
Gauloises Disque Bleu.	F, SP, 70 mm	Do.
Herbert Tareyton	NF, SP, 85 mm	Nicotine.
Holiday	do	Do.
Do	F, SP, 85 mm	Do.
Home Run	NF, SP, 70 mm	Do.
Kent	F, HP, 80 mm	Do.
Do	F, SP, 85 mm	Do.
Do	F, SP, 100 mm	Do.
King Sano	F, SP, 85 mm	Do.
Kool	F, M, SP, 85 mm	Do.
Do	F, M, SP, 100 mm	Tar and nicotine.
Lark	F, SP, 85 mm	Do.
L & M	F, SP, 70 mm	Nicotine.
Do	F, HP, 80 mm	Do.
Do	F, SP, 85 mm	Tar and nicotine.
Do	F, M, SP, 100 mm	Do.
Lucky Strike	NF, SP, 70 mm	Do.
Lucky filters	F, SP, 85 mm	Nicotine.
Do	F, SP, 100 mm	Do.
Do	F, M, SP, 100 mm	Do.
Mapleton	NF, SP, 70 mm	Tar and nicotine.
Do	F, SP, 85 mm	Nocotine.
Marlboro	F, HP, 80 mm	Do.
Do	F, SP, 85 mm	Do.
Do	F, SP, 100 mm	Tar.
Do	F, M, SP, 85 mm	Nicotine.
Marvels	NF, SP, 70 mm	Do.
Do	NF, SP, 85 mm	Tar and nicotine.
Montclair	F, M, SP, 85 mm	Tar.
Oasis	F, M, SP, 85 mm	Do.
Old Gold	NF, SP, 70 mm	Nicotine.
Do	NF, SP, 85 mm	Do.
Omar	NF, SP, 70 mm	Do.
Parliament	F, HP, 80 mm	Nicotine.
Philip Morris	NF, SP, 70 mm	Do.
Philip Morris Commander.	NF, SP, 85 mm	Tar and nicotine.
Philip Morris	F, PB, 85 mm	Nicotine.
Do	F, M, PB, 85 mm	Tar and nicotine.
Picayune	NF, SP, 70 mm	Do.
Players	NF, HWP, 70 mm	Do.
Sano	NF, SP, 70 mm	Nicotine
Silva Thins	F, SP, 100 mm	Do.
Spring	F, M, SP, 100 mm	Tar and nicotine.
Stratford	NF, SP, 85 mm	Do.
Do	F, M, SP, 85 mm	Do.
Sweet Caporal	F, SP, 85 mm	Nicotine.
Tareyton	do	Tar.
Do	F, SP, 100 mm	Tar and nicotine.
True	F, SP, 85 mm	Nicotine.
Do	F, M, SP, 85 mm	Do.
Tryon	F, SP, 85 mm	Do.
Do	F, M, SP, 85 mm	Tar and nicotine.
Viceroy	F, SP, 85 mm	Do.
Do	F, SP, 100 mm	Do.
Vogue (colors)	F, HWP, 85 mm	Tar.
Winston	F, HP, 80 mm	Tar and nicotine.
Do	F, M, SP, 100 mm	Nicotine.
Yukon	F, M, SP, 85 mm	Tar and nicotine.

Test results for the following varieties registered decreases in tar or in nicotine content:

Name	Type[1]	Decreased tar or nicotine
Benson & Hedges	F, HWP, 70 mm	Tar.
Bull Durham	F, SP, 85 mm	Do.
Century	F, SP, 100 mm	Do.
Duke	F, SP, 85 mm	Do.
English Ovals	NF, HWP, 70 mm	Do.
Half & Half	F, SP, 85 mm	Do.

See footnote at end of table.

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[1] For purposes of this report only, differences between October 1968 results and February 1969 results pertaining to any given cigarette variety have not been deemed of statistical significance unless the particular difference exceeds twice its standard deviation.

Name	Type [1]	Decreased tar or nicotine
Kent	F, SP, 70 mm	Tar and nicotine.
King Sano	F, M, SP, 85 mm	Tar.
Kool	NF, M, SP, 70 mm	Do.
L & M	F, SP, 100 mm	Do.
Marvels	F, SP, 70 mm	Do.
Do	F, M, SP, 85 mm	Do.
Tempo	F, SP, 85 mm	Do.
Wings	do	Do.

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[1] F—filter; NF—nonfilter; M—menthol; HP—hardpack; SP—softpack; HWP—hard wide pack; mm—millimeters; PB—plastic box.

LATEST GOVERNMENT RATINGS OF TAR AND NICOTINE CONTENT OF CIGARETTES (ALPHABETICAL BY BRAND) FROM FEDERAL TRADE COMMISSION, OCTOBER 1968

NF—Non-Filter (all other brands possess filters); M—Menthol; HP—(hard pack)]

Brand	Type	Tar (mg/cig)	Nicotine (mg/cig)
Alpine	King, M	20	1.2
Belair	King, M	19	1.5
Benson & Hedges	Reg. (HP)	21	1.3
	King (HP)	20	1.4
	100 mm	21	1.3
	100 mm, M	21	1.4
Bull Durham	King	30	1.7
Camel	Reg, NF	26	1.4
	King	21	1.3
Carlton	King [1]	4	.3
Cascade	King, M [1]	7	.2
Century	100 mm	24	1.4
Chesterfield	Reg, NF	25	1.2
	King, NF	30	1.5
	King	22	1.3
	King, M	21	1.2
	101 mm	21	1.2
Colony	100 mm	28	1.6
	100 mm, M	26	1.3
Domino	King, NF	26	1.0
	King	21	.8
	King, M [1]	14	.7
Duke of Durham	King [1]	11	.4
Dumaurier	King (HP)	19	1.3
English Ovals	Reg., NF (HP)	28	1.8
	King, NF (HP)	36	2.3
Fatima	King, NF	33	1.8
Frappe	King, M [1]	8	.3
Galaxy	King	21	1.4
Gauloises	Reg., NF	25	1.2
	Reg	22	1.2
Half & Half	King	26	1.7
Helmar	King (HP)	25	1.5
Herbert Tareyton	King, NF	31	1.7
Holiday	King, NF	34	1.9
	King	26	1.6
Home Run	Reg., NF	21	1.5
Kent	Reg. [1]	15	.8
	King (HP)	17	1.0
	King	17	1.0
	100 mm	19	1.2
King Sano	King [1]	7	.2
	King, M [1]	10	.3
Kool	Reg., NF, M	23	1.7
	King, M	19	1.4
	100 mm, M	20	1.5
Lark	King	18	1.0
Life	King [1]	11	.7
L & M	Reg	17	.9
	King (HP)	18	1.0
	King	19	1.1
	100 mm	21	1.2
	100 mm, M	20	1.2
Lucky Strike	Reg., NF	28	1.5
	King	22	1.2
	King, M	20	1.1
	100 mm	21	1.2
	100 mm, M	19	1.0
Mapleton	Reg., NF	23	.8
	King	21	.8
Marlboro	King (HP)	20	1.4
	King	21	1.4
	King, M	20	1.3
	100 mm	22	1.5
	100 mm (HP)	22	1.5
Marvels	70 mm, NF	19	.6
	Reg. [1]	4	.1
	King, NF	23	.8
	King [1]	7	.3
	King, M [1]	6	.2
Montclair	King, M [1]	9	.6
Newport	King, M (HP)	21	1.3
	King, M	21	1.4
	100 mm, M	22	1.4
Oasis	King, M	20	1.1
Old Gold	Reg., NF	23	1.3
	King, NF	29	1.7
	King	21	1.2
Omar	Reg., NF	30	1.6
Pall Mall	King, NF	28	1.6
	95 mm (HP)	19	1.2
	95 mm, M (HP)	19	1.1
	100 mm	20	1.3
	100 mm, M	19	1.2
Parliament	King (HP)	16	1.0
	King	16	1.1
Philip Morris	Reg., NF	25	1.6
	King, NF	31	2.0
	King	19	1.3
	King, M	20	1.3
Picayune	Reg., NF	19	1.5
Piedmont	Reg., NF	26	1.4
Players	Reg., NF (HP)	31	1.8
Raleigh	King, NF	30	2.1
	King	19	1.4
Salem	King, M	21	1.4
	100 mm, M	22	1.5
Sano	Reg., NF [1]	17	.5
Silva Thins	100 mm [1]	15	.9
Spring	100 mm, M	20	1.1
Stratford	King, NF	24	.8
	King	19	.7
	King., M	19	.7
Sweet Caporal	King	23	1.3
Tareyton	King	17	1.1
	100 mm	18	1.0
Tempo	King [1]	17	.8
True	King [1]	13	.7
	King, M [1]	13	.7
Tryon	King [1]	13	.9
	King, M [1]	11	.7
Viceroy	King	19	1.4
	100 mm	19	1.5
Vogue (Colors)	King (HP) [1]	12	.4
Vogue (Black)	King (HP)	19	.6
Wings	King	21	1.6
Winston	King (HP)	21	1.3
	King	21	1.3
	100 mm	22	1.5
	100 mm, M	22	1.5
	100 mm (HP)	21	1.5
Yukon	King, M	20	.8

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[1] Brands marked are in the lowest ¼ in both tar and nicotine.

Source: U.S. Department of Health, Education, and Welfare, Public Health Service, Health Services and Mental Health Administration.

TAR AND NICOTINE CONTENT OF CIGARETTES (SHOWN IN INCREASING ORDER OF TAR VALUES) FROM FEDERAL TRADE COMMISSION, OCTOBER 1968

[NF—Non-Filter (all other brands possess filters); M—Menthol; HP—Hard pack]

Brand	Type	Tar (mg/cig)	Nicotine (mg/cig)
Carlton	King	4	0.3
Marvels	Reg	4	.1
Marvels	King, M	6	.2
Cascade	King, M	7	.2
Marvels	King	7	.3
King Sano	King	7	.2
Frappe	King, M	8	.3
Montclair	King, M	9	.6
King Sano	King, M	10	.3
Tryon	King, M	11	.7
Life	King	11	.7
Duke of Durham	King	11	.4
Vogue (Colors)	King (HP)	12	.4
True	King, M	13	.7
True	King	13	.7
Tryon	King	13	.9
Domino	King, M	14	.7
Kent	Reg	15	.8
Silva Thins	100 mm	15	.9
Parliament	King (HP)	16	1.0
Parliament	King	16	1.1
Tempo	King	17	0.8
Sano	Reg., NF	17	0.5
Kent	King	17	1.0
L & M	Reg	17	0.9
Kent	King (HP)	17	1.0
Tareyton	King	17	1.1
Tareyton	100 mm	18	1.0
Lark	King	18	1.0
L & M	King (HP)	18	1.0
Viceroy	King	18	1.4
Dumaurier	King (HP)	19	1.3
Raleigh	King	19	1.4
Stratford	King, M	19	0.7
Pall Mall	95 mm, M (HP)	19	1.1
Kool	King, M	19	1.0
Marvels	Reg., NF	19	.4
Philip Morris	King	19	1.3
L & M	King	19	1.0
Lucky Filters	100 mm, M	19	1.0
Vogue (Black)	King (HP)	19	.6
Picayune	Reg., NF	19	1.5
Viceroy	100 mm	19	1.5
Pall Mall	100 mm, M	19	1.2
Stratford	King	19	0.7
Pall Mall	95 mm (HP)	19	1.2
Kent	100 mm	19	1.2
Belair	King, M	19	1.5
Alpine	King, M	20	1.2
L & M	100 mm, M	20	1.2
Yukon	King, M	20	.8
Philip Morris	King, M	20	1.3
Kool	100 mm, M	20	1.5
Spring	100 mm, M	20	1.1
Benson & Hedges	King (HP)	20	1.4
Pall Mall	100 mm	20	1.3
Lucky Filters	King, M	20	1.1
Oasis	King, M	20	1.1
Marlboro	King (HP)	20	1.4
Marlboro	King, M	20	1.3
Salem	King, M	21	1.4
Old Gold	King	21	1.2
Chesterfield	King, M	21	1.2
Camel	King	21	1.3
Benson & Hedges	100 mm	21	1.3
Home Run	Reg., NF	21	1.5
L & M	100 mm	21	1.2
Wings	King	21	1.6
Mapleton	King	21	.8
Winston	King (HP)	21	1.3
Newport	King, M (HP)	21	1.3
Domino	King	21	.8
Galaxy	King	21	1.4
Marlboro	King	21	1.4
Benson & Hedges	Reg. (HP)	21	1.3
Benson & Hedges	100 mm, M	21	1.4
Lucky Filters	100 mm	21	1.2
Winston	100 mm (HP)	21	1.5
Chesterfield	101 mm	21	1.2
Newport	King, M	21	1.4
Winston	King	21	1.3
Marlboro	100 mm (HP)	22	1.5
Newport	100 mm, M	22	1.4
Chesterfield	King	22	1.3
Gauloises	Reg	22	1.1
Lucky Filters	King	22	1.2
Winston	100 mm, M	22	1.5
Marlboro	100 mm	22	1.5
Salem	100 mm, M	22	1.5
Winston	100 mm	22	1.5
Sweet Caporal	King	23	1.3
Old Gold	Reg., NF	23	1.3
Mapleton	Reg., NF	23	0.8
Kool	Reg., NF, M	23	1.7
Marvels	King, NF	23	0.8
Stratford	King, NF	24	0.8
Century	100 mm	24	1.4
Gauloises	Reg., NF	25	1.2
Helmar	King (HP)	25	1.5
Philip Morris	Reg., NF	25	1.6
Chesterfield	Reg., NF	25	1.2
Colony	100 mm, M	26	1.3
Camel	Reg., NF	26	1.4
Piedmont	Reg., NF	26	1.4
Domino	King, NF	26	1.0
Holiday	King	26	1.6
Half & Half	King	26	1.7
Lucky Strike	Reg., NF	28	1.5
Colony	100 mm	28	1.6
English Ovals	Reg., NF (HP)	28	1.8
Pall Mall	King, NF	28	1.6
Old Gold	King, NF	29	1.7
Chesterfield	King, NF	30	1.5
Raleigh	King, NF	30	2.1
Bull Durham	King	30	1.7
Omar	Reg., NF	30	1.6
Players	Reg., NF (HP)	31	1.8
Philip Morris Commander	King, NF	31	2.0
Herbert Tareyton	King, NF	31	1.7
Fatima	King, NF	33	1.8
Holiday	King, NF	34	1.9
English Ovals	King, NF (HP)	36	2.3

Source: U.S. Department of Health, Education, and Welfare, Public Health Service, Health Services and Mental Health Administration.

XUM

MOSS SAYS FTC RATINGS SHOW SIGNIFICANT INCREASE IN TAR AND NICOTINE CONTENT OF CIGARETTES

The Federal Trade Commission has just reported to the Senate Commerce Committee its latest test results of cigarette tar and nicotine yields. Implications of these test results are at best discouraging and, at worst, sinister.

Of the 126 varieties tested, 79 showed significant changes in the nicotine yield since the last test in October of last year. Of those 79, 78 have increased in nicotine, while only one decreased.

Mr. President, 78 out of 79 is too uniform to be merely a statistical quirk. I hope that the explanation can be found in variations in the tobacco crop or in the FTC test methods. If not, it would be hard to escape the conclusion that the companies that produce these brands are deliberately stepping up the nicotine yield.

To what purpose? We know that nicotine is closely related to the addictive or habituating quality of cigarette smoking. If the change proves to be deliberate, we can only assume that it reflects a conscious tactic to stem the trend toward giving up smoking which is now making significant inroads on cigarette sales.

I cannot, however, make such an assumption until the cigarette companies have had the opportunity to explain or justify the FTC report. I am, therefore, today, by letter, asking each of the cigarette companies to analyze and offer their explanation of these figures. I will also ask them to explain why in the 46 varieties of cigarettes which revealed changes in tar, 32 changes involved increases in tar, while only 14 involved decreases. Only one cigarette, Kent 70 mm. decreased in both tar and nicotine.

Yet the official judgment of the Public Health Service is that "The preponderance of scientific evidence strongly suggests that the lower the 'tar' and nicotine content of cigarette smoke, the less harmful are the effects."

Again, we can only conclude that the cigarette industry is not interested in competing to market less hazardous cigarettes, an unhappy reflection of its sense of social responsibility.

That same sense of responsibility is reflected in the full page advertisements run February 28 by the Tobacco Institute in newspapers across the country. The ad consisted of a "news release" dated February 3 which quoted a tobacco industry scientist as saying "there is no demonstrated casual relationship between smoking and any disease."

The news media gave the statement its deserved importance by ignoring it, so the Tobacco Institute was forced to buy advertising space to get their message published.

All other industries are subject to regulation of their advertising, but the tobacco industry is claiming the right to be immune from such regulation by responsible agencies of government. The industry's advocates in the House have proposed legislation deceptively labeled H.R. 6543 "To extend public health protection re: cigarette smoking," which would, if enacted, place a strait jacket on efforts by the FTC and the FCC to regulate cigarette advertising.

Mr. President, fortunately for the American public I see no signs whatsoever that the Senate Commerce Committee is prepared to relieve the tobacco industry of the regulation so vital to the health of our young people and regulation which the industry, by its actions, so richly deserves.

S. 1446—INTRODUCTION OF A BILL TO ESTABLISH A DEPARTMENT OF NATURAL RESOURCES

Mr. MOSS. Mr. President, I am today introducing again for myself, Mr. CASE, Mr. DODD, Mr. HART, Mr. METCALF, and Mr. YARBOROUGH a bill to establish a Department of Natural Resources and to transfer to it certain agencies and functions. It is my hope that others of my colleagues may want to join me as cosponsors.

Since I first introduced a similar bill in the 89th Congress, the march of events has greatly intensified the case which can be made for it. We have continued the ruthless exploitation of our natural resources. The magnitude of our ecological blunders are becoming more evident every day, and the Nation as a whole understands what is happening. The people have now come to realize how widely our national resources are deteriorating—how massive is the debasement of the air we breathe and the water we drink. People are aware of the looming water shortages in some areas, and they recognize that our farmlands are being eaten up with urban sprawl and that we are running out of outdoor recreation space and that our soil is being depleted.

These problems are coming home to roost in their own communities—in their own homes and gardens. For example, southern California is being taught all too painfully right now how denuding the hillsides and the land close to big cities for spreading suburbs and industrial development without proper protective measures can mean massive mud slides and disastrous floods when the rains become heavy. The potential for similar disaster exists in many other parts of the country—we have no long-use planning for land or no oversight machinery if we had such plans.

If a case could be made 4 years ago for a Department of Natural Resources, it can be made doubly now. We must not only establish overall policies for the development and management of our natural resources, but we must organize the Federal structure which deals with natural resources to see that today's great tasks in this field are performed efficiently and effectively. Today we must concern ourselves with man's total environment.

Hearings were held in the 90th Congress on my bill to establish a Department of Natural Resources. The Subcommittee on Executive Reorganization of the Senate Committee on Government Operations with the distinguished Senator from Connecticut (Mr. RIBICOFF), its chairman, held hearings in Washington.

The 3 days were devoted entirely to testimony from Senators and officials of the Government agencies involved. We learned something which did not greatly surprise us—that most of the agencies involved would rather fight than switch.

The hearings also indicated the extent to which competing interests for the use of our limited resources would be ready to block overall development and protection plans.

I understand and sympathize with the agencies and the people involved. Most people prefer the status quo. But I do feel that, although resource programs may have to be altered and changed and that special interests may be affected, we must do what is in the best interests of all of the American people. The decision to dam a river or cut down a 2,000-year-old tree is irrevocable. We will not be given a chance to make that decision again.

The choices we make in the coming years will affect the beauty and the utility of our land for uncounted generations hereafter. The planning that we must do in the field of water resources will determine the economic future of the Nation. The planning in our land resources is so interrelated with water planning as to be inseparable. We cannot wait. Time is running out in this once virgin land.

Mr. President, I direct attention to a news article published in the Washington Post of March 5 which indicated that President Nixon is to appoint a group to study the reorganization of the executive establishment of the Federal Government and that one of the departments that the President indicated should be studied is the Department of the Interior, along with several other departments.

I ask unanimous consent that the article to which I have referred be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MOSS. Mr. President, the bill I am introducing today would, in effect, abolish the Department of the Interior, by transferring its agencies either to the new Department of Natural Resources or to other agencies.

In thus dissolving the Department of the Interior, we will perhaps be fulfilling the manifest destiny of an agency conceived as a "Home Department" for a young nation—a repository for numerous Federal activities, many only tenuously related. The Department of the Interior was brought into being after the Post Office Department, being created by Congress in 1849. The new Department took under its wing immediately several stepchildren of other Federal agencies. Almost all of these have matured and undergone major changes—some within the Department but most of them outside it.

From the Treasury came the General Land Office which, in 1946, was consolidated with the Grazing Service to become the Bureau of Land Management. From the War Department came the Office of Indian Affairs. The Pension Office, the Census Office, and the Patent Office, all going concerns when Interior was born, found a home for many years within it.

Tremendous growth of the Nation has been marked by the development of many of these agencies into full Cabinet status. For example:

The Agriculture Bureau has become the Department of Agriculture.

The Bureau of Labor was transformed into the Department of Labor.

The Department of Commerce was formed from several previously Interior functions.

The Pension Office has become the Veterans' Administration.

Even the Interstate Commerce Commission was part of the Department of the Interior for a short time.

From a catchall for agencies handling internal problems, Interior has evolved into an organization chiefly concerned with management, protection, and administration of natural resources—timber, forage, water, minerals, wildlife, and with the marketing of power and promotion of outdoor recreation opportunities. But there are resource functions and responsibilities of great magnitude outside the Department of the Interior—the Forest Service and the Soil Conservation Service in Agriculture for example, and the multipurpose water resource activities of the Corps of Engineers. Therefore, the dissolution of the Department of the Interior will enable Congress to bring together the major resource agencies from all departments into one Department of Natural Resources. At the same time, the few remaining responsibilities of Interior can find happy homes presided over by other members of the Cabinet.

WATER

When I first introduced a Department of Natural Resources bill 4 years ago, I was frankly motivated by the lack of coordination and long-range planning in the management and development of our water resources. I was concerned by the fact that each water resource agency in the Federal Government was surrounded by competing agencies, with each agency striving to utilize our water resources in a way which would benefit its particular clientele and that as a result we were dissipating and wasting and polluting these precious resources at an alarming rate. We still are. We had no basic overall water policy, and we are still moving at a snail's pace to formulate one.

In drafting the bill, I pulled together all of our water resource development agencies in one Federal department; and then, because it is obvious that all natural resource preservation and development overlaps and must be coordinated as a whole, I also brought into the department all other agencies in the Government primarily concerned with resource care and development, and with our total environment.

In the last Congress, we established the National Water Commission, and perhaps there are those who feel that the work this council will do will negate the need for a Department of Natural Resources. The purpose of the Commission is simply to provide a comprehensive review of national water resource problems and programs, and to submit to the President its recommendation for legislation needed for the proper development of our water resources. I supported the establishment of this Commission, too, but I did so with the conviction that if the policies it drafts are to be fully implemented, this can best be done if the agencies involved are in one Federal department subject to the action of one Secretary who can take an overall, broad view.

Water problems still illustrate most effectively the need for a Department of Natural Resources. The first Hoover Commission reported on this need as follows:

> Incomparably the greatest opportunity for economy lies in the imposition of precautions to eliminate wasteful water development and to assure the soundness of projects finally adopted. In the past, projects have been carried through which should never have been undertaken at all. Others have been wastefully constructed and without regard to important potential uses.

Probably their most important conclusion was that developing the entire river basin is difficult, if not impossible, as long as independent bureaus with traditional loyalties and jealous clientele carve up the development and management tasks.

This Nation faces a twofold task in developing overall river basin planning. First, the Nation must find, and find quickly, greatly increased supplies of clean water. Second, we must manage with far more wisdom than we have used thus far the water supplies we now have.

Total management of water resources involves a variety of functions. Among others are watershed protection and management, flood control, river and harbor improvements, irrigation, fish and wildlife, recreation, desalination, and pollution. This whole package must be tied together. We must plan for entire river basins from their sources to their mouths.

However, even should authorities successfully be established for every river basin, the basins are interrelated. Precipitation, pollution, and water use in one basin can vitally affect others. Coordination in their development and management is essential.

Interbasin transfer cannot even be considered without both river basin planning and overall planning of water programs of many basins and States. Ideally, we should have a national long-range plan for management of water resources in the United States. The national plan would then be the starting point for the river basin plans.

In trying to effectuate this planning, we now have three Cabinet-level departments—Defense, Agriculture, and Interior. In addition, the Federal Power Commission, which grants licenses for private power company projects, must be considered in all planning.

Below the departmental level, a Pandora's box opens. In Interior alone we have this array of agencies: the Bureau of Reclamation, three power-marketing agencies, Bureau of Indian Affairs, the Bureau of Land Management, the Bureau of Fish and Wildlife, the Bureau of Mines, Geological Survey, the National Park Service, the Office of Saline Water, the Office of Water Resources Research, and the Bureau of Outdoor Recreation.

On the basis of expenditures, the most extensive Federal activity in the water resources field is conducted by the Department of Defense through the Corps of Engineers. They first were given the job of maintaining navigable waterways—which has some connection with national defense—at least a better connection than the Navy has in operating petroleum reserves. But the Corps of Engineers has advanced far past maintaining the navigability of our streams. It has gradually been expanded to include dam construction for flood control, water supply, and recreation.

The Engineers operate in every State. Though commanded by a few Army officers, the workforce is composed of civilians. Since it has such a tenuous connection with the main duties of the Army, it is virtually autonomous.

Until 1936, the bureaucratic tangle, while confused, at least was limited. Up to that time, authority to harness rivers for storage and electric power was a function of the Bureau of Reclamation. But the jurisdiction for the Bureau was and is limited to the Western States. Following the great floods of 1936, President Roosevelt asked the Corps of Engineers to build flood-control projects. At the same time, TVA was beginning the development of the Tennessee River Basin. Shortly after, Agriculture was given authority to construct small upstream and tributary check dams, and another agency entered the water picture.

In 1944, legislation logically provided that water projects should be multipurpose whenever possible. This brought the Army into irrigation, power generation, and recreation. But since the corps has no marketing facilities, the Interior Department had to market the water and power from these dams. We still face the difficult task of deciding which parts of the costs are for flood control—payable out of tax moneys—and which parts are to be paid from the sale of power.

Congress recognized the dangers in this situation when it passed the Water Resources Planning Act. This act creates a Water Resources Council to coordinate our water resources planning. But this instrument will be an awkward one at best. The Secretary of the Army, whose time presumably is occupied by Vietnam, and the Secretary of Health, Education, and Welfare, who should be concerned about our tremendous problems of health and education, are now asked to plan our natural resource development.

It is clear that the basic work is being done by the staff, but the decisions must be made by the Council. The Council cannot devote sufficient time to this. One Secretary could do it and accept the responsibility of those decisions.

I support the Water Resources Planning Act, but it is a stopgap measure, and the gap between our needs and our planning for those needs is getting wider.

The confusion extends into other areas. The Department of Defense now serves more recreation seekers than the Department of the Interior. So does the Forest Service. But the Bureau of Outdoor Recreation is in the Interior Department.

LAND

Although the problems are not as severe, the agencies dealing with land should also be coordinated. At present, we have the Bureau of Land Management in Interior administering part of our public lands, while most of the remainder is administered by the Forest Service in Agriculture. To be effective, a Department of Natural Resources must include the Forest Service. Originally, the Forest Service was supposed to administer land while the Bureau of Land Management was supposed to liquidate the Government's holdings. Now both manage land for multiple use, and their functions constantly overlap each other; as well as the jurisdictions of the National Park Service, the Bureau of Indian Affairs, and other Federal agencies.

XUM

This past session it took legislation to clear up one of the conflicts. The Flaming Gorge Recreation Area, which straddles the Utah-Wyoming border, also straddled land administered by both the National Park Service and the U.S. Forest Service. An invisible border ended and separated their jurisdictions. The camper, the hiker, the boater never knew with which jurisdiction he was dealing. We completed action shortly before adjournment on a bill introduced by Senator McGEE and myself designating the Forest Service as the administrator of the entire recreation area. The confusion is being relieved.

OCEAN

I would foresee in the proposed Department of Natural Resources an Assistant Secretary for Oceanography. This important official could coordinate and emphasize our efforts on this new frontier of the resource field.

Senators MUSKIE, MAGNUSON, and others have called our attention to the inadequate national effort concerning our marine program. Senator MUSKIE pointed out the need for the improvement of our merchant marine fleet, the exploration of the Continental Shelf and the enhancement of our fisheries products. In addition we need a review of our interests in the law of the sea and a study of possible import restrictions on those nations practicing poor conservation techniques in our adjacent waters.

Our natural resources program cannot continue in the future without recognizing the rich resources of the oceans and determining the extent to which we can utilize these resources to supplement those on the land.

The need for a national oceanography program has been well demonstrated. The only question that remains is which Department can operate it most efficiently. I think most of it fits into Natural Resources.

Because the seas have so many uses, more than one Cabinet-level Department must have responsibilities relating to it. A logical division of such responsibilities would be into three parts: First, defense, the task of the Navy; second, transportation, the task of the Department of Transportation; and third, resources. Into the Department of Natural Resources should go all responsibilities not directly relating to defense or ocean transportation.

The problems of pollution in the very important estuaries of our rivers concerns both the ocean and the fresh water. The proposals to use the tides for power must draw on our extensive knowledge of hydroelectric power using fresh water. The minerals that might be found under the water and the hydrocarbons we presently obtain from beneath the sea are the same minerals we find on land. Certainly the Government department dealing with our mineral resources should logically coordinate this undersea effort. The agencies dealing with sport fisheries are in the Department of the Interior. It seems logical to me to include them in a Department of Natural Resources.

Of course, many new techniques for working in an aquatic environment must be found, but this would be the reason for coordinating all oceanography activities under an Assistant Secretary in the Department of Natural Resources.

Senator MUSKIE has pointed out the problem of the low ministerial status of our representatives at conferences on international marine affairs. I think the representation by a Secretary of one of our most important Cabinet Departments would correct this situation.

The problems of our Great Lakes share some similarities to our fresh water problems and some similarities to those of the estuaries and oceans. In this new Department, efforts to meet this unique situation could be coordinated at all levels.

An Interagency Committee on Oceanography now coordinates the work of five departments, three independent agencies and 22 bureaus and offices. But no one working in the area is in a high level policy position. What we need is top-level direction on policy and an adequate staff and budget.

Actually, this bill providing for a Department of Natural Resources is quite simple. The bill provides for a Secretary of Natural Resources and a Deputy Secretary. It provides for two Under Secretaries, one for water and one for land.

The jurisdiction of the Under Secretary for Water includes: the functions exercised by the Bureau of Reclamation; the civil works functions of the Corps of Engineers in the Department of the Army; the work of the Soil Conservation Service; the Water Pollution Control Authority; coordination of river basin plans with the Federal Power Commission; the Bonneville Power Administration; the Southwestern Power Administration; and all agencies in the Department of the Interior that have water resource matters as their principal concern.

The Under Secretary for Water will supervise the Assistant Secretary for Oceanography. He will have jurisdiction over the functions of the sea grant programs of the National Science Foundation, and appropriate data and engineering research. It would also be wise to transfer to this Assistant Secretary the portion of the U.S. Fish and Wildlife Service which deals with the fisheries resources of the oceans. An office might also be created to coordinate efforts of our other mineral resource agencies in development of the minerals in and under the ocean.

While I have not provided for further administrative division in the bill, it would appear logical to divide the responsibility of the Under Secretary for Land into four branches, each headed by an Assistant Secretary.

The Forest Service and the Bureau of Land Management could report to an Assistant Secretary for Land Resources. The National Park Service, the Fish and Wildlife Service, and the Bureau of Outdoor Recreation could report to an Assistant Secretary for Recreation and Wildlife. The Bureau of Mines, Geological Survey, the Office of Coal Research, and the several other agencies in the Department of the Interior with responsibility in the fields of minerals and fuels could report to an Assistant Secretary for Minerals and Fuels. The fourth Assistant Secretary would supervise our air pollution abatement program.

The adoption of this proposal is long overdue. The task of protecting and wisely utilizing the land, the water, the forest, the wildlife, is one task. All these resources are interdependent. Today, all require wise management on a national basis.

An additional gain will be in the efficiency of State operation. The States cannot protect their resources without Federal cooperation. Our river basins, our waterfowl, our forests, our lakes do not recognize State boundaries. The State responsibilities in these fields are widespread. We should make it possible for them to carry out their responsibilities.

This legislation is necessary because the structure of our resource agencies is fragmented; and because this fragmentation is preventing the quality of conservation and management that the public interest requires. The Congress has failed to give this question the attention it deserves.

What this bill will do is to enable one executive department to coordinate, at the levels of Under Secretary and Secretary, the activities of all agencies dealing with natural resources. It will enable the President, the Congress, and an executive department to evaluate effectively the Nation's resource requirements and the investment needed to meet them. It will provide the data and the management structure on which long-range planning can be based. It will enable us to consider with sufficient leadtime the raw material requirements of our industries. It will provide coordinated administration of farflung resource programs. It will make it easier for the States, counties, and cities to carry out their expanding responsibilities in the natural resource field.

My greatest pleasure since coming to the Senate has been in working in this conservation area—to improve our parks and recreation areas, to develop our mineral and water resources and to conserve our fish and wildlife. I want to see Congress meet its responsibilities by giving the executive branch the most effective resource management organization possible.

Mr. President, I send to the desk for appropriate reference my bill to establish a Department of Natural Resources. I ask unanimous consent that the bill be printed in the RECORD following my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1446) to establish a Department of Natural Resources, introduced by Mr. Moss (for himself and other Senators), was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the RECORD, as follows:

S. 1446

SHORT TITLE—FINDINGS

SECTION 1. (a) This Act may be cited as the "Department of Natural Resources Act."

(b) The Congress hereby finds that—

(1) expanding population and a rising standard of living combine to place unprecedented demands on the natural resources of the United States;

(2) the natural environment is suffering a progressive deterioration which affects the

air we breathe, the water we drink, the soil which nourishes our food, the areas in which we take our recreation, and the natural beauty of our homeland;

(3) such deterioration demonstrates a failure in the larger sense of our conservation efforts, even though many successful conservation programs have been undertaken during the past many years by Federal, State and local governments and by private groups;

(4) safeguarding the environment—air, water and land—is a necessity to maintain conditions under which man and wildlife may continue to exist, to provide the raw materials essential to an expanding standard of living, and to maintain the beauty and usefulness for all purposes of our land;

(5) the responsibility of the Federal Government includes the exercise of leadership in water resource development, land management, ocean resource development, and air pollution abatement, as well as the operation of many programs and cooperation with State and local government and private groups in the carrying out of their resource management responsibilities; and

(6) the Federal agency structure which deals with natural resources grew up during a less demanding period of our history, and must be coordinated and reorganized if today's tasks are to be performed effectively.

DEPARTMENT OF NATURAL RESOURCES

SEC. 2. (a) There is hereby established at the seat of government, as an executive department of the United States Government, the Department of Natural Resources.

(b) The Secretary of Natural Resources may approve a seal of office for the Department, and judicial notice shall be taken of such seal.

PERSONNEL OF THE DEPARTMENT

SEC. 3. (a) There shall be at the head of the Department of Natural Resources a Secretary of Natural Resources (hereinafter referred to in this Act as the "Secretary"), who shall be appointed by the President, by and with the advice and consent of the Senate.

(b) There shall be in the Department of Natural Resources a Deputy Secretary of Natural Resources, who shall be appointed by the President, by and with the advice and consent of the Senate. The Deputy Secretary of Natural Resources (or, during the absence or disability of the Deputy Secretary, or in the event of a vacancy in the office of Deputy Secretary, an Under Secretary or the General Counsel of the Department, determined according to such order as the Secretary shall prescribe) shall act for, and exercise the powers of the Secretary, during the absence or disability of the Secretary or in the event of a vacancy in the office of Secretary. The Deputy Secretary shall perform such functions as the Secretary shall prescribe from time to time.

(c) There shall be in the Department of Natural Resources an Under Secretary of Natural Resources for Water, and an Under Secretary of Natural Resources for Lands, who shall be appointed by the President, by and with the advice and consent of the Senate.

(d) There shall be in the Department of Natural Resources a General Counsel, who shall be appointed by the President, by and with the advice and consent of the Senate. The General Counsel shall perform such functions as the Secretary shall prescribe from time to time.

(e) The Secretary is authorized to appoint and fix the compensation of such officers and employees, and prescribe their functions and duties, as may be necessary to carry out the purposes and functions of this Act.

(f) The Secretary may obtain the services of experts and consultants in accordance with the provisions of section 3109 of title 5, United States Code.

TRANSFER OF FUNCTIONS TO DEPARTMENT

SEC. 4. (a) Except to the extent otherwise specifically provided by this Act, there are hereby transferred to the Secretary of Natural Resources all functions which were carried out immediately before the effective date of this Act by the Secretary of the Interior, including all functions of the Secretary of the Interior being administered by him through any agency, service, bureau, office, or other entity of the Department of the Interior.

(b) The functions of the Secretary of Health, Education, and Welfare under the Clean Air Act, as amended (42 U.S.C. 1857 et seq.), the Solid Waste Disposal Act (42 U.S.C. 3251), and all other air pollution control functions of such Secretary are transferred to the Secretary of Natural Resources.

(c) There are hereby transferred to the Secretary all functions which were carried out immediately before the effective date of this Act—

(1) (A) by the Forest Service, Department of Agriculture; or

(B) by the Secretary of Agriculture, insofar as the functions relate to functions transferred under this paragraph from such Service;

(2) (A) by the Soil Conservation Service, Department of Agriculture; or

(B) by the Secretary of Agriculture, insofar as the functions relate to functions transferred under this paragraph from such Service;

(3) (A) by the Corps of Engineers, Department of the Army, relating to civil works; or

(B) by the Secretary of the Army, insofar as the functions relate to functions transferred under this paragraph from such Corps of Engineers;

(4) (A) by the National Oceanographic Data Center, Department of the Navy; or

(B) by the Secretary of the Navy, insofar as the functions relate to functions transferred under this paragraph from such center;

(5) by the National Science Foundation under title II of the Marine Resources and Engineering Development Act of 1966 (80 Stat. 998) relating to sea grant programs.

(d) In time of war or such other national emergency as the President determines, he may transfer—

(1) the functions transferred under paragraph (3) of subsection (c) of this section, to the Secretary of the Army, and

(2) such personnel, assets, liabilities, contracts, property and records as he determines are used with respect to such functions to the Department of the Army. At the end of the war or the period of national emergency the President shall transfer such functions back to the Secretary of Natural Resources, together with such personnel, assets, liabilities, contracts, property and records.

TRANSFERS FROM THE DEPARTMENT OF THE INTERIOR

SEC. 5. (a) All functions of the Bureau of Indian Affairs in the Department of the Interior, and all functions of the Secretary of the Interior being administered through the Bureau of Indian Affairs, are transferred to the Secretary of Health, Education, and Welfare.

(b) All functions of the Office of Territories in the Department of the Interior, and all functions of the Secretary of the Interior being administered through the Office of Territories, are transferred to the Secretary of Health, Education, and Welfare.

SAVINGS PROVISIONS; MATTERS RELATING TO TRANSFER OF AGENCIES AND OFFICERS

SEC. 6. (a) All orders, determinations, rules, regulations, permits, contracts, certificates, licenses, and privileges—

(1) which have been issued, made, granted, or allowed to become effective in the exercise of functions which are transferred under this Act, by (A) any Federal instrumentality, any functions of which are transferred by this Act, or (B) any court of competent jurisdiction, and

(2) which are in effect at the time this Act takes effect, shall continue in effect according to their terms until modified, terminated, superseded, set aside, or repealed by the appropriate officer to whom such functions are so transferred, by any court of competent jurisdiction, or by operation of law.

(b) The provisions of this Act shall not affect any proceedings, pending at the time this section takes effect before any Federal instrumentality, functions of which are transferred by this Act; but such proceedings, to the extent that they relate to functions so transferred, shall be continued before such instrumentality. Such procedings, to the extent they do not relate to functions so transferred, shall be continued before the instrumentality before which they were pending at the time of such transfer. In either case orders shall be issued in such proceedings, appeals shall be taken therefrom, and payments shall be made pursuant to such orders, as if this Act had not been enacted; and orders issued in any such proceedings shall continue in effect until modified, terminated, superseded, or repealed by the appropriate officer to whom such functions are so transferred, by a court of competent jurisdiction, or by operation of law.

(c) (1) Except as provided in paragraph (2)—

(A) the provisions of this Act shall not affect suits commenced prior to the date this section takes effect, and

(B) in all such suits proceedings shall be had, appeals taken, and judgments rendered, in the same manner and effect as if this Act had not been enacted.

No suit, action, or other proceeding commenced by or against any officer in his official capacity as an officer of any Federal instrumentality, functions of which are transferred by this Act shall abate by reason of the enactment of this Act. No cause of action by or against any Federal instrumentality, functions of which are transferred by this Act, or by or against any officer thereof in his official capacity shall abate by reason of the enactment of this Act. Causes of actions, suits, or other proceedings may be asserted by or against the United States or such official of any such instrumentality as may be appropriate and, in any litigation pending when this section takes effect, the court may at any time, on its own motion or that of any party, enter an order which will give effect to the provisions of this subsection.

(2) If before the date on which this Act takes effect, any Federal instrumentality or officer thereof in his official capacity, is a party to a suit, and under this Act—

(A) such instrumentality is transferred, or

(B) any function of such instrumentality or officer is transferred,

then such suit shall be continued by the appropriate instrumentality (except in the case of a suit not involving functions transferred by this Act, in which case the suit shall be continued by the instrumentality or officer which was a party to the suit prior to the effective date of this Act).

(d) With respect to any function transferred by this Act and exercised after the effective date of this Act, reference in any other Federal law to any Federal instrumentality or officer so transferred or functions of which are so transferred shall be deemed to mean the instrumentality or officer in which such function is vested pursuant to this Act.

(e) Orders and actions of any Federal instrumentality or officer thereof, in the exercise of functions transferred under this

Act, shall be subject to judicial review to the same extent and in the same manner as if such orders and actions had been by the instrumentality or officer, exercising such functions, immediately preceding their transfer. Any statutory requirements, relating to notice, hearings, action upon the record, or administrative review that apply to any function transferred by this Act shall apply to the exercise of such function by any other officer of the United States pursuant to this Act.

(f) In the exercise of the functions transferred under this Act, the appropriate officer of the Federal instrumentality to which such functions were so transferred shall have the same authority as that vested in the officer exercising such functions immediately preceding their transfer, and such officer's actions in exercising such functions shall have the same force and effect as when exercised by such officer having such functions prior to their transfer pursuant to this Act.

TRANSFER OF AGENCIES AND OFFICES

Sec. 7. (a) All personnel, assets, liabilities, contracts, property, and records as are determined by the Director of the Bureau of the Budget to be employed, held, or used primarily in connection with any function transferred under the provisions of this Act, are transferred to the appropriate Secretary of the executive department to whom such function is transferred by this Act. Except as provided in subsection (b), personnel engaged in functions transferred under this Act shall be transferred in accordance with applicable laws and regulations relating to transfer of functions.

(b) In any case where all of the functions of any Federal instrumentality are transferred pursuant to this title, such instrumentality shall lapse.

TECHNICAL AMENDMENTS

Sec. 8. (a) Section 19(d)(1) of title 3, United States Code, is hereby amended by inserting before the period at the end thereof a comma and the following: "Secretary of Conservation and the Environment".

(b) Section 19(d)(1) of title 3, United States Code, is amended by deleting "Secretary of the Interior" and inserting in lieu thereof "Secretary of Natural Resources".

(c) Section 101 of title 5, United States Code, is amended by deleting "The Department of the Interior" and inserting in lieu thereof "The Department of Natural Resources".

(d) Subchapter II of chapter 53 of title 5, United States Code (relating to executive schedule pay rates), is amended as follows:

(1) Section 5312 is amended by deleting "(6) Secretary of the Interior" and inserting in lieu thereof "(6) Secretary of Natural Resources".

(2) Section 5313 is amended by adding at the end thereof the following:

"(20) Deputy Secretary of Natural Resources."

(3) Section 5314 is amended by deleting "(8) Under Secretary of the Interior." and inserting in lieu thereof the following:

"(8) Under Secretary of Natural Resources for Water."

"(8A) Under Secretary of Natural Resources for Land."

(4) Section 5315 is amended (1) by deleting "(18) Assistant Secretaries of the Interior (5).", and (2) by deleting "(42) Solicitor of the Department of the Interior." and inserting in lieu thereof "(42) General Counsel, Department of Natural Resources.".

(e) The first sentence of section 4(e) of the Federal Power Act (16 U.S.C. 797 (e)) is amended by (1) striking out "the Chief of Engineers and the Secretary of the Army", and inserting in lieu thereof "the Secretary of Natural Resources", and (2) inserting immediately before the period a colon and the following: "*Provided further*, That no license affecting the comprehensive plan of any river basin commission developed pursuant to the Water Resources Planning Act shall be issued until the plans of the dam or other structures affecting any such comprehensive plan have been approved by the Secretary of Natural Resources".

REPORT

Sec. 9. The Secretary shall, as soon as practicable after the end of each calendar year, make a report to the President for submission to the Congress on the activities of the Department during the preceding calendar year.

DEFINITION

Sec. 10. As used in this Act, the term—

(1) "function" or "functions" includes powers and duties; and

(2) "Federal instrumentality" means any executive department of the United States or any agency, bureau, office, service, or other entity therein.

DELEGATION OF FUNCTIONS

Sec. 11. Any officer of the United States to whom functions are transferred pursuant to this Act may delegate such functions, or part thereof, to such of his officers and employees as he may designate, may authorize such successive redelegations of such functions to his officers and employees as he may deem desirable and may make such rules and regulations as he may determine necessary to carry out such functions.

EFFECTIVE DATE: INITIAL APPOINTMENT OF OFFICERS

Sec. 12. (a) This Act shall take effect ninety days after the date of its enactment.

(b) Notwithstanding subsection (a) of this section, any of the officers provided for in section 3 of this Act may be appointed in the manner provided for in this Act, at any time after the date of enactment of this Act. Such officers shall be compensated from the date they first take office, at the rates provided for in this Act. Such compensation and related expenses of their offices shall be paid from funds available for the functions to be transferred pursuant to this Act.

Exhibit 1

[From the Washington (D.C.) Post, Mar. 5, 1969]

Nixon To Appoint Group on U.S. Reorganization

President Nixon will soon name a Federal commission on government reorganization to plan major changes in U.S. departments and agencies, White House officials reported yesterday.

The new commission similar in scope to the former Hoover Commission, was promised by Mr. Nixon in a radio address last June 27. One job of the new unit would be to seek ways to modernize existing agencies, Mr. Nixon said then. In addition, it would seek to transfer Federal functions to state and local governments where feasible, he said.

On Jan. 30, Mr. Nixon asked Congress to grant him authority previously given other presidents to reorganize Federal departments subject to Congressional veto. A two-year grant of such authority passed the Senate last Friday, and now is pending in the House Government Operations Committee.

United Press International reported yesterday that Mr. Nixon will send to Congress reorganization plans covering six of the Government's 12 cabinet departments—Health, Education and Welfare, Housing and Urban Development, Labor, Commerce, Agriculture and Interior. The disclosure was attributed to an unnamed White House aide "close to the Chief Executive's thinking."

Presidential Counsellor Arthur M. Burns said yesterday he knows of no such sweeping plans, and said any forecast of major reorganization actions would be "premature."

John Ehrlichman, counsel to the President, said he had no information supporting a forecast of major reorganization in the six departments. Dwight A. Ink, recently appointed assistant director of the Bureau of the Budget with special reorganization responsibility, said he had not yet formulated any recommendations for government reshuffles.

In an announcement naming Ink to his post Feb. 5, Mr. Nixon was said to be "very much concerned with overlapping activities in the Federal Government" and "deeply concerned about the complexity of governmental procedures.

In addition to Ink, whose appointment was said to be "an important step" toward government improvement. Mr. Nixon is advised about government organization by Roy L. Ash, president of Litton Industries, who has been acting as a special presidential consultant.

UNITED NATIONS STANDING COMMITTEE ON THE PEACEFUL USES OF THE SEABED AND THE OCEAN FLOOR BEYOND THE LIMITS OF NATIONAL JURISDICTION—APPOINTMENTS BY THE VICE PRESIDENT

The PRESIDING OFFICER (Mr. Allen in the chair). The Chair, on behalf of the Vice President, appoints the Senator from Rhode Island (Mr. Pell) and the Senator from Maryland (Mr. Mathias) to attend the meeting of the United Nations Standing Committee on the Peaceful Uses of the Seabed and the Ocean Floor Beyond the Limits of National Jurisdiction, to be held at New York, March 10 to 28, and August 11 to 28, 1969.

ORDER FOR RECESS TO MONDAY, MARCH 10, 1969

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in recess until 12 o'clock noon on Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE JOINT RESOLUTION 72—INTRODUCTION OF JOINT RESOLUTION RELATING TO PRESIDENTIAL ELECTION REFORMS

Mr. HATFIELD. Mr. President, I send to the desk a joint resolution to amend the Constitution of the United States relating to the nomination and election of the President and Vice President of the United States. I ask unanimous consent that the resolution be received and appropriately referred.

The PRESIDING OFFICER. The resolution will be received and appropriately referred.

Mr. HATFIELD. Mr. President, when one candidly and courageously analyzes our present electoral system, he discovers that it is an intolerable imperfection of democracy. Our country was founded on the revolutionary principle that all the people of the land were to be given the power and control over their political system. Thomas Jefferson eloquently expressed this ideal when he stated:

> I know of no safe depository of the ultimate powers of society but the people themselves.

Yet, today, it is clear that the people are still denied the fundamental power of directly choosing their national leader.

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Witness a national political convention. I do not mean to emphasize any partisan viewpoint in these comments; yet, I must point out that in the judgment of the American people, the party convention in Chicago in 1968 displayed a calculated attempt to suppress popular feeling by some of those who held power in that political party. The manipulative tactics employed by party bosses to achieve their goals in that convention were supplemented by the intolerant repression of dissent that took place on the streets of Chicago. During that disillusioning week in August it became evident to millions of voters that the political conventions regularly practice infidelity to the democratic trust they promise the people.

Perhaps the most revealing of all the public opinion polls during that election year was the Harris survey in September which indicated that a majority of the American people felt that both political parties had not nominated their best candidate. According to that survey, 57 percent of the American voters felt the convention system denied them the opportunity to choose the desirable candidate. That such a frustration of popular will should occur in the oldest and most advanced democracy of the modern world is a travesty of man's belief in his right and ability to rule himself.

Let us be clear about the situation. It is no exaggeration to say that the current method of nominating and electing our President amounts to nothing less than a betrayal of our Nation's democratic yearnings. I grant that in the past our democratic commitment may best have been expressed through these procedures. When communication was more difficult and information was not easily disseminated. But technological changes and the increased political sensitivity and participation of our citizenry have now made our present system the chief obstacle to the fulfillment of our Nation's democratic ideals. Let us never forget that our primary commitment must always be to the service of democracy—and never to the preservation of methods and institutions which, regardless of their previous value, have become the foes of the very cause they were designed to serve.

It is most regrettable that we, the political leaders, have been the last to acknowledge this drastic situation. The majority of the American people are resoundingly united in their opposition to our manipulative political conventions and archaic electoral college. In this day of divisiveness, it would be difficult to discover an issue which elicits more widespread popular agreement. Yet, the political process—and we who are its trusted guardians—remain impervious to the dominant demand for decisive change. We, the Members of Congress, who have been elected to our positions for our capacity to make careful judgments and to respond to the popular will, have, as a whole, neglected to do either with regard to this crucial issue.

It is alarmingly evident that growing numbers of people from all strata of society are losing their fundamental faith in our political process. Why do so many in our land, including most of our students, feel alienated from our political institutions? It is not because they fail to believe in democracy, but precisely because they do, and see it fail to function.

History counsels us that when evolution becomes impossible revolution becomes inevitable. Our country today is in the midst of a revolutionary upsurge that can never be suppressed by billyclubs, bayonets, and admonishments to work within the system as long as that system remains hopelessly unresponsive to essential change. The loyal, active participation of all segments of society in our political life will come only when that process truly grants its power and control to the people it is pledged to serve. Is that too much to ask of our democracy?

The resolution I submit makes this fundamental proposal: Let the American people truly decide what candidates are nominated for President and who is elected to that office. Must we hesitate translating our political ideals into reality?

In considering changes in the methods of nominating and electing the President and Vice President of the United States, I urgently request that we first look to the Constitution and to the environment and atmosphere out of which the Constitution evolved. More specifically, our attention should be directed to the creation of the electoral college as a means by which our Presidents are elected. Just as we are divided and perplexed as to the proper method for reforming our presidential election system, the members of the Constitutional Convention of 1787 were also sundered and confused, as they undertook the task of determining the procedure by which the leader of the new republic would be selected. As stated by James Wilson of Pennsylvania:

> This subject (method of presidential selection) has greatly divided the House, and will also divide people out of doors. It is in truth the most difficult of all on which we have had to decide.

This predicament resulted in the introduction of numerous proposals for electing the President. Greatest attention was given to the election by Congress, by the people, and by presidential electors.

Since my resolution provides for the election of the President by "direct popular vote," let us concern ourselves with the Constitutional Convention's approach to that proposition. Almost instantly, opposition arose to this proposal centered around the notion that the people were incapable of determining the character, integrity, and other necessary qualifications of presidential candidates. George Mason of Virginia stated:

> It would be as unnatural to refer the choice of a proper character for Chief Magistrate to the people, as it would, to refer a trial of colours to a blind man. The extent of the country renders it impossible that the people can have the requisite capacity to judge of the respective pretensions of the candidates.

Mr. Mason's argument was apparently well taken in 1787. Nevertheless our technological progress now enables the instant communication of information and has created an environment radically different from the late 18th century. However, even among those great leaders who labored to construct the stately Nation that we have come to be, there was vigorous support for the election of the President by popular vote. Governor Morris, of Pennsylvania, declared:

> If the President is to be the Guardian of the people, then let him be appointed by the people.

Mr. Morris' remarks seem to have been buried in history; notwithstanding I come to you with hope that we can revitalize that proposition.

Since the rejection of the idea that Presidents be elected by popular vote and the inception of the electoral college, we have been fortunate in the caliber of our Presidents, though not as fortunate in the actual operation of the electoral college. Time and experience have clearly indicated that the electoral college has substantial defects which pose a serious threat to the stability of our presidential system. The nature of these deficiencies have been presented and debated before you on numerous occasions; nevertheless, I submit that this issue is no longer a mere topic of discussion on Capitol Hill, but rather the subject of ventilation among Americans regardless of their status. Therefore, I solicit your sincere objectivity as the inadequacies of the present system are enumerated.

It has been demonstrated at least three times that a candidate can win the popular vote and lose the election. In other words, a candidate can win a plurality of the popular vote cast, but if the popular vote does not give him a majority of the electoral votes, then he may lose the election. Such a result is attributed to the disproportions between the electoral and popular vote.

Each State, regardless of its population, is entitled to a minimum of three electoral votes. This and other circumstances cause the number of persons per electoral vote to vary from State to State; for example, it is one to 75,389 in Alaska; one to 260,452 in Arizona; one to 330,599 in Virginia; and one to 392,930 in California. However, this defect produces a predicament contrary to what would appear to logically follow; that is, a voter in a small State, such as Alaska, Nevada, or Vermont, can influence only three electoral votes as opposed to a voter in New York, where his vote can influence 43 electoral votes. Hence, the combined votes of New York and California equal the combined votes of 20 other States.

If a candidate can carry a plurality of each of the 11 largest States plus any other State, he wins the election. Those who believe that the electoral college somehow protects the interests of the smaller States seem, therefore, to be gravely mistaken. Careful analysts of this issue have concluded that neither the interests of the small States nor the large States would be unfairly affected by direct voting. This point is made for instance, by Mr. Tom Wicker of the New York Times and a recent Washington Post editorial. I ask unanimous consent that these articles be inserted in the RECORD at the end of my remarks.

Another disadvantage is derived from the manner in which the electoral votes are assigned where such is necessary to reflect changes in the population of the various States. The allocation of the

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electoral votes is determined by the census. Censuses are taken every 10 years and become effective 2 years later. Therefore, the system operates to the disadvantage of voters in rapidly growing States.

A further reason for this disproportion was noted in a recent law review article:

> A state's electoral votes remain fixed regardless of whether one person or one million persons vote in the state. For example, in the 1964 election three times as many people voted in Delaware as in Alaska; yet each state cast three electoral votes. More people voted in New Jersey than in Texas; yet Texas had 25 electoral votes while New Jersey had only seventeen. In Alaska, 67,259 voters influenced the assignment of three electoral votes, at a ratio of one electoral vote for every 22,419 voters. In New York the ratio was one electoral vote for every 166,657 voters. In the 1960 election twice as many people voted in South Dakota as in Mississippi; yet Mississippi cast twice as many electoral votes as South Dakota.

I need only to mention the built-in inefficiency of the system permitting the "winner" of a State to "take all" and the "loser" takes nothing," even though he may have 49 percent of the votes of the State cast in his favor. Why should a candidate receive 136 electoral votes in the States where he obtained only 2 million popular votes and no electoral votes for approximately another 6 million popular votes? Without resorting to extremes, one might easily view this process as an indirect means by which a candidate's votes are simply taken away and combined with those of his opponent. As stated by a former Senator of Missouri, Thomas Hart Benton, a leading advocate of electoral reform in the early 19th century:

> To lose their votes, is the fate of all minorities and it is their duty to submit; but this is not a case of votes lost, but of votes taken away, added to those of the majority, and given to a person to whom the minority is opposed.

I submit that the American people should not be compelled to continue tolerating such a disproportionate and inequitable arrangement.

The possibility that a candidate can receive less than a plurality of the popular vote and yet be elected President was alluded to earlier. This is a very real problem which has been demonstrated in the past and quite probably will occur again, unless our present system is reformed.

In 1824, although Andrew Jackson received more electoral and popular votes than did John Quincy Adams, but not the required majority of electoral votes, the election fell into the House of Representatives where Mr. Adams was elected President. Mr. Adams received a mere 31.9 percent of the popular vote while the loser, Mr. Jackson, carried 42.2 percent of the popular. Incidently, six States did not choose their electors by popular vote that year.

The election of 1876 made history when Samuel J. Tilden received a majority of more than 250,000 popular votes over Rutherford B. Hayes, but the returns of four States were contested. In order to resolve the dispute, a 15-man electoral commission was created. By a party vote of 8 to 7 the Commission ruled that Hayes had won the Presidency.

The electoral system disclosed to the American people another variation in 1888 when Grover Cleveland received a popular plurality of about 100,000 votes over Benjamin Harrison, but Cleveland's margin gave him only 168 electoral votes as opposed to Harrison's 233 electoral votes.

Neal R. Peirce states, in his treatise on the electoral college system that—

> Careful analysis shows that the danger of an electoral college misfire (of the popular-vote winner losing) is not just historical but immediate in any close contest.

Can we honestly ask the people to revive the fears of the system of chance and incertitude every 4 years? Elections are likely to continue to be close. Both parties spending much, both with mass TV saturation, both with professional advertising advice. It is the opinion of many that the disproportion between the popular and electoral votes demands the abolition of our present system.

If the electoral college does not function as our forefathers had intended, the House elects the President and the Senate the Vice President. However, there are inequities in this alternative also. When the election comes to the House, each State, regardless of population, has one vote and the votes of a majority of all the States is necessary to win the election.

In an election by the House, the five smallest States, with one Representative each and a combined population of less than 2 million, would have the same voting power as the five largest States, with a total of 154 Representatives and a combined population of 64 million. Alaska, with one Representative and a population of 226,167 would have the same influence as New York, with 41 Representatives and a population of 16,782,304. The 26 smallest States, with 76 Representatives—out of a national total of about 200 million—would be able to elect the President. Fifty-nine of the 76 Representatives would have it within their power to cast the votes of these States. The realities of the system, when disclosed through simple facts, must stimulate your sense of justice and fairness. Furthermore, the House alternative in no way compels the Members to cast their votes for the candidate who carried their district or State. This creates an opportunity for the Representatives to freely wheel and deal and the uncertainty as to who will be elected President continues indefinitely.

I would not like to be accused of using extremes to vindicate my arguments. Nevertheless the uniqueness of the 1876 election, to which I alluded before, is indicative of the deeply inherent defects which would result in another disaster during an era of great crises, both at home and abroad.

In the 1876 election, a controversy arose over the awarding of the electoral votes of Florida, Louisiana, South Carolina, and Oregon because each had sent double sets of elector returns to the President of the Senate. Party politics entered the picture when the Republican-controlled Senate and the Democratic-controlled House could not agree on which returns to accept. A constitutional issue was raised at the outset of the dispute, since the Constitution does not provide for such a predicament. Notwithstanding, in order to evade a confrontation of the issue, a joint committee was established to propose a possible means by which the question might be resolved.

The committee evolved a plan for an electoral commission consisting of seven Republicans, seven Democrats, and one independent, to decide the issue. Ten of the appointees were to be Members of Congress—five affiliated with each party—and five Supreme Court Justices with two from each party and the independent. Political maneuvers independent of those transpiring in Washington resulted in the disqualification of the alleged independent, David Davis, and left only two justices to choose from, both of whom were Republicans. Hayes forces began to lay the groundwork for his acceptance in the South by compromise and promises to the Democrats and eminent businessmen. Acknowledgement by the House Democrats of this Hayes' stratagem fizzled a House attempt to reject the Commission's resolution. We must note that the Commission served a dual purpose in that it resolved the dispute and prevented the Supreme Court from adjudicating on any litigation questioning the constitutionality of the Commission's creation or decision. This brief case-study of the Hayes-Tilden controversy clearly demonstrates the chance and uncertainties of the electoral college. The uncertainty lies in the numerous possible predicaments which would evolve from the present system. I ask whether, if a few votes, in such key States as Illinois and Missouri, had been recorded in the Democratic column rather than the Republican in our 1968 presidential election, would we have had an encore of the 1876 anomaly? We can reasonably conclude that in such a case the minority party candidate would have been in a position to decide the election, in the electoral college itself, by instructing his electors to vote for one of the major candidates, or in Congress, if he had the support of several State delegations.

As quoted earlier, "the office of President was too precious, too elevated, to be left to the whim of the common man, though he could express his preferences." Therefore, the Constitution provides no specific requirement binding electors to vote for the candidates of their parties and there is no legal means by which they could be forced to vote for their respective party candidates. In short, the electors could and have frustrated the will of the people.

A recent Fordam Law Review article suggests that:

> In 1960, Henry D. Irwin of Oklahoma was chosen as one of eleven Republican electors in his state. When Oklahoma's electoral college delegation met on December 19, 1960, Irwin voted for Senator Harry F. Byrd, who was not even a candidate for President. Four years earlier, in the election of 1956, the Democratic Party was the victim of the defection of another elector. W. F. Turner was selected as a Democratic elector in Alabama when Stevenson and Kefauver obtained 56.5 percent of the popular vote in that state. At the meeting of the Alabama electoral college, Turner broke his party oath and voted for one Walter B. Jones, stating: "I

> have fulfilled my obligations to the people of Alabama. I am talking about the white people."

These isolated situations might seem somewhat remote; nevertheless, this is a very current problem, in view of Dr. Lloyd Bailey's defection to Governor Wallace in the 1968 election.

Since the Constitution empowers the State legislatures to determine the manner by which the electors are to be selected, they could also frustrate the will of the people. The classic example of the abuse of this power was a move by the Michigan Legislature in 1892. Assuming that the Republican ticket would carry the State and its electoral votes, the Democratic-controlled legislature changed the State's method of awarding electoral votes. A distinct system was formed so that each of the State's 12 congressional districts became a separate electoral district, with two districts at large. The enactment allowed the winner of the most popular votes in each district to receive one electoral vote. The Supreme Court sustained the legislature's exercise of power in McPherson against Blocker, where the court held:

> The appointment and mode of appointment of electors belong exclusively to the states under the Constitution of the United States.

This is one example of how a State's electoral votes may be manipulated.

The voters of Alabama were not granted the opportunity to vote for the electors for Truman and Barkley in 1948 because the Democratic Party therein supported electors for another presidential candidate. Again in 1960, the will of the people was frustrated when the voters of Alabama could not cast a vote for single slate of electors pledged to the Democratic candidate; and in 1964 there was a repeat of the 1948 performance for the voters could not vote for any electors pledged to Mr. Johnson.

As we have seen, the list of defects of the electoral system is long. However, it has not been exhausted. Our Founding Fathers, to my knowledge, did not consider nor provide for the apparent uncertainty that would be created by the death of a candidate. In other words, if a candidate were to die—or withdraw—after the November voting and before the electors met in December, there would be uncertainty as to his successor. This eventuality would raise several questions: Would there be another national election? Would the parties nominate other candidates? Would the people accept the new candidates? Would the electors accept the new candidates? Would the new candidate approve of the vice-presidential candidate or would another have to be selected? How long would it take for Congress to decide how the issue might be resolved? Should the States ratify any decision made by Congress? These are but a few of the questions that could conceivably be raised, but the prime question is whether we should allow such incertitude to harass us. The Congress and the various States adopted the 20th and 25th amendments to resolve the problem of succession, and now I submit that we can and should adopt this resolution to resolve the multiplicity of defects inherent in the electoral college system.

Without doubt, the abolition of the electoral college would be a monumental change in our presidential election process. Nevertheless the arguments that I have advanced, and alluded to by others many times in the past, thoroughly justify this most needed reform. It has been advocated by such eminent bodies as the New York Times, the St. Louis Post-Dispatch, the Washington Post, Saturday Review, and a Commission of the American Bar Association on Electoral Reform. The resolution which I am introducing is consistent with the recommendation of the ABA's commission. The commission suggested a constitutional amendment requiring a popular plurality of at least 40 percent to be elected President and Vice President, and in the event no candidate received such a number, a runoff between the top two candidates.

The desire for reform of the system is held by the vast majority of Americans. A Gallup poll indicates that 81 percent of those interviewed are in favor of basing the election of the President on the popular vote throughout the Nation. Saturday Review contends that we should not have to depend upon tricky and antiquated procedures in electing a man to the most powerful office in the world. Their very valid argument might be buttressed by the Supreme Court's recognition, in Gray against Sanders, a 1962 decision, that the philosophy behind the electoral college belongs to a bygone age. A Fordham Law Review article very succinctly expressed the sound reasons why the college must be reformed with all deliberate speed. It stated:

> The workings of the electoral college over a period of almost two centuries have demonstrated the compelling need for substantial reform . . . The reason which motivated the Framers to create the electoral college (system) no longer exist . . . The America of today is a highly industrialized and sophisticated society and the world's leader in free enterprise. . . And, most important, the principle of popular election has met the test of time so that today, in the United States, it is a cherished and firmly established principle of representative government . . . Not only have the reasons for the electoral college (system) long since vanished, but the institution has not fulfilled the design of the Framers . . . As it exists today, the nature of the Presidency demands that there be no election barrier between the President and the people . . . Because the President plays so large a role in the affairs of our nation, it is all the more essential that he be elected by a method which assures fair and equal votes for all and not by a method which could operate to frustrate the workings of democracy, undermine the office of President, and render suspect from the outset of his administration . . . (The ground work has been laid throughout our Republic's history for)—one man one vote. . . Surely, the time has arrived when we should recognize this principle in the election of our nation's two highest officials.

The direct election of the President, if adopted, will not alone do the job that is needed. Mr. Chalmers M. Roberts of the Washington Post has said:

> It seems likely that the hearings (on the electoral college) will have to consider the entire presidential election process, not just the relatively simple idea of a constitutional amendment to provide for a direct popular vote.

In other words, we must consider presidential nomination reform along with presidential election reform.

The convention system came into being in the early 1800's: "When it began to supersede the more or less haphazard methods of self-nomination common in South, and the mass meeting or nomination by the candidate's friends used in the North."

The national convention, similar to what we have today, appeared in the 1830's and as stated by one historian, Eugene H. Roseboom:

> Despite its defects, less evident then than later, it has remained fundamentally unchanged in general structure through over a century of usage.

Former President Dwight D. Eisenhower could hardly have been more graphic when he described the national party convention as: "Unmannerly, undignified, and ridiculous."

And concluded that:

> In my opinion—and I think most Americans will agree—our Presidential nominating conventions have become a thoroughly disgraceful spectacle which can scarcely fail to appall our own voters and create a shockingly bad image of our country.

I believe that it is most unfortunate for all Americans that we are compelled to struggle with a system for nominating presidential candidates, that contained noted defects at its inception, and still plague us today. A recent Baltimore Sun article clearly pinpointed the problem. It stated that:

> At the end of the confusing collection of presidential primaries now wrapped up for another 4 years, the prevailing and probably universal appraisal is that there must be a better way.
>
> The sense of mummery becomes complete when, as now, the indication is strong that a nonbelligerent will step in at the nominating convention and sweep all the marbles from those who endured the travail of the primary election route . . . The disappointment of the primaries is that they so often fail to do what a half century ago it was confidently expected they would do, take presidential nominations away from the backroom boys and give them to the voters . . . Suggestions for a "better way" are always abundant, but collide with practical obstacles and ethical objections which so far have stopped them short.

While the better way has often been suggested in the past, the mood and tune of the country seems seasonable for whatever changes are deemed necessary. This attitude is accentuated by the strife created over the Vietnam war, racial extremism, crime in our streets, rioting on the college campuses, and the unwillingness of some delegates to both conventions and the American public to accept a "take it or leave it" choice. No patriotic American is happy about our fragmented image both at home and abroad. However, in a democratic society, the consensus of the people must be channeled through their leaders. Can the attitudes of the people be truly realized when they have little or no say as to who will be nominated for the "highest office in the land"? Such a question is being raised not only among the elite, the affluent, the intellectual, and the politician, but also among the middle class and the poor, the blacks and whites, and the young and old as well. These groups together embrace the majority of Amer-

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icans. Therefore, it is imperative that we find a better system than one which permits a few loyal delegates or a boss-ridden convention to decide, by naming its party's presidential nominee, perhaps the fate of the world. Senator Estes Kefauver, one who fought vehemently for the adoption of the national direct primary once stated:

> The era of boss rule in American politics is fading. Every time the issue of bossism versus the American people is tested at the polls now, the bosses take another licking. Let's hand them a death blow by taking the Presidential elections out of the smoke-filled rooms and the rigged convention halls, and placing them, via the national primary method, firmly in the hands of the people.

Therefore, I submit that the hour has come when we must not only abolish the electoral college in the interest and discernment of the American people, but we must also place the presidential nominations "firmly in the hands of the people."

If we can stretch our imagination to envisage this very basic proposition, an issue may be raised as to the objectives of the nominating process other than the selection of the party's standard bearer. Any method for nominating Presidents, as enumerated by "Palsky and Wildavsky on Presidential Elections," should first, aid in preserving the two-party system; second, help secure vigorous competition between the parties; third, maintain some degree of cohesion and agreement within the parties; fourth, produce candidates who have a likelihood of winning voter support; fifth, lead to the choice of good men; and sixth, result in the acceptance of candidates as legitimate. Could these objectives be met if we were to have a direct national presidential primary? I am confident that they can be realized for the following reasons.

The primary election has become an established institution in the United States that works well in practice, and should be extended to the most important problem of presidential nominations. Candidates would be compelled to direct their appeal to the party electorate, and not merely the party hierarchy, throughout the country. Competitive two-party politics will assure the interest on the part of the voters necessary to the success of the direct national primary.

The direct national primary would nominate better qualified candidates. The field would be open to candidates without many years of experience in party organization and party activities. The voters would have a wider choice of candidates, including men of national stature in fields of activity not directly related to politics.

As ardent advocates of democracy, it is our task to seek better ways by which all Americans can play a role of significant importance in the democratic process. David, Moss & Goldman expressed in "The National Story" that "the nominating process should be democratized by letting the people participate directly in the choice of nominees." I concur wholeheartedly with their notion. As an informal procedure, the convention looks to certain areas and/or States of the country for its ideal nominee, to the exclusion of other areas. This is certainly an unfair approach. The characteristic of the national primary would be to give every State and its citizens an effective chance for the nomination by either party.

Advocates of the convention system have criticized the national direct primary by alleging that the prenominating campaigns might be exhausting for the candidates and expensive for their backers. I think that ways and means can be found to at least prevent these problems from exceeding their present scope. Most nominees of the convention system have had, in recent years, to begin working almost 4 years in advance of the convention by which they were nominated, which required great durability and heavy expenditures.

The elimination of the present nominating procedures and of the electoral college system will effect some savings which would offset some of the costs. In short, I believe that in the long run, the elimination of the electoral college and the adoption of the direct national primary could be made more economical than our present system of nomination and election of the President. But it is of first importance to adopt the system that is the most democratic. We certainly have the ingenuity and resources to then insure that no candidate faces inequities or unjust hindrances due to economic factors.

Probably the most repeated argument against the present nominating system is that the political convention is inevitably a boss-ridden travesty on popular institutions, intolerable and incurable. On the other hand, it is argued that a direct national primary would weaken the forces of cohesion that make a political party capable of assuming the responsibility for the conduct of the government. The proposal which I am making would eliminate presidential nomination from the convention procedures, but not the nomination of the Vice President or the articulation of the party platforms. Thus, the present convention system would be considerably reduced in scope but would retain sufficient functions important to a party's survival.

In our past political history many distinguished leaders of our Nation have advocated a direct national primary. Theodore Roosevelt for instance, suggested that candidates be nominated by means of a national presidential primary during his campaign of 1912. A year later President Woodrow Wilson realized the necessity for this reform in his message to Congress, when he stated:

> I turn now to a subject which I hope can be handled promptly and without serious controversy of any kind. I mean the method of selecting nominees for the Presidency of the United States. I feel confident that I do not misinterpret the wishes or the expectations of the country when I urge prompt enactment of legislation which will provide for primary elections throughout the country at which the voters of the several parties may choose the nominees for the Presidency without the intervention of nominating conventions.

In this contemporary day of dissent and upheaval, we do not hesitate to recite our democratic ideals and defend our political institutions. But I suggest that our Nation is better advised to implement those ideals and restructure our institutions. A new history is being written in our Nation today. Americans are realizing as never before that our country's priorities, direction, and destiny must be fundamentally responsive to all the people. There is an irreversible ambition for the realization of this Nation's best democratic visions. Let us grant the people the rightful responsibility they desire. Let us begin by allowing the people to truly select their own President.

Mr. President, I ask unanimous consent that an analysis of the resolution, the resolution itself, the Washington Post editorial, and the earlier mentioned article by Mr. Tom Wicker, be printed at this point in the Record.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution and material will be printed in the Record, as requested by the Senator from Oregon.

The joint resolution (S.J. Res. 72) proposing an amendment to the Constitution of the United States relating to the nomination and election of the President and Vice President of the United States introduced by Mr. Hatfield, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

S.J. Res. 72

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid for all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"ARTICLE —

"Section 1. The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years and, together with the Vice President, chosen for the same term, be elected as provided in this Constitution.

"Sec. 2. The official candidates of political parties for President shall be nominated at a primary election by direct popular vote. Voters in each State shall have the qualifications hereafter in this article provided, but, in the primary election each voter shall be eligible to vote only in the primary of the party of his registered affiliation.

"Sec. 3. No person shall be a candidate for nomination as a candidate for President except in the primary of the party of his registered affiliation, and his name shall be on that party's ballot in all the States if he shall have filed at the seat of the Government of the United States with the President of the Senate one or more petitions in support of his candidacy and the President of the Senate shall have determined that he is qualified under this article as a candidate for such nomination. A person shall be qualified as a candidate for such nomination only if (1) petitions so filed in support of his candidacy have been signed, on or after the first day in January of the year in which the next primary election for President is to be held, by a number of qualified voters, in any or all of the several States and the District of Columbia, equal in number to at least 1 per centum of the total number of votes cast throughout the United States for all candidates for President (or, in the case of the primary election first held after the ratification of this article, for electors of President and Vice President) in the most recent

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previous presidential election, and (2) such petitions are filed with the President of the Senate not later than the first day of March of the year in which the next primary election for President is to be held, unless the Congress shall by law appoint a different day.

"Upon request made to the chief executive of any State or the District of Columbia by any person on whose behalf any such petition bearing signatures of residents of that State or District has been prepared in any year, the chief executive shall determine, and certify to the President of the Senate, the number of signatures appearing on such petition which are valid signatures of qualified voters of that State or District which have been placed upon that petition on or after the first day of January of that year.

"On or before the fifteenth day of March of each year in which a primary election is to be conducted for the nomination of candidates for President, unless the Congress shall by law appoint a different day, the President of the Senate shall certify to the chief executive of each State and the District of Columbia the name of each person who has qualified under this article as a candidate for such nomination and the name of the political party of such person.

"Sec. 4. The time of the primary election for the nomination of candidates for President shall be the same throughout the United States, and, unless the Congress shall by law appoint a different day, such primary election shall be held on the third Tuesday after the third Monday in May in the year preceding the expiration of the regular term of President and Vice President.

"Sec. 5. Within twenty days after the primary election, or at such time as the Congress may prescribe by law, the chief executive of each State and the District of Columbia shall make distinct lists of all persons of each political party for whom votes were cast, and the number of votes for each such person, which lists shall be signed, certified, and transmitted under the seal of such State or District to the Government of the United States directed to the President of the Senate, who, in the presence of the Speaker of the House of Representatives and the majority and minority leaders of both Houses of the Congress, shall forthwith open all certificates, count the votes, and cause to be published in an appropriate publication the aggregate number of votes cast for each person by the voters of the party of his registered affiliation. The person who shall have received the greatest number of votes cast by the voters of the party of his registered affiliation in all States and the District of Columbia shall be the official candidate of such party for President throughout the United States, if such number be a plurality amounting to at least 40 per centum of the total number of such votes cast.

"If no person receives at least 40 per centum of the total number of votes cast for candidates for nomination for President by the voters of a political party, the Congress shall provide by law, uniform throughout the United States, for a runoff election which shall be held, unless the Congress shall by law appoint a different day, on the third Tuesday after the third Monday in July next following the primary election, between the two persons who received the greatest number of votes cast for candidates for the presidential nomination by voters of such political party in the primary election. No person ineligible to vote in the primary election of any political party shall be eligible to vote in a runoff election of such political party.

"The result of any such runoff election shall be ascertained and declared in the manner provided by this section with respect to the primary election the result of which provided the occasion for such runoff election.

"Immediately upon the ascertainment of the name of the candidate of each political party for President, the President of the Senate shall certify the name of such candidate and party to the chief executive of each State and the District of Columbia.

"Sec. 6. Each political party for which the name of a presidential candidate shall have been determined pursuant to this article shall nominate a candidate for Vice President, who, when chosen, shall be the official candidate of such party for Vice President throughout the United States. No person constitutionally ineligible for the office of President shall be eligible for nomination as a candidate for the office of Vice President of the United States.

"The candidate of each political party for President shall certify forthwith to the chief executive of each State and the District of Columbia the name of the person chosen by that party as its official candidate for Vice President.

"Sec. 7. In the event of the death or resignation or disqualification of the official candidate of any political party for President, the person nominated by such political party for Vice President shall resign the vice-presidential nomination and shall be the official candidate of such party for President. In the event of the deaths or resignations or disqualifications of the official candidate of any political party for President and Vice President, or in the event of the death or resignation of the official candidate of any political party for Vice President, a national committee of such party shall designate such candidate or candidates, who shall then be deemed the official candidate or candidates of such party, but in choosing such candidate or candidates the vote shall be taken by States, the delegation from each State having one vote. A quorum for such purposes shall consist of a delegate or delegates from two-thirds of the several States, and a majority of all States shall be necessary to a choice.

"Whenever a substitute candidate of a political party for President or Vice President is designated by or chosen under this section, the chairman of the national committee of that party shall certify forthwith to the chief executive of each State and the District of Columbia the name of such candidate and the office for which he is the candidate of that party.

"Sec. 8. The places and manner of holding any primary election or runoff primary election under this article shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations. For purposes of this article the District of Columbia shall be considered as a State, and elections under this article shall be held in the District of Columbia in such manner as the Congress shall by law prescribe.

"Sec. 9. The electoral college system of electing the President and Vice President of the United States is hereby abolished. Unless the Congress shall by law appoint a different day, there shall be held in each State and in the District of Columbia on the first Tuesday after the first Monday in October in the year preceding the expiration of the term of President and Vice President an election in which the people thereof shall vote for President and for Vice President. In such election, each voter shall cast a single ballot for two persons who shall have been nominated, designated, or chosen as official candidates for said offices as provided by this article.

"The legislature of each State shall prescribe the places and manner of holding such election, but the Congress may at any time by law make or alter such regulations. The Congress shall prescribe the places and manner of holding such elections in the District of Columbia. There shall be included on the ballot in such election in each State and the District of Columbia the names of each pair of persons who shall have been nominated, designated, or chosen pursuant to this article as official candidates for the offices of President and Vice President.

"Within twenty days after the general election, or at such time as the Congress may prescribe by law, the chief executive of each State and the District of Columbia shall prepare, sign, certify, and transmit sealed to the seat of the Government of the United States, directed to the President of the Senate, a list of all persons for whom votes were cast for President and for Vice President, together with the number of votes cast for each.

"Sec. 10. On or before the tenth day of November following the general election, unless the Congress shall by law appoint a different day, the President of the Senate, in the presence of the Speaker of the House of Representatives and the majority and minority leaders of both Houses of the Congress, shall forthwith open all the certificates, count the votes, and cause to be published in an appropriate publication the aggregate number of votes cast for each pair of persons joined as candidates for President and Vice President. The persons joined as candidates for President and Vice President having the greatest number of votes in all States and the District of Columbia shall be declared elected President and Vice President, respectively, if such number be a plurality amounting to at least 40 per centum of the total number of votes certified. If none of the pairs of persons joined as candidates for President and Vice President shall have at least 40 per centum of the total number of votes certified, a runoff election shall be held between the two pairs of persons joined as candidates for President and Vice President, respectively, who received the highest number of votes certified.

"The Congress shall provide by law, uniform throughout the United States, for the conduct of any such runoff election, and, unless the Congress shall by law appoint a different day, it shall be held on the first Tuesday after the first Monday in December next following the general election. The result of any such runoff election shall be ascertained and declared in the manner provided by this article with respect to the election the result of which provided the occasion for the runoff election.

"Sec. 11. If, at the time fixed for the counting of the certified vote totals from the respective States the presidential candidate who would have been entitled to election as President shall have died, the vice-presidential candidate entitled to election as Vice President shall be declared elected President.

"The Congress shall provide by law, uniform throughout the United States, for new elections in the case of the death of both the persons who, except for their death, would have been entitled to become President and Vice President.

"Sec. 12. The Congress may provide by appropriate legislation for cases in which two or more candidates receive an equal number of votes and for methods of determining any dispute or controversy that may arise in the counting and canvassing of the votes cast in elections held in accordance with this article.

"Sec. 13. For the purposes of this article, the voters in each State shall have the qualifications requisite for electors of Members of the Congress from that State, but nothing in this article shall prohibit a State from adopting a less restrictive residence requirement for voting for President and Vice President than for such Members of the Congress, or prohibit the Congress from adopting uniform residence and age requirements for voting in such election. The Congress shall prescribe by law the qualifications of voters in the District of Columbia for the purposes of this article.

"Sec. 14. The Congress shall have power to enforce this article by appropriate legislation.

"Sec. 15. This article shall take effect on

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the twenty-first day of January following its ratification, but shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the States within seven years from the date of its submission to the States by the Congress."

The analysis presented by Mr. HATFIELD is as follows:

ANALYSIS OF THE RESOLUTION

The resolution proposes an amendment to the Constitution of the United States relating to the nomination and election of the President and Vice-President of the United States.

On or after January 1, of the year of the next Presidential election, following adoption of the amendment, persons seeking to be placed on the ballot of their affiliated parties for the nomination of President of the United States shall submit a petition to the President of the Senate listing signatures of qualified voters of one (1) per centum of the total number of votes cast throughout the United States for all candidates for President in the most recent previous presidential election.

All certified candidates will be entered on the ballots of their respective parties for the primary election which is to be conducted on the third Tuesday after the third Monday in May. That candidate of each party who received a plurality of at least 40 per centum of the votes cast by the registered voters of the party will be the party's nominee for President. Any party having no candidate who received the requisite plurality will be required to submit the two candidates who received the greatest number of votes cast to a run-off election between them, and the winner of such will be the party's nominee for President. The nominees for Vice-President may be selected by a national convention of the respective parties.

The electoral college system of electing the President and Vice President of the United States is abolished. The President and Vice President, comprising a single ticket, will be elected by direct popular vote of the people on the first Tuedsay after the first Monday in October. In order to be elected, a presidential nominee must receive at least a plurality of 40 per centum of the vote cast and if no candidate received such requisite number, then a run-off will be held between the two presidential candidates receiving the highest number of votes cast and the winner of such run-off election will be President-elect of the United States.

The editorial presented by Mr. HATFIELD is as follows:

[From the Washington (D.C.) Post, Mar. 3, 1969]

CASE FOR THE DIRECT-ELECTION AMENDMENT

A strong case for electoral college reform is being built up in the hearings before the House Judiciary Committee and the Senate Subcommittee on Constitutional Amendments. The testimony taken thus far seems to constitute a mandate for change. While there is still much controversy over the nature of the constitutional amendment to be submitted to the states, the rising popularity of direct, popular election of the President and Vice President is impressive.

In a recent session before the House Judiciary Committee, William T. Gossett, president of the American Bar Association, seemed to us to demolish the chief arguments that have been made against a direct, popular election. The first of these arguments is that the smaller states, having an advantage in the president distribution of electoral votes (one for every Senator and Representative) will never give it up. Alaska, for example, has one presidential elector for each 75,389 persons; California, only one elector for each 392,930 inhabitants. Despite the unfairness of this favoritism for small states, it is said, those states will insist on clinging to their advantage.

But this, as Mr. Gossett has shown, is only one side of the coin. The general ticket system, which throws all the electoral votes of a state to the candidate who wins the popular vote in that state, greatly increases the power of the big states to determine the outcome. Some authorities insist that the individual citizen's chance to vote for 40 electors in California and only three in Alaska gives the big-state voter a greater impact on the outcome, John Banzhaf's analysis of voter power, with the aid of computers, indicates that a voter in the largest states has more than two and a half times as much chance to affect the outcome of a presidential election as a voter in one of the smaller states under the present system.

Beyond this is the fact that most of the presidential candidates come from the big states because of the importance of carrying those states in the electoral count. Under a direct-election system, these unnatural influences would be largely eliminated, and one man's vote would count for as much as any others. No doubt this is why the polls show that a direct-election amendment is popular in the small states as well as in the large ones and that it has the support of many small-state Senators and Representatives.

Mr. Gossett was equally forthright in his contention that direct election of the President would have no unfortunate repercussions on the two-party system. Indeed, he insisted that the electoral college, as it now operates, gives a great incentive to third parties. That was very pointedly demonstrated last fall when George Wallace made a strong appeal for votes on the ground that he and his supporters could assume a king-making role by the manipulation of electoral votes if neither of the major parties received an electoral majority.

In a direct election of the President, of course, there would be no electoral votes and therefore nothing to give a third-party candidate influence or standing beyond the actual votes cast for him at the polls. The president of the Bar Association concluded: "Close analysis proves that direct election will actually *strengthen* the two-party system—not weaken it—by removing special incentives to third parties and equalizing all voters throughout the Nation."

One strengthening factor would be the spread of the two-party system to the entire country. "Safe" Democratic or Republican states could no longer be taken for granted because whole states would no longer swing into one column or the other, but the presidential candidate of each would have only the actual votes directly cast for him by the people.

It is well to remember that the proposed amendment sponsored by the Bar Association and many others provides for a run-off election if no presidential condidate should obtain 40 per cent of the popular vote. This would eliminate the necessity for an election ever to be thrown into the House of Representatives. It would also have the effect of eliminating any third party in the run-off, if such a party should gain sufficient strength to deny the leading candidate 40 per cent of the vote, which is highly unlikely.

Mr. Gossett was a member of the Bar Association's committee which made an exhaustive study of the country's electoral problem. His comments should help to lay to rest many of the loose arguments that are being made against a system that would really let the people elect their own President.

[From the New York Times, Jan. 30, 1969]

IN THE NATION: SOME ARE MORE EQUAL, ET CETERA

(By Tom Wicker)

WASHINGTON, January 29.—After the fears aroused by the 1968 election, the time seemed as ripe as it would ever be for fundamental reform of the way in which we elect Presidents. But the time is never really ripe for fundamental reform, and the election effort is in danger of bogging down, for two predictable reasons.

One is that while most members of Congress and officials are for doing something, not enough are agreed on what it ought to be. The Senate subcommitte on constitutional amendments, for example, now lines up about as follows:

Senators Bayh of Indiana and Tydings of Maryland for direct popular election; Senators Ervin of North Carolina and Dodd of Connecticut for proportional division of a state's electoral votes according to its popular votes; Senator Hruska of Nebraska for assigning an electoral vote to each Congressional district; Senator Fong of Hawaii and Thurmond of South Carolina for either the proportional or the district plan; Senators Eastland of Mississippi and Dirksen of Illinois, fluid.

The other major problem is the ironic misconceptions many politicians hold, almost as articles of faith, about direct popular election—which happens to be the only reform plan that has great public support (79 percent in the latest Harris poll on the subject) and that would eliminate all, not just some, of the dangers of the Electoral College system.

These misconceptions, nevertheless, have produced an opposition to the direct voting plan that rests largely on two directly contradictory propositions, neither of which is true—that direct popular voting would damage the interests of the small states, or else that it would damage the interest of the large states. (Neither small nor large states, of course, have any necessary similarity of interests, not even rural or urban; Texas and Michigan are large states with substantial rural interests; Rhode Island and Connecticut are small but urban states.)

NO SMALL-STATE ADVANTAGE

The small-state argument holds no water at all. It is based on the fact that the automatic assignment of at least two electoral votes to every state gives greater proportional representation in the Electoral College to the voters of sparsely populated states. Alaska, for instance, gets one electoral vote for only 75,389 persons, while California gets one for 392,930 persons. This looks good on paper; but in politics Alaska's "advantage" is worth less than Wally Hickel's standing with the Sierra Club. California still casts forty electoral votes to Alaska's three. And anyone who doesn't understand what that means need only count how many Presidential candidates visited Nome or Fairbanks last year.

POPULAR VOTE BENEFIT

In fact, the twelve largest states in the Electoral College could choose a President with 281 votes, no matter what the other 38 states did. And the power of Alaskans and other small-state residents in a Presidential election would be substantially enhanced, not reduced, by direct popular voting. That is because, under the system in which a state popular-vote winner takes all of that state's electoral votes, the ballots of those who supported the loser are completely negated; in popular voting, they would be counted equally with the votes of every other voter in every other state.

This does not mean, however, that the people of the big states would be damaged by popular voting—although it is true that the ability of those states to dominate the Electoral College (which they have in fact seldom done; witness 1968) would be reduced. These states would remain the major population centers, and Presidential candidates would continue, in Barry Goldwater's phrase, to "hunt ducks where the ducks are." Does anyone imagine that New York and California would not remain the prime hunting grounds of Presidential candidates? Or that candidates and Presidents would not conduct themselves generally in such a manner as to appeal to urban voters?

While urban-based minority groups might lose some of their power over big blocks of electoral votes, is there any longer a justification for that advantage now that the one-man, one-vote rulings are putting an end to rural-dominated state legislatures? *All* minority-group votes would be counted, moreover, under the direct election plan; those of blacks who voted for Hubert Humphrey in Illinois, for example, were negated when Richard Nixon took all that state's electoral votes in 1968.

Neither the small states nor the large states, in short, would suffer from direct voting. The people of one would only become as important as the people of the other—no more and no less.

EXECUTIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I move that the Senate return to executive session for the further consideration of executive business.

The motion was agreed to; and the Senate resumed the consideration of executive business.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, for the information of Senators, what will be the business before the Senate when it again convenes on Monday next?

The PRESIDING OFFICER. The Treaty on the Nonproliferation of Nuclear Weapons.

Mr. BYRD of West Virginia. I thank the Chair.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS TO MONDAY

Mr. BYRD of West Virginia. Mr. President, if there is no further business to come before the Senate, I move, in accordance with the previous order, that the Senate, in executive session, stand in recess until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 5 o'clock and 1 minute p.m.) the Senate, in executive session, recessed until Monday, March 10, 1969, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate, March 6, 1969:

COMMUNITY RELATIONS SERVICE

Benjamin F. Holman, of the District of Columbia, to be Director, Community Relations Service, for the term of 4 years, vice Roger W. Wilkins.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Thomas O. Paine, of California, to be Administrator of the National Aeronautics and Space Administration.

DEPARTMENT OF LABOR

Robert D. Moran, of Massachusetts, to be Administrator of the Wage and Hour Division, Department of Labor.

FEDERAL AVIATION ADMINISTRATION

John H. Shaffer, of Maryland, to be Administrator of the Federal Aviation Administration.

FEDERAL RAILROAD ADMINISTRATION

Reginald Norman Whitman, of Minnesota, to be Administrator of the Federal Railroad Administration.

URBAN MASS TRANSPORTATION

Carlos C. Villarreal, of California, to be Urban Mass Transportation Administrator.

CENTRAL INTELLIGENCE AGENCY

Lt. Gen. Robert E. Cushman, Jr., U.S. Marine Corps, to be Deputy Director, Central Intelligence Agency, with his current rank of lieutenant general while so serving.

IN THE ARMY

The following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

To be lieutenant general

Maj. Gen. Oren Eugene Hurlbut, O19077.

IN THE NAVY

The following-named Reserve officers of the U.S. Navy for permanent promotion to the grade of rear admiral:

LINE

Don C. Bowman, Jr.
Robert P. Owens
William H. Longley
Edwin J. Zimmermann, Jr.

MEDICAL CORPS

George H. Reifenstein

SUPPLY CORPS

George F. Baughman
Heinz H. Loeffler

CIVIL ENGINEER CORPS

Arthur H. Padula

DENTAL CORPS

Harry G. Ewart

The following-named officers of the Navy for permanent promotion to the grade of rear admiral:

LINE

Harvey P. Lanaham
Lawrence G. Bernard
Lester E. Hubbell
Eugene G. Fairfax
Means Johnston, Jr.
Alexander S. Goodfellow, Jr.
Horace H. Epes, Jr.
Thomas R. Weschler
Malcolm W. Cagle
Pierre N. Charbonnet, Jr.
Gene R. La Rocque
Percival W. Jackson
Victor A. Dybdal
George R. Muse
Roger W. Paine, Jr.
James A. Dare
Harry L. Harty, Jr.
James L. Abbot, Jr.
Francis J. Fitzpatrick
Emmett P. Bonner
John P. Weinel
Sheldon H. Kinney
Herman J. Trum III
William R. McKinney
Julian T. Burke, Jr.
George S. Morrison
Roderick O. Middleton
Herbert H. Anderson
Damon W. Cooper
Frank B. Stone
Harold E. Shear
William D. Houser
Raymond E. Peet
Mark W. Woods
Paul L. Lacy, Jr.
James L. Holloway III
Daniel K. Weitzenfeld
Norbert Frankenberger
Albert H. Clanecy, Jr.
Thomas B. Owen

MEDICAL CORPS

Felix P. Ballenger

SUPPLY CORPS

Paul F. Cosgrove, Jr.
Grover C. Heffner
Elliott Bloxom
Roland Rieve
Stuart H. Smith

CIVIL ENGINEER CORPS

Paul E. Seufer
Spencer R. Smith
James V. Bartlett

DENTAL CORPS

Myron G. Turner

IN THE MARINE CORPS

The following-named officers of the Marine Corps for permanent appointment to the grade of colonel:

Bennett W. Alford
George A. Babe
Lonnie P. Baites
Robert E. Barde
James B. Barrett
LeRoy C. Barton
Samuel G. Beal
Nalton M. Bennett
Kenneth R. Bland
Clarence W. Boyd, Jr.
Ralph E. Brandel
George R. Brier
Thomas W. Burke
Charles R. Burroughs
Jack H. Butler
Robert W. Calvert
Stanley H. Carpenter
Fred D. Chapman
David A. Clement
Ralph K. Culver
John A. Daskalakis
John R. De Barr
William E. Deeds
Donald R. Dempster
Frank R. De Normandie
William F. Dyroff
Don D. Ezell
Clayton C. Fenton, Jr.
Kenneth G. Fiegener
Joseph R. Fisher
Robert A. Foyle
Steve Furimsky, Jr.
John R. Gill
William F. Goggin
Eugene V. Goldston
Paul B. Haigwood
Donald L. Hall
Robert T. Hanifin, Jr.
Frank W. Harris III
Howard H. Harris
Neal E. Heffernan
Clayton V. Hendricks
Thomas J. Holt
Richard D. Humphreys
Clyde W. Hunter
Alfred L. V. Ingram
Curtis A. James, Jr.
Manning T. Jannell
Clark V. Judge
Gene S. Keller
Gordon H. Keller, Jr.
Joseph J. Kelly
William E. Kerrigan
John W. Kirkland
Lee A. Kirstein
Harrol Kiser
Joseph Koler, Jr.
Paul D. Lafond
Charles F. Langley
Charles R. La Rouche
Burton L. Lucas, Jr.
Charles H. Ludden
Edward H. P. Lynk
Kenneth McLennan
Theodore E. Metzger
Bruce F. Myers
Neil B. Mills
John Misiewicz
Clarence G. Moody, Jr.
Roger A. Morris
Charles R. Munn, Jr.
Cleon E. Nesbitt
John P. O'Connell
Verne L. Oliver
Lavern J. Oltmer
Kenny C. Palmer
Edward A. Parnell
Harold L. Parsons
Robert J. Perrich
Philip G. Pickett
Robert M. Platt
Arthur J. Poillon
Herbert Preston, Jr.
Charles B. Redman
Ernest R. Reid, Jr.
James H. Reid, Jr.
Knowlton P. Rice
Dayton Robinson, Jr.
Glenn W. Rodney
Maurice Rose
Richard A. Savage
John L. Schwartz
Charles M. See
Thomas C. Shanahan
Lemuel C. Shepherd III
Robert L. Shuford
John B. Sims
James A. Sloan
William L. Smith
Michael M. Spark
Paul G. Stavridis
William W. Storm III
Lewis C. Street III
Charles H. Sullivan
Samuel Taub, Jr.
Alfred C. Taves
Robert J. Thomas
Edmund Valdes
Jo M. Van Meter
William M. Van Zuyen
Ewald A. Vomorde, Jr.
James A. Weizenegger
Howard A. Westphall
Edward A. Wilcox
Robert R. Wilson
Frederick S. Wood

The following-named officers of the Marine Corps for permanent appointment to the grade of lieutenant colonel:

Vincent A. Albers, Jr.
Dan C. Alexander
Albert N. Allen
Terence M. Allen
James O. Allison
Warren L. Ammentorp
William D. Anderson
Francis Andriliunas
Kermit W. Andrus
Leon N. Angelo
Glen S. Aspinwall
Donald R. Austgen
Earl W. Bailey
Garnett R. Bailey
James D. Bailey
Howard G. Balogh
Glen H. Barlow
Sydney H. Batchelder, Jr.
William H. Bates
Andrew D. Beach
Ray H. Bell
Charles M. Bengele, Jr.
Joseph P. Beno
William D. Benton
Donald R. Berg
Henry C. Bergmann
William F. Bethel
James H. Bird, Jr.
Harold L. Blanton, Jr.
Nicholas K. Bodnar
Charles F. Bogg
Walter F. Bowron
John R. Braddon
Albert E. Brewster, Jr.
Horace A. Bruce
William E. Bucher
John G. Buckman
William E. Buckon
William L. Buergey

XUM

Michael Burin
Richard R. Burritt
Richard A. Cash
Ernest C. Cheatham, Jr.
Jerry P. Chene
Frank A. Clark
Franklin W. Coates
Dwain A. Colby
Francis X. Colleton
Charles W. Collier
James F. Conlon
Gorton C. Cook
Howard L. Cook
Robert W. Cooney
Gregory A. Corliss
Gerald B. Cornwall
Frank P. Costello, Jr.
John W. Cottom
Richard W. Coulter
John V. Cox
Stanley D. Cox
George B. Crist
Richard L. Critz
Richard F. Daley
Jack W. Davis
Marvin E. Day
John M. Dean
Joseph De Prima
Victor R. De Schuytner
James G. Doss, Jr.
Francis E. Doud
Robert Drovedahl
Daniel M. Duffield, Jr.
Ronald P. Dunwell
John H. Dunn
Ronald P. Eckmann
Hans G. Edebohls
Thomas C. Edwards
Earl T. Elstner
Rodolfo R. Enderle
Samuel E. Englehart
John T. Enoch
Thomas B. Epps, Sr.
Harold J. Field, Jr.
Ralph D. First
Lawrence W. Fisher
Edward F. Fitzgerald
John J. Flynn
Karl J. Fontenot, Jr.
David D. Francis
Hubert I. Frey
Donald J. Fulham
Robert A. Fuller
Malcolm C. Gaffen
Kenneth C. Garner
Vincent J. Gentile
Paul K. German, Jr.
Charles R. Gibson
Richard O. Gillick
James E. Gillis
Donald E. Gillum
Sam M. Gipson, Jr.
Robert F. Glancy
George O. Goodson, Jr.
John F. Gould, Jr.
Edward T. Graham, Jr.
Marcus J. Gravel
Alfred M. Gray, Jr.
Dwayne Gray
Thomas F. Gray
Johnny O. Gregerson
Thomas L. Griffin, Jr.
Frederick E. Grube
Gerald F. Guay
Donald E. Gunther
Bernard V. Gustitis
Harry T. Hagaman
Robert G. Haggard
William P. Haight
William J. Hallisey, Jr.
Herbert J. Harkey, Jr.
Gale Harlan
John B. Harris
Robert H. Harter
Francis J. Heath, Jr.
Robert W. Heesch
James F. Helsel
Joseph E. Hennegan
Charles W. Henry, Jr.
James H. Higgins
Rollin E. Hippler
Ervin E. Hodges
Charles W. Hoffner
Robert E. Hofstetter
William F. Hohmann
John S. Hollingshead
John S. Hollis
Preston E. Howell
Ernest A. Huerlimann, Jr.
Sidney A. Huguenin, Jr.
Maurice Hunter
Richard L. Hyland
John W. Irion, Jr.
Edward C. Johnson
Floyd J. Johnson, Jr.
Frederick S. Johnson
Paul M. Johnston
Joseph F. Jones
Vernon E. Jones
Bernard A. Kaasmann
Raymond H. Kansier
Floyd A. Karker, Jr.
Harold J. Keeling
Thomas J. Kelly
Harold L. Kendrick
Hugh T. Kennedy
Ralph F. Kenyon
Richard J. Kern
Charles A. King, Jr.
James P. King
John A. Kinniburgh
James C. Klinedinst
Roy E. Krieger
Richard A. Kuci
Ray G. Kummerow
John S. Kyle
Edward A. Laning
George P. Lawler
George M. Lawrence, Jr.
Joseph R. Lepp
Robert W. Lewis
Clifford A. Lindell
Prentice A. Lindsay
Robert A. Lindsley
Homer L. Litzenberg III
Stanley J. Loferski
John C. Love
Jackson R. Luckett
Ronald J. Lynch
Robert J. Lyons
Joseph A. MacInnis
James E. Maher, Jr.
Everett L. Malmgren
Martin F. Manning, Jr.
Paul A. Manning
Jesoph J. Marron
Thomas E. Mattimoe
Edward K. Maxwell
John R. McCandless
John F. McCarthy, Jr.
Eugene C. McCarthy
Bertram W. McCauley
Frederick J. McEwan
Vincent P. McGlone
Robert W. McInnis
Philip G. McIntyre
Roland D. McKee
Walter J. McManus
David R. McMillan, Jr.
Don A. Mickle
Robert L. Milbrad
Hubert E. Miller
Donald L. Mitchell
Ralph F. Moody
Wendell P. C. Morgenthaler, Jr.
Dean H. Morley
Edward C. Morris
Wilbur J. Morris
Donald R. Navorska
Charles L. Nesbit
Charles C. Newmark
Bruce C. Ogilvie
Arthur S. Ohlgren
James H. Olds
Joseph H. Oliver, Jr.
Donald P. Ostlund
Wilford E. Overgaard
Evan L. Parker, Jr.
Landon W. Parker
Victor E. Patrick
James R. Penny
Horacio E. Perea
Frank E. Petersen, Jr.
Rhys J. Phillips, Jr.
John Phillips
Jimmie R. Phillips
Bayard S. Pickett
Earl F. Pierson, Jr.
Paul P. Pirhalla
James R. Plummer
Gerald H. Polakoff
Rollin R. Powell, Jr.
Robert E. Presson
Joseph V. Price
Ronald M. Proudfoot
Daniel J. Quick
Thomas M. Reedy
James R. A. Rehfus
Martin B. Reilly
Donald L. Rice
Wesley H. Rice
William E. Riley, Jr.
Fred C. Rilling, Jr.
George H. Ripley
John F. Roche III
Carlo Romano
Richard E. Romine
William E. Rudolph
George V. Ruos, Jr.
Dale W. Sanford
Jacque L. Saul
Melvin H. Sautter
Joseph Scoppa, Jr.
John A. Scott
John E. Seissiger
Rufus A. Seymour
Harold G. Shaklee
James L. Shanahan
Arthur B. Shilan
William D. Shippen
Don J. Slee
Conway J. Smith
John K. Smola
Bradley S. Snell
Billy R. Standley
Robert W. Stark
Raymond B. Steele
Melvin J. Steinberg
Roderick M. Stewart
John C. Studt
Rudolf S. Sutter
Robert E. Switzer
Vernon L. Sylvester
Richard D. Taber, Sr.
Spencer F. Thomas
William J. Thomas
David S. Tolle
John J. Tolnay
Kyle W. Townsend
Robert M. Tremmel
Stanley G. Tribe, Jr.
Frank P. Turner
James R. Van Den Elzen
Billy F. Visage
Henry R. Vitali
Douglas A. Wagner
Dallas R. Walker
Phillip C. Walker
George W. Ward
John E. Weber, Jr.
Joseph K. Weiland
William Weise
Joseph J. Went
Walter A. Weston
Albert Whalley
Michael E. White
George A. Wickman
Kenneth W. Williams
George M. Wilson
Charles R. Winfield
Lewis C. Witt
Herbert L. Wright

The following-named officers of the Marine Corps for permanent appointment to the grade of major:

Louis R. Abraham
Frank P. Accomando
Richard J. Adams
Robert T. Adams
Thomas G. Adams
Constantine Albans
Francis R. Allen
Harold J. Alwan
Ira C. Anderson
Dennis N. Anderson
Ronald C. Andreas
William D. Andrews
Harold L. Angle
Robert L. Baggett
Richard C. Bagley, Jr.
George A. Baker III
Rolan E. Banks
Michael J. Barkovich
William H. Barnard
Rafael A. Becerra, Jr.
Peter S. Beck
Raymond A. Becker
Norbert J. Beckman
Wayne V. Bjork
Clay D. Blackwell
Lynde D. Blair
Donald H. Bode
Lawrence G. Bohlen
James L. Bolton
Jerry T. Bowlin
Edward H. Boyd
Richard G. Braun
Robert O. Broad, Jr.
Donald D. Brooks
Richard H. Brown
John J. Burke, Jr.
Mervyn J. Burns
Peter M. Busch
Joseph C. Byram, Jr.
John J. Caldas, Jr.
Dougal A. Cameron III
Charles E. Cannon
Robert F. Captor
John D. Carlton
Robert T. Carney
Donald S. Carr
Frederic S. Carr, Jr.
Edward P. Carroll
John E. Carroll, Jr.
Donald E. Cathcart
David A. Caylor
Charles W. Chain III
Howard Chapin
Charles H. Ciuba
Edward E. Clanton
Dale H. Clark
George Clark
Paul N. Cloutier
Joseph F. Cody, Jr.
Billy D. Collins
Garrett L. Collins
Harry Collins II
Fred J. Cone
Jeremiah P. Connors
Thomas F. Conway
Roy G. Corbett
John M. Coykendall
Forrest W. Crone
Timothy J. Cronin, Jr.
Donald F. Crowe
Frank Cruz, Jr.
James L. Cunningham
Robert F. Daas
John R. Dailey
Edward E. Dauster
Gary A. Davis
William O. Day
John F. Delaney
John Dermody
Harold J. Difiore
Charles A. Dixon
William C. Doerner
Thomas C. Dolson
John B. Donovan, Jr.
Walter J. Donovan, Jr.
Richard T. Douglas
Edmund H. Dowling
David E. Downing
Charles M. Doyle
Bruce W. Driscoll
Carl H. Dubac
John L. Eddy
Allen R Edens
Fred L. Edwards, Jr.
Wallace H. Ekholm, Jr.
Gerald L. Ellis
Bernon R. Erickson
John A. Eskam
William R. Etter
John S. Evans
Alex E. Fazekas
James E. Felker
Harris J. Fennell
Warren A. Ferdinand
William G. Ficere, Jr.
Arthur P. Finion
Robert C. Finn
Pat D. Ford
Robert L. Formanek
Stephen R. Foulger
Marcus T. Fountain, Jr.
John P. Fox
Carroll R. Franklin
Ray M. Franklin
James H. Fraser
Paul E. Fraser, Jr.
Joseph A. Frasier, III
Ronald D. Fredericks
Robert A. Freeman
John D. Friske
Laurence S. Fry
Harry H. Gast, Jr.
Barker P. Germagian
James A. Getchell
Hendrik A. Gideonse
Philip T. Goetz
James T. Gordon
Donnie M. Griffay
Roy M. Gulick, Jr.
Robert C. Hall
George S. Hamilton
Charles T. Hampton
Thomas W. Hancock, Jr.
Don K. Hanna
William W. Harding, Jr.
Milton D. Harnden
Richard O. Harper
Michael H. Harrington
Donald J. Hatch
Charles D. Hatfield
Karl R. Heiser
Donald W. Henderson
John W. Henry, Jr.
Richard T. Henry
William T. Hewes
John M. Hey
Robert A. Hickethier
Jimmie A. Hicks
Victor E. Hobbs
Gregory G. Hoen
Eugene A. Homer, Jr.
John I. Hopkins
Malcolm T. Hornsby, Jr.
Charles H. Houder, Jr.
Thomas C. Houston
Virgil R. Hughes
Harry A. Hunt, Jr.
Harold V. Huston
Ralph S. Huston
Donald E. Jacobsen
Eugene S. Jaczko, Jr.
James D. Jahn
Gerald D. James
Walter M. Jastrzemski
David D. Johns
Bruce W. Johnson
Lester E. Johnson
Robert C. Johnson
Ralph K. Johnson
Richard A. Joralmon
Robert M. Jordon
Carl W. Kachauskas
Orville R. Kartchner
Arthur C. Katen
John F. Keane, Jr.
Jesse N. Keathley
John M. Keenan
William L. Kent
Richard J. Kenworthy
Donald E. Kirby
James P. Kizer
Cloyd H. Klingensmith
Charles E. Knettles
Frank P. Knight
Raymond M. Kostesky
Ronald G. Kropp
Kenneth W. Langford
Neil M. Larimer II
Jerry W. Ledin
Alex Lee
Howard V. Lee
Victor M. Lee
Russell E. Leva
Robert L. Le Van
Dale E. Lewis
Franklin J. Lewis
Charles M. Lively
Perry T. Llewellyn
Robert H. Lockwood
Edward H. Loney
Howard L. Long
William H. Long
Edmund P. Looney, Jr.
Arthur P. Loring, Jr.
Thomas P. Lougheed
James L. Ludlow
Bruce D. Luedke
Darwin D. Lundberg
Morris W. Lutes
Jarvis D. Lynch, Jr.
Thomas K. Lynch
Chester V. Lynn, Jr.
Harry T. Marren
Lawrence A. Marshall
Bruce A. Martin
Delbert M. Martin
Joel A. Martin
John A. Martin
Jerry W. Marvel
Josephus L. Mavretic
John T. Maxwell, Jr.
Donald J. McCarthy
Patrick J. McCarthy
James A. McCarty
James J. McCoart, Jr.
Clarence E. McDaniel
Richard J. McGan
Garnett McGrady
William J. McGrath
William E. McKenna, Jr.
William J. McManus
George V. Memmer
Donald D. Mikkelson
James K. Miller
Neil P. Miller
Ralph D. Miller
Robert F. Milligan
Robert G. Mitchell
Jack P. Monroe, Jr.
Harvey J. Morgan
Robert T. Motherway
Robert D. Mulcahy
Frank C. Mullen, Jr.
Michael J. Mulrooney
David H. Murch
Douglas G. Murphy
James B. Murtland III
Marvin R. Nelson
Carl W. Newton
Lloyd B. Nice
Donald L. Nichols
John L. Nolan
Richard A. Noll
Ronald E. Norman
Richard J. O'Brien
Robert L. O'Brien
Don J. Ogden
Curtis W. Olson
Robert P. O'Neal

Patrick E. O'Toole
Ronald L. Owen
Dorsie D. Page, Jr.
Homer R. Palmateer
Carroll A. Palmore
Ralph K. Park
John B. Parker
William K. Parker
Ronald H. Patterson, Jr.
Clarence R. Perry
Lee A. Peterson
Robert L. Peterson
J. W. Phelps
Reed Phillips, Jr.
James M. Pierce
John L. Pipa
Arthur S. Piper
David M. Pirnie
Albert Pitt
Gary L. Poorman
Earle G. Poronto
Charles R. Porter
Robert R. Porter
Lee A. Preble
William G. Price
Robert N. Rackham
Mischa Rader
Henry R. Raines
David A. Ramsey
John T. Rapp
Ralph L. Reed
John A. Reese, Jr.
Frank C. Regan, Jr.
James K. Reilly
William J. Reilly, Jr.
James L. Rhodes
James F. Rice
James L. Roach
William B. Rourke, Jr.
Eugene B. Russell
Colin J. Ruthven
Edwin Sahaydak
Joe P. Sanders
Louis G. Sasso
James R. Scafe
Donald E. Schaet
James M. Schmidt
Lawrence A. Schneider
Jack T. Schultz
James A. Schumacher
John A. Schuyler
Marvin E. Schwaninger
Charles J. Seals, Jr.
Henry L. Searle
Donald R. Seay
Robert L. Sfreddo
Paul J. Shank, Jr.
Robert F. Sheridan
Richard T. Shigley
James S. Shillinglaw
Harry R. Shortt
Lionel V. Silva
Raymond L. Simonsen
Richard J. Skelton
Barry F. Skinner
Phillip G. Slough
John Smallman
Norman H. Smith
Robert W. Smith
William D. Smith
Keith E. Soesbe
Carl Solomonson, Jr.
Robert P. Spaete
Early W. Spiars
Roger A. Splean
Richard T. Spooner
Richard H. Stableford
Robert M. Stauffer
Orlo K. Steele
Michael E. Stein
Hardy R. Stennis
Charles E. Stevens
Edward E. Stith
Walter L. Strain
Gordon D. Strand
Michael P. Sullivan
M. R. Svec
James E. Swab
Carter P. Swenson
Leonard J. Szafranski, Jr.
Charles W. Taylor
George H. Taylor III
Ralph L. Taylor, Jr.
Richard B. Taylor
John J. Tharp
Jerry R. Thompson
Milton S. Thompson
Jack C. Thompson
Robert B. Throm
Theodore J. Toben, Jr.
Edward F. Townley, Jr.
James B. Townsend
Everett P. Trader, Jr.
Earl G Trapp
Everett L. Tunget
Terry Turner
Richard L. Upchurch
Jan H. Van Gorder
Neil R. Van Leeuwen
John Van Nortwick III
Richard S. Varney
Vincent A. Vernay
Peter J. Vogel
Wilson A. Voigt
Herman E. F. Von Carp, Jr.
Norman H. Vreeland
Michael G. Wadsworth
Paul H. Wagenr
Jack D. Waldo
Lorin C. Wallace, Jr.
John F. Walsh
Robert L. Walsh
Jac D. Watson
Leland O. Waymire
John F. Weeks
Stuart L. Weinerth, Jr.
William M. Whaley
Vincent M. Whelan
Craig A. White
Frank H. Whitton
Richard A. Widdows
Wayne M. Wills
Donald D. Wilson
Dwayne E. Wilson
Jerry W. Wilson
Walter M. Winoski
Joseph B. Wuertz
Charles E. Yates
Richard C. Yezzi
Alvin M. Younger
Lewis J. Zilka

The following-named officers of the Marine Corps for permanent appointment to the grade of captain:

Ronald E. Ablowich
William R. Acree
Carl I. Adams
David H. Adams
Frank H. Adams
John L. Adkinson, Jr.
Alfred J. Allega
William W. Alvord
David L. Anderson
Andrew G. Anderson II
Stephen D. Arcade
John C. Arick
Kenneth H. Arnold
Thomas W. Arnold, Jr.
David A. Arthur
Lowell E. Austin, Jr.
Stephen W. Austin
Wayne A. Babb
Herbert P. Baer
Thomas B. Bagley, Jr.
Kenneth E. Bailey
Doyle D. Baker
Hubert A. Baker
Maurice R. Banning
Emory W. Baragar
Blanton S. Barnett III
Harvey C. Barnum, Jr.
Henry D. Barratt
John J. Barrett
William C. Bartels
Delbert M. Bassett
James P. Beatty
Duard L. Beebe
Frederick W. Beekman III
Donald R. Bell, Jr.
John R. Bell
Charles S. Bentley
Roderick E. Benton
Joel F. Berglund
Lawrence H. Berry
George Berthelson
George V. Best, Jr.
Dennis C. Beyma
Leonard C. Bieberbach
James W. Bierman
Clifford G. Blasi
Patrick J. Blessing
Harold W. Blot
Michael A. Blunden
Stephen H. Boeddinghaus
Henry C. Bollman III
Ben J. Borchelt
Ronald R. Borowicz
Randy J. Collins
Joseph A. Bour
James A. Brabham, Jr.
Robert A. Bracy
Gary R. Braun
Darwin E. Bremer
George D. Brennan II
Patrick J. Brennan
William T. Bridgham, Jr.
Tommy G. Brooks, Jr.
Gene A. Brown
Michael E. Brown
Samuel H. Brown, Jr.
Robert W. Burkman
Terry P. Burns
Thomas C. Byall
August J. Calimano
Richard D. Camp, Jr.
Jack R. Campbell, Jr.
Harold J. Campbell, Jr.
John W. Cargile
Thomas M. Carpenter
Henry S. Carr III
John J. Carroll
Jimmy M. Carson
Marshall N. Carter
Robert D. Caskey
Gene E. Castagnetti
Ronald D. Cater
Joseph M. Cavanagh
Russell A. Chambers
James H. Champion
James M. Chance
Louis E. Cherico
John W. Chesson
David L. Chilcote
David J. Christensen
George R. Christmas
Donald E. Christy
Theodore C. Cieplik, Jr.
John J. Clancy III
Gary D. Clark
Robert F. Clark
Roger J. Claus
Robert F. Clemmons
William H. Climo, Jr.
Michael L. Cluff
Daniel J. Cobb III
Richard L. Cody
William F. Coenen
Lee D. Coker
Ernest E. Collins
Melville W. Collins, Jr.
Randy J. Collins,
William D. Collins, Jr.
Thomas M. Conley
William J. Conley
Charles R. Connor
Charles E. Conway, Jr.
Thomas M. Cooper
Everett E. Cossaboon
Cryspin J. Cowell
Merle L. Crabb
Richard W. Crain
William W. Crews
Richard H. Criche
David S. Crighton, Jr.
Albert B. Crosby
Herbert L. Currie
Charles A. Cushman
Reid E. Dahart
Joseph C. Dangler
Roy L. Davenport
Douglas M. Davidson
Bruce E. Davis
James F. Davis
Patrick E. Dawson
Robert G. Dawson
Earl R. De Hart, Jr.
Chadwick H. Dennis
Raymond E. Dennison
Francis T. Dettrey
William M. Diedrich
Billy H. Dobbs
Wilson R. Dodge
Howard R. Donehower
Vincent D. Donile
David J. Douglas
Francis H. Douglas
William J. Dowd
Thomas V. Draude
Ronald J. Drez
William W. Du Bose, Jr.
Dennis W. Duerden
Edward W. Duffy
Peter A. Duffy
Thomas J. Dumont, Jr.
Kenneth P. Dunlavy
Edward F. Dunne, Jr.
Joseph M. Dwyer
Joseph J. Dzielski
Bob E. Edwards
James E. Edwards, Jr.
Jerry A. Edwards
Roy T. Edwards
Francis X. Egan
James E. Egloff
Norman E. Ehlert
Roy N. Emanuel
Russel A. Emerson
Robert E. Enis
John O. Enockson
James L. Eyre
Rudolph H. Fahrner
Rupert E. Fairfield, Jr.
Robert W. Falkenbach
Thomas A. Farley
Patrick G. Farrell
James P. Ferguson
Harold T. Fergus
Gerald B. File
Alan J. Finger
Michael Fiorillo, Jr.
Walter J. Fleming
Daniel P. Flood
George A. Focht
James J. Foley, Jr.
Michael E. Ford
Elbert A. Foster
James F. Foster
Jackie W. Fraim
Frederick C. Frey
Carl R. Fye
Robert J. Gadwill
William R. Gage
Willard F. Galbraith, Jr.
James A. Gallagher, Jr.
Thomas M. Garbowski
Bruce A. Garnish
James D. Garrett
Gerald G. Garwick
Warren A. Gast
John M. Geisser
Robert J. Genovese
John R. Gentry
Charles W. Giannetti
Robert F. Gibson
William H. Gibson
Michael J. Gilmore
Andrew D. Glad
Alphonso H. Gomez
Humberto Gonzalez
Lawrence A. Goodale
Paul B. Goodwin
William B. Gray
Jerry M. Green
Richard L. Greene
Joseph P. Greeves, Jr.
Tommy D. Gregory
Nelson H. Gremmels
Marshall M. Grice, Jr.
Nicholas H. Grosz, Jr.
Norman R. Guidry
Leon A. Guimond
Gordon H. Gunniss
Richard D. Gunselman
Michael A. Gurrola
Larry W. Hacker
Arnold N. Hafner
Joseph J. Hahn, Jr.
Palmer S. Haines
Hurston Hall
Lynn B. Hall
Samuel T. Hall
George C. Hamilton
William P. Hamilton
Noel L. Hammer
William H. Harborth
Roger R. Hardy
Milton L. Harman
John F. Harrah
Roger P. Harrell
William G. Harris, Jr.
Edward T. Harrison
Frederick F. Harshbarger, Jr.
Jude M. Hartnett
Alan H. Hartney
Edward J. Hassinger
Leonard C. Hayes
Richard D. Hearney
Mark T. Hehnen
Hans R. Heinz
Edward S. Hempel
Frederick H. Hemphill, Jr.
James C. Henderson
Porter K. Henderson
John B. Hendricks
Gene D. Hendrickson
Billy C. Henry
Robert L. Henry, Jr.
William A. Hesser
Francis E. Heuring
Billie E Hicks
Gerard R. Hicks
Solomon P. Hill
Claude D. Hillis
Michael J. Hilsinger
Thomas F. Hinkle
Marlin N. Hinman
Amos B. Hinson III
Martin A. Hoesch
Byron H. Hogue
Kenneth L. Holm
John A Holman
James A. Honeywell
Glenn E. Hooker, Jr.
John Y. S. Howo
Ray E. Huebner
James B. Hunter III
Delbert M. Hutson
Jerrold T. Irons
William D. Isenhour
William W. Jackson
Fred L. James
Jack C. James
Herbert C. Johnson
Ken H. Johnson
John N. Jolley, Jr.
Patrick J. Jones
Philip T. Jones
Robert L. Jones, Jr.
William D. Jones
David M. Jordan
Hugh L. Julian
Kenneth E. Junkins
John K. Kangas
Ernest H. Kasold II
Gerald R. Keast
Elton J. Keeley
John R. Kelbaugh
Gerald J. Keller
Gerard H. Kelly
James A. Kenniger
Harold W. Kern
George L. Kersey
David H. Key
John H. Key
George A. Kiesel
Roger E. Kilb
John B. Kind
Francis J. Kirchner
Frank H. Kos, Jr.
Thomas L. Kosciw
Stephen J. Kott
Anthony J. Kowalewski, Jr.
William M. Krulak
Richard J. Kuchinskas
Larry J. Kuester
Nicholas J. LaDuca, Jr.
Richard H. Langenfeld
Alfred Lardizabal, Jr.
Anthony V. Latorre, Jr.
James Lau
Glenn C. Lawty
Charles H. Leaird
Antone D. Lehr
Edward O. Le Roy
Charles E. Lesher
Perry C. Lindberg
Wayne M. Lingenfelter
Raymond A. List
James E. Livingston
Calvin A. Lloyd II
Richard E. Lochner
James T. Loftus
L. J. Lott
Richard J. Lucas
Michael J. Lucci
John F. Luhmann
Howard L. Luttrell
Haymond R. Luzadder
William J. MacArdle
Kenneth R. Maddox
Robert W. Maddox
Raymond C. Madonna
Larry G. Malone
James P. Mangan
Anthony E. Manning
Johnie W. Maples, Jr.
William E. Marcantel
Vincent C. Marks
Robert C. Marshall
Richard C. Martinsen
Brian M. Mathews
Lyle D. Mathews
Enrique A. Mauri
Gregory A McAdams
John F. McCammon
James L. McClung
Charles B. McCoy
John F. McDowell
John W. McGee
Robert D. McGinn
Michael J. McGowan
Gerald L. McKay
Denis A. McKinnon
Arthur D. McKnight
Earl L. McMurtrie
John J. McNamara
Richard G. McPherson
Michael E. Mee
George Meerdink, Jr.

Robert J. Melanson
Edward H. Menzer
Thomas H. Merrell, Jr.
Thomas H. Metzger
William C. Middlebrooks
John L. Mikkelson
Donald G. Miller
Jerry L. Miller
Jon Miller
Harold K. Mills
Wallace L. Mills
Ray F. Milsap
George J. Miske
Hubert Mitchell
Charles H. Mitchell, Jr.
Christopher R. Mitchell, Jr.
Richard L. Monjeau
Allen R. Moore
William W. Moorhead, Jr.
Richard L. Morey
Arthur L. Morland
Richard T. Morrissey
Russell E. Morrow
Thomas E. Mossey
David W. Muir
Thomas P. Mulkerin
Dennis K. Mulligan
William R. Murphy
John A. Murray
James J. Myers, Jr.
Bert L. Nale
Michael J. Naughton
Herbert Nelke
Arnold R. Nelson
Jimmie C. Nelson
Leonard Nissenson
Mell B. Nolley
William B. Nye
Gerald J. Oberndorfer
Peter J. O'Brien, Jr.
William L. O'Connor
William J. Odle
Paul F. O'Keefe
Thomas P. O'Leary
Charles W. Oliver
Naval A. Ortiz
Larry J. Oswalt
Sammy L. Owens
Fred Palka
Richard K. Palmer
Robert L. Pappas
Joseph R. R. Paquette
Michael J. Paradise, Jr.
Edwin E. Parker
James R. Parker
Carmen N. Pastino
James A. Patterson
Frank G. Pearce
Gary E. Peil
Joaquin D. Pereira
George E. Perry, Jr.
Harold D. Pettengill
John R. Pfalzgraf
Harold J. Phelan
Roger P. Pilcher
James F. Pleva
Herbert F. Posey
David G. Pound
Stanley G. Pratt
Thomas R. Preston
Jesse L. Pugh
Charles J. Pyle
Leon C. Ramsey
John P. Ray
William E. Rea
Robert E. Reagan
H. L. Redding
Thomas D. Redmond
Lawrence E. Reed
Thomas D. Reese, Jr.
John A. Ressmeyer
Richard R. Reuschling
Thomas J. Rieker
Edward F. Riley
Michael B. Riley
John W. Ripley
James D. Robertson
Stephen P. Robertson
Donald J. Robinson II
John M. Rodosta
Thomas E. Roe
William R. Roll
Joseph G. Roman
Joseph M. A. Romero
Dale C. Ross
Larry H. Ross
Charles F. Roth, Jr.
John W. Ruymann
James E. Sabow
Henry J. Sage
William Sahno
Dennis M. Sams
Vinson J. San Angelo
Anthony A. Scafati
Anthony J. Scaran
Jack D. Schaeffer
Paul M. Schafer
Thomas A. Scheib
George R. Schipper
Arthur J. Schmidt, Jr.
Durwood K. Schnell
Dennis A. Schoen
John J. Schreiber
Frederick W. Schroeder
David E. Schultz
Joseph H. Schvimmer
Richard E. Schwartz
Phillip J. Seep
Robert E. Setser
Bernard K. Severin
Steven J. Sewell
Harry J. Shane
Delmas D. Sharp, Jr.
Harry F. Sharp, Jr.
Jon L. Shebel
John J. Sheehan
Kenneth E. Shelton
James A. Shepherd
Louis G. Shikany
Martin Shimek
Donald K. Shockey, Jr.
John C. Short, Jr.
David C. Sikes
Billy E. Simpson
James M. Sims
Roy W. Sims
James G. Sketoe
Harold W. Slacum
Albert C. Slater, Jr.
Raymond F. Smart
Gordon F. Smith
Herman A. Smith III
William R. Smith
Allan E. Snook
Robert J. Snowden
Alan T. Snyder
Alfred E. Sommers, Jr.
Edward W. Sonneborn, Jr.
Charles R. Sorensen
Don F. Sortino
Ronald D. R. Sortino
Peter B. Southmayd
Gerald R. Sowa
James D. Sparks
John W. Spivey
Roger F. Staley
Christopher W. J. Stanat
Floyd F. Stansfield
Robert D. Staples
John F. Stennick
Roy J. Stocking, Jr.
Phillip A. Stone
Jerry L. Stricker
J. K. Stringer, Jr.
Frank D. Strong
Laurence A. Stults
Michael V. Sullivan
John P. T. Sullivan
Alver J. Swett
Victor M. Szalankiewicz
Walter Tarnopilsky
James L. Taylor
Thomas C. Taylor
Thomas G. Taylor
Gary L. Telfer
James R. Thomas
Richard C. Tinsley
William E. Tisdale
Richard C. Titus
James A. Toohey
Philip H. Torrey III
Henry J. Trautwein, Jr.
William H. Trice, Jr.
Bennie J. Trout
Robert L. Turley
Frank K. Turner
Samuel D. Turner, Jr.
Joseph E. Underwood.
Kenneth R. Updegrove
Klaas Van Esselstyn
Charles W. Van Horne
Dennis S. Vanliew
Leslie R. Vay
Raymond L. Venator
Michael H. Vidos
Francis Visconti
John L. Vogt
Robert A. Vostry
Bill D. Waddell
Jaris L. Wagor
David L. Walker
Jack E. Wallace
Philip J. Walsh
Milton T. Warring, Jr.
George M. Wastila, Jr.
Lewis C. Watt
Dellas J. Weber
Dwight D. Weber
John D. Weides
George J. Weinbrenner
David B. Werner
Dan Westbrook
Larry D. Whalen
Theodore L. Whisler
Thomas Williams, Jr.
Robert D. Williams
John K. Williams
James R. Williams
Robert B. Williams
Bobby J. Williamson
Joe W. Wilson
Robert J. Wilson
William L. Wilson
David F. Winecoff
Donald T. Winter
Robert H. Woodard
Dennis R. Woolley
Regan R. Wright
Edwin A. Wroblewski
Michael W. Wydo
Michael D. Wyly
Peter B. Wyrick
Carl H. Yung
Anthony A. Zadravec

The following-named officers of the Marine Corps for permanent appointment to the grade of first lieutenant, subject to qualification therefor as provided by law:

Jerry D. Chase
Phillip E. Gates
Dennis T. McKee
Robert F. Patton
James W. Sanders

The following-named officers of the Marine Corps for temporary appointment to the grade of first lieutenant, subject to qualification therefor as provided by law:

Willard P. Armes
Charles J. Barone
John P. Bland
Dwight E. Burns
Patrick M. Burress
George S. Coker
Louis H. Dailey
Arthur H. Ellis
Brian D. Ford
Richard P. Gabriel
Willis H. Hansen
Robert C. Johnson
Russell E. Laney
Charles R. McGill
Clifford O. Myers III
Lon P. Oakes
Kent R. Oehm
Patrick G. Owen
Joseph F. Parker
William C. Peoples
Donald N. Persky
Charles E. Reeves
James P. Rigoulot
John E. Slater
Richard M. Smith
James B. Swartzenberg
Gary W. Todd
Robert E. Webster
James M. Williams
Roger E. Wilson
Michael V. Ziehm

The following-named officers of the Marine Corps for permanent appointment to the grade of chief warrant officer (W-2), subject to qualification therefor as provided by law:

Walter H. Agee
Bobby G. Akers
Junior M. Albritton
Valentine P. Amico
Wenceslao U. Aquino
Robert L. Atkinson
James D. Bacon
Odis L. Barrett
Bernard R. Barton
Angelo Battista
George B. Bebout
Raymond L. Bernard
Edward J. Biedrzycki
Robert C. Bierman
Robert E. Blum
Kempereth D. Box
Egbert M. Brady
Herbert R. M. Bratcher
John E. Brennan
Francis E. L. Bridges
Charles H. Brittain
Harley A. Butler
William F. Campbell, Jr.
Bert P. Chadd, Jr.
Frederick W. Chadwick
Joseph G. Chisholm
Charles M. Christensen
Robert M. Conley
Claude R. Cordell, Jr.
Leon R. Coxe
Aaron H. Daniels
Edwin S. Davis
Robert K. Davis
James O. Dease
Donald A. Debarge
Jack S. Deremer
Beauvin J. Deshotel
James P. Diantonis
June R. Doberstein
Raymond R. Ebner
Wesley E. Eckley
George W. Elliott
Stephen D. Ellsworth, Jr.
Albert A. Feeley, Jr.
Andrew C. Ferris
William J. Fitzgibbons
Raymond O. Florence
Daniel E. Foiles
Raymond F. Force, Jr.
Ray Fritz
Leonard E. Gaede
Thomas P. Gent
Horton A. Glidewell
William F. Green
William F. Gross
James F. Guenther
Adam Guerra
George R. Hammond
Curt A. Hanke
Joseph B. Harbin
Robert L. Herrington
Francis Hingston
Samuel V. Hooten
Maurice V. Howard
Lee J. Huffman
William M. Humphreys
Wilburn Ivy
Joseph P. Jerabek
John L. Johnson
John H. Kelley
Mark M. Kenney
Elmer R. Kimbro
Rex R. Kirkbride
Neil B. Labelle
Donald E. Lambert
William C. Lantz
Albert L. Larson
Robert J. Larson
Warren G. Litzburg
Jackson T. Love
Arthur T. Manuel, Jr.
Ernest L. Marble
John B. Marks
Leason McCoy
Francis J. McDonald
George N. McIntyre
Joseph A. McIntyre
Patrick J. McTiernan
Samuel S. Michaels, Jr.
Richard W. Miller
Everett E. Millett
Luke B. Mills
Stanley S. Minatogawa
Donald E. Monnot
Lawrence Morgan
William P. Moriarity
Gerald D. Morris
Robert J. Mulligan
Charles L. Mungle
Charles R. Munson
Robert F. Okamoto
Michael O. Oloughlin
Robert H. Page
Virginia R. Painter
John P. Pangrace
Peter N. Panos
Gordon V. Parnell
John E. Robertson
Jesse W. Smith
Joseph M. Sweeney, Jr.
William F. Trenary
Guilford D. Tunnell
Conrad B. Turney
Erwin G. Vansickle
Walter E. Waldie
Charles A. Waller
John R. Waterbury
Fred L. Weaver
Robert R. Wenkheimer
Robert F. Wolf
Charles W. Woods
Leslie Yancey
Charles M. Yarrington
James A. Zahn

Department of State

Nathaniel Samuels, of New York, to be a Deputy Under Secretary of State.

The following-named Foreign Service reserve officers to be consular officers and secretaries in the diplomatic service of the United States of America:

Lloyd C. Burnett, of Florida.
William F. Miller, of Pennsylvania.

The following-named Foreign Service staff officer to be a consular officer of the United States of America:

Robert B. Bannerman, of Virginia.

Department of the Interior

Hollis M. Dole, of Oregon, to be an Assistant Secretary of the Interior.

Leslie Lloyd Glasgow, of Louisiana, to be Assistant Secretary for Fish and Wildlife, Department of the Interior.

Charles H. Meacham, of Alaska, to be Commissioner of Fish and Wildlife, Department of the Interior.

Office of Emergency Preparedness

Nils A. Boe, of South Dakota, to be an Assistant Director of the Office of Emergency Preparedness.

Executive nominations received by the Senate March 7, 1969:

Governor of the Virgin Islands

Peter A. Bove, of Vermont, to be Governor of the Virgin Islands.

Export-Import Bank

Henry Kearns, of California, to be President of the Export-Import Bank of the United States.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 7, 1969:

Department of Commerce

Robert A. Podesta, of Illinois, to be an Assistant Secretary of Commerce.

CALIFORNIA DEBRIS COMMISSION

Col. George D. Fink, Corps of Engineers, U.S. Army, to be a member of the California Debris Commission, under the provisions of section 1 of the act of Congress approved March 1, 1893 (27 Stat. 507; 33 U.S.C. 661).

DEPARTMENT OF LABOR

Geoffrey H. Moore, of New Jersey, to be Commissioner of Labor Statistics, U.S. Department of Labor, for a term of 4 years.

FEDERAL MEDIATION AND CONCILIATION SERVICE

James C. Counts, of California, to be Federal Mediation and Conciliation Director.

IN THE ARMY

Lt. Gen. Harry Jacob Lemley, Jr., O19756, Army of the United States (major general, U.S. Army), for appointment as senior U.S. Army member of the Military Staff Committee of the United Nations, under the provisions of title 10, United States Code, section 711.

The following-named officers under the provisions of title 10, United States Code, section 3066, to be assigned to positions of importance and responsibility designated by the President under subsection (a) of section 3066, in grades as follows:

To be general

Lt. Gen. Ferdinand Joseph Chesarek, O21177, Army of the United States (major general, U.S. Army).

To be lieutenant general

Maj. Gen. William Eugene DePuy, O34710, Army of the United States (brigadier general, U.S. Army).

IN THE NAVY

Rear Adm. Edwin B. Hooper, U.S. Navy, having been designated for commands and other duties determined by the President to be within the contemplation of title 10, United States Code, section 5231, for appointment to the grade of vice admiral while so serving.

EXTENSIONS OF REMARKS

PROPOSED INCREASE IN THE DEBT LIMIT

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Friday, March 7, 1969

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to have printed in the Extensions of Remarks a statement made by me before the House Committee on Ways and Means on Wednesday, March 5, 1969.

There being no objection, the statement was ordered to be printed in the RECORD as follows:

STATEMENT BEFORE THE HOUSE WAYS AND MEANS COMMITTEE BY SENATOR HARRY F. BYRD, JR., DEMOCRAT OF VIRGINIA, WEDNESDAY, MARCH 5, 1969

Mr. Chairman, Mrs. Griffiths and Gentlemen of the Committee:

I appear before you today not to advocate the status quo. I recognize that a good case can be made for *some* increase in the nation's debt ceiling.

My concern today is more with policy than with arithmetic.

President Nixon in his message to the Congress said he felt the Congress should enact a debt limit which will serve the needs of our nation for the "foreseeable future."

Secretary of the Treasury Kennedy told the Committee this morning that the Nixon Administration's proposal is designed to take care of our needs "indefinitely . . ."

Now, does the Congress want to grant to the Administration—any administration—a debt ceiling that will take care of the administration "indefinitely". It seems to me that it would be wiser to set the ceiling at a level which will put some pressure on the Administration to hold down spending.

I would hope that the Congress will not agree to change the system for computing the national debt subject to the ceiling.

To accept the President's and Secretary Kennedy's recommendation would mean that during the next four years, the Administration could spend $40 billion more than it takes in without that sum of money appearing in the national debt figures.

To put that $40 billion figure in perspective, during Mr. Truman's nearly 8 years in office, the national debt increased $33 billion; during President Eisenhower's 8 years, the increase was $23 billion; and during the 8 years of the Kennedy-Johnson Administrations, the national debt increased by $70 billion.

President Nixon's proposal is misleading. It appears to reduce the ceiling, yet in reality, it increases it by $17 billion.

So, my plea today is two-fold:

(1) That the money which the government borrows from the trust funds *not* be eliminated from the national debt, and

(2) That an increase substantially smaller than $17 billion be granted.

Why should not the Congress keep a tight ceiling on the government debt; why should we continually give away our power and our responsibility?

What is lost by maintaining a tight ceiling? It is less convenient perhaps to the Administration and less convenient perhaps to the Congress.

But to increase the ceiling so that it will take care of all the Administration's problems for the "foreseeable future" impresses me as being very unwise.

Most certainly, it weakens the power of Congress at a time when Congress needs to reassert itself.

YEAR 1969—A TIME FOR TRUTH IN TOBACCO

HON. ALBERT W. WATSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. WATSON. Mr. Speaker, our former colleague, the Honorable Horace Kornegay, recently delivered an outstanding address entitled "Year 1969—A Time for Truth in Tobacco."

His remarks are especially timely in view of the incredible announcement by the FCC recently regarding the intent of this agency to ban tobacco advertising.

Horace Kornegay during his tenure in the House was among our most able, dedicated, and respected colleagues. He speaks from the heart and is a voice of authority. Therefore, I would like to **commend his great address to the Congress and the Nation as follows:**

YEAR 1969—A TIME FOR TRUTH IN TOBACCO

I want to thank Dr. James for his kind invitation to me to take part in the 1969 meeting of the Farm Press, Radio, and Television Institute. I would have been even more grateful, if it had been for the 1970 meeting.

As newsmen, you will appreciate Dr. James' fine sense of timing. No sooner had I been named Vice President and General Counsel of the Tobacco Institute, than his letter of invitation was dictated and in the mails. Promptly on January 2nd, the day I reported for duty, it was on my desk. He was "Johnny on the spot" then, and I am "Horace on the spot" now.

Discussing current issues relating to tobacco with a knowledgeable group of people like you, as he suggested, is like carrying coals to Newcastle, or perhaps carrying flue-cured tobacco to North Carolina would be a better simile.

He also suggested that I devote half of my time to questions and answers. Now that suggestion is more to my liking—provided, I ask the questions and you folks supply the answers.

Seriously, I have some questions I would like to put to you. As a former prosecutor, as a former Congressman, as a trade association official, and as a private citizen, I find certain questions deeply disturbing. They lie just below the surface and are exposed with a minimum of scratching. Yet, outside of the tobacco industry, they are rarely raised.

For example:

There is a great controversy about smoking and health. But how often do you hear both sides?

There is a Fairness Doctrine in radio and television. But how "fair" is it to private enterprise?

There is a free press in this country. But how freely does it cover the other side of the smoking and health story? Indeed, one might wonder if the man-bites-dog conception of news makes it possible for the press to even begin to communicate with both sides. Maybe, the trouble is that the tobacco industry hasn't bitten any dogs lately?

Let me illustrate this point with three statements about smoking and health that received scant attention in the press.

Here's one such statement:

"We have never said there was definite proof of a cause-and-effect relationship between coronary heart disease and cigarette smoking . . . We have never said cause and effect to the initiation of cardiovascular disease . . . I do not think one can make the statement that the scientific evidence supports it."

Here's another on smoking and emphysema:

"We have not been able to establish an absolute cause and effect."

Just one more, relating to lung cancer:

"We know that some nonsmokers get lung cancer and we know many heavy smokers never get lung cancer."

I am not a newsman, and my feeling would not be hurt if any of you told me to mind my own business. You might explain patiently that those statements are just what the tobacco industry would be saying in its own defense. In other words, you might tell me those statements are of the dog-bites-man variety, and, therefore, are not news.

Nevertheless, one thing bothers me. All three statements were made on the same day—March 6, 1968—to the same audience—a Committee of Congress—by the same man—the Surgeon General of the U.S. Public Health Service William H. Stewart. He is, of course, the chief spokesman of the anti-smoking forces.

And, gentlemen, I submit, you don't have

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to be a journalist to recognize that as a clear cut example of man-bites-dog news.

Unfortunately, the Surgeon General's remarks were made at an executive session of a subcommittee on appropriations. When the transcript was released some weeks later, they were lost in the shuffle.

But enough of my questions. Let me turn now to your questions—or at least to the major question of what's ahead in 1969.

First, let's look into the crystal ball at the prospects for cigarette advertising.

It could be that 1969 will be the year of the flood. The advertising preemption provision of the Cigarette Labeling Act expires on June 30. In the past four years, anti-cigarette advertising bills in the states have been few in number and easier to handle because the 1965 cigarette law prohibited Federal agencies and state governments from special regulations in this field. Without the dike, however, the flood of legislation could devastate radio-television land. Actually, a trickle of laws, just one or two, would do severe damage.

So I will predict the appearance in Statehouses around the country of three types of anti-cigarette advertising bills:

Bills outlawing radio and television commercials;

Bills calling for health warnings in advertising;

Bills specifying equal time for anti-smoking commercials.

This kind of legislation is like pregnancy—a little bit is enough. That's especially true if the "little bit" happens in New York, Massachusetts, or Michigan, which are present sites of passionate agitation, If I may continue the simile.

To illustrate the chaos. Legislation regulating television advertising in New York State and Michigan would effectively impinge on what is received on television screens in New Jersey, Connecticut, Pennsylvania, Massachusetts, Vermont, Indiana, Ohio, and Wisconsin. In other words, the lawmakers in just two states exercise control over the television available in eight neighboring states, which have nearly one-quarter of the population of the United States.

If this isn't taxation without representation, it certainly is legislation without representation.

Now I don't suppose this somewhat philosophical consideration will deter state legislators. After all, the slogan was last used two hundred years ago by a group of revolutionaries against The Establishment.

However, there are more practical considerations that may deter them. Let us go to New York and see the possible consequences of a State law blacking out cigarette commercials. The action would partially black out cigarette commercials in five neighbor states. But, on the other hand, transmissions from these neighbors would be received in parts of New York. So the blackout would only be a "gray out."

And we might ask, would the anti-smoking crusaders be happy with less than a total blackout? Would they demand that Governor Rockefeller jam television coming in from Connecticut? Would they insist he prevent this violation of New York's airspace? And how long would it be before a state legislator reasoned that if it is legal to view a cigarette commercial on Madison Avenue, it also should be illegal to produce one there?

Obviously, I am exaggerating somewhat—but the disturbing thing is I am not sure by how much. I am especially uncertain when I consider the outlook in cigarette taxation.

It reminds me of the side-show strongman who awed crowds by squeezing a lemon dry, then offering $1,000 to anybody in the audience who could get just one more drop out of the lemon. Nobody paid much attention when a wispy little man in the audience challenged the strongman.

The strongman squeezed the lemon until it was no more than a pulp, then handed it to his frail challenger. The little man not only squeezed out another drop—but got almost a saucerful of lemon juice.

"Amazing!" the strongman conceded. "What kind of work do you do" he asked the little fellow.

"I'm with the Internal Revenue Service," the little man replied.

I might have changed "lemon" to "tobacco" so as to present a more accurate picture. For states have indeed squeezed a saucerful of taxes out of the leaf in the past decade.

Since 1959, states have raised individual income tax rates 33 times, increased gasoline tax rates 39 times, lifted sales tax rates 40 times, and jumped cigarette tax rates 95 times.

I say "jumped cigarette tax rates" advisedly. Last year, seven states increased these taxes—not by the usual one cent or two cent increments—but by giant steps. Here's a rundown of tax boosts:

Florida from 8 cents to 15 cents, up 88 per cent

New Mexico from 8 cents to 12 cents, up 50 per cent

Oklahoma and Rhode Island from 8 cents to 13 cents, up 63 per cent

New Jersey from 11 cents to 14 cents, a gain of 27 per cent. New York raised its tax from 10 cents to 12 cents; an increase of 20 percent, on top of a 100 per cent increase just three years earlier.

This year, 47 state legislatures will meet. All eyes will be on North Carolina. For even the "no-cigarette-tax" state is under pressure to break its tradition. One may argue that merits of the "domino theory" in Vietnam, but not in cigarette taxation. If North Carolina imposes a cigarette tax there will be no holding back another round of sock it to the smokers.

For example, newspapers report that South Carolina is poised to raise its current tax rate from 5 to 8 cents a pack—and push the retail price to 40 cents a pack—if North Carolina imposes a tax.

But if 1969 may become "Sock-It-to-Me" time for tobacco, there is a very good possibility that it may also become the year the scales tip . . . the year the American people learn that there is another side to the smoking and health controversy.

The medium is the message, I am told by the "in" crowd, and the anti-smoking forces have undoubtedly gotten their message across through a variety of media: the press, radio, television, speeches, clinics, seminars, classroom talks, and grass roots pressure.

But this year there are other media which offer grounds for optimism.

First, there is the Congress. The advertising provision of the Cigarette Labeling Act expires in June. Before Congress acts on any new legislation, hearings will be held. In this democratic medium the voice of the other side will be raised.

Second, there is the Supreme Court. The Tobacco Institute will appeal this month to the highest court a recent decision upholding the FCC rule that forces broadcasters to devote "significant" time to anti-smoking commercials. NBC and NAB—and in all likelihood other major elements of broadcasting—will also appeal. In this judicial medium, the voice of the other side will be raised.

We are also encouraged by new leadership in certain federal departments that may lead to a climate in which government and industry stop confronting each other and start cooperating with each other.

There is another reason for optimism this year. Right now, it is no more than a gleam in a few eyes—quizzical, questioning eyes.

One man with a questioning eye is Daniel Patrick Moynihan. Listen to what the Assistant to the President for Urban Affairs said recently:

". . . in and about the Executive Office of the President, and in the Congress, men of whom the Nation had a right to expect better did inexcusably sloppy work. If administrators and politicians are going to play God with other persons' lives (and still other persons' money), they ought at least to get clear what the divine intention is to be."

He added:

"Government, especially liberal government, that would attempt many things very much needs the discipline of skeptical and complex intelligence repeatedly inquiring "What do you mean?" and "How do you know?"

The former U.S. Commissioner of Labor Statistics, Arthur Ross, a man who should know, also decries what he calls the "data game." He points up the danger to the policymaker this way:

"Attracted by the appearance of objectivity and precision, he keeps his eye fixed on charts and tables which may be incomplete, obsolete, or both. Eventually, he may come to believe that poverty really is a condition of having less than the current cutoff point of $3,335 in annual income; that full employment really is a situation where the national unemployment is four per cent or less; and that Vietnam really is a matter of body counts and kill ratios."

What the country needs in addition to more and better statistics, he says, are "leaders who can confront ambiguity without heading for the nearest statistical escape hatch."

For too long, the American people have had drummed into their minds a barrage of startling statements and scarifying statistics about pollution of their air, their water, their food, their drink, their smoke. They have had their anxieties aroused about hazards of the highways, the marketplace, of health, or radiation, of tires, of flammable fabrics; about the horrors of delinquency, of crime, of hunger, or poverty.

I am not saying that life is not without its hazards and its horrors. I am not saying that the government should take no action. But I am saying that the people—through the press and broadcast media—have been made to twitch to terrors which may, in fact, have very little basis in scientific truth or in solid fact. And in this way the people are being manipulated to accept easy answers and doctrinaire solutions and conclusions paraded into our consciousness as solid substance, when they are shadowy stuff made of shoddy statistics, surveys and studies. The anti-tobacco warehouses are stuffed with them.

This may be the year the reaction sets in . . . the year when the American people quietly, firmly and decisively confront the bureaucrats' startling statements and statistical conclusions with Pat Moynihan's questions: "What do you mean?" and "How do you know?"

If I were back on the Hill, I certainly would like to introduce legislation to help. I would call it "The Truth in Statistics Act of 1969," a bill to prevent policy-makers from jumping at easy answers to tough questions. I might even call for the establishment of a Pure Facts and Figures Administration to enforce it.

But, perhaps, the Nation does not need another law. Perhaps the job can be done for the people by an alert, inquisitive, intelligent Press.

Perhaps the segment of the press here in this room could start by picking up a ball which the national press dropped on Monday. Let me read you the lead of a news release for 6:30 p.m., February 3:

"The scientist who has been associated with more research in tobacco and health than any other person declared today that 'there is no demonstrated causal relationship between smoking and any disease.'

"The gaps in knowledge are so great that those who dogmatically assert otherwise—whether they state that there is or is not such a causal relationship—are premature in judgment. If anything, the pure biological

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evidence is pointing away from, not toward the causal hypothesis."

This statement—the kind the people do not often hear above the din of anti-smoking propaganda—was made by Dr. Clarence Cook Little. Who is Dr. Little, you may ask, that his statement should be newsworthy? He happens to be scientific director of the Council for Tobacco Research-U.S.A., founded 15 years ago by tobacco growers, warehousemen, and manufacturers. He had directed the industry's $31 million program of cancer research.

In addition, Dr. Little is a member of the National Academy of Sciences, founder and former director of the Jackson Laboratory for Cancer Research, a past president of the American Association for Cancer Research, and a former managing director for 16 years of the American Society for the Control of Cancer—now known as the American Cancer Society.

CORRECTING A SHORTCOMING IN THE ANNUAL AND SICK LEAVE ACT OF 1951

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. ZABLOCKI. Mr. Speaker, on Monday, March 3, I introduced a private bill for the relief of Mr. Anthony Smilko, a Federal employee in Milwaukee, Wis.

The bill, H.R. 8136, would restore 321 hours of annual leave which were denied Mr. Smilko through administrative error during the period beginning April 1959 and ending December 1965.

The Civil Service Commission readily admits that such losses of annual leave through administrative error occur rather frequently. The Commission also regrets the fact that the only way that the injured party can gain relief is through a private bill.

This fact spotlights an obvious shortcoming in the Annual and Sick Leave Act of 1951. There is no provision to allow administrators to correct their own mistakes in the computation of annual leave of civil service employees.

Since there is no logical reason for this policy, I have also introduced a bill, H.R. 8040, which would amend the Annual and Sick Leave Act of 1951 to correct this situation. This amendment would provide for the recrediting of annual leave forfeited as a result of administrative error.

It should be noted that the bill would also provide for the repayment of excess annual leave granted because of administrative error. This excess leave might either be charged against later accruing annual leave or repaid in lump sum to the Treasury.

H.R. 8040 would eliminate the need for such private bills as the one which I have introduced in Mr. Smilko's behalf. It would put simple logic into the law, allowing administrators to correct their own mistakes.

It is my sincere hope that my colleagues on the Post Office and Civil Service Committee consider this bill at their earliest opportunity, in order that the Congress can have an opportunity to rectify the shortcoming in the Annual and Sick Leave Act of 1951.

APOLLO, PA.

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Friday, March 7, 1969

Mr. SCOTT. Mr. President, in behalf of my colleague from Pennsylvania (Mr. Schweiker) and myself, I wish to invite the attention of the Senate to the proclamations of the city of Apollo, Pa., honoring the Apollo 7 and Apollo 8 astronauts.

The mayor of Apollo, Hon. Duane S. Guthrie, has also suggested that Apollo, Pa., the only town in the United States with the name Apollo, be selected to have a first-day issue of the Apollo 8 postage stamp, which has been announced for release May 5, 1969, at Houston, Tex. Senator Schweiker and I have written to the Postmaster General urging that this idea be given serious consideration.

The Senate of Pennsylvania, in a resolution adopted February 4, 1969, has also memorialized the Postmaster General of the United States to authorize a first-day issue of the Apollo 8 stamp in Apollo, Pa.

I ask unanimous consent that the proclamations, the resolution mentioned, and our letter to the Postmaster General be printed in the Record.

There being no objection, the proclamations, the resolution, and the letter were ordered to be printed in the Record, as follows:

U.S. Senate,
Washington, D.C., March 4, 1969.

Hon. Winton E. Blount,
Postmaster General, U.S. Post Office Department, Washington, D.C.

Dear Mr. Postmaster General: A stamp honoring the Apollo 8 space mission has been announced for release May 5, 1969, at Houston, Texas. Mayor Duane S. Guthrie and the citizens of Apollo, Pennsylvania, have expressed an interest in sharing in this historic occasion. They have suggested that Apollo, Pennsylvania, as the only town in the U.S. with the name Apollo, be permitted, along with Houston, to have a first day issue of the Apollo 8 stamp, postmarked Apollo.

The Senate of Pennsylvania, on February 4, 1969, passed a resolution memorializing the Postmaster General of the U.S. to authorize such action. A copy of that resolution has been sent to you by the Pennsylvania Senate.

We believe this is an excellent idea and is most appropriate for the occasion. We urge you to give it serious consideration.

Sincerely,
Hugh Scott,
U.S. Senator.
Richard S. Schweiker,
U.S. Senator.

Apollo Salutes Apollo

Whereas, Apollo Seven dramatically departed the planet Earth October 11, 1968 and,

Whereas, Apollo Seven accomplished its mission of 163 orbits about the planet Earth and,

Whereas, Apollo Seven returned to Earth on this 22nd day of October 1968 and,

Whereas, Captain Walter M. Schirra, Major Donald F. Eisele, and Walter Cunningham piloted Apollo Seven thru this historical flight and,

Whereas, William B. Smith, Manager of Apollo Manufacturing, Space Division, North American Rockwell Corp., Downey, California, was born in Apollo, Pennsylvania.

Therefore, I, Duane S. Guthrie, Mayor of Apollo Borough and members of Apollo Borough Council do hereby declare on this 22nd day of October, 1968 that this historical event be proclaimed as Apollo Seven Week in Apollo, Pennsylvania and,

Be it further resolved, that this proclamation be recorded in the records of Apollo Borough at a regular Council meeting.

Proclamation

Whereas, Apollo Eight has historically orbited the Moon and,

Whereas, Apollo Eight has returned to the planet Earth this twenty-seventh day of December, 1968 and,

Whereas, Apollo Eight accomplished scientific feats, until now unknown to man and,

Whereas, Colonel Frank Borman, Captain James A. Lovell, Jr., and Major William A. Anders piloted this successful mission.

Therefore, I, Duane S. Guthrie, Mayor of Apollo, Pennsylvania do hereby declare Colonel Frank Borman, Captain James A. Lovell, Jr., and Major William A. Anders be proclaimed Honorary Citizens of Apollo, Pennsylvania.

Resolution, Senate of Pennsylvania

It is natural that the residents of Apollo Borough feel a particularly close kinship with the astrounauts who have flown in the Apollo Space Program.

As a salute to the historical Apollo Program the Borough of Apollo proclaimed the week beginning October 22, 1968 as Apollo Seven Week in honor of the historical earth orbital flight made by Captain Walter M. Schirra, Major Donald F. Eisele and Walter Cunningham.

On December 27, 1968 they named Colonel Frank Borman, Captain James A. Lovell, Jr. and Lieutenant Colonel William A. Anders, the Apollo Eight crew, as honorary citizens of Apollo, Pennsylvania, recognizing their heroic efforts in the first manned moon orbital.

On May 5, 1969, the Apollo series will be commemorated by the Federal Government with an Apollo 8 stamp to be released at Houston, Texas. It would also be appropriate to permit citizens of the only town in the United States named Apollo to join in honoring the Apollo astronauts by providing for a first day issue of this historic stamp through the Apollo Borough Post Office with an Apollo postmark, in addition to the release in Houston; therefore be it

Resolved, That the Senate of the Commonwealth of Pennsylvania memorialize the Postmaster General of the United States to authorize a first day issue of the Apollo 8 stamp in Apollo, Pennsylvania, along with Houston, Texas; and be it further

Resolved, That a copy of this resolution be sent to the Postmaster General of the United States; and be it further

Resolved, That copies of this resolution be sent to each member of the Congress of the United States from Pennsylvania; and be it further

Resolved, That a copy of this resolution be sent to Duane S. Guthrie, Mayor of Apollo, Pennsylvania; and be it further

Resolved, That copies of this resolution be sent to the Apollo Seven and Apollo Eight astronauts, Captain Walter M. Schirra, Major Donald F. Eisele, Walter Cunningham, Colonel Frank Borman, Captain James A. Lovell, Jr. and Lieutenant Colonel William A. Anders, Houston, Texas.

I certify that the foregoing is a true and correct copy of Senate Resolution, Serial No. 6 introduced by Senator Albert R. Pechan and adopted by the Senate of Pennsylvania the fourth day of February, one thousand nine hundred and sixty-nine.

Mark Gruell, Jr.,
Secretary, Senate of Pennsylvania.

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LEGALIZED BIAS—III

HON. PAUL J. FANNIN

OF ARIZONA

IN THE SENATE OF THE UNITED STATES

Friday, March 7, 1969

Mr. FANNIN. Mr. President, Barron's magazine has performed a particular public service in bringing to the attention of the public some of the outrageous actions of the Federal Government in its highhanded dealings with Government contractors.

Previously I have noted two articles by the Barron's Washington correspondent, Mrs. Shirley Scheibla, and have asked that they be placed in the RECORD so that all may see the extent to which executive authority has been stretched in the accomplishment of some highly questionable results.

Mr. President, if one examines the legislative record during the debate on the 1964 Civil Rights Act, he must come away with the realization that Congress was as desirous of prohibiting discrimination in reverse as it was of eliminating the very real discrimination problems that exist in all parts of the Nation. Legislators of both parties repeatedly assured opponents that they sought safeguards in the act to prevent creation of problems more serious than those they were seeking to correct.

Unfortunately, the intent of Congress has been repeatedly violated, and is being violated this very day. To substantiate the degree of this violation, I ask unanimous consent that the third article in this excellent series by Mrs. Scheibla be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LEGALIZED BIAS?: ONLY CONGRESS OR THE WHITE HOUSE CAN PREVENT IT—III

(By Shirley Scheibla)

WASHINGTON.—Roadbuilders from all over the country last month warned the Senate Public Works Committee that the federal aid highway program is coming to a virtual standstill because of the impossibility of their complying with equal employment opportunity (EEO) regulations. While EEO problems are by no means confined to the roadbuilders, their plight dramatically underscores both the urgency of straightening out the present nationwide mess and the likelihood that it won't be easy. As noted in earlier articles, the two greatest difficulties in the EEO program are: the "affirmative action" requirements which call for employers to be "creative" in order to avoid discrimination; and the chaotic, and often conflicting, administration by the Equal Employment Opportunity Commission, Justice Department and Labor Department's Office of Federal Contract Compliance—as well as 28 government contracting agencies.

The roadblock to the highway program has astonished members of the Public Works Committee of both the House and Senate who had thought that a ruling by U.S. Comptroller General Elmer B. Staats, another by Assistant Comptroller General Frank H. Weitzel, and an amendment to the Highway Act of 1968 not only would hurdle the EEO barriers to public works, but also would set precedents applicable to all employers.

Senator Jennings Randolph (D., W. Va.), chairman of the Senate committee, was so concerned that, in the middle of his own committee hearings, he rushed over to the Labor and Public Welfare Committee's hearings on confirmation of the new Secretary of Labor, George Shultz (and won from him a promise to tackle problems of EEO administration right after taking office). Senator William B. Spong (D., Va.) already has received a response to his plea to the new Secretary of Transportation, John A. Volpe, to straighten out the mess in Virginia which has halted all federal highway construction in that state—follow the federal regulations, said Mr. Volpe, or forfeit all federal highway funds. Last week, the Virginia Department of Highways, announcing that it would comply under protest, charged the federal government with improper interference with a state agency. However, EEO problems cut across so many agencies and involve such basic questions of legality and official policy that the ultimate answers lie with President Nixon, Congress and the courts.

The cause celebre which led to the rulings of the Comptroller General and the aforementioned 1968 amendment involves an unusual man from Columbus, Ohio: John Geupel, who heads Carl M. Geupel Construction Co. On February 21, 1968, Mr. Geupel's company was declared low bidder at $5 million and awarded a contract to build 3.3 miles of Interstate Highway Project No. 25 in Ohio's Summit County near Akron, part of a $125 million beltway program planned for 1968.

Just five days earlier, however, the OFCC had issued a new regulation saying that each federal aid construction contract of $500,000 or more must have its approval before going into effect. As the contracting agency, the Department of Transportation and its Bureau of Public Roads, as well as OFCC, went into action to determine if Mr. Geupel really was an equal opportunity employer.

The federal functionaries told Mr. Geupel that he would have to be creative and come up with an affirmative action program to preclude discrimination. At that point, the doughty contractor did something virtually unheard of these days: he defied his regulators. Mr. Geupel said he could not come up with a program without knowing exactly what they wanted. Talks continued beyond the 20-day period during which the contract was supposed to be executed.

By mid-March, under instructions from both the Department of Transportation and OFCC, the Bureau of Public Roads told the Director of Highways for Ohio that Mr. Geupel would have to supply "manning" tables by race for his own firm and for his subcontractors. (In essence, this would have been a contractual commitment to employ specific numbers of Negroes in each craft.) On March 27 Mr. Geupel set forth the estimated maximum number of employees for each craft for himself and his subcontractors, and said he would make an "estimate" of the minority groups to be employed when he was told "what the criteria will be" for "acceptable manning tables."

The roadbuilder said he could make no guarantees because he obtained his workers through a union hiring hall, nor did he know how he could go outside it to reach minorities. In the eyes of the federal regulators, this constituted failure to take appropriate affirmative action.

The next step came on April 12 when the Bureau of Public Roads said the Geupel bid should be rejected and the job re-advertised. But P. E. Masheter, director of the Ohio Department of Highways, demurred, saying that the job already had been awarded to the Geupel company. The following is from a letter written by Mr. Masheter to F. C. Turner, director of Public Roads.

"It is a matter of grave concern when the duly authorized representatives of the U.S. and the state of Ohio enter into a seriously considered written agreement, and other representatives of the U.S. then order that agreement to be breached. . . . It is not my intention at present to take bids on any of the projects in the Cleveland Operational Plan area which are scheduled to be let in contract this year, totaling $125 million . . . until this problem is solved."

At this point, the Associated General Contractors, American Association of State Highway Officials, American Road Builders Association, Ohio Contractors Association and the International Union of Operating Engineers joined the fray. When conferences with federal officials proved fruitless, they went to Congress. They got their first action when Rep. William C. Cramer (R., Fla.) ranking minority member of the House Public Works Committee, requested the opinion of the Comptroller General on the legality of imposing varying affirmative action requirements after bids are opened.

On May 22, Assistant Comptroller General Weitzel ruled that no post-award obligation may be imposed on road contractors that is not spelled out in federal advertisements for bids; thus, he appeared to have solved the affirmative action problem for federal roadbuilders. The various groups were happy over what they thought was a geniune victory. Their joy was short-lived, however, because nothing happened—the contract with Mr. Geupel remained unexecuted.

Last summer, Congress passed an amendment to the Highway Act of 1968, saying essentially what Mr. Weitzel had ruled; by late summer, Mr. Geupel finally got his contract, at the same price at what he had bid in February. "There is no question but what we will lose money on it," he told Barron's. He estimates that the delay will cost him between $200,000 and $300,000 in wage rates alone, to say nothing of higher costs of materials. Moreover, the project itself will be about a year late.

As for the other roadbuilders, regulatory actions by the Johnson Administration under the Highway Act amendment have created the aforementioned crisis in the industry. As passed by the House originally, the amendment said essentially what Mr. Weitzel had ruled. But by the time the measure got through conference and was passed, it contained a provision that the Secretary of Transportation must receive assurances from each state that employment in connection with proposed projects will be provided without regard to race, color, creed or national origin.

The Federal Highway Administration apparently interpreted this to mean that if it couldn't require a roadbuilder to come up with his own affirmative action program after bidding, it could do so beforehand. Accordingly, last October 1, it issued Order 7–2, establishing vague "prequalification procedures" and said all roadbuilders should be prequalified by December 1.

Among other things, 7–2 says "no bid will be accepted unless the bidder has submitted an EEO Prequalification Statement" acceptable to the state highway department and concurred in by the Bureau of Public Roads. The approved statement then is to be made part of the contract. Specific EEO obligations have not been spelled out in advertisements for bids as required by the new law.

Contractors from all over the country told the Senate Public Works Committee in January that 7–2 amounts to having each company write its own EEO specifications. Guidelines for approval are so unclear that no two states interpret them alike; what is accepted by one FHA official frequently is turned down by another.

Confusion over the prequalification procedure, as noted, has brought the federal aid highway program to a virtual halt. Lacking what it regards as proper criteria to enable it to prequalify bidders, New York State has prequalified nobody, and all federal highway work is being delayed. In Virginia only 10% of 500 contractors have been prequalified, and the state has decided to hold up all federal highway construction until most of those who normally bid are able to do so.

California has been unable to start the $700 million federal aid highway program it

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plans for 1969 because only two of its 300 contractors have been prequalified. With only three of its 320 roadbuilders approved, Michigan postponed January contract lettings for an estimated $5.8 million worth of roads, and, at the time of the hearings, had doubts about a scheduled February letting of an additional $15.8 million in contracts. Though 134 contractors have applied in Montana, none has received final clearance. In Oregon two out of 44 are prequalified.

Now several Senators have asked the Comptroller General to rule on the legality of the prequalification procedure and are expecting a reply momentarily. Some members of his staff have advised him that they consider it illegal. If Mr. Staats issues a formal ruling to this effect, no federal agency may spend funds to carry out the procedure.

At the time of passage, the Public Works Committees thought that the Highway Act amendment would make the intent of Congress regarding affirmative action crystal clear, not only for roads, but also for all projects involving federal funds. In other words, affirmative action requirements would have to be stated specifically in advertisements for bids. "But," said one amazed committee staff member, "agencies like the Department of Housing and Urban Development acted as if nothing had happened."

A case in point involves Hyman R. Weiner, president of Reliance Mechanical Contractors, Inc., of Cleveland. He is asking a court of appeals to enjoin the execution of a contract with the second low bidder for construction work involving HUD funds at Cuyahoga Community College on grounds that illegal requirements were placed on Reliance after it submitted a low bid.

The Cuyahoga case (which is still pending) and similar developments attracted the attention of Rep. Cramer, who asked the Comptroller General if the opinion that advertisements for bids must contain specific EEO obligations would apply not only to highways but also to all competitive bidding involving federal funds. Comptroller General Staats replied in the affirmative on November 18, saying, in part, "Where material conditions and requirements are not clearly defined, such circumstance gives rise to the opportunity for favoritism, arbitrary action and abuse of authority in the awarding, or approving of proposed awards, of the contracts."

Subsequently Barron's asked Robert F. Keller, general counsel for the Comptroller General, if the same reasoning would apply to all federally funded contracts with fixed prices, whether set by bidding or negotiation. He said it definitely would, and that it clearly is not right, after a final price has been set, for the government to impose additional obligations which may involve extra costs.

This plainly has a bearing on the Allen-Bradley Co. case now pending before Secretary of Labor Shultz. On January 16, then Secretary of Labor, W. Willard Wirtz, upheld the findings of a hearing panel that while the Milwaukee manufacturer had not discriminated against individual applicants or employes, its failure to undertake special recruitment for Negroes constituted grounds for debarment from all federal contracts. He gave the firm until February 10 to work out an agreement with OFCC or suffer debarment. On that date the OFCC reported to the new Secretary of Labor, George Shultz, that it had failed to come to terms with Allen-Bradley. He then cancelled the deadline and told the company to continue negotiating with the same OFCC officials.

One of the main witnesses for the government at the panel hearings was the Rev. James E. Groppi, then an advisor to the NAACP Youth Counsel which the panel subsequently recommended as a recruitment source for Allen-Bradley. (According to press accounts, the Roman Catholic priest has led 200 open housing demonstrations in Milwaukee; this month the Wisconsin Supreme Court upheld his conviction for resisting arrest during a demonstration.) Father Groppi said he found Allen-Bradley's employment record "terrifying" because it didn't hire enough black people. He said he had demanded that it handle hiring so that 10% of its employees would be black. Preferential hiring to provide jobs for black people is morally justified, he told the panel.

Previously OFCC had ordered the company to do something about the fact that it employed only 30 to 40 Negroes out of 6,500 workers. Leonard Biermann, OFCC's senior compliance officer, testified that affirmative action means "results." Allen-Bradley, however, pointed out that about 18,000 applicants walk in and apply for the approximately 1,500 jobs that it fills each year. Since it was not found guilty of discriminating against anyone, the company said it felt no obligation to go to the expense of recruitment when it received more applications that it could use. Moreover, it contended that the preferential recruitment demanded by OFCC would violate the Civil Rights Act of 1964.

Significantly, Allen-Bradley added that if OFCC can force it to undergo extra costs for Negro recruitment under its federal contracts, there's no telling where matters will end. "The contractor who enters into a government contract today may find tomorrow that his cost of performance has been substantially increased by a requirement that he institute an apprenticeship training program or vastly expanded recruiting activities; he may find himself involved in a complicated, time-consuming and expensive program of retesting rejected applicants; he may be told to revalidate tests or to seek out and utilize 'culture-free' tests; he may be required to ascertain the 'rightful place' of Negroes employed by him and to award back pay in an amount equal to the difference in 'rightful place' and the former wage rate." (OFCC has regulations on all these matters, making such possibilities very real).

Some time ago, OFCC announced it was considering debarment for three other companies, Bethlehem Steel Corp., Pullman Co. and B&P Motor Express. Last week, according to The Wall Street Journal, OFCC Acting Director Ward McCreedy, indicated he also is considering debarment for three South Carolina textile firms: Dan River Mills, Burlington Industries and J. P. Stevens. Earlier the Defense Department had found that the companies failed to take "appropriate affirmative action" to preclude racial discrimination. After White House intercession, following a telegram from Senator Strom Thurmon (R., S.C.), Deputy Secretary of Defense David Packard said the firms convinced him they will take the necessary affirmative action, and he awarded new contracts to all three.

Subsequently, according to The Journal, Mr. McCreedy declared he has authority to institute action to reverse the contract awards. He said he will examine the new guarantees of affirmative action, observing: "Those must have been rather spectacular agreements for them (the Defense Department) to award the contracts, based on what I know of the cases."

According to James W. Moore, counsel for the Arkansas Chapter of the Associated General Contractors of America, the entire debarment procedure, which is subject only to intra-agency review, "is without provision for right of judicial review as ordinarily required of other agencies' rulings which are subject to the provisions of the Administrative Procedure Act." He adds, "The plan lacks the proper checks, balances and opportunities for review of the administrative agency's determinations before imposition of penalties which conceivably could put many contractors out of business before any judicial review was obtainable."

Actions being taken under Executive Order 11246 are clearly of questionable legality. But there is a still more fundamental question of legality—that of the order itself. Although President Johnson never stated the authority for 11246, everyone has assumed that it was based on the executive's contracting authority. No President, however, has the right to issue an order which is contrary to the intent of Congress.

In the Civil Rights Act of 1964 Congress made clear that the intent was to promote equal opportunity through an independent body, the Equal Employment Opportunity Commission, using voluntary means. If these do not work, the aggrieved parties then can institute suit through the Justice Department with the advice of the Commission, or the Department itself can bring suit. Executive Order 11246, however, granted life and death power over companies to an agency under the direct control of the President. Thus, as noted, the ultimate solution of EEO problems must come from President Nixon or Congress.

The President simply could withdraw the order. There are recent indications, however, that matters are becoming so bad that Congress may be ready to tackle the politically tricky subject. On February 4, Senate Minority Leader Everett Dirksen (R., Ill.) called for an investigation of OFCC and EEOC, saying, "It is my strong impression that the orders and requirements flowing out of these offices (EEOC and OFCC) exceed the authority granted to them by Congress and are beyond any reasonable interpretation which can be given to the intent of Congress in the enabling legislation. An additional separation-of-powers problem exists in connection with the OFCC since it was established by executive order, and it may well be that this entire matter should have been dealt with by the Congress in the first place."

On February 7, Senator Paul J. Fannin (R., Ariz.) introduced a bill that would abolish Executive Order 11246 and "provide that the remedies enacted by Congress to secure equal employment opportunities shall be the exclusive federal remedies available in this area."

Meanwhile, EEOC has said that it will ask Congress for cease and desist powers again this year, as it did in 1968. Chairman Clifford Alexander's term runs to mid-1972, and he has indicated he will stay on the Commission, though President Nixon could name a new chairman. Some hard-and-fast decisions should be forthcoming soon.

DR. G. WARREN NUTTER—AN EXCELLENT CHOICE

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Friday, March 7, 1969

Mr. THURMOND. Mr. President, the Charleston News & Courier of March 5, 1969, contains an editorial entitled "An Excellent Choice," referring to the appointment of Dr. G. Warren Nutter as Assistant Secretary of Defense for International Security Affairs.

The title of the editorial gives its substance. The News & Courier says his appointment will cause realists to rejoice. This accolade is significant coming from the News & Courier because the editorial staff of this newspaper itself has an international reputation for its commentary and expertise on military and national security affairs.

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I also wish to second the compliment. Dr. Nutter is a distinguished scholar and academician, and a man of sound judgment. We are indeed fortunate to have such an excellent choice.

Mr. President, I ask unanimous consent that the editorial be printed in the Extensions of Remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

AN EXCELLENT CHOICE

Appointment of Dr. G. Warren Nutter as assistant secretary of defense for international security affairs will cause realists to rejoice. Dr. Nutter, professor of government at the University of Virginia, is superbly qualified for the post.

Dr. Nutter is one of the nation's leading authorities on the Soviet Union. His writings are highly regarded. A decorated war veteran, he has served in government as a division chief at the Central Intelligence Agency during the Eisenhower administration. He is best known to the public as Sen. Barry Goldwater's economic adviser during the 1964 campaign.

We regard Dr. Nutter as the type of scholar-administrator needed in the federal government if significant change is to be made in plans and policies. The post he will occupy is one of the most important in Washington. We are confident that he will be an able and effective assistant to Secretary of Defense Melvin Laird.

TAX RELIEF FOR NEW YORK CITY

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. KOCH. Mr. Speaker, we have launched many programs, at the Federal and State and local levels, which are aimed at rehabilitating the cities of this country and making them once again desirable places in which to live.

All of this takes a great deal of money, but urban problems have received low priority in the allocation of funds. Yet many major cities, like New York, experience large revenue losses for certain tax-exempt property because they have within them embassies and consulates and missions of foreign governments which are tax-exempt. And it is the city, not the Federal Government, which suffers the loss. I believe this is an inequity which has gone too long uncorrected.

Mr. Speaker, I have introduced a bill, H.R. 8441, to correct this situation by requiring the Secretary of State to reimburse municipalities in lieu of the property taxes lost on exempt property owned by foreign governments and further to provide for the cost of the special police protection required for visiting dignitaries and officials. The benefits derived from the presence of such property and persons within the United States accrue to the benefit of the Nation as a whole. It is manifestly unfair to require any one city, or several cities, to alone bear the entire burden and absorb the full loss of tax revenues and extra cost of police service.

In New York City alone, there are still 28 consulates and missions on the exempt list with an assessed valuation of approximately $7,300,000. In addition, the United Nations in New York has exempt property with an assessed value of $88.5 million. The total resulting loss in tax revenues to New York City is over $5 million each year. And the additional cost to the city for providing special protection for visiting dignitaries is over $3 million a year.

The provisions of my bill will restore these funds to New York City which so desperately needs them. It will also assist other major metropolitan areas such as Boston, Chicago, Baltimore, Philadelphia, Detroit, Los Angeles, San Francisco, St. Louis, Richmond, New Orleans, Denver, and Kansas City. Each of these cities has a number of consulates located within it, and I hope therefore my bill will receive wide bipartisan endorsement.

THE NATIONAL CONSUMERS LEAGUE

HON. LEE METCALF

OF MONTANA

IN THE SENATE OF THE UNITED STATES

Friday, March 7, 1969

Mr. METCALF. Mr. President, the National Consumers League is celebrating its 70th anniversary this year. The league's long history of service and idealism commands respect. Further, the modernity of the league's ideas and its sensitivity to the important social problems which confront us today is impressive. This is not an organization content to rest on the many laurels of its past achievements. Rather, this is an organization which is continually reaching out for solutions to problems both old and new, and its board of directors has recently revised its statement of policy to reflect the changed society in which we live.

The league was founded in 1899 in the belief that consumers have a responsibility to help improve the working and living conditions and standards of those who produce the goods we all consume. The league introduced the idea of minimum wage legislation to the United States in the early years of the century, gave valuable support to the great social insurance programs and was an early supporter of the concept of pure food and drug legislation. Throughout its long history, it has made tremendous contributions to many of the major social reforms of the 20th century.

The list of National Consumers League officers, directors, and members of both the past and the present reads like a "who's who" of important Americans. They include Felix Frankfurter and the late Louis D. Brandeis, U.S. Supreme Court Justices; Arthur Goldberg, former Secretary of Labor, and Frances Perkins, former Secretary of Labor; Esther Peterson, Mary Anderson, former Director of the Women's Bureau; Mrs. Eleanor Roosevelt; Arthur Schlesinger, historian; Paul Douglas; the late Sumner Slichter, economist; Benjamin V. Cohen, New Deal adviser; J. Douglas Brown, dean of Princeton University; Mary Gibson Blanding, president of Vassar College.

Present officers include: president, Dr. Margaret Ackroyd, Rhode Island; vice presidents, Elizabeth Brandeis Raushenbush, Wisconsin; Mrs. Thomas Fleming, California; Alice Hamilton, M.D., Connecticut; John Haynes Holmes, New York; Mrs. James Halsted, Washington, D.C.; Archbishop Robert E. Lucey, Texas; Josephine Roche, Washington, D.C.; Bishop William Scarlett, Maine; and Robert Szold, New York; treasurer, Hyman Schroeder, New York; board chairman, John W. Edelman, Washington, D.C.; board vice chairmen, Walter Frank, New York; Eleanor Hadley, Washington, D.C.; Mrs. R. Gorden Arneson, Arlington, Va.; general secretary, Sarah H. Newman, Washington, D.C.

I believe the league's new statement of policy will be of interest to the Senate, and I ask unanimous consent to have the statement printed in the Extensions of Remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

POLICY STATEMENT OF THE NATIONAL CONSUMERS LEAGUE

The United States approaches the threshold of the decade of the 1970's strong in human and material resources but restless, uncertain, and troubled.

Unconscionable economic and social gaps persist. Bias and discrimination in jobs, housing, education, health services, and physical environment bear heaviest upon the most vulnerable groups in our society.

Too many millions of our countrymen still struggle for survival in the midst of growing affluence. Too many will work under substandard conditions, in dead-end jobs, their meagre earnings more than consumed by the alarming drain of rising prices, decrepit housing, and discriminatory credit and loan practices. The result is rising welfare rolls, truncated schooling, and resort to crime.

The National Consumers League enters its eighth decade of activity committed to cope with these challenges, concerned with the cleavages that separate, and convinced that the gains enjoyed by most Americans can and must also extend to those still deprived.

This reaffirmation of its objectives to seek further improvements in the working and living conditions of its fellow Americans continues the policies set forth by the League at the time of its founding in 1899.

For 70 years the League has pursued its twin objectives of raising and protecting the working standards of those who produce the goods and services we use, and of improving their living conditions so that they might better enjoy the fruits of their labor and the abundance that is America's.

Much has been accomplished so far this century since the League first raised its voice against sweatshops, child labor, and poverty-breeding pay scales. Minimum wages have set a floor for higher earnings. Long days and weekly hours of work have been shortened. Worker and family protection against the hazards of sickness, accidents, and old age have greatly improved for many through social security and labor-management health and welfare plans. Workers in most industries no longer can be summarily discharged for joining a union. Twenty million workers are covered by collective bargaining contracts.

In these gains—as well as in many others—the National Consumers League has played a prominent role in unearthing facts, informing citizens, and speaking out for remedial legislation and public action.

Times change, standards are raised, and conditions for many once exploited and underprivileged have been improved. Still,

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much more remains to be done; major goals are still unfulfilled. Expectations also rise—and gaps widen when the fruits of our expanding national productivity fail to reach pockets of poverty and the disadvantaged. Those who bear the heaviest burden at the bottom of our economic ladder must be assured the same protection and help that has enabled so many to raise their working and living conditions above bare subsistence levels.

More jobs at better pay must also be accompanied by consumer safeguards and guidance so that the dollars earned and the dollars spent contribute to raising family standards of health and decency.

To carry out these dual objectives of job and consumer protection the National Consumers League, side by side with concerned and allied organizations which share similar convictions, pledges its efforts to strengthen, safeguard, and secure for all Americans their basic rights and ability to participate in, and contribute more fully to, the Nation's economic and social gains.

PROGRAM FOR PROGRESS

The National Consumers League centers its "Program for Progress in the 1970's" upon the following postive plans:

1. Protect Workers' Basic Rights: Most, but not all, workers now have the right to join a union, bargain collectively, and to expect public authorities to protect their organization from unfair attacks.

These rights and assurances must not be undermined and should be extended. Agricultural workers, migrants, public employees, and household workers are among the groups still largely excluded by law, hostility or apathy from joining together to better their conditions.

The role of the National Labor Relations Board as a guardian and arbiter of fair labor-management practices must not be weakened, but rather strengthened to assure that recalcitrant employers do not escape their obligation to bargain collectively with their employees.

Intrusions upon the privacy of employees such as insistence that an employee or job applicant take lie detector or other tests invading their personal lives should be prohibited.

2. Expand Job Opportunities: Much still remains to be done to create and assure jobs for all.

Manpower and vocational rehabilitation training programs should be maintained and strengthened. Special efforts are required to assist minorities and older workers in getting and retaining jobs.

Far-reaching imaginative programs are imperative to assure that the youth of the Nation are educated, trained, motivated, and equipped for entry into the labor force as they reach a suitable working age.

Job discrimination—in hiring, advancement, and discharge—must be completely eliminated.

Public employment services need to be equipped to meet and match job requirements and applicant abilities on the broadest possible occupational and geographic basis regardless of age or sex. Higher national standards, uniformly applied, as well as increased resources are urgently needed. Private employment agencies should be appropriately regulated to prevent abuse, excessive fees, or unethical practices.

The impact of technology, automation, and higher productivity upon employment and opportunities for employment should be continually assessed and reappraised. Rising unemployment—or declining employment caused by technological change—should be met by effective counter-measures, including reductions in working time.

The Full Employment Act of 1946 should be vigorously used to achieve and maintain a healthy expanding economy with emphasis upon job creation and provision for public service jobs, if necessary.

3. Improve Working Conditions: This generation of workers enjoy, by far, more favorable conditions of work than those which prevailed at the time of the horrible Triangle Factory fire of 1911, the open shop decade of the 1920's, and the great organizing drives of the 1930's. Nonetheless, too many still work under conditions scarcely better than those which existed at the turn of the century. Unfulfilled, as well as new needs, exist.

There is still a need for protective legislation to safeguard the health of young workers and to guarantee them opportunities for education. State and Federal legislation to provide such protection should periodically be re-examined and revised in the light of changing patterns of work and education.

All workers should be covered by Federal or State minimum wage laws with rates periodically reviewed and raised as productivity and living costs require.

For more than a generation the 40-hour week has been the norm. The League believes the time has come to examine carefully the feasibility of moderate reductions in the workweek with maintenance of existing take-home pay. Meanwhile, existing protective legislation, particularly at the level and as regards employment safeguards for women workers, should be maintained.

Job hazards which threaten the safety and health of workers remain a serious problem. Accident prevention programs need to be expanded and updated. Effective safeguards against new toxic materials should be instituted. Better protection, beginning with the first exposures, must be assured for workers exposed to occupational diseases such as asbestosis, silicosis, radiation, and beryllium poisoning. Special safeguards against the employment of youth in hazardous jobs are required.

In all of these safety and health problems more research, modern standards and codes, and expanded instructional and inspection programs at Federal and State levels are an urgent necessity.

Environmental contaminants such as air and water pollution, and noise—whether caused by industrial or other sources—must be eliminated or greatly reduced. These pollutants know no boundaries and gravely affect the health of all Americans at work and at play whether they live in crowded ghettos, surburbia, or the rural countryside.

These are among the more urgent and persistent problems to be resolved. Resolved not only to improve widespread injurious conditions, but also to assure that human values and needs are not outstripped—or sacrificed—by onrushing technology and our proclivity to live more closely together in areas of high population density.

4. Assure Maintenance of Income: The sesecurity of a better job under good working conditions can be eroded by acts and events beyond the individual's control. Thus the maintenance of income—an inflow of dollars—to bridge a family tragedy or provide for old age—is gradually being accepted as a proper norm and social responsibility.

For workers who are injured, or for whom long exposure to injurious substance eventually cause disablement or death, workmen's compensation protection must be more complete and rest upon uniform nationally recognized standards. Benefits need to be increased substantially and programs for rehabilitation enlarged.

For those who lose their jobs through no fault of their own, unemployment insurance protection must be expanded and standardized, and benefits must be set more realistically to tide the family over the crisis.

For the aged and retired, both public social security programs and private, collectively-bargained pension plans should provide higher annuities with these benefits periodically adjusted to match rising living costs. Bolder actions in expanding Medicare, including services for pregnant mothers and young children, should be undertaken.

For all Americans, and particularly for families who can ill afford to bear the brunt of a sudden accident or prolonged hospitalization, a comprehensive program of national health insurance can no longer be delayed. Our people's health is a national resource. Inability to pay must be neither a determinant nor a deterrent to comprehensive medical care.

Expansion of State or Federal programs for temporary disability insurance, development of community health centers, and maximum utilization of skilled medical manpower and costly equipment are among the steps to be taken.

5. Building Consumer Power: The National Consumers League is well aware that an individual's economic well-being is not completely assured by the payment of an adequate minimum wage or the protection of a comprehensive social security system. We know that his standard of living is materially affected by such other things as the purity of the food available for his consumption, the rates he is charged for credit extended him, and the helpful or harmful qualities and prices of the drugs he buys. Much is needed to protect the consumer's interests in such matters which are largely beyond his individual control, irrespective of his economic status. Therefore, the League will encourage and support programs of consumer education, consumer protection, and consumer legislation.

Recent years have witnessed an unprecedented expansion of Federal legislation to protect consumers, and to provide the information which will enable consumers to more effectively discharge their responsible role in the American economy. However, certain additional programs and legislation are necessary to establish for consumers a more equitable position in the marketplace.

The League will therefore support:

An enlarged program for representation of the consumer in the Executive Branch of the Federal Government through a statutory independent Agency, and Federal assistance for development and establishment of similar state and local agencies.

Action to reduce prices of prescription drugs, to assure efficacy and safety of all drug products, and strengthening of the authority of the FDA over cosmetics and therapeutic, diagnostic and prosthetic devices.

Crackdown on frauds, deception and misleading advertising through enlarged powers, jurisdiction and appropriations for the Federal Trade Commission.

Legislation to assure safety of all food supplies.

Expanded legislation to safeguard health from air and water pollution.

Legislation to eliminate abuses connected with games, contests, sweepstakes, lotteries and other promotion schemes.

Adequate regulation of repairmen.

Strengthening of regulatory agencies so as to assure rural and urban consumers of reliable sources of electricity, gas, and telephone services at the lowest practicable cost.

Strengthening of the excess acreage restrictions in the Federal Reclamation Law.

Legislation to protect the public interest in natural resources, especially shale oil deposits, hydro-electric power sites, and publicly financed nuclear power.

Legislation to assure adequate, fairly priced, auto, life, health and property insurance without discrimination.

Enlarged and strengthened programs of consumer education and information in the schools and in the communities.

Encouragement of consumer cooperatives

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in such fields as health, housing, credit, retailing, etc.

Adequate funding and implementation of recently enacted Federal housing legislation with the goal of providing adequate housing for low and middle income consumers, coordination of housing and urban renewal programs with efforts for improved mass transit and other community facilities such as schools, hospitals, recreation facilities, etc.

Expansion and more adequate funding of the war on poverty so that its programs and services can ultimately eliminate rural as well as urban poverty.

Finally, the exposures and experience of the past several years fully warrants the advocacy of permanent Congressional Committees to study and consider legislation to deal with the problems of consumers as other committees now act on other economic problems.

FORD FOUNDATION EXTRAVAGANZA

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. RARICK. Mr. Speaker, I recently received a letter from the National Committee on United States-China Relations, Inc., and was quite amazed to note the second paragraph, which reads:

> As you probably know, the National Committee is an independent, non-partisan educational organization which is funded by the Ford Foundation, the Rockefeller Brothers Fund, and other contributions.

Inasmuch as taxpayers have been asked to bear an increased burden, I felt many would be interested in learning some of the projects which are being funded tax-free by one tax-exempt foundation.

Mr. Speaker, I include with my remarks that portion of the letter from the National Committee on United States-China Relations, Inc., and a partial list of Ford Foundation grants for 1967:

NATIONAL COMMITTEE ON UNITED STATES-CHINA RELATIONS, INC.,
New York, N.Y., February 25, 1969.
Hon. J. R. RARICK,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN RARICK: * * * As you probably know, the National Committee is an independent, non-partisan educational organization which is funded by the Ford Foundation, the Rockefeller Brothers Fund, and other contributions. Its members are representative of all major sectors of American society, and its objective is to raise the level of information and public discussion of our China policy: the basic issues, current problems, and possible alternatives. The Committee takes no position itself. Enclosed is a brochure on the Committee, and several of its publications.

* * * * *

I look forward to hearing from you if we can be of assistance.

Sincerely yours,
A DOAK BARNETT,
Chairman.

OPINION OF INDEPENDENT ACCOUNTANTS
NEW YORK, N.Y.,
November 29, 1967.

To the board of trustees of the Ford Foundation:

In our opinion, the statements appearing on page 72 through 75 of this report present fairly the financial position of The Ford Foundation at September 30, 1967 and its income, expenditures, and changes in fund balances for the year, in conformity with generally accepted accounting principles applied on a basis consistent with that of the preceding year. Our examination of these statements was made in accordance with generally accepted auditing standards and accordingly included such tests of the accounting records and such other auditing procedures as we considered necessary in the circumstances, including confirmation of the cash and securities owned at September 30, 1967 by correspondence with the depositaries.

PRICE WATERHOUSE & Co.

THE FORD FOUNDATION BALANCE SHEET SEPT. 30, 1967 AND 1966

	1967	1966
ASSETS		
Cash	$951,100	$1,647,335
Accrued interest and dividends receivable	12,930,488	14,081,065
Receivables and other assets:		
Securities sold but not delivered	20,126,527	69,456
Other	2,968,873	1,173,067
Total	23,095,400	1,242,523
Investments, at cost:		
Bonds and notes:		
U.S. Government and U.S. Government Agencies	241,823,760	283,111,379
Obligations of banks in the United States	229,868,183	350,853,462
Other	114,300,482	78,873,145
Bonds and notes purchased through direct negotiation	422,861,173	400,320,349
Convertible debentures and notes	98,485,014	49,108,262
Common and convertible preferred stocks	556,593,734	454,152,100
Total (estimated market value 1967—$1,809,865,000; 1966—$1,603,805,000) (Note 1 and summary of investments)	1,663,932,346	1,616,418,697
ASSETS—Continued		
Ford Motor Co., Nonvoting Class A Stock 1967—32,530,936 shares carried at $43 per share; 1966—34,673,461 shares at $40 per share (Note 2 and summary of investments)	$1,398,830,248	$1,386,938,440
Foundation land and buildings, under construction, at cost (Note 3)	21,240,352	13,218,896
Total	3,120,979,934	3,033,546,956
LIABILITIES, APPROPRIATIONS, AND FUND BALANCES		
Accounts payable:		
Securities purchased but not received	12,718,918	3,047,279
Other	3,523,578	1,835,763
Total	16,242,496	4,883,042
Unpaid grants and appropriations:		
Unpaid grants (Note 4)	486,178,925	415,141,843
Appropriations for future grants and projects	101,877,384	124,474,417
Unexpended balance of projects	11,112,230	11,063,260
Total	599,168,309	550,679,520
Fund balances	2,505,568,929	2,477,984,394
Total	3,120,979,934	3,033,546,956

INCOME FUND STATEMENT FOR THE YEARS ENDED SEPT. 30, 1967, AND 1966

	1967	1966
Income:		
Dividends including $80,364,598 in 1967 and $89,361,502 in 1966 on Ford Motor Co. class A stock	$97,803,241	$102,891,586
Interest	60,694,686	54,937,377
Subtotal	158,497,927	157,828,963
Less investment expenses	408,083	388,227
Total income	158,089,844	157,440,736
Grants, projects, and expenses:		
Grants approved	234,083,307	341,627,172
Project expenditures	16,835,622	12,379,358
Program-management expenses	4,998,951	4,379,465
Subtotal	255,917,880	358,385,995
Grants, projects, and expenses—Continued		
General and administrative expenses	$4,832,501	$3,771,108
Cost of furniture and equipment for new headquarters building (Note 3)	1,921,854	
Total grants, projects, and expenses	262,672,235	362,157,103
Excess of grants, projects, and expenses over income:		
Current year	(104,582,391)	(204,716,367)
Prior years	(1,052,251,965)	(847,535,598)
Cumulative excess of grants, projects, and expenses over income from establishment (1936) to end of year	(1,156,834,356)	(1,052,251,965)

PRINCIPAL FUND STATEMENT FOR THE YEARS ENDED SEPT. 30, 1967, AND 1966

	1967	1966
Principal fund balance at beginning of year	$3,665,774,036	$3,459,381,755
Excess of net proceeds from sale of 2,142,525 shares in 1967 and 2,829,738 shares in 1966 of Ford Motor Co. stock over the carrying value at Sept. 30, 1966, and 1965, less related expenses	11,169,881	40,544,576
Excess of market value over carrying value of 1,858,266 shares of Ford Motor Co. stock transferred to grantees in payment of grants less related expenses		29,026,143
Increase arising from adjustment in the carrying value of Ford Motor Co. class A stock (Note 2)	97,592,808	138,693,844
Net gain (loss) on dispositions of other securities	856,144	(1,872,282)
Subtotal	109,618,833	206,392,281
Principal fund balance at end of year	3,775,392,869	3,665,774,036

	1967	1966
SUMMARY OF FUND BALANCES		
Principal fund, as above	$3,775,392,869	$3,665,774,036
Cumulative excess of grants, projects, and expenses over income from establishment (1936) to end of year	(1,156,834,356)	(1,052,251,965)
Subtotal	2,618,558,513	2,613,522,071
Appropriations for future grants and projects	(112,989,584)	(135,537,677)
Fund balance at end of year	2,505,568,929	2,477,984,394

NOTES TO FINANCIAL STATEMENTS

1. Market values are based on quotations where available. Securities for which quotations are not available are valued at cost which, in the aggregate, does not exceed estimated realizable value. Investments for which there were no market quotations available, consisting primarily of bonds and notes purchased through direct negotiation and obligations of banks in the United States amounted to $683,222,087 at Sept. 30, 1967 and $484,829,721 at Sept. 30, 1966.

2. The carrying value of the Ford Motor Co. class A stock is adjusted on Sept. 30 of each year to an amount equivalent to the approximate equity per share as indicated by the financial statements of the Ford Motor Co. at Dec. 31 of the preceding year. Accordingly, the carrying value of the class A stock was adjusted from $36 to $40 per share at Sept. 30, 1966, and from $40 to $43 per share at Sept. 30, 1967. The class A stock is convertible or exchangeable, under limited conditions, into Ford Motor Co. common stock, which had a market value per share of $53⅛ on Sept. 30, 1967.

3. Foundation land and buildings under construction consist of the New York and New Delhi office buildings and residential properties in Nairobi, Kenya. Upon completion, the cost of these buildings will be written off by the straight-line method over their estimated useful lives. In accordance with the Foundation's established policy, the cost of furnishing and equipping the New York headquarters building in the amount of $1,921,854 has been written off by a charge to the income fund.

4. Unpaid grants at Sept. 30, 1967 include $186,000,000 payable on a matching basis.

STATEMENT OF GRANTS FOR THE YEAR ENDED SEPT. 30, 1967

[The first and last columns show the unpaid balances of grants at the end of the respective fiscal years. The 2d column shows grants approved in 1967. The 3d column shows payments on old and new grants during the 1967 fiscal year]

		Changes during the fiscal year		
	Unpaid Sept. 30, 1966	Grants (reductions)	Payments (refunds)	Unpaid Sept. 30, 1967
NATIONAL AFFAIRS				
SOCIAL DEVELOPMENT				
Employment for minorities:				
A. Philip Randolph Educational Fund: Training for union apprenticeship tests		$44,200	$44,200	
Advancement of business opportunities for Negroes:				
American Jewish Congress (for Interracial Council for Business Opportunity)	$100,000		100,000	
Chicago Small Business Opportunities Corporation		15,000		$15,000
Interracial Council for Business Opportunity		350,000	25,000	325,000
Jobs Clearing House of Boston		46,500	23,250	23,250
National Urban League	180,000		30,000	150,000
Potomac Institute		246,000	89,307	156,693
Zion Non-Profit Charitable Trust (Philadelphia)		400,000	370,000	30,000
Board for Fundamental Education: Materials on Negro employment problems		25,000	25,000	
Business education in predominantly Negro colleges:				
Atlanta University	200,000		116,375	83,625
Indiana University	108,000		2,249	105,751
Texas Southern University	375,000			375,000
Career education for minorities:				
Howard University	289,632		201,266	88,366
New York, University of the State of		415,225		415,225
Washington University		300,000	100,000	200,000
Yale University		187,000	121,000	66,000
Educational programs for dropouts:				
United Progress, Inc. (Trenton)	57,000		57,000	
Urban League of Greater New York		647,000	647,000	
Fair housing and promotion programs:				
Management Counsel for Bay Area Employment Opportunity		45,500	45,500	
National Catholic Conference for Interracial Justice		522,200		522,200
George Washington University:				
Center for Manpower Policy Studies		346,500		346,500
Research on Government manpower programs		50,790	50,790	
Study of Economic Opportunity Act		61,749	61,749	
Improvement of rural economic life:				
Mississippi Research and Development Center		500,000	250,000	250,000
Southern Consumers' Education Foundation		578,000	115,000	463,000
Manhattan, Borough of, Community College: Training in medical emergency technology		20,000	20,000	
New Jersey State Department of Community Affairs: Development of statewide manpower system		250,800		250,800
Performing Arts Workshop (San Francisco): Dance and drama training for disadvantaged youth		100,000	38,237	61,763
Research on employment of minority groups:				
California, University of (Berkeley)	150,000		119,725	30,275
Educational Testing Service	80,000		80,000	
New York University	42,500		42,500	
Pennsylvania, University of	180,000		75,000	105,000
Training and job development in Los Angeles area:				
Management Council for Merit Employment, Training, and Research	25,000		25,000	
Opportunities Industrialization Center	125,000	75,000	200,000	
Systems Development Corp		24,600	24,600	
W. E. Upjohn Unemployment Trustee Corp.:				
Research on government manpower programs		(50,790)	(50,790)	
Study of administration of Economic Opportunity Act		(61,749)	(61,749)	
Study of training for disadvantaged in private schools		51,500	16,436	35,064
Racial Leadership and Research:				
Assistance to civil rights organization:				
National Association for the Advancement of Colored People		300,000	225,000	75,000
National Urban League		430,000	430,000	
Civil rights publications:				
Anti-Defamation League of B'nai B'rith		35,000	35,000	
Southern Educational Conference, Inc.		60,000	30,000	30,000
Vanderbilt University		42,405		42,405

See footnotes at end of table.

STATEMENT OF GRANTS FOR THE YEAR ENDED SEPT. 30, 1967—Continued

[The first and last columns show the unpaid balances of grants at the end of the respective fiscal years. The 2d column shows grants approved in 1967. The 3d column shows payments on old and new grants during the 1967 fiscal year]

		Changes during the fiscal year		
	Unpaid Sept. 30, 1966	Grants (reductions)	Payments (refunds)	Unpaid Sept. 30, 1967
NATIONAL AFFAIRS—Continued				
SOCIAL DEVELOPMENT—Continued				
Racial Leadership and Research—Continued				
Education for clergy in urban problems:				
National Catholic Conference for Interracial Justice		$50,600	$50,600	
National Council of the Churches of Christ	$60,000		20,000	$40,000
Southern Christian Leadership Foundation		230,000		230,000
Urban Training Center for Christian Mission	450,000		112,500	337,500
Information programs on Negro culture:				
Frederick Douglass Institute of Negro Arts and History		250,000	74,926	175,074
New York Public Library		15,000	15,000	
Metropolitan Applied Research Center:				
Civil rights internship program		500,000	100,000	400,000
Training for Negroes taking Foreign Service examination		15,000		15,000
Michigan, University of:				
Conference on research priorities in race relations		34,000	34,000	
Cooperative research with Tuskegee Institute		98,530	13,213	85,317
Race-relations programs in Cleveland:				
American Council for Nationalities Service		200,000	50,000	150,000
Congress of Racial Equality's special purpose fund		175,000	75,000	100,000
Greater Cleveland Associated Foundation		127,500	31,875	95,625
Research and training on minority problems:				
Brandeis University	170,000		170,000	
Chicago, University of		100,000		100,000
Fisk University		300,000	73,213	226,787
John Jay College of Criminal Justice, City University of New York		20,000	20,000	
National Opinion Research Center		100,000	55,000	45,000
Puerto Rico, University of		75,000	37,500	37,500
Tuskegee Institute		300,000	21,575	278,425
Southern Regional Council: Training and technical assistance for State and local human relations councils	648,000		259,200	388,800
Community development:				
American Friends Service Committee: Family aid fund program		100,000	45,000	55,000
Assistance to fair-housing programs:				
National Committee Against Discrimination in Housing	162,000		111,000	51,000
National Urban League	1,415,000		59,000	1,356,000
Citizens' Committee on Children of New York City: Conference on child-allowance programs abroad		45,000	45,000	
Comprehensive efforts to improve life in low-income neighborhoods:				
Action for Boston Community Development, Inc	850,328	25,000	300,328	575,000
Community Progress, Inc. (New Haven, Conn.)	300,000			300,000
North Carolina Fund	1,089,690	3,000,000	2,522,079	1,567,611
North City Congress (Philadelphia)		105,000	35,000	70,000
Oakland, California, City of	500,000		500,000	
United Planning Organization (Washington, D.C.)	868,000		492,000	376,000
Housing programs for the poor:				
International Self-Help Housing Associates		150,000	71,163	78,837
National Council of the Churches of Christ		160,000	5,000	155,000
Urban America, Inc	704,563		421,009	283,554
Interracial Council for Business Opportunity: Studies on economic redevelopment of Harlem		27,000	27,000	
New York Institute for Human Development: Storefront community centers program		50,000	25,000	25,000
Prevention and reduction of juvenile delinquency:				
Southern California, University of	160,875		54,620	106,255
Syracuse University	176,066		75,324	100,742
United Community Fund of San Francisco	34,042		33,791	251
Youth Research, Inc	92,950		2,453	90,497
Radcliffe College: Student summer programs		25,000		25,000
Santa Clara County Council of Churches: Community health program for Mexican-Americans		10,000	10,000	
Social-welfare policy studies:				
New York University		46,693	46,693	
State Communities Aid Association		25,000	25,000	
Syracuse University		(546,693)	(546,693)	
Synagogue Council of America: Interfaith meeting on "The Role of Religious Conscience"		36,500	36,500	
Training for community-development workers:				
Block Communities, Inc		55,000	55,000	
Citizens' Crusade Against Poverty	187,500	508,500	187,500	508,500
National Association for Community Development	125,000		31,250	93,750
National Council of Negro Women	150,000		51,057	98,943
Penn Community Services		300,000		300,000
United States Conference of Mayors: Support for Community Relations Service		270,000	120,000	150,000
	10,056,146	13,540,060	10,278,321	13,317,885
GOVERNMENT AND LAW				
Justice and Legal Education:				
American Assembly: Studies of the Ombudsman system		100,000	15,000	85,000
American Law Institute: Research on zoning laws and land use	325,000			325,000
Columbia University: Joint program with Cambridge University in criminal justice and criminology	320,000		45,500	274,500
Committee for Modern Courts Fund: Citizen education program in court reform		25,000	25,000	
Criminal law training and research:				
California, University of (Berkeley)		735,000	36,700	698,300
Northwestern University		600,000	63,283	536,717
Pennsylvania, University of		250,000		250,000
Stanford University		210,000	21,600	188,400
Texas, University of		380,000	10,125	369,875
Denver, University of: Training of Spanish-speaking Americans for legal careers		150,000	52,220	97,780
Experiments and research in legal services for indigent persons accused of crimes:				
California, University of (Davis)		1,000,000	91,750	908,250
Georgetown University	600,000		103,018	496,982
NAACP Legal Defense and Educational Fund		1,000,000	250,000	750,000
National Legal Aid & Defender Association	3,199,726		1,055,212	2,144,514
Vera Institute of Justice	654,600		80,772	573,828
Law school development:				
Columbia University	25,000		25,000	
Howard University	1,100,000		378,853	721,147
Mississippi, University of	341,000		97,000	244,000
London School of Economics & Political Science: Study of legal aid in London		25,000	25,000	
National Conference of Commissioners on Uniform State Laws: Research on legislative solutions for family law problems		60,000	4,500	55,500
Police training and administration:				
International Association of Chiefs of Police	76,500		4,799	71,701
Northeastern University	90,000		37,896	51,104
Northwestern University	180,000		67,921	112,079
Wisconsin, University of	201,500		51,125	150,375

See footnotes at end of table.

XUM

STATEMENT OF GRANTS FOR THE YEAR ENDED SEPT. 30, 1967—Continued

[The first and last columns show the unpaid balances of grants at the end of the respective fiscal years. The 2d column shows grants approved in 1967. The 3d column shows payments on old and new grants during the 1967 fiscal year]

	Unpaid Sept. 30, 1966	Changes during the fiscal year: Grants (reductions)	Changes during the fiscal year: Payments (refunds)	Unpaid Sept. 30, 1967
GOVERNMENT AND LAW—Continued				
Justice and Legal Education—Continued				
Projects and studies to improve the administration of justice and the practice of criminal law:				
American Bar Foundation	$680,000		$24,558	$655,442
American Law Institute	104,500	$30,000	72,150	62,350
Chicago, University of	418,800		79,553	339,247
Committee on the Administration of Justice		210,000		210,000
Georgetown University	402,175		131,375	270,800
Illinois State Bar Association Foundation	13,000			13,000
Lawyers Committee for Civil Rights Under Law		600,000	225,000	375,000
National Council on Crime and Delinquency	525,000		250,000	275,000
National Juvenile Court Foundation	312,175		106,540	205,635
Research and training in criminology:				
Florida State University		300,000		300,000
Montreal, University of		250,000	22,000	228,000
Toronto, University of		150,000	25,000	125,000
Studies and training in law and public affairs:				
American Bar Foundation	50,000		50,000	
Association of American Law Schools	475,000			475,000
Law Faculty Fellowships	3	(3)		
Pennsylvania, University of	389,940		55,000	334,940
Training for new trial judges:				
Conference of California Judges Foundation		125,000	55,000	70,000
Institute of Judicial Administration		120,000		120,000
William Nelson Cromwell Foundation: Historical research on the court of appeals		80,000		80,000
Administrative and legislative processes:				
Activities to improve State and local government:				
Citizens Conference on State Legislatures	600,000		150,000	450,000
Council of State Governments		49,500	49,500	
Detroit, University of		45,000		45,000
Duke University		4,600	4,600	
Fordham University		40,000		40,000
National Municipal League	328,750			328,750
St. John's University (Minnesota)		182,000		182,000
Adlai E. Stevenson Institute of International Affairs (Chicago): Research and teaching on world affairs		1,000,000		1,000,000
Alaska, University of: Research on Alaska's development problems		550,000	50,000	500,000
American Political Science Association:				
Fellowships to congressional staff members for study and research at universities	158,000		85,000	73,000
Graduate internships in State and local government	616,000			616,000
Orientation and training for State legislators	552,000			552,000
Association of the Bar of the City of New York: Study of congressional ethics		160,000	25,000	135,000
Brookings Institution:				
Economic research internships in Federal agencies		600,000	30,510	569,490
Research on unions and collective bargaining in public employment		400,000		400,000
Study of Government regulation of industry		400,000		400,000
Chicago, University of: Conference on selective service procedures	25,000		25,000	
Foreign-policy analysis:				
Johns Hopkins University		345,000	17,233	327,767
Harvard University		20,000	20,000	
George C. Marshall Research Foundation: Biography of General Marshall		100,000	20,000	80,000
Internships in State legislatures:				
Hawaii, University of	22,820			22,820
Illinois University of	24,000		24,000	
Indiana University	38,000		17,000	21,000
Kansas, University of	76,000		19,000	57,000
Massachusetts, University of	40,500		13,500	27,000
Michigan State University	67,022			67,022
Ohio State University	21,000		21,000	
Oklahoma State Legislative Council	55,570		11,518	44,052
Puerto Rico, University of	34,400		29,800	4,600
Texas Legislative Council	41,320			41,320
Washington, University of	23,400		18,400	5,000
Wisconsin, State of, Legislative Council	100,000		80,000	20,000
Metropolitan Applied Research Center: Conference of Negro elected officials		25,000	25,000	
Research on public policy:				
National Industrial Conference Board		52,000	26,000	26,000
Syracuse University		10,000	10,000	
Research professorships in government:				
Columbia University	25,000		25,000	
Yale University		(11,505)	(11,505)	
Training for public service:				
Coro Foundation		100,000	50,000	50,000
National Institute of Public Affairs	1,478,000		704,500	773,500
Voting and Civil Liberties:				
Citizens' Research Foundation: Research on campaign financing		150,000	37,500	112,500
Columbia University: Research in American liberties		425,000	225,000	200,000
Governmental Affairs Institute: Studies of foreign elections		179,000		179,000
League of Women Voters Education Fund: Citizenship and voter education for urban residents		100,000	90,000	10,000
Michigan, University of:				
Expansion of data on American voting behavior		500,000	136,000	364,000
Research on political communication and the presidential vote		299,750		299,750
North Carolina, University of: Statewide analyses of national elections		300,000		300,000
Total	14,810,701	12,425,342	5,667,006	21,569,037
URBAN AND METROPOLITAN DEVELOPMENT				
Athens Technological Organization: Strengthening of Center of Ekistics	500,000		240,000	260,000
Bedford-Stuyvesant area development:				
Bedford-Stuyvesant Development and Services Corp		350,000	350,000	
Pratt Institute		25,000	25,000	
California, University of (Los Angeles):				
Research program of environmental goals project		17,000	17,000	
Studies of county and municipal government budgeting problems		275,000	71,456	203,544
Conference on urban problems:				
Bureau of Municipal Research (Toronto)	25,000		25,000	
Metropolitan Housing and Planning Council of Chicago		13,000	13,000	
Metropolitan Washington Council of Governments		11,000	11,000	
Planning Foundation of America		25,000	25,000	

See footnotes at end of table.

STATEMENT OF GRANTS FOR THE YEAR ENDED SEPT. 30, 1967—Continued

[The first and last columns show the unpaid balances of grants at the end of the respective fiscal years. The 2d column shows grants approved in 1967. The 3d column shows payments on old and new grants during the 1967 fiscal year]

	Unpaid Sept. 30, 1966	Changes during the fiscal year		Unpaid Sept. 30, 1967
		Grants (reductions)	Payments (refunds)	
URBAN AND METROPOLITAN DEVELOPMENT—Continued				
Cornell University:				
Assistance for development of the Ithaca, N.Y., region		$250,000	$12,287	$237,713
Urban affairs program for unions		175,000		175,000
Council of State Governments: Training for state budget officers	$186,000		55,000	131,000
Experiments in use of systems analyses in government operations:				
George Washington University		300,000	125,000	175,000
Los Angeles Technical Services Corporation		300,000		300,000
International urban studies:				
Centre for Environmental Studies (London)		750,000	100,000	650,000
Columbia University		400,000	100,000	300,000
Japan Center for Area Development Research	550,000		107,280	442,720
Local philanthropic support of community experiments and research:				
Cleveland Foundation	250,000			250,000
Kansas City Association of Trusts and Foundations	700,000			700,000
Metropolitan Fund (Detroit): General support		75,000	75,000	
Municipal Finance Officers Association: Manual on local borrowing and debt problems		65,000	10,800	54,200
National Association of Counties Research Foundation: Services for regional councils		150,000		150,000
National Institute of Municipal Law Officers: Experimental computer codification of local ordinances		209,000		209,000
Regional Plan Association: Support for studies of New York Area		150,000	37,500	112,500
Research, studies, and education on urban and regional problems:				
Canadian Council on Urban and Regional Research	120,000		46,500	73,500
Florida State University	113,000		67,372	45,628
Institute of Public Administration		24,850	24,850	
Institute of Social Studies		13,300		13,300
Massachusetts Institute of Technology	1,200,000	25,000	87,000	1,138,000
National Association of Counties Research Foundation	20,000		20,000	
National Planning Association		420,000	66,543	353,457
Pennsylvania, University of	15,000		15,000	
Puerto Rico, University of	400,000		205,000	195,000
Rensselaer Polytechnic Institute		25,000	25,000	
Washington (D.C.) Center for Metropolitan Studies	400,000			400,000
San Francisco Bay Area Council: Increased civilian participation in regional planning		25,000		25,000
Urban extension, research, and education:				
Purdue University	70,000			70,000
Rutgers University	195,000		55,100	139,900
Total	4,744,000	4,073,150	2,012,688	6,804,462
RESOURCES AND ENVIRONMENT				
Field biology research:				
Harvard University	250,000		250,000	
Organization for Tropical Studies		180,000	20,050	159,950
Girl Scouts of the United States of America: National Youth Conference on Natural Beauty	50,000		50,000	
Massachusetts Audubon Society: Educational center for conservation groups	275,000		58,270	216,730
National Trust for Historic Preservation: Study of current activities		30,000	30,000	
Nature Conservancy: Staff expansion and reorganization	280,000			280,000
Preservation of natural areas:				
Chester County, Pennsylvania Water Resources Authority	80,000		80,000	
National Audubon Society	232,000		100,000	132,000
Open Space Action Committee	75,000			75,000
Purdue University		35,000		35,000
Save-the-Redwoods League	1,000,000		348,398	651,602
Regional planning services and training:				
Conservation Foundation		450,000	37,500	412,500
Pennsylvania, University of		200,000		200,000
Research and training in ecology:				
Chicago, University of		1,036,000		1,036,000
Oak Ridge Associated Universities		90,000		90,000
Princeton University		372,000		372,000
Resources for the Future, Inc.:				
Research and education on natural resources	4,200,000		2,800,000	1,400,000
Research on quality of environment	550,000			550,000
Smithsonian Institution: Symposium on quality of the environment		35,750	35,750	
Student Conservation Association: Staff expansion and scholarships		75,000		75,000
Water pollution education:				
Citizens' Union Research Foundation		23,500	23,500	
Michigan, University of		32,400	32,400	
Wisconsin, University of: Graduate fellowships in land-use law	120,000		22,500	97,500
	7,112,000	2,559,650	3,888,368	5,783,282
Total, national affairs	36,722,847	32,598,202	21,846,383	47,474,666
PUBLIC EDUCATION				
School improvement:				
Comprehensive improvement programs in school systems:				
Bennington (Vt.) South Supervisory Union	66,000		66,000	
Brentwood (Long Island) public schools		175,500	58,500	117,000
Broward County (Fla.) Board of Public Instruction	120,000		110,197	9,803
California, University of (Santa Barbara)		285,000	234,200	50,800
Duke University	2,353,000		524,801	1,828,199
Emory University	2,500,000		286,575	2,213,425
George Peabody College for Teachers	1,800,000		717,550	1,082,450
Huntsville (Ala.) City Board of Education	2,351,500		140,200	2,211,300
Milton (Pa.) area joint schools	109,000		109,000	
Newton (Mass.) public schools		272,000	158,999	113,001
Pittsburgh public schools	1,138,000		625,580	512,420
Puerto Rico Department of Education	102,790		85,000	17,790
Tulane University	2,340,000		929,486	1,410,514
Harvard University: Research on de facto school segregation	100,800	230,000	99,920	230,880
Information programs for education policymakers:				
National Committee for Support of the Public Schools	130,000		121,810	8,190
New England School Development Council		75,000	30,000	45,000
National Merit Scholarship Corp.: Competitive scholarship program	5,700,000	5,100,000	1,900,000	8,900,000

See footnotes at end of table.

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STATEMENT OF GRANTS FOR THE YEAR ENDED SEPT. 30, 1967—Continued

[The first and last columns show the unpaid balances of grants at the end of the respective fiscal years. The 2d column shows grants approved in 1967. The 3d column shows payments on old and new grants during the 1967 fiscal year]

	Unpaid Sept. 30, 1966	Changes during the fiscal year		Unpaid Sept. 30, 1967
		Grants (reductions)	Payments (refunds)	
PUBLIC EDUCATION—Continued				
School Improvement—Continued				
National program to strengthen preparation of teachers for elementary and secondary schools:				
Alaska, University of	$408,200		$109,557	$298,643
Baltimore Department of Education	298,000		156,091	141,909
California, University of (Berkeley)	129,200		48,858	80,342
California, University of (Los Angeles)	89,000		89,000	
Carnegie-Mellon University	76,350		35,694	40,656
Colorado State College	52,500		52,500	
Converse College	190,000		95,000	95,000
Emory University	95,000		63,963	31,037
Fairleigh Dickinson University	60,000			60,000
George Washington University	164,000		99,836	64,164
Hawaii, University of	35,000		35,000	
Indiana University Foundation	394,200		212,168	182,032
Missouri, University of	30,000	(52,378)	(22,378)	
Notre Dame, University of	118,275		34,952	83,323
Puerto Rico Department of Education	605,500		158,274	447,226
Reed College	19,000		19,000	
Syracuse University	82,963		82,963	
Vanderbilt University	20,000		20,000	
Webster College	107,000		25,000	82,000
Plans and experiments in school operation:				
Education Development Center (Newton, Mass.)		25,000	25,000	
Hartford (Conn.) Board of Education		50,000	50,000	
Institute of Public Administration (for New York City Planning Commission)		25,000	25,000	
Pittsburgh Public Schools		112,600		112,600
Puerto Rico Department of Education		20,000	20,000	
Preliminary organization of locally administered school units in New York:				
Community Association of the East Harlem Triangle		51,000	51,000	
Our Lady of the Presentation Church (for Ocean Hill-Brownsville area)		44,000	44,000	
Two Bridges Neighborhood Council		40,000	40,000	
Program for disadvantaged pupils:				
Duke University	25,000		25,000	
Pace Foundation (Cleveland)		(6,313)	(6,313)	
Palmer Memorial Institute		(11,500)	(11,500)	
St. Louis City School District		(19,289)	(19,289)	
Southern Association of Colleges and Schools		386,442	301,808	84,634
Public Education Association: Program to use laymen as school volunteers	84,522		84,522	
Teacher training and school improvement in inner-city areas:				
Bank Street College of Education	400,000		400,000	
New York University	136,000		8,000	128,000
Trinity College (Washington, D.C.)		62,480	29,030	33,450
Yeshiva University		28,000	28,000	
Teacher training for junior colleges:				
Junior College District of St. Louis	373,000		45,200	327,800
Tennessee University of	223,500		31,667	191,833
Vocational Education:				
Consultant services in cooperative work-study programs:				
National Commission for Cooperative Education	195,000		92,234	102,766
Northeastern University		375,000	375,000	
Cooperative work-study programs:				
Bloomfield College		51,900		51,900
Detroit Institute of Technology		67,600	18,000	49,600
Golden Gate College		46,700	6,500	40,200
Rutgers University		67,800	5,000	62,800
San Mateo Junior College District		60,000	7,500	52,500
Voorhees Technical Institute		47,000		47,000
Wilberforce University		45,300		45,300
New York Institute of Technology: Computer-aided individual guidance and training	98,000		24,500	73,500
New York University: Center for new-careers programs in health, education, and welfare		484,767		484,767
Research and experiments in vocational education:				
Western Washington State College	260,000		130,800	129,200
Wisconsin, University of	656,000		250,900	405,100
Vocational programs in elementary and secondary schools:				
Broward County (Fla.), Board of Public Instruction of		191,700	27,700	164,000
New Jersey State Department of Education	166,000		90,188	75,812
New York City Board of Education		534,165		534,165
Newton (Mass.) public schools	138,000		55,000	83,000
Research Foundation of the City University of New York		74,300	23,250	51,050
Vocational-technical teacher training:				
Frederic Burk Foundation for Education (San Francisco State College)	228,000		115,830	112,170
Mississippi State University	63,000	555,600	223,590	395,010
Wentworth Institute: Development of technical curriculums for 2-year colleges	300,000			300,000
Educational technology:				
California, University of (Los Angeles): Improved use of programed learning	242,000		3,600	238,040
Education development center: Televised training on instructional materials		198,500	75,000	123,500
Educational data processing systems:				
Iowa, State University of	450,000		187,500	262,500
New England School Development Council		495,000	337,500	157,500
Educational Facilities Laboratories: Research and consultation on more effective school and college facilities	8,000,000		2,000,000	6,000,000
Institute for Educational Development:				
General support		540,000	300,000	240,000
Studies of education materials market		77,635	44,556	33,079
National Association of Educational Broadcasters:				
Improvement of televised instruction	300,000		165,240	134,760
Study of educational radio		38,000	38,000	
National Educational Television & Radio Center: Training fellowship for a producer		8,000	8,000	
Curriculum and Materials:				
Alaska, University of· Planning conference on cross-cultural education		5,000		5,000
Atlantic Information Centre for Teachers: General support and conference on future plans		35,000	25,000	10,000
Berlin Center for Pedagogy: Conference on educational testing		25,000	25,000	
California, University of (Los Angeles):				
Elementary political-science instruction		75,000		75,000
Seminars for interracial groups	125,000		125,000	
Center for Applied Linguistics: Interdisciplinary Committee on Reading Problems		131,160		131,160
Constitutional Rights Foundation: Bill of Rights Resource Bureau		50,000		50,000
District of Columbia Citizens for Better Public Education: Distribution of books for disadvantaged children		150,000	100,000	50,000
Educational Records Bureau: Research on improved intelligence testing		414,400	83,525	330,875
Harvard University: Development of Graduate School of Education	162,984		162,984	

See footnotes at end of table.

STATEMENT OF GRANTS FOR THE YEAR ENDED SEPT. 30, 1967—Continued

[The first and last columns show the unpaid balances of grants at the end of the respective fiscal years. The 2d column shows grants approved in 1967. The 3d column shows payments on old and new grants during the 1967 fiscal year]

		Changes during the fiscal year		
	Unpaid Sept. 30, 1966	Grants (reductions)	Payments (refunds)	Unpaid Sept. 30, 1967
PUBLIC EDUCATION—Continued				
Curriculum and Materials—Continued				
Independent study programs:				
Lake Forest College	$115,000		$12,000	$103,000
New School for Social Research	200,000			200,000
Pomona College	75,000		35,000	40,000
Indiana University Foundation: Development of tutorial system in schools		$368,920	64,500	304,420
Joint Council on Economic Education: Teaching materials for schools	116,000			116,000
Kenyon College: Public Affairs Conference Center	71,000		6,500	64,500
London, University of: Research on language problems of the disadvantaged	107,000	4,317	60,848	50,469
National Indian Youth Council: Planning for program staff		27,500		27,500
National Opinion Research Center: Study of state of knowledge of illiteracy in United States		20,000	20,000	
Preschool education for disadvantaged children:				
New York Medical College, Flower and 5th Avenue Hospitals	146,000	(162,346)	(16,346)	
New York University		162,346	162,346	
Pennsylvania Department of Public Instruction	73,509			73,509
Research on curricula:				
Brandeis University		32,000	16,000	16,000
Chicago, University of		25,250		25,250
Ontario Curriculum Institute	150,000	(175,803)	(25,803)	
Ontario Institute for Studies in Education		175,803	175,803	
Yeshiva University		74,570	2,500	72,070
Educational Leadership:				
Canadian Association of School Superintendents and Inspectors: Interprovincial visits		30,000	30,000	
Fund for the Advancement of Education: General support		2,000,000	2,000,000	
George Washington University: Internships for educational administrators		634,500	69,500	565,000
Harvard University: Study of junior fellows' careers		24,000	24,000	
National Catholic Educational Association:				
Production and publication of guidelines for counselors		25,316	25,316	
Training of administrators		38,585	38,585	
Total	35,464,793	15,042,027	16,512,067	33,994,753
HIGHER EDUCATION AND RESEARCH				
Improving Higher Education:				
American Council on Education:				
Administrative internships for higher education	3,877,000	(2,100,000)	912,987	864,013
General support		3,100,000		3,100,000
Association of Universities for Research in Astronomy: Construction of telescope in Chile		5,000,000		5,000,000
Brown University: Training in regional economic development		(12,475)	(12,475)	
California University of (Ber keley): Studies of business education	18,800		18,800	
Columbia University:				
Center for Urban-Minority Affairs		180,170	100,000	80,170
New-careers program		7,585	7,585	
Cornell University:				
6-year Ph. D. program for gifted students	1,980,000			1,980,000
Teaching and research in biology	1,169,966		565,000	604,966
Council for the Advancement of Science Writing: Talks by scientists to newspaper staffs	25,000		25,000	
Doctoral studies in the humanities and social sciences:				
California, University of (Berkeley)		1,700,000		1,700,000
Chicago, University of		1,045,000	40,000	1,005,000
Cornell University		1,845,000	192,250	1,652,750
Harvard University		2,625,000	130,000	2,495,000
Michigan, University of		1,500,000	85,000	1,415,000
Pennsylvania, University of		1,520,000		1,520,000
Princeton University		1,600,000	100,000	1,500,000
Stanford University		2,300,000	150,000	2,150,000
Wisconsin, University of		1,725,000	140,000	1,585,000
Yale University		1,740,000	10,929	1,729,071
Engineering faculty and curriculum development:				
California, University of (Berkeley)		110,000	27,500	82,500
California, University of (Los Angeles)	20,000	64,000		84,000
Michigan, University of	80,000		20,000	60,000
Faculty and curriculum development:				
McMaster University	103,500		23,217	80,283
Prescott College		20,000		20,000
Fellowships in business administration and social sciences:				
Boston College		5,370	5,370	
Brandeis University		11,737	11,737	
British Columbia, University of		8,100	8,100	
Brown University		5,920	5,920	
California, University of (Berkeley)		79,997	79,997	
California, University of (Davis)		6,245	6,245	
California, University of (Los Angeles)		41,847	41,847	
Carnegie-Mellon University		126,450	126,450	
Chicago, University of		150,818	150,818	
Columbia University		55,464	55,464	
Cornell University		59,376	59,376	
George Washington University		6,900	6,900	
Harvard University		84,820	84,820	
Indiana University Foundation		60,214	60,214	
Iowa, University of		6,480	6,480	
Johns Hopkins University		13,675	13,675	
Massachusetts Institute of Technology		103,563	103,563	
Massachusetts, University of		16,970	16,970	
Michigan State University		35,148	35,148	
Michigan, University of		42,035	42,035	
Minnesota, University of		24,182	24,182	
New York University		12,830	12,830	
North Carolina, University of		5,166	5,166	
Northwestern University		64,861	64,861	
Ohio State University		6,180	6,180	
Oregon, University of		5,379	5,379	
Pennsylvania, University of		43,770	43,770	
Portland State College		13,140	13,140	
Princeton University		33,820	33,820	
Purdue University		46,207	46,207	
Queens College of the City University of New York		16,800	16,800	
Research Foundation of the State University of New York (Buffalo)	375	19,390	19,765	
Rice University		19,452	19,452	

See footnotes at end of table.

STATEMENT OF GRANTS FOR THE YEAR ENDED SEPT. 30, 1967—Continued

[The first and last columns show the unpaid balances of grants at the end of the respective fiscal years. The 2d column shows grants approved in 1967. The 3d column shows payments on old and new grants during the 1967 fiscal year]

	Unpaid Sept. 30, 1966	Changes during the fiscal year		Unpaid Sept. 30, 1967
		Grants (reductions)	Payments (refunds)	
HIGHER EDUCATION AND RESEARCH—Continued				
Improving Higher Education—Continued				
Fellowships in business administration and social sciences—Continued				
Rochester, University of		$7,395	$7,395	
Stanford University		172,442	172 442	
Texas, University of		20,144	20,144	
Toronto, University of		4,800	4,800	
Tulane University		6,852	6,852	
Virginia, University of		24,561	24,561	
Washington, University of		30,879	30,879	
Wisconsin, University of		35,448	35,448	
Yale University		66,389	66,389	
Illinois Institute of Technology: General educational development	$3,500,000		735,689	$2,764,311
Joint Council on Economic Education: Advancement of economic understanding	375,000		93,750	281,250
Massachusetts Institute of Technology: Analysis of economic growth and technology	49,900		49,900	
Michigan, University of:				
Studies in consumer behavior	579,000		25,000	554,000
Studies of union management policies in transportation industry		(9,164)	(9,164)	
National Academy of Sciences: Partial endowment funds		5,000,000	833,340	4,166,660
National program to strengthen preparation of teachers for colleges and universities:				
Arizona, University of	48,601		44,245	4,356
Brown University	9,500			9,500
Chicago, University of	347,858		126,000	221,858
Colorado Seminary (University of Denver)	47,775		37,275	10,500
Colorado, University of	34,000		34,000	
Cornell University	131,910		63,537	68,373
Duke University	55,000		16,302	38,698
Emory University	43,000		43,000	
Florida State University	83,106		26,688	56,418
Georgia, University of	442,500		70,750	371,750
Michigan, University of	53,500		50,123	3,377
Monterey Institute of Foreign Studies	4,000		4,000	
Nebraska, University of	105,000		85,378	19,622
New Hampshire, University of	330,000		67,498	262,502
New York University	246,900		45,049	201,851
Southern Methodist University	90,000		22,639	67,361
Stanford University		(11,381)	(11,381)	
Stetson University	8,957			8,957
Tulane University	169,913		16,913	
Utah, University of	5,800		5,800	
Virginia, University of	116,000		65,000	51,000
Washington University	44,900			44,900
Wyoming, University of	74,700		49,000	25,700
Research and information on health economics:				
California, University of (Los Angeles)	150,000		62,500	87,500
Johns Hopkins University		34,500	17,250	17,250
Research and training in atmospheric sciences and oceanography:				
Harvard University	35,000		5,000	30,000
International Council of Scientific Unions		75,000	25,000	50,000
International Society of Radiology	37,000			37,000
Johns Hopkins University	9,790			9,790
Marine Biological Laboratory	2,200,000	16,000	16,000	2,200,000
Medical Research Council (London)	130,000		10,000	120,000
Minnesota, University of		(17,609)	(17,609)	
Research and training in business and economics:				
American Arbitration Association	22,500	(4,852)	17,648	
California, University of (Berkeley)	125,347		26,107	99,240
Carnegie-Mellon University	200,000		123,224	76,776
Columbia University		(24,864)	(24,864)	
Harvard University	250,000		135,000	115,000
National Bureau of Economic Research	47,000		47,000	
Pennsylvania, University of		(13,973)	(13,973)	
Pittsburgh, University of	60,000			60,000
Princeton University		(6,299)	(6,299)	
Purdue Research Foundation	80,000		20,000	60,000
Washington, University of	60,000		20,000	40,000
Yale University	75,000			75,000
Salk Institute for Biological Studies: Expansion of laboratory facilities		100,000	100,000	
Tennessee, University of: Cooperative teaching program with Oak Ridge National Laboratory	350,000		40,000	310,000
Training of professional personnel:				
American Public Welfare Association	150,000			150,000
Russell Sage Foundation	90,000		11,623	78,377
Vassar College: Study of association with Yale University		160,000	80,000	80,000
Western Ontario, University of: Graduate business school development	189,000			189,000
Williams College: Experiments in college admission criteria	78,000		23,939	54,061
Wisconsin, University of: Biotron for research on plants and animals	200,000		200,000	
Woodrow Wilson National Fellowship Foundation: Program of doctoral fellowships		2,400,000		2,400,000
International Higher Education and Research:				
Advanced studies and scholarly exchange:				
Association for the History of Civilization—Marc Bloch Association		325,000	25,000	300,000
Cambridge Center for Social Studies		98,500	17,000	81,500
Clare College (Cambridge University)	125,000		25,000	100,000
European Institute of Business Administration	75,000			75,000
Harvard University	530,000		317,421	212,579
Institute for Advanced Studies and Scientific Research		500,000	187,500	312,500
Institute of Research and Publications (Madrid)	165,000		5,329	159,677
London School of Economics and Political Science	100,000		100,000	
Princeton University	150,000		25,000	125,00
Queen's College (Oxford)		280,000		280,000
Rikkyo University		100,000	37,790	62,210
Social Science Research Council	250,000	163,875	10,200	403,675
University of Naples		150,000	37,500	112,500
California, University of (Berkeley): Economic research in Greece		(11,154)	(11,154)	
Columbia University: Cross-national studies of technology and administrative behavior		110,000		110,000
Dublin, University of, Trinity College: Institutional self-study		25,000		25,000
Education and World Affairs, Inc.: Conferences on international dimensions of American professional schools		75,000	25,000	50,000
Harvard University: Documentary films on Enrico Fermi		154,000	38,500	115,500
Illinois, University of: Cooperative studies with Keio University on Japanese industrialization	152,000		83,809	68,191
International business studies:				
Columbia University		800,000	545,000	255,000
Harvard University		1,200,000	37,500	1,162,500

See footnotes at end of table.

STATEMENT OF GRANTS FOR THE YEAR ENDED SEPT. 30, 1967—Continued

[The first and last columns show the unpaid balances of grants at the end of the respective fiscal years. The 2d column shows grants approved in 1967. The 3d column shows payments on old and new grants during the 1967 fiscal year]

	Unpaid Sept. 30, 1966	Changes during the fiscal year		Unpaid Sept. 30, 1967
		Grants (reductions)	Payments (refunds)	
HIGHER EDUCATION AND RESEARCH—Continued				
Japan Committee for Economic Development: Program in economic education		$50,000	$17,000	$33,000
Massachusetts Institute of Technology: Collaboration with Technical University of Berlin	$400,000		140,000	260,000
Oxford University: Endowment of Wolfson College	4,500,000	16,666	944,823	3,571,843
Research and seminars on international education:				
Educational Testing Service		20,000	20,000	
Institute of International Education		25,000	25,000	
Tokyo, University of		(13,740)	(13,740)	
Research on international economics and management:				
California, University of (Los Angeles)	75,000		31,250	43,750
Harvard University	260,000		163,000	97,000
Pittsburgh, University of	270,000		113,000	157,000
Royal Society (London): Expansion of international scientific program		200,000	27,748	172,252
Studies in employment and housing of the aged:				
National Council on the Aging	20,000		20,000	
University College London	17,500		17,500	
Technical University of Denmark: Computer techniques in engineering studies	200,000	4,500	204,500	
	26,099,598	37,540,501	11,014,737	52,625,362
PREDOMINANTLY NEGRO COLLEGES				
College placement services:				
Film on Negro career opportunities		90,000	52,000	38,000
Guidance training in Negro colleges	103,333		50,000	53,333
Council of Southern Universities: Study of boards of trustees		40,500	20,500	20,000
Educational management studies:				
Board of National Missions of the United Presbyterian Church		7,100		7,100
Claflin College		5,750		5,750
Edward Waters College		6,700		6,700
Florida Memorial College		10,500		10,500
Hampton Institute		5,000	5,000	
Howard University		8,000	8,000	
Jarvis Christian College		6,100	6,100	
Lane College		5,450		5,450
LeMoyne College		4,250		4,250
Livingston College		6,250		6,250
Miles College		8,200		8,200
Philander Smith College		10,200		10,200
Rust College		9,250		9,250
St. Augustine's College		12,050		12,050
St. Paul's College		12,050		12,050
Shaw University		4,250		4,250
Stillman College		7,300		7,300
Texas College		8,500		8,500
Tuskegee Institute		5,000	5,000	
Voorhees College		9,000		9,000
Faculty study awards:				
Benedict College		2,981	2,981	
Bethune-Cookman College		15,000	15,000	
Board of National Missions of the United Presbyterian Church		1,660	1,660	
Claflin College		2,680	2,680	
Edward Waters College		5,840	5,840	
Florida Memorial College		20,000	20,000	
Huston-Tillotson College		20,000	20,000	
Jarvis Christian College		11,100	11,100	
Johnson C. Smith University		9,960	9,960	
Lane College		19,400	19,400	
Livingston College		9,120	9,120	
Miles College		18,670	18,670	
Mississippi Industrial College		8,327	8,327	
Morris College		19,982	19,982	
Paine College		10,973	10,973	
Paul Quinn College		11,600	11,600	
Philander Smith College		14,990	14,990	
Rust College		20,000	20,000	
St. Augustine's College		15,400	15,400	
St. Paul's College		20,000	20,000	
Shaw University		18,855	18,855	
Stillman College		20,000	20,000	
Talladega College		1,795	1,795	
Texas College		20,000	20,000	
Virginia Union University		5,556	5,556	
Voorhees College		20,000	20,000	
Wiley College		7,080	7,080	
Xavier University		19,800	19,800	
National Council of the Churches of Christ: Cooperation among church-related Negro colleges		108,000	9,000	99,000
National Urban League: "New Careers Week" programs		155,000		155,000
Southern Education Foundation:				
Cooperation among Negro colleges and neighboring white institutions		75,600	27,791	47,809
Self-studies by Negro colleges		286,000	80,500	205,500
Texas Association of Developing Colleges: Central planning office		120,000	30,000	90,000
Tougaloo College: Exchange program with Brown University	250,000			250,000
United Negro College Fund: Assistance to member colleges	552,351	64,000	584,351	32,000
Workshops for cooperative planning:				
Bennett College		26,000	26,000	
Bethune-Cookman College		16,015	16,015	
Dillard University		11,430	11,430	
Knoxville College		31,534	31,534	
Stillman College		33,055	33,055	
Total	905,684	1,578,803	1,367,045	1,117,442

See footnotes at end of table.

STATEMENT OF GRANTS FOR THE YEAR ENDED SEPT. 30, 1967—Continued

[The first and last columns show the unpaid balances of grants at the end of the respective fiscal years. The 2d column shows grants approved in 1967. The 3d column shows payments on old and new grants during the 1967 fiscal year]

	Unpaid Sept. 30, 1966	Changes during the fiscal year: Grants (reductions)	Changes during the fiscal year: Payments (refunds)	Unpaid Sept. 30, 1967
PREDOMINANTLY NEGRO COLLEGES—Continued				
Special Projects:				
American Political Science Association: Government reporting awards and fellowships	$664,000			$664,000
Columbia University: Expansion and development of Columbia Journalism Review		$195,000	$10,000	185,000
Development of private universities and liberal arts colleges:				
Albion College	649,334		649,334	
Barnard College		2,500,000	1,136,555	1,363,445
Birmingham-Southern College	1,763,900			1,763,900
Brandeis University	3,555,322		3,555,322	
Brown University	2,645,325		2,127,527	517,798
Chicago, University of	21,999,968		1,717,862	20,282,106
Claremont Graduate College and University Center	1,143,161		1,143,161	
Colgate University	1,562,807		1,102,975	459,832
Columbia University		25,000,000		25,000,000
Davidson College	1,259,923		852,606	407,317
Denver, University of	675,794		134,134	541,660
DePauw University	1,675,534			1,675,534
Dickinson College	1,700,000			1,700,000
Duke University	6,354,000			6,354,000
Emory University	4,500,000			4,500,000
Franklin and Marshall College	1,510,248			1,510,248
Furman University	1,610,000			1,610,000
Hendrix College	1,183,000			1,183,000
Hofstra University	114,573			114,573
Kalamazoo College	533,095		533,095	
Knox College	133,454		65,202	68,252
Lafayette College	365,838		365,838	
Mills College	1,166,219		1,166,219	
Millsaps College	1,250,000			1,250,000
New York University	19,228,328		5,488,097	13,740,231
Radcliffe College		2,500,000		2,500,000
Randolph-Macon Women's College	1,260,000		484,702	775,298
Redlands, University of	1,675,000			1,675,000
St. Catherine, College of	270,812		270,812	
St. Louis University	4,000,000		527,725	3,472,275
St. Olaf College	1,023,176		521,469	501,707
Southern California, University of	4,806,784		4,806,784	
Southwestern at Memphis	1,400,000		1,093,533	306,467
Teachers College (Columbia University)		2,500,000		2,500,000
Trinity College (Conn.)	1,700,000		227,365	1,472,635
Tulane University	45,107			45,107
Vanderbilt University	8,500,000			8,500,000
Vassar College	959,973		959,973	
Washington University	13,200,000		5,167,321	8,032,679
Wooster, College of	520,502		520,502	
George Peabody College for Teachers: Support of Southern Education Reporting Service		427,728		427,728
Journalism education:				
Columbia University	1,163,954		529,801	634,153
Harvard University	858,631		300,786	584,845
Northwestern University	801,000		30,000	771,000
Southern Regional Educational Board	530,000		260,000	270,000
Stanford University	620,000		29,563	590,437
	120,605,762	33,122,728	35,778,263	117,950,227
Total, Education and Research	183,075,837	87,284,059	64,672,112	205,687,784
NONCOMMERCIAL TELEVISION				
Educational Broadcasting Corporation (WNDT, New York City): Funds for special assistance		1,825,000		1,825,000
Greater Cincinnati Television Educational Foundation (WCET): Emergency support		50,000	50,000	
Harvard University: Demonstration broadcast by Institute of Politics		2,000	2,000	
Matching support for local stations:				
Area Educational Television Foundation (KERA-Dallas)		50,000		50,000
Bay Area Educational Television Association (KQED-San Francisco)		500,000	500,000	
Central California Educational Television, Inc. (KVIE-Sacramento)		63,216	63,216	
Chicago Educational Television Association (WTTW)		436,207	436,207	
Colby-Bates Bowdoin Educational Telecasting Corporation (WCBB-Waterville, Maine)		57,500	57,500	
Community Television (WJCT-Jacksonville)		50,726	50,726	
Community Television of Southern California (KCET-Los Angeles)	100,000	261,194	361,194	
Connecticut Educational Television Corp. (WEDH-Hartford)		304,013	304,013	
Detroit Educational Television Foundation (WTVS-Southfield, Mich.)		121,057	121,057	
Duluth-Superior Area Educational Television Corp. (WDSE)		100,000	50,000	50,000
Educational Broadcasting Corp. (WNDT-New York)		500,000	500,000	
Educational Television Associaton of Metropolitan Cleveland (WVIZ)		433,630	360,535	73,095
Educational Television Council of Central New York (WCNY-Syracuse)		378,124	378,124	
Florida West Coast Educational Television (WEDU-Tampa)		124,586	124,586	
Greater New Orleans Educational Television Foundation (WYES)		104,144	104,144	
Greater Washington Educational Television Association (WETA)		130,706	130,706	
Lehigh Valley Educational Television Corp. (WLVT-Bethlehem, Pa.)		186,855	186,855	
Memphis Community Television Foundation (WKNO)		82,824	82,824	
Metropolitan Pittsburgh Educational Television (WQED)		1,000,000	1,000,000	
Mohawk-Hudson Council on Educational Television (WMHT-Schenectady)		158,419	158,419	
North Central Educational Television Association (KFME-Fargo)		50,000	50,000	
Northern California Educational Television Association (KIXE-Redding)		100,000	100,000	
Rochester Area Educational Television Association (WXXI)		127,258	127,258	
St. Louis Educational Television Commission (KETC)		98,324	98,324	
South Central Educational Broadcasting Council (WITF-Hershey, Pa.)		153,479	153,479	
Southwest Texas Educational Television Council (KLRN-Austin)		104,637	104,637	
Western New York Educational Television Association (WNED-Buffalo)		98,619	98,619	
WGBH Educational Foundation (WGBH-Boston)		500,000	500,000	
WHYY, Inc. (WHYY-Philadelphia)		368,983	368,983	
National Citizens' Committee for Public Television: Operating expenses		50,000		50,000
National Educational Television and Radio Center:				
Interconnection costs of 3 national television broadcasts		255,000	255,000	
Programing for affiliated stations	6,000,000	6,000,000	6,000,000	6,000,000
Public Broadcast Laboratory		7,920,000	1,825,000	6,095,000
Total, noncommercial television	6,100,000	22,746,501	14,703,406	14,143,095

See footnotes at end of table.

STATEMENT OF GRANTS FOR THE YEAR ENDED SEPT. 30, 1967—Continued

[The first and last columns show the unpaid balances of grants at the end of the respective fiscal years. The 2d column shows grants approved in 1967. The 3d column shows payments on old and new grants during the 1967 fiscal year]

	Unpaid Sept. 30, 1966	Changes during the fiscal year		Unpaid Sept. 30, 1967
		Grants (reductions)	Payments (refunds)	
HUMANITIES AND THE ARTS				
Development of Artistic Institutions:				
American Film Institute: Training and education on art of the film		$1,300,000		$1,300,000
Ballet training and resources:				
Boston Ballet, Inc.	$200,000		$45,000	155,000
City Center Joffrey Ballet	1,400,000		200,000	1,200,000
City Center of Music and Drama (N.Y.)	250,000		30,000	220,000
Houston Foundation for Ballet	104,250	(104,250)		
San Francisco Ballet Company	450,800		64,400	386,400
School of American Ballet	2,400,000			2,400,000
School of the Pennsylvania Ballet Company	275,000		115,000	160,000
Utah Civic Ballet	70,000		35,000	35,000
Civic opera development:				
Baltimore Civic Opera Company	48,000		48,000	
Central City Opera House Association (Colo.)	105,000		35,000	70,000
Chautauqua Opera Association (N.Y.)	40,000		20,000	20,000
Cincinnati Summer Opera Association	20,000			20,000
Connecticut Opera Association	41,200		20,600	20,600
Fort Worth Civic Opera Association	20,000		20,000	
Houston Grand Opera Association	60,000		30,000	30,000
Kansas City Lyric Theatre (Mo.)	30,000		15,000	15,000
New Orleans Opera House Association	60,000			60,000
Opera Association of New Mexico	34,000		34,000	
Opera Company of Boston	195,000		195,000	
Opera Guild of Miami	40,000		20,000	20,000
Opera Society of Washington (D.C.)	36,075		36,075	
Seattle Opera Association	100,000		40,000	60,000
Spring Opera of San Francisco	50,000		25,000	25,000
Symphony Society of San Antonio	40,000		10,000	30,000
Negro Ensemble Company: Resident repertory theater in New York		434,000	246,823	187,177
New Lafayette Theatre and Workshop: Community theater in Harlem		18,500	18,500	
New York Pro Musica Antiqua: Production of early music and musical dramas	218,000		11,000	207,000
Resident theater program:				
Alley Theatre, Houston	2,362,500		412,500	1,950,000
American Conservatory Theatre Foundation		545,000	245,000	300,000
American Shakespeare Festival Theatre and Academy Stratford (Conn.)	25,963	(25,963)		
California, University of (Theatre Group)	500,000	(500,000)		
Center Theatre Group of Los Angeles		500,000	67,190	432,810
Guthrie Theatre Foundation	102,000	870,000	424,359	547,641
Mummers Theatre, Oklahoma City	1,085,000			1,085,000
Theatre, Incorporated (APA-Phoenix)		900,000	210,000	690,000
Washington Drama Society (Arena Stage, Washington, D.C.)	896,450		96,450	800,000
Symphony Orchestras—Bank of New York, as trustee for the following:*				
American Symphony, New York City ($1,000,000)	450,000		50,000	400,000
Atlanta Symphony ($1,000,000)	650,000		174,500	475,500
Baltimore Symphony ($1,000,000)	650,000		200,000	450,000
Birmingham Symphony ($600,000)	170,000		56,966	113,034
Boston Symphony ($2,000,000)	500,000		100,000	400,000
Brooklyn Philharmonia ($250,000)	60,000		15,000	45,000
Buffalo Philharmonic ($1,000,000)	650,000		150,000	500,000
Chicago Symphony ($2,000,000)	500,000		100,000	400,000
Cincinnati Symphony ($2,000,000)	400,000		100,000	300,000
Cleveland Orchestra ($2,000,000)	400,000		100,000	300,000
Columbus Symphony ($500,000)	80,000			80,000
Dallas Symphony ($2,000,000)	400,000		100,000	300,000
Denver Symphony ($1,000,000)	650,000		50,000	600,000
Detroit Symphony ($1,000,000)	400,000			400,000
Festival Orchestra, New York City ($350,000)	60,000		15,000	45,000
Florida Symphony, Orlando ($500,000)	80,000		20,000	60,000
Fort Wayne Philharmonic ($250,000)	60,000		15,000	45,000
Hartford Symphony ($1,000,000)	300,000		12,500	287,500
Honolulu Symphony ($750,000)	300,000		70,000	230,000
Houston Symphony ($2,000,000)	400,000		100,000	300,000
Hudson Valley Philharmonic, Poughkeepsie ($250,000)	60,000		15,000	45,000
Indianapolis Symphony ($2,000,000)	400,000			400,000
Jacksonville Symphony ($250,000)	60,000		15,000	45,000
Kalamazoo Symphony ($500,000)	80,000		20,000	60,000
Kansas City (Mo.) Philharmonic ($1,000,000)	600,000		150,000	450,000
Little Orchestra, New York City ($350,000)	60,000		15,000	45,000
Los Angeles Philharmonic ($2,000,000)	400,000			400,000
Louisville Orchestra ($500,000)	180,000		40,605	139,395
Memphis Symphony ($400,000)	80,000		20,000	60,000
Milwaukee Symphony ($1,000,000)	200,000		50,000	150,000
Minneapolis Symphony ($2,000,000)	400,000		100,000	300,000
Nashville Symphony ($500,000)	180,000		60,000	120,000
National (Washington, D.C.) Symphony ($2,000,000)	400,000		100,00	300,000
New Haven Symphony ($500,000)	80,000		20,000	60,000
New Jersey Symphony, Newark ($500,000)	130,000		42,000	88,000
New Orleans Philharmonic ($1,000,000)	615,600		148,000	467,600
New York Philharmonic ($1,000,000)	400,000			400,000
North Carolina Symphony, Chapel Hill ($750,000)	200,000		50,000	150,000
Oakland Symphony ($1,000,000)	300,000		30,500	269,500
Oklahoma City Symphony ($600,000)	120,000			120,000
Omaha Symphony ($400,000)	80,000		20,000	60,000
Philadelphia Orchestra ($2,000,000)	400,000			400,000
Phoenix Symphony ($600,000)	205,520		55,520	150,000
Pittsburgh Symphony ($2,000,000)	400,000		100,000	300,000
Portland (Ore.) Symphony ($1,000,000)	200,000		50,000	150,000
Puerto Rico Symphony, San Juan (No trust participation)	375,000		62,000	313,000
Rhode Island Philharmonic, Providence ($350,000)	135,000		45,000	90,000
Richmond Symphony ($500,000)	130,000		40,000	90,000
Rochester Philharmonic ($1,000,000)	600,000		150,000	450,000
Sacramento Symphony ($500,000)	180,000		40,200	139,800
St. Louis Symphony ($2,000,000)	400,000			400,000
San Antonio Symphony ($1,000,000)	600,000		150,000	450,000
San Diego Symphony ($500,000)	80,000		20,000	60,000
San Francisco Symphony ($2,000,000)	400,000		100,000	300,000
Seattle Symphony ($1,000,000)	650,000		150,000	500,000
Shreveport Symphony ($350,000)	60,000		15,000	45,000
Syracuse Symphony ($750,000)	200,000			200,000
Toledo Orchestra ($500,000)	130,000		28,200	101,800

See footnotes at end of table.

STATEMENT OF GRANTS FOR THE YEAR ENDED SEPT. 30, 1967—Continued

[The first and last columns show the unpaid balances of grants at the end of the respective fiscal years. The 2d column shows grants approved in 1967. The 3d column shows payments on old and new grants during the 1967 fiscal year]

	Unpaid Sept. 30, 1966	Changes during the fiscal year		Unpaid Sept. 30, 1967
		Grants (reductions)	Payments (refunds)	
HUMANITIES AND THE ARTS—Continued				
Development of Artistic Institutions—Continued				
Symphony Orchestras—Bank of New York, as trustee for the following—Continued				
Tulsa Philharmonic ($500,000)	$80,000		$20,000	$60,000
Utah Symphony, Salt Lake City ($1,000,000)	400,000		100,000	300,000
Wichita Symphony ($500,000)	130,000			130,000
Tamarind Lithographic Workshop: Development of lithography art	700,000		265,000	435,000
Theatre Communications Group: Cooperative program among nonprofit theatres	489,000		131,928	357,072
Development of individual talent:				
Advancement of creative aspects of music in the public schools:				
Music Education National Conference	484,000		225,000	259,000
Virginia State College	63,750		21,250	42,500
Young Audiences, Inc	200,000		114,000	86,000
Assistance to talented artists:				
Festival Casals, Inc		$19,000		19,000
Marlboro School of Music		105,000	35,000	70,000
Grants-in-aid and fellowships:				
Administrative interns	40,838	25,615	41,482	24,971
Concert soloists	10,000		5,000	5,000
Programs for other talented individuals	109,662		2,222	107,440
Performances of works commissioned for concert artists receiving grants-in-aid:				
Denver Symphony Society	1,000			1,000
Indiana State Symphony Society	1,000			1,000
Pittsburgh Symphony Society	1,000			1,000
Professional training in music and the arts:				
Art Students' League of New York		250,000		250,000
Manhattan School of Music	1,000,000			1,000,000
New England Conservatory of Music (Boston)		750,000		750,000
North Carolina School of the Arts Foundation	1,250,000		250,000	1,000,000
Peabody Institute of Baltimore	344,000		175,871	168,129
Scholarships in independent art and music schools:				
Art Academy of Cincinnati	10,000		5,000	5,000
Art Association of Indianapolis	12,000		4,000	8,000
Art Institute of Chicago	96,000		32,000	64,000
Art Students' League of New York	56,000		28,000	28,000
Atlanta Art Association	12,000		4,000	8,000
California College of Arts and Crafts	18,000		9,000	9,000
California Institute of the Arts:				
Chouinard Art School	12,000		4,000	8,000
School of Music	12,000		4,000	8,000
Cleveland Institute of Art	33,000		11,000	22,000
Cleveland Institute of Music	16,000		8,000	8,000
Columbus Gallery of Fine Arts	8,000		4,000	4,000
Cooper Union	12,000		6,000	6,000
Corcoran Gallery of Art	10,000		5,000	5,000
Cranbrook Gallery of Art	12,000		6,000	6,000
Dayton Art Institute	8,000		4,000	4,000
Juilliard School of Music	68,000		34,000	34,000
Kansas City Art Institute	33,000		11,000	22,000
Layton School of Art	8,000		4,000	4,000
Manhattan School of Music	60,000		30,000	30,000
Mannes College of Music	16,000		8,000	8,000
Maryland Institute	15,000		5,000	10,000
Memphis Academy of Arts	12,000		4,000	8,000
Minneapolis Society of Fine Arts	30,000		20,000	10,000
Museum of Fine Arts (Boston)	38,000		19,000	19,000
New England Conservatory of Music	45,000		15,000	30,000
Otis Art Institute	8,000		4,000	4,000
Peabody Institute of Baltimore	26,000		13,000	13,000
Pennsylvania Academy of Fine Arts	22,000		11,000	11,000
Philadelphia College of Art	30,000		15,000	15,000
Portland Art Association	21,000		7,000	14,000
Pratt Institute	57,000		19,000	38,000
Rhode Island School of Design	90,000		30,000	60,000
San Francisco Art Institute	45,000		15,000	30,000
San Francisco Conservatory of Music	8,000		4,000	4,000
Society of Arts and Crafts (Detroit)	8,000		4,000	4,000
Worcester Art Museum	8,000		4,000	4,000
Whitney Museum of American Art: Staff travel to select works by contemporary American artists for exhibition in New York	155,000		30,000	125,000
Experiments, demonstrations, and studies:				
American Federation of Arts:				
Films for school art curriculum	511,500		161,500	350,000
Studies of urban design		488,000	75,000	413,000
American Place Theatre: Readings and productions of new plays	85,000	474,000	85,000	474,000
Catalogs of fine arts museums collections:				
American Numismatic Society		11,710	11,710	
Bowdoin College		3,070	3,070	
Cleveland Museum of Art		12,500		12,500
Columbus Gallery of Fine Arts		10,200	4,000	6,200
Detroit Institute of Arts		25,000		25,000
Henry En. Huntington Library and Art Gallery		11,400	2,500	8,900
Nelson Gallery Foundation		1,744		1,744
Portland Art Association		4,500		4,500
Smithsonian Institution		12,500		12,500
Walker Art Center		6,763		6,763
City Center of Music and Drama (New York): Production of contemporary operas	135,000		85,000	50,000
College Art Association of America: Study of higher education in the visual arts		(75,483)	(75,483)	
International Council of Museums: Study of European artists and institutions	54,000		18,000	36,000
International musical studies and research:				
International Institute for Comparative Music Studies (Berlin)	75,000			75,000
International Musicological Society	50,000		50,000	
La Mama Experimental Theatre Club: Expansion and improvement of facilities		25,000	25,000	
New York Public Library: Completion of automated book catalog of dance collection		69,000		69,000
Yale University: Research in acoustical design	80,000		20,425	59,575
The Humanities:				
American Academy of Arts and Sciences: Interdisciplinary conferences, research, and publication		560,000	47,500	512,500
American Council of Learned Societies: Programs to advance scholarship in the humanities	2,835,000		33,000	2,802,000
American Historical Association: Bibliographies of British civilization	16,000			16,000
California, University of (Davis): Program of study group on the unity of knowledge		220,000	20,588	199,412

See footnotes at end of table.

STATEMENT OF GRANTS FOR THE YEAR ENDED SEPT. 30, 1967—Continued

[The first and last columns show the unpaid balances of grants at the end of the respective fiscal years. The 2d column shows grants approved in 1967. The 3d column shows payments on old and new grants during the 1967 fiscal year]

		Changes during the fiscal year		
	Unpaid Sept. 30, 1966	Grants (reductions)	Payments (refunds)	Unpaid Sept. 30, 1967
HUMANITIES AND THE ARTS—Continued				
The Humanities—Continued				
Cooperative program with regional liberal-arts colleges to strengthen the humanities:				
Duke University	$150,000			$150,000
North Carolina, University of	150,000			150,000
Council on Library Resources: Research on library problems	2,000,000	$5,000,000	$500,000	6,500,000
Research in the humanities:				
Arts of the Theatre Foundation		9,200	9,200	
Harvard University		10,744		10,744
Walters Art Gallery		6,000	6,000	
Texas, University of: National literary translation center	600,000		99,172	500,828
Veterans' Administration Hospital, Lexington, Ky.: Conference on phenomenological psychology		7,500	7,500	
Special Institutional Grants:				
City of Dearborn, Mich.: Construction of Henry Ford Centennial Library		500,000	99,000	401,000
Detroit Symphony Orchestra: General support	743,844		118,767	625,077
Lincoln Center for the Performing Arts:				
City Center of Music and Drama	1,756,218		358,077	1,398,141
Juilliard School of Music	54,931			54,931
Metropolitan Opera Association	1,100,000		1,100,000	
Philharmonic-Symphony of New York	649,501		349,125	300,376
Total, humanities and the arts	46,070,602	12,480,250	11,141,292	47,409,560
INTERNATIONAL DIVISION				
SOUTH AND SOUTHEAST ASIA				
Asian Institute for Economic Development and Planning: Research and library development	284,771			284,771
Eastern Regional Organization for Public Administration: Seminars, research, and general support	68,516		48,650	19,866
India:				
Agricultural research and education:				
Agricultural Sciences, University of	254,489		49,861	204,628
Allahabad Agricultural Institute	71,409		23,000	48,409
Louisiana State University	175,000			175,000
North Carolina State (with Indian Institute of Technology)	200,000		54,000	146,000
Ohio State University (with Punjab Agricultural University)	382,000		102,000	280,000
Uttar Pradesh Agricultural University	178,931		32,178	146,753
Association for Service to Indian Scholars and Technicians: Job placement for Indians trained abroad	350,000	(350,000)		
Baroda, University of: Home-economics training	378,500		120,947	257,553
Computing centers:				
Bombay, University of	18,292			18,292
Delhi, University of	10,001			10,001
Indian Agricultural Research Institute	7,081	(7,237)	(157)	
Programme Evaluation Organization	1,404	(1,620)	(216)	
Homi Bhabha Fellowships Council: Fellowships for outstanding students	347,355		5,000	342,355
Improvement of legal education:				
Banaras Hindu University	158,968	304,000	74,568	388,400
Delhi, University of		441,000	7,685	433,315
Indian Law Institute	60,703		8,439	52,264
India, Government of:				
Ministry of Commerce and Consumer Industry:				
International advisory team on handicrafts		(11,747)	(11,747)	
Small-industries extension and training	58,000			58,000
Ministry of Education: English-language teaching and general education	481,996		19,424	462,572
Ministry of Food, Agriculture, Community Development, and Cooperation:				
Central Institute of Study and Research in Community Development	46,661		1,396	45,265
Demonstration program in food production	526,614		29,872	496,742
Strengthening role of village schoolteachers	250,000			250,000
Training centers for village crafts	57,750	(58,974)	(1,224)	
Village work for university students and teachers	97,501		(19,339)	116,840
Ministry of Information and Broadcasting: Educational-television experiment in Delhi schools	51,513		22,791	28,722
Ministry of Labour and Employment: Job-service research and staff training	122,042		22,632	99,410
Ministry of Works, Housing, and Supply: Centers in village housing and planning	120,000	(120,000)		
Industrial training and research:				
National Institute for Industrial Design	350,000			350,000
Small Industry Extension Training Institute	368,383		21,317	347,066
Institute of Constitutional and Parliamentary Studies: Research and training program		200,000		200,000
National family-planning program development:				
American Public Health Association	85,000	(90,523)	(5,523)	
Gandhigram	164,900		77,179	87,721
India, Government of (Ministry of Health)	2,542,646		438,889	2,103,757
Public-administration training:				
Indian Institute of Public Administration	290,658		168,010	122,648
National Academy of Administration	9,500			9,500
Rajasthan Officers Training School		95,400		95,400
Research in reproductive biology:				
All-India Institute of Medical Sciences	125,020		38,762	86,258
Banaras Hindu University	28,438		1,240	27,197
Central Drug Research Institute	46,614		11,362	35,252
Delhi, University of	147,237		8,381	138,856
Indian Institute of Science	20,436		7,368	13,068
Institute of Agriculture (Anand)	71,872		34,361	37,511
Institute of Obstetrics and Gynecology	182,000			182,000
Kerala, University of	42,664		2,126	40,538
Mysore, University of	4,204		1,500	2,704
Rajasthan, University of	72,524		14,000	58,524
Topiwala National Medical College	20,000		20,000	
Research and training in economics and the social sciences:				
Gokhale Institute of Politics and Economics	119,066		50,949	68,117
Institute of Applied Manpower Research	8,000			8,000
Research and training in industrial relations and business management:				
Administrative Staff College of India	558,232		212,395	345,837
All-India Management Association	10,000		10,000	
Indian Institute of Management (Ahmedabad)	905,703		170,451	735,252
Indian Institute of Management (Calcutta)	722,000		410,250	311,750
Shri Ram Centre for Industrial Relations	110,272	120,000	65,249	165,024

See footnotes at end of table.

STATEMENT OF GRANTS FOR THE YEAR ENDED SEPT. 30, 1967—Continued

[The first and last columns show the unpaid balances of grants at the end of the respective fiscal years. The 2d column shows grants approved in 1967. The 3d column shows payments on old and new grants during the 1967 fiscal year]

	Unpaid Sept. 30, 1966	Changes during the fiscal year		Unpaid Sept. 30, 1967
		Grants (reductions)	Payments (refunds)	
INTERNATIONAL DIVISION—Continued				
SOUTH AND SOUTHEAST ASIA—Continued				
India—Continued				
esearch and training in planning and economic development:				
Bombay, University of	$114,063	$(112,348)	$1,715	
Gokhale Institute of Politics and Economics	105,772	(105,772)		
India, Government of	696,434	(59,323)	84,596	$552,515
Indian Statistical Institute	85,000		45,000	40,000
Institute of Economic Growth	124,190	(110,957)	13,233	
Massachusetts Institute of Technology	116,775	(116,775)		
National Council of Applied Economic Research	90,105	(74,492)	(456)	16,069
Southern Languages Book Trust: Publication in South Indian languages	28,450		24,467	3,983
University development:				
Calcutta, University of	288,935		133,264	155,672
Cornell University (University of Delhi)	143,000			143,000
Delhi, University of	303,000	1,500,000	71,175	1,731,825
Massachusetts Institute of Technology (Birla Institute of Technology and Science)	900,000		450,000	450,000
Urban development:				
Ahmedabad Municipal Corp	120,640	(84,954)	35,686	
West Bengal, Government of	761,671	580,000	591,190	750,481
Indonesia:				
California, University of (Berkeley): support for faculty of economics at University of Indonesia		100,000		100,000
Cornell University: Publication of English-Indonesian dictionary	21,000		21,000	
Indiana University Foundation: Statistics teaching at Indonesian institutions	332,000			323,000
Indonesia, Government of: English language teaching materials	29,262			29,262
Indonesian Planned Parenthood Association: General support		180,000	11,352	168,648
Institute of Social Studies (The Hague): Planning for survey of Indonesian agriculture	4,000			4,000
National Lutheran Council (Nommensen University): Economics education and research	85,315	(86,841)	(1,526)	
Research Foundation of the State University of New York:				
Curriculum work at Indonesian teacher colleges	795,600			795,000
Training of English language teachers in Indonesian secondary schools		245,000		245,000
Malaysia and Singapore:				
Educational Testing Service: Examination reform and educational research	97,000			97,000
Family Planning Association of Singapore: Research, training, and model clinic facilities	90,000			90,000
Harvard University: Development planning assistance in Malaysia	370,000			370,000
Louisiana State University: Development of College of Agriculture at Serdang	522,500	130,000	250,000	402,500
Malaya, University of: Development of Faculty of Education	155,000	125,000		280,000
Michigan, University of: Support for Malaysian family planning		292,000		292,000
Pittsburgh, University of: Training and research in public administration in Malaysia		311,800	72,800	239,000
Singapore Institute of Management: Management programs in Malaysia and Singapore	153,230		8,062	145,168
Singapore, University of:				
Center for Economic Research	253,278	377,000	185,583	444,695
Development of library resources and staff	120,000		65,680	54,320
Faculty and research at Department of Law	132,500	150,000		282,500
Wisconsin, University of: Development of Singapore Polytechnic	300,000			300,000
Nepal:				
Nepal, Government of: Training assistance for Nepal Planning Board	398,525		167,513	231,012
Pakistan:				
East Pakistan, Government of:				
Education extension center and pilot schools	45,000		45,000	
Educational Equipment Development Bureau	208,021		37,663	170,358
Educational testing unit	38,438		17,897	20,586
Educational extension and student-teacher centers:				
Chicago, University of	125,000			125,000
PanJab, University of the	100,000			100,000
Harvard University: Strengthening of Central Planning Commission			(7,392)	7,392
Indiana University Foundation:				
Business education at University of Dacca	543,000		89,864	453,136
Development of Islamabad University	348,000		69,600	278,400
Institute of International Education: Overseas training for West Pakistan agricultural planners		75,000		75,000
International Maize and Wheat Improvement Center: Wheat production in West Pakistan	319,000		146,000	173,000
International Marketing Institute: Training in export marketing	154,000			154,000
International Rice Research Institute: Program to increase rice production in Pakistan	492,125		294,174	197,951
Michigan State University: Academies for village-development administrators	235,393		235,393	
Oklahoma State University: Technical education and home-economics training	1,038,480		180,275	858,205
Research and Training in Pakistani family planning:				
Johns Hopkins University	181,000		125,000	56,000
Population Council	612,500		217,500	395,000
Stanford Research Institute: Small-industry development in Pakistan	26,000	380,000	140,000	266,000
Syracuse University: Administrative Staff College of Pakistan	239,750		70,000	169,750
West Pakistan, Government of:				
Agricultural extension service training	575,000		68,240	506,760
Education extension center and pilot schools	184,500		184,500	
Educational Equipment Technical Assistance Center	147,572		53,404	94,168
Training in urban planning and development	63,640		63,640	
Yale University: Strengthening of Pakistan Institute of Development Economics	481,500	556,000	304,800	732,700
Philippines:				
Ateneo de Manila University: Library books and equipment	204,000		75,000	129,000
Cornell University: Support for University of the Philippines College of Agriculture	1,161,500	715,750	492,500	1,384,750
Development of Mindanao State University:				
Carnegie-Mellon University	513,019		244,218	268,801
Educational Projects, Inc		394,000		394,000
Harvard University: Graduate business studies at 3 Manila institutions	1,200,000		373,333	826,667
Institute for Services to Education: Graduate engineering at the University of the Philippines	492,000		238,129	253,871
International Rice Research Institute: Research and training in rice culture	3,576,400	161,000	584,217	3,153,183
Notre Dame Educational Association: Teacher-training at three Mindanao colleges	230,000		102,428	127,572
Philippine Normal College: Research and training in languages and linguistics	122,184	334,000	25,821	430,363
Philippine Society of Endocrinology and Metabolism: Asia and Oceania Congress of Endocrinology	14,500		14,500	
Philippines, University of the:				
College of Agriculture	485,591	1,284,250	204,400	1,565,441
College of Public Administration	265,225	235,000	101,350	398,875
Curriculum improvement and teaching materials in science	331,666		86,294	245,372
Development of Population Institute	60,339	334,500	35,427	359,412
Graduate training and research in the arts and sciences		875,000		875,000
Library-resources development in the social sciences	218,100		218,100	
University computer center		625,000		625,000
Wisconsin, University of: School of Economics at University of the Philippines	347,300		185,600	161,700

See footnotes at end of table.

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STATEMENT OF GRANTS FOR THE YEAR ENDED SEPT. 30, 1967—Continued

[The first and last columns show the unpaid balances of grants at the end of the respective fiscal years. The 2d column shows grants approved in 1967. The 3d column shows payments on old and new grants during the 1967 fiscal year]

		Changes during the fiscal year		
	Unpaid Sept. 30, 1966	Grants (reductions)	Payments (refunds)	Unpaid Sept. 30, 1967
INTERNATIONAL DIVISION—Continued				
SOUTH AND SOUTHEAST ASIA—Continued				
Thailand, Ceylon, Hong Kong:				
Chinese University of Hong Kong: Development of a research and graduate program		$510,000		$510,000
International Rice Research Institute: Training and research in rice production in Ceylon		387,000	$45,000	342,000
Midwest Universities Consortium for International Activities: Strengthening of the National Institute of Development Administration in Thailand	$573,000	560,000	260,576	872,424
Population Council: Family planning program in Ceylon		271,000	34,770	236,230
Total	35,454,299	11,457,137	10,235,581	36,675,855
AFRICA AND THE MIDDLE EAST				
TROPICAL AFRICA				
Education Development Center:				
African institute for educational research and development	296,000		148,000	148,000
Teacher training in mathematics	100,000			100,000
Education and World Affairs: Overseas Educational Service		150,000		150,000
Harvard College: African Scholarship Program of American Universities		25,000	25,000	
Institute of International Education: Development of African legal education	191,000			191,000
Johns Hopkins University: Conference on South Africa		7,500	7,500	
Research on Africa:				
African Studies Association	100,000		7,718	92,282
Harvard University	13,500		13,500	
Science and Technology, University of (Kumasi): Conference on African engineering education		36,500	36,500	
West African Examinations Council: Staff training in educational measurement		392,000	45,000	347,000
Congo:				
National School of Administration: Support for training institute	239,477		234,230	5,247
East Africa:				
East Africa, University of:				
Laboratory-technician training at Makerere University College	100,000		60,000	40,000
Library development at University College, Nairobi		22,000		22,000
Overall university development	124,000			124,000
Staff exchange program in African universities	25,000		25,000	
Training program in diplomacy	3,022		3,022	
Work experience for students before final academic year		127,500	20,000	107,500
East African Academy: Establishment of social-science research information center		140,000		140,000
Ecological research and conferences on wildlife in East Africa:				
East Africa, University of	90,830			90,830
East African Common Services Organization		25,000	25,000	
Kenya, Republic of	130,534		86,000	44,534
Tanzania National Parks	153,000			153,000
Institute of Community Studies (London): Business development in Kenya	48,667		24,333	24,334
Kenya, Republic of:				
Research on English-language teaching	83,500		33,600	49,900
Training of health workers in family planning		48,000		48,000
Makerere University College (Uganda): Training of laboratory technicians	35,000			35,000
Sociolinguistic survey in East Africa:				
California, University of		139,745	15,500	124,245
Center for Applied Linguistics		53,810	28,810	25,000
East Africa, University of		144,000		144,000
Tanzania, United Republic of: Development of civil-service training center	149,303		100,000	49,303
Uganda, Republic of: Establishment of primary school language research and training unit		96,000		96,000
University College, Dar es Salaam (Tanzania): Conference on local African courts	4,194	(4,194)		
Ethiopia:				
American Library Association: Library development at Haile Selassie I University	172,500	247,500		420,000
Haile Selassie I University:				
Academic administrative support		(21,618)	(21,618)	
Development of law faculty	519,000		214,875	304,125
Ghana:				
National Liberation Council of Ghana: Economic advisory services		875,000		875,000
Northwestern University: Joint summer research program between Northwestern University and University of Ghana		40,000	40,000	
Ghana, Government of: Consultants for productivity center	161,724			161,724
Ghana, University of: Staff development and senior staff housing		300,000		300,000
Guinea: Guinea, Government of: National Institute of Research and Documentation	26,921		7,207	19,714
Ivory Coast: Ivory Coast, Republic of the: Training of agricultural agents	62,000			62,000
Liberia:				
Associated Colleges of the Midwest: Strengthening of Cuttington College	259,000		50,000	209,000
Cuttington College: Establishment of a scholarship loan-work program		220,000	25,000	195,000
Nigeria:				
Ahmadu Bello University: Research and training in rural economics; Center for Islamic Studies	155,400			155,400
Council of Legal Education: Advanced training for Nigerian lawyers	91,500			91,500
Eastern Nigeria, Government of:				
Development of Institute of Administration	187,949		87,963	99,986
Pilot project in rural development	452,964		76,114	376,850
Ibadan, University of:				
General university and faculty development	315,599	170,000	90,000	395,599
Nigerian Institute for Social and Economic Research	100,000			100,000
Research and training in behavioral sciences		221,000		221,000
Lagos, University of: Establishment of comparative education center		250,000	57,684	192,316
Lagos Medical School, University of: Program in maternal and child health	170,000			170,000
Midwestern Nigeria, Government of: Training for farm and extension leaders	124,460		124,460	
National Universities Commission: Coordination of Nigerian university development	12,875		11,431	1,444
Nigeria, Government of:				
Consultants and assistance to manpower board	197,570		52,625	144,945
Development of Nigerian technical education	146,930		35,167	111,763
Technical library at Yaba College of Technology	66,342		12,539	53,803
Nigeria, Republic of:				
Economic Development Institute	82,500			82,500
Improvement of academic programs	314,000		314,000	
Technical-education project; faculty of education	110,000			110,000
Nigerian Broadcasting Corporation: Expansion of school broadcasts	24,279		20,399	3,880
Northern Nigeria, Government of:				
Apprentice training for trades	13,480		13,480	
Establishment of a credit institution	280,731		49,570	231,161
Expansion of Staff Development Course	334,111		96,991	237,120
Teacher-training program at seven colleges	525,000			525,000
Southern Illinois University: English-language training in Nigeria	174,000	69,000		243,000

See footnotes at end of table.

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STATEMENT OF GRANTS FOR THE YEAR ENDED SEPT. 30, 1967—Continued

[The first and last columns show the unpaid balances of grants at the end of the respective fiscal years. The 2d column shows grants approved in 1967. The 3d column shows payments on old and new grants during the 1967 fiscal year]

		Changes during the fiscal year		
	Unpaid Sept. 30, 1966	Grants (reductions)	Payments (refunds)	Unpaid Sept. 30, 1967
AFRICA AND THE MIDDLE EAST—Continued				
TROPICAL AFRICA—Continued				
Nigeria—Continued				
Training, research, and publication on Nigerian affairs:				
Eastern Nigeria Library Board	$16,660			$16,660
Ife, University of	50,000		$50,000	
Nigerian Economic Society	2,100		2,100	
Nigerian Institute of International Affairs	118,000			118,000
West African Linguistic Society: Expansion of language research	80,000			80,000
Western Nigeria, Government of: Institute of Administration at University of Ife		$267,000		267,000
Senegal:				
Dakar, University of:				
Faculty exchange and research on African law	19,574			19,574
Linguistic research and language training	95,000		22,500	72,500
Preparation of West African atlas	105,000			105,000
Southern Rhodesia:				
University College of Rhodesia and Nyasaland: College preparatory courses	44,870		44,870	
Sudan:				
Khartoum, University of:				
Economic and social development research	86,000		16,000	70,000
Research in agricultural economics	22,000			22,000
Zambia:				
Zambia, University of: Teaching materials and American staff	300,000			300,000
NORTH AFRICA				
Algeria:				
Algeria, Republic of:				
English-language program at University of Algiers		342,125		342,125
Survey of family-planning attitudes and practices		62,000	55,000	7,000
Civil Service Commission: Algerian National School of Administration	108,700			108,700
Ministry of the Interior: Secretarial and accountancy training	44,975			44,975
Morocco:				
Morocco, Kingdom of:				
Moroccan School of Administration		206,000		206,000
National family-planning program	122,000			122,000
Tunisia:				
National School of Administration: Training and research in public administration	115,000		90,000	25,000
Tunisia, Republic of:				
English-language teaching program at Bourguiba Institute of Languages	89,450			89,450
National family-planning program	124,400			124,400
Tunis, University of: Center of Economic and Social Research	140,000		65,000	75,000
MIDDLE EAST				
Middle East Studies Association of North America: General support		56,000	19,000	37,000
Near East emergency donations: Relief of Arab refugees		500,000		500,000
Wisconsin, University of: Science education in Arab countries	109,926		22,860	87,066
Iraq:				
Baghdad, University of:				
Public administration and economics programs	306,000		38,300	267,700
Training of library staff	66,600			66,600
Iraq. Republic of (Ministry of Education): English-language teaching in public schools	52,000			52,000
Israel:				
Israel Foundation Trustees: Research related to Israeli development		700,000	200,000	500,000
Jordan:				
Arab Development Society: Expansion of agricultural and dairy products	430,000		430,000	
Cooperative Institute: Expansion of rural cooperative services	8,330		8,330	
Jordan, Government of:				
Development of Institute of Public Administration	125,000			125,000
Establishment of junior college for business	250,000		249,901	99
Jordan Development Board		101,000		101,000
Teacher training at Statistical Training Center	16,992		15,617	1,375
Jordan, University of:				
Development of library facilities		97,000		97,000
Overall academic development	195,896		91,000	104,896
Lebanon:				
American University of Beirut:				
Improvement of budgeting techniques		43,000	43,000	
Program in development administration		202,000		202,000
Survey of economics training and research		(5,687)	(5,687)	
Commission on Ecumenical Mission and Relations (United Presbyterian Church): Beirut College for Women	150,000			150,000
Industry Institute: Training of professional staff	200,000		17,572	182,428
International Statistical Institute: International Statistical Education Center	10,000		10,000	
Lebanon, Republic of:				
Regional training center in foreign affairs	190,000			190,000
Staff training for Ministry of Finance		103,500		103,500
Training of professional civil service staff	125,000			125,000
National Council for Secondary Education: Grants-in-aid and studies to improve schools	70,000		70,000	
Syria:				
Aleppo, University of: Faculties of Agriculture and Science	742,126			742,126
Syria, Government of:				
Agricultural extension program	30,691			30,691
Agricultural laboratory at Aleppo	42,107		41,780	327
Rural-teacher training	30,132		10,000	20,132
Turkey:				
Aid for national science high school:				
Florida State University	20,000		20,000	
Turkey, Government of	283,510		267,046	16,464
Development of business and industry:				
Economic Development Foundation of Turkey	211,000		45,449	165,551
Turkish Management Association	470,131	30,000	102,131	398,000
Economic and Social Studies Conference Board:				
Conference program among Turkish leaders	154,191		33,778	120,413
Simultaneous translation facilities		25,000	10,342	14,658
Hacettepe Science Center Foundation:				
Development of undergraduate science program		223,000	54,000	169,000
English-language program at Hacettepe School of Arts and Sciences		67,800	50,155	17,645
Hacettepe Institute of Population Studies		375,000	48,000	327,000

See footnotes at end of table.

STATEMENT OF GRANTS FOR THE YEAR ENDED SEPT. 30, 1967—Continued

[The first and last columns show the unpaid balances of grants at the end of the respective fiscal years. The 2d column shows grants approved in 1967. The 3d column shows payments on old and new grants during the 1967 fiscal year]

	Unpaid Sept. 30, 1966	Changes during the fiscal year		Unpaid Sept. 30, 1967
		Grants (reductions)	Payments (refunds)	
MIDDLE EAST—Continued				
Turkey—Continued				
Middle East Technical University:				
Development of computing center	$70,000	$270,000	$42,915	$297,085
Graduate mathematics and science programs	698,226		307,804	390,422
Teaching and research program in biology		301,000		301,000
Training in restoration of historic monuments	88,000			88,000
Robert College: Preparation of English-language materials	40,000			40,000
Strengthening scientific scholarship:				
Scientific and Technical Research Council	200,000	125,000	40,004	284,996
Turkish Society for Pure & Applied Mathematics	10,000		10,000	
Turkish Education Foundation: University scholarship program		92,000		92,000
Turkish Social Science Association: Program of social science research		87,000		87,000
United Arab Republic:				
American University in Cairo:				
English language teaching program	221,000		98,400	122,600
Interim support for non-Egyptian faculty members		160,000	100,000	60,000
United Arab Republic, Government of:				
Conference program for Government officials	79,000			79,000
Economic and social development of Aswan	199,748		100,000	99,748
Establishment of a computer center at the Institute of Statistical Studies		387,000		387,000
Institute of National Physical Environment Planning	93,000			93,000
Institute of National Planning	26,640		26,640	
Institute of Statistical Studies and Researches	30,000			30,000
Research on improved corn production	61,900			61,900
Teaching of English as a second language	55,200			55,200
Training in family planning and reproductive biology	98,928		50,000	48,928
Vocational training center in aquatic resources	114,000			114,000
Total	15,026,865	8,590,481	5,310,407	18,306,939
LATIN AMERICA AND THE CARIBBEAN				
Argentina:				
Advisory services and training in agriculture:				
Institute of International Education	70,000	400,000	7,286	462,714
National University of the South	340,000		57,500	282,500
Purdue University		590	590	
Buenos Aires, University of:				
Development of School of Economics	850		(3,215)	4,065
Science library, equipment, closed-circuit television	120,000			120,000
Development of science curricula and research:				
Argentine Chemical Association	3,500		3,500	
Argentine Institute for Standardization of Materials	110,000		25,000	85,000
Bariloche Foundation	221,082	150,000	260,082	111,000
Buenos Aires, University of	74,000	(74,000)		
Institute of International Education		(13,274)	(13,274)	
Metallurgical Chamber of Argentine Manufacturing Industries	57,500		9,500	48,000
El Salvador, University of: Research and training in reproductive biology	3,300	435,000	254,360	183,940
National Atomic Energy Commission: Strengthening of Department of Metallurgy		100,000	75,000	25,000
National Council for Scientific and Technical Research:				
Fellowships for advanced study abroad	250,000		200,000	50,000
Science teaching in secondary schools	250,000			250,000
Strengthening research centers in economics, business, and public administration:				
Cordoba, National University of	19,558		19,500	58
Foundation for Latin American Economic Research	196,667		13,785	182,882
Institute for Development of Executives in Argentina	102,800		10,809	91,991
Torcuato Di Tella Institute	353,843		353,843	
Torcuato Di Tella Institute:				
Center for Educational Research		50,000	50,000	
Center for Urban and Regional Studies		90,000	90,000	
Brazil:				
Bahia, Federal University of:				
Research on government administration	34,700		14,850	19,850
Training and studies in reproductive biology	298,960		60,052	238,908
Training for secondary-school language teachers		38,000		38,000
Brazil, Government of: Training and research in economic development		270,000	23,850	246,150
Brazilian Society for Instruction: Studies of social and political development		137,000	17,500	119,500
Carlos Chagas Foundation: Testing for university admission	122,000		72,000	50,000
Federal Technical School Celso Suckow da Fonseca: Center for vocational-technical education	570,000		321,156	248,844
Getulio Vargas Foundation:				
Educational testing center for secondary schools		279,000	121,100	157,900
Research and staff development at Brazilian Institute of Economics		250,000		250,000
São Paulo School of Business Education	250,000		60,459	189,541
Teaching materials in business and public administration	51,500			51,500
National Bank for Economic Development: Management training and research		336,000	130,000	206,000
Pontifical Catholic University of Rio Grande do Sul:				
Training for junior high-school teachers		107,000	29,000	78,000
Training for secondary-school language teachers		28,500	4,000	24,500
Research and teaching in the sciences:				
Brazilian Academy of Sciences	72,000		24,600	47,400
Brazilian Foundation for Development of Science Teaching		86,000	36,000	50,000
Ceará, Federal University of	64,750		64,750	
Federal University of Rio de Janeiro		(9,133)	(9,133)	
National Council for Advanced Training of University-Level Personnel	619,000			619,000
Pernambuco, Federal University of	33,000			33,000
Research and Training in agriculture:				
Minas Gerais, State of	60,200		40,000	20,200
Paraná, Federal University of	1,100,000		236,310	863,690
Rural University of the State of Minas Gerais	345,000		127,500	217,500
Research and training in the social sciences:				
Ceará, Federal University of	264,000		10,323	253,677
Guanabara, University of the State of	475,000		16,156	458,844
Minas Gerais, Federal University of	542,500		17,000	525,500
São Paulo, University of	340,200		100,125	245,075
Rio de Janeiro, Federal University of:				
Graduate training center in linguistics		163,600		163,600
Planning and curriculum development for faculty of education		102,000	67,250	34,750
Research in reproductive biology		122,000		122,000
Rio Grande do Sul, Federal University of: Research and teaching in municipal administration, public administration, and political science		203,000	48,353	154,647

See footnotes at end of table.

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STATEMENT OF GRANTS FOR THE YEAR ENDED SEPT. 30, 1967—Continued

[The first and last columns show the unpaid balances of grants at the end of the respective fiscal years. The 2d column shows grants approved in 1967. The 3d column shows payments on old and new grants during the 1967 fiscal year]

		Changes during the fiscal year		
	Unpaid Sept. 30, 1966	Grants (reductions)	Payments (refunds)	Unpaid Sept. 30, 1967
LATIN AMERICA AND THE CARIBBEAN—Continued				
Brazil—Continued				
Sao Paulo, University of:				
Chemistry-laboratory equipment	$100,000		$9,546	$90,454
Establishment of closed-circuit television	20,000			20,000
Marine and fisheries research and training	414,000		164,500	249,500
Society for Family Welfare in Brazil: Experiment and research in family planning		$212,440	38,470	173,970
Caribbean:				
Action for Education and Culture, Inc.: Postsecondary training for Dominican commerce	60,000		30,000	30,000
Advisory services, teaching, and research in Dominican agriculture:				
Association for Development	642,800		395,900	246,900
Autonomous University of Santo Domingo	497,000	(591,240)	(94,240)	
Catholic University "Mother and Teacher"	44,400		(5,130)	49,530
Texas A. & M. University	121,662			121,662
Autonomous University of Santo Domingo (D.R.): Curriculum development and university reform	33,000			33,000
Dominican Republic: National Board of Planning and Coordination	25,000			25,500
Puerto Rico, University of: Research in economics and government	26,000			26,000
West Indies, University of the:				
Academic development of university centers experimental textbooks, and graduate programs	227,016			227,106
Assistance to Eastern Caribbean economic planning and public administration	291,561			291,561
Demographic research and Barbados fertility study	72,408		61,054	11,354
Institute of Education	185,590		68,053	117,537
Institute of Social and Economic Research	292,000		113,200	178,800
School of Agriculture	312,375			312,375
Team teaching experiment in Barbados	162,244		39,147	123,097
Central America:				
American School of Guatemala: Expansion of aptitude testing program		50,000	50,000	
Costa Rica, University of: Teacher education programs	323,724			323,724
Development of university programs:				
El Salvador, University of	20,000	200,000	20,000	200,000
Higher Council of Central American Universities	81,000		18,140	62,860
National Autonomous University of Honduras	109,834		109,834	
Chile:				
Catholic University of Valparaiso: Business-school development	350,000		96,903	253,097
Chile, Republic of: Support for Center for Educational Improvement		225,000	64,961	160,039
Chile, University of:				
Development of a system of regional colleges	400,000			400,000
Graduate training in economics, business, and public administration	459,140		204,000	255,140
Semiconductors laboratory		51,000		51,000
Community-development assistance:				
Institute of International Education	115,000		80,277	34,723
Rice University	19,200		12,900	6,300
Institute of International Education:				
Comprehensive development of University of Chile	1,000,000			1,000,000
School curriculum development, teacher training, and teaching materials	304,650		304,650	
International Legal Center: Modernization of Chilean university law curricula		791,000	203,250	587,750
Minnesota, University of: Agricultural extension and education	178,200		178,200	
Minnesota, University of: University of Consepción academic development	266,000		266,000	
Pontifical Catholic University of Chile:				
Center for educational research and economics teaching	173,100		69,000	104,100
Development of physical and mathematical sciences	423,127		135,000	288,127
Office of Planning and Development	50,000		33,500	16,500
Research and training in urban development		150,000	132,828	17 172
Teaching and research at School of Sociology	252,400			252,400
William Hood Dunwoody Industrial Institute: Vocational-technical program at Frederico Santa Maria Technical University		203,000	103,206	99,794
Colombia:				
Andes, University of the:				
Academic development, planning, and fund raising	122,000		26,400	95,600
Program in arts and sciences		140,000	27,000	113,000
Undergraduate program at School of Engineering	367,500		53,700	313,800
Antioquia, University of: General development and teacher training	85,200			85,200
Colombian Association of Faculties of Medicine: Research and experiments in population and demography	20,000	290,000	89,980	220,020
Colombian Institute of Agriculture: Agricultural teaching, research, and extension	715,748			715,748
Harvard University: Training in development planning		467,000	155,000	312,300
Institute of International Education: Fellowships for Colombian business professors	72,750	(95,150)	(22,400)	
National University of Colombia:				
Central library development		150,000	20,860	129,140
Faculty of sociology	12,680		12,680	
Pontifical Catholic Javeriana University: Basic-sciences program and teacher education	134,250		62,990	71,260
Valley, University of the:				
Division of sciences		200,000	21,000	179,000
Faculty of engineering	76,496		76,496	
Graduate program in industrial management	114,665		47,335	67,330
Office of Planning and Development	107,478	(20,000)	6,762	80,716
Mexico:				
Agricultural education, extension, and research:				
Coahuila, University of	30,000	(40,055)	(10,055)	
International Maize and Wheat Improvement Center		500,000	140,367	359,633
Iowa State University	495,000		229,839	265,161
National School of Agriculture	200,928		36,018	164,910
Texas A. & M. University	32,000,		8,546	23,454
United Mexican States	549,344		146,881	402,463
Monterrey Institute of Technology and Advanced Studies:				
Development of educational television	3,999		3,999	
Graduate science and engineering fellowships	621,500		94,104	527,396
National Association of Faculties and Schools of Engineering: Faculty training in science and engineering	52,000		30,000	22,000
National Autonomous University of Mexico:				
Development of language laboratory	11,309			11,309
Teaching and research in the sciences and engineering		450,000	112,500	337,500
Nuevo León, University of: Economics training and research	69,422		35,224	34,198
Research and training in reproductive biology and demography:				
Hospital of Nutritional Diseases	225,000		60,000	165,000
Mexican Institute of Social Security	60,000			60,000
Mexican Institute of Social Studies	69,700		56,540	13,160
Mexico, College of	53,000	52,000	105,000	
Woman's Hospital	200,000		107,871	92,129
Trust Fund of the Inter-American Center of Scholarly Books: Establishment of center in Mexico City	95,000		45,000	50,000

See footnotes at end of table.

STATEMENT OF GRANTS FOR THE YEAR ENDED SEPT. 30, 1967—Continued

[The first and last columns show the unpaid balances of grants at the end of the respective fiscal years. The 2d column shows grants approved in 1967. The 3d column shows payments on old and new grants during the 1967 fiscal year]

		Changes during the fiscal year		
	Unpaid Sept. 30, 1966	Grants (reductions)	Payments (refunds)	Unpaid Sept. 30, 1967
LATIN AMERICA AND THE CARIBBEAN—Continued				
Peru:				
Agrarian University:				
Agricultural economics and rural sociology	$389,594		$143,593	$246,001
Strengthening of faculty of sciences	420,834			420,834
Center of Studies on Population and Development: Research and training in demography	127,000		25,000	102,000
Central Reserve Bank of Peru: Extension program in economics for Peruvian universities		$150,000	18,772	131,228
Congregation of the Oblate Fathers of Mary Immaculate: High-school training for industrial work	26,400		26,400	
National Engineering University: Improvement of curriculum, staff, and equipment	154,000		110,772	43,228
National University of San Marcos:				
Establishment of language-teaching service	130,200		10,633	119,567
General-studies program			(1,640)	1,640
Graduate teaching and research in basic sciences	113,000			113,000
Modernization of university administration	176,000			176,000
Pontifical Catholic University of Peru:				
Campus planning: language department equipment	76,200		73,627	2,573
General development	167,991			167,991
Venezuela:				
Agricultural study and training:				
Council for Rural Welfare	6,600		6,600	
National fund for agricultural and livestock research		150,000		150,000
Andes, University of the: Economics faculty; photogrammetry laboratory	198,775		111,775	87,000
Catholic University Andrés Bello:				
Faculty of economics	21,200		21,200	
Faculty of engineering; school of social sciences	67,600	(60,450)	7,150	
Concepción Palacios Maternity Hospital: Training in family planning		47,000	47,000	
Institute of Advanced Studies of Administration: Program in business and public administration		50,000	4,490	45,510
Institute of Public Administration: Assistance to Foundation for Community Development and Municipal Improvement in Venezuela		133,000		133,000
Kansas, University of: School of Science at University of Oriente		246,000		246,000
Research and training in science and engineering:				
Central University of Venzuela	85,000		15,000	70,000
Oriente, University of	120,170			120,170
Venezuelan Institute of Scientific Research	85,000		60,000	25,000
Venezuela, Republic of:				
Educational research and development		390,000	60,000	330,000
Organization of School of Public Administration	50,000			50,000
Voluntary Dividend for the Community: Prevocational teacher-training program	40,000			40,000
Regional:				
Center for Applied Linguistics: Meetings of the Inter-American Program for Linguistics and Language Teaching		115,000	23,300	91,700
Center for the Economic and Social Development of Latin America: Research on marginal populations		250,000	70,000	180,000
Pan American Federation of Associations of Medical Schools: Support for Division of Demography		150,000	40,200	109,800
Total	22,521,374	8,257,128	8,604,125	22,174,377
RESOURCES FOR DEVELOPMENT				
International Executive Service Corps: Fundraising campaign		200,000	200,000	
International Planned Parenthood Federation (Western Hemisphere Region): Development of professional staff		165,000	15,000	150,000
Research, publications, and conferences:				
American Society of International Law	500,000		126,934	373,066
Brookings Institution		31,600		31,600
Fund for the International Conference of Agricultural Economists	20,000		20,000	
Harvard University		7,500	7,500	
Massachusetts Institute of Technology		25,000	25,000	
Planned Parenthood Federation of America		100,000	100,000	
Social Science Research Council	136,250			136,250
Stanford University		36,000	36,000	
United Nations: Survey on demineralization of saline water		(6,776)	(6,776)	
United Nations (International School): Remodeling of temporary building		290,000		290,000
University centers:				
Duke University: International studies in undergraduate colleges		400,000	175,000	225,000
Education and World Affairs, Inc.: Studies and conferences on policy issues in universities' international programs	2,500,000		150,000	2,350,000
Expansion of international-studies programs:				
California, University of (Berkeley)		(22,848)	(22,848)	
Chicago, University of	2,000,006			2,000,006
Columbia University	2,500,000			2,500,000
Cornell University		6,000,000	2,797,550	3,202,450
Harvard University	2,500,000			2,500,000
McGill University	1,615,000		93,400	1,521,600
Michigan, University of	3,200,000		203,000	2,997,000
New York University	1,000,000		261,250	738,750
Oregon, University of	500,000		157,000	343,000
Social Science Research Council		(104,790)	(104,790)	
Stanford University		6,000,000	2,652,100	3,347,900
Wisconsin, University of	1,000,000		100,000	900,000
Yale University	1,840,000			1,840,000
Fletcher School of Law and Diplomacy (Tufts University): Teaching and research on problems of developing areas		500,000	40,000	460,000
Hawaii, University of: Research in social sciences		225,000	48,500	176,500
Leyden, University of: Seminars in American law	38,000		19,000	19,000
Michelsen Institute of Science and Intellectual Freedom (Norway): Establishment of a development economics unit		150,000		150,000
Pennsylvania State University: Interuniversity fellowships for Peace Corps veterans	550,000		550,000	
Research on foreign trade:				
Johns Hopkins University		10,000	10,000	
New York University		(59,500)	(59,500)	
Syracuse University: East African studies and other international programs		450,000	50,000	400,000
Toronto, University of: Study of the institution of the Attorney General in Commonwealth countries		38,500	38,500	
Training and research on foreign aid:				
American Society for Public Administration	150,000		25,390	124,610
Brookings Institution		(12,182)	(12,182)	
Pittsburgh, University of	266,000		266,000	
Washington, University of: Training and research in Asian law	470,000		24,468	445,532
Wisconsin, University of: Establishment of Center for Development		800,000		800,000
Language and development:				
Georgetown University: Doctoral program in linguistics		266,000		266,000
Hawaii, University of: Study of language problems in developing countries		50,000		50,000
Indiana University: Statewide improvement of language teaching	609,700		196,980	412,720
Laval University: International center on bilingualism		400,000	76,838	323,162
Programs in Chinese, Japanese, and Middle Eastern languages:				
Princeton University	380,000		55,300	324,700
Purdue Research Foundation		230,000	70,381	159,619
Stanford University	318,000	200,000	50,000	468,000

See footnotes at end of table.

STATEMENT OF GRANTS FOR THE YEAR ENDED SEPT. 30, 1967—Continued

[The first and last columns show the unpaid balances of grants at the end of the respective fiscal years. The 2d column shows grants approved in 1967. The 3d column shows payments on old and new grants during the 1967 fiscal year]

	Unpaid Sept. 30, 1966	Changes during the fiscal year: Grants (reductions)	Changes during the fiscal year: Payments (refunds)	Unpaid Sept. 30, 1967
RESOURCES FOR DEVELOPMENT—Continued				
Exchange programs: African-American Institute: General support		$500,000	$75,000	$425,000
American Institute of Indian Studies: Training and research program for American scholars in India	$100,000		100,000	
Exchange of students, scholars, and leaders:				
Association of American Law Schools	166,000		166,000	
Council on Student Travel		22,500	22,500	
National Association for Foreign Student Affairs		70,000		70,000
United States-South Africa Leader Exchange Program	150,000		61,000	89,000
Graduate economics education for foreign students:				
Institute of International Education	50,000		50,000	
Yale University	50,000			50,000
International Secretariat for Volunteer Service: Planning of 1967 New Delhi conference	77,900		77,900	
Syracuse University: Overseas professional service fellowships	200,000	210,000	200,000	210,000
Latin American Studies:				
British participation in Latin American development programs:				
Royal Institute of International Affairs	56,415		26,075	30,340
St. Antony's College (Oxford University)	155,360			155,360
Brookings Institution: Research on Latin American economic development		300,000		300,000
Carnegie Endowment for International Peace: Western hemisphere conferences on emerging problems	75,000			75,000
Center for Inter-American Relations: General support		500,000	300,000	200,000
Cornell University: Strengthening of applied agricultural sciences relating to Latin America	68,000		42,000	26,000
Harvard University: Study of Latin American education	500,000		250,000	250,000
Institute of International Education:				
Support for Council on Higher Education in the American Republics		375,000	120,000	255,000
Support for Latin American Studies Association		100,000	10,000	90,000
International Center for Higher Studies in Journalism for Latin America: Improvement of journalistic standards	11,500		11,500	
Library of Congress: Projects of Hispanic Foundation		266,000	86,000	180,000
National Academy of Sciences: Symposia on biological research in Latin America		64,000	32,000	32,000
Overseas professional-service fellowships:				
Cornell University		208,000		208,000
Massachusetts Institute of Technology	291,500		142,805	148,695
New Mexico, University of	210,500		154,157	56,343
Purdue University	300,000	510,000	299,843	510,157
Research Institute for the Study of Man: Collaborative summer field research for North American and Caribbean students	172,600		68,450	104,150
Torcuato Di Tella Institute (Argentina): Project with Brookings Institution on research in Latin American development		200,000	96,000	104,000
Vanderbilt University: Latin American graduate studies		375,000	34,905	340,095
Washington University: Collaborative research on urban development with Latin American scholars		100,000		100,000
Total	24,727,731	20,169,004	10,861,130	34,035,605
INTERNATIONAL RELATIONS				
Asian Studies:				
American Council of Learned Societies: Asian and Slavic studies	200,000			200,000
Harvard University: Research on contemporary Japan		800,000	49,451	750,549
Research on Asia and the Far East:				
Association for Asian Studies	123,000		21,127	101,873
Kyoto University	33,551	300,000	33,551	300,000
Research and training on China:				
Academia Sinica		268,000	75,769	192,231
American University	75,800		41,799	34,001
Association of Research Libraries		500,000		500,000
California, University of (Berkeley)		900,000	31,600	868,400
Columbia University		1,200,000	55,881	1,144,119
Cornell University		500,000		500,000
Harvard University		1,500,000	184,762	1,315,238
Leeds, University of		50,000		50,000
London School of Economics and Political Science		280,000		280,000
London, University of (Contemporary China Institute)		325,000		325,000
London, University of (School of Oriental and African Studies)		175,000		175,000
Michigan, University of		900,000	60,000	840,000
National Committee on United States-China Relations		250,000	55,556	194,444
Social Science Research Council	559,000	80,000	35,000	604,000
Research and training on Korea:				
Columbia University		100,000	25,000	75,000
Harvard University		100,000	30,000	70,000
Hawaii, University of		100,000	33,333	66,667
Princeton University		100,000	35,000	65,000
Washington, University of		100,000	31,342	68,658
Social Science Research Council:				
Research at Korea University		(12,243)	(12,243)	
Scholars' committee on Korean studies		65,000	15,000	50,000
The developed world:				
American Academy of Arts and Sciences: Meetings of Japanese and American scholars on the impact of modern weapons on international relations		100,000	37,500	62,500
American Assembly: Conferences and publications on Eastern Europe and Japanese-American relations		166,000	127,250	38,750
American Council on Germany: Fifth German-American conference		25,000	25,000	
American studies in European universities:				
American Council of Learned Societies	2,480,000		380,000	2,100,000
Free University of Berlin	200,000		33,000	167,000
Association for the Industrial Development of Southern Italy (Rome): Research on national economic problems	85,000		60,000	25,000
Australian National University: International-affairs program		300,000	20,720	279,280
Canadian studies of international relations:				
Canadian Institute of International Affairs	40,000		40,000	
Humanities Research Council of Canada	42,000		42,000	
Social Science Research Council of Canada	42,000		42,000	
Foundation for the Graduate Institute of International Studies (Geneva): Study by Dirk Stikker on contributions of private enterprise to trade expansion		30,000	30,000	
Georgetown University: English-language teaching in Spain	100,000			100,000
Governmental Affairs Institute: Improvement of economic cooperation between Greece and Turkey		112,500	100,000	12,500
Institute for International Order: Conference on anniversary of the Marshall plan		5,000	5,000	
Institute of International Education: Visits by Japanese to the United States to study private philanthropy		6,000	6,000	
Institute of Japanese-American Cultural Research: Counseling and guidance to Japanese students in the United States		100,000	40,000	60,000
International Atomic Energy Agency: Program of International Centre for Theoretical Physics		200,000	40,000	160,000
International Schools Examination Syndicate (Geneva): Uniform curricula and examination standards for university student acceptance	150,000			150,000
International-studies centers:				
Foundation for the Graduate Institute of International Studies (Geneva)	40,000		40,000	
Institute for Strategic Studies (London)	367,000		69,000	298,000
Institute of International Affairs (Rome)	150,000		45,000	105,000
Johns Hopkins University (School for Advanced International Studies, Bologna)	50,000		50,000	
Japan Economic Research Center: Research, training, and conferences		100,000	20,000	80,000

See footnotes at end of table.

XUM

STATEMENT OF GRANTS FOR THE YEAR ENDED SEPT. 30, 1967—Continued

[The first and last columns show the unpaid balances of grants at the end of the respective fiscal years. The 2d column shows grants approved in 1967. The 3d column shows payments on old and new grants during the 1967 fiscal year]

	Unpaid Sept. 30, 1966	Changes during the fiscal year		Unpaid Sept. 30, 1967
		Grants (reductions)	Payments (refunds)	
INTERNATIONAL RELATIONS—Continued				
The developed world—Continued				
Oregon, University of: Study of social science in developing countries		$22,000		$22,000
Institute of Race Relations (London): Studies of race relations in Britain and elsewhere	$125,000			125,000
Mediterranean Social Sciences Research Council (Paris): Research and training in economic growth	37,500		$37,500	
Pennsylvania, University of: Conference on U.S.-European scientific cooperation		20,000		20,000
Research, training, and conferences to aid less developed areas:				
African-American Institute		175,000	25,583	149,417
Brookings Institution		31,000	31,000	
International African Institute		100,000	33,500	66,500
Overseas Development Institute (London)	200,000		200,000	
Swiss Foundation for the Study of International Relations	40,000		40,000	
United Nations Educational, Scientific, and Cultural Organization	200,000		109,796	90,204
Radio and television development:				
Asian Broadcasting Union		200,000	53,800	146,200
Centre for Educational Television Overseas		200,000	29,900	170,100
Research and education in Atlantic cooperation and European integration:				
Atlantic Institute	200,000		170,000	30,000
National Foundation of Political Science (Paris)	80,000		80,000	
Political and economic planning	60,000		10,000	50,000
Royal Institute of International Affairs	90,000			90,000
St. Antony's College (Oxford University): Graduate studies in foreign affairs	1,750,000			1,750,000
International Understanding:				
Advancement of foreign journalism:				
Columbia University (American Press Institute)	278,000			278,000
Governmental Affairs Institute		(8,532)	(8,532)	
Inter-American Press Association Technical Center	225,000			225,000
American community education in world affairs:				
Council on Foreign Relations	1,000,000			1,000,000
World Affairs Council of Northern California	51,500		33,000	18,500
World Affairs Council of Philadelphia	51,000		25,000	26,000
Association of the Bar of the City of New York Fund: Comparative study of antitrust laws		60,000	30,000	30,000
Carnegie Endowment for International Peace: Host services for United Nations personnel		40,000	40,000	
Committee for Economic Development: Foreign economic policy research	275,000		150,000	125,000
Congress for Cultural Freedom: General support	1,500,000		1,500,000	
Cornell University:				
Conference in Italy on economic development		15,000	15,000	
Conference on international education		80,000	45,000	35,000
Eisenhower Exchange Fellowships: Expansion of program		150,000	75,000	75,000
Harvard University: Conference on input-output techniques		25,0000	25,000	
Indiana University Foundation: Inter-University Committee on Travel Grants	1,200,000			1,200,000
Institute of International Education: East-West program of scholarly exchange	723,300	1,000,000	723,300	1,000,000
International Council of Scientific Unions: Planning of international scientific programs	19,652		19,611	41
International Law Association (England):				
Research on treaty obligations of new nations	25,000		25,000	
Studies relating to the extraterritorial application of restrictive trade legislation		40,000	40,000	
International legal-studies programs:				
British Institute of International and Comparative Law	116,000		43,500	72,500
Carnegie Endowment for International Peace	720,000		720,000	
Hague Academy of International Law	100,000			100,000
International Press Institute:				
Training African journalists in its Nairobi center		235,000	94,000	141,000
Program to improve flow of news between countries		150,000	25,000	125,000
Korean Institute of Science and Technology: Symposium on relations with American institutions capable of assisting Korean science		23,000	23,000	
National Industrial Conference Board: Conference on world food problem		15,000	15,000	
Niels Bohr Institute: Support for scientific exchange		150,000	45,000	105,000
United Nations Association of the United States of America: Expansion and policy research programs	150,000			150,000
Yale University: Conference on international monetary system		21,000	21,000	
Total	13,954,303	12,468,725	6,599,356	19,823,672
POPULATION				
Population Council:				
General support	2,120,000	5,000,000	1,800,000	5,320,000
Primate facility in Bio-Medical Division		1,600,000	570,000	1,030,000
Research program of Weizmann Institute (Israel)	535,000		87,275	447,725
Reproductive biology:				
Medical-student research in reproductive biology:				
California, University of (Los Angeles)	16,000			16,000
Chicago, University of	20,000		20,000	
Colorado, University of	12,000			12,000
Columbia University	18,800			18,800
Cornell University	18,000			18,000
Harvard University	11,000		11,000	
Illinois, University of	9,000	(21,430)	(12,430)	
Jefferson Medical College of Philadelphia	12,000		7,103	4,897
Johns Hopkins University	20,000			20,000
Kansas, University of	12,000		6,000	6,000
Michigan, University of	18,000		9,000	9,000
Vanderbilt University	20,000		10,000	10,000
Washington University	10,000			10,000
Yale University	10,000			10,000
Research and advanced training:				
Albert Einstein Medical Center, Philadelphia		388,000		388,000
Basel, University of, Institute of Anatomy		29,000	29,000	
Birmingham, University of	47,000		24,000	23,000
California, University of (Los Angeles) School of Medicine	34,650	353,000	34,650	353,000
Cambridge, University of	20,000		20,000	
Catholic University of Louvain	16,9000			169,003
Central Institute for Experimental Animals (Japan)		590,000		590,000
Colorado, University of	30,000	97,000	30,000	97,000
Columbia University, Institute of Human Reproduction	7,500,000	235,000		7,735,000
Cornell University Medical College		940,000		940,000
Edinburgh, University of		151,000		151,000
Florida, University of, College of Medicine		56,000		56,000
Free University of Brussels		240,000		240,000
Geneva, University of	290,000		127,000	163,000
Harvard University, School of Medicine	1,647,000	1,000,000	51,000	2,596,000
Hawaii, University of	277,000		39,252	237,740
Johns Hopkins University	152,420		46,687	105,738

See footnotes at end of table.

STATEMENT OF GRANTS FOR THE YEAR ENDED SEPT. 30, 1967—Continued

[The first and last columns show the unpaid balances of grants at the end of the respective fiscal years. The 2d column shows grants approved in 1967. The 3d column shows payments on old and new grants during the 1967 fiscal year]

	Unpaid Sept. 30, 1966	Changes during the fiscal year: Grants (reductions)	Changes during the fiscal year: Payments (refunds)	Unpaid Sept. 30, 1967
POPULATION—Continued				
Reproductive biology—Continued				
Research and advanced training—Continued				
Kansas, University of	$156,000		$56,000	$100,000
Karolinska Institute (Stockholm)	35,000	$500,000	95,000	440,000
Los Angeles County Harbor General Hospital	499,037		96,177	402,860
Lund, University of	27,750		15,350	12,400
Manchester, University of	87,000		15,424	71,576
Medical Research Council (London)	265,000		148,000	117,000
Milan, University of		300,000		300,000
National Institute for Research in Dairying (England)	6,850		6,850	
Paris, University of, Faculty of Medicine		300,000		300,000
Pennsylvania, University of		846,000		846,000
Philipps University (Marburg/Lahn, Germany)	50,000			50,000
Population Council, Bio-Medical Laboratories	5,750,000			5,750,000
State Serum Institute (Copenhagen)	150,000		35,600	114,400
Sydney, University of	155,000		24,400	130,600
Tel-Hashomer Hospital, Institute of Endocrinology (Israel)		325,000	50,000	275,000
Texas, University of	46,880		46,880	
United Birmingham Hospital (England)	75,000		25,500	49,500
Uppsala, University of	400,000			400,000
Vanderbilt University	45,000		30,000	15,000
Vienna, University of		200,000		200,000
Washington, University of	175,400	600,000	102,487	672,913
Western Reserve University		689,000	104,513	584,487
Wisconsin, University of	907,500		251,220	656,280
Worcester Foundation for Experimental Biology	1,168,370	212,000	362,710	1,017,660
Yale University School of Medicine		990,000		990,000
Population Studies:				
Midcareer fellowships in population:				
California, University of (Berkeley)		11,650	11,650	
North Carolina, University of		42,250	42,250	
Princeton University		3,150	3,150	
Population Reference Bureau: Dissemination of information on population	177,500		115,500	62,000
Training and research in population:				
Brown University	94,500		9,514	84,986
California, University of (Berkeley)		66,000		66,000
Chicago, University of	828,865		375,897	452,968
Cornell University		168,000		168,000
Georgetown University	500,000		102,061	397,939
Harvard University	60,000	393,000	60,000	393,000
Johns Hopkins University	400,000		75,000	325,000
London School of Economics and Political Science	182,200		48,243	133,957
Michigan, University of	2,446,805		768,833	1,677,972
North Carolina, University of	700,000		330,000	370,000
Pennsylvania, University of		187,000		187,000
Family Planning in the United States:				
American Public Health Association: Professional training in population and public health	200,000			200,000
Planned Parenthood Federation of America: Assistance to family-planning agencies and publication of reports of annual meetings	400,000	10,000	114,650	295,350
Sex Information and Education Council of the United States: Support for professional staff expansion, administrative costs, office expansion		350,000	141,250	208,750
Tulane University: Development of family planning demonstration program for New Orleans and the State of Louisiana		300,000	60,477	239,523
Wake Forest College: Research to improve clinic programs	285,000			285,000
Total	29,303,527	17,150,620	6,634,123	39,820,024
Totals—International Division	140,988,099	78,093,095	48,244,722	170,836,472
MISCELLANEOUS				
Reductions and refunds: Miscellaneous reductions and refunds, of less than $5,000 each, from 73 grants made under various programs in past years		(85,553)	(85,553)	
Dunsmuir House Educational and Research Center: Study of feasibility of expanding facilities		12,500		12,500
Institute of International Education: Travel and study awards	625,000	575,200	1,150,000	50,200
Planning for development of United Nations area in New York City:				
Carnegie Endowment for International Peace		(25,000)	(25,000)	
East River-Turtle Bay Fund		100,000	100,000	
United Foundation: Detroit area community activities	900,000	300,000	750,000	450,000
Yale University: Conference on current issues		4,053	4,053	
Concluded Programs **				
Foundation's Fund for Research in Psychiatry: Research in mental health	50,904		50,904	
National Fund for Medical Education: Medical-schools program	608,554		493,906	114,648
Research in the behavioral sciences:				
Rutgers University		8,405	8,405	
Swarthmore College		(8,405)	(8,405)	
Total, miscellaneous grants	2,184,458	881,200	2,438,310	627,348
Total, grants	415,141,843	234,083,307†	163,046,225	486,178,925

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*Figures in parentheses represent endowment funds held in trust by the Bank of New York, to be matched by the orchestras; principal of the endowments will be distributed in 1976. Figures in the columns are direct grants, made in addition to the endowments, and are payable over a 5-year period on a nonmatching basis.

**Grants, refunds, and reductions which derive from grants or appropriations approved in previous years under programs in which the foundation is no longer active.

†This amount consists of $93,688,782 for grants approved by direct action of the board of trustees (after reductions), and $140,394,525 for grants from appropriations.

RUSSIA, THE TROUBLEMAKER

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Friday, March 7, 1969

Mr. THURMOND. Mr. President, I wish to commend the editor of the Columbia, S.C., Record for his editorial entitled "Russia, the Troublemaker" published on February 17, 1969. His succinct and straightforward assessment of belligerent Soviet actions makes a solid case against any view that the Kremlin is making genuinely peaceful moves toward negotiations, arms control, and deescalation of tensions and provocative actions. The Columbia Record cites many aggressive actions to the contrary.

Mr. President, the Soviets are increasing their threat and subversion in every part of the free world. Evidence of the Soviet aggressive actions grows each day in Europe, the Middle East, Africa, Vietnam, Caribbean, and South America, as pointed out by the Columbia Record. These are not signs of peaceful intentions conducive to negotiations on the Non-Proliferation Treaty or any other arms control measure at the present time.

Mr. President, I quote one significant paragraph in the editorial which I support:

Nothing would do more for peace in the world than a reversal of the belligerent attitude of the Kremlin, but until that change comes, dealing with the Russians calls for the same caution as dealing with a snake.

Mr. President, I ask unanimous consent that the editorial be printed in the Extensions of Remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

RUSSIA, THE TROUBLEMAKER

Nothing would do more for peace in the world than a reversal of the belligerent attitude of the Kremlin, but until that change comes, dealing with the Russians calls for the same caution as dealing with a snake.

The Soviet Union is promoting the war in Vietnam and supplying the arms and incentive for Hanoi's aggression against the South Vietnamese and their American allies.

The Soviet Union provided the arms with which the Arab nations threatened the extermination of Israel. And since that plot backfired, the Soviet Union has replenished the arsenals for continued military pressure against the Jewish nation.

The Soviet Union, with Britain's help, is supplying guns and ammunition to keep Nigeria's bloody war going against the Biafrans in Africa.

The Soviet Union supplies and trains guerrillas for attacks against Rhodesia, the Portuguese African provinces and the Republic of South Africa.

The Soviet Union is using Cuba as a base to harass and subvert the countries of North and South America.

While the Western nations are preoccupied with disarmament and withdrawal, the Soviet Union is feverishly building superior military forces on land and sea and in the air. Its navies have moved into threatening positions in the Mediterranean Sea and the Indian Ocean. Its ships even maintain close surveillance over the vital installations at Cape Kennedy, Charleston and Norfolk.

The Soviet Union invaded and occupied Czechoslovakia, its Communist ally. If it will attack its friendly satellites, can it be expected to have any deference toward its non-Communist neighbors?

The Soviet Union has always assumed the role of a world troublemaker. Its recent swing back to Stalinism bodes ill for international stability and peace.

STATEMENT OF LORD LLEWELYN-DAVIES

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a pleasure to call the attention of the Congress and the American people to the excellent statement presented by Lord Llewelyn-Davies before the Committee on Science and Astronautics.

Lord Llewelyn-Davies gave his paper at the 10th annual meeting of the Panel on Science and Technology which advises the House Science Committee.

Because I believe there is much merit in Lord Llewelyn-Davies' presentation, I am placing it in the CONGRESSIONAL RECORD to assure a wide circulation of his thinking in our country:

PRECIS OF A PAPER GIVEN TO THE COMMITTEE ON SCIENCE AND ASTRONAUTICS, U.S. HOUSE OF REPRESENTATIVES, FEBRUARY 4, 1969

NEW CITIES—A BRITISH EXAMPLE: MILTON KEYNES

(By Richard Llewelyn-Davies)

Today there are 21 new towns or cities in Britain. Of these 15 are wholly or almost completed, and about one million people are now living in them. In addition there are a further 4 cities and 5 major town expansion schemes at the stage of design or execution.[1]

The new city of Milton Keynes, with an eventual population of 250,000, fifty-five miles northwest of London, is the latest and largest now being planned. Construction will start in about 12 months and the city will reach a population of 150,000 by 1981.

Political background

In Britain there is general acceptance of the need for central and local government to take the initiative in improving the urban environment, and this view is shared by all political parties. As planning inevitably is a long-term matter and planning decisions may take 25 years to work through, some general concensus between the two major political parties is a pre-requisite for its success.

In some respects the legal powers available to local and central government in Britain are more limited than those of corresponding authorities in the United States, which, for example, have greater powers for the acquisition of property under Eminent Domain. Compensation paid to the private owner also tends to be higher in Britain. The tax on undeveloped land, levied in some American cities, but not used in Britain, is an indirect weapon for planning.

However the structure of local government in Britain tends to be less obstructive. Unlike USA, city boundaries are regularly extended to enclose new suburbs. A Royal Commission, now sitting, will probably propose a reduction in the number of local authorities to about 50, each based on a city region.

Historical Background

The new towns movement arose from social and political criticism of existing cities as symbolic of the evils of industrial society in the 19th century. The pioneer British new towns, Letchworth and Welwyn, were purely private enterprise operations. In both cases joint-stock companies were formed to acquire land and build the town, and until World War 2 these were the only examples of new towns in Britain. They achieved international renown as the first realisations of the Utopian dream of the *ideal city*.

What are new towns?

Early concepts of the new town reflected the pre-war view that population increase was slowing down and might cease. Projections for the future of motor car ownership were not taken fully into account, and it was taken for granted that cities and towns could and should, be prevented from growing beyond certain ideal sizes. However, we now see the emergence of a limited number of huge metropolitan urban regions,[2] [3] expanding rapidly, whereas in the rest of the country towns are static or even declining. Demographic studies show that a line may be drawn round an urban region so that towns within the line will be increasing population, whereas those beyond will be static or losing population.[4] In these expanding urban areas, however, population densities are decreasing, largely due to new modes of transportation, resulting in spread out housing and industry.

Footnotes at end of article.

Why build new towns?

Throughout the history of the new town idea there have been two goals: to manage urban development better and to demonstrate improved forms of urban environment and living, thus providing a model for the future.

Today we think of the practical aim as being to assist in the management of developing polycentric urban regions. Thanks to rapidly improving communications, towns and cities within these regions have become mutually dependent, commercially, industrially and socially.

Recent transport surveys suggest that in the next decades much of the increases in traffic will be taken up by cross journeys from one point to another, not from periphery to centre. No mode of transport, other than the motor vehicle, as yet provides for this complex criss-crossing of communications across a large area, relieving the pressure on the historic centres of old towns, diffusing social and commercial activity over wider areas and generally increasing the richness of the life of the inhabitants. "Natural" development does not seem to result in the growth of *balanced communities*, but in vast tracts of one class housing, interspersed with equally vast tracts of industrial development; it seems to act as a centrifuge, separating out and segregating races, income groups and forms of activity, and has led to vigorous growth on the periphery of cities, but often to disastrous decay, both social and economic, in the older areas around the city core. The establishment of new towns is a deliberate attempt to create balanced development, promoting points of concentration within a developing urban region.

The case for new towns in present day USA has been put with very great penetration by the late Catherine Bauer Wurster[5] whose argument takes account of public attitudes and of political forces as well as technical planning considerations. New towns, by focusing development in an urban region, make possible the preservation of large islands of open country for recreation and agriculture.[6] Increasing income and improved education have resulted in a very strong demand for better conditions of life in cities. Therefore the role of the new town in offering opportunity for experiment is a matter of the utmost public and political importance.

PART II: THE NEW CITY OF MILTON KEYNES

Administrative structure

In common with other British new towns and cities built in areas without existing populations, Milton Keynes is the responsibility of a new town Corporation. This is a public corporation which acts in nearly all respects as if it were a private developer with freedom to buy land, build roads, sewers, etc., and to sell or lease land and buildings. It also possesses powers for compulsory purchase of land. It is able to borrow money direct from the national Treasury at full current interest rates.

The south-east of England is the fastest growing area in the country and present regional development policy calls for three new cities and several big expansions of existing cities.[7] [8]

The location and extent of the new town site was mapped after a special study, and a local public enquiry which resulted in approval of the project with some modifications to the proposed boundaries of the site. The governing body of the Corporation, whose chairman is an internationally distinguished businessman, consists of about a dozen persons appointed directly by the Minister. Its first act was to commission a plan for the new city from planning consultants.[9] This will include a physical master plan, a comprehensive statement of social and economic goals and policies, a timetable for development and financial projections for the operation. When the plan is completed a further

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enquiry will be held and the plan may be modified in the light of the objections raised at this stage. A first, interim report, is published after 12 months and the final report after 2 years. (The Interim Report has just been made public.)

During the planning stage the Corporation is purchasing the land within the designated boundaries, generally by direct negotiation with the land owners. Recourse is rarely made to compulsory powers.

From the finalising of the master plan to the completion of the city will take about 20 years. At the conclusion of this process the Corporation will be dissolved, handing over such real estate as it has retained to a body of trustees. (All the new towns so far completed have shown a good return on investment, judged by normal business standards.)

The plan for the new city

Unlike previous new town proposals, the plan for Milton Keynes is an action programme, not a design for an ideal city. The bulk of the plan will be devoted to proposals for economic growth, education, health care, social development, population expansion and recreation. It must also propose a physical framework for the city—roads, transport, sewers, water supply and power, and suggest locational patterns for buildings for various purposes.

Education: Milton Keynes could be the first city consciously planned as a city for learning. The plan calls for innovation and emphasises the need for variety and choice, by students and parents.

Health care: In Milton Keynes there will be an integrated system of complete health care and the buildings and plant needed will be located and designed to fit the total system, not just one part of it, as is currently the case. The doctors and public health authorities in the area are themselves engaged with the new city's planners in preparing proposals.

Social development: Special problems and opportunities exist in new communities, which have been well documented, both in the USA and in Britain. It is now possible to foresee many of the social problems and make plans to solve them, ensuring that social and recreational facilities do not lag behind.

The new city has a specific aim to promote social mix—to take in its full share of all ages, incomes and minority groups, and to demonstrate that it is possible for urban life to accept variety.

Population growth: Nowadays this can be predicted with some accuracy in a new city and these predictions are a most important tool for the policy-maker in guiding the city's growth. For example an industrialist considering the new town as a possible location for a factory will want to know what the local labour force will be, while home building, shopping and commercial entertainment will be based on projections of the market, for which population figures are essential.

Recreation: Rising incomes and increasing leisure will make this the biggest industry in Milton Keynes. The plan therefore includes an international standard golf course, a sculpture park, and a linear park, running the length of the whole city, along the banks of an existing river and a canal, which will, at one point, pass right through the city centre.

Transport: Many plans for new towns have been put forward, based on a particular technology of transit or on a special concept of road layout, requiring a very fixed plan. Certain areas are zoned for specific uses and any major departure from these fixes throws the whole transport system out of gear. For Milton Keynes we examined 46 possible transport systems, some of which are still several years ahead and may or may not reach feasibility. The real problem is to find a plan which will work in the short-run with currently practicable technology but which has the ability to accept and use future, revolutionary, systems when they become feasible. At Milton Keynes we have concluded, as has the United States Department of Housing and Urban Development,[10] that inner-city transport must offer equal convenience to the private automobile. The Milton Keynes plan is therefore based on a fairly close mesh of routes, approximately 1 kilometre (⅔ mile) apart, which will accommodate roads in the early years but can accept other technologies as they become available. There is also provision for two routes across the city—to take future inter-city rapid-transit when this becomes viable. As the city is building, small, specially designed buses, running on the normal road system at frequent intervals will open up access to all areas.

PART III: WHAT RELEVANCE HAS BRITISH EXPERIENCE TO UNITED STATES OF AMERICA?

There are big differences in urban conditions between the two countries, but there are also certain aspects of British experience which do have significant bearing on American problems. In the area of urban development, both countries are mixed economies: private initiative and market forces make things happen, within ground rules set by public systems of law, taxation and political power. Britain is moving away from faith in deterministic planning towards a recognition of the vital and creative role of private business and of the value of the market as a means for ensuring that people exercise choice and influence over their environment.

In the USA it is now recognised that if market forces continue to operate as they have operated in the last decades this will not give the people the urban environment they want. America can afford the best cities in the world; it has ample resources and a new determination to free private initiative to tackle the rebuilding of the old cities and the creation of new ones. The housing act passed by Congress in 1968 is an important step in this direction. At the present moment the two countries are approaching—from different starting points—a rather similar view of the urban problem. The main contribution from Britain lies in the experience of 25 years, within circumstances growing steadily more similiar to those in USA.

The main lessons can be summed up as follows:

1. New towns are essential tools in righting urban unbalance and decay. They are most effective as part of larger metropolitan or regional programmes, but can be used without them. Their symbolic and experimental role is politically significant. They can and should be good business financially.

2. The best institutional form for building a new town is undoubtedly a Development Corporation, acting as would a commercial developer. Whether this corporation is private or public or some form of public-private partnership does not really matter. Elected bodies such as cities and countries are not suited for such entrepreneurial activities, and although a large public body might sponsor new towns it would be well advised to create a Development Corporation for the task of building them as is currently being done by New York State.

3. Land acquisition at a reasonable price will be the biggest difficulty in USA, and some form of public assistance in land assembly for the new communities may be necessary. In Britain the new towns have powers of compulsory purchase within strictly defined boundaries but rarely exercise them in practice.

4. Much money has to be invested before it begins to come back to the developer. "Patient money" in Britain is provided principally by the Treasury, although private sources in Milton Keynes will contribute 50% of the investment. Insurance corporations and pension funds are much interested in this type of finance, for which the new US housing Act has special provision for giving Federal backing. The design and development policy of a new town can make or mar it financially, since it is possible, by thoughtful design to get much earlier returns on investment. There are important lessons from British experience in this.

5. A new town must be located where it meets a need and has economic growth potential. One British new town which was poorly located for growth has been a failure and never became more than a small dormitory.

6. New towns do not automatically produce social balance. In Britain they have attracted the young, the upwardly mobile, the skilled technicians, the professionals. They have had relatively low inflow of the poor, the rich, the old and the minority groups. As a matter of policy they can, and now do, set about attracting a more balanced community. In particular they offer a chance to get the minority racial groups, now present in some numbers in Britain, into communities where they can be integrated.

7. The design should have, as its central aim, provision for choice and change. Since the future is not accurately predictable, there is a dilemma between the need for acting now and the need to leave options open for change.

8. Building a new city, even a new town, is very big business indeed. The capital investment budget for Milton Keynes is about $3,000,000,000. To achieve such a project quickly and well calls for the highest manage, financial and professional skills available. In Britain we have not always had men of the right quality in the right place at the right time, and some of our new towns are less good than they should have been. Our earliest new towns, Welwyn and Letchworth were truly innovative, bold and successful. We then settled down to the practical job of building as many new towns as possible as fast as possible. During this period we did not evaluate our goals and achievements as clearly as we should have done, and new thinking was slow to develop. Now, we are entering a new period of innovation (and are looking to the U.S.A. for some of the most original thinking about the future). If America now enters, deliberately, upon the creation of new towns and cities, nothing less than the best and most creative leadership, and the highest levels of professional skill and experience will be adequate for the task.

FOOTNOTES

[1] "New Towns Come of Age" Special issue of Town and Country Planning, Jan.–Feb. 1968 Vol. 36 No. 1 to 2 (London).

[2] Gottman, Jean: "Megalopolis—The Urbanised North Eastern Seaboard of the United States" Twentieth Century Fund, New York 1961.

[3] Hall, P.: "London 2000," Faber and Faber, London 1963.

[4] "A New City" a study of urban development in an area including Newbury, Swindon, and Didcot HMSO, London 1966.

[5] Wurster, Catherine Bauer: "The Form and Structure of the Future Urban Complex" published by Johns Hopkins Press Baltimore, USA 1963 in "Cities and Space" for Resources for the Future Inc.

[6] *Ibid*, footnote 4.

[7] Ministry of Housing and Local Government: "The South East Study, 1961–1981", HMSO, London, 1964.

[8] South East Economic Planning Council: "A Strategy for the South East," HMSO, London 1967.

[9] Four of the leading firms of consultants in Britain competed for the commission,

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Footnotes at end of article.

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which was won by the firm in which the present author is a partner.

[10] H.U.D.: "Tomorrow's Transportation" US Government Printing Office, Washington, D.C. 20402, 1968.

BOOKS FOR AMERICAN FORCES IN VIETNAM

HON. BIRCH BAYH

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Friday, March 7, 1969

Mr. BAYH. Mr. President, efforts to maintain the morale of American forces in Vietnam are as important as the logistics of furnishing these forces with adequate armament, equipment, food, and shelter.

It is, therefore, fitting that attention be directed toward the efforts of those many dedicated Americans who have taken a personal responsibility for maintaining a high level of morale among our forces in Vietnam and elsewhere in the world. The persons I have in mind are not necessarily the motion picture star, the television entertainer, or the sports personality, all of whom play a vital role; rather I am primarily thinking of the average citizen who has contributed extensively of his personal time, talent, and money.

One such American is Mr. Arnold C. Bauer, of South Bend, Ind. In nearly 3 years, Mr. Bauer has collected, packaged, and shipped more than 24,000 volumes of paperback books to American servicemen in Vietnam. Books have been supplied by numerous citizens of South Bend; names of servicemen by families and friends; and paper and tape to wrap the packages by local businesses. Mailing costs have been dependent upon local good will and the generosity of Mr. Bauer's own purse.

Mr. Bauer's herculean efforts in behalf of our forces in Vietnam constitute an accomplishment in which he should rightly take pride. I strongly endorse efforts such as those undertaken by Mr. Bauer, and I hope that many other Americans will see fit to emulate his example.

W. H. M. STOVER—LEADER IN FIGHT AGAINST CRIME—ADDRESSES WASHINGTON KIWANIS CLUB ON COMMUNITY INVOLVEMENT IN COMBATING LAWLESSNESS

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Friday, March 7, 1969

Mr. RANDOLPH. Mr. President, W. H. M. "Bill" Stover, a long-time personal friend, and president of "Help Your Police Fight Crime," addressed the Washington Kiwanis Club at the Mayflower Hotel last week.

Mr. Stover's subject, "The Crime Worm Begins To Turn," developed a cogent speech analysis of the problem of crime. He acknowledged the complex breeding places of crime and he did not pose as a man with all the answers in combating this immense problem. Instead, he commented:

> The trend of crime can be reversed only through rational return to respect, restraint and civic responsibility. Make no mistake about it—the war on crime cannot be won unless and until all our people, of every race, creed and station, unite and stand together under the banner of good citizenship.

He told the service club members to become involved and to salute policemen, who risk their lives daily so that we have a greater measure of safety. He urged members to display "Good Citizenship" and "Help Your Police Fight Crime" banners.

Mr. President, I ask unanimous consent to have Mr. Stover's address printed in the RECORD at this point.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

THE CRIME WORM BEGINS TO TURN

(By "Bill" W. H. M. Stover, president, Help Your Police Fight Crime, February 27, Kiwanis Club of Washington, D.C.)

1. PERMISSIVENESS IS FOLLY

1. Permissiveness is a great folly of our time. No man should light a match to probe a gas tank, or pour gasoline on a hot stove. And no man can, with immunity, shout fire in a crowded theater.

So long as misguided leaders, even though proclaiming non-violent intentions, incite the less perceptive to acts of violence, crime will expand. Calling a stinkweed a rose doesn't make it smell any sweeter.

And so long as leaders spew out bitter, inflammatory utterances, dividing class against class and race against race, deliberately or unwittingly, crime will fester and grow.

So make no mistake about it—the trend of crime will not be reversed unless, as FBI Director J. Edgar Hoover says, "Law enforcement penalties are swift, sure and severe."

And please understand that nothing about this talk, or the Help Your Police Fight Crime group I represent, is in any way motivated by racism—or any other ism—left-ism or right-ism—by the poverty kick or other phase of economics; and certainly not by politics, for I have no axe to grind.

In my judgment, anyone who confuses crime with race and poverty and politics is absurdly stupid. More often the Negro is the victim; poverty the excuse; and politics the loser.

We need to shun, as the plague, what I shall call the 7 deadly fallacies of pernicious permissiveness, for:

A. No man has the right, divine or otherwise, to break any law.

B. Poor beginnings do not constitute a license to irresponsibility.

C. To rationalize, excuse and condone lawlessness is suicidal.

D. Shouting police brutality in many instances is but a smoke-screen and pure nonsense.

E. Making every loudmouthed hoodlum a hero, and the policeman the goat, rewards, instead of penalizes, the criminal.

F. Turning potentially dangerous criminals loose to strike again, gives everybody the jitters, including the ones who release them. "The way to maintain law and order," in the realistic words of Congressman John Marsh of Virginia, "is to make a stay in prison an unpleasant experience"—"not a relaxing vacation."

G. The no-win, no-shoot permissiveness practiced during the 1968 riots, with police handcuffed instead of looters, arsonists and murderers, has been thoroughly discredited. It's still true—if you spare the rod, you spoil the child. This lesson America needs desperately to learn—first in the home, then in the community.

Centuries ago a code of laws was carved on tablets of stone. These laws have not been rescinded, superseded, or improved upon—except by the addition of an eleventh.

The 10 Commandments are not permissive or optional. They are firm and incisive—thou shalt not kill, steal, lie or covet. Six days shalt thou labor and rest on the seventh. Today's version is loaf six days and collect on the seventh. It is still true that indolence, idleness and irresponsibility breed crime and criminals. To deny any man the necessity for honest toil is to rob him of his inherent dignity—and ultimately of his self-respect.

The social unrest, radical demonstrations, racial bitterness and violence across the Nation today are symptoms of man's soul-sickness. Make no mistake about it—so long as men despise and ignore God's laws, the laws of men will be downgraded—and crime will abound in the land. Yet, I feel confident that the crime worm has now begun to turn.

2. ONE POSSIBLE ANSWER

Now I do not pose as an authority on crime, nor presume to have all the answers. But 18 months ago the Help Your Police Fight Crime group, of which I am the President, did repeatedly raise the question—What can citizens do to help?—and I do sincerely believe we have found one basic answer.

Of course, none of us would be so naive as to think there is any one magic panacea or one shot cure-all for crime. Nevertheless, all of us know the crime cancer continues to fester and spread, as it eats at the vitals of this Nation—despite a superabundance of panels, studies, commissions, dollars, legislation and rhetoric.

We, of course, are aware that much of today's crime is the result of a great complex of problems of poor health, poor education, poor housing, drug addiction, alcoholism, immorality, etc., all of which stem, in large part, from poor motivations—or wrong attitudes. Appropriate groups increasingly are taking action in these areas.

We know also that police morale is at such a low ebb that recruitment has long been a problem. Often good policemen today, in understandable frustration, seek early retirement. Public apathy, police brutality nonsense, hero worship of loudmouthed criminals, all have played a part. Police have been downgraded and kicked around until they think the judges, courts, legislators, press and pulpit—all are against them—and worst of all—they think that you and I don't give a hoot. Again we are confronted with wrong attitudes.

After conferences with, and advice from, some ten police department representatives from D.C. and nearby Maryland and Virginia, we decided upon a 3-step program; namely (1) to try improve the image of the policeman; (2) to try alert the public against careless acts which invite crime; and (3) to help overcome the appalling apathy of people who, because of precedent, prejudice, fear, or frustration, refuse to become personally involved. Here again we encountered wrong attitudes.

We concluded that perhaps there is one answer. Perhaps we have been treating the pains and aches and symptoms of crime and overlooking the real culprit—the diseased attitudes from which lawless acts have sprung.

Lawlessness is caused by a relatively few bad apples and is supported only by a handful of the misguided. Is it such a wild dream to think that a majority will, if properly led, respond to a positive appeal for concerted action and self-preservation?

Appeal to men's minds and hearts unquestionably is the only realistic way to motivate men for good or evil. The positive attitude approach properly led is basic, simple and

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relatively inexpensive. Strangely enough, it is as yet untried. Why not try the right psychological approach and win the war on crime?

The time is ripe. The great majority of responsible citizens in America, of every race, creed and condition, are now fed up with the ravages of crime and long for safety of person and sanity in the market place. The people wait only for leaders who, with perception and stamina, will unite and stand up together in their rightful places—*at the head of the parade.*

The trend of crime can be reversed only through rational return to respect, restraint and civic responsibility. Make no mistake about it—the war on crime cannot be won unless and until all our people, of every race, creed and station, unite and stand together under the banner of good citizenship.

Help Your Police Fight Crime is such a positive slogan or banner. If together we could make it a household phrase throughout our district and nation, reversal of the trend of crime would be assured.

It's as simple as that. Get enough good patriotic citizens to unite and take their stand publicly, for and with their law enforcement officers, and the crime problem will solve itself, overnight.

Attitudes at the top already have changed. Thus the crime worm begins to turn. FBI Director J. Edgar Hoover has been joined recently by other strong law enforcement advocates.

Mr. Hoover said recently, "We, as citizens, can no longer bury our heads in the sand . . . The time has come when each individual must do what he can to fight the crime plague which threatens to destroy our country."

Vice President Agnew brought to Washington the firm crime stance he displayed while Governor of Maryland. Mr. E. J. Younger, the D. A. from L. A., who headed President Nixon's task force on crime, said, "A no-nonsense approach toward law and order—at the highest level of authority—the Presidency—is an absolute must."

As early as October 1967, President Nixon said, "There can be no progress unless there is an end to violence and unless there is respect for the rule of law." And, on February 3, 1968, Attorney General John N. Mitchell, America's chief law enforcement officer, said, "The Nixon Administration is desperately searching for ideas and solutions on crime control," and invited "the help of individual volunteers, civic groups, corporations and professional organizations in attacking crime."

Today we are privileged to believe that with Administration help, the crime worm is beginning to turn. The contagious crime cancer, which many in frustration considered incurable, will respond to sound treatment if only each of us—individual, merchant and government official—will become involved personally and as a total community.

So, if you really are concerned about the crime crisis, which hourly grows worse, why not join the psychological war to discourage crime and criminals?

3. A CHALLENGE TO ALL-OUT PERSONAL AND COMMUNITY INVOLVEMENT

So what do I advocate? I challenge each of us to salute—not one policeman only one day each year, as we do in Kiwanis Clubs today—but to salute all policemen everywhere, every day of the year. We owe it to these courageous men—who risk their lives daily that we might have a greater measure of safety. These men are sworn to enforce the laws which we, the people, make. We must get personally involved and help them carry the piano—not just sit on the stool. If any policeman is unworthy, then for the good of the force, remove him—don't penalize the good cop.

What better way can citizens daily salute every policeman than by displaying a Help Your Police Fight Crime banner everywhere the human eye can see? Visualize such a banner on every car, cab, bus or truck that passes the policeman on the corner. Your support will do wonders for his morale. It will inspire and encourage others to stand up with you in support of their police. And—the unity of action would do much to discourage would-be disrupters and trouble makers.

Visualize if you will this same slogan stamped on every envelope going through the U.S. mails. What better way can appeal be made to so many, so smoothly? Today hundreds of business firms, with Pitney Bowes cooperation, disseminate not only the unity slogan, but some have taken this unprecedented means of telling the public where to write for banners. Others use rubber stamps. Uncle Sam could, and may eventually use a cancelling die, or issue a postage stamp, or both, to carry the message more widely.

Visualize the added prestige and coverage possible through hundreds of TV spots, similar to the ones you've seen here today. Some of these can be seen daily on TV channel 5. Multiply the larger potential of such advertising by the total professional and business community, and you get some idea of the wide-flung impact an all-out effort could make on our people locally. The further impact of the vast Federal resources, presently being sought and considered, could add nationally to this drive to educate and lead the minds and hearts of men into ways of peace.

How can you become involved? Launch a 30-day drive to put a million "Good Citizenship Banners" on display all over the greater Washington area. Get every individual, every merchant, professional man, government agency, industry, club, association and citizen involved. Saturate this area with the phrase Help Your Police Fight Crime—by press, TV, radio, and word of mouth, until people get the courage and good sense to unite and stand up together for law and order—behind and with their enforcement officers.

Here is our proposal to the Washington Kiwanis Club as the host club in Division 1. Let the larger and strongest Washington club act as clearing house for any of the 17 Kiwanis clubs desiring to become involved.

1. Despite any understandable aversion to bumper stickers—which most of us share—consider the larger values of a good citizenship banner, if proudly displayed on the many fine cars of community leaders.

Besides, there could be fringe benefits. People sometimes ask, "If I wear a bumper sticker on my car, will it keep me from getting a ticket?" It may work that way with you, I tell them, but it didn't with me. I got 2 tickets the first month. What it should do is remind us all not to violate any law that would warrant a ticket.

Three fringe benefits come to mind.

(A) Dr. Sam Amato, a member of our Georgetown Club, ran too fast through a known speed trap. The officer overtaking him at the intersection shook his finger in his car window violently, then said in a low voice, that was for the on-lookers, I'm not giving you a ticket—so—get going—and watch it—the next cop may not see your sticker.

(B) Jim Gustafson, one of our directors and Sales Manager of WTTG/TV, left his car parked in the middle of a narrow street while he carried equipment into a shop. He came out in time to see an officer with pencil poised to write a ticket until he saw the sticker. The officer put up his pencil and pad, walked up to Jim and said, You've got cars backed up a mile—let me help carry that in, so you can move out.

(C) Gov. Alper tells the prize story. Rushing up the country to speak about Help Your Police Fight Crime, he ran a red light, heard the siren, saw the motorcycle in his mirror, and being late and in a hurry, pulled over, got out his license and registration card—and when the officer came up, handed them to him, saying, I'm guilty, officer, I ran the light. I'm late for a speech at the Kiwanis Club on the subject—of all things—crime. He had a pile of Help Your Police Fight Crime stickers on the seat. The officer took the cards, looked at them, then handed them back, saying, Go ahead—I won't delay you. Then as he walked off, said, You'd better get that permit renewed. Mort says his permit had expired 30 days earlier.

2. Let each club encourage participating members and merchants to distribute the banners free to customers and employees. Urge each to wear one or more on car, cab, or truck, and set the example. We used to advocate that merchants sell the stickers until people started stealing first the stickers, then the cash—and one woman actually stole the car.

3. Provide a quantity gratis to city and county government department heads, urging their display on all public vehicles, street receptacles, etc., where appropriate. Inspire them to encourage all their employees to wear one or more good citizenship banners on personal cars—with the compliments of Kiwanis International.

4. Set up some plan to contact all colleges, public and private schools, especially upper grades. Make it possible for each student to have access to a free banner. He may wish to take it home and get his Dad to wear it on his car or truck or cab, or home window. Teenagers take readily to the idea, often asking, "Please mister, may I have one for our car?"

5. Invite all members and merchants in the area using postage meters to call Pitney Bowes and order PMA 409 attachment that will automatically print Help Your Police Fight Crime on all outgoing mail. Those not using a meter can use a rubber stamp, or have the slogan printed on all future envelopes, letterheads, inter-office documents, etc.

6. Meanwhile, a banner could be posted on all bulletin boards, filing cabinets, teller windows, cashiers cages and other conspicuous places in your stores, lobbies and offices where customer attention will daily be focused on the message.

7. Use any excess in funds received over outlay to purchase TV spots at $25 per spot, day rate, and $90 per spot (prime time after 6 PM). These special prices have been quoted by Mr. James Gustafson, Sales Manager of Channel 5, WTTG/TV, to whom we are indebted for the TV demonstration witnessed here today. (Recognize Mr. Gustafson)

We solicit your serious and early consideration of this proposal. Meanwhile, the original of this report, together with a proposal, will be turned over to your President, and a copy will be made available to each of the other 16 Kiwanis clubs, and to any other civic club requesting one. In fact there is a copy available for each person present if he'll stop by the table by the door.

In conclusion, let me point out that Help Your Police Fight Crime is sponsored by the Georgetown Kiwanis Club, as one of its law and order projects and as a fund raiser. Help Your Police Fight Crime is a non-profit organization with little overhead. I should like to see any excess divided equally between Heroes, Inc., Metropolitan Police Boys Club and the Georgetown Kiwanis Foundation.

Before taking my seat, let me express my appreciation for that generous introduction, which fear of emotion, earlier caused me to resort to humor.

There have been many times in the past 18 months when I was discouraged and ready to quit. But each time some nice guy like Mort Alper came along to bind up my wounds and set my heart singing again. I never cease to be amazed at the eternal goodness of man. I find it everywhere, as I am sure you do.

I believe sincerely, ladies and gentlemen, that our God has a purpose for every life—

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and that it is up to us to find our particular chore and become personally involved in pursuing it—voluntarily, relentlessly, and if necessary, sacrificially—else it may never get done, and delay the coming of the spirit of His Kingdom, so badly needed on the earth today.

This crime fighting drive falls into that category with me. It has become an obsession which almost by Divine inspiration haunts me night and day. I cannot quit—I cannot rest—I feel I must keep going until many embrace the right thinking—psychological approach.

I realize, of course, that one man alone, or any small group like Help Your Police Fight Crime, can do little—but in the words of Cannon Farrar, each of us must say to himself, "What I can do I ought—and what I ought to do—by the grace of God—I will do!" In this spirit I invite your participation.

HOUSE OF REPRESENTATIVES—*Monday, March 10, 1969*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Let us hear the conclusion of the whole matter: fear God and keep his commandments: for this is the whole duty of man.—Ecclesiastes 12:13.

O Thou who hast made us and dost keep us day by day, we bow in Thy presence at the beginning of another week to offer unto Thee the devotion of our hearts. Grant unto each one of us inner resources of spiritual power that we may not be overcome by troubles, but rising above them make each day a pageant of triumph. Make us such radiant personalities and so filled with good will that we may commend to the world the faith we profess.

We pray for our Nation, our President, our Speaker, Members of our Congress, those who work with them, and all our people. Following the leading of Thy spirit and walking in the way of Thy commandments, may we here in America find a new unity in a common faith and a common endeavor, and living close to Thee find ourselves closer to each other; through Jesus Christ our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, March 6, 1969, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 497. An act to amend section 301 of the Manpower Development and Training Act of 1962, as amended.

The message also announced that the Vice President, pursuant to Public Law 84–1028, appointed Mr. HOLLAND, Mr. CANNON, Mr. HART, and Mr. GOODELL to be members of the Board of Visitors to the U.S. Military Academy.

The message also announced that the Vice President, pursuant to Public Law 80–816, appointed Mr. MAGNUSON, Mr. TYDINGS, Mr. SCHWEIKER, and Mr. GURNEY to be members of the Board of Visitors to the U.S. Naval Academy.

The message also announced that the Vice President, pursuant to Public Law 84–1028, appointed Mr. ELLENDER, Mr. BURDICK, Mr. DOMINICK, and Mr. FANNIN to be members of the Board of Visitors to the U.S. Air Force Academy.

The message also announced that the Vice President, pursuant to Public Law 78–301, appointed Mr. BYRD of Virginia to be a member of the Board of Visitors to the U.S. Merchant Marine Academy.

The message also announced that the Vice President, pursuant to Public Law 81–207, appointed Mr. MONTOYA to be a member of the Board of Visitors to the U.S. Coast Guard Academy.

THE PROPOSED INCREASE IN THE DEBT CEILING AND ITS RELATION TO THE SURCHARGE TAX

(Mr. VANIK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VANIK. Mr. Speaker, today, as a member of the Ways and Means Committee, I will support the proposals for a new debt ceiling allowing the administration a reasonable degree of flexibility in handling its fiscal affairs. The proposed ceiling meets every explained contingent need of the Government.

However, my support for the proposed debt ceiling does not commit me to continue the 10-percent tax surcharge beyond June 30.

It is my judgment that the revenue loss occasioned by a termination of the surtax could be made up by the adoption of legislation already before the Congress to close up the obvious loopholes which demoralize the integrity of our tax structure. Congress is more likely to adopt corrective legislation to close loopholes if there is a fiscal urgency to replace revenues lost by the termination of the surtax. A minimum tax reform program should produce sufficient revenue to make up the revenues previously produced by the surtax.

Otherwise, the tax reform discussions may well continue for the remainder of the century, producing nothing more than extended talk.

Congress must be urged to act with vigor on tax reform. Necessity will be the incentive for proper action if we terminate the tax surcharge.

THE EVER-ESCALATING FOOD PRICES

(Mr. CARTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER. Mr. Speaker, as it happens, I frequently visit the supermarkets in this area, both to assist my wife in purchasing and to check on the ever-escalating food prices, and on the different ways in which meat, food, fish, and fowl are priced and packaged.

Mr. Speaker, with interest rates jumping to 7¾ percent, with housing prices soaring, and with the cost of all the necessities of life increasing, a great hardship is being placed upon our working people, upon the great middle class, and upon our senior citizens living on fixed incomes.

These are the people who have no tax loopholes. These are the good Americans whose sons are fighting the war in Vietnam, while the sons of the wealthy and the well-to-do are in college, the National Guard, or the Reserves.

Since all the revenue bills, by the Constitution, must originate in the House of Representatives, it is the opinion of many that our recent salary increase was unconstitutional, and I agree.

The inflationary spiral must be stopped. Those of us who have preached economy should now practice it. Today, with all sincerity, I am introducing a bill to return the salaries of the Members of Congress to their former levels. The financial "buck" stops here. If you are willing to sacrifice private pelf for public good, I ask that you cosponsor this bill.

EISENHOWER INTERSTATE HIGHWAY SYSTEM

(Mr. MIZE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MIZE. Mr. Speaker, on March 4, 1969, our distinguished colleague from California, Congressman BOB WILSON, introduced legislation to designate the Interstate Highway System of the United States as the Eisenhower Interstate Highway System."

I wish to commend Mr. WILSON for his most appropriate suggestion, and announce that I suscribe completely with his recommendation. I am today introducing identical legislation which, hopefully, will soon result in proper tribute to a great American soldier and statesman.

General Eisenhower, as he gallantly recuperates from his latest illness, knows the fond affection the Congress and the people hold for him. Millions throughout the world are free today; but for the foresight and skill of General Eisenhower, those same millions could well be suffering the bondage of totalitarianism. His grateful public surely includes not only his countrymen, whom he served so long and so well, but also all the peoples of the free world, whom he defended in war and protected in peace.

During his Presidency, General Eisenhower's vision and determination brought many lasting programs of merit. In foreign affairs, enactment of food for peace has resulted in distribution of over $17 billion in surplus agricultural commodities to the hungry abroad. Food for peace in nation after nation has evolved into increased cash markets for U.S. produce.

At home, President Eisenhower inaugurated the Federal Aid Highway Act of 1956. Creation of the Federal highway trust fund and the Interstate System has averted a complete catastrophy in trans-

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portation. Without this legislation and the resulting system of well-planned highways, the Nation would have long since overwhelmed its roadsteads. As my colleague has pointed out, America is a Nation on wheels and General Eisenhower had the foresight to anticipate our need for a truly national highway system.

Mr. Speaker, it is only fitting that that system should bear his honored name. We, as individual Members of Congress, can use this vehicle to convey our thanks to Dwight David Eisenhower for a lifetime of unparalleled public service.

Not far from the Eisenhower boyhood home at Abilene, Kans., which I am honored to include in my congressional district, is a broad, clean, well-built ribbon of highway. This highway, Interstate 70, one of the east-west arteries in the system, goes on to Denver and will eventually link the two coasts.

As mobile America uses this great Interstate System to travel across the length and breadth of the land, it is fitting, I feel, that one of the arteries leads to Abilene, Kans. Thousands of travelers plan their trips each so that they can visit the boyhood home of Dwight David Eisenhower and see the library and museum which have been built in his honor at the Eisenhower Center in Abilene.

These visitors travel on from this stop, ennobled by the experience, and with a deeper appreciation of the greatness of the 34th President of the United States. They know why Mr. Eisenhower holds such a high place in the hearts and minds of Kansans and why any further recognition paid to him by his countrymen is well deserved.

Again, I salute the gentleman from California (Mr. WILSON) for making this proposal. I am honored to join him and I urge other colleagues to lend their support.

URBAN DIFFICULTIES CALL FOR RURAL JOB DEVELOPMENT

(Mr. MIZE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MIZE. Mr. Speaker, the increased congestion of our Nation's cities concerns every thinking American. Public services, such as sanitation, police protection, fire protection, and an adequate water supply, are provided only at prohibitive cost in the glutted center cities. This problem is compounded, of course, by inadequate job opportunities and underemployment in these areas.

Scholars and public administrators agree that redistribution of the population, with increased industrial and commercial activity in rural areas, would materially improve opportunity and conditions of life—both in the cities and in the open countryside.

Ours is a free society. There can be no forced migrations in America, such as the Khrushchev Siberian development project. Americans must be attracted to jobs in the towns and villages of New England, the Northwest, the South, and the Midwest. Industries must be freely attracted to those regions for expanded opportunity.

Mr. Speaker, for these reasons I have sponsored the Rural Job Development Act of 1969. This legislation is sponsored in the other body by the distinguished senior Senator from Kansas, Senator PEARSON. Through a system of tax incentives, this act would encourage industrial development in rural America. County seat towns, which have been slowly dying from the effects of an eroding tax base and loss of population, would be given a new lease on life. Local residents would be taught skills for local employment. City dwellers, attracted by community stability, the lower cost of living, good schools, clean air, and better jobs, would contribute the skills they know to an environment which they had never hoped to enjoy.

Mr. Speaker, in the January 1969 issue of the Kansas Business Review, Mr. Robert L. Swinth, associate professor of the University of Kansas School of Business, has contributed a scholarly article which documents the case for rural job development.

Because of the widespread need for understanding in this challenging area of concern, I insert Professor Swinth's paper in the RECORD at this point:

NEEDED: A NATIONAL POLICY ON POPULATION DISTRIBUTION

(By Robert L. Swinth)

Urban problems have become a major issue for public discussion in the last few years. It now appears that over the next 10 to 20 years the federal government will appropriate up to 20 billion dollars for programs designed to improve urban conditions. A large portion of the funds will be used for urban redevelopment, i.e., new housing and improved public services ranging from better garbage collection to better roads. Additional funds will be used to better the lives of city dwellers, especially the poor, by means of job training, medical care, community action groups, and family services. Whitney Young, Jr., for example, has proposed that we undertake a Marshall Plan of aid for our cities and with "massive programs, increase jobs, housing, and education." [1]

Given that the need for action is recognized and that we are willing to make significant allocations of our resources to the cities, the question remaining is whether or not our present approach is sufficient for attacking the problem. Is it not conceivable that part of our urban crisis is really the result of overcrowding, and that this in turn contributes to poverty, alienation, and a reduction in the quality of urban life? Seldom do the proposals for alleviating the crisis of the cities mention overcrowding in these terms. The assumption is that people and industry will remain in the cities and ways must be found to accommodate them.

If we are willing to recognize, though, that the problems of the cities are partially the result of overcrowding, it becomes obvious that we not only need to continue and expand our state and federal programs to improve urban conditions, but we also need a federal and state policy to encourage the redistribution of population and industry to less crowded regions. This is not to say that money should not be spent in the cities, but rather, by reducing the demand on the bigger cities to provide facilities and services, the funds spent there will be more effective. Perhaps in this way, the vicious cycle in which each improvement in a city is dissipated by an increase in the city's population can be broken.

Many people who live in cities are sympathetic to reversing the trend toward ever-larger cities. A Gallup Poll conducted in May 1968 reported that one-half the persons living in the larger U.S. cities *and their suburbs* would leave them if they could. This was true for both blacks and whites, and furthermore, the trend for this preference has increased about seven percent since 1966.[2]

For the past century there has been a steady migration from the rural areas to the middle-sized cities and metropolitan conglomerates. There are no doubt many reasons for such a shift, but clearly one of the prime causes has been that more and better paying jobs are in the larger cities. Any attempt, therefore, to entice people out of the cities should use the same kind of attraction. That is, some industry would have to relocate in the regions where we want population to relocate.

To a great extent, the present locational pattern of American industry is an accident of history. In a large proportion of the cases, firms are not optimally located from the point of view of efficiency of product manufacture or the ease of distribution to markets. Given the improvement in the past two decades in transportation and communication, it is reasonable to expect that many firms could relocate at relatively little cost.

Many would argue that the region in which a firm locates is determined by economic considerations: convenience to raw materials, to markets for products, to labor supply, and to service facilities. In fact, this is only partly true. While it is beyond the scope of this article to demonstrate the actual magnitude of the economic factors, they are of much less importance than is commonly claimed. Consider the fact that, in many industries, firms with national markets locate all over the country. Manufacturers of plastic products, as a case in point, can be found in almost every state. The same is true of clothing, electronic products, furniture, and many others. Many firms are finding that today's network of communication and transportation facilities allows them to quickly serve widely scattered markets with fairly simple distribution and supply setups. By having airfreight services, firms in several industries have found that they can cut back on both the number of warehouses and the level of inventory to a small fraction of what was previously thought necessary to serve their customers. Because of the ease of communication, many firms can have the headquarters of their operations in almost any city, not in a single financial center. Therefore, it is not unreasonable to think of a much more widely distributed industrial system. The usual economic argument that it is more costly to locate in certain areas is not necessarily true, or important, especially when one takes into account the social costs to a region that is too densely populated.

The city has always been thought to be attractive because of the vibrant stimulation of the arts, the cuisine, the architecture, and the mere varieties of people who live there. However, it is also true that for many, most of the time, and for the rest, some of the time, the quality of life is reduced by the overcrowding. The effect of overcrowding on the city dweller depends in part on how much he can afford to pay to avoid it. One way to assess the relationship between the quality of life and the population density of a region is to look at a number of demographic variables which might have an impact and see how they vary with density. Although it is not possible to gather such information on many important issues, there are still a number of important variables for which data can be obtained.

Consider first the per capita level of expenditure for various local governmental services such as schools, police, etc. It would seem fair to say that these costs rise with increasing density and still do not relieve the congestion and complications of life in the city. Traditionally, local governments pro-

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[1] Whitney Young, Jr., "Marshall Plan for Cities," Saturday Review, March 1968.

[2] Kansas City Star, May 5, 1968, p. 13A.

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vide ten major classes of services: public school education, health services and facilities (hospitals, etc.), police protection, fire protection, sanitation (garbage and sewage), recreation facilities (parks), utilities (water, gas, electricity), streets, public transportation, and cultural facilities (libraries, museums, etc.).

Six of these municipal services were selected for an analysis of the relationship between expenditure and population density. For that purpose, data were gathered on a representative sample of metropolitan areas and counties for 1960, the last year in which complete data were available. For each service, a correlation analysis was used to measure the degree of association between the expenditure on that service and population density. For example, Table 1 shows that for health (with an r of 0.9), expenditures per capita increased almost in linear proportion to increases in population density. It has been assumed that there is no great variation in the quality of service for areas of different density. However, the quality of education in the public schools tends to be worse in the very large cities than in the middle and smaller cities.

For all of these services, except education and possibly recreation, the data suggest that there was indeed a greater per capita expenditure in the more densely populated regions. This was true for health, police, fire, and sanitation. The correlation between the population level of each region and per capita expenditure on education, etc., was also calculated. Note that in many instances there is a significant correlation with population. Perhaps the problems of the cities are in part the social diseconomies of scale. A service like sanitation illustrates why facilities will cost more in a more densely populated area. In a crowded city cheaper techniques for disposal of sewage (like holding ponds) cannot be used because land is too costly and sewage lines, etc., cannot be cheaply installed because these must compete with other service facilities like water, phone, and gas lines under already crowded streets.

The second major area to be considered is that of physical and mental health. Is there, for example, a relationship between the incidence of disease and density? Several categories were selected and sampled. It was found that only the incidence of tuberculosis varied directly with population density. Live birth rate, death rate, the incidence of syphilis, infective diseases, and suicides did not vary with density. It has been known for some time that tuberculosis is more probable in larger cities because of the higher levels of air pollution. The lack of significant relationship with birth rate is at least an argument that the larger city is not providing better service even though it has long been claimed that the opportunity for specialization enabled the larger city to provide better health care. The lack of relationship with suicides is interesting since one would assume a greater tendency for this kind of response to the environment under more crowded conditions. A possible explanation is that an individual's propensity to commit suicide is primarily a function of his heredity and personality rather than his environment.

A third category is in the area of crime rates. It was found that there is no relationship between crimes against property or crimes against persons and population density. In view of the crowded conditions of many poverty ghettos and the assumption that they breed crime, this information seems inconsistent. It should be noted that the per capita crime rate (against property and persons) is higher the larger the total population of the city. This is the only variable for which that fact is the case. In all other cases, the relationship is generally true for both density and population. This result suggests the need to rethink the causes of crime because the data suggest no simple link with density, contrary to the popular view. On the other hand, for the available health and crime data, the levels of incidence were not broken down by district within each region. It is possible that in aggregating over a region that includes both well-to-do neighborhoods and ghettos, important differences were washed out. In some sections of the country, the density of a region will be understated because the county which defines the region is large and mostly unpopulated except for a central dense core, whereas in other sections the counties are small and only those in the dense core are included.

Suppose that society decides that, in addition to current and proposed programs to help the cities, it is also feasible and worthwhile to encourage a redistribution of population and industry. What should the federal, state, and local governments do to facilitate this process? It would seem reasonable to use the tax system as the carrot and the stick: Firms that settle or expand their operations in areas of the country where growth is desirable could be given rebates on their federal taxes and firms that operate in metropolitan conglomerates could be taxed at an extra high rate. Probably the best way to accomplish this goal is to provide the opportunity for the tax on a firm to be made in proportion to the density of population for the region where its operations are located. The firm that operates in the more lightly populated area does not put as much demand on public services as does the firm that operates in the more densely populated and already burdened area and, therefore, the former could be taxed less than the latter. Furthermore, in the more densely populated area, firms are meeting an obligation to help pay for the additional urban problems arising from their presence. This taxing strategy allows a fundamental economic law to come into play: Those firms which find the less dense area most desirable and the urban location least necessary to continuance will be induced to relocate and those firms which find the large city is essential to operate will be willing to pay the price.

To use tax incentives to influence population and industry movement, it is necessary to have a concept of the ideal densities of various regions. Obviously, it is not desirable to disperse people uniformly over the country. It would seem reasonable to promote the growth of many more middle-sized cities, and to hold steady or reduce the populations of our metropolitan conglomerates. There are, of course, many small cities that could very well keep their current size. Either the people in them do not wish to see them grow, or they are limited by their geography.

It is a hard choice for many large cities to turn away industry while facing unemployment problems. Yet it would seem that the need for employment can be better met by attracting people out of these cities to employment opportunities elsewhere. Again, federal, state, and local governments can play an important role. One of the primary deterrents to the mobility of labor is the lack of information channels about opportunities. For example, in one study, it was found that most displaced workers obtained new jobs through informal channels and employment agencies played only a minor role.[3] Thus an important function of government and private industry would be to facilitate the dissemination of job information across regions. There are countless feasibility studies aging away in file drawers because no one knows how to get them to the people who will take the initiative to translate them into reality.

Another major function of government is planning. Clearly, it is not necessary to start new towns all over the country. Many existing communities provide an ideal base from which to grow as they are already functioning, with public institutions and services. Growth is never easy without forethought, however, and governmental agencies could be most useful in making expert planning information and guidance available to these communities.

In summary, this article is an attempt to demonstrate the need for developing explicit federal and state policies toward population distribution. While there is a critical need for programs to improve conditions in the cities, some funds and effort could also be expended to move people out of the city. It is not enough to improve already overcrowded environments that become still more crowded the moment conditions improve. There is no question that many people find the quality of life lessened in the large city. They live there primarily because that is where the jobs can be found. For a major segment of industry, however, location is as much an accident of history as a question of efficiency. If industry could be induced to move to less crowded areas through appropriate tax incentives, people would follow. With today's transportation and communication networks, there is little to deter the relocation of some major segments of industry.

ABOUT THE AUTHOR

Robert L. Swinth is an Associate Professor in the School of Business at The University of Kansas. He is a graduate of Stanford University, Palo Alto, California, where he received a B.S. degree in civil engineering and the M.B.A. and Ph.D. degrees in business, completing his graduate work in 1964. Before coming to Kansas in 1967 he was a Professor of Industrial Administration and Psychology at Carnegie Institute of Technology. He is a member of the American Psychological Association, American Sociological Association, The Institute of Management Sciences, and the Society for General Systems Research. Dr. Swinth has published articles in several journals including the Industrial Management Review, the Journal of Applied Psychology, and Management Science.

TABLE 1

	SMSA's[1]		Counties[1]	
	Correlation	F ratio	Correlation	F ratio
ON DENSITY				
Education	0.147	0.199	−0.154	0.485
Health [2]	.895	36.300	[2] .600	11.265
Police [2]	.888	33.706	[2] .677	16.927
Fire [2]	.532	3.544	[2] .414	4.149
Sanitation [2]	.907	41.712	[2] .723	21.875
Parks	.446	2.241	[2] .365	3.141
Birth	−.386	1.577	−.138	.386
Death	.475	2.629	.272	1.596
Tuberculosis [2]	.553	3.974	[2] .417	4.220
Syphilis	−.066	.039	.026	.014
Infective	−.003	.124	.007	0
Suicide	−.076	.052	.032	.020
Crime (personal)	.283	.595		
Crime (property)	.186	.322		
ON POPULATION (in thousands)				
Education	0.353	1.277	0.119	0.286
Health [2]	.872	28.692	[2] .575	9.885
Police [2]	.957	98.348	[2] .893	78.886
Fire	.231	.506	[2] .590	10.695
Sanitation [2]	.868	27.450	[2] .784	31.993
Parks [2]	.777	13.732	[2] .727	22.445
Birth [2]	−.507	3.113	−.102	.212
Death	.172	.274	.168	.582
Tuberculosis	.465	2.483	[2] .367	3.110
Syphilis	−.038	.013	−.003	0
Infective	−.228	.492	−.010	0
Suicide	.158	.232	.228	1.098
Crime (personal) [2]	.682	7.832		
Crime (property) [2]	.536	3.635		

[1] The analyses are used to determine where possible relationships might be found and are based on samples of 20 or less.

[2] Denotes indexes for which the correlation levels and F ratios suggest the existence of a significant relationship.

Source: See appendix.

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[3] W. Haber, L. A. Ferman, J. R. Hudson, "The Impact of Technological Change," The Upjohn Institute; Kalamazoo, Michigan, 1963.

APPENDIX

POPULATION AND DENSITY FIGURES USED FOR TABLE I

County and State	City	1960 Density		1960 Population	
		County	SMSA	County	SMSA
Roger Mills, Okla		4.5	158	5,090	
Park, Mont		5.0		13,168	
Montrose, Colo	Montrose	8.2		18,286	
Washington, Maine		12.9		32,908	
Ward, N. Dak	Minot	23.0		47,042	
Jasper, Ind		33.6		18,842	
Duplin, N.C		49.0		40,270	
Cape Girardeau, Mo	Cape Girardeau	73.0		42,020	
Douglas, Kans	Lawrence	93.4		43,720	
Marion, Ohio	Marion	148.7		60,221	
Spokane, Wash.[1]	Spokane	157.9	158	278,333	278,333
Washington, Tenn	Johnson City	198.3		64,832	
Kalamazoo, Mich.[1]	Kalamazoo	299.3	299	169,712	169,712
Pulaski, Ark.[1]	Little Rock	316.8	317	242,980	242,980
Salt Lake, Utah[1]	Salt Lake City	501.4	501	383,035	383,035
Hampden, Mass	Springfield	691.4	1,116	429,353	478,592
Los Angeles, Calif	Los Angeles	1,487.4	1,393	6,038,771	6,742,696
Middlesex, Mass	Cambridge	1,494.3	2,672	1,238,742	2,589,301
Orleans, La	New Orleans	3,153.4	777	627,525	868,480
Cook, Ill	Chicago	5,377.1	1,675	5,129,725	6,220,913
Philadelphia, Pa	Philadelphia	15,767.8	1,224	2,002,512	4,342,897
New York, N.Y	New York	77,194.6	4,977	7,781,984	10,694,633

[1] Indicates that the standard metropolitan statistical area (SMSA) is the same as the county area.

Sources: U.S. Bureau of the Census, Census of Governments 1962, vol. IV, No 3, "Finances of Municipalities and Township Governments," table 21; vol. IV, No. 4, "Compendium of Government Finances," table 53; vol. V, "Local Government in Metropolitan Areas," tables 8, 12. U.S. National Office of Vital Statistics, Vital Statistics of the United States 1962, vol. I, "Natality, Washington 1964," table 2-1; vol. 2, "Mortality," pt. B, table 7-8.

WORLD WAR I VETERANS' LIFE INSURANCE

(Mr. SAYLOR asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, I am concerned over the exhorbitant premiums being paid by many World War I veterans in order to maintain their policies of U.S. Government life insurance in force.

Most of these men purchased this insurance during World War I when they were young men. The premiums were, of course, very reasonable. For example, an 18-year-old soldier in 1917 could purchase a $10,000 life insurance policy at a premium of $76.80 per year. Today, that same soldier is 70 years of age. He is now paying $620.40 per year to keep that same insurance policy in force. In just 2 more years, he will have paid $10,698 in premiums for a life insurance policy that will pay $10,000 to his beneficiaries.

Mr. Speaker, these World War I veterans hold insurance policies that are called "5-year level premium term" policies. This means that every 5 years the policy is renewed at the premium for the veteran's then attained age.

Of course, as his age increases, so does his mortality risk. As a result, the 70-year-old veteran is paying an exhorbitant premium at the time in life when his income is at its minimum and he can least afford to pay his insurance premiums.

The most recent annual report of Government life insurance programs for veterans and servicemen reveals that the U.S. Government life insurance trust fund contains unassigned surplus moneys. I believe these surplus funds should be used to alleviate the plight of our aging veteran population. They cannot afford to pay for the insurance and they cannot afford to drop it.

I am, therefore, introducing a bill to provide that any 5-year level premium term policy of U.S. Government life insurance shall be deemed paid when premiums paid in, less dividends, equal the face amount of the policy. I hope this bill will receive early and favorable consideration.

LAWSON KNOTT, DISTINGUISHED PUBLIC SERVANT, RETIRES

(Mr. MAHON asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MAHON. Mr. Speaker, one of the most efficient and distinguished public servants of our time has been Lawson B. Knott, Jr., who has recently retired as Administrator of the General Services Administration. For more than 30 years he performed service of the highest type to the American people and our Government.

Nothing can now be added to his distinguished accomplishments. "The moving finger has writ," but it seemed appropriate to me to salute this man who has done a superior job through the years for our country.

PERMISSION FOR COMMITTEE ON WAYS AND MEANS TO FILE A REPORT ON H.R. 8508, PUBLIC DEBT LIMIT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means may have until midnight tonight, March 10, 1969, to file a report on the bill (H.R. 8508) to increase the public debt limit set forth in section 21 of the Second Liberty Bond Act, along with separate views, if any.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PUBLIC EMPLOYEE UNIONS

(Mr. CLAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. CLAY. Mr. Speaker, the matter of strikes by public employees has often been discussed and debated. The views of Jerry Wurf, president of the American Federation of State, County, and Municipal Employees, AFL-CIO, on this issue are of special importance.

In a recent interview on the Mutual Radio Network, Mr. Wurf urged public officials to look harder for the root causes of public employee strikes, and to work harder to correct those causes.

Public employment is the fastest growing sector of the work force and of union organization. Mr. Wurf's experience and understanding of labor-management relations in the public employment sector, and how they might be strengthened and improved, merit the consideration of every Member of the House. For that reason, I now insert the text of the Labor News Conference broadcast last December 24, in the RECORD, as follows:

LABOR NEWS CONFERENCE, DECEMBER 24, 1968

Subject: Public employees unions.

Guest: Jerry Wurf, president of the American Federation of State, County, and Municipal Employees.

Reporters: Stanley Levey, labor correspondent for the Scripps-Howard Newspapers; Frank Swoboda, labor correspondent for United Press International.

Moderator: Frank Harden.

HARDEN. Welcome to another edition of Labor News Conference, a pubic affairs program brought to you by the AFL-CIO. Labor News Conference brings together leading AFL-CIO representatives and ranking members of the press. Today's guest is Jerry Wurf, president of the American Federation of State, County and Municipal Employees, AFL-CIO.

Public employment is today the fastest growing segment of the nation's total employment picture, and the fastest growing area of union organization. Here to question Mr. Wurf about the trends of collective bargaining for public employees, as well as the special problems and challenges it involves, are Frank Swoboda, labor correspondent for United Press International, and Stanley Levey, labor correspondent for the Scripps-Howard Newspapers. Your moderator, Frank Harden.

And now, Mr. Levey, I believe you have the first question?

LEVEY. Mr. Wurf, the other day, the new Labor Secretary-designate, George P. Shultz, was asked how he felt about strikes by public employees. He said he deplored them. How do you feel about such strikes?

WURF. Well, I understand that George Meany, the President of the AFL-CIO, when asked to comment on Mr. Shultz' statement, commented that he too, deplored all strikes, and I agree with Mr. Meany.

I think the problem of strikes of public employees is totally unreal.

For example, there was discussion recently, of a possible strike of bus drivers in Washington, D.C. Such a strike is not a public employee strike, because the bus drivers in Washington, D.C., are employed by a private traction company. But a strike of bus drivers in New York City, where the bus company is owned by the city, is illegal, and the leaders of the union would probably go to jail and the union heavily fined if a strike took place.

It is illegal for public employees who pick up the garbage in New York City to go out on strike, but it is perfectly legal for those who work for the private contractor who

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picks up the garbage for the citizens of San Francisco to go out on strike.

It is perfectly legal for the employees of the Consolidated Edison Company—the largest public utility in the country, if not in the world—to go out on strike, which affects all the light and power in the New York City and suburban area. But, it is illegal, for example, for the light and power employees in Memphis to go out on strike, because in that instance, the light and power company is owned by the city.

Until we get rid of this kind of unreasonableness and lack of equal treatment, I think that when employees have exhausted all remedies, when they find no other way to solve their grievances, when public officials hide behind the strike bans that always affect public employees, instead of dealing with the equities that the employees deserve, I think that until that utopian day comes, you are going to have strikes of public employees.

Swoboda. Mr. Wurf, do you see any trend in various state laws that will bring us to that point?

Wurf. Well, let me point out that in this country, unlike most of the countries in the free world, public employee strikes are illegal. In several of the states, there are laws which specifically make them illegal. In other states, where there are no laws, the courts have held that such strikes are illegal, because they attack what lawyers call the "sovereign"—you know, the king-supplicant relationship that public employees suffer from in their employment relationships.

I think the important thing is that laws are coming. In some instances, they are good laws; in some instances, they are less than good laws. Laws are coming, because in recent years, public employees, who are not covered by the National Labor Relations Act and who have been excluded from the coverage of labor laws, have been organizing into unions. These unions, including the teachers, the federal employees, and our own union, have been pushing, and shoving, and demanding decent treatment by their employers.

As a result, laws are being passed that recognize rights that already exist on a de facto basis and otherwise, to give recognition to the demands of the employees. In many instances, these laws are a step forward. But others, as in the case, for example, of the law in New York—the so-called Taylor Law—are a step backward, because the repression that is inherent in the law—the attempt to control the employees—does more harm than good to sensible labor-management relations.

Swoboda. Could you give us an example of what you consider a good law in this instance?

Wurf. All of these laws have a strike ban, but there is a fairly good law affecting employees in the state of Connecticut. There is a fairly good law in the state of Michigan. In Wisconsin, we have interestingly, a fairly good law affecting county and municipal employees, but a very bad law affecting state employees.

We have a very bad law in New York. New Jersey just passed a dreadful law. Pennsylvania is now contemplating the report of a commission, and the Governor has said he will drastically change the recommendations of this commission. A bad law is contemplated there. There is a report pending for a law that will be emanating from a committee appointed by Governor Spiro T. Agnew of Maryland. There are mixed reports as to what kind of law they will have.

One of the real difficulties in the laws that are being contemplated thus far, is this almost paranoid concern over strikes and the attempts to eliminate strikes. There has never been successful elimination of strikes in any of these laws.

As a matter of fact, anti-strike laws generally bring on strikes, because the union has to prove its militancy and loyalty to the members. This anti-strike syndrome distorts the whole mechanism of the law and makes the problems of collective relationships more difficult, rather than easing them.

Levey. Mr. Wurf, I think that most fair-minded people would agree that if public employees are denied the right to strike, they ought to be given other things which will make labor relations more equitable and more possible. But that still doesn't duck the basic issue, that there is a law which prohibits strikes. What does the fact that public employees do strike in violation of the law do to the kind of public morality that we are all talking about? Doesn't that weaken respect for law, and for government, and for order, in a period when we are all very much worried about such things?

Wurf. First of all, I want to say this, Mr. Levey: you glibly said that public employees ought to be satisfied with some alternative for the strike weapon. I am in total agreement with you. But one day, I want you to tell me what that alternative is, and when that happens, the rest of your question becomes much simpler.

Now, let's take the second part of your question, about respecting the law.

Public employees are generally conservative people—generally people who are very law-abiding. But, we are up against the same probems that people were up against in the fights for civil liberties in this country. If there are indecent laws that defend indecent practices, you have no choice but to involve yourself in civil disobedience. I regret this, but I know, and you know, that if the Negro people of this nation had not taken the position that laws that barred them from access to the ballot box, laws that barred them from access to school systems, laws that barred them from access to jobs, had to be fought and if they hadn't fought these laws, not only in terms of lobbying for better conditions, but by using civil disobedience as a weapon—the kind of conditions that such laws imposed upon people would still be rampant.

And, I would point out to you, that as a result of the efforts of Negro people in the South, to get some decency into the voting system, almost 400 Negro officials were elected in the last elections in the South, in contrast with the 10 or 15 before this kind of militancy took place.

We don't want to strike. We don't want to break the law.

All we say is that public officials have to understand one thing: instead of standing on a soapbox and sanctimoniously and piously crying out against strikes, they have to face the basic problem that from the time of the passage of the National Labor Relations Act in the 1930's, public employees have been mistreated by public officials.

Their wages are lower, their working conditions are bad, their retirement system lags behind those in private industry. And generally speaking, they are frequently misused, by virtue of the fact that they don't have the same prerogatives and the same standards of conduct applied to them as workers in private industry.

Levey. Is that why so many thousands of public employees are joining unions today?

Wurf. Right. They are demanding decency of treatment by their employers, and they find that the only mechanism they have for achieving decency is the collective effort that comes about by being a member of the union.

Swoboda. Mr. Wurf, the headlines today, I think, are preoccupied with the strikes, because they are relatively new. But, going beyond the strike, what positive accomplishments have been made? Have there been gains in any specific areas with any city, state or governing body, that you think could be an example for other governments?

Wurf. Well, for example, one of the real problems in America is that every once in a while, the news media goes out and discovers that public institutions are lacking in decent standards. By public institutions, I mean hospitals, old age homes, mental institutions and so on.

One of the things you find is that wage rates in these institutions are incredible. Frequently, they are under the minimum required by the federal law. If you pay people $2,000 or $3,000 a year to work in an institution you find it very hard to recruit workers.

Secondly, you find it hard to retain these people after as they acquire some skills.

As a result, the kind of conditions that exist in institutions that affect millions of Americans are incredible.

Our union has taken the position that there should be a minimum wage of $3.00 an hour. The workers in institutions are the lowest paid in our society, with the possible exception of agricultural employees. In Detroit, we have just signed a contract with a guaranteed $3 minimum wage, and I think as a result, they will be able to recruit excellent people. In addition, the people who are there now will stay and make use of their skills. I feel that people who are in Detroit hospitals in the future will be getting far better treatment, by virtue of a stable, trained, professional labor force, than they will in many places where there is a kind of revolving-door effort to take care of the patients.

The union's entrance into the situation has done something else.

In recent years, it has been discovered that there is a very serious employment problem in this country that can't be cured, even in a flourishing economy. Public institutions have people coming out of the ghetto seeking jobs. Well, what our union has been able to do in a number of places—we have done it very successfully in New York—we are now doing it in places like Cleveland, Baltimore and Milwaukee—is take ghetto people, and working with the employer with the assistance of federal programs, up-grade people. Getting back to institutions that suffer from lack of professional personnel, such as graduate nurses and so forth, this will help them have people who are competent. At the same time, this takes people who could only hope for the most elementary jobs—elevator operators, floor moppers and so on—and trains them to do useful important work, and gets them a decent wage.

It seems to me that is the real way to deal with the problems of America.

In other words, deal with the needs of the service industries that are developing, train people on the job, pay decent wages to retrain these people—not make the jobs the bottom rung—the last hope of people before they go on the relief rolls—give these jobs real dignity and real economic and social status.

Levey. Mr. Wurf, with so many of your members being marginal people—economically—and marginal in terms of training and preparation for skilled jobs, what happens to your union in the event of a depression in this country?

Wurf. In the event of a depression in the country? First of all, let me say this: we are very interested in marginal people, and we got a lot of publicity from such strikes as the Memphis garbage collectors strike, the Atlanta strike, the mental institution strike in New York, and so on.

But, I would point out, very large numbers of our members are professional employees. For example, Mr. Levey, you will recall that all the engineers and architects in New York City are members of our union. So are all the engineers in the state of Pennsylvania and all the social workers in many states, and so on.

But, essentially, public employment is an interesting thing. I hope we never have a depression again in this country, but, if we do, because of the growth of services in public employment, our members become the aristocrats of the economy. They are the only people who have steady and stable work.

Our union would be enhanced. But, no thank you. We prefer a flourishing economy. We prefer to struggle for fair treatment for our members within that flourishing economy.

Levey. What is the future of your union, within the context of the labor movement itself? You are in a period of enormous growth. Where do you stand within the hierarchy of organized labor?

Wurf. We have a very large union and I believe we have some influence within the hierarchy of organized labor. I think that the public employee unions are growing, and they will play an increasing role within the ranks of labor, by virtue of their size, and their influence, and their effectiveness.

I think it is good for labor, and I think it is good for public employees.

Swoboda. Mr. Wurf, a little while ago, you mentioned a Wisconsin county law.

Wurf. It is a state law that covers counties.

Swoboda. A state law. You said it differed from the law covering state employees. Could you explain what that law does?

Wurf. The Wisconsin county municipal is a good law. In effect, it has certification and collective bargaining rights for public employees.

In the case of the law affecting state employees in Wisconsin, there is such preoccupation with preserving the old civil service system, that collective bargaining becomes a farce, in terms of the equities of the employees, and in terms of what we understand to be real collective bargaining. The employees are very frustrated, because on one hand, they have a mechanism that leads them to believe they have collective bargaining, but when we get to the bargaining table and down to the nitty-gritty, a civil service commission can overrule all of the economic matters discussed.

Levey. Mr. Wurf, we have just had a major election in this country, with some interesting results. What effects will that election have upon the growth of your union and upon the work it is trying to do in organizing public employees?

Wurf. I don't think it will have any effect upon growth or organization.

I think the effect of the election will probably be in the area of legislation at the national level. At this time, I don't know—aside from Mr. Schultz' remark you referred to earlier, and remarks made by President-elect Nixon during the campaign—I don't know what will be sent to the Congress, and I have no idea what the Congress will do.

Essentially, our concern is not in the area of organization and growth, but in the area of attitude and concern—how sympathetic and how concerned the Nixon Administration will be toward the plight of public employees.

Swoboda. Mr. Wurf, carrying this on—the possibility of some sort of federal legislation—do you think the states will stand still for this, or, is this something you think they would like?

Wurf. I think the states are schizophrenic on this. On one hand, they are learning that passing laws and setting up phony mechanisms don't work. The employees see through this and pay no attention to it. Public employee unionism goes on, not only in terms of increased members, but increased relationships—even in the big states, like Ohio. We can't get a law, but we have thousands and thousands of employees in unions, who have literally hundreds of collective bargaining agreements with cities and counties across the state of Ohio. The same is true of a number of other states.

The real situation that we are faced with today is that the states, on one hand, are scared of federal legislation that will take the authority from their hands, and on the other hand, have been unable, in many instances, to come forward with workable mechanisms.

My theory is, and I may be wrong, if they really get it into their heads that the federal government will move—and I assure you, at that moment, the states will start screaming states' rights—we will begin getting some more meaningful legislation or some more meaningful executive orders from the various governors, and so on.

The thing that is making the change is not the sympathy or the good faith of the public employer. This is unlike the passage of the National Labor Relations Act, when, in the midst of depression, it was national policy to strengthen the hands of unions. This is not the case today.

The motivating force behind legislation now—the motivating force behind the new relationships—is the aggressive and militant organization of these workers. They are using their organizations to pressure the public officials, and, in some instances, to pressure the public. This is having an effect and getting things done.

So, this is different from what happened 30 years ago. More and more, public officials, academicans, just sensible people in our society, are taking the position that millions of public employees have to compete with the rest of the population in purchasing housing, in purchasing food, in sending their kids to college. We have to give them fair treatment.

We have to work out the machinery for that fair treatment.

Levey. Mr. Wurf, there seems to be a growing emphasis in some segments of our society to get private industry to do many of the things that government has long regarded within its sphere of influence. For instance, taking care of the jobless and retraining them, taking over such functions as the federal Post Office, and that sort of thing. Do you foresee any general move in that direction, which might move many of the areas that you are in over into the private sector?

Wurf. We have two trends. This is not new. Every once in a while, somebody figures, "public officials are in that, so why don't we give it to private enterprise?" Then somebody makes the amazing discovery that private enterprise is frequently inept particularly when it is dealing with government functions on a cost-plus basis and the cry goes in the other directions.

Our union newspaper this month, Mr. Levey, will have a story about the fact that some small towns in Ohio are seeking to get private garbage collection, and a story about another state, where private garbage collection existed for a few years, that is moving toward public garbage collections again, because it is far more efficient to have public garbage service.

That sort of thing goes on constantly among the utility companies—those that are privately owned and those that are publicly owned and those that are cooperatively owned.

The real important litmus test is the fact that the public sector, as was said at the beginning of this program, is the fastest growing—local and state government sector, not the federal sector—the local and state government sector of the work-force is the fastest growing section of the work-force in America.

As a matter of fact, it is making up for the effect of automation in private industry. Many functions cannot be sensibly administered by private industry, but every once in a while, you get a cry for it.

It makes good political speeches, but it is meaningless.

Harden. Thank you, gentlemen. Today's guest on Labor News Conference was Jerry Wurf, president of the American Federation of State, County and Municipal Employees, AFL–CIO. Representing the press were Stanley Levey, labor correspondent for the Scripps-Howard Newspapers, and Frank Swoboda, labor correspondent for United Press International. This is your moderator, Frank Harden, inviting you to listen again next week. Labor News Conference is a public affairs production of the AFL–CIO, produced in cooperation with the Mutual Radio Network.

CONGRESS MUST SUPPORT THE DRIVE AGAINST ORGANIZED CRIME

(Mr. FASCELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. FASCELL. Mr. Speaker, the back of organized crime can be broken if only Congress provides sufficient funds and if there is persistent local support and determined efforts by the Department of Justice.

The budget for fiscal year 1970 contains a request for $36 million to the Department of Justice to combat organized crime. I fervently hope that this request will be granted in its entirety, because it is needed to fund the concerted drive that the Federal Government is making to eradicate the menace of organized crime from our society.

For too many decades syndicated crime operations have been permitted to exist in every form of illegality, and more lately to intrude into the ownership and direction of legitimate businesses of all kinds. It is no good, at this late date, to try to fix the blame for the growth of organized crime on any persons, political parties, or administrations. The important thing is that the Government has a drive going against that enemy, that the drive is producing results, and that it holds great promise for the future.

In 1968 the Federal drive netted more than 520 organized crime convictions, up 30 percent from 1967, and way over the records of previous years. If the executive branch will give the drive the constancy of effort that is needed, and the Congress will give the drive the support that is needed I can foresee that within the next decade we can expect that enemy to be very much under control.

The Congress has taken very important steps to aid the fight. For example, to arm Federal law enforcement with a new weapon, it passed the anti-loan-sharking provisions of the Truth in Lending Act. It also provided in the Safe Streets and Crime Control Act for grants to be made to States—which after all, have the primary burden of defeating organized crime—to devise means of carrying on that battle. In that act, the Congress also established the Law Enforcement Assistance Administration to administer the grants and to plan for new and effective means of coping with the organized crime problem. The Congress, however, can do much more, by providing the funds that are needed in the coordinated overall effort against organized crime. In that connection, now that the States are taking definitive action to rid themselves of crime syndicates, the appropriations contemplated by that act should be granted.

The President's Crime Commission's 1967 report, "The Challenge of Crime in a Free Society," shows that organized crime operates in 17 of our States scattered throughout the country, with many operations flowing into other States. While organized crime groups operate principally in our major cities, their operations stretch into too many of our smaller communities. It seems safe to say that the lives of all of our citizens are touched, in one way or another, by the operations of these hoodlums.

Despite these threats to the general well-being of our people, and although the Federal Government must play a vital role if that menace is to be eliminated from our society, the Federal effort against organized crime, for one thing, has not been as adequatedy equipped as it should be in the fight. The Legal and Monetary Affairs Subcommittee of the House Committee on Government Operations, of which I am chairman, is conducting a thorough study of the Federal Government's resources that can be used against organized crime, and the effectiveness with which they are being used. In the report we issued last year, entitled "Federal Effort Against Organized Crime: Report of Agency Operations," House Report No. 1574, 90th Congress, second session, we pointed to some of the inadequacies that we found.

As an example of inefficiency, the Department of Justice's Organized Crime and Racketeering Section still collects and correlates its criminal intelligence input on index cards, which must, laboriously be searched through. The handicaps of that antiquated system easily could be obviated by a relatively simple ADP system, which could pay for itself in a very short time. That is just one of the inefficiencies to which our report refers.

The most effective means that the Federal Government has yet developed for coping with organized crime is the "strike force" technique, in which teams of attorneys from the Organized Crime and Racketeering Section and the U.S. attorney's offices work with teams of investigators from key Federal agencies in geographical areas of serious organized crime problems. The initial strike force was developed only some 2 years ago, in Buffalo, and within a relatively short time resulted in indictments against 21 organized crime figures. Since then, strike forces have been sent into Detroit, Brooklyn, Philadelphia, Chicago, Miami, and Newark. Additional strike forces are planned for two other cities in 1969, and a total of 13 cities are planned to be covered by such units in 1970. The only thing that would prevent such expansion would be that the funds therefor were not provided by the Congress—a result that the country just cannot afford.

The Organized Crime and Racketeering Section has only 77 attorneys assigned to it—66 are its authorized staff, and 11 others have been specially added by the Attorney General. The handling of organized crime cases calls for special training and techniques that are additional to the experience of most attorneys. An average of five to six attorneys must accompany each strike force if it is to be at its maximum planned effectiveness. At that rate the 13 planned strike forces would absorb the entire complement of the attorneys assigned to the organized crime section.

Within the Organized Crime and Racketeering Section is a labor-gambling unit of particularly qualified attorneys, who chiefly assist U.S. attorneys in handling difficult legal and practical problems in those fields. OCRS has been able to assign only nine attorneys to that unit, but the unit's work is such that more are needed, at least some of whom should be free to leave Washington to help in prosecutions throughout the United States where needed.

An additional number of attorneys is required to be maintained in the Washington headquarters of the Organized Crime and Racketeering Section to service the strike forces, to handle criminal intelligence matters, and to handle the various administrative details and legal problems that arise.

The 1970 budget requests funds for the additional attorneys that the Organized Crime and Racketeering Section feels it needs. Now that the Federal drive against organized crime has gotten up steam, I urge my colleagues to see to it that the appropriations it needs are made available to keep the drive rolling. My experience from the study and hearings of the Legal and Monetary Affairs Subcommittee convinces me that this is one of the most important things we can do in the Congress at this stage of our Nation's attempts to cut down on crime.

U.S.S. "PUEBLO" CREW MADE HONORARY CITIZENS OF PUEBLO, COLO.

(Mr. EVANS of Colorado asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. EVANS of Colorado. Mr. Speaker, recently, the city council of my hometown, Pueblo, Colo., passed a resolution making honorary citizens out of the entire 82-man crew of the U.S.S. *Pueblo*. The council felt this most fitting since the ship itself had been named after our city.

An interesting side light to this action taken by the council arises out of the fact that it was proposed by Mr. John Rosales, a very close friend of mine, who happens to be the first Spanish-surnamed member of the council in the history of the city, in spite of the fact that over 25 percent of the city's population is Spanish-surnamed American.

Having introduced the resolution and seen its successful passage, it thereafter became even more important to my friend, Mr. Rosales, for it was only after the resolution's passage that he discovered that one of the members of the crew was Storekeeper Third Class Ramon Rosales of El Paso, Tex. He discovered this through a story that was carried in our city paper, the Pueblo Chieftain and Star-Journal, and because of these facts and the story itself, I felt it worthy of inclusion in the RECORD at this point:

BUCHER CRIES AS CREWMAN CITES "FAITH"

CORONADO, CALIF.—For a second time in the Pueblo inquiry the intelligence ship's skipper, Cmdr. Lloyd Bucher, has been moved to tears.

"He'll be all right," his attorney, E. Miles Harvey, said after helping Bucher from a Navy court of inquiry Friday. "He just needs to be away from here for a while."

Bucher began sobbing uncontrollably after a 20-year-old Mexican-American sailor said "faith in God and my country and the decisions of my commanding officer" brought him through North Korean torture.

The Pueblo was seized off North Korea last year and its crew held prisoner for 11 months. The court is looking into the capture and the conduct of the crew in captivity. The hearing resumes Monday.

Bucher has attended all sessions, closed and public. He first wept early in the hearings when he described mental torture severe enough to wring a spying confession from him and bring him to his knees, saying, "I love you, Rose. I love you, Rose."

His wife, Rose, heard that testimony and cried in court with the 41-year-old skipper. She was not present Friday when Bucher began sobbing as Storekeeper 3.C Ramon Rosales of El Paso, Tex., gave a gently told story of torture.

Rosales said the torture began when the Pueblo was first boarded. The North Koreans eyed his black hair, high cheekbones and oriental cast of his dark eyes and beat him mercilessly, Rosales said, despite his plea: "I am an American." He said they thought he was a South Korean spy.

HALPERN INTRODUCES BILL TO PROTECT PERSONAL PRIVACY OF AMERICAN CITIZENS

The SPEAKER. Under a previous order of the House, the gentleman from New York (Mr. HALPERN) is recognized for 5 minutes.

Mr. HALPERN. Mr. Speaker, a most timely and important bill was initiated in this House by our able and distinguished colleague, the gentleman from Ohio (Mr. BETTS).

The measure calls for a limitation of the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing.

I am delighted to see that so many of our colleagues have joined in cosponsoring this legislation, and I am privileged to be associated with this bill and to be among its stanchest advocates.

I have long believed that it is none of the Government's business who uses the bathroom or the kitchen or what a citizen's personal belongings are.

At present, the Census Bureau has recommended over 100 questions covering 67 major subject items to be included in the 1970 census. Failure to answer all of these questions is punishable by 60 days in jail or a $100 fine.

Here is a sampling of some of the questions: Do you share your shower? Do you share kitchen facilities with another household? How many babies have you ever had? What is the amount of your rent? Do you have a garbage disposal? Do you have a gas or an electric dryer for your clothes? Is your building connected with a public sewer? These are only a few of the questions. They even get more ridiculous as they go on.

The purpose of the census, as originally set forth in our Constitution, is to provide a statistical basis for the apportionment of membership in the House of Representatives. What on earth

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do most of these questions have to do with the constitutional intent?

Through the years, the administrators of the census have gone far afield from the original intent. In fact, they have gone entirely too far.

At a time when renewed emphasis is being placed on Government use of electronic snooping devices and on collection of material for national data banks, we must be very careful to strike a balance between individual privacy and Government recordkeeping.

A great many people will probably have access to the information on the 1970 census forms, and there is no telling how the information can be abused or misused, should it fall into the wrong hands.

The bill that I am today cosponsoring would impose penalties for a failure to answer only those questions which fall into the following categories: Name and address; relationship to head of household; sex; date of birth; race or color; marital status; and visitors in home at time of census.

Responses to the remaining questions in the 20-page census form, which has been said to resemble a tabloid newspaper in size, would be left to the discretion of the individual citizen.

Under the broad mandate given the Census Bureau by the Constitution, a topic need only be deemed "necessary and proper" by the Secretary of Commerce for it to be included in the census.

However, I think it is time for the Congress to impose its own standards of "propriety" on the Secretary of Commerce. It is up to us to make sure that the frightening possibility of "big brother is watching" does not become a reality.

EXPANDED VETERANS' ADMINISTRATION FACILITIES FOR THE TREATMENT OF ALCOHOLISM

The SPEAKER. Under a previous order of the House, the gentleman from Wisconsin (Mr. Reuss) is recognized for 30 minutes.

Mr. REUSS. Mr. Speaker, I am introducing today for myself and for the gentleman from Washington (Mr. Adams), the gentleman from New York (Mr. Button), the gentleman from Kentucky (Mr. Carter), the gentleman from California (Mr. Corman), the gentleman from Pennsylvania (Mr. Eilberg), the gentleman from Illinois (Mr. Gray), the gentleman from New York (Mr. Halpern), the gentleman from California (Mr. Leggett), the gentleman from California (Mr. Moss), the gentleman from Montana (Mr. Olsen), the gentleman from Texas (Mr. Pickle), the gentleman from New York (Mr. Rosenthal), the gentleman from Pennsylvania (Mr. Saylor), and the gentleman from Georgia (Mr. Stephens), H.R. 8532, a bill to provide additional beds and specialized units in Veterans' Administration hospitals for the care and treatment of veterans afflicted with alcoholism.

ALCOHOLISM IS A MAJOR NATIONAL HEALTH PROBLEM

Alcoholism ranks along with heart disease, cancer, and mental illness as a major national health problem. It is estimated that at least 5 million Americans suffer from this disease, and that some 200,000 new cases develop each year. The national toll is enormous: at least 11,000 deaths a year directly attributable to alcoholism; increased rates of mortality and morbidity from other diseases; well over 50 percent of fatal auto accidents every year associated with alcohol, and many involving chronic alcoholics; and costs to industry and our economy ranging toward $4 billion annually as a result of job absenteeism, reduced productivity, insurance expenses, and other losses.

Statistics alone cannot tell the story. If each alcoholic affects four family members—and those are the estimates—then alcoholism reaches into the lives of some 20 million Americans, bringing the unmeasurable anguish of financial insecurity and family disruption.

For too long, alcoholism has been thought to be chiefly a moral problem, involving some fatal weakness of character. Despite the pioneering work of voluntary organizations such as Alcoholics Anonymous, the chronic alcoholic has been treated more often than not as someone irretrivably lost to society, who must lead a precarious existence for the rest of his life.

Today, alcoholism is gaining recognition for what it is—a complex disease, not yet fully understood, which nevertheless can be effectively treated. In an encouraging number of cases, intensive care by specialized medical personnel yields significant improvement or cure. Changing attitudes toward alcoholism are reflected in recent court decisions which recognize the chronic alcoholic as a sick person rather than a criminal, increased attention by the medical profession, health agencies, and voluntary organizations, intensified research efforts, and the growing concern of health insurance companies.

THERE IS A TRAGIC SHORTAGE OF FACILITIES TO TREAT ALCOHOLICS

But the consequence of our previous neglect of this health problem is a woeful shortage of trained personnel and specialized facilities to treat alcoholics. In virtually all American communities, alcoholics are still likely to receive less adequate care than individuals with other kinds of difficulties. Moreover, the belief persists that alcoholics cannot be helped or that somehow they are not as sick as someone who suffers from another chronic disease, with one result being that preventive programs and treatment facilities are assigned a low priority in many health budgets.

Effective treatment for alcoholism is lengthy and expensive. Many alcoholics are unable to afford private care even if it is available. Yet the pressure on our present very limited public facilities can only increase, especially if a growing number of law enforcement agencies refer chronic alcoholics in their custody to rehabilitation centers rather than to penal institutions.

THE VETERANS' ADMINISTRATION IS NOT DOING ENOUGH TO MEET THE NEEDS OF VETERANS SUFFERING FROM ALCOHOLISM

Today, if we are to make a determined attempt to control and prevent alcoholism, we must have an increased effort from every Federal agency concerned with health and medicine. By any measure, the Veterans' Administration is engaged in a major way in these fields. The VA hospital system provides some 7 percent of the Nation's hospital beds. In fiscal year 1968, VA hospitals treated over 762,000 inpatients and registered over 5.3 million outpatient visits. Moreover, a significant proportion of the Nation's medical personnel is trained in VA facilities, and participates in the VA's extensive program of medical research.

Despite the size of the VA hospital system and the wide range of its medical programs, only a small proportion of VA facilities are available for the treatment of veterans afflicted with alcoholism. At the present time, 25 VA hospitals have alcoholism treatment programs in which some 900 beds are available for inpatient care. But most of these programs are operating without the funds and the staff necessary for the most effective inpatient treatment and followup outpatient care.

Three years ago, VA regulations were amended to specify that requests for hospitalization for treatment of alcoholism be processed in the same manner as requests for treatment for any other disease susceptible to cure or decided improvement. Despite this step forward, eligible veterans suffering from alcoholism have to be turned away at many VA hospitals because no special treatment facilities are available.

Even if the 900 beds presently available were all adequately funded and staffed, they would go only part way toward meeting an enormous need. A recent census of patients in VA hospitals indicated that alcoholism was a factor in some 20 percent of the psychiatric cases, and that of the 105,000 patients in all VA hospitals on that day, some 16 percent had a drinking problem. Our health officials estimate that of the 5 million Americans who suffer from alcoholism, some 1.7 million, or one-third, are veterans.

THE VA'S ALCOHOLISM TREATMENT PROGRAM SHOULD BE EXPANDED AND ACCELERATED

Two years ago, my colleagues and I cosponsored a bill to authorize a 2,000-bed program for the treatment of eligible veterans afflicted with alcoholism. The Veterans' Administration has now accepted in principle the target of 2,000 beds activated in special units. But funding is uncertain. Even if present tentative plans to activate some 300 beds a year can be followed. the last of these units will be established only in fiscal year 1975. We believe that this program should be accelerated and expanded. and that funds should be specifically designated for the accomplishment of these purposes.

The measure we are introducing today authorizes the Administrator of Veterans' Affairs to set aside not less than 4,000 beds for the treatment of alcoholics within the total of 125,000 beds he is currently authorized to establish and operate. It also authorizes the activation of 1,000 of these beds in each of fiscal years 1970 and 1971, and activation of the remaining 2,000 in the following 3 fiscal years. Considering the present un-

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met need for alcoholism treatment facilities, the availability of unused beds in some VA hospitals, and the demand on the part of many VA hospitals either to improve their present treatment facilities, or to initiate alcoholism treatment programs, we believe that the target of 4,000 beds over 5 fiscal years is reasonable.

Our measure further provides that these beds be activated in specialized alcoholism care units with appropriate staff. Alcoholics are difficult and demanding patients to treat. Experience has shown that there is most hope for improvement in separate units in which staff and patients can focus on one problem—alcoholism, and in which patients can work as a group to help each other understand and conquer the disease from which they suffer. At the same time, separate treatment units permit a coordinated approach to dietary management, drug treatment, psychiatric and social evaluation, and psychotherapy.

Experience has also shown that inpatient care is most effective when it is followed by sustained outpatient care over a period of 2 to 3 years. The inpatient and outpatient purposes of the bill we introduce today can be accomplished only if funds are made available to recruit and train specialized staff. Our measure authorizes such funds as are necessary to meet increased personnel requirements as beds are activated, as well as to cover other costs incidental to the establishment of separate treatment units.

OUR VETERANS WILL GAIN

An expanded VA alcoholism program will go a long way to meet the needs of our veterans who suffer from this disease. In a number of VA hospitals, pilot projects involving an average of 2 months specialized inpatient care followed by sustained outpatient care have shown rehabilitation to be possible in an encouraging 40 percent of cases treated.

Two years from now, a 2,000-bed program, adequately staffed, will permit the extension of treatment methods developed in these projects to some 12,000 patients a year on an inpatient basis, and to the some 6,000 of this number who might be expected to continue on an outpatient basis. These numbers will be doubled with a 4,000-bed program.

At present, the VA spends almost $1 million on interdisciplinary research programs in alcoholism, with about 98 projects in 49 hospitals. An expanded treatment program will mean that a larger number of patients will benefit directly from this research, and that coordinated research efforts in drug therapy, for example, can include an increased number of VA hospitals.

OUR NATION WILL GAIN

An expanded VA program will contribute not only to the welfare of our veterans and their families but also in a very substantial way to the welfare of the whole Nation.

First, the VA has increasingly embarked on cooperative programs with State and local agencies to make the most efficient use of health care resources. In many communities, VA hospitals will be able to relieve a critical shortage of hospital beds for alcoholics by making beds available for eligible veterans. At the same time, overlapping efforts can be avoided through collaboration on outpatient care and vocational rehabilitation with State and local clinics, halfway houses and organizations such as Alcoholics Anonymous.

Second, the interest of professional medical personnel in providing treatment for alcoholics has been limited thus far. The Veterans' Administration trains some 12 percent of the Nation's medical residents and a substantial portion of other medical personnel. A specially funded rehabilitation program for alcoholics, tied into an ongoing research program, will help to attract qualified personnel to this vital field.

Third, as in the case of drug addiction, the rehabilitated alcoholic has a key role to play in helping those who still suffer from the disease, whether through group therapy programs or in organizations such as Alcoholics Annoymous. It may be expected that some veterans who have been successfully treated in the VA program can be usefully employed in that program, as subprofessionals. Others may go on to participate in community programs for the control and prevention of alcoholism.

Fourth, the Nation may be expected to gain by the return of many of those successfully treated to steady employment. By and large veterans as a group have attained a higher level of education and skills than nonveterans. Any increment to our pool of skilled and professional manpower helps to curb inflation, and at the same time, helps to increase the number of related jobs for the unskilled.

OTHER PROGRAMS TO PREVENT AND CONTROL ALCOHOLISM SHOULD BE EXPANDED

Obviously, the Veterans' Administration alone cannot attempt to meet the Nation's enormous need for modern treatment facilities for alcoholics. Just last year, amendments to the Public Health Act authorized special incentive grants to community mental health centers and other qualified local organizations for the construction of facilities and hiring of staff for alcoholism treatment units. Funds should be appropriated for this program.

The National Center for the Prevention and Control of Alcoholism, established within the National Institute of Mental Health in 1966, is supporting the development of major university centers for research and training, as well as pilot projects to improve services to alcoholics. It should be encouraged to expand its efforts.

Comprehensive health planning activities, supported by the partnership for health legislation, offer another hopeful route to improved State and local care for alcoholics, and to instensified programs of prevention. These activities also, should receive more Federal support.

THE VA IS IN A UNIQUE POSITION TO MAKE A MAJOR CONTRIBUTION NOW

Even if these programs are expanded and accelerated, however, their full impact lies well in the future. The Veterans' Administration is an organization which through its existing facilities has the potential to make a substantial contribution to the control of alcoholism beginning this year. That potential should be promptly realized. Major construction will not be required. The benefits of VA alcoholism research and successful pilot treatment programs can be rapidly extended to a large number of patients. Our veterans who stand in need deserve no less. Our Nation can only gain.

The bill follows:

H.R. 8532

A bill to amend title 38 of the United States Code in order to provide additional beds and special units in Veterans' Administration hospitals for the care and treatment of veterans afflicted with alcoholism, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress hereby finds that—

(1) alcoholism is a major health and social problem afflicting a significant proportion of the public, and that much more needs to be done by public and private agencies to develop effective programs of prevention and control,

(2) all Federal legislation providing for Federal or federally assisted research, prevention, treatment, or rehabilitation programs in the fields of health should be utilized to help eradicate alcoholism as a major health problem, and

(3) it is, therefore, the purpose of this act to help prevent and control alcoholism by authorizing the Administrator of Veterans' Affairs to set aside additional beds for the care and treatment of eligible veterans who are afflicted with alcoholism, and by authorizing the appropriation of such funds as are necessary to activate these beds in specialized units with appropriate staff.

SEC. 2. (a) Chapter 17 of title 38, United States Code, is amended by adding immediately after section 620 the following new section:

"§ 620a. Treatment of alcoholism

"(a) The Administrator is authorized to set aside, out of the 125,000 beds which he is authorized to establish under section 5001(a) of this title, 4,000 of such beds for the treatment of veterans eligible for hospital or medical care under this chapter who are afflicted with alcoholism. Such beds shall be activated within specialized units of a design which the Administrator considers to be most efficient for providing inpatient and outpatient care with respect to alcoholics. The care given to alcoholic veterans in such units shall be provided by staff personnel with specialized training in the cure and prevention of alcoholism. The Administrator shall activate 1,000 of the beds provided for under this section during each of fiscal years 1970 and 1971, and 2,000 of such beds during the period covered by fiscal years 1972, 1973, and 1974.

"(b) The Administrator is urged where appropriate to develop the Veterans' Administration program for the treatment of veterans afflicted with alcoholism in cooperation with other Federal or federally supported programs, and with private programs, for the prevention and control of alcoholism."

(b) The table of sections at the beginning of chapter 17 of title 38, United States Code, is amended by inserting immediately below

"620 Transfers for nursing home care."

the following:

"620a. Treatment of alcoholism."

SEC. 3. There are hereby authorized to be appropriated such funds as are necessary to carry out the amendment made by section 2(a) of this Act including funds sufficient for the establishment of specialized units and the hiring and training of specialized staffs.

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IRISH IMMIGRATION—A FAIR AND REALISTIC APPROACH

The SPEAKER. Under a previous order of the House, the gentleman from New Jersey (Mr. Rodino) is recognized for 10 minutes.

Mr. RODINO. Mr. Speaker, as we know, immigration from Ireland has and is declining. I think that every Member of Congress is cognizant of this distressing fact and equally aware that final implementation of the 1965 Amendments to the Immigration and Nationality Act may have disadvantaged prospective Irish immigrants and denied them entry visas to the United States.

As I have stated on numerous occasions, I want to see the causes for the decline of Irish immigration eliminated and I want to see the changes made as expeditiously as this Congress can move.

I introduced legislation in the last Congress which I thought would solve the problem and reoffer Ireland the opportunity to send to the United States her good sons and daughters who have in the past contributed so greatly to our country's growth and prosperity. Unfortunately, this proposal was discussed but not enacted.

On January 6, I reintroduced the legislation—H.R. 2118 of the 91st Congress—to provide that the President may reserve up to 50 percent of the unused visa numbers for fiscal year 1968 for reallocation to those countries which found their immigration to the United States drastically reduced by the new law. Furthermore, this bill would make unused numbers available for reallocation, notwithstanding the per-country limitation or the overall ceiling, to preference immigrants on oversubscribed preference lists. The bill would therefore resolve the problem without taking any retrogressive action toward the old system.

According to the Department of State, at the end of fiscal year 1968 there were approximately 69,000 visa numbers that were unused. Consequently, any reservation of 50 percent of such numbers would more than adequately meet the demands and needs of Irish immigrants. Similarly, the remainder of the numbers applied to the backlog in the preferences will give Irish immigrants a fairer and more equitable position to compete for preference numbers in the future.

I am aware that this approach is subject to some criticism inasmuch as there is a delegation of authority to the executive branch to reserve visa numbers. Although I am of the opinion that this criticism is not warranted and that the executive branch is in the best position to determine how the curtailment in immigration from any country can be alleviated, I am not wed to such an approach alone.

Nevertheless, I want to do something constructive to give the Irish and people from other countries that were traditional sources of immigration to the United States a fair opportunity to immigrate and overcome the objection of the delegation of authority to the Executive. I have therefore prepared new legislation for introduction to eliminate the delegation of authority and make available to countries disadvantaged by the operation of the new law visa numbers commensurate with the average immigration from those countries over the 10-year period 1955–65. The visa numbers thus made available are numbers that could have been used during the phaseout period of the national origins system but, because of conditions which the new law created, were lost.

In considering the 1965 amendments to the Immigration and Nationality Act, it was contemplated that all numbers would be utilized during the phaseout period to alleviate whatever hardship was created during the 3-year transition period. Actually, the way such projection worked, hardship was not alleviated, but disadvantages were created. We have an opportunity now and we should seize upon it to correct the mistakes made in 1965 and reestablish immigration from northern Europe at a fair and reasonable level.

H.R. 2118 and the new bill I will introduce are both temporary measures. They are directed to the same objective but take different approaches. I feel that the committee should have an opportunity to evaluate several proposals so that we can facilitate enactment of legislation to correct the existing inequities.

The act of October 3, 1965 was the first major overhaul of our immigration policy since the national origins system was conceived close to threescore years ago. Naturally, not all ramifications of this step forward could be anticipated and we in the Congress realized that correcting, perfecting and interpreting amendments would later be necessary.

I perceive the need for three stages in developing immigration legislation: First immediate action to eliminate existing inequities; second, perfecting legislation to establish more realistic preferences and percentages of numbers within preferences; and third, legislation to finalize an immigration policy which would mean the creation of a workable worldwide ceiling to insure fairness and equality for every intending immigrant.

I receive letters very frequently, from throughout the country, asking me, as a member of the Subcommittee on Immigration and Nationality, to support legislation to correct the inequities in our Immigration and Nationality Act. I intend to do what I can to respond affirmatively to these pleas.

I trust that we will join together in the committee to analyze every possible proposal and to work together in the realm of constructive criticism and objectivity to correct the deficiencies in the Immigration and Nationality Act.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. Burke of Florida) and to revise and extend their remarks and include extraneous matter:)

Mr. Halpern, for 5 minutes, today.

Mr. Halpern, for 5 minutes, March 11.

(The following Members (at the request of Mr. Clay) to address the House and to revise and extend their remarks and include extraneous matter:)

Mr. Reuss, for 30 minutes, today.

Mr. Rodino, for 10 minutes, today.

Mr. McFall, for 30 minutes, March 11.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

(The following Members (at the request of Mr. Burke of Florida) and to include extraneous matter:)

Mr. Conte.

Mr. Wyatt in five instances.

Mr. Ashbrook in two instances.

Mr. Lipscomb.

Mr. Brown of Ohio.

Mr. Anderson of Illinois in two instances.

Mr. Halpern in three instances.

Mr. Whalen.

Mr. Keith in four instances.

Mr. Vander Jagt.

Mr. Cramer.

Mr. Utt in two instances.

Mr. Robison in two instances.

Mr. O'Konski.

Mr. Bush.

(The following Members (at the request of Mr. Clay) and to include extraneous matter:)

Mr. Diggs.

Mr. Dent in three instances.

Mr. Barrett.

Mr. William D. Ford.

Mr. Long of Maryland in two instances.

Mr. Ryan in three instances.

Mr. Conyers in three instances.

Mr. Bingham in three instances.

Mr. Podell in two instances.

Mr. Rarick in three instances.

Mr. Dorn.

Mrs. Griffiths.

Mr. Rooney of Pennsylvania.

ENROLLED BILL SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 497. An act to amend section 301 of the Manpower Development and Training Act of 1962, as amended.

ADJOURNMENT

Mr. CLAY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 10 minutes p.m.), the House adjourned until tomorrow, Tuesday, March 11, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

566. A letter from the chief Scout executive, Boy Scouts of America, transmitting the 59th Annual Report of the Boy Scouts of America, pursuant to the provisions of its Federal charter (H. Doc. No. 91–87); to the

Committee on Education and Labor and ordered to be printed with illustrations.

567. A letter from the Deputy Secretary of Defense, transmitting a report relative to certain support furnished from military functions appropriations for the second quarter of fiscal year 1969 and cumulative fiscal year 1969 through December 31, 1968, pursuant to the provisions of section 537 of the Defense Appropriation Act, 1969 (Public Law 90–580); to the Committee on Appropriations.

568. A letter from the Secretary of Health, Education, and Welfare, transmitting a report of procurement receipts for medical stockpile of civil defense emergency supplies and equipment purposes for the quarter ending December 31, 1968, pursuant to the provisions of Executive Order 10958; to the Committee on Armed Services.

569. A letter from the Director, Office of Emergency Preparedness, Executive Office of the President, transmitting the statistical supplement to the stockpile report to Congress, for the period ending December 31, 1968, pursuant to the provisions of section 4 of the Strategic and Critical Materials Stock Piling Act; to the Committee on Armed Services.

570. A letter from the Under Secretary of the Interior, transmitting the first annual report on the Federal Metal and Nonmetallic Mine Safety Act (80 Stat. 772) for the period September 16, 1966, through December 31, 1967, pursuant to the provisions of section 20 of the act; to the Committee on Education and Labor.

571. A letter from the Chairman, Advisory Council on Historic Preservation, Department of the Interior, transmitting a copy of a letter to the Secretary of Transportation containing recommendations of the Council concerning a proposed riverfront expressway adjacent to the Vieux Carré historic district of New Orleans, pursuant to the provisions of section 202(b) of Public Law 89–665; to the Committee on Interior and Insular Affairs.

572. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in cases in which the authority contained in section 212(d)(3) of the Immigration and Nationality Act was exercised in behalf of certain aliens, together with a list of the persons involved, pursuant to the provisions of section 212(d)(6) of the act; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of March 5, 1969, the following bill was reported on March 7, 1969:

Mr. PATMAN: Committee on Banking and Currency. H.R. 33. A bill to provide for increased participation by the United States in the International Development Association, and for other purposes (Rept. No. 91–31). Referred to the Committee of the Whole House on the State of the Union.

[*Submitted March 10, 1969*]

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLS: Committee on Ways and Means. H.R. 8508. A bill to increase the public debt set forth in section 21 of the Second Liberty Bond Act (Rept. No. 91–32). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MILLS (for himself and Mr. Byrnes of Wisconsin):

H.R. 8508. A bill to increase the public debt limit set forth in section 21 of the Second Liberty Bond Act; to the Committee on Ways and Means.

By Mr. BOGGS:

H.R. 8509. A bill to amend section 303(b) of the Interstate Commerce Act to modernize certain restrictions upon the application and scope of the exemption provided therein; to the Committee on Interstate and Foreign Commerce.

By Mr. BROOMFIELD:

H.R. 8510. A bill to prevent the importation of endangered species of fish or wildlife into the United States, to prevent the interstate shipment of reptiles, amphibians, and other wildlife taken contrary to State law, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. BROYHILL of Virginia:

H.R. 8511. A bill to amend the Federal employees and retired Federal employees health benefits programs to insure that retired Federal employees do not have to pay twice for benefits which are provided both under such programs and under the health insurance program for the aged under the Social Security Act; to the Committee on Post Office and Civil Service.

By Mr. BUSH:

H.R. 8512. A bill to suspend for a temporary period the import duty on L-Dopa; to the Committee on Ways and Means.

By Mr. CARTER:

H.R. 8513. A bill to rescind the pay increases for Members of Congress and other Federal officials pursuant to Presidential recommendation to Congress in the budget for the 1970 fiscal year, to abolish the quadrennial Commission on Executive, Legislative, and Judicial Salaries, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CLAY:

H.R. 8514. A bill relating to withholding, for purposes of the income tax imposed by certain cities, on the compensation of Federal employees; to the Committee on Ways and Means.

By Mr. COHELAN:

H.R. 8515. A bill to authorize the appropriation of additional funds necessary for acquisition of land at the Point Reyes National Seashore in California; to the Committee on Interior and Insular Affairs.

By Mr. CRAMER (for himself, Mr. Don H. Clausen, Mr. Denney, Mr. Duncan, Mr. Grover, Mr. Hammerschmidt, Mr. Harsha, Mr. McDonald of Michigan, Mr. McEwen, Mr. Miller of Ohio, Mr. Schadeberg, and Mr. Schwengel):

H.R. 8516. A bill to amend the Federal Water Pollution Control Act, as amended, to provide improved operation of the Nation's water quality control facilities; to the Committee on Public Works.

By Mr. DINGELL:

H.R. 8517. A bill to amend the Federal Hazardous Substances Act to protect children from toys and other articles intended for use by children which are hazardous due to the presence of electrical, mechanical, or thermal hazards, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. DULSKI:

H.R. 8518. A bill to provide that appointments and promotions in the Post Office Department and postal field service be made on the basis of merit and fitness; to the Committee on Post Office and Civil Service.

H.R. 8519. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. EVANS of Colorado (for himself, Mr. Aspinall, and Mr. Rogers of Colorado):

H.R. 8520. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FOREMAN:

H.R. 8521. A bill to amend title II of the Social Security Act to increase from $1,680 to $3,000 the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. FRIEDEL:

H.R. 8522. A bill to provide that the rate of individual income tax on each bracket of taxable income shall be the same for single individuals, heads of household, and married individuals filing joint returns; to the Committee on Ways and Means.

H.R. 8523. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. FULTON of Pennsylvania:

H.R. 8524. A bill to amend the Public Health Service Act to provide special assistance for the improvement of laboratory animal research facilities, to establish standards for the humane care, handling, and treatment of laboratory animals in departments, agencies, and instrumentalities of the United States and by recipients of grants, awards, and contracts from the United States, to encourage the study and improvement of the care, handling, and treatment and the development of methods for minimizing pain and discomfort of laboratory animals used in biomedical activities, and to otherwise assure humane care, handling, and treatment of laboratory animals, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HALPERN:

H.R. 8525. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 8526. A bill to authorize withholding, for purposes of the income tax imposed by certain cities, on the compensation of Federal employees; to the Committee on Ways and Means.

By Mr. KEITH:

H.R. 8527. A bill to require a joint study by certain regulatory agencies of the effect of conglomerate activities on certain regulated industries, and to prohibit, for a limited period of time, acquisition of control of certain carriers by a person not engaged primarily in the business of transportation or a related business; to the Committee on Interstate and Foreign Commerce.

By Mr. KYL:

H.R. 8528. A bill to rescind the pay increases for Members of Congress and other Federal officials pursuant to Presidential recommendation to Congress in the budget for the 1970 fiscal year, to abolish the quadrennial Commission on Executive, Legislative, and Judicial Salaries, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MIZE:

H.R. 8529. A bill to designate the Interstate System as the "Eisenhower Interstate Highway System"; to the Committee on Public Works.

By Mr. MOSS:

H.R. 8530. A bill to amend the Federal Aviation Act of 1958 in order to establish certain requirements with respect to air traffic controllers; to the Committee on Interstate and Foreign Commerce.

By Mr. MURPHY of New York:

H.R. 8531. A bill to authorize the Federal Bureau of Investigation to exchange fingerprint information with registered national security exchanges and related agencies; to the Committee on the Judiciary.

By Mr. REUSS (for himself, Mr. Adams, Mr. Button, Mr. Carter, Mr.

Corman, Mr. Eilberg, Mr. Gray, Mr. Halpern, Mr. Leggett, Mr. Moss, Mr. Olsen, Mr. Pickle, Mr. Rosenthal, Mr. Saylor, and Mr. Stephens):

H.R. 8532. A bill to amend title 38 of the United States Code in order to provide additional beds and special units in Veterans' Administration hospitals for the care and treatment of veterans afflicted with alcoholism, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. RIEGLE (for himself, Mrs. Green of Oregon, Mr. Hammerschmidt, and Mr. Hastings):

H.R. 8533. A bill to amend chapter 55 of title 10 of the United States Code to extend to mentally retarded or physically handicapped dependents of certain members and former members of the uniformed services the special care now provided to similarly afflicted dependents of members on active duty; to the Committee on Armed Services.

By Mr. ST. ONGE:

H.R. 8534. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SAYLOR:

H.R. 8535. A bill to amend title 38 of the United States Code to provide that any 5-year-level premium term plan policy of U.S. Government life insurance shall be deemed paid when premiums paid in, less dividends, equal the amount of the policy; to the Committee on Veterans' Affairs.

By Mr. SISK:

H.R. 8536. A bill to amend section 602(3) and section 608c(6)(I) of the Agricultural Marketing Agreement Act of 1937, as amended, so as to authorize production research under marketing agreement and order programs; to the Committee on Agriculture.

By Mr. TAYLOR:

H.R. 8537. A bill to reduce the depletion allowance for oil and gas; to the Committee on Ways and Means.

By Mr. WHITE:

H.R. 8538. A bill to establish the U.S. section of the United States-Mexico Commission for Border Development and Friendship, and for other purposes; to the Committee on Foreign Affairs.

H.R. 8539. A bill giving the consent of Congress to the addition of land to the State of Texas, and ceding jurisdiction to the State of Texas over a certain parcel or tract of land heretofore acquired by the United States of America from the United Mexican States; to the Committee on the Judiciary.

By Mr. WILLIAMS:

H.R. 8540. A bill to amend the Fair Labor Standards Act of 1938 to permit the employment of certain unskilled persons at a special minimum wage rate for such period (not exceeding 4 months) as may be necessary to evaluate their ability to qualify for training programs; to the Committee on Education and Labor.

H.R. 8541. A bill to provide for the payment of reasonable costs, expenses, and attorneys' fees to defendants in actions by the United States for the condemnation of real property after determination of the amount of just compensation, or after abandonment of such actions by the United States, and for other purposes; to the Committee on the Judiciary.

H.R. 8542. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without any deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. WYATT:

H.R. 8543. A bill to amend the Internal Revenue Code of 1954 to provide a deduction for amounts expended by firemen for meals which they are required to eat at their post of duty; to the Committee on Ways and Means.

By Mr. EDWARDS of California:

H.J. Res. 531. Joint resolution designating the second Saturday in May of each year as "Fire Service Recognition Day," and for other purposes; to the Committee on the Judiciary.

By Mr. DULSKI:

H. Res. 301. Resolution authorizing expenses for conducting studies and investigations pursuant to House Resolution 268; to the Committee on House Administration.

By Mr. ROGERS of Colorado:

H. Res. 302. Resolution to commemorate the 50th anniversary of the American Legion; to the Committee on the Judiciary.

By Mr. ROONEY of Pennsylvania (for himself, Mr. Podell, Mr. Schneebeli, Mr. Brown of California, Mr. Mikva, Mr. Scheuer, Mr. Mollohan, Mr. Jacobs, Mr. Eilberg, Mr. Rees, Mr. Clark, Mr. Thompson of New Jersey, Mr. Ronan, Mr. Howard, Mr. Byrne of Pennsylvania, Mr. Charles H. Wilson, Mr. Gilbert, Mr. Addabbo, Mr. Brasco, and Mr. Daddario):

H. Res. 303. Resolution authorizing and directing the Committee on Interstate and Foreign Commerce to conduct a study and investigation of magazine sales promotion practices; to the Committee on Rules.

By Mr. STAGGERS:

H. Res. 304. Resolution authorizing funds for investigations by the Committee on Interstate and Foreign Commerce, pursuant to House Resolution 116; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

40. By the SPEAKER: Memorial of the House of Representatives of the State of Massachusetts, relative to Ireland; to the Committee on Foreign Affairs.

41. Also, memorial of the Senate of the State of Oklahoma, relative to the right to keep and bear arms; to the Committee on the Judiciary.

42. Also, memorial of the Legislature of the State of Oklahoma, relative to naming lock and dam No. 18 on the Verdigris River the "Newton R. Graham lock and dam"; to the Committee on Public Works.

43. Also, memorial of the Legislature of the State of Massachusetts, relative to restrictions on the amount of income a person may earn while receiving social security benefits; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 8544. A bill for the relief of Louisa DiLeonardo; to the Committee on the Judiciary.

H.R. 8545. A bill for the relief of Lancelot A. Douglas; to the Committee on the Judiciary.

H.R. 8546. A bill for the relief of Marjorie Eileen Skeene; to the Committee on the Judiciary.

By Mr. BIAGGI:

H.R. 8547. A bill for the relief of Carmela Mure; to the Committee on the Judiciary.

H.R. 8548. A bill for the relief of Amelia Retamar; to the Committee on the Judiciary.

H.R. 8549. A bill for the relief of Carmelo Ricotta; to the Committee on the Judiciary.

H.R. 8550. A bill for the relief of Vincenzo Rosamilia; to the Committee on the Judiciary.

H.R. 8551. A bill for the relief of Vincenzo Russo; to the Committee on the Judiciary.

By Mr. BINGHAM:

H.R. 8552. A bill for the relief of Mavis Nelsetta Lindsay; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 8553. A bill for the relief of Angelo Grella; to the Committee on the Judiciary.

H.R. 8554. A bill for the relief of Rosaria Ilardi; to the Committee on the Judiciary.

H.R. 8555. A bill for the relief of Vito Rallo; to the Committee on the Judiciary.

H.R. 8556. A bill for the relief of Mrs. Clarissa Dorothy Vincent; to the Committee on the Judiciary.

By Mr. BROCK:

H.R. 8557. A bill for the relief of Dr. Dong Kyu Chung and his wife, Young Ja Chung; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia:

H.R. 8558. A bill for the relief of Mrs. Johanna Fredericka Tjeenk Willink Schulman; to the Committee on the Judiciary.

By Mrs. CHISHOLM:

H.R. 8559. A bill for the relief of Carmen Agnes Gloria Mapp Bishop; to the Committee on the Judiciary.

By Mr. FISHER:

H.R. 8560. A bill for the relief of Mr. Edvard DeNeergaard; to the Committee on the Judiciary.

By Mr. FRELINGHUYSEN:

H.R. 8561. A bill for the relief of Luigi DiLeonardo; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 8562. A bill for the relief of Teresa Estrada; to the Committee on the Judiciary.

By Mr. HOWARD:

H.R. 8563. A bill for the relief of Mariel Madamba; to the Committee on the Judiciary.

H.R. 8564. A bill for the relief of Chen Ku Yung; to the Committee on the Judiciary.

By Mr. KYL:

H.R. 8565. A bill for the relief of Dr. Vasu Dev Arora and his wife, Kanchan Bala Arora; to the Committee on the Judiciary.

By Mr. McKNEALLY:

H.R. 8566. A bill for the relief of Choong W. Rhee; to the Committee on the Judiciary.

By Mr. MICHEL:

H.R. 8567. A bill for the relief of Dr. Bernardo P. Dalan and Mrs. Dalan; to the Committee on the Judiciary.

H.R. 8568. A bill for the relief of Viorica Anna Ghitescu, Alexander Ghitescu, and Serban George Ghitescu; to the Committee on the Judiciary.

H.R. 8569. A bill for the relief of Dr. Bhagawandas P. Lathi; to the Committee on the Judiciary.

H.R. 8570. A bill for the relief of Mrs. Rajani B. Lathi; to the Committee on the Judiciary.

By Mr. MINSHALL:

H.R. 8571. A bill for the relief of Dr. and Mrs. Edward Coligado; to the Committee on the Judiciary.

H.R. 8572. A bill for the relief of Miss Leticia Criman; to the Committee on the Judiciary.

By Mr. MONAGAN:

H.R. 8573. A bill for the relief of Mrs. Margaret M. McNellis; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 8574. A bill for the relief of Leonor Muirragui Robalino; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 8575. A bill for the relief of Pedro Luiz DeMelo; to the Committee on the Judiciary.

H.R. 8576. A bill for the relief of Thomas Dowling; to the Committee on the Judiciary.

H.R. 8577. A bill for the relief of Jean Toyzan; to the Committee on the Judiciary.

By Mr. PATTEN:

H.R. 8578. A bill for the relief of Vukasin Dimic; to the Committee on the Judiciary.

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H.R. 8579. A bill for the relief of Arnaldo Garcia, his wife, Sheila Garcia, and their minor children, Roy Garcia and Patrick Garcia; to the Committee on the Judiciary.

H.R. 8580. A bill for the relief of Jagoda Kukolj Somosa; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 8581. A bill for the relief of Salvador A. Cascalang; to the Committee on the Judiciary.

By Mr. ST. ONGE:

H.R. 8582. A bill for the relief of Manuel Martins Florida; to the Committee on the Judiciary.

By Mr. ULLMAN:

H.R. 8583. A bill for the relief of Minnie McClaskey and Roy and Nina Grant; to the Committee on the Judiciary.

By Mr. HOWARD:

H. Res. 305. Resolution to refer the bill, H.R. 4712, entitled "A bill for the relief of Louise Gorna", to the Chief Commissioner of the Court of Claims in accordance with sections 1492 and 2509 of title 28, United States Code; to the Committee on the Judiciary.

PETITIONS, ETC.

Under Clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

73. By the SPEAKER: Petition of the Congress of Micronesia, relative to including the Trust Territory of the Pacific Islands in the Federal Credit Union Act; to the Committee on Banking and Currency.

74. Also, petition of Mrs. Carrie G. S. Chain, Akron, Ohio, relative to redress of grievances; to the Committee on the Judiciary.

SENATE—*Monday, March 10, 1969*

(Legislative day of Friday, March 7, 1969)

The Senate met in executive session at 12 o'clock meridian, on the expiration of the recess, and was called to order by the Vice President.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

O Thou Infinite Spirit, all the ways of our need lead to Thee and to Thee alone. Thou hast made us for Thyself and our hearts are restless until they rest in Thee. Remove from us every barrier which separates us from Thee and from our fellow man. Draw us together here in a firm spiritual alliance that this forum of free men may see clearly Thy purpose for this Nation. Equip us with clean hands, pure hearts, and clear minds. Enable us to strive for all that is high and holy, peaceable and just, and in all striving to contend without contentiousness, to disagree without being disagreeable, and to serve Thee in the unity of spirit and the bonds of brotherhood. And while we struggle with big problems keep us from forgetting the little needs of the people.

In Thy holy name we pray. Amen.

THE JOURNAL

Mr. KENNEDY. Mr. President, as in legislative session, I ask unanimous consent that the Journal of the proceedings of Friday, March 7, 1969, be approved.

The VICE PRESIDENT. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Geisler, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

TREATY ON THE NONPROLIFERATION OF NUCLEAR WEAPONS

The VICE PRESIDENT. The Chair lays before the Senate the pending business, which the clerk will state.

The LEGISLATIVE CLERK. Executive H, 90th Congress, second session, the Treaty on the Nonproliferation of Nuclear Weapons.

The Senate resumed the consideration of the treaty.

ORDER FOR RECESS

Mr. KENNEDY. Mr. President, as in legislative session, I ask unanimous consent that at the conclusion of business today, the Senate stand in recess, in executive session, until 12 o'clock noon tomorrow.

The VICE PRESIDENT. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. KENNEDY. Mr. President, as in legislative session, I ask unanimous consent that the following committee and subcommittees be permitted to meet during the session of the Senate today:

The Committee on the District of Columbia.

The Subcommittee on Intergovernmental Relations of the Committee on Government Operations.

The Subcommittee on Constitutional Amendments of the Committee on the Judiciary.

The VICE PRESIDENT. Without objection, it is so ordered.

NOMINATIONS

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of nominations on the Executive Calendar, beginning with "New Reports."

The VICE PRESIDENT. Without objection, it is so ordered.

The nominations on the Executive Calendar, beginning with "New Reports," will be stated.

U.S. MINT AT DENVER

The bill clerk read the nomination of Betty Higby, of Colorado, to be Superintendent of the Mint of the United States at Denver.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

FARM CREDIT ADMINISTRATION

The bill clerk read the nominations of T. Carroll Atkinson, Jr., of South Carolina, and James H. Dean, of Kansas, to be members of the Federal Farm Credit Board, Farm Credit Administration.

The VICE PRESIDENT. Without objection, the nominations are considered and confirmed.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The VICE PRESIDENT. Without objection, it is so ordered.

TRANSACTION OF ROUTINE MORNING BUSINESS AS IN LEGISLATIVE SESSION

Mr. KENNEDY. Mr. President, as in legislative session, I ask unanimous consent that a period of not to exceed 1 hour be set aside at this time for routine business, as in legislative session, with statements therein to be limited to 3 minutes. Immediately following the conclusion of this period, the Senate will proceed to the consideration of Executive H, 90th Congress, second session, the Treaty on Nonproliferation of Nuclear Weapons.

The VICE PRESIDENT. Without objection, it is so ordered.

THE CALENDAR

Mr. KENNEDY. Mr. President, I ask unanimous consent that, as in legislative session, the Senate proceed to the consideration of measures on the legislative calendar.

The VICE PRESIDENT. Without objection, it is so ordered.

MINERAL AND WATER RESOURCES OF UTAH

The resolution (S. Res. 98) authorizing the printing of the report entitled "Mineral and Water Resources of Utah" as a Senate document was considered and agreed to, as follows:

S. RES. 98

Resolved, That the report entitled "Mineral and Water Resources of Utah" be printed as a Senate document and that there be printed two thousand six hundred additional copies of such document for the use of the Committee on Interior and Insular Affairs.

Mr. KENNEDY. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–91), explaining the purposes of the resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Senate Resolution 98 would provide that the report entitled "Mineral and Water Resources of Utah" be printed as a Senate document, and that there be printed 2,600 additional copies of such document for the use of the Committee on Interior and Insular Affairs.

This report was printed as a committee print of the Committee on Interior and Insular Affairs during the 88th Congress. It was compiled at the request of Senator Frank E. Moss by the U.S. Geological Survey in cooperation with the Utah Geological and Mineralogical Survey and the Utah Water and Power Board. Senator Moss states that the purpose of the report "is to make all significant data on Utah's important mineral and water resources available to interested citizens, to professional personnel in mining and water development and to government, civic, and industrial leaders."

The printing-cost estimate, supplied by the Public Printer, is as follows:

Printing-cost estimate

To print as a document (1,500 copies)	$3,158.07
2,600 additional copies, at $460.95 per thousand	1,198.47
Total estimated cost, Senate Resolution 98	4,356.54

EXTENSION OF TIME FOR FILING REPORT BY COMMISSION TO STUDY MORTGAGE INTEREST RATES

The joint resolution (S.J. Res. 37) to extend the time for the making of a final report by the Commission To Study Mortgage Interest Rates was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S.J. RES. 37

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4(g) of the Act of May 7, 1968 (Public Law 90–301) is amended by striking out "Said report of the Commission shall be made by April 1, 1969," and inserting in lieu thereof the following: "The Commission may make an interim report not later than April 1, 1969, and shall make a final report of its study and recommendations not later than July 1, 1969,".

Mr. KENNEDY. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–92), explaining the purposes of the joint resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

A Commission To Study Mortgage Rates was authorized by Public Law 90–301, approved May 7, 1968. The purpose of the Commission was to study all facets of mortgage interest rates and problems in the mortgage money market.

Although the Commission was authorized to be established during the summer of 1968, procedural questions were involved and the Commission was not finally established until late fall, 1968. Pursuant to the public law establishing the Commission, the Commission was to make a report to the President and the Congress by April 1, 1969. Because of the delays in establishing the Commission and staffing it, the Commission now finds that it will not be through with its work nor can it make a report by the April 1 date set forth in Public Law 90–301. The Commission has requested an extension of a 3-month period unil July 1, 1969, to file its report.

The committee agrees that the Commission needs this additional time and unanimously reported the resolution giving the Commission the additional 3 months in which to make its final report.

The committee recommends favorable action by the Senate on Senate Joint Resolution 37.

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled bill (H.R. 497) to amend section 301 of the Manpower Development and Training Act of 1962, as amended, and it was signed by the Vice President.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

PROPOSED RIVERFRONT EXPRESSWAY ADJACENT TO THE VIEUX CARRE HISTORIC DISTRICT OF NEW ORLEANS

A letter from the Chairman of the Advisory Council on Historic Preservation, transmitting, pursuant to law, recommendations of the Council concerning a proposed riverfront expressway adjacent to the Vieux Carre Historic District of New Orleans (with accompanying papers); to the Committee on Interior and Insular Affairs.

REPORT ON THE FEDERAL METAL AND NONMETALLIC MINE SAFETY ACT

A letter from the Under Secretary of the Interior, transmitting, pursuant to law, a report on the Federal Metal and Nonmetallic Mine Safety Act for the period September 16, 1966, through December 31, 1967 (with an accompanying report); to the Committee on Labor and Public Welfare.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the House of Representatives of the Commonwealth of Massachusetts; to the Committee on Foreign Relations:

"RESOLUTIONS PROTESTING THE PRESENT POLITICAL DIVISION OF IRELAND

"*Whereas,* The present political division of Ireland is not in keeping with the principles of self-determination and is not based on the racial, economic or historical background of the people of Ireland; and

"*Whereas,* The Republic of Ireland should embrace the entire territory unless a clear majority of the people of Ireland in a free plebiscite determine and declare to the contrary; and

"*Whereas,* This approach to the problem of a united Ireland is entirely in keeping with the free democratic ideals and principles of our own democracy and all free nations of the world; and

"*Whereas,* Ireland from the very beginning of our own beloved country through tremendous hardships and adversity has always been a staunch and unflinching friend of America; and

"*Whereas,* The current Northern Ireland movement is aimed at securing equality for all in local government, voting and public housing, at ending property ownership requirements to vote and at terminating discrimination in public housing allocation by local officials; therefore be it

"*Resolved,* That the Massachusetts House of Representatives hereby urges the United States Government to use its good graces and attempt to assist in bringing about a peaceful solution to the Northern Ireland problem presently plaguing the Irish people and thereby lay the foundation for uniting this great nation under one flag; and be it further

"*Resolved,* That copies of these resolutions be sent forthwith by the Secretary of the Commonwealth to the President of the United States, to the presiding officer of each branch of Congress, to the members thereof from this Commonwealth and to the Secretary of State.

"House of Representatives, adopted, January 15, 1969.

"WALLACE C. MILLS,
"*Clerk.*

"Attest:

"JOHN F. X. DAVOREN,
"*Secretary of the Commonwealth.*"

A joint memorial of the Legislature of the State of Idaho; to the Committee on Interior and Insular Affairs:

"HOUSE JOINT MEMORIAL 2

"A joint memorial to the honorable Senate and House of Representatives of the United States in Congress assembled

"We, your Memorialists, the Senate and House of Representatives of the State of Idaho assembled in the Fortieth Session thereof, do respectfully represent that;

"Whereas, the Congress of the United States will soon have before it proposed legislation affecting future management of the present Sawtooth Primitive Area and adjacent lands;

"Whereas, this is a region of incomparable scenic beauty and a rich historical past;

"Whereas, the area is coming rapidly under increasing pressures of public and private use;

"Whereas, uncontrolled housing developments in the Sawtooth Valley, the Stanley Basin and the environs of the Sawtooths, threaten the destruction of the natural beauty of the area;

"Whereas, it is urgently required in the public interest that a definite, permanent plan for the management of the Sawtooths be adopted as soon as possible.

"Whereas, this matter has been the subject of a great deal of study by federal agencies, particularly a very comprehensive joint study by the United States Forest Service and the National Park Service completed in August, 1965;

"Whereas, this was followed by a two day public hearing before the Subcommittee on Parks and Recreation of the Committee on Interior and Insular Affairs of the United States Senate, on June 13 and 14, 1966;

"Whereas, both the joint study and the vast majority of persons testifying at the public hearing favored the creation of a Sawtooth National Recreation Area;

"Whereas, such action would permit continued management of the Sawtooths by the United States Forest Service, allowing the broadest multiple use of the area—for example permitting grazing and timber management where possible;

"Whereas, a national recreation area would permit continued management of fish and game by the Idaho Fish and Game Department;

"Now, therefore, be it resolved, by the Fortieth Session of the Legislature of the State of Idaho, now in session, the Senate and the House of Representatives concurring, that we most respectfully urge the Congress

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of the United States of America to proceed at the earliest possible date to enact the necessary legislation to authorize the establishment of the Sawtooth National Recreation Area and Wilderness.

"Be it further resolved, that the Secretary of State of the State of Idaho be, and he hereby is authorized and directed to forward certified copies of this Memorial to the Honorable President and the Vice President of the United States, the Speaker of the House of Representatives of the Congress, and to the Senators and Representatives representing this state in the Congress of the United States."

A resolution of the Senate of the State of Oklahoma; to the Committee on the Judiciary:

"Senate Resolution 11

"A resolution memorializing the Congress of the United States to repeal all recently passed legislation which restricts the constitutional right of a citizen to keep and bear arms; and directing distribution

"*Whereas* the Second Amendment to the Constitution of the United States provides that 'the right of the people to keep and bear arms shall not be infringed'; and

"*Whereas* Section 26 Article II of the Constitution of the State of Oklahoma provides that 'The right of a citizen to keep and bear arms in defense of his home person or property or in aid of the civil power when thereunto legally summoned shall never be prohibited'; and

"*Whereas* recently enacted legislation infringes upon these basic constitutional rights; and

"*Whereas* in addition to the infringement of rights these laws also create a disproportionate amount of red tape which severely restricts the sportsman in his pursuance of recreation; and

"*Whereas* this type of legislation can lead to even more restrictive measures by setting a dangerously un-American precedent; and

"*Whereas* all these things combined with the American's traditionally intelligent and thoughtful use of firearms places an unnecessarily restrictive burden upon the law-abiding citizen and fails to adequately restrict the criminal element from procuring firearms with which to perform their evil deeds.

"*Now therefore be it resolved by the* Senate of the first session of the thirty-second Oklahoma legislature:

"Section 1. That Congress be and is hereby respectfully urged to repeal all recently passed 'gun legislation' including those restrictions placed on the buying of ammunition.

"Section 2. That duly authenticated copies of this Resolution after consideration and enrollment be prepared for transmittal to the presiding officers of the United States Congress and to each member of the Oklahoma congressional delegation.

"Adopted by the Senate the 25th day of February 1969.

"Leon Field,
"*President of the Senate.*

"Attest:

"Basil R. Wilson,
"*Secertary of the Senate.*"

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. TYDINGS, from the Committee on the District of Columbia:

Gilbert Hahn, Jr., of the District of Columbia, to be Chairman of the District of Columbia Council;

Sterling Tucker, of the District of Columbia, to be Vice Chairman of the District of Columbia Council; and

Jerry A. Moore, of the District of Columbia, to be a member of the District of Columbia Council; reported with a written report (Ex. Rept. No. 91–2).

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and by unanimous consent, the second time, and referred as follows:

By Mr. STEVENS:

S. 1447. A bill to apply certain provisions of section 8341 of title 5, United States Code, which provide for the continuance of restoration of an annuity to a surviving spouse who has remarried or hereafter remarries, and for other purposes; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Stevens when he introduced the above bill, which appear under a separate heading.)

By Mr. BYRD of West Virginia:

S. 1448. A bill to amend title II of the Social Security Act so as to reduce to 50 the age at which a woman may begin to receive actuarially reduced widow's insurance benefits thereunder; to the Committee on Finance.

By Mr. BENNETT:

S. 1449. A bill to provide for an appropriation of a sum not to exceed $250,000 with which to make a survey of a proposed Golden Circle National Scenic Parkway complex connecting the national parks, monuments, and recreation areas in the southern part of Utah with the national parks, monuments, and recreation areas situated in northern Arizona, northwestern New Mexico, and southwestern Colorado; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Bennett when he introduced the above bill, which appear under a separate heading.)

By Mr. YARBOROUGH:

S. 1450. A bill to amend title XVIII of the Social Security Act so as to include drugs among the benefits provided under the supplementary medical insurance program established by part B of such title and to eliminate the $50 deductible presently imposed as a condition to the receipt of benefits under such program; to the Committee on Finance.

S. 1451. A bill for the relief of Dr. Jorge Duvauchelle Contreras; to the Committee on the Judiciary.

(See the remarks of Mr. Yarborough when he introduced the first above-mentioned bill, which appear under a separate heading.)

By Mr. HANSEN (for himself, Mr. Bennett, Mr. Brooke, Mr. Cooper, Mr. Dominick, Mr. Hruska, Mr. Javits, Mr. McGovern, Mr. Moss, Mr. Percy, Mr. Prouty, Mr. Randolph, Mr. Scott, and Mr. Tydings):

S. 1452. A bill to provide for the establishment of an Office of Natural Science Research in the National Park Service; to establish a system of fellowships for support of research in the natural sciences; and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Hansen when he introduced the above bill, which appear under a separate heading.)

By Mr. HRUSKA (for himself and Mr. Curtis):

S. 1453. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the North Loup division, Missouri River Basin project, Nebraska, and for other purposes; and

S. 1454. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the O'Neill unit, Missouri River Basin project, Nebraska, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ALLOTT (for himself, Mr. Bennett, Mr. Dominick, Mr. Montoya, Mr. Dirksen, and Mr. Saxbe):

S. 1455. A bill to amend section 8c(2)(A) of the Agricultural Marketing Agreement Act of 1937, as amended, so as to include Colorado, Utah, New Mexico, Illinois, and Ohio among the specified States which are eligible to participate in marketing agreement and order programs with respect to apples; and

S. 1456. A bill to amend sections 2(3) and 8c(6)(I) of the Agricultural Marketing Agreement Act of 1937, as amended, so as to permit marketing orders applicable to apples to provide for paid advertising; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Allott when he introduced the above bills, which appear under separate headings.)

By Mr. MUSKIE (for himself, Mr. Hart, Mr. Javits, Mr. Magnuson, Mr. McCarthy, and Mr. Yarborough):

S. 1457. A bill to foster high standards of architectural excellence in the design and decoration of Federal public buildings and post offices outside the District of Columbia, and to provide a program for the acquisition and preservation of works of art for such buildings, and for other purposes, to be known as the Federal Fine Arts and Architecture Act; to the Committee on Public Works.

(See the remarks of Mr. Muskie when he introduced the above bill, which appear under a separate heading.)

By Mr. TYDINGS:

S. 1458. A bill to prohibit the business of debt adjusting in the District of Columbia except as an incident to the lawful practice of law or as an activity engaged in by a nonprofit corporation or association; and

S. 1459. A bill to provide for the regulation in the District of Columbia of retail installment sales of consumer goods (other than motor vehicles) and services, and for other purposes; to the Committee on the District of Columbia.

(See the remarks of Mr. Tydings when he introduced the above bills, which appear under separate headings.)

By Mr. HART:

S. 1460. A bill for the relief of Saada Aybout (Sandra Oade); to the Committee on the Judiciary.

By Mr. HRUSKA (for himself and Mr. Ervin):

S. 1461. A bill to amend section 3006A of title 18, United States Code, relating to representation of defendants who are financially unable to obtain an adequate defense in criminal cases in the courts of the United States; to the Committee on the Judiciary.

(See the remarks of Mr. Hruska when he introduced the above bill, which appear under a separate heading.)

By Mr. MUSKIE (for himself, Mr. Bayh, Mr. Bible, Mr. Byrd of West Virginia, Mr. Cotton, Mr. Dodd, Mr. Ervin, Mr. Inouye, Mr. Montoya, Mr. Moss, Mr. McGee, Mr. McIntyre, Mr. Pell, Mr. Randolph, Mr. Scott, Mr. Stevens, Mr. Talmadge, and Mr. Young of Ohio):

S. 1462. A bill to provide for the orderly marketing of articles imported into the United States, to establish a flexible basis for the adjustment by the U.S. economy to expanded trade, and to afford foreign supplying nations a fair share of the growth or change in the U.S. market; to the Committee on Finance.

(See the remarks of Mr. Muskie when he introduced the above bill, which appear under a separate heading.)

By Mr. GORE:

S. 1463. A bill to amend the Internal Revenue Code of 1954 to increase the amount of

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the deduction for each personal exemption to $1,000; to the Committee on Finance.

S. 1464. A bill for the relief of Dr. Julio Goldenberg; to the Committee on the Judiciary.

By Mr. WILLIAMS of New Jersey:

S. 1465. A bill for the relief of Alexander McCall, Elizabeth McCall, and Gary and Wayne McCall; to the Committee on the Judiciary.

By Mr. SCHWEIKER:

S.J. Res. 73. Joint resolution proposing an amendment to the Constitution of the United States, extending the right to vote to citizens 18 years of age or older; to the Committee on the Judiciary.

(See the remarks of Mr. Schweiker when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. RANDOLPH (for himself, Mr. Williams of New Jersey, Mr. Bible, Mr. Fannin, Mr. Fong, Mr. Kennedy, Mr. Miller, Mr. Mondale, Mr. Moss, Mr. Muskie, Mr. Yarborough, and Mr. Young of Ohio):

S.J. Res. 74. Joint resolution to provide for the designation of the first full calendar week in May of each year as "National Employ the Older Worker Week"; to the Committee on the Judiciary.

(See the remarks of Mr. Randolph when he introduced the above joint resolution, which appear under a separate heading.)

S. 1447—INTRODUCTION OF BILL RELATING TO AN ANNUITY TO A SURVIVING SPOUSE WHO HAS REMARRIED

Mr. STEVENS. Mr. President, I am introducing a bill today to correct what I feel is a great injustice to many widows covered under the Federal Employees Retirement Act.

The existing act allows a widow upon reaching the age of 60 to remarry and continue to receive her annuity. However, this provision is limited to those widows whose husbands passed away after the present law was enacted.

My bill will allow a widow, regardless of when her husband passed away, to remarry after the age of 60 and continue to receive her annuity.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1447) to apply certain provisions of section 8341 of title 5, United States Code, which provide for the continuance of restoration of an annuity to a surviving spouse who has remarried or hereafter remarries, and for other purposes, introduced by Mr. Stevens, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

S. 1449—INTRODUCTION OF BILL TO CREATE THE GOLDEN CIRCLE AND SOUTHERN UTAH SCENIC PARKWAY

Mr. BENNETT. Mr. President, I introduce a bill to authorize the appropriation of funds for a survey to determine the best and most feasible route or routes for the establishment of a Golden Circle National Scenic Parkway complex. This complex would link together the many attractive national parks, monuments, and recreation areas of southern Utah, northern Arizona, northwestern New Mexico, and southwestern Colorado.

THE GOLDEN CIRCLE: A TRUE SCENIC AND RECREATIONAL WONDERLAND

Centered around the Four Corners Area of Arizona, New Mexico, Colorado, and Utah are more than 40 outstanding scenic and recreational attractions which form a great "Golden Circle" as the area has been aptly described. These attractions include both National and State parks and monuments and other areas of scenic, archaelogic, geologic, historic, and recreational value. It is an area unduplicated in the world, and has recently received added value in the designation of Canyonlands National Park and in the formation of Lake Powell and the Glen Canyon national recreation area.

SCENIC PARKWAY COMPLEX NEEDED

Most of the points of interest would be only a few hours apart if there were adequate access and connecting roads. Yet, at the present time the people of America are being denied, except on great inconvenience and hardship, the opportunity to see some of the most spectacular and majestic scenery in the world. Some of these points of interest have no roads at all or are accessible only by jeep trail. Those that do have good roads usually are not linked in any patterns to provide contiguous travel from one to another. The construction of a national scenic parkway in the Golden Circle area would cross and open up this area to countless thousands of people who are now denied this great esthetic experience.

Frankly, I am tired of creation of national parks and monuments strictly for "museum" purposes, far off the main roads and accessible only to the most hardy, rich tourists who can afford pack trains or jeep tours. Let us open up our parks to the American people. Why should we continue to hide them from general view?

BACKGROUND RECALLED

In the 87th Congress, I introduced a bill to authorize the construction of a national parkway through southern Utah. The Department of the Interior submitted a negative report on the bill, however, on the grounds that no survey had been made by the Department. Significantly, the Department indicated that it wished to make such a survey as soon as personnel and funds were available. I then introduced a bill to give the Department the necessary funds and personnel. In testifying on this bill in testimony before the Appropriations Committee, Conrad L. Wirth, then Director of the National Park Service, said the Park Service could economically use the full amount of $80,000 which the bill provided, but added he felt such a study should include not only southern Utah but the general Colorado River region in adjoining States where outstanding scenic parkway possibilities exist. I heartily concur in the broader concept, which the bill I am introducing today proposes. My bill authorizes $250,000 for the broader survey.

A survey of the area will show there are several possible routes which hold great promise for location of a national scenic parkway. They are not only scenic but are feasible from an economic and engineering standpoint. In southern Utah, for example, the Bureau of Public Roads has surveyed four possible routes, and other locations have been suggested by other groups. No doubt routes in other States to complete the road complex are equally available.

NEEDED—PARKWAYS IN THE WEST

As my colleagues know, all of our existing national parkways are east of the Mississippi River, principally in the South. It is my strong conviction that this discriminatory policy should cease so that the Golden Circle area can receive a portion of the $16 million appropriated annually by Congress for construction of national parkways. The parkway which I propose would traverse one of the most magnificent areas in the United States. Since the area is almost entirely owned by the Federal Government, the right-of-way will cost very little.

Moreover, Utah was forced by former Secretary Udall to give up hundreds of thousands of acres for new parks and recreation areas. But road development lags far behind the national park developments in the area. In fairness we should and must have roads.

UTAH STUDY

The Utah State Department of Highways has completed an exhaustive study of road needs in the Golden Circle area, and points out that National Park Service developments on Lake Powell, for example, have brought into sharp focus the needs for access roads. The National Park Service anticipates 1 million visitors annually if good access roads are provided. In anticipation of the influx of visitors, the Park Service is spending millions of dollars in the development of some 10 permanent recreation sites in the Glen Canyon National Recreation Area in Utah. Yet, only three, Wahweap, Lee's Ferry, and Bullfrog are accessible today over a hard-surfaced, all-weather road. Castle Butte development can be reached first by jeep, then on foot by the hardy few. Hole-in-the-Rock is 50 miles, over primitive road, from the nearest connecting highway. The Utah State Department of Highways recommends the improvement of Utah State Route 95, the backbone through the area, and the construction and improvement of access roads leading into the recreational sites on Lake Powell. I know the National Park Service and the Bureau of Public Roads, in carrying out the survey proposed in my bill, will wish to consider the valuable information developed by the Utah State Department of Highways and to work with the highway departments and other interested agencies in Arizona, Colorado, and New Mexico, as well.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1449) to provide for an appropriation of a sum not to exceed $250,000 with which to make a survey of a proposed Golden Circle National Scenic Parkway complex connecting the national parks, monuments, and recreation areas in the southern part of Utah with the national parks, monuments, and recreation areas situated in north-

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ern Arizona, northwestern New Mexico, and southwestern Colorado, introduced by Mr. BENNETT, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

S. 1450—INTRODUCTION OF A BILL TO AMEND THE SOCIAL SECURITY LAW TO INCLUDE DRUG BENEFITS AND TO REMOVE THE $50 DEDUCTIBLE

Mr. YARBOROUGH. Mr. President, I introduce, for appropriate reference, a bill to eliminate the $50 deductible feature under part B of medicare and to include prescription drugs among the benefits provided under that same program.

My proposal is prompted partially by the testimony received by the U.S. Special Committee on Aging during recent hearings conducted on the subject of "Usefulness and Availability of Federal Programs and Services to Elderly Mexican-Americans."

As I presided at the committee hearings in Los Angeles, El Paso, San Antonio, and, finally, in Washington, D.C., during December and January, I was impressed by the frequency with which witnesses declared that—while medicare part B is fulfilling an essential and long-needed function in providing coverage for some treatment and services—the $50 deductible feature and the high cost of prescription drugs put a heavy burden upon low-income members of minority groups in particular.

Let us think for a moment about what part B costs a participant before he can collect a penny in benefits.

For one thing, he must now pay $4 a month for his premium: or $48 a year. Then he must pay for the first $50 of covered charges. He is already up to $98 for coverage before receiving any benefits, and even then he must pay 20 percent "coinsurance" for each covered charge during the year over the first $50.

As reported in the last report of the Committee on Aging, "Developments in Aging, 1967," the deductible contributes toward heavy burden upon the very people most in need of help. That report quotes Mr. William Hutton of the National Council of Senior Citizens as saying that the medicare program should be regarded as a public social insurance program, but that the use of deductibles—as well as coinsurance—comes strictly from the practice and thinking in commercial casualty insurance. He explained:

> The basic concept of fire, auto, marine, et cetera, insurance, is the pooling of risks to protect against loss from undesirable and often preventable accidents. The deductible is promoted as a guard against carelessness—or paying the consequences.
>
> But in today's world everyone requires health services. Modern medicine embraces preventive care and health maintenance as essential elements. The casualty insurance concept simply does not fit in a medicare program established as an element of our social insurance.

Another vivid description of the problem came at our hearing in Los Angeles in connection with elderly Mexican-Americans. Dr. Max Offenberg, a resident of the East Los Angeles area for 48 years and a practicing physician in the community for 32 years, said that elimination of the first $50 for the doctor bill and related services would "encourage the eligible Mexicans and Americans of Mexican descent to seek medical care early rather than to attempt to treat themselves. In this way, many serious medical problems would be avoided and a financial savings would be realized."

Here we have a medical practitioner with years of experience saying that elimination of the deductible would encourage preventive medicine, which is so much more effective and humane than costly treatment and hospitalization later on.

Dr. Offenberg also provided excellent arguments for the second feature of the bill I offer today. That provision calls for coverage of prescription drug costs under part B of medicare. Here again, Dr. Offenberg argued for prevention:

> Many of our elderly are unable to purchase outpatient drugs, thereby prolonging their ailments and resulting in needless suffering.

Our hearings on Mexican-Americans were useful because they dramatically showed that among many members of minority groups, many prevelant problems are intensified and highly visible when subjected to scrutiny. On the matter of prescription drugs under medicare part B, we now have weighty documentation on the more widespread need—not only among low-income members of minority groups—for coverage of drugs under medicare. I am referring to the December 31, 1968, report by the Task Force on Prescription Drugs. As that report emphatically said:

> Since the advent of Medicare, prescription drugs have represented the largest single personal health expenditure that the aged must meet almost entirely from their own resources—some 20 per cent of their personal health expenditures. Although the elderly represent less than 10 per cent of the population, they account for nearly 25 per cent of all prescription drug costs, and their annual per capita expenditure for drugs is more than three times that of persons under age 65.

Mr. President, the task force report provides overwhelming evidence, in my opinion, on the need for action on prescription drugs. While I am well aware that the Social Security Administration has promulgated chilling estimates on the costs of removing the deductible from part B, the medical testimony I heard at these hearings where I presided indicated that money would be saved the taxpayers if these drugs would be furnished in time, that is, free. I submit that the Congress should reexamine the deductible—not only to determine whether the SSA may be too pessimistic in their cost projections—but also to investigate our basic philosophy behind part B program of medicare.

We in Congress made many speeches when we passed medicare about the need for bringing all Americans into the "mainstream of medicine." We should ask now whether we are succeeding. I do not think we are. I believe we should.

I ask unanimous consent that this bill be printed in full at this point in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1450) to amend title XVIII of the Social Security Act so as to include drugs among the benefits provided under the supplementary medical insurance program established by part B of such title and to eliminate the $50 deductible presently imposed as a condition to the receipt of benefits under such program, introduced by Mr. YARBOROUGH, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 1450

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 1861(s) of the Social Security Act is amended—

(1) by striking out "and" at the end of paragraph (8);

(2) by striking out the period at the end of paragraph (9) and inserting in lieu thereof ", and ";

(3) by inserting after paragraph (9) the following new paragraph:

"(10) drugs and biologicals which are prescribed by a physician."; and

(4) by redesignating paragraphs (10), (11), (12), and (13) as paragraphs (11), (12), (13), and (14), respectively.

(b)(1) Section 1835(a) of such Act is amended by adding at the end thereof the following new sentence: "With respect to drugs and biologicals described in section 1861(s)(10), the certification requirements of paragraph (2)(B) shall be satisfied by the physician's prescription."

(2) Section 1861(s)(2) of such Act is amended by striking out "(including drugs and biologicals which cannot, as determined in accordance with regulations, be self-administered)" in subparagraphs (A) and (B) and inserting in lieu thereof "(including drugs and biologicals)".

(3) Section 1861(t) of such Act is amended by striking out "or as are approved" and inserting in lieu thereof "or, in the case of drugs and biologicals furnished by a hospital, as are approved".

(4) Section 1864(a) of such Act is amended by striking out "paragraphs (10) and (11)" and inserting in lieu thereof "paragraphs (11) and (12)".

(c) The amendments made by this section shall apply only with respect to expenses incurred on or after the first day of the month following the month in which this Act is enacted.

SEC. 2. (a) (1) Section 1833(a)(1) of the Social Security Act is amended by striking out "plus any amounts payable by them as a result of subsection (b)".

(2) Section 1833(b) of such Act is repealed.

(3) Section 1833(c) of such Act is amended by striking out "subsections (a) and (b)" and inserting in lieu thereof "subsection (a)".

(4) Subsections (c), (d), (e), and (f) of section 1833 of such Act are redesignated as subsections (b), (c), (d), and (e), respectively.

(b) (1) The first sentence of section 1866 (a)(2)(A) of such Act is amended by striking out "section 1833(b),".

(2) The second sentence of section 1866 (a)(2)(A) of such Act is amended by striking out "section 1833(c)" and inserting in lieu there of "section 1833(b)".

(c) The amendments made by this section shall be effective with respect to calendar years commencing after December 31, 1967.

S. 1452—INTRODUCTION OF NATIONAL PARK SERVICE NATURAL SCIENCE RESEARCH ACT

Mr. HANSEN. Mr. President, during the past several years, there has been a groundswell of public support for an expanding program for the preservation of our country's natural heritage. New national parks, monuments, recreation areas, memorials, and seashores, as well as wilderness, wild rivers, scenic rivers, and national scenic trails systems, have been recently created by Congress.

In 1963, an advisory committee of the National Academy of Sciences submitted a report to former Secretary of the Interior Udall on research in the National Park Service. The committee's report pointed to a mounting crisis—one within the national park system itself. The committee found that less than 1 percent of the Park Service's total appropriations were being spent for research in the natural sciences. This compared to an average 10 percent spent by similar Federal agencies. Further, the advisory committee made 20 specific recommendations for improving research as a means to aid the National Park Service in fulfilling its mandate "to preserve and conserve the national parks with due consideration for the enjoyment of their owners, the people of the United States, of the esthetic, spiritual, inspirational, educational and scientific values which are inherent in natural wonders and nature's creatures."

Unfortunately, many of the recommendations of the advisory committee have not been implemented despite its pointed urging for "prompt action." The committee advised:

> Unless drastic steps are immediately taken there is a good possibility that within this generation several, if not all, the national parks will be degraded to a state totally different from that for which they were preserved and in which they were to be enjoyed.

On May 4, 1967, I introduced S. 1684 in the 90th Congress. My earlier remarks and supporting material can be found in the Congressional Record, volume 113, part 9, pages 11745-11761. S. 1684 put many of the recommendations of the National Academy of Sciences into a legislative framework and would have given the National Park Service the necessary authority and directive to implement many sorely needed reforms.

Unfortunately, no report was made by the previous administration on this measure. Nevertheless, I believe that there is merit to be found in a number of the provisions of this legislation and I resubmit the identical bill to the Senate now in the hopes that some legislative dialog with the new team at the Department of the Interior might be stimulated in this Congress. I will ask that a report expressing the departmental views be filed with the Senate Interior Committee.

The need for improved environmental research is not something that will go away. In fact, we are becoming more aware of these needs every day. The Santa Barbara disaster; evidence of human waste pollution in Mammoth Cave; the continuing threat to the aquatic and bird life of Everglades National Park—all these are putting up the warning signs to us: "Danger: Man at Work."

Concerned citizens, scientists and legislators are alerting this country to the environmental crises facing us. Numerous bills have been offered in Congress to deal with this issue in its broadest aspects. One such bill in particular, S. 1075, recently introduced by the chairman of the Senate Interior Committee to establish a three-member Council of Advisers on Environmental Quality appears to me to have much merit.

The bill I introduce today in no way conflicts with these broader efforts, but rather is confined to a specific agency where a specific need for environmental research very obviously exists. The National Park Service is being given responsibility for managing a significant number of new additions to the national park system. As planning for future management programs progresses, it is essential that environmental considerations be given the emphasis that they urgently require. It is time now that the Park Service moves to put its house in order so that its future management decisions affecting the environment are made on the basis of the best scientific evidence available.

Mr. President, I introduce, for appropriate reference, on behalf of myself and Mr. Bennett, Mr. Brooke, Mr. Cooper, Mr. Dominick, Mr. Hruska, Mr. Javits, Mr. McGovern, Mr. Moss, Mr. Percy, Mr. Prouty, Mr. Randolph, Mr. Scott, and Mr. Tydings, S. 1452, the National Park Service Natural Science Research Act of 1969.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1452) to provide for the establishment of an Office of Natural Science Research in the National Park Service; to establish a system of fellowships for support of research in the natural sciences; and for other purposes, introduced by Mr. Hansen (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

S. 1455—INTRODUCTION OF APPLE MARKETING BILL

Mr. ALLOTT. Mr. President, on behalf of Senators Bennett, Dominick, Montoya, Dirksen, Saxbe, and myself, I introduce a bill to amend section 8c(2)(A) of the Agricultural Marketing Agreement Act of 1937, as amended, so as to include Colorado, Utah, New Mexico, Illinois, and Ohio among the specified States which are eligible to participate in marketing agreement and order programs with respect to apples, and ask that it be appropriately referred.

Mr. President, the provisions of this bill are similar to the provisions of S. 3056, which I introduced during the second session of the 90th Congress along with the cosponsorship of Senators Dominick, Bennett, and Montoya. Subsequently, the text of the bill was adopted as section 804 of title VIII of the Agricultural Act of 1968. During the time this bill was being debated on the floor of the Senate, the States of Illinois and Ohio were added at the request of Senator Dirksen and Senator Lausche to afford those States the opportunity to participate also in marketing agreement and order programs with respect to apples. As Senators are aware, the ensuing conference on the Agricultural Act of 1968 deleted this section, along with others, when it provided for a simple extension of the act until December 31, 1970. It is for this reason that we are again introducing this measure during the 91st Congress.

Mr. President, simply stated, the purpose of this bill is to enable applegrowers in the States affected by the bill to do a more effective job of marketing apples in their respective States by providing legislative authority to enter into voluntary marketing agreement and order programs. Section 8c(2)(A) of the Agricultural Marketing Agreement Act of 1937, as amended, already grants this authority to enter into marketing agreement and order programs. This bill would merely add the States of Colorado, Utah, New Mexico, Illinois, and Ohio to that list of States which are afforded an opportunity to enter into such marketing programs.

The Agricultural Marketing Agreement Act of 1937 originally established the legislative authority for the orderly and efficient marketing processes for the improvement of the market for various agricultural commodities. This legislative authority was provided, not only for the economic benefit of the agricultural industry involved with such commodities, but also for the general benefit of the consuming public. As such, the Agricultural Marketing Agreement Act afforded the opportunity for proper farmer bargaining power through collective farmer marketing and selling agreements otherwise unavailable to individual farmers.

Under the present law, the Secretary of Agriculture has the power to enter into these marketing orders, which are exempt from the antitrust laws of the United States, with the applegrowers of the affected States. As such, the passage of this bill would merely create the opportunity for voluntary interstate agreements, voted upon by the applegrowers directly affected, which would be subject to the approval of the Secretary of Agriculture. In this regard, the public interest is fully protected by the processes established by law. Prior to the approval by the Secretary, the proposed agreements are subject to hearings called by the Department of Agriculture to satisfy the Department of the voluntariness of the proposed agreement and to be certain that there is a sufficient number of growers who want to enter into such an agreement. Thus, it seems to me, that there is an ideal industry-Government relationship created by law to assure the ultimate protection of the public interest.

Mr. President, in my State, applegrowers are presently permitted by Colorado law to enter into marketing agreements and orders on an intrastate basis. What we are seeking to do today, however, is to enable applegrowers in the States enumerated in this bill, along with those in Colorado, to join with applegrowers in the States set forth in sec-

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tion 8c(2)(A) of the Agricultural Marketing Agreement Act to create voluntary interstate marketing orders.

Applegrowers in the States affected by this bill should have the opportunity to afford themselves of the promise of the purposes of the Agricultural Marketing Agreement Act of 1937 for the orderly exchange of their commodity in interstate commerce be effectuating programs beneficial not only to their particular industry, but also to the consuming public. In this regard, I would hope that the Senate Agriculture Committee will take early and favorable action on this measure so that it can be enacted during the present session of the 91st Congress.

I ask unanimous consent that the bill I have sent to the desk be printed in the RECORD at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1455) to amend section 8c(2)(A) of the Agricultural Marketing Agreement Act of 1937, as amended so as to include Colorado, Utah, New Mexico, Illinois, and Ohio among the specified States which are eligible to participate in marketing agreement and order programs with respect to apples, introduced by Mr. ALLOTT (for himself and other Senators), was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

S. 1455

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 8c(2)(A) of the Agricultural Marketing Agreement Act of 1937, as amended, is amended by striking out "and Connecticut" and inserting in lieu thereof "Connecticut, Colorado, Utah, New Mexico, Illinois, and Ohio."

S. 1456—INTRODUCTION OF APPLE ADVERTISING BILL (COMPANION TO APPLE MARKETING BILL)

Mr. ALLOTT. Mr. President, I also introduce on behalf of Senators BENNETT, DOMINICK, MONTOYA, DIRKSEN, SAXBE, and myself, a bill to amend sections 2(3) and 8c(6)(I) of the Agricultural Marketing Agreement Act of 1937, as amended, so as to permit marketing orders applicable to apples to provide for paid advertising and ask that it, too, be appropriately referred.

Mr. President, the provisions of this bill are identical to the provisions of S. 3057 which I introduced during the second session of the 90th Congress. S. 3057 suffered the same fate as S. 3056 in the 90th Congress. After having been adopted as section 805 of title VIII of the Agriculture Act of 1968, the language was deleted as a result of the ensuing conference between the House and Senate conferees.

Again, this bill is only offered as enabling legislation. It would still require that applegrowers themselves, by voluntary agreement, provide that expenses of paid advertising be a part of a marketing agreement or order. This also would require approval by a majority of the producers themselves which action, of course, is still subject to approval by the Secretary of Agriculture. It is my belief, as well as the belief of those who are cosponsoring this measure today, that the passage of this bill is essential to the apple growing industry to further the development of programs which would provide a more effective job of marketing apples by the apple industry.

I ask unanimous consent that the text of the bill be printed in the RECORD at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1456) to amend sections 2(3) and 8c(6)(I) of the Agricultural Marketing Agreement Act of 1937, as amended, so as to permit marketing orders applicable to apples to provide for paid advertising, introduced by Mr. ALLOTT (for himself and other Senators), was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

S. 1456

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 2(3) of the Agricultural Marketing Agreement Act of 1937, as amended, is amended by inserting ", such marketing research and development projects provided in section 8c(6)(I), and" immediately after "section 8c(6)(H)".

(b) The proviso at the end of section 8c(6)(I) of such Act, as amended, is amended by striking out "or avocados" and inserting in lieu thereof ", avocados, or apples".

S. 1457—INTRODUCTION OF FEDERAL FINE ARTS AND ARCHITECTURE ACT OF 1969

Mr. MUSKIE. Mr. President, on behalf of myself and Senators HART, JAVITS, MAGNUSON, MCCARTHY, and YARBOROUGH, I introduce, for appropriate reference, a bill to foster high standards of architectural excellence in the design and decoration of Federal public buildings and post offices outside the District of Columbia, and to provide for a program for the acquisition and preservation of works of art for such buildings, and for other purposes, to be known as the Federal Fine Arts and Architecture Act of 1969.

I ask unanimous consent that the text of the bill be printed in the RECORD following my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

(See exhibit 1.)

Mr. MUSKIE. Mr. President, the bill I am introducing today is identical to S. 1582 of the 90th Congress and to H.R. 2790 already introduced by Congressman REUSS, of Wisconsin.

At a time when we are becoming increasingly aware of the impact of architectural design on the urban environment, it is most appropriate that the Federal Government should take steps to insure that all Federal buildings reflect the finest examples of American fine arts and architecture.

Too often Federal buildings outside the District of Columbia are unimaginative, mediocre structures which have been built to last, but not to add esthetic beauty to their surroundings. Too often they bear little relation to their sites or to architectural styles around them. Frequently the works of art in these buildings have been added as afterthoughts and not as integral parts of the total design.

Unfortunately, many Federal buildings throughout the United States stand as monuments to bad taste for generations to come, when they should be examples of what is best in contemporary American art and architecture.

The proposed Federal Fine Arts and Architecture Act of 1969 seeks to upgrade the quality and design of Federal buildings and post offices outside the District of Columbia and to provide for the acquisition of suitable works of art for these buildings by establishing a public advisory panel on architectural services in the General Services Administration. At least 12 distinguished architects from private life, including landscape architects and city planners; at least six representatives from allied fields, including painters, mural artists, sculptors, specialists in the decorative arts and crafts, and interior designers; and Federal representatives would be included on the panel. The Commissioner of the Public Buildings Service of GSA would act as Chairman.

This provision would give statutory recognition to the GSA Executive order, revised on August 17, 1965, which established a public advisory panel on architectural services and whose membership is substantially the same as that proposed in this bill.

In appointing public members to the panel, the Administrator of GSA shall choose from nominations submitted to him by the Chairman of the National Endowment for the Arts.

Mr. President, the proposed Architectural Advisory Board would have four main functions.

It would make recommendations to the GSA Administrator and the Postmaster General on criteria for public buildings and post offices outside the District of Columbia and on the choice of artists for works of art to be used in these buildings.

It would be authorized to review GSA design standards, guides and procedures.

It would advise the Administrator and the Postmaster General on the selection of architects and artists, and it would review and advise them with respect to the acceptability of architectural designs or works of art for individual projects.

Finally, this bill would authorize the GSA Administrator and the Postmaster General to spend an amount equal to 1 percent of the total amount appropriated for the preceding fiscal year for the design and construction of public buildings outside the District of Columbia in order to acquire and maintain suitable works of art for these buildings.

Mr. President, by improving the quality of art and architecture of Federal buildings all over the United States, I believe this bill would enhance the environment of many of our towns and cities to

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reflect the dignity, vitality, and strength of the Nation.

I am hopeful that we may have early enactment of this bill.

The bill (S. 1457) to foster high standards of architectural excellence in the design and decoration of Federal public buildings and post offices outside the District of Columbia, and to provide a program for the acquisition and preservation of works of art for such buildings, and for other purposes, to be known as the Federal Fine Arts and Architecture Act, introduced by Mr. MUSKIE (for himself and other Senators), was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the RECORD.

EXHIBIT 1

S. 1457

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is hereby declared to be the purpose of this Act to provide—

(1) for the maintenance of high standards of architectural design and art for public buildings and post offices outside the District of Columbia; and

(2) a program for the acquisition and preservation of suitable works of art for public buildings and post offices outside the District of Columbia.

SEC. 2. For the purposes of this Act—

(a) The term "Administrator" means the Administrator of General Services.

(b) The term "public building" shall have the same meaning as is provided in section 13(1) of the Public Buildings Act of 1959.

SEC. 3. (1) The Public Advisory Panel on Architectural Services is hereby established in the General Services Administration. The Administrator shall appoint to the Panel at least twelve distinguished architects from among persons in private life professionally engaged in architecture, landscape architecture, or city planning, and at least six distinguished representatives of the fields of art allied to architecture, including painting (two members, of whom one shall be experienced in mural decoration), sculpture (two members, of whom one shall be experienced in sculpture related to the architectural environment), the decorative arts and crafts (one member), and interior design (one member), and such appropriate representatives of the Federal Government as the Administrator may desire to serve ex officio. The Commissioner, Public Buildings Service, General Services Administration, shall be chairman of the Panel.

(2) The Administrator shall appoint the public members of the Panel from nominations submitted to him from time to time by the Chairman of the National Endowment for the Arts, who shall recommend at least three persons for each position in a professional field for which a public member is to be appointed. The Chairman of the Endowment, in preparing lists of nominees, shall call upon the National Council on the Arts and the Endowment's advisory panels covering the fields of architecture, painting, sculpture, the decorative arts and crafts, and interior design, for advice and assistance, and shall give due consideration to any nominations submitted to the Endowment by established national organizations in the respective professional fields of art and architecture.

(3) Each public member of the Panel shall serve for a term expiring in one of the first three years succeeding the year in which he is appointed, as designated by the Administrator at the time of appointment, subject to the limitation that not more than one painter and one sculptor may have a term scheduled to expire in the same calendar year. No public member of the Panel shall be eligible for reappointment for a term beginning less than two years after the expiration of his third consecutive term.

(4) Each public member of the Panel shall receive compensation at the rate of $50 per diem for each day on which he is engaged in the performance of his duties as such, and shall be reimbursed for travel, subsistence, and other necessary expenses incurred by him in the performance of such duties.

(5) In order to insure that Federal public buildings, outside of the District of Columbia, and buildings leased to the United States for use by the Post Office Department, outside of the District of Columbia, may be enhanced by beauty, dignity, economy, utility, and suitable works of art, the Panel shall have the following functions:

(a) Develop and make recommendations to the Administrator and to the Postmaster General as to criteria for the evaluation and selection of, and contractual relationships with, architects for public buildings, and post office buildings, and with artists for work of art related to the total design concept of such buildings.

(b) Review General Services Administration design standards, criteria, guides, and procedures and recommend to the Administrator and to the Postmaster General any necessary or desirable changes to further the objectives and purposes of this Act.

(c) Advise the Administrator and the Postmaster General in the selection of architects for the design of nationally significant buildings designated by the Administrator or by the Postmaster General, and of distinguished artists recommended by the architect of such building or by the Panel to work with the architect at the early planning stages.

(d) Review and advise the Administrator or the Postmaster General with respect to the acceptability of architectural design or works of art proposed by individual projects designated by the Administrator or by the Postmaster General.

(6) Meetings of the Panel shall be at the call of the Chairman or by request of three or more public members. The Panel shall maintain such records as are necessary and render such reports and submit such recommendations as may be requested by the Administrator or the Postmaster General or otherwise considered by the Panel as necessary to discharge its responsibilities under this Act. With the approval of the Administrator or the Postmaster General specified functions of the Panel may be performed by subpanels designated by the Administrator or by the Chairman of the Panel.

SEC. 4. The Administrator and the Postmaster General are authorized to acquire and maintain works of art for public buildings or for post offices, respectively, outside the District of Columbia. In addition to any amounts otherwise authorized, there is hereby authorized to be appropriated for this purpose in each fiscal fiscal year, to remain available until expended, an amount equal to 1 per centum of the total amount appropriated for the preceding fiscal year for the design and construction of public buildings outside the District of Columbia. The Postmaster General shall endeavor to secure a similar level and quality of works of arts for buildings, outside the District of Columbia, leased to the United States for use by the Post Office Department.

SEC. 5. The Panel shall provide recommendations to the Administrator and to the Postmaster General concerning the artists and works of art under section 4. The Panel may, where appropriate, recommend to the Administrator and to the Postmaster General, respectively, the holding of competitions for the selection of artists and of designs or models of works of art.

S. 1458—INTRODUCTION OF BILL REGULATING DEBT ADJUSTMENT IN THE DISTRICT OF COLUMBIA

Mr. TYDINGS. Mr. President, today I introduce a bill to prohibit the business of debt adjusting in the District of Columbia. The Senate passed the bill during the last session, but this undesirable practice continues. It is noteworthy, too, that the practice of debt adjustment continues in the District of Columbia notwithstanding the fact that it has been decried as undesirable and prohibited in the surrounding States of Maryland and Virginia.

The purpose of this bill is to prohibit the business of "debt adjusting" in the District of Columbia.

The business of debt adjusting, also known by several other names, involves an agreement by a debtor to pay money periodically to the adjuster who agrees in return for a fee paid by the debtor to apportion the money among the creditors of his client. The adjuster does not advance or lend money to the debtor.

A series of articles appearing in the Washington Star in 1967 called attention to the deceptive commercial practices of so-called debt consolidators in the Washington area.

Debt adjusters persuade debtors to refrain from making direct payments to their creditors and instead to make payments to the adjuster—they in turn pay the creditors but only after taking a substantial premium from the debtor's payments. The debtor receives no real benefit from this arrangement. Instead he adds a new creditor—the adjuster—to an overwhelming list of his creditors.

The hearings which have been held demonstrate that it is doubtful that simple regulation of debt adjusting can adequately protect the public. To be effective, regulation would require detailed and constant auditing of accounts of the numerous small debtors doing business with the adjusters. Moreover, it is clear that debt consolidators do not offer any useful service that should be fostered by the official approval implied by regulation.

The practices of the debt-adjusting business have proved to be of sufficient concern in other parts of the country that it has been prohibited in 25 States, including Maryland and Virginia. It should now be prohibited in the District of Columbia as well.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1458) to prohibit the business of debt adjusting in the District of Columbia except as an incident to the lawful practice of law or as an activity engaged in by a nonprofit corporation or association, introduced by Mr. TYDINGS, was received, read twice by its title, and referred to the Committee on the District of Columbia.

S. 1459—INTRODUCTION OF BILL REGULATING RETAIL INSTALLMENT SALES OF CONSUMER GOODS IN THE DISTRICT OF COLUMBIA

Mr. TYDINGS. Mr. President, I introduce today a bill relating to consumer

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protection in the District of Columbia. This bill is identical to S. 2589 which passed the Senate during the last session. Since the passage of S. 2589, the District of Columbia Council and the Mayor have enacted a set of regulations consistent with the aims enunciated in the bill. This bill is designed solely to supplement the work of the Council and the Mayor and to enable it to go further with its efforts in this area.

The purposes of S. 2589 are—

First. To regulate retail installment sales of consumer goods in the District of Columbia—other than motor vehicles—and to safeguard consumers from unconscionable, or fraudulent advertising, sales, credit, and collection practices;

Second. To permit and encourage the development of fair and economically sound consumer credit practices;

Third. To further consumer understanding through disclosure of the terms of retail installment transactions and to promote competition among retail sellers;

Fourth. To promote and develop programs for the education of retail credit consumers.

Extensive hearings before the Business and Commerce Subcommittee of the District of Columbia Committee in December 1967, January and February 1968, and February 1969, a Federal Trade Commission economic report on installment credit and retail sales practices of District of Columbia retailers published in March 1968, and a report of the Federal Trade Commission of June 1968 on a District of Columbia consumer protection program conducted by the Commission during the period June 1965 to June 1968 clearly demonstrate the need for effective regulation of retail installment sales transactions in the Nation's Capital.

While the overwhelming majority of retail merchants in the District of Columbia are honest, fair-minded, considerate businessmen, the committee record shows that far too many consumers in the District too often become the unwitting victims of overreaching and unconscionable commercial practices employed by a small ever-present group of unethical and fly-by-night operators in the retail marketplace. Intent only on closing the deal, such hucksters misrepresent their goods, engage in phony and deceptive advertising, misrepresent costs and finance charges, and hustle their customers into unexplained, misunderstood, and onerous, unfair retail installment contracts. Such contracts often lead to default, repossession, money judgments in favor of third-party finance companies, and total and serious losses to the consumer.

Deceptive and dishonest retail practices—particularly in relation to installment purchases—can injure anyone in the marketplace, but their impact falls most heavily on the poor and uneducated, those least able to defend themselves against the unscrupulous merchant—who may be the only seller available to them—and least able to afford such losses.

My bill is designed to assist the District of Columbia government in its efforts to meet these problems in a moderate, responsible, but effective way, and to provide tools by which residents of the District will be able to protect themselves against unscrupulous business practices.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1459) to provide for the regulation in the District of Columbia of retail installment sales of consumer goods (other than motor vehicles) and services, and for other purposes, introduced by Mr. TYDINGS, was received, read twice by its title, and referred to the Committee on the District of Columbia.

S. 1462—INTRODUCTION OF THE ORDERLY MARKETING ACT OF 1969

Mr. MUSKIE. Mr. President, I introduce, for appropriate reference, on behalf of myself and Senators BAYH, BIBLE, BYRD of West Virginia, COTTON, CRANSTON, DODD, ERVIN, INOUYE, MCGEE, MCINTYRE, MONTOYA, MOSS, PELL, RANDOLPH, SCOTT, STEVENS, TALMADGE, and YOUNG of Ohio, the Orderly Marketing Act of 1969. This bill is intended to establish a flexible basis for the adjustment by the U.S. economy to expanded trade.

Many industries in America, involving thousands of workers, are facing a serious dilemma resulting from the sometimes conflicting goals of a generally healthy domestic economy and the impact of increasing foreign trade on specific industries.

What we may gain from increased trade in one industry may be offset by the losses incurred in another industry, resulting in a high rate of unemployment.

Gains from international trade are important, and trade should be encouraged. But the realities of trade in today's world call for changes from 18th- and 19th-century thinking—that is, thinking which extols the virtues of free and open trade and ignores the complex problems of varying standards of living, means of production, wage scales, and restrictive trade policies other than tariffs.

We cannot deal with these changes on a piecemeal basis, and hasty consideration will do us more harm than possible good. This is one reason why, more than ever, I believe that Congress must take a hard look at our trade policies in light of our domestic and foreign priorities.

This examination should not be on the basis of one commodity or one industry at a time, but rather with a perspective that will enable us to examine the needs of our entire economy and determine the way in which foreign trade practices affect its health.

In principle, and often in fact, the threat to the mink industry, the dairy producers, the iron and steel manufacturers, or the shoe industry stems from the same cause—imports of commodities which are produced at wages that would be illegal in the United States.

If we decide to solve the problems of each industry one at a time—as we have been doing—after a crisis develops in each, we may secure some relief for that one industry. But we do no more, really, than graft solutions of the past on a problem that demands a much more thorough and systematic approach.

Instead of waiting for a crisis point to be reached in each industry, we should set up a system which will consider and deal with these problems as they begin to appear.

Instead of ignoring the common problem faced by so many domestic industries, we should deal with it on a common basis. And instead of overlooking the obvious need for an examination of our abilities and priorities in light of the new realities of trade, we should study the situation and make some decisions as soon as possible.

With these considerations in mind, I am introducing the Orderly Marketing Act of 1969. The Orderly Marketing Act is not a rigid protectionist measure. It would not impose a rigid quota system. Instead, it is designed to give those American industries which have been hard hit by a massive flood of foreign imports time to readjust to the changing conditions of world trade.

The orderly marketing concept allows us to bring balance to our trade policy. Very simply, this bill would require the Secretary of Commerce, under certain specific conditions, to determine whether increased quantities of imports are a factor contributing to economic impairment of a given industry. If the Secretary finds that such impairment does exist, then the President would be able to impose import limitations geared to total sales in the domestic market, subject to review after 3 years.

This concept would allow us to overcome unfair competition through international agreements or through unilateral—but flexible—quotas. And it would allow foreign competitors to share in the growth of our market and our economy.

The grand scheme of free trade has obscured the nuts and bolts of our own problems, and many of our domestic industries have been the victims. The existence of many domestic manufacturers, particularly the smaller ones, and their workers is threatened.

Since the Orderly Marketing Act prescribes the basis for a common remedy for a problem common to many domestic industries, it is, in my opinion, a reasonable and equitable approach to a difficult and thorny problem.

Mr. President, I ask that the bill and a summary of its provisions be inserted in the RECORD at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and summary will be printed in the RECORD.

The bill (S. 1462) to provide for the orderly marketing of articles imported into the United States, to establish a flexible basis for the adjustment by the U.S. economy to expanded trade, and to afford foreign supplying nations a fair share of the growth or change in the U.S. market, introduced by Mr. MUSKIE (for himself and other Senators), was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

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S. 1462

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Orderly Marketing Act of 1969."

Sec. 2. Purposes.—The purposes of this Act are to provide for the orderly marketing of articles imported into the United States, to establish a flexible basis for the adjustment by the United States economy to expanded trade, and to afford foreign supplying nations a fair share of the growth or change in the United States market.

Sec. 3. Definitions.—As used in this Act—

(a) "Domestic industry" shall include all establishments located in the United States in which any article or articles like or directly competitive with the imported article or articles specified in a petition or request under subsection (a) or subsection (b) of section 4 are produced. If an enterprise has several establishments in some of which such articles are not produced, the industry would include only establishments in which the article is produced for purposes of analyzing impairment for purposes of subsection (c) of section 4;

(b) "Like or directly competitive articles" shall mean those articles or closely related groups of articles on which the article or articles specified in a petition or request under subsection (a) or subsection (b) of section 4 have a combined competitive impact;

(c) An imported article is "directly competitive with" a domestic article at an earlier or later stage of processing, and a domestic article is "directly competitive with" an imported article at an earlier or later stage of processing, if the importation of the imported article has an economic effect on producers of the domestic article comparable to the effect of importation of articles in the same stage of processing as the domestic article. For purposes of this paragraph, the unprocessed article is at an earlier stage of processing;

(d) "Secretary" refers to the Secretary of Commerce.

Sec. 4. (a) A petition for orderly marketing may be filed with the Secretary by a trade association, firm, certified or recognized union, or other representative of an industry.

(b) Upon the request of the President, upon resolution of either the Committee on Finance of the Senate or the Committee on Ways and Means of the House of Representatives, or upon the filing of a petition under subsection (a), the Secretary shall promptly make an investigation to determine whether articles or groups of articles specified in the petition or request are being imported into the United States in such increased quantities as to be a factor contributing to a condition of economic impairment of the domestic industry producing such article and like or directly competitive articles.

(c) In making a determination whether there is a condition of economic impairment in the industry, the Secretary shall take into account all economic factors which he considers relevant, including idling of productive facilities, inability to operate at a reasonable profit or declining profitability, and unemployment, underemployment, or a decline in employment relative to production.

(d) In any event, the Secretary shall make an affirmative determination under subsection (c) and shall find that the articles or groups of articles are being imported in such increased quantities as to be a factor contributing to a condition of economic impairment to the industry, if during the five calendar years immediately preceding the year in which the petition or request is filed the ratio of imports of the article or group of articles to the domestic production of such articles or like or directly competitive articles has increased by 50 per centum or more in the aggregate and during the calendar year immediately preceding the year in which the petition or request is filed the ratio of such imports to such domestic production was at least 15 per centum.

(e) If the Secretary finds that such articles or groups of articles are being imported into the United States in such increased quantities as to be a factor contributing to economic impairment of a domestic industry he shall forthwith inform the President of his finding and his determination under subsection (c).

(f) If the Secretary would have made the finding specified in subsection (e) but for the fact that the ratio of such imports to such domestic production was more than 10 per centum but less than 15 per centum in the year in which the petition or request is filed he shall also forthwith inform the President of his finding.

Sec. 5. Upon being informed by the Secretary of a finding pursuant to section 4(e), the President shall by proclamation limit the importation of such articles or groups of articles to which such finding applies for each calendar year succeeding such proclamation to the larger of—

(i) That quantity which equals 15 per centum of domestic production of such articles and like or directly competitive articles for each preceding calendar year, or

(ii) That quantity which equals average annual imports of such articles or groups of articles for the five calendar years immediately preceding the calendar year in which such proclamation is made: *Provided, however,* That, with respect to a limitation imposed under paragraph (ii), such quantity shall be increased or decreased for each succeeding calendar year by the same percentage that such domestic production in the preceding calendar year increased or decreased in comparison with such average annual domestic production in the second and third immediately preceding calendar year: *And provided further,* That, with respect to a limitation imposed under either paragraph (i) or (ii), in the event of such an increase in domestic production there shall be permitted to enter an increase in quantity equal to 1 per centum of such domestic production for such immediately preceding calendar year.

Sec. 6. (a) After being informed by the Secretary of his findings under section 4 (c), the President may, in lieu of exercising the authority contained in section 5, negotiate international agreements with foreign countries limiting the export from such countries and the import into the United States of the articles or groups of articles involved whenever he determines that such action would be more appropriate to prevent or remedy economic impairment than action under section 5.

(b) In order to carry out an agreement concluded under subsection (a), the President is authorized to issue regulations governing the entry or withdrawal from warehouse of the articles or groups of articles covered by such agreement. In addition, in order to carry out a multilateral agreement concluded under subsection (a) among countries accounting for a significant part of world trade in the article covered by such agreement, the President is also authorized to issue regulations governing the entry or withdrawal from warehouse of the like article which is the product of countries not parties to such agreement.

Sec. 7. The Secretary shall allocate the total quantity proclaimed under section 5, and any increase in such quantity pursuant thereto, among supplying countries on the basis of the shares such countries supplied to the United States market during a representative period of the articles or groups of articles to which such proclamation applies, except that due account may be given to special factors which have affected or may affect the trade in such articles. The Secretary shall certify such allocations to the Secretary of the Treasury.

Sec. 8. In addition to proclaiming import limitations as to the articles or group of articles like or directly competitive with those of domestic industry under this Act, the President may provide with respect to the firms of such industry that they may request the Secretary for certifications of eligibility to apply for adjustment assistance and may provide with respect to the workers of such industry that they may request the Secretary of Labor for certifications of eligibility to apply for adjustment assistance under title III of the Trade Expansion Act of 1962, Public Law Numbered 794, Eighty-seventh Congress. Further proceedings and relief and the criteria pertaining thereto shall be the same as under title III of the Trade Expansion Act.

Sec. 9. If the Secretary informs the President of findings under section 4(f) the President may, in his discretion, take any action or any combination of actions specified in section 5, section 6, and section 8 with respect to the articles or groups of articles to which such findings apply.

Sec. 10. (a) Any proclamation made and any adjustment assistance granted pursuant to this Act shall be reviewable by the President after the third calendar year of their effect and prior to the commencement of each calendar year thereafter during which such proclamation or adjustment assistance remains in effect. In his discretion the President may upon such review terminate such proclamation or adjustment assistance if he finds it no longer necessary, appropriate or effective to accomplish the purposes of this Act. No proclamation or adjustment assistance shall remain in effect for a period longer than ten calendar years.

Sec. 11. Nothing contained in this Act shall affect in any way any quantitative import limitation heretofore or hereafter proclaimed or imposed pursuant to any Act of Congress authorizing such proclamation or imposition including but not limited to—

(a) section 22 of the Agricultural Adjustment Act,

(b) section 204 of the Agricultural Act of 1956,

(c) section 232, 351, or 352 of the Trade Expansion Act of 1962,

(d) Section 2(b) of the Act entitled "An Act to extend the authority of the President to enter into trade agreements under section 350 of the Tariff Act of 1930, as amended", approved July 1, 1954 (19 U.S.C., sec. 1352a),

(e) section 7 of the Trade Agreements Extension Act of 1951,

(f) Public Law Numbered 481 of the Eighty-eighth Congress (78 Stat. 593),

(g) The Sugar Act of 1948, as amended.

The analysis, presented by Mr. Muskie, is as follows:

ANALYSIS OF THE ORDERLY MARKETING ACT

The so-called Orderly Marketing Act is designed to provide American industry with relief from excessive import conditions in any kind of commerce.

The bill provides for the imposition of flexible import quotas whenever imports are found to be contributing to the economic impairment of a domestic industry. Among the factors examined to determine the existence of such a condition would be idleness of productive facilities, profit trends, and levels of employment.

Imported articles would be conclusively deemed to be contributing to a condition of economic impairment whenever:

(1) The ratio of imports of domestic production has increased by 50 per cent or more during the five previous calendar years, and

(2) Imports for the immediately preceding calendar year equaled or exceeded 15 per cent of domestic production for that year.

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Annual import quotas would be established upon an affirmative finding of economic impairment. These quotas would be set at the larger of either (1) 15 per cent of domestic production for the immediately preceding calendar year, or (2) the average of the annual imports for each of the five immediately preceding calendar years. Annual adjustments would be made to reflect increases in domestic production. As an alternative to the setting of quotas, the President would be authorized to negotiate import agreements with the relevant foreign countries.

A section by section analysis of the bill follows:

Section 1 entitles the bill the "Orderly Marketing Act of 1969".

Section 2 states that the purpose of the bill is to provide for an orderly, but flexible, procedure for the marketing of imported articles. Due concern is expressed for foreign interests.

Section 3 defines phrases used elsewhere in the bill. "Domestic Industry" includes all establishments located in the United States which produce articles which are "like or directly competitive with" imported articles specified in petitions for relief. Where only a portion of an enterprise's establishments produce the article(s) in question, only the establishments which comprise that portion will be termed "industry" for impairment analysis. Whether articles are "like or directly competitive" will presumably be determined by analysis of such general economic concepts as interchangeability and cross-elasticity of demand.

Section 4 outlines the procedure for filing petitions for relief under the Orderly Marketing Act. It provides the President, Congress and private parties with the authority to initiate investigations by the Secretary of Commerce. The investigation is to determine whether the imports are a factor contributing to a condition of "economic impairment" in the relevant domestic industry. Among the standards examined to determine the existence of a condition of economic impairment would be the idleness of productive facilities, profit trends, and levels of employment. The imported articles will be conclusively deemed to be a factor contributing to a condition of economic impairment whenever:

(1) The ratio of imports to domestic production has increased by 50 per cent or more in the aggregate during the five calendar years immediately preceding the filing of the petition; and

(2) Imports for the immediately preceding calendar year equaled or exceeded 15 per cent of domestic production for that year.

The Secretary of Commerce must inform the President of his findings if he makes either an affirmative finding of economic impairment or if he would have done so but for the fact that the ratio of imports to domestic production was more than 10 per cent but less than 15 per cent in the year before the petition was filed.

Section 5 provides for the mandatory imposition of orderly marketing limitations in the event of an affirmative finding by the Secretary. It authorizes a Presidential proclamation which would establish annual quotas based upon the larger of either (1) 15 per cent of domestic production for each preceding calendar year, or (2) the average of the annual imports for each of the five immediately preceding calendar years. A quota level adopted under the second alternative would be annually adjusted to reflect changes in the level of domestic production in the preceding year as compared with the average of the second and third preceding years. Also, where domestic production in the preceding calendar year has increased, a quota level adopted under either of the alternatives would be adjusted upward to the extent of 1 per cent of such domestic production.

Section 6 authorizes the President to negotiate international import agreements as an alternative to imposing quotas.

Section 7 creates a mechanism for allocation of U.S. import quotas among the supplying countries. The allocation would be based upon historic practice, subject to consideration of pertinent special factors which have affected or may affect the trade in such articles.

Section 8 authorizes the President to provide additional relief to injured firms and workers through adjustment assistance under the Trade Expansion Act of 1962.

Section 9 authorizes the President in his discretion to take any of the substantive actions specified in the bill upon notification by the Secretary that an industry is otherwise qualified for relief but for the fact that imports are more than 10 percent but less than 15 per cent of the domestic production.

Section 10 provides for a re-evaluation by the President three years after relief had first been granted. The President has discretionary authority to terminate relief at this time; in no case may a proclamation or adjustment assistance remain in effect for a period of longer than ten years.

Section 11 insures that the bill will not disturb quotas established pursuant to other federal laws.

SENATE JOINT RESOLUTION 73—INTRODUCTION OF PROPOSED AMENDMENT TO THE CONSTITUTION TO LOWER VOTING AGE TO 18 IN ALL ELECTIONS

Mr. SCHWEIKER. Mr. President, I rise today to offer a proposed amendment to the Constitution calling for the lowering of the voting age to 18 in all elections, Federal, State, and local. It is identical to the resolution I introduced in the House last year, House Joint Resolution 341.

There are many important reasons why the Congress should no longer wait to provide for 18-year-olds to be able to vote.

One of these is that with the population explosion of recent years, an increasingly large percentage of our population now consists of young adults between 18 and 21, which means that an increasingly large percentage of our population is disenfranchised from the vote.

However, it is not just the number of people which makes it important to reduce the voting age. I feel that our young men and women between 18 and 21 are informed enough and mature enough today to be entitled to cast their votes.

Since the arbitrary age of 21 was set, we have made many significant advances in the areas of education and communication, and now, young men and women over 18 are much more informed about our Nation's issues, and much more ready to assume civic responsibilities than they previously were.

In particular, 18 is the age when our young people are graduating from high school, and when their interest in public affairs is peaking. By giving them the vote at this time, we can take advantage of this peak in interest, and encourage them to participate even more in our electoral system, and not discourage this interest by denying them a vote.

Beyond this, I am sure that all the Members of the Senate have visited high schools or colleges, and had the experience of coming away with great respect and pride in the quality of the students, in the intelligence of their questions, and in the high degree of concern they have for the condition of the world today.

Apart from the ability of these young men and women to cast a vote, there is also the dimension that we should no longer prevent them from having a voice in our political and electoral processes.

In the last elections, we all saw the important role that young men and women played in many campaigns. Young people mature enough to provide this positive participation should also be able to register their own vote.

Unfortunately, we have also seen young people speak out and act in less positive ways. One of the reasons for some of this has been that socially minded men and women have been cut off from the electoral process. Young people have been clamoring to register their opinions, to have their views known, but also to have the opportunity directly to influence the system under which they live. By lowering the voting age to 18, we cannot only gain the important benefit of their views; we can also give them a voice within, not without, our political system.

Finally, if we are going to treat 18-year-olds as adults in many other areas, we should also treat them as adults in our political system.

The most glaring discrepancy in this regard has been commented upon often, but it should always be considered. If young men are mature enough to serve in the armed services, and risk their lives defending our country, then they should have the right to vote, and be able to have a say as to who their leaders are.

There are other examples. We treat 18-year-olds as adults in our court systems. We hold them liable for contracts. We also say that they no longer are required to be in school.

To those who say that 18-year-olds are not ready to vote, I say that the record of most young people shows that this is just not true. To those who say that 18-year-olds will not exercise the right to vote, I say I do not believe this is true, and will also remind the critics that it is a sad fact that far too many citizens over 21 do not take their voting responsibilities seriously.

I believe that it is now time for the Senate to amend the Constitution to make the voting age 18, and I urge the Senate to seriously consider this proposal.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 73) proposing an amendment to the Constitution of the United States, extending the right to vote to citizens 18 years of age or older; introduced by Mr. SCHWEIKER, was received, read twice by its title, and referred to the Committee on the Judiciary.

SENATE JOINT RESOLUTION 74—INTRODUCTION OF JOINT RESOLUTION TO DESIGNATE "NATIONAL EMPLOY THE OLDER WORKER WEEK"

Mr. RANDOLPH. Mr. President, I introduce, for appropriate reference, a joint resolution to designate the first full week in May of each year as "National Employ

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the Older Worker Week." Joining me in sponsoring this measure are Senator WILLIAMS of New Jersey, chairman of the Senate Special Committee on Aging, and Senators BIBLE, FANNIN, FONG, KENNEDY, MILLER, MONDALE, MOSS, MUSKIE, YARBOROUGH, and YOUNG of Ohio, all of whom are members of our committee.

Mr. President, my sponsorship of this resolution has resulted from my service as chairman of the Subcommittee on Employment and Retirement Incomes, a subcommittee of the Special Committee on Aging. Our subcommittee has conducted extensive studies and hearings on the subject of increasing employment opportunities for older workers. We have found that employers frequently entertain false stereotypes concerning older workers, amounting, in some cases, to prejudices against employing workers as young as the late thirties or early forties. We have recognized the necessity of informational and educational efforts to give employers an appreciation of the qualities of olders workers, such as experience, stability, and dependability. The designation of a week as "National Employ the Older Worker Week" would be a constructive force in helping to eliminate false impressions and prejudices against older workers. It would provide an opportunity to present, through all media of communication, information on older worker capabilities.

In introducing this measure, I commend the American Legion for its leadership in seeking to have a week designated as "National Employ the Older Worker Week." For approximately 10 years, this organization has designated the first week in May as a period of concentrated emphasis on this theme. During this week, the American Legion recognizes employers who have taken the leadership in this area. At its national convention in 1962, the American Legion adopted a resolution calling upon Congress to take the action I propose today—to pass a resolution to designate the first full week in May of each year as "National Employ the Older Worker Week."

Mr. President, I ask unanimous consent that a copy of the resolution adopted by the American Legion's national convention be printed in the RECORD.

The VICE PRESIDENT. There being no objection, it is so ordered.

(See exhibit 1.)

The VICE PRESIDENT. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S.J. Res. 74) to provide for the designation of the first full calendar week in May of each year as "National Employ the Older Worker Week," introduced by Mr. RANDOLPH (for himself and other Senators), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S.J. RES. 74

Whereas many older workers have difficulty finding and retaining employment despite their experience, stability, dependability, energy, and enthusiasm; and

Whereas failure of qualified older workers to find employment is unfortunate from the standpoint of the Nation in that there is a failure to take full advantage of their potentials for helping the Nation to reach its objectives; and there is an increased possibility that they and their dependents will need public assistance and a decreased possibility that they will pay taxes; and

Whereas the unemployability of qualified older workers not only impoverishes them in the present but can also reduce future retirement income due to inability to acquire social security quarters of coverage and credits under other retirement systems; and

Whereas unemployability of qualified older workers may adversely affect younger members of their families as well as themselves; and

Whereas Congress, in enacting the Age Discrimination in Employment Act of 1967 (Public Law 90–202), recognized the necessity of implementing the national policy of prohibiting age discrimination in employment with an active program of education and information concerning the advantages of employing older workers; and

Whereas the American Legion has, for approximately ten years, designated the first week in May of each year as "National Employ the Older Worker Week", which it celebrates by commending employers who have taken the leadership in employing older workers: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to issue a proclamation designating the first full calendar week in May of each year as "National Employ the Older Worker Week" and calling upon employer and employee organizations, other organizations officially concerned with employment, and upon all the people of the United States to observe such week with appropriate ceremonies, activities, and programs designed to increase employment opportunities for older workers and to bring about the elimination of discrimination in employment because of age.

EXHIBIT 1

RESOLUTION 617

(Convention Economic Committee) Designate the First Full Week in May as "National Employ the Older Worker Week" is recommended for adoption and is consolidated with Resolutions Numbers 280 (Georgia); and 361 (Utah). Resolution No. 617 (Convention Economic Committee) becoming the master resolution reads as follows:

"Whereas, The American Legion for a number of years has concerned itself with the difficulty encountered by the older worker who in many cases is only forty-five years of age or younger, because 50% of this group are veterans; and

"Whereas, The practice of discrimination in employment because of age for otherwise qualified persons is contrary to the American principles of liberty and equality of opportunity for all citizens; and

"Whereas, The American Legion, since 1959, has promoted annually during the first full week in May a successful program designated as, 'Employ the Older Worker Week,' to focus public attention on the advantages of employing older people, especially veterans; and

"Whereas, Under the program, The American Legion annually presents citations to employers who do not discriminate against older workers; and

"Whereas, In the past, thirty-seven State Governors scheduled official ceremonies marking the observance of 'Employ the Older Worker Week'; and

"Whereas, There is increased interest shown each year by participating Departments of The American Legion and employers; and during the 1962 annual observance, a majority of the Departments of The American Legion presented National Citation Awards to employers of the older worker; now, therefore, be it

"Resolved, by The American Legion in National Convention assembled in Las Vegas, Nevada, October 9–11, 1962, that the National Legislative Commission be, and it is hereby directed to petition the Congress of the United States to adopt a Joint Resolution requesting the President of the United States to issue a proclamation (1) designating the first full week in May of each year as 'National Employ the Older Worker Week' and (2) call upon employer and employee organizations, other organizations concerned with employment and the citizens of the United States in general, to observe such week with appropriate ceremonies, activities and programs designed to bring about the elimination of discrimination in employment because of age."

Mr. WILLIAMS of New Jersey. Mr. President, I have joined the distinguished senior Senator from West Virginia in cosponsoring his resolution to designate the first full week in May of each year as "National Employ the Older Worker Week." He is due great credit for the leadership he has taken on employment opportunities for the elderly. He has served effectively as chairman of the Subcommittee on Employment and Retirement Incomes, both before and during my tenure as chairman of its parent committee, the Senate Special Committee on Aging. I am especially interested in this proposal, not only as chairman of that committee, but also as chairman of the Subcommittee on Labor of the Senate Committee on Labor and Public Welfare.

The Congress made a major contribution toward employment of older workers when it enacted Public Law 90–202, the Age Discrimination in Employment Act of 1967. In enacting that public law, Congress recognized that a prohibition against age discrimination in employment must be supplemented by an active program of information and education concerning, in the words of that act, "the needs and abilities of older workers, and their potentials for continued employment and contribution to the economy." Recognizing the need for such programs, Public Law 90–202 directs the Secretary of Labor to—and again I quote the words of that statute—"carry on a continuing program of education and information under which he may, among other measures publish and otherwise make available to employers, professional societies, the various media of communication, and other interested persons the findings of studies and other materials for the promotion of employment and sponsor and assist State and community informational and educational programs."

It is my belief that a National Employ the Older Worker Week will be an effective tool for use by the Secretary of Labor in discharging his duties, imposed by that act, of conducting programs of information and education on employing older citizens. It should accomplish much good at small cost.

SUPPORT OF JOINT RESOLUTION TO DESIGNATE "NATIONAL EMPLOY THE OLDER WORKER WEEK"

Mr. YARBOROUGH. Mr. President, I am particularly pleased to be a cosponsor of this worthy joint resolution which is being introduced today by Senator

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Jennings Randolph, of West Virginia, because of my past work in helping to improve the plight of our older workers.

In the last Congress, I was privileged to introduce the age discrimination bill which was passed and signed into law. The bill would protect Americans 40 to 65 years old from firing and from discrimination in hiring because of age. This affects some 40 million Americans, over 2,400,000 of which are in Texas.

As a member of the Senate Special Committee on Aging, I was asked last year by the able chairman, Senator Williams of New Jersey, to hold hearings on the problems of the aging among the Mexican-Americans. I held these hearings in California and Texas and found one of the most frequent problems to be the inability to obtain adequate work as they grew older.

Mr. President, while much attention has been given to the unemployment of our youth, and deservedly so, we have not given the same needed attention to the problems of the older worker. For these reasons I am proud to have the opportunity to follow the leadership of the able Senator from West Virginia (Mr. Randolph) and cosponsor this measure.

ADDITIONAL COSPONSORS OF BILLS

Mr. KENNEDY. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Rhode Island (Mr. Pell) and the Senator from Utah (Mr. Moss) be added as cosponsors of my bill (S. 1145) to revise current military draft laws.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MATHIAS. Mr. President, on behalf of the Senator from Illinois (Mr. Percy) I ask unanimous consent that, at its next printing, the names of the Senator from Kansas (Mr. Dole) and the Senator from Indiana (Mr. Hartke) be added as cosponsors of the bill (S. 1179) to authorize reduced rate airfares on a standby basis for certain specified groups.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MUSKIE. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Alaska (Mr. Stevens) be added as a cosponsor of the bill (S. 1) the Uniform Relocation Assistance and Land Acquisition Policies Act of 1969.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MUSKIE. Mr. President, I also ask unanimous consent that, at its next printing, the names of the senior Senator from New Mexico (Mr. Anderson), the senior Senator from Wyoming (Mr. McGee) and the senior Senator from Maryland (Mr. Tydings) be added as cosponsors of the bill (S. 1090) the Regional Development Act of 1969.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MUSKIE. Mr. President, I further ask unanimous consent that, at its next printing, the name of the senior Senator from Pennsylvania (Mr. Scott) be added as a cosponsor of the bill (S. 7) the Water Quality Improvement Act.

The VICE PRESIDENT. Without objection, it is so ordered.

NOTICE OF SMALL BUSINESS SUBCOMMITTEE HEARING

Mr. McINTYRE. Mr. President, I wish to announce that the Small Business Subcommittee of the Committee on Banking and Currency will resume hearings on the handling of foreign trade zone application of the State of Maine by the Department of Commerce.

The hearing will begin at 10 a.m. on Friday, March 14, 1969, in room 5302, New Senate Office Building. Anyone wishing to testify should contact Mr. Reginald W. Barnes, assistant counsel, Senate Committee on Banking and Currency, room 5300, New Senate Office Building, Washington, D.C. 20510, telephone 225-7391, as soon as possible.

NOTICE OF HEARING ON S. 961

Mr. TYDINGS. Mr. President, as chairman of the Judiciary Committee's Subcommittee on Improvements in Judicial Machinery, I announce a hearing on S. 961, a bill to improve the judicial machinery by providing for Federal jurisdiction and a body of uniform Federal law for cases arising out of aviation and space activities. The hearing will be held at 10 a.m. on March 18, 1969, in room 6226, New Senate Office Building.

Any person who wishes to testify or submit a statement for inclusion in the record should communicate as soon as possible with the Subcommittee on Improvements in Judicial Machinery, room 6306, New Senate Office Building.

NOTICE OF HEARINGS ON ELECTION REFORM

Mr. BAYH. Mr. President, the Subcommittee on Constitutional Amendments has necessarily been required to change the electoral college reform hearings on Wednesday, March 12, from room 2228 to room 4221, New Senate Office Building.

NOTICE OF HEARINGS ON ELECTION REFORM

Mr. BAYH. Mr. President, the Senate Subcommittee on Constitutional Amendments has scheduled further hearings on electoral reform. The additional hearings will be held on March 20 and 21, beginning at 10 a.m., in room 2228, New Senate Office Building.

NEW APPROACH TO INTEGRATION

Mr. TOWER. Mr. President, recently, in a copyrighted article, U.S. News & World Report published an interview with the new Secretary of Health, Education, and Welfare, Mr. Robert H. Finch.

I believe the comments made by Mr. Finch in that interview are of such importance that I would like to comment on them briefly, and I shall ask that the entire article be printed in the Record, in order that it might have wider distribution. Hopefully, the Secretary's words will be read and heeded by some of the present personnel of the Department of Health, Education, and Welfare who to this date seem singularly unaware of the fact that an election has been held in which an overwhelming majority of the American people voted to repudiate the domestic policies of the previous administration.

The Congress of the United States, which under our Constitution remains, and should remain, the lawmaking arm of our Government, never intended that the schoolchildren of this land be turned into experimental guinea pigs to prove or disprove the pet social theories of Government bureaucrats. The intent of Congress, pure and simple, was that all the children of this Nation, black or white, brown or yellow, have an equal chance at the starting line toward a decent education.

No one quarreled with that concept, but some of us were sorely afraid that bureaucratic officeholders would use the law to ride roughshod over local school boards to the extent of completely destroying the concept of community schools, with the obvious result that education would suffer, rather than improve.

Our fears were well founded in the previous administration, and, from all the reports reaching my office, a great many of HEW's field personnel still have the same attitude they previously held. I say that not only because of reports reaching my office but because the Secretary himself indicated in his interview with U.S. News & World Report that:

> I guess the word hasn't gotten down to some of the agents yet, or maybe it's because some of these cases have been in the pipeline for three or four years.

Rather than extend my remarks on this subject, Mr. President, I ask unanimous consent to have the article printed at this point in the Record, and let it speak for itself. My hope is that it will be read, and heeded, by all the agents of the Department.

There being no objection, the article was ordered to be printed in the Record, as follows:

New Approach to Integration?

(Interview with the Secretary of Health, Education, and Welfare)

Q. Mr. Secretary, are you determined, under the law, to get the schools of this country fully integrated?

A. Well, I'm confronted by acts of Congress, and by court decisions, and by some variation in language among them. Also, there are desegregation guidelines that were laid down by my predecessors.

We have found a number of these school-desegregation cases—particularly in the South—where the federal compliance agents said in effect: "We're here to bring about integration and we're not concerned about education."

So the problem is—and this is true not just in the South, but nationwide—how to bring about genuine compliance in breaking up clear-cut cases of dual school systems when Congress has said clearly that we shouldn't have—

Q. Segregated schools?

A. Totally segregated schools.

After all, mine is the Office of Education. We want to retain a quality-education system—or help create one.

The problem is most acute in the South because the pressures there are greatest. In most of these communities, they built a school system of some kind, and to threaten to cut off funds—which might mean closing

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some schools—results in good teachers leaving and in the creation of private schools.

Q. Do you in the Department of Health, Education, and Welfare use some kind of percentage factor—a mix of blacks and whites—to determine whether a school is "segregated"?

A. If you start throwing in arbitrary percentages—if you say, for example, "You've got to have at least 20 per cent Negro teachers"—well, a good many Negro teachers long ago went West or North because of better pay, plus a lot of other factors.

So if we say, "You've got to hire five Negro teachers" and they go out and hire the first five they can get, then the quality of education can drop way down.

So I see my job as supplying a kind of "brokerage." And I intend to put education first, in trying to maintain the quality of these school systems.

Q. How can you do that and still enforce compliance with desegregation guidelines?

A. That is one of the things I wanted to test when I cut off funds to the first five school districts in the South, and gave them 60 days to see if they could not bring themselves into compliance.

The federal compliance agents are not trained educators. They may have little comprehension of how you build a school system or what the educational requirements may be.

So what we did in the first cases I considered was to send in three-man teams to the districts themselves: We included one person from the compliance section of our Department, one from the Office of Education, and one from the general counsel's office.

We hoped that by adding this kind of technical assistance and a more sophisticated approach, we'd be able to push some other buttons without having to take recourse to what I call "the ultimate weapon"—which is to withhold federal funds.

It is clear that when you withhold funds where there is a dual school system—with some all-white schools and some all-black—then it is the Negro schools that are going to suffer in the allocation of State and local funds.

Q. Could you just close down all the white schools?

A. No. What we have authority to do is to deny federal funds to a school district—not to a specific school. So I can't do it on a school-by-school basis.

We need some different kinds of tests that will go to the real question: For example, if you take the aggregate resources of a school district—what they receive from the State, from the local property tax, from federal programs—on the basis of over-all allocation of resources, how do the individual students come out? Are all of the children getting a fair break—taken as individuals—all across the system? Is the quality of teaching and curriculum about the same?

Q. Is the idea to put more emphasis on education and less on integration?

A. Well, if I say that, I'm getting myself into trouble with Congress. What I must do if I am to enforce the law is to have compliance agents all over the nation—not just in the South. But there must be a national standard that they'll apply everywhere.

Q. What kind of standard?

A. Well, I'm convinced that we just can't work with raw percentages and say, "You've got to have the same percentages of blacks and whites in every school." You go into parts of Chicago and Harlem and Pasadena, Calif., into Washington, D.C., and you find all-black situations. It's totally artificial to insist on busing schoolchildren if it may be detrimental to the level of education.

The greatest problem we've got in the elementary and secondary schools in the country is not to get so hung up on these other struggles as to let the quality of education in the public-school system erode and erode and erode.

Q. Is it a matter of defining "desegregation"?

A. Or "segregation"—either way.

WHAT COURT REALLY SAID

Q. The Supreme Court has never said that you have to integrate, has it?

A. The Court has never really said that segregation itself is unlawful—or at least *de facto* segregation. The Court has said: If you commit deliberate acts of discrimination, then you are in violation of the law.

Q. Have you abandoned the quota or percentage factor in determining whether a school district is segregated?

A. I guess the word hasn't gotten down to some of the agents yet, or maybe it's because some of these cases have been in the pipeline for three or four years.

In some of the cases that I reviewed, the quota system—percentages of blacks vs. whites—was very much in evidence at the time the compliance proceedings were started several years ago. This matter of percentages or quotas is one of the things we're studying now.

Q. What do you mean by "quality education"?

A. It's obviously an effort to get the best possible teachers and have the best possible resources in terms of library and physical plant.

It's a very difficult thing to define. I don't think any two educators could agree on what "quality education" really is.

Q. Does it mean learning to read, write and figure?

A. It means giving students the basic skills you talk about and, beyond that, some idea of how to relate to their peer groups in a real world.

I think we can accelerate the process and maintain quality education in a system that picks up the bright kids and lets them move as fast as they can, so they're not held back. There have been a lot of interesting experiments done with this, where at various levels you merge several grades together and then let some of the brighter children spend more time with the older ones one grade ahead.

Q. But the court said you can't have a track system—that you've got to teach them all the same thing—

A. I don't think the Supreme Court said that.

Q. No, but a U.S. Court of Appeals did—

A. Well, we'll see what happens.

Q. These federal guidelines—are they written by Congress?

A. No. They are administrative guidelines written by my predecessors.

AHEAD: NEW GUIDELINES

Q. Do you have authority to change them?

A. Yes—and that's why we're reviewing the guidelines now. We will still carry out the intent of Congress and whatever the interpretation of the Supreme Court is and will continue to be, so that we're more responsive and realistic in terms of what is happening to education.

We've made substantial progress in the South: We've had almost an 18 per cent jump in terms of real integration over the last five years. But our problems now are going to be in the national enforcement field, and we have to redraw the guidelines so that they are nationally applicable. Maybe we'll be able to come up with a set that is clearer.

Q. What about enforcement?

A. That is the other dimension we have to deal with. My predecessor, Wilbur Cohen, wanted to move this whole enforcement-and-compliance field over to the Department of Justice. That would have been an easy way out, in terms of getting a lot of headaches out of my shop. But we are going to work with the Department of Justice in this whole business a lot earlier, because I think that's generally helpful.

But we cannot turn it all over to the Justice Department now because we have built up a certain momentum in education, in terms of getting school districts to recognize that a national act has been established, a national goal has been set. If you were to chop off everything now in my Department, just let Justice handle compliance and work it out from there, I think a lot of this momentum that has been built up would be lost.

Q. Have you decided that the *de facto* segregation anywhere in the country is unconstitutional?

A. No. We're talking about the blatant cases. We have to get down to the facts in each case. But if there is evidence that a school board has deliberately set out to create an all-black school or an all-white school—deliberately favoring one institution over another—then that board is not in compliance.

Q. Is your attack against segregation—or is it against discrimination?

A. The attack is on discrimination. I think that is the right word to use.

Q. If *de facto* segregation exists because the neighborhood is composed that way, and no school board moved in and deliberately segregated the schools—that is not what you're concerned about is it?

A. No—not in the connection we've been talking about. And when I said "segregation," I really was trying to say "discrimination." This means that there was a deliberate intent on the part of the school board to give one group an artificial advantage over another—whether it's in how they drew the lines between the districts, or how they moved students from one place to another, or whatever.

Q. If it is determined that there is no intentional discrimination involved in an all-black school in an all-black neighborhood, is it your position that the school board should then be required to take affirmative action to break this up?

A. No. You have a number of situations, particularly in the North, where you find that. You have it here in the District of Columbia. And it seems to me that no one should expect—just in order to achieve some kind of "salt-and-pepper" effect—that we should haul kids into a situation where, again, you may end up lessening their opportunities for learning, just in order to say, "Now there are a certain number of whites in what would otherwise be an all-black situation." The Negroes don't want that, either.

Q. You're not going to insist on busing to achieve racial balance—

A. No. The law forbids it.

Q. How much discrimination have you found in terms of shortchanging Negro schools?

A. That is why I think application of our guidelines may be off and why I suggested emphasizing this other test: how school boards use their resources per student or per institution, in terms of both curricula and hardware. I don't think we really have used that test sufficiently. Compliance agents have tended to look at rather arbitrary kinds, or superficial kinds, of evidence—like how many Negroes are on the faculty, or whether one school has a cheerleader for the basketball team and the other one doesn't.

Q. Are you saying that separate but really equal schools are acceptable?

A. Here again, you're getting down to semantics.

I suppose it's possible. I have been told that, under existing law, if you have a situation where all the parents decided and all the children decided one way, and you had no evidence of any intimidation of any kind—even under the Green case, if they all voluntarily chose one institution, given the options and transportation and all the other factors that have been built in—then it is possible. It's almost 99 per cent unlikely, but it's possible.

Q. What is the Green case?

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A. That says, really, that freedom-of-choice plans—which had been acceptable, apparently—if those plans still perpetuate segregation or involve deliberate discrimination, then freedom of choice is not acceptable.

Q. Is that the Supreme Court?

A. That is the Supreme Court.

Q. Is there any proof that mixing of pupils just to achieve a racial balance results in improved education?

A. You have to look at both sides:

There is proof that an otherwise bright Negro child, given the "faster track" of being exposed to what was formerly a predominantly white situation, does respond—does move more rapidly.

And then you can argue the other side—that it tends to hold back the otherwise bright white child who could move at a faster pace.

I suppose what Congress has said is: "We're going to go back to the basic constitutional provision, and no one is going to be denied the best opportunity he can have because of race or color."

Q. Is Congress opposed to taking forcible action to bring about integration?

A. I'm not sure. I think when they enacted Title VI of the Civil Rights Act of 1964—and this is what I operate under—they were prepared to go that way. They put in the noncompliance provision and said that moneys should be withheld. That was what the argument was all about in Congress.

LIMITS SET BY CONGRESS

Q. Was there a limiting provision?

A. Well, Congress said this would not extend to requiring busing or other procedures to achieve a racial balance. I agree with that.

Q. Was there a later law?

A. It was written in 1964. Then it was rewritten in different form in 1968. In 1968, Congress added the language that brings the whole country into it.

Q. President Nixon said during the campaign that the law clearly states that " 'desegregation' shall not mean the assignment of students to public schools in order to overcome racial imbalance"—

A. I agree with that.

Q. You administer the law. Are you at liberty to interpret for yourself the mandate of Congress?

A. No. I clearly can't ignore what the judiciary does. We have to assume that, until Congress reverses what the judiciary says Congress intended, then that's the law of the land.

Q. Can you revise regulations to satisfy the judiciary?

A. That's what we're trying to do. It isn't easy—they're a fast-moving target. You know that next week they may throw a different decision at you.

Q. What kind of reactions do you get to these compliance orders?

A. I've had all kinds of reports of what some people will do in some rural districts in the South—such as taking house trailers and moving just across the line so that their children can get what they think is a better education in a system that's already technically in compliance with HEW guidelines.

So you invite these gross kinds of reactions and dislocations when you come in and try to impose your will with a meat ax. What we're trying to do is to move in such a way that we can avoid these dislocations where people move out, or move in extraordinary ways. After all, the most important thing to any of us is that our children have the best education we can possibly get for them.

Q. Are many private schools springing up in the South?

A. I don't have figures on that, but private schools are springing up. In many cases, because these are not rich areas, the private schools are pretty sad substitutes for what had been larger plants with bigger libraries.

I see a really critical question in terms of public elementary and secondary education.

Q. Might it be destroyed in some areas?

A. It's very possible.

Q. What has been the reaction to the appointment of Dr. James Allen, of New York, as the new U.S. Commissioner of Education?

A. I think there's been an overemphasis on what the Office of Education actually does—how much it has to say. The moneys that the Office of Education administers are really not discretionary. The Commissioner doesn't have all that much power. He's a symbol, but he doesn't really make most of those decisions. They have been laid out pretty much by statute. They're not discretionary.

The reason I picked Dr. Allen—and the response has been generally good—is that I feel our real problems now are in the field of elementary and secondary education.

Higher education has had a lot more visibility, and we know what the problems are there. The private and public higher-educational institutions are beginning to cope with the student militants—or at least beginning to understand what they have to cope with.

Our real weaknesses are in the elementary and secondary systems, which are not responsive: They do not pick up the bright kids, do not move them along, and don't really prepare them for higher education to the extent that I think they could and should.

It so happens that Dr. Allen comes out of a system that operates under the unique laws of New York State—elementary through higher education. And a lot of our higher-education people felt that the Office of Education is traditionally their slot. They've been a little unhappy.

But, by and large, the appointment has been well received.

Q. Do you consider the things Dr. Allen put into effect in New York as State commissioner of education to be in line with what President Nixon promised in his campaign?

A. Well, we had—all three of us——about an hour's discussion before the appointment was announced. Dr. Allen was the first to recognize that some of the problems in New York are different from those he would face as a national figure.

There was no disagreement in the discussion about what is important, what the criteria should be, and that the emphasis should be on elementary and secondary education. It was a general conversation, and we didn't get down to much in the way of specifics. But I think that Dr. Allen is an enormously competent administrator, and that's what I need.

Q. Will he have any powers—as he did in New York—to order affirmative action to achieve racial balance in public schools and to decree that any school with more than 50 per cent Negroes is segregated?

A. Not in my opinion, no. He wouldn't have that power.

Q. Doesn't the civil-rights section of HEW have this same standard—that any school more than 50 per cent Negro is segregated?

A. I don't believe in a 50 per cent figure, or 20 per cent or any other arbitrary figure. We have to look at each school district, with its own profile and its own "chemistry." We can't just take arbitrary percentages and still come out with quality education—however each of us may define "quality education."

Q. How would you define segregation, unless you use percentages?

A. I come back to this other test that I suggest as a possibility; how you are allocating your resources per student in terms of curricula and facilities and hardware.

But you do need some objective yardstick—

A. That's right.

DEFINING DISCRIMINATION

Q. Isn't it discrimination that you have to define?

A. When you find a pattern of overt acts that deliberately produce segregation, then that's discrimination.

Q. Do you find that in the North?

A. Yes. I think there are many cases of it.

Q. Where you find a district or community that, by the existing housing situation, is all white or all black, then is it permissible for them to continue with an all-white or an all-black school within that district or community?

A. Right—and one of the problems in these massive school districts is that we do have all-black schools, or all-white schools, or both. That is the usual classic pattern.

Take Los Angeles, which is an unbelievably large school district and where they're considering creating smaller components. The core area of Watts is all black, then there is an urban secondary circle where there is kind of a mix, and then there are the all-white suburbs. Taken as a whole, it is possible to justify the assignment of pupils on the basis of percentages, and probably to justify it on the basis of allocation of resources.

But if a community starts creating smaller districts and tries to use these same percentage guidelines, there are going to be some real, real problems.

Q. What about the Ocean Hill-Brownsville area in New York City? They've got a community—

A. Yes.

Q. And it's mostly Negro or Puerto Rican, isn't it?

A. Yes.

Q. Are they objecting to white teachers?

A. There is a whole series of things they are fighting about, but that's one of them.

Q. Is it permissible for them, as a local school board, to run their district the way they see it—to hire and fire, and discriminate against whites?

A. That is really what is at issue: What is a governable school district within these widespread "ghetto" areas?

If I were making a judgment as superintendent and I were convinced that the white faculty in that particular instance was capable of doing a better job of schoolteaching, well, then I—for one—would stay with the white faculty. And I don't think that, because the student body is overwhelmingly black, there has to be an arbitrary number of black faculty members.

Q. If they discriminate against whites, would you withhold funds from that district?

A. Well, that raises—I don't want to sit here and make that decision until somebody comes up with a specific factual situation. If a white person were to come in and say: "I would like to get my child into that school, or have a white teacher come in," right now, technically under the law, I would be compelled to launch an investigation.

Q. Could you cut off funds for the entire city of New York?

A. It's conceivable—but it's very, very unlikely.

Q. The whites can complain because they're being discriminated against—

A. I don't anticipate an avalanche of complaints to get into these schools—but you're right.

Q. Mr. Secretary, do these opinions represent a change from the views of your predecessors?

A. I think it would be unfair to compare the two of us, because Wilbur Cohen had other primary interests, as I said. He recommended transferring the whole compliance business over to Justice.

Q. Did Harold Howe, former U.S. Commissioner of Education, come to grips with it?

A. Yes. And Mr. Cohen let Howe make a lot of statements in areas where Howe didn't have real authority—which gave a particular cast to the problem. They took the apparatus that had been assembled from earlier Secretaries of HEW and continued to push, push on this.

I feel that I have a commitment to try to resolve it the best way I can. It's a political question, and essentially I'm a political

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animal. We're trying to achieve a result that will halt deliberate efforts to discriminate. At the same time, we intend to do our best to sustain the schools and keep them open.

Q. Is there the same emphasis on forced integration?

A. You can't do it with a sledge hammer, and you can't do it overnight—without just tearing a community to pieces.

Q. Some parents are concerned about the question of physical security for their children in integrated schools, and others object to some of this "instant history" that is being introduced in new textbooks—

A. Let me just say we don't get into the business of picking textbooks, and we don't get into the business of trying to run these schools. We can't—and if we ever try, we'd be in real trouble.

I'm first, last and always a local-school-board man—recognizing that the school board is a derivative, really, of the State under which it operates. Education is a State function, and the local boards wrest as much autonomy as they can from the State boards.

I think one of the things that ought to be done is to go to the State superintendents and work a lot harder with their boards to try to rationalize these education programs State by State—because your problems differ State by State. And I would hope that, whatever guideline changes we make, we can simplify them so there is more flexibility—and that we don't make the job harder for State and district superintendents.

Q. How do you feel about the neighborhood school?

A. Well, the neighborhood or community school is a big part of the whole picture. I think another part is the community-college program that we hope to embark upon.

Q. What do you hope to accomplish?

A. One purpose is to put a much heavier emphasis on vocational and technical training. Now, there are 90 junior or community colleges in California, and they've tended to fall too much into what I call the "liberal-arts syndrome": They tend to ape the State colleges and universities. They grant degrees called "associate of arts." Well, that really isn't helping the youngsters who want to go into technical work.

That doesn't mean that we would not keep a certain amount of liberal arts in the curriculum, because one of the advantages of these community colleges is that they pick up the "late bloomers," who—especially if they were in a big high-school situation—never really had a chance to catch up. The community colleges can prepare them for liberal-arts disciplines, if that's the direction they want to go.

But developing community colleges is a very important factor in really helping the disadvantaged, because we've been terribly weak in our technical schools, generally, and in our vocationally oriented programs. I think the community colleges could perform a great service there.

The big problem is that in the 50 States you have 50 different ways in which they finance these two-year colleges. So what we're trying to do is to evolve legislation that will provide an incentive to get a program going—a little like the Hill-Burton Hospital Act concept.

Q. How many more community colleges would you hope to see in the next four years?

A. The lead time of four years is probably unrealistic. By maybe 1976 I would hope we might have 150 or 200 more. We have community colleges now in only about 60 per cent of the major cities in the country.

WHERE TAX CREDITS FIT IN

Q. Are you in favor of tax credits for parents sending children to college?

A. In principle, yes.

Q. Are you going to advocate it?

A. We're still studying that one. I haven't got a report back from the Bureau of the Budget yet, and I suspect they may greet the proposal with less than 100 per cent enthusiasm.

So for me to say that's what we're going to advocate is not true. I have to work it out with the Budget people.

Q. It's a question of federal revenue——

A. That's right.

THE SITUATION IN WESTERN EUROPE

Mr. TOWER. Mr. President, recently, the Right Honorable Geoffrey Rippon, a Member of the House of Commons, and the Defense Minister of the Tory or Conservative Party shadow government in the House of Commons, made some rather pertinent and sage observations on Western Europe to the Council of Europe's Assembly political debate, in Strasbourg.

I ask unanimous consent that Mr. Rippon's remarks be printed at this point in the RECORD, so that they might be brought to the attention of Members of the Senate.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

EXTRACT FROM SPEECH OF THE RIGHT HONORABLE GEOFFREY RIPPON, MEMBER OF PARLIAMENT

The tragedy is that in the present situation we are driven to endless discussion about—but very little action on—harmonizing policies, building bridges and co-operating on specific projects.

We in Britain certainly want to make what progress we can in any direction, but we must also make it plain that we regard all these piecemeal proposals as very much a second best arrangement.

I want to get rid of the present inconceivable Europe without Britain. This should be the purpose of this Assembly. The argument for European unity is not a British or a French one—it is a European argument and a European necessity.

We have seen in 1968 the free nations of Europe not merely exercising non influence upon the situation in the Far East, or the Middle East, but scarcely capable of reacting to events in Czechoslovakia or responding to the danger on our very doorstep.

Without a truly united Europe there can be no Atlantic partnership—only dependence. And needless dependence is always dangerous.

I say needless because we possess in Europe the greatest aggregate of economic, political and developed strength in the world.

The nations of Western European Union alone have a total population and a Gross National Product considerably larger than the Soviet Union.

I do not for one moment believe that the United States will abandon its allies or its responsibilities and commitments. I see no danger of a retreat by the new Administration into "Fortress America". But I do see, and do acknowledge that the American people are growing rightly weary of being expected to bear a disproportionate share of the common burden indefinitely.

We moan in Europe about the "technological gap" between ourselves and the United States and about growing American dominance of our key industries.

We passively accept that as disunited nations we cannot match the power and resources of either the Soviet Union or the United States.

But if we are weak and incapable of matching their achievements in science and technology it is not because we lack the resources. It is because we lack the necessary will.

It is our fault that our voice is not heard in Washington and Moscow. Who wants to listen to cocophoney? We should note the real significance of Mr. Nixon's first press conference. From the reports I have seen, Europe was not even mentioned.

We are living in a fool's paradise if we think the Americans will forever acquiesce in a situation in which they have as many men in uniform as all the nations of Western Europe combined, though we have a population half again greater than that of the United States.

It is no less dangerous to imagine that by shirking our responsibilities we can indefinitely enjoy a higher standard of living than the Soviet Union and its allies without creating what Mr. Robert McNamara described as "temptations for Soviet probings and adventures which nothing in Soviet history suggests it is prepared to withstand".

In the situation in which we stand today, it is futile to say simply that we cannot have Europe without France or Europe without Britain.

It is up to all our friends in Europe, including the French, who have the power if they possess the will, to join the present EEC with Britain and to bring in or link the other countries of EFTA.

Here I believe a special responsibility to take a new initiative rests upon our German colleagues representing as they do what is now the strongest economy in the Community, and to whom continued disunity poses the greatest immediate threat.

It would indeed be the most tragic irony in history if European unity were to be frustrated and European freedom lost, first by Britain hesitancy then by the French veto, and finally by German complacency in a newly-found economic self-confidence.

Nor can I guarantee that the British people will remain indefinitely beating upon a door that is shut in their face.

What needs to go forth from this Assembly is a warning that neither the British nor the French, nor the rest of free Europe can carry on as at present.

Either Europe goes forward with Britain or it must now renounce in Mr. Ludwig Erhard's words, any idea of holding a significant position in world affairs.

That is the situation today. As for the future, that may be bleak indeed. If Europe does not go forward it will still not be able to stand as it is today. It will go back—and collapse.

ORDER OF BUSINESS

Mr. SPONG. Mr. President, I ask unanimous consent that I may be permitted to proceed, as in legislative session, for a period not to exceed 10 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

THE MIDDLE EAST

Mr. SPONG. Mr. President, the Arab-Israeli artillery duels across the Suez Canal over the weekend are tragic incidents in the series which has plagued the Middle East and which has gained momentum in the past few weeks.

Guerrilla and terrorist attacks, as well as air raids and shellings in civilian areas, arouse the fears and fervor of the majority of persons in the Middle East for they involve not only the military but also innocent and uninvolved persons who are often pursuing routine daily tasks. Such actions induce concern for

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personal safety among residents and give the situation new emotional and personal dimensions.

During the Lincoln Day congressional recess, I had the opportunity to make a brief trip to the Middle East. Unfortunately, I cannot report any optimism for a settlement or even a prompt end to hostilities.

With the exception of Jordan, the Arabs and the Israelis each appear to have concluded that time is on their side, that all they have to do is wait and they will prevail.

The Israelis are confident of their military power—and perhaps rightly so. They are a spirited and motivated people, determined to maintain the land for which they waited so long. As a result of the 1967 war, they occupy the Golan Heights, which provides them with defensive positions against Syria; they hold elevated positions on the west bank of the Jordan River which give them a new security against Jordan; they occupy the Gaza Strip; they have taken possession of all of Jerusalem; and they have troops along the Suez Canal, less than 100 miles from Cairo, and at Sharm el Sheikh, near the Straits of Tiran which control the entrance to the Gulf of Aqaba.

In addition, the Israelis appear assured that their survival in the area over a period of time will ultimately lead to acceptance of their presence by the Arabs.

Generally, the Arabs, too, believe that time will permit them to overcome the Israeli state. An exception to this, however, is Jordan's King Hussein. As a result of the June war, Jordan lost 6.3 percent of its territory—which contains 37 percent of its food supply, 40 percent of its national income and 25 percent of its cultivable land. In addition, about 45 percent of the population occupies a refugee status.[1] Thus economic and other pressures pose an imminent threat to Jordan's well-being.

Otherwise, however, the Arabs note that they have occupied the Middle East for centuries; they surround the Israeli state; and they substantially surpass the Israelis in terms of land, population and resources.

Perhaps if the two groups were sitting silently, quietly side-by-side with each waiting for the other to disappear, there would be no problems. But that is not the way things are happening.

On both sides actions designed to arouse passions and hatreds, to involve the civilian—often innocent—members of the population in the conflict, and to gear the entire societies to incidents and an atmosphere of insecurity are gaining ascendacy. As incident is piled on top of incident, the hatreds and conflicts are only compounded. And, if such a situation continues, it is only too likely that some incident—perhaps unwittingly—will evoke a massive retaliation.

This is where terrorist attacks and spot air raids have led. And, it does no good to condemn one without the other or to seek an end to one without also seeking a termination of the other.

The tactics being employed in the Middle East are, however, representative of a growing political problem which could pose a new threat to the area: the rise of intemperate factions. Immoderate forces in the Middle East are undoubtedly achieving a new stature.

In the Arab world, it is, of course, the fedayeen, the terrorist group. From my discussions in the Middle East, I found that the Israelis believe the fedayeen pose no direct military threat to them—in my opinion, a correct assessment of the situation.

The fedayeen have, however, captured the imagination and admiration of many Arabs. They have become a political reality which must be listened to and dealt with; they have undoubtedly weakened the position of both Jordan's King Hussein and Egypt's President Gamal Abdel Nasser; and there is speculation that the recent coup may lead them to carry out bolder operations from Syria. While the commandos are, at the present in no position to overthrow the existing Arab governments, they have reached a prominence which permits them to limit the options open to Arab leaders. In other words, their new and growing stature probably assures that the Arab leaders cannot make conciliatory moves toward Israel, without arousing fedayeen opposition which can now be translated into political and popular opposition.

While the Israel situation is not as pressing for Israel leaders, the upcoming elections are likely to restrict any rapprochement with the Arab states, for no political leader would want to be charged in a campaign with compromise on basic Arab-Israeli conflicts. If one assumes Mrs. Golda Meir will not seek the premiership in October, then she may have a few months in which to pursue a relatively flexible course. Ultimately, however, the recent death of Levi Eshkol will probably have to be viewed as a further contributor to the tenuousness of the Labor Party coalition.

In view of these internal problems in the Middle Eastern nations, the rest of the world must mainly hope that any extremism will be practiced in words rather than actions and that the politics of excess will be evident in rhetoric rather than incident.

While the United States and other nations of the world should encourage the Middle Eastern nations to seek a peaceful settlement of their problems, outside nations cannot presume to dictate or regulate the internal politics of the Middle Eastern countries. That is something that the sovereign nations themselves must do.

Because the internal situations in these countries are less stable than in the months subsequent to the June 1967 war; Middle Eastern leaders are also less able to pursue any course which means compromise, even if it also means eventual peace and stability for that area of the world.

For these reasons, I have reluctantly concluded that there is little reason for optimism in regard to the Middle East. But, we must work for peace and we probably have no better vehicle for bringing peace to this area than the United Nations Security Council resolution of November 1967. Certainly a four-power conference on the Middle East could give new impetus to the resolution. Such a conference could also be a beneficial demonstration to all nations of the world and the Middle East of four-power interest in securing an end to hostilities there. But, finally, we must return to the resolution itself. It is, first of all, a document which covers the major problems of the area. Second, it is, in some form, acceptable to almost all nations. This does not mean that all the problems can be solved by the resolution or that there would not be many difficulties in implementing the details of it. But, the resolution is a beginning point—and one from which the nations involved can emphasize what little agreement there might be among them.

I am hopeful that the conversations to be held this week by Israeli Foreign Minister Abba Eban and President Nixon will help rejuvenate the resolution.

Perhaps at this time it would be beneficial to review the major provisions of the 1967 resolution and the other principal peace proposals. Some of the proposals are subject to interpretation; in addition, President Nasser clarified his statements for the press in Egypt.

A review of the various proposals will, however, I believe sustain my conclusion that the 1967 resolution is the most promising means for seeking a moderation of tensions, if not an actual settlement for the Middle East. I ask unanimous consent to insert in the Record a comparison of the various proposals for peace in the Middle East.

There being no objection, the proposals were ordered to be printed in the Record, as follows:

Bases For Middle East Settlement

PRESIDENT JOHNSON—JUNE 19, 1967

1. The recognized right of national life.
2. Justice for the refugees.
3. Innocent maritime passage.
4. Limits on the wasteful and destructive arms race and
5. Political independence and territorial integrity for all.

U.N. SECURITY COUNCIL RESOLUTION—NOVEMBER 1967

1. Withdrawal of Israeli armed forces from territories occupied in recent conflict.
2. Termination of all claims or states of belligerency and respect for and acknowledgement of the sovereignty, territorial integrity and political independence of every State in the area and their right to live in peace within secure and recognized boundaries free from threats or acts of force.
3. Fredom of navigation through international waterways in the area.
4. A just settlement of the refugee problem.
5. Guaranteeing the territorial inviolability and political independence of every State in the area, through measures including the establishment of demilitarized zones.

SOVIET PROPOSALS—SEPTEMBER 1968

1. Israel's withdrawal to frontiers held before the war of June, 1967.
2. A revived and reinvigorated United Nations presence in areas evacuated by Israel.
3. A declaration by the Arab nations ending the "state of belligerency" with Israel existing since the 1949 armistice.

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[1] If the current territory of Jordan is counted, about 45 percent of the population occupies a refugee status. If the west bank section, which was taken by the Israelis in the 1967 war is considered a part of Jordan, close to two-thirds of the population might be considered refugees.

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4. A four-power guarantee of future peace by the Soviet Union, the United States, Britain and France.

ABBA EBAN'S PROPOSALS—OCTOBER 9, 1968

1. The establishment of peace.
2. Secure and recognized boundaries.
3. Security agreements.
4. Open frontiers.
5. Freedom of navigation.
6. Settlement of refugee problem.
7. Settlement of status of Jerusalem.
8. Acknowledgment and recognition of sovereignty, integrity and right to national life.
9. Regional cooperation.

The peace discussion should include an examination of a common approach to some of the resources and means of communication in the region in an effort to lay foundations of a Middle Eastern community of sovereign states.

[From the Washington Post, Jan. 11, 1969]

SOVIET PLAN—JANUARY 1969

(NOTE.—The Arab nationalist newspaper Al Anwar of Beirut, Lebanon, published yesterday what it said was the verbatim translation of the Soviet plan for settlement of the Middle East crisis.

(As made available here, the text of Al Anwar's version—which carried a December 22 date—is as follows:)

Israel and those neighboring Arab states willing to participate in the implementation of such a plan shall confirm their acceptance of the Security Council resolution of 22 November 1967. They shall also express their readiness to implement all its provisions. This will signify their agreement that a timetable and method for withdrawal of the Israeli forces from the territories occupied in 1967 shall be determined through contacts with [U.N. Representative Gunnar] Jarring.

At the same time a plan agreed on by both parties to implement the other Security Council provisions shall be drawn up. In drawing up this plan, consideration shall be given to the establishment of a just and lasting peace in the Middle East enabling every state in the area to live in security.

The objective of these contacts can be the holding of negotiations on definite steps to implement the Security Council resolutions.

1. The governments of Israel and the Arab states willing to participate in implementation of the plan shall proclaim their joint willingness and readiness to end the state of war between them and to reach a peaceful settlement of the problem through withdrawal of the Israeli forces from the occupied Arab territories. In this respect, Israel shall proclaim its readiness to begin on the fixed date the withdrawal of its forces from the Arab territories which it occupied in the conflict of the summer of 1967.

2. On the date of the Israeli forces' withdrawal which shall take place in states under U.N. supervision, the aforementioned states and Israel shall deposit with the United Nations documents ending the state of war and recognizing the sovereignty of each state in the region as well as each state's territorial integrity, political independence, and right to live in peace and security within secure and recognized boundaries in accordance with the aforementioned Security Council resolution.

Under an agreement to be reached through the mediation of Dr. Jarring, the following points must be agreed on: secure and recognized boundaries accompanied by relevant maps; freedom of navigation in the region's international waterways; a just solution of the refugee problem; the territorial integrity and political independence of each state in the region. This can be achieved by various means, including the establishment of demilitarized zones. It is assumed that this agreement—as defined by the Security Council resolution—will be one unit covering all aspects of a Middle East peaceful settlement; in other words, as one integral question.

3. In the month (to be agreed on) the Israeli forces shall withdraw from the Arab territories to lines (to be agreed on) in the Sinai peninsula, the West Bank of Jordan, and the "Qunaythirah area in Syria." When the Israeli forces have withdrawn to these agreed lines in the Sinai peninsula—for instance, 30–40 kilometers from the Suez Canal"—the U.A.R. government shall send its forces to the canal zone and begin clearing it for resumption of navigation.

4. In the month (to be agreed upon) the Israeli forces shall withdraw to the pre-5 June 1967 lines. Arab administration shall then be restored in the liberated areas and Arab army and police forces shall also return to the area.

During the second stage of the Israeli forces' withdrawal from the U.A.R., the U.A.R. and Israel—or the U.A.R. alone if its government agrees—shall announce acceptance of the stationing of U.N. forces near the pre-5 June lines in the Sinai peninsula, Sham el-Sheik and the Gaza sector. In other words the situation which existed in May 1967 shall be restored.

The Security Council shall adopt a resolution for the dispatch of U.N. forces under the U.N. Charter to guarantee freedom of navigation to the ships of all countries in the Tiran Straits and the Gulf of Aqaba.

5. Following the Israel forces' withdrawal to the international boundaries to be demarcated by the Security Council or through an agreement signed by all parties, the documents which were previously deposited by the Arab states and Israel shall come into effect. Under U.N. Charter provisions, the Security Council shall adopt a resolution on special guarantees concerning the Arab-Israeli borders. Guarantees by the four permanent member states of the Security Council are not ruled out.

FRENCH PROPOSALS—JANUARY 1969

France announced January 17 that it had proposed to the other Big Four members of the U.N. Security Council that their U.N. Ambassadors hold discussions on how their governments could contribute to a Middle East peace settlement.

NASSER'S PROPOSALS—FEBRUARY 10, 1969 ISSUE OF NEWSWEEK

When asked what the United Arab Republic was willing to offer in return for an Israeli withdrawal from occupied territories, President Nasser replied:

"(1) a declaration of nonbelligerence; (2) the recognition of the right of each country to live in peace; (3) the territorial integrity of all countries in the Middle East, including Israel, in recognized and secure borders; (4) freedom of navigation on international waterways; (5) a just solution to the Palestinian refugee problem."

THE NONPROLIFERATION TREATY

Mr. SCOTT. Mr. President, I am requested by the distinguished Senator from Texas (Mr. TOWER) to advise the Senate that he intends tomorrow, Tuesday, to offer an amendment to the ratifying resolution in the nature of a reservation and that he expects to call it up for a vote.

I thank the Chair.

COMMITTEE MEETING DURING SENATE SESSION

Mr. KENNEDY. Mr. President, as in legislative session, I ask unanimous consent that the Subcommittee on Air and Water Pollution of the Committee on Public Works be authorized to meet during the session of the Senate today.

The VICE PRESIDENT. Without objection, it is so ordered.

ORDER OF BUSINESS

The VICE PRESIDENT. Is there further morning business?

Mr. PROXMIRE. Mr. President, as in legislative session, I ask unanimous consent to speak for 45 minutes.

The VICE PRESIDENT. Under the previous order, the Senate will return to consideration of the Nonproliferation Treaty at the close of morning business. Is the Senator from Wisconsin asking for unanimous consent to proceed for 45 minutes during the period for the transaction of morning business?

Mr. PROXMIRE. Yes, Mr. President.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. PROXMIRE. Mr. President, I ask unanimous consent to suggest the absence of a quorum without yielding my right to the floor.

The VICE PRESIDENT. Without objection, the clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

BLANK CHECK FOR THE MILITARY

Mr. PROXMIRE. Mr. President, I rise today to speak on a most serious matter. In my judgment the President and the Congress and, indeed, the country, have lost control over military spending.

NO ADEQUATE CRITICAL REVIEW

There is now no sufficiently critical review of what we spend or how we spend it. There is no adequate machinery, either in the executive or legislative branch to control the total amount spent or the way in which military funds are disbursed. This is especially the case with respect to contracting for major weapons systems. The results are vast inefficiencies in procurement, waste in supply, and less security for the country than we could get by spending smaller amounts more efficiently.

When former President Eisenhower left office, he warned against the danger of "unwarranted influences, whether sought or unsought, by the military-industrial complex."

DANGER IS HERE

I speak today not to warn against some future danger of this influence. I assert that, whether sought or unsought, there is today unwarranted influence by the military-industrial complex resulting in excessive costs, burgeoning military budgets, and scandalous performances. The danger has long since materialized with a ravaging effect on our Nation's spending priorities.

In the first place, we are paying far too much for the military hardware we buy.

But, in addition, and perhaps even more shocking, we often do not get the weapons and products we pay the excessive prices for.

Major components of our weapons systems, for example, routinely do not meet the contract standards and specifications established for them when they are bought.

All of this puts the country in a most ironic position. On the one hand, we have a supply of missiles and weapons which could literally destroy the world. There is little doubt about that.

On the other hand, we find ourselves unable to defend ourselves even against military incidents where relatively minor amounts of force are involved. The *Pueblo* incident is a case in point.

While it is not my purpose to argue what action we should or should not have taken during that incident, I do say that it was shocking that apparently we were unable to take appropriate action at all, even if we had determined to do so.

Supposedly, forces to protect the *Pueblo* were on alert and ready to defend the ship if necessary. They were allegedly "on call." But in the case of the *Pueblo*, as the testimony at the inquiry clearly showed, the forces supposed to be on call were not on call. For a period of about 24 hours after the initial attack took place, we were unable to bring to bear, even if we had desired to do so, the relatively small force from the vast military might of this country needed to protect that ship.

Thus, while we have sufficient military might to create an atomic holocaust and blow up the world, we are at times incapable of countering even a relatively small military force. There are times when we are like the giant Gulliver who was tied down and made immobile by the Lilliputian dwarfs.

This example from this military side is symptomatic of the general situation we face with respect to procurement and contracting. It epitomizes our dilemma.

SITUATION OUT OF CONTROL

The problem of defense spending is out of control. The system is top heavy. The military-industrial complex now writes its own budgetary ticket.

This situation is, in part, a result of the highly ambivalent attitudes the country has taken toward our defense over the years. Looking at the long view, we seem to have a roller coaster policy. During the 1930's when the threat from Germany, Italy, and Japan was obvious for all to see if only they would look, we starved our military services and placed the security of our country in deadly peril.

Then, after World War II, we overreacted with respect to contracts for weapons systems. Nothing was too good for the military. We have followed a policy of "gold plating." It might even be called "All This and Heaven Too." Americans, in general, have even felt slightly guilty about raising the question of excessive defense spending and whether we were getting our money's worth. The military has had a blank check. It could be said that we have had over two decades of "carte blanche for defense."

SURFEITED WITH EXCESSES

The result is a system not unlike the medieval knight who was so encased in armor that he was unable to move. We are now so surfeited with excesses that we are almost unable to fight.

This uncritical policy should end. It should end because it is wasteful and costs too much money. It should end because it reduces the real security of the United States.

The military should lighten its pack. It should get into fighting trim.

WE PAY TOO MUCH FOR WHAT WE BUY

But whatever mistakes we have made in the past and whatever warnings we may make about the future, at the present time we face a condition and not a theory.

That condition, first of all, is that we pay too much for what we buy.

The evidence that this is true is overwhelming. This is particularly the case on contracts for large weapons systems. Let me cite some of the evidence.

Mr. Robert S. Benson, formerly in the office of the Assistant Secretary of Defense, Comptroller, has just written in in the March issue of the Washington Monthly that—

> Few Americans are aware that about 90 percent of the major weapons systems that the Defense Department procures end up costing at least twice as much as was originally estimated.

The services from time to time admit this as well. In the official Air Force Guidebook for May of 1966, the Air Force stated, in arguing for a new concept of total package procurement, that—

> Thus, the history of defense procurement was replete with cost overruns, less than promised performance which were at least in part the result of intentional buy-in bidding, and this has been the case even in the situation where there has been no substantial increase in the then state of the art.

This was not only true in 1966, but it continues, believe me, to be true today. We have just held a series of hearings on this matter under the auspices of the Subcommittee on Economy in Government of the Joint Economic Committee, of which I am chairman. The C-5 airplane is the major example of a weapon system or plane secured under the concept of "total package procurement." This was a method introduced, it was said, to overcome the terrible inefficiencies.

But our hearings established that the C-5A will probably cost the American taxpayer $2 billion more than the original contract ceiling of $3 billion. The Air Force itself admits that the cost overrun will amount to at least $1.2 billion. And they would admit, I am sure, it would cost $2 billion if they included the cost of spares, which are essential, which would be in the neighborhood of $800 million more.

DELAYED DELIVERY

And, as we have seen in the past few days, delivery is to be delayed now from June until next December. So we face the same old problems of cost overruns and late delivery that the total package concept was supposed to cure.

PROFITS UP

Let me cite more evidence. When Admiral Rickover testified before our committee, he stated that the Pentagon's "weighted guideline" system of profit determination had resulted in an increase of about 25 percent in profits on defense contracts without regard to the contractor's performance.

He stated that the suppliers of propulsion turbines are now insisting on a 20 to 25 percent profit as a percent of cost as compared with 10 percent a few years ago.

He testified that profits on shipbuilding contracts based on cost had doubled in the last 2 years.

COST REIMBURSEMENT CONTRACTS

Assistant Secretary of the Air Force Robert Charles, in his testimony before the Economy in Government Subcommittee in January, quoted with approval a study by C. H. Danhof for the Brookings Institution on "Government Contracting and Technological Change," which said:

> During the 1950's, virtually all large military contracts reflected an acceptance by the military agencies of contractor estimates which proved highly optimistic. Such contracts ultimately involved costs in excess of original contractual estimates of from 300 to 700 percent.

Secretary Charles further stated that—

> A substantial amount, however, was due to the fact that most contracts for major systems were of a cost reimbursement type which provided little, if any, motivation for economy, and were not awarded on a price competitive basis.

From the evidence we have from a wide variety of sources, there is no question whatsoever that we have routinely paid more than double the original price for the procurement of major weapons systems.

There is no convincing evidence that the use of "total contract packaging" or other devices has changed this at all. In fact, the specific evidence on the C-5A, where that method was used, shows an overrun of some $2 billion. The testimony of Admiral Rickover is equally convincing. This situation continues and, in my judgment, has been intensified during the last 2 years because of the buildup of procurement for the Vietnam war.

FUNDS COULD BE CUT

Mr. Benson, a former official of the Office of the Assistant Secretary of Defense, comptroller, whom I quoted earlier, believes that $9 billion can be cut from the Pentagon budget; and I quote this Defense Department expert: "without reducing our national security or touching those funds earmarked for the war in Vietnam."

He says even under those circumstances spending can be cut $9 billion.

Admiral Rickover testified that by establishing uniform standards of accounting for recording costs and profits—which, of course, would be entirely separate from the Benson concept—we could save "at least 5 percent" of the defense procurement budget. That is $2 billion for that item of waste alone.

The editors of Congressional Quarterly recently interviewed highly placed sources in the Pentagon and in industry about the 1969 defense budget. Those sources agreed that the 1969 budget was loaded with "fat" and said that $10.8 billion could have been cut from the fiscal 1969 budget without in the slightest way impairing our level of national defense.

There are other items as well. We spend a disproportionate amount of our

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resources on marginal items such as post exchanges, commissaries, and ships stores. Vast funds are spent for military public relations.

The Congressional Quarterly recently pointed out how topheavy we were in the field. It pointed out that we had 20 officers in Vietnam for every command post.

EXCESS SUPPLIES

I will cite just one further example. On June 30, 1968, the value of the excess and long supply in our military supply pipeline was $12.7 billion. This was 28 percent of the $45.8 billion value of the supply system stocks on hand. This is the excess.

While the proportion of excess and surplus items has dropped considerably since 1961, it is still correct to ask, "What kind of a supply system do we have when 28 percent of the value of the supply system stocks are in excess of requirements? What kind of supply system is it that generates such vast surpluses and excesses?

CONTRACTS FAIL TO MEET STANDARDS

Not only are we paying too much for what we buy, but often we do not get what we pay for.

This, it seems to me, should shock all of those who are concerned about our defense, whether they support enthusiastically the amount we are spending, and feel we should have more in national defense, or whether they are critical of it. We do not get what we pay for.

A most shocking example of this is to be found in a paper by a Budget Bureau specialist, a very distinguished and able man, Mr. Richard Stubbings, entitled "Improving the Acquisition Process for High Risk Electronics Systems."

Mr. Stubbings shows that in the procurement of some two dozen major weapon systems costing tens of billions of dollars during the 1950's and 1960's, the performance standards of the electronic systems of these weapons seldom met the specifications established for them.

How far they fell below their specifications is a real shock.

Of 11 major weapons systems begun during the 1960's, only two of the 11 electronic components of them performed up to standard. One performed at a 75-percent level and two at a 50-percent level. But six—a majority of them—of the 11 performed at a level 25 percent or less than the standards and specifications set for them.

But that is not all.

EXCESSIVE COSTS—LATE DELIVERY—HIGH PROFITS

These systems typically cost 200 to 300 percent more than the Pentagon estimated.

They were and are delivered 2 years later than expected.

The after-tax profits of the aerospace industry, of which these contractors were the major companies, were 12.5 percent higher than for American industry as a whole.

Those firms with the worst records appeared to receive the highest profits. One firm, with failures on five of seven systems, earned 40 percent more than the rest of the aerospace industry, and 50 percent more than industry as a whole.

One other company, none of whose seven weapons systems measured up to the performance specifications, had earnings in excess of the industry average.

Think of that, Mr. President (Mr. HUGHES in the chair). A company not one of whose weapons systems measured up to performance specifications still had earnings in excess of the industry average.

This is a shocking situation. We are talking about the computers, radar, and gyroscopes—the key to performance—in our major weapons systems.

NO BANG FOR A BUCK?

In the past, the system managers and efficiency experts have talked about "More bang for a buck." But the analysis of Mr. Stubbings raises the question, "Are we not approaching the time when there will be 'No bang for a buck'?"

These revelations raise the most serious questions.

We have high profits without performance.

Rewards are in inverse relationship to the time taken and the funds spent.

Failures are rewarded and minimum standards seldom met. Prices soar. Profits rise. Contracts continue.

This is what I mean when I say that military spending is out of control. This is what I mean when I refer to the "unwarranted influence by the military-industrial complex." This is what I mean when I assert that we face a condition of excessive costs, burgeoning military budgets, and scandalous performance.

This is why we could get more security for the country by spending smaller amounts, but spending them more effectively.

SAME DANGERS AHEAD

The conditions I have cited above are not only a condition of the 1950's and 1960's. The same dangers lie ahead. There are numerous additional huge weapons systems for the future. Some of them are already authorized. Some have begun to be funded. We may wake up some morning soon and find that we are committed to billions upon billions of future expenditures where costs will burgeon and performance will be substandard. The fact is that things may soon become a great deal worse.

One of the ablest men we have had on the financial side of the Government in recent years is Charles Schultze, who was Budget Director under President Johnson for a number of years. Mr. Schultze recently wrote an excellent article in the Brookings Agenda papers, which lists some of the programs now contemplated, authorized, or funded. Among them are:

Minuteman II, which is being improved, and Minuteman III, which is in the offing. Estimated cost: $4.6 billion.

Thirty-one Polaris submarines to be converted to carry 496 Poseidon missiles. Estimated cost: $80 million per submarine, or almost $2.5 billion.

Two hundred and fifty-three new FB-111 bombers. Mr. Schultze does not give the cost estimate.

The thin Sentinel system—the ABM system. Estimated cost was $5 billion. I am now told on excellent authority that it is $10 billion and that this figure does not include funds for the Sprint missiles. If the thin system becomes a "thick" system, the total estimated cost is said to be in the neighborhood of $50 billion. And in a very fascinating analysis the other day by one of the real authorities in Congress on defense, the former Secretary of the Air Force, the Senator from Missouri (Mr. SYMINGTON), he estimated that the cost could go as high as $400 billion.

Incidentally, this is a system that even its supporters agree would protect the country for only a limited period of time, perhaps a decade. So that would mean spending $40 billion a year, or half of the total military budget as of now.

Four nuclear-powered carriers. These cost $540 million each, or $2.16 billion.

A new destroyer program. Mr. Schultze does not give the original estimated cost.

Five nuclear-powered escort ships. The cost is estimated at $625 million.

An advanced nuclear attack submarine. Again no cost estimate.

A new Navy fighter—VFX-1—to replace the F-111.

Mr. Schultze, and he should know—as I say, he was Budget Director for a number of years, and an outstanding, and brilliant young man—concludes that:

> One fairly predictable feature of most of these weapons systems is that their ultimate cost will be substantially higher than their currently estimated cost.

Mr. President, that is the understatement of the year. We have seen a doubling in the estimated cost of the Sentinel system alone in a period of 1 year. And we all know that what the military has hoped to do is to convert it into a "thick" system as a defense against a Soviet as well as a Chinese attack.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. PROXMIRE. I am happy to yield to the distinguished Senator from Missouri, to whom, incidentally, I made reference just before he came on the floor. I referred to his interesting analysis of the ABM and its possible potential cost.

Mr. SYMINGTON. Mr. President, I have had the privilege of reading the text of the address that the distinguished Senator from Wisconsin is giving today, and am much impressed. I would hope every Member of the Senate reads it also. As we face unprecedented fiscal and monetary problems it would appear most timely, so I congratulate the Senator, and with his permission, would ask him several questions which I have drawn up as a result of reading his address.

Mr. PROXMIRE. I should be delighted.

Mr. SYMINGTON. Inasmuch as the Senator is one of the two or three foremost experts in the Congress on matters that have to do with our financial stability, does he not agree that it is vitally important for us to look ever more closely at these gigantic expenditures of the military?

Mr. PROXMIRE. I agree with the distinguished Senator from Missouri. We now give it only the most superficial kind of a look. I believe we give it no detailed scrutiny, to speak of.

I do not blame those in the Congress who are charged with this responsibility. They are the most able people we have. But the Bureau of the Budget itself gives very little attention to the matter, compared to the relative size of the military budget. There is no question in my mind but that we must do better.

Mr. SYMINGTON. Does not the able Senator agree that, in addition to the ABM which has created so much interest lately, there are other weapons systems, such as the SRAM—short range attack missile—and the Mark II avionics which now heavily exceed their originally estimated costs; that these, too, should receive careful scrutiny by the Congress?

Mr. PROXMIRE. The Senator is absolutely correct. I am delighted that he phrased his question the way he did, because I think there is a tendency for Congress to be very deeply concerned, as we should be, about the ABM, because it is the most spectacular item, and the one that has received public attention; but there is no question that in these other areas, we have exactly the same kind of problems, or much the same kind of problems, such as the problem of very great cost overruns and the problem of inadequate consideration of whether or not these particular weapons deserve a priority that would warrant our spending billions of dollars on them. Certainly the Senator has touched, in the SRAM and the Mark II, on two weapons of which this is particularly true.

Mr. SYMINGTON. My able colleague notes that the situation with respect to the weapons acquisition process is getting worse instead of better. In this connection, does he believe that part of the problem is related to the fact that military procurement officers are not properly trained, particularly in view of the gigantic amounts of money they control, and, in addition, the fact that most of these officers are constantly being shifted from one duty station to another?

Mr. PROXMIRE. I agree wholeheartedly with the distinguished Senator from Missouri. This is a point that has been brought up in our hearings. I am sure that the Senator from Missouri is a much greater expert in this area than I ever could hope to be. As a former Secretary of the Air Force, he is a man who has had as one of his prime responsibilities in Congress oversight of defense matters, and he speaks with great authority.

There is no question in my mind that these men who have this very heavy responsibility do not have the kind of training or background which would be in many cases essential to hold down expenditures.

Mr. SYMINGTON. I thank the distinguished Senator, and again emphasize that he is making an important contribution to the security and well-being of this country.

Mr. PROXMIRE. Mr. President, I thank the distinguished Senator from Missouri very much.

UNCRITICAL APPROACH

What is so discouraging about both the past and the future is the cavalier way in which increases and overruns are shrugged off by the military.

Two billion dollars is a very great amount of money. That is the estimated overrun for only one plane—the C-5A.

Five billion dollars is a tremendous amount of money. But that is the increase in the estimated cost of the thin Sentinel system in less than a year.

It is virtually impossible to get such funds for housing, jobs, or poverty programs. But the examples I have given are merely the increases and overruns for only two of the many defense weapons systems.

An article published not too long ago in the Washington Post indicated the dimensions involved in the matter. It was pointed out that $5 billion, the overrun on the military system, is more than we spend in a year in the entire foreign aid program plus everything we put into housing and urban development. The Pentagon handles it as if it were small change.

What appalls us is the uncritical way in which these increases are accepted by the military. To be consistently wrong on these estimates of cost, as the military has been consistently wrong, should bring the entire system of contracting under the most detailed scrutiny. But there is not the slightest indication that this is being done by the military. In fact, when such questions are raised, we find the services far more defensive than they are eager to improve the system.

But let me give this solemn warning. The time has come when many of those willing to provide this country with the defense it needs are unwilling to vote funds or authorize new weapons systems or accept the military justifications for them except after the most critical review.

The time of the blank check is over. The military should make its case and compete for funds equally with other programs.

Why is the situation so bad. Why is military spending now out of control? Let me give some of the reasons:

NEED FOR ZERO-BASE BUDGETING

First of all, there is far too little critical review at the Pentagon itself. Apart from the natural bias of the military services and their effort to increase their budgets, there is an inherent flaw in the Defense Department's budgetary process. I refer to what Mr. Benson, a Defense Department official, calls the lack of "zero base" budgeting.

According to Mr. Benson:

> The Defense Department budgeting process virtually concedes last year's amount and focuses on whatever incremental changes have been requested. The result, of course, is higher budgets, with past errors compounded year after year.

What we need, Mr. President, both at the Pentagon and elsewhere is "zero-base" budgeting. The reviews should be made each year from the ground up. We should no longer accept uncritically last year's budget for any item, and then merely examine with some slight critical sense the added increment for the new year.

Let us move to "zero-base" budgeting at all levels.

INADEQUATE BUDGET BUREAU SCRUTINY

Now, second, we must have a much sterner and more critical review of the military budget by the Budget Bureau itself.

On January 17, 1969, a few weeks ago, I asked the then Director of the Budget, Mr. Zwick, the following question:

> I am asking you . . . whether or not the Defense budget is scrutinized as carefully, for example, dollar for dollar as the OEO budget and the HUD budget, and so forth.

Mr. Zwick answered by saying:

> We obviously do not get into as great detail in that Department as we do in some other departments.

When the new Director of the Budget, Mr. Mayo, was before the Joint Economic Committee on February 18, I pursued the same subject with him.

The Defense Budget is about $80 billion. Of the remaining budget, according to the Budget Bureau's own analysis, only some $20 billion are "controllable items," that is, items other than interest on the debt, pension and social security payments, and so forth, which are relatively fixed and not possible to cut except by major changes in legislation. The military budget of $80 billion, plus that part of the "controllable civilian" budget of $20 billion, together compose about $100 billion which can be critically reviewed. But of the 500 or so personnel in the Budget Bureau, only about 50, according to Mr. Mayo, are assigned to scrutinize the Defense budget. This is only 10 percent of the personnel assigned to the Defense budget.

When I asked Mr. Mayo if at least two to three times as much attention is concentrated on the nondefense, as opposed to the defense, dollars, he said that judged by the allocation of personnel he would not quarrel with the point.

I think it is fair to say, therefore, that the Budget Bureau makes no adequate review of the military budget.

Mr. PEARSON. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

The PRESIDING OFFICER (Mr. PACKWOOD in the chair). The Senator from Wisconsin yields to the Senator from Kansas.

Mr. PEARSON. Mr. President, I share the concern expressed in the address of the distinguished senior Senator from Wisconsin today.

I recall that during World War II, a committee of the Senate—and perhaps of the entire Congress—addressed itself to a constant review of contracts, costs, and perhaps performance. The committee was headed by the former Senator from Missouri and former President of the United States, Harry Truman.

That committee served a great and useful purpose at that time. I later learned that the committee became the Preparedness Subcommittee of the Armed Services Committee. With all of the responsibilities they have today, they are no longer really performing this oversight function.

I ask the Senator if, among the suggestions he is making today, he has considered the possibility of reinstituting

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that kind of committee to address itself primarily to contracts and costs.

Mr. PROXMIRE. Mr. President, I think the suggestion of the Senator from Kansas is excellent. There is not any question that President Truman made an excellent contribution to the economy and security of the country because of his chairmanship of that committee. As the Senator said so well, it should be devoted primarily, perhaps exclusively, to the matter of contracts and costs.

The members of that committee have the heaviest authorization burden by far of any of our committees. The committee is very ably headed by the distinguished Senator from Mississippi (Mr. STENNIS). It was formerly very ably headed by the distinguished Senator from Georgia (Mr. RUSSELL).

I think they would agree that they are immersed, and so properly immersed, in strategy and tactics and many other problems in regard to this enormous sum that if we can zero in on this matter, it would be a great contribution.

Mr. PEARSON. Mr. President, I thank the Senator.

Mr. PROXMIRE. Mr. President, I thank the Senator for his very helpful and constructive suggestion.

CONGRESS IS LAST DEFENSE

Since the military departments are self-seeking, push their own requests, and have little or no "zero-base" budgeting, and as the Budget Bureau itself does not scrutinize military spending in anything like the same degree as it examines the budgets of most other departments, this leaves only the Congress and the review we give to military spending as a last defense against excesses and overruns. I think that the remarks of the distinguished Senator from Kansas are most appropriate and helpful.

I think we would all agree that, while we have very competent and knowledgeable members of both the Armed Services and Appropriation Committees, and while they spend a great amount of time and effort on the Defense Department requests, and give as much scrutiny to these matters as it is possible for very busy men and women to give, it is just not possible for Congress to do the detailed job which the Department of Defense and the Budget Bureau should do. At best, Congress is the safety man on the football team and gets only one chance to stop the runner after everyone else has failed. But Congress cannot act as a fearsome foursome, a frontline defense or even as the linebackers or corner-backs. We are rather inadequate safety men. We do not have the personnel. We do not have the knowledge. We do not have the time. Under the most difficult circumstances we do a reasonably good job, but it is obvious that Congress cannot review the military budget with the kind of critical review it should have. We are not and should not be an operating agency.

This is not meant as a criticism of my colleagues. In the nature of things and given the size of the Defense budget, they do a Herculean job.

PROBLEM OF SHEER SIZE

There are other reasons why military spending is out of control apart from the lack of adequate review at the Pentagon, the Budget Bureau, and by Congress. Foremost among these is its sheer size. It is almost impossible for any man or bureau or agency to comprehend, let alone control, $80 billion in funds.

LACK OF COMPETITIVE BIDDING

The next most important reason is the lack of competitive bidding and the system of negotiated contracts. This problem is getting worse rather than better.

We have the Defense Department's own figures that formally advertised competitive military contract awards dropped from a far too small 13.4 percent of total military procurement in fiscal year 1967, to a pathetic 11.5 percent in fiscal year 1968, or the lowest level since adequate records have been kept.

In addition, the cost plus fixed fee contract has once again increased. It has gone up from a level of about 9 percent of awards to about 11 percent, and the Defense Department states that this level may be too low.

Since Secretary McNamara instituted his major reforms in defense contracting, the Department has made very strong claims that it has made dollar savings over what would otherwise have been spent by shifting from noncompetitive to more competitive contracts. Savings of as much as 25 cents on the dollar has been claimed for shifting from noncompetitive to competitive procurement.

But now we see a return to some of the old methods. In any case, the amount of real competition in defense procurement is very low.

Furthermore, given the routine 200 to 300 percent overrun on most major defense systems, the practice of "buying-in" by firms is promoted and has become notorious.

By "buying-in" I mean a situation where there may be a so-called negotiated procurement in which there are two possible producers at the research and development level. The one who buys in is the one who bids below what he knows it will cost to produce and perhaps takes the business away from the more efficient firm. Once the firm gets it, then watch out, because the overruns, as we have documented again and again, occur. As Secretary Charles testified, those overruns averaged in the past 300 to 700 percent, so that they have been three to seven times as much as the original bid.

SECRECY AND AUDITS

There are a variety of other reasons why expenditures are so excessive.

As Admiral Rickover told us, we have no uniform accounting system for defense procurement.

There is an unwillingness of any Department ever to admit a mistake.

There is an excessive amount of secrecy which, at times, prevents serious public scrutiny of matters which would benefit from critical review.

There is no really good system of audits while work is underway. Much of the excellent work of the General Accounting Office, by its very nature, is focused on a post-audit review.

MILITARY-INDUSTRIAL CONNECTIONS

But more than all of this, there is what we have come to know as the military-industrial complex and its many ramifications.

The connections between the military, on the one hand, and the major industries which supply it, on the other, are very close and very cooperative. Some of the major companies have dozens of high ranking retired military personnel on their payrolls.

The major civilian appointive positions at the Department of Defense—the Secretaries, Under Secretaries, and Assistant Secretaries—are routinely filled by those whose private careers have been with defense industries, key investment houses or banks, or with major law firms which represent the huge industrial complex.

Representatives and Senators know only too well the way industry and the military can reach back into States and districts from the howls that go up when any attempt is made to close down even a very inefficient military base in their State or district. We all know the pressures that come upon us to help direct defense projects into our States or districts and the efforts made to keep them there once they have arrived.

The result of all this is a system which is not only inefficient but is now literally out of control. Excessive amounts are spent on overhead and supplies. Huge cost overruns are standard occurrences. Weapon systems routinely do not meet the standards and specifications set for them. Now is the time to call a halt to these excesses. To do so will not harm us. It will make the country stronger and more secure.

Much like the middle-aged boxer who has grown obese from overindulgence, we need to get our Military Establishment and its contracting and financial systems back into fighting trim.

WHAT TO DO

Let me summarize specific items which should be put into effect immediately:

First. A system of zero-base budgeting by the individual services—the Defense Department, and the Budget Bureau—should be instituted.

Second. The Budget Bureau itself must set up the procedures and hire the personnel to make a separate, highly competent, highly skeptical, and penetrating review of the Defense budget in a way in which it has never before been done. There are highly competent analysts already there, but 10 percent of the personnel cannot examine critically 80 percent of the "controllable" budget.

Third. Immediate steps should be taken to reverse the increase in nonnegotiated contracts and increase the amount of truly competitive bidding.

Fourth. The "buy in" bidding system must be stopped. Firms which make a low bid to gain contracts knowing that the military will later approve increases of 100 to 200 percent or more, must not be rewarded. I urge a system of severe penalties and loss of future status to bid for ately an effective and uniform system of accounting for military contractors.

Fifth. We need to institute immediately an effective and uniform system of accounting for military contractors.

Sixth. Serious penalties need to be instituted for contractors whose delivery dates are not met. The fact that the

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greatest profits have gone to those electronic weapon system contractors who were routinely 2 years late meeting their deadlines, as Mr. Stubbings pointed out, is scandalous.

Seventh. While major improvement has been made in the supply systems and a great decrease in the number of items stored and bought, under the unified Defense Supply Agency, we must attack the problem of excesses and surpluses. Surpluses of as much as 28 percent of the total amount of supplies is an appalling and unwarranted figure, even though it represents a major improvement over previous periods.

Eighth. We must find some method of monitoring and auditing contracts while they are in process in order to avoid the huge cost overruns. The General Accounting Office, which is an arm of Congress should do this job in the obvious absence of an adequate job now done by the individual military services. I believe that the Air Force, the Navy, and the Army are so involved in defending the weapon system they initiate that they are really incapable of reviewing the work in process, using a critical eye when things are going wrong, and cutting off the contractors when they are inefficient. The individual services are too closely tied to their pet projects to do this properly.

The GAO is an arm of Congress. It saves many dollars for every dollar it spends. Now, much of its effort is concentrated on postaudit reviews. I think they should play a much larger role at the time the contracts are in process.

Mr. President, these are some of the things which might be done.

Finally, Congress must be ready to demand that the military services prove that their demands are as important and have as high a priority as do major civilian needs. Some system must be devised, hopefully by the President and the Budget Bureau, to make an intelligent judgment as to whether the $2 billion overrun on the C–5A airplane should have as high a priority as $2 billion for jobs and housing in the central cities.

At the moment, no such real test for priorities is required.

Congress must demand that it be done. The day of the blank check for military spending must end.

The military budget must be brought under control.

Mr. President, I have one other item I should like to add, because it is appropriate.

In the New York Times for today, Monday, March 10, 1969, Mr. Harvey Segal, who was formerly a distinguished reporter for many years with the Washington Post and is now on the editorial board of the New York Times, writes very ably on the subject of "How High the Cost of Defense?"

I ask unanimous consent that Mr. Segal's article be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. PROXMIRE. Mr. Segal comments on the huge escalation in military spending and the question of why there will not be a much larger saving on defense spending when the Vietnam war is concluded.

The article is especially appropriate to the issues I have just raised in the speech on defense spending.

In his article, Mr. Segal also refers to a little known speech by Mr. Arthur F. Burns, who now plays a very influential role in the Nixon administration, entitled "The Defense Sector: An Evaluation of Its Economic and Social Impact." The speech was given as the Moskowitz Lecture in November 1967 at New York University.

I have read the speech a number of times and find it especially thoughtful. I ask unanimous consent that it, too, be printed in the RECORD, so that it may have the much wider audience it deserves.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

EXHIBIT 1

[From the New York Times, Mar. 10, 1969]

HOW HIGH THE COST OF DEFENSE?

(By Harvey H. Segal, a member of the editorial board of the Times)

The great antiballistic missile debate centers on lives, not dollars. The pivotal question for President Nixon in the decision he is to announce this week is whether the deployment of a Sentinel missile system will not in fact contribute to national insecurity by intensifying the nuclear arms race, already at the overkill stage. But the unpredictable eventual cost of a "thin" or thick A.B.M. system directs fresh attention to the economic burden of maintaining a huge military establishment and the difficulty of ever lightening that burden.

A report issued in the last days of the Johnson Administration estimated that $19 billion could be freed from the annual defense budget within two and a half years after the end of the Vietnam War. Those savings are less than the current cost of the war—$29 billion—because $10 billion would be retained "for other military uses in peacetime."

LAIRD'S POSITION

But Secretary of Defense Melvin R. Laird has dismissed the Johnson Administration estimates as "wholly unrealistic." He believes that $7 billion would be "a much better estimate" of the potential savings. The details of the Nixon Administration's defense arithmetic have not yet been disclosed, so no real appraisal can be made of why $12 billion in potential saving has evaporated so swiftly. However, it has been clear for many years that there will always be substantial elements in the Pentagon and the State Department who can find persuasive reasons why no amount of spending is ever enough.

EXPENDITURES RATCHET

Secretary Laird's savings estimates—and to a lesser extent that of the Johnson Administration—is the latest evidence of the operation of a defense expenditures ratchet, a set of inertial forces that prevent spending from falling back to its initial level once the conflict responsible for its sharp rise is over.

Defense expenditures in the years 1950–52 soared from $14 to $46 billion as a result of the Korean War and dipped below $40 billion only once in the period since then. They jumped from $50 billion to $80 billion with the escalation of the war in Vietnam, and the prospect raised by Mr. Laird is that they will not get below $73 billion once peace is negotiated.

Criticisms of swollen defense budgets are sometimes fended off by arguing that they must be weighed against the nation's growing capacity to produce goods and services. Defense expenditures accounted for a little more than 9 per cent of the gross national product at the end of 1968, and that percentage may begin to decline if economic expansion continues and defense spending does not jump again. But such a ratio provides no true measure of what military outlays cost.

For an adequate assessment of the real defense burden, one must turn to a little-noticed lecture, delivered in 1967 at New York University by Dr. Arthur F. Burns, now President Nixon's closest adviser on domestic affairs.

The proper measures of defense costs are the opportunities forgone. In the decade 1959–68, defense outlays came to more than $551 billion. That is twice the amount spent for new private and public housing in the same decade and nearly twice as much as Federal, state and local governments allocated to education.

In its perverse way, defense does, of course, contribute to the growth of income; and in the absence of a military establishment the whole of the $551 billion might not have been available for better housing and schools. But Dr. Burns reminds us that, while defense activities generate income, they may at the same time reduce the rate of economic growth. Unlike investment in education or in new factories, expenditures for missiles "add nothing to the nation's capacity to produce."

OTHER IMPORTANT COSTS

Other costs to which Dr. Burns points are less obvious but nonetheless important. Civilian businesses suffer because they cannot match the salaries that "subsidized defense firms" can offer scientists and engineers. Another cost is also an indictment; the rise of a "new class of business executives . . . ; men whose understanding of marketing and cost controls is often deficient, but who know how to negotiate effectively with Government officials."

Dr. Burns built an impressive critical analysis around President Eisenhower's admonition of "guard against the acquisition of unwarranted power . . . by the military industrial complex." The country will wait to see whether the 1967 Burns view has palpable influence on the defense policies of the 1969 Nixon Administration.

EXHIBIT 2

[From the Moskowitz Lecture, November 1967, New York University]

THE DEFENSE SECTOR: AN EVALUATION OF ITS ECONOMIC AND SOCIAL IMPACT

(By Arthur F. Burns)

In his famous farewell address, President Eisenhower warned the nation to remain vigilant of what he called "the military-industrial complex." His warning needs to be remembered and pondered by thoughtful citizens. In an age of nuclear weapons, there is no time for assembling the military and industrial forces needed to repel an aggressor. Once a nation is attacked, it can be practically destroyed in a matter of minutes. For this reason as well as because of the unhappy state of our relations with the Communist bloc, "normalcy" for us has come to include since 1950 a formidable military establishment in a state of constant readiness, if need be, for war. But as President Eisenhower observed in his farewell, the "conjunction of an immense military establishment and a large arms industry is new in the American experience. The total influence—economic, political, even spiritual—is felt in every city, every statehouse, every office of the Federal government." My purpose today is to consider with you some of the ways in which the emergence of a massive and permanent defense sector has already changed and is continuing to change our economic and social life.

I

To begin with, the defense sector has revolutionized governmental finances in our generation. In fiscal year 1948, Federal expenditures came to 36 billion dollars. In fiscal 1964, well before Vietnam became a significant financial burden, spending on national defense alone amounted to 54 billion dollars, or half as much again as the total budget in 1948. This fiscal year, the defense budget will amount to about 80 billion dollars, but that huge sum still does not indicate the full financial cost of defense activities. The Federal government expects to spend another 5 billion dollars on international programs and also 5¼ billion on space research and technology. These activities, of course, are mainly pursued in the interests of our national security. Moreover, the Federal budget allows 10½ billion dollars for interest on the public debt and over 6½ billion dollars for veterans' benefits, the former being preponderantly and the latter entirely a legacy of past wars. Thus, defense-related expenditures will probably come this year to over 100 billion dollars—a sum that represents more than 500 dollars for every man, woman, and child of our population, or over 2,000 dollars for a family of four.

The large and rising cost of defense activities would have caused financial problems even if other costs of government had not changed. However, the line of division between governmental and private responsibility never stands still, and it has shifted far in our generation. Since the end of World War II, the American people have come to expect their government to maintain economic conditions that are generally conducive to full employment. The Federal government has been also under increasing pressure to enlarge social services—that is to say, improve the nation's schools, help support universities, improve hospitals and medical facilities, facilitate home ownership, reduce urban slums, extend and improve highways, promote safer and faster air travel, raise social security and related welfare benefits, train manpower for the needs of industry, seek ways of reducing air and water pollution, and even concern itself with purely local problems of traffic congestion and police protection. These expanding interests of the Federal government are a political response to the increasing urbanization of modern life, the new opportunities opened up by advances in technology, and the growing impatience for better living on the part of many citizens who have been left behind by the march of progress. Thus, at the very stage of history when demographic, technological, and political trends have been releasing powerful forces to raise the costs of government, the defense sector likewise became an increasing burden on the Treasury. The inevitable result has been a vast growth of Federal spending—from 70 billion dollars in fiscal 1955 to 122 billion in 1965, and perhaps 180 billion this fiscal year.

The upsurge of Federal spending on defense and on civilian activities has naturally resulted in much higher taxes. To be sure, we have recently learned to put up with deficits when the economy is booming as well as when the economy is depressed. The role of deficits in governmental finance, however, is commonly exaggerated. From mid-1946 to June of this year, the cumulative revenues of the Federal government covered all but 2 per cent of its expenditures, so that Federal taxes have in fact grown just about as rapidly as expenditures. Our economy has also grown significantly during this period, but not enough to prevent taxes from siphoning off an increasing portion of the national income. In fiscal 1940, Federal revenues came to about 6 per cent of the gross national product, in 1950 to 15.5 per cent, in 1960 to 19 per cent, last year to 20 per cent. Meanwhile, state and local taxes have also moved up—indeed, they have grown even more rapidly during the past ten or twenty years than Federal taxes. According to the national income accounts, the combined revenue of all governmental units amounted in the past fiscal year to about 29 per cent of the gross national product and 32 per cent of the net national product; and even the higher figure may understate the tax burden, since it makes inadequate allowance for the capital used up in the process of producing goods and services.

This year, with the war in Vietnam escalating and social expenditures also rising, the Federal deficit may reach 25 billion dollars unless steps are taken to raise taxes or curb expenditures. To reduce the enormous deficit now in sight, President Johnson has proposed a 10 per cent surcharge on income taxes, but the Congress has thus far failed to adopt the proposal. Many members of Congress feel that the tax burden is already so heavy that it would be wiser to cut governmental expenditures than to raise taxes. Others would be willing to accept higher taxes provided significant reductions in expenditure were simultaneously made. With financial markets disturbed and interest rates rising about last year's abnormally high level, a great debate is now raging both within and outside governmental circles about the relation of the Federal budget to economic activity, interest rates, and inflation. What is critically at issue in this debate is not whether Federal spending should be permitted to rise, but the size of the reduction—if any—in the projected scale of spending on non-defense programs. No matter how this issue is resolved, spending in the aggregate will still go up substantially, and—if history is any guide—taxes will follow; so that we now face the prospect of higher income taxes besides higher social security taxes and assorted increases of state and local taxes.

We also face the prospect of paying more for foodstuffs, clothing, automobiles, and whatever else we buy. The causes of inflation are complex, and it is never strictly true that an increase in spending on defense or on business equipment or on any other category is the sole cause of inflation. In principle, the government can always adjust its monetary and fiscal policies to economic conditions so as to keep the price level reasonably stable. If the government had foreseen how rapidly the cost of the Vietnam War would mount and if it had taken promptly the restraining measures needed to keep the aggregate demand for goods and services from outrunning the nation's capacity to produce, the new round of inflation that we have experienced since 1964 could have been prevented. But if we blame the government for its lack of foresight or courage in this instance, we should also bear in mind that the theoretical ideal of price stability has rarely, if ever, been closely approximated under wartime conditions.

When demand presses hard on a nation's resources, as it generally does at a time of war, it becomes very difficult to adjust tax, credit, and expenditure policies on the scale needed to prevent advances in the price level. The doubling of wholesale prices between 1940 and 1950 was obviously linked to the enormous expansion of military spending during World War II. Since then, the trend of prices has continued upward at a much slower pace, and no single factor stands out so prominently among the causes of inflation. Indeed, prices have risen less in our country since 1950 than in most others, despite our exceptional military burden. It is nevertheless true that the greater part of the recent advance in both wholesale and consumer prices came in three spurts—between 1950 and 1953 when the Korean War was raging, between 1955 and 1957 when a fairly rapid increase of military contracts paralleled a booming trend of business investment in new plant and equipment, and since mid-1965 when our ground forces shifted to an active role in Vietnam. It appears, therefore, that the sudden surges within the defense sector have contributed to the inflationary trend which has been gradually eroding all savings accumulated in the form of bank deposits, life insurance, savings bonds, and other fixed-income assets, besides complicating life for everyone whose money income fails to respond to the rising cost of living.

The defense sector can also be partly blamed for the troublesome deficit in our balance of payments. Since 1950 the receipts from our sale of goods, services, and securities to foreign countries have run substantially below the sums that we need to pay foreign countries. One reason for this persistent deficit is the large expenditure that is required, year in and year out, to maintain our military forces abroad. Foreign assistance programs have also been adding to the deficit, although their foreign exchange cost is now much smaller. Since the revenue derived from our foreign transactions has been insufficient to cover the required payments, our stocks of gold have shrunk from 24½ billion dollars at the beginning of 1950 to about 13 billion at present. Meanwhile, the dollar balances that are held here by foreigners have also grown, so that the United States finds itself in the position of a banker whose short-term liabilities are steadily rising while his reserves keep dwindling. In order to check the deterioration in our international financial position, the Defense Department has lately been favoring domestic over foreign suppliers even at cost differentials of 50 per cent. More disturbing still, the government has found it necessary to impose restrictions on the outflow of capital—an interference with private investment that is contrary to our national traditions. Even so, the deficit in the balance of payments has persisted, and—partly as a result of the war in Vietnam—it is larger this year than last. International confidence in the dollar, which is of such immense importance to America's political leadership as well as to our economy and that of the rest of the world, is still strong, but we can no longer count on it as we did ten or twenty years ago.

II

I have been concerned thus far with the financial aspects of national defense—its impact of governmental expenditures, taxes, the price level, and the balance of payments. Financial transactions and the price system, however, are merely mechanisms for putting a nation's resources to work and for distributing what is produced among people and their government. The resources that we devote to national defense are not available for making consumer goods or for adding to the stock of industrial equipment or for public uses in the sphere of education, health, or urban redevelopment. To the extent that we allocate labor, materials, and capital to national defense, we cannot satisfy our desires for other things. The civilian goods and services that are currently forgone on account of expenditures on national defense are, therefore, the current real cost of the defense establishment.

This cost has become very large, as my observations on governmental finance have already suggested. Its magnitude can perhaps be grasped best by considering the amount of labor devoted to national defense. In fiscal 1965, the armed forces numbered close to 2¾ million. They were supported by over 900 thousand civilian workers attached to the Department of Defense and by another 2.1 million civilians employed in private industry who worked, directly or indirectly, on military supplies. Thus the total employment on defense goods and services amounted to 5¾

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million, or to 86 out of every 1,000 employed workers in the country. Two years later—that is, during the fiscal year which ended this June—the number was nearly 7½ million, or 103 out of every 1,000 employed workers. The employment currently attributable to national security expenditures is even larger; for the figures that I have cited, besides not being fully up to date, take no account of the activities of the Atomic Energy Commission, the National Aeronautics and Space Administration, or other defense-related efforts.

A mere count of numbers, moreover, does not convey adequately the drain of the defense establishment on the nation's work force. Men differ in quality, and we need to take account of the fact that those involved in the defense effort are, on the average, superior from an economic viewpoint to workers engaged in civilian production. Military technology and operations have become very sophisticated in our times. The armed forces now have a highly skilled core and are very selective in accepting men for service. Indeed, the proportion of personnel who completed high school is much larger in the armed forces than in the comparable age group of the civilian population, while the proportion of college graduates is not materially lower. Training and skill count even more heavily among the civilians involved in defense activities. Last year, professional workers accounted for nearly 16 per cent and skilled blue-collar workers for 21 per cent of the civilians employed on defense work, in contrast to about 13 per cent for each of these groups in the rest of the working population. One out of every five of the nation's electrical and mechanical engineers in civilian jobs, two out of every five airplane mechanics, two out of five physicists outside of teaching, and three out of five aeronautical engineers were employed on defense goods during the past year. And even these figures understate the skill dimension of defense employment, for they again leave out of account the highly technical activities originating in the Atomic Energy Commission and NASA.

The heavy emphasis on skill and brainpower in defense employment reflects, of course, the explosion of military technology to which modern science has been contributing so much of its finest energy. Since the Korean War defense contractors have been devoting themselves not only to the production of extremely complex weapons but also to developing entirely new weapons systems that no one as yet knew how to produce. Much of the defense sector of our economy has come to consist, therefore, of research and development work. The President's budget for this fiscal year, for example, allots about 16 billion dollars to research and development, of which 9 billion is to be devoted to defense and another 5 billion to space activities. Since 1960 defense and space programs have consistently accounted for over 80 per cent of the rapidly increasing Federal funds devoted to research and development. More important still, they have amounted to about 54 per cent of the expenditure on research and development carried out in the entire nation—that is, by the Federal government, industry, universities and colleges, research centers affiliated with universities, and other nonprofit institutions. During the 1950's the proportion of the nation's research and development effort devoted to defense-related activities was only a little lower.

By diverting to its interest so much manpower, especially scientific and engineering skills, the defense establishment has left its mark on both the structure and the functioning of our economy. The effects are all around us. Some defense-oriented industries—notably, the aerospace complex, electronics, and communications—have become a major factor in the economy, and their development has favored many communities—for example, Los Angeles, San Diego, Seattle, and Baltimore. Some large firms have acquired marvelous technological competence from their defense or space contracts and this rather than any immediate profit has commonly been their chief reason for wanting the contracts in the first place. Not a few of the scientists and engineers who received their training in the more sophisticated enterprises have moved into traditional lines of activity, bringing something of the spirit of research and innovation with them. Many of the men released by the armed forces have been able to put the technical skills acquired during their military service to effective use in civilian jobs. And not a few of the processes or products developed for the military have found application in civilian life—for example, jet transports, advanced computers, radar, miniaturized components, and nuclear power plants.

But if the defense sector has stimulated economic development in some directions, it has retarded growth in others. Civilian-oriented laboratories of business firms have often been unable to match the salaries or the equipment that subsidized defense firms offer to scientists and engineers. Research and development work in behalf of new products and processes for the civilian economy has therefore been handicapped. Small firms have derived little benefit from military or space contracts. The draft has added to the labor turnover of all businesses, large and small. The lack of opportunity in the defense sector for poorly educated and unskilled workers has not helped the rural Negroes who have flocked into the cities in recent years in search for jobs and a better life. Moreover, a new class of business executives has arisen, consisting of men whose understanding of marketing and cost controls is often deficient, but who know how to negotiate effectively with government officials handling military or scientific problems. The fact that knowing the right people or having friends in the right places can sometimes advance the interests of a business better than plain business ability has in all likelihood also influenced the management of some firms outside the defense sector.

In any event, the economic growth of a nation is a blind concept unless we consider what is produced as well as the rate of growth of what happens to be produced. During the decade from 1957 to 1966, our nation spent approximately 520 billion dollars on defense and space programs. This sum is about two-and-a-half times as large as the entire amount spent on elementary and secondary education, both public and private. It is almost three times as large as the amount spent on new housing units outside of farms. It exceeds by over a fourth the expenditure on new plant and equipment by the entire business community—manufacturing firms, mining concerns, transportation enterprises, public utilities, and all other businesses. To be sure, an extra billion dollars' worth of bombs or missiles will increase current production just as much as an extra billion of new equipment for making civilian goods. Bombs or missiles, however, add nothing to the nation's capacity to produce, while new equipment serves to augment production in the future. The real cost of the defense sector consists, therefore, not only of the civilian goods and services that are currently forgone on its account; it includes also an element of growth that could have been achieved through larger investment in human or business capital. But even if we assumed that the conflicting influences of the defense sector on economic growth canceled out, its real cost is still enormous.

Unhappily, we live in dangerous times which make large national security expenditures practically unavoidable. Nevertheless, there are always some options in a nation's foreign and military policy, and we therefore must be alert to the opportunities that our military establishment forces us to forgo. For example, if the resources devoted to military and space activities during the past decade had been put instead to civilian uses, we could surely have eliminated urban slums, besides adding liberally to private investment in new plant and equipment as well as both public and private investment in human capital.

III

The military-industrial complex, of which President Eisenhower spoke so perceptively in his farewell address, has therefore been affecting profoundly the character of our society as well as the thrust and contours of economic activity. Nor have the social effects been confined to the kinds of goods that we produce. Hopefulness about the future, optimism about success of new undertakings, impatience to complete satisfactorily whatever is begun—these psychological qualities have been peculiarly American characteristics, and they account in far greater degree than we may realize for the remarkable achievements of our economic system and the vigor of our political democracy. These qualities are deep-rooted in American experience and they continue to sustain us. Nevertheless, the development and spread of thermonuclear weapons, the frustrations of the cold war, and now the brutal struggle in Vietnam have left us, despite our awesome military power, more anxious about our national security than our fathers or grandfathers ever were.

Adults whose habits were formed in an earlier generation may put the dangers of nuclear catastrophe out of mind by losing themselves in their work or by seeking solace in religion. That is more difficult for our children who increasingly wonder what kind of world they have inherited by our doings. There can be little doubt that the lively competition among the great powers in devising instruments of terror is one of the underlying causes of the restlessness of modern youth.

Moreover, young men of military age are bearing a disproportionately large part of the defense burden. That is unavoidable at a time of war, but our generation has institutionalized compulsory military service even when the nation is at peace. It is undoubtedly true that many young men derive deep satisfaction from serving their country as soldiers, sailors, or aviators. Not only that, many have also found useful careers in the armed forces, or have benefited in their civilian jobs from the skills acquired during military service, or have gained a larger understanding of life by associating with men of widely different backgrounds or by being stationed abroad for a time. Despite these benefits, the draft has by and large proved to be a seriously upsetting factor in the lives of young people. Not knowing when they would be called up for military service or whether they would be accepted, many have found themselves marking time. Those who are accepted have often had to interrupt their schooling or careers, perhaps alter plans with regard to marriage, and in any event be content with substantially lower pay than they could earn as a rule in civilian work. Moreover, the administration of the draft over the years, particularly the handling of student deferments, has raised troublesome moral questions in the minds of young people—and, for that matter, in the minds of older citizens as well.

The emergence of our country as a great military power, having worldwide political responsibilities, has also affected our educational system. Greater emphasis on science, mathematics, and modern languages in secondary schools and colleges, new area institutes and schools of international affairs in the universities, advanced courses in the esoteric languages and customs of the Far

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East and Africa—these educational developments not only reflect the widening scientific and geographic interests of modern business; they are also a response to urgent requirements of national security. But it is in the area of research, rather than teaching, where the impact of the defense establishment on our universities has been particularly felt. Colleges, universities, and research centers associated with universities spent in the aggregate 460 million dollars on the performance of research and development in 1953, with something over half of this sum financed by the Federal Government. Last year, the sum so spent was six-and-a-half times as large, and the federally-financed portion rose to 70 per cent. Clearly, Federal funds are mainly responsible for the extraordinary growth of research activities in universities, and the chief—although by no means the sole—reason for this governmental involvement is the intense search for new knowledge on the part of defense-related agencies. During 1963–66, the Department of Defense, the Atomic Energy Commission, and NASA together accounted for five-eighths of the dollar value of Federal grants for research and development to institutions of higher learning, and their proportion in immediately preceding years was even larger.

The huge influx of governmental research funds has served to enrich the intellectual life of numerous colleges and universities, especially in the larger institutions where the grants have been mainly concentrated. By virtue of research grants, professors have better equipment to work with and more technical assistance than they had in former times. They also travel more, keep in closer contact with their counterparts in other universities, and mingle more freely with government officials, business executives, and scientists working for private industry. The gulf that previously separated a university from the larger interests of the community and the nation has therefore narrowed very significantly.

However, governmental research grants have created problems for universities as well as new opportunities for useful service. The greater interest of a faculty in research is not infrequently accompanied by lesser devotion to teaching. No little part of the time set aside for research may in practice be consumed by travel and conferences of slight scientific value. However welcome grants from military and space agencies may be, their concentration on the physical and engineering sciences makes it more difficult for a university to maintain the balance among various branches of learning that is so essential to the intellectual and moral improvement of man. Some military contracts involve classified research, and the secrecy which attends such work introduces an entirely foreign note in institutions that have traditionally taken a strong pride in completely free and uninhibited communication among scholars. Not less serious is the tendency, which appears to be growing among university scholars, to forsake the research to which they are drawn by intellectual curiosity in favor of projects that have been designed by, or contrived to suit the tastes of, government officials or others who take care of the financing. All universities and many of our colleges are struggling with this and other problems that the defense sector has created or accentuated.

The danger of diminished independence is not confined to research activities. If college or university presidents no longer speak out as vigorously on national issues as they did a generation or two ago, one major reason is that the institutions over whose destiny they preside have become heavily dependent on Federal contracts and subsidies. Even professors who are benefiting from Federal research grants or consulting relationships, or who expect to be able to do so in the future, have been learning the occasional value of studied reticence. And if discretion is tempering the spirit of forthright questioning and criticism in our universities, its power is all the stronger in the business world. It is hardly in the interest of businessmen to criticize any of their customers publicly, and by far the largest customer of the business world is clearly the Federal government itself. Some firms sell all and many sell a good part of what they produce to the Federal government, and there are always others that hope to be in a position to do likewise in the future.

To be sure, the great majority of business executives, even those who manage very large enterprises, prefer commercial markets to governmental business; but they have become so sensitive nowadays to the regulatory powers of government that they rarely articulate their thoughts on national issues in public. Trade union leaders are typically more candid and outspoken than business executives; but they too have become dependent in varying degrees on the good will of government officials and therefore often deem tact or reticence the better part of wisdom. Not only that, but it is no longer unusual for the government in power, whether the administration be in Democratic or Republican hands, to suggest to prominent businessmen, trade union leaders, attorneys, journalists, or university professors that they support publicly this or that administration proposal. And men of public distinction at times comply regardless of their beliefs, perhaps because they are flattered by the attention accorded them, or because they vaguely expect some advantage from going along, or simply because they feel that they dare not do otherwise. Thus the gigantic size to which the Federal government has grown, for which the defense sector bears a heavy but by no means exclusive responsibility, has been tending to erode perceptibly, although not yet alarmingly as the open discussion of the war in Vietnam indicates, the spirit of rational and constructive dissent without which a democracy cannot flourish.

The huge size of military budgets and incomplete disclosure concerning their management carry with them also the danger of political abuse. Since money spent in the interest of national security necessarily has economic effects, the government in power may sometimes be tempted to ease domestic problems by adjusting the scale or direction of military spending. For example, raw materials may be stockpiled beyond the minimum military target, or the target itself may be revised upward, in order to grant some relief to a depressed industry. Or at a time of general economic slack, the government may begin to look upon military spending as if it were a public works program. Worse still, considerations of political advantage may play a role in deciding whether contracts are placed in one area rather than another, or with this firm instead of that. Such practices lead to waste, confuse military officers, and might even exacerbate international relations. Nevertheless, they are not entirely unknown to history, including our own. Fortunately, our government officials have generally been reluctant to tamper with something so fundamental to the nation as its defense establishment; and even on the rare occasions when they have strayed from virtue, the sluggishness of a governmental bureaucracy in carrying out any plan has kept down the scale of mischief. But if politics is ever effectively computerized, as some students believe it will be, we shall have less protection against political abuse within the defense sector in the future.

Any enlargement of the economic power of government, whether brought about by military expenditures or through other causes, can eventually result in some infringement of liberty. However, because of the sense of urgency in troubled times, the requirements of national security may lead more directly to restriction of freedom. Necessary though the draft may be, it still constitutes compulsion of the individual by the state. Necessary though security clearances may be, they still constitute an invasion of privacy. Necessary though passport regulations may be, they still restrict the freedom of individuals to travel where they choose. Fortunately, the vitality of our democracy has thus far proved sufficient not only to limit restrictions of freedoms such as these, but to put an end to the nightmare of McCarthyism, to suppress the excessive interest of the Central Intelligence Agency in our colleges and universities, and even to fight the war in Vietnam without imposing price and wage controls. We cannot take it for granted, however, that our formidable defense establishment will not give rise to more serious dangers to our liberties and the democratic process in the future.

IV

Throughout the ages, philosophers and religious teachers have lamented the horrors of war and searched for the keys to peace. Yet their noblest thought has been frustrated by the course of human events. Our country has been more fortunate than most, but we have had our share of the destruction of life and property that is the universal coin of warfare. Every American of age fifty or over has lived through two world wars, the Korean War, and now the smaller but still very costly and protracted struggle in Vietnam. When this war ends, military expenditures will probably decline for a while, as they have in fact after every war in our history. We cannot look forward, however, to demobilization on anything like the scale experienced after World War I or World War II, when the military budget was reduced by over 85 per cent within three years.

The reason for the difference, of course, is that the cold war is still with us, just as it was when the Korean hostilities ended. After the cessation of that conflict, the defense budget was reduced merely by a fourth. If the cost of the Vietnam war remains at approximately the current rate, it is doubtful whether a ceasefire will be followed by a reduction of even the Korean magnitude. A return to the defense budget of fiscal 1964 or 1965 would indeed involve a cut of roughly 35 per cent from this year's expenditure; but in the absence of a dramatic change in our international relations, this is quite unlikely. In the first place, prices are higher at present than they were in 1964 or 1965, and they will probably be higher still when the war phases out. In the second place, it may well be necessary for us to keep many more troops in Vietnam after a ceasefire than was the case in Korea and also to become more heavily involved in the task of reconstruction. In the third place, while stocks of military equipment were built up during the Korean War, they have been seriously depleted—particularly for the Reserve and National Guard units—by Vietnam. They will therefore need to be rebuilt when hostilities comes to an end, and this demand will be reinforced by the deferred procurement of new models to replace equipment now in inventory.

Nevertheless, a sizeable reduction of military spending will take place in the year or two after the ceasefire, and we will have the opportunity to concentrate more of our resources on the arts of peace. In the past, the American economy has demonstrated a remarkable ability to adjust speedily to cutbacks in military spending, and we can be confident of doing so again. After World War I the conversion from war to peace was carried out with only a mild and brief setback in total economic activity. The like happened after World War II, despite the fact that more than two-fifths of our nation's resources were devoted to military uses at the

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peak of the war. Between 1945 and 1946, spending on the manufacture of defense goods dropped drastically and the number of men in the armed forces declined from 11½ million to 3½ million. Nevertheless, the unemployment rate remained below 4 per cent. A recession followed the termination of the Korean War, but this was not its sole cause. In any event, unemployment during this recession was less serious at its worst than during the recession which came just before it or just after it. With the experience that our country has gained during the past two decades in coping with economic fluctuations, with both the Executive and the Congress obviously eager to prevent unemployment, and with plans for dealing with post-Vietnam problems already beginning to take shape, there should not be much difficulty in adjusting Federal tax, expenditure, and credit policies so as to maintain aggregate monetary demand at the level needed to assure reasonably full employment when hostilities cease. Some sizeable adjustments will still need to be made by numerous communities and industries; but even they should prove manageable since the military cutbacks are likely to be largely concentrated on items produced by business firms that are closely oriented to our diversified and resilient civilian markets.

The highly specialized aerospace, electronics, and communications industries will probably not bear much of the burden of post-Vietnam cutbacks. On the contrary, once the curve of military spending turns upward again, as it well may two or three years after the ceasefire, these are the very industries that are likely to benefit most from the dynamism of modern technology. To maintain a sufficient strategic superiority to deter any aggressor, we have been devoting vast sums to research and development, as I have already noted. The fantastic new weapons and weapons systems devised by our scientists and engineers soon render obsolete some of the existing devices, which themselves were new and revolutionary only a short time ago. But while the new devices are being built, those that were only recently new cannot yet be abandoned and may even need to be augmented. Costs, therefore, tend to multiply all around. Meanwhile, the Soviet Union has been striving through a remarkably enterprising and inventive military-industrial complex of its own to establish military parity, if not actual supremacy. For example, we have recently learned of the deployment of an anti-ballistic missile system around Moscow and Leningrad, of a novel ship-to-ship missile of Russian origin fired in the Mediterranean, and of the apparent development of an orbital bomb capability by the Soviet Union. Communist China has also been developing, and with greater speed than was generally anticipated, the ability to make and deliver sophisticated weapons. In turn, our military establishment, besides innovating vigorously on its own, keeps devising countermeasures to what the Russians or Chinese have or may have in hand. Both its reaction and its fresh challenge to potential aggressors can be expected to become stronger once Vietnam no longer requires top priority.

As we look beyond the cessation of hostilities in Vietnam, we therefore need to recognize that the scale of defense expenditures has, in effect, become a self-reinforcing process. Its momentum derives not only from the energy of military planners, contractors, scientists, and engineers. To some degree it is abetted also by the practical interests and anxieties of ordinary citizens. Any announcement that a particular defense installation will be shut down, or that a particular defense contract will be phased out, naturally causes some concern among men and women who, however much they abhor war and its trappings, have become dependent for their livelihood on the activity whose continuance is threatened. With a large part of our economy devoted to defense activities, the military-industrial complex has thus acquired a constituency including factory workers, clerks, secretaries, even grocers and barbers. Local chambers of commerce, politicians, and trade union leaders, while mindful of the interests of their communities, may find it difficult to plead for the extension of activities that no longer serve a military purpose. Many, nevertheless, manage to overcome such scruples. Indeed, candidates for the Congress have been known to claim that they are uniquely qualified to ward off military closings or even to bring new contracts to their districts, and their oratory has not gone unrewarded by the electorate. The vested interest that many communities have in defense activities is thus likely to continue to run up costs on top of the rising budgets generated by the momentum of competing military technologies. Not only that, it will continue to suggest to many foreign citizens, as it sometimes does even to our own, that our national prosperity is based on huge military spending, when in fact we would be much more prosperous without it.

If the picture I have drawn is at all realistic, the military-industrial complex will remain a formidable factor in our economic and social life in the calculable future. It will continue to command a large, possibly even an increasing, part of our resources. It will continue to strain Federal finances. It will continue to test the vigor of our economy and the vitality of our democratic institutions. For all these reasons it will also generate political tensions in our society, as the widening and bitter debate over Vietnam plainly indicates.

Two schools of political thought are now locked in a contest for the mind and soul of America. One school looks outward, the other looks inward. One school draws much of its strength from the revolution of military technology, the other from the revolution of rising expectations. One school sees communism as a centrally directed conspiracy against the Free World, the other sees it breaking up into independent national movements. One school sees our survival as a free people threatened by communism, the other sees the main threat to free institutions in the deterioration of our cities and the sickness of our society. One school seeks overwhelming military power to deter fresh communist adventures, and is willing to risk war in order to prevent the geographic expansion of communism. The other school seeks wider social justice and better economic conditions for Negroes and others who have not participated fully in the advance of prosperity, and holds that the force of moral example can contribute more to our national security than additional bombs or missiles.

Both schools have focused their attention on the Federal budget and neither has been satisfied by the treatment accorded its claims. From 1955 to 1965, Federal spending on nondefense activities increased faster than on defense. Since then, defense expenditures have gone up more rapidly, though not much more rapidly. Looking to the future, professional economists frequently point out that our growing economy will make it possible to have more butter and also more guns, if they are needed, even as we have been managing to do while the war in Vietnam is being waged. Their reassurance, however, does not satisfy those who feel that our national security requires not just more guns, but many more guns. Nor does it satisfy those who feel that we need much more butter and that our statistics of the gross national product are misleading us by their failure to allow for the pollution of our water, the poisons in our air, the noise of our streets, the roaches and rats in our slums, the rioting in our cities, or the destruction of life on our highways. Debate along these lines has reached a high point of intensity as the war in Vietnam has dragged out. It has become a divisive force, and it has brought anguish to our people. Its effect on the conduct of the war, however, is likely to count for less than its effect on the general direction of our foreign and military policy in the future.

For the debate is demonstrating to thoughtful citizens that our national security depends not only on awesome military forces, but also on the strength of our economic system and the wholesomeness of our social and political life. As this lesson sinks in, we will want to try far harder than we ever have, both in our personal capacity and through our government, to bring the mad armaments race under decent control. And if the cracks of freedom within the communist system of tyranny widen, as they well may in coming decades, we can be sure to be joined in this quest by the people of the Soviet Union and eventually by the people of mainland China as well. That, at any rate, is the only hope for saving ourselves and the entire human family from catastrophe.

Mr. HART. Mr. President, early last year the Senate Antitrust and Monopoly Subcommittee held several days of hearings on the degree to which competition operated in Defense Department procurement. I join today with the able Senator from Wisconsin in support of his broad-ranging comments on military procurement practices, and the degree to which it has outrun effective controls.

Specifically, on the subject of our subcommittee hearings of last spring, I want to urge the Department of Defense to pursue freer competition in defense procurement at home with the same vigor it pursues defense of freedom abroad.

Lack of competition for defense contracts not only costs the taxpayers billions of dollars, but also contributes to appalling inefficiencies on the part of companies with defense contracts.

With 25 firms receiving almost 50 percent of the Department's prime contract money, with the Department's willingness to accept serious delays in project deadlines and charges well above original estimates, defense contractors are under little pressure to perform efficiently.

What we have instead is an "in" group as interested in promoting new contracts as in successfully completing old ones.

What we have is dangerous centralization of our defense industrials and all too little competition for defense contracts.

The result is a performance rating which shows that of 11 principal electronic systems scheduled for development in the past decade, only two perform to standard.

The result is higher profits for the more inefficient companies.

The result is contracts awarded on the basis of technical brochures, without enough concern for past performance and with little or no competition after the design stage.

For example, a contract for a project is awarded for research and development and for manufacture of the product. In that way, the successful contractor has a lock on the project, and if deadlines are not met or costs exceed estimates, as they always do, the contractor is free of competitive pressure and able to make higher profits.

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Greater competition for defense contracts can be achieved in numerous ways.

Contracts could be let only for R. & D., with contracts for development of prototypes and for manufacture of the product put out for competitive bids separately. The results of the R. & D. program would be transferred to the successful bidder.

Also, the department could foster increased competition and efficiency in certain types of long-range projects by financing two competitors to build prototypes after the design stage. In such cases, the companies would then be under competitive pressure to come up with the best prototype by the deadline, thereby winning the contract to manufacture the item.

Competition in defense contracts would be good for the taxpayer, good for the economy, and good for the national security.

In addition to competition for contracts, the Defense Department also should take into consideration the effect contract awards might have on massive unemployment conditions.

A resumption of hearings by the Antitrust and Monopoly Subcommittee may be very much in order. In any case, I thank the Senator from Wisconsin (Mr. Proxmire) for his penetrating review of practices which cry for improved controls.

SPAIN IS STILL AFRAID OF ITSELF

Mr. SYMINGTON. Mr. President, I ask unanimous consent that an interesting article entitled "Spain Is Still Afraid of Itself," published in the New York Times magazine of Sunday, March 9, 1969, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Spain Is Still Afraid of Itself

(By Richard Eder)

Madrid.—Gregorio Peces-Barba, a young lawyer from Madrid, was walking up and down the stretch of road that leads into Villafranca de Montes de Oca, a village in the hills of Burgos Province. With him on this January day six weeks ago was his mother, a sturdy old woman who has known various kinds of adversity. Her husband, a Republican, had served several years in jail after the Civil War. Now her son had been seized by the police and brought to Villafranca, a village of 300 inhabitants set in one of the coldest and poorest parts of Spain. He had been ordered to remain for three months.

Peces-Barba is one of the 19 professionals and intellectuals whom the regime banished to remote parts of the nation under the so-called State of Exception proclaimed on Jan. 24—a modified form of martial law that suddenly halted a long-developed liberal trend in Franco Spain. Six of the 19 were allowed to return to Madrid within a week of their arrest—but not Peces-Barba.

He is a cordial *bon vivant* whose fondness for good food and unsuccessful efforts to lose weight enabled his friends—who badly need cheering up these days—to joke about the salutary effect he might enjoy from three months in the country. It might even give him time, they suggested, to work on his hardly begun doctoral thesis on French philosopher Jacques Maritain, the imminent completion of which he has been announcing for several years.

The joking concealed a real concern, for Peces-Barba is one of the most important of the "deportees." He is a principal lieutenant of Joaquin Ruiz Giménez, a former Cabinet minister who now leads the left-wing Christian Democrats, a relatively effective opposition group. He is an active figure at the University of Madrid, where he teaches law and commands the trust, if not the allegiance, of the fragmented and generally extremist student movement.

Peces-Barba is also prominent among the small group of lawyers who go regularly before the Public Order Court to defend student demonstrators, members of the illegal workers' commissions, writers and journalists who break the press law and activists in the banned political parties. When he was deported to the provinces, he had 81 of these cases pending.

The Public Order Court is a special tribunal set up to try political offenses from all over the country. In recent months there had been growing pressure from lawyers to abolish it and turn its work over to the regular tribunals. By spreading political cases among the entire magistracy, they reasoned, the Government would find it more difficult to exert pressure. At present, the three-man tribunal is chosen from among those judges the Government believes to be least sympathetic to political dissent.

As Peces-Barba and his mother were preparing to turn back toward the village, a car pulled up and a *Guardia Civil* major hastily got out and presented new orders from Madrid. Peces-Barba was to be taken to a larger village, Santa Maria de Campo. "You will be better off there," the major said. "There is more social life. There is a cinema." He did not mention that Santa Maria's relative prosperity is based on the fact that several of its 1,000 inhabitants had won, a few years ago, on a number in the national lottery.

Stopping to say good-by to the disappointed village mayor, who had just had a sheep killed for Mrs. Peces-Barba, they set off in a taxi. After a long drive, during which the old woman told the major exactly what she thought of the treatment of her son, they arrived at their destination.

The major assembled the Mayor, the priest, the doctor and the veterinarian. He introduced his charge as "a distinguished gentleman who, owing to certain circumstances, will spend some time here at his studies." There was a round of welcoming remarks.

During an interval the veterinarian edged up to Peces-Barba. "Don't trust the others," he whispered. "I am the only man of the left in this town. My two sons in Madrid tell me what really goes on."

If he is to be taken literally—if he truly knows what goes on—this veterinarian is among a uniquely well-informed group in Spain, one that may not include more than a dozen or so persons apart from General Franco. The main outline of what has happened here is fairly clear; the details, the roles of all those involved and the possible outcome are more uncertain.

The State of Exception is an event of marked significance in the post-Civil-War history of Spain. It seems to cut short the idea of evolution that, with much faltering and many counterattacks, has been the regime's dominant theme over the last dozen years. Whether the halt will be permanent remains to be seen, but there is a wide belief that it is, as one prominent Spaniard put it, "the last phase of Franco's Government—possibly a long phase, but certainly the last."

"It is the regime's second childhood," said this Spaniard, an elderly aristocrat who has served in both the Government and the opposition. "It is that time of old age when there is a dangerous effort to go back to the methods and style of youth—in this case the rigid dictatorship of the nineteen-forties—but with a purpose and a grasp too enfeebled to manage it successfully."

Under the State of Exception, specific articles of the Fueros, or basic law, are suspended. The suspensions allow the Government to make arrests without formalities, to hold prisoners indefinitely before turning them over to the magistrates, to forbid meetings and to banish persons without trial. They establish a total censorship.

The order had some highly visible results beyond the deportations. Hundreds of students and workers suspected of agitation were detained. The activities of bar associations, church-sponsored labor groups and associations devoted to United Nations activities were impeded or stopped altogether. Controversy vanished from the press.

To those who had made use of the limited freedoms allowed by the regime to try to change it, the first days of the State of Exception were profoundly discouraging and even frightening.

Many slept away from home. A lawyer who was hiding out at a friend's house confessed: "I am not particularly worried at being arrested. But I live alone, and I dislike the idea of lying in bed waiting for the bell to ring and waking up every time a car passes outside." A few days later he telephoned the police and turned himself in. He was banished.

A member of the illegal workers' commissions—clandestine rivals to the official syndicates—spent an evening making a painful choice. His 13-year-old daughter had been arrested with some other demonstrators (a policeman had held a pistol against her, and she had bitten his wrist), and now the police had telephoned him to fetch her. The worker was on parole from a five-month jail sentence and feared rearrest.

Finally, accompanied by his wife, he went to the red-brick police headquarters in Madrid's Puerta del Sol. His wife and daughter went home an hour later, but he was held.

In Villaverde, a working-class district of Madrid, 150 priests and laymen who belong to a social action group attended an evening mass at the parish church. As they waited in a bus queue afterward, they were surrounded by police, and 38 were picked up. A young Jesuit priest found himself sitting beside one of his seminary students in the paddy wagon. "Who would have thought, Father," the seminarian remarked cheerfully, "that in Catholic Spain we would end up riding off to jail together after going to mass?"

The 38 were released after cursory questioning, but not before the Jesuit managed to get back a bit of his own. When the detectives who took down his statement told him politely that he could go, the Jesuit inquired whether there was a guest book for complaints.

The detective jumped to his feet and pointed a trembling finger at the priest, who was dressed casually in sweater and slacks. "Are you telling me that we have mistreated you?" he shouted. "Listen, we do the best we can. Look at you. How are we supposed to tell what you are, dressed like that? You should be wearing skirts down to your ankles, as you were taught in the seminary."

Actually, the police measures taken under the State of Exception have been less sweeping than was feared at first. The number of those arrested has oscillated, and no reliable figure is available. By mid-February, there might have been 600 to 800 in detention throughout the country, while the same number may have been questioned and released.

Virtually every foreign journalist in Madrid has been visited by one or more opposition figures who commented, with a mixture of relief and puzzlement: "As you see, I am still free."

A well-known painter, who considers himself at least a partly marked man, having been one of 1,500 intellectuals to sign a recent petition against police torture, summed

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up the atmosphere of strained expectancy: "My wife is Dutch, and when she saw over television a Barcelona crowd sticking up their hands in the Falangist salute and cheering, she wept. She said it was like the war. But this is not a Hitler or Mussolini repression. It is a Kafka repression. It is not Goya's 'Tres de Mayo' [a very realistic portrayal of the execution of Madrid citizens who had risen up against Napoleon's troops in May, 1808]. It is more like an abstractionist painting on the same subject."

A liberal figure in the regime added bitterly, "It is a vacation without a Kodak"—an allusion to an advertising jingle which asserts that holidays are no fun without a camera.

The most noticeable and also the most significant of the changes since Jan. 24 is press censorship. Overnight, the censors in the Ministry of Information and Tourism have destroyed the only important lever of power available to those outside the regime, and to those inside, who wanted to see the regime change more rapidly than it was willing to.

Virtually all news of student dissent or labor troubles has disappeared. A photograph of student demonstrations in Naples was banned. So was a report of a speech by the rector of Prague's Charles University saluting his students as the guardians of liberty. Most reporting and nearly all comment on recent political issues—the monarchy, political prisoners, the forthcoming law regulating the labor syndicates—is out. As far as the Spanish reader is concerned, cases are no longer argued before the Public Order Court but only decided.

An issue of a Catholic journal was nearly cut to pieces when its editors tried to print an article about suicide, prepared months earlier. The death of a student while in the hands of the police, officially labeled a suicide, had become a burning public issue just before the State of Exception. The censors, going over proofs of the issue, even deleted a box setting forth the penal code provisions about suicide.

The press campaign has also turned into something of a sexual counterrevolution, though perhaps not for long. The censors went to work, for example, on a running ad for a movie starring Raquel Welch. Before Jan. 24 she had been seen to advantage in a bikini; now the drawing has her wearing a grotesque striped bathing suit and looking like something from a nineteen-thirties movie.

One of the more objectionable aspects of the censorship is its apparent use for political reprisals. Newspapers such as Ya and Pueblo that have been reasonably cooperative with the Government are allowed more leeway than the more troublesome papers.

Nuevo Diario, a morning daily started a year ago, had become the most outspoken and one of the best-edited newspapers in Spain. It carried full reports of a lawyers' meeting that urged the abolition of the Public Order Court, full-page accounts with photographs of church sit-ins by wives of political prisoners, and an incisive weekly political review by Pablo Calvo Hernando. Since the State of Exception, the censors have treated it with special harshness.

The paper's young editors struck back at first by printing deliberately fatuous features under front-page banner headlines and by writing editorials under such titles as "Was There Ever an Inca Race?" and "Corporal Punishment in Britain." It is a losing fight, and the staff is thinking of turning the paper into a sports and entertainment tabloid.

Press censorship is not, of course, new to Franco Spain. It was in effect until three years ago, when a special press law was promulgated. On the face of it, that new law should have been as prohibitive as censorship—it gave the Government virtually unlimited powers to fine, suspend and close publications, and even, as happened in one case, to arrange for a paper to be taken away from a troublesome publisher and handed over to an obliging one. Yet in practice, many editors reacted to the new law by printing increasingly complete accounts of the country's problems, of the divisions within the Government, of the activities of the opposition. And even though some were fined time and again and occasionally sentenced to jail, they continued on that path. With the State of Exception, and the return of total censorship, they have been forced to retrench.

During the three years of press action, the newspapers were the most important element of liberalization—and the most threatening to conservative forces. They aired one issue after the other that made the Government look arbitrary, divided or weak. They served as a sounding board which encouraged opposition groups to greater activity. Even some figures within the regime looking ahead to the time when they would have to count on appealing to the public rather than to Franco, began to press their own views publicly, often at the expense of their colleagues.

The way had been paved for such contentiousness by changes Franco himself had introduced into the Government. Twelve years ago, the general altered the military-Falangist cast of his regime by bringing in economists and lawyers connected with Opus Dei, a close-knit Catholic movement that is regarded with the same kind of suspicion by nonmembers that the Freemasons experienced a century ago. The Opus Dei ministers were no more than moderate conservatives, but their stress on reforms was revolutionary in the stagnant atmosphere of the nineteen-fifties.

The newcomers transformed the old state-of free enterprise and an aggressive search for aid and trade with Europe and the United States. Spaniards responded by emptying mattresses and safe-deposit boxes to spend controlled, autarchical economy with doses and invest. National income has grown more than three times, industry has grown almost as fast and agricultural production has increased 50 per cent. Spaniards use more than twice as much electricity, more than two and a half times as much cement and own more than twice as many telephones. They abandoned their motor bikes—there are half as many as 12 years ago—and bought cars, whose number has increased more than eight times.

Along with the economic reforms came a new look in the nation's leadership; the modern but conservative technocratic views of the Opus Dei ministers and some right-wing shades of Christian democracy were added to the old Falangist-reactionary mix. The result is on view in the present Government.

José Solis, a jovial, calculating Andalusian, represents the Falange as minister without portfolio. The three military ministers represent their services. Interior Minister Camilo Alonso Vega, a tough, efficient policeman who is even older than Franco, is considered the hardest man in the Government. Laureano López Rodó, a lean, cautious Opus Dei member, is the principal economic planner and a convinced Europeanist who, nevertheless, operates with a cold sense of power.

Federico Silva, the public works minister, is a round, sleepy-looking conservative Catholic who manages to turn up near the center of any group photograph and political combination, and who may sometime be Premier if Franco ever decides to release the job. Manuel Fraga, information minister, is harsh, bright and energetic. Though just as sensitive as Silva to wind currents, Fraga reacts differently. Where Silva slides to the middle, Fraga is always out at the end, swinging wildly ahead of the wind, so that at different times he has been considered the regime's top liberal and one of its most accomplished reactionaries.

Most of the work of the Government is done by the Vice President, Admiral Luis Carrero Blanco. Carrero Blanco is a gray, hard-working man whose loyalty to Franco and utter lack of public appeal have led some Spaniards to describe the present system as "government by private secretary." Intellectually, he is an extreme conservative, who recently described the rebellious students as "a handful who have sunk to atheism, to drugs and to anarchism, God knows through what unspeakable means." On the other hand, he was responsible for recruiting the economic reformers and was generally backed their efforts.

The spirit of change did not stop with economic reforms and the appearance of more sophisticated ministers at the Prado palace. The old political rules began to ease and this led, among other things, to a startling demonstration of strength by opposition Workers' mission candidates in the syndicate elections. And, of course, there were the students. When the university began to boil over, Education Minister Villar Palasi tried to keep the Interior Minister's policemen off the campus; but the move failed to win over the students, who became more turbulent than ever.

As Michael Perceval, an English writer, puts it, General Franco's policy over the years had been to change cabinets and policies in the same way that sherry is made, "adding new wine to the old to preserve the bouquet." Now the new wine of reform was threatening to shatter the regime's old bottles, and General Franco decided it was time to decant it.

The signal for action was a series of university incidents: Communist flags were hoisted, a bust of Franco was pushed over and insulting phrases about him appeared on posters. The university was closed. Right-wing officers began to exert pressure, the military ministers were moved to ask jointly for total martial law and the Cabinet, upon Franco's request, voted for the less drastic State of Exception.

The reaction of Spaniards to the Jan. 24 edict has been by and large passive. The significance of the State of Exception is not that dramatic things began to happen but that they dramatically stopped happening. The impact is not that of an explosion or alarm bell; it is that of waking at night in a noisy city and suddenly hearing nothing.

For a great many Spaniards, public order is as much of an emotional concern as is public liberty in other Western countries. Whether it has always been part of the Spanish national tradition is a matter of debate, but it has certainly been so since the Civil War which ended just 30 years ago. The State of Exception won the general approval of those to whom the trend toward democracy had recalled the disorders and desolation of that traumatic conflict. They are content to see authority invoked against student protests, labor unrest and the disturbing new vigor of the press.

"Fernando will stay out of trouble when the university is closed," said one girl. Her brother-in-law Fernando is a student leader at the law school.

It is unutterably depressing these days to speak with the 30-and 40-year-old professionals, journalists, technocrats and intellectuals who constitute what might be called the political intelligentsia of Spain. Before Jan. 24, they were engaged in enthusiastic if sometimes aimless activity. They insisted, on principle, that an evolution toward democracy in Spain was impossible, but they demonstrated by their endless meetings, writings and discussions the hope that they felt beneath this skepticism. All this has been replaced by an apathy far more heart-rending than bitterness.

Listen to Joaquin Ruiz Giménez, a tall, quiet-spoken man who had begun to stand out as the leading opposition figure. His brand of Christian Democracy—radical only by Spanish standards—is favored in the Vatican.

"All that we have done," he said recently, "has been perfectly legal. We have used the press in accordance with the law. We were creating a state of opinion for evolution. Now they punish us for it. We will act without either provocation or cowardice, and try to get through this in Christian fashion, or I should say—for those who are not believers—in stoic fashion."

It was considerably short of a battle cry.

"This is not the worst time," said the publisher of one of the country's best magazines. He sat in his living room eating olives and playing with his 2-year-old son. He had been up all night to take phone calls from the wives of "deported" friends.

"These are the better moments—when they are arresting and deporting. There is a certain élan, a certain heroism in the air. We get together and tell deportation jokes. It is afterwards I am afraid of, when the direct repression dies down and they start with the pressures, the bribes and the bullying that they have learned to manage so well over 30 years."

Another editor added: "We are back to 10 years ago, listening to short-wave radio, passing out letters to the foreign correspondents, trying to get the ear of the American ambassador."

As to the future, there is little prospect of immediate change. Student groups will probably try to make trouble as the universities reopen, but the police will undoubtedly be able to keep them in hand. Workers have organized some serious protest strikes in Bilbao, but their clandestine organizations lack strength for a prolonged battle. Even the opposition concedes that any important developments must come from within the Government. What these will be is difficult to predict.

Amid the general silence, the extreme right has become more audible with its denunciations of Communism and liberalism, its calls for a mystical discipline. But short of a military coup—and perhaps not even then—the diehard right has little chance of taking over the Goverment. It is even conceivable that their January victory may represent a high-water mark since, under Franco, to win a battle is often to lose a war.

The moderate elements in the regime are heard, but confusedly. They are off balance, without a program that would provide sufficient guarantee of political firmness to persuade the diehards to ease the State of Exception and return to the old rules.

As always, much depends on 76-year-old General Franco and his health. Many of his visitors remark on his tendency to palsy, his wandering attentiveness and the usual inconsequentiality of his conversation. But in the wake of some recent important visits—those of German Chancellor Kiesinger and French Foreign Mnister Debré, for instance—there have been reliable reports of sustained and lucid exchanges.

Franco remains physically active and devotes a great deal of time to playing golf and participating in fairly strenuous hunting and fishing expeditions. He spends at least part of each working day on official papers and presides over Cabinet meetings every other week. Usually he sits passively during these, but occasionally will signal a decision with a few brief words.

There is little question that he makes the important decisions or, by not making them, in effect postpones them. The question that no one seem to have the answer to is how well and with how much energy and thought he reaches these decisions.

Some Spaniards, recalling that Franco used to break coldly with unsuccessful policy and policy-makers, dream of one more surprise. They speculate that by replacing his ministers with others who might be able to forge an alliance with the liberals, and backing this with a military shake-up to remove the worst of the diehards, he could provide a promising fresh start. But most people with some access to what is going on believe the time for this is past. How close Franco may be to dying nobody knows, or nobody who knows will say, but it is widely believed that though he retains the energy and flexibility to make small adjustments and juggle his ministers, he has too little to effect drastic change.

The prospect, then, seems to be for a kind of standstill, with perhaps a minor easing of restrictions and a Cabinet reshuffle, but with little chance that the experiment with political evolution will be revived, at least during Franco's rule.

The State of Exception has stripped away a layer of evolutionary optimism and exposed many of Spain's old wounds of fear. Only in part is this a fear of the repressive apparatus; the apparatus is afraid, too. Spain, in fact, is still afraid of itself.

For 30 years the Spaniards have been protected from one another politically. The harsh requirements of Franco forced all the warring elements of the country to deal with each other through the regime. Even the opposition, once it was allowed to raise its head, established its relationship with the rest of society through the regime. It had to adjust to the regime's shifting permissiveness, search for allies within it and tie all plans to the health and life expectancy of Franco.

Soon the Spaniards will have to deal with one another face to face, and the prospect appalls them. They fear what they firmly believe to be their own character—a character, they have always been told, that will turn to anarchy and violence unless restrained. The effect is summed up by an editor: "Our generation has been ruined. The students, with their perpetual fragmentation and their impossible demands, are verging on phychosis. How long will they go on ruining generation after generation of Spaniards?"

Franco's presence has up to now postponed the time of testing for Spain, but it is coming on fast. In a sense, the State of Exception can be seen as a massive national reflex, a realization that the future is in sight and that it may not work.

At a fruitshop recently, two women were talking in deep distress about Franco's health. One was a wealthy, finely dressed housewife; the other, the woman who ran the stand. Both had read the headlines quoting Franco's physician as saying that the ruler was in splendid shape; both assumed it meant he was dying.

"I pray for him every day," said the housewife. "It will be a disaster for us all if he should die."

"I pray for him as much as you," the market woman said grimly. "But you get up in time to pray for him at the noon mass, and I get up at 5 in the morning to pray at mass before I start work here."

Both women are Franquistas, yet one cherishes the same resentment and the other the same fear of that resentment that shattered this country in the Civil War. It is virtually inconceivable that there will be another such war, but the events of recent weeks seem to show that Spain still faces a hard road out of a past that is more alive than most people had thought even a few weeks ago.

EDWARD L. WRIGHT, LITTLE ROCK, ARK., PRESIDENT-ELECT OF THE AMERICAN BAR ASSOCIATION

Mr. McCLELLAN. Mr. President, Edward L. Wright of Little Rock, Ark., has been nominated as president-elect of the American Bar Association. After a formal election is held by the House of Delegates of the American Bar Association in August of this year, Mr. Wright will serve a year as president-elect prior to becoming the 94th president of the American Bar Association.

I have had the privilege of knowing Mr. Wright personally and most favorably for many years. He has held key positions of responsibility in various legal organizations. His professional success has been outstanding, and his contributions to the legal profession, both in the State of Arkansas and the country as a whole, have been many. Those accomplishments plus his proven leadership ability have undoubtedly earned him the utmost respect of his colleagues. This is evidenced by his nomination without opposition as president-elect.

Mr. Wright possesses all the characteristics to make him a forceful leader at the helm of the American Bar Association. I wish him a full measure of success in this new and important responsible position.

I ask unanimous consent to have printed in the RECORD an article, entitled "Edward L. Wright Nominated for President-Elect of ABA," featured in the February News Bulletin of the American Bar Association. The article contains a short biography of Mr. Wright.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EDWARD L. WRIGHT NOMINATED FOR PRESIDENT-ELECT OF ABA

Edward L. Wright of Little Rock, Ark., who has been active in local, state and national activities of the legal profession throughout his 45 years as a practicing lawyer, is the President-elect nominee of the Association. Upon his formal election by the House of Delegates at the annual meeting in Dallas in August, he will serve a year as President-elect before becoming the 94th President in August, 1970.

Wright, 65, was nominated without opposition by the 52 state delegates in the House of Delegates at the Midyear meeting on Jan. 28.

House Chairman: He was the first resident of Arkansas to be elected chairman of the House, a post he held in 1962–64. He will be the second Little Rock lawyer to serve as President, U. M. Rose having been the first in 1901–02. Mr. Wright also has been the elected Arkansas state delegate in the House for 23 years.

Since 1964, he has been the chairman of the Special Committee on Evaluation of Ethical Standards. The committee has prepared a tentative draft of a new Code of Professional Responsibility to replace the Canons of Professional Ethics adopted in 1908. Final House action on the Wright Committee proposals is scheduled for the 1969 annual meeting. They represent a complete restatement of the ethical standards governing law practice in the U.S.

Arkansas Bar President: Wright has served as president of both the Arkansas Bar Association (1957) and the Pulaski County Bar Association (1948). He received his LL.B. degree from Georgetown University, Washington, D.C., which conferred an honorary Doctor of Laws degree on him in 1968, and was admitted to the bar in Arkansas in 1925. He received an A.B. degree from Little Rock College in 1923.

He was chairman of the Arkansas Board of Law Examiners in 1938–41 and co-draftsman of the Arkansas Probate Code in 1948. Mr. Wright served as an Arkansas representative in the National Conference of Commissioners on Uniform State Laws from 1945 to 1957 and as a member of the Second Hoover Commission Legal Task Force in 1954–55. He is a trustee of the Southwestern Legal Foundation, Dallas.

XUM

ABF Fellow: He was president of the American College of Trial Lawyers in 1965–66 and is a Fellow of the American Bar Foundation and American College of Probate Lawyers.

He is married to the former Rosemary Tuohey of Little Rock. They have four children: Edward L. Wright, Jr., a member of his father's law firm; Mrs. Philip S. Anderson, Jr., and Mrs. James H. Atkins, both of Little Rock; and Mrs. Fred B. Warner, Jr., Albuquerque, N.M.

CRIMINAL ACTIONS INVOLVING OBSCENITY

Mr. DIRKSEN. Mr. President, on February 19 I reintroduced, for proper reference, a measure entitled "A bill to amend title 18 and title 28 of the United States Code with respect to the trial and review of criminal actions involving obscenity, and for other purposes," which is now S. 1077. That measure was referred to the Judiciary Committee and sent to the Subcommittee on Criminal Laws and Procedures, which is presided over by the distinguished Senator from Arkansas (Mr. McClellan).

Today's Wall Street Journal contains an article that has some bearing on S. 1077. I ask unanimous consent that it be printed in the Record. I hope that it will come to the attention of the chairman of the Subcommittee on Criminal Laws and Procedures.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Barriers Fall: As Censorship Relaxes, Debate Grows on Impact of New Permissiveness—Effect of Erotica on Human Behavior Studied—Expert Sees Shock Values Waning—Will Puritanism Come Back?

(By Alan Adelson)

New York.—The Swedish film "I Am Curious—Yellow" was banned altogether in Norway and, for a while, Belgium. It was censored in France and Germany and will be cut for showing in England.

Only in Denmark, Sweden—and the U.S., beginning today—is it being shown uncut.

The 120 minutes of screening time depict the hero and heroine in abundant nudity, various scenes of intercourse (including one in the crook of a tree) and more exotic sexual play. It has a dream sequence in which the heroine castrates her lover. There also is a good bit of ponderous political debate.

The U.S. Customs Office sought to prevent the film's entry into this country, and a jury found it obscene in a New York Federal Court. A Court of Appeals reluctantly concluded that it couldn't be banned, however, relying on guidelines of Supreme Court decisions.

The Appeals Court voted two to one to release the film uncut, saying, "The sexual content of the film is presented with greater explicitness than has been seen in any other film produced for general viewing." Judge Henry J. Friendly was explicit too in saying that he was reluctantly concurring "with no little distaste."

FOR AND AGAINST

Some viewers may be pleased, others perplexed or angered, but the showing of "I Am Curious—Yellow" seems to qualify as a significant event. Those who tilt against all forms of censorship see it as marking the emergence of the U.S. as a leader in free speech and expression. To quite another group, the film is the final confirmation of a disaster they have long seen brewing. The growing permissiveness of American society, they maintain, has finally reached total depravity.

For or against, it is difficult to argue with one observation: The barriers are coming down. In the off-Broadway play entitled "Dionysus in '69," five nude men and four naked girls celebrate a Greek rite by slithering over one another and romping through the audience. Last week a New York City producer announced plans for a play to include on-stage intercourse. Philip Roth's steamy novel "Portnoy's Complaint" has climbed rapidly to the top of best-seller lists (the author says the book is a deliberate effort to elevate obscenity "to the level of a subject" for serious art.)

And as the barriers fall, the debate over what the relaxation means, how far it should go and why it is happening is intensifying. Father John Culkin, an ardent student of Marshall McLuhan and director of the Center for Communication at New York's respected Fordham University, sees the anti-censorship explosion as rooted in American Puritanism.

SHAKEDOWN CRUISE

"We're reaping a reaction to the very repressive atmosphere we've maintained in our families, churches and schools," Father Culkin says. "Calvin and those creeps left us very uptight. We weren't allowed to have bodies. And what we're going through now is a shakedown cruise exploring a new morality."

The cause of such rapid change, says Father Culkin echoing Mr. McLuhan, is the growth of the electronic media. Years ago, he says, it took half a century for styles and mores to change significantly, because information spread so slowly. Now the latest vogue from the miniskirt to accounts of the off-beat lives of the "swingers" is flashed across the nation by television.

But if the media seem to reflect a new sexuality, Americans actually aren't changing their mores radically, according to Paul Gebhard, director of the Institute for Sex Research (formerly the Kinsey Institute). However, Mr. Gebhard says his interviewers have found a striking readiness to tolerate discussion and airing of the so-called revolution.

"Where there has been a revolution is in censorship," he says. "The trend toward liberalization of what's allowed in the media has been going on since World War I." Mr. Gebhard points out that court decisions have accelerated the trend in the past decade. The underground market in erotic books has nearly disappeared, he says.

The legal transformation of dirty books into "literature' was lamented ironically in an article by Jerome H. Doolittle in Esquire magazine. Mr. Doolittle watched his once-cherished collection of taboo books smuggled from France appear in book stores volume by volume. "Fanny Hill" and the Henry Miller and William Burroughs books went fairly early.

VANISHING TREASURES

"My only remaining comfort was the thought that I was still the only kid on the block to own such hard-core items as 'The Roman Orgy,' 'The Pleasure Thieves' and 'Houses of Joy,'" Mr. Doolittle wrote. But then came "The Olympia Reader," a massive collection of stories that contained his own favorites of many other erotic tales.

Mr. Doolittle was encountering what one student of censorship and the courts calls "the grapes of Roth." The Supreme Court in 1957 upheld the obscenity conviction of Samuel Roth, a New York book dealer. In doing so, the court laid down what have come to be the boundaries within which publishers and film makers can operate.

The Roth case, and later decisions that made slight clarifications, established that obscenity could be proved only if ". . . to the average person, applying contemporary community standards, the dominant theme of the material taken as a whole appeals to prurient interest" and the work is found to be "utterly without redeeming social importance."

The Appeals judges cleared "I Am Curious—Yellow" because it included serious social and political themes. The vagueness of just what constitutes "redeeming social importance" has produced many successful legal defenses of books and films which somewhere concern themselves with matters other than sex.

"As long as children are excluded from access, we can win with almost anything now," says Richard Gallin, the New York attorney who negotiated "I Am Curious—Yellow" past the Customs Office. Ephraim London, an attorney who has won six such cases in appeals to the Supreme Court, says only a movie "with out-and-out intercourse and no pretense of having any social value" is in peril before the courts now.

Barney Rosset, president of Grove Press, which is distributing "I Am Curious—Yellow" in the U.S., believes sex has its own redeeming social importance. "After all, if it weren't for sex, we'd depopulate the entire human race," he says, Mr. Rosset, in fact, argues, "There's no such thing as pornography. Things can be erotic, and they can be good or bad (in quality), but I just don't believe in censorship."

The argument over what is pornographic, or "purient," has been raging for decades. For D. H. Lawrence, author of "Lady Chatterley's Lover," pornography was not vivid sexual description but "the attempt to insult sex, to put dirt on it." That he said, was "unpardonable" and cause for censorship.

Mr. Rosset finds prurient interest in the TV commercials where a Scandinavian girl, pitching for Noxema, purrs, "Take it off, take it all off." Declares Mr. Rosset, "She's saying, 'Hurry up and shave with this stuff so we can go to bed.' And no one says they can't keep running that ad all the time." He groups such appeals with the dirty postcards and traveling salesmen's jokes that D. H. Lawrence found offensive. However, Mr. Rosset wouldn't censor the commercials—or anything else.

CONVINCING POINT

Lawyer London recalls his first censorship case. A state prosecutor wanted to proscribe the film "The Bicycle Thief" because it depicted a little boy urinating. "I made it very clear that the whole state would be thrown into scandal if they insisted that the sight of this lad urinating aroused their prurient interests," he says. "That was all it took."

"No girl was ever ruined by a book," said Jimmy Walker, the free-wheeling mayor of New York during the Roaring Twenties. But the advocates of censorship don't agree. Father Morton Hill, a New York priest who went on a hunger strike several years ago in connection with his campaign to clean up magazine stands, says erotic literature "incites to violence, drug usage, promiscuity and perversion."

Rabbi Julius G. Neumann, chairman of the organization called Morality in Media (which is still fighting the showing of "I Am Curious—Yellow"), says the new era of permissiveness is breaking every barrier of decency. "It's eating away at the moral fiber of America," Rabbi Neumann says.

Actually, there has been little research into the effects of erotic material on its consumers. The Institute for Sex Research challenges the assumption that the circulation of pornography inevitably leads to an increase in sex crimes. On the contrary, interviewers found that persons classified as potential sex offenders are less responsive to erotica than a normal "control" group. The prospective rapists, voyeurists and exhibitionists didn't have the patience to plod through make-believe sexual experiences.

WOMEN AND MEN

In a 1953 study on comparative sexual behavior in men and women, Kinsey researchers found that men were more stimulated than women by "hard-core" pornography. But women were at least as responsive as men to the more artistic type of sexual material now current in films and books.

Only 32% of women studied were stimulated by "raw" pictures of sexual acts, compared with 77% of the men. But 48% of the women responded to erotic scenes in films, compared with 36% of the men, and 60% of the females found erotic passages in novels stimulating against 59% of the men.

Mr. Gebhard, the director of the institute for Sex Research speculates that current liberalizing trends might be making both men and women more equal now in response to erotica. And he says that the "bombardment with sexual stimulus" that now is commonplace may be conditioning consumers to take erotica for granted. "I think a young man now is no more aroused by a pretty girl in a miniskirt than my grandfather was by the sight of a well-turned ankle," he says.

Dr. William Masters, co-author of "Human Sexual Response," says he hasn't found any great influence of pornography on people's lives. Ned Polsky, a sociologist at the Stony Brook campus of the State University of New York, goes so far as to maintain that pornography has a positive role as a "safety valve," allowing the indulgence of antisocial sex desires without damage to the family structure.

THE YOUTH WAVE

Several theoreticians find a relationship between falling censorship barriers and the widening "generation gap." John Gagnon, also a Stony Brook sociologist, says that some young people use sex as an instrument of rebellion against a wide variety of social institutions. He finds particularly relevant a scene in "I Am Curious—Yellow" in which the young couple make love on a balustrade in front of the royal palace in Stockholm.

Fordham's Father Culkin says young people are exposed to all the problems of the world through their exposure to increasingly candid films, television shows and publications. Thus, he says,they find that such sins as unmarried sex, stealing and lying "just don't account for all our problems—they say 'Well, what about War?' And then they write their own moral codes."

To be sure, not all bans have been dropped. Last week Boston authorities halted showings of the movie "The Killing of Sister George." A similar raid was made on a New York City theater showing "Muthers." A district attorney charged that this film depicted "masturbation, lesbianism, incest, sodomy and perversion."

Some observers suspect that Puritanism may reassert itself. Margaret Mead, the anthropologist insists that Puritanism never really vanished. "All this business about clothes on and clothes off is really the same thing," she says. "It's only the older folks, the Puritans, who get excited about this sort of thing and get kicks out of it."

SMALL DOMESTIC LEAD-ZINC PRODUCTION PROGRAM

Mr. ANDERSON. Mr. President, Senators will recall that in the 87th Congress we established a program to stabilize the lead-zinc market by providing for payments, under certain conditions, to small domestic producers of lead and zinc. The program was established by Public Law 87–347 and was modified in 1965 by Public Law 89–238.

Pursuant to the requirement in section 8 of the act, the Secretary of the Interior has submitted a report on operations for the calendar year ending December 31, 1968.

I ask unanimous consent that the text of the report be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

ANNUAL REPORT, LEAD AND ZINC MINING STABILIZATION PROGRAM, YEAR ENDING DECEMBER 31, 1968

The program to stabilize the mining of lead and zinc by small domestic producers under Public Law 87–347, as amended, was extended from December 31, 1965, to December 31, 1969, by enactment of Public Law 89–238 on October 5, 1965. To implement this law, revised rules and regulations governing the program, were published in the Federal Reigster of June 1, 1966 (31 F.R. 7752).

To be eligible for stabilization payments a producer must be certified to participate in the program as a Small Domestic Producer under the revised rules and regulations. Currently 60 producers are certified for participation in the program.

During calendar year 1968, the market price for lead was 14 cents per pound until May 3, when the price was reduced to 13 cents per pound. It was further reduced to 12½ cents per pound on July 16, where it remained until October 15, when the price was increased to 13 cents per pound, remaining at that figure for the balance of the year. The price for zinc remained at 13½ cents per pound throughout the year. Therefore, the production of both lead and zinc by certified small domestic producers was eligible for stabilization payments during all of calendar year 1968.

LEAD AND ZINC MINING STABILIZATION PROGRAM

Authority—Under Public Law 87–347 (75 Stat. 766), enacted October 3, 1961, the Secretary of the Interior is authorized to establish and maintain a program of stabilization payments to small domestic producers of lead and zinc ores and concentrates in order to stabilize the mining of lead and zinc by small domestic producers on public, Indian, and other lands.

Pursuant to section 5 of the Act, on April 19, 1962, the Secretary delegated to the Administrator of General Services authority to perform all the functions authorized by the Act, except that of making annual reports to the Congress (27 F.R. 3822). The Department of the Interior receives periodic reports on operations and finances from GSA, requires concurrence of the Secretary in regulations and amendments thereto promulgated by GSA, and in its budget requests provides for appropriations for the program. The Office of Minerals Exploration, Geological Survey, in the Department is responsible for preparing reports to the Congress and the budget estimates. Funds for the Lead and Zinc Mining Stabilization Program became available on July 25, 1962, and the regulations were published in the Federal Register on July 28, 1962, (27 F.R. 7432).

On July 25, 1963, Public Law 87–347 was amended by Public Law 88–75 (77 Stat. 92) to provide that the dollar value of lead or zinc sold or a combination of lead and zinc sold must have been 50 percent or more of the total dollar value of all minerals and metals contained in the ore and concentrates produced and sold by the small domestic producer. This amendment had the effect of disqualifying several producers from further participation in the program. The regulations for the program were amended accordingly and the amendment was published in the Federal Register on December 4, 1963, (28 F.R. 12868).

On October 5, 1965, Public Law 87–347 again was amended by Public Law 89–238 (79 Stat. 925) which extended the program an additional four years, effective January 1, 1966, redefined the term "small domestic producer," and set a new maximum limitation on the total amount of payments that may be made in any one calendar year and the quantities of lead and zinc on which payments may be made to any one producer in a calendar year. These modifications may disqualify some of the previously certified producers from participation in the program, but also may permit some new producers to qualify.

Pursuant to Public Law 89–238, revised rules and regulations were published in the Federal Register on June 1, 1966, (31 F.R. 7752). New Certificates of Participation were sent to all producers previously qualified to participate in the program.

Participation—Applications for participation in the program are filed with the Washington Office of the General Services Administration on forms provided by that agency. On receipt, the application is reviewed to determine if the applicant qualifies as a small domestic producer of lead and zinc. A Certification of Participation stating the maximum quantities of lead and zinc eligible for payments is issued to applicants who qualify. Those who do not qualify are so notified. The certificate cannot be acquired by assignment through sale, lease, permit, or other transactions.

Qualifying as a Small Domestic Producer—The requirements for qualifying as a Small Domestic Producer of lead and zinc have been changed from time to time by amendments to the enabling Act. The current requirements are set forth below:

To qualify as a small domestic producer under the program, an applicant must have produced and sold lead and/or zinc ores or concentrates in normal commercial channels from mines located in the United States or its possessions, during some period of not less than twelve months, must not have produced or sold in excess of 3,000 tons combined lead and zinc (recoverable content) during any 12-month period between January 1, 1960, and the first period for which he seeks payments under the Act. Also, to qualify, the dollar value of the lead or zinc sold or a combination of lead and zinc sold must have been 50 percent or more of the total value of all minerals and metals in the ores and concentrates produced or sold by the small domestic producer.

A firm which is a subsidiary of, or controlled by, a larger producer is not eligible for participation in the program.

Stabilization Payments—The qualified producer submits a request on forms provided by GSA for payment at the end of each month covering all of his sales of ores or concentrates during the month. Upon verification of the data submitted, the GSA pays the producer.

Payments are made only on sales of newly mined ores, or concentrates produced therefrom, which have been mined subsequent to October 5, 1965, or which comprised a normal quantity of broken ore at the surface on that date. All sales must have been made after December 31, 1965.

Calculation of Payments—For lead, payments on sales are made when the market price for common lead at New York, N.Y., is below 14½ cents per pound. Such payments are 75 percent of the difference between 14½ cents per pound and the average market price for the month in which the sales occurred.

For zinc, payments on sales are made when the market price for prime western zinc at East St. Louis, Illinois, is below 14½ cents per pound. Such payments are 55 percent of the difference between 14½ cents per pound and the average market price for the month in which the sales occurred.

Sales are deemed to have occurred not later than the date of receipt by the processor.

XUM

LIMITATIONS ON PAYMENTS

1. The maximum amount of payments made on sales in any calendar year shall not exceed $2,500,000.

2. Payment to any producer shall not be made in any calendar year on sales in excess of 1,200 tons of lead and 1,200 tons of zinc.

3. For the purpose of achieving stabilization on the annual rates of production, quarterly limitations will be imposed on the total amounts of lead and zinc for which payments will be made.

Quotas will be assigned on the amounts of lead and zinc for which payments will be made to individual producers to the extent necessary and in a manner designed to assure equitable distribution of the benefits of the program.

RECOMMENDATIONS

We have no recommendations at this time for changes in the program.

STATISTICAL SUMMARY

The following tables give a statistical summary of the program:

I. AVERAGE E AND MJ MONTHLY MARKET PRICES AND PAYMENTS PER POUND FOR LEAD AND ZINC DURING 1968

Metal	Price, cents per pound	Payments, cents per pound	Period
Lead	14.0000	0.37500	January to April, inclusive.
Do	13.0450	1.09125	May.
Do	13,0000	1.12500	June.
Do	12.7050	1.34625	July.
Do	12.5000	1.50000	August to September, inclusive.
Do	12.7880	1.28400	October.
Do	13.0000	1.12500	November to December, inclusive.
Zinc	13.5000	.5500	January to December, inclusive.

II. COST OF PROGRAM AS OF DEC. 31, 1968

	Program through Dec. 31, 1966	Calendar year 1967	Calendar year 1968	Total cost of program
Stabilization payments	$2,143,620	$132,853	$243,550	$2,520,023
Administrative expense	220,207	27,052	36,780	284,039
Total	2,363,827	159,905	280,330	2,804,062

III. STATUS OF APPLICATIONS RECEIVED AS OF DEC. 31, 1968, AND STATE DISTRIBUTION SHOWING MAXIMUM ELIGIBLE PRODUCTION, CALENDAR YEAR 1968

State	Applications for participation					Maximum eligible production (tons)		
	Received	Certified	Denied	Withdrawn, suspended, or disqualified	In process	Lead	Zinc	Combined
Arizona	5	2	1	2		2,400	2,400	5,800
Arkansas	2		1	1				
California	4	1		3		1,200	1,200	2,400
Colorado	4		2	2				
Idaho	19	8	4	7		9,600	9,600	19,200
Kansas	8	5		3		6,000	6,000	12,000
Montana	10	3	2	5		3,600	3,600	7,200
Nevada	11	2	2	7		2,400	2,400	4,800
New Mexico	4	2		2		2,400	2,400	4,800
North Carolina	1			1				
Oklahoma	38	21	6	11		25,020	25,200	50,400
Utah	32	14	9	9		16,800	16,800	33,600
Wisconsin	4	2	2			2,400	2,400	4,800
Total	142	60	29	53		72,000	72,000	144,000

IV. DISTRIBUTION BY STATES OF PAYMENTS FOR THE PROGRAM REPORTED IN THE PERIOD 1962 THROUGH 1966, AND OF PRODUCTION AND PAYMENTS REPORTED IN THE CALENDAR YEARS 1967 AND 1968

State	Total number of producers paid	Payments, period 1962–66	1967				1968				
			Production (tons)		Payments		Production (tons)		Payments		
			Lead	Zinc	Lead	Zinc	Lead	Zinc	Lead	Zinc	
Arizona	1	$4,613									$4,713
California	3	42,295	195.6		$1,467		550.7		$12,829		56,591
Idaho	11	494,934	1,319.0	1,468.0	9,893	$15,772	1,321.0	2,542.7	19,113	$27,968	567,680
Kansas	6	272,726	259.7	459.1	1,948	4,926	153.7	427.0	3,009	4,697	287,306
Montana	6	110,675	193.9		1,454		385.7		9,157		121,286
Nevada	5	34,322	71.7	76.3	537	796	37.5	302.3	920	4,326	39,901
New Mexico	2	1,201									1,201
North Carolina	1	19,409									19,409
Oklahoma	24	864,035	2,019.1	5,703.3	15,143	61,599	2,511.6	8,555.9	41,520	94,116	1,076,413
Utah	24	270,150	896.5	386.0	6,724	4,079	829.5	673.1	10,982	7,404	299,339
Wisconsin	2	29,160	49.4	757.7	370	8,145	86.5	650.0	1,359	7,150	46,184
Total	85	2,143,620	5,004.9	8,850.5	37,536	95,317	5,876.2	13,151.0	98,889	144,661	2,520,023

V. PRODUCTION AND PAYMENTS REPORTED IN CALENDAR YEARS AS OF DEC. 31, 1968

Calendar year	Production (tons)			Payments		
	Lead	Zinc	Combined	Lead	Zinc	Total
1962	8,206.2	12,905.2	21,111.4	$599,365	$410,429	$1,009,794
1963	9,620.3	18,221.6	27,841.9	354,270	412,460	766,730
1964	6,177.2	14,401.7	20,578.9	145,989	200,201	346,190
1965	188.1	459.1	647.2	4,254	5,337	[1] 9,591
Subtotal	24,191.8	45,987.6	70,179.4	1,103,878	1,028,427	2,132,305
1966	1,728.2		1,728.2	11,315		[2] 11,315
1967	5,004.9	8,850.4	13,855.3	37,536	95,317	[3] 132,853
1968	5,876.2	13,151.0	19,027.2	98,889	144,661	[4] 243,550
Subtotal	12,609.3	22,001.4	34,610.7	147,740	239,978	387,718
Grand total	36,801.1	67,989.0	104,790.1	1,251,618	1,268,405	2,520,023

[1] Payments on 1964 production made in 1965.

[2] Payments on 1966 production made in 1967.

[3] Adjusted for corrections.

[4] Includes payments on 1967 production made in 1968.

SENATOR MONDALE PROPOSES A JUNIOR-COMMUNITY COLLEGE "TRANSITION CURRICULUM" AND A "NATIONAL PROFESSOR CORPS" TO IMPROVE HIGHER EDUCATION OPPORTUNITIES FOR DISADVANTAGED YOUNG AMERICANS

Mr. WILLIAMS of New Jersey. Mr. President, the distinguished Senator from Minnesota (Mr. MONDALE) spoke last week to the legislative affairs luncheon of the American Association of Junior Colleges meeting in Atlanta, Ga., for their 49th annual convention. Citing the need to expand higher education opportunities, he said that the location and flexibility of junior and community colleges make them "uniquely equipped to add a new opportunity structure if they are willing to do so." Community colleges around the Nation continue to demonstrate that they are best equipped for the job of extending and expanding much-needed educational opportunities in the country. Their low cost to students, proximity to those they are designed to serve, flexible admissions arrangements, strong counseling and advising services, and varied educational programs, are responding to the lack of relevance in traditional education.

In his remarks to the American Association of Junior Colleges, Senator MONDALE noted the growing awareness of Americans to the problems of the disadvantaged, and he said that a renewed effort by junior and community colleges would come "just when the Nation is beginning to see that this must be done." These remarks underscore the need for the Congress to act this year on S. 1033, the Comprehensive College Act of 1969. Senator MONDALE, as one of those who joined me in sponsoring this legislation, is now proposing a "transition curriculum" and a "national professor corps" as an additional means to improve higher education.

Mr. President, this speech constitutes an important contribution to the continuing discussion of how this Nation must meet society's growing demands on the education process. I therefore ask unanimous consent that Senator MONDALE's speech before American Association of Junior Colleges at their legislative affairs luncheon in Atlanta, Ga., be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS OF SENATOR WALTER F. MONDALE, LEGISLATIVE AFFAIRS LUNCHEON, AMERICAN ASSOCIATION OF JUNIOR COLLEGES, ATLANTA, GA., MARCH 5, 1969

"It was the best of times, it was the worst of times,

"It was the age of wisdom, it was the age of foolishness, . . .

"It was the season of Light, it was the season of Darkness, . . .

"It was the spring of hope, it was the winter of despair,

"We had everything before us, we had nothing before us, . . .

It would be appropriate to offer these words as a judgment on what it is like to plan a program of higher education according to Federal authorizations and then have to operate that program according to Federal appropriations.

It is also tragically just to characterize them as a description of what it is to be young and poor today in America.

Dickens' words were a characterization of France before the Revolution. They were also a comment on 19th Century England and its stark contrasts in life. We know, too, that in the last third of the 20th Century we are the builders and custodians of a society in which life contrasts loom large and sometimes ominous.

We lead a society in which nearly everyone seems to agree that 14 years of education will soon be standard for all.

Still, in that some society, millions of young people have temporarily or permanently lost much of their capacity to redeem the promise of those 14 years—

Because their minds have been irreparably damaged by malnutrition in the first key years of life, perhaps even before they were born;

Because their young lives have been spent in environments of deprivation and despair that have left them unaspiring and hopeless at best, and enraged at worst;

Because their school experiences have too often helped to make it plain that they are unwanted in school as well as out—segregated, failed, selected out of the school system just as they are selected out of good food and decent homes and adequate protection under law.

It is the goal of many of us in this room to place a 13th and 14th year of education within commuting distance of every urban and rural high school graduate.

But for many of their families, there is no way for the breadwinner to commute from the centers of our metropolitan complexes to waiting jobs in the suburbs.

For many of their families, there is no way to commute to government surplus commodities, food stamps, and health care.

Since last fall I have been deeply involved in hearings before two special committees of the Senate—the Select Committee on Nutrition and Human Needs and the Special Subcommittee on Indian Education. The testimony I have heard there describes conditions almost beyond comprehension:

Infants and children suffering from rare diseases ordinarily found only under conditions of mass malnutrition and starvation in developing countries.

Adolescent Indian children contemplating suicide and committing it, at rates many times the national average.

Insensitivity, ignorance, and clear hostility toward the special needs of young people who have been left out of the heritage that most of us take for granted.

Foolishness in an age of wisdom. Darkness in the season of Light. Cold despair amid the flowering of hope. Expectations of nothing amid the possibility of everything.

The worst of times and the best of times.

These young people, too, if they survive intact, will seek a 13th and 14th year.

A United States Senator who is a member of the Senate Subcommittee on Education must speak with that perspective today. I come to you not as a college administrator or board member, but as an elected public official.

We are all committed to an opportunity structure that works for every young American. But we are also conscious that our structure does not presently work for all of our young people.

So it is from a practical political viewpoint that I want to look briefly at junior colleges and community colleges today—assessing some information, making some tentative proposals, and seeking your help in building a workable opportunity structure that our voters will accept.

At least 650,000 able college-age Americans are not in school today. The primary reason is lack of income—they cannot finance the costs of attending college. The figure is estimated by some sources to be well over a million.

By 1972 this number will more than double—to at least a million and a half—and this is a conservative estimate.

Despite burgeoning enrollments, furthermore, the fact is that the *percentage* of high school graduates who enter college is inching forward at a snail's pace. Over the past ten years that percentage has increased by only four-tenths of one per cent per year. If figures were available to compare percentages of college attendance over a ten-year period among young people whose families had incomes at the poverty level, I wonder what kind of progress they would show.

Furthermore, the figures on able students who fail to attend college for financial reasons do not tell the whole story. Experience indicates that many more who say they are not interested in attending college might change their minds if they could hope for the money to do so.

One way to measure the loss of potential talent is to consider the dropoff in college entry by able young people at the lower end of the socio-economic scale. The figures are impressive.

According to the Project Talent studies of 1966, 92 per cent of young men in the highest achievement quartile and the highest socio-economic quartile enter college in the year following graduation. But for young men of equal ability in the lowest socio-economic quartile, the figure is only 61 per cent—a difference of 31 per cent.

The dropoff is even more dramatic for young women, from 87 per cent to 42 per cent. Put together, these percentages mean that high ability students—as measured by achievement—from families with the lowest incomes are only about half as likely to enter college as "high ability" students from families with the lowest incomes.

When the well-known facts on low achievement by able but deprived young people are taken into consideration as well, the dropoff—or dropout—is even more significant.

The long-range financial loss to these opportunity structure dropouts is astonishing. The Bureau of the Census estimates that there is a $50,000 difference in average lifetime earnings of a high school graduate compared to that of a person who has attended one to three years of college. Another $14,000 can be added for those who complete four years. In this country, this country could make no better long-term contribution to economic development than an investment in making higher education more available.

The disadvantaged—the ghetto black, the poor white, the Indian, and the Mexican American, the migrant and the rest—may actually be consigned to the poverty cycle if education cannot be acquired. People with inadequate educations have poor work experiences and become the parents of children who follow in their footsteps. Moving hundreds of thousands of persons through the high school and into the college can help to break this cycle.

It seems to me that the junior or community college is uniquely equipped to take on an important part of this effort, if it is willing to do so. Its greatest advantage is not its low cost, though that is important. Nor is it the tradition of being open to all students, though that is absolutely vital to opportunity.

The real key to the door of opportunity in the junior-community college is its combination of location and program flexibility.

If we have learned anything from our poverty efforts at all, it is that we must be able and willing to go directly to those who need help and adapt to their needs. To the extent that junior and community colleges are willing to do that, they have real power to expand the opportunity structure.

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We are discovering that disadvantaged young people need to be identified as early as the seventh grade in order to make sure that they do not turn away from college before they know what they can do. Going to young people where there are means reaching out, diligently and systematically, to identify potential college students and encourage them to stay in school until they graduate.

Going to young people where they are means seeking out those who have already dropped out and helping them return to school or gain high school equivalency certificates that will admit them to college. Perhaps it means special community college programs for dropouts with the cooperation of the local school system—or even without it. It certainly means counselling and selling the advantages of further education to young people who have given up or may give up on that opportunity. It probably means talking about available financial assistance, and it may mean helping young people find ways to earn and save college money—in spite of daily demands to use available money for immediate needs.

Last fall, for example, I learned of Project HELP, sponsored by the General College of the University of Minnesota. This effort serves, among others, some 175 mothers who are receiving Aid to Families with Dependent Children.

The college is helping these mothers join the opportunity structure through ingenious use of counselling and small amounts of assistance from Educational Opportunity Grants and National Defense Loan funds. Project HELP has parlayed available resources into college attendance. Of the 80 who entered college in 1967, only one has withdrawn; 35 have earned "A" or "B" averages.

These women, of course, are not high school freshmen and sophomores. But the principle can be applied. This program has assessed the resources of the community and worked with them to make opportunity possible.

No institution of higher education is in a better position to do this kind of work than the junior-community college, if it wants to do so. It is located where needs and resources are. It is locally visible. It can make promises and then follow them through.

The second great advantage of the junior-community college is its program flexibility once these students are admitted.

Junior and community colleges have traditionally offered a variety of programs.

All or most of these might be suited for the individual disadvantaged students who enroll.

But an additional kind of program, perhaps combining portions of several others, is specially needed for the disadvantaged. I like to think of it as a "transition curriculum."

Bringing substantial numbers of disadvantaged to a campus carries a host of problems for both the student and the school. Some students are not "ready for freshman work." Others may find the campus a foreign and frightening environment, although a visible community college should help in this regard. Still others find it difficult to make long-range plans, or continue to have financial difficulties.

The versatile junior-community college, under these circumstances, can combine effective counselling, experimental and exploratory course assignments, sympathetic tutoring, and "stretching out" of academic requirements—a transition curriculum for those who need it, assigned on an individual basis.

Some students may require a semester or a year of transition work before they are ready to take on a traditional two-year curriculum as ordinary freshmen.

Some may require a two-year transition curriculum which combines special programs with the first year of the regular offerings, before they take on sophomore work.

Some might need as much as three years of special and regular programming to complete a typical two-year course.

This transition may require unusual combinations of courses before the disadvantaged student makes a decision about his program. The college should be able to provide them.

This transition will require directing students into programs that are not locally available. The college should be able to provide it.

No doubt you see program and service needs for those students which I can only hint at. The college should be able to provide them.

That kind of program requires a special kind of institution. Special kinds of institutions require special kinds of faculties—free of bigotry and academic intolerance, committed to the idea that their school is an opportunity structure, sensitive to individuals in a time when the emphasis is on masses.

Some teachers—a few—are born that way. They have to be found. Other teachers—perhaps most of them—must be trained to do this work. Recruiting and training junior and community college staffs is absolutely vital to the opportunity structure.

This effort may require a "National Professor Corps"—finding talent during the late undergraduate years and early graduate years and counselling them into this special kind of work. Many of them will have few or none of the traditional academic trappings.

Teaching in junior and community colleges may be a transitional period for some graduate students, who will find junior college teaching more rewarding than working as teaching assistants in our universities.

Perhaps the junior colleges will be able to train and use the great untapped talents of thousands of men and women, old as well as young, who are seeking new careers away from the ruts of business and homemaking, or are looking for new meaning in their lives. Some of these—perhaps many of them—can be found in the communities the colleges serve, if adequate recruiting and training programs can be developed.

They might be found among the disadvantaged and formerly disadvantaged.

They must be found, wherever they are. They can be found if the community and junior colleges become visible, effective opportunity structures.

For finally, a community-junior college can do that kind of job only if it commits itself to being an opportunity structure. It can do it only if it views itself as a community resource and dedicates itself to opportunity for the people of its community.

This must be an effort to select young people in instead of selecting them out.

It will not measure its success by the size of its dropout rate—except possibly inversely.

Real opportunity for higher education is a difficult assignment. But I think some colleges in this country can succeed at it. Someone in this country *must* succeed at it. That kind of effort will win the support of the Congress and the voters who elect it.

Senator Harrison A. Williams of New Jersey is the author of the Comprehensive Community College Act of 1969, recently introduced in the Senate. That legislation takes a large step toward building an opportunity structure framework. I am happy to be a co-sponsor.

The bill provides a Bureau of Community Colleges in the U.S. Office of Education to help states update, reorganize, or create statewide plans for post-secondary education.

It will encourage the development of comprehensive curriculum programs for the educationally and economically disadvantaged.

It will assist training and development of faculty and staff. It will expand research. It will encourage tuition-free admissions or adequate financial aids programs.

In addition, I'd like to see a well-prepared proposal to use junior and community colleges to seek out able young people early in high school, tell them about opportunities for further education, and assist them in staying in school until they graduate.

This nation has the ability to provide a college opportunity structure to all who can use it. We have the resources to pay for it.

We frankly have not had the commitment to do it. But I think it is coming.

Within the past eight years more and more Americans have seen a darkness in this country that few thought existed. But television camera has focused its keen eye on the backwaters and slums of this country.

Our people know now that the problems of the poor are their problems. They may not like it, but they know it. They are responding to it partly from sheer self-interest. But basically their values are solid, humanitarian, and sound.

The developing junior college-community college movement comes along at just the right time, I believe. I hope that together we can take advantage of this climate.

SEWARD OPPOSES WHITTIER CONSTRUCTION

Mr. STEVENS. Mr. President, the city of Seward, Alaska, recently suffered a major blow to its economy. The Alaska Steamship Line announced that it was suspending service to the port. As a result, one of the major sources of revenue to the city was lost. The dock and rail facilities of the town will stand idle. The Alaska Railroad will obtain its freight elsewhere, by way of the ports of Anchorage and Whittier.

The railroad is considering the construction of another slip at Whittier as a standby facility for the use of its roll-on-roll-off rail barge operation. I understand the Railroad now has available the money necessary for such construction. I oppose this construction. I take this opportunity to make clear to the Senate and to the administration that I do not believe the Alaska Railroad should add to its facilities at Whittier. Whittier is a dead end. If a standby roll-on-roll-off dock is needed, let it be built at Seward.

I have urged Mr. John Manley to delay decision on the Whittier slip. Funds have been available for its construction for several years. There is no reason why construction cannot be delayed a bit longer so that reasonable people may sit down, plan and discuss Seward's future. The Alaska Railroad has substantial investments in Seward. Seward's interests are also the Alaska Railroad's.

Mr. President, I ask unanimous consent that a resolution recently approved by the city of Seward be printed in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Resolution 738, City of Seward, Alaska

Whereas; the United States Department of Transportation operates the dock and rail facilities at the Port of Seward through the Alaska Railroad and also operates the dock and rail facilities at the Port of Whittier through the same agency which is under its control; and

Whereas; The best information available to us at this time shows planning by the Alaska Railroad to close the facilities at Seward because of the suspension of service by Alaska Steamship Lines, and at the same time spend further public monies to enlarge and increase the facilities at the Port of

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Whittier at the request of Alaska Steamship Lines; and

Whereas; Such closure at Seward and expenditure of funds at Whittier constitutes, in our judgment, a needless waste of public funds;

Now, therefore be it resolved that the Common Council of The City of Seward, Alaska, respectfully urges Congress to investigate the entire involvement of the Federal Government through its Department of Transportation in the transportation industry in South-central Alaska.

This Resolution shall be effective on the date of passage and approval. Passed and approved by the City Council of The City of Seward, Alaska, this 10th day of February, 1969.

E. G. Skinner,
Vice Mayor.

Attest:

James R. Filip,
City Clerk-Treasurer.

THOMAS MASARYK, EXPONENT OF FREEDOM

Mr. YARBOROUGH. Mr. President, last month the free peoples of the world paid tribute to George Washington, the father of this Nation. This month lovers of freedom honor another man who can be considered the father of his country—Thomas Garrigue Masaryk, of Czechoslovakia.

During World War I, Masaryk, with Eduard Benes, formed the Czechoslovak National Council, preparing for the day that there would be an independent nation, Czechoslovakia. In November 1918, Masaryk was chosen President of the new nation by acclamation. He was reelected in 1920, 1927, and 1934. He resigned from the office in 1935.

During the early days of the Republic, Masaryk gave his people an appreciation for liberty, a love for freedom that two conquering armies have not been able to eliminate. Czechoslovakia is an occupied country today, but the spirit which sustained Masaryk while he was working to establish, then build, a nation is alive in the hearts of Czechoslovakians as they work and pray for the day they will once again control their homeland.

Soviet occupation forces thought they could end the spirit of Masaryk by eliminating all mention of him in Czechoslovakia. But Masaryk had made too lasting an impression upon the people to be forgotten simply because of orders from an occupying army.

Thomas Masaryk and his son Jan Masaryk are examples for Czechoslovakians and for all who value liberty.

The present occupation of Czechoslovakia prevented the people of that nation from giving Thomas Masaryk the salutes he deserved on the anniversary of his birthday, March 7. We who live in a land that permits freedom of speech should use this freedom, for the people of Czechoslovakia, to honor Masaryk.

THE CONCORDE LOOKS LIKE A FLOP

Mr. PROXMIRE. Mr. President, if any who doubt the wisdom of delaying the U.S. development of a supersonic transport should be wavering a bit because of the recent test flight of the British-French SST, the Concorde, they have not looked at the results of that maiden flight carefully enough.

Far from coming off with flying colors, the Concorde test flight demonstrated that the noise it makes on takeoff and landing may well prevent it from using any major U.S. airports because it would not meet the noise limits set by those airports. That includes Kennedy International Airport, the most important air terminal in the country.

More important, the Concorde's range, FAA technicians believe, ultimately may turn out to be insufficient to carry it nonstop from Paris to New York, the run for which it was principally designed. If the Concorde cannot fly that route economically, it will not be anything but a total flop as a moneymaker and, therefore, not likely to be a very attractive item to the airlines.

Because of all this, we should resist the efforts now being made to use the test flights of the Concorde and of the Russian TU–144 to scare the United States into plunging full speed ahead with its own SST development. The real lesson to be drawn from the Concorde is that there is not likely to be any harm whatever in delaying our own SST development. For the Concorde, as it looks now, is going to have very little effect on U.S. dominance in world aircraft sales.

I commend to the attention of Senators an excellent article, about the Concorde's troubles, written by Spencer Rich, and published in yesterday's Washington Post. I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Concorde Qualification for U.S. Run Doubted

(By Spencer Rich)

U.S. officials are becoming increasingly skeptical that the British-French supersonic plane Concorde will ever be able to fly the lucrative North Atlantic route. And without flying it, the plane has little chance of economic success.

Officials believe that the Concorde, which had its maiden flight test in France last week, will be unable to meet the noise limits for takeoff and landing imposed by major U.S. airports, including New York's Kennedy International, the number one terminal here.

And they also doubt that the Concorde's range will be adequate to fly from Paris to New York.

The Federal Aviation Administration has been reluctant to publicize its doubts about the Concorde for fear the U.S.—a late starter in the race to develop the supersonic plane—might be accused of trying to undermine the British-French effort.

But in a recent interview, Secretary of Transportation John Volpe let slip the fact that within his Department "there is some concern that it (the Concorde) may not be able to meet the requirements" on noise. Volpe also revealed that he expects a final study group report by the end of this week on whether the U.S. should proceed to the building of a prototype of its own supersonic plane.

Questioned about Volpe's comment on the Concorde, a responsible FAA official said there was increasingly agreement among technical people within the agency that the Concorde has little chance of being put into service across the North Atlantic route.

The Federal Government has not yet moved to set any standards to limit noise on supersonic planes, but the Concorde, the official said, appears very unlikely to be able to meet the noise limit for takeoff and landing already imposed by the Port of New York Authority for Kennedy International. (Each airport in the country has the power to set its own noise limits.)

That limit is 112 PNDB (perceived noise decibels). The official explained that the Concorde's design goals for take-off and landing noise, even if fully met when the plane is finally complete, would just put it marginally within the noise limits. And on hot days, he said, when performance on noise worsens in supersonic planes, it might not be able to meet the limit at all.

But aircraft builders frequently fail to meet their design goals, and the official said FAA experts are convinced the Concorde will not meet its goal in this respect. "So from what we know the Concorde when finished simply will not be able to meet the standards already in effect in New York."

The construction of new and bigger airports in the U.S. might obviate the Concorde's problem, but such fields are not expected to be ready by the time the Concorde must begin flying the North Atlantic route in order to pay off.

The official said the proposed U.S. supersonic plane, with a different rear end design, make less noise on takeoff and landing and probably eventually could meet the current noise limits at Kennedy.

Noise is not the Concorde's only problem. The plane is designed for a range of 4000 miles and therefore theoretically can go nonstop from Paris to New York. But FAA technicians believe its actual, final range will fall far short of the design goal, ending up perhaps three-quarters as great.

In that case, the official said, the plane will barely be able to make it from Shannon to New York. "Oh, on the eastward route, with the wind at its back the plane may be able to make it to Paris, but it won't go the whole way when it flies westward into the wind," he said.

The official also said that it is generally believed within the FAA that neither the Concorde nor the proposed U.S. supersonic plane has any chance at present—because of the noise they make—of being allowed to make overland supersonic flights across the United States. "The sonic boom is just too great to be acceptable to the public," he said.

He said he expected the report being readied for Volpe to make this point clear. "I suspect that the report will take a realistic view of the chances of overland flight, which right now are essentially zero," he said.

RESCUE OF WILLIAM V. "BUCK" JONES FROM UTAH MINE

Mr. MOSS. Mr. President, I was greatly relieved last night, as was the entire Nation, to hear the news report that William V. "Buck" Jones, a 61-year-old miner from Midvale, Utah, had been rescued from a caved-in mine at Lark, Utah.

This dramatic rescue ended an 8-day ordeal for Mr. Jones, his wife, his 11 children, and his many fellow workers and friends.

Mr. Jones was trapped Saturday, March 1, when the lead, zinc, and silver mine caved in. Rescue workers went right to the task of digging him out, and in spite of the fact that no contact was made with him until the following Wednesday, they continued their round-the-clock efforts.

He had been without food or drink for 110 hours when a small hole was drilled

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into the area where he was trapped and food and drink could be lowered to him.

The discovery that he was still alive, of course, redoubled the efforts of the rescue teams, but they had literally to chip their way through solid rock finally to reach and rescue their fellow worker last night.

As a Utahan, I am proud of Mr. Jones for the courage, faith, and coolness he displayed to the whole Nation. And I am proud of the many workers who worked around the clock to rescue him.

This was a dramatic event, and the whole Nation's attention was focused on it. It once again demonstrated the need for a hard look at the mining safety standards of this Nation. We must be sure they are strict enough to protect the men who earn their living by working these underground mines which are so important to our national well being.

As chairman of the Subcommittee on Mining, I will review again our present mine safety laws to determine their adequacy and suitability. I do not know all of the circumstances of this cave-in, but we must be sure that every possible safeguard has been provided to protect our underground miners.

PRESERVATION OF THE BIG THICKET: AN ECOLOGICAL PRIORITY FOR THE 91ST CONGRESS; THE DEFENDERS OF WILDLIFE NEWS HIGHLIGHTS ISSUE

Mr. YARBOROUGH. Mr. President, as we begin a new year and a new administration, I think it is highly appropriate that we reflect upon our goals and describe our priorities. What do we hope to accomplish during the 91st Congress? During the year ahead, we will face many challenges, and will encounter new and more difficult problems. In order to face the many and varied tasks that lie before us we will need to decide what really counts—we must be certain of our emphasis so that we can go forward in confidence and strength.

There is much work to be done in our Nation. We must seek to end the war abroad, and the poverty and injustice at home. We must press on to fulfill the basic promise of a truly great society—a society of personal promises of a truly great society—a society of personal fulfillment and community identity.

There is, however, an overriding priority that should permeate all we do in the months ahead. That priority is the assurance of ecological cohesiveness—the protection of the delicate environmental balance, the preservation of unique areas of natural beauty, such as Texas' Big Thicket.

We must recognize as never before, that man truly exists within a complex, interrelated web of life. The disturbing problems which have resulted from our advanced technological society—such as overpopulation, air and water pollution, exploitation and depletion of our limited natural resources, and the numerous problems of crowding, hunger, and poverty—are not isolated phenomena which can be solved by surface remedies or token efforts. All the problems we face today are intermingled with the whole process of existence, and only a responsible, comprehensive approach to the preservation of the quality of our environment can even begin to cope with the difficulties we now face.

Perhaps we need to approach our work in the 91st Congress as advocates of ecological economics. Dr. Alfred G. Etter, field representative of Defenders of Wildlife News, recently took a long, hard look at the troubling byproducts of our civilization, and though he placed his remarks within a Texas context, he spoke for all Americans when he said:

> We need new philosophies, new ideas and new techniques. Most of all we need a new economics, an Ecological Economics, that accepts the maintenance of the earth as the essential goal of human activity.

He also went on to point out:

> In our rush to defend the freedom to exploit we have lost the freedom to conserve.

Mr. President, I think Dr. Etter has put his finger on the basic problem: in the past we have been prone toward an economics of conspicuous consumption, thinking primarily in terms of exploitation and utilization, rather than in terms of responsible preservation and conservation. However, this attitude is outmoded and out of place in our crowded, urban-oriented society. In the past, we depended on expanding our Nation—there was always some new place to go, always a new frontier to be discovered. But, today we must seek new ways to preserve environmental quality within the context of a shrinking world. We must finally realize that there simply is no more room to expand. We must act now to protect the few remaining wilderness areas and woodlands in our Nation, before they, too, fall before the advance of civilization.

Dr. Etter outlined this position in a short article entitled "Ecological Economics: Will It Reach Us In Time?" Published in the October-November-December 1968, issue of Defenders of Wildlife News. He calls for a more responsible approach in dealing with our national resources, pointing out that areas such as the Big Thicket in southeast Texas should be carefully preserved and protected. I ask unanimous consent that this article, appearing on page 437, be printed in the RECORD at the conclusion of my remarks.

I wish to include this article not merely to single out the environmental problems in Texas, but to provide an explicit example of what we are presently facing all across our country. I hope that this Congress—and this administration—will see fit to incorporate this responsible approach in all our dealings with the priceless and irreplaceable treasure of our Nation's natural development and ecological unity.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ECOLOGICAL ECONOMICS: WILL IT REACH US IN TIME?

(By Alfred G. Etter, Ph. D.)

As I came into Houston, the plane hovered high above a blanket of air pollution that completely hid the city. After descending, I was driven for an hour along a highway where oil wells, power poles and sign boards pre-empted playgrounds, front yards, and parkways. Outdoor advertising was once called "al fresco", but oil fumes from refineries, wells, and automobiles made Houston's "fresco" anything but fresh. Crossing a ship channel, the sea winds told more of laboring papermills than of a romantic gulf.

After a few days in the city, other environmental atrocities became apparent. Besides the decimation of oyster reefs by dredges and pollution of the bay by a hundred substances, channelizing and spoil dumping in estuarine bays, marshes and tidal flats, much of it by the Corps of Engineers, has endangered the nursery grounds of many marine species. According to recent figures of the Fish and Wildlife Service a total of 67,000 acres of Galveston Bay, about 1/6th of the total system, has been physically destroyed or damaged.

Brine from oil well operations has been spilled into lowland forests killing the trees. Clearings for rice and cotton combined have appropriated millions of acres of the richest wildlife lands. Chemicals of all kinds are used in vast quantities for controlling fire ants, rice, cotton, and pine plantation insects, brushland, and plant diseases. Some crop fields may receive as much as 18 pounds of pesticides a year. Shellfish in the Arroyo Colorado southwest of Houston, show consistently higher pesticide residues than at any other monitoring station in the nation. Across from my motel was a big sign advertising "Do-it-yourself poisons." If it is new, Texas wants it.

At the same time that I sat in a Conservation Symposium session, a city engineer was telling a meeting of the American Water Works Association that one of his main problems in suburban Houston was breakage of water pipes. The reason for the breakage he explained was that certain sections of the city are subsiding at an alarming rate as a result of heavy pumping of underground water. In some places this has amounted to six feet, and he predicted that a similar subsidence would occur in the next 25 years even if all pumping were stopped immediately, which it will not be. Meanwhile, the groundwater level has been dropping at the rate of 10 feet a year.

For a city with very little freeboard, this subsidence is very serious. During the last hurricane many parts of the Houston area were flooded; further sinking can only aggravate this kind of damage. Sewage problems will undoubtedly arise and salt water intrusion into underground water supplies is an ever-present threat. Surface storage of river waters in large reservoirs upstream is supposed to alleviate the water-pumping problem somewhat, but the capture of flood flows in reservoirs may cut down on recharge of underground deposits, as well as altering salinity and siltation patterns in the Bay. Every time such changes occur, adjustments in both natural and man-made systems must be made and efficiency is lost. Those who set such changes in action, however, are never sent a bill for damages or adjustments.

ENDANGERED PLANTS AND ANIMALS

South and East Texas has a vast wildlife responsibility. Its bays, bayous and bottoms are the home not only of great numbers of resident fish and wildlife, but are absolutely essential to large numbers of migratory fish and birds. In 1960, nearly 240 million pounds of fish were harvested by Texas commercial fishermen and most of the species involved depend on estuarine areas when they are young. The Texas catch dropped consistently for the next five years to 150 million pounds in 1965. Does the loss of 90 million pounds represent a deterioration of the coastal environment and manipulations ashore? There is a good chance it does. Shouldn't someone be charged for it?

I had the good fortune to see a rice field packed solidly with shorebirds, but at the same time nowhere on the continent are there more endangered species. The whooping cranes persist on the Gulf coast by the grace of God and a very expensive conservation program which has developed around them. The ivory-billed woodpecker may or may not cling to life in the Big Thicket northeast of Houston. The red wolf is making a last stand in the same region. Brown pelicans, once common, have virtually disappeared from the Texas Coast. One of two spoonbill rookeries in the United States persists on Vingtun Island in Galveston Bay. Until a few years ago shell dredging threatened their sanctuary. Now they seem to be doing well. The endangered alligator is still a target for plinkers and poachers. How many less prominent species on land and in the ocean are threatened would be hard to say.

I had the good fortune to make a visit to the Big Thicket area during my trip to Texas. Mrs. Geraldine Watson of Silsbee, guided Roland Clement of the Audubon Society and me through several areas where the state's most distinguished resident, the ivory-billed woodpecker, had been reported. We saw trees that appeared to have been worked on by something larger than a pileated woodpecker. We leaned against a pine with a trunk five feet through. "I like to call this my pine," she said. "There is only one more like this one uncut that I know of still standing around here. I just wish I could show you the forests I walked through as a child, and the pitcher plant bogs, and palmetto hammocks, and the long-leaf pine savannahs. Why when I was growing up, East Texas was one of the most beautiful lands anyone could ever have been born into."

Mrs. Watson is less than 45 years old. Within her short lifetime southeast Texas has been changed from a pioneer land to the scene of our space effort. In the process, relics of a once abounding wildlife find themselves shoulder to shoulder with the astrodome and the astronauts. Man's space program seems almost symbolic of an effort to escape the havoc that has been wrought on earth. NASA could not be in a more appropriate part of the nation.

I think, after looking at South and East Texas, that we have to ask some embarrassing questions of the economists. What kind of economics is it that permits such a buildup of environmental blights without laying aside some kind of fund to pay for the depreciation? Isn't it time that we are honest with ourselves and start charging for the use of the earth at a rate that will permit its maintenance? Isn't it time for laws which make exploitation rates commensurate with restoration rates? How is it that we can regulate the rate of interest on a mortgage, but we cannot control the rate of discount on the future?

While I was in Houston, I heard an announcement on the radio exhorting listeners to send into the station for a brochure on Expanding Houston, the most rapidly growing place in America. The announcement reiterated that $1.3 million dollars was being invested in the city's expansion every day of the year. I wondered to myself what percentage of this investment was being set aside for conservation purposes, for the social and ecological costs that were bound to result.

The fact is that our way of life and our economics are filled with anachronisms out of our expansionist past. The truth is that we are no longer really capable of expanding. We are only capable of shrinking. Everything we do is being done in a smaller and smaller space. Like the oriental who perfects his garden we must perfect our living space and adjust our habits and laws to this change of life. We need new philosophies, new ideas and new techniques. Most of all we need a new economics, an ecological economics, that accepts the maintenance of the earth as an essential goal of human activity.

We revere our pioneers who discovered the resources upon which our freedom depended in an expanding nation. Now we need pioneers who can discover in our shrinking world the kinds of environments in which our freedom can continue to thrive. In our rush to defend the freedom to exploit we have lost the freedom to conserve. Our conspicuous consumption must give way to conspicuous conservation. Our gluttony is showing, and nowhere does it show more than in Texas.

ADA RECOMMENDS RATIFICATION OF HUMAN RIGHTS CONVENTIONS—XXIII

Mr. PROXMIRE. Mr. President, recently a position paper was submitted outlining the Americans for Democratic Action legislative program in foreign policy. The ADA, like a large number of other organizations, has called for the approval of the Human Rights Conventions. Let me quote from this statement:

> A creative American foreign policy must recognize the dynamic changes underway in the world. Indiscriminate anti-communism, commitment to the status quo, and faith in the unilaterally applied might of the United States are poor substitutes for rational policies and new directions in conducting foreign relations.
>
> We must formulate a new foreign policy for America based on the search to expand and transmute into a positive force the fundamental interdependence of nations. It must seek to relieve existing tensions and reduce the threat of nuclear war. It must allow for fundamental changes in nations trying to find their own identities. And it must work toward full utilization of the world's resources to the benefit of all men everywhere.

In broad terms, this paper calls for a creative American foreign policy and cites such specific recommendations as the ratification of the Nuclear Nonproliferation Treaty; rejection of the antiballistic-missile system; liberalization of trade policies; and a curtailing of the burgeoning military-industrial complex.

It is impressive to note that also in keeping with these goals, the recommendation is made for the "adoption by the Congress of the U.N. Conventions on Human Rights." Time and time again civil rights organizations, labor unions, and other groups have stressed the need for the ratification of these human rights treaties. Let us hope that the one organization with the power to do something about these treaties—the U.S. Senate—will act soon. I commend the ADA for their recognition of these U.N. Conventions as a factor in effecting a creative and concerned foreign policy for the benefit of all men everywhere. Let us ratify these Human Rights Conventions during this congressional session.

HOUSING STARTS IN 1969

Mr. PERCY. Mr. President, in a recent issue of Continental Comment, published by Continental Illinois National Bank & Trust Co., of Chicago, the bank states:

> The housing outlook for 1969 is for very little improvement as there remains the distinct possibility of a shortage of mortgage funds as the year develops.

There were 1.54 million housing starts in 1968, a 16.7-percent gain over 1967 levels.

The contract rate on new home mortgages rose from 6.3 percent in January 1968, to 7.1 percent in December. Mortgage terms have also tightened. The average downpayment nationally was 30.1 percent in December, up from 26.8 percent earlier in 1968. The highest downpayment required during the 1966 "credit crunch" was 29 percent, showing that pressures on housing are now greater than ever before.

Many observers feel that even to approach meeting national housing needs, the United States should be close to a 2-million housing start per year level. However, as previously stated, housing starts in 1969 may not improve much over the 1.54 million units begun in 1968.

One of the provisions of the Housing and Urban Development Act of 1968 was for the National Home Ownership Foundation to make annual reports to Congress on conditions in the housing market, as well as recommendations, if appropriate, on how additional sums of mortgage money can be attracted into the housing market. I hope that the foundation will soon be formed, for its services, as an adviser to Congress in this area, are sorely needed.

I ask unanimous consent that the article be printed in the Record.

There being no objection, the item was ordered to be printed in the Record, as follows:

Residential Construction Outlook

Housing starts in 1968 rose 16.7 per cent from 1967, reaching a total of 1.543 million units. The outlook for 1969 is for very little improvement as there remains the distinct possibility of a shortage of mortgage funds as the year develops.

RECENT TRENDS

Mortgage funds, and consequently activity in the entire construction industry, are extremely sensitive to liquidity conditions in the economy. During the 1966 credit crunch, for example, residential construction fell by about one-third. In other recent periods, housing starts closely followed tight money conditions in 1957 and 1960.

Throughout most of 1968, housing activity remained on a high plateau with only a slight uptrend in evidence. The mix between single-family homes and apartments shifted, however, toward a heavier concentration of apartments. For the past five years, apartments and duplexes ranged from 35 per cent to 38 per cent of total starts. In 1968, preliminary estimates are for multi-family units to take 41 per cent of the market. In contrast, during the 1950's multi-family units accounted for only 10½ per cent of total starts. Factors influencing this shift in market share are ever-increasing land costs and the heavier incidence of young married couples in the population, as well as better availability of funds for contractors of apartment units.

The long-run determinants of housing activity involve the relative cost of housing, population growth and mix, and changing social preferences. An analysis of these factors indicates that we already should be close to a 2-million housing-start year. In the short run, however, other factors such as supply constraints, cost of funds, and availability of funds may be strong influences in the housing market again this year.

CURRENT CONDITIONS

Factors which influence the short-run behavior of the construction industry include inventories of unsold homes, attitudes and plans, relative costs, and the cost and availability of mortgage funds.

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Inventories

The number of unsold new homes is at a relatively high level. In November, some 219,000 units were unsold, the highest of any month during 1968 and some 16 per cent above levels a year earlier. One interpretation of such a trend could be that demand had slackened off, either because incomes had fallen or because prices had risen too rapidly. At present, however, such reasoning does not appear to be accurate. Personal income rose at a 9.3 per cent rate over the past year, and income after taxes—including the surcharge rose by more than 7½ per cent.

Prices

Construction costs are among the most rapidly increasing sectors of the price series. During the past year residential construction costs rose at a 9.2 per cent annual rate, much faster than the 4.7 per cent gain in overall consumer prices.

Increases in lumber and wood product prices contributed importantly to rising construction costs in 1968. Through November, lumber prices had increased 24 per cent over year earlier levels. Even though output rose 14 per cent last year, contracts for residential structures increased 30 per cent, thereby building backlogs at the primary producing level. As a result, deliveries to retail lumber dealers have not met the demand and this has caused price pressure throughout the industry. In addition, skilled and common labor rates at construction sites are running more than 8 per cent above levels a year ago. The combination of increases in materials and labor cost has caused a rapid rise in the final cost of housing.

While these price increases are substantial, and may well have worked against income gains to constrain home sales and ultimately construction activity, a more important consideration probably was the cost and the availability of mortgage money.

Mortgage rates and terms

During the past year, the contract rate on new home mortgages rose from 6.3 per cent in January to 7.1 per cent in December. Such levels have pressed against usury laws in many states. In Illinois, for example, which still has a 7 per cent legal ceiling, the contract rate in Chicago is 6.75 per cent although fees and charges bring the effective rate up to 7.02 per cent.

Mortgage terms also have tightened. The average down payment nationally was 30.1 per cent in December, up from 26.8 per cent earlier in 1968, and about the same as year-earlier levels. For comparative purposes, it should be noted that the highest down payment required during the 1966 "credit crunch" was 29.0 per cent.

Consumer intentions

While their predictive power is subject to question, surveys of consumer buying intentions often provide valuable insights into the future. Recent surveys by the government and by private groups indicate a slight decline in the months ahead, relative to the intentions of a year ago.

The various factors reviewed above convey neither undue optimism nor pessimism for housing construction in 1969. Inventories of unsold new homes are high, but vacancy rates generally are at the lowest levels of the past decade. Incomes are strong, and generally good income gains are expected throughout 1969. Construction costs are rising, but there is little incentive to postpone building plans, primarily because these costs probably will continue to rise just as rapidly this year and next. Consumer buying intentions for 1969 are not particularly strong. However, an extremely critical issue is the posture that will be adopted in 1969 by the monetary authorities.

CONCLUSION

As indicated, lack of funds is more important than interest rates as a determinant of short-term housing trends. Indeed, mortgage rates presently are substantially above their 1966 highs, yet housing starts have not declined as in 1966. The availability of funds is becoming more restrictive and when joined with the lessened ability to supply the raw materials may limit the numbers of houses which otherwise would be demanded.

The monetary authorities are presently pursuing a policy of increasing credit restraint as inflation remains the number one problem facing the new administration. Thus, though the monetary authorities are sensitive to the needs of the housing industry after the crucial 1966 experience, there remains the possibility that higher rates and sharply reduced credit availability—coupled in the environment already described—could cause housing starts in the present year to show little improvement over last year's experience.

PLANNED REINTRODUCTION OF THE YOUTH PARTICIPATION ACT

Mr. HARRIS. Mr. President, last year, on July 9, I introduced with 13 cosponsors the Youth Participation Act of 1968. That measure would have established two new agencies in the Department of Health, Education, and Welfare—an Office of Youth Participation, whose main function would be to make grants for a wide range of social action programs to youth-run public and private agencies; and an Advisory Commission on Youth Participation, composed mainly of young people and authorized to hold hearings and conduct studies on issues which trouble and concern American youth today.

I was careful to emphasize at the time I introduced that measure that it was by no means a perfect instrument to carry out the will of its sponsors, but what I believed to be a first, faltering step in the right direction. I explicitly stated that the main objective of introducing the bill last year was not to secure its passage, or even to launch hearings on it, but to stimulate national debate and initiate a process of criticism, amendment, and revision that would result in the reintroduction of a perfected bill this year.

I am pleased to report that the original bill elicited tremendous interest all over the country, and drew compelling suggestions for revisions from a diverse range of thoughtful people, most of them young men and women. As a result, I have changed in some significant ways my ideas about the organization, and, to some extent, the purposes of the two youth-related institutions which would have been created by the bill. I am prepared today, therefore, to give notice to my original cosponsors and other interested Senators of my intention to introduce a revised version of the Youth Participation Act early next week, just as soon as the redrafting process, now in progress, is completed.

I shall be actively seeking cosponsors later this week, and I invite Senators with an interest in the proposed legislation, and in the very real problems it addresses, to get in touch with me.

THE F-111: AN UNFORTUNATE AIRPLANE

Mr. CURTIS. Mr. President, the crash last week of another F–111 near Las Vegas, Nev., once again brings this unfortunate airplane back into the limelight. It often seems that just as we are digesting a new spoonful of favorable public relations propaganda supporting Mr. McNamara's folly, the airplane speaks up for itself with either a new crash or perhaps another failure of its airframe during structure tests.

Mr. President, I am convinced that the time has come to terminate the F–111 program. Congress soon will consider the Department of Defense budget for the coming fiscal year. The present version of that budget includes another $1.1 billion for F–111's for the Tactical Air Command and the Strategic Air Command. This is more than for any other aircraft program. So what are we getting for all those dollars? The exact number is hidden by security classification, but I can state that it represents close to $15 million apiece if this latest request is approved.

The costs in this F–111 are fantastic. To date over $5 billion has gone into this program since 1962. That money is gone—I should say wasted—because all we have to show for it is about 100 airplanes that are barely flyable, are restricted from combat operation, and have basic flaws built into them that may never be corrected.

What disturbs me more, though, is that the present schedule to complete the F–111 program envisions spending almost $4½ billion more in coming years, to be started with the $1.1 billion requested for fiscal year 1970. It is time for us to face up to this situation and seriously consider if this is not pouring good money after bad.

Let us look at some basic facts about the F–111's. The bomber program for SAC has been cut back to 90 airplanes. Why? If the plane is any good as a strategic weapon, then why order only 90? The real reason is that the F–111 just cannot do the strategic job. It has less than two-thirds of the range of the B–52 airplanes it is replacing, it cannot match the B–52 payload of weapons, and in fact it cannot even keep up with SAC's KC-135 refueling tankers. Those are the facts.

I have long maintained that the current SAC airplanes, the B–52's and B–58's, can be continued until a new strategic bomber is available. What SAC wants and needs is the AMSA—an advanced manned strategic aircraft—that will have long range, large payload, high speed, and real effectiveness as a strategic weapon. The AMSA program is starving to death for lack of funds. I have an idea where the money to start it could come from. AMSA should get a full go-ahead this year.

TACTICAL VERSIONS

Let us look at some basic facts about the tactical F–111's, the F–111A and the F–111D. These planes have longer range and a better blind bombing capability, it is true, than the Air Force's F–4's and F–105's. But the fact is that these F–111's are grossly underpowered by today's standards for their present mission of carrying conventional "iron bombs" in Vietnam-type, limited-war conflicts. A magazine article of a year and a half

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ago—U.S. News & World Report, September 27, 1967—correctly stated that the F-111 with a normal bomb load can barely clear Pike's Peak. I have verified this statement myself from Air Force test reports, which, incidentally, say that this low ceiling shows the plane to be underpowered.

Even though the plane is underpowered, the propaganda claims assert that there is no available alternative to accomplish the blind bombing interdiction mission. I do not think this is entirely true, although I will not go into that today.

In summary, I think the F-111 has priced itself beyond the point of reasonable value. Considering its deficient performance, considering the doubts about its structural integrity, but most of all considering its astronomical cost, I believe the program should be terminated immediately. This action ought to be taken by the Pentagon, but, if it is not, I believe that Congress should refuse to provide additional funds. The billions of dollars could be much better spent for other airplanes.

HIGHWAY SAFETY PROGRAM

Mr. RIBICOFF. Mr. President, there is an old proverb that a good law unexecuted is like an unperformed promise. This aptly describes the plight of our national traffic safety program and the Highway Safety Bureau formed to administer it. The hopes which many of us had for a major campaign against the mounting toll of highway deaths and injury are today, unfulfilled.

The reasons for this are budgetary and organizational, but overall the record is one of lost opportunity and lives.

Our efforts in traffic safety have been handicapped by budget cuts, personnel freezes, and research reductions. For 14 of the 26 months since the Safety Bureau began operation it has been under fiscal or personnel restraints, and frequently both. The Bureau's requests for funds have been pared down within the executive branch and then further trimmed by Congress. In the past 3 fiscal years the Bureau has received only $57.5 million for its work.

The number of personnel has been frozen at 382 since the early summer of 1968. This is 86 percent of the level authorized by Congress in June 1966, more than 2½ years ago. Dr. William Hadden, former Director of the Bureau, has estimated that the number of employees must be increased seven times to meet its statutory responsibilities.

Today, the staff remains skeletal in every area of operations. There are only 10 professional employees engaged in the defect review operation. In this situation it is small wonder that major defects, like that which caused the recall of 4.9 million General Motors cars, go unnoted for long periods of time, with disastrous consequences for the motoring public. Major divisions, such as Motor Vehicle Inspection and School Bus Safety, have only one employee. The Office of Product Cost and Leadtime Analysis, which this subcommittee was told would be established last year, is without a single employee. It exists only on paper.

The research program has suffered the same fate. Every responsible authority in the field is agreed that research must have a high priority if we are to extend our knowledge of the dynamics of highway safety. Yet the Bureau still has no in-house facility or capability to conduct research. Many of its limited research funds are, in fact, allocated for testing automobiles and tires to determine if they meet the safety standards. During the entire time of the Bureau's operation, research funds have never reached the level authorized for the first 18 months of the program.

Plainly, Mr. President, the traffic safety program has been starved and today is suffering from severe malnutrition. An organization, like a person, cannot function effectively unless it receives proper nourishment. If it does not, its actions become weak and lethargic. The Bureau, now, is unable to carry out its duties. And the American public is the loser.

The first step in establishing a strong Safety Bureau is funding in the manner Congress authorized, so that it will have the resources to launch an effective attack on the problems of traffic safety.

For too long Congress ignored the carnage on our highways. Then we passed two laws to expand the Federal role in this area and begin a program of national action. But this was not the last chapter. Now we must see that the Executive follows through on this commitment in the manner Congress intended.

The trouble is that the effort still is not commensurate with the size of the problem. We all know the statistics—more than 53,000 killed last year and 2 million seriously injured. But we do not fully realize what this means. Every year we wipe out a city the size of Palo Alto, Calif., or Greenwich, Conn., or Bethesda, Md. And the tragedy reaches into every city and town in America.

Mr. President, if there were some communicable disease which killed this number of people every year we would immediately start a crash program to bring it under control. But we accept the highway toll as if it were beyond our control. It is not. Technology and human effort together can reduce the horrible figures. But it cannot be done quickly or cheaply. Time and large sums of money will be required.

Beyond money, there must be organizational changes if the Bureau is to do its job effectively. Presently, the Safety Bureau is part of the Federal Highway Administration, along with the Bureau of Public Roads and the Bureau of Motor Carrier Safety. The Bureau of Public Roads far overshadows the other two agencies. It will administer about $4 billion in highway construction funds in fiscal 1969. By contrast, the Safety Bureau has a budget of $26.5 million and the Bureau of Motor Carrier Safety—which regulates interstate carriers—about $2 million.

In this organization the voice of traffic safety is muffled by those whose interest is building roads. Safety is a secondary concern in the Federal Highway Administration. The primary interest is simply extending the road network of the Nation.

The organization of the Highway Administration has interfered with the smooth functioning of the Safety Bureau. For example, the Bureau has been unable to obtain legal services responsive to its needs. The Administrator has used legal requirements as a way of exercising control over the details of the Bureau's work.

The current organization has also produced needless delay. All research projects must now be laboriously cross-checked with the other two Bureaus. This has led to protracted delays and in some cases, a pocket veto of certain projects.

The remedy for this organizational conflict is to separate the Safety Bureau and the Bureau of Motor Carrier Safety from the Bureau of Public Roads. A Highway Safety Administration should be formed, with an Administrator reporting directly to the Secretary of Transportation.

The new Administration should be composed of a headquarters unit and a group of regional offices, each headed by a regional administrator.

The headquarters staff would be responsible for establishing national safety policy, goals, and standards; providing specialized technical guidance and support; reviewing the adequacy of State highway safety program plans; performing technical and fiscal audits of State program performance; and planning and carrying out the research, development, and training programs.

The regional offices would have full responsibility and authority within their assigned geographic areas to implement the program, including the approval of grant applications and providing technical advice and assistance to the States in the carrying out of their programs.

This would give highway safety the voice and status it deserves in the Department of Transportation. The new Administration would have clear jurisdiction and authority to deal with all the human and vehicular aspects of traffic safety. Its work would be coordinated with that of the Bureau of Public Roads by the Office of the Secretary. Mr. President, I believe this is the most effective and efficient way to organize our highway safety program.

One hundred and eighty years ago Thomas Jefferson warned us that—

> The execution of the laws is more important than the making of them.

This lesson is as true today as it was in 1789. The distressing condition of our highway safety program is ample proof of that. So, as the 91st Congress begins its work, let us remember that oversight and restructuring of laws we have passed is a larger task than passing new ones. We have assumed a continuing commitment to the motoring safety of American people and we must be ever vigilant to assure that their interests and their needs are fully protected.

BALTIMOREAN HONORED AS OUTSTANDING COMMUNITY LEADER

Mr. TYDINGS. Mr. President, I invite the attention of the Senate to an article published in the Baltimore Sun of January 22, 1969, reporting the selection of

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Mrs. Anna Clinkscales as one of the outstanding community leaders in America.

Mrs. Clinkscales' nomination was made on the basis of her unselfish efforts to improve her community through some 12 organizations including the NAACP, the YWCA, and the President's Council on Youth Opportunity. Last summer, Mrs. Clinkscales organized 500 volunteers who helped register 10,000 new voters in the central areas of Baltimore.

Her accomplishments in special education, civil rights, and neighborhood recreation have received national attention and the admiration of her Baltimore community.

The spirit and success of Mrs. Clinkscales' work should serve as an example to all who seek to make ours a more representative and democratic government.

With pride, I ask unanimous consent that the article honoring my fellow Marylander be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Some 5,500 New Negro Voters Found—Northwest Drive Hopes To Add 5,000 More by September 21

A concentrated effort to register Negro voters in northwestern Baltimore netted more than 5,500 new names before last Monday's primary election deadline, a drive organizer said yesterday.

Negro leaders and "grass roots," workers will attempt to garner another 5,000 new voters before the September 21 closing date for registration for the November general election.

Spearheading the campaign is Mrs. Anna J. Clinkscales, a vivacious 33-year-old housewife who holds offices in several Negro organizations.

"We hope to get every living soul registered as a voter before that September 21 deadline," she said yesterday.

FIVE HUNDRED VOLUNTEERS

Mrs. Clinkscales has had the help of 500 volunteers, including housewives, working men and children. They began knocking on doors more than a year ago, but the campaign "has been going full steam" since January, Mrs. Clinkscales said.

In her own Edmondson Village ward, Mrs. Clinkscales noted, registration went from 2,316 to over 5,000."

The drive has the backing and support of local chapters of the National Association for the Advancement of Colored People and the National Council of Negro Women, the United Auto Workers and the Mother's Committee for Adequate Recreation, a northwest group that is pushing for a Robert F. Kennedy Memorial Park.

Mrs. Clinkscales, the mother of three small children, is president of the Council of Negro Women's local chapter, and is a board member of the local NAACP.

Although she was born in Baltimore, Mrs. Clinkscales has lived much of her life in Massachusetts. She found that almost every New Englander was a registered voter and was "proud of it."

Returning to Baltimore several years ago, she said, she was "shocked" by the low registration figures, especially among the Negro community.

She was an admirer of the Rev. Martin Luther King, Jr., and John F. Kennedy and she disavows racial extremism.

"The root of solving everything we need as Negroes is voting power," she said.

The late President Kennedy, she added, inspired her to be a "doer" instead of a "talker."

She was an unsuccessful candidate for the constitutional convention and she admits to political ambitions.

Her next target? "I would like to run for the mayor of the city," she said.

OIL POLLUTION

Mr. MUSKIE. Mr. President, for the past 3 years, national and international attention has increasingly focused on the problem of oil pollution. The *Torrey Canyon*, the *Ocean Eagle*, and the offshore well in the Santa Barbara Channel have been only the outstanding disasters.

Thousands of oil discharges, in varying sizes from many different sources, occur every year. Vessels passing our coast and using our harbors, some known and others unknown, spill oil which can seriously alter the ocean ecology and ruin our beaches. Oil drilling and production rigs, pipelines, and refineries, as well as storage tanks, terminals, and a multitude of industries, dump oil into the waters of the United States.

Last year the Senate enacted legislation which would have enabled Government to deal quickly and effectively with these offenses, but it was defeated in the House. Again this year, legislation will be presented which, I hope, will again receive unanimous support.

In order that Senators may review the oil pollution situation, I urge that they read Mr. Edward Cowan's article entitled "Oil on the Waters," published in the March 10 issue of the Nation. The article is an excellent summary of the situation with which we are all concerned.

I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Mankind's Fouled Nest: Oil on the Waters

(By Edward Cowan)

(Note.—Mr. Cowan, a foreign correspondent for the New York Times, now based in Toronto, covered the wreck of the *Torrey Canyon* for that paper and writes of it in great detail in Oil and Water: The *Torrey Canyon* Disaster (Lippincott).)

The escape of oil from Union Oil's offshore well opposite Santa Barbara, Calif, and the subsequent chain of events, political and natural, should be read as an object lesson in humility. The leak, the difficulties in plugging it, and the quick dashing of hopes that the shore line would be spared serious pollution, are all reminders that man has repeatedly and injuriously lost control of his own inventions, usually when he least expects to.

Fred J. Hartley, the aggressive marketing man who is president of Union Oil Company of California (record 1968 profits of $151.2 million on $1.9 billion of sales), argued that the eruption that produced the leak could not reasonably have been anticipated. Perhaps not. Nor could the loss of a hydrogen bomb over Spain. Nor the 1965 Northeast power failure. Nor the stranding two years ago of the supertanker *Torrey Canyan*, whose captain ran her onto a well-marked granite reef off England in broad daylight, causing the biggest shipwreck and oil pollution ever. Nor, just a year after that, the stranding and breakup of another Liberian flag tanker, the *Ocean Eagle*, at the entrance to San Juan harbor—hardly an uncharted shoal.

Surely no one could reasonably have expected in November, 1968, that an oil barge carrying more than 1 million gallons of heavy fuel oil would be torn loose from its tow by rough weather and grounded on Rehoboth Beach, Del., where Washingtonians soak up the summer sun. Or that, also last December, a Standard Oil of California hose would rupture and let 60,000 gallons of diesel oil pour in Humboldt Bay, not far from Eureka, Calif.

Who could reasonably be called on to anticipate that a 365-foot tanker would break in two in the Panama Canal in December, 1968, losing some of its cargo of fuel oil? Or that two days before Christmas, the little tanker *Mary A. Whalen* would run aground off Rockaway Point, N.Y., on the south shore of Long Island, hard by New York City's most heavily used stretch of beaches? Or that on Christmas Day Japanese authorities would have to close the Naruto Strait because of the danger to ships from gasoline that had escaped from a grounded tanker?

Who might reasonably be expected to warn the Coast Guard that quantities of what appeared to be heavy fuel oil would wash up onto the Rhode Island coast on Inauguration Day, 1969—but that there would be no clue to the ship or shore plant from which it escaped?

As any lawyer can quickly point out, there are differences in the origins of these several disasters which are worth defining if one is concerned about writing useful public policy. There are acts of God, such as violent storms; there is human error, such as putting a tanker on a known reef; there is the inevitable breakdown in any man-made mechanical system, such as the tendency of tankers with riveted sides (a construction technique largely discontinued about six years ago, according to one expert) to ooze oil around the rivets. That leakage may be only a barrel a day, but a barrel of crude oil, thick and persistent stuff, may be more than a drop in the ocean. In the Rehoboth Beach incident, the barge that was washed ashore lost, from a pipe that broke, a quantity of oil described by Interior Department officials as "very small," somewhere from 5 to 30 barrels. That "very small" dose of heavy oil, according to the officials, "marked" 2 to 3 miles of beach and caused substantial pollution to about three blocks of beach front.

Looking back over the two years since the *Torrey Canyon* disaster alerted the public and governments to the dangers inherent in the transportation of vast quantities of crude oil, it is startling to observe how many pollution incidents and near misses there have been; the list just recited is far from exhaustive.

It was instructive, for example, to learn from a trade publication this winter of two tanker casualties off southern Africa in the spring of 1968. On April 29, about 3 miles off the Cape of Good Hope, the *Esso Essen* struck an underwater obstruction and cut herself open at three points. She lost about 30,000 barrels of Arabian heavy crude oil. Esso said it applied its new dispersant, Corexit, "with great success." In the other reported casualty, the tanker *Andron*, whose owner is listed as a Greek company, split a seam in heavy seas. After discharging her cargo of Kuwait crude, she underwent temporary repairs at Durban, reloaded the oil, resumed her voyage for Venice, and sank about 10 miles off Southwest Africa. Exactly what happened to her cargo of about 16,000 tons (117,000 barrels) is not fully known but there are only two possibilities; immediate or gradual pollution of the sea.

In short, with the world's consumption of petroleum products—in homes, factories, office buildings, schools, chemical plants, aircraft, ships, motor vehicles and electric generating stations—increasing by 7.5 per cent a

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year (it is now seven times what it was in 1938), the water-borne shipment of oil has become an industry in itself. Twenty-five years ago, the *T-2*, workhorse tanker of World War II, carried about 16,000 tons. By the early 1960s, Japanese shipyards, emerging as the world's busiest, were building ships to carry more than 100,000 tons and were "stretching" smaller ships. The *Torrey Canyon*, for example, built at Newport News, Va., to carry 67,000 tons, was jumboized in Japan to carry 118,000 tons. By keeping her original power plant and propulsion system, the most expensive part of a tanker, the *Torrey Canyon*, at only a slight sacrifice of speed, nearly doubled her delivery capacity. The saving worked out to roughly a penny a barrel. Show any international oil company how to add a penny a barrel to profits and it can make you very rich by cutting you in for only a few daubs of the extra icing.

The same economic logic lifted tanker size to 312,000 tons by 1968 with the launching of the *Universe Ireland*, first of six such ships to be operated by Gulf. Last November the Japanese yard that built her, Ishikawajima-Harima Heavy Industries Co., got an order for a 370,000-tonner, to cost between $22 million and $25 million. Disputing some industry experts, the buyer, Tokyo Tanker Co., said it thought that economies of scale would persist as capacity approached 500,000 tons.

The 370,000-ton tanker will carry three times as much oil as did the *Torrey Canyon*. The 50,000 tons or more of oil that she spilled contaminated 140 miles of English coast and a considerable stretch of Brittany's northern shore, 110 miles from the wreck.

Could a *Torrey Canyon* disaster occur again? Like today's new supertankers, she was well made and equipped with modern navigational aids. She stranded solely as the result of her captain's bad seamanship—an "aberration," one expert mariner called the performance. If it seemed too incredible to happen more than once in a lifetime, one had only to wait a year for the captain of the *Ocean Eagle*, which split in two, to fracture her bottom on the ocean floor in front of San Juan harbor.

Britain's aerial bombing of the *Torrey Canyon* (an attempt, successful said Whitehall, to burn the oil remaining in her tanks) and the struggle by troops and civilians to remove inches of oil from beaches and harbors attracted hundreds of newsmen. Overnight, governments, editors and the public discovered how much oil a single ship can carry; how persistent, noxious and, for waterfowl, lethal, crude oil can be; how emotional can be the argument about how to clean it up, with tourism-minded merchants advocating chemicals for a quick, thorough wash, and fishermen and naturalists preferring mechanical methods; how unprepared, in law and in practical arrangements, national states are to cope with, much less put an end to, oil pollution.

In the United States, the *Torrey Canyon* episode and unrelated instances of pollution to the New Jersey and Cape Cod shores a few weeks later dramatized not only the enormity of the (infrequent) major disaster but the fact that coastal oil pollution is an everyday problem. Despite efforts of the big tanker fleets to dispose of their residues innocuously, there is a lot of clandestine bilge washing by countless freighters, trawlers and tankers.

These events fired up a mood of reform in Washington. President Johnson directed the Secretaries of Transportation and Interior to make a study of oil pollution and recommend legislation. A number of Congressmen—and lobbyists—began to gird themselves for another round in the continuing conflict between public and private interests. In London, meanwhile, an emergency session of the Inter-Governmental Maritime Consultative Organization (IMCO), a UN body, had been convened at Britain's request. It began deliberations on two conventions to supplement existing international law. One would establish the right of a state to take action against a foreign-owned ship lying offshore, but in international waters, to protect the state's coast from pollution. (Britain, despite the readiness of the Royal Navy to try to fire the leaking *Torrey Canyon* immediately, stood aside for ten days of fruitless salvage attempts, in part because there was no legal authority or precedent for destroying someone else's property on the high seas.) The other convention would establish liability of ship owners for pollution damage. With uncommon dispatch, IMCO also adopted a package of recommendations to national states on technical safety matters and on tougher enforcement of anti-pollution law.

Another aspect of the tanker business that was illuminated by the *Torrey Canyon* and *Ocean Eagle* casualties is the role of the Republic of Liberia as the world's leading country in registered merchant marine tonnage. In 1947, because of difficulties with Panamanian consuls who, owners said, sought to collect "fees" every time a Panamanian-flag ship cleared their ports, United States shipping interests were looking for a new flag of convenience (or flag of necessity, depending on how one chooses to approach the wage and tax argument). That need coincided with the engagement of the late Edward R. Stettinius, Jr., to assist Liberia's economic development. The result was the drafting by three Wall Street law firms of legislation, duly enacted in Monrovia, that put Liberia in the business of registering ships.

In the ensuing twenty years, Liberia has taken great pains to rebut trade union accusations that hers is a "runaway flag," flown by unsafe, leaky old tubs whose crews are virtually galley slaves and incompetent, too. Without getting into that argument, it can be said that the jumbo tankers which today fly the Liberian flag are well-made vessels. The African state has what seem to be exacting regulations governing seaworthiness, loading and safety equipment. It issues officers' papers either reciprocally or after an applicant passes examinations which Liberia says are tougher than those of other countries. Liberia, says Albert J. Rudick, an American lawyer who is employed full time in New York with a staff of forty as Liberian Deputy Commissioner of Maritime Affairs, tries to make a ship owner's responsibilities commensurate with the benefits (no corporate income tax) of the Liberian flag.

Nevertheless, the Liberian maritime program remains very much as it was conceived—an affair for the benefit of American ship owners and quietly managed by them and their lawyers who decide, without "benefit" of public scrutiny or debate, how to balance private and public interest. (Mr. Rudick argued that there is meaningful debate in Liberia's Congress but he was unable to name the relevant committees or their chairmen.)

When the *Torrey Canyon's* board of investigation met, it had no rules of procedure to follow. Its mandate was a regulation for inquiries which stresses the possible negligence of the crew and thereby underplays the possible role in a casualty of the ship's mechanical condition or of acts or omissions by its owners. No wonder that the board failed to mention in its report certain things it learned about the condition and equipping of the ship—matters now very relevant to damage suits by Britain and France against the *Torrey Canyon's* owner (a phantom Liberian corporation with head office in Bermuda) and operator, Union Oil. Nor, one supposes, is it surprising that nearly a year after the *Ocean Eagle* casualty the report of investigation had not been released by Monrovia, where, it was explained, they have been very busy this winter celebrating William V. S. Tubman's twenty-fifth anniversary as President.

Similarly, Liberia has not released for discussion changes in its laws and regulations, soon to be put into effect. Surely, the maritime rules of the foremost "seafaring nation" are of interest outside Monrovia; but, except in Wall Street where the proposed changes were drafted, they are generally unknown.

The overriding issue posed by the *Torrey Canyon* disaster, the *Ocean Eagle* episode, the eruption of the well opposite Santa Barbara, and lesser instances of pollution is that of responsibility. Shall a tanker, drilling rig, shore installation (e.g., refinery, transshipment terminal, depot, etc.) or other oil facility be responsible for damage done by its oil? Shall it be responsible absolutely, that is, regardless of whether or not it is at fault, or only if negligent? And if liable shall it pay the full damages, or only up to a limited amount?

The questions are being debated in London at IMCO meetings of legal experts and in Washington in hearings before the subcommittee on air and water pollution of the Senate Public Works Committee. One of the conventions that IMCO experts hope will be completed at Brussels next November would deal with the liability of tankers for oil damage. The Brussels conference will have to decide how sweeping the liability shall be. A slight majority of the deliberating nations, including the United States, is said to favor absolute liability. More likely, the process of accommodation will produce liability based on fault, with the burden of proof on the ship.

The amount of liability will be limited, partly because it traditionally has been and partly because of the expense and difficulties of getting insurance for unlimited liability. How high the limitation should be will also be resolved at the conference. The United States has proposed two to four times the 1957 liability convention limit of $67 a gross registered ton, with a maximum of $15 million. (Washington has never signed that convention.) The International Maritime Committee, a small, little-known, powerful Antwerp-based network of lawyers, which has drafted several important maritime conventions, is expected to press for its 1957 formula or not much more. Undoubtedly, all opening positions on this point were taken for bargaining purposes. The issue may be argued as one of how much damage can be reasonably expected, with cleanup costs from various spills offered in evidence. At bottom, it is a matter of tanker owners and operators trying to minimize their extra insurance costs. Washington estimates the convention may add 10 per cent to a tanker's normal insurance costs, or about 2 per cent to operating costs. A 2 per cent rise in operating costs in any business is not trivial.

The same question has arisen before the Senate subcommittee, which is considering legislation (S. 7) sponsored by its chairman, Senator Muskie. It would, among other things, authorize the government to clean up oil spills in inland and territorial waters and require the tanker to pay the costs. The legislation proposes a limit of $450 a ton up to $15 million. Asserting that these levels would "amount to a denial of ship owners' right to limitation of liability," the Maritime Law Association of the United States, representing some 2,000 admiralty lawyers (who generally work for ship owners) urged the Congress to return to the $67 a ton and $5 million limits written in legislation passed by the Senate and weakened by the House Public Works Committee (where an oil man and a shipping man held sway) in 1968. The American Petroleum Institute proposed $100 a ton up to $10 million. Last year it proposed $250 a ton up to $8 million. It changed its mind, it said, to go along with the limits

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adopted by seven major oil companies which have established a voluntary cleanup plan (which will come into effect only if a lot more tanker owners adhere). An API tabulation showed that the most expensive cleanup on record—for the tanker *General Colocotronis* in the Bahamas a year ago—was $800,000. Conveniently, the API explicitly excluded the *Torrey Canyon*, whose cleanup expenses it put at $8 million (half the claims of Britain and France), because of "technological progress over the past two years and many of the mistakes made in the *Torrey Canyon* incident would not be repeated, and, of course, research on cleanup methods is continuing." Those few words hardly justify ignoring $7.2 million of an $8 million cleanup bill.

The Maritime Law Association, seeking to establish limitation as something close to divine right, argued that it "is rooted in the universally recognized principle that it is of paramount consideration for maritime nations to preserve the continuity of maritime commerce as a matter of vital national interest." The association, noting that Congress granted limitation in 1851 (the legislation has not been significantly altered since then), went on to cite an 1871 Supreme Court decision which recognized that the law's object was "to induce capitalists to invest" in ships.

The argument could hardly be less relevant. Even if the asserted "paramount consideration" exists, it does not necessarily follow that it applies to the United States or that commerce cannot be sustained in foreign-flag bottoms, which are sent to sea to make a buck and presumably will be available. As for any national security argument, there is good reason (if only the multiplicity of pressures Washington can bring to bear) to believe that American-owned ships under foreign flags would be available in time of urgent need. As for persuading that legendary capitalist to invest in ships, the argument antedates common use of the corporation, when the investor was personally liable for the ship's damage, and the development of today's broad, deep, versatile insurance market. Because of these changed economic conditions, limitation is not so just, necessary or immutable as its beneficiaries argue. According to some qualified lawyers, the courts are moving away from it.

The Santa Barbara mishap and Senator Muskie's bill are forcing the Nixon Administration to review offshore drilling policy and regulation, and also what is known about materials and techniques for cleaning up spilled oil on sea and land without harming natural life. With the oil industry itself accepting Senator Muskie's principle that the government should be reimbursed for cleaning up spills arising from private commerce, it would seem likely that the President will sign the bill—if it is not stranded on one of those hidden shoals in the House Public Works Committee.

THE KUKUI GARDENS STORY

Mr. FONG. Mr. President, on February 11, it was my privilege to participate as a guest in a groundbreaking ceremony for the Kukui Gardens housing development project in Honolulu. I call attention to this event because the huge complex is said to be the largest single redevelopment project in the United States under section 221(d)(3) of the National Housing Act.

The project contemplates the construction of more than 800 apartment units for families of low and moderate income with financing assistance provided by mortgage insurance endorsed by the Federal Housing Commissioner. The $16 million project will be developed on 19.5 acres of land within the city of Honolulu.

Mr. Clarence T. C. Ching, of Honolulu, created the Clarence T. C. Ching Foundation as a nonprofit body to sponsor the project.

The "Kukui Gardens Story" has been published by the directors of the Kukui Gardens Foundation to describe the background, plans, and people involved in launching this important housing development project. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE KUKUI GARDENS STORY

In 1966 the Honolulu Redevelopment Agency (HRA) in conjunction with the Department of Housing and Urban Development initiated a competition whereby various individuals and organizations were invited to submit proposals for the purchase and development of approximately 19.5 acres of land within the City of Honolulu and within the area identified as the "Kukui Project, Hawaii No. R–2," as part of its urban redevelopment program. The HRA required that in consideration of its sale of the property to the redeveloper, there be developed and operated on the property a housing propect for families of low and moderate income with financing assistance provided by mortgage insurance endorsed by the Federal Housing Commissioner (FHA Commissioner) under the provisions of Section 221(d)(3) of the National Housing Act. As envisioned by the HRA, the project was an ambitious program requiring that there be constructed not less than 800 apartment units at a total estimated cost of approximately $15,000,000.

Mr. Clarence T. C. Ching, who has had extensive experience in land development projects in the State of Hawaii and particularly with a Section 221(d)(3) housing project for a limited distribution mortgagor, believed that he could make a substantial contribution to the community by offering his experience in this type of activity to have the project realized as anticipated by the HRA, and he, therefore, submitted his proposal in the competition. The proposal was predicated on the assumption that the ultimate development organization would be a nonprofit organization and thereby qualify for 100% mortgage insurance under said Section 221(d)(3). The proposal was submitted to the HRA under the designation of The Clarence T. C. Ching Foundation (Foundation), a proposed charitable organization, with the explanation that if the project was awarded to the Foundation, Mr. Ching would cause to be organized a charitable trust which would serve as the sponsor of the project as required by the rules and regulations of the FHA. On January 19, 1967, the HRA informed Mr. Ching that the proposed The Clarence T. C. Ching Foundation had been selected as the redeveloper.

Immediately thereafter Mr. Ching proceeded with the organization of The Clarence T. C. Ching Foundation together with the Kukui Gardens Corporation (Corporation). To satisfy the various government agencies having an interest in the matter, and particularly the HRA, it was necessary that the organizational instruments be circulated with the FHA Commissioner, the HRA and Department of Housing and Urban Development, the Director of Regulatory Agencies, State of Hawaii, and the Internal Revenue Service. After several suggestions made by the various agencies were incorporated in the organizational instruments, it was further necessary to obtain the concurrence of St. Francis Hospital and Chaminade College in Honolulu, both of which have integral roles in the Kukui Gardens Corporation organization.

THE CLARENCE T. C. CHING FOUNDATION

By Trust Agreement dated August 8, 1967, Clarence T. C. Ching, as Settlor, and Clarence T. C. Ching, Henry C. H. Chun-Hoon, Jasper J. Jepson, Katsumi Kometani, and Ralph M. Miwa, as Trustees, created a charitable trust identified as The Clarence T. C. Ching Foundation. Mr. Ching funded the trust with an initial contribution of $10,000 in cash.

The Foundation has no limited or specific purposes and objectives other than the general purpose of engaging in charitable and other activities permitted under the Internal Revenue Code. Inasmuch as the Foundation is intended to have perpetual existence, the Settlor intentionally empowered the Trustees to have as much flexibility permitted by law and the Internal Revenue Code in the administration of the trust and the beneficial uses of the income earned by the trust. There are no specifically named beneficiaries who are entitled to the income or principal of the trust. However, there are some guidelines under which the Trustees are requested to consider benefits to the needy and destitute, the sick and the aged, scholarship aid and assistance, grants for research and study, and assistance for hospital and other public charitable or educational institutions.

By the terms of the Trust Agreement, the Trustees are directed that they may not in the administration of the trust perform any act which would cause the Foundation to forfeit its status as a tax exempt organization under the provisions of Section 501(c)(3) of the Internal Revenue Code. This is an express limitation of the Trustees' authority, and if the Trustees shall engage in prohibited transactions repugnant to a Section 501(c)(3) organization or if they shall distribute any part of the trust estate for purposes other than authorized in the Trust Agreement, upon petition of the Attorney General of the State of Hawaii or either of Chaminade College or St. Francis Hospital the trust will terminate and the trust estate will pass to Chaminade College and St. Francis Hospital. The aforementioned limitation is expressly designed to prevent the Trustees from permitting any of the income or principal of the trust estate to pass to private individuals for noncharitable uses. Every precaution has been taken in the Trust Agreement to ensure that no economic benefit will accrue to Mr. Ching or his family.

In the event of termination of the Foundation, all trust property will be vested in Chaminade College and St. Francis Hospital in the proportions of two-thirds and one-third, respectively. If at the time that they are eligible to receive such property, if either of them is not then in existence or qualified as an exempt organization under said Section 501(c)(3), its share will pass to the other.

The Foundation has been determined by the Internal Revenue Service to be a charitable trust exempt from Federal income tax as an organization described in Section 501(c)(3) of the Internal Revenue Code.

KUKUI GARDENS CORP.

Pursuant to a petition filed by the five Trustees of the Clarence T. C. Ching Foundation, acting as private individuals and not as such Trustees, the Director of Regulatory Agencies, State of Hawaii, issued a Charter of Incorporation on August 25, 1967, creating the Kukui Gardens Corporation, a Hawaii nonprofit corporation. The membership of the Corporation is comprised of fifteen persons, five of whom are Trustees of the Foundation, five of whom are members of the Board of Regents of Chaminade College, and five of whom are members of the Board of Lay Advisors of St. Francis Hospital. The names of the members are as follows:

Trustees: Clarence T. C. Ching, Henry C. H. Chun-Hoon, Jasper J. Jepson, Katsumi Kometani, Ralph M. Miwa.

Regents: Kenneth F. C. Char, Maurice J.

Sullivan, John J. Uehara, James W. Y. Wong, Watson Yoshimoto.

Lay Advisors: Hung Wai Ching, Alexander J. Coney, Campbell W. Stevenson, Vincent H. Yano, Sister Maureen, O.S.F.

It is expressly provided in the Charter that the membership of the Corporation shall at all times be in the proportions above described, and no persons other than such Trustees, Regents or Lay Advisors may be members of the Corporation.

The Charter of Incorporation expressly provides that all income earned by the Corporation shall be paid to the Trustees of the Foundation to be used for the purposes authorized under the Trust Agreement. If the Foundation shall not then be in existence and/or if it shall not qualify as an exempt organization under Section 501(c)(3) of the Internal Revenue Code, all such income shall be distributed to Chaminade College and St. Francis Hospital in the proportions of two-thirds and one-third, respectively. If the Corporation shall be dissolved for whatever reasons, all the assets of the Corporation shall be distributed in the manner provided for the distribution of income.

The Internal Revenue Service has determined the Kukui Gardens Corporation to be an organization exempt from Federal income taxes under the provisions of Section 501(c)(4) of the Internal Revenue Code.

THE PROJECT

The Kukui Gardens Corporation will be the developer and owner of the Kukui Gardens Project. It will borrow from The Ford Foundation the sum of $16,101,000 to be secured by a mortgage of the project property. The mortgage will be insured by the Federal Housing Commissioner under the provisions of Section 221(d)(3) of the National Housing Act, under which the FHA Commissioner is authorized to insure mortgages made for the purpose of purchasing, constructing, and operating rental projects for families of low and moderate income.

The maximum mortgage amount which the FHA Commissioner is authorized to insure for mortgages made by a nonprofit mortgagor is 100% of the funds required to purchase the land and to construct the rental project. The repayment of the mortgage loan is to be made over a period of 40 years from earnings of the project. During the effective period of the mortgage, the FHA Commissioner exercises strict control and supervision of the activities of the nonprofit mortgagor with respect to the operation and maintenance of the project.

The principal device by which such control and supervision are exercised by the FHA Commissioner is the Regulatory Agreement which must be executed between the FHA Commissioner and the nonprofit mortgagor at the time of initial endorsement for mortgage insurance. The Regulatory Agreement with reference to nonprofit mortgagors expressly requires, among other things, the prior written approval of the FHA Commissioner with respect to any disposition of mortgaged property, any amendments or repair of the mortgaged property, and any contract or contracts for supervisory or managerial services.

The Regulatory Agreement requires that all earnings of the nonprofit corporation in excess of all expenses, including such amounts required for mortgage amortization, are to be deposited in a "Residual Receipts Fund," and all monies in such Fund shall be under the control of the FHA Commissioner and shall be disbursed only on the direction of the FHA Commissioner, who has the power and authority to direct that such Fund, or any part thereof, be used for such purposes as he may determine in furtherance of maintaining the lowest rentals possible for families of low and moderate income.

Unless the FHA Commissioner so directs, there will be no income or earnings of the Kukui Gardens Corporation payable to the Trustees of the Foundation so long as the property shall be subject to the mortgage insured by the FHA Commissioner. Therefore, it may conceivably be that the Foundation will not receive any income from the Corporation for a period of as long as 40 years.

During the effective period of the mortgage, the Corporation assists the community in making available to families of low and moderate income attractive apartment units at very reasonable rents. Upon the full repayment of the mortgage debt, the provisions of the Regulatory Agreement will not thereafter be effective. At such time the Corporation will be the owner of 19.5 acres of land in downtown Honolulu with all improvements. It may be expected that at such future date the income generated from the ownership of the land will enable the Foundation to more effectively execute its charitable purposes.

FINANCIAL RESPONSIBILITY

The organization of the Foundation and the Corporation for the purchase, ownership, development and operation of the Kukui Gardens rental project has been recognized as being a unique concept for the development of a 221(d)(3) rental project. However, in many respects the organization is not unlike other 221(d)(3) projects. The distinguishing feature in the Kukui Gardens Project is that Clarence T. C. Ching contributed his knowledge, experience and organization, and equally important, made available those funds which are considered to be risk capital which most persons have neither the resources nor inclination to do.

With the cooperation and assistance of the Bank of Hawaii, which extended the courtesy of a prime rate, Kukui Gardens Corporation borrowed an amount in excess of $590,000, which was required to be expended by the Corporation prior to the closing of the mortgage loan. Inasmuch as the nonprofit corporation was organized with no capital, it was necessary that Mr. Ching offer securities and his personal guaranty for the repayment of the loan. It is expected that the loan will be paid from mortgage loan proceeds, but had any insurmountable obstacles been encountered in the period of fifteen months since the Project was first undertaken and had such obstacles resulted in a failure of the Project prior to closing of the mortgage, a substantial personal loss would have been suffered.

LITHUANIAN INDEPENDENCE DAY

Mr. WILLIAMS of New Jersey. Mr. President, recently, the 51st anniversary of the independence of Lithuania was celebrated. I am proud to extend my good wishes to this courageous nation which has fought hard for the reestablishment of complete independence and self-government.

It is indeed a tragedy that this anniversary is overshadowed by the all-too-brutal reminder that Soviet oppression is still present. Let us pray that the day will once again come when the great Lithuanian nation will be able to enjoy the era of the 22 years when she was free—free to enjoy a renaissance of educational betterment; free to enjoy the beauty of music, art and ballet; free to reach the heretofore unattained peaks of industry and commerce; free to enjoy the joy of owning one's own farm. These are the incredible accomplishments made by the Lithuanians in the two brief decades of freedom which were afforded them. Let us hope that the time is imminent when Lithuania will once again be restored to her rightful heritage of liberty and independence and will be able to lead a happy and fruitful existence.

Mr. President, I ask unanimous consent to have printed in the Record the text of the resolution which was adopted by the Lithuanian people at a mass meeting held February 16 in Newark, N.J., commemorating the 51st anniversary of the restoration of Lithuanian independence.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

RESOLUTION OF THE LITHUANIAN COUNCIL OF NEW JERSEY

Unanimously adopted at a meeting of American-Lithuanians and their friends living in New Jersey, sponsored by the Lithuanian Council of New Jersey, held on Sunday, February 16, 1969 at St. George's Lithuanian Hall, Newark, New Jersey, in commemoration of the 51st anniversary of the establishment of the Republic of Lithuania on February 16, 1918.

Whereas the Soviet Union took over Lithuania by force in June of 1940; and

Whereas the Lithuanian people are strongly opposed to foreign domination and are determined to restore their freedom and sovereignty which they rightly and deservedly enjoyed for more than seven centuries in the past; and

Whereas the Soviets have deported or killed over twenty-five per cent of the Lithuanian population since June 15, 1940; and

Whereas the House of Representatives and the United States Senate (of the 89th Congress) unanimously passed *House Concurrent Resolution 416* urging the President of the United States to direct the attention of the world opinion at the United Nations and at other appropriate international forums and by such means as he deems appropriate, to the denial of the rights of self-determination for the peoples of Estonia, Latvia, and Lithuania, and to bring the force of world opinion to bear on behalf of the restoration of these rights to the Baltic peoples; now, therefore, be it

Resolved, That we, Americans of Lithuanian origin or decent, reaffirm our adherence to American domocratic principles of government and pledge our support to our President and our Congress to achieve lasting peace, freedom and justice in the world; and be it further

Resolved, That the President of the United States carries out the expression of the U.S. Congress contained in *H. Con. Res. 416* by bringing up the Baltic States question in the United Nations and demanding the Soviets to withdraw from Estonia, Latvia, and Lithuania and be it further

Resolved, That the pauperization of the Lithuanian people, conversion of once free farmers into serfs on kolkhozes and sovkhozes, as well as exploitation of workers, persecution of the faithful, restriction of religious practices, and closing of houses of worship, and be it finally

Resolved, That copies of this resolution be forwarded this day to the President of the United States, Secretary of State William Rogers, United States Ambassador to the United Nations Charles Yost, United States Senators from New Jersey, Members of U.S. Congress from New Jersey, and the press.

VALENTINAS MELINIS,
President.
ALBIN S. TRECIOKAS,
Secretary.

THE SENTINEL SYSTEM

Mr. SYMINGTON. Mr. President, I ask unanimous consent that an interesting and constructive article from the Wall Street Journal of Thursday, March 6, "The Sentinel: It Could Be 'Crazy' Diplomatic Ploy," be inserted at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE SENTINEL: IT COULD BE "CRAZY" DIPLOMATIC PLOY

(By Robert Keatley)

WASHINGTON.—Congressmen oppose it. Citizens are frightened by it. Scientists have called it a bad joke. Defense analysts wish it had never been started.

Thus bolstered in its wisdom, the Defense Department appears ready to proceed full blast with some sort of Sentinel anti-ballistic missile system, purportedly to ward off possible nuclear attacks ordered by a mad Communist Chinese ruler five years hence. President Nixon says the final decision will be announced early next week.

It all sounds supremely illogical. But there is one more apparent contradiction that may prove the crucial factor in any go-ahead decision: The Administration could order the controversial Sentinel's deployment to help ensure that the system will never actually be built.

EXPLAINING A PARADOX

Despite appearances, the explanation is a rational one, though it lies more in the area of international politics than of military weaponry. Mr. Nixon, who must choose one of several alternative ABM plans or none at all, is hearing influential advisers claim it is vital that America preserve appearances of deploying the so-called "thin" anti-Chinese defense system. This, the argument goes, will help push the Russians into meaningful arms control talks more quickly and, it's hoped, thus slow down or stop the costly weapons spiral. Step one in such negotiations would be a joint American-Russian agreement to scrap their respective ABM systems, followed by even more significant weapons controls.

"A tradeoff (with the Russians) would be truly revolutionary, something that has never happened before, and a good way to get something serious under way," says one deep thinker whose expertise keeps him close to policy planners.

Amidst the uproar and confusion surrounding ABM's fate, there are scattered signs that Defense Secretary Melvin Laird favors such a tradeoff approach—and left that recommendation with the President before journeying yesterday to Vietnam. At a Pentagon press conference, for example, he stressed, "We have an opportunity, I think, within the not too distant future to move into talks with the Soviet Union on offensive and defensive missile systems. And I do not want to be in a position when we go into those talks, if we do, with one hand tied behind our back." Thus, he added, fiscal 1970 budget plans for the ABM are important "for the position we hold at the time talks begin"—implying such plans could be changed later if arms negotiations were to show progress.

Since then, the Secretary's comments have placed more emphasis on Sentinel's military value, and he stressed—notably before Sen. William Fullbright's somewhat hostile committee—that "I do lean personally in favor of such a system." Such statements have aroused much opposition from critics who claim Sentinel is dangerous, costs too much and won't work anyway. But Mr. Laird's comments could be more of form than of substance, because Sentinel is useless for negotiating purposes unless deployment plans seem credible. If the Russians consider it all an empty bluff, the exercise obviously won't work.

To spread the word so deliberately about this nuclear gamesmanship, of course, requires that ABM plans appear credible enough to leave Moscow unsure whether they will ever be carried out. Sentinel alone probably doesn't worry the Russians very much—their sophisticated missiles can easily penetrate its defenses—but actual deployment could be prelude to another round of strategic weapons construction that Moscow does want to avoid. Rather than run the risk, the argument goes, the Soviets would leap at a chance to head off such a buildup.

Mr. Nixon professes to be still in the decision-making stage; yesterday he had a long meeting with his National Security Council advisers, and he promises additional ABM studies before announcing his judgment a few days hence. But Mr. Laird's departure on schedule indicates that the real choice has already been made, and that the present drill is for appearances' sake. It is possible that the White House will cave in under pressure from ABM opponents, but somehow that doesn't seem likely. And it's known that some extremely influential authorities, with intimate knowledge of plans for both ABM deployment and arms talks, want the program kept on the books for negotiating purposes.

"All things considered, I wish we hadn't started it," says one expert. "But since we have, it is not a bad idea to go ahead with Sentinel. It won't frighten the Soviets out of negotiations and can be the subject matter of initial talks. The last thing we should do now is to scrap it unilaterally as a gesture of our good faith; that won't impress the Russians at all."

Putting together facts, hints and guesses, this possible Sentinel decision emerges:

Deployment plans for a "thin" system are maintained, though the year's money request will likely be much less than the $1.8 billion sought in former Defense Secretary Clark Clifford's last budget. Sentinel sites would be switched from major cities, where many citizens worry about having nuclear warheads for neighbors, to remote Minuteman missile bases; this would change ABM's main mission from protecting the populace to protecting U.S. offensive weapons.

Such moves would defuse much political opposition to Sentinel deployment, many believe. But to make sure a Capitol Hill showdown is avoided, the Nixon team could also advise some Congressional skeptics privately that the whole exercise is a negotiating ploy, designed to bring about scrapping of the Russian Galosh system—a thin ABM defense near Moscow that apparently has technical problems.

(A more remote prospect, harder to sell: Arms talks could bring Russian-American agreement to go ahead with both systems on a "thin" basis, with both designed to protect against the Chinese. Either way, both sides agree not to build a "thick" system to protect against each other's missiles and thus set off a new arms spiral.)

Whether this would work with the Russians is another matter: "It's a crazy idea," insists one anti-ABMer with Pentagon experience. Like many others, he believes any deployment go-ahead would only stiffen the Kremlin's hard-liners and perhaps sabotage arms talks. Moscow is already eager for negotiations, he believes, and additional American arms buildups will only erode this willingness.

A BAD JOKE

Our leading Sentinel foe is Jerome B. Wiesner, who was a science adviser to President Kennedy. "We ought to regard the Sentinel as a bad joke perpetrated on us by Robert S. McNamara, former Secretary of Defense, and former President Johnson in an election year. It seems to me their very rationalization—that it was to defend us against the Chinese, but we would stop building it if the Russians agreed not to build one—demonstrates that well enough," he argues.

Even so, there are Sentinel supporters who want the system built for its defense value and not as a chip in high-stakes international poker.

Sentinel deployment plans (before the present review began) involved placing sites near 15 or 20 large cities. The system has four basic components: Perimeter Acquisition Radar (PAR), which detects incoming enemy missiles at long range; Missile Site Radar (MSR), which guides defensive missiles; Spartan, a long-range missile whose nuclear warhead is supposed to neutralize enemy nuclear explosives above the atmosphere; and Sprint, a short-range rocket to pick off enemy missiles that penetrate the Spartan defenses. Only a few of the sites would have PAR equipment, and only those with PAR would have Sprint missiles.

By expert accounts, the system is next to useless against any massive Russian attack. But many scientists believe it could nullify potential Chinese attacks during the 1970s, and could be modified to serve the same purpose well into the 1980s. According to Mr. Laird, Peking will test its first intercontinental ballistic missile within 18 months and will have 20 to 30 such missiles operational by 1975.

As previously planned, Sentinel would cost $5.8 billion, according to Army budgeteers; shifting it from cities to Minuteman sites would add $500 million or so more. But critics claim these figures understate fiscal realities (as is true with most Pentagon cost projections); Sen. Stuart Symington says Sentinel's true price would be $9.4 billion. And many foes claim the "thin" anti-Chinese system is merely step one in a devious military maneuver to construct a "thick" anti-Russian defense which, in addition to costing $60 billion or more, wouldn't work very well but would frighten the Soviets into another dangerous upward spiral of arms acquisition.

SOVIET ECONOMIC DRAIN

It is fear of starting such a costly chain reaction, many analysts claim, that now makes Moscow desperate for real arms control talks; weapons programs drain the Soviet economy much more severely than they do our own. Not that the Kremlin mood is entirely one of sweetness. One Soviet analyst says the Russian leaders want to adopt a "hold and explore policy"—a status quo on strategic weapons programs and East-West rivalries in Europe, while exploiting weak points elsewhere, such as in the Middle East, where political and economic gains against the West seem possible.

But even if such double-dealing is the Russian intent, most experts see advantages for the West. Some arms control agreement, however limited, could reduce international tensions and chances of major war—something is better than nothing. There are also economic advantages for both if weapons programs are scaled down, or at least not expanded. Meantime, Moscow probing of Western weak spots would probably continue with or without any strategic arms agreements so, in one sense, the two aren't necessarily related.

The Nixon team has made clear its desire for meaningful arms control negotiations, and a mutual scaling down of the wasteful arms race. It now must decide whether deploying Sentinel (or at least appearing to) will help speed such agreements, or whether it is just another "crazy idea."

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CHURCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CHURCH. Mr. President, I ask unanimous consent that I may be permitted to proceed, as in legislative session, for the purpose of bringing to the attention of the Senate several matters.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEMOCRACY FLOURISHING IN VENEZUELA

Mr. CHURCH. Mr. President, there is so much bad news from Latin America these days that it is particularly gratifying to point out some good news.

I refer to the inauguration on March 11 of Rafael Caldera as President of Venezuela. Since the overthrow of Marcos Pérez Jiménez in 1958, Venezuela has had three free and hard fought presidential elections. Rómulo Betancourt, who was elected in 1958, became the first freely elected President in Venezuelan history to complete his term and to turn over his office peacefully to his freely elected successor, Raúl Leoni.

Now President Leoni is completing his term and is turning over his office peacefully to President-elect Caldera. What makes this particularly noteworthy is that Presidents Betancourt and Leoni were members of the Acción Democrática Party while President-elect Caldera is the leader of the Christian Democratic Party or COPEI as it is known in Venezuela.

Thus, we not only have a peaceful transfer of power, but a peaceful transfer from the ruling party to an opposition party.

This is indeed a most encouraging sign of political progress.

Venezuela has been fortunate in the last 10 years to have as its leaders some of the hemisphere's most outstanding statesmen. Dr. Caldera is in the same class.

United States relations with Venezuela have been excellent, and I am sure they will continue to be so during the Caldera administration in Caracas.

As Dr. Caldera takes office, men of good will throughout the hemisphere wish him well.

SHODDY TREATMENT OF GOVERNOR PAIEWONSKY

Mr. CHURCH. Mr. President, there recently appeared in the Home Journal, of the Virgin Islands, a shocking account of the manner in which Ralph Paiewonsky, who for the past 8 years has served as Governor of the islands, was removed from office by the new administration.

Governor Paiewonsky, the Journal account makes clear, was not even given the courtesy of being personally notified of his dismissal. He first learned of it through a radio broadcast.

There is no excuse for this type of action on the part of the new administration. In the words of the Journal's editorial on the subject, the action was "insulting to the people of the Virgin Islands who have a right to expect that the highest position in the territory would be treated with courtesy and respect."

I ask unanimous consent, Mr. President, that the editorial from the Journal, entitled "Paiewonsky's Resignation," be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

PAIEWONSKY'S RESIGNATION

Governor Paiewonsky's resignation was accepted on Friday by President Nixon, effective at the close of business on Wednesday. It was taken for granted that Mr. Paiewonsky, a Democrat who had held the Governorship for the past eight years, would be replaced by a deserving Republican. The only surprising thing was the manner in which the resignation was accepted.

Up to the time of this writing, Mr. Paiewonsky has not been officially notified that he must relinquish the Governorship on Wednesday. There has been no communication whatsoever to the Governor. His only information was a United Press International news story broadcast over a local radio station. This type of action is insulting to the people of the Virgin Islands who have a right to expect that the highest position in the territory would be treated with courtesy and respect. If this is an indication of the regard which the Republicans in Washington have for the people of the Virgin Islands than we should expect rough sledding in the months ahead.

President Johnson set the stage for the nation by extending the utmost cooperation and courtesy to the incoming administration. Traditionally, the Republicans have treated the islands as if we are inferiors and not entitled to the same privileges as other American citizens, and apparently the new administration intends to live up to its reputation. After all, Virgin Islanders do not vote in national elections.

Governor Paiewonsky's retirement ends the most phenomenal period in the islands' history. His eight-year reign witnessed a fantastic increase in the territory's per capita income; an astounding increase in the tourist business; the attraction of major industries which have provided hundreds of new jobs at high wages. Gigantic strides were made in the field of education, capped by the establishment of the College of the Virgin Islands. The people came into ownership of the water and power facilities and most of the other assets of the Virgin Islands Corporation. Plans for a new jet airport were consummated. Through Paiewonsky's leadership Congress adopted legislation to permit the people to vote for their own governor.

The Paiewonsky era was both exciting and spectacularly successful, and as he leaves office he goes with the thanks, praise and appreciation of the overwhelming majority of our people for a job outstandingly done.

THE TIME HAS COME FOR TAX REFORM

Mr. CHURCH. Mr. President, since the beginning of this session of Congress nearly every office on Capitol Hill has been deluged with mail attacking our present tax structure and calling for a more equitable distribution of our Nation's heavy tax burden. We have been told that a tax revolt is in the offing and the mail from my State of Idaho would seem to confirm it.

From people of every walk of life I have heard an earnest indictment of our methods of taxation. From doctors, schoolteachers, and local government employees, from workingmen and housewives, the concern has been the same. They want to know why citizens with incomes in the millions sometimes pay little or no taxes at all while they must carry a constant and increasing taxload. They now bear the added weight of a 10-percent surtax—a tax upon a tax—to finance the war in Vietnam, while many war-related industries reap inordinate profits. The notes of discord are harsh; the taxpayers' chorus calls out for reform.

From a workingman in Blackfoot, Paris, Idaho:

> Something is wrong with the system when people can make over $200,000.00 and pay no taxes.

From a county government official in Paris, Idaho:

> I don't know if anything is trying to be worked out [about high taxes] or even if anyone but me wants things changed, but I think there badly needs to be some relief for low income people with families by higher exemption allowances.

From a laborer in Boise, Idaho:

> Senator, I ask you, how much longer do you feel that the people of the country can or will stand for this unreasonable taxation and see our money thrown away . . . all over the world . . .?

There are so many more, Mr. President, along the same lines. These are honest, hard-working men and women willing to pay their fair share of the tax burden but outraged at the inequities of the present system.

On February 12, 1969, the Washington Post published an editorial entitled "Time Has Come for Tax Reform." In a few words, it states the reasons tax reform has become mandatory and discusses the major proposals needed to put it into effect. I recommend the article and ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

TIME HAS COME FOR TAX REFORM

Tax reform is still a rather amorphous concept in Washington, but it is beginning to get the attention it deserves. Both President Nixon and Secretary of the Treasury Kennedy have indicated their awareness of inequities in the present system and have promised a remedial program. Congress, too, is interested. The country is, apparently, about to embark upon another round of tax reform that could have very far-reaching consequences.

Fortunately, the talk is not about launching another exhaustive study. That kind of study has just been completed by the Treasury Department. Lyndon Johnson wisely avoided putting the seal of his approval on it so that the recommendations can be readily picked up by the Nixon Administration without risk of partisan controversy. Indeed, the study is not slanted toward partisanship but toward a modernized tax system, with equity for people in all income brackets.

Many tax bills have also been introduced independently on Capitol Hill, Secretary Kennedy has promised that his Department will soon have specific recommendations dealing with both the problems of inequity and tax incentives to help solve the problems of the cities. Out of these many sources should emerge a greatly improved tax system.

The place to start is unquestionably the over-taxation of the poor. The Treasury's study shows that Federal income taxes are now being collected from 2.2 million families who are living in poverty. At a time when there is much talk about a negative income tax—the automatic payment of benefits to those below the poverty line—this exaction of substantial taxes from this group is especially indefensible.

The Treasury study offers at least partial relief for families in this category by raising the standard deduction from a maximum of $1000 to $1800. No doubt many more taxpayers would use the proposed standard deduction instead of itemizing their contributions, medical expenses and so forth, and that would simplify the work of both taxpayers and tax collectors. An alternative would be, of course, to raise the personal exemption which has remained stationary at $600 for many years while incomes and living costs have mounted rapidly. Despite the high losses of revenue from raising the personal exemption, this would be an even more direct means of relieving the poor.

It is equally important to tap the big incomes now untaxed. The Treasury experts found that "many persons with incomes of $1 million or more actually pay the same effective rate of tax as do persons with incomes only one-fiftieth as large." To meet this situation the Treasury experts proposed a minimum tax graduated from 7 to 35 per cent to catch people with large incomes who now pay nothing because of the loopholes in the present law.

But the reform package is not a soak-the-rich device. Another provision would put a ceiling on individual income-tax liability. No individual, however affluent, would be required to pay more than half of his total income in income tax to the Federal Government.

There is much to be said also for the proposal that the transfer of property between husband and wife be freed from taxation. At present a husband must pay estate or gift taxes on anything over half of his property passing to his wife. We think a gift or inheritance tax is proper when property is transferred from one generation to another but not between the partners to a marriage.

One of the most conspicuous loopholes that needs to be closed is the lack of any tax on capital gains when stocks or similar assets are bequeathed to an heir. If the holder of such assets had sold them before his death, he would have had to pay the capital gains tax. But the heir will pay capital gains only on appreciation, in value, if any, after he receives the property. No such favoritism should be allowed.

Other major loopholes that need attention are the excessive oil and gas depletion allowances, excessive farm losses deducted by wealthy businessmen who are not farming for a living and the absence of taxation on many state and municipal bonds. Here the plan is to create an insuring institution and to pay interest subsidies that would eliminate the use of tax-exempt bonds. The task of closing all the loopholes is an immense one. No one bill is likely to accomplish everything. But vast improvements can be made if the Administration and Congress will now give this area of reform the attention that it merits.

ALLIANCE FOR PROGRESS FALLS SHORT OF GOALS

Mr. CHURCH. Mr. President, it has been apparent for some time that the Alliance for Progress has not been working.

Although 1968 was a reasonably good year for Latin America in economic terms, little progress was made toward the social reforms which are the heart of the Alliance and a good deal of ground was lost in political terms. The authoritarian Government of Brazil converted itself into an open dictatorship, and military coup d'etats overthrew elected Presidents in Peru and Panama.

Jeremiah O'Leary has written a perceptive critique of the Alliance in the Washington Sunday Star of February 2, and I ask unanimous consent that it may be printed in the Record at the conclusion of these remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. CHURCH. Mr. President, Mr. O'Leary points out several of the difficulties and dilemmas of bilateral U.S. economic assistance to Latin America and suggests that a sweeping reevaluation of our programs and policies is in order.

I agree, and I hope that the Nixon administration will carry out such a reevaluation. In any case, I intend to urge the Foreign Relations Committee to do so when the foreign aid bill comes before us:

Exhibit 1

Latin Alliance Faces Its Moment of Truth

(By Jeremiah O'Leary)

A high-ranking U.S. official long connected with aid to Latin America asked aloud last week a question that preoccupies American and Latin leaders more and more.

"Where did we go wrong with the Alliance for Progress?"

It is a question that President Nixon intends to get answered soon through a study mission to the region. It is a question that is openly being asked in every U.S. embassy and every chancery in Latin America.

Congress is disillusioned with foreign aid and has made major cuts in alliance funds in the last two years.

The nurturing of democratic institutions was one of the major goals of the alliance when it was born eight years ago and yet only Chile, Mexico, Colombia, Venezuela, Uruguay and Costa Rica managed to keep the military subordinate to the democratic process in the 1960's.

MANY SHORTCOMINGS

The alliance has failed to keep pace with the housing needs of the 223 million Latins. A more equitable distribution of income has not been achieved.

Land reform has been trifling and tax reform nearly non-existent. Nationalism is rising perceptibly in all Latin nations.

Most of the peasants are simply outside the money economy and slum dwellers are increasing by the millions every year.

Only in education and health can the alliance be said to be making a major impact. By next year, more than 90 percent of the primary school age population will be in classes and the target of adding five years to the Latin American's life span (to about 62.5 years) is close to achievement.

The alliance was billed as the Revolution of Rising Expectations when the late President John F. Kennedy launched it. But the program has not accomplished much more than making Americans and Latins think about the problems of the region.

DREAMS AND PROPAGANDA

The expectations still are there but many officials now freely admit that the alliance was oversold with slogans, overweening optimism, dreams articulated as facts and propaganda reflecting only the silver lining of a very dark cloud.

"It isn't a case of the alliance being an unworkable idea," said one disillusioned U.S. aid official. "The trouble is that it never had a chance of remaking the face of Latin America in a mere 10 years, yet we were conditioned to believe that the alliance was going to provide magic answers for every problem and we tried to make the Latins feel that way, too.

"Bilateral aid, especially in the form of checks being made out to Latin governments, obviously has not been the answer. As a political and ideological matter, money does not buy love or support. There is something degrading about straight aid."

The dissatisfaction with the alliance reached a crescendo in 1968. The 90th Congress reduced the appropriation from $508 million in fiscal 1967 to $469 million in fiscal 1968 and even further to $336.5 million in fiscal 1969.

TO MULTILATERAL AID

Correspondingly, there was an increase in the allotment of funds to multilateral lending agencies, such as the Inter-American Development Bank. This change from bilateral to multilateral assistance is rooted in what many officials regard as sound concepts.

For one thing, the IDB, World Bank and similar institutions are run like banks, not like welfare organizations, and tend to administer funds on a more business-like basis than the Agency for International Development.

Also, the application of bilateral U.S. loans or grants can be viewed as a political lever and construed as support for one regime or one political group in a region where political animosities run high.

"If the U.S. continues major aid to big dictatorships like Brazil and Argentina, or smaller ones like Honduras and Nicaragua, opponents of the generals in those nations can only conclude that Washington prefers the dictators to democratic leaders," a U.S. official said. "We get the blame for the failures and precious little credit for any successes."

IMPOSSIBLE PARADOX

Said another official last week, "The alliance and the United States are committed to both revolutionary change and to the stability of the status quo and this is a paradox we can no longer live with."

Beyond a policy statement of Oct. 16, in which he enunciated six points in the most general terms, Nixon has not stated a true Latin policy.

The closest he came to anything concrete was to state that he prefers trade to aid. This was applauded by Latins, anxious for preferential or increased exports to the United States, but they universally believe trade cannot replace governmental aid in the foreseeable future.

James Fowler, deputy coordinator of the alliance, says that there is room for more trade but is skeptical that trade alone can change institutions. He feels trade without institutional and social change would only make the rich richer.

His position of more trade and aid is thus similar to the Latin point of view.

But Congress thinks otherwise. The mood of the legislators is protectionist toward U.S. domestic products and increasingly opposed to government-to-government aid programs.

MAJOR ACTION ASKED

President Johnson foresaw before the summit meeting at Punta del Este that the alliance needed indefinite extension past 1971. Others now contend the alliance should be revamped or abandoned.

It is not likely that Nixon will abandon the program, since it is a useful pipeline to an area believed vital to U.S. security as well as evidence of the brotherhood of the Organization of American States.

But the winds of change are very much in the air because of the evident shortcomings of the present system, the attitude of Congress toward it and even the evidence that the Latin American nations have lost any enchantment they may have had in the first flush of the Kennedy charisma.

The sweeping re-evaluation Nixon has called for may change the whole relationship between the United States and its southern neighbors.

WILLIAM C. FOSTER NOMINATED FOR NOBEL PEACE PRIZE

Mr. CHURCH. Mr. President, it was recently my pleasure to endorse the nomination, made by our colleague from Rhode Island, Senator Pell, of the Hon-

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orable William C. Foster, retired Director of the Arms Control and Disarmament Agency, to receive the Nobel Peace Prize.

We all know of the untiring efforts of Bill Foster to further the cause of peace among all nations. At Geneva, at the United Nations, and here in Washington, Bill Foster worked for a better world. To him much credit is due for the Limited Nuclear Test Ban Treaty, the "hot line" agreement, the Outer Space Treaty, and the Nonproliferation Treaty. In all of these, his role was of major importance.

Mr. President, I ask unanimous consent that my letter to the Nobel Peace Prize Committee be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FEBRUARY 4, 1969.

The NOBEL PEACE PRIZE COMMITTEE,
The Norwegian Parliament,
Oslo, Norway.

GENTLEMEN: This letter is to endorse for the Nobel Peace Prize the nomination of the Honorable William C. Foster, the recently retired Director of the United States Arms Control and Disarmament Agency.

For nearly eight years in that role, Mr. Foster has been in the forefront of the peacemakers of our world. He shaped and advocated tenaciously the policies that resulted in the negotiations of the Limited Nuclear Test Ban Treaty, the "Hot Line" agreement, the Outer Space Treaty, and the Nonproliferation Treaty. Not only that, but as its first director, he organized the U.S. Arms Control and Disarmament Agency to give meaning and emphasis to U.S. disarmament policy.

He represented the United States Government in these efforts toward peace not only at lengthy conferences at Geneva, but also at the United Nations General Assembly, where I had the honor to serve with him during the 21st session. In my report to the Senate on this session I noted:

"The delegation was fortunate to have as a member William C. Foster, Director of the Arms Control and Disarmament Agency. Indeed, we could not have afforded to be without his services. As chief spokesman for the United States at the Eighteen Nation Disarmament Conference in Geneva, he brought to the delegation an intimate knowledge of the disarmament issues on the General Assembly's agenda. I had the opportunity to work with him on a number of occasions, and I came away with the highest respect for his ability, his integrity, and his personal commitment to the thankless task of tempering the runaway arms race which so imperils the world. Bill Foster, together with Ambassador Goldberg, played a major role in the efforts which led to the treaty, soon due for Senate ratification, that bars nuclear weapons from orbit and precludes the extension of the arms race into outer space. (United States Senate, Committee on Foreign Relations, 'The United Nations at Twenty-one': Report by Senator Frank Church, February 1967)."

The Committee on Foreign Relations, of which I am a member, also commented on Mr. Foster's strenuous negotiations in its last report on the Agency: "Indeed, the Committee wishes to commend Mr. Foster and Mr. Fisher and their colleagues for their patient, arduous efforts at Geneva and the United Nations . . ." (Senate Report 1088, April 10, 1968).

That Mr. Foster has a breadth and scope beyond that of ordinary men is attested to by his service to five Presidents of the United States—Roosevelt, Truman, Eisenhower, Kennedy and Johnson—in responsible positions too numerous to mention.

Although Mr. Foster served the United States Government in many ways, he can truly be considered a servant of mankind, carrying forward the ideals of the United Nations "to save succeeding generations from the scourge of war . . ." Because of his dedication the dangers of nuclear devastation are less and the prospects for peace brighter, I sincerely recommend that this Advocate for Peace be given serious consideration for the Nobel Peace Prize.

Sincerely yours,

FRANK CHURCH.

THE CASE FOR ELECTORAL REFORM

Mr. CHURCH. Mr. President, recently, I submitted testimony to the Senate Subcommittee on Constitutional Amendments expressing my support for the proposal of the distinguished Senator from Indiana (Mr. BAYH) which calls for the election of the President and Vice President of the United States by a direct vote of the people.

In that testimony I detailed the reasons why I favor such an amendment. I ask unanimous consent to have my statement printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THE CASE FOR ELECTORAL REFORM

(Remarks of Senator FRANK CHURCH before the Subcommittee on Constitutional Amendments of the Senate Judiciary Committee, February 1969)

Seldom, Mr. Chairman, are we in the Senate afforded the opportunity to respond to so clear an expression of "the will of the people", as in the case of the electoral reform which this committee is now considering. A recent Harris Poll showed 79% of the American people favoring the direct election of the President. A more recent Gallup Poll indicated the support of 81% of our people for this same plan. Expressed in its simplest terms, eight out of every 10 Americans favor the election of the President by direct popular vote. It is obvious that a mandate for change confronts us—a mandate so clear that to ignore it would be to deny our role as representatives of the people.

The reason for the strong public sentiment favoring electoral reform stems from the uncertainties engendered by the closeness of recent Presidential elections, in which the people have witnessed the near possibility of a candidate winning the Presidency by capturing a majority of the electoral votes, while his principal opponent garners the largest number of popular votes. Never in recent times, has this anomaly been brought so close to home as in the election of 1968.

As the American people watched on their television screens through the night of November 5th and into the morning of November 6th, the possibility of one candidate receiving the most votes of the people, while another gained the White House, came near to becoming reality.

It had happened before. In 1876, Samuel J. Tilden received a majority of 250,000 votes over his opponent, and yet was denied the Presidency, which fell into the hands of Rutherford B. Hayes by one electoral vote. It happened again in 1888, when Grover Cleveland received 100,000 more popular votes than did Benjamin Harrison and yet, by an electoral vote of 233 to 168, Harrison became President.

The fact that a man not receiving the largest number of popular votes can nevertheless be elected President, is, in itself, enough to justify electoral reform. It is a contradiction of the sovereign right of the people to govern themselves.

But 1968 did not only expose again the dire defect in our electoral process which allows one man to claim the popular vote and another the Presidency. It also made clear that, under the present system, there exists no guarantee that electors who have held themselves out to the people as supporting a given Presidential candidate will, in fact, vote for the candidate to whom they pledged their support.

Originally, as we all know, electors were to be outstanding citizens from the various states. They were to be elected directly by the people for the purpose of choosing the President. Presumably, the electors were to be of such caliber that the people could place their trust in them to select a qualified leader for the Nation. But the system never worked as originally intended.

The birth of political parties, an eventuality not foreseen by the Founding Fathers, quickly reduced the role of the Presidential elector to one of mere ministerial duty. As a result, the Electoral College lost its reason for being. Today, when the people vote, they are seldom aware of the names, faces, or personal identity of the electors they select to choose the President. In fact, in a majority of our states, the electors' names are not even placed on the ballot. The people, as a practical matter, are voting for the man they wish for President, not for electors to select him. But because of the archaic system we still must use, the people have no guarantee that their wishes will be carried out. As Congress, itself, interprets the Constitution, a free agency still exists; an elector, if he chooses, may cast his vote as he pleases.

In 1968, we saw it happen. When Doctor Lloyd Bailey, an elector from the State of North Carolina, cast his vote in favor of third party candidate George Wallace, even though he was pledged to support President Nixon, who had carried his state in the November election, he became one of five electors in our Nation's history to disregard the wishes of the people who selected him. This latest case of a "faithless elector" should give us pause, particularly when we contemplate the potential for mischief in a closely divided electoral college. The very fact that such things can and do happen under the present system further underlines the need for reform.

The popular election amendment before this committee meets these problems head on. By placing the power to elect the President directly in the hands of the people, where it belongs, we would never again need fear the election of a President who lacks even the approval of a plurality. By elimination of the free agency of intervening electors, we abolish the possibility, in a close contest, that our people may be actually disfranchised by the capricious action of faithless men.

Moreover, the proposed amendment is in harmony with the historic trend toward broadening the role of the people in their government. We have moved, since the time of our creation as a nation, from a system in which only the propertied few had the right to vote to a time when universal suffrage is the rule. This is only proper in a country blessed by the best educated and politically sophisticated electorate on earth. Surely we have reached that stage when the people can be wholly entrusted with the power to directly elect their President and Vice President.

It was not so very long ago, in terms of history, that the 18th Amendment became part of our Constitution. That amendment, as we all know, provided for the direct popular election of United States Senators. The arguments raised against its adoption were strikingly similar to the ones we hear now

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being voiced against the current amendment. Since that time, the Senate has not changed its essential character.

It remains the bastion of the states as it was intended to be. It stands not less, but greater in stature, because its legitimacy rests upon the direct vote of the people of the 50 states. If it is best for a Senator to be directly elected by the people of his State, then it must follow that it is best for the President to be directly elected by the people of the Nation.

Coming from a small state, I am well aware of the argument of those who maintain that popular election of the President would deprive the less populous states of the relative mathematical advantage they presently possess in the Electoral College. They contend, for example, that Alaskan voters, with three electoral votes, have more power than New Yorkers, with 43, because a much smaller number of Alaskans control the casting of each of their electoral votes than is the case in New York.

This is a classic instance of a case where mathematical ratios distort political reality. For the fact is that the emergence of political parties, which destroyed the original function intended for the Presidential elector, also destroyed such advantage as the mathematical ratio of a state's electors to its population (in number equal to each state's sum of Senators and Representatives in Congress) might otherwise have given the smaller states in the Electoral College.

With the advent of political parties, it became the practice for the states to cast all their electoral votes for the candidate who carried the largest number of popular votes in the state, regardless of the size of his margin. This "unit rule system" governs to the present day. It has undermined the apparent mathematical advantage of small states in the Electoral College. Indeed, populous states, such as New York and California, obtain greater importance than they should, since carrying them—even by the smallest margin—delivers their entire electoral vote to the prevailing candidate. Thus, these large states have come to wield a disproportionate influence over our public policy.

At the present time, it takes 270 electors to compose a majority of the Electoral College. That number of electors can be secured by carrying as few as a dozen of the largest states. It has, therefore, become the practice of our political parties to lavish their attention upon the most populous states in their quest for an electoral majority.

So it is that the present Electoral College actually gives the preponderant advantage to the big states. The importance of carrying them, if only by a handful of votes, in order to secure their entire electoral vote, is mandatory. Consequently, the big states have come to dominate our national conventions, unduly influence our party platforms, and exercise an inordinate power over the selection of our national candidates.

On the other hand, if the President were elected by direct popular vote, such states as New York, California, Pennsylvania, and Illinois would not loom so large in the national political picture. A Presidential candidate could lose them all by several hundred thousand votes, and easily make up the difference in the Intermountain West. Carrying the big states would no longer be so essential, thus giving the smaller states a better break in the politics of the nation.

In the final analysis, however, it is not for the purpose of securing any advantage for the smaller states, but rather to do equity to all, that I favor the abolishment of the Electoral College.

Under the direct popular vote amendment, all of our people would be given the same treatment. Different weights would no longer attach to the votes cast by the citizens of one state, as compared to those of another; no state would command special influence or advantage; each voter would stand equal with every other.

As the President of the United States represents all Americans, let us take the action that will allow all Americans equally to choose the President.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

HOW THE PENTAGON CAN SAVE $9 BILLION

Mr. FULBRIGHT. Mr. President, the March issue of the Washington Monthly contains a very timely and significant article entitled, "How the Pentagon Can Save $9,000,000,000." The article was written by Mr. Robert S. Benson, formerly of the office of the Assistant Secretary of Defense, Comptroller, and now on the national staff of the Urban Coalition.

At a time when we are in need of serious examination of budget priorities, this article represents an attempt by one analyst to suggest where responsible cuts could be made in defense spending. Mr. Benson points out that by halting the Sentinel ABM before it acquires irreversible momentum, we could save $1.8 billion this year, not to mention vastly larger sums during the next decade.

Mr. Benson notes that "the present balance of activities is anything but right. Unmet national concerns for human opportunity and the quality of life require an investment even larger than the amount that would be free," if all of the Pentagon reforms outlined in his report were carried out.

He cites some striking examples of the alternatives we have and the choices with which we are faced. Among them are: spending this year's Sentinel funds—or training 510,000 more hard-core unemployed; continuing to operate one of the marginal tactical aircraft carriers—or training 20,000 more Teacher Corps members; permitting excessive contractor costs to flourish unchecked—or providing Headstart education for 2,250,000 more children, plus enough school lunches to feed 20 million children for a whole year.

Mr. President, these questions merit our most serious consideration. I ask unanimous consent to have the article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Monthly, March 1969]

HOW THE PENTAGON CAN SAVE $9 BILLION

(By Robert S. Benson, formerly of the Office of the Assistant Secretary of Defense (Comptroller), is now on the national staff of The Urban Coalition)

I have a modest proposal.

I should like to demonstrate, in as brief and as simple a way as the complexities permit, how $9 billion can be cut from the Pentagon budget without reducing our national security or touching those funds earmarked for the war in Vietnam.

Let me emphasize at the outset that this is truly a modest proposal, offered from an earnest belief in its practicality and with the conviction that savings from its adoption could be applied to our fiscally undernourished concerns for human opportunity.

The process by which the Pentagon budget—as well as the rest of the federal budget—is shaped and reviewed is a strange and not always wonderful thing. Any new program is usually given thorough scrutiny in Congress: debate rages over the program's purposes and over the level of funding required. Once it is accepted, however, only the funding level is certain to receive continuing Congressional attention. A nation's needs change, but rarely is a program's reason for existence ever challenged again, either in the executive branch or on Capitol Hill. On the contrary, its administering agency and its Congressional advocates, cheered on by its beneficiaries, strive to perpetuate or expand it, seldom pausing to ponder whether it is still worthwhile or whether something else is needed more.

The process can be insidious. Man, the social animal, takes comfort from acting in accord with the wishes of friends and associates. But over years of advocacy he loses some ability to discriminate, to relate the particular to the whole. In the case of Pentagon outlays, the built-in protection inherent in established programs often achieves invulnerability.

Because a mystique of secrecy and complexity surrounds the Pentagon, most Americans feel uncomfortable, or even vaguely unpatriotic, if they question any part of the military budget. But the fact is that the federal budget's provisions for defense far exceed our national security requirements. Although not many Americans realize it, a great deal of information about the threats to our security (and the forces we procure to meet them) can be gleaned from unclassified papers: budget statements of the President every January, annual posture statements by the Secretary of Defense, transcripts of Congressional hearings, and articles in the newspapers. Any serious student will soon discover that items in the defense budget, as in any other, range from fundamental to marginal. The difference is that in the Pentagon budget (a) vastly larger sums are involved, and (b) far less Congressional scrutiny is applied to them.

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Using the sources above, my two years of experience in the Comptroller's office of the Department of Defense, and my own judgment of the issues. I hope first to outline how the budget can be trimmed by $9 billion and then proceed to a discussion of the weaknesses in the system which allowed this fat to survive even in the cost-conscious regime of Robert S. McNamara.

In our budget-cutting exercise these ground rules will apply:

None of the cuts is related to the war in Vietnam.

None of the cuts would impair our national security requirements.

All of the cuts are in what the Pentagon calls ongoing core programs.

All of the cuts could be effected within the next 24 months, which would allow the savings to be applied rather quickly to unfilled domestic needs.

The focus is on areas where forces or weapons systems are either duplicated or outmoded, where an enemy threat is no longer credible in today's political and technological environment, or where money is being lost through grossly inefficient performance.

Perhaps the best place to begin is with the Manned Orbiting Laboratory, which receives half a billion dollars a year and ought to rank dead last on any rational scale of na-

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tional priorities. The MOL, a carbon copy of the National Aeronautics and Space Administration's spacecraft operation, is in the budget because the Air Force wants a piece of the extraterrestrial action, with its glamor and glory, and Congress has been only too happy to oblige.

Although there have been valiant attempts to make the MOL seem different, Pentagon space research is alarmingly similar to that of NASA. Listen as Dr. Alexander H. Flax, Assistant Secretary of the Air Force for Research and Development, tries to draw the distinction for members of the House Appropriations Committee:

"If you view the objectives of these programs as being simply to get data on humans exposed for some period of time, I think you have to conclude that there is a great deal of duplication, but I tried to make the point that our objective is primarily to test equipment, not humans. The humans interact with the equipment, of course."

True, there are potential military uses for space vehicles. But little thought appears to have been given to whether a separate program was required or whether the same results could have been achieved through slight adjustments in the parallel NASA activities. The MOL program is duplicative and wasteful. Of the $600 million requested for it last year, Congress approved all but $85 million. This year's budget calls for $576 million. I would strike all of it.

As for grossly inefficient Pentagon performance, the most obvious example is manpower management and utilization. Manpower is the single largest commodity the Defense Department buys; this year, the Pentagon will directly purchase the services of nearly five million Americans. Assuming an average of $7,000 each in pay, allowances, and supplementary benefits, the department payroll is about $34 billion, of which about $22 billion goes to military personnel and $12 billion to civilians.

The Pentagon has little direct control over the costs of its civilian personnel, who are recruited mainly through a government-wide civil-service pool. But its control over military personnel is complete, covering not only the $22 billion payroll but also about $7 billion annually in training costs and nearly $2 billion in moving expenses for men changing assignments.

Most men enter the armed forces either because they are drafted or because they enlist in preference to being drafted. All enlisted men entering the service receive basic training, which in the Army takes eight weeks and costs about $1,000 per head. After advanced training in a specialty, these short-term new servicemen generally spend the rest of their hitches on assignments requiring that specialty.

A more flexible training policy would not employ such a lockstep approach. Some basic training is needed for everyone, and combat infantrymen certainly need the full eight weeks. But not all of the Army's 535,000 new soldiers this year will serve in combat, and four weeks would suffice for the others. The Navy and Air Force have already abbreviated their basic training; for the Army to do so would yield, in direct training savings alone, $50 million.

Although the pattern of training and assignments for officers is far different, even greater economies are possible—and with a clear gain in individual job performance. After initial training, which is more diverse than it is for enlisted men, almost every officer is shuttled around through an amazing variety of assignments and further training designed to give him enough breadth of experience to become Chief of Staff some day, often at the sacrifice of obtaining no deep experience in any one field. The expectation is that every seasoned officer can lead an infantry battalion through a swamp on one assignment, promulate personnel promotion policies behind a Pentagon desk on the next, and discuss black separatism with Ethiopians as a military attache in Addis Ababa a year later.

In this age of specialization, such a philosophy is anachronistic and expensive. No efficient business would move its men around in so illogical a pattern. By perpetuating the illusion that every officer can aspire to the top organizational position, rather than screening the candidates earlier in their careers, the services suffer from having an excessive number of men struggling to learn totally unfamiliar jobs. Moreover, today's technological and analytical complexities demand the development of specialists whose entire experience is focused on performing one particular function well. By attempting to fill the growing number of specialist slots with generalists, job performance diminishes for all.

If we were to reduce by a modest one-fourth the present number of assignment changes (whereby servicemen move almost once a year), the annual saving in transportation and moving costs alone would be slightly over $500 million, to say nothing of the improvement in work effectiveness.

A further saving can be accomplished by changing the way the military calculates individual manpower requirements. Unlike business, which requires work units to absorb the impact of absences, the Pentagon includes a cushion to compensate for men absent on leave, in the hospital, in school, and en route to new assignments. And the military's 30 days of annual leave—which all servicemen get—is far more than the norm for civilian work forces of comparable age and experience, even acknowledging that the 30 days includes weekends. The military argues that this amount of leave time is compensation for being on duty 24 hours a day, seven days a week—but this is a myth long in need of explosion. Except for those at sea and in Vietnam, most military men work evenings or weekends no more and no less than civilians do. Cutting leave time to 20 days a year—with the exception of men on hardship duty overseas—would reduce the total armed forces manpower requirements enough to save $450 million annually.

Thanks to Beetle Bailey, Catch 22, and the fact that so many Americans are veterans, the supernumerary theory of military staffing has had great visibility. But an area of far greater inefficiency—supplier performance on large weapons system contracts—draws almost no attention at all. This is especially serious because the same contractor who can be extremely efficient under the conditions imposed by the private competitive marketplace can waste millions when working under a government contract. Few Americans are aware that about 90 per cent of the major weapons systems that the Defense Department procures end up costing at least twice as much as was originally estimated. Some of this cost growth comes from Pentagon-ordered changes in design or configuration, but much of it results from inefficient contractor practices or from his knowledge that the government will underwrite his excessive overhead.

It is up to the government, therefore, to impose on a non-competitive defense contractor the same cost discipline that the contractor would be forced to impose on himself in a competitive situation. Instead, the present procurement system is geared almost exclusively to securing timely delivery and good technical performance. Cost comes last.

The engine contract for the controversial F-111 fighter-bomber offers a classic illustration of what happens to costs after a decision is reached to proceed with procurement.

An aircraft of this kind has three major components: airframe (wings and fuselage), avionics (electronic navigation and weapons-guiding gear), and engines. For a technologically advanced fighter-bomber, the airframe will account for about 55 per cent of total cost, avionics 25 per cent, and engines 20 per cent. The initial F-111 contract for 2,053 engines was awarded to Pratt & Whitney on the basis of an estimated cost of $270,000 per engine. Today the engines are expected to cost more than $700,000 each.

In the F-111 case, and in general, four major factors account for such cost escalation:

1. The Buy-In. Our procurement system encourages contractors to play the game called "buy-in." The rules are simple. Contracts are awarded to the company which offers the lowest bid with a straight face. Later cost over-runs may bring a mild reproach or a stern reprimand, but they will not prevent the contractor from getting enough money to cover all his costs and pocket a profit. A contractor rarely takes these reprimands seriously; he knows that his competitors have similar experiences. Besides, the procurement officials have told him to worry about performance and prompt delivery, not about cost. So the buy-in game produces initial cost estimates that everyone knows are unrealistically low.

2. Design Changes. From the time bids are requested on a new weapons system until final delivery, a great many changes in design specification develop. These changes are often initiated by the Defense Department, although some reflect contractor production problems. In either case, the costs change—usually justifiable, but almost always upward.

3. Volume. Changes in volume are even farther beyond the contractor's control. In large contracts, economies of scale are often achievable; if a weapons system is found highly useful, as was the F-4 fighter, and more units are ordered than were initially planned, the later unit costs are lower. In the case of the Air Force F-111, however, cancellation of British orders and the Congressional decision to kill the Navy version reduced the number of aircraft to be purchased, thereby raising the unit cost.

4. Sheer Inefficiency. These costs arise because a contractor has slipshod purchasing procedures, poor scheduling of men and machines, ineffective work standards, or other managerial deficiencies. Such extra costs would be a threat to a company's survival in the competitive private marketplace; they should not be tolerated in defense procurement.

In calculating how much of the F-111 engine's cost growth was due to this intolerable fourth factor, we need to begin by figuring how much the first three factors cost.

We know that the original $270,000 estimate was artificially low. Allowing for buy-in fibbing and for some early required changes in design, an initial figure of $450,000 would have been more realistic. Later design changes may have raised the allowable price to $500,000. But the contractor's final estimate of $700,000-plus, made after the British action but before the Congressional cutback, probably should not be adjusted for volume changes, because the British buy was to have been proportionately very small and there are good indications that this actually enabled Pratt & Whitney to disengage itself from some expensive subcontracts. So unjustifiable contractor inefficiency amounted to around $200,000 per engine.

It could have been worse. Past practice in such cases, where the government is dealing with a single supplier rather than with several competitors, has been to accept whatever price is commensurate with the costs the supplier has incurred, regardless of how efficient or inefficient he is. But, in an unprecedented action, the Defense Department ordered an investigation of Pratt & Whitney operations to determine how much

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such an engine ought to cost if produced under efficient manufacturing procedures. After that, the Navy—which had contract responsibility for all F–111 engines—took the further unprecedented step of unilaterally setting the price it intended to pay. Indications are that the Navy compromised its position somewhat after some hard bargaining, but the final contract did reduce by about 15 per cent the price proposed by the company, which customary procedure would have accepted outright. This saved the government roughly $200 million.

Two other good examples of spiraling costs were described in recent hearings before the Congressional Joint Economic Committee. A. E. Fitzgerald of the Defense Department reported that the C–5A transport may cost $2 billion more than the original contract ceiling of $3 billion; yet when Defense negotiated the contract with Lockheed, then-Secretary of Defense Robert S. McNamara described it as "a model method of doing Defense business . . . a damn good contract." In another case, retired Air Force Colonel Albert W. Buesking, a former financial officer for the Minuteman intercontinental ballistic missile, said the Minuteman contractors received a 43 per cent pre-tax profit based on net worth, or about twice the normal industrial return; he estimated that defense contract costs are 30–50 per cent "in excess of what they might have been under conditions of competitive-type commercial environment."

Conservatively assuming that aerospace and shipbuilding contractors harbor an inefficiency of 15 per cent and figuring that the average annual amount provided for research and procurement of such systems over the past three years is about $17.9 billion, then wiping out the inefficiency would annually save the government $2.7 billion.

This is no pipedream. It requires no dramatic breakthrough in management techniques. Such savings could be achieved quickly if the Secretary of Defense and the Secretaries of the individual services resolved to focus the energies of their top financial and engineering men on procurement of these major weapons systems. What is needed is some truly independent cost-sleuthing into contractors' operations, with firm backing from top Defense management for appropriate follow-up efforts.

The most fruitful way of all for saving defense dollars is to eliminate forces which no longer pack a credible punch or which were designed to meet a threat that is no longer credible.

The Navy's Polar/Poseidon fleet ballistic missile program is vital to our national security. But the Navy's three primary and independent conventional warfare missions—tactical air, amphibious operations, and shipping protection—are overequipped, as are their associated support units. Current force levels cannot be justified by any potential threats. In my view, President Nixon was misguided when he decried America's loss of sea power during the campaign last fall. He made the mistake of applying the same argument the admirals use when they attempt to eternalize and expand their favorite programs: that the United States must have superiority in numbers, ship-type by ship-type, over the Soviet Navy. This is a legacy of late-1940's thinking, when it was assumed that we must always be ready to fight and win an extended war at sea. In the nuclear age, such thinking is highly unrealistic.

Fifteen aircraft carriers are presently assigned to the Navy's tactical air mission. Since the wallop they pack is purely the firepower of their aircraft, they should be compared with the alternative means of delivering that firepower—Air Force tactical aircraft. Carriers can deploy quickly to areas where we have no airfields, and they are safe from insurgent attacks (though they now appear to be vulnerable to Russian Styx missiles). But this flexibility comes at a high price. Independent studies place the cost of carrier-based tactical missions at three to four times that of similar missions flown from ground fields. Because of the many air bases we have built all over the world, we can rapidly deploy land-based aircraft to most areas. Carriers still play a necessary role in providing the potential to fight in a handful of otherwise inaccessible places and in meeting initial "surge" requirements for a non-nuclear war. But there is no justifiable reason to use them on extended deployments in major wars as we do now in Vietnam. Although the Defense Department will never admit it, the only reason we continue to employ carrier-based air strikes there is that the jealous Navy doesn't want to be shut out of some role in the war.

Tactical aircraft carriers could be cut from 15 to 10 without risk to the country's security. The average annual peacetime operating and modernization/replacement cost per carrier appears to be about $120 million. Assuming that the costs of expanding Air Force tactical missions to take up the slack were one-third as much, the net annual saving from the elimination of five carriers would be $400 million.

Marine Corps amphibious assault tactics have been used in minor contingencies such as Lebanon and the Dominican Republic, but against a major power they would be highly vulnerable to a tactical nuclear weapon. Nor are Marine forces now structured logistically for sustained combat, the type of war that Vietnam would suggest is most probable. Without eliminating any Marine troops, we could—by restricting their amphibious training and equipment and phasing out a proportionate share of assault ships—save $100 million annually.

A classic example of continued spending for protection against a no longer important threat is the third major area of Navy tactical forces—protection for shipping. The structuring of our anti-submarine and supporting anti-aircraft and fleet escort forces harks back to the post-World War II prospect of a sea war with Russia. If we ever do begin destroying each other's ships, there seems little prospect of avoiding escalation to nuclear war, which would make shipping protection irrelevant. Further, as various jumbo aircraft near production, the cost gap between a ton-mile of plane transportation and a ton-mile of ship transportation is narrowing. Yet instead of scaling down our protective forces, we are keeping them up and even expanding them, through last year's implausible decision to begin procuring VSX anti-submarine aircraft. Killing this program and reducing overall shipping defenses to a sensible level—four anti-submarine carriers and three air groups rather than the present eight carriers—would save an annual $600 million.

Another major area in which our involvement is unreasonably large is our troop commitment in Europe. We have about 310,000 soldiers there now, accompanied by more than 200,000 dependents. Such a staggering share of the NATO burden was appropriate while our World War II allies struggled to get back on their feet, but they can now afford a larger load. Part of the thesis behind U.S. deployments is to make certain that any substantial attack by Warsaw Pact forces would engage American forces, thereby creating potential consequences that the Soviet Union would find untenable. But this could be assured with far fewer than 310,000 U.S. troops. Says Senator Stuart Symington (D-Mo.), a former Air Force Secretary recently assigned as chairman of a Foreign Relations subcommittee that will investigate the involvement of U.S. forces abroad: "Surely 50,000 American troops would be sufficient to make sure that no Soviet probe could succeed in Berlin or elsewhere in Europe without a direct confrontation with the United States."

In the event of a truly major Soviet attack, not even 310,000 U.S. troops plus the NATO allies' forces would be sufficient to thwart it. But both sides recognize that an assault of such proportions is likely to evoke a nuclear response.

Psychological reasons prevented us from making a major cut in our European forces close on the heels of the Russian takeover in Czechoslovakia last year. But that should not deter us from effecting the cut this year. If anything, our non-response to the Czech invasion simply reinforces the reality learned in Hungary in 1956—that the United States is not about to send troops into Eastern Europe no matter what the Soviet provocation.

Realistically, we could cut back to a total of 125,000 troops in Europe plus 50,000 at home earmarked for NATO contingencies, and cut by one-fourth the air power assigned to the European theater (a McNamara comparison shows that NATO air forces can deliver a payload more than three times greater than that of their Warsaw Pact counterparts). Altogether, these reductions would annually save about $1.5 billion.

The final two programs of questionable value—the SAGE-Air Defense Command system and the Sentinel anti-ballistic missile system share some common characteristics. Both are defensive, in an age when the balance of terror rests on offensive missile strength. Both encompass a detection function and an intercept guidance function. And numerous technical experts express serious doubts about the potential operational effectiveness of either.

SAGE represents yesteryear's attempt to defend against the Soviet version of our Strategic Air Command. It is widely conceded that the Soviets have grounded their bomber development efforts and no longer pose their primary strategic threat in this area. Nonetheless we persist in trying to further refine our bomber defenses, when in face we have already achieved a satisfactory capability in the detection sphere. Moreover, SAGE's role as a guide to interceptor pilots is rather superfluous, given its imperfections and our primary reliance on a strong offensive deterrent. Some reductions have already been effected in the Air Defense Command, but conversion from a full defensive system to purely a warning system ought to save $600 million annually.

If SAGE is intended to sustain a mostly futile yesteryear system, the Sentinel ABM represents a misguided attempt to provide protection tomorrow. Against the destructive power of the missile, our best defense is a good offense. Particularly tragic is the staggering cost of a full-blown "thin" Sentinel system. Because it is so expensive, and the work is therefore parceled out to many Congressional districts, many politicians have favored it. It therefore may be difficult to stop before we have spent $40 billion. However, the Sentinel program faces increasingly fervent opposition in the Senate this year—partly because residents in four cities where ABM sites are being developed have objected so loudly.

Sentinel would make some sense if it truly promised blanket protection against strategic offensive missiles. But it doesn't. As Secretary McNamara said in a speech in San Francisco 18 months ago: ". . . any such system can rather obviously be defeated by an enemy simply sending more offensive warheads, or dummy warheads, than there are defensive missiles capable of disposing of them."

Secretary McNamara opposed the Sentinel, but President Johnson overruled him and decided to proceed with the program. Today we are on the road toward building a $5 billion ABM system, ostensibly for protection against Chinese missiles—as yet undeveloped—should Peking miscalculate our potential response and attack us.

It seems unrealistic not to expect the Soviets to perceive the $5 billion "thin" Sentinel as a first stage in a $40 billion "thick" defense against themselves. Senator Richard B. Russell (D-Ga.) said as much last year when he was chairman of the Senate Armed Services Committee: ". . . there is no doubt that this is a first step in a defense system against an atomic attack from the Soviet Union." Yet all seven of the men who have served over the past decade in the jobs of Science Adviser to the President or Director of Research and Engineering in the Defense Department have recommended against deployment of a "thick" ABM system designed to protect our population against a Soviet attack.

By halting the Sentinel now, before it acquires irreversible momentum, we could save $1.8 billion this year, not to mention vastly larger sums during the next decade.

The items above do not exhaust the list of things to cut—there are other savings to be made in such areas as mapping operations, the reserve forces, logistics—but the total here will serve as a start. It amounts to: Total savings, $9,276,000,000.

II

If all these Pentagon budget cuts are so obvious, why didn't the cost-conscious McNamara regime push them through? Did the Whiz Kids fail? Were they really trying? I think a fair assessment would have to conclude that they were trying hard but were only partly successful, for five basic reasons.

First, McNamara's Band was greatly outnumbered by experienced adversaries bound together by a shared goal—more and bigger military programs. All the elements in this military-industrial-Congressional complex are served by an enlarged defense budget, though their motivations are different. Industry wants greater sales and profits. The military wants expanded power, plus the assurance that they will be in the forefront of technology. Congressmen respond to pressure from contractors and military employees in their districts, and those on the military committees yearn for the prestige and power that comes from presiding over a bigger slice of the federal pie. The combination made life difficult even for a man as strong and courageous as Robert McNamara.

Second, in selecting systems to analyze for effectiveness, the Whiz Kids chose to concentrate on the relatively uncluttered strategic programs instead of digging into such fat and messy activities as we have catalogued here. Within their selected framework, they generally performed technically sound, objective initial analyses. Once they arrived at a position, however, they too often "overdefended" their conclusions; that is, they were unwilling to reassess them against subsequent cost experience, technological advances, or a changing international political environment. For example, the current structuring of our programmed airlift/sealift needs emanates from a carefully developed linear programming model. This model attaches a high value to rapid deployment, stemming from an early 1960's Europe-oriented study which showed high benefits in terms of political bargaining power and casualty minimization. This analysis still makes good sense in Europe, but now appears grossly misapplied in Asia. Yet nothing has been done to revise the high value placed on rapid deployment. Such a change would point to a different desired mix of airlift and sealift.

Third, the Defense Department's budget review process concedes too much at the beginning. Last year's budgeted amounts are generally taken by everyone as this year's starting points. This practice ignores the possibility that fat crept into preceding budgets or that some of last year's activities are now outmoded. Consider, for example, the subject of training, in which the armed services have been pioneering for years by applying new technology to education. This area should be a prime candidate for frequent review from the ground up (what the managers call "zero-base" budgeting). Rather, the Defense Department budgeting process virtually concedes last year's amount and focuses on whatever incremental changes have been requested. The result, of course, is higher budgets, with past errors compounded year after year.

A fourth limitation also derives from the planning and budgeting system. Discussions about the desirable level of various forces are conducted in terms of numbers of things—missiles, carriers, fighter wings. This flows naturally out of intelligence estimates of enemy forces and subsequent analyses of how much counterforce the United States needs to nullify them. Approval is then given to the Air Force to buy 40 more fighters or the Navy to buy four more submarines, each with specified capabilities. But carrying out such purchases is not like walking into an automobile showroom and asking for a yellow Plymouth Belvedere sedan with power steering. As a submarine is built, many unanticipated choices present themselves; they involve different levels of effectiveness or convenience for different levels of dollars. Inevitably the generals and admirals want to buy as much capability as possible; it is almost always more than is required to meet the threat. For want of adequate follow-up by top procurement officials, the generals often have their way.

Finally, the President and the Budget Bureau have shied from making public any meaningful comparisons between military and domestic programs. Systems analysis, the technique that aims to measure the relative national worth of results obtained from alternative programs, cannot precisely compare the benefits to be gained from highly diverse activities. Yet inexact as such comparisons may be, the Budget Bureau does make them and present them to the President from time to time. If the President, for his part, were to discuss national priorities more frequently and candidly with the public, then Congressmen might be less likely to base their judgments on the only other available view—that the present balance of activities is about right.

The present balance of activities is anything but right. Unmet national concerns for human opportunity and the quality of life require an investment even larger than the amount that would be freed if all of the Pentagon reforms outlined in this report were carried out.

Perhaps the clearest, most thorough delineation of these high-priority social needs is found in the report of the National Advisory Commission on Civil Disorders. To redress root causes of despair and frustration, the Commission recommended a long series of measures which, if enacted in full, would cost between $13 billion and $18 billion a year over their first several years.

The only way to begin addressing these unfilled needs is to take money away from Pentagon programs that must rank lower on any rational national-priority scale. Examples provide compelling support for this argument. We have such choices as:

Funding the Manned Orbiting Laboratory—or providing Upward Bound summer courses for the 600,000 additional ghetto students who have the potential to go to college;

Spending this year's Sentinel funds—or training 510,000 more hard-core unemployed;

Continuing to operate one of the marginal tactical aircraft carriers—or training and supporting 20,000 more Teacher Corps members:

Maintaining our full troop complement in Europe—or diverting an additional $10 million to each of 150 Model Cities;

Permitting excessive contractor costs to flourish unchecked—or providing Head Start education for 2,250,000 more children, plus enough school lunches to feed 20 million children for a whole year.

These alternatives are real and immediate. They do not represent wishful dreaming. The choices are up to Mr. Nixon, to the Congress, and ultimately to ourselves.

WASHINGTON POST'S EFFORTS TO RESTORE BALANCE BETWEEN THE MILITARY AND CIVILIAN FORCES OF GOVERNMENT

Mr. FULBRIGHT. Mr. President, the Washington Post is performing a much-needed public service in its editorial columns. It is playing a very important role in its efforts to restore some balance between the military and civilian forces in our Government.

I ask unanimous consent that a recent example of an editorial written by the Washington Post on this subject be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

PUBLIC RELATIONS AND THE PENTAGON

Secretary Laird has acted wisely in disapproving the Army's self-described "master plan" for a campaign to promote the virtues of the Sentinel anti-ballistic missile system. An outline for that promotion campaign, consisting of a letter to Secretary Clark Clifford from Secretary of the Army Stanley Resor and a memorandum written by Lt. Gen. Alfred D. Starbird, was described in *The Washington Post* on Feb. 16. Thereafter Secretary Laird declassified the confidential plan and now he has announced that the plan itself will not be carried out.

While this is all to the good, it does not dispose of the questions raised by the Sentinel promotion campaign. Why was such a plan kept "confidential" in the first place? How did this propaganda-type program, designed covertly to influence public opinion, fit within the bounds of proper, authorized public information policy? Are the taxpayers subsidizing programs to brainwash themselves—as distinct from programs to provide required information? How many such "confidential" promotion campaigns on matters other than the Sentinel ABM system are under way at the present time?

The Sentinel promotion story was, in a curious and peculiarly Washingtonian way, news that is at once known and unknown. That is, while no one who has been around very long could have been astonished to discover that the Pentagon was indulging in above-and-beyond-the-call-of-duty promotional schemes, there was something more than a little startling in an actual confrontation with such documents, in pondering the minute detail in which the military had laid its plan for the "education" of Congress and the public—or for banishing our "confusion" as it was put. Apparently, Secretary Laird has ordered a Pentagon review of its own public affairs programs in which—he has said—"propaganda has no place." So far so good. But Congerss, which controls the Government's pursestrings and which is empowered to oversee its activities, could do a lot worse than bend its attention to the larger Pentagon public relations operation of which the Sentinel campaign was only a part.

AMERICAN MILITARY POWER

Mr. FULBRIGHT. Mr. President, recently, the Wall Street Journal published one of the most perceptive and penetrating editorials on American military power I have ever read.

I ask unanimous consent to have the editorial printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Feb. 27, 1969]

THE IMPOTENCE OF POWER

A rather surprising measure of agreement is emerging about the shape of America's post-Vietnam foreign policy. On this vital question, for example, these columns can be found in the unexpected company of former Presidential adviser Arthur Schlesinger Jr.

Perhaps it isn't really so surprising; the Vietnam war, in all its demoralizing aspects, has shaken people's thinking to the very foundations and created a kind of consensus among observers who ordinarily see most things quite differently. As Mr. Schlesinger writes in an article in the current Harper's, "The tragedy of Vietnam is the tragedy of the catastrophic overextension and misapplication of valid principles"—chiefly the principle of collective security.

What was wrong about Vietnam, he explains, was not this country's initial involvement there; that is, the attempt to save some millions of human beings from being overrun by communism and at the same time thwart Red China's ambitions of territorial aggrandizement.

The trouble, instead, was the messianic approach, which led the Government to lose the sense of the relation between means and ends. "The wreckage we wrought in Vietnam had no rational relationship to a serious assessment of our national interest or to the demonstrated involvement of our national security."

A big part of the cause of that misjudgment, Mr. Schlesinger believes, was a failure to perceive the changes in world power contexts since World War II. Specifically, Vietnam is further evidence that the age of the Superpowers is at or near its end. No longer can the U.S. and the U.S.S.R. achieve their objectives simply by virtue of their might.

Here is the U.S., the greatest military power in the world and in history, unable to bring a military conclusion in Vietnam; the Vietnamese Communists, with more than substantial military aid from Russia, can't either. The same paradoxical impotence can be seen elsewhere.

America cannot influence its European allies as it could in the immediate post-World War II years. The Soviets, even with their brutal invasion of Czechoslovakia, cannot bring the Czechs or the rest of Eastern Europe back into line. Also, despite enormous effort, the Soviets have been unable to pick up reliable satellites in Africa or most of Asia. Even in the Arab states the Soviet sway is not absolute.

We would insert a caution at this point: None of the foregoing is intended to imply an equating of U.S. and Soviet motives. The basic Soviet motive has ever been conquest, direct or indirect. U.S. policy has ever been well intentioned, designed to make or keep people free, albeit with untoward results such as Vietnam. But Mr. Schlesinger's central thesis seems correct; strictly in terms of power politics, the rampant rise of nationalism in the world limits the effectiveness of both U.S. and Soviet policy.

Another cause of the U.S. trouble in Vietnam, the author suggests, is the development since World War II—and atypically for this country—of a powerful warrior class. Mr. Schlesinger is not at all denouncing our military leaders as evil men; in effect he is echoing President Eisenhower's valedictory warning against the possible dangers emanating from the "military-industrial complex."

The basic danger, we would guess, is the faith put in military solutions, even when, as Vietnam shows, they can be unavailing. Mr. Schlesinger quotes the economist Joseph Schumpeter, writing of the military establishment in ancient Egypt: "Created by wars that required it, the machine now created the wars it required." That is of course extreme as far as contemporary America is concerned; it nonetheless points up the danger.

The mistakes of Vietnam indicate the outlines of a more appropriate foreign policy for the future. Much as this newspaper has been writing in recent years, Mr. Schlesinger includes the following criteria in his list:

Everything in the world is not of equal importance to us (the effort in Vietnam has been disproportionate to its intrinsic importance and any gain to us). We cannot do everything in the world. We cannot be the permanent guarantor of stability in a world of turbulence. All the problems in the world are not military problems, and military force is not always the most effective form of national power. Accordingly, the basis for our international influence in the coming period will lie less in the power of our arms than in the power of our example.

It should be noted, finally, that many of us who are advocating change are not advocating a new isolationism in the literal sense. In a world in which Communists do continue to commit aggression, it would be unwise—and all but inconceivable practically—for the U.S. to withdraw to its own shores.

What is being advocated is a far more discriminating, and a less militarily oriented, foreign policy. We have to stand up to the Communists, but let us choose the stand. We should eschew military involvement unless our interests are unmistakably and directly involved.

Granted, stating the generalities is a lot easier than applying the specifics. Still, the generalities must precede the specifics. And the fact that so many, including men in the Nixon Administration, are thinking along new lines may prove to be one of the extremely few rewards of the Vietnam war.

S. 1453 AND S. 1454—INTRODUCTION OF BILLS—NORTH LOUP DIVISION, AND O'NEILL UNIT, MISSOURI RIVER BASIN PROJECT

Mr. HRUSKA. Mr. President, as in legislative session, on behalf of myself and my colleague from Nebraska (Mr. CURTIS), I am introducing, for appropriate reference, bills to provide for the construction, operation, and maintenance of the North Loup division, Missouri River Basin project, and the O'Neill unit, Missouri River Basin project, both in Nebraska.

Mr. President, I ask unanimous consent that the text of these bills be printed in the RECORD at the conclusion of these remarks.

The VICE PRESIDENT. The bills will be received and appropriately referred; and, without objection, will be printed in the RECORD.

(See exhibit 1.)

Mr. HRUSKA. Mr. President, the North Loup project is a multiple-purpose water resource development in the North Loup River Basin in east-central Nebraska which will provide irrigation development, recreation, and fish and wildlife conservation. Calamus Dam and Reservoir, with a capacity of 108,600 acre-feet, will be constructed on the Calamus River. From it water will be diverted into a distribution system composed of five major canals, one major and nine small pumping plants, and laterals. Davis Creek Dam and Reservoir will provide offstream storage of 22,400 acre-feet. In all, the development would serve 52,570 acres of land. The estimated construction cost of the division is $47,531,000.

The North Loup project's original authorization was contained in the Flood Control Act of 1944, but the addition of a storage dam on the Calamus River and other changes in the preliminary engineering plan necessitated that a revised report be submitted to Congress. The Secretary of the Interior's feasibility report on the North Loup was sent to Congress in 1962 and in January of 1963 Senator CURTIS and I introduced a bill to authorize the project which was referred to the Committee on Interior and Insular Affairs. Similar legislation was introduced again in 1965. Although reports were requested from the Department of Interior and the Bureau of the Budget, the two agencies did not make their reports. Since this is a prerequisite to congressional action, the Interior Committee took no action.

This project has been proposed in a number of Congresses. Our efforts in the Senate have been paralleled in the House of Representatives by Congressman DAVE MARTIN, of Nebraska's Third District.

Mr. President, it is my sincere hope that our efforts over the years have not been in vain. This year, I look forward to receiving the necessary reports from the Department of Interior and the Bureau of the Budget. With favorable reports, the Interior Committee will be in a position to move ahead with this worthwhile project.

Mr. President, the second bill I am introducing together with Senator CURTIS, the O'Neill unit, was authorized by the act of August 21, 1954. Reauthorization is, in effect, required under the provisions of the act of August 14, 1964.

The Department of the Interior has sent to Congress a favorable feasibility report on the project with the recommendation that the proposed development be authorized for construction. The desirability of the project from an economic standpoint is extremely high. Total annual benefits are estimated at $5,881,100 compared with an annual cost totaling $2,710,000. This is very favorable benefit-cost ratio of 2.17 to 1. Although the primary benefit of the unit will be from irrigation, there also will be secondary benefits from recreation, fish and wildlife enhancement, and flood control.

The area surrounding the O'Neill unit is very much dependent upon a sound agricultural economy. According to the 1960 census, 99.8 percent of the land in the project area is farmland, and 79 percent of the population lives on farms or rural communities of less than 2,500 population. The O'Neill unit would provide irrigation for some 77,000 acres of land in an area which is experiencing difficulties in water quality and the depletion of ground waters. Without supplemental water from the O'Neill unit the ground waters will soon be depleted and the land returned to range or dry cropland jeopardizing the economy of the entire area.

That the project has strong local support is evidenced by the formation of a reclamation district and the approval by the district voters of a mill levy against all of the tangible property.

Because of my strong belief in the worthiness of the project, I am happy to introduce the bill.

I ask unanimous consent that the press release of the Department of the Interior describing the O'Neill unit be printed in the Record.

There being no objection, the press release was ordered to be printed in the Record, as follows:

[From the Department of the Interior, Bureau of Reclamation, August 9, 1968]

Interior Sends Favorable Feasibility Report on O'Neill Unit, Nebraska, to Congress

The Department of the Interior today reported it has approved a feasibility report on the O'Neill Unit of the Bureau of Reclamation's Missouri River Basin Project in Nebraska and is forwarding it to the Congress with a recommendation that the proposed development be authorized for construction.

The proposed unit, in the north-central Nebraska counties of Cherry, Brown, Keya Paha, Rock, and Holt, would supply irrigation water for 77,000 acres and also would serve the functions of flood control, recreation, fish and wildlife, and the enhancement of fish and wildlife resources.

The proposed plan of development for the O'Neill Unit calls for construction of Norden Dam, a 155-foot high earthfill embankment that would create a reservoir on the Niobrara River with a total initial storage capacity of 542,500 acre-feet. A 60-mile long gravity canal would be constructed running generally parallel to the river, and a series of branch canals, laterals, and associated pumping plants would supply water to the project lands.

Project cost of the O'Neill Unit is estimated at $72,503,000. Allocations are: irrigation, $68,856,000; recreation, $2,078,000; fish and wildlife enhancement, $1,249,000; and flood control, $320,000.

The irrigation allocation is proposed as reimbursable, partly by the project's beneficiaries and partly by power revenues of the Missouri River Basin Project. The cost allocated to flood control would be nonreimbursable as would $1,936,000 of the cost allocated to recreation and $1,115,000 of the cost allocated to fish and wildlife enhancement. The remainder of the costs allocated to recreation and fish and wildlife enhancement which constitute one-half of the separable costs allocated to those functions and total $276,000, plus $9,000 interest during construction would be borne by a non-Federal public body in accordance with the provisions of the Federal Water Project Recreation Act. The Nebraska Game, Forestation, and Parks Commission has indicated a willingness to assume the operation, maintenance, and replacement costs of all recreation and fish and wildlife enhancement lands and facilities. Economic studies estimate total annual benefits at $5,881,100 as against annual costs totalling $2,710,300, resulting in a favorable benefit-cost ratio of 2.17 to 1.

The States of the Missouri River Basin and the interested Federal agencies have reviewed the report and have offered no objections to construction of the multiple-purpose development.

The bills, introduced by Mr. Hruska (for himself and Mr. Curtis), were received, read twice by their titles, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the Record.

Exhibit 1

S. 1453

A bill to authorize the Secretary of the Interior to construct, operate, and maintain the North Loup division, Missouri River Basin project, Nebraska, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the North Loup division is hereby authorized as a unit of the Missouri Basin project for the purposes of providing irrigation water for approximately fifty-two thousand five hundred and seventy acres of land, enhancing recreation opportunities, conserving and developing fish and wildlife resources, and for other purposes. The construction, operation, and maintenance of the North Loup division shall be in accordance with the Federal reclamation laws (Act of June 17, 1902 (32 Stat. 388), and Acts amendatory thereof or supplementary thereto). The principal features of the division shall include Calamus Dam and Reservoir on the Calamus River, Davis Creek Dam and Reservoir on Davis Creek, the necessary diversion facilities, pumping facilities, canals, laterals, drains, and other works needed to effect the aforesaid purposes.

Sec. 2. The conservation and development of the fish and wildlife resources and the enhancement of recreation opportunities in connection with the North Loup division shall be in accordance with provisions of the Federal Water Project Recreation Act (79 Stat. 213).

Sec. 3. North Loup division shall be integrated physically and financially with the other Federal works constructed under the comprehensive plan approved by section 9 of the Flood Control Act of December 22, 1944, as amended and supplemented.

Sec. 4. For a period of ten years from the date of enactment of this Act, no water from the unit authorized by this Act shall be delivered to any water user for the production on newly irrigated lands of any basic agricultural commodity, as defined in the Agricultural Act of 1949, or any amendment thereof, if the total supply of such commodity for the marketing year in which the bulk of the crop would normally be marketed is in excess of the normal supply as defined in section 301(b)(10) of the Agricultural Adjustment Act of 1938, as amended, unless the Secretary of Agriculture calls for an increase in production of such commodity in the interest of national security.

Sec. 5. The interest rate used for purposes of computing interest during construction and interest on the unpaid balance of the capital costs allocated to interest-bearing features of the project shall be determined by the Secretary of the Treasury, as of the beginning of the fiscal year in which construction is initiated, on the basis of the computed average interest rate payable by the Treasury upon its outstanding marketable public obligations, which are neither due nor callable for redemption for fifteen years from date of issue.

Sec. 6. There is hereby authorized to be appropriated such sums as are necessary to carry out the purposes of this Act.

S. 1454

A bill to authorize the Secretary of the Interior to construct, operate, and maintain the O'Neill unit, Missouri River Basin project, Nebraska, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the O'Neill unit, heretofore authorized as an integral part of the Missouri River Basin project by the Act of August 21, 1954 (68 Stat. 757), is hereby reauthorized as a unit of that project for the purposes of providing irrigation water for seventy-seven thousand acres of land, flood control, fish and wildlife conservation and development, public outdoor recreation, and for other purposes. The construction, operation, and maintenance of the O'Neill unit shall be subject to the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and acts amendatory thereof or supplementary thereto). The principal features of the unit shall include Norden Dam and Reservoir, related canals, a pumping plant, distribution systems, and other necessary works needed to effect the aforesaid purposes.

Sec. 2. The conservation and development of the fish and wildlife resources and the enhancement of recreation opportunities in connection with the O'Neill unit shall be in accordance with provisions of the Federal Water Project Recreation Act (79 Stat. 213).

Sec. 3. The O'Neill unit shall be integrated physically and financially with the other Federal works constructed under the comprehensive plan approved by section 9 of the Flood Control Act of December 22, 1944, as amended and supplemented.

Sec. 4. For a period of ten years from the date of enactment of this Act, no water from the unit authorized by this Act shall be delivered to any water user for the production on newly irrigated lands of any basic agricultural commodity, as defined in the Agricultural Act of 1949, or any amendment thereof, if the total supply of such commodity for the marketing year in which the bulk of the crop would normally be marketed is in excess of the normal supply as defined in section 301(b)(10) of the Agricultural Adjustment Act of 1938, as amended, unless the Secretary of Agriculture calls for an increase in production of such commodity in the interest of national security.

Sec. 5. There are hereby authorized to be appropriated such sums as are necessary to carry out the purposes of this Act.

INSIGHT 1969—URBAN PROBLEMS OF THE NATION

Mr. HRUSKA. Mr. President, it was my privilege to participate in the seventh annual Association Public Affairs Conference, sponsored by the U.S. Chamber of Commerce, which was held here in Washington on Monday and Tuesday of last week. The theme of the conference was "Insight 1969"—a look at President Nixon's administration. Vice President Spiro T. Agnew, a member of the Council on Urban Affairs and supervisor of the recently created Office of Intergovernmental Relations, delivered his first major address on the critical problems of the cities since President Nixon assigned him major responsibility for urban affairs. In his remarks, the Vice President spoke of a totally new approach to urban problems by the administration—an approach of viable federalism and realistic, practical, and achievable goals rather than unfulfillable promises. Among the goals mentioned by the Vice President were: elimination of the duplication and overlap that now exists in the present Federal aid system and substituting the broad for the narrow and the general for the specific in grants-in-aid; a more effective waging of the war on poverty; and a greater emphasis on solid achievement through private investment rather than public expense.

President Nixon has stated the need for a working partnership among all

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levels of government and a more practical role for State and local government officials in the formulation of Federal policies. As a practical means to achieve these ends, the administration already has taken an innovative advance to urban problems through the creation of the Council on Urban Affairs and the Office of Intergovernmental Relations. With Vice President Agnew as a viable part of both units, we can be assured that practical solutions to the problems will be sought and attained wherever possible.

I ask unanimous consent that the important and timely remarks of the Vice President be printed in the Record, as well as the press release of February 9, 1969, on the subject.

There being no objection, the address and press release were ordered to be printed in the Record, as follows:

An Address by the Vice President of the United States, Spiro T. Agnew, at National Chamber's 1969 Association Public Affairs Conference Luncheon, Washington, D.C., February 18, 1969

The present urban crisis stems from a history of human problems compounded by diminishing tax returns and burgeoning demands. Beneath the shiny glass and steel facade rising in every large city's commercial core lurk forbidding problems—of crime, blight, pollution and unemployment, of inadequate housing and education.

We cannot escape these problems. We can only confront and conquer them. And to do this we must put aside the pettiness of provincial thinking, the dubious luxury of political partisanship, the delusion that government can restore our cities alone.

The crisis of our cities does not call for panic but commands a response that is immediate, rational and practical. Permanent solutions require a full working partnership among all levels and branches of our society.

The Chamber of Commerce has recognized the scope and seriousness of urban problems. It has displayed admirable leadership and initiative in this sphere.

Your efforts merit tribute from a grateful nation. Your "Forward Thrust" program; Urban Action Clearinghouse, and Urban Leadership Workshops have awakened and inspired and involved the private sector. Your foresight in sponsoring scholarly research has produced broader insight in the field of urban affairs. Your Construction Action Council has become a focal point for attacking compelling environmental problems.

Your contributions offer dramatic proof that the private sector is both willing and able to supplement public efforts on a volunteer basis.

The March 26th closed-circuit telecast, beamed to civic and business leaders in more than 26 American cities, marks another tremendous effort by this organization. I hope to join Secretary Finch and Secretary Romney in this unprecedented program.

Throughout his campaign, President Nixon continually expressed his confidence in the great, untapped potential of the private sector. This was echoed in the words of his Inaugural, when he said: "We are approaching the limits of what government alone can do. Our greatest need now is to reach beyond government, to enlist the legions of the concerned and the committed."

Certainly, you will play an even greater role in future approaches directed by our President who gives priority to urban problems and emphasis to partnership with the private sector.

In creating a Council on Urban Affairs and placing it in a position of importance comparable to the National Security Council, President Nixon gives tangible evidence that our cities shall receive the highest priority.

Prior to this action, the President—then President-elect—determined that I should serve as his personal representative in developing more effective working relationships among federal, state and local governments.

In announcing that the office of Vice President would provide this liaison capacity, President-elect Nixon said, "Absolutely essential to my Administration is a more practical role for state and local government officials in the formulation of federal policies . . . We must have a working partnership among all levels of government. I attach such great importance to this objective that I am asking the Vice president-elect to assume the responsibility for seeing it is accomplished."

The linking of state and local liaison responsibility in the Vice President's office is a new and promising approach. Prior to the Nixon Administration, liaison responsibility was split between the Vice President, who was the contact for the cities and counties, and the Office of Emergency Preparedness, which acted as liaison to the states. While both Vice President Humphrey and OEP Director Price Daniels did admirable jobs, the very division of their labor circumvented a comprehensive, coordinated approach to domestic policy development.

One of the most persistent difficulties in urban affairs is intergovernmental competition. We must encourage local and state authorities to sit down together and thrash out their problems with each other as well as their common difficulties with the Federal Government. If permanent resolution is to replace temporary accommodation, we must have accord among all levels of government.

While the problems of our cities will not disappear completely because of intergovernmental coordination, they will never diminish without it. The pace and effectiveness of programs and policies depend on intergovernmental cooperation.

In order to provide a vehicle with services sufficient to meet the task, the President has asked me to supervise the new Office of Intergovernmental Relations.

In a statement delivered on the signing of the Executive Order creating the Office of Intergovernmental Relations, President Nixon outlined the purposes of this unit.

"The Office of Intergovernmental Relations will aid the Vice President in his liaison responsibility between the President and the state and local officials.

"Among its many functions, the Office will assure state and local officials access to the highest offices of the Federal Government, especially those having a direct impact on intergovernmental relations, so that federal programs, policies and goals will be more responsible to their views and needs. It will seek to strengthen existing channels of communication and to create new channels among all levels of government."

It should be clearly understood that state and local governments will continue to have direct access to federal departments and agencies, and in fact this office will encourage even greater communication.

As our office works on a day-to-day basis with America's mayors, county officials and governors, we will inevitably become more sensitive to their problems and priorities. We hope to become a highly responsive mechanism to transmit their views.

Working in close harmony with the Council on Urban Affairs, our office will report recurring problem patterns to the Council.

The Urban Affairs Council—created in the President's words, to develop "coherent, consistent positions as to what the national government would hope to see happen; what it will encourage, what it will discourage"—offers the avenue for policy adjustment.

Finally, the Office of Intergovernmental Relations—part clearinghouse; part court of last resort—will remain primarily the forum for dialogue; the focal point where all levels of government will be encouraged to substitute cooperation for competition and coordination for duplication in intergovernmental affairs.

Again this represents a totally new approach to urban problems by the Administration. It is a practical means to achieve workable answers through viable federalism. It is not an expensive instrument but an essential one. It is ambitious in a professional way, but its goals are achievable.

As such, it mirrors much of the policy I believe will be forthcoming from the new Administration. President Nixon has gone on record saying, "One thing worse than not keeping a promise is making a promise that cannot be kept . . . What we do not need now is another round of unachievable promises of unavailable federal funds."

President Nixon will not promise, knowing he cannot deliver. This does not mean that the President does not find promise in the future; but that his goals are realistic, practical, deliverable.

The importance of this policy of candor with the people is immeasurable. Promises followed by dashed hopes too often result in violence.

What goals are realistic, practical, achievable?

First: A strengthening of "Fiscal Federalism" to enlist federal aid more effectively. Here I believe we can anticipate a pluralistic approach to reforming present grants-in-aid programs.

Presently, most significant federal aid is by way of categorical grant. In many cases, the incompatibility of such restrictive assistance with existing state programs prohibits full use of the aid. Actually out of the approximately 400 grants now in existence, a mere 30 account for 89 cents out of every federal-aid dollar.

Everything is to be gained by reforming the present system, substituting the broad for the narrow and the general for the specific. The economics of the situation alone present a cogent argument. We will free more money just by eliminating the duplication and overlap that now exist. Flexibility and efficiency are primary objectives, but at no time should any move toward bloc grants be construed as handing the states blank checks. Congressional intent must be followed. I do not see bloc grants as a device to favor one level of government over another, but rather as a way to provide each level of government with a definite role and responsibility to fulfill.

The pluralistic approach takes into account the continuance of those categorical grants-in-aid which serve the national interest. It also calls for the full exploration of additional methods of federal-aid distribution.

Second: The development of a national urban policy disciplined by clear cut goals and priorities. As President Nixon says, "Having a policy in urban affairs is no more a guarantee of success than having one in foreign affairs. But it is a precondition of success."

Important new approaches to existing metropolitan patterns must be explored. The development of "new towns" or satellite cities, carefully planned to include every income group, sufficient services and a self-sustaining economic base offers an exciting alternative to urban squalor and suburban sprawl.

However, "new towns" cannot be created at the expense of old cities. With America's population projected to increase 73 percent by the year 2000, we must promote the proper development of both if we are to prevent the abrasive impaction which contributes so greatly to present urban problems. In addition, we must concurrently assure the effective development of our nation's growth centers, cities of 30,000 to 50,000 people which have great potential to facilitate and accommodate future expansion.

At the same time we must recognize one compelling reality, that the federal and state

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governments are going to have to put forth an extra effort in those cities with a high ratio of the socially and economically deprived. These are the areas where blight and impaction are most critical. These are the areas with the heaviest concentration of uneducated, unemployed, and impoverished. These are not simply structural problems but agonizing human ones which command our immediate concern.

Third: A dynamic and different approach to the human problems of our cities.

Here I think we can take a clue from the words of HEW Secretary, Bob Finch, "It's not tears we need now, it's innovation."

One fresh approach I have long advocated is the gradual establishment of national welfare standards. This would relieve hard-pressed urban centers of an untenable financial burden and reduce the disparity in welfare payments between states.

Secretary Finch is also correct in indicating the Federal Government's need to rationalize existing poverty programs, so that we can wage our war on poverty more effectively. This I foresee to include emphasis by the OEO on pilot and experimental projects; transfer of successful programs to their proper federal department or agency; reassessment and reform of questionable efforts; tightening of appropriate program management responsibility through state and local governments.

Fourth: a far greater emphasis on solid achievement through private investment rather than public expense. In his campaign President Nixon proposed incentives to industry willing to invest in inner-city development, in providing jobs and job training. He said, "Helping provide these incentives is the proper role of government—actually doing the job is not—because industry can do it better."

The Nixon Administration intends to move in this direction. We intend to propose legislation which will allow federal surplus property to be made available to state and local governments at less than fair market value where its proposed use will create substantial employment in depressed areas. The transfer to New York City of the Brooklyn Navy Yard near Bedford Stuyvesant, one of the most severely depressed areas in the country, is an example.

In his response to the problems of the ghetto, the President has proposed the development of "minority entrepreneurship," an investment in ownership and management by groups long unable to finance an adequate share of the action. This is the chance to reverse decade-old patterns which "fed the stomach but starved the soul."

It is realistic, for social progress is linked to economic progress. All the fair housing legislation on the books has little meaning if a man lacks the income to buy a house in the neighborhood of his choice.

Fifth: The last new direction I will discuss with you today is not one of approach but of attitude. It is not a program that can be measured by appropriated dollars or the assignment of priorities, but it is of paramount importance.

In his Inaugural Address, President Nixon noted that in this past third of a century, we have passed more laws, spent more money, initiated more programs, than in all our previous history.

Yet "We have found ourselves rich in goods, but ragged in spirit . . . caught in war, wanting peace . . . torn by division, wanting unity."

To this crisis of the spirit, President Nixon proposed an answer of the spirit. His answer is a new attitude. It is to be part of a cause larger than any one of us; a life of "High adventure—as rich as humanity itself, and exciting as the time we live in."

For as President Nixon said, "What has to be done has to be done by government and people together or it will not be done at all. The lesson of past agony is that without the people we can do nothing; with the people we can do everything."

NATION'S BUSINESS LEADERS WILL HEAR AGNEW AND DISCUSS NATIONAL ISSUES AT CHAMBER PUBLIC AFFAIRS CONFERENCE

WASHINGTON, February 8.—More than 1,000 business leaders from across the country will get their first good look at the Nixon Administration at the seventh annual Association Public Affairs Conference sponsored by the Chamber of Commerce of the United States at the Sheraton-Park Hotel, Feb. 17–18, it was announced today. Conference theme is "Insight '69."

Vice President Spiro T. Agnew will deliver his first major address on the critical problems of the cities since President Nixon assigned him major responsibility for urban affairs. He will speak at the second-day luncheon.

The conference will also include a special seminar on tax incentives for business investment in the solution of urban problems, panel discussions on the legislative and economic outlooks and the power centers in Washington, briefings with high officials at three federal agencies, and a reception honoring Secretary of Commerce Maurice H. Stans and his chief aides.

The Tuesday afternoon incentives workshop will dig into the questions of tax and other stimulants. Leading spokesmen on both sides of the concept will participate. They are: Sen. Charles E. Goodell (R–N.Y.), Sen. William Proxmire (D–Wis.), Dr. Richard Rosenbloom, professor, Harvard Business School, and John G. Heimann, vice president and director, E. M. Warburg & Co., New York. Carl H. Madden, National Chamber chief economist, will moderate.

National Chamber Vice President Jenkin Lloyd Jones, publisher of "The Tulsa Tribune" and syndicated columnist, will preside and deliver the opening address.

Other highlights:

Legislative Insight panel debate by congressional leaders Sen. Birch Bayh (D-Ind), Sen. Roman L. Hruska (R-Neb.), Rep. Albert H. Quie (R-Minn.) and Rep. Richard Bolling (D-Mo.). Arch N. Booth, National Chamber executive vice president, will be moderator.

Insights on the Dollar discussion by Walter W. Heller, former chairman of the Council of Economic Advisers under Presidents Kennedy and Johnson, and Dr. Beryl Sprinkel, senior vice president, Harris Trust and Savings Bank, Chicago. James J. Kilpatrick, nationally syndicated columnist and *ABC–TV* commentator, will serve as moderator.

Participants will visit the Commerce and Labor Departments and the Federal Trade Commission to discuss issues such as administration of the Wage-Hour Act, foreign trade and consumer affairs.

Editors of "Nation's Business" will conduct a luncheon panel exchange on "Now Who's Really Running Washington?" They will address themselves particularly to labor relations, foreign affairs and politics.

The reception honoring the Commerce Department will be held on Monday evening.

MILITARY SPENDING

Mr. FULBRIGHT. Mr. President, before I proceed to discuss the Nonproliferation Treaty, I wish to say a word about the speech of the Senator from Wisconsin (Mr. PROXMIRE) concerning the military expenditures of our Government, which he made a moment ago. I could not be here, but I read his speech with a great deal of interest, and I wish to congratulate him on making a very fine contribution to the discussion which is currently underway with regard to the enormous imbalance that has developed in our governmental expenditures between the civilian and military departments.

TREATY ON THE NONPROLIFERATION OF NUCLEAR WEAPONS

The Senate resumed the consideration of Executive H, 90th Congress, second session, the Treaty on the Nonproliferation of Nuclear Weapons.

Mr. FULBRIGHT. Mr. President, I consider it a privilege to present to the Senate, on behalf of the Foreign Relations Committee the Treaty on the Nonproliferation of Nuclear Weapons.

In my remarks, I should like to comment briefly on the political and national security aspects of the treaty. But before examining the wisdom of this or that provision of the Nonproliferation Treaty, I would urge my colleagues to consider for a moment the enormous problems confronting us if these weapons continue to spread throughout the world

The United States has long been acquainted with the dangers as well as the uncertainties in dealing with a world where only a few nations have nuclear weapons. In the years since Hiroshima and Nagasaki, the United States and Soviet Union have come to appreciate the dangers as well as the limitations of nuclear weapons. This relationship of mutual understanding, born of the capacity for mutual destruction, was first disturbed by the entry of France into the nuclear weapons field—and then shaken by the arrival of Communist China.

In considering this treaty, I ask Members to contemplate the potential horrors of a world in which pigmy nuclear weapons powers abound; a world where Middle Eastern crises are compounded by the introduction of nuclear weapons; a world where an African or Asian breakaway state close to suppression resorts to nuclear weapons to bring the temple down on both friend and enemy; a world where a small state can trigger a "small nuclear war" which may bring the major powers to a confrontation involving nuclear weapons; a world where the tons of plutonium that will soon be produced—by the nuclear plants of states now without nuclear weapons—is actually diverted into the manufacture of hundreds of atom bombs a year.

Let us then be completely clear at the outset of this debate on the Nonproliferation Treaty as to what this treaty is all about.

The treaty's fundamental purpose is to retard the further spread of nuclear weapons by prohibiting the nuclear weapons states party to the treaty from transferring nuclear weapons to others and by barring the nonnuclear-weapons countries from receiving, manufacturing, or otherwise acquiring nuclear weapons.

In other words, this treaty is designed to lift from the world's already burdened shoulders some of the potential problems I have cataloged. This is not to say that the Nonproliferation Treaty is a panacea for all the ills besetting the world with regard to nuclear weapons.

The treaty has been ignored by some nations and flatly rejected by others. Those nations which are nearest to developing their own nuclear weapons, and which refuse to sign the treaty, will weaken it. This treaty, unfortunately, is not the final answer to the problem of nuclear proliferation, I do not present it as such. I do present it, however, as a significant barrier to the further spread of these weapons and as the framework for cooperation among the major powers to establish and maintain that barrier.

With all its limitations, I hope the Senate will agree with me that placing a barrier to the further spread of these weapons is not only in our national interest but in the interest of all nations and peoples. Most of us in the Senate have long shared the hope that ways could be devised to slow the further spread of these weapons. The Senate in 1966 voted 84 to 0 in favor of Senate Resolution 179. That resolution, introduced by the distinguished Senior Senator from Rhode Island (Mr. PASTORE), encouraged the President in his efforts to negotiate a treaty to slow the spread of nuclear weapons. We now have a treaty that gives substance to that hope, a treaty approved by two Presidents, two Secretaries of State, two Secretaries of Defense, and twice by the Joint Chiefs of Staff.

Let us also be clear at the outset that the treaty before the Senate is not an act of unilateral disarmament on the part of the United States—or any other nation. This treaty does not take a single weapon from our arsenal. Far from disarming, the United States and the Soviet Union are on the verge of a new phase of the nuclear arms race. This treaty, I am sorry to say, imposes no flat commitment on the nuclear powers to avoid a further round of nuclear weaponry. The treaty requires simply that the major powers "pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date." And even that limited obligation under article VI has been interpreted by the Director of the Arms Control and Disarmament Agency to mean that there is no inconsistency with possible plans to deploy antiballistic missiles before the United States has exhausted every possibility of beginning negotiations with the Soviet Union on strategic arms limitation.

The United States has no desire or intention to give the control of nuclear weapons to any other state. We have prohibited it by law. To describe this treaty as a step in the direction of unilateral disarmament is rather farfetched, to say the least.

The fact that the United States has no desire or intent to give the control of nuclear weapons to other nations is no assurance, however, that other nuclear nations share our determination not to give nuclear weapons to other states.

Although I personally believe that the Soviet Union would not give control of its nuclear weapons to other nations, the fact is that at the present time there is no restraint whatsoever on the Soviet Union. If the Russians should, in a moment of national folly, decide to give nuclear weapons to a small power, they can do so now and neither we nor anyone else can stop them.

When this treaty enters into force, however—and it cannot enter into force without the Soviet Union—there will be an obligation imposed on the Russians not to hand these weapons over to nations who may today be the Soviet Union's controllable friends—but tomorrow may be her uncontrollable enemies or allies.

There will be some few who will argue that one cannot rely on the Russians—that they will ignore the treaty at their pleasure. The point is that some international restraint is better than none at all. Furthermore, this treaty—as the Antarctic Treaty—is in the Russian interest as much as in our own interest. And there is reason, therefore, to think they will abide by the treaty if we do.

I may say that in the consideration of the Antarctic Treaty it was alleged that the Russians would not abide by it and there was no use in having such a treaty. The fact is that the Russians have abided by it, as we have, and as all other members have, and it has worked very well, indeed.

Unfortunately, there is no present nuclear restraint on France or Communist China. But when it comes to the further spread of these weapons, we should be thankful for what can be achieved. And if it is generally accepted, those two countries might change their views.

As to the objectives of the treaty itself, I shall briefly develop the ways in which the Nonproliferation Treaty can be expected to advance our overall national interests; but I urge Senators to give serious attention to the more than 500 pages of testimony taken by the Foreign Relations Committee from two administrations. I particularly recommend that Senators study carefully the report of the Committee on Foreign Relations. It was drafted with special care by members of the committee, who participated in the discussions at considerable length; and I believe it is an excellent report.

During the hearings on the Nonproliferation Treaty last July, the Committee on Foreign Relations was joined by the Senate members of the Joint Committee on Atomic Energy. It was a particular pleasure to have the assistance of the senior Senator from Rhode Island. He helped the committee develop and understand many of the more difficult technical considerations relating to the field of atomic energy and international safeguards systems. No man knows more about this important but esoteric field than my distinguished colleague from Rhode Island; no man in this body has done more to advance the cause of harnessing the nuclear weapons capacities of the world.

Mr. President, in deciding whether to give its advice and consent to the Nonproliferation Treaty, the Senate must consider a number of basic questions: First, does the treaty safeguard our national security interests? Second, what new obligations, if any, will the United States undertake if the treaty is approved? Third, does the treaty advance the broad interests of American foreign policy?

On the basis of the hearings conducted by the committee, I believe that the treaty safeguards our national security, and is in the national interest.

As for the effects of the treaty on our national security, the Chairman of the Joint Chiefs of Staff, Gen. Earle G. Wheeler, testified that the Joint Chiefs of Staff were unanimous in supporting the treaty: In the words of General Wheeler:

> The nonproliferation treaty—
>
> Does not operate to the disadvantage of the United States and our allies.
>
> Does not disrupt any existing defense alliances in which the United States is pledged to assist in protecting the political independence and territorial integrity of other nations.
>
> Does not prohibit deployment of U.S. owned and controlled nuclear weapons within the territory of our nonnuclear NATO Allies.
>
> Does not prohibit the United States from using nuclear weapons in any situation wherein nonuse of nuclear weapons would be inconsistent with U.S. security interests.

The committee has also made clear in its report that the treaty in no way affects the right of the United States to enter into agreements to station nuclear weapons under U.S. control on the soil of an ally.

During the hearings, questions were raised as to the implications of a United Nations Security Council resolution which the United States, Great Britain, and the Soviet Union introduced in June of 1968. By that resolution, and by identical declarations made in the Security Council the signatory nuclear powers stated that they would seek immediate Security Council action to provide assistance, in accordance with the U.N. Charter, to nonnuclear signatories that are threatened by aggression with nuclear weapons. Of considerable concern to members of the committee was the possibility that its support of the Nonproliferation Treaty would be taken as approval of the Security Council measure as embodied in the United Nations resolution or in the supporting U.S. declaration.

Lest there be any doubt as to whether this security guarantee resolution could be construed as involving a ratification of prior commitments or establishing new U.S. commitments, the report of the Committee on Foreign Relations includes the following language of interpretation of the relationship of the security guarantee resolution and the treaty——

Mr. ALLOTT. Mr. President, will the Senator yield for one question?

Mr. FULBRIGHT. I yield.

Mr. ALLOTT. Is that Resolution No. 255 of which the Senator is speaking?

Mr. FULBRIGHT. Yes; in the Security Council.

Mr. ALLOTT. Resolution No. 255?

Mr. FULBRIGHT. The Senator is correct.

Mr. ALLOTT. I thank the Senator.

Mr. FULBRIGHT. I quote from the committee report:

> The Committee records its firm conclusion, reached after extensive testimony, that the Security Council Resolution and the Security Guarantee declaration made by the United States in no way either ratify prior *national* commitments or create new commitments.

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It has been suggested in this Chamber that because of the Security Council resolution and the accompanying U.S. declaration, approval of the Nonproliferation Treaty will obligate the United States in the event of an aggression to come to the defense of any nonnuclear signatory to the treaty. In other words, this treaty, it has been suggested, pledges the United States to become a policeman to all the world's conflicts involving nuclear weapons.

In my view, there are few subjects that have been given more attention by the Foreign Relations Committee than the subject of international commitments. Two administrations have been thoroughly interrogated as to what new responsibilities or commitments the United States would be undertaking by acceptance of the Nonproliferation Treaty.

I want to repeat, therefore, that the committee has made it unmistakably clear in its report that the Security Council resolution in question and the U.S. declaration are separate and distinct from the Nonproliferation Treaty. In recommending approval of the Nonproliferation Treaty, the Senate is not thereby approving or disapproving the security guarantee measures embodied in the United Nations resolution or the supporting U.S. declaration.

I repeat, Senate approval of this treaty neither broadens nor narrows U.S. obligations under the United Nations Charter or resolutions passed in the United Nations. Furthermore, the Secretary of State has testified that "as a matter of law and as a matter of policy" no additional obligations were assumed by the United States in connection with the United Nations security guarantee resolution.

I turn now to article V to call attention to certain obligations and potential problems regarding its interpretation. The treaty gives assurances to the nonnuclear weapon states that they are to be enabled to share on a nondiscriminatory basis in the benefits of the peaceful application of nuclear explosive devices. When the committee first considered the Nonproliferation Treaty last summer, there were members who were concerned lest the language of this article could be interpreted as a positive commitment to provide explosive devices for research and development that would further the commercial interests of domestic and international firms without regard to cost and to the relationship of these services to the U.S. public interest.

As a result of the careful attention of the distinguished senior Senator from Vermont, the committee states its satisfaction with the assurances of the administration, particularly the Atomic Energy Commission, that article V will not result in an open-ended subsidy commercial of interests. The committee expects that the U.S. responsibilities under article V will be carried out on a full-cost recovery basis and that projects under this article will be undertaken only when the best interests of the United States are clearly evident.

I might say that we had, I thought, very clear and positive statements, verbally and by letter, from the chairman of the Atomic Energy Commission with regard to this point.

During consideration of the treaty, the committee was also aware of the potential problems in the safeguard field. There is no doubt that the credibility and reliability of international safeguard systems is still to be determined. The committee, however, was satisfied with the statements of Dr. Seaborg of the Atomic Energy Commission that the International Atomic Energy Agency safeguards system and staff would be more than adequate to carry out the IAEA's responsibilities under the treaty.

If Senators are concerned about this question of safeguards, they should bear in mind that this effort to extend international safeguards to the nuclear facilities of the countries who will sign this treaty brings to the international community something it has not had before. I consider this mandatory extension of the International Atomic Energy Agency's safeguards to the nuclear facilities of nonnuclear signatories as a significant advance in international affairs. Heretofore, IAEA safeguards have been applied only to projects receiving assistance from the agency or projects voluntarily placed under IAEA controls. Under this treaty these safeguards become a mandatory obligation of the nonnuclear signatories. The international community is, therefore, gaining a capacity to keep nuclear materials safe—something we did not have before.

Finally, I call Senators attention to article VII of this treaty. If the United States ratifies the Nonproliferation Treaty, this country will have undertaken a pledge, in good faith, to seek agreements that would limit nuclear arms competition between the major powers.

Article VI of the treaty is explicit on this point. The text reads:

> Each of the Parties of the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date.

Such an obligation on our part makes sense because we possess the largest arsenal of nuclear weapons and, therefore, bear a special responsibility for the prevention of a further escalation of the arms race. This special responsibility under article VI also makes sense because we have an important obligation to those nations capable of producing nuclear weapons which we are asking not to follow our example. Nonnuclear states signing this treaty are signing away the option to manufacture or acquire nuclear weapons for their defense. We can do nothing less than show our good faith by being responsive to the desires of the smaller powers to halt the nuclear arms race and to reduce existing nuclear arms arsenals.

It was the conclusion of the Committee on Foreign Relations that in order to give effect to article VI, it believes that the administration should consider deferring the deployment of new forms of strategic offensive and defensive missiles "until it has had time to make an earnest effort to pursue meaningful discussions with the Soviet Union.

In conclusion, the committee believes that the Nonproliferation Treaty now before the Senate represents an important beginning in controlling the further spread of nuclear weapons.

In my view, however, unless the signatories move swiftly to achieve a cessation of the nuclear arms race, the nonnuclear states which are being asked to abstain from that race will soon reconsider. If that happens, we will be accused by future generations of having given our advice and consent to a meaningless gesture.

Mr. President, it is because of my belief that the United States will meet all of its responsibilities under this treaty that I urge the Senate to give its advice and consent to ratification of the Nonproliferation Treaty.

Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

Is there further debate on the treaty? If not, without objection, the treaty will be considered as having passed through its various parliamentary stages up to and including the presentation of the resolution of ratification, which will be read for the information of the Senate.

The legislative clerk read as follows:

> *Resolved* (Two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Treaty on the Nonproliferation of Nuclear Weapons, signed in Washington on July 1, 1968, on behalf of the United States of America, the United Kingdom of Great Britain and Northern Ireland, the Union of Soviet Socialist Republics, and 53 other states (Ex. H, 90th Congress, 2nd session).

The VICE PRESIDENT. Debate on the resolution of ratification is now in order.

EXECUTIVE RESERVATION NO. 2

Mr. ERVIN. Mr. President, I send to the desk a reservation, and ask that it be read.

The VICE PRESIDENT. The reservation will be stated.

The legislative clerk read as follows:

> Before the period at the end of the resolution of ratification insert a comma and the following: "subject to the reservation that the United States does not obligate itself by this treaty to use its armed forces to defend any non-nuclear-weapon State or any member of the United Nations against any acts or threats of aggression even if such acts or threats are accompanied by the use or threatened use of nuclear weapons".

Mr. ERVIN. Mr. President, I am prompted to submit this reservation because of certain events which transpired in the United Nations Security Council meeting on June 19, 1968. These events transpired 11 days before the signing of the proposed treaty. On June 19, 1968, this resolution, Resolution 255, of the United Nations Security Council was adopted:

> *The Security Council,*
>
> *Noting with appreciation* the desire of a large number of States to subscribe to the

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> Treaty on the Non-Proliferation of Nuclear Weapons, and thereby to undertake not to receive the transfer from any transferor whatsoever of nuclear weapons or other nuclear explosive devices or of control over such weapons or explosive devices directly, or indirectly; not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices; and not to seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices.
>
> *Taking into consideration* the concern of certain of these States that, in conjunction with their adherence to the Treaty on the Non-Proliferation of Nuclear Weapons, appropriate measures be undertaken to safeguard their security,
>
> *Bearing in mind* that any aggression accompanied by the use of nuclear weapons would endanger the peace and security of all States,
>
> 1. *Recognizes* that aggression with nuclear weapons or the threat of such aggression against a non-nuclear-weapon State would create a situation in which the Security Council, and above all its nuclear-weapon State permanent members, would have to act immediately in accordance with their obligations under the United Nations Charter;
>
> 2. *Welcomes* the intention expressed by certain States that they will provide or support immediate assistance, in accordance with the Charter, to any non-nuclear-weapon State Party to the Treaty on the Non-Proliferation of Nuclear Weapons that is a victim of an act or an object of a threat of aggression in which nuclear weapons are used;
>
> 3. *Reaffirms* in particular the inherent right, recognized under Article 51 of the Charter, of individual and collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security.

It will be observed that this resolution was passed by the Security Council for the purpose of emphasizing the fact that certain nonnuclear nations were desirous of signing the so-called Nonproliferation Treaty but were hesitant to do so because they feared for their safety in the event that they renounced the right either to make for themselves or to receive from nuclear powers some security against an act of aggression accompanied by nuclear weapons or a threat of aggression where the threat was that nuclear weapons would be used against them. They were rightly concerned with the surrendering of the right to make or to receive from others nuclear weapons for their self-defense.

As a result of this apprehension and concern, the United Nations passed this resolution. The United Nations Security Council emphasized in this resolution that an act or threat of aggression with nuclear weapons against a nonnuclear state would require immediate assistance.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. FULBRIGHT. Would it require that action under the U.N. Charter or under this treaty?

Mr. ERVIN. That is what I am concerned about.

Mr. FULBRIGHT. It is quite obvious they are talking about the charter, not this treaty. It is obvious that this treaty does not require the action the Senator refers to.

Mr. ERVIN. But if they had said in a more forthright manner, and had not used so many weasel words as they did in reply to this resolution, "We will give you such security and only such security as we are obligated by the Charter of the United Nations to give you," that would have meant one thing. It could not have been misconstrued. But from these weasel words and these numerous words that the United States did use in replying to this resolution, I believe that those nations would infer that the United States was pledging armed assistance to those nations if they would sign the Nuclear Treaty.

Mr. FULBRIGHT. Mr. President, will the Senator yield further?

Mr. ERVIN. I yield.

Mr. FULBRIGHT. I do not see how the Senator can reasonably interpret it that way.

Let me read what the resolution says:

> Recognizes that aggression with nuclear weapons or the threat of such aggression against a non-nuclear-weapon State would create a situation in which the Security Council, and above all its nuclear-weapon State permanent members would have to act immediately in accordance with their obligations under the United Nations Charter.

Those are the key words. This is a statement in the United Nations, and it does not refer to this treaty. It says "In accordance with the United Nations Charter." Why the Senator wishes to try to confuse whatever goes on in the United Nations with this treaty is beyond my comprehension. This treaty does not identify or adopt in any respect any part of the United Nations Charter by reference. They are entirely separate matters.

I confess that I do not see why the Senator wishes to confuse the issue by trying to inject into the treaty all the Charter of the United Nations.

Mr. ERVIN. If the Senator is firm in that conviction, he should accept this reservation, because the reservation says exactly what the Senator is saying.

Mr. FULBRIGHT. This proposed reservation has implications far beyond that, which I will mention in a moment. I do not want to go into that now. This reservation has interpretations which could be very inimical, for example, to our NATO Alliance. I do not believe the Senator wishes to cast doubt upon the NATO Alliance, for example.

Mr. ERVIN. No.

Mr. FULBRIGHT. But I think his reservation would.

Mr. ERVIN. If the Senator will read my reservation, I only mention this treaty. I do not undertake to say how we obligate ourselves in the NATO Alliance or under the Charter of the United Nations. I am just making clear that this treaty does not impose on us any obligation to go to war either in behalf of a nonnuclear nation or on behalf of a member of the United Nations.

Mr. FULBRIGHT. I agree with the Senator that it does not have any such implication at all. But as a reservation, distinguished from an understanding, it does attempt to change some substantive meaning of the treaty. Otherwise, it would not be offered.

Mr. ERVIN. I have an understanding phrased in the same words.

Mr. FULBRIGHT. I think it is equally superfluous. If the Senator wishes to isolate his reservation from applicability to NATO, it should also be isolated from the United Nations. It seems to me to be inconsistent. I do not see what purpose the Senator, has, other than to confuse the understanding of this treaty.

Mr. ERVIN. I am trying to make clear what the Senator from Arkansas says is the truth. That is what I am trying to do.

Mr. FULBRIGHT. It is quite clear to everyone else, including the Secretary of State. This is what he said. I refer to the present Secretary of State. We asked him about this, and this is his reply:

> With respect to the broader question of security assurances, I wish to make clear that the Nonproliferation Treaty does not create any new security commitment by the United States abroad and that it does not broaden or modify any existing security commitments abroad. My understanding of the effect and significance of U.N. Security Council Resolution 255 (1968) and the related U.S. Declaration is in complete accord with that expressed in the committee's report on the treaty last September.

That is the interpretation of the present Secretary of State, which is the same as that of the committee.

Mr. ERVIN. Unfortunately, the Senator from North Carolina is not gifted with powers of interpretation of the Secretary of State. The Senator from North Carolina just wants to have the Senate say in its words that what the Senator from Arkansas says and the Secretary of State says is the truth. That is all the Senator wants. I am surprised that my good friend the Senator from Arkansas is not willing for the Senate to state what the truth is, as the Senator from Arkansas views the truth.

Mr. FULBRIGHT. I would like to go on for a moment into another aspect.

The PRESIDING OFFICER. Does the Senator from North Carolina yield?

Mr. ERVIN. Mr. President, suppose I first read what the United States stated, and then I will be glad to return to the Senator from Arkansas.

Mr. FULBRIGHT. Very well. I did not wish to interrupt.

Mr. ERVIN. I wish to read what the United States said in response to this inquiry. That is what I call this resolution. There was an inquiry made of the United States, for all practical purposes.

Mr. FULBRIGHT. Does the Senator mean in the United Nations?

Mr. ERVIN. Yes; in the United Nations.

Here is what the United States said in reply on the same day in the same meeting of the United Nations Security Council:

> ### Declaration of the Government of the United States of America
>
> (Made in the United Nations Security Council in explanation of its vote for Security Council Resolution 255 (1968))
>
> The Government of the United States notes with appreciation the desire expressed by a large number of States to subscribe to the treaty on the nonproliferation of nuclear weapons.
>
> We welcome the willingness of these States to undertake not to receive the transfer from

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> any transferor whatsoever of nuclear weapons or other nuclear explosive devices or of control over such weapons or explosive devices directly, or indirectly; not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices; and not to seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices.
>
> The United States also notes the concern of certain of these States that, in conjunction with their adherence to the treaty on the non-proliferation of nuclear weapons, appropriate measures be undertaken to safeguard their security. Any aggression accompanied by the use of nuclear weapons would endanger the peace and security of all States.
>
> Bearing these considerations in mind, the United States declares the following:
>
> Aggression with nuclear weapons, or the threat of such aggression, against a non-nuclear-weapon State would create a qualitatively new situation in which the nuclear-weapon States which are permanent members of the United Nations Security Council would have to act immediately through the Security Council to take the measures necessary to counter such aggression or to remove the threat of aggression in accordance with the United Nations Charter, which calls for taking "* * * effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace * * *". Therefore, any State which commits aggression accompanied by the use of nuclear weapons or which threatens such aggression must be aware that its actions are to be countered effectively by measures to be taken in accordance with the United Nations Charter to suppress the aggression or remove the threat of aggression.
>
> The United States affirms its intention, as a permanent member of the United Nations Security Council, to seek immediate Security Council action to provide assistance, in accordance with the Charter, to any non-nuclear-weapon State party to the treaty on the non-proliferation of nuclear weapons that is a victim of an act of aggression or an object of a threat of aggression in which nuclear weapons are used.
>
> The United States reaffirms in particular the inherent right, recognized under Article 51 of the Charter, of individual and collective self-defence if an armed attack, including a nuclear attack, occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security.
>
> The United States vote for the resolution before us and this statement of the way in which the United States intends to act in accordance with the Charter of the United Nations are based upon the fact that the resolution is supported by other permanent members of the Security Council which are nuclear-weapon States and are also proposing to sign the treaty on the non-proliferation of nuclear weapons, and that these States have made similar statements as to the way in which they intend to act in accordance with the charter.

Mr. President, it is to be noted that this language refers expressly to article 5 of the Charter of the United Nations and states that under that article the United States reaffirms that any nation subjected to nuclear attack or threat of nuclear attack has a right individually and also collectively to take measures necessary to maintain international peace and security pending such time as the United Nations can take action.

What was the United States doing there, by insinuation, except to say that the nonnuclear nations under this treaty have a right to self-defense pending the time the United Nations can act individually and collectively?

If I were a member of a nonnuclear nation and I read that, I would draw the deduction that the United States was impliedly agreeing that it would join the nation subject to attack or threatened attack in defending itself until the time the United Nations could take action, which might be, the way they debate things, about the time the last lingering echoes of Gabriel's horn trembled into ultimate silence.

A Philadelphia lawyer reading that might discover it did not put a new obligation upon us, that the United States was making a statement which was calculated, if not actually intended, to induce the nonnuclear nations to agree to the Nonproliferation Treaty. I think we have had less than that get us into war. We are in a war today, in a war in which over 32,000 American boys have been killed in South Vietnam. We were placed in that war by the act of a President of the United States. He did not have a single statement to make as strong as this as a reply of the United States to the resolution in the United Nations Security Council to justify his actions.

I am trying to make certain that no nonnuclear nation will sign this treaty under the misapprehension that the United States, by these words, has obligated itself to send our boys into battle again to die, without authorization from the Congress of the United States.

Frankly, I would confess that a Philadelphia lawyer would probably interpret this statement made on behalf of the United States and United Nations Security Council as the Senator from Arkansas does, and as the Secretary of State does; but there are some people, like the Senator from North Carolina, who cannot rest assured that that is the interpretation that will be given to it by a President of the United States; and, as the Senator from Arkansas says, he and the Secretary of State agree that this treaty does not impose any such obligation upon the United States, that it merely imposes an obligation assumed by the United States under the authority of the United Nations and under the agreements which brought into existence the NATO manifesto.

So, why not say it in plain words? Why not have the Senate say it in plain words, so that he who runs may read and not err in so doing?

I would say that anyone who is not skilled in the use of complex language could reasonably come to the conclusion that this treaty does impose upon us an obligation. If it does not, as the Senator from Arkansas says it does not, and as the Secretary of State says it does not, then why not make it plain so that simple-minded people like the Senator from North Carolina can so understand it?

Mr. CRANSTON. Mr. President, will the Senator from North Carolina yield?

Mr. ERVIN. I am happy to yield to the Senator from California.

Mr. CRANSTON. I believe that the risk that there can be a misunderstanding of our obligations is a most serious matter. I believe that the Senator from North Carolina is rendering a great service in making certain that there can be no such misunderstanding on this point.

The Committee on Foreign Relations considered this matter, as indicated in its report, and I should like to read from it, if I may, briefly:

> In considering the resolution and its relationship to the pending treaty the committee sought to determine whether the Security Council resolution and the U.S. declaration in explanation of its vote commit the United States to any additional responsibilities other than those already assumed under the United Nations Charter.
>
> The committee wishes to make it unmistakably clear that it considers the Security Council resolution and the U.S. declaration as separate and distinct from the Nonproliferation Treaty. This resolution and the accompanying declaration, are solely executive measures. However, because these actions are linked politically to the treaty, the connection could convey the impression that approval of the treaty by the Senate also means approval of the Security Council resolution. For this reason, the committee wishes to make the record clear that support of the Nonproliferation Treaty is in no way to be construed as approval of the security guarantee measures embodied in the United Nations resolution or the supporting U.S. declaration. It is appropriate, however, for the committee to express its interpretation of the United Nations resolution on security guarantees, since the pledge and resolution bear upon the constitutional right of the Senate to approve formal security commitments by the United States and upon the constitutional right of the Congress to declare war.
>
> The committee is constrained to point out that, in its view, this United Nations resolution and its accompanying declaration in no way involve a ratification of prior commitments or establish new commitments. In the event that action is contemplated by the United States, by reason of its declaration in the Security Council, such action can only be taken with due regard to proper constitutional processes.

There is also in the record of the Armed Services Committee where the Senator from North Carolina was quizzing General Wheeler and posing the question, If the United States, pursuant to its obligations, brought before the Security Council and posed to it the question that an aggression had been committed, would we then be obligated to proceed to go along with the Security Council's resolution calling for action against the aggressor? General Wheeler replied as follows:

> I would find nothing incompatible between calling the attention of the Security Council to the danger to world peace, and then vetoing any specific action that might be advocated by the Council.

Mr. President, in view of that clear record in the committee report, the record from General Wheeler in the Committee on Armed Services, and the record now being established on this floor, the Senator from California would like to ask the Senator from North Carolina if this does not make it clear enough to anyone who doubts that we are not committing ourselves in any further way by adoption of this treaty.

Mr. ERVIN. I do not think so. I think the message from the President of the United States transmitting the Treaty on Nonproliferation of Nuclear Weapons,

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signed in Washington July 1, 1968, engenders great confusion in this area.

The Senator from California knows, as does the Senator from North Carolina, that many of the nations on this earth, and their peoples, do not know anything about our constitutional system. They often hear it proclaimed by writers that the President has the power to conduct foreign affairs, but they do not have the fine knowledge which enables them to make a distinction between what the Senate of the United States does and what the President of the United States does and says, and also what the representatives of the United States in the United Nations Security Council do and say.

The very document that was sent to the Senate by the President of the United States, when he asked the Senate to ratify this treaty, has incorporated, right on the pages following the treaty, the statements which I have read, the United Nations Security Council resolution and the declaration of the Government of the United States in reply thereto. I see no harm that could be done by my reservation, which I am willing to alter into an understanding, because it would make clear to the nations that signed the treaty, and it would make clear to the American people, that the United States is not assuming any new obligations under this treaty, with respect to its Armed Forces, other than those it has assumed under the United Nations Charter and under agreements relating to NATO.

Having seen the United States, in my lifetime, placed into two wars by the President of the United States without action by Congress authorizing it, and realizing that 32,000 Americans have been killed in South Vietnam, I want to make this matter plain. I cannot see any reason why this reservation—which, as I say, if it were acceptable, I would be glad to change into an understanding—should be objected to.

If General Wheeler was right, and if the Secretary of State was right, and if the Foreign Relations Committee is right, in saying that this treaty does not impose any additional obligation on the part of the United States to go to war, I cannot, for the life of me, see any reason why anybody would object to the Senate of the United States saying the same thing, and saying that it placed the same interpretation upon these matters that the Senator from Arkansas places upon them, and that the Secretary of State placed upon them, and that General Wheeler placed upon them, and that the Senate Foreign Relations Committee placed upon them. If they had wanted to make the thing clear and avoid any possibility of misunderstanding, why did not the United States, in responding to the resolution of the United Nations Security Council, say, in plain and obvious and unmistakable English words, "We do not assume any obligations, by reason of this treaty, to use our armed forces other than the obligations we have already assumed under the United Nations Charter or under our agreements with the other NATO countries"?

Instead of doing that, we have used a multitude of words, and one can almost read this without seeing any reference to the United Nations, because it takes only about one one-thousandth of the number of words that are used in the reply of the United States to the United Nations Security Council.

I certainly read those words to impose an implied obligation on the part of the United States, and I think anyone, other than a Philadelphia lawyer, or a Secretary of State, or other man unusually gifted, would probably follow the same course. At least, it causes us confusion, and if we can avoid confusion, we ought to do so.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. FULBRIGHT. I think the Senator, with all respect, is the one who is about to cause confusion. The Senator's modesty about my being a Philadelphia lawyer or likening me——

Mr. ERVIN. If the Senator will pardon me, I never accused the Senator of being a Philadelphia lawyer. I will put him on the intellectual plane and philosophical plane of the Philadelphia lawyer.

Mr. FULBRIGHT. The Senator professes his lack of skill. I believe he called himself a simple-minded fellow from North Carolina. Everybody recognizes him as the most astute constitutional lawyer in this body, and he has dealt with these matters very successfully. I do not accept that characterization at all. He is a former judge, with extremely subtle reasoning.

The Senator from North Carolina is offering this proposal in either alternative: reservation or understanding. If he is not intending to change the meaning of the treaty, his language is superfluous. If he is trying to change it, we would like him to say in what way he is trying to change it. I do not think it ought to be changed.

The Senator cannot find one word in this treaty that in any way refers to our Armed Forces, in any respect, and yet he is trying to inject into this treaty concepts of the United Nations Charter, which is a very complicated charter. There is nothing in this treaty that incorporates by reference the United Nations Charter, and there is nothing in this treaty which refers to the use of our Armed Forces in any way, under any circumstances, that I am aware of.

What the Senator is doing is raising a question by implication, if his words mean anything at all, if they are not utterly meaningless. It should be made clear whether they have any meaning at all. Some people will think they mean something. If they mean something, even what the Senator says they mean, I can well imagine that the members of the North Atlantic Treaty, which is the one treaty which has had, and still has, very general support in this country and elsewhere, might raise questions.

Take two of our allies, for example, Italy and Germany, we consider them very important in many respects. If the Senator's language means anything, they could reason that by this pronouncement accompanying a later treaty, a treaty later than the NATO treaty, we are undertaking to weasel about our obligations to treat an attack upon them as an attack upon us. In other words, we are putting in a qualification. And the Senator, in his effort to avoid a commitment, is casting doubt upon a preexisting commitment. If we want to do that, we ought to do it in a direct way, and not in this indirect way. I think it raises a possibility of misinterpretation if we adopt this language.

Mr. ERVIN. If the Senator will yield, I think the Senator from Arkansas has taken a very simple statement made by me and misapplied it.

Mr. FULBRIGHT. I protest again. The Senator is not that simple. He is not simple minded in any respect. He is an accomplished and subtle lawyer. He has been an accomplished lawyer for many years. I hesitate to engage him in debate, because I know he had a good advantage. Nevertheless, I submit, on the one hand he says he is saying what the treaty says; he is not seeking to change it. If he is not changing the substance of the treaty by this proposal, but is merely saying that we should accept it because it means nothing, I think that could lead us into a great disservice and a great mistake. I do not think it means anything. I have said that. I think the Senator is reiterating what is explicit—if not explicit, certainly implicit—in the treaty. Two Secretaries of State, not only Secretary Rogers, but Secretary Rusk, both in the former hearing and in the recent hearing, said the same thing. For the RECORD, I would like to read what Secretary Rusk said last year. Let me ready the colloquy which appears on page 15 of the hearings of last year:

> Senator SPARKMAN. Let me ask you this question: Does the Security Council resolution and the U.S. declaration commit the United States to any additional responsibilities other than those already assumed under the United Nations Charter?
>
> Secretary RUSK. I would think not, Mr. Chairman, both as a matter of law and as a matter of policy.

There is more, but I shall not read it. It appears on page 15 of the hearings last summer.

I contend that the Senator raises a question which could be misinterpreted. I submit that any reservation that is not really substantive, one that it is said should be put in because it does not mean anything, should not be put in a treaty of this kind, because it is an invitation to every nation, especially some of the 40 nations who had reservations about signing away their right to develop this process, may say, "We signed it, but now with this reservation or understanding in it, we will reconsider."

We have deliberated a longer time than was anticipated in giving approval to ratification of the treaty. Certainly the two other major nuclear weapons powers, might misunderstand this as an attempt on our part to weasel on our obligations under the treaty, under the United Nations. I do not think we ought to accept a reservation that is meaning-

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less. It could mean a great deal, especially with regard to NATO, as I have just mentioned.

Mr. ERVIN. Mr. President, without intending to do so, the able and distinguished Senator from Arkansas has just made a fine speech in support of my desire to have this reservation adopted by the Senate.

I wish Senators would look at what is involved here. Here is all of this Philadelphia lawyer talk in the United Nations Security Council resolution and in the reply of the U.S. Government. That covers 89 lines. I do not know how many hundreds of words it includes.

The Senator from Arkansas says that nobody could possibly misunderstand their meaning. Those 89 lines, in more or less diplomatic and legal gobbledygook, he says, cannot be misunderstood by anybody.

Mr. FULBRIGHT. No, the Senator misunderstood me. I am talking about the treaty not about the declaration. The declaration is no part of the treaty. I am not trying to justify that.

Mr. ERVIN. I should like to know why the President of the United States saw fit to send these things down here with the treaty. If they have no relationship to the treaty, that is just more confusion.

Mr. CASE. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. CASE. I think the answer to that is a very simple point, namely this: The President wanted the Senate to have before it when it acted upon the treaty the whole background and knowledge of the fact that there were surrounding facts in the negotiation of the treaty and in its consideration by this country and by the other countries of the world. I think it is a very simple answer.

Mr. ERVIN. Yes, it is. Entirely too simple, I think.

Mr. CASE. The Senator has, as the Senator from Arkansas pointed out, a subtle mind, but will he not share his intuitions with those of us whose minds operate in simpler fashion?

Mr. ERVIN. If I asked the Senator from New Jersey what security I was going to have, and the Senator from New Jersey said, "You have the right of self-defense and you have the right to have the assistance of other people," I would take that as meaning that the Senator from New Jersey was encouraging me to believe I was going to have his assistance if I were attacked.

Mr. FULBRIGHT. But it says, if I may be permitted to interrupt, "in accordance with the United Nations Charter."

That is a statement of fact, that we are members of the United Nations and are committed to abide by the United Nations Charter. Of course, those obligations are many and varied, but in this connection, the use of our Armed Forces is subject to the veto. As General Wheeler said, nothing that comes out of that United Nations Security Council comes out except subject to our veto. If we do not wish it to come out, it will not, and any such obligations are subject to that.

Mr. ERVIN. Well, I would say, Mr. President, that nobody would need 89 lines to say that. If all we are saying is, "You have such security as you are entitled to receive under the United Nations Charter," why takes 89 lines to say it?

Mr. CASE. Will the Senator permit one observation at this point?

Mr. ERVIN. Yes.

Mr. CASE. I should like to hear the Senator complete his statement, and I shall surely read it in the RECORD, but I am called away.

I should like to point out, however, as the chairman has already done, but to emphasize the point, that this whole question, the effect of the treaty, the effect of our voting for the resolution in the United Nations, the effect of the declaration, were all matters of the greatest concern to the Committee on Foreign Relations. We went into the matter several times from every possible angle, and satisfied ourselves, as the chairman has stated, that no commitments are being made by this treaty in respect to the used of the Armed Forces of this country, that were not already in existence, and that Senate ratification of this treaty, beyond that point, does not and will not constitute the affirmance or approval of any commitment made by the President or the executive branch of the Government.

If I may inject a personal note here, in addition to those matters that have already been referred to, the former Secretary of State, Secretary Rusk, agreed with the interpretation that I offered on one occasion, that the pending treaty would in no way "eliminate the necessity for adoption of whatever constitutional processes may be applicable in the event the question arises as to the use of the Armed Forces of the United States in the future."

I think that the chairman of our committee, the Senator from Arkansas, is absolutely correct when he says that to make a great point of saying something that need not be said arouses all sorts of questions that ought not to be raised, and that it may have a very serious effect upon our relations with the other parties or putative parties to this treaty.

Mr. ERVIN. I am just trying to say what the Senator from New Jersey says is the truth, and I cannot see any valid reason why the Senator from New Jersey would object to the Senate saying amen to what the Senator from New Jersey says. That is what my reservation would do.

Mr. CASE. If the Senator will permit me, I think the best way that can be done is to vote "yea" without reservation, without understanding, because the simple words of the treaty itself, plus the record that we have made in our committee and have laid before this body, make it absolutely clear that approval of the treaty by the Senate has none of the effects that the Senator from North Carolina and all of us have imagined might be the case, which required our deep consideration and investigation, as a result of which we bring to the Senate the unanimous satisfaction of our committee on this point.

Mr. ERVIN. As I say, the Committee on Foreign Relations took 20 pages to talk about this matter and other matters germane to the same.

Mr. CASE. As the Senator says, other matters.

Mr. ERVIN. And there is a whole lot more danger of a mistake when you have to go through 20 pages to find out what is meant instead of three or four lines.

We once had a case on appeal before the Supreme Court of North Carolina, while I happened to be a member of that court, in which the record showed that the judge took 4½ hours to charge the jury. Our chief justice, who was a very wise man, said he did not believe anybody could talk 4½ hours without committing error.

I think when you talk for 20 pages, you are the more likely to give cause for misunderstanding. In fact, I do not know why they had to elaborate on this so much, in a 20-page report, if there was not some basis for the feeling that I have that this can be interpreted, or may be interpreted, as a pledge of the United States to go to war for any nonnuclear nation which signs this treaty, or any nation which becomes a member of the United Nations.

The Senator from Arkansas said it was impossible for anybody to misunderstand the meaning of the 89 lines involved in the United Nations Security Council resolution and the response of the United States thereto; but he says that some of our NATO allies may misunderstand these few simple words in the proposed reservation. They cover only six lines, and here is all they say:

> Subject to the reservation that the United States does not obligate itself by this treaty—

Now, what treaty am I talking about? The Nonproliferation Treaty. That is the only treaty I am talking about. I am not talking about the United Nations Charter, and I am not talking about NATO. Not a word is said about any other obligation under any other treaty, but the reference is to this treaty, the Nonproliferation Treaty—

> the United States does not obligate itself by this treaty to use its armed forces to defend any non-nuclear-weapon State or any member of the United Nations against any acts or threats of aggression even if such acts or threats are accompanied by the use or threatened use of nuclear weapons.

There are six short lines written in plain English. They are not written in legal gobbledygook or any legal meanderings. There are six short lines. If they can be misinterpreted by the rulers of Italy, I conclude that these other 89 lines can also be misinterpreted.

Mr. CASE. Mr. President, I wonder if the Senator, by his proposed reservation, may not be forgetting some of the other concerns that the Foreign Relations Committee dealt with here. For example, it was not necessary in our judgment if it were proven that the treaty did not obligate us to use our Armed Forces under any circumstances whatever. It did not say so, and the Foreign Relations Committee, faced with a treaty that says this is a black rose, did not have to add a reservation to the effect that this means it is not a red rose.

That seems very clear. It is unnecessary to be concerned about it. We were

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concerned about some of the events which had taken place prior to our receipt of the treaty from the executive branch. One was a resolution in the United Nations Security Council. Another was a declaration. We went into these matters and the effect on the Senate's ratification of the treaty beyond those actions, and whether the Senate ratification of the treaty could be considered possibly to be a grant of power to the executive branch to do in the future what it did not have the power to do under the Constitution, without congressional approval.

These were the kinds of things that were far more important than doing what the Senator would do by his reservation, which we think we have dealt with adequately and fully. I believe that the adoption of a resolution of the type suggested by the Senator from North Carolina might very well raise a question as to whether, not saying anything about these matters, he was approving them, and that the Senate, not saying anything about these matters when it made a reservation about something it was completely unnecessary to make a reservation about, was not passing them over and getting us into deep water.

Mr. ERVIN. Mr. President, I say to my good friend, the Senator from New Jersey, that, like the Senator from Arkansas, he has just made an argument which shows why my reservation ought to be adopted by the Senate.

He called attention to the fact that when they received this statement from the President of the United States along with the treaty containing the resolution of the United Nations Security Council and the reply of the U.S. Government to that resolution, the Committee on Foreign Relations was so concerned about the question of whether the United States has assumed the obligation to go to war under the treaty that they investigated that question.

Mr. CASE. Not under the treaty.

Mr. ERVIN. And after they investigated that question, they undertook to write out a long report in which they emphasized their view that it did not do so.

If the Foreign Relations Committee was puzzled by that question, then people who do not speak our language can become confused or can tend to be confused about it.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. FULBRIGHT. Mr. President, I think the Senator may be confused about another matter that might be before the Senate.

Mr. ERVIN. I am glad the Senator said that. A while ago the Senator said that I could not be confused about this. I am confused about it. And I think that the Foreign Relations Committee was confused about it, or it would not have investigated the matter and written a long report on it. I plead guilty to being confused.

Mr. FULBRIGHT. I think the Senator is confusing two different things. The Foreign Relations Committee is deeply interested in the question of commitments. Last year it voted on a resolution, called the commitments resolution, which I introduced. I believe that the distinguished Senator from North Carolina then expressed his approval of it. We talked about it.

Mr. ERVIN. The Senator is correct. And I would vote for it right now.

Mr. FULBRIGHT. That resolution is again before the committee, and I hope to take it up very soon. The committee is very sensitive about any commitments being made by the Executive by any such informal or casual statements, wherever they may be made. In that sense, the committee has already evidenced its interest. However, the point is that in the Nonproliferation Treaty the commitments, of course, are in accord with that resolution. In other words, this is a case—whatever the commitments contained within the treaty are—being made in accordance with the Constitution. That is what we are engaged in today—the procedure set out in the Constitution.

The point I make is that the committee is not confused at all that this treaty incorporates by reference what was said in a conversation or a speech by a member of the executive branch in a meeting in New York. We reject that as being a genuine commitment. That is the point of the resolution of which I am the author. It is to prevent that. What I am saying about our interpretation is entirely consistent with the theory of that resolution.

Mr. ERVIN. Mr. President, the Senator's illustration which cites the sense of the Senate resolution is another illustration of the wisdom of adopting my reservation. That reservation deals with the confusion that has grown up out of the words of the Constitution, under which the President claims he has certain powers. The Senator from Arkansas and I deny that he has them.

I have six little words here to keep down the confusion and not increase it. And for the life of me, I cannot understand why the Senator would object to the entire Senate or two-thirds of the Senate, or whatever number may see fit to vote for my reservation, saying amen to this.

Mr. FULBRIGHT. I am perfectly willing to say amen to the debate in the Senate. I agree to what the Senator says. However, I object to it as a matter of procedure, being attached to the treaty. This raises very serious procedural questions.

Some nine countries have already passed upon the treaty, among which the most important and largest is the United Kingdom. It is one of the three indispensable members. They attached no reservation. They did not change it in any respect.

I think this is a procedural matter, and it raises a very serious problem.

This question has arisen in the consideration of nearly every treaty. It was considered in the Test Ban Treaty and the Antarctic Treaty. We always go over this matter.

Whenever it involves a substantive change and the Senate is not in accord with the substance of a treaty, a reservation is then proper. And we submit the matter to a vote. Everybody is then on notice that we have undertaken to change, in effect, the treaty. That usually calls for renegotiation and reconsideration by everybody.

The Senator, however, is offering an interpretation which he says is really an interpretation. I agree with the interpretation. I disagree, not with the meaning of the words, but with the procedure of attaching it as a reservation to the treaty.

I do not think it is very significant as to how much attention the committee paid to this.

The committee really should always deal with anything of this character and nature that is bruited about. It was well known that the question was raised. Therefore, the committee ought to deal with it.

That is what that meant. It did not mean any uncertainty in the minds of the committee about what the committee means.

Mr. ERVIN. Mr. President, I could talk longer. I think, however, that what has been said here indicates that there was some confusion about the meaning of the treaty in the Committee on Foreign Relations. There was some confusion about the meaning of the treaty in the Senate Armed Services Committee concerning the military aspects of the matter.

I think that this is a very simple reservation. It states that that is what we think it means. It seems to me that cannot militate against the Foreign Relations Committee or the Security Council or anyone else. It states their position. I think they ought to welcome the support, regardless of the source.

Mr. FULBRIGHT. Did I correctly understand the Senator to say that the Committee on Armed Services had recommended a reservation?

Mr. ERVIN. The Armed Services Committee looked at the military aspects of it, and the Armed Services Committee took no official position with respect to it.

Mr. FULBRIGHT. That is my understanding.

Mr. ERVIN. I believe a number of members of the Armed Services Committee share the views I have about this matter—that this resolution and an answer to the resolution and what has happened before have caused confusion and misunderstanding and may continue to do so unless clarified by an appropriate reservation or understanding.

Mr. FULBRIGHT. I regret that the members do disagree. As the Senator knows, no member of the Senate Committee on Foreign Relations voted against—in fact, the vote was 14 affirmative, and one member did not vote against it. He voted "present."

Mr. ERVIN. The last time this matter was considered by the Committee on Foreign Relations, a report was submitted by a number of Senators, most of whom have left the Senate since that time, most of whom were exceedingly wise men.

Mr. FULBRIGHT. But those matters have been clarified, obviously.

Mr. ERVIN. I am trying to clarify it a little more.

I yield the floor.

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The **PRESIDING OFFICER.** Is there further discussion of the reservation?

Mr. **FULBRIGHT.** I ask unanimous consent to insert relevant memoranda and communications on the subject of treaties and reservations.

There being no objection, the material was ordered to be printed in the Record, as follows:

Reservations and Understandings: Paper Prepared by the Staff of the Foreign Relations Committee

As the Senate uses the language of "understanding", the implication is that the contractual relationship is not being changed, only clarified. So long as the language of the "understanding" does not substantively affect the international obligations of the Treaty or relates solely to domestic matters there would be no legal effect on the Treaty.

On the other hand, a reservation limits the obligations of the United States under the Treaty. It may be of such significance as to lead other parties to file similar reservations or even to refuse to proceed with ratification.

Senator Ervin has presented his change to the resolution of ratification in both the form of a reservation and an "understanding"—although the text is identical. Senator Tower has presented his simply as a reservation.

What must be established in both cases is whether the content or effect of the statements affect the terms of the international obligations of the Treaty. If this is the case, the following procedural points are appropriate:

1. A reservation by one of the Depositaries would certainly lead other signatories to believe that reservations are in good form.

2. A U.S. reservation would have to be acquiesced in by the other two Depositaries: The U.K. and U.S.S.R.

3. The terms of the Treaty provide that it will enter into force when instruments of ratification are deposited by the three Depositaries plus forty other states. Accordingly, a reservation by any of the three Depositaries, even if accompanied by the other two, would have to be acquiesced in by forty other states.

In conclusion, if the statements of Tower and Ervin have the content or effect of a reservation the net result of these reservations to the Treaty might make it necessary to start the negotiation process all over again.

Department of State,
Washington, D.C.

Mr. Carl M. Marcy,
Chief of Staff, Committee on Foreign Relations, U.S. Senate, Washington, D.C.

Dear Mr. Marcy: I have reviewed the enclosed materials which I understand were furnished to the Committee by ACDA and I concur with them.

Sincerely yours,
Leonard C. Meeker,
Legal Adviser.

Comments on Substance of Proposed Ervin Understanding

This understanding is unnecessary, since there is nothing in the treaty itself that could possibly be construed to impose an obligation on the United States to use its armed forces for any purpose.

To the extent that it is aimed at the separate UN Security Council resolution and accompanying US declaration, a close reading of those documents will show that:

They do not commit us to take any military action;

They go no further than the UN Charter, except to say we will immediately call a Security Council meeting in certain circumstances;

They do not remove our veto power in Security Council, or in any way affect US constitutional requirements with respect to international military commitments; and

They preserve, but do not commit us to exercise, the right of individual and collective self-defense.

These points have been made clear by testimony of two successive Secretaries of State and in reports by the Foreign Relations Committee in both the 90th and 91st Congresses.

Comments on Substance of Proposed Tower Reservation

(As printed at pages 4437–4438 of Congressional Record for February 25, 1969)

1. Insofar as it seeks to preserve the right to provide nuclear weapons *under US custody and control,* (or training of allied forces in their use) the reservation is unnecessary, since the treaty would not prohibit such an arrangement.

2. Insofar as it seeks to preserve the right to provide other materials—such as delivery systems—for such a nuclear defense, it is likewise unnecessary, since the treaty does not deal with such other materials.

3. Insofar as it seeks to carve out a right to provide *nuclear weapons* in peacetime, *free of US custody and control,* to regional defense organizations, we have never had this right under US domestic legislation, and do not have it now.

4. A reservation for the purpose indicated in 3 would be in direct contravention of one of the principal provisions of the treaty, and hence would wreck the treaty.

5. Limiting of the reservation to weapons provided for 'nuclear defense" is illusory, since there does not exist a nuclear weapon that can be used purely defensively. If one could be invented, other countries would have little confidence in its purely defensive character. Moreover, if we allowed non-US personnel to maintain the weapons, sensitive weapons design data would be compromised.

6. No nuclear defense system that would effectively protect our NATO allies against the Soviet threat has yet been designed, and none of our allies has indicated that it wants such a system.

Distinction Between Reservation and Understanding

Section 124 of the Restatement of the Foreign Relations Law of the United States defines a reservation as follows:

"A reservation is a formal declaration made by a signatory before it becomes bound by an international agreement, that the agreement will not be binding upon it except upon terms that it regards as changing the effect of the agreement under international law."

It contains the following pertinent comments:

"a. *Purpose of reservation.* A reservation to an international agreement is made by a signatory when it wishes to specify as a condition of its becoming a party that one or more provisions of the agreement shall not apply to the reserving signatory, or shall apply only under specified circumstances or in a specified way.

* * * * *

"c. *Unilateral statement of understanding distinguished.* A party may make a declaration which indicates the meaning that it attaches to a provision of an agreement but which it does not regard as changing the legal effect of the provision. Such a unilateral statement of understanding, if it does no more than state with greater precision the meaning of the provision without changing its legal effect, is not a reservation but is an interpretative statement or understanding. It is relevant only to interpretation of the agreement. . . .

"Even though not intended to have legal effect as modifying an international agreement, a unilateral statement of understanding may be so objectionable to the other state as to cause it to refuse to ratify the agreement, or make a reservation contradicting the statement. This would force the first state to take a position as to the international legal effect of its declaration not originally intended by it to have that effect. In practice unilateral statements of understanding are sometimes used as a convenient way of reserving issues of interpretation on certain aspects of the agreement not immediately material to the objectives of the parties but as to which there might otherwise be domestic difficulties as to ratification or implementation. In such instances a unilateral statement of understanding is actually of mutual interest to the parties and is tolerated for that reason, but without enlarging its strictly interpretative character."

July 20, 1968.

Mr. Carl Marcy,
Chief of Staff, Committee on Foreign Relations, Washington, D.C.

Dear Carl: You have asked for an explanation of the effect that a reservation to the Non-Proliferation Treaty could have on the ratification process, and on the viability of the treaty itself.

I believe the following observations are relevant to this inquiry:

1. A reservation by one of the Depositaries would certainly be considered by other signatories as a sign that reservations are in good form. This would very likely start a stampede which might well mean the demise of the treaty.

2. A U.S. reservation would have to be acquiesced in by the other two Depositaries, the U.K. and the U.S.S.R. If these countries should object to a U.S. reservation, they might well withhold their own ratifications, thereby preventing the treaty from coming into effect.

3. The terms of the Treaty provide that it will enter into force when instruments of ratification are deposited by the three Depositaries plus forty other States. Accordingly, a reservation by any of the three Depositaries, even if accepted by the other two, would have to be acquiesced in by forty other states.

4. Even if the treaty came into force with a U.S. reservation, states objecting to the reservation could well take the position that the text as modified by a U.S. reservation was different from the text they had signed. Article 17(4) (b) of the International Law Commission's Draft Law of Treaties states that "An objection by another contracting State to a reservation precludes the entry into force of the treaty as between the objecting and reserving States unless a contrary intention is expressed by the objecting State." Therefore, any state that objected to a U.S. reservation could claim that since the treaty did not enter into force between it and a Depositary (a necessary party), the treaty is not in force for it at all. This might have the effect of preventing accession to the treaty by many of the states whose participation in it is considered important.

In conclusion, it is my considered judgment that the net result of a reservation to this treaty would be to make it necessary to start the negotiation process all over again.

The Office of the Legal Adviser of the Department of State concurs in the foregoing views.

Sincerely yours,
Adrian S. Fisher,
Acting Director.

(Note.—The following material is from the document: "Background Information on the Committee on Foreign Relations," committee print, January 1968: page 27 and following.)

TREATIES

Treaties constitute a large part of the committee's work. In recent Congresses the

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number of treaties submitted for approval has averaged about 20 per Congress.

Senate responsibility in the field stems directly from article II, section 2(2) of the Constitution, which states that the President "shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two-thirds of the Senators present concur."

In performing this function, the Senate has several options. Normally, the procedure for unconditional approval of a treaty is by adoption of a resolution of advice and consent to ratification which in the case of the nuclear test ban treaty reads as follows:

"*Be it resolved* (*two-thirds of the Senators present concurring therein*), That the Senate advise and consent to the ratification of the treaty banning nuclear weapon tests in the atmosphere, in outer space, and under water, which was signed at Moscow on August 5, 1963, on behalf of the United States of America, the United Kingdom of Great Britain and Northern Ireland, and the Union of Soviet Socialist Republics."

Reservations, understandings, amendments, etc.

The Senate may, however, reject a treaty in toto, or stipulate conditions in the form of amendments, reservations, understandings, declarations, statements, interpretations, or statements in committee reports. For example, the Statute of the International Atomic Energy Agency was approved subject to an "interpretation and understanding." In that case, so that no uncertainty would exist as to whether the United States might be obligated by some future amendment that the Senate saw fit to reject, the resolution of ratification was approved "* * * subject to the interpretation and understanding, which is hereby made a part and condition of the resolution of ratification, that (1) any amendment to the Statute shall be submitted to the Senate for its advice and consent, as in the case of the Statute itself, and (2) the United States will not remain a member of the Agency in the event of an amendment to the Statute being adopted to which the Senate by a formal vote shall refuse its advice and consent."

This "interpretation and understanding" in no way affected the international obligations of the United States. It was, however, made a part of the operating instrument of ratification and Presidential proclamation and circulated to the other parties to the treaty with the following statement:

"The Government of the United States of America considers that the above statement and understanding pertains solely to United States Constitutional procedures and is of purely domestic character."

The Senate also approved the NATO Status of Forces Agreement subject to an "understanding." Article III of that agreement provided that under certain conditions members of a military force were to be exempt from passport and visa regulations, from immigration inspection, and from regulations on the registration and control of aliens. The effect of article III on U.S. immigration laws was not entirely clear, and in order to remove all doubt about the matter and to make sure that the United States could take appropriate measures to protect its security, the following language was made part of the resolution of ratification:

"It is the understanding of the Senate, which understanding inheres in its advice and consent to the ratification of the agreement, that nothing in the agreement diminishes, abridges, or alters the right of the United States of America to safeguard its own security by excluding or removing persons whose presence in the United States is deemed prejudicial to its safety or security and that no person whose presence in the United States is deemed prejudicial to its safety or security shall be permitted to enter or remain in the United States."

This "understanding" was also included in the instrument of ratification and the Presidential proclamation which was circulated to the other parties to the agreement. Here again, however, it had no effect on the international obligation of the United States.

Another, and perhaps better known, case involves the so-called Connally reservation to the compulsory jurisdiction clause of the Statute of the International Court of Justice. In that instance the Senate gave its advice and consent to the deposit by the President of a "declaration" under paragraph 2 of article 36 of the statute—the so-called "optional clause." By accepting the "optional clause," the United States agreed that in certain types of legal disputes it would recognize the compulsory jurisdiction of the International Court of Justice. However, in accepting that jurisdiction, the Senate stated that it did not apply to matters essentially within the domestic jurisdiction of the United States *as determined by the United States*. The "Connally reservation" was communicated to other parties and the obligation of other parties with respect to the United States is no greater than that assumed by the United States.

As a practical matter, if the Senate attaches a "reservation" to its resolution of advice and consent, the inference is that the contractual relationship is being changed. However, if the Senate uses language of "understanding," the implication is that the contractual relationship is not being changed, only clarified.

Irrespective of what term is used to describe a condition imposed on a treaty, however, the view of the U.S. Government when it serves as a depositary is that the *content* or *effect* of the statement is of prime importance. If, despite the designation, the executive branch believes that the condition has the actual character and effect of a reservation, it would be so treated and thus would open the treaty to further negotiation.

A distinction should be made between an "amendment" and a "reservation." The difference between the two is that an amendment, if it is accepted by the President and the other party or parties to the treaty, changes it for all parties, whereas a reservation limits only the obligation of the United States under the treaty, although a reservation may, in fact, be of such significance as to lead other parties to file similar reservations or, indeed, to refuse to proceed with ratification of the treaty.

In summary, therefore, and in order of importance so far as the effect on other parties is concerned, the Senate might take the following steps to make its views known or to qualify its consent to ratification of a treaty:

(1) The Senate may advise and consent to ratification, but make its views known in the committee report. This would have no more nor less legal effect on the treaty than other negotiating background or than "legislative history" has on public laws.

(2) The Senate may include in its resolution language expressing its "understanding" or "interpretation." So long as this language does not substantively affect the terms or international obligations of the treaty, or relates solely to domestic matters, there would be no legal effect on the treaty. Under existing practice, however, the executive would communicate such understandings or interpretations to the other parties.

(3) The Senate may include in its resolution language expressing its "reservation." Normally reservation language would involve some change in the international obligations of the treaty and might affect its terms in such a significant manner as to require the executive to communicate the terms of the reservation to other parties to the treaty, thus enabling them to take such action as they felt appropriate, including reservations of their own or even refusal to proceed with the treaty.

(4) Finally, the Senate may "amend" the terms of the treaty itself. In this instance, there would be no question but that the treaty would need to be renegotiated.

Mr. CRANSTON. Mr. President, I should like to address a question to the chairman of the committee.

Was it the statement of the Senator from Arkansas that thus far no reservation has been attached to the treaty by any ratifying nation?

Mr. FULBRIGHT. There are 87 signatories. Nine have deposited their ratifications, including the United Kingdom, and there have been no reservations of this character—of any character—attached by any of those who have ratified it.

Mr. CRANSTON. Is it the Senator's judgment, based on past history, that attachment by the United States of one or more reservations to this treaty could lead to a proliferation of reservations by other nations which could endanger the acceptance of the treaty by an adequate number of nations?

Mr. FULBRIGHT. It obviously would raise the question. It would be a precedent for those who have reservations about whether or not they want to sign it, for various reasons. There are a number, particularly the nonnuclear states and those who are about to become or think they have the capacity to become nuclear states, who have reservations about wanting to sign it, because it obviously is an infringement upon their independence and their right to do as they please about this matter. I believe it would give those who have already signed it an out, by saying, "Well, we must reconsider it if the United States has a reservation." There are some who have not signed it, but among those 87 it it would give them an opportunity to say, "We reconsider it, in view of this purported change by the United States." I do not believe they would be justified in that, but it would be a change which would at least raise the question, and it would be a precedent for them to attach their own reservations to it.

I have said that I do not object to the substance of what the Senator from North Carolina has said. His interpretation is the same as mine. I object to the procedure.

This situation has arisen in the case of nearly every treaty that has come before the Senate. Everyone wishes to make clear some of his own views about it. But unless there is real significance and unless there is serious doubt about it, I do not believe reservations should be attached. It is poor procedure. It does raise doubts. It implies the treaty is not clear. I believe it is clear. Not one word in the treaty has reference to our use of the Armed Forces. It has only to do with stopping the proliferation of these weapons. It does not have anything to do with the use of our Armed Forces. There is no restriction or inhibition or obligation in this treaty as to the use of our Armed Forces. We use our Armed Forces just as we do now. This treaty does not attempt to deal with that. It is just trying to stop the spread of nuclear weapons, and that is all.

Mr. ERVIN. People frequently misunderstand things, do they not?

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Mr. FULBRIGHT. The Senator is quite correct.

Mr. ERVIN. If this treaty had been so plain, there would not have been any necessity for the extensive consideration of this possibility by the Committee on Foreign Relations, would there?

Mr. FULBRIGHT. Well, one reason is that I had heard that the Senator from North Carolina was going to raise this question; and in order to anticipate it, obviously, I thought it my responsibility to give attention to it.

The Senator will recall a little exchange we had at a luncheon one day. The Senator was not giving notice. He was discussing this matter. He said he was concerned about it. I thought it would be proper to go further into it, and I asked the staff to look up all these things.

I know that the Senator is a very able advocate, and any time he chooses to advocate anything like this, one has to go all out.

Does the Senator recall our conversation at luncheon?

Mr. ERVIN. I do.

Mr. FULBRIGHT. The Senator said he was concerned about this, and I thought it was my duty to undertake to clarify it. No one else had raised this matter. But the Senator is such a persuasive and important Member of this body that he deserves special attention, and we gave it that in this report.

Mr. ERVIN. Many of the nations that would adhere to this treaty or would consider adhering to it are composed of people who in a large measure speak other than the English language.

Mr. FULBRIGHT. The Senator is correct.

Mr. ERVIN. As illustrated earlier, the Senator introduced his sense-of-the-Senate resolution because of confusion on the part of the President of the United States and some Members of Congress about the respective interests of the President and Congress—and particularly the Senate—in foreign policy. If people who speak the same language as their mother tongue can become confused about things like that, it is quite possible, is it not, that people who speak other tongues might be confused?

Mr. FULBRIGHT. I do not believe it is so much confusion on the part of the executive branch with regard to the resolution as it is that they simply feel it their duty to take over this power. The Senator will recall that the former Attorney General, Mr. Katzenbach, when he was Under Secretary of State, said before the committee that he was not confused about the power of the President to act without Congress. He was just dead wrong, in my view, as to his interpretation of the Constitution.

Mr. ERVIN. I agree. And this treaty will have to be implemented by the executive branch of the Government, which likes to make excuses to assume further power.

Mr. FULBRIGHT. The proper place to do that is in the sense-of-the-Senate resolution, and I hope the committee will vote favorably on that within the next few days; and before this treaty becomes effective, I hope the Senate will adopt that resolution. It will be a warning.

Mr. ERVIN. It has not been reported yet.

Mr. FULBRIGHT. It has been introduced.

Mr. ERVIN. We could take a good stride in that direction by just adopting this reservation.

Mr. STENNIS. Mr. President, I ask the Senator from Arkansas whether this is a convenient time for me to ask him some questions.

Mr. FULBRIGHT. Certainly.

Mr. STENNIS. As the Senator from Arkansas knows, the Committee on Armed Services had some informal and unofficial hearings on this matter. We did make a special examination of competent witnesses, and went into the question of any implications in this treaty that put our military preparedness at any disadvantage or put any limitations on it.

Frankly, after going into the matter from that viewpoint, primarily, and considering the testimony of competent witnesses, I was satisfied that it does not put any limitations upon our capacity or our freedom—no roadblocks or disadvantageous situations of that type—with reference to our present or future preparedness in the military field. I am glad to state that on the floor of the Senate. The Senator from Arkansas had that opinion beforehand.

Also, as I understand now, in the case of an urgent emergency, involving our security or safety, we can abrogate or come out from under the terms of the treaty, or give 90 days' notice without stating any reason. That is correct, is it not?

Mr. FULBRIGHT. That is correct. But, of course, as the Senator has already stated, there is no inhibition in the treaty on the use by the United States of its Armed Forces.

Mr. STENNIS. Oh, no.

Mr. FULBRIGHT. So I cannot quite anticipate what kind of situation would arise under which we would want to take such action. There may be other reasons, such as a violation by another country, which might cause us to want to abrogate the treaty, but I do not think they would arise from the use of our Armed Forces.

Mr. STENNIS. No; with the treaty in effect, I do not think there would be any radical reason.

Mr. FULBRIGHT. No; we are in accord on that.

Mr. STENNIS. I wish to ask the Senator about article VI, in which we make a promise to negotiate with other countries relative to disarmament. I have always favored the idea of negotiating. That section does not bother me in any way. I merely refer to it now to show that in its terms—and I think all the members of the Committee on Armed Services were in agreement on this—it was nothing more than a committal; but it includes actions that we have previously taken whenever there was a chance to try to negotiate a treaty that we considered was to our advantage. The Senator would not interpret it to provide for anything more than what we can do in the present situation, would he?

Mr. FULBRIGHT. I think the Senator is correct. As a matter of fact, if my memory serves me correctly, we approached the Soviet Union with regard to some negotiations to try to slow down the spiraling arms race even before and aside from the treaty. This particular article is in accordance with our policy.

But in addition, the smaller, nonnuclear states were very much interested in the two superpowers—the Soviet Union and the United States—undertaking in good faith to participate in this treaty. This would be to their advantage as well as to ours. There used to be a statement in the preamble, but it was taken out of the preamble and placed in the body of the treaty to give it emphasis, providing that we will undertake in good faith to negotiate. But if we cannot reach agreement, that will be that. We will have complied with the treaty. We will have undertaken to abide by it.

Mr. STENNIS. For instance, a troublesome question has been the subject of inspections. The Soviet Union and the United States have never been able to get together on that point. Let us review that fully, as all other subjects are under title VI. There is just title III to negotiate.

Mr. FULBRIGHT. The only inspection in here refers to nonnuclear countries; that is, they do not apply to the United States and to the Soviet Union under any reference in the treaty itself.

Mr. STENNIS. The Senator from Mississippi doubts that there will be any real agreement or major treaty with the Soviet Union at any time soon unless that inspection problem is satisfactorily adjusted. I doubt we will be able to accept anything Russia would propose at any time soon. That does not mean we should not try or negotiate; on the contrary, it means we should try.

Mr. FULBRIGHT. I agree.

Mr. STENNIS. That is all article VI provides.

Mr. FULBRIGHT. I am prompted to say, as the Senator has brought out, that this treaty does not mean that, as the Senator said.

I personally believe, to show our good faith at least for a reasonable time, if we are to abide by what I consider to be the spirit of that section, that we should not in any substantial way increase our deployment of either offensive or defensive weapons. That is my personal view, as a matter of abiding by the spirit of the language. This language speaks for itself and it does not require that.

Mr. STENNIS. My impression and view would be to the contrary, particularly with reference to defensive weapons, and particularly trying to protect our people and our arsenal. However, the Senator is entitled to his view to the contrary.

Mr. FULBRIGHT. The Senator knows this is related but not a part of the other hearings going on under the subcommittee of the Senator from Tennessee, or the matter in which the President is engaged. That is another matter.

I thought I should give my own views of the spirit of that section. It does not require it and it is clear that it does not require it, and we could cover every instance of countries with missiles technically without legally violating this section.

Mr. STENNIS. I wish to address myself to the point raised by the Senator from North Carolina. I think it is a very serious point.

Do I understand that the Senator from Arkansas and his committee, as reflected by their report, take the position that in passing on this treaty we are not really passing on or adopting this U.N. statement that we made or even adopting the resolution that was passed by the United Nations?

Mr. FULBRIGHT. We reject that interpretation that this language incorporates by reference that or any other language. The treaty does not deal with that subject. We, along with the present Secretary of State, the former Secretary of State and every agency say that the U.N. resolution is not incorporated by reference or in any other way into this treaty.

Mr. STENNIS. And is not before the Senate.

Mr. FULBRIGHT. The Senator is correct.

Mr. STENNIS. And has not ever been considered by the Senator's committee as a part of the treaty or tied to the treaty.

Mr. FULBRIGHT. It has not and consistent with the resolution, which we call the commitment resolution which was voted out last year by the committee, I would say that such a unilateral statement by the Executive is not a commitment by the U.S. Government. I mean, a President or his agent or representative can make a personal commitment. He can say, "As the President, my policy is to do so and so." In that sense it is his personal commitment. I do not regard that as the commitment of the United States. This is the distinction I make. I hope the Senate goes along with the view that these are not commitments of the United States without the proper participation of the Senate or the Congress.

Mr. STENNIS. I would reserve decision on the matter offered by the Senator. I do wish to get back to the treaty itself.

It seems to me that if this is a valid commitment of this Nation, as to the United Nations resolution, that ought to be submitted to the Senate in clear language.

Mr. FULBRIGHT. Yes.

Mr. STENNIS. Otherwise, the treaty is much more meager and limited than this promise by the Executive. The Senate is being called on to pass on the mouse while the real elephant gets away.

Mr. FULBRIGHT. The Senator is correct; if anybody wishes to make that a part, it should be passed on.

Mr. CASE. Mr. President, will the Senator yield on that point?

Mr. STENNIS. I shall yield, but first I wish to make this point. I have been disappointed by some assurances that have gotten into the hands of someone else. It is possible for this language to be interpreted differently—for instance, an adoption of the treaty as carrying out this United Nations proposition. That is what the Senator is trying to head off. That is what I am concerned about.

Mr. FULBRIGHT. In view of the statements of two Secretaries of State and in view of what I have said, as chairman of the committee, and what every other member of the committee has said, and in view of what the Senator from North Carolina has said is a proper interpretation, I do not see how any man could say that that is what the treaty means. Nobody that I know is going to get up and say, "This is what the treaty does." Even the Senator from North Carolina says "It does not do that, but I want to put this kind of reservation on it." That is all he is saying.

Mr. STENNIS. I yield to the Senator from New Jersey.

Mr. CASE. Mr. President, the statement of the Senator from Arkansas is absolutely correct. This question was raised specifically again and again by members of the committee, with the Secretary of State and with other people in the executive branch. Their uniform answer on every occasion was that action by the Senate to ratify this treaty will not represent approval of these actions preliminary thereto or any commitments taken under them.

Mr. STENNIS. May I ask him this question? Why did, then, the two executives who submitted the treaty more or less approve the language by sending it down here with the treaty? Would the Senator give us the benefit of anything he knows about that?

Mr. CASE. The only thing I can do is to speculate. I think I am quite right. I mean, I think I approve their doing this. If they had sent the treaty to us without a formal presentation of the actions taken in the United Nations, and the declaration, too, in regard to that action, I think that they would have been subject to criticism in not telling us the whole story. Having told us the whole story, we were able to deal with it and extract from the executive branch those assurances which we felt were necessary.

Mr. FULBRIGHT. I think it is purely as a matter of information. Along with this, there were other things. They sent down some questions on the drafting of the Nonproliferation Treaty, questions asked by our allies, and the answers given by us, and other things, as a matter of background information. That is what our committee does, very often, in some areas. It is what we call background studies and includes all kinds of things that are not related to the subject I think that is the only reason they sent it down here, as a matter of information. As the Senator from New Jersey has said, they might be accused of leaving out something, and at least, this is in the general area.

Mr. CASE. Let me add this, that this was at a time when the executive branch was very sensitive to criticism by our committee on claims of commitments, involvement, and what not on the part of the Government of the United States and of Congress, when no such intention to make or accept such commitments had been made. They, I think, would have felt very lax, indeed, if they had not laid it out before us.

Mr. STENNIS. One more question, if I may. As I understand the position of the Senator from Arkansas, and perhaps most of the members of his committee, the general position is that the Senator wishes to be vigilant in seeing that we are not making additional commitments anywhere that are not fully spelled out; is that not correct?

Mr. FULBRIGHT. Yes.

Mr. STENNIS. So, with that background, the Senator would have been remiss, would he not, if he thought the treaty committed us to this kind of protection.

Mr. FULBRIGHT. Yes. That is it.

In effect, that is it. I was responding to the comments of the Senator from North Carolina as to why do we give so much attention to it, and I said that we were doing it very much in the spirit of the questions just raised by the Senator from North Carolina.

Mr. STENNIS. My question is repetitious, but I think it will bear repetition so early in this debate. As I understand it, I want to ask the Senator from Arkansas, Does the treaty extend our commitments beyond our present obligations to other treaties in present law—that is, commitments to protect other nations?

Mr. FULBRIGHT. It does not in any way extend our commitments to the use of our Armed Forces. The only commitments are within the treaty itself. It does not affect our commitments. It does not ratify any other commitments. We are saying that this deals with a relatively restricted area of commitments contained within the treaty itself.

Mr. STENNIS. If I may ask the Senator further about the United Nations resolution and the statement we have made in connection with it, does that position of the United States on the resolution itself commit the United States to giving any military protection beyond reporting the matter to the Security Council?

Mr. FULBRIGHT. First, I would say these are two different things. The treaty does not do that. If the Senator will look at the statement itself, it is not, in my view, a commitment of the United States. It is a statement of policy on the part of the President and his then representative in the United Nations because it is not in the form of a treaty. These were statements made without any participation by Congress; but, of course, the President has the right to state his own views about a matter.

That is where the argument comes in, between them and a nuclear state, or between them and the Senate, in my view, so that as a commitment of the U.S. Government we cannot, even under the Constitution, prevent a President from stating what he intends to do.

Mr. STENNIS. No.

Mr. FULBRIGHT. Now, as to the statement of the United Nations itself, it gives an indication of what the then President and his representative there had in mind and what was their policy. I would hesitate to say that is a commitment of the Government of the United States to do what they said. If that is going to be so, as the Senator has already said, it should be submitted here, and then we should participate in a debate on agreeing to it.

Mr. STENNIS. I readily agree. I think it is beyond the power of the President of

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the United States to commit us in any such fashion except through——

Mr. FULBRIGHT. It is true in that statement, that while it looks broad, if the Senator will realize each time, I think it could be interpreted to go beyond, but each time it says "in accordance with the United Nations Charter." If it means that, then we would not go beyond it, of course, because we all did agree to the United Nations Charter and the Senate passed upon that. In that sense, we are bound by the United Nations Charter.

There may be differences of opinion as to what the charter itself requires, but, nevertheless, it is always to qualify whatever it says is our obligation. It says, "in accordance with the United Nations Charter," which means in the case of the Security Council that we have the veto power. So that, even then, we are not going very far.

Mr. STENNIS. It is clear, though, that the treaty is the only thing before us now.

Mr. FULBRIGHT. That is right.

Mr. STENNIS. I thank the Senator from Arkansas.

Mr. ERVIN. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I yield.

Mr. ERVIN. Something has been said here about the necessity of submitting this to other nations. I have read as much as I could on this subject in the time at my disposal. In all the reading I have been able to do on this subject, and the reservations which have been announced, they amount to nothing more than an understanding, next to a treaty, so that it does not have to be submitted to any country for ratification of the treaty prior to that time, or for consideration. It does not have to be considered by the other countries unless they disagree with the interpretation, as some of the countries do disagree with the interpretation the reservations put upon it, which the State Department puts upon it, and which the Foreign Relations Committee puts upon it; then we should find it out before we sign the treaty so that these countries know that the United States is not obligated to come to their defense.

Mr. STENNIS. May I ask the Senator this question: Has the Senator found that that is in keeping with the position of the State Department?

Mr. ERVIN. Yes.

Mr. STENNIS. I thank the Senator.

Mr. ERVIN. In the State Department, the reservations amount to an understanding of that. These are all reservations, to indicate that the State Department has not even submitted them.

Mr. STENNIS. The State Department has not even submitted them?

Mr. ERVIN. No.

Mr. FULBRIGHT. If the Senator will allow me to comment on the last question, this matter of reservations and interpretations has arisen in connection with every treaty that I know of which has come before us. I prepared a short memorandum which I placed in the RECORD at an earlier point, but from which I will read two or three paragraphs now. This is based upon the legal opinion of the Department of State:

> Reservations by one of the depositories . . . in good form . . .

That is, they would assume it was a real reservation—

> because a U.S. reservation would have to be acquiesced in . . . start the negotiation process all over again.

Now, Mr. President, as I said a moment ago, I do not believe that the language of the Senator from North Carolina is a matter of substance, but a reservation traditionally used to affect the substance of a treaty. It raises that question, and it would lead, I think, each of the depositories, or the 40 States, to assume that it was. There would be a very difficult question. It would be a matter of judgment whether it were a matter substance or not. Anyone could have a different view of it.

Mr. STENNIS. Mr. President, I am glad to yield the floor if a Senator wants to speak in his own right.

Mr. ERVIN. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I yield.

Mr. ERVIN. Mr. President, what the Senator from Arkansas has read proves my point. It says my resolution and the Tower resolution might affect the substance and would have to be ratified. The Senator from Arkansas agrees with me that it does not affect the substance. If we can have a disagreement on such a matter, what kind of disagreement would we find among foreign nations?

Mr. FULBRIGHT. Mr. President, if the Senator will yield, it is the foreign nations I have in mind that would have the right to assume that the reservation affected the substance. It does not matter what I believe. I am not a party to the treaty, but these other nations are parties.

Mr. ERVIN. Would the Senator read it again?

Mr. FULBRIGHT. The statement I read was prepared by the staff, based upon advice from the legal counsel of the State Department.

Mr. ERVIN. But it says in effect that it might affect the substance. I do not think it affects the substance at all. The Senator from Arkansas agrees with me.

Mr. FULBRIGHT. My own interpretation of what the Senator's language does is that it does not affect substance, but, in form, it would be a reservation. I am not the one who would have to be satisfied about that. There are 87 other signatories. They could assume that it does affect the substance. Any one of them could assume that, and we would have some trouble in dealing with them, in persuading them that this is just a matter of form. They would raise the same question I have raised here: "If it does not mean anything, why do you put it in there?" The Senator is saying it is meaningless. Is there not a rule of law which says that something put in a contract is assumed to have some meaning; it is not assumed that any meaningless statement is put in a contract.

Mr. ERVIN. Everything put in a contract is assumed to mean something, unless it is disputed.

Mr. STENNIS. Mr. President, I yield the floor.

Mr. GORE. Mr. President, I trust the Senator will not agree to the reservation or understanding offered by the distinguished senior Senator from North Carolina. The debate has now progressed, or retrogressed, on this issue to the point that it is now agreed, if I have heard correctly, by both the proponent of the provision and the opponents of the provision that it would not affect the substance of the treaty.

Mr. President, are we engaging, or undertaking to engage, in a nullity? If a provision attached to a treaty has no effect upon the substance of the treaty, then it has no legal effect. Indeed, it has no effect at all.

I should think the distinguished senior Senator from North Carolina would be pleased with the accomplishment of this purpose, to wit, making a record, during the consideration or ratification of the pending treaty, that the Senate, the Senate Foreign Relations Committee, the present Secretary of State, and his immediate predecessor agree that the pending treaty contains no new obligation on the part of the United States with respect to the use of its armed forces.

Perhaps I can add one minor addition to the possible satisfaction of the distinguished senior Senator from North Carolina. As one of the Senate delegate-advisers to the conference that negotiated the pending treaty, I listened to several conferences between the negotiating parties. Indeed, I engaged in discussions with representatives of several nations that have adhered to the treaty. I heard no one express the view that the pending treaty, when finally concluded, contained any obligation on the part of the United States with respect to the use of its armed forces that went beyond its obligations as a party to the United Nations Charter, NATO, and other alliances which the United States has.

So, Mr. President, if the pending provisions will not affect the substance of the treaty, will have no legal effect, will be indeed superfluous, then for what reason would the Senate adopt it?

The distinguished senior Senator from North Carolina inquires about the resolution of the United Nations and why it used so many words to say so little. I came to the conclusion, after having been a delegate to the United Nations, that a formula for saying nothing in the United Nations is about a page. If one will study the history of it, if an instrument of the United Nations has teeth in it, it is not a long document.

Mr. President, I wish to address some remarks to the Senate about the committee report. Through its report, the Senate Foreign Relations Committee has undertaken to advise President Nixon with respect to the deployment of an anti-ballistic-missile defense system. Before addressing remarks with reference to this particular provision of the report, let me say that, in my view, the Constitution places the President and the U.S. Senate in a position of limited partnership with respect to the conduct of our Nation's affairs with other countries. True, the President is the leader. Only the President can be our leader in

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international affairs. But the construction of this partnership and the provisions of it mean that the President cannot lead very successfully or very far when the Senate will not support and follow.

Other Presidents have had occasion to learn this lesson. The Senate has had some sad experiences in the operation of this formula of partnership.

The Constitution places definite responsibility and duty upon both. The committee has undertaken to advise the President in a gentle and in a respectful manner.

The provision contained in the report on page 18 was offered in the committee in its original form by a distinguished member of the President's own party. It in no sense received partisan consideration. The committee modified the provisions of the original resolution offered, but nevertheless, by a unanimous vote—save for one member who voted "present" without respect to this particular provision in the report, so far as I know—has adhered to this advice:

> The extensive discussion of article VI during the hearings is an index of deep concern of members over the implications of an escalating arms race. The committee believes this treaty comes at a moment when both the United States and the Soviet Union are at national crossroads with respect to the arms race. Decisions facing both countries in the area of strategic offensive and defensive missiles are of vital importance not only to the peace and security of the world but to the successful implementation of the Nonproliferation Treaty.
>
> In order to give effect to article VI, the committee believes that the administration should consider deferring the deployment of these weapons until it has had time to make an earnest effort to pursue meaningful discussions with the Soviet Union.

Mr. President, the pending treaty is in all respects a rather mild document. To me, the most significant fact of this treaty is that it represents another timid step in mutual discipline and cooperation between the United States and the Soviet Union. Fortunately, as I say, another step. It was my honor and privilege to be Senate delegate to the conference that negotiated the Limited Test Ban Treaty, and to take a part in the debate in the Senate upon the ratification of that treaty. Many people expressed grave apprehension about the ratification of that treaty. Many, sincerely, believed that it would impair the security of our country. Many throughout the country said that if we could continue testing nuclear weapons in the atmosphere, we could build a stronger defense, more effective weapons, and more powerful bombs, and thereby provide greater security for our country.

Undoubtedly, Mr. President, we could have built larger, perhaps more effective nuclear weapons with atmospheric tests. Competent witnesses have testified before Senate committees of which I have been a member that the balance of terror between the United States and the Soviet Union is at a relative standoff position. It has been estimated by experts that within a matter of hours, if not minutes, the United States could kill an estimated 120 million Russians, and that the Soviet Union has the destructive capacity and the deliverability in a similar time to kill an estimated 120 million Americans. But if we had continued nuclear tests in the atmosphere, perhaps we could have the capacity now to kill 150 million, and they to kill 150 million; and, ah, would we not then be more secure?

The conclusion and ratification of that treaty represented one step in a formula for coexistence in this small world. There have been others: the Treaty on Outer Space, the Antarctic Treaty, the Consular Treaty. Now we are undertaking a mutual obligation, by this treaty, to discourage, to hinder, and if possible to prevent the proliferation of nuclear weapons into the hands of other nations.

Who initiated this movement? The United States. The first statement made in this regard was made by the late John Foster Dulles, then Secretary of State. It was approved by President Eisenhower, President Kennedy, and President Johnson, and now I believe is about to be ratified during the administration of President Richard Nixon. I would describe it as a mild and timid step, chiefly significant because it is another step toward avoiding the destruction of civilization in the northern hemisphere.

Why do we seek this treaty? Because it is in our interest. Why do the Soviets seek it? Because it is in their interest. Why are they willing now to discuss a limitation of the nuclear armaments race? I believe because they think self-preservation is in their interest. And do we not think likewise?

We seek by this treaty the adherence of other nations. I say we, the people of the United States and the Government of the United States, and I say we, the United States and the Soviet Union, seek together the adherence of other nations who, by their adherence to this treaty, would agree not to build, not to make, not to receive, not to have nuclear weapons.

It is they who give up something. What do we give up by this treaty? There is only one thing we promise to do positively, and that is to make available the technology of peacetime uses of atomic energy.

I think it is a great bargain for the United States and the Soviet Union to agree to make available to mankind some of the benefits of the peacetime uses of nuclear energy in exchange for an agreement on their part that they will not build, or have, or receive an arsenal of nuclear weapons.

It is simple. I would say it is a mild treaty, but significant, let me repeat, because it is another step in easing the tensions between the East and the West. It is another step in understanding and in recognition of the mutuality of interest.

In my view, Mr. President, no two great nations in the history of the world have had such a mutuality of interest as now exists between the United States and the Soviet Union. It is a mutuality of self-preservation.

This brings me, Mr. President, to article 6 of the treaty. It is not the statement of a general hope, of a pious hope. It is a significant undertaking, an obligation of the United States, as well as of other parties to the treaty. It is an obligation upon the Soviet Union, the same as upon the United States.

It is an obligation to do what—to pursue negotiations in good faith on effective measures relating to a cessation of the nuclear arms race at an early date.

The distinguished chairman of the Senate Committee on Foreign Relations earlier said that the United States had taken the initiative in seeking these negotiations. If the Senate will recall, when President Johnson and Mr. Kosygin met at Glassboro, the principal goal which President Johnson sought at that conference was the agreement of the Soviet leader to initiate negotiations to bring about a mutual limitation of offensive and defensive ballistic missiles.

The United States has for more than 2 years sought such a conference. The Soviet Union has now indicated its willingness to begin such negotiations.

Why do we wait? I have not had a satisfactory answer to that question. We have urged our readiness for 2 years until now, or recently. I do not say this in a partisan sense, because former President Johnson was not willing in the closing days of his administration to initiate the negotiations. I urged that he do so.

I urge President Nixon now to do so while there is time. And the time, in the terms of the blacksmith, to hit the iron is while it is hot. The issue is warm and ready for treatment. The danger which can be forestalled is ever present.

During the hearings of the Disarmament Subcommittee last week, three of the most distinguished scientists of the world testified and sat as a panel before the subcommittee. And the subcommittee almost literally sat at their feet as students.

Although one is a proponent of the deployment of the ABM, they agreed unanimously that the deployment of an antiballistic missile system would provide no protection for the American people. What would we be trying to protect? Whose security and what security is involved unless it is the lives of the American people? What would be the purpose, then, of the deployment?

Some have said, "Let us change the deployment. Let us no longer try to provide protection for the cities and for the people." That is what Congress mistakenly voted.

Is there anyone who will rise and say that the Senate and the House of Representatives did not appropriate the funds under the impression that it was voting for a system to provide protection for the American people? Of course, I am not going to make a legalistic argument that the funds could not be used for some other design. However, that is a different question requiring different treatment or technology; and there is time to consider that. And if the deployment is to be changed from the understanding upon which Congress voted, then the matter should be resubmitted to Congress before the funds are differently used.

Oh, a great deal has been made about the fact that the Soviets have deployed some kind of a system around Moscow.

I think it is agreed in the intelligence community that there is some kind of deployment. It is called the Galosh system.

We were advised 2 months ago by former Secretary Clifford that this deployment was much like the Nike-Zeus system which we discarded 3 or 4 years ago because of its ineffectiveness.

There are an estimated 20 defensive missiles surrounding Moscow. What protection does that provide for Moscow? If the Soviets thought that 20 would do the job, maybe that would be the reason why they did not complete the deployment. Let us suppose that those 20 are in fact perfect instruments of technological sophistication and that if the United States should, God forbid, launch a nuclear missile attack upon the Soviet Union, each one of these 20 antimissile missiles would perform perfectly and intercept and destroy the first 20 that arrived over Moscow. Suppose there were 920 more missiles on the way. What protection would those 20 missiles give to the people of Moscow?

I heard someone on the television not long ago say, "Why would the Soviets deploy 20 missiles unless they thought they were good?" I suppose the French now wonder why they built the Maginot Line. And I suppose we can wonder why we spent $1.6 billion on the McNamara line that saved nobody but cost many lives. Ultimately, it was no good at all.

I suppose there is wonder as to why $23 billion has been spent on missile systems that have been utterly useless.

It is time to think, and I have confidence that our President is thinking, and thinking seriously. I am confident of that. I hope he gives heed to the advice of the Foreign Relations Committee expressed in its report. This is an exercise of the Senate's constitutional function.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. ALLOTT. As I understand the gist of the Senator's argument at this particular point, he is saying that first the Nuclear Nonproliferation Treaty should be adopted, and then, as he used the words, in the language of the blacksmith, we should strike while the iron is hot, to enter into or attempt to enter into complete disarmament throughout the world.

Mr. GORE. No. May I correct the Senator? I did not use the term "complete disarmament." The next step to which I referred was to enter into good faith negotiations——

Mr. ALLOTT. Leading to disarmament?

Mr. GORE. Which this treaty obligates us to do, on the limitations of the nuclear armaments race.

Mr. ALLOTT. That is correct.

Mr. GORE. I might say that it is the position, previously stated, of the U.S. Government ultimately to seek general and complete disarmament. But this is a goal in the distant future. I believe this goal must be approached by phases, by steps. Ratification of this treaty, in my opinion, would be a step. I believe the next step should be an agreement to mutually limit the nuclear armaments race.

I am urging—and the Senate committee has urged, by this report—the President to consider deferring deployment of antiballistic-missile missiles until a good-faith negotiation can be had.

Does that explain it?

Mr. ALLOTT. Yes. I understand that what the Senator is urging the President to do is to get to the negotiating, to take one of these steps—step by step—down the road leading to a disarmament. I will not classify the nature of that disarmament.

But what bothers me a little is this: I supposed we had been doing this for the last 6 years because of the agreement which had been reached in the Test-Ban Treaty. The Test-Ban Treaty was adopted in 1963. I read from the preamble to it:

> Proclaiming as their principal aim the speediest possible achievement of an agreement on general and complete disarmament under strict international control, in accordance with the objectives of the United Nations, which would put an end to the armaments race and eliminate the incentive to the production and testing of all kinds of weapons, including nuclear weapons, seeking to achieve the discontinuance of all test explosions of nuclear weapons for all time, determined to continue negotiations to this end, and desiring to put an end to the contamination of man's environment by radioactive substances.

Does not this preamble clearly say that, as Americans, we and the former President should have been doing for the last 5 or 6 years what the Senator is proposing now that President Nixon proceed to do under the Nuclear Nonproliferation Treaty?

Mr. GORE. The preamble, which the Senator has read, undoubtedly states the general goal and obligations of the parties to the treaty.

What is specifically referred to in article VI of the pending treaty is negotiation for the mutual nondeployment—if I may use that term—of defensive missile systems.

Does that answer the Senator?

Mr. ALLOTT. Yes.

The only point, I think, is that under article VI we agree to agree to negotiate.

I voted for the Test Ban Treaty, not without a few red-hot letters from my constituents, I must say. But I voted for the Test-Ban Treaty, which contains this language in its preamble: "a general and complete disarmament under strict international control, put an end to the armaments race—determined through continued negotiation to this end."

We have been doing this, or at least the President is supposed to have been doing it, for the last 6 years—the President and the State Department.

Mr. GORE. I should like to make this observation to the distinguished Senator. Having participated in the negotiations of both, I think there is a distinction.

The Senator has read from the preamble of the Limited Test-Ban Treaty, but article VI of the pending treaty is an operative feature of the treaty. Therefore, the obligation to negotiate is not general but specific in the pending treaty.

As the chairman of the committee, the able junior Senator from Arkansas, has said, we do not obligate ourselves to agree. We obligate ourselves to negotiate in good faith, obviously in the hope of reaching agreement.

The distinction I wish to point out is that the provision which the Senator has read is a preambular paragraph in the Limited Test-Ban Treaty, while article VI is an operative paragraph and thus becomes an obligation.

Mr. ALLOTT. The Senator is correct in that, but I do not believe there is any question in his mind that the preamble of the Test-Ban Treaty spells out the purpose of the treaty.

Mr. GORE. Yes; I agree.

Mr. ALLOTT. The Senator has spoken of participating in the various conferences. Does he know or is he aware of whether or not the Committee on Foreign Relations had any part in the writing of the present draft of the Nonproliferation Treaty?

Mr. GORE. I know this: The Committee on Foreign Relations was kept constantly and currently and fully advised about the negotiations. The proposed drafts, step by step, were submitted to the committee. I can say from personal knowledge that Ambassador Foster and Ambassador Fisher kept former Senator Hickenlooper, my fellow Senate adviser-delegate, and me as fully advised as we were willing to give the time to become advised. And the staff of the Committee on Foreign Relations, the chairman of the committee, and the membership of the committee had available to them the fullest consultation with our representatives at this conference. So the answer is, "Yes."

Mr. ALLOTT. And when was the conference held?

Mr. GORE. I have not the exact date.

Mr. FULBRIGHT. Approximately 4 years.

Mr. GORE. It has been a long time.

Mr. ALLOTT. I thank the Senator.

Mr. MUSKIE. Mr. President, first, I would say to the distinguished Senator from Tennessee that I thoroughly appreciate the lucid discussion he has given us not only of this treaty but also of the related issue of the anti-ballistic-missile problem.

I have learned something this afternoon as I always do when listening to the Senator from Tennessee.

Mr. GORE. I thank the able Senator.

(At this point, Mr. SAXBE assumed the chair as Presiding Officer.)

Mr. MUSKIE. Mr. President, for more than two decades, the United States has sought to bring a halt to the spread of nuclear weapons. Every American President, from Harry S. Truman to Richard Nixon, has committed his administration to that goal. The American people have overwhelmingly supported all our efforts to reach realistic understandings with other countries to stop the nuclear spread—to end the threat of a world armed to the teeth with the implements of its own ruin.

Now those efforts have borne tangible fruit, and the Senate is called on to give its advice and consent to the ratification of the Treaty on the Nonproliferation of Nuclear Weapons, signed last summer by the United States, Britain, the Soviet Union, and almost 90 other countries.

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President Nixon has termed the treaty "an important step in our endeavor to curb the spread of nuclear weapons." The Committee on Foreign Relations has found that the treaty is "the best that can be negotiated at this time" and has, on two occasions, urged that the Senate act favorably upon it.

I share these judgments without reservation, and I call upon the Senate to ratify the treaty while time remains to substitute reason for the slow unraveling of world security.

No one could rightly say that the Nonproliferation Treaty will itself guarantee that this or future generations will be saved from nuclear war. Even when the treaty comes into force, patient negotiation will be required to extend its provisions to additional important countries and to reach practical agreements on safeguards over peaceful nuclear activities. In and of itself, the treaty does nothing about the vast arsenals the nuclear powers now possess, and that could, at any time, destroy mankind. It is to this point that the distinguished Senator from Tennessee (Mr. GORE) addressed himself this afternoon.

But the treaty buys us time, precious time, to gain control over our destiny. With American adherence, coupled with energetic efforts to bring the treaty's mechanisms into force among the widest possible number of states, the Nonproliferation Treaty can help stop nuclear arms races from multiplying around the world. Without the United States, the effort to stop proliferation can be no more successful today than the League of Nations was 50 years ago. The tragedy for the world would be all the greater.

Since achieving the role of a major power early in this century, our burdens of leadership have grown. We face enormous demands on our patience and strength in meeting global commitments, while our society at home undergoes stresses more dramatic and far reaching than at any time in history.

For our own security and the security of our friends, this country can never withdraw from its central responsibility for the preservation of peace. In all prudence, we can, and we must, work to keep the dangers of nuclear war from getting worse, and we must be willing to take some risks in that direction.

It is for this reason—its elemental prudence—that I support the Nonproliferation Treaty, as I supported the limited Test-Ban Treaty 5 years ago. Eighty Senators voted in favor of the test ban then. This treaty, which complements and strengthens the mechanisms of the Test-Ban Treaty, is a further step along the same path of reason.

There are three basic respects in which I find the merits of the Nonproliferation Treaty compelling.

First, the treaty promises to be effective in creating a global consensus against the growth of nuclear arms races to new and terrifying levels of violence. For the almost 90 non-nuclear nations already pledging to accept a commitment not to acquire nuclear weapons, the treaty represents relief from the prospect of deepening instability and the enormous cost these weapons represent in the diversion of resources.

Although several important non-nuclear nations have yet to agree they will adhere to the treaty, the consensus developed on behalf of the treaty will bring united pressures to bear upon the holdouts. And even if nations such as West Germany, Israel, and India do not unequivocally block out their options to acquire nuclear weapons, broad acceptance of the treaty by others will serve as a useful restraint to hinder and deny legitimacy to unilateral decisions on the acquisition of such weapons.

From the point of view of U.S. security and diplomacy, the treaty would thus dramatically lessen the risk that the spread of nuclear weapon capabilities would require major expansions of American commitments to protect threatened allies. At the same time, pressures on the United States and other nuclear powers to foster or tolerate selective proliferation would be negated by reciprocal commitments blocking the further spread of nuclear weapons.

Second, the treaty's safeguards provision offers a major breakthrough in the principle of international inspection of arms limitations agreements. This is of utmost importance as a working precedent for the kind of reciprocal verification necessary for effective arms control. When international atomic energy agency safeguards are applied to nonweapon states, major acceptance will have been achieved of the principle that arms reduction requires meaningful verification. The United States has long asserted that principle, but the Communists have rejected it, providing the major stumbling block to all efforts toward negotiated arms controls.

International inspection will, in turn, make possible the exploitation of the atom for peaceful purposes at the fastest pace technology will realistically permit, without the fear that peaceful projects will serve as the cover for nuclear weapons. I, for one, am fully satisfied with the assurances forwarded to the Senate that American participation in these peaceful nuclear activities can be conducted on a sound and practical basis.

Finally, the treaty embodies a unique pledge shared by the United States, Great Britain, and the Soviet Union to work to control the arms race between the major powers. In the words of the Foreign Relations Committee, the treaty "formalizes the mutual concern" of these major powers "in containing the spread of nuclear weapons," embodying "a commitment to pursue with good faith and urgency new arms limitations agreements."

The distinguished Senator from Tennessee (Mr. GORE) has most appropriately highlighted the importance of article VI of the treaty.

As a quid pro quo, between the nonweapons powers on the one hand, who are asked to give up their options for nuclear status, and the nuclear signatories on the other, whose nuclear competition represents a constant threat to world peace. The treaty's pledge to good-faith negotiation comes at a welcome time. The effort to line up nonweapons powers to complete the Nonproliferation Treaty will benefit from early negotiations by the major powers, and the prospects of meaningful agreements in these negotiations will, in turn, be strengthened by the climate of trust and give-and-take which the success of the Nonproliferation Treaty can help create.

What we are undertaking to do, Mr. President, is to create what cannot be created unless each country is willing to take some risk—in a climate of mutual trust and risk-taking.

It is my earnest hope that the shared commitment of the Nonproliferation Treaty between the United States and the Soviet Union can now be broadened into other fields. Getting on with the Nonproliferation Treaty, after almost 5 years of effort, has thus become a desirable, and even necessary basis on which to strengthen this promise of United States-Soviet cooperation—in strategic arms talks, and perhaps too in such other related areas of vital U.S. concern as Vietnam and the Middle East.

One would not dare predict what a single step in the way of cooperation might lead to, but he can surely hope that a single step can lead to other steps which might include a resolution of the Vietnam and Middle East crises.

Mr. President, it has been a long, long time since John F. Kennedy called on the Senate to ratify the limited nuclear Test Ban Treaty and "let history record, that we, in this land, at this time, took the first step."

The next step, I submit, is the agreement before us today.

I urge the Senate to act promptly and favorably upon the Nonproliferation Treaty, in the interest of moving on to the further efforts and opportunities for peace that lie ahead.

Mr. President, the question was raised a few moments ago, in colloquy between the distinguished Senator from Colorado and the distinguished Senator from Tennessee, as to why a similar commitment for additional reduction of arms has not been implemented in the 5 years which have elapsed.

In part, this is so, I am sure, Mr. President, because both sides got tangled up in the emotionalism of the Vietnam issue and lost their sense of self-restraint and their limited feeling of trust and confidence in the other's intentions which was gained when we ratified the Test Ban Treaty.

Here is an opportunity to reinstate it in a limited way. We cannot hope to break down the walls of suspicion, distrust, and hostility with a single step, but we can move in that direction.

It is for that reason above all, Mr. President, that I intend to vote for ratification of the treaty and urge my colleagues to do likewise.

Mr. FULBRIGHT. Mr. President, will the Senator from Maine yield?

Mr. MUSKIE. I yield.

Mr. FULBRIGHT. I join the Senator in his remarks and compliment him on the eloquent way he has expressed what he believes to be the most important part of this treaty. That is the most important aspect of this treaty, to move toward the reestablishment of some degree of confidence and trust between the two great powers, the United States and the Soviet Union.

I think that is really the essence of it. The details, with regard to peacetime use, and so forth, are important, of course, but subsidiary to all these points is the objective which the Senator from Maine has expressed so well.

While I am on my feet, would the Senator allow me to make reference to the statement made by the Senator from Tennesse (Mr. GORE). The Senator from Tennessee, more than any other member of the Foreign Relations Committee, has spent time in this field and has made a greater contribution to the successful negotiations on this treaty, and prior matters in this area, than any other member. He has taken a great interest and spent long time and effort in representing the committee at the meetings in Geneva and elsewhere.

He made a fine speech a moment ago. I cannot see how either of the arguments of the Senator from Maine and the Senator from Tennessee can be refuted. I congratulate them both.

Mr. MUSKIE. May I take this opportunity to compliment the Senator from Arkansas for focusing on article 6 in the course of the hearings on the treaty. If the Soviet Union is listening, and I am sure that it is, and it will focus upon this fact, and focus upon article 6 as a contributing influence in the ratification of the treaty by the Senate, we might very well, in this way, contribute to some move in the direction of negotiations on missile control.

Mr. FULBRIGHT. I appreciate that. I think the Senator is quite correct. This is a matter, as the Senator from Tennessee so well described, which has been under consideration for several years. I think it is the No. 1 thing: the desire to move toward a limitation of the arms race. To me, that is the most important single element of anything here. If any progress can be made in that direction, then we are moving in the direction the Senator said; that is, of reestablishment of some limited degree of confidence which is so essential to making progress toward a more peaceful world. I think that the Senator is quite right.

Mr. GORE. Mr. President, will the Senator from Maine yield?

Mr. MUSKIE. I yield.

Mr. GORE. I ask the Senator to yield to me so that I might express appreciation to the able chairman of the Committee on Foreign Relations for his generous remarks.

In that connection, let me express my appreciation also for the practice which the able chairman permits himself, of giving members of his committee opportunities and providing latitude and encouragement for individual contribution.

The case in point is the hearing now underway by the Disarmament Subcommittee. Tomorrow, there will be another session. The full committee is invited and, indeed, all Senators are invited. It will be an educational hearing. Once again, tomorrow, we will have the benefit of testimony before us of three of the most distinguished intellectuals who could be invited, each of whom graciously accepted our invitation, not to prove my point or the point of some other member of the committee, but objectively to analyze the problem, which is an overweaning one.

Mr. President, this may be the first major decision in the overweaning issue of the next decade; how the resources, the talents, and the energies of our people shall be allocated, between its defense forces, on the one hand, and all the other needs of the American people, on the other.

It may be one more step—as the Senator says, one step hopefully leads to another—in building a bridge of coexistence.

Mr. MUSKIE. I might at this point appropriately refer to something the Senator said earlier—that, in order to build these bridges, we must find common areas of interest which represent the vital interests of each country. Each time we do that, we can build a bridge. I agree with his very apt phrase that we have a mutuality of self-preservation in all these matters.

I compliment both of my senior colleagues for their interest and their effective leadership and statesmanship.

Mr. PELL. Mr. President, I rise briefly to support the chairman of the Foreign Relations Committee and those Senators who have spoken for the ratification of the Nonproliferation Treaty. We had many hearings. We thought about the matter very deeply. Some of the arguments that have been made against the treaty have been sensible, but, in general, the arguments in favor of its ratification would seem to me to far outweigh the arguments against it.

Last fall, on the floor of the Senate I commented on a recommendation of the majority of the Foreign Relations Committee in regard to deposit of the instrument of ratification of the treaty. The committee report suggested that after ratification by the Senate, formal deposit of the ratification could be delayed as a tactical move. At that time, I objected that formal deposit of the ratification was a ministerial act and that sanctioning discretionary delay by the executive branch would constitute a bad precedent. I am delighted that the suggestion of discretionary delay does not appear in the committee report this time. I continue to believe that, if the treaty is ratified, the instrument of ratification should be promptly deposited.

MILITARY SPENDING

Mr. PELL. Mr. President, I would also like to comment on the speech of my colleague from Wisconsin earlier today. I did not have a chance to be on the floor when he delivered it, but I had read the text. I found it to be an excellent speech, and I find myself in general agreement with the thrust of his remarks and his recommendations.

WALLACE E. AND ALMA JOHNSON, OF HOLIDAY INNS OF AMERICA, INC.

Mr. GORE. Mr. President, as in legislative session, I ask unanimous consent to have printed in the RECORD an article written about a very distinguished and a very successful Tennessean, Mr. Wallace E. Johnson, and his devoted wife and business partner, Alma Johnson.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SEEING PROBLEMS AS OPPORTUNITIES

(NOTE.—A conversation with Wallace E. Johnson, president, Holiday Inns of America, Inc., and wide-ranging entrepreneur and builder.)

(Wallace E. Johnson knew right enough what he wanted to do in life by the time he was 14 back in Mississippi, and that was to be a builder. He took a flyer at it at age 18 and failed, and it was more than 20 years before he again went into business for himself and launched a successful career in homebuilding.

(His major enterprise, though, is Holiday Inns of America, Inc., the world's largest motor hotel chain. Launched by Mr. Johnson and his partner, Kemmons Wilson, it now numbers more than 1,050 facilities here and abroad.

(He and Mr. Wilson also started the chain of extended care facilities known as Medicenters of America, Inc., with some two dozen now in operation—about half under franchise—and half that number under construction. Along the way, Mr. Johnson has also been an active lay Baptist leader—he expounds an approach to business reflecting religious convictions—and was named Lay Churchman of the Year in 1965 by Religious Heritage of America, Inc.

(He also has contributed generously to education of future clergymen, doctors, lawyers and bankers through grants and loans by a foundation he and his wife, Alma, have established.

(Now 67, Mr. Johnson sets great store by inspirational and self-improvement works and makes much of conscious motivation—of himself as much as of others—as a key to success.

(Many successful men find it politic to credit their wives' help for their success. Wallace Johnson goes further and cites specific business contributions made by his wife.

(A humorous man and an enthusiastic spinner of yarns, many at his own expense, he discussed his career and his outlook in what he calls his "think center," a work area alongside the indoor pool at his home in Memphis, where he flees the "stampede" of regular office routine.)

Mr. Johnson, what line of work would you say you are in?

I guess you would say very simply that I am in the money-making business. But let me add that I am not bent on making money just to be making money. After all, I don't feel that anyone—myself included—places money ahead of everything else. Since virtually everything I am involved with concerns the business of people, I like to think I'm in the people business.

My wife and I build homes, but for whom? We build them for people, but we necessarily build at a profit. Mrs. Johnson and I also build apartments for people, but again at a profit.

In our Medicenter convalescent home endeavor we are really in the middle of the people business. And in the biggest sense of all, I am fortunate to play a part in the people business of Holiday Inns, a company made of people.

So you ask me why I have to keep driving to make money. It is just a game of life, that is the best way I can describe it to you.

Where is the money to be made in this people business?

Now what you need to do is to find a business there is a need for. When we ventured into the Holiday Inns business, there was a definite need in America for reasonably priced, dependable accommodations, and there is a need now for this type of accommodation all over the world. So I say to you, find an industry that is in the need of growth.

Now, when Mrs. Johnson and myself went into the hospital business, there was a definite need for it at that time, which we think we have helped to fill. And nursing homes. We were one of the first to get into that to any degree.

Another business that we have gone into is the cemetery business. So I guess you could say we are providing service to people from the beginning of life to the end of life.

This cemetery business started about nine months ago when a fellow came to us with a cemetery proposal—every day some businessman brings us some kind of proposal. We looked at it a few days; then I got hold of it, and found I could sell four-by-eight cemetery lots for X dollars and cents.

I said, "That is not enough money," so I called up a posthole digging company, and I said, "What is the largest round posthole digger that I can buy?" and he said, "We can get them for you 24 inches wide." Then I called up a fiber-glass casket manufacturing company, and I said, "Can you make a casket round and form-fitting?" and he said, "Yes," and so then I applied this to my piece of ground—one, two, three, four, five, six, seven, eight—so I'll get eight times as much for the same piece of ground.

Now I haven't sold any this way yet, but I haven't found anybody who objects to it.

How will you bury them—standing up?

Yes, sir.

You first made it big in the home-building business. What got you interested in becoming a builder?

Well, I am doing exactly what I intended to do when I was 14. At that age I said I would be a builder, a contractor.

Why? How did that appeal to you?

My Uncle Emmett was a contractor back in Edinburg, Miss. He built the largest span across the Pearl River at that time. I saw that bridge, and I said, "This is what I am going to do—be a builder."

So when I was 16 years old, I was a full-fledged carpenter.

I learned how to read a scale and I learned how to estimate and make blueprints and all that stuff. When I was 18, I lacked two years before finishing high school—and they only had through the 11th grade then—but I had $1,800 in the bank, and a fellow wanted a house built, so I took a contract to build this house in Moorhead, Miss., where I was living then. And two years later when I finished that house, my $1,800 was gone, and I was $400 in debt.

I was broke, just as broke as I could be. And, bless my mother's heart, my mother talked me into going back to school.

That was a tough decision. I went to high school until I was 22 years old. For me to go back there when all the rest of the kids were younger, and I was just about as large as I am now, was tough. But I had to go back. It took me 24 months to finish. I wasn't out of school for anything but Christmas and the summertime. After I finished, a man asked me to go open up a retail lumber yard as the manager.

I had never managed a lumber yard in my life, but I went to manage it anyhow. Later, when the depression came along, the business left. So, I left Mississippi and came to Memphis, and worked here at a retail lumber yard, and then the depression kept getting worse so I left Memphis and went to Pine Bluff, Ark., and operated a sawmill.

That was the only job I was ever fired from in my life, and it was probably the best thing that ever happened to me. Ever since then I have been looking for the guy who fired me. . . . I want to give him a paid month's vacation to anywhere in the world.

Why is that?

Because if he had not fired me, I would probably still be over there in Arkansas running that sawmill.

Why did he fire you?

I will never know the truth of it. He has never talked to me about it. We had coffee together at 9:00 that morning, and at 11:30 he sent a note to my house and it said, "Upon receipt of this note, you are fired." And my wife, Alma, brought the note up to my office. She was just boohooing and crying, and I was mad. If I could have found that guy that day . . . but he had left town. He sent the note, got in his car, and left.

So the sales manager of a lumber company offered me a job up in Arkansas. At the same time, I put a newspaper ad in the *Commercial Appeal* in Memphis. I described Wallace Johnson: he could draw plans, he could make blueprints and do the kind of work I had done for many years in Memphis. And I got this note saying, "If this is the Wallace E. Johnson that worked for us 'X' number of years ago, report for duty Monday," and that was it. Mind you, it was a blind ad. He recognized me by my describing myself. I came to Memphis and we stopped at the Chisca Hotel, and Alma had $20 in her purse. That was every dollar in the world that we had. We got up the next morning, and I said, "Alma, do you have the purse?" and she said, "No, you have it." So we turned the room upside down and couldn't find that purse.

Well, I couldn't wait for the elevator, so I just went down the stairs, and I turned our car inside out and I still couldn't find the purse. Just 15 cents was all I had in my pocket. Later, we got in that car—this was a two-door car and you had to turn the seats down—and when I turned one of the seats up the purse fell down right at Alma's feet. She picked it up, and neither of us could say anything; we were so grateful we just couldn't talk.

I worked with this company for three years, and in December, 1939, I quit to go into business for myself. I had borrowed $250 on an old second-hand Ford, and I was 39 years old then.

I built my first house at 132 S. McKellar, and it is still standing there today in good condition. We could build good houses, but I think what turned the business on more than any other one thing was when I went to a printing plant and had some pasteboard signs printed that said, "Let Wallace E. Johnson build you a home on this lot."

At that time there were more than 15,000 lots scattered all over Memphis, with curbs and gutters and utilities and sidewalks—and weeds and grass.

I didn't own a cockeyed one, but I'd just sow these signs—400 or 500 of them—up and down the street.

One day I was up in the Commercial & Industrial Bank making a $5 withdrawal, and a man in front of me was making a $500 deposit. He turned to the president of the bank and I overheard him say, "Where in the heck did this fellow Wallace Johnson come from? He owns more lots in town than any one man I have ever seen." So, things were beginning to pick up. Pretty soon, we started the business of speculative houses, building them for $2,999 each.

Was that new in Memphis at the time?

Yes, sir, brand new. Nobody here had ever heard of starting 10 houses at one time.

I have copies of front-page newspaper headlines stating, "Wallace E. Johnson starts 10 houses." Nobody ever heard of anybody being that crazy. The first year we were in business, we built 181 houses.

Were you the first in Memphis to recognize the need for low-income groups?

Yes, we built low-income housing for both Negroes and whites. And then we were the first to build a low-rental housing project. Down through this section of the country, these were the first low-income projects built, both for Negroes and for whites.

At that time I had a meeting once a month with my employees and their entire families. We'd take them out to dinner for 50 cents or 75 cents a person—that would buy a good meal at that time—and I would say "All right, gentleman, next year we are going to build a house a day, or 365 a year." In 1941, we started, finished and sold 365 houses! In 1942, I ran 1,000 houses through the mill, and in 1944 and 1945 and 1946—around that period—we would build and sell 2,000 or 3,000 houses every year.

Did you do this alone?

No, everybody pitched in, especially Alma. You always hear about the part that a wife plays, but I want you to listen to this. One time we had an inventory of maybe 150 unsold houses on our hands, and Mrs. Johnson and myself were thinking about how we could get this deal turned on, and she came up with the idea of running a contest. We had about 25 salesmen working for us and we decided to tell them we'd take the wife of the salesman who sold the largest number of those houses—we'd take his wife to town and we would spend $400 to dress that gal up in the finest clothes available. We also had other prizes all the way down to $50. Before we put this contest into effect, when the husbands got in at 9:00 o'clock at night, the wives would say, "Frank, what in the world did you stay out so long for? My goodness gracious! Why didn't you come on home earlier?"

But all that soon changed. When they got home at 9:00, the wives would say, "Frank, if you haven't made a sale, get out of here and make one, and don't come back until you have."

Did it work?

My goodness, it turned the whole business upside down. We sold houses when the rest of the folks in town couldn't give them away. I have never seen the fellows turned on more. So, you see, these ladies can really turn us on. And they can turn us off, too.

Didn't you get your carpenters and bricklayers and everybody else out working for you at one time?

Oh, yes, we have always done that. At one particular time—I never will forget this—I had 50 or 75 houses unsold, and the banker said to me, "Wallace, I think we have gone about as far as we are going to be able to go with you. You haven't made any sales in about 30 days, and if you don't bring in some more sales, we are not going to let you start any more houses." So I called together all the painters, paperhangers, carpenters, bricklayers . . . everybody.

"We are building more houses than any other one company in this situation," I said. "But in two weeks if we haven't sold this inventory, you are not going to have jobs, I won't have one, and there won't be anything. This is getting down to the real tough going.

"When you go to church, when you are on the streets or wherever you go, you talk about buying a house. And when you meet a fellow on the street you just say, 'Mister, wouldn't you want to buy a house?' "

This was the way the whole gang worked, and we sold our quota of houses in just two weeks!

Let me back up for a second and tell you about something else. I had a young man working with us at one particular time—a very fine person—and he went to New Orleans and met up with an officer in the Seabees. This boy got to doing a little drinking with this naval officer and the next thing I knew, this officer called me from Grenada, Miss., and said, "Mr. Johnson, we have just completed the inventory of all your trucks and equipment and manpower, and we are coming to Memphis to move it all down here."

I said, "What are you talking about?" and he said, "Your whole organization has been signed up for the Seabees, and you are being shipped out in two weeks for the Pacific." I said, "Have you lost your mind? What is happening to me? Tell me something about this!" And he said, "That is the truth. This boy has signed everything up," and I told him, "Man, that guy doesn't own my company. I can't do this." He said, "Mr. Johnson, you have just got to." I had to go some to get us out of that one.

I had just gotten that thing straightened out, and Gen. Marshall was flying through Memphis. He bought a newspaper here and read that Wallace Johnson was turning out a house every two and a half hours, bang, bang, bang. So, when he got to Washington, he called me on the phone, and said, "This is Gen. George C. Marshall. Put your secretary on the phone; I want to tell you what I want you to do."

He literally had the authority—there wasn't any question about it—to just say, "You go do it," and I knew that. I got so nervous I couldn't hold the phone, I was shaking so bad. I got my secretary on the phone and I got Mrs. Johnson on the phone, and all I could say was "Yes, sir. Yes, sir. Yes, sir." And he told me, "Take your engineers, yourself and Mrs. Johnson, and catch the train tomorrow night and you come into Knoxville, Tenn., and you go to the Andrew Johnson Hotel there and wait for instructions." We did, and the next morning they came over and picked us up and carried us out somewhere—I don't know where—and they fingerprinted and they blueprinted and they questioned us half a whole day, and then the next day they said, "We are going to tell you what we want, but you cannot ask any questions. Here is the plot plan on a piece of ground here, and we want 3,000 houses and want them in 90 days, and you don't have to ask about money or anything. Just go to it."

I have letters from him in long-hand, sealed in beeswax. But I finally had to get out of that because I was building defense housing all over the country and I owed the banks a lot of money. Of course, they paid me for drawing a lot of plans that I drew, and some of the original houses are standing there at Oak Ridge, Tenn.

When you started the Holiday Inns, this being a franchise operation, did you have trouble getting people interested in it?

Oh, yes. We had a lot of trouble. It was 1953 when I joined up with Kemmons Wilson, the founder of Holiday Inns of America.

I had been very active in the National Association of Home Builders, so I sent 75 letters of invitation to builders all over the nation to come to Memphis. We had them all there for dinner one night and we tried to sell home builders on going out and buying the franchises.

Out of 75 builders invited, 65 showed up. Everybody was really excited about it but only two or three builders bought the franchises.

How come you had so few franchise takers?

Well, at that particular time we had a very tight money situation.

You have had your troubles with finances over the years, haven't you?

We have had troubles, yes, and it has been my job primarily to secure the finances for Holiday Inns. Getting money has been no problem. I look at it as just an opportunity. I don't have any real problems at all. I will be very frank with you and tell you why I have no problems. One day in November, 1966, I flew to New Orleans with my preacher, Dr. James Eaves, pastor of Union Avenue Baptist Church in Memphis.

On the way back to Memphis, we were in a hurry to get to the airport from the outskirts of New Orleans, so we chartered a helicopter, and 250 feet in the air, the helicopter lost power. The engine went pfft and out she went, right over the city. Coming down, the blades sawed four high power lines in half, and we sawed the roof off a house or two.

Those electric power lines hit the ground, jumping around like lightning and barking like a dog.

The pilot had said to us on the way down, "As soon as we hit the ground, run if you can, because this thing is going to burn," and sure enough, gasoline was all over the streets, but it didn't catch fire and I waded right out in the middle of it. You could have picked up the pieces of that thing with a shovel. But I walked away from it all. Coming down through the sky, I said to my preacher, "Looks like we're fixing to go to Heaven," and he said, "I hope not." For the time being, I'm glad he was right.

So, since that day, I have had no problems on this earth at all. I have a great number of opportunities, though. I really have the opportunities.

How would you go about borrowing money, say, when you were doing something that nobody else was doing?

Well, I want to say this: Even before we ever started Holiday Inns, I had to borrow millions and millions of dollars to build houses. So I have been in the money-borrowing business all my life. I even borrowed $85 to get married on.

I have always tried to look at it like this. A banker may be the finest friend in the world, but he wants to know how you are going to pay the borrowed money back. So, if I don't have a way set in my mind how I'm going to pay it back, I just don't ask for it.

I believe the human mind is like a field in the spring of the year. That field doesn't talk back to you to say, "Plant on my back cotton or corn or rice." It doesn't care what you plant, but whatever you plant and fertilize and water, that is what you are going to gather at harvest time. So if you plant in your mind: "I can't borrow this money," and, "This project is going to be a failure," and, "I am going to be a failure," well, that is what grows in your mind.

I have always been able to convince a banker that I needed the money because I make it a point to know in my mind exactly what it is for. I believe in positive thinking and, more important, I have always prayed for God to give me wisdom to do the right thing.

What quality or talent of yours would you say has been most helpful to you in your career?

Well, I've always wished my papa had sent me to college. The first time Mrs. Johnson ever heard me say this, she said, "College would have ruined you! It wouldn't have fitted you!" Then, she compared me to the bumblebee. The bumblebee, according to science, was not built to fly. But he doesn't know the difference, so he just goes flying right along. In college, I might have learned I couldn't do a lot of things I've been doing, so my wife tells me.

Alma always says that one of my qualities is being stubborn; not giving up easily on anything. Others say that simply being able to think something through—and being able to sell it—might be called my strong point.

Now, let me tell you what I think my real strong points are. First, I have the greatest wife a man ever had. She is really a powerhouse of a thinker. She is secretary to 76 corporations, and she helps to make decision after decision. And then I am also blessed with the greatest partner in the world, Kemmons Wilson. He is really a great man. Both of us think things through together.

Mrs. Johnson is a terrific business lady. She practically has a sixth sense, when it comes to business. In all these 42 years, I thought she was thinking, but she wasn't thinking; she was feeling. Ladies have this sense of feeling; they are blessed with a feel for particular things.

To show you how this works, let me tell you about when I had about 3,000 houses left on my hands after World War II was over. Man, I had salesmen selling the equity for $300 or $400.

One morning Alma and I drove all over town, and she looked around and said, "What are we selling that house for?" and I said, "We are selling it for $3,000." She said, "Raise it to $4,000. Then, she said, "What are we selling this house for?" and I said, "We are selling it for $4,000," and she said, "Raise it to $5,000." In four hours she had raised the price of housing a million dollars in this town.

Her decision brought us a million dollars just like that. And three or four months after that she went right back and raised them another million dollars! She really has a feel for this.

During the war we were building over in Pine Bluff, with 400 houses under construction. The Army had drafted every painter I had, but one, and I could see Wallace Johnson going broke so fast I didn't know what to do. So I went back to the office and I said, "We can't finish these houses; we have no painters," and Alma tells me, "Go back to your office. I want to think about it a little, and I will check back with you directly." Later, she came back and she said, "Let's use women to paint!" Never had anybody heard of that in this town, So, we put an ad in the Pine Bluff paper: "Wanted, women to paint houses."

Then I told her, "Go to town and buy whatever you want to in the way of coveralls, and you take one of these houses and you start the first school for women painters.

In the next few days, they had 100 women going to school to learn how to paint. They had paint all over their eyebrows, in their hair, and all over them. I have pictures showing them like that. But we finished those houses and later brought that trade back to Memphis, and I have had as many as 300 women working for me on the weekly payroll, painting houses on the inside. And lots of them have done a lot better job than the men.

So I think I have been extremely blessed with a wife that is unusual in moneymaking views. It seems that every time I went against her advice, I didn't come out so well.

To what else do you attribute your success?

I think we have a way of communicating. I think this has been one of our reasons for success. We have been able to communicate with the people: to communicate with those working for us, to communicate with those we work with, and to communicate with the bankers and lending institutions, et cetera, et cetera.

I keep a list of stockholders in every town. When I get into a town and I have 10 or 15 minutes waiting time, I will call stockholders up and say, "This is Wallace Johnson, president of your company, Holiday Inns of America, and in 1962 you bought 100 shares of Holiday Inns stock at so-and-so many dollars, so today with your splits and so on, you have 400 shares—and you have sold off 20 shares, but it cost you $1,900—and now your stock is worth $65,000. I just wanted to call you up and tell you how your company is doing."

How do you keep track of everything you do?

Well, I have always been able to do several things at once. My secretary claims I can write a note on subject "A," talk on the telephone on subject "B," and read a letter on subject "C," while she is reading another letter out loud to me on subject "D." And if I am talking to you on the phone, you will never know that there is anything else going on except subject "B." That's what my secretary says.

I will just say the Good Lord blessed me with a wonderful memory.

I remember more figures than I do any particular thing. I could tell you right now exactly how much money I have in Holiday Inns or in about 250 bank accounts, and I won't miss any one of them over just a few hundred dollars.

I think it is hard for me to tell you how I do it. All I can tell you is that I do it. I think it is by concentrating.

How do you spend your spare time?

Working.

I mean how do you spend whatever time you have off?

Working. Well, we have a home in Hot Springs, Ark., which we have had for a long time, and I get over there away from it all some, but over there. I still am thinking mighty hard.

I try to read, oh, one or two books every month. Right now, I am reading "Enthusiasm Makes the Difference" by Dr. Norman Vincent Peale. When I got through reading the first two or three chapters, I found it was so great, I put it on tape, and I have the tape on a machine right over there. I turn the tape recorder on and put on the head phones, and frequently, while I am listening to one book on tape, I am reading a different book at the same time.

God was smart when he made man. He made four holes in the head for information to go in, and only one for it to come out.

Because we have so little time to improve our minds, as much as they can be improved, I set goals which I make myself live up to. I make a list, a long list. Then I turn around and talk to myself and lecture the old man and get him going to get the goals accomplished.

That has been the secret of Holiday Inns all along. We have had goals. Some people laughed when we said we would have a system of 1,000 Holiday Inns. We now have 1,050 and hope to have 3,000 around the world in 10 years. That is one of our many goals.

Besides the 25 industry-related companies which HIA now owns, the company is in the process of acquiring Tco Industries, Inc., which controls Continental Trailways, Inc., Delta Steamship Lines, Inc., and other properties, including foreign and domestic tour operations.

You have done quite a bit of innovating, in building motels, haven't you?

Quite a bit of it. What has made the motel a success is that we just keep building the same size room over and over, and we have eliminated the guesswork. We know that it only takes four feet of this and 10 feet of that to get the job done. Yet we keep modernizing our designs, in order to keep up with the changing trends.

How do you motivate your people?

I think we have at Holiday Inns the finest profit-sharing plan in America. It is modeled after the Sears-Roebuck plan. We have maids and porters and other people in the company who have stayed with us and have saved more money than they ever thought they would save in their lifetimes. Also, we are blessed with the type of family spirit which I feel is the greatest strength of the Holiday Inns system.

How do you go about getting the right people?

I just thank God so many of the right people want to go to work for us.

You are happy in what you are doing?

Yes, sirree Bob, I am extremely happy in what I am doing. I am doing exactly what I intended to do when I was 14 years old. And I have the sweetest wife in this world. I have never closed a telephone conversation with her without saying, "I love you." I am happy. I will guarantee you I am happy.

But I owe so much money, I have to get up and just run like the dickens to stand still.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HRUSKA. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. HRUSKA. Mr. President, I ask unanimous consent that I be allowed to proceed out of order, as in legislative session, for the purpose of introducing a bill and for making a short statement thereon.

The PRESIDING OFFICER. Without objection, the Senator may proceed as in legislative session.

S. 1461—INTRODUCTION OF DEFENDER ORGANIZATIONS AND THE CRIMINAL JUSTICE ACT

Mr. HRUSKA. Mr. President, I send to the desk a bill, which I introduce on behalf of the Senator from North Carolina (Mr. Ervin) and myself. On January 27, 1969, on behalf of the Senator from North Carolina (Mr. Ervin) and myself, I introduced S. 650, entitled "Amendments to the Criminal Justice Act of 1964," which embodied the recommendations of the Judicial Conference of the United States. Today I introduce again, on behalf of the senior Senator from North Carolina (Mr. Ervin) and myself, for the consideration of the 91st Congress a new bill, S. 1461, which further refines the proposals contained in S. 650. In addition to embodying the substance of S. 650, this new bill allows the creation of Federal public defender or community defender organizations.

The purpose of the Criminal Justice Act is to make more effective the constitutional right to counsel in Federal criminal cases by providing compensated counsel and other defense services to those who cannot afford to obtain their own. The act has been in effect nearly 4 years, and the experience gained has demonstrated its success as well as the need for both its expansion and improvement.

When the 88th Congress passed the Criminal Justice Act in 1964, it established machinery to compensate counsel on a case-by-case basis. The 1964 conference report (H. Rept. 1709) which accompanied the bill recognized the need to measure the success of the act in making compensated, high-quality defense counsel available in the Federal courts to the financially disadvantaged. The conferees requested, however, that "the Department of Justice should revive its recent study on the need for a Federal public defender system throughout the entire Federal judicial system."

To give effect to this request of Congress, the Department of Justice, in 1967, through its Office of Criminal Justice, and the Judicial Conference of the United States, through its Committee To Implement the Criminal Justice Act, jointly commissioned Prof. Gallin H. Oaks, of the University of Chicago Law School, to undertake a study of the operation of the Criminal Justice Act with particular attention to the need for Federal public defenders in light of the defense representation furnished under the act.

Under the auspices of the National Legal Aid and Defender Association's National Defender project and the University of Chicago's Center for Studies in Criminal Justice, Professor Oaks conducted a study spanning 6 months and covering many judicial districts. The comprehensive report he authored, entitled "The Criminal Justice Act in the Federal District Courts" was completed in 1968 and is currently being printed by the Constitutional Rights Subcommittee of the Senate Judiciary Committee.

Professor Oaks' study testifies to the basic soundness of the Criminal Justice Act and he found the administration of the act generally praiseworthy. It pointed out, however, that recent developments in the criminal law justified an expansion in the act's coverage as well as the refinement of some provisions found to be cumbersome. As a result of these findings the Judicial Conference recommended a series of amendments which I introduced as S. 650. I have made some further refinements in those provisions which will be discussed later in my remarks.

DEFENDER ORGANIZATIONS

The heart of S. 1461, however, is a new subsection (h) which will be added to the Criminal Justice Act. This subsection will broaden the range of resources available to busy Federal districts to meet their defense representation needs. It would allow, but not require, a district or part of a district in which 200 or more defendants are required to be represented annually by appointed counsel to create a "mixed" defender system. In a "mixed" defender system the use of private counsel will be supplemented with either of two types of full-time defender organizations. In those districts which qualify under this proposal, the district can elect to establish either a Federal public defender organization or a community defender organization.

Subsection (h) is proposed in response to a need which is fully documented in Professor Oaks' report. After visiting many of the busiest Federal districts, Professor Oaks concluded that:

> There is a demonstrated need for full-time salaried federal defender lawyers on an optional basis in certain districts, and that measures should be taken to establish the full-time federal defender as a financially stable option under the Criminal Justice Act.

The meaningful and real advantages of full-time defenders can probably be considered to be first, a reduction in the administrative burden on court personnel; second, a more efficient, more experienced defense counsel service available to needy defendants and, third, a defense counsel service capable of furnishing more complete representation to the defendant.

In a district electing to establish a "Federal public defender organization," one or more salaried Federal attorneys, working full-time, would be available to accept Criminal Justice Act assignments. The director of each Federal public defender organization would be appointed for a 4-year term by the judicial council of the circuit in which representation is to be furnished. Fiscal supervision of such public defenders would be in the hands of the Administrative Office of the United States Courts, and salaries paid to defenders would be comparable to those paid in the U.S. attorney's office in the district.

As an alternative to the Federal public defender organization, this bill would authorize a busy Federal district to supplement its private counsel provisions with a "community defender organization." Although supported in whole or in part by Federal grants, the design and administration of such an organization would be in the hands of the locality which it was to serve. The proposed structure and function of the community defender organization would be submitted as an amendment to the Criminal Justice Act plan for the district. Under the act the approval of both the district court and the judicial conference of the circuit would be required. In this manner, supervision by the local judiciary would be assured.

One of the principal advantages of the community defender provision is that, by its flexibility, it allows a district to capitalize on the experience of a variety of experimental defender projects which have been launched in the last 5 years. Moreover, in a district in which an existing legal aid agency or defender organization is now furnishing representation, amendment of the CJA plan would allow that organization to receive necessary Federal support to continue its work.

The hallmark of this bill with its creation of a "mixed" defender system is that it allows each Federal district with a substantial criminal docket to provide defense representation in the manner most efficient and effective in light of its local conditions. The passage of the Criminal Justice Act of 1964 was a major step forward in providing adequate defense services for the financially disadvantaged; S. 1461 would increase the effectiveness of the CJA from a standpoint of efficiency and quality of representation. It would broaden the range of alternatives available and make the CJA more fully responsive to the needs of each Federal district on an individual basis.

Professor Oaks' finding of a need for a public defender system is but the most recent in a chain of recommendations by legal experts that quality representation in criminal cases requires full-time defenders to augment the resources and efforts of the private assigned counsel systems in busy jurisdictions. The 1963 report of the Attorney General's Committee on Poverty and the Administration of Federal Criminal Justice—Allen Committee—urged the establishment of full-time defender offices in the Federal courts to share with private assigned counsel the task of representation, particularly in the busiest districts. In 1967, the President's Commission on Law Enforcement and Administration of Justice recommended the creation of State-financed defender systems as well as compensated assigned counsel programs to improve the caliber of defense services. And the American Bar Association project on Minimum Standards of Criminal Justice in its 1967 publication, "Providing Defense Services," similarly recommended that career service defender offices be made available on a local option basis.

More recently, President Nixon in his January 31, 1969, message on crime in the District of Columbia, endorsed one of the earliest Federal defender programs, the Legal Aid Agency for the District of Columbia. The President noted that the District's pilot project "has given every indication of success," and he has supported an expansion of the agency to enable it to become a full-fledged defender office providing effective and efficient representation in conjunction with the substantial efforts of the private bar.

The road leading to Federal financial assistance for indigent defendants has been a long and difficult one. Its beginnings can be traced to a 1937 report of the Judicial Conference of the United States which recommended public defense assistance for indigent defendants in some districts with a high volume of criminal cases. The debate over a public defender system raged for years in the House and the Senate. In 1949, the Senate Judiciary Committee reported a defense bill without the public defender provision.

Beginning in 1961, this Senator introduced a total of four bills concerned with providing counsel to indigents. Utilizing recommendations of the Allen Committee appointed by the Attorney General, in 1963, I introduced S. 1057. I was most fortunate to be joined in my efforts by Senator Cotton, of New Hampshire, Senator Ervin, of North Carolina, and then-Senator Keating, of New York. The assistance of these distinguished gentlemen was invaluable in achieving ultimate passage of the Criminal Justice Act, but without any provision for public defender systems.

It is my belief that subsection (h) is so drafted that the Congress finally will accept the use of full-time salaried defenders. Professor Oaks' report, the ABA's recommendation, the National Crime Commisison report and the Allen Committee report all emphasize the importance of retaining the involvement of the private bar in criminal defense work. To achieve that result, proposed subsection (h) would authorize the establishment of full-time defenders only as a supplement to the provisions for continued substantial representation by private counsel.

JUDICIAL CONFERENCE RECOMMENDATIONS

As I have mentioned previously, the bill I introduce today, S. 1461, adopts all of the Judicial Conference proposals, as did S. 650, and enlarges the scope of the act on the basic theory that whenever counsel is required to be appointed he should be eligible for compensation. In order to achieve such a result, the act's coverage is expanded to include probation revocation proceedings and certain prearraignment proceedings in light of the *Mempa* v. *Rhay* decision (389 U.S. 128 (1969)), the *Miranda* v. *Arizona* holding (384 U.S. 436 (1966)) and the case of *United States* v. *Wade* (388 U.S. 218 (1967)). In addition, where the court appoints counsel for an evidentiary hearing on a habeas corpus petition or to represent a material witness, compensation would be authorized.

This bill would also raise the maximum hourly compensation which may be paid to assigned counsel under the act from the present rates of $10 per hour for time spent on the case out of court and $15 per hour for time spent in court to $20 per hour for time spent in connection with the case. In 1963, the Attorney General's Committee on Poverty and the Administration of Federal Criminal Justice felt that $15 per hour was "the lowest statutory limit consistent with the objectives of reasonable compensation for the assigned lawyer and adequate representation for his client." It is reasonable to increase that rate today to $20 per hour in order to maintain that standard.

As in S. 650, this bill would raise the maximum compensation which the court could authorize to each attorney in a case; include the costs of authorized transcripts as reimbursable expenses; and substitute a more practical standard for determining when a chief judge may award excess compensation. S. 1461 would provide a uniform ceiling compensation for appellate representation in place of the separate limits for misdemeanor and felony appeals.

The changes brought by the recently enacted Federal Magistrate's Act are recognized in this bill by authorizing the U.S. magistrate to fix compensation where appointed counsel elect to dispose of misdemeanor cases before him instead of in the district court. The magistrate also would be empowered to authorize appointed counsel to obtain expert or investigative services. These amendments should encourage appointed counsel to dispose of less serious cases before the magistrate and thereby reduce the growing backlog of cases in the district courts of our busy districts.

CONCLUSION

Mr. President, the Senate passed a Federal public defender provision in 1964 during its consideration of the Criminal Justice Act. That provision, most regrettably, was struck by the conference committee. We accepted the will of the other body at that time and the Criminal Justice Act of 1964 became law. It has been a good law. It has facilitated more effective representation of indigent defendants. But time and experience have made clear what forensics sometimes cannot: the bill was not enough.

The defender provisions introduced today provide the maximum alternatives for a criminal defense program with the minimum of interference with local bar programs and circumstances. Private defense attorneys remain vital and will continue to be used. They will be supplemented by either a Federal defender organization or a community defender organization as the local judiciary may find to be necessary, effective, and efficient.

It is my hope, Mr. President, that in this Congress we will see the final step in an effort which began in 1937 to provide meaningful defense assistance to indigents in Federal criminal cases.

Mr. President, I ask unanimous consent that the text of the bill I hereby introduce, be printed at this point in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record, in accordance with the request of the Senator from Nebraska.

The bill (S. 1461) to amend section 3006A of title 18, United States Code, relating to representation of defendants who are financially unable to obtain an adequate defense in criminal cases in the courts of the United States, introduced by Mr. Hruska (for himself and Mr. Ervin), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

S. 1461

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That (a) subsections (a) to (f) of section 3006A of

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title 18, United States Code, are amended to read as follows:

"(a) Choice of Plan.—Each United States district court, with the approval of the judicial council of the circuit, shall place in operation throughout the district a plan for furnishing representation for (1) any defendant financially unable to obtain an adequate defense who is charged with a felony or misdemeanor (other than a petty offense as defined in section 1 of this title) or with a violation of probation, (2) any person under arrest, and (3) any material witness in custody, or any person seeking collateral relief, as provided in subsection (g). Representation under each plan shall include counsel and investigative, expert, and other services necessary for an adequate defense. Each plan shall include a provision for private attorneys. The plan may include, in addition to a provision for private attorneys in a substantial number of cases, either of the following or both:

(1) Attorneys furnished by a bar association or a legal agency; or

(2) attorneys furnished by a defender organization established in accordance with the provision of subsection (h).

Prior to approving the plan for a district, the judicial council of the circuit shall supplement the plan with provisions for representation on appeal. The district court may modify the plan at any time with the approval of the judicial council of the circuit. It shall modify the plan when directed by the judicial council of the circuit. The district court shall notify the Administrative Office of the United States Courts of any modification of its plan.

"(b) Appointment of Counsel.—In every criminal case in which the defendant is charged with a felony or a misdemeanor (other than a petty offense as defined in section 1 of the title), or with a violation of probation, and appears without counsel, the United States magistrate or the court shall advise the defendant that he has the right to be represented by counsel and that counsel will be appointed to represent him if he is financially unable to obtain counsel. Unless the defendant waives representation by counsel, the United States magistrate or the court, if satisfied after appropriate inquiry that the defendant is financially unable to obtain counsel, shall appoint counsel to represent him. Such appointment may be made retroactive to include any representation furnished pursuant to the plan prior to appointment. The United States magistrate or the court shall appoint separate counsel for defendants having interests that cannot properly be represented by the same counsel, or when other good cause is shown. Counsel appointed by the United States magistrate or the court shall be selected from a panel of attorneys designated or approved by the court.

"(c) Duration and Substitution of Appointments.—A defendant for whom counsel is appointed shall be represented at every stage of the proceedings from his initial appearance before the United States magistrate or the court through appeal, including ancillary matters appropriate to the proceedings. If at any time after the appointment of counsel the United States magistrate or the court finds that the defendant is financially able to obtain counsel or to make partial payment for the representation, it may terminate the appointment of counsel or authorize payment as provided in subsection (f), as the interests of justice may dictate. If at any stage of the proceedings, including an appeal, the United States magistrate or the court finds that the defendant is financially unable to pay counsel whom he had retained, it may appoint counsel as provided in subsection (b) and authorize payment as provided in subsection (d), as the interests of justice may dictate. The United States magistrate or the court may, in the interests of justice, substitute one appointed counsel for another at any stage of the proceedings.

"(d) Payment for Representation.—

"(1) Hourly rate.—Any attorney appointed pursuant to this section or a bar association or legal aid agency which has provided the appointed attorney shall, at the conclusion of the representation or any segment thereof, be compensated at a rate not exceeding $20 per hour for time reasonably expended and shall be reimbursed for expenses reasonably incurred, including the costs of transcripts authorized by the United States magistrate or the court.

"(2) Maximum amounts.—For representation of a defendant before the United States magistrate or the district court, or both, the compensation to be paid to an attorney or to a bar association or legal aid agency shall not exceed $1,000 for each attorney in a case in which one or more felonies are charged, and $400 for each attorney in a case in which only misdemeanors are charged. For representation of a defendant in an appellate court, the compensation to be paid to an attorney or to a bar association or legal aid agency shall not exceed $1,000 for each attorney in each court. For representation in connection with a post-trial motion made after the entry of judgment or in a probation revocation proceeding or for representation provided under subsection (g) the compensation shall not exceed $250 for each attorney in each court.

"(3) Waiving maximum amounts.—Payment in excess of any maximum amount provided in paragraph (2) of this subsection may be made for extended or complex representation whenever the court in which the representation was rendered, or the United States magistrate if the representation was furnished exclusively before him, certifies that the amount of the excess payment is necessary to provide fair compensation and the payment is approved by the chief judge of the circuit.

"(4) Filing claims.—A separate claim for compensation and reimbursement shall be made to the district court for representation before the United States magistrate and the court, and to each appellate court before which the attorney represented the defendant. Each claim shall be supported by a written statement specifying the time expended, services rendered, and expenses incurred while the case was pending before the United States magistrate and the court, and the compensation and reimbursement applied for or received in the same case from any other source. The court shall fix the compensation and reimbursement to be paid to the attorney or to the bar association or legal aid agency which provided the appointed attorney. In cases where representation is furnished exclusively before a United States magistrate, the claim shall be submitted to him and he shall fix the compensation and reimbursement to be paid.

"(5) New trials.—For purposes of compensation and other payments authorized by this section, an order by a court granting a new trial shall be deemed to initiate a new case.

"(6) Proceedings before appellate courts.—If a defendant for whom counsel is appointed under this section appeals to an appellate court or petitions for a writ of certiorari, he may do so without prepayment of fees and costs or security therefor and without filing the affidavit required by section 1915(a) of title 28.

"(e) Services Other Than Counsel.—

"(1) Upon request.—Counsel for a defendant who is financially unable to obtain investigative, expert or other services necessary for an adequate defense may request them in an ex parte application. Upon finding, after appropriate inquiry in an ex parte proceeding, that the services are necessary and that the defendant is financially unable to obtain them, the court, or the United States magistrate if the services are required in connection with a matter over which he has jurisdiction, may authorize counsel to obtain the services.

"(2) Without prior request.—Counsel appointed under this section may obtain, subject to later review, investigative, expert or other services without prior authorization. The total cost of services obtained without prior authorization may not exceed $150 and expenses reasonably incurred.

"(3) Maximum amounts.—Compensation to be paid to a person for such services rendered by him to a defendant under this subsection, or to be paid to an organization for such services rendered by an employee thereof, shall not exceed $300 exclusive of reimbursement for expenses reasonably incurred, unless payment in excess of that limit is certified by the court, or by the United States magistrate if the services were rendered in connection with a case disposed of entirely before him, as necessary to provide fair compensation for services of an unusual character or duration, and the amount of the excess payment is approved by the chief judge of the circuit.

"(f) Receipt of Other Payments.—Whenever the United States magistrate or the court finds that funds are available for payment from or on behalf of a defendant, or other person for whom counsel may be appointed under subsection (g), it may authorize or direct that such funds be paid to the appointed attorney, to the bar association or legal aid agency which provided the appointed attorney, to any person or organization authorized pursuant to subsection (e) to render investigative, expert, or other services, or to the court for deposit in the Treasury as a reimbursement to the appropriation, current at the time of payment, to carry out the the provisions of this section. Except as so authorized or directed, no such person or organization may request or accept any payment or promise of payment for representing a defendant."

(b) Subsections (g), (h), and (i) of such section are redesignated as subsections (i), (j), and (k), respectively, and the following new subsections (g) and (h) are inserted before subsection (i) as redesignated by this subsection:

"(g) Discretionary Appointments.—An attorney may be appointed to represent a material witness in custody or a person who has filed for relief under sections 2241, 2254, or 2255 of title 28, whenever the United States magistrate or the court determines that the interests of justice so require and that the witness or person is financially unable to obtain representation. An attorney appointed pursuant to this subsection may be compensated as specified in subsection (d) and may obtain services under the provisions of subsection (e).

"(h) Defender Organization.—

"(1) Qualifications.—A district or a part of a district in which at least 200 persons annually require the appointment of counsel may establish a defender organization as provided for either under subparagraph (A) or (B) of paragraph (2) of this subsection or both. Two adjacent districts or parts of districts within the same circuit may aggregate the number of persons required to be represented to establish eligibility for a defender organization to serve both areas.

"(2) Types of defender organizations.—

"(A) Federal Public Defender Organization.—A Federal Public Defender Organization shall consist of one or more full-time salaried attorneys. The organization shall be supervised by a Federal Public Defender appointed by the judicial council of the circuit, without regard to the provisions of title 5 governing appointments in the competitive service, after considering recommendations from the district court or courts to be served. The Federal Public Defender shall be appointed for a term of four years, unless sooner removed by the judicial council of the circuit for incompetency, misconduct in office, or neglect of duty. The compensation of the Federal Public Defender shall be fixed by the

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judicial council of the circuit at a rate not to exceed the compensation received by the United States attorney for the district where representation is furnished or, if two districts or parts of districts are involved, the compensation of the higher paid United States attorney of the district. The Federal Public Defender may appoint, without regard to the provisions of title 5 governing appointments in the competitive service, such full-time attorneys and other personnel as may be necessary. Compensation paid to such attorneys and other personnel of the organization shall be fixed by the Federal Public Defender at a rate not to exceed that paid to attorneys and other personnel of similar qualifications and experience in the office of the United States attorney in the district where representation is furnished or, if two districts or parts of districts are involved, the higher compensation paid to persons of similar qualifications and experience in the districts. Each organization shall submit to the Director of the Administrative Office of the United States Courts, at the time and in the form prescribed by him, reports of its activities and financial position and its proposed budget. The Director of the Administrative Office shall submit to the President a budget for each organization for each fiscal year and shall out of the appropriations therefor make payments to and on behalf of each organization. Payments under this subparagraph to an organization shall be in lieu of payments under subsections (d) or (e).

"(B) COMMUNITY DEFENDER ORGANIZATION.—A Community Defender Organization shall be a nonprofit defense counsel service established and administered by the private bar. The organization shall be eligible to furnish attorneys and receive payments under this section if its bylaws are set forth in the plan of the district or districts in which it will serve. Each organization shall submit to the Judicial Conference of the United States an annual report setting forth its activities and financial position and the anticipated case-load and expenses for the coming year. Upon application an organization may, to the extent approved by the Judicial Conference of the United States, receive the following payments in lieu of payments under subsections (d) or (e):

(i) an initial grant for expenses necessary to establish the organization; and

(ii) periodic sustaining grants to provide representation and other expenses pursuant to this section."

Mr. HRUSKA. Mr. President, I might say finally by way of further summary that while every effort should be made to apprehend quickly those who are charged with the commission of crimes, and to try them promptly and fairly, at the same time we should realize and we should act in such a way as to recognize that our system of justice requires that those charged with crime have adequate qualified counsel to defend them.

It is the purpose and objective of the bill introduced today, to which I have directed by remarks, that that type of representation be afforded to those who cannot afford such defense services out of their own resources.

Again I express the hope that this Congress will take prompt action to proceed with hearings, consideration, and enactment of this bill in such final form as the Committee on the Judiciary may recommend, and as amendments from the floor may indicate.

Mr. President, I yield the floor.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate, in executive session, stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 50 minutes p.m.) the Senate, in executive session, recessed until Tuesday, March 11, 1969, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate March 10 (legislative day of March 7), 1969:

COMMODITY CREDIT CORPORATION

The following-named persons to be members of the Board of Directors of the Commodity Credit Corporation:

Richard E. Lyng, of California.
Don Paarlberg, of Indiana.

ENVIRONMENTAL SCIENCE SERVICES ADMINISTRATION

Subject to qualifications provided by law, the following for permanent appointment to the grade indicated in the Environmental Science Services Administration:

To be captains

Eugene A. Taylor
William D. Barbee
Herbert R. Lippold, Jr.
Roger F. Lanier
John B. Watkins, Jr.
Dewey G. Rushford

To be commanders

Donald R. Tibbit
K. William Jeffers
Gerald C. Saladin
Ray E. Moses
James G. Grunwell
Harold E. McCall
Robert L. Sandquist
James S. Midgley
Melvin J. Umbach
Charles H. Nixon
J. Austin Yeager
John D. Bossler
Raymond L. Speer

To be lieutenant commanders

Gerald M. Ward
Phillip C. Johnson
Rodger K. Woodruff
James M. Wintermyre
James P. Brown, Jr.
Karl W. Kieninger, Jr.

To be lieutenants

Sebastian A. Sora
David McCall
Frank P. Rossi
Roger F. Anderson
John T. Atwell
Glenn Tober
Norman D. Smith
Lowell J. Genzlinger
Mark E. Harbert
Jimmy A. Lyons
David K. Rea
David N. Daniel
Yeager A. Bush
Steve F. Yoshida
John D. Uetz
Brian E. Morgan
Steven S. Nakao
Birchell C. Eversole, Jr.
John B. Courtney
John P. DeLozier
Larry W. Mordock
John D. Stachelhaus
Victor E. Delnore, Jr.
Christopher Rojahn
Robert J. Barday
Dennis L. Valdevinos

To be lieutenants (junior grade)

David M. Wilson
John C. Albright

To be ensigns

James C. Bishop
Floyd Childress II
William R. Daniels
Joseph M. Frankiewicz
Lynn T. Gillman
Gregory Holloway
Charles H. Langdon III
Lance E. Leuthasser
Martin R. Mulhern
Kenneth W. Potter
Gerald C. Ratzlaff
Stephen H. Scolnik
Donnie M. Spillman
Donald C. Suva
Charles N. Whitaker
Newell W. Wright

DEPARTMENT OF STATE

Charles A. Meyer, of Pennsylvania, to be an Assistant Secretary of State.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 10 (legislative day of March 7), 1969:

U.S. MINT AT DENVER

Betty Higby, of Colorado, to be Superintendent of the Mint of the United States at Denver.

FARM CREDIT ADMINISTRATION

The following-named persons to be members of the Federal Farm Credit Board, Farm Credit Administration, for terms expiring March 31, 1975:

T. Carroll Atkinson, Jr., of South Carolina.
James H. Dean, of Kansas.

EXTENSIONS OF REMARKS

CONGRESSMAN WHALEN ASKS FOR CONSIDERATION OF PROPOSED NEGATIVE INCOME TAX LEGISLATION

HON. CHARLES W. WHALEN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 1969

Mr. WHALEN. Mr. Speaker, in April 1967, at a symposium sponsored by the Council of Graduate Students at the Ohio State University, I advocated the adoption of the proposal known as the negative income tax.

At that time, I reviewed the limitations of the present approaches to poverty. I concurred with Prof. James Tobin, a member of the Council of Economic Advisers when the war on poverty was devised, in the observation that—

> Half of the poor benefit from none of these (poverty programs) and most of the public money spent to supplement personal income goes to families above the poverty line.

Mr. Speaker, I do not think it is necessary for me to reiterate here the detailed critique I made of the poverty program in 1967. However, I do want to reemphasize the conclusion which I reached.

That is—

> The negative income tax would be the most effective means by which the federal government can commit further resources in the battle against poverty.

Most recently, I have had the opportunity to work with my colleague, the gentleman from Michigan (Mr. CONYERS) on the drafting of legislation which would implement the negative income tax plan.

Although the bill itself has not been refined, Congressman CONYERS and I thought it would be helpful to our colleagues as well as other interested parties, if a draft of the bill were made available for broad consideration. Congressman CONYERS has inserted a copy of this draft legislation in the RECORD today.

I wish at this point to reemphasize our eagerness to receive the comments of those who share our desire to provide an effective means of directly assisting the less fortunate citizens of this Nation.

TRANSPORTATION SECRETARY VOLPE ADDRESSES FOURTH INTERNATIONAL CONFERENCE ON URBAN TRANSPORTATION—DEPARTMENT OF TRANSPORTATION TO SCRUTINIZE VARIOUS KINDS OF TRANSPORTATION, INCLUDING V/STOL

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Monday, March 10, 1969

Mr. RANDOLPH. Mr. President, Secretary of Transportation John A. Volpe delivered the keynote address today at the Fourth International Conference on Urban Transportation in Pittsburgh. It was my privilege to have heard this creative and penetrating speech in company with approximately 500 other persons.

Secretary Volpe has committed the resources of the Department of Transportation to the development of a transportation system to "serve the fullest purposes of life in these United States." He stressed that his organization will conduct a searching and thorough analysis of all modes of transportation that serve people and cover large sections of the landscape.

Secretary Volpe further reaffirmed his intention to examine every type of transportation, including the automobile, V/STOL, steambuses, gravitrains, hydrofoils, or tracked air-cushion vehicles. There was innovation and also sound reasoning in his discussion of the vital roles of highways, mass transit, air transport, rail and other methods for the expeditious and safe movement of persons and products in our mobile society.

Mr. President, I commend the objectives outlined by Secretary Volpe. I ask unanimous consent to have his cogent remarks printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD as follows:

KEYNOTE ADDRESS BY JOHN A. VOLPE, SECRETARY OF TRANSPORTATION, AT THE FOURTH ANNUAL INTERNATIONAL CONFERENCE ON URBAN TRANSPORTATION, IN PITTSBURGH, PA., MARCH 10, 1969

Greetings—I am delighted to be here to keynote your Fourth International Conference on Urban Transportation. Few topics are of more timely concern in this country, for transportation is the vital element in the making of more productive and progressive cities.

Very few issues in America today are being watched more intensely.

Certainly President Nixon is aware of the cities' needs for more effective transportation of people and goods—transportation which meets *all* our human needs. He made his position perfectly clear during the campaign and has repeated his concern to me many times since.

It is the President's determination, as it is mine, to confront the crisis of the cities boldly, to provide leadership which dares to rock the boat; leadership which acts upon the premise that transportation is totally related to welfare, education, recreation, and all other aspects of urban life.

As Chairman of the Transportation Committee of the President's Urban Affairs Council, I pledge to you today that the problems of transportation into, out of, and within urban centers *will* be met and resolved from a national perspective.

To do this means our thinking will have to change in many areas. It means we shall have to admit that often the "tried and true" is obsolete and fallacious. It means that we must stop passively worshipping our machines and start to master them. It means we can no longer assume that we are obligated to fit the people to the machines. We need imagination, we need creativity . . . and most of all, we need motivation and implementation.

This Nation, the greatest Nation in the world, has proven we can send three men around the moon in seven days. Now let's show that we have the brains to move people from the Golden Triangle to the Allegheny County Airport in seven *minutes*. We can do it, and we will do it!

We know that the responses of the past simply will not lead to the solutions we want in the future. Conditions prove that to be true. We must re-examine our preconceptions if we are to prevent the centers of our cities, and eventually the suburbs from choking to death.

We are going to examine every kind of transportation and find out what kind of job each is best suited for. For one given purpose, that grand old American institution—the automobile—may be best. For other purposes, we might try V/STOLs, steambuses, gravitrains, hydrofoils, or tracked aircushion vehicles.

As the Nation's new Secretary of Transportation, I firmly hold that no one mode is going to dominate the future in this country, because I know and you know that no one mode is best for all purposes. Our population is too dense in some areas, to sparse in others.

Our needs are too complex for simple answers. The conventional modes, like the automobile for instance, suffer from the liability that the more we expand our highways, the more crowded those highways become.

The rumbling of discontent among the people is becoming louder. I cannot believe that in the year two thousands some 280-million urban citizens will put up with anything resembling today's conditions.

If we are wise, if we want to stop the *commuting* American from being the *complaining* American, we will start now—in this administration—to re-examine obsolete thinking and start to think in terms of the real needs and potentials of the present.

For instance, I find that more and more responsible people—independent observers—are questioning the survival of the automobile in the centers of our largest cities.

In New York City today, to take perhaps the worst case, traffic moves an average of six miles per hour versus eleven miles per hour in the pushcart era of 1917. Off-street parking, computerized traffic flow and changes in patterns of use are often suggested but more often than not they are only stopgap measures.

The costs of pollution, sprawl, ugliness, business decay, tax losses—these are not worth the small gains. America must now accept the fact that the private automobile will not forever be the absolute monarch of our core cities.

How and when this change will come about, we cannot yet say. But the means are not altogether obscure.

We could make mass transit so attractive that habitual drivers would leave the highways. Some are convinced that dial-a-bus and other personalized modes will provide a breakthrough.

We could tax cars entering the city in order to pay for police services, traffic control, parking, road repair, and so on.

More and more, the hallowed right to jump into our cars and drive them anywhere we please is being tallied against other community and individual values—the need for elbow room, clean air, stable neighborhoods, more parkland, and many others. So far, we have sought sheer mobility above every other consideration; other needs have been neglected, and the social equation is clearly out of balance.

I maintain that the abuse of the human environment can be stopped by using transportation as a major tool in regional planning.

It will be a policy of the Department of Transportation during this administration that any mode of transportation that commandeers or violates large sections of the landscape is going to be subject to a brutal analysis. Land is too precious a resource to be squandered. We can't always find enough of it where we need it, and it's one thing science doesn't have a substitute for. Multiple use of transport corridors is an obvious solution, and will ensure overall community development at very little more cost for land acquisition than we pay for ordinary highways and transit lines. Cities, whole regions, are now finding that they must plan their growth, control it, even in some cases, reduce it. They will have to decide consciously, not by default, what kind of places our people will live, work, and play in. And in that context, I would like to take this opportunity here this morning to announce a new D.O.T. program—the Center Cities Transportation Program—which I know will be of great interest to all of you.

We have concluded—and I am sure that a great many people in this room have come to the same conclusion—that the real transportation problem in the Center Cities is not congestion, parking and air pollution *per se*. Rather, the problem is that no one has been successful in *solving* the problems of congestion, parking and air pollution.

As I noted earlier, this Nation *has* the technical capability. What we haven't had is the effective implementation of this capability.

The reason for this lack of effectiveness—and again, I think you will agree—is the lack of an action program for implementation. The Center Cities Program *is* such an action plan.

To state the case bluntly, the failure in finding solutions to the transportation problems of the Center City areas has been one of not getting the many varied interest groups in the cities' power structures to work together.

You know and I know that the filing cabinets in mayors' offices are filled with unrealized plans. Unrealized not because they weren't feasible—but unrealized because they did not address the problem of gaining sufficient support from the private sector, from labor, from management, from the financial community, from the political structure, and from the traveling public. This we intend to do with the Center Cities Transportation Program.

The Department of Transportation—through the Urban Mass Transportation Administration—has signed a one-million, 461-thousand dollar contract with a group of the nation's top consulting firms—led by A. D. Little, and including Skidmore, Owings, and Merrill; Real Estate Research Corporation and Wilbur Smith and Associates.

These firms, working as a consortium under the guidance of DOT, will provide to five selected cities a thorough and concise re-

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search and development effort to formulate improved center city transportation systems. The cities participating in the program will be Atlanta, Dallas, Denver, Seattle, and Pittsburgh.

The consortium will—in each city—go beyond the traditional approach of research, analysis and recommendation. The program will actively involve many organizations and groups in each city.

Again, this is more than a planning program. It is an action program. I, personally, will not be satisfied with the performance of the consultant teams until they, through their work, light the spark of community involvement in each of the participating cities.

The Center Cities Transportation Program is set up to give a nudge to communities—to draw all community elements together—so decisions will be made by not only those who will administer new transit facilities, but also by those who will earn a living operating the system, those who will ride, those who have businesses in the area, those who will be involved in the financing, those who will manufacture the equipment, and those who are in political and governmental decision-making positions.

The benefits of such a program are manifold.

With five cities sharing development, expertise and information, the manufacturers of transit equipment will have delineated for them a much more positive market potential. Investors—buyers of bond issues—will know better what sort of rate to offer. Labor, in helping plan new systems, can be expected to work with us for the common good. Merchants and businessmen in center city areas—by being involved in the study of traffic patterns and pedestrian distribution—will know better what to expect in terms of economic growth. And the people—the ones who really are the "lifeblood of urban society"—will help these cities create central transportation systems that blend rather than clash with the human environment.

We are delighted that the mayors of the five cities have expressed initial enthusiasm for the program, and we look for it to become a major demonstration of what we can do if we all work together.

To me, this is money well spent.

To my way of thinking, these grants are only a first step. Over the coming decade we will spend billions on urban transportation.

It seems obvious to me that these public monies cannot be spent effectively except by developing solid, well-thought-out plans for air, rail and highway in conjunction with the rest of the social structure—housing, utilities, schools, and so on.

We must clarify the options for cities, encourage them to develop comprehensive plans, and give industry some notion of the potential market for their products.

We will have to invest a great deal of money to make up for past neglect. We will need new methods to finance the new systems of tomorrow. Trust funds set up by user taxes may be the answer in some cases; in others, federal subsidies may be more realistic. Our attitude should be flexible.

Perhaps we should expect to subsidize those who cannot drive—you know who I mean—the young, the aged, the poor, the handicapped. And those who are able to drive but prefer to avoid the aggravation and take a bus or train should also be given a choice.

We have the resources and the technology to provide these choices. Whether we provide them will determine the prospects for a decent life in the United States. How we decide them will determine the quality of our civilization.

The integrated transportation network that President Nixon and you and I dream of cannot be created overnight. But a system providing channels of choice out of the ghetto to suburban factories, insuring ready access in our leisure time to the varied pleasures of the countryside, safeguarding our precious heritage of historical sites and natural beauty, and saving the land from irresponsible exploitation—such a system must be started now if we are to achieve our objective within the next generation. It may even be necessary for physical survival.

The task is gigantic, but no more so than the challenges of a century ago when stout-hearted pioneers tamed a savage continent with their bare hands. Sometimes we forget that we have a tradition—a sacred one—of achieving the impossible dream.

Our roads and rails and airways have given us greater mobility—for all its frustrations—than any other people have had in history. They have made the name of America synonymous with movement, change, and adventure. They have conditioned our mentality, formed our attitudes, opened new horizons to restless vitality.

It is the intention of this administration that transportation will continue to serve the fullest purposes of life in these United States. It *must* do so, for time is, indeed, running short. All our efforts—especially at conferences such as this one—must be aimed at the development of a national, integrated transportation *system*.

I am confident that your meetings and deliberations here in Pittsburgh will constitute a major step in the right direction.

Thank you.

WHEN DEBT IS NOT A DEBT

HON. JAMES B. UTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 1969

Mr. UTT. Mr. Speaker, many of us were astounded with the President's suggestion that we remove from the debt limit the amount owed to the various trust funds. This feeling is clearly reflected in the lead editorial of the Santa Ana Register of February 27, 1969, entitled "When Debt Is Not a 'Debt'." I would like to include that editorial in the Extensions of Remarks today.

The article follows:

When Debt Is Not a Debt

If you borrow from your family with an agreement to repay with interest, would you not consider that it was a part of your debt? We think you would. Yet those wonderful wizards of Washington seem to have some idea that by eliminating part of the national government's borrowings from "trust funds," they can change the debt picture.

That's the way is appears from the proposal submitted to Congress by President Nixon. Mr. Nixon asked that the debt "ceiling" be reduced from $365 billion to $300 billion, and that simultaneously approximately $80 billion borrowed from various "trust funds" be eliminated from being kept on the books as part of the debt.

A couple of years ago the method of budgeting was changed so that the amounts spent from trust funds—including Social Security—were included in the over-all budget. However, with more money received into the trust funds than was spent for the purposes for which the special funds were established it was possible for the federal government to continue spending at its high level without a great deal of additional borrowing from banks and the public. The amount was added to the national debt.

Now, says Mr. Nixon, unless the method of tabulating the debt is changed, the legal debt "limit" of $365 billion will have to be increased again. The solution offered from Washington is not to count the money borrowed between various tax funds even though it must be repaid plus interest from future taxes. The Nixon administration does propose, however, to start counting the previously uncounted debts of such government agencies as the Tennessee Valley Authority, the Federal Housing Administration, the Federal National Mortgage Assn., the Government National Mortgage Assn. and the Export-Import Bank.

The late Sen. Harry Byrd of Virginia once attempted to find out just how much in debt the federal government has gotten itself. He said if all obligations for federal pensions for Social Security and other future commitments were added to the admitted national debt, the total would be more than a trillion dollars. Obviously the amount would be more now.

The debt "ceiling" has been a fiction for years. It is no ceiling if Congress can change it at will, as it has been doing nearly every year.

But changing the debt "ceiling" and altering the method of accounting are no solution to getting the federal government in a position where people can have confidence.

These "solutions" are just more tinkering with gimmicks.

STEWART UDALL: A TOUGH ACT TO FOLLOW

HON. FRANK CHURCH

OF IDAHO

IN THE SENATE OF THE UNITED STATES

Monday, March 10, 1969

Mr. CHURCH. Mr. President, when the Senate confirmed the nomination of the Secretary of the Interior Walter Hickel, I expressed my view that our new Secretary will find it most difficult to follow the highly creative and productive administration of former Secretary Stewart Udall.

Recently, the Times-News in Twin Falls—one of Idaho's best newspapers—editorialized on this very subject, and expressed very well many of my own views on the matter.

I ask unanimous consent that the editorial be printed in the Extensions of Remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

The Udall Act

Interior Secretary Walter J. Hickel very soon may be looking back on his confirmation grilling by the Senate as the good old days of his new job.

He has the dubious fortune of succeeding possibly the most energetic and dedicated man who has ever held the Interior post, and of inheriting unfinished business out of which promise to develop some of the nation's most pressing problems in the years immediately ahead.

Former Secretary Stewart Udall held the post for eight years under two presidents, for every minute of that time deeply committed to his role as the steward of the nation's natural resources and the champion of the public interest in their utilization, although his often-controversial actions may not always have pleased every segment of that public.

Udall's decision on pollution, mining, oil, highways and public lands will affect how Americans live for years to come. In his last week in office alone, he pushed through the

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addition of almost 400,000 acres to the national park system (he had wanted much more—seven million acres).

Udall's is going to be a tough act to follow. And making it tougher are some of the decisions Secretary Hickel is going to have to make very soon on Indian affairs and mine safety, conservation, reclamation and pollution-control projects, and disposition of the vast government-owned oil shale reserves in the western states.

No one can wish him anything but the very best of luck.

Interior lacks the glamor and massive budgets of other departments such as Defense and State. But its role in the scheme of government becomes increasingly important as the need to utilize the nation's land, air and water resources as efficiently yet fairly and nondestructively as possible becomes increasingly pressing.

LABOR'S DRIVE TO MEET THE URBAN CRISIS: AN INTERVIEW WITH JOHN EVANS, DIRECTOR OF URBAN AFFAIRS, AFL–CIO

HON. WILLIAM A. BARRETT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 1969

Mr. BARRETT. Mr. Speaker, government alone cannot meet the critical national housing needs—currently, some 30 billion new units. Private groups must lend their efforts—and many are. The labor movement is a good example. John Evans, director of the newly established AFL–CIO Department of Urban Affairs, talked about the federation's effort to help provide the kind of decent, low-cost housing the Nation needs so badly, in a recent "Labor News Conference" interview on the Mutual radio network. I recommend this to my fellow Members of the Congress and insert it in the RECORD:

LABOR'S DRIVE TO MEET THE URBAN CRISIS

(Guest: John Evans, Director of Urban Affairs, AFL–CIO.

(Reporters: George Riveire, staff editor, Construction Labor Report, and Stanley Levey, labor correspondent, Scripps-Howard Newspapers.

(Moderator: Frank Harden.)

HARDEN. Labor News Conference. Welcome to another edition of Labor News Conference, a public affairs program brought to you by the AFL–CIO. Labor News Conference brings together leading AFL–CIO representatives and ranking members of the press. Today's guest is John Evans, director of the AFL–CIO's Department of Urban Affairs.

The AFL–CIO has long fought for policies and programs to rebuild America's cities, to provide a decent and healthy environment for all the people and good jobs at decent wages for all who are willing and able to work. Another effort in this area was the recent creation of the Department of Urban Affairs of the AFL–CIO, charged with the responsibility of coordinating the federation's efforts in housing, urban renewal, manpower and other critical problems facing our cities. Here to question Mr. Evans, director of that department, about its goals, and the approaches it will take to achieve them, are George Riveire, staff editor of Construction Labor Report, a Bureau of National Affairs publication, and Stanley Levey, labor correspondent for the Scripps-Howard Newspapers. Your moderator, Frank Harden.

And now, Mr. Levey, I believe you have the first question?

LEVEY. Yes. Mr. Evans, just what is the Department of Urban Affairs and what will its function be?

EVANS. I think it is quite obvious that the AFL–CIO, for many years, has had a good many programs that confront various urban problems. I think that the move made by the organization is recognition of the fact that the whole nation is gearing up for an attack on the urban crisis. And, it is a recognition, really, that we are going to coordinate some of our programs, more directly focus on a campaign to confront the urban crisis, and to come up with elements that will deal with housing, with education, with crime, with safety, with health—with a good many of the components.

But, what I would like to emphasize is that we are really trying to come up with a coordinated program which will confront the urban crisis.

RIVEIRE. Mr. Evans, the mandate of the Urban Affairs Department, which was established last September, as I recall, is about as broad as anything could be. It's to help solve the whole range of problems entailed in the urban crisis—jobs, housing, education, poverty, health services, equal opportunity and so on. You obviously can't do all of these things at once. What priorities have you established? Where are you going to concentrate first?

EVANS. Well, it's quite a temptation when you undertake the organization of something like this to want to write a white paper that addresses itself to all of the problems on the urban horizon, and to try to come up with programs to solve all of these problems. We are proceeding in another direction. We have concentrated on two elements, at the outset.

One—under the Human Resources Development Institute—a program dealing with job opportunities, with training, and with general manpower concerns. Two, a housing program that is based upon the accumulation of union funds into a mutual fund which will finance low-cost housing programs.

We believe that proceeding from these two areas—jobs and housing—we will encounter a good many other things that will flow out of these two areas of concentration. For example, the problems of people in inner-city areas—transportation getting to jobs, the problems of education that will allow inner-city residents to compete with the rest of the population, for instance. So we are, at the moment, focused on jobs and housing. We'll proceed from that to other areas.

LEVEY. Well, Mr. Evans, isn't there a great deal of duplication between what you are trying to do as part of the labor movement and what a great many other public and private agencies are already doing—like the Urban Coalition, the federal Housing and Urban Development Department and many citizen committees devoted to the same thing? What justification is there for yet another group like yours?

EVANS. Well, your question is pertinent to our original decision not to issue a white paper—which many organizations are doing and which, incidentally, are very helpful. But, if anything is pointed up by all this activity on the urban scene, it is the fact that there are problems that need solving. And there is certainly no great competition in action programs that are accomplishing goals that can be measured. That's why we would like to step in, particularly in the housing field, and rather than issue statements about what we are going to do, launch right into programs that will show a certain number of units accomplished each year.

So, I certainly wouldn't denigrate the activities of many of the organizations in the urban field. I think that every bit of research that is going on is helpful.

But, if anything is needed at the moment it is an organization—particularly one of the size as our organization—with members throughout the country to jump into programs that can be accomplished over a very short period of time, and show accomplishments—in the number of units built, for example.

LEVEY. Is there any truth to one charge that I have heard that labor's interest in these programs is primarily to see that labor participates as an equal partner and under trade union conditions, in these vast new programs?

EVANS. Well, I don't know that that is a charge. I think it is a legitimate goal that we have—that we would maintain the program that we are offering, I believe, to the great benefit of the country.

With our resources, I think we are going to have to be included and active, if national goals are to be met.

I don't regard it as a defensive posture. I regard it as a responsibility of an organization that represents millions of American citizens. I do think that there is an element of self-interest in it, and I think that's a healthy situation.

But, I think that it is quite obvious that representing the number of people that we do, we have massive responsibilities throughout the country to help in these urban areas.

RIVEIRE. Now, Mr. Evans, I understand the Urban Affairs Department operates a mortgage investment trust to provide financing for low-cost housing in ghetto areas, and that its first investment has been directed into a St. Louis project to rehabilitate 300 housing units in the slum section. How was this trust funded, and, what other investments are in the offing?

EVANS. The fund is actually not a brand-new fund, Mr. Riveire, it has been in operation for several years. But, with passage of the Housing Act of 1968, the AFL–CIO felt that now there were new mechanisms that justified widely-expanded use of this trust fund. We have made some investments in the mortgage market, based, most generally, upon pension and welfare funds, and, with the participation of some international union funds.

What we are looking to now is some means to interest local groups throughout the country—local pension and welfare funds—their trustees—in accumulating investments from their own area. We would then, if they were of such a size to justify the projects—we would ask them to invest money in our trust fund. We would then turn over to them the resources that we'd have for examining project feasibility and planning projects, and then take the money that they have invested and build projects in the area where that money comes from.

So, we offer our union members not only the opportunity to engage in a socially worthwhile program, we offer them an investment at a reasonable rate of return for their money for the protection of their pension funds. It's a secure investment, because we are limited to FHA and VA loans. And, it also generates new job activities throughout many of these areas.

We are now kicking off a campaign to interest both international unions and labor-management pension and welfare funds in investing in programs in their own areas, through our resources, which will give them a reasonable rate of return, offer security and a certain amount of liquidity. If they want to get out of the fund, they can do so, upon a certain amount of notice, which they could not do if they themselves invested in these mortgages.

LEVEY. What kind of goal have you set for these investments? How much money are you going to try to put into this work?

EVANS. Well, very frankly, we are talking about $1 billion. That's a staggering amount of money to conceive of. It's a very ambitious goal.

However, my research into pension and welfare funds leads me to believe that if we

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can mount an effective sales program, the money is potentially there.

Levey. That brings me to my next question. You indicated before that this program is not new—that it has been in existence, I think, since about '63 or '64, isn't that right?

Evans. 1965.

Levey. Yet, in the three or four years since it was first formed, the record has not been very good. The mortgage investment trust has not been very successful, to any great extent, in inducing affiliated unions of the AFL–CIO to invest any large sums of money. What makes you think that you are going to be any more successful now than you have been in the past? What added inducements have you got?

Evans. Well, for one thing, I think the urban crisis itself is so apparent and the potential revolutionary nature of the people who are locked up in these ghettos, that I don't have to go to groups and explain to them the necessity of rebuilding the American inner-city. They understand that, first of all.

But, the second thing is, the present yield of mortgages, which is now at a fairly high rate and perhaps may even go higher, competes very successfully with the yield on many other investments.

When we started our program, we were then, obviously, receiving the yield on mortgages at the market rate at that time. Banks, insurance companies and many others invested at that time, and at that rate. They are in the same position we are. I wouldn't want to get into specific yields at the moment, because they change day-by-day. As a matter of fact, they change according to the amount that we currently have invested. But union trustees of pension funds have made every effort to make secure investments. But, in some cases we find that some unions even have a considerable amount of money in checking accounts in banks, which is delivering no interest at all. Others have certificates of deposit in banks and government securities. All of these things are very valid. We are not trying to talk them out of this kind of activitiy. Even though our fund started several years ago and was based, at that time, on the yields of the mortgage market at that time, today, our yield based on that early investment, is considerably higher than areas where many funds are now placed.

So, we believe that if we have an effective, active, aggressive sales campaign throughout the country, that based on these social dimensions we discussed a moment ago, plus the fact that we have highly secure investment here limited to FHA and VA mortgages, that we have a very attractive proposition. After all, if you go out and explain to local labor movements that they can invest their money at a reasonable rate of return and promote jobs for their own community at the same time, I can't imagine anybody who has a more attractive story to tell.

Levey. Kind of a program of enlightened self-interest?

Evans. It seems so to me, yes.

Riveire. You started in St. Louis. What other target areas are in the immediate offing? Any at this particular time?

Evans. There has been an agreement negotiated—a model cities-type agreement—in the Boston area between the unions and the Associated General Contracts. We are hoping to engage in some activity up there shortly. We are also discussing potential investment areas in California, in Chicago, in Gary, Indiana, and in Baltimore.

In each one of these areas we are discussing with the local labor movement the possibility of investing their funds in the kind of situation that I have described.

Riveire. Are these investments from the trust fund limited to low-cost housing in slum areas, or, can they be broader than that?

Evans. No, they are not limited to low-cost housing. They are limited to FHA and VA mortgages. But, as you know, FHA—for example, under Urban Renewal—offers the possibility of investment in projects which are not low-cost housing.

Now I would like to point out that in some instances—particularly low-cost housing—we would like to be able to produce below-market-rate interest for those groups sponsoring low-cost housing. Now, if we are going to do that, we obviously have to maintain other investments of a market-rate yield, so that we can attract money and offer our investors, at the same time, a reasonable rate of return.

So, we are planning a balance investments in FHA projects which are not low-cost housing and which are put out at a market yield that will bring in the kind of money to permit us to do low-cost housing for a below-market-rate situation.

Levey. In other words, you are going to be running into, quite frankly, the same problem that every entrepreneur who has thought about going into the field of low-cost housing has run into. You cannot get the money for it, by-and-large. Isn't that right?

Evans. I think we can get the money for it, because we've got something to offer that the investor that you have spoken of does not have to offer. In other words, we are coming in and saying, "invest with us and we will not only produce a yield but we will produce jobs." And we will then help them put these projects together in specific instances so there are jobs there.

Levey. You talk about a $1 billion fund. How many jobs do you think—well, let me ask you two questions: how many housing units do you think $1 billion will produce, and, how many jobs do you think it will produce?

Evans. Mr. Levey, I don't think I could give you a specific answer at this moment. We are trying to help the country achieve the 26 million housing unit goal over the next 10 years that has been advanced for the country.

Our $1 billion would be translated into a number of different types of activity. For example, we could very easily get into activities which are not housing. Nursing homes might be an instance. Government-insured neighborhood centers might be another instance. It would be difficult for me to tell you how many housing units we might get into, because of the varying nature of the kind of investment we would make.

But, I would think that $1 billion would represent a very sizable investment. It would produce a great many new units of housing and a great many new jobs.

Riveire. Mr. Evans, meeting the nation's massive need for new housing units during the next ten years probably will require extensive use of mass production techniques, such as the installation of prefabricated components. Yet, to some unions, prefabrication is still regarded as a threat to be resisted, if possible. Is the Urban Affairs Department doing anything to change union attitudes on that score?

Evans. I would like to turn that situation around a little bit, because I think there is a great deal of public misunderstanding on the attitude of unions toward new technology and industrialized building systems.

I think that one place that a number of bodies have made a serious mistake in the last few years is in their investigation of the production of housing. It's very easy to become enamored of a new technology system and European-style production methods, and still not get to the heart of the matter. The problem in this country, I think—in the area of housing—is in the assembly of markets that are big enough to justify adequate expenditures for both research and actual appropriation of money. That means that the government's financing pattern is going to have to be such that we can see a certain market for housing over a certain number of years. I don't think that there is any great fighting of the concept of new technology in the building trade unions, provided we can see a market that justifies expansion of the work-force. And, at the moment, I think you have run into many instances when the so-called industrialized building system cannot at present compete for price with what might be called standard construction.

For example, in the modern American city, if you go and look at the large commercial buildings being erected, you find many elements of an industrialized system—many panel systems and pre-cast concrete forms that are used.

So, I think what is going to help produce mass housing is a concentration or assembly of an adequate market. Whatever methods are then necessary to get volume will automatically find their place. They will not be met with great obstructionism on the part of the building trade unions.

Levey. Mr. Evans, the basic government program to rehabilitate the urban slums and to re-house urban slum dwellers is a product of a Democratic administration. And indeed, your program was actually formulated during the period of the Presidency of Lyndon Johnson. Now, we've got a new President—President Richard Nixon. We've got new Republicans in charge of these basic programs. How do you think that change is going to affect, one, the basic objective of the government, and two, your objectives within the trade union movement?

Evans. I think it is a little early to say. We're going to spend a great deal of energy toward encouraging the Administration to appropriate the necessary money to implement the Housing Act of 1968. I don't think that the Administration could, politically—or perhaps even desires to—change the legislation that was enacted last year. I think that we're not going to be hampered a great deal by any legislative changes. What is obviously necessary is the accumulation of money in a private market to finance these things. And, of course, that is one of the things that we are trying to do with our mortgage investment trust.

But, I don't think the Administration could possibly look to cutting back on what is such an obvious need in the modern American city.

Levey. Well, isn't there a difference in philosophy on the part of the present leaders of the government, compared with those of the past Administration? George Romney, for example, the head of the Housing and Urban Development program. Is he as sympathetic, let's say, to your objectives, as Secretary Robert Weaver was?

Evans. From everything I have read of Secretary Romney's pronouncements up-to-date, he's thoroughly sympathetic with the housing goals that have been set and talks about the need for increased housing. We may have some differences of opinion about the methods by which this is going to be accomplished. But, I don't think there is any serious difference of objectives between this organization and the statements that he has already made.

Reveire. Could you briefly describe the Department's efforts in your second area of major interest—manpower programs providing jobs for the disadvantaged and hard-core unemployed. I understand you have a Human Resources Development Institute and you have programs going right now in nine cities and intend to expand the efforts to 50 cities, eventually.

Evans. We're placing union-trained manpower experts in 50 cities to do everything they can to, among other things, develop programs for minority youngsters to take their place in the work-force. This will involve extension of our apprenticeship apparatus, it will involve training in general, it will involve the development of new job opportunities.

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But, the main thing is to get a full-time staff man available to every community to promote new job opportunities.

Harden. Thank you, gentlemen. Today's Labor News Conference guest was John Evans, director of the AFL–CIO's Department of Urban Affairs. Representing the press were Stanley Levey, labor correspondent for the Scripps-Howard Newspapers, and George Reveire, staff editor of Construction Labor Report, a Bureau of National Affairs publication. This is your moderator Frank Harden, inviting you to listen again next week. Labor News Conference is a public affairs production of the AFL–CIO, produced in cooperation with the Mutual Radio Network.

JONATHAN WINTERS REVEALS HIS LOVE AFFAIR WITH AMERICA

HON. PAUL J. FANNIN

OF ARIZONA

IN THE SENATE OF THE UNITED STATES

Monday, March 10, 1969

Mr. FANNIN. Mr. President, many Americans have laughed at the TV antics of one of our foremost comedians. His characters have become almost a fixture on the American scene.

About the man himself, there is less known—until recently in an interview printed in TV Guide magazine, he revealed how he feels about America in words which I think every American deserves to hear. Mr. Winters says about America:

> The Lord knows we have many problems . . . But this country is still the greatest place on earth to live, to exist, to work together, to die together. I believe in this country. If it doesn't work here, it won't work anywhere.

Mr. Winters expresses in this interview some of the reservations, the fears, he has had about being a political conservative in the midst of a dominantly liberal profession, but he says:

> The time has come to stand up and be counted, to get into the arena.

It is my opinion that this statement will make for Mr. Winters a host of new friends, and even among those who do not accept his views there will be heightened respect for a man who has convictions and the courage to express them. I commend Jonathan Winters for his forthrightness, for his stand in favor of the ideals that have made America great, and I commend this interview to the reading of my colleagues.

Mr. President, I ask unanimous consent that the interview of Mr. Jonathan Winters, published in the March 8, 1969, issue of TV Guide magazine, be printed in the Record.

There being no objection, the interview was ordered to be printed in the Record, as follows:

Jonathan Winters Comes Out of Hiding

(By Edith Efron)

Despite the disappointing ratings on his current TV series—which has been undergoing a salutary loosening up of format—Jonathan Winters is almost universally hailed as one of the most gifted comedians in this country. His pungent characterizations have become a form of secondary American folklore. Friend Jack Paar, who discovered the Ohio-born Winters in a New York night club, says of him: "He is a true genius." and friend Rod Steiger, himself an outstanding dramatic artist, says of him: "He is one of the most gifted improvisatory minds in existence."

About Winters, the man, there is less clarity.

For many years he has been described in the press as an anxiety-ridden comic who was "always on"—in the compulsive form of one or another of his brilliant characterizations. It has been equally compulsively said, by observers, that there is no "real" Jonathan Winters.

His friends loathe this comment. Explodes Paar: "This business about there being no 'real' Jonathan is nonsense! Of course, there's a real man there! A sensitive, brilliant, idealistic man. One of the reasons he has been so guarded is that he's been afraid that his political attitudes might get him into trouble professionally." And Steiger says: "He's a serious and a highly intelligent man. I admire him because of his courage, his almost heroic attempt to maintain his self-respect and his standard of performance."

For all these years, Jonathan Winters has been concealing himself from the public—but in this interview he decided to come out from hiding. . . . to reveal the serious and intense man known only to his friends and family. What he says about his characters, their relation to himself and his vision of life will come as a moving surprise to millions of Americans.

Q. You have been written about a great deal, but nobody outside of your very private life seems to know what you are really like—or even if there is a "real" Jonathan Winters. Why?

A. Most of it is my fault. In most of my interviews I was on the run. . . . Of course, I think it's awfully difficult to find out what a person is like. And with the great majority of interviewers, there's never an opportunity to be serious. I think reporters feel seriousness won't make good reading, especially coming from a comedian. Then, in all fairness to them, a lot of actors are downright dull, when you meet them out of role. Many of us, I'm sure, hide in our characterizations.

Q. Hide?

A. Art is a way of hiding . . . Maybe a better way to put it would be—we express ourselves indirectly through art.

Q. Then you are saying something serious through your comic characterizations?

A. Oh, absolutely.

Q. How about taking your major characters and telling me what they stand for?

A. Probably the most famous character I do is Granny. Maude Frickert. She's a hip old chick, a kind of worldly gal. A little malicious, caustic, bitter. But there's a lot of love in her, in a wild way. She loves life. She refuses to adjust to age. She's a kind of DAR type, but not all the way. There's a tremendous pioneer spirit. She's a fighter.

Q. What's she fighting?

A. In a way, she's putting down a weaker generation. She's saying, "let's shape up." She hates to miss out on anything, but she draws the line at the "living-it-up" attitude; the acid, the grass. She's against that.

Q. She has a certain contempt for modern decadence?

A. Yeah. She's a fun person but she's grass-roots. Down deep inside she's a Puritan. She's the Plymouth Rock, "The Star-Spangled Banner," Valley Forge—she's American history. She's the gal on the white horse, and yet there's a lot of the Tom Sawyer and Huck Finn in her. She shoots out of church because she can't stand the preacher—he's a bore. She has a place down by the stream and she may fish or just lie around and go skinny dipping.

Q. She's tough in some way?

A. Yes. She sees modern life as soft. She's a kind of tough pioneer woman. What she's saying to people in essence is: "What's happening here? What's happened to the spirit of '76?"

Q. OK, what about your character called Elwood P. Suggins?

A. Elwood? Elwood is trying to better himself. He represents some kind of fundamental common sense—you're laughing at him, but with him at the same time. He's a square—an innocent guy—a diamond in the rough.

Q. Does he have anything in common with Granny?

A. Oh, yes. Not superficially—Suggins hasn't got the aggression that Granny has. He's much more sentimental. But he's the same type of guy. He's just as American as she is. He's grass-roots. He's '76. Same type, essentially.

Q. Let's go to another one.

A. Howard Ganglinger. He represents a combination of Kiwanis, Masonic, Lions—all organizations wrapped into one. He's Mr. Convention. He always has the plastic badge on. Basically he's a weak man. He's a conformist.

Q. You don't respect him as you do Granny and Suggins?

A. No. He's given up.

Q. On what?

A. On America. Granny and Suggins have never given up on America—never for a minute. They think they can salvage it. This guy believes it's the fall of the Roman Empire. It's over.

Q. What battle has he lost?

A. He feels that America has been sold out. That's it in a nutshell. He's bitter and it shows. He's constantly telling people what's wrong with the country.

Q. Give me another character.

A. Another is Maynard Tetlinger. Maynard is an old man—about Granny's age. He's an old Walter Mitty—not senile, though, by any manner of means. Again, he's just as much Americana as Suggins and Frickert and Ganglinger. He's kind of a lost soul. He tends to wander.

Q. What aspect of "Americana" does he represent?

A. He's in the same bag as Granny. He's a pioneer type of guy. He came up from nothing the hard way. He's the type of guy that still gets up—as old as he is—at a baseball or a football game and sings "The Star-Spangled Banner." There's still something that goes through him when the band passes on the Fourth of July.

Q. All of your basic characters—are they in some way an expression of what you call "Americana"?

A. Yes.

Q. Now, all these are imaginary people—this is obviously *you* talking. What are you really saying under all these disguises?

A. I'm expressing a deep love for my country. I'm an American all the way. When I saw the American flag being burned in New York and in San Francisco, I wrote to my senator, for the first time. I sat down and I wrote a long letter. I said in it: "What's happening? Why is this being allowed? My flag means something to me. What does it mean to the other people?"

Q. What does it mean to you?

A. Perhaps this is going to sound very corny, but I'm at a stage when I don't care. The flag represents what I still believe: freedom of speech, freedom of religion, *freedom*. It's the Constitution. It's the Declaration of Independence. I sit here and listen to people saying we've got to make changes in the Constitution. I don't know. I still think it's some kind of wild great document. It's being picked away here and there. So, perhaps, is the Declaration of Independence. Maybe, tonight in Washington, they're taking it out of the frame and looking at it and saying, "I don't know. Maybe we should erase 'We the People' and just say 'A Couple of the People.'" But it's "We the People." I still get choked up when I read it—and when I read the Gettysburg Address. Wow!

Q. Contemporary problems don't shake your idealism?

A. No. The Lord knows we have many—the race problem is the worst. The war is terribly upsetting. But this country is still the great-

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est place on earth to live, to exist, to work together, to die together. I believe in this country, if it doesn't work here, it won't work anywhere. It's got to work here.

Q. You spoke of Granny and Suggins as believing that America can be "salvaged"—and Ganglinger as feeling that all is "lost." What's being "lost"?

A. There's a definite lack of patriotism. Pride is going, pride in America; 200 million people are told they're guilty of everything; that our whole democracy doesn't amount to a row of beans.

Q. But what, precisely, is being "lost"?

A. It's hard to put it into exact words. . . . Let me quote something Theodore Roosevelt once said: "It is not the critic who counts, or how the strong man stumbled and fell, or where the doer of deeds could have done them better. The credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood, who strives valiantly, who errs and comes short again and again, who knows the great enthusiasms, the great devotion, and spends himself in a worthy cause; and if he fails, at least fails while daring greatly, so that he'll never be with those cold and timid souls who know neither victory nor defeat."

Q. I see you love that. Why did you learn it by heart?

A. Because it pins medals on people that are in the arena. People should be in the arena. . . . The big thing is that phrase, "spends himself in a worthy cause." That says an awful lot.

Q. This passage represents your personal philosophy?

A. Yes.

Q. Does it in some way represent the spirit of America to you?

A. Yes, it certainly does.

Q. You feel this is being "lost"?

A. No question about it. . . . Of course, I'm not a guy that's throwing the towel in. I'm not a defeatist. I'm trying in my own way to remedy the situation on a daily basis without sounding . . . corny . . . square . . .

Q. That quote from Roosevelt—is that what you mean by square?

A. Yeah, I guess so.

Q. Your comedy does not hit out directly at the things that really agitate you, does it?

A. No. And I'll tell you why. I don't want to lecture. There have been satirists, comedians, who have crossed over—and it's no longer comedy. I could go on and comment about a number of social and political areas—but I question how funny it would be. I might think it was funny, you might think it was funny, and some of my friends. But I question the over-all reaction across the 50 states.

Q. You're saying that you're not sure that your conservative political humor would be accepted?

A. Yes.

Q. Why?

A. I must be honest. I'm not sure. Maybe that's insecurity on my part.

Q. How is it that, in all these years, you've never said anything like this before?

A. Maybe, if for no other reason, because I wasn't approached in this way.

Q. What way?

A. Through my characters.

Q. You said you were "hiding" in them. Why? Are you afraid of expressing your values directly?

A. That may be true. . . . I look across the country . . . I see the tearing down of flags . . . I see revolutionaries . . . I see freedom under attack, free enterprise under attack . . . I see people mixed up. They're coming to a stage where they're wondering: should we accept democracy or should be accept socialism; should we accept Communism?

Q. Why has this silenced you?

A. It seems to me that I am outnumbered. I find as I look around me that I'm in a minority with my views.

Q. And this depresses you?

A. I'm somewhat depressed. Today, to be patriotic . . . in the eyes of many people—especially in the entertainment business—you're considered a terrible right-winger. . . . You're labeled a John Bircher. . . . I've thought it could harm me professionally to speak out. . . . But, by the same token, you might ask: why is this coming out now?

Q. All right—why is it?

A. Because you've asked me many things that very few people in the press have ever asked me—dug deep inside of me to find out about my characters, and really define them, and put them up here and really take a look. . . . I suddenly realized—they're some kind of a crutch. . . . I've suddenly decided: I'm through running scared. I don't have to run frightened, regardless of what happens in the country.

Q. What you're saying is that you're braver today about being a political conservative in a dominantly liberal profession. What has brought this about?

A. I've had a couple of emotional diseases that I've had to shake. . . . You see, some years ago, I spent eight months in a hospital. I had eight months to think about me. . . . It taught me an awful lot . . .

Q. Then this is the "real" Jonathan Winters? He's out in the open now?

A. Yes. The time has come to stand up and be counted, to get into the arena. . . . That's it. That's everything.

THE NIXON ADMINISTRATION AND OCEANOGRAPHY

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 1969

Mr. ANDERSON of Illinois. Mr. Speaker, last week the Oceanography Subcommittee of the Merchant Marine and Fisheries Committee conducted hearings on a bill that would extend for 1 year the life of the National Council on Marine Resources and Engineering Development. That Council was established by Congress in 1966 to promote a badly needed national oceanographic policy and bring some sense of order and coordination to the proliferation of marine science activities now being conducted in 23 departments, agencies, and bureaus of our Government. The Council is to be commended for the excellent job it has done thus far and I would hope, when the time comes for floor action, that we will authorize its continued existence.

One of the priority items facing the Council will be consideration of the recommendations made by the Commission on Marine Science, Engineering, and Resources which was also established under the 1966 legislation. The Stratton Commission report, entitled "Our Nation and the Sea," is a thoroughgoing study of marine problems and addresses itself to the solution of those problems. One of the recommendations which the Commission urged be given immediate attention was the establishment of a permanent National Oceanic and Atmospheric Agency. I expressed my support for this in the February 5 CONGRESSIONAL RECORD.

Although I am not a member of the Merchant Marine and Fisheries Committee, I have been following these developments with keen interest because of my sincere conviction that the ocean holds the key to meeting many of our future needs. But the ocean will not automatically yield the solutions and resources. If we are to properly exploit its potential we must have a national policy and program aimed at guiding and coordinating research and development of our oceans' depths.

At last Friday's hearing, Dr. Edward Wenk, Executive Secretary of the National Council on Marine Resources and Engineering Development, pointed out that this should not be compared with our space program. This has not been a crash program, and it should not be. It has not been an exclusively Federal program, and it should not be. Marine research and development work is being conducted not only by the Federal Government, but by State and local agencies, universities, and private industry. This should continue to be the case. But at the same time it is essential that these activities should be properly defined and coordinated according to a national policy if we are to fully meet the challenge presented.

The Nixon administration has already stated its dedication to this goal. This was eloquently spelled out by Vice President AGNEW in a speech given to the American Management Association on February 24, 1969. In no uncertain terms, the Vice President stated:

> This Administration will implement the full terms of the Marine Resources and Engineering Development Act. We are reviewing goals and programs of the prior Administration. We are examining the Commission findings. And we will be developing a clear program of our own for the future.

At this point in the RECORD I would like to insert a copy of the Vice President's speech:

OCEANOLOGY: THE CHALLENGE TO INDUSTRY

(Speech by the Vice President at the American Management Association briefing session, February 24, 1969, New York City)

A turn of the century writer defined the ocean as "a body of water occupying about two-thirds of a world made for man, who has no gills." With all the millions of words written about the ocean and its fathomless allure, this precisely, if irreverently, reaches to the root of our problems.

Our nation, its history and greatness are inextricably linked to the sea. Ninety percent of our international commerce is transported by ships; seventy-five percent of our population lives in coastal areas. Fifty million people look to our coastal waters for recreation. All two hundred million Americans depend upon the ocean and its resources for life. Our national power, security, and defense require mastery of the sea. At the same time advances in international cooperation in the peaceful development of resources furthering the prosperity of all nations, can be achieved by unlocking the secret treasury that is the sea.

Millions of years ago life first emerged from the oceans. Now—to flourish—life shall return there. America has always looked to the sea and found success. Now it is time for fresh vision.

As chairman of the National Council on Marine Resources and Engineering Development, I welcome the opportunity to serve at this moment when we stand on the threshold of penetrating present mysteries of the deep and tapping the ocean's rich potential.

The Council, established by Congress in 1966, has a broad mandate to promote fuller realization of the sea's promise. The 1966 Legislation assigned a leadership role to the Federal government but anticipated a full partnership with state and local governments, and with industry and universities.

The fact that the American Management Association has devoted this briefing session to oceanology indicates private leadership's recognition of this important subject. I hope it also implies your readiness to participate in vital oceanographic programs.

The rich agenda for this conference reflects many of the facets of our national interest in the sea and underscores the importance of industrial involvement in all phases of our broadened ocean endeavors.

Last fall President Nixon stated that an integrated and comprehensive program in oceanography would receive priority attention by his Administration. And as recently as last week, he urged that we now move forward to develop specific policies and programs. We recognize the key role of industry in marine affairs—in providing the necessary entrepreneurship, in developing the unique and complex tools that are needed, in harvesting marine resources—and I can assure you that this Administration is interested in a public-private partnership whether it concerns land, sea or air.

The development of a comprehensive oceanography program first requires coordination. The scope of marine science affairs delineated by Congress encompasses national security, foreign affairs, fishing, recreation, resource development, pollution abatement, transportation and trade, scientific research and exploration. Numerous federal agencies are involved.

The National Council on Marine Resources and Engineering Development will serve as the focal point and forum for this extraordinary range of important interests. All reports from both Republicans and Democrats give the Council high marks in mobilizing our resources, focusing attention on major policy issues, and stimulating ideas and action in all sectors of the marine community.

The President has explicitly requested the Council to provide advice on our ocean policies and programs—and where we go from here.

In response to that assignment and in accordance with its statutory responsibilities, the Council will continue to develop a comprehensive program of marine affairs; clarify agency responsibilities where they overlap; carry out long range policy studies; and coordinate a program of international cooperation.

The President is deeply interested in firmly establishing America as a first-rate maritime power.

We intend to build on our existing technological readiness—the arsenal of ships, research submersibles, buoys, laboratories, instruments, and manpower developed since World War II—to the fullest extent.

We intend to rely upon our talented scientists and engineers.

We intend to blend together the wide and varied interests and capabilities of our states, our industrial and academic communities, and our Federal establishment.

We intend to use the science of oceanology to serve the pressing needs of our society. The knowledge of the seas must be used to serve the cause of world peace.

And we shall pursue these policies—as the Nixon Administration shall pursue all national policies—with an emphasis on realism and a reliance upon the technological genius of our nation.

More than a decade of study and analysis has passed since Congress initially recognized the importance of a national marine program. In 1970 the International Decade of Ocean Exploration will begin. The past years have been a time of preparation, the present year should be one of organization, so that the next decade can be one of cooperation climaxing in realization of the sea's promise.

Yet, even as we explore the depths of the open sea in concert with other nations, we shall complement this effort with a decade of coastal development. Here our goal is to balance economic development with conservation of irreplaceable national resources.

As advisor to the President, the Council on Marine Sciences will give first consideration to recommendations of the Commission on Marine Science, Engineering and Resources. This Commission was composed of distinguished Americans from many different areas—industry, banking, science, state governments. It had a set of Congressional advisors of both parties. It is to be commended for looking at our ocean interests in the broad perspective of the nation's stake in the sea and for adding a further dimension to our understanding of needs and opportunities. While some of the recommendations are controversial, there are cases where bold steps are needed to take advantage of emerging opportunities in this field.

However, apart from the particular points of controversy, the report provides a revealing balance sheet of what we know and what we need to do if America is to enjoy a leadership position in marine science.

We know that the world's ocean contains a storehouse of food critically needed in developing areas where malnutrition rages.

We need improved processes for manufacturing fish protein concentrate (FPC) and the development of marketing and distribution systems. For FPC can make significant contributions toward bringing these vast unused resources into the diets of protein deficient populations.

We know that the oceans provide an indispensable commercial highway with traffic growing at an ever-increasing rate. We know, too, that our existing ports and harbors cannot accommodate the larger and deeper draft ships that are rapidly entering service.

We need to incorporate new technology into our port system, and we need to integrate this system into the transportation needs of the entire nation. The Federal government must work closely with local and regional port authorities and industrial interests to achieve this goal.

We know that the seabed, and particularly the continental shelf, contains a reservoir of fuel and minerals for our expanding economy. At the same time, many of these resources are presently uneconomical to recover. Also, the recent oil spill near Santa Barbara was a grim reminder of related environmental hazards that we still do not completely understand, nor are fully able to control.

We need more knowledge in these areas and we need to develop sound national policies balancing environmental and economic interests.

Delay in this area could be devastating. Consequently, the Administration is now reevaluating the government's offshore leasing policy for fuels and minerals and, with the assistance of industry, we will seek to develop a framework for managing this resource for the benefit of all of our citizens.

We know that the oceans provide us with a deterring shield to protect our country. However, we have no monopoly on Naval technology.

Improved capability to operate in the deep oceans, developed jointly by the Navy and industry, is needed for our national security.

We know that the nation's future in the sea depends on an adequate supply of trained specialists, particularly ocean engineers and technicians, for the technological development of marine resources in the 1970's.

We need an expanded Sea Grant Program to assist in fulfilling this need.

We know that the world's ocean has an important influence on global weather patterns. New technology is at hand to extend our capabilities to obtain the extensive observations required to understand and predict environmental conditions.

We need to continue our work with industry toward the development of buoys, spacecraft, and other platforms to collect oceanographic and meteorological data.

While particularly emphasizing these areas, I wish to point out that the Administration is not unaware of many other aspects of marine affairs which deserve attention. The legal regime of the oceans and seabeds, the decline of our domestic fishing industry, the need for more adequate protection of life and property on the water and along the shores—these and many other problems will receive our earnest consideration.

Finally, I would like to turn to that part of marine environment which I know best—the coastal zone.

As past Governor of Maryland, I claim considerable experience with the blessing and curse of coastal land. Maryland, as you know, is almost bisected by the Chesapeake Bay. The Bay is 195 miles long and up to 40 miles in width, and covers more than 4,000 square miles. It receives fresh water from the Susquehanna, Potomac, Rappahannock, York, James and many other rivers, mixed with salt water tides from the Atlantic Ocean.

The shores of the Bay are homes to 4 million people. It supports a commercial fishery resource valued at more than $65 million annually, one which provides a livelihood for 20,000 persons. It is a thoroughfare for more than 100 million tons of waterborne commerce each year and provides a prime location for industry, with easy access to markets, labor and transportation. It is a first class tourist attraction and recreation retreat for tens of thousands from all levels of our society. They flock to the Bay to enjoy swimming, boating, fishing or sightseeing. Some 60,000 sport boats use its waters.

At the same time, the Bay is the final repository of wastes from all these people and all these industries. Its shorelines are eroding at an alarming rate and some of its islands have disappeared within my memory. Its wetlands are being transformed to accommodate the needs of a growing population. Sediments washed from the uplands and excavated from navigation channels cover thousands of acres of the bottom of the Bay.

We do not know in detail the effects of any of these activities, much less the complex interactions which occur. But we do know that the Bay, and the rest of the Nation's coastal zone, cannot continue to accommodate all of the diverse demands being imposed upon it at random and at an increasing rate, as it has in the past.

During my tenure as Governor of Maryland, we developed and saw enacted the most massive pollution abatement program in the state's history. Even this program—which more than tripled all past efforts—is just the beginning of what must be done.

The problems of Maryland may be applied equally well to many of the bays, sounds, estuaries, and shorelines of all the coastal and Great Lakes states. The total resources of the coastal zone must be better managed. A system of management is needed that permits each use to be considered in its own right, but subordinate to the total economic, social, esthetic, and cultural needs of the people as a whole.

Over two years ago the Council began to examine the coastal zone, using the Chesapeake Bay as a case study. Congress has taken a number of initiatives to examine estuarine conservation and development. And the Marine Commission took a sharp look at the coastal zone and submitted many recommendations for improved management.

All of these considerations can contribute to a sound system of coastal management which takes into account national, regional, and local interests. Such a system should of

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course recognize the appropriate role of the states and private enterprise—seeking a harmony of compatible uses for the nation's sake. We will seek to put the Federal house in order by strengthening coordination of Federal programs in the coastal zone, by eliminating the conflicts and unnecessary overlaps resulting from the fragmentation of responsibilities and programs among more than a dozen departments, agencies, councils and committees. We hope to increase public awareness of the need for wise management of coastal lands and waters. We will examine steps as to responsibilities of the individual states in the development of their coastal zone resources, and provide for closer collaboration between state and federal agencies.

In conclusion, I want to underscore that this Administration will implement the full terms of the Marine Resources and Engineering Development Act. We are reviewing goals and programs of the prior administration. We are examining the Commission findings. And we will be developing a clear program of our own for the future.

I leave with you the words of an old Welsh proverb: "Three things are untamable: fools, women and the salt sea."

This is a great moment for civilization—we stand at the threshold of taming the sea. Taming fools and women may take a bit longer.

EXECUTIVE PAY INCREASES WERE UNWISE

HON. FRANK CHURCH

OF IDAHO

IN THE SENATE OF THE UNITED STATES

Monday, March 10, 1969

Mr. CHURCH. Mr. President, when the Senate debated the matter of increasing the salaries of Members of Congress, Federal judges, Cabinet members, and other Government executives, I expressed the view that this was not the time for such action.

The Lewiston Morning Tribune, long noted for its perceptive editorials, sums up the congressional approval of these pay increases as being "one of the most shameful episodes in this unfortunate period of war, social turmoil, and mounting inflation."

I ask unanimous consent that the editorial be printed in the Extensions of Remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ETHICS AS HIGH AS THE PAY SCALE

It is asking for trouble to underpay public servants in positions as influential as those held by members of the American Congress. Nations that still underpay such officials find their governments riddled with graft, influence peddling, and conflicts of interest, as ours once was.

But the massive 41 per cent pay increase Congress let go through this week in the midst of an inflationary crisis is the grossest hypocrisy.

There is still some hanky panky in the American government, to be sure, but it is nothing compared with the last century or the early part of this one. For a couple of decades now a new morality has been sweeping across the American political scene. Public servants today—whether in Congress, the state legislature or city hall—are generally far more honest than they once were.

It would be pleasant to imagine that a spontaneous higher ethical standard in the government halls of America is the sole reason for this greater financial honesty. But it is only a part of the reason. Unfortunately, another part is that government salaries have been greatly improved during the last decade. Government officials are more comfortable financially and perhaps therefore somewhat more immune to temptation. They can afford to be more ethical.

Consider the time only 14 years ago when a U.S. senator was paid $12,500 per year. The expenses of the office alone could require nearly that much. Almost all round trips back to the home state came out of that salary. The entertainment of visiting constituents in the Senate cafeteria came out of the senator's pocket (and still does). In other words very little of the $12,500 salary was left over for the senator's personal use. To serve in the Senate then you had to be either wealthy or . . . shall we say, resourceful.

So it was a step forward when in 1955 the pay of senators and representatives was raised to $22,500 and again in 1964 when the pay was raised to $30,000. One might even stretch a point and concede that the $42,500 per year to which congressional pay ascended this week is not out of line for positions involving as much responsibility as these.

But the timing and the method of this latest congressional pay increase constitute a national scandal. The method is based on a new procedure under which a congressional pay raise proposed by the President automatically becomes effective, unless vetoed by Congress. President Johnson proposed the increase before leaving office. And President Nixon magnanimously sent word to Capitol Hill that he supports the measure.

Thus, we have a bi-partisan, back door raid on the treasury, led, to their shame, by the outgoing and incoming presidents of the United States.

If Johnson and Nixon don't know why the pay increases—although otherwise justified—are grossly irresponsible *at this particular moment*, who is there to draw the line? It was first Johnson, and now Nixon, who have had to cope with one of the most frustrating problems of our time—inflation.

The need to bleed some of the heat out of the economy has prompted a tax increase and sharp cuts in too many health and education programs among others. When it came to carving up the health and education budgets and drawing the line on spending for the young, the old and the poor, Congress measured up to the challenge. When it came to getting by on $30,000 annually for a couple more years until the economic situation improves, Congress and two presidents ran out of concern.

The pay raise is one of the most shameful episodes in this unfortunate period of war, social turmoil and mounting inflation. Congress cannot measure up to the same standards of frugality it has imposed upon the rest of the populace in the interest of this nation's economic health. Thus, Congress, Johnson and Nixon resemble very much at this moment a drunken temperance lecturer.

It is too late apparently to reverse this excess in self-interest. But it is not too late to insist upon some new standards. If this nation is going full tilt into handsomely compensating its legislators, then nothing less than the most stringent restrictions on conflict of interest can be accepted.

If men like Senate Minority Leader Everett M. Dirksen are going to parade their contempt for the electorate by defending the pay increases with his incredible comment that "senators have to eat, too," then the other half of a well-paid legislative branch is in order. If Dirksen is going to eat so well at our expense, he can no longer be permitted to wage his normal fight against such ethical reforms as full disclosure of congressional sources of income.

If Congress thinks the public outrage at this 41 per cent pay increase is fierce, wait until it sees what happens if full disclosure and other ethical reforms are once again tabled by members who still cling to the old secrecy policy on conflicts of interest.

As long as we are going to have the best public servants that money can buy, the public should be accorded the courtesy of seeing that it is only the electorate that is buying them.—B. H.

TWENTY HOUSE MEMBERS CALL FOR INVESTIGATION OF MAGAZINE SUBSCRIPTION SALES PRACTICES

HON. FRED B. ROONEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 1969

Mr. ROONEY of Pennsylvania. Mr. Speaker, I am reintroducing today with a number of my House colleagues as cosponsors, a resolution to authorize and direct the House Interstate and Foreign Commerce Committee to investigate magazine subscription sales practices in the United States.

Every day that we delay in taking steps to curb the fraudulent sales tactics of these organizations literally thousands of additional Americans fall victims.

Within the past 2 weeks I have made statements in the Chamber and inserted letters and newspaper articles in the RECORD to demonstrate how vicious these subscription sales practices have become. I will have a great deal more to say in the days ahead.

I have begun to receive consumer complaints from around the country. I have received letters from some individuals who have been subjected to the opening telephone sales pitch but had not yet been contacted by the followup man who makes a personal appearance to get a signature on a contract.

The practices of the companies in the field are despicable. The fact that effective steps have not been taken by the industry's self-regulating agency, Central Registry, to crack down hard on these practices is equally despicable.

And outside the jurisdiction of Central Registry are many more subscription sales companies who have neither subscribed to the industry voluntary self-regulatory code nor made an effort to use honesty and frankness in their sales practices. Their business activities likewise deserve the label, despicable.

I am pleased that a number of my colleagues share my concern that the consumer must be protected against fraudulent sales practices. I am pleased that they have joined today in cosponsoring the resolution to authorize thorough investigation of the magazine subscription sales industry.

Joining Congressman ROONEY in cosponsoring the resolution are: Mr. PODELL of New York; Mr. SCHNEEBELI of Pennsylvania; Mr. BROWN of California; Mr. MIKVA of Illinois; Mr. SCHEUER of New York; Mr. MOLLOHAN of West Virginia; Mr. JACOBS of Indiana; Mr. EILBERG of Pennsylvania; Mr. REES of Cali-

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fornia; Mr. Clark of Pennsylvania; Mr. Thompson of New Jersey; Mr. Ronan of Illinois; Mr. Howard of New Jersey; Mr. Byrne of Pennsylvania; Mr. Wilson of California; Mr. Gilbert of New York; Mr. Addabbo of New York; Mr. Brasco of New York; and Mr. Daddario of Connecticut.

VOLUNTEER WOMEN SPARK ORT, THE CHARITY TO END CHARITY THROUGH VOCATIONAL EDUCATION

HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 1969

Mrs. GRIFFITHS. Mr. Speaker, it is heartening that in this world which is so beset by war, poverty, violence, ignorance, disease, and hunger, over 80,000 women volunteers in the United States devote great energies, through Women's American ORT, to promote vocational training and education for the underprivileged and the impoverished in 22 countries and on five continents. Women's American ORT—Organization for Rehabilitation Through Training—is a charity to end charity, because its objective efforts are directed to teaching people skills by which they may support themselves in dignity and self-respect.

Recently, the past president of WAO Washington region, Mrs. Ruth Indritz, made a stirring address highlighting ORT's accomplishments, stressing that our most precious resources are the human beings whose potentialities can be realized through training in vocational skills. I believe her speech was very inspiring, and I include it at this point in the Record:

The ORT Sabbath Address

(By Mrs. Ruth Indritz, past president, Washington region, Women's American ORT, at Har Tzeon Synagogue, Wheaton, Md.)

It is a privilege to be here tonight with Rabbi Brandries and all of you. I sincerely appreciate the Rabbi's relinquishing his sermon time to me. I know I can not bring you a message such as he brings to you. I feel like the visiting Rabbi who served a Congregation for a summer while its own Rabbi was touring in Israel. The visiting Rabbi noted, during three successive sermons, that Mr. Cohen, one of the *balabatim*, or lay leaders, of the community, invariably closed his eyes and drooped his head. Finally, the Rabbi said to him: "Mr. Cohen, I don't know how to say this, but it seems to me that when I'm preaching, you are sleeping." "So," replied Mr. Cohen, "would I sleep if I didn't trust you?"

I have yet to earn your trust, but if I might have an advance on the trust, I'll do my best not to put you to sleep.

ORT, the Organization for Rehabilitation Through Training, was born in 1880. ORT was established as a fund to aid needy Jews. ORT opened trade schools, sponsored courses for apprentices, and granted loans. For only through the acquisition of a skill could the Jews escape from poverty.

When local pogroms and wars forced Jewish people to leave their homes, ORT followed them, trained them, found work for them, and helped them to open cooperative workshops.

But when the Russian Civil War, and more widespread pogroms, shattered whole Jewish communities, ORT found itself without means to help them.

In 1921, ORT representatives gathered and founded the World ORT Union. Six years later, its American child, WAO, was born. The ORT program, this program with vision, a global overseas program, now operates over 660 schools in 22 countries in 5 continents.

Let me take you abroad, to take a look at ORT today. Let's stop first in Iran, a place where tigers still threaten villages, where the only wheeled objects are millstones, and shepherding is still a major occupation. Conducive to higher learning? Hardly. Yet the first prize for a scholarship to the University of Teheran among 2300 applicants was awarded to an ORT student, Aroni Karimi. When Aroni entered the ORT school at 15, he had a stone age mentality. After 4½ yrs. at the ORT school, this new man stood erect and composed before the Shah of Iran, while the Shah pinned a national medal on his lapel. This is what ORT can and is doing for our people today!

In 1967, 3500 Jews lived in Libya. Many could trace their settlement back to Biblical times. Overnight, history was eclipsed and destroyed by mob hatred. Weeks of nightmare were ended for 3000 persons when they were brought to ORT Italy. Refugees from persecution, forced to leave their homes of generations, they are truly a people of whom we may say, "emergency, no other resource."

Immediate problems of food and shelter had to be solved. Problems of language, problems of culture, problems of vocational training. ORT Italy is quickly becoming the third largest country of refuge for our people. Does ORT Italy need our help? Yes, ladies and gentlemen, these are our people.

France and Israel contain ORT's largest concentration of schools. French Jewry has doubled from 250 thousand to over 550 thousand in the past ten years. Most of these people were refugees, who, like the refugees in Italy, may correctly be described, "emergency, no other resource." Last summer was particularly difficult, when 250 to 300 individuals were arriving daily, each requiring immediate aid, each one an emergency without any other resource.

To add to the problems of food, housing, education, there is the major cultural problem of direct confrontation between the naive, unsophisticated, patriarchal, father-centered, disciplined, religious, even superstitious, society of North Africa—and the free, child-centered, permissive society of France. The Results are shocking and traumatic.

We can be proud of WAO's contributions to ORT France. But we are saddened that for every student accepted, three are turned away, although these refugees from fear who found a haven in France are our people!

No one can yet foretell the consequence or full implication of France's recent monetary crisis, or President De Gaulle's attitude toward Israel. Each day brings new demands, each day brings new challenges. And ORT must answer these needs—ORT must accept the challenge—for these are our people.

There are now 20,000 students in ORT Israel, and over 50,000 graduates of ORT Israel. The State of Israel has many problems. The serious political situation requires that Israel not neglect its defense, not for one moment. Yet all other demands for development must be met simultaneously, even though the country has meager natural resources. There is also the problem that 50% of the elementary school population are from Moslem or European cultures and need to be integrated to preserve the democratic culture of Israel.

The 55,000 students in ORT schools today were represented at our recent ORT national board conference in Cleveland, Ohio, by 16 yr. old Itzhak Buncel, one of the 1200 students now attending one ORT center in Tel Aviv. He is one of the 20,000 students now in ORT Israel. His parents are refugees from Czechoslovakia. Itzhak, a tall clean-cut Sabra, has finished 2 years of study in electronics and looks forward with enthusiasm and eagerness to the 3 more years yet to come. Speaking of his school, which he attends daily from 8 to 4, Itzhak said, "It has beautiful rooms, a laboratory, and a gym." Simply and sincerely, with eyes shining, he said, "I think it is the best school in Israel."

As Itzhak spoke, my eyes turned to the face of Mr. Michael Avitzour, the deputy general of ORT Israel, who was also at the conference. No father could be prouder of a son. This is the relationship between the ORT student and the ORT professional. As I looked at the faces of Itzhak and Mr. Avitzour, my 20 years in ORT compressed into a moment of deep understanding. Now I saw it. The human being, the human spirit; these, our people, are our most precious resource!

Yes, Israel has meager natural resources when it comes to water, land, minerals. But there is no element stronger, no element more filled with possibility, none more precious, than the human being, the human spirit: our most precious resource!

This belief has been the propelling factor in the growth of ORT for the women of ORT are women with a mission.

They believe that to have a meaningful life a man must maintain his individuality and his dignity: that to maintain these he must be a productive, useful and independent person able to help himself.

The women of ORT believe that ORT is the charity to end charity because it seeks to free people from charity by giving the greatest gift one can give a man: the opportunity to build and live his own life in dignity.

In many countries where ORT schools flourish, there are local chapters of ORT. Recently I was privileged to meet Mrs. Vilmay, the President of ORT Jerusalem. She is a wife and a mother, with 2 sons, one a gunner and one a paratrooper, in the Israeli Army, both of whom served in the 6-day war in June 1967.

The Jerusalem chapter had spent most of its last meeting recruiting volunteers to help some of the children in the ORT schools with their reading. As she put it, "we have a group of 14 students who somehow managed to finish the 8th grade without learning to read. We had to find 14 women to work with them, to teach them to read, and we did." The human being, the human spirit, the same everywhere—everywhere—our most precious resource!

When Mrs. Vilmay spoke of her sons' experiences, she held her head high. She concluded: "We shall fight to the last man, the last woman, the last child. All we ask is that you give us the best trained technicians. This only you can give us!"

Truly, these, our people, are our most precious resource.

Several weeks ago, Mr. Jacob Oleiski who served ORT for 40 yrs. visited us in Washington and spoke to a gathering of ORT members and their friends. He personified the spirit of ORT. Born in Lithuania, educated in Germany as an agronomist and a chemist, he returned to Lithuania to found a Jewish agricultural school operated jointly by ORT and the Jewish public schools of Kovna. He directed all ORT activities in Lithuania, until 1941 when the Jewish people were transferred to the Kovna ghetto. There he founded the ORT school where the children were given the vocational training required to remain within the protection of the ghetto rather than be sent to labor gangs. But within 3 years the ghetto was stripped of its protection, liquidated, and replaced by the horrors of a concentration camp.

When he was liberated from living death, Mr. Oleiski thought not of himself, but of the people he could help. He began vocational courses for displaced persons and supervised all 60 centers in the American zone, until he went to Israel where he was director of ORT Israel for 18 years.

Mr. Oleiski's warmth, understanding, and love for the ORT student defy description. They penetrate the heart and the soul. The Talmud tells us, "the soul is the Lord's candle." We must keep the candle lit, for truly, people are our most precious resource.

This truth was forciby brought home to me, when, after Mr. Oleiski's visit, we had a call from a man who had seen the article in the Jewish Week about Mr. Oleiski's speech. He had been a child in the Kovna ghetto. Now he lives just a short distance from my home. He was an ORT student under Mr. Oleiski. He lived thru the concentration camp with Mr. Oleiski. After the war he studied auto mechanics in an ORT school. I've met him and his lovely wife and their 3 fine children. There is no doubt, the human life, the human spirit is our most precious resource!

Let us not delude ourselves that persecution of our people is a thing of the past. Continuing dislocation, new waves of emigration, new anti-Semitic manifestations in at least a dozen countries of the world, have come in the wake of the 6 days' war.

Today, masses of Jews numbering in the thousands, in the many, many thousands, are in flight. Are they not our responsibility?

In St. Thomas, the Virgin Islands, I visited a synagogue built in 1795, almost 100 yrs. before ORT was born. Standing there alone, I gazed at the floor and saw it was covered with sand, a reminder of the wanderings of our people in the desert. Do we need to be reminded? I think we do.

Not long ago there perished in European concentration camps over six million Jewish men, women and children, as many as all the Jews now in the United States, 6 million Jews. Do we need to be reminded?

Rabbi Rosin, the chief rabbi of Rumania, has today in his library a strange book. A book which has in it not pages, but 4 cakes of soap, made of the bodies of 4 human beings. Four cakes of soap which he uses to serve as a reminder of the past.

Many years ago, I was privileged to have dinner with the First Lady of the World, Mrs. Eleanor Roosevelt, a magnificent woman with the ability to examine a complicated problem, to extract the essence of the problem, and to find its solution. Succinctly and without equivocation, she said: "The children of the world are in need, we must not allow this to be."

That past is now the present, and "we must not allow this to be."

Today, many thousands of our people look to us, the richest community in the world. What is our responsibility?

The crisis in the inner city has broadened ORT's role. ORT's task continues to be its overseas program. In addition, the needs of the American community command ORT's attention, ORT's experience, and ORT's organization.

The recent ORT national board conference reaffirmed and extended the resolutions adopted by ORT conventions and conferences since 1962 in regard to the overwhelming and dire problems of American life. Poverty, racism, and anti-Semitism are not confined to any time or place. They are alive. They are growing. They are abroad. They are here in our community today.

In this direction, ORT women are working through the national organization, in the Head Start program and other Federal and municipal programs and groups in a concerted effort.

ORT women are translating their understanding and knowledge of the ORT program to meet the crisis, to help resolve it, and to help restore equilibrium.

ORT women are supporting measures and legislation to establish and extend social justice to all of our citizens. For all citizens are our people.

We cannot be an island of safety in a sea of uncertainty. If we close our eyes to truth, we may never see again.

I remind you what Hubert Humphrey, who, but for a few votes, would have been the 37th President of the United States, said, "To be indifferent is the worst evil of all."

A woman of ORT cannot be indifferent. The philosophy of ORT and the philosophy of Judaism are the same. No one stands alone.

Let us remind ourselves how fortunate we are not to be on the receiving end. Let us remind ourselves that it is our privilege to extend our hand to help our brothers to live their lives in dignity and self-respect. Let us remind ourselves that we have the power to build the stairway to the future for our people—our most precious resource.

THIRTY-CENT WAGE LURES FIRMS ACROSS BORDER

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 1969

Mr. DENT. Mr. Speaker, despite the low statistical level of unemployment, millions of men and women who need jobs are unable to find them. Millions of others are forced to work for wages that provide less than decent living standards. Americans, I believe, are increasingly determined to meet these problems. Public and private efforts to provide decent jobs at fair wages for all who are willing and able to work are growing in every part of the country. But I am particularly disturbed—and I think most Americans would be too—about the concerted effort of a group of Tucson businessmen to lure industry south of the Mexican border to exploit shamefully low wages there. Every Member of this House should be alert to this scheme and others like it. Therefore, having received permission, I insert in the CONGRESSIONAL RECORD an article which appeared recently in the AFL–CIO News, as follows:

THIRTY-CENT WAGE LURES FIRMS ACROSS BORDER

TUCSON, ARIZ.—Mexico's "inexhaustible inexpensive labor market" is being touted as a 30-cents-an-hour gold mine for U.S. businessmen willing to invest in plants on both sides of the border.

"You don't have to go to Hong Kong, Taiwan, South Korea or Japan for low cost easily trainable foreign labor," says the official publication of DATE—Development Authority for Tucson's Expansion, which describes itself as a "nonprofit corporation representing a broad cross section of the Tucson community."

"It's available right here . . . along the Mexico-Arizona border for as low as 30 cents an hour in virtually inexhaustible numbers," DATE proclaims in glowing Chamber of Commerce prose.

"Mexicon labor is competitive with foreign labor—easily recruited, quickly trained and equally as productive."

Tucson businessmen headed by J. Karl Meyer, DATE's executive director, point to the "advantages" of "cooperative U.S.-Mexican border operations such as low absenteeism and a proud, cheerful attitude toward work . . . under the Twin Plant concept."

That concept is described in these words:

"Components are manufactured in Tucson, assembled in Nogales, Mexico, and returned to Tucson for final inspection, and packaging and shipping. . . . Duty is imposed only on the added value of the assembly."

Tucson is only one of the Southwest's border towns promoting the "cheap foreign labor" concept. Among the first to tap the new lode was Laredo, Tex., which induced the Transitron Electronics Corp. of Wakefield, Mass., to move its non-union operations into a new plant with a small work force.

Across the border at Nuevo Laredo, Mexico, within walking distance of Laredo, is a Transitron plant with 1,400 workers, all Mexican nationals. Under the twin plant formula, Transitron may use its small U.S. work force to manufacture products and its large Mexican force to assemble them.

Wage rates in the U.S. are $1.60 an hour and up. In Nuevo Laredo the rate is a reported $2.16 a day.

DEFENSE CONTRACT

The U.S. plant has started work on a $1.7 million contract to make telephone cables for the Defense Dept. The contract is for a one-year period, but the Army Electronic Command awarded Transitron an additional contract on its bid of $1.1 million, and the Economic Development Administration procured a grant of $28,000 in U.S. funds to "train 15 or 20 persons in the electronics field" at the Transitron plant in Laredo. A subsidiary, Phalo Corp., got the contracts and the grant.

The hands-across-the-border concept got a jolt, however, when the Mexican workers cast off the "proud, cheerful attitude toward work" extolled by the tubthumping U.S. businessmen and stopped work for three weeks at the Nuevo Laredo plant.

The walkout was not an official strike, sanctioned by the ruling powers, but it forced Transitron to ship some of the quartz crystals used in its production processes to another company subsidiary in Kansas City, Mo. The workers finally went back when the governor of Tamaulipas state stepped in and the State Labor Board agreed to hear the dispute—over wages promised but not paid for lunch "breaks."

Last year an AFL–CIO Executive Council subcommittee urged joint action by American and Mexican labor movements and governments to change the immigration and tariff laws. It cited unfair competition by low-wage border-jumping plants and "green card" tourists who cross the border freely to take jobs in agriculture, often at the expense of union farm workers.

GHANA'S 12TH ANNIVERSARY

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 1969

Mr. DIGGS. Mr. Speaker, on March 6 Ghana celebrated the 12th anniversary of its independence. On behalf of the Subcommittee on Africa. I am very pleased to extend to General Ankrah and to the people of Ghana, congratulations and every best wish for the future.

We have watched with warm approval the last 3 years of reconstruction in Ghana and have noted the National Liberation Council's plans for a return of civilian government in Ghana this

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year. We can now see that Ghana is well on the path to realizing the great promise it showed on the historic day of its independence on March 6, 1957.

I recall with pride being a member of the official U.S. delegation to that historic event and that the chief of our delegation was the Honorable Richard M. Nixon.

WHAT WOULD HAPPEN IF EVERY BLACK TURNED WHITE TONIGHT?

HON. GUY VANDER JAGT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 1969

Mr. VANDER JAGT. Mr. Speaker, under leave to extend my remarks I ask unanimous consent to have printed in the RECORD a column by Paul Harvey that appeared in a recent edition of the Muskegon Chronical. The contents of the column follows:

WHAT WOULD HAPPEN IF EVERY BLACK TURNED WHITE TONIGHT?

(By Paul Harvey)

If every black turned white tonight, tomorrow morning we would find most of our problems unresolved.

Statistically, we would have less crime—but we would still have much too much. The percentage of whites committing crimes is about five times greater than the white population increase.

We would still have unemployment in the midst of plentiful jobs, because 40 per cent of the unemployed are white.

We would still have mothers bearing illegitimate children to make themselves eligible for increasing welfare handouts.

We would still have unwon wars overseas and resultant domestic restiveness.

Many Americans have been allowing themselves to adopt the ancient scapegoat concept, imagining that we can absolve ourselves of our own sins by blaming everything on the blacks. We can't.

Indeed, the black-white relationship in the United States, in perspective, amounts to a very commendable amalgamation.

Historically, many of the world's diverse cultures have not been able to pull as close together in 2,000 years as our black-white cultures have in 200 years.

Britain, for all her centuries of involvement with Africans and Asiatics, is "less close" to them than we Americans are to one another.

That we have domestic black-white strife involving fractions of our black-white populations should not be nearly so surprising as the larger fact that we have come so far so fast in providing equality of opportunity and mutual social acceptance.

I do not intend to try to defend the so-called "black militants."

It is too obvious that many of them have a chip on their shoulder, resenting their own blackness—and that they use blackness as a catalyst for mobilizing resentment, restiveness and rebellion.

They are as wrong to blame all their troubles on their color as we are to blame all our troubles on them.

That's why I say every black could turn white tonight and tomorrow morning we would still have legions of lazy Americans demanding more for working less.

We would still have young Americans burning our flag because they resent the maladministration of some of our foreign affairs and foolishly blame our ism. . . .

We would still have rebellious youths growing long hair and wearing dirty clothes in rebellion against a generation of parents who drink and say "don't" and smoke and say "don't" and who denounce the misuse of sex while they misuse it themselves.

If every black should turn white tonight, we'd still have too many too hungry and unenlightened: Mexicans, Indians and shantytown whites.

We'd still have public nudity, lurid movies and putrid magazines feeding carnal appetites of corruptible Caucasians.

We would still have large segments of our college and university populations going to "pot" . . .

So most of what ails us is not so simply dismissed as a matter of black and white.

If every black turned white tonight, tomorrow morning we would still have most of our problems.

And so would they!

THE NATION'S CRYING NEED FOR TRAINED WATER QUALITY CONTROL MANPOWER

HON. WILLIAM C. CRAMER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 1969

Mr. CRAMER. Mr. Speaker, during the recent hearings held by the Committee on Public Works, we were appalled to learn of the incredible shortage of personnel trained in the field of water quality control. This shortage of trained personnel is to be found at all levels, from operators of sewage treatment plants through postgraduate engineers and scientists. We were equally distressed to learn, Mr. Speaker, that the Water Pollution Control Act is not achieving the purpose which Congress intended, in great part because of this lack of personnel.

Unless this sounds overly dramatic, I would point out that we can build all the sewage treatment plants that we are capable of constructing, yet without the operators to rake bar racks, to clean the grit chambers, to skim the settling tanks, to operate the digestors, to regulate operation in accordance with flow and season, to draw off sludge, to run the laboratory tests necessary to determine control, and the thousand and one other tasks that a treatment operator must supervise, these plants will be useless. Testimony before our committee indicated that there are many now that have been closed down because of lack of personnel and many others that are operating it far below design efficiency because of lack of training of the personnel now on duty.

It has become clear to us that determined action should be taken to provide the Nation with personnel capable of carrying out the programs that Congress has concluded are necessary if we are not to drown in our own filth. We must act to provide these personnel at all levels as quickly as possible. Accordingly, Mr. Speaker, I have attempted to determine the causes of this problem. While they are complex, it is clear that in order to have trained personnel active in the field, aid must be made available to those who might be inclined to enter this field.

There are certain statutes now in effect, which, to a very great extent, help the institutions that have been developed for the training of water quality control personnel. My investigation, for example, has revealed an area in which help is necessary immediately. Those who would become sewage treatment plant operators and supervisory personnel find themselves unable to attend the institutions which have been developed, and which are now being developed, dedicated to the teaching of this art. The reason is that they cannot afford to take the time to go to school because they have no other sources of income. This bill would provide for stipends where necessary to be paid to these individuals when properly certified by approved institutions, and, in this manner, would encourage those who have an interest in the field to complete the studies necessary.

Further, it provides assistance for those individuals who wish to study technical aspects of water quality control—engineers, ecologists, bacteriologists, and technicians who now turn their eyes toward more profitable areas of endeavor by helping them obtain the training in this field.

Mr. Speaker, this is but a very necessary first step in making available to the Nation the corps of trained citizens without whom all the authorizations, appropriations, and acts of Congress would be meaningless; for if we do not have the people who can do the work, our words here have little significance, and our actions in this Chamber playacting. Therefore, Mr. Speaker, I urge all the Members of this body to consider this measure among the most important to the well-being of every citizen of our country and to lend their support to this bill for, indeed, I am convinced that without it we will expire in our own excrement.

MR. NIXON AND THE ABM: A TIME FOR DECISION IS HERE

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 1969

Mr. PODELL. Mr. Speaker, Mr. Nixon must decide shortly on whether to construct an ABM system or not. America is entitled to an answer. America is entitled to a rational response—one which will halt this monstrous surge toward an open-ended weapons system known to be utterly useless as far as defending the United States against missile attack. Our scientific community has railed against this proposal. Many military people have little faith in it. City after city has opposed it. Millions of Americans have expressed vehement opposition to it.

This outrageous military boondoggle is designed to enrich profit-swollen military contractors, who give us nothing in return. Adoption of the ABM will eventually inflict an annual military budget of $100 billion upon this Nation. It would endanger our major cities, surrounding them with land-occupying base facilities, studded with multimegaton warheads—more a menace to those being defended than potential aggressors.

Once military contractors and their military apologists thrust a foot in our Treasury door with a "thin" system against the Chinese, it is but a side step to a "thick" system supposed to defend against the Soviet Union. I give little credence to their financial estimates. A recent Brookings Institution report starkly reveals how defense contractors' estimates of the past decade proved to be so many fairy tales. We eventually paid from 300 to 700 percent more for weapons systems of the 1950's. When Pentagon figures turn out to be true, bathtubs will gallop.

We wasted $5 billion on Nike-Ajax, Nike-Zeus, and Nike X. After 5 years, we would have an ABM, which could defend against low-grade, unsophisticated Chinese missiles. The Russians already have missiles which would laugh their way through our proposed ABM. And what about the Red Chinese in the interim? For if the Pentagon says we will build the ABM system in 5 years, we can count on it taking at least 7 years—witness the disaster of the TFX and our new battle tank.

A rising chorus of condemnation and resistance has come from both parties in both Houses of Congress. It would be an unconscionable outrage against the American people to construct this system against the expressed will of the people. It would also be a gruesome joke, for we would obtain nothing in return for our money. Equipped with the Sentinel system, America would be a star-spangled ostrich with its head imbedded in the sand—like the imbecile dashing into a rainstorm waving an umbrella without fabric, like a gaping, howling fool.

Mr. Speaker, President Nixon has already stated that the Sentinel system was not designed as a permanent limited defense against any possible Chinese attack. He knows how nonsensical arguments in its favor really are. I pray he has the courage, for all our sakes, to stand up to the modern robber barons of the defense industry and their military satraps. If he wishes to attack domestic problems, he can begin by preventing the throwing away of billions on this gargantuan fraud called the ABM.

TAX INEQUITIES

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 1969

Mr. BINGHAM. Mr. Speaker, the inequities contained in our Federal tax structure have long been a matter of concern to me and to many of my colleagues. Over the past year, they have increasingly become a matter of open concern to the millions of Americans of low and moderate income on whom the burden falls most heavily and most unjustly. And in recent weeks, they have become a matter of immediate concern to the Committee on Ways and Means, which is holding hearings on a number of proposals aimed at bringing to the tax structure a greater measure of the equity which it has so long lacked.

But inequities in taxation are not a matter of concern solely at the Federal level. For State and local tax systems often contain their own measure of inequity—sometimes locally legislated and sometimes simply carried over from the Federal structure in order to achieve conformity of tax returns.

Both these problems have appeared in my own State of New York, and were recently pointed out by the distinguished minority leaders of the State senate and assembly, Senator Joseph Zaretski and Assemblyman Stanley Steingut. These two legislative leaders, in a statement late last month opposing a proposed increase in the State sales tax, called for "a sweeping reform of the State's tax structure" in terms closely paralleling those heard here in the House with regard to the Federal tax structure. They set two goals for their reform effort: First, to insure that the burdens of government costs are equitably distributed among all our people; and, second, to obtain the greatest possible revenues for the State, without imposing greater burdens on those already overtaxed.

Senator Zaretski and Assemblyman Steingut commented that one of the principal sources of inequity in the existing State tax structure arises from the decision made in 1959 to adopt the tax policies of the Federal Government, in order to achieve conformity of tax returns. They pointed out:

> In so doing we have willy nilly adopted all the loopholes and all the special tax privileges incorporated in the Federal tax statutes. . . . Conformity of taxes means that the burden of tax costs is unequally distributed among State tax payers in the same degree as under the Federal laws.

The taxpayers of a number of other States undoubtedly suffer the same double inequity system. Indeed, in localities where city or county taxes are superimposed as a percentage of State tax returns, taxpayers may even suffer from a system which is triply unjust.

Mr. Speaker, this is just one additional argument for the comprehensive reform of our Federal tax structure which a number of us have long sought. By introducing such reforms, we cannot only help the millions of Americans of low and moderate income who file Federal tax returns each year, but we can also offer a helping hand to progressive legislators like Senator Zaretski and Assemblyman Steingut who seek to remove inequities at the State level.

Mr. Speaker, I believe the statement issued by Senator Zaretski and Assemblyman Steingut will be of interest to all my colleagues who are concerned about this problem. The full text is as follows:

ZARETZKI AND STEINGUT FIGHT SALES TAX HIKE—URGE TAX REFORM

Senator Joseph Zaretzki and Assemblyman Stanley Steingut, Minority Leaders respectively of the State Senate and Assembly, announced today that they will oppose Governor Rockefeller's proposal for a 50 percent hike in the State sales tax, from two to three percent, and press instead for tax reform.

In a joint statement, the Legislators said: "We will oppose Governor Rockefeller's proposal to impose a 50 percent increase in the State sales tax, from two to three percent, to finance what the Governor describes as an austere budget. We will oppose this proposal, because a sales tax bears most heavily upon low and middle income families who already are contributing more than their fair share to the cost of government operations.

We cannot in good conscience vote for a proposal that will compound the difficulties confronting our people by enactment of an economically regressive tax to finance a socially regressive budget.

We consider it imperative, instead, to examine the budget for State purposes with the finest microscope to eliminate every ounce of fat from the budget. We are in the process of doing just that at this very moment. We will detail our findings and our views shortly.

We deem it equally imperative to undertake a sweeping reform of the State's tax structure to accomplish two urgent needs. One is to insure that the burdens of government costs are equitably distributed among all our people. The other is to obtain the greatest possible revenues for the State; without imposing greater burdens on those already overtaxed.

We have been informed by Commissioner Joseph H. Murphy, President of the State Tax Commission, that for the year 1967, the number of tax returns on which no State income tax was due were as follows:

New York adjusted gross income:	
$25,000 to $49,999	200
$50,000 to $99,999	75
$100,000 to $199,999	26
$200,000 and over	19
Total (no tax)	320

We have also been informed by Commissioner Murphy that there are "several hundred" tax payers at the higher income levels "paying relatively small amounts of tax."

Since 1959, the first year of the Rockefeller Administration, the State has adopted the tax policies of the Federal government, in order to achieve conformity of tax returns. In so doing, we have willy nilly adopted all the loopholes and all the special tax privileges incorporated in the Federal tax statutes.

There is a myth that those whose earnings exceed $50,000 a year pay a greater percentage of their income in taxes than those with smaller incomes. The blunt fact is, according to Federal statistics, that those earning $25,000 a year and more pay on the average just 28 percent of their incomes in taxes, while those in the $5,000 to $7,000 category pay 33 percent; those in the $7,000 to $10,000 bracket pay 32 percent; and those in the $10,000 to $15,000 bracket pay 31 percent of their income in taxes.

Conformity of taxes means that the burden of tax costs is unequally distributed among State tax payers in the same degree as under the Federal laws. Moreover, it means that the people earning more than $25,000 in 1967, who incurred no State tax liability, similarly incurred no Federal tax liability. And if they live in New York City, they also escaped liability for payment of City income taxes.

Obviously such variations in tax burdens are no longer tolerable by those who bear the lion's share of the cost while earning the lower levels of income. We are focusing our attention sharply on the urgent needs for tax reform, and plan to make public within the next few days detailed proposals for moving in that direction.

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STUDY OF CRIMINAL USE OF FIREARMS

HON. GEORGE BUSH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 1969

Mr. BUSH. Mr. Speaker, located at Sam Houston State College in Huntsville, Tex., is a remarkable organization known as the Institute of Contemporary Corrections and the Behavioral Sciences. Under the direction of George G. Killinger, Ph. D., the institute has sought to discover the sources of criminal conduct, delving into such challenging areas as chromosome abnormalities.

Recently, the president of Sam Houston State, Dr. Arleigh B. Templeton, informed me of a special study undertaken among inmates of the State prison—also located in Huntsville—which probed the use of firearms by felons. This study, entitled "The Guns Criminals Use," was prepared by Dr. Charles M. Friel, director of research at the institute. I am inserting the major portion of a letter written to me by Dr. Friel in which he outlines the compelling results he obtained.

Before citing Dr. Friel's work, Mr. Speaker, I would like to make a few observations of my own based upon it.

First, it is freely admitted that these findings apply only to inmates of the Texas prison system and do not necessarily reflect the entire body of criminals in the United States at large—although there is no evidence to suggest the contrary.

Second, it is to be noted that only a miniscule number of firearms were obtained through the mails: never as much as 2 percent of the cases interviewed. Far larger sources were from pawnshops—approximately 24 percent of handguns, 11 percent of rifles, and 7 percent of shotguns—and from theft—24 percent of handguns, 12.5 percent of rifles, and 15 percent of shotguns. The study also suggests the marginal value of the registration of all firearms as an effective crime-fighting measure.

Third and last, I do not mean to imply by means of Dr. Friel's excellent research that the legislation we passed last session was a mistake. Inasmuch as it may serve to prevent undesirable people from obtaining weapons with which to commit crimes, the so-called gun-control law must be deemed proper, despite the widespread inconvenience and embarrassment it has caused law-abiding citizens. But if the Sam Houston State study demonstrated anything to us, it is that much more must be done at the State and local levels to curb illicit purchases of firearms, particularly if upward of half these weapons are obtained through theft and pawnshops.

I Join Dr. Friel in his conclusion that existing anticrime laws must be firmly enforced and that our State and Federal prisons be modernized with an aim toward true correction of the criminal—who, we must always remember, is the true evil doer, not the firearm. Further, I recommend that every State legislature end the practice of easy sales of weapons to felons and potential felons at pawnshops.

On a national scale, I trust the Department of Justice will join the States and localities in effecting these recommendations—a joint response to a crisis which demands resolution on all levels of government.

The letter from Dr. Friel follows:

SAM HOUSTON STATE COLLEGE,
Huntsville, Tex., January 14, 1969.

Hon. GEORGE BUSH,
House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE BUSH: The study was conducted during the summer of 1968 at the Diagnostic Unit of the Texas Department of Corrections. All men received by Texas Department of Corrections are held initially for 30 days at the Diagnostic Unit to be debriefed and interviewed. During this time, with the cooperation of Major Ballard of the Diagnostic Unit and Mr. Kutach, Assistant Director for Treatment, 389 men were interviewed on a volunteer basis regarding their purchase and use of firearms.

The interviews were conducted by trained interviewers of Texas Department of Corrections using a standardized format. It should be noted that although inmate participation was voluntary, very few inmates refused to participate in the study. This was probably a function of the fact that the inmates were advised that their names would not be recorded nor would any of the information be used against them. The sample was taken without any selection bias as to race, age, offense, prior criminal record, etc.

Summarizing the results, it was found that the 389 felons admitted to having possessed a total of 1122 handguns since they were 13 years old, 922 rifles, and 447 shotguns.

With respect to possession of handguns, it is interesting to note that only 38.05% of the felons admitted to never having owned a handgun, while 61.95% claimed to have possessed one or more handguns. Approximately one out of eight inmates (12.83%) admitted to having owned 6 or more handguns, while a few inmates confessed that they had owned a total of more than twenty handguns (3.08%).

Although we do not have any data to show that felons have possessed more handguns than citizens in the community, examination of the data on how the inmates obtained their weapons is most revealing. Of the handguns owned by the inmates, 23.95% were stolen, 24.23% were purchased from pawn shops, 0.70% were mail-ordered, while only 9.52% were purchased from commercial and sporting goods stores. The remaining 41.60% were inherited, borrowed, won by gambling, found, homemade, etc. This suggests that laws prohibiting the mail-order purchase of handguns will have virtually no effect on the criminal in Texas and that regulations affecting legitimate sources of handguns (such as commercial stores and sporting goods stores) would affect only about 9.5% of the guns owned by felons. However, tighter regulations and control of the pawn shop sale of handguns would affect practically one out of every four handguns (24.23%) that come into the possession of felons in Texas.

The data also revealed that one out of every six felons sampled admitted to having sold/given/loaned a handgun to persons with a known criminal record, while one out of twenty five admitted to having sold/given/loaned 5 or more handguns to persons with prior records.

While relatively few offenses by definition involve a weapon (e.g., armed robbery, possession of a prohibited weapon, assault with a weapon, etc.), practically one out of every four inmates sampled admitted to having a gun on his person at the time he committed the offense for which he was convicted. Although this percentage is higher in the cases of individuals convicted of armed robbery, murder with and without malice, and aggravated assault, it should be noted that 20.00% of persons convicted of narcotics charges, 11.19% of persons convicted of burglary, 21.43% of persons convicted of auto theft, and 40.00% of persons convicted of rape by force, had weapons on their person when they committed their respective crimes.

When asked the question "Did you ever obtain a gun with the intention of using it for criminal purposes", approximately one out of seven answered yes while one out of ten refused to answer. This observation is even more significant when it is considered that 68% of the inmates sampled had prior felony convictions, with 9.6% having 5 or more prior felony convictions.

The data on handguns also revealed some interesting statistics on the calibers of guns owned by convicted felons. By far, the most common caliber reported was the .22 caliber, which comprised 34% of the reported guns. Other popular calibers were the .38 cal. (22%), .32 cal. (13%), .45 cal. (9%), .25 cal. (8%), and the .357 cal. (3%). The other 11% of the reported handguns were .44 cal., .30 cal., 6.35 mm., 9 mm., P.38, .41 cal., .30 cal., .303 cal., air guns and blank starter pistols.

The study was not solely devoted to handgun traffic. Information was also gathered as to the traffic in rifles and shotguns. As mentioned above, the 389 inmates admitted to having possessed 522 rifles. Of those sampled, 43% admitted never having owned any rifles, while 6.40% admitted to having owned 6 or more. Again, it is of interest to note how these weapons were obtained. One out of every eight rifles was stolen while one out of nine was purchased at a pawn shop. Only one out of five rifles was found to be purchased from a commercial or sporting good store. In regard to mail-order purchase of rifles, it was found that only 1.53% of the reported weapons were obtained in this manner. It is of further interest to note that 16.49% of the rifles were borrowed, 15.33% were gifts and 13.79% were bought from a private owner. The remaining 8.23% were won gambling, inherited, homemade, etc. Better than half (55.66%) of the reported rifles were .22 cal. Other popular calibers were .30–30 (12.09%), .30–06 (9.79%), .30 cal. M–1 carbine (4.42%), .303 (4.22%), and .25 (2.11%).

The inmates also admitted to having owned 447 shotguns. One half of the sampled admitted never having owned a shotgun, while of those who admitted possession of shotguns, 7.45% admitted possessing in excess of four weapons.

Again the pattern of how these weapons were obtained is not dissimilar to that reported above. Fifteen per cent were stolen, 6.84% were obtained from pawn shops, 17.38% were purchased from commercial or sporting goods stores, 0.57% were mail-ordered, 17.38% were borrowed and 15.39% were received as gifts.

Approximately one-half (51.57%) the reported shotguns were 12 gauge, while 22.53% were .410 cal., 12.89% were 16 gauge, 10.89% were 20 gauge, 2.01% were 10 gauge and 0.29% were 28 gauge.

In light of the data reported above, existing and proposed restrictions on mail order sale of firearms will have virtually no effect on the felon in Texas. It should be remembered that legislation regulating the mail order sale of weapons, though it is well intended and relatively easy to enforce, may have little to do with the firearm purchasing patterns of most felons. The results of the present study certainly support this conclusion with respect to the State of Texas.

In a *Life* magazine editorial dated May 10, 1968, it was suggested to ". . . tighten controls on sales of antitank guns, bazookas, mortars, grenades and other highly destructive weapons." Although such legislation may be desirable, the results of the present study suggest that action of this kind does not address itself to the problem. Assuming that the data gathered in this study is reliable, only 0.58% of the reported weapons were machine guns, which was the only fully automatic weapons reported by the inmates. Furthermore, the most common weapon reported by the inmates was the .22 caliber handgun, not the exotic, imported, high-powered weapons. This is understandable since .22 cal. weapons are inexpensive, easily concealed, and cheap to repair. The ammunition for such weapons is likewise inexpensive and readily available.

In another editorial appearing in Life magazine dated June 28, 1968, the author called for ". . . registration of all guns now owned or bought in the future". The ineffectiveness of this proposal is evident from the following considerations. First, the serial number on a firearm is not necessarily unique to that weapon. For example, the .22 Derringer usually has only a three digit serial number. This means that every one thousandth gun manufactured has a redundant serial number. Considering that far in excess of one hundred thousand of these weapons have been manufactured, the problem of registering them is obvious. Similarly, Harrington & Richards manufactures eight different models of a .32 cal. handgun. Based on the serial number configuration used for the eight models, there is no way to identify a given weapon as a unique model.

Another problem in registration of weapons is that the part on which the serial number is etched is interchangeable within the same make, model and caliber. Finally, it is a fair assumption that the criminal population, who admits that one out of every four handguns they have owned was stolen, is not likely to formally register these weapons, or probably any other weapons they have obtained from legitimate sources.

In making these comments, I do not want to appear as opposed to any form of gun legislation or in particular a supporter of the N.R.A. lobby. Rather, I feel that such legislation should be based on material fact, addressing itself to the heart of the problem, not the periphery. Firearms are not a cause of crime; they are a means used in the commission of a crime. The criminal is the agent who commits the crime, not the weapon.

Based on the fact that one out of every four felons admitted to having a gun on his person when he committed his respective crime suggests that the legislative effort should be put on removing the felon from society, not the weapon. This is particularly noteworthy when it is recalled that 68% of the inmates sampled had been convicted of a felony in the past, with practically every tenth one having 5 or more prior convictions. The Texas Penal Code provides that "whoever shall have been three times convicted of a felony less than capital, shall on such third conviction be imprisoned for life in the penitentiary" (Article 62, Texas Penal Code). Based on a study conducted in March of 1968, only 0.58% of convictions in the Texas Department of Corrections were for habitual or subsequent offenses. This is an extremely small percentage, relative to the number of cases in which the habitual and subsequent statutes might have been employed. Although, there is admittedly a need for more stringent legislation regarding possession of a prohibited weapon and use of a weapon in the commission of a crime, prosecutors should prosecute under such statutes and not simply use them as a legal wedge to pressure the defendant to "cop-out" and negotiate the plea.

If society on the one hand demands more stringent legislation to remove weapons from the hands of the criminal and on the other hand is reluctant to use the full extent of such legislation, the effort will be a failure.

Based on the results of the present study, the majority of weapons owned by convicted felons in Texas have been obtained either ellegally or from sources extremely difficult to regulate. This suggests that gun control laws are not the only answer to the problem. What is pertinent, aside from gun control legislation, is more rigorous employment of existing statutes and a greater investment by society in our correctional institutions to assist in the rehabilitation and restoration of the offender to society,

Sincerely,

CHARLES M. FRIEL, Ph. D.,
Director of Research.

TAX REVISION AND TAX EXEMPT GROUPS

HON. JAMES B. UTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 1969

Mr. UTT. Mr. Speaker, I would like to include in the Extensions of Remarks today the testimony of David R. Jones, executive director, Young Americans for Freedom, Inc., on the subject of tax revision and tax exempt groups, before the Committee on Ways and Means on February 21, 1969. I feel that this statement deserves wide attention.

TESTIMONY OF DAVID R. JONES, EXECUTIVE DIRECTOR, YOUNG AMERICANS FOR FREEDOM, INC., ON THE SUBJECT OF TAX REVISION—TAX EXEMPT GROUPS

Mr. Chairman and Members of the Committee: My name is David R. Jones and I am Executive Director of Young Americans for Freedom, Inc. with national headquarters located at 1221 Massachusetts Ave., N.W., Washington, D.C. 20005. I am appearing today before your Committee as a representative of the national board of directors of YAF. I wish to express the appreciation of our organization and its members for the privilege of being heard on the important matter of tax exempt organizations.

Young Americans for Freedom, founded in 1960, is the nation's largest conservative youth organization. Nearly 30,000 young Americans have joined YAF since January 1966. Our members include high school and college students as well as young graduates in many careers and professions.

As a national political action and political education organization we are honored to have many Members of Congress, governors of several states and many leading conservatives serve on our National Advisory Board. I think I can say that YAF has built a national reputation for responsible representation of the conservative viewpoint among students and other young Americans.

The purpose of my testimony today is to relate to your Committee our organization's intimate experience with tax exempt foundations and organizations which have sought to influence student and youth affairs, often in the most blatantly political manner. This experience, extending over more than eight years, has convinced us that there is a dire need for amendments to the Internal Revenue Code to prevent tax exempt groups from exploiting and controlling youth and student activities, particularly on college campuses. We have no doubt, as my testimony will prove, that much of the student unrest and violence which has disrupted colleges and universities in all parts of the nation has many of its origins in large amounts of money granted by tax exempt foundations and expended by the major tax exempt student organization, the National Student Association.

1. THE NATIONAL STUDENT ASSOCIATION (NSA)

NSA is a national organization of student governments at various colleges and universities which join by the payment of annual dues. Individual students do not have membership in NSA, although the organization constantly refers to itself as representing "millions" of American students.

Of the several thousand American colleges and universities, only about three hundred currently are affiliated with NSA.

In May of 1961, the National Student Association claimed a total membership of 399 colleges and universities. Although actual membership in the Association has fluctuated considerably since the organization was born in August of 1947, NSA has experienced an increasing number of disaffiliations in recent years. The mass exodus of member schools prompted a lengthy debate at the Seventeenth National Student Congress concerning the Association's political entanglements which many student leaders believed were detrimental to the Association's ability to function as a service organization, but a resolution which sought to limit NSA's political activism was defeated and, by October of 1965, NSA's total membership had plummeted to below the three-hundred mark. Since that time, the membership has fluctuated between three hundred and three hundred fifty as schools continue to withdraw while others are induced to join or re-join.

2. TAX STATUS OF NSA

The National Student Association enjoys a tax exempt status under Section 501(c)(3) of the United States Internal Revenue Service Code of 1954. This section allows tax exemptions for "corporations . . . organized and operated exclusively for . . . *educational purposes . . . no substantial part of which is carrying on propaganda, or otherwise attempting to influence legislation,* and which does not participate, or intervene in (including the publishing or distributing of statements) any political campaign . . ." The Code further provides that any organization which engages in prohibited activities will lose its tax exempt status and be taxed in full.

The history of NSA's tax exempt status is rather interesting. NSA first applied for tax exemption as an educational organization in 1949. In a letter dated April 25, 1950, the Commissioner of Internal Revenue refused the requested exemption on the grounds that NSA did not qualify under the law. The ruling held that NSA was not operated exclusively for educational purposes and that "a substantial part of its activities consisted of attempts to influence legislation." To get around this, the 1954 NSA president, James M. Edwards, again wrote to the Commissioner on March 26, 1954. Edwards pleaded that "students" had prepared the previous request for exemption "without the assistance of counsel" and that they "were not familiar with the Internal Revenue Service procedure on such rulings." Once again, he requested exemption, but this time he submitted a carefully selected stack of NSA publications all of which emphasized NSA's educational activities and ignored the political activities which the previous Commissioner had found as legal ground to refuse exemption. Bending over backwards to make his point, Edwards told the Commissioner:

"As a practical matter the resolutions (which concern legislation and are adopted by the NSA annual Congress) have not been implemented by any substantial activity on the part of the Association or its officers. Although in the summer of 1953, the Congress, without the advice of counsel, concluded that the Association should register as a lobbying organization, in the fall of 1953 the Staff considered this question, concluded that they

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and the Association did not engage in lobbying. . . ."

Edwards then included, in his rather lengthy letter, a resolution which was apparently passed especially for the benefit of the Commissioner of Internal Revenue. The resolution, dated March 4, 1964 said:

"Resolved, the United States National Student Association was organized exclusively for the educational purposes stated in the preamble of its constitution and no substantial part of its activities may constitute influencing or attempting to influence legislation by propaganda, lobbying or other means. The President and Vice Presidents of the Association shall have the duty of enforcing this resolution."

Apparently, Edwards' letter, which was part of the sworn statement submitted by the National Student Association under penalty for perjury, was sufficiently convincing and, within a few months, the tax exemption was granted. The benefits of such a status become increasingly evident when one realizes that one of the principal sources of NSA funds is the tax exempt foundation which could not legally contribute to the Association if NSA, itself, did not continue to maintain its tax-free status. Beginning in 1953 when NSA first filed an annual statement with the IRS under the provisions then applicable (Section 101(6) of the IRC of 1939 governing tax exempt organizations) a number of tax exempt foundations have poured millions of dollars into NSA which, after 1954, was itself tax exempt.

These tax exempt foundations have included the Ford Foundation, the Fund for the Republic, the Catherwood Foundation of Bryn Mawr, Pa., The General Mills Foundation, the Clara Buttenweiser Unger Memorial Foundation, The Asia Foundation of San Francisco, the Edward W. Hazen Foundation of New Haven, Conn., the Edward John Noble Foundation of New York City, and a number of "Foundations" which subsequently turned out to be tax exempt fronts formed by and controlled by the U.S. Central Intelligence Agency.

A full examination of the tax returns for the National Student Association covering the years 1953 through 1960 and 1963 leads to the conclusion that NSA may well have received their original tax exemption from IRS at the behest of the CIA, rather than on their merits as a student educational group.

It is a matter of record that at the same time that NSA received tax exemption as an educational corporation, the officers of NSA also incorporated under the laws of the State of New York another corporation known as "United States National Student Association Educational Travel, Inc." This corporation also applied for and received IRS designation as a tax exempt corporation. It too received hundreds of thousand of dollars from tax exempt foundations, including CIA funds.

3. NSA AND THE CENTRAL INTELLIGENCE AGENCY

In February of 1967, the National Supervisory Board of the NSA, its governing body, released a statement to the press after several days of frantic meetings in Washington. The statement said in part: "During the past fifteen years the Association (NSA) has received considerable funds from the Central Intelligence Agency, which at one point provided as much as 80% of the NSA budget . . ." The Board statement also admitted that CIA funds were not limited to use for international activities of NSA but "general support" was also provided, including administrative grants and occasional donations to cover NSA budgetary deficits incurred by both the National and international departments of the Association."

Whether the CIA's conduct promoted the best interest of the United States, which is supposedly their assignment, the CIA was able to create a series of tax exempt foundations with offices in various parts of the nation which in many cases were only one man operations, presumably by CIA agents. These foundations were granted full tax exemption by the IRS but I know of no public revelation as to whether or not the IRS acted with the knowledge that they were aiding the CIA. It is difficult to believe that someone at IRS did not know what was going on.

The CIA-front foundations included the Foundation for Youth and Student Affairs located in New York City. This was the principal tax exempt foundation which funneled hundreds of thousands of taxpayers' dollars in NSA, often making up the NSA deficits which occurred as a result of the sloppy management provided by the students running its national office in Philadelphia.

Other CIA foundations used were the San Jacinto Foundation of Houston, Texas, and the Independence Fund of Boston. This latter tax exempt group paid for the national headquarters building of NSA in Washington plus its furnishings and gave NSA a 15 year lease, rent free.

So cozy did the arrangement between the CIA, NSA and the IRS become that NSA did not even bother to file the required annual reporting forms 990–A. When Young Americans for Freedom requested copies of these annual reports in 1963, the District Office of the IRS in Philadelphia, where they would normally have been filed, reported that NSA had filed no forms for the years 1959, 1960, 1961 and 1962. As a result of our demand for the forms, the IRS apparently contacted NSA and on August 15, 1963, NSA sent in their forms for 1959 and 1960. To this day I do not know whether the other forms were filed. The two that did come in four years late were crudely lettered in handwriting and did not even approach fulfilling the legal informational requirements of form 990–A.

Young Americans for Freedom believes that it is an exceedingly dangerous policy for the CIA or any other government agency, whatever their purpose, to secretly subsidize private organizations. This practice is of direct pertinence to your Committee's inquiry especially when such secret government subsidies take the form of large amounts of money passed through sham foundations which have official IRS sanction to be tax exempt. Added to this is the fact that the recipient of the funds was another tax exempt organization and a subsidiary state corporation which also had tax exemption.

4. THE PROHIBITION AGAINST LOBBYING AND POLITICAL ACTION

As you well know, the provisions of the IRS prohibit any tax exempt foundation or group from engaging in any activities which can be considered political action or lobbying. This provision surely applied to NSA, but just as surely has never been enforced.

Each summer the NSA has had a meeting of its annual Student Congress at some large university campus, usually in the Midwest. Each year the Congress has been the scene of massive political exhibitions which consist of the passage of numerous resolutions directly dealing with political issues, many of them seeking to influence the Congress of the United States in one way or another.

These are some of the controversial policies which were adopted over the last several years by the delegates to the National Student Congress of NSA, acting as the "representatives" of the American student community; NSA:

Has condemned the U.S. government for acts of "aggression against the people of Vietnam;"

Has called for the "liberation" of all Black people in America "by any means necessary;"

Has strongly urged that the House Committee on Un-American Activities be abolished;

Advocates the admission of Red China to the United Nations;

Views Student power as following the line of Columbia and Berkeley;

Has urged cessation of military and/or economic assistance to Spain, Portugal, Republic of South Africa, Nicaragua, Haiti, Paraguay, Guatemala, Peru, Argentina, and Iran.

Condemned the U.S. government for sponsoring the Bay of Pigs invasion of Cuba in 1961.

Condemned the U.S. for use of "military force" in putting down the riots in the Panama Canal in 1964.

Urged opposition to the proposed constitutional amendment which would have permitted non-denominational prayers in public places.

I do not have the time to enumerate the many past political and lobbying activities of NSA, a tax exempt group. It is enough to note that the IRS never lifted a finger to enforce the law against them.

5. THE PRESENT NSA TAX STATUS

In spite of daily national publicity in 1967 concerning NSA and the use of tax exempt foundations as funding fronts for CIA, to this day IRS has never taken any action to revoke NSA's tax exemption. Nevertheless, now that NSA has supposedly parted company with the CIA, it has become far more radical in its political actions. It has also manifested a public nervousness about its tax exempt status.

In August of 1968, the 21st NSA Congress meeting at Kansas State University adopted what can only be termed a blatant attempt to create a tax dodge for future NSA activities. On Aug. 30, 1968, TIME magazine reported that "In its one substantive act, the congress took the first step toward breaking NSA into two corporate groups; one would retain NSA's tax-exempt status and carry out its present "educational" functions; the other would pay taxes and remain free to lobby for legislation approved by NSA's annual congress."

If your committee desires, I can provide you with copies of the new incorporation papers of the two corporate entities which TIME mentions. Both were filed last year in the District of Columbia and in essence they provide for two separate corporations governed by the exact same officers and governing board. One will continue, NSA hopes, with its original tax exemption granted in 1954, the other will openly engage in political and lobbying activities.

The half of NSA which retains tax exemption is to be known as the National Student Institute. The incorporation papers and bylaws do not provide single membership for any schools joining NSA. They must join both the tax exempt NSA and the now avowedly political NSA. For all intents and purposes there is no separation of the two entities.

This conclusion is strongly reenforced by a report written by Jim Graham, campus affairs vice president of NSA, which was issued last November, 1968, to various student leaders. The report states as follows:

"Through a series of rather complicated legal measures, the National Student Association Congress approved what is known as the "Dual Corporation Proposal" which divided NSA into basically two separate corporate entities. In the past, the Association was limited by the Internal Revenue Service prohibition against "carrying on propaganda, or otherwise attempting to influence legislation or intervene in any political campaign." While NSA previously was limited in political activity, its favorable tax status allowed grants from private foundations without jeopardizing the foundation's own tax-exempt status. In addition, U.S. Government agencies—the Office of Economic Opportunity, the Office of Education, the National Institute of Mental Health—are reluctant to fund organizations which lobby for legislation. Therefore, for these and other reasons (including money for administrative expenses gained from foundation grants and financial transfers from NSA's subsidiary corporation, the National Student Travel Association), it was and is important to retain our old C–3 tax status as a non-political corporation.

". . . Up until the 21st National Student Congress this past August, there existed no national organization which concerned itself with student political interest. The Congress, at that time, approved a proposal which established a new corporate for the purpose of lobbying on those issues under a C–4 corporate status. This corporation, which includes and is supported by the services division, will become, in name, the U.S. National Student Association. The traditional funded programs of NSA will retain their favorable tax status and will be known as the National Student Institute. The new C–4 NSA, will also be financially supported by National Regional dues and publication sales.

"The dues for the new Association, which include automatic membership in the institute, will remain the same. The 'services' of the institute would be available only to the members of the National Student Association, and there will be no separate membership offered.

"In essence, but quite legally, the two corporations are 'governed' by the same people, i.e., the National Supervisory Board of NSA is the board of directors for the institute and the officers of NSA are the officers of the institute."

In passing, I would like to raise the subsidiary issue that is presented by the fact that the CIA has long given U.S. Treasury funds to NSA, and further, by the series of grants to NSA amounting to hundreds of thousands of dollars from other Federal government agencies including the O.E.O ($376,000 in 1967–68), the State Department, and the National Institute of Mental Health.

The question is, did the parties to these grants act in violation of the law which prohibits the use of Federal funds for lobbying on legislation pending before Congress? Since NSA has continued to take part in lobbying on any number of legislative matters, there is no doubt in my mind that any Federal grants to NSA, for whatever purpose, may well be spent for lobbying.

6. NSA BECOMES MILITANT

With the public break between NSA and the CIA in 1967, NSA has launched itself on a new course of radical left wing militancy which I believe has directly fomented many of the campus disorders in the last two years. (Bear in mind once again that the following events which I will describe are conducted by a tax exempt organization with tax exempt funds granted by other tax exempt foundations.)

In November of 1967 NSA held its "First National Student Power Conference" at the University of Minnesota. There NSA president Ed Schwartz (one of the incorporators of the new dual corporations) presented a "working paper" which was an NSA blueprint for revolution on every college campus in America. Among other things it called for:

(1) "Gradual escalation" which meant "students must be weaned gradually into revolutionary ferver" on college campuses.

(2) "Non-Negotiable Tactics," NSA instructed student revolutionaries that "the goal is to create a dialectical situation in which the administration is forced to reject seemingly reasonable requests for change in such a manner as to alienate the entire campus." The reason given for avoiding negotiations, such as would take place if reform rather than revolution was the goal of these students, is that "as soon as the first proposal appears negotiable, for followers will be lost." What this adds up to is that *the radicals want college administrators to become immoderate or reactionary and to alienate the entire student body.*

3. "Administration Fury." NSA stresses the importance of maneuvering the president of the college or the regents into reacting angrily and slurring the character of the campus groups. The NSA president declared, "Even if your first proposal is not acceptable to many students, the administration's reactions will outweigh their reservations. A slur on the character of any student group within reasonable bounds of respectability is an indirect slap at the entire campus. That should be made clear."

4. "Campus Response." Student workshops are advised by NSA, "if the first move appears too inflammatory, the students may feel that the administration's response is justified. If you can get a few campus 'respectables' or even invulnerables like honor students and Woodrow Wilson winners, you will have a better chance of success."

The NSA Paper admits frankly that the goals of revolutionary campus movements are basic changes within the universities, such as "resignation of the president, abolition of the board of trustees, elimination of classes."

According to Life magazine of October 20, 1967, the NSA Congress mapped out ways *"to bring any university which won't cooperate with our desires to a grinding halt."* At least 40 campuses were selected as targets for revolutionary fervor—including Northwestern, Columbia University, the University of Colorado and Stanford.

In late 1967 NSA, using Federal funds granted by the National Institute of Mental Health, held a three-day conference on student use of drugs. One participant, Jaron Summers of Brigham Young University in Utah, wrote into the drug problem and youth, the entire three days were devoted to statements made by student drug *addicts* about the allegedly beneficial aspect of drug use, including LSD and marijuana. The only warning given by NSA leaders at the conference was to watch out for the Federal narcotics agents they presumed to be present at the meeting.

In January 1969, the NSA filed as a friend-of-court in the U.S. Supreme Court case of Timothy Leary, known as the high priest of drug addicts. What did the tax-exempt NSA ask the Court to do? Strike down all Federal laws prohibiting the use of marijuana!

Four days ago the Washington *Post* reported that NSA President Bob Powell has announced a massive NSA national effort to unite black militants on campuses all over the nation. Toward this end Powell said that his organization had already hired three black organizers who had started their work.

Said Powell: "Most of the universities in the South are sitting ducks for black militants," indicating that NSA would do its best to organize and encourage black militants to make demands on such schools. These are the same kinds of demands which have led to riots on other campuses.

Now listen to this quotation from the *Post* article of Feb. 18, 1969: "According to (NSA president) Powell, the bulk to NSA's $850,000 budget for 1968 come from "clean" government agencies such as the Department of Labor and foundations such as Ford and the Stern Family Fund."

Powell also announced a national NSA drive to accomplish the following objectives:

Court challenges to the laws past by Congress last year which require colleges to cut off Federal funds to students convicted of campus disruptions.

A National campus drive to abolish academic grading systems.

A decentralization of NSA's staff members so that they can get out onto to college campuses.

For your committee's information, I should note that the Ford Foundation has recently granted NASA $315,000 supposedly to be used by the tax exempt half of NSA now called the "Center for Educational Reform." It has been reported that the grant, which was made last fall, so far has not been fully employed by NSA, but will eventually go for "the establishment of training schools where promising students can sharpen their skills, not only in curriculum reform, but also in leadership, organizing other students, and the tactics of dealing effectively with faculty and administrators."

This quotation above comes from the "Student Organization News" an independent publication in New York run by former NSA officials. While its words sound pleasant, I have no doubt the Ford Foundation money will be used, based on NSA's past record and present announced intentions.

7. LEGISLATIVE RECOMMENDATIONS

Members of the Committee, I have read and do endorse the several legislative recommendations made before you today by the American Conservation Union.

In addition, based on the facts I have related today, Young Americans for Freedom would also like to advocate the following amendments to the Internal Revenue Code:

(1) A strict prohibition against any secret Federal subsidies to any private tax exempt organizations.

(2) A prohibition in the IRC which will effectively prevent any "double corporations" which are used as a means to circumvent prohibitions which apply to tax exempt groups. There is little point in having legal prohibitions against lobbying and political action by tax exempt groups, if such groups can establish parallel corporations with interlocking directorates which accomplish the same results.

In addition we would hope that your committee will amend the IRC so that in the future the gross abuses of the tax exemption statute which have been perpetrated by NSA and other tax exempt groups cannot again occur.

ADDRESS BY I. W. ABEL, PRESIDENT, UNITED STEELWORKERS OF AMERICA

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 1969

Mr. DENT. Mr. Speaker, boosting unemployment to slow the economy makes neither social nor economic sense. To even consider such a course when profits are welling into corporate treasuries in record amounts is ludicrous. AFL–CIO Vice President I. W. Abel, president of the United Steelworkers of America, put it bluntly to a group of business executives in St. Louis recently. He labeled the idea of trading misery for profits a "callous disregard" for human suffering. I agree with Mr. Abel, and I think the points he made in that speech should have the full consideration and study of every Member of this House. With unanimous consent, I insert his speech in the CONGRESSIONAL RECORD, as follows:

ADDRESS BY I. W. ABEL, PRESIDENT, UNITED STEELWORKERS OF AMERICA

Officers of the Purchasing Management Association of St. Louis, distinguished guests and ladies and gentlemen:

When Glenn Otten, your First Vice President, extended the invitation to be with you this evening to say a few words, he was

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thoughtful enough to enclose some background information about your banquet and your Association.

I learned that your Association is made up of individuals who hold responsible positions on what we refer to as management's side of the table. I also learned that I would be speaking at what is known as your Annual Executive Banquet—a title with a definite management ring to it. In addition, I am informed that this is the designation because this is the night members of the Association bring along executives of their companies.

Despite all this, I was assured that someone from the trade union movement was the person you really wanted at your Annual Executive Banquet.

However, you must forgive me if I feel that the circumstances of my appearance here tonight gives me some indication of how the early Christians must have felt when the Romans asked them to the Colosseum.

I must say, though, that your invitation is both an act of tolerance and act of courage. Tolerance because I cannot bring you the sharp insights of a scholar or a statesman. I am a steel worker by trade—only less than four years ago elevated to the profession of an International Union President. An act of courage because any view of mine almost certainly will bring some distress. In fact, many steel company executives say I distress them all the time.

Seriously, though, I know you invited me to say a few words because you are genuinely interested in hearing what a labor official might have on his mind these days. And so I thank you for your kind invitation and this opportunity to be with you this evening.

I feel fairly confident that I have on my mind these days perhaps the same questions and hopes that are on your minds. These questions and hopes concern the new Administration in Washington and President Nixon.

What, for example, will be his foreign policy? Will he bring the Vietnam peace talks to a successful conclusion? What kind of domestic programs will be advocated? Will he provide the kind of leadership that a confused, troubled Nation obviously is yearning for?

And what about our hopes? As Americans we all certaintly hope that Mr. Nixon will pursue programs and policies that will bring us a sense of unity. As Americans we all certainly hope that he will inspire a sense of determination to solve the complex problems confronting this Nation. And, of course, as Americans, we all hope he succeeds in providing us with that sense of peace, progress and unity.

As an official of the trade union movement I will not only be looking to the new Administration in the way I have just described, but more specifically I will be concerned about policies affecting workers. In addition, as a trade union official with an interest in economic and social justice, I will be concerned with Mr. Nixon's policies as they relate to an equal sharing of our Nation's ever-increasing affluence.

This, of course, takes us into many areas—labor legislation, tax policy, appointments to government agencies, consumer protection legislation, and so forth. It would be wrong and unfair to forecast Mr. Nixon's actions in these areas or to attempt in any way to pre-judge such actions.

But I would like to get specific this evening about an area which has come in for increasing speculation and discussion as Mr. Nixon assumes the office of the Presidency.

This is the area defined as "inflation"—prices, wages, profits—who is the culprit in the inflationary spiral—and what do we do about it?

So, recalling that I already have praised your courage for asking me here because—as I said—any view of mine almost certainly will cause some distress, permit me to cite a few facts about inflation.

In the period from 1960 to the January-March quarter of 1968, *after-tax* profits of corporations increased 95.5%.

Dividends to stockholders in the same period rose by 73.1%.

Corporate cash flow—the amount of money available to a company for actual use—rose by 84.7%.

Now, how did workers in non-supervisory jobs make out over the same period? Not nearly as well.

The after-tax earnings of such workers went up only 26.6% in the same period between 1960 and the January-March quarter of 1968. After allowing for increases in the cost of living, such workers were really only 9.6% better off.

These figures I have just cited come from information made available by the U.S. Department of Commerce and the Bureau of Labor Statistics of the U.S. Department of Labor.

I trust that figures from such sources are not suspect to anyone. In any event I will now cite another source. The source is the Wall Street Journal which, like Caesar's wife, must be beyond suspicion by the business world.

The Wall Street Journal of August 5, 1968, for example, carried a surprising but welcome story—to labor at least—on who was to blame for today's inflation. It was a rather long, analytical story but I believe some brief quotations will give you the main thrust of the story.

In attempting to fix the blame for today's inflation, the story said the attempt should *not* be limited to a consideration of labor costs because the blame belongs in many places. And now I want to quote the next few paragraphs:

"A major culprit may be corporate profits. A glance at the economic history of the post-World War II era certainly suggests that inflation has been just as much 'profit-push' inflation as 'wage-push.' Consider a few facts about the post-War era—the story continued.

"In the past 20 years, there have been three distinct periods in which factory prices climbed substantially over a prolonged interval.

"In each instance, labor costs per unit of factory output were *declining* when the price climb began and these costs continued to decline for a considerable period after the price rise was under way.

"In each case—the story noted—corporate profits began to increase sharply well *before* the price climb started."

The article then quoted the president of a New York consulting firm, Peter L. Bernstein of Bernstein-Macaulay Inc., as saying that such facts make the pattern clear enough.

"Instead of labor costs pushing prices up," Bernstein told the Journal, "what we see instead is a sort of profit push. Profits are already well on their way up before prices begin to rise, and prices are well on their way up before wages begin to rise faster than output."

James Tobin, a professor of economics at Yale University and a member of President Kennedy's Council of Economic Advisers, was also quoted in the Journal story. He said that there's no question that excessive labor costs add fuel to inflation "but if you want to put first things first, you have a look at the role of profits."

The story then detailed what happened in each of the three periods in the last 20 years when factory prices climbed substantially over a long interval. The most recent period—which is still going on—began in 1965. The article pointed out that profits started rising in this period long before prices and that unit labor costs actually were declining when the price rise got under way.

There's an old saying, "Never let go of a good thing." In the case I am making this evening, the Wall Street Journal is a "good thing" and I'm not going to let it go just yet.

Shortly after the Journal story of August 5 on the role of profits in inflation, a story on the role of *price* increases in inflation appeared in the Journal of October 22. *This* story cited chapter and verse to show, in effect, that unions were not guilty of causing large price increases.

Contrary to the view that the current inflation is fueled mainly by union demands for higher wages, the Journal story asserted, many economic analysts say that the "biggest price increases are coming where unions are weak or where labor costs are not even a major consideration."

For example, it noted that few businesses are more strongly unionized than the auto industry. Yet, the Government's consumer price index puts new car prices, on the average, at about the same level as 10 years ago.

On the other hand, it added, few fields are so little unionized as medicine but doctors' fees have jumped almost 40% on the average in the last 10 years.

I also call your attention to the following comment in the story by Victor B. Fuchs, an economist at the National Bureau of Economic Research:

"The stereotype of big unions commanding big pay increases and causing, ultimately, big price boosts, just doesn't jibe with the facts."

Instead, the Journal noted, "The economic record shows that the biggest price increases are coming where highly skilled professionals are needed to meet sharply rising demand, or where it's difficult to offset higher wage rates with automated equipment, or where factors are involved that have little at all to do with labor costs."

The story then went on to list the different areas where significant price increases *have* occurred for the past 10 years. It showed that prices have increased 101% over the last 10 years for what it called "daily hospital service"—70% increase in movie prices—48% for maid service—44% for auto insurance rates 42% for postal rates—36% for property insurance rates.

In a second table, the paper listed some items whose prices actually declined in the last 10 years, taking quality improvements into consideration:

Radios down 23%; TV sets down 20%; Refrigerators down 17%; and Washing Machines down 14%. The industries that manufacture items in this second table are highly unionized, the story pointed out.

And then, in a follow-up editorial on its articles on inflation, the Wall Street Journal stated that it was more accurate to say that rising consumer prices cause rising wage demands than to say that rising wage demands cause rising consumer prices.

"In this post-election period—the Journal concluded—inflation remains a clear and present danger. And it won't be diminished one whit by efforts to put the blame solely on the labor unions."

I have referred to these statistics from the Government and the articles in the Wall Street Journal to make two points:

One—Workers have not been sharing equally in the increasing prosperity of the country.

Two—The blame for the current inflation cannot be placed on the trade union movement; but more on rising prices and rising profits.

Having made that part of my case though, does not solve the problem of inflation. And that is one of the major problems confronting the Nixon Administration.

We are all aware, I am sure, of the running discussion in the news media and Government about the proper course to follow in preventing runaway inflation.

What I have been reading and what I have been hearing has disturbed me very much. I am certain it has disturbed my colleagues in the labor movement. It is disturbing because the burden of the discussion and debate seems to completely ignore the facts of inflation, as I have just pointed out, but more so because they amount to a callous disregard of the human factor. This is what I mean—

Back in October, in the plush resort setting of Hot Springs, Virginia, the Business Council—made up of executives of large corporations—held one of its periodic meetings with Government officials to discuss policy issues.

During the discussions, the members of the Business Council agreed that the Nixon Administration should take swift steps to halt inflation even if such steps meant an increase in unemployment to as much as 5½%.

Ralph Lazarus, chairman of Federated Department Stores, Inc., and chairman of the Business Council's committee on the domestic economy, told the press it was their feeling that if unemployment is the price for ending inflation—and I quote—"it must be paid."

The Chase Manhattan Bank, in a recent newsletter, had this comment to offer on the issue of inflation:

"Over the long run, the economic challenge for the new Administration is to develop fiscal and monetary policies that will keep unemployment within socially acceptable bounds and maintain price stability."

I am just as confident, as you are, that it is little comfort to an unemployed worker with a wife and children to support, to be told that his unemployment is within socially acceptable bounds. The fact of his unemployment—to him—is that it is a depression, not a recession. And it's not the least bit acceptable

It seems to me that everyone *assumes* that there must be some kind of a trade-off in higher unemployment in return for a slowing down of increasing inflation.

Columnist Sylvia Porter, for example, started a recent column this way: "Of course the Nixon Administration will be willing to trade off a higher rate of unemployment in return for a slower rate of rise in prices."

Eileen Shanahan in the New York Times of December 8 put it this way: "The issue is simply how much unemployment should the Nation be willing to accept (or trade off) to maintain reasonably stable prices?"

Paul McCracken, new chairman of Mr. Nixon's Council of Economic Advisers, will play a key role in the Administration's approach to the inflation problem. So his thinking in this area is vitally important.

In a speech last September to the National Industrial Conference Board. Mr. McCracken said, "We must learn to live with an uneasy compromise between inflation and unemployment."

He also has said that we must first get the price level down to a 3% rate of increase and this means "unfortunately, we'll have to accept the consequences in somewhat higher unemployment."

In all fairness, though, Mr. McCracken has since expressed the "hope that we can, by very careful management of economic policy, cool down the price level without having adverse effects of unemployment."

Yet, Mr. McCracken expressed only a "hope"—not a determination or a pledge—only a "hope" that such can be done without increasing unemployment.

However, the point I want to make clear by these statements I have just cited, is that in all the discussion and writing about halting inflation there is no talk about a "trade-off" in profits—no reference to a "trade-off" in prices—no reference to the fact that the official policy of this Nation on employment is a policy of full employment; not a little *un*employment or 4% unemployment or any level of unemployment. Our Government, under legislation enacted by the Congress of the United States, is directed to pursue a policy of full employment. There is no escape clause in the law allowing the Government to ignore it in periods of inflation, or at the pleasure of any national Administration.

In all the talk and all the writing I have not seen a single reference to a trade-off in any area of the inflation picture except to a trade-off in unemployment.

Now I ask this question, in view of who's been receiving a larger share of the profits and who's responsible for our inflation:

Why should those who have not been sharing fairly in the Nation's prosperity, and those who are not primarily responsible for the inflation, be made to bear the burden of stopping the inflation?

Why should the worker, who has been trying to catch up and stay even with prices, now be expected to accept unemployment as the cure for inflation?

Why should the worker, who is not the primary cause of the inflation, be made to suffer some hardship to stop the inflation.

It's one thing for a steadily-employed economist or columnist to write about a trade-off in unemployment as a price for halting inflation. But it's quite another thing when it's your job at stake.

To bring it home a little closer: Would any of you accept calmly the necessity of going without a job—and that means no income—for four or five months as your contribution to halting inflation? You know what they say: When the other fellow is out of work, it's a recession; when you're out of work, it's a depression. Just as there is no such thing as a little pregnancy for the individual concerned, there is no such thing as a little unemployment for the fellow out of work.

Look at it from the worker's viewpoint. He reads in the paper that corporations continue to ring up record profits. General Motors sets a record and then raises prices. He sees prices and profits going up all round him. Yet everyone seems to be pointing the finger at him, blaming him for high prices and saying he must be willing to be laid off so things can slow down a little.

It just doesn't make sense to him, and rightfully so. Unemployment means hardship, privation and perhaps some suffering. The state of joblessness is not something that a worker can look at with detachment, or in the cold analytical manner of an economist or a writer. So he has a right to expect—yes, a right to demand—that *another* way be found to harness inflation.

He has a right to ask the question: Is there any real suffering if General Motors or Ford or AT&T or U.S. Steel make a few million dollars less a year? Is there any real denial of the necessities of life if corporations hold the price line when they enjoy fat profits?

He has the right to ask: Why shouldn't corporations share their affluence with consumers through steady prices and with their workers through wage adjustments instead of charging what the market will bear?

He has the right to ask: Is the business of this country business—as Calvin Coolidge said—or is the business of this country people, as is often expressed but not always practiced?

I say it is wrong—as a trade unionist and as a person concerned with the human and humane aspects of economics—to make the worker pay the price for slowing inflation.

Instead of talking so freely about trading off unemployment for more stable prices, we should be expressing a resolve to make our economic system distribute its benefits equally and without penalty to any sector.

Can it be done? If a Nation can land a man on the moon, it can keep a man on his feet on earth. If a Nation can produce machines to write checks at the rate of 10,000 an hour it can come up with an answer to inflation that doesn't involve unemployment.

A starting point, I might suggest, is a willingness by all concerned to search for a solution that would not require making people jobless. There must be an end to the unchallenged assumption that the Steelworker or marginal worker must suffer unemployment as the most likely and logical way to halt inflation. The profit record breakers must become less record conscious and be more willing to share with consumer and worker.

The Government should also look at those areas where the real rapid price increases have occurred and do something about them. For example, medical costs and services are rising too fast and are out of line with what hospital workers are paid.

Additionally, the President should be given discretionary tax authority so he can adjust taxes in times of threatening inflation and thereby nip inflation in the bud. This was recommended by both President Kennedy and President Johnson but Congress remains wedded to doing things the old and impractical way and did not grant such authority. If the President, for example, had had such authority in 1966—when there should have been tax action—the present inflationary situation would not have developed. Such action two years ago would have curbed the capital goods boom and slowed the unprecedented rise in corporate profits that helped perpetuate it.

Remember, it was in 1966 that Gardner Ackley, Chairman of the President's Council of Economic Advisers, told a meeting of the U.S. Chamber of Commerce:

"Now that profits after taxes . . . are providing the highest sustained rate of return on owners' equity in our modern history, it is time to ask whether a further rise in the *share* of profits in the national income is in the interest of the health of the Nation's Economy or in the interest of business itself."

Also, there should be established some kind of a machanism for reviewing prices and price increases, particularly in those industries where prices tend to be administered prices and where the law of supply and demand was repealed long ago.

There should be more effective anti-trust action to halt the unhealthy trend to the creation of larger and ever larger corporations—the conglomerate, where we see companies in unrelated fields merging into a single giant. I say it is wrong for a company such as Kennecott Copper—largest copper company there is—to merge with Peabody Coal—the largest coal company there is. So did the Federal Trade Commission but the two companies merged anyway. The matter is now in the courts and we can only hope that the FTC is sustained.

There also must be more effective legislation in the area of consumer protection so consumers are guaranteed a fair shake and price-gouging is stopped.

But the major factor, as I see it, is general resolve and recognition to search and find a way to bring stability and equity to the economy without making the worker the fall guy.

Of one thing you can be sure, though: The labor movement will continue to demand—as it consistently has—that this kind of search be undertaken and that the only correct policy regarding employment is one of full employment.

As I said at the beginning of my remarks, I think you invited me because you genuinely wanted to hear what was on the mind of at least one labor official in these somewhat troubled times.

I also warned that my views almost certainly would bring you some distress. I have stated, quite frankly, some of the things that are on my mind, so I trust I did not misread the purpose behind your invitation. And I also sincerely trust that I have not caused too much distress.

Someone once said that a speech must not be eternal to be immortal. In keeping with that advice, I will close my remarks with another sincere thank you for asking me to be with you. Thank you.

BATTLE ON LIMITING U.S. FARM PAYMENTS LIKELY TO BE REVIVED BY AGENCY PROPOSAL

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 1969

Mr. CONTE. Mr. Speaker, I have for some time been interested in limiting farm payments. Last summer I supported an amendment to H.R. 17126 which placed a $20,000 limitation on the total amount of all payments combined that could be made to any one individual ~~or any~~ one farming operation. A most interesting article on the subject of farm payments appeared in the Wall Street Journal on March 3, 1969. Because of the importance of this subject, I recommend that this article be included in the RECORD.

The article follows:

COMMODITIES: BATTLE ON LIMITING U.S. FARM PAYMENTS LIKELY TO BE REVIVED BY AGENCY PROPOSAL

(By Burt Schorr)

WASHINGTON.—The ceiling on Government payments to farmers could be set as low as $5,000 per crop program and $10,000 per farm "without serious adverse effects on production or on the effectiveness of production adjustment programs."

That's the gist of a proposal worked up by Agriculture Department Democrats a few weeks before they left office. It's likely to revive a heated wrangle over limiting Government payments to farmers.

The proposal never got beyond a draft policy statement polished by then Under Secretary John A. Schnittker. The reasons: White House enthusiasm for a payment-ceiling study apparently evaporated after the November election, and Mr. Schnittker's boss, Secretary Orville Freeman, found it difficult to reverse his prior public position that payment limitations would destroy the supply-management effectiveness of major crop programs.

But the draft is currently being read with interest in Congressional and Executive Branch offices here and seems to offer the sharpest blade yet for Capitol Hill liberals bent on cutting back big crop payments to well-off farmers. The case for payment lids seems likely to get far wider attention if, as expected, Mr. Schnittker is called as a Congressional hearing witness later this year.

BREAKDOWN BY CROPS

For one thing, a table appended to the draft statement supplies the department's first payment breakdown on producers getting $10,000 or more under each of the cotton, feed-grain and wheat programs. Federal payments to individuals of $5,000 and up from all the programs combined have been available for two years. But a breakdown by crops—considered an essential step in limitations planning—had been lacking.

In 1967—the year on which the Agriculture Department's calculations were based—cotton payments exceeding $10,000 each went to nearly 8,200 growers, who accounted for almost half of total U.S. cotton production. The overall cotton payments in excess of the hypothetical $10,000 ceiling amounted to $262 million, or more than five times the excess for wheat and feed grains combined. Among the recipients was Sen. Eastland; the Mississippi Democrat and members of his family collected a total of $211,000 in crop payments that year, mostly for cotton-program participation.

By comparison, only 850 wheat growers, producing a mere 1% of total U.S. wheat in 1967, received more than $10,000 each in wheat payments. Similarly, fewer than 4,600 producers of feed grains (primarily corn and grain sorghums), with about 10% of overall U.S. production, got more than $10,000.

Based on the findings of this new computer analysis, the Schnittker draft concludes that a payment ceiling as low as $5,000 per program and $10,000 per farm could be imposed. But it suggests that a limit of $10,000 per program or $20,000 per farm is a more realistic objective.

Budget savings of perhaps $300 million annually could be expected on the more than $3 billion Uncle Sam currently pours into direct farm payments, the Schnittker draft contends. Advocates of payment limitations envision money saved in this manner being reallocated to fatten Government food aid to the poor or to job training and land retirement for low-income farmers.

As might be expected, top Republican newcomers at the Agriculture agency are reserving judgment until the Nixon Administration has time to investigate payment ceilings on its own; nonetheless, one of them confides that if limitations worked as touted, "we could all be heroes." Even if benefits from such a program don't live up to expectations, one department economist believes a limit on payments would be an important transitional step toward reduced Government intervention in commodity marketing—a long-term objective of the new Administration.

A HANDY TARGET

Whatever the practical arguments, fat Federal payments, particularly to big cotton and sugar planters, clearly have become a handy target for those who charge that farm subsidies make the rich richer and don't do enough for poor rural residents. There already is a $2,500 ceiling on conservation payments, while the sugar program has a sliding scale weighted to smaller growers, but no top limit. Of the five payees receiving more than $1 million from Uncle Sam in 1967, two were in the sugar program and three in cotton.

Last summer, liberal Republicans and Democrats in the House joined forces to tack a $20,000 payment ceiling on the bill extending major crop legislation for one year. The Amendment later was eliminated from the final House-Senate version, but leaders in the ceiling fight made it plain they will raise the issue again. When they do, the Schnittker draft policy and the crop-by-crop payments breakdown it discloses are bound to be wielded as one of their biggest weapons.

Supporters of the Schnittker draft contend a $10,000 ceiling would affect so few wheat farmers that there wouldn't be any significant harm if some of them dropped out of the program to produce their crop without regard to Government acreage restrictions. The threat of a surplus buildup resulting from ceilings for feedgrains payments is somewhat greater, but proponents of the $10,000 limit contend this can be offset by sweetening acreage-diversion inducements for smaller growers.

To make payment limitations as painless as possible under all three programs, the draft suggests imposing them gradually over a three-year period. Wheat and cotton producers also might be allowed increases in their acreage allotments commensurate with their payment decrease, while feed-grain producers could be permitted similar reductions in land diversion required, under the Government program.

Mr. Schnittker believes that, given such an opportunity, producers of high-quality cotton in the Mississippi River delta, Arizona and California, where farms tend to be big and efficient, would elect to expand acreage.

This is sharply disputed by payment-ceiling foes. Horace D. Godfrey, former Agriculture Stabilization and Conservation Service administrator who now is Washington representative for domestic sugar cane growers, asserts total cotton production costs simply are too high for this to happen.

The counter argument for some department economists is that such calculations are distorted by inflated cotton land values; they say operating costs, which include fertilizer, seed and labor, would be a better guide—a view bolstered by continuing pressure from Western growers for increased cotton acreage allotments.

What both sides agree on is that intensive computer studies are needed to determine what cotton growers would do when faced with a ceiling—turn to livestock, perhaps causing still more rural unemployment; switch to alternative crops like soybeans or vegetables, and maybe soften prices for those commodities; or remain in cotton.

One Government cotton expert believes there would be a tendency for big landowners to lease or sell their cotton tracts to bring payments within any ceiling. Others predict more troublesome methods of avoiding the ceiling's effect would develop. Even a $20,000 limitation would produce an "absolute administrative monstrosity," warns Mr. Godfrey, who as ASCS chief oversaw compliance with crop programs. One of his predictions: Landowners who lease cotton acres to tenants and take the Federal payments as rental might instead opt to give each tenant the Government cash—thus keeping individual payments within the ceiling—and take all fiber raised as rental.

The Schnittker draft acknowledges that ceiling-evasion tactics would present "serious administrative problems." Any ceiling "would need to be backed up by a firm policy against such farm-splitting," it adds. "There would need to be strict, uniformly administered regulations to back up the law. As much as one-third to one-half of the potential savings might otherwise be lost," the draft warns.

Even without such calculated evasion, farmers who serve on the ASCS committees in each county might be hard-pressed to determine bona fide changes in family farm partnerships and small corporations. "It would be impossible for Washington, for a state administrative committee, and especially for a farmer-elected county committee to distinguish changes for causes other than those which would be a direct result of payment limits," the draft states.

But the draft concludes that such problems aren't decisive and "are not good reasons for opposing payment limits."

THE NATIONAL DEBATE OVER HOT WATER GETS HOTTER

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 1969

Mr. ROBISON. Mr. Speaker, America stands on the threshold of a new era in the production of electric power. As our Nation grows, and as its peoples' standard of living improves, we can expect to

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see the demand for electricity continue to double at least every 10 years.

At present, the waste heat—called a thermal discharge—produced by the cooling systems of steam powerplants affects something over 7 percent of all the available fresh water runoff in the 48 contiguous States, a figure that is projected to rise to more than 16 percent by 1980 and on to about 50 percent by the year 2000, if conventional once-through cooling procedures would still be generally employed at that time.

Even if the waters of our lakes and streams scheduled to receive these discharges were as clean as they should be, it is obvious that this prospect poses an environmental and ecological challenge of tremendous proportions.

In an effort to avoid the damage to our aquatic environment which would result wherever the adverse effects of these discharges on those receiving waters turned out to be thermal pollution—in the sense that such large quantities of hot water added to a lake or stream upsets nature's ecological balance—the Committees on Public Works of both the House and Senate have been holding hearings on a variety of pending bills dealing with this subject about which all too little is yet known.

My interest in what is clearly a fast-developing national problem, stems from a utility company plan to construct a nuclear-fueled steam powerplant on the east shores of Cayuga Lake—a plan that, as one magazine recently noted, has set off "one of the major conservation battles of the nuclear age." With the thought, Mr. Speaker, that my colleagues might find a background description of the issues in that dispute of value to them against the day when they may be called on to consider legislation in this area of concern, I now include—under leave granted—the text of my statement on all this as recently submitted to the Subcommittee on Air and Water Pollution of the Senate Committee on Public Works:

STATEMENT BY REPRESENTATIVE HOWARD W. ROBISON, 33D CONGRESSIONAL DISTRICT OF NEW YORK, AS SUBMITTED TO THE SUBCOMMITTEE ON AIR AND WATER POLLUTION OF THE SENATE COMMITTEE ON PUBLIC WORKS ON MARCH 5, 1969

Mr. Chairman, and Members of the Subcommittee:

The lead paragraph in an article entitled "A Battle Rages Over a Nuclear Plant," as published on February 3, 1969, in "The National Observor," reads as follows:

"Cornell University nestles into the steep hills overlooking Ithaca (New York) and commands a dramatic view of long, narrow Cayuga Lake, the largest of New York's Finger Lakes. And it is here—'Far Above Cayuga's Waters'—that one of the *major conservation battles of the nuclear age* is being fought."

Mr. Chairman, I deeply apreciate this opportunity to appear before you and this subcommittee to comment briefly on this localized "battle"—which is being fought out largely in the Congressional District I am privileged to represent—and then to go on from there to address myself to the larger, national issues therein involved.

I have appended to the original copy of my remarks, today, a copy of the "Observor" article since it provides us with a clear and, I would say, fairly objective description of the Cayuga Lake dispute and, in the interest of saving time, I would appreciate it if the text of that article—which is not overly long—could here be incorporated into the record as a part of my statement:

"FAR ABOVE CAYUGA'S WATERS: A BATTLE RAGES OVER A NUCLEAR PLANT

"ITHACA, N.Y.—Cornell University nestles into the steep hills overlooking Ithaca and commands a dramatic view of long, narrow Cayuga Lake, the largest of New York's Finger Lakes. And it is here—'Far above Cayuga's Waters'—that one of the major conservation battles of the nuclear age is being fought.

"Nearly three dozen Cornell professors have begun a no-surrender fight to force New York State Electric & Gas Corp. (NYSEG) to alter its design for an 830,000-kilowatt, nuclear-fueled power plant that the utility intends to build on Cayuga's eastern shore 16 miles north of here.

"It's hardly a localized situation. Already, there have been angry confrontations between conservationists and utilities in Oregon, Florida, and Connecticut, and over plants being proposed near New York City.

"And there are sure to be many more as the construction of huge third-generation reactors, requiring great quantities of cooling water, spreads inland from what is now a seaboard concentration.

"The Atomic Energy Commission (AEC) says that 13 nuclear power plants, many of them small and experimental, are now operating in the United States. But there are 44 under construction and 42 more being planned. While nuclear power generated only 1 per cent of the nation's electricity in 1967, it will generate an estimated 37 per cent by 1980 and 50 per cent by 2000.

"Jumps in the demand

"The nation's demand for electricity is increasing even faster than its population. Electrical demand doubles every 10 years, and the only feasible way to meet future demands is with plants whose capacity is in the 750,000-kilowatt class. The bigger the plant, the cheaper the per-unit cost of generating electricity.

"But the bigger the plant—whether it's nuclear-fueled or fueled by coal, oil, or natural gas—the more water required to cool it. NYSEG's plant here on Cayuga Lake, for example, would circulate through its cooling system an estimated one-quarter of Cayuga's volume of water each year. Nationally, it is estimated that by 1980 the electric industry will require for cooling purposes one-sixth to one-fifth of the nation's entire annual supply of fresh runoff water.

"And this, say the conservationists, could create devastating problems if not planned for stringently and carefully.

"The professors and the citizens' group they helped to organize—the Citizens Committee to Save Cayuga Lake—are not objecting to the plant here just because it's nuclear, instead, they say, they are objecting because its hot-water discharge will cause thermal pollution that might well radically and irreversibly alter Cayuga Lake's ecology—its life system.

"The opposition also questions the utility's intention to release minute amounts of radioactive wastes into the lake regularly. No one knows what these wastes would do to the lake's aquatic life, they argue.

"A way out

"They say that they are not intransigent. Everything, they argue, would be solved if NYSEG would simply build cooling towers and filters that would add only $5 a year to each of the utility's 500,000 customers' electric bills.

"Except for the $5 figure, which is the utility's own, the company disputes its opponents down the line. It says it would never do anything to harm the environment and that the professors and the committee are making hasty inferences from incomplete knowledge. NYSEG has put up $500,000 for ecological studies, now under way, of the plant's effects on Cayuga. If these studies show pollution is likely, the utility says, it will install whatever equipment is needed to prevent it. Until then, NYSEG adds, there is no point in spending unnecessary money.

"The utility's opponents here—pretty much like conservationists everywhere—don't think there's anything hypothetical about the problem.

"Fresh-water runoff, they explain, replenishes the nation's streams and lakes, whose living creatures are highly dependent upon water temperature. Trout, for example, require that water be 48 degrees or colder.

"But, for many conservationists, it's not solely a matter of protecting trout or the crustaceans that trout eat. It's a matter of preserving a balance in nature. No one knows, these conservationists say, what the ultimate consequences of turning nature upside down may be.

"Lakes are especially vulnerable; they can't carry off as much heat as swift-moving rivers. Lakes have what is called a flushing time—meaning the time required for an 'average' drop of water to move through them—of a few years to a few hundred years. If lakes are big enough, hot-water effluent may have a negligible effect. But if they're too small to cope with the discharge, trouble may develop quickly.

"Heat stimulates biological activity in lakes and quickens a process that ecologists call eutrophication. Like all natural systems, those of lakes have evolved over millennia and achieved a delicate balance between the water and the life forms that inhabit it.

"When man intervenes, nature's processes often are overwhelmed. Industry dumps in its waste; cities add their sewage; and run-off water leaches fertilizer residues and insecticides from farms and carries them into the lake. Some additives kill the aquatic life and others—nutrients—stimulate growth so that algae proliferate. These range from green algae to the stinking blue-greens, so potent that their noxious stench can peel the paint off a house. The result, as the saying goes, is water that is too thick to drink and too thin to plow.

"Of such nightmares was the battle against New York State Electric & Gas Corp. born.

"It began early last year, about nine months after NYSEG announced its plans to build Bell Station, $170,000,000 nuclear power plant, on an 815-acre site adjacent to its 290-megawatt, coal-fired Milliken Station plant on Cayuga Lake. The man who started it all was Dr. Alfred W. Eipper, an associate professor of fishery biology at Cornell.

"Professor Eipper does not have the appearance of a man who tackles power companies. Slight of build and soft of voice, he does not smoke, he eschews a predinner cocktail, and he utters no word of profanity during a four-hour discussion of the Cayuga question. He is altogether professional, with one exception: He doffed his academic robes and donned the gloves when NYSEG's explanation of its plant's effects on Cayuga Lake did not satisfy him.

"Writing a pamphlet

"Sixteen other Cornell professors soon joined him. With Professor Eipper as chairman, they wrote last May a pamphlet titled 'Thermal Pollution of a Lake by a Proposed Power Plant.' The authors included limnologists, biologists, fishery specialists, conservationists, a geologist, and experts in water-resources engineering and aquatic studies.

"The Citizens Committee to Save Cayuga Lake was Professor Eipper's brain child. Formed last August, the committee is chaired by Mrs. Cornelia Hill of Ithaca. Its working head is its executive director, David D.

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Comey, a research associate in Soviet studies at Cornell and director of the Research Institute on Soviet Sciences, private consultants. Mr. Comey, 33, is independently wealthy, drives a hot Porsche Super 90, speaks fluent Russian, and has the wherewithal to devote the time required to make a committee like this work well.

"He quickly lined up a gilt-edged list of initial members and added to it a newspaper publisher, two state legislators, local politicians, and other community leaders. Though he says the committee has had only $2,000 in donations, it is well-organized and efficient. It recently put together a 199-page loose-leaf handbook of public hearings and published reports concerning NYSEG's plant. 'I had some of the wealthiest people in Ithaca on their hands and knees on my living room floor putting together the pages for that,' he says.

"The Eipper paper and the committee's formation were followed last Nov. 22 by another paper, written by 12 Cornell professors headed by Dr. Clarence A. Carlson, Jr., an assistant professor of fishery biology. It was titled 'Radioactivity and a Proposed Power Plant on Cayuga Lake,' and it, like the Eipper pamphlet, challenged NYSEG's assertions—set forth in NYSEG's application to the AEC for a permit to construct the plant—that the plant's discharges of hot water and radionuclides would be well below levels deemed harmful.

"Therein lies the difference between the people opposing NYSEG and the groups that customarily are found in the thick of such hassles. The authors of the Eipper and Carlson pamphlets were not little old ladies in sneakers or irate housewives with much umbrage and little knowledge. They were all experts with credentials, men who had studied Cayuga Lake for years and were professionally competent to make judgments.

"Whether their judgments are too quick-triggered remains to be seen. 'It is unfortunate,' says William A. Lyons, NYSEG's president, 'that some individuals are already jumping to conclusions before the facts are in. If premature assumptions such as have been made were conclusive, it certainly would be needless for us to be expending research funds of the magnitude we are devoting to this most comprehensive study ever made of any of the Finger Lakes.'

"Moreover, the utility's vice president and chief engineer, Albert D. Tuttle, says that power plants' designs take shape right up through construction and that Bell Station employs the 'flexibility concept.' Does this mean the utility would build what its critics are demanding if its research studies show pollution is likely otherwise? 'That's not only implied,' Mr. Tuttle replies, 'that's the whole thing. If it became apparent that the cooling towers were required, we would build them.'

"If Cayuga were a larger lake and Bell Station's water requirements were proportionately smaller, there might be no argument. But Cayuga is the smallest lake on which a large nuclear plant has ever been planned, and it is a most unusual lake. Thus the controversy.

"Nub of the argument

"Cayuga is long (38 miles), narrow (1.7 miles average), and very deep (435 feet maximum, 179 average). Its flushing time is nine years. From May to November it is thermally stratified. That is, its cold lower layer and warm upper layer mix into one only when cold weather cools the upper layer, makes it denser, and lets it sink. This mixing replenishes the lower layer's oxygen supply. The trout and other cold-water life forms live the rest of the year on the oxygen brought down from November to May.

"The nub of the argument is NYSEG's plan to pump cold water from the always-cold lower level into the plant, pass it through a condenser cooling system, and discharge it at the lake's surface at 65 to 70 degrees Fahrenheit. NYSEG's critics say the added warmth would delay the start of Cayuga's layer-mixing in the winter and prolong the onset of stratification in the summer.

"They say this would prolong the lake's growing season at both ends. Prolonging stratification would mean increased biological production in the upper layer and less oxygen available in the lower. The critics also say that microscopic food forms would be killed by the sudden rise in heat as they passed through the condenser.

"The Eipper group says the net effect would be disruption of Cayuga's natural balance and, eventually, the lake's destruction. NYSEG officials think differently, of course. They cite studies of their own that predict imperceptible effects from the discharge. Anyway, they add, they'll continue studying the lake after the plant starts up, and make whatever corrections are indicated.

"The question of danger from radioactive wastes is, if possible, even more debatable.

"Bell Station will use a General Electric Co. boiling-water reactor. Its heat turns water to steam, which spins a turbine and generator, passes to a condenser, is converted again to water, and is pumped back into the reactor in a continuous water-steam cycle. Before long this water becomes highly radioactive, containing radionuclides of strontium, cesium, iodine, and the like.

"GE experts say 99.99 per cent of these radionuclides, gases and liquids, will be filtered out, collected, sealed, and eventually shipped off and buried. The fraction left over, some of it from water drained off from leaks and cleaning operations, will be routinely released into the condenser water's outflow of 500,000 gallons per minute, which will dilute it before it reaches the lake.

"More study needed

"NYSEG and GE say the discharges will total only one-tenth of 1 per cent of the maximum permissible concentrations (MPCs) allowed by the AEC. The Carlson group argues that 'no one can accurately predict the effects such accumulations might have on aquatic organisms' because the problem hasn't been studied enough.

"The Atomic Energy Commission is responsible for enforcing standards of reactor safety and radioactive emission from nuclear plants, but it is not legally bound to consider thermal pollution. It has advised NYSEG to heed Federal standards set up by the Federal Water Pollution Control Administration, but its role is only advisory.

"In 1967 the AEC ruled out of order state witnesses from Vermont and Massachusetts who sought to protest thermal pollution of the Connecticut River by a proposed nuclear plant at Vernon, Conn. Gov. Philip H. Hoff of Connecticut later testified before the Senate Subcommittee on Air and Water Pollution, headed by Sen. Edmund Muskie, Maine Democrat, that 'we were dismayed during the Vermont Yankee [Power Co.] hearings when the AEC decided that thermal pollution was none of its concern.

" 'I would submit that this decision removed the AEC as an objective governmental agency responsible to the public interest.' Governor Hoff said.

" 'The AEC is charged both with the regulation of atomic energy and with promoting its use,' adds Cornell's David Comey. 'Thus it has a conflict of interest built right into its enabling legislation.'

"An equally controversial situation involves the New York Health Department, from which NYSEG must obtain a permit to discharge water into Cayuga. In a letter to one committee member regarding departmental policy, an official wrote that 'the Health Department is concerned with protecting the waters of the state but reasonable use of the waters of the state must be allowed in order to encourage industrial development.'

"Thus the state's Health Department must balance environmental threats against economic benefits of nuclear powerplants. The New York health commissioner, Dr. Hollis S. Ingraham, two months ago became chairman of the New York State Atomic Energy Council, whose aims include dvelopment of atomic energy.

"The broad issue, for Cayuga Lake and the nation, may have been stated before a legislative committee hearing in Ithaca last fall. Lawrence Hamilton, professor of conservation at Cornell, said this:

" 'After we have argued costs, safety factors, algal growth, fall turnovers, planned releases of radionuclides, after we have heard one protagonist say that no harm will result from our present plans and heard others say that the lake environment will be seriously impaired, the issue, the decision, is a political one.

" 'With noise, smog, garbage, sewage, industrial waste, junk autos, billboards, drab and depressing urban sprawls, highways and pesticides, we have fouled some of our most desirable natural environments. We have eliminated species of plants and animals and thus diminished the wonderful biotic variety of life on earth. On the strength of our knowledge of nature, we have set ourselves above nature and now presume to alter the environment for any living creatures at whim or for short-term profit. . . . Are we playing environmental Russian roulette?'

"From the testimony here in Ithaca, there's no easy answer. It would be nice to know just what the answer is.—JIM HAMPTON"

* * * * *

Mr. Chairman, J. F. Hogerton has written: "The problem of *balancing risk against benefit* is perhaps the oldest problem in human experience."

It is a problem with which all of us, as representatives of the people, are fully familiar, but I do not envy you your task as you turn your attention to the vexing problem of the impact of waste heat on water quality—an area of concern where, as it has been stated, ". . . the unknowns still far exceed the knowns in water quality requirements—even to the experts!"

Despite that fact, certain statistics—that I assume have also become familiar to you—dictate a considerable amount of urgency in your search for legislative safeguards against the growing environmental threat of what some call *"thermal effects"* but which others stoutly denounce as *"thermal pollution."*

Whatever the outcome of that semantical debate, we *know* that the nation's demand for electricity is increasing even faster than its population. It is a demand that is doubling every ten years and, as a result, large power plants with enormous cooling water requirements will become commonplace.

I understand that the proposed Cayuga Lake nuclear-fueled power plant will circulate an estimated one-quarter of that lake's body of water through its cooling system each year, but that matter of *local* concern needs to be translated into such *national* concerns as the estimate that, by 1980, our electric power industry will be requiring about one-sixth of *all* the total available fresh-water runoff of the *nation* for cooling purposes!

Taking into consideration the further fact of the strong trend within the power industry towards nuclear-fueled steam power plants which, as presently designed, waste about 2.25 units of heat as compared to the fossil-fueled plant's average of about 1.5 such units for each equivalent unit of useful energy output, it has further been estimated that the power industry would, by the year 2000—if conventional once-through cooling procedures were still then generally employed—be using about *half* of our supply of fresh-water runoff for cooling purposes!

Even if our nation's waters were as pure as they should be, it would seem obvious that this eventuality poses an ecological threat of massive proportions.

And it would seem equally obvious to me, as we consider the knowns and the unknowns in this equation, that (in the words of last year's report sponsored by the Energy Policy Staff of the Office of Science and Technology, and entitled "Considerations Affecting Steam Power Plant Site Selection"), it would be ". . . *only prudent* that *great care* be exercised *so as to avoid damage* to the aquatic environment rather than to plan to correct gross problems after the power industry is heavily committed to the use of facilities which provide little or no control over the effects of their activities on the environment."

Mr. Chairman, S. 7—as introduced by the distinguished Chairman of this Subcommittee (Mr. MUSKIE) and others of the Senate, and of which I am a sponsor in the House—seeks to address itself to this problem, and it does so in what I believe to be a constructive fashion.

Suppose, for a moment or two, we endeavor to apply its tentative provisions in this respect to the Cayuga Lake situation:

Of glacial origin, Cayuga Lake is about 38 miles long, with an average width of only 1.7 miles, and it is very deep—with a 435 foot maximum and a 179 foot average depth. Because of those depths, its waters are cold as any former Cornellian (like Senator MUSKIE) who has ever swum in them can attest, and this is one of the reasons why the New York State Electric & Gas Corporation (NYSE&G) has chosen it as the site for its proposed nuclear-fueled power plant.

Although the proposed plant's opponents—or some of them—wish another site had been chosen, there were other logical reasons behind NYSE&G's decision; it already has, for instance, a fossil-fueled steam power plant at the same location and substantial acreage around it as required for nuclear safety regulations. The heavy reactor casing for the plant could be transported to this site by water, since Cayuga Lake is connected to the Barge Canal, and the site is near the geographical center of NYSE&G's system, an integral part of the electric industry's overall plan for spending an estimated $50 billion over the next 20 years to meet the Northeast's swelling demand for power.

However, despite the prospect that a substantial part of that overall investment might be made in their area, adding to their local tax-base and providing a substantial addition to their community's work-force, a good many of the leading citizens living in the communities near the lake have banded together to oppose the project unless "adequate" safeguards against "thermal pollution" and the possibility of hazardous radioactive wastes are incorporated into the plant's design.

Naturally enough, the question of what is "adequate" in these respects has become and remains a subject for on-going—and often hot—debate.

You will note, Mr. Chairman, that this debate centers around *two* separate and distinct concerns—the first related to that question of "thermal pollution" and, in this instance, revolving around the issue of whether or not the plant ought to be provided at the outset with "cooling towers" or some such device for lowering the temperature of its discharge waters, and the second related to the discharge of radioactive liquid wastes from the plant into Cayuga Lake, which is a question of considerable technological complexity in any event but is here made even more so by the fact that Cayuga would be the first, relatively small, "slow-flushing" lake in the nation on which a commercial nuclear power plant was built.

Mr. Chairman, unless the Subcommittee wishes otherwise, I will not attempt any comment in detail (I doubt I am technically competent to do so in any event), on that *latter* question, even though Section 14(b) of S. 7 would seem broad enough in both language and intent to cover this water-pollution-control aspect of Federal licensing procedures despite the fact that Mr. MUSKIE—in his remarks to the Senate on January 15th—when he introduced S. 7 referred specifically only to the problem of "thermal pollution" and, in passing, to the Atomic Energy Commission's responsibilities in that connection as a licensing agency.

This is not to say—by so passing over this aspect of the Cayuga Lake problem—that the responsibility for protecting our citizens from radiation hazards, whatever their nature may be, is an *exclusive* AEC responsibility for, until I have seen an authority to the contrary, I would assume that the New York State Department of Health, or any comparable State agency in other instances, could if it wished adopt such water-quality-standards criteria as would be reasonable and proper in *this* area as well as in the area of thermal effects.

However, to get back to S. 7 and the Cayuga Lake thermal effects dispute, NYSE&G—whose application for a construction permit is now pending before the AEC—declares that it is no less interested in the protection and preservation of the lake than any of the plant's more-outspoken opponents, and one of its spokesmen has been quoted as saying that ". . . if it became apparent that . . . cooling towers were required, we would build them."

In a preliminary effort to determine whether or not such a device will be required, NYSE&G has financed some research—mostly using Cornell University people—into the possible effect of an "open" cooling system on the ecology of the lake. At the same time, the opponents of the plant have conducted some largely-volunteer research into the same question—with here and there an interesting overlap of technicians—but it seems doubtful to me, at this point, whether the sum total of such research will produce any better answer *prior* to the AEC hearing than some variation of: "We simply aren't sure *what* the thermal effects of the plant will be, yet, and more work needs to be done!"

Meanwhile, Mr. Chairman, since you will wish and need to know if S. 7 should be enacted, what the States might do, you will be interested to learn that the New York State Water Resources Commission has begun public hearings throughout the State on its proposed *new* criteria governing thermal discharges.

In those proposals, the standard for thermal discharges into the waters of the State is declared to be ". . . none alone or in combination with other substances or wastes in sufficient amounts or at such temperatures as to be injurious to fish life . . ." or impair the water for any other best usage.

"Best usage" in this context is based on the principle of multiple use of waters, and an attempt to classify them " . . . in accordance with consideration of *best usage* in the interest of the public."

A "thermal discharge" is defined in the proposed new criteria as ". . . one which is at a temperature greater than 70° F.," it being further stated that ". . . a discharge at a lower temperature will also be a thermal discharge if it results in a temperature rise of the receiving water above the permissible temperature rises . . ." listed for various categories of bodies of water, it being stated that for "LAKES—the water temperature at the surface of a lake shall not be raised more than 3° F. over the temperature that existed before the addition of heat of artificial origin, except that within a radius of 300 feet or equivalent area from the point of discharge, this temperature may be exceeded . . . (while) . . . in lakes subject to stratification, the thermal discharges shall be confined to the epiliminetic (surface) area."

It is further stated that the Commissioner of Health may impose limitations in addition to the stated criteria where he determines, in the exercise of his discretion, that such additional limitations are necessary to maintain the quality of the receiving waters for their "best usage" classifications. And it is further stated that the Commissioner may authorize a modification of such criteria upon application, but only after consultation with the Federal Water Pollution Control Administration, the burden being on the applicant in such instances to establish to the satisfaction of the Commissioner that one or more of the stated criteria are unnecessarily restrictive in his case, and any such modification is then conditioned upon actual operational experience.

In proposing these tentative criteria, Mr. Chairman, our State Water Resources Commission would seem to be following the recommendation made, in this respect, on April 1, 1968, by the National Technical Advisory Committee on Water Quality Control to the FWPCA—reference being had to the booklet entitled "Industrial Waste Guide on Thermal Pollution," as issued by the FWPCA in September of 1968.

Now, of course I have no way of predicting whether or not these proposed new criteria will be adopted by my State without change, or when final action might come. Nor am I able to state what the effect of their adoption might be on the design for the Cayuga Lake plant; for the question of whether or not that design should incorporate "cooling towers" or some such device from the outset then becomes an engineering question that I am not competent to judge. However, I offer this information, Mr. Chairman, to you and the Subcommittee as evidence of the fact that the States, once they understand the problem, can and probably *will* be responsive to the problem of thermal discharges, even as they have in other water-quality areas of concern where our present knowledge is substantially broader.

If this *does* prove to be the case, then by enactment of the "14(b)" provisions of S. 7 we will have moved forward to close an existing loophole in the regulatory framework for water-quality control we have been developing, and we will have done so within the philosophical framework of the Water Quality Act of 1965 that struck a careful balance between State and Federal interests in this field of concern. I believe it is important to maintain that balance if we can—and I believe the situation that I have outlined for you indicates that we *can* do so.

The "14(b)" provisions of S. 7 should be enacted as soon as possible—perhaps even as separate legislation if there is a chance that something else in S. 7 runs into a legislative roadblock—and I say this because, with 44 nuclear power plants moving towards construction and 42 more in the planning stage, action is fast outrunning our ability to apply reasonable environmental control and safeguards.

I might say that I have been in rather close communication with the AEC as to its attitude on this overall question, and with respect to some such legislation as that now before this Subcommittee, and I was therefore gratified to note that, earlier this week, a spokesman for the AEC *did* give its endorsement of the "14(b)" procedure.

As that spokesman may or may not have told you, however, even if the "14(b)" procedure became law there would still seem to be one remaining "loophole" in our regulatory framework in that—as pointed up in the Energy Policy Staff's "sitting" study—*no*

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Federal license is required for a fossil-fueled generating plant. I believe we ought to try to avoid putting special burdens on the *nuclear* side of the developing power industry since, if the demand for electricity that is foreseen is going to be met it will largely have to be met through nuclear-fueled plants. At the same time, I do not think it would be advisable for the Federal Government to attempt to license fossil plants, so I suppose we must hope, here, that by elevating State control procedures over thermal effects in the nuclear field as will be the result of enactment of the "14(b)" provisions, we will simultaneously stimulate State action regarding the termal effects of fossil-fueled plants as well.

Mr. Chairman, it would be appreciated if you would permit me to make a few more-personal observations in conclusion.

As you might have anticipated, there have been substantial pressures on me to take a public position either "for" or "against" the Cayuga Lake plant.

I have resisted that because I have not seen my true responsibilities in as simple a light as that, which is why I have sought to address myself, in these remarks, as much as possible to the broader national issues highlighted by the Cayuga Lake dispute.

However, on the local level I must say that I do regret the aura of suspicion that has come to surround NYSE&G's efforts to move forward with this project in the minds of some of my constituents. As a recently-adopted Tompkins County Board of Supervisors resolution reminds us, NYSE&G has, for many years, been a "good neighbor" to those of us who have been its customers, and we are all indebted to it for its willingness to make the investment represented by the Cayuga Lake plant in an effort to meet our *own* future demand for the cheapest-possible electric power.

All of us want "progress"—and the better things in life—but we at the same time seem to want the benefits of "progress" without the less-pleasant aspects of it ever touching our lives. Power plants are not pretty things, yet—like the thief in the chicken house—"everybody's got to be *somewhere!*"

And one of the real anomalies about this entire situation for me has been the fact that so many of my constituents who have become so deeply disturbed about the prospects of "thermal pollution" or radiological pollution of our lake—concerns I understand because I share them—have nevertheless, in the recent past, either tolerated or been unaware of the fact that our beautiful lake is *already* polluted from many sources, so badly so, in fact, that the once popular swimming beach at Ithaca, New York (where Cornell is situated), has been closed to bathers for several summers now because of the bacterial content in the water and dense growths of plankton that limit its transparency.

In addition to which, a recent State Health Department report lists some 132 locations around Cayuga Lake that are classified as "polluted" for human bathing purposes, of which 92 are identified as being "grossly polluted."

Mr. Chairman, I do not cite these facts with any sense of pleasure—indeed, they shame me as much as anyone—but only for the purpose of trying to put our Nation's environmental and ecological problems in some better perspective.

For the great challenge we face in this respect, Mr. Chairman, is not just one posed by certain faceless industrial "ogres" bent heedlessly upon the destruction of our environment, but one posed by the past actions and attitudes of *all* of us toward the great natural resources with which God, in abundance, has showered us—and the successful meeting of that challenge similarly now depends upon the response and the responsiveness of *all* of us!

EFFECTS OF MERGERS

HON. HASTINGS KEITH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 1969

Mr. KEITH. Mr. Speaker, 6 weeks ago I submitted House Joint Resolution 315, which calls for a study by six Federal agencies of the effects of conglomerate mergers on the transportation and communications industries, the securities markets, and interstate and foreign commerce. Since then, merger activity in both regulated and nonregulated industries appears to be accelerating. By the time we authorize and complete such a study, or see the fruits of those already undertaken by various agencies, we will face a situation similar to that of the barn door being shut after the horses have escaped.

To forestall takeovers which may be contrary to the public interest, at least in the field of transportation, I am today introducing a bill which has two major purposes: first, to accelerate the study contemplated by House Joint Resolution 315; and second, to provide for a moratorium on mergers involving the air and ground transportation industries. The latter section of the bill would prohibit the takeover of certain carriers by a person not engaged primarily in the business of transportation or in a business which is reasonably incidental or economically necessary or appropriate to the operations of such a transportation company. This restriction would remain in effect until 6 months after the authorized study is completed. In turn, the study must be completed within a 6-month period after passage of the act.

I have added these specifications regarding time to the bill so that the President and the Congress are given ample opportunity to act upon whatever legislative recommendations are forthcoming from the study. It is also intended to prevent the subjection of carriers and their would-be controllers to a permanent freeze on their merger operations should the study give them a clean bill of health.

The moratorium would be effective today—March 10, 1969. This provision is designed to put on notice noncarriers presently contemplating takeovers that, if and when this legislation is enacted, they will be required to make showing before the appropriate regulatory agency that: First, they are engaged in an allied business; or that, second, the takeover is necessary for the continued functioning of the carrier.

Mr. Speaker, a quiet revolution of potentially profound significance for the nature and direction of the American economy is well underway. We cannot wait to see where it is carrying us before we attempt to control it. It is time that the conglomerate phenomenon be held in check, at least in the key area of transportation, until its implications can be analyzed and fully comprehended.

It is to this end that I have submitted this bill today. The Congress may wish to expand it to include other conglomerate mergers such as in the field of communications, or it may wish to restrict the scope of the bill or make other appropriate modifications. In any case, Congress should act upon it quickly so that we can begin now to develop a comprehensive national policy.

NIXON'S IMAGE IS REMARKABLE AFTER FIRST MONTH IN OFFICE

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 1969

Mr. ANDERSON of Illinois. Mr. Speaker, I wish to call the Members' attention to an article which appeared in the Aurora, Ill., Beacon-News on Sunday, February 23, 1969, by Dumitru Danielopol.

As Mr. Danielopol indicates, the record of achievement and the successes of the first weeks of the new administration clearly show how uniquely and wisely prepared was our new President at the time he assumed the highest office of this Nation. He is indeed "just the man for the job."

The article follows:

NIXON'S IMAGE IS REMARKABLE AFTER FIRST MONTH IN OFFICE

(By Dumitru Danielopol)

WASHINGTON.—President Nixon's image after a month in office is remarkable. Even his erstwhile critics are using terms like "relaxed, sure of himself, articulate."

He has put "his best foot forward," said one Washington editorial.

It should not be a surprise to anyone who has watched Mr. Nixon's activities in the last few years.

He worked hard for the presidency. Few men have been better prepared.

Just as one cannot ask Jack Nicklaus to win the Masters after a few rounds of golf, or Nathan Milstein to play a Stradivarius in Carnegie Hall on his first attempt on the violin, one cannot be adequately equipped for the presidency if he starts to learn on Jan. 20.

Mr. Nixon knew the magnitude of the task. After eight years as vice president, he knew that the man in White House has in his hands not only the fate of his country but that of the whole world.

On his decisions depend the life, the freedom and the happiness of millions of human beings.

Mr. Nixon wasn't taking any chances.

He had undertaken the grinding work to prepare himself for the toughest job in the world. He worked systematically, methodically and with great determination.

He travelled extensively abroad. He talked to the top political figures in the free world and many of the Iron Curtain countries.

He criss-crossed the nation time and time again, appearing and speaking at a multitude of Republican and other functions.

He kept abreast of foreign and internal problems.

"I think I am ready," Mr. Nixon told this correspondent in his Broad Street law offices in New York, in October 1967.

He buttressed this in an appearance before a formidable array of editors in Washington last April.

He spoke without notes, answered every difficult question competently and conducted

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himself with a poise that won plaudits for "the new Nixon."

This isn't a "new Nixon," this is an "old pro."

Old friends recognize it, even if new friends are surprised.

An eminent Swiss colleague, Drago Arsenijevic, of the Tribune de Geneve, in Geneva, listened to Mr. Nixon at a Republican dinner in Arlington last June and reported that "Nixon's success is indisputable."

After only one month in the White House it gradually becomes evident that Mr. Nixon has brought a new dimension to the presidency.

I would call it "expertise."

One already senses a sure touch, a dexterity, that marks the top executive of a large organization who has made his way through the ranks and has learned the business.

He is, without any doubt, the best prepared man to enter the White House since World War II.

His opposition is already worried.

"There is a dark suspicion growing among Democrats that Richard Nixon stole off to charm school in his years out of power and he may in 1972 look too strong . . ." writes Mary McGrory in the Washington Evening Star.

The President's expertise will no doubt be tested. His meeting with high caliber political figures during his trip to Europe provide an early yardstick.

But the free world is hungry for a competent spokesman and leader. No one is equipped like a President of the United States.

The way is open, and Mr. Nixon looks like just the man for the job.

TWO MARINE CORPORALS KILLED IN VIETNAM

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 1969

Mr. LONG of Maryland. Mr. Speaker, Cpl. Billy H. Best and Cpl. Paul A. Cumberland, two fine young men from Maryland, were killed recently in Vietnam. I wish to commend their courage and honor their memory by including the following article in the RECORD:

CITY, COLLEGE PARK MARINES ARE KILLED IN VIET FIGHTING

Two Marine corporals, one from Baltimore and the other from College Park, have been killed in action in Vietnam, the Defense Department announced yesterday.

They were:

Cpl. Billy H. Best, 18, of Baltimore, who was killed Monday near the An Hoa combat base in Quang Nam province by enemy small-arms fire while on patrol.

Cpl. Paul A. Cumberland, 19, of College Park, a squad leader in the 3d Battalion, 26th Marine Division who was killed February 27 by enemy fire while on a search-and-clear mission in An Hoa, Quang Nam Province.

Corporal Best, who was born in Wilson, N.C., had lived in Baltimore since he was 12 years old.

He attended Calverton Junior High School and was in the Job Corps for several months before he enlisted in the Marines in August. Corporal Best arrived in Vietnam three weeks before he was killed.

Corporal Best is survived by his mother, Mrs. Minnie Ruffin, his stepfather, Chester Ruffin, and a brother, Kenneth Earl Best, all of Baltimore.

Corporal Cumberland attended parochial school in College Park and was graduated from St. Anthony's High School in Washington in 1967. He was a member of the College Park Boys' Club.

After graduation, Corporal Cumberland was a storekeeper in the Capitol Building for the Chesapeake and Potomac Telephone Company.

Corporal Cumberland enlisted in the Marines in January, 1968, and had been in Vietnam since July.

He is survived by his parents, Mr. and Mrs. Francis D. Cumberland of College Park; two sisters, Mary and Nancy Cumberland, and five brothers, Daniel F., Matthew T., Stephen W., Jeffrey P. and Francis D. Cumberland, Jr., all of College Park.

TRIBUTE TO LAWSON B. KNOTT

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 1969

Mr. PICKLE. Mr. Speaker, after nearly 34 years of Federal service, one of the most capable men in Washington has retired. Lawson B. Knott, the sometimes unsung but always untiring Administrator, will be missed by his friends. I sure know that I will miss his rapt attention to duty, his efficient manner, and his warmth.

Lawson is a professional with the human touch. He has to be. As Administrator for GSA, he directed the activities of 39,000 employees. The scope of his agency stretched across the Nation. His wide range of responsibilities included construction and daily operation of thousands of Federal buildings, procurement and distribution of common-use supplies, drafting procurement regulations, operation of the National Archives and Federal records centers, use and disposal of surplus property, management of stockpiles of strategic and critical materials for use in national emergencies, and transportation and communications management. He guarded and dispersed a budget that ran into the billions of dollars.

This native son of North Carolina was well backgrounded and extremely well qualified for this high position that he earned. A graduate of Duke University, he came to GSA from the Department of Defense in 1956, after 21 years of Federal service in various legal and administrative positions relating to property management.

From 1959 until he was appointed Deputy Administrator of GSA, Mr. Knott served as Deputy Commissioner, Public Buildings Service. Former GSA Administrator Boutin resigned in 1964, and Lawson Knott was the logical man to serve as Acting Administrator until President Johnson made it official by appointing him Administrator in 1965.

Mr. Knott and his wife live in Arlington. He has promised her a leisurely vacation. She, too, has earned one.

I wish to thank the both of them for services to the people of this great Nation. I wish them well in their next adventure. And there will be one; Lawson is yet a young man to have compiled such outstanding credentials. I await anxiously to learn what the future holds for him.

Mr. Speaker, Lawson Knott is able, as attested to by his own record. But he is more than that, Mr. Speaker. He has the quality of integrity that a public servant must have, and Lawson Knott has it in abundance. And even more, he has great loyalty—loyalty to friends who have seen him tested and proven, and loyalty to his job and country. As one Congressman I want to express my personal appreciation of his loyalty to our beloved former President Lyndon Johnson, and to tell him again that we in Texas will always remember with affection the help and friendship of Lawson Knott.

SILENT WEAPONS

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 1969

Mr. SIKES. Mr. Speaker, the reawakening of controversy about the place and the need for chemical and biological weapons in defense tends to obscure the significance of the contributions made to the Allied cause by chemical weapons during the current conflict. These contributions, which should be the subject of much wider interest than has been shown, are set forth in the Army Digest for November 1968 in an article titled "Silent Weapons," I submit it for reprinting in the CONGRESSIONAL RECORD:

SILENT WEAPONS

They don't kill or even wound. They weren't intended for battlefield use. Yet today they are emerging as a major new development in combat support in Vietnam.

What are these agents?

One is the newly battle tested (but far from newly developed) riot control powder known as CS—an agent much more effective and much less dangerous than the older CN type. The other is the use of chemical defoliants to deprive the Viet Cong of cover for ambushes and covert movement of their troops and supplies.

CS is not a gas. Neither is it a toxic chemical agent under the standard definition. It is a white crystalline powder which in finely ground form is disseminated by mechanical dispensers or explosive grenades, or in coarser form by burning type grenades.

Effects of CS on humans are pronounced and instantaneous—coughing, severe burning of the eyes, tightness of the chest, acute discomfort.

These effects are very much the same as CN which has long been used by civil law enforcement agencies in riot control situations. But CS acts much faster, and has been proven extremely safe. It is temporarily disabling but nonlethal. Those exposed to it quickly lose their aggressiveness and seek only to reach fresh air quickly, where the effects disappear within 10 to 15 minutes, with no after effects.

CS compound takes its name from two American chemists, B. B. Corson and R. W. Stoughton, who first reported its preparation in 1928. The British further developed the compound and compiled data on its potentialities in riot control. For the scientifically-minded, it is known as ortho-chlorobenzalmalononitrile.

Because it is so effective and fast acting, some people believe that CS must therefore

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be more dangerous than CN. Actually, CS is much less toxic.

In the many tests using troop volunteers and in actual riots and battle, there has never been a fatality attributed to CS.

USE IN VIETNAM

As a newcomer to the battlefield in Vietnam, CS initially encountered considerable skepticism as to its effectiveness in combat support. This, coupled with unfamiliarity with its use and absence of proven field techniques, posed problems. But these were swiftly overcome as experience was gained. New uses and novel methods of disseminating the agent have rapidly developed. Commanders now find it a valuable weapon in combat situations when it is apparent that explosives are not the sole or best answer.

Viet Cong have frequently forced women and children to accompany them as hostages; they do not hesitate to use them as protective shields against anyone seeking to clear their tunnel hideouts.

In such situations, CS quickly proved its value. Labyrinthine tunnels no longer guarantee snug sanctuary to VC snipers. At first, explosive grenades were simply tossed into tunnel openings. These proved ineffective, since some tunnels consist of as many as six levels, covering extensive areas.

A handy solution to the problem was a small, commercially produced blower known as Mity Mite, often used on farms to dispense insecticides. CS grenades are set off in the tunnel opening and the powder-like substance—very much like the talcum powder that is used in training to simulate the real thing—is forced in by blower.

In one reported operation, 17 Viet Cong and some 400 non-combatants being held as hostages were forced from a tunnel complex by CS, with nobody wounded on either side. Again, 43 armed Viet Cong were captured with no friendly losses and one enemy killed when he tried to break away.

CS quickly forces those hidden in caves or tunnels to find their way to fresh air. If civilians emerge, they are escorted to VC suspect enclosures. If military emerge without firing, they are captured swiftly. Reports from Vietnam state that greatly increased intelligence, plus more cooperation from both noncombatants and prisoners, have resulted. Lives are frequently saved on both sides.

DELIVERY METHODS

When more tunnels are located than can be destroyed quickly, CS is used to deny use of the complex until supporting engineer troops can be brought up to destroy it efficiently. Often, smoke is forced into the tunnel to locate all exists. After an airing, the complex is inspected for intelligence information. Then CS powder is blown into the tunnel.

CS also can be forced in by connecting bags of the powder to an explosive charge, which renders the tunnel uninhabitable for at least a week and a waterproofed CS gives promise of extending this to several weeks. In routing the dug-in enemy, infantrymen usually lob in a CS grenade, then toss in a fragmentation grenade after the first one has exploded. This dispenses a cloud of CS into the tunnel.

CS has proved extremely effective when delivered by helicopter onto a suspected enemy area. VC scamper out, even from well camouflaged locations, gasping and seeking fresh air. As a result, U.S. forces often are able to move into large areas totally unopposed.

Dispensing the powder by helicopter effectively clears a village quickly. Inhabitants running for fresh air don't have time to hide weapons and munitions. Reports from Vietnam credit the agent with saving lives in reconnoitering villages—and it also works very well in discouraging sniper fire.

Usually psywar leaflets and loudspeakers are used to warn villagers that CS will be used if sniping persists. In one case, sniping stopped in the entire surrounding area as well as in the village under surveillance.

In one major operation the 1st Cavalry Division used CS to flush VC from fortifications, suppress automatic weapon fire and put down preparatory fires on an objective area and a whole village. Eighty VC suspects were taken with virtually no resistance.

TACTICAL USE

As part of their field tactics, the VC often move in close to U.S. troops in order to escape air and artillery-attack. The tear agent is coming into wide use lately to force them to break contact.

In one operation, helicopters dropped CS grenades to blanket a small patch of jungle believed to be a fortified VC headquarters. After the area was blanketed with CS, airmobile troops with protective masks were set down by helicopter and took over the area with almost no resistance.

Another use of the agent is in perimeter defense of fixed installations. CS booby traps are placed around the area, to be exploded by unwary VC trying to penetrate the defense. Sometimes an even simpler method is used—powdered CS is simply sprayed on foliage along trails.

Coughing, gasping enemy infiltrators are located easily as they seek to retreat.

Patrols operating some distance from friendly lines spray CS behind them to prevent ambush patrols from following them down a trail. In one reported instance, a CS grenade tossed down the path gave the patrol time to set up a counter ambush.

In still another application in Vietnam, CS is disseminated preceding attack on strongly fortified positions. Entrenched areas that had successfully resisted both aerial and artillery fire have been reduced in an hour or two by combining the use of CS with maneuver and firepower.

BEER CANS AND BASEBALLS

Several methods are used to disseminate the tear agent. One type of grenade bursts. Another burns. The burning grenade (M7) resembles the ordinary 12-ounce beer can. It weighs about a pound, is armed with a quick burning fuse—one to two seconds—and the contents burn for up to 35 seconds. An alternative fuse is available to give it an 8 to 10 second delay. The grenade can be fired from a grenade launcher-equipped rifle, or from a grenade projector.

The baseball-size grenade (M25) is three inches in diameter, bursts within two to three seconds after the pin is pulled. It weighs about eight ounces. Its short fuse discourages the enemy from tossing it back. That same short fuse means that a grenadier can toss it high to explode in midair over a suspect area.

The Army also has dispersers designed to spray a finely-powdered form on a target larger than can be covered by several grenades. One can be man-carried, while another type is designed for mounting on vehicles or aircraft for large area coverage. Additional types of dispersers and munitions, including cluster munitions for delivery from helicopters, have been developed.

HERBICIDES SERVE TOO

Along with the use of the tear agent against the enemy in Vietnam, some chemicals currently in wide use on farms or lawns in the United States are being taken to war. These herbicides or common weed killers are the same chemical compounds that are on sale in this country at your corner grocer, hardware or agricultural support house.

Dense jungle, which is home to the Viet Cong, provides the enemy with effective ambush cover. Wooded areas along trails, roads, railroads, canals and power-lines have been a happy hunting ground for VC units until U.S. Air Force transport planes began to spread their loads of defoliating chemicals. The planes have been flying at such low levels that many are pock-marked with red-metal patches—signs of bullets through wings and bodies.

Defoliants assist our forces in gathering intelligence by permitting a view below the jungle canopy for analysis of trail activity, storage site locations, and targeting. Removal of overhanding foliage exposes the ground area to intensive photographic surveillance and direct fire.

It is obvious, of course, that neither the riot control agents nor the herbicides alone can be expected to win a war. But as an added silent weapon in the Army's arsenal, they are helping to win battles, and to achieve military objectives.

RESOLUTION BY GOVERNORS COMMENDING PRESIDENT NIXON

HON. GLENARD P. LIPSCOMB

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 1969

Mr. LIPSCOMB. Mr. Speaker, under leave to extend my remarks I submit for inclusion in the RECORD a resolution commending President Nixon which was unanimously adopted at the recent National Governors' Conference.

The resolution, proposed by Governor Reagan of California, praises President Nixon for his recognition of the vital role of State and local government in providing public service to our Nation's citizens and urges continuation of this spirit of cooperation throughout the Federal Government. It expresses the resolve of the Governors to work to help assure the highest degree of intergovernmental cooperation.

Strengthening cooperation between the Federal, State, and local governments is important to preserving freedom and good government in our great Nation and I am sure the resolution approved at the Governors' Conference will be of interest to the Congress and the public. The text follows:

> Whereas President Richard M. Nixon has from the start of his Administration recognized the vital role of state and local government in providing responsive and effective public service to the citizens of our nation; and
>
> Whereas the President has specifically designated a former governor, Vice President Spiro T. Agnew, to provide top level leadership in maintaining liaison between state and Federal government; and
>
> Whereas the Office of Intergovernmental Relations has been established under the direction of former governor Nils Boe to facilitate communication and cooperation between all units of government at all levels; and
>
> Whereas the President has directed every element of the Federal government to work closely with state and local governments to improve coordination and to develop the best possible cooperative relationships to effectively serve all the people and to solve the many problems facing public officials throughout the nation; and
>
> Whereas the confidence of the President in the leaders of state and local government has been reflected in the appointments to the Cabinet and to other high positions throughout the Executive Branch of the Federal government:
>
> Now, therefore, be it Resolved that the National Governors' Conference expresses its

appreciation to the President and the Vice President for their recognition of the appropriate role of state and local governments in the total spectrum of public service; urges the continuation and expansion of this spirit of cooperation and effective communication throughout all elements of the Federal government; and expresses the commitment of the assembled governors to work closely with our national leaders to assure the highest degree of intergovernmental cooperation in solving the many and complex problems facing the people of our nation; and

Be it further Resolved that the National Governors' Conference wishes to express its deep appreciation to the President and the Vice President of the United States for their assistance and cooperation in making this a memorable meeting of the Conference. We also wish to express our special thanks to Members of the Cabinet and the Congress for their active participation in our activities and deliberations.

WASHINGTON REPORT

HON. GLENN CUNNINGHAM

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 1969

Mr. CUNNINGHAM. Mr. Speaker, I periodically make a report to the people of the Second Congressional District of Nebraska, whom I have the honor to represent in the U.S. House of Representatives.

This will be my first report for the 91st Congress:

WASHINGTON REPORT: CONGRESSMAN GLENN CUNNINGHAM, SECOND DISTRICT, NEBRASKA

DEAR FRIENDS: The new Administration has not made dramatic changes as yet. It is being very careful and cautious. It does not envision spectacular headline grabbing like that put on by other Presidents when first elected, which more or less proved only that they wished to get into the headlines.

President Nixon, because of his studious and cautious approach, has been exceptionally well received by the newspapers, TV and radio reporters and columnists because he has done just the opposite of some previous Presidents.

A very intelligent man, President Nixon has given top priority to what he and the responsible authorities he has appointed to top positions believe to be the most pressing problem at this time—*foreign relations.*

I agree with the President's actions in his first few weeks in office, because so much of our nation's budget is tied up in national defense (which now accounts for 41 percent of the total national budget with another 13 percent devoted to Vietnam). Our foreign affairs which are now in a mess have to be put in order to end the war, restore trust with our allies, and reduce defense spending, so that we may then tackle the multitude of problems on the home front with the money available and bring about a reduction in taxes.

Mr. Johnson put his main emphasis on domestic issues when he became President. Of course, these rate high priority, but by so doing, Mr. Johnson found his foreign affairs policies had gotten out of hand. Urgent domestic problems were then neglected and confused becaused he could not follow through on them due to the deteriorating international problems.

You know what happened!

There was escalation in Vietnam and this focused the President's attention on where it should have been in the first place. *This resulted in failure to follow through, perfect and make workable* the multitude of domestic programs which the previous Administration initiated. That is the reason domestic programs were so ill-prepared and so poorly administered.

THE PUEBLO AFFAIR

I have spoken out many times regarding the handling of the Pueblo affair. You can be certain I will not rest as long as there is any chance that the ship's captain and crew may not receive fair treatment. I have received hundreds of letters from Nebraskans and others who feel the present proceedings have the appearance of an attempt to let Commander Lloyd Bucher and his men take the rap for higher officials who sent him out on a mission with an ill-equipped vessel and without proper contingency planning.

We in Nebraska claim Commander Bucher as our own—one who has overcome many obstacles to gain command in the United States Navy.

In addition to Commander Bucher, an orphan who was raised and schooled at Boys Town and graduated from the University of Nebraska, there was another Nebraskan aboard the Pueblo—Charles Sterling, son of Mr. and Mrs. James Sterling of Omaha.

I was astounded to learn, as the testimony unfolded at Coronado, California, that no American forces—either ships or planes—were available to aid the Pueblo when it was hijacked in international waters off North Korea on January 23, 1968. This is but one of the many areas where those responsible failed Commander Bucher and his men. Neither I nor the House Armed Services Committee intend to stand idly by and let these outstanding Americans become the goats for others.

THE 91ST CONGRESS

The opening days of the 91st Congress and President Nixon's Inauguration are now history. It was, as it always is, a thrill for me to be sworn in a seventh time as your Representative in Congress. Members of my family were in attendance, and my wife Janis and the youngsters also attended the Inauguration on January 20th.

Effective representative government requires a continuing two-way communication between a Congressman and the people who elected him.

It is for this reason that I will again use these periodic reports from Washington to keep the people of Nebraska's 2d Congressional District—Burt, Cass, Sarpy, Douglas and Washington Counties—informed about Congressional activities and other national and international problems and developments. *I give this to you straight, as I see it,* and I try to keep you from being misled by reporters, columnists and those who deliberately try to confuse you.

If you have any reason to write me in Washington, just address your card or letter to: Congressman Glenn Cunningham, House of Representatives, Washington, D.C. 20515.

As you well know, I also maintain a full time office in Omaha, located in the New Federal Building, Room 3412, 215 North 17th Street. The phone number is 221-4631.

MY LEGISLATIVE RECOMMENDATIONS TO THE CONGRESS

I am continuing my fight to rid the mails of smut—the material that poisons the minds of the young (and some not so young). I have introduced another anti-obscenity bill (H.R. 6200) which would eliminate second, third and fourth class rates for those who send pornographic material through the mails. (You know of my successful effort of last Congress in gaining passage of legislation which provides a means of having your name removed from the mailing lists of smut peddlers soliciting you to purchase.)

The American people are not obligated to support with their hard-earned tax dollars subsidized mail rates for items of an obscene nature sent through the mail. *Mail permits are a privilege, not a right.* If the conditions of the permits are not fulfilled, the permit should be withdrawn.

Among other bills I have sponsored in this session of the Congress are the following:

H.R. 7170.—increases to $3,000 the amount Social Security recipients can earn without penalty.

H.R. 50.—raises the personal tax exemption for a taxpayer and his dependents from $600 to $1,200.

H.R. 162.—calls for seat belts on interstate buses.

I am continually working on other legislation which will be introduced as the session progresses.

Sincerely,

GLENN CUNNINGHAM.

AN APPROPRIATE RESPONSE IN VIETNAM

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 1969

Mr. BINGHAM. Mr. Speaker, when President Nixon last week warned North Vietnam that continuation of its current offensive in the South would bring an "appropriate response," he carefully left undefined the form that response would take.

As he considers the question, I hope that President Nixon will bear in mind what he himself said in a campaign statement last August:

> This new kind of war is not primarily a military struggle in the conventional sense. It is primarily a political struggle.

As such, it requires a political solution, a solution which can be attained only through recognition by both sides that the only hope for avoiding further death and destruction lies in a renewed commitment to the negotiating process now so frustratingly stalled in Paris.

Mr. Speaker, both the Washington Post and the New York Times yesterday spoke out editorially against any fresh resort to a stepped-up military effort in Vietnam. Both these great newspapers echoed Ambassador Harriman's judgment that the North Vietnamese-Vietcong offensive is "essentially a response to our actions." Both urged patience on the military front and new efforts in Paris as the only course which can lead to eventual settlement. And, just to make the case even clearer, the Washington Post also carried a thoughtful news analysis by George C. Wilson, who pointed out that the military options available to the President at this time are all relatively unpalatable and concluded:

> A diplomatic appropriate response would thus seem to be more tempting than a military one at this moment.

For the benefit of my colleagues who may have missed these three items, their texts are as follows:

[From the New York Times, Mar. 9, 1969]

THE PRESIDENT'S VIETNAM TEST

The challenge confronting President Nixon in the current Vietcong offensive is to resist the Lyndon Johnson tendency to react, in the words of one high official of the old Ad-

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ministration, "as if his manhood were at stake."

The sudden doubling of American casualties in South Vietnam is a bitter new indication of the high price of this dismal war, one that makes clearer than ever the necessity for ending it with maximum speed. That endeavor will not be aided by another rash of self-defeating responses dictated by frustration and anger.

In his foreign policy news conference last week, President Nixon confirmed that the Communist attacks in South Vietnam have been "primarily directed toward military targets." Only "technically," in his phrase, do they contravene the American warning that attacks against major cities would make it impossible to maintain the bombing halt.

Several factors need consideration before an Administration decision on what to do about the present attacks. The first is that experience at all stages of the war indicate that Communist offensives soon run out of supplies and that their duration is not significantly affected by bombing North Vietnam.

Before President Johnson ordered the halt last Nov. 1, it had become abundantly clear that attempts at aerial interdiction of supply routes through North Vietnam were incapable of stopping the tortuous flow of arms and equipment into the South. Nor has the punishment and economic damage inflicted on the North ever visibly shaken Hanoi's will to fight.

The most predictable effect of precipitate resumption of the bombing would be to alienate world opinion again and hamper negotiations on Vietnam and other critical issues with the Russians. It certainly would halt the Paris talks, prolong the war and escalate the fighting, thus increasing instead of reducing the ultimate cost in American casualties.

Moreover, as former Ambassador Harriman last week told James A. Wechsler of The New York Post, the present Vietcong offensive is "essentially a response to our actions rather than a deliberate, reckless attempt to dictate the peace terms or torpedo the talks." General Abrams after the Nov. 1 bombing halt was instructed by Washington to maintain "all-out pressure on the enemy" in South Vietnam.

Pentagon figures show that from November to January the number of allied battalion-sized operations increased more than one-third, from 800 to 1,077. Of these 919 were South Vietnamese, 84 American and 74 combined. Meanwhile, the North Vietnamese pulled all but three of their 25 regiments in the northern sections of South Vietnam back across the borders. This freed more than a full division of American troops to join in maximum military pressure further south as a means of maintaining morale there and encouraging Saigon to get into the Paris talks.

American spokesmen had heralded successes on the battlefield and in renewed pacification efforts as improving both the allied bargaining position in Paris and the Saigon Government's chances for surviving a peace settlement. There have even been repeated claims that an allied military victory was ripe for the taking.

The United States simply cannot have it both ways. It cannot demand the right to press the fighting with increased vigor itself while charging doublecross whenever the Communists do the same. The sad fact is that the Paris talks have been left on dead center while Ambassador Lodge awaits a White House go ahead for making new peace proposals or for engaging in private talks out of which the only real progress is likely to come. Everything has been stalled while the Nixon Administration completes its military and diplomatic review.

Now that the Communists have responded with a new military offensive in South Vietnam, the United States will simply have to grit its teeth and see the battle through. Hanoi as well as Washington and Saigon must once again learn the hard way that military victory is an impossibility for both sides, that the sole real hope lies in ending the drift in the peace talks. Anything either side does to retard progress there simply condemns more life and treasure to destruction in the bottomless pit that is the Vietnam war.

[From the Washington (D.C.) Post, Mar. 9, 1969]

THE OFFENSIVE

There ought to be no mistaking the seriousness of the latest Communist offensive in South Vietnam. In the week ending last Thursday, 453 Americans and 522 Vietnamese soldiers were killed; more than 2000 Americans were wounded. The shelling of Saigon on Thursday took the lives of 25 civilians, many of them women and children; there was an attempt on the life of Premier Tran Van Huong that failed, and one on the life of a Saigon University dean that succeeded. The offensive, according to the best estimates, is not equal to the one the Communists mounted a year ago; but because the targets are mostly military installations, the enemy has "managed to kill significantly more American soldiers this year while losing half the men he lost last year," to quote a briefing officer in Saigon.

These are the events the President said "will not be tolerated" without "some kind" of "appropriate" response. Secretary Laird, in Saigon yesterday, echoed the phrase as did Vice President Ky (whose departure from Paris is probably as much a personal desire to leave the fenced-in fishbowl of the Bois de Boulogne as any diplomatic ploy). Ambassador Lodge, in a statement vague even by his standards, declared to Hanoi and the National Liberation Front: "The consequences of these attacks are your responsibility."

There is not much doubt that the attacks constitute a violation of the curious "understanding" which produced the bombing halt and the expanded talks in Paris. Further, it should be noted that the "understanding" is just that, and no more; it is not an agreement. American negotiators asked the North Vietnamese if they "understood" that if we halted the bombing, there could not be gross violations of the DMZ or shelling of South Vietnam's major cities. The details were left deliberately imprecise, and in due course the Soviet Union—requested by the United States to act as an intermediary—reported that Hanoi "understood what we were saying," in the words of a Johnson Administration official closely involved in the October discussions. They did not necessarily agree to abide by the American interpretation; but they "understood" it.

It ought to be noted that there were no other agreements: the war would proceed as it had before, with the full paraphernalia of B–52 strikes, search-and-destroy missions and harassment and interdiction artillery fire on our side; shellings and ground attacks on military installations, ambushes and political assassinations on theirs. The offensive war would continue, with both sides using the means available to them. The killing would not stop.

It is a measure of the madness now upon us that somehow there is a political distinction between a dead American in a command post at Dakto and a dead South Vietnamese child in a market place in Saigon. There may well be a distinction in morals, but there is none in warfare; in warfare there is killing, and all manner of innocent people die. Hanoi has embarked on its latest offensive probably with the intention of serving notice on the Nixon Administration that it is not supine, still less defeated. Hanoi probably wishes to demonstrate that her cadres in the South remain resourceful, energetic—and everywhere. If the United States wishes to proceed with the talks Hanoi is saying, it must recognize the Communists as equals. Or at least that is as rational an explanation as any.

"Deadlock" properly describes the situation at the Hotel Majestic, and deadlock it will probably remain until both sides recognize that in a political war there can be none other than a political solution. Meantime, there is the problem of what can be the "appropriate" response to the Communist offensive. Is the understanding that led to the bombing halt and the expanded talks being violated in a serious way—that is, in a deliberate pattern damaging enough to cause us to abandon the talks, and embark on a new round of escalation, the resumption of the policy that proved futile in the past? On the evidence so far, our judgment would be no.

[From the Washington (D.C.) Post, Mar. 9, 1969]

VIETNAM OPTIONS ARE LIMITED—NO APPROPRIATE RESPONSE IN SIGHT FOR NIXON

(By George C. Wilson)

President Nixon, in looking for an "appropriate response" to the enemy's offensive in South Vietnam, has few appealing military options right now.

His recognition of the practical limits may be behind the sudden revision and extension of remarks by Defense Secretary Melvin R. Laird.

Mr. Nixon on Tuesday said that enemy attacks on South Vietnam's cities "technically" could be a violation of the U.S. understanding with Hanoi which led to the bombing halt.

But when Laird landed in Saigon on his first inspection visit Thursday he called "indiscriminate assaults" against civilians "an ominous violation" of the understanding.

The very next day, reporters in Saigon were called in and heard a revision of those remarks. A high U.S. official—who would not let his name be used—went back to the narrower interpretation that the understanding barred attacks on major cities like Saigon, Danang and Hue.

The same official was quoted as saying: "On the basis of what has happened so far, I would question whether we would be able" to resume bombing North Vietnam—although he did not rule this out for the future.

There is, of course, military support for resumption of the bombing. But such options being discussed at the Pentagon and elsewhere must be looked at in the light of political and military realities:

Resumption of bombing—Some military leaders see selective bombing as an "appropriate response." The idea is to pick out a military target in North Vietnam, smash it with a small number of planes and make clear the raid was in retaliation for a specific enemy act.

Civilian opponents contend this scheme would return the United States to the tit-for-tat strategy. Begun in 1964 with a bombing strike against North Vietnamese torpedo boat bases in retaliation for their runs against American destroyers in the Gulf of Tonkin. The tit-for-tat kept going up the ladder of escalation, resulting in the present commitment of 541,500 American troops to South Vietnam.

In a larger sense, going back to bombing of the North would appear to be a return to the quest for a military solution in Vietnam—rather than the political one sought in Paris. The same goes for shelling the North from American warships.

Nixon, as a Presidential candidate, said on Aug. 1 that "this new kind of war is not primarily a military struggle in the conventional sense. It is primarily a political struggle . . ."

Unleashing South Vietnam—This option, publicly advocated by South Vietnamese Vice President Nguyen Cao Ky, is to let the South

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Vietnamese Air Force bomb the North if the Americans will not.

One look at the airplanes available to South Vietnamese pilots shows how unsound this idea really is. The South Vietnamese have about 30 F-5 jets and 100 A-1 propeller driven Skyraiders available for such bombing missions.

Once loaded with bombs, however, these planes would have too short a range to make any meaningful raid against the North. The loaded F-5 would have a combat radius of only about 300 to 400 miles, the A-1 slightly more. And the South Vietnamese have not been trained in refueling their aircraft in flight—essential for long-range operations.

An Israeli-type commando raid against the North by South Vietnamese troopers has been discussed as an "appropriate response." But the record of past covert attempts in this direction is not encouraging. And American support of such a raid would still amount to resuming the attacks on the North.

U.S. counter-thrust—This option would amount to stepping up the American military campaign in South Vietnam in response to the enemy's own offensive. A series of battalion operations could be announced as one big offensive.

Of course the American troop ceiling for South Vietnam could be lifted for a stepped up campaign. But Nixon, pledged to end the war, hardly would find that option appealing.

Attacking sanctuaries—Enemy sanctuaries in Laos and Cambodia could be attacked. But bombing of Laos increased when planes were released from bombing the North. And past proposals for sending troops into either country for quick thrusts have been rejected. New possibilities are thus distinctly limited.

Sweeping the DMZ—Sweeping both the southern and northern portions would clearly violate the announced U.S. interpretation of the understanding. The six-mile no-man's land between North and South Vietnam, Johnson Administration officials made clear, was to be demilitarized in fact as well as in name. Each side, however, has charged the other with violations there.

All this does not mean President Nixon has no military options at all; only that there is no easy choice for the new President. A diplomatic "appropriate response" would thus seem to be more tempting than a military one at this moment.

ESTONIAN INDEPENDENCE DAY

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 1969

Mr. VANIK. Mr. Speaker, I join my colleagues in the House of Representatives in celebrating the 51st anniversary of the Estonian Declaration of Independence. Although Estonia is one of the smaller Baltic States, comprising 18,000 square miles, it established one of the strongest Baltic governments after declaring independence. Proof of the ability of a free and inspired people to successfully govern themselves came in 1924 when the Republic of Estonia successfully put down an abortive coup d'etat.

Learning and culture flourished in the climate of individual freedom during the years of the republic. Even though the free people of Estonia displayed strength and spirit far in excess of their size, the Estonian Republic was ended by the world tragedy of 1939.

Since that time, the Estonian American people have continued to demonstrate the advantages of liberty through their contributions to American culture and society. Their inspiration and accomplishment are continuing proof of the superiority of democratic government.

ABM FALSE SECURITY

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 1969

Mr. DORN. Mr. Speaker, today I sent the following wire to President Richard M. Nixon:

THE PRESIDENT,
The White House,
Washington, D.C.:

Respectfully urge rejection of ABM system as inadequate defense and outdated. Such defense psychology would provide false security and become America's Maginot Line. It would cost many billions, add to inflation and provide no real security. U.S. space flight renders ABM obsolete. Offensive power and control of space is America's best defense.

WM. JENNINGS BRYAN DORN,
Member of Congress
from South Carolina.

Mr. Speaker, in 1967 I placed the following statements and articles in the CONGRESSIONAL RECORD. I believe these articles are even more timely today, and I commend them to the attention of my colleagues:

ABM OBSOLETE?

(Extension of remarks of Hon. WM. JENNINGS BRYAN DORN, of South Carolina, in the House of Representatives, Monday, October 16, 1967)

Mr. DORN. Mr. Speaker, British Defense Secretary Denis Healey several days ago referred to the proposed ABM defense system around the United States as obsolete.

The following story about the Secretary's reference to the ABM system appeared in the Washington Post on Tuesday, October 3:

"ABM OBSOLETE, BRITISH DEFENSE CHIEF SUGGESTS

"SCARBOROUGH, ENGLAND.—Defense Secretary Denis Healey said last night that the projected U.S. antiballistic missile system could prove obsolete even before it is deployed against a possible Red Chinese attack.

"Healey said there is no evidence that any ABM system now conceived could produce meaningful defense against a major nuclear attack.

"He said the system being planned by the United States could provide only 'marginal and temporary' protection and, further, that it poses the danger of an accelerated arms race between East and West.

"McNamara, in announcing the $5 billion ABM defense, said it was intended as an answer to the intercontinental ballistic missile system China is expected to have in the early 1970s.

"Healey spoke to a meeting of the Fabian Society after the opening of the Labor Party convention here."

ABM SYSTEM SEEN OUTDATED

Mr. DORN. Mr. Speaker, Gen. Billy Mitchell was right. I keep his picture in my office in the Rayburn Building as a constant reminder that our leaders were wrong—military and political leaders.

If the Western World leaders and the Congress had listened to Billy Mitchell there would have been no Pearl Harbor and, I believe, no World War II with 25 million dead.

I greatly fear that a thin ABM system around the United States will lull us into a feeling of false security.

I believe we could provide more security for our people by spending these vast billions on a future offense system and thus prevent world war III altogether.

The following article appeared in the Columbia State on October 9:

"ABM SYSTEM SEEN OUTDATED

"NEW YORK.—Pressure from Congress and the joint chiefs of staff for a heavy antiballistic-missile (ABM) system oriented to defense against Soviet attack reflects an old military weakness: preparing to fight the previous war.

"Technology has overtaken the ABM. The United States already has developed an effective antidote to it—sophisticated multiple warheads for the new offensive missiles, Minuteman II and Poseidon, which are to be ready in the early 1970's. Official estimates indicate that the Soviet Union can do the same in five to seven years.

"Whatever the case for a 'light' ABM defense against primitive Chinese missiles, arguments for either superpower to build a $40 billion missile defense to protect its cities against the other are now as outdated as the Billy Mitchell bomber-vs-battleship controversy.

"A hitherto-secret four-letter acronym, MIRV—multiple independent re-entry vehicles, and the key word is 'independent'—describes an advance in nuclear weaponry that will enable the offense to penetrate any defense now foreseeable.

"'Both our missile defense system and (Russia's) were designed before MIRV's came along as a serious possibility,' Secretary McNamara has acknowledged.

"One MIRV missile will be able to carry ten or more hydrogen warheads that can separate in flight, change trajectory several times and fly independently to ten or more pre-selected targets. Equipped with MIRV, America's 1,700 strategic missiles could carry 17,000 or more separately targetable warheads, dwarfing the widely discussed Soviet increase this past year from 300 to about 450 single-warhead intercontinental ballistic missiles (ICBM's).

"Early in the ABM debate, Secretary McNamara predicted that the Soviet Union and the U.S. each would respond to the other's ABM installations by improving the offensive capabilities. 'All we would accomplish,' the defense secretary said, 'would be to increase greatly both their defense expenditures and ours without any gain in real security to either side.'"

NEW CRIME STATISTICS

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 1969

Mr. ROGERS of Florida. Mr. Speaker, FBI statistics on crime during 1968 were released today, and the picture is a grim one. Nationally, crime was up 17 percent over the previous year. In the Northeastern part of the country, it was up a staggering 21 percent.

Of particular concern, armed robbery offenses increased a sharp 34 percent. And aggravated assaults involving firearms reflected a 24-percent increase.

Crime is not just a big city problem, the new statistics show. Crime increased 16 percent in cities of over 1 million resi-

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dents, but was up 19 percent in cities of only 25,000 to 50,000 people. And in suburban areas, an increase of 18 percent was recorded.

The FBI also stated that the police were successful in clearing only 20 percent of the crimes reported, a decline of 9 percent from the clearing rate for the previous year.

And during 1968, police arrests for all criminal acts rose only 4 percent, compared to the 17-percent overall rise in crime.

Crime is clearly a nationwide problem rquiring action at every level of government from the Federal level down to the States, counties, cities, and towns. These new FBI statistics serve to point up the dimensions of the crime crisis. Every State should review its own laws and enforcement procedures, and especially its courts. Congressional committees should immediately do the same.

DEPARTMENT DENIES HOOVER RETIREMENT

HON. CARLETON J. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 1969

Mr. KING. Mr. Speaker, many Americans heaved a sigh of relief when it became known officially that J. Edgar Hoover does not plan to retire as Director of the Federal Bureau of Investigation. Mr. Hoover has a tremendous record, one which many of us feel will never be equaled again in our history. We all wish him continued good health, for while he is on the job we feel we can rest at night. The Copley News Service printed the dential, which I am pleased to quote:

PLANS TO CONTINUE: DEPARTMENT DENIES HOOVER RETIREMENT

WASHINGON.—The Justice Department Wednesday flatly denied reports that J. Edgar Hoover plans to retire next Jan. 1 as director of the Federal Bureau of Investigation.

The report has been published in various newspapers and syndicated columns in the past week.

"There is absolutely no truth to it," said a spokesman for Atty. Gen. John Mitchell.

"There is no understanding between Mr. Hoover and the attorney general concerning any resignation or retirement. Mr. Hoover has not indicated any such plans to the President or the attorney general.

"President Nixon asked Mr. Hoover to continue in his position as director and he agreed. That is the simple situation."

One published report, it was disclosed, was traced to "a cocktail party conversation." The man who wrote it did not check with the Justice Department, officials said.

Speculation about Hr. Hoover's future has flared from time to time for several years in Washington.

The director is 74 years old. He will be 75 next Jan. 1. He entered the Justice Department in 1917, became special assistant to the attorney general in 1919 and was appointed assistant director of the old Bureau of Investigation in 1921. He became director of the bureau in 1924 and began building the FBI.

Associates describe Hoover's health as "excellent."

"I have a hard time keeping up with him," confessed one aide many years his junior.

WHAT NEXT FOR COMMANDER BUCHER?

HON. GLENN CUNNINGHAM

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 1969

Mr. CUNNINGHAM. Mr. Speaker, today, Comdr. Lloyd M. Bucher is scheduled to testify for the last time before the Naval Court of Inquiry in Coronado, Calif.

But last week the man who commanded the *Pueblo* was in a different atmosphere. The orphan who overcame many obstacles to gain that command was enjoying two of the things he loves most—his family and the sea.

Washington Post staff writer, George C. Wilson, recorded this poignant return to the sea of the the man whom we in Nebraska are especially proud. He is one of ours—a graduate of Boys Town and the University of Nebraska.

Mr. Speaker, I commend to my colleagues Mr. Wilson's account which appeared on page 1 of that paper's Sunday, March 9, edition, as well as the Parade magazine story, "What Next for Commander Bucher?" of the same date:

[From the Washington (D.C.) Post, Mar. 9, 1969]

BUCHER RETURNS TO THE SEA

(By George C. Wilson)

"I'm about ready to go to sea again," Cmdr. Lloyd M. Bucher of the Pueblo said as he felt the sloop rising with the swells from the open sea.

Point Loma—holding the Pacific back from San Diego Bay—was dead ahead. Once past the point, Bucher would be free again—free of the oppressive atmosphere in that tiny hearing room in Coronado, Calif., where five admirals are trying to decide what to do about this skipper who gave up the ship.

But on this day, the courtroom was well astern of the graceful Kahala, a 29-foot sloop chartered for the day. And "Pete" Bucher was feeling a helm for the first time since Jan. 23, 1968, when his ship was captured by North Koreans off Wonsan.

It felt good. His wife, Rose, said she could tell. "Pete wants to go to sea again," she said even before the commander himself announced it from the bow. And Rose—though separated from her husband for 11 harrowing months while he was imprisoned in North Korea—did not try to fight it.

She was enjoying the sail, taking the tiller herself occasionally and grateful the whole family was together at last.

The Buchers' sons—Michael, 16, and Mark, 14—were aboard, accompanied by a friend. They worked the jib sheets and tried the tiller when their skipper-father relinquished it.

Bucher's eyes roved the shoreline. He spotted the unmistakable shape of the type of vessel he still loves most—a submarine. He headed the Kahala right for the base where the sub was tied up.

He got close enough to read the numbers. And there beside the sub he had first spotted lay the Ronquil, a submarine he knew inside and out. He had served as her executive officer before getting command of the Pueblo.

Easing the sloop alongside the nearest sub, Bucher asked permission to tie up. The sub's executive officer came on deck and welcomed the fellow submariner and his family aboard.

"Welcome home, captain," said a sailor standing atop the long black hull of the sub. An officer told Bucher: "I plastered my car with Remember the Pueblo stickers."

Bucher and his family retired to the Ballast Tank—a club near Point Loma which submariners built. He met a few old friends there and relived the days before the Pueblo.

Then it was back to the sloop and back to Coronado. On Monday he is scheduled to testify for the last time before the Naval Court of Inquiry there. Then maybe—a big maybe—it will be back to sea.

WHAT NEXT FOR COMMANDER BUCHER?

(By Lloyd Shearer)

CORONADO, CALIF.—Last month, the U.S. Navy's court of inquiry, investigating the North Korean capture of our spy ship Pueblo—the Navy prefers to call it an Auxiliary Oceanographic Environmental Research Craft—got into gear.

It is the most publicized hearing of its type in the 194 years of American Naval history, which began in 1775 when George Washington ordered officers and men from his Army to man five schooners and a sloop to prey on inbound English supply vessels.

The Pueblo court of inquiry was covered by every major radio and television network in this country, plus 68 journalists representing the domestic and foreign press.

One result of this intensive press coverage and almost daily TV exposure is that Comdr. Lloyd "Pete" Bucher, skipper of the Pueblo, is today, in the eyes of the public, the best-known and most identifiable man in the U.S. Navy.

If you doubt that statement, stop any ten pedestrians or as many as you like, ask them if they can identify two prominent Navy officers, one named Moorer, the other named Bucher.

Adm. Thomas Moorer, Chief of Naval Operations and a member of the Joint Chiefs of Staff, is the Navy's highest ranking officer. But publicity-wise, he is understandably enough, no match for Pete Bucher.

FLOOD OF LETTERS

Like it or not, and he doesn't particularly, Bucher at 41 but looking 55, has become a public idol. Circumstances have launched him into a celebrity orbit where he is trying to maintain a "standard" bearing—standard is one of his favorite adjectives—in what is for him a strange environment of congratulatory telegrams, supportive letters, and admiring phone calls, all numbering in the hundreds.

He is also, via his civilian attorney Miles Harvey, the recipient of many lucrative offers for books, articles, TV, radio and club appearances, none of which he can presently accept without Navy clearance.

His wife, Rose, has already received $27,500 from *McCall's* magazine for an article, largely ghost-written, describing her wifely and frustrating efforts to free the Pueblo and its crew. While Bucher, if he resigns from the Navy, can easily, in the opinion of one top Hollywood agent, "earn a million bucks or more from the film rights to his life story."

"Bucher's biography," claims agent Red Hirschorn, "has all the ingredients for a great motion picture: adventure, humor, tragedy, love, danger, and, best of all, a happy ending.

"What I would like to see him do is to play the leading film role himself. I'm sure he can do it. He's intelligent, articulate, photogenic. As an actor, he could lend authority to the part. Even more important, we could probably get him a percentage of the profits, which I feel would be more than sizable. If lucky, he might earn as much as $2 million."

Pete Bucher has 18 years of Navy service to his retirement credit. He can retire at the end of 20 or 30 years. The choice is his. If he retires at the end of 20 years, he draws 50 percent of his salary or about $503 a month. If he retires at the end of 30 years, he draws two-thirds of his commander's salary.

There is little doubt that Bucher can probably earn more money outside the Navy than inside. But if there was a man who lived

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the service with unflagging dedication it's Pete Bucher. Friends say it would take more than money for Bucher to resign his commission. "A bum rap," says an old shipmate, "a serious reprimand by higher authority might do it. Otherwise, I'm sure Pete will pull his 20 or 30 years."

Bucher has described the Navy as "my whole life," and has reportedly requested a submarine command. But he probably will have a lengthy wait before he learns of his next assignment.

The court of inquiry, studying thousands of pages of transcript, will first send its findings and recommendations unannounced to Adm. John J. Hyland, Commander in Chief of the U.S. Navy in the Pacific, who originally ordered the court to convene.

Admiral Hyland's review and recommendations will then be bucked along to Admiral Moorer in Washington. Moorer in turn will pass his recommendation to Secretary of the Navy John Chaffee.

That ends the Navy's immediate chain of command. But Secretary of Defense Melvin Laird will probably take a good, hard, close look at the findings and then pass them along to President Nixon, who has declared publicly that he will review the entire Pueblo affair, not only on the basis of innocence or guilt of Bucher but on the basis of preventing any other such ship loss.

In addition, the Pueblo skipper will have to testify before the Senate Armed Forces Committee, and will probably submit to further questioning by Deputy Defense Secretary David Packard, also charged with investigating the *cause celebre*.

"I LOVE, ROSE"

In fact, Bucher is likely to spend most of this year responding on a number of occasions to the same questions put to him by Capt. William Newsome and the five scrupulously fair admirals who conducted the court of inquiry. He answered these questions in detail—honestly, forthrightly, factually, with a minimum of melodrama until that memorable, emotion-charged Thursday morning when his brown eyes welled up with tears and a lump formed in his throat. It was the morning during which he told the court in cracked voice of how, when he thought the North Koreans were about to blow out his brains, "I repeated over and over again a phrase, 'I love you, Rose.' I thought this would keep my mind off what was going to happen."

The two questions the public as well as Bucher are most interested in at this point are (1) will he be court-martialed for having violated Navy regulations, Article 0730? It states: "The commanding officer shall not permit his command to be searched by any person representing a foreign state nor permit any of the personnel under his command to be removed from the command by such person, so long as he has the power to resist." (2) Will he be given command of another U.S. Navy ship?

During the course of the Pueblo court of inquiry, I polled four separate groups on these two questions. They consisted of 38 journalists covering the hearing, 18 retired Navy officers, 30 enlisted Navy men on the amphibious command base, and 12 Navy wives.

These groups agreed almost unanimously, for a variety of reasons, that Comdr. Lloyd Bucher would never again command a Navy ship. And of the 98 persons questioned, only 11 thought that the admirals of the court of inquiry would recommend a court-martial for the Pueblo commander.

Most thought he would be exiled to a safe, non-controversial shore job in some quiet, out-of-the-way Navy installation rarely visited by journalists. There he would be permitted to languish until retirement.

"My guess," said one Navy wife, "is that Pete Bucher will be assigned to a weather station in Key West, Fla."

"My feeling," cracked a reporter, "is that they will send him back to Boys Town to head the Navy ROTC there."

A yeoman second class suggested possible transfer to the U.S. Embassy in Bolivia as our Naval attache.

NO SCAPEGOAT

Despite what some people may think, the Navy is not attempting to make Commander Bucher a scapegoat. He remains sure that the sins of his superiors, if any are revealed, will not accrue to him. The upper echelons of the Navy are staffed by professional, fair-minded, and humane men, not bloodless martinetts, and they will not permit Bucher to suffer for the bad luck or incompetency of others. Even if a few admirals were thusly inclined, President Nixon, a former Navy man like his two presidential predecessors, would not countenance it.

The Navy operates on the traditional, helpful, and valid doctrine of accountability. A captain in command of a ship and a ship's company is held accountable for his decisions. If he loses his ship, he must explain its loss before the proper authority and be prepared to accept praise or condemnation.

In the exercise of this doctrine the Navy's motivation may be partially punitive—after all, punishment serves as a deterrent to carelessness and irresponsibility—but it is also motivated by a constructive search for truth to remedy faults in equipment, control, command, and tactics.

The Pueblo was not lost in vain. The Navy has since taken steps to increase the armament of its intelligence ships and to provide them with destruct systems, secret weapons, and rapid scuttling devices.

The crew of the Pueblo had to use sledgehammers to destroy secret gear and tin cans in which to burn secret papers. It had no quick way of scuttling. But its two sister ships, the Banner and Palm Beach, have already been improved 100 percent in those departments.

Moreover, the Navy has re-examined the vital questions of how, where, and when intelligence ships should operate, what captains and crews should do in the case of harassment, and how communications between command and control forces can be bettered.

Even more important, the general public as well as Navy hands now know that according to terms of the U.S.-Japan security treaty, the U.S. is not permitted to launch an attack from any base in Japan unless Japan is being attacked or will grant permission for the strike. This treaty comes up for renewal next year, and Leftist elements in Japan do not want it renewed. They want no U.S. bases, Air, Army, or Naval, on Japanese soil for fear they will be involved in a war not of their making.

Several Japanese editors have been quick to point out that if aircraft from the Enterprise, 600 miles away from the Pueblo on Jan. 23, 1968, had been ordered to rescue Bucher and his men, North Korean MIG's would have flown out to meet them. An air battle would have ensued. Eventually Japan might have found herself under air bombardment from North Korea.

Bucher testified at the court of inquiry that he was expecting U.S. assistance of some sort from American forces in Japan, South Korea or at sea. "How about a little help out here?" the Pueblo radioed. "These guys mean business."

When no help was forthcoming, Bucher decided that hemmed in as he was by North Korean torpedo and gunboats, he had no alternative but to stall the enemy while his crew destroyed as much secret gear as possible.

To fight back with two .50-caliber machine guns and hand arms, he decided, would have meant the loss of his entire crew.

What would Bucher have gained if he had fought back to the last man, losing his company of 83 men, and in the process creating 38 Pueblo widows and causing 68 children to become fatherless?

A large segment of the public believes that in losing both his ship and men in addition to possibly involving the U.S. in a resumption of war with North Korea, Commander Bucher would have gained nothing but tragedy.

Several veteran Navy officers, however, believe that by resisting, Bucher would have gained honor. He would have been true to the Navy tradition of "don't give up the ship." He would have done his professional duty. He would have shown the North Koreans that they could not violate international law and pirate an American ship without paying some price. He would have added to the prestige of the nation and inspired our soldiers and sailors all down the line.

GO DOWN FIGHTING

A representative of such thinking, Adm. Arleigh Burke, former Chief of Naval Operations, says, "A man has to die sometime, and he should die proud. A ship is, after all, a part of your country. A captain doesn't give it up easily. He should go down fighting."

Adm. William Raborn, Jr., formerly in charge of the Polaris missile project and later chief of the Central Intelligence Agency, is not so sure.

"When I was first asked," he says, "what I would do if I had been in Bucher's shoes, I said, 'I would've shot the hell out of them. I would've made those North Koreans pay a high price.'

"But now in restrospect," Raborn asserts, "I think I shot my mouth off. The more I read about the capture of the Pueblo, how Bucher was ordered to lay low, to play it cool, not to be aggressive, the more I realize that no man can truly realize how he would act under those same conditions. I would rescind my previous statement and say that Bucher may have done the right thing. I am not in any position to know, and I do not want to generalize in a spirit of bravado how I would have fought gallantly to the last man."

FOUR MARYLAND MARINES DIE IN VIET WAR

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 1969

Mr. LONG of Maryland. Mr. Speaker, Pfc. Arnold Hilb, Pfc. Robert H. Trail III, 1st Sgt. Warren R. Furse, and Pfc. John T. Hare, four fine young men from Maryland, were killed recently in Vietnam. I would like to commend their courage and honor their memory by including the following article in the RECORD:

FOUR MARYLAND MARINES DIE IN VIET WAR

Four more Maryland marines, including two from Baltimore, have been killed in Vietnam, the Defense Department announced yesterday.

Listed as dead were:

Pfc. Arnold Hilb, son of Mrs. Klara Hilb, of 5613 Cross Country boulevard, who died February 27 from wounds received in a mortar explosion near Quang Tri.

Pfc. Robert H. Trail 3rd, ward of Mr. and Mrs. Eli F. killed in a skirmish with enemy troops February 26 in Bien Hoa province.

First Sgt. Warren R. Furse, husband of Mrs. Arrie A. Furse, of 811 Surly road, Aberdeen, Md., who died February 28 in a field camp 6 miles northeast of An Hoa.

Pfc. John T. Hare, son of James E. Hare, of 206 Elder street, Cumberland, Md., killed in action February 25.

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Private Hilb had served in Vietnam for just under three weeks when he was wounded.

The 20-year-old marine, who visited his mother's home in Baltimore only last December, was sent to Vietnam January 6 after duty at Camp LeJeune, N.C.

Described as a quiet, somewhat studious youngster, Private Hilb apparently developed "a deep pride" in the Marine Corps after he was inducted early last April, according to his family.

"The Marine Corps made a man out of him," his mother said. "He was proud of being a marine.

Until he joined the service, Private Hilb had lived in Puerto Rico with his father, Franz Hilb. The youth had planned to marry and settle in Baltimore when he returned, his mother said.

Besides his parents, his survivors include a brother, Army Pvt. Max E. Hilb, stationed at Fort Bragg, N.C.; and two sisters, Misses Karen Regina Hilb, of Baltimore, and Monica Kate Hilb, of Puerto Rico.

Private Trail, 19, was reared in Baltimore. He served for several years as a fireman and oiler on merchant vessels.

He became interested in the Vietnam war as a result of the trips he made there aboard United States supply ships, his family said, and "got so enthused that he couldn't wait to get over there as a marine."

He enlisted in the Marine Corps in April and was assigned to Vietnam after completing basic training at Parris Island, S.C. He was to return home in September.

Private Trail is survived by his parents, Mr. and Mrs. Robert H. Trail, Jr., and a sister, Sarah, all of Seattle.

Sergeant Furse, 37, was scheduled to leave Vietnam Monday, when his tour of duty would have been up, his family said.

A native of Summerton, S.C., he was a veteran of 17 years in the Marine Corps.

In addition to his wife and children, Sergeant Furse is survived by his mother, Mrs. Ruth Furse, of Summerton, S.C., and a brother, Harold Furse, of Manning, S.C.

ELECTORAL REFORM

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 1969

Mr. BINGHAM. Mr. Speaker, a sane view of the electoral reform problem was stated in a letter to the New York Times on Sunday, March 9, 1969, by a distinguished citizen of New York, Mr. James I. Loeb, of Saranac Lake, publisher of the Adirondack Daily Enterprise. Mr. Loeb served on President Truman's White House staff, and later as Ambassador to Peru and to Guinea under Presidents Kennedy and Johnson. He has been actively involved in a number of presidential campaigns and served for many years as executive director of Americans for Democratic Action.

I commend Mr. Loeb's letter to my colleagues and other readers of the RECORD:

FOR ELECTORAL REFORM

To the EDITOR:

As your excellent editorial of Feb. 22 suggests, President Nixon's recommendations for electoral reform confirm the worst fears of those of us who have long advocated reform, namely, that the rising demand for change will be used to effect an electoral system far worse than the dangerously inadequate system we now have.

The President's recommendations are retrogressive in the following respects:

The allocation of the electoral votes of each state on a proportional basis to "more closely approximate the popular vote" constitutes a clear effort to minimize the voting strength of the urban centers and the state in which they are located.

The allocation of electoral votes as suggested by the President would undermine our two-party system, since a plethora of minor parties would reduce the possibility of any candidate receiving a majority, or even 40 per cent, of the electoral votes. At present, minor parties receive electoral votes only when they gain a plurality in one or more states, as in the case of George Wallace in 1968.

The suggestion that the direct election of the President and Vice President be used only in run-off elections would employ that system only in close elections where the direct election would be confronted with its most serious problem, namely, a possible recount of some eighty million votes in a very close election.

If the President cannot find the courage to support Senator Birch Bayh's proposal for a direct election of our two highest national officers, then the simplest reform would be to eliminate the Electoral College and the electors; to maintain the present system of allocating the electoral votes of the several states, and to provide for a run-off election, using the same system in the event that no candidate receives 40 per cent of the electoral votes.

In general, this relatively simple alternative has been proposed by Representative Jonathan Bingham of New York.

JAMES I. LOEB.

SARANAC LAKE, N.Y., *February 24, 1969.*

A MAN'S WORD IS HIS BOND

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 1969

Mr. RARICK. Mr. Speaker, I include a most timely editorial from the Manchester Union Leader, Manchester, N.H., of February 7, 1969, regarding the Nuclear Nonproliferation Treaty for the attention of our colleagues:

[From the Manchester (N.H.) Union Leader, Feb. 7, 1969]

A MAN'S WORD IS HIS BOND

The ratification of the Nuclear Nonproliferation Treaty at this time would "in effect say that the United States doesn't care what the Soviet Union did to Czechoslovakia. That is one way we can use our moral influence with the Soviets to indicate to them that while we do want to have negotiations with them, while we do want to have friendly relations, that we must make it very clear that we also have a concern for the 150,000,000 people that live in those Eastern European countries. My purpose in delaying the signing of the Nuclear Nonproliferation Treaty, of course, is that the Soviet Union at the present time, having just violated not only the treaty it had with Czechoslovakia, but the whole sense of treaties generally and the U.N. Charter, which has some language with regard to violating the borders of other countries, having done all that, for the United States then to precipitously put its arms around the Soviet Union in signing a nuclear nonproliferation pact, I think would be widely misunderstood. . . . What we have got to make clear to the Soviets is that we will engage in negotiations, we are glad to agree whenever their interests and ours are reciprocal, but, on the other hand, we are not going to ignore on their part a complete breach of a treaty and then sign one with them."

So spoke candidate Richard Milhous Nixon during the recent presidential campaign.

Most of the 31,134,760 Americans who voted for him accepted his word in good faith.

To state the matter bluntly, they have been betrayed.

On Wednesday, Feb. 5—two weeks and two days after he was sworn in as President of the United States—Nixon reversed himself completely and asked the Senate to approve the nonproliferation treaty with the Soviet Union in the interest of "negotiation rather than confrontation."

Forgotten was his campaign promise to oppose ratification "as long as Soviet troops are on Czech soil."

Forgotten was his promise to bring "moral influence" on the Soviet Union and "make it very clear that we also have a concern for the 150,000,000 people that live in those Eastern European countries."

Forgotten was his excoriation of the Soviet Union's violation "not only of the treaty it had with Czechoslovakia, but the whole sense of treaties generally and the U.N. Charter."

Forgotten was his campaign pledge that the United States, under his administration, would not "precipitously put its arms around the Soviet Union in signing a nuclear nonproliferation pact."

Forgotten was his solemn commitment that "we are not going to ignore on their part a complete breach of a treaty and then sign one with them."

More than any act he has performed as President, more than any controversial appointment he has sponsored, this single act of President Nixon on Wednesday will disillusion and anger those who gave him their support and defended him against critics who insisted that he would not make good on his campaign promises.

NOT YOURS TO GIVE

HON. CLARENCE J. BROWN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 1969

Mr. BROWN of Ohio. Mr. Speaker, one of my constituents recently sent me a special issue published by the Foundation for Economic Education, Inc. It was my thought that this article, "Not Yours To Give," taken from "The Life of Col. David Crockett" compiled by Edward S. Ellis, Philadelphia: Porter & Coates, 1884, would be of interest to my colleagues.

The article follows:

[From "The Life of Colonel David Crockett," compiled by Edward S. Ellis (Philadelphia: Porter & Coates, 1884)]

NOT YOURS TO GIVE

One day in the House of Representatives, a bill was taken up appropriating money for the benefit of a widow of a distinguished naval officer. Several beautiful speeches had been made in its support. The Speaker was just about to put the question when Crockett arose:

"Mr. Speaker—I have as much respect for the memory of the deceased, and as much sympathy for the sufferings of the living, if suffering there be, as any man in this House, but we must not permit our respect for the dead or our sympathy for a part of the living to lead us into an act of injustice to the balance of the living. I will not go into an argument to prove that Congress has no power to appropriate this money as an act of charity. Every member upon this floor knows it. We have the right, as individuals, to give away as much of our own money as we please in charity; but as members of Congress we have no right so to appropriate a dollar of the public money. Some eloquent appeals have been made to us upon the ground that it is a debt due the deceased. Mr. Speaker, the deceased lived long after the close of the war; he was in office to the day of his death, and I have never heard that the government was in arrears to him.

Every man in this House knows it is not a debt. We cannot, without the grossest corruption, appropriate this money as the payment of a debt. We have not the semblance of authority to appropriate it as a charity. Mr. Speaker, I have said we have the right to give as much money of our own as we please. I am the poorest man on this floor. I cannot vote for this bill, but I will give one week's pay to the object, and if every member of Congress will do the same, it will amount to more than the bill asks."

He took his seat. Nobody replied. The bill was put upon its passage, and, instead of passing unanimously, as was generally supposed, and as, no doubt, it would, but for that speech, it received but few votes, and, of course, was lost.

Later, when asked by a friend why he had opposed the appropriation, Crockett gave this explanation:

"Several years ago I was one evening standing on the steps of the Capitol with some other members of Congress, when our attention was attracted by a great light over in Georgetown. It was evidently a large fire. We jumped into a hack and drove over as fast as we could. In spite of all that could be done, many houses were burned and many families made houseless, and, besides, some of them had lost all but the clothes they had on. The weather was very cold, and when I saw so many women and children suffering, I felt that something ought to be done for them. The next morning a bill was introduced appropriating $20,000 for their relief. We put aside all other business and rushed it through as soon as it could be done.

"The next summer, when it began to be time to think about the election, I concluded I would take a scout around among the boys of my district. I had no opposition there, but, as the election was some time off, I did not know what might turn up. When riding one day in a part of my district in which I was more of a stranger than any other, I saw a man in a field plowing and coming toward the road. I gauged my gait so that we should meet as he came to the fence. As he came up, I spoke to the man. He replied politely, but, as I thought, rather coldly.

"I began: 'Well, friend, I am one of those unfortunate beings called candidates, and—'

" 'Yes, I know you; you are Colonel Crockett. I have seen you once before, and voted for you the last time you were elected. I suppose you are out electioneering now, but you had better not waste your time or mine. I shall not vote for you again.'

"This was a sockdolager . . . I begged him to tell me what was the matter.

" 'Well, Colonel, it is hardly worth-while to waste time or words upon it. I do not see how it can be mended, but you gave a vote last winter which shows that either you have not capacity to understand the Constitution, or that you are wanting in the honesty and firmness to be guided by it. In either case you are not the man to represent me. But I beg your pardon for expressing it in that way. I did not intend to avail myself of the privilege of the constituent to speak plainly to a candidate for the purpose of insulting or wounding you. I intend by it only to say that your understanding of the Constitution is very different from mine; and I will say to you what, but for my rudeness, I should not have said, that I believe you to be honest. . . . But an understanding of the Constitution different from mine I cannot overlook, because the Constitution, to be worth anything, must be held sacred, and rigidly observed in all its provisions. The man who wields power and misinterprets it is the more dangerous the more honest he is.'

" 'I admit the truth of all you say, but there must be some mistake about it, for I do not remember that I gave any vote last winter upon any constitutional question.'

" 'No, Colonel, there's no mistake. Though I live here in the backwoods and seldom go from home, I take the papers from Washington and read very carefully all the proceedings of Congress. My papers say that last winter you voted for a bill to appropriate $20,000 to some sufferers by a fire in Georgetown. Is that true?'

" 'Well, my friend; I may as well own up. You have got me there. But certainly nobody will complain that a great and rich country like ours should give the insignificant sum of $20,000 to relieve its suffering women and children, particularly with a full and overflowing Treasury, and I am sure, if you had been there, you would have done just as I did.'

" 'It is not the amount, Colonel, that I complain of: it is the principle. In the first place, the government ought to have in the Treasury no more than enough for its legitimate purposes. But that has nothing to do with the question. The power of collecting and disbursing money at pleasure is the most dangerous power that can be intrusted to man, particularly under our system of collecting revenue by a tariff, which reaches every man in the country, no matter how poor he may be, and the poorer he is the more he pays in proportion to his means. What is worse, it presses upon him without his knowledge where the weight centers, for there is not a man in the United States can ever guess how much he pays to the government. So you see, that while you are contributing to relieve one, you are drawing it from thousands who are even worse off than he. If you had the right to give anything, the amount was simply a matter of discretion with you, and you had as much right to give $20,000,000 as $20,000. If you have the right to give to one, you have the right to give to all; and, as the Constitution neither defines charity nor stipulates the amount, you are at liberty to give to any and everything which you may believe, or profess to believe, is a charity, and to any amount you may think proper. You will very easily perceive what a wide door this would open for fraud and corruption and favoritism, on the one hand, and for robbing the people on the other. No, Colonel, Congress has no right to give charity. Individual members may give as much of their own money as they please, but they have no right to touch a dollar of the public money for that purpose. If twice as many houses had been burned in this county as in Georgetown, neither you nor any other member of Congress would have thought of appropriating a dollar for our relief. There are about two hundred and forty members of Congress. If they had shown their sympathy for the sufferers by contributing each one week's pay, it would have made over $13,000. There are plenty of wealthy men in and around Washington who could have given $20,000 without depriving themselves of even a luxury of life. The congressmen chose to keep their own money, which, if reports be true, some of them spend not very creditably; and the people about Washington, no doubt, applauded you for relieving them from the necessity of giving by giving what was not yours to give. The people have delegated to Congress, by the Constitution, the power to do certain things. To do these, it is authorized to collect and pay moneys, and for nothing else. Everything beyond this is usurpation, and a violation of the Constitution.

" 'So you see, Colonel, you have violated the Constitution in what I consider a vital point. It is a precedent fraught with danger to the country, for when Congress once begins to stretch its power beyond the limits of the Constitution, there is no limit to it, and no security for the people. I have no doubt you acted honestly, but that does not make it any better, except as far as you are personally concerned, and you see that I cannot vote for you.'

"I tell you I felt streaked. I saw if I should have opposition, and this man should go to talking, he would set others to talking, and in that district I was a gone fawn-skin. I could not answer him, and the fact is, I was so fully convinced that he was right, I did not want to. But I must satisfy him, and I said to him:

" 'Well, my friend, you hit the nail upon the head when you said I had not sense enough to understand the Constitution. I intended to be guided by it, and thought I had studied it fully. I have heard many speeches in Congress about the powers of Congress, but what you said here at your plow has got more hard, sound sense in it than all the fine speeches I ever heard. If I had ever taken the view of it that you have, I would have put my head into the fire before I would have given that vote; and if you will forgive me and vote for me again, if I ever vote for another unconstitutional law I wish I may be shot.'

"He laughingly replied: 'Yes, Colonel, you have sworn to that once before, but I will trust you again upon one condition. You say that you are convinced that your vote was wrong. Your acknowledgment of it will do more good than beating you for it. If, as you go around the district, you will tell people about this vote, and that you are satisfied it was wrong, I will not only vote for you, but will do what I can to keep down opposition, and, perhaps, I may exert some little influence in that way.'

" 'If I don't," said I, 'I wish I may be shot: and to convince you that I am in earnest in what I say I will come back this way in a week or ten days, and if you will get up a gathering of the people, I will make a speech to them. Get up a barbecue, and I will pay for it.'

" 'No, Colonel, we are not rich people in this section, but we have plenty of provisions to contribute for a barbecue, and some to spare for those who have none. The push of crops will be over in a few days, and we can then afford a day for a barbecue. This is Thursday; I will see to getting it up on Saturday week. Come to my house on Friday, and we will go together, and I promise you a very respectable crowd to see and hear you.'

" 'Well, I will be here. But one thing more before I say good-by. I must know your name.'

" 'My name is Bunce.'

" 'Not Horatio Bunce?'

" 'Yes.'

" 'Well, Mr. Bunce, I never saw you before, though you say you have seen me, but I know you very well. I am glad I have met you, and very proud that I may hope to have you for my friend.'

"It was one of the luckiest hits of my life that I met him. He mingled but little with the public, but was widely known for his remarkable intelligence and incorruptible integrity, and for a heart brimful and running over with kindness and benevolence, which showed themselves not only in words but in acts. He was the oracle of the whole country around him, and his fame had extended far beyond the circle of his immediate acquaintance. Though I had never met him before, I had heard much of him, and but for this meeting it is very likely I should have had opposition, and had been beaten. One thing is very certain, no man could now stand up in that district under such a vote.

"At the appointed time I was at his house, having told our conversation to every crowd

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I had met, and to every man I stayed all night with, and I found that it gave the people an interest and a confidence in me stronger than I had ever seen manifested before.

"Though I was considerably fatigued when I reached his house, and, under ordinary circumstances, should have gone early to bed, I kept him up until midnight, talking about the principles and affairs of government, and got more real, true knowledge of them than I had got all my life before.

"I have known and seen much of him since, for I respect him—no, that is not the word—I reverence and love him more than any living man, and I go to see him two or three times every year; and I will tell you, sir, if every one who professes to be a Christian lived and acted and enjoyed it as he does, the religion of Christ would take the world by storm.

"But to return to my story. The next morning we went to the barbecue, and, to my surprise, found about a thousand men there. I met a good many whom I had not known before, and they and my friend introduced me around until I had got pretty well acquainted—at least, they all knew me.

"In due time notice was given that I would speak to them. They gathered up around a stand that had been erected. I opened my speech by saying:

" 'Fellow-citizens—I present myself before you today feeling like a new man. My eyes have lately been opened to truths which ignorance or prejudice, or both, had heretofore hidden from my view. I feel that I can today offer you the ability to render you more valuable service than I have ever been able to render before. I am here today more for the purpose of acknowledging my error than to seek your votes. That I should make this acknowledgment is due to myself as well as to you. Whether you will vote for me is a matter for your consideration only.'

"I went on to tell them about the fire and my vote for the appropriation and then told them why I was satisfied it was wrong. I closed by saying:

" 'And now, fellow-citizens, it remains only for me to tell you that the most of the speech you have listened to with so much interest was simply a repetition of the arguments by which your neighbor, Mr. Bunce, convinced me of my error.

" 'It is the best speech I ever made in my life, but he is entitled to the credit for it. And now I hope he is satisfied with his convert and that he will get up here and tell you so.'

"He came upon the stand and said:

" 'Fellow-citizens—It affords me great pleasure to comply with the request of Colonel Crockett. I have always considered him a thoroughly honest man, and I am satisfied that he will faithfully perform all that he has promised you today.'

"He went down, and there went up from that crowd such a shout for Davy Crockett as his name never called forth before.

"I am not much given to tears, but I was taken with a choking then and felt some big drops rolling down my cheeks. And I tell you now that the remembrance of those few words spoken by such a man, and the honest, hearty shout they produced, is worth more to me than all the honors I have received and all the reputation I have ever made, or ever shall make, as a member of Congress.

"Now, sir," concluded Crockett, "you know why I made that speech yesterday.

"There is one thing now to which I will call your attention. You remember that I proposed to give a week's pay. There are in that House many very wealthy men—men who think nothing of spending a week's pay, or a dozen of them, for a dinner or a wine party when they have something to accomplish by it. Some of those same men made beautiful speeches upon the great debt of gratitude which the country owed the deceased—a debt which could not be paid by money—and the insignificance and worthlessness of money, particularly so insignificant a sum as $10,000, when weighed against the honor of the nation. Yet not one of them responded to my proposition. Money with them is nothing but trash when it is to come out of the people. But it is the one great thing for which most of them are striving, and many of them sacrifice honor, integrity, and justice to obtain it."

A TRIBUTE TO OSCAR V. ROSE, SUPERINTENDENT OF SCHOOLS IN MIDWEST CITY, OKLA.

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 1969

Mr. WILLIAM D. FORD. Mr. Speaker, along with many of my colleagues, I was shocked and grieved on January 29 to learn of the death of Oscar V. Rose, superintendent of schools in Midwest City, Okla.

As a new member of the Education and Labor Committee in 1965, I learned to know and respect Mr. Rose as an effective and articulate spokesman for the Nation's school administrators. I found him a never-failing source of information on Federal programs for aid to education.

I recently received a letter from Dr. William Simmons, deputy superintendent of schools in Detroit, who was a mutual friend of both mine and Mr. Rose. Dr. Simmons and Mr. Rose had worked together for many years to keep Congress informed on educational needs.

Dr. Simmons' letter is an excellent tribute to Oscar Rose from a friend who knew him well. Under unanimous consent I submit the letter for inclusion in the CONGRESSIONAL RECORD, as follows:

DETROIT PUBLIC SCHOOLS,
Detroit, Mich., February 4, 1969.

Hon. WILLIAM D. FORD,
House Office Building,
Washington, D.C.

DEAR BILL: I carried your message of sympathy to the family of Oscar V. Rose, Superintendent of Schools in Midwest City, Oklahoma. It was greatly appreciated, for the family knew the value he placed on his personal relationships with the members of Congress.

His untimely passing in the Congressional during the early morning hours of January 29 was a great personal loss to me. Our association covered a period of eighteen years, and our last efforts together in behalf of "his" legislation, P.L. 815 and P.L. 874, continued until just a few hours before his death. I can't help but feel that Oscar, the ageless warrior, had he been consulted, would have wanted to conclude his relentless battle right on Capitol Hill as he did. His smiling, familiar face will be sorely missed by all who watched him charge from place to place in support of the Impacted Area Program.

The educational career of Oscar Rose was one of the real success stories in American education. He began his fifty-year teaching career at tiny Quasada School in Okfuskee County, Oklahoma, in 1922 and served as teacher, coach, principal, superintendent, and even had to "sweep the floors and light the stoves" in the early days. In 1943 he assumed the superintendency of the fledgling Midwest City-Del City school system and inherited two country school buildings, five teachers, and 125 students, along with all the problems that came with the rapidly expanding Tinker Air Force Base. Today, the number of students has skyrocketed to almost 20,000, with 800 teachers in three high schools, five junior high schools, fourteen elementary schools, and one vocational technical school. A junior college for the district was one of his last efforts. He was proud of the fact that approximately 53% of his graduates started college.

The progress and excellence of the system have been reported in Life, Newsweek, and other national publications. At the same time, he spread his ability to become a major figure in the development of all areas of civic life in Midwest City.

Midwest City paid tribute to him by designating "Rose Day" on May 3, 1953, and naming the high school football field after him. On the occasion of Midwest City's Silver Anniversary in 1967, thousands honored Oscar Rose on another "Rose Day" by wearing roses and attending a dinner in his honor. I had the pleasure of speaking at the last Rose Day, along with Senator Mike Monroney, Congressmen Carl Albert and Tom Steed, and a number of other officials, and at that time I remarked that it was most unusual for a school superintendent to command such a tribute after thirty-five years in a community by the sheer force of continuous dynamic leadership.

Washington has known Oscar as the originator and protector of the Impacted Area Program. He worked tirelessly on both the authorizing and appropriation legislation. He was the moving force in the passage of P.L. 815 and P.L. 874 in 1950, following a successful operation with the prior war defense programs. The millions of dollars expended for the education of boys and girls across the country under these programs made him known as "Education Oscar." The good these programs have done and will continue to do are a tribute to his genius and energy. Really, as you know, he supported all federally supported education programs and was proud to have the Elementary and Secondary Education Act amended into "his laws." It is difficult to find a hearing record on educational legislation since 1943 where his name does not appear.

Speaking personally, Oscar was a friend second to none. His support had no bounds. He was a real gentleman and was liked by all. His mission in life was the spreading of knowledge and happiness for all, with little regard for personal cost. He was truly my choice for the "Most Outstanding Character I Have Known." I'll miss him.

This is a long message, but I know that you as a personal friend of Oscar's would want some kind of a review from one of his closest friends. I have included a number of news clippings reporting his passing and the funeral that give all the details of his family and his outstanding career.

Sincerely,

WILLIAM SIMMONS.

RESERVE OFFICERS ASSOCIATION ANNUAL AWARD

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 1969

Mr. SIKES. Mr. Speaker, the Members of this body on both sides of the aisle share pride in the honor which recently came to our distinguished and beloved Speaker when he was selected by the Reserve Officers Association of the United States for its annual award as

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"The citizen who has contributed most to national security in these times." It is significant that the presentation was made on the eve of the birthday of our first President, George Washington, on February 21, 1969.

It is also meaningful that this presentation on behalf of ROA was made by a former Member, an outstanding leader among our Republican colleagues during his service here, and a great American who is now the Secretary of Defense, the Honorable Melvin Laird. His designation for the important post which he now holds reflects much credit on this entire body and, in particular, upon his creditable contributions as a Member of Congress.

Mr. Laird's remarks in making this presentation are quoted herewith as a matter of significance and interest in the House:

Secretary LAIRD. Mr. Speaker, General Lewis, distinguished guests from the Congress, the military services, and our Nation's citizen defenders. I deem it a high privilege to act in behalf of the Reserve Officers Association as we honor the Speaker of the House of Representatives this evening.

The Reserve Officers Association, in extending public recognition for great service to this country to the man and to the lady that we are honoring tonight, I believe shows its true worth.

Few citizens in the history of our country have contributed so much while serving in the Congress of the United States, as a representative of a free and enlightened people, as the guests we honor tonight, a member of the House of Representatives for four decades, a leader and a molder of public opinion, a manager of legislation, which has preserved and which has protected our freedoms and advanced our principles upon which these freedoms are based.

It has been my privilege to serve in the House of Representatives during this past sixteen years with this great man, this great gentleman who sits here tonight to receive the annual highly prized award of the ROA.

When I was appointed to the Defense Appropriations Committee sixteen years ago, the Speaker of the House of Representatives, then the Majority Leader, gave me some good advice. He said, "Mel, you are serving on an important committee, the Defense Appropriations Committee. If you ever err in the appropriation of funds on that committee, in any decision that you make on that committee, I want you to err on the side of the safety of the people and the security of the people of the United States of America."

(Applause.)

That advice served me well as a member of the Appropriations Committee, and that advice of Speaker McCormack serves me well tonight, as Secretary of Defense.

(Applause.)

John McCormack is the Speaker of the whole House. He is held in deep and sincere affection by all members of the House of Representatives, on both sides of the aisle, because he is a great leader, he is a great American, a warmhearted friend, and a genuine humanitarian.

Yes, my friends, I know this man. I love this man. I admire this man. I respect this man. He is the Speaker of the House of Representatives, but he is a Representative of all the people of this Nation.

(Applause.)

I know that the people in the district in Boston that he represents, the people of the Commonwealth of Massachusetts are proud of him and his service, and justly so. I know that you that are gathered here this evening pay tribute to him and to Mrs. McCormack do so in the highest sense of tribute. He does us all honor in coming here to accept this award.

I consider that he has done us great honor and served us all well for over four decades as a great Representative in the United States Congress. And I am proud at this time to present to him this citation, this award from the Reserve Officers Association.

I would like to read this citation to all of you.

To the Honorable John W. McCormack, whereas throughout more than forty years of service in the House of Representatives of the United States, his devotion to the highest concepts of duty to country, the courage and independence of his leadership for adequate preparedness which is necessary to national security, the steadfastness of his dedication to the citizen-reservists tradition, the clarity of his judgment to insure strength, effectiveness and high morale to our Nation's military forces have given confidence to his generation, inspiration to posterity and safety to this Nation's institutions and ideals.

Therefore, be it resolved in recognition of this great service to the United States, this association proudly recognizes him as the Citizen of 1969 who has contributed most to the national security shared by every American citizen in these times.

The Reserve Officers Association of the United States, 21 February 1969.

Mr. Speaker, we honor you here tonight and it gives me great pleasure to present this citation to you.

(Applause.)

Mr. Speaker, on this same outstanding occasion when Mr. McCORMACK received ROA's annual Minute Man Award, the Vice President of the United States, the Honorable SPIRO AGNEW, made an appearance, both on his own behalf and in behalf of the President of the United States, to deliver messages to the Speaker. His remarks were extemporaneous but very significant, and he warmed the hearts of his great audience with his sincerity.

I consider this a deserved tribute to a great American and I am happy to include for the RECORD here the text of the message which he presented at that time from the President of the United States, Mr. Nixon:

Vice President AGNEW. Thank you very much, ladies and gentlemen. Thank you very much.

General Lewis, Mr. Speaker, many distinguished guests here from the military, the Diplomatic Corps, the Congress and the Cabinet, members of the Reserve Officers Association. I can't tell you how much the President wanted to be here. As a matter of fact, he had intended to come up until the very last minute when it became necessary for him to attend some very important briefings that were connected with his trip overseas, a trip that is taken in the interest of every one of us, and I am sure you will understand his absence.

He did ask me to relay to you a personal message, which I would like to read with your permission:

"It is personally satisfying to join the Reserve Officers Association in honoring Speaker McCormack as the American citizen in these times who has contributed the most to national security.

"All Americans know the Speaker as one of the Republic's most beloved leaders. All are grateful for his strong humanitarianism manifested over many years, through legislation concerning the well-being of our citizens. But here there is also recognition of another great attribute of the Speaker, his long dedication to keeping our defenses strong. Repeatedly, the Speaker has cleared the way for legislation vital to our security, and he has championed many measures beneficial to the men and women of the services and their families.

"I claim a small part in this award tonight as a member of the ROA since the end of World War II. Already, when I joined the ROA, John McCormack was a senior member of Congress, and even then he was respected by Congressmen of both parties. It is, therefore, an honor for me tonight to have a part in saluting this distinguished American, who has so well and so long served the United States.

"Signed, RICHARD NIXON."

(Applause.)

And through the President's tribute, Mr. Speaker, I would like to add my own. I have watched you and admired you for a long time. And I think it is a measure of the man when you look at the people who turn out to honor him here tonight. I think also it is a measure of the honor that is being given to the man when you take a good look at the organization that is making the award. The Reserve Officers Association is such an organization to make every American very proud.

At a time when some people are seeing fit to deny to those young men who would seek to carry on the traditions of the military service on the campuses of our colleges of accreditation, I find it particularly significant that we are honoring a man who is interested in vitally protecting America as we know it today.

(Applause.)

Mr. Speaker, there are some who claim that the teachings of the military on a college campus are not relevant. Frankly, I can't think of anything more relevant to Americans than to preserve, protect and defend the Republic.

(Applause.)

And I would just like to close with quoting the cautionary words of John Philpot Curran in 1790, when he said, it is the common fate of the indolent to see their right become a praise to the action. The condition upon which God has given liberty to man is eternal vigilance, which condition if he breaks, servitude is at once the consequence of his crime and the punishment of his guilt.

As long as we have people on the American scene like Speaker McCormack, I am not too worried about the implementation of that quotation.

(Applause.)

Mr. Speaker, the Members of this body are aware of the many honors achieved by our Speaker, the beloved statesman the Honorable JOHN W. McCORMACK. They are deserved. There are few citizens in the United States whose selfless dedication to public service and whose wisdom based upon his considerable experience has meant so much to the security of this Nation.

One of the inspirational privileges of the service of most of us in the House is that we have been able to benefit from the wisdom and counsel of our beloved Speaker. It was my privilege to sit with the Speaker, along with a very large number of other of my colleagues, leaders of the military services, and other distinguished citizen-leaders of the United States, when on February 21, the Reserve Officers Association of the United States gave recognition to Mr. McCORMACK as "the citizen who has contributed most to national security in these times."

The Speaker's response upon that occasion was a moving address which stirred a throng of more than 1,700, representing every section of our country. It was noted that on 18 occasions during this address, he was interrupted by tremendous applause and that upon conclusion he was given a standing ovation by all those in attendance.

Speaker McCORMACK's speech, as he delivered it, is presented herewith for the inspiration and edification of all concerned:

Speaker McCORMACK. Thank you.

My dear valued friend and former colleague, but always a colleague, Secretary of Defense Mel Laird, reverend clergy, General Lewis, my distinguished colleagues of both branches of the Congress, distinguished members of the military, of the Diplomatic Corps who are here, and distinguished ladies and gentlemen, not only at the head table but who are attending this splendid dinner, and my own splendid dear Mrs. McCormack.

(Applause.)

I have had many honors conferred upon me in the journey through life, and there is none that I am more grateful for than the honor that has been conferred upon me by the outstanding organization.

I am deeply touched by the personal message of the President of the United States, delivered by the Vice President of the United States, and I value very much the personal remarks made about me and the character of service I have attempted to render, particularly when the national interests of our country are concerned, made by Vice President AGNEW.

To receive such words of praise places me in the position where it is most difficult to answer. But all I can say, ladies and gentlemen, is that from the day I first entered Congress, those were days of crisis. I have lived through practically forty years, one way or another, confronting our country.

One uppermost thought in my mind was to always do what I thought would be for the national interest of the United States.

(Applause.)

It is very kind of the Secretary of Defense—and I congratulate President Nixon in selecting him. I mean that.

(Applause.)

It is very nice of the Secretary of Defense to refer to an observation that I made to him some years ago. I know he did not think that I was presumptous on that occasion when we were chatting. The observation that I made to him was one that has been one of my main guides as a member of the Congress, and one that I do not apologize for, but makes my conscience happy. If I am going to err where the national defense and the national interests of my country are concerned, I prefer to err on the side of strength than on the side of weakness.

(Applause.)

As I stand here—and I am departing from my prepared remarks—I feel better when I'm talking extemporaneously—my mind goes back to 1940, when I was first elected to leadership in the House of Representatives. I attended all of the top level meetings called by the President of the United States, not a Democratic President or a Republican President, but the President of the United States.

(Applause.)

Over and above everything, one might be elected to the Presidency, but I am elected to the House of Representatives as a Democrat or Republican, but once elected the President is, in my opinion, in the minds of all Americans, as it should be, the President of the United States. And if I have occasion to refer to his party affiliation, I always say "the President who was elected as a Democrat or elected as a Republican."

(Applause.)

And I never felt, as a member of Congress, that while I am a party man—and I am proud of my party—

(Applause.)

I was elected to be the Congressman of my district, to vote as my judgment and my conscience dictated, not only on domestic matters but on matters concerning the national interests of our country, that I was a Representative of the people, not the Democrats of my district or the Republicans, but of all the people of my district. As I say I am proud of my party but every man elected—and I felt that I was—occupies a representative position. If I voted wrong the people could take care of me two years later or the next election but it was my duty and my obligation, living with my own conscience, to vote in accordance with my own conscience, no matter how politically difficult it might have been or will be at a particular time.

(Applause.)

As a native of the State of Massachusetts, the Commonwealth of Massachusetts, I feel——

(Applause.)

I see there are some here. I feel extra personal pride in receiving this award, the Minuteman statue which stands at the entrance of your beautiful new memorial building is a replica of the original in Minuteman National Park in Concord, Massachusetts, the unveiling of which took place on April 19, 1875, one-hundred years after the historic battle of Concord, and built in commemoration of the citizen soldiers, those citizen soldiers who in 1776 stopped the British regulars and drove them in full retreat to Boston.

(Applause.)

That battle might well be termed, as it has been said, to have altered the course of world history. In any event, it altered the course of American history.

It represents the first significant resistance by force to British rule in the then Thirteen Colonies and opened the military phase of the Revolutionary War.

In the words of another native of Massachusetts, Ralph Waldo Emerson, it was at Concord where they fired the shot that was heard round the world.

Although the battle of April 1775 was the most famous in which the most men engaged, the ready military concept had been developing in some of the Thirteen Colonies. The origin of the ready reserves idea goes back to the early colonial days. The Founders of the Massachusetts Bay Colony, for example, believed that all able-bodied men should bear arms in the common defense.

(Applause.)

It has been recorded that in 1645 the Massachusetts Council had ordered that each militia company have 30 per cent of its men—and I quote—"ready at a half-hour's notice warning upon any service they shall be put to by their chief military officers."

Massachusetts became, as you know, the first colony to draw up a concerted plan of military action in case the British precipitated a crisis. A provincial congress was held in Concord in 1774. That congress provided for the creation of a Committee of Safety which was given the power—mind you, in 1774—was given the power to raise an alarm and muster the militia at any time they deemed necessary. It also provided a sound plan for organization and training of the militia under the conditions that existed in those days.

My reference to Massachusetts is not to expound its history, rather I think it contains valuable lessons in which all Americans should be reminded today. These include the importance of our national defense being ever ready, ever vigilant and ever prepared.

(Applause.)

It also points up the defense for a fully trained army and equipping the nation's citizen soldiers. And fortunately, for the greater part of its history, the United States did not heed these lessons. Now the advice of George Washington, that the best way to preserve peace is to be prepared for war. Too many times this Nation paid a terrible price in lives and property for this failure.

As a result of my service in World War I, I had impressed upon me the importance and the necessity of adequate military preparation. The experience of that war had a similar effect upon the men who founded the Reserve Officers Association in 1922. The American Army that entered the First World War was largely untrained, and had it not been for the thousands of reserve officers which the Nation called upon to serve at the beginning of the Second World War, the end of that war might have been prolonged with greater loss of life and property and greater calculated risk involved to our country.

(Applause.)

General George C. Marshall, a great man, later praised the reserves in these words, and I quote:

"Just what we could have done in the first phase of our mobilization and training without these men I do not know. I do know that our plans would have been greatly curtailed and the cessation of hostilities on the European front would have been delayed accordingly."

While I am mentioning the name of General Marshall, I think I can refer to probably one of the most important meetings that took place at the Capitol. Sometime in 1944, my mind is going back, because I sat in at that meeting. Sam Rayburn, my beloved predecessor (applause) asked me to be in his office at 11:00 o'clock the next morning, with Joe Martin, who was then the leader of the minority party. And at that meeting there was the three of us, General George Marshall, Henry Simpson, the Secretary of War, and Vannevar Bush.

I had heard some rumors about some activity in the field of research, military research, but I didn't know what it was until I attended that meeting. When I refer to calculated risk, we could have lost the war, and that meeting showed, conveyed to me forcibly that fact, that we hadn't looked ahead.

At that meeting General Marshall and George Simpson told us that Hitler, the Hitler government had started an experiment on a missile, on a bomb, that they know that they had started it before we did. They did not know how many laboratories, research laboratories they had. If the Nazi government, the Hitler government completed the bomb before we did, we could lose the war overnight.

Those were the words given to Sam Rayburn, Joe Martin and John McCormack by George Marshall and Henry Simpson. And their mission up to see us was to raise $1.6 billion to $2 billion during the next two fiscal years to continue what was, I then found out for the first time, known as the Manhattan Project. And at that time Vannevar Bush told me they had perfected the bomb of about 10,000 tons destructability. But the secret was not in the claim of the bomb but how to carry it to the target, to protect it so it could be carried to the target.

And that time he said the potential development of a bomb was 100,000 tons. Just imagine, the scientist could not see any bomb that would go beyond 100,000 tons, even with what we have today.

And, as they told us that we could lose the war overnight if the Hitler government perfected the bomb before we did, their heads were down on their shoulders. I thought I had to go along. There was nothing else to do. There was no doubt in my mind.

And one of them said, it might be throwing $1.6 billion or $2 billion down the drain. I knew what they meant by that, it might be a failure. I said to myself—I can tell you now—I said to myself, "Well, McCormack, if that is a failure you are going to be involved in the damndest scandal the United States has ever saw because it is going to be a $2 billion scandal. And I know that I am going to be tried after the fact and not before the fact."

So I refer to that to show that we had better be eternally on our guard, we have got to be eternally vigilant. And in deciding the questions, most of these questions, you had better look into the future. And those meetings I attended, decisions were made applicable to the future. I did not know if my contribution was correct. I hoped it was. I prayed it was.

But I know that if we made a decision there was calculated risk in action, but also know that if we failed to make a decision we could make a decision with the calculated risk of inaction. And I found from experience during the thirties, particularly coming across the horizon, I found as a result of my experiences during the thirties that the calculated risks of inaction were more dangerous than the calculated risks of action.

(Applause.)

For I saw Hitler permitted to take the Sudetenland and I hoped he would be satisfied. I might have known he wouldn't have been. And I saw him take Austria. They should have known he wouldn't have been satisfied, but they didn't. We had Chamberlain as Prime Minister and his was a voice in the wilderness to the people, warning them, the British people. And as this Austria came—you know it, ladies and gentlemen, just as well as I do—then the rest of Czechoslovakia was just a slow walk, then came the peace for all time at Munich and then came Poland.

And in our own country there was intense feeling of isolationism. We tried to get an appropriation through for arms. This means war. And I introduced the lend lease—this means war. Those who fought for defense were war-mongers, but in the end it proved that those who really were the warmongers were the appeasers.

(Applause.)

I do not say they intended it, but it was the results of their thinking, the failure to do something when the national interests of our country calls for doing something, brought about a chain of events. Time passes. The law of maximum consequences applied, calculated risk that I have referred to. Because as you and I are sitting here tonight, history is being made that will be applicable tomorrow.

We see, for example, the invasion of Czechoslovakia. What does that mean? What does than mean in terms of evaluating those who control the Soviet Union in the Kremlin?

We also see the warnings, the ultimatums of West Germany, in their duly elected officials traveling to West Berlin to elect their new President.What does that mean in terms of evaluation of the state of mind in the Kremlin?

We also read in the paper—I don't know what it means to you, I know what it means to me—that in the Soviet Union they are bringing back the image of Stalin whom Khrushchev threw into the ash can, so to speak. And when you bring back the image of Stalin you bring back the spirit of Stalin. And what was the spirit of Stalin when he was alive? So many things I could refer to, but one—little Hungary, the ruthless suppression of the aspirations and the hopes of the people, the cruel suppression of the hopes and aspirations of the people of Hungary, to gain not full liberty but a small degree of liberty.

And today there are 80,000 Hungarians who have vanished. No one knows where they are. They are prisoners somewhere, if they are alive.

Now, when you bring back the image of Stalin, you are bringing back his spirit. And whatever value my judgment might be worth, I am entitled to my judgment, international communism is still bent on world domination. I know about Red China and the Soviet Union, ten or fifteen years from now there might be—the Soviet Union might have serious problems. But I am thinking of today, the national interests of my country.

And I know that no matter how—there is no such thing as a soft force in the Kremlin, as they appear to their intent to dominate the world, either directly or indirectly. Their purpose is the same. Their tactics might change, due to expediency or necessity.

I believe in negotiating. I believe in not negotiating. But I believe in being eternally on our guard. And when I see this return of the spirit, the image of Stalin, I say there must have been quite a fight recently in the Kremlin, and the hard forces must have prevailed. It is well for us to be well prepared, because history shows that our objectives in the field of diplomacy are more effectively carried out if those we are negotiating with know we have the military power and strength to back our commitments.

(Applause.)

I am just an individual taking the journey of life, like you are, elected some years ago to Congress and in the journey of life elected as leader of my party and now the Speaker. I have definite views. I know that the contest is between the forces of love and the forces of hate. I am not talking about all the people of the Soviet Union. I mean the ideological Communists, the dedicated Communists, and it is becoming—it is only with a lot of courage that one refers to that in America today. It is pretty hard to say a good word for America today.

(Applause.)

I can remember in '34 we had pretty much the same state of mind, apathy. We have got to be eternally on our guard. We have got to be powerful militarily, not for war, but to be prepared, if necessary, powerful militarily for peace. And in the event of war we are able to preserve our country, because we receive that mandate from past generations of Americans. And it is our duty to preserve what the past generations gave to us. It is our duty to strengthen it in our lifetime and to pass it on to succeeeding generations, America, a free America, an America where government is the servant and not the master of the people.

Thank you very much.

(Applause.)

HOW TO THROW AWAY $500 MILLION IN ONE EASY LESSON—BY SECRETARY OF DEFENSE MELVIN LAIRD

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 1969

Mr. PODELL. Mr. Speaker, according to numerous verified reports in the press, there have been 13 crashes of the F–111A in the past 26 months. Yet the air is filled with soothing phrases and rhetorical vaseline from the Pentagon and the plane's contractor to the effect that it is the safest craft ever built. Their statistics fill the air like confetti at a carnival. Somehow their unique logic escapes my poor powers of comprehension. If the F–111 possesses the finest safety record, I would be intrigued to discover what the crash record is of our worst plane.

All authorities are agreed that this wondercraft has been beset with severe problems, to say the least. Even its professional apologists are forced to admit its situation is disturbing in the extreme.

I have called for grounding of all these planes pending a major, thorough congressional investigation. These are not unreasonable requests. In fact, they would be in our best national interest.

Yet, on Friday, March 7, it was announced that the Pentagon was preparing to ask Congress for money to purchase about 70 more F–111 models. Barring last minute budgetary revisions, about $500 million for the F–111 program will go into the proposed fiscal 1970 defense budget revision. It is estimated that these new funds would bring F–111 production to around 500 planes. Mr. Speaker, I do not want to see another penny of public money thrown to the winds on this aircraft.

Britain has canceled its TFX order. The Australians signed an open-ended contract for the planes, which have now more than doubled in price. Even now, their experts are examining it in order to make it conform to Australian requirements. Australia's defense is in danger of being compromised because of the nonperformance of the plane. Limited training flights have resulted in disaster. This craft was begun in the very early sixties. After expending billions, we have not even obtained a testable craft. It was committed to Thailand and Vietnam, failed miserably, and was pulled back in desperate, confused panic. Its intrinsic worth is questioned, and now Mr. Laird orders more of them.

Are we in attendance at the Mad Hatter's tea party? Are we observers as the walrus romances the oysters before devouring them? Certainly we are groping through some never-never land where the bizarre and grotesque mingle in an obscene embrace impossible to untangle.

Perpetration of such a national outrage should elicit passionate, defiant outcry. Is this why lower and middle income taxpayers everywhere are being squeezed dry of income like so many lemons? Is this why skyrocketing taxes are driving millions to the financial wall? So the military-industrial defense complex can perpetrate such an atrocity for its financial gain and America's eventual detriment?

Mr. Speaker, further purchase of F–111's not only outrages ordinary decency and national interest, it assassinates common horsesense.

SOME FRESH FACTS ON FLUORIDATION

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 1969

Mr. RARICK. Mr. Speaker the heavily financed bandwagon that pushed fluoridation over the disapproval of those who would have preferred to have more complete information on the subject, and to have freedom from forced fluoridation, now has cause for sober reflection.

Current evidence shows that there is sufficient cause to warrant a moratorium in the addition of fluoride to water to allow a deeper scientific study to be made to prevent further unnecessary danger to an unwary public.

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Mr. Speaker, I include an editorial by Columnist James J. Kilpatrick, and an article entitled "New Facts on Fluoridation," which appeared in the March 1 issue of Saturday Review, following my remarks:

[From the Washington (D.C.) Evening Star, Mar. 2, 1969]

Some Fresh Facts on Fluoridation

If it were possible to put a copy of the current *Saturday Review* in the hands of every newspaper editor and member of a city council in the country, a blow for freedom might be struck in the matter of the fluoridation of public water supplies. Some fresh facts have come in.

John Lear, the magazine's science editor, has stuck his neck out in returning to the issue. Proponents of fluoridation, notably the U.S. Public Health Service, have done an excellent job of brainwashing the public and smearing the critics. As a consequence, any person who raises an objection runs the risk of being tagged as a quack, food faddist, or plain nut.

Yet the philosophical and medical objections that have been raised against fluoridation, from the inception of the program nearly 20 years ago, have an enduring validity.

Philosophically speaking the program simply is incompatible with the principles of a free society. These principles hold that in the field of public health, compulsory measures should not extend beyond protection against contagious disease and the prevention of tragic social burdens. The reduction of tooth decay in children falls in neither of these classifications.

When sodium fluoride is added to a public water supply, everyone in the community, as a practical matter, is compelled to take the stuff into his system. The highly toxic chemical is not like chlorine, which treats the water itself; sodium fluoride is added to the water to treat human beings. There is no longer much question that it does improve children's teeth.

But what else does sodium fluoride do? Skeptics have been urging that medical question for years, and have been brushed aside for their pains. The promoters of fluoridation, determined to impose their own notions of good dentistry upon everyone, have insisted that sodium fluoride is utterly harmless—that its side effects are nil. Is this true?

In a long article, Lear summarizes some recent research in the field. Persuasive evidence is beginning to pile up, both in the United States and in Canada, that sodium fluoride may have far more serious effects upon kidneys and bones than the promoters have believed.

One especially significant finding is credited to Dr. Donald R. Taves and his colleagues at the University of Rochester. They discovered that once it enters the body, fluoride takes not one form, but two. Most of the fluoride stays "bound." About 15 percent appears as "a free ion, able to enter into any number of potential reactions." When fluoride is added artificially to a public water supply, "the rise in total blood fluoride concentration is approximately 36 percent; but the rise in free fluoride is 250 percent."

The findings of Dr. Taves in Rochester, and of Dr. Gerald Posen in Montreal and Ottawa, have been fully reported to learned societies. Dr. Posen's sobering paper on the dangers of using fluorinated water in the dialysis baths of artificial kidneys was presented late in January to the Royal Canadian College of Physicians and Surgeons in Vancouver.

These reports are important to every editor and city councilman concerned with the fluoridation issue. They revive all the old philosophical questions. Granted, for the sake of argument, that sodium fluoride is good for children's teeth: Is it therefore wise and necessary that every citizen be compelled to ingest it?

Almost 4,000 American communities, comprising 72 million persons, now are adding sodium fluoride to their public water supplies. In the view of old-fashioned conservatives, the practice is plainly an intrusion upon personal freedoms. Put that aside. Is artificially fluoridated water also an intrusion upon the bones and kidneys of susceptible persons compelled to drink it?

[From Saturday Review, Mar. 1, 1969]

New Facts on Fluoridation

(By John Lear)

(NOTE.—The Royal Canadian College of Physicians and Surgeons has received a medical science research report from Ottawa General Hospital, where a group of patients whose lives depend on artificial kidneys has developed bone disease recalcitrant to treatment. The kidneys use artificially fluoridated water. Similar cases were reported earlier in the United States. Are there implications for people with kidney ailments who drink fluoridated water every day?)

When the first edition of *SR's* Science and Humanity Supplement appeared in March 1956, fluoridation of public drinking water already had been a subject of raging controversy for more than a decade. People and agencies involved in the fight soon were piling the science editor's mail basket high with arguments for and against fluoridation. The letters had one point in common: He had an obligation to analyze the issue and report his findings. The argument was so much more emotional than logical that a very long time was required to sort the information from the noise. But five years ago [*SR*, Dec. 7, 1963; Jan. 4, 1964], he totted the opposing data and published the following conclusions:

Although the evidence was not considered valid by all scientists, there was preponderant experimental support for the view that addition of sodium fluoride to drinking water conferred a certain resistance to tooth decay in a large percentage of children in the age bracket characterized by maximum physical growth.

Very little was known about the side effects of fluoridated water in the human body apart from the teeth.

Especially neglected by medical investigators were the side effects of fluoridated water in victims of metabolic disorders, such as those of the kidneys, the liver, the cardiovascular system, and the skeleton.

The United States Public Health Service and individuals dependent on grants of public money from USPHS had failed to weigh reports of unfavorable side effects of fluoridated water impartially against claims that no such effects occurred if the water supply was maintained at a ratio of 1 part of sodium fluoride to 1,000,000 parts of water.

A potential threat to the health of an undetermined number of individuals was thus being masked by insistent profluoridation pressure applied with the declared purpose of guarding the public health.

Reader reaction to these conclusions was tumultuous. It dominated the LETTERS TO THE SCIENCE EDITOR pages for months afterwards [Feb. 1, Feb. 15, Mar. 7, Apr. 4, May 2, July 4, 1964; Jan. 2, Apr. 3, May 1, June 5, Oct. 2, Nov. 6, Dec. 4, 1965]. Angry spokesmen for USPHS and a number of its grant recipients denied any attempt at censorship of information unfavorable to the fluoridation cause. Assurances were given that the public would be promptly informed of discoveries suggestive of dangers hidden in fluoridated drinking water.

In the subsequent five years, no public warnings of fluoridated water's side effects in general or in special cases or under particular circumstance have issued from USPHS.

Yet, one year after the USPHS attitude was challenged in these columns, there began to unfold a series of events that USPHS was committed to notice. The first event was publication, in the *Archives of Internal Medicine* issue dated February 1965, of a clinical science report entitled, "Use of Fluoridated Water in Long-Term Hemodialysis."

Hemodialysis is the substitution of an artificial kidney for the natural kidneys to remove from the blood wastes normally disposed of through the urine. The artificial kidney is essentially a coil of plastic tubing immersed in a water bath and connected to the main blood vessels that lead into and out of the natural kidney. The tubing does not accomplish all the subtle transfers performed by the tubules of a natural kidney, but it does alleviate uremia by shunting the body's blood supply outside the body, bypassing impaired kidneys, and carrying impurities from the blood across the plastic membrane into the water bath, then returning the purified blood to the body. At the same time that the impurities are passing through the membrane from the blood into the water, osmotic pressure is moving minerals in the water across the membrane in the opposite direction, from the water into the blood.

Part of this return transfer—passage of fluoride from the water into the blood and thence into the metabolic systems of the body—was what the above-cited *Archives* report concerned itself with. Artificial kidneys were still new and experimental in June 1961, when the subject of the report—a fortyish Rochester, New York, female nurse who had been afflicted with a mild kidney impairment (proteinuria) for twenty years, higher than normal blood pressure for a decade after birth of a child, and periodic urinary tract infection for six years—suffered kidney function failure and consequent accumulation of wastes in the blood. Repeated hemodialysis for periods of four to six hours every two to three weeks kept her alive until May 1962, but did not decisively change her chronic uremic condition. Autopsy was performed, but the findings were not disclosed in the *Archives*. Cause of death, if precisely determined, was not stated. The *Archives* report discussed only the amount of fluoride that could be estimated to have entered the woman's body through the public drinking supply.

"Except for a period from 1952 to 1957, her household water had less than 0.2 ppm of fluoride," the report said. "During the period from 1952 to 1957, it was approximately 1 ppm. Subsequent to 1957, she worked in a hospital that had fluoridated water, where it is known that she drank two cups of coffee a day. Other dietary history is unavailable."

In other words, before she was hemodialysed with an artificial kidney bathed in the artificially fluoridated water of the city of Rochester, the nurse's exposure to fluoridated water had been relatively slight.

Since the dialysate bath in the artificial kidney contained 100 liters of water, and since the bath water was changed once during each dialysis, the total volume of the water used in one dialysis was 200 liters. A liter weights 1,000 grams; 200 liters therefore weigh 200 million milligrams. Given a ratio of 1 part of fluoride to 1,000,000 parts of water, the bath water used in one dialysis would contain 200 mg of fluoride.

Exactly how much of this fluoride actually moved out of the bath water into the nurse's blood could not be determined because hemodialysis had been performed on two occasions before the water was sampled for fluoride content. Estimates based on sampling of subsequent dialyses would not be dependable because the earliest sampled dialyses transferred much more fluoride from the water into the blood than the later dialyses did. But for what the figures were worth, the *Archives* reporters measured the actual loss of fluoride from the bath water in all of the seven sampled dialyses and came up with an average loss of 5 mg per bath, or 10 mg per dialysis. By assuming a regular pattern for the two unsampled dialyses, and arbitrarily assigning a fluoride content to the water the nurse drank during her stays in the hospital, "a total dose of about 150 mg" was arrived at.

According to all the rules of fluoride behavior then known to medical investigators, this total amount fell far short of explaining the concentration of 5,500 ppm of fluoride discovered in the skeletal bones of the nurse at autopsy. "At least 4 grams of fluoride [more than twenty-six times 150 mg] would have to be present in the bones to produce a concentration" of that intensity, the *Archives* report observed, adding: "This suggests that she was ingesting and retaining more fluoride than usual for some time." How ingestion could have been greater than indicated in the case history was not explained. A greater retention might have been due to the kidney impairment. On that point, the report declared: "The question of increased retention of fluoride in patients with kidney disease has not been resolved." However the condition had come about, the mineral content of the bones was dissolving at a high rate at the time of her death. As the *Archives* report put it: "There was excess bone breakdown."

The concentration of fluoride in the nurse's blood was also elevated. Whether or not the elevation was detrimental "cannot be answered with finality," the *Archives* report said, concluding with the following paragraph: "It is possible that extra fluoride was beneficial for this patient's bone . . . so further experimental work would seem justified. However, where no effort can be made to learn more about its possible effects, it would seem prudent to use non-fluoridated dialysate baths for long-term hemodialysis."

The initial signer of the *Archives* report was University of Rochester Assistant Radiation Biology Professor Donald R. Taves, M.D. His co-authors were three fellow members of the Rochester faculty: Pathology Professor R. Terry, M.D.; Associate Radiation Biology (Toxicology) Professor F. A. Smith, and Technical Associate D. E. Gardner. The research reported on was financially supported in part by a USPHS grant. But USPHS did not disseminate the report to the lay public.

The University of Rochester is one of the strongest pro-fluoridation centers in American academia. As a community, it did not enthuse over this *Archives* departure from orthodoxy. But Professor Taves, possessed of an independent mind and courageous spirit, would not abandon his thesis that the side effects of fluoridated water works through artificial kidneys needed further investigation. In 1968, he reported on the subject again, this time in a paper he read at a spring meeting of the American Society for Artificial Internal Organs in Philadelphia.

After a prefatory note that "many cities add fluoride to their water supplies to reduce dental decay, but there is little known about the implications of fluoride for those who are dependent on hemodialysis for life," the Philadelphia paper proceeded to describe what had happened to seven patients under treatment with artificial kidneys bathed in fluoridated water. Some of the patients were from Rochester, others from Seattle in Washington state. Some had been treated with one type of artificial kidney, some with another type. To varying degrees, the seven shared a common experience: The level of fluoride concentration in their bloodstreams rose after each dialysis and fell in the interval between dialyses. Taves commented:

> These results demonstrate that when the dialysate is prepared with fluoridated water, fluoride moves from dialysate to blood at a rate comparable to the movement of solutes in the opposite direction. . . .
>
> The only two significant means of clearing fluoride from the body fluids are renal excretion and incorporation in bone. Since residual renal function was minimal to nonexistent in these patients, the decrease in serum concentration [of fluoride] between dialyses was primarily due to clearance [absorption of fluoride] by bone. . . .
>
> Little data are available that correlate serum fluoride levels [of fluoride] with therapeutic or toxic effects in man. . . . These data suggest that the serum fluoride values seen in these patients [the seven Taves was reporting on] are likely to result in altered bone formation. Further studies will be needed to rule out the possibility that more generalized effects are occurring. . . .

Like Taves's earlier work, the research that stood behind his second report had also been financed in part by a USPHS grant. But if USPHS did anything to disseminate the new facts dug up by the research, the lay public that foots the bill for fluoridation of public drinking water never heard of it.

Among the scientists who attended the Philadelphia meeting at which Taves spoke was a young Canadian, Dr. Gerald Posen. Dr. Posen had studied at Johns Hopkins in Baltimore and had gone from there to Montreal to join the staff of the Montreal General Hospital. There he did clinical research with artificial kidneys. It was commonplace for patients aided by artificial kidneys to be attacked by blood and bone discomforts, but these problems were just as commonly dissipated by supplementing the patient's supply of calcium, phosphorus, and Vitamin D. The experience at Montreal encouraged Posen to take on a bigger assignment and he went to the Ottawa General Hospital in Canada's capital city to take charge of that institution's artificial kidney unit. There he encountered much more severe manifestations of the same types of bone problems he had found and successfully combated in Montreal. But he discovered to his dismay that the treatments he had used in Montreal would not work in Ottawa. No matter what massive therapeutic dosages he prescribed, the bone deformation in his artificial kidney patients grew worse instead of better.

Posen went to the meeting of the American Society for Artificial Internal Organs in Philadelphia to learn something helpful in alleviating the suffering of the people in his charge. By chance he sat beside Taves at a dinner party. He told Taves his troubles. Taves asked him whether the possibility of fluoride involvement had been considered. Posen said it had not. Taves asked whether the public drinking water in Montreal was fluoridated. Posen said it was not. Was the public drinking water of Ottawa fluoridated? Posen did not know. The question agitated him so much that he walked to the nearest telephone and called Ottawa. Was Ottawa's public drinking water fluoridated? Yes, it had been since November 1965.

Posen made an immediate decision. He would set up a definitive experiment to determine what, if any role, fluoride might be playing in the suffering of his artificial kidney patients in Ottawa. He asked Taves whether Taves would make analyses of the blood of the patients. Taves was happy to do so, for he had recently made a discovery that may revolutionize the entire study of side effects of fluoridated drinking water.

The discovery was that, insofar as effects within the body are concerned, there is not one form of fluoride in the blood but two. One of the two is tightly bound to protein soon after it enters the body. By definition, this form is not free to combine and cause trouble. The second form is a free ion, able to enter into any number of potential reactions.

The free form makes up somewhat less than 15 per cent of the total amount of fluoride entering the body. The implications of this small percentage to study of fluoride's side effects become evident when the percentage is applied to the fluoride level of normal blood in a community without an artificially fluoridated water supply. The fluoride content of such blood is 0.14 ppm, of which only 0.02 ppm is in free ionic form. If the drinking water of that community is thereafter fluoridated at the standard 1 ppm level, the fluoride concentration in the blood of the community's citizens can jump to 0.19 ppm, of which 0.07 ppm is free to react inside the body. The rise in total blood fluoride concentration is approximately 36 per cent; but the rise in free fluoride is 250 per cent. In this context, the possible relationships between addition of small amounts of fluoride to water and the side effects of fluoride take on quite different proportions than seemed reasonable before Taves separated the bound from the free fluoride.

The availability of this precise new tool of fluoride measurement, in the skillful hands of its discoverer, speeded the initiation of Posen's crucial experiment. His next step was to assure a continuing story of what happened to fluoride from the artificial kidney bath water after the fluoride entered the blood. To do that, he had to match the fluoride concentration in the blood of his patients against the concentration of fluoride in their bones.

He asked Taves to recommend an expert bone analyst. Taves recalled that Dr. L. F. Belanger, of the Department of Histology, University of Ottawa, had reviewed a widely discussed *Archives of Environmental Health* state-of-the-art report on fluoride pathways to bone [see SR, Jan. 4, 1964]. Posen called for help from Belanger, who referred the challenge to one of the three authors of the state-of-the-art report: John Marier, a chemical analyst associated with Dr. Dyson Rose, an internationally reputed chemist on the staff of the National Research ouncil of Canada. Marier agreed to analyze bone for Posen if Rose would approve. Rose approved, on the grounds that Posen's project was an important public service worthy of NRC's respect. All that remained to make the experiment foolproof was for Posen himself to record his patients' clinical symptoms in fine detail.

At intervals thereafter, samples of blood went to Taves and samples of bone (mostly biopsied from the iliac crest, the bony vestige at the base of the spine where evolutionists say pre-man once had a tail) to Marier. The samples were identified only by number. Neither Taves nor Marier knew the names or physical conditions of the patients they were observing. Only Posen had the identities and clinical records that fit the numbers.

In the half year that followed the Philadelphia meeting, Posen accumulated enough data to reach several solid conclusions. He incorporated these facts into a paper and took it to Washington, D.C., in November 1968 to read at a meeting of the American Society of Nephrology. Expecting a small audience, he was appalled to find that he had been assigned the biggest conference room available. "I will be deafened by the echoes," he said. When the time came for him to speak, however, the big room was not only filled but overflowing. Hundreds of kidney specialists were attracted by his subject. Posen did not disappoint them. The facts he recited thoroughly confirmed what Taves had hinted at three years before—fluoridated water should not be used in the dialysis baths of artificial kidneys because of the side effects it wreaks in the bones and perhaps in other parts of the patients' bodies.

If any account of Posen's report ever has been published in a newspaper or magazine or on a radio or TV broadcast, *SR's* science editor is not aware of it.

The reaction of the medical scientists who applauded Posen's pronouncements is an instructive commentary on the power of the USPHS fluoridation dogma. Scores of kidney specialists buttonholed him afterward, but not one of them raised the question whether fluoridation of public drinking water ought to be discontinued, or whether proposals for further extension of the practice should be subjected to vigorous scrutiny. The only question they asked was: Where can our hos-

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pitals buy dependable filters to remove fluoride from the dialysis baths of our artificial kidney units?

Posen was in fact relieved that no one put the larger question because he didn't feel he could given an answer, one way or the other, that would stand up under scientific analysis. He went home to Canada, located a fluoride filter manufacturer in the town of Hamilton, Ontario, and ordered a set of demineralizers to attach to the dialysis baths of artificial kidneys in the Ottawa General Hospital.

Now one of the archaic principles that governs the practice of modern medicine says no physician is really expected to be better than average. As long as a doctor does what most of his colleagues in his neighborhood do, he is safe from criticism. Improvements in treatment of any kind are therefore slow to achieve acceptance. But once a method or a technique is commonly adopted, inertia acts to hold it in operation far beyond its period of true worth. Nevertheless, so many physicians share an inner compulsion to surpass average performance that medicine is carried forward almost in spite of itself, in individual spurts related to each other through an incredibly intricate network of informal feedbacks. Somehow this patchwork system of communication penetrated the silence surrounding the Posen project and placed Posen's name on the list of speakers for a meeting of the Royal Canadian College of Physicans and Surgeons at Vancouver, British Columbia, late in January 1969. Marier was asked to speak to the Canadian Society for Clinical Investigation, which met at the same time and place. And for the first time since original mention of the problem in a medical journal four years before, the side effects of fluoridated water in the bodies of people whose survival depends on artificial kidneys became news to the daily newspapers.

The Canadian Press correspondent who covered the Vancouver meetings sent CP member editors a dispatch that began:

The artifically-fluoridated water supplies of certain cities may cause unexpected complications in the use of kidney machines to keep alive patients with kidney failure, two Ottawa doctors reported. . . .

Their work in spotting the problem and examining its effects has resulted in a decision in the Ottawa General Hospital not to use the city's fluoridated water in the kidney-machine treatment.

North American cities are being checked to determine whether other centres with fluoridated water experienced the same complications.

Southam News Services clients got a much longer report from correspondent Bob Cohen which opened with these paragraphs:

The fluoride in city water supplies may be aggravating bone problems in people with diseased kidneys who need to have wastes mechanically filtered from their blood every week.

An Ottawa study which describes the possibility was outlined here . . . at the annual meeting of the Royal Canadian College of Physicians and Surgeons.

Dr. Gerald Posen, head of the Ottawa General Hospital's hemodialysis unit, reported that fluorides in the Ottawa water supply apparently have had this aggravating effect.

He and colleague John Marier, an analytical chemist at the National Research Council, are now trying to determine whether other cities with fluoridated water supplies have had the same experience.

As so often happens in the United States when the impact of science on society is involved, the reporters at Vancouver apparently did not attempt to probe beneath the surface of events. Full texts of the Posen and Marier talks may not have been available, but abstracts were, and their authorship citations were explicit. Posen cosigned Marier's paper, Marier cosigned Posen's, and both appended the names of Posen's boss at Ottawa General Hospital, Dr. Z. F. Jaworski (who was then on leave from Ottawa to serve as a consultant at Henry Ford Hospital in Detroit where the public drinking water supply is fluoridated and where allergies and neurological disturbances have been attributed to fluoride for years by Dr. George L. Waldbott) and of Taves, who remained in Rochester during the Vancouver meetings. Had the newsmen at Vancouver asked about Tave's role in Posen's experiment, they would have discovered what has just been recited here—that Posen's work was a confirmation of Tave's findings of 1965, and therefore already on a footing of international significance rather than being a prelude to coming significance.

In opening his remarks to the Royal Canadian College of Physicians and Surgeons, Posen mentioned sixteen cases in which artificial kidneys were used at Ottawa General Hospital since 1964. Later, in a long-distance telephone conversation with *SR's* science editor, he discussed fourteen of these patients, who had "minimal or no detectable bone disease" at the time treatment with artificial kidneys began. Four of the fourteen died before Posen could learn very much about them. The concentration of fluoride in the blood of all of the remaining ten patients rose to levels comparable to the levels that cause fluoride-induced bone disease in experimental animals. Alkaline phosphatase, an enzyme that circulates in the blood in amounts proportional to dissolution of bone in the body, also rose steadily in volume in all ten patients. By the end of a year of dialysis with fluoridated water, the ten patients had all developed bone disease. Nine of the ten complained of pain in their bones. Six were attacked by arthralgias—arthritic-like pains in the joints. Three developed calcific bursitis, a condition in which mineral crystals imbed in the shoulder muscles and saw at them from within. Muscles of five of the ten patients became weakened, and in three patients symptoms of irritation of the surface of nerves appeared.

X-rays meanwhile showed knobby growths on some bones, oversize crystals of mineral inside other bones, and disappearance of minerals from areas beneath the surfaces of still other bones. Progressive X-ray pictures revealed that as the period of dialysis with fluoridated water lengthened, dissolution of bone in all ten patients accelerated. In nine of the ten, the mineral substance of some bones became so depleted that the bones broke spontaneously. For example, ribs cracked under the pressure of breathing.

One of the ten patients died last summer, of causes that Posen says have not been determined although the body was autopsied. X-rays of that patient revealed first an area of bone from which the minerals were disappearing, then an associated fracture of the bone. The post-mortem confirmed occurrence of a metabolic disorder little understood by laymen. This phenomenon arises from the fact that the bones of the body are storehouses of minerals that the body draws upon in time of need. When the bones do not respond readily to the demand, the parathyroid gland sends a hormone through the blood to order the bones to act. If the bones still do not respond, the parathyroid assumes the hormone did not deliver the message. The gland thereupon exerts itself to send more hormones. Overexertion causes the gland to grow beyond its normal size. In the Ottawa patient whose death is under discussion here, the parathyroid gland was oversize. One explanation for this condition could be that the excessive fluoride in the bone had combined with and thus locked up an unusually large amount of calcium. As the parathyroid hormone carried its orders deeper into the bone, underlying calcium moved out in response to the instructions. By that time, the enlarged gland had grown accustomed to crying "give," and it continued to call after the need for calcium had passed.

Posen characterized the influence of fluoride in his fourteen cases as "a complicating factor; we don't know enough yet to call it a cause." Marier, who found among his chemical analyses the highest concentrations of fluoride ever observed in human bone, concurred in the view that results of the experiments to date "make it difficult to pinpoint fluoride involvement. Nevertheless," he said in his report to the Canadian Society of Clinical Investigation, "we have observed a pattern of bone disease that does not respond to normal therapy, associated with high fluoride levels in [blood] serum and bone which strongly suggest fluoride involvement in this particular form of bone disease."

Of the nine surviving subjects of the study, four have received natural kidneys transplanted from other persons. Two are using artificial kidneys at home, and three remain in the hospital. "Currently," Marier told his professional audience in Vancouver, "the Ottawa patients are being dialysed with fluoride-free water, and we hope to report on the follow-up phase in the near future." Immediately after the switch from fluoridated to unfluoridated water, the condition of the patients improved. To what extent the improvement will continue remains to be seen. Marier wholeheartedly endorsed Posen's closing statement to the Royal Canadian College of Physicians and Surgeons: We recommend that fluoridated water not be used for hemodialysis until the role of fluoride in renal osteodystrophy is clarified."

In its news dispatch concerning the Vancouver meeting, the Canadian Press quoted Posen and Marier as having told a press conference that "their findings have no implications whatever in the use of fluoridated water for drinking in those centers which add the chemical to the water supply as a tooth decay preventive." Questioned on this point by telephone afterward, Posen accepted responsibility for the statement but conceded he could not document its scientifically; nor, he said, could he document the opposite conclusion that fluoridation of public drinking water evokes side effects on a sufficiently broad spectrum to justify discontinuance of the fluoridation practice. "I don't wish to be a party to the fluoridation controversy," Posen said. "I wish only to continue my research and see where it takes me."

Marier agreed that Posen alone had made the statement quoted by CP. Marier's personal position was that Ottawa General Hospital's experience with fluoridated water in artificial kidneys, plus the Rochester-Seattle experience reported earlier by Taves, plus repeated reports in the medical literature of side effects caused by fluoride in water abroad, have clear implications for exposure to fluoride everywhere in the environment, and that these call for deeper research into the metabolic behavior not only of fluoride but of other trace elements in biology such as phosphate, magnesium, calcium, citrate, and cobalt. As man enters an era of profound concern over the totality of his environment, ignorance of small convergences may frustrate his understanding of larger consequences.

In presenting his observations to the Canadian Society of Clinical Investigation, Marier emphasized that side effects of fluoridated water moving into the body through an artificial kidney are not now being translated into predictions of side effects that will be brought about by fluoridated water taken by mouth. He reminded that the concentration of free ionic fluoride in the blood can be as low as 0.02 ppm, whereas the concentration of fluoride in artificially fluoridated water is 1 ppm. In other words, the amount of fluoride in the bath water of an artificial kidney can be proportionately as much as fifty times the amount in the blood that the plastic coil of the kidney carries through the bath. The 50-to-1 gradient between the outer and inner sides of the coil membrane drives fluoride across the membrane from the water into the blood until an osmotic equilibrium is reached.

At the 50-to-1 ratio, fluoridated water produced bone disease in ten patients studied at Ottawa General Hospital within a year; in two and a half years, all ten patients were actively sick. As is recalled in Michael Wollan's brief history of fluoridation beginning on page 56 of this issue of *SR*, specialists in fluoride chemistry who opposed initiation of fluoridation of public drinking water years ago warned that fluoride was such a subtle enzyme inhibitor that its damaging effects would be a long while in exposing themselves; nevertheless, those specialists—several of them Nobel Prize winners—insisted that the effects would be inexorable. *SR*'s science editor believes there is now excellent cause to determine whether the protesting Nobelists were right or wrong. If water fluoridated at a concentration of 1 ppm can, by moving through an artificial kidney, cripple the body it enters within a year, it is time to discover whether water fluoridated at a concentration of 1 ppm can reasonably be expected to cripple the bodies of severe kidney disease victims who drink the water daily for ten to twenty or more years.

The question posed in these columns five years ago grows more pertinent with time's passage: Is fluoride's effect sufficiently selective? Does it protect the teeth without exacting penalties elsewhere in the body? To repeat a comment made here at that time:

Surely we have learned to respect this question. We have frightening examples from the past to justify it. Radium water was drunk by the glassful, with the approval of some of the most advanced physicians, until someone suddenly discovered that those who were drinking it were slowly disintegrating internally. Sulfa elixir was accepted as a cure-all for a while; when its full effects were realized, the drug laws of the United States were reformed as a consequence. X-rays were performed for every imaginable purpose in the belief that there could be no such thing as too much diagnosis; then the National Academy of Sciences in 1956 reported that X-rays were a greater immediate peril to health and life than any other form of radiation, and the use of X-rays dropped sharply almost overnight. Antibiotics worked wonders against some of man's toughest competitors among the bacteria; but overuse of antibiotics in a shotgun type of therapy alien to modern medicine brought the removal of the antibiotics division director of the U.S. Food and Drug Administration only a few years back, and today the medical profession exhorts its members continually to guard against the undesirable side effects of antibiotics.

Adequate protection of children's teeth against decay is not at issue. Such protection can be provided without indiscriminately dosing people of robust and frail health alike with fluoride. To pay out public moneys to fluoridate public drinking water and then pay out more public moneys to de-fluoridate water used in hospitals is hardly an exercise in economy when it is possible to confer fluoride's tooth decay inhibiting benefits on children who need it by simply adding fluoride pills to drinking water in the children's homes. USPHS could subsidize purchase and distribution of the pills. According to one of four letters on the subject published last January in *Science*, journal of the American Association for the Advancement of Science, the pills would cost only a fraction of the sums spent in fluoridating the water of a city. To repeat another observation made here five years ago:

A possible danger in the continuing effort of the U.S. Public Health Service to fluoridate public drinking water is that it runs counter to the personal responsibility of the citizen.

VIETNAM

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 1969

Mr. RYAN. Mr. Speaker, despite the negotiations in Paris, the war in Vietnam rages on with increasing fury. In the week ending March 1, 453 American servicemen were killed in Vietnam and 2,593 were wounded. As of March 1, the total number of U.S. servicemen killed since 1961 totaled 32,376. At present casualty rates, the total number killed in Vietnam will soon surpass the total of 33,629 servicemen lost in the entire Korean war.

Almost one-third of the entire number of Americans killed in Vietnam—9,425—has been lost since the preliminary Paris peace negotiations began on May 10 of last year, and 2,319 lost their lives in the 3 months since South Vietnam joined the Paris talks on December 7.

These casualty figures make it clear that hostilities have increased, rather than decreased, since the Paris negotiations began. With speculation increasing that President Nixon may take some retaliatory action against the latest offensive by the North Vietnamese and Vietcong and thus initiate a new round of escalation and buildup, the hopes for an early negotiated end to the war are severely threatened.

The heavy casualties during the past 3 months are not unrelated to a step-up in offensive action on the part of the United States. Last December 14, a New York Times editorial warned that increasing U.S. military activity—coinciding with a decline in battalion-scale assaults by the North Vietnamese—was endangering the peace talks in Paris. The editorial cautioned that an upset in the balance in Vietnam in advance of a settlement "is bound to produce a reaction sooner or later" that could "wreck the chance for a negotiated peace."

A New York Times editorial on March 9 stated:

> The United States simply cannot have it both ways. It can not demand the right to press the fighting with increased vigor itself while charging double cross whenever the Communists do the same.

Recently, I. F. Stone, in his February 10, I. F. Stone's Weekly reported an increase in the number of United States and South Vietnamese offensive military initiatives since the start of the Paris negotiations in December. Assessment of the intentions of the North Vietnamese is hindered, he says, by the Pentagon's "censorship" of figures on enemy-initiated actions.

In his column of March 7 in the New York Times James Reston argued that a settlement cannot be achieved until President Nixon makes clear his willingness to withdraw American troops from Vietnam.

> So long as the enemy is in doubt about this critical point—

Reston says—

> the chances are that the war will go on indefinitely.

Moreover, according to New York Post columnist James Wechsler, Ambassador Averell Harriman, the chief Paris negotiator for the Johnson administration, has said that the present Vietnamese offensive is "essentially a response to our actions rather than a deliberate reckless attempt to dictate the peace terms or torpedo the talks."

I include in the RECORD the February 10 article from I. F. Stone's Weekly, the March 7 New York Times column by James Reston, and the New York Times editorial of March 9.

I urge President Nixon to heed these cautions and to realize that increased military pressure can only lead to increased casualties and a prolongation of the war which has already cost an unnecessary sacrifice of American and Vietnamese life.

The articles follow:

[From I. F. Stone's Weekly, Feb. 10, 1969]

WHY THE CASUALTIES RISE AS THE PEACE TALKS GO ON

President Nixon's dismissal of a cease-fire in Vietnam calls for close examination. It was sophistry to say that a cease-fire "may be meaningless" in a guerrilla war because of the difficulty in controlling it. Whatever element of truth this may contain as a general proposition, the history of past truces in the 9-year old Vietnam war shows that the other side has had little difficulty in enforcing a cease-fire on its own troops. Cease-fires have been broken by the other side on any meaningful scale only when they wanted to break it, as in the Tet offensive last year, or in defensive response to the aggressive patrolling which has been our military's own way of getting around cease-fire orders in holiday truces. Until the bombing pause the U.S. official line was to call for a cease-fire as the price of a bombing halt. The line has changed because we hope to exploit the present situation by "clean up" operations against the guerrillas in the South. That is why casualties still rise as the peace talks go on.

POLITICAL CENSORSHIP AT THE PENTAGON

A neat bit of censorship is helping to hide the truth. The Pentagon gives out figures on attacks initiated from our side but the figures on enemy-initiated attacks are "classified", an antiseptic word for censored. One of these censored figures came to light last December 14 when the *New York Times* in an editorial, "Endangering the Peace Talks", said "Since the bombing halt, the enemy has initiated only one battalion-sized assault. By comparison last month American troops mounted 63 battalion operations and South Vietnam staged 664 such campaigns." It said the purpose was "to extend South Vietnamese Government control over disputed areas and territory long controlled by the Vietcong" and warned that such an effort "to upset the balance in Vietnam in advance of a settlement in Paris is bound to produce a reaction sooner or later" and risk a flareup "that could wreck the chance for a negotiated peace."

In the wake of the Nixon press conference, we went over to the Pentagon to check the Times figures and bring them up to date. We found the tempo of offensive operations from our side had gone up about 25% in December over November. The figures on battalion-sized operations from our side in December were 824 South Vietnamese, 84 U.S. and 48 combined, or a total of 956 as against the 727 figure the Times gave for November. But when we asked for the figures on enemy-initiated actions of battalion size, we were told that all the figures on enemy-initiated actions were in classified tables. We went to two different sources and finally put in a formal question on why such figures were classified, but we're still waiting for an answer. The New York Times assertion was not

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challenged. One officer explained that any paper with a man in Saigon who kept a sharp eye on the daily communiques could get figures on enemy-initiated attacks. Obviously the totals on enemy attacks do not keep any information from the enemy he does not already know. This is political not military censorship, designed not to confuse the enemy but to hide what is going on from the American public. We hope some members of Congress will insist that these figures be released.

The course in Vietnam becomes clearer if one compares it with U Thant's original 3-point plan for peace. At his press conference January 28 the Secretary General noted that two of the points had been put into effect—the bombing of the North had ended and talks among all the parties involved had begun. U Thant's third point was a gradual de-escalation of the fighting. Instead of de-escalating in response to the considerable de-escalation on the other side, we have been stepping up both ground and aerial action in the South, as we have the bombings over Laos.

Tacitly or explicitly, it is now becoming clearer. Johnson exacted a sharp price when he ended the bombing of the North. He imposed severe restrictions on enemy activity while making it possible for us to increase ours. The Nixon administration is carrying on the strategy of Johnson's. This strategy has two elements. The first is to threaten resumption of the bombing in the North if the other side should resume substantial forays or shellings from the DMZ or should attack the larger cities. The second is to take advantage of these military limitations on the other side to move considerable forces from the northern part of South Vietnam where they have been on guard against a possible invasion from the DMZ. These forces have been moved south, for "pacification" operations in the Mekong Delta. This has been a guerrilla stronghold since the earliest days of the uprising against the French. The aim is to reconquer the Delta for the Saigon regime.

THE SEMANTICS OF ACCELERATED WAR

The bombing of the North ended Nov. 1. The escalation from our side began at the same time. In the three months since more than 2,000 Americans have lost their lives. White House orders explain the rising casualty lists. Clark Clifford lifted the curtain on them last November 24 when he said "General Abrams has specific instructions to maintain constant and intensive pressure on the enemy." The fight-and-talk strategy was ours. Our Madison Avenue-minded military invented a new soap ad phrase to sell this accelerated warfare. They renamed it "accelerated pacification." Clifford added loyally that this was "the right psychology and the right strategy to follow now," but he expressed the hope that when "we begin to make progress in Paris" and agreement "in certain areas" was reached "then instruction could be given by Hanoi to their battlefield commanders, and instruction could be given here by President Johnson to General Abrams to withdraw from contacts with enemy forces." The enemy began withdrawing from contact and trying to evade battle months ago. But there has been no de-escalation on our side. Three weeks later on Face the Nation, Clifford (see p. 1 box) declared himself "inordinately impatient with the continued deaths of American boys in Vietnam" and urged a cease-fire. Neither Johnson nor Nixon seem to share this impatience. Nixon can cut the casualties any time he orders de-escalation and a defensive strategy, as proposed by Senator McGovern in a speech Feb. 3 to Clergy and Laymen Concerned About Vietnam.

The premise of negotiations is that neither side can win a military victory. If we are negotiating, why go on killing? If we hope to achieve our aims in South Vietnam by a stepup in the killing, why negotiate? The cynical answer is that the negotiations serve as a smokescreen. Neither the U.S. military nor the Saigon regime ever wanted to negotiate. The Paris talks for them only make it easier to continue the war. There is a steady flow of optimistic stories from Saigon on how well the war is now going. One by Charles Mohr in the New York Times Jan. 3 put its finger on a crucial, though nonmilitary factor. "One important factor on which present optimism is based," Mohr wrote, "is the hope that a decision to continue to prosecute the war can be reconciled with the domestic American desire 'to ease the pain' ".

REALITIES FEW NOTICE

Few notice the realities reflected in the last AP weekly casualty report from Saigon (*Washington Post*, Jan. 31). *The report covered the week ended Jan 18 (196 U.S. dead and 1277 wounded) and the week ended Jan. 25 (190 U.S. dead and 1224 wounded)* Why are casualties still so heavy? The AP explained that while "there has been no sustained large-scale fighting since last Fall . . . thousands of U.S. and government troops carry out daily operations in search of the elusive enemy." It added that "pushes are also being made into areas long held by the Vietcong, and in these, even when no opposition is encountered, there are casualties from mines and booby traps." *How long can these offensive operations go on without a counter-offensive from the other side? As we write, for the first time in three months, there have been three battalion size enemy attacks in the past few days. It is time to make the U.S. public aware of all this before fighting flares up again in full fury.*

It is nonsense to say that you cannot have a cease-fire in Vietnam. Fighting ended in the first Vietnamese war when a cease-fire was negotiated at Geneva in 1954. Then it was part of the general settlement. The question is one of policy, not feasibility. The Viet Cong and Hanoi oppose a cease-fire until there has been a political settlement. The U.S. and Saigon don't want a cease-fire until there has been a military "settlement". They cling to the old hope that the war will end with the enemy "fading away", a favorite phrase of Henry Cabot Lodge whom Nixon resuscitated to be his chief negotiator at Paris. The U.S. military seem to be making their plans on the assumption that there will be no settlement in Paris. They plan a prolonged American occupation, though on a reduced scale. "From those most deeply involved in overall strategy" in Saigon and Washington, *U.S. News & World Report* Jan. 27 reported that our military foresee a slow reduction of U.S. forces in Vietnam to 200,000 men by the end of 1971. They set that level as "the basis for a long-haul, low-cost effort in Vietnam that could continue indefinitely." On such a scale "low cost" could still mean $5 or $6 billion. The military men *U.S. News* interviewed regard Korea as a precedent. There we still have 50,000 men 15 years after the shooting stopped. We also have no peace treaty, a continued trickle of casualties and the ever present danger that the war may break out again at any time. That is not a comforting precedent.

CEASE-FIRE AGITATION IN SAIGON

For the Vietnamese people the end of bombing in the North has meant an intensified terror from the skies in the South. B–52s are employed like buckshot, spreading destruction over wide areas, often on the edge of the cities, wherever we think a few guerrillas may be hiding. Nobody but the victims have any conception of what this horror means. It is not strange that in Saigon, despite press control and the thousands imprisoned for peace agitation, the cry for a cease-fire has been rising, though little reported in the U.S. press. Both *Le Monde* (Jan. 28–29) and *Le Figuro* (Jan. 29) report that elements which have hitherto strongly supported Thieu have joined the militant Buddhists in demanding a cease-fire. They quote Father Ca Van Lau, head of the Dan-Tien bloc in the Saigon Chamber of Deputies, as calling for a cease-fire now, as have two leaders of the Don Xa and the Grand Union Forces, organs respectively of the Hoa Hao sect and one faction of the Catholics. Both parties demonstrated last November in favor of Thieu. Now both parties have swung over to the Buddhist demand for an immediate cease-fire. *In this, as in so much else, we are very poorly informed as to what ordinary Vietnamese think. To call for peace is still to risk jail in Saigon.* The ungaged voice of popular sentiment may be better expressed in a manifesto issued in Paris (*Le Monde*, Jan. 30) of a Movement of the Free Forces of Vietnam, representing both civilian exiles and former Vietnamese officers who fought in the army organized by the French. It terms the present regime "nothing but a prolongation of the Fascist regime of Ngo Dinh Diem", which "governs by terror". It calls for its replacement by a provisional government which can negotiate in Paris with the Viet Cong and Hanoi.

This parallels the position taken by Hanoi and the NLF in the Paris peace talks. The NLF spokesman called for the formation of a broadly representative provisional government in Saigon which would organize "free general elections in South Vietnam" and be prepared to deal with the NLF in the Paris talks as an independent and equal party. (See texts in *Le Monde*, Jan. 28). "'Although they speak of negotiations for peace," the NLF delegate to the Paris talks said, "the United States continues to intensify the war," and still does not wish to renounce their aggressive aims in South Vietnam." We are paying heavily in American lives in an effort to impose the Saigon regime by force on the South Vietnamese. That is why the casualties rise as the peace talks go on.

[From the New York Times, Mar. 7, 1969]

MR. NIXON AND THE VIETNAM CASUALTIES

(By James Reston)

In a few weeks, at the present casualty rate, more Americans will have been killed in Vietnam than in any other conflict in U.S. history except the Civil War and the two World Wars.

Last week, 453 Americans were killed in Vietnam and 2,593 wounded. This brought the total U.S. combat dead to 32,376—very close to the 33,629 total for the entire Korean War.

In the face of this terrible waste and killing, the urgent need for a new and creative effort to end the fighting is manifest. The negotiators are stuck in Paris. The new government in Washington is following the same old policies. The language of the war is lower but the cost is higher.

THE DEATH TALKS

In fact, 9,425 Americans have been killed in Vietnam since the preliminary peace talks began in Paris last May 13, and 2,319 of these have died since South Vietnam joined the enlarged talks last Dec. 7.

The carnage among the Vietnamese meanwhile is almost beyond comprehension. On the enemy side alone, according to the official U.S. command in Saigon, at least 457,131 Vietcong and North Vietnamese soldiers have been killed since the beginning of 1961 when the United States entered the war, and nobody has the heart to estimate the dead among the civilian population, North and South.

The reaction to all this is remarkably casual. Even expressions of pity are now seldom heard. The enemy continues his rocket attacks on Saigon. Ambassador Henry Cabot Lodge says in Paris that "the consequences of these attacks" are the enemy's responsibility. President Nixon says that if the attacks go on, he will make "some response

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that is appropriate." And Secretary of Defense Laird says in Saigon: "We will not tolerate continued enemy escalation of the war."

There is not even any agreement on the terms of the Paris peace talks or on whether the enemy was first to step up the military pressure, or vice versa. Washington says it had an "understanding" that there would be no enemy attacks on the cities if it stopped the bombing of North Vietnam. Hanoi holds there was no such understanding. Hanoi says the U.S. kept up the bombing pressure and the search-and-destroy raids early this year; Washington says it did so in response to the enemy's increasing pressure.

Meanwhile, despite all the recent expressions of mutual understanding between President Nixon and officials of the Soviet Union and the Western European countries, the efforts of London, Paris, Moscow and even the United Nations to bring about a cease-fire have virtually ceased.

THE CRITICAL POINT

In this situation, it is fairly clear that President Nixon is not going to get a settlement without a shift in policy. He has apparently been hoping that by sounding reasonable toward both Saigon and Hanoi, the enemy will come forward with the compromise President Johnson could not get, but this is not forthcoming.

The sticking point for the enemy is his doubt that the United States intends to withdraw from that peninsula. Hanoi simply cannot believe that the United States would sacrifice over 32,000 lives and spend over $30 billion a year in defense of a principle, then make peace and take its men back home.

In actual fact, there is reason for believing that if Mr. Nixon could get a negotiated peace, he would be willing to do precisely that, but he has not made the point clear, and so long as the enemy is in doubt about this critical point, the chances are that the war will go on indefinitely.

If this intention were emphatically stated instead of merely being discussed around the White House as a likely objective of U.S. policy, then it might be possible to bring the influence of the world community, including the Soviet Union, to bear on the Paris talks.

THE WISHFUL WAITING

But the President hesitates. He is still hoping the old policy will work simply because it is in new hands and is being expressed in different language. He is back on the brink again of one more military response to the enemy's attacks, though there is no evidence that the enemy, having lost over 450,000 men, will hesitate to keep on sacrificing until it is sure American power will definitely be removed as part of any settlement.

Sooner or later, Mr. Nixon will probably have to come to this decision, and the longer he waits, the harder it will be to make the switch, the greater the danger of one more round of escalation, and the higher the death tolls.

[From the New York Times, Mar. 9, 1969]

THE PRESIDENT'S VIETNAM TEST

The challenge confronting President Nixon in the current Vietcong offensive is to resist the Lyndon Johnson tendency to react, in the words of one high official of the old Administration, "as if his manhood were at stake."

The sudden doubling of American casualties in South Vietnam is a bitter new indication of the high price of this dismal war, one that makes clearer than ever the necessity for ending it with maximum speed. That endeavor will not be aided by another rash of self-defeating responses dictated by frustration and anger.

In his foreign policy news conference last week, President Nixon confirmed that the Communist attacks in South Vietnam have been "primarily directed toward military targets." Only "technically," in his phrase, do they contravene the American warning that attacks against major cities would make it impossible to maintain the bombing halt.

Several factors need consideration before an Administration decision on what to do about the present attacks. The first is that experience at all stages of the war indicate that Communist offensives soon run out of supplies and that their duration is not significantly affected by bombing North Vietnam.

Before President Johnson ordered the halt last Nov. 1, it had become abundantly clear that attempts at aerial interdiction of supply routes through North Vietnam were incapable of stopping the tortuous flow of arms and equipment into the South. Nor has the punishment and economic damage inflicted on the North ever visibly shaken Hanoi's will to fight.

The most predictable effect of precipitate resumption of the bombing would be to alienate world opinion again and hamper negotiations on Vietnam and other critical issues with the Russians. It certainly would halt the Paris talks, prolong the war and escalate the fighting, thus increasing instead of reducing the ultimate cost in American casualties.

Moreover, as former Ambassador Harriman last week told James A. Wechsler of The New York Post, the present Vietcong offensive is "essentially a response to our actions rather than a deliberate, reckless attempt to dictate the peace term or torpedo the talks." General Abrams after the Nov. 1 bombing halt was instructed by Washington to maintain "allout pressure on the enemy" in South Vietnam.

Pentagon figures show that from November to January the number of allied battalion-sized operations increased more than one-third, from 800 to 1,077. Of these 919 were South Vietnamese, 84 American and 74 combined. Meanwhile, the North Vietnamese pulled all but three of their 25 regiments in the northern sections of South Vietnam back across the borders. This freed more than a full division of American troops to join in maximum military pressure further south as a means of maintaining morale there and encouraging Saigon to get into the Paris talks.

American spokesmen have heralded successes on the battlefield and in renewed pacification efforts as improving both the allied bargaining position in Paris and the Saigon Government's chances for surviving a peace settlement. There have even been repeated claims that an allied military victory was ripe for the taking.

The United States simply cannot have it both ways. It cannot demand the right to press the fighting with increased vigor itself while charging doublecross whenever the Communists do the same. The sad fact is that the Paris talks have been left on dead center while Ambassador Lodge awaits a White House go-ahead for making new peace proposals or for engaging in private talks out of which the only real progress is likely to come. Everything has been stalled while the Nixon Administration completes its military and diplomatic review.

Now that the Communists have responded with a new military offensive in South Vietnam, the United States will simply have to grit its teeth and see the battle through. Hanoi as well as Washington and Saigon must once again learn the hard way that military victory is an impossibility for both sides, that the sole real hope lies in ending the drift in the peace talks. Anything either side does to retard progress there simply condemns more life and treasure to destruction in the bottomless pit that is the Vietnam war.

OTEPKA TO RECEIVE PRESIDENTIAL APPOINTMENT

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 1969

Mr. ASHBROOK. Mr. Speaker, there is much justifiable elation over the recent news stories that Otto F. Otepka, the State Department security officer who had been demoted by former Secretary of State Dean Rusk, was to be offered the position of Commissioner on the Subversive Activities Control Board, a Presidential appointment.

Concerned about his good name and the stigma on his record of the State Department action, Mr. Otepka was fearful that his vindication of the charges would still be left in doubt. When assured that the Presidential appointment would wipe out any hint of wrongdoing on his part, the security evaluations officer accepted.

As a lawyer and by virtue of his long involvement in security and subversive matters, Mr. Otepka is well qualified to sit on the Board, a quasi-judicial agency which rules on subversive cases referred to it by the Justice Department. In the past there has been some misunderstanding concerning the function of the SACB. It has been overlooked by some people in high places that the Board cannot initiate action, but must wait for referral by the Justice Department before swinging into operation. The responsibility for any inaction on the part of the SACB in the past must be traced directly to the Justice Department under Attorney General Ramsey Clark. As the newsweekly, Human Events, points out, it is a new ball game as far as the SACB is concerned for "Attorney General John Mitchell has every intention of breathing new life into the Board."

Two publications which have worked long and hard in behalf of justice for Otto Otepka are the Chicago Tribune and the above-mentioned Human Events. Mr. Willard Edwards, Tribune's veteran newsman, has expended untold effort and time in bringing to public attention the many ramifications of the case. Human Events, and in particular its Capitol Hill Reporter Allan Ryskind, has likewise performed a journalistic service by helping the public keep abreast of this long and arduous case over the years. They are certainly to be commended for their efforts which at times must certainly appeared to be all but futile.

I insert at this point the column "Otepka Vindicated," from the March 15, 1969, issue of Human Events and the story of Mr. Edwards in the Chicago Tribune of March 7, 1969, in the RECORD:

[From Human Events, Mar. 15, 1969]

OTEPKA VINDICATED

Intent on keeping his campaign promise to accord justice to Otto F. Otepka, President Nixon last week offered the former high-ranking State Department security officer an important position with the Subversive Activities Control Board (SACB). The board's main job is to search out Communist-front organizations.

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The tender was an apparent rebuff to Secretary of State William P. Rogers, who, as early as January 21, it is now learned, had made up his mind that he did not want Otepka to work in the department. Two weeks ago Rogers formally notified Otepka he would not be reinstated in the security duties which have been his life's work.

Rogers, it seems, had fallen for the anti-Otepka line dished out to him by former Secretary of State Dean Rusk and did not want to antagonize current holdovers in the department—particularly Idar Rimestad deputy under secretary for administration, the man who would have been Otepka's superior had he been reinstated.

The proposed Presidential nomination to the SACB is regarded as a victory for Otepka in his five-year fight for vindication after he was constantly harassed, fired-pending-hearings, demoted and then stripped of security duties for telling the truth and demanding that the Kennedy and Johnson Administrations adhere to proper security procedures.

Otepka agreed to accept the nomination—which must be approved by the Senate—only after consulting Sens. Strom Thurmond (R.-S.C.), Barry Goldwater (R.-Ariz.) and Everett Dirksn (R.-Ill.). They assured him that a White House nomination would erase all the charges previously leveled against him by the State Department under Rusk.

Roger Robb, the skilled attorney who vigorously defended Otepka through his harassment, called it a "glorious vindication" and there is some indication that Nixon may make the announcement from the White House with Otepka by his side.

In accepting the offer, Otepka was assured by Dirksen that the SACB would become a vigorous arm of the government. Under the Johnson Administration, Atty. Gen. Ramsey Clark deliberately weakened the board by refusing to forward cases to it, but Atty. Gen. John Mitchell has every intention of breathing new life into the board.

Otepka's involvement in security matters may increase even further if the Senate, as Dirksen also promised Otepka, gets to work on S. 12, a special piece of legislation that would enormously enhance the powers of the SACB.

Sponsored by Sen. James Eastland (D.-Miss.), chairman of the Senate Judiciary Committee, this bill would create a special Security Administration for Executive Departments which would take over the task of conducting security checks on government employes working in such major departments as Defense and State. Currently, each of the departments conducts its own security checks.

Under the clear intent of the bill, the administrator of this new security panel would also be the Chairman of the Subversive Activities Control Board (now the very respected John W. Mahan). The other four members of the SACB would also be involved in helping out with the work of the new security panel.

Thus, if S. 12 becomes law, it is very likely that Otto Otepka will be involved in more security work than he had ever been in the State Department. To help Otto become fully vindicated, *Human Events* readers should now start asking what their lawmakers are going to do about S. 12.

[From the Chicago Tribune, Mar. 7, 1969]

SECURITY JOB FOR OTEPKA—NIXON OFFERS SUBVERSIVE BOARD POST—DIRKSEN ADVISES HIM TO ACCEPT

(By Willard Edwards)

WASHINGTON, March 6.—President Nixon tonight fulfilled his pledge to accord justice to Otto F. Otepka by offering him appointment to the subversive activities control board, one of top security posts in the government.

The proposed nomination was regarded as a victorious climax to Otepka's five-year fight for vindication against what a Senate subcommittee termed "calculated and extraordinary harassment" for conscientious performances of his duties.

Otepka, after consulting with Senators Dirksen (R., Ill.) and Barry Goldwater (R., Ariz.), said he was agreeable to the nomination which is subject to scrutiny by the Senate.

FIRED IN 1963 BY RUSK

He was assured by both that, in their opinion, the appointment canceled out all the charges previously leveled against him by the state department under secretary Dean Rusk.

Rusk fired Otepka in November, 1963, on charges of conduct unbecoming a state department officer. Four years later, Rusk was compelled to cancel the discharge but he substituted a severe reprimand and a demotion which cut Otepka's salary as chief of evaluations, office of security, from $20,000 to $14,000 a year.

ADVISED TO ACCEPT

If confirmed as a member of the SACB, Otepka will receive a $36,000 salary. The board has jurisdiction over all cases involving communist organizations and individuals forwarded by the attorney general for rulings.

Otepka carefully considered the appointment before agreeing to accept it. He was prepared, if necessary, to reject it and appeal to the courts but members of the Senate and his attorney, Roger Robb, persuaded him that a Presidential nomination was the equivalent of a court opinion clearing him of all charges alleging misconduct.

At a Senate hearing on his nomination, it was noted, a record can be made which will emphasize his clearance.

Dirksen also assured him that he was not being appointed to a board which will be ineffective. Under the Johnson administration, Atty. Gen. Ramsey Clark made an attempt to weaken the board by not forwarding cases to it. Dirksen said he had been informed by Nixon's attorney general, John Mitchell, that the board will be a vigorous branch of the government.

In naming Otepka, Nixon was keeping a promise he made during his Presidential campaign to see that "justice is accorded to this man who has served his country so long and so well."

ROGERS WAS RELUCTANT

Secretary of State William P. Rogers, however, was reluctant to reinstate Otepka, in the state department as chief security officer.

Rogers informed Otepka's attorney that he could not see Otepka performing a useful service in his old post because holdover officials, hostile to him, would be his superiors. Rogers had been warned that a House appropriations subcommittee would slash his spending funds if he fired one of these officers, Idar Rimestad, deputy undersecretary for administration.

Otepka agreed that his position under these circumstances would be untenable. He continued, however, to demand reinstatement and a letter stating, in effect, that he had been wronged by false charges. If this was done, he said, he would seek suitable means to retire.

DIRKSEN NOTES VACANCY

As the deadlock continued, letters began to pour in on the White House, state department, and Congress, protesting that the President had not kept his campaign pledge. The heat, as one aid put it, was on.

Dirksen noted a Republican vacancy on the SACB [Otepka is a Republican] and suggested Otepka's appointment might serve the dual purpose of placing him in a high post and wiping the slate clean of all the allegations previously made against him.

The President and his secretary of state welcomed this solution. Goldwater talked to the President and called Otepka, urging him to accept the nomination. Senators Strom Thurmond [R., S.C.] and James O. Eastland [D., Miss.], chairman of the Senate judiciary committee, also agreed that the appointment could be regarded as a complete vindication for Otepka.

They were joined in this urging by James Stewart, head of the American Defense fund, Palatine, Ill., which had raised $27,000 for Otepka's legal expenses during the long battle and was prepared to raise more money if needed to finance a court appeal.

Otepka after talking it over with his wife, said his doubts were resolved. The arrangement was made final after a talk with Dirksen late today.

HOPES TO CLEAR RECORD

Otepka said he hoped the appointment, the subsequent Senate hearing, and floor debate, would make clear that the charges against him were false.

The Senate judiciary committee will consider the nomination. It is the parent of the Senate internal security subcommittee which called Otepka six years ago and called upon him to testify frankly about lax security in the state department. He responded and his troubles began.

Otepka's ordeal had started even earlier when he was called by Rusk and the late Robert F. Kennedy, then attorney general, in December, 1960, and asked to waive security investigations for a number of state department appointees then under consideration by President-elect Kennedy.

WOULDN'T BREAK RULES

He refused to break the rules. In the next two years, he was demoted, isolated, and put under surveillance and his telephone was tapped. Two state department officers, caught lying under oath in the Senate inquiry, were forced to resign.

When Rusk fired him, Otepka appealed under civil service regulations. The case dragged on for four years before most of the charges against him were dismissed and the discharge retracted. He continued to fight, however, taking leave without pay. He had to borrow from relatives and subsist on his wife's salary as a school teacher.

"I hope all my friends are right and that my record will be wiped clean of all stigma in the proceedings attending this nomination," he said. "The major issue here was a government employe's right to testify truthfully before a congressional committee. If this point has been made, I feel it was all worthwhile."

BRIDGES TO THE SUN—THOUSANDS ENJOY INNUMERABLE ATTRACTIONS OF BEAUTIFUL FLORIDA KEYS

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 1969

Mr. FASCELL. Mr. Speaker, recent publication of the ninth annual Sunshine Strip edition of the "Florida Keys Keynoter" again calls attention to one of the most beautiful places on earth—the Florida Keys. I congratulate the Keynoter on its big new edition, which is packed with interesting and informative news, photography, and advertising concerning the Florida Keys.

I wish I could insert the entire edition in the CONGRESSIONAL RECORD, for I am sure that my colleagues would greatly enjoy seeing this colorful and fascinating publication. It is so large, however—88 pages, the biggest Keynoter ever—that this is impractical. Especially at this time when the wintry winds are blowing their hardest in Washington, D.C., readers of the RECORD would be cheered by the Florida Keys atmosphere of sunshine, warmth, and relaxation conveyed in the pages of this edition.

The "Conchs," as native residents of the Keys are called, say that it never even frosts in the Florida Keys. Each time I have the pleasure of visiting this part of my congressional district, I marvel at the natural beauty of the water and island environment that stretches from the mainland to Key West, the southernmost tip of the east coast. There are 42 bridges on the famous overseas highway that carries thousands of delighted visitors each year through this fabulous spectacle of ocean and sky. They are truly "Bridges to the Sun," which is the theme of this special Keynoter edition.

At one time the Keys were among the most inaccessible parts of the United States, but that was before the bridges and highway were built. Now the Keys boast a variety of parks, wildlife refuges, and recreation areas that provide many delightful moments for the thousands of visitors who come each year to marvel and enjoy.

One of the most unusual and fascinating parks in the world is found in the Keys—the John Pennekamp Coral Reef State Park, the only underseas park in the continental United States. Here, glass-bottomed boats carry visitors over a spectacular panorama of multicolor coral reefs and the hulls of sunken ships which went down in rough seas centuries ago. Covering 75 miles lying in the Atlantic Ocean off Key Largo, this incredibly beautiful reef is a combination of State lands and Federal holdings that were preserved because they contain the only living reef formation along the North American coast. Forty of the 52 species of coral found in the Atlantic reef system are located in park waters, and these colorful submarine growths provide spawning grounds for millions of rainbow-colored tropical fish, sharks, barracudas, eels, turtles, and a fantastic variety of sea life. Not surprisingly, some 1,168,670 people have passed through the gates of John Pennekamp Park since it was opened in August 1963, and the annual number of visitors is expected to reach 500,000 in the next 5 years. It is named for a Miami editor active in conservation.

About 500,000 persons already come each year to a less spectacular but just as worthy Keys attraction—the National Key Deer Wildlife Refuge on Big Pine Key. I am proud to have had a part in the establishment of this refuge, whose purpose is to protect the miniature Florida Key deer. This charming species had almost died out by 1947 through overhunting, poaching, and loss of environment to housing developments. Fortunately, visitors can now see Key deer in this protected sanctuary. Two other refuges are the Great White Heron Refuge, which was set up in 1938 on Big Pine Key and overlaps the Key Deer Refuge, and the Key West National Wildlife Refuge which includes an area 15 miles wide extending 25 miles west of Key West.

Even further west of Key West, and not connected with the other Keys by highway, are the seven Dry Tortugas Islands in the Fort Jefferson National Monument. The islands have long been famous for bird and marine life, as well as for legends of pirates and sunken gold. The century-old Fort Jefferson, largest of the 19th Century American coastal forts and one-time "key to the Gulf of Mexico," is the central feature. It was here in 1865 that Dr. Samuel A. Mudd was interred following his having treated John Wilkes Booth, Abraham Lincoln's assassin.

Another park greatly favored by visitors is the Bahia State Park, Florida's southernmost park. It is located on Bahia Honda Key where coconut palms frame white, sandy beaches lapped by both the Gulf of Mexico and the Atlantic Ocean. Skin and scuba diving, deep sea and shore fishing, boating, camping, and just lazing in the sun are among the prime pastimes. This is one of the most beautiful and popular parks in all of the Keys.

While fishing, swimming, sightseeing, boating, and just plain relaxing are the principal lures which attract so many Americans to the Florida Keys, it should be pointed out that such tourism is by no means the only source of growth and financial input for the Keys. The impressive range of advertisements in the "Keynoter" reflects a solid base of permanent population and business enterprise. At Marathon, for example, the population has grown 140 percent in the last decade.

The upper Keys, too, are coming in for their share of the population and building boom. They are expected to get about half of an estimated $10,000,000 in new building construction during 1969 in the middle and upper Keys. Work has already started on one multimillion-dollar motel-inn complex in Islamorada where at least two other resort installations have or will undergo $500,000 or more in expansion. New home construction is also at an all time high.

Currently, the Keys are enjoying one of their finest periods of growth and economic activity. This winter, more visitors than ever before are pouring in; the bustle of commerce and tourism attests to the growing popularity of the Keys as a prime vacation attraction.

The Keynoter editorializes:

> Records for most businesses are showing an increase again this year. There are more businesses in the Keys today than ever before, with more being added and the old ones pushed to expand to take care of the influx of visitors.
>
> More and more people are finding that the Keys are nice for more than just a brief respite from the snow and cold back home. Often beginning with a few days or perhaps a couple of weeks, many visitors are working toward a full-time residence.
>
> It's not a "retirement village." New people of all ages are moving in. Young couples with their families. If you don't believe it, just check the bulging sides of schools in the Keys. It's a job to keep expanding the schools to keep ahead of the increase in students.
>
> Keys growth isn't of the boomtown style with accompanying honky-tonk. Growth is steady and solid. Chain stores and motels are moving in and many others are looking for locations.

So from famous Key West, the largest and most well-known Keys city, to the mainland, the Keys are embarked on a development boom that I believe will surpass even the most optimistic expectations of their current residents. I will be delighted to watch this growth as it occurs, and do all that I can to bring even greater prosperity to the Keys.

On the cover of the special "Keynoter" edition is a color photograph of a glowing Florida Keys sunset and the shadowing piers of Indian Key Bridge, where a lone fisherman enjoys the beauty of the water and sky. Everywhere in the Florida Keys are such fabulous spots of natural beauty, which delight and enchant the beholder. As a Member of Congress, I am fortunate indeed to represent this unique and fascinating area. I congratulate the Florida Keys as they continue their remarkable trend of growth and progress.

FARMERS—UNITE OR PERISH

HON. ALVIN E. O'KONSKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 1969

Mr. O'KONSKI. Mr. Speaker, 4 years ago I inserted a speech in the CONGRESSIONAL RECORD emphasizing the importance of and need for the collective-bargaining program of the National Farmers Organization. Today the problems confronting the farmer are even more acute, and I believe that the NFO program is still the only answer.

I am therefore updating that speech because I believe it has even more merit today.

NECESSARY STEPS TO BE TAKEN FOR SUCCESSFUL BARGAINING IN AGRICULTURE—NFO IS MAKING PROGRESS

Mr. Speaker, this is a detailed and comprehensive study covering the marketing of agricultural products. Information and data included in this study is based on U.S. Department of Agriculture statistics and reports, studies, and information gathered from colleges and universities, information compiled by an NFO Research Committee, and on an analysis prepared by this committee. The NFO Research Committee was made up of NFO leaders with varied backgrounds and experiences, including men with degrees from some of the Nation's leading colleges and universities.

FARM PROBLEM GETTING WORSE

It has become quite apparent in the last 12 years that general economic conditions in agriculture are worsening.

The Nation's economy has made tremendous growth in the last 20 years. The national gross product has made spectacular gains almost without interruption. Agricultural producers are the only major segment of the economy that have not shared in this continually increasing prosperity of the Nation.

Every farmer, through his own personal experience, is familiar with the fact that the price of the products he has to sell has been steadily decreasing with

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the exception of an occasional upturn, while the prices of the products he has to buy in order to continue farming in a modern agriculture have been continually rising. This condition cannot continue to exist without serious repercussions for all farmers.

The percentage of parity received by farmers is at the lowest level since 1939. If farmers lived in an industrial area they would be considered in the poverty class if they did not receive $3,000 per year moneyed income, or in other words, spendable income. By these standards, 47.1 percent of all the farmers are in the poverty class. The following table points at the percentage of farm families in major agricultural States that were in the poverty class in 1963—this means families with below $3,000 moneyed income:

	Percent
Colorado	34.4
Illinois	38.9
Iowa	44.8
Indiana	34.1
Kansas	40.1
Kentucky	58.5
Minnesota	48.5
Missouri	53.7
Nebraska	46.1
North Dakota	43.1
Ohio	35.3
Oklahoma	45.1
Michigan	31.5
Pennsylvania	32.6
Tennessee (1.2 percent are colored farmers)	62.0
South Dakota	52.5
Wisconsin	38.4
Wyoming	30.6

National average: 47.1 percent of all the farmers in the poverty class. Forty-six percent of all families in rural America are in the poverty class, this includes the farmers and all small towns of 5,000 and under.

Comparison of per capita farm income with nonfarm income

Per capita nonfarm income	$2,181
Per capita farm income from farming	903
Off farm income	473
Total farm income from both sources	1,376

The $903 per capita farm income from farming is only 41.4 percent of the $2,181 per capita nonfarm income.

The above documented figures should make any farmer who feels he is a good businessman stop and think. These conditions did not just happen. There had to be a reason or reasons.

How did these conditions come about? Certainly not because farmers do not produce a needed product. Food and fiber produced on the farms of America are the most essential commodities in the Nation. On the producing end, the agricultural industry is the most efficient industry in America. This means something must be wrong in the pricing of agricultural products.

The agricultural industry has changed from the horse and buggy days of 25 to 30 years ago to the modern automated industry it is today. But while this has happened the farm producers have done practically nothing about changing their marketing structure. Other segments of the economy have not only automated, they have also organized.

The industrial segment of the economy puts a price tag on its products. Labor bargains for fair wages. But the farmers go to the marketplace as individuals and ask the buyer, "What will you give me?"

As the economy becomes better and better organized, the groups that have organized get in a stronger and stronger position and the groups that have not organized get in a weaker and weaker position. The farmers have remained in the position of the unorganized.

GOVERNMENT PROGRAMS WILL DWINDLE

Many proposals have been advanced in the past to meet the problems of agriculture. These proposals can really be considered in five categories: Government programs, use of cooperatives, increasing efficiency, reducing the number of farmers, and depending on the law of supply and demand.

The depression of the early thirties brought about a general realization that low prices had been a part of the beginning of the depression. Government farm programs were then initiated and farmers turned to these programs to meet their critical problems. At the same time, labor stepped up its organizational efforts and soon started bargaining successfully. Industrial corporations got larger and stronger and soon were successful in establishing profitable price levels for their commodities before the commodities were even manufactured. While the other segments of the economy started trying to meet as many of their problems as they could through their own efforts, farmers started relying almost entirely on Government farm programs.

This worked rather successfully until the early 1950's. Then the Government programs came under attack both from within and from outside of agriculture. The political power of farmers started diminishing as prices went down and more and more farmers were forced to leave the farm. It was probably a foregone conclusion that as farmers turned to more modern equipment, fewer farmers would be needed—but lower prices accelerated the movement of farmers from the farms.

Today, only a skeleton remains of Government programs. They are in disrepute because of two basic reasons—constant and, many times, unfair attacks and governmental costs which, in most cases, are given unfair publicity. Farmers cannot expect the Government to meet all their problems for them. This is not the function of the Government. Farmers, themselves, must first do all they can to meet their own problems. It is then the responsibility of the Government to assist the farmers in meeting any problems they have been unable to meet themselves. This, the Government has done for all other segments of the economy. The Government gave farmers the tools they need to meet many of their problems when the Capper-Volstead Act was passed in 1922. But farmers have never used their legal rights to any great degree.

Farmers can expect Government farm programs to continue to dwindle away in the near future. This fact is pointed out by reliable and informed publications such as the Kiplinger Letter. Behind-the-scene observers also know this to be a fact. But despite this fact, farmers should support any legislative proposals or administrative policies that will assist farm income because all studies made by leading universities point out that there would be a drastic drop in farm prices without Government programs. But in the meantime, farmers should do everything possible to meet their own problems, because the political strength of farmers has reached an alltime low and they will soon be largely on their own. A congressional district is not considered a farm district unless 20 percent or more of the voters are farmers. By this standard, there were 251 farm districts 40 years ago; 165 farm districts 10 years ago; and today, an alltime low has been reached with only 53 congressional farm districts.

COOPERATIVES NOT ENOUGH

Farmers produce 100 percent of the food produced in America and their real economic power lies in this production. This economic power is worthless unless farmers use it together.

There are basically two kinds of cooperatives. There is the service cooperative and the marketing cooperative. The chief function of the service cooperative has been largely one of keeping prices in line on the products farmers have to buy. This is a worthwhile service but not one that can accomplish much more than it already has, and certainly it can do very little more about closing the income gap for farmers.

The marketing cooperative will vary somewhat by the commodity it represents. Marketing cooperatives have been formed more in the milk industry than in any other part of the agricultural industry. They were originally set up for several purposes, but mainly to develop an additional outlet for the sale of milk. And, of course, some were set up with the hope of bargaining for a fair price. These cooperatives have, however, developed largely into sales groups with practically no bargaining power, and since there are so many of them, they have become competitive with each other—thus dividing farmers' bargaining power. The milk cooperatives remain as a sales outlet for farmers but they have not changed their structure to meet very many pricing problems for farmers. This is proved by the prices dairy farmers receive for their products. No one should ever indicate, however, that the milk cooperatives do not perform important services in handling milk production, because they do. The time and efforts farmers have put into their cooperatives have not all been wasted. The experience farmers have gained can be very useful and the services the cooperatives perform must be used to a great extent.

Today, we do have several grain cooperatives, but they, too, have become largely competitive with each other; thus dividing farmers' bargaining power. Still, they do perform some necessary services.

Cooperatives in the livestock field have generally been small. Some packing plants have been started but with very little success.

In summing up, cooperatives do perform many necessary services, but their individual structures make it impossible for them to effectively compete with organized, volume buyers. No one can argue against the theory of cooperatives, but their fixed structures and lack of volume keep them from meeting modern day agricultural pricing problems.

FARM EFFICIENCY NOT ENOUGH

Farmers are applying new and more efficient methods to their operations and this they should. They must continually be on the alert for new and better, more efficient methods of production. The research done in various institutions and farm suppliers has added to the efficiency of the agricultural industry. To make the best use of new methods, it ofttimes becomes necessary to enlarge the farm operation. This is considered by many to be the solution to the farm problem.

Efficiency alone, however, will not give the farmers equal status with the rest of the economy, unless they also have a favorable margin of profit. Efficiency is necessary and it is an integral part of a successful agriculture picture—but alone, it has not brought a profit level to agriculture enjoyed by the other major business segments in our Nation's prosperous economy. Efficiency can be successful only to a point. For example—if a product is bringing a given price which is below the cost of production plus a reasonable profit, greater efficiency can help; but, after efficiency has been improved to the maximum and still a cost of production plus a reasonable profit price is not received, then something must be done about increasing the price of the product. Agriculture has already proven it is the most efficient industry in America. Still profit returns for the agricultural industry are far below the profit returns of other, less efficient industries.

A solution for the farm problem has been offered in the form of bigger and fewer farms. The object being, to raise the per capita income of farmers by having fewer farmers divide the net income of agriculture. The success of this approach, however, depends upon the disappearance from the scene of large numbers of farmers in order to insure the survival of the remainder.

This approach is based on the assumption that the profit level in agriculture will get so low that smaller farmers cannot live on their profit and will be forced to leave the farm. The fallacy in this reasoning is that a high percentage of the farmers already have outside income. Their farm income is secondary or, in plain words a sideline.

NO CHANCE FOR OUTSIDE INCOME

The larger the farm operation gets, the less chance a farmer has of subsidizing his income with outside work, because if he leaves his operation under the management of hired labor, he will soon be broke. His operation requires his management. When there is no profit left in his operation because of lower and lower prices and he starts losing money, the bigger the farm the more he loses and the quicker he is out of business. His neighbor, who has stayed a smaller operator subsidizing his farming operation with outside income, will be farming long after the bigger operator is broke. Any business, in order to remain sound financially, must sell its products for a profit. A good businessman will not stay with a business that does not return a profit on the investment, comparable to that of other businesses.

The law of supply and demand is advanced as a solution to farm problems. There was a time in agriculture back when buyers and sellers had almost equal strength, that supply and demand could determine a fair price for farmers, but by its very nature, this is no longer true. For the available supply and available demand to determine a fair and equitable price, no producer can be large enough to significantly affect the total supply and no one firm or source of demand can be large enough to affect the total demand for any given commodity. Of course, we still have this situation on the supply side, but no longer do we have it on the demand side.

EXAMPLE

Largest farmers: First, 5,000 acres—more or less; second, 50,000 cattle; third, and so forth, only fraction of percent of total supply.

Largest processors: First, handle 18 percent of total production; second, handle 12 percent of total production; third, and so forth.

The two are not similar. Must be for supply and demand to determine a fair price.

FREE MARKETS MEAN SURVIVAL OF THE FITTEST

Some say what agriculture needs is a free market; letting supply and demand correct any and all problems. This really means survival of the fittest. The theory behind this is when there is an oversupply the price will go down until it becomes unprofitable to produce the given commodity, and then production will be decreased and the price will come back to a fair level. The business segments of the economy threw the complete use of this theory out the window a long time ago. They manufacture, maybe, a 60-day supply ahead but this supply is kept in inventory either at the manufacturer level or retailer level, and, a fair price level is maintained. In other words, this means that the business interests control the supply and create the demand by letting on to the market only that amount of their production for which they can get their price. This gives business interests stability.

If agriculture is to operate with stability it must follow the same practice. Supply and demand, of course, must be a factor but not a sole price determining one. If agriculture is to use the theory of supply and demand to its advantage then a surplus disposal system must be set up to take care of any surplus that exists or develops. This would be using supply and demand factors to the advantage of the agricultural industry.

The present marketing system has kept the consumer supplied with food after the farmers have produced it. In the early history of our Nation, the buyer and seller met and bartered. Then as the population increased and the country grew in size, the producers had to start delivering to centralized points. The buyers came to these points. Buyers increased in numbers and competition grew. The prices paid to agricultural producers generally lagged behind the prices paid to the rest of the economy, but still followed general prosperity to a great degree driving prosperous periods.

The present marketing system was developed largely for, and in many cases by, the buyers. Times and economic factors have changed, but the marketing system has not. New forces have appeared. The present marketing system is really only a distribution system. The services rendered are inefficient and costly to the producer.

CHAINSTORES RULE THE ROOST

Today, the chainstores rule the roost. They tell the processors the price they are paying. This means that when a farmer delivers his products, the price he is going to be paid has already been determined, and the buyers only reflect in their bids the price the chainstore is going to pay. This means the present marketing system does practically nothing about price. The producer has wasted his money when there are more delivery points than the farmers really need or any charges are paid for anything other than handling. The farmers, therefore, are the victims of many living off them by charging for services which are only a waste of time, money, and effort. The present marketing system only serves to allow the buyer to pit one farmer against another individual farmer. Small outlets are pitted against each other and the larger volume markets pit one area against another area.

The present marketing system is a buyers' market, with the buyers naming the price to be paid as the farmer delivers his products and says, "What will you give me?" Under the present marketing system, instead of marketing his product the farmer takes his product to the marketplace and pays the penalty.

The only answer to present-day agricultural problems must be a modern marketing system that will bring equity of income to agricultural producers and meet the marketing problems of the agricultural industry.

MARKETING SYSTEM IS THE KEY TO SUCCESS

Let us study the basic requirements for a successful modern-day marketing system. This system must make it possible for producers to establish bargaining power equal to or greater than the strength of the buyers. Until this is done the producers will continue to take the prices offered by the buyer. The producers must get in the position and be ready and willing to cut off their available supply to the buyers in order to back up farmers' bargaining power.

Bargaining between two strong economic forces is a battle between two giants. In a battle of this nature, you can expect strong disagreements to arise and these disagreements will not always be settled without a struggle. The producers cannot make their bargaining power felt and will always be forced to yield, unless they can and do cut off the available supply to the processor. This means the producers must be willing to keep their products on the farm until buyers are willing to bargain in good faith. This fact has been substantiated by some university studies on farmers' bargaining power. For example, the pamphlet from Purdue University, "Group Bargaining Power for Farmers," had this to say:

> In order to secure beneficial results at the bargaining table, the group must have some degree of power with which it can force concessions from the opposing side in order to secure a favorable solution to the negotiation.

Buyers are strong and well organized. Some of the larger processors in each commodity have plants or facilities in all major agricultural producing areas. This means producers must have one centralized bargaining organization which bargains industrywide, or the buyers cannot be dealt with successfully. Any division of bargaining power only lets the buyers pit group against group. It is also necessary for one centralized bargaining organization to cover all major commodities. Otherwise, any gains made will soon be lost, because farmers will shift to producing the commodities for which the gains were made. However, if gains are made on all major commodities and these are gains kept in relative balance, then there will be no added incentive for producers to shift from producing one commodity to another commodity.

FARMERS MUST ORGANIZE TO SURVIVE

In order for producers to achieve the desired success in the bargaining field, they must first have an organization. The following statement taken from Special Report No. 10, entitled "Agricultural Bargaining Power: Some Factors To Consider," published by the University of Minnesota, points out this fact:

> Apparently if farmers are to achieve greater bargaining power it must come about through group action, since the individual farmer has little or no bargaining power.

Bargaining cannot be carried out successfully unless the organization that represents the producers, has the proper structure. The organization must have stability of membership. This can be accomplished only through the use of membership agreements which are binding on both the organization and the producer. This membership agreement should cover the rights and obligations of the producer as a member, as well as the responsibility of the organization. There must be enough teeth in the membership agreement to make it possible for the organization to be able to make and carry out marketing obligations for its members. The membership agreement should clearly define the bargaining procedures so the rights of the members will always be protected. A program to take care of excess production must be authorized under the membership agreement. This is necessary because farmers must not only be concerned about getting fair prices for their products, they must also be willing and ready to meet all the marketing problems of the agricultural industry in order to be successful.

A careful balance of control must be maintained in the organization because an organization such as this would be very powerful. All major decisions on marketing conditions and prices bargained for should always be made by the members—not by one individual or a board of directors, and these decisions should require a high percentage approval of the members affected.

There must be enough centralized control in the organization to build effective bargaining power industrywide, with the ability to combat organized and well financed opposition. Democracy must always be maintained within the organization so it will always work for the benefit of farmers.

The organization must be adequately financed. In the initial phases, dues will be necessary, but after the organization is in full operation there should be a percentage checkoff on all sales made in benefit of the members. This is the only fair way to finance the organization because this way, each member will pay his proportionate share based on benefits received.

ORGANIZE OR PERISH

The organization should have one goal and one purpose—meeting the farmers' marketing problems. If the organization is in business, then there is a conflict of interest. The leaders are likely to be more interested in making a profit on the business than in getting fair prices for farmers. This has caused the downfall of past efforts.

The organization must operate in such a manner that there will be close cooperation and understanding between the members and the leaders. The goals, objectives, and methods should be clearly understood by both so there will be the least possible wasted effort. A clear understanding of these points will also make it more difficult for organized opposition to divide the efforts of the organization.

Contracts with processors must be secured if prices are to be stabilized and marketing problems met. Contracts protect gains made and assure continuity of programs. A contract is necessary because this is the only method that can be used to spell out the obligations of both the processors and the bargaining organization.

EFFECTIVE PROGRAMS TO HANDLE EXCESS PRODUCTION MUST BE DEVELOPED

There must be an efficient system for supplying the processor and, in turn, the consumer needs.

The organization must be a dependable source of supply for the processors. This is the reason the membership agreement must have enough teeth so when contracts are signed with processors, the products will be delivered.

A continued educational program should be carried on to keep the consumers informed about the farmers' problems and to keep the farmers informed of the desires and needs of the consumers.

Price incentives should be paid for quality production. The producer who produces a quality product, should be paid accordingly.

The organization should be fair and always ready to listen to the problems of the processors and others. However, its prime responsibility is to meet the needs of its members and this should never be forgotten.

Success of the organization will largely depend upon the cooperation and support of its members and the members must continually keep increasing the strength of their organization through the signing of new members.

This concludes the part of the study relating to the economic conditions of agriculture, the past proposed solutions, the advantages and disadvantages of the present marketing system, and the basic requirements of a successful modern day marketing system. We have sincerely tried to be unbiased in this frank analysis of what has been happening in agriculture as far as marketing is concerned. The points that we have made on the weaknesses of past efforts were not intended to be derogatory in nature. They were intended to be constructive in nature, so pitfalls of the past can now be avoided. It is our belief that the experiences of the past can be used to meet the challenge that American agriculture faces today. It seems to us that thinking farmers will agree with the basic requirements outlined for a successful modern day marketing system. We must forget the animosities of the past and build together, as producers, for the future.

NFO PROGRAM MEETS FARMERS' NEED

The structure of the NFO collective bargaining program meets all the basic requirements necessary to put a successful modern day marketing system into operation.

The NFO collective bargaining program was developed by farmers and offers all farmers the only opportunity they ever had to solve their pricing and marketing problems in a businesslike manner that will bring stability to their industry. There is a great deal of misunderstanding about the NFO collective bargaining program and the methods the NFO is using in its efforts to secure fair and stable prices for the American farmers. We want to take time to generally discuss the structure of the NFO, the progress it has made, the purpose and use of holding actions, the signing of contracts with processors and the job yet to be done.

The most misunderstood part of the NFO program is the purpose and use of holding actions. Therefore, we will have a thorough discussion on holding actions and on the organization's stand and policy concerning violence. The biggest unanswered question in the minds of many farmers concerning the NFO program is what will be done with surpluses when NFO is successful. Very few nonmembers realize that the NFO has a detailed plan that will prevent surpluses from developing in several commodities and has a structure ready to put into operation that will take care of any surpluses that may exist or develop in the other commodities. All of these points will be thoroughly discussed and a clear explanation will be given.

NFO—FOR FARMERS BY FARMERS

The NFO is made up entirely of farmers and run by farmers. Only producers of farm commodities can be members of the NFO. This means the NFO is truly

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a farm organization. The bylaws of the organization prohibit it from going into business. Therefore, it is a service organization. It has only one service to offer farmers and that is the opportunity for farmers to join together to meet the one problem that has never before been met for farmers; a way in which they can start pricing their products at the marketplace using the same principles and methods that everyone else in the economy uses to price their products or services.

Farmers do not have a choice. They are either going to price their products together and meet the marketing problems of their industry, or they are going to continue to go to the marketplace and say, "What will you give me?" and let the buyers determine the prices that are going to be paid.

If farmers choose to sit back and do nothing about their marketing problems, then they can expect to receive lower and lower prices for their products. No one else will solve their problems for them. There may be an occasional upturn in price, but it will be short lived, and the next drop in prices will reach even lower levels. This has been the general price pattern for the last 12 years. Every farmer who has been farming since 1952 knows this to be true.

On the other hand, farmers do have the opportunity to meet their pricing problems through the NFO. NFO members and leaders honestly believe that almost every farmer who will take time to study the NFO collective bargaining program with an open mind, will join and will be an active member because he will realize he has nothing to lose and everything to gain.

The NFO has always stressed that the first and always the most important step farmers must carry out in order to price their products at the marketplace is to organize. Nothing can be substituted for strength at the bargaining table. Many farmers have been fearful of the NFO membership agreement. It is hard to understand why this has happened, because the membership agreement is written in plain, everyday language and is easy to understand. It very clearly points out the obligations of both the NFO and the member. The membership agreement must be used to unite farmers' bargaining strength under the NFO collective bargaining program and give stability to the organization.

The best way to get a clear picture of the meaning of the membership agreement is to pick out the most important points and study them. They are as follows:

When a farmer joins the NFO, he authorizes the NFO to be his bargaining agent for all the commodities marketed from his farm with the exception of those already covered by marketing contracts.

FARMERS MUST BE FREE TO MARKET

He is free to market as he chooses until such time as a contract is consummated with a processor, and the only way a contract can be consummated with a processor is by a two-thirds vote of approval by members attending a meeting for which they have been given a 10-day written notice sent by first-class mail, giving the date, time, place, and purpose of the meeting. This is the greatest protection a member could have because two-thirds of the members will never vote to bind themselves to market under the NFO until they know the terms of the contract with a processor including price, delivery points, and all the marketing requirements expected of them.

The membership agreement is a legal and binding document. The member signs the membership agreement for a period of 3 years and agrees to pay $25 per year for dues and fees. If, during this period of time, a contract is consummated with a processor and a member sells under this contract, then 1 percent of his gross sales will replace his membership dues and fees. This will be the cheapest marketing cost a farmer has ever paid and he will be getting a fair price for his products. The NFO is not saying "Pay 1 percent and we will get you a price." It is saying "We will get you a fair price and then you will have to pay 1 percent to keep the program operating in the future."

A member may terminate his membership in the NFO at the end of his 3-year period. In order to do so, he must give written notice of his desire to do so not more than 20 days nor less than 10 days prior to his expiration date. If no notice is given, then his membership will automatically be renewed for another 3-year period. This is the same type of termination clause that is carried in many marketing arrangements.

No contract or agreement can be effective unless it contains a penalty clause. Therefore, the membership agreement specifies that when a contract has been consummated with a processor covering a member's commodity and the member sells his commodity to a processor other than the one specified by the contract, the member shall be assessed 10 percent of the gross sale of the commodity for liquidated damages. This clause was put in the membership agreement largely to give assurance to processors that they will receive the supply they have contracted for when their contracts with the NFO are in effect. It is not expected that the penalty clause will ever have to be used against NFO members because, certainly, they will never give their two-thirds vote approval to put contracts with processors into effect until they know they are going to receive many advantages. Therefore, they should have no desire to market elsewhere.

Provisions are contained in the membership agreement for a surplus disposal program that can meet the problems of any surpluses that may exist or develop.

NFO BARGAINING ESSENTIAL

The other provisions of the membership agreement clearly establish the obligation of the NFO in bargaining—how it is to be done while keeping all the major pricing and marketing decisions in the hands of the members. The responsibilities of both the NFO and the member are clearly defined. The farmer joining the NFO does not sign a membership agreement that can be easily changed, because no changes can be made without the two-thirds vote approval method by the members, as has been outlined for ratification of contracts with processors. Certainly, the NFO membership agreement is democracy at its best. It makes it possible for NFO members to keep control of the organization and still bring their production together in an effective manner for the purpose of bargaining. The most any member could lose would be $25 a year because he is completely protected through the two-thirds vote approval requirement. Twenty-five dollars a year is a small investment, indeed, to protect the large investment a farmer has in his business. A farmer joining the NFO has nothing to lose and everything to gain.

A member is bound to the organization by the membership agreement. The bylaws in the NFO cover the administrative end of the NFO. The rights and obligations of the members are spelled out in the membership agreement and cannot be changed through the bylaws. The only mention of the bylaws in the membership agreement has to do with the processing of complaints and payment of dues and fees. The bylaws of the organization set a system of checks and counterchecks to keep proper administrative balance in the organization.

The officers are responsible for picking the best qualified personnel they can find to carry out the functions of the organization. It is their obligation to see that the efforts are coordinated and that the organization keeps moving forward as fast as possible toward complete victory which is so vital to the future of agriculture. They must keep informed and carefully analyze every situation so mistakes and pitfalls can be avoided. It is their duty to keep the membership informed, as much as possible, on the activities and progress of the organization. They must give the best advice they can to the members on steps to be taken and strategy to be used in bargaining. Cooperation between members and officers at all levels of the organization is of vital importance to the success of the NFO.

A farmer should not join the NFO with the same attitude that he has had many times when he joined other organizations. In other organizations, perhaps he just joined and paid his dues to have somebody else do something for him. NFO cannot be successful that way. Every NFO member should look upon the NFO as the only tool he has to meet the most pressing problem he has in his business—taking unfair prices for his products.

POWER LIES IN NUMBERS

This means members must work to get new members. This is what will bring success. Members should attend their county meetings and accept responsibility. When they are called upon to do a specific job, they should do it to the best of their ability. The NFO is only as strong as the members make it. Members must realize that in an economic battle like the NFO is waging, gains are not given away freely or easily—they must be earned. We will not win every time something is tried, but we must profit by every mistake and take advantage of every opportunity. A quitter never wins and a winner never quits, so the philosophy of all NFO members must be "We will not quit until complete victory is secured."

The next part of the NFO collective bargaining program to consider is the four basic steps that must be taken in order for farmers to price their products at the marketplace.

First. Organizing is the key to success. This is always the most important thing to do. When a farmer joins the NFO he adds his production to the strength already built. Production is what really counts at the bargaining table.

Second. A sufficient amount of the total production of any given commodity must be brought together so buyers can not fulfill their needs from other sources.

Third. Farmers must make their bargaining power felt, and the only really effective way to do this is through the use of a holding action.

Fourth. The ultimate goal must be contracts signed and activated with processors, which will mean fair prices for farmers and make it possible for them to set up a structure whereby they can put a successful modern day marketing system into operation that will meet the marketing problems of the agricultural industry and take care of any surpluses that exist or develop.

The necessity of organizing speaks for itself. Certainly, any thinking farmer knows he cannot do anything by himself. A large number of marketing groups or marketing agencies only divide the bargaining power of farmers. Even two groups would do that. Processors must have agricultural production to stay in business. Their processing plants are only worth junk price unless they have agricultural production to process. Therefore, all farmers have to do is to bring enough of the total production together for the purpose of bargaining together and selling together, and they can price their products together.

The size of processors varies greatly, but in each commodity there are always a few, very large processors. These processors have plants or facilities in many areas. Therefore, in order to have the maximum effect on these processors, your organization must cover all the productive agricultural areas.

PROBLEMS MANY—POWERS OBSTACLES

One marketing practice not generally known is that processors and handlers in all commodities assist each other when any of them are short of supply. Two methods are used to do this.

First. Some of the production to be delivered is directed to a processor who is short of supply. In meat, this may be done from buying stations or from a plant's supply. In milk, this is done with one plant buying from another plant. In grain, it is done from elevator to elevator and by interception of grain in transit.

Second. Direct sales made from one processor or handler to another.

These facts prove first, the necessity of affecting the toal supply and second, the necessity of bargaining industrywide in order to really have an effect on the processors.

Every farmer in the United States could belong to one organization but if that organization did not make it possible for the farmers to make their bargaining power felt, then the buyers would still name the price and instead of that organization being a bargaining group, it would only be another marketing agency. The real test of an organization is whether it goes to the buyers and asks them what they will give or whether a price tag is put on the products. If any group or organization uses the first approach, then that is a group or organization that is doing collective begging not collective bargaining.

FARMERS MUST SAY I WANT SO MUCH

The NFO is proud to be in the latter group: Everyone else in the economy except agriculture puts a price tag on their products or services. Farmers, too, must put a price tag on their products. If the processors will not pay the fair price the farmers have determined they must have in order to sell their production, then if an organization is really a bargaining group it must make its members' bargaining power felt. The only really effective way to make farmers' bargaining power felt is to use a holding action. This is the same principle that everyone else in the economy uses today—except the farmers. Industry puts their price tag on the products they manufacture and you either pay their price or you do without the product. That, in reality, is a holding action and it takes place every day. Labor strikes when they cannot get a fair wage.

The purpose of a holding action is to temporarily reduce the available supply so processors cannot fulfill their needs from other sources and must sign contracts that will make it possible for farmers to price their products at the marketplace and set up a marketing structure that will take care of any surpluses that exist or develop. Those who oppose the NFO efforts, of course, try to convince farmers they should not hold. One of the points they talk about is tonnage buildup during a holding action. Let us look at some interesting figures on this matter.

RESULTS OF HOLDING ACTION

Amount of tonnage gained in a 30-day holding action if 100 percent of cattle and calves were held off the market: Average number of cattle marketed per day, 365 days per year in the United States, in 1963, 74,608; 74,608 head of cattle gaining 2.5 pounds per day would gain in 1 day, 186,520 pounds; 74,608 head of cattle gaining 2.5 pounds for 30 days would gain 5,595,600 pounds; 74,608 head of cattle gaining 2.5 pounds for 29 days would gain 5,409,080 pounds; 74,608 head of cattle gaining 2.5 pounds for 28 days would gain 5,222,560 pounds; and so on: All cattle held off the market are not gaining for a full 30-day period. One day's kill will only be gaining extra weight for 1 day. Total amount of live weight gained in a 30-day holding action if all cattle and calves were held, 86,723,301 pounds. Total amount of live weight marketed per day on the average during a normal period of marketing on a 365-day average, 76,413,700 pounds.

The total amount of extra tonnage gained in a 30-day holding action if all cattle and calves were held off the market and would make a daily gain of 2.5 pounds each, just a little more than 1 day's kill would be built up. On the total year's supply, this would be an increase in tonnage of less than one-third of 1 percent. The total tonnage build of pork if 100 percent of the pork was held off the market in a 30-day holding action, would be less than 1 percent increase on the total year's supply.

The average weight cattle slaughtered in 1962, was 1,005 pounds. This was 12 pounds lighter than in 1961, and 19 pounds lighter than in 1963. NFO had a holding action in 1962, proving that the processors were forced to slaughter lighter weight cattle during the holding action to get their supply, thereby bringing the yearly average weight down. The average dressed weight in 1962 was 574 pounds per carcass. Ten pounds lighter than in 1961 and 16 pounds lighter than in 1963. The yearly average price paid for cattle in 1962 was $22.95 per hundred compared to $21.41 in 1961 and $21.10 in 1963. The high for the year in 1962 was in the month of September when the market reached $24. This was the month NFO had the holding action. The high for the year 1961 was January when it reached $22.49, and the high in 1963 was also in the month of January for a price of $23.11 which was still showing the effects of the holding action, because in February it dropped to $21.73 and in March to $20.75.

Let us say that in a 30-day holding action we were holding 50 percent of the normal supply off the market. This means that 37,304 head would be going to market every day on the average. Let us say that the last 15 days of the holding action the processors were forced to get half of this 50 percent supply in a weight bracket of 70 pounds. This would cut the tonnage being processed by 90,648,720 pounds which means that in a holding action you cut the total tonnage, not add to it.

REASON MUST PREVAIL

The above figures need to be understood by farmers because it does take at least 2 weeks to really get into the core of a meat-holding action. The reason for this is that the buyers always have some captive cattle they can get their hands on and there are marketing interests that can influence and/or force the sale of a certain number of cattle, hogs, and sheep. There is other organized opposition that can influence some farmers to ship their livestock. All of this livestock will be sold anyway, so the quicker it goes to market the better off the NFO is in a holding action because then the production that has not been sold is in stronger hands. Those who are opposing the NFO effort with the supply they control or are able to influence, must continually keep trying to convince more and more farmers to sell if they are to break the holding action. The only way they can do this is by making them think that the holding action is having no effect and that it is useless to hold.

Farmers should always remember that in a holding action, there is no middle ground. They are either going to support the buyers and marketing interests, or they are going to join the NFO and support the effort. If they sell, they are supporting the very people who have helped keep farm prices down.

A short holding action can accomplish very little, if anything. At the best, it can only be of a little nuisance variety. It takes several days before a holding action can really affect the buyers because of their captive sources of supply.

If you will notice, the opposition always attacks holding actions. They never mention any other part of the NFO program. The reason for this is that they know they must convince farmers a holding action will not work, because they realize that if farmers keep their production on the farm in sufficient quantities, the battle is over and the NFO has won. After all, what else is there to eat besides food? The processors must have agricultural production for their plants. If they cannot get enough production from other sources and NFO is the only source they can get it from, then they will be forced to sign contracts with the NFO for the production they must have. And these contracts will return farmers fair prices and make it possible for them to meet their marketing problems.

Demonstrations are often held in a holding action. Many are started by individuals. There are a few points to remember about demonstrations. First, they must always be peaceful. Demonstrations are important, but must be used for two purposes—first, to show the strength of the organization; and, second, to prove to the buyers that farmers are united and have organized to sell together and that they are going to price their products at the marketplace.

A holding action is a voluntary action. All the NFO does is advise its members to hold for the prices they have determined they must have. NFO members are asked to contact nonmembers for the purpose of explaining the NFO collective bargaining program and asking nonmembers to join the NFO and support the efforts.

This economic battle will never be won on the highways of the Nation or on someone else's business property. It must be won through reasoning and persuasion in the barnyard. Anytime the production leaves the farm, it is too late as far as that production is concerned.

NFO DOES NOT ADVOCATE VIOLENCE

The NFO policy concerning violence is very clear and emphatic. The NFO does not advocate or condone violence. In a holding action, you have a situation where opponents of NFO will do everything possible to blacken the name of the organization. There are many times when an inflammatory situation develops because a farmer has decided to hold and has promised his neighbor that he will hold, and then he lets a buyer or a market representative convince him that he should sell and he sells. The one that really causes trouble like this to develop is the buyer or the market representative who convinced the farmer to sell, but, of course, he has already headed back to town or perhaps he just called the farmer from a telephone many miles away. These situations call for cool heads and good reasoning.

Many times false promises are made or false information is given to get the farmer to sell. When this is done, it is very obvious that the buyer or market representative is only trying to keep farmers at his mercy so he can continue to make his profits off of the farmers or keep collecting his commissions. It is time farmers wake up. Just where have these buyers and market representatives been and what have they been doing while farmers' prices have continued to go down? Have they not been making their profits and collecting their regular commissions? Farmers had better realize that their only real friends are other farmers with the same problems and that it is time they supported each other. Farmers must start running their own business instead of letting someone else run it for them.

As the NFO has continued to make great progress, it has become obvious to the processors, even the largest, that the NFO is representing many times the volume of production that any other source of supply represents. This turns their attention to the NFO. They are also realizing more and more, that unless they get in on the ground floor their competitors can get a source of supply they can never get.

SOME SUCCESS NOTED

Because of these reasons, the NFO has been successful in setting up some marketing arrangements with some of the Nation's largest meat processors. These marketing arrangements are of great importance to the NFO, to the processors, and to the farmers in general. As far as the NFO is concerned, they are important because:

First. It is recognition by the processors.

Second. This is setting up the initial phase of the NFO structure for a successful, modern-day marketing system which will go into operation when the master contracts are activated.

Third. It gives the NFO an opportunity to prove that it can do what it says it can do. This means getting a flow of livestock to the participating processors in an orderly manner and in the quantity they need.

Fourth. It starts members actively cooperating in marketing and gains experience in the marketing field for the NFO.

Fifth. It helps build NFO's bargaining power and puts pressure on nonparticipating processors. If a nonparticipating processor has been getting a high percentage of his supply in one area and much of that supply starts going to a participating processor, then the nonparticipating processor must go farther to get his supply. As his procurement costs rise, he will soon see the advantages of becoming a participating processor.

In the meantime, the job of the NFO is to get more and more nonmembers to join the NFO so we have enough production to fill the processors' needs, as more and more of them look to the NFO for their supply. This is a race of time for the NFO. We are getting close to setting off a chain reaction where processors will be changing their procurement methods if NFO members really cooperate in marketing together because we now have enough of the total production signed to do this. The race of time means we must sign every nonmember we can now, so we can keep ahead of this chain reaction. This can only be done if NFO leaders and members keep working and signing new members.

These marketing arrangements are of great importance to processors because: First, today we have a very inefficient marketing system. Many times, processors get their supply a long ways away from their plants. They do this because of past business practices. This costs the farmers because, in the end, it is taken off of the general price level. Under the NFO marketing arrangements, the supply will come from close by into the plants. This will cut transportation costs, cut down on bruises, and reduce procurement costs.

Second. This will develop into a dependable and even flow source of supply.

OTHERS NOW DETERMINE PRICES FOR FARMERS

Today, farmers are paying many marketing costs that do not help them at all pricewise. Livestock prices, today, are almost entirely determined by the chain stores. They let the prices be known, in many instances 2 to 4 days ahead of purchases. Therefore, the price the farmers receive for their products only reflects the price the chain stores are paying, which is usually a rather uniform price. The processors receive information each day on the general price being paid for fresh meat cuts. They get this information by teletype and it is put out by the packers' organization. This is called the yellow sheet. Let us use an example—suppose $30 a hundred is being paid for a given carcass. This is a price based on a central point. The buyers then figure the transportation difference and their prices are established. Any costs paid by farmers other than absolute necessary handling costs are wasted. Marketing arrangements will save market costs. There, of course, will be specified delivery points. Existing facilities will be used when possible, but the number of facilities used will be greatly reduced from the present number used today.

On cattle, the NFO members will usually be able to sell on a grade and yield basis, if they desire. Present marketing interests have fought this. However, when farmers can be certain an accurate grade and yield is being given them, they will benefit by selling on this basis. Here is why: A buyer must buy under what an animal will grade out much of the time, because he will soon lose his job if he buys very much livestock that does not dress out. Packers keep a record on each lot purchased. The NFO has made arrangements at several plants where a member can see his own cattle on the hook. This can make the member a little additional money. Farmers, in general, are already benefiting from marketing arrangements in some areas without realizing it. As the marketing arrangements start working, existing groups start cutting marketing charges and raise prices. Watch for this and let people know why it is happening. Do not sell marketing arrangements on the basis of getting a price advantage because it is not legal for buyers to pay a price advantage. Savings in marketing costs can, however, result in a better price for members at times. Present marketing groups will fight hard and raise prices abnormally in trying to break the NFO effort. Do not let this confuse you. Marketing arrangements must never be considered our goal. They must be used to pave the way for contracts that will get fair prices for farmers, and they are very important for this purpose.

NFO is working along the same line in grain. Plans are underway to move some dairy products under more favorable conditions. All these efforts are making other groups more active. Cooperatives which, in the past, have fought each other, have now merged. The more pressure NFO builds, the faster we will have complete victory.

MUST BUILD TO SUCCEED

All efforts take the full cooperation of members. They must realize that they will make a little sometimes and then, they may lose a little. But we must always keep our ultimate goal in sight. All of the steps NFO is taking are necessary to lead to our ultimate goal—contracts with processors that make it possible for farmers to price their products and set up a marketing structure that meets the problems of the agricultural industry, including taking care of any surpluses that exist or develop.

Contracts with processors is the only way to maintain the gains made. A master contract is necessary because bargaining must be done industrywide. One processor can no more pay a fair price for agricultural products than one farmer can establish bargaining power for agriculture by himself. Farmers must establish enough bargaining power to be the controlling factor in the industry and on all major commodities. This also means that minor commodities can either help lead the battle or follow the major commodities.

The NFO has already signed many processors of dairy, grain, and meat to master contracts. These contracts stipulate the price based on quality products, that NFO members have decided they must have; incentives to be used where possible to reduce the supply; take seasonal variations in cost of production into consideration; meet processors' supply needs have a services-rendered clause making it possible for NFO members to receive an advantage over nonmembers because of services rendered, and sets up a surplus disposal fund and a promotional fund.

MASTER CONTRACTS ESSENTIAL

In order for NFO members to start pricing their products under the master contracts, enough processors must have signed the contract to have reached the 60-percent activation figure of NFO members must be in a position to market 60 percent of the designated production, which means that enough of the industry and producers have been signed up to be the controlling factor in the market. With processors signing master contracts with the NFO, it means that NFO is well into the last phase of its collective-bargaining program. All it takes to activiate the contracts is for enough more farmers to join the NFO and add their production to the present strength already built by NFO members, and the economic battle for farmers has been won. The only thing holding up final success is farmers, themselves, because the NFO collective-bargaining program is sound and the NFO is well on the way to complete victory. Complete victory is assured because of the strength of the NFO. How soon this comes about depends on the efforts NFO members exert and on farmers themselves.

When farmers price their products at fair levels they must also meet the marketing problems of their industry in order to maintain their gains. All major commodities must be brought up in relative balance. This is a vital part of the NFO collective-bargaining program. If this is not done, just as soon as victory is won in one commodity many of the farmers producing other commodities would start producing that commodity, and the gains made would soon be destroyed. However, if all commodities are brought up in relative balance, then there is no more incentive to shift production of one commodity to another commodity than there is today. Therefore, the production of the entire agricultural plant must increase before any increased surplus production problem will develop. This could not come about overnight, and besides the population is rapidly increasing.

NFO HAS SURPLUS SOLUTION

Very few people, except NFO members, realize that the NFO collective-bargaining program covers the taking care of any surplus that may exist or develop. Let us look at the basic principles of the NFO program that covers any surplus production. First, in the past, the problems on surplus production have usually developed before anything was done about the surplus. The problem is much easier taken care of before it develops. The NFO cannot set quotas on individual producers—only the Government can legally do this. So then, how will NFO do it? Production can be in balance with consumption: First, before it is produced; second, after production has started; or third, after it is completed. In order for NFO to use step 1, it will take a vast educational program and great producer support. The reduction of production on livestock, after it is started, can be accomplished through contracts with processors using incentives to sell hogs, cattle, and sheep at lighter weights. Example: Butcher hogs are normally marketed at a 230-pound average. Before tonnage got too heavy the spread between lighter and heavy weight hogs could be increased until it became unprofitable to sell at heavier weights. Incentives could be used to get bred beef heifers sold which would break the cattle cycle. Incentives could be paid on choice veal dairy heifer calves to reduce future milk production. These would not be expensive programs when done industrywide.

On grain, a 12-month supply becomes available for market in a 30- to 60-day period of time at harvesttime. This means the grain must be stored and storage charges must be added to the price. Any production left over at the end of each year must be disposed of because the building up of supply with storage costs rising would wreck the entire effort. The problem of one commodity cannot be considered just a problem of that commodity because if this is done, it will soon affect other commodities. A surplus disposal fund will be set up when the contracts are activated. The 2 percent to go into this surplus disposal fund will be more than taken care of as far as net to the NFO member is concerned from money received from the processors for services rendered. This will be largely derived from savings over the present marketing system and from improvements in procurement for processors, as well as many other improvements for processors. A large portion of the surplus disposal fund will be used to buy burdensome supplies from normal market channels. Poorer quality products will be bought in order to cheapen the total cost. This would be comparable to the inventory always kept by industry. The products bought could be sold back into market channels as needed. Other methods of disposal could be diverting the products bought to worthwhile welfare work—a humanitarian service by agriculture. These products could also be used for the development of new foreign markets overseas by reducing prices. This cannot be done under present methods of marketing. Remember, when discussing agricultural surpluses, there has seldom been more than a 2- or 3-percent surplus produced in any given year.

MILK PROBLEM CAN BE SOLVED

In milk bargaining, it must always be remembered that approximately 50 percent of the milk production goes into bottled milk and 50 percent is manufactured. A fairly high percentage of the milk bottled is sold by producers under marketing agreements. These cannot be disturbed while in effect. This means we must organize all producers we can who are selling milk going for manufacturing purposes and sign all manufacturing plants possible. We must also sign all other milk producers to the NFO membership agreement; thus bringing their production, other than milk, under the NFO. As these producers see NFO working, they will, undoubtedly, urge their existing groups to form legal structures to sell together and this will, in the end, bring about the setting up of a legal structure with the NFO that will unite farmers' bargaining power. This will mean using existing groups, experience and facilities to assist all commodities in meeting the needs of agriculture. These steps are to be taken when master contracts are activated. If additional problems arise concerning surpluses the NFO has the structure through which those problems can be met. The NFO is setting up a vast oversea sales network. Contacts have already been set up in 52 foreign countries.

NFO GROWTH PHENOMENAL

The NFO's growth has far surpassed any previous efforts in agriculture. This has come about because thinking farmers know the NFO's collective-bargaining program is sound. The bargaining of NFO is many times greater than that which previously has been achieved in agriculture. This is the reason NFO is making great strides in bargaining with

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processors. Processors will learn that the NFO collective-bargaining program will also solve many of their problems and establish stability in the entire industry.

The challenge to agriculture is clear. Are farmers ready to stop their punishment at the marketplace or do they want more? They can stop it. The NFO collective-bargaining programs is the answer. The formula is simple:

First. Organize into the NFO for the purpose of bargaining together, selling together, and pricing agriculture production together.

Second. Use holding actions when necessary to get sufficient contracts signed by processors.

The challenge to NFO is to give leadership to farmers to finish up the job. No one else can or will do it. Other feeble efforts will be made as NFO gets closer to its goal but NFO has the only program that can do the entire job. The strength of the NFO is now so great that a continuous battle will be waged until complete victory is achieved. This means holding actions will come at frequent intervals with periods in between being used to set up marketing arrangements and to carry on negotiations with processors.

The most important job at hand as always is to organize. This means every NFO member working to sign up nonmembers. Production brought together under the NFO membership agreement is what it takes to win. The NFO is calling on all nonmembers to join the NFO now so we can all start pricing our products at the marketplace like business men and women.

Since the first edition was printed, the NFO has made tremendous progress. The NFO is now working in 48 States.

The NFO through the use of its bargaining techniques, has been able to secure contracts with large processors on most commodities. These contracts are only the beginning. They are supply contracts with pricing formulas that include local prices, regional prices, and national prices in the determination of the prices NFO members receive.

The NFO is exerting an upward price pressure on almost all farm commodities. They are doing this through the use of contracts and by taking production out of low-price areas into higher price areas.

The NFO through experience, has learned that it is absolutely necessary to be able to bargain nationwide and industrywide. The NFO through experience, has made many changes. The upward price effect exerted by NFO on almost all commodities which means higher prices to farmers is being achieved because the buyers and processors that are not receiving products from NFO members are always trying to beat the price NFO members receive. NFO offers farmers their only hope to raise their prices.

The NFO is calling on all farmers and producers of agricultural commodities to join the NFO for the purpose of collective bargaining. The NFO is not asking farmers to desert their present farm organization, but only to join the NFO for the purpose of collective bargaining.

Collective bargaining in agriculture means farmers bargaining together and selling together. So farmers and agricultural producers should join the NFO and block their production together and not even consider selling their production as individuals, but rather sell their production only through NFO collective bargaining programs after the production has been bargained for.

The NFO efforts mean more money in the farmers' pockets every day. The NFO has the structure, the experience, and the size to achieve these goals of fair prices for farmers. All it needs is the farmers' support.

NEGATIVE INCOME TAX LEGISLATION

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 1969

Mr. CONYERS. Mr. Speaker, I am very happy to announce that my distinguished colleague, the gentleman from Ohio (Mr. WHALEN), has joined me in working toward introduction of a meaningful negative income tax statute which we plan to introduce in the near future.

Several months ago, I began serious consideration of such legislation as an alternative to the dilemma presented by present forms of public assistance in our changing society. The proposals contained in Tobin, Pechman, and Mieszkowski, "Is A Negative Income Tax Practical?"—Yale Law Journal, volume 77, No. 1, 1967—attracted my attention as a possible and workable basis for such legislation. I contacted Professor Tobin at the Yale University Department of Economics and asked if his proposals could be prepared in bill forms for possible introduction. He was kind enough to fill this request by getting some of the Yale Law School students to draft this legislation. After receiving the final Yale draft, the House of Representatives Legislative Counsel's Office made certain technical revisions required by the legislative process.

Congressman WHALEN and I have decided to place this draft in the RECORD for the perusal of our colleagues and other interested parties. We invite the comments, criticisms, and suggested changes of all our colleagues so that when the bill is introduced, we can offer the strongest possible bill to this body for its consideration.

I will not attempt in these brief remarks to explain this draft in detail, as I am preparing an explanatory statement which will be sent to each of my colleagues along with a letter requesting cosponsors at the appropriate time. I would simply say that the basic thrust of the legislation is to effectively eliminate some forms of public assistance which have proven difficult to administer and often degrading to the recipients. Our basic goal is to assure everyone a minimum standard of living and at the same time integrate the poor into the mainstream of our society. The bill assures every family of four at least the Social Security Administration's poverty index income—$3,200 per year. It provides a sliding scale of benefits which continue to aid families and eligible individuals until they reach a higher income, thus giving an incentive to break the poverty cycle which present forms of assistance do not provide. A family of four, would for example, reach a before-tax income of $7,916 per year before it would cease to receive any benefits from the negative income tax. At this point, the family would be on a firm financial base which place it in the positive income tax category.

I would like to insert at this point a table showing the effects of the proposed negative income tax for a family of four at various income levels. This chart was prepared by the Yale students for their Law Journal, volume 78, No. 2, 1968, page 269, in connection with an article explaining their model negative income tax statute:

EFFECTS OF PROPOSED NIT FOR FAMILY OF 4

Before tax family income	Positive tax liability (050) (a−2b)	Negative liability tax	Total tax liability (b+c)	Basic income supplement	Net Government transfer (e−d)	Net NIT transfer (e−c)	After tax family income (a+f)
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)
0	0	0	0	$3,200	$3,200	$3,200	$3,200
$1,000	0	$500	$500	3,200	2,700	2,700	3,700
$3,000	$4	1,496	1,500	3,200	1,700	1,704	4,700
$6,000	450	2,550	3,000	3,200	200	650	6,200
$6,400	511	2,689	3,200	3,200	0	511	6,400
$7,000	603	2,897	3,500	3,200	—300	303	6,700
$7,916	758	3,200	3,958	3,200	—758	0	7,158

I would like to express my deep appreciation to Professor Tobin and his colleague, Peter Mieszkowski, for agreeing to share their proposal with the gentleman from Ohio (Mr. WHALEN) and myself. We also are grateful to James G. Speth, Jr., Richard Cotton, Joseph C. Bell, and Howard Mindus and their professors, Edward Sparer and Boris I. Bittker, of the Yale Law School, for laying the foundations for the draft which will appear at the conclusion of these remarks. And, as always, we thank the Legislative Counsel's Office for providing us with the assistance of Robert Nordhaus, who provided the finishing touches. I would like to personally thank my colleague from Ohio, who graciously offered his cosponsorship and assistance in making this a bipartisan effort to improve the quality of life for millions of Americans. We both look forward to the comments of our colleagues on the draft which follows:

H.R. —

A bill to establish a national program to provide income supplements to every family in need thereof

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Income Supplement Act of 1969".

DECLARATION OF POLICY

SEC. 2. (a) FINDINGS.—The Congress declares that the general welfare and security of the nation and the health and happiness of its people require that every family has the right to an adequate income. In a rich and free society, no one need live in poverty, without hope or without opportunity to share the nation's wealth. The Congress finds that present welfare programs cannot assure all Americans freedom from want and that legislation is needed which guarantees to everyone a decent standard of living while preserving individual liberties.

(b) OBJECTIVES AND POLICY.—The objectives and policies of this Act shall be to entitle all families to an income supplement as a matter of right, to recognize and protect the personal dignity and legal rights—including the right to privacy—of supplement recipients, to leave recipients free to dispose of supplement benefits as they deem proper, and to encourage the productive employment of recipients by allowing them to retain a substantial portion of earned and other income.

ELECTION OF INCOME SUPPLEMENT

SEC. 3. (a) RIGHT TO INCOME SUPPLEMENT.—Every family unit may elect, as a matter of right, to receive an income supplement in an amount determined under section 4(a) of this Act.

(b) TIME AND MANNER OF ELECTION.—A family unit shall make an election under subsection (a)—

(1) by filing a final return at the end of the supplement period as provided in section 8(a) of this Act, or

(2) by filing a request for semimonthly payments at any time during the family unit's supplement period, or during the two months preceding such period, as provided in section 8(d) of this Act.

(c) Effective Period of Election.—An election under subsection (a) shall be effective for one supplement period (determined under section 7 of this Act) and cannot be revoked.

FAMILY UNIT INCOME SUPPLEMENT

SEC. 4. (a) GENERAL RULE.—Each electing family unit shall receive for each supplement period an income supplement in an amount equal to—

(1) the family unit's adjusted supplement (determined under subsection (b)), less

(2) the special tax imposed by section 6.

(b) ADJUSTED SUPPLEMENT.—A family unit's adjusted supplement for the supplement period is the sum of—

(1) the family unit's base supplement (determined under subsection (c)) multiplied by the low income consumer price index for such family unit (determined under subsection (d)), plus

(2) any State supplement provided to such family unit under section 5.

(c) BASE SUPPLEMENT.—

(1)(A) The base supplement of a family unit for a supplement period of 12 months is—

(i) $1,200 for the first claimant,

(ii) $800 for the second claimant, and

(iii) $600 for each dependent (except as provided in subparagraph (B)).

(B) In the case of a person who is a dependent of a family unit for only a part of its supplement period, the amount added to the family unit's base supplement on account of such person under subparagraph (A)(iii) shall be an amount which bears the same ratio to $600 as the part of the family unit's supplement period during which he was a member bears to the family unit's full supplement period.

(2) The base supplement of a family unit for a supplement period of less than 12 months is an amount which bears the same ratio to the base supplement to which such family unit would be entitled under paragraph (1) for a 12 month supplement period as the family unit's supplement period bears to 12 months.

(d) LOW INCOME CONSUMER PRICE INDEX.—

(1) The low income consumer price index for a family unit is the price index determined under paragraph (3) for the twelve-month period ending on September 30 of the calendar year preceding the calendar year in which the supplement period begins, and for the area in which the family unit resides. If the family unit resided in more than one such area during its supplement period, the income supplement shall be the weighted average of the amounts determined for each area in which the family established residence. The weights to be used for this determination shall be the fractions of the supplement period during which the family unit resided in each area.

(2)(A) For the purposes of paragraph (1), a family unit shall be deemed to have established residence in an area if for fifteen or more days consecutively, the claimant or claimants regularly occupy a dwelling unit within such area. Where the claimants in a two-claimant family unit occupy separate dwelling units for any period of time, the area in which the family unit resides shall be determined under regulations.

(B) For such period of time as a family unit does not qualify as residing in any area, its income supplements shall be calculated as if this subsection did not apply.

(3) The Bureau of Labor Statistics of the Department of Labor shall establish and maintain a low-income consumer price index based on the retail prices to low-income families of consumer goods and services commonly required by such families, including but not limited to charges for housing, clothing, food, transportation, and retail credit. The index shall be so calculated that the national average of low-income consumer prices for the twelve-month period ending on September 30 of the first calendar year during which income supplements are paid under this Act will have an index value of 1.00. The index shall be determined annually for the twelve-month period ending on September 30 of each year and shall contain three separate index values for urbanized, urban, and rural areas in each State and territory, as determined by the most recent national census.

(e) REPORTS BY BUREAU OF LABOR STATISTICS ON THE MINIMUM ADEQUATE STANDARD OF LIVING.—

(1) Within one year after the date of enactment of this Act, and thereafter as often as the Secretary of Labor shall determine necessary to reflect changes in the national standard of living, but no less than every five years, the Bureau of Labor Statistics shall report to the Congress those levels of annual family income which would ensure family units a minium adequate standard of living, consistent with the national standard of living.

(2) In effectuating the provisions of this subsection, the Bureau of Labor Statistics shall compile and price annual family budgets for all consumer goods and services necessary to a minimum adequate standard of living, including but not limited to—

(A) a diet of sufficient quantities and varieties of foodstuffs to meet those minimum standards of nutritional adequacy which shall be periodically determined by the Food and Nutrition Board of the National Research Council,

(B) housing which meets those minimum standards of safe, sanitary, and decent housing which shall be periodically determined by the Housing Assistance Administration of the Department of Housing and Urban Development,

(C) transportation, either through the use of public transit facilities or through the possession of private means, adequate for travel to and from places of employment, schools, stores, and recreational areas, and for such other activities as are necessary to a minimum adequate standard of living, and

(D) house furnishings, clothing, utensils and appliances, personal care, regular and ordinary medical and dental services, recreation, entertainment, education, and personal communications.

In pricing budget items, the Bureau of Labor Statistics shall take account of certain consumer goods or services provided at a subsidized cost by federal, state, or local government agencies only to the extent that these benefits may be received without any showing or declaration of need.

(3) The Bureau of Labor Standards shall compile and price separate annual family budgets for each type of living situation which it determines requires substantially different goods and services, or quantities thereof, for a minimum adequate standard of living; however, the Bureau of Labor Statistics shall in any event prepare separate annual family budgets for—

(A) family units living in urban, urbanized, and rural areas, as determined by the most recent national Census,

(B) family units living in regions of the country which, because of climate, regional consumption patterns, or other characteristics, require substantially different goods and services, or quantities thereof, for a minimum adequate standard of living, and

(C) family units which differ in the age and number of their members, except that the Bureau need take into account only such differences in the number and age of family unit members as would require substantial changes in family consumption needs.

(4) The Bureau of Labor Statistics shall price each item in an annual family budget by taking an average of retail prices to low-income consumers for such item in every area to which the budget applies. In determining the average, each price sample obtained shall be weighted by the number of low-income families in the area.

(5) The Secretary of Labor shall prescribe, by appropriate regulations, reasonable and workable procedures for compiling and pricing annual family budgets.

(6) Within ten days after the Bureau of Labor Statistics shall have transmitted its report to the Congress, pursuant to subsection (e)(1) of this section, the Secretary of Labor shall cause a copy of that report, together with copies of the annual family budgets on which it is based, to be published in the Federal Register.

(f) RECOMMENDATIONS OF THE SECRETARY.—Within sixty days after the Bureau of Labor Statistics shall have transmitted its report to the Congress, pursuant to subsection (e)(1) of this section, the Secretary or his delegate shall prepare and transmit to the Congress recommendations specifying how the provisions of this section, including the level of the base supplement under subsection (c), might be amended to reflect the findings of the Bureau of Labor Statistics.

OPTIONAL STATE SUPPLEMENTATION

SEC. 5. (a) STATE ELECTION OF INCREASED INCOME SUPPLEMENTS.—A State may elect, by appropriate legislation, to have additional income supplements paid to family units residing within its jurisdiction. The amount of the increase shall be set by the legislature of the electing State, but the base supplement (determined under section 4(c)(1)) for each family unit within the State shall be in-

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creased in the same proportion. Except as otherwise provided in this Act, any such increase under this section shall apply without exception or condition to all family units for such time as they reside within the jurisdiction of the electing State.

(b) Residency.—Section 4(d) (2) (A) shall apply in making any determination of the State of residence of a family unit.

(c) State Sharing of Additional Costs.—A State electing to increase income supplements for its residents under this section shall pay to the United States each year one-half the cost of such increase, at a time and in a manner designated by the Secretary. An electing State shall have access to information adequate to determine its liability under this section.

(d) Period of Election.—An election by a State under this section shall be effective sixty days after the Secretary has received formal notice of the election, or at such later date as the notice shall specify, and until the State revokes, terminates, or modifies it, by appropriate legislation and notice.

(e) Other Sections Applicable.—Except as explicitly provided in this section, the income maintenance program provided for in this Act shall operate in electing States exactly as it operates in nonelecting States. By election of increased benefits under this section, a State shall not increase its involvement in the administration of this Act in any way whatsoever. The rights of members of a family unit under other sections of this Act shall not be diminished or abridged in any way by the provisions of this section.

SPECIAL TAX

Sec. 6. There is hereby imposed on every electing family unit a special tax equal to the lesser of (1) 50 per centum of the family unit's available income during its supplement period, or (2) the adjusted supplement to which it is entitled for the supplement period under section 4(b) of this Act.

SUPPLEMENT PERIOD

Sec. 7. (a) General Rule.—Except as otherwise provided by subsection (b), the family unit's supplement period shall be the taxable year of the claimant or claimants under the provisions of section 441(b) of the Internal Revenue Code of 1954. In the case of a family unit containing two claimants with different taxable years, the taxable year of either claimant may be used unless otherwise required by the Secretary or his delegate. If no claimant in the family unit files an income tax return under the provisions of chapter 61 of the Internal Revenue Code of 1954, the supplement period of the family unit shall be determined as if its taxable year were the calendar year.

(b) Special Rule.—If the family unit is not in existence for the entire period determined under subsection (a), the supplement period for the family unit shall be the portion of the period determined under subsection (a) during which the family unit is in existence. For purposes of this subsection, a family unit is in existence for so long as the number and identity of the claimants remain unchanged.

(c) Short Period Defined.—For purposes of this Act, the term "short period" means a supplement period of less than 12 months.

ANNUAL AND SEMIMONTHLY PAYMENTS

Sec. 8. (a) Final Returns.—Every family unit electing to receive an income supplement under this Act shall file a return at the local or district office of the Bureau of Income Maintenance, either by mail or in person, on or before the fifteenth day of the fourth month following the close of the supplement period for which the return is made. The return shall be signed by all claimants in the family unit and shall contain sufficient information to make an accurate appraisal of the family unit's rights and obligations under this Act.

(b) Annual Payments and Settlements; Liability.—Within thirty days of the receipt of a final return, the Secretary or his delegate shall provide payment of the income supplement due under this Act to any family unit which did not elect to receive semimonthly payments under subsection (c) during the supplement period to which the final return required by subsection (a) applies. If the family unit elected to receive semimonthly payments under subsection (c) during such period, the Secretary or his delegate shall make a final determination of the family unit's rights and obligations under this Act and shall (1) within such thirty-day period direct payment of any amount due the family unit or (2) notify the family unit of its liability for any payments received to which it was not entitled. All claimants in the family unit shall be liable (both jointly and severally) for any payment received under this Act to which the family unit was not entitled and for any payment in excess of the amount to which the family unit was entitled.

(c) Right to Semimonthly Payments.—A family unit shall be entitled to receive its income supplement in semimonthly payments. A request to receive semimonthly payments shall constitute an election under section 3 of this Act for one full supplement period.

(d) Manner and Time of Request.—A family unit may request to receive semimonthly payments of its income supplement at any time. The request shall be made in writing, signed by all claimants in the family unit, and filed at the local or district office of the Bureau of Income Maintenance, either by mail or in person. The Secretary shall approve and implement such a request on the first payment day, as specified in subsection (e), after the request is filed with the Bureau, unless the claimants knowingly request in writing that the semimonthly payments begin at a later date, in which case the Secretary shall begin payments on the requested date (or, if the requested date is not a payment day as provided in subsection (e) on the first payment day preceding the requested date).

(e) Timing and Amount of Payments.—A family unit requesting semimonthly payments under this subsection (c) shall receive on the first day and on the fifteenth day of each month during the supplement period for which the request is effective an amount equal to one twenty-fourth of the adjusted supplement to which the family unit would be entitled for a twelve-month supplement period under section 4(b), less any amounts deducted as provided in subsections (i) and (j) of this section. For the purposes of this subsection, the amount of the annual supplement shall be determined initially by the family unit's composition and residence, as reported in the request for semimonthly payments. The Secretary shall determine the amount of the semimonthly payments on the basis of the facts as stated in the family unit's request, accompanying income statement, and subsequent quarterly estimates under subsection (i) (1). The Secretary shall adjust the amount of the annual supplement as required by changes in family composition within thirty days after notification under subsections (f) and (g).

(f) Change in Family Status.—A family unit receiving semimonthly payments under subsection (c) shall notify the Bureau of Income Maintenance, through its local or district office, of any change in the family unit's dependents within thirty days of its occurrence.

(g) Notice of Change of Residence.—A family unit receiving semimonthly payments under subsection (c) shall notify the Bureau of Income Maintenance, through a local or district office, of any change of residence within fifteen days after the change has occurred.

(h) Termination or Reduction of Semimonthly Payments.—

(1) By the family unit.—The claimant, or either claimant in a family unit with two claimants, may terminate or reduce semimonthly payments to the family unit at any time by filing a written request for termination with the Bureau of Income Maintenance. A termination under the subsection shall not affect the right of the family unit to request semimonthly payments at any subsequent time. Termination of semimonthly payments shall not revoke or terminate the election of the family unit under section 3 of this Act, or any of the requirements or duties imposed by a section 3 election.

(2) By the secretary.—If the Secretary determines that a family unit's income supplements shall be terminated or reduced, he shall not discontinue or reduce semimonthly payments to the family unit until the family unit has had an opportunity for a hearing and an appeal, as provided in section 19 of this Act. If the family unit seeks review of the Secretary's decision in a Federal district court, the court may further stay the discontinuance or reduction of semimonthly payments.

(3) At the close of the supplement period.—Semimonthly payments to a family unit shall terminate at the close of the family unit's supplement period, as determined by section 7 of this Act, unless the family unit files a request as provided in subsection (d) in respect to the new supplement period.

(i) Deduction of Tax on Estimated Available Income.—

(1) Quarterly estimates of available income required.—A family unit which requests and receives semimonthly payments under subsection (c) shall, at the time of filing such request and at the end of each succeeding quarter so long as the family unit continues to receive semimonthly payments, file an estimate of the amount of the family unit's available income for the year of election, including such amounts as would be included under sections 12 and 13 of this Act. Subject to the provisions of paragraph (2) of this subsection, this estimate shall be an extrapolation based on an estimate of the amount of the family unit's available income during the last preceding quarter year, or during those quarters of the year of election which precede the date of the estimate, whichever is longer.

(2) Fluctuating incomes.—In filing the estimate required by paragraph (1) of this section, the claimant or claimants shall state if there is reason to believe that the family unit's available income for the year of election will differ from the estimate as calculated accoridng to paragraph (1) of this subsection by 10 per centum or more, the ground for such belief, and the probable amount of the increase or decrease. In such a case, the Secretary or his delegate shall increase or decrease the estimate of available income by the declared amount for the purposes of calculating the tax under paragraph (3) of this subsection.

(3) Deduction of Tax.—The Secretary shall deduct and withhold ratably from each semimonthly payment a tax computed according to section 6 of this Act, and based upon the estimated available income for the year of election, adjusted as provided in paragraph (2) of this subsection. The amount deducted and withheld shall be allowed as a credit when the annual settlement is made under subsection (b).

(j) Deductions for Underpayments.—The amount of any underpayment attributable to an earlier period, or determined by a final accounting either of the special tax imposed by section 6 of the Act or of the income tax imposed by the Internal Revenue Code of 1954, for which the family unit or any members thereof are liable, may be deducted from any semimonthly payment, but no deduction under this subsection shall exceed 0.5 percent of the adjusted supplement to which the family unit is entitled under section 4(b). The amount of the deduction shall be allowed as a credit against any underpayments.

(k) Supplement Checks.—Except when a claimant shows that an alternative form of payment is appropriate, supplement checks (whether annual or semimonthly) shall be made out jointly to all claimants in a family unit.

FAMILY UNIT DEFINED

Sec. 9. (a) General Rule.—A family unit shall consist of at least one claimant, and not more than two claimants, and any dependents which the claimant or claimants, individually or jointly, are entitled to claim and which all the claimants in a family unit choose to claim, except that any person 16 years old or older who is claimed as a dependent must agree in writing to be claimed as a dependent.

(b) Claimants.—Any person who is a United States citizen or a resident alien and—

(1) is 21 years of age or older, or

(2) is 19 or 20 years of age and maintains a domicile separate from his parents or guardian, does not receive more than half his support from his parents or guardian, and is not a student within the meaning of section 151(e)(4) of the Internal Revenue Code of 1954, or

(3) is under 21 years of age and is married, provided that he and his spouse maintain a common domicile, are not legally separated under a decree of divorce or of separate maintenance, or informally separated, as defined by subsection (e),

may declare himself a claimant under the provisions of this Act for so long as he resides in the United States or its territories.

(c) Dependent.—A claimant or claimants in a family unit may declare as a dependent under the provisions of this Act any person who is a United States citizen or a resident alien and—

(1) is a son or daughter of the claimant, or is any person for whom the claimant is legal guardian, provided that such person, son, or daughter receives a significant portion of his support from the family unit of the claimant, or is a student within the meaning of section 151(e)(4) of the Internal Revenue Code of 1954, or

(2) is any other person who receives over half of his support from the family unit of the claimant and who resides in the same dwelling unit as the claimant.

but only if such person has not rightfully declared himself a claimant under subsection (b), or has not been rightfully declared as a dependent under this subsection by a claimant in another unit which in fact provided the larger share of the declared dependent's support during the preceding twelve months. The Secretary or his delegate may require any claimant who declares a person as a dependent under this subsection to substantiate the amount of support provided the dependent and the residence of the dependent.

(d) Required Family Units.—

(1) A husband and wife, who have not been informally separated, legally separated or divorced, must file as members of the same family unit.

(2) A man and a woman, domiciled together and the common parents of at least one child, must file as members of the same family unit.

(e) Informal Separation Defined.—A husband and wife shall be considered informally separated for the purposes of this Act if—

(1) they have not lived together for 30 consecutive days, and

(2) they do not maintain a common residence, and

(3) one of the spouses files an affadavit with the Secretary, swearing or affirming these facts on information or belief and further stating a belief that the separation will continue indefinitely.

(f) Special Rule for Required Family Units.—

(1) Notwithstanding the provisions of subsection (a), a claimant in a family unit required to file together under subsection (d) shall be entitled to receive, in respect to any dependent of such claimant—

(A) who is owed no duty of support by the other claimant in the family unit, and

(B) whom such other claimant refuses to support an adjusted supplement under section 4(b) of this Act, not reduced in amount by reason of the special tax imposed by section 6 of this Act on income attributable solely to such other claimant. The family unit shall receive no other income supplements in respect to such dependent. The income supplement paid to both claimants jointly shall be determined by treating the family exclusive of such dependent as a separate family unit for the purposes of sections 4 and 6 of this Act.

(2) The supplements provided under this subsection for the benefit of a dependent specified in paragraph (1) shall be reduced by 50 per cent of (A) any support actually provided by the refusing claimant and (B) any income earned by the non-refusing claimant and such dependent.

(3) No family unit (including such a dependent) shall receive benefits less than it would be entitled to if this subsection did not apply.

(3) The Secretary or his delegate, before making any payments under this subsection, may require from the claimant refusing support an affidavit attesting that (A) he is under no legal obligation to support such dependent and (B) he will not adequately support such dependent during the supplement period involved. The law of the state in which the family unit resides shall determine to which dependents the refusing claimant owes an obligation of support.

(g) Limitations on Family Units.—No person shall be declared as a claimant or dependent of more than one family unit during the same period of time.

COMPUTATION OF AVAILABLE INCOME OF THE FAMILY UNIT

Sec. 10. The available income the family unit for any period shall be the sum of the available incomes of all its members during such part of that period as they are claimed as members of the family unit for the purposes of section 4 of this Act. In computing available income, no item of income shall be included, nor any deduction allowed, more than once.

DETERMINATION OF AVAILABLE INCOME OF PERSONS

Sec. 11. (a) In General.—For the purposes of this Act, a person's available income shall be his adjusted gross income, as defined in section 62 of the Internal Revenue Code of 1954, increased as provided in subsection (b) and reduced as provided in subsection (c).

(b) Amounts Added to Adjusted Gross Income.—For the purposes of subsection (a), adjusted gross income for any period shall include the amount of the following items which accrue or are received during such period to the extent they are not already included in adjusted gross income (a) defined by section 62 of the Internal Revenue Code of 1954):

(1) The entire amount of any payments received as an annuity, pension, or retirement benefit;

(2) The amount or value of any and all prizes and awards;

(3) The proceeds of any life insurance policy in excess of the premiums paid personally by the beneficiary or the beneficiary spouse;

(4) All gifts (cash or otherwise), support and alimony payments, and inheritances, in excess of a total of $50 per year, except for any gift or support payment or other transfer received from a member of the same family unit or from a private charity, and except for any property inherited from a deceased spouse;

(5) Interest on all governmental obligations;

(6) Except as otherwise provided in this Act, any amount received in the form of damages, insurance payments, workmen's compensation, or in any other form as (i) compensation for physical, mental or any other personal injuries or sickness, (ii) wage or income continuation payments, or (iii) payments for medical expenses;

(7) The rental value of parsonages;

(8) Certain combat pay and mustering out payments to members of the Armed Forces excluded from adjusted gross income by sections 112 and 113 of the Internal Revenue Code of 1954;

(9) The full amount of all dividends;

(10) The full amount of any scholarship or fellowship;

(11) The amount by which living expenses of the family unit are reduced when an employer supplies meals or lodging at less than their fair market value, regardless of whether the arrangement was made for the convenience of the employer;

(12) Any amount paid by the government to a member of the Armed Forces as an allowance for quarters or subsistence or as gratuity pay;

(13) The amount of current or accumulated income that could, within the discretion of any person with a nonadverse interest, be paid to an individual from a trust or estate of which he is a designated beneficiary, except that any such amount not exceeding $3,000 and in fact paid to some other person shall not be so included;

(14) All amounts deductible under section 1202 of the Internal Revenue Code of 1954;

(15) All unemployment compensation, from whatever source derived, whether from government insurance programs or otherwise, but excluding payments made pursuant to section 407 of Title IV of the Social Security Act;

(16) Strike benefits received from any union or other organization or agency;

(17) All cash benefits received pursuant to titles II and XVIII of the Social Security Act, but excluding all payments made pursuant to titles I, IV, XIV, XVI, and XIX of the Social Security Act and (ii) all sums received under any government program where the financial need of the recipient is an essential prerequisite of the award;

(18) Railroad Retirement Act cash benefits;

(19) Cash benefits under laws administered by the Veterans' Administration;

(20) Foreign source income presently excludable under sections 893, 894, 911, 912, 931, and 943 of the Internal Revenue Code of 1954;

(21) Amounts received as loans from the Commodity Credit Corporation;

(22) Items presently deductible under sections 173, 175, 180, 182, 263(c), 615, and 616 of the Internal Revenue Code of 1954;

(23) Imputed income, as defined in section 12 of this Act; and

(24) Capital utilization income, as defined in section 13 of this Act.

(c) Deductions Allowed.—For the purposes of subsection (a), adjusted gross income for any period may be reduced by the amount of the following items which accrue, are paid, or are otherwise deductible during such period, to the extent that they have not already been deducted from adjusted gross income under the provisions of the Internal Revenue Code of 1954:

(1) All expenses for medical care within the meaning of section 213(e) of the Internal Revenue Code of 1954, except that—

(A) this deduction shall not apply to expenses compensated for by insurance or

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otherwise, where such compensation has been excluded from available income, and

(B) deductions can be made under this section only to the extent that the aggregated medical expenses of the family unit during the period involved exceed $25 for such person;

(2) Alimony, separate maintenance, and support payments required by law and actually made by the taxpayer;

(3) The value of any gift to a member of a family unit other than the donor's where the donee is a member of a family unit receiving payments under this Act, but only if the donor can present a signed statement from the donee attesting to such transfer;

(4) All deductions presently allowable under sections 162 and 212 of the Internal Revenue Code of 1954, plus the cost, in excess of $10 per month, of all transportation to and from work;

(5) Any deduction allowable under section 214 of the Internal Revenue Code of 1954 (but in applying such section 214 to this Act, any dependent (within the meaning of section 9(c) of this Act) shall be considered "a person with respect to whom the taxpayer is entitled to an exemption under section 151(e)(1)" for purposes of section 214 (d)(1));

(6) All amounts deductible under section 404 of the Internal Revenue Code of 1954;

(7) An amount equal to twice the taxes imposed by subtitle A of the Internal Revenue Code of 1954 on the taxable income of any member of the family and paid during the period involved, including any amounts paid pursuant to chapter 24 of the Internal Revenue Code of 1954 as withholding taxes, less twice the amount of any credits allowed against such taxes by sections 33, 35, 37, and 38 of the Internal Revenue Code of 1954: *Provided*, That the maximum deduction allowable to a family unit under this paragraph shall not exceed the income supplement to which the family unit is entitled under section 5 of this Act; and

(8) Employee contributions under the Social Security and Railroad Retirement Acts.

(d) In determining adjusted gross income for the purpose of subsection (a), losses may be deducted to the extent allowable by sections 165 and 172 of the Internal Revenue Code of 1954, except that—

(1) no deduction shall be allowed for losses described in section 165(c)(3) of the Internal Revenue Code of 1954 (casualty losses),

(2) deductions for losses from sales or exchanges of capital assets shall be allowed only to the extent of gains from such sales or exchanges, and no deduction for capital losses shall be allowed unless realized in a period during which the individual was a member of a family unit entitled to receive an income supplement in excess of its special tax liability under this Act without the benefit of this deduction,

(3) for the purposes of this Act, the term "net operating loss" as used in section 172 of the Internal Revenue Code of 1954 shall mean the excess of the deductions allowed by this Act over the income obtained by the operation of section 11(b) on adjusted gross income, although such excess shall be computed with the modifications specified in section 172(d) of the Internal Revenue Code of 1954,

(4) no carryover or carryback of any net operating loss shall be allowed unless the loss occurred in a period during which the individual was a member of a family unit receiving an income supplement in excess of its special tax liability under this Act, and

(5) no loss may be deducted under this Act which has been deducted under the provisions of the Internal Revenue Code in any period during which the individual was not a member of a family unit receiving an income supplement in excess of its special tax liability under this Act.

(e) Depreciation and Depletion.—In determining available income, a deduction shall be allowed for depreciation and depletion only to the extent permitted by sections 167 and 611 of the Internal Revenue Code of 1954; but no deduction shall be permitted for depletion calculated pursuant to section 613 of the Internal Revenue Code of 1954.

(f) Deductions Disallowed.—Deductions from income other than those specifically allowed in this section are disallowed. No item shall be deducted more than once.

(g) Subchapter S Corporations.—Any amount attributed to the available income of a member of the family unit by operation of section 1373 of the Internal Revenue Code of 1954 shall be increased by an amount proportional to the amount by which the taxable income of the electing corporation would be increased if computed under this section.

(h) Internal Revenue Code Applicable.—Except where this Act provides or necessarily implies otherwise, the provisions of the Internal Revenue Code of 1954 shall apply in the determination of available income.

IMPUTED INCOME DEFINED

Sec. 12. (a) General rule.—For purposes of this Act, a person's imputed income for a supplement period of a full year shall be the sum of—

(1) an amount (not less than zero) equal to 5 per cent of the fair market value of the person's gross available capital, computed at the close of the supplement period, less the amount of any income derived from any interest included within gross available capital to the extent that—

(A) such income is otherwise included within available income, and

(B) such income does not exceed 5 per cent of the value of the interest from which the income is derived, and

(2) the retail market value of food grown by a person or some member of his family unit and consumed by such person, minus the costs not otherwise deducted of producing such food.

For a supplement period of less than a year, a person's imputed income shall be computed as for a full year, except that the percentage of the fair market value of gross available capital and the percentage used in subsection (a)(1)(B) shall bear the same relation to 5 per cent as the supplement period bears to a full year.

(b) Gross Available Capital Defined.—For purposes of this Act, a person's gross available capital means gross capital, minus an exemption for the value of his clothing, furniture, automobiles, and other personal effects not used in a trade or business, not to exceed $1,500 for a claimant or $500 for a dependent. The unused amount of a person's individual exemption may be used by any other member of the same family unit, but only to the extent that it has not been used by another person.

(c) Gross Capital Defined.—For purposes of this Act, a person's gross capital means all property, real or personal, tangible or intangible, wherever situated, to the extent of any of the person's interest therein, but excluding pensions and annuities. The value of an interest in any property shall be reduced by the amount of any mortgage or indebtedness in respect to such property only to the extent that interest or other payments arising out of the mortgage or indebtedness have not been deducted in the computation of available income.

CAPITAL UTILIZATION INCOME DEFINED

Sec. 13. (a) General Rule.—For the purposes of this Act, a person's capital utilization income for a supplement period of twelve months shall be 30 percent of the fair market value of his net available capital, computed at the close of the supplement period. For a supplement period which is a short period, a person's capital utilization income shall be computed as for a twelve-month supplement period, except that the percentage of the fair market value of net available capital shall bear the same relation to 30 percent as the supplement period bears to twelve months.

(b) Net Available Capital Defined.—For purposes of this Act, "net available capital" means gross available capital, as defined in section 12(b), minus—

(1) the amount of any mortgage or indebtedness in respect to property included within gross available capital,

(2) any other indebtedness not otherwise deducted,

(3) the excess (if any) of the current fair market value of the principal residence owned by the family unit over the maximum amount for which such property commercially could be mortgaged if it were otherwise unencumbered,

(4) an exemption of $5,000 for a claimant or $3,000 for a dependent, and

(5) an additional exemption for any property used in a trade or business not to exceed $5,000 for a claimant.

The unused amount of a person's individual exemptions under paragraphs (4) and (5) of this subsection may be used by any other member of the same family unit, but only to the extent it has not been used by another person.

BASIS

Sec. 14. (a) General Rule.—Except as provided in subsection (b), the adjusted basis for determining the gain or loss from the sale or other disposition of property under this Act shall be the adjusted basis as defined by section 1011 of the Internal Revenue Code of 1954.

(b) Exceptions.—For the purposes of this Act the adjusted basis of any property (other than cash) used in a trade or business or held for the production of income shall be increased by—

(1) the amount of income imputed to the property under section 12 of this Act, and included within available income, less the amount of income includable within adjusted gross income as defined by section 62 of the Internal Revenue Code of 1954, and

(2) the amount of any deduction with respect to the property disallowed in computing available income to the extent that such deduction would result in a reduction of the adjusted basis of the property under section 1016 of the Internal Revenue Code of 1954.

No adjustment may be made in respect to years in which the person holding the property did not belong to a family unit receiving income supplements in excess of its special tax liability under this Act.

VALUATION

Sec. 15. (a) General Rule.— The Secretary of the Treasury or his delegate shall prescribe all necessary rules and regulations for the valuation of interests under this Act. When fair market value is not readily ascertainable, the Secretary or his delegate shall prescribe methods for approximating the value. Either the Secretary or the recipient may establish that actual value is greater or less than that ascertained by such methods, but the burden of proof shall rest on the party asserting the different value.

(b) Jointly Held Property.—Jointly held property, whether or not partitionable, shall for the purposes of this Act be treated as if owned in separate proportional shares.

(c) Contingent and Conditional Interests.—Interests subject to a contingency or condition which may not otherwise be valued shall be valued as if the contingency or condition did not exist unless—

(1) the contingency or condition is real and substantial,

(2) the contingency or condition does not depend upon a power exercisable by a person

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who is a member of the same family unit or who does not have an adverse interest, and

(3) the failure of the interest would not result in the interest passing beneficially to another member of the family unit,

in which case the interest shall be valued as zero. No interest, however, shall be attributed more than once to the same family unit.

METHODS OF ACCOUNTING

SEC. 16. (a) METHOD OF ACCOUNTING.—Available income shall be computed under the method of accounting regularly used by the claimants of the family unit in computing income tax liability. Where two claimants in a family unit use different methods in computing income tax liability, the family unit shall use the method followed by the claimant whose taxable year serves as the basis of the family unit's supplement period, under section 7(a) of this Act. If no method of accounting has been regularly used by such claimants, or if the method used does not clearly reflect income, the computation of available income shall be made under the cash receipts and disbursements method or such other method that does clearly reflect income.

(b) SPECIAL RULE.—Where an item of income or deduction may not be properly attributed to a specific period of time, such item of income or deduction shall be deemed to accrue ratably during the calendar year.

(c) APPORTIONMENT AMONG INDIVIDUALS.—The Secretary or his delegate may apportion items of income, deductions, or credits, among individuals if such apportionment is necessary in order to prevent evasion of taxes or to reflect clearly the income of such individuals for purposes of subsection (a).

CLAIMS AGAINST SUPPLEMENT PAYMENTS PROHIBITED

SEC. 17. (a) ASSIGNMENT AND TAXATION.—Payments of benefits due or to become due under this Act shall not be assignable and shall not be subject to taxation under the Internal Revenue Code of 1954 or to any other taxation.

(b) OTHER CLAIMS.—Payments of benefits due or to become due under this Act shall be exempt from the claims of creditors and from any process of attachment or levy, or from seizure by or under any legal or equitable process whatsoever before receipt by the beneficiary. This subsection shall not apply to claims of the United States, which accrue under the provisions of this Act or, subject to the prohibition in subsection (a), under the provisions of the Internal Revenue Code of 1954.

RECORDS AND RETURNS

SEC. 18. Every claimant in an electing family unit shall keep such records, render such statements, and make such returns as are required by this Act. Every claimant required to make a return or statement shall include therein the information requested by such forms and regulations as may apply. Such requests may not violate the recipient's right to privacy. All rules and regulations requiring the disclosure of information shall be subject to the review provisions of section 19 of this Act.

PROCEDURAL RIGHTS AND REVIEW

SEC. 19. (a) RULES AND REGULATIONS.—The Secretary or his delegate shall make all rules and regulations under this Act on the record and after an opportunity for a hearing in the manner prescribed by chapter II of title 5 of the United States Code, except as expressly modified herein. All such rules and regulations shall be reviewable in a Federal court of competent jurisdiction.

(b) RECIPIENTS' ORGANIZATIONS.—The Secretary or his delegate shall maintain a list of all organizations which certify that they have a membership of more than fifty people receiving benefits under this Act and shall send to such organizations all proposed rules and regulations at the time that they are published in the Federal Register. These organizations shall have standing to participate in any public hearing held to review a rule or regulation, and to challenge any proposed rule issued under this Act in a Federal court.

(c) INFORMATION.—The Bureau of Income Maintenance shall from time to time extensively publicize the benefits available under this Act, using all appropriate media of communication. The Bureau shall diligently and fully inform all applicants, in simple and understandable writing, of their rights under the Act and especially of their rights to benefits, to a hearing and appeal, to judicial review, and to payment of costs as provided in this section.

(d) DUE PROCESS HEARING.—Upon request in writing, the Secretary or his delegate shall afford opportunity for a full due process hearing before an examiner with respect to any action of the Secretary or his delegate denying, withholding, or modifying a family unit's income supplement, including semimonthly payments, or any part or portion thereof, to any person aggrieved by such action. Such hearing if requested shall occur prior to the effective date of any such denial, withholding, or modification, unless all individuals aggrieved by the action request in writing that it occur after such effective date. All aggrieved individuals shall be entitled to representation by counsel at such hearings, to present evidence in their own behalf, to know the evidence against them, to confront and cross-examine witnesses against them, and to challenge the reasonableness of any rule, regulation, or practice adopted pursuant to this Act as applied to their case. At the conclusion of a hearing held pursuant to this subsection, the trial examiner delegate shall make findings of fact and issue a written decision based upon the evidence adduced at such hearing and stating the reasons for his decision. All hearings provided for under this subsection shall be open to the public unless any one of the aggrieved individuals requests in writing that the hearing be closed. The Secretary and the aggrieved parties shall be bound by the decision of the trial examiner unless an appeal is taken to the Board of Appeals within thirty days of that decision. Such appeal shall be heard and decided before the action sought by the Secretary may be made effective.

(e) RIGHT OF ADMINISTRATIVE APPEAL.—The Secretary shall establish a Board of Appeals which shall review the findings, rulings, and decisions of the trial examiner in the hearings provided for in subsection (d) upon the request of any party thereto. The Board shall publish its decisions and state the reasons therefor. The Secretary and the aggrieved parties shall be bound by the decision of the Board unless judicial review is sought pursuant to subsection (f). The Board's decision shall take effect when rendered, unless stayed by an appropriate court pursuant to subsection (f).

(f) JUDICIAL REVIEW.—Decisions of the Secretary or his delegate denying, withholding, modifying, or affecting an individual's income supplement, including semimonthly payments, shall be fully reviewable by a civil action commenced in the United States district court for the district in which the recipient resides. The district courts shall have jurisdiction of such actions without regard to the amount in controversy.

(g) PAID EXPENSES.—All persons shall be entitled to reasonable expenses incurred in any hearing or judicial review brought under this section, including necessary child-care, loss of pay, transportation expenses for the aggrieved parties and their witnesses and representatives, reasonable expenses necessary for the adequate preparation of the case, reasonable attorney's fees, and any other expenses reasonably and necessarily related to the hearing or case: *Provided*, That a district court, in a proceeding before it under this Act, may disallow any or all such expenses if it finds that a party or his attorney has acted frivolously or in bad faith.

(h) COMPLAINT REVIEW BOARD.—The Secretary shall establish a Complaint Review Board to review any complaint that a Bureau employee is not performing his functions properly or is not following properly issued regulations. The Board shall, after notice to the employee, promptly investigate the complaint and send the results of its findings with respect to any complaint in writing to the person or organization making the complaint, and to the employee, within sixty days of the receipt of such complaint. In the event that the Board finds the employee guilty of willful or grossly negligent disregard of the rights of any person under this Act and the regulations issued pursuant to it, or of a serious and willful or grossly negligent abuse of discretion, or of willful or grossly negligent failure to perform his functions properly, the Secretary or his delegate shall conduct a hearing on the charge in which the employee and the complainant shall have standing to participate. If the results of the hearing sustain the findings of the Board, the Secretary shall take such disciplinary action, not excluding discharge or suspension without pay, as he deems proper and as authorized by the civil service laws of the United States.

(i) CONFIDENTIALITY.—All records kept by the Bureau of Income Maintenance shall remain strictly confidential and may be used only by the Bureau and the Internal Revenue Service to effectuate and enforce the provisions of this Act, except that a claimant shall at any time be entitled to examine his own file at the local office of the Bureau by submitting a written request.

(j) INVESTIGATIONS.—The Secretary or his delegate may not conduct investigations with respect to more than 5 per centum, randomly selected, of all family units electing to receive benefits under this Act in any calendar year, except that the Secretary or his delegate may investigate whenever probable cause exists to believe that a family unit is not entitled to receive the benefit for which it applied or which it has received, and except that the preceding limitations shall not apply to routine investigations undertaken in connection with hearings held under subsection (d).

APPLICATION OF INCOME SUPPLEMENT LAWS

SEC. 20. (a) POWERS AND DUTIES OF SECRETARY.—Except as otherwise expressly provided by law, the administration and enforcement of this Act shall be performed by or under the supervision of the Secretary of the Treasury.

(b) BUREAU OF INCOME MAINTENANCE.—There shall be established in the Department of the Treasury a Bureau of Income Maintenance. The Commissioner of Income Maintenance shall be the chief officer of the Bureau, shall be appointed by the President, by and with the advice and consent of the Senate, and shall serve at the pleasure of the President. The Commissioner of Income Maintenance shall have such duties and powers as may be prescribed by the Secretary.

(c) APPOINTMENT.—The Secretary or his delegate is authorized to appoint or employ in the Bureau of Income Maintenance such persons as the Secretary or his delegate deem proper for the administration and enforcement of the income maintenance laws. The Secretary or his delegate shall issue all necessary directions and rules applicable to such persons.

(d) REGULATIONS.—The Secretary or his delegate shall prescribe all rules and regulations necessary for the enforcement and administration of this Act. Such rules and regulations shall accord with the purposes and policies of this Act as set out specifically in section 1 and as embodied in other sections of this Act.

(e) SERVICE.—The Bureau of Income Maintenance shall also establish and maintain local counseling offices for the convenience

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of claimants and shall render assistance to claimants in the preparation of returns and other materials required by law.

DEFINITIONS

SEC. 21. For purposes of this Act—

(1) The term "Secretary" means the Secretary of the Treasury.

(2) The term "Secretary or his delegate" has the same meaning as such term has under the definition contained in section 7701 (a) (12) (A) of the Internal Revenue Code of 1954.

AMENDMENTS TO OTHER LAWS

SEC. 22. (a) EXEMPTION OF INCOME SUPPLEMENTS.—Section 123 of the Internal Revenue Code of 1954 is amended by adding at the end of subsection (a) the following subsection:

"(19) Benefits under the laws administered by the Bureau of Income Maintenance, see section 17 of the Income Supplement Act of 1969."

(b) INCOME AVERAGING.—Section 1303 of the Internal Code of 1954 is amended by adding the following subsection:

"(e) INDIVIDUALS RECEIVING INCOME SUPPLEMENTS.—An individual shall not be an eligible individual for the computation year if at any time during the computation year or the base period he was a claimant under the Income Supplement Act of 1969."

(c) APPLICATION OF RULE MAKING REQUIREMENTS.—Section 553(a) (2) of title 5 of the United States Code is amended to read as follows:

"(2) a matter relating to agency management or personnel or to public property, loans, grants, benefits (but not including benefits under the Income Supplement Act of 1969), or contracts."

EFFECTIVE DATE

SEC. 23. Benefits may be paid under this Act with respect to supplement periods beginning on or after the first day of the first calendar year which begins more than 180 days after the date of enactment of this Act.

THE VIETNAM POLICY REVERSAL—PART II

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 1969

Mr. RYAN. Mr. Speaker, on March 6, I inserted in the RECORD the first of two articles from the New York Times by Hedrick Smith on the Vietnam policy reversal of 1968.

The second article, published on March 7, discusses how the final decision to change course was made, and the arguments which were advanced in favor of deescalation and a negotiated settlement.

With the Nixon administration discussing an "appropriate response" to recent North Vietnamese activity, I believe it is critically important that the basis of the March 1968 policy reversal be understood. We must understand that the mistakenly conceived policies of retaliation and escalation have already failed. The only course is to press toward an end of the conflict in Vietnam as speedily as possible.

I am including in the RECORD the second article on the Vietnam policy reversal of 1968:

[From the New York Times, Mar. 7, 1969]

THE VIETNAM POLICY REVERSAL OF 1968—II

(NOTE.—This is the second of two articles written by Hedrick Smith in collaboration with William Beecher, and incorporating reports by Peter Grose, John W. Finney, E. W. Kenworthy, Roy Reed, Benjamin Wells, Edwin L. Dale Jr. and Max Frankel.)

WASHINGTON, March 6.—If ever there was a demonstration that no decision in Washington is final and that the struggle for a President's mind never really ends while he remains in office, it came a year ago this month.

"Let's get one thing clear!" President Johnson said forcefully to his Vietnam advisers on March 16, 1968. "I'm telling you now I am not going to stop the bombing. . . . Now is there anybody here who doesn't understand that?"

No one misunderstood. The gathering in the gold and white Cabinet Room of the White House fell silent—but only temporarily. The dissenters from existing policy on Vietnam, who for two weeks had been battling against a request for massive troop reinforcements, chose to understand the President's pronouncement quite literally. They shifted tactics, and the argument flared up again.

In the Administration, Secretary of Defense Clark M. Clifford, who had entered the Government March 1 as a moderate hawk but was now an active dissident, took the initiative. He proposed that the bombing be restricted to the Panhandle region of North Vietnam south of the 20th Parallel.

No one knew where Mr. Johnson stood on that issue. It was still two weeks before he would announce a major shift in the direction of his Vietnam policy—a shift toward de-escalation that is still having its impact on the daily decisions of the Nixon Administration.

At that time the pressures for change—political and economic—were mounting. The public was increasingly impatient with the war.

"Something had to be done to extend the lease on public support for the war," a high State Department official remarked. "We were focused on what we could do without significant military drawbacks to make clear to people we were serious about peace."

Secretary Clifford pleaded skillfully for the proposal that the bombing be restricted to the region south of the 20th Parallel. A cutback would not violate the President's insistence that there be no halt without matching restraint from Hanoi, he said. He added that it would not, as the military feared in the case of a halt, jeopardize American troops in outposts just south of the demilitarized zone—Khesanh, Camp Carroll, the Rockpile and others.

The region south of the 20th Parallel contains many of the "meatiest" targets. All North Vietnamese troops and most of the supplies heading into South Vietnam have to pass through this region.

The proposal was also thought to offer a diplomatic opening: If Hanoi and Washington were not able to walk directly to the negotiating table, Mr. Clifford suggested, perhaps they could begin to "crawl."

This was not a new idea. In the spring of 1967, Mr. Clifford's predecessor as Defense Secretary, Robert S. McNamara, had his aides draft a similar proposal for cutting back to the 19th or 20th Parallel as a means of starting the process of tacit de-escalation. For many months, too, Secretary of State Dean Rusk had been developing a variety of plans for cutbacks.

The theory was that if Washington made the first move, Hanoi might match it and, step by step, they could begin scaling down the war even without negotiations.

President Johnson refused to accept the plan after it ran into heavy opposition from the Joint Chiefs of Staff. There were reports at the time that some senior generals would have resigned if it had been carried out.

Nonetheless, gingerly and indirect soundings of Hanoi were made at the time through one diplomatic source called a "quasi-disavowable channel." The reaction from Hanoi, as read in Washington, was negative: Only a halt could produce talks. (The talks began in May, as it turned out, but the bombing did not come to a complete end until Nov. 1.)

Now, in March, 1968, the diplomatic experts thought that this was still a problem. Privately, the President had made no decision on the plan but publicly he was as stern as ever.

With Senator Robert F. Kennedy now in the race for the Democratic Presidential nomination and with the political tide apparently running against Mr. Johnson, he lashed back at his critics. In one of his pet phrases, he was "hunkering down like a Texas jackrabbit in a hailstorm."

PRESIDENT DERIDES CRITICS

On March 18 in Minneapolis, the President derided critics who would "tuck our tails and violate our commitments" in Vietnam. He raised the specter of appeasement in the Munich style. The Clifford camp took this as a counterattack aimed at them by the hawkish faction of the Administration led by Walt W. Rostow, the President's adviser on national security affairs.

President Johnson ridiculed proposals for shifting to a less ambitious ground strategy in Vietnam, as the doves wanted. "Those of you who think you can save lives by moving the battlefield in from the mountains to the cities where the people live have another think coming," he said acidly.

That remark in a speech and two more addresses in a similar tone discouraged the doves. Mr. Clifford, exhausted by his first two intensive weeks in office—during which he was directing the reappraisal of policy on the war—and suffering renewed complications from a case of hepatitis picked up in Vietnam the year before, felt that he had lost the argument.

The bombing cutback seemed to have been brushed aside. The only hopeful sign, Mr. Clifford thought, was the fact that Mr. Johnson had still not approved the troop reinforcements for Gen. William C. Westmoreland. The request by the American commander in Vietnam, which amounted to 206,000 men, had precipitated the reappraisal when presented by Gen. Earle G. Wheeler, Chairman of the Joint Chiefs of Staff, on Feb. 28.

It is clear in the middle of March that despite his public declarations, President Johnson was deeply uneasy and undecided.

Late in the afternoon of March 20 he met in his oval office with Arthur J. Goldberg, the United States representative at the United Nations. It was their first meeting since Ambassador Goldberg, in a secret memo to the President on March 15, had proposed a bombing halt.

GOLDBERG CALLS AT WHITE HOUSE

It was this proposal that had provoked the President's angry outburst at the White House meeting a day later. Mr. Goldberg had not been there and was unaware of Mr. Johnson's reaction. Now the two men met alone, and the President seemed interested in Ambassador Goldberg's position. He asked him to go through his arguments again, listening carefully and putting questions now and then. There were no angry words.

Before they parted, Mr. Johnson invited the silver-haired envoy to take part in a secret council of "wise men" that was to meet in Washington March 25. "I hope you'll put these same views of them there," he said.

The next hint of the President's thinking—though its significance was denied at the time—came on March 22. He announced that he was making General Westmoreland Army Chief of Staff, effective in July. He insisted that this did not necessarily foreshadow a change in strategy.

The White House explanation was that the shift had been in the mill for weeks and that the President was rewarding the general with the best job he could give him.

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President Johnson was upset over the immediate speculation that, as an aide put it, he was "sacking Westy because of Tet," the costly Lunar New Year offensive the enemy had sprung in Vietnam on Jan. 30. To this day Mr. Johnson says privately as well as publicly that in his own heart that was not his motive. But some who know Lyndon Johnson extremely well believe that the shift came at this time—subconsciously, at least—as part of a gradual transition to a new policy.

Unknown to his political advisers, President Johnson was moving to settle the troop issue. He ordered General Wheeler to hold a secret rendezvous in the Pacific with General Westmoreland to learn if massive reinforcements were still needed. On March 24 the generals met alone for 90 minutes in 13th Air Force headquarters at Clark Air Force Base, in the Philippines.

General Westmoreland reported that the battlefield situation had improved—the crisis around the isolated Marine garrison at Khesanh had eased, the enemy seemed to have run out of steam and the South Vietanese military forces were rebuilding their depleted ranks and moving back into the countryside.

Considering this trend, General Westmoreland said he would be satisfied if he could keep the two 5,000-man brigades rushed to Saigon early in February, at the peak of the enemy offensive, and if he were also given about 13,500 support troops for them.

General Wheeler flew back to report to the President. General Westmoreland sent a follow-up summary of his needs on March 28, three days before the President was to address the nation. No one was informed of the Pacific meeting.

By March 22, the inner circle in Washington had been informed that the President was going to give a Vietnam speech and they gathered in the family dining room of the White House to discuss it.

Present were the men who had shared the agony of Vietnam decisions with President Johnson—Secretary of State Dean Rusk, Secretary Clifford, General Wheeler, Walt Rostow, George Christian, the press secretary, and Marry McPherson, a speech writer.

SPEECH STILL HAWKISH IN TONE

The speech, conceived in the combative spirit after the Tet offensive, was still militant in tone. It deeply disturbed Mr. Clifford and others, who yearned to include some gesture of peace along with the scheduled reinforcements.

Once again Mr. Clifford urged the President to consider a bombing cutback on the ground that it would improve the Administration's position, internationally and domestically. Just two weeks before the crucial Democratic primary in Wisconsin, on April 2, most of the President's aides thought he needed a political shot in the arm. Vice President Humphrey believed that the bombing should be halted, not curtailed, if there was to be a change.

The discussion was exhaustive. How would a cutback effect Saigon? Would a bombing limitation to the 20th Parallel satisfy Hanoi? Were there other partial measures that made more sense?

After seven hours, Secretary Rusk gave a lucid summary. Mr. Rusk, who had himself raised the possibility of a bombing halt as early as March 3, said that there seemed to be a consensus that some step toward negotiations was desirable. But, according to one account, he cast doubt on whether a curtailment would satisfy the North Vietnamese.

"The feeling as we left," one participant recalled, "was that it would be nice if we could work it, but it wouldn't get anywhere."

The Administration doves had lost another round, but they did not relent.

The next morning Mr. McPherson, a bright, boyish-looking man, sent the President a memo that sought to strike a compromise between the general desire to make a peace gesture and the fear of rejection by Hanoi. The memo urged the President to stop the bombing north of the 20th Parallel and, simultaneously, to offer to stop the rest if Hanoi showed restraint at the demilitarized zone and left Saigon and other cities free from major attack.

The President sent the memo to Secretary Rusk, who later returned it with the comment that these were ideas that he had been working on and that they should be developed further. His reaction was favorable but, according to one account, he did not make any specific recommendation.

"WISE MEN" HAVE NEW THOUGHTS

Mr. Johnson also askd Mr. McPherson for another copy to send to Ambassador Ellsworth Bunker in Saigon. The answer that came back mentioned some of the problems Washington had anticipated but apparently did not raise any fundamental objections.

The time for decision was drawing near, but still the President hesitated.

"It was one of those periods when the President had everybody thinking he was about to make up his mind when actually he wasn't," a former White House official commented."He has a facility for keeping his innermost thoughts to himself. He could keep everybody else lathered up the whole time. He just kept slipping back the deadline for decision."

President Johnson, convassing more opinion, was reaching outside the administration to summon to Washington the secret council of trusted advisers he mentioned to Ambassador Goldberg. They had a special and surprising impact on the President.

The previous fall, almost without exception and with Mr. Clifford a participant, they had backed the President's policy. But in the wake of the Tet offensive several of these influential men had had a change of heart.

Mr. Clifford, in his new role as an advocate of change and looking for allies, encouraged the President to call them into council again in the hope that it would strengthen his argument.

They gathered at the State Department on Monday, March 25, with the President's address to the nation six days away. They constituted a "who's who" of the American foreign-policy establishment.

Dean Acheson, Secretary of State under President Truman; George W. Ball, Under Secretary of State in the Kennedy and Johnson Administrations; Gen. Omar N. Bradley, retired World War II commander; McGeorge Bundy, special assistant for national security affairs to President Kennedy and Johnson; Arthur H. Dean, President Eisenhower's Korean war negotiator; Douglas Dillon, Secretary of the Treasury under President Kennedy.

Also Associate Justice Abe Fortas of the Supreme Court; Mr. Goldberg; Henry Cabot Lodge, twice Ambassador to Saigon; John J. McCloy, United States High Commissioner in West Germany under President Truman; Robert D. Murphy, ranking diplomat in the Truman-Eisenhower era; Gen. Matthew B. Ridgway, retired Korean war commander; Gen. Maxwell D. Taylor, former chairman of the joint chiefs of staff and a constant Presidential adviser on Vietnam, and Cyrus R. Vance, former Deputy Defense Secretary and President Johnson's trouble-shooter.

SOME PESSIMISM IS VOICED

The wise men heard candid briefings, some of which bordered on pessimism, and then questioned Messrs. Rusk, Clifford and Rostow and others about the extent of the Tet disaster and the plans for the future. The discussion continued late that night and resumed the next morning at the White House.

For the first time President Johnson got the trend of their views. He was "deeply shaken," one aide said, by the change of temper of the wise men, who were deeply discouraged over the war after the exalted hopes of the previous fall.

The President was especially impressed by the fact that Mr. Acheson, McGeorge Bundy and to a lesser degree Mr. Vance had joined Mr. Ball and Mr. Goldberg in opposing further military commitments and advocating some way of getting out of the war. He was jolted when Mr. Bundy, one of the architects of intervention in the early sixties and of the bombing of North Vietnam in 1965, was now taking an opposite tack.

There was, to be sure, a faction that held firm in defense of the harder line—Justice Fortas, General Taylor and Mr. Murphy. Mr. Murphy wanted more bombing, not less.

Ambassador Lodge, now President Nixon's chief negotiator in Paris, left the other participants puzzled. Several found him hawkish, but at least one said he was "on all sides of the issue." Mr. McCloy leaned toward the hawkish group.

Mr. Dean, Mr. Dillon and Generals Bradley and Ridgway were now doubters. They were plainly war-weary if not yet ready to shift course dramatically. The warning public support of the war was a constant concern.

There was no censensus on the bombing issue. Mr. Goldberg and Mr. Ball advocated a halt as a way to negotiations. The others were uncertain but the impression left with Government sources was that the wise men as a group were saying: "We had better start looking for another way to get this war settled."

THE PRIMARY WAS SECONDARY

To the President and his senior advisers, one close observer said later, such shifts carried "more weight than something like the New Hampshire primary." Someone suggested that Mr. Johnson consider the impact of his Vietnam decisions on the coming election; he replied testily that the campaign was the least of his concerns.

Two days later, on March 28, Messrs. Rusk, Clifford, Rostow, McPherson and William Bundy met in Mr. Rusk's mahogany-paneled office on the seventh floor of the State Department to polish the President's speech.

It was still, in the words of one participant, a "teeth-clenched, see-it-through" speech, announcing that about 15,000 more troops would be sent to Vietnam. It made a proforma plea for peace at the negotiating table and said nothing about cutting back to bombing.

Secretary Clifford launched an impassioned plea against taking this approach.

"I can't do it—I can't go along with it," he said. "I can't be in the position of trying to polish a speech of this kind. This speech can't be polished. What's needed is a new speech. This one is irrevocably setting the President down the wrong road."

The others listened as he spoke for nearly an hour, using to enormous advantage his almost unique position of being able to speak for the view of many outside.

It would tear the country apart, the Defense Secretary argued, to hear a speech that promised only more war. What was needed, he said, was not a "war speech, but a peace speech—the issue is as sharp as the edge of an ax."

To Mr. Clifford's surprise, Mr. Rusk did not cut him short. The others chimed in. Mr. Rusk sent out for sandwiches. Mr. Clifford appealed for some compromise, and once again they debated the 20th Parallel idea.

By this time the military commanders were no longer raising strong objections. Some, like Adm. U. S. Grant Sharp, the Pacific Fleet commander, who had overall charge of the bombing, thought the cutback would fail. He fully expected that if it were tried, the President would order full bombing again in a month or so. Some officials thought this was Mr. Rostow's view also.

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RUSK SWAYED BY THE DEBATE

Secretary Rusk, eager to find some way to the negotiating table, still did not think the cutback would satisfy Hanoi. The month's arguments had had a cumulative effect on him.

At the end of the day—the meeting lasted until 5 P.M.—Mr. Rusk had agreed with Mr. Clifford that Mr. McPherson should prepare "an alternate draft." That night, while the President was showing Senator Mike Mansfield, the Democratic majority leader, a draft of the original hawkish speech, Mr. McPherson began writing alternate draft No. 1. Working through the night, he had it ready by morning.

He sent the draft, the first one containing the proposal for a bombing cutback to the 20th Parallel, to Mr. Johnson with a note saying that it seemed to reflect the sentiments of some of the President's leading advisers. He also offered to go back to the original version if that was Mr. Johnson's wish.

Later in the day the President called Mr. McPherson in to discuss changes in an item on "Page 3." He did not specify which draft, but it was clear that he was now working with the new speech. That was how he signaled a major break in the debate.

He had been deeply influenced by the shift in the public mood, as reflected in the wise men's meetings and his contacts on Capitol Hill. The country was in turmoil and the dollar was in danger.

He had been shaken by the change in his old friend, Mr. Clifford, and was finally persuaded to try a new tack by Mr. Clifford's sheer persistence. The mood of others had softened in the crucible of debate too.

FIVE MORE DRAFTS OF SPEECH

From then until 9 P.M., on the 31st, the speech went through five more drafts. None changed the new essence, though there was one important tug-of-war over the wording on the bombing cutback.

Under Secretary of State Nicholas deB. Katzenbach, drawn into the top-level discussions since Secretary Rusk was leaving for a Pacific meeting with the Vietnam allies, opposed naming the 20th Parallel as the cut-off point.

Mr. Katzenbach had long favored a halt. Now he wanted the northern limit to be the 19th Parallel rather than the 20th, but the military insisted on the 20th so they could hit Thanhhoa, a railroad switching point, and Route 7, leading into Laos—both just south of the 20th Parallel.

The Under Secretary, who suggested that it not be stated so badly, was looking for a way to "winch" the limit further southward. And, like most Administration officials, he was operating under the mistaken assumption that one main purpose of the speech was to help President Johnson in the April 2 Democratic primary in Wisconsin.

Suggesting that the speech would have more public appeal if it emphasized that part of the bombing would be continued to protect American troops just south of the demilitarized zone, Mr. Katzenbach drafted a revision that said all bombing should stop "except in an area north of the demilitarized zone where the continuing enemy build-up directly threatens allied forward positions." His amendment specified that this would spare almost 90 per cent of North Vietnam's population.

ROSTOW PHONES KATZENBACH

The President liked that language and accepted it. On Saturday he asked Mr. Rostow to telephone Mr. Katzenbach, now Acting Secretary, to persuade him to accept the 20th Parallel as the northern limit.

Reluctantly Mr. Katzenbach agreed, but with a caveat: "Don't make the first big raid at 19 degrees 59 minutes. Make sure the orders are consistent with the speech." Mr. Rostow replied that this would be done.

But they had different interpretations of what they had agreed on. Mr. Katzenbach thought he had won agreement on a plan that would let the bombing "roll northward" gradually from the buffer area as battlefield conditions dictated. Mr. Rostow felt he had Mr. Katzenbach's approval for military orders saying simply that bombing north of the 20th Parallel was forbidden after March 31.

On the Saturday a small group worked with President Johnson, who was in good spirits going over the text line by line until about 9 P.M. The speech had become progressively more dovish until, one official said, "it ended up 180 degrees from where it started."

Late the previous day Mr. Clifford had been concerned that the peroration, left over from original drafts, was still too militant, so Mr. McPherson was to draft a substitute.

When the Saturday session ended Mr. Johnson asked for the revised peroration. Mr. McPherson said he had not had time to rewrite it but would do so promptly.

I MAY HAVE ONE OF MY OWN

The President, his shirt open and his tie down, muttered, "No need to—I may have one of my own." He winked at Mr. McPherson, who turned to Mr. Clifford and said: "My God? Do you think he is going to say sayonara?" Mr. Clifford responded with a strange and unbelieving grimace.

On Sunday the President had Horace Busby, another speech-writer, and Mr. Christian working on the withdrawal section. Mr. McPherson, still officially in the dark on the President's political plans, assumed that he did not want his ending.

But Mr. Johnson kept sending word that he did indeed want Mr. McPherson's peroration, obviously intending to deliver both.

Initially Mr. Johnson hesitated to make his withdrawal announcement with the policy declaration. But sometime near the end of March, as he became convinced of the need for a bombing cutback, he evidently concluded that it would be more effective if he made it clear that he was not just appealing for votes or pacifying domestic critics or serving some other personal interest.

The approach of the Wisconsin primary also served as a deadline for action, in the view of some of his political advisers. They thought his withdrawal would be more dignified and more effective if made before the primary rather than after the expected victory for Senator Eugene J. McCarthy of Minnesota.

By the eve of the speech the President's mind was made up.

He did not sleep particularly well that night, and he was up before dawn. In the afternoon, he began rehearsing the Vietnam portion of the speech. About 4 p.m. Mr. Busby gave him the revised ending on not seeking re-election. The President made a few final adjustments to insure that his motives would be understood.

At 8 P.M. the text was turned over to an Army Signal Corps man to put on Teleprompters, and the President told his aides to begin informing members of the Cabinet of his intentions. Secretary Rusk was informed while airborne in the Western Pacific.

Secretary Clifford and his wife were invited to the Executive Mansion half an hour before the President was to go on nationwide television. Mr. Clifford already knew of the Vietnam decision—the bombing cutback to the 20th Parallel, 13,500 more troops for General Westmoreland and more equipment for the South Vietnamese Army at a cost of $2.5-billion a year.

After the wrenching tensions of the policy debate and the chill that had crept into their personal relations, the secretary was warmed to learn that the President wanted to see him before delivering the speech. Upstairs in the family quarters, the Cliffords joined Mrs. Johnson and Jack Valenti, the President's former aide and an old Texas friend.

Mr. Johnson motioned Mr. Clifford into his bedroom and without a word handed him the last two paragraphs of the speech.

"With America's sons in the fields far away, with America's future under challenge right here at home, with our hopes and the world's hopes for peace in the balance every day," the President told the nation a few moments later, "I do not believe that I should devote an hour or a day of my time to any personal partisan causes or to any duties other than the awesome duties of this office—the Presidency of your country.

"Accordingly, I shall not seek, and I will not accept, the nomination of my party for another term as your President."

EPILOGUE

The President's speech brought Washington—and the nation—the relief it feels when a breezy summer day breaks a sweltering heat wave. The bitterness of months had been lanced in a stroke. There was a rare moment of harmony. But it was only an instant.

Within 36 hours, while the world awaited Hanoi's response, Navy jets struck Thanhhoa, 210 miles north of the demilitarized zone, the very kind of raid that Mr. Katzenbach had wanted to prevent.

The enormous relief evaporated. The heat wave was back. The politicians, not knowing that the Russians and Hanoi had been privately told that the northern limit of the bombing was the 20th Parallel, complained that the public had been misled. State Department officials privately accused the military commanders of trying to sabotage the President's peace initiative.

With a new political storm mounting, Mr. Clifford persuaded President Johnson to pull the bombing back to the 19th parallel on the pretext that some American planes might have strayed over the 20th Parallel. It was a decision that Mr. Rostow, General Wheeler, General Westmoreland and others tried many times to reverse.

And so it went—all summer, all fall—the two coalitions in the Administration battling for the President's favor: one insisting that an irrevocable turn toward disengagement had been made, the other denying it.

"It was like climbing the greasy pole," recalled an insider. "You wanted to continue climbing higher but you had to keep fighting to stay where you were."

In May, the Hawks were urging escalation after enemy forces had launched their mini-Tet offensive. Senior military commanders wanted to push the bombing back up to the 20th parallel to hit Thanhhoa to show Hanoi that America was impatient.

General Westmoreland also wanted approval to launch B–52 raids and small ground forays against enemy supply dumps and base camps in remote areas of Cambodia, when enemy forces pulled back to these sanctuaries from assaults on American outposts. But President Johnson rejected this plan firmly.

In June, when enemy rockets were falling on Saigon, Ambassador Ellsworth Bunker was privately urging that the United States retaliate by bombing Hanoi. One official said the United States was "within two days" of stepping up the bombing of North Vietnam when the attacks on Saigon stopped.

Next it was the doves. During the prolonged summer battlefield lull W. Averell Harriman and Cyrus R. Vance, the American negotiators in Paris, tried to talk the President into a total bombing halt.

They made their pitch at the end of July. It was strictly a ploy. They accepted the military estimate that the lull was not deliberate and that the enemy was merely regrouping and refitting his forces. But they suggested that President Johnson treat it as deliberate restraint anyway.

The proposal was to tell Hanoi that since it had de-escalated the war, the United States would end the bombing, but that to sustain this cessation, Hanoi would have to refrain from another offensive. The hope was to talk Hanoi into restraint.

Mr. Clifford and Vice President Humphrey promoted the idea. Mr. Katzenbach and Mr. Bundy were in Paris at this time, and simultaneously, The New York Times in a July 29 editorial advocated a similar tactic.

It was all too much for President Johnson. "He thought it was a conspiracy," said one high official. "There were so many coincidences that he thought it stank to high heaven." He rejected the plan out of hand.

The struggle for the President's mind persisted until the day he left office.

ROBERT E. LEE, EDUCATOR

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 1969

Mr. RARICK. Mr. Speaker, education is a form of discipline which is necessary if we are to solve the problems of our society. The campuses of our colleges and universities in various parts of the Nation are today the scenes of disgraceful disorders that aim not only to disrupt educational processes but also to challenge authority in what amounts to the early stages of revolution. Instead of courageously meeting such tests, educational administrators have too often been weak and given in to unreasonable demands, thus laying the basis for still greater demands and increased violence.

What the officials of our educational institutions should know is that they are not the first ones to face academic crises on the campuses.

Following the War Between the States, Gen. Robert E. Lee, after having refused an offer of $50,000 a year as president of an insurance company, on October 2, 1865, was sworn in as president of Washington College—now Washington and Lee University, Lexington, Va.—at a salary of $1,500 a year. Prior to his presidency, the custom of this college had been to grant a week's holiday at Christmas. Evidently, to make up for some of the time lost incident to war, General Lee decided to have only Christmas Day as a holiday.

The story of the resulting crisis, as told by Thomas Nelson Page, a student at Washington College during the presidency of Lee, in his book, "Robert E. Lee: The Southerner, 1909," on page 273, has its lessons for today and I shall quote it:

> A petition to return to the old order having failed, a meeting of the students was held and a paper was posted containing many signatures declaring the signers' determination not to attend lectures during Christmas week. Some manifestation appeared on the part of certain of the faculty of giving in to the students' demand. General Lee settled the matter at once by announcing that any man whose name appeared on the rebellious declaration would be expelled from the college. And if every student signed it, he said, he would send every one home and simply lock up the college and put the key in his pocket.
>
> "The activity displayed in getting names off the paper was amusing, and the attendance at lectures that Christmas was unusually large." History shows the students respected his firm stand.
>
> Prior to his assumption of the presidency of Washington College, General Lee had announced his desire to train and educate young men of the South so that they might become leaders in their states, which had been prostrated in the devastation of war. It is significant that General Lee's idea and purpose were in direct opposition to the present day ideas of irresponsible students in many of our educational institutions to tell responsible authorities how students should be trained.
>
> General Lee was wise, experienced and resolute—characteristics that enabled him to deal intelligently and firmly with a recalcitrant student body which sought to reverse a decision reached by responsible authority. To him a "duty" was the sublimest word in our language.

Mr. Speaker, I believe that I reflect the feeling of the majority of the students at our colleges and universities today when I urge their officials to emulate the example of General Lee.

EMBASSY SECURITY VITALLY IMPORTANT

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 1969

Mr. ASHBROOK. Mr. Speaker, as James J. Kilpatrick, the author and syndicated columnist, points out, the nomination of Jacob D. Beam as our new Ambassador to the Soviet Union has left some knowledgeable observers wondering. When it is recalled that Mr. Beam was Ambassador to Poland when the Scarbeck case some years ago and other blatant abuses revealed how vulnerable were our security precautions in Warsaw, one is certainly justified in having some misgivings.

Mr. Kilpatrick cites the description of the Warsaw episode by Clark Mollenhoff, the Pulitzer Prize winning journalist, as it appeared in his book, "Despoilers of Democracy":

> The near total destruction of security in the U.S. Embassy in Warsaw was a frightening demonstration of how the Communists could effectively bore inside an American Embassy.

It is stressed in the Kilpatrick column that no one questions Mr. Beam's loyalty or qualifications in handling European affairs; however, an insecure Embassy operation, as in the case of Warsaw, would constitute a dangerous liability for the most preeminently qualified of Ambassadors.

I insert the column, "Jacob Beam—Our Man in Moscow?" by James J. Kilpatrick, appearing in the Washington Star of March 9, 1969, in the RECORD at this point:

JACOB BEAM—OUR MAN IN MOSCOW?

(By James J. Kilpatrick)

> Concern is being voiced on Capitol Hill these days at the President's nomination of Jacob D. Beam to serve as U.S. ambassador to the Soviet Union. Before the gentleman is confirmed, several Senators propose quietly to inquire into a troublesome time in his career.
>
> On paper, and perhaps in fact, Beam is well qualified for the Moscow assignment. At 60, he has spent 38 years in the Foreign Service. He began as a clerk in the U.S. consulate at Geneva, in the days of the League of Nations; he moved on to Berlin for a six-year stint; served in London during most of the war; did a tour of duty as consul general in Java, and spent seven months in 1952–53 in Russia.
>
> In August of 1957, Beam arrived in Warsaw as American ambassador to Poland. He was to serve in this assignment until he returned to Washington in the fall of 1961. He resigned his post, and then was appointed assistant director of the U.S. Arms Control and Disarmament Agency. In 1966 he became U.S. ambassador to Czechoslovakia. Mr. Nixon's proposal is to shift him now to the most important and sensitive chancery of them all, the U.S. embassy in Moscow.
>
> The nomination may be entirely in order. All the same, members of Congress remember the dismaying sex and spy scandals that occurred in the Warsaw embassy during Beam's administration there. A number of Senators are concerned at the prospect of having him serve as ambassador in the very center of Communist intrigue.
>
> The story of those Warsaw days is as fantastic as any tale ever contrived by Ian Fleming for his fictional James Bond. To judge from various printed hearings and other published material, Communist intelligence agents infiltrated Beam's embassy as merrily as a swarm of termites boring holes in a tasty log.
>
> Irvin C. Scarbeck, second officer of the embassy, was among those who succumbed to the age-old lure of a beautiful woman. He fell in love with a 22-year-blonde, Urszula Discner. The presumption is strong that she was an agent of Polish intelligence. In any event, Urszula set him up for a raid that led to blackmail; this led in turn to the theft of classified documents. Scarbeck was caught, indicted, convicted and sentenced at first to 30 years in prison. Later the sentence was reduced. It was a sensational case.
>
> Scarbeck was not alone in female involvements. A detachment of Marine guards, assigned to the embassy, engaged in wholesale revels with Polish girls. The wife of a middle-rank embassy employe had an affair with a Russian agent. A code clerk implicated in an illicit relationship was "permitted to resign."
>
> It was during Beam's tenure that construction began on the new $1.6 million American embassy. The ingenious Poles succeeded in bugging the building from the ground up. Eventually, some 40 concealed microphones—including a mike in the code room itself—had to be dug out of the walls by a team of Seabees.
>
> Guy Richards, in "Imperial Agent" and Clark Mollenhoff in "Despoilers of Democracy," have dealt with the Warsaw intrigues. All told, more than a dozen embassy employes were compromised. Mollenhoff has written that "the near total destruction of security in the U.S. embassy in Warsaw was a frightening demonstration of how the Communists could effectively bore inside an American embassy." Other publications, notably the Government Employes Exchange here in Washington, have carried sensational accounts of the intricate webs that were woven by Polish intelligence agents.
>
> None of the published material raises any question of Beam's loyalty. No one doubts his expertise in European affairs. He is given high marks for his performance in Prague during last year's invasion by Soviet troops. He speaks fluent Russian. Nevertheless, there are unmistakable stirrings in the Senate. Beam may be the right man for the vital Moscow assignment; but then again Senators are saying, he may not.

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SENATE—*Tuesday, March 11, 1969*

(Legislative day of Friday, March 7, 1969)

The Senate met in executive session at 12 o'clock meridian, on the expiration of the recess, and was called to order by the Vice President.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Eternal God, Lord of history and of daily duties, whose sovereign purpose cannot be defeated, give us faith to stand calm and undismayed amid the tumults of the world, knowing that Thy kingdom shall come and Thy will be done. Renew within us confidence in the divine event toward which all mankind moves. Confirm and strengthen us in this faith through an understanding of our own days, through companionship with great souls, through moments of withdrawal from the noise of the crowd, through constant communion with nature, with history, and with Thee. As knowledge grows more and more, and we learn to enter holy silences, may reverence also grow within us that we may say, "Surely the Lord is in this place and I knew it not." Amen.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting a nomination was communicated to the Senate by Mr. Geisler, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate a message from the President of the United States submitting the nomination of James R. Smith, of Nebraska, to be an Assistant Secretary of the Interior, which was referred to the Committee on Interior and Insular Affairs.

TREATY ON THE NONPROLIFERATION OF NUCLEAR WEAPONS

The VICE PRESIDENT. The Chair lays before the Senate the pending business, which will be stated by the clerk.

The LEGISLATIVE CLERK. Executive H, 90th Congress, second session, the Treaty on the Nonproliferation of Nuclear Weapons.

The VICE PRESIDENT. The pending question is the reservation of the Senator from North Carolina to the resolution of ratification.

LEGISLATIVE SESSION—TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business be laid aside temporarily, that the Senate return to legislative session, that there be a period for the transaction of routine morning business, and that statements therein be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Journal of the proceedings of Monday, March 10, 1969, be approved.

The VICE PRESIDENT. Without objection, it is so ordered.

ORDER FOR RECESS UNTIL 11 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate recesses this afternoon, it stand in recess until 11 o'clock tomorrow morning.

The VICE PRESIDENT. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR LONG

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate convenes tomorrow morning at 11 o'clock, the distinguished Senator from Louisiana (Mr. LONG) be recognized for 1 hour.

The VICE PRESIDENT. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on the District of Columbia, the Subcommittee on International Organization and Disarmament Affairs of the Committee on Foreign Relations, and the Subcommittee on Constitutional Amendments of the Committee on the Judiciary be authorized to meet during the session of the Senate today.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nominations on the Executive Calendar under "New Reports."

There being no objection, the Senate proceeded to the consideration of executive business.

The VICE PRESIDENT. The nominations on the Executive Calendar, under "New Reports," will be stated.

DISTRICT OF COLUMBIA COUNCIL

The bill clerk proceeded to read sundry nominations to the District of Columbia Council.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The VICE PRESIDENT. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

SUBCOMMITTEE MEETING DURING SENATE SESSION

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Subcommittee on Antitrust and Monopoly Legislation of the Committee on the Judiciary be authorized to meet during the session of the Senate today.

The VICE PRESIDENT. Without objection, it is so ordered.

AID-TO-INDIA CRITICISM MOUNTS

Mr. SYMINGTON. Mr. President, an interesting article in the Christian Science Monitor of Friday, March 7, "Aid-to-India Criticism Mounts," would appear to indicate that critics of the U.S. foreign assistance program to India can be found in both the donor and recipient countries.

This article states:

> But many Indians are unhappy with the stark possibility of American aid going on indefinitely. They point out that the United States now owns one out of every three Indian rupees in circulation.

In explanation of this situation, the article continues:

> As India keeps on importing commodities under P.L. 480 (Food for Freedom), the amount of rupees held by the United States increases. In order to get as many back into circulation as possible, Washington lends more and more money to the Indian Government. As one Indian economist observed, "At this rate, America will be owning all the rupees in the country."

In this connection, for some time I have been concerned about the disproportionate amount of loan commitments which the World Bank and its soft-loan window, IDA, have made to India and Pakistan. To date, these two countries have received approximately 70 percent of all the loans in question.

In addition, since 1946, U.S. economic assistance to India has totaled some $8 billion. In view of the reported adverse reaction to part of such assistance, we would hope that before additional economic aid is provided to India, or any other country under the AID or military assistance programs, a long overdue reexamination be made of these programs

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and their resultant influence on overall U.S. foreign policy.

I ask unanimous consent that the article in question be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Christian Science Monitor, Mar. 7, 1969]

AID-TO-INDIA CRITICISM MOUNTS

(By Ernest Weatherall)

NEW DELHI.—How much longer can massive amounts of United States aid to India continue? The question now is being asked frequently in both Washington and New Delhi.

To date United States aid totals almost $9 billion—more than to any other country in the world. And while the value of this aid is acknowledged, its critics have become more vociferous of late.

There have been recent rumblings in Washington that American aid has subsidized India's hard-currency purchases of Soviet arms and submarines. Others point out that the aid has in no way lessened Prime Minister Indira Gandhi's criticism of the United States—that she slavishly follows Soviet policy on Vietnam and backs the Arab cause in the Middle East.

INDIANS DISCLOSE CONCERN

For their part some Indians are concerned about the possibility of American take-over of the Indian economy as a result of the aid.

However, President Nixon made plain his views on aid to India in an article in Foreign Affairs Quarterly a few years ago:

"For the most populous representative democracy in the world to fail," Mr. Nixon wrote, "while China succeeded, would be a disaster of worldwide proportions." For that reason United States aid to India had to continue, Mr. Nixon said.

Recently, Sen. Mark O. Hatfield (R) of Oregon, on a fact-finding tour of Asia for the President, told New Delhi Mr. Nixon's views on aid had not changed. American aid, he told officials, would continue under the Republican administration.

But many Indians are unhappy with the stark possibility of American aid going on indefinitely. They point out that the United States now owns one out of every three Indian rupees in circulation.

PROVISIONS OF AGREEMENT

This figure may be somewhat exaggerated, but there is no doubt that the United States has become deeply involved in India's economy through its foreign-aid program.

During the past 12 years, India has been paying in rupees for foodgrains, cotton, and other agricultural commodities provided by the United States under Public Law 480 the Food for Peace program.

The PL-480 agreements provide:

That the bulk of the rupees paid to the United States Government—ranging from 65 to 87 percent—will be returned to the Government of India by the U.S. in the form of long-term, low-interest loans. These loans are payable over a period of 40 years, including an initial grace period when no repayment of principal is due. These loans are repayable in rupees, unless India herself wants to pay in dollars.

A sum equivalent to 6.6 percent of the total is reserved for "Cooley loans" (named after Rep. Harold D. Cooley (D) of North Carolina, former chairman of the House Agriculture Committee). These loans will be granted to American firms, their subsidiaries, or Indian firms having an American affiliation.

About 13 percent of the PL–480 rupees are reserved for the use of the United States Government in India. But a substantial amount is used to aid such Indian projects as agricultural research.

As India keeps on importing commodities under PL–480, the amount of rupees held by the United States increases. In order to get as many back into circulation as possible, Washington lends more and more money to the Indian Government. As one Indian economist observed, "At this rate, America will be owning all the rupees in the country."

VOICE OF OPTIMISM HEARD

While members of India's ruling Congress Party have refrained officially from expressing their concern that PL–480 is becoming a Frankenstein's monster, leaders of the opposition parties have not. One is Minoo Misani, deputy leader of the Swatantra Party. Mr. Misani's party believes India can progress only through private enterprise, not through the present government's program of socialism.

"In some cases American aid has helped our government do the wrong thing," Mr. Misani explained. "If you give us food, without asking for dollars in return, the intention is, no doubt, generous and humanitarian. However, the effects could well be that our government, which would otherwise have to spend dollars or other foreign exchange to buy grain, is left free to divert that expenditure on putting up a steel plant like Bokaro."

"If that had not been done the Government of India would have had to plow the money into the land to get more food. So you see, very unintended consequences can follow such generosity."

In referring to the steel plant which is being built in Bokaro, Mr. Misani was touching on a sensitive issue. The Soviet-aided project has been considered an expensive white elephant by many.

However, government planners say that Bokaro is vital to the development of industry in India. But American aid policy in India tends to agree with Mr. Misani. Washington refused to help build any steel plants in India because it was felt New Delhi should concentrate on building up agriculture first.

Mr. Misani thinks highly of the West German aid policy and suggests the United States adopt it as a model.

SELF-SUFFICIENCY SOUGHT

Mr. Desai stated that depending on the United States for food had not made India complacent about its agriculture. "Our bumper crops of last year and the expected one this year is sufficient proof that we are striving to become self-sufficient."

"We don't want to remain dependent on PL-480 foodgrains any longer than is necessary. There is no question of living on crutches. We hope to become self-sufficient in food within three years. Then we can dispense with PL-480 imports."

It will be a hard road ahead to achieve self-sufficiency within three years, but India is giving agriculture and irrigation top priority in its next five-year plan. Also on the priority list is family planning to contain India's population explosion.

At present, India's population is running ahead of its ability to feed. At its present rate, there will be a billion people in the country by 1990.

Meanwhile, the debate over foreign aid continues in Washington and New Delhi. Only time will decide how soon India will no longer need American help.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT OF AGREEMENTS UNDER PUBLIC LAW 480

A letter from the Administrator, Foreign Agricultural Service, U.S. Department of Agriculture, transmitting, pursuant to law, a report of agreements signed under Public Law 480 in January and February 1969 for use of foreign currencies (with an accompanying report); to the Committee on Agriculture and Forestry.

OUR NATION AND THE SEA

A letter from the Secretary of Transportation, transmitting, pursuant to law, a review and comment on the report of the Commission on Marine Science, Engineering and Resources: Our Nation and the Sea (with an accompanying paper); to the Committee on Commerce.

REPORT OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of certain management controls of the quality assurance system for the Apollo program of the National Aeronautics and Space Administration, dated March 11, 1969 (with an accompanying report); to the Committee on Government Operations.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A joint resolution of the Congress of Micronesia; to the Committee on Banking and Currency:

"SENATE JOINT RESOLUTION 5

"A Senate joint resolution requesting the U.S. Congress to include the Trust Territory of the Pacific Islands in the Federal Credit Union Act

"Whereas the Federal Credit Union Act (73 Stat. 628, 1959; 48 Stat. 1216) establishes the Bureau of Federal Credit Unions which creates a source of credit for provident purposes; promotes thrift among its members; has professional staff to give technical assistance to borrowers; has large assets or capital to make loans out to acceptable borrowers at a lower interest rate; and has been progressive and successful; and

"Whereas in the Trust Territory today there are over 40 credit unions which have greatly facilitated economic ventures and made available loan funds to their members, on favorable terms and at reasonable rates of interest, for various beneficial consumer purposes, that would have not been available to them otherwise; and

"Whereas credit unions have become a recognized institution in the Trust Territory and their philosophy of teaching and encouraging their members to practice systematic thrift is of great benefit to the people of Micronesia; and

"Whereas the Federal Credit Union Act will be of great benefit to the Trust Territory as it will provide technical assistance and close affiliations with Trust Territory credit union activity; now, therefore, be it

"Resolved by the Senate of the Third Congress of Micronesia, First Regular Session, 1969, the House of Representatives concurring, That the U.S. Congress be and hereby is respectfully requested to extend the services of technical assistance of the Federal Credit Union Act to the Trust Territory of the Pacific Islands; and be it further

"Resolved, That certified copies of this Joint Resolution be sent to the U.S. Congress and the Bureau of Federal Credit Unions and the Department of the Interior.

"Adopted January 27, 1969."

A concurrent resolution of the Legislature of the State of Oklahoma; to the Committee on Public Works:

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"SENATE CONCURRENT RESOLUTION 14

"Concurrent resolution recognizing the dedicated leadership and many public services of Newton R. Graham in promoting Oklahoma's water resources and recreational facilities and in the development of navigation on the Arkansas river; requesting the Congress of the United States to name Lock and Dam No. 18 in the Verdigris River the 'Newton R. Graham Lock and Dam'; and directing distribution of copies of this resolution

"Whereas the late Newton R. Graham dedicated his life to service in the public interest and is one of Oklahoma's outstanding pioneers in the development of water resources and recreational facilities; and

"Whereas he rendered valuable assistance to the Oklahoma Legislature and to the Congress in promoting progressive legislation; and

"Whereas, as President of the Arkansas Basin Development Association and as a member of the Oklahoma Planning and Resources Board and Chairman of its Water Resources Committee he devoted more than a quarter of a century as an ardent champion of all phases of the development of Oklahoma's water and recreational resources in a manner that would preserve the natural beauty of our state; and

"Whereas his goal was the realization of a dream of the earliest Oklahomans for maximum development of all natural resources, especially navigation on the Arkansas River; and

"Whereas he was the leader in presenting to Congress the economic study on navigation of the Arkansas River, from the Mississippi River to a point near Tulsa, which culminated in the authorization in the 1930's of studies by the Corps of Engineers to determine the feasibility of a multi-purpose plan for development of the Arkansas River, including navigation; and

"Whereas, as Chairman of the Bi-State Committee, appointed by the Governors of the States of Oklahoma and Arkansas, he presented the testimony for the two states which resulted in authorization by Congress in 1946 of the multi-purpose plan for development of the Arkansas River, with navigation to Catoosa; and

"Whereas the name Newton R. Graham is synonymous with water resources projects, parks, and recreation generally and especially with navigation on the Arkansas River; and

"Whereas the pool created by Lock and Dam 18 on the Verdigris River will bring water into the Port of Catoosa; and

"Whereas said Lock and Dam 18 has not been named: Now, therefore, be it

"Resolved by the Senate of the first session of the thirty-second Oklahoma Legislature, the house of representatives concurring therein,

"Section 1. That the Congress of the United States be and is hereby respectfully requested to name the uppermost lock and dam on the Verdigris River, which is currently designated Lock and Dam No. 18, the 'Newton R. Graham Lock and Dam.'

"Section 2. That duly authenticated copies of this Resolution be transmitted to the presiding officers of the Senate and House of Representatives of the Congress of the United States, to the members of the Oklahoma Congressional Delegation, to the Governors of Oklahoma and Arkansas and to the City of Tulsa-Rogers County Port Authority.

"Adopted by the Senate the 25th day of February, 1969.

"FINIS SMITH,
"President pro tempore of the Senate.

"Adopted by the House of Representatives the 3d day of March, 1969.

"REX PRIVETT,
"Speaker of the House of Representatives.

"Certification:

"BASIL R. WILSON,
"Secretary of the Senate."

RESOLUTION OF THE CITY COUNCIL, YONKERS, N.Y.

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution adopted by the city council of the city of Yonkers, N.Y., relating to recent hangings in Baghdad.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION 80–1969

Whereas, the recent hangings in Baghdad followed by the exhibition of the dead in a publicly outrageous manner, was so savage and offensive as to shock the conscience of the civilized world, and

Whereas, the government of Iraq is reportedly prepared to repeat this ghastly act, and

Whereas, freedom loving people everywhere condemn such barbarism and request responsible officials to take all the necessary steps to forestall similar future atrocities,

Now, therefore, be it resolved, by this City Council in meeting assembled, on its own behalf and that of the people of Yonkers, views with horror the Baghdad hangings and requests the United States Government—through its officials, representatives and agencies—to do everything within its power to prevent a repetition of these brutal acts and to promptly help find a viable means to permit all persecuted captives to get out of Iraq and at the same time to seek an impartial investigation of conditions for all the minorities in Iraq and other Arab lands, and

Be it further resolved, that the City Clerk is hereby directed to forward copies of this resolution to the President of the United States, the Secretary of State, our representative to the United Nations, United States Senators Jacob K. Javits and Charles E. Goodell, and Congressmen Richard L. Ottinger, and Ogden R. Reid.

Adopted by the City Council of the City of Yonkers, at a stated meeting held February 11, 1969, by a vote of 11–0; Councilmen Moczydlowski and Picone absent.

JOSEPH A. KRAYNAK,
City Clerk.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. McCLELLAN, from the Committee on Government Operations:

Robert L. Kunzig, of Pennsylvania, to be Administrator of General Services.

By Mr. HOLLAND, from the Committee on Agriculture and Forestry:

Richard E. Lyng, of California, to be a member of the Board of Directors of the Commodity Credit Corporation.

By Mr. RANDOLPH, from the Committee on Public Works:

Francis C. Turner, of Virginia, to be Administrator of the Federal Highway Administration.

REPORT OF THE SENATE COMMITTEE ON ARMED SERVICES SUBCOMMITTEE ON TREATMENT OF DESERTERS FROM MILITARY SERVICE (S. REPT. NO. 91–93) S. 1481—INTRODUCTION OF BILL RELATING TO DESERTERS

Mr. INOUYE. Mr. President, as chairman of the Senate Armed Services Subcommittee on Treatment of Deserters From Military Service, I submit the report of that subcommittee which has been adopted and ordered reported to the Senate by the full committee.

The subcommittee conducted hearings on May 21 and 22, 1968, and the problem was the subject of continued study and investigation by the subcommittee and staff.

Here, briefly, are some of the key points of the committee report.

In fiscal year 1967, the unauthorized absentees in the four military services totaled 134,668, and desertions totaled 40,227. In fiscal year 1968, unauthorized absentees totaled 155,536, an increase of more than 20,000, and desertions totaled 53,356, an increase of more than 13,000 over the prior year.

Mr. President, I should explain the term "desertion" as used here. In the military services when a serviceman is in an unauthorized absence status for 30 days, he is dropped from the rolls of his unit and administratively designated a deserter. However, the term "deserter" cannot be applied in its full legal sense until an individual has been tried and convicted, and the conviction confirmed for the specific offense of desertion.

These total figures are more meaningful when viewed in the following terms. For fiscal year 1967, U.S. servicemen went AWOL on the average of one every 4 minutes and the total number of military personnel going AWOL some time during the year almost equaled the total personnel in nine 15,000-man combat divisions.

As to desertion, in fiscal year 1967, U.S. servicemen deserted on the average of one every 13 minutes. The total of those dropped from their unit rolls as deserters amounted to more than the total personnel in two 15,000-man combat divisions.

For fiscal year 1968, U.S. servicemen went AWOL on the average of one every 3 minutes. The total who went AWOL some time during the year equaled the total personnel in ten 15,000-man divisions. U.S. servicemen deserted on the average of one every 10 minutes in fiscal year 1968, and the total of those dropped from their unit rolls as deserters amounted to a total of three and a half 15,000-man divisions.

In practical terms, these AWOL and desertion totals unquestionably reflect a serious disruption of military personnel utilization and an impairment of military manpower utilization.

The committee report contains a detailed résumé of two cases in which the subcommittee became especially interested in the course of its investigation. In each instance it was the opinion of the subcommittee that the case involved mishandling from the standpoint of military discipline and the report so states.

The first case pertains to Army Pvt. Ray Jones, who began an unauthorized absence by leaving his Army unit in Germany and going to Sweden. He stayed there 14½ months, and during that time he married, had a child, and obtained employment as a jazz ballet instructor. We obtained from the FBI a transcript of a radio interview reportedly made by Jones while in Sweden which contains statements condemning the United States for its Vietnam policy. The interview was broadcast by Radio Hanoi.

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Jones voluntarily returned to U.S. military jurisdiction after reaching agreement with Army officials for a negotiated maximum punishment. He was never charged with desertion but pleaded guilty to a charge of unauthorized absence before a general court-martial and was sentenced to 4 months' confinement at hard labor and a bad conduct discharge.

The other case which the subcommittee pursued in detail pertains to Pvt. James Webb II, U.S. Marine Corps. Webb enlisted in the Marine Corps in April 1966. On November 21 he went AWOL until December 7. Then, 26 days later, he went AWOL for 66 days, at the end of which time he was apprehended by the FBI. Although he was twice classed as a deserter and was in an unauthorized absence status for a total of 310 days, he was never tried by court-martial. At the conclusion of his third offense of 227 days of unauthorized absence, he was granted an administrative discharge

Both the Jones and Webb cases, in the opinion of the subcommittee, reflect a miscarriage of justice. These cases are discussed in considerable detail in the committee report.

With respect to the problem of military deserters taking refuge in Sweden, it was the subcommittee's conclusion that the number of those who have fled to Sweden, while relatively small, is nonetheless undesirable. In the period from June 1, 1966, to January 21, 1969, a total of 174 U.S. servicemen have deserted to Sweden. Of this total 38 have returned to U.S. jurisdiction. The number remaining in Sweden as of January 21, 1969, was 136. The subcommittee included, as a part of its report, a proposed bill designed to cover specifically this type of offense. The proposed bill, which I am introducing, is brief. It would amend the Uniform Code of Military Justice by adding a fourth charge of desertion. Under this provision it would constitute an act of desertion to go, without authority, to any foreign country and while in such foreign country request or apply for, or accept any type of asylum or residence permit in that country. Adoption of this proposed legislation would eliminate the difficulties now encountered in prosecuting and convicting offenders on the general charge of desertion, since proof of intent to stay away permanently is difficult to prove.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1481) to amend article 85 of the Uniform Code of Military Justice (10 U.S.C. 885), relating to the offense of desertion from the Armed Forces of the United States, introduced by Mr. Inouye, was received, read twice by its title, and referred to the Committee on Armed Services.

Mr. INOUYE. Mr. President, I would like to mention the basic philosophy of the committee with respect to the problem of desertion and the measures taken as a result of the problem.

It is inherent in every principle of law, military and civilian, that the rights of the accused must be carefully protected. This means, as the report points out, there must be due and sincere attention to the preservation of the rights of the accused and he must not be unjustly convicted; however, if convicted, the punishment should be commensurate with the offense.

There is also another fundamental consideration: We must never forget the faithful soldier, sailor, airman, and marine who do not desert or go AWOL. They do their duty, and what is expected of them. They are the ones who, without individual reward and recognition, make the military system work and thus defend their country.

In fairness to these loyal and faithful servicemen, the punishment of those who desert should be just but it should also be firm.

Mr. President, in this regard I should point out that one of the recommendations adopted by the committee relates to the question of amnesty for those who have deserted their military posts and fled to foreign lands. There have been statements made by responsible persons on this subject recently, even some in this Chamber, who urge amnesty. As the hope for peace mounts in Vietnam, the pressure will mount to excuse those who have committed this offense against their fellow servicemen and country, and to allow them to return and escape punishment for their offense. The committee feels quite strongly that to do so in fact rewards the deserter for being successful in his attempts to avoid his sworn duty.

Mr. President, I urge my colleagues to carefully study this report and to weigh the seriousness of this problem of unauthorized absence and desertion in our military services.

The VICE PRESIDENT. The report will be received and printed.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GOLDWATER:

S. 1466. A bill to amend the Communications Act of 1934 to provide that certain aliens admitted to the United States for permanent residence shall be eligible to operate amateur radio stations in the United States and to hold licenses for their stations; to the Committee on Commerce.

By Mr. CURTIS:

S. 1467. A bill to provide for the payment of expenses incurred by members of the uniformed services in traveling home under emergency leave or prior to shipment outside the United States; to the Committee on Armed Services.

By Mr. HANSEN:

S. 1468. A bill to designate the Stratified Primitive Area as a part of the Washakie Wilderness, heretofore known as the South Absaroka Wilderness, Shoshone National Forest, in the State of Wyoming and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Hansen when he introduced the above bill, which appear under a separate heading.)

By Mr. SCOTT:

S. 1469. A bill for the relief of Ah-Chiu Pang; and

S. 1470. A bill for the relief of Carmela Marullo; to the Committee on the Judiciary.

By Mr. TALMADGE:

S. 1471. A bill to amend chapter 13 of title 38, United States Code, to increase dependency and indemnity compensation for widows and children, and for other purposes; to the Committee on Finance.

S. 1472. A bill to amend the National School Lunch Act to exempt school lunch programs from the provisions of title VI of the Civil Rights Act of 1964; to the Committee on the Judiciary, by unanimous consent.

(See the remarks of Mr. Talmadge when he introduced the second above bill, which appear under a separate heading.)

By Mr. YARBOROUGH:

S. 1473. A bill to amend section 8336(c) of title 5, United States Code, to include the position of customs inspector in the category of hazardous occupations; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Yarborough when he introduced the above bill, which appear under a separate heading.)

By Mr. PROXMIRE (for mimself, Mr. Cannon, Mr. Eagleton, Mr. Fulbright, Mr. Goodell, Mr. Harris, Mr. Hart, Mr. Javits, Mr. McIntyre, Mr. Mondale, Mr. Nelson, Mr. Pell, Mr. Randolph, Mr. Tydings, and Mr. Young of Ohio:

S. 1474. A bill to amend the Housing and Urban Development Act of 1968 to provide Federal guarantees for financing the development of land for recreational uses in order to contribute to the orderly economic development of underdeveloped areas and regions of the United States; to the Committee on Banking and Currency.

(See the remarks of Mr. Proxmire when he introduced the above bill, which appear under a separate heading.)

By Mr. HARTKE:

S. 1475. A bill to amend titles X and XVI of the Social Security Act to improve the programs of aid to the blind so that they will more effectively encourage and assist blind individuals in achieving rehabilitation and restoration to a normal, full, and fruitful life;

S. 1476. A bill to amend titles I, IV, X, XIV, and XVI of the Social Security Act to prevent recipients of assistance under programs established pursuant to such titles from having the amount of such assistance reduced because of increases in the monthly insurance benefits payable to them under title II of such act; and

S. 1477. A bill to provide that individuals entitled to disability insurance benefits (or child's benefits based on disability) under title II of the Social Security Act, and individuals entitled to permanent disability annuities (or child's annuities based on disability) under the Railroad Retirement Act of 1937, shall be eligible for health insurance benefits under title XVIII of the Social Security Act; to the Committee on Finance.

(See the remarks of Mr. Hartke when he introduced the above bills, which appear under separate headings.)

By Mr. JAVITS (for himself, Mr. Dirksen, Mr. Mathias, Mr. Cooper, and Mr. Hartke):

S. 1478. A bill for the establishment of a Commission on Revision of the Antitrust Laws of the United States; to the Committee on the Judiciary.

(See the remarks of Mr. Javits when he introduced the above bill, which appear under a separate heading.)

By Mr. TALMADGE:

S. 1479. A bill to amend chapter 19 of title 38, United States Code, in order to increase from $10,000 to $15,000 the amount of servicemen's group life insurance for members of the uniformed services; to the Committee on Finance.

By Mr. YARBOROUGH:

S. 1480. A bill authorizing the President of the United States to present, in the name of Congress, the Medal of Honor to Col. Frank Borman, U.S. Air Force; Capt. James Lovell, U.S. Navy; and Lt. Col. William Anders, U.S. Air Force; to the Committee on Armed Services.

(See the remarks of Mr. Yarborough when he introduced the above bill, which appear under a separate heading.)

By Mr. INOUYE:

S. 1481. A bill to amend article 85 of the Uniform Code of Military Justice (10 U.S.C. 885), relating to the offense of desertion from the Armed Forces of the United States; to the Committee on Armed Services.

(See the remarks of Inouye when he introduced the above bill, which appear under a separate heading.)

By Mr. FANNIN (for himself and Mr. Goldwater):

S. 1482. A bill to amend the Norris-La Guardia Act so as to permit the granting of injunctive relief in suits brought to enforce the provisions of contracts between employers and labor organizations; to the Committee on the Judiciary.

(See the remarks of Mr. Fannin when he introduced the above bill, which appear under a separate heading.)

By Mr. FANNIN:

S. 1483. A bill to amend the Internal Revenue Code of 1954 to deny tax-exempt status to labor organizations which use membership dues or assessments for political purposes; to the Committee on Finance.

(See the remarks of Mr. Fannin when he introduced the above bill, which appear under a separate heading.)

By Mr. MANSFIELD (for himself and Mr. Dirksen):

S. 1484. A bill to abolish the commission authorized to consider a site and plans for building a national memorial stadium in the District of Columbia; to the Committee on the District of Columbia;

S. 1485. A bill to abolish the commission authorized to study facilities and services to be furnished to visitors and students coming to the Nation's Capitol; to the Committee on Interior and Insular Affairs; and

S. 1486. A bill to change the composition of the Commission for Extension of the U.S. Capitol; to the Committee on Public Works.

By Mr. MONTOYA (for himself and Mr. Cranston):

S. 1487. A bill to extend to the personnel of the USS *Pueblo* the provisions of the Internal Revenue Code of 1954 relating to combat pay of members of the Armed Forces; to the Committee on Finance.

(See the remarks of Mr. Montoya when he introduced the above bill, which appear under a separate heading.)

By Mr. TYDINGS:

S. 1488. A bill to amend title 39, United States Code, to prohibit the mailing of unsolicited sample drug products and other potentially harmful items, and for other purposes; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Tydings when he introduced the above bill, which appear under a separate heading.)

By Mr. FONG:

S. 1489. A bill for the relief of Lap Sheng Wong;

S. 1490. A bill for the relief of Chi Ming Lo;

S. 1491. A bill for the relief of Yuan-Fu Kuo and his wife, Li-Tzu Yen Kuo;

S. 1492. A bill for the relief of Young Hai Lim; and

S. 1493. A bill for the relief of Harry H. Nakamura; to the Committee on the Judiciary.

By Mr. SPARKMAN (for himself, Mr. Hart, Mr. Allott, Mr. Bayh, Mr. Bible, Mr. Dodd, Mr. Griffin, Mr. Long, Mr. McIntyre, Mr. Mondale, Mr. Montoya, Mr. Moss, Mr. Nelson, Mr. Pearson, Mr. Randolph, Mr. Thurmond, Mr. Yarborough, and Mr. Young of North Dakota):

S. 1494. A bill to amend the Clayton Act by making section 3 of the Robinson-Patman Act, with amendments, a part of the Clayton Act, in order to provide for governmental and private civil proceedings for violations of section 3 of the Robinson-Patman Act; to the Committee on the Judiciary.

(See the remarks of Mr. Sparkman when he introduced the above bill, which appear under a separate heading.)

By Mr. JACKSON (for himself and Mr. Magnuson):

S. 1495. A bill to authorize the Secretary of the Interior to determine that certain costs of operating and maintaining Banks Lake on the Columbia Basin project for recreational purposes are nonreimbursable; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Jackson when he introduced the above bill, which appear under a separate heading.)

By Mr. JACKSON:

S. 1496. A bill to provide for payments on certain outstanding bonds or other obligations secured by lands acquired for Federal reclamation projects, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Jackson when he introduced the above bill, which appear under a separate heading.)

By Mr. MATHIAS:

S. 1497. A bill to provide that Veterans Day shall be observed as a legal public holiday on the second Monday in November; to the Committee on the Judiciary.

By Mr. HARRIS:

S. 1498. A bill to provide for the conveyance of so-called scattered tracts in Oklahoma, acquired under the act of June 26, 1936 (49 Stat. 1967); to the Committee on Interior and Insular Affairs.

S. 1499. A bill to name the authorized lock and dam numbered 17 on the Verdigris River in Oklahoma for the Chouteau family; and

S. 1500. A bill to name the authorized lock and dam numbered 18 on the Verdigris River in Oklahoma and the lake created thereby for Newt Graham; to the Committee on Public Works.

(See the remarks of Mr. Harris when he introduced the last above-mentioned bill, which appear under a separate heading.)

By Mr. HARRIS (for himself and Mr. Bellmon):

S. 1501. A bill authorizing the Wichita Indian Tribe of Oklahoma together with its affiliated bands and groups of Indians to file with the Indian Claims Commission within 1 year any and all claims of said tribe against the United States, and repealing any law inconsistent to this act, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SCOTT:

S. 1502. A bill for the relief of Dr. Tsung-Chu-Chou; to the Committee on the Judiciary.

By Mr. GORE (for himself and Mr. Percy):

S.J. Res. 75. Joint resolution to provide for a comprehensive study of weapons technology and foreign policy strategy by an independent commission; to the Committee on Foreign Relations, by order of the Senate.

(See the remarks of Mr. Gore when he introduced the above joint resolution, which appears under a separate heading.)

By Mr. MONTOYA:

S.J. Res. 76. Joint resolution proposing an amendment to the Constitution of the United States relating to residence requirements for voting in presidential and vice-presidential elections and for the selection of delegates to conventions to consider proposed constitutional amendments; to the Committee on the Judiciary.

(See the remarks of Mr. Montoya when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. DIRKSEN:

S.J. Res. 77. Joint resolution to authorize the President to designate the period beginning June 8, 1969, and ending June 14, 1969, as "Professional Photography Week in America"; to the Committee on the Judiciary.

S. 1468—INTRODUCTION OF BILL RELATING TO THE WASHAKIE WILDERNESS

Mr. HANSEN. Mr. President, I introduce for appropriate reference, a bill to designate the Stratified Primitive Area as a part of the Washakie Wilderness heretofore known as the South Absaroka Wilderness, Shoshone National Forest, in the State of Wyoming, and for other purposes.

In the last session of Congress, I introduced in the Senate S. 2630 to establish the Washakie Wilderness Area. That bill was the subject of very intensive and extensive hearings before the Senate Interior Committee on February 19 and 20, 1968. A large number of well-informed Wyoming citizens, as well as representatives of particular user groups, appeared before the Senate Interior Committee at that time to express their views with respect to the proposed legislation. A number of these citizens who testified favored the addition of significant amounts of acreage to the southern and western boundary of the wilderness area as it had been originally proposed by the Forest Service.

Following the 1968 hearings, my staff and I took another long look at the entire Washakie proposal. We have had numerous consultations with both the staff of the Senate Interior Committee and with Forest Service officials here in Washington and in the field.

Last November, my legislative assistant and I took a special trip to make a firsthand inspection of the various boundaries which were being proposed for the wilderness area. We spent the majority of the morning of November 20 in a small plane which allowed us to cover all of the areas in question and in controversy. Immediately thereafter, we had a lengthy meeting at which the supervisor of the Shoshone National Forest spelled out very intelligently, as well as candidly, the congressional mandate which was given to him, as well as the Forest Service of which he was a part, with respect to his management and planning responsibilities for the recommendation of proposed wilderness areas.

Mr. Tom Bell, with the active support of other interested citizens from the Dubois, Wyo., area, presented recommendations for additional inclusions within the wilderness area. An excellent exchange of ideas and viewpoints came out of that meeting and the information presented there certainly helped to clarify in my own mind the important issues surrounding the wilderness boundary question.

In the afternoon of that day, my legislative assistant and I attended an open town meeting in the town of Dubois and we listened to the various concerns and desires of Dubois residents, merchants, and political leaders. Here again, this meeting gave new insight into the problems and wishes of the local citizens who would be most vitally affected by the establishment of a wilderness area.

The staff of the Senate Interior Committee had also been active on the Washakie Wilderness question. They had been in touch with the U.S. Forest Service here in Washington and had obtained from the Forest Service a map showing new boundaries which served to add certain critical areas to the wilderness proposal.

Early this year, I again consulted with the Senate Interior Committee staff and asked Forest Service officials to supply me with their most recent thinking on the matter. Following these last meetings, I requested the Forest Service to draw a new boundary line adding additional acreage to the wilderness proposal along its southern boundary. It is this most recent proposal, dated February 4, 1969, which I present to the Senate today. I ask unanimous consent that the text of the Washakie Wilderness bill, along with a table showing the proposed acreage additions which I have included in this present bill, as well as a revised boundary description of the proposed area be included in the RECORD at the conclusion of my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill, table, and description will be printed in the RECORD, as requested by the Senator from Wyoming.

(See exhibit 1.)

Mr. HANSEN. Mr. President, we have come a long way since the Washakie Wilderness was first proposed several years ago by the Forest Service. The truth of this statement is not reflected so much in the addition or deletion of large amounts of acres to this specific wilderness proposal, but rather it is reflected in the attitudes and the conversations that have come out of the long debate on the Washakie Wilderness question. I believe that a high degree of communication has been achieved between various interested parties, including the Forest Service, conservationists and wilderness advocates, local citizens, user groups, and finally, the legislators who are ultimately responsible for establishing wilderness boundaries by act of Congress. I believe that the wilderness bill which I am presenting today is rational, defensible, and equitable. This bill adds acreage in the Bear Creek-Caldwell Creek area which will be important for elk migration routes and protection zones. Additional acres have been placed within the wilderness in the Wiggins Fork-Lincoln Point area and along Parque Creek. These additions seem particularly desirable to preserve scenic forward slopes which are highly visible from the south. This bill does not include a very major amount of acreage located in the DuNoir Basin within the wilderness area.

This omission comes after great deliberation and thorough study on my part. In the Senate Interior Committee hearings last year, I called attention to the fact that the Forest Service had been conducting a joint long-range study with the National Park Service to plan now for the recreation needs which must be met in the entire Rocky Mountain region surrounding Grand Teton and Yellowstone National Parks. I called attention to the fact that I had received a communication from the Forest Service wherein they predict that by 1972, if the Park Service planned recreational developments go according to schedule, the upward trend in recreational use indicates that the Grand Teton and Yellowstone National Parks will have reached a maximum capacity for taking care of people overnight in those parks; 1972 is not very far away. The next question which comes to mind, of course, is how will we handle the multitudes who will be traveling to those great national parks and seeking overnight accommodations. The answer must lie in planning now for heavy recreational and overnight use in the surrounding national forest areas.

Ed Cliff, Chief of the Forest Service, testified in response to my questions on this point at last year's hearings. He said:

> We have been engaged with the Park Service for several years now, analyzing the coordinated development plans of the national parks and the surrounding national forests, just as you have described.
>
> A number of organizations have been urging this regional planning approach, and the development of public facilities outside the national parks, and in the national forests.
>
> As you can see by the map, the Yellowstone National Park is almost surrounded on three sides by wilderness and primitive areas, and there are just corridors coming up from the east that give access.
>
> Our present national forest-developed facilities are taxed to capacity right now. We can develop more along those corridors, but the best sites have already been developed. If we proceed with this regional plan, we are going to have to go out further, over Togwotee Pass on the Washakie side and the Wind River side, to develop some of these facilities. This is one of the principal reasons we feel that these areas should not be included. We have to preserve opportunities for this recreation use.

It is for these reasons that I have omitted the DuNoir area from the Washakie Wilderness proposal at this time. Many Wyoming citizens who have testified or who have communicated with me with respect to the DuNoir area have expressed the fear that its exclusion from the wilderness area would automatically open it up to full-scale development for its timber resources. At times, arguments along this line seem to become frozen into an "all-or-nothing" rhetoric. Some have argued that it must either be wilderness or a complete stripping of the timber from the area will occur. I do not believe that this is the proper way to view this question. I believe that the DuNoir areas which have been excluded from the wilderness should be described and managed in the future with high priority being given to recreation values. I intend to call these high recreational values to the attention of the Senate Interior Committee when we deliberate on this legislation and I want the record to be abundantly clear that future management practices in this area as well as in the entire area along the southern boundary of the Washakie Wilderness should be managed in such a way by the Forest Service as to give full recognition to the great recreational potential inherent there. Along this line, I asked in the hearings last year that the Chief of the Forest Service keep me fully apprised of all management plans for development in these areas which are of critical concern.

The dedicated and intelligent efforts of the many citizens which have advocated additions to the wilderness area have been highly educational to me and I would like to think that this education has extended to the Forest Service as well. I believe that this citizen participation has been one of the greatest benefits that has come out of our long deliberations on the Washakie proposal.

On February 28, 1969, Thomas A. Bell, executive director of the Wyoming Outdoor Coordinating Council, Inc., wrote to me setting forth the views of that council with respect to the Washakie Wilderness proposal. I ask that the letter and its enclosures from Tom Bell be included in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD as follows:

WYOMING OUTDOOR
COORDINATING COUNCIL, INC.,
Lander, Wyo., February 28, 1969.

Senator CLIFFORD P. HANSEN,
Senate Office Building,
Washington, D.C.

DEAR CLIFF: Belated thanks for your time in looking into the Washakie Wilderness. We who are concerned with this resource are greatly appreciative of your interest. I hope the flying trip and subsequent discussions were helpful in clarifying various aspects of the problems involved.

I was finally able to get to Dubois and obtain use of the Forest Service's aerial photos. From these I was able to delineate an approximate southern boundary, including all those areas we feel necessary for a well-rounded wilderness.

I am enclosing the proposed boundary description. We are hopeful this will be of help to you and that you can fully concur in the additions. These recommendations have been reviewed by many people sincerely interested in the wilderness resource. They look to you for careful consideration.

Respectfully yours,

THOMAS A. BELL.

WYOMING OUTDOOR COORDINATING COUNCIL— WASHAKIE WILDERNESS PROPOSAL

Citizen proposals for additions to the Washakie Wilderness are based on the following reasons:

GENERAL

(1) The premise that wilderness area boundaries must be placed on high, impregnable, rocky ramparts wherever possible has no basis in fact. Many wilderness area boundaries are easily accessible by vehicle. Administratively defensible boundaries are another matter. The boundaries proposed herein have been drawn to exclude as many areas as possible which may pose problems. The bottom of Bear Basin is a good example.

(2) The Forest Service contention that steep slopes need not be included in wilderness to protect them is not valid. Citizen pressure (because of past timbering practices in the Dubois area) may make the prospect more unlikely in the future but does not preclude the possibility. Timbering conducted in the area of Lincoln Point and near Brooks Lake are glaring examples of practices which the Forest Service says do not occur. They have to be seen to be believed.

(3) The Forest Service premise that no areas should be included which contain the marks of man is a relative matter open to varied interpretation. What is "substantially unnoticeable" can be extremely difficult to define. It is certainly a fact that the wilderness system now contains areas which were once logged, have the remains of buildings,

and show the effects of man more noticeably than can be seen in the DuNoir area.

SPECIFIC

(1) Elk—Big game biologists, in those states concerned with elk, have all concluded that the Rocky Mountain elk are characteristically wilderness animals. That is, the animals have to be relatively free from human disturbance during some of the year. They have to have large areas of escape cover, especially during hunting season. Otherwise, they leave the area or are gradually exterminated. Deep concern has been expressed by biologists from Wyoming, Colorado, Idaho, Montana, and Oregon as to the effects of access roads and concomitant disturbance on elk habitat.

Factual information from Wyoming and Oregon shows a decline in elk populations following timbering programs which reduce escape cover and allow ready access to spring, summer and fall elk ranges. On the Chesnimnus Game Unit in Oregon, biologists examined all possible factors in relation to decline of elk populations (*Analysis of Factors Influencing the Population Density of the Chesnimnus Elk Herd,* Special Report, Game Division, Wallowa District, August 16, 1968, Ron Bartels and Ralph Denney). Their conclusions, in part, are as follows:

A. Though hunter numbers have remained relatively stable, success and kill have decreased steadily. At the same time, elk hunter numbers have doubled in northeast Oregon.

B. Hunter success on antlerless elk since 1963 is nearly double the success prior to 1963.

C. The summer range is in a healthier condition from the standpoint of elk than it was twenty years ago.

D. The expanded timber harvest in past years has contributed to better elk range from the forage production standpoint but has at the same time decreased the amount of cover.

E. The system accompanying the timber harvest has contributed toward excessive accessibility seasonally which has in turn contributed to overharassment of elk during the hunting seasons.

F. Accessibility has contributed to higher success on antlerless permits.

G. The present and proposed road system has contributed to and will affect all areas used as escape by elk during the hunting seasons.

H. The elk density-road system tolerance for the Chesnimnus Unit was reached in the period between 1964 and 1966 when 1.2 miles of transportation system roads per square mile of summer range was reached.

I. Opening of previous roadless areas has and will have a greater effect as elk will have no area to escape harassment and disturbance that they require.

J. Timber stand improvements are further reducing escape habitat by opening up the dense stands of species regarded as important escape cover.

Wyoming Game and Fish Department harvest records on the Wind River Elk Management Unit show that hunting success has declined in the most heavily roaded area from 27.2 percent of total harvest in 1963 to 9.1 percent in 1967. Meanwhile, the adjacent DuNoir area, where timbering and access roads have not yet penetrated, harvest has varied only 1.8 percent in the same period of time, holding steady at about 22 percent of the total. Similarly, the Bear Basin area, where there has been very little timbering, harvest records show the kill of elk has increased from 42 animals in 1963 to 136 animals in 1967.

Access also has other effects. Hunting records kept by the Wyoming department show that elk completely change their habits when faced with excessive human disturbance. In the fall, the animals stay high in the rocky, wilderness areas until the last possible moment before descending to lower elevations where the most hunting pressure is applied. This becomes a critical matter both for the welfare of the elk and for hunter harvest. The advent of winter weather varies from year to year making management of harvest a most difficult matter.

Wyoming's game managers know that hunting pressures and hunting patterns can change migration routes and herd distribution. Thus, in relation to the herds which now migrate off summer ranges on the high, Absaroka Plateau, movement is down into the Teton Wilderness to the Jackson Hole winter feed grounds, or down into the DuNoir Basins and thence to the East Fork Elk Winter Range. Concern is expressed that ready access into the DuNoir Basins could easily shift the established elk migration from East Fork to the Jackson feed grounds. In so doing, there could be actual loss of elk populations as well as a compounding of the unnatural situation on the feed grounds. In addition, the East Fork Winter Range would lose much of its significance.

Forest Service arguments in rebuttal fail to take into consideration that once elk are off the high plateau and in the lower elevations of the Teton Wilderness, they are committed to the routes which run the gauntlet of firing lines, highways and fences. This is not quite the same situation as in the DuNoir areas where access would take hunters to the very edge of the high, rocky plateau. There, the elk would be submitted to increased pressure and forced back into the Teton Wilderness.

A similar situation is found in the Bear Basin area where access too far north could push elk away from the East Fork Range to the Wind River Indian Reservation. There the elk would be unavailable to non-Indian hunters.

The Wyoming Game and Fish Department has some $260,000 invested in the East Fork Elk Winter Range. Here, some 2,500-3,000 elk feed naturally over snow-free foothills and maintain their wild, free ways. The desirability of maintaining such a condition should be obvious.

The elk herds are of considerable economic importance. Hunting expenditures for elk alone in the Dubois area amount to some $475,000 annually. Barring any environmental or habitat changes, harvest from the elk herds can be considered a sustained yield.

The U.S. Forest Service takes the position (1) that timbering is not deleterious to elk populations but, rather, is helpful (by providing more summer range—not needed in this case), and (2) that considerations for wildlife should not be a criteria for wilderness designation. The people of Wyoming know and feel otherwise.

(2) Bear Basin (about 8,000 acres)—The area to be included here is not roaded, has not been timbered, and has few stands of truly commercial timber. The bottom of the basin has been excluded from our proposal. This will allow development and sufficient access for campers, wilderness seekers and hunters. It has a small, resident elk herd and is an important migration route for other elk going to the East Fork Winter Range.

(3) Wiggins Fork-Lincoln Point (about 3,000 acres)—Timbering and mistletoe control has already wreaked considerable havoc in this area. About all the forest that remains is on the extremely steep slopes along the breccia ramparts. In order to give permanent protection to these slopes they should be included in the wilderness.

(4) Ramshorn slopes-DuNoir Basins (about 34,000 acres)—Some parts of the two basins have had selective timber cutting for ties during the 1920's and 1930's. Taken as a whole, the timbering left very little imprint and today that would be considered "substantially unnoticeable." Jeep trails have penetrated the area in several locations. They are not significant and are, again, "substantially unnoticeable."

Three Forest Service campgrounds and recreation sites were planned in both basins in conjunction with timbering roads. There is a vast area remaining outside of the proposed wilderness which is suitable for recreation development now and in the future. Two of the best campground sites, at Trail Lake and the Kissinger Lakes have purposely been left out of this proposal.

Timbering which was planned for the areas was mainly on the steep slopes around the rim of the basins. The sites and the slopes are exactly like those which have been protested so vigorously in the Brooks Lake area and at Lincoln Point. Wilderness, wildlife, recreation and aesthetic values far exceed timber values.

Timbering in this high altitude, short-growing season area is marginal at best. Stands are of generally low volume, poor quality material. In addition, Forest Service timber sales seem to have been planned without regard for site, slope and soil erodibility. The effect has been to destroy scenic and recreation values, create problems in forest regeneration, reduce elk range, and tarnish the image of the U.S. Forest Service as a responsible guardian of our natural resources.

Taken as a whole, the DuNoir Basins would have a high value for week-end or short-trip wilderness experience. Two, large, road-end campgrounds at Trail Lake and the Kissinger Lakes would serve as entrance to each basin. It is only three miles from the Kissinger Lakes to the Dundee Meadows at the head of West DuNoir Basin. It is only five miles from Trail Lake to Shoshone Pass where John Colter dropped down into East DuNoir. DuNoir Glacier on Coffin Butte is within easy walking distance of both campgrounds (approximately 4 miles). The scenic beauty is unexcelled. There would be opportunity to see elk, deer, bighorn sheep, moose, and bear within the area.

We believe these proposed additions are not unreasonable in view of all the values involved. The great majority of Dubois residents are in favor of the additions, as they were at the time of the 1966 field hearing. Wilderness is a valuable Wyoming resource by reason of topography and geography. Local residents recognize this fact, as do many other Wyoming citizens. We therefore respectfully submit this proposal.

THOMAS A. BELL,
Executive Director.

BOUNDARY DESCRIPTION

Southern boundary beginning on the east at the Wind River Indian Reservation and ending on the west at the intersection with the Continental Divide northeast of Brooks Lake.

Beginning at the head of the south fork of Lake Creek;

Thence 2.00 miles southwesterly down Lake Creek to its confluence with East Fork Wind River;

Thence 0.45 northerly up the East Fork River to its junction with Dugout Creek;

Thence 1.50 miles northwesterly up Dugout Creek to a prominent point which separates the south fork of Teepee Creek from Lean-To Creek;

Thence 1.00 mile northwesterly along this ridge to Castle Rock;

Thence 1.00 mile southwesterly along the bare ridge to the head of small stream;

Thence 2.00 miles down the stream drainage to a point 0.60 mile from Bear Creek near lower end of Bear Basin;

Thence 0.50 mile northeasterly to crest of bare ridge 0.50 mile southeasterly from center of Bear Basin;

Thence 0.60 mile north-northwesterly to bare rock outcropping on east side of Bear Creek near mouth of small stream (SW¼, Sec. 26, T44N, R105W);

Thence 0.50 mile northeasterly along east side of Bear Creek;

Thence 0.25 mile west-northwesterly, across Bear Creek, to bare ridge;

Thence 0.25 mile westerly to end of jeep trail;

Thence 0.90 mile southwesterly to stream;

Thence 1.00 mile downstream to Bear Creek;

Thence 2.30 miles down Bear Creek to mouth of Cave Creek;

Thence 2.40 miles up Cave Creek to pond in Bear Pass;

Thence 2.20 miles northwesterly to point above Caldwell Creek near center of Sec. 24, T44N, R105W;

Thence 1.00 mile northeasterly to a point on Caldwell Creek 0.05 mile below confluence of Bug Creek and Caldwell Creek (F. S. boundary point);

Thence 0.50 mile northwesterly up on ascending ridge to the southern point of the ridge which separates Caldwell Creek and Wiggins Fork (F. S. boundary point);

Thence 1.90 miles northwesterly to a point on ridge above Wiggins Fork;

Thence 1.15 miles southwesterly, across Wiggins Fork, to a point 0.40 mile northeasterly from Double Cabin ruins;

Thence 0.90 mile westerly to a point on Frontier Creek 1.25 miles upstream from its confluence with Wiggins Fork (F. S. boundary point);

Thence 0.40 mile southwesterly to prominent drainage;

Thence 0.80 mile southerly to small drainage;

Thence 1.00 mile south-southwesterly across prominent drainage to promontory;

Thence 0.50 mile southeasterly to small lake;

Thence 1.35 miles southerly to lower most rock outcrops on Lincoln Point;

Thence 0.95 mile westerly to rock outcrop above Cartridge Creek;

Thence 0.55 mile northwesterly to Cartridge Creek (F. S. boundary point);

Thence 0.10 northerly up Cartridge Creek (F. S. boundary point);

Thence 0.40 mile westerly up a ridge to a prominent point on this ridge which is 0.60 mile east of the north end of Boedeker Butte (F. S. boundary point);

Thence 0.30 mile southwesterly down a descending ridge to the bottom of the drainage (F. S. boundary);

Thence 0.50 mile southeasterly up an ascending ridge to the top of a main drainage divide (F. S. boundary point);

Thence 1.00 mile southwesterly along this drainage divide to a prominent point overlooking Horse Creek, this point being 0.90 mile northeast of Carson Lake and 0.80 mile northwest of Bog Lakes (F. S. boundary point);

Thence 0.10 mile northwesterly down a descending ridge to a small drainage (F. S. boundary point);

Thence 0.30 mile westerly up an ascending ridge to a prominent point overlooking Carson Lake, which point is 0.60 mile northeast of Carson Lake (F. S. boundary point);

Thence 1.10 miles northwesterly along the rim overlooking Horse Creek to the first major drainage coming from the east (F. S. boundary point);

Thence 0.40 mile southwesterly down this drainage to its confluence with Horse Creek (F. S. boundary point);

Thence 0.80 mile southwesterly up an ascending ridge with numerous small points to a prominent point on the drainage divide between Parque Creek and Horse Creek (F. S. boundary point);

Thence 1.15 miles northwesterly along the Parque Creek-Horse Creek drainage divide to a rock point 0.40 mile southeast of Deacon Lake (F. S. boundary point);

Thence 1.25 miles southwesterly to prominent point above Parque Creek;

Thence 2.25 miles southeasterly to a point, which is 1.00 mile southwesterly from Burnt Tiber Lake;

Thence 0.70 mile southwesterly to a point on Burroughs Creek 0.20 mile upstream from Amoretti Park;

Thence 1.25 miles south-southwesterly to a point at headwaters of Fivemile Creek;

Thence 0.50 mile southerly to a high, bare point;

Thence 1.15 miles southwesterly to a high point on the ridge between Fivemile Creek and Tappan Creek;

Thence 0.70 mile to a park on Fivemile Creek at end of jeep trail;

Thence 1.90 miles northwesterly, across East Fork of Sixmile Creek, to bare, rocky ledge;

Thence 0.80 mile northerly to point overlooking West Fork of Sixmile Creek;

Thence 1.20 miles northwesterly, across West Fork of Sixmile Creek, to a point which is 0.95 mile east from outlet of Trail Lake;

Thence 0.65 mile north-northwesterly to a point which is 0.55 mile northeast of Trail Lake;

Thence 1.00 mile westerly to a point, which is 0.25 mile northwest of Trail Lake;

Thence 1.00 mile northwesterly, across East DuNoir Creek, to a high point between East DuNoir Creek and Esmond Creek;

Thence 1.30 miles northwesterly, across Esmond Creek, to a bare, rocky point just above Falls Creek;

Thence 1.40 miles southwesterly to a high point between Falls Creek drainage and West DuNoir Creek, which is 0.15 mile south of small lake;

Thence 1.60 miles southwesterly, across West DuNoir Creek, to a high point between Basin Creek and small drainage to south;

Thence 1.15 miles westerly to northernmost Kissinger Lakes;

Thence 1.00 mile westerly to low pass in Pinnacle Buttes;

Thence 2.40 miles northerly along crest of Pinnacle Buttes to a point where bare, rocky crest narrows down to east facing cliff;

Thence 0.50 mile northwesterly to head of Bonneville Creek;

Thence 1.25 miles northwesterly to high point on Continental Divide.

Mr. HANSEN. Mr. President, while the boundary of the wilderness area as proposed by me today does not follow in all respects the boundary as suggested by the Wyoming Outdoor Coordinating Council, I have had their proposal printed in the RECORD at this point in order to make it abundantly clear to all those who will be concerned with the administration of this area in the future just what areas the Wyoming Outdoor Coordinating Council feels has special significance and which, according to their view, are susceptible to careful management in recognition of existing "wild-area" values.

I am hopeful that in the years ahead the concerned citizens in western Wyoming will continue to serve as diligent watchdogs to insure that the great scenic and environmental values of both the Washakie Wilderness and the areas surrounding it are preserved for posterity. It will be this future watchfulness along with a continuation of the great spirit of cooperation and understanding which has arisen between legislators, administrators, users, and concerned citizens which will make wilderness more than just an abstract thing which can be legislated and then forgotten.

I believe that all the facts are now in and I present this bill to the Congress to establish the Washakie Wilderness area in the hopes that the Senate and then the House can act on this measure with dispatch. I have every hope that this matter can be disposed of in this first session of the 91st Congress and I will be working toward that end.

The bill (S. 1468) to designate the Stratified Primitive Area as a part of the Washakie Wilderness, heretofore known as the South Absaroka Wilderness, Shoshone National Forest, in the State of Wyoming and for other purposes introduced by Mr. HANSEN, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD.

EXHIBIT 1

S. 1468

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in accordance with subsection 3(b) of the Wilderness Act of September 3, 1964 (78 Stat. 891), the area classified as the Stratified Primitive Area, with the proposed additions thereto and deletions therefrom, comprising an area of approximately 206,000 acres as generally depicted on a map entitled "Washakie Wilderness—Proposed," dated February 4, 1969, which is on file and available for public inspection in the office of the Chief, Forest Service, Department of Agriculture, is hereby designated for addition to and as a part of the area heretofore known as the South Absaroka Wilderness, which is hereby renamed as the Washakie Wilderness.

SEC. 2. As soon as practicable after this Act takes effect, the Secretary of Agriculture shall file a map and a legal description of the Washakie Wilderness with the Interior and Insular Affairs Committees of the United States and the House of Representatives, and such description shall have the same force and effect as if included in this Act: *Provided, however,* That correction of clerical and typographical errors in such legal description and map may be made.

SEC. 3. The Stratified Primitive Area addition to the Washakie Wilderness shall be administered as a part of the Washakie Wilderness by the Secretary of Agriculture in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness areas, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act.

SEC. 4. The previous classification of the Stratified Primitive Area is hereby abolished.

The table and description, presented by Mr. HANSEN, are as follows:

Acreage summary of proposed Washakie Wilderness—1969 Hansen bill

	Acres
Forest Service proposal	196, 390
Bear Creek-Caldwell Creek	6, 680
Wiggins Fork-Lincoln Point	2, 406
Parque Creek	320
Total	205, 796
Stratified primitive area	203, 930

BOUNDARY DESCRIPTION OF PROPOSED WASHAKIE WILDERNESS REVISED FEBRUARY 4, 1969, IN ACCORDANCE WITH A REQUEST FROM SENATOR CLIFFORD HANSEN

Beginning at the northwest corner of Section 6, T. 43 N., R. 102 W., 6th P.M., Shoshone National Forest, Wyoming.

Thence 2.80 miles west on the Forest boundary to the confluence of Needle Creek and South Fork Owl Creek;

Thence 2.60 miles northwesterly on the South Fork Owl Creek which is the Forest boundary to the upper left fork of South Fork Owl Creek;

Thence 1.10 miles southwesterly along this fork of South Fork Owl Creek, which is the Forest boundary to a point on the divide between South Fork Owl Creek and the East Fork Wind River;

Thence 4.50 miles S 45° 30′ W along the boundary between the Shoshone National Forest and the Wind River Indian Reservation to the south fork of Lake Creek;

Thence 2.00 miles southwesterly down Lake Creek to its confluence with East Fork Wind River;

Thence 0.45 mile northerly up the East Fork Wind River to its junction with Dugout Creek;

Thence 1.50 miles northwesterly up Dugout Creek to a prominent point which separates the south fork of Tepee Creek from Lean-To Creek;

Thence 1.00 mile northwesterly along this ridge to Castle Rock;

Thence 2.00 miles northwesterly down a prominent drainage to its confluence with Bear Creek;

REQUESTED REVISION

Thence about .30 mile up a minor ridge which originates directly opposite the confluence of said drainage with Bear Creek to a prominent knoll;

Thence west across a small drainage and 0.50 mile southwesterly along the rocky escarpment facing Bear Creek to a prominent rock point;

Thence 0.50 miles northwesterly up an ascending ridge to the beginnning of a small drainage into Bear Creek;

Thence southerly 1.20 miles down the thread of a small drainage to Bear Creek;

Thence down the thread of Bear Creek 2.10 miles to the point of the first ridge north of Cave Creek;

Thence 2.10 miles northwesterly up the first ascending ridge north of Cave Creek to a prominent point on top of the Bear Creek-Wiggins Fork Divide;

Thence 1.25 miles northwesterly down a descending ridge to a small tributary into Wiggins Fork;

Thence north about .10 mile to the top of the first low dividing ridge.

Thence northwesterly 1.30 miles along that ridge descending to the elbow of Caldwell Creek.

Thence northeasterly 1.60 miles up the thread of Caldwell Creek to a point 0.05 mile below the confluence of Bug Creek and Caldwell Creek.

Thence 0.50 mile northwesterly up an ascending ridge to the southern point of the ridge which separates Caldwell Creek and Wiggins Fork;

Thence about 1.00 mile northerly along the ridge which separates Caldwell Creek and Wiggins Fork, to a prominent rocky point on this ridge;

REQUESTED REVISION

Thence about 1.75 miles westerly and northwesterly generally following the break in the topography below the rocky escarpment to a minor drainage into Wiggins Fork;

Thence .65 miles down this minor drainage to a point at its intersection with the Wiggins Fork Trail;

Thence .50 miles westerly-southwesterly across Wiggins Fork to the point of an ascending ridge, which point is 0.70 miles above the confluence of Frontier Creek and Wiggins Fork;

Thence 0.20 miles northwesterly up this ridge to a prominent knoll;

Thence 0.40 miles northwesterly and 0.30 miles southwesterly following minor ridges to a point on Frontier Creek just below its confluence with the drainage which heads near Snow Lake, this point being 1.25 miles upstream on Frontier Creek from its confluence with Wiggins Fork;

Thence .40 miles southwesterly along the northwestern edge of a stream delta to a prominent unnamed drainage;

Thence .50 miles southwesterly up said drainage to the point where the major break in topography occurs;

Thence 2.90 miles southerly following a marked line along this break in the topography to the first prominent drainage into Wiggins Fork which heads north of Lincoln Point;

Thence .40 miles up a small tributary to said drainage to the base of the rock outcropping which makes up Lincoln Point;

Thence 1.35 miles southeasterly, southerly, westerly, and nothwesterly following the base of these rock outcroppings to a small drainage into Cartridge Creek which heads just north of Lincoln Point.

Thence 0.70 mile westerly down a small drainage to Cartridge Creek;

Thence 0.10 mile northerly up Cartridge Creek;

Thence 0.40 mile westerly up a ridge to a prominent point on this ridge which is 0.60 mile east of the north end of Boedeker Butte;

Thence 0.30 mile southwesterly down a descending ridge to the bottom of a drainage;

Thence 0.50 mile southeasterly up an ascending ridge to the top of a main drainage divide;

Thence 1.00 mile southwesterly along this drainage divide to a prominent point overlooking Horse Creek, this point being 0.90 mile northeast of Carson Lake and 0.80 mile northwest of Bog Lakes;

Thence 0.10 mile northwesterly down a descending ridge to a small drainage;

Thence 0.30 mile westerly up an ascending ridge to a prominent point overlooking Carson Lake, which point is 0.60 mile northeast of Carson Lake;

Thence 1.10 miles northwesterly along the rim overlooking Horse Creek to the first major drainage coming from the east;

Thence 0.40 mile southwesterly down this drainage to its confluence with Horse Creek;

Thence 0.80 mile southwesterly up an ascending ridge with numerous small points to a prominent point on the drainage divide between Parque Creek and Horse Creek;

Thence 1.15 miles northwesterly along the Parque Creek-Horse Creek drainage divide to a rock point 0.40 mile southeast of Deacon Lake;

Thence 0.70 mile west-northwesterly along the ridge between Deacon Lake and Parque Creek to the head of a small drainage;

Thence 0.75 mile southwesterly down this drainage to a point on Parque Creek;

Thence 0.10 mile easterly down Parque Creek;

REQUESTED REVISION

Thence 1.00 miles southwesterly up a small drainage to the base of the escarpment which forms the ridge between Parque Creek and Burroughs Creek;

Thence 1.85 miles southeasterly following a line along the base of this escarpment, which line is the upper tip of the stringer timber types, to its southern end;

Thence 0.50 mile southwesterly down a minor drainage to Burroughs Creek;

Thence 0.40 mile northwesterly up Burroughs Creek to the point of a ridge ascending to the southwest.

Thence 0.80 mile southwesterly up this ascending ridge to the south end of the Ramshorn;

Thence 0.50 mile northwesterly along the Ramshorn to a point 0.20 mile south of Ramshorn Peak;

Thence 1.40 miles westerly down a descending ridge to East Fork Sixmile Creek;

Thence 0.90 miles northwesterly up an ascending ridge to the southern end of the rocky divide between East Fork and West Fork Sixmile Creek;

Thence 0.60 mile northwesterly down a descending drainage to West Fork Sixmile Creek;

Thence 0.15 mile northerly up West Fork Sixmile Creek;

Thence 0.25 mile northwesterly up an ascending ridge to the main divide between West Fork Sixmile Creek and Trail Creek;

Thence 1.70 miles northerly along this divide to a point overlooking Frozen Lake Creek basin;

Thence 1.30 miles northwesterly down a descending ridge between two forks of a tributary of Frozen Lake Creek and along this tributary to Frozen Lake Creek to a point 2.00 miles above the confluence of Frozen Lake Creek and East DuNoir Creek;

Thence 0.15 mile southwesterly down Frozen Lake Creek to the point of the main ridge which divides Frozen Lake Creek and East DuNoir Creek;

Thence 2.00 miles northerly along the divide between Frozen Lake Creek and East DuNoir Creek to the intersecting point of this ridge with the divide between these drainages and the South Fork Shoshone River, this point being 1.75 miles southwest of Frozen Lake;

Thence 39.75 miles northeasterly along the main divide between the Wind River and Shoshone River and southeasterly along the main divide between the Wind River and Greybull River, which divide is the Fremont County-Park County line, and which divide is also a common boundary to the South Absaroka Wilderness; to East Fork Pass which lies between East Fork Wind River and North Fork Wood River;

Thence 2.00 miles easterly along the divide between Wood River and Middle Fork Wood River to a point where this divide turns northeast;

Thence 1.00 mile southeasterly down a descending ridge to Middle Fork Wood River;

Thence 0.80 mile easterly down the Middle Fork Wood River;

Thence 1.25 miles southeasterly up an ascending ridge which is east of No Name Creek to a point on the divide between Middle Fork Wood River and South Fork Wood River, this point being 0.90 mile southwest of Standard Peak;

Thence 7.50 miles northeasterly along the divide between the Middle Fork and South Fork Wood River to a point on this divide 1.20 miles west of the mouth of Chimney Creek;

Thence 1.40 miles east-northeasterly down a descending ridge to the South Fork Wood River to a point 0.40 mile below the confluence of Chimney Creek and the South Fork Wood River;

Thence 7.00 miles easterly and southeasterly on the divide north and east of Chimney Creek which separates Chimney Creek from Brown Creek, Gooseberry Creek, and Cottonwood Creek, to a point on this divide 0.01 mile northwest of Cottonwood Peak;

Thence 6.80 miles southwesterly along the divide between Owl Creek and the South Fork Wood River drainages to the northwest corner, Section 19, T. 44 N., R. 102 W., 6th P. M., which corner is also on the exterior boundary of the Shoshone National Forest;

Thence 3.00 miles south along the township line to the northwest corner of Section 6, T. 43 N., R. 102 W., 6th P. M., the point of beginning, containing 196,390 acres, more or less.

The boundary as above described is drawn more specifically on a set of aerial photos which are on file in the office of the Regional Forester, Rocky Mountain Region, U.S. Department of Agriculture, Forest Service, Denver, Colorado.

S. 1472—INTRODUCTION OF AMENDMENT TO THE NATIONAL SCHOOL LUNCH ACT

Mr. TALMADGE. Mr. President, Members of the Senate are well aware of the extreme gravity of hunger and malnutrition in the United States. In recent months, we have heard a great outcry

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against these problems all across the land.

Many Members of Congress and many high-ranking officials of the new administration have registered angry and sympathetic protests against hunger.

Black hunger and white hunger.

Hunger in the ghetto.

Hunger in rural shanties.

Hunger among the aged and the infirm.

Hunger in the public schools.

And most tragically, hunger—and perhaps even virtual starvation—among small and innocent children.

The conscience of America has been aroused by the undeniable fact that there are millions of hungry and extremely needy children in this fat and prosperous Nation. They are being denied their birthright. They are being deprived of education and training. In more instances than we care to contemplate, they are sick and diseased in body and broken in spirit.

This is a shame and a disgrace, whether it occurs in the south, the north, the east, or the west—and it does in fact occur to a very large degree in all these places.

As a member of the Select Committee on Nutrition and Human Needs, I have been acutely confronted by the extent and intensity of this problem. I come before the Senate today to offer legislation that would remove at least one serious obstacle that stands in the way of feeding countless numbers of destitute and hungry children.

My legislation is simple. It seeks only to eliminate an outrageous aspect of Federal enforcement of the provisions of title VI of the Civil Rights Act of 1964. This section of the law enables the Federal Government, notably the Department of Health, Education, and Welfare, to withdraw all Federal assistance from local school systems supposedly found in noncompliance with the so-called school guidelines issued by the Department of Education under the previous administration of Harold Howe II.

I do not intend at this time to debate the demerits of title VI of these guidelines. My position regarding their enforcement is well known. However, I have had high hopes that the Department of Health, Education, and Welfare would abandon its unreasonable and impractical tactics of the past, and assume a more sensible stance in dealing with desegregation problems. But I do want to say this:

During the 1964 debates, opponents of this legislation, myself included, referred to title VI as the "starvation" section of the Civil Rights Act. Charges were made that it would have the effect of starving school systems out of the Federal Treasury. It has done that. It has done more. It has also had the effect on starving children of denying them perhaps the only good meal they get during the day.

This was not the intention of title VI. All of us here who were present in the Senate during this debate 5 years ago, and anyone who has read the legislative history, knows full well that it was not the purpose of this act to cripple or totally wipe out school lunch programs as a result of funds being cut off.

No one expressed himself more positively on this point than Senator Hubert Humphrey, the floor manager of the Civil Rights Act, when he declared during the course of the debate:

> I do not want to see school lunches cut off. I do not want to see innocent adults or children injured. If I thought that Title VI would have that result, I could not support it. (CONGRESSIONAL RECORD, vol. 110, pt. 7, p. 8627.)

We heard a lot of talk in 1964 about cutting off funds to school systems. Some of it was downright punitive and vindictive indeed. But I do not recall hearing anyone express the desire to see harm done to school lunch programs, especially where there are large concentrations of children who come to school unfed, and who go to bed at night with an ache in their bellies.

Certainly, it was not intended that the Federal Government be cast in the role of inflicting such damage.

But this is exactly what has been happening.

If proponents of title VI had adequately foreseen in 1964 what is taking place today, I believe specific safeguards would have been written into the law to protect school lunch programs, and to insure that although some Federal assistance to some schools may be denied, school lunch programs would be put beyond the reach of the law.

Much damage already has been done. Thousands upon thousands of school children—hungry children, black and white—have lost the opportunity to sit down at school to a good meal because of the dictates of some Federal official far removed from the scene, and probably totally unaware of the deprivation he has brought about.

These are children who have been and are being severely punished by a government they do not know and by political controversy they do not understand.

Aside from the machinations of Government, aside from political considerations, aside from school desegregation problems, I want to remind the Senate of the words and philosophy of the greatest spiritual leader who ever walked this earth. He told us:

> Suffer the little children to come unto me, and forbid them not. . .

Forbid them not, Mr. President, especially the food they need for nourishment of their bodies.

Let us put aside politics. Let us stop penalizing innocent children for conditions over which they have absolutely no control. Let us correct deficiencies in the law that permit this to happen.

My measure will not alleviate all of the harm that has already been done. But it will put a stop to it in the future. I propose to amend the National School Lunch Act, to provide that nothing in title VI of the Civil Rights Act of 1964 shall be construed to authorize a cutoff of funds in any nonprofit school lunch program under the School Lunch Act administered by the Department of Agriculture, or title I of the Elementary and Secondary Education Act of 1965, or under any other provisions of Federal law.

I have no control over the broad enforcement of title VI. I cannot bring about a revision of the school guidelines, although I have tried. The Department of Health, Education, and Welfare seems bent upon making school systems operate by the number, according to arbitrary ratios. But I can and do now propose that the Department keep its heavy hand out of the school lunch program.

We are dealing here with hungry children, not with Federal bureaucrats and school officials at loggerheads over how our local school systems ought to be operated. I personally feel that local officials and local citizens are in a far better position to resolve this problem than someone in Washington. But be that as it may, let us address ourselves today to the needs of hungry children.

I have been shocked by evidence of hunger among aged individuals trying to make ends meet on fixed incomes from welfare and social security. This too is a condition we must endeavor to alleviate. But the most unfortunate evidence of hunger that we have seen involves children, both preschool and school age.

We must face the fact, unpleasant as it is, that to many children of this Nation, hunger has become a way of life experienced from the cradle on up. They know the pangs of hunger from the time they awaken to the time they go to bed.

The tragic child whose parents cannot or will not provide an adequate diet for him is, by circumstance, sentenced to a life of pain and inferiority.

Nutrition is the key to normal development—both physical and mental—of infants and children. The quantity and quality of nutrition provided during the first few years of life can very well affect an individual for his entire life.

Scientific evidence indicates that malnutrition during the last 3 months of pregnancy and certainly during the first months of life seriously compromise ultimate intellectual development. Very often, early-age deprivation produces children who become the dropouts, the delinquents, and eventually the misfits of society.

In studying testimony before the Nutrition Committee, I have been interested to learn to what extent the problem of hunger is due to a lack of food, or to a lack of knowledge and willingness on the part of the mother to prepare an adequate diet for her young children.

There is good reason to believe that at least a large part of the problem is because many mothers do not have the means for doing much. If they do have some means, many of them do not know how it should be done. And in addition, we may as well face up to the fact that there are many mothers and many fathers who do not care.

I am in the process of studying our food stamp and commodity distribution programs to see how they can be improved to better benefit more needy people, and especially to reach more children. The problem is a complex one. I do not have all the answers.

However, I am impressed with the capabilities of the school lunch program as a means for improving the diet of children of school age. This program has been utilized to good effect in Georgia and in many other States. In fact, Georgia ranked second in the Nation in the past school year in the percentage of

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schoolchildren participating in the school lunch program—66.5 percent of total enrollment.

Very often, the lunch that children receive at school is the only nourishing meal they receive all day, either free or at reduced prices. Thus, schools have taken it upon themselves, with Federal assistance, to see that every pupil gets a good meal at least once a day, whether their parents can afford it or not.

In spite of all that has been done under the school lunch program since its enactment in 1946, and notwithstanding the millions and millions of children who have benefited from it, the funds available under the program have never been totally sufficient to provide free and reduced price lunches to all the children in need of them.

I submit that if there is only one child in a school going hungry during the day, that is one too many. The fact is, there are hundreds of thousands, and probably millions, of such unfortunate children enrolled in the public schoools of the United States.

As I have pointed out, U.S. Department of Agriculture funding of the school lunch program has never quite filled the bill. Many school systems consequently have had to turn to title I of the Elementary and Secondary Education Act of 1965 to secure additional financing for free lunches for needy children. Local school systems have some discretion in putting title I funds where they are deemed to be most needed. Therefore, large portions of these funds in many school systems are going into the school lunch program.

It strikes me as one of the supreme ironies of our time that at the very time the Federal Government is so concerned with fighting hunger and malnutrition wherever it exists, the Department of Health, Education, and Welfare has been very busy cutting off title I funds, much of which is being used to combat hunger and malnutrition in our public schools. There has been a significant loss of funds previously used to provide free lunches to needy children.

I have not acquired all of the statistics to indicate exactly how this folly has affected school systems in each State where funds have been cut off. I do know how it has affected my own State of Georgia.

Of approximately 77 schools that have had title I food service prior to having their assistance cut off, 47 of these schools were forced to drastically reduce their school lunch programs.

As a result, more than 9,000 needy pupils were and are being denied a school lunch.

The Department of Agriculture has attempted to make up some of the deficits with funds from section 32 of the Agricultural Adjustment Act. I commend the Department for its efforts. But they have not been sufficient to compensate for the loss of title I school lunch funds. This is dramatically illustrated by the fact, as we have seen, that more than 9,000 students have lost their school lunches, in spite of special assistance from the Department of Agriculture.

This is only a part of the picture. In Georgia there are 21 school systems in a deferred status, that is, schools which have compliance enforcement proceedings pending against them. Involved here are almost a half million dollars, and 8,215 schoolchildren receiving lunches. We cannot tell at this point how many of these children would be dropped from the program in the event of a fund cutoff. But, just as we have seen in the other schools, we could expect a substantial decrease in the number of lunches served each day.

I have described this sad situation in Georgia as it has been reported to me. I am sure that it is duplicated in other States whose schools have lost their title I school lunch money.

I have already conceded that I do not have all of the answers to this very complex problem of hunger in America. But I do know that we are not going to solve it by taking school lunches away from little hungry children.

I can find no justification—not under the Civil Rights Act and certainly not in the name of humanity—for allowing such a practice to continue.

Mr. President, I introduce the bill at this time and ask unanimous consent that it be referred to the Judiciary Committee for prompt consideration.

The VICE PRESIDENT. The bill will be received, and, without objection, will be referred to the Committee on the Judiciary.

The bill (S. 1472) to amend the National School Lunch Act to exempt school lunch programs from the provisions of title VI of the Civil Rights Act of 1964 introduced by Mr. TALMADGE, was received, read twice by its title, and referred to the Committee on the Judiciary, by unanimous consent.

S. 1473—INTRODUCTION OF BILL TO INCLUDE CUSTOMS INSPECTORS IN THE CATEGORY OF HAZARDOUS OCCUPATIONS

Mr. YARBOROUGH. Mr. President, I introduce a bill to amend section 8336(c) of title 5, United States Code, to add customs inspectors to the categories of Federal employees deemed to be engaged in hazardous occupations.

I originally introduced this bill on July 13, 1967, as S. 2108 of the 90th Congress, and time has not lessened the danger nor decreased the hazards to these employees.

Customs inspectors are charged with the enforcement of customs laws. Enforcement includes securing and acting upon information of actual or suspected violations of the customs laws, where necessary making searches, seizures, and arrests.

One of the potentially dangerous persons is the narcotic offender and smuggler. Many narcotics seizures are made from these persons, and many of them are criminals of the most vicious type. For example, at the small port of San Luis, Ariz., a customs inspector found narcotics in the possession of a border-crosser while making a routine search, without any idea of the past criminal record of the individual. When the subject was arrested and his background checked, it was found that he had been convicted of eight felony counts, including rape, assault, kidnaping, and robbery. The danger of contact with such an individual is obvious.

To cite a recent example, last summer at the San Ysidro, Calif., border station a suspected narcotics smuggler pulled his gun on a customs inspector and forced him to drive the abductor and a woman companion through the customs barrier. The suspect kept his gun in the side of the inspector while the woman kept screaming "Kill him, kill him." The inspector effected a miraculous escape when the suspect ordered the car stopped and the inspector was able to break away and dive into a roadside ditch. The two suspects who had lengthy, impressive criminal records were later captured.

In addition to the obvious hazards inherent in face-to-face contact with criminal types, there are the out of the ordinary hazards inherent in a job that must be performed under conditions of constant strain and increasing workload. The consequence of this is that we have a large number of inspectors affected by such pressure diseases as coronary attacks and hypertension. This pressure is present at every customs installation from the smallest one-man port to the teeming border crossings, international airports, and great seaports.

Like other enforcement officers, customs inspectors are subject to call at any time of the day or night. In addition to an erratic working schedule, customs inspectors constantly face personal hazards other than those normally incident to most enforcement duties. Hazards are ever present in boarding or leaving vessels, from falling into open hatches, in stepping on slippery decks, from walking among rails and switches at railroad terminals, from speeding fork trucks, and swinging cranes.

Customs inspectors continually come into personal contact with vessel officers, crewmembers, and the traveling public who are oftentimes antagonistic and belligerent. In many instances, and especially in connection with small ships or at isolated ports, he performs his duties away from crowded piers and terminals and may be the only enforcement officer on duty.

In addition to duty assignments at seaports and airports throughout the country, customs inspectors are employed at customs ports of entry and customs stations along the Mexican and Canadian borders. At these points they come in direct contact with persons of all types and descriptions, including all manner of criminals.

In routine searches along the border it is common to discover concealed weapons such as knives, switchblades, brass knuckles, revolvers, and automatic pistols. Knives have been found dangling on the end of a string down a suspect's pants leg attached from his belt. Guns have been found strapped to the legs or taped there with masking or adhesive tape.

In consideration of the extreme hazards of the inspectors' work, it is obvious that as a matter of plain justice, they should be included as a class under the provisions of section 8336(c) of title 5, United States Code, along with other Federal employees subject to no greater

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hazards in the performance of their assigned duties.

Mr. President, I ask unanimous consent that the bill be printed in full in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, will be printed in the RECORD.

The bill (S. 1473) to amend section 8336(c) of title 5, United States Code, to include the position of customs inspector in the category of hazardous occupations introduced by Mr. YARBOROUGH, was received, read twice by its title, referred to the Committee on Post Office and Civil Service, and ordered to be printed in the RECORD, as follows:

S. 1473

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 8336 (c) of title 5, United States Code, is amended by inserting immediately after "United States" the following: "or who is a customs inspector".

S. 1475—INTRODUCTION OF BILL TO AMEND TITLE X AND TITLE XVI OF THE SOCIAL SECURITY ACT

Mr. HARTKE. Mr. President, continuing my efforts to improve, through Federal legislation, the opportunities of needy blind persons who must depend for support upon publicly provided programs of aid to the blind, I have introduced a bill containing several proposals to amend title X and title XVI of the Social Security Act.

Since my election to the U.S. Senate, Mr. President, it has been a particular privilege and, I believe, a particular opportunity for me to work with and for our sightless fellow citizens in their courageous struggle to achieve full and equal participation in all aspects and activities of our Nation's life.

Blind men and women throughout the country, join together in common cause in the National Federation of the Blind and working together in this organization toward the realization of common objectives and a shared philosophy—this organization and I, Mr. President, have joined forces to improve conditions and to equalize opportunities for all persons without sight in our Nation.

One object of our labors has been the improvement of the Federal-State programs of aid to the needy blind, established under title X of the Social Security Act.

We, the blind, and I, have sought to make public assistance to the blind an adjunct to rehabilitation, a force to stimulate hope, to encourage initiative and effort, a means and a way of gaining restoration of self-sufficiency and independence.

It has been one of my greatest satisfactions as a U.S. Senator that some of the proposals I have sponsored have been accepted by Congress and are now Federal law—and because of this, blind men and women have received some measures of help as they strive so bravely and so determinedly to help themselves and to help each other.

Mr. President, although Congress has, on numerous occasions, indicated by its enactments that aid to the blind should be directed toward the goal of assisting blind persons to reduce or to entirely eliminate their dependence upon public welfare, to achieve self-support through the use of their talents and training—still, the ancient and outmoded concepts of the Elizabethan "poor laws" continue to oppress the needy blind and obstruct their efforts, making release from relief an almost unattainable possibility.

The bill I have introduced today would remove these unsocial and uneconomic roadblocks from the law and from the lives of blind people.

In summary, Mr. President, my bill would do the following:

Section 1 would not only require that the basic human needs of blind persons be met by the maintenance of standards compatible with decency and health by State programs of aid to the blind, but would also require that the specialized needs, the needs which blind persons have because they are blind, be fully met and provided for by such programs.

Section 2 would remove the length of time limitation—of 12 months obligatory and 36 months permissive—on the exemption of all income and resources of a recipient of aid to the blind having a State-approved rehabilitation plan for achieving self-support.

Section 3 provides the maximum amount for which a relative may be held liable to contribute to a needy blind person.

Section 4 would prohibit any State agency administering a federally supported program of aid to the blind from requiring recipients under such a program to subject their property to liens or to transfer their property to such agency as a condition for receiving aid and assistance.

Section 5 provides for a minimum public assistance payment, which would permit the satisfaction of basic needs, and, in addition, would recognize and allow for the satisfaction of the specialized needs resulting from the circumstances of blindness. This provision would also require that needs peculiar to an individual—diabetic diet, homemaker help, et cetera—be also adequately provided for by State programs of aid to the needy blind.

Section 6 provides that the social services which are to be made available to recipients of public assistance under the welfare amendments of 1962, shall be given only to persons who request them, that the amount of aid a person is entitled to receive in nowise shall be contingent upon his acceptance of social services, and that such services be defined and administered on a categorical basis.

Section 7 provides for an increase in the Federal financial participation in money payments to recipients of aid to the blind.

This proposed matching formula change would raise the present basic grant of $31 of the first $37 to $42.80 of the first $50; and it would raise the present matching ceiling from $75 to $100, with the variable grant formula determining an additional Federal share of 50 percent to 66 percent of the difference between $50 and $100.

Section 8 requires that any increase in Federal financial sharing in aid to the blind payments intended to raise the level of money payments to recipients be given to States only upon the condition that the States will pass on the additional money to recipients without a reduction in the State's or the local share in such payments.

Section 9 prohibits the imposition of any durational residence requirement as an eligibility condition for receiving aid to the blind payments.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1475) to amend titles X and XVI of the Social Security Act to improve the programs of aid to the blind so that they will more effectively encourage and assist blind individuals in achieving rehabilitation and restoration to a normal, full, and fruitful life, introduced by Mr. HARTKE, was received, read twice by its title, and referred to the Committee on Finance.

S. 1476—INTRODUCTION OF A BILL TO EXEMPT SOCIAL SECURITY INCREASES IN DETERMINING PUBLIC ASSISTANCE NEEDS

Mr. HARTKE. Mr. President, since the first enactment of the Social Security Act in 1935, Congress has acted many times providing for increases in social security payments.

Congress has taken these actions to raise the level of such payments, that aged and blind and other disabled beneficiaries might have more money in their monthly checks and be able to live better, to eat and clothe themselves better, to live in better circumstances.

Yes; many Congresses have acted to raise the level of social security payments, but far too often the intended beneficiaries of congressional generosity have not benefited at all from such ameliorative legislation.

There are millions of social security recipients, Mr. President, whose social security checks are just not sufficient to allow them to live even at the lowest standard of decent and healthy living, so these vast numbers of people must supplement their totally inadequate income with public assistance, with veterans compensation or with payments from private insurance plans.

And the structural nature of these supplemental income programs are such that as social security payments are increased, supplementary payments are decreased in the amount of the social security increase—thus, social security beneficiaries in large numbers are not $1 better off, after an increase in social security payments has been passed by Congress than they were before.

Although I am concerned with the plight of social security recipients who get additional income from veterans compensation and from private insurance plans, the bill I have introduced today is particularly directed to help social security beneficiaries who also receive public assistance, for these are our most needy citizens, yet many of them fail to benefit at all when we in the Congress legislate increases in social security payments.

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To understand the reason for this, requires an understanding of the operations of the Federal-State public assistance system.

When a person applies for aid, after consideration of various budgetary items—food, clothing, shelter, fuel, and similar necessaries—a dollar amount is determined upon and his total need is established—let us say, at $80 a month.

Then, available resources are ascertained—unexempt earnings, regular contributions from relatives, pensions, insurance, and other forms of fixed and regularly received income.

Social security payments, whether received because of retirement or disability, are classed as available resources.

Since public assistance is only intended as supplementary help—help provided in addition to available resources—social security payments are used to reduce the amount of public assistance grants.

So that the person who has an established need, according to public assistance standards, of $80 monthly, and who receives the minimum social security payment of $55, will be given a $25 monthly public assistance grant.

If this same person's social security payment should be raised from the present $55 to, let us say, $65, this rise in social security will have no value for this person.

It will only mean that instead of his public assistance grant being $25 it will be $15 a month.

The person intended by Congress to be benefited by the social security payment increase will not benefit at all.

The State and county where the man lives, which provide his public assistance support, will be the only beneficiaries of the congressional generosity.

My bill would change this.

It would amend titles I, X, XIV, and XVI—the public assistance titles of the Social Security Act—to exempt all increases in social security payments made subsequent to January 1, 1972, from consideration in determining a person's need for public assistance and the amount of aid he should receive.

This proposal, enacted into Federal law, would assure that increases in social security payments provided by Congress to improve and raise the living standards of elderly and disabled persons would, in fact, be actually available to them as increased monthly income.

Nor is the concept which I propose of exempting certain income from consideration as an available resource when determining a person's need for public assistance a novel and startling concept to the Congress and to the Social Security Act.

Except that, Mr. President, previously adopted measures have only been half-measures and, therefore, have almost totally failed to achieve the objective they were intended to further.

In the Social Security Amendments of 1965, Mr. President, Congress acted as I now propose it act again—it provided that the social security increase of that year might be exempt up to $5 monthly from consideration in determining a person's public assistance need.

But, Mr. President, although, in 1965, Congress recognized the importance of providing for the $5 monthly exemption, it failed woefully to implement this recognition with effective legislation.

For it was left up to the States whether to exempt the $5 minimum increase in social security payments, and only 24 States have acted affirmatively in this matter.

Again in the 1967 social security amendments, it was the very same disappointing situation.

In the 1967 amendments to the Social Security Act, Congress authorized States to exempt up to $7.50 monthly of social security payments, and this time only nine States acted affirmatively.

Mr. President, my bill would do effectively what Congress did, ineffectively, both in 1965 and in 1967.

Mr. President, my bill as Federal law, would make sure that any proposed increase in social security payments would actually be received by social security beneficiaries, for my proposal would be mandatory on the States and not optional with them.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1476) to amend titles I, IV, X, XIV, and XVI of the Social Security Act to prevent recipients of assistance under programs established pursuant to such titles from having the amount of such assistance reduced because of increases in the monthly insurance benefits payable to them under title II of such act, introduced by Mr. HARTKE, was received, read twice by its title, and referred to the Committee on Finance.

S. 1477—INTRODUCTION OF A BILL TO AMEND THE SOCIAL SECURITY ACT TO INCLUDE DISABILITY BENEFICIARIES IN THE MEDICARE PROGRAM

Mr. HARTKE. Mr. President, although I believe the greatest legislative accomplishment of the 89th Congress was the establishment of the social security-based health insurance program for persons over the age of 65, I also believe that this program must not remain limited only to elderly persons.

Rather, I believe this program must be changed and so expanded that beneficiaries of social security-provided disability insurance payments may share in its benefits, may be included in the Federal health insurance program.

To achieve this most worthwhile purpose, Mr. President, I am introducing a bill to provide that individuals entitled to disability insurance benefits—or child's benefits based on disability—under title II of the Social Security Act, and individuals entitled to permanent disability annuities—or child's annuities based on disability—under the Railroad Retirement Act of 1937, shall be eligible for health insurance benefits under title XVIII of the Social Security Act.

Mr. President, just as the men and women who are elderly and retired on social security payments must live and manage on very limited income have a great need that their health care costs be met by the social insurance method, so, too, it is most necessary that the health care costs of those who must live and manage on limited income because they are disabled, because they are beneficiaries of the disability insurance program be met by the very same concept of social insurance enacted into Federal law.

For the limited income problem of the disabled insurance beneficiary is the very same as that of the retired elderly person—the amount of his payment is the same as the amount of the old-age benefit for which he would be eligible if he were to retire.

It has been said, Mr. President, that older people, in general, have need for more medical and hospital care and less ability to pay for such care than is the case with younger persons.

It is equally true, Mr. President, that disabled persons, with verified, medically determined disabilities, in general, have need for more medical and hospital care than retired persons who, though advanced in years, still may be robust and well.

It is equally true, Mr. President, that persons whose disabilities are chronic, are constantly in need of medical and hospital attention.

Mr. President, how do the disabled, living on a limited income of social security, pay for their health care costs now, when they are confronted by the shockingly high expenses of a sudden accident or a major illness, or the prolonged anguish of a terminal disease?

Some, of course, may have savings to draw upon—to pay doctors' and hospital bills, nurses' wages and druggists' charge. But, as you well know, Mr. President, savings, so long in building, soon disappear.

Savings, so slowly accumulated and so carefully hoarded for use to supplement insufficient social security payments, soon disappear.

Then, Mr. President, there are family reserves and the earnings of family members to draw upon—of course, the health-care costs of the disabled can be imposed upon responsible relatives.

Finally, Mr. President, the disabled, beneficiaries of the Federal disability insurance program, faced with the disastrous financial consequences of impaired health or additional disabilities, may turn, in their grevious need, to charity—yes, for them there is always charity—there is always public welfare and private charity.

Mr. President, I reject these uneconomic and unsocial methods of meeting the health-care costs of the retired elderly, and, with equal force and conviction, I reject them for paying the health-care bills of disability insurance beneficiaries.

Mr. President, just as I supported the social insurance method for paying the price exacted for restored health and repaired bodies for the elderly, I urge its adoption for the disabled.

Just as I preferred the advanced payment with established rights method to the public or private charity method, or the responsible relatives method, for the elderly, I urge its adoption for the disabled.

My bill as Federal law would provide health-care benefits to the disabled, benefits specified and described in Federal

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law and regulation rather than having such benefits dependent upon a social case worker's biased judgment or uncertain whim.

My measure as Federal law would provide health-care benefits to disabled persons by right upon establishment of eligibility in accordance with requirements specified and described in Federal law and regulations, rather than have receipt of such benefits dependent upon a "means" test standard of proven poverty or demonstrated destitution.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1477) to provide that individuals entitled to disability insurance benefits (or child's benefits based on disability) under title II of the Social Security Act, and individuals entitled to permanent disability annuities (or child's annuities based on disability) under the Railroad Retirement Act of 1937, shall be eligible for health insurance benefits under title XVIII of the Social Security Act, introduced by Mr. Hartke, was received, read twice by its title, and referred to the Committee on Finance.

S. 1480—INTRODUCTION OF BILL TO PRESENT THE MEDAL OF HONOR TO FRANK BORMAN, JAMES LOVELL, AND WILLIAM ANDERS

Mr. YARBOROUGH. Mr. President, I introduce, for appropriate reference, a bill to confer the Medal of Honor on astronauts Frank Borman, James Lovell, and William Anders.

Mr. President, the Medal of Honor is the highest military award for bravery that can be given to any individual in the United States of America. It was originally conceived in the 1860's, and was first presented in 1863. Ever since that time it has come to symbolize the highest and best of the American ideals.

Traditionally, the Medal of Honor has been awarded to members of the U.S. Armed Forces who have shown exemplary courage and bravery in time of war. It has been given to recognize those men who have risked their lives for their country, and have performed deeds that distinguished their gallantry above and beyond the call of duty.

On some occasions in the past, Congress has awarded the Medal of Honor for individual exploits taking place during peacetime. For example, Floyd Bennett, a U.S. Navy machinist, was awarded the Medal of Honor for his heroic contributions to the famous Byrd Arctic Expedition. Richard E. Byrd, who piloted the first aircraft over the North Pole, was also presented with the Medal of Honor by a special act of Congress. George R. Cholister and Henry Clay Drexly were awarded Medals of Honor for their bravery during a fire that broke out aboard the U.S.S. *Trenton* in October of 1924.

In all, Congress has acted to present the Medal of Honor to 16 persons who have acted with unusual bravery and heroism in peacetime, including such men as Richard P. Hobson, Adolphus Greely, William C. "Billy" Mitchell, and eight unknown soldiers.

On December 14, 1927, by a special act of Congress, the Medal of Honor was presented to Col. Charles A. Linbergh, U.S. Army Air Corps Reserve upon his successful completion of the first nonstop trans-Atlantic airplane flight. The citation of this act reads as follows:

> For displaying heroic courage and skill as a navigator, at the risk of his life, by his nonstop flight in his airplane, the *Spirit of St. Louis,* from New York City to Paris, France, 20–21 May, 1927, by which Colonel Linbergh not only achieved the greatest individual triumph of any American citizen but demonstrated that travel across the ocean by aircraft was possible.

Congress recognized the significance of Colonel Linbergh's accomplishment, and awarded the Medal of Honor not only on the basis of his personal heroism, but on the basis of the future implications of trans-Atlantic flight as well. I think we would all agree that such skill and courage should be awarded, for it is so expressive of the American creative spirit.

Mr. President, on December 21, 1968, we witnessed an even greater example of American skill and courage. Mankind entered a new era when Apollo 8 broke the gravitational bonds of earth and sent men to the moon for the first time in history.

Three men—Col. Frank Borman, U.S. Air Force, Capt. James Lovell, U.S. Navy, and Lt. Col. William Anders, U.S. Air Force—led the way in this great adventure, displaying heroic courage and skill as they guided their spacecraft to the moon, a historical achievement comparative to the first airplane flight by the Wright brothers at Kitty Kawk, or Columbus' voyage to America.

It is fitting that we should honor these men—and the thousands of skilled technicians and scientists of NASA—who made it possible for America to pioneer the path to the moon. That is why I am proud to introduce today, a bill authorizing the President to present in the name of Congress, the Medal of Honor to Col. Frank Borman, Capt. James Lovell, and Lt. Col. William Anders.

Mr. President, I ask unanimous consent that the bill be printed in full at this point in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, will be printed in the Record.

The bill (S. 1480) authorizing the President of the United States to present in the name of Congress, the Medal of Honor to Col. Frank Borman, U.S. Air Force, Capt. James Lovell, U.S. Navy, and Lt. Col. William Anders, U.S. Air Force, introduced by Mr. Yarborough, was received, read twice by its title, referred to the Committee on Armed Services, and ordered to be printed in the Record, as follows:

S. 1480

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized to present in the name of Congress, the Medal of Honor to Colonel Frank Borman, United States Air Force, Captain James Lovell, United States Navy, and Lieutenant Colonel William Anders, United States Air Force, for displaying heroic courage and skill by successfully completing the historic flight of the Apollo 8 spacecraft from the earth to the moon and back, from December 21, 1968, until December 28, 1968, by which they achieved the greatest technical triumph of man in this century, demonstrating the feasibility of travel to and around the moon, and leading mankind into a new era of scientific accomplishment and discovery.

S. 1482—INTRODUCTION OF BILL TO AMEND THE NORRIS-LA GUARDIA ACT

Mr. FANNIN. Mr. President, on behalf of myself and Mr. Goldwater I introduce, for appropriate reference, a bill to amend section 4 of the Norris-La Guardia Act so as to restore jurisdiction to our Federal courts sitting in equity, to grant injunctive relief, where otherwise appropriate, after notice and hearing, where the relief sought is to enjoin the breach of a clause, contained in a contract between an employer and a labor organization, forbidding a strike, slowdown, sitdown, or other interference with production, or a lockout.

Mr. President, the purpose of this bill is to permit the granting of injunctive relief in the event of strikes or lockouts in violation of a contract between an employer and a labor organization. Such injunctions may not now be granted because of a holding of the U.S. Supreme court in *Sinclair* v. *Atkinson,* 370 U.S. 238. That decision was to the effect that, although section 301 of the Taft-Hartley Act gives an employer the right to bring an action against a union for going on strike in violation of its no-strike pledge in a collective-bargaining contract, the courts are severely limited in the relief they can grant to the employer, since they are prohibited by section 4 of the Norris-La Guardia Act from issuing an injunction against the strike.

In other words, section 4 of the Norris-La Guardia Act has been interpreted by the Supreme Court as denying to the Federal courts the only enforcement power which could insure that the breach of a labor union's contractual commitment not to strike would be speedily remedied.

The authorities are almost unanimous in pointing out that an action for damages is, in fact, an insufficient deterrent to breaches of no-strike pledges because unions in too many instances have little hesitancy to subject themselves to a difficult-to-calculate damage action tried by a jury several years later, in order to reap the immediate gains which might be secured by strike action, even though such action would be in violation of an existing collective-bargaining contract.

These same authorities point out that a remedy restricted to damages is inappropriate, since the loss of orders, customers, and goodwill which results from such work stoppages and disruptions constitutes an irreparable injury to the employer, which cannot be adequately compensated for in money damages. Furthermore, as a practical matter, an employer can rarely afford to jeopardize labor-management relations by suing a union made up of his own employees, after the end of a strike.

However, even if actions for damages

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were adequate to compensate employers for losses and injury suffered as a result of violations of no-strike pledges by labor unions, and clearly they are not, they would still remain completely inadequate to protect the public interest. Furthermore, when parties enter into contractual commitments not to strike and not to lockout, it is a peaceful and harmonious relationship and continuity of operations which they want, if they are dealing in good faith, not damages, and the public interest demands that they be held to those commitments.

Mr. President, if would be difficult, indeed, to imagine a situation more inconsistent and more at variance with our national labor policy than that which is disclosed by the Supreme Court's decision in the case of Sinclair Oil Co. against Atkinson.

Mr. President, the bill I am introducing today is the same as S. 2455, which I introduced in the last Congress. I hope that this will receive the prompt consideration which I believe it deserves.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1482) to amend the Norris-La Guardia Act so as to permit the granting of injunctive relief in suits brought to enforce the provisions of contracts between employers and labor organizations, introduced by Mr. FANNIN (for himself and Mr. GOLDWATER), was received, read twice by its title, and referred to the Committee on the Judiciary.

S. 1483—INTRODUCTION OF A BILL TO DENY TAX-EXEMPT STATUS TO LABOR ORGANIZATIONS

Mr. FANNIN. Mr. President, I introduce, for appropriate reference, a bill to amend the Internal Revenue Code to deny tax-exempt status to labor organizations which use membership dues or assessments for political purposes.

Mr. President, it has been estimated that over a hundred million dollars were spent by labor unions in the last national elections.

What makes this practice so iniquitous is that much of this money is collected by the unions under compulsory union shop arrangements, with large numbers of workers having to pay dues to the unions against their will and with the knowledge that their money will be used to support candidates which they oppose. Moreover, the rank-and-file members seldom have any voice in the decisions as to which candidates are to be supported or opposed by the union. Even the elected union officials at the local level have no voice in these matters, their function being to see to it that the dues money is transmitted to COPE organizations.

Mr. President, I would like to note in passing that in spending their members' money in this manner the unions are engaging in unlawful activity in violation of the Federal Corrupt Practices Act, an act which makes it a crime for any union to make any contribution or expenditure in connection with any election to Federal office including President, Vice President, Senator, or Representative. It provides for punishment by fine and imprisonment for any union officer responsible for making, or any candidate who receives, any such contribution. This criminal statute has been on the books since 1947, but since no serious effort has been made to enforce it, the unions are able, for all practical purposes, to ignore its provisions. Vigorous enforcement of this law by the new administration would go a long way toward curbing this serious abuse of union power and provide more effective protection to rank-and-file employees.

Mr. President, tax exemption is a privilege, and if unions are to continue to enjoy that privilege they should be expected to abide by the same rules as other exempt organizations. There is no logical justification for carving out a special rule for them, particularly when this special rule, in effect, condones flagrant and persistent violations of a Federal criminal law. The legislation which I introduce today will make it clear that unions are not entitled to tax-exempt status if they engage in political activities.

Mr. President, unions enjoy a tax-exempt status under the Internal Revenue Code. Section 501(c) of the Internal Revenue Code lists various categories of exempt organizations among which are labor unions, fraternal clubs, religious, charitable, and educational organizations, chambers of commerce, civic associations, and so on. Of the more than two dozen groups listed there is only one group that can engage in political action without being disqualified for tax exemption. That group is labor. A chamber of commerce group that spends any part of its funds for political purposes would quickly lose its exemption status, and the same would happen to a religious or educational organization, a public welfare organization, a social club, or any of the others. Only one group has the privilege of engaging in political action while still retaining the exemption status.

Now, the interesting point is that there is nothing in the statutory language which would authorize this special treatment for unions, nor is there any legislative history to support it. It is purely and simply a position that has been followed by the Internal Revenue Service, and officially articulated for the first time under the Johnson administration. In other words, the position of the Internal Revenue Service is that a union is tax exempt no matter how much of its money it spends for political purposes, and notwithstanding the fact that the Federal Corrupt Practices Act makes such expenditures a Federal crime.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1483) to amend the Internal Revenue Code of 1954 to deny tax-exempt status to labor organizations which use membership dues or assessments for political purposes, introduced by Mr. FANNIN, was received, read twice by its title, and referred to the Committee on Finance.

S. 1487—INTRODUCTION OF BILL PROVIDING TAX RELIEF FOR "PUEBLO" CREWMEN

Mr. MONTOYA. Mr. President, I introduce at this time on behalf of myself and the junior Senator from California (Mr. CRANSTON), a bill that requires our most immediate attention.

Mr. President, as we approach the April 15 deadline for filing of Federal income tax returns, we are faced with the horrors that beset us all—to some degree or another—as we try working our way through the maze of columns and forms and deductions and all the other items that we have to contend with in filing our tax returns. On February 18, I introduced a tax reform measure, S. 1054, and announced that I would soon be introducing another tax reform proposal that would, if enacted, bring about a more equitable distribution of the tax burden that is presently being borne principally by the low- and middle-income wage earner. I am presently drafting that measure and hope to have it ready for introduction in the near future.

There has, however, been brought to my attention, and to the attention of Senator CRANSTON, a situation that cannot wait on other tax reform measures. This is a situation that requires this Congress to act and act right now.

Mr. President, we have been hearing much about the inequities that exist in our present tax structure—and exist they do. But, I do not think that any are more inhumane than the taxation of the pay received by the 82-member crew of the U.S.S. *Pueblo* while they were being held in captivity by the North Koreans during those agonizing 11 months.

By some strange quirk of fate, had the *Pueblo* crew been prisoners of war, or had they been in Vietnam at the time of their capture, they would not have been subject to such taxation. However, because they happened to be assigned to North Korean waters and not to Vietnam, they are not legally classified as having been serving within a combat zone and, therefore, not subject to the special tax treatment that would have been theirs had they been serving in Vietnam.

Thus, the 82-member crew of the *Pueblo* is now discovering that after an 11-month captivity, Uncle Sam is cruel enough to come in and demand taxes on the pay they earned while in captivity.

No one can or should argue with the tax provisions that give favored tax treatment to prisoners of war. Unless we have been unfortunate enough to have undergone the same experiences ourselves, none of us could begin to imagine what torture such individuals must undergo. A lessening of their tax burden is the least that we should do for them.

By the same token, however, as we are learning from the investigation into the *Pueblo* capture, there has seldom been such punishment inflicted upon prisoners of war as was suffered by the crew of the *Pueblo* during their 11-month captivity. By a strange quirk of fate, however, the *Pueblo* crewmen are being subjected to taxation that is cruel indeed.

This is a matter that should be divorced completely from the inquiry into the capture of the *Pueblo*. The fact is, that the capture did take place and these crewmen were subjected to torture at the hands of the North Koreans. For

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taxing purposes, they certainly should not be given less consideration than had they been assigned to a combat zone.

I, therefore, introduce, with the cosponsorship of Senator CRANSTON, a bill that would give the *Pueblo* crewmen the same tax treatment as if they had been assigned to a combat zone, that is, the pay received while in captivity be nontaxable. Because the April 15 deadline for filing of tax returns is fast approaching, I urge immediate and prompt action on this measure. This is a unique situation which demands our most expeditious consideration.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD, an article by Jim G. Lucas, Scripps-Howard staff writer, appearing in the Albuquerque Tribune on March 6, 1969, entitled: "Tough Rap After Korea; 11-Month Captivity, Now Uncle Sam To Tax *Pueblo's* Crew."

Mr. President, I also ask unanimous consent to have the text of the bill printed at this point in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and article will be printed in the RECORD.

The bill (S. 1487) to extend to the personnel of the U.S.S. *Pueblo* the provisions of the Internal Revenue Code of 1954 relating to combat pay of members of the Armed Forces, introduced by Mr. MONTOYA, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 1487

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for purposes of sections 112, 692, and 2201 of the Internal Revenue Code of 1954, service of the officers and members of the crew of the U.S.S. *Pueblo* during the period commencing with the day on which the *Pueblo* was first attacked by the naval forces of North Korea and ending on the day on which the surviving officers and members of the crew were released by the government of North Korea shall be treated as service in a combat zone (within the meaning of section 112 of such Code).

The article, presented by Mr. MONTOYA, is as follows:

TOUGH RAP AFTER KOREA: 11-MONTH CAPTIVITY, NOW UNCLE SAM TO TAX "PUEBLO'S" CREW

(By Jim G. Lucas)

CORONADO, CALIF.—Uncle Sam is preparing to take a tax bite out of the money the USS Pueblo's 82 crewmen earned during their 11-month captivity in North Korea.

Had they been in Vietnam, or had they been legal prisoners of war, they'd get favored tax treatment. But by quirk of fate they were neither.

They were illegal detainees—whatever that means—and unless the law or the tax regulations are changed they owe taxes on the pay accrued during their captivity.

The average Pueblo crewman laid up between $3,000 and $7,000 on the books while he languished in prison outside Pyongyang.

But after they were freed two days before Christmas the money went fast. They wanted new cars. One sailor promptly bought a new car and a racing engine for his old one.

Dozens have new motorcycles. They've bought expensive hi-fi's and musical instruments.

They've splurged on expensive gifts for their parents, their wives, brothers, sisters and girl friends. They've been Lord Bountiful, and it has been a glorious two months.

But now April 15 is bearing down.

"I had a Pueblo sailor in the other day," said a tax consultant who asked that his name not be used. "I sweated over his returns for hours. No matter how you figured it, that boy owed a whopping tax. And he was flat broke.

"In this business, you get callous. If a client gets his finances in a mess and can't pay his tax, that's his problem—next case, please.

"But when that sailor walked out of here with that return in his hand, I never wanted to cry so bad in my life. If he doesn't pay, of course, the penalties start piling up. At least I didn't charge him anything. It's a tough rap after North Korea."

S. 1488—INTRODUCTION OF BILL TO PROHIBIT THE MAILING OF UNSOLICITED DRUG PRODUCTS AND OTHER POTENTIALLY HARMFUL ITEMS

Mr. TYDINGS. Mr. President, today, I would like to introduce a bill which would amend title 39 of the United States Code by prohibiting the Postmaster General from accepting for mailing and delivery unsolicited drug products and other potentially harmful products.

Last year Jimmy Ingraham, age 3, of Rockville, Md., fell mysteriously asleep one afternoon and could not be awakened. His distraught mother called the family physician and the child was taken to the hospital. Thankfully, Jimmy was revived several hours later none the worse for his harrowing brush with tragedy.

Earlier that day, Jimmy Ingraham had come upon a sample bottle of a patent cough medicine which had been sent through the mails. The package was too large to go through the mail slot at the Ingraham's home. The bottle carried a warning, "Keep medicine away from children." But Jimmy Ingraham, age 3, could not be expected to read the warning on the label. He drank most of the contents of the bottle before his mother knew the package, addressed only to "Occupant," had been left on her doorstep.

Mrs. Carol B. Ingraham, the wife of a postal service employee, reacted to her misfortune in the most admirable way. Upon learning that it was the practice of many patent medicine firms to bulk-mail samples, she organized a group called "Citizens Committee for Legislation Preventing Unsolicited Bulk Mailing of Drugs and Other Medicines." In the best tradition of American political action she sought, by exercising the right of petition, to enlist others to her cause and, notwithstanding an obvious lack of organization and resources, she has achieved widespread support.

In addition to support from individuals, Mrs. Ingraham's campaign has also attracted official support. On January 15, 1969, the mayor of Rockville, Md., the Honorable Achilles M. Tuchtan, wrote me urging me to promote legislation designed to ban this practice. I responded to the mayor with assurances that I would not only support such legislation, but would introduce such legislation myself if none were forthcoming in this session.

Today, I am able to fulfill that pledge and I do so enthusiastically. To prohibit the use of the mails to those who, unsolicited, would transmit potentially dangerous materials is a goal well worth pursuing. And certainly any hardship such a prohibition would cause to those who utilize this means to advertise their wares is insignificant when compared to the threat this practice poses to thousands of Jimmy Ingrahams all over the country.

Mr. President, I ask that a copy of Mayor Tuchtan's letter to me and my response be incorporated as a part of these remarks.

I would also like to have incorporated in the RECORD a resolution, Resolution No. R–3–69, of the mayor and City Council of Gaithersburg, Md., which urges the enactment of the type of legislation I introduce today.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the letter and resolution will be printed in the RECORD.

The bill (S. 1488) to amend title 39, United States Code, to prohibit the mailing of unsolicited sample drug products and other potentially harmful items, and for other purposes, introduced by Mr. TYDINGS, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

The material, presented by Mr. TYDINGS, follows:

CITY OF ROCKVILLE,
Rockville, Md., January 15, 1969.

Hon. JOSEPH D. TYDINGS,
Senate Office Building,
Washington, D.C.

DEAR SENATOR TYDINGS: The Mayor and Council of Rockville, at its meeting of January 13, received a letter from a Mrs. Carol Ingraham, a resident of Rockville, concerning a campaign, by petition, that she is conducting for legislation to prohibit the mailing of drugs and other medicines by unsolicited bulk mailings. A copy of her petition is enclosed.

The Mayor and Council felt that Mrs. Ingraham's campaign is a worthwhile one in view of the fact that children, particularly, are the victims of drinking such medicines, and wishes to make known its support. It is the Council's hope that you will take an interest in this matter, and give whatever assistance you can in promoting legislation to ban this medicine mailing practice.

Sincerely yours,
ACHILLES M. TUCHTAN,
Mayor.

JANUARY 27, 1969.

Hon. ACHILLES M. TUCHTAN,
Mayor, City of Rockville,
Rockville, Md.

DEAR MAYOR TUCHTAN: Many thanks for your letter of the 15th sending me the petition of the Citizens Committee for Legislation Preventing the Unsolicited Bulk Mailing of Drugs and Other Medicines.

I have corresponded with Mrs. Ingraham about her frightening experience and assured her that I am very much concerned about the problem of hazardous substances being sent through the mail on the 3rd class bulk rate. Legislation was introduced last year to prohibit such mailings but was not acted upon adjournment. Although I do not yet know whether that bill will be reintroduced, I am prepared to offer legislation myself if it is not.

I greatly appreciate your interest and the support of the council for Mrs. Ingraham's campaign.

Sincerely,
JOSEPH D. TYDINGS.

RESOLUTION R–3–69

Resolution of the mayor and city council of the city of Gaithersburg, Md., urging the U.S. Congress to adopt appropriate legislation which would prevent unsolicited bulk mailing of drugs and other medicines, particularly those addressed to resident or occupant

Whereas the Mayor and City Council deem it to be in the public interest to support legislation which contributes to the safety of the citizens of the City of Gaithersburg; and

Whereas certain drug manufacturers and marketers distribute their products through bulk mailings to "Resident" or "Occupant" and to addressees obtained from city and telephone directories and other sources; and

Whereas some of the drugs and other medicines may be very harmful if not taken in accordance with directions printed on container labels or in printed materials accompanying samples; and

Whereas bulk-mailed drugs and other medicines are usually delivered in such a fashion that small children can be the first ones to pick them up; and

Whereas there have been instances of small children opening and consuming such drugs and medicines without the knowledge of their parents or other attendants; and

Whereas children have become very ill as the result of eating or drinking such drugs and medicine samples; Now, therefore, be it

Resolved, by the Mayor and City Council of the City of Gaithersburg, That the Congress of the United States be urged to enact appropriate legislation which would prevent unsolicited bulk mailings of drugs and medicines, particularly those addressed to "Resident" or "Occupant".

I, Harold C. Morris, Mayor of the City of Gaithersburg, Maryland, do hereby certify that the foregoing is the true and correct Resolution No. R–3–69 passed at a meeting of the Mayor and City Council of Gaithersburg held on the 3rd day of March, 1969.

HAROLD C. MORRIS,
Mayor.

Attest:

SANFORD W. DAILY,
City Manager.

S. 1494—INTRODUCTION OF BILL RELATING TO PRIVATE ANTITRUST ENFORCEMENT

Mr. SPARKMAN. Mr. President, I introduce, for appropriate reference, a bill to amend the Clayton Act by making section 3 of the Robinson-Patman Act, with amendments, a part of the Clayton Act, in order to provide for governmental and private civil proceedings for violations of section 3 of the Robinson-Patman Act.

This measure is substantially identical to S. 877 of the 90th Congress. This proposed legislation has been the subject of hearings before the Judiciary Subcommittee on Antitrust and Monopoly in the past. The distinguished chairman of that subcommittee, the Senator from Michigan (Mr. HART), is again joining me as a cosponsor. The Senator and I are pleased to announce that the bill is also being cosponsored by the Senator from Colorado (Mr. ALLOTT), the Senator from Indiana (Mr. BAYH), the Senator from Nevada (Mr. BIBLE), the Senator from Connecticut (Mr. DODD), the Senator from Michigan (Mr. GRIFFIN), the Senator from Louisiana (Mr. LONG), the Senator from New Hampshire (Mr. MCINTYRE), the Senator from Minnesota (Mr. MONDALE), the Senator from New Mexico (Mr. MONTOYA), the Senator from Utah (Mr. MOSS), the Senator from Wisconsin (Mr. NELSON), the Senator from Kansas (Mr. PEARSON), the Senator from West Virginia (Mr. RANDOLPH), the Senator from South Carolina (Mr. THURMOND), the Senator from Texas (Mr. YARBOROUGH), and the Senator from North Dakota (Mr. YOUNG).

The purpose of this bill, in a nutshell, is to authorize private and governmental civil enforcement of a certain provision of the Robinson-Patman Act that is not found elsewhere in the antitrust and trade regulation laws of the United States. It is a peculiar fact that, as the law now stands, violators of section 3 are subject to criminal prosecution, with punishments up to a $5,000 fine or a year's imprisonment or both, upon conviction, yet are not subject to suits for damages and injunctive relief by those whose businesses their criminal conduct has injured or destroyed. Enactment of this measure would end the peculiarity and reverse the situation. Criminal enforcement would be ended. Civil enforcement would be restored.

Section 3 of the Robinson-Patman Act prohibits three kinds of commercial misconduct in the field of pricing. It forbids "any person engaged in commerce, in the course of such commerce"—and now I shall, in part, paraphrase the statutory language:

First. To be a party to, or assist in, any transaction of sale, or contract to sell, which discriminates to his knowledge against competitors of the purchaser, in that any discount, rebate, allowance or advertising service charge is granted to the favored purchaser and not granted to his competitor, in respect of a sale of goods of like grade, quality, and quantity;

Second. To sell, or contract to sell, goods in any part of the United States at prices lower than those exacted by said person elsewhere in the United States for the purpose of destroying competition or eliminating a competitor; and

Third. To sell, or contract to sell, goods at unreasonably low prices for the purpose of destroying competition or eliminating a competitor.

Prohibitions quite similar to the first two of these three occur also in section 1 of the Robinson-Patman Act, and that section is made, in express terms, amendatory of section 2 of the Clayton Act. Violators of the Clayton Act may be sued for treble damages and injunctive relief by those whom their unlawful conduct has injured. Accordingly, in this new bill, I am retaining only the third provision of section 3, removing the criminal sanctions, and making the section, so revised, a part of the Clayton Act.

Before 1958, it had been widely assumed that section 3 of the Robinson-Patman Act was one of the antitrust laws, which, by provisions in the Clayton Act, are the subject of civil enforcement. Although several lower courts doubted or denied the right of private suitors to base damage actions on violations of section 3, enough others did grant relief thereunder to cause the Attorney General's National Committee To Study the Antitrust Laws, in its 1955 report—page 200—to note that private claimants had emerged as the principal enforcers of this section.

Then, on January 20, 1958, the Supreme Court, in two companion cases decided by a five to four majority, ruled that section 3 of the Robinson-Patman Act was not a part of the antitrust laws, and, as a result, that private actions for treble damages and injunctive relief would not lie for violation of the unreasonably low pricing ban contained only in that section—a criminal statute—and not paralleled in section 2 of the Clayton Act. In the years since 1958, I have introduced, with distinguished cosponsorship, a number of bills designed to permit civil relief under section 3 of the Robinson-Patman Act. These bills have received warm support from small businessmen in many and varied industries at hearings before the subcommittee chaired by the Senator from Michigan. Senator HART and I, and our cosponsors, believe that those hearings have made the case for this legislation. It should be enacted. We hope and trust that in this Congress it will be enacted.

The forces pushing us toward concentration in industry after industry in our economy are very great. Some of them may be unavoidable; but one such force, the occasional practice of deliberate predatory pricing with the express purposes of destroying competition, is not in that class. It can and should be checked; yet it is not feasible or even desirable to initiate a criminal prosecution every time the existing law against such pricing is broken. Unleashing the power of private civil enforcement will bring vitality to a provision of the law that badly needs to be revitalized, if we are to preserve an economy in which power is dispersed among many competitors, not concentrated in the hands of a few giant companies.

I have high hopes that the Subcommittee on Antitrust and Monopoly, under the leadership of Chairman HART, will give this bill prompt and favorable consideration. I commend it to the attention of every Member of Congress, for I think it deserves the active support of every believer in a competitive economy and every friend of small business.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1494) to amend the Clayton Act by making section 3 of the Robinson-Patman Act, with amendments, a part of the Clayton Act, in order to provide for governmental and private civil proceedings for violations of section 3 of the Robinson-Patman Act, introduced by Mr. SPARKMAN (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

S. 1495—INTRODUCTION OF BILL TO AUTHORIZE THE SECRETARY OF THE INTERIOR TO DETERMINE THAT CERTAIN COSTS OF OPERATING AND MAINTAINING BANKS LAKE ON THE COLUMBIA BASIN PROJECT FOR RECREATIONAL PURPOSES ARE NONREIMBURSABLE

Mr. JACKSON. Mr. President, I introduce, for appropriate reference, a bill to authorize the Secretary of the Interior to determine that certain costs of operating and maintaining Banks Lake on the Columbia Basin project for recreational

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purposes are nonreimbursable. This measure passed the Senate in the 90th Congress, but no action was taken in the House.

Banks Lake is an equalizing reservoir on the Columbia Basin project. Under the original authorization and at present, the lake is operated for purposes of irrigation alone. As a result, the water level is subject to periodic surges and fluctuations of as much as 18 feet. These fluctuations have the effect of making the use of the lake for recreational purposes almost impossible.

The purpose of the bill is to permit the Secretary of the Interior to determine that limited costs related to pumping water to stabilize the lake's level are nonreimbursable. The Department's report estimates that these costs would average about $21,000 per year. The recreational benefits which would accrue are estimated at over $60,000 per year.

The bill proposes an interim arrangement, as the authorization runs for only 6 years, at which time the arrangement would be reevaluated in light of studies now being made of recreational opportunities on Federal water projects.

Banks Lake is an important recreational resource in the eastern half of the State of Washington. In addition to being an excellent area for fish and wildlife, it is a popular recreational area that is used by residents from all over the State when water level conditions permit.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1495) to authorize the Secretary of the Interior to determine that certain costs of operating and maintaining Banks Lake on the Columbia Basin project for recreational purposes are nonreimbursable, introduced by Mr. JACKSON (for himself and Mr. MAGNUSON), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

S. 1496—INTRODUCTION OF BILL TO PROVIDE FOR PAYMENTS ON CERTAIN OUTSTANDING BONDS OR OTHER OBLIGATIONS SECURED BY LANDS ACQUIRED FOR FEDERAL RECLAMATION PROJECTS

Mr. JACKSON. Mr. President, I introduce, for appropriate reference, a bill to provide for payments on certain outstanding bonds or other obligations secured by lands acquired for Federal reclamation projects.

This bill, previously designated as S. 3688, was introduced late in the second session of the 90th Congress. The measure was referred to the Committee on Interior and Insular Affairs, but the accumulation of other work prevented further action prior to adjournment.

When lands are acquired by the Bureau of Reclamation for the construction, operation, and maintenance of water resource developments, the right-of-way acquisition procedures provide for equitable payment to landowners and for the relocation of utilities as project costs. However, situations have arisen where portions of the distribution system service areas of water agencies have been included in such land acquisitions. The Secretary of the Interior presently has no authority to reimburse the agency for increased costs of operation and maintenance occasioned by the change in service area. Furthermore, the Secretary has no authority to compensate the agency for its loss in revenues used to make payments on bonds or other obligations outstanding at the time of acquisition and secured by the land which has been taken.

As a result, the remaining water users in the service area are faced with the unanticipated increased cost. The bill which I am introducing today would provide the authority for the Secretary to make equitable compensation for these costs of right-of-way acquisition.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1496) to provide for payments on certain outstanding bonds or other obligations secured by lands acquired for Federal reclamation projects, and for other purposes, introduced by Mr. JACKSON, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

S. 1500—INTRODUCTION OF BILL TO NAME LOCK AND DAM NO. 18 ON THE VERDIGRIS RIVER IN OKLAHOMA AND THE LAKE CREATED THEREBY FOR NEWT GRAHAM

Mr. HARRIS. Mr. President, I introduce, for appropriate reference, a bill to name the authorized lock and dam No. 18 on the Verdigris River in Oklahoma and the lake created thereby for Newt Graham. Newt Graham, who died in 1957, devoted many years of work against great odds to keep the dream of the Arkansas River navigation project alive. Since the Arkansas navigation project has been under construction, several of its boosters have been memorialized through the naming of locks and dams on the river after them. It would be a shame if one of the Arkansas navigation project's greatest supporters, Newt Graham, was forgotten. The Arkansas Basin Development Association has adopted a resolution urging Congress to name the lock and dam No. 18 the Newton R. Graham Lock and Dam. Also the Oklahoma State Legislature has adopted Senate Concurrent Resolution 14 requesting the naming of lock and dam No. 18 the Newton R. Graham Lock and Dam. It therefore seems appropriate that this lock and dam be named for Newt Graham inasmuch as lock and dam No. 18 is the closest lock and dam to his hometown of Tulsa. Mr. President, I ask unanimous consent that Senate Concurrent Resolution 14 be inserted in the RECORD at this point in my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the concurrent resolution will be printed in the RECORD.

The bill (S. 1500) to name the authorized lock and dam numbered 18 on the Verdigris River in Oklahoma and the lake created thereby for Newt Graham, introduced by Mr. HARRIS, was received, read twice by its title, and referred to the Committee on Public Works.

The concurrent resolution, presented by Mr. HARRIS, is as follows:

S. CON. RES. 14

Concurrent resolution recognizing the dedicated leadership and many public services of Newton R. Graham in promoting Oklahoma's water resources and recreational facilities and in the development of navigation on the Arkansas River; requesting the Congress of the United States to name lock and dam No. 18 on the Verdigris River the "Newton R. Graham Lock and Dam"; and directing distribution of copies of this resolution

Whereas, the late Newton R. Graham dedicated his life to service in the public interest and is one of Oklahoma's outstanding pioneers in the development of water resources and recreational facilities; and

Whereas, he rendered valuable assistance to the Oklahoma Legislature and to the Congress in promoting progressive legislation; and

Whereas, as President of the Arkansas Basin Development Association and as a member of the Oklahoma Planning and Resources Board and Chairman of its Water Resources Committee he devoted more than a quarter of a century as an ardent champion of all phases of the development of Oklahoma's water and recreational resources in a manner that would preserve the natural beauty of our state; and

Whereas, his goal was the realization of a dream of the earliest Oklahomans for maximum development of all natural resources, especially navigation on the Arkansas River; and

Whereas, he was the leader in presenting to Congress the economic study on navigation of the Arkansas River, from the Mississippi River to a point near Tulsa, which culminated in the authorization in the 1930's of studies by the Corps of Engineers to determine the feasibility of a multi-purpose plan for development of the Arkansas River, including navigation; and

Whereas, as Chairman of the Bi-State Committee, appointed by the Governors of the States of Oklahoma and Arkansas, he presented the testimony for the two states which resulted in authorization by Congress in 1946 of the multi-purpose plan for development of the Arkansas River, with navigation to Catoosa; and

Whereas, the name Newton R. Graham is synonymous with water resources projects, parks, and recreation generally and especially with navigation on the Arkansas River; and

Whereas, the pool created by Lock and Dam 18 on the Verdigris River will bring water into the Port of Catoosa; and

Whereas, said Lock and Dam 18 has not been named.

Now, therefore, be it resolved by the Senate of the first session of the thirty-second Oklahoma Legislature, the House of Representatives concurring therein:

SECTION 1. That the Congress of the United States be and is hereby respectfully requested to name the uppermost lock and dam on the Verdigris River, which is currently designated Lock and Dam No. 18, the "Newton R. Graham Lock and Dam."

SEC. 2. That duly authenticated copies of this Resolution be transmitted to the presiding officers of the Senate and House of Representatives of the Congress of the United States, to the members of the Oklahoma Congressional Delegation, to the Governors of Oklahoma and Arkansas and to the City of Tulsa-Rogers County Port Authority.

Adopted by the Senate the 25th day of February, 1969.

FINIS SMITH,
President Pro Tempore of the Senate.

Adopted by the House of Representatives the 3d day of March, 1969.

REX PRIVETT,
Speaker of the House of Representatives.

Attest.

BASIL R. WILSON,
Secretary of the Senate.

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SENATE JOINT RESOLUTION 76—INTRODUCTION OF PROPOSED CONSTITUTIONAL AMENDMENT RELATING TO RESIDENCE REQUIREMENTS FOR VOTING IN PRESIDENTIAL AND VICE-PRESIDENTIAL ELECTIONS AND FOR PROPOSED CONSTITUTIONAL AMENDMENTS

Mr. MONTOYA. Mr. President, on May 27, 1968, I introduced in the U.S. Senate, a proposed Senate joint resolution (S.J. Res. 174) proposing a constitutional amendment long overdue. I am today reintroducing this proposal and urging the Senate Subcommittee on Constitutional Amendments, which is presently holding hearings on proposed amendments to the Constitution, to take prompt action on my measure.

My proposed constitutional amendment would provide that strict State residency requirements would no longer continue to disenfranchise American citizens in elections for President and Vice President and in the selection of delegates to conventions to consider proposed constitutional amendments.

Mr. President, because of residency requirements which must be met in order for a citizen of the United States to be eligible to vote, it was estimated that as many as 16 million voters were disenfranchised in the 1968 national elections. This is incredible.

As many as 35 States require the individual voter registrant to have maintained residence within the State for up to 1 year in order to be considered as an eligible voter. The States have every right—and should continue to have that right—to set reasonable residency requirements for voter eligibility in elections on all matters of primarily State and/or local significance. However, there are certain rights which are inherent to American citizenship and should not be denied because of residency within a State. Among those rights are the right to vote for the two high offices of this Nation, and on matters pertaining to the Federal Constitution.

Mr. President, we are a highly mobile society today. Americans today are moving about from State to State more freely than ever before, as required by their employment or for personal or other reasons. This factor, in and of itself, should not disenfranchise them during national elections. The President and Vice President of the United States are the President and Vice President of all American citizens. And all American citizens should be protected in their right to participate in the election process which chooses those two officials. Likewise, the American Constitution is a constitution which all Americans must abide by and all American citizens should be able to participate in the process by which this Constitution is or might be amended. My proposed constitutional amendment would guarantee that the exercising of these rights is not abridged because of unduly restrictive State residency requirements.

Mr. President, I ask for prompt consideration of this measure. I also ask, Mr. President, unanimous consent that the text of my proposed amendment be printed at this point in the Record.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the Record.

The joint resolution (S.J. Res. 76) proposing an amendment to the Constitution of the United States relating to residence requirements for voting in presidential and vice presidential elections and for the selection of delegates to conventions to consider proposed constitutional amendments, introduced by Mr. Montoya, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

S.J. Res. 76

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"Article —

"Section 1. Except as otherwise provided by this article, the right of any citizen of the United States to vote in any election for electors for President or Vice President, for President or Vice President, or for the election of delegates to a convention convened within any State to consider any amendment to this Constitution proposed by the Congress shall not be denied or abridged by any State by reason of the failure of such citizen to meet any residence requirement of such State if such citizen is otherwise qualified to vote in such election in such State.

"Sec. 2. The right to register as a qualified voter for the elections defined in section 1 shall not be denied or abridged by any State, except that no State shall be required to accept applications for registration within thirty days of an election defined in section 1.

"Sec. 3. The Congress shall have the power to enforce this article by appropriate legislation.

"Sec. 4. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the States within seven years from the date of the submission hereof to the States by the Congress. If so ratified within that period, this article shall take effect on the date of such ratification, or January 1, 1969, whichever date is later."

SENATE RESOLUTION 163—RESOLUTION COMMEMORATING THE 50TH ANNIVERSARY OF THE FOUNDING OF THE AMERICAN LEGION

Mr. DIRKSEN (for himself and Mr. Mansfield) submitted a resolution (S. Res. 163) commemorating the 50th anniversary of the founding of the American Legion, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. Dirksen, which appears under a separate heading.)

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTION

Mr. McCLELLAN. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from South Dakota (Mr. Mundt) be added as a cosponsor of S. 1290, to incorporate the college benefits system of America.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. McCLELLAN. Mr. President, I also ask unanimous consent that, at its next printing, the name of the Senator from Alabama (Mr. Allen) be added as a cosponsor of the bill (S. 30) relating to the control of organized crime in the United States.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Wisconsin (Mr. Proxmire) be added as a cosponsor of the bill (S. 309), the Postal Employee-Labor Management Act.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BENNETT. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Pennsylvania (Mr. Scott) and the Senator from Ohio (Mr. Saxbe) be added as cosponsors of the bill (S. 845) to redefine ammunition in the Gun Control Act of 1968.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. HARTKE. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Indiana (Mr. Bayh) and the Senator from Utah (Mr. Moss) be added as cosponsors of the bill (S. 1205) to create a Supreme Sacrifice Medal.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. JACKSON. Mr. President, I ask unanimous consent that at its next printing, that the names of the Senator from New Mexico (Mr. Anderson), the Senator from Montana (Mr. Metcalf), the Senator from Ohio (Mr. Young), the Senator from Vermont (Mr. Aiken), the Senator from Kansas (Mr. Dole), the Senator from Wyoming (Mr. McGee), the Senator from North Dakota (Mr. Young), the Senator from North Carolina (Mr. Ervin), the Senator from Indiana (Mr. Hartke), the Senator from California (Mr. Cranston), the Senator from West Virginia (Mr. Randolph), the Senator from New Hampshire (Mr. Cotton), the Senator from Hawaii (Mr. Inouye), the Senator from Connecticut (Mr. Dodd), the Senator from Connecticut (Mr. Ribicoff), the Senator from North Dakota (Mr. Burdick), the Senator from Michigan (Mr. Hart), the Senator from Missouri (Mr. Eagleton), the Senator from Rhode Island (Mr. Pell), the Senator from Indiana (Mr. Bayh), the Senator from Nevada (Mr. Cannon), the Senator from Massachusetts (Mr. Kennedy), the Senator from Nevada (Mr. Bible), the Senator from Alaska (Mr. Gravel), and the Senator from Maine (Mr. Muskie) be added as cosponsors of the bill (S. 88) the "Artificial Organ, Transplantation, and Technological Development Act of 1968."

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MURPHY. Mr. President, I ask unanimous consent that, at its next printing, my name be added as a cosponsor of the bill (S. 713) to designate the Desolation Wilderness, Eldorado National Forest, in the State of California.

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The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MURPHY. Mr. President, I ask also unanimous consent that, at its next printing, my name be added as a cosponsor of the bill (S. 714) to designate the Ventana Wilderness, Los Padres National Forest, in the State of California.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, at the request of the senior Senator from West Virginia (Mr. RANDOLPH), I ask unanimous consent that, at its next printing, the names of the Senator from California (Mr. MURPHY), the Senator from Idaho (Mr. CHURCH), the Senator from Vermont (Mr. PROUTY), and the Senator from Wyoming (Mr. HANSEN) be added as cosponsors of the joint resolution (S.J. Res. 74) providing for the designation of the first full calendar week in May of each year as "National Employ the Older Worker Week."

The VICE PRESIDENT. Without objection, it is so ordered.

NOTICE OF HEARING ON NOMINATIONS

Mr. SPARKMAN. Mr. President, I wish to announce that the Committee on Banking and Currency will hold a hearing on Thursday, March 13, 1969, on the following nominations:

Carlos C. Villarreal, of California, to be Urban Mass Transportation Administrator.

Henry Kearns, of California, to be President of the Export-Import Bank of the United States.

The hearing will commence at 10 a.m., in room 5302, New Senate Office Building.

NOTICE OF HEARINGS ON MEASURES TO COMBAT ORGANIZED CRIME

Mr. McCLELLAN. Mr. President, I should like to announce that the Special Subcommittee on Criminal Laws and Procedures will hold hearings on S. 30, S. 974, S. 975, and S. 976, bills relating to the Federal effort against organized crime. Should additional proposals in this area of criminal law be introduced and referred to the subcommittee prior to the hearings, we will be pleased to include these. The first series of hearings will begin on March 18 and continue on March 19, 25, and 26, at 10 a.m. in room 2228, New Senate Office Building. Should anyone wish further information on the hearings, please contact the subcommittee staff in room 2204, New Senate Office Building.

NOTICE OF HEARINGS ON DEPARTMENT OF THE INTERIOR NOMINATIONS

Mr. JACKSON. Mr. President, for the information of the Members of the Senate, I announce that on Friday, March 14, the Committee on Interior and Insular Affairs will hold open hearings on nominations by President Nixon to five posts in the Department of the Interior. They are:

Hollis Mathews Dole, of Oregon, to be Assistant Secretary of the Interior for Mineral Resources.

Dr. Leslie L. Glasgow, of Louisiana, to be Assistant Secretary of the Interior for Fish and Wildlife and Parks.

Carl L. Klein, of Illinois, to be Assistant Secretary of the Interior for Water Quality and Research.

Mitchell Melich, of Utah, to be Solicitor of the Interior Department.

James R. Smith, of Nebraska, to be Assistant Secretary of the Interior for Water and Power Development.

These public hearings are scheduled to begin at 10 o'clock in the Committee on Interior and Insular Affairs, room 3110, New Senate Office Building. Any Member of the Senate is, of course, welcome to attend and participate.

Mr. President, I ask unanimous consent that a brief biographical sketch of each of these nominees be printed in the RECORD.

There being no objection, the biographies were ordered to be printed in the RECORD, as follows:

BIOGRAPHY OF HOLLIS MATHEWS DOLE

Residence: Born Paonia, Colorado, September 4, 1914. Moved to Portland, Oregon, 1917; Independence, Oregon, 1920; Grants Pass, Oregon, 1924; Portland, Oregon, 1947. Resides at 2612 N.E. 23rd Avenue, Portland, Oregon 97212; Telephone: 284-5994 (Area code 503).

Education: Grade and high school: Grades 1–5; Independence, Oregon (1920–24); Grades 6–12; Grants Pass, Oregon (1924–31). College: Oregon State University, Corvallis, Oregon, 1931–32; 1937–40: BS in geology; 1940–42: MS in geology; minor mining engineering University of California at Los Angeles; 1941: Economic geology, University of Utah, Salt Lake City, Utah; 1951–53: Economic geology.

Military service: U.S. Navy (Naval Reserve); Grade: 1942–1943, Ensign; 1943–1944, Lt. (j.g.); 1944–1945, Lieutenant.

Service: Indoctrination, Tucson, Arizona (1942); Memphis Naval Tr. Center (1943); First Marine Air Wing (South Pacific Combat Air Trans.) Solomon Islands (1943–1944); Naval Air Station, Anacostia, Md. (1944); Joint Tactical Air Force, Okinawa (1945); First Marine Air Wing, Zamboanga, P.I. (1945); Naval Reserve, inactive (1946–1949).

Awards: Unit Citation—SCAT; Unit Citation—JTAF; Navy Commendation with medal (Okinawa).

Employment: Bohemia Mines, Cottage Grove, Oregon (1934–35); American Trust Company, Palo Alto, California (1935–37); U.S. Bureau of Mines, Scappoose, Oregon (1942); U.S. Geological Survey, Tucson, Arizona (1946); State of Oregon Department of Geology and Mineral Industries; Grants Pass Field Office: Field Geologist (1946–47); Portland Office: Geologist (1947–55); (Educational leave, academic years—1951–52); Acting Director (1955–56); State Geologist and Director (1956–present); Instructor in Geology, Oregon Extension Center (1948–50); Graduate instructor, University of Utah (1951–52); Adjunct professor of geology, Portland State College—no salary (1968–69).

Publications—Articles: "Strategic Minerals and the Stockpile", Mining Congress Journal, American Mining Congress, February 1967; "Strategic Minerals", Mining Congress Journal, American Mining Congress, February 1964; "Public Land Withdrawals Threaten Mineral Industry", Mining Engineering, Amer. Inst. Min., Met. & Pet. Engrs., July 1961; "New Focus on Oregon for Gold, Uranium, Oil", Greater Portland Commerce, Portland Chamber of Commerce, April 1968; "Oregon's Mineral Industry", Greater Portland Commerce, Portland Chamber of Commerce, January 1967.

Technical publications: Author—"A Description of Oregon Rocks and Minerals", Dept. of Geol. & Min. Ind., Misc. Paper #1, 1950; Co-author—"Relations of Certain Jurassic and Lower Cretaceous Formations in Southwestern Oregon", Bulletin, Amer. Assoc. of Pet. Geol., vol. 43, no. 12, Dec. 1959; "Geology of the Central and Northern Parts of the Western Cascade Range in Oregon", U.S. Geol. Survey, Prof. Paper 449, 1964.

Editor—"Gold and Money Session", 1960 Pac. Northwest Metals & Min. Conf., Amer. Inst. of Min., Met. & Pet. Engrs, 1960; "Proceedings of the Second Gold and Money Session, 1963 Pac. Northwest Metals & Min. Conf., Amer. Inst. of Min., Met. & Pet. Engrs, 1963; "Proceedings of the Third Gold and Money Session, 1967 Pac. Northwest Metals & Min. Conf., Amer. Inst. of Min., Met. & Pet. Engrs, 1967; "Andesite Conference Guidebook", Bull. 62, Dept. of Geol. & Min. Ind., and Int. Upper Mantle Project, Scient. Rept. 16–S, 1963.

Technical publications: In print—Several chapters in "Mineral Resources of Oregon," a joint publication of the U.S. Geological Survey and the State of Oregon Dept. of Geol. & Min. Ind. to be published as Dept. Bull. 63, 1969; "Regional Mineral Resources" in "The Mineral Industry: Problems in Resources Management," Univ. of Wash. Press, College of Public Affairs, 1969.

Government documents: Testimony presented to U.S. House and Senate Interior Committees and printed in hearings on Chrome—April 19, 1956; March 28, 1958; June 26, 1959; Gold—May 6, 1966; Testimony before Tariff Commission on quicksilver—February 20, 1962; Interstate Oil Compact Commission, General reporter for Oregon, Legal reporter for Oregon.

Membership and offices in societies and organizations—Professional: American Institute of Mining, Metallurgical & Petroleum Engrs. (1941–65); American Association of Petroleum Geologists; Association of American State Geologists (Secretary-Treasurer 1968); Sigma XI; Oregon Academy of Science.

Other: Public Lands Committee of American Mining Congress; Gold and Silver Committee of American Mining Congress; Public Lands Committee of Interstate Oil Compact Commission; Oregon and California Advisory Board of Director of Bur. of Land Management; Western Governors Mining Advisory Council; Governor's Committee on Oceanography; Oregon Geographic Names Board; Executive Committee of Oregon Assoc. of State Fiscal & Admin. Officers; Chairman, Gold and Money Session, Pacific Northwest Metals & Minerals Conference (1963 and 1967); Northwest Mining Association; Idaho Mining Association.

Listed in: Who's Who; American Men of Science.

Family: Married September 29, 1942. Wife: Ruth Josephine (Mitchell) Dole; Born October 15, 1915, Squaw Creek Ranger Sta., Okanogan County, Wash.; Grants Pass High School, Class '33; Oregon State University, Class '38; High School Teacher, La Grande, Oreg., '38–'40; Home Economist, Clark County PUD, Longview, Wash., '41–'42; Air traffic controller, CAA, Seattle & Yakima, Wash., '42–'44; Home maker '44 to present; Active in Panhellenic Council of Portland (past President, member of Board); Oregon Symphony Society.

Children: Michael Hollis Dole; Born Mar. 16, 1945, Portland, Oregon; Alameda Grade School, Grant High School, Harvard University, class of '67, VISTA in Washington, D.C. & Maryland, 1967–1969; Now a private in Army at Fort Lewis, Wash.

Stephen Eric Dole, born April 17, 1949, Portland, Oregon, Alameda Grade School, Grant High School, Oregon State University, class of '72, Oregon National Guard.

BIOGRAPHY OF DR. LESLIE L. GLASGOW

Dr. Leslie L. Glasgow, 54, of Baton Rouge, Louisiana, has been teaching for the past 20

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years in the fields of fisheries, wildlife and forestry.

He was formerly Professor of Wildlife Management at Louisiana State University for 18 years. In 1966 he became Director of the Louisiana Wildlife and Fisheries Commission.

Dr. Glasgow has spent 18 years in research on wildlife wetlands management at the LSU Agricultural Experiment Station, and was formerly a waterfowl biologist in the Indiana Conservation Department. He was winner of the Governor's Award of the Louisiana Wildlife Federation in 1967.

A native of Portland, Jay County, Indiana, he was graduated from Purdue University in wildlife and forestry, obtained his master's degree in wildlife at the University of Maine, and his doctorate in wildlife management at Texas A&M University.

Dr. Glasgow had a graduate teaching assistantship while at the University of Maine, was named the Outstanding Louisiana Conservationist by the state's outdoor writers in 1958, and has been awarded membership in several chapters of the Louisiana Wildlife Federation.

Dr. Glasgow is a former president of the Louisiana Wildlife Biologists Association and the Southeastern Section of the Wildlife Society. He is and has been a member of the American Fisheries Society, the Gulf States Marine Fisheries Commission, the Gulf and Caribbean Fisheries Association, the Southeastern Association of Fish and Game Commission, International Association of Fish and Game Commission, Sigma Xi (National Research Fraternity), Louisiana Stream Pollution Control Commission, Louisiana Forestry Commission, and the Louisiana Tourist Development Commission.

In 1943–44, Dr. Glasgow was employed as a civilian by the U.S. War Department at Deep River, Connecticut, and during the next two years saw military service with the U.S. Army Air Force.

Dr. Glasgow and his wife, the former Garnet Lucile Confer, are the parents of three sons, Vaughn, 24; Hugh, 21; and Robert 16.

BIOGRAPHY OF CARL L. KLEIN

Born: May 18, 1917 at Butternut, Wisconsin (Ashland County.) A Chicagoan since 1919.

Education: Primary—Henderson, 57th & Wolcott, Chicago, Illinois. Graduated 1930. Secondary—Lindblom Technical High School, 61st & Wolcott, Chicago, Illinois, graduated 1934 as salutatorian. College—Central YMCA College, 19 S. LaSalle St., Chicago, Ill. Bachelor of Arts in history and political science awarded in 1939. Law school—DePaul University, 25 East Jackson, Chicago, Illinois. Degree of Juris Doctor, June 1942.

Admitted to practice of law in the State of Illinois, September 1942 by Illinois Supreme Court.

Member of Chicago Bar Association, Illinois State Bar Association and Delta Theta Phi Law Fraternity.

Marital Status: Married August 23, 1941 to Emma M. Klein of Chicago, Illinois. Two children: Karen Klein, graduate of Eastern Illinois University in Charleston, Illinois, now a teacher in Chicago, Illinois; and Carl L. Klein, Jr., Sophomore at the University of Illinois, Urbana.

Occupation: Lawyer and State Representative of the 27th District, 3rd term. Specialties: Real estate, probate, corporation law. Attorney for Hemlock Federal Savings and Loan Association, Colonial Savings and Loan Association and Lawn Manor Savings and Loan Assoc.

Military Service: Went into Military Service in April 1943 with service in counter-intelligence corps as enlisted man and also as aviation cadet with the Air Force; commissioned as 2nd Lieutenant in Quartermaster Corps. Service as officer at Fort Devens, Mass. as defense counsel, courts-martial, legal assistance and personal affairs officer. At Fort Lewis, Washington—trial judge advocate, acting staff judge advocate, personal affairs and legal assistance, security and intelligence officer for the Basic Training Section. Discharged as 1st Lieutenant August, 1946.

Memberships: Formerly President and Chairman of Board of Directors, Town of Lake Chamber of Commerce. Past President of Kiwanis Club of the Stock Yards Area and member of Board of Directors.

Hobbies: Fishing and travel.

Public offices: Republican Committeeman of 15th Ward of Chicago. State Representative, 27th District—1964, 1966, 1968. Chairman—Water Pollution and Water Resources Commission of State of Illinois. Chairman—House Commission on Water Resources.

Committees: Member: Banks and Savings & Loan. Higher Education.

BIOGRAPHY OF MITCHELL MELICH

Mitchell Melich, 57, of Salt Lake City, was a candidate for Governor of Utah in 1964, a member of the Utah State Senate from 1943 to 1950, and recently on the staff of Representative Sherman P. Lloyd of Utah.

He is a former consultant for Atlas Minerals, Division of Atlas Corporation of Salt Lake City. From 1955 to 1962 he was President of Uranium Reduction Company, operators of one of the nation's largest uranium mills, and Secretary and Director of Utex Exploration Company of Moab, Utah.

Melich, born in Bingham Canyon, Utah, received his LLB degree from the University of Utah in 1934, was admitted to the Utah State Bar the same year and went into private law practice at Moab, Utah, from 1934 to 1955, dealing with matters involving federal lands and mining and corporations law.

Melich was City Attorney of Moab from 1935 to 1951 and County Attorney of Grand County, Utah, in 1941 and 1942.

He is former Republican National Committeeman from Utah and a member of the Utah Legislative Council, Colorado River Commission of Utah, Utah Water and Power Board, University of Utah Board of Regents, Utah Mining Association, Citizen's Advisory Committee on Higher Education, Salt Lake City Committee on Foreign Relations, and a trustee of the Park City Institute for Arts and Sciences.

He is a former Director of the Salt Lake Board of the First Security Bank of Utah and a Director of the Ideal National Insurance Company.

Melich is married to the former Doris Synder and they are the parents of two sons and two daughters.

BIOGRAPHY OF JAMES R. SMITH

James R. Smith, 51, of Omaha, has been nominated by the President as Assistant Secretary for Water and Power in the Department of the Interior.

Smith comes to Washington from a position as manager for marketing relations for Northern Natural Gas Company of Omaha. He has been active in water and land resource development for 25 years, particularly during 10 years spent as vice president of the Mississippi Valley Association.

He was an original leader in fostering the Missouri Basin development program while he lived in South Dakota in the 1940s and he was active in reclamation projects associated with the Pick-Sloan Plan, including the Garrison Project in North Dakota, the Oahe Project in South Dakota and others.

His activities in wildlife conservation include work as president of the Omaha Zoological Society.

A native of Sioux Falls, S.D., Smith formerly served as a legislative assistant to former Senator Chan Gurney of South Dakota. He is a graduate of the University of South Dakota College of Law.

RICHARD BREVARD RUSSELL—SENATE GIANT

Mr. BYRD of West Virginia. Mr. President, I was glad to see the article on Senator RUSSELL, prepared by William Grigg, and carried in the Washington Star just this past Sunday.

I am happy at all times to see tribute paid to the tremendous capabilities of Senator RICHARD BREVARD RUSSELL, of Georgia, for he indeed ranks tall among the giants who have served in the U.S. Senate. I am confident that history will so credit him and will accord to him the just measure of recognition which his many years of devoted and brilliant service to this Nation warrant.

Bill Grigg had a goodly number of fine things to say about Senator RUSSELL, and I concur with him in those statements. But the article just did not say nearly enough. And it could not. It would be impossible for any one newspaper article to portray adequately the effectiveness of Senator RUSSELL's legislative genius, the warmth of his personality, and the inspiration of his great personal character. Those of us who serve with him here in the U.S. Senate are privileged to witness the exercise of his talents and would wish that the people of our Nation could more adequately come to know the manner in which these attributes work to their benefit.

I would say to any Senator who newly arrives at the threshold of the U.S. Senate that there is surely no greater personal opportunity in the Senate than that of learning from DICK RUSSELL and attempting to stretch one's personal capacities to emulate the breadth of his.

I could state a long list of the accomplishments of this Senate which bear the imprint of Senator RUSSELL's forethought and selfless service. The measure of the esteem accorded to him by his colleagues is proof of the fact that these deeds have been achieved without any residual of acrimony among friends, supporters, or—as is inevitable in our political system—the opposition.

As a politician and a practitioner of the political arts to achieve great aims, in insuring the safety and progress of this Nation, RICHARD RUSSELL is a genuine "pro," and the deftness and humanity of his political art can surely be credited as being superb.

To the remarks in the newspaper article, I must add that the personal concern and interest which Senator RUSSELL manifests in his colleagues is an enriching experience. He has been an inspiration to me, and I feel fortunate to have had the opportunity to serve in the Senate with this senatorial giant, this kind southern gentleman and selfless patriot.

I ask unanimous consent that the March 9 newspaper article, "Senator RUSSELL, of Georgia: His Club Is on Capitol Hill," the Sunday Star, Washington, D.C., be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SENATOR RUSSELL OF GEORGIA: HIS CLUB IS ON CAPITOL HILL

(By William Grigg)

A strictly reared son of the dust and rote-learned Bible verses of rural Georgia, Richard Brevard Russell loosened up a bit when he went to college. He drank illegal "pop-skull" whiskey and wine with his brothers in Sigma Alpha Epsilon and managed to make no mark as either a scholar or student leader. (His dad, Judge Russell, had been both.)

Now 71—and long accustomed to being one of America's most powerful men—Senator Russell smiles shyly to recall those careless years.

He glances across his desk at his interviewer, who could be his grandson, and perhaps wonders if any product of today can grasp the feeling of selectness and freedom which a college afforded a country boy then.

Oh, he did well enough in the courses he liked such as Blackstone, he says quietly, and he "got by" in the others. He held a post on the fraternity council for a time and helped arrange some campus dances. And he made some solid friendships.

When the college interlude ended, the dust and the Bible verses of hometown Winder, Ga., reasserted themselves. But there was also the law now. And Russell's discovery that he—with his big hands, his pitcher ears and his plain-as-Georgia-clay manner—had the capacity to gain the trust of others.

A LONG ERA

Almost by accident he was propelled into the Georgia legislature, the governorship and on into history—including that long era when he led the Southern defense of states rights, a cause now as lost as the Confederacy.

Today, Russell defends the Union. Chairman of the Senate Appropriations Committee, he stands in the way of those who would like to slash military spending to gain a painless source for domestic spending.

He is today both a stalwart advocate of preparedness and a cautious advocate of accommodation.

"I want to keep this country prepared, so that we needn't back down," he says fervently. "Although we sometimes have backed down, I don't want us ever to have to."

Yet he has advocated discussions with Red China and has backed treaties with the Soviet Union—as long as there are sufficient guarantees against a double-cross.

Towards this work, Russell conserves his energy. Although there is something grand about the man, his style of life is plain. This permits him to work long hours and look rested and fit, despite emphysema.

This deterioration of lung tissue was diagnosed in 1958—and, in 1965, it was complicated by a bout with pneumonia that almost carried him off.

It was tough giving up his three packs of cigarettes a day after the emphysema diagnosis. "But I saw Bill Fulbright and he said he had stopped two weeks before and then I saw Milt Young and he had quit.

"I figured I could do anything they could," Russell says.

STRONG DESIRE

The desire to smoke held strong for weeks, but Russell resisted. Finally, it was no longer a struggle. "And then I learned that Bill and Milt had long been back smoking again!" That made Russell's victory that much sweeter.

Cigarette smoking itself had been a departure from his upbringing. Until he was a grown man, he didn't dare let his father see him smoke. Then he was surprised to see a younger and bolder brother light up in front of their father and get away with it.

Russell was one of 15 children born and 13 surviving infancy, but he had the special relationship of a "junior." Richard B. Russell, Sr. was chief justice of Georgia and widely respected.

The judge was both stricter and more emotionally open than most men today. After 39 years of marriage, he began a letter to his wife, "My precious little sweetheart," and ended it "with a sense of love and gratitude that is overpowering, I can only say, God bless you, darling of my heart."

The Judge raised his family near Winder.

The town was renamed Winder, as promised, after the engineer who found a way to get the railroad to go through what was previously known as Jug's Tavern.

The Russell place was a cotton farm which had once been operated as a slave plantation by "old man Jackson," Sen. Russell recalls. "Oh, shaw—what was his first name?"

Ina Russell, to whom Russell wrote so lovingly, noted in her diary that she made 184 pieces of clothing in the spring of 1912.

She got the family around the piano each Sunday afternoon to sing hymns to her accompaniment. At these times, each child had to recite a new Bible verse he had learned. But these sessions were not overly severe; a youngster could get by, at least once, with "Jesus wept" for his verse.

The Senator once said that as a small child he thought that mothers never had to rest. When, at 10, he discovered his mother asleep, "I still recall how shocked I was."

She too could express her emotions, warmly but realistically. She wrote a daughter, "You have been a fortunate girl, born with a good little body, a fair amount of good looks and a bright mind. Also you found a fond father and a loving mother awaiting you. You young people can't realize how much you are loved."

And to a child who complained she was tired of being poor: "Oh, my child, that hurts me."

And to a son away from home: "How I do want to see you, but how proud I am that you are sticking it out and not coming home."

When his mother died, Sen. Russell wrote a long inscription for her memorial. It said in part: "There has never been a marriage relationship more tender and true than existed between this noble woman and her eminent husband."

Springing from such a family, Dick Russell Jr. must have felt an obligation to do well. Judge Russell had wanted to be Georgia governor and a U.S. senator. Dick would do it.

After graduating from the University of Georgia in 1918, and spending a year in the Navy Reserve just as World War I was ending, Russell toyed with going to Atlanta to join a city law firm but decided to return to Winder because he liked the more general practice that could be provided there.

He hadn't been back long before he started thinking it would be a good thing to run for the state legislature. First, it would provide an excuse to buy an automobile. Second, the campaign would spread his name around and, even if he lost, produce additional clients for his law practice.

But the most important reason for running was simply that "I had the political bug," Russell says.

Surprising himself, he won easily. Thus, in 1921, when he was hardly out of college, he began 10 years in the legislature that would lead to his election as governor—Georgia's youngest—at 33. He was an adept reformer of the state's government and proved a popular man, electable to the U.S .Senate—at 35.

Two years later, he was leading a successful filibuster against a federal anti-lynching law. And again and again, over the next two decades, he was to lead the forces of the South.

Disarmingly, Russell says of these filibusters and anti-civil rights votes: "I guess they look pretty bad to any liberal today. But I was brought up to believe that the states should exercise all powers not specifically vested in the federal government."

PUSHED BY SOUTH

Twice, once against Truman and once against Stevenson, the South pushed Russell seriously as a candidate for President. In 1952, against Stevenson, Russell seems to have been giddy enough to take his bid seriously.

But Southerners seem destined to find their strength in the Senate, not the White House. In large part, their Senate strength is built on the status that comes simply from seniority, which is aided by the South's one-party system. Here Russell is king, now serving his 37th year in the Senate.

As the most senior in service in the Senate, he was this year elected as Senate President Pro Tempore—an honorary post traditionally recognizing seniority. Seniority also made him chairman of the Senate Armed Services Committee for many years. He is now the ranking member of that committee but has given up its chairmanship to head the most powerful committee in the Senate, Appropriations.

The chairmanship gives Russell a great deal of bargaining power.

He derives additional influence from his continuing leadership of his fellow Southerners, who listen to his views on policy and his ideas on strategy. Fellow Senators say there is no better parliamentarian in the Senate.

Thoroughly reliable, sure to do as he promises, Russell also makes a fine negotiator.

Excepting on civil rights, Russell also enjoys a reputation for depth and openness of mind.

He also is farsighted. For example, as governor in the depression years, he somehow found the money for research in the utilization of pine trees—now a major crop in the state, replacing cotton on the Russell family farm and many others.

Russell has been boosting research ever since, particularly if it is located in Georgia.

But besides these mental capacities, parliamentary and leadership skills, plus seniority, there is another major source of Russell's influence. This is the club-like feeling among many in the Senate. Here, as in a Greek letter fraternity, there is a lot of importance placed on warmth, wit, personality and fairness.

As some men devote their lives and entire personalities to their college fraternities, Russell devotes his to the more serious and important Senate club. After the daily treatment he gives himself with a device that spreads a mist of medication through his lungs, he arrives for breakfast at the Capitol at 8:45 a.m. or so. Often, he'll still be working in his office 10 hours later. He likes to read all the mail from his constituents and check the replies his staff has made, or reply himself, occasionally in longhand.

He comes in on Saturdays too. "Sometimes I've wished he had a wife who would call him to come home to dinner, so I could get home to my wife," an aide says. But he married none of the Georgia girls he was linked to as a young man. He lives alone in a small apartment, reading history or watching a ballgame on television.

He is the perfect clubman, the friendly bachelor whose club is his family.

If the Senate club got out a yearbook, as the University of Georgia at Athens did in 1918, Russell would be called, once again, "a friendly and unassuming fellow . . . one of the most popular men we have." But there would have to be an addition: "And one of the most powerful."

Mr. PROXMIRE. First, Mr. President, I associate myself with the eloquent remarks of the distinguished Senator from West Virginia in his fine tribute to Senator RICHARD B. RUSSELL. He certainly is a giant in the Senate and has made magnificent contributions to the entire country.

ORDER OF BUSINESS

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may proceed for 10 minutes.

The PRESIDING OFFICER. (Mr. Allen in the chair). Is there objection? Without objection, it is so ordered.

LAW AND ORDER: A DIFFERENT STORY OF DISTRICT OF COLUMBIA CRIME

Mr. PROXMIRE. Mr. President, we hear a great deal these days about law and order, and the tremendous increase in the crime rate. Nationally, serious crimes increased by 17 percent in 1968, according to the latest FBI figures. Robbery was up 29 percent, murder and rape were up 14 percent each, and aggravated assaults rose by 12 percent.

The District of Columbia, unfortunately, contributed more than its share of this increase. Many readers of the Daily News Crime Clock and those reading of spectacular and frequent crimes have come to the ridiculous conclusion that the Nation's Capital consists largely of criminals and cowards who are afraid to do anything about it. Crime makes news. Citizens with the courage and compassion to do something about these incidents do not.

But the record is not all bleak. Residents of the city can go a long way toward fighting crime, and assisting fellow citizens in need of help. I think most people, when confronted by cries for help, will gladly offer whatever help they can.

A heartwarming example appeared on the "Letters to the Editor" page of last Sunday's Washington Post. A white woman, driving down North Capitol Street, stopped in traffic at Rhode Island Avenue. A black teenager opened the right-hand door of her car and snatched her purse. I suppose this is about all the newspaper reading public would know about, and that conclusion would be obvious. But that was the least significant part of this story. Consider what happened. Instead of finding herself alone and helpless in this strange neighborhood, as some might have expected, help immediately came from concerned black citizens on the street corner who had witnessed the theft. A man and a woman followed the thief down U Street and spotted the house into which he fled. A girl on the corner took the victim into a drugstore and gave her a dime to telephone the police. Another man in a car went into the house spotted by the first couple, located the thief, and persuaded him to return the purse. The police then arrived and took the boy into custody.

This kind of concerned citizen response can and should be an effective weapon against crime in the District of Columbia. I am convinced that most people would react the way these citizens did if confronted with similar circumstances.

Mr. President, I strongly commend this letter by Irene H. Wolgamot to my colleagues in the Senate, and I ask unanimous consent that her letter be inserted in the Record at this point.

There being no objection, the letter was ordered to be printed in the Record, as follows:

A Different Story of District of Columbia Crime

We hear frequently of the callous ignoring of people in trouble because men and women don't want to be "involved." I want to report on the concern of some black Washington men and women when I, a white woman, was the victim recently of a purse-snatching black teen-ager.

In the late afternoon of Feb. 25, I was driving toward town on North Capitol Street to pick up a dinner meeting speaker from out of town, who was waiting in the lobby of the DuPont Plaza Hotel. I had unlocked the right-hand door so that she could get in quickly and we could be on our way without loss of time—a mistake as it turned out shortly.

I pulled to the right off N. Capitol Street to drive toward the right turn on to Rhode Island Avenue. As I approached this turn and paused in the traffic at U Street nw., a young teen-age Negro boy opened the right-hand door, reached in and snatched my purse. He ran down U Street. I turned into U Street and parked my car. Immediately, I was surrounded by concerned black citizens, some from the neighborhood, others who were driving and had observed the incident. A man and woman in a car drove down U Street followed by another man driver. A girl offered to take me to a phone at the corner store. When I got there, the woman behind the counter gave me a dime to telephone police.

Two police, also black, arrived in a short time, with the boy and the purse in the patrol car. The couple in the car had spotted the house into which the boy had fled and the man in the other car found the boy on the third floor of the house and persuaded him to go to the empty garage where he had thrown the purse. Then the police arrived on the scene and took charge of the boy and purse.

While I waited, no less than seven or eight men and women in the neighborhood asked me what had happened, showed their concern by asking if they could help, and decried the fact that this was a common occurrence at that intersection.

We seldom hear of the Washington black people who, as law-abiding citizens, want their neghborhoods to be safe and pleasant places to live. Nor is the day-by-day work of the black policemen who carry out their duties well given publicity. And we don't hear of black citizens who gave a helping hand to a white stranger who had been wronged by a black child. The handling of this boy at the 13th Precinct Police Station by the two policemen who brought him in and by another who talked to him was exemplary in every respect.

Dannie P. West, 1669, and Elenst L. Ellison, 725, the two policemen in the cruiser, are to be commended. And I hope that R. D. Rose, the citizen who found the boy and the purse, can receive a citizen award. The couple who helped by following the boy returned to tell me that he had been apprehended. Their names I do not know but I am grateful to them.

Let us be more aware and appreciative of the many good black citizens in the District and the black police who are unholding law and order. Let us join them to work toward making the District the model city that it should be.

HUMAN RIGHTS CONVENTIONS: NEED FOR COMMITMENT TO THE U.N.—XXIV

Mr. PROXMIRE. Mr. President, the United Nations has been defined as "the last best hope of mankind." I agree with this definition. The last five American Presidents have pledged this Nation's assistance and support to the United Nations.

The United Nations was founded in the United States at San Francisco. The United States has provided the permanent home for the United Nations since 1950.

For 24 years the people of the United States have given generously of their energies and their resources to sustain this world organization. Most of the American people believe in the United Nations. Most Americans believe, and I am among them, that the United Nations serves the interest of the United States and all mankind, because the United Nations can serve the cause of world peace.

A strong and vital United Nations can be a determining factor in achieving world peace. A strong and vital United Nations is very much in our national interest.

The human rights conventions are among the great work of the U.N. Some nine nations have not ratified a single one of the more than 20 human rights conventions, and the United States ranks far, far down the list of those that have acted on human rights conventions. It is up to the Senate to act. They are on the door of the U.S. Senate. The President has repeatedly asked us to act, and we have refused to act except with regard to some conventions which are easy to act on, such as the Convention to Outlaw Slavery, but we have failed to act on those which are controversial.

For example, we failed to act on the Convention to Prevent Genocide, the Convention on the Political Rights of Women, and the convention with respect to forced labor.

By ratifying these three human rights conventions, the Senate can reaffirm the U.S. commitment to the United Nations. Our example may help to enforce the commitment of others. The United Nations today critically needs commitment from all of its members.

S. 1474—INTRODUCTION OF BILL RELATING TO RECREATION DEVELOPMENT

Mr. PROXMIRE. Mr. President, I introduce, for appropriate reference, a bill that would attract badly needed capital into the recreation industry in underdeveloped regions of the country. The bill would provide Federal loan guarantees for private investment in recreational facilities, similar to the guarantee program for new communities included under title IV of the Housing and Urban Development Act of 1968. The objectives of the bill are twofold:

One is to encourage added recreational investment in undeveloped regions, thereby spurring their rate of economic growth and development;

The second is to achieve an orderly and sensible growth of recreation facilities while preserving natural resources and avoiding haphazard or overcommercialized recreation developments.

The loan guarantees would be available at two levels:

First, up to $2 million in loans to any one private business could be guaranteed for periods of up to 30 years. The loans could be for building, expanding, or modernizing resorts, motels, camps, lodges, and other recreational facilities.

Second, up to $50 million in loans to a private recreation developer could be guaranteed for developing large-scale

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recreational facilities. The developer would be required to follow an approved development plan for achieving sound and orderly growth. The guarantee would cover loans for land acquisition and land development including the construction of common facilities such as beaches, docks, marinas, and the like, as well as the construction of hotels, lodges, vacation homes and other recreational facilities.

The guarantees would be available in economic development areas designated by the Economic Development Administration and in multi-State economic development regions such as Appalachia, New England, the Ozarks, the Upper Great Lakes, the Coastal Plains regions which includes eastern North Carolina, South Carolina, and Georgia, and the Four Corners region which includes portions of Arizona, Colorado, Utah, and New Mexico. With the exception of Appalachia, these regions have been designated by the Secretary of Commerce under title V of the Public Works and Economic Development Act—Public Law 89-136.

Mr. President, although many regions of our country—such as the Upper Great Lakes—are richly endowed in scenic and recreational resources, they have not been able to participate fully in our country's economic development.

For example, in the Upper Great Lakes region which includes northern Minnesota, Wisconsin, and Michigan, median-family income is only 84 percent of the national average; the incidence of poverty is 25 percent greater than the national average; and the percentage of substandard housing is nearly double the national average.

I believe building up the recreation and tourism industry can help revitalize the economy of the Upper Great Lakes and other regions. American families now spend over $45 billion a year on recreation, and this figure is growing at least three times faster than the whole economy. Recreation is clearly a growth industry. The rise in personal incomes and leisure time are significant factors affecting recreation demand. The changing age composition of our population is another potent factor with disproportionate increases both among the young and those of retirement age. Today, half of our population is under 25 years and would be especially well served by outdoor recreational opportunities. Also, as millions of American families reach retirement age, they will constitute a vital new addition to the recreation market. At the present time, more than 1.2 million Americans retire each year. The increasing mobility of our population and the improvements in our highway systems are having and will have a tremendous impact on the recreation industry.

Estimates compiled by the Bureau of Outdoor Recreation show that Americans paid 6½ billion visits in the year 1965 to facilities for 19 kinds of popular outdoor recreation activities. The Bureau forecasts that this volume will increase to more than 10 billion visits by the year 1980, assuming that the facilities to handle this expansion exist.

All too often, however, underdeveloped regions such as the Upper Great Lakes have not been able to obtain their fair share of this growth. Adequate credit is frequently unavailable. It has also been difficult to attract the large-scale development necessary for an adequate return. For example, one recent study on the development of outdoor recreation in the Upper Midwest concluded that—

> The most pressing problem of the industry is the acquisition of the necessary long-term capital with which to build new tourist facilities and attractions or expand existing ones. Bank financing has not been available to some resort operators, primarily due to the difficulty of predicting the success of any given project and the large role which managerial ability plays in achieving success.

There are a number of reasons why the underdeveloped regions have not been able to utilize fully their comparative advantage in recreational resources:

First, there has been a lack of adequate capital—and particularly long-term capital. The recreation business in the past has been a risky business, and the bankers have often hesitated to supply new capital even though it is recognized that the market demand is rising and will continue to rise. In addition, restrictions on banks lending powers have prevented the flow of long-term investments in mortgages on recreational property. A study by the Northern Wisconsin Development Center concludes that recreation loans are not a significant factor in the average loan portfolio of commercial banks and that northern Wisconsin banking institutions do not have the resources to adequately finance the needs of the recreation industry.

Second, the Federal Government has not had sufficient tools to deal with the problem. The Farmers Home Administration has been extremely helpful in helping rural residents to finance recreational facilities, for the benefit of local residents, but it has lacked the authority to help finance the construction of larger scale developments. Other potential Government programs, such as SBA, have inadequate lending powers to be of major assistance.

Third, there has been a lack of sufficiently large-scale development and aggressive management. Today, recreation is a highly complex and competitive business. To survive, one must be constantly alert and responsive to changing tastes. Today's tourists demand a wide variety of recreational opportunities in a conveniently packaged form. Existing resorts must be expanded and modernized if they are to grow. New facilities must be constructed at a much faster rate if a region hopes to maintain its share of the market.

Fourth, there has not been sufficient long-term cooperation between Government and private enterprise. Both public and private investment need to be carefully planned and coordinated in order to achieve maximum economic growth.

The bill I have introduced would build upon the existing loan guarantee program of the Department of Housing and Urban Development. I realize that recreation is somewhat removed from HUD, but there are also substantial parallels. Loan guarantees for loan development projects is quite similar to title IX of the 1968 Housing Act, which is aimed at suburban land development or so-called new towns. I believe the same techniques can be extended to provide for comprehensive land development for recreational purposes in underdeveloped regions.

I am not, however, wedded to the administration of the program by HUD. If, in the course of hearings on the bill, it develops that better administrative arrangements can be provided, I would be glad to consider an amendment.

Under part I of the bill, a new program of loan guarantees for land development would be authorized. Up to $50 million in loans to recreation developers could be guaranteed by HUD. The guarantee would cover all types of financial instruments including bonds, notes, mortgages and bank loans. It is expected that the projects guaranteed would focus on well-planned recreation communities appealing to a wide variety of income levels and tastes. The developer would buy up land with development potential and construct the necessary public facilities such as access roads, water and sewage systems, docks, beaches, and so forth. The developer himself could also undertake the construction of recreational facilities and buildings such as resorts, hotels, motels, lodges, ski-lifts, golf courses, vacation homes, marinas, and the like, or he could sell the improved land to other investors who would construct such facilities.

In order to qualify for Federal guarantees, a developer would have to follow an adequate development plan which meets the criteria set forth in the bill. These include first, conformance to State and local planning requirements; second, economic viability; third, substantial impact on employment and economic activity; fourth, sound land-use patterns; fifth, adequacy of facilities; and, sixth, consistency with larger area planning.

By tying recreation development to sound planning, the bill seeks to prevent the kind of over-commercialized development which has characterized too much recreation investment in the past and which proves to be bad business in the long run. Moreover, the comprehensive and large scale development which the bill seeks to stimulate assures that the investment will have an appreciable economic effect upon the area. Finally, sound planning is expected to prevent the wasting or destruction of our scarce natural resources. We need to develop our resources so that they can be enjoyed by all, but we cannot afford to have them indiscriminately plundered by avaricious developers seeking quick profits. All too often, unplanned recreational investment has polluted our lakes and rivers and despoiled the countryside.

I do not mean to suggest that we should lock up all undeveloped areas forever. Our scenic and natural resources should be enjoyed and used by the public. But we should insist on sound and orderly development which preserves the natural beauty of the country rather than destroying it.

The problem of recreation development in underdeveloped regions is analogous to the problem of suburban development. Both have been characterized by haphazard and sprawling growth which is wasteful of scarce land resources and which leads to a dull and unattractive environment. Both suburban and recreation development need better planning to preserve and maximize their natural amenities.

As the Douglas Commission on Urban Problems has recently pointed out—

> One answer to the problem of suburban sprawl is to provide for larger scale development, such as new communities, where an entire community serving a variety of income levels can be planned.

I believe the same approach holds true for recreational development in underdeveloped regions. A hundred small-scale developers can ruin a beautiful lake with a jumble of motels, gas stations, taverns, cottages, and overcrowded beaches. However, a single developer or a group of small developers working under a common overall plan has the resources and opportunity to construct a well-planned recreation community without destroying the inherent beauty of the area.

Just as the 1950's and the 1960's have seen spectacular growth in the suburbs, so I believe the 1970's and the 1980's will see a similar spectacular increase in recreational development, particularly in the underdeveloped regions of our country. With rising incomes and leisure time, more and more American families are investing in recreation—but not always too well. I hope that we have learned some lessons from unplanned suburban development so that we can more intelligently guide the development of our recreational resources which will inevitably take place over the next 20 years.

In addition to encouraging sound land-use planning, the bill also seeks to increase the rate of economic growth of underdeveloped regions. Each project requesting a Federal guarantee would have to demonstrate a substantial impact upon the local economy. A number of studies have shown the economic impact of recreation investment can be substantial.

For example, a 1959 report showed the average Wisconsin second homeowner put about $1,400 in the local economy. If this figure is adjusted for price changes and increases in income since 1959, and the multiplier effects, it is clear that one vacation home can generate close to $3,000 a year in spending in the local economy. Moreover the economic impact of seasonal homes is distributed more evenly through the year compared with other recreational enterprises. Some northern New England communities have been able to finance their local school systems and snow clearance operations during the winter months from taxes paid by second homeowners.

The **PRESIDING OFFICER** (Mr. Hartke in the chair). The time of the Senator has expired.

Mr. **PROXMIRE**. Mr. President, I ask unanimous consent that I may have an additional 2 minutes.

The **PRESIDING OFFICER**. If there is no objection, the Senator is recognized for 2 additional minutes.

Mr. **PROXMIRE**. Mr. President, in 1959, there were 48,469 seasonal homes in Wisconsin valued at $501,593,000. If we can assume a present total impact of $3,000 per home and a 5-percent annual growth rate in summer homes since 1959, the current total economic impact of second homes in Wisconsin adds $237 million per year to the Wisconsin economy. Thus an acceleration of the rate of growth of second homes can have an appreciable impact on the economy of a lagging region such as the Upper Great Lakes.

Under the bill, qualified developers would be able to obtain guarantees to finance up to 80 percent of the value of the project upon completion or 75 percent of the initial land costs plus 90 percent of development costs, whichever is less. As in any other large real estate venture, one of the most vital factors governing the success of the project is the amount of leverage the investor can obtain. A highly leveraged project—that is one with a high ratio of debt to equity financing—naturally offers a higher rate of return to the equity investors. To the extent the availability of Federal guarantees increases the percentage of debt financing for recreation development projects, such projects become more attractive to developers and replace other potential projects of a less profitable nature. Since the availability of the guarantee is conditioned upon: first, sound planning; and, second, an economic development payoff, investors' funds are accordingly diverted from projects where the planning is less sound and which involve lesser economic developments payoffs. Thus the availability of Federal guarantees provides an inducement to investors to give greater weight to sound land use planning and to economic development payoffs than they otherwise would. Compared to direct Government loans, the guarantee approach interferes the least with basic market mechanisms whereas the requirements for obtaining the guarantee help to achieve the public objectives which the market tends to ignore.

Part II of the bill provides loan guarantees to help finance the construction, expansion, or modernization of recreation facilities by individual enterprises. Up to $2 million can be guaranteed for periods of up to 30 years. Up to 90 percent of the costs of the project could be guaranteed by HUD. As in the case of guarantees for large scale recreation development projects, guarantees under part II would be available in underdeveloped areas, districts, and regions as designated by EDA or in Appalachia as defined in the Appalachian Redevelopment Act.

The availability of loan guarantees for individual recreational enterprises is expected to fill two needs:

First, to provide a source of funds to expand and modernize the existing recreation industry. According to numerous studies in northern Wisconsin and elsewhere, existing recreation facilities are rapidly growing obsolete and are losing out in the competition for the tourist dollar. While many of these businesses are intrinsically sound, they cannot obtain the financing needed to survive and grow in today's competitive market. A recent report prepared for the Upper Great Lakes Regional Commission estimated that the upgrading and improvement of the recreation industry in northern Michigan, Minnesota, and Wisconsin will require an expenditure of over a billion dollars in the next 10 years. Since commercial banks in Wisconsin have less than 1 percent of their loan funds in recreation loans, some outside assistance is urgently required if the required investment is to be forthcoming.

A second use of individual loan guarantees will be to finance the construction of recreation facilities on the large scale recreation development projects insured under part I. While the developers can also obtain guarantee assistance for constructing recreational facilities under part I, it is expected that most developers will concentrate on land assembly and development and resell the improved land to individual enterprises for the purpose of constructing recreational facilities. In such cases, the availability of loan guarantees under part II helps to insure the success of land development projects guaranteed under part I.

In addition to the foregoing, the bill would waive the various lending restrictions placed upon banks and savings and loan associations. This should provide for a readier flow of mortgage credit into the recreation and tourism industry.

I believe this bill will help the economy of northern Wisconsin and similar areas. And it will do so without Federal cost. By relying on Federal guarantees rather than Federal grants, it will put private capital to work in an area where it is most urgently needed.

I ask unanimous consent that the text of the bill be printed in the Record following my remarks.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record, in accordance with the request of the Senator from Wisconsin.

The bill (S. 1474) to amend the Housing and Urban Development Act of 1968 to provide Federal guarantees for financing the development of land for recreational uses in order to contribute to the orderly economic development of underdeveloped areas and regions of the United States, introduced by Mr. Proxmire (for himself and other Senators), was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the Record, as follows:

S. 1474

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Housing and Urban Development Act of 1968 is amended by adding at the end thereof a new title as follows:

"TITLE XVIII—GUARANTEES FOR FINANCING RECREATIONAL DEVELOPMENT

"Part I—Land Development

"PURPOSE

"Sec. 1801. It is the purpose of this part to assist in the acquisition and development of land situated in underdeveloped areas of the Nation to provide homesites and other facilities for recreational or related purposes in

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accordance with, and in furtherance of, approved programs for the economic development of such areas.

“DEFINITIONS

“SEC. 1802. As used in this part—

“(1) The term ‘underdeveloped area’ means an area included within (A) a redevelopment area or economic development region, as designated pursuant to section 401 or 501 of the Public Works and Economic Development Act of 1965; or (b) the Appalachian region, as defined in section 403 of the Appalachian Regional Development Act of 1965, which, by reason of its natural state, scenic beauty, or other physical characteristics, is suitable in whole or in part for recreational development.

“(2) The term ‘State’ means any of the several States, the Commonwealth of Puerto Rico, and any territory of the United States.

“(3) The term ‘actual costs’ means the costs (exclusive of kickbacks, rebates, or trade discounts) to the recreation facility developer of the improvements involved. These costs may include amounts paid for labor, materials, construction contracts, land planning, engineers’ and architect’s fees, surveys, taxes, and interest during development, organizational and legal expenses, such allocation of general overhead expenses as are acceptable to the Secretary, and other items of expense incidental to development which may be approved by the Secretary. If the Secretary determines there is an identity of interest between the recreation facility development and the contractor, there may be included an allowance for contractor’s profit in an amount deemed reasonable by the Secretary.

“(4) The term ‘improvements’ includes waterlines and water supply installations, sewage disposal installations, gas and electrict lines and installations, roads, streets, drainage facilities, beach and docking facilities, and such other installations or work, whether on or off the site, which the Secretary deems necessary or desirable to prepare land primarily for recreational and related uses, and buildings including seasonal homes, lodges, motels, or other facilities for the accommodations of vacationers including appropriate facilities for public or common use.

“(5) The term ‘land development’ means the process of making, installing, or constructing improvements.

“GUARANTEE AUTHORITY

“SEC. 1803. To carry out the purposes of this part the Secretary is authorized to guarantee, and enter into commitments to guarantee, the bonds debentures, notes, loans secured by mortgages and other obligations issued by recreational facility developers to help finance the development of land for new recreational facility projects in underdeveloped areas. The Secretary may make such guarantees and enter into such commitments, subject to the limitations contained in sections 1804 and 1805, upon such terms and conditions as he may prescribe, taking into account (1) the large initial capital investment required to finance sound recreational facilities, (2) the extended period before initial returns on this type of investment can be expected, (3) the irregular pattern of cash returns characteristic of such investment, and (4) the financial security interests of the United States in connection with guarantees made under this title.

“ELIGIBLE RECREATION FACILITY DEVELOPMENT

“SEC. 1804. No guarantee or commitment to guarantee may be made under this title unless the Secretary has determined that—

“(1) The proposed recreational facility (A) will be economically feasible in terms of economic base or potential for growth, and (B) will contribute to the orderly growth and development of the areas of which it is a part.

“(2) There is a practicable plan (including appropriate time schedules) for financing the land acquisition and land development costs of the proposed recreational facility and for improving and marketing the land and improvements which, giving due consideration to the public purposes of this title and the special problems involved in financing recreational facilities, represents an acceptable financial risk to the United States;

“(3) There is a sound internal development plan for the recreational facility appropriate to the scope and character of the undertaking, and which (A) has received all governmental approvals required by State or local law or by the Secretary; and (B) is acceptable to the Secretary as providing reasonable assurance that the area to be developed will (1) have a sound economic base and a long economic life, (2) be characterized by sound land-use patterns, (3) will substantially promote employment and economic activity in the area, and (4) will include or be served by such facilities as the Secretary deems adequate or necessary; and

“(4) The internal development plan is consistent with a comprehensive plan which covers, or with comprehensive planning being carried on for, the area in which the land is situated, and which meets criteria established by the Secretary for such comprehensive plans or planning.

“ELIGIBLE OBLIGATIONS

“SEC. 1805. (a) Any bond, debenture, note, mortgage loan, or other obligations guaranteed under this part shall—

“(1) be issued by a recreation facility developer, other than a public body, approved by the Secretary on the basis of financial, technical and administrative ability which demonstrates his capacity to carry out the proposed project;

“(2) be issued to and held by investors approved by, or meeting requirements prescribed by, the Secretary, or if an offering to the public is contemplated, be underwritten upon terms and conditions approved by the Secretary;

“(3) be issued to finance a program of land development (including acquisition or use of land) approved by the Secretary: *Provided*, That the Secretary shall, through cost certification procedures, escrow or trusteeship requirements, or other means, insure that all proceeds from the sale of obligations guaranteed under this title are expended pursuant to such program;

“(4) involve a principal obligation in an amount not to exceed the lesser of (A) 80 per centum of the Secretary’s estimate of the value of the property upon completion of the land development or (B) the sum of 75 per centum of the Secretary’s estimate of the value of the land before development and 90 per centum of his estimate of the actual cost of the land development;

“(5) bear interest at a rate satisfactory to the Secretary, such interest to be exclusive of any service charges and fees that may be approved by the Secretary;

“(6) contain repayment and maturity provisions satisfactory to the Secretary; and

“(7) contain provisions which the Secretary shall prescribe with respect to the protection of the security interests of the United States (including subrogation provisions), liens and releases of liens, payment of taxes, and such other matters as the Secretary may, in his discretion, prescribe.

“(b) The outstanding principal obligations guaranteed under this title with respect to a single new recreation facility project shall at no time exceed $50,000,000.

“AUDIT BY GENERAL ACCOUNTING OFFICE

“SEC. 1806. Insofar as they relate to any guarantees made pursuant to this part, the financial transactions of developers whose obligations are guaranteed by the United States pursuant to this part may be audited by the General Accounting Office under such rules and regulations as may be prescribed by the Comptroller General of the United States. The representatives of the General Accounting Office shall have access to all books, account, records, reports, files, and all other papers, things, or property belonging to or in use by such developers pertaining to such financial transactions and necessary to facilitate the audit.

“PART II—RECREATIONAL FACILITIES

“PURPOSE

“SEC. 1807. It is the purpose of this title to assure the availability of credit in underdeveloped areas of the Nation to assist in financing the construction or rehabilitation of facilities for recreational and related uses.

“DEFINITIONS

“SEC. 1808. As used in this part—

“(1) The term ‘recreational facilities’ includes homes, lodges, motels, and similar accommodations primarily for seasonal use, and such recreational, commercial, and community facilities as may be necessary or appropriate to serve the residents or occupants of such accommodations.

“(2) The terms ‘underdeveloped areas’, has the same meaning as in section 1802.

“GUARANTEE AUTHORITY

“SEC. 1809. To carry out the purposes of this title the Secretary is authorized to guarantee, and enter into commitments to guarantee, the bonds, debentures, notes, loans secured by mortgages, and other obligations issued to help finance the construction, modernization or expansion of recreational facilities. The Secretary may make such guarantees and enter into such commitments, subject to the limitations contained in section 1809, upon such terms and conditions as he may prescribe.

“ELIGIBLE OBLIGATIONS

“SEC. 1810. (a) Any bond, debenture, note, mortgage loan or other obligations guaranteed under this part shall—

“(1) be issued by a borrower approved by the Secretary;

“(2) be issued to and held by investors approved by, or meeting requirements prescribed by, the Secretary;

“(3) cover a property or project which is situated in an underdeveloped area, and is approved for guarantee assistance prior to the beginning of construction, expansion, or modernization;

“(4) involve a principal obligation not to exceed $2,000,000;

“(5) not exceed 90 per centum of the amount which the Secretary estimates will be the value of the property or project when the construction, expansion, or modernization is completed; the value of the property may include the land and the proposed physical improvements, architects fees, taxes, and interest accruing during construction, modernization or expansion, and other miscellaneous charges incident to construction, modernization or expansion which are approved by the Secretary;

“(6) have a maturity satisfactory to the Secretary but not to exceed thirty years and provide for complete amortization of the principal obligation by periodic payments within such terms as the Secretary shall prescribe;

“(7) bear interest at a rate satisfactory to the Secretary, such interest to be exclusive of any service charges and fees that may be approved by the Secretary;

“(b) No obligation shall be guaranteed under this part unless the Secretary determines that the project to be assisted is an acceptable risk, giving consideration to the expected contributions of the project to the economic growth of the area.

“PART III—GENERAL PROVISIONS

“GUARANTEED FUND

“SEC. 1811. (a) To provide for the payment of any liabilities incurred as a result

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of guarantees made under this title, the Secretary is authorized to establish a revolving fund which shall be comprised of (1) receipts from fees and charges; (2) recoveries under security or subrogation rights or other rights, and any other receipts obtained in connection with such guarantees; and (3) such sums, which are hereby authorized to be appropriated, as may be required for program operations and nonadministrative expenses and to make any and all payments guaranteed under this title.

"(b) The full faith and credit of the United States is pledged to the payment of all guarantees made under this title with respect to both principal and interest, including (1) interest, as may be provided for in the guarantee, accruing between the date of default under a guaranteed obligation and the payment in full of the guarantee, and (2) principal and interest due under any debentures issued by the Secretary toward payment of guarantees made under this title.

"(c) Notwithstanding any other provision of law relating to the acquisition, handling, improvement, or disposal of real and other property by the United States, the Secretary shall have power, for the protection of the interests of the guarantee fund authorized under this section, to pay out of such fund all expenses or charges in connection with the acquisition, handling, improvement, or disposal of any property acquired by him under this title; and notwithstanding any other provision of law, the Secretary shall also have power to pursue to final collection by way of compromise or otherwise all claims acquired by him in connection with any security, subrogation, or other rights obtained by him in carrying out this title.

"(d) The aggregate of the outstanding principal obligations guaranteed under this title shall at no time exceed $250,000,000.

"RELEASES

"Sec. 1812. The Secretary may, on such terms and conditions as he may prescribe, consent to the release or subordination of a part or parts of property mortgaged under this title from the lien of the mortgage.

"PREMIUMS AND FEES

"Sec. 1813. The Secretary shall collect reasonable premiums for the guarantee of any obligation under this title and make such charges as he determines are reasonable for the analysis of land development plans and the appraisal and inspection of any property, project, or improvements.

"INSURANCE BENEFITS

"Sec. 1814. The provisions of subsections (e), (g), (h), (i), (j), (k), (l), and (n) of section 207 of the National Housing Act shall be applicable to mortgages insured under this title, except that as applied to such mortgages (1) any reference there is to section 207 shall be deemed to refer to this title, and (2) any reference to an annual premium shall be deemed to refer to such premiums as the Secretary may designate under this title.

"INCONTESTABILITY PROVISIONS

"Sec. 1815. Any guarantee made by the Secretary under this title shall be conclusive evidence of the eligibility of the obligations for such guarantee, and the validity of any guarantee so made shall be incontestable in the hands of a qualified holder of the guaranteed obligation, except for fraud or material misrepresentation on the part of such holder.

"RULES AND REGULATIONS

"Sec. 1816. The Secretary is authorized to make such rules and regulations and to require such agreements as he may deem necessary or desirable to carry out the provisions of this title.

"TAXATION PROVISIONS

"Sec. 1817. Nothing in this title shall be construed to exempt any real property acquired and held by the Secretary under this title from taxation by any State or political subdivision thereof to the same extent, according to its value, as other real property is taxed."

LOANS BY NATIONAL BANKS

Sec. 2. The next to the last sentence of the first paragraph of section 24 of the Federal Reserve Act is amended to read as follows: "Notwithstanding the foregoing limitations and restrictions in this section, any national banking association may make real estate loans which are secured by obligations guaranteed under title XVIII of the Housing and Urban Development Act of 1968."

LOANS BY FEDERAL SAVINGS AND LOAN ASSOCIATIONS

Sec. 3. The next to the last paragraph of section 5(c) of the Home Owners Loan Act of 1933 is amended by inserting "or title XVIII of the Housing and Urban Development Act of 1968" after "title X".

LABOR STANDARDS

Sec. 4. (a) The next to the last sentence of section 212(a) of the National Housing Act is amended to read as follows: "The provisions of this section shall also apply to guarantees under Part I of title XVIII of the Housing and Urban Development Act of 1968 with respect to laborers and mechanics employed in land development financed with the proceeds of any obligations guaranteed under such title or part."

(b) The last sentence of such section is amended—

(1) by inserting "or part II of title XVIII of the Housing and Urban Development Act of 1968" after "title XI"; and

(2) by inserting "or part" after "under such title".

COST CERTIFICATION

Sec. 5. Section 227(a) of the National Housing Act is amended by striking out "or" before "(VIII)", and by striking out the semicolon at the end and inserting in lieu thereof the following: ", or (IX) under part II of title XVIII of the Housing and Urban Development Act of 1968".

Mr. PROXMIRE. I might point out, Mr. President, that this bill will do the job without Federal cost. It will not be a burden on the budget. It will do it because the bill relies on guarantees and does not rely on appropriations.

I think this is a practical and effective way to provide development of areas which have suffered because they have not been able to take part in the great economic boom we have had in recent years.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. JAVITS. May I ask the Senator, is my name on the bill?

Mr. PROXMIRE It is. He is a cosponsor. The Senator from New York is one of the outstanding Members of the U.S. Senate, and a great champion in this area.

S. 1478—INTRODUCTION OF A BILL TO ESTABLISH A COMMISSION TO REVIEW U.S. ANTITRUST LAWS

Mr. JAVITS. Mr. President, on behalf of myself, the Senator from Illinois (Mr. Dirksen), the Senator from Maryland (Mr. Mathias), the Senator from Kentucky (Mr. Cooper), and the Senator from Indiana (Mr. Hartke), I introduce, for appropriate reference, a bill to establish a Federal Commission to carry out a review of the antitrust laws of the United States. I ask that the bill be printed in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record, in accordance with the request of the Senator from New York.

The bill (S. 1478) for the establishment of a Commission on Revision of the Antitrust Laws of the United States, introduced by Mr. Javits (for himself and other Senators), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

S. 1478

Whereas the antitrust statutes of the United States are in certain major areas of their application in need of revision; and

Whereas there exist under the antitrust statutes of the United States conflicts in policy as to the proper standards of conduct required to be observed by American business; and

Whereas a thorough examination is essential in order to determine the impact of such statutes upon the productivity and long-range economic growth of the United States and upon United States foreign trade, investment and economic policy; Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established a Commission on Revision of the Antitrust Laws of the United States (hereinafter referred to as the "Commission") constituted in the manner hereinafter provided.

PURPOSE OF THE COMMISSION

Sec. 2. The purpose of the Commission shall be to study the effect upon competition (including competition between American business and foreign business), price levels, employment, profits, production, consumption, foreign trade, economic growth and the capability of the economy to best sustain the Nation at home and abroad of

(1) Existing antitrust statutes (including enforcement proceedings thereunder), as interpreted by judicial, executive and administrative decisions.

(2) Existing price systems and pricing policies of trade and industry in the United States and

(3) The extent and causes of concentration of economic power and financial control.

MEMBERSHIP OF THE COMMISSION

Sec. 3. (a) Number and Appointment.—The Commission shall be composed of twenty-four members as follows:

(1) Eight appointed by the President of the United States, four from the executive branch of the Government and four from private life.

(2) Eight appointed by the President of the Senate, four from the Senate and four from private life.

(3) Eight appointed by the Speaker of the House of Representatives, four from the House of Representatives and four from private life.

(b) Political Affiliation.—Of each class of four members mentioned in subsection (a), not more than two members shall be from each of the two major political parties.

(c) Vacancies.—Vacancies in the Commission shall not affect its powers but shall be filled in the same manner in which the original appointment was made.

ORGANIZATION OF THE COMMISSION

Sec. 4. The Commission shall elect a Chairman and a Vice Chairman from among its members.

QUORUM

Sec. 5. Thirteen members of the Commission shall constitute a quorum.

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COMPENSATION OF MEMBERS OF THE COMMISSION

Sec. 6. (a) Members of Congress.—Members of Congress who are members of the Commission, shall serve without compensation in addition to that received for their services as Members of Congress, but they shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

(b) Members From the Executive Branch.—Notwithstanding section 5533 of title 5, United States Code, any member of the Commission who is in the executive branch of the Government shall receive the compensation which he would receive if he were not a member of the Commission, plus such additional compensation, if any, as is necessary to make his aggregate salary not exceeding $30,000; and he shall be reimbursed for travel, subsistence, and other necessary expenses incurred by him in the performance of the duties vested in the Commission.

(c) Members From Private Life.—The members from private life shall each receive not exceeding $100 per diem when engaged in the performance of duties vested in the Commission, plus reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of such duties.

POWERS OF THE COMMISSION

Sec. 7. (a) (1) Hearings.—The Commission or, on the authorization of the Commission, any subcommittee thereof, may, for the purpose of carrying out its functions and duties, hold such hearings and sit and act as such times and places, administer such oaths, and require, by subpena or otherwise, the attendance and testimony of such witnesses, and the production of such books, records, correspondence, memorandums, papers, and documents as the Commission or such subcommittee may deem advisable. Subpenas may be issued under the signature of the Chairman or Vice Chairman, or any duly designated member, and may be served by any person designated by the Chairman, the Vice Chairman, or such member.

(2) In case of contumacy or refusal to obey a subpena issued under paragraph (1) of this subsection, any district court of the United States or the United States court of any possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the inquiry is being carried on or within the jurisdiction of which the person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Attorney General of the United States shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission or a subcommittee thereof, there to produce evidence if so ordered, or there to give testimony touching the matter under inquiry; and any failure to obey such order of the court may be punished by the court as a contempt thereof.

(b) Official Data.—Each department, agency, and instrumentality of the executive branch of the Government, including independent agencies, is authorized and directed to furnish to the Commission, upon request made by the Chairman or Vice Chairman, such information as the Commission deems necessary to carry out its functions under this Act.

(c) Subject to such rules and regulations as may be adopted by the Commission, the Chairman shall have the power to—

(1) appoint and fix the compensation of an executive director, and such additional staff personnel as he deems necessary, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, but at rates not in excess of the maximum rate for GS–18 of the General Schedule under section 5332 of such title, and

(2) procure temporary and intermittent services to the same extent as is authorized by section 3109 of title 5, United States Code, but at rates not to exceed $100 a day for individuals.

(d) The Commission is authorized to enter into contracts with Federal or State agencies, private firms, institutions, and individuals for the conduct of research or surveys, the preparation of reports, and other activities necessary to the discharge of its duties.

Sec. 9. The Commission shall transmit to the President and to the Congress not later than three years after the first meeting of the Commission a final report containing a detailed statement of the findings and conclusions of the Commission, together with such recommendations as it deems advisable. The Commission may also submit interim reports prior to submission of its final report.

EXPIRATION OF THE COMMISSION

Sec. 10. Sixty days after the submission to Congress of the final report provided for in section 9, the Commission shall cease to exist.

Mr. JAVITS. I have the honor to announce that the Senator from Illinois (Mr. Dirksen) has undertaken to manage this bill in the Judiciary Committee.

Mr. President, I believe that now, for the first time in a long while, we have an opportunity to revise the basic antitrust policy of the country, which may very well mean revising the basic economic policy of the country. The willingness of Senator Dirksen, who is the ranking minority member of the Committee on the Judiciary, to undertake this monumental task, is very deeply gratifying to me, for which I publicly express my gratification and thanks. I think it should be tremendously meaningful to the United States.

I know of no economic statute upon the books which is as much in need of revision, both in concept and in text, as the antitrust laws.

Our basic antitrust laws were written in the latter part of the 19th century and the early part of this century and with few exceptions have not been overhauled since.

The bill I have introduced today would establish a 24-member bipartisan Commission composed of eight Members of Congress, four members of the executive branch, and 12 experts from the private sector. The Commission would be charged with the duties of examining the antitrust laws and making recommendations for revising them. Among other matters which the Commission would specifically be asked to investigate are the effect upon competition—including competition between American business and foreign business—price levels, employment, profits, production, consumption, foreign trade, economic growth and the capability of the economy to best sustain the Nation at home and abroad of first, existing antitrust statutes—including enforcement proceedings thereunder—as interpreted by judicial, executive, and administrative decisions; second, existing price systems and pricing policies of trade and industry in the United States; and, third, the extent and causes of concentration of economic power and financial control.

Mr. President, in the 77 years since the Sherman Act was initially passed, vast changes have taken place in the economic structure of America, changes which could hardly have been foreseen at that time. The changes in our economy that have taken place during the past 77 years naturally have given rise to a whole host of specific questions, not resolved by the construction given the broad language in which our basic antitrust legislation is couched. I am particularly concerned that the manner in which the antitrust laws are now being applied may be having an adverse effect upon our domestic productivity, on our long-range economic growth, and on our foreign trade policy generally.

The role of antitrust legislation in the modern industrial economy has been the subject of endless debate in recent years. Though many academicians, businessmen and legislators are unhappy with various aspects of our current antitrust policy as formulated and administered by the courts, the Justice Department, and the Federal Trade Commission, antitrust has proven to be much like Mark Twain's aphorism on the weather—nobody has really done anything about it.

There is no question that something must be done about it. Our basic antitrust precepts were formulated three-quarters of a century ago to apply to a very different kind of economy than exists today. At that time the economy was not highly centralized and subject to practically no Government controls. The antitrust laws were necessary to insure at least a degree of regulation through the prevention of unreasonable restraints on competition.

I am not suggesting that we scrap our antitrust laws or that competition is an anachronism. But it is evident that the antitrust laws are only one of a whole series of devices presently available to Government to control excesses in our economic system. These controls include the amount and type of government procurement, lending and guarantees, government licensing, tax policy, money supply and interest rates, securities regulation, limitations on foreign private investment and lending and labor-management relations to name just a few.

I feel that many of the criticisms which have been made of the courts, the Federal Trade Commission, and the Justice Department for failing to take into account in the administration of the antitrust laws these fundamental changes in the nature of the economy are justifiable.

I particularly deplore the tendency to reply more and more on per se rules of illegality and the tacit abandonment in such cases of the rule of reason. But even if criticism of particular decisions may be merited, such criticism is not going to accomplish the needed reforms. The essence of the problem is that we have allowed the courts, the FTC, and the Justice Department to make our antitrust policy, whereas in my view this responsibility is in Congress.

That is why I believe it is necessary to establish a high-level Commission to study all aspects of our antitrust policy and make appropriate recommendations to Congress for amending the law. I believe that it is only on the basis of the recommendations of such a Commission that Congress is likely to be moved to action.

We need to rethink, from scratch, what it is we really want our antitrust laws to do—where they should lead us, if you will—at this point in our economic development. The courts and the FTC are not going to do this job of rethinking for us, and neither is Congress unless it gets some support for doing so from the kind of Commission I have proposed.

I am, of course, not so naive as to think that the Commission will resolve all the deeply held views about the role of antitrust policy into one broad consensus. Thus, whatever the Commission concludes about conglomerates and the current merger trend—and that will be one of its major subjects of inquiry—I have no doubt that there will continue to be sharp differences of opinion as to just what, if anything, the Federal Government should do about it.

However there are areas where I think the Commission might make recommendations that would find broad support in Congress.

For example, the Commission could perform a valuable service by clarifying the relationship between the Justice Department and the FTC in the enforcement scheme. At present, there is a good deal of overlap in their functions, particularly under the Clayton Act. Similarly the relationship between private antitrust actions and Government actions could be clarified.

Another extremely valuable contribution the Commission could make would be to determine if the Robinson-Patman Act forbidding price discrimination continues to serve any purpose and, if so, to rewrite the Act so that the courts which must interpret it, and the businessmen who must obey its abstruse commands, can make some sense out of it. For years now the courts have been extending pointed invitations to Congress to do something about this problem, and it is time the invitation was accepted.

Yet another area to which the Commission could profitably give its attention to is marketing techniques. With the growth of the economy a number of novel marketing techniques have evolved, and with them have come, inevitably, antitrust problems. These problems include resale price maintenance, fair trade laws, limitations on competition between distributors and a whole panoply of problems connected with franchising.

Another area in which the Commission clearly could make a most valuable contribution is in the application of our domestic antitrust laws to foreign trade and investment. For many years, experts have been pointing out how the rigid application of the antitrust laws has put our exporters at a serious disadvantage abroad. That is not a matter to be taken lightly in these days of concern with our balance of payments and our poor export showing last year.

No less pressing is the need to encourage the investment of private capital of the United States and other developed countries in the developing countries. Again it is widely felt that our antitrust laws are an inhibiting factor, particularly to the establishment of consortia of United States and other private companies from industrialized countries grouping to invest in less developed countries. In both instances, there is a deep conflict between our antitrust philosophy and other major national policies when there should be coordination and thoughtful accommodation between them.

The many experts who have called for reexamination of antitrust policy in the foreign field in recent years comprise an impressive array, including the Committee on International Trade Regulation of the Section of International and Comparative Law of the American Bar Association, 1953; the National Foreign Trade Council and the U.S. Council of the International Chamber of Commerce, 1955; the report of the Subcommittee on Subsidiaries in Foreign Trade of the Committee on Antitrust Problems in International Trade, Antitrust Section of the American Bar Association, 1955; the Special Committee on Antitrust Laws and Foreign Trade of the Association of the Bar of the City of New York, 1957; the President's Committee on World Economic Practices, 1959; former Gov. Thomas E. Dewey, 1961; former Attorney General Herbert Brownell, 1962; the White House Conference on Foreign Trade, 1963; and the Committee on International Trade Regulation of the Section of International and Comparative Law of the American Bar Association, 1963.

All these experts have concluded that uncertainty about enforcement of U.S. antitrust laws extraterritorially is the greatest single inhibitor to increased foreign trade and investment. The report of the ABA Committee on Trade Regulation in 1963, for example, highlighted the following principal specific areas of uncertainty in this field:

First, uncertainty as to the terms under which a U.S. business may enter into a joint venture with a competitor, either American or foreign, to engage in business abroad;

Second, uncertainty as to the extent to which U.S. business may cooperate in association with foreign competitors, even when the association is required or permitted by the laws of the foreign country where the activity takes place;

Third, uncertainty as to the extent to which a U.S. business may include territorial and other limitations in patents, trademarks, and know-how licenses;

Fourth, uncertainty due to conflicts between antitrust laws of the United States and the laws of foreign countries and most unfortunately, economic communities, such as the European Common Market; and

Fifth, protests by foreign governments due to extraterritorial application of U.S. antitrust laws to their nationals.

Other areas for study include first, the extraterritorial application of the antitrust laws where potential United States and European private enterprise cooperate for development of underdeveloped nations; second, the development of business organizations along the lines of the Communications Satellite Corp., including the possibility of wide-scale joint cooperative efforts by Government and business in partially public, partially private, corporations to undertake vast ventures in the realm of space and atomic technology. The size and complexity of the subject matter and the public interest involved in such undertakings may make wholly private ownership unfeasible and the productive capacity of private ownership and technological risks involved make wholly public ownership unsatisfactory. Numerous other potential applications of this novel and very hopeful technique make a thorough study of antitrust implications highly important.

The list of critical cases which the proposed Commission would be charged with studying could be elaborated at much greater length. But these are some of the major areas of concern.

In the last analysis the enormous job of studying, recommending, and enacting the antitrust laws is with the Congress. The tendency has been in recent years for a major part of the antitrust policy to be articulated by the enforcement agencies and the courts. The Commission I propose would hopefully enable the Congress again to establish basic antitrust policy; and such policy is basic to the economic future of the United States at home and abroad and to its leadership in world affairs.

It is interesting that an enormous complex of organizations, including bar associations, foreign trade councils, and many other organizations and authorities, have endorsed the concept of a revision of the antitrust laws to deal with the tremendous problems which are created for us by the changes in the economy of the United States and the entire world, some of which I have described.

Finally, Mr. President, we are entering into a new stage of American business development. This is the mixed private-government enterprise, such as that involved in the Communications Satellite Corp. This will pose for us enormous problems, which may make completely obsolescent the ideas of the antitrust laws, either in respect of unreasonable restraint of trade, or in the even more, in my judgment, hampering rule regarding the per se finding of illegality, at least of certain types of combinations or other arrangements between American industrial companies.

In short, the keystone to the American economy, if we are to give the business processes of the country any assistance, is a revision of the antitrust law. Our antitrust laws are obsolete after three-fourths of a century. Instead of allowing the law to be revised ad hoc—which on a guess is all the American people have had to go by—it is high time that Congress take the matter in hand and determine precisely what will be the policy of our Nation.

I know of no single piece of legislation which could more strengthen the American economy at home and abroad than a revision of the antitrust laws. If a business succeeds it is only because a man knows how to operate a business. Personally, I think this is far more revolutionary and far more radical than the whole concept of the Communist state which involves the state operation and ownership of everything. However, we

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cannot prove it unless we unshackle ourselves from concepts which are three-fourths of a century old.

I shall do my utmost to assist the distinguished senior Senator from Illinois (Mr. DIRKSEN) to bring about this great reform of American economic life.

I hope our efforts will have the sympathetic consideration of the committee to which the measure is referred, and of Congress and the entire business community of the country.

IMPACT OF MOB TACTICS ON INSTITUTIONS OF HIGHER LEARNING

Mr. RUSSELL. Mr. President, a recent issue of Nation's Business contains a vivid description of the way a small group employing mob tactics can have a destructive impact on an institution of higher learning.

The article discusses the early stages of the Columbia University incident, the final result of which captured the headlines of every newspaper in the country. It points out that the incident was ignited by less than 1 percent of the entire student body.

But more incredible than the inconsequence of the representation of this group was the manner in which the administrators of this institution permitted themselves to be intimidated and browbeaten by this mob. These administrators do far more to fan the flames of anarchy on the American college campuses today than the misfits and vandals who participate in these demonstrations.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RIGHT OR WRONG—WHAT ABOUT MAJORITY RIGHTS

(By Alden H. Sypher)

(NOTE.—Contributing columnist Alden Sypher is former editor and publisher of Nation's Business.)

Let's take a look at one incident in the persistent series that has brought violence to the campus at Columbia University for more than a year.

It's very much like incidents on other campuses in which malcontents with mob mentalities gain bravery in gangs to vent their hostility toward a system in which they have failed to achieve, or fit.

Frequently such rabble parades under the banner of the Students for a Democratic Society, which is a perversion of terms since the principal objective appears to be the overthrow of democratic processes by force. And many are not students.

Force is about the only way these malcontents can bring attention to themselves, which must be their intent rather than their stated objective. They constitute a very small, sad minority on America's campuses. While their ability to disrupt is demonstrated, their chance to prevail is limited to the degree of timidity of the authorities.

At Columbia the excuse for mob action was the presence of Army and Air Force representatives on the New York City campus.

The officers' purpose was recruitment—a term which conveys to some a much more compulsive activity than what actually takes place.

Representatives of the armed services offer college students only one thing—discussion of the opportunities in the services that may fit into the interests of the student, or otherwise appeal to him.

It is a voluntary offer. Students are informed by bulletin board or other means that representatives of the services will be there at a fixed date and time. Students who show up for interviews do so on their own initiative.

The process is about the same as that followed by company representatives who visit campuses to fill civilian jobs.

There is one exception. Campus mobs have found enough support for draft dodging among faculty and clergy that they feel fairly safe in attacking the armed services.

This gives them an opportunity to demonstrate their complete contempt for law, order and justice, for their country, for the system, and for the administration and faculties of their schools, excepting only those faculty members who are with them.

About 150 bearded boys and glamorless girls, stimulating one another to excitement and the loss of normal restraint and rational control, moved in a mob on a building at Columbia where service officers were answering questions of several dozen students, who were there on their own free choice.

Some of the mob were Columbia students. Others appeared to be off New York's streets.

In front of the building they met a line of 50 New York policemen. While 1,500 or more young people whipped into mob madness may readily take on 50 cops, 150 are more likely to back off from a three to one ratio, and seek less qualified adversaries.

That's what these did. But first they shouted at the police, and from their rear ranks were pitched two stench bombs which sailed over the policemen's heads.

One landed on the steps, doing no harm. The other crashed through a second story window and filled a library room housing important reference books with a horrible stench. It did no other damage.

At this the cops drove a wedge into the mob and extracted two of its members against whom the police filed minor charges. One was a student. The other was not, although he claimed to be.

After this bit of bravery the accumulation of square pegs marched off the campus and down a busy New York street five abreast, fists raised in a Castro-like salute, shouting:

"Ho Ho Ho Chi Minh," and

"Smash the military, the Viet Cong will win."

They returned to the campus but veered away from the police-guarded building in favor of a safer scene to continue demonstrating their version of student power.

Using stairs and elevators they swarmed onto the sixth floor of another building, this one unguarded. There they jammed into the placement offices, occupied only by women.

Demonstrating spirit and courage far beyond the call of duty, some drove their fists or elbows through glass door panels. Others tore company recruiting posters from bulletin boards. Some pushed into the academic placement office, which finds jobs for potential teachers.

Two secretaries blocked the door to a room where the files were stored. In the outer office members of the mob knocked over shelves of books, ripped out a telephone, overturned and smashed an electric typewriter, and spilled water on the floor.

They also frightened the daylights out of the women.

"I've never been through anything like this in my life before," said Yvonne Staples, assistant director of the office. "I was terribly frightened." After five minutes the vandals left the building and returned to their gathering point, the sundial at South Field.

There a young man who identified himself as Robbie Roth, a member of the steering committee of the Columbia chapter of the SDS, granted reporters an interview.

"We are showing the university that every time it helps the war in Viet Nam, we will exact reprisals," he said.

"They've got to be made to realize they will have to pay a price if they go on collaborating with the military."

What price vandalism at Columbia?

Listen to Dr. Andrew W. Cordier, acting president:

After inspecting the wreckage the malcontents had caused in the placement offices, he said the action was clearly "illegal."

However, he said, he would let the university's regular disciplinary procedures take their course, and added that he was "rather pleased by the way things went this morning, considering the size of the trouble last year."

Just what Dr. Cordier found pleasing was difficult to see, unless he referred to the fact that last year a somewhat less than stouthearted board of trustees had canned the president in compliance with the demands of a small minority of the student body and some outside agitators, in the wake of campus violence—and the same fate has not yet descended on him.

(This method of buying peace works no better now than when Chamberlain tried it in 1938.)

It's otherwise difficult to find Dr. Cordier's source of pleasure in a situation in which 150 students out of more than 17,000—a minority of about .9 per cent—seek to force their will on the majority through violence and vandalism.

Nevertheless they've made a pretty good start.

Two years ago a referendum in Columbia College and the School of Engineering resulted in a 67.3 per cent approval of military recruiting on the campus.

A five-member faculty committee also approved it after a study directed by a vote of the faculty.

For several days before the armed services visits to the campus Dr. Cordier consulted with administrative and faculty leaders on whether the appearances should be canceled or postponed.

The day before the visits the acting president issued a statement defending Columbia's long standing policy of permitting recruiting on the campus.

Then came the mob's march, 150 strong.

These are not alert young Americans seeking to communicate to their elders a well-reasoned, well-founded criticism of the pattern and system of America's higher education and to express their desire to take part in updating that system, as some of our academic and social bleeding hearts would have us believe.

With few exceptions they are outright vandals, incredibly encouraged by their elders' incredible timidity about punishing them.

They are a tiny minority that should be removed from their present freedom to interfere with the great majority of students who are seriously taking advantage of an opportunity to become educated.

But the influence of this rabble, shouting for a defeat of America and crying for a victory of the Viet Cong, is as incredible as the authorities' timidity.

After this instance of vandalism Dr. Cordier issued an addendum to his statement supporting armed services recruiting at Columbia.

He and the executive committee of the faculty, he said, would appoint a committee to review that policy.

If you're going to stay at Columbia, Yvonne Staples, you may as well forget orderly procedures, and get used to unrestrained mob action.

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BIG THICKET RIVERWAYS AS SOURCE OF NATURAL BEAUTY AND REFUGE, ARE DESCRIBED IN OUTDOOR AMERICA BY EDWARD C. FRITZ

Mr. YARBOROUGH. Mr. President, the Big Thicket area in southeast Texas contains regions of ecological development and growth that are both beautiful and unique. Botanists and biologists have recognized the inherent value of this wilderness area and have repeatedly called for the preservation of a significant portion of the Big Thicket. The remaining woodlands and forests, and the picturesque river bottoms are valuable not only for their biological significance, but for their sheer beauty as well.

The three streams and their tributaries that comprise the arterial systems of the Big Thicket are of particular interest to all who are concerned with the protection of this area. They frame the local culture, provide environmental corridors which, interconnected, can survive centuries of urbanization.

My bill, S. 4, to establish a Big Thicket National Park of not less than 100,000 acres, is designed to protect the valuable riverways in the Big Thicket. I believe that any attempt to preserve the Big Thicket should utilize these streams and river bottom areas to the fullest extent possible. We should act now to prevent the exploitation and pollution of these clean and beautiful waterways.

Mr. Edward C. Fritz, chairman of the Texas Committee on Natural Resources, has written an informative article for the Izaak Walton League publication, Outdoor America, which describes in detail the Big Thicket riverways and outlines a proposal for their protection.

I ask unanimous consent that this article, entitled "Big Thicket National Riverways," appearing on page 10 of the October 1968 edition of Outdoor America be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Big Thicket National Riverways

(By Edward C. Fritz)

At the Denver Convention a resolution was adopted as follows:

"Be it resolved, by the Izaak Walton League of America in convention assembled at Denver, Colorado, this 12th day of July, 1968, that support is hereby expressed for establishment of a Big Thicket national preserve of approximately 100,000 acres, based upon a plan which will preserve the most ecologically significant natural areas; create public riverway and recreational interconnecting corridors between the nature preserves along the Neches River, Village Creek and Pine Island Bayou; and which would establish a national wildlife refuge in a selected area of the Big Thicket now operated by the Army Corps of Engineers."—Editor.

Three streams and their tributaries comprise the arterial systems of the Big Thicket, frame the local culture, and provide environmental corridors which, interconnected, can survive centuries of surrounding urbanization. The Big Thicket federal plan should utilize these streams as the basis for a riverways preserve, elaborating upon the Ozark National Scenic Riverways. Such a plan would provide a string for the ecological pearls which the National Park Service study team wisely suggests for preservation, but unwisely leaves scattered and unbuffered against urban sprawl and rural blight. By utilizing the distances up and down these unspoiled streams, the planners of the Big Thicket preserve can provide a true wilderness experience which will otherwise be severely restricted.

The clean, iron-colored waters of the Neches River, Village Creek, and Pine Island Bayou have penetrated the sandy loams of the Pliocene Age, have shaped up a rich base for the tall forests of the Big Thicket, and have continued to soak and to drain these forests for thousands of years.

Ducks, geese, hawks, wading birds, and exotic anhingas use the Neches as a flyway during migration. Herons abound here. Prothonotary warblers dart along the brushy banks, flashing brilliant yellow-orange. The endangered ivory-billed woodpecker courses the river bottoms, an occasional bear, panther and red wolves follow the streams because dreaded man seldom resides near the flood-prone and mosquito-infested sloughs along these streams.

These three watersheds have also nurtured the development of a special brand of human society—a proud and unconforming breed of men and women who boated up the Neches and San Jacinto and adapted the hill-folk culture of Kentucky and Tennessee to the lower, flatter, and more slough-riddled river bottoms. Some of these people along these Thicket streams still live in the old clapboard houses and wear sunbonnets and Mother Hubbard dresses as they weed their tomato patches.

Just as early settlers used the Neches and Village Creek for transportation, modern adventurers choose these seldom-bridged, smoothly-sliding currents for float trips, camping overnight on broad, clean sandbars far from civilization.

As a unique natural region, the Big Thicket has been reduced by development and timber-harvesting from three million acres to perhaps 100,000 acres of climax forest and two million acres of transition forest growth, owned mainly by lumber companies. The region still contains samples of the four main climax vegetative combinations: closed-canopy loblolly-pine-beech-oak-magnolia forest; longleaf pine savannas; sphagnum and pitcher-plant bogs; and gum-oak-cypress swamps. There is also a unique giant palmetto flat. To preserve these types, a National Park Service study team in 1967 recommended nine areas for a 35,500 acre National Monument. True to National Park and Monument standards, none of these areas includes any of the numerous pipelines, oil fields, highways or towns which spot the region. The areas are scattered around a huge circle seventy-two miles in diameter. By driving two hundred miles along existing roads, through towns and past lumber mills and junk yards, a tourist could get a glimpse of each of the nine areas. Only one elongated unit, labeled the Profile Unit, reflects the modern environmental-corridor concept of land-use planning.

In nature, the Big Thicket ecosystem is not that disconnected. All four main vegetative combinations occur on each of the major watercourses, in some instances along a twenty-mile transept. In selecting prime areas, the National Park Service study team sacrifices contiguity. And in selecting scattered areas, the study team substantially overlooks the potentiality which exists for long float trips and long scenic trails, as well as for comprehensive environmental planning.

In a better plan we can follow the study-team recommendations for prime areas, can add scenic trails and float trips, and can achieve contiguity of area, with the great advantages flowing therefrom. This will require use of more land and water than the study team has proposed. But not all this land and water need be purchased by the federal government.

The Neches River, Village Creek and the lower part of Pine Island Bayou are navigable and thus the riverbeds already belong to the public, and could be utilized in a Riverways plan without acquisition cost. Major lumber companies own a great deal of the land alongside these streams and might agree to federally-constructed hiking trails, under appropriate regulations as to fire-building. Even the Parks and Wildlife Commission of Texas, which thus far has shown little interest in state parks for the Big Thicket, might be influenced to participate in a comprehensive plan.

As a recreational area, the Big Thicket would afford a distinct supplement to other areas under National Park Service jurisdiction, in that the hiking, canoeing and camping would be comfortable in the winter, except during rainy days and rare cold snaps. In water, the bottomland forests, carpeted with oak and magnolia leaves, have a special beauty—the logs and soil abound in a tremendous variety of color-patterned fungi, mosses and Christmas ferns, while resurrection ferns and Spanish moss decorate many limbs. There are lilies which bloom in December. Wintering birds are numerous.

Spring comes earlier than in any national park except the Everglades, bringing trillium, azaleas, dogwood and some orchids in March and early April.

During floods, which generally occur in the spring, substantial areas along the streams are inundated. Roads become impassable to ordinary passenger automobiles, but hiking trails could be routed, by use of alternates, to remain traversable at virtually all times.

Thus a Big Thicket proposal which features recreation, as well as preservation, would draw out-of-state nature lovers during a season when northern parks are seldom visited, spreading time-wise our national recreation supply.

An area much larger than 35,500 acres will be necessary to service the winter rush to the Big Thicket. Such a plan has been proposed by more than ten conservation organizations in Texas, and nationally by the Citizens Committee on Natural Resources. Note that this plan does not cover the western extension of what was once the Big Thicket. The U.S. Forest Service runs some of this, and is preserving a Big Thicket Scenic Area in Sam Houston National Forest, about thirty miles west of the westernmost unit proposed below. The forest products industry has suggested that the federal government trade national forest lands for any lumber company lands to be taken for a Big Thicket preserve. Conservationists are agreed that such a trade would have no merit, and would merely be robbing Peter to pay Peter.

Here is the proposal of conservationists for a Big Thicket National Riverways:

1. Neches River, (from Dam B in Tyler and Jasper Counties to the confluence of Pine Island Bayou at the Jefferson County Line): Prohibit further construction, farming, grazing or timber-harvesting within a zone about 400 feet wide on each side of the river. Limit to highly selective forestry and to repair of existing structures all use and development in a zone up to three miles on each side of the river. Construct a foot-trail down one side of the river, with rest stops about every five miles along the trail, accessible also to boaters. Prohibit the use of motors on boats.

This unit would include for total preservation the Neches Bottom Unit and Beaumont Unit proposed by the National Park Service Study Team.

2. Village Creek (from headwaters, also known as Big Sandy Creek, in Polk County, to the Neches River in Hardin County): Prohibit further construction, farming, grazing or timber-harvesting within a zone about 400 feet wide on each side of creek. Erect campsites about every ten miles. Prohibit the use of motors on boats.

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This unit would include the upper part of the NPS-proposed Profile Unit.

3. Pine Island Bayou (from headwaters in northwest Hardin County to confluence with Neches at Jefferson County line): Prohibit further construction, farming, grazing or timber-cutting within a zone about ¼ mile wide on each side. Construct a foot trail the entire length of stream.

This unit would include the lower part of the NPS-proposed Profile Unit, and would connect with the initially-proposed Lobolly Unit by the dirt road through that unit, and a half-mile of forest on both sides of such road.

5. Connecting Units: (Prohibit cutting or development for ¼ mile on each side of each trail):

a. Menard Creek: Construct a trail from upper end of Pine Island Bayou to Menard Creek, and across to Big Sandy-Village Creek at closest point.

b. Little Cypress Creek: Construct a trail from upper end of Village Creek Unit to Little Cypress Creek Unit, down Little Cypress and then Big Cypress Creek to a point nearest Theuvenin's Creek, and thence overland to Theuvenin's Creek. This unit includes NPS-proposed Little Cypress Creek longleaf pine forest.

c. Theuvenin's Creek: Construct a trail up Theuvenin's Creek and then overland to Beech Creek.

d. Beech Creek: Construct a trail down Beech Creek through NPS-proposed Beech Creek Unit, thence overland eastward to the Neches.

6. Little Pine Island Bayou Unit: In entire triangle between Roads 770, 105 and 326 in Hardin County north of Sour Lake, manage the 50,000 acres for preservation of all indigenous plant and animal species, through rigid selectivity of timber and game harvesting. Reintroduce panther, black bear and red wolf.

This plan would utilize more than 100,000 acres. Much of this acreage should be kept in private ownership under easement to the federal government for trail and scenic purposes. Hunting could be permitted on all areas except those set aside for ecological preservation such as the NPS-proposed units.

In addition, other units should be considered for the Big Thicket plan:

7. Other areas recommended by NPS study team: The Riverways approach would not connect Clear Fork Bog, Hickory Creek Savanna, and Tanner Bayou. These should be preserved even though unconnected.

8. Dam B: Transfer all U.S. Corps of Engineer lands to the U.S. Division of Wildlife Refuges. (Ivory-billed woodpeckers have repeatedly been sighted here).

9. Pioneer Community Historic Area (between Beech and Theuvenin's Creek off Road 1943 in Tyler County): Establish a state historic area encompassing communities of pioneer farms, dwellings, mills, adjoining the Beech Creek trail.

Any lesser program, although temporarily helpful, would fail to fulfill the long-range National Park Service objectives of resource management, including not only natural areas but also recreational and historical. Likewise, any program which fails to provide economic and political protection to long stretches of streams would result in deterioration of the ecosystem through pollution, manipulation, erosion, drainage, and silting.

Human pressure on the Big Thicket is escalating. Timber is being harvested at an ever-increasing rate, particularly for pulp. Local small businessmen are clear-cutting stand after stand of forest to construct commercial buildings with sprawling parking areas. Rice farmers are responding to U.S. Soil Conservation offers of vast drainage projects, including the Pine Island Bayou watershed. River authorities are proposing more dams. Week-enders from burgeoning Houston and Beaumont are pouring into the woods and buying the cabin sites which developers are pushing for homes away from home. There is no zoning, no plan. The backward local communities do not even have adequate city parks for their own populations, nor adequate pollution control programs to protect areas downstream.

Unless the federal government enters this area with a plan which is comprehensive enough to protect upstream and downstream areas, even the ecological pearls will be isolated from their sources of clean water or even any water, and their channels of roving animal life.

Since the NPS study team advanced report came out in May of 1967, the major lumber companies have admirably refrained from cutting into the NPS-proposed units. However,. they have cut right up to the edges in some places, And they have cut some stands along the Neches River where the conservationist-proposed trailway would now have to pass through dead logs and stacks of dried-up slash.

In May of 1968 I inspected areas where lumber companies had almost clear-cut the timber as close as twenty feet from the west bank of the Neches. In at least one place, a major company had felled all the cypress along the shores of a once-beautiful ox-bow lake about a hundred yards from the Neches and had left large logs and piles of limbs and timber-tops stacked helter-skelter across the lake where hikers could have enjoyed a scenic view.

Even the areas which lumber companies have long preserved for hunting by guests and lessees are in danger. At least one lessee of a hundred thousand acres is advertising plans for housing developments on wild areas along the Neches.

Congress should move immediately toward enactment of a Big Thicket bill. The best vehicle is S. 4, by Sen. Ralph W. Yarborough, which would authorize an area of at least 100,000 acres, the exact location of which is not yet specified but would be described in an amendment to be filed after committee hearings. A National Riverways plan is the best approach, but if the disconnected pearls can be authorized before the Riverways can be planned, Congress should proceed with the pearls immediately, while continuing to develop the Riverways plan.

ESTIMATED COST OF LAST APRIL'S RIOTS IN WASHINGTON CONTINUES TO RISE

Mr. BYRD of West Virginia. Mr. President, the estimated cost of last April's riots in Washington continues to escalate. According to this afternoon's Washington Daily News, the overall cost has now soared to the shocking total of $55 million.

I have said, and I repeat, that the full cost of the tragedy that befell the Nation's Capital last spring may never be known. There were intangible losses as well as tangible.

Fifty-five million dollars is an enormous amount of money. It is sickening to any right-thinking person to know that this vast sum has been lost because mindless mobs went on a dreadful binge. Efforts to "excuse" or "explain" the criminal actions that laid waste vast areas of this city make a hollow mockery of the orderly processes upon which our society must exist.

Because I believe Senators will wish to read this story for themselves, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DISTRICT OF COLUMBIA RIOT LOSS NOW SET AT $55 MILLION

(By Mark Schneider)

The riots in Washington last April did $24,750,400 in property damage, nearly double the original estimate of $13.3 million made by the city, according to a detailed survey released today.

Meanwhile, The Washington Daily News learned that the total actual business loss and business property damage will reach approximately $30,000,000 bringing the total to nearly $55 million.

The Washington Civil Disorder Survey, made under the direction of the National Capital Planning Commission jointly with the District Government, and the D.C. Redevelopment Agency, also showed that 97 per cent of the properties involved were owned by whites.

It discovered that of the 374 real estate agents or managers of properties, only 18 were Negroes.

The survey sorted out and checked all past estimates, reports and claims of property and business property damage to:

Assess the impact of the social disorder.

Aid in allocating money for business assistance.

Help plan the rebuilding of the riot-torn area.

Some bright spots could be found in the survey summary. For instance, 654 properties previously reported to have been damaged or destroyed in riots were found to be intact and unmolested. Also the majority of property owners (some 56 per cent) indicated their determination to repair or build anew and an additional number said they would retain ownership but lease the site.

The summary touched only on damage to real property; but a subsequent survey to be released in two weeks will review damage to business inventories and other property, according to Robert Gold, assistant director for social and economic research for the National Capital Planning Commission.

The survey was conducted by telephone, mail and personal interviews of owners of the 1853 properties cited in police, fire or insurance reports to have been damaged during the destruction that followed the assassination of Dr. Martin Luther King Jr. last April 4.

The final estimates released today were based on 1282 actual contacts with owners. The information from these inquiries was used to make estimates on the remaining 571 properties not contacted by the survey.

The survey estimates were obtained from owners who calculated their replacement costs, Mr. Gold reported, and added that this will differ from insurance companies loss statements which include depreciation.

Mr. Gold reported insurance companies had paid $22.3 million as of Dec. 1968 and expected to dole out another $1.7 million to cover property and business loss.

FILE $17.5 ADDITIONAL CLAIMS

Property owners said they had filed or anticipated filing $17.5 million claims to cover property damage. Mr. Gold said that the unreleased survey of business losses would boost the claims totals far above the insurance company estimates.

Mr. Gold said that, in addition to the unexpectedly high property and business costs from the riots, the survey surprised its makers with the "astounding degree of property damage scattered outside the main corridors."

Nearly 41.5 percent of the properties damaged, accounting for a loss of some $6.25 million, was located outside of the major riot areas, the study showed.

The corridors of concentrated destruction were along 14th-st nw, seventh st and Georgia-av nw., H-st and Benning Road ne and,

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to a lesser degree, in portions of the downtown area.

The toll in human lives—eight men dead—and, 1,191 persons injured—also was highest in the corridors, and it was there that the National Guard became a common sight.

The corridors still exhibit the greatest problems for rebuilding. The studies show 168 buildings demolished, 126 with only the shell or ruins standing. Thirty per cent of the owners of corridor property expressed a desire to sell and move out. Six said they were abandoning their property.

Not surprisingly, the survey shows that 61.6 per cent of the property owners were absentee landlords with corporate ownership consisting of over 15 per cent.

STATISTICIANS DREAM

The report, a statistician's dream with two final tables of numbers and percentages spreading out like a map, did give some inklings of the upcoming data on business damage.

Owners said that 711 businesses previously operating on their properties prior to the riots were gone. Mr. Gold noted that the total number of enterprises damaged or put out of business by the riots is much higher since many businesses were damaged while the buildings they occupied were not. Of the 374 owner-operated businesses, 175 are no longer open, the survey also showed. The riots also closed 205 homes and apartments which were rented prior to April 4 as well as 15 residences in which the property owners had lived.

The survey provides the data which public and private agencies will use in determining how to rebuild the riot-torn area, and the portion released today—far above earlier estimates of damage—raises serious questions for that effort.

SENATOR MURPHY'S RECOMMENDATIONS ON INDIAN EDUCATION

Mr. MURPHY. Mr. President, this year I was appointed to the Subcommittee on Indian Education of the Committee on Labor and Public Welfare. Naturally, I welcome this assignment, and I am hopeful that as a result the subcommittee's activities and efforts, we will be able to improve and expand educational opportunities for the American Indian. On February 19, I testified on Indian education. I ask unanimous consent that my statement be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR GEORGE MURPHY

I welcome this assignment to the Subcommittee on Indian Education. I first want to pay tribute to Senator Fannin whose initiative brought about the creation of this Subcommittee, and the late Senator Robert Kennedy, under whose leadership the Subcommittee has sparked a nationwide interest and gathered substantial evidence regarding the American Indian and the sorry condition of Indian education.

I look forward to working with the new Chairman, Senator Ted Kennedy, the ranking Republican, Senator Peter Dominick, and other Committee members. Also, I have been assured by Senator Fannin that although he is no longer on the Subcommittee, he does want us to understand that his interest in the activities of the Subcommittee will not in any way be lessened.

There are 600,000 Indians in America today, 400,000 of whom live on or near reservations in 25 states. The others have moved into our cities and communities.

While the statistics have been put on the record before, they have been so shocking that I think that it would be useful to again emphasize them. Educational statistics show:

Fifty per cent of Indian youngsters drop out before completing high school;

Among our largest tribes, the Navajos, there is a 30 per cent illiteracy rate; and

The overall educational achievement of the Indian is only five years.

Evidence continues to grow regarding the correlation between educational achievement and earning levels. Therefore, it is not surprising that economic statistics are similarly depressing. They reveal:

That the average Indian income is $1500, which is 75 per cent below the national average;

That his unemployment rate is 40 per cent, which is ten times the national average;

That the incidence of tuberculosis among Indians is seven times the national average; and

That his life span is considerably less than the national average.

These statistics are unfortunately true despite a doubling of appropriations for Indian programs during the last decade and the growth of a bureau that today has 16,000 employees to deal in Indian affairs. These statistics, coupled with the rapidity of the change in our technological society, make it clear that a continuance of stagnant, blundering, and inept administration cannot be tolerated. Because the record is so replete with failures and shortcomings and because I doubt seriously whether any federal agency could do a worse job, even if they tried, I believe the time is long past for a change. I, therefore, recommend that the education programs, and perhaps other health and welfare programs, for Indians be transferred from the Bureau of Indian Affairs to the Office of Education in the Department of Health, Education and Welfare. Such a transfer, accompanied by the proper recognition of an Indian affairs expert in the Office of Education, might give the program the same "lift" that the acquisition of Vince Lombardi and Ted Williams by the Redskins and the Senators, respectively, gave to the Washington area sports fans. Incidentally, like both the Senators and the Redskins who have tried to find the very best managers in their fields—if the transfer should take places—so should the search for an individual who is the very best in his field and who can lead and head the attack on the educational problems of the American Indians. In California, there are approximately 80,000 Indians, which gives California the second largest Indian population in the United States. Although I wish the statistics were not true in California, I regret that they, although better than the national average, nevertheless also reveal the depths of the Indian education problem. For example, a 1966 report by the State Advisory Commission on Indian Affairs found that high schools with large Indian enrollments had a dropout rate three times higher for Indians than non-Indians. Some schools reported dropout rates for Indians range from 30 per cent to 75 per cent.

The most pressing need in my state is for the restoration of Johnson-O'Malley funds. The Johnson-O'Malley program provides financial aid to states for educational programs for Indians. California's eligibility for the program was finally terminated in 1958. Although there were various reasons for the phasing out of the Johnson-O'Malley program in California, including the feeling that California would adequately fill the gap resulting from the loss of these federal funds and give the Indians an adequate education and the belief that the federal government would terminate the reservation policy nationwide, the statistics, experience and events since the phasing out of the Johnson-O'Malley program in California show neither has occurred.

In addition, my examination of the other arguments advanced in support of the ending of the Johnson-O'Malley funds in California convinced me that they are equally erroneous. That the Johnson-O'Malley funds are vitally needed in California is generally agreed. For as the State Advisory Commission on Indian Affairs in a June 1967 report noted, the Indians in California "have become lost in the 'big picture' of education in California . . . The solution to the above-stated problems and deficiencies encountered in the education of California Indian students can be found in a re-implementation of the Johnson-O'Malley program in California."

Since the phasing out of the Johnson-O'Malley program, the record indicates that the California Indian both educationally and economically was not only failing to hold his own with his contemporaries but is actually falling further and further behind. When the reason or rationale for a law no longer exists, the law itself should not exist either. This should also apply to the Johnson-O'Malley exclusion of California Indians.

It is estimated that since fiscal year 1953–54, the state of California and the California Indians have lost $3.5 million because of the ending of the Johnson-O'Malley program. In 1953, California's percentage of the nationwide Johnson-O'Malley funds of approximately $2.6 million was 12 per cent. With the total federal funds now reaching approximately $8 million, a 12 per cent share for California would come to $960,000. While California might not actually receive this amount, it is clear that substantial sums would be forthcoming which would help meet the great educational needs that do exist.

There is no question that the Johnson-O'Malley funds could be put to tremendous use in my state for there is a great need, for example, for an assignment within the State Department of Education of a person to be employed as an Indian education expert. With the restoration of this program, I am confident that the state would move ahead and create such a post.

The exclusion of California from Johnson-O'Malley funds has produced some real absurdities. Some Indians from other states who, for example, are located in California receive federal assistance, but native California Indians, who may be working alongside of the relocated Indians, will not receive such assistance.

Another absurdity of the federal program is discrepancies in the interpretation of the requirement that the "Indian live on or near trust lands." As Mr. Elgin, Assistant Secretary of the Inter-Tribal Friendship House, Oakland, California, said in his January 1968 testimony before this Subcommittee: "Does it take an act of Congress to get a reasonable explanation as to this apparent discrepancy?" Well, whatever it takes, I intend to get an explanation on this matter during my membership on this Subcommittee.

Mr. Brown, who accompanied Mr. Elgin, pointed out a similar absurdity in connection with the Indian federal scholarship program, and I quote from Mr. Brown's testimony:

"If I can give a personal example: I am a Creek Indian, I come from Muskogee, a town of 50,000 people, and the Bureau of Indian Affairs gives me a thousand dollars to go to college, and I have never lived on trust land or near trust land, to my knowledge, whereas the California Indians to qualify for any Bureau program have to live right on trust land, not near it but right on it."

To cite even another absurdity, I refer to the Sherman Institute at Riverside, California. At the present time, students from Arizona, New Mexico, and perhaps other states are attending the school, but California Indians are not admitted to the school.

American Indians, like all Americans, recognize the importance of education. Mr. Rupert Costo, President of the American In-

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dian Historical Society, which is located in California, pointed this out in his testimony:

"In our contact with the whites, we have always and without fail asked for one thing. We wanted education. You can examine any treaty, any negotiations with the American whites. The first condition, specifically asked for by the Indian tribes, was education. What we got was third-rate, lefthanded, meager, miserly unqualified training, with the greatest expenditure of federal funds and the least amount of actual education for the Indian himself."

The federal government's performance record insofar as the American Indian is concerned should give pause to those who believe that solutions to our problems should be packaged in and dictated from Washington. The federal government can and must help, but however good its intentions, without local cooperation, initiative and commitment, chances for success are slim.

So, Mr. Chairman, the challenge has been laid before us. The great importance of education is recognized by the Indians. We must see to it that "this greatest expenditure of federal funds" produces the greatest amount of "actual education for the Indian himself." I intend to do whatever I can to bring about a substitution of results and performances for the rhetoric and promises that have been made to the American Indian for over a century. Thank you.

AWARD OF GEORGE WASHINGTON HONOR MEDAL TO REV. BOB MINNIS, GRAHAM, N.C.

Mr. JORDAN of North Carolina. Mr. President, it is a source of great satisfaction to me that this year's George Washington Honor Medal awarded by the Freedoms Foundation went to a North Carolinian, a man from my own home county, the Reverend Bobby Minnis, of Graham.

From my viewpoint, however, the really important thing is not where he is from but what he had to say in the letter which won him that high distinction.

The message he conveyed was clear, timely, and an eloquent commentary on what is wrong—and what is right—with today's society. It is one which I think any American would do well to read and ponder. I commend it to the attention of the Senate and ask unanimous consent that the text be printed in the RECORD.

There being no objection, the message was ordered to be printed in the RECORD, as follows:

To the Editor:

Today's ever echoing cry is freedom. We hear it so often, and called for so loosely, that the question is prompted: "Do we know what freedom really is?" Much is going on under the banner (disguise) of freedom, but freedom is not found in resentment or lust or hatred. By its very nature freedom is incompatible with such attitudes and actions.

In America we pride ourselves in a heritage of freedom that is unknown in many parts of the world. The opportunity for individual achievement and the level of that achievement have been magnets that have drawn people from many parts of the world to our shores. But if our understanding of freedom does not rise above the desire for personal gain at the loss of others, there is grave danger that the freedom which we enjoy will not long endure.

Freedom is a two-sided coin involving two concepts: liberty and equality. And the real foundation for this freedom is law. Freedom has always come through the establishment of law. Indeed, there is no liberty nor equality in anything without law.

A man may wish to become a master piano player, but with becoming a master of the keyboard comes a great deal of bondage (law, if you please)—a disciplined learning process, practicing. No legislative act can decree a man of good piano player. He must earn this right by facing up to the requirements.

Today, rights and privileges are demanded on the basis of justice, and genuine freedom includes justice (fairness); this we can't deny. But some rights and privileges can't be ordered. Again, they must be earned. Everyone has the right to go out for the team, but everyone doesn't have a right to play in the game. You have to be good enough. Measuring up to certain requirements (laws, if you please) warrant this.

One of the verses of "America, The Beautiful," ends with these words, "Confirm thy soul in self-control, Thy liberty in law." These words aptly bring together the principle of liberty through law and the individual responsibility we have for freedom.

Freedom will never be found through lawlessness, since the very basis of liberty is law. Today's disorder and chaos, resulting from extremists' activities, retards rather than advances freedom. In the cry for freedom the chains of requirements have been discarded, thus in place of a free for all policy we have a free-for-all.

To expect the privileges of freedom without the responsibilities is folly, because responsible freedom is the only kind that can endure. Freedom is earned, not bestowed. The crusaders of the past put their "cause" above self; today the reverse is true. Self comes first. Crusading (protesting) has become a luxurious game of self-indulgence.

If we can understand something of what freedom really is, then we can work together for the development of the sharing of both responsibilities and privileges that accompany it.

BOB MINNIS.

J. EDGAR HOOVER TO CONTINUE AS DIRECTOR OF FBI

Mr. MURPHY. Mr. President, last year I introduced an amendment which was adopted as part of the Omnibus Crime Control and Safe Streets Act of 1968 providing for the appointment of future Directors of the FBI by the President, by and with the advice and consent of the Senate. Thankfully, earlier this year, President Nixon asked J. Edgar Hoover, present Director of the FBI, to continue in the position. Since that time some of Mr. Hoover's critics have been busy spreading the word that the President had an understanding that Mr. Hoover would retire when he reaches age 75 on January 1, 1970. These reports had no basis in fact, and I hope they will be finally laid to rest by a statement issued recently by the Department of Justice declaring there is "absolutely no truth" to these persistent rumors.

Mr. President, I ask unanimous consent to have printed in the RECORD an article concerning the Department of Justice's statement regarding Mr. Hoover, published in the March 6, 1969, issue of the Evening Star.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HOOVER PLANS TO RETIRE ARE DENIED

FBI Director J. Edgar Hoover has not indicated any intention to President Nixon or to the attorney general of retiring or resigning next Jan. 1 when he will be 75 years old, a Justice Department spokesman said today.

Asked about persistent published reports and rumors that Hoover has made a deal to step down from leadership of the agency he has headed since 1924, the Justice Department spokesman said, "There is absolutely no truth to it."

"There is no understanding between Mr. Hoover and the attorney general concerning any resignation or retirement. Mr. Hoover has not indicated any such plans to the President or the Attorney General.

"President Nixon asked Mr. Hoover to continue in his position as director and he agreed. That is the simple situation."

Hoover's post is organizationally under the attorney general but the FBI's operations are largely independent. Relations between Hoover and attorneys general have varied from excellent to strained. Hoover and Ramsey Clark were often at odds. But Mitchell and Hoover reportedly get along well.

OIL AND INFLATION

Mr. PROXMIRE. Mr. President, the oil industry has unjustifiably raised the price of gasoline by 1 cent a gallon.

The New York Times has shown a keen editorial awareness of the realities of the situation and has presented in stark colors the disdain the oil industry and its friends have for the general welfare. I ask unanimous consent that the editorial from the Saturday New York Times be printed in the RECORD at the conclusion of my remarks.

The editorial is excellent, but I do have one criticism. In attempting to be fair, it understates the cost to the consumer of this callous action. The cost will be about $800,000,000, according to a letter I received last August from Arthur M. Okun, who was at that time Chairman of the Council of Economic Advisers.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

OIL AND INFLATION

Most of the major oil companies have now followed Texaco's lead and raised their crude oil prices in amounts ranging from 5 to 20 cents a barrel. When those advances are fully reflected in higher retail prices, the American consumers' total bill for gasoline, heating oil and other petroleum products is likely to increase by some $400 million.

What makes the crude oil price rise unique in a period of generally rising prices is that unlike most commodities its price cannot be raised without the active cooperation of the Federal Government.

There is a great abundance of crude oil in the world; if there were no restrictions on its domestic production or importation from other countries, the United States consumers' annual bill for petroleum products would be lower by about $5 billion. Petroleum prices are maintained at artificially high levels in this country by restricting supply. Production from domestic oil wells is tightly controlled by state governments, and the Federal Government enforces these restrictions on output through an interstate oil compact. Oil imports are limited to a fixed percentage of current consumption by mandatory quotas.

The American oil industry is a kind of private government, an entity which has had sufficient political power to shape the petroleum policies of the Government in Washington, not only through its influence in key Congressional committees but by direct pressure on the White House. That private government has not been seriously challenged in the past. But now its power to raise prices is threatened by a coalition of New England and Southern interests that wish to establish "free trade zones," refining areas

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into which cheap crude oil and other petroleum products can be imported without quota restrictions.

A bitter fight is being waged over a trade zone at Machiasport, Me., where the maverick Occidental Petroleum Company wants to operate a refinery and petrochemical complex using Libyan crude oil. Similar projects are planned for Wilmington, N.C., and Savannah, Ga. The success of any of them—especially Machiasport—would weaken the system of controls and confer great benefits upon American consumers.

Last-minute maneuvering by the Johnson Administration delayed a decision on Machiasport. But President Nixon, unencumbered by the same political obligations, has an opportunity to strike an anti-inflationary blow for the consumer. He can break the current deadlock by ordering the approval of the Machiasport trade zone or, better yet, moving to dismantle the quota system originally established by an Executive order in the Eisenhower administration.

NEED FOR CHANGE IN SOCIAL SECURITY SYSTEM

Mr. GURNEY. Mr. President, not a day goes by in which I do not receive a good number of letters from social security recipients in my State who point out the need for a change in our social security system.

These people are finding it more and more difficult to make ends meet in view of our present high cost of living and inflation. To meet their financial obligations, many social security recipients find it necessary to hold part-time jobs to supplement their social security pensions. Under the existing law, if they make over $140 a month, they will loose a portion of their benefits.

These retirees are not asking for a free ride. They merely want a chance to help themselves. By lifting the outside income limits on social security recipients, we can give them that chance.

In view of this important situation, I invite the attention of Senators to an article by the National Federation of Independent Business, Inc., and ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

An Article From the National Federation of Independent Business, Inc.

An investigation of the apparent present juggling of funds may permit the new administration to carry out the principal reform in the Social Security system as pledged in the GOP platform, without any increase in payroll taxes.

This reform, backed by a heavy majority vote of the nation's independent businessmen, voting through the National Federation of Independent Business, is the raising of the limits, or their elimination altogether, of the restrictions placed on the amount persons between the ages of 65 and 72 can earn through employment without sacrificing Social Security benefits.

At the present time, $1680 is the limit anyone can earn without losing Social Security benefits. Previously it was $1500 per year, and in the 1967 Congress the Senate voted to raise this limit to $2400 per year, but the House voted to hold the limit down to $1680. The compromise of $1680 was reached in conference.

This limit only applies to those who splice out their Social Security benefits through working. There is no limit to the amount a senior citizen can earn through dividends, investments and property—which has resulted in the strange paradox of millionaires drawing full Social Security benefits while many who cannot subsist on the benefits must continue to work and forfeit their Social Security benefits.

Elimination of this restriction, adopted in depression days in response to labor pressure on the basis that it would encourage retirement and create more jobs for the younger unemployed, is consistently opposed by Social Security officials who claim that it would throw the system into a financial tailspin unless higher taxes were imposed.

But ever since the Social Security Administration has been under the aegis of the Department of Health, Education and Welfare, there has been an increasing siphoning off of Social Security funds to this department, according to the Federal budget publications.

On page 501 of the Appendix to the Budget for Fiscal Year 1969 it shows that out of the old age and survivors part of the Social Security Administration funds a total of $2,746,000 was diverted to the Office of the Secretary of Health, Education and Welfare in 1967; in 1968 an estimated $2,939,000 was diverted with an estimated $3,557,000 to be diverted in 1969.

Of the 1969 total of over 3½ million, $774,000 is scheduled for the Office of the HEW Secretary, $672,000 for the HEW Comptroller, $701,000 for the General Counsel of HEW, and $1,242,000 for the Field Coordination office of HEW. In addition to this total the 1969 budget also calls for the Office of Administration of HEW getting another $168,000 from Social Security funds which was not listed in 1967.

Other trust funds of Social Security such as Medicare are also tapped for lesser amounts for the Health, Education and Welfare Department.

In addition, on page 483 there is shown other costs from the fund totalling $1,738,000 for 1969. These items are broken down into headings such as "providing services related to civil rights activities, $78,000", "providing training and other services for foreign nationals for the Agency for International Development, $107,000," "providing earnings records, benefits, employer and related data to other Federal Agencies (including Internal Revenue), $409,000", "providing employment and employer information for private pension plans and unemployment compensation purposes, $721,000", "providing miscellaneous services $423,000".

While on this same page there are indications that the Social Security fund is reimbursed for these outlays, on the other hand on page 501 the capitulation of cash income fails to show any entries for this purpose.

In addition, further eroding the trust funds is the stepped up construction program embarked upon by Social Security. In 1967 it spent $1,171,000 on construction, an estimated $6,106,000 in 1968, jumping to $14,433,000 for 1969.

The 1969 budget further indicates that in 1969 Medicare will pay out $1,656,000,000 in benefits and $166,000,000 in administrative costs, or slightly more than 10 percent for administration. This compares with the 5 percent administrative costs of Blue Cross, a private hospital plan that pays out over 3 billions of dollars annually to policy holders.

It is possible that the new administration will set up a private business-oriented investigation of Social Security operations as long desired by the independent business community.

On several occasions Senator Everett Dirksen, Illinois, had expressed doubts about the present operation of the service, and many nationally known educators such as Dr. Colin Campbell of Dartmouth have raised serious questions.

One popular myth concerning Social Security was exploded earlier this year by Robert M. Ball, Commissioner of Social Security.

It has been generally assumed that the tax taken from an employee and the equal amount taken from his employer or employers was to set up a fund to provide for that employee's retirement benefits.

On this basis the National Federation of Independent Business published a study showing that the young person entering the working force today could not live long enough to receive back the taxes paid by himself and his employer, plus interest, over the years of his employment.

This study was published by the American Medical Association News and brought a protest from Commissioner Ball in a letter to the publication, in which he attacked the validity of the study.

"This is an invalid comparison" states Commissioner Ball, "because the employer's Social Security contribution is not earmarked for the benefit of the particular employee."

It is believed this is the first time an official admission has ever been made that the Social Security tax on employers is purely and simply a general tax, instead of such payments being employee "fringe benefits".

NECESSITY FOR MAINTAINING A STRONG AIR FORCE

Mr. MURPHY. Mr. President, defense readiness is an item of very serious interest to us all. Many have voiced concern about future plans for manned strategic and tactical aircraft in our "weapons mix."

It is well known that some feel further research and development on aircraft is of limited necessity in view of our great strategic missile capability and the pressing needs of the civil sector. Some say we have all the airplanes we need, yet we have had only one really new weapon system in this area since 1960.

I am convinced that manned aircraft have a most important role to play in our Nation's defense for as many years as we can see ahead. It is of most vital importance to this objective that our Air Force establish its strength and maintain its striking power. I have, many times, stressed the need for maintenance of a strong Air Force and, thus, it is with pleasure that I call attention to an article published in the December 1968 issue of Air Force & Space Digest magazine written by Edgar E. Ulsamer, that publication's associate editor.

Mr. Ulsamer reports on Air Force aircraft and avionics planning as articulated to him by Lt. Gen. Joseph R. Holzapple, the Air Force's Deputy Chief of Staff for Research and Development. General Holzapple has distinguished himself in the research and development field and I believe his words are worthy of attention.

Mr. President, I ask unanimous consent that this important article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

How the U.S. Air Force Is Looking Toward the Future

(By Edgar E. Ulsamer, associate editor, Air Force/Space Digest)

The U.S. strategic posture, at the end of 1968, is "reasonably good," and, in spite of the Vietnam War effort, "fundamental R&D tasks" necessary to meet future strategic defense needs "have been performed." But

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without the R&D budget restraints imposed by the Southeast Asian conflict, it "would have been possible to go further and faster in advancing and refining our strategic position." These are the views of Lt. Gen. Joseph R. Holzapple, USAF Deputy Chief of Staff for Research and Development.

But the Air Force's R&D chief attached a strong caveat to this relatively optimistic prognosis: In order to maintain the present strategic posture, a number of pressing Air Force programs need to be implemented or continued at presently scheduled levels.

By contrast, General Holzapple, in an interview with AF/SD, saw "problems" relative to the nation's tactical airpower status, especially in terms of numerical strength. A flareup elsewhere in the world requiring an intensity of tactical air effort similar to that mounted in Southeast Asia would "stretch our reserves and capabilities very hard and beyond a point which I consider comfortable," he said.

Premising his evaluation of the offensive segment of the U.S. strategic posture on the mix of steadily improving ICBMs and Polaris-type missiles, as well as a "significant" bomber force, General Holzapple stressed that work on Minuteman III, ABRES (Advanced Ballistic Reentry Systems), and the MIRV (Multiple Independently Targeted Reentry Vehicles) concept is being pursued hard and is "progressing well." The Air Force, he said, in addition is "looking well beyond current Minuteman technology in efforts to develop more advanced multiple reentry ICBMs with larger boosters to increase throw weight."

In phase with these efforts, General Holzapple said, are development plans to improve the accuracy of missile guidance systems, both for the Minuteman family and for possible larger missiles (such as Weapon System 120A) and to increase their "survivability" by protecting them against radiation effects produced by the detonation of nuclear warheads. The penetration survivability of ICBMs is being enhanced further, he said, by use of special materials to protect the warhead itself against damaging energy emissions (such as heat and X-rays) from enemy AMBs. Prelaunch survivability, according to General Holzapple, will be improved through use of the hard rock silos under development for the Minuteman III but also capable of accommodating more advanced missiles.

Also, the computer capability underlying the ICBM system is being expanded by the Air Force to permit faster and more flexible reprogramming. Over-all, emphasis in the strategic offensive sector has been directed at improving survivability and penetration capability, and is typified by the Minuteman's "growth program."

THE AMSA QUESTION

According to Defense Department officials, the Systems Analysis office of the Department of Defense remains unconvinced concerning the requirement for a new manned strategic bomber (AMSA) in the late 1970s on the basis of the so-called National Intelligence Estimate (which seeks to define and evaluate the probability and nature of future threats). The Defense Department's Directorate of Research and Engineering (DDR&E), the Joint Chiefs of Staff, and the Air Force, as well as as Systems Analysis, nevertheless are making progress toward a compromise solution concerning AMSA. Key elements of the AMSA problem are its acquisition cost, including R&D, of about $10 billion, and a lead time of about eight years from contract definition to initial operational capability.

Furthermore, the Department of Defense still sees AMSA only in the context of a single-purpose, assured-destruction role, whereas the Air Force, applying the B–52 lesson of Vietnam, views AMSA also in terms of conventional war needs. These factors, coupled with the absence of a "provable threat," have resulted in repeated postponement of contract definition. On the other hand, contract definition has been urged repeatedly and unequivocally by the Joint Chiefs of Staff as well as by both the Secretary and the Chief of Staff of the Air Force.

The Air Force rationale for AMSA pivots on the belief that such a manned system is essential for a proper strategic mix and that it is a cost-effective replacement for the aging, dwindling B–52 fleet and the FB–111, and interim airplane whose full-scale deployment might be blocked by Congress.

General Holzapple said current efforts regarding AMSA attempt to reconcile the absence of a provable threat eight or more years hence with the fact that "unless you start sometime you are never going to get AMSA." This, he said, requires a program that accomplishes "the beginning of the development phase; that is, a much more precise determination of the specific technological chores involved and much of the preliminary development work." This, General Holzapple predicted, would bring the program to a point where "you could actually achieve initial operational capability within four and a half or five years from the moment the go-ahead decision is made, instead of the eight years we face now. What we hope to achieve by this is, in effect, an insurance policy that would cost some money but not as much as the full development of the total system.

"We are hopeful that we will be able to start such a program soon and as a result have the option to develop AMSA with a much shorter lead time than is the case now." He added that "personally I cannot, in the foreseeable future, envision a situation where a manned strategic system is not essential."

In addition to the primary AMSA controversy, there is also the as yet unresolved question of whether AMSA should be a supersonic or subsonic aircraft. DoD's Systems Analysis Office is of the opinion that, if AMSA were indeed necessary, a subsonic capability is all that is called for. This is premised on a cost-effectiveness consideration involving AMSA only in a single-purpose nuclear mission where high attrition rates are considered acceptable.

The Air Force's counterargument is that in case of a nonnuclear role, requiring, of course, repetitive sorties, the increased survivability and productivity resulting from supersonic capability would pay for the increased development and production costs many times over. Under such circumstances even a one percent survivability increase could be "cost-effective." Stating that he felt "sure that the flexibility of supersonic performance is well worth the higher price," General Holzapple emphasized, "tactics rely on change and innovation, challenge and response. To develop such a system at great cost and not have the flexibility provided by supersonic capability might well turn out to be a very shortsighted approach."

Complementing AMSA will be several weapon systems currently under close Air Force study or development, according to General Holzapple. Paramount is the Short Range Attack Missile (SRAM) currently under development by the Boeing Co. for deployment in the B–52 and the FB–111. While most of its parameters are classified, SRAM will give the bomber force a "standoff" capability, meaning the launching bomber remains outside the air defense perimeter of the target areas. This presumably means a range in excess of 100 miles.

Other bomber-oriented weapons that the Air Force is "looking at very hard," according to General Holzapple, include bomber defense missiles, decoys to facilitate penetration, and several other techniques currently in an exploratory stage.

AMSA, as envisioned by Air Force planners at this time, would differ from the B–52 (the product of late 1940s and early 1950s technology) in a number of areas: It would feature improved cube space (interior volume) and good payload capability, yet weigh less than the B–52 (maximum gross takeoff weight 488,000 pounds). Interior volume is vital because about half the available space would be used by penetration aids. AMSA also would present a substantially lower radar reflection than the B–52 and would be capable of high speed at low altitudes, possibly in the low supersonic regime, as compared to 350 knots "on the deck" for the B–52.

Various wing designs, coupled with such other design features as advanced high-lift devices, are being considered to give AMSA shorter takeoff and landing capability than the B–52, while a special landing gear would furnish austere field capability. Both features would permit wide dispersal and reduced vulnerability for the aircraft, as would AMSA's advanced operational self-sufficiency and self-test characteristics. Over-all, of course, AMSA would offer the myriad advantages of being based on a state of the art some twenty years ahead of that of the B–52. While the proposed supersonic speed of AMSA has not been revealed specifically, Air Force planners indicate that it could achieve between Mach 2 and Mach 3 and will take advantage of titanium technology where beneficial.

A possible AMSA feature, currently under consideration, according to Air Force planners, is the so-called supercritical wing, developed to a high degree of sophistication by the National Aeronautics and Space Administration. Simply stated, this concept permits an increase in long-range, economical cruise speed from the Mach 0.8 region to the Mach 0.9 region by delaying airflow separation through proper shaping of the airfoil.

The currently proposed detailed design phase of the AMSA program would involve design competitions by two avionics, two engine, and two airframe manufacturers, to be narrowed to one each in the final evaluation phase.

DEFENSIVE STRATEGIC SYSTEMS

The Air Force, according to General Holzapple, is "advocating a substantial increase in our air defense capability, involving a package program" consisting of OTH (over-the-horizon backscattar radar detection system), AWACS (Airborne Warning and Control System), and a modern interceptor/missile system with "look-down-shoot-down" capability.

At this time, he said, most of "our air defense equipment is oriented toward high-flying bombers and as a result our radar is 'looking up' when, in fact, the other side must be presumed to be doing the same things we are: achieving a high probability of penetration by coming in low, in the high-noise ground clutter."

The Air Force air defense package would furnish surveillance of the low-level environment and direct the interceptor toward the hostile penetrator.

The interceptor radar system would be capable of acquiring and tracking targets against the ground clutter. The same techniques would be applied to its missiles which would make the actual "kill" by "shooting down" at the target.

Critically important to the air defense package is the makeup of the interceptor force. The F–106, first flown in 1956, would be "modernized" for this role because, as General Holzapple put it, "it is certainly the least expensive way. You take something that you already have and give it this look-down capability quickly and economically." "Of course," he added, "this doesn't mean that the F–106 is best under all conditions. As a matter of fact, you can make a good case for the [Mach 3 plus] F–12 or a completely new design. But this runs up costs." Air Force analyses to date, he said, indicate that a mix of F–12s and F–106s "would certainly be better than just the F–106 by itself."

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TACTICAL WEAPON SYSTEMS

The pivot for the successful employment of tactical airpower obviously is air superiority. With the Soviet Union having developed eighteen new fighter prototypes, including the Mach 3 Foxbat, since the F-4 (the principal US fighter) was designed, Soviet air-to-air capability, according to testimony before Congress by Air Force leaders, is "a most serious threat." Air Force Chief of Staff Gen. J. P. McConnell told Congress that it was "imperative that we proceed as fast as possible" with development of a new fighter aircraft, and the Senate Armed Services Preparedness Investigating Subcommittee rated this "vital and urgent."

At first designated the FX and now called the ZF-15A, the new fighter program is clearly one that has the highest Air Force priority and is well along in development, with basic concept formulation completed. Prototype engines are under development by both General Electric and Pratt & Whitney. The current source selection effort was launched with RFPs (requests for proposal) to eight airframe manufacturers on September 30, 1968.

Contracts were awarded to Westinghouse and Hughes on November 5, 1968, for the ZF-15A's radar system. As a result, General Holzapple predicted, "around the first of the year [1969], selection of two or more airframe contractors for further contract definition work" will take place and "eventually" one contractor in each category will be selected for actual construction of the Air Force's next air superiority fighter. The present schedule, he said, calls for first flight of the ZF-15A in 1972 and initial operational capability by the mid-1970s.

The ZF-15A, "as we have proposed it—and hope to develop it—will be able to cope with anything that we can see the Soviets coming up with," according to General Holzapple. He did not expect a design compromise concerning the F-15A through a commonality requirement with the Navy's next new fighter aircraft (the VFX), saying that this matter had been resolved satisfactorily and that "the Navy plane is really quite a different aircraft."

Considerable effort is being expended in parallel development programs of an advanced gun for the ZF-15A, most likely of 25-mm caliber, possibly utilizing so-called caseless ammunition. This means the propellant functions as the casing to eliminate the spent cartridge problem, according to General Holzapple. He added that another parallel development effort in support of the ZF-15A involves a new short-range, air-to-air missile. It is for close-in attacks where present generation air-to-air missiles, most meant primarily to cope with high-flying bombers, lack structural integrity to withstand the high G-forces needed for high-speed maneuvers, he said.

The over-all view of the ZF-15A is that of a totally uncompromised single-seat fighter, in the 40,000-pound weight class, of worldwide self-deployed ferry range and with full bad-weather capability. A two-seat trainer version is also under consideration. A titanium alloy airframe and variable-sweep wing design or a fixed wing with high-lift devices currently are under consideration. Procurement may be under a total package concept, with the airframe manufacturer bearing total system responsibility. Maneuverability, acceleration, and climb rate are considered more important than sheer cruise speed.

The ZF-15A powerplants, two advanced-technology turbofan engines with afterburner in the 25,000-pound-of-thrust range, are to give the aircraft a very high power-to-weight ratio to permit unequaled closing, climb, evasion, and other maneuver capabilities. Engine technology is to draw heavily on propulsion research conducted in conjunction with AMSA and V/STOL aircraft.

The ZF-15A's advanced radar detection system is to be capable of giving the pilot sufficient time to maneuver into the most advantageous attack position against enemy aircraft. Air Force planners point out, almost charily, that the ZF-15A, despite its uncompromised single-purpose orientation, will automatically include a "substantial air-to-ground" capability.

THE AX AND LIT PROGRAMS

Much of the close air support in the 1970 time period and beyond, if the Air Force has its way, will be furnished by a single-seat, twin-turboprop design bearing the designation AX. It would be a relatively inexpensive (about $1 million), heavily shielded aircraft that can provide effective aerial firepower in support of ground units engaged in close combat. The AX program, according to General Holzapple, is not clouded by the question of "whether it is needed, but rather by doubts over how soon."

In terms of timing, he said, "One of the big considerations is how the program impacts on the annual budgets over which it would extend, especially how it can be reconciled with the cost of whatever other programs are to be launched." One delaying factor, obviously, is the fact that the AX is to fill a tactical air spectrum currently covered in piecemeal fashion by existing aircraft. Close air support is being furnished presently by a range of aircraft from the A-1 to the F-4 and including the A-37, the F-100, F-105, and the new A-7D. The AX, in the view of Air Force planners, will be able to perform ground support in a permissive air environment "quickly, cheaply, and effectively." This is to be accomplished by virtue of its speed of more than 400 knots, heavy armor, large payload, STOL capability with takeoff in less than 1,000 feet when necessary, and optimized armament. It is to have worldwide self-deployable capability.

At this writing, the Air Staff was reviewing the concept formulation draft proposal for the Light Intratheater Transport (LIT). The Air Force, according to General Holzapple, "feels strongly that there is a high-priority requirement for LIT which is to replace the C-123s and C-7s and augment the C-130s." If the present schedule can be maintained, LIT contract definition may take place early in 1969.

For the time being, the aircraft's size, according to General Holzapple, is not yet agreed upon. While a larger aircraft, approaching the C-130, would offer at least theoretically improved cost-effectiveness, its cost and complexity, in view of the V/STOL or STOL requirement, also would be markedly increased over a smaller design. Concerning the tradeoffs between STOL and V/STOL capability, General Holzapple felt that "if contract definition indicates high risk to achieve a VTOL capability in the LIT, a decision might be made to follow a prototype approach to reduce the risk." V/STOL is a performance feature that is currently being considered "very seriously" by the Air Force. Such an approach, he said, would permit development of the Light Intratheater Transport without undue risk, while permitting full exploitation of the technological potential.

NEW MATERIALS

Whatever the mission or specific technology of future weapon systems, materials represent a crucial pacing factor. For that reason and because of the "fantastic" potential inherent in this R&D area, the Air Force is spending considerable effort and money on materials research, according to General Holzapple.

He singled out boron fibers and carbon phenolics as among the most promising advanced lightweight high-strength composites which "someday will furnish very dramatic payoffs" and revolutionize aerospace systems. "For the time being," he pointed out, however, "we don't know all the answers yet by any means. We don't know in what form they will emerge and to what kind of matrix they will be tied."

But, he emphasized, there isn't "any question that downstream, not in the next generation [of aerospace systems] but perhaps two generations from now, we will see dramatic advances as a result of the new materials technology we are currently working on."

PROTOTYPE DEMONSTRATION VERSUS STUDY APPROACH

Aerospace and defense technology historically has been characterized by two divergent approaches: prototype construction with all the attendant costs for the sake of "verification" of a given technology, as opposed to the less costly but less reliable study approach. General Holzapple pointed out that the Air Force at this time prefers to weigh each decision on its individual merits, with "the state of the art and the technical risk determining whether the prototype approach is warranted."

As for the possibility that the pendulum recently might have swung too far toward the study approach to the detriment of proving out advanced technologies, General Holzapple said in some instances this was the case. Further, the pitfalls attached to the study approach often are the fact that "you may discover [when production starts] that it costs a great deal more and takes a great deal more time than you had been led to believe."

He cited the C-5 as an example of a system that probably would not have benefited from a prototype program: "To have two or three contractors develop different prototypes probably would have amounted to a waste of time and money. The product we wanted was well enough known and within the state of the art; we knew that we could go to any qualified contractor and have him build us a good, reliable transport."

On the other hand, systems whose complexity and underlying advanced technology do not warrant such confidence, he said, suggest themselves for the prototype approach. He listed as examples certain elements of the Airborne Warning and Control System "where we intend to build bread-board models to demonstrate to our own satisfaction that a given technique really works. That way we can ascertain that certain components, which are the key to the over-all system, will give us a workable AWACS." In the case of LIT, another advanced-technology system, he said, a flyoff between the competing designs may also prove worthwhile.

This flexible approach, coupled with the range of weapon systems enumerated by General Holzapple, he said, permits the Air Force, at the end of 1968, to "look toward the future with justified and reasonable confidence," as far as the R&D sector is concerned.

NATIONAL CENTER WEST—GIRL SCOUT FACILITY IN WYOMING

Mr. McGEE. Mr. President, this is an important day in the history of the Girl Scouts of America—and a day in which the State of Wyoming is closely involved. This afternoon, in ceremonies at the Department of the Interior, the first tract of public domain to be included in the Girl Scouts' National Center West will be transferred from the Government to the Girl Scouts, represented by Mrs. Holton R. Price, Jr., the national president.

National Center West covers an area of some 15,000 acres in the Big Horn Mountains near the small town of Ten Sleep, Wyo. But its permanent facilities will be built on a 640-acre tract of land acquired from the Bureau of Land Management. It has been a pleasure for me

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to be involved in the preliminaries leading up to today's transfer, and in earlier ceremonies at Worland, Wyo., where the plans for National Center West were announced. We in Wyoming are proud to have this fine facility, which will give Girl Scouts from the Nation over, and from abroad as well, an opportunity to enjoy our wide open spaces and to learn about themselves in the process.

Mr. President, the winter edition of Bureau of Land Management's publication, Our Public Lands, contains an excellent article. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From Our Public Lands, Winter 1969, Bureau of Land Management]

GIRL SCOUT NATIONAL CENTER WEST—FOR ENJOYMENT AND LEARNING IN THE OUTDOORS

Near the tiny town of Ten Sleep, Wyo., scene of the last of this Nation's great cattle wars, Girl Scouts of the U.S.A. has acquired some 15,000 acres in the Bighorn Mountains for the establishment of a national center.

The site will be called Girl Scout National Center West. Scouts from all over the country as well as Girl Guides from all over the world will gather there for large encampments, troop camping, training workshops, seminars and conferences for both girls and adults, and activities in arts, crafts, and sports of all kinds.

The Bureau of Land Management played a key role in making the site available for the Center. Permanent facilities of the Center will be built on a 640-acre tract to be acquired from BLM under the Recreation and Public Purposes Act. In addition, BLM issued the youth organization a special use permit covering nearly 6,000 acres. To round out their ownership to 15,000 acres, the Girl Scouts purchased a large ranch and a numer of smaller holdings. Cost of developing the Center is conservatively estimated at $3 million.

Acquisition of the site was announced at a dinner given by Wyoming Governor Stanley K. Hathaway and the Worland, Wyo., Chamber of Commerce in honor of the Girl Scouts. The event was attended by a delegation of Girl Scout officials headed by Mrs. Holton R. Price, Jr., National President; by political and civic dignitaries of Wyoming; and by BLM Director Boyd L. Rasmussen. Actress Debbie Reynolds, closely associated with scouting since her youth, was mistress of ceremonies.

Interior Secretary Stewart L. Udall wired that he was pleased that the Department, through BLM, was able to make public lands available for the Center. He added, "I know that the Girl Scouts who visit the Center in the years to come will enjoy their 'home' in this spacious countryside, and I wish you every success with this exciting new venture."

Girl Scout National Center West will be inaugurated in the summer of 1969 when 50 troops of Senior Scouts, one from each of the States, meet at Ten Sleep for 14 days of backpacking and trailblazing.

The new property offers countless program possibilities for Girl Scouts. There the girls can enjoy the beauty of nature and the outdoors, learn to conserve natural resources, and study the history and culture of the West. The rich archeological content of the area affords opportunity for digs under the supervision of professional archeologists. Many artifacts have been found on the surface of the land, and there are pictographs—ancient Indian rock paintings—in caves on the property. Geologically, the site is considered a treasure. It contains all but one of the major geological strata. The area abounds with elk, deer, and small game, and the climate allows both winter and summer sports. A further advantage of the site is its location adjacent to the Bighorn National Forest administered by the U.S. Department of Agriculture's Forest Service.

Many wonderful experiences are in store for Girl Scouts who go to the center, and the richest of all could be a deeper awareness of self. In 1968 the Girl Scouts held a trial run on the site during which troops backpacked and blazed trails. The poetic reaction of a Senior Scout may best sum up what the Center can mean to young adults:

"When I measure myself with the grasses,
I find I am very tall;
But when I measure myself with the mountains,
I do not exist at all."

HOUSING SHORTAGE WORST IN 20 YEARS

Mr. PERCY. Mr. President, in its semiannual survey of U.S. housing markets, Advance Mortgage Corp. reports that the United States is in the midst of its most severe housing shortage in 20 years.

Tight money, labor shortages, inflation, and transportation problems are preventing the housing gap from being closed. Today's home buyer will pay 25 percent more in monthly payments for the same house as a year ago, the survey estimates. With mortgage rates at a post World War II high and rising at the rate of one-fourth of a percentage point a month, the money market looks more serious than at any time since 1966.

These gloomy predictions emphasize the need for inflation to be brought under control so that interest rates can decline and for a renewed commitment on the part of the Congress to meet the housing needs of this Nation.

I ask unanimous consent that the March 7, 1969, article of the Wall Street Journal, reporting on the Advance Mortgage Corp. survey, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HOUSING SHORTAGE IS WORST IN 20 YEARS, SURVEY FINDS—MONEY DEARTH IS A FACTOR

DETROIT.—The effects of a money shortage on new housing this year will be more painful than the last big money crunch in 1966, Advance Mortgage Corp. said.

In its semiannual survey of U.S. housing markets, the company warned there might not be "enough mortgage money at any price in some markets" this spring. And, it noted, housing prices are soaring while available housing—particularly low-cost homes—is shrinking. As a result, the study warned, the nation is in the midst of its most severe housing shortage in 20 years.

And, it said, a pileup of other complexities—such as labor shortages, inflation and transportation problems—is preventing the housing gap from being closed.

The Advance Mortgage survey reported housing production last year was about the same as in 1965, but the household formation rate was nearly 30% higher. As a result, the inventory of vacant homes and apartments in metropolitan areas has declined to just over 1 million units from 1.5 million in 1965. The inventory of completed houses for sale at the end of 1968 was 42,000, compared with 94,000 at year-end in 1965.

The survey indicated New York's vacancy rate is less than 1% of total housing units, and in San Francisco only 1.5% of all housing is vacant. "These markets couldn't have been much, if any, tighter in World War II," said Irving Rose, president of Advance Mortgage.

Today's home buyer will "pay 25% more in monthly payments for the same house as a year ago," Mr. Rose said. He based his estimate on a 10% price increase, an increase of 1.5 percentage points in interest rates and a 5% climb in taxes and insurance.

That's assuming the buyer can find the same house. Builders are concentrating on larger, costlier homes to compensate for the shortage of labor and for higher land costs, Advance Mortgage said. "Depending on the market," Mr. Rose observed, "a medium-priced home costs from $30,000 to $50,000."

Apartment building currently is "the dynamic factor in the market," the company explained. Starts, which were a record 525,000 last year, "should show another substantial increase in 1969, even if money becomes scarce," Mr. Rose said. Money will continue to be available to apartment builders, he said, because they offer a better yield than is available on home mortgages and because of an increasing desire for investor participation.

However, with mortgage rates at a post-World War II high, and rising at the rate of ¼ of a percentage point a month, the money market "looks more serious than at any time since 1966," the company stated.

Relief provided the home mortgage market by an increase in Federal Housing Administration mortgage rate ceilings to 7½% will be short-lived, the survey asserted. "Another rate increase appears inevitable and may be much more difficult politically than the first," Hugh C. Ross, senior vice president, said.

The basic problem in the housing market today is transportation rather than "the usual explanations" of land cost or credit costs and availability, the survey concluded. "The near-in land is almost completely built up, and transportation over long distances is unreliable or frustrating. In the long run, our housing problems may be insoluble until our transportation problems are solved."

MAINTENANCE OF BEAUTY OF NORTH DAKOTA COUNTRYSIDE

Mr. BURDICK. Mr. President, much has been written lately about opposing viewpoints of industry and Government over use of our natural resources. Many times stories indicate that industry is interested only in the wealth of our natural resources, with no concern over the result from extracting such wealth from our lands and waters.

It is therefore pleasing to note an editorial in the February 22 edition of the Bismarck, N. Dak. Tribune congratulating a business organization for its foresight in maintaining the beauty of North Dakota's countryside. I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BASIN RESTORES SPOIL PILES

It isn't often that any business organization asks for tougher regulatory legislation, at a greater cost to itself, than lawmakers are prone to give; but that's what Basin Electric is doing.

The Bismarck-based rural electric generating giant has urged that mine spoil bank reclamation be required on considerably stricter terms than those contemplated in a bill now before the Legislature.

Basin, of course, already is a leader in this area, and a voluntary one. What other coal producing companies operating in North Dakota don't want to be forced to do, Basin has voluntarily required its own coal supplier to do.

Under the terms of its contract to supply lignite to the big Basin Electric plant at Stanton, Truax Traer must restore the land from which coal is strip-minded to the condition of "rolling countryside." The cost to Basin is about $18,000 per year at $100 to $150 per acre, which isn't much when balanced against royalty payments to landowners which, at 10 cents a ton, can run to $2,000 per acre, not to mention the many more thousands the mining company gets per acre for the coal.

Actually, under the present proposal being blasted through the Legislature by the coal mines lobby, Basin would be exempted completely from spoil bank rehabilitation. The only mandatory leveling required by the bill would apply to spoil banks within 660 feet of a road or other public facility. Basin has none such, and most other spoil banks would be equally immune.

Next, the mining company bill now in the Senate asks that banks be graded down only to a 25 per cent slope. Soil conservation Service experts have pointed out this would be too steep for any agricultural use and perhaps too steep to permit water retention for plant growth.

Other states far bigger in mining than North Dakota have far stricter requirements than are being proposed here. This includes states such as Illinois, Virginia, West Virginia and Pennsylvania.

The fact that Basin Electric has been able to absorb the cost of spoil bank reclamation, and require its coal supplier to do such restoration work should demonstrate that it is feasible for others.

When thousands of dollars of coal can be taken out of a single acre of ground—which, left alone, will never again support agriculture, wildlife or tax-provided services—it shouldn't be too much to put $100 to $150 back into its restoration. Surely it ought to be possible to work out a formula which will divide this cost equitably between the mining company, the landowner who collects the royalties and, perhaps, the buyer of the coal.

AIR AND WATER POLLUTION—ARTICLE BY DR. IRVING S. BENGELSDORF

Mr. MURPHY. Mr. President, on February 2, Dr. Irving S. Bengelsdorf, science writer for the Los Angeles Times, wrote an article entitled "Man Must Develop New Respect for His World." The article deals with pollution and its dangers.

As a former member of the Subcommittee on Air and Water Pollution of the Committee on Public Works, I have frequently labeled pollution, both air and water, as one of the most serious domestic problems facing our Nation.

Because of the critical nature of the problem, I ask unanimous consent that Dr. Bengelsdorf's article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Los Angeles Times, Feb. 2, 1969]

POLLUTION: ON LAND, BY SEA AND IN THE AIR—MAN MUST DEVELOP NEW RESPECT FOR HIS WORLD—ENVIRONMENTAL CHANGE CAUSED BY OUR MISUSE OF TECHNOLOGY

(By Irving S. Bengelsdorf, Ph. D., science writer for the Times)

The handwriting is on the wall. And the message is clear. Either man controls his exploding population, his crowding into cities, and his industrial activities, or he faces disaster through his pollution and manipulation of our planetary environment.

It is the only environment we have.

More people in more cities demand more technology to provide more food, more water, more shelter, more transportation, more manufactured goods, more electricity, more services. All these activities give rise to pollution.

It is becoming more and more evident that modern technology—as used by society—permits us to change our environment on a vast global, national, statewide or local scale. And we often do not know the long-range consequences of such environmental changes.

In symposium after symposium at the 135th annual meeting of the American Assn. for the Advancement of Science, recently held in Dallas, scientists repeatedly warned of impending danger as we continue to pollute the air above us, the seas around us, and the land beneath us.

Consider air pollution. The burning of fuels—wood, coal, oil, gasoline or natural gas—in homes, automobiles and factories gives rise to a horrendous aerial garbage of sulfur oxides, carbon oxides, nitrogen oxides, hydrocarbons and lead.

POLLUTION CAN CHANGE HEAT OF ATMOSPHERE

These aerial pollutants can change the heat-content of the atmosphere, can kill trees, crops and flowers, can irritate eyes, noses and throats, can aggravate emphysema, place a stress on heart function and may contribute to lung cancer.

Or, consider the contamination of water. Sewage, detergents, pesticides, waste chemicals, and waste heat dumped into rivers, lakes and estauaries—and dams built or new waterways constructed—can change sparkling rivers into dirty, fetid streams, clear blue lakes into turbid pea-soup green bodies of water, and ocean coastlines once teeming with diverse plants and animals into submarine desert devoid of life.

Finfish and shellfish are killed or driven elsewhere. The catch of blue pike in Lake Erie dropped from 6.9 million pounds in 1956 to less than 200 pounds in 1963.

Land pollution boggles the mind. In our affluent, expanding urban population, each American, every day, must get rid of about five pounds of refuse—paper, grass and brush cuttings, garbage, ashes, metal, glass and ceramics. This amounts to about 1,800 pounds per person per year or 360 billion pounds of solid wastes annually for the country!

Where to put it? Paper cartons deteriorate with time and steel cans eventually rust away. But aluminum cans are longer-lived and plastic containers are nearly eternal in the pollution of our landscape. The number of cans, bottles, jars, bottle caps, and miscellaneous containers increases as the population increases.

As Dr. Roger Revelle, director of the Center for Population Studies, Harvard University, said, "What this country needs is a beer can that either we or the bacteria can eat."

Man-made pollution has three characteristics:

1—Pollution respects no political boundaries. There is no ordinance the city of Pasadena can pass that will prevent smog, generated in Los Angeles by automobiles driving in from Santa Monica, San Pedro or Van Nuys, from irritating the eyes of its residents.

Pollution even crosses international boundaries. Since the turn of the century, rain in Western Europe has become more and more acidic. The smokestacks of ever more coal-burning European factories belch ever-increasing amounts of sulfur dioxide into the air.

Sulfur dioxide slowly changes into sulfuric acid which then dissolves in raindrops and falls to earth. And sulfuric acid is not only corrosive, but by its chemical action it also can release toxic mercury compounds—used by farmers to protect seeds after planting—into nearby lakes.

Mercury in lakes means mercury in fish—and dead birds that eat the fish. Dr. Bengt Lundholm of the Swedish Natural Science Research Council pointed out that it now is forbidden to catch fish in many lakes in Sweden. For the fish are loaded with deadly mercury compounds.

What recourse does Sweden have if rain containing sulfuric acid, generated by a factory in northern Germany or elsewhere, drifts over and affects the fishing in Swedish lakes?

2—Pollution often arises from intentions that are good—to improve health, to increase food and fiber production, to make transportation more convenient, etc. The intentions are good; the results are potentially harmful.

USE OF POTENT INSECTICIDE HAS WORLDWIDE EFFECTS

When a swamp in Ceylon is sprayed with DDT to eliminate mosquitos that carry malaria, or a field in California's Central Valley is dusted with DDT to eliminate insect pests, we somehow affect the amount of DDT stored within the livers of snowy owls in the Arctic, penguins in the Antarctic and people everywhere.

There are more than 20 tons of DDT "on the hoof" in this country, "walking around" stored within the fatty tissues of 200 million Americans.

Dr. John L. Buckley of the U.S. Office of Science and Technology points out that about one-half of the pesticides that are sprayed end up in areas for which they were not intended and affect plants and animals that were not the original target. He estimates that here now are about 300 million to 500 million pounds of DDT "floating around" in our planetary biosphere.

3—Pollution problems are created by society's misuse of technology. Pollution problems are not technological but social

Attempts to eliminate pollution run counter to economic institutional and political interests. It is for these reasons that there is no indication that we have either the will or the social organization to solve any of the problems of pollution

For even when scientists or engineers identify the source of pollution and indicate what should be done there is no guarantee that society will do anything about it

Cigaret smoking and smog in Los Angeles are prime examples of personal and community pollution difficult to solve because of the tobacco, automobile and automobile-related industries What is good for the manufacturer of a product may not be good for that product's consumer or user. If invented today cigarets would not be approved by the Food and Drug Administration

We shall make little progress as long as committees appointed to study pollution and other social problems always contain some members from the very industries or institutions that are responsible for the pollution or problem.

The difficulty is that we cannot put price tags on pollution. How much is it worth to look through nonsmarting eyes and see the San Gabriel Mountains or Santa Catalina Island from downtown Los Angeles? How much is a redwood tree worth? And how much can we charge pesticide users and manufacturers for a dead bald eagle—particularly if it were the last bald eagle on earth?

This is our hangup. As Dr. Revelle added, "In this country, we are accustomed to solve problems by economic considerations. Yet, pollution problems cannot be solved on economic terms."

What to do? The National Commission on Urban Problems, headed by former Sen. Paul H. Douglas (D-Ill.), stated, "The commission firmly believes that, no matter what else the nation attempts to do to improve its cities, America will surely fail to build

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a good urban society unless we begin to have a new respect—reverence is not too strong a word—for the natural environment that surrounds us."

And what should be the role of scientists and engineers? Dr. Gordon J. F. MacDonald, professor of physics and vice chancellor at UC Santa Barbara, told the AAAS meeting, "Up to now, science and technology have been used to increase wealth. We now have to use science and technology to preserve our environment."

Scientists and engineers must realize that their intensive research and development labors in the last few decades have not only changed society. They also have changed science and engineering.

With the global environment rapidly deteriorating, it sounds hollow for the scientist to insist that his only mission is to pursue truth in the cloistered laboratory, or for the engineer to proclaim his development of ever more improved means to ever more unimproved ends.

In his AAAS presidential address, Dr. Don K. Price, dean of the John Fitzgerald Kennedy School of Government at Harvard, concluded, "In an era which is beginning to be alert to the threats posed by modern technology to the human environment, the role of science in politics is no longer merely to destroy the irrational and superstitious beliefs which were once the foundation of oppressive authority.

"It is, rather, to help clarify our public values, define our policy options, and assist responsibile political leaders in the guidance and control of the powerful forces which have been let loose on this troubled planet."

Society may not listen to the scientist or the engineer, but our environmental peril is too great for either to remain quiet. Books on automobile safety should be written by automotive engineers, not by lawyers.

Rachel Carson was wrong. It is not the spring that is silent. It is the scientists and engineers—the one element in our society that really knows what is happening in the pollution of our environment. The silence from our universities has been deafening.

REPORTS OF THE NEW YORK COUNTY LAWYERS' ASSOCIATION, COMMITTEE ON FEDERAL LEGISLATION

Mr. JAVITS. Mr. President, the Committee on Federal Legislation of the New York County Lawyers' Association has just issued two timely reports on the American political process.

One report analyzes and disapproves Senate Joint Resolution 3, the joint resolution to change by constitutional amendment the method of appointing Justices to the Supreme Court of the United States.

The other report analyzes some of the current proposals for electoral reform, including the method of electing the President by vote of electors.

I ask unanimous consent that the two reports be printed in the Record.

There being no objection, the reports were ordered to be printed in the Record, as follows:

[From the New York County Lawyers' Association, New York]

Report F-1 Concerning Senate Joint Resolution 3, February 23, 1969

Report of Committee on Federal Legislation on S.J. Res. 3 which proposes an amendment to the Constitution relating to the appointment of members of the Supreme Court of the United States.

RECOMMENDATION: DISAPPROVAL

The Constitutional amendment proposed by this bill would result in a major change in the method of appointing Justices of the Supreme Court. It would mandate the President, whenever there is a vacancy in the office of Chief Justice or Associate Justice of the Supreme Court, to convene a conference consisting of (a) the presiding judge of the highest appellate court of each state and (b) the chief judge of each judicial circuit of the United States. The presiding officer would be the senior chief judge of the judicial circuits of the United States. The conference would designate by majority vote the names of five or more persons "deemed by the conference" to be qualified to fill the Supreme Court vacancy.

The President would be mandated to nominate one of the persons designated by the aforesaid conference to fill the vacancy and, if the Senate advises and consents, such person would be appointed. If the Senate did not advise and consent to the appointment of any person so nominated, the President would have to nominate another person from the list so designated by the conference.

COMMENTS

As to the composition of the conference, no provision is made for membership of non-lawyers, practicing attorneys or representatives of bar associations. It is limited to members of the judiciary. As a practical matter, this would probably result in limiting nominees for appointment to the Supreme Court to members of the judiciary. While judicial experience has been and should of course continue to be one of the most important considerations for appointment to the highest Court in the land, the history of the Court demonstrates that it should not be a prerequisite in all cases. Some of the most respected Justices of the Supreme Court with the most profound influence on the historical development of our constitutional law had no judicial experience prior to their appointment to office. The prime examples are John Marshall, Story, Brandeis, Hughes, Stone and Frankfurter.

The composition of the conference is also subject to objection because of its size, which would probably be unwieldy for its purpose, and because the membership would numerically favor members of the State Judiciary over members of the Federal Judiciary. There would be 11 members from the 11 Federal Judicial Circuits and 50 members from the States, making a total of 61.

The proposal is also objectionable because it would tend as a practical matter to shift control of the ultimate appointment from the President to the Judiciary. This would remove the functions of the judiciary further from the people and create an element of self-perpetuation within the process of selecting the judiciary.

Only in rare instances has the Senate ever refused to advise and consent to a Presidential appointment and, even where it has, the President has been free to make another appointment of his own choice. Under the present proposal, however, the Senate could control the ultimate appointment by refusing to advise and consent to the appointment of anyone on the list of five or more designated by the conference, except its own choice on the list. This would result from requirement that the President would have to pick another name from the same list if his nomination was not consented to by the Senate.

The application of the present proposal solely to the Supreme Court suggests the possibility that, as was the case in the Court packing plan of the nineteen thirties, the motivation of the present bill is disagreement with the opinions of the current Court rather than a desire to improve the process of selection.

While the federal judiciary as a whole commands high respect in most legal circles, past proposals for changes in judicial selection have mainly been aimed at eliminating the local political pressures on the President in the appointment of district judges. These local pressures are not present in the case of Supreme Court appointments where the President is free politically to choose, if he deems fit, the ablest nominee he can find. Furthermore, the facts that Supreme Court appointments receive national attention and that the particular President making a nomination knows that his name will be linked historically with the calibre of service subsequently rendered by the nominee are strong inducements for making such a choice.

While it is not claimed that the present method for selecting justices of the Supreme Court is necessarily the best or that it cannot be improved, it is the opinion of this Committee that the method proposed by the present bill would decrease rather than increase the chances of obtaining the best possible appointments to the Supreme Court of the United States.

Respectfully submitted,

Committee on Federal Legislation, Vincent L. Broderick, chairman; Richard A. Givens, secretary; Alan Appelbaum; Robert Beshar; Arthur Brooks; Gideon Cashman; Arthur K. Garfinkel; Vito T. Giordano; Herman A. Gray; Robert M. Kaufman; Melvin Kimmel; Bowie K. Kuhn; Jerome J. Londin; J. Edward Meyer III; Robert S. Persky; Henry Stone; Anita Streep; John E. Tobin; Stanley Wolder; Bruce McM. Wright; James V. Hayes, ex-officio; Thomas Keogh, ex-officio.

[From the New York County Lawyers' Association, New York]

Report F-10 of Committee on Federal Legislation on Proposed Legislation Concerning the Structure of Our Political Processes, January 1969

INTRODUCTION

Much legislation has been introduced in the 90th Congress[1] and prior Congresses concerning the political processes of the United States. These proposals are certain to be considered further in the 91st. The structure of those processes assumes particular importance because they must bear the load of adjustment to the continually changing conditions of the last third of the twentieth century.

The closeness of the election of 1968 and the risk that the choice could have been thrown into the House adds to our concern.

The question also assumes special importance because of the tendency of some to bypass our political processes to seek to obtain change by other methods. When such efforts violate the rights of others, problems of law enforcement arise which are beyond the scope of this report.[2] But to the extent that our processes for peaceful change can command maximum respect, this problem can be lessened.

According to public opinion polls, 81% of the public favor reforms in the Presidential voting system. N.Y. Times, Nov. 24, 1968, p. 38, col. 1.

Any discussion of our political processes today must begin with the impact of the one-man one-vote decisions of the Supreme Court[3] which have survived intensive challenges and will create a new political background in the country. In this report we treat those decisions as irreversible and we likewise treat proposals before the 90th Congress as continuing since like issues will arise before the 91st.

Footnotes at end of article.

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COUNTERBALANCING FORCES IN THE POLITICAL SYSTEM

The Declaration of Independence stated that the just powers of government rest on the consent of the governed. Under our Constitution that consent is exercised through free debate protected by the First Amendment, and elections at which all of our officials are chosen either directly or through voter choice of officials who appoint the others.

Nevertheless, our system of checks and balances has never represented—and in view of the size and complexity of the nation undoubtedly could never represent—"pure" democracy. Many interlocking and counterbalancing forces are at work.

The Congress.—Under the Supreme Court's one-man one-vote decisions, Members of the House of Representatives are or will be elected in districts based on the principle of equal population.[3] The committee structure of course gives greater influence to Members with greater seniority, many of them coming from districts with less interparty competition for seats. Also the House Rules Committee can delay and in some cases sidetrack legislation approved by the pertinent standing committee. And in the Senate, the procedures for ending debate only by two-thirds vote of those voting, likewise represent an element differing from pure majority rule.

The Electoral College.—In the Electoral College each State now gives all its electoral votes to the winner of a plurality in the state, which gives added leverage to large states with close voting. At the same time, each State receives two electoral votes on account of its Senators in addition to those based on population as expressed in the number of its Representatives in the House. Further, a State casts the entire electoral vote based on its population even though some of its residents may be discouraged from voting. These features of the system tend to offset each other.

At times, individual electors have also acted independently rather than following the votes in their States, which could affect the result in a future election. If no one receives a majority in the Electoral College, the House must choose the President, the delegation from each State, no matter what its size, having one vote.

Campaigns.—The cost of campaigns has rapidly increased, in part because of the expensiveness of television coverage. As a result, the dependence of candidates upon large contributors has a further effect upon the political process.

These are only a few of the many interlocking features of our political system, each of which must be kept in mind when contemplating the effect of changes in any aspect of the system. To remove a weight from one side of a seesaw has a different effect depending upon what is on the other side of its axis.

ANALYSIS OF PENDING PROPOSALS

Proposals which deserve attention have been made in each of the areas mentioned.

Election of the President.—The American Bar Association has proposed that direct election of the President of the United States be substituted for the electoral college system. Other proposals include dividing the electoral votes of each State in accordance with the popular vote within the State, election of electors by congressional districts, and retention of the electoral college but abolition of the office of elector.

A congressional district system would merely move the "winner take all" feature to the district rather than state level and perpetuate the casting of the full vote of a district by is voters even where some residents are discouraged from voting. We see no advantage to such a system.

The elimination of the "winner take all" feature of the present electoral college system is desirable in our view but only if the offsetting features of two electoral votes for each State not based on population and the casting of electoral votes representing nonvoters are likewise eliminated. Thus we would oppose the dividing of electoral votes of each State in accordance with the popular vote within the State unless these other aspects of the present electoral college system were also changed.[4] Such changes could only be accomplished by substituting a direct popular election as proposed by the American Bar Association. Consequently, we regard that proposal as the only acceptable alternative to the present procedure.

Direct popular election is consistent with the founding notions of the Declaration of Independence, with the one-man one-vote concept, and with the realities of an ever more interdependent nation in the twentieth century. Under the proposals for direct election, there would also be a runoff between the two candidates with the largest number of votes if no candidate received 40% or more of the total vote, thus preventing the choice of a President from going into the House. We therefore join with the American Bar Association and the Association of the Bar of the City of New York[5] in endorsing this basic concept.

However, under the electoral college system, fraud in the vote in any single State can only affect the electoral vote of that State. It cannot affect the selection of the President unless the electoral vote of that State turns out to be pivotal in the Electoral College. Under a popular vote system, fraud in any locality could, if massive enough, affect the overall totals and hence the election itself.

Under the electoral college system, it was reasonable to leave the policing of presidential voting to each State, its local election officers and its courts.

Under a popular vote system, federal supervision of presidential voting would be necessary.[6] In our view the constitutional power to effect this already exists, but it should be made clear in any amendment providing for direct popular election. This should not involve authority for any federal interference with voting for local officers not already contained in the Fourteenth and Fifteenth Amendments which are designed to prevent discrimination or under other constitutional provisions.

With this addition, we endorse the proposal for direct popular election of the President. As a lesser step, we would also endorse abolition of the office of individual elector were the electoral vote system retained. We oppose the other proposals for keeping the electoral vote system but changing its structure, which we believe would unbalance the present system.

The Congress.—We support proposals to limit the power of the House Rules Committee to bottle up legislation after it is approved by standing committees of the House. We also favor further study of additional means which would enable the leadership, if supported by a majority of either House, to avoid the bottling up of legislation in a committee which may at a particular time be hostile to the desires of a majority. In the Senate, a precedent exists for reference of House-passed bills to particular committees with instructions to report back within a fixed period of time. The Senate privilege of unlimited debate (unless cut off by two-thirds vote) is an important safeguard against hasty action, but we recommend consideration of an ultimate time limit as to how long such debate may last where a majority wishes to proceed to a vote on a matter.

Campaigns.—To lessen dependence of candidates on large contributions, we approve the proposal of the Committees on Federal Legislation of the New York State Bar Association[7] and of the Association of the Bar of the City of New York[8] for a tax credit up to a specified maximum for political contributions by citizens.

Unlike direct federal funding of campaign costs, this would leave to the people making contribution decisions as to how the money is to be divided among candidates. We oppose any proposals to enforce equal funding for candidates by making it criminal for citizen groups not sanctioned by candidates to spend money to advocate their political views.[9] In our view, any such criminal statute would offend the founding principles of our country and be a step toward suppression of free debate.

Another possibility deserving study would be federal financing for free television time for major party candidates and minor party candidates amassing a specified number of signatures to indicate their status as serious contenders.[10]

CONCLUSIONS

With the qualification that federal safeguards against fraud be provided, we endorse the American Bar Association's proposal for direct election of the President. We oppose other proposals to unbalance the electoral college without adopting direct popular election. We would support abolishing the post of individual elector, however, if electoral voting by states is retained.

As part of an overall effort to strengthen our political processes, we recommend study of ways to limit the power of the House Rules Committee and the power of other committees to block legislation if desired by a majority of the House in question; we likewise favor study of ways to permit a majority to vote after suitably long debate in the Senate if it wishes to do so.

To expand participation by small contributors in meeting campaign costs, we approve Bar proposals for a credit against income tax for contributions up to a fixed maximum. We also approve study of federal action to provide free television coverage for major candidates and minor candidates who can show sufficient support.

Respectfully submitted,

Committee on Federal Legislation; Vincent L. Broderick, chairman; Richard A. Givens, Secretary; Alan Appelbaum; Robert Beshar; Arthur Brooks; Gideon Cashman; Arthur K. Garfinkel; Vito T. Giordano; Herman A. Gray; Robert M. Kaufman; Melvin Kimmel; Bowie K. Kuhn; Jerome J. Londin; J. Edward Meyer, III; Robert S. Persky; Henry Stone; Anita Streep; John E. Tobin; [11] Stanley Wolder; Bruce McM. Wright; James V. Hayes, ex-officio; Thomas Keogh, ex-officio.

FOOTNOTES

[1] E.g., S.J. Res. 200, 90th Cong., 2d Sess. (1968); S.J. Res. 179, 90th Cong, 2d Sess. (1968); H.J. Res. 469, 90th Cong., 1st Sess. (1967); H.J. Res. 490, 90th Cong., 1st Sess. (1967); H.J. Res. 7, 90th Cong., 1st Sess. (1967); H.J. Res. 1444, 90th Cong., 2d Sess. (1968); H.J. Res. 1112, 90th Cong., 2d Sess. (1968); H.J. Res. 1406, 90th Cong., 2d Sess. (1968); H.J. Res. 1086, 90th Cong., 2d Sess. (1968).

[2] See Report No. F-9 of this Committee.

[3] See Wesberry v. Sanders, 376 U.S. 1 (1964).

[4] See Committee on Federal Legislation, "A Report on the Method of Electing the President and Vice President," 17 Record of N.Y.C. B.A. 92 (Feb. 1962); "Proposed Constitutional Amendment Abolishing Electoral College and Making Other Changes in Election of President and Vice President," 4 Reports of Committees of N.Y.C.B.A. Concerned With Federal Legislation No. 3, p. 121 (July 1965), also in 20 Record of N.Y.C.B.A. 503 (Oct. 1965).

[5] See American Bar Association, Electing the President (1967); Hearings were held by a Senate Subcommittee under the chairmanship of Hon. Birch Bayh of Indiana. See Committee on Federal Legislation, "Proposed Constitutional Amendment Providing for Direct Election of President and Vice President," 6 Reports of Committees of N.Y.C.B.A.

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Concerned with Federal Legislation No. 1, p. 9 (Nov. 1967) and see resolution at p. 16.

[6] Mr. Wolder dissents from this aspect of this report.

[7] N.Y.L.J. March 11, 1968 p. 1. cf. Alexander, Financing the 1964 (Citizens Research Foundation 1966).

[8] Committee on Federal Legislation, "Proposed Campaign Reform Legislation," 7 Reports of Committees of N.Y.C.B.A. Concerned With Federal Legislation No. 1, p. 1 (July 1968).

[9] S. Rep. No. 714, 90th Cong., 1st Sess. (1967).

[10] Suggestions along these lines have been made by Newton Minow, former Chairman of the Federal Communications Commission.

[11] Dissenting in part, see note 6.

NOMINATION OF JAMES R. SMITH TO BE ASSISTANT SECRETARY OF THE INTERIOR

Mr. METCALF. Mr. President, I am told that Mr. James R. Smith, of Omaha, Nebr., has just been nominated as Assistant Secretary of the Interior for Water and Power.

This morning, I received a copy of a letter to the President from a major consumers' group which raised serious questions about Mr. Smith's qualifications for the job.

I ask unanimous consent that the letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AMERICAN PUBLIC POWER ASSOCIATION,
Washington, D.C., March 10, 1969.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: Newspaper reports have indicated that Mr. James R. Smith of Omaha is expected to be named Assistant Secretary of the Interior for Water and Power, but to date his name has not been submitted to the Senate.

In view of the vital interest of our organization in the policies and programs of the Department of the Interior, particularly those under the jurisdiction of the Assistant Secretary for Water and Power, I have attempted to examine Mr. Smith's record on the issues in which we have an interest.

My examination raises some serious questions which I believe should be considered in depth before Mr. Smith's name is submitted to the Senate.

More specifically, it appears that the policies advocated by an organization with which Mr. Smith has been intimately associated since 1953 are directly contrary to long-standing laws and programs which Mr. Smith would be sworn to uphold and carry out, were he to be named Assistant Secretary for Water and Power.

Mr. Smith was a member of the staff of the Mississippi Valley Association from 1953 to 1966, serving as manager of the Association's Missouri River Division and later as Vice President. He left the Association in March, 1966 to become Manager of Marketing Relations of the Northern Natural Gas Company in Omaha, but apparently has continued to maintain close ties with the Mississippi Valley Association, as evidenced by the fact that he was elected a Director of that Association in 1966 and was elevated to the Executive Committee at the Association's last annual meeting, which I believe was held in February of this year.

Because of Mr. Smith's long and close association with the Mississippi Valley Association, I believe it can be assumed that he is in substantial agreement with the policies of that organization, and consequently it is pertinent to examine those policies which would have a bearing on the programs Mr. Smith would administer at the Department of the Interior.

The 1968 Platform of the Mississippi Valley Association—the most recent available to us—indicates that many if not most of its policies relating to hydroelectric power development are diametrically opposed to existing laws and/or long-standing policies enunciated both by the Congress and the Executive Branch of the Government.

1. The Platform states (page 6):

"That energy produced at Federal multiple purpose dams be sold at the bus bar to existing agencies, both public and private, engaged in the production and distribution of electricity in the contiguous area, for resale by them to their customers, without discrimination or preference.

"We recommend and will support amendments to federal statutes (U.S. Code Title 43, Paragraph 485–H) to make possible fair and equitable distribution of publicly created hydroelectric power so that the benefits shall be available to all communities, citizens and taxpayers without preference."

Ever since passage of the Reclamation Act of 1902, Congress has provided for preference in marketing of Federally-produced power to local public agencies, and subsequently rural electric cooperatives also were accorded such preference in availability of Federal power. For more than half a century, the so-called "preference clause" has been a keystone of Federal power marketing programs. It has had bi-partisan support and has been incorporated in various laws adopted by Congress on at least 20 occasions since 1902. The "preference clause" is based on the sound principle that public resources, developed through public funds, should be made available first to non-profit local public agencies and rural electric cooperatives.

Because most of the local public agencies are small and have little opportunity to purchase power at the "bus bar" (or dam site), the "preference clause" has made it possible for these smaller agencies to purchase a fair share of publicly generated electric power. In the absence of this provision it is likely that most of the Federal power would have been monopolized by large private power companies which have the resources to build transmission lines to dam sites and buy power at that point.

The policy advocated by the Mississippi Valley Association would renounce the time-honored "preference" provision, thereby reversing a policy that has been in existence for more than 60 years.

2. The Platform states (page 6): "That wholesale rates for such sales be set by the Federal Power Commission."

Again, the policy advocated by the Mississippi Valley Association is contrary to existing policy which provides that the rates of most Federal agencies are not subject to regulation by the Federal Power Commission, on the theory that it is unnecessary for one Government agency to regulate another.

3. The Platform states (page 6): "That the federal agencies building and operating hydro-electric facilities (Corps of Engineers and Bureau of Reclamation) be responsible for the sale and accounting of energy produced."

If carried out, this recommendation would result in the dismantling of the Bonneville Power Administration, Southwestern Power Administration and Southeastern Power Administration—all of which have been established to market power produced by the Corps of Engineers and Bureau of Reclamation. In the main, these power administrations have done an effective job of marketing Federally produced power, and we know of no reason why they should be abolished.

To follow the policy advocated by the Mississippi Valley Association also would give the Corps of Engineers responsibility for marketing power it produces—contrary to a law enacted by Congress about 35 years ago providing that power produced by the Army Corps of Engineers should be marketed by the Department of the Interior. We know of no reason why the Corps of Engineers, a construction agency, should be placed in the power marketing business, when this responsibility is now being handled satisfactorily by the Department of the Interior and its agencies.

4. The Platform states (page 6): "That Congress favor the continued development of hydro-electric power facilities by private enterprise where private enterprise is ready and willing to undertake such development without impairment of other beneficial uses of water."

We would not quarrel with the concept of private development of hydroelectric facilities; in fact, private companies have developed more than one-third of the Nation's hydroelectric power. However, the statement quoted above has a negative cast which downgrades the important and positive role which the Federal government has traditionally followed in developing the Nation's water resources. The Platform statement also fails to take cognizance of the fact that the Federal Power Act, adopted by Congress in 1935, provides for a preference to local public agencies in the licensing of non-Federal hydroelectric facilities.

5. The Platform states (page 6): "That the government not construct power transmission facilities where reasonable wheeling service is available."

Again, this statement is cast in negative terms. Experience has shown that the Government in many cases has had to build transmission lines in order to interconnect its own facilities for their most efficient operation. Equally if not more important, a reliance on other utilities for wheeling service to the extent indicated in the Platform would place the Federal government at a serious disadvantage in negotiating suitable wheeling contracts. In many cases, the Government's construction of transmission lines—or threat of such construction—has been the only means by which the Government has been able to provide its power to smaller municipalities and rural electric cooperatives.

Certainly the policy advocated by the Mississippi Valley Association is not in accord with either the spirit or the letter of many Acts of Congress which have authorized transmission lines associated with Federal hydroelectric projects.

6. The Platform states (page 6): "That the Federal Government not construct interregional power transmission facilities where existing utilities now provide such ties and/or where such utilities are willing and able to construct adequate transmission lines to increase the capacity of the ties when need arises."

If the policy enunciated above were followed, it is highly doubtful whether the Pacific Northwest-Southwest interties would have been constructed. The policy advocated by the MVA is a negative one, placing the Federal government in a virtually supine position, and giving it little if no latitude to exercise the type of leadership which has already proven useful in many areas.

7. The Platform states (page 6): "That pumped power capabilities in Federal multiple purpose reservoirs be made available on a first priority basis to privately owned electric utilities for development . . ."

This policy is really a reverse twist. It seems inconceivable that the Federal government, after making a tremendous investment in building a reservoir, should then be required to give "first priority" to a private party to make full use of that reservoir, rather than be permitted itself to maximize the Government's investment.

On the basis of the foregoing, it would seem that if Mr. Smith were to carry out

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faithfully the spirit as well as the letter of the laws enacted by the Congress, he would have to renounce the policies with which he has been associated for many years.

The Federal power program has been a vital part of our national life since the beginning of this century. In many areas it has stimulated industrial development by the private sector, and brought about lower electric rates to residential, commercial, industrial and rural users of electricity. I am sure you do not wish to impair this important program, and I applaud the statement you made when, in introducing Interior Secretary-designate Walter Hickel, you said that one of the reasons for his selection was that he was not involved in the public versus private power controversy.

It is in this spirit, and because of the care with which you are selecting officials of your Administration, that I am bringing the foregoing information to your attention. I am also taking the liberty of sending copies of this letter to Secretary of the Interior Hickel and members of the Senate Interior Committee, because of their obvious interest in this matter. Should you desire, I would be most happy to discuss this matter more fully with you or a member of your staff.

Sincerely,

Alex Radin,
General Manager.

SENATOR MURPHY THANKED FOR BILINGUAL EFFORTS

Mr. MURPHY. Mr. President, recently, while I was in San Diego, I was presented with a token gift which has perhaps given me more pleasure than any type of commendation I have ever received. A group of residents in the area, all of whom are interested in the Federal bilingual education program, gave me a 16-foot-long letter signed by 400 parents, educators, and citizens. Needless to say, it is the largest, as well as the longest, memento now hanging in my Senate office.

Everette M. Thorne, a bilingual instructor at Nestor Elementary School, presented the letter to me complete with a green ribbon tie in tribute to my Irish ancestry. Since the Bilingual Education Act, of which I am a coauthor, is of so much interest to more than 5 million Mexican Americans in our Southwest, I ask unanimous consent that a recent letter to me from Mr. Thorne and an article published in the Chula Vista Star News be printed in the Record.

There being no objection, the items were ordered to be printed in the Record, as follows:

Chula Vista, Calif.,
March 1, 1969.

U.S. Senator George Murphy,
Senate Office Building,
Washington, D.C.

Estimado Señor George Murphy: I am enclosing the news stories and picture of your recent visit to our beautiful and hospitable San Diego area. The entire population in our city and county was thrilled by the sixteen-foot letter and your wonderful attitude and actions on accepting it.

Not only the Mexican-American population but the non-Mexican people in the area have written and called me to say how grateful they are for your enthusiastic involvement in the Bilingual Education Act.

I sincerely feel that this attitude of appreciation will be demonstrated at the polls in the next election. Senator Murphy . . . you have won the hearts of the people in this high-populated Southern California area with your forsight and sensitive actions.

I am totally involved in the field of education as well as being very active in community services. After twenty three years of teaching I am finally getting the complete satisfaction that one so desperately desires. The satisfaction you must be getting in your work today . . . is exactly what I mean.

If there is any way that I and the community can express our thanks to you for your efforts in behalf of better education . . . for everybody . . . Estamos a sus ordenes.

Sinceramente,

Tio Eddie Thorne.

[From the Chula Vista Star News]

More Than 400 Sign 16-Foot Letter of Thanks to Senator

"Tio" Eddie Thorne, an Imperial Beach language teacher, yesterday presented a 16-foot thank you letter to Sen. George Murphy (R-Calif.) commending his dedicated efforts in co-authoring the Bilingual Education Act.

More than 400 South Bay parents, educators and citizens signed the colorful scroll which was presented at a morning press conference at the Bahia Hotel on Mission Bay.

The commendation bore the signatures of Chula Vista Mayor Dan McCorquodale; Dr. Robert Burress, superintendent of the South Bay Union School District; Dr. A. W. Autio, assistant to the superintendent, and Dr. Willard Snyder, principal of Nestor Elementary School in Imperial Beach.

The Billingual Educational Act provides supplementary classroom instruction in Spanish for children with a limited knowledge of English.

The letter to Murphy states, "We the parents, educators and interested citizens of San Diego County wish to thank you most sincerely for your sensitive and dedicated efforts in behalf of the Bilingual Education Act.

"As co-author of this important education measure, you have won the heartfelt gratitude of more than five million children and parents in their struggle to become effective citizens of the United States of America."

Murphy has urged full funding of the bill which originally was set at $30 million but was cut to $7.5 million by the Johnson administration.

The senator cited statistics that "one million of the 1.6 million Mexican-American children entering elementary grades will drop out before the eighth grade due to frustrations in not being able to comprehend sufficiently classroom English in every subject."

Murphy stated that Mexican-Americans in the Southwest average 7.1 years of education compared to 12.1 years for Anglo-Americans.

Thorne, who is affectionately called "Tio," which means uncle in Spanish, by his students, sponsored the thank you letter to Murphy.

A bilingual teacher at Nestor Elementary School and English-as-a-Second-Language (ESL) consultant in the South Bay Union School District, Thorne is dedicated to helping Mexican-American students overcome the language barrier.

"Spanish is the mother tongue for these students," Thorne said, "and English is a foreign language to them. Yet they must struggle in the classroom to learn math, history and science in a language which they barely understand."

"Failure to understand brings failing grades, frustration, and eventually causes many of these students to drop out at the high school level," Thorne said.

Thorne enthusiastically supports the Bilingual Education Act which will provide funds and bilingual teachers who will give instruction in Spanish paralleled with English instruction.

A graduate of the University of Mexico, Thorne spent 17 years traveling and teaching in Bolivia, Chile, Argentina, Peru and Mexico.

A native of Washington, D.C., he has lived and taught in the South Bay for five years.

"I came back to this country to share my knowledge of the language and problems of Spanish-speaking people," Thorne said.

He noted that he had "switched from teaching at the high school and college level where language deficiencies caused the most frustration to the elementary level where I hope to eliminate these frustrations through bilingual instruction."

Active in Mexican-American relations, Thorne directed "a really unique student exchange program between students in San Diego and Guadalajara, Mexico.

"It was a monthly exchange program," Thorne explained, "where an American student would spend a month living with the family of a Mexican student in Guadalajara, and the next month the Mexican student would live with his American friend's family in San Diego."

Thorne directed the program for three years and sponsored 242 exchange students.

"The results are spectacular," he said. "Half of them have gone into teaching and most of these are teaching Spanish or English as a second language. More than 20 of them received scholarships due to their new language efficiency."

"Bilingual and ESL instruction is the key to educating Mexican-Americans in the South Bay," Thorne concluded.

DOES THE NLRB HAVE AN ANTI-UNION BIAS?

Mr. ERVIN. Mr. President, during the recent hearings which the Subcommittee on Separation of Powers held on the National Labor Relations Board, the agency came in for some very severe criticism from representatives of management. Some critics suggested that the Board was not familiar with the practical problems management must face in labor relations and in operating a business. "The Board," it was said, "does not understand the management's point of view."

I am obliged to report that this charge has now been shown to be completely unfounded. The Board does have a management outlook. Indeed, in its relations with its own employees, the Board exhibits a zealous concern for its own management prerogatives which rivals that of the most unreconstructed of management.

The Wall Street Journal of March 10, 1969, recounts the troubles the professional association of Washington-based NLRB attorneys has had in getting the management of the agency to observe the terms of the collective bargaining agreement it has made with them. This agreement obligates the Board to "bargain in good faith" about matters affecting the career development of agency lawyers, including the transfer of attorneys between different agency offices.

The Board recently decided to assign 10 attorneys from the Board members' legal staffs to work in the appellate enforcement division of the General Counsel's office. This program appears to violate the "separation of powers" principle in the Taft-Hartley Act which draws a line between the prosecuting functions of the General Counsel's office and the adjudicating functions of the Board members.

Oblivious to its bargaining agreement

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with the professional association no less than to the statute itself, the Board has refused to discuss the exchange program with the lawyers' group. The explanation from the Board management was that this was an emergency caused by high workload and increasing case backlog. "You do not talk indefinitely when you have a job to do," says the Board.

This is a peculiar justification. The Board has had this backlog for years. Why, after all this time, the backlog suddenly has become an "emergency" which justifies violation of the contractual rights of these employees, no one at the Board has explained. And apparently the "crisis" has not prevented the transfer of lawyers from the overworked enforcement division to the Baltimore regional office for "field experience."

Whatever the true explanation for this transfer program, one may well speculate on the amount of sympathy the Board would have displayed for a management official who excused his failure to observe a collective-bargaining agreement on the grounds he was "in a hurry."

The provisions of the Taft-Hartley Act do not apply to the Board or to other Government agencies. But honesty and fair play do apply, even to them. I cherish the hope that the NLRB will set an example for other Government offices in its dealing with Government employees. As of now, unfortunately, it seems to be behaving like the employers of yesteryear. Perhaps we need a Government Employees' Taft-Hartley Act to keep "union-busting" Federal agencies in line.

Mr. President, I ask unanimous consent that the article entitled "Labor Troubles Hit Embarrassed Target: It's the NLRB Itself," published in the Wall Street Journal and the letter from the NLRB Professional Association to the Civil Service Commission protesting this violation of its collective-bargaining contract, be printed in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

[From the Wall Street Journal, Mar. 10, 1969]

Labor Troubles Hit Embarrassed Target: It's the NLRB Itself—Unionlike Group, Bargainer for Staff Lawyers, Assails Temporary Duty Transfers

Washington.—Guess who's got labor trouble?

None other than the National Labor Relations Board.

The Federal agency, which enforces the law governing dealing between unions and employers, finds itself embroiled in an embarrassing dispute with a union-like association that bargains for more than 250 NLRB staff lawyers in Washington.

According to officials of the attorneys' association, the labor board has "run roughshod" over the bargaining rights of the group, the NLRB Professional Association. The dispute involves temporary transfers of 10 staff lawyers to different duties in the agency's Washington headquarters. NLRB officials, who are reluctant to discuss their union troubles, concede the transfers were made without the association's approval but contend they were within their rights in ordering the moves.

In a letter to the U.S. Civil Service Commission, guardian of Federal employes' job rights, the attorneys' association protested "the authoritarian manner in which this agency has handled its labor problems." It asked for establishment of machinery to remedy such "abuses" as the transfers.

"It is ironic that an agency, which has been publicly criticized for requiring employers in the private sector to bargain with representatives of their employes before making changes in their working conditions, would run roughshod over the bargaining authority of an association representing its employes," said the letter, which was signed by Charles J. McKelvey, president of the association, and seven other officers. "Nor is this the first time that management of this agency has defied the very code of labor-management conduct it is entrusted to administer in the private sector," the association officials charged.

The letter complained that when the association sought to "discuss procedures and criteria" for making the temporary job transfers, "agency officials declined to discuss the matter further" and "unilaterally implemented the program without further consultation with our representatives and without their approval."

When asked for the NLRB's position in the dispute, Clarence Wright, director of administration, responded, "I was hoping I'd never be asked." Pressed for an explanation, he said, "If we thought we were doing something wrong, we would stop."

The NLRB official said the transfers of 10 attorneys from the staff of the five board members to the general counsel's staff were required by a high case load and high turnover. "We're having a problem keeping up with our appellate court work," he said. "We felt a need to immediately assign some people" to the appellate case backlog, he explained.

Mr. Wright said agency officials "tried to talk with" the association about the transfers, but he indicated that the bargaining didn't go fast enough to suit the management. "You don't talk indefinitely when you have a job to do," Mr. Wright said. He agreed that the agency was required to "consult" with the association on the transfers, and said further negotiations were scheduled for this week.

NLRB Professional Association,
Washington, D.C., February 28, 1969.

Hon. Robert Hampton,
Chairman, U.S. Civil Service Commission,
Washington, D.C.

Dear Mr. Chairman: Pursuant to a unanimously-passed motion at our last general membership meeting, we, the Executive Committee of the National Labor Relations Board Professional Association, wish to register our united protest against the high-handed manner in which the officials of our Agency have derogated the bargaining authority of our Association and have breached with impunity "contracts" which are presently in effect.

The NLRB Professional Association represents all of the nonsupervisory attorneys in the Washington, D.C. office of the Agency. Subsequent to the issuance of Executive Order 10988, the NLRB Professional Association was chosen as the exclusive representative of all the nonsupervisory attorneys in the Washington, D.C. office of the Agency, and we have been recognized as such, and have entered into separate collective-bargaining agreements with the General Counsel and the Board. Though we have commenced negotiations for new agreements, those contracts have been extended by mutual consent.

Under our existing contracts, a Career Development Committee, with representation thereon by the Association, is recognized and is "responsible for the overall guidance and review of the Exchange Program," whereby professional employees may broaden their experience by assignment to the Board's Regional Offices or to different offices within Washington, D.C. The duty on the part of Agency management to confer with the Association concerning the Exchange Program is explicit and expansion of the existing program was discussed at length in our first bargaining session.

Nevertheless, our representatives were contacted by Agency officials, after our first session, and advised that within the structure of the existing career development program, both the Board and the General Counsel were desirous of obtaining our cooperation in effecting a temporary assignment of ten attorneys from the Board Members' staffs to the staff of the General Counsel. These temporary assignments affect, in varying degrees, our entire membership. But when we sought to discuss procedures and criteria to be employed in making the assignments, Agency officials declined to discuss the matter further. Indeed, the responsible officials unilaterally implemented the program without further consultation with our representatives and without their approval.

It is ironic that an Agency, which has been publicly criticized for requiring employers in the private sector to bargain with representatives of their employees before making changes in their working conditions, would run roughshod over the bargaining authority of an Association representing its employees. Nor is this the first time that management of this Agency has defied the very code of labor-management conduct it is entrusted to administer in the private sector. The long list of contract breaches and instances of derogation of our bargaining authority need not be detailed here. We wish to go on record protesting the authoritarian manner in which this Agency has handled its labor problems, to enlist your aid in our present crisis, and to plead for the establishment of machinery whereby these abuses can be remedied, if not prevented.

The Executive Committee.

COMMENDATION OF PRESIDENT NIXON AND VICE PRESIDENT AGNEW BY NATIONAL GOVERNORS CONFERENCE

Mr. MURPHY. Mr. President, at the recent National Governors Conference, California's Governor, Hon. Ronald Reagan, proposed to his fellow Governors a resolution commending President Nixon and Vice President Agnew for the leadership they have shown in establishing cooperation between the Federal Government and the State and local governments.

The resolution was unanimously adopted by the Governors. I ask unanimous consent that it be printed in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Resolution Commending President Nixon and Vice President Agnew

Whereas President Richard M. Nixon has from the start of his Administration recognized the vital role of state and local government in providing responsive and effective public service to the citizens of our nation; and

Whereas the President has specifically designated a former governor, Vice President Spiro T. Agnew, to provide top level leadership in maintaining liaison between state and Federal government; and

Whereas the Office of Intergovernmental Relations has been established under the direction of former governor Nils Boe to facilitate communication and cooperation between all units of government at all levels; and

Whereas the President has directed every element of the Federal government to work closely with state and local governments to improve coordination and to develop the best possible cooperative relationships to effectively serve all the people and to solve the many problems facing public officials throughout the nation; and

Whereas the confidence of the President

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in the leaders of state and local government has been reflected in the appointments to the Cabinet and to other high positions throughout the Executive Branch of the Federal government: Now, therefore, be it

Resolved, That the National Governors' Conference expresses its appreciation to the President and the Vice President for their recognition of the appropriate role of state and local governments in the total spectrum of public service; urges the continuation and expansion of this spirit of cooperation and effective communication throughout all elements of the Federal government; and expresses the commitment of the assembled governors to work closely with our national leaders to assure the highest degree of intergovernmental cooperation in solving the many and complex problems facing the people of our nation; and be it further

Resolved, That the National Governors' Conference wishes to express its deep appreciation to the President and the Vice President of the United States for their assistance and cooperation in making this a memorable meeting of the Conference. We also wish to express our special thanks to Members of the Cabinet and the Congress for their active participation in our activities and deliberations.

THE PROPOSED ALL-VOLUNTEER ARMED FORCES

Mr. SAXBE. Mr. President, I have been very much impressed by the enthusiasm which has been generated behind the thought that the Nation very soon, and in most circumstances, can rely for its defense on an all-volunteer force. America has become the powerful and progressive Nation it is because we are a people who throughout our history have, over and over again, scored great advances in technology, production, innovation, self-government, in every area of endeavor, because individuals, alone or with others of like persuasion have had freedom and initiative to determine their courses and to pursue them. The concept that each of us should almost always be free to order his own life and endeavors insures the vigor of our society. It is a concept that truly is an American tradition in a most fundamental sense.

But we are deeply in error if in our justified devotion to the principle of individual voluntary action, we fail to distinguish between those affairs where this principle must guide us, and those affairs and endeavors to which few Americans would devote their lives on their own initiative. I mean specifically the pursuit of the military service as a career, honorable as it is, and despite the fact that no other service is so wholly dedicated to the welfare of one's nation.

We are profoundly not a militaristic people. We are not a society whose values have ever given great prestige to a military career for itself. Our aspirations as a nation have never been those of warfare and conquest which would have necessarily required that the military profession be the surest path to honor and other rewards.

Mr. President, it seems to me that we are not making the necessary distinction between those endeavors where voluntary individual initiative has served America so well and those where it cannot be expected to do so. It is perhaps understandable that having enjoyed the great benefits individual voluntary initiative has brought us, we tend to believe it can serve us equally well in the performance of the inescapable responsibility of all of us to insure an adequate national defense. Our tradition is not one of relying on volunteers to defend us. Our tradition is, rather, one of a self-imposed individual obligation to generally share military service as exemplified in more than 600 colonial enactment militia laws and our national selective service legislation.

This Nation will always have men who so well understand their responsibility as citizens that they will volunteer for military service—not for pay, but from sense of duty. Many more, but still not enough will do so when the threat is manifest. But under world conditions such as have persisted since World War II, and which few would predict will swiftly and dramatically change for the better, the necessity to voluntarily perform military service will not be clear to enough of our citizens to insure volunteer forces even approaching the size we need.

I have not seen, alongside the steps which have been advocated to attract more volunteers and the numbers such steps are expected to attract, a tabulation of our worldwide commitments, of the military forces disposed and those necessary in reserve as evidence of our intentions and our capacity to carry out those commitments.

I have not seen either, ranged opposite the precepts of a volunteer force, any estimates of the force requirements we might face were one or more world tension spots to erupt and with respect to which we have no formal or only vague commitments.

I support fully every reasonable effort to more amply compensate our servicemen, and to improve recruiting and retention of military personnel. I do not take this position because I am convinced it will produce and maintain armed services adequate to our needs. I take this position simply because the Nation should amply recognize service in the Armed Forces. I do not believe that the steps in this direction which are practical will do away with the need to keep the Selective Service System. I expect, as is now the case, that the greatest inducement to voluntary entry into the Armed Forces will continue to be the size of the monthly calls for induction. A greater number of men by far volunteer today because they expect induction than are actually inducted. This is not a deplorable condition. The monthly draft calls are the clearest way in which most of us are made aware of the threats we face. The diplomatic, military, and political portents around the globe, which to our own experts in diplomacy and world affairs sometimes signal correctly the danger posed for this Nation, do not make the ordinary citizen aware of his country's need for his service. The monthly draft call does.

In efforts to increase volunteers and to improve retention, Mr. President, I think we do a disservice to encourage the belief that we will be able to end the draft or halt inductions. The realities of our commitments and world conditions must be recognized.

I enthusiastically support all efforts to reduce our worldwide military manpower commitments. I do so with the hope that our demands for military manpower would be low enough to permit a volunteer service and further permit the Selective Service System to assume a standby posture. But a desire for this volunteer force must face the immediate hard fact that we do have worldwide commitments for almost 4 million men; and much as I wish otherwise, a reduction in this number can only proceed in step with the demand for and growth of world peace.

Mr. President, for the time being, not only should our people frankly face the need to retain the draft, but they should not be encouraged to believe that by some tinkering with the way it operated, we can sugar-coat the hard fact that some young men must serve while others need not, and a great many others are not qualified to do so.

Among those who are found available for service through classification—a thankless task carried out by thousands of unpaid patriotic local citizens—and, may I say, with a collective wisdom for which there is no substitute—proposals are made that the order in which these young men are selected for service should be determined by a lottery. This somehow is supposed to be fairer. I am unable to understand how an order of selection which is determined by the sequence in which birthdays occur can be improved upon. It is a random order not subject to any kind of manipulation.

The incapability of devising a fairer or more "random" method is underscored for me when the most practical lottery plan put forward, I understand, is one which merely shuffles birth dates, rearranging the natural order in which the days of the year occur. To illustrate my reservations about a lottery, suppose in a drawing of dates they should be drawn by some impossible chance in the same sequence in which they actually occur? No change would have occurred because the oldest man would be called first. Yet if a lottery is to be fairer than the present method it should insure a different order of call than is now in effect.

No Government program that I know of is perfect. I think any number of them might be improved, including the operation of selective service.

However, basically I am convinced that the Nation's program for military manpower procurement should be capable of rapid change and adaptation to meet changing requirements. Selective service legislation should leave to the President broad authority so that he can alter its operation in response to need. The present law, by and large, gives the President broad authority so that he can alter its operation in response to need. The present law, by and large, gives the President that authority. He is presently precluded from a lottery selection system, but nothing precludes him from providing that inductions shall first be made from any age group he may wish to designate.

The Congress in 1967 expressed its readiness to be convinced that lottery selection is workable, necessary and an improvement.

But a number of proposals to destroy the local operation of selective service;

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to go in the direction of group or class deferment; to abandon the principle that each State and community should furnish only its fair share of men for military service; to let each individual decide in which war he will or will not serve; and other proposals which have been made, are in my view highly dangerous to our ability to maintain adequate armed forces. A great many such proposals ignore some of the most painfully learned lessons of experience and would return to principles and practices which in prior times of stress gravely threatened the capacity of the Nation to survive. It is my intention to in the future submit suggestions based on these lessons, suggestions which I believe will insure equity and fairness at times of low manpower demands by the military.

No graver matter faces the Nation than that of assessing clearly the threats world conditions pose and of insuring that the methods by which we provide an adequate defense, are fair, proven, workable, and effective as are those on which we now rely—those evolved literally out of our experiences in survival, first as colonies, and during the nearly 200 years we have grown into the world's most powerful bastion of freedom.

THE SENTINEL ABM SYSTEM

Mr. BURDICK. Mr. President, Sentinel is the name that has been given to a proposed system of defense for the Nation's ballistic missile system. The ABM system has been the subject of considerable controversy and discussion during the past several months. I wish to share with Senators an editorial published in the February 7 edition of the Fargo Forum which questions whether or not the Sentinel would be an effective guardian of all. The writer asks that we take a serious look at its effectiveness and desirability, and I would hope that this body would do so.

I ask unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was order to be printed in the Record, as follows:

It Might Be Good Idea To Place ABM Project on Back Burner for a While

Although North Dakota is the site of one of the "thin" anti-ballistic missile defense systems, there seems to be relatively little concern here over whether the nation should go ahead with this expensive experiment.

President Richard M. Nixon will probably decide shortly whether the possible dividends from this $5 billion project would benefit the nation, or just the Pentagon military overlords and defense industry. Critics fear that a "thick" ABM system which could cost $50 billion or $500 billion, will follow automatically if the "thin" system is installed.

Secretary of Defense Melvin Laird indicates that he wants to go ahead. To the surprise of quite a few people, former Vice President Humphrey suggests that the United States should stop spending money on this system. He had no public criticism of the project when he was vice president under Lyndon B. Johnson, the man who gave the go-ahead in the first place.

The $5 billion start on the project had all kinds of plausible explanations in the Johnson administration, and the least believable was the proposal that it would protect the United States against Red China when the day comes that that nation would have intercontinental missiles. At the same time, it was generally agreed that whatever defensive missiles are installed in the first step could not protect the United States against Russia.

Generally speaking, there seems to be a feeling in Congress and throughout the nation that if a nuclear war starts, then any defense systems against missiles and nuclear warheads will be only partially effective. No matter how many missiles might be destroyed in the air, enough would get through to wipe out most of our population centers. So what are we buying?

The critics say there is no point in spending $5 billion or whatever amount it costs for a system that probably would not protect. In addition the more populous cities are concerned about the location of anti-missile installations nearby. Their residents figure that such installations would draw some unwanted missiles should the United States be attacked and thereby some cities would become prime targets which otherwise might not be affected by the first missiles launched.

If we are going to have any faith in our ability to reach peace throughout the world, certainly it seems foolish to be spending the amounts of money involved on theoretical programs which probably would be quite ineffective. As has been pointed out by various critics, all of the discussion revolves around projects that have no proven worth, and the Congress and the President have to make their decision on the basis of what might happen.

It would be a good idea to set this project on the back burner for a considerable period of time.

PLIGHT OF LAW AND ORDER IN THE NATION

Mr. MURPHY. Mr. President, Mr. Charles Gould, publisher of the San Francisco Examiner, has written a thoughtful and penetrating "Opinion" column on the current plight of law and order in this Nation. In clear terms and plain words Mr. Gould penetrates to the heart of this issue.

I ask unanimous consent that his column be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Opinion: An Argument for Law-Order-Justice

(By Charles L. Gould)

Politics makes strange bedfellows. So, too, does skillful propaganda.

As a result of the latter, we today find some clergy, communicators, educators, students and social workers joined with punks, thugs and revolutionaries in denouncing the police.

The police are called pigs and storm troopers and racists.

They are stoned and clubbed and jeered and spat upon.

They are charged with brutality if they raise their clubs against those who riot and create disorder.

They are charged with condoning violence if they fail to raise their clubs against the disrupters.

They are damned if they do. They are damned if they don't.

This is wrong. This is unfair. This is unjust.

This is damaging to the police. Most of all, though, it is damaging to our way of life.

It is a devastating and insidious way of undermining and undercutting three basic cornerstones of a free society: (1) Law, (2) Order, (3) Justice.

Through skillful propagandizing, "law and order" has been made an evil term. First in whispers and then in shouts it has been charged with being a racist term. It has been charged as having an anti-black connotation.

This is preposterous.

Probably no group in our society is more anxious for law and order than are Negro citizens.

These people want, need, and have a right to expect law and order and justice.

Certainly no group in our society is more the victim of lawlessness than are the blacks. A higher percentage of them are mauled, attacked, raped, robbed and intimidated than is true of any other minority—or majority—in our communities.

The vast majority of our black citizens hunger for responsible restraints to lawlessness that will permit them to walk the streets, raise their children and sleep at night without fear of violence.

They want and deserve—and must have—the same protections that are essential to the peace of mind and progress of all elements of the community.

None should be misled into believing the black extremists who shout epithets at the police and incite their followers to violence are representative of the black communities.

They are no more typical of the vast majority of the blacks than are the white gangsters and anarchists representative of the white community.

They are no more typical of the black community than are the few bully boys and bad actors among the police representative of the force as a whole.

There are sick, vicious, evil people in all the families of man.

Unfortunately, though, because most responsible blacks live in the ghettos side-by-side with the extremists they dare not speak out for fear of swift reprisals against their persons, property and loved ones.

They are in an untenable position. They are criticized if they remain silent. They may be dead if they don't.

Let the police understand these truths. Let them have compassion and consideration for the honest citizens of all races and colors who are sometimes trapped into silence by circumstances beyond their control.

At the same time, let all responsible citizens seek to understand the problems of our law enforcement agencies. No one claims that the police are perfect. None should excuse the excesses of a few. Neither should those few be used to categorize the many.

Every effort should be made to weed out those who are not emotionally qualified for these trying tasks in these trying times. Steps should be taken to improve screening systems and training systems to upgrade and improve the calibre, character and capabilities of the members of the force.

At the same time none should be blind to the great and good done by the vast majority of these men under the most intolerable circumstances.

Give thought to the reign of death and terror and tragedy that would mark our city if they were not on the job.

We should seek to understand and recognize the new forces of evil that now attack the foundations of society. They come from the far left. And from the far right.

They use our laws and freedoms to destroy our laws and freedoms. They seek to divide and weaken. They attack our educational system. They attack our military. They undermine our churches. They pit black against white, rich against poor, race against race. They attempt to revive the ugly ghost of Hitlerism with smears against Jews, Catholics and other minorities.

Most of all, though, they strive to destroy law and order and justice. This is the path to anarchy, insurrection and revolution.

Apathy and gullibility by the public are the strongest allies of these evil forces.

Where do you stand?

GUNS, WOMEN, AND REGISTRATION

Mr. TYDINGS. Mr. President, in an article published in the December 27, 1968, issue of the Texas Observer, Bill Helmer discussed with great wit the controversy surrounding proposals to register firearms. While I do not agree with Mr. Helmer's proposal that we "Register Females, Not Firearms," I do feel that his article puts the problem in better focus.

I ask consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Register Females, Not Firearms

(By Bill Helmer)

(Note.—Mr. Helmer is an Observer contributing editor who, until recently, lived in Austin. His master's thesis at the University of Texas at Austin on the history of the Thompson submachine gun will form the basis of a book to be published in the spring of 1969 by Macmillan.)

Washington, D.C.—Like a lot of people, I reject the use of violence myself and oppose it in principle. But I also try to make the best of a bad situation. Like a dedicated dentist who abhors tooth decay, I figure that so long as we have violence anyway I might as well make some money out of it.

So last September I accepted a staff position on the National Commission on the Causes and Prevention of Violence, and I am pleased to report that the situation is steadily improving. Armed robberies, homicides and aggravated assaults while at an all-time high, show no signs of falling off and throwing me out of a job. The summer riots of 1968 were something of a disappointment, but our special task force on civil disorders has a real dilly scheduled for next July. My bag, however, is firearms.

We on the firearms task force are hard at work presently documenting our chilling discovery (this is not for attribution) that there is a relationship not only between firearms and violence, but also between the *use* of firearms in violence and the *severity* of the violence. How does that grab ya?

I cannot yet leak to the press our astonishing statistics on the role of firearms in crime, except to hint that "the pistol is the curse of the nation," as it was in 1910, 1931, 1934 and periodically since then. My own unofficial findings indicate that the "gun problem" in America today is no worse than it ever was, and in fact has improved, at least in homicides per capita. The real problem is that Americans are getting soft and are not so tolerant of violence as they used to be. At the commission I find myself surrounded by bleeding heart do-gooders who can't sleep at night because some 20,000 people in this country got their heads shot off last year in homicides, accidents and suicides with firearms. I try to point out that this is only one citizen out of 10,000, but still they gripe and worry.

The trouble with anti-gun people is that they refuse to view the matter in proper perspective, to look for the silver lining. I have examined hundreds of homicide reports in the last couple of months, and it is quite clear to me that firearms generally and handguns in particular should be regarded as our most convenient and effective means of improving the national breed. Contrary to the popular notion, the chances of a respectable white middle-class American getting himself shot are extremely low; meteorites constitute almost as great a danger. The fact is the vast majority of gunshot deaths occur in slum neighborhoods, in certain types of taverns and among certain classes of people. Without promiscuous pistol-packing and shooting to maintain our sociological balance of nature, this country soon would find itself overrun by drunks, faithless wives, paramours and other undesireables.

If the United States has any real gun problem today, it is the rather exciting arms race currently going on between right wing extremists, black nationalists, and a few left-wing radicals. As usual, only the liberals lag behind in their military build-up.

The bad thing about the current arms race is that it has run the price of machine guns up to the point where they are virtually out of the reach of middle-income moderates and low-budget liberals. A couple of years ago anybody who knew somebody could pick up a good Thompson for under $300, and Sten guns and M3's were selling briskly for as little as $75. Since then prices have doubled or tripled, and the $5 hand grenade now belongs in a class with nickel beer. Now and then you find somebody running a special on full-automatic carbines for $150, but in 1966 you could still get M2 conversion kits for an even $25.

Contributing to the problem is the current machine gun drain into Mexico. The big market there is not, curiously enough, the aging revolutionaries, but Mexican policemen who have taken a romantic fancy to automatic weapons and are willing to pay premium prices. This has resulted in an unfavorable balance of machine gun trade between Mexico and the States, and Texas has been hardest hit.

And all this on top of spiraling ammunition costs. Penny-a-round surplus ammunition is a thing of the past; today the cheapest .45 (French corrosive) goes for about seven cents a round, and surplus .30 carbine and 9mm are unobtainable. Machine guns get such terrible mileage that only a rich right-winger can afford to maintain one anymore.

Typically and traditionally, right-wing extremists have more money than left-wing extremists; also they usually can shoot a lot better. With a good scope rifle properly sighted in, your serious Klansman can "put one in his ear" at 200 yards. But your average Che Guevara radical leftist might be dangerous up to 10 or 15 yards, and the typical liberal would probably shot himself in the foot. (This is the only thing tactically wrong with confrontation politics. It counts too heavily on the willingness of the opposition to act with some measure of restraint. Confrontation politics did not work well in Mexico City, where the bodies went into a mass grave uncounted and unidentified.)

Considering his potential, the native American redneck has been remarkably nonviolent. The Newark North Ward Citizen's Committee may be armed to the teeth, but hasn't shot a soul. The only shots fired so far have been at NWCC leader Tony Imperiale at the Newark police station and naturally they missed everybody. But then a bomb liked to obliterated the local black nationalist headquarters and several people in it.

At the same time, however, the black nationalists are spending their Saturday afternoons at the rifle range, and may be catching up. In terms of firepower, shooting skill, weaponry and willingness, the black man has never been a match for the Klansman. But the soul brother who uses an M–16 in Vietnam may soon be coming home, and he probably won't go back to using anything as Uncle Tom as a straight-edge razor.

The President's Commission on Violence would like to avert a bloodbath, and of course I try to do my job. Noting that the vast majority of homicides result from a dispute with a woman or over a woman, I proposed at first that we register females, not firearms. Discouraged by the reception given this idea. I have suggested that the Firearms Task Force negotiate a profitable sell-out to the National Rifle Association. In return for booze, broads and a few shares of Smith & Wesson stock, we would recommend in our final report: "To arms! To arms! It's every man for himself!"

Unfortunately, the Chicago attorney directing the Firearms Task Force has permitted himself to become the unwitting tool of the life insurance lobby, and refuses to view the gun problem realistically. (Until the Pope approves the Pill, we've got to make do with the pistol.)

The trouble is, everyone else on the commission has a good-paying job to go back to: they can afford to be against violence. But my situation is different. Whenever I hear people on our staff putting down violence. I have to remind them: "Don't knock it, it's a living."

HAWAII: A DECADE OF STATEHOOD

Mr. FONG. Mr. President, 10 years ago this week, Hawaii rejoiced over a historic event in the 86th Congress. After nearly 60 long years, legislation to make Hawaii a State was finally approved.

On March 11, 1959, the Senate passed the Hawaii statehood bill by an overwhelming vote, 76 to 15. The following day, the House approved the bill by an impressive vote of 323 to 89.

Five thousand miles away in Hawaii, the joyous news erupted into the most jubilant celebration since VJ Day of World War II. The emotional explosion came from years of pentup feelings, years of waiting, working, disappointment and disillusionment.

Newspaper extras flashed the dramatic announcement in huge headlines. Civil defense sirens sounded the news; church bells chimed in; ships in the harbor blew their whistles. Government and business offices quickly closed; schools dismissed classes. And dancing began in the streets. At long last, the end of the struggle had come and now only the formalities remained.

A week later, in a ceremony at the White House, President Eisenhower signed the bill, S. 50, into public law. The climax came with refreshing speed once the logjam was broken. Only a few weeks earlier, President Eisenhower had said in his state of the Union message:

> May I voice the hope that before my term of office is ended, I shall have the opportunity and great satisfaction of seeing the 50th star in our national flag.

The swiftness of the climax was in sharp contrast with the extremely prolonged struggle preceding it. For the question of admitting Hawaii to statehood was, as one observer put it:

> Almost studied to death.

It was certainly investigated more intensively and longer than any other statehood proposal to come before Congress.

Beginning in 1903—5 years after Hawaii's annexation to the United States and 3 years after the islands became an incorporated territory—Hawaii, through its legislature, had petitioned Congress for statehood on at least 17 different occasions. Since 1920, at least 66 bills had been introduced in successive Congresses providing for statehood.

Twenty-four hearings had been held, seven of them in Hawaii and the re-

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mainder in Washington. Hundreds of witnesses had been heard, a majority of them traveling to Washington from Hawaii at the Hawaii taxpayers' expense. Thirty-four printed House and Senate hearings produced nearly 7,000 pages of testimony and exhibits.

In June 1947, the House of Representatives passed a Hawaii statehood bill, the first time either House of the Congress had acted on this legislation. The House subsequently passed a Hawaii bill two more times before the final, successsful vote in 1959.

In the Senate, the first breakthrough came in 1950, when the Senate Committee on Interior and Insular Affairs reported favorably on the measure, after public hearings and careful deliberation. But the bill failed to reach the floor of the Senate before adjournment.

In the intervening years until 1959, both Houses of Congress tried but could not move in step to clear the Hawaii bill, until they had first approved legislation to make Alaska the 49th State in 1958.

By this time, pro-statehood forces for Hawaii had marshaled almost unbeatable strength for the final push. There was general sentiment that the time for Hawaiian statehood was long overdue.

Hawaii, said the last Senate committee report on the statehood question in 1959, "is in all ways exceptionally well prepared for statehood." The committee found Hawaii had met the requirements applied in each of the 37 States previously admitted into the Union; namely, that the inhabitants of the proposed new State are imbued with and sympathetic toward the principles of democracy as exemplified in the American form of government; that a majority of the electorate desire statehood; and that the proposed new State has sufficient population and resources to support State government and to provide its share of the cost of the Federal Government.

The Senate committee concluded its report with this call for action:

> Now is the time to prove to all the world that self-determination applies in the United States just as it must apply wherever in the world human nature can be free to follow its course.

And so, on March 11, 1959, with little debate and wholly unprecedented speed, the Senate overwhelmingly passed the Hawaii statehood bill. The next day, the House approved the Senate-passed bill with similar speed and decisiveness.

To win the ultimate victory, Hawaii invested heavily in money, manpower, energy, patience, and determination. What was the reward?

In 1955, a report of the House Interior and Insular Affairs Committee summarized the rights which statehood would accord Americans in Hawaii:

First. The right to full voting representation in both the U.S. Senate and House of Representatives;

Second. The right to vote for the President and Vice President of the United States;

Third. The right to choose their own Governor and to carry on functions of government by their own elected officials instead of Federal administrators;

Fourth. The right to determine the extent of the powers to be exercised by their own legislature;

Fifth. The right to have justice administered by judges selected under local authority rather than by Federal appointees;

Sixth. The right to freedom from overlapping of Federal local authority;

Seventh. The right to an equal share on a per capita basis in Federal grants for education, health, highways, and other public improvements; and

Eighth. The right to a voice in any proposed amendment of the Federal Constitution, as well as on the taxes which the people of the territory must pay.

Looking back now, it is hard to believe that these basic rights were yielded so slowly and almost grudgingly to the people of Hawaii. The people themselves long ago believed they had already earned that right—the right to first-class citizenship on the same footing as Americans of the rest of the country.

The political benefits of statehood are many and vital. But equally as important is the psychological uplift—what one statehood advocate called "the spiritual gain of becoming first-class citizens and achieving that equality which is inherent in our faith and in our time-honored professions that we shall have no colonies, and that in the words of the Founding Fathers, all men were born free and equal." This is a truth easily savored and appreciated by those who endured second-class status as long as Hawaii's people did.

Belated though it was, statehood renewed Hawaii's faith in the democratic process. It demonstrated that this Nation is still firmly dedicated to the principles of self-determination and self-government and that citizens—regardless of their race, color, or creed—who live in an incorporated territory shall be accorded all the privileges of citizenship when they are politically and economically mature.

Statehood also brought tangible, material benefits to the new State. It gave Hawaii an economic boost exceeding the expectations of even the most optimistic observers. Record numbers of visitors were attracted to the islands. They quickly expanded the burgeoning tourist industry. Among them were entrepreneurs with an eye to the tremendous commercial potentials of Hawaii. Their investments broadened the islands' economic base. Some from the continental United States came to stay.

Evidence of the decade of Hawaii's economic growth is seen everywhere—the pace of construction, the growth of the visitor industry, the volume of retail business, employment statistics, the expansion of manufacturing, the growth in Federal expenditures.

Hawaii's economic expansion was even more dramatic than that of the Nation. Moreover, this expansion was shared in some degree by all sectors of the island economy.

Between the last census, in 1960, and mid-1968, civilian population expanded by 24 percent, exactly twice the national rate. At mid-year, the resident population stood at 778,000; by year's end, it was approximately 800,000.

During the same period, the civilian workforce grew by 26 percent, to 295,300 by mid-1968. Employment increased by 25 percent, and unemployment was well below 3 percent.

In 1968 personal incomes in the State reached approximately $2.7 billion, or $3,470 per capita. Expressed in 1961 prices, this was a 21-percent increase in real per capita income over the 7-year period.

Federal spending, by far the largest source of income in Hawaii, reached $838 million in 1967, an increase of $285 million over 1961. Further substantial increase in both Federal expenditures and grants was estimated for 1968.

The visitor industry grew dramatically in the post-World War II years, the average annual rate of increase being 20 percent compounded annually. Visitor spending in 1968 is estimated at approximately half a billion dollars. This growth accounted for the 47-percent rise in tourist-related employment since 1961, compared with a 14-percent expansion in the rest of the private economy.

Inauguration of direct mainland-Hilo flights and common air fares, which permit the tourist to visit all the major islands at $5 an island, have given a tremendous boost to the visitor industries on the neighbor islands. Additional air service provided in the pending trans-Pacific route case should sharply increase the tourist influx.

Substantial as the employment increase has been in tourist-related businesses, employment in scientific research and technology organizations, including computer services, has been growing even faster, an amazing 75 percent from the end of 1964 till mid-1968.

Sugar and pineapple continue to be the agricultural mainstays. Diversified manufacturing has been growing steadily.

Economists see continued rapid expansion of Hawaii's economy in 1969 and beyond.

Statehood has stimulated new trade and commercial opportunities not only within the young State but beyond, to the countries bordering the vast Pacific basin and the many island groups scattered in this largest ocean on the globe.

Hawaii has a large role to play in the future of Asia and the Pacific. The young State has already demonstrated its capabilities, real and potential, in several areas. To name a few, they include: subtropical agriculture, oceanography, education, health, finance and insurance, business and manufacturing, marketing, transportation, communications, and public administration.

As the only island State, Hawaii is strategically located in the middle of the Pacific Ocean which gives a common boundary to five continents and more than 20 countries with over half the world's population. This ocean and its bordering lands hold enormous natural resources which have barely been tapped. Developing countries of this vast area must be helped to use these resources. As for trade with the more advanced Pacific countries, opportunities abound.

For a long time, forward-looking

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thinkers and planners have envisioned a Pacific community to promote the common interests of the nations and peoples bordering the shores of the Pacific. At various times and in their own ways, men with such a vision have taken the first, tentative steps toward creating such a Pacific community.

The new era of the Pacific today impels us to take a fresh look at the possibilities for mutual cooperation in the Asian-Pacific region. Fortunately, Hawaii has already moved ahead to implement the idea in a number of ways. The East-West Center for Cultural and Technical Interchange, located on the University of Hawaii campus, is demonstrating how these links between Americans and Asian-Pacific peoples can be forged. The center was established by Congress a decade ago and its operations are supported by Federal funds; therefore, Congress can be credited with foresight in launching and maintaining this unique national institution.

The Hawaii Legislature has created the State's own international services agency to expand services in Asia and the Pacific. The University of Hawaii is conducting extensive training programs for the Peace Corps and the Agency for International Development. The Pacific Science Association, with headquarters in Honolulu, and the East-West Philosophers Conference represent other forms of interchange which have a long and successful history.

While Hawaii will continue to serve as a major military base for our Nation's defense in the Pacific, the 50th State is conscious of her role in insisting that the United States keep a balanced view of the world. This means building the foundation of an Asian-Pacific community in which the United States will help promote the future peace and progress of this vast region.

America must not forget the reality that our national interests are closely entwined with those of the Asian-Pacific world. America must not turn her back on a region whose impact—for better or for worse—is bound to involve our country to some degree.

How much better for the United States to help develop a stable Asian-Pacific world than to forfeit this chance for constructive action. How much better to help Asians and Pacific islanders to build anew as our contribution to a better world for all.

Thanks to statehood, Hawaii stands ready for a larger role in the establishment of a Pacific community dedicated to peace and progress. One of the strongest arguments made in behalf of Hawaiian statehood was the expectation that the people of Hawaii would enhance America's place in that part of the world. Endowed with a multiracial population with close ties to Asian and Pacific peoples, Hawaii has been contributing the talents, ideas, and energies of her people to their Asian and Pacific neighbors. The 50th State has done much already; we will do even more to carry out our mission as good neighbors.

Hawaii has indeed come a long way since her admission to statehood. The 50th State is deeply grateful to her friends in Congress for making it possible for the islands to achieve this goal and thereby play a larger part in national and international affairs.

Our gratitude is extended also to the countless organizations and individuals who helped us in our struggle for statehood. Without their unfailing encouragement and assistance through the long and arduous campaign, Hawaii could not have progressed to the high point she has reached since statehood.

Our destiny as the crossroads of the Pacific is to serve the Nation in building bridges of understanding, to represent America at her best to the peoples of that far-flung region, and to be a shining example always of democracy at work to peoples everywhere.

In thus serving the United States, we shall keep faith with those who kept faith with us on the long road to statehood.

In closing my remarks, I wish to recall the words of a young Hawaiian minister who delivered a memorable sermon the day after Congress approved the Hawaii statehood bill 10 years ago. The Reverend Abraham K. Akaka spoke of the meaning of "aloha" and of statehood, saying in part:

> We need to see statehood as the lifting of the clouds of smoke, as the opportunity to affirm positively the basic Gospel of the fatherhood of God and the brotherhood of man. We need to see that Hawaii has potential moral and spiritual contributions to make to our nation and to our world. The fears Hawaii may have are to be met by men and women who are living witnesses of what we really are in Hawaii, of the spirit of Aloha, men and women who can help unlock the doors of the future by the guidance and grace of God.
>
> This kind of self-affirmation is the need of the hour. And we can affirm our being, as the Aloha State, by full participation in our nation and in our world. . . .
>
> I feel especially grateful that the discovery and development of our islands long ago was not couched in the context of an imperialistic and exploitive national power, but in this context of Aloha. There is a correlation between the charter under which the missionaries came—namely, "to preach the Gospel of Jesus Christ, to cover these islands with productive green fields, and to lift the people to a high state of civilization"—a correlation between this and the fact that Hawaii is not one of the trouble spots in the world today but one of the spots of great hope. Aloha does not exploit a people or keep them in ignorance and subservience. Rather, it shares the sorrows and joys of people; it seeks to promote the true good of others.
>
> Today, one of the deepest needs of mankind is the need to feel a sense of kinship one with another. Truly all mankind belongs together; from the beginning all mankind has been called into being, nourished, watched over by the love of God. So that the real Golden Rule is Aloha. This is the way of life we shall affirm.
>
> Let us affirm ever what we really are—for Aloha is the spirit of God at work in you and in me and in the world, uniting what is separated, overcoming darkness and death, bringing new light and life to all who sit in the darkness of fear, guiding the feet of mankind into the way of peace.
>
> Thus, may our becoming a State mean to our nation and the world, and may it reaffirm that which was planted in us one hundred and thirty-nine years ago: "Fear not, for behold I bring you good tidings of great joy, which shall be to all people."

This is the Aloha State of Hawaii.

SENTINEL ANTI-BALLISTIC-MISSILE SYSTEM

Mr. SPARKMAN. Mr. President, I have spoken here on several occasions in support of the continued deployment of the Sentinel anti-ballistic-missile system. I have also followed closely the continuing debate on this subject. Let me say in preface to my remarks today that we have seen great Americans speak out on both sides of this debate. As was pointed out by the distinguished majority leader on Friday of last week, this is not a partisan issue that we seek to resolve. It is an issue that has faced both a Democratic and now a Republican administration, and it is one which finds distinguished advocates of both political parties on each side. It is also an issue which vitally affects the security of our country. My judgment remains in favor of the deployment of the Sentinel system.

Opponents of Sentinel appear to center their arguments around the belief that America stands at a crucial crossroad in the path toward arms control and disarmament, and that declining to deploy Sentinel is the only step available to exhibit to the world that America is sincere in its willingness to enter upon meaningful talks with the Soviet Union on this subject.

I believe that we do stand at a critical junction in the road. I think we need to be careful how we proceed, and I think we should seize every opportunity to take those steps that will bring about an effective accord on arms reduction. I just simply do not believe that the deployment of Sentinel violates our need to proceed with caution, nor would it constitute a missed opportunity in our search for arms control.

I find it impossible in my consideration of this matter to overlook, or explain away, the fact that the Soviet Union has already deployed an ABM system. I realize that the Soviet system is reported to be unsophisticated and geographically limited, but the fact remains that it has been deployed—it exists. The Soviet experience, the Soviet technological know-how, the Soviet ability to add to and update an in-place system are accomplished facts.

It is argued that the proper response for the United States to this Soviet-created imbalance in defensive arms would be a further offensive build-up by the United States. As the distinguished Senator from Maryland (Mr. MATHIAS) stated it:

> The proper response should be to: continue to develop techniques for countering the limited ABM system deployed around Moscow, and any other system the Russians, in ignorance or defiance of its futility, should choose to build. These techniques will be effective, and will give our offensive missiles effective superiority over their defenses. For us to continue with the development of these techniques is an important part of our overall national security policy.

The majority leader stated it this way:

> It is argued, for example, that since the Soviet Union is deploying an ABM system around Moscow, we must respond with the Sentinel ABM system. However, the relevant reaction to the deployment of a Soviet ABM is not necessarily an identical action on our part but rather a balancing action. We have,

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> in fact, already responded to the Soviet ABM system. In the fully developed MIRV system we will have assured that whatever defense the Soviet Union might build in the way of an ABM structure, let alone what has actually been deployed, our capacity to penetrate it will be more than sufficient.

When I spoke on this matter last year, I tried to weigh the relative wisdom of an offensive response as opposed to the defensive response presented by Sentinel. I felt then, and I remain convinced, that a response in kind, that is, a defensive response, is the wisest course. It is the only course that will effectively restore the precarious arms balance between this country and the Soviet Union in both defensive and offensive weaponry.

Is it to be our decision that when Russia "thickens" her ABM system, we should beef up our ICBM arsenal? This kind of defensive-offensive, action-reaction spiral could go on and on, and, at some point, the United States will wake up to the fact that, while we have accomplished nothing in the way of arms reduction, we have permitted ourselves to lag far behind in defensive technology and capability.

Opponents of Sentinel all seem to recognize that it was the Soviet Union that embarked upon the provocative course of defensive weapons deployment. They seem also to agree that a response on the part of the United States is appropriate. I cannot understand the logic that will support an offensive response to this new Soviet threat—an increase in the overall destructive capability that exists in our world today—as an appropriate step for us to take, while, at the same time, condemning the defensive response that Sentinel offers as some kind of aggressive refusal to step back from the tragedy of nuclear overkill.

I realize that the United States must have the courage to take that first step toward a more peaceful world. We must be ready to seize any appropriate opportunity to offer leadership in this direction and to contribute to a climate in the world that will enable us to reassemble the priorities that control our Federal budget. I think the opportunity to show that courage, to offer that leadership, and to make that contribution, is open to us in the Nuclear Nonproliferation Treaty. We are all familiar with the provisions of article VI of this treaty. Under article VI, the United States has assumed the commitment to pursue with good faith and urgency new agreements with signatory nuclear weapons states that will hopefully lead to effective arms limitations. This is a meaningful commitment on the part of the United States, and it is one that I hope will receive the ratification of this body. The meaning and significance of this commitment are hardly enhanced by gratuitous retreats from our insistence upon a balance of armament. A failure to deploy the Sentinel system would be just such a gratuitous retreat.

There are other reasons that justify the deployment of Sentinel. They have all been treated extensively in the debate. The possibility of saving 22 million American lives in the event of a Chinese ICBM attack has been repeated time and time again. The protection against an accidental ICBM launch has been covered. I have no desire unduly to prolong the discussion. Let me only say that, in this matter, we deal in ultimates. If the dangers that Sentinel is designed to lessen become a reality—whether they be Russian superiority, Chinese insanity, or tragic accident, there will be no room for a second chance. We deal in ultimates, and our strength and safety lies in at least meeting the military threat that we face.

With all due respect to the distinguished chairman of the Committee on Foreign Relations, I cannot agree with the reasoning of his statement here last Friday wherein he said:

> It seems to me that the whole experience of the human race negates the prospect that peace can be attained by military means. Since the beginning of recorded history that is one proposition which has been tested time after time and been found wanting.

Indeed, history may show that military might in the hands of some has brought the miseries of war upon the peoples of the world. But history will also show that military might in the hands of the United States of America has been the most effective force for peace in two decades of opportunism, harassment, and aggression by an enemy who sought to achieve its purpose through conflict.

Mr. President, it is reported that the new administration will make known its position on this matter in the very near future. I urge the President to express the support of his administration for the continued deployment of the ABM system.

THE INDIAN CLAIMS COMMISSION: ADDRESS BY HON. THEODORE R. McKELDIN

Mr. MATHIAS. Mr. President, the American commitment to justice is expressed and advanced in many ways. One important agency of justice which has not received enough public notice or understanding is the Indian Claims Commission. This body, created by Congress in 1946, is charged with passing on the validity of claims against the United States by Indians, whether individually or as tribes. The Commission should not be confused with the Bureau of Indian Affairs, for the Commission's work is legal—investigatory, mediatory, and judicial—but in no way involved with the day-to-day administration of current American policy toward American Indians.

In a recent address to the Maryland Sportsmen's Luncheon Club, Hon. Theodore R. McKeldin, a member of the Commission, and a former Governor of Maryland—outlined cogently the panel's mandate and the challenges it faces in attempting to resolve claims which may date back many generations and require difficult legal, historical and even archeological research. As Governor McKeldin summarized, the Commission's work is an attempt to "do the decent thing" and to promote, in this particular area, our national commitment to justice and fairplay.

Mr. President, Governor McKeldin is uniquely well qualified for this exacting and important work. He brings to the Commission a long and outstanding record of public service, including two terms as Governor of Maryland and two terms as mayor of Baltimore. His legal ability and attention to detail are noteworthy. Above all else, he has expressed in word and deed, throughout his career as a public servant, a deep commitment to justice and a compassionate understanding of the need for Government to aid those citizens who have been denied equal justice and their full rights.

Because Governor McKeldin's address deserves wide attention, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY THEODORE R. MCKELDIN, MARYLAND SPORTSMEN'S LUNCHEON CLUB, EMERSON HOTEL, TUESDAY, FEBRUARY 25, 1969

One of my reasons for accepting your invitation to appear here today is to try to clear up the confusion that appears to exist in many otherwise well-informed minds between the Indian Claims Commission and the Bureau of Indian Affairs.

The Bureau of Indian Affairs is an administrative organization of the Department of the Interior, responsible to the Secretary of that Department for the management of relations of the United States government and the Indians.

The Indian Claims Commission is an independent agency, responsible, not to the Secretary of the Interior, but directly to Congress. Its function is to pass upon the validity of claims against the government of the United States by Indians, whether individually or as tribes. Although it has been in existence for 23 years, it is technically a temporary organization, not a permanent agency of the government. Its work is in part judicial, in part mediatory, but not at all administrative.

It came into existence in 1946 because Indian claims had been piling up ever since 1775, when the Continental Congress assumed jurisdiction over Indian affairs. After 171 years there were more than 600 still not adjudicated and their existence had become a scandal. An Indian could not sue in the Court of Claims without special permission of Congress, which meant that the plainest justice was often interminably delayed—and it is more than an adage, it is dismal truth, that justice delayed is justice denied.

It was to reduce this crying scandal that Congress set up an independent agency, giving it some of the powers of a court of law, some of a court of arbitration, and very wide powers as to the admission of evidence, but none of the powers of the Bureau of Indian Affairs to deal with the daily life of contemporary Indians. If some present-day successor of Chief Black Hawk, or Chief Sitting Bull is treating his fellow-tribesmen shockingly, that is no affair of the Indian Claims Commission, which is concerned only with possible frauds prepetrated before 1946.

That is to say, it is primarily a legal agency. That is why the law provides that three of its five members must be attorneys who are not merely qualified, but have been admitted to practice before the Supreme Court. Its decisions, unless reversed or modified on appeal, have the force of a decision of the Court of Claims, but it sits rather as a court of equity than strictly as a court of law. In establishing the Commission, Congress was not establishing another court for the rigid application of law, but an instrument for doing substantive justice to claimants who might have been betrayed, either by their own ignorance of the white man's law, or by shrewd crooks seeking to line their own pockets.

It was believed that the fact that the original victims and the crooks may both have been dead and gone these many years did not absolve the United States from responsibility. In an important sense the business of the Commission is not so much to benefit the Indians as to clear the skirts of the republic of the stains of ancient wrong.

With this in mind Congress went to extraordinary lengths to prevent the Commission from becoming a political football. No more than three of the five members may belong to the same political party. No member of the Commission may, during his term of office, practice any other profession or gainful occupation. No former member may plead before the Commission, either for or against any claimant, until the expiration of two years after he has left office. No member of either House of Congress shall appear before the Commission during his term of office, no matter whether he supports the claimant or the government.

On the other hand, the Commission is given unusual latitude in seeking to establish substantial justice rather than technically correct legality. As much valuable property was known to be involved, it was assumed that some bold impostors would seek to establish fraudulent claims, and so it proved. By the end of the last fiscal year, out of the 600-odd cases dumped upon it in 1946, the Commission has found 133 entirely without merit and had dismissed them. That dismissal, unless reversed on appeal, bars any further legal action in those cases.

But in 123 cases, a slightly smaller number, the Commission has found that the claims had some justification and has so certified to the Court of Claims, naming a settlement that it deems fair to both claimant and government. Without further action that certification is legal authorization for Congress to appropriate the necessary money to make the payment.

That leaves rather more than half the cases still unsettled. The reasons for the slow progress are various, but the great one is simply the age of many of the claims. No claim arising since 1946 is considered and, of those that date earlier, none that was not filed before 1951 can be brought before the Commission, which means that no claim can be less than 18 years before it. If this sounds a bit like Dickens' fictional lawsuit of *Jarndyce & Jarndyce,* that dragged interminably through the court of Chancery, there is one tremendous difference—in the novel, the whole estate was consumed by the costs of litigation, but the American Indian, if he can establish even a fair color of right, will have it carefully and thoroughly investigated by the Commission, and even if he employs counsel on his own, the Commission will restrict the counsel's fees to a small proportion of the sum recovered.

But when a claim goes back a hundred years the task of establishing the truth about it is almost incredibly difficult. All the witnesses are long dead, the records are always scanty and often unreliable, and the establishment of a clear title is often flatly impossible. In such cases the Commisison must decide on the weight of evidence drawn from innumerable sources, not merely written history, but the findings of archaeology, anthropology, languages, and a dozen other sciences. In veiw of the sums involved—over 250 millions in cases already adjudicated—all this must be examined with great care.

Of course it is slow work and legal training is only the first of the necessary qualifications. Success in it requires also much experience in weighing evidence, not merely documentary evidence, but also the testimony, often contradictory, of equally distinguished experts in many fields of learning.

But slow as it is, difficult as it is, expensive as it is, the work is worth doing because it is an honest effort to vindicate the good name of our country. We require our children to salute it as a country "with liberty and justice for all". We know that that is not absolutely true, and we know that in this imperfect world it can never be made absolutely true. But if we omit no effort to make it as nearly true as it is humanly possible to make it, we shall have done our part, and have nothing for which to apologize.

This effort to do justice, however belated, to the descendants of the population we displaced and very nearly wiped out is, I believe, an exceptionally pure demonstration of the reverence for abstract justice which I choose to believe is a part of the American character. Nothing compelled us to do it except the driving power of our own consciences. We know that this race—in which, by the way, the law includes the Eskimos and Aleuts of Alaska—in its primitive days had the misfortune to come into collision with a far more advanced and more powerful civilization. When two civilizations crash, the weaker inevitably goes down, and so did the Indian population of America. Estimated at about 800,000 in 1492, by 1899 it had sunk to hardly more than 250,000.

But the white man, while overwhelmingly more powerful, was not utterly ruthless. The evidence is the fact that today there are half a million Indians living in this country.

I don't claim that the record is anything like perfect. Long before I became a member of the Commission I had visited many Indian communities some, but not all, on reservations, and I have seen with my own eyes how hard life is in many such places. But it is being slowly, but steadily bettered, not through the efforts of our Commission, but through those of the Bureau of Indian Affairs. However, settlement of the just claims of the Indians will speed up the work of the Bureau.

I maintain, therefore, that you who are American citizens and taxpayers can take just pride in it. I am not here to make the eagle scream with foolish boasts about how high and noble we Americans are. You would be right to laugh at me if I tried it, for the faults and failing of our government are many and very conspicuous. So, indeed, are those of every other government. All I wish to do is to put a thought in your minds that you may recall some day when you are really down-in-the-mouth, when you are outraged by some governmental activity that you thoroughly disapprove, half persuaded that the whole thing is rotten to the core, and that the beacon to mankind that we lighted in 1776 is sputtering out in smoke and an evil smell.

Then bring to your mind this proof that it isn't all bad. Here is at least one small effort—and I assure you, there are many others that we seldom think of—to do the decent thing by a group of people far too small and weak to compel us to do anything. We are doing it, not because anybody can make us, but simply because it is right. These, too, are human beings and are entitled to be so treated.

Think of that when you are feeling low, and I think your spirits will rise, for you will know that we are doing at least a little something to realize the prayer for America in the old song:

> "And crown thy good with brotherhood
> From sea to shining sea."

EXECUTIVE SESSION

The Senate resumed the consideration of executive business.

TREATY ON THE NONPROLIFERATION OF NUCLEAR WEAPONS

The Senate resumed the consideration of Executive H, 90th Congress, second session, the Treaty on the Nonproliferation of Nuclear Weapons.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I believe I have already touched all the bases, but I ask unanimous consent that the vote on the pending Ervin reservation occur at 2:30 this afternoon and that 10 minutes previous to that time be divided equally between the distinguished Senator from Arkansas (Mr. FULBRIGHT) and the distinguished Senator from North Carolina (Mr. ERVIN).

Mr. JAVITS. Mr. President, I have no objection. However, I wonder whether I might have a couple of minutes time to talk on the matter. I was not present yesterday. I would prefer to have the time before then.

Mr. MANSFIELD. Surely.

The PRESIDING OFFICER. Is there any objection? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, it is the assumption of the leadership, and I hope it will be done—and I see no reason why it cannot be done—that the distinguished senior Senator from Arkansas (Mr. McCLELLAN), who will shortly speak on another subject, as in legislative session, will not exceed 1 hour. He will be followed by the Senator from Tennessee (Mr. GORE), also as in legislative session.

Mr. McCLELLAN. That is correct.

Mr. TYDINGS. Mr. President, I wish to speak in support of immediate Senate ratification of the Treaty on the Nonproliferation of Nuclear Weapons. It has been more than 8 months since President Johnson signed the treaty in Washington. Twice during this period the Senate Foreign Relations Committee has held extensive hearings on the merits of this pact, and twice it has recommended that the Senate give its advice and consent to ratification. Surely, with the political uncertainties of the presidential elections past and President Nixon's recent endorsement of the treaty, there is no reason to delay action on this pressing matter any longer.

The Nonproliferation Treaty contains four major provisions: First, nations currently possessing nuclear weapons are prohibited from transferring nuclear weapons or weapons capability to nations not now in possession of them; second, nations without nuclear arms are bound not to acquire or manufacture their own nuclear weapons in the future; third, nuclear nations are pledged to facilitate the exchange of information, materials, and equipment for the peaceful uses of nuclear power, and to assure the nonnuclear states access to the benefits of the peaceful applications of nuclear explosive devices; and, fourth, article VI of the treaty commits all parties to pursue negotiations in good faith to put an end to the arms race and work toward eventual nuclear disarmament.

In the view of the Joint Chiefs of Staff, the past and present Secretaries of State, the past and present Secretaries of Defense, and numerous other experts from the fields of diplomacy and defense who testified during the Senate hearings on the treaty, none of these provisions would endanger U.S. security in any way. Commenting on the treaty and its effect

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on American security, General Wheeler, Chairman of the Joint Chiefs of Staff, explained during last fall's hearings:

> At the initiation of treaty discussions, the Joint Chiefs of Staff formulated certain principles relating to national security that should not be violated by such a treaty. First, we believe that any international agreement on the control of nuclear weapons must not operate to the disadvantage of the United States and our allies. Secondly, it must not disrupt any existing defense alliances in which the United States is pledged to assist in protecting the political independence and territorial integrity of other nations. These principles have been observed.

It is estimated that 20 or more countries will have the capacity to produce nuclear weapons within the next decade. One need only contemplate a world in which many of these countries possess nuclear bombs or warheads and the means to deliver them to recognize the enormous dangers that will confront us if we fail to halt the spread of nuclear weapons now.

Each nation to join the circle of those possessing nuclear weapons will increase international instability and add to the possibilities of nuclear exchange. Volatile regional rivalries will acquire the terrible new dimension of being able to move the world toward nuclear holocaust. There will be no stability anywhere when nuclear weapons might be used between Egyptians and Israelis over Suez, between Greeks and Turks over Cyprus, between Indians and Pakistanis over Kashmir.

Some opponents of the treaty have argued that the spread of nuclear weapons would not significantly increase international instability. They contend that the relative stability of the current United States-Soviet "balance of terror" could be preserved through a multination system of mutual deterrence.

What they fail to understand is that the stability present in the United States-Soviet nuclear confrontation is conditional upon the fact neither country has a first-strike capability—that is, neither country can launch a nuclear attack without the certainty that it will be devastated by the second strike capability of the other.

The nations likely to acquire nuclear weapons in the coming decade in the absence of an effective nonproliferation agreement will not invest the enormous sums of money in the hardened missile sites and missile-launching submarines required for a credible second-strike capability. In situations in which one of these nations feels threatened, the temptation will be strong to employ its nuclear weapons preemptively and destroy a potential enemy before it can strike. For against each other, these second-generation nuclear nations will possess a first-strike capability.

Thus, the end result of failure to stem the spread of nuclear weapons will be a vastly increased probability of nuclear exchange and the outbreak of world war III.

In addition, nuclear proliferation will make the task of arms control and nuclear disarmament incomparably more difficult and complex—perhaps impossible.

Mr. President, when we ratified the Nuclear Test-Ban Treaty in 1963, we hailed it not only for its specific benefits but as "the first step in a journey of a thousand miles." Six years have passed and it is time for a second step, the ratification of the Nonproliferation Treaty.

This treaty represents a major milestone in our efforts to bring the atom under control—efforts which the United States initiated at the birth of the atomic age. Ratification will permit the nations of the world to intensify their efforts to tap the enormous power of the peaceful atom without fear that this power will be diverted to destructive purposes.

In his last book, "To Seek a Newer World," Robert Kennedy wrote:

> This generation has unlocked the mystery of nature, henceforth all men must live with the power of complete self-destruction. This is the power of choice, the tragedy and the glory of man.

It falls to us to make sure mankind chooses survival. Ratification of the Nuclear Nonproliferation Treaty is a meaningful step in that direction.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORGANIZED CRIME IN THE UNITED STATES

Mr. McCLELLAN. Mr. President, on January 15, 1969, I introduced S. 30, the "Organized Crime Control Act of 1969," which was cosponsored by the Senator from Nebraska (Mr. Hruska) and the Senator from North Carolina (Mr. Ervin). At that time, I indicated that I would at a later date discuss the subject of the growth of organized crime in the United States and explain in greater detail the provisions of S. 30.

At this point, Mr. President, I ask unanimous consent that, at the next printing of the bill, the name of the distinguished Senator from Alabama (Mr. Allen) be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

I. DEVELOPMENT OF ORGANIZED CRIME

Mr. McCLELLAN. Mr. President, Americans have had to contend with some form of organized crime since the founding of our Republic. We tend to forget, or perhaps romanticize, the early pirates, the revolutionary smugglers, the 19th-century frontier marauders, and the mobs of our fledgling cities, but we must not forget that these groups were the frontrunners of today's sprawling criminal cartels.

The late 19th and early 20th centuries, moreover, saw the rise of the great citywide gang combinations and the intense rivalry of these groups which led to open gang wars in the era of prohibition. As important as these early beginnings were, nevertheless, it remained for Charles "Lucky" Luciano, the great consolidator, to bring the various factions together, and, through the unique strength of La Cosa Nostra's familylike structure, forge the confederation that today is dominant in organized crime everywhere. And it is this confederation, which today epitomizes, if it does not exhaust, the concept of organized crime, that must be understood if organized crime in the United States is to be understood.

II. INTERNAL STRUCTURE OF ORGANIZED CRIME

The most influential core groups of organized crime, the "families" of La Cosa Nostra, operate in New York, New Jersey, Illinois, Louisiana, Michigan, Pennsylvania, and Rhode Island. Director of the Federal Bureau of Investigation, J. Edgar Hoover, has estimated overall strength of these groups at 5,000, of which 2,000 are in the New York area alone. These groups, coupled with their allies and employees, constitute the heart of organized crime in the United States at this time.

Mr. President, I ask unanimous consent that a chart, listing the principal "families" by the name of the leader and area of activity, be printed as exhibit 1 in the Record following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. McCLELLAN. Each of these 22 core groups is known as a "family." Membership varies from 700 down to 20. Most cities have only one family; New York City has five. Family organization is rationally designed with an integrated set of positions geared to maximize profits and to protect its members—particularly its leadership—from law enforcement activity. Unlike the criminal gangs of the past, the organization functions regardless of individual personnel changes; no one individual is indispensable. The killing of Jesse, for example, virtually ended the James gang; the deportation of Luciano merely resulted in the leadership of his New York family passing to Vito Genovese, who only recently died in a Federal prison.

The hierarchical structure of the families closely parallels that of Mafia groups that operated for almost a century on the island of Sicily. Each family is headed by a "boss," whose primary functions are the maintenance of order and the maximization of profit. Beneath each boss is an "underboss." He collects information for the boss; he relays messages to him and passes his instructions to underlings. On the same level with the underboss is the "consigliere," who is often an elder member of the family, partially retired, whose judgment is valued. Below him are the "caporegime," who serve either as buffers between top men and lower level personnel or as chiefs of operating units. As buffers, they are used to maintain insulation from the investigative procedures of the police. To maintain their insulation, the leaders avoid direct communication with the workers. All commands, information, complaints, and money flow back and forth through buffers.

The need to be able to intercept or

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overhear these otherwise inaccessible communications, as it is now permitted under title III of the Omnibus Crime Control Act of 1968, is abundantly clear, for the leaders perform no criminal overt acts that can be witnessed by the police or citizens, who are not involved themselves. Live testimony from insiders is rare and incriminating documents are seldom kept or rarely accessible. Therefore, some substitute, such as the product of electronic surveillance, is crucial. I am thus heartened that the new Attorney General has promised to reverse the policy of his predecessor and to use this anticrime weapon that Congress enacted last year.

I am concerned, however, that the decision of the Supreme Court yesterday, in Alderisio against the United States, may have the tendency—if not the effect—to destroy the efficacy of this method of detection and of gathering evidence. I hope that is not the purpose and the intent of the Court. I hope, too, that title III of the omnibus crime bill of last year will be held valid and that this instrumentality will be made available to our law enforcement officials, particularly for use in combating organized and syndicated crime. I shall on a later occasion discuss what, if any, legislative action is open to use to mitigate the possible harmful effects of the case.

Below the caporegime are the "soldati" or the "button" men. They actually operate the particular illicit enterprise, using as their employees the street-level personnel of organized crime. These employees, however, have little insulation from the traditional police operations of patrol and detection. They are those who are most often arrested, for, as the President's Crime Commission noted, they "take bets, drive trucks, answer telephones, sell narcotics, tend the stills, work in the stills, or operate legitimate businesses."

There is a tendency to view organized crime as embracing only those groups engaged in gambling, narcotics, loan sharking, or other illegal businesses. This is useful since it distinguishes ad hoc youth gangs, groups of pickpockets, and professional criminals generally. Nevertheless, there are at least two aspects of high level organized crime that characterize it as a unique form of criminal activity. To this degree, the nature of organized crime is independent of any particular criminal activity.

Two positions in the organized crime group make it substantially different from other criminal operations: the "enforcer" and the "corruptor." Other criminal groups that operate together over a period of time may allocate functions among particular members. But these two positions are not routinely found in other criminal groupings. It is on this basis, therefore, that organized crime groups differ from professional criminal groups generally; it is on this basis, too, that the unique challenge presented by organized crime must be evaluated.

The "enforcer's" duty is to maintain organizational integrity by arranging for the maiming and killing of recalcitrant members or potential witnesses against the group. J. Edgar Hoover, for example, testified about a "particular case where they kidnaped a man they thought was not to be trusted." He said:

> They hung him on a butcher's hook for three days and tortured him until he died.

Today, however, most of the destructive energies of organized crime are no longer dissipated on internal strife; they are concentrated on its outside enemies. The scope of the violence for which organized crime has been responsible is aptly illustrated by the number of known gangland killings in Chicago. Since 1919, there have been over 1,000 such murders, and while the police clearance rate for homicides generally approaches 90 percent, here only a handful have been solved. This is an intolerable degree of immunity from legal accountability. Judge J. Edward Lumbard was right when he observed that this state of affairs denies to the law abiding "due process of law."

The "corruptor," on the other hand, seeks to establish relations with those public officials and other influential persons whose assistance is necessary to achieve the organization's overall goals. Through these positions, each group seeks to guarantee its continuing existence. Each represents a defense mechanism against the various attempts of society to control the group. Viewed negatively, these functions protect the group; viewed positively, these functions threaten society.

The highest ruling body of the 22 families is the commission. This body serves as a combination legislature, supreme court, board of directors, and arbitration panel. The commission is the ultimate authority on organizational and jurisdictional disputes. Only the Nation's most powerful families compose it, but it has authority over all. Its composition has varied from nine to 12 men. Currently, seven families are represented: three from New York City, one each from Philadelphia, Buffalo, Detroit, and Chicago. The commission is not a representative or elected body. Members are not equals. Those with longer tenure, larger families, or greater wealth, all exercise more authority and command greater respect.

III. GAMBLING

Organized crime, which has, of course, never limited itself to one particular activity, finds its greatest source of revenue today in syndicated gambling. Its estimated annual net take is placed at $7 billion.

Professional gambling ranges from simple lotteries to bookmaking on horse or sports events. Most large slum areas, for example, have within them some form of a lottery known as numbers. Bets are placed on any three-digit numbers from one to 1,000. The mathematical odds of winning are 1,000 to one. Yet seldom, however, is the payoff over 500 to one, and then, on cut numbers, which are played more frequently than others, usually for superstitious reasons, it is even less. The gambler thus seldom gambles. In addition, he hedges his bet by a complicated layoff system. Assuming an honest payoff—often not the case—the ultimate effect of the racket is to drain the work income of slum residents away from food, clothing, shelter, health, and education.

The professional bookmaker, on the other hand, has at least the virtue of exploiting primarily those who can afford it. Yet he seldom gambles either. He gives track odds or less without track expenses, pays no taxes, is invariably better capitalized or "lays off" a certain percentage of his bets with other gamblers, takes credit bets to stimulate the play, and finally may even fix the event by corrupting private and professional sports.

Police enforcement of existing laws against the gambling operator is widely hampered by the use of such innovations as "flash paper." Records of gambling operations are often kept on this highly combustile paper which is immediately ignited with the touch of a cigarette. I note, too, that the U.S. Navy is only now placing some of its classified documents on paper of this type, which instead of igniting, dissolves when placed in water. Called "rice paper," its use has been common in organized crime gambling activity for years. It is surely an ironic commentary on our National Government that the forces of organized crime could be considered either technologically more advanced or more innovative.

IV. NARCOTICS

Next to professional gambling, most law-enforcement officials agree that the importation and distribution of narcotics, chiefly heroin, is organized crime's major illegal activity. Its estimated take is $350 million a year. More than one-half of the known heroin users are in New York City. Others are located primarily in our other large metropolitan areas, including Chicago, Los Angeles, Detroit, Philadelphia, Baltimore, Newark, and, as we all know only too well, Washington, D.C. Within the cities, addiction is generally concentrated in areas with low average income, poor housing, and high delinquency rates. The addict himself is likely to be male, 21 to 30, poorly educated, unskilled, and a member of a disadvantaged minority group. Addiction today, unlike yesterday, is largely a disease of the decaying inner city. The death toll from narcotics in New York City alone runs over 100 per year.

Nevertheless, Mr. President, more than the addict himself is involved. The cost of narcotics varies, but it is seldom low enough to permit the typical addict to obtain the money for drugs by lawful means. Estimates of the percentage of the street theft in our large cities caused by addiction run to 50 percent; although the figure cannot be accurately assessed, it is clear that it is high. Thus, addiction in the ghetto seriously affects the quality of life in the whole city.

Recent surveys of attitudes of people living in the Harlem and Watts areas of New York City and Los Angeles, for example, ranked crime and drug addiction with housing and economic conditions as the most serious problems faced in the ghetto.

There is, of course, a need for social action in the direction of the medical and psychological treatment of the addict himself and the general improvement of the social environment that

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helps to produce him. In recognition of this need, I introduced 3 years ago S. 2191, which became the Narcotic Addict Rehabilitation Act of 1966. Although two-thirds of the men and 90 percent of the women now serving time here in the District are addicts, for the most part hooked on heroin, little has been done to implement this act. Myrl Alexander, of the Federal prison system, puts at 600 cases per year the estimated annual commitment ability under this act, yet the program took in only 305 individuals from October 1967 through June 1968. It certainly has not received the kind of priority treatment we might have expected. As with title III's grant of wiretapping authority, the Department of Justice has indeed picked and chosen what it would implement.

The narcotic traffic on the east coast is run by organized crime, and the product is European in origin. Grown in Turkey, diverted from legitimate markets, refined in the Near East and France, the heroin is finally smuggled into the United States. The importers, generally top men in organized crime, do not handle and seldom see a shipment of heroin; their role is strictly supervisory and financial. Note, again, the absence of overt criminal acts subject to observation using traditional patrol or detective techniques of investigation. Fear of retribution, which can be swift and final, and a code of silence protect them from exposure. Through persons working under their direction, the heroin is distributed to high-level wholesalers; low-level wholesalers are at the next echelon; finally, pushers, often addicts, and the addicts themselves make up the last rung. Law enforcement is at all levels difficult, most difficult at the highest. The classic police functions of patrol and detection, traditionally understood, have had little impact on the traffic. Dangerous undercover operations and the use of informants, who work from the inside, are essential. The top men are hard to identify; they always have a shield of people in front of them, and by not handling the drugs, they incur no direct liability for possession, sale, or other prohibited acts. Generally, they are vulnerable only through the conspiracy laws, and this requires live testimoy of an insider or a substitute. There are no overt acts for the police or citizens, otherwise not involved, normally to observe.

V. LOAN SHARKING

Most law-enforcement officials agree that loan sharking is organized crime's next major illegal activity. Its estimated take is $350 million a year. Like narcotics, loan sharking is organized in a hierarchial structure. At the top is the boss who lends to trusted lieutenants large sums of cash usually at the rate of 1 percent per week. Under the lieutenants are street-level loan sharks, who deal directly with the debtors. The rate varies, but is normally 5 percent per week. Occasionally, the lieutenant will make large loans himself—in the neighborhood of $1 million. The setup also involves "steerers," who will direct possible borrowers to the loan sharks. These individuals can be anyone who comes into contact with large numbers of people.

Finally, there is the "enforcer," who sees to it that the debts are paid. The victims of loan sharks come from all segments of society: The professional man, the industrialist—particularly in the areas of high competition like the garment industry—contractors, stock brokers, bar and restaurant owners, dockworkers, laborers, narcotic addicts, bettors, and bookmakers themselves. There is an indication, too, that the loan shark, through his financing services, makes possible many of the activities of professional criminals not directly associated with organized crime. The professional, moreover, accounts for a substantial proportion of certain categories of so-called "street crime," particularly theft. Again, we see the close relation between street and organized crime.

Only two prerequisites are required to make anyone a potential victim of a loan shark: a pressing need for ready cash and no access to regular channels of credit—thus demonstrating the exploitive character of organized crime. Repayment is compelled by force. Often debtors in over their heads are pressed into criminal acts to pay off, including embezzlement, acting as a numbers writer, or a fingerman for a burglary ring.

VI. INFILTRATION OF LEGITIMATE BUSINESS

Legitimate business is another area into which organized crime has begun most recently and widely to extend its influence. In most cities, it now dominates the fields of jukebox and vending machine distribution. Laundry services, liquor and beer distribution, nightclubs, food wholesaling, record manufacturing, the garment industry and a host of other legitimate lines of endeavor have been invaded and taken over. The Special Senate Committee To Investigate Organized Crime in Interstate Commerce, under the leadership of Senator Estes Kefauver, noted in 1952 that the following industries had been invaded: advertising, amusement, appliances, automobile, baking, ballrooms, bowling alleys, banking, basketball, boxing, cigarette distribution, coal, communications, construction, drugstores, electrical equipment, florists, food, football, garment, gas, hotels, import-export, insurance, jukebox, laundry, liquor, loan, news services, newspapers, oil, paper products, radio, real estate, restaurants, scrap shipping, steel surplus, television, theaters, and transportation.

Often it is the small or marginal businessman who is most easily subject to invasion by organized crime. Organized crime seems to act like a vulture that preys on those otherwise made vulnerable by many of the economic developments of the last half century. It is most disturbing, however, to hear, as we have recently from New York Stock Exchange President Robert W. Haack, that there is a question whether or not organized crime may have begun to penetrate securities firms and the stock exchange itself. Apparently, no area of business activity is immune from its grasping claws.

Control of business concerns has been acquired by the sub-rosa investment of profits acquired from illegal ventures, accepting business interests in payment of gambling or loan shark debts, but, most often, by using various forms of extortion. Usually, after takeover, such defaulted loans are liquidated by professional arsonists burning the business and then collecting the insurance or by various bankruptcy fraud techniques, which are called "scam." An estimated 250 such scam operations are pulled off each year, netting around $200,000 per job. Often, however, the organization, using force and fear, will attempt to secure a monopoly in the service or product of the business. When the campaign is successful, the organization begins to extract a premium price from customers. Purchases by infiltrated businesses are always made from specified allied firms. With its extensive infiltration of legitimate business, organized crime thus poses a new threat to the American economic system. The proper functioning of a free economy requires that economic decisions be made by persons free to exercise their own judgment. Force or fear limits choice, ultimately reduces quality, and increases prices. When organized crime moves into a business, it usually brings to that venture all the techniques of violence and intimidation which it used in its illegal businesses. Competitors can be effectively eliminated and customers can be effectively confined to sponsored suppliers. The result is more unwholesome than other monopolies because the newly dominated concern's position does not rest on economic superiority.

VII. TAKEOVER OF LEGITIMATE UNIONS

Closely paralleling its takeover of legitimate businesses, organized crime has moved into legitimate unions. Control of labor supply through control of unions can prevent the unionization of some industries or can guarantee sweetheart contracts in others. It provides the opportunity for theft from union funds, extortion through the threat of economic pressure, and the profit to be gained from the manipulation of welfare and pension funds and insurance contracts. Trucking, construction, and waterfront entrepreneurs have been persuaded for labor peace to countenance gambling, loan sharking and pilferage. All of this, of course, makes a mockery of much of the promise of the social legislation of the last half century.

VIII. SUBVERSION OF DEMOCRATIC PROCESSES

To exist and to increase its profits, Mr. President, organized crime has found it necessary to corrupt the institutions of our democratic processes, something no society can long tolerate. Today's corruption is less visible, more subtle and therefore more difficult to detect and assess than the corruption of the prohibition and earlier eras. Organized crime operates even in the face of honest law enforcement, but it flourishes best in a climate of corruption. As the scope of organized crime's activities has expanded, its efforts to corrupt public officials at every level of government have grown. For with the necessary expansion of governmental regulation of private and business activity, its power to corrupt has given organized crime greater control over matters affecting the everyday life of each citizen. The potential for harm

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today is thus greater if only because the scope of governmental activity is greater.

At various times, organized crime has been the dominant political force in such metropolitan centers as New York, Chicago, Miami, and New Orleans. Only fortuitous circumstances prevented its takeover of Portland, Oreg., and Kansas City, Mo. Smaller communities such as Cicero, Ill., and Reading, Pa., have been virtual baronies of organized crime. This list of examples could be extended almost indefinitely.

A political leader, legislator, police officer, prosecutor, or judge who owes allegiance to organized crime cannot render proper service to the public. Such an individual is no longer a public servant, selected by and accountable to the people, as democracy demands; he is the servant of a small class of professional criminals. Accustomed to accepting bribes from a criminal organization, such public servants will soon begin to expect side payments for acts done in the usual course of business. Such an official will soon lose any sense of allegiance to the public or to the moral standards which good government demands.

IX. UNDERMINING THE SOCIAL STRUCTURE

Organized crime seriously affects the quality of American life in yet another way. Mr. Justice Brandeis in his classic dissent in *Olmstead* v. *United States* (277 U.S. 438, 485 (1928)), rightly suggested:

> Our Government is the potent, the omnipresent teacher. For good or for ill, it teaches the whole people by its example.

Justice Brandeis spoke in the context of lawless law enforcement. There is, however, another way in which government teaches by example. Its failures, too, do not go unnoticed, especially among the young, who see what we do and seldom listen to what we say. Unlike other successful criminals who operate outside of an organization and who require anonymity for success, the top men in organized crime are well known both to law enforcement agencies and to the public. In earlier stages of their careers, they may have been touched by law enforcement, but once they attain top positions in the rackets, they acquire a high degree of immunity from legal accountability. The National Advisory Commission on Civil Disorders described the impact of this process on the child of the ghetto in these terms:

> With the father absent and the mother working, many ghetto children spend the bulk of their time on the streets—the streets of a crime-ridden, violence prone and poverty-stricken world. The image of success in this world is not that of the "solid citizen," the responsible husband and father, but rather that of the "hustler" who takes care of himself by exploiting others. The dope seller and the numbers runner are the "successful" men because their earnings far outstrip those men who try to climb the economic ladder in honest ways.
>
> Young people in the ghetto are acutely conscious of a system which appears to offer rewards to those who illegally exploit others, and failure to those who struggle under traditional responsibilities. Under these circumstances, many adopt exploitation and the "hustle" as a way of life, disclaiming both work and marriage in favor of casual and temporary liaisons. This pattern reinforces itself from one generation to the next, creating a "culture of poverty" and an ingrained cynicism about society and its institutions.

As part of organized crime, an ambitious young man thus knows that he can rise from bodyguard and hood to pillar of the community, giving to charities dispensing political favors, sending his boys to West Point and his girls to debutante balls. The result of all of this was summed up by the President's Crime Commission in these terms:

> In many ways organized crime is the most sinister kind of crime in America. The men who control it have become rich and powerful by encouraging the needy to gamble, by luring the troubled to destroy themselves with drugs, by extorting the profits of honest and hardworking businessmen, by collecting usury from those in financial plight, by maiming or murdering those who oppose them, by bribing those who are sworn to destroy them. Organized crime is not merely a few preying upon a few. In a very real sense it is dedicated by subverting not only American institutions, but the very decency and integrity that are the most cherished attributes of a free society. As the leaders of Cosa Nostra and their racketeering allies pursue their conspiracy unmolested, in open and continuous defiance of the law, they preach a sermon that all too many Americans heed: The government is for sale; lawlessness is the road to wealth; honesty is a pitfall and morality a trap for suckers.

Mr. President, if we do not reverse the trend of growth of the menace to our society, it, an enemy within, will surely destroy us.

X. LAW ENFORCEMENT

Mr. President, up until this point, I have discussed the development and impact of organized crime in the United States. I should now like to turn my attention to the attempts of law enforcement, chiefly the Federal effort, to arrest and reverse its growth.

To understand the administration of criminal justice in our Nation today, we must first understand the problems of the administration of justice in a stable, homogeneous, pioneer, primarily agricultural community of the first half of the 19th century and the difficulties involved in meeting those problems with the legal doctrines and institutions inherited from 17th- and 18th-century England. We must then understand the problems of the administration of justice in our mobile, modern, heterogeneous, urban, industrial community of today and the difficulties involved in meeting those problems with legal doctrines and legal institutions first inherited from England and then adapted to an American society of the last century.

We inherited from England a medieval system of sheriffs, coroners, and constables, devised originally for a rural society, but easily adapted to pioneer rural conditions. We had no professional police force then. Its emergence, moreover, was slow. The Colonies at first adopted the British constabulary-night watch system, which consisted of isolated constables in the daytime and night watchmen in the evening. Not until 1844 was a unified day and night police force established, first in New York City. The primary function of these police force officers was patrol, the maintenance of peace and order on the street.

In a simpler society, offenses normally occurred between neighbors. No specialized law enforcement force system was necessary to bring them into the administration of justice. The President's Crime Commission put it this way:

> In the preindustrial age, village societies were closely integrated. Everyone knew everyone else's affairs and character; the laws and rules of society were generally familiar and were identical with the moral and ethical precepts taught by parents, school masters, and the church. If not by the clergy and the village elders, the peace was kept, more or less informally, by law magistrates (usually local squires) and constables. These in the beginning were merely the magistrates' agents, literally "citizens on duty"—the able-bodied men of the community serving in turn. Not until the 19th century did policing even have a distinct name. Until then it would have been largely impossible to distinguish between informal peacekeeping and the formal system of law enforcement and criminal justice. The real outlaws—murderers, highwaymen and their ilk—were handled mostly by the military when normal procedures for crime control were unsuccessful.

This is, of course, not true today. When the patrol force fails to prevent a crime, or apprehend the offender during its commission, the police must rely instead upon investigation: The detective function, whose development, too, has been slow. It was not, for example, until 1842, 13 years after the formation of the Metropolitan Police in England, that a small body was detached for detective work, and not until 1878 that the Criminal Investigation Department was formally created. The use of the tools of science, moreover, has only become common within the last half century. Even so, scientific crime detection, as the President's Crime Commission noted, "popular fiction to the contrary notwithstanding, at present is a limited tool." Every sizable department today thus has a corps of investigative specialists whose job it is to solve crimes by questioning victims, suspects, and witnesses and by accumulating physical evidence at the scene of the crime. Yet note that the model around which the patrol and detective functions have developed has been essentially the traditional common law crimes such as murder, rape, robbery, larceny, and the rest, which usually occur as a single incident, not in any way part of an overall course of criminal activity. It is around these offenses, too, that our criminal law and procedure has evolved. These developments, in addition, have been colored by yet another important factor.

When we began to build an American criminal law with received English materials, as Dean Roscoe Pound has rightly observed:

> The memory of the contests between courts and crown in 17th century England, of the abuse of prosecutions by Stuart Kings, and of the extent to which criminal law might be used as an agency of religious persecution and political subjection was still fresh.

The chief problem thus seemed to be how to hold down punitive justice and protect the individual from oppression rather than how to make the criminal law an effective agency for securing dem-

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ocratically determined social interests already limited substantially by a bill of rights. Ignored entirely was the possibility of the growth of a phenomenon such as organized crime. Indeed, a specialized law enforcement response to the challenge of organized crime—putting aside Federal action in specialized areas—is best dated from the 1935 special rackets investigation conducted in New York County by Thomas E. Dewey at the direction of Gov. Herbert H. Lehman. It ultimately resulted in the development of the "rackets bureau concept" which underlies such State and Federal activity today.

XI. FEDERAL EFFORT

Mr. President, the President's Crime Commission aptly summed up the history of law enforcement's efforts to deal with organized crime in these tragic words:

> Investigation and prosecution of organized criminal groups in the 20th century has seldom proceeded on a continuous, institutionalized basis. Public interest and demands for action have reached high levels sporadically; but, until recently, spurts of concentrated law enforcement activity have been followed by decreasing interest and application of resources.

And what has been true generally is only a little less true on the Federal level.

Federal attention was, of course, focused on organized crime during the prohibition era. The 18th amendment went into effect on January 16, 1920. And the Volstead Act that implemented the amendment passed over Wilson's surprise veto. But the Congress never appropriated more than token enforcement resources. In 1920, prohibition agents numbered only 1,520, and as late as 1930 they numbered only 2,836.

Assuming the job could have been done under any circumstances, it is clear that prohibition was doomed to failure on this score alone.

The matter may be put graphically: If the whole army of agents in 1929 had been mustered along the coast and borders to prevent rum running, there would have been one man to patrol every 12 miles of beach, harbor, headland, forest and river front. Federal enforcement, in short, consisted chiefly of uttering resounding platitudes on the virtues of law observance. Indeed, its chief prosecutive success, the conviction of Al Capone, was for tax evasion, instead of rum running, and with repeal, the Federal Government turned away from organized crime almost altogether.

At the close of World War II, however, the Federal Bureau of Investigation turned its attention to organized crime with the inauguration of a formal crime survey program in March 1944, which led to an all-out investigation of the remnants of the old Capone gang. It was during this investigation, too, that the then Attorney General, Tom C. Clark, sought and obtained the authority of President Harry S. Truman to use wiretapping in domestic cases, saying that he felt their use was "imperative." The result was a series of major cases embracing a million-dollar extortion plot in the moving picture industry, one of which included Paul DeLucia, Capone's successor and then a member of the Commission.

Neverthless, the beginning of national attention and action is best dated from the 1950 Attorney General's Conference on Organized Crime, which was called by Attorney General J. Howard McGrath at the urging of the U.S. Conference of Mayors, the American Municipal Association, National Institute of Municipal Law Officers, and the National Association of Attorneys General.

Law enforcement officials from all over the Nation met in Washington on February 15, 1950, to consider the growing scope of organized crime, particularly interstate gambling. The consensus then seemed to be that things were getting out of hand. It was all "too big." The "assistance" of the Federal Government was needed. Some people, of course, as now, dissented. A prosecutor from a large midwestern city said that he had "never received any evidence" of the "syndicate." There was no "organized gambling" in his city. It was really not such "a bad place." But Chicago's Otto Kerner did not represent the majority view, and the conference made a series of important recommendations, perhaps the most important of which was that pending legislation, authorizing an investigation into organized crime by a Senate Select Committee under the chairmanship of Senator Estes Kefauver, of Tennessee, be supported.

It was thus only a short time later that the Senate special committee began its hearings. Over 800 witnesses, from nearly every State and all major metropolitan areas, were heard and the concern of many such communities was aroused. Chicago, incidentally, was found to be the center of a national race-wire service. Chicago, too, was not found to be free of gambling. On the South Side, it was found that policy wheels grossed in excess of $150 million over the 5-year period just before the hearings.

The work of the committee covered all aspects of organized crime—gambling, narcotics, infiltration into business, political and law-enforcement corruption. For the first time, too, it focused nationwide attention on the Mafia, which it found to be the "cement" that held together the national structure of organized crime. But if the facts were dramatically brought out by the Senate hearings, little permanent value, in terms of legislation or executive action, was accomplished. Few of the committee's important legislative or executive reorganizations were adopted. The Department of Justice did establish in 1954, the Organized Crime and Racketeering Section, but it was then woefully understaffed. Indeed, by 1957, when the infamous Apalachin conference occurred it had but 10 attorneys.

Mr. President, at this point I pause to note that any evaluation of the Federal effort to date must, of course, employ those statistics that are available, although I fully recognize that it is not always possible to quantify law enforcement efforts. I ask, therefore, for unanimous consent that the basic data in the form of tables on the Federal effort, which exists only since about 1960 in meaningful form, appear in the RECORD following my remarks, as exhibit 2.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. McCLELLAN. Mr. President, on November 14, 1957, State and Federal investigators—quite by accident—discovered at the home of Joseph Barbara in upstate New York a gathering of at least 75 leaders of organized crime from every section of the Nation. They, too, were there, they said, "quite by accident" to visit a "sick friend."

As a result of this discovery, a number of Federal and State investigations were launched, and Attorney General William Rodgers appointed a Special Group on Organized Crime in the Department of Justice in April of 1958. Regional offices were established, intelligence on all of the attendees was collected, and extensive grand jury investigations were conducted. Twenty of the participants were indicted for obstruction of justice and convicted at trial, but their convictions were reversed on appeal for lack of evidence. The work of the Special Group was then transferred into the existing Organized Crime and Racketeering Section.

It was during this time, too, that the Senate Select Committee on Improper Activities in the Labor and Management Field under my chairmanship conducted its investigations. Over 1,525 witnesses were heard in 270 days of hearings, comprising a staggering 46,150 pages of testimony. Our chief focus, consistent with our mandate, was on corruption in the field of labor-management officers, but we found ourselves ineluctably drawn into the area of organized crime. Of the 75 or so racket leaders who met at Apalachin, N.Y., in 1957, we found, for example, that at least nine were in the coin-operated machine industry, 16 were in the garment industry, 10 owned grocery stores, 17 owned bars or restaurants, 11 were in the olive oil and cheese business, and nine were in the construction business. Others were involved in automobile agencies, coal companies, entertainment, funeral homes, ownership of horses and race tracks, linen and laundry enterprises, trucking, waterfront activities, and bakeries. As I noted in more detail earlier, organized crime had indeed moved into legitimate business and labor activity.

The Federal effort against organized crime, however, received its greatest emphasis when the late Robert F. Kennedy, who had been our chief counsel, became Attorney General in 1961. A comprehensive legislative program, combining the best of earlier recommendations, was submitted to the Congress and enacted. The work of the Organized Crime and Racketeering Section was expanded and its personnel increased. In addition, the Permanent Subcommittee on Investigations of the Senate Committee on Government Operations, of which I am again the chairman, in close cooperation with the Department of Justice and police departments throughout the United States, conducted a detailed study of the inner working of organized crime, exposing for the first time the "family" structure of

La Cosa Nostra, which I discussed in greater detail earlier. Our study also confirmed that gambling remained the main source of racketeer income—supplemented chiefly by illicit profits from narcotics, labor racketeering, extortion, loan sharking and the infiltration of business and labor.

Nevertheless, like the others before it, this new drive by the Department of Justice on organized crime was fated to have a short life. When Bob Kennedy left the Department of Justice, the organized crime program seemed to leave with him; it just seemed to fall apart. The number of man-days in the field decreased from 1964 to 1967 by 84 percent. The number of man-days before grand juries decreased from 1963 to 1968 by 70 percent. The number of man-days in courts decreased from 1964 to 1967 by 56 percent. Internal Revenue Service, Intelligence Division, participation in the organized crime drive—a key participation which at its height yielded a majority of the program's prosecutions—fell from 1963 to 1968 by 56 percent. No one actually dismantled it after Attorney General Kennedy left, but then no one took the trouble at that time to rebuild it either.

The most disturbing aspect of this decline is that, although it has been partially reversed—man-days in the field and in court are up from their low in 1966—with the creation and implementation of the "strike force" concept, an imaginative staff innovation now in operation in a number of major cities, it will be years before it can be repaired and still more years before its cumulative effects are dissipated. For an effective organized crime investigation and prosecution takes years to build. This means, of course, that the decline after 1963 will just begin to be felt in the immediate years ahead.

Recent action of the Supreme Court, moreover, promises to further contribute to the decline in the Federal organized crime drive. In *Marchetti* v. *United States*, 350 U.S. 39 (1968) and *Grosso* v. *United States*, 390 U.S. 62, the court overruled two of its own decisions, *United States* v. *Kahriger*, 345 U.S. 22 (1952) and *Lewis* v. *United States*, 348 U.S. 419 (1952), which had previously sustained the constitutionality of the wagering tax laws. These two new decisions will result in the loss of 1,616 pending prosecutions, and unless Congress takes action to amend the laws, a question which must be considered in our coming hearings, it will result in the destruction of a law enforcement program that paid for itself, for since 1952 the wagering tax laws have yielded $117,406,000, but cost only $27,021,000 to administer.

On July 23, 1965, President Johnson called together his National Crime Commission and asked it to tell him, among other things, why organized crime continued to grow despite the Nation's best efforts to arrest and reverse its development. The Commission identified a number of factors—lack of resources, lack of coordination, lack of public and political commitment, failure to use available criminal sanctions. But the major legal problem related to matters of proof.

> From a legal standpoint, organized crime—

The Commission concluded:

> continues to grow because of defects in the evidence gathering process.

The Commission reviewed the difficulties experienced in developing evidence in this area in these terms:

> Usually, when a crime is committed, the public calls the police, but the police have to ferret out even the existence of organized crime. The many Americans who are complaint "victims" have no incentive to report the illicit operations. The millions of people who gamble illegally are the true victims of organized crime, such as those succumbing to extortion, are too afraid to inform law enforcement officials. Some misguided citizens think there is a social stigma in the role of "informer," and this tends to prevent reporting and cooperating with police.
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> Law enforcement may be able to develop informants, but organized crime uses torture and murder to destroy the particular prosecution at hand and to deter others from cooperating with police agencies. Informants who do furnish intelligence to the police often wish to remain anonymous and are unwilling to testify publicly. Other informants are valuable on a long-range basis and cannot be used in public trials. Even when a prosecution witness testifies against family members, the criminal organization often tries, sometimes successfully, to bribe or threaten jury members or judges.
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> Documentary evidence is equally difficult to obtain. Bookmakers at the street level keep no detailed records. Main offices of gambling enterprises can be moved often enough to keep anyone from getting sufficient evidence for a search warrant for a particular location. Mechanical devices are used that prevent even the telephone company from knowing about telephone calls. And even if an enforcement agent has a search warrant, there are easy ways to destroy written material while the agent fulfills the legal requirements of knocking on the door, announcing his identity and purpose, and waiting a reasonable time for a response before breaking into the room.

The Commission then concluded that under present procedures too few witnesses have been produced to prove the link between criminal group members and the illicit activities that they sponsor. The Commission observed:

> Law enforcement's way of fighting organized crime has been primitive compared to organized crime's way of operating. Law enforcement must use methods at least as efficient as organized crime's. The public and law enforcement must make a full-scale commitment to destroy the power of organized crime groups.

XII. THE ORGANIZED CRIME CONTROL ACT OF 1969

Mr. President, it was in light of the President's Crime Commission and our own staff studies in this area that I introduced on January 15, 1969, S. 30, the Organized Crime Control Act of 1969, which was cosponsored by Senators ERVIN and HRUSKA. I should now like to discuss its provisions and their legal background.

At the outset, let me repeat what I said when S. 30 was introduced. I am not irrevocably committed to the present language or its specific provisions, but I am hopeful that its overall objectives can meet with general support. The Subcommittee on Criminal Laws and Procedures of the Judiciary Committee will begin hearings on S. 30 and related legislation on March 18, 19, 25 and 26, 1969. We have asked the Attorney General and a number of other knowledgeable and interested parties to testify. Hopefully, the bill can be strengthened and improved by the hearing and committee process. That is the goal toward which we will be working.

THE GRAND JURY

The grand jury originated in Anglo-American law with the summoning of a group of townspeople before a public official to answer questions under oath, a system of inquiry, having its origins in late Roman procedure, used for such administrative purposes in Norman law as the compilation of the Domesday Book of William the Conqueror. In 1164, the Crown first established the criminal grand jury, a body of 12 knights, whose function was to accuse those who according to public knowledge had committed crimes. Witnesses as such were not heard before this body. Two years later at the Assize of Clarendon, Henry II established the grand jury largely in the form in which it is known today.

During the 13th and the early part of the 14th centuries, the grand jurors themselves served as petit jurors in the same matters in which they presented indictments. Not until the eventual separation of the grand jury and petit jury did the function of accusation become clearly defined and did crown witnesses come to be examined in secret before the grand jury.

The original function of the grand jury was to give to the central government the benefit of local knowledge in the apprehension of those who violated the King's peace. Its value as a buffer between citizen and state, the function which first comes into mind today, did not fully mature until well into the 17th century. In 1681 in *Colledge's* case (1681) 8 How. St. Tr. 550, and the *Earl of Shaftesburry's* case (1681) 8 How. St. Tr. 749, the grand juries which first heard the evidence of the Royal prosecutor refused to indict. These cases are usually marked as thus establishing the institution of the grand jury as a bulwark against despotism. Two years later the propriety of the grand jury report was also indirectly litigated. A Chester grand jury without returning a formal indictment charged certain Whigs with seditious conduct. An action for libel was brought and the court unanimously found for the defendants, apparently thus sustaining the actions of the jurors.

The modern grand jury is a "prototype" of its ancient British counterpart. Aptly termed a "grand inquest" by the Supreme Court in *Blair* v. *United States*, 250 U.S. 273, 282 (1919), its inquisitorial powers are virtually without rival today. Despite early attempts in this country to limit the scope of its investigatory powers to that which was brought to its attention by prosecutor or court, its common law powers have survived largely without artificial limitations. Such a limitation is not found in Federal law, where the grand jury is empowered under *Hale* v. *Henkel*, 201 U.S. 43 (1905), to inquire into and return indictments for all crimes committed within its jurisdiction. Indeed, the grand jury has usually been held open to citizen complaints. Secrecy, however,

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rightly governs its hearings. Grand jury reports, often a catalyst for reform, may also be filed under the laws of some States, but not under Federal law, where this historic right has been restricted.

Ultimately, the power of the grand jury rests on the subpena. Only through it can witnesses be compelled to appear and the production of books and records be required. Under Federal law, subpenas issue only out of court, and today the grand jury is generally thought of as an "arm of the court." This means that the jury is subject to the supervisory power of the court. The court impanels it, charges it, chooses its foreman, protects against abuses of its authority, and ultimately discharges it. Usually the life of the grand jury parallels the term of the court, although present Federal law allows the court to impanel a grand jury whenever it is appropriate. The grand jury's term extends until discharge, but not longer than 18 months, and the number of juries is left up to the discretion of the court. A Federal court may also discharge a grand jury at any time "for any reason or for no reason," *In re Investigation of World Arraignments*, 102 F. Supp. 628, 629 (D.D.C. 1952), even though the jury has not finished the business before it.

The conclusion seems inescapable: As an instrument of discovery against organized crime, the grand jury has no counterpart. Despite its broad powers of inquiry, however, the grand jury needs to be strengthened. The President's Crime Commission reached this judgment:

> If a grand jury shows the court that its business is unfinished at the end of a normal term, the court should extend that term a reasonable time in order to allow the grand jury to complete pending investigations. Judicial dismissal of grand juries with unfinished business should be appealable by the prosecutor and provisions made for suspension of such dismissal orders during the appeal.
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> The automatic convening of these grand juries would force less than diligent investigators and prosecutors to explain their inaction. The grand jury should also have recourse when not satisfied with such explanations.
>
> When a grand jury terminates, it should be permitted by law to file public reports regarding organized crime conditions in the community.

Modeled on present New York law, title I of S. 30 seeks each of these objectives. Briefly, this title would authorize a grand jury to be called into session in each jurisdiction once every 18 months with the right, at 6-month intervals, to extend its existence up to 36 months, on a showing to the court that it had unfinished business. These juries would be selected without discrimination from residents within their jurisdictions, and the foreman would be selected by these juries. The jury would not be limited by the charge of the court but would have the right to pursue any violation of the criminal law within its jurisdiction. Citizens would be accorded the right to contact the jury, through the foreman, regarding any alleged criminal act. In the event the workload of the jury became excessive, it could petition the court to impanel another jury, and the failure of the court to act would be appealable. The jury would also be accorded the statutory right to ask the attorney general to replace local prosecutors and investigators if dissatisfied with their performance. And, finally, the jury would be authorized to submit formal reports or presentments to the court, but safeguards are included to assure that the reports do not unfairly reflect on innocent persons.

THE DUTY TO TESTIFY AND SELF INCRIMINATION

A grand jury subpena can compel the attendance of a witness and the production of books and records. Ultimately, however, the grand jury has no power as such to compel the witness to testify or to turn over the books and records. Securing the witness' testimony and having the books and records turned over involve the interaction of the witness' duty to testify and his privilege against self incrimination.

Not until the 16th century did the modern witness become a common figure in civil or criminal trials. Up until that time jurors were supposed to find the facts based on their own self-acquired knowledge. Indeed, the pure witness—the individual who merely happens to have relevant information and who is unrelated to either party—at this time ran the substantial risk of a suit for maintenance if he volunteered to testify. This situation became, of course, wholly intolerable as litigation became more complex and juries became less and less able to resolve factual disputes on their own. Finally in *Stat. of Elizabeth* in 1563, St., 1563, 5 Eliz 1, c. 912, provision was made for compulsory process for witnesses in civil cases. With the enactment of this statute, the risk of a suit for maintenance diminished, for what a man does by compulsion of law cannot be called maintenance.

The Statutes of Elizabeth only made it possible to testify freely; it imposed no duty to testify. Nevertheless, the step from right to duty was short, and it was soon taken. By 1612, Sir Francis Bacon in the Countess of Shrewsbury's Trial, (1612) 2 How. St. Tr. 769, 778, was able to assert confidently:

> You must know that all subjects, without distinction of degrees, owe to the King tribute and service, not only of their deed and land, but of their knowledge and discovery. If there be anything that imports the King's service they ought themselves undemanded to impart it; much more, if they be called and examined, whether it be of their own fact or of another's, they ought to make direct answer.

For more than three centuries it thus has been a maximum of indubitable certainty, as the Supreme Court noted in *Piedmonte* v. *United States*, 367 U.S. 556, 558 n. 2 (1961), that the "public has a right to everyman's evidence."

> When the cause of justice requires the investigation of the truth—

As Dean Wigmore put it—

> no man has knowledge that is rightly private.

Nonetheless, the duty to testify, which history and society of necessity have imposed on each of us, is not absolute; it is qualified by the privilege against self-incrimination.

The history of the privilege against self-incrimination is the complicated story of the hated practice of the oath ex officio mero, an abuse first of heresy trials in the ecclesiastical courts, and then of the infamous Star Chamber, which took its rules of procedure from ecclesiastical law, and of the emotional reaction which accompanied its abolition, and ultimately stopped incriminating interrogation in the common law courts. Until the early 17th century, when the long battle between King and Parliament began, no serious and successful objection had been made to the oath ex officio. Under proper circumstances, the canon law upheld it. Through the influence of Lord Coke, however, a change occurred. By 1615, the power of the ecclesiastical court to use the oath ex officio in any penal inquiry had been ended by decisions of the common law courts. The Star Chamber and its similar practice were the next to go. As a direct result of public indignation at the Lilburn Trial (1637), 3 How. St. Tr. 1315, where the defendant was ordered pilloried and whipped for a failure to respond to the oath, Parliament abolished both the oath and the Chamber itself.

Before the Star Chamber, Lilburn himself had not claimed a privilege against self-incrimination, but merely that the proper presentment had not been made, a presentment necessary before the oath could be lawfully administered. After his cause had triumphed, however, the distinction was soon lost or ignored. The oath itself had come to be associated with the Stuart tyranny. Details were forgotten. Repeatedly claimed, then assumed for argument, finally by the end of the reign of Charles II, there was no longer any doubt of its general application. No one at any time in any English court could be compelled to accuse himself. It was out of this history and the experience of the colonists with the Royal Governors that the privilege ultimately found its way into our Bill of Rights in the fifth amendment.

The modern privilege against self-incrimination applies to any question the answer to which would furnish a link in a chain of evidence, which would incriminate the witness; it need not be answered unless, as the Supreme Court put it in *Malloy* v. *Hogan*, 378 U.S. 1, 8 (1964), "he chooses to speak in the unfettered exercise of his own will." Only testimonial utterances fall within its scope. The privilege is personal; it may not be claimed to protect another. In addition, it protects only natural persons; corporations or unions may not claim its protection. The privilege may be waived by the recitation of incriminating facts; the law requires its waiver when an accused testifies in his own behalf at a criminal trial. Generally, it must be asserted to be claimed, or otherwise it is waived. For the privilege is, as Dean Wigmore put it, "merely an option of refusal not a prohibition of inquiry."

Nevertheless, like the duty to testify, the privilege against self-incrimination is not an absolute. Should a witness refuse to testify before a grand jury asserting his privilege, the inquiry need not be ended. Under proper conditions, it is possible to displace the privilege with a grant of immunity, thus removing the witness' privilege not to answer. It becomes necessary, therefore, to turn to a consideration of the immunity grant and the process whereby it may be enforced.

THE IMMUNITY GRANT

In England, it was only a comparatively short time after the privilege against self-incrimination had matured before various techniques to mitigate its impact on the administration of justice developed. The first reliable example occurred in 1725, in the Trial of Lord Chancellor Macclesfield (1725) 16 How. St. Tr. 767, 921, 1147. The Chancellor had been guilty of traffic in public offices. An act was passed to immunize the present Masters in Chancery so that their testimony could be compelled. Once the present "criminality" legally attaching to their actions was effectively "taken away" by the statute, their privilege against self-incrimination "ceased" to exist. What Parliament found it could thus do with its amnesty powers, the King's prosecutors soon learned they could accomplish by the tendering of Royal pardons. The tradition in English law of permitting the privilege to be thus set aside stands even today unquestioned.

The American colonists not only brought with them the privilege against self-incrimination, but they also adopted these various techniques. As early as 1807 in the treason trial of Aaron Burr, President Jefferson attempted to give an executive pardon to one of the witnesses against Burr. The witness refused the pardon, but testified anyway. The right of a witness to refuse a pardon, and thus defeat the technique, was not clearly established until 1915, when the Supreme Court upheld the right of a grand jury witness to turn down an executive pardon from President Wilson. In the intervening years, the cloud which existed over the pardon technique because of the Burr trial directed the chief attention of the law toward the legislatively authorized immunity grant.

Congress first adopted a compulsory immunity statute in 1857. Legally, no attack was successfully mounted upon it. Nevertheless, its operation was hardly successful, since it automatically protected against prosecution any matter about which any witness testified before Congress. One individual, who had stolen $2 million in bonds from the Interior Department, had himself called before Congress, where he testified to a matter relating to the bonds and was immunized. This was an obviously intolerable situation and the statute was soon repealed. In its place the immunity statute of 1862 was enacted. The new statute did not grant immunity from prosecution; it merely purported to protect the witness from having his testimony subsequently used against him. Six years later the statute was broadened to cover judicial proceedings. After being upheld by lower Federal courts, relying on an early New York decision, the statutory scheme finally reached the Supreme Court in 1892 in *Counselmen* v. *Hitchcock*, 142 U.S. 547 (1892). The Court refused to uphold the immunity statute, noting that the statute to be upheld would have to afford a protection coextensive with the privilege. The Court found the protection inadequate because it did not eliminate criminality, but merely protected the witness from the use of the compelled testimony. The Court observed:

> It could not, and would not, prevent the use of his testimony to search out other testimony to be used in evidence against him.

Congress responded to the Counselmen decision with the Immunity Act of 1893. This time the statute granted immunity from prosecution, not merely from use of the testimony. Once again the validity of the immunity device was presented to the Supreme Court. In *Brown* v. *Walker*, 161 U.S. 591 (1896), the Court, by a closely divided vote, sustained its basic constitutionality. The Court held that once the criminality attaching by law to the actions of the witness was removed by another law, the privilege ceased to operate. The dissenters suggested that the privilege was intended to accord to the witness an absolute right of silence designed to protect not only from criminality but also disgrace or infamy, something no legislative immunity could eliminate. The majority, relying on English history, rejected this proposition. Since Brown against Walker, the basic principle of the immunity grant has not been successfully challenged, and congressional enactments extending the principle, for example, to internal security and narcotics investigations has been sustained.

Today, however, Federal statutes grant immunity in only a limited number of classes of cases. Usually the witness must claim his privilege, be directed to testify, and then testify before he receives immunity. Normally, the immunity will extend to all matters substantially related to any matter revealed in a responsive answer. Nevertheless, some Federal statutes grant immunity automatically on testimony without a claim of privilege. The danger here of accidentally granting an individual an "immunity bath" is substantial. Other Federal statutes require specific approval of the Attorney General and a court order before the immunity attaches.

Requiring approval of the court serves to make visible the decision of the Attorney General. The danger of hidden immunization of friends is lessened. No Attorney General would dare run the political risk of openly flaunting his responsibility. Where it might be attempted, it could be expected that the court would have inherent power to refuse to be a party to it. It seems readily evident that these three safeguards—claim, authorization, approval—ought to be part of every immunity statute.

Under Federal law, the case-by-case limitation on the power to grant immunity has, however, constituted a major impediment to the effective investigation of organized crime. This led the President's Crime Commission to recommend the enactment of a general immunity statute in these terms:

> A general witness immunity statute should be enacted at (the) Federal level, providing immunity sufficiently broad to assure compulsion of testimony. Immunity should be granted only with the prior approval of the jurisdiction's chief prosecuting officer. Efforts to coordinate Federal, State, and local immunity grants should be made to prevent interference with existing investigations.

Up until the recent decisions of the Supreme Court in *Malloy* v. *Hogan*, 378 U.S. 52 (1964) the proper scope of a constitutionally valid immunity statute seemed to be immunity from not only use of testimony, but also prosecution for the crimes disclosed. This approach is apparently no longer required.

Prior to Malloy against Hogan, the privilege was thought to protect only against incrimination under the laws of the questioning sovereign. Now, however, the Federal privilege protects against both State and Federal incrimination. The Malloy decision could have spelled the end of valid State immunity statutes. Under the necessary and proper and supremacy clauses of the Constitution, the power of Congress to immunize against State incrimination has been upheld. No such power, however, is possible for State authorities. Nevertheless, the Supreme Court indicated in Murphy that State immunity statutes were still valid. The Court found that the constitutional privilege was adequately displaced if the witness was protected against direct or derivative use of his compelled testimony. Contrary to the Counselmen decision, the Court seemed to feel that this was possible through the use of the fruit of the poisonous tree process of derivative suppression, an analogy borrowed from fourth amendment illegally obtained evidence cases. If the underlying premise of Counselmen—that there is no way to protect the witness from the derivative use of his compelled testimony—has indeed been rejected, it seems clear that granting immunity from prosecution rather than use of testimony is no longer constitutionally compelled on any level, State or Federal. Giving immunity where it is not necessary is giving an unnecessary gratuity to a crime, a step no sane society ought ever to take. It thus now seems clear that it is not necessary to immunize against State prosecution to give a valid grant of Federal immunity. It might well have been thought at least potentially necessary prior to Malloy against Hogan, when it seemed only a matter of time until the privilege would be extended to cover State and Federal law. Now that we know, under Murphy, that it is not, comity between State and Federal authorities would seem to indicate that any new statute granting immunity be so circumscribed.

Following this approach, title II of S. 30 is a general immunity statute conditioned on approval by the Attorney General and specific court order. Immunity, however, is only provided against use of testimony, not prosecution, and there is no interference with the power of the States to prosecute.

RECALCITRANT WITNESSES

Ultimately, of course, none of these techniques is a panacea. When a witness' privilege against self-incrimination cannot be claimed, it does not necessarily follow that he will cooperate fully in the investigation. The stage, however, is set for moving the investigation forward through the use of the contempt power.

The contempt power has roots which run deep in Anglo-American legal his-

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tory. The early English courts acted for the King. Contempt of court was contempt of King. By the 14th century, the principles upon which punishment was inflicted to secure obedience to the commands of King and court were firmly established. Indeed, as the principles developed, justice was both swift and severe. In 1631, for example, a convicted felon threw a brickbat at a Chief Justice; his right hand was cut off, and he was hanged immediately in the presence of the court. No one took lightly then the respect due to a court.

Under modern law, there is no question that courts have power to enforce compliance with their lawful orders. Federal laws expressly confirm this ancient power. When subpenaed before a grand jury, the witness must attend. The grand jury, however, has no power as such to hold a witness in contempt if he refuses to testify without just cause. To constitute contempt the refusal must come after the court has ordered the witness to answer specific questions. Two courses are open when a witness thus refuses to testify after a proper court order: Civil or criminal contempt.

Under civil contempt, the refusal is brought to the attention of the court, and the witness may be confined until he testifies; he is said to carry, as the Court noted in *In Re Nevill*, 117 Fed. 449, 461 (8th Cir. 1902), "the keys of the prison in his own pocket." Usually, where the contempt is clear, no bail is allowed when an appeal is taken. The confinement cannot extend beyond the life of the grand jury, although the sentence can be continued or reimposed if the witness adheres to his refusal to testify before a successor grand jury.

Under criminal contempt, after a hearing, the witness may be imprisoned, not to compel compliance with, but to vindicate the court's order. Federal law requires a jury trial if the sentence to be imposed will exceed 6 months. No other limit is set.

Title III of S. 30 seeks to codify the civil contempt aspect of present law as it applies to grand jury and court proceedings in the area of the refusal to give required testimony. Upon such a refusal, the court is explicitly authorized to order the summary confinement of the witness, and it is provided that no bail shall be given to the witness pending the appeal, since this would undermine the coercive effect of the court's order and result in undue delay.

FALSE STATEMENTS

A subpena can compel the attendance of a witness before a grand jury or at trial. An immunity grant can displace his privilege against self-incrimination. The threat of imprisonment for civil contempt can legitimately coerce him into testifying. But only the possibility of a perjury prosecution, or some related sanction, can provide any guarantee that his testimony will be truthful.

Today, however, the possibility of perjury prosecution is not likely, and if it materializes, the likelihood of a conviction is not high. Using the available Federal figures, we see that only 52.7 percent of the defendants in perjury cases were found guilty in the 10-year period from 1956 through 1965. In all other criminal cases, however, 78.7 percent of the defendants were found guilty. The difference is striking. Indeed, out of 307,227 defendants only 713 were even charged with perjury during this period. The threat of a perjury conviction today thus offers little hope as a guarantee of truthfulness in the evidence gathering process in organized crime investigations. Indeed, it seems apparent that virtually every organized crime investigation and prosecution is characterized by false testimony. Whatever the situation elsewhere in the administration of justice, here false testimony begins in the field with interviews, extends into the grand jury, and ultimately infects the trial itself. Convictions for perjury based on this false testimony, nevertheless, are the exception instead of the rule. It is, moreover, a failure directly attributable to the law itself. Consequently, it can be relatively easily remedied.

For centuries perjury was not the false testimony of a witness, but the false verdict of a jury. It was the incidental result of the process of attaint, whose main object was to set aside such verdicts. The process was so objectionable that it was little used. During the 14th century, however, witnesses began to be used in trials, and the function of the jury shifted from returning verdicts based on their own information to finding facts based on testimony presented to them. This change gave rise to the need for a sanction when false evidence was presented to the jury. A large gap was left in the law.

The first statutory reference to the crime of perjury appeared in 1540. The Star Chamber read this act as authorizing punishment for perjury. Although the crime was theoretically cognizable in the ordinary criminal courts, it was dealt with almost exclusive in the Star Chamber, where the proceedings were presided over by the Lord Chancellor and conducted according to the ecclesiastical law under which a quantitative notion obtained of the credit to be accorded to the testimony of a witness under oath. From this notion, the so-called two witness rule developed; that is, two witnesses to the same fact are necessary to establish it. Lord Chief Justice Hardwicke in *Rex* v. *Nunez*, Cas. T. Hard 265, 95 Eng. Rep. 171 (K.B. 1736), summed up the rule:

> One man's oath is as good as another's.

When the Star Chamber was abolished in 1641, the principles it had established in perjury prosecutions were carried over into the common law.

Federal courts today still follow the two witness rule and its corollary, the direct evidence rule. Actually, the two witness rule is misnamed. Under modern law, it no longer requires the testimony of two witnesses; it merely provides that the uncorroborated oath of one witness is not enough to establish the falsity of the—testimony of the—accused, *Hammer* v. *United States*, 271 U.S. 620, 626 (1926). The corroborating evidence, moreover, need not independently establish the falsity of the testimony; it is enough if it furnishes a basis to overcome the oath of the accused and his presumption of innocence. The rule has no application to elements of perjury other than falsity.

Closely related to the direct evidence rule are the cases holding that contradictory statements under oath may not be the subject matter of a perjury prosecution without the additional proof of the falsity of one of the statements. Dissatisfaction with this result led to the adoption of remedial statutes in some States. At the Federal level, however, the rule today remains viable.

It seems clear that the two witness and direct evidence rules ought to be abolished, at least in some areas. This was the conclusion of the President's Crime Commission. Suggestions that the existing rules are necessary "to protect honest witnesses from hasty and spiteful retaliation in the form of unfounded perjury prosections," *Weiler* v. *United States*, 323 U.S. 606, 609 (1945), are unconvincing. Note first that the adopted remedy is broader than the alleged abuse. The existing rules apply across the board. They are not limited to situations where it might be reasonably supposed retaliation was involved. Further, it is obvious that the remedy is hardly adequate even as adopted. It can easily be circumvented merely by acquiring a spiteful accomplice. Thus, it is a bad rule even if you grant the possibility of the evil. The law, moreover, ought to encourage not testimony, but truthful testimony. The existing rules run counter to this goal; perjury, not truth, is protected. More importantly, the rules constitute an unwarranted slander on the power of discernment of prosecutors, grand juries, trial judges and the petit jury. The rules seem to assume that somehow the spiteful prosecution can be brought and a conviction obtained without the support of anyone other than the complainant.

The existing rules are, in short, an unwarranted obstacle to securing legitimate perjury convictions. There is ample protection against spiteful retaliation in the traditional safeguards applicable to every criminal case. There is no good reason why perjury—at least before grand juries and courts—should not be treated like any other crime. Sound prosecutive discretion and proof beyond a reasonable doubt of a judge and jury constitute ample protection against the unwarranted charge and conviction of perjury.

On the Federal level, a statute dealing with contradictory oaths should also be adopted. There is much merit in the observation that consistency alone should not be a legislative goal. There is, however, a legitimate goal in allowing the prosecution to plead and prove its case in the alternative, showing the falsity by inherent logical inconsistency. Those who give false testimony ought not to be able to escape by placing the prosecution in a logic dilemma. It should be sufficient for conviction if the evidence shows either statement is false without specifying the false statement. There is no good reason why such proof should not be sufficient.

Title IV of S. 30 thus creates a new Federal crime dealing with false statements before grand juries or in trial proceedings, and since it is a new offense. the common law rules of evidence applicable in perjury prosecutions generally will not be applicable to it. It also eliminates the applicability to the new offense of the contradictory oath rule by establishing a special presumption of falsity where two materially inconsistent statements are made.

WITNESS FACILITIES

Each step in the evidence gathering process I have so far described moves toward the production of live testimony, for to bring criminal sanctions into play, it is necessary to develop legally admissible evidence. Criminal sanctions do not enforce themselves. Yet it must now be obvious to all concerned that witnesses in organized crime cases simply do not volunteer to testify or to turn over relevant books and records. Attorney General Nicholas deB. Katzenbach testified in 1965 that, even after the cases had been developed, it was necessary to forego prosecution hundreds of times because key witnesses would not testify for fear of being murdered. Indeed, the Attorney General indicated that such fear was not unjustified; he testified that the Department lost more than 25 informants in the period of time between 1961 and 1965.

In this connection the President's Crime Commission, tragically concluded:

> No jurisdiction has made adequate provision for protecting witnesses in organized crime cases from reprisal. In a few instances where guards are provided, resources require their withdrawal shortly after the particular trial terminates. On a case-to-case basis, governments have helped witnesses find jobs in other sections of the country or have even helped them to emigrate. The difficulty of obtaining witnesses because of the fear of reprisal could be countered somewhat if governments had established systems for protecting cooperative witnesses.
>
> The Federal Government should establish residential facilities for the protection of witnesses desiring such assistance during the pendency of organized crime litigation.
>
> After trial, the witness should be permitted to remain at the facility so long as he needs to be protected.

It was to meet this responsibility that titles V and VI of S. 30 were drafted.

Title VI authorizes the Attorney General to rent, purchase or construct such facilities as are necessary to provide secure housing for Government witnesses in organized crime investigations and prosecutions on the State or Federal level. This provision should not only help meet our responsibilities to citizens, but also aid States in meeting their responsibilities, since providing protection is such an expensive proposition.

Title V, on the other hand, authorizes the taking of pretrial depositions. I thus now turn to a consideration of the legal background of depositions in criminal cases.

DEPOSITIONS

With the development of the witness in the common law trial in the 1600's, there developed a series of rules, each seeking to establish the truth of his testimony. The witness must, as Chief Justice Vaughn put it in *Bushel's Trial* (1670) 6 How. St. Tr. 999, 1003, speak to "what hath fallen under his senses." The law then rightly wanted no part of second-hand information. Closely allied to this principle was the rule that demanded confrontation—cross examination. Too many knew of the injustice done in *Raleigh's Trial* (1603), 2 How. St. Tr. 16, when Chief Justice Popham refused to produce Lord Cobham, the accuser. No precise date or ruling stands out as decisive, but the rule seems to have become fixed between 1675 and 1690.

This rule against hearsay, however, was not without exceptions. Sworn depositions could be used, as Raleigh himself conceded, "where the accuser is not to be had conveniently" (1603) 2 How. St. Tr. 16, 18. Nevertheless, with firm establishment of the exclusion of extra judicial unsworn statement, the anomaly of the sworn statement stood out, and in *Fenwick's Trial* (1696), 13 How. St. Tr. 537, 618, the principle if not the rule carried the day, for it soon became "a fundamental rule (of) law that no evidence shall be given against a man, but in the presence of the prisoner, because he may cross-examine him who gives such evidence."

Today, of course, this rule is embodied in our sixth amendment, which guarantees "the accused the right to be confronted with the witnesses against him." Unfortunately, however, an early Virginia case confused the historic right of confrontation with a demand that all testimony in criminal cases be face to face, viva voce. This led to a constitutional doubt that showed itself in the general omission in State deposition statutes of permission to the prosecution to take depositions, subject to confrontation cross-examination, in criminal cases, even though the courts themselves, including the Supreme Court in *Mattox* v. *United States*, 156 U.S. 237 (1895), made it clear that on principle such provisions were unobjectionable.

Title V of S. 30 is thus but a natural complement of title VI. Title VI authorizes the physical protection of witnesses before, during, and after trial. Title V authorizes the prosecution to take depositions in criminal cases whenever it is in the interest of justice. Accordingly, once the witness' testimony has been secured, in most cases, the motive to harm the witness is at an end. The evidentiary damage has been done. Under these circumstances, it may be, therefore, possible to release the witness from protective custody and allow him to return to a normal life, even though the trial has not yet begun. Given the delay associated with criminal prosecutions today, this will be no small benefit to the witness and his family.

Title V scrupulously provides for the defendant's rights. The deposition can only be taken after the issues between the Government and the accused are joined by the return of an indictment or the filing of an information. Reasonable notice must be given to the accused, and he must be accorded the opportunity, with counsel, to confront and cross-examine the witness. Finally, provision is made in the present form of the statute for use of the deposition at trial subject to the present rules of evidence.

COCONSPIRATOR DECLARATION

In the area of the investigation and prosecution of organized crime, the existence and scope of covert conspiratorial activity is usually shown either by circumstantial evidence, the testimony of a coconspirator who has turned state's evidence, or the evidence of the out of court declarations or acts of a coconspirator or of the defendant himself. Termed "firmly established" by the Supreme Court in *Krulewitch* v. *United States*, 336 U.S. 440, 443 (1949), the coconspirator declaration rule, an exception to the usual exclusion of extrajudicial statements, is thus central in any attack on the menace of organized crime.

While the hearsay rule developed in the last half of the 1060's, it was but a short period of time following that this exception developed in the law. The first reliable instance occurred in the *Trial of Lord Gordon*, (1781) 21 How. St. Tr. 485, where the cries of the mob in the infamous Gordon Riots of 1780 were admitted against the defendants. Building on this decision as a precedent, English courts in the treason trials of the fellow travelers of the French Revolution soon matured the rule if not its rationale in England, while it was accepted in 1827 into American jurisprudence and rested on agency principles by no less of an authority than Mr. Justice Story in *United States* v. *Gooding*, 25 U.S. (12 Wheat) 460 (1827).

Today the rule is usually framed in these terms: Any declaration by one coconspirator, voiced in furtherance of the conspiracy and during its pendency, is admissible against each coconspirator, subject to the laying of an independent foundation of the existence of the conspiracy and the accused's participation in it.

Title VII of S. 30 is a codification in all but one respect of the existing law. The rule presently requires the court to find, not only participation and pendency, but also "furtherance," a requirement of somewhat ill-defined meaning, apparently an outgrowth of the early agency rationale. Sometimes, too, "furtherance" has been stated in res gestae language. Other courts, however, while ostensibly retaining the requirement have applied it so broadly that anything relating to the conspiracy is found to be in furtherance of its objectives.

Building on the recommendations of the Model Code of Evidence, Title VII shifts the foundation on which the coconspirator declaration exception to the hearsay rule rests from agency to trustworthiness. All aspects of the present rule are thus retained save that of "furtherance." With Judge Learned Hand in *Von Riper* v. *United States*, 13 F. 2d 961, 967 (2d Cir 1926), the proposed statute would recognize frankly that such "declarations are admitted upon no doctrine of the law of evidence, but of the substantive law of crime." Vicarious responsibility is but one of the risks an individual must run when he associates for the commission of a crime. Nevertheless, the risk must be defined in terms of the underlying purpose of the trial itself rather than in terms of the principles of agency. Only those vicarious admissions where there are in existence facts and circumstances from which trustworthiness may be inferred may be vicariously admitted. It may well be expected that this rule will enlarge the category of admissible evidence, but surely this cannot be objected to where the new foundation of the rule guarantees that all such evidence admitted will

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lead to the establishment of the truth, however hard that truth may be in the individual case. It is not too great a risk to impose on those who associate to subvert our society.

SPECIAL OFFENDER SENTENCING

Mr. President, the last aspect of S. 30 deals with the special offender sentencing.

There is no doubt that whatever view one holds about the criminal law, its importance in our society cannot be questioned. Here each places his ultimate reliance for security. Nevertheless, we must recognize, too, that the penal law contains the strongest force known to our society, a force which in the past has too often tended toward brutality. Exercised well, it accords to each security. Exercised ill, it accords to none security. How that power should be exercised is thus a question of capital importance.

Traditionally, two tendencies have manifested themselves in the penal law in reaction from the brutality of another day, perhaps best illustrated by the philosophy of Draco, who, it should be recalled, once lamented that he knew of no penalty harsher than death, for he felt the smallest crime merited it.

The first tendency, going back in modern times to Beccaria's historic 1764 essay, "On Crimes and Punishments," seeks to fit the punishment to the crime. This tendency was, of course, rooted in a desire to limit the fearful application of the death penalty, at one time the punishment for numerous, some very petty, offenses. Its overall effect has been to narrow not only the application of the death penalty, but also to eliminate long prison terms.

The second, stemming from contemporary theories of criminology, seeks to fit the punishment to the offender. This tendency, of course, is rooted in a desire to rehabilitate. Those who generally espouse this view, however, have tended to the conclusion that crime can best be dealt with only by broad changes in our society and through intensive work with juveniles. Unfortunately, this view has shown, as an American Bar Association study concluded, "little realistic concern about the organized and well-habituated criminals who incessantly exploit the community."

The penal codes of most jurisdictions, however, reflect little of either approach. Indeed, save for attempts to abolish the death penalty, little attention at all has been given to the penalty structure of most penal codes since the turn of the century. Penalties vary from one offense to the next without seeming rhyme or reason. Inconsistencies abound throughout. Other than the "sexual psychopath" laws, the only general movement discernible has been the growth of recidivist or habitual offender statutes, a growth which occurred primarily in response to the emergence of mob activities following the First World War and the prohibition era, and which was premised on the hope that severer sentences on criminals that repeat would keep them out of circulation and protect the public.

It is less than clear, however, that these laws, in their present form, have been successful in achieving their objective. Often they have been too strictly construed by the courts. Both judges and prosecutor considering them too rigid and harsh, have refused to employ them, despite their seeming mandatory character. Courts especially have resisted attempts to restrict their sentencing discretion. Often, finally, the prosecutors have merely used the laws as tools to obtain guilty pleas in return for promises to reduce the charges. Ironically, of course, this has meant in practice that laws designed to get tough with the recidivist have served only to secure him lenient treatment.

This experience has led reform-minded groups to seek other means to achieve the same goals. Apart from the recommendations of a special committee of the American Bar Association and the President's Crime Commission, the two most important proposals have come from the American Law Institute in its Model Penal Code and the Advisory Council of Judges of the National Council on Crime and Delinquency in its Model Sentencing Act. Each seeks to respond to the special offender with a special term, yet each sets out differing conditions for its position.

The Model Penal Code states three prerequisites for its extended term. First the offender must be over 21. Second, the court must conclude that the protection of the public calls for an extended term. Finally, the code, in the alternative, calls for a finding that the circumstances of the offense show that the offender has knowingly devoted himself to criminal activity as a major source of livelihood or has substantial income or resources not explained to be from a legal activity.

The Model Sentencing Act begins with the second requirement on dangerousness of the code. It then requires that a felony be committed as a part of a continuing criminal activity in concert with at least one other person.

Both proposals provide elaborate procedures for imposing these special terms.

Both the Special Committee on the American Bar Association and the President's Crime Commission reached similar conclusions in the area of the special term for dangerous offenders, although neither attempted to offer specific statutory language.

The President's Crime Commission expressed its conclusion in these words:

> Federal and State legislation should be enacted to provide for extended prison terms where the evidence, presentence report, or sentence hearing shows that a felony was committed as part of a continuing illegal business in which the convicted offender occupied a supervisory or other management position.

It also followed this recommendation with this suggestion:

> There must be some kind of supervision over those trial judges who, because of corruption, political considerations, or lack of knowledge, tend to mete out light sentences in cases involving organized crime management personnel. Consideration should therefore be given to allowing the prosecution the right of appeal regarding sentences of persons in management positions in an organized crime activity or group. Constitutional requirements for such an appellate procedure must first be carefully explored.

Mr. President, S. 30 was drafted with the history of the habitual offender legislation and the proposals of these distinguished bodies in mind. It is our hope now to explore the constitutionality, wisdom, and feasibility of these various suggestions in our forthcoming hearings, for our opinion on the merits of these proposals is at this time reserved.

A number of serious questions need to be considered in greater detail than they have as yet. We are concerned, for example, that these proposals meet the constitutional test of definiteness found in such cases as *Minnesota* v. *Probate Court*, 309 U.S. 270 (1940). We are concerned that the concept of the special term will withstand attack as a reasonable classification in light of such cases as *Oyler* v. *Boles*, 368 U.S. 448 (1962), and that it will not be considered an unpermissible attempt to punish status under *Robinson* v. *California*, 379 U.S. 660 (1962). We are concerned, too, that the procedure employed in the imposition of the term meets the test of due process under *Williams* v. *New York*, 337 U.S. 241 (1949) and *Specht* v. *Patterson*, 386 U.S. 605 (1967). And, finally, we are concerned that affording the prosecution the right to appeal, as the President's Crime Commission suggested, might not run afoul of the concept of double jeopardy in *Kepner* v. *United States*, 195 U.S. 100 (1904).

These are, of course, as yet unresolved questions. But I am hopeful that through a full and fair hearing process that we will be able to work out a fair and effective sentencing structure that will meet the special challenge of organized crime.

CONCLUSION

Mr. President, I do not suggest that S. 30 is the only proposal dealing with organized crime that merits consideration. Others will surely be forthcoming from my colleagues and the new administration. But S. 30 is a beginning—a good beginning.

The President's Crime Commission concluded its chapter on organized crime with these words:

> The extraordinary thing about organized crime is that America has tolerated it for so long.

I suggest, Mr. President, that the extraordinary is fast becoming tragic. It is time to move forward now.

Mr. President, I hope I am justified in the encouragement I find from various articles in the press with respect to the attitude of the present administration in relation to crime, and particularly organized crime and methods to combat it.

I read in yesterday's Evening Star an article, written by Miriam Ottenberg, entitled "Top Officials Gear Up Machinery."

Evidently, after talking with the top officials in the administration, and particularly those in the Department of Justice, Mrs. Ottenberg wrote this article.

If I understand correctly, the administration is deeply concerned with the problem, as much, no doubt, as I am. It appears from her article that the administration is anxious that appropriate legislation in the field be enacted into law.

I am encouraged, therefore, to believe that the major provisions of S. 30 will have the support of the Justice Department, although it has made no commitment to me to that effect. I believe, too, that the administration will submit within the next few weeks some additional proposed legislation that it would like to see enacted.

It shall be my purpose as chairman of the Judiciary Subcommittee on Criminal Law and Procedures to hold extensive hearings on S. 30 and such other important measures dealing with crime and criminal procedure that are introduced during this session of Congress.

I assure the administration that any measures it sponsors or any recommendations that it may make in this field will receive the committee's earnest attention and consideration. For I sincerely hope that a new day is dawning in the field of law enforcement and that there will be cooperative and concerted effort on the part of the administration and Congress to enact legislation and to take appropriate and effective action wherever necessary to combat organized crime, this great and most destructive menace from within.

It is my hope, too, that our course, and particularly the Supreme Court of the United States, will begin to think more in terms of the right of a society to be free and to be protected from the assassin, the robber, the murderer, and the rapist than the Court has accorded to society in the past by some of its recent decisions.

If all rights are possessed by the criminal and society has none and, if every time a case comes before the Supreme Court there is a searching effort made to find some technicality with which to turn an accused loose, I am then persuaded that whatever Congress may do and whatever the law-enforcement agencies or the executive branch of the Government may do, our efforts will be thwarted and the rate of crime in our country will continue to soar, just as it has during the past calendar year, when it was 17 percent higher than it was the year before.

Mr. President, our Nation, as a free society and as a civilized society, cannot long withstand such a devastating assault upon its structure. The time is here to act.

EXHIBIT 1

PRINCIPAL FAMILIES OF THE COSA NOSTRA

THE COMMISSION

Bruno, Angelo, Philadelphia, Pa.
Colombo, Joseph, New York, N.Y.
Gambino, Carlo, New York, N.Y.
Genovese, Vito (vacant), New York, N.Y.
Giancana, Samuel, Chicago, Ill.
Luchese, Thomas (vacant), New York, N.Y.
Maggaddino, Stefano, Buffalo, N.Y.
Sciacca, Paul, New York, N.Y.
Zerilli, Joseph, Detroit, Mich.

PRINCIPAL FAMILIES

Balistriari, Frank, Milwaukee, Wis.
Cerrito, Joseph, San Jose, Calif.
Civello, Joseph, Dallas, Tex.
Civella, Nicholas, Kansas City, Mo.
Colletti, James, Pueblo, Colo.
DeCavalcante, Samuel, Newark, N.J.
Lanza, James, San Francisco, Calif.
LaRocca, Sebastian John, Pittsburgh, Pa.
Licata, Nicolo, Los Angeles, Calif.
Marcello, Carlos, New Orleans, La.
Patriarca, Raymond, Providence, R.I.
Scalish, John, Cleveland, Ohio.
Trafficante, Santo, Tampa, Fla.

EXHIBIT 2

BASIC STATISTICS, FEDERAL EFFORT, ORGANIZED CRIME AND RACKETEERING, 1960-68

CHART I.—ORGANIZED CRIME SECTION

	1960	1961	1962	1963	1964	1965	1966	1967	1968
Number of attorneys	17	37	52	60	63	54	48	54	65
Days in court	61	116	329	1,081	1,364	813	606	612	1,123
Days in field	660	2,434	5,076	6,177	6,699	4,432	3,480	4,494	6,886
Days in grand jury	100	518	894	1,353	677	605	373	419	403
Hours in legislation	NA	NA	NA	NA	1,507	1,292	1,086	1,310	1,894
Appeal briefs prepared	3	9	19	24	29	28	25	26	35
District briefs prepared	20	14	90	179	29	44	40	34	45
Appeal briefs reviewed	89	31	100	169	115	161	157	157	262
District briefs reviewed	3	17	52	160	13	14	19	26	21
Appeal participation	NA	NA	NA	NA	23	22	12	14	15

CHART II.—ORGANIZED CRIME SECTION

	1960	1961	1962	1963	1964	1965	1966	1967	1968
Cases:									
Pending start	33	31	41	103	189	263	179	219	253
Received	493	403	526	755	968	1,023	911	985	1,206
Terminated	495	393	464	669	894	1,107	871	951	1,214
Pending end	31	41	103	189	263	179	219	253	245
Matters:									
Pending start	NA	NA	NA	NA	NA	669	545	381	534
Received	NA	NA	NA	NA	1,324	1,089	943	1,057	1,006
Terminated	NA	NA	NA	NA	655	1,213	1,107	904	1,073
Pending end	NA	NA	NA	NA	669	545	381	534	467

CHART III.—ORGANIZED CRIME SECTION INDICTMENTS

	1960	1961	1962	1963	1964	1965	1966	1967	1968
Number of indictments	NA	121	350	615	666	872	1,198	1,107	1,166
Number of defendants convicted	NA	73	138	288	593	410	477	400	520

CHART IV.—RACKETEERING STATUTE INDICTMENTS[1] ORGANIZED CRIME SECTION

	1960	1961	1962	1963	1964	1965	1966	1967	1968
Indictments			7	40	59	92	70	89	125
Defendants			25	156	138	170	179	256	331
Convictions			5	22	26	48	44	53	82
Defendants convicted			18	62	61	82	100	96	152

[1] Statutes enacted September 1961 and afterward.

CHART V.—MAN-DAYS INTERNAL REVENUE SERVICE PARTICIPATION, ORGANIZED CRIME DRIVE

	Fiscal year								
	1960	1961	1962	1963	1964	1965	1966	1967	1968
Intelligence[1]	8,836	11,528	82,852	96,182	87,621	86,115	74,938	61,637	42,120
Alcohol, tobacco and firearms	NA	NA	13,075	8,609	6,533	8,360	7,480	11,220	15,584
Audit	NA	NA	37,232	38,952	36,642	34,850	24,517	19,445	16,625
Collection	NA	NA	1,894	1,305	2,732	2,058	381	257	745
Appellate	NA	NA	180	6	NA	NA	NA	NA	NA
Total	8,836	11,528	135,183.	145,054	133,528	120,206	107,336	92,559	75,074

[1] Does not include supervisory time.

CHART VI.—TAX DIVISION INDICTMENTS

	1960	1961	1962	1963	1964	1965	1966	1967	1968
Nonracketeer		462	552	597	607	625	632	653	664
Racketeer convictions	NA	23	23	23	23	27	25	21	21
Cases pending end	NA	NA	NA	129	122	101	119	183	180
Ratio (percent)	NA	NA	NA	NA	NA	11	11	17	15

CHART VII.—COSA NOSTRA INDICTMENTS JANUARY 1961 TO DECEMBER 1969 (ESTIMATED MEMBERSHIP, 5,000)

Indictments	290
Convictions	147
Acquittals	13
Dismissals	6
Reversals	0

CHART VIII.—FEDERAL RESOURCES 1967

[Approximation]

	Man-years	Amount
Treasury:		
T.R.S	451	6,600
Bureau of Narcotics	205	3,900
Total	656	10,500
Justice:		
FBI	NA	8,609
Department	NA	1,679
U.S. attorneys	NA	1,300
	700	11,579
Post Office	12	179
SEC	10	97
Total	1,378	22,355

Mr. McCLELLAN. Mr. President, I ask unanimous consent that the Ottenberg article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TOP OFFICIALS GEAR UP MACHINERY: NIXON AIDES AIM THREE BIG WEAPONS AT ORGANIZED CRIME

(By Miriam Ottenberg)

The Nixon administration will use three new weapons to carry out its promised war on organized crime.

President Nixon's own crime fighting program will be announced shortly, but, in the meantime, top officials in his administration are on the move:

1. Secretary of the Treasury David Kennedy said the "full resources of the Treasury Department—including each of its investigative and enforcement arms—will be used as needed in pressing the war on organized crime."

In effect, aides indicated, Kennedy plans to go further than some of his predecessors in using the Treasury's taxing authority as a crime fighting tool.

2. Atty. Gen. John N. Mitchell has started approving use of the electronic surveillance authorized by Congress which his predecessor Ramsey Clark, refused to use.

3. Asst. Atty. Gen. Will R. Wilson, in charge of the Justice Department's criminal division, intends to expand the "strike forces"—the multiagency investigative approach to organized crime—and predicts that the FBI will be "very active in the program."

Since the strike forces made up of Justice Department lawyers and senior federal investigators started moving into target cities on an experimental basis in 1967, the FBI has supplied most of the intelligence data and has investigated matters referred to it by the strike forces, but FBI agents have not joined the strike forces themselves. The new FBI role—reportedly one of close liaison with the strike forces—could be an important plus.

Beyond these moves, Nixon's crime message is expected to propose major legislation to fight crime and to disclose some innovative measures not requiring congressional action.

In drawing up its plans against organized crime, the administration has to face a criminal intelligence gap that may take years to fill.

Investigators say that when all electronic surveillance equipment was pulled out by President Johnson in June 1965, the information blackout became so complete that investigative agencies aren't sure today whether organized crime is increasing or decreasing, what types of operations are being stressed, or who's minding the organized crime store.

Investigators know federal assaults have shaken the Cosa Nostra high command, but they're not sure who has succeeded the dead, departed or imprisoned bosses.

Wiretapping and electronic eavesdropping is again possible, under congressional authority, but the authority is circumscribed, and some agencies don't see how they can use it. Nevertheless, Justice Department lawyers are determined to make the wiretap authority effective.

Another problem is a Supreme Court ruling that gambling tax laws are not enforceable because they violated the privilege against self-incrimination. Gamblers are still supposed to purchase gambling tax stamps, but they can't be prosecuted if they don't.

While officials don't like to lose the millions that came from the excise laws, the organized crime fighters regret the loss of 200 Internal Revenue Service agents who were assigned to enforce them.

The IRS agents made raids on the basis of evidence that a bookie establishment was operating without the required gambling tax stamp. Books and records seized enabled agents to compute how much excise tax the bookie should have been paying.

The seized books also provided leads to launch income tax investigations of major racketeers and heavy bettors. Some of the biggest racketeers went to jail as a result of those investigations—and so did some corrupt police and sheriffs whose protection payoffs were noted on the bookie records.

Legislation to ensure the constitutional rights of gambler-taxpayers while reinstating the gambling tax laws has been introduced and Asst. Atty. Gen. Wilson says the administration wants it.

Justice Department sources say both Nixon and Mitchell are concerned about other problem—organized crime's increasing infiltration of legitimate business.

The president, either in his first crime message or soon after it, is expected to include recommendations to cope with organized crime's efforts to "launder" its money by such infiltration.

A YOUNGER CROWD

U.S. Atty. Robert Morgenthau of the Southern District of New York, who has convicted more big-time members of organized crime than the other U.S. attorneys put together, says crime figures are going into business in two ways. Some of the old-timers are still operating in the old standbys: meat wholesaling, juke box, vending machine, garbage, linen supply and similar lines.

But the younger, sharper crowd, according to Morgenthau, is pouring millions into real estate, hotels, motels, gambling casinos and the stock market.

The White House is showing its concern about the possible attempt of a Bahamas gambling conglomerate to buy up 9.7 percent of the stock of Pan American World Airways, a $90 million venture on today's market.

Rep. Harley O. Staggers, D-W. Va., said the White House asked him to introduce a bill to prevent or delay such a sale and Sen. Norris Cotton, R-N.H., introduced legislation to give the Civil Aeronautics Board authority to rule out the purchase of an airline by another firm if it determined the sale was not in the public interest.

The conglomerate is Resorts International, formed from the old Mary Carter Paint Co. It owns or operates three plush Bahamas gambling casinos as well as hotels, land and other properties in the Caribbean.

HARTFORD THWARTED

Investigators noted two interesting sidelights of this business. First, Huntington Hartford, the wealthy developer of Nassau's Paradise Island, failed to get government permission to operate a gambling casino there. Yet the newcomer, Resorts International, made it.

Eddie Cellini, the Paradise Island casino manager, is the brother of Dino Cellini, who has been mobster Meyer Lansky's lieutenant in many of his gambling enterprises. Dino operates the Freeport casino elsewhere in the Bahamas.

The New York Stock Exchange itself is beginning to suspect that organized crime is moving heavily into the "hot stocks" business. Robert W. Haack, exchange president, says securities with a total value of about $37 million have been reported stolen or lost in each of the last two years compared with a recorded $9.1 million in 1966. Haack said the sharp increase over the past two years "could be viewed as evidence of organized crime" although it is not conclusive.

The Securities and Exchange Commission is giving "urgent" attention to any indication that a racket figure is getting into stock manipulation. When there's increased market activity, as there is today, organized crime figures move in with their large sums of money. They operate clandestinely and their names never appear on any public document.

SOURCES OF INCOME

The money for organized crime's infiltration into legitimate business comes out of a billion-dollar treasury. Here's a capsule view of how that money is being made today:

Gambling.—Estimates of the annual intake by organized crime from gambling range from $7 billion to $50 billion annually. The profit is as high as one-third of the gross revenue. Syndicate gambling is the greatest source of organized crime's fortune, and a principal target of the government's crime fighters because it makes the poor poorer while the mobsters get richer.

Narcotics.—The gross heroin trade is conservatively estimated at $350 million annually with organized crime controlling the international movement of the drug from Turkish opium fields to Corsican-run laboratories in southern France to American docks.

There is considerable indication that the Cosa Nostra high command wants organized crime to get out of the narcotics business because of the heavy mandatory penalties, but enough mavericks are still risking the trade because of the enormous profits.

Organized crime is also involved in the distribution end of the cocaine traffic but that's mostly controlled by Spanish elements.

Not mob-controlled but flourishing is the marijuana traffic, mostly from Mexico.

Increasing drug use by young people would be enough to spark law enforcement into an extra effort to reach the traffickers, but the administration is also concerned over the vast amount of street crime that can be laid at the door of narcotics. Addicts rob to get the money to buy drugs and they sometimes murder when they're hopped up.

The fight against the drug traffic is being carried on by a brand-new bureau, combining the Treasury Department's Federal Bureau of Narcotics with former Food and Drug agents of HEW's Bureau of Drug Abuse Control.

The Justice Department's Bureau of Narcotics and Dangerous Drugs, which came out of the merger, has to meld agents with different procedures, different thinking and different talents but its organized crime unit is now deeply involved in the current "strike forces."

Loan sharking.—No one is certain just how big this business is. Agents just know it is growing. Estimates range upwards from an annual take of $350 million to the billion-dollar range. Profit margins are even higher than in gambling and personal disasters are often greater.

Terrorized victims who can't meet the 5 percent per week interest rate either turn to street crime before the "enforcer" comes to collect or become fingermen for the mob. Like gambling, loan sharking is a mob method of taking over legitimate business from debtor-owners.

Labor union take-over.—Mobsters have used threats to infiltrate legitimate unions or to prevent unionizing. With going unions, their goal is to manipulate welfare and pension funds and insurance contracts.

They have moved into trucking, waterfront and construction trades. Once in, the mob plies its usual trade—loan sharking, gambling and pilferage of anything that's not nailed down. Because of the increasing infiltration of unions, Labor Department investigators are now joining the "strike forces."

White collar crime.—In addition to the theft of securities plaguing the stock exchanges, organized crime is giving increased attention to various forms of "paper" that can be forged or counterfeited.

The Secret Service reports that government bonds which used to be thrown away or left untouched in burglaries now are being passed with forged signatures.

The Postal Inspection Service is also working closely with the strike forces because of organized crime's invasion of the credit card business, the post offices and the world of merchandising.

Post Office burglaries are at a record high and postage stamps, which used to be ignored, have become a favorite target for thieves. Generally, they keep a third of the take, the fence keeps a third and organized crime's "businessmen" get stamps at reduced rates.

Cosa Nostra fences play the key role in marketing thousands of stolen and counterfeited credit cards.

What worries federal crime fighters most is organized crime's use of underworld methods in legitimate business—the unfair competition of not having to pay union wages, underselling until the legitimate businessman is driven out and then monopolistic overpricing.

This is one area of organized crime—unlike gambling or narcotics—where the public is no willing victim.

Organized crime's tentacles are believed to be reaching further all the time, but the bosses doing the reaching are changing.

Here's how the ruling "commission" reportedly looks today:

Thomas Luchese, commission member and boss of a New York "family" died in July 1967.

Naming a successor has been complicated by the fact that the four logical contenders have been too involved in FBI cases.

BEGINS PRISON TERM

In December 1967, John Dioguardi was sentenced to five years in a planned bankruptcy scheme. The same month, Vincent Rao received a preliminary sentence of five years for perjury, which was made final last Tuesday. James Plumeri has been indicted by a federal grand jury in connection with kickbacks made in attempting to secure a building loan. And the fourth heir apparent, Antonio (Tony Ducks) Corallo, was among those convicted in the bribery of New York's water commissioner, James L. Marcus.

Raymond Patriarca of Providence, R.I., the New England boss, went to prison Wednesday, sentenced to five years and a $10,000 fine in a racketeering case involving conspiracy to murder. No successor has taken over yet.

Carlos Marcello, the New Orleans boss, is still free on appeal bond following his August 1968, conviction on charges of assaulting a federal officer.

Sam Giancana, until recently the undisputed boss of Chicago's Cosa Nostra, spent a year in federal custody for contempt and then left the country to avoid further investigation.

Giancana's successor, Sam Battaglia, was sentenced to 15 years in prison and a $10,000 fine on a Hobbs Act extortion case uncovered by the Internal Revenue Service during an income tax investigation.

Another leader, Felix (Milwaukee Phil) Alderisio, was also convicted of extortion.

Things have gotten so out-of-kilter in Chicago that two elderly former "bosses"—Paul (The Waiter) Ricca and Anthony Accardo—reportedly have had to come out of semi-retirement to act as caretaker of the Chicago "family."

FBI SEIZES LEADER

Steve Magaddino of Buffalo, a commission member, was arrested by the FBI along with eight of his associates last November in connection with gambling operations. At the time, over $500,000 in hoodlum funds were seized. Magaddino is currently awaiting trial.

Joe Bonanno reportedly has been deposed as head of a New York "family" and there's considerable speculation that Paul Sciacca has become the boss.

According to the same speculation, Gaspare Di Gregorio, Steve Magaddino's brother-in-law, who originally succeeded Bonanno, couldn't stand the pressure, became ill and had to be replaced by Sciacca.

Joseph Colombo reportedly has survived as boss of the Cosa Nostra family long headed by the late Joseph Profaci. Colombo was said to have taken over after the insurrection led by the Gallo crowd.

And what of a successor for the man at the top?

TWO MENTIONED

Speculation leans toward either Gerardo Catena of Newark, N.J., or Thomas Eboli (Tommy Ryan) to succeed Vito Genovese, who died in prison Feb. 14. Eboli appears to be favored principally because he's several years younger than the 67-year-old Catena. Besides, informants hint that Catena doesn't want the job.

Still in business as commission members, according to some sources, are Angelo Bruno in Philadelphia, Carlo Gambino in New York and Joseph Zerilli.

Although organized crime shows no sign of declining despite the blows struck against the top leadership, there seems to be some optimism about making substantial inroads.

This optimism is found at the top, with Asst. Atty. Gen. Wilson, and all the way down to the federal agents themselves.

Said Wilson: "You can put these people on the ropes, even when a town has been corrupted. All you need is one honest job. And time, manpower, luck, the breaks and lots of work."

REALLY MEANS BUSINESS

An agent commented: "These people (the new officials) really mean business. It's in the atmosphere."

Several former prosecutors agreed on this summary: "Organized crime has always been a definable problem. Using all the techniques now at their disposal, the prosecutors can wipe it out. It's not like crime on the streets. You don't have to worry about sociological causes. You just go out and catch them and you don't have to concern yourself with rehabilitation—not with these people."

One of the men now responsible for fighting organized crime agrees, with reservations "The cases are there to be made if we have the investigators to make them, the prosecutors to prosecute and the judges to try them."

There's a certain implied agreement in this concluding sentence of the 1967 President's Commission Task Force Report on Organized Crime:

"The extraordinary thing about organized crime is that America has tolerated it for so long."

Mr. HRUSKA. Mr. President, I earlier joined with the distinguished senior Senator from Arkansas (Mr. McCLELLAN) in sponsoring the omnibus organized crime control bill and I am delighted once again to associate myself with his remarks concerning the bill and the very serious problem with which it deals. The Senator's description of the nature and scope of the organized crime menace in America today is detailed and informed. His explanation of the several provisions of the omnibus bill—and, more important, of the need for each of them—is scholarly and precise. I wish to add my commendation and wholehearted support of the Senator's objectives.

In addition, the chairman of the Criminal Laws Subcommittee and I are in agreement that the omnibus bill is just a beginning if the 91st Congress is to enact a really effective legislative program in the area of organized crime. Hopefully, other measures will be introduced here that will contribute significantly to that program. As the ranking minority member of the Criminal Laws Subcommittee, I look forward to participating in the pending hearings on the omnibus bill and on all other worthwhile organized crime measures that come before us.

In that regard, Mr. President, I announce my intention of introducing another package of organized crime bills in advance of the hearings which will contain measures similar to S. 2048 and S. 2049 of the 90th Congress. Just as I am not unalterably committed to the precise wording of any one or all of the provisions of the omnibus bill, neither am I committed to all aspects of the bills I am preparing. I have great confidence in the committee process. With all these proposals before the subcommittee, a sound program directed against organized crime will evolve.

There is one other point I would like to make. The omnibus organized crime bill contains a provision authorizing appellate review of sentences imposed under that act. I heartily approve of appellate review in this area. As the sponsor of S. 1540, which passed the Senate in the 90th Congress, I am anxious to con-

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tinue to advance this procedure until it is enacted into law. S. 1540 was, of course, much broader than section 3577 of title VIII of the omnibus bill. It applied to all defendants convicted of a felony and sentenced to 1 year or more in prison. It is my hope that section 3577 will be similarly expanded to cover all convicted felons.

Quite frankly, Mr. President, I see no reason to restrict the fundamental fairness embodied in appellate review to only those individuals convicted of participating in organized crime. For the information of the distinguished chairman of the Criminal Laws Subcommittee, I have drafted and will introduce shortly, a bill similar to S. 1540 of the 90th Congress. It is my hope that serious consideration will be given to adopting it in whole as an amendment to S. 30.

Mr. President, I want to take this occasion to express my appreciation of the firm and able leadership President Nixon and Attorney General Mitchell have demonstrated in their first weeks in office in the battle against crime in America.

The Attorney General's decision to employ electronic surveillance under court supervision is a major step forward in cracking down on the Mafia and other underworld organizations. There is no reason law enforcement officials should not use every legal means at their command to combat this evil menace.

The campaign of last fall clearly demonstrated that crime in the streets is a national problem. The tendency of the Johnson administration and its Attorney General to excuse the rising crime rate by placing the blame on poverty has been overwhelmingly rejected by the American public.

We all want to do all we can to work toward the elimination of poverty, but poverty is only one factor contributing to the alarming crime statistics. If we could somehow eliminate poverty overnight, there would still be the violent and the criminal and the depraved, preying on innocent citizens.

The best way to reduce crime is to enforce the laws, to make it less profitable and a lot more risky to break the law. In this connection, we must restore the Nation's respect, not alone for law and order, but for those public servants whom we employ for that purpose, the policeman, the sheriff, and other law enforcement agents.

The Federal Government has an important role to play in supporting the States and cities in their attack on the crime problem.

This role, Mr. President, covers a wide range from direct grants to State and local law-enforcement agencies to upgrade and improve them, to application of the tremendous technical assistance available from Federal agencies.

Along with better police protection, there must be a concomitant improvement throughout the whole area of criminal justice, improved court procedures to eliminate long delays in trials, better detention facilities, reform of bail procedures and special attention to the problems of the juvenile offender and the narcotics addict.

Again, I commend the distinguished Senator from Arkansas for his dedication and contributions to the war against organized crime.

SENATE JOINT RESOLUTION 75—INTRODUCTION OF JOINT RESOLUTION TO PROVIDE FOR A STUDY OF WEAPONS TECHNOLOGY AND FOREIGN POLICY STRATEGY BY AN INDEPENDENT COMMISSION

Mr. GORE. Mr. President, there appeared before the Subcommittee on Disarmament today three of the Nation's renowned scientists and citizens—Dr. Herbert F. York, Dr. G. B. Kistiakowsky, and Dr. J. R. Killian, Jr.

I ask unanimous consent that their statements before the committee be printed in the RECORD at this point.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

STATEMENT BY HERBERT F. YORK, BEFORE THE SUBCOMMITTEE ON INTERNATIONAL ORGANIZATIONS AND DISARMAMENT AFFAIRS OF THE SENATE FOREIGN RELATIONS COMMITTEE, MARCH 11, 1969

Mr. Chairman and Members of the Committee: I appreciate very much the opportunity to appear before your committee. I have already had a chance to read some of the testimony presented before this committee last week, and I will confine my prepared statements to a brief description of my own role in ABM matters and to certain other factors which either may have been overlooked in prior testimony or which might well be reemphasized.

I came to Washington to work in the government immediately after Sputnik in 1957, and remained here until 1961. I was first a member of President Eisenhower's Science Advisory Committee under the chairmanship of Dr. James Killian, then Chief Scientist of ARPA, and then Director of Defense Research and Engineering under Secretaries McElroy, Gates, and McNamara. During that period I endorsed and supported the R&D part of the Army's Nike Zeus program, and I helped to create and promote ARPA's more advanced BMD (Ballistic Missile Defense) program. It was also my responsibility to advise the Secretary of Defense on a number of occasions over a period of several years about proposals to deploy the Nike Zeus ABM. I strongly recommended against such deployment each time. It was the era of the supposed "Missile Gap" and accordingly that was not a popular recommendation. I am, of course, pleased to note that nowadays virtually everyone agrees that Nike Zeus should not have been deployed. My decisions and recommendations in those days were based almost exclusively on technical considerations. In brief, the recommendation not to deploy the Nike Zeus was based on my technical judgment that it would become obsolete before it could be deployed. The detailed reasons behind this conclusion were similar to those contained in the testimony given last Thursday by Hans Bethe, Daniel Fink, and Jack Ruina.

Soon after I left full-time government service, I became a member of the General Advisory Committee of the U.S. Arms Control and Disarmament Agency. In that capacity, I have not only had the opportunity to keep abreast of the technical status of the ABM, but I have also had the opportunity to be exposed to and involved in considerations of the political ramifications of the ABM, especially as they relate to arms control issues.

Last week's testimony before this committee described the Nike Zeus and Nike X systems and the problems their designers faced in attempting to find a way of coping with the Soviet offensive capability. The complex technical details of the situation were outlined then and supported the generally accepted conclusion that it is hopeless to attempt to defend against a sophisticated and determined offense. Last week's testimony went on to indicate how, after this fact was generally accepted, the promoters of the ABM proposed the Sentinel system for the purpose of countering an attack by Chinese missiles. Such an attack is supposed to consist of fewer and less sophisticated missiles and thus presents a simpler problem to solve. The problems created by decoys and other penetration aids are solved by defining them out of existence, and a cheaper area defense system becomes possible in theory. Serious consideration is also being given to a hard-point defense system in which the defense would intercept only those objects actually aiming at certain specific very small target areas such as those centered on hardened missile sites and command centers. The problems of penetration aid devices and tactics are again absent by definition, and the resulting problem, in truth I believe, becomes even easier to solve theoretically than in the case of the hypothetical Chinese missile attack. It is important to note, though, that in this hard-point defense case, entirely different defense methods, which cannot be used to defend cities or large areas, also become feasible. Such approaches include mobility (as in Polaris and Poseiden), deployment of greater numbers of offensive missiles, and various deception devices and tactics such as providing more missile silo targets than there are missiles, and then playing a sort of shell game with the missiles themselves. Thus it is precisely in the case where an ABM-type defense becomes easiest that numbers of alternative technical defense schemes also become possible. Furthermore and again because the problem as given is easier, it is quite safe to postpone any decision to deploy an ABM at least until after present attempts to get new arms control negotiations moving.

I should like now to turn to a technical problem that pertains to all the forms of ABM so far proposed, but which unfortunately is not so simple to discuss nor so easy to quantify as those brought to your attention last week.

Any active defense system such as the ABM, must sit in readiness for two or four or eight years and then fire at the precisely correct second following a warning time of only a few minutes. This warning time is so short that systems designers usually attempt to eliminate human decision-makers, even at low command levels, from the decision making system. Further, the precision needed for the firing time is so fine that machines must be used to choose the precise instant of firing no matter how the decision to fire is made. In the case of offensive missiles the situation is different in an essential way: although maintaining readiness throughout a long, indefinite period is necessary, the moment of firing is not so precisely controlled in general and hence human decision makers, including even those at high levels, can be permitted to play a part in the decision-making process. Thus the trigger of any ABM, unlike the trigger of the ICBMs and Polarises, must be continuously sensitive and ready, in short a "hair" trigger for indefinitely long periods of time. On the other hand, it is obvious that we cannot afford to have an ABM fire by mistake or in response to a false alarm, and indeed the Army has recently gone to some pains to assure residents of areas near proposed Sentinel sites that it has imposed design requirements which will insure against the accidental launching of the missile and the subsequent detonation of the nuclear warhead it carries. These two requirements, a "hair" trigger so that it can cope with a surprise attack and a "stiff"

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trigger so that it will never go off accidentally are, I believe, contradictory requirements. This problem exists only in the real world and not on the test range; on the test range there need be no such concern about accidental misfires, the interceptions do not involve the use of nuclear weapons and the day, if not the second, of the mock attack is known. Another essential (but again difficult to quantify) difference between the real world and the test range lies in the fact that the deployed defensive equipment will, normally, never have been fully exercised and even the supposedly identical test range equipment will never had been tested against the precise target or targets that the deployed equipment would ultimately have to face. In the case of other defense systems which have worked after a fashion, practice using the actual deployed equipment against real targets has been possible and has been a major element in increasing their effectiveness. Thus, the Soviet SAMs in North Vietnam work as well as they do because both the equipment designers and the operating crews have had plenty of opportunities to practice against U.S. targets equipped with real counter-measures and employing real tactics.

For these and similar reasons, as well as because of the technical problems detailed for you last week, I continue to have the gravest doubts as to the capability of any ABM system I have heard of, whether or not the problem has been defined into being "easy" and whether or not it "works" on a test range. I am not here talking about some percentage failure inherent in the mathematical distribution of miss distances, nor statistically predictable failures in system components, but rather about catastrophic failure in which at the moment of truth either nothing happens at all, or all interceptions fail.

I should like now to turn from technical matters to political matters concerning the relationship between the ABM and arms control policies and possibilities. It is frequently said that the ABM, or at least some versions of it, does not have serious arms control implications, the reasons advanced having to do with its intrinsically defensive character. In my opinion such a belief is based on an error which may be called the "Fallacy of the Last Move." It is indeed true, in some cases, that if the last move that was ever made in the arms race were that of deploying an ABM system, then deploying the ABM would by definition not have any arms race implications. But in the real world in which there currently is constant change in both the technology and the deployed numbers of all kinds of strategic systems, ABMs do have disarmament implications. In support of this notion, let me turn to a relevant bit of real recent history.

At the beginning of this decade, we began to hear about a possible Soviet ABM and we became concerned about its possible effects on our ICBM and Polaris systems. It was then that we began to consider seriously various penetration aid ideas among which was the notion of placing more than one warhead on a single offensive missile. This original idea has since grown in complexity, as these things do, and has resulted in the MIRV concept (*M*ultiple *I*ndependent *R*e-entry *V*ehicles). There are now additional justifications for MIRV besides penetration, but that is how it all started. As others have pointed out, the MIRV concept is a very important element in the arms race, and potentially seriously destabilizing. In fact, the possibility of a Soviet MIRV is used as one of the main arguments in support of the idea of hard-point defense and thus we have come one full turn around the arms race spiral. But no one in 1960–61 thought through the potential destabilizing effects of multiple warheads, and certainly no one did, or even could have, predicted that the inexorable logic of the arms race would carry us directly from Soviet talk in 1960 about defending Moscow against missiles, to a requirement for hard-point defense of *offensive* missile sites in the United States in 1969. Similarly no one today can outline in detail what kind of a chain-reaction a Sentinel or a hard-point defense deployment would lead to. But we all know of the propensity of scientists and engineers to respond to technical challenge with further technical complexity and we have seen the willingness of both sides to pay for the supposed technical solutions at almost any cost.

Thus, although I cannot be sure of the mechanism, I believe that either hard-point defense or Sentinel would produce further acceleration of the arms race. It is possible that the deployment of these ABMs would lead to a new round of penetration aid developments with further consequences of the magnitude of those produced by MIRV. It is indeed probable that deployment of these ABMs would lead to greater numbers of deployed offensive warheads on both sides. We may expect deployment of these ABMs would lead to the persistent query, "but how do you know it *really* works?" and the pressures now applied against the current Partial Test Ban Treaty would be multiplied. It is certain that deployment of these ABMs would lead to more steps in that awesome direction of placing greater reliance on automatic devices for making that ultimate decision as to whether or not doomsday had arrived.

It thus appears that as a specific part of a well thought out and well defined arms control agreement, deployment of hardpoint defense might play a positive role, but otherwise it would be just one more step away from national security.

Finally, perhaps the worst arms control implication of the ABM is the possibility that the people and the Congress would be deceived into believing that at long last we are on the track of a technical solution to the dilemma of the steady decrease in our national security which has accompanied the steady increase in our military power over the last two decades. Such a false hope is extremely dangerous if it diverts any of us from searching for a solution in the only place it may be found; in a political search for peace combined with arms control and disarmament measures.

SUMMARY

1. Because of certain intrinsic disadvantages of the defense, and because of certain fundamental design problems, I doubt the capability of either the Sentinel System or the hard-point defense ABM to accomplish its task, whether or not it ultimately "works" on a test range.

2. I believe the deployment of any ABM would in the long run almost always result in further acceleration of the arms race. An exception would be in the case of the deployment of an ABM as a carefully integrated part of a major move in the direction of arms control and disarmament.

3. One result of the arms race is that, as our military power increases, our national security decreases. I believe this basic situation would not be improved by deployment of any ABM.

4. Another result of the arms race is that, due to the ever increasing complexity of both offensive and defensive systems, the power to make certain life-and-death decisions is inexorably passing from statesman and politicians to more narrowly focused technicians, and from human beings to machines. An ABM deployment would speed up this process.

STATEMENT BY G. B. KISTIAKOWSKY ON MARCH 11, 1969, BEFORE THE SUBCOMMITTEE ON INTERNATIONAL ORGANIZATION AND DISARMAMENT AFFAIRS OF THE COMMITTEE ON FOREIGN AFFAIRS OF THE U.S. SENATE

Mr. Chairman, members of the committee, it gives me great pleasure to respond to your invitation to present to you my observations on the Anti-Ballistic Missile Systems and on the related issues of strategy and foreign policy of the United States.

During most of the fifties I was actively involved on an advisory level, with our long range ballistic missiles program and had little opportunity to acquaint myself in detail with the problems of defense against a ballistic missile attack. However, starting late in 1957 when I was appointed a member of the President's Science Advisory Committee and especially since mid-1959 when chosen by President Eisenhower as his Special Assistant for Science and Technology and elected chairman of PSAC, problems of missile defense became part of my concerns. The PSAC then had several strong panels of experts carefully considering, from the technical point of view, various aspects of military technology. For instance some of the conclusions of the panel chaired by Dr. J. B. Wiesner, later the Special Assistant for Science and Technology to President Kennedy, were that the installation of BMEWS (Ballistic Missile Early Warning Radar System) was an urgent task that our land based missiles should be dispersed and be converted as soon as possible to hardened under-ground silos and so forth. These recommendations were based on the conviction that the strategic posture of the United States should not be one of hair trigger response to a tactical warning of attack but of ability to withstand a first strike and still be in a position to retaliate with adequate forces. This panel—and to a less intense degree the entire PSAC—studied in detail the Army's proposed ABM system which, I may note, was a logical sequel to Army's concern with anti-aircraft defenses (AA artillery and more recently the Nike Ajax and Nike Hercules AA missiles).

In 1959–1960 the Army representatives and the contractor's technical personnel in repeated meetings with us were very confident of the performance of the Nike Zeus defense system, then in development and urged the immediate start of its deployment. Several alternate levels of deployment were being proposed to meet various objectives. The technical findings of PSAC, however, were not favorable to deployment. The system could have probably dealt effectively with a modest number of simple "first generation" offensive missiles but was likely to fail against a more sophisticated missile attack, which would employ various penetration aids, such as decoys, electronic black-out and radar jamming devices. A major weakness of the system was its low "traffic-handling" capacity, that is, its inability to deal simultaneously with numerous incoming reentry vehicles, because it relied on mechanically steered radar antennas. As I recall, our panel urged the development of electronically scanning antennas, the so-called phased-array radars, which however were then regarded as not feasible by some of our briefers. Of course, since then such radars have been fully developed.

Other points of weakness were, as I already noted, the sensitivity of Nike Zeus to electronic blackout and its questionable ability to discriminate against even primitive decoys.

The panel was also concerned with the proposed Kwajalein Island tests of Nike Zeus interceptor missiles, using as targets the nose-cones of souped-up IRBM Jupiter missiles launched from Johnston Island, fearing that they would not be realistic enough. It urged the use for this purpose of ICBM's launched from the Vandenberg Air Force Base. These have been used in such tests, which began about 1962.

President Eisenhower's decision was to postpone the deployment of Nike Zeus pending more development and therefore he did not authorize the expenditure of the so-called pre-production funds which were appropriated by Congress for this purpose. Later President Kennedy decided against deployment of Nike Zeus, but initiated the development of the present Nike X system.

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It is interesting to contemplate that, had the deployment of Nike Zeus been authorized in 1960–61, we would have just about now the full system in operational readiness, after spending what was then estimated as $20 billion and could have been, judging by analogy with other large weapon systems, twice as much. Considering the current numbers and sophistication of offensive missiles now being deployed by the super-powers it is technically certain that the Nike Zeus ABM system would now be of little value. It would be obsolescent or even obsolete, judging by the fact that the probably somewhat more modern Soviet ABM defenses around Moscow are rated of little value to the Soviet Union by our competent military experts.

For several years after 1961 my contacts with the ABM system development were quite superficial, until late in 1966 when the former Secretary of Defense, Mr. McNamara, asked me to familiarize myself with Nike X and to form an opinion regarding the desirability of various levels of deployment of this system. As he stated in his San Francisco speech in the fall of 1967 and in his book "The Essence of Security" my conclusion was not favorable to the deployment of either the heavy anti-Soviet-attack system or the light (Sentinel) anti-Chinese-attack system.

A thinking man's first reaction to any proposal for a defense system against the almost unimaginable horrors of an attack with nuclear-armed ballistic missiles must inevitably be favorable. If lives can be saved, if we can preserve our society after a nuclear attack, expense does not matter and, besides, an effective defense system should give us a greater latitude in foreign policy. A detailed consideration leads me to conclude, however, that the proposed deployments of Nike X or its derivative Sentinel system are not likely to make major contributions to these objectives for a number of reasons and could actually be harmful to our national security.

The components used in Nike X and Sentinel systems, the radars, missiles and computers, are much more advanced than were those of Nike Zeus, but the new systems are extremely complex and the possibility of what Dr. Herbert York, the former Director of Defense Research & Engineering, has called massive failure cannot be excluded for a system that must function the very first time it is tried out as a whole.

Nike X involves mammoth computers because in the few minutes that would pass between detection and intercept of incoming missiles no human command organization could decide upon and then manually execute the proper defense tactics. But computers, however fast they are in making decisions, must be instructed in advance by humans on what to decide upon in every situation that will confront them. Thus, however elegant the electronics, in the end one must trust that the computer programmers will correctly anticipate all the future tactics that will be used against our defenses. They must write correct programs for discriminating between warheads and decoys, without knowing for sure what their characteristics will be. Having tried to use the Boston automatic telephone system after a great snowstorm of a few weeks ago, I feel sensitive about the ability of complex automatic devices to overcome even the blind vagaries of nature, not to mention skilled human intellects of a potential enemy.

Let me give you a few examples from the past to illustrate the reasons for my technical doubts.

Two highly competent and well informed individuals, Drs. R. L. Garwin and H. A. Bethe, have described in some detail in the Scientific American magazine (Volume 218, March 1968) several penetration aids that might be used at a comparatively low cost to the attacker. They conclude that the present type of ABM systems could easily fail in such an environment.

The anticipation of the future tactics of an enemy is an extremely difficult task. Perhaps obliquely this can be illustrated by the degree of surprise achieved in the TET Vietcong offensive of a year ago or in the capture of the intelligence ship Pueblo.

We may also note that the difficulties in programming the computers of the SAGE anti-aircraft defense system turned out to be so great that a separate large organization was finally set up to do the programming.

Finally, the performance of complex military systems is frequently lower than promised by the contractors, even after modifications have been made upon field trials, as evidence by the statistical data reported in an article of Bernard D. Nossiter (Washington Post, January 26, 1969). The F–111 aircraft is a specific recent example.

I am not asserting that all the indicated difficulties are certain to plague Nike X, but on the other hand it is difficult for me to conceive how decisions on foreign policy of the United States could be substantially influenced by the assertion that the deployed ABM system will perform under attack as well or better than promised. Thus the available range of foreign policy choices cannot be greatly influenced by the ABM deployment.

Several highly qualified individuals have concluded that a heavy deployment of Nike X cannot protect us—it cannot give us an impenetrable shield—in Mr. McNamara's word—against a sophisticated large scale missile attack. Of course some attrition of attacking missiles will be achieved and thus, if our potential enemy takes no steps to compensate for the deployment of ABM, some damage and casualty reduction could be expected. But the assumption that such steps would not be taken appears highly improbable if the adversary is the Soviet Union which has the means to take them and will feel compelled to do so, to preserve its secure deterrence posture. In fact overreaction, as judged by the past, would be the norm, particularly when the uncertainties about performance are as great as with the ABM systems. The probable responses include increases in the numbers of offensive missiles and the deployment of MIRV's with their destabilizing effect. The development of the latter we ourselves decided to undertake upon learning of the start of the deployment of the Soviet ABM. These steps induce obvious counteractions by the other superpower and the net result could easily be another major expansion of offensive missile forces and an accompanying uncertainty about the security of our deterrent.

The complex political consequences of such a heightened arms race are beyond me to evaluate quantitatively. Intuitively I anticipate a loss for our National Security. One aspect of this is to what extent will there be an adverse effect of such an arms race on other nations, such as the almost certain adverse effect on the Non-Proliferation Treaty.

The other is that in the period of an intense arms race the knowledge of the capabilities and intentions of the adversary suffers. Thus the incentives for a hasty unilateral action—even a pre-emptive strike for instance—rise. Hence the probability of nuclear war might increase. I doubt very much that the deployment of Nike X would compensate for this rising probability by a drastic limitation of damage in the event of nuclear war.

The original Sentinel or thin anti-Chinese ABM deployment concept emphasized area, that is, population, defense by long range Spartan interceptors. It appears that this concept was somewhat changed by last fall, resulting in sites containing both Spartan and Sprint missiles which were to be deployed near our largest cities.

It seems reasonable to assert that an attack on the United States by a modest force of ICBM's which the People's Republic of China is likely to deploy sometime in the seventies is wholly irrational, since it would invite a retaliatory blow which would totally destroy China. If none-the-less the Chinese decide to attack, they would certainly be capable of adding some penetration aids to their ICBM's if, as assumed, they would have the technical and other resources to deploy a significant ICBM force. For an irrational action such as we are hypothesizing the certainty that penetration aids will succeed would not be required and hence the presence of Sentinel might not be a deterrent. The Chinese, of course, could also use other means than ICBM's for an irrational nuclear attack in which case Sentinel might be of no use. Thus the basing of the United States policies on the assumption that Sentinel would prevent large American casualties in the case of a Chinese attack in the seventies would not be very prudent. On the other hand, the deployment of the Sentinel, especially in the mode begun last fall, fore-shortens greatly the lead time for a conversion of it to a heavy ABM deployment. This the Soviet military planners would have to take into account and thus the likelihood of an all-out missile race between the super-powers might increase.

Another form of ABM deployment has contemplated the exclusive defense of our hardened missile sites. Under proper circumstances such a move would not be inviting an arms race and could in fact stabilize mutual deterrence by protecting the retaliatory force against a preemptive strike. It is highly doubtful, however, considering the present threat, whether such deployment need be started immediately. Furthermore the Sentinel system is over-designed for this application, since the intercept of incoming warheads could take place much nearer to hardened Minuteman silos than to cities and the probability of kill of the incoming warheads could be relaxed. Thus, for instance, an interceptor of shorter range and less acceleration than the Sprint could be largely employed and other simplifying changes made. To avoid the dangers of the arms race that I have already discussed, the defense of missile sites must be unambiguously designed just for this purpose.

Having followed the development of weapon systems over the past quarter of a century, I cannot remain unaware of the very substantial momentum that a technological development of the magnitude of our ABM creates. I am therefore concerned that even a limited deployment would be open-ended and, with assembly lines operating, could lead to a continuously expanding system, which would obviously be a stimulus to a heightened arms race.

My presentation thus far made no mention of arms control agreements but not because I am opposed to them. I welcome unreservedly President Nixon's announced intention to engage soon the Soviet Union in discussions and negotiations on the limitations of offensive and defensive strategic weapons. It is only a cessation of the arms race that could in the long run decrease the threat of nuclear war and thus, in a real sense, increase our national security.

I recognize that agreements on arms control measures will undoubtedly take much time and will not be easy to achieve. In the meantime, it seems to me, it would be to everybody's advantage to avoid commitments which could result in the acceleration of the arms race. This includes deployments of ABM systems, even though the eventually agreed upon strategic arms might comprise modest ABM defenses as a protection against accidents and against attacks by third parties. In fact, however, the verification of the extent of ABM defenses might present such difficulties that prudence would call for their abandonment.

In conclusion, Mr. Chairman, may I express the hope that these general remarks, which I would be glad to elaborate if asked to do so, will be of some small use to your Committee.

XUM

Statement by J. R. Killian, Jr., Before the Subcommittee on International Organization and Disarmament Affairs, Senate Committee on Foreign Relations, March 11, 1969

Mr. Chairman, gentlemen, I am glad to accept your invitation to present my personal views this morning, but I must hasten to disclaim any specialized competence for commenting on current proposals for the deployment of the Sentinel system. In January, 1967, I was invited, along with others, by Secretary McNamara to give my reaction to proposals then under consideration for deployment of an ABM system. Not since then have I had occasion to bring myself up to date on the technological, intelligence, costs, and international factors which, in my judgment, must be carefully weighed together if one is to reach worthwhile, responsible conclusions on the deployment of an ABM system. In the past two years my extracurricular time and energy have been largely devoted to local urban problems and to innovation in education, including bringing the immense power of television technology into full service through the strengthening of educational or public television. As a consequence, I have not kept abreast of developments in defense technology as I once did.

At the 1967 meeting called by Mr. McNamara, I expressed grave reservations about the desirability of deploying an ABM system under conditions obtaining at that time. I felt that deployment should be deferred in the hope that escalation could be avoided, but that research, development, and testing should continue. I tend to hold those same views today, but for reasons I have given, my views are not buttressed by an adequate study of the issues which now confront us.

For almost twenty years, beginning in 1950, I devoted major energies to mobilizing advice on problems of national defense, and this experience has left me with a continuing sense of the inescapable requirements and urgencies involved in preserving our national security; we cannot relax our vigilance in maintaining a stable deterrent to nuclear war. At the same time, this long experience also has given me a growing awareness of the importance to national security of sustained efforts to seek a curtailment of the strategic arms race. My views toward the ABM have been conditioned by the priority I give to moderating, if at all possible, an action-reaction escalation of the arms race.

I fear that substantial ABM deployment either by the Soviet Union or ourselves could result in escalation and could well fail to provide us with any additional security. In reaching the conclusion I did two years ago, I was also troubled by the possibility that the cost of an ABM system could increase faster than the cost of strengthening the offense. I still feel that the maintenance of a credible deterrent offensive capability is better insurance against a first strike by an adversary than an ABM shield. Above all, I have felt the importance of restraining the strategic arms race as an essential objective in avoiding the ultimate catastrophe of a nuclear war which could imperil the survival of all civilized societies.

I find it difficult to appraise the ABM without viewing it in the total context of all our offensive-defensive strategic forces. It is troubling that this systems view is so largely neglected in the current public debate.

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I salute this committee for its efforts to illuminate the complex issues surrounding the ABM and to provide a forum for balanced, objective views.

In my invention to come before the committee, I was encouraged to comment on the urgent need today better to mobilize and draw upon the intellectual resources of the country in aiding the publicly accountable officers of government, both in the legislative and executive branches, to secure the assessments and analyses they need in considering intricate technological developments, such as the ABM, which are intertwined with policy and strategic questions. Because of the growing impact of technology on policy-making, we need better methods of assessment in order to assure that technology will be used beneficially to enhance our security and to improve the quality and tranquillity of our society.

A proposal

Let me first make a specific proposal prompted by the current Sentinel debate. In considering the strategic options available to us in the years ahead, it seems essential that we plan not by single systems, such as the Sentinel, one at a time, but for the strategic system as a whole. This and other considerations lead me to suggest that an *ad hoc* commission or task force be appointed to make an independent, comprehensive study in depth of our weapons technology and of the factors which bear upon the decisions the nation must make regarding ongoing strategic forces and policies.

For several months I have become increasingly convinced that such a task force is now urgently needed. The commission that I have in mind should be made up of members who would devote full time over a period of several months to the study. The task force should be independent of the Department of Defense and other government agencies which have a direct responsibility for formulating, advocating, and carrying out strategic programs. In its studies it should seek to gain an understanding of the relationships of all of our weapons systems and of the strategic options confronting this country in the years immediately ahead.

I do not propose that the findings of such a commission should necessarily carry more weight than studies conducted within government. I have great respect for the thoroughness and rigor which the government can bring to the formulation of policy decisions. Independent studies, such as I suggest, might well serve to sharpen the government's own analyses. The task force's recommendations should be critically examined by the normal procedures of the government and considered in relation to proposals which have come from the Department of Defense. Their special value would be that they would be independent conclusions reached by a group of competent citizens who were free of organizational loyalties and who could, therefore, formulate their evaluations and recommendations without being constrained by any departmental commitments or biases. So often the roles and missions interests of the Armed Services influence defense decisions more than they should, and the task force I suggest could transcend these service interests. By virtue of its freedom from any vested interests, such a commission could also provide some reassurance to the growing number of citizens who are concerned about the "military industrial complex" and its alleged influence on our strategic policies and programs.

In 1954, I chaired a large-scale study partaking of some of these characteristics, which was undertaken at the request of President Eisenhower, and I think it fair to say that that intensive and comprehensive study which resulted helped in reaching priority judgments about our weapons technology and related matters, and was ultimately viewed as helpful by the government agencies involved.

In playing its fundamental role in reaching decisions about these weapons systems, which require vast expenditures and which might have a fateful effect on our survival, Congress, I respectfully suggest, can benefit from independent assessments. Essential as it is, I am not sure that the conventional hearing is by itself sufficient to provide Congress with the searching studies it needs to cope with the complexities of great security issues such as that presented by Sentinel. Is it not possible that Congress, too, could benefit from creating a variety of special task forces to make studies in depth for its cognizant committees? It has been heartening to note the growing practice of some Congressional committees, including this one, to contract for special studies and to engage consultants who can do more than simply appear for brief testimony. The public would also benefit if independent studies marked by thoroughness and objectivity could be made available. Perhaps the National Academy of Sciences and the National Academy of Engineering provide vehicles for such studies. It would be of advantage if these studies were financed by private funds. There are a growing number of scholars in our universities who are engaged in interdisciplinary studies of public policy issues, including defense, and they consttiute a growing pool that can be tapped.

Some years back, Dr. James B. Conant made a proposal that I do not believe has ever been tried in a formal way. He advocated that in the consideration of weapons of technical complexity and great cost, there be a quasi-judicial review of proposals, including a form of adversary proceeding. "When a question comes up to be settled," he suggested, "one or more referees might hear the arguments pro and .con. If there were no contrary arguments, some technical expert should be appointed to speak on behalf of the taxpayers against the proposed research and development. Then adequate briefs of the two or more sides should be prepared (not a compromise committee report.)" Conant went on to emphasize that today every citizen is a "party to an enormous new enterprise. His government has gone into the research and development business on a scale totally different from anything seen in the past. . . . Consequences of tremendous significance in terms of survival may hang on the way this work is carried on", and "the waste of enormous sums of money could threaten the soundness of our economy." (James B. Conant, *Science and Common Sense* (New Haven, Conn.: Yale University Press, 1951), pp. 337, 338.)

It is important for the policymaker and the public to have the benefit of listening to contending points of view on complex technical and strategic proposals such as Sentinel, and also for them to recognize that many questions involving both technical and policy issues cannot be answered with positive yes or no certainty. There are many such questions to which scientists of equivalent competence, objectivity, and complete integrity will respond differently. I cannot fault those experts who favor an ABM deployment, and they, too, need to have full opportunities to be heard.

In conclusion let me re-emphasize that along with the Executive Branch, Congress is faced with grave and fateful decisions about our nuclear strategic forces and policies. The fate of the whole world is involved. Congress will need to combine with its own great resources of informed judgment the best wisdom available in the nation. As it grapples with these issues, it also has the opportunity along the way to inform the public and make available to the public the objective and searching assessments it sponsors. In the belief that these hearings are for that purpose, I count it a privilege to be here.

Mr. GORE. Mr. President, Dr. Killian made a suggestion in his testimony before the committee that a Commission for the Study of Weapons Technology and Foreign Policy Strategy be established.

I introduce a joint resolution to establish such a Commission and send it to the desk for appropriate reference; and

I ask unanimous consent that it may be referred to the Committee on Foreign Relations.

The PRESIDING OFFICER (Mr. GRAVEL in the chair). The joint resolution will be received and referred to the Committee on Foreign Relations.

The joint resolution (S.J. Res. 75) to provide for a comprehensive study of weapons technology and foreign policy strategy by an independent commission, introduced by Mr. GORE (for himself and Mr. PERCY), was received, read twice by its title, and, by order of the Senate, was referred to the Committee on Foreign Relations.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. FULBRIGHT. Mr. President, I wish to join in paying tribute to the hearing this morning which the Senator arranged. These three men, who have had long experience in the past, particularly under President Eisenhower, are undoubtedly among the finest scientists this country has anywhere. They testified before in connection with the Test-Ban Treaty and they performed other functions of Government.

I think the Senator from Tennessee performed a great service to bring them before the committee and give them a forum to speak to the American people about one of the most difficult problems that we have. I congratulate the Senator.

Mr. GORE. I thank the Senator.

Mr. President, I took the liberty of forwarding a copy of the statement of each of these gentlemen immediately to the White House for the personal attention of President Nixon. Like the Senator from Arkansas, I was tremendously impressed with the erudition, the intellectual capacity, and the cogency of their logic. I thought their views deserved the attention of the President and his advisers at the White House.

The Senator from New Jersey (Mr. CASE) was so impressed with their testimony that he arranged for them to have a conference at the White House with Mr. Kissinger and perhaps with President Nixon.

It is my hope, although I have nothing more than a hope on which I can base it, that there will be a turning of the tide. Indeed, there may already have been a turning of the tide on this issue. We made a great mistake in starting this deployment. It has now been demonstrated to have been a fallacious decision. There is no need to persist in a mistake merely because a mistake has been made.

I thank the Senator from Arkansas.

TREATY ON THE NONPROLIFERATION OF NUCLEAR WEAPONS

The Senate resumed the consideration of Executive H, 90th Congress, second session, the Treaty on the Nonproliferation of Nuclear Weapons.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, I ask unanimous consent that I be permitted to continue for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, the overriding importance of the Nuclear Nonproliferation Treaty lies in its affinity with one of our principle national policy goals—avoiding nuclear war. This has been the stated goal of every American President, in his conduct of foreign policy, since 1945. And it must continue to be a guiding precept of our policies.

Since the advent of nuclear weapons technology changed the course of the world 24 years ago, those nations possessing nuclear weapons have been assiduous to prevent their use. They have done so primarily by relying upon the deterring effect of a powerful offensive nuclear force, a force capable of responding with a devastating attack even after absorbing a surprise first strike.

But there is another path to preventing nuclear war, a path more difficult to follow. This is the path toward a comprehensive and effective nuclear disarmament treaty, as a condition precedent to a general disarmament treaty.

The first step in this direction was the plan Bernard Baruch developed in 1946 and which the United States presented to the United Nations in the same year. Under this plan, an International Atomic Development Authority would have been created as the entity to hold and develop all nuclear weapons and nuclear activities. The United States would have agreed to stop the manufacture of atomic bombs and to dispose of its existing stockpile. The Soviet Union did not accept this plan; as a result, the first step along this path faltered in disagreement.

The second step took place in 1956, when on U.S. initiative the United Nations created the International Atomic Energy Agency. This Agency has as its purpose the promotion of peaceful use of the atom, and the development of a system of international inspection and safeguards.

But it was the third step toward nuclear disarmament which signaled a major advance. This was the Nuclear Test-Ban Treaty of 1963, which President Kennedy called "a shaft of light cut into the darkness" of the ever-expanding arms race. While this treaty was not effective to stop all nuclear test explosions, primarily because France and China refused to sign the treaty, it virtually eliminated the growing amount of nuclear fallout so perilous to world health.

The Senate is now debating ratification of a fourth step—the Nuclear Nonproliferation Treaty. We must view this treaty in the context of the previous steps, and in the hope of even more steps. The Nonproliferation Treaty is a way station on the path toward eventual consummation of a nuclear disarmament treaty, and in this is the treaty's overriding importance.

In concept, the Nonproliferation Treaty is strikingly simple: by limiting the number of nations which possess nuclear weapons, we can both shorten the path toward eventual agreement upon nuclear disarmament and greatly reduce the likelihood of the holocaust of world nuclear war.

But in execution, the Nonproliferation Treaty has proved much more complex. Part of the complexity, ironically, rises out of the fact that we have not previously been able to limit the proliferation of nuclear weapons. Two existing nuclear states—France and China—have indicated that they will not sign the Nonproliferation Treaty, just as they did not sign the Test Ban Treaty. This does not argue against U.S. ratification of the treaty; in fact, it is evidence that we must move quickly to ratify it, and to urge the present nonnuclear states to do likewise. For if we do not ratify it, and if we do not press unrelentingly for other nations to do the same, then there may well be an increasing number of nations which, as they gain nuclear capabilities, refuse to ratify it. This would serve only to raise the instability of the shifting balances of terror which so far have militated against nuclear war.

About the concept of the treaty—there can be little serious argument, I should think, that its purpose is our Nation's purpose. But about the translation of this concept into the words and phrases of a treaty and of its rights and obligations—there have been serious arguments, and there remain some few uncertainties.

The Committee on Foreign Relations has, I think, given the Senate wise guidance on the troublesome questions of interpretation, just as our negotiators and those from the other nations made wise choices from among the various alternatives open to them. Senator Robert F. Kennedy made his maiden speech to the Senate in 1965 on the need for a treaty to limit the proliferation of nuclear weapons. In that speech, he outlined the difficult areas which had to be resolved before any treaty could be written. These areas were almost precisely the ones which gave our negotiators the most difficulty, and are the ones about which the Committee on Foreign Relations expressed the most concern.

One of these areas involves our obligations to our allies. The committee has determined that the Nonproliferation Treaty in no way limits the right of the United States to enter agreements to station nuclear weapons, owned and controlled by the United States, on the soil of an ally. This is an important point, going as it does straight to the heart of both our own deterrent capabilities and the credibility of many of our treaty commitments. It should be clearly understood, I think, that as the Senate gives its advice and consent on the Nonproliferation Treaty it does so on this reading of the treaty.

Related to this issue of the right to station U.S.-owned and controlled nuclear weapons on an ally's soil, is the construction given the security guarantee resolution adopted by the United Nations Security Council on June 19, 1968. In that resolution, the nuclear signatories of the Nonproliferation Treaty—the United States, the Soviet Union, and Great Britain—gave a security guarantee to the non-nuclear signatories who faced either actual nuclear aggression or the threat of nuclear aggression.

In an identical declaration made by the United States, Great Britain, and the Soviet Union in explaining their votes in favor of the resolution, the three nations stated that an aggressive nation "must be aware that its actions are to be countered effectively by measures taken in accordance with the United Nations Charter." There is the distinct implica-

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tion in this language that the United States has made a blanket pledge of assistance, and it is consequently important that the administration has disclaimed any intention of doing so. Similarly, the committee has stated in the plainest language that this security resolution and declaration must not be considered any ratification of previous commitments or creation of new ones.

There is, however, a clear and direct connection between the security resolution and the Nonproliferation Treaty, even though the resolution is technically outside the ambit of the treaty. Consequently, while the administration and the committee have made their disclaimers, I believe the Senate has a continuing obligation to oversee whether this resolution in fact brings the United States and the Soviet Union into closer cooperation within the United Nations framework, and also to monitor this resolution's impact on our existing treaty commitments.

Article VI of the treaty states the obligation of each of the parties to the treaty to pursue good faith negotiations toward "general and complete disarmament under strict and effective international control." Since this is a long-range goal of the United States, as well as of the other signatories, this article is undeniably a key component of the treaty. Further, it accurately describes the overall context in which the importance of the Nonproliferation Treaty should be gaged: As a way station on the path to a disarmament agreement.

The general consensus is that the two great nuclear powers—we and the Soviets—have an unparalleled opportunity to begin preliminary discussions on agreements to limit the arms race, and to move toward disarmament. We must not let this opportunity pass us by. We are at the brink of a new lap in the arms race—and if we begin that lap, then meaningful talks will be virtually impossible.

Consequently, it is my own belief that we must not make any decisions, take any actions, or suggest any steps which would prejudice the immediate beginnings of talks on arms limitations. This is one reason I believe it unwise to deploy the Sentinel ABM system: it signals to the Soviets that we are less interested in beginning talks than we are in deploying new weapons systems.

Many individuals have suggested, as one way of justifying a decision to deploy the Sentinel ABM system, that it would actually bring the Soviets to arms limitations discussions more effectively than if we did not deploy Sentinel. But surely this is Alice-in-Wonderland logic. For it is implicit in this argument that we believe we could force the Soviets to bargain with us because deploying Sentinel would markedly degrade the effectiveness of the Soviet deterrent. This flies directly in the face of the experience of the last 20 years, as well as of commonsense. If the Soviets believed that our Sentinel system was an effective ABM system—and there are very serious questions as to its effectiveness—their response would almost certainly be to deploy their own ABM system, or to increase significantly their offensive capability.

This is why I would go further than the Committee on Foreign Relations did in its report. On page 18 of that report, the committee said:

> The Administration should consider deferring the deployment of these (new offensive and defensive) weapons until it has had time to make an earnest effort to pursue meaningful discussions with the Soviet Union.

I would hope that the administration would do more than consider deferring deployment. I hope—and urge—that deployment is actually deferred. We do stand at yet another crossroads in the nuclear arms race, and cannot let the opportunity to pursue the path of peace pass us by.

Should we continue our deployment of the Sentinel ABM system, we would force the Soviets to deploy one of their own, and to develop even more sophisticated offensive capabilities. This would in turn force us to respond in turn. Each increase in arms generates an increase in tension; and each increase in tension leads us closer to hostilities. As a result, I think we should definitely defer deployment of the Sentinel ABM system.

Articles IV and V of the treaty are designed to compensate the nonnuclear signatories for pledging not to acquire nuclear explosive devices, even for peaceful purposes. Under these two articles, the nuclear states undertake to facilitate exchanges of information, materials, and equipment for the peaceful uses of nuclear power, and to provide assurances to the nonnuclear states that will share in the benefits of peaceful application of nuclear-explosive devices.

This aspect of the treaty is vital to its acceptance by the nonnuclear states, and for that reason must be a part of the treaty. But it does raise a serious question related to the general and widespread availability of nuclear materials. There are, today, some 300 small research nuclear reactors located throughout the world. Based on this figure, and based on estimates of the growth in number of reactors, there will be about 18,000 pounds of plutonium produced annually by 1970, and about 132,000 pounds by 1980. The corresponding amounts of plutonium accumulated in the world as a result of past production will reach about 62,000 pounds by 1970, and about 825,000 pounds by 1980. Yet less than 22 pounds of plutonium are needed to build a bomb capable of destroying a medium-sized city.

The latent threat to world security inherent in the civil nuclear power programs, demonstrated by these figures, is already clear. And it will grow to ever larger dimensions in the years just ahead, as the stockpiles of plutonium for civil nuclear programs in many different nations dwarf the stockpiles of fissionable material in the nuclear weapons of the nuclear weapons states. I do not mean to indicate that the Nonproliferation Treaty will exacerbate this latent threat; rather, it gives us a focus for its consideration. I think we should increase our discussions and awareness of this problem; facing it today will save us headaches tomorrow.

Let me say a final word about the treaty. The Chairman of the Joint Chiefs of Staff, General Wheeler, indicated that the Chiefs were unanimous in their support of it. This should lay to rest any fears that the treaty in any way imperils our national security.

When President Kennedy urged the Senate to ratify the Nuclear Test-Ban Treaty, on July 26, 1963, he said:

> For the first time in many years, the path of peace may be open. No one can be certain what the future will bring. No one can say whether the time has come for an easing of the struggle. But history and our own conscience will judge us harsher if we do not now make every effort to test our hopes by action, and this is the place to begin. According to the ancient Chinese proverb, "A journey of a thousand miles must begin with a single step."
>
> My fellow Americans, let us take that first step. Let us, if we can, step back from the shadows of war and seek out the way of peace. And if that journey is a thousand miles, or even more, let history record that we, in this land, at this time, took the first step.

We did take that first concrete step, and after the Senate ratified the Test Ban Treaty, President Kennedy signed it on October 7, 1963. We have the opportunity, in the Nonproliferation Treaty, to take another major and concrete step along the path to nuclear disarmament. We should do no less, for the fate of mankind hangs on the intensity of our efforts to eliminate the threat of nuclear weapons in the world.

Albert Einstein once said:

> The unleashed power of the atom has changed everything save our modes of thinking, and thus we drift to unparalleled catastrophe.

We must not drift. Rather, we must recognize an opportunity and steer resolutely toward it. We have a rare opportunity, now, to advance the cause of world peace by ratifying this treaty. I believe we must.

Mr. COOPER. Mr. President, will the Senator from Arkansas yield to me for 2 minutes so that I may make a statement?

Mr. FULBRIGHT. I yield.

Mr. COOPER. Mr. President, I wish to address myself to the reservation proposed by the distinguished Senator from North Carolina (Mr. ERVIN).

An examination of the statement made by former Ambassador Goldberg in the United Nations and in the Security Council will show that it simply pledged the United States to proceed according to the charter. The charter and rules of the Council, of course, provide that when a subject is brought before the Security Council, it can be taken up or it can be refused to be taken up by the Security Council. If inscribed on its agenda by the Council, the United States could make a judgment, as any other member of the Security Council could, whether aggression or the threat of aggression had occurred. Of course, if there had been a nuclear attack it would be manifest.

It should be said, in all candor, that the United States has pledged itself, which it is not now required to do, to lay a matter of aggression or its threat before the Security Council; but after that, all rights of the United States would continue as at present.

For myself, I would say that it was

perhaps unfortunate that the Government of the United States directed former Ambassador Goldberg to make the declaration, for it gives the impression that more is required of the United States. But it is not in the treaty, and it is not an executive agreement. It is a statement on behalf of the United States which should bear weight, but the controlling language is that our action would be "in accordance with the charter."

I would suggest that if we vote for the reservation, it could be argued that it expressed the intent of the Senate that the declaration admittedly made outside the treaty does bear great weight and would have to be considered a part of the treaty. It would give to the declaration a position against the intent of the Senate and against the intent of the Senator from North Carolina.

It would be very unfortunate for the Senate to vote for the reservation proposed by the Senator from North Carolina.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the remaining time be equally divided between the Senator from North Carolina (Mr. ERVIN) and the Senator from Arkansas (Mr. FULBRIGHT).

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, may we have order in the Senate?

The PRESIDING OFFICER. The Senate will be in order.

Mr. FULBRIGHT. Mr. President, I had agreed to yield 2 minutes to the Senator from New York.

Mr. JAVITS. Mr. President, I thank the Senator from Arkansas for yielding. I shall not take more than 2 minutes. I shall speak only to the question which has arisen, which is that if this reservation is voted it might require a renegotiation of the treaty. It is not, perhaps, directed toward a provision of the treaty or is not incorporated in a provision of the treaty. The mere fact that this matter is raised would not allow us to do anything else before renegotiation. In other words, if it becomes a question of fact and law, as the Senator from Arkansas said in debate yesterday, whether this really represents a matter of substance or not, then every one of the powers signing it has the right to decide whether it is a matter of substance, and that in itself is a matter of renegotiation.

The Senator from North Carolina could submit his proposal later, and we could argue the substance if he submits it as an expression of intent; but in this form it must require a renegotiation of the treaty, and that, I think, would be practically killing it for all realistic purposes. I hope the Senate will reject the proposal.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield 1 minute to the Senator from Iowa.

Mr. MILLER. Mr. President, if the proposal were changed to an understanding, would any renegotiation be required?

Mr. FULBRIGHT. I would not accept it in the form of an understanding. Technically, these distinctions may be made among ourselves but 87 other countries have signed the treaty, and with many of them there is no distinction between a reservation and an understanding.

Statements were made in the report of the committee dealing with this subject. We have an extensive legislative history. All of this serves that purpose. If it were an understanding it would have no more meaning, and it would be no more clear than the statement made on the floor of the Senate, and it would raise doubts in the minds of other Members.

I do not wish to be arbitrary. This proposed understanding was not submitted to the committee. We had heard rumors amout possible reservations but the Committee on Foreign Relations was never officially informed.

As so often happens, if we bring such an understanding to the floor without prior consideration, the implications of such understandings or reservations may go far beyond the immediate question. As I said yesterday, our NATO partners may believe, if they read the reservation now before the Senate, that the reservation or understanding could possibly imply that the U.S. Senate is saying that under no circumstances will it come to the aid of anyone. That is about what it says.

Mr. MILLER. Then the position of the Senator from Arkansas is that the resolution would require renegotiation, and that an understanding would not; but that he would think the understanding would not be necessary or desirable because the legislative history set forth in the committee report, and in his comments, fully covers the problem; is that not correct?

Mr. FULBRIGHT. That is correct.

Mr. MILLER. I thank the Senator.

Mr. ERVIN. Mr. President, some seven or eight countries have ratified the treaty thus far. It would be far better to settle it by adoption of this reservation at this moment and let it be renegotiated if necessary so that we make it clear we are not pledging the lives of all our boys in America to go to war if, for example, Israel dropped a bomb on Egypt and we would have to fight on behalf of Egypt, or if Russia dropped a bomb on China and we would have to go to the aid of China.

Certainly, it would be well to renegotiate that point.

I warn the Senate that if we vote against this reservation, every nation on earth can say that the Senate of the United States was confronted by the question whether the treaty did pledge the United States to go to war in the event of a nuclear attack or the threat of a nuclear attack on another nation, and when the Senate had a choice to say that the treaty did not mean that, it refused to say so, leaving the implication that it obligated us to go to the aid of any nonnuclear nation or any member of the United Nations confronted with a nuclear attack. We should be on the safe side and make that plain, which has been confused by all the gobbledegook which went on in our executive branch, and in the United Nations Security Council.

Mr. GORE. Mr. President, will the Senator from Arkansas yield?

Mr. FULBRIGHT. Mr. President, I yield 1 minute to the Senator from Tennessee.

The VICE PRESIDENT. The Senator from Tennessee is recognized for 1 minute.

Mr. GORE. Mr. President, the Senate is confronted, not with a treaty containing provisions such as those described by the distinguished senior Senator from North Carolina, but with a treaty which contains no reference to the use of the Armed Forces of the United States, with a treaty which the present Secretary of State testifies incurs no new obligation on the part of the United States with respect to the use of its Armed Forces, with a treaty which the previous Secretary of State has stated contains no such obligation, with a treaty which the Committee on Foreign Relations in its report and the chairman of the Committee on Foreign Relations in his speech presented to the Senate says does not contain any such provision.

So the Senate is confronted with a clear-cut choice of ratifying the treaty as is, without such reference, or the raising of a misunderstanding by approval of this reservation.

Mr. ERVIN. Mr. President, I do not see why the Senator from Tennessee and the Senator from Arkansas are not willing to have the Senate say that it believes in the principle of my reservation. That is what opposition to the reservation implies.

Mr. HARTKE. Mr. President, I should like to address a question to the chairman of the Committee on Foreign Relations. At the time of the Gulf of Tonkin resolution, we had somewhat similar assurances that there would not be an extension or utilization of American military might, or a commitment of our troops. Does the Senator feel that there is any parallel between the present treaty and the Gulf of Tonkin resolution?

Mr. FULBRIGHT. No, I do not. I think that the circumstances are entirely different. This is a treaty which has been negotiated over a period of 4 years. It was voted on in committee last summer. It was on the calendar from along in June or July until recently. It has been taken up again. There is no uncertainty about what is in the treaty.

There is not one word in the treaty that refers in any way to the use of our troops.

The Senator from North Carolina, on his own motion, raises the question. He says that if we do not accept it, then we are endorsing an opposite proposition. That is a strange way, indeed, to proceed in this body. That means that any Senator who gets up to offer an amendment to any bill on some outlandish or unrelated subject, if it is turned down, can assert that the Senate is endorsing an opposite proposition. To me, that is a strange principle for this body to proceed on.

I do not accept for one minute the view of the Senator from North Carolina that if we vote down the reservation, then we automatically agree we are going to use our troops for the relief of Red China. Really, how ridiculous can we get? But that is what is meant if we vote down his reservation, he says.

Of course, we mean no such thing. This is largely a procedural matter, be-

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cause we do not want to tie up a treaty any further which has been under consideration for 4 years; and 87 countries have signed it and nine have ratified it, including Great Britain.

Now we begin to open it up with reservations at this late date. Why did not the Senator from North Carolina submit his reservation in committee? The treaty has been there for a year. He had plenty of opportunity to put the reservation before the committee. We could have thrashed it out and given it careful consideration in proper procedure. But to bring it in as it reaches the floor of the Senate is not, I submit, Mr. President, a very sound way to try to legislate.

Mr. MANSFIELD. Mr. President, will the Senator from Arkansas yield?

Mr. FULBRIGHT. I yield.

Mr. MANSFIELD. I think it should be iterated and reiterated that the treaty has the support of two different administrations. The predecessors and the present officials of the present administration all were for it. It has been before the United Nations as long ago as 4½ years.

I cannot recall, since I came to the Senate, any treaty which has received such close scrutiny and such constant consideration as the one now before the Senate.

Mr. FULBRIGHT. The Senator from Montana is quite right. President Nixon has given it his complete endorsement and requested the Senate to give its advice and consent promptly. He certainly studied the treaty carefully before he made that request.

Mr. ERVIN. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MURPHY. Mr. President, will the Senator from North Carolina yield?

Mr. ERVIN. I yield what time I have remaining.

Mr. MURPHY. Mr. President, I should like to ask the distinguished chairman of the Foreign Relations Committee, in order to clarify the question in my mind, whether he has or not—and if he has I should like to hear them—any reflections as to the understanding of the 80-odd nations, already signatories to the treaty, of these conditions.

As I understand it, there was misunderstanding on the part of the committees, there was misunderstanding and uncertainty among Senators here in the Chamber; and statements have been made by Secretary of State Rusk, President Johnson, and Ambassador Goldberg, as well as Secretary of Defense McNamara. I should like to know whether the nations who have already signed the treaty understand that those statements and those promises have no connection with the treaty the Senate is discussing today; or did they sign the treaty with the understanding that those statements and promises were guarantees and obligations taken on in the treaty by the leaders of the United States?

Mr. FULBRIGHT. Let me say to the Senator that I covered this subject at length yesterday. The treaty itself is what we are voting on today. The statements that may have been made by the individuals the Senator mentions are not a part of the treaty but statements made by members of the executive branch.

Let us be clear that this treaty makes no reference whatsoever to the use of our military forces. There is nothing in the treaty that imposes, or even suggests, that our troops will have to come to the aid of anyone.

The treaty deals only with the basic obligations of the parties with regard to the transfer of nuclear weapons and skills.

The statements made in the United Nations do not affect our obligations under this treaty. The committee has made this very clear in its report, and this debate has reenforced that point. If anyone misunderstands it, it is because they have not read the report or listened to the debate.

Mr. MURPHY. I do not think the Senator has been responsive to my question.

The PRESIDING OFFICER. All time has expired. On this question, the yeas and nays have been ordered——

Mr. MURPHY. Mr. President, with the permission of the Chair, I asked a question.

Mr. FULBRIGHT. Let me say that no nation which has signed the treaty is under any misunderstanding as to what was approved in the United Nations and now that action relates to the treaty. None of the 87 signatories has offered an understanding or reservation on this point. There is no reason to believe that they will.

Mr. PASTORE. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. PASTORE. May I inquire if it is in order to move to lay the reservation on the table?

The VICE PRESIDENT. The motion is in order.

Mr. PASTORE. Mr. President, I move to lay the reservation on the table.

Mr. ERVIN. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Rhode Island to lay on the table the reservation of the Senator from North Carolina. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Louisiana (Mr. ELLENDER), the Senator from Washington (Mr. MAGNUSON), the Senator from South Dakota (Mr. McGOVERN), and the Senator from Minnesota (Mr. MONDALE) are absent on official business.

I also announce that the Senator from Texas (Mr. YARBOROUGH) is necessarily absent.

I further announce that, if present and voting, the Senator from Louisiana (Mr. ELLENDER), the Senator from Washington (Mr. MAGNUSON), the Senator from South Dakota (Mr. McGOVERN), and the Senator from Minnesota (Mr. MONDALE) would each vote "yea."

Mr. SCOTT. I announce that the Senator from Tennessee (Mr. BAKER) is necessarily absent.

The Senator from Colorado (Mr. DOMINICK) is absent because of illness.

The Senator from Kentucky (Mr. COOK) is absent on official committee business.

The Senator from Kansas (Mr. DOLE) is absent on official business.

The result was announced—yeas 61, nays 30, as follows:

[No. 17 Ex.]

YEAS—61

Aiken
Allott
Anderson
Bayh
Bellmon
Bennett
Boggs
Brooke
Burdick
Case
Church
Cotton
Cranston
Dirksen
Eagleton
Fong
Fulbright
Goodell
Gore
Gravel
Gurney
Harris
Hart
Hartke
Hatfield
Hruska
Hughes
Inouye
Jackson
Javits
Jordan, Idaho
Kennedy
Mansfield
Mathias
McCarthy
McGee
McIntyre
Miller
Montoya
Moss
Muskie
Nelson
Packwood
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Saxbe
Schweiker
Scott
Smith
Sparkman
Stevens
Symington
Tydings
Williams, N.J.
Young, Ohio

NAYS—30

Allen
Bible
Byrd, Va.
Byrd, W. Va.
Cannon
Cooper
Curtis
Dodd
Eastland
Ervin
Fannin
Goldwater
Griffin
Hansen
Holland
Hollings
Jordan, N.C.
Long
McClellan
Metcalf
Mundt
Murphy
Russell
Spong
Stennis
Talmadge
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NOT VOTING—9

Baker
Cook
Dole
Dominick
Ellender
Magnuson
McGovern
Mondale
Yarborough

So Mr. PASTORE's motion to lay Mr. ERVIN's reservation on the table was agreed to.

Mr. HART. Mr. President, every citizen concerned about the Nuclear Nonproliferation Treaty has found himself the target of a stream of commentary that will alternately hail the treaty as the final instrument of world peace or condemn it as a dangerous hoax that threatens the safety of all.

It is, of course, neither.

The treaty is based on the simple concept that the world already is a dangerous place to live in but it could get a lot worse. The treaty, then, is designed not so much to change anything but rather to preserve the status quo.

And since the international status quo is certainly imperfect, the treaty could be said to be similarly flawed.

The pact is the product of years of negotiation between the United States and the Soviets. Basically, it would do this:

The nuclear nations that signed would pledge not to pass out atomic weaponry to any nonnuclear nation.

Nonnuclear signers would pledge not to produce their own atomic weapons. In return, nonnuclear signers would get, first, technological help in developing peaceful uses of the atom, such as powerplants. These facilities then would be open to international inspection by United Nations teams; and, second, a joint pledge to the United Nations by the United States and Russia that they will come to the aid of any nonnuclear nation that is threatened by atomic attack.

The treaty is clearly in the interest of the nuclear "club" nations. When five men are holding shotguns on each other, a new influx of gunmen will do nothing to promote the general welfare.

And nonnuclear nations—if they can believe that their security is being sufficiently protected by big powers—can then save themselves the tremendous expense of building a private atomic arsenal.

The trouble is that there are lots of nations that will not sign.

On the nuclear side, the Soviet Union, United States, and Great Britain will probably agree to the pact but France is unlikely to and Red China, suspicious of everyone, almost certainly will not.

On the other side, India is publicly doubtful about trusting her defense against China to the hands of anyone else. Israel or Egypt might decide that only their own atomic warheads could offer the protection each thinks it needs.

If India goes atomic, Pakistan will get nervous. And in Japan, there is already debate about whether to crank up a nuclear-weapons program.

Still, there are some 80 nations that have indicated a willingness to sign. And even if the treaty is not universally accepted, it seems to me that it could exercise a significant and benign influence.

One thing is perfectly clear: For the most selfish—and, therefore, the most trustworthy of reasons, both the United States and Russia—the big "overkill" nations—are keenly anxious to see that no atomic shots are fired in anger by anyone anywhere.

Any exchange of nuclear fire—even by small nations—would make the whole world so jumpy that a general conflagration would become far more likely.

And, if sanity prevails, Red China—or France—will be less likely to rattle atomic sabers with both the United States and U.S.S.R. standing by in stern disapproval.

And within the smaller nations, the treaty is bound to strengthen the hand of those political forces that oppose nuclear weapons development.

Moreover, it might also smooth the way to a joint U.S.-U.S.S.R. decision to abandon plans for antiballistic missile systems. Such systems, in my opinion, will only crank up a new arms race that is bound to end in a tie after both sides have spent enormous sums.

Actually, there are signs that the Russians are already recognizing the futility of ABM but, unhappily, the American military is still eagerly promoting it. But, that is a subject which will be thoroughly debated by this body later on.

The Nonproliferation Treaty is not the answer to all the problems the world was confronted with when the first A-bomb went off. But I think it is a sound step forward and I intend to vote for it.

True, the whole thing could fall apart in a few years but we would be no worse off than we are now.

Failure, however, does not seem probable. Even if it did, we still have the responsibility to make the effort.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate return briefly to legislative session. This will take only a minute.

The VICE PRESIDENT. Without objection, it is so ordered.

COMMEMORATION OF THE 50TH ANNIVERSARY OF THE FOUNDING OF THE AMERICAN LEGION

Mr. DIRKSEN. Mr. President, for myself and the distinguished majority leader, I submit a resolution, and ask for its immediate consideration.

The VICE PRESIDENT. The resolution will be stated by title.

The legislative clerk read the resolution, as follows:

S. Res. 163

Whereas March 15–17, 1969, will mark the Fiftieth Anniversary of the founding of the American Legion; and

Whereas this event is being commemorated by millions of American Legionnaires in thousands of Legion Posts throughout the United States and foreign countries; and

Whereas through fifty years of service the American Legion has dedicated itself to advancing the welfare of the American people and maintaining the security of the Nation; and

Whereas foremost among its many worthwhile programs are those designed to instill in the minds and hearts of America's youth a devotion to the virtues of patriotism and good citizenship; Now, therefore, be it

Resolved, That the Senate of the United States salutes the American Legion on the occasion of its fiftieth anniversary; that it calls upon the American people to commend and felicitate this great organization upon its achievements during its fifty years of service to God and country; that it acknowledges the need for a service organization such as the American Legion in our American society; that it expresses the hope that the splendid work of the American Legion will continue during the next half century; and that the Senate pledges its continuing cooperation with the men and women of the American Legion in their programs of service to community, State, and Nation and in their determination to safeguard and transmit to posterity the principles of justice, freedom, and democracy upon which our Nation is founded.

The VICE PRESIDENT. Is there objection to the request of the Senator from Illinois?

There being no objection, the Senate proceeded to consider the resolution.

Mr. KENNEDY. Mr. President, tomorrow belongs to the youth of today, and I rise to pay tribute to an organization which for 50 years has placed a major emphasis on youth programs. On March 15, 1969, the American Legion will mark its golden anniversary. Looking back at the record of its many great achievements since 1919, one is struck by the outstanding success the Legion has had in providing worthwhile activities for the boys and girls of our Nation.

The Legion early determined that to safeguard the future of the Nation it was necessary to instill in the minds and hearts of young Americans an understanding of, and a love and respect for, those principles and ideals upon which our country was founded and the institutions upon which it has been built.

To meet this objective, the American Legion has developed the boys' and girls' State and Nation programs. These programs are designed to train young Americans in the practical operation of our democratic form of government. On college campuses all over America thousands of young high school juniors meet every summer to organize themselves into city, county, and State governments, and to learn by doing how the machinery of government works.

Each year two boys and two girls from each State come to Washington, brought here by the American Legion and the American Legion Auxiliary. During their 2 weeks here they learn about the Federal Government and how it operates. They see it in operation and they have the opportunity to meet many Members of Congress and high Government officials. Their experience is indeed a thrilling and invaluable one, thanks to the efforts of the American Legion.

In addition to the boys' and girls' State and Nation programs the Legion has many other fine youth activities which contribute to the sound development of young Americans. The American Legion baseball program is known to all. It has provided training in sportsmanship to millions of American boys through the years. A notable byproduct of this great program are the hundreds of major league ballplayers who have risen to fame and fortune through the avenue of American Legion baseball.

The American Legion high school oratorical program, while a smaller one, is nonetheless of considerable significance. Through it young boys and girls gain practical experience in the art of public speaking. Their subject is the Constitution of the United States, which leads to a depth of understanding of that great document.

In the field of Boy Scout sponsorship the American Legion has taken a leadership role, with more than 4,000 troops being sponsored by American Legion posts all over the country.

Annually, an estimated three-quarters of a million young men from the 50 States, District of Columbia, and Puerto Rico participate in Legion-sponsored youth programs and activities.

During this golden year the American Legion can take great pride in its fine youth programs and in their contribution to the future strength of America.

I might add, Mr. President, that as a former chairman of the Subcommittee on Veterans' Affairs of the Committee on Labor and Public Welfare, I am well aware of the constructive efforts the American Legion has made also for our Nation's veterans themselves.

I am happy to join my colleagues in paying tribute to this organization, on the occasion of its 50th anniversary.

AMERICAN LEGION HONORS 78 EMPLOYERS IN 1968 FOR HIRING HANDICAPPED AND OLDER WORKERS

Mr. RANDOLPH. Mr. President, I rise to express tribute to an outstanding organization, the American Legion, which will celebrate its 50th anniversary on the 15th, 16th, and 17th of this month.

There is much we could say in praise of the many constructive Legion programs. However, I feel it is appropriate to emphasize one of the lesser known—but vital—activities, a program to recognize annually employers in each State for their distinguished records of employing handicapped persons and older workers.

In the year 1968, 78 of these employers were recognized for special awards. Mr. President, I include for the Record a listing of these employers by State and the award they received:

Legion Honored 78 Employers During 1968 For Hiring Handicapped and Older Workers

National American Legion citations for good employment practices were awarded to 78 employers around the nation during 1968 with 42 firms honored for their practices in hiring the handicapped, and 36 for hiring older workers.

The national awards are made on the recommendation of a state or other department organization of the Legion which nominates employers each year for the National-Hiring-The-Handicapped Award and the National Older-Worker Citation. Awards are made by the Legion's National Economic Commission.

Handicapped awards are usually made in connection with the annual Employ the Handicapped Week and represent part of the Legion's participation in the programs of the President's Committee on Employment of the Handicapped—while older worker awards are usually made in conjunction with the Legion's Hire the Older Worker Week.

State	Handicapped award	Older worker award
Alabama	1. Southland Mower Co., Selma 2. Tim's Modern Cleaners, Fayette	Opelika Mfg. Co., Snowflake-Wolf Division. Phenix City.
Alaska	None	Juneau Cold Storage Co., Inc., Juneau.
Arizona	First National Bank of Arizona, Phoenix	VA Hospital, Tucson.
Arkansas	Addison Shoe Corp., Wynne	Camden Manufacturing Co., Camden.
California	None	City of Modesto, Department of Parking and Traffic.
Colorado	Martin-Marietta Corp., Denver Division, Denver	Denver Hilton Hotel, Denver.
Connecticut	None	None.
Delaware	Farmers Bank of the State of Delaware, Dover	Do.
District of Columbia	Office of Selective Placement Projects, U.S. Civil Service Commission.	Woodward & Lothrop, Inc.
Florida	None	None.
Georgia	do	Ward Wight Realty Co., Atlanta.
Hawaii	Saga Food Co., Honolulu	Liberty House, Waialae branch, Honolulu.
Idaho	Bannock County Memorial Hospital, Pocatello	None.
Illinois	Union Special Machine Co., plant No. 2, Huntley	Motor Wheel Corp., Mendota.
Indiana	None	None.
Iowa	Caterpillar Tractor Co., Davenport	Harrison & Co., Florists, Sioux City.
Kansas	Henry Corp., Topeka	Ramada Inn, Hays.
Kentucky	Levi Strauss & Co., Florence	Island Creek Coal Co., Elkhorn Division, Wheelwright.
Louisiana	1. Cotton Products Co., Inc., Opelousas. 2. Lake Charles Charity Hospital, Lake Charles.	Lockheed Aircraft Service Co., Avenue A, Chennault Field, Lake Charles.
Maine	T. M. Chapman Sons Co., Old Town	None.
Maryland	None	Do.
Massachusetts	E. F. Laurence & Co., Inc., Northboro	Flavor Fresh Co., Lawrence.
Michigan	G. A. Ingram Co., Detroit	Ryco Engineering Co., Warren.
Minnesota	None	R. J. Reynolds Foods, Inc., Duluth.
Mississippi	1. American Clean Linen Service, Gulfport 2. Magic Tunnel Car Wash, Hattiesburg.	None.
Missouri	None	Do.
Montana	Great Falls Fire Department	Jordan Newsstand, Glendive.
Nebraska	Morton House Kitchens, Inc., Nebraska City	St. Vincent's Home for the Aged, Omaha.
Nevada	None	1. Pan American World Airways, Inc., Nuclear Rocket Development Station, Las Vegas. 2. Sacoma Sierra, Inc., Carson City.
New Hampshire	Ben's Auto Body, Inc., Portsmouth	Nashua Plastics Co., Inc., Nashua.
New Jersey	Stokes Laundry Co., Wildwood Crest	Monmouth Silversmiths Corp., Shrewsburg.
New Mexico	Tempo Department Store, Inc., Hobbs	K. L. Towle Construction Co., Hobbs.
New York	Bulova Watch Co., of Queens	None.
North Carolina	1. National Weather Records Center, Asheville 2. William Fetner, Inc., Rockingham.	Carolina Mills, Maiden.
North Dakota	None	None.
Ohio	Senco Products, Inc., Cincinnati	Hydraulic Press Division, Koehring Co., Mount Gilead.
Oklahoma	Phillips Petroleum Co., Bartlesville	Serv-Air, Inc., Vance Air Force Base, Enid.
Oregon	Oregon Technical Products Co., Grants Pass	Eugene F. Burrill Lumber Co., White City.
Pennsylvania	Eljer Plumbingware Division, Wallace-Murray Corp., Scranton.	Bachman Bros., Philadelphia.
Rhode Island	None	Rhode Island Hospital, Providence.
South Carolina	do	None.
South Dakota	Yankton Daily Press & Dakotan, Yankton	K. O. Lee Co., Aberdeen.
Tennessee	Magnavox Co., Morristown	Trane Co., Clarksville.
Texas	1. Red River Army Depot, Texarkana 2. Texas Plastics, Inc., Elsa	1. Sakowitz, Inc., Houston. 2. William J. Burns International Detective Agency, Inc., El Paso.
Utah	Richfield Reaper, Richfield	Won Door Corp., Salt Lake City.
Vermont	Campbell Construction, Inc., Williston	None.
Virginia	H. B. Wilkins Co., Portsmouth	Titmus Optical Co., Petersburg.
Washington	None	None.
West Virginia	Continental Can Co., Inc., closure plant 58, Wheeling.	Do.
Wisconsin	Crown Food Service, Wisconsin State University, Oshkosh.	Do.
Wyoming	Unique Notions, Inc., Cheyenne	Do.

Mr. President, I join with my colleagues in saluting the American Legion for its 50 years of service to our Nation. It has been a privilege to cooperate with the West Virginia State commander, Charles Kuhns, and Legionnaires in our State and the Nation with meaningful programs for our veterans.

The VICE PRESIDENT. The question is on agreeing to the resolution.

The resolution (S. Res. 163) was agreed to.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate return to executive session.

The VICE PRESIDENT. Without objection, it is so ordered.

Several Senators addressed the Chair.

TREATY ON THE NONPROLIFERATION OF NUCLEAR WEAPONS

The Senate resumed the consideration of Executive H, 90th Congress, second session, the Treaty on the Nonproliferation of Nuclear Weapons.

Mr. COOPER. Mr. President, I have always thought it is not the best procedure to explain one's vote after the vote but I have no alternative, as the motion to lay on the table is not debatable. In the vote just concluded, I voted not to table.

I voted, of course, in the committee to report the treaty. I support the treaty. I spoke just a few minutes ago against the reservation offered by the Senator from North Carolina and would have voted against it on an "aye" or "no" vote.

But it is my view, in connection with this treaty, unless a reservation or understanding, which is offered, is frivolous, or would go beyond the purpose of the treaty that it should be voted up or down on the merits.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. JACKSON. I have the floor.

Mr. PASTORE. For just 30 seconds.

Mr. JACKSON. I yield to the Senator from Rhode Island.

Mr. PASTORE. Mr. President, I did not make the motion to table to cut off debate, because we were on limited time, and were to vote at 2:30, at any rate.

But the fact remained that if one voted for that reservation, it could be misunderstood, or if one voted against it, it could be misunderstood, and the only way to resolve the problem was to lay it on the table. That was the reason for my motion. Had we voted on the reservation itself, it would have opened up a can of worms, would have done no one any good, and could have spoiled final action on this treaty.

That is the reason why I made the motion to table.

Several Senators addressed the Chair.

The VICE PRESIDENT. The Senator from Connecticut.

Mr. FULBRIGHT. Mr. President, will the Senator yield for a question?

Mr. DODD. I yield.

Mr. FULBRIGHT. I want to ask a question about procedure. We have one or two other reservations or understandings that may be considered. I wonder if Senators would indicate when they will be willing to take up these matters, and vote.

We have had a vote now on a reservation. Many Senators have asked me: "When do you think we will get a vote on the treaty?" I could give them no guidance at all.

I wonder if those Senators who contemplate offering reservations, understandings, or anything else, are willing to give some indication of their ideas about procedure merely for the information of the Senate. It does not particularly matter to me. I will be here. However, a number of Senators keep asking me and I thought I might get some indication as to when they could expect a vote on a reservation, an understanding, or on the treaty.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. MURPHY. How much time does the distinguished chairman anticipate will be allowed with respect to statements?

Mr. FULBRIGHT. We are not operating under limited time. The Senator from Connecticut has the floor. The Senator has the rest of today and tomorrow for that matter. I am not trying to shut anyone off. I am trying to get an understanding, because Senators have asked me when we could expect to vote. I would be willing to propose a unanimous-consent request if the Senator thinks that would be appropriate.

Mr. TOWER. Mr. President will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. TOWER. Mr. President, I have a reservation to offer. I would not expect a vote on it today, but perhaps on tomorrow.

Mr. FULBRIGHT. Would the Senator be willing to have a vote tomorrow?

Mr. TOWER. I think so. I do not commit myself to that.

Mr. FULBRIGHT. I understand.

Mr. TOWER. I think we may vote on it tomorrow.

Mr. FULBRIGHT. That is very helpful. Is there anyone else who will offer one?

Mr. DODD. I have one understanding, and I would like to have a vote on it tomorrow.

Mr. MANSFIELD. Mr. President, I do not see the distinguished minority leader here.

Mr. PASTORE. Mr. President, we cannot hear a word.

The VICE PRESIDENT. The Senate will be in order.

Mr. MANSFIELD. Mr. President, I wonder if it would be agreeable with the acting minority leader, the ranking minority member of the committee, the chairman of the committee, the Senator from Connecticut (Mr. Dodd), the Senator from Texas (Mr. Tower), and others who may have reservations, understandings, and whatnot, to give serious consideration beginning tomorrow at the conclusion of the morning hour to a time limitation perhaps on the order of 2 hours on each reservation or understanding and 6 hours on the resolution of ratification.

Mr. TOWER. Mr. President, I would not like to commit myself to a time limitation at the moment. I would like to see which of my colleagues would like to speak on the matter.

Mr. MANSFIELD. That is all right.

The VICE PRESIDENT. The Senator from Connecticut is recognized.

Mr. DODD. Mr. President, there was no passage in President Nixon's inaugural address to which the American people responded more warmly than they did to his solemn personal commitment to devote all of his energies to the quest for peace.

I know that I was moved by this commitment; and my reaction was shared by all of those with whom I have had occasion to discuss the inaugural address.

The American people are by nature a peace-loving people. Who among us has not thrilled to the visionary words of the Prophet Isaiah:

> And they shall beat their swords into plowshares and their spears into pruning hooks. Nation shall not lift up sword against nation, neither shall they wage war any more.

Although this Biblical vision of a peaceful world of the future has eluded the grasp of mankind, century after century, it still remains one of the supreme goals of every nation that has been nurtured in the Judeo-Christian tradition.

But mankind cannot much longer defer the practical realization of Isaiah's vision. The weapons of mass destruction, already awesome, become more awesome with every passing year and each new technological innovation.

The Soviet Union and the United States, so we are told, have the means to virtually annihilate their respective populations several times over.

The quest for peace and the search for realistic measures of disarmament have therefore become more imperative in our own lifetime than they were in any previous period of history.

Somehow, we must find the means to slow down and ultimately reverse the arms race.

But we cannot disarm unilaterally, because to do so would be to invite the victory of totalitarian communism. The disarmament measures we seek, therefore, must be realistic and multilateral.

Where such measures are self-monitoring, like the partial Test Ban Treaty, we can enter into them without fear or reservation. But where they are not self-monitoring, then mutual inspection affords the only way in which the free world and the Communist world can assure themselves that agreements are being honored.

This is our dilemma. Because, while the free world has frequently shown itself willing to open its facilities wide to international control and inspection, the Communist world has thus far resisted every such proposal.

Nevertheless, we must persist in our quest for peace despite the obstacles, seeking agreements wherever agreements are possible, and striving at all times to develop a genuine detente with the Communist world, and not the phony one-sided detente of the past decade.

We must never permit ourselves to become so narrow or so militant that we give up the search for international cooperation and disarmament because of repeated disappointments and frustrations, or even because our good faith has too often been rewarded by betrayal.

Somehow, our Nation must find the courage and the wisdom to persevere in our quest for disarmament, even when this quest sometimes seems hopeless and when our patience is tried by repeated provocations.

I share the desire of the majority of the Foreign Relations Committee to prevent or restrict the proliferation of nuclear weapons of mass destruction to nations that do not now have them. Indeed, it is difficult to conceive of any sensible man who does not share this desire.

We all share the hope that some effective means can be found to reverse the so-called vertical proliferation of nuclear weapons, that is, the growth of the stockpiles of such weapons at present in the hands of the five nations which have a nuclear military capability.

I have, over the years, supported every reasonable measure in the field of arms control and disarmament. And I still derive some satisfaction from the knowledge that, thanks to the cosponsorship of 33 other Senators, my resolution of May 1963, calling for the unilateral cessation of atmospheric and underwater tests, has been credited with helping to prepare the way for the partial test ban treaty.

If I have not given my signature to the majority report, therefore, it is not because of any opposition to the principle of nonproliferation or to the efforts of successive administrations to seek new areas of agreement on arms control wherever such agreements are possible.

I differ with the majority report on three major counts:

First, it fails to give adequate attention to the commitment against aggression contained in the preamble, thus, in effect, sweeping future as well as past Czechoslovakias under the rug.

Second, while ignoring the clearly spelled out commitment that signatories must abstain from the use of force or threat of force against other countries, the majority report appears to read into the treaty a "good faith" requirement to abstain from the development of an ABM system pending negotiations with the Soviet Union, a requirement which is not even alluded to in the text of the Treaty.

I do not, at this point, know how I shall vote on the ABM. It is possible to argue against it on the grounds that it will be ineffective, or that it will be too costly, or that the money could better be spent elsewhere. But I do not honestly see how anyone can invoke the Nonproliferation Treaty to argue against it.

The Nonproliferation Treaty, like the partial Test Ban Treaty before it, commits the signatories to pursue new arms limitations agreements with good faith and urgency. However, I cannot accept the argument that "good faith" requires that we abstain from building an ABM system, while the Soviet Union already has the first elements of such a system in place and is working on improving this system.

One need only recall that we engaged in an honor moratorium on testing during the negotiations for the Test Ban Treaty, in the futile hope that this display of "good faith" would induce the Soviets to reply in kind. The outcome of this honor moratorium was Khrushchev's massive unilateral resumption of testing.

If negotiating in good faith means negotiating in a manner designed to bring about an early and effective agreement, then certainly an argument can be made for the case that we would have been negotiating in better faith and we would have got an earlier agreement with the Soviets had we not involved ourselves in the folly of an uninspected moratorium on nuclear testing.

The same consideration may apply to the question of the ABM.

I differ with the majority report, thirdly, because it fails to give adequate consideration to some of the treaty's major weaknesses, and to the very real and very serious dangers inherent in the treaty.

THE QUESTION OF THE PREAMBLE

The majority report, while characterizing the invasion of Czechoslovakia as "a flagrant violation of international law by the Soviet Union," nevertheless takes the stand that this invasion by itself does not constitute sufficient reason for refusing or delaying ratification. What the report does not point out is that the

Soviet invasion was not only a "violation of international law," but that it was also a violation of an essential condition laid down in the preamble of the treaty.

The text of the final clause of the preamble, which is part of the text of the treaty, reads as follows:

> The States concluding this Treaty, . . . Recalling that, in accordance with the Charter of the United Nations, States must refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations,

Certainly, this preamble is not intended as window dressing. Nor is it intended as a "pious preambular platitude," as some of the Indian critics of the treaty have suggested.

The assurance that the nations signing the treaty thereby commit themselves to respect the political independence and territorial integrity of other countries and to refrain from the threat or use of force, was clearly imperative in soliciting the support and signature of the nonnuclear majority.

In a very direct sense, this assurance is the premise on which the entire treaty is based.

After all, how many of the nonnuclear-weapons nations would have been prepared to forego the right to develop nuclear weapons of their own if the treaty stipulated that the nuclear-weapons powers would remain free, at their discretion, to use force and the threat of force against the territorial integrity or political independence of other states?

The report also ignores the fact that since the invasion of Czechoslovakia there have been two additional violations of the commitment contained in the preamble, on the part of the Soviet Government.

It was a violation of this commitment when the Soviet Government, on the heels of the occupation of Czechoslovakia, threatened to intervene in Western Germany to deal with what it described as the threat of neo-Nazism.

And it was a further violation of this commitment, an even more serious violation because of its doctrinal nature, when the Soviet Government, through the so-called Brezhnev doctrine, proclaimed its right to intervene militarily in any socialist country.

When I have raised these points in discussion with my friends and colleagues, I have received two different replies.

First, I have been told that the preamble is not really part of the treaty and that a violation of the preamble cannot therefore be regarded in the same light as a violation of the articles of the treaty. From a commonsense standpoint, I do not see how it can be argued that when one puts one's signature to an entire document, this signature, nevertheless, does not have a binding effect as far as the preamble of the document is concerned. It is worthwhile noting that the Supreme Court has repeatedly ruled that the preamble is part of the American Constitution and that its intent must be taken into consideration in any interpretation of the Constitution.

Second, I have received the reply that, even though the Soviet Union signed the treaty last July, the actions to which I referred could not be considered violations in the legal sense for the simple reason that the treaty has not yet gone into force.

I consider this a pretty flimsy technical alibi. Perhaps I am old-fashioned, but as I see the matter, honorable governments, once they have given their signature to a treaty, do not then proceed to violate it left and right until the instant it goes into force.

However, I hope that a majority of my colleagues, especially in the light of recent experience, will see fit to support the following amendment which I intend to offer as an understanding to the resolution of ratification.

Be it resolved that the resolution of ratification be amended, viz: Before the period at the end of the resolution of ratification, insert a comma and the following: "with the understanding that, after the U.S. Senate has voted to ratify the treaty, any military attack directed against the independence of another country by a nuclear-weapons state party to the treaty, would be regarded as a violation of the spirit of the treaty and as a threat to the security of other signatories justifying their withdrawal under the 90-day clause; and with the further understanding that, after the treaty has the ratifications necessary to enter into force, any military attack directed against the independence of another country by a nuclear-weapons state party to this treaty, will automatically be regarded as an abrogation of the treaty, rendering the treaty null and void."

In submitting this understanding, I cannot conceive of anyone defending the proposition that, even after the treaty has legally entered into force, the Soviet Union should remain free to violate the conditions of the preamble, as often as it desires, with complete impunity.

If the understanding I have offered carries, then I shall vote for the treaty, despite serious reservations about its other clauses, because I believe that the preamble to the treaty, if seriously meant and seriously enforced, would help to make the peace of the world more secure.

I also intend to offer a second amendment, in the form of an understanding, urging that, instead of depositing the instrument of ratification immediately, the administration should seek to arrange for the simultaneous deposit of their instruments of ratification by the United States and the Soviet Union.

I believe that the junior Senator from Rhode Island has raised the question of simultaneous ratification. It seems to me that it is a very good point, a solid one, and one we should earnestly consider.

I feel that this amendment is called for by the fact that the treaty establishes no deadline for ratification. Thus, if we were to complete the process of ratification in the coming week while the Soviet Union held off on ratification for another year or two, we might find ourselves, so to speak, over the diplomatic barrel.

Other efforts will, I am told, be made to improve the quality of the treaty by attaching understandings or reservations or amendments to the resolution of ratification. Some of these, hopefully, will carry. If they do, it would help to ease the dilemma that confronts me. For it is not a pleasant position to be in: to believe in the principle to which a treaty is directed, and yet to have serious misgivings about the effectiveness of the treaty and about its ability to achieve its stated purpose.

Whether I vote for the treaty or wind up voting against it or abstaining, I consider it my duty to underscore its essential weaknesses, for the information of my colleagues and the public and for the sake of the historical record.

In considering the merits and weaknesses of the treaty, it might be helpful to do so by posing the following series of questions:

First. Does the treaty in any way serve to reduce the danger of thermonuclear war?

Second. Will it be effective in preventing the proliferation of nuclear weapons to the nonnuclear nations?

Third. Will it strengthen or weaken NATO?

Fourth. Will it strengthen peace in the Far East?

Fifth. Will it reduce the nuclear danger in the Middle East?

Sixth. Will it increase our commitments?

Seventh. Will it, in terms of its overall impact, better serve the interests of the free world or the interests of Moscow and Peking?

Let me attempt to answer these questions in the order in which I have raised them.

DOES THE TREATY IN ANY WAY SERVE TO REDUCE THE DANGER OF THERMONUCLEAR WAR?

Despite the widespread popular impression that the treaty involves some kind of nuclear disarmament on the part of the nuclear powers, this simply is not so.

I wish it were so. The fact is that people have been misled by the careless manner in which this treaty has been discussed and by the tendency on the part of some—I am not speaking of any Member of this Chamber—to hold it up as a panacea for all the world's ills.

The treaty imposes no restrictions of any kind on Red China or France, because they have made it abundantly clear that they do not intend to sign it.

Nor does it impose any restrictions of any kind on the Soviet Union, the United States, and the United Kingdom, the three nuclear powers who have signed the treaty. They could, under the terms of the treaty, increase their stockpiles of nuclear weapons tenfold, equip them all with multiple warheads, and push their nuclear weapons technology at a hundred different points.

The great danger of thermonuclear war over the coming decade lies not in the fact that several nonnuclear-weapon nations might, if they started this year or next year, build a few nuclear weapons of their own. The danger lies, rather, in the existence of massive arsenals of nuclear weapons in the hands of the two superpowers, and in the supplementary fact that the Red Chinese Government,

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with all its belligerency and unpredictability, is already well along the road to stockpiling thermonuclear weapons of its own.

Neither one of these dangers will be affected one iota by the terms of the treaty we are today being called upon to ratify.

A decade from now, the Nonproliferation Treaty, if it is effective, might conceivably reduce the danger of a larger war beginning with a nuclear exchange between small nations. But the next question we have to answer is:

WILL THE TREATY BE EFFECTIVE IN PREVENTING THE PROLIFERATION OF NUCLEAR WEAPONS?

On this point, I find the testimony that has been given to date far from reassuring. Indeed, it is highly possible that this treaty may encourage the proliferation of nuclear weapons to have-not nations, rather than discourage it. I say this for the following reasons:

First. Under this treaty, the nuclear powers commit themselves to assist signatories to the treaty in developing peaceful nuclear facilities of their own.

Second. There is no clear-cut demarcation between peaceful nuclear materials and military nuclear materials nor between peaceful nuclear technology and military technology. One leads inevitably into the other.

Third. As Atomic Energy Commissioner Seaborg stated in 1966:

> It is perfectly feasible to build a clandestine chemical-processing plant using readily available technology and equipment.

Fourth. The inspection provisions of the treaty are ambiguous and grossly inadequate. I shall deal with this matter in detail in my further remarks.

Fifth. The treaty makes no restriction of any kind on the delivery by nuclear-weapons states to non-nuclear-weapons states of missiles and other delivery systems.

Sixth. Although many scientists are convinced it will be possible to produce pure fusion, or hydrogen weapons without the use of fissionable material, the language of the treaty does not concern itself with this prospect. Instead, the language has only to do with "fissionable materials," and the equipment used in processing such materials.

Seventh. Any signatory can withdraw from the treaty on 90 days' notice.

Given this combination of circumstances, there is ample reason to fear that certain small nations, having used the treaty to acquire a nuclear capability for themselves, may then proceed to develop clandestine facilities to produce nuclear weapons, and then, at the appropriate moment, may contrive some excuse to invoke the 90-day withdrawal clause.

All of this would be enough to worry about, even if all of the non-nuclear-weapon nations were to adhere to the treaty. But the fact is that we still do not know for certain whether West Germany will adhere to the treaty or whether Israel will adhere to the treaty; while the majority of the nations on Red China's periphery—Japan, India, Singapore, Indonesia, Pakistan, Thailand, Australia, and even Burma and Cambodia—have thus far made it clear that they have no intention of adhering to the treaty, or else have abstained from signing it.

THE NONPROLIFERATION TREATY AND THE FAR EAST

In the case of the Far Eastern nations who have thus far abstained from signing, I must in all frankness say I cannot blame them for feeling threatened by Red China's belligerence and by her growing nuclear arsenal.

Nor can I blame them for feeling that they cannot entrust their future existence to the flimsy and ambivalent assurance contained in the United Nations resolution of June 1968, which spoke grandiloquently of the U.N. Security Council countering a nuclear attack, or the threat of such attack, "by measures to be taken in accordance with the United Nations Charter." Their conviction that this resolution is meaningless has been borne out by the recent assurance of the Secretary of State to the Foreign Relations Committee that "as a matter of law and as a matter of policy" the United States had incurred no additional defense obligations under the terms of the United Nations so-called security guarantee resolution.

Nor can I blame the Far Eastern nations for being less than certain that the United States and the Soviet Union would spring immediately to their defense if they were the subject of nuclear attack, or threatened nuclear attack, by Red China.

The surest way to deal with the threat of Red China, in the opinion of these nations, is for them to develop at least modest nuclear capabilities of their own, so that they would be in a position to retaliate if they were attacked.

Nonproliferation Treaty or no Nonproliferation Treaty, the imperative logic of the situation points to the development of national nuclear capabilities by the major free nations on China's periphery.

I am disturbed by the prospect of the proliferation of nuclear weapons anywhere. But it is difficult to find a satisfactory answer to Asian statesmen when they argue that it would be better for the Asian nations to have a nuclear deterrent of their own than to leave the countries of the Far East defenseless before Red Chinese nuclear blackmail, or than to assume for ourselves the entire responsibility for imposing nuclear restraints not only on the Soviet Union but also on Red China.

Already, the treaty has placed a strain on our relations with Japan and India and the other holdout nations, and, to this extent, has diminished our ability to influence the course of events in the Far East.

THE NONPROLIFERATION TREATY, NATO AND THE PEACE OF EUROPE

We have been told that the Nonproliferation Treaty represents a great victory for American diplomacy and that its ratification will dramatically strengthen the peace of Europe.

I only wish that this assessment were true.

Actually, as the treaty is now written, it represents a major victory for Soviet diplomacy; it places further serious strains on the NATO alliance; it further separates Western Europe from America; and to the extent that it does these things, it imperils the peace of Europe rather than making it more secure.

Although we have been repeatedly assured that our allies were consulted at every step, the fact is that our allies were informed rather than consulted. Our cavalier disregard for their opinions during the negotiation of this treaty by itself did the most serious damage to the structure of mutual confidence on which the Atlantic Alliance is ultimately based.

The story has gained wide credibility that the Soviet Union, in negotiating the Nonproliferation Treaty, was interested primarily in preventing West Germany from gaining access to nuclear weapons. But, as Professor Robert Strauz-Hupe pointed out in testimony before the Foreign Relations Committee, the Bonn government, under the agreement with the Western European Union—WEU—which ratified its access to NATO, renounced the possession of nuclear, biological and chemical weapons.

Not only has the German Government itself displayed no desire to acquire such weapons, but such a desire, if it did exist, would be strongly opposed by Germany's Western allies. The Western allies, moreover, would have the power to enforce their opposition because the agreement between the WEU and the Bonn government calls for a remarkably tight system of onsite inspection.

The prime objective of the Kremlin in negotiating this treaty was to undermine NATO. This, indeed, has in recent years been the announced objective of the Soviet Government in all of its diplomacy vis-a-vis the Western world. Soviet Party Leader Leonid Brezhnev made this abundantly clear in his statement before the Conference of European Communist Parties in Czechoslovakia in April, 1967. Let me quote what he said on that occasion:

> In weighing the opportunities opened up by developments in Europe, we cannot bypass the fact that within two years the governments of the NATO countries are to decide whether or not the North Atlantic Treaty is to be extended. In our opinion it is very right that Communists and all progressive forces are endeavoring to make use of this circumstance in order to develop on an ever-wider scale the struggle against preserving this aggressive bloc.

A second objective of the Kremlin in negotiating this treaty was to place a prohibition on the often discussed possibility of a NATO or European nuclear deterrent force.

Even our best friends in Europe feel uneasy over the present state of affairs, under which the entire decision on whether or not to employ nuclear weapons of any kind in the defense of Europe remains an exclusive American responsibility. These fears, growing from year to year, have seriously eroded the morale of the alliance.

It is true that our present laws prevent us from turning over the control or custody of nuclear weapons to any nation other than Great Britain. But before the Nonproliferation Treaty was negotiated, there was always the possibility that we might exercise our option

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to assist in the formation of a European or NATO nuclear deterrent force.

It is to be noted that the creation of a European or NATO nuclear deterrent force would not require any increase in the present number of nuclear powers.

It would not involve giving nuclear weapons to Germany or Belgium or any nation that does not now possess them.

What it would involve, essentially, would be giving a NATO authority or a European authority the power to decide at what point nuclear weapons should be employed in the defense of Europe, instead of keeping this power of decision an American monopoly.

Until we surrendered on this point to the Kremlin in the negotiations for the Nonproliferation Treaty, we had always sought to keep this option open, and even to encourage it.

As early as September 1960, President Kennedy called for a "new approach to the organization of NATO." He suggested, among other things, that our allies "may wish to create a NATO deterrent, supplementary to our own, under a NATO nuclear treaty."

Two years later, speaking in Copenhagen, Mr. McGeorge Bundy said:

> If it should turn out that a genuinely multilateral European deterrent, integrated with ours in NATO, is what is needed and wanted, it will not be a veto from the Administration in the United States which stands in the way. . . .

And in August of 1965, speaking before the 18-Nation Disarmament Conference in Geneva, Ambassador William C. Foster said that if "the nations of Europe wish to achieve some kind of political unity which includes some central political authority capable of deciding in behalf of all members on the use of nuclear weapons, we feel that reconsideration of the provisions of the charter for the Atlantic force would be appropriate."

In the early drafts of the treaty, as I have pointed out, we sought to keep the European or NATO option open. When the Kremlin remained adamant, however, we gave ground on this cardinal point without consulting our allies. When we did so, the Soviet Union gained a major foreign policy objective.

The treaty, as it is now worded, reads:

> Each nuclear-weapon State party to this Treaty undertakes not to transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices directly or indirectly . . . .

This language would appear to be ironclad.

The State Department has offered the interpretation that the treaty does not completely prohibit the development of a European nuclear force. According to this interpretation, the treaty would permit the establishment of a European nuclear force if the European nations succeed in achieving a federation involving single control over defense and foreign policy. At this point, so the argument goes, the European federation would become the legal inheritor of the British and French stockpiles and weapons facilities.

Apart from the fact that this interpretation relegates the possibility of a European nuclear force to a distant and at the best uncertain future, the Soviets have given no indication that they are prepared to accept the validity of this interpretation.

Let no one underestimate the significance of this concession or the damage it has done and will continue to do to the Western alliance.

THE LOOMING CONFLICT WITH EURATOM

Further damage is bound to result to the Western alliance and to our ties with our European allies from the conflict over Euratom which the Nonproliferation Treaty makes virtually inevitable.

Some of the facts about Euratom and the International Atomic Energy Agency —IAEA—are set forth in the record of the hearings before the Foreign Relations Committee. However, I want to recapitulate what I consider to be the essential facts, because I am convinced from many conversations that even well-informed members of the public know nothing or next to nothing about Euratom or the IAEA.

The membership of Euratom, which parallels that of the Common Market, includes Germany, France, Italy, the Netherlands, Belgium, and Luxembourg.

Having committed themselves to a common program for the development of the atom for peaceful purposes, the Euratom nations have forged ahead on many fronts and at an amazing rate.

Euratom now has four major research centers, and scores of other peaceful facilities under its overall control. For its second 5-year plan, which began in 1967, it budgeted $550,000,000, and this amount, according to reports, will be substantially increased for the coming period. Its staff now includes some 2,800 integrated European civil servants. Both qualitatively and quantitatively, its efforts in certain key areas of peaceful atomic research are on a par with our own efforts.

Under all the stresses that have characterized intra-European relations in recent years, Euratom has held up remarkably well. Even France, despite the fact that it has become a nuclear weapons power since joining Euratom, continues to submit all of its peaceful facilities to Euratom regulations and safeguard inspections, and continues to accept the arrangement under which Euratom retains legal title to all of the nuclear materials used in the various national facilities of its member states.

The International Atomic Energy Agency was set up subsequent to President Eisenhower's "Atoms for Peace" speech in 1953. At the present time it has 98 member nations, and a governing body of 25 nations. The board of governors consists of the five major nuclear nations and of 20 other nations elected at the annual conference.

IAEA has developed very slowly, and this is particularly true of its safeguards and inspection program. As Mr. William Bader points out in his book on "The United States and the Spread of Nuclear Weapons," as late as 1967 IAEA "had a team of only 13 inspectors, inspecting facilities which produced only 6 percent of the world's plutonium output."

I might say that the book by Mr. Bader is a remarkably scholarly and objective piece of work. I have read it with great interest and I would recommend it to all those who are concerned over the spread of nuclear weapons.

During the recent hearings, the points were made that there is no veto in the IAEA governing board, while individual member nations do have the right to veto specific inspectors who may be assigned to them by IAEA. I cannot help wondering whether these answers do not seek to avoid the very real political problem that would arise if our own country or any other non-Communist member of IAEA were to refuse to accept not merely a Soviet inspector but all inspectors of Bulgarian, Czechoslovak, Polish, or other Communist nationality.

The Euratom nations are convinced that their own inspection procedures are adequate for the purposes of the Nonproliferation Treaty, and they are understandably reluctant to surrender the integrity of this effective regional system, by submitting their facilities to IAEA inspection under the Nonproliferation Treaty system. Indeed, this would be a violation of their obligations under the Euratom Treaty.

It has been stated repeatedly by American spokesmen, and this was recently repeated before the Foreign Relations Committee by Atomic Energy Chairman Seaborg, that we regard Euratom safeguards as satisfactory and that we anticipate the negotiation of an agreement between Euratom and IAEA, governing inspection under the Nonproliferation Treaty.

In his testimony of last July 12, Dr. Seaborg said:

> I believe the IAEA and Euratom will succeed in developing a mutually satisfactory safeguards arrangement. I base this confidence on my belief first, that the IAEA and Euratom safeguards systems are generally compatible, and second, that the IAEA will wish to take advantage of the Euratom procedures wherever it can in developing the arrangements, bearing in mind that the Euratom system has worked effectively for many years.

Moreover, the Euratom nations believe that if they are subordinated to IAEA, it is politically inevitable that some of the inspectors, if they are given access to Euratom facilities, will have a supplementary function to perform.

I want to note at this point that, under the IAEA system, its inspectors have the right and responsibility, I quote, "to examine the design of specialized equipment and facilities, including nuclear reactors, and to approve it only from the viewpoint of assuring that it will not further any military purpose . . ."

I also want to note at this point that the Soviet Union has already expressed misgivings about the fast breeder reactor program which Euratom has been developing with its members and the United States, apparently on the grounds that this might have military implications.

The four Euratom nations who have signed the treaty--Italy, Belgium, Netherlands, Luxembourg—have all attached the reservation that their ratification

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will be contingent upon the possibility of negotiating a satisfactory agreement on inspection between Euratom and the International Atomic Energy Agency.

West Germany, if she joins the Treaty, will almost certainly attach the same reservation as her Euratom partners.

France, of course, will not join the treaty, and will not submit to any IAEA inspection procedures supplementary to Euratom's own safeguards.

There is a good deal of reason for fearing that no arrangement will be possible that satisfies both Euratom and the IAEA. Thus, 1 or 2 years hence, we may discover that, after all the agonizing and all the pressuring and all the debate, our Euratom allies will choose to invoke their reservation and opt out of the Nonproliferation Treaty rather than surrender certain of their key prerogatives to the IAEA.

Despite the optimism which Dr. Seaborg and others have expressed over the possibility of working out an agreement between IAEA and Euratom, there is absolutely no assurance from the Soviet side that it would be willing to accept an arrangement under which Euratom continues to inspect its own facilities and simply reports to IAEA under a verification arrangement.

On the contrary, the chances are that the Soviets will insist that IAEA should have the physical responsibility for inspecting Euratom facilities.

If such an impasse does develop, we would then be confronted with a major dilemma.

If we did nothing, then the Nonproliferation Treaty would probably fall apart.

And if we attempted to bludgeon our Euratom allies by withholding nuclear material under the requirements of the treaty, the consequences for the future of both Euratom and NATO would be grave and unpredictable.

THE TREATY AND THE PEACE OF THE MIDDLE EAST

In the Middle East, the treaty, if it were applied at an early date and if it were vigorously enforced, might very well help to defuse, or partially defuse, the possibility that the Arab-Israeli conflict will escalate to the use of nuclear weapons.

But even here, where it could do the most good, the treaty appears to be hopelessly inadequate. First, it will take more than 2 years before the inspection system envisioned by the treaty becomes fully effective. And second, even when it becomes effective, the inspection procedures, at the best, will be anything but foolproof.

The treaty does not spell out the terms of inspection; these are to be negotiated bilaterally at a much later date between the signatory nations and the International Atomic Energy Agency.

As I pointed out in an earlier statement, we are, in effect, being asked to ratify half a treaty, a very important portion of which still remains to be written.

The treaty language appears to suggest that the rules of inspection under these bilateral agreements will have to parallel the IAEA safeguards system. But if this is so, why does the Treaty not say simply that non-nuclear-weapons nations, in subscribing to the Treaty, automatically place themselves under the IAEA and accept its inspection system? Why the need for separate agreements? Why permit a delay of six months after the effective date of a treaty before the signatory nations even enter into negotiations on inspection agreements, and a delay of an additional eighteen months before such agreements are concluded?

The IAEA rules, as they are now written, provide for inspection only of declared nuclear facilities; and the IAEA inspectors do not have the right to carry out an inspection anywhere else, even if they have reasons to suspect clandestine activity.

Even if the IAEA procedures were more satisfactory, the Agency for a long time to come, as Congressman HOSMER has pointed out, simply will not have the means or the trained inspectors essential to supervise peaceful nuclear weapons programs in scores of non-nuclear-weapons nations.

THE SPECIAL CASE OF CUBA

I have spoken about three violations of the intent of the Nonproliferation Treaty on the part of the Soviet Union. I now wish to call the attention of my colleagues to a fourth violation of the intent of this treaty and one, which, in my opinion, poses a very grave danger to the security of the United States.

In November of last year the Soviet Union completed work on a nuclear reactor in Cuba; and on January 8 of this year a nuclear agreement was signed between Havana and Moscow under which Moscow undertook to help Cuba expand its nuclear program.

The occasion was marked by a major broadcast made over Havana radio on January 9 by Dr. Antonio Nunez-Jiminez, president of the National Commission of the Cuban Academy of Sciences. Although this speech was monitored in full in our country, I recall seeing no reference to it in our press.

At one point in his speech, Dr. Jiminez said that Cuba could now branch out into atomic research, and, I quote, "for this development, the Soviet Union is supplying not only the scientific material but also the research."

He also said that "the Soviet Union helped us by training, in the best Soviet centers, the first Cuban engineers and nuclear physicists who will join this institute within the next few months."

Finally, he revealed that there are 231 top Russian scientists now serving in Cuba with 222 more due to arrive.

When I raised this matter with Chairman Seaborg in the course of the recent hearings, he replied that the nuclear reactor which the Soviet Union had installed in Cuba was essentially a research facility. If I understood him correctly, the limited size of the facility made it improbable that Cuba could use it to build nuclear warheads within the next 10 years.

It was unclear from his answer whether he was talking about one warhead or many warheads. However, on rereading the record, it appears to me that Chairman Seaborg may have misunderstood my question.

It is not just a matter of the experimental nuclear reactor which the Soviet Union has already installed in Cuba. It is evident from the announced terms of the Moscow-Havana agreement that this is just the beginning of a Cuban nuclear program which is to be greatly expanded over the coming years. So, a few years from now we may find that Cuba has several nuclear powerplants of substantial size, and other nuclear facilities, declared and undeclared.

This would give Cuba the capability, especially if there were no inspection of these facilities, to build up a significant nuclear arsenal.

Because I wanted some expert opinions on certain implications of the Nonproliferation Treaty, I addressed a series of questions to Dr. Edward Teller. Among other things, I asked him whether the Cuban situation poses a danger to the security of the United States. This is what he replied:

> There is nothing to prevent Cuba from developing a nuclear capability in the next few years if they are helped to do so by the Russians. Such a development would certainly prove a serious danger to our security. In considering the question whether or not such a development will occur, one may remember that in the case of China, Russia first provided help then withdrew the help. The Chinese, nevertheless, proceeded to perfect nuclear weapons, although this development was somewhat delayed. On a purely technical basis it is, of course, impossible to predict what decisions Moscow will make and whether or not effective help for the development of a nuclear capability will be given.

Mr. President, because I know my colleagues will be interested in Dr. Teller's views, I ask unanimous consent to insert at the conclusion of my remarks the complete text of the questions I addressed to Dr. Teller and of his replies to them.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

(See exhibit 1.)

Mr. **DODD**. Mr. President, there are several additional reasons for believing that the rapidly expanding nuclear program which Castro is carrying out with Soviet assistance poses a very serious threat to our security.

First of all, it is impossible not to be concerned over the testimony of Secretary of State Rogers that there is nothing in the treaty that would prevent the Soviet Union from giving rockets to other nations, so long as these rockets were not equipped with nuclear warheads. Under the treaty, therefore, the Soviet Union can supply missiles to Cuba, while Cuba, with her own nuclear facilities, could build warheads to mate to them.

Finally, it is impossible not to be concerned over an expanding nuclear capability in Cuba when one recalls the facts of the Cuban missile crisis of October 1962.

Over this past weekend, by accident, I happened to read "Thirteen Days," a book written by our late revered colleague, Senator Robert Kennedy, in which he recounts the story of what went on in the White House during those fateful October days. Among other things, he relates how Soviet Foreign Minister Gromyko at the United Nations and Soviet Ambassador Dobrynin in

Washington repeatedly and categorically denied that the Soviet Union had emplaced offensive missiles in Cuba or that it had any intention of doing so.

The monstrous deception practiced by Gromyko and Dobrynin on that occasion is of more than passing interest in connection with the present Cuban situation, because Gromyko is still the Foreign Minister of the Soviet Union and Dobrynin is still the Soviet Ambassador to Washington.

Given the history of the recent past, I believe we would have plenty to worry about in Cuba, even if Cuba were to accept IAEA inspection. There is no reason for believing, however, that Cuba will accept even this fragmentary safeguard. If this turns out to be the case, then, at the point where the Nonproliferation Treaty goes into force, the Moscow-Havana agreement on nuclear assistance would automatically constitute a legal violation of the treaty.

Article III, paragraph 2 of the treaty stipulates that the signatory states will not provide equipment or materials for peaceful purposes to any non-nuclear-weapons state, "unless the source or special fissionable material shall be subject to the safeguards required by this article."

The preceding paragraph—paragraph 1, article III—stipulates that non-nuclear-weapons states receiving peaceful nuclear assistance must enter into agreements with IAEA, based on the agency's standard safeguards system, for the purpose of preventing the diversion of nuclear materials for peaceful uses to nuclear weapons.

While this clause does not necessarily involve adherence to the treaty, it would, as I see the matter, require adherence to a separate agreement with the IAEA, which would more or less parallel the requirements imposed on those non-nuclear-weapons states who do sign the treaty.

However, the Castro government has not merely refused to sign the Nuclear Test Ban Treaty and the treaty prohibiting nuclear arms in Latin America, but it has openly declared that, I quote, "Cuba will never renounce her inalienable rights to defend herself with weapons of any kind" despite any international agreement that may be reached. The words I have quoted come from a statement made at the United Nations last May by Cuban Foreign Minister Dr. Raul Roa.

If the Nonproliferation Treaty is to have any serious meaning for the security of the United States, then it is imperative that the Soviet Union, within the framework of the treaty or outside it, cooperate with the United States in preventing the most lunatic government in the Western Hemisphere from developing a military nuclear capability of its own.

And if the Soviet Government is not prepared to cooperate with us in placing nuclear restraints on the Castro government, then, despite all the good intentions of the men who negotiated it on our side, the Nonproliferation Treaty may turn out to be a dangerous fraud on the American people.

I believe that this is a matter on which Congress should seek clarification before it casts its final vote on the treaty.

CONCLUSION

The Communists are without question the hardest, most calculating, most ruthless practitioners of the art of diplomacy in history. And yet, despite the sorry record of our experience with them, we persist in offering them major unilateral concessions every time we meet them at the conference table. The Nonproliferation Treaty is only the latest case in point.

I hope that we will never again negotiate in this one-sided manner.

There can be no question but that the Soviet Government desperately wanted the Nonproliferation Treaty in its present form. In such a situation, if we were going to make vital concessions to the Kremlin, we should at least have used these concessions for negotiating purposes to extract concessions from the Soviets on other points.

If the Soviet Government, for example, had agreed to use its very great influence over the North Vietnamese Government to bring about a settlement of the Vietnam conflict, such a concession on their part might have been worth the concessions we made to them at the expense of NATO. Indeed, such a quid pro quo would have been understood even by our NATO allies.

It is conceivable that the Nixon administration has, in return for the Nonproliferation Treaty, received some assurance of significant reciprocal actions on the part of the Soviets, about which it is not in a position to make any public statement. I earnestly hope that this is so, because the existence of such an understanding would make the treaty more palatable to many of us. But in the absence of any firm knowledge of such an arrangement, all that any Senator can do is to assess the treaty on the basis of its merits as he sees them.

It is my hope that, when this debate is over, I shall be able to cast my vote in support of the Nonproliferation Treaty, despite the reservations I have expressed.

It is my hope that the faith of our negotiators and of the Senate Foreign Relations Committee who have given so much time and effort to the treaty, will be vindicated by the course of events, and that this treaty will lead to further and more significant measures in the field of arms control and disarmament.

It is my hope, too, that the Soviet Government and the other Communist governments of Europe, under the influence of the liberalizing ferment of recent years, will gradually evolve in the direction of more open societies, with whom broader and more meaningful agreements will be possible.

Whatever differences may have been expressed in the course of this historic debate, the debate has had the advantage of demonstrating to the world that the U.S. Government and the U.S. Senate are willing to go the extra mile and more in the interest of peace, and that we are willing to accept even important risks in order to move one step further along the road of arms control.

Herein lies one of the great redeeming virtues of the treaty now before us.

EXECUTIVE UNDERSTANDINGS NOS. 2 AND 3

Mr. President, I submit two understandings to the resolution of ratification and ask that they be printed and lie on the table.

The PRESIDING OFFICER. The understandings will be received and printed, and will lie on the table.

Mr. DODD. I believe these understandings, as I have entitled them, are important. I think I understand—I have certainly tried to understand—the thinking of others on this subject. I think it is principally to the effect that, "Well, at least it is a beginning. Of course, it is not everything we would like it to be. But let us at least get started."

This is a very appealing argument. I am not unmindful of it. In fact, I am inclined that way myself.

But I think about the Soviet reactor in Cuba. And then I think about the Soviet conduct in Czechoslovakia, followed by the threat against West Germany, and the threat contained in Brezhnev's statement about the right to intervene in any so-called socialist country. And I say to myself, "For Heaven's sake, what does all this mean?" They have agreed to sign this treaty, and already, according to the preamble, they have violated it several times over.

That worries me.

I would like to see the treaty ratified, but I would also like to see it strengthened. I would like to see us more secure with respect to the hazards that exist, as I see them.

I think this can be done. I hope, therefore, that the understandings I have offered will be acceptable to the Senate.

EXHIBIT 1

QUESTIONS

From: Senator THOMAS J. DODD.
To: Dr. Edward Teller.
Re: Nonproliferation Treaty.

1. Question: How difficult would it be for nuclear have-not nations, once they are provided with nuclear facilities under the terms of the Nonproliferation Treaty, to use these facilities to give themselves a nuclear military capability?

Answer: The bottleneck in producing fission bombs is the availability of an appropriate quantity of U235 or Pu239. Powerful nuclear reactors having a thermal power of 1,000 megawatts or more, will produce ample amounts of Pu239. To erect appropriate chemical separation plants will raise considerable difficulties if they are not already available. This difficulty can most probably be overcome by a determined effort in two or four years. Furthermore, in the natural course of events chemical plants applicable to separation of plutonium will be established.

While it is generally believed that the secrecy erected around nuclear weapons technology will impede development in have-not nations, there is good evidence which shows that this is not the case. None of the present five nuclear nations had difficulty on this score and studies performed by uninformed individuals for the purpose of verifying the efficacy of secrecy have shown that essentially correct solutions on paper will be obtained by capable individuals in a rapid and reliable manner. Secrecy may provide somewhat greater protection in connection with the development of thermonuclear explosives.

1a. Question: Is the supplementary technology necessary to convert peaceful nuclear materials into weapons-grade plutonium,

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simple and inexpensive enough to make this technology accessible to small countries?

Answer: This technology is neither simple nor inexpensive. On the other hand, a sharp distinction between reactor-grade plutonium and weapons-grade plutonium is not valid. This distinction has been mistakenly overemphasized, even during discussion of the Baruch plan. It is wishful thinking to believe that the composition of plutonium will be a sufficient guarantee against misuse of reactor products in making nuclear explosives.

1b. Question: Is it accurate that the so-called centrifuge process for the production of weapons grade plutonium can be accommodated in facilities compact enough to lend themselves to easy concealment?

Answer: According to the authoritative statement of Chairman Seaborg, the centrifuge process lends itself to the establishment of clandestine plants. However, even if the centrifuge is employed, production of so-called weapons-grade plutonium remains difficult and expensive. As pointed out in the previous answer, production of such material is not essential.

1c. Question: How effective would the IAEA inspection procedures be in preventing the diversion of materials for military purposes by governments bent on circumventing the Treaty?

Answer: An economically effective nuclear reactor must have at least a thermal power of 1,000 megawatts. Such a reactor would produce approximately 300 kg of plutonium per year and if 10% of this amount should be diverted, this will suffice to produce several nuclear explosives. By the best possible inspection procedures, diversion of material might be decreased to a couple of percent. Even in this case, the possibility of producing nuclear explosives in a short time is not eliminated. One should further remember that cheap nuclear power would make it desirable to establish a power equivalent to 100 such plants in countries like Japan and Germany in the next decade or two, and 25 such plants in countries like India or Spain. (These figures are based on the assumption that demands for nuclear electric power equivalent to the presently installed total electric power will arise in each country before the year 1980.)

It is therefore certain that even the best possible IAEA inspection will not eliminate the possibility of circumventing the Treaty in a secret manner. It is much more likely that a diversion of several percent of the plutonium will prove possible. If the Treaty is ratified, it may be essential to announce our intention to revise our stand at the end of the 18-month period, at which time we should know whether the inspection procedures are meaningful.

2. Question: Do you believe that this Treaty will really serve to prevent the proliferation of nuclear weapons? Or do you believe that the Treaty may wind up by encouraging the proliferation of nuclear weapons to nuclear have-not nations?

Answer: In view of the answers given to the previous questions, I believe that proliferation will be prevented only in case of countries which do not desire to circumvent the Treaty. Therefore, the question of whether or not the Treaty will be effective reduces to a problem of psychology, rather than technology. It should furthermore be remembered that in case of detected violation by one or two nations, other nations may feel justified in taking open possession of the whole plutonium stock which resides in their functioning reactors. In this case, rapid proliferation will ensue.

3. Question: Is it technically possible to distinguish between offensive and defensive nuclear weapons and, if so, would it be possible to build defensive weapons which could not then be employed for offensive purposes?

Answer: It is not possible to make a technical distinction between offensive and defensive nuclear weapons, *per se*. It is, however, equally obvious that one can distinguish between weapons systems deployed in an offensive and defensive manner. The antiballistic missile system is an example for the latter. It is not proven, but in my opinion likely, that one can develop appropriate electromechanical devices which, together with effective inspection procedures, will provide substantive assurance against the offensive use of any weapons systems which is defensively deployed and which is safeguarded in an appropriate manner. Such developments could be most significant in allowing peaceful nations to defend themselves, and would thereby decrease the incentive toward deployment of offensive systems.

In case the Treaty is ratified, it would seem highly desirable explicitly to encourage the deployment of defensive systems, and in case that appropriate safeguards become available, to exempt such defensive systems from restrictive provisions of the Treaty.

4. Question: Do you believe that this Treaty is in the overall military and political interest of the United States and the free world?

Answer: To limit proliferation would be in our interest. It is, however, not clear whether the Treaty accomplishes such limitation. By providing aid toward the development of big reactors, and by prohibiting defensive deployment of nuclear weapons, the Treaty may even help to create the means and the incentives for rapid proliferation of offensive weapons.

5. Question: In the latter part of 1968 it was announced that Moscow had installed a nuclear reactor in Cuba. On January 9 of this year Havana radio announced the conclusion of a Moscow-Havana nuclear pact. Under this Treaty, according to a broadcast statement by Dr. Antonio Nunez-Jiminez, President of the Cuban Academy of Sciences, the Soviet Union obligated itself to provide equipment and scientific material, as well as Soviet scientific personnel and training in nuclear technology for Cuban engineers and scientists. Mr. Jiminez said that there were 231 top Russian scientists now serving in Cuba, with 222 more due to arrive . . . In your opinion, does the prospect of the rapid expansion of Cuban nuclear capability which is almost certain to result from this Treaty, pose a serious danger to the security of the United States? And if there is a danger, is it a danger that relates to the next few years or is it several decades removed?

Answer: There is nothing to prevent Cuba from developing a nuclear capability in the next few years if they are helped to do so by the Russians. Such a development would certainly prove a serious danger to our security. In considering the question whether or not such a development will occur, one may remember that in the case of China, Russia first provided help then withdrew the help. The Chinese, nevertheless, proceeded to perfect nuclear weapons, although this development was somewhat delayed. On a purely technical basis it is, of course, impossible to predict what decisions Moscow will make and whether or not effective help for the development of a nuclear capability will be given.

Mr. HARRIS. Mr. President, the overriding objective of the Treaty on the Nonproliferation of Nuclear Weapons, as set forth in its preamble is to lessen the tensions which could lead to "devastations that would be visited upon mankind by nuclear war."

It is my opinion that the treaty attempts to accomplish this objective in a manner that is consistent with the best interests of the United States and the other nations of the world and therefore it should be ratified by the Senate.

The desirability and necessity of entering into the treaty is highlighted by the overwhelming bipartisan support it enjoys, by the way in which our leaders favor it and by the support it has from over 90 nations representing diverse forms of government.

Widespread support for the treaty has been increasing as we have learned that additional nations either have perfected a nuclear warhead or are devoting additional resources to its perfection.

As additional nations throughout the world become equipped with nuclear weapons, the peoples of the world think more in terms of the probability of nuclear war rather than its mere possibility. The probability of nuclear war, intentional or accidental, continues to increase.

It is not unreasonable to assert that the failure to ratify the treaty would accelerate the spread of nuclear weapons and accelerate the expenditures by all nations on nuclear weapons and systems related thereto, which would be a drain of more and more resources of the nations of the world which are desperately needed for solving critical domestic difficulties. The increasing level of confrontation and simultaneous neglect of domestic problems could well lead to nuclear devastation.

Even if the nations of the world could avoid nuclear devastation after several years of continued nuclear proliferation, the resultant expense would bring on the likelihood of economic and social devastation. If the nations of the world continue to undertake the massive and continued cost accompanying the spreading of nuclear weapons, they most certainly will be neglecting certain domestic problems which already have been neglected much too long. Although the devastation which would occur from economic and social ruin would not be as sudden as nuclear devastation, it would be no less tragic.

Once it is realized that the treaty does not take a single weapon from our arsenal, does not give the control of any weapons to other countries, and, in fact, has the support of the Joint Chiefs of Staff and other military experts, it becomes evident that our national security interests are safeguarded.

Under such circumstances we should enthusiastically go forward with the treaty, as I think we should have, Mr. President, when it was sent to the Senate by President Johnson last session, hoping that tensions and conflicts between nations will be eased, and more of our resources, including nuclear power, can be dedicated to other important and pressing problems. Accordingly, I do not feel that complicating reservations or understandings proposed to the treaty are either necessary or desirable.

Mr. GORE. Mr. President, will the Senator yield?

Mr. HARRIS. I am happy to yield to the distinguished Senator from Tennessee, whose voice has been one of the strongest on this subject and in favor of this treaty, both during this session of Congress and the last session, and on the general subject in preceding years.

Mr. GORE. I thank the able Senator.

I make reference to the statement of the Senator that our country's security interests are safeguarded by the treaty. This I believe to be a true statement, but

I should like to suggest to the Senator that our security interests are advanced by this treaty.

The treaty, as the Senator has stated, does not in any way impede the development and use of weaponry in our own security interests. It goes further, however, and undertakes to limit the number of nations, hoping by discouragement and otherwise to limit the number of nations that might acquire or hope to have nuclear arsenals.

Even a small nation wih a nuclear arsenal can become a very dangerous and deadly adversary. So it would seem to me that not only are our security interests safeguarded, but our security is advanced in that we are more secure and the peace of the world is more secure, if fewer nations have nuclear weapons.

Mr. HARRIS. To continue with the distinguished Senator's thought, which I certainly endorse, I think our security is also strengthened to the degree that we can slow down the arms race, to the degree that we can turn more of our resources to the solution of the terrible and growing problems we have here at home. I say that the Senator is quite correct, and I would certainly agree with his statement.

Mr. GORE. Will the Senator yield further?

Mr. HARRIS. I am happy to yield.

Mr. GORE. I call to the Senator's attention a most arresting statement made to the Disarmament Subcommittee this morning by Dr. Herbert York, former Chief of Research and Development in the Department of Defense.

He called attention to the fact that if we proceed with the deployment of antiballistic-missile systems depending upon computerized responses, we run the risk of substituting mechanical reactions, affecting war or peace, for the command decisions of chosen representatives and officials of the American people in government.

This gives me an uneasy feeling, because, from my limited experience with computers, I know that the computer has no information which some program planner has not fed into the mechanism, and that now and then computers make total and overwhelming errors. The science is wonderful, but I seem to recall having read now and then where someone has received, for example, a $5 million check when he was supposed to receive one for $5. Moreover, in my own experience I have seen rather bizarre results when the machine was asked to give an answer for a set of circumstances for which it had not been precisely prepared.

Had the Senator contemplated that part of the program?

Mr. HARRIS. I am, Mr. President, no expert in computer technology, either, but I think the distinguished Senator from Tennessee has made a very important and rather distressing point, though one which is involved in the consideration of the deployment of the ABM.

I think that one could go further than that, and say that congressional authorization of research and development, as we have done with the Nike X and the Nike-Zeus systems in the past, short of deployment, is one thing; congressional authorization of the Sentinel system, intended to be a negotiating tool in the hands of the Executive with the Soviet Union, is one thing. Deployment of a Sentinel system, one which certainly is an imperfect technological system and raises some of the specters which the distinguished Senator from Tennessee has mentioned, and one which tends in the direction of making new negotiations with the Soviet Union much more complex because of a system in being and in place, is something else altogether.

I, for one, am awaiting with interest the decision by the Chief Executive as to what will be done with respect to the Sentinel deployment. I think it would certainly be a mistake to deploy a Sentinel system at this time. I think that it certainly would be a mistake if we were not to move with some sense of urgency to sit down and talk with the Soviet Union on this issue as rapidly as we can.

I think the time to do that is overdue, although I grant that the new President certainly has the right to a period during which he becomes more familiar with the national and international situations concerning the ABM system.

I think that is a subject which the distinguished Senator from Tennessee has quite rightly tied in with the instant question, the question concerning the Nuclear Nonproliferation Treaty. We have a chance in connection with this treaty and also in connection with the Sentinel missile deployment question to decide, as the Senator said to me in private conversation a moment ago, in which direction we will move in this country, whether we will move to slow down the arms race, whether we will move further to reduce world tensions, whether we will probe additional subjects where we may have some mutuality or commonality of interest with the Soviet Union for agreements in our mutual self-interest which will allow us to reduce the prospects of further accelerating the arms race and reduce the prospects of further exacerbating the tensions existing in the world—so that we may look toward solving our own internal problems as the Soviet Union must itself look toward solving its own internal problems.

I think that we have a chance on these two issues which are not unrelated, as the Senator's statement and question indicate, to say in which direction we want the country to move.

Mr. GORE. Mr. President, I appreciate the interest and observations of the Senator. I think the facts now reveal to me rather conclusively that Congress and the Government of the United States made an error, a gross error, in deciding to deploy the ABM system, the so-called thin system, to defend our cities against an imagined Chinese threat.

This is not the first mistake we have made. I do not wish to be critical of that. There is no need, however, to compound an error.

I am, however, inclined to think that a great deal of the pressure for deployment, despite the error that is now widely recognized, the pressure to compound the error comes from the industrial-military complex which now feels challenged, and it is challenged, because this is the first decision in the overweening issue before the country for the next decade, the priority and allocation of the resources, the talents, and the means of this Nation.

As between the Defense Establishment on one hand and all the needs of the American people on the other, they feel challenged. And they are challenged. And if we beat them on this one, we will beat them again and again. They know it. Therefore, they put on pressure to compound a widely recognized error.

Mr. HARRIS. Mr. President, it was a perceptive person who said that some can hear the farthest rumbling of a distant drum, but not the voice of a hungry child.

I do not think that applies to any Member of the Senate, because I think every Senator does his best to represent the interest of his country in the lights given to him.

While we must protect our own security and help preserve world stability—and, goodness knows, we all realize our terrible responsibilities in that respect—we must also turn our eyes toward and open our ears to the growing problems here at home.

I served on an advisory group which advised with the staff of the Urban Coalition and Urban America, Inc., which recently released a study, 1 year following the Kerner Commission report. I also served as a member of the Kerner Commission.

The gist of that yearend report was that we have moved 1 year further toward two separate societies, separate and unequal.

I think it may be true that we are coming into a period in our country when people may not want to be reminded of the unpleasant problems we face. However, I think, nevertheless, that Senators, citizens, political parties, and public officials have a responsibility to continue to shed light upon these unpleasant problems, because even though for the moment the decibel level of the problems may be down in a case or two, the problems are nevertheless there.

The problems are nevertheless growing more difficult, because as we make progress toward solving these problems, the problems do not stay the same size. The problems grow larger because of the continued urbanization, the continued explosion of our population, and the continued explosion of knowledge and technology.

I think that as we consider this issue before us—one which is international in its aspects—we must, as the distinguished Senator from Tennessee has said again today, and as he has said before on other occasions in the Senate and elsewhere, recognize the chance these issues give us to help point this country and the world in the right direction. Mr. President, I therefore again reiterate my support of the ratification of the Nuclear Nonproliferation Treaty now before the Senate without the adoption of proposed reservations or understandings.

Mr. President, I yield the floor.

Mr. GORE. Mr. President, I trust that the Senate will not agree to the understandings which our distinguished colleague, the senior Senator from Connecticut, has offered.

Perhaps far better than any analysis of the problem I could give is a statement in the hearings of the committee, appearing on pages 423, 424, and 425, which I ask unanimous consent to have printed at this point in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Force of Treaty in Time of War

Senator Javits. Just two questions about the text of the treaty and then, Mr. Chairman, I shall be through.

One is this: I find an interesting difference of view in the testimony last year of Secretary Rusk in sustaining the treaty and General Wheeler in connection with the treaty. May I ask the Secretary and the General about this question.

General Wheeler's opinion seems to be that in the event of war the treaty will become immediately inoperative. That does not seem to be Secretary Rusk's view. So I would like to read both statements and perhaps you gentlemen would desire to refer this matter to even other authority but certainly it should be laid upon the record. General Wheeler testified at page 78 of the record:

"Well, of course, in the case of war, Senator Aiken, the treaty as I believe Secretary Rusk pointed out yesterday immediately becomes inoperative."

But when you look at Secretary Rusk's testimony he didn't say that. This is what he said:

"Well, I think, sir, there would be inhibitions in the treaty against the notion that any kind of a conflict would automatically relieve that particular country or the disputant from the obligations of the treaty * * *. It is not intended here that the mere fact that there is an armed clash would operate to relieve a party of its obligations under the treaty. But such party might invoke the withdrawal article, give formal notice * * *."

Now, there is lots of variance there, armed clashes, war, and so forth. The witnesses may have been talking about different things, but nonetheless, I think something ought to be done to make clear to us what is the construction of our country as it enters into this treaty, upon this very serious question as to the force of the treaty in times of conflict between nations.

I would not wish to press the Secretary to an answer, so if he would rather not, I would ask unanimous consent that whatever reply there is be made a part of the record. Would the Secretary prefer that?

Secretary Laird. That would be fine, Senator.

The Chairman. Without objection so ordered.

(The information referred to follows:)

"STATUS OF TREATY IN TIME OF WAR

"Clarification has been requested of the status of the treaty in the event of war.

"In answering this question, it is necessary to differentiate among the many types of situations that might be comprehended within the term 'war'.

"At one extreme would be the condition of general war involving the nuclear powers and the use of nuclear weapons. With respect to this type of situation Secretary Rusk referred to the questions and answers furnished to our NATO allies which stated that the treaty 'does not deal with arrangements for deployment of nuclear weapons within allied territory as they do not involve any transfer of nuclear weapons or control over them unless and until a decision were made to go to war, at which time the Treaty would no longer be controlling.' He said:

"'I think sir, that this was simply a recognition of what today is almost an element of nature, and that is, in a condition of general war involving the nuclear powers, treaty structures of this kind that were formerly interposed between the parties would be terminated or suspended.' (July 11, 1968 hearings, p. 27.)

"At the other extreme would be a limited, local conflict, not involving a nuclear-weapon-state. In this case the treaty would remain in force. The first preamble to the treaty considers 'the destruction that would be visited upon all mankind by a nuclear war and the consequent need to make every effort to avert the danger of such a war' and the second preamble states the belief 'that the proliferation of nuclear weapons would seriously enhance the danger of nuclear war.' This central purpose of the treaty would be subverted by maintaining that the treaty was suspended in the event of such a war between non-nuclear weapon parties. Accordingly, such parties would be bound by the treaty unless and until they exercised the right of withdrawal under Article IX.

"It was this type of situation to which Secretary Rusk alluded in the following colloquy:

"Senator Carlson. In other words, let's assume that a nation would decide it was necessary that it became involved in a war, could it, for instance, go to France if France were not a signatory and get not only weapons but warheads and materials to transmit them?

"Secretary Rusk. Well, I think, sir, that there would be inhibitions in the treaty against the notion that any kind of a conflict or a dispute would automatically relieve that particular country or disputant from the obligations of the treaty. There have been a good many armed clashes since the end of World War II.

"Senator Carlson. There will be some more, I am sure.

"Secretary Rusk. I am sure there will be some more. It is not intended here that the mere fact there is an armed clash would operate to relieve a party of its obligations under the treaty. But such party might invoke the withdrawal article, give formal notice—excuse me, I just wanted to look at this—if 'Extraordinary events related to the subject matter of this treaty have jeopardized the supreme interests of its country.' Now, that withdrawal article is there, and each signatory to the treaty has access to it under the provisions of the treaty.

"Senator Carlson. In other words, you use the term 'supreme interests?'

"Secretary Rusk. Yes; supreme interests.

"Senator Carlson. It is your thought it would take more than just a provocation to result in a local conflict?

"Secretary Rusk. That is correct, sir.

"Senator Carlson. I was interested in that because I can see where it might be very easy to withdraw even though you were a signatory to this treaty, provided you decided that it was necessary to get into a conflict with another country. I wanted some clarification on that if I can get it.

"Secretary Rusk. Senator, let me review the record and see whether I ought to make a small extension of my remarks on this point. But the great objective of this treaty is to make nuclear war less likely by preventing the spread of nuclear weapons to additional countries.

"Again, looking back toward the dozens and dozens of armed engagements that have occurred since the end of World War II, some small scale, others large scale, we would not expect that each one of these engagements should be translated into a nuclear engagement by casual action on the part either of a nuclear power or nonnuclear powers.

"Senator Carlson. I shall not press it further, but it is rather easy to get into a nuclear situation when you use nuclear warheads, is it not; they need not be very large?

"Secretary Rusk. That is correct, sir.

"(July Hearings, pp. 27–28.)

"Thus, it is clear from Secretary Rusk's testimony that in answering questions as to the status of the treaty in time of war, the particular situation involved must be considered in the light of the intention of the parties and the purposes of the treaty. It follows that there was no inconsistency between the testimony of General Wheeler, who was addressing the first type of situation described above, and was referring to Secretary Rusk's prepared statement, and the testimony of Secretary Rusk, who discussed both situations.

"Source: Department of Defense."

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. PASTORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PASTORE. Mr. President, I speak at the moment out of the efforts of many years to promote "atoms for peace."

No one has been more acutely conscious of the urgent need to stop the spread of nuclear weapons.

No one has been more fearful of the awesome consequence of failing to stop them.

Out of my background of these many years to promote international safeguards on nuclear material, I believe I can say that no Member of this body has been more anxious than I to see the achievement of a workable treaty on the nonproliferation of nuclear weapons.

And I greet this treaty before us as a momentous step forward in the direction we all desire—a step toward sanity and security.

Three years ago I had the honor to introduce a resolution (S. Res. 179) commending the President's serious and urgent efforts to negotiate international agreements limiting the spread of nuclear weapons. This supported the principle of additional efforts in that direction. The negotiating efforts since that time have been Herculean, and have overcome numerous seemingly insuperable roadblocks. The end product is one of which we can all be proud.

While it may not be the most perfect treaty imaginable on this subject, it is a very sound one. And I firmly believe it is the best that could be achieved.

Today I would like to address myself particularly to the article on safeguards. This is article III, which is designed to see to it that the peaceful atom is not diverted to use in nuclear weapons.

Senators may recall that the early drafts of this treaty did not contain such detailed or mandatory provisions on safeguards. In a speech on the Senate floor on January 18, 1966, I pointed this out and urged in the strongest possible terms that the safeguards article be strengthened. I ask unanimous consent that a copy of Senate Resolution 179 and the text of that speech be printed at this point in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

S. Res. 179

Whereas the spread of nuclear weapons constitutes a grave threat to the security and peace of all nations, and

Whereas the knowledge and ability to de-

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sign and manufacture nuclear weapons is becoming more universally known, and

Whereas the danger of nuclear war becomes greater as additional nations achieve independent nuclear weapon capability, and

Whereas it is the policy of the United States, as stated by President Johnson, "to seek agreements that will limit the perilous spread of nuclear weapons, and make it possible for all countries to refrain without fear from entering the nuclear arms race;" Therefore, be it

Resolved, That the Senate commends the President's serious and urgent efforts to negotiate international agreements limiting the spread of nuclear weapons and supports the principle of additional efforts by the President which are appropriate and necessary in the interest of peace for the solution of nuclear proliferation problems.

Remarks of Senator John O. Pastore on the Floor of the Senate on the Introduction of the Resolution on Nonproliferation of Nuclear and Thermonuclear Weapons

Mr. President, on last Wednesday night, we—and the whole world with us—listened and looked on as the President of the United States delivered to us his message on the State of the Union.

We share with him a most earnest hope that his efforts and the efforts of all men of good will—both here and abroad—will prove successful in securing peace to the war-torn land of Vietnam—and peace throughout the rest of the world.

We know, however, that if peace were to settle on Vietnam with today's sunset—the night would be filled with an even greater danger.

The dictionary of mortal danger has given us a fresh word—proliferation. It means the bearing of offspring—the growth by rapid production of new parts—the spreading of new cells.

By proliferation we mean the peril of *nuclear proliferation*—the expansion of the nuclear club so called—the spread of atomic capability beyond the five nations that already possess it—and amplification of the "over kill" even in the hands of the titanic two—the Soviets and the United States.

Nuclear proliferation is not a peril that we need not recognize until tomorrow. It is not a problem to which we need not give thought until the day after. We must stop it NOW.

In his State of the Union Message President Johnson named Nuclear Control as the Number Two principle in shaping the decisions and destiny of this land of ours.

The President declared that for the security of America he would continue to follow the five lines of policy followed by the four Presidents who had preceded him—Franklin Delano Roosevelt—Harry S. Truman—Dwight D. Eisenhower—and John F. Kennedy.

The first principle—he stated—is strength. We mean the strength to meet all our national commitments of courage and conscience at home and abroad. This Congress will support that.

"The second principle of policy"—President Johnson declared—"is the effort to control and reduce—and ultimately eliminate—modern engines of destruction.

"We will vigorously pursue existing proposals—and seek new ones—to control arms—and stop the spread of nuclear weapons."

This Congress must support that.

So—Mr. President—I rise today to introduce a Resolution that would give recognition to the purposes of the President. It would give recognition to the announced policy of the United States—"to seek agreements that will limit the perilous spread of nuclear weapons, and make it possible for all countries to refrain without fear from entering the nuclear arms race."

It would commend President Johnson for his past efforts to negotiate international agreements limiting the spread of nuclear weapons—and it would support additional future efforts to solve nuclear proliferation problems.

On December 8 of last year I sent to each of my colleagues in the Senate a draft copy of my proposed Resolution and advised them how pleased I would be if they would join me in its co-sponsorship.

Mr. President, I am privileged to say that to date fifty of my colleagues have advised me of their desire to join in sponsoring this Resolution.

In expectation that others will wish to join us, I request unanimous consent that this Resolution lie before the Senate for five days before being referred to Committee, in order that those desiring may have opportunity to add their names as co-sponsors.

Such a Resolution is not superfluous—it is salutary. It means a major step toward national security. It means treaties we will have to appraise here—and approve here.

It is a reminder to ourselves and the whole world that we of the Congress have been prime movers for peace. We created a special Agency of this government for peace through armament control—and in that Disarmament Act we spelled out our purposes . . . that the "ultimate goal is a world which is free from the scourge of war and the dangers and burdens of armament—in which the use of force has been subordinated to the rule of law—and in which international adjustments in a changing world are achieved peacefully."

The Resolution means that we have not lost sight of our purposes—that we bear a share of the responsibility in meeting the peril and in solving the problem. It will mean appreciation and encouragement to our responsible officials in taking every step toward curbing the nuclear club. It is a mighty step toward honorable, lasting peace in this world.

Let us review the State of that World.

In this quarter of a century we of the Congress have witnessed the creation of miracles for the well-being of mankind.

We have shared in it—we have promoted it. We have speeded the jet—and made the world smaller—we have put communication satellites in orbit and made the world more understanding—we have invaded space and now earth and gravity no longer hold man prisoner.

We have improved on nature's gifts to us—and have made them gifts to a needy world. We have voted food and help and hope to the underprivileged at home and abroad—and we have challenged every plague and malady and virus that attacks the health of mankind.

Yes—the mind of man has achieved miracles to enrich the life of man. But—the science of man has also achieved the means of man's utter destruction.

Man can be the architect of his own annihilation—the disappearance of all civilization—of all that man has attained from the time of beginning. I mean our atomic dilemma.

Today—two nations between them—possess the nuclear power to destroy man's world many many times over.

Mind you—that is "*two* nations."

But there are today *five* nations with nuclear capability—and there will be more tomorrow.

For science cannot be repealed—nor long concealed.

What one man creates today—another will imitate and emulate tomorrow.

Any nation willing to pay the price can achieve nuclear capability.

That is the peril of proliferation.

Tomorrow a mind that is mistaken—or mischievous—or mad—might have its finger on a 20-megaton bomb.

He would be toying with the equivalent of 20 million tons of TNT—a thousand times the devastation of the Hiroshima bomb.

And it all began with a whisper!

Those whispers were here in Washington—in a classroom of George Washington University—at a meeting of scientists—one January day of 1939.

One whisperer was Niels Bohr of Copenhagen—he of a Jewish mother.

The other whisperer was Enrico Fermi—Europe's foremost atomic scientist—an exile from Italy—because of his Jewish wife.

What they whispered was the secret of the possibility of uranium fission—the splitting of the atom.

It had been achieved in German laboratories—but the Germans didn't understand it.

Now the exiles in America had it—knew what it meant—and they aroused America to its peril. They practically forced us to race Germany for the atomic bomb.

We won that race in deepest secrecy. Fermi achieved the first controlled atomic reaction on December 2, 1942.

Monday, August 6, 1945, brought the bomb to Hiroshima.

But many scientists look back to January 15, 1939—the day of the tests in the laboratory of Niels Bohr. They say that is the day the Atomic Age was born.

I recount all this to recall just how personal—and perilous—and then how miraculous—that we and not Hitler had priority of the bomb.

If Hitler had it—then the V2's that fell upon Britain might have carried atomic war heads.

Britain might have been just a blazing Hiroshima from one land's end to the other.

Hitler's boast of a Nazi Empire lasting a thousand years might have reached fulfillment—and there would be no Free World centered here today.

We are grateful that America's freedoms brought to our shores such minds as Einstein, Bohr, Fermi, Szilard, Teller, Bethe, Von Neumann and others.

What if these great minds had, instead, chosen Communism—and given their devoted services to Moscow?

If, instead of the United States, a militant Soviet Union, under the leadership of Stalin, had had a four-year lead in atomic weapons, the Iron Curtain might now be stretching not only through Germany but along the western shore of Europe. This curtain might also have enveloped the Near and Far East and all of South America. We might have been forced into a confrontation from which we could not withdraw. It might have left us badly defeated.

These speculations are frightening to consider. They were possibilities which we did not have to face.

Fortunately for the United States—fortunately for the peace of the Free World—the United States was the first nation to develop the atomic bomb and subsequently the hydrogen bomb.

But times have changed since those days when the United States was the sole possessor of nuclear weapons. In the past twenty years other nations have unlocked the secrets of the tremendous forces of the atom and have developed independent nuclear weapon capability. In 1949 the Soviet Union achieved the bomb; then in 1952 the United Kingdom—next came the French in 1960 and then on October 16, 1964 Communist China became the fifth member of the club.

The future has its own fear. In the next ten or twenty years many more nations may have stockpiled these weapons of mass destruction. They will have the power to precipitate nuclear war.

Times will continue to change in the future and we must be prepared to modify our thinking with changes in time. As President Johnson expressed it in his State of the Union Message:

"We must change to master change."

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Let there be no doubt as more nations obtain nuclear weapons the greater the chances of a nuclear war. Prevention of nuclear war is the great challenge of our time. The destructive forces that would be unleashed in an all-out nuclear war are beyond the human mind to comprehend.

In 1959 the Joint Committee on Atomic Energy held detailed hearings on "The Biological and Environmental Effects of Nuclear War." In an introduction to a report issued by the Committee, summarizing those hearings, the Committee pointed out the terrifying threat that now faces our Nation by stating:

"For the first time in history American communities have become a part of the main battlefield of a possible future war. Only on few occasions in the past have American homes and civilians been endangered by armed conflict, and never has there been a threat of wholesale destruction and loss of life such as that now posed by a powerful and ruthless adversary armed with nuclear weapons."

Nearly seven years ago, the Committee considered what would be the effect of a war involving the detonations of approximately 4,000 megatons, of which approximately 1,500 megatons were detonated on 224 targets within the United States.

Expert testimony and supporting scientific data estimated that such an attack would cost the lives of approximately 50,000,000 Americans with some 20,000,000 others sustaining serious injuries. Over one-fourth of all buildings in the United States would have been completely destroyed and approximately one-fourth more badly damaged.

It is difficult to imagine such carnage and such destruction. But mind you, those were figures developed nearly seven years ago. Compared with the number of total nuclear weapons currently in the stockpiles of the United States and the Soviet Union, these figures today would be considered low.

President Kennedy in 1963 pointed out—"A full-scale nuclear exchange, lasting less than 60 minutes, with the weapons now in existence, could wipe out more than 300 million Americans, Europeans, and Russians, as well as untold numbers elsewhere." How can the mind comprehend such vast destruction—how can the mind conceive of such horrors?

Yet there are people today who talk about nuclear weapons in the megaton range without comprehension of what is involved.

Let us stop and consider. As I pointed out on the Floor of the Senate on September 17, 1963: One 20-megaton bomb has been calculated to be equivalent to the explosive force of TNT carried by a railroad train of freight cars stretching diagonally across the United States from New England to California.

The Hiroshima bomb—less than 20 kilotons—resulted in the death or injury of over 256,000 people and the destruction of an entire city! One 20-megaton weapon is more than one thousand times greater in force than the weapons that destroyed Hiroshima.

When we discuss or refer to a 20-megaton—a 60-megaton—or a 100-megaton weapon—let us realize what we are talking about. The total bombs and shells, the explosive forces employed by all combatants in World War II, is estimated to have been less than 3 megatons.

One weapon today, therefore, is significantly greater in destructive force than all the weapons exploded in World War II. It is difficult for the mind to contemplate the destructive forces that are available today in the nuclear stockpiles of the Soviet Union and the United States.

The challenge of our times is not how many more nuclear warheads we can produce or stockpile but rather how can we prevent their proliferation and how can we prevent their use.

The paradox of our times is that as we and the Soviet Union have developed larger stockpiles of nuclear weapons the relative defensive posture of both nations has diminished.

Throughout the years since Hiroshima we have made every effort to establish international control of nuclear weapons. The history is clear for all to see.

In 1946—under President Truman—we proposed to give up our atomic monopoly and share our knowledge with the rest of the world. In June of that year Bernard Baruch presented our plan to the Atomic Energy Control Commission of the United Nations. That Commission had been set up the previous December by Anglo-American-Soviet agreement.

A suspicious and secretive Soviet would not accept international inspection. After two years—acknowledging the impasse—the Commission ceased to exist.

In 1953 President Eisenhower offered his "Atoms for Peace." He would create an international organization with a policy of controlled nuclear assistance for peaceful projects on a world wide scale.

We are told that his address to the United Nations was written and rewritten 33 times in its preparation.

So—let us have patience—and caution in our consideration of our proposals.

Let us even have optimism. Because we remember that even after the dark hour of the Cuban crisis President Kennedy did achieve the Test Ban Treaty.

Mr. President, I ask unanimous consent to place in the RECORD at the conclusion of my remarks a chronology (See Appendix) setting forth significant events in the development of atomic energy and attempts to control the testing and use of nuclear weapons.

This chronology was prepared by the staff of the Joint Committee on Atomic Energy and summarizes the long history of efforts by our Nation to reach agreement in the control of nuclear weapons and in the discontinuance of nuclear weapon testing.

We have not succeeded in reaching agreement on most of the points in issue. We have, of course, reached agreement and signed a limited Test Ban Treaty prohibiting atmospheric, underwater, and outer space nuclear tests. However, in those areas where assurance of compliance would require onsite inspection, we have not succeeded in obtaining agreement with the Soviet Union.

We must nevertheless continue our efforts to reach agreement and not become discouraged to the point where we abandon negotiations or foreclose future discussions. Our goal is too important—the alternative too frightening.

In the meantime while we continue to seek workable solutions to the nuclear arms race—while we continue to explore methods of arms control and disarmament among the nuclear powers, we must bend every effort to discouraging additional nations from joining the nuclear weapons club. The problems we face in seeking agreements among the existing nuclear powers, difficult as they have been, will be greatly magnified as additional nations become possessors of nuclear weapons. If we are ever to succeed in securing workable agreements for nuclear weapons arms control and disarmament we must, first, succeed in obtaining workable agreements for non-proliferation.

On August 17, 1965, the United States Delegate to the Geneva Disarmament Conference, Mr. William C. Foster, presented to the Conference a proposed non-proliferation treaty to prevent the spread of nuclear weapons. This treaty was the product of close collaboration among a number of our allies, including Canada, Italy and the United Kingdom.

Under this proposed treaty, countries having nuclear weapons would be obligated not to transfer nuclear weapons into the national control of nations not having nuclear weapons and would agree not to assist any such country in their manufacture. They would also agree not to take any other action that would increase the number of countries in the world that would have independent power to use nuclear weapons.

In addition, the proposed treaty would impose obligations upon countries not now having nuclear weapons. First, these countries would agree not to seek or obtain national control of nuclear weapons directly or indirectly. In addition, they would agree not to manufacture or obtain assistance in the manufacture of nuclear weapons. They would also agree not to take any action which might cause an increase in the number of independent nuclear powers in the world. All parties to the treaty would undertake to cooperate in facilitating the application of peaceful nuclear activities within the framework of the International Atomic Energy Agency.

There are many who did not think it possible for the United States to reach agreement with the Soviet Union on a limited nuclear test ban—but we did. That was a first step. A treaty designed to prevent the spread of nuclear weapons could be another step. I believe it would be a most important step.

To date, the Soviet Union has not been willing to agree to the provisions of this treaty and it remains tabled at the Geneva Conference. I am hopeful, when the Conference resumes this month on January 27th, that some headway may be made in reaching agreement and that the coming year will see a non-proliferation treaty agreed to by the many nations of the world.

I would recommend, however, that any agreement the United States may reach with our allies and the Soviet Union in the non-proliferation of weapons will include a provision that the nuclear powers will not transfer fissionable material or equipment to other nations for civilian purposes unless the recipient nations are willing to place the material and equipment under International Agency or similar international safeguards inspection. Similarly, I would recommend that any such agreement would be joined by all the non-nuclear powers of the world and they, in turn, would agree not to seek or obtain nuclear equipment or material except under International Agency or similar international safeguards.

I am most concerned that the proposed treaty as now written does not contain such provisions. Instead in Article III the Treaty as now written would merely require:

"Each of the States Party to this Treaty undertakes to cooperate in facilitating the application of International Atomic Energy Agency or equivalent international safeguards on all peaceful nuclear activities."

I would not accept that non-committal phrasing. If we really believe—and I know that we do—that the application of international controls are necessary and we intend to support international safeguards—let us say so. I strongly recommend that when our delegation returns to Geneva on January 27 it be given specific instructions to amend Article III of the proposed treaty and substitute the following or similar language:

"1. Each of the non-nuclear states party to this treaty undertakes to accept International Atomic Energy Agency or similar international safeguards on all of their nuclear activities.

"2. Each of the states party to this treaty undertakes to provide source or fissionable material, or specialized equipment or non-nuclear material for the processing or use of source or fissionable material or for the production of fissionable material, to other states for peaceful purposes only if such material and equipment will be subject to International Atomic Energy Agency or similar international safeguards."

We should make every effort to convince our allies and other nations of the world of the importance of supporting International Atomic Energy Agency safeguards. As past chairman and long-time member of the Joint Committee on Atomic Energy, I have closely followed and supported the International

Atomic Energy Agency and particularly the established safeguards system whereby inspectors of the Agency verify that equipment and fissionable materials are not being converted from civilian to military purposes.

I well remember the day when President Eisenhower appeared before the General Assembly of the United Nations on December 8, 1953 and proposed the establishment of an International Atomic Energy Agency and when in his words he pledged the United States: ". . . to help solve the fearful atomic dilemma—to devote its entire heart and mind to find the way by which the miraculous inventiveness of man shall not be dedicated to his death, but consecrated to his life."

In 1955 I was appointed a delegate to the General Assembly of United Nations by President Eisenhower and I helped in the drafting of the United States resolution which sponsored the International Atomic Energy Agency. I have seen it grow from what was merely an idea in the minds of a few to what it is today—an important organization with a membership of 94 nations. It has been growing these past ten years and it includes nations behind the Iron Curtain as well as those of the free world. The United States and Soviet Union have permanent membership on the Board of Governors.

In 1960 an international inspection system was approved by the Board of Governors and adopted by the General Conference of the IAEA. At first this system was limited to the control of fissionable material and equipment of small research-type reactors of less than 100 thermal megawatts. Significant advancement has been made however this past year. The IAEA formally extended its system to include reactors larger than 100 thermal megawatts. Although the Soviet Union originally did not support the safeguards system for the last several years, it has voted for the more enlarged safeguards system.

As the United States has made significant advancements in developing civilian nuclear power and other civil uses of atomic energy, we have been willing to share our advancements with the rest of the world. In furtherance of our Atoms for Peace Program the United States has entered into civilian agreements for cooperation with 48 countries as well as with the International Atomic Energy Agency and Euratom. A standard provision of our bilateral agreements requires that all material and equipment which we furnish for civil uses be subject to inspection.

Originally our bilaterals provided for United States inspection. However, since 1963 it has been our policy as these bilaterals come up for amendment or renewal to substitute IAEA inspection. To date, 13 countries have agreed to International Atomic Energy Agency inspection of equipment or material which we supply for civilian purposes.

Eight of these agreements are now in effect. These are: Austria, China, Japan, The Philippines, Portugal, South Africa, Thailand and Vietnam. Five additional agreements have been signed but are not yet in effect. These are: Argentina, Greece, Isarel, Iran and Norway.

What we are interested in accomplishing, of course, is to assure that fissionable weapons-grade material will not be diverted from peaceful to military uses and that the civilian nuclear programs of various nations will not become the stepping-stones from which they will develop nuclear weapon capability. Fissionable weapons-grade material consists of either uranium, highly enriched in the isotope U-235, or plutonium—a man-made element which is a byproduct of a nuclear reactor.

The slightly enriched uranium which the United States makes available both here and abroad for civilian purposes and which is what normally is used in civilian reactors is not weapon-grade material. However, after it has been placed in a civilian reactor and that reactor begins operation, plutonium begins to be produced. When the highly radioactive fuel elements subsequently are removed for reprocessing they contain plutonium as well as unused uranium.

Access to the reactor and the records of the reactor, as well as the right to on-site inspection of the facility and fuel elements by an International Atomic Energy Agency inspection team, assure that the material is being used for peaceful purposes and that the material and equipment is not being diverted to other uses.

However, before the plutonium can be used in weapons it must be separated from the uranium in the fuel elements through chemical reprocessing. This is necessary before the plutonium can be used in weapons. The plutonium produced by civilian nuclear plants as a byproduct must be safeguarded if we hope to keep additional nations from developing their own weapons. It is important, therefore, that plants where plutonium is separated from the irradiated fuel elements be subject to international inspection.

Other than those nations that now possess nuclear weapons, only one country in the world today is known to have an operating chemical reprocessing plant. This past year India began operation of such a plant and presently is recovering plutonium from irradiated fuel elements. However, additional nations and groups of nations are presently constructing or planning to construct chemical reprocessing facilities. And I repeat—it is important, therefore, that chemical reprocessing plants be subject to inspection.

For example Japan has contracted for detailed design of such a plant and although construction as yet has not begun, plans to have such a facility in operation in 1970 are underway. West Germany is actively considering the construction of such a plant and in Italy a specialized pilot plant is now under construction and an additional plant is being considered.

Of particular importance is the Eurochemic plant located at Mol, Belgium, which has been under construction since 1959 under the auspices of the Organization for Economic Cooperation and Development. When completed, this plant will be internationally owned and operated.

None of these plants presently are under or scheduled to be placed under International Atomic Energy Agency safeguards. The Eurochemic plant however is under Euratom safeguards and inspectors from the six member nations—France, West Germany, the Netherlands, Luxembourg, Belgium, and Italy—will assure that the fissionable material separated at this plant will not be diverted to military uses.

There has been some criticism that Euratom as an organization has not to date placed any of its facilities within the International Atomic Energy Agency's safeguards system. It does, however, within the six nation organization have an international inspection system, which on a technical level, has been cooperating with the International Atomic Energy Agency system.

Within the United States the first privately-owned plutonium separation facility will begin operation within the next several months. This facility will be operated by Nuclear Fuel Services, Inc. at the Western New York Nuclear Services Center near Buffalo, New York, and will recover uranium and plutonium from spent fuel elements coming from our rapidly growing electric power industry.

I believe it is of utmost importance to bring chemical reprocessing facilities under international inspection as soon as possible. Today only a limited number are in operation. Within the next decade, many more will come into operation. It is important to set a precedent and to obtain acceptance of international inspection of these facilities. If we wait too long it may be impossible to accomplish.

Accordingly, I make the following recommendations:

(1) The United States offer to place the Nuclear Fuel Services' chemical reprocessing facility under the International Atomic Energy Agency safeguards system;

(2) The United States propose that India place its chemical reprocessing plant within the International Atomic Energy Agency safeguards system;

(3) The United States propose that as other nations establish facilities for reprocessing civilian nuclear fuel, these facilities be subject to IAEA inspection; and

(4) Euratom explore the possibility of greater cooperation and coordination with IAEA. In this connection, it would be desirable, I believe, if Euratom were accepted for membership in the IAEA.

I have asked the Atomic Energy Commission to examine the possibility of having a reprocessing facility owned and operated by a private company placed under international inspection in order to see if there are any technical or legal problems. I have had the staff of the Joint Committee on Atomic Energy informally discuss this matter with officials of the Nuclear Fuel Services and have been assured of their willingness to place their facility under international inspection.

If the above recommendations are adopted and paragraph 3 of the draft treaty on non-proliferation is strengthened I believe our chances for success in non-proliferation will be increased. However, we must search for additional ways of discouraging non-nuclear nations from becoming nuclear powers. We must explore ways in which those nations who voluntarily deny themselves nuclear weapons are not subject to nuclear blackmail by those that possess these weapons. Together with other nuclear nations including the USSR we should explore possible arrangements whereby those nations who place themselves under the International Atomic Energy Agency safeguards system and who do not develop nuclear weapon capability will be assisted in the event they are subject to nuclear intimidation by others.

Also, those nations which cooperate with the United States in the non-proliferation of nuclear weapons and who are technically ready, the United States should give assistance in developing their civilian nuclear capabilities.

On the other hand, we should be less willing to be of assistance in the civil uses of atomic energy to those non-nuclear nations who are not willing to sign a non-proliferation treaty or place all their civilian facilities under international inspection.

As I conclude, I fully realize that the name of China has been largely missing from my remarks—but not from my concern. For surely we cannot rule out Peking from any discussions on world disarmament. No disarmament agreement will have real effect unless it is universal in scope—and non-proliferation is only a stepping-stone to such an agreement. Not that we haven't made approaches to Peking in the past. We have had more than 100 talks with Peking on serious subjects. Our Warsaw talks as late as last December did not accomplish much—and future talks may well be as fruitless.

But we must not stop trying. We must not stop inviting. Let China on her own demand impossible conditions. Let China on her own stay away and let the sting of world opinion be on her and not on us.

What I am talking about today is the survival of mankind—all mankind. This means Chinese, Russian, American and, indeed, all the peoples of the world.

Nations do not have to love one another in order to live in the same world with one another and no nation—not even China—can afford to retreat from the road to reason if they and we are to live at all.

Nations can keep their individual sovereignty—they can pursue a rational national purpose—and yet participate in international undertakings for food and health and economic help.

It would not serve any purpose for China—any more than for the rest of us—to pro-

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mote a world toward health and happiness—the well-being of their own people too—and yet hold over its people the shadow of atomic extinction.

So wherever there is a disarmament conference—wherever peace is the topic—let China be invited to come. I commend the United Nations for its bold resolution for a World Disarmament Conference to which all nations would be invited. I am sure that that does not mean only members of the United Nations. I am sure it is broad enough to include China as well. That would all be for the best and I trust that Ambassador Goldberg means to see that China gets the challenge.

Let every disarmament conference hold an open door for all nations be it 100 or 18 nations—whether it is planned for 1967 or for January 27. Let us catch a second breath in our efforts of twenty years.

Let us have some of the pioneering enthusiasm of Bernard Baruch—let us have some of the initiative of President Eisenhower—let us have some of the impetus of President Kennedy—and let us have some of the dedicated drive of President Johnson.

We shall subscribe to the five principles of policy that have lifted us above the woes and wars of this generation—though today we address ourselves particularly to only the first two.

Building upon the strength that fortifies our commitments as a nation devoted to peace—we shall work for those nuclear controls that command our conscience—and our consciousness of national security.

We will have in mind an old formula we learned one cold January day on this Capitol Hill:

"We shall never negotiate through fear—but we shall never fear to negotiate."

APPENDIX—SIGNIFICANT DATES IN ATOMIC WEAPONS DEVELOPMENT AND SUBSEQUENT TEST BAN AND NONPROLIFERATION NEGOTIATIONS

DATES OF CERTAIN NUCLEAR WEAPONS EXPLOSIONS

July 16, 1945: First U.S. nuclear device test, Alamorgordo, N. Mex.

August 6, 1945: First atomic bomb dropped on Hiroshima.

August 9, 1945: Second atomic bomb dropped on Nagasaki.

August 29, 1949: First Soviet atomic test.

October 3, 1952: First nuclear bomb test by the United Kingdom.

November 1, 1952: Hydrogen device fired at Eniwetok by United States.

August 21, 1953: First hydrogen device tested by U.S.S.R. detected by United States.

February 13, 1960: First French atomic test.

October 16, 1964: First Chinese atomic test.

DATES OF NEGOTIATIONS ON DISCONTINUANCE OF NUCLEAR WEAPON TESTS

June 14, 1946: U.S. proposal for international control of atomic energy (Baruch plan).

June 19, 1946: U.S.S.R. proposed alternate plan including insistence on retention of Security Council veto power over any control system.

March 24, 1957: Bermuda declaration—joint declaration by the United States and the United Kingdom to conduct nuclear tests in such a manner as to keep world radiation from rising to more than a small fraction of the level that might be hazardous to continue to announce test series, also expressed willingness to announce tests to the U.N. and permit international observation if the U.S.S.R. would do the same.

November 14, 1957: General Assembly Resolution 1148 (XII): Regulation, limitation, and balanced reduction of all armed forces and all armaments; conclusion of an international convention (treaty) on the reduction of armaments and the prohibition of atomic, hydrogen, and other weapons of mass destruction. Among its provisions, this resolution urged the immediate suspension of testing of nuclear weapons with prompt installation of effective international control, including inspection posts equipped with appropriate scientific instruments located in the United States, the Soviet Union, and the United Kingdom and at other points as required.

December 10, 1957: Soviet proposal that U.S.S.R., United States and United Kingdom discontinue all tests as of January 1, 1958.

March 31, 1958: Decree of the Supreme Soviet concerning the discontinuance of Soviet atomic and hydrogen weapons test.

April 28, 1958: President Eisenhower by letter to Khrushchev proposed that both nations have the technical experts start to work on the practical problems involved in disarmament, particularly working toward the suspension of nuclear testing. President Eisenhower stated: "I reemphasize that these studies are without prejudice to our respective positions on the timing and interdependence or various aspects of disarmament."

May 9, 1958: Letter from Khrushchev accepting Eisenhower's proposal of April 28 to have experts study the problems involved in an agreement on the cessation of atomic and hydrogen weapons tests as far as inspection and control are concerned.

July 1, 1958: Conference of Experts from the West (United States, United Kingdom, Canada, and France) and East (U.S.S.R., Czechoslovakia, Poland, and Rumania) met in Geneva.

August 21, 1958: Conference of Experts adopted a final report for consideration by Governments. Conference of Experts recommended the so-called "Geneva System" of detecting nuclear explosions. This system recommended a network of 180 control points. It should be noted that the American representatives, during this conference, had taken the position that 650 control points would be necessary to have adequate protection down to 1 kiloton. Through compromise with the Soviets, they settled on the 180 stations, but then had to point out the weakness between the area of 1 kiloton and 5 kilotons.

August 22, 1958: President Eisenhower announced that based on the Conference of Experts' report, the United States was prepared to negotiate an agreement with other nations which have tested nuclear weapons for suspension of nuclear weapons tests and the establishment of an international control system.

The President also indicated that the United States would withhold further testing on its part of atomic and hydrogen weapons for a period of 1 year from the beginning of the negotiations unless testing is resumed by the Soviet Union.

October 31, 1958: First meeting in Geneva of the Conference on the Discontinuance of Nuclear Weapons Tests.

November 4, 1958: General Assembly Resolution 1252 (XIII): The discontinuance of atomic and hydrogen weapons tests. Among its provisions, this resolution urged the parties involved in the test-ban negotiations not to undertake further testing of nuclear weapons while these negotiations are in progress. It expressed the hope that the Geneva Test-Ban Conference would be successful and lead to an agreement acceptable to all. It also requested the parties concerned to report to the General Assembly the agreement that might be the result of their negotiations; and requested the Secretary General to render such assistance and provide such services as might be asked for by the conference commencing at Geneva on October 31, 1958.

November 7, 1958: President Eisenhower announced that the United States had detected additional tests by the Soviets subsequent to October 31, 1958.

December 28, 1958: The President appointed a panel on seismic improvement to review technical problems and to recommend methods of improving seismic detection.

January 5, 1959: United States released data showing many underground tests could not be detected by Geneva experts system recommended in 1958. Indicated Geneva system applicable at 20 kiloton rather than 5 kiloton threshold.

February 22, 1959 to March 2, 1959: Macmillan meeting with Khrushchev. During this meeting Macmillan and Khrushchev discussed the establishment of quotas for numbers of onsite inspections in countries where suspicious events have taken place.

April 13, 1959: United States proposed phased testing ban limited in first phase to atmospheric tests below 50 kilometers, with simplified control system, if Soviet Union continued to insist on veto for onsite inspections.

April 23, 1959: Soviets reject U.S. proposal to stop only atmospheric tests and said numerous onsite inspections would not be necessary for complete ban.

June 22, 1959 to July 10, 1959: Technical Working Group No. 1 met in Geneva to study high-altitude detection problems. On July 10 Geneva Technical Working Group I proposed establishment of system of earth satellites and installation of additional equipment at control posts to detect high-altitude explosions.

August 26, 1959: United States extended unilateral suspension to end of 1959.

August 27, 1959: United Kingdom said it would not resume tests as long as Geneva negotiations showed prospect of success.

August 28, 1959: U.S.S.R. pledged not to resume testing unless Western Powers did so.

November 21, 1959: General Asembly Resolution 1402 (XIV): Suspension of nuclear and thermonuclear tests. Among its provisions this resolution expressed the hope that the countries involved in the test-ban negotiations at Geneva would intensify their efforts to reach an agreement at an early date; it further urged the countries concerned in these negotiations to continue their voluntary ban on testing nuclear weapons; it also requested the countries concerned to report to the General Assembly the results of their negotiations.

November 25, 1959: Technical Working Group II met in Geneva with the Soviets and the British. This group met to consider data from the Hardtack series of nuclear explosions and the findings of the Berkner Panel. On December 18, 1959, at the conclusion of the meetings held by Technical Working Group II, U.S. members of Geneva Technical Working Group II reported that a large number of seismic events could not be identified without on-site inspection, even with improved techniques. The Soviet members of Geneva Technical Working Group II disagreed with U.S. finding.

December 29, 1959: United States said it was free to resume testing after end of 1959 but would not do so without giving advance notice.

February 11, 1960: United States proposed phased agreement, first phase to provide for cessation of tests in atmosphere, oceans, and outer space, to greatest height that could be effectively controlled; underground tests above 4.75 seismic magnitude (estimated by United States to equal explosion of about 20 kilotons) would also be covered; the 4.75 threshold would be lowered as capabilities of detection system were improved, 20 or 30 percent of unidentified seismic events above threshold should be inspected. U.S. experts estimated that this would mean about 20 inspections per year in U.S.S.R.

March 19, 1960: Soviets offered to include treaty on cessation of tests, together with moratorium on underground tests below magnitude 4.75, and to agree to joint research program on understanding that weapons tests would be halted during program.

March 29, 1960: United States and United

Kingdom said they would agree to voluntary moratorium on underground weapons tests below magnitude 4.75 after treaty was signed and arrangements were made for coordinated research program.

December 20, 1960: General Assembly Resolution 1577 (KV): Suspension of nuclear and thermonuclear tests. This resolution urges the countries involved in the Geneva test-ban negotiations to seek a solution for the few remaining questions so that a test-ban agreement could be achieved at an early date; it further urges the countries concerned in these negotiations to continue their present voluntary suspension of the testing of nuclear weapons; it also requests the countries concerned to report the results of their negotiations to the Disarmament Commission and the General Assembly.

March 21, 1961: First meeting under the new administration of the Geneva Conference on Discontinuance of Nuclear Weapons Tests. U.S. proposal presented by Ambassador Arthur H. Dean, Soviet Union introduced its troika proposal on this date.

April 18, 1961: United States and United Kingdom introduced draft treaty to the Geneva Conference.

May 5, 1961: Statement by President Kennedy on the Geneva test-ban negotiations made at his news conference. Mention is made of the new United States and United Kingdom proposals and the introduction of the troika proposal by Russia.

June 4, 1961: Khrushchev delivers Soviet aide-memoire concerning disarmament and nuclear weapons tests to President Kennedy at Vienna. Insists the question of control hinges on Western Powers accepting proposals on general and complete disarmament.

June 6, 1961: Kennedy reports to American people on his Vienna talks with Khrushchev.

June 6, 1961: Khrushchev reports to Russian people on his talks with President Kennedy. (Tass report) topics covered: General and complete disarmament, banning of nuclear weapons, cessation of tests, question of control. Hammarskjold, the German question (peace treaty).

June 17, 1961: U.S. aide-memoire to Soviet Russia concerning Geneva test-ban negotiations. Repeated new proposals offered by the United States and the United Kingdom on March 21, 1961.

June 28, 1961: President Kennedy announces appointment of Committee of Scientific Experts to advise him on test-ban problem.

July 5, 1961: Soviet note replying to U.S. note of June 17, 1961, concerning suspension of nuclear weapon tests. Says Soviet proposals have been distorted. Brings up again supervision of inspection and control by equal representatives of three basic groups: Socialist states, capitalist states in Western military bloc, and neutral states (troika).

July 15, 1961: U.S. note to Soviet Union referring to the Soviet note of July 5, 1961, on the Geneva test-ban negotiations. Says Soviet note contains a multitude of irrelevant and unwarranted comments. Confines its reply to the central issue: Is the Soviet Union prepared to reach an accord which would halt nuclear tests under effective international control?

July 15, 1961: United States and United Kingdom request to United Nations to place on the agenda of the 16th General Assembly an item entitled "The Urgent Need for a Treaty To Ban Nuclear Weapons Tests Under Effective International Control."

July 20, 1961: President announces membership of nuclear test study group.

August 10, 1961: President announces he has reviewed report of Scientific Committee and is sending Ambassador Dean back to Geneva.

August 30, 1961: Soviets announce plans to resume nuclear testing. Among the reasons cited by the Soviets for taking this step were the turn-down of the troika proposal, the nuclear tests carried out by the French beginning February 13, 1960, and the Berlin situation.

August 30, 1961: White House statement on the Soviet's announcement that they planned to resume nuclear testing. This statement expressed concern and resentment in regard to the Soviet decision to resume nuclear testing. It added that the Soviet decision presented a threat to the entire world. It denounced the Soviet pretext for resumption of weapons testing by mentioning that the Berlin crisis was created by the Soviets themselves. It also mentioned that the Soviet Union bears heavy responsibility before all humanity for this decision which was made in complete disregard of the United Nations. It concluded by announcing that Ambassador Arthur Dean was being recalled immediately from his post as chief negotiator at the nuclear test-ban meetings.

September 1, 1961–November 4, 1961: The Soviet Union conducted a series of approximately 50 atmospheric nuclear tests with a total yield of about 120 megatons. The tests were conducted at three different locations in the Soviet Union: Semipalatinsk, Novaya Zemlya, and east of Stalingrad. The series was highlighted by a 55–60 megaton detonation on October 31, 1961, despite a resolution adopted October 27, 1961, by the United Nations appealing to the U.S.S.R. to refrain from carrying out their stated intention to explode a device of this yield.

September 3, 1961: President Kennedy, in a joint statement with British Prime Minister Macmillan, proposed that the Soviet Union agree immediately to discontinuing testing nuclear weapons in the atmosphere. The note suggested that the United States. United Kingdom, and U.S.S.R. representatives meet in Geneva not later than September 9 to record the agreement to cease nuclear testing in the atmosphere and report it to the United Nations.

September 5, 1961: President Kennedy announced that the United States would resume nuclear testing. He ordered the tests carried out in the laboratory and underground "with no fallout." This decision was made after the Soviets set off their third nuclear test in the atmosphere in 5 days. President Kennedy, in referring to the Kennedy-Macmillan statement of September 3 on banning nuclear testing in the atmosphere, said the offer remains open until September 9, 1961.

September 15, 1961: The United States detonates its first underground nuclear device since the end of the test moratorium at the Nevada test site.

November 2, 1961: The President announces that the policy of the United States will be to proceed in developing nuclear weapons to maintain a superior capability for the defense of the free world against any aggressor. This statement indicated that the United States would make necessary preparations in case it becomes necessary to test in the atmosphere.

December 22, 1961: A joint communique was issued by President Kennedy and Prime Minister Macmillan following a 2-day meeting in Bermuda. They agreed that it was necessary "as a matter of prudent planning for the future, that pending the final decision [to resume atmospheric testing] preparations should be made for atmospheric testing to maintain the effectiveness of the deterrent."

January 29, 1962: Geneva Conference on the Discontinuance of Nuclear Weapons Tests breaks up at the 353d meeting. The United States proposed an adjournment, and Soviet negotiator Tsarapkin said, "This is the end."

February 7, 1962: President Kennedy and British Prime Minister MacMillan said they have proposed to Soviet Premier Khrushchev that another "supreme effort" to halt the nuclear arms race be made by raising next month's 18-nation general disarmament conference to the foreign ministers' level.

February 14, 1962: President Kennedy urged Premier Khrushchev not to press his proposal for an 18-nation summit meeting on disarmament. However, he assured the Soviet leader that he was ready to participate "at any stage of the conference when it appears that such participation could positively affect the chances of success."

February 21, 1962: Premier Khrushchev replied to President Kennedy's letter of February 14 still insisting on a summit conference on disarmament.

February 24, 1962: Letter from President Kennedy to Premier Khrushchev. President Kennedy replied to Premier Khrushchev's letter of February 21, 1962, stressing that heads-of-state participation at the Geneva Conference should be reserved until a later stage in the negotiations after preliminary agreements have been reached at the Foreign Ministers' level.

March 2, 1962: President Kennedy announced that he had ordered a resumption of nuclear tests in the atmosphere in late April unless the Soviet Union agrees before then to an "ironclad" treaty banning all tests. The President held out to Khrushchev the promise of a summit conference at which such a treaty could be signed, and also said that a satisfactory treaty would be offered by the West at the disarmament conference opening in Geneva on March 14, 1962.

March 4, 1962: The Soviet Government sent the United States a message delivered to the State Department advising that Foreign Minister Gromyko would go to Geneva. The Kremlin message was reported to have said that Khrushchev had "reluctantly" accepted the Foreign Minister proposal.

March 14, 1962: 17-nation disarmament conference opened in Geneva. (Originally 18-nation conference, but France did not attend).

March 15, 1962: The United States, during the Geneva Disarmament Conference, clearly indicated its willingness to drop the 4.75 threshold and to make the test ban treaty, from the outset, complete in its coverage by banning all tests in the atmosphere, outer space, underground, and in the oceans. The response of the Soviet Union to this proposal indicated an unwillingness on their part to accept a treaty with or without the U.S. proposed amendment.

March 16, 1962: Premier Khrushchev announced that Soviet scientists had developed a "global rocket" invulnerable to antimissile weapons and that it rendered obsolete the early warning system of the United States.

April 10, 1962: The White House released a joint United States-United Kingdom statement on nuclear testing appealing to the Soviet Union to agree to a nuclear test ban with adequate safeguards including the principle of international verification. This statement indicated that if such an agreement was not successful then the test series scheduled by the United States for the latter part of April would go forward.

April 10, 1962: Prime Minister Macmillan added a personal message to the joint Anglo-American note to Premier Khrushchev on a nuclear test ban asking him to accept an inspection procedure and "fill all the peoples of the world with a new sense of hope."

April 12, 1962: Premier Khrushchev rejects the Kennedy-Macmillan joint statement on nuclear testing.

April 16, 1962: Eight neutral nations appealed to the nuclear powers to persist in their efforts to reach agreement on prohibiting nuclear weapons testing for all time. They suggested establishing a system for continuous observation and control on a scientific and nonpolitical basis, built on existing national network of observation posts.

April 18, 1962: United States offered a three-stage plan for disarmament, having as its goals general and complete disarmament and gradual replacement of the armed

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power of single nations by a strengthened United Nations. The disarming process would be balanced to prevent any state from gaining a military advantage, and compliance with all obligations would be effectively verified.

April 22, 1962: Joint Committee on Atomic Energy in summary-analysis of 1961 Vela hearing, reports that nearly 3 years of research had brought no material progress toward an effective method of detecting clandestine underground tests.

April 22, 1962: Joint Committee on Atomic in the atmosphere. This test was of an intermediate yield from a plane near Christmas Island. The President approved the resumption on nuclear testing after repeated unsuccessful attempts by the United States to get the U.S.S.R. to agree to a nuclear test ban treaty with adequate safeguards.

April 26, 1962: Secretary of State Rusk justified the new series of tests on the basis of refusal of the Soviet Union to accept the kind of international verification necessary for a test-ban agreement. The Secretary of State referred to President Kennedy's address of March 2 in which he set forth the reasons why a certain number of tests would be necessary in the absence of an international agreement banning nuclear tests with adequate assurances; and, secondly, that it is a major objective of American policy to bring an end to testing immediately and permanently when we were assured that testing had been abolished.

May 1, 1962: France conducts underground explosion of nuclear device in Algerian Sahara.

May 2, 1962: Disarmament talks were resumed at Geneva. British Minister of State Joseph Godber said U.S.S.R. must change its attitude toward verification measures if the world is to have general and complete disarmament.

May 16, 1962: Premier Khrushchev confirmed U.S.S.R. determination to test. He based his decision on the fact that the United States had resumed testing in the Pacific.

June 14, 1962: The Eighteen Nation Disarmament Conference[1] recesses.

July 12, 1962: Secretary of State Dean Rusk reports that the preliminary Vela results, released by the Defense Department on July 7, offer some promising signs for detecting and identifying nuclear tests but emphasized the new findings cannot be considered a substitute for control posts or onsite inspections.

July 13, 1962: Soviet Union served official notice that it claims the right to be the last nation to carry out nuclear weapon tests.

July 16, 1962: The 18 Nation Disarmament Conference reconvenes in Geneva. The United States proposes discussion of scientific findings, particularly from Project Vela.

July 21, 1962: The Soviet Government announces its decision to resume nuclear tests.

August 1, 1962: President Kennedy stated at his news conference that on the basis of recent technical assessments, the United States can work toward an internationally supervised system of detection and verification for underground testing which will be simpler and more economical than the system which was contained in the treaty which we tabled in Geneva in April 1961. He emphasized that these new assessments do not affect the requirement that any system must include provision for on-site inspection of unidentified underground events.

August 5, 1962: The Soviet Union detonates a nuclear explosion in the atmosphere in the order of magnitude of 30 megatons. This is the first of some 40 tests, continuing until December 25.

August 8, 1962: U.S. Delegate Dean proposed reducing the number of control posts to something like 80—a reduction of more than half. He offered this concession in view of his contention that detecting devices have gone ahead rapidly. Thus, our techniques for detecting sneak tests are much better.

August 9, 1962: Ambassador Dean formally introduces a new proposal for a comprehensive test-ban treaty based on a worldwide network of internationally supervised, nationally manned control posts. Provided the Soviets agree to the principle of obligatory on-site inspection, the numbers of control posts and on-site inspections would be substantially reduced from previous U.S. proposals. Ambassador Zorin immediately rejects the new proposal.

August 20, 1962: The U.S.S.R. rejected proposals for a partial nuclear test-ban treaty. The idea of a half-way treaty was advanced by Brazil, Sweden, and Italy. The proposed treaty would stop atmospheric tests immediately to ease fallout dangers.

August 27, 1962: The United States and Great Britain offered the Soviet Union the choice of an internationally inspected total ban on nuclear weapons tests or an uninspected limited ban. The limited ban would cover tests in the atmosphere, in space and underwater pending further negotiations for a treaty to include underground tests, the most difficult to identify.

August 29, 1962: The U.S.S.R. submitted to the disarmament conference a formula for halting nuclear weapons tests that the United States and Britain have repeatedly termed unacceptable because of inadequate guarantees and safeguards for inspection of suspicious events.

August 29, 1962: President Kennedy welcomed a Soviet proposal that all nuclear testing cease by January 1. But he reiterated the western position that an enforceable treaty, complete with inspection provisions, be signed first.

September 7, 1962: The 18-Nation Disarmament Conference recesses, but the Test Ban Subcommittee remains in session.

October 24, 1962: At the United Nations, Brazil proposes denuclearization of Latin America and Africa which would include a ban on nuclear weapon tests in these continents.

November 4, 1962: President Kennedy announces the end of the current series of atmospheric nuclear tests, but states that underground tests will be continued in Nevada. The last atmospheric detonation was November 4, 1962.

November 6, 1962: The General Assembly adopts a two-part resolution on nuclear tests. Part (A), sponsored by 37 powers and approved by a vote of 75 to 0 with 21 abstentions, calls for the cessation of testing by January 1, 1963, and an interim arrangement with certain assurances if no final agreement is achieved by that date. Part (B), sponsored by the United States and the United Kingdom and approved by a vote of 51 to 10 with 40 abstentions, urges the early conclusion of a comprehensive test ban treaty with effective international verification. The United States and the U.S.S.R. abstain on part (A), and the U.S.S.R. opposes part (B).

November 13, 1962: At Geneva, Ambassador Tsarapkin suggests that unmanned seismic stations be employed as an addition to existing national detecting stations to monitor a test ban.

November 26, 1962: The 18-Nation Disarmament Conference reconvenes for the third session.

November 28, 1962: In an attempt to end the deadlock at Geneva, Swedish Delegate Rolf Edberg proposed a moratorium on all nuclear tests while an international group of scientists works out underground control methods satisfactory to both the West and the Soviet Union.

December 3, 1962: The U.S.S.R. rejected the proposal for setting up a nuclear test ban put forth by the Indian-Swedish delegations.

December 4, 1962: The Soviet Union told the United States and Great Britain that as long as they insisted on on-site inspection there would "never be any agreement" to end nuclear testing. Joseph B. Godber of Britain declared the dismissal of the neutralist efforts to break the test ban stalemate was "not the action of a responsible government."

December 4, 1962: Arthur H. Dean told the Soviet Union that unmanned seismic stations—the so-called "black boxes"—cannot serve as a sole guardian of a nuclear test ban.

December 10, 1962: In the 18-Nation Disarmament Conference, Ambassador Tsarapkin formally proposes the establishment of two or three unmanned seismic stations on the territories of states possessing nuclear weapons. Locations by zones for those to be placed in the Soviet Union are named. This proposal is conditioned on the abandonment by the West of its insistence on international control and obligatory on-site inspection.

December 19, 1962: Premier Khrushchev, in a letter to President Kennedy, states that the Soviet Union is now prepared to accept two or three on-site inspections per year on Soviet territory. In addition, he says there could be three unmanned seismic stations on Soviet territory. The final location of the stations is left open.

December 20, 1962: The 18-Nation Disarmament Conference recesses.

December 28, 1962: President Kennedy, in reply to Premier Khrushchev, indicates encouragement that the Soviets have now accepted the principle of on-site inspection, but states that the figure of "two or three" onsite inspections is not sufficient, nor are three unmanned seismic stations. He denies that the United States offered to agree on three inspections. The United States has reduced number of on-site inspections to 8 to 10.

January 4, 1963: Arthur H. Dean announced that he had submitted his resignation on December 27, 1962, as Chief U.S. negotiator at the Disarmament Conference at Geneva.

January 7, 1963: In a letter to President Kennedy, in further exchange on the subject of on-site inspection, Premier Khrushchev holds to his contention that an annual quota of two or three inspections is sufficient. He emphasizes that he considers agreement in principle a great unilateral concession, and he agrees to further discussion on the questions between United States and U.S.S.R. representatives.

January 14, 1963: United States and Soviet representatives meet in New York. The United States is represented by William C. Foster, Director of the U.S. Arms Control and Disarmament Agency; and the U.S.S.R. is represented by N. T. Fedorenko, Soviet Ambassador to the U.N. and S. K. Tsarapkin, chairman of the Soviet delegation to the 18-Nation Disarmament Conference. Discussions continue in New York until January 22 when they are moved to Washington.

January 26, 1963: President Kennedy orders that preparations for underground testing in Nevada be suspended in the hope that the Western-Soviet discussions presently taking place in New York and Washington would materially enhance the prospects for an effective agreement on a test ban.

February 1, 1963: The New York and Washington, D.C., discussions on a test ban are slated to be taken up at the 18-Nation Disarmament Conference scheduled to be resumed on February 12. In a press conference, Secretary of State Rusk expressed the disappointment of the United States that the position of the Soviet Union appeared to have hardened into a "take-it-or-leave it" attitude on their offer for two or three on-site inspections per year. The Secretary states, "* * * the idea of on-site inspection is not simply a political question involving the acceptance of on-site inspection in principle,

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[1] Eighteen Nation Disarmament Conference now composed of 17 nations. France, an original member, withdrew at the beginning of the Conference.

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but is the practical problem of establishing arrangements which in fact do provide assurance that agreements are being complied with."

February 1, 1963: President Kennedy orders resumption of the preparations for underground testing in Nevada.

February 8, 1963: The scheduled series of underground tests is begun in Nevada.

February 12, 1963: The 18-Nation Disarmament Conference reconvenes at Geneva.

February 22, 1963: The ACDA announces in Washington that the United States is willing to consider possible acceptance of seven on-site inspections, providing the modalities of inspection can be agreed upon.

February 28, 1963: In a Moscow election meeting speech, Premier Khrushchev reaffirms his refusal to consider anything but three on-site inspections per year.

April 1, 1963: The United States and United Kingdom delegations table a memorandum of position concerning the cessation of nuclear weapon tests. This memorandum sums up the Western position on general principles of agreement, on-site inspection and automatic seismic station arrangements, and includes specific proposals submitted to date.

Aug. 5, 1963: Limited test ban treaty is signed in Moscow.

Aug. 31, 1963: "Hotline" teletype system between Washington and Moscow becomes operational.

Oct. 7, 1963: President, with the advice and consent of the Senate, signs the Limited Test Ban Treaty.

Oct. 10, 1963: The Limited Test Ban Treaty enters into force.

Dec. 31, 1963: Premier Khrushchev calls on all states to conclude an international agreement "for the renunciation by the states of the use of force for the settlement of territorial disputes and boundary questions."

Jan. 8, 1964: In his State of the Union message, President Johnson announces that U.S. production of enriched uranium will be reduced by 25 percent and that the Atomic Energy Commission will close down 4 of its 14 reactors producing plutonium for weapons. The President calls on the Soviet Union to take similar steps.

Jan. 18, 1964: President Johnson, in his reply to Premier Khrushchev's letter of December 31, 1963, appeals to the Soviet Union to support concrete steps to strengthen peace, by urging that both nations present new proposals at Geneva on the prevention of the spread of nuclear weapons, cessation of the production of fissionable materials for weapons uses, the transfer of large amounts of fissionable materials to peaceful uses, the prohibition of all nuclear tests, limitations on nuclear weapons systems, reduction of the risk of war by accident or design, and progress toward general disarmament.

Jan. 21, 1964: The Eighteen Nation Disarmament Committee (ENDC) reconvenes in Geneva.

In a message to the ENDC, President Johnson submitted proposals designed to: prohibit the use of force, achieve a verified freeze of nuclear delivery vehicles, achieve a verified agreement on the cessation of the production of fissionable material for weapons, reduce the danger of accidental war and surprise attack, and halt the spread of atomic weapons.

Apr. 20, 1964: President Johnson announces that he has ordered "a further substantial reduction" in the production of enriched uranium. Combined with the reduction announced last January, the overall reduction in the production of enriched uranium will be 40 percent over a four year period.

Premier Khrushchev announces discontinuance of the construction of two new reactors for the production of plutonium and that the production of uranium-235 would be substantially reduced over the next several years. (On November 24, 1965, in response to inquiries regarding Premier Khrushchev's statement of April 20, 1964, the AEC stated "there is no evidence to confirm that the Soviets have indeed done what they stated they would do.")

Apr. 21, 1964: Prime Minister Douglas-Home announces that U.K. production of military plutonium will gradually be terminated.

Apr. 28, 1964: The ENDC recesses.

June 9, 1964: The ENDC reconvenes.

June 11, 1964: The IAEA Board of Governors approves an agreement between the United States and the Agency whereby four U.S. reactors will be placed under Agency safeguards against diversion to non-peaceful ends.

June 25, 1964: At the ENDC, the United States presents a plan to provide verification for a cutoff in the production of fissionable materials for weapons.

Aug. 27, 1964: At the ENDC the Indian representative states that under no circumstances will this country use its nuclear capabilities for non-peaceful purposes.

Sept. 17, 1964: The ENDC adjourns.

Oct. 16, 1964: Communist China explodes its first atom bomb.

Oct. 24, 1964: The Chairman of India's Atomic Energy Commission states that India might be compelled to manufacture nuclear weapons unless some important and tangible steps are made toward general disarmament.

Nov. 1, 1964: The White House announces that former Deputy Secretary of Defense Roswell L. Gilpatric has been appointed by the President to head a special panel to study ways and means of preventing the spread of nuclear weapons.

Dec. 8, 1964: Following their Washington Conference, President Johnson and U.K. Prime Minister Wilson issued a communique in which they express agreement on the urgency of a world-wide effort to prevent the proliferation of nuclear weapons.

Dec. 30, 1964: In a New Year's greeting to Premier Kosygin, President Johnson expresses the hope that practical agreements can be reached soon in the area of arms control.

Jan. 19, 1965: AEC announces that the United States has detected venting from the Soviet underground test of January 15.

Jan. 26, 1965: In a statement before the House Foreign Affairs Committee, ACDA Director Foster states that the Soviet test of January 15 may have been a technical violation of the limited test ban treaty.

Feb. 15, 1965: AEC announces it will further reduce the rate of production of enriched uranium. The new reduction will be gradually carried out from 1966 to 1969.

May 14, 1965: Communist China explodes its second atomic bomb.

May 17, 1965: In the Disarmament Commission, ACDA Director Foster suggests a broad program of measures to halt the proliferation of nuclear weapons.

July 27, 1965: ENDC convenes at Geneva. In a message to the delegates, President Johnson states that the American delegation is instructed to seek "agreements that will limit the perilous spread of nuclear weapons, and make it possible for all countries to refrain without fear from entering the nuclear arms race;" "effective limitation of nuclear weapons and nuclear delivery systems. . . ;" and a "truly comprehensive test-ban treaty."

Aug. 8, 1965: Pope Paul VI urges mankind to renounce forever use of atomic weapons and prays that men will "no longer place their trust, their calculations, and their prestige in such fatal and dishonoring weapons."

Aug. 17, 1965: At the ENDC, the United States presents a draft non-proliferation treaty.

Aug. 31, 1965: At the ENDC the Soviet Union rejects the U.S. draft non-proliferation treaty of August 17.

Sept. 16, 1965: The Conference of the Eighteen Nation Committee on Disarmament (ENDC) adjourns following the conclusion of its 234th plenary meeting.

Sept. 23, 1965: In a speech at the United Nations, Ambassador Goldberg stresses that the first priority towards the goal of general and complete disarmament "must be given to halting the spread of nuclear weapons. . ."

Sept. 24, 1965: Soviet draft treaty on non-proliferation presented to the Secretary General of the United Nations.

Oct. 17, 1965: William Foster, Director, Arms Control and Disarmament Agency, in a speech at the United Nations calls for the resumption of the ENDC at Geneva.

Nov. 25, 1965: At the United Nations 26 nations present a draft resolution on the "urgent need for suspension of nuclear and thermonuclear tests." This draft resolution was subsequently sponsored by 9 other nations.

Dec. 3, 1965: The 35-nation draft resolution of November 25, 1965 approved by the General Assembly by a vote of 92 to 1 with 14 abstentions. Albania votes against the resolution. The following countries abstain: Algeria, Bulgaria, Byelorussia, S.S.R., Congo, Cuba, Czechoslovakia, France, Guinea, Hungary, Mauritania, Mongolia, Poland, Ukrainian, S.S.R., and the Soviet Union.

Dec. 28, 1965: Ambassador-at-Large Averell Harriman leaves Washington to visit Eastern Europe on a peace mission for President Johnson.

Jan. 27, 1966: Eighteen Nation Disarmament Committee is scheduled to reconvene in Geneva.

Mr. PASTORE. Mr. President, following that speech, in which I introduced Senate Resolution 179, that resolution was favorably reported both by the Joint Committee on Atomic Energy and by the Foreign Relations Committee. It passed in the Senate without a dissenting vote. The vote was 84 to nothing.

The U.S. negotiators heeded my advice, and worked out an article that was virtually identical with the one I had suggested. But disagreement then arose among some nations, including our allies, with respect to the article.

The disagreement resulted from the fact that there were already two excellent, well-established international safeguards systems—that of Euratom and that of the International Atomic Energy Agency. An impasse developed as to how to work out the relationship between the two.

In a speech on the floor of the Senate on March 9, 1967, I recognized the impasse that had developed on this point. I recommended that an arrangement be proposed whereby the International Atomic Energy Agency would enter into a formal agreement with Euratom to develop equivalent technical standards for their safeguards system, and under which International Atomic Energy Agency inspectors would be authorized to verify Euratom's system. I ask unanimous consent that this speech be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Floor Statement of Senator John O. Pastore on Nonproliferation of Nuclear Weapons, March 9, 1967

Mr. President, less than one year ago—on May 17, 1966—a most serious matter was before the Senate. The subject was embodied in a resolution which was simply worded—not highly technical—not difficult to understand—and impossible to ignore.

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It was a resolution for nonproliferation of nuclear weapons.

The resolution passed without a dissenting vote.

I believe it was—and is—a profound declaration of the consensus of the Senate. Important as it was last year, I believe it may be even more important today. So I ask the indulgence of my colleagues and read that Senate Resolution 179 of the 89th Congress, 2nd Session, we passed that day.

"S. RES. 179, 89TH CONGRESS, SECOND SESSION

"Whereas the spread of nuclear weapons constitutes a grave threat to the security and peace of all nations, and

"Whereas the knowledge and ability to design and manufacture nuclear weapons is becoming more universally known, and

"Whereas the danger of nuclear war becomes greater as additional nations achieve independent nuclear weapon capability, and

"Whereas it is the policy of the United States, as stated by President Johnson, 'to seek agreements that will limit the perilous spread of nuclear weapons, and make it possible for all countries to refrain without fear from entering the nuclear arms race': Therefore be it

"*Resolved*, That the Senate commends the President's serious and urgent efforts to negotiate international agreements limiting the spread of nuclear weapons and supports the principle of additional efforts by the President which are appropriate and necessary in the interest of peace for the solution of nuclear proliferation problems."

That Resolution was passed, 84 to 0, on May 17, 1966.

Today—March 9, 1967—the international disarmament conference is meeting in Geneva. Representatives of seventeen nations of the world are engaged in an effort to negotiate a nonproliferation treaty.

The effort is arduous. Negotiations have been underway since February 21. As anyone who has been reading the newspaper reports well knows, there are currently some difficulties in negotiating and drafting the treaty language.

Specifically, there is disagreement among some nations, including our allies, with Article III of the proposed treaty submitted by the United States.

Article III has to do with international inspection of civilian nuclear facilities within the signatory countries.

There are two worthwhile international organizations that have been, and are, sponsoring civilian uses of atomic energy—the International Atomic Energy Agency and Euratom.

There appears to be developing in the minds of some that a choice must be made of one of these organizations to the exclusion of the other for the purpose of assuring that civilian nuclear material and equipment are not diverted to military purposes.

This is wrong!

Mr. President, I believe it would be worthwhile if we review the wording of Article III as it was originally proposed by the United States and alternate variations that have been under consideration and what problems there are.

As a member of the Joint Committee on Atomic Energy, and as present Chairman, I have been closely following this matter and I would hope that as we have been able to do in the past, the members of the Joint Committee can make some contributions to help solve the problems that may now be facing us in the international control of atomic power.

Article III in the proposed treaty tabled on August 17, 1965 and again on March 22, 1966 by the United States, stated as follows:

"Each of the states party to this treaty undertakes to cooperate in facilitating the application of International Atomic Energy Agency or equivalent international safeguards on all peaceful nuclear activities."

As my colleagues recall, last year when I introduced S. Res. 179 on January 18th, I was critical of the wording of Article III as proposed. I felt the phrasing was vague and noncommital. I said then, and I repeat now, if we really believe—and I know that we do—that the application of international controls are necessary and we intend to support international safeguards—let us say so in clear, explicit, definite, unequivocal language.

Last year, I therefore recommended much stronger language—language that would make it mandatory for international controls—international safeguards to be applied to nuclear material and equipment transferred between nations. At the time I recommended the following specific language:

"1. Each of the nonnuclear states party to this treaty undertakes to accept International Atomic Energy Agency or similar safeguards on all of their nuclear activities.

"2. Each of the states party to this treaty undertakes to provide source or fissionable material, or specialized equipment or nonnuclear material for the processing or use of source or fissionable material or for the production of fissionable material, to other states for peaceful purposes only if such material and equipment will be subject to International Atomic Energy Agency or similar international safeguards."

I was saying—pure and simple—that any nation that gives fissionable material for civilian use shall make sure that the recipient of such material agrees to international inspection and all those who receive it in turn agree that they will subscribe to international inspection.

In my proposed language I used the words "International Atomic Energy Agency or similar international safeguards" and I chose those words quite carefully for the following reason:

The International Atomic Energy Agency, with a current membership of 97 nations has established a safeguards system but to date has not fully developed that system. Euratom, an organization consisting of six Western European nations has been operating an inspection system among its members which I hoped would also be used to assure compliance with the nonproliferation treaty.

While the International Atomic Energy Agency is further developing its capabilities, I wanted to be certain that we continued to draw upon and use the capabilities of the existing system within that region where it exists. When I made my recommendation I did not then, nor do I now, support any type of language that would put off into the undetermined future the requirement for some sort of international inspection. It was my strong belief then, and it remains today, that we must be definite as to when and how international inspection will be applied to verify the civilian uses of atomic energy and to assure materials are not diverted to military purposes in contravention of any nonproliferation treaty entered into by the United States and other nations. This has been United States' policy from the inception of President Eisenhower's Atoms-For-Peace program in 1953. The United States has always required that agreements for cooperation in the civilian uses of atomic energy carry with them procedures and requirements for inspection. At first the United States on its own assumed that responsibility. Bilateral agreements with other nations included the right of United States inspectors to personally verify that equipment and material were being used in conformance with our agreement. Thereafter, when Euratom was formed in 1957 we encouraged this group of six Western European nations to develop international-type safeguards within that organization. Within Euratom, nationals of the other member nations inspect Euratom material and equipment located in France; Dutch and Italian nationals inspect Euratom equipment and material in West Germany. However, from the beginning its was understood that in the event of the establishment of an international safeguards and control system under the International Atomic Energy Agency, Euratom would consider the International Atomic Energy Agency's assuming some safeguards and controls over Euratom nuclear material.

In 1958 the Chief of the Euratom delegation, in a letter to the United States Representative to Euratom, assured the United States ". . . in the event of the establishment of an international safeguards and control system by the International Atomic Energy Agency, the United States and Euratom will consult regarding assumption by that Agency of the safeguard and control over the fissionable material utilized or produced in implementation of the program contemplated by the Memorandum of Understanding."

Mr. President, I ask unanimous consent to include at this point in the record an exchange of letters dated June 18, 1958, between Max Kohnstamm, Chief, Euratom delegation, and Ambassador Butterworth, United States Representative to Euratom, confirming this understanding.

Mr. President, since its inception I have been a strong supporter of Euratom. The Joint Committee on Atomic Energy, of which I am honored to be the Chairman, has consistently supported various cooperative programs aimed at assisting Euratom in furthering the development of civilian nuclear power within Western Europe. Every proposal for cooperation and assistance—whether it involved information, technical assistance or fissionable material—was supported by the Joint Committee on Atomic Energy.

As Chairman of the Subcommittee on Agreements for Cooperation for a number of years I consistently and constantly lent my voice and support to assisting what I believe to have been, and still to be, a worthwhile endeavor—Euratom. I therefore am surprised and disappointed when I read statements emanating from within Euratom nations resisting, if not opposing, the nonproliferation treaty and, particularly, International Atomic Energy Agency safeguards. Statements reportedly originating in West Germany claim that a nonproliferation treaty, as now being proposed in Geneva, adversely affects the civilian nuclear power program within that nation. This, if true, is an incongruity and I dare say an untenable position. Each of the Euratom nations, as a member of Euratom, has already accepted international inspection within its own organization. In addition, each of the six member nations of Euratom has had bilateral agreements for cooperation with the United States which in the past authorized U.S. inspection. During the past several years two members of Euratom agreed to Euratom inspection of equipment received under their bilateral agreements with the United States. Following extended negotiation and review on August 1, 1965 Belgium entered into agreement by which it came under Euratom international inspection on all material and equipment it receives from the United States. On November 20, 1966 France also did the same. This year West Germany is expected to do the same.

In all cases, whether it be through bilateral agreements or through Euratom, the six nations of Euratom have agreed not to use material or equipment received from the United States for military purposes. This has not in any way adversely affected their civilian program. Similarly, each of the six in one way or another has accepted international inspection from its neighbors. I am therefore concerned that these nations that have been complying with nonproliferation-type restrictions should now raise objections by claiming that the nonproliferation treaty would prevent or hamper the civilian uses of atomic energy.

As I have over the years sponsored and supported Euratom, similarly I have been

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a strong supporter of the International Atomic Energy Agency. In 1955, when President Eisenhower appointed me a delegate to the General Assembly of the United Nations, I helped in the drafting of the United States resolution which first sponsored the International Atomic Energy Agency. I presented the draft proposal before the first political committee of the 10th General Assembly of the United Nations. I have seen the International Agency grow to what it is today—an organization dedicated to the development of nuclear energy for peaceful purposes with a membership of 97 nations soon to be increased to 99.

Beginning in 1960 the International Atomic Energy Agency has been developing an international inspection system. It is still developing that system. It has, I am informed, approximately 13 individuals assigned to it whose responsibility it is to visit facilities throughout the world and to verify that equipment and material designated for civilian purposes are not diverted to military uses.

I personally do not believe that this limited personnel of the International Atomic Energy Agency system to date is adequate to assume its responsibilities throughout the world. I am convinced that in the last several years much has been accomplished in developing techniques and training International Atomic Energy Agency inspectors. A great deal more is necessary. I am sure that it is important that in the years to come the United States and other nations dedicate themselves to improving and strengthening the International Atomic Energy Agency safeguards system.

Now, I do not believe that we are compelled to make a choice that is to be either one or the other—the IAEA or Euratom. In my opinion, it can be a cooperation and understanding between the two.

Nonproliferation of nuclear weapons is of prime importance. We need any and all assistance we can receive to assure fissionable material and equipment are not diverted from civilian uses to nuclear weapons. We need the Euratom safeguards, we need the International Atomic Energy Agency safeguards, and we need any additional regional safeguard systems that may hereafter be set up.

I, for one, would welcome an organization of Warsaw Pact nations that might be formed to further the civilian uses of atomic energy.

I would welcome a system whereby Polish nationals would inspect Hungarian or Czechoslovakian facilities and vice versa.

I would welcome a group of South American nations that might form on a regional basis and which might develop an international safeguards system within their region.

On the other hand, I would not recommend nor would I support individual regional safeguards systems which would exclude International Atomic Energy Agency inspectors or which would be in lieu of International Atomic Energy Agency safeguards.

Mr. President, as I have indicated on numerous occasions in the past, I believe it is important that Article III of the proposed nonproliferation treaty set forth a definite commitment that material and equipment transferred for peaceful uses will be subject to international inspection. I recommend that Article III be clearly understood not to require the International Atomic Energy Agency inspection system or other international inspection to be exclusive of each other; that any regional system that currently exists, like Euratom or others that may subsequently be formed, be encouraged to assist in this important work but that they be coordinated with and under the International Atomic Energy Agency safeguards system. To this extent I recommend that the U.S. representative to the International Atomic Energy Agency be instructed to propose an arrangement whereby the IAEA would enter into a formal agreement with Euratom to develop equivalent technical standards for their safeguards systems and under which IAEA inspectors would be authorized to verify Euratom's system. I would also recommend that such an agreement should include a joint research program to develop improved technical methods for safeguarding fissionable materials.

Organizations such as Euratom and the International Atomic Energy Agency, whose objectives are similar, should not be at odds with one another. They should be co-operating and supplementing one another. If these two organizations will enter into an agreement to help develop better safeguard methods conceivably they could also enter into other joint projects in fostering the civilian use of atomic energy for their mutual benefits.

There are five nations today capable of unleashing a nuclear war. As additional nations develop nuclear weapon capability, the danger of accidental or deliberate nuclear war will increase. Every President—every Administration—from President Truman to President Johnson—has supported a policy to prevent further proliferation of nuclear weapons. Beginning with President Eisenhower, the United States also has sponsored an Atoms-For-Peace program to help other nations and groups of nations throughout the world obtain the benefits of peaceful uses of atomic energy. It would be a sad and tragic event if jealous rivalry between two international organizations, both of which were formed to advance the peaceful uses of atomic energy, were to prevent an effective nonproliferation treaty from being adopted.

Individual nations within Euratom and within the International Atomic Energy Agency have been willing to give up some degree of their sovereignty for the benefit of the group. Further advancements can be made for the betterment of all if these separate international agencies will cooperate in developing and supporting an international safeguards system.

We must not falter. And we must not fail.

We are thousands of miles from Geneva today—but our tomorrow could depend on these discussions—those differences—and their decisions.

The very fact that mankind has a problem of nuclear proliferation to discuss, magnifies the perils that multiply with the expansion of the nuclear club.

We shuddered at the potential nuclear annihilation when the threat was in just two hands—ours and the Soviet Union.

All the wars of the 20th Century have cost 100 million lives. Three hundred million might well be lost in the first hour of an all out nuclear war—and the survivors would envy the dead.

Today—five nations are in the "nuclear club"—and a dozen nations stand in the wings counting the cost—against the prestige.

There are thousands of missiles actually on target at this hour in this divided world. Multiply them in mad hands—and "tomorrow" might become the most uncertain word in the language of man.

But mankind has a still more powerful weapon—the power of speech—of reason—of reasoning—of words—of communication—of understanding—man to man.

We have seen its power in these twenty years—growing into an active, articulate idea of a world of law and order.

We have seen its great instrument—the United Nations—become a power to maintain and restore peace among peoples.

We have seen the achievements of the Limited Nuclear Test Ban Treaty—our nuclear treaties in outer space—our "hot line" between the Kremlin and the White House.

We have seen these successes achieved when the hour seemed to promise pessimism—despair—defeat.

This hour at Geneva therefore calls for optimism.

It calls for the courage to compromise doubts and differences.

It calls for confidence in international cooperation.

It calls for a compact of nuclear security conceived in common sense.

It calls for a partnership for peace.

LUXEMBOURG,
June 18, 1958.

His Excellency Ambassador W. WALTON BUTTERWORTH,
U.S. Representative to the European Atomic Energy Community, Luxembourg.

DEAR MR. AMBASSADOR: As you are aware, in the course of the final negotiations on the text of the Memorandum of Understanding regarding the joint nuclear power program proposed between the European Atomic Energy Community (Euratom) and the United States of America, the question was raised as to the intent of the Parties regarding section 11D of the Memorandum. Section 11D provides for frequent consultation and exchange of visits between the Parties to give assurance to both Parties that the Euratom safeguards and control system effectively meets the responsibility and principles for the peaceful uses of atomic material stated in the Memorandum and that the standards of the materials accountability systems of the United States and Euratom are kept reasonably comparable.

I wish to confirm the understanding of the Euratom Commission that the consultations and exchange, of visits agreed upon in the referenced section and the assurance provided for therein include within those terms permission by each Party for the other Party to verify, by mutually approved scientific methods, the effectiveness of the safeguards and control systems applied to nuclear materials received from the other Party or to fissionable materials derived from these nuclear materials. In the Commission's judgment, this understanding is implicit in the text of the Memorandum of Understanding.

I wish further to confirm the Commission's understanding that with respect to Section 11E, in the event of the establishment of an international safeguards and control system by the International Atomic Energy Agency, the United States and Euratom will consult regarding assumption by that Agency of the safeguard and control over the fissionable material utilized or produced in implementation of the program contemplated by the Memorandum of Understanding.

Sincerely yours,
MAX KOHNSTAMM,
Chief, Euratom delegation.

JUNE 18, 1958.

MAX KOHNSTAMM, ESQ.
Chief, Euratom Delegation,
Luxembourg.

DEAR MR. KOHNSTAMM: As you are aware, in the course of the final negotiations on the text of the Memorandum of Understanding regarding the joint nuclear power program proposed between the European Atomic Energy Community (Euratom) and the United States of America, the question was raised as to the intent of the Parties regarding section 11 D of the Memorandum. Section 11 D provides for frequent consultation and exchanges of visits between the Parties to give assurance to both Parties that the Euratom safeguards and control system effectively meets the responsibility and principles for the peaceful uses of atomic materials stated in the Memorandum and that the standards of the materials accountability systems of the United States and Euratom are kept reasonably comparable.

I wish to confirm the understanding of my government that the consultations and exchanges of visits agreed upon in the referenced section and the assurance provided

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for therein include within those terms permission by each Party for the other Party to verify, by mutually approved scientific methods, the effectiveness of the safeguards and control systems applied to nuclear materials received from the other Party or to fissionable materials derived from these nuclear materials. In the Commission's judgment, this understanding is implicit in the text of the Memorandum of Understanding.

I wish further to confirm my government's understanding that with respect to Section 11 E, in the event of the establishment of an international safeguards and control system by the International Atomic Energy Agency, the United States and Euratom will consult regarding assumption by that Agency of the safeguard and control over the fissionable material utilized or produced in implementation of the program contemplated by the Memorandum of Understanding.

Sincerely yours,

Ambassador Butterworth,
Representative to the European Atomic Energy Community, Luxembourg.

Mr. PASTORE. Mr. President, as chairman of the Joint Committee on Atomic Energy, I followed the ensuing negotiations closely. I can assure you that the solution reached—which was very much along the lines I had suggested—was not a Soviet idea, it was the result of the insistence of our own tough negotiators. It consisted of revision of article III to permit Euratom to work out an appropriate agreement with IAEA with respect to safeguards responsibility. It is to give the parties a chance to work out such an agreement after they sign the treaty that the present article III provides a grace period after the treaty's entry into force.

Within this grace period such agreements are to be negotiated and brought into effect. It would be self-defeating to wait until such agreements were concluded before bringing the treaty into force, since, apart from the treaty, there is an obligation to negotiate such agreements.

But the fact that article III calls for the negotiation of safeguards agreements after the treaty enters into force does not mean that the treaty lays down no guidelines for what the safeguards agreements must cover and how. I ask unanimous consent that there be inserted in the Record a memorandum describing the very specific guidelines it does lay down.

There being no objection, the memorandum was ordered to be printed in the Record, as follows:

Memo on Article III—Analysis of Requirements for Safeguards Agreements Under NPT

The Non-Proliferation Treaty sets forth definite guidelines for what the safeguards agreements called for by Article III must cover and how. These include:

(a) Purpose: They must be "for the exclusive purpose of verification of the fulfillment of its obligations assumed under this Treaty with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices."

(b) Nature and Scope: The agreements must be concluded "with the International Atomic Energy Agency in accordance with the Statute of the International Atomic Energy Agency and the Agency's safeguards system." (See below.)

(c) Coverage: They must be "applied on all source or special fissionable material in all peaceful nuclear activities within the territory of each" non-nuclear-weapon state party to the treaty, under its jurisdiction, or carried out under its control anywhere." In addition, they must be applied on all source or special fissionable material furnished by a party to the treaty for peaceful purposes to any non-nuclear-weapon state—whether or not a party to the treaty, and on all special fissionable material processed, used or produced in related equipment shipped to such states.

(d) Effective Date: Negotiations for such safeguards must commence within 180 days after the treaty goes into effect (or, if a party joins the treaty later, at the time it does so), and must be completed within 18 months after the initiation of such negotiations.

Our extensive experience in the negotiation of safeguards agreements with the IAEA gives us confidence that this is a realistic time schedule. Nineteen countries already have safeguards agreements with the IAEA on materials shipped from the United States.

The IAEA Statute (a treaty to which the United States and the Soviet Union and nearly a hundred other countries are parties) sets forth definite guidelines as to the nature and scope of safeguards.

Moreover, there is a well-established set of safeguards procedures that has been adopted by the IAEA under this authority, in the application of which it has had experience. These are set forth in the IAEA Safeguards Document (1965) and the Inspectors Document.

Further guidelines are established by the three guiding principles appearing at pages IX and X of Executive H. A comparison of the Euratom safeguards system and IAEA safeguards system is set forth at page 266 of the July, 1968 hearings on the Treaty.

March 11, 1969.

Mr. PASTORE. Mr. President, some question has been raised as to whether IAEA safeguards will be adequate to do the job. As vice chairman of the Joint Committee on Atomic Energy, I can assure you with great confidence that they will. A measure of that confidence is the fact that the United States, with the acquiescence of the Congress, has already turned over to the IAEA the task of safeguarding 19 of our agreements for cooperation with other countries in the peaceful uses of atomic energy. We rely on such IAEA safeguards to insure that the materials involved are not diverted to any military use in contravention of our atomic energy laws. An additional reason for that confidence is the fact that the United States has a highly influential voice in IAEA affairs.

We could have no such confidence if the treaty called for setting up a brand new international organization to do the safeguards job. Such organization would be without experience and without this detailed safeguards system that we helped to develop.

I am convinced that article III is the best safeguards article that can be obtained at this time.

It is not vague—but quite specific as to what is required.

I believe that it would be self-defeating to await the conclusion of the safeguards agreements before bringing into force the treaty that requires their negotiation.

I am convinced that the IAEA will prove equal to the great task and opportunity that is being given it in this treaty.

I believe it will thus fulfill one of the principal purposes for which it is created.

I believe we are taking a major step toward international understanding and tranquillity.

Mr. President, in that way and only in that way lies peace in our time and in this world.

AMENDMENT TO UNITED STATES-UNITED KINGDOM MUTUAL DEFENSE AGREEMENT ON USES OF ATOMIC ENERGY

Mr. President, today my colleague, Representative Chet Holifield, the chairman of the Joint Committee on Atomic Energy, made a statement before the other body on an amendment to the United States-United Kingdom Mutual Defense Agreement. This amendment covers the transfer of enriched uranium to the United Kingdom for use as fuel in United Kingdom nuclear submarines which will be utilized for our mutual defense.

The legal aspects of this amendment and the restrictions imposed on the utilization of the material by the United Kingdom are explained in Congressman Holifield's statement and the supporting documents. In order that these documents may be readily available to Senators, I ask unanimous consent that they be printed in the Record at this point.

There being no objection, the documents were ordered to be printed in the Record, as follows:

Amendment to United States-United Kingdom Mutual Defense Agreement on Uses of Atomic Energy

Mr. Holifield. Mr. Speaker, you may recall that President Johnson in the waning hours of the 90th Congress submitted to the Congress a proposed amendment to the 1958 Agreement for Cooperation between the United States and the Government of the United Kingdom on the Use of Atomic Energy for Mutual Defense Purposes. In accordance with Section 123d of the Atomic Energy Act of 1954, as amended, the proposed amendment was referred to the Joint Committee on Atomic Energy. No resolutions respecting the proposed amendment have been introduced since its submission, and therefore no formal report thereon is required of the Committee. However, in the interest of keeping the Congress informed with respect to matters of this kind, I thought it appropriate as Chairman of the Committee that I provide an informal report on the unclassified terms and conditions of the proposed amendment as well as on certain understandings that have been reached with the Executive Branch as to implementation of the agreement.

Subsection 123d of the Atomic Energy Act of 1954, as amended, provides that no cooperation in the military field with any nation or regional defense organization for the transfer of classified atomic energy information or material may be undertaken unless a proposed agreement for cooperation has been submitted to the Congress and referred to the Joint Committee, to lie before the Committee for a period of 60 days while Congress is in session. In addition to the submission of the proposed agreement, there must also be transmitted to the Congress the approval of the President of the United States and his determination that ". . . the performance of the proposed agreement will promote and will not constitute an unreasonable risk to the common defense and security." The proposed agreement for cooperation or any amendments thereto shall not become effective if during the 60-day period the Congress passes a concurrent resolution stating in substance that it does not favor the proposed agreement.

The proposed amendment will extend for

a period of 10 years, under the authority of Section 91c. of the Atomic Energy Act of 1954, as amended, those provisions of the 1958 U.S.-U.K. agreement, as amended, which expire December 30, 1969 and provide for the transfer of special nuclear material for research on, development of, production of, or use in utilization facilities for military applications. The proposed amendment also provides that the transfer of specific other materials will be authorized for such applications. The maximum quantities of these specific materials to be transferred, or authorized for transfer, by the United States during the effective period of this amendment (i.e., prior to December 31, 1979) are set forth in supplementary classified documents which were submitted to the Congress together with the proposed amendment. According to the Atomic Energy Commission and the Department of Defense, these materials can be made available for transfer during the period involved without adverse effect on our national defense programs.

As is required by the Atomic Energy Act of 1954, the United Kingdom is participating with the United States in an international arrangement pursuant to which the United Kingdom is making substantial and material contribution to the mutual defense and security. Indeed, as noted in the President's message to Congress which I shall include in the Record at the conclusion of my remarks, this material, which will be used as fuel in the United Kingdom's nuclear submarine program, would substantially enhance the ability of the United Kingdom to contribute to our mutual defense, particularly in the North Atlantic area.

The Joint Committee's review of this matter actually antedates formal submission of the amendment by the President in October 1968. On October 25, 1967, officials of the Atomic Energy Commission consulted with the Committee in executive session concerning a proposal to extend those provisions of the existing agreement authorizing the transfer of atomic materials for naval nuclear propulsion purposes. On March 10, 1969 the full Committee convened to review the final details of the proposed amendment. Due to the necessary reference to classified information, the hearing was held in executive session. Principal witnesses in attendance were Commissioner Gerald F. Tape of the AEC, the Honorable Carl Walske, Assistant to the Secretary of Defense (Atomic Energy), and the Honorable Philip J. Farley, Deputy Assistant Secretary of State (Politico-Military Affairs). All three agencies of Government expressed support of the proposed amendment.

During the hearing the Executive Branch assured the Committee that no transfer of naval nuclear propulsion technology or equipment, or of materials and equipment for nuclear weapons, could be made under the proposed amendment. The Committee also was assured that the preferred method of transfer of special nuclear materials to the United Kingdom for use in its submarine program would be through toll enrichment—that is, through the enrichment in the AEC's gaseous diffusion plants, at published prices, of natural uranium supplied by the British—as opposed to outright sale of U.S. enriched uranium, although the U.S. would, of course, have the unilateral option of selling enriched uranium if in a particular case that was deemed in the U.S. interest.

Finally, and most importantly in the view of the Joint Committee, the Executive Branch provided certain assurances concerning the use to be made of the nuclear fuels, equipment and technology transferred under the agreement. Specifically, the Committee was assured that the enriched uranium to be provided under the amendment would be for fueling of United Kingdom nuclear-powered submarines, and for no other purpose. Moreover, the Committee was assured that all assistance furnished to the United Kingdom submarine program pursuant to the agreement, whether in the form of materials, equipment or technology, including that heretofore furnished, is subject to the provisions in Article VII of the existing agreement which preclude its retransfer by the United Kingdom without U.S. consent. The Executive Branch today submitted a letter to the Committee confirming these assurances in writing. Further, in view of the expiration at midnight on March 12, 1969 of the 60-day period during which the amendment must lie before Congress, the Executive Branch agreed that it would obtain confirmation from the British Government that it shares these understandings, before exchanging with the U.K. the diplomatic notes necessary to bring the amendment into force.

As I noted earlier, no formal Joint Committee vote or report on this matter is required. However, on the basis of its review of the proposed amendment and supporting data, and in consideration of the explicit assurances given to the Committee by the Executive Branch respecting the amendment's implementation, I believe it was the sense of the Committee that there was no substantial ground on which to interpose any objection to the proposed amendment.

Mr. Speaker, I ask unanimous consent that the President's Message to the Congress dated October 11, 1968 and supporting documents and correspondence be included at this point in the Record, together with the copy of the AEC's letter to the committee dated March 11, 1969 referred to above.

To the Congress of the United States:

Pursuant to the Atomic Energy Act of 1954 as amended, I am submitting herewith to each House of the Congress for appropriate action an authoritative copy of an amendment to the Agreement between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland for Cooperation on the Uses of Atomic Energy for Mutual Defense Purposes of July 3, 1958, as amended. The Amendment was signed at Washington on September 27, 1968.

The Agreement of July 3, 1958 as amended included a provision under which the Government of the United States agreed to transfer to the Government of the United Kingdom prior to December 31, 1969 special nuclear material for research on, development of, production of, or use in utilization facilities for military applications.

Under the Amendment submtted herewith, the Government of the United States shall transfer to the Government of the United Kingdom special nuclear material and authorize the transfer of specific other materials to the Government of the United Kingdom prior to December 31, 1979. The transfer of this material to be used as fuel in the United Kingdom's submarine program would substantially enhance the ability of the United Kingdom to contribute to our mutual defense, particularly in the North Atlantic area.

I am also transmitting a copy of the Acting Secretary of State's letter to me accompanying authoritative copies of the signed Amendment, a copy of a joint letter from the Chairman of the Atomic Energy Commission and the Secretary of Defense recommending approval of this Amendment, and a copy of my memorandum in reply thereto, setting forth my approval.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *October 11, 1968.*

DEPARTMENT OF STATE,
Washington, October 4, 1968.

THE PRESIDENT,
The White House.

THE PRESIDENT: I have the honor to transmit with a view to its submission to the Congress for appropriate action pursuant to the Atomic Energy Act of 1954, as amended, an Amendment to the Agreement between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland for cooperation on the Uses of Atomic Energy for Mutual Defense Purposes, as amended. The Amendment transmitted herewith was signed at Washington on September 27, 1968 on behalf of the United States pursuant to the authorization granted in your memorandum of September 26, 1968 to the Secretary of Defense and the Chairman of the Atomic Energy Commission, a copy of which was received by me. The Amendment provides for the transfer of nuclear fuel for the United Kingdom's submarine program.

Respectfully submitted.

NICHOLAS KATZENBACH.
Acting Secretary of State.

THE WHITE HOUSE,
Washington, September 26, 1968.

Memorandum for Secretary of Defense and Chairman, U.S. Atomic Energy Commission.

In your joint letters to me of September 18, 1968, you recommended that I approve a proposed Amendment to the Agreement Between the Government of the United States of America and the Government of the United Kingdom for Cooperation on the Uses of Atomic Energy for Mutual Defense Purposes.

I note from your joint recommendations, the United Kingdom is participating with the United States in international arrangements pursuant to which it is making substantial and material contributions to our mutual defense and security. The proposed Amendment will permit cooperation which will further improve our mutual defense posture.

Having considered your joint recommendations and the cooperation provided for in the Amendment, I hereby:

a. Approve the program for the transfer of materials, in the types and quantities and under the terms and conditions provided in the joint letters of September 18, 1968, to me from the Chairman, USAEC, and the Secretary of Defense and the proposed Amendment to the 1958 Agreement;

b. Approve the proposed Amendment to the 1958 Agreement;

c. Determine that the performance of the proposed Amendment will promote and will not constitute an unreasonable risk to the common defense and security; and

d. Authorize the execution of the proposed Amendment for the Government of the United States in a manner specified by the Secretary of State.

LYNDON B. JOHNSON.

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C., September 18, 1968.

THE PRESIDENT,
The White House.

DEAR MR. PRESIDENT: There is hereby submitted for your consideration and approval a proposed Amendment to the 1958 Agreement Between the Government of the United States of America and the Government of the United Kingdom for Cooperation on the Uses of Atomic Energy for Mutual Defense Purposes.

The proposed Amendment will extend, under the authority of Section 91c. of the Atomic Energy Act of 1954, as amended, the provisions of the 1958 Agreement, as amended, which provide for the transfer of special nuclear material for research on, development of, production of, or use in utilization facilities for military applicants. The proposed Amendment also provides that the transfer of specific other materials will be authorized for such applications. The maximum quantities of these specific materials to be transferred, or authorized for transfer, by the United States during the effective period of this Amendment (i.e., prior to

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December 31, 1979), are covered in a supplementary classified letter. These quantities can be made available for transfer during this period without adverse effect on our defense programs.

As is required by the Atomic Energy Act of 1954, as amended, the United Kingdom is participating with the United States in an international arrangement pursuant to which the United Kingdom is making substantial and material contribution to the mutual defense and security.

This Amendment does not provide for an extension of the exchange of naval nuclear propulsion technology or equipment or for any transfer of materials and equipment for nuclear weapons. On the other hand, it does not affect any of the provisions of the Agreement which are not being amended and, accordingly, does not affect our ability to continue to cooperate in the weapons or intelligence areas under the existing provisions.

The cooperation authorized by the provisions of the Amendment would cover the period January 1, 1970 to December 30, 1979, inclusive.

It is recommended that you:

a. Approve the program for the transfer of material as set forth herein and in the proposed Amendment to the 1958 Agreement;

b. Approve the proposed Amendment to the 1958 Agreement:

c. Determine that the proposed Amendment will promote and will not constitute an unreasonable risk to the common defense and security; and

d. Authorize the execution of the proposed Amendment for the Government of the United States in a manner specified by the Secretary of State.

The Secretary of State concurs in the foregoing recommendation.

Respectfully yours,

GLENN T. SEABORG,
Chairman, Atomic Energy Commission.
PAUL H. NITZE,
Secretary of Defense.

AMENDMENT TO AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND FOR COOPERATION ON THE USES OF ATOMIC ENERGY FOR MUTUAL DEFENSE PURPOSES

The Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland on its own behalf and on behalf of the United Kingdom Atomic Energy Authority;

Desiring to amend in certain respects the Agreement for Cooperation on the Uses of Atomic Energy for Mutual Defense Purposes signed at Washington on the third day of July, 1958, as amended;

Have agreed as follows:

ARTICLE 1

Subparagraph A.3 of Article III bis of the agreement for Cooperation shall be deleted and subparagraph A.4 of Article III bis shall be renumbered as subparagraph A.3 thereof.

ARTICLE 2

Paragraphs B and C of Article III bis of the Agreement for Cooperation shall be renumbered as paragraphs C and D thereof, respectively, and a new paragraph B shall be inserted to read as follows:

"B. The Government of the United States shall transfer to the Government of the United Kingdom special nuclear material, and authorize the transfer of other material, for research on, development of, production of, or use in utilization facilities for military applications, in such quantities, at such times prior to December 31, 1979, and on such terms and conditions as may be agreed."

ARTICLE 3

Article IX of the Agreement for Cooperation shall be amended as follows: The words "paragraph A or paragraph B of Article III bis" shall be deleted from subparagraph 1 of paragraph B and the words "paragraph A, paragraph B, or paragraph C of Article III bis" shall be substituted therefor.

ARTICLE 4

This Amendment, which shall be regarded as an integral part of the Agreement for Cooperation, shall enter into force on the date on which each Government shall have received from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of this Amendment.

In witness whereof, the undersigned, duly authorized, have signed this Amendment.

Done at Washington, in duplicate, this twenty-seventh day of September, 1968.

For the Government of the United States of America:

JOHN M. LEDDY.
GERALD F. TAPE.

For the Government of the United Kingdom of Great Britain and Northern Ireland:

PATRICK DEAN.

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C., March 11, 1969.

Hon. CHET HOLIFIELD,
Chairman, Joint Committee on Atomic Energy, Congress of the United States.

DEAR CHET: During the Joint Committee's consideration yesterday of the proposed Amendment, signed September 27, 1968, to the Agreement for Cooperation with the United Kingdom on the Uses of Atomic Energy for Mutual Defense Purposes, two points were raised about which the Committee desired clarification.

This will confirm my testimony on those points, namely:

1. That the U-235 which would be provided under this Amendment to the Agreement would be supplied for the fueling of United Kingdom nuclear powered submarines; and for no other purpose.

2. That all of the assistance furnished to the United Kingdom submarine program pursuant to the Agreement whether in the form of materials, equipment or technology, including that heretofore furnished, is subject to the provision in Article VII of the basic agreement, which precludes its transfer by the United Kingdom without U.S. consent.

Moreover, we could not proceed with any implementation of the Amendment until after the United Kingdom confirms that it agrees with these points. We shall, of course, provide the Committee with copies of the confirming documentation.

Sincerely,

GERALD F. TAPE,
Commissioner.

Mr. PELL. Mr. President, I wish to congratulate my senior colleague on his excellent statement in connection with the Nonproliferation Treaty. If anyone has the particular knowledge to make a statement regarding safeguards, it is he.

Mr. President, the charge has been made on several occasions that the Nonproliferation Treaty would have a harmful effect upon the collective security arrangements provided to the United States and the West within NATO. Some critics also maintain that the treaty would hamper or even prevent altogether our allies in Western Europe from developing jointly an effective nuclear deterrent as a part of the creation of a unified Western Europe.

As the report of the Committee on Foreign Relations and the testimony available to us convincingly show, these charges are without foundation. Among other things, General Wheeler, at the July hearings, restated the U.S. principle that

> Any international agreement on the control of nuclear weapons must not operate to the disadvantage of the United States and our allies.

And he asserted that his principle has been observed. Moreover, earlier doubts that existed about such charges among our NATO allies have been resolved to their satisfaction. Our NATO allies were consulted at significant steps in the negotiation of the treaty. And the fact that 12 of the 15 NATO countries have now signed the treaty speaks for itself.

Under existing NATO defense arrangements, the United States places nuclear delivery vehicles and delivery systems under the control of other NATO partners, but retains under its own exclusive control the bombs and warheads to be used in such systems. Nothing in the Nonproliferation Treaty would require us to alter these arrangements. By the same token, the treaty in no way prevents us from consulting with our allies and planning jointly for the nuclear defense of the NATO countries, so long as no transfer of nuclear weapons or control of them results. The treaty also enables us to deploy nuclear weapons within allied territory as we and our allies see fit, again, however, with the proviso that no actual transfer of these weapons or control over them results. These are the arrangements we have with our NATO allies now. They are arrangements which have been effective in the past and which this Government foresees no reason to change unless and until a decision should be made to go to war. In the latter event, of course, the treaty would no longer be controlling.

As for the problem of European unity, the treaty would not preclude succession by a new federated state to the nuclear status of one of the former states from which the new state is composed. Thus, a federated state comprising France or the United Kingdom within its boundaries could succeed as a unit to the nuclear capability of that country. Such a federated European state would have to control all of its external security functions, such as defense and those foreign policy matters relating to external security. The United States would indeed be barred under the treaty and under the Atomic Energy Act from transferring nuclear weapons or control over them to such a multilateral entity. Nevertheless, the treaty does make possible, as I have indicated, an eventual evolution of existing European defense arrangements to take into account future changes in the political configuration of Europe and in the security situation that might emerge as a result of such a new configuration.

It is true that one issue has caused the Federal Republic of Germany certain concern as it considers Nonproliferation Treaty signature. The U.S.S.R. has stated that articles 53 and 107 of the Charter remain valid and afford the victorious powers special rights to take coercive measures against former enemy states, such as Germany. The Federal Republic of Germany holds that any unilateral intervention in Germany by the U.S.S.R. would be contrary to the

U.N. Charter, and that the Nonproliferation Treaty in any event must not afford a pretext for Soviet use of force in Germany. The invasion of Czechoslovakia brought these issues into public discussion.

The United States, the United Kingdom, and France issued statements last September which made clear our view that articles 53 and 107 of the U.N. Charter gave the Soviet Union no right to intervene by force unilaterally in West Germany. There are also some recent indications that the Federal Republic is now less concerned about this question. And I believe West Germany will come to see its overall interests being served by signing the treaty.

Mr. President, the North Atlantic Alliance has many urgent problems which it must consider and on which it must reach decisions. The Nonproliferation Treaty does not create any new limitations on the scope of the actions that could result from these decisions. If anything, the treaty, through the important contribution it will make as an effective worldwide arms control undertaking, should simplify NATO's task without hampering its effectiveness.

Mr. PASTORE. Mr. President, will my colleague yield to me?

Mr. PELL. I am very happy to yield to my senior colleague.

Mr. PASTORE. Mr. President, first, I should like to apologize to my distinguished colleague. I did not realize he was behind me. After I had left the room, I understand he paid me a little compliment, which I appreciate very much. Even though I did not hear it, I shall read it in the RECORD tomorrow. He has always been thoughtful and generous and I appreciate his comments very much.

I hope very much that my colleague does not consider me rude for having left the room. Let me take this occasion to say that he has delivered a cogent and brilliant dissertation on the Nonproliferation Treaty of which he has been an advocate for a long time.

We are very fortunate to have his brand and quality in the Senate.

Mr. PELL. I thank my friend and senior colleague very much, indeed.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORITY TO RECEIVE MESSAGES FROM THE PRESIDENT AND THE HOUSE OF REPRESENTATIVES

Mr. BYRD of West Virginia. Mr. President, as in legislative session, I ask unanimous consent that during the recess of the Senate following the close of business today, the Secretary of the Senate be permitted to receive messages from the President of the United States and from the House of Representatives.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS UNTIL 11 A.M. TOMORROW

Mr. KENNEDY. Mr. President, if there is no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in recess until 11 a.m. tomorrow.

The motion was agreed to; and (at 4 o'clock and 21 minutes p.m.), the Senate, in executive session, took a recess until tomorrow, Wednesday, March 12, 1969, at 11 o'clock a.m.

NOMINATION

Executive nomination received by the Senate, March 11 (legislative day of March 7), 1969:

Department of the Interior

James R. Smith, of Nebraska, to be an Assistant Secretary of the Interior.

CONFIRMATIONS

Executive nominations confirmed by the Senate, March 11 (legislative day of March 7), 1969:

District of Columbia Council

Gilbert Hahn, Jr., of the District of Columbia, to be Chairman of the District of Columbia Council for the term expiring February 1, 1972.

Sterling Tucker, of the District of Columbia, to be Vice Chairman of the District of Columbia Council for the term expiring February 1, 1972.

Jerry A. Moore, of the District of Columbia, to be a member of the District of Columbia Council for the term expiring February 1, 1972.

HOUSE OF REPRESENTATIVES—*Tuesday, March 11, 1969*

The House met at 12 o'clock noon.

Rabbi Aharon Shapiro of Congregation Anshe Chesed, Linden, N.J., offered the following prayer:

Almighty G-d, Supreme Ruler of all nations, we invoke Thy blessings upon the honorable Members of the Congress.

We pray Thee, grant them wisdom and guidance in their weighty deliberations; enable them to legislate on behalf of justice, democracy, and brotherhood.

Help them to eradicate intolerance, prejudice, and malice from our midst.

Inspire those who stand at the helm of our Ship of State to continue with their noble efforts to make these United States a powerful leader in the cause of world peace and freedom.

Hasten the day when the words of Thy prophets shall be fulfilled for every country in the world—when the work of righteousness shall be peace, and its effect, tranquillity and security forever; when nation shall not lift up sword against nation, neither shall they learn war anymore. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a joint resolution of the following title, in which the concurrence of the House is requested:

S.J. Res. 37. Joint resolution to extend the time for the making of a final report by the Commission To Study Mortgage Interest Rates.

AN ANALYSIS OF THE 1969 ELECTRIC POWER RELIABILITY BILL

(Mr. MOSS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous material.)

Mr. MOSS. Mr. Speaker, on February 18 when I introduced H.R. 7016, the electric power reliability bill of 1969, I promised to supply a detailed analysis of the bill at an early date. Such an analysis has now been completed, and I am herewith placing it in the CONGRESSIONAL RECORD under leave to extend my remarks:

Section-by-Section Analysis of the Electric Power Reliability Bill of 1969

PRELIMINARY STATEMENT

The Electric Power Reliability bill of 1969 introduced on February 18, 1969, by Cong. John E. Moss (H.R. 7016), and Cong. Richard L. Ottinger (H.R. 7052), and 38 other Members of Congress incorporates, with substantial revision and new material, the principal features of three bills of the 90th Congress, viz., (1) the bill drafted by the Federal Power Commission which was transmitted to the Speaker of the House and President of the Senate on June 8, 1967, (2) the bill introduced by Cong. Moss on August 14, 1967, and (3) the Kennedy-Ottinger bill introduced on January 30, 1968.

Legislative history in the 90th Congress

The FPC bill was introduced in the House on June 8, 1967, by Cong. Staggers as H.R. 10727. His statement, with a copy of the letter of transmittal from the Chairman of the Federal Power Commission and the enclosure thereto entitled "The Electric Power Reliability Act of 1967—a Short Explanation," appears on pages 15229–15230 of volume 113, part 11, of the permanent edition of the Congressional Record. The same bill was introduced on the same day by Cong. Macdonald, as H.R. 10721 (113 Cong. Rec. 15233).

The FPC bill was introduced in the Senate by Sen. Muskie (on behalf of himself, Sen. Magnuson and 9 other Senators) on June 12, 1967, as S. 1934. Their explanatory statement appears at 113 Cong. Rec., Part 12, 15321–15328, together with copies of the text of the bill and the letter of transmittal from the FPC Chairman with its enclosures entitled, "The Electric Power Reliability Act of 1967—a Short Explanation" and "Analysis of Proposed Electric Power Reliability Act of 1967."

Congressman Moss's statement on introducing his bill (H.R. 12322) appears at 113 Cong. Rec., Part 17, 22513–22519, with two insertions entitled, respectively, "Line-by-Line Comparison of H.R. 12322 with FPC bill" and "Explanation of Differences Between the Electric Power Reliability Bill Introduced by Congressman John E. Moss and the Draft Bill which the FPC Transmitted to Congress on June 8, 1967."

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Cong. Ottinger's speech, on introducing the Kennedy-Ottinger bill in the House (H.R. 14971), appears on pages H575–582 of the daily issue of the Congressional Record for January 30, 1968, with an insertion in tabular form entitled "Comparison of Proposed Electric Power Reliability Acts—H.R. 10727—H.R. 12322—H.R. 14971."

Senator Edward M. Kennedy's speech introducing the Kennedy-Ottinger bill in the Senate (S. 2889) appears at pages S611–621 of the daily Record for January 30, 1968, accompanied by the text of the bill and a tabular comparison with the earlier versions similar to the one inserted by Cong. Ottinger.

Hearings were held before the Senate Committee on Commerce on S. 1934 and related bills on August 22, December 20 and 21, 1967, and April 26 and 29, 1968, and printed in three parts with the designated Serial 90–30. A hearing was held on H.R. 10721 and related bills before the House Committee on Interstate and Foreign Commerce on December 5, 1967. It has not been printed.

Legislative history in the 91st Congress

Cong. Moss's statement introducing the 1969 bill (H.R. 7016) in the House appears at pages H993–996, and Cong. Ottinger's statement introducing the identical bill H.R. 7052 appears at pages E1110–1111, of the daily Record for February 18, 1969. Sen. Kennedy's speech introducing the same bill (S. 1071) in the Senate appears at pages S1707–1713 of the daily Record of the same date, accompanied by the text of the bill.

ANALYSIS

Sec. 1 states the name of the bill.

Sec. 2 states the purposes of the act. In subsection (a), Congress makes findings that increased reliability in the generation and transmission of electricity is necessary for national defense, commerce, and the general welfare of people of the United States, and that there must be increased coordination in the generation and transmission of electric power within and between regions of the country.

In subsection (b) Congress also finds that the preservation and enhancement of the environment, conservation of natural resources, and strengthening of long-range land-use planning, are vital to the health and welfare of the people of the United States, and that actions taken pursuant to the act should be consistent with such goals.

Thus, Section 2 indicates that Congress, in exercising its constitutional authority, is concerned not only with the transmission of power in interstate commerce (see sec. 201(c) of present Federal Power Act) but also with the effect of power supply upon interstate commerce, the national defense, and the general welfare of the people.

Sec. 3 adds to the Federal Power Act (16 U.S.C. 791–825r) a new Part IV, consisting of fifteen new sections, as follows:

Sec. 401 is entitled "Regional Coordination Application and objectives of part; definitions."

Subsection (a) provides that the new Part IV of the Federal Power Act shall apply to all persons who own or operate bulk power supply facilities in the United States. Previous versions stated it applied to "all bulk power supply systems"—a term not defined in the act. The new terms "persons" and "bulk power supply facilities" are expressly defined later in section 401.

Subsection (b) sets out the objectives of Part IV, which in general terms are to further the national policy, declared in existing section 202(a) of the Federal Power Act, of assuring an abundant supply of electric energy throughout the United States with the greatest possible economy and consistent with the proper utilization and conservation of natural resources. The statement of the national electric power policy is modified to make clear that the proper utilization and conservation of natural resources include the preservation and enhancement of the environment and strengthening of long-range land-use planning and that the term "natural resources" includes scenic, historic, and recreational assets, i.e., esthetic values, as well as the economic values long associated with the term. Furtherance of the national policy would be accomplished—

By enhancing the reliability of bulk power supply;

By strengthening existing mechanisms for coordination in the electric utility industry and establishing new ones;

By encouraging comprehensive development of power resources of each area and region of the United States so as to take advantage of advancing technology while maintaining proper regard for conservation of natural resources;

By providing that all utility systems and their customers have access to the benefits of coordination and advancing technology on fair and reasonable terms;

By assuring as far as feasible that extra-high-voltage facilities include sufficient capacity to meet area, regional and interregional needs for generating and transmission capacity, including the reserve capacity needed for reliability; and

By drawing on the cooperation of all segments (public, private and cooperative) of the electric utility industry.

Subsection (c) defines the term "person" for purposes of Part IV to include not only a "person," "municipality" or a "State" as defined in section 3 of the Federal Power Act, but also any department, agency, or instrumentality of the United States. It thus makes clear that the term "person" covers all "persons", whether privately, cooperatively, Federally or otherwise publicly owned.

Subsection (d) defines "bulk power supply facilities" as "facilities for generation or transmission of electric power and energy." The original FPC bill restricted the term to such facilities "which furnish power to points of distribution"—a definition which might exclude auxiliary equipment which energizes starting motors and fuel pumps—facilities of the utmost importance to reliability of bulk power supplies. The change does not extend FPC jurisdiction to local distribution facilities, which will remain exempt under sec. 201(b) of the Federal Power Act. The subsection also gives the FPC authority to exempt from its jurisdiction additional facilities not material to the objectives of the Part, for example, generators owned by an industrial enterprise and used exclusively to supply its own energy requirements.

Subsection (e) defines "extra-high-voltages facilities." In the original FPC bill, the term meant only transmission lines and associated facilities designed to be capable of operation at a nominal voltage higher than 200 kilovolts between phase conductors for alternating current, or between poles in the case of direct current, the construction (this bill adds "extension, or modification") of which is commenced two years or more after enactment of Part IV. The 1969 bill also includes "generating units or plants and associated facilities designed to be or capable of being operated at a capacity of 200 megawatts or more, the construction, extension or modification of which is commenced four or more years after enactment of this part." FPC supervision over the design and siting of large generating plants as well as transmission lines is an obvious necessity for the full implementation of regional coordination, adequacy of bulk power supply, and environmental protection envisaged by the bill.

Sec. 402 is entitled "Relation to Other Parts." Subsection (a) makes clear that the new Part IV supplements, and does not supersede, the existing Parts I, II and III of the Federal Power Act. It specifically states that actions taken pursuant to any part, including the hydroelectric licensing provisions of Part I, shall be consistent with the enhancement and preservation of the environment and the conservation of natural resources, including scenic, historic, and recreation assets, and long-range land-use planning. This codifies the ruling of *Scenic Hudson Preservation Conference* v. *F.P.C.*, 354 F. 2d 608 (C.A. 2d, 1965), cert. den. *sub. nom. Consolidated Edison Co. of New York* v. *Scenic Hudson Preservation Conference*, 384 U.S. 941 (1966).

Subsection (b) makes the administrative, procedural, enforcement, rehearing, and court review provisions prescribed by other parts of the Federal Power Act applicable to Part IV, to provide the legal framework into which the specific FPC powers and procedures called into being by the new part are to be fitted.

Sec. 403 entitled "Cooperation of Bulk Power Supply Systems," expresses the policy that the purposes of Part IV should be attained insofar as possible by cooperation among all entities engaged in bulk power supply, their customers, and all those affected by bulk power supply. While the measure of initiative available for the FPC to take actions on its own motion is expanded by the new Part IV, the primary emphasis is on expanded public participation in actions first proposed by the electric power industry itself. The bill recognizes the expertise of individual utilities' engineering departments and managements, while seeking to broaden their views through exchange of technical and economic information among themselves, irrespective of whether they are investor-owned, government-owned, or cooperatively-owned. It seeks to encourage managements' own initiative and make it more responsive to present-day public needs.

Sec. 404, entitled "Regional Power Coordination Organizations," establishes the organizations that would bear the initial responsibility for electrical coordination.

Subsection (a) first provides that, after consultation, under procedures that would be prescribed by the FPC, with persons engaged or interested in bulk power supply, and with appropriate Federal agencies and State commissions, the FPC would secure the establishment of appropriate and effective regional organizations and procedures to carry out regional and interregional coordination with full participation by all segments of the electric utility industry in the region. These organizations, or "regional councils," would be open to membership by each electric system in the region regardless of the nature of its ownership. In appropriate cases, a system could belong to more than one regional council. The Commission would designate representatives from among its staff, who would participate in all aspects of the regional councils' work except the ultimate adoption of plans or any other council actions. State regulatory commissions in the region also would be invited to designate staff representatives for the same purpose.

Administration of the provisions of section 404 might vary with the circumstances of time and place, and with the degree to which regional and interregional coordination had progressed.

The persons within each region that are engaged in bulk power supply or distribution of electric energy would create a regional council, which would be fairly representative of all such persons, and provide the council with sufficient funds to carry out its functions (including the employment of bulk power experts and other permanent staff). Representation on the council might be by individual entities, or by groups of such entities, at the option of each individual entity. Each major bulk power supplier should probably be individually represented. To keep the total number of representatives and expenses down to reasonable and efficient dimensions, groups of distributors and small suppliers might wish to share single representatives. Voting rights and responsibility for sharing regional council expenses should probably be divided by a formula which gives substantial weight to the number of customers or size of load served by the various members of the regional council.

Subsection (b) directs each regional council to file with the Federal Power Commission a statement of its organization. Such statements would include, among other matters, the following:

(1) The number of representatives and the persons or groups represented by each;

(2) How the council would arrive at final decisions, and a fair and reasonable method of hearing and publishing minority views;

(3) Its rules or by-laws;

(4) Its methods for notifying and consulting with the Commission and the State commissions of the States wholly or partly within the region, as well as the electric systems within the region;

(5) Such other information as the Commission requests.

Statements of organization would be filed with the FPC and kept available for public inspection during normal office hours at the Commission's office in Washington and at some convenient place, designated by the Commission within the region affected. In selecting such depository within the region, the Commission would undoubtedly consult with the State commissions in the region, and would consider establishing the depository either at its own regional office or at the office of one of the State commissions in the region. The Commission would publish notices in the Federal Register concerning the filing of such statements of organizations.

On submission of a statement of organization the Commission could call for consultation on any aspect of the statement it considered inconsistent with the objectives of Part IV or the proper functioning of the council, and could propose alternatives or modifications. The Commission might also determine by order, after public notice and opportunity for public hearing, whether the statement was consistent with the objectives of Part IV, and if not, modify it or set it aside.

On approval of its statement of organization, the regional council could be expected to undertake the following duties:

(1) to prepare and keep current a forecast of the electrical needs of the region in which it functions, covering a reasonable period of years in the future. The forecast would indicate what generation and transmission facilities are needed during such period to achieve the most efficient, economical, and reliable interconnection of the region, as well as appropriate interconnection and coordination between regions.

(2) to conduct stability studies for its region, contemplating both present loads and the loads forecast under the preceding paragraph.

(3) to develop appropriate criteria for reliable planning and operation of bulk power facilities for recommendation to the Commission under section 409 of the bill.

(4) to prepare outline plans for generation, transmission, and interconnection within the region (and to adjacent regions) which are best adapted to the reliability and power needs of the region.

(5) to develop plans for the coordinated operation of generation and transmission facilities of the region (and of future or presently possible coordination with other regions). These plans would include provisions for automatic load shedding and other emergency procedures, regulation and inspection of system control devices, and provisions for restoration of service after an outage, as well as plans for operation under normal conditions.

(6) to encourage and strengthen existing coordinating organizations within the region and new organizations where appropriate.

(7) to provide a forum wherein projects for construction of bulk power facilities can be examined by all persons engaged in bulk power supply or in distribution of electric energy who would be affected by such projects, so that modifications and legitimate objections thereto could be suggested and discussed at the earliest practicable stage.

(8) to give at least preliminary consideration to land use problems raised by construction proposals, and to consult, where appropriate, with local, State, interstate and Federal agencies having an interest in these problems.

(9) to consult with other regional councils on common problems and possibilities for interregional coordination.

(10) to do all other things necessary and appropriate for the most efficient development, coordination and use of the power resources of the region.

Subsection (c) provides that any regional or interregional coordination plan developed by a regional council must be submitted to the FPC within 30 days of its adoption by such council. The bill anticipates that the FPC would prescribe rules and standards for the form and contents of coordination plans and amendments thereto. The Commission would keep all plans submitted to it available for public inspection at its office and a convenient place in each region affected. In exercising its responsibilities under all parts of the Federal Power Act, including Part IV, the FPC would consider the coordination plans submitted by the regional councils, in the light of the statutory objectives and the comments of the councils developing them, their members, and the public. The FPC might confer with a council on any aspect of its plan which appeared to require modification, in order to secure the council's consent to such modification. After notice and opportunity for hearing, the FPC would be empowered to determine on the record whether any coordination plan submitted to it was consistent with the objectives of Part IV, and if it determined that the plan was not consistent with those objectives or not in the public interest, would be required to modify it or set it aside. Such plans would provide guides to operations and planning for the electric systems of the regions affected immediately upon their submission to the FPC, subject to being suspended if the National Council on the Environment filed an objection within 90 days (see sec. 405(c) and (f)). Thus, in the absence of National Council objection, or FPC objection, a formal order of approval or a hearing, would not be a prerequisite to the effectiveness of a coordination plan.

Subsection (d) directs the Commission to require annual reports from each regional council, and such additional reports as it may deem necessary or appropriate to carry out the objectives of Part IV. Since planning is a nearly continuous process, such reports would facilitate the Commission's knowledge of the current status of the Council's work.

The reports, like statements of organizations and coordination plans, would be public documents, and would be kept available for public inspection both at the Commission's offices in Washington and at a convenient place in each region affected. The Commission would in turn report to Congress annually on the effectiveness of the efforts at regional and interregional coordination made by the regional councils.

Subsection (e) would allow the Commission, if it found, after notice and opportunity for hearing, that any person engaged in generation or transmission of electric energy unreasonably refused to participate in the creation of a regional council, in effective regional or interregional coordination, or in paying its fair share of council expenses, to order such participation as it found necessary to carry out the objective of Part IV. The Commission would expect to utilize such compulsory powers only after failure of reasonable attempts to persuade the person concerned to take part voluntarily in the creation, expenses, or work of a regional council.

Subsection (f) specifies the procedure for amending statements of organization and coordination plans. Amendments originated by a regional council would be processed exactly as original statements or plans. The FPC, however, on its own motion or pursuant to a complaint received, might initiate an amendment. Amendments initiated by the Commission could become effective only by formal order, following notices and opportunity for hearing.

Sec. 405 is entitled "National Council on the Environment." This section would establish a new agency, independent of the FPC, to review and report upon the probable effect upon the environment of proposed electric utility industry construction and operations.

Subsection (a) establishes the National Council and describes its make-up. It would consist of five experts in such areas as conservation, environmental sciences, esthetics, or land-use planning. The members would be appointed by the President, with Senate confirmation, for 3-year staggered terms. To enhance the independence of the National Council, it would elect its own chairman from among the members, to serve in such office until the expiration of his current term as a member. Not more than three members could be appointed from the same political party, but the President would be encouraged to appoint persons from the scientific and esthetic communities who have no partisan political affiliations. The same provisions against conflict of interest by stock ownership, etc., in electric utililites, provided by section 1 of the Federal Power Act with respect to commissioners of the FPC, would be applicable to members of the National Council on the Environment. The position of member of the National Council would be a full time one, compensated at the same level as FPC commissioners or assistant secretaries of the cabinet departments. The chairman's salary would be at the same level as that of the chairman of the FPC. The National Council would be authorized to delegate executive and administrative functions to the Chairman, and to permit him to redelegate any such functions to employees of the Council. The Council would have authority to adopt rules and regulations for the conduct of its business.

Subsection (b) sets out the primary duty of the National Council on the Environment. It would be to review coordination plans submitted under subsection 404(c), and proposals to construct, extend, or modify extra-high-voltage facilities presented under section 410, of the Federal Power Act as amended by this bill, and in addition to review applications for Federal water power licenses governed by Part I of the existing Federal Power Act. The review would be for the purpose of ascertaining whether such plans, proposals, applications (or amendments to any of them) are consistent with the goals of environmental enhancement, conservation, and strengthened long-range land-use planning set out in subsection 2(b) of the bill, discussed above.

Subsection (c) requires the National Council to file a report of its review of any coordination plan or application for a hydropower license with the Federal Power Commission within 90 days of service upon it of the plan or application. The period could be extended, for cause, only by the FPC. If the National Council found the plan or application (or amendment thereto) inconsistent with the objectives of environmental enhancement, conservation, or strengthened long-range land-use planning, it would be authorized to file an "objection" with the FPC. The effect of an objection is covered in subsection (f), described below.

Subsection (d) requires National Council review of extra-high-voltage proposals and modifications thereof, presented under section 410 of the act as amended by this bill. The procedures, scope and objectives of the review, and the effect of a council "objection" to any proposal, would be identical with

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those provided under subsection (c), above; but the National Council would have six months rather than 90 days to submit its reports to the FPC on original extra-high-voltage proposals.

Subsection (e) provides that the National Council shall have full access to all information relevant to any matter under its review, which is available to the FPC, and such other information as the National Council deems necessary for its work.

Subsection (f) states an objection filed by the National Council with the FPC would have the effect of a suspense order issued by the FPC under section 410 of the act as amended by this bill—that is, no work could proceed on the sites of the proposed facilities to be constructed under the coordination plan, hydropower application, or extra-high-voltage facilities proposal until and unless the FPC, by formal order after notice and opportunity for hearing, overrules such objection. In the case of extra-high-voltage facilities, National Council objections will also suspend for the same period the proponent's power of eminent domain to take without the landowner's consent sites and right-of-way for the proposed facilities.

Subsection (g) provides that the National Council may be a party in any proceeding before the FPC in which it has filed a report or objection. If aggrieved by the FPC's disposition of the matter involved in the proceeding. The National Council may seek rehearing, and if still dissatisfied, judicial review. Subsection (i) would permit the National Council to appear before the FPC, and in the courts on judicial review, by its own attorneys. See further discussion under (i), below.

Subsection (h) contains four paragraphs setting out the authority of the National Council to hire employees, engage consultants, enter into contracts, and cooperate with government agencies, educational institutions and others. Maximum flexibility is granted to facilitate the Council's carrying out of its functions.

Subsection (i) would further the independence of the National Council by providing the special authorization contemplated in 28 U.S.C. (1964 ed. Supp. III) secs. 516, 519, and 547 for permitting attorneys appointed by the Council, acting at its direction, to represent the Council in any administrative proceedings or in court.

Sec. 406 is entitled "National Electric Studies Committee." This section would require the FPC, after consulting with the regional councils, to establish a national committee representative of all elements of the electric industry, including manufacturers and construction firms as well as utilities. This committee would facilitate interregional exchange of views and experience, and would consolidate the industry's efforts to investigate major present and future problems in the planning and operation of bulk power supply facilities. It would also seek to stimulate interest among scientists and engineers in the challenges of achieving reliable and efficient bulk power supply and protecting and enhancing the environment.

Sec. 407 entitled "Advisory Boards," would allow the Commission to establish one or more advisory coordination review boards and to provide for appointment thereto of experts from the electric utility industry, the equipment manufacturers, and the academic and research communities, and of other persons (not Commission employees) drawn from the general public. These boards would assist the Commission in considering matters coming before it under Part IV. They might, for example, review National Council recommendations from a practical industry viewpoint, as well as aid the Commission's understanding of environmental issues.

Sec. 408 entitled "Coordination agreements," would require, subject to such rules as the Commission might prescribe, that all written agreements and written statements of all oral agreements for coordinated planning or operation of bulk power supply facilities be lodged with the Commission and kept available for public inspection in its office and in each region affected. The requirement would include, but not be limited to, agreements for joint ownership of such facilities. Since many, but not all, such agreements would be subject to section 205 of the Federal Power Act, the Commission's rules should prevent double filing in such cases.

Sec. 409 entitled "Reliability standards" provides that, on the recommendation of a regional council or on its own motion, and after consultation with the regional councils, and after public notice and opportunity to comment, the Commission must issue rules setting forth reasonable criteria for the planning and operation of bulk power supply facilities in order to increase their reliability. Such rules might apply to a particular region or regions, or be of nationwide scope. As specified in section 402(b), the existing provisions of Part III of the Federal Power Act would be available to enforce compliance with such rules.

Section 410 is entitled "Extra-high-voltage facilities: notice of proposed construction: suspension." This section deals with extra-high-voltage (EHV) facilities, which are defined in section 401(e). By virtue of that definition, section 410 will not apply to EHV transmission lines whose construction, extension or modification starts earlier than two years after the enactment of Part IV, or to generating plants of less than 200 megawatts, or to generating units or plants of 200 megawatts or more whose construction, extension or modification starts earlier than 4 years after enactment of the new Part.

Subsection (a) would require any person proposing EHV construction, extension, or modification to which Part IV applies (the "proponent") to file a detailed proposal with the FPC. The proposal would include a map, for rapid public recognition of the area to be affected by the transmission line or generating plant, and such information as the FPC may require in order to determine whether the proposal is consistent with applicable regional coordination plans and consistent with the objectives of Part IV. The filing would also state whether the proponent intended to seek rights-of-way under section 411, which provides for Federal eminent domain and the securing of easements on Federal lands. Copies of the proposal would be kept available for public inspection at the FPC's Washington office and in each region affected. Notice of the filing and of subsequent changes would appear in the Federal Register, be served on the National Council on the Environment, affected regional coordination councils, other entities and persons as determined by the FPC, and would be distributed to the press and other media of the regions affected. The notice would set forth a summary of the proposal, the places where verbatim copies are available for public inspection, and the latest date, not less than 90 days after publication of the notice in the Federal Register, for any person who deems himself interested to file comments or objections.

Subsection (b) prohibits construction of the proposed facilities (1) until 6 months after publication of notice of the proposal in the Federal Register, (2) as long thereafter as a suspense order remains in effect against them, and (3) permanently thereafter if the FPC disapproves the proposal. A suspense order must be issued within 6 months: by the FPC if the proposal appears inconsistent with an applicable regional coordination plan or if the proponent is seeking right-of-way under section 411; or by the National Council on the Environment, in the form of an objection as a result of its review under section 405. Suspense orders shall recite the reasons for their issuance and shall stay in effect until the FPC issues an order approving or disapproving the proposal. Where no suspense order is issued within 6 months of publication of notice of the proposal in the Federal Register, the proponent may commence construction at the end of the 6-month period without necessity of formal FPC approval.

Subsection (c) provides for a form of conditional approval by the FPC of proposals against which a suspense order has been issued. Conditional approvals will be given by FPC order stating the specific modifications the FPC deems necessary to make the proposal acceptable. Such orders shall be kept available for public inspection, and notices thereof shall be published, served, and distributed in the same manner required by subsection (a) for original proposals. If within 90 days of publication in the Federal Register of the conditional approval order, the changes recommended by the FPC are accepted by the proponent, and no one objects, the FPC must approve the proposal as modified and terminate the suspense order. The suspense order, however, may not be terminated less than 6 months after publication in the Federal Register of notice of the original proposal. If, within 90 days of publication of notice of the FPC's conditional approval order, the proponent does not accept the recommended changes, or someone objects, or the FPC schedules the matter for formal hearing, the suspense order must remain in effect.

Subsection (d) states that, except as provided in subsection (c), above, the FPC may not approve or disapprove a proposal against which a suspense order has been issued without notice and opportunity for public hearing. This provision insures that no suspense order can be terminated by lapse of time or surreptitiously. This subsection, however, gives the proponent of a suspended proposal the right to demand public hearing within 13 months after issuance of the suspense order, or 30 days following the expiration of any period allowed for the National Council or the public to submit comments, whichever is later. Thus the act contemplates that suspended proposals must be voted up or down by the Commission with reasonable promptness; indefinite suspension is impossible over the proponent's objection.

Subsection (e) amplifies criteria for approval of EHV proposals, and further states that even if a proposal meets these criteria, it is not to be approved if the FPC has knowledge of a reasonable alternative which is clearly preferable from the standpoint of environmental enhancement, conservation, or strengthening long-range land-use planning.

Subsection (f) adapts to a modern setting the ancient principle of public utility law, that the property rights of persons who devote their property to public use must yield, under adequate safeguards against confiscation, to the public interest. In line with other provisions of the bill, it regards the various regulated entities' EHV facilities, not as their particular empires, but as part of a national electric utility system. Thus, the FPC is required to include in its orders approving EHV proposals provisions permitting other persons, upon payment of just compensation, to use the transmission and generating capacity in the proponent's facilities which are in excess of the proponent's needs. The FPC is also empowered, under the procedures of section 410, to authorize other persons, at their own expense, to enlarge EHV facilities constructed, extended or modified by proponents pursuant to such section, and to utilize the enlarged capacity for the generation and transmission of electric energy. These provisions would (a) increase reliability by making it more feasible to build facilities with increased reserve capacity that would be available in an emergency; (b) ultimately give consumers of electricity access to the economies of scale, which result from larger plants and lines, regardless of the size or ownership of the particular electric utility which serves them; and (c) prevent needless desecration of the environment by a prolif-

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eration of smaller facilities. The FPC is to have authority to hear and decide all disputes arising under subsection (f), subject to judicial review, as provided by section 402(b).

Subsection (g) empowers the FPC in specified emergencies to authorize construction of EHV facilities in advance of compliance with all provisions of sections 405 (pertaining to review by the National Council) and section 410. Eventual compliance may not be dispensed with; and facilities built under emergency authorization pursuant to this subsection must be removed at the termination of the emergency, at the owner's expense, if they are ultimately disapproved. Under the bill it will be entirely voluntary with the proponent whether he chooses to construct under emergency authorization in advance of full approval of his proposed EHV facilities; and the risk of having to remove the facilities is one he must take if he chooses to construct under emergency authorization.

Sec. 411 is entitled "Right-of-way for extra-high-voltage facilities: eminent domain."

Subsection (a) reaffirms the national policy declared by section 18 of the Federal Aid Highway Act of 1968 that special effort should be made to preserve the natural beauty of the countryside, public park and recreation lands, wildlife and waterfowl refuges, and historic sites. It would prohibit the use of park, recreation, wildlife refuge, and historic site land for extra-high-voltage facilities unless there is no feasible and prudent alternative to such use, and even then would require all possible planning to minimize the harm.

Subsection (b) prohibits the condemnation of State, municipal and private lands and interests in land, and the acquisition of easements on Federal land, for sites and rights-of-way for EHV facilities before the time when construction of such facilities is permitted by section 410. This provision is based on the premise that allowing utilities to condemn land for proposed facilities which they may ultimately be banned from building, because not in the public interest, would make a mockery of National Council and FPC review of EHV proposals. Acquisition of State, municipal, and private lands by negotiated purchase is not prohibited.

Subsection (c) provides that when construction of proposed EHV facilities has been authorized pursuant to section 410, then the proponent may acquire right-of-way over Federal land, and may exercise its power to acquire right-of-way over State, municipal and private land by condemnation under State law if it has such power, or, if the proposal approved under section 410 expressly stated such intention, by exercise of the Federal power of eminent domain. A proviso follows to protect persons who raised objection to the proposed site or routing of the approved EHV facility in the FPC proceedings. When such person is party to the condemnation case, the plaintiff utility must point to the Commission's record and show that it, as proponent before the FPC, proved the part of its proposal to which that party's objection was raised was the best of all feasible and prudent alternatives.

Subsection (d) regulates use of the Federal power of eminent domain by proponents of approved EHV facilities to obtain State, municipal or private land for construction of such facilities. The proponent must first try to secure the desired property by contract. He can resort to Federal eminent domain only if he is unable, after reasonable negotiation, to obtain the property at an agreed price. If a party to the Federal condemnation action is a person who raised timely objection to the routing before the FPC, the proviso of subsection (c), described above, would also apply. The condemnor, whether or not it be a Federal agency, could use the declaration of taking procedures of 40 U.S.C. secs. 258a, 258b, and 258d, to gain immediate title to the land and, in the discretion of the court, the possession thereof. But such use of a declaration of taking would be at the peril that if the condemnor fails to prove all aspects of its case at trial, it may have to return the property and pay damages to the dispossessed owner.

Subsection (e) governs the granting of rights-of-way over Federal land. It will provide the exclusive authority for such rights-of-way for EHV facilities as defined in subsection 401(e), superseding *pro tanto* all other laws authorizing right-of-way grants over areas included in the defintion of "Federal lands" given in subsection (f), below.

Such rights-of-way will be granted by the FPC rather than by the agency administering the Federal land affected. The grants will be either for a limited term of not more than 50 years, or without limit as to duration. If the FPC places no limit on the duration of the grant, however, it will retain jurisdiction, at intervals of not less than 10 years, after notice and opportunity for hearing, to modify or add to the terms and conditions of the grant, as it deems necessary in the public interest.

In the case of Federal lands other than Indian reservations, the subsection requires notice to the department or agency administering the land affected, so that it may effectively and promptly submit its comments or protests to the FPC. In the case of Indian reservations the subsection requires consent of the tribe having jurisdiction before any right-of-way may be granted. In the case of tribes organized under the Indian Reorganization Act, such consent is now required by statute (25 U.S.C. 476). In the case of all other tribes such consent is now required either by regulations of the Department of the Interior (25 CFR 161.3(a)), or by treaty. To abandon this requirement would be contrary to the current national policy of vesting Indians with increased responsibility for management of their own affairs and would approach a breach of faith by Congress.

All rights-of-way would be granted on three mandatory conditions:

(1) Payment of just compensation for the right-of-way grant, to be made to the administering agency of the land affected, or in the case of Indian reservations to the Tribe having jurisdiction.

(2) Prompt payment by the right-of-way holder of special damages (not included in the initial just compensation) to anyone whose land, improvements, timber, or crops are harmed by the holder, his successors in interest, or his contractors, in the course of use of the right-of-way or as a result of the construction, operation or maintenance of the facilities thereon. Such special damages, for example, might include payment to individual Indians for their homes or crops or tribal land which are destroyed when the right-of-way is cleared, or payment to Forest Service permittees for injuries to their summer cabins in National Forests. Special damages might, of course, also become payable to the owner of the land underlying the right-of-way, i.e., the Federal Government or an Indian tribe, when injury occurs of a kind not contemplated when the initial just compensation for the grant was fixed.

(3) Such reasonable land use conditions relating to nonpower matters as the department or agency administering the land affected by the right-of-way (or the Indian tribe having jurisdiction, in case of Indian reservation land) might require. The FPC could by regulation specify a reasonable time prior to issuance of the right-of-way grant for the department, agency, or tribe to file with it such proposed conditions, but if timely filed would be under a mandatory duty to include them in the grant.

The right-of-way grants would also be upon such additional conditions as the FPC might in its discretion prescribe. These conditions would ordinarily have to do with power matters, but they might concern environmental or other values suggested to the FPC by the National Council, State or local officials or the public, or raised on its own motion.

Just compensation for right-of-way across Federal land would in each case be stated by the FPC in its granting order or in a supplemental order. If the proponent and the agency administering the land underlying the right-of-way, or in the case of an Indian reservation the tribe having jurisdiction, promptly agreed on the amount, the FPC would be bound by the agreement. If the parties, however, did not agree within a reasonable time, the FPC, in the case of non-Indian land would afford the agency and the proponent an opportunity for hearing and proceed to determine the compensation. In the case of Indian reservation land, however, the FPC would not be authorized to use this procedure unless the proponent and the tribe agreed upon it in advance. No right-of-way over tribal land in an Indian reservation could be granted, therefore, unless the tribe having jurisdiction agreed in advance with the proponent either (1) on a definite amount of compensation, or (2) to submit the matter of compensation to FPC hearing, or (3) with the approval of the Secretary of the Interior, to have the compensation determined by some stipulated form of appraisal or arbitration. Just compensation would be payable, at the option of the agency or tribe, either in a lump sum in advance for the duration of the grant but in no event for more than 50 years, or in the form of annual charges. Lump sum compensation would be redetermined at 50 year intervals, and annual charges at 10 year intervals, in accordance with the same procedures applicable to the initial determination of compensation. Where Indian reservation land was involved, unless the tribe agreed upon the manner of redetermination, either at the time of giving its original consent to the right-of-way grant or at some subsequent time, the right-of-way would terminate on the redetermination date in the absence of a new agreement between the tribe and the holder on future compensation.

Claims for special damages would be adjudicated by the courts in the absence of agreement between the right-of-way holder and the claimant. Failure of the holder promptly to pay agreed or adjudicated special damages, however, would be a breach of condition of the grant, and cause for its cancellation under subsection (h), below.

Subsection (f) defines "Federal lands" as the "public lands" and "reservations" referred to in section 3 of the existing Federal Power Act (16 U.S.C. 796), but somewhat broadens the exemption of National Park Service lands from the FPC's jurisdiction to grant rights-of-way. Section 3 of the existing act defines "public lands" and "reservations" as follows:

> (1) "public lands" means such lands and interest in lands owned by the United States as are subject to private appropriation and disposal under public land laws. It shall not include "reservations," as hereinafter defined;
>
> (2) "reservations" means national forests, tribal lands embraced within Indian reservations, military reservations, and other lands and interests in lands owned by the United States, and withdrawn, reserved, or withheld from private appropriation and disposal under the public land laws; also lands and interests in lands acquired and held for any public purposes; but shall not include national monuments or national parks;

The Electric Power Reliability bill of 1969 would forbid the FPC to grant EHV rights-of-way not only in National Parks and National Monuments, but also in any other areas administered by the National Park Service except National Parkways, National

Recreation Areas, and recreation areas administered by the National Park Service under cooperative agreements with other agencies. National Parkways are landscaped roadways, which may be hundreds of miles long. While it would be unreasonable to ban EHV lines from crossing these long narrow strips, and the bill would not do so, there is no intention of permitting transmission lines to be built along the length of any National Parkway. National Recreation Areas and recreation areas administered by the National Park Service under cooperative agreements frequently surround large power dams and reservoirs, and preservation of the natural environment is not their primary purpose. Hence the bill imposes no restrictions on EHV rights-of-way in such areas.

Subsection (g) defines "right-of-way" as including sites for generating plants and auxiliary installations as well as easements for transmission lines.

Subsection (h) authorizes the FPC, after notice and opportunity for hearing, to cancel any right-of-way granted under section 411 over Federal land, for failure to correct any default in observance of a condition of the grant within a reasonable time after notice of such default. An implied condition of each grant under section 411 would be that the grantee and his successors in interest use the right-of-way for purposes of constructing, operating, and maintaining EHV facilities and for no unrelated purpose. Hence abandonment of the right-of-way or using it for unrelated purposes would be grounds for cancellation. The FPC will be expected to adopt procedural regulations to implement subsection (h). Such regulations might authorize the Federal agencies or Indian tribes administering lands underlying rights of-way, as well as the FPC on its own motion, to serve notices of default upon right-of-way holders, and might require notice of proposed cancellation hearings to be served upon such agencies and tribes as well as upon the holders. Such regulations might also authorize the agencies and tribes to demand hearings, and to participate in them as parties, upon showing probable cause to the FPC that a previously noticed default has gone uncorrected.

Subsection (i) expressly provides that nothing in the Electric Power Reliability bill shall repeal or modify any provision of the Wilderness Act (16 U.S.C. 1131) or any statute implementing it. That act contains various restrictions on man-made structures in wilderness areas as defined therein.

Sec. 412, entitled "Compulsory interconnections," would permit the Commission, after notice and hearing, to direct any person engaged in generation or transmission of electric energy to establish physical connection of its facilities with those of another person or persons engaged in generation, transmission or sale of electric energy, to sell energy to, exchange with, or transmit energy for, such person. The Commission could do so on its own motion or on complaint, but would have to find that no undue burden would be imposed on the respondent by the interconnection order. It would also have to find that this action was necessary or appropriate to carry out the objectives of Part IV. The Commission could prescribe the terms and conditions of the arrangement to be made between the parties affected by the order, and the compensation to be paid by one to the other. If the order contemplates construction, extension or modification of EHV facilities, all the procedures and requirements of sections 405 and 410 must be followed. Section 412 would not modify or repeal any provision of any Federal power marketing statute. Hence, among other things, it would not authorize the FPC to disregard a clause in any such statute affording publicly-owned or cooperative utilities or consumers preferential rights to purchase Federally-generated electricity.

Sec. 413, entitled "Abandonment," would prohibit the abandonment of any bulk power supply service, or of any part of a person's bulk power supply facilities, if the effect would be abandonment, curtailment or impairment of bulk power service, without the advance approval of the FPC. Approval could be granted after notice and opportunity for hearing, on a finding that the abandonment or curtailment would be consistent with the objectives of Part IV. This section is similar to section 7(b) of the Natural Gas Act, 15 U.S.C. 717f(b).

Sec. 414, entitled "Authority to exempt," would give the Federal Power Commission power to exempt facilities, persons or activities from any requirement of Part IV or from any rule or regulation thereunder, in order to avoid excessive burdens on persons engaged in bulk power supply, regional councils, and the public. It would not, however, authorize the FPC to dispense from any requirement of section 411 or any regulation implementing section 411. Thus it would preserve the safeguards of that section against invasion of parkland, indiscriminate condemnation of private, State, and municipal lands, and granting of rights-of-way over Indian reservations without tribal consent. The FPC could issue exemptions under section 414 by rule, after notice and opportunity for hearing, and on determining that the exemption was necessary and appropriate to carry out the objectives of Part IV. Conditions could be attached to an exemption, and it could be revoked after notice and opportunity for hearing.

Sec. 415, entitled "Hearings, public information," gives specific implementation to one of the overriding purposes of the Electric Power Reliability Bill—that all members of the public shall have maximum opportunity to participate in utility planning and decisions that may affect their safety, prosperity, and the total environment in which they live.

Subsection (a) declares Congressional intent that all persons who may be affected by any action proposed under any part of the Federal Power Act, as amended by this bill, shall have a convenient opportunity both to express their views in writing and to participate in public hearings, and that therefore (1) the public should be given prompt, early and accurate notice of scheduled FPC hearings, and (2) every FPC hearing should be open to the public and held in a place of maximum convenience to members of the public and other persons affected by the subject matter of the hearing.

Subsection (b) requires, insofar as practicable, that every hearing authorized by any part of the Federal Power Act shall be held in or near the area affected, unless the FPC determines that the objective of full participation by all persons who may be affected by the outcome of the hearing can be better achieved by holding the hearing elsewhere.

Subsection (c) requires advance notice of all hearings scheduled under authority of any part of the Federal Power Act to be promptly published in the Federal Register and made available to the press and other media in the areas affected. It requires the FPC to take such other steps as may be necessary to assure that the general public in the area affected as well as the parties particularly interested in a proposed hearing will be promptly and accurately informed of the place, date, and time it is to be held and the substance of the subject matter to be considered. It requires that notice of the hearings be given sufficiently early so as to afford all interested parties an adequate opportunity to prepare for appearing and testifying at the hearing.

Section 415 completes the amendment to the Federal Power Act proposed by the Electric Power Reliability bill of 1969. The following sections are not amendments to the Power Act.

Sec. 4 is entitled "Surveys and research."

Subsection (a) would require the FPC to survey existing and planned high voltage heavy current testing and research facilities in the United States for adequacy and accessibility to all interested persons and to report its findings to Congress within one year, making recommendations for corrective action, if necessary.

In volume I of its report of July 1967 entitled *Prevention of Power Failures*, the FPC pointed out (on page 71) that some power failures have been caused by malfunction of major new high voltage equipment that was inadequately tested under operating conditions. At the present time, the report continues, there are only two laboratories in the United States equipped to provide the extremely high current requirements for such testing, each owned by a large manufacturer and not accessible to other manufacturers or operating companies.

The FPC report stated (p. 71): "Preliminary plans have been developed for a test facility near Grand Coulee Dam in the heart of the major hydroelectric network of the Pacific Northwest." Whether this facility will be open to all manufacturers and operating companies without discrimination, and whether one such facility will be adequate for all Americans needs, should be carefully evaluated.

Obviously the reliability of power facilities and transmission will be increased by technological progress as well as by improved coordination of operating entities. Section 4 is aimed at correcting one of the major bottlenecks to technological progress.

Subsection (b) would require the National Council on the Environment to make a study of the social and economic impact of overhead high-tension lines and towers. It is very important that we have some objective measurement to evaluate the true cost of these lines to communities and to the nation so that we can determine realistically when underground alternatives might be more economical. Now when the cost is compared, one only gets utility installation costs. Lost tax revenue, devalued real estate and such public costs are not considered.

GUARANTEE THAT EVERY CHILD SHALL EAT

(Mrs. GRIFFITHS asked and was given permission to extend her remarks at this point in the RECORD.)

Mrs. GRIFFITHS. Mr. Speaker, I am introducing today a bill which amends the Social Security Act to provide for the furnishing of three full meals a day, 5 days a week, to all children under age 16 who are eligible for aid to families with dependent children or whose families are below the poverty level.

The best estimate I have at present indicates this program would reach 11 million children at a cost of $4.5 billion annually. However, nearly $2 billion of this amount would be obtained by repeal or reduction of Federal expenditures for existing food assistance or welfare programs, thus making the net additional annual expenditure $2.5 billion.

My program does not guarantee every adult an income because he has a child. It does guarantee every child that he will eat. And it is my hope the administration will consider this suggestion when it makes its own welfare proposals.

Under the bill, meals would be provided at public and private schools, daycare centers, nursery schools, summer camps, and other nonprofit child-care institutions. They would be provided without cost to children receiving AFDC payments or whose families are below the poverty level—including Indian children—but would be available at cost to other children.

The entire cost of the program would be paid by the Federal Government.

The bill would repeal existing school lunch, milk, and breakfast programs and reduce 75 percent of Federal matching funds now paid in cash to AFDC recipients for food purchases. However, no State would be permitted to reduce its contribution under the AFDC program as a result of my proposal unless it meets a family's full need as established by its own standards.

Regulations for the program would insure that no child is stigmatized by receiving meals.

Welfare payments are intended to supply the basic needs of life. But the amount allotted for food under these programs rests on the assumption that every mother is an honor graduate in nutrition of one of our great land-grant colleges. The truth, of course, is that none of them is.

The second fallacy of our welfare programs is that if sufficient money is put into these programs a child will be fed a balanced diet. Surveys show that food is the last item a family buys.

In order to feed a child well, a mother must understand how to select a balanced diet, must live within reasonable distance of an adequate supply of food, and must have the transportation to get there. In addition, she must have available a constant source of fuel for cooking and a constant source of refrigeration. For many of the poor, both urban and rural, none of these conditions exists.

The present welfare system has existed for more than a generation. Obviously, it is a colossal failure. It has failed to feed people.

Let us try a new approach. Let us rear one generation of American children that has been properly fed. Then, let us check the effects.

THE RELEASE OF FUNDS FOR 96 SMALL WATERSHED PROJECTS

(Mr. MONTGOMERY asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. MONTGOMERY. Mr. Speaker, a total of 96 small watershed projects approved by both Houses of the 90th Congress are still awaiting operations funding—funding that should, by law, be theirs today. The reason for the holdup of these funds is a decision made by President Johnson in 1966 that the authority to approve small watershed projects belongs to the President, not to the Congress.

Briefly, since 1954, the Agriculture Committees of both Houses have exercised their right under Public Law 566 to approve watershed projects limited in capacity to less than 4,000 acre-feet. Projects with structures in excess of that amount must be approved, according to Public Law 566, by the Public Works Committees.

Following committee approval, the Soil Conservation Service allocates construction funds to the projects from previously appropriated funds. This was the method followed by Congress for 12 years until the Johnson administration decided to claim the power to approve these small watershed projects, leaving to the Congress only the right to review.

Naturally enough, Congress rejected this proposal, and so President Johnson ordered that operations funding be withheld until Congress was ready to yield their approval power.

Mr. Speaker, this stalemate has gone on long enough. Ninety-six small watershed projects in 31 States are being needlessly held back.

I call on the new administration to examine this matter immediately. The communities awaiting the benefits of these small watershed projects should not have to suffer any longer while an authority disagreement goes on.

A list of projects, the States and districts in which they are located, the counties they will serve, and the cost of the projects follows.

I urge President Nixon to see that operations funds for these projects are promptly released, and I call on my colleagues to join me in this plea.

PUBLIC LAW 566 WATERSHED PROJECTS—OPERATIONS APPROVAL PENDING MAR. 7, 1969

State	Congressional district	County(s)	Watershed	Public Law 566 cost	Other cost	Total cost
Alabama	4	Cleburne	Cahulga Creek	$253,000	$266,000	$519,000
Do	3	Bullock, Macon	Old Town Creek	3,848,000	2,892,000	6,740,000
Do	2	Lowndes	Upper Big Swamp Creek	4,417,000	2,088,000	6,505,000
Arizona	2, 3	Maricopa, Yuma	Harquahala Valley	3,014,000	3,830,000	6,844,000
Arkansas	1	Lawrence, Randolph	Big Running Water Ditch	1,215,000	991,000	2,206,000
Do	3	Yell	Cedar Piney Creeks	956,000	508,000	1,464,000
Do	4	Chicot	Chicot	1,509,000	2,781,000	4,290,000
Do	1	Randolph	Fourche Creek	4,981,000	2,107,000	7,088,000
Missouri	10	Ripley				
Arkansas	1	Lee, St. Francis	Larkin Creek	630,000	1,067,000	1,697,000
Do	2, 3, 4	Perry, Yell, Saline, Garland	South Fourche	3,829,000	868,000	4,697,000
California	18	Kern	Buttonwillow water management project	4,339,000	5,673,000	10,012,000
Do	9, 10	Santa Clara	Lower Llagas Creek	4,656,000	2,381,000	7,037,000
Do	38	Riverside	Main Street Canyon	1,289,000	680,000	1,969,000
Do	15	Merced, Stanislaus	Mustang Creek	372,000	1,508,000	1,880,000
Do	15	San Joaquin	New Jerusalem	1,236,000	1,858,000	3,094,000
Do	9, 10	Santa Clara	Upper Llagas Creek	3,325,000	2,504,000	5,829,000
Colorado	3	Fremont	Canon	1,373,000	247,000	1,620,000
Florida	2	Dixie	California Lake	1,027,000	1,047,000	2,074,000
Do	1	Santa Rosa	Pond Creek	492,000	1,437,000	1,929,000
Georgia	9	Banks, Franklin, Madison	Hudson River	3,818,000	1,744,000	5,562,000
Do	9	Gwinnett, Hall	Suwanee Creek	1,130,000	728,000	1,858,000
Do	9	White, Lumpkin	Tesnatee Creek	1,116,000	535,000	1,651,000
Do	6	Troup, Meriwether Coweta	Yellowjacket Creek	995,000	522,000	1,517,000
Idaho	2	Bear Lake	Georgetown Creek	758,000	1,246,000	2,004,000
Illinois	21	Pope, Johnson, Massac	Bay Creek	4,125,000	3,132,000	7,257,000
Do	22	Clark, Edgar	Mill Creek	2,634,000	1,602,000	4,236,000
Indiana	5, 7	Montgomery, Putnam, Parke, Hendricks, Boone	Big Racoon Creek	1,836,000	2,766,000	4,602,000
Do	9	Washington	Delaney Creek	1,171,000	593,000	1,764,000
Do	7	Parke, Putnam	Little Walnut Creek	1,171,000	850,000	2,021,000
Iowa	7	Pottawattamie	North Pigeon	543,000	175,000	718,000
Do	7	Mills, Fremont	Waubonsie Creek	1,199,000	334,000	1,533,000
Kansas	2	Shawnee, Jackson, Pottawatomie	Cross Creek	1,739,000	513,000	2,252,000
Do	5	Elk, Wilson, Chautauqua	Lower Elk River	2,474,000	447,000	2,321,000
Do	1	Ottawa, Lincoln, Mitchell	Lower Salt Creek	619,000	457,000	1,076,000
Do	5	Elk, Butler, Greenwood	Upper Elk River	3,773,000	589,000	4,362,000
Do	1	Lincoln, Mitchell	Upper Salt Creek	3,691,000	1,786,000	5,477,000
Kentucky	1	Carlisle, Graves	West Fork Mayfield Creek	2,066,000	1,322,000	3,388,000
Louisiana	7	Cameron	Cameron-Creole	1,580,000	602,000	2,182,000
Do	5	Madison	Central Madison	649,000	1,590,000	2,239,000
Do	3, 7	Iberia, St. Martin, St. Landry	Upper Bayou Teche	1,725,000	2,839,000	4,564,000
Do	7	Calcasieu, Jefferson Davis	West Fork Bayou Lacassine	838,000	1,166,000	2,004,000
Maine	2	Androscoggin, Oxford	Nezinscot River	1,053,000	883,000	1,936,000
Do	1, 2	Cumberland, Oxford	Stevens Brook	333,000	42,000	375,000
Massachusetts	1	Berkshire	Washington Mountain Brook	412,000	389,000	801,000
Mississippi	4, 5	Jasper, Smith, Jones	Big Creek	2,103,000	1,519,000	3,622,000
Do	4	Holmes	Box Creek	625,000	315,000	940,000
Do	2	Prentiss, Tishomingo, Itawamba	Browns Creek	2,424,000	1,195,000	3,619,000
Do	4	Neshoba, Newton	Chunky River	4,889,000	3,210,000	8,099,000
Do	4	Rankin	Eutacutaches Creek	564,000	245,000	809,000
Do	4	Yazoo	Five Creeks	2,068,000	1,384,000	3,452,000
Do	4	Rankin	Richland Creek	2,531,000	1,114,000	3,645,000
Do	4, 5	Lawrence, Simpson, Jefferson Davis	Silver Creek	2,979,000	2,003,000	4,982,000
Do	2	Tallahatchie, Coahoma, Quitman	Tri-County Hopson Bayou	595,000	584,000	1,179,000
Do	5	Jefferson Davis, Lawrence	Whitesand-Greens Creeks	4,310,000	2,187,000	6,497,000

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PUBLIC LAW 566 WATERSHED PROJECTS—OPERATIONS APPROVAL PENDING MAR. 7, 1969—Continued

State	Congressional district	County(s)	Watershed	Public Law 566 cost	Other cost	Total cost
Missouri	4	Lafayette	Little Sni-A-Bar	$804,000	$518,000	$1,322,000
Montana	2	Hill	Beaver Creek	698,000	463,000	1,161,000
Nebraska	1	Gage, Lancaster	Clatonia Creek	450,000	246,000	696,000
Do	3	Lincoln, Frontier	Lower Medicine Creek	605,000	830,000	1,435,000
Do	2	Washington, Douglas, Sarpy	Papillion Creek	1,515,000	2,344,000	3,859,000
Do	3	Lincoln, Hayes, Frontier	Upper Medicine Creek	816,000	1,050,000	1,866,000
North Dakota	1	Pembina	Midland-Drayton	523,000	260,000	783,000
Oklahoma	2	Washington, Osage, Nowata; Chautauqua	Cotton-Coon-Mission Creek	2,186,000	2,280,000	4,466,000
Kansas	5					
Oklahoma	3	Pushmataha, Choctaw	Dumpling-Beaver Creeks	1,000,000	1,475,000	2,475,000
Do	6	Logan	Fitzgerald and Soldier Creeks	697,000	222,000	919,000
Do	2	Sequoyah	Garrison Creek	696,000	337,000	1,033,000
Do	4	Comanche, Tillman	Jack Creek	1,244,000	738,000	1,982,000
Do	2, 6	Pawnee, Noble, Payne	Lower Black Bear Creek	2,668,000	1,299,000	3,967,000
Do	2, 6	Noble, Pawnee	Lower Red Rock Creek	2,365,000	1,417,000	3,782,000
Do	1, 2	Okfuskee, Creek, Okmulgee	Okfuskee tributaries	3,448,000	2,643,000	6,091,000
Oregon	2	Baker	North Powder River	3,190,000	2,932,000	6,122,000
Do	2	Union	Wolf Creek	2,402,000	2,021,000	4,423,000
South Carolina	4	Laurens	Beaverdam Creek	672,000	683,000	1,355,000
Do	5	Union	Brown's Creek	1,139,000	631,000	1,770,000
Do	5	Lancaster	Cane Creek	2,915,000	2,244,000	5,159,000
North Carolina	8	Union				
South Carolina	5	Fairfield	Jackson-Mill Creek	1,019,000	1,149,000	2,168,000
Do	5	Kershaw, Lancaster	Little Lynches Creek	2,034,000	1,010,000	3,044,000
South Dakota	1	Turner	Hurley Creek	606,000	193,000	799,000
Do	2	Charles Mix	Spring-Bull Creek	635,000	395,000	1,030,000
Texas	6	Hill, Johnson	Aquilla-Hackberry Creek	2,681,000	2,747,000	5,428,000
Do	15	Cameron	Arroyo Colorado	3,002,000	8,981,000	11,983,000
Do	17	Mills, Lampasas, Hamilton	Bennett Creek	679,000	239,000	918,000
Do	11	Bell	Darrs Creek	572,000	414,000	986,000
Do	13	Montague	Farmers Creek	1,387,000	577,000	1,964,000
Do	15	Cameron	Los Fresnos Resaca	3,310,000	9,814,000	13,124,000
Do	4	Van Zandt	Mill Creek	2,004,000	1,716,000	3,720,000
Do	17	Hamilton	Pecan Creek	448,000	190,000	638,000
Do	15	Cameron	Rancho Viejo	3,232,000	8,399,000	11,631,000
Virginia	8, 10	Fairfax	Pohick Creek	1,004,000	4,199,000	5,203,000
Do	4	Buckingham	Slate River	1,016,000	412,000	1,428,000
Do	9	Tazewell	Upper Clinch Valley	1,226,000	633,000	1,859,000
West Virginia	3	Kanawha	Elk Twomile Creek	1,164,000	969,000	2,133,000
Do	3	Kanawha	Kanawha Twomile Creek	1,129,000	767,000	1,896,000
Wisconsin	3	Crawford, Vernon	Blackhawk-Kickapoo	1,136,000	403,000	1,539,000
Do	3	Monroe	Tri-Creek	812,000	334,000	1,146,000
Do	3	Richland, Sauk	Willow Creek	718,000	290,000	1,008,000
Wyoming	[1] 1	Albany	Upper North Laramie	243,000	401,000	644,000

In addition to the above 96 plans, supplements to 2 previously approved plans listed below also are pending approval

State	Congressional district	County(s)	Watershed	Public Law 566 cost	Other cost	Total cost
Georgia	9	Rabun	Head of Little Tennessee River	$1,022,000	$407,000	$1,429,000
North Carolina	11	Macon				
Virginia	7	Culpeper	Mountain Run	466,000	554,000	1,020,000

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[1] At large.

POINT REYES NATIONAL SEASHORE

(Mr. COHELAN asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. COHELAN. Mr. Speaker, yesterday I introduced a bill which will increase the authorization for funds to acquire the remaining lands to be included in the Point Reyes National Seashore.

You will remember, Mr. Speaker, that in 1962 this national seashore was established, to be comprised of 53,000 acres of some of the most beautiful shoreland in the entire world. Its incomparable scenic beauty and recreational features, only a short distance from San Francisco, probably cannot be duplicated anywhere in the country so close to a large metropolitan center.

At the time the seashore was established, $14 million was authorized for its acquisition, but even as we deliberated the cost of the valuable shorefront property was increasing. In 1966 we authorized additional funds, $5,135,000, but we still have acquired less than half of the designated park area.

My distinguished colleagues, the gentlemen from Marin County and San Francisco, Mr. CLAUSEN and Mr. MAILLIARD, have joined in this effort. We have been assured by the National Park Service that the entire park can be acquired within the additional authorization we seek, $38,365,000. A companion bill also is being sponsored in the other body.

Mr. Speaker, I hope that we shall be able to act on this bill in this session and that we can acquire the entire national seashore as envisioned by the Congress when it established the park in 1962.

CHILDREN'S THEATER IN ST. LOUIS—VALUABLE COMMUNITY RESOURCE

(Mr. CLAY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. CLAY. Mr. Speaker, society's coming of age can be made more simply and quickly through the concientous efforts of citizens working within their communities to utilize every available resource for learning. Only in this way can we meet the challenge of maturity presented us today.

St. Louis has given us such an example—by making use of its children's theater program to bring new insights into the classroom.

Seeking makes understanding much easier. St. Louis students have been given the opportunity, through live theater, to look beyond the play acting and experience the reality of integrated human relationships.

For many black students in St. Louis, children's theater has provided a first opportunity for identification with a black hero or with a black actor. For many white students, St. Louis Children's Theater has provided a first opportunity for them to experience the kind of reverse identification black people have known for so long.

Through children's theater—where the active cooperation of community service organization and schools has taken place—St. Louis has made strides toward human understanding so long overdue.

In hopes that my colleagues may benefit from this example, I commend the following account of children's theater in St. Louis to the attention of my colleagues:

CHILDREN'S THEATRE IN ST. LOUIS

In 1959, the Children's Theatre of the Junior League of St. Louis began trouping its production to the city schools of St. Louis. In 1965, the Council of Jewish Women was invited to have members of its Trouping Theatre take part. In this way, it was possible to make two full casts, thereby increasing the total number of productions possible.

For the past five years, the plays have been performed at twelve locations around the city, with two performances a day, and reaching about 22,000 children a year. Generally, it has been the children's only experience with live theatre.

This year, seeking to make the production even more meaningful to the many children it serves, the Junior League invited the Persona Players of the Page-Park Branch YMCA to join the touring company. The members of the Persona Players, who are almost all teachers in the city schools, were very interested in the educational advantages of a cast which would include both men and women, black actors as well as white, and they agreed to participate. Breaking further with past habits and striking out anew, a Chinese legend was chosen for the first play to replace the western fairytale performed by a cast of white women.

Showing their approval of the aims of the three participating groups, the St. Louis Board of Education gave its full cooperation. It released Mr. Jerome Williams, principal of the Cole School, and Mrs. Emily Brown, kindergarten teacher at the Williams School, for the three-week period of the tour. The Page Park Branch YMCA lent its cultural director, Mr. Ronald O. David. Mr. Williams, Mrs. Brown and Mr. Davis are all members of the Persona Players. Mr. Williams and Mrs. Davis both have strong backgrounds in professional theatre.

The tour was hardly underway before it became clear—the children's response to the inclusion of men and to the integrated cast is one of increased delight. The children in the inner city areas are particularly pleased that the hero is a black actor and the principal character actor is also black. The work of the theatre has seemingly been brought close to all the children. The actors all circulate among the children after the performance to make it clear that actors are real people. The actors answer the children's questions, "Is that a real tail?—Are you a person?—And what is that stuff on your face?"

Performers in St. Louis Children's Theatre believe the children have a real chance for self-identification this year—made possible by the increased numbers and cooperation which has been made part of St. Louis Children's Theatre. Not only the children—but the performers are getting more out of Children's Theatre in St. Louis.

There is an evaluation questionnaire being distributed to all classes who attend the performances. It is hoped that a study of these evaluation replies will enable the groups to make next year's production even more effective.

THE NEW COMMUNIST OFFENSIVE AGAINST SAIGON WOULD NOT HAVE BEEN POSSIBLE WITHOUT THE BOMBING HALT

(Mr. STRATTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STRATTON. Mr. Speaker, according to news reports this morning the Communist offensive in Vietnam has not tapered off. Instead the next few days are expected to be "very critical." Some five or six North Vietnamese divisions are now moving on to Saigon from the Cambodian sanctuary, poised for an all-out attack.

Not even in the surprise Tet offensive last year did the North Vietnamese attempt such an all-out assault on the South Vietnamese Capital.

Let me just observe today, well in advance, that if this expected assault materializes it will have been made possible chiefly by the total bombing halt which this country undertook in complete good faith last November.

I supported that halt. It seemed a reasonable risk to take to find out in Paris whether we and the North Vietnamese really could move together toward a genuine deescalation of this war.

But it was a very real risk and it involved and continues to involve some grave dangers to our troops in the field. Now in the environs of Saigon we can begin to see the full extent of those risks. I am myself sick and tired of all those pseudomilitary experts, both inside and outside the Pentagon, who have repeatedly claimed that bombing North Vietnam never accomplished anything.

The one key thing the bombing accomplished was to raise hob with the North Vietnamese production and supply system. It may not have stopped it completely, but it sure kept its effectiveness low. Since November the North Vietnamese have worked around the clock to make up for those serious restrictions. In these past 4 months they have hauled thousands upon thousands of tons of supplies and weapons from Hanoi to the borders of South Vietnam, including the Cambodian border from which this current offensive on Saigon is being launched.

Let there be no mistake; the North Vietnamese could never have committed five or six combat divisions to such an assault were it not for the respite provided by the November bombing halt. As the Nation's leadership now contemplates what should be done to respond to the offensive, I hope this simple fact may finally replace all the myths and wishful thinking we have indulged ourselves with in recent months.

NEW MOREHEAD NEWS BUILDING

(Mr. PERKINS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PERKINS. Mr. Speaker, I include in the body of the RECORD an editorial taken from the Morehead News, Morehead, Ky., by Mr. W. E. Crutcher, the publisher:

Contracts will be signed this (Thursday) afternoon for the new 14,800 floor foot building to house the Morehead News and affiliates.

The newspaper and modern lithograph-offset with web equipment printing and reproduction plant will be on about an acre of land on First Street in West Morehead, a little west and to the rear of the Morehead (Cowden) Company.

It's costing so dern much that this community-minded and community-active Publisher would probably have night-mares except a doctor friend gave us a prescription for some mild sleeping pills, and even milder tranquilizers which have about as much effect as watered-down beer.

It will be a far cry from the time that we ran job presses until after midnight to meet the paper bill, rent, and a then small payroll . . . and the good wife brought our lunch and supper so the hand-fed presses didn't stop.

The new Morehead News (and affiliates) building will be one of the most modern community plants in the nation. Many cities don't have all this automatic and computerized equipment. It is financially feasible and possible through contracts, all out of Morehead and some in other states, for spot and process color printing and mailing.

The move will be the first week in August, and we impart that there'll be ample parking space; big offices with carpeted floors, full air-conditioning; and a private office in which the Publisher can transact his business, political meetings and other affairs. We're even figuring on a long and expensive leather couch in the Publisher's private (all enclosed) office so we can lie down when we get tired or doze off our problems and forget this troubled world.

Fronting the building will be a plot of grass 100 feet by 130 feet which we don't intend to mow because there's two ways to get a job done, i.e., do it yourself; or delegate the proper authority. We plan to delegate an official grass mower who will also have the responsibility for trimming the shrubs and keeping the flowers pretty and in bloom.

The Morehead-Rowan County Beautification Committee should love us because this place will look in the front more like the White House lawn or a home for the mentally ill than newspaper and printing premises.

The front lawn will have a sign like that at the Morehead State University Fieldhouse. It cost extra, but we've always believed in traveling first class.

In all the planning for our new building over the past two years, this getting less controversial Publisher has insisted on one thing—that is a large flag pole . . . we've already designated the official American flag putter-upper in the morning and taker-downer in the afternoon at quitting (time clock) time. And, we've told him that if that flag ever touches the ground he might as well hand in his resignation and lose all these ever-increasing fringe benefits.

We want all to see and know that here is one newspaper, and affiliated newspapers, with no communists or communism; has nothing "red" about it except the inks we use; no long hairs, subversives or race discrimination; and its owners, staff and long established editorial policy stand for Americanism, and America, just like our forefathers who fought and died so that we could have such a fine newspaper building and freedom of the press.

We believe that few businesses have had so many employees (percentage-wise) in the armed forces of World War I, the Korean War and the Vietnam conflict than the Morehead News and our two other affiliated Kentucky county-seat newspapers. That's probably because our employees learn so much in this business that they easily pass the army mental or educational entrance exams, and are paid enough so they eat good and are physically fit. We are proud of this, and know they, like everybody else in this plant, will be proud of "our" American flag.

Perhaps they'll fly the flag at half-mast when the hearse bearing the remains of this getting-older Publisher passes toward Lee cemetery, and maybe the tear of an employee will fall in the ink fountain.

That matters not, but the important thing is that so long as we shall live that American flag will proudly fly in front of The Morehead News.

Perhaps others in our community who will erect new buildings, or can adapt their present business structures, will adopt our conviction that the most beautiful thing in this day of beautifying America is the banner of 13 stripes and 50 stars.

SOUND FINANCING FOR THE CIVIL SERVICE RETIREMENT AND DISABILITY FUND

(Mr. EVINS of Tennessee asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EVINS of Tennessee. Mr. Speaker, today members of the Subcommittee on Independent Offices and Department of Housing and Urban Development Appropriations are joining with me in introducing a bill to provide sound financing for the civil service retirement and disability fund.

Our colleague, Congressman DOMINICK V. DANIELS, of the Post Office Committee, announced last week that the Subcommittee on Retirement, Insurance, and Health Benefits, which he chairs, would hold hearings during the week of March 17 on a bill that he and other distinguished Members of the House have introduced to strengthen financing for the civil service retirement system.

Today the bill we are introducing is in strong support of certain provisions of that bill. However, our bill is confined to providing sound financing for the fund. It does not include certain benefit liberalizations. They certainly are secondary in importance to the paramount issue of assuring that the retirement system be financed on a sound basis, which is not the situation at the present time.

The new Chairman of the Civil Service Commission, Chairman Robert E. Hampton, appeared before our subcommittee recently in support of the Commission's fiscal year 1970 budget request. He stated that the civil service retirement and disability fund "now has an unfunded liability approaching $57 billion. Within 5 years the system will be paying out more than it is taking in; within 18 years, its balance will have hit zero and additional appropriations of $3 to $4 billion each year will be required."

This is an alarming situation and our subcommittee, which reviews the retirement fund financing managed by the Civil Service Commission, has been greatly concerned about this problem of adequate financing for many years. It is imperative that some action be taken to put the fund on a sound financial basis without further delay.

A sound financing proposal was developed during the last session of the Congress by the Civil Service Commission, the Bureau of the Budget, and the General Accounting Office and incorporated in H.R. 10912, introduced by our distinguished colleague, the gentleman from New Jersey (Mr. DANIELS). That bill passed the House but did not pass the Senate before the 90th Congress ended. As indicated, Mr. DANIELS and other distinguished Members of this body have again introduced a similar bill this session, H.R. 770, that I referred to earlier.

The civil service retirement and disability fund was created to provide annuities for eligible employees of the Federal Government who retire because of age and service or disability and for benefits to eligible survivors of employees who die in service or after retirement. Membership in the civil service retirement system consists of about 2.7 million active Federal employees. Currently about 875,000 retired employees and survivors receive monthly benefits totaling over $2 billion annually. The financing of this fund is shared by employees and the Government. The employees have paid their share through the years, but the Government has not always done so. Today the employees' contributions are not adequate to pay their share for liberalizations of recent years.

The present method of financing has been in effect since the beginning of fiscal year 1958. Employing agencies contribute, from their appropriations, amounts equal to the sums withheld from the salaries of their employees at the deduction rate of 6½ percent of basic salary. These agency contributions, however, do not cover the Government's portion of retirement cost on a normal cost plus interest basis.

To illustrate the urgency of the problem we face today—the deficit was $9.9 billion in 1953 when early measures were initiated to strengthen the fund. By 1958 the deficit had reached $18.1 billion when a provision was inserted in the annual appropriation act to arrest the mounting deficit, but for several reasons this has only been partially effective. As of June 30, 1965, the deficiency had risen to $40.4 billion; as of June 30, 1967, the deficit was $48.1 billion; during fiscal year 1968 the deficit increased to $52.6 billion; and this year it is estimated the deficit will increase by $5.1 billion to reach $57.7 billion by June 30, 1969.

This is why we feel strongly that this fund should be put on a sound basis. I urge enactment of legislation to accomplish this objective. Let me repeat, there are no provisions in this bill to provide for liberalization of benefits. My committee feels that we should address ourselves to sound financing—to putting the retirement fund on a sound operating basis—this we consider of overriding importance.

The Congress has a responsibility to provide financing that will assure future benefit payments to employees who in good faith make contributions through their working careers in anticipation of benefits when they retire. The integrity of the Government is pledged to the payment of such benefits when they become due. This will be assured if the fund is placed on a sound operating basis without further delay. I urge the passage of the legislation which all members of our subcommittee are joining in introducing today.

INCREASE THE SERIES E BOND INTEREST RATE

(Mr. FASCELL asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. FASCELL. Mr. Speaker, the middle-class citizen bears a tremendous share of the burden of supporting the Government, a fact that is being emphasized with increasing frequency in the efforts that are being made to put the Federal income tax system on a more equitable basis.

There is another area that requires more equitable treatment, and that is the interest rate that is paid by the Federal Government on its series E bonds. These currently pay 4¼ percent per year, providing they are held for the entire 7-year period of their issuance. The interest rate is less if the bonds are redeemed before 7 years after purchase. The principal purchasers of series E bonds are the same group of citizens who bear so much of the heavy tax burden—the wage earners, the Government workers, the military and other small investors, many of whom buy the bonds regularly under the payroll deduction plans that the Government so earnestly urges.

Contrasted with the 4¼-percent rate, however, are the highest rates that the Treasury has paid in the past century on its obligations—the 6¼ to 6½ percent that it pays on the notes it has recently issued in trade for other existing obligations. Practically all of these go to banks, pension funds, mutual funds, insurance companies and other large investors.

There are differences in the obligations issued by the Treasury, with one having some advantages over another, or different disadvantages. The basic fact, however, is that the purchasers of all kinds of Treasury obligations are lending their money to the Government, and all should receive interest on their money at a fair, equitable rate.

As chairman of the Legal and Monetary Affairs Subcommittee of the House Committee on Government Operations, I have directed various staff studies concerning the efficiency and economy of the series E bond operation. For example, a study was made into rates of redemptions of series E bonds in some periods, and the consequent possibility that the costs of issuing and redeeming the bonds were so high that the program was uneconomic. However, the Treasury was convinced, and so advised me, that although at times more series E bonds were redeemed before their maturity than were sold, the program nevertheless was justified because the bonds gave the Treasury a means of obtaining wider distribution of the Federal debt, and at the same time provided a vehicle whereby citizens could express their interest—or patriotism—in assisting the Government to carry out its functions.

Three years ago, when President Johnson raised the interest rate on series E bonds from 3¼ to 4.15 percent, I commended him for that action. I also expressed by pleasure at the assurances that had been given to me by the Secretary of the Treasury that the matter of changing the rate of return on savings bonds was kept under constant Treasury scrutiny. The rate was later raised to 4¼ percent.

The Treasury has recently again indicated that it desires to raise the interest rate paid to the small—series E bonds—investors. Under existing law, the 4¼ percent now paid on 7-year series E bonds is the maximum rate allowed. Because a wide discrepancy exists between the interest paid to the small investor, and the rate paid to the large, I strongly urge that the Treasury early decide where, and if, series E bonds fit into the present overall debt obligations picture. If it concludes that some such instrument should be retained, it should also decide whether the obligation can be issued as a note, or in some other form, under existing law; and, if that is not possible, the Treasury should ask the Congress for the kind of legislation that is needed to give the small investor a proportionately fair interest rate on his loans to the Government.

NOMINATION OF CHARLES A. MEYER AS ASSISTANT SECRETARY OF STATE FOR INTER-AMERICAN AFFAIRS

(Mr. FASCELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FASCELL. Mr. Speaker, I was very pleased to learn that President Nixon nominated Charles A. Meyer for the very sensitive and dual position of Assistant Secretary of State for Inter-American Affairs and U.S. Coordinator for the Alliance for Progress.

Mr. Meyer, a distinguished business executive with a considerable knowledge of Latin America, is currently director of eastern operations for Sears, Roebuck & Co. He became an assistant to the chairman of the board of that company for Latin American affairs in 1947. From 1953 to 1955 he was president of a Latin American subsidiary of Sears with headquarters in Bogotá, Colombia. Thereafter he spent 5 years as the company's vice president for Latin American operations. During this period he built up a 10-country department store chain which now does more than $135 million in annual business. In the process, Sears, Roebuck & Co. appears to have done a remarkable job of building up good will by promoting local personnel and stocking local goods whenever possible.

Mr. Meyer also had previous governmental experience in the Latin American field. He was an adviser to the U.S. delegation to the 1957 Economic Conference of the Organization of American States; a member of the National Advisory Commission on Inter-American Affairs; chairman of the Latin American Committee of the Business Advisory Council; and Chairman of the Advisory Board of the Export-Import Bank during the Eisenhower administration.

Mr. Meyer has shown a sensitivity and understanding for the problems of economic development in Latin America, and an ability to use local talent and initiative in solving them.

I may add that Mr. Meyer comes from a civic-minded and well-known family. Mr. Meyer's paternal grandfather, George von Lengerke Meyer, was a prominent political figure at the turn of the century. He was speaker of the Massachusetts House of Representatives, Ambassador to Italy and to Russia, as well as Postmaster General and Secretary of the Navy.

I want to congratulate the administration on this timely and very suitable nomination. As chairman of the Subcommittee on Inter-American Affairs, I look forward to working with Mr. Meyer on tasks relating to the formulation and execution of our policy toward Latin America.

THE SERIOUS DANGER FROM AN INCREASED OFFENSIVE IN SOUTH VIETNAM

(Mr. ICHORD asked and was given permission to address the House for 1 minute.)

Mr. ICHORD. Mr. Speaker, I commend the distinguished gentleman from New York (Mr. STRATTON) for bringing to the attention of the House the grave danger now confronting our troops in Vietnam by the current Communist offensive which has been made much easier to mount by the bombing cessation.

The decision authorizing the bombing cessation was one which I personally considered very ill-advised from the military standpoint at the time it was made because I had observed throughout my years as a member of the House Committee on Armed Services just what the North Vietnamese did every time there was a bombing cessation. The intelligence reports and films which were shown to me revealed that a major supply buildup was begun immediately by the North Vietnamese after each bombing pause was effected. Since March 31, 1968, they have repeated their past actions and today our troops face what appears to be a well-supplied major offensive action.

I would point out to the Members of the House that the purpose of the bombing cessation on March 31, 1968, was to get peace talks started and to avoid the unnecessary killing of civilians. But the bombing cessation which was put in operation extended also to the transportation of supplies, materials, equipment, and troops that have been moved down the coast of North Vietnam to a point north of the DMZ zone by sea-going ships.

Certainly there was no reason at all to have a cessation of bombing in regard to that shipment. The Members of the House should be aware of the fact that tons upon tons of supplies and equipment are moving down the coastline every day. I do not desire to be too harsh in my judgment of those responsible for making the difficult military and political decisions in Vietnam but too many of my fellow Americans have already been killed by decisions which have resulted in America trying to fight a war with one hand tied behind our backs. I would hope that President Nixon does not repeat the mistakes of the past.

SABMIS STUDY ROADBLOCKED

(Mr. ANDERSON of Tennessee asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. ANDERSON of Tennessee. Mr. Speaker, it is hard to imagine a citizen or enterprise in the market for a product who would refuse to take a look at something claimed to be twice as good at one quarter the cost. Strangely, this is precisely the situation with the Department of Defense relative to Sabmis, the sea-based, anti-ballistic-missile concept. I do not know whether Sabmis would be twice as good and four times less expensive or not. It could well be. But I have learned enough about it to be convinced that this country stands to make a very serious mistake if the Department of Defense does not at least thoroughly examine the feasibility and potential advantages of including it in our ABM structure.

Parenthically, Mr. Speaker, let me add that I have very grave doubts about the ability of either the United States or the Soviet Union to deploy an ABM system with any great degree of effectiveness without incurring prohibitive costs. But let us assume for the moment that the United States is going to move toward a limited ABM capability of some sort.

I would also make it clear that neither I nor any group of which I have knowledged propose that Sentinel be scrapped and superseded by Sabmis. My suggestion merely is that Sabmis be investigated as an adjunct to the Sentinel-type system.

There is a third point, Mr. Speaker, which should be clarified. Deputy Defense Secretary Packard has apparently been advised that Sabmis can only be produced far, far downstream from the Sentinel. This is simply untrue. Sabmis is based on current technology. No scientific breakthroughs are required. The basic technical ingredients are the Poseidon missile and tracking and acquisition radars of a type already deployed at sea on a more limited basis. With proper support it can be fully operational in the same time span as Sentinel.

Sabmis has been treated as an unwanted child from the start. Department of Defense has released just enough investigation funds to be able to say that it is being looked into. Less than $1 million have been spent up to this point and a considerable portion of that came out of the Navy's own hide through internal reprograming action. Rather than encouraging the study of this promising concept, powerfully effective individuals in DOD have done everything within their power to roadblock it. DOD has even withheld funds officially obligated for the study of Sabmis, meanwhile spending $4 billion on Sentinel.

One can only conclude that the whiz kids are still in charge, giving the same answers they settled upon a half decade ago. I hope that President Nixon and Secretary Laird will hasten to fulfill their promise of decentralizing the Pentagon so that all the services can contribute freely to the development of the strategy of the future. Thus far, the new administration has failed.

Sabmis, Mr. Speaker, is nothing more than a mobile sea-based ABM system which would be deployed close to the launch sites of potential enemies. Such a system would afford early interception and destruction of an adversary's offensive missiles before such weapons split into a shower of thermonuclear warheads, decoys and penetration aids. It would function when the chances for effective interception would be highest. It would perform its function without fallout on our population centers. And it would attract thermonuclear countermeasures into the oceans rather than to American soil and air space. No bomb shelters would have to be built because of its existence.

A further remarkable feature of Sabmis is its ability to help turn aside nuclear blackmail by adversaries who might hold friends and allies "hostage" under the threat of missile borne destruction. With Sabmis, if we should choose, we could offer ABM protection to nations such as Japan, the Philippines, and Australia, for examples.

Sabmis also promises a substantial alleviation of the inherent crucial shortage in decision time before committing our own offensive missiles. An enemy might even tip his hand in advance of an attack by the pattern of his actions to circumvent Sabmis. I include, for the RECORD, a more substantial explanation

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of the advantages of Sabmis contained in my letter of February 18, 1969, to the Secretary of Defense.

It cannot be emphasized too strongly that Sabmis units are readily mobile, swiftly deployable in response to specific sources and types of threat as events require. They can operate out of the coastal waters of Germany, India, Norway, Japan, Israel, and the United States, as well as anywhere on the high seas.

I have been advised that as few as four Sabmis ships could afford the same protective coverage as provided by the entire Sentinel system as currently visualized. These ships would be men of war, the size of large cruisers, and would have to be especially designed and built. The likely cost would be around $500,000,000 each. The number of ships that might be utilized is flexible, of course, but the maximum would probably be eight, unless we decide to spend ourselves bankrupt by trying to provide an effective shield against any and all types of full scale attacks from the Soviet Union.

Sabmis affords President Nixon and Secretary Laird with a unique opportunity to inject a much needed fresh breeze into the entire ABM picture. I hope that they will cause an immediate serious investigation of Sabmis and will not merely come forward with cosmetic changes to Sentinel such as cutting out a few bases and moving the rest a few miles away from our cities. I hope they will do this before any final decision for ABM deployment.

Just as important, Mr. Speaker, I hope there will soon evolve in DOD an environment conducive to the study and development of new uses of seapower. As a nation it is time for us to become enlightened about the real estate of the sea. As President Kennedy said, our survival may depend upon it.

The letter mentioned above follows:

House of Representatives,
Washington, D.C., February 18, 1969.
Hon. Melvin R. Laird,
Secretary of Defense,
Department of Defense,
Washington, D.C.

Dear Mr. Secretary: You are to be commended for your decision to conduct a review of the proposed Sentinel ABM system before proceeding with production and deployment commitments. I share with you the conviction that the Nation will be well served in taking initial steps toward deployment of a credible ABM capability—whether our profit accrues from a stronger position in arms control bargaining or from possession of an effective, although admittedly incomplete, shield from missile attack.

In either prospectus, the practical effectiveness of the system to be deployed is of obvious importance. Indeed, it is reasonable doubt of Sentinel's ability to cope with the determined M.I.R.V. attack which (a) underlies much domestic opposition to the cost of deployment, and (b) would erode Sentinel's deterrent value as well as its benefits in United States-Soviet arms control negotiations.

With respect to the above considerations, I earnestly urge your consideration of a combination Sentinel-Sabmis system.

Sabmis (sea-based anti-ballistic missile intercept system) is in large measure a marriage of the Polaris-Poseidon technology with the Sprint and Spartan systems. In effect, the deployment of a Sabmis unit would place in the seas close to an adversary's homeland and across his "launch trajectory window," a mobile screen of anti-missile forces. I commend to your attention the following outstanding features of Sabmis:

First. Early interception of an adversary's offensive missiles promises the destruction of multi-warhead missiles before such weapons split into a virtual shower of decoys, penetration aids, and thermonuclear warheads. The proposed terminal phase anti-missile defenses surrounding our priority targets within the United States will have to deal with each incoming element of the "shower" individually, unless the launch vehicle is thus intercepted before its dispersion is effected.

Second. Along with the Polaris-Poseidon forces, Sabmis would move much of the impact of any future nuclear confrontation out to sea and away from our population centers. One example of this feature is that Sabmis interception and destruction, with its inevitable nuclear collisions and fallout, would take place over the adversary's homeland or over the sea.

Third. A wisely balanced mix of Sabmis and fixed, terminal-phase, Sprint-Spartan-type defenses would give us two interception zones, thus vastly increasing any opponent's difficulties in insuring penetration, and magnifying his doubts of any reasonable prospectus of achieving a disabling first strike. The latter are deterrent factors, but should irrationality prevail and deterrence fail, the utilization of Sabmis would reduce the task of the terminal-phase defenses to manageable proportions and/or force an attacker to divert substantial forces to attempts to find and neutralize and ocean-based barrier. These attempts in themselves, it should be noted, would constitute warnings of the most valuable sort.

Fourth. Sabmis promises a substantial alleviation of that most crucial shortage in crisis decision time before committing our land-based offensive missiles. Where first strikes by a potential enemy against our strategic retaliatory forces can be deflected by Sabmis far from our shores, that terrible counterblow need not be launched immediately to avoid destruction of the launch sites. Such a time buffer reduces the chances of overaction, accident, or error.

Fifth, A remarkable feature of Sabmis is the ability it can provide us in turning aside nuclear blackmail bargaining by adversaries who, in effect, hold our friends and allies "hostage" under the threat of missile-borne destruction. Thus, the deployment of a Sabmis unit in the Sea of Japan or the Bay of Bengal could cover the approach routes of missiles from China directed against Japan or India, respectively. No fixed-base system in the United States offers such an answer to this type of threat to our international interests.

Sixth. Needless to say, the unique shielding capability of Sabmis is of enormous significance to the whole non-proliferation thrust. Sabmis, very simply, can offer a substantial degree of security to poorer friendly nations against crude but terrifying nuclear missiles acquired by ideologically militant neighbors—without requiring such threatened states to develop their own deterrent nuclear forces.

Seventh. We are not speaking here of a defensive system requiring a chain of technological breakthroughs for practical realization. The R. & D. requirement for Sabmis is largely a recombination of state-of-the-art hardware and technology.

Mr. Secretary, I submit that the clear and readily attainable advantages of a Sabmis-Sentinel combination offer, at moderate cost, sufficient enhancement of our ABM capability (for deterrence, defense, alliance policy or negotiation) to warrant most serious consideration before a final commitment to exclusive reliance upon a terminal phase system. Your customary patient attention and thoughtful assessment will be deeply appreciated.

With kindest regards.

Yours sincerely,

William R. Anderson.

TIME FOR CONGRESS TO TAKE ACTION ON THE PROBLEM OF LUMBER

(Mr. BERRY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BERRY. Mr. Speaker, Congress is faced with a very serious situation. It is a situation that is real—it is a situation that must be promptly met.

The point is, there has been more than a 100-percent rise in the cost of lumber during the past 12 months. This has resulted in the entire building industry suddenly being involved in an upward pricing spiral never before experienced. It is going to have a very deteriorating effect on the HUD 235 program.

Congress wonders why. The answer is very plain.

According to the following information which I have received from a prominent lumber dealer and building contractor in my district:

> The Japanese have been getting an enormous amount of our raw material . . . logs . . . 2¼ billion feet in 1968 alone, with no sign that the "Morse Amendment" limitation for export to 350 million feet a year will at all affect this year's or possibly next year's exports because of existing export contracts.
>
> As I write you, there are 284 million feet of logs in the waters of west coast ports, most assumingly ready for export. This vast drain of logs to Japan has kicked up timber prices drastically. It is commonplace today for timber stands to sell at two to three *times* their appraised value.
>
> And the little mill operator, who does not own stands of saw timber, and who is totally dependent on buying federally-sold timber, is *forced* to meet these export-inflated prices to obtain a stumpage for our domestic United States use. As this trend continues, and we see no sign of its abating, then the somber forecast of serious lumber economists may well come true . . . i.e., with further lumber price increases of as much as 25% or more this spring. Right now we lumber dealers find it almost impossible to get firm prices quoted from lumber suppliers who fear that tomorrow's inflation will make today's quotes invalid.
>
> The result? We in turn, leaning on lumber as we do for most construction projects, find it likewise impossible to *bid* our jobs with reasonable certainty that our estimates will be correct when construction commences. We do know what must be done and when. We ask most respectfully for immediate action by the Congress and the Executive Branches for:
>
> 1. An immediate and total ban on exports of timber, from the United States to any place in the world, from any port, of any commonly used building species; such ban to last until this patently apparent crisis has eased in the opinion of the President. Such ban to be imposed by the Secretaries of Interior and Agriculture, under powers now possessed by these two Cabinet officers to so act.
>
> 2. The immediate increase of allowable cut—the amount of timber which may be harvested without jeopardizing sustained yield and other sound conservation practices—from Federal Lands of at least 10% by the United States Forest Service and Bureau of Land Management.

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3. Passage by Congress of immediate additional appropriations by the United States Forest Service and Bureau of Land Management which will allow placement of immediate sale of blowdown (storm toppled) timber and/or bug infested timber which is lying on the ground rotting at present.

Taking these three steps will give our suppliers the raw materials they must have, will at least hold the current line on prices, and will restrict primary use of a United States commodity to the United States, rather than exporting it and the jobs it creates to a foreign nation.

We tell you finally that Japan, for one, does not need United States logs at present. Its economic journals have said repeatedly since last November that Japanese ports are glutted with United States logs which they overbought last year as a last minute Japanese attempt to anticipate implementation of the "Morse Amendment" export limitation.

Mr. Speaker, when we were in Japan last fall we saw bay after bay filled with logs. There was no question but that they had come from the Pacific Northwest, Canada, and Alaska. The building industry needs immediate attention before this great industry grinds to a complete halt for want of our basic building component; namely, wood. It is time for Congress to take action on this very serious situation.

THE EXPLOSIVE SITUATION IN THE MIDDLE EAST

(Mr. DENNIS asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. DENNIS. Mr. Speaker, my hometown, Richmond, Ind., is the seat of Earlham College, a small liberal arts college of about 1,100 students, which is affiliated with the religious Society of Friends.

The president of Earlham College is Dr. Landrum Bolling, who, before he became a college president, had a distinguished career as a war correspondent, newsman, world traveler, and student and professor of political science.

One of the areas to which Dr. Bolling has devoted much time and study is the Middle East, and the explosive situation which exists there today between the State of Israel and the Arab States.

Recently, Dr. Bolling gave an interview on this subject to a weekly newspaper, the Richmond, Ind., Graphic, which is one of the most informative and dispassionate discussions of the Israel-Arab problem that I have seen.

Dr. Bolling's discussion is neither pro-Israel nor pro-Arab; he takes a clear look at a most difficult situation and assesses it from the point of view of our own national interest, and as one deeply concerned with the maintenance of world peace.

Dr. Bolling comes to the conclusion that, given the present situation in the Near East, peace in the area can be brought about today only by and through action by the great powers—that the time to act is now—and that failure to act may well lead to renewed warfare in the area; a situation which might hold grave possibilities of another Vietnam or even of a serious confrontation between Soviet Russia and the United States.

The subject is of such vital importance, and Dr. Bolling's discussion seems to me so sane and intelligent, that I am offering a copy of this interview for insertion in the Record, and I commend it to the attention of my colleagues in the House and to that of persons in the national administration who are charged with responsibility in this area:

Peace of World Endangered Unless Middle East Agreement Comes Soon

(Interview with Dr. Landrum Bolling)

Question. I know that as a historian you never like to start with the present, so perhaps we can back up just a little bit and cite a few facts which led up to our present situation. Maybe starting with 1948? Would that be far enough back, or do we have to go back to Old Testament times?

Dr. Bolling. I don't think we have to go back to the Old Testament, but I think we have to go farther back than 1948. I think that the fundamental issue that you have to look at is the whole basic concept of the Zionist movement. You see, Zionism was the creation of a Jewish journalist in Vienna named Theodore Herzl, who in the 1880's and 90's began to develop a movement, an ideology for the gathering together of the Jewish population.

He, of course, like many other Jews in central Europe was well aware of the incredible persecutions of the Jewish people over many generations and centuries, particularly in Poland and Hungary. And he had the idea that Jews would never be secure, they would never have any sense of hope in the world until they had their own homeland.

And so he began to try to sell this idea to Jewish communities in various parts of Europe and to preach the idea that Jews should be gathered together. The dispersed Jews, or as they call it, the Jews in Diaspora, should be brought back together.

Now, in the beginning there was not clear agreement that this would be in Palestine. As a matter of fact, the early Zionists negotiated for some time with the British about the possibility of setting up a Jewish homeland in the highlands of Central Africa and they actually negotiated about setting up a Jewish state in what is now Uganda. This idea was talked about seriously for a long while, but eventually was dropped and they came back to the idea of re-establishing a Jewish settlement in Palestine.

SOME HAD BEEN THERE

Of course, there had been some Jews who all through the years had remained in Palestine, though the Jewish population in Palestine at the turn of the century was very small indeed. Those who had lived there in Palestine and in other parts of the Middle East among the Arabs had, on the whole, probably as little difficulties with their neighbors as in any part of the world.

The Arabs are, after all, Semitic people themselves. One of the things, incidentally, that infuriates the Arabs is to be called anti-semitic. It is a contradiction in terms. "We are semites ourselves," they say. "We are obviously very closely related to Jews in blood, in culture, in language even, and so on."

So the Jews and the Arabs lived quite harmoniously together over the centuries, though, of course, very few Jews actually did remain in Palestine over a period of 1800 years or so.

The Zionist movement began to focus on Palestine about the time of World War I and the Zionist leaders began to negotiate with the Turkish government which, as an imperial power, controlled most of the Arab lands and controlled Palestine.

MADE DEAL WITH TURKS

This is one of the things, in a sense, that got the Jews off to a bad start with the Arabs, because the Jews made their deal with the hated colonial Turks in the first place to get into Palestine. A lot of the Arabs who thought about these matters were quite bitter that their hated Turkish imperial overlords should bring another people into their midst.

But on the other hand, there were many Arabs who went along in a very friendly way with the idea of bringing Jews into the Middle East. King Hussein's (of Jordan) grandfather, for example, sold considerable tracts of land to Jewish settlers back around 1920, and many of the early Jewish migrants came into Palestine with the full blessing of the Arabs from whom they bought land and with whom they traded, and they settled down to live there."

Question. Did they only come individually?

Dr. Bolling. They came individually or they came sometimes in small groups or small communities out of some part of Poland or Russia. And they began to develop their cooperative communities, their Kibbutzim.

As they became more noticeable on the landscape, as they became more numerous, tensions began to develop and the first of the Jewish-Arab conflicts developed in the 20's and continued on in the 30's with occasional outbursts of violence by one side toward the other and particularly, of course, on the part of the Arabs.

BAD FEELING GROWS

Certain Arab nationalists were beginning to explode at the thought that the Jews were coming into their midst and were going to be taking over more and more territory.

One of the tragic aspects about the whole business was that Arab nationalism was beginning to come to the fore just as, in a sense, Jewish nationalism was coming to the fore. These two nationalisms came into conflict at a moment in history and in a place where conflict was inevitable. I think that is the heart of the whole thing.

One of the most fascinating books that has been written about the current problems out there is a book by a Jewish member of the Israeli parliament, a member of the Knesset. He is also an editor of a magazine. His name is Yuri Avneri who has written this book called "Israel Without Zionists."

He himself says that he owes his life to the Zionist movement. His father was a German Jew who brought him to Palestine in 1933. He says if it hadn't been for the Zionist movement, he would probably be dead today. He fought first of all as a teenage underground fighter in the secret terrorist organization, the Irgun, against the British before they got out. He fought in the war of '48. He fought in the war of '56. He fought in the war of '67.

In spite of all that, he says a purely Jewish state is a bad idea. And he goes beyond that to say that the one single, simple mistake Herzl and the early Zionists made was that they overlooked the fact that the territory was already occupied by the Arabs.

CONSIDER JEWS INVADERS

Now this is a very central point of the whole argument—that here you have an area in which the Arabs, as they see it, had had undisputed control of this area, except for the colonial powers that were over them at various times, for 1,500 years, and all of a sudden they are confronted with this, as they see it, an invasion of foreigners coming in and pushing them out. So this kind of feeling that you get among the Arabs is something that is very much at the bottom of the whole conflict.

Now during the 20's and the 30's, immigration to various parts of Israel increased. Of course, after Hitler came to power in '33, the tide of immigration increased very rapidly until it was shut off by Hitler's control of most of Europe, though actually there were some Jews who managed to get out. They either escaped or bought their way out; that is, they were ransomed out by Jews on the outside.

After the war was over there were, of course, several hundred thousand Jewish survivors in the concentration camps and in hiding around Europe who now came out and many of these wanted to get out of Europe as fast as they could. Many of them wanted to come to the U.S. or Australia or Canada or South Africa, but many of them felt the only hope for them was to go to Palestine.

ZIONISTS FIGHT BRITISH

And so between '45 when the war ended and '48 when Israel came into being, there was this constant struggle against the British forces that occupied Palestine and had the League of Nations mandate to administer Palestine. It was a struggle between the Zionists and the British over the rate of immigration into Palestine.

Question. Now, if I may ask, it was from World War I until World War II that the British had a mandate? Is that right?

Dr. Bolling. Right. The British wound up at the end of World War I with a League of Nations mandate to administer Palestine and to prepare it for self government.

Question. And this was the time the Jews were promised a "homeland?"

Dr. Bolling. Well, the Jews were promised the homeland in the Balfour declaration of 1916. This was a one page letter written by Lord Balfour, the foreign minister to Dr. Chaim Weizmann, who was a very brilliant Jewish scientist, a subject of Great Britain who had been very active in helping with the British war effort.

Weizmann was a leading, enthusiastic Zionist and when the British government asked him what they could do to reward him for his great services in war industry effort, he said, "There is one thing and one thing only that I could ask, and that is that you help us establish a Jewish homeland in Palestine."

And so Lord Balfour wrote a letter in which he said that his majesty's government views with favor the establishment of a Jewish homeland in Palestine. Now that is essentially all it said and you can judge by these words that they were very vague. It didn't say what kind of homeland. It didn't promise a separate independent political state. It didn't say how many Jews. It just said the establishment of a Jewish homeland in Palestine. That letter has been argued over ever since then. The British put one interpretation on it. The Jews put another. The Arabs put another. And yet, of course, the Balfour declaration was, in a sense, the basis of the public commitment to aid this immigration from World War I on.

TEMPO OF DISCORD RISES

Now, between '45 and '48, the tide of migration into Palestine was moving pretty rapidly in spite of difficulties, in spite of the fact the British at one time cut off all immigration into Palestine on the grounds they couldn't keep order because the Arabs were objecting so strenuously to it. And there were riots. There was fighting.

The Jews meantime formed their own para-military organizations to support their cause. One of these was called the Stern gang. One was called the Irgun. These two bodies were, as the British called them, terrorist organizations. They had no official standing, but they were armed bands of men and boys who felt that the survival of the Jews was at stake and that they were out to fight to get freedom and independence for a Jewish community.

There was actually some fighting among themselves, because these people were very passionate about their ideas. There was a good deal of hostility and competition for leadership.

Well, the British finally decided, you recall, in 1947, that they could not continue to exercise this mandate. They said it was no longer possible to govern this country, that it is really ungovernable as it now stands. and therefore the British said to the United Nations, we transfer this back to the United Nations as the successor to the League of Nations and ask that you decide what's to be done with it.

PARTITION FINALLY VOTED

So inside the United Nations was long, long debate that lasted for many months about what should be done about it. A partition plan was finally put forward and the U.N. voted somewhat cautiously and reluctantly to divide Palestine into a Jewish and Arab state, with Jerusalem to be an international city, open to both sides.

Well, the Arabs refused to accept the partition idea. They said this is impossible—we will not allow our territory to be taken away from us this way. And the Israelis said, well this isn't exactly what we wanted—this isn't as much territory as we would like, but all right we will accept it.

So the U.N. decision in 1947 called for the creation on May 15, 1948, of a new state to be called Israel, with the previously predominantly Arab section of what remained of Palestine to be set up on another basis.

As I say, the Arabs would not accept this decision. And on the day that Israel was born officially, May 15, 1948, the Arab neighbors attacked Israel, intending to destroy this state before it really could get born. The Arabs defended their actions then and they defend them still on the grounds that the creation of the state of Israel was an act of aggression against them. Every time the Israelis denounce the Arabs for attacking Israel, the Arabs reply: the very nature, the very existence of Israel is an offense to us and is an aggression against our people and against our territory. And they will always go back to this particular argument.

CHANGES FOLLOW STATEHOOD

Now I think it has to be said that in the period since '48, a lot of things have happened that obviously alter the situation and determine the course of events today and in the months ahead. In the first place, you have to bear in mind that the Israelis proved to be enormously effective fighters and the Arabs proved to be very poor fighters. The Israelis were, in a sense, fighting for survival. Their backs were to the sea. They had to win. If they didn't they felt they would be exterminated. And so they fought heroically and with great effectiveness in '48 and again in '56 and again in '67.

Furthermore, the Israelis were for the most part western trained and western oriented in their skill, their outlook. They are people of the modern world. The Arab populations, in very large measure, are simple and backward and primitive people with limited education and without a sense of passion for their cause.

So the Arabs did not do terribly well in any of these wars. And the Israelis won. In the war of '48, which was connected with their independence, they won convincingly. And in the end they wound up with more territory—something like 30% more territory—than they would have had if the Arabs had accepted the original U.N. partition plan.

TAKE HALF OF JERUSALEM

They also wound up holding half or more than half of the city of Jerusalem. And they refused to accept the idea of an international city—just as the Arabs as a matter of face, refused to accept the fact of an international Jerusalem.

From '48 to '56, there was a cease-fire, but no peace. In all these 21 years since Israel was created, there has been no real peace in the Middle East. There has been only a truce. And that truce has been broken again and again, particularly by the Arab guerillas who commit acts of sabotage against the Israelis. And they have been doing this on and on for many years.

The Israelis, meantime, have built up a powerfully efficient military organization. I suppose they have the most comprehensive military training program in the world.

Israel is an armed camp. Israel is a nation in which everyone is expected to do his military duty, male and female. They have conscription, required military service that lasts from, say age 18 to something like 50 years of age. And on the roads and streets of Israel you see women in uniform right alongside the men in great numbers. They are draftees. The women are drafted just the same as the men.

A NATION OF "SQUARES"

As a people, they are intelligent. They are hard working. They are technically skilled. They are passionately devoted to the defense of their country. And one interesting thing, they are the most "square" people that you will find. No beards, no long hair. Everybody is ship-shape and trim, you know. They give this appearance of a sort of army camp.

Question. As a nation, they are devoted to God and country?

Dr. Bolling. They are devoted to God and country. At least, they are devoted to country. God is not terribly important in Israel, in the sense that the overwhelming majority of Jewish people in Israel have no interest in their own religion as such. It is largely an agnostic and atheistic population. The religious Jews are a tiny minority of the total. But of course, the religious Jews do have a very powerful voice in the total policy of the country.

Well, back to the events since Israel came into being as a state. Israel was never able to get the Arabs to accept her existence. The Arabs have maintained a boycott against Israel. They refuse to trade with her. They refuse to recognize her and refuse to have diplomatic relations with her. They refuse even to allow people to cross from one side of the border to the other, except under very rare circumstances.

Religious pilgrims might at Easter time or Christmas go through the gate, but normally there was a complete shut-off of communication and transportation between Israel and the Arab countries that completely surround her. Of course, Israel has not liked this. She has wanted to be accepted. She wants to have peace with her neighbors. This is perfectly clear.

ISRAELIS OVERWHELM EGYPT

In 1956, after Nasser had nationalized the Suez canal and after he had begun to make an army deal with the Russians, the British and the French backed the Israelis in an attack on Egypt. The Israelis swept across the Sinai peninsula to the Suez canal and Egypt was overwhelmed almost immediately, but the United Nations went into action almost immediately. And in this case the United States and the Soviet Union stood on the same side.

They denounced the Israelis, the British and the French and they compelled them to withdraw, promptly. The Israelis got only one thing out of that war of '56. They got a promise of free passage of their ships through the Gulf of Aqaba, through the straits of Tirhan, which Egypt, of course, could control, provided the United Nations would make Israel withdraw from the Sinai peninsula. This kind of a deal was made and the Israelis did withdraw and the Egyptians did allow the shipping to proceed to Elath.

Nasser precipitated a crisis in the spring of 1967 by saying he was going to close that strait. He was going to shut off the Israeli shipping to Elath. And the Israelis said, of course, we can't tolerate this; this is vital to us and we will fight.

Nasser meantime, trying to re-establish his leadership in the Arab world, trying to rattle the sword and see what it could get

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by way of concessions, was pushing his country and the Arab world to the brink of war. Many people will argue with you as to whether he intended to go to war or not. The Jews, of course, say that he was making every gesture as if he were going to war and they were not going to sit there like sitting ducks until the Egyptians and Jordanians and the Syrians attacked them and overwhelmed them.

THE 6-DAY WAR, JUNE 1967

So the Israelis admit they fired the first shot. They made a pre-dawn attack on the Egyptian air force in the early hours of June 5, 1967, and within a very short period of time—a matter of a few hours—they had destroyed them. They caught them on the ground by surprise, and they completely decimated the Egyptian air force which the Soviets had built up by providing MIG planes and training their pilots. But here in a flash, the Israelis had completely destroyed this.

Having destroyed the Egyptian air force, the Egyptians were not able to use their ground forces, their tanks and their troops to good effect, and again the air force. The air power of the Israelis, plus their skill and hard fighting ability, made it possible for them to overwhelm the Egyptians, to overwhelm the Jordanians, and to overwhelm the Syrians in what we now call the Six Day War.

Since that defeat, there has been, I think a greater hope that a peace could be made than at any time in the last 20 years. The reason I say this is for the first time, I think the responsible leadership in Egypt and in Jordan, particularly, have come to see that they have got to accept the existence of the State of Israel. I think this is the big shift that has taken place. They do not believe it possible to drive Israel into the sea, and they have been very careful about what kind of claims or promises they would make about what they could do.

NASSER COOLS SPEECHMAKING

Nasser used to make speeches, day after day condemning the Israelis—that is before 1967, saying, we are going to get revenge—we are going to drive the Israelis into the sea. They don't talk of that any more. They don't believe that any more. They know that they can't do this. At least they couldn't do it unless they got the Russians' help to do it and this would very likely precipitate a nuclear war.

So I think, the big difference since '67 has been the growing realism of the Arab leadership, in Egypt and Jordan particularly, that some time or other they have got to come to terms with Israel.

Now, after a long drawn-out debate in the United Nations, after Mr. Kosygin and Mr. Johnson had the summer summit conference at Glassboro, New Jersey, and so on, you remember, the U.N. went into session that fall and argued and argued and finally came up on the 22 of November, 1967, with a resolution that called for the acceptance of various principles on which a peace would be based.

The U.N. formula contained in that resolution has four main points and, I think is very important to try to keep in mind. The U.N. resolution of the 22nd of November said that peace should be based upon these principles:

THE UNITED NATIONS RESOLUTION OF NOVEMBER 22, 1967

One—acceptance of the rights of all the states in the area to exist behind secure boundaries. This means, of course, accepting the right of Israel to exist.

Secondly—the right of the shipping of all nations to use freely the international waters of the area. This again would guarantee to Israel the right to use the Suez canal, the Gulf of Aqaba and so on.

Third, the resolution said that there should be undertaken immediate steps to find a comprehensive solution to the problems of the Arab refugees. You see, ever since 1948, there have been hundreds of thousands of Arab refugees driven from their homes in what is now Israel, living many of them on U.N. relief allotments and others scattered all across the world. The Arab refugees are today a very, very explosive factor in the whole problem of the Middle East conflict. And so the U.N. resolution called for a comprehensive settlement of that.

And the final point—actually it was point number one in the resolution—called for the Israelis to withdraw from the territory they had taken.

This resolution, as some of the people who have been most involved say, is a typical British compromise. It was an attempt to get each side to give a little in order to reach some common ground on which a peace could be based.

ARAB LEADERS ACCEPT RESOLUTION

After a brief delay, the representatives of both Jordan and Egypt accepted that Nov. 22 resolution. The Israelis have not to this day accepted the resolution.

When they are pressed on this point, such as the other day on "Meet the Press," the Israeli ambassador said, "Well of course, we have accepted this resolution, except that we say that the implementation of the resolution requires the two sides to sit down and negotiate."

The Israelis have not accepted that resolution. This is a kind of playing with words, because the Israelis have made very clear that they do not intend to give back a substantial part of this territory. The resolution from the very outset says Israel must give up all the territory she has taken. But the Israelis do not intend to give up all the territory. In fact, there are some in Israel who argue they shouldn't give up a square foot of the territory they have conquered. They say that this is a just retribution on the Arabs for the war, that they precipitated the war and therefore they should pay the penalty of it.

Well, this is a part of that whole argument. The Israelis keep saying, "Come to the conference table, let us negotiate." The Arabs keep saying, "Tell us first whether you accept the U.N. resolution." The Arab point of view is that until Israel has declared whether she accepts the resolution or not, they do not know on what terms they are going to negotiate.

ARAB LEADERS FEAR ASSASSINATION

What the Arabs say is Israel wants to get us in a closed room without any U.N. presence, sit down at the table with us and dictate terms of peace to us. We are not going into that room. We are not going to enter into negotiations on this basis.

What is more realistic in one sense is to say that the Arab leaders know that if they entered into negotiations at this point they would be assassinated.

The Arabs are passionate, violent, fanatical people, and no one of these Arab leaders could for a moment consider sitting down at the conference table with the Israelis at this point. Certainly not without some real assurance that the Israelis would live up to the U.N. resolution. They are not going to sit down and negotiate with them. The interesting thing is, of course, that the Israelis know this too. They know that the Arabs are not going to negotiate them. That is why they can keep on saying come and negotiate.

The truth of the matter is that the Israelis really do not want peace now, and I have been told almost this in so many words. They will say something like this: we don't really believe that a peace is possible now, not until the Arabs have had a drastic reform in their government, until they have got rid of these leaders, until they have got themselves better educated, till they have reformed their society, until they have a decent social order et cetera and so on.

They are waiting for the great, glorious new age of Arab reform to take place. Then, they say, it will be possible to sit down and negotiate with the Arabs.

CAN SIT TIGHT, DEFEND SELVES

Furthermore, they have, as they see it, defensible boundaries now. They know that they have military superiority over the Arabs. And they say to you—in fact one of the high officials in Israel said to me—we are not too badly off the way things now stand. We can defend ourselves. We have good boundaries and we have a highly efficient and mobile military force. We can deal with any combination of Arab power thrown against us, and protect ourselves for at least the next 5 to 10 years. And who can plan his life more than 5 to 10 years ahead? This is the honest picture of what is going on in the minds of these people.

The big new factor since the June war, of course, has been, the emergence of the commandos. The Fedayeen is the general term that is used by the Arabs, which is a word that means people willing to sacrifice their lives.

The most important of these organizations is called Al Fatah. The leader of Al Fatah is today—no question about it—the most popular man in the Arab world. He is the man who symbolizes Arab resistence and Arab hope.

One of the things that has to be borne in mind about the Arab people is that they are, by and large, completely disillusioned with their governments. Even Nasser, who at one time was a great hero throughout the Arab world, is today a man who is largely discredited. There just isn't a great leader.

Hussein has a certain popularity with some, but he is not popular even with his own people. If there was an election, would Hussein win? Who knows, but a lot of people are opposed to Hussein, and some of these have guns and wouldn't be at all adverse to using them on Hussein, particularly if he should sit down to negotiate with the Israelis.

NO LEADERSHIP IN ARAB WORLD

So there is no real leadership among the Arabs, today. The commandos give a kind of emotional outlet to a frustrated and angry and bitter Arab who wants something to be done.

When you talk to some of the young people in the Arab world—and I have talked to Arab refugees in Cairo and I have talked to Arab refugees in Jordan and in Lebanon and in New York City, for that matter, and even in Washington, D.C., where I talked to an Arab refugee just a few days ago, a taxi driver—they all sound alike. They say exactly the same thing. They hate the State of Israel. They hate their present leadership. The want something to be done. They are prepared to use violence to change things.

In that total situation, I would say that the possibilities of peace between Arabs and Israelis are virtually nil, in so far as you depend upon the Arabs and Israelis to bring it about.

I think the only possible way in which there is any hope for peace in the Middle East is for that peace to be forced upon them by the pressure of the great powers. Now, this seems like, perhaps, a very horrible way to bring about peace, but I am convinced that the only way in which there is any possibility of peace is for the United States and the Soviet Union to agree—at least to agree sufficiently on a basis for peace, to compel both sides to accept peace.

Unless we are able to do this, then I would say you might just as well forget it and prepare for another round of warfare between the Arabs and the Israelis.

Question. You say that the war—the Six Day war—finally convinced the Arab leaders that they had to come to terms with the Israelis, and therefore this provided the first real hope for peace. This isn't the same thing

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as saying that the time since then has increased the possibility of peace, is it?

PEACE HOPES HAVE FADED

Dr. Bolling. No, the reason why it has become less and less likely to bring peace is that the Israelis did not accept the U.N. resolution. They did not accept the requirement that they withdraw from this territory.

If the Israelis had been willing to withdraw and implement the resolution, and if the United States and Soviet Union had been willing to guarantee the provisions would be carried out, peace could have been brought about.

I think there was a very good chance of peace in the fall and early winter of '67, but the longer the delay continues, the more bitterness rises, the more acts of violence are committed, the stronger Arab commandos become, and the more retaliation the Israelis will inflict on the Arabs. This thing just keeps getting more and more out of hand.

Question. President Nixon has stated that the United States has three options. One is four-power talks within the United Nations, secondly, four-power talks outside the United Nations, and thirdly bilateral talks with Russia. Would you see those as the three options? Are they limited to that?

Dr. Bolling. I am not sure that his options are limited to these. These are certainly three major options. I think the four-power talks inside the United Nations is a good place to begin. You may have to transfer these outside the framework of the U.N. to carry them on. And at some point there is not any doubt at all the United States and Soviet Union have got to sit down and talk face to face about this thing, and probably without any outside help.

The French want to be involved in this. The British want to be involved in it, because both the British and French have long had very considerable interest in the Mid East.

DE GAULLE WANTS IN THE ACT

DeGaulle has taken a major hand in pushing for a four-power conference. You can't very well exlude him, but the real test is to be found I think in regard to the ability of the United States and Soviet Union to sit down and talk this thing through in a wholly realistic way. We have to say to the Russians: Look, we have an interest in peace in this part of the world. You have an interest in peace in this part of the world. We don't want to get involved in a nuclear confrontation here.

I personally have a feeling that of all the danger points in the world, the point where there is greatest possibility of a real nuclear confrontation is the Middle East.

I don't think that this is going to come about. I don't think either the United States or Soviet Union want such a confrontation or will take the steps that will bring a confrontation about. But if one should come, I think the Middle East is the place where it would come. I think the Russians know this. We know it and therefore we both have an interest in trying to cool this thing off.

Question. Where do you think U.S. policy has failed since the Six Day war?

Dr. Bolling. I think it has failed by our refusal to put pressure on Israel to get the Israelis to accept the U.N. resolution as a basis for a negotiated peace. I think that if President Johnson had been willing to stick his neck out at the end of 1967 and say to the Israelis: We are going to insist on a peace here, you cannot go on in this state that you are in now, and we are not going to continue to supply you with arms and economic aid to enable you to maintain this position; you and your long-term survival depends on making peace with your Arab neighbors; the U.N. resolution gives a basis for bringing about a peace, and we will underwrite that peace.

ISRAELIS DISCOUNT U.N. GUARANTEES

Now the Israelis, of course, have always said that the U.N. resolutions mean nothing. The U.N. does not carry out its resolutions and therefore they are saying if they would agree to a peace, the Arabs would immediately violate it and the U.N. would do nothing.

I think, in a sense, the Israelis have a very good point here—that if there is going to be any peace, the U.S. and U.S.S.R. must underwrite that peace. But Mr. Johnson was not willing to do this. Mr. Johnson was playing politics with this issue, and there is of course an enormous American sympathy for Israel. There is an enormous Jewish block pressure in the United States in support of Israel, and any American politician is obviously, in one sense, taking his life in his hands when he tries to force Israel to do anything. This is one of the plain, blunt facts of life about this situation.

Question. You would, then, consider the U.N. resolution as the logical and acceptable basis for drawing up the peace?

Dr. Bolling. I think it is a logical framework within which you can create a peace. It would mean nothing unless you had serious negotiations to spell it out and unless you had a real guarantee of its enforcement. The Israelis have said over and over: If we are asked to withdraw, then who is to say the Arabs will carry out their obligations the rest of the way? They say: All right, we might give up our hold on this territory, but then the Arabs would say all right, we have changed our minds; you still can't use the Suez canal, you can't use the Gulf of Aqaba; we are not going to recognize you or your existence. The Israelis say they are not going to give up this territory without knowing what is going to happen.

Inside Israel, of course, is a great division about what kind of peace would be acceptable. A very interesting thing happened just in the last couple of weeks that highlights this division in Israel. The prime minister of the country, the man who is supposed to be the head of the government Mr. Eshkol (who died suddenly last week) gave an interview to Newsweek magazine in which he indicated the kinds of territorial changes Israel would insist on in order to have peace.

PRIME MINISTER STIRS UP STORM

Mr. Eshkol spelled out what the Israeli government wants. He said: We want to absorb the Gaza strip; we will insist on maintaining our control of all of Jerusalem; we will insist on maintaining our control of the Golan heights in Syria, bordering on northeastern Israel, and we will insist on a control of the point of land that juts out into the Straits of Tirhan way down at the very bottom of the Sinai peninsula. He said these are absolute essentials and Israel will insist on these territorial changes.

That is, in effect, saying, we won't accept the U.N. resolution; we are not going to give back that territory; that is our basic position. Then he goes on to comment on the west bank, where something like 600,000 Arabs live: Well, we perhaps would give back most of this territory, but we would insist on certain security measures along the Jordan valley and we want to have some four or five community bases down there.

Now this was the prime minister of the government speaking, supposedly in full knowledge of what he could deliver. He created a storm of protest in his country. His government almost fell because he gave this interview. Why? Because he was promising to give away more than many Israeli politicians were willing to have the prime minister promise to give back. And this is just a very dramatic proof of the fact the Israelis themselves are not united on what they want or what they would do.

As a matter of fact, in Israel which is a democratic country which does have a free press, you have competing political parties. You have people ranging all the way from one extreme, who would say not only that Israel should give back all the territory it now has but that it ought to start to negotiate and unite with Jordan in a kind of Arab-Jewish federated state. That is one extreme.

FANATICS OPPOSE CONCESSIONS

At the other end you have the fanatical religious orthodox Jews who insist that Israel should keep every foot of land they have and get more. They say that the destiny of Israel is to control all of the land between the Nile and the Euphrates river, because this is what in the Old Testament the great God Jehovah promised his chosen people.

So you know you have these extremes of opinion in Israel. They are not a united people. They are very sharply divided and they have a kind of open competitive political situation in which everybody can stand up and say his piece. It is very difficult for a government in Israel to really pull the country together on this issue.

Question. How about the refugees, who are generally conceded to be the most violent seedbed of hatred in this area? What is the eventual outcome of this group, if any?

Dr. Bolling. This is the greatest unknown, I think, in the whole situation—what is to happen to the Palestinian Arabs, what is to happen to the refugees who have for various reasons and at various times left their home. One interesting thing is that something like 60% of the original Arab refugees went out and found new homes for themselves on their own.

I talked to the United Nations relief director for Arab refugees in Beirut, in Lebanon, and I raised with him the question that is often put forward by the Israelis who say these refugees are just sitting in idleness in camps being kept there by the Arab governments that want them to stay there and be a factor that creates hatred and bitterness and so on.

This U.N. director, who was an American, was very irritated and scornful of this idea. He said this was a favorite bit of Israeli propaganda, but that the truth was that more than 60% of the Arab refugees have gone out by their own initiative and found new homes and new jobs in various parts of the world, in Kuwait, Saudi Arabia, in Lebanon, in Cairo and even the United States, France, Britain and elsewhere.

LEARNING TO IRRIGATE

Furthermore, a number of them have been settled in areas very close by. I visited the Jordan valley on the Jordanian side and saw some of the irrigated farms which the Jordanian government, with the help of the World Bank and the U.N., have developed over the last 12 years since they began this project.

They are people who came into a new land and with the help of irrigation were able to develop very attractive and successful farms. So some of these people solved their problems, but still there are lots of them in refugee camps, maybe 350,000 to 500,000 of them.

Of course, there are lots more refugees in camps today than there were before June '67, because there has been a great flood of new refugees poured out of the so-called west bank of the Jordan and from the Gaza strip. And many of these are living in tents in the highlands between Amman and the Jordan. Many of these refugees were previously living in the Jordan valley, which is below sea level, you know. It is warm, sort of semitropical and a very comfortable place to spend the winter. But because of the Israeli raids on these towns along the river, the Jordanian government had to evacuate those people up

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into the hills, where it is cold and wintery. It is a miserable situation for them.

These people are terribly bitter. You can imagine if you are a refugee in the first place living in reasonable warmth down in a semi-tropical valley and then you are driven out of there and up into the cold, bleak and sometimes snow-covered hillside up in the hills, you can just imagine how bitter those families feel.

NO NEED TO STIR UP

There is no question the refugees are a source of hatred and bitterness. The Israelis keep complaining the Jordanian government stirs up hatred among them. They don't have to stir up any hatred. They don't have to give them any propaganda. These people, out of their own experience, will tell you sometimes with tears and sometimes with screams, how they feel about their experience. The hatred is there. It is unmistakably there. It is not something the Jordan government has to stir up.

Question. If the political situation can be stabilized, perhaps can these refugees be absorbed?

Dr. Bolling. Politically they would like the right to go back. Most of them would never go back; they wouldn't think of going back into areas that are going to be permanently Israel. This is a very bitter political point—they say: Israel has to admit our right to go back to the homes we had before; then we have to have the choice as to whether we go back or not; if we don't go back—and they will all agree that 99% of them wouldn't go back and live under Israel—then Israel has got to compensate us for the houses, the land, the equipment, the bank accounts which they have taken from us and which they hold.

Of course, the Israelis do still hold these properties. They keep records very carefully. They know whose property was whose, and they say: Ultimately we will either return the property or pay for it. But up to this point—and it is 21 years now—this settlement has not been made. And here again is another reason for this bitterness among Arab refugees.

INDEPENDENT ARAB STATE POSSIBLE?

The big question that a lot of people are speculating about is whether a settlement might provide for the creation of an independent Palestinian Arab state that would not be a part of Jordan. You see, what happened after the war of '48 was that Palestine—what remained of the Arab part of Palestine—was annexed to Jordan; became part of this Hashemite kingdom of Jordan which, incidentally, used to be called Trans-Jordan, you will remember. After this union came about, it dropped the "trans" and became simply the Kingdom of Jordan.

A good many Palestinian Arabs would like to break away from Jordan, partly because they look down on the Jordanians. The people from Amman are a more primitive Bedouin. The Palestinian Arabs look upon themselves as the kind of cultural, economic elite of the Arab world, and they look upon the people on the other side of the Jordan river as being Nomadic tribesmen and, of course, a great many of them are, or recently have been.

So the Palestinian Arabs feel a kind of personal identity among themselves. They feel a certain solidarity. They feel a common bitterness and hatred of the Israelis and of the world. There is nobody who really speaks for them, you see. King Hussein doesn't really speak for these Palestinian Arabs. Nasser certainly doesn't speak for them. The Syrians and the Lebanese can't speak for them. And they are scattered all over the world today. In one sense, this is a kind of Jewish dispersion.

The Palestinian Arabs are now literally all over the world, and most of them want to come home. Most of them would like to come home and find that the homes were theirs again, and that the Jews had somehow disappeared. They know that isn't going to happen, so what do they do? Do they try to create a small state between Jerusalem and the Jordan valley or do they unite with Jordan permanently?

ISRAELIS FAVOR BUFFER STATE

The Israelis have had a theory about this. One of the things they have pushed very hard has been to try to get the Arabs on the west bank to create a semi-independent state with which Israel would make a treaty, in which Israel would guarantee to trade with and to deal with them in a favorable way and so on.

The Israelis have until fairly recently, kept all of the Arab mayors in office. They have kept the Arab judges in office. They went out of their way to try to say to the Arabs on the west bank area: Look, this is your land; we recognize this; these are your homes; this is your government; we want you to be independent; we want you to be self reliant; we want to deal honorably with you; now you just tell us what you want and let us live in peace together; you form a government on the west bank and we will deal with you. The Arab leaders up to this point have indignantly rejected this. They say: That is a harlotry; you are trying to treat us exactly the way Hitler treated the Czechs; you want a Quisling state here, and we are not going to be Quislings; you Jews of all people ought to understand that no people is going to accept this kind of subject status.

The Israelis reply: You misunderstand us; you are accusing us of the wrong ideas and intentions; we just want to live in peace and so on.

PROSPECTS FOR PLAN NOT GOOD

Well, this is one of those things that is not getting anywhere. The Israelis keep saying, let the Palestinian Arabs organize their own government. We will deal with them and once we have made peace with the Palestinian Arabs, then the the Jordanians and the Egyptians will have to fall in line. That approach, as far as I can see, isn't going to go anywhere, but there are a lot of Israelis who are playing around with this idea.

Question. How about Lebanon? Will its traditional friendship with the West break under the current strains?

Dr. Bolling. The Lebanese are very resentful of the West and what we have done.

The Lebanese are very canny businessmen, and they are very determined to maintain their own economic position. I don't think they are about to get involved in a war with Israel or break relations with the West so long as it is to their advantage to go the way they are going. They are small; they have little in the way of military power. Emotionally, of course, they are committed to the Arab cause, and to the cause of the Palestinian refugees. They received a pretty heavy blow when the Israelis attacked the Beirut airport, but their involvement so far has been an emotional involvement. I think they will find ways to continue to trade with the West and to be on basically good terms with us.

Question. Out of this tangled skein of cause and effect, if you had to pick one element that you think might be most important in leading to peace, what do you think you might select?

Dr. Bolling. I think the common fear of the Americans and the Russians is nuclear annihilation. I think that is the most constructive factor in the whole situation—both the Russians and the Americans don't want to get into a nuclear confrontation anywhere. And they certainly don't want to get into a nuclear confrontation in the Middle East.

MUST PRESSURE "CLIENT STATES"

I think because the Americans and the Russians realistically see this danger, they are going to try very hard and seriously to force their client states—and that is what you have to call those people; Israel is a client state of the United States and the Arabs are client states of the Russians—into some sort of live-and-let-live truce. That won't be easy, but I think that our mutual apprehension about war may be the main factor that will drive us towards peace.

Question. So we know all this about the perilous Mid East situation. Why is there any reason for a resident of Richmond, Indiana, to concern himself about these matters?

Dr. Bolling. We are all concerned about the peace of the world. We are all concerned about whether the United States is going to get itself involved in another Vietnam.

Because we are interested in our own peace, we have every reason to be interested in the peace of the Middle East.

Question. But what can we do about it?

Dr. Bolling. I think we have to give support to the president and the state department to go forward with negotiations to try to bring about a peace and to make what we will have to do in the end—make some commitments to enforce whatever peace is agreed on.

In addition to that, we are going to have to make some pretty important financial foreign aid commitments that help both Arabs and Israelis get out of this mess.

This won't be an easy thing, and it won't be an inexpensive thing, but it is so important to the peace of the world we have got to do something.

IS THE SURTAX NECESSARY?

(Mr. CARTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. CARTER. Mr. Speaker, last year we were told that passage of the surtax was necessary to keep our dollars from being devalued, and that such a tax would curb inflation.

This tax affects every person drawing a salary—our workers and our great middle class. Inflation continues to soar, however, and spending has not been cut back.

Few of our millionaires, billionaires, and countless foundations pay any tax at all. Some of our extremely wealthy pay a small tax because of a guilt complex or to keep up appearances.

By means of foundations, members of wealthy families have been able to continue their control of their great wealth, whereas without such foundations 77 percent of the moneys placed in foundations would have gone to the Government in the form of taxes.

Unless the loopholes through which these millionaires, billionaires, and economically and politically motivated foundations escape taxation are stopped, we should consider voting against the surtax which is a heavy weight on the backs of our working people.

"PUEBLO" CREW TAX EXCLUSION BILL INTRODUCED

(Mrs. MAY asked and was given permission to address the House for 1 minute and to revise and extend her remarks and include extraneous matter.)

Mrs. MAY. Mr. Speaker, last Thursday, March 6, I brought to the attention of the House what I believe to be a serious injustice in the Federal tax treatment of the crew of the U.S.S. *Pueblo*.

Today I am introducing a bill which, if enacted, will correct that injustice. The text of the bill is as follows:

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H.R. 8653

A bill to provide for an exclusion from gross income in the case of compensation for members of the crew of the United States Ship *Pueblo*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the case of any member of the Armed Forces of the United States who was aboard the United States Ship *Pueblo* at the time of her capture by military forces of North Korea, any compensation received for service performed on or after January 1, 1968, and before February 1, 1969, as a member of the Armed Forces of the United States shall be treated as compensation for active service to which subsection (a) or (b) (as the case may be) of section 112 of the Internal Revenue Code of 1954 applies.

If enacted, Mr. Speaker, this legislation will provide the crewmembers of the *Pueblo*, during the period of their captivity in North Korea, the same Federal income tax benefits that are accorded members of our Armed Forces who serve in officially designated combat zones.

The present inequity insofar as the *Pueblo* crew is concerned is this, Mr. Speaker:

Members of the Armed Forces serving in Vietnam and contiguous waters do not pay income tax. By Presidential directive, Executive Order No. 11216, dated April 24, 1965, Vietnam and contiguous waters are designated as a combat zone so that servicemen, in the case of enlisted personnel, are excluded from income tax liability on their military pay. This includes both regular pay and "hostile fire" pay. In the case of commissioned officers, the tax exclusion is $500 per month.

Last year, during the period of North Korean captivity of the crewmembers of the U.S.S. *Pueblo*, the Congress, by special action, made available to the crew the same "hostile fire" pay available to our Armed Forces serving in combat zones. However, since North Korea is not covered by the provisions of Executive Order No. 11216 and is therefore not designated as a combat zone, the *Pueblo* crewmembers presently face the prospect of having to pay to the Internal Revenue Service income tax on the pay that was held for them during their captivity.

Quite frankly, Mr. Speaker, I look on this inequity as an oversight which the Congress should move quickly to correct. Although the Bureau of Naval Personnel did not withhold Federal income tax from the pay of the crew, the Internal Revenue Service states that it has no choice but to collect the tax. It is due and payable 120 days following the crew's release.

I was happy to note, Mr. Speaker, that a number of my colleagues from both sides of the aisle have contacted me since last Thursday to express their support of my effort to correct this inequity, and have asked to be listed as cosponsors of the bill I am introducing today. I am pleased to have their support, and I wish to invite any and all of my colleagues to introduce similar legislation if they so desire. Such action should enhance the chances of obtaining favorable and timely action on this vitally needed measure.

INTEREST RATES ON U.S. SAVINGS BONDS

(Mr. MICHEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks and to include extraneous matter.)

Mr. MICHEL. Mr. Speaker, for the third straight month, more U.S. savings bonds and freedom shares were cashed in by Americans than were bought for the future. This is a clear indication that the present rates of interest being paid on these bonds are unrealistic and unfair. I have introduced legislation (H.R. 7015) which would authorize the President to raise the interest rates to at least compare with bank rates. We cannot expect the small investor to sacrifice his interest earnings in the name of patriotism when big investors in Federal securities are grabbing off interest rates above 6 percent.

When $13 million more Series E bonds were cashed in than were purchased last month, it should be obvious that more and more Americans are realizing that under present interest rates these bonds are not good investments. I am hopeful that Congress can read the handwriting on the wall, and will take action to bring these bonds up in line with today's money market. Savings bonds have long been an important part of Federal borrowing, as well as providing financial security and a convenient way to save through payroll deductions for millions of Americans. We should not let this program wither for lack or action.

WILBUR MILLS HONORED IN SALT LAKE CITY CEREMONY

(Mr. LLOYD asked and was given permission to extend his remarks at this point in the Record and to include extraneous material.)

Mr. LLOYD. Mr. Speaker, on February 27, our esteemed colleague, the gentleman from Arkansas (Mr. Mills) was in Salt Lake City, Utah, where he was presented the second annual Arthur V. Watkins Distinguished Congressional Service Award at the University of Utah Founder's Day celebration. Former Utah U.S. Senator Arthur V. Watkins presented the award to Representative Mills for "significant contributions toward the solution of vital national problems and deep dedication to the prerogatives of the House of Representatives." The award is sponsored by the Hinckley Institute of Politics at the university and friends of former Senator Watkins.

It is with great pleasure that I include here the full statement explaining the basis for the selection of Congressman Mills for this Distinguished Service Award:

> Now thirteenth in seniority in the entire House of Representatives, Wilbur D. Mills was elected to Congress in 1938, and is now serving, thirty-one years later, in his sixteenth consecutive term. In him, the people of Arkansas' second Congressional district and the citizens of the United States have a fiscal authority who combines wisdom, gentility, and courage of the highest order. Faced with the demand by a powerful President for a surtax increase, the chairman of the House Ways and Means Committee insisted that significant reductions in Executive Branch expenditures precede any increase in taxes. The bargain which he forged, against incredible pressures, produced the fiscal miracle of the 1960s—moving the government's accounts from a twenty-five billion dollar *deficit* to a two billion dollar *surplus* in twelve months. But beyond a dollars-and-cents victory, what Wilbur Mills really accomplished during the 90th Congress, second session, was the employment of that most ancient parliamentary weapon, the purse string, to reassert parity for the legislative branch in the scheme of our national government. James Madison would be proud of Wilbur Mills!
>
> For his courage in the face of great pressures, for his significant contributions to the solution of a vital national problem, and for his deep dedication to the prerogatives of the House of Representatives, Wilbur Mills is qualified, in an outstanding way, to receive the Arthur V. Watkins Distinguished Congressional Service Award for the 90th Congress, second session.

HEROIC MINER RESCUED IN UTAH

(Mr. LLOYD asked and was given permission to extend his remarks at this point in the Record and to include extraneous material.)

Mr. LLOYD. Mr. Speaker, a dramatic rescue operation to free a trapped Utah miner ended Sunday night when rescue crews hauled William V. "Buck" Jones, 61, of Midvale, Utah, from a 5-foot cubicle in which he had been entombed for more than 8 days.

Mr. Jones, who is the father of 11 children, was trapped March 1 in a cave-in at the lead-zinc mine in Lark, Utah, west of Salt Lake City. It took rescue crews about 4 days of round-the-clock digging before they could establish contact with Mr. Jones and ascertain that he was still alive.

The first coworker to hear Mr. Jones' voice through the mass of rock and debris quoted him as saying:

> When are you going to get me out of here? I'm thirsty.

Rescuers shortly thereafter completed cutting through a small lifeline through which food and water was lowered to the trapped miner. Then Sunday night, crews who had been chipping away at solid rock with handtools to avoid a second cavein, reached the miner via a small passageway.

Mr. Jones was in fairly good condition despite the ordeal, and managed to wave to a crowd of relatives, miners, and newsmen before being placed in an ambulance at the mine entrance.

Coworkers have contributed at least part of the successful rescue to Mr. Jones' experience and knowledge gained in more than 30 years in the mines.

I salute this courageous man. Utahans, and indeed the entire Nation, have been inspired by his rare display of faith and toughness. I also salute the rescue teams for their valiant performance in bringing him out alive.

Mr. Speaker, I insert at this point an editorial from the Salt Lake Tribune on the rescue:

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[Editorial from Salt Lake City (Utah) Tribune, Mar. 11, 1969]

MINER'S FAITH, FINE EXAMPLE

The saga of William V. (Buck) Jones is the story of human endurance. Not just the ability of one man to survive a punishing ordeal, but also the devotion of relatives, friends, fellow workers and mining company in carrying out the agonizingly prolonged rescue.

When falling rock sealed Buck Jones in his trunk-sized underground tomb March 1, the always ominous alert to a mine cave-in was sounded. It signaled 8½ days of hard work, prayer, and grim vigil. Though unharmed and untroubled by fire, flooding waters or lethal gases, the 61 year-old miner was nonetheless trapped, almost encased, forced to endure in isolation a crouching confinement and the constant threat of another earth collapse. The minutes of uncertain peril turned to hours, then days.

In fact, it was four days before rescue crews made voice contact and were able to send food and water through a tube. From Wednesday to Sunday evening, when a weary but smiling Buck Jones was carried from the mine entrance, Lark, Utah, exemplified man's unhesitating dedication to saving a life in jeopardy.

Company crews and officials worked around the clock, often to the point of exhaustion, exercising every device and method available that promised quick, safe entry to Buck's rock-plugged prison. The Jones family, worried but always hopeful, bravely held up under the strain.

Throughout the ordeal, the trapped miner himself, periodically expressing his heroic patience, renewed the hope and energies of those anxiously waiting or carefully digging. He knew his own strength and the commitment of his rescuers.

Heartfelt congratulations go to everyone connected with the successful rescue. Buck Jones deserves a full measure of admiration and respect. He said minutes after regaining his freedom: "I would never have gotten out alive if the good Lord hadn't had His arms around me."

There is in this man's lonely, frightening experience a significant lesson. Faced by known peril, reminded by foreboding walls around him of the possibility of slow death, Buck Jones put unquestioning faith in his God, in his fellow man, and in himself. And now that his ordeal is over, the rescue reminds us all of the power of faith and confidence to accomplish the seemingly impossible.

TAX-LOSS FARMING

(Mr. ZWACH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ZWACH. Mr. Speaker, yesterday was the first day of testimony on tax-loss farming before the House Ways and Means Committee. I submitted written testimony on this very important subject because of my sincere interest in this area and because I had authored bills on this matter both in the previous session and in this session.

Under a provision of the law, purchases of expensive improvements on farms which tend to make the farm more productive or of greater capital value over a period of years, may be amortized. This has become a very necessary tool for many farmers who have tilled their farms, or put in a cement feeding floor for livestock, or put up a modern dairy, poultry or livestock barn or other facilities in order to meet higher and higher quality standards. This has resulted in a benefit to the American housewife in lowering the cost of her food and fiber, while improving the quality and quantity to such an extent that the American consumer has the world's greatest bargain. However, misuse of this provision has occurred by outside interests or corporate entities whose main source of income is other than agriculture. My bill puts a limit of $15,000 of off-farm income which may be applied against the cost of production or of making improvements. This will largely prohibit deductions for annual cost of production by those groups who use the most expensive equipment and who sell their produce at less than cost, thus producing a form of subsidized, unfair competition against the bona fide farmer.

I believe that the Ways and Means Committee and the administration should be commended for their early consideration of closing this loophole.

PROPOSED UNIFORM CONSUMER CREDIT CODE

(Mr. WILLIAMS asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. WILLIAMS. Mr. Speaker, the best interests of American consumers were ignored by those who have sought to destroy the proposed Uniform Consumer Credit Code currently under consideration in numerous State legislative bodies.

The proposed Uniform Consumer Credit Code was the product of the National Conference of Commissioners on Uniform State Laws, currently comprised of about 180 unpaid lawyers, appointed by the Governors of the various States. These same Commissioners on Uniform State Laws have developed uniform laws affecting many important areas which have been adopted by the various States and have produced beneficial results.

The violent attack by the Consumer Federation of America has virtually sealed the fate of the proposed code in State after State, even in those States where present State law affords practically no consumer credit protection, and legal interest rates run as high as 300 percent. Hearings 2 weeks ago before the House Subcommittee on Consumer Affairs in which the Consumer Federation of America charged "misrepresentation" and "deceit" against those who promulgated the proposed Uniform Consumer Credit Code showed how little regard this group had for the reputation and character of those who toiled for 5 years—at no personal compensation—in producing the proposed code.

Among other things, the House Consumer Affairs Subcommittee hearings revealed that the Consumer Federation refused to grant the commissioners an opportunity to discuss the code prior to adoption of a position against the code by the consumer group. Also, contrary to press reports, which claimed the code was supported by lenders, a large segment of the banking and small loan industry vigorously have been working against adoption of the code by State legislatures.

During the hearings I requested the representatives of the Consumer Federation of America to submit proposals for changes in the Uniform Consumer Credit Code which would make the code acceptable to them. Even though these representatives agreed to submit such changes, nothing has been forthcoming from them to date.

Further, the statements of Mr. J. L. Robertson, vice chairman of the Board of Governors of the Federal Reserve System made before the House Consumer Affairs Subcommittee made it quite clear that in order for the Federal Truth-in-Lending Act to be fully effective most States must change their laws regarding the regulation of credit. Mr. Robertson further stated that certain provisions of the Federal Truth-in-Lending Act actually subordinate this act to State laws.

The net result of this zeal to destroy on the part of the Consumer Federation is that efforts to reform State law governing consumer credit protection may have been set back perhaps as much as a decade. The damage that was done by the reckless charges of the Consumer Federation against the UCCC is best illustrated by the fact that on February 10, 1969, the Washington Post carried a highly critical article concerning the Uniform Consumer Credit Code which was entitled "A Code To Legalize Usury." Yet, on Sunday, March 2, 1969, the same newspaper carried another editorial, entitled "Consumer Code: Another View," in which they retract the statements made in their February 10, 1969, issue. I will include copies of these editorials at this point in the RECORD:

[Editorial from the Washington Post, Feb. 10, 1969]

A CODE TO LEGALIZE USURY

Sometime before July, 48 of the 50 state legislatures will consider bills devised to write into law maximum interest rates of as much as 36 per cent for small loans and installment purchases and as high as 24 per cent for revolving charge accounts. The proposals are the object of heavy lobbying by bankers and small loan companies. But they are also beginning to raise eyebrows on Capitol Hill. Most recently Rep. Wright Patman denounced them on the floor of the House as proposals to "legalize usury" and warned that if adopted they will codify "some of the highest interest rates ever imposed on the American consumer."

Mr. Patman is dead right. For what the financiers have done is to move quietly but effectively to subvert not only the intent of the truth-in-lending act passed last year by Congress, but to undermine many of the consumer protection statutes already on the books in most of the states. To do this, they have devised a neat legal gimmick called the Uniform Credit Code, which uses to their own advantage provisions in the truth-in-lending act itself.

Their gimmick is this: the new Federal law allows state law to supersede it in cases where the state law is at least as strong on truth in lending as the Federal act. The Federal law requires, among other things, that lenders and creditors disclose interest rates on credit. It does not, however, set ceilings on those rates. The monied interests have drafted language in their Code, therefore, which carefully meets all the Federal disclosure standards, while at the same time setting outrageously high interest rates, and worse, removing a host of restrictions and responsibilities now imposed on the finance industry by law. The Code, in the guise of protecting the public from disreputable practices, is couched in language so obtuse, so unreadable, as to tax the skill of the keenest lawyer.

Some of the language in the proposed California Code, and like it the codes in the majority of the states, was unraveled into laymen's terms by Judge George Brunn of Berkeley in an address before the Consumer Assembly here last month:

Under present law, Judge Brunn said, small loan companies are scrupulously regulated and subject to suspension or revocation of their licenses for infractions of the law. The Code, however, says that such action can be taken only after "repeated and willful violations."

"Present law forbids the taking of realty as security," Judge Brunn pointed out, but the Code allows it in loans over $1000. The meaning of this, of course, is that failure to repay a loan can result in the loss of one's home, an occurrence not uncommon to families in urban ghettos.

A partial list of other "protections" to the consumer reads as follows:

Present law forbids charges in addition to interest other than official fees and insurance. The Code would allow a host of other charges, including delinquency charges, deferral charges, and a vaguely worded loophole allowing "charges for other benefits . . . conferred on the debtor."

The present law provides for bonding; the Code does not.

Unlike present law, the Code does not prohibit the loan company from transacting business under a different name.

Unlike present law, there is no requirement to give the borrower a receipt for each payment.

Unlike present law, there is no prohibition against the use of incomplete instruments (blank contracts filled in after they are signed).

And so on and so forth. The catalogue of horrors is equally as long and as disreputable for credit sales. The worst feature of this sleazy attempt to subvert laws, of course, is that it will be the poor, upon whom the financiers can most easily prey, who will suffer the consequences.

This is an issue, therefore, which goes to the very heart of the cycle of poverty gripping inner city ghettos throughout the Nation, and the reaction of the states and the Congress to it will surely indicate whether those in authority intend to attack the problems of the cities with something other than rhetoric. Consumer protection laws are, if anything, in need of strengthening. If the Code proposed by the financiers is adopted in any of the states, however, the poor, and with them the interests of the public, will have suffered a major defeat.

[From the Washington Post, Mar. 2, 1969]

Consumer Code: Another View

In our Feb. 10 editorial, "A Code To Legalize Usury," we asserted (in no uncertain terms, alas) that the proposed Uniform Consumer Credit Code under consideration in the state legislatures throughout the country was a scheme devised by financiers to subvert the intent of the truth in lending act of 1968. With the benefit of further study, subsequent testimony before a congressional committee, and some constructively critical correspondence, we would like, as they say in Congress, to revise and extend our remarks.

To begin with, a correction is in order. The Code was not, as we said, devised by financial interests. It was proposed, rather, by the National Conference of Commissioners on Uniform State Laws, a group of state officials who adopted the highly complex Code after extensive consultation with all consumer-interested people and organizations, including, of course, financiers.

It must also be conceded that there are compelling arguments in favor of adoption of uniform ceilings on interest rates for small loans (36 per cent) and revolving charge accounts (24 per cent), major provisions in the Code. As pointed out by Harvard Professor Robert Braucher in hearings on the Code this week before the House Subcommittee on Consumer Affairs, about half the states now have maximum small loan rates of 36 per cent or higher, and about half have no maximum rate at all on revolving charge accounts. While the proposed rates may on face value appear high, they are in fact neither unfair to the consumer nor exorbitant for the loan companies.

Former Senator Paul Douglas, in lending his qualified support for the Code earlier this year in Massachusetts, noted that "higher or lower rate ceilings do not raise or lower finance company profits but rather, determine credit availability." It is a harsh fact of life, particularly in the inner city ghettos, that credit is not generally available. The alternative to legal rates, of course, is the black market where, as Professor Braucher points out, rates often soar to "260 per cent or higher."

While the Code is not the embodiment of all earthly evil, neither is it the final answer on consumer protection. There are, in point of fact, inherent dangers in it, the most salient of which is that it may be swallowed wholesale by state legislatures. In states with stronger consumer protection legislation already on the books, the effect would be to weaken existing laws. Responsible critics of the Code have raised serious objections to its coverage of licensing and regulation of small loan companies and have pointed out a number of loopholes. It should be in a spirit of caution, therefore, that the proposed Code be considered in the state legislatures. The Commissioners who drafted it, as Rep. Lenor Sullivan put it bluntly at the hearings, have tried to push the Code down the throats of state legislators "before they have time to know what they're voting on." The consequences of such an exercise may in the long run prove damaging to the Commissioners, to the Code, and to the interests of consumer protection.

The winners of this reckless game will be those who benefit from the present hodgepodge of State consumer credit law, particularly loan sharks. The losers are the consumers, especially low-income Americans who constitute the primary source of revenue to the multi-billion-dollar loan shark segment of organized crime.

The Federal Truth-in-Lending Act barely scratched the surface in affording the consumer the degree of protection he deserves. Without a complete review and reform of the large body of State consumer credit protection laws, many of which provide little or no protection to the consumer, its effect will be sadly undermined. While the falseness of the charges against the proposed State code is beginning to emerge, I fear the truth will never catch up with the initial charge and, unless prompt corrective action is taken, the damage will have been lethal.

A BILL TO STUDY REFORMS IN ANTITRUST LAWS

(Mr. McCULLOCH asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. McCULLOCH. Mr. Speaker, I introduced legislation today to establish a commission to study reforms needed in the antitrust field. Cosponsoring this legislation are Representatives Gerald R. Ford, Cahill, MacGregor, McClory, Smith of New York, Meskill, Sandman, Railsback, Biester, Wiggins, Dennis, Fish, Coughlin, Betts, Bow, Latta, Clancy, Taft, Wylie, and McCloskey.

I am pleased to advise the House, Mr. Speaker, that Senator Javits is introducing identical legislation in the other body today, and his cosponsors will be Senators Dirksen, Cooper, Hartke, and Mathias.

Mr. Speaker, American antitrust policy must constantly resolve the dilemma posed by this Nation's desire for economic efficiency and its belief in the importance of decentralized economic and political processes.

To resolve this dilemma reasonably and with intelligence, we must be constantly vigilant to insure that our antitrust policy is consistent with these goals.

Often today, this is not the case. Economic concentration of our resources threatens to cripple competition in the market sector of the economy.

The merger movement offers the most obvious example. In 1950, section 7 of the Clayton Act was amended at least in part to halt this trend toward concentration. But whatever the intended effects of the Celler-Kefauver amendment were, its passage did not diminish the number of mergers. In fact, after 1950, the number increased rapidly. In the fields of manufacturing and mining, mergers increased annually from 219 in 1950, to 387 in 1954, to 683 in 1955, to between 835 and 1,000 during the period from 1959 to 1965, and probably surpassed 2,300 in 1968. Between 1951 and 1961, the companies listed in Fortune's "500" acquired on the average 6.8 companies.

More significant, however, was the increasing number of multi-industry companies. Between 1954 and 1958, the number of multi-industry firms increased by approximately 59 percent while the number of all firms, including all single-unit firms, increased by only 13 percent. That conglomerate mergers clearly dominated the merger trend during this period is shown by a comparison of conglomerate, horizontal, and vertical mergers during the periods 1948–53 and 1960 and 1964. Of the 811 large mergers effected during these periods, the number of horizontal mergers decreased from 31 to 12 percent, vertical mergers increased from 10 to 17 percent, while conglomerate mergers increased from 57 to 71 percent of the total. In 1968, they accounted for 90.7 percent of the total. Indeed, manufacturing multi-unit firms increased by 40 percent while the number of all manufacturing firms increased by only 3 percent. Moreover the conglomerate tended to account for a large percentage of the factors of production expended. For example, in 1958, conglomerate accounted for only 1.3 percent of the more than 3.1 million companies but employed more than 44.4 percent of the total company labor force.

With concentration, whether horizontal, vertical, or conglomerate, comes standardization and uniformity, albeit

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efficiency, which can pose grave dangers to our economic and social institutions, if not effectively regulated.

But mergers only represent one facet of the problem. In addition, the increasing occurrence of vertical price fixing, tying agreements, territorial and customer restrictions which threaten vertical integration and undercut the vitality of the small businessman command a reexamination of the methods of detection and regulation of such activities. Moreover, the ability of American enterprise abroad to compete effectively with foreign cartels, the validity, for antitrust purposes, of patents and patent licensing agreements, the exemptions from antitrust coverage, the deterrence offered by private antitrust enforcement, the ability of the various governmental agencies to effectively enforce the laws and many other issues demand contemporary answers.

Not since 1955, has a comprehensive study of the antitrust laws been undertaken. The Attorney General's National Committee to study the antitrust laws performed most rationally and effectively their most difficult task. But much time has passed. Reexamination is needed now. We must reassess our policy as reflected in the existing antitrust statutes. We must reassess the validity of the economic and social theories currently underpinning the judicial and administrative interpretation of these statutes and procedures to make certain that they maximize the opportunity to achieve the benefits of economic efficiency without endangering the vitality brought to America from small decentralized business units.

Accordingly, Mr. Speaker, I urge that the Commission, to study needed revisions in the antitrust laws provided for in this legislation, be established at once so that we may soon have solutions to these compelling problems.

ESTATE TAX RELIEF FOR FARMING, RANCHING, AND CLOSELY HELD BUSINESSES

(Mr. PRICE of Texas asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PRICE of Texas. Mr. Speaker, today I am introducing legislation to spare families of farming, ranching, and small business operations from forced liquidation in order to pay high estate taxes resulting from unrealistic asset valuations.

The devastating impact of Federal estate taxes on the families of ranchers, farmers, and some small businesses has become a problem of grave concern. In recent years, an upward trend in the sales prices of farm and ranch properties, primarily caused by speculators investing in land, has produced higher and higher taxes at the death of the farmer, rancher, and small businessman. Often the heirs have little or no cash with which to pay these death taxes. This has already forced the liquidation of many family operations and could force the sale of countless other ranches, farms, and small businesses on the death of present owners. Moreover, it is usually the smaller family farms, ranches, and businesses which have to be sold to meet the estate tax levies.

The effect of this trend is to threaten the continuation of the traditional family business, ranch, or farm. For decades, the family operation has given us plentiful production of food available at an ever-decreasing share of take-home pay. Today, the rest of the world looks to the success of the American farmer with admiration. If these families are continually forced from rural America, the present Federal estate tax laws not only hasten the death of the traditional American farm but also speed up the mass migration to the cities where desperate conditions are already screaming for relief. Furthermore, the small, family-owned business has played an equally important role in building America. Such businesses provide the goods and services expected and demanded in neighborhood homes located where big corporations cannot serve efficiently.

Although while alarm is expressed about the disappearance of the farm, ranch, and community business, the Congress unexplainably permits the continuation of a discriminatory tax based on unrealistic, inflated land values and thereby makes it virtually impossible for relatives to carry on the family operations.

In contrast to farms and ranches, the valuation of publicly traded stocks and securities generally reflects their earning power, and such stocks and securities can be sold on death without destroying a family business. Since the earning power of shares of stock in an estate is generally considered the most important factor in determining value, it becomes proper to advocate that earning power should be considered in the valuation of a farm, ranch, or closely held business for estate tax purposes. Thus, decedents whose estates consist of farms or ranches or small businesses are discriminated against in comparison with those whose estates consist of marketable securities.

The principal reason for the estate tax discrimination is the requirement in the Federal estate tax regulations that the tax be imposed on the "fair market value" of the assets at the time of the owner's death. In the case of real estate, the fair market value is usually established by comparing land in the estate with prices recently paid for other land in the area.

More often than not, these prices are vastly inflated and are in no way comparable to the value of the decedent's ranch, farm, or business based on its ability to earn. Today the price for which farm or grazing land might sell to speculators is out of proportion to what it will earn for farm or grazing purposes. Unfortunately, however, many revenue agents refuse to give any consideration whatsoever to the earning capacity of a ranch or farm in determining its value for estate tax purposes. To the contrary, they rely only on inflated sales prices of similar farms and ranches which have been grabbed up by land speculators. Thus, the family which does not have substantial outside assets cannot pay the estate taxes. As a result, the family operation has to be sold or heavily mortgaged at the highest interest rates in history and cannot be continued by the next generation.

To illustrate the problem consider the following example: Farmer Jones dies, leaving his 10,000-acre cattle ranch to his son. Assume the ranch is valued at $30 per acre, is paid for, and the cattle and supplies would sell at an auction for $150,000. Farmer Jones has no prior debts.

This ranch is now valued for estate tax purposes at $300,000. The personalty is valued at $150,000, bringing the total estate to $450,000. After the $60,000 exemption, Farmer Jones' taxable estate comes to $390,000. The estate would have to pay an astounding $110,500 in Federal estate taxes.

On the other hand, computing Farmer Jones' tax based upon the property's earning power produces a more equitable and realistic evaluation. Jones had an average annual income of $7,500, a profit that is slightly above the average 1.5-percent value of his total earnings earned by most cattlemen. Taking a capitalization factor of 4½ percent increased value per year, Farmer Jones' capitalized earning value comes to $165,000. With the $60,000 exemption, the taxable estate is now $105,000 and the estate tax would be a much more reasonable $22,200.

This same problem applies to the small businessman, who finds that high estate taxes make it impossible for the family business to be carried on from one generation to the next. The business is purchased by those who can pay the price, and what used to be a traditional and proud community service becomes a speculative investment for those who can afford it.

Furthermore, it is alarming to view the great migration to the urban areas of over half a million persons a year. A major domestic concern is to reverse this trend and to provide relief to young men and women by encouraging them to remain in the family business and to contribute to the economy of rural America.

The legislation I am introducing will provide a fair alternative to the present estate tax law. It will allow the executor to have the option of having the decedent's interest in the business valued at either: first, its fair market value—as determined under existing law—or, second, the higher of the decedent's adjusted cost basis or a value based upon the reasonable earning power of the business as measured by taxable income. The earning power of the business would be computed by multiplying the annual average operating return of the business—that is, taxable income of the business—for 10 consecutive taxable years prior to the valuation date by a capitalization factor, which would be ascertained by reference to the price-earnings ratio index of common stock yields for the calendar quarter ending immediately prior to the valuation date as published in the Federal Reserve Bulletin.

If an election by the executor or administrator was not made in a timely manner, the decedent's interest in a ranch, farm, or closely held business would be its fair market value. If the fair market value alternative were used, all relevant factors would be considered

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in valuing the interest in the ranch, farm, or closely held business, including the earning capacity of the business and the degree of control of the business represented by the decedent's interest.

In order for an interest in a ranch, farm, or closely held business to qualify for the election, the decedent would have had to have been in the business for at least 10 years prior to his death. The provisions of this bill, if enacted, would apply only to the estates of decedents dying after the date of enactment.

I believe that this proposal represents a fair solution to the problem, and I hope the bill will be carefully and thoughtfully studied by the House Ways and Means Committee, the Treasury Department, and the Nixon administration so that this taxation injustice can be remedied.

WAITING FOR MR. NIXON

(Mr. SCOTT asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SCOTT. Mr. Speaker, one of the prominent daily newspapers serving my district has attempted to evaluate our new President's performance to date. Although the analysis is somewhat critical, I feel it does reflect the feeling of a majority of Virginians and that the administration should be aware of this concern by those who supported the President.

The editorial dated February 24, 1969, from the Richmond News Leader is inserted at this point in the RECORD:

WAITING FOR MR. NIXON

During the past week, we have published several letters from readers and two syndicated columns—one by James J. Kilpatrick, the other by David Lawrence—expressing concern about the thrust of the Nixon presidency so far. Today, more than a month after Richard Nixon took office, we should like to register our tentative agreement with those concerns. Decidedly, it is early: To judge a President by his actions of one month clearly would be unfair. But a month can provide indications, and the indications the Nixon Administration has given conservatives, moderates, and disenchanted Democrats so far are not encouraging. Those persons get a sense of disillusion—from the appointments made, and from the things left undone.

With the appointments of James Allen, James Farmer, and Nelson Rockefeller, the conservative cannot help feeling that this is where he came in. Jacob Javits, who supported Hubert Humphrey during the campaign, has been recognized by the White House as its agent for clearing appointments to high office in the Department of Labor; of the first six major appointments in the Department, five were Democrats. The UN ambassadorship was offered to Humphrey, Sargent Shriver, and Eugene McCarthy before finally being accepted by Charles Yost: All are Democrats. And Sterling Tucker—who said two months ago, "The Cabinet was [Mr. Nixon's] first test, and he flunked it"—has been named by Mr. Nixon to be vice chairman of the city council of Washington, D.C.

Perhaps this is Mr. Nixon's way of bringing the nation together; perhaps by convincing those persons opposed to his election that they can find a job in his Administration, he is bringing them over to his side. Perhaps. But at the same time, by naming such conspicuous liberals, he runs the risk of alienating the generally conservative constituency that put him in the White House.

The State Department provides a good example of Mr. Nixon's failure thus far to carry out his pledges of last fall. He promised to clean out the State Department and, among other things, to restore Otto Otepka—the former Department evaluations officer who was hounded out of his job by some Great Society heavies. Otepka still is out of a job, while Idar Rimestad—a man dedicated to keeping Otepka unemployed—has been retained as deputy undersecretary for administration. And John Topping, who former Cuban ambassador Earl E. T. Smith has said was "one of the [State Department] officers of influence who was "pro-Castro and anti-Batista," is reported to be slated for a promotion.

Inflation still rages through the land. So does crime: As for Mr. Nixon's war on crime in the capital, it is difficult to understand how he intends to field a police force of 5,000 men when the force is running 1,000 under its present quota of 4,000 men. In the past month, the American casualty rate in Vietnam has increased, and the chit-chat in Paris has not moved off dead center. As far as the public can learn, foreign policy—toward Europe, toward Africa, toward the Middle East—has not changed. And the Johnsonian policy of withholding Federal cash from Southern school districts in which freedom-of-choice plans do not work to Federal satisfaction, continues apace; so does the Federal government's coercive policy of forcing construction contractors—notably road builders—to hire persons for the color of their skin.

We do not know, and cannot, what silent changes the Administration may be preparing to make. Nor are we privy to the intricacies of policy shift. But we will say this: THE NEWS LEADER was enthusiastic in its backing of Richard Nixon. It still is: Nearly all of his Cabinet selections, for example, are particularly commendable. But Mr. Nixon did not win the presidency on the basis of liberal support; he won it with conservative support. He was elected by voters who were tired—tired of protest, tired of Vietnam, tired of excessive Federal spending, tired of nationwide convulsion. They still are tired; they are patient, too. But if Mr. Nixon does not start ministering to those tired voters—most of whom are waiting for him to play the generally conservative cards he showed them last fall—they will lose their patience. And if they do, they will desert Mr. Nixon come 1972. That would mean that Richard Nixon, who is a good man, would meet his political death four years too soon.

LEGISLATION AMENDING ALASKAN STATEHOOD ACT

(Mr. POLLOCK asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. POLLOCK. Mr. Speaker, today I am introducing legislation which will amend the Alaskan Statehood Act by repealing the exclusive jurisdiction of the Federal Maritime Board over common carriers engaged in transportation by water between a port in the State of Alaska and other ports in the United States.

Today shippers face regulation by two agencies, the Federal Maritime Board and the Interstate Commerce Commission.

In August of 1968 the U.S. Court of Appeals for the Ninth Circuit declared that transportation of trailers on Alaskan ferries was subject to the Interstate Commerce Commission regulations. Thus, now there exists a duplication of regulation on goods which are shipped both by sea and land. This bill would greatly simplify procedures for the shippers of Alaska.

With the repeal of section 27(b) the regulation of Alaska's waterborne interstate traffic would become identical to the regulation of such traffic between the 48 contiguous States. Water carriers would be certified under part III of the Interstate Commerce Act and Alaska's interstate commerce would be subject to the regulatory system which has developed from the Interstate Commerce Act of 1887. Thus, as this act applies to traffic between the 48 contiguous States, it would apply to Alaska.

Repeal of this section is needed to avoid a wasteful costly duplication of effort.

SBA POLITICAL "LOANS"

(Mr. GROSS asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. GROSS. Mr. Speaker, I have just received the latest chapter in the intriguing saga of the Small Business Administration's use of the public's money for political favors during the Johnson administration.

It will be remembered that one, L. Donald Pruhs, a member of the Democratic Party heirarchy of Fairbanks, Alaska, received bountiful treatment from the SBA to repair his storm damaged Golden Nugget Motel, while a rival establishment, owned by the then Republican Governor Hickel, had its request for aid cut in half.

Of the $894,000 low-interest-rate loan to Pruhs, $107,000 was for repairs.

After I began inquiring into this can of worms, the SBA suddenly discovered—a year ago this month—that Pruhs had made only approximately $50,000 worth of repairs to his motel and that the remaining $57,000 had been disbursed without value received.

At my request, the General Accounting Office asked the SBA what was going on.

The GAO was told, on February 20, 1968, that no action would be taken to recover this $57,000 until the matter had been coordinated with Washington headquarters.

You do not have to be around this town very long, Mr. Speaker, before you know what that means.

Well, they coordinated and coordinated and coordinated all through the spring, all through the summer, all through the fall and on into the dark of winter and, finally, when I figured there had been just about enough coordination—the day after Christmas—I asked what had come of it all.

Let me quote what the General Accounting Office was told by the SBA:

In a letter dated February 3, 1969, the Chief of the Administration's Audits Division stated that an audit of this matter disclosed that the borrower was not able to support, by adequate accounting records, $50,232.11 of the amount disbursed.

However, he stated that:

"Although the borrower's records will not, in fact, support from an acceptable accounting standpoint the borrower's contention that the funds were used properly, a current appraisal by a permanent, qualified SBA appraiser indicates that the work the borrower claimed was done, has actually been accomplished."

End of quote. Case closed.

This, of course, is what I suspected would happen.

Mr. Speaker, what are we to believe from these SBA giveaway artists?

One year ago they were telling the General Accounting Office that "on four occasions, during the period February 3 through 16, 1968, an Administration appraiser inspected the work" and stated in his written report that nearly $57,000 had just plain vanished. That only $50,569.91 worth of repairs had actually been made to this motel.

Now they come along—after this case had become highly embarrassing to the Johnson administration—and, by implication, claim that this appraiser was totally incompetent.

Now they tell us that "a permanent, qualified SBA appraiser" finds that everything is hunky-dory; that the missing money has magically returned.

Mr. Speaker, this situation reeks to high heaven. Obviously, former Attorney General Ramsey Clark was not going to touch it. But now that we have a new head of the Justice Department, I would urge Attorney General Mitchell to initiate a searching look into this whole mess.

A MESSAGE FROM THE DIRECTOR OF THE FBI

(Mr. DEVINE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DEVINE. Mr. Speaker, in the current FBI Law Enforcement Bulletin, the very able Director J. Edgar Hoover authored a very timely message which I invite to the attention of all Americans:

MESSAGE FROM THE DIRECTOR

A newspaper columnist noted that today's law enforcement officer has to "speak softly and carry a big law library." Actually, his paraphrase of the well-known quotation from Theodore Roosevelt comes close to being true. There is nothing wrong, of course, with an officer's speaking softly and being well-versed in legal criminal procedure. Ideally, this is as it should be.

Unfortunately, in the criminal realm within which he must work, the law enforcement officer is the only one "playing by the rules." This places him at a definite disadvantage. In complying with all the procedural safeguards established for criminals, an officer must often subordinate his personal safety, his own rights, and the rights of society to insure that he does not commit some error which might later result in the release of the guilty. Criminals are usually well aware of their legal rights and take full advantage of them.

Many critics of law enforcement today substitute paper theories for grim realities. When they advocate more restraint on arresting officers, they do so apparently on the premise that police are dealing with only law-abiding, cooperative citizens who respect the law and those charged with enforcing it. While a big percentage of police contacts are with the responsible members of society, increasing assaults against and killing of law enforcement officers are indicative of the open contempt numerous violators have for police and authority of any kind.

Arguments are made that court opinions and legal restraints are not so broad as to require arresting officers to unduly endanger their lives in order to meet standards established to protect the rights of the suspect or accused. Here again, we encounter the difference between theory and practice. Judicial guidelines which are so vague and questionable that even the highest jurists disagree on their intent place a heavy burden of judgment on the enforcement officer. In crucial moments, this burden of judgment can create indecision. And as we know, moments of indecision can cost an officer his life.

The trend today, even though unintentional, is to negate the enforcement of the laws to insure that the criminal is protected. We are asking our officers to operate under an honor system in dealing with an element of our society which has no honor. Certainly, arresting officers cannot be permitted to resort to illegal tactics themselves, but they must be allowed to perform their duty with confidence and with the assurance that they have the support of the public, the government on all levels, and the courts. The powers of arrest must be as clear and positive as possible.

Vigorous law enforcement is needed to cope with crime and violence in our Nation. It cannot be achieved if arresting officers are required to make an apologetic approach to every killer, rapist, robber, and thug roaming our streets. If the rule of law is to prevail, the law must be enforced.

JOHN EDGAR HOOVER,
Director.

INCREASED PARTICIPATION IN INTERNATIONAL DEVELOPMENT ASSOCIATION

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, today I appeared before the Rules Committee requesting a rule on H.R. 33. My statement contained, among others, the following points:

This legislation, if enacted, would authorize the U.S. Governor of the International Development Association—the Secretary of the Treasury—to agree to contribute to the Association an amount of $480 million under terms of the resolution which will provide the United States for the first time, as regards any of the various international institutions in which we participate, full protection for the U.S. balance-of-payments position.

IDA, which is the soft-loan affiliate of the World Bank, is without funds. IDA, since its inception, as we all know, has received strong birpartisan support and hopefully it will continue to receive such support by enactment of this legislation.

Under the proposed IDA resolution, this legislation, if enacted, would provide a vehicle whereby other countries will contribute to IDA $3 for every $2 contributed by the United States. Significant though this is in that other countries will be bearing a goodly share of the burden of this institution is the fact that our participation in the replenishment of IDA resources will not have any adverse effects on our current balance-of-payments situation. The second replenishment agreement, which elicits this legislation, provides that as long as the United States requires such balance-of-payments protection, the second replenishment can have absolutely no effect on our balance-of-payments position for a minimum of 3 years. In practice during this 3-year period the only call that IDA could make on the U.S. contribution to IDA would be up to the amount of U.S. procurement.

IDA is, in effect, the soft loan window of the World Bank. The terms of IDA's credits provide a 50-year maturity period, including a 10-year grace period in which no principal need be repaid. In lieu of interest charges, the borrower pays an annual service charge of three-fourths of 1 percent. All credits are payable in convertible currency. As of the end of 1968, IDA has committed $1.8 billion to 139 projects in 43 countries. These loans have been primarily concentrated on such areas as transportation, power, and industry. To date, there have been no defaults on any of these loans.

In order for the proposed IDA replenishment to become effective, two steps are necessary. First, the replenishment resolutions recommended by the IDA directors must be adopted by a two-thirds vote of the Board of Governors of IDA and, second, at least 12 contributing members whose contributions aggregate not less than $950 million must indicate notification of their commitment. The first of these steps has been completed. The replenishment resolution was adopted by the required two-thirds vote of the Board in September 1968. The second step, however, has not been completed. A number of countries have agreed to proceed, however, with payment of all or part of their contributions.

As of this time, 91 countries, casting almost 181,000 votes, have voted affirmatively on the resolution. Eleven countries, including the United States, have not yet voted.

The replenishment resolutions provide that the replenishment will not become effective unless at least 12 contributing members whose contributions aggregate not less than $950 million have deposited notifications of commitment. In fact, therefore, the minimum sum of $950 million cannot be reached without the U.S. contribution.

As stated in the committee's report on this resolution, Mr. Speaker, IDA has made and will continue to make a major contribution to our lesser developed nations. If IDA were to be allowed to die, it would not only mean a loss of capital available for the countries, but it would also be a severe psychological blow to the people of these countries.

For these reasons it is felt that continued participation in the International Development Association under the negotiated resolution is fully consistent with the desires and objectives of the United States as regards our balance-of-payments situation, our attempts to reduce expenditures, and our foreign aid needs.

For all these reasons, Mr. Speaker, it is requested that a rule be granted so that this legislation may be acted upon as soon as possible. This legislation was reported out of your Banking and Currency Committee by a strong bipartisan vote of 30 to 3.

Mr. Speaker, I trust all Members will

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be present on Wednesday, March 12, when this legislation is scheduled to be debated on the floor, to hear the debate and vote—I hope—favorably.

BANKING AND CURRENCY COMMITTEE TO INVESTIGATE LUMBER PRICES

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, today I have announced an investigation into the serious problem of rising prices for lumber used in the housing industry.

Mr. Speaker, in many cases these prices have risen more than 100 percent and are creating serious problems in the construction of homes throughout the Nation.

The Banking and Currency Committee staff will start immediately to gather facts and the committee will meet as soon as possible on this most serious problem. In addition, we hope to broaden this investigation into a general look at all of the increased prices on housing—including high interest rates and the cost of materials and construction.

Mr. Speaker, I place in the Record a copy of a news release which I issued today on this subject:

Washington, D.C., March 11.—Chairman Wright Patman announced today that the House Banking and Currency Committee will launch an immediate investigation into the skyrocketing prices for lumber used in housing construction.

Mr. Patman said the staff of the Banking and Currency Committee will begin gathering facts immediately. He said the Committee would meet on the problem as soon as possible.

"The tremendous increase in lumber costs has created an emergency situation in the homebuilding industry throughout the nation," Mr. Patman said. "This requires quick action by the Congress."

Mr. Patman said the study later will be broadened into a detailed analysis of all factors in the rising price of homes.

"I think it is the general consensus of the Committee that we must do everything possible to prevent housing from being priced out of the range of millions of Americans through rising interest rates and skyrocketing material and construction costs," the Banking and Currency Committee Chairman said. "I believe we will have broad, bipartisan support for a full and thorough investigation of all these rising costs."

GOVERNMENT ACTION CREATES DANGER OF RISING UNEMPLOYMENT

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, AFL–CIO president, George Meany, has pointed out that some officials of the new administration have stated that a rise in unemployment may be required to achieve greater price stability.

In testimony before the Joint Economic Committee, Mr. Meany labeled such a viewpoint "Neanderthal," an opinion with which I heartily agree. In his statement, Mr. Meany makes it amply clear that he considers present economic trends extremely dangerous to the welfare of the people.

Mr. Speaker, I therefore include Mr. Meany's statement in the Record:

Statement of George Meany, President, American Federation of Labor and Congress of Industrial Organizations, Before the Joint Economic Committee, March 5, 1969

My name is George Meany and I appear here today on behalf of the American Federation of Labor and Congress of Industrial Organizations.

As we in the AFL–CIO see it, the economic outlook for 1969 is clouded. It is difficult to make judgments when one is uncertain about the degree of slow-down during the course of the year and the policies that the new Administration will pursue.

The pace of economic expansion is already slowing down—particularly retail sales—and the government's brake on economic growth may be going too far. Moreover, the recent emphasis of government policy on slowing residential construction, while maintaining special tax subsidies for business investment, is misguided. Interest rates have soared to unprecedented heights. There is danger of rising unemployment.

Some slower economic pace was to be expected this year, after the 5 percent real expansion of 1968, the seventh consecutive year of economic growth. By the beginning of 1969, several dampening developments were already in effect:

The temporary surtax, adopted in 1968, was withdrawing about $11 billion a year from consumers and business, to pay for part of the increase in military spending. The hold-down on government expenditures, ordered by Congress last year, had placed a lid on the amount of additional funds the government can put into the economy's spending stream. The increase in Social Security taxes, effective January 1, was withdrawing about $1½ billion a year from employees and a similar amount from business, to pay for improved Social Security benefits. In addition, the buying power of the average worker's weekly take-home pay increased only slightly last year, after accounting for taxes and the 4.2 percent rise in living costs.

On top of these dampening developments, new restrictive government measures were imposed in the early weeks of 1969:

The commercial banks raised the prime interest rate to an unprecedented 7 percent—an effective prime rate of over 8 percent, because of the banks' requirement that such borrowers maintain an interest-free deposit. This boost in the prime rate is raising interest rates all along the line—to medium-sized and small businesses, to home-buyers, farmers, consumers and the government. Some new federal securities have been floated, in recent weeks, at the highest interest rates in over 100 years. These high costs for borrowed money are being built into the price structure, from manufacturer to retailer and consumer—to the profit of the banks and other lenders. In addition, these high interest rates, accompanied by the Federal Reserve's squeeze on bank credit, threaten a sharp slow-down of economic activities.

The government increased the interest rates on FHA and VA mortgages from the high 6¾ percent rate of early January to 7½ percent—an effective rate of 8 percent, when insurance is included. This peak rate on government-backed mortgages, on top of the excessive rates for builders' loans, is boosting the cost of homes, which the home-buyer is required to pay for the entire term of the mortgage. These costs are narrowing the home-buying market. A slow-down of residential construction is threatened, instead of the vast home-building expansion that is needed. Past experience teaches that high interest rates and tight money hit home building fastest and hardest—the tight money-high interest rate policy of 1966 threw residential construction into a deep recession.

The unprecedented interest rates of early 1969 are being built into the prices of almost everything we buy, as businessmen pass on these cost-increases to the consumer. In addition, they are being built into the payments that consumers will make on installment and mortgage loans for years to come.

For example, if you buy a house now and get a 25-year mortgage at the very high rate of 7½ percent, you will have to pay that 7½ percent interest rate, every month for 25 years, even if interest rates decline—unless you are fortunate enough to re-finance the mortgage at some point when interest rates are lower.

These developments and government measures are dampening the rise of economic activities. They present the danger of a sharp economic slow-down and rising unemployment.

Moreover, there have been statements by some officials of the new Administration—as well as by business spokesmen—that a rise of unemployment may be required to achieve greater price stability, although President Nixon has indicated a distinctly different viewpoint.

On February 19, President Nixon, in a letter of greeting to the AFL–CIO Executive Council, made his position clear when he said:

"We must find ways to curb inflation, which robs working men and women and their families of hard-earned gains. And we must do this without asking the wage-earners to pay for the cost of stability with their jobs."

The AFL–CIO welcomes President Nixon's viewpoint on this issue. It is timely and to the point.

The notion that there is an inevitable, mechanical trade-off between inflation and unemployment is economically false and loaded with social dynamite.

Advocates of this Neanderthal view have never explained how a million additional unemployed can possibly reduce such price pressures as physicians' fees, hospital charges, auto and property insurance rates, which have risen sharply in the past decade—or how a million additional unemployed can halt the sharp increases of land costs, with their impact on rents and the price of homes.

Yet a rise in unemployment would hit the most vulnerable workers hardest—the most recently hired, the least skilled, particularly Negroes, other minorities and young workers. Working people generally—and the most vulnerable workers, in particular—would be forced to pay the price in unemployment and substantial losses of family incomes for such a policy.

Furthermore, relative price stability can—and must—be achieved without a growing army of unemployed. Expanded manpower training programs, an effective nation-wide, public employment service and reduction of bottlenecks can help. But most essential to achievement of relative price stability is lower profit margins and reduced profit rates of return on investment.

A study by the staff of the outgoing Cabinet Committee on Price Stability, published last January, reported:

". . . if the primary goal is a reduction of the rate of inflation, this can be done by increasing the unemployment rate, decreasing the profit rate, or both. Similarly, a low unemployment rate could be maintained with a smaller rate of inflation if profits were to fall."

A depression or deep recession could probably curb increases in the prices of many consumer goods—at the price of human misery for hundreds of thousands of families. Or a continuing, substantial rise of unemployment and economic stagnation over a period of years could possibly achieve similar results at a similar price.

However, the Cabinet Committee's staff study clearly indicates that there are other alternatives—"a low unemployment rate could be maintained with a smaller rate of inflation if profits were to fall."

Indeed, the inflation of recent years has been largely a profit inflation. Profits skyrocketed between 1960 and 1966, and after a dip in 1967, they moved up again last year. *Business Week* (February 8) reports: "In 1968, U.S. corporations earned more money than they ever did before in a single year—thanks in good part to sharply rising prices."

Business profits moved up sharply after the early months of 1961, as the economy turned up from the recession of 1960–61. Profit margins on sales and profit rates of return on investment continued up sharply in the years that immediately followed. However, the usual pattern of economic recession about every fours years—with a drop in profits—did not occur in the 1960s.

Profits continued to shoot up through 1966, as economic activities surged forward. The profit-decline in 1967 was small, and in 1968, profits moved up again.

This sharp rise of profits during almost all of the past eight years of sustained economic expansion has been shifting the nation's income to profits.

Business profits have soared, far out of line with other major types of income. Between 1960 and 1968:

After-tax profits skyrocketed 91 percent.

Dividend payments to stockholders soared 84 percent.

But the total after-tax personal income of all people in the country rose only 68 percent—reflecting increased employment, as well as the income-gains of individuals.

And the weekly, after-tax take-home pay of the average non-supervisory worker (approximately 47 million wage and salary earners in private industry) increased only 31 percent and, in terms of buying power, merely 11 percent.

Thus, during the 1960s, after-tax profits rose one-third faster than the total after-tax personal income of all Americans and almost 200 percent faster than the weekly take-home pay of the average non-supervisory worker. A key cause of the price increases of recent years, therefore, is business profits—surely the record clearly indicates that profits have been the major beneficiary, by far, of these price increases.

For manufacturing corporations, after-tax profits rose from a 9.2 percent rate of return on investment in 1960 to an 11.8 percent rate of return on a much-greater investment in the first three quarters of 1968. At that rate of return—and with the addition of depreciation allowances that are almost as great as after-tax profits—manufacturing corporations can recoup the value of their investments in less than five years. Indeed, at the high rates of return and large depreciation allowances of the past five years, many manufacturing corporations, by 1968, had actually recovered the value of their 1963 investments.

As for the banks, in one year between 1966 and 1967, the after-tax profits of all member banks of the Federal Reserve system rose over 18 percent.

Complete reports for 1968 are not yet available. However, *The Commercial and Financial Chronicle* of January 16 reports that "the past year was a good one with respect to bank earnings." Its 1968 profit report on a group of banks states that "the average increase for the group was 13.5 percent."

These trends are creating economic and social imbalances. An increased share of the nation's income has been shifted to profits. Moreover, with their great profits and large depreciation allowances, most big corporations have created shelters for themselves against the early and full effects of tight money and unprecedented interest rates. In addition, the 7 percent tax credit on investment and new equipment and fast depreciation of new buildings offset part of the additional cost of high interest rates for these corporations.

Despite tight money and historic interest rates, the profit-laden corporations are continuing substantial increases in their investments in new and improved plants, machines and equipment—after a 100 percent rise between 1960 and 1968—although industry's operating rate is only about 84 percent of existing productive capacity.

This situation, which has been contributing to inflationary demand pressures in recent years, threatens to create a future gap between the economy's rapidly growing capacity to produce and demand for goods and services. It isn't necessary and it can—and should—be avoided.

We in the AFL–CIO have some suggestions along that line—suggestions unanimously adopted late last month by the AFL–CIO Executive Council. We suggest the following policies and measures:

1. Full employment must be the nation's primary economic goal.

The government's tax, expenditure and monetary policies for an adequate rate of economic growth should be supplemented by manpower training measures and a federal program, along the lines of the bill introduced by Rep. James O'Hara of Michigan, to create jobs for the remaining hard-core unemployed and seriously under-employed in providing needed public services.

2. Residential construction must be sheltered from the ravages of the credit-squeeze and unprecedented interest rates.

The 7 percent investment tax credit should be repealed—to curb the flow of available funds into business investment and provide additional funds for home-building.

The provision of double depreciation should be repealed on all new construction, except low- and moderate-rental housing.

The Secretary of the Department of Housing and Urban Development should direct FNMA (Fannie Mae) to assist low- and moderate-income housing, at the lowest possible interest rate.

The development of the new form of government security, authorized by the Housing Act of 1968—government-backed mortgage bonds—should be speeded up, to attract new investment funds into housing.

3. The government's monetary policy should be eased at the first signs of a general economic softening and rising trend of unemployment.

Moreover, a thorough Congressional review of monetary policy and the government's monetary machinery is needed—for the development of a policy that is in the best interest of the nation and the American people, rather than the banks and other lenders.

4. The trend of unemployment in the months ahead and the level of military expenditures should be key factors in deciding whether the temporary surtax should be terminated in mid-year, phased out or continued.

A rising trend of unemployment in the coming months would be a strong reason to terminate this temporary tax or to begin to phase it out.

If the surtax is continued for another six months or a year—or if part of it is maintained—the same rate as the surtax should be applied to income that is now excluded from federal taxation, as a result of the major loopholes for capital gains, oil and mineral depletion allowances and income from state and local bonds.

5. Reform of the tax structure is long overdue: to eliminate loopholes of special tax privileges for wealthy families and business, to establish a minimum tax that will end tax avoidance, and to reduce the relative tax burden on low- and moderate-income families.

6. A substantial rise in the buying power of wages, salaries and fringe benefits is needed to provide wage and salary earners with a fair share of economic progress and to strengthen the consumer foundation of the national economy.

The lag of real wages and salaries must be ended. Rapidly rising productivity and increased business profits make possible substantial improvements in workers' earnings, within the context of a relatively stable price level.

7. Rising business profits should be based on narrow profit margins on each sales dollar and an expanding sales volume, rather than on swollen profit margins at the expense of consumers and workers—to curb pressures on the price level and to provide an improved economic balance between wages, profits, dividends and other forms of income. This major economic policy issue requires careful and objective examination by the Congress.

8. The trade union movement is disturbed by the accelerated rate of economic concentration in the past few years—including conglomerate mergers and one-bank holding companies—and the impact of this trend on the national economy. The Congress and appropriate government agencies should make the facts fully known to the public and curb the adverse impacts of this trend.

Mr. Chairman, I should like to submit for the record, with your permission, copies of four statements on major economic and social policy issues, adopted by the Executive Council at the meeting I referred to earlier.

Let me conclude, Mr. Chairman, with an observation that is, indeed, an article of faith with us:

We in the AFL–CIO have faith that the American system will be able to meet the economic challenges that face us.

In our system is the strength and the ability to meet our problems—including economic problems—and come up with solutions that will benefit all of our people.

That, we contend, should be the goal of governmental economic policy—to serve all the people, not just a favored few. That, in truth, is the economic guideline America needs.

A BILL TO GIVE HEAD-OF-HOUSEHOLD STATUS TO SINGLE PERSONS OVER 35

(Mr. DANIELS of New Jersey asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. DANIELS of New Jersey. Mr. Speaker, I have introduced a bill today to extend the benefits of being considered a head of a household to persons over the age of 35 who maintain their own places of residence.

Mr. Speaker, under my bill this tax benefit would be made available to single persons who have never been married, widows and widowers, and persons who have been legally separated or divorced for at least 3 years.

It seems to me that our tax laws should reflect both logic and justice. And to deny a taxpayer the benefit of "head of the household," when he or she is one, is neither logical nor just.

Mr. Speaker, I hope that while the Ways and Means Committee is considering the general cause of tax reform that they will give some consideration to the plight of single persons. Surely, if there is one group in this Nation who are discriminated against it is the single taxpayer in the middle-income tax bracket.

THE NEED FOR FEDERAL INCOME TAX REFORMS

(Mr. GALIFIANAKIS asked and was given permission to address the House

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for 1 minute and to revise and extend his remarks.)

Mr. GALIFIANAKIS. Mr. Speaker, in these early days of the 91st Congress and of President Nixon's administration we are still considering legislative priorities for this session. I rise to speak to an issue which, I believe, should command this Congress, consummate attention and consideration.

I am referring, Mr. Speaker, to the pressing need for basic changes in our Federal income tax laws. The demand for reform, for a more reasonable and equitable distribution of the overall tax burden, is bordering on an outright fiscal revolt by many American taxpayers. The lower- and middle-income groups have borne the major burden of Federal income and social security taxation long enough.

If my mail is any indication, the great majority of these people are becoming acutely aware of this fact, and they are looking to Congress to correct the inequity.

Mr. Speaker, this Congress has doubled the salary of the President, will raise the salary of virtually every high Government official, and has permitted a substantial salary increase to be bestowed upon itself. When, the average taxpayer is asking, will we get our pay raise? If Congress does not do something about the plight of these taxpayers, we will have failed to discharge our most important responsibility in the realm of fiscal affairs.

I refer specifically to tax relief in the form of increased personal exemptions, increased ceiling for standard deductions, and possibly, an increase in the standard deduction percentage. This is the only way to provide true relief for the overburdened taxpayer.

Therefore, Mr. Speaker, I urge this Congress, and the President of the United States, to give this matter the highest priority, the most favorable consideration, and the promptest action possible.

WHY NOT "SHALL" INSTEAD OF "MAY"?

(Mr. RANDALL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RANDALL. Mr. Speaker, in the Washington Post this morning Health, Education, and Welfare Secretary Finch was quoted as saying he "may exercise" some sanction against those students on our campuses who have been convicted of rioting. It would be much more reassuring and more obedient to the laws passed by Congress if Secretary Finch would change that word "may" to say in the future to those riotous students found guilty of disrupting our institutions of learning, "We shall withhold funds from students guilty of such conduct."

Section 504(a) of the Higher Education Amendments of 1968 provides that, after affording opportunity for hearing, a student or school employee who has been convicted by a court of record of any crime relating to trespass or seizure of property or other conduct disruptive to normal academic procedures shall be denied for a period of 2 years the benefits available under that act.

Then there is section 504(b) of the Higher Education Act, which says that if an institution of higher learning, after hearing, determines that a student or employee has willfully disobeyed a lawful regulation or order of that institution, resulting in substantial disruption of normal operations, financial support shall be discontinued.

Finally, section 411 of the Labor-HEW Appropriations Act for fiscal 1969 provides that funds for loans, grants, or loan guarantees are to be denied to applicants that immobilize the normal affairs of colleges and universities.

The time is well past, Mr. Speaker, when we can permit such terms as "if" and "may" in considering penalties against those who try to wreck our institutions of higher learning. They are not engaged in harmless schoolboy pranks. Any further delay in fullest enforcement of the laws to protect this investment can only mean surrender of our colleges and universities to the rioters and demonstrators.

VIETNAM

(Mr. RYAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RYAN. Mr. Speaker, American battle casualties in Vietnam as of the week ending March 1 totaled 32,376 dead since 1961. It is significant that almost one-third of this number, 9,425, died since the start of the preliminary Paris peace talks on May 10, 1968.

These grim statistics make it clear that, contrary to the general public expectations that the advent of peace negotiations would produce a deescalation in hostilities in Vietnam, the fighting has intensified to the point that 2,319 lives have been lost in the 3 months since South Vietnam began to participate in the Paris negotations on December 7.

According to the New York Post columnist, James Wechsler, Ambassador Averell Harriman, the chief Paris negotiator for the Johnson administration, has said that the present North Vietnamese offensive is "essentially a response to our actions rather than a deliberate reckless attempt to dictate the peace terms or torpedo the talks."

Secretary of Defense Melvin Laird, however, stated that the recent wave of enemy attacks against South Vietnam was an "ominous" violation of the understanding between the United States and North Vietnam. He said on March 7:

> I want it to state unequivocally, that if these attacks continue unabated, an appropriate response will be made.

Today the New York Times reported Laird as saying that he thought some American forces might be replaced by South Vietnamese forces. He declined to say how many might be replaced or when, but said:

> I do not want to see any U.S. military man in South Vietnam a single day longer than is necessary to accomplish our objectives.

With the Nixon administration talking of possible retaliatory action against the North Vietnamese for their current offensive, it is time the Congress embarked on a frank discussion of just what our "objectives," as Secretary Laird termed it, are.

During the presidential primaries of last spring and the campaign of last fall, there seemed to be general agreement among the candidates that the first order of business facing the Nation in January was a speedy termination of the Vietnam war. Indeed, President Nixon said as early as March 14, in the course of the New Hampshire primary:

> The next President of the United States must end the war.

The Washington Post noted at that time that he emphasized the word "must." In the same Washington Post article, Mr. Nixon declared that his statement about ending the war "was not a vague campaign promise." He stated:

> I do have some specific ideas on how to end the war. They are primarily in the diplomatic area.

The President must now live up to those campaign statements. Our objectives in Vietnam must emphasize the diplomatic area to which he alluded in March of 1968. To lead the United States into a period of increased military confrontation would surely repudiate President Nixon's campaign promises to end the war through diplomatic means. More significantly, however, it would plunge this country still further into the military entanglement in Vietnam which was so clearly repudiated in the presidential primaries of last spring.

I believe it is crucial that the Congress participate in defining the nature of our objectives in Vietnam. The power to commit the United States to prolonged involvement in Vietnam cannot be the sole prerogative of the executive branch of Government.

In order to facilitate that process, I have reserved time for a special order on March 26 for the purpose of discussing our goals and objectives in Vietnam. It is my hope that many Congressmen will join in that discussion. For it must be made unmistakably clear to the administration that this Nation will not tolerate further escalation of the war in Vietnam. The United States must bring this tragic and wasteful war to a speedy conclusion through diplomatic negotiation and a political settlement.

JUSTICE DEPARTMENT SHOULD CONTINUE TO INVESTIGATE MURDER OF DR. MARTIN LUTHER KING

(Mr. RYAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RYAN. Mr. Speaker, yesterday in Memphis, Tenn., James Earl Ray was convicted of the murder of the Reverend Dr. Martin Luther King, Jr., and was sentenced to 99 years in prison.

I believe that the questions raised by Ray's statements during his trial and by others as to the possibility that he was a part of a conspiracy to kill Dr. King

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and the failure of the trial to resolve that question make it imperative that the Department of Justice continue its investigation into the question of whether or not the Reverend Martin Luther King, Jr.'s, assassination was the result of a conspiracy.

His widow, Mrs. Coretta King, and his successor as president of the Southern Christian Leadership Conference, Rev. Ralph Abernathy, said they believe there was a conspiracy and have called for continuing the investigation.

Mr. Speaker, I urge the Department of Justice to continue this investigation and make public the results. Public suspicions of a conspiracy will not be resolved by the 1½ hours of testimony nor be relieved by mere expressions of concern by law-enforcement officials.

Full public disclosure of the facts concerning his murder would at least make clear the basis upon which the FBI and the Department of Justice make their determination as to whether or not other individuals were involved.

Dr. King was a towering national figure in whom millions of Americans—black and white—placed their hopes for the resolution of racial tensions and intolerance in this country.

Beyond the question of individual responsibility for this heinous crime, of course, lies the collective responsibility of a society which permitted the evils of discrimination and bigotry to exist and take the life of this noble citizen who only sought to end discrimination, poverty, hunger and war, and to lead us all to the promised land.

RESIGNATION FROM A COMMITTEE

The **SPEAKER** laid before the House the following resignation from a committee:

MARCH 10, 1969.

Hon. JOHN W. MCCORMACK,
Speaker of the House,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: I am writing to submit my resignation from the Joint Committee of Congress on the Library to which I was elected pursuant to H. Res. 263 of the 91st Congress.

With best wishes, I am,

Sincerely yours,

BERTRAM L. PODELL,
Member of Congress.

The **SPEAKER**. Without objection, the resignation will be accepted.

There was no objection.

THE 50TH ANNIVERSARY OF THE AMERICAN LEGION

Mr. **ROGERS** of Colorado. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Resolution 302, relating to the 50th anniversary of the American Legion.

The **SPEAKER**. Is there objection to the request of the gentleman from Colorado?

Mr. **HALL**. Mr. Speaker, reserving the right to object, and I shall not object because I commend the committee on the resolution, and its wording; I simply want to make a reservation in order to inquire about two words that are omitted which, in my opinion, would strengthen it, and which would be most timely in the situation in which our Nation finds itself, both internally or domestically, and certainly externally, so far as freedom around the world is concerned.

I note both the excellent wordage of this resolution, for which I would vote under any circumstance, commending the Legion for its 50 years of service to God and to country, and I also note the closing sentence wherein it vouchsafes to have the House pledge its continuing cooperation with the men and women of the Legion in programs of service to community, State, and Nation, and in their determination to safeguard and transmit to posterity the principles of justice, the principles of freedom, and the principles of democracy upon which our Nation was founded.

The two words that I think may have been inadvertently omitted are the emphasis that the Legion has always, both traditionally and characteristically placed in its resolution, deal with patriotism in youth, and in its Americanism programs. I just wonder if the distinguished gentleman from Colorado who brings this resolution on the floor, would have any suggestions as to whether or not they could be included in this fine resolution.

Mr. **ROGERS** of Colorado. Mr. Speaker, will the gentleman yield?

Mr. **HALL**. I yield to the gentleman from Colorado.

Mr. **ROGERS** of Colorado. As the gentleman from Missouri has pointed out, the American Legion has contributed much to our great country, particularly since the end of World War I. The American Legion was first conceived by our men overseas. They had a meeting in Paris in March 1919 where they first conceived of the idea of the American Legion. Thereafter they adopted their constitution and bylaws in your great State, in the city of St. Louis. Since that time they have developed many fine programs. The two that the gentleman has mentioned, patriotism and youth, has contributed much to our country. I anticipate asking that all Members may have five legislative days in which to extend their remarks, and the items that the gentleman has outlined could be included in such remarks by the gentleman or any other Member.

Mr. **HALL**. Mr. Speaker, I appreciate the statement of the gentleman. I certainly appreciate not only the concept of the great organization that we resolve to honor here today, but also its past actions in inculcating patriotism in youth, and the general Americanism program. I hope that we can spread on the RECORD not only commendations but the need at the end of the first 50 years, to continue in the second 50 years with this very thing that may have been lacking in home, State, and school; as well as the community-serving organizations such as the American Legion, in order to offset that which has brought turmoil to some of our campuses and in the minds of our countrymen today; toward the end that at the end of the 100th year, when we again resolve, or those who succeed us resolve, to honor this great organization, we shall be in a much more solid state and condition.

I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

Mr. **McCORMACK**. Mr. Speaker, it was 50 years ago this month that the veterans of the First World War met to form the organization that was to become the American Legion. During the years since it was chartered by an act of Congress on September 16, 1919, the Legion has grown to be the largest and most effective veterans organization in the world. It is an organization to which we owe a great debt of gratitude and I am proud to join with the millions of my fellow Legionnaires in saluting the American Legion on its 50th anniversary.

In these days of turmoil and crisis, when our Nation is beset by violence and social unrest it is gratifying to witness the millions of American Legionnaires in thousands of posts throughout the country who are engaged in voluntary service to their communities, States, and to our beloved Nation.

Service in time of peril to our country is the common denominator for Legion membership. Nothing so reflects the turbulence of this half century of history into which the Legion was born and through which it has served than the fact that the war veterans of Vietnam represent the fourth group of Americans of the 20th century who have met the highest obligation of citizenship. In Vietnam today there are American young men fighting who are the grandsons of men who knew Chateau Thierry with the combat soldiers' terrible intimacy of sacrifice.

On the shoulders of these young Vietnam era veterans must fall the burden of carrying forth the ideals, goals, and hopes that the American Legion has traditionally cherished and will continue to cherish in its service to God and country.

March 15, 16, and 17, 1919, is marked as the official dates of the Legion's founding. But in a larger sense Legionnaires go beyond that limited period of history for their source of inspiration.

When those American Legion founders—scarred by sacrifices for their country and blessed by a love for her—picked up the torch for continued service in peacetime, they borrowed on the ideals and spirit of men who had gone before them.

Their inspiration were valiant men, who by their blood and sacrifices, had wrested freedom from a despotic and distant monarch in the dark days of the American Revolution.

The Legion founders reaffirmed their belief in the basic American principles of justice, freedom, and democracy for which Valley Forge had proven an early testing ground.

While the American Legion's founders were spurred to action by the ideals and spirit of free men, they were nonetheless practical men. They wanted to guarantee their investment of service in wartime by continued service in peacetime. They wanted to further insure the security and stability of the country for which their sacrifices and those of their departed comrades-in-arms had been made.

As in the beginning, the Legion is

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today still fighting the good fight—still fighting to keep these great ideals in the forefront in America. Its resolve is given new strength by a new generation of war veterans.

If one were to attempt to reduce the organization's purpose to the simplest terms, these words might come close:

The American Legion is dedicated to kindling the conscience of America to remember always her great ideals of freedom and the sacrifices that must be made to maintain freedom.

The Legion labors to keep America's backbone stiff and straight—strong—so that these ideals will be carried not only into the next half century but into all time. This so that there always will be one spot where man can turn and see, feel and know the spirit and blessing of freedom.

Legionnaires have worked long and diligently to help educate America to take the long view of history—to see the importance of our stand for freedom and decency in South Vietnam.

So that the same freedom might not be lost through excesses on the home front, the Legion is endeavoring to build a renewed respect for law and order and justice in our society.

The youth-training programs of the American Legion cannot be matched by any other organization in their dimensions. They are a direct Legion contribution to the building of future good citizenship.

More than 15,000,000 boys under 17 years of age have now graduated from American Legion Junior Baseball, the greatest organized teenage boys' sports program in the Nation. It is designed to indoctrinate the junior players with the qualities of good sportsmanship, respect for rules and appreciation of the value of teamwork.

More than 1,600,000 youths have graduated into good citizenship from the 4,000 Boy Scout troops sponsored by American Legion posts. The American Legion is today one of the leading sponsors of the Boy Scout movement.

More than 500,000 high school juniors have learned about the obligations and responsibilities of citizenship and the functions of self-government through the annual American Legion boys state and boys nation programs. In this activity the youths organize and operate a mythical state and a mythical national government to learn by doing what the functions of government are and what the roles of good citizens are in maintaining good government.

The American Legion has made a massive contribution in developing champions and defenders of the U.S. Constitution and Bill of Rights. More than 5,500,000 boys and girls have participated in the annual national high school oratorical contests of the American Legion. Some 355,000 students participate annually in this nationwide competition in which they are required to prepare original orations on some phases of the Constitution and Bill of Rights.

For the past 50 years, the American Legion has made its influence felt on the American scene as a force for good; a force for the betterment of not only the veteran population but for every man, woman, and child.

The Legion has a proud heritage and one which is being preserved by continuing and expanding upon the good works on which the reputation of the organization is based.

American Legion posts throughout the Nation are preeminent in the field of community services. There are thousands of hometowns which are better places in which to live today because Legion posts undertook the leadership in needed community improvements.

The men and women who compose the American Legion today have dedicated themselves to a far-reaching program of assistance in the search for real solutions to the problems of our Nation's society.

They are helping to draw the initial blueprint which future generations of American Legionnaires can follow in striving to attain a better society for posterity.

This is a real challenge, and one which is being met by Legionnaires at all levels, who are rolling up their sleeves and getting down to work at the community level by helping initiate projects which are constructive and which will bear fruit.

During its first half-century of existence, the American Legion has maintained a young, vibrant outlook on the major problems with which our Nation has been confronted and has played a major role in helping solve many of these problems.

The American Legion prides itself in never having failed America when the chips were down. I join with other Members of the House on this golden anniversary to add my name to the long list of those who respect and admire the American Legion for the outstanding contribution it has made and is making to America.

Mr. **GERALD R. FORD.** Mr. Speaker, it gives me great pleasure to join with my colleagues in observing the golden anniversary of the founding of the American Legion.

As a member for 23 years of Furniture City American Legion Post No. 258, Grand Rapids, Mich., I look proudly back upon the 50-year history of the Legion. I sense the feelings of the World War I fighting men who gathered under the banner of Lt. Col. Theodore Roosevelt, Jr., to form the American Legion at caucuses March 17–19, 1919, in Paris, France, and May 8–10, 1919, in St. Louis, Mo.

From its inception, the American Legion has been an organization of men devoted to God and country and imbued with lofty ideals. They came together through feelings of fraternity and comradeship born of war duty and pledged themselves to equitable treatment for all veterans but particularly the disabled, their widows and their orphans. Intensely patriotic, members of the American Legion also have always dedicated themselves to America's best interests and have united in opposing those forces which threaten our national security and besmirch the honor and the dignity of man.

Members of the American Legion can look at the 50-year history of their organization and proudly recount its accomplishments—promotion of legislation necessary to the care and rehabilitation of disabled veterans, establishment of the American Legion Child Welfare Foundation, the boys state and boys nation programs, the American Legion School Medal Awards presented to encourage good citizenship, sponsorship of some 4,200 Scout units throughout the country, promotion of American Education Week, citizenship schools for aliens, unceasing vigilance aimed at strengthening our national security, support for the United Nations and for such international groupings as NATO and SEATO, and eternal devotion to the advancement of peace.

It is the GI bill of rights that the American Legion claims as its greatest legislative achievement. And this, as we all know, is a measure which has produced incalculable benefits not only for individual veterans but for the Nation.

Mr. Speaker, it is with pride that I salute the American Legion on the occasion of its 50th birthday—and it is with pride that I personally wear the American Legion emblem. This emblem is symbolic of everything the American Legion standards for as it marks a half century of effort and progress—devotion to the finest ideals of man.

Mr. **FISH.** Mr. Speaker, I am proud to add my personal salute and congratulations to the American Legion on the 50th anniversary of its founding. As the son of the author of the Preamble to the Constitution of the American Legion, and as well as a member of Lafayette Post No. 37, in Poughkeepsie, N.Y., I have long been familiar with the outstanding work of the American Legion on behalf of our Nation and its citizens.

Service to communities such as mine has embraced youth work, and leadership in patriotic observance as well as the vital role as the consistent championship of our veterans. Let us hope that all Americans will be inspired by the great achievements of the American Legion's first 50 years and dedicate themselves to the ideals of service to community, State, and Nation which have guided the Legion's first half century. May the American Legion itself enjoy five more decades of success in all its work.

Mr. **EDMONDSON.** Mr. Speaker, I welcome the opportunity to join in saluting one of the Nation's great organizations, the American Legion, on its 50th anniversary.

The American Legion is made up of millions of our citizens who have served their country in time of war, and the organization has continued its members' tradition of service to country throughout its 50 years of existence.

In Oklahoma, the Legion has served in many ways to build and promote a sense of responsibility and patriotism among our young people. The Legion has been a friend to the widows and orphans of veterans, and has led the fight for better hospital facilities and more effective programs under the GI Bill. It has consistently been a force for honest, effective law enforcement, for better government, and for a strong national defense.

I am proud to be a member of the

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American Legion, and hope it continues to grow in strength and in effective service to our country.

Mr. O'NEILL of Massachusetts. Mr. Speaker, the words "continue to serve" means more to the Legionnaire than the average citizen realizes. These words, based on that portion of the preamble to the Constitution of the American Legion reading "To inculcate a sense of individual obligation to the community, State, and Nation," portray the peacetime service of the American Legion.

How many citizens, I wonder, know of the many ways in which posts of the American Legion serve the interests of the community? Far too many people in the community believe that all the American Legion is organized for is to fight for legislation which benefits men who have served during our wars.

It is of the utmost importance that the citizens of every American community know what the Legion is doing for community betterment. It is important that people know that the members of the Legion are continuing to serve in peace as they did in war.

Members of Congress never forget for a moment the power and strength for good, the high ideals, and the practical wisdom of the American Legion.

This year marks the Legion's golden anniversary. Let the citizens of this country know that for half a century Legionnaires have been imbued with a patriotic earnestness that transcends military duty and a determination that the United States shall never again be found unprepared for its defense.

If this were the only mission of the American Legion it would be sufficient to insure its existence. But the boundless energy of Legionnaire service does not end there.

Americanism has been a major interest of the Legion since the inception of the organization. The St. Louis caucus in May 1919, considered as "its major concern—relief work, employment, and Americanism."

At the charter convention at Minneapolis, in the same year, the Americanism Commission was established by convention action. It is the objective of the National Americanism Commission to translate Americanism precepts, principles, and ideals in an understanding manner to Legion posts, and to other interested groups and individuals.

In the field of antisubversive activities, the Legion continues to be an outstanding opponent of communism and other un-American dogmas, and is proud to be known as one of communism's most dangerous and persistent enemies.

The youth programs of the Legion are exemplary. In the 1920's American Legion junior baseball was established. As a byproduct of this youth-training program, professional baseball has reaped some excellent talent.

Boy's State is another outstanding educational force developed by the American Legion. First held in Illinois in 1935, it spread rapidly over the Nation.

This program enables thousands upon thousands of boys to reach maturity with practical experience in the application of political practices learned in summer schools of citizenship.

Boy's Nation, started in 1946, annually brings a hundred or more young American leaders from most of our 50 States to Washington, D.C.

These lads are selected from those who have made the best records of achievement in their respective Boys' States.

Every detail of our National Government and political setup which can possibly be emulated by the boys is utilized in the Boys' Nation program.

We cannot overlook the importance of the American Legion's High School Oratorical Contest which enables several thousand students to develop a deeper knowledge and appreciation of the Constitution of the United States. All of the contest's orations are based upon our Constitution.

The present U.S. flag law is the result of a cooperative effort in which the American Legion played a leading role in encouraging proper respect to be shown in displaying our national colors.

Great quantities of literature are mailed from the Legion's Americanism Commission each year to stimulate patriotism and assist in the recognition of patriotic holidays. It is not unusual for the commission to distribute over a million pieces of literature within a year.

The sole purpose of this material is to assist Americans to be good citizens and to teach our youth the American way of life, in order that they may help win the battle for freedom and liberty now being waged in a troubled world.

No one has any higher regard for the Legion's principles, any greater respect for its gifts of heart and mind to our country, or any stronger expectation of the even mightier contributions that it will make in the future, than do I.

Although the American Legion is celebrating its 50th anniversary this year and it is still young and growing. It has the enthusiasm of youth for the causes that it espouses.

So far it has no apologies to make. From its earliest days, it has struggled on behalf of disabled veterans, whom it has sworn to protect, and for the rights of the dependents of veterans. Its service to community, State, and Nation, has been unstinting.

The American Legion inherited the struggles of manhood in its cradle days. When the final history of the Legion is written, the judgment on its efforts will be "well done." When a bugler has blown taps over the grave of an American Legionnaire, this, too, is the appropriate epitaph for a man who has served his country well in war and peace.

Mr. TEAGUE of Texas. Mr. Speaker, I am indeed happy to join with my colleagues in the House and the Senate in observance and paying tribute today to the 50th anniversary of the founding of the American Legion, that great organization which has done so much for this country and continues to have as its hallmark the service to the veterans, their widows, and children. It is indeed appropriate that this House and the Senate have passed appropriate resolutions commending the Legion on this half a century of dedication to the public welfare. It is also appropriate that the Post Office Department has seen fit to issue a special stamp to mark this occasion.

The American Legion was conceived at a caucus March 15-17, 1919, in Paris, France, by members of the AEF. Two months later, at St. Louis, Mo., another caucus adopted a tentative constitution.

Lt. Col. Theodore Roosevelt, Jr., son of President Theodore Roosevelt, is credited with being the "Father of The American Legion." A World War II brigadier general, Roosevelt died of a heart attack at the front in Normandy.

The American Legion was chartered by an act of Congress on September 16, 1919, and before the year ended, membership reached 648,000, heralding 50 years of steady growth and public service.

Members come from all walks of life. They include industrialists, publishers, movie stars, leading sports personalities, political leaders, attorneys, doctors, farmers, mechanics, and clerks.

This year the American Legion celebrates the 50th year of its founding. It is a milestone which recalls vivid memories of service and self-sacrifice to the 1,700,000 remaining World War I veterans, and is an observance of some magnitude for all Legionnaires, most of whom will never again be privileged to take part in so historic an event.

From its inception, the American Legion has been known for its spirit; for its sense of fairness to all men; for its ability to accomplish whatever job that needs to be done.

There is perhaps no other institution in America that is so well known locally by name by so many as the American Legion. This public awareness of the American Legion rests largely on its local reputation.

But when it comes to knowing about the sum total of the doings and accomplishments of more than 16,250 such hometown posts, it is an altogether different story.

As a nationwide organization, the American Legion is truly a giant group. It is the largest veteran organization in the world.

You will find, especially in the smaller cities and towns, that the local American Legion post is the community center of patriotic, civic, and in most cases, its social activities.

It is from these deep grassroots in the community life of the Nation, that the American Legion draws its immeasurable strength, vigor, and public support. The people of these communities know of the American Legion's good local works and they stand behind it.

The membership of the American Legion is drawn from all walks of American life with such effectiveness that when it comes to getting a job done in any field of its endeavors, it can command the services, the talents, and the energies of the recognized top leaders in that field.

The American Legion is well represented in high places in Federal and State Government with an impressive list of Legionnaire officeholders headed by President Richard M. Nixon.

Thirty of the 50 Governors are veterans of wartime service with the U.S. Armed Forces and all 30 of those who are eligible for American Legion membership are members.

Vice President SPIRO AGNEW and at

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least three members of the Nixon administration Cabinet are members of the Legion.

Heavy majorities of both Houses of the U.S. Congress are also members of the Legion. Nearly completed survey of Members of the first session of the 91st Congress showed that 66 of the 100 Senators and 252 of the 435 Members of the House are Legionnaires.

The American Legion has a women's auxiliary of nearly 1 million members in more than 13,000 community units.

In its committee structure that blankets the United States, the American Legion has 12 basic national commissions. Operating under these commissions are 29 national boards and committees. This structure is paralleled on every State front and carried down through district and county echelons to the community post levels. This provides a chain of command through which the American Legion can—and does—muster all its huge task forces to any given objective.

The American Legion places a high premium on patriotic service in the military forces in time of war. This is a special obligation of American citizenship imposed on the Nation's youth—an obligation that demands special and hazardous service, that calls upon the individual to accept the sacrifices of health, career, education, financial loss, and life itself, if necessary, to protect and preserve our way of life. Nowhere else on the American scene is the individual called upon to make such a sacrifice.

Playing a significant role in the American Legion's planning for the future is the Vietnam war vet, and the number of Viet vets who have joined the ranks of the Legion total more than 150,000.

That the Legion has been and remains both vibrant and stable is attested to by its many accomplishments down through the years: Establishment of a Veterans' Administration; aid to the sick and handicapped—whether veteran-connected or not; programs for the protection and well-being of the Nation's children; and advanced education and training for America's war veterans.

The youth-training programs of the American Legion under the direction of its national Americanism commission cannot be matched by any other organization in their dimensions. They are a direct American Legion contribution to the building of future good citizenship.

More than 15,000,000 boys under 17 years of age have now graduated from American Legion Junior Baseball, the greatest organized teen-age boys' sports program in the Nation. It is designed to indoctrinate the junior players with the qualities of good sportsmanship, respect for rules and appreciation of the value of teamwork.

More than 1,600,000 youths have graduated into good citizenship from the 4,000 Boy Scout troops sponsored by American Legion posts. The American Legion is today one of the leading sponsors of the Boy Scout movement.

More than 500,000 high school juniors have learned about the obligations and responsibilities of citizenship and the functions of self-government through the annual American Legion boys state and boys nation programs. In this activity the youths organize and operate a mythical state and a mythical national government to learn by doing what the functions of Government are and what the roles of good citizens are in maintaining good Government.

The men who compose the American Legion today have dedicated themselves to a far-reaching program of assistance in the search for real solutions to the problems of our Nation's society.

These men are helping to draw the initial blueprint which future generations of American Legionnaires can follow in striving to attain a better society for posterity.

Mr. Speaker, I want also to take this opportunity to express my appreciation and that of the entire membership of the Committee on Veterans' Affairs, for the leadership which the Legion has in its Washington office.

The American Legion prides itself in never having failed America when the chips were down and is taking the occasion of its golden anniversary observance to pledge anew that as long as the need for the Legion's service exists, the American Legion stands ready to serve.

Mr. DULSKI. Mr. Speaker, I support fully House Resolution 302.

This is a proud time for a great organization—the American Legion.

It was just 50 years ago next Saturday, March 15, that a group of men gathered in the American Club, 4 Rue Gabriel, Paris, France, which turned out to be the first meeting of the American Legion.

That original roll is incomplete, but 463 signed the register and it is known that quite a few others also were present. Today, Legion membership numbers more than 2.6 million, including my own in one of the Legion's biggest posts, Adam Plewacki Post 799, in Buffalo, N.Y.

Four wars and a half century after it was founded, the Legion's continuing major concern is aiding veterans as they return to civilian life. This is a great service and one for which the Legion is well organized.

Besides its fundamental concern with the returning veteran, the Legion also gives great attention to programs for our young people. It is this work for which, it seems to me, the Legion warrants the accolade: "50 years young."

Each year, about 750,000 young men from the 50 States, the District of Columbia and Puerto Rico participate in Legion-sponsored programs. These include: Boys State and Boys Nation, American Legion baseball, the national oratorical contest, Boy Scouting and boys clubs.

The cornerstone of all of these programs, directed by the Legion's National Americanism Commission, is the recognition given to the ideal of human values and the dignity and worth of the individual.

In these programs a young man can find fulfillment in the comradeship fostered by participating in worthwhile projects with others of his own age, and the opportunity and encouragement to develop to his fullest capacity the intellectual, moral, physical and economic qualifications necessary for happy, useful living in a free society.

Mr. ADDABBO. Mr. Speaker, this week the House of Representatives salutes the American Legion on its 50th anniversary. The tribute has been made official by the adoption of House Resolution 302 which I enthusiastically support.

As we recognize the achievements of the Legion and the high purposes for which the organization has stood over these past 50 years, we should also look to the future and recognize the important role which the Legion can play in lifting the moral spirit of America.

Since the historic organizational meetings and act of Congress which chartered the Legion in 1919, we have seen the results of the work of this effective organization in many areas.

The Legion has represented the veterans of America in stimulating many legislative accomplishments—most outstanding of which is the GI bill of rights.

In our communities, the Legion has focused on encouraging our Nation's youth to assume the burdens and responsibility of leadership, the national high school oratorical contest, the organization of Boy Scout troops, Legion junior baseball, the Boys Nation program and many other youth activities have enlisted the civic participation of millions of young Americans.

The purposes of these varied programs go far beyond the simple definition of patriotism, for improvement of our society through broad participation is the overall goal of the Legion agenda.

In these times when many young people are rebelling, there is no better way to unite America than through a program which will encourage young people to participate.

The Legion has placed the emphasis on a better understanding of our democratic process—the burdens of leadership, the expense of participating in the decisionmaking procedures of Government, and the meaning of becoming involved in one's own community affairs.

These are the basis for a strong society as well as a healthy society and I am proud to join my colleagues in saluting the American Legion on this 50th anniversary.

Mr. CORMAN. Mr. Speaker, it is with a sense of personal pride that I join my colleagues in congratulating the American Legion on the occasion of its 50th anniversary.

As a member of Post 193 of Van Nuys, Calif., and as a veteran of World War II and the Korean conflict, the words of the resolution adopted by the House, clearly identifying the high purpose of the American Legion and its achievements of the past 50 years, have special meaning for me.

In my own post, I have through the years been close to men who, upon returning from World War I, became the Nation's first Legionnaires. They were among those who began the Legion's voluntary service programs in their communities. They laid the foundation for the growth of the Legion into the largest and most effective veterans organization in the world. They paved the way for those of us who became the veterans of other wars, so that we learned and understood the meaning of service to our country in times of peace as well as in times of war.

We have learned to honor those valiant and brave men who died on the battlefields, and to insure that the sacrifice they made has not been given in vain. Through Legion membership we constantly reaffirm our belief in the principles we fought for—justice, freedom, and democracy.

Or greatest importance are the efforts made by the Legion to lead America's youth to the highest pinnacle of good citizenship. The Legion has made a massive contribution in developing youth participation in hypothetical state and national governments—in learning by doing what the functions of government are and what the role of a citizen should be in maintaining good government. These youngsters will soon take our place in every facet of American life. They will be well equipped to do so as a result of participation in the Legion's many and varied youth programs.

Patriotism, love of country, devotion to community, belief in freedom and justice—these are not merely ideals that the American Legion has set for its membership and for the Nation. They are the legacy that the Legion is passing on to our young people—the legacy that will preserve this great Nation.

For this, and for much more in 50 years of outstanding accomplishments, I proudly salute the American Legion and as proudly claim membership in Post 193.

Mr. PICKLE. Mr. Speaker, I lend my wholehearted support to House Resolution 302 honoring a proud time in history for a worthy organization—the American Legion.

I am happy to join my colleagues in honoring this group as they celebrate their 50th year of service to this great Nation. They continue today to serve the veterans who have so ably defended us on many battlefields. It is appropriate that the House and Senate have passed resolutions commending the Legion on this half century of public service. I was especially pleased that the U.S. Post Office issued a commemorative stamp on this occasion.

This mighty organization grew from rather tenuous seeds back in 1919 at a meeting in Paris. Within months after this initial meeting of 463 men, a second meeting was held in St. Louis to adopt a tentative constitution.

Although many men helped the fledgling organization, Lt. Col. Theodore Roosevelt, Jr., son of President Theodore Roosevelt, is credited with being the "father of the American Legion."

By an act of Congress, the Legion was chartered on September 16, 1919, and before the year ended membership jumped to 648,000.

From its very birth, the American Legion has been known for its spirit, for its sense of fairness to all men and for its ability to accomplish whatever job that needs to be done.

Although the Legion's image is that of a veterans' group, they have contributed over the years to the youth-oriented programs. In the 1920's American Legion junior baseball was established. Professional baseball today picks many a player who began by swinging an American Legion bat.

Boy's State is another outstanding educational force developed by the American Legion. It spread across the Nation from its inception in Illinois in 1935. This program guides thousands upon thousands of boys toward maturity and adulthood with practical experience in the application of political practices learned in schools of citizenship.

In 1946, the Legion initiated Boy's Nation, which brings a hundred or so boys from most of our States to Washington every year. Boys are selected from those who have made the best records of achievement in their respective Boy's State meeting.

The American Legion's High School Oratorical Contest enables several thousand students develop a deeper knowledge and understanding of the Constitution.

From boyhood to manhood the American Legion builds Americans. Especially in the small towns of this country, you will find the local Legion post is the community center of patriotic, civic and in most cases, social activity. There are 16,250 such posts across the Nation.

Membership is drawn from the full range of American Life—clerks and industrialists, attorneys and mechanics, the common man and national heroes. The American Legion is well represented in high places in Federal and State Governments, beginning with President Nixon. Thirty of the 50 Governors are veterans of wartime service and all 30 of those who are eligible are members in the American Legion.

Vice President SPIRO AGNEW and at least three members of the Cabinet are members of the Legion.

A survey of Members of the first session of the 91st Congress shows 66 Senators and 252 Members of the House are Legionnaires.

Nearly 1 million members in 13,000 community units belong to the American Legion women's auxiliary.

As a nation, we are indebted to the American Legion for placing a high premium on patriotic service in the military forces in time of war. This is a special obligation of American citizenship borne largely by the Nation's youth. And proudly done. It is right that the American Legion exist to serve those who have honored this country with their bravery and their lives. If the American Legion did not exist—it would have to be created.

We can thank the Legion for its efforts in creating the Veterans' Administration; aid to the sick and the handicapped, whether service connected or not; programs for the protection and well-being of our children; and advanced education and training for America's war veterans.

For the men returning from Vietnam, the American Legion will be waiting in line with their families to welcome them home.

The American Legion has never failed America. And with this golden anniversary, it renews its pledge to stand ready to serve.

Mr. BROWN of California. Mr. Speaker, I rise today to add my voice in praise of the ideals and aspirations of the American Legion.

This fine organization works diligently to protect the interests of all of America's veterans. Their numerous activities go far in smoothing the road for returning veterans. No single effort better exemplifies the good that the American Legion can do than their efforts on behalf of the GI bill after World War II. Their efforts assured its passage. The result was a boon to the Nation in general—and to veterans in particular.

We are in times when the dedication of men of good will is desperately needed to reconcile and reunite our Nation in equality and justice. An organization sworn to service and to the highest ideals of our Nation can provide a rallying point for such men. Such an observation is particularly apt on the occasion of the 50th anniversary of the American Legion. This is an organization whose codes of service can stand as a pattern for public spirited community action across the Nation.

The American Legion, with the rest of the Nation, faces great challenges in the next 50 years. But great difficulties can mean great victories. I look forward, therefore, to the future of the American Legion—for the next 50 years to follow and broaden the patterns of the last 50.

Mr. HALPERN. Mr. Speaker, on its 50th anniversary, I wish to congratulate the American Legion and to commend its national commander, William C. Doyle, of Vineland, N.J.

For half a century the Legion has been promoting the kind of 100-percent Americanism which Commander Doyle has described as "a calm, reasoned approach to and concern with the major problems that confront our beloved America, and an earnest effort to seek sane and sound solutions within the framework of law."

The American Legion's Americanism is love of country and respect for its institutions. It requires respect for the rights of our fellow man. It means a concern for the freedom of men, accompanied by a recognition that every right carries with it an accompanying responsibility.

The American Legion has stood these 50 years as a diligent sentinel alert to protect this Nation's welfare and future. The Legion has labored at the big as well as at the small tasks necessary to this mission, a mission willingly undertaken by former servicemen anxious to perform further service to their country as civilians.

But the American Legion is not resting on its laurels. Its work has only begun. Tremendous problems remain to be solved—and the greatest of these is the attainment of world peace.

Who are better fitted to work for this ideal than those who have given most to win it in the past?

The American Legion's primary objective is peace, but beyond that are the objectives of community improvement, individual betterment, and the promotion of every vital American principle and ideal.

The Legion fights on for these in war

and peace, in good times or bad. In a day when the minds of men have been subjected to worldwide tragedy and doubt, when suffering is on every side, the American Legion stands solidly for our country and democracy.

It is my sincere wish that all Legionnaires everywhere know that the American people are proud of them and hope for their continued success.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the resolution, as follows:

H. Res. 302

Resolved, That the House of Representatives salutes the American Legion on the occasion of its fiftieth anniversary on March 15 through 17, 1969, and urges the American people to commend this great organization upon its achievements during fifty years of service to God and country; that it acknowledges the need for a service organization such as the American Legion in our American society, and expresses the hope that the outstanding work of the American Legion will continue during the next half century; and that the House pledges its continuing cooperation with the men and women of the American Legion in programs of service to community, State, and Nation and in their determination to safeguard and transmit to posterity the principles of justice, freedom, and democracy upon which our Nation is founded.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks in connection with the resolution just adopted.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

PERMISSION FOR COMMITTEE ON RULES TO FILE CERTAIN PRIVILEGED REPORTS

Mr. COLMER. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

PROTECTING DEALERS AND CONSUMERS OF GOLD AND SILVER PRODUCTS

(Mr. TIERNAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TIERNAN. Mr. Speaker, I am today introducing a bill to protect those who deal in gold and silver products, including housewives, jewelry manufacturers, and their trade associations from fraudulent misstatements of the rare metal content of merchandise.

This bill has been introduced in the Senate by my distinguished Rhode Island colleague, Senator Pastore, and the senior Senator from Massachusetts, Senator Kennedy.

The bill would amend the 1906 law regulating quality marking of gold and silver to allow interested parties, consumers and manufacturers alike, to institute civil action in Federal district court to obtain an injunction against violators of the act.

Under this bill consumers and members of the trade may recover their actual damages from a violator of the Marking Act, together with costs of the suit and attorney's fees. This would prove to be an effective solution against the false marking situations that have plagued the industry, unbeknownst to the consumer, for years. The cost of false markings, both to the jewelry industry and the American consumer, has been high.

Almost one-third of the jewelry-silverware manufacturing industry is located in the State of Rhode Island. Over 20,000 Rhode Island citizens are employed in this industry and it is the largest single employer in the city of Providence and the second largest in the State.

It is essential that we act to protect both the consumer and the industry against false markings. I urge that my colleagues join in supporting this much needed measure.

THE DEPARTMENT OF YOUTH AFFAIRS

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, on February 5 I introduced a bill that would create a Cabinet-level Department of Youth Affairs. Today it is my pleasure to add the names of 14 of my distinguished colleagues as cosponsors of that bill.

They are Congressmen Edward Boland, Leonard Farbstein, Sam Friedel, Kenneth Gray, James Howard, Andrew Jacobs, Jr., Charles Joelson, James Kee, Ray Madden, Abner Mikva, Arnold Olsen, Carl Perkins, Bertram Podell, and Benjamin S. Rosenthal.

We believe that more than anything else, today's young people are concerned about the world they live in and they are committed to making it a better place than it now is.

These young people want an opportunity to participate meaningfully in the political life of their country. The overwhelming response of youth to the presidential campaigns testifies to their eagerness to act constructively and obtain results within our political system.

Our task as legislators is not to spurn youth's enthusiastic energy, but to welcome it, encourage it to flourish, to provide a place where young people can be officially, influentially, and constructively involved in the workings of government. The bill which my colleagues and I have introduced would provide such a place.

We propose the creation of a Cabinet-level Department of Youth Affairs which would contain the Peace Corps, Volunteers in Service to America—VISTA—and the Teacher Corps. Each of these programs is in large measure staffed and carried out by young people, each is almost universally regarded as a solid success, and each is thus a forceful proof of what the youth of this Nation can do once it has the chance.

Other existing programs deemed suitable to be in the new Department of Youth Affairs could be transferred there at the President's discretion.

We also propose that an Office of Youth Participation be created in the Department of Youth Affairs. In this Office at least half of the employees would be between 16 and 24 years old. This Office would administer a program of grants-in-aid to local agencies for the establishment of similar youth participation offices under State supervision. The local offices would then develop and administer social and economic programs in which youths as paid and unpaid volunteers would work for the benefit of their local communities. In addition, we propose that the Secretary of the Youth Affairs Department be instructed to appoint an Advisory Commission on Youth Participation, a majority of whose members would be young people from youth organizations in schools, colleges, and universities and from other youth organizations. The Advisory Commission would speak directly for young people by giving advice on policy matters to Federal agencies whose programs deal with youth.

Mr. Speaker, no group of Americans has more of a stake in the future of the Nation and its government than our young people. Let us give them an immediate stake in its present activities; let us authorize the creation of a Department of Youth Affairs.

The bill follows:

H.R. 6259

A bill to create a Department of Youth Affairs

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

ESTABLISHMENT

Section 1. There is hereby established an executive department which shall be known as the Department of Youth Affairs (hereinafter in this Act referred to as the "Department").

OFFICERS OF DEPARTMENT

Sec. 2. (a) There shall be the head of the Department a Secretary of Youth Affairs (hereinafter in this Act referred to as the "Secretary") who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall receive compensation at the rate prescribed by law for the heads of executive departments. The Department shall be administered under the supervision and direction of the Secretary.

(b) There shall be in the Department an Under Secretary of Youth Affairs and such Assistant Secretaries as shall be determined by the President to be necessary, each of whom shall be appointed by the President, by and with the advice and consent of the Senate, shall perform such functions and duties as the Secretary may prescribe, and shall receive compensation at the rate provided by law for under secretaries and assistant secretaries, respectively, of executive departments. The Under Secretary (or, during the absence or disability of the Under Secretary, or in the event of a vacancy in the office of the Under Secretary, an Assistant Secretary

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determined according to such order as the Secretary shall prescribe) shall act as Secretary during the absence or disability of the Secretary or in the event of a vacancy in the office of Secretary.

TRANSFER OF FUNCTIONS

SEC. 3. The functions of—

(1) the Secretary of State under the Peace Corps Act,

(2) the Director of the Office of Economic Opportunity under title VIII of the Economic Opportunity Act of 1964 (relating to VISTA), and

(3) the Commissioner of Education under subpart 1 of part B of title V of the Higher Education Act of 1965 (relating to the Teacher Corps), are hereby transferred to the Secretary of Youth Affairs.

TRANSFER OF RECORDS, PERSONNEL, ETC.

SEC. 4. There are hereby transferred to the Secretary all personnel, property, records, obligations, and commitments of, and all unexpended balances of appropriations, allocations, and other funds available (or to be made available) to—

(1) the Secretary of State under the Peace Corps Act,

(2) the Director of the Office of Economic Opportunity under title VIII of the Economic Opportunity Act of 1964, and

(3) the Commissioner of Education under subpart 1 of part B of title V of the Higher Education Act of 1965.

REFERENCES

SEC. 5. Any reference to—

(1) the Secretary of State under the Peace Corps Act,

(2) the Director of the Office of Economic Opportunity under title VIII of the Economic Opportunity Act of 1964, and

(3) the Commissioner of Education under subpart 1 of part B of title V of the Higher Education Act of 1965,

in any other law, rule, regulation, certificate, directive, instruction, or other official paper in force on, or which will become effective after, the date of the enactment of this Act shall be deemed to refer and apply to the Secretary of Youth Affairs.

EFFECT ON EXISTING OFFICIAL ACTIONS

SEC. 6. (a) Notwithstanding the preceding sections of this Act, all delegations of authority, orders, regulations, certificates, directives, issuances, and other official actions of—

(1) the Secretary of State under the Peace Corps Act,

(2) the Director of the Office of Economic Opportunity under title VIII of the Economic Opportunity Act of 1964, and

(3) the Commissioner of Education under subpart 1 of part B of title V of the Higher Education Act of 1965,

which are in force on the date of the enactment of this Act shall continue in full force and effect until modified, amended, superseded, or revoked by the Secretary.

(b) Notwithstanding the preceding sections of this Act, all boards, councils, committees, and similar organizations and groups established by—

(1) the Secretary of State under the Peace Corps Act,

(2) the Director of the Office of Economic Opportunity under title VIII of the Economic Opportunity Act of 1964, and

(3) the Commissioner of Education under subpart 1 of part B of title V of the Higher Education Act of 1965,

pursuant to law may be abolished or continued by action of the Secretary.

OFFICE OF YOUTH PARTICIPATION

SEC. 7. (a) There is additionally established in the Department of Youth Affairs a United States Office of Youth Participation (hereinafter referred to as the "Official").

(b) The Director of the Office shall be appointed by the Secretary and shall be compensated at the rate prescribed for level 5 under section 5316 of title 5, United States Code. There shall be a Deputy Director of the Office who shall be compensated at a rate not in excess of the maximum rate for GS-18 of the General Schedule under section 5332 of title 5.

(c) At least half of the employees of the Office, classified in grade GS-7 and above, pursuant to section 5104 of title 5, United States Code, shall be persons between the ages of sixteen and twenty-four at the time of their appointments to their positions, and the Office shall establish a personnel policy which encourages the maintenance of this proportion. The Director shall establish a policy which assures that employees of the Office are representatives of a broad range of experience, background, and personal characteristics, with respect to sex, educational attainment, residence, occupation, ethnic origin, and age within the age limits prescribed in the preceding sentence.

(d) The Office of Youth Participation shall—

(1) establish and administer a program of grants-in-aid to public agencies and nonprofit private organizations which shall be made available on application and under terms prescribed by the Office for—

(A) the establishment of similar Offices of Youth Participation and Commissions on Youth Participation under the supervision of governments of the States and the District of Columbia, which will perform at the State level those functions specified in this section;

(B) the development and administration, by such public agencies and nonprofit private organizations, of programs designed to recruit, select, train, and employ youth up to age twenty-four as paid and nonpaid volunteers in social and economic programs of benefit to local communities, especially programs which concern youth generally and programs aimed at reducing poverty and physical blight, improving health, education, and welfare, ending racial discrimination, and achieving equal justice under law for all citizens;

(C) the development of coherent plans and programs, by such public agencies and private nonprofit organizations, which ensure the meaningful participation of youth up to age twenty-four in policymaking bodies of governmental and private organizations which administer social and economic programs, especially programs which concern youth generally and programs aimed at reducing poverty and physical blight, improving health, education, and welfare, ending racial discrimination, and achieving equal justice under law for all citizens;

(2) establish jointly with other Federal agencies administering programs which concern youth generally and programs aimed at reducing poverty and physical blight, improving health, education, and welfare, ending racial discrimination, and achieving equal justice under law for all citizens, a national program under which youth up to age twenty-four shall be recruited, selected, trained, and employed as volunteers in paid and nonpaid positions in such programs.

(e) The Director of the Office shall establish with the heads of Volunteers in Service to America, the Peace Corps, the Teacher Corps, the Job Corps, the Neighborhood Youth Corps, the President's Council on Youth Opportunity and other Federal agencies concerned with youth participation, cooperative administrative arrangements which insure that such agencies assist in furthering the objectives of this section, including the establishment of means for the exchange of information about volunteer opportunities and applicants for volunteer positions.

(f) In volunteer programs assisted under this section, the Office shall insure, to the greatest extent possible, that such programs—

(1) are planned and administered by public agencies and nonprofit organizations which are composed of youth up to age twenty-four, or which show evidence of substantial participation of such youth;

(2) engage volunteers in ways that permit and encourage them to assist in the planning, administration, and evaluation of policies and programs;

(3) where appropriate, assign volunteers to work directly with clients and beneficiaries of programs;

(4) provide experience which leads to careers for volunteers in the fields in which they work; and

(5) where appropriate, make use of expert technical assistance in planning and administering such programs.

(g) Volunteers in any program assisted pursuant to this section—

(1) shall not be deemed to be Federal employees, except as provided by the Secretary of Youth Affairs, after consultation with the Civil Service Commission; and

(2) shall be compensated, including necessary expenses, as determined by the Secretary of Youth Affairs, except that in the case of Federal volunteer programs the Secretary shall consult with the head of the Federal agency concerned before establishing rates of compensation and expenses.

ADVISORY COMMISSION ON YOUTH PARTICIPATION

SEC. 8. (a) The Secretary of Youth Affairs shall appoint an Advisory Commission on Youth Participation (hereinafter referred to as the "Commission"), which shall be composed of nine members, at least five of whom shall be persons between the ages of eighteen and twenty-four at the time of their appointments. The Director of the Office shall be an ex officio member of the Commission.

(b) The Secretary of Youth Affairs shall seek recommendations as to the membership of the Commission from youth organizations in schools, colleges, and universities, and from other youth organizations, and shall appoint members of the Commission for two-year terms, except that the terms of the members first appointed may be for a greater or lesser period in order to assure that the terms of not more than three members shall expire at the same time. In appointing members of the Commission, the Secretary shall seek to insure that they are representative of a broad range of experience, background, and personal characteristics, with respect to sex, educational attainment, residence, occupation, ethnic origin, and between the ages of eighteen and twenty-four at the time of their appointments.

(c) Members of the Commission shall select from their number a Chairman and Cochairman, who shall serve in those positions for one year.

(d) Members of the Commission shall be compensated, including necessary expenses, as determined by the Secretary of Youth Affairs. The Secretary shall provide the Commission with necessary staff support.

(e) The Commission shall—

(1) advise the Secretary of Youth Affairs with respect to policy matters concerning the administration of this section and with respect to ways of increasing the involvement of youth;

(2) consult with and advise the heads of Federal agencies administering programs which directly affect the lives of young people, including, but not limited to, the Selective Service System, the Justice Department, and the Office of Economic Opportunity, as to ways of improving such programs and making them more responsive to the needs and concerns of young people; and

(3) hold and publish hearings, and conduct and publish studies, on problems and issues of concern to youth in American society, and make recommendations from time to time for additional means of incorporating young people more fully in meaningful and

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responsible roles in the American society and economy.

ADDITIONAL TRANSFERS

SEC. 9. The President is authorized to transfer to the Secretary any other functions relating primarily to youth in the areas of health, education, military service, employment, and related areas not otherwise transferred by this Act, together with such personal property, records, obligations, commitments, appropriations, allocations, and other funds as he determines necessary to carry out any function so transferred under authority of this section.

DELEGATION OF FUNCTIONS

SEC. 10. The Secretary may authorize the performance of any of the functions vested in him by this Act by any other officer or employee of the Department.

SEAL

SEC. 11. The Secretary shall cause a seal of office to be made for the Department, of such design as the President shall approve, and judicial notice shall be taken thereof.

EFFECTIVE DATE

SEC. 12. This Act, and the amendments made by it, shall take effect when specified by Executive order of the President, but in no case later than one year after the date of its enactment.

POST OFFICE DEPARTMENT PUFFERY

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. SAYLOR. Mr. Speaker, yesterday, the Post Office Department delivered to my office, and presumably, to every other congressional office, an example of professional postal puffery that has yet to be topped.

In their publication, "Postal Patronage: A Sampling of Editorial Reaction," the Post Office Department—that paragon Government agency of efficiency and economy—spent $320.70 to print a 138-page "sampling" of editorial opinion on the patronage problem.

That booklet told us that "a random sampling of editorial reaction" on the subject of postal patronage showed that of the 125 editorials printed, 114 favor the removal of political patronage from the appointment process; two oppose the policy, and nine give tentative approval. Taken at face value, that would seem a pretty substantial "image" for the Post Office Department.

However, I think it is only proper to ask: Are 125 editorials out of approximately 20,400 newspapers and periodicals throughout the Nation sufficient to make a judgment on?

Now if Pennsylvania is any example of the cross section of opinion that the Post Office depended upon to make judgment on its new policy, I wish to advise there are about 482 periodicals in my State, 118 of which are dailies. This current postal puffery took a sample from only 12 papers—an infinitesimal number on which to base an assumption.

TRIBUTE TO THE LATE HONORABLE ROSS RIZLEY

The SPEAKER pro tempore (Mr. GALIFIANAKIS). Under a previous order of the House, the gentleman from Oklahoma (Mr. BELCHER) is recognized for 45 minutes.

Mr. BELCHER. Mr. Speaker, it is with the deepest sense of personal sadness and profound regret that I have taken this time so that other Members may join me in paying tribute to our former colleague, Congressman Ross Rizley, who died early in the morning of March 4, 1969, in Oklahoma City at the age of 74 years.

The Nation has lost a true statesman and I have lost a dear, dear friend in the passing of Ross Rizley. He and I were as close as any brothers, from the time we worked as young men together in Oklahoma organizing Young Republican Clubs around the State, at a time when Republicans in Oklahoma were about as scarce as the proverbial hen's teeth.

Ross Rizley was born on a farm near the Panhandle town of Beaver, Okla., on July 5, 1892. I have often wondered if being so nearly a "Fourth of July child" did not have something to do with the great patriotism and devotion to this country which always characterized Ross' life and public service. He was schooled in the public school system of Beaver County and then taught in the rural schools of that system in 1909 and 1910, while yet a teenager himself. For 2 years following that, he served as a deputy register of deeds for Beaver County, and then he went off to law school in Kansas City. He was graduated from the Law Department of the University of Kansas at Kansas City, Mo., in 1915 and was admitted to the bar the same year.

He returned to his native Beaver to commence practice, and there he married Miss Ruby Seal on June 18, 1916. The couple had seven children, four sons and three daughters. In 1918 Ross was elected county attorney for Beaver County and served in that position until he resigned in 1920 to move to Guymon in Texas County, Okla., where he resumed the practice of law.

There his political career began in earnest He served as a member of the Guymon Board of Education from 1924 to 1932 and as city attorney from 1928 to 1938. While thus engaged, he successfully sought election to the Oklahoma State Senate in 1930 and served in that body from 1931 through 1934.

In 1938 Ross successfully sought the Republican nomination for Governor of Oklahoma against two opponents, but was defeated in the general election—a fate which came to every Republican nominee for that office from the first post-statehood election in 1907 until 1962.

I had the great privilege of serving as Ross' campaign manager when he sought election to Congress in 1940 from Oklahoma's Eight Congressional District. My memories of the excitement and the fellowship of campaigning up and down the dusty roads of western Oklahoma with Ross that summer and fall are among the fondest of my life. He had a genuine love of people and a deep dedication to the American tradition of freedom and good government—of the people, by the people, and for the people.

That campaign was successful, and in 1941 I came to Washington with the new Congressman to serve as his administrative assistant. There are those here who served with Ross in that 77th Congress and the three succeeding Congresses in which he served. And I know everyone of them will remember him with the same esteem and affection that I feel for him, for he was an eminently likable man, a true friend in the highest sense of that word, and a dedicated public servant who took his work as a representative of the people with a seriousness that I doubt could be eclipsed by the record of any statesman who ever walked these halls.

Ross served on the House Committee on Agriculture during the 77th, 78th, and 79th Congresses and was reelected to each of those Congresses with a greater plurality of the vote than before. Evidence of his dedication and ability is the fact that in the 80th Congress, he was appointed by his colleagues to the powerful and prestigious House Committee on Rules. In that Congress he also served on the special committee established to review expenditures in the executive department and, during the second session, was appointed to a Special Committee on Campaign Expenditures.

No more honest and forthright man ever represented the people of America than Ross Rizley.

In 1948, Ross sought the Republican nomination for the U.S. Senate and more than doubled the combined vote of his five competitors in winning that designation. In that year, also, he served—as he had in 1932 and 1936—as a delegate to the Republican National Convention; but he was unsuccessful in the November general election for the Senate seat and returned to law practice in Oklahoma.

It was my great honor and privilege to be elected in 1950 to the Eighth Congressional District seat which my beloved friend, boss, and mentor had filled with such conspicuous ability for 8 years. His example and the experience of working closely with him during those years was a source of great encouragement and wisdom for me in my freshman years, and his life has been a noble pattern for me and many other men throughout the years.

With the advent of the Eisenhower administration in Washington, Ross was appointed Solicitor for the Post Office Department and served in that capacity from March to December of 1953, when he was appointed Assistant Secretary of Agriculture. He served in that capacity until December of 1954 and in February of 1955 took up the seat to which he had been appointed on the Civil Aeronautics Board where he served until April of the next year.

His resignation from the CAB was occasioned by his appointment as judge of the U.S. District Court for the Western District of Oklahoma. His judicial years were ones of distinction and serve as a fitting capstone of this outstanding public career.

Teacher, attorney, legislator, executive, judge—a notably varied public career, but as remarkable for its honesty and dedication as for its variety of services. And these few words speak nothing of the really important contributions of his

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life—of his devotion as a husband and father, of his service to his church and community, of all the small, unsung goodnesses that are the mark of a great man. How inadequate are words to express the flood of feeling one has at such a time as this. How pitifully inadequate are a few remarks to pay tribute to the accomplishments of a lifetime. But buried deep in the hearts of his many friends and loved ones is a part of Ross Rizley that will never die.

To his wife, Ruby, and his family, I take the liberty of expressing, not only my own deep sympathy and sense of loss, but that of every Member of the House of Representatives and especially of those who knew and loved him when he served with them here—may God bless you and may His peace, which passes all understanding, strengthen you and uphold you in this time of sorrow.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. BELCHER. I am happy to yield to the minority leader.

Mr. GERALD R. FORD. Mr. Speaker, although I never had the privilege of serving in this body with Ross Rizley, I knew him quite well, because subsequent to his decision to run for the U.S. Senate and with the advent of the Eisenhower administration, Ross Rizley was in Washington, D.C., for a number of years prior to being appointed to the Federal judiciary.

All of my colleagues who served with Ross Rizley have always pointed out that he was a man of the highest integrity, of the greatest diligence, and with the finest views on what was good and in the best interest of our Nation.

As I sat and listened to the recitation of Ross Rizley's long history of public service as recounted by the gentleman from Oklahoma, I know of few records that would match it. He served his local community, in the State government, in the Federal Government, and in the legislative as well as the executive and judicial branches. This is a history of accomplishment that will go down in the annals of Oklahoma's political history.

May I join the gentleman from Oklahoma in extending to his family our deepest sympathy.

Mr. BELCHER. I thank the gentleman.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. BELCHER. I am happy to yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I join my colleague from Oklahoma in his tribute to a great Oklahoman, a great American, and a great man. I knew Ross Rizley before he was elected to Congress and served with him during my first term. I worked with him on many matters affecting our State. He came here from the great Panhandle of Oklahoma, an area once known as "No Man's Land."

His family were among the first settlers of that part of the State of Oklahoma. Ross had all of the rugged qualities of a pioneer Oklahoman. He was a man of strong character, integrity, patriotism, loyalty to duty and to his country. He held many important offices both State and Federal, elective and appointive. I believe he was the first State senator ever elected on the Republican ticket from that part of the State of Oklahoma from which he came. Of course, the gentleman who is in the well of the House was probably as closely associated with Ross Rizley personally, politically, and professionally as anybody that ever knew him.

Ross was a great Congressman and a knowledgeable Congressman. He was a strong member of the executive branch of the Government where he served in at least three important positions. He was an outstanding U.S. district court judge.

I last saw Ross not long ago in Houston, Tex. It was obvious that he was not physically as well as he was when he served here with us, but he still displayed the keen wit and intellect that characterized him throughout his life. He was frank, open, sincere, and he loved his friends. I am so happy that I could always count him as a friend. Though we sat on opposite sides of the aisle, there was never at any time a single iota of difference between us of a personal character.

Mr. Speaker, I extend to Mrs. Rizley, to his children and grandchildren, and to all of his family and loved ones my deepest sympathy.

Mr. BELCHER. Mr. Speaker, I thank the gentleman from Oklahoma.

Mr. STEED. Mr. Speaker, will the gentleman yield?

Mr. BELCHER. I yield to the distinguished gentleman from Oklahoma.

Mr. STEED. Mr. Speaker, Oklahoma has lost an outstanding citizen in the passing of Judge Ross Rizley. I was proud to call him my warm personal friend.

He not only served our State with distinction as a Member of the House of Representatives from 1941 to 1949, but he was one of the relatively few men to achieve prominence in all three branches of the Federal Government.

After leaving Congress, during the administration of President Eisenhower, he was Solicitor of the Post Office Department, Assistant Secretary of Agriculture and Chairman of the Civil Aeronautics Board. While holding the latter position, Mr. Rizley was appointed a U.S. district judge and returned to Oklahoma. It was during his service with the Post Office Department that I had my last close contact with him.

In all these posts he was known as conscientious and fair. His record is a part of our State history. Our sympathy goes out to his family at his passing.

Mr. CAMP. Mr. Speaker, will the gentleman yield?

Mr. BELCHER. I yield to the distinguished gentleman from Oklahoma (Mr. CAMP) who represents quite a portion of the district that Ross Rizley first represented when I came to Congress.

Mr. CAMP. I thank the distinguished gentleman for yielding to me.

Mr. Speaker, I would like to join with my colleague, the gentleman from Oklahoma (Mr. BELCHER), in paying tribute to former Congressman Ross Rizley.

I have had the pleasure of knowing Mr. Rizley for many years. In fact, I helped in his campaign when he was elected to Congress in 1940. Through the years, Mr. Rizley has been one of the outstanding leaders, not only in the State of Oklahoma, but in our United States. This has been shown by the responsibility that has been given to him, first, by former President Eisenhower when he was appointed to serve as Solicitor of the Post Office Department, and later as Assistant Secretary of Agriculture.

The President then saw fit to appoint him to the Civil Aeronautics Board, of which he later became Chairman. In 1956 he was named to the Federal bench in Oklahoma, a position which he has served in ever since.

In the death of Judge Rizley, the people of Oklahoma have lost one of their best friends and leaders, and I, a personal friend.

I would also like to express my condolences to his very fine wife, who has also been a close friend throughout the years, and a wonderful wife and mother.

Mr. POAGE. Mr. Speaker, will the gentleman yield?

Mr. BELCHER. I yield to the distinguished chairman of the Committee on Agriculture, the gentleman from Texas (Mr. POAGE), who served with Mr. Rizley on the committee when he was here in Congress.

Mr. POAGE. Mr. Speaker, Ross Rizley came to Congress not a great many years after I entered the House and we served together on the Agriculture Committee for 6 years.

I came to know him not only as a good friend, but as an able colleague, a great man, a man of keen wit and sound judgment. We were together on committee trips, and inasmuch as we both came from the Southwest, we enjoyed many interests in common. He was a typical son of the frontier. He was frank, outspoken, modest, but sound and able in his qualifications. He was a true friend.

When Ross Rizley left the House he was missed, but he continued to render great public service in both the executive and judicial branches of Government.

We were saddened to learn of his death, Mr. Speaker, and I want to join others in extending my heartfelt sympathy to his wife and to his fine children and other members of his family.

Mr. McCULLOCH. Mr. Speaker, will the gentleman yield?

Mr. BELCHER. I yield to the distinguished gentleman from Ohio (Mr. McCULLOCH).

Mr. McCULLOCH. Mr. Speaker, I am glad to join with my long time colleague, the gentleman from Oklahoma, PAGE BELCHER, in paying tribute to the late, great Ross Rizley. Ross was a Member of Congress when I came to the 80th Congress, in 1947.

It was my pleasure and satisfaction to serve and be associated with Ross Rizley on some of the important matters of that time. He was an able lawyer, a courageous and effective Member of Congress, in the best tradition of his beloved country.

Mr. Speaker, it has been noted that Ross Rizley served in the three important branches of the Government of our country. He was known well and favorably by many men. He will be missed by those men with whom he worked, and by them for whom he did so much.

I too wish to extend to Mrs. Rizley and

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to his family the sympathy of the McCulloch family.

Mr. BELCHER. Mr. Speaker, I will now yield to the distinguished gentleman from Texas (Mr. FISHER).

Mr. FISHER. Mr. Speaker, I thank the gentleman for yielding.

Like many Members of this body, who will be expressing themselves today, I also entertained the highest respect and admiration for the late and lamented Ross Rizley of Oklahoma. That high regard was shared by all who served with him, regardless of party, regardless of position, and regardless of the area from whence they may have come.

He was one of the most able, dedicated, and most sincere of the men I have served with during nearly three decades as a Member of the House of Representatives.

Ross Rizley was a man of courage. He was a statesman in the true sense of that word. He always put our country ahead of partisan affairs. He was a leader. He was a dedicated man. He was in the real literal meaning of the term a truly great American. I regarded Ross Rizley as a personal friend, and I join with my colleagues who knew him in expressing sympathy to the surviving widow and members of his family.

Mr. BELCHER. Mr. Speaker, I now yield to the distinguished gentleman from California (Mr. HOLIFIELD) who had the privilege of serving in Congress with Ross Rizley.

Mr. HOLIFIELD. Mr. Speaker, I thank my friend and neighbor for yielding to me.

Ross Rizley was elected and started serving in 1941 and 1942. I was elected in the fall of 1942, and started serving in 1943 and 1944.

Shortly after that, in 1946, the House Committee on Government Operations was established. Ross Rizley and I served on that committee. The years 1947 and 1948 were of the 80th Congress. Ross Rizley was the chairman of one of the subcommittees during that session in the House. I served as the ranking Democratic member of that subcommittee.

We investigated the almost unbelievable and unconscionable waste that occurred in the United States after World War II had ended, and when billions of dollars' worth of surplus property were being disposed of in an indiscriminate fashion, and in an unorganized fashion by the agencies who had that property, particularly the three defense agencies.

During the term of 2 years that I served under his chairmanship I can attest to the fact that this Member of the House, Ross Rizley, was a man of great ability and of great personal kindness and understanding. He did a fine job as chairman of that committee.

As a result of the exposures that we made in the waste and in the confusion in the disposal of Government property, in 1949 that same subcommittee, under my own chairmanship at that time, brought out the Federal Property and Administrative Act of 1949, commonly known as the General Services Administration Act. It was strictly due to the pioneer work that was done by the Rizley subcommittee that we were able to put that legislation together, and to get it passed in the House.

I believe that the work of the General Services Administration from that time on in doing the housekeeping chores of the Government, and in particular that section which had to do with the disposal of both personal and real property, has saved the people of the United States many, many billions of dollars.

Mr. Speaker, I just want to rise at this time to pay my tribute to this fine man under whom I had the privilege to serve and to attest to the valuable work that he did in that regard as well as in other regards on other committees on which he served.

I learned with sorrow of his passing and I extend to Mrs. Rizley and to the family my deep sympathy.

Mr. ARENDS. Mr. Speaker, I am deeply distressed to learn of the passing of my good friend and former colleague, Ross Rizley, of Oklahoma.

No finer gentleman, more dedicated to public service, has served in this Congress. It could be said his entire life has been devoted to public service, first at the county level, later in the State senate, and then with the Federal Government. He served with distinction on our Committee on Agriculture and on the Rules Committee. He was always seeking new challenges and greater opportunity for service. He retired from the House in the hope of representing the State of Oklahoma in the Senate. A political career being what it is, he was not successful in that effort, but that did not deter him in his public career. In 1953 he was Solicitor for the Post Office Department, later served as Assistant Secretary of Agriculture, and subsequently Chairman of the Civil Aeronautics Board. All this indicates that he was a man of real ability in whom those who knew him had confidence.

His ability, objectivity and temperament were recognized when he was made a U.S. district judge for the western district of Oklahoma.

Ross Rizley's life stands as a lasting monument of his dedication to the service of his fellow men. While he is no longer with us he continues with us in fond recollection. He will be missed by me. He was a friend and colleague that I shall never forget.

Mr. McCORMACK. Mr. Speaker, it was with profound sorrow that I have learned of the death of a friend and former colleague, Ross Rizley, of Oklahoma.

I was majority leader when he was first sworn in as a Member of the House of Representatives on January 3, 1941. Even though we were members of opposite political parties, we became very close personal friends.

His warmth, honesty, and pleasing personality were only a few of his many outstanding characteristics. Whenever he became convinced that one side of an issue was the correct one, he was very sincere and persuasive in his attempt to convince other people to follow his leadership.

This sincerity led to many political arguments on the floor of the House between Ross and myself. However, after the heat of political battle had subsided, we remained the closest of friends.

Mrs. McCormack joins me in extending our sympathy to his loved ones in their hour of sorrow.

Mr. PHILBIN. Mr. Speaker, with a sad, heavy heart I am proud to associate myself with my able, distinguished friend, Mr. BELCHER, in the tributes which he has so well expressed concerning our late, esteemed colleague and beloved friend, Hon. Ross Rizley.

I knew Ross very well when he served in this body, and he was outstanding in every respect. He was a man of great ability, strong views and convictions and real patriotic devotion to our American way of life.

Ross was an outstanding Congressman and a great American, and his service in this body was distinguished by demonstrated capacity, fidelity to duty, deep concern for the people, and noteworthy contributions to his constituents, his constituency and the Nation.

Ross Rizley enjoyed a very brilliant, long career in the public service. He served in the House for three terms, was well liked and highly respected by colleagues on both sides of the aisle.

In addition to being a nationally recognized Member of Congress, he was a very able Solicitor of the Post Office Department, Assistant Secretary of Agriculture under Secretary Benson, and most distinguished Chairman of the Civil Aeronautics Board, where he did splendid work for American aviation.

In all the very high official posts in which he served, Ross did memorable work. He was admired and cherished by his colleagues on both sides of the aisle.

Subsequently, he was appointed Federal judge for the western district of Oklahoma. He was a well-trained, capable man of broad experience and understanding of the problems of business, labor, and agriculture and other facets of our great system. His contributions to the Federal courts, as lawyer and judge, were meaningful, significant, in our best tradition, and will long be gratefully recalled by his many friends, constituents and the American people, whom he served so faithfully and well.

I extend to his bereaved family my most heartfelt sympathy for the great, irreparable loss they have sustained, which is indeed also the loss of the Nation.

Our hearts go out to them with prayers and compassion, and we ask divine providence to bless and comfort them in their deep sorrow and bring them reconciliation, happiness, and peace.

Mr. MILLS. Mr. Speaker, it was with profound sadness that I noted the passing away on March 4 of a distinguished former colleague, the Honorable Ross Rizley, of Oklahoma. Congressman Rizley was 76 years of age.

Ross Rizley was originally elected to the 77th Congress, and his distinguished service in this House extended through the 80th Congress. He retired from the House in 1949.

Subsequent to his service in the House of Representatives, Congressman Rizley held a number of very important positions in the executive and judicial branches of the Federal Government. He was successively solicitor for the U.S.

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Post Office Department, Assistant Secretary of Agriculture, and a member of the Civil Aeronautics Board. He resigned the last-named position on April 15, 1956, to become judge of the U.S. District Court for the western district of Oklahoma.

It was my privilege to know and respect Ross Rizley during his four terms here in the House and his subsequent distinguished work in the executive branch and as a Federal judge. He will be remembered for his many contributions and dedicated and effective service to his district, to Oklahoma and to the Nation.

We all mourn the passing of Ross Rizley, and I am honored to join with his many friends in the House in expressions of tribute and farewell to this valued friend and respected former member from Oklahoma.

Mr. KIRWAN. Mr. Speaker, it was with great sadness that I learned of the death last week of our former colleague, Judge Ross Rizley.

During his tenure here during the 1940's we became very good friends and I learned to respect his good judgment and his dedication in representing the people of Oklahoma. He was a man of character and humanity. As I look back over the years of my service here in Congress, certain individuals come to mind who were a special privilege and honor to know. Ross Rizley was such a man and I mourn his passing.

I wish to extend to Mrs. Rizley and the other members of his family my most sincere sympathy in their loss and bereavement.

Mr. SIKES. Mr. Speaker, I am honored to join with my colleagues in paying special tribute to our esteemed friend and distinguished colleague, the late Ross Rizley, who passed away on March 4. He was a warm and genuine human being who spent much of his life in the service of his fellowman and his country.

As we pause to honor the memory of the gentleman who so well represented the Eighth Congressional District of Oklahoma for 8 years in this Chamber, we recall also the accomplishments of this very able legislator.

Representative Rizley served as a member of the House Agriculture Committee for 6 years and the Rules Committee for 2 years. He was outstanding in his service in the Congress and in the recognition of his fellow Members. I can attest to this because I served with Ross Rizley and shared his friendship. After retiring from Congress, he became Solicitor of the Post Office Department in 1953 and later served as Assistant Secretary of Agriculture. Following these posts, he became Chairman of the Civil Aeronautics Board and later was appointed Federal judge for the western district of Oklahoma.

It is highly appropriate that we now honor his memory, and I join my colleagues in extending deepest sympathy to Congressman Rizley's family and in assuring them he will long remain in our thoughts and prayers.

Mr. EDMONDSON. Mr. Speaker, Oklahoma has lost one of her finest citizens in the passing of the Honorable Ross Rizley.

This distinguished former colleague was one of our State's ablest public servants during his illustrious career.

As a legislator, as an executive, and as a jurist, he made a significant contribution to both his State and the Nation.

A devoted husband and father, Ross Rizley is mourned by one of the finest families in the country, whose hospitality and helpfulness to others were almost legendary.

I will miss Ross Rizley, as a friend and as a fellow public servant.

Oklahoma and the Nation will also miss this splendid man, who helped to build for future generations in many, many ways.

Mr. EVINS of Tennessee. Mr. Speaker, permit me to join with my colleagues from Oklahoma and others in paying a brief but sincere tribute to the memory of our late colleague and friend, Ross Rizley, of Oklahoma.

Certainly Ross Rizley served with distinction his district, his beloved State of Oklahoma and his Nation.

Following his career in the Congress he served in the Post Office Department and later was appointed Federal judge to the western district of Oklahoma, a crowning achievement.

It was my privilege to serve in the 80th Congress with Ross Rizley, and I appreciated his warm personality and friendship.

I extend to the members of his family an expression of my deepest and most sincere sympathy in their loss and bereavement.

Mr. FALLON. Mr. Speaker, it is an honor and a privilege to join those today who salute the distinguished career of Ross Rizley, who served in the Congress from 1941 to 1949, as a representative from Oklahoma.

Over a period of 4 years, I came to know Ross well. Upon entering the House as a freshman Congressman, I had the good fortune of making his acquaintance, and from this vantage point, I had the further opportunity of witnessing his career at close range.

Either in Congress or out, Ross Rizley was frequently on service in Washington in some capacity, and I took great satisfaction in our long and warm friendship.

When in Congress, Ross served 6 years on the Agriculture Committee and 2 years on Rules. Under the Eisenhower administration he received an appointment as Solicitor for the Post Office Department but shortly afterward was offered and accepted another appointment as Assistant Secretary of Agriculture. He was widely admired for his vast knowledge of agricultural matters and his faculty for figuring out successful solutions to farm problems in general.

In 1955, he was appointed to the Civil Aeronautics Board, and the following year was appointed judge of the U.S. District Court for the Western District of Oklahoma, in which capacity he performed with great ability.

As a leading Republican in Oklahoma, Ross Rizley was once honored with his party's gubernatorial nomination, in 1938, and once was nominated for Senator, in 1948, but on both occasions failed of election. He was an outstanding lawyer in his home State, a civic-minded citizen with a special concern for educational matters, and on several occasions attended the Republican National Convention as a delegate.

I was proud to know this man of great ability and regarded him as a true friend. The State of Oklahoma has lost one of its leading citizens, but the memory of his deeds shall surely prevail.

Mr. ROONEY of New York. Mr. Speaker, I was saddened to learn of the passing a week ago today of the Honorable Ross Rizley who for 8 years represented the people of Oklahoma here in the House of Representatives and who spent a lifetime in dedicated public service. I came to know Ross well when we both served on the Select Committee To Investigate the Disposition of Surplus Property at the end of World War II.

Following his service in the House of Representatives Ross went on to be Solicitor of the Post Office Department, Assistant Secretary of Agriculture and a member of the Civil Aeronautics Board before being appointed a Federal judge in Oklahoma's Western District. No matter what capacity he filled, Ross Rizley, through hard work and integrity, filled it with distinction. His passing is a great loss to the people of Oklahoma and the country. To his widow and his family and many friends I offer my sincerest sympathy.

Mr. WHITTEN. Mr. Speaker, I join with my colleagues in their expressions of sorrow at the untimely passing of the late Ross Rizley, former Member of Congress. During the years I have been here I have served with many fine Americans and, certainly, Ross was one of the finest. Able, courageous, and at all times courteous, his influence with his colleagues contributed to his success.

We join, too, in expressing our deepest sympathy to his loved ones.

Mr. DORN. Mr. Speaker, when I first came to the Congress as a young man, I met Ross Rizley. This was in the old 80th Congress, where I met so many famous Americans—John F. Kennedy, President Richard M. Nixon, Lyndon B. Johnson, and many others served in that Congress. Among the men who stood out in that Congress, a leader among leaders, was Ross Rizley, of the great State of Oklahoma. Being a farmer, I particularly appreciated his keen interests in agriculture. Soil conservation, forestry, and watershed projects were close to his heart and constantly on his mind.

Ross Rizley was a great Congressman, an outstanding administrator, and one who honored the bench as Federal judge for the western district of his great State.

As a result of his keen interests in agriculture, the American farmer today, and the consumer today enjoy a better standard of living. Ross Rizley was concerned about safety in the airlanes of the Nation and devoted much of his time as Chairman of the Civil Aeronautics Board to improving the cause of aviation.

He was a great American from this very heartland of our country, who was devoted and dedicated to the entire Nation. He was a warm personal friend of mine, who helped me personally as a young fledgling Congressman. I shall always remember him as a friend and a

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statesman who loved his people in Oklahoma and who stood up for God and country.

GENERAL LEAVE TO EXTEND

Mr. BELCHER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the life, character, and public service of the late Honorable Ross Rizley.

The SPEAKER pro tempore. Without objection, it is so ordered.

Mr. BELCHER. Mr. Speaker, I include at this point a letter from Mr. Rizley's former secretary, Miss Lydia Vacin:

Committee on Agriculture,
Washington, D.C., March 11, 1969.

Hon. Page Belcher,
U.S. House of Representatives,
Washington, D.C.

Dear Mr. Belcher: Thank you sincerely for affording me this opportunity of here expressing a personal tribute to a former distinguished Member, the Honorable Ross Rizley, late of the Federal District Court in Oklahoma City.

In January 1941, before Pearl Harbor, Ross Rizley was sworn in as a Member of the 77th Congress. Throughout the following eight years that he was in Congress, I had the good fortune to serve as his Secretary. Those were turbulent years and strenuous days in Congress, as all who were then serving will readily attest. It took men of strong courage and stature to endure, and Judge Rizley was definitely one of those. He was hard-working, hard-hitting, fearless and uncompromising, yet was a gentle and kindly man who seemed never too busy to see a friend, acquaintance, or even a total stranger in difficulty and needing a helping word.

He was an ideal family man, a devoted husband and father, who justly took great pride in his fine family. His three sons, and two sons-in-law enlisted at the outset of World War II, and all served Overseas.

His geniality and wit was always at hand when most needed, and carried us through many dark War days. One evening he inadvertently picked up my reading glasses from my desk as he was leaving the office. Later I called his house and asked his daughter whether he had carried them home. She replied yes, and that he was reading and wearing them. The next morning when he returned the glasses, I asked him how they fitted. He facetiously replied, "All right, but I believe they are a little old for me!"

Judge Rizley had all those qualifies which endeared him to people and consequently he had a wealth of friends. As one reporter stated, "They Don't Make Many Men Like Ross Rizley".

He was truly "One of a Kind"—"With malice toward none, and justice for all!"

My deepest sympathy to Mrs. Rizley and her wonderful family, who will miss him greatly.

Lydia Vacin,
Staff Assistant, House Committee on Agriculture.

Mr. Speaker, the following is a letter I received from the Honorable Clifford G. McIntire, who is a former Member of the House of Representatives:

Park Ridge, Ill.,
February 6, 1969.

Hon. Page Belcher,
U.S. House of Representatives,
Washington, D.C.

Dear Page: Word has reached me of the passing of Judge Ross Rizley in Oklahoma.

I am saddened by this word because I count myself among the great number who knew him well enough to treasure his personal friendship.

Ross had already served in Congress before I became a Member in 1961. Our acquaintance began in that period when he was an official in the United States Department of Agriculture. It continued through his years of service on the Civil Aeronautics Board and after he returned to Oklahoma and the Federal bench. He put his outstanding ability into the service of his country with great dedication. His warm personality brought him a host of friends. Those privileged to work with him learned to have great respect for his soundness of judgment and integrity of character.

I know that you and the Judge have had many years of close personal friendship. As one who also treasured his friendship, may I share with you and others a mutual sympathy in the passing of a distinguished American.

Sincerely,

Clifford G. McIntire.

MAJOR DIFFERENCES BETWEEN THE RUMSFELD LEGISLATIVE REORANIZATION BILL—H.R. 6278, 91ST CONGRESS—AND S. 355 AS PASSED BY THE SENATE, 90TH CONGRESS

(Mr. STEIGER of Wisconsin asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. STEIGER of Wisconsin. Mr. Speaker, a number of our colleagues in both Houses, and others interested in congressional reform legislation, have suggested that we insert in the Record a brief summary of the most important specific differences between the Rumsfeld bill and the bill passed by the Senate on March 7, 1967.

Accordingly, I am today including as a part of my remarks the report prepared by our resident expert on congressional reform bills, Walter Kravitz, specialist in American National Government for the Legislative Reference Service:

Major Differences Between the Rumsfeld Legislative Reorganization Bill—H.R. 6278, 91st Congress—and S. 355 as Passed by the Senate, 90th Congress

(By Walter Kravitz, specialist in American National Government and General Research Division, Library of Congress)

TITLE I

1. The Rumsfeld bill tightens the provision for open committee business meetings by eliminating Senate-added exceptions for bill mark-up and voting sessions. (Sec. 102(b).)

2. S. 355 limits general proxies but permits proxy voting unless committees decide otherwise; the Rumsfeld bill flatly prohibits proxy voting in committees. (Sec. 102(d).)

3. In S. 355, the proposed 3-day rule may be waived by the Speaker and the minority leader under certain conditions; the Rumsfeld bill deletes such waiver power. S. 355 forbids a floor vote on any measure until 3 days after a report becomes available; the Rumsfeld bill forbids consideration of a measure before those 3 days. Finally, the Rumsfeld bill exempts from the proposed 3-day rule privileged reports under Rule XI, clause 21 (new clause 22), and legislative veto procedures. (Sec. 102(e) "(f).")

4. The Rumsfeld bill restores the Senate-deleted provision for annual printing of each standing committee's rules. And it adds a provision recommended by the Joint Committee but never embodied in the bill, to the effect that the proceedings of subcommittees shall conform to the rules of their parent full committee. (Sec. 102(e) "(h).")

5. The Rumsfeld bill revises the provision permitting the broadcasting of hearings, by declaring most importantly that (1) hearings may be broadcast only as a public service without commercial sponsorship, (2) a witness may decline to have his testimony broadcast. (Sec. 103(a) "Sec. 133A(b).")

6. The Rumsfeld bill forbids House committees to hold hearings while the House is reading a bill for amendment under the 5-minute rule. (Sec. 104.)

7. S. 355 permits separate explanatory reports by each House on the results of a conference; the Rumsfeld bill calls for a single jointly prepared report. S. 355 provides equal time in debate on a conference report for those who favor and those who oppose; the Rumsfeld bill requires the time to be divided between the majority and minority parties. (Sec. 106.)

8. The Rumsfeld bill deletes all sections dealing with the jurisdictions of Senate and House committees, and committee assignment procedures in the Senate. (Secs. 121–131.)

TITLE II

1. The Rumsfeld bill directs the Comptroller General to cooperate rather than act jointly with the Secretary of the Treasury and the Director of the Bureau of the Budget in developing data processing systems for fiscal data and a budget standard classification system. (Secs. 202–204.)

2. The Rumsfeld bill applies to the Appropriations Committees the same rules of procedure re open hearings, broadcasting of hearings, proxy voting, and publication of votes as are contained in Title I.

TITLE III

1. The Rumsfeld bill deletes obsolete provisions: (a) legislative assistants for Senators; (b) travel allowances for Members; (c) provision for a congressional telephone system; (d) revision of Senate telephone and telegram allowances; (e) conversion to gross salary system for Senate employees; (f) Senate public address system.

TITLE IV

1. The Rumsfeld bill increases the size of the proposed Joint Committee on Congressional Operations from 10 to 12, the additional two members to come from the minority party (one in each House) so as to make the Joint Committee bipartisan. (Sec. 401.)

2. The Rumsfeld bill requires that the vice chairman of the Joint Committee shall not be of the same party as the chairman. (Sec. 401.)

3. The Rumsfeld bill adds to the Joint Committee's duties the responsibility for studies on eight specific subjects to be completed from within one to three years. These include: (1) contempt procedure, (2) Capitol facilities for the public, (3) the Congressional role in situations in which U.S. armed forces are sent to combat abroad without a declaration of war, (4) the jurisdictions and staff resources of committees, (5) lobbying with appropriated funds, (6) resources of individual Members to perform their legislative and representative functions, (7) advantages of incumbent Members, and (8) contested elections procedures. (Sec. 402.)

4. The Rumsfeld bill, like S. 355, removes postmasters from congressional patronage, but it also permits Members to answer requests for work aptitude evaluations and security clearance information provided such information and evaluations relate to periods when the applicant was in the employ of the Member. (Sec. 401.)

5. The Rumsfeld bill removes Members of Congress from the process of appointment to service academies. (Secs. 451–455.)

6. The Rumsfeld bill provides a method whereby Members may hire temporary staff to replace an employee suffering from an extended illness without jeopardizing the pay of the sick employee. (Sec. 481.)

H.R. 8289—A BILL TO AMEND THE ATOMIC ENERGY ACT OF 1954

(Mr. HOLIFIELD asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. HOLIFIELD. Mr. Speaker, on March 5, 1969, Representative Melvin Price and I introduced H.R. 8289, a bill to amend the Atomic Energy Act of 1954. The bill is substantially similar to proposed legislation—H.R. 18667—which we introduced in the House last session and a companion measure—S. 3851—which Senators Anderson and Aiken introduced in the other body at about the same time. Among other things, the legislation would require the AEC to review applications for nuclear powerplant licenses to determine whether the issuance of any such license would tend to create or maintain a situation inconsistent with the antitrust laws. Due to the delay of the various interested executive agencies in submitting their comments on this legislation, no final action was taken on the measure by the Joint Committee on Atomic Energy prior to adjournment of the 90th Congress.

One change of some significance from H.R. 18667 has been made in H.R. 8289, and I would like to explain why it was made. H.R. 18667 contained a section 8 which would have amended the Atomic Energy Act to add a new section entitled "Control of Thermal Effects." The effect of the amendment would have been to confer on the Atomic Energy Commission authority to regulate the thermal effects of heated liquid effluents discharged from licensed nuclear powerplants. The AEC presently does not have this authority, as was confirmed last month by the U.S. Court of Appeals for the First Circuit.

I believe the AEC's foremost concern is, and should continue to be, the regulation of the nuclear power industry from the standpoint of radiological health and safety. My distinguished colleague, the gentleman from Illinois (Mr. Price), shares that view.

However, we believe the AEC should also review each license application from the standpoint of antitrust considerations. We further believe the Commission has a responsibility to help assure that nuclear power plants licensed by the AEC will not reduce the quality of adjoining waterways below applicable water quality standards promulgated by the States and approved by the Secretary of the Interior under the Water Quality Act of 1965. It was for this reason that we proposed in the legislation introduced last session to enlarge the AEC's legislative authority in this regard.

The provision relative to controlling thermal effects has been deleted from H.R. 8289. Eliminating this section from the bill in no way signifies a belief on our part that AEC should not concern itself with this matter. Rather, such action is merely an expression of our belief that the approach to preventing thermal pollution reflected in a bill—S. 7—recently introduced by Senator Muskie is to be preferred over a number of other legislative proposals that have been advanced in this regard and are now pending before various interested committees. Senator Muskie's bill would amend the Federal Water Pollution Control Act and be applicable to all Federal departments and agencies. Of course, if S. 7 or a bill substantially like it fails of passage then we would wish to reconsider our own proposal to amend the Atomic Energy Act.

A more detailed explanation of why we are deferring to Senator Muskie's proposed legislation is set forth in a letter which I recently sent him. I include the letter at this point in the Record, to be followed by the text of H.R. 8289:

Congress of the United States,
Joint Committee on Atomic Energy,
Washington, D.C., February 26, 1969.

Hon. Edmund S. Muskie,
Chairman, Subcommittee on Air and Water Pollution, Committee on Public Works, U.S. Senate, Washington, D.C.

Dear Ed: As you know, Representative Melvin Price and I in the House and Senators Anderson and Aiken in the Senate introduced legislation (H.R. 18667, S. 3851) during the last session which, among other things, would have given the AEC regulatory authority over the responsibility for controlling the thermal effects of heated liquid effluents discharged from licensed nuclear power plants. Due to the delay of the various interested executive agencies in providing the Joint Committee on Atomic Energy with their comments on these bills, no final action was taken by the committee on the proposed legislation in the 90th Congress. However, I fully expected to reintroduce substantially similar legislation in the near future and have every expectation that action thereon will be taken by the committee during this session of Congress.

My purpose in writing is to inform you that I propose to delete from my bill the section (Section 8 of H.R. 18667) on "Control of Thermal Effects." I do so not because of any feeling that the prevention of thermal pollution is of no concern to the AEC; I firmly believe that it is, and know my view is shared by others on the Joint Committee. Rather, I do so in deference to Section 3 ("Cooperation by all Federal Agencies in the Control of Pollution") of your own bill, S. 7, which I have examined quite closely and find much to be preferred over the various alternate approaches reflected in proposed legislation presently pending before various interested committees. There seems little reason for the Joint Committee to devote time to a measure addressed solely to the Atomic Energy Commission if a more comprehensive bill, applicable to all Federal departments and agencies, is to be enacted. Moreover, as presently drawn S. 7 more nearly comports with the congressional policy expressed in the various air and water pollution control measures enacted in recent years, namely that it is the states which should have the primary role in preventing and controlling pollution. Finally, as presently drafted S. 7 should avoid the bureaucratic infighting which characterized earlier legislative proposals—including my own—over which Federal agency should have the final word insofar as the issue of thermal effects is concerned. I would hope that your committee could give consideration to the suggested technical changes set forth below, and that the bill can be reported to the House without damaging amendments.

One other matter deserves comment. As you know, the potential problem of thermal effects is not peculiar to nuclear power plants; it is a problem which to one degree or another is shared by all thermal electrical generating facilities no matter what their fuel source—coal, oil, gas or uranium. However, not all such facilities are subject to Federal licensing or other form of regulatory approval. I understand that in some cases certain of these facilities might be required to obtain Corps of Engineers' approval and would thereby become subject to S. 7's requirements, but I am not at all certain whether this would bring within the bill's purview most or even many such facilities. Thus a significant fraction of all new electrical generating capacity to be added in future years generally will be immune from your preventive measure since it is addressed only to facilities for which a Federal license or permit is required. Quite apart from the exceedingly large loophole in pollution prevention which this exemption will permit, I believe that singling out particular energy sources in this way for special treatment could lead to choices between various energy fuels based on considerations extraneous to those normally considered in deciding the type of electrical plant to be built, namely, economic and other inherent advantages.

Therefore, I would urge your subcommittee to give consideration to legislation requiring that an electrical utility, prior to the start of construction of any facility for the generation of electrical power that (a) will discharge heated liquid effluents into any waters subject to Federal jurisdiction or affecting waters subject to such jurisdiction and (b) is not otherwise required to obtain a Federal license or permit, to submit to an appropriate Federal agency (for example, the Federal Power Commission) certification from appropriate State or regional water pollution control authorities that such activity will be conducted in compliance with applicable water quality standards. I believe an amendment to the Federal Water Pollution Control Act along these lines would be nondiscriminatory as between competing fuel sources, and would maintain the delicate Federal-State balance presently reflected in that Act.

There are some technical considerations relative to S. 7 which I would like to call to your attention. These are set forth in the attachment, and I hope that you will give them serious consideration. If you have any questions about these technical comments, or if I or the Joint Committee staff can be of any assistance to you in your consideration of these matters, please call me.

Very truly yours,
Chet Holifield,
Chairman.

Technical Comments on S. 7

1. Pursuant to the requirements of the Atomic Energy Act of 1954 nuclear power reactors are licensed in two stages: first, a construction permit must be obtained from the AEC to build the facility, and then an operating license must be obtained to operate the finished facility. Proposed new Section 14(b) of the Federal Water Pollution Control Act to be added by S. 7 would appear to require an applicant for an AEC license to submit the requisite certification at both stages in the licensing process. To avoid duplication and unnecessary delays the proposed section ought to be amended to make it clear that satisfaction of the section's requirements at the construction permit stage would suffice unless subsequent thereto the applicant proposes a material change in the facility.

2. As noted above, S. 7 as presently drawn would appear to apply to applications for AEC operating licenses as well as to applications for construction permits. With respect to facilities now under construction and yet to be granted operating licenses, it would appear quite impractical to require changes in the design of the facility at this late stage if such were deemed necessary by the appropriate State water pollution control agency to enable it to make the determination, and to issue the certification, required by S. 7. Therefore, if S. 7 is not revised as suggested in (1) above, provision should be made for exempting from the bill's coverage those facilities for which construction permits have been issued at the time of S. 7's enactment.

3. Proposed Section 14(b) would appear to

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require the automatic suspension of any affected license or permit if a court of competent jurisdiction finds that such licensee or permittee is not in compliance with applicable water quality standards. In view of the possible adverse effect upon the reliability of a region's electric power supply which the forced shutdown of a large generating facility could have, it would seem considerably more advisable to accord the court discretionary power to permit continuation of the activity pending necessary modification of the facility or its appurtenances, if that is feasible, or of the operating practices followed there.

4. Proposed new Section 14(b) would require certification from an appropriate State or interstate water pollution control agency that the proposed activity will be conducted in a manner which shall "insure" compliance with applicable water quality standards. This seems an unnecessarily exacting standard to impose on the agencies involved, amounting virtually to an absolute guarantee by them that under no conceivable circumstances could the facility's discharges violate any of the applicable water quality standards. Few if any of the many other regulatory statutes now in effect require this high a degree of certainty on the part of the regulatory authorities, and there appears little reason to impose a different and higher standard in the field of water pollution. Certification by the State or interstate agency that there is "reasonable assurance" that the activity will be conducted in compliance with applicable water quality standards would appear to be more in keeping with the tests laid down in other legislative grants of regulatory authority.

5. The Atomic Energy Act of 1954 vests in the AEC responsibility and authority for regulating the possession, use, etc., of source, byproduct and special nuclear materials. Pursuant to this authority the AEC has established comprehensive standards and controls over the radiological health and safety aspects of these materials. A potential conflict with this authority and responsibility would appear to exist under S. 7 in the fact that if a State were to adopt standards for the control of radiation from these sources as part of the State's water quality standards, a State or interstate water pollution control authority might withhold the certification required under S. 7 because the activity proposed to be conducted by the applicant for an AEC license, although in complete compliance with AEC standards and controls, might not be in compliance with the water quality standards promulgated by the State concerned. Therefore, at a minimum the Committee report on this legislation, and preferably the bill itself, should make clear that the certification process contemplated by S. 7 in no way comprehends radiological health and safety standards.

H.R. 8289

A bill to amend the Atomic Energy Act of 1954 as amended, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (4) of subsection 31(a) of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"(4) utilization of special nuclear material, atomic energy, and radioactive material and processes entailed in the utilization or production of atomic energy or such material for all other purposes, including commercial or industrial uses, the generation of usable energy, and the demonstration of advances in the commercial or industrial application of atomic energy; and".

SEC. 2. Section 102 of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"SEC. 102. DETERMINATION OF SUBSTANTIAL RESEARCH ACTIVITIES.—Any license for a utilization facility to produce electric energy for ultimate sale to the public or for a production facility shall be issued pursuant to section 103 unless the license applicant demonstrates, and the Commission determines in writing, that the principal purpose of the facility is the performance of substantial research and development activities for the demonstration of significant advances in the commercial or industrial application of atomic energy, in which case such license shall be issued pursuant to section 104."

SEC. 3. The first sentence of subsection 103(a) of the Atomic Energy Act of 1954, as amended, is amended to read as follows: "The Commission is authorized to issue licenses to persons applying therefor to transfer or receive in interstate commerce, manufacture, produce, transfer, acquire, possess, use, import, or export under the terms of an agreement for cooperation arranged pursuant to section 123, utilization or production facilities."

SEC. 4. Subsection 104(b) of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"(b) Subsequent to a determination by the Commission as authorized in section 102, the Commission may issue to any person applying therefor a license for a utilization facility to produce electric energy for ultimate sale to the public of a production facility the principal purpose of which is the performance of substantial research and development activities for the demonstration of significant advances in the commercial or industrial application of atomic energy. In issuing licenses under this subsection, the Commission shall impose the minimum amount of such regulations and terms of license as will permit the Commission to fulfill its obligations under this Act to promote the common defense and security and to protect the health and safety of the public."

SEC. 5. Subsection 105(c) of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"(c) The Commission, promptly after receiving any application for a license under section 103, shall transmit a copy thereof to the Attorney General who, in the case of an application to construct a utilization or production facility shall, or in the case of an application to operate such a facility may, within a reasonable time, in no event to exceed 180 days after receiving a copy of the application, advise the Commission whether, insofar as he can determine, the issuance of such license or the activities for which the license is sought would tend to create or maintain a situation inconsistent with the antitrust laws, and such advice shall be published in the Federal Register. The Commission shall give due consideration to the advice received from the Attorney General and, where the Commission finds that activities under any license would tend to create a situation inconsistent with the antitrust laws, is authorized and directed to refuse to issue such license or establish such conditions to prevent such result as the Commission may determine necessary and appropriate. Upon the request of the Attorney General, the Commission shall furnish or cause to be furnished such information, including, but not limited to, contracts between the applicant and other parties relating to activities for which the license is sought, as the Attorney General determines to be appropriate or necessary to enable him to give the advice called for by this subsection. Where the advice furnished by the Attorney General states in substance that he does not favor issuance of such license or requests the Commission to impose thereon conditions requiring such applicant to alter or enter into any contracts or other arrangements with other parties relating to activities for which the license is sought, the Attorney General or his designee shall participate as a party in any proceedings that may thereafter be held on such license application. The Commission, with the approval of the Attorney General, may except from the requirements of this subsection such classes or types of licenses as the Commission may determine would not significantly affect the applicant's activities under the antitrust laws as specified in subsection 105(a)."

SEC. 6. Subsection 161(n) of the Atomic Energy Act of 1954, as amended, is amended by striking out the words "finding of practical value" and inserting in lieu thereof the words "determination of substantial research activities."

COMMISSION ON GOVERNMENT PROCUREMENT

The SPEAKER pro tempore (Mr. GALIFIANAKIS). Under previous order of the House, the gentleman from California (Mr. HOLIFIELD) is recognized for 30 minutes.

Mr. HOLIFIELD. Mr. Speaker, at the opening of the 91st Congress I reintroduced the bill to establish a Commission on Government Procurement. Joining with me were Representatives BLATNIK, REUSS, ROSENTHAL, ERLENBORN, EDWARDS of Alabama, and HORTON. In the 90th Congress these Members joined me in sponsoring H.R. 12510, the predecessor bill reported favorably by the Committee on Government Operations. Originally I introduced the bill at the commencement of the 90th Congress as H.R. 157, and identical bills were introduced separately by several Members. When H.R. 12510 was introduced as a clean bill and reported by the committee, the abovenamed Members joined with me in putting their names to it. In the 91st Congress the bill to establish a Commission on Government Procurement is numbered H.R. 474.

The Members will note from the sponsorship of H.R. 474 that it is bipartisan. The objectives of the bill are nonpartisan. Briefly we propose a temporary Commission to study the whole field of Government procurement and to make recommendations for greater economy, efficiency, and effectiveness. The potential for savings is apparent when we consider that the Government now spends in the neighborhood of $50 billion a year for the procurement of goods, services, and facilities. The Commission would be composed of 15 members, including four appointed by the Speaker of the House, four appointed by the President of the Senate, and six appointed by the President of the United States, with the Comptroller General or his designated representative serving as an additional ex officio member of the Commission.

According to the terms of the bill the Commission would study and investigate, first, the present statutes affecting Government procurement; second, procurement policies, rules, regulations, procedures, and practices followed by the Federal departments and agencies; and, third, the procurement organizations which can most effectively accomplish the declared congressional policy for improved procurement set forth in section 1 of the bill. In an address to the Government Contract Conference of the Federal Bar Association held in Philadelphia, Pa., on March 2, 1967, I summed up the objectives of the bill in this way:

> We want to improve Government procurement and contracting procedures and practices. We are interested in economy and ef-

> ficiency. We want Government to get its money's worth and contractors to be treated fairly. We want to examine the accretion of laws, iron out inconsistencies, close gaps in coverage, throw out what is obsolete, and recognize what is new and necessary. We want to reconcile the regulations within and among agencies which may have needless differences in phrasing or intent, to disseminate useful information more widely, to make the knowledge and experience of some agencies available to all.

When the Committee on Government Operations held hearings in April 1967 on H.R. 157, the original version of this bill, favorable testimony was received by the General Accounting Office, Bureau of the Budget, representatives of the Government's major procuring agencies, and professional and business spokesmen. As the committee stated in House Report No. 890 of the 90th Congress, first session, at page 7:

> It is clear to the committee that not only Members of Congress receiving complaints from their business constituents, but those who do business for the Government, those who do business with the Government, and those in the legal and engineering professions who do business on both sides, all have an interest in this legislation. And certainly the taxpayers, who ultimately must foot the bills for these massive yearly procurements, will be interested in the Commission's recommendations for economy, efficiency, and improved management in Government procurement and contracting.

Comptroller General Elmer B. Staats endorsed the bill, I may note, before he knew that the committee would accept an amendment making him an ex officio member of the proposed Commission. The Comptroller General not only endorsed the bill, but outlined to the committee 15 subject areas in Government procurement which he considered particularly appropriate for study by the Commission.

Although H.R. 12510 was reported favorably by the Committee on Government Operations, it was not granted a rule by the Committee on Rules and therefore never got to the floor of the House. I hope that we will not be confronted with a similar situation in the 91st Congress. Before we report the bill again, however, we plan to hold extensive hearings on this bill during the present session, commencing later this month. The hearings will serve to reaffirm support for the bill in the Government, professional, and business sectors, give an up-to-date reading on the major procurement problems, and lay a solid fact base for committee and floor consideration. The Military Operations Subcommittee, under my direction, will conduct the hearings.

We will hold 7 days of hearings in March—March 18, 19, 20, 24, 25, 26, and 27. Then, after the Easter recess, the hearings will resume in mid-April. Later hearings will be announced when scheduled.

That we have many procurement problems, the Members can plainly see. Committees have been active in exploring several facets of Government procurement and in developing remedial legislation. Indeed the 90th Congress has been very active in procurement investigations. However, if Members have the time to read the hearings and reports of the several committees they will note that many important procurement areas are bypassed, others are overemphasized for their publicity value, and in-depth studies generally are lacking. The end results of these hearings and investigations in some cases are bits and pieces of legislation, hastily contrived in reaction to an immediate problem, and inserted into a yearly authorization or appropriation bill or some other legislative measure. There is no assessment of their significance or effect in the whole context of procurement laws and regulations.

During the 90th Congress, bits and pieces of legislation affecting Government procurement and contracting have been handled by the House Committee on Ways and Means and Senate Committee on Finance in extending the Renegotiation Act; by the House and Senate Committees on Banking and Currency in extending the Defense Production Act; by the Armed Services Committees in the yearly authorization bills; and the House and Senate Committees on Appropriations in the yearly appropriation bills. Committees without legislative jurisdiction which have been actively investigating selected areas of Government procurement are the House and Senate Committees on Small Business and the Joint Economic Committee through its Subcommittee on Economy in Government. The House and Senate Committees on Government Operations, which have legislative jurisdiction over the Federal Property and Administrative Services Act and across-the-board jurisdiction for determining the economy and efficiency of Government activities, also have examined into the Government procurement. All of these committees are doing good work and in no sense would I want to discourage them. However, none of these committees has the time, the staff, the resources, or the jurisdiction for the sustained, comprehensive review of Government procurement contemplated in H.R. 474.

Rightfully viewed, the findings and recommendations of an expert commission would give context and perspective to the work of the several congressional committees and help them in carrying out their legislative and investigative responsibilities. As one who served on the second Hoover Commission, I am well aware of the strengths and weaknesses of the commission form as an instrument for study and investigation of important public problems. Sometimes a commission serves merely for window dressing or to endorse a preconceived plan or program in the Government. Sometimes a commission is a device for postponing needed action. We all know that problems can be studied to death. I want to point out that the Commission on Government Procurement would serve no other purpose than to study, evaluate, and recommend, in a completely objective and nonpartisan fashion, ways and means to improve the public business in procuring needed goods, services, and facilities. It would endorse no preconceived plan or program, and certainly it would not postpone needed action, because it is obvious that the committees of Congress are continually at work. What we need is more depth of study, broader perspective, systematic inquiry in Government procurement areas, including those which have been neglected as well as those which have received much attention without satisfactory solution.

Many commissions have been authorized by the Congress in recent years, and others have been appointed independently by the President. None could do a more worthwhile job than a Commission on Government Procurement. It would bring balance and breadth of understanding and reasoned judgment to solving a wide range of problems in Government procurement, which accounts for so large a segment of the yearly Federal budget.

Mr. Speaker, I include with these remarks a recent letter by the Comptroller General endorsing H.R. 474. The letter is addressed to the Honorable WILLIAM L. DAWSON, chairman of the Committee on Government Operations, as follows:

COMPTROLLER GENERAL OF THE
UNITED STATES,
Washington, D.C., February 26, 1969.

Hon. WILLIAM L. DAWSON,
Chairman, Committee on Government Operations, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: Reference is made to your letter of January 15, 1969, requesting our comments on H.R. 474, 91st Congress, which would establish a Commission on Government Procurement.

Section 4(a) of the bill would empower the Commission to study and investigate the present statutes affecting Government procurement; the procurement policies, rules, regulations, procedures, and practices followed by the departments, bureaus, agencies, boards, commissions, offices, independent establishments, and instrumentalities of the executive branch of the Federal Government; and the organizations by which procurement is accomplished to determine to what extent these facilitate the policy as set forth in section 1 of the bill to promote economy, efficiency, and effectiveness in the procurement of goods, services, and facilities by and for the executive branch of the Government.

The General Accounting Office is vitally concerned and active in promoting economy and efficiency in Government procurement. A substantial portion of our effort has been devoted to procurement and contract audits and the rendering of legal decisions on procurement matters. Our work in these areas lends support to the need for an inquiry to develop the means to achieve the specific objectives set forth in section 1.(1) to 1.(12) of the bill. In our report to you dated March 16, 1967, on the similar legislation proposing to establish a Commission on Government Procurement we included an appendix setting forth some of the problem areas recommended for consideration by the Commission. A copy of this appendix is enclosed. In our testimony before your Committee we expect to cover additional areas of inquiry which are now being developed.

The evolution of Federal procurement law can best be described as a gradual development of piecemeal legislation designed to solve or alleviate specific and, in some instances, relatively narrow problems as they have arisen from time to time. While it is true that two basic and fairly broad procurement statutes were enacted in the late 1940's (Armed Services Procurement Act of 1947 and Federal Property and Administrative Services Act, 1949) these statutes deal primarily with procurement authority and procedures and do not expressly encompass the various ancillary laws and Government policies and programs which have an impact on procurement. Moreover, these two basic statutes are under separate administration and each has its own implementing regulations.

H.R. 474 would authorize the Commission to make a broad and searching inquiry into every aspect of Government procurement. We believe that such an inquiry would be timely and should result in improved Government procurement procedures which, in turn, would be of great benefit to both the Government and the business community. We, therefore, endorse H.R. 474 and recommend its favorable consideration.

In the event the bill is enacted into law you may be assured that we will give the Commission our full cooperation and assistance.

Sincerely yours,
ELMER B. STAATS,
Comptroller General of the United States.

APPENDIX

The 10 items set forth in section 1 of the bill are broad and significant areas for study in Government procurement. Within the framework of these 10 items, we suggest that the following specific subject would be worthy of consideration by the Commission:

1. Government policies in regard to the use of formal advertising and negotiation procedures. Are these policies being uniformly and correctly applied by the procurement agencies and do they result in the procurement of supplies and services at the lowest reasonable cost to the Government?

2. Methods used by procurement agencies in formulating, reviewing and approving procurement regulations.

3. Government programs and policies in regard to (1) labor surplus area set asides, (2) small business act asides, (3) Buy American Act, (4) labor standards and minimum wage provisions, and (5) furnishing Government-owned facilities. What effect do these programs have upon the economy, efficiency and effectiveness of procurement?

4. Sources of supplies and services.

A. Government policy concerning procurement of supplies and services (personal and nonpersonal) from Government as against private commercial sources.

B. Policy with respect to the use by Government contractors of Federal supply sources.

5. Consideration of ways and means of facilitating the procedures surrounding contract negotiation with a view towards making them less burdensome and more timely.

6. Consideration of ways by which paperwork associated with procurement could be reduced and simplified. In this connection a study could be undertaken to determine whether bid end offer solicitation documents could be simplified and more clearly drafted in order to give Government suppliers better notice of any unusual contract conditions and requirements.

7. Inquire into the need to define more fully (1) the extent to which contractors are permitted to use Government-owned tooling and equipment on commercial production, and (2) the basis for the establishment of equipment rental rates.

8. Should there be an overall Government policy as to the extent the Government should share in contractor's independent research and development costs?

9. Patents and proprietary data.

A. What should be the respective rights of the Government and the contractor in items developed under Government contracts where a substantial portion of the development costs have been borne either directly or indirectly by the Government?

B. Should the Government's procurement of patented or proprietary components or items be made on a competitive basis or restricted to the firm to which the item is proprietary or which holds the patent?

C. Inquire into the procedure under which the Government acquires rights to proprietary data and the use by the Government of contractor's proprietary data in procurements from other sources.

10. Access to records.

A. Is the legal authority for access to contractor's records by Government representatives adequate to discharge the duties placed upon them by the Congress?

B. Are the laws relating to access to records sufficiently clear to insure recognition by all parties as to the types of records that may be examined?

11. Public Law 87-653 ("Truth in negotiations" statute).

A. Examine the experience under the act to determine whether such experience indicates a need to change the act or its implementing regulations.

B. Should the statute be made expressly applicable to civilian agencies?

C. Is there consistency in implementation of the act by procurement agencies?

12. Undertake a study of minimum wage requirements as they relate to Government contracting.

13. Undertake a study of Government debarment procedures, both under statutory and administrative authority, to determine whether these procedures are fair and afford adequate safeguards to contractors against unwarranted debarment.

14. Administrative settlement of claims under the standard Disputes clause.

A. Is there a need for greater uniformity in procedures and decisions of contract appeal boards?

1. If there is such a need, would the establishment of one or two Governmentwide appeal boards satisfy such need?

B. Should a procedure be established under which the Government would have an adequate right of review of adverse decisions by contract appeal boards similar to that presently enjoyed by contractors?

C. Examine the need and feasibility of developing suitable contract clauses to provide an administrative remedy for all contract disputes and, thus, avoid fractionalization of remedies.

15. Subcontracts.

A. Undertake a study to determine whether the no-privity rule should be relaxed in order to afford subcontractors direct access to the Government in the presentation of claims.

D. Undertake a study to determine whether it would be desirable or feasible for the Government to take an active role in assisting subcontractors and protecting them from possible abuses by prime-contractors.

Mr. HORTON. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. Mr. Speaker, I yield to the gentleman from New York, a member of the committee and a proponent of this bill.

Mr. HORTON. Mr. Speaker, I thank the gentleman for yielding.

As one of the cosponsors of H.R. 474 and also as one of the cosponsors of the bill introduced in the 90th Congress, I applaud the gentleman's efforts in the 90th Congress and his announcement today of the hearings which are being undertaken by the Military Operations Subcommittee of the Committee on Government Operations.

I have the privilege of serving as ranking minority member on that subcommittee. I assure the Members of the House these hearings are going to be in-depth hearings with the purpose of indicating to the Membership the need for such a commission. I believe we have in many instances in this House had doubt cast upon resolutions and proposals for establishment of committees or commissions, but in this particular instance, Mr. Speaker, I believe it is a very important function we are proposing, namely the establishment of this Commission on on Procurement.

Procurement is one of the most widespread problems in the Federal Government. It accounts for a large part of the Defense budget. As the gentleman from California has indicated, our hearings will go in depth into the problems of procurement, reaching across the board into all areas.

Mr. HOLIFIELD. Mr. Speaker, the gentleman is making an important point. This is an across-the-board hearing, just as the Commission itself would be empowered to make a procurement study on a Government-wide basis. It would transcend the jurisdictional areas of the separate committees of the House. The Committee on Agriculture can review certain problems of procurement by Government agencies and by the Department of Agriculture. Other departments can study the areas in which they have legislative jurisdiction. But this commission would be very much like the first Hoover Commission. It would conduct an across-the-board study, not of all the functions of Government, but of the specific function of procurement as practiced by the different agencies of the Government. This would include the rules and regulations which are applied to the procedures of bidding and to the evaluation of bids and all the other methods of procurement which the different agencies of Government practice within their own empires of procurement.

Mr. HORTON. Mr. Speaker, the gentleman is emphasizing, if he will yield further, the point I was making, that only in the Government Operations Committee can this type of study be made, it seems to me. So, therefore, I think it is well that we take this time today to explain to the membership exactly what we will be doing in these hearings.

As the gentleman has explained, we are going to start hearings next week. We will have seven hearings before the Easter recess, and I understand from the chairman of the committee, the gentleman from California (Mr. HOLIFIELD) we will have probably 25 to 30 hearings before we finish.

I hope as a result of the hearings we will be able to lay a sound basis for later judgment by the House of Representatives about the need for this type of commission.

It seems to me what has happened in the field of procurement has been that these different practices have grown up, and without any criticism of the executive or the legislative bodies, it seems to me the time has come today when the American people are demanding that there be economy and efficiency in these procedures. I believe we will be able as a result of these hearings to point up the need for the House to consider the proposal that is contained in H.R. 474.

I do want again to indicate to the chairman my willingness to do everything I can to be of assistance in these hearings. I wish to indicate to the House that the members of the Military Operations Subcommittee of the Government Operations Committee have met and

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have given the chairman a commitment to be present as often as possible so that we can have a complete and full hearing, in order to justify the need for the Commission as set forth in H.R. 474.

It was the committee's thought at the time of the earlier hearings that we should not attempt to do what a commission itself should do; namely, to examine in depth and detail all the many important problems in all their ramifications. However, the growing concern in the Congress, generated by reports of overcharges, waste and mismanagement, makes it necessary to examine more closely the dimensions of these problems. We will hear from Government agencies, professional organizations, representatives from big and small industries, and others who have useful information to convey or important problems to bring to our attention.

I am sure that most Members of Congress have the same experience as I do. They receive many personal visits, telephone calls, telegrams and letters from busienssmen who have problems in doing business with the Government. Many of these inquiries and complaints come from small businessmen, and as a member of the Committee on Small Business, I am conversant with their needs and their problems.

I hope that Members of the House will follow our hearings and support H.R. 474, which will bring expert review and beneficial recommendations for better management in the Government proceurement area.

Mr. HOLIFIELD. I thank the gentleman from New York.

Before I yield to the gentleman from Illinois I should like to say that I brought up the problem, one might say, of committee jurisdiction.

The various committees of the House have separate jurisdictions in their particular legislative fields as to procurement legislation. Most of the committees become involved with legislation in one way or another in this field.

The Committee on Government Operations has an across-the-board jurisdiction on matters pertaining to the economical and efficient operation of the Government.

I have been chairman of the Military Operations Subcommittee for the past 15 years. I would not even begin to try to tell of the many, many subjects, contracts, complaints of Members and so forth which this subcommittee has tried to solve. To the benefit of the taxpayers, to the benefit of business, and to the benefit of Members who had these problems, we have helped to solve many of them.

I would be the first to admit that no committee of the Congress, including the Subcommittee on Military Operations, has the resources or the time of its members to look into this matter as it should be looked into. I have come to that conclusion after years of effort and hard work trying to do so.

I believe my subcommittee, with its broad jurisdiction, could probably do as good a job as any. I am not apologizing for the job we have done. I am frankly and honestly recognizing the fact that, considering all our duties in our other committees and on the floor of the House and to constituents from our districts when they visit us here in Washington, we cannot possibly give the concentration of time and attention to this overall problem of procurement which is needed.

Having served on the second Hoover Commission, I have come to the conclusion that a commission approach to this would be proper, with the Commission adequately staffed by experts drawn not only from business and professional quarters but also from the agencies of Government.

As Members know, the bill does provide for six Presidential appointees, and it also provides for the Comptroller General, who is probably as experienced as any man in the United States in dealing with procurement and contracting problems, to act as an ex officio member of this 15-man Commission.

I believe this is the way to approach the problem. This is where the money is being spent, in procurement. Over $50 billion a year is spent in procurement by the agencies of Government. In this field efficient methods of procurement, standardization of bid procedures as nearly as possible, and elimination of duplication and waste can be accomplished.

This can be accomplished, in my opinion, by having a blue-ribbon commission appointed by the Speaker of the House, the President pro tempore of the Senate, and the President of the United States, with the Commission given enough expert staff to do as the Hoover Commission did, to set up task forces in the different fields or different areas of procurement.

There are a number of different fields, as I will show when I put into the RECORD the material on the announcement of the hearings. I will show the scope of procurement problems. It is absolutely amazing.

It is so great that it causes you to pause and wonder if the problem can really be solved. However, I am personally convinced that no subcommittee or committee of the Congress can go into the tremendous complications and the details of the rules and regulations which alone fill up 25 to 30 volumes. That is why I am saying if we are going to solve the problem, we have to approach it by this method and not by the methods that we have been trying to follow in the past in the Congress.

Mr. HORTON. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I am glad to yield to the gentleman from New York.

Mr. HORTON. Mr. Speaker, I want to indicate my complete support of the statement that the gentleman has made with regard to the need for such a Commission. I want to emphasize, also, that when we went before the Committee on Rules in the 90th Congress some of the questioning seemed to indicate the scope of the Commission's proposed jurisdiction, and it was felt by the Committee on Rules members that the job could be done by existing committees of the House. I recall the gentleman from California at that point saying what he said here in the well essentially today; namely, that there is not any committee in the House today that can give the time, assuming that it had the broadest jurisdiction, for an in-depth and systematic study of the procurement practices of the Federal Government. This is one phase of what we are getting ready to undertake here.

The other phase, which I think is also very important, is that even though we are going to have 25 or 30 days of hearings, which will involve many hours of hearings, all we will be able to do is scratch the surface. Is that not right, Mr. Chairman?

Mr. HOLIFIELD. I think in 25 or 30 days of hearings we can cover the areas which need to be studied and set forth the reasons for studying those areas. I do not believe that we can reach the solutions of the problems that are in these areas. We can have some of the problems stated by the different people who are in procurement in the different agencies of the Government and other experts in this field, but I am sure that we can more or less outline a very fine program for study. Then I think it will be up to the commission and its task forces thoroughly to examine the different areas of procurement and to come up with recommendations for the improvement of procedures in those areas. That is what I think.

Mr. HORTON. One further question, if the gentleman will yield further. If in the course of our hearings we find that there is legislation needed, then it would be our procedure to recommend that legislation to the appropriate committee which would have jurisdiction of the matter. I wanted to clarify that. Is that not correct?

Mr. HOLIFIELD. I am glad that the gentleman from New York brought up that problem. This is not an attempt to impose anything on the jurisdiction of any of the committees of Congress. All the recommendations would have to go to the committee having jurisdiction. For instance, if there was a recommendation in the handling of foodstuffs or in relation to Public Law 480, any recommendation in that field would go to the Committee on Agriculture. Any recommendation which would be in the field of improving the defense procurement procedures would go to the Committee on Armed Services. Likewise matters dealing with interstate and foreign commerce would go to the Committee on Interstate and Foreign Commerce and matters dealing with small business to the Small Business Committee or the Banking and Currency Committee. In other words, these matters would go to the committee of jurisdiction and not necessarily to the Committee on Government Operations. This would be the plan which would take into consideration and preserve the legislative jurisdiction of every committee of the House.

Mr. HORTON. I might also point out, Mr. Speaker, that there was some apprehension in the 90th Congress that this proposal had to do only with procurement in the area of the Department of Defense. That is not what we are talking about exclusively; we are talking about procurement in the entire jurisdiction of the executive branch of the Federal Government. In other words, all procurement matters as they relate to the Federal Government. Is that not correct?

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Mr. HOLIFIELD. That is true. A great part of the procurement is being done in the Department of Defense, but it is not by any means inclusive of the procurement which is being done by other agencies of the Government under the laws of the Congress that have been passed and which come under other committees.

And, so, it is necessary to study the whole field in order to come up with uniform procedures and the elimination of faulty procedures.

Now, I might say that in certain areas the Department of Defense takes the lead in better procurement practices. But there are other areas of the Department of Defense that could stand improvement. There are many areas in the other departments of Government which are not up to date as much as is the Department of Defense.

Mr. HORTON. I thank the distinguished gentleman from California for yielding.

Mr. HOLIFIELD. I thank the gentleman from New York for his comments.

Mr. ERLENBORN. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Illinois.

Mr. ERLENBORN. Mr. Speaker, I thank the distinguished gentleman from California for yielding to me at this time. I wish to join with the gentleman in the well and the gentleman from New York in this discourse about H.R. 474.

As has been stated, this bill, or a similar bill, was introduced in the last session of Congress and was reported to the Committee on Rules. I was a cosponsor at that time and I was sorry that we were not able to bring the bill out onto the floor of the House for its debate.

I am certain that the gentleman in the well and the gentleman from New York have well covered the purposes of this bill as well as the questions of jurisdiction that are so important.

I hope that at the conclusion of the many days of hearings on the bill that the chairman of our subcommittee has scheduled we will have made the legislative record that will prove the necessity for the kind of study which is called for in H.R. 474.

Mr. Speaker, I am a cosponsor of H.R. 474, the bill to establish a Commission on Government Procurement. As the gentleman from California (Mr. HOLIFIELD) has said, the sponsorship of the bill is bipartisan and the objectives are nonpartisan. We are not interested in attacking any individuals or undermining any particular Government programs. Our purpose is to bring more economy and efficiency into the biggest business in the world—the $50 billion annual business of the U.S. Government in procuring goods, services, and facilities.

As I participated in or observed the various activities of the 89th and 90th Congresses, both in committee and on the floor, I was all the more impressed with the need for an expert Commission on Government Procurement. A number of committees, in discharging their legislative tasks were confronted with problems relevant to Government procurement and contracting. They needed a better base of information in this field, and lacking it, did the best they could. The relation of excess profits to procurement methods, the feasibility of uniform accounting for defense contractors, ceilings on indirect costs for grants and contracts, price considerations in urgent procurements—these were some of the problems which were considered by separate committees and were the subject of legislative action of one kind or another.

All committees of the Congress would benefit by the work of the Commission on Government Procurement. The basic procurement laws are now two decades old. A mountain of procurement regulations has grown on top of them. It is time to survey the field and see what changes and improvements are needed in the interest of more economy and efficiency in Government, fair dealing with contractors and good performance on their part, and better service to the public. So far as I know, there has never been a statutory commission exclusively devoted to this field. It is time we created one and put it to work.

I thank the gentleman and I want to compliment the gentleman in the well for taking the leadership that he has in this very important field of study of governmental procurement and I am happy to join with him in his efforts.

Mr. HOLIFIELD. I thank the gentleman from Illinois for his remarks. I believe the gentleman would agree with me that this is a matter of concern to the present administration as well as to the previous administration. I am looking forward hopefully to the support of the executive branch of the Government in this field because I believe it will rest upon its merits and that they will recognize that this is a nonpartisan effort on our part. Therefore, I do wish to thank the gentlemen on the Republican side of the aisle who are members of our committee for their valiant support in the past and beseech it for the future.

Would the distinguished gentleman from Illinois agree with me that he believes that this will also be in the interest of the new administration in the executive branch of Government?

Mr. ERLENBORN. If the gentleman will yield I certainly believe that it will be, and it should be. As the gentleman from California well knows, in the hearings which were held on the prior bill there was no opposition from the executive branch or from the agencies that the bill is designed to cover and to study with reference to procurement practices. I am certain that will be true again and I hope we will have substantial support for H.R. 474.

Mr. HOLIFIELD. I thank the gentleman and, Mr. Speaker, under my unanimous-consent request I wish to place at the conclusion of my prepared remarks a copy of a letter under date of February 26, 1969, from the Comptroller General of the United States in which he also endorses this study. I might also add that I have had conversations with some of the members of the Bureau of the Budget and they have also expressed a great interest in this matter. Therefore, I am expecting when we call their representatives before us that we shall have their support for this very badly needed study.

TAX BREAK FOR THE AMERICAN COMMUTER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. HALPERN) is recognized for 5 minutes.

Mr. HALPERN. Mr. Speaker, it is high time we gave a tax break to John Q Straphanger, the American commuter.

Our present system imposes an unfair burden of taxation on those persons who incur expenses traveling to and from work. It permits a businessman to deduct traveling expenses under the theory that they are "ordinary and necessary" to the conduct of his business, but it does not permit the working man and woman a similar deduction.

Surely the expense of commuting to and from work is "ordinary and necessary" to the taxpayer's source of income, whether he is the employer or the employee. He is certainly not traveling back and forth every day for the fun of it. He is doing it to earn the income on which he pays heavy enough taxes.

The taxpayer must spend a substantial portion of his salary just to be physically present at his place of work, certainly the most fundamental of all the expenses of holding a job. If ever there was a legitimate expense, this is it.

And the plight of the commuter has been further exacerbated by the shortage of suitable inner-city housing, rapid suburbanization and the general failure to provide suitable and inexpensive mass transit facilities. As a result, the working man must not only pay exorbitant commuter fares, but the current system forces him to pay a tax on that money, as well.

Therefore, I am today introducing a bill to permit taxpayers to deduct up to $250 a year from income taxation for expenses incurred in traveling to and from work.

The bill would allow deductions for the cost of subway, railway, and bus fares, as well as expenses for autos used to commute to work.

Mr. Speaker, this bill would do more than just provide tax relief for commuters. It might well encourage people who now drive to work to use transit facilities instead. This could result in increased revenues to mass facilities and could prove to be a tremendous relief to our ever-growing traffic problems.

I have always believed, Mr. Speaker, that meaningful and justified tax relief is an integral part of tax reform. It is not enough for us to merely end existing favoritisms in our tax system. We must see to it that those who have thus far borne a disproportionately heavy share of the tax load now receive a measure of relief.

I therefore urge my colleagues to join me in support of this legislation.

POLICY, PLAN TO BUILD "FLOOR OF PROSPERITY" AVAILABLE NOW

The SPEAKER pro tempore. Under a previous order of the House the gentleman from California (Mr. McFALL) is recognized for 30 minutes.

Mr. McFALL. Mr. Speaker, I have introduced H.R. 1205, the Pay-As-You-Go Social Security Prosperity Insurance Act,

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to amend title II of the Social Security Act to provide monetary benefits to those 60 and over, based on minimum wage standards. It would also provide for the disabled, for children and families deprived of parental support, for persons unemployed because of automation, and students 18 to 25.

This is the up-to-date application of the principles of the original Townsend plan to today's problems of social security and poverty. Its purpose is to "reflate" the "deflated" human life in our country—deflated by loss of income-command in old age, disability, families' loss of parental support, the elimination of jobs by technological advances and financial inability to command education sufficient to qualify people for existing and available employment. It would be accomplished by means of a national pension upon retirement, or on encountering disability, or the other just mentioned income-denying misfortunes.

Dr. Francis E. Townsend and the dedicated associates who have carried forward the plan he originally envisioned have greatly contributed to concentrating public opinion on these great needs. For development of present legislation and its constructive advances, I believe great credit belongs to them and to their plan for prosperous instead of impoverished retirement for all Americans as a matter of right.

The bitter fears which old age and disabling misfortunes held for people only a generation ago have been blunted. "Over the hill to the poorhouse" is a long-dead phrase. While we constantly learn more of its shortcomings, present legislation is a far cry from the total dependence and complete pauperism of most aged and disabled before Dr. Townsend's crusade and the enactment of social security.

While we take satisfaction from such progress, we must recognize that, despite our legislative labors for justice, the social tensions so violently obvious in recent months sternly warn our achievements are minimum and leave great gaps of problems unsolved. In fact, ever since World War II, virtually every Congress has adopted ever broader social security amendments; but each set of amendments has only revealed the need for still greater ones. The last, 1967 amendments, have emphatically lived up to that pattern. The scope of proposed changes has simply tidal-waved. Obviously, our works have been of great, humane value so far as they have gone; but, obviously, too, we need a policy and plan which will substantially solve—not just temporarily ameliorate—the problems.

H.R. 1205 contains such principles and programs. I believe Mr. John Doyle Elliott, secretary of the Townsend Foundation, in testimony to the Democratic Party Platform Committee, closely defined the real difference between present legislation and H.R. 1205 in the following passage:

> Before turning to the "financial technology" through which such benefits are to be implemented, beneficially to all honest interests, let us note certain truths about these benefits. First, the benefits of this Act will stand the permanently and temporarily unemployable (as distinguished from unemployed who are employable) solidly on a "floor of prosperity" below which they need never live. Present programs' inadequate benefits literally hand people under a "ceiling of poverty"—right in the midst of its misery.
>
> "Nobody need more than look at the millions—especially our ever growing legion of elderly—who are unemployable, to realize that until we establish this "floor of prosperity" below which all persons encountering unemployability need not live, we won't conquer poverty and its unjust evils, no matter what other successes and glory we achieve. In fact, the greater our other successes and glories, the less justified becomes our continued allowance of poverty in any form.
>
> Second, the benefits herein proposed must be viewed in the light of creating what other proposals and existing programs do not—that prosperity (as defined above) which must replace the poverty which constitutes our problem—and our danger, too, beyond anything any foreign foe may venture.
>
> In this respect, we have so-called "poverty-lines" (as promulgated by the Social Security Administration) and "eligibility criteria" (per war-on-poverty officialdom for calibrating individuals' needs for aid). These standards are not only "ceilings of poverty" under which people are suspended, right in poverty's midst; they're not better than halfway up out of it to start with! Not, at least, as far as freedom from want is concerned, even though superior to public assistance standards, now, in most States.

Most impressive are the suggestions recently coming forth for amendments to present legislation. They honor H.R. 1205 in the sincerest way possible—by imitation. It leads me to observe now as I did 2 years ago:

> The sense of history repeating itself persists. In the Townsend plan, where in the past we found the guiding ideas for improving social security, I believe we will find the guidelines for its perfection, in the future.

I believe this assembly of circumstances requires in the public interest that Congress take a closer-than-ever look at this pay-as-you-go Social Security and Prosperity Insurance Act whenever we face the mounting problems of social security and poverty.

Technological progress, in multiplying our ability to produce wealth, has benefited most of our people beyond any dreams of our fathers—and of most of mankind, even now. We must also honestly recognize, however, that in applying such new tools to industry and business tens of millions have suffered tremendous injury and loss. Even more millions have been left far behind, reaping only pittances instead of the great, prospering gains acquired by most.

The most important group in this respect are the aged because they are the category to whose membership all are inevitably destined. Sadly, the economic heritage of most American elderly is severe, constantly deepening, unjust financial impoverishment.

That is the truth—despite all our social security policies and programs—public and private combined with all other income sources people themselves can acquire—as authenticated by Census Bureau's annual report—series P–60—on income distribution by age and sex. The facts are:

First. In 1947, persons 65 and over had 34.5 percent the median income of those 25 through 64. By 1967, with all our programs and legislation, it had shriveled to 29.2 percent—a drop of 15.4 percent.

Second. In recent years, decline by the aged has not only continued—it has accelerated.

In 1964, men over 65 had a median income of $2,037—$2,904 less than men 55 through 64. Women had $952—$958 less than women 55 through 65.

In 1965, men over 65 had $2,116—$3,134 less than men 55 through 64. Women had $984—$1,035 less than those 55 through 64.

In 1966, men over 65 had $2,162—$3,588 less than men 55 through 64. Women had $1,087—$1,129 less than those 55 through 64.

In 1967, men over 65 had $2,304—$3,818 less than men 55 through 64. Women had $1,123—$1,229 less than those 55 through 64.

Third. In 1947, there were 10,641,000 persons over 65; in 1967, 18,245,000, up 71.5 percent. In 1947, there were 72,497,000, 25 through 64, in 1967, 86,513,000, up only 19.3 percent.

Thus, the elderly are increasing nearly four times faster than younger adults. We are accumulating steadily greater economic depression for this ever greater part of our adult population, the aged, to whose membership virtually all of us are destined.

Mr. Speaker, those are the facts.

Can anybody need more compelling reasons to look with ever greater attention at the up-to-date embodiment of the original Townsend plan, as poverty perpetuates under prevailing policy—not actually holding the line as the problems consistently outrun the remedies?

Mr. Speaker, in all good sense and justice, automation and other such advances should benefit all and hurt none. They should make it possible to avoid impoverishments and not, in mismanagement under the stingy, obsolete rules of scarcity, occasion injury to countless millions and tremendous and irretrievable loss to our country.

In the future, I hope to present the financial methodology by which H.R. 1205 provides for equitably and, for all honest interests, profitably financing the genuine solution of the problems of social security and unjust poverty. For now, I wish only to background introduction of this bill with the established facts dictating that the public interest increasingly calls for its ever closer consideration as its alternatives fail to accomplish the results justice requires.

Mr. Speaker, history certainly teaches that the test of wisdom and prophecy is fulfillment. I believe history offers few clearer examples of wisdom and prophecy being honored by fulfillment than has been and increasingly is the case with this plan. Here is a swift summary of the evidence.

From the very start, about three and one-half decades ago, enacted as the alternative to the original Townsend plan, social security legislation has steadily moved in the directions of various facets of the Townsend plan. From its original partial coverage of the people, it has moved to virtually universal coverage. From providing only old-age insurance, it has embraced survivors insurance, disability insurance, and health insurance, plus the opening phase of educational insurance. From the hard line of age 65 for retirement, maintained adamantly for nearly three decades, it has moved far toward age 60. From almost no allowed earnings without loss of benefits, it has almost wholly adopted the Townsend bill's principle of $1 loss of benefits for each $2 earned—and this year, wide support for public assistance recipients to be allowed to keep half of any earnings has unfolded.

Under medicare, even the relation between benefits and past earnings was dropped in favor of equal benefits for all aged alike.

For fully three decades the benefits of present legislation and of the financial structure which could provide no better were adamantly defended and Townsend plan benefit concept rejected as impracticable. In the last 2 years particularly rising demands for greatly increased minimum benefits—up to $150 monthly—have appeared. In January 1968, the President appointed the Commission on Income Maintenance programs "to examine" all plans which might help solve the "income needs of all the American people," clearly recognizing prevailing programs and policies have not and can not do the job which should be done.

On March 1, the "Riots Commission" advised public guarantee of poverty-barring income through "more adequate levels of assistance on the basis of uniform national standards instead of States setting assistance amounts." April 29, the Special Senate Committee on Aging, in Senate Report 1098, pinpointed inadequate income as "now more than ever the major problem of Americans living in retirement"; and pictured a "steadily worsening situation unless a genuinely comprehensive Federal plan for action is fashioned." It urged adjustment of benefits to both rising living costs and standards. The minority substantially agreed on these points.

In June HEW Secretary Wilbur Cohen said:

> We must assure a basic income which permits them to participate fully in community and family life.

These are words right out of the statement of purpose of H.R. 1205.

The Democratic Platform called for drastic benefit increases, especially minimum benefits; for abandonment of the "hodge podge" of States, inadequate assistance plans and for uniform national standards of assistance, Federally financed. Both party platforms agreed on benefits advancing to meet rising living costs. On these points at the recent conference of Republican Governors, Nelson Rockefeller substantially agreed.

I recommend study of H.R. 1205 by all as embodying the ideas and principles and programs needed to perfect social security and end poverty, including the financial ways and means to make these achievements into an efficiently working mechanism of prosperity insurance.

NO MATTER HOW MUCH THE CONGRESS AUTHORIZES OR APPROPRIATES FOR GOVERNMENT HEALTH PROGRAMS, IT NEVER SEEMS TO BE ENOUGH

The SPEAKER pro tempore. Under a previous order of the House the gentleman from Illinois (Mr. MICHEL) is recognized for 30 minutes.

Mr. MICHEL. Mr. Speaker, no matter how much the Congress authorizes or appropriates for Government health programs, it never seems to be enough. Those who believe that all problems can be solved if we just keep throwing money at them continue to picture us as an aggregation of cheapskates, who are absolutely oblivious to the cries of the sick.

I have taken this special order for the purpose of demonstrating that we have been more than generous in providing for the health needs of the Nation. A careful perusal of President Johnson's last budget shows that $12,270,899,000 was obligated for health programs during fiscal 1968. Estimated obligations for fiscal 1969 and fiscal 1970 will be $13,585,101,000 and $15,392,232,000, respectively.

Except for comparative pittances allotted to the Federal Radiation Council, all of the programs that require such huge outlays of taxpayers' funds are administered by the Department of Health, Education, and Welfare. None of the programs that the Veterans' Administration operates for the benefit of former servicemen have been included.

Mr. Speaker, I am confident that considerable duplication and overlapping can be found among the myriad of health programs that are run by the Department of Health, Education, and Welfare. Such duplications and overlapping must be eliminated if we are going to trim the budget for fiscal 1970 and bring it into balance.

The tabulation which follows includes descriptions of the various programs:

[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE			
Consumer Protection and Environmental Health Service			
Air pollution control:			
Abatement and control:			
Grants	17,021	22,755	25,300
Direct operations	4,370	8,861	10,077
Research, development, and demonstration:			
Grants and contracts	7,641	24,701	31,300
Direct operations	14,327	20,943	22,033
Manpower training:			
Grants	2,706	3,159	3,500
Direct operations	1,251	1,900	1,990
Program direction and management services	2,280	2,500	2,600
Total program costs, funded	49,596	84,819	96,800
Change in selected resources	12,071		
Total obligations	61,667	84,819	96,800

Abatement and control. Grants are made to regional, State, and local air pollution control agencies on a matching basis for the purpose of establishing, developing, improving, and maintaining programs for the prevention and control of air pollution. Grants are also available for planning programs under the Air Quality Act of 1967. Direction operations: This includes direct Federal abatement in interstate and intrastate areas, enforcement of Federal automotive vehicle emission standards, technical assistance to States and local governments, the Federal facilities pollution control program, and implementation of the emergency episode provisions of the Air Quality Act of 1967.

Research, development, and demonstration. Grants and contracts: Grants are made to public agencies and communities for surveys to assess their air pollution problems and to demonstrate control techniques. Grants are also made to universities and other nonprofit institutions to conduct research into air pollution problems. Contracts relating to fuels and vehicles are used to accelerate research and development into new and improved methods, having industrywide application, for the prevention and control of air pollution resulting from the combustion of fuels. Direct operations: This includes research into the nature and extent of air pollution; its transport and atmospheric behavior; the effects on humans, other biologic systems, property, and the atmosphere itself; and improvement in means for controlling pollution. The 1970 program will continue and expand the ongoing research in automotive vehicle emissions, sulfur oxides pollution, and development of air quality criteria, and will place primary emphasis on research areas designated for special attention by the Air Quality Act of 1967. These include accelerated research into new and improved methods, having industrywide application, for the prevention and control of air pollution from the combustion of fuels; development of air quality criteria and emission control techniques as preliminary to subsequent application and regulatory enforcement measures; a comprehensive economic cost study; and a program of registration by manufacturers and processors of all additives placed in fuels used for combustion.

Manpower training. Grants: Fellowship awards support individual postgraduate training in air pollution research and control activities; training grants are awarded to universities to support the development and improvement of, primarily, graduate-level air pollution curricula and to provide student stipends. Direct operations: Training of technical personnel for Federal, State, and local government research and control operations is carried out.

Program direction and management services. Overall executive direction and supervision of Federal air pollution activities and formulation of program and administrative policies are carried out. Direction, supervision, and coordination of administrative services, including financial and personnel management, general services, contracting and facilities planning are also provided. During 1970, emphasis will be directed at coordinating and assisting Federal, State, and local efforts at establishing effective control programs in cooperation with the designation of Air Quality Control Regions. The increase requested will provide for additional executive direction to support the expanded programs.

[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
Buildings and facilities:			
Total program costs, funded	950	22,075	10,309
Change in selected resources	--45		
Total obligations	905	22,075	10,309

The 1970 request provides for continuation of a program of major alterations, repairs, and improvements of existing buildings and facilities.

[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
Salaries and Expenses, Office of the Administrator:			
Management and central services (costs, funded obligations)	5,504	5,830	6,203

The Office of the Administrator directs, administers, and coordinates consumer protection and environmental health activities of the Department. This consists of: establishment of basic Service policies, goals, and objectives; provision of legislative, public and intergovernmental affairs, and policy compliance functions for the Service; provision of leadership in evaluating and formulating plans related to Service research and development activities; provision and coordination of overall Service program planning, development, implementation, and assessment; and provision of Service administrative management planning, direction, coordination, evaluation, and assistance and management consultation to operating programs.

[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
FOOD AND DRUG CONTROL			
Medical evaluation:			
Grants	891	821	821
Direct operations	18,643	17,953	18,853
Scientific research and evaluation:			
Grants	870	870	870
Direct operations	15,320	15,508	15,969
Education and voluntary compliance	1,363	1,275	1,296
Regulatory compliance:			
Grants	919	690	690
Direct operations	28,154	28,515	29,338
Program direction and management services	4,939	4,812	4,861
Total program costs, funded	71,099	70,444	72,698
Change in selected resources	−3,828		
Total obligations	67,271	70,444	72,698

Medical evaluation. Grants: Research grants are awarded to universities and other eligible institutions to support studies of accidental poisonings, burns, and other product-related injuries. Direct operations: Medical policy pertaining to the efficacy and safety of drugs is developed and promulgated. New drug applications proposing the sale of human and veterinary drugs, as well as claims for investigational drugs, are evaluated. An adverse drug-reaction program and an epidemiological program, as well as clinical studies of drugs, are conducted. The medical aspects of the Food and Drug Administration's regulatory programs and court cases are developed. Studies of the detrimental effects of long-term exposure to pesticides are performed intramurally and through contracts. Labels of pesticides are evaluated before the Department of Agriculture registers them. Data on poisonous substances are collected and disseminated; and programs to reduce injuries resulting from hazardous products are conducted. The 1970 increase will provide for additional effort in the review of drug submissions from industry, and for an expansion of research on contraceptives and drug equivalency.

Scientific research and evaluation. Grants: Research grants are awarded to State agencies and other qualified investigators to promote the study of pesticide-caused hazards. Direct operations: Biological and chemical research is conducted intramurally and through contracts to support the agency's regulatory mission. Regulations are developed and promulgated for pesticide residue tolerances and exemptions, food additives, color additives, and food standards; scientific evaluations are made of the submission required by those regulations and of the labeling of hazard products. Methods and bases for the evaluation of petitions and the establishment of tolerances are developed. Scientific activities of the agency are coordinated, and a scientific information system is maintained. A facility has been established in the field to support regulatory activities through expeditious analysis of drug samples.

Education and voluntary compliance. Programs are conducted to enlist industry's voluntary compliance with the law and to educate and inform consumers. Programs aimed at industry include seminars on good manufacturing practices, the self-certification program for food manufacturers, and other advisory or training services to help improve the quality of its products.

Regulatory compliance. Grants: Research grants are made available to State agencies, universities, and other eligible institutions to support research in shellfish sanitation. Direct operations: Nationwide inspectional, investigational, and analytical programs are carried out to administer the laws that are the responsibility of the Food and Drug Administration. Methodology research is performed intramurally to develop methods used in the analysis of product samples; inspectional and other field actions are reviewed to evaluate the degree of compliance with the law; and evidence is developed to support court cases where necessary.

Program direction and management services. The executive functions include the establishment of policy; the formulation and promulgation of agencywide plans, budgets, and directives; the allocation of resources; the day-to-day direction of the agency; the evaluation of performance and accomplishments; the maintenance of liaison with Congress and other Government agencies; and the coordination of the agency's activities in the area of international affairs. Management services are provided in the areas of financial management, mail and records, printing and distribution, facilities management, supply management, management services, personnel, and training.

[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
ENVIRONMENTAL CONTROL			
Solid wastes:			
Grants	7,831	10,084	9,584
Direct operations	3,517	5,191	5,588
Occupational safety and health:			
Grants	2,430	3,443	3,443
Direct operations	2,949	4,020	4,590
Radiological health:			
Grants	4,294	4,296	4,296
Direct operations	12,887	11,887	13,057
Community environmental management:			
Grants	4,735	5,750	4,369
Direct operations	20,289	11,627	6,848
Water hygiene:			
Grants	420	358	358
Direct operations	1,735	1,824	2,435
Program direction and management services	2,862	3,080	3,130
Total program costs, funded	63,949	61,560	57,698
Change in selected resources	4,702		
Total obligations	68,651	61,560	57,698

Solid wastes. Grants: Research, training, demonstration, and planning grants support this activity. Direct operations: The solid wastes program is designed to ensure proper health protection and improved solid wastes disposal practices and technology through research, training, technical assistance, demonstration development, and systems planning. The 1970 increase will provide field demonstrations, studies in reuse and disposal of wastes, and initiation of computer analysis to solid wastes management.

Occupational safety and health. Grants: Research and training grants support this activity. Direct operations: Research is conducted and assistance provided to Federal, State, and local agencies and to industry for prevention and control of occupational hazards and diseases. The 1970 increase will provide for expansion of studies on the health problems of uranium workers.

Radiological health. Grants: Research and training grants support this activity. Direct operations: This program has the responsibility for conducting a national program for the control and prevention of radiological hazards to public health, involving both basic and applied research on the sources, levels, and effects of radiation as well as means of protecting the public. A training program is utilized to provide the competencies needed in the expanding area of radiation protection and control. Technical assistance is provided to State and local agencies to aid in the development of their own radiation programs. The 1970 increase will be used for further expansion of research and development related to radiological health hazards associated with electronic products.

Community environmental management. Grants: Research and training grants and fellowships support this activity. Direct operations: This program directs its efforts to managing environmental conditions associated with man's home, neighborhood, metropolitan area, and regional complexities. Assistance is provided to communities through technical consultation, training, demonstrations, and establishment of criteria for planning healthful environments for urban areas and the development and application of standards to improve the quality of healthful housing. Effective programs for the control and prevention of foodborne illnesses are developed in conjunction with other Federal agencies, States, communities, and the food industry. Investigations are conducted on health and sanitary hazards associated with interstate travel including implementation of the Interstate Quarantine Regulations. The program is also engaged in research and developmental efforts aimed at control of the threat posed by the Aedes aegypti mosquito. The Arctic Health Center emphasizes an environmental health program which will enhance human adaptation to and health in cold weather climates.

Water hygiene. Grants: Research and training grants and fellowships support this activity. Direct operations: The responsibility of this program is to assure that the quality of the nation's waters intended for drinking, recreation, and other human contact is maintained at safe levels. Through research, training and technological assistance, standards development, and interstate regulatory and certification activities, guidance and leadership are provided to States and local communities for safeguarding the sanitary quality of water supplies. The 1970 increase will be used to conduct a program of epidemiological surveillance of selected communities related to their water supplies and on the status of community water supplies, and to permit more effective Department of Health, Education, and Welfare participation in the nationwide interdepartmental water resources planning activities.

Program direction and management services. The Office of the Commissioner of the Environmental Control Administration directs and coordinates the programs of the Administration and furnishes management services for the Administration's performance. This is accomplished by (1) formulation of administrative and program policies, coordination of research and development activities and dissemination of information, and (2) providing of management activities with regard to program planning, legislative matters, financial and personnel management, procurement, office services, and organizational and staffing problems.

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[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
REVOLVING FUND FOR CERTIFICATION AND OTHER SERVICES			
Certification services:			
Antibiotics	2,457	2,480	2,495
Color additives	463	560	560
Insulin	58	73	73
Establishment of tolerances:			
Pesticides	222	250	250
Total operating costs	3,200	3,363	3,378
Capital outlay funded: Purchase of equipment	424	160	145
Total program costs, funded	3,624	3,523	3,523
Changes in selected resources	−153		
Total obligations	3,471	3,523	3,523

The Food and Drug Administration certifies batches of antibiotics, insulin, and color additives for use in food, drugs, or cosmetics; it also establishes tolerances for residues of pesticide chemicals in or on raw agricultural products and for color additives in foods, drugs, and cosmetics. These services are financed wholly by fees paid by the industries affected.

[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
ADVANCES AND REIMBURSEMENTS			
Food and drug control	175	112	112
Air pollution control		40	40
Environmental control	3,566	4,206	4,206
Total obligations	3,741	4,358	4,358
HEALTH SERVICES AND MENTAL HEALTH ADMINISTRATION			
Mental Health			
Support and conduct of research:			
Grants:			
Research	72,306	81,159	82,273
Hospital improvement	10,491	10,601	8,000
Early child care demonstrations			1,000
Direct operations:			
Intramural research	14,625	17,339	18,259
Planning, development, and administration	3,262	5,070	5,775
Manpower development:			
Grants:			
Training	96,518	109,046	112,500
Fellowships	10,155	10,641	10,866
Direct operations	2,532	3,094	4,583
Support of State and community programs:			
Grants:			
Construction of community mental health centers	41,937	50,000	40,500
Staffing of community mental health centers	43,359	46,032	51,300
Narcotic addiction and alcoholism community assistance	4,000	8,000	12,000
Direct operations	2,158	2,364	2,379
Service activities:			
Narcotic addict treatment program	12,567	14,663	17,526
Regional and field activities	2,230	2,346	2,346
Scientific communcation and public education	1,494	2,588	2,771
Program direction and management services	4,419	4,971	5,221
Total program costs, funded	322,053	367,923	377,299
Change in selected resources	5,151		
Total obligations	327,204	367,923	377,299

Support and conduct of research. **Grants:** Research: Grants are awarded on a project basis for behavioral, clinical, psychological, and applied research in the area of mental health. Clinical research centers and general research support grants are also supported. Hospital improvement: These project grants to State institutions for the mentally ill are designed to improve the quality of care, treatment, and rehabilitation in these institutions. Early child care demonstrations: These grants are designed to demonstrate and evaluate various methods of contributing to early, healthy child development and preventing emotional disturbances and mental illness among young children from poor and culturally deprived families. Direct operations: Intramural research: Laboratory and clinical research is conducted in the behavioral and biological sciences; e.g., psychiatry, socioeconomic studies, neurobiology, and neurochemistry. Additionally there is laboratory and clinical research in special mental health problems of neuropharmacology, clinical psychopharmacology, narcotic addiction, and alcoholism. Planning, development, and administration: This supports the planning, development, and administration of grant and contract programs in behavioral sciences research, applied research, clinical research, and psychopharmacological research. It also includes those multidisciplinary programs which focus and coordinate the Institute's efforts in special areas of concern, such as alcoholism, suicide prevention, crime and delinquency, schizophrenia, and the mental health of children and families.

Manpower development. Grants: Training: Grants are made to training institutions for training in psychiatry, behavioral sciences, psychiatric nursing, psychiatric social work, and other mental health disciplines. Experimental and special programs and continuing education in the mental health field are included as well as special training in such areas as alcoholism, drug abuse, and suicide prevention. Fellowships: Awards are made on the basis of excellence to individuals involved in mental health research. Direct operations: Analytic studies of manpower are undertaken and the national mental health training program is coordinated and supported. Emphasis is given to the full range of manpower requirements in the field of mental health including the disciplines of psychiatry, behavioral sciences, psychiatric nursing, and social work. Also funded in this subactivity are the training activities of the National Center for Mental Health Services, Training, and Research and a program for training psychiatrists for careers in the Public Health Service.

Support of state and community programs. Grants: Construction of community mental health centers: Grants are awarded for the construction of public and other nonprofit community mental health centers. Staffing of community mental health centers: Grants are awarded on a project basis to eligible community mental health centers for partial support of the staffing costs of these centers. Narcotic addiction and alcoholism community assistance: These grants provide partial support for the construction and staffing of facilities for the treatment and rehabilitation of narcotic addicts and alcoholics. This activity also provides for grants to nonprofit agencies to cover the cost of developing specialized training programs for prevention and treatment of narcotic addiction and conducting surveys and field trials for evaluating narcotic addiction prevention and treatment programs with a view to their improvement. Direct operations: The administration and stimulation of the community mental health centers program is undertaken in this subactivity as well as technical program assistance such as the mental hospital improvement program and its corollary, the mental hospital inservice training program. The nucleus for experimental, model community mental health centers, is also funded from this subactivity.

Service activities. Narcotic addict treatment program: This provides for the treatment and rehabilitation of narcotic addicts under control arrangements with community agencies; the multidisciplinary programs of the Center for Studies of Narcotic Addiction and Drug Abuse, and the activities of the narcotics hospitals at Lexington, Kentucky, and Fort Worth, Texas. Regional and field activities: The professional activities related to mental health programs in the Department's regional offices are funded in this subactivity. It also covers the central office coordination of regional programs and the Institute's relationships with other Federal agencies, professional societies, and State and community organizations. Scientific communication and management services: The National Clearinghouse for Mental Health Information which collects and disseminates scientific and technical information in the mental health field and the Institute's public education program are funded here.

Program direction and management services. Central Institute program planning and evaluation, biometric and legislative services, and administrative management are funded in this subactivity.

[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
HOSPITAL CONSTRUCTION			
Construction:			
Hospitals and public health centers	95,041	109,220	107,316
Long-term care facilities	61,053	55,816	54,836
Diagnostic or treatment centers	15,111	16,856	15,884
Rehabilitation facilities	10,767	9,653	10,504
Modernization	51,054	76,120	76,120
Operations and technical services	3,762	3,881	4,015
Total program costs, funded	236,788	271,546	268,675
Change in selected resources	41,695		
Total obligations	278,483	271,546	268,675

Construction. Federal funds are provided for the construction and modernization of hospitals, long-term care facilities, rehabilitation facilities, diagnostic or diagnostic and treatment centers, public health centers, and related health facilities. The modernization program provides funds for the renovation and replacement of hospitals and other health facilities which are functionally or structurally obsolete and inefficient or unsafe to operate.

Operations and technical services. State agencies are provided technical assistance in making inventories of their hospitals, public health centers, and other health facilities and in determining the type, size, and locations of additional facilities required, and developing programs to meet the indicated needs. Technical assistance is also provided to States and to communities regarding the planning, programing, and design of hospital and other medical facilities, including facilities for the care of the mentally retarded. Proposed hospital and other health facility projects are reviewed to determine eligibility and compliance with the law and regulations. State plans and their annual revisions are reviewed for conformance with planning criteria and guidelines. Project applications, plans and specifications, wage rates, and contracts are reviewed for compliance with standards, and surveillance is maintained over projects under construction.

[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
COMPREHENSIVE HEALTH PLANNING AND SERVICES			
Partnership for health grants:			
Planning	8,052	20,861	20,000
Formula grants	57,270	66,032	72,000
Project grants	43,463	86,600	98,000
Migrant health program:			
Grants	7,200	7,200	12,000
Direct operations	787	900	910
Standard setting and resources development	9,315	10,318	11,256
Program direction and management services	2,804	2,129	2,184
Total program costs, funded	128,891	194,040	216,350
Changes in selected resources	14,358		
Total obligations	143,249	194,040	216,350

Partnership for health grants. Planning: (1) Formula grants for comprehensive State health planning provide support for basic staff and advisory council costs for the State agency designated for comprehensive health planning. Under contractual arrangements, specialized studies are underway in such areas as: Impact on the provision of health services and costs of Title XIX of the Social Security Act, and specific recommendations on its implementation in the States, manpower problems, delivery of services to rural areas, ambulance services, alcoholism, drugs, water resources, and special problems of high risk groups. (2) Project grants for areawide comprehensive health planning provide support for planning personnel and for the collection and analysis of data, and aid in establishing the agency as a focus for coordination and cooperation among local institutions in the planning of health facilities and services. (3) Project grants for training, studies, and demonstrations for comprehensive health planning provide support for both long-term and short-term training of health planners in such areas as basic concepts of health, planning theories and techniques, urban sociology, and social problems in society today. They also support demonstration projects for the development of citizen representatives to serve effectively on health planning bodies. Formula grants: These grants to State health and mental health authorities assist the States in attacking those health problems they consider of most immediate importance. Project grants: These grants provide support for activities to meet special regionally or nationally determined needs. Funds requested will provide continued support for cancer, mental retardation, tuberculosis, neurological and sensory, and venereal disease treatment and control projects. Support will also be provided for comprehensive health services in ghetto areas, rat control projects, and health components in model cities programs. A proposed transfer of funds in 1969 will initiate an intensive immunization program against rubella.

Migrant health program. Grants: Grants are made to finance part of the costs of establishing family health services clinics, to provide short-term hospitalization, and for other projects to improve the health services and health condition of agricultural migrant workers and their families. Funds requested will provide for patient visits for medical care, dental visits, and hospital care. Direct operations: The program provides technical assistance to migrant health projects and conducts studies vital to the effectiveness of the program.

Standard-setting and resources development. This provides for development of specialized programs in comprehensive health and medical care administration, including the professional health aspects of Title XVIII of the Social Security Act. Assistance is provided to Federal, State, and local health agencies, voluntary organizations, and other interested groups through consultation, studies, demonstrations, and assignment of specialized personnel. This also provides for program evaluation of the grant programs and the review of approval of such grants. The increase in 1970 will provide for expanded consultation services and technical assistance to cities in improving the health care for the poor, the expansion of health planning, and review and approval of grants activities.

Program direction and management services. Provides for overall executive direction and planning and for administrative management.

[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
REGIONAL MEDICAL PROGRAMS			
Operational and planning grants	43,635	92,365	96,000
Development, assistance, and chronic disease control	20,755	24,865	22,762
Program direction and management services	1,355	1,851	1,879
Total program costs, funded	65,745	119,081	120,641
Change in selected resources	1,994		
Total obligations	67,739	119,081	120,641

Operational and planning grants. Regional medical program grants support the establishment of cooperative arrangements among medical schools, hospitals, research centers, physicians, and other health groups and institutions on a regional basis for the purpose of planning and conducting research, training, demonstrations of patient care, and other related projects which increase the availability and utilization of advanced diagnosis and care for these diseases.

Development, assistance, and chronic disease control. These programs provide extramural and intramural research, training in chronic disease control, and program consultation and assistance to State and local health agencies, voluntary organizations, and educational institutions on the conduct of their programs of regionalization and chronic disease control through contracts, cooperative agreements, assignments of personnel, and loan of equipment.

[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
INDIAN HEALTH SERVICES			
Patient care	63,941	70,703	73,241
Field health services	19,269	22,943	25,661
Special assistance to the Menominee Indians	341	350	350
Administration	1,643	1,884	1,927
Adjustment of prior years—costs	−235		
Total program costs	84,959	95,880	101,179
Change in selected resources	321		
Total obligations	85,280	95,880	101,179

Patient care. This consists of the operation of general hospitals and their outpatient clinics and tuberculosis sanatoria and medical care under contract with non-Federal hospitals, clinics, private physicians, and dentists.

Field health services. These include programs in sanitation, health education, nutrition, maternal and child health, school health, tuberculosis and other communicable disease control, medical social services, public health nursing, oral health, and family planning. The services are provided through health centers, clinics, and other field units operated directly by the Service, as well as through contractual arrangements with State and local health organizations. A program initiated in 1969 trains Indians as community health representatives providing educational, sanitation, and referral services to the beneficiary population.

Special assistance to the Menominee Indians. This covers joint school district costs and public welfare benefits as well as health and sanitation services.

[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
PATIENT CARE AND SPECIAL HEALTH SERVICES			
Operation of hospitals and clinics	65,178	74,804	75,428
Medical care for special groups:			
Coast Guard	2,371	2,515	2,655
Federal employees	2,204	3,077	3,707
Special health services:			
Rehabilitation services	137	168	168
Payments to Hawaii	1,200	1,200	1,200
Personnel detailed to other agencies	902	1,805	1,805
Program direction and management services	1,934	2,430	2,459
Total program costs, funded	73,926	85,279	86,702
Change in selected resources	396		
Total obligations	74,322	85,279	86,702

Special health services. Payments to Hawaii: Grants are made to defray the cost of care and treatment of persons afflicted with leprosy.

Program direction and management services. Staff program advice, guidance, and direction, along with management services are provided operational personnel and facilities with regard to the efficient and effective conduct of program activities.

[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
HEALTH SERVICES RESEARCH AND DEVELOPMENT			
Studies, training, and systems development:			
Grants and contracts	25,641	37,362	40,672
Direct operations	2,755	2,703	3,312
Program direction and management services	369	857	991
Total program costs, funded	28,765	40,922	44,975
Change in selected resources	1,905		
Total obligations	30,670	40,922	44,975

Studies, training, and systems development. Grants and contracts: Research grants and contracts are awarded to organizations, institutions, and individuals for carrying out research investigations dealing with the organization, financing, utilization, quality, availability, and delivery of health services. Training and fellowship grants are awarded to institutions and to qualified scholars for supporting research training programs in the health services field. Direct operations: This provides staff with the operational capability for both extramural and intramural research programs. It permits utilization of Federal direct health services and federally funded programs for the disadvantaged for the development, testing, and demonstration of improved health services techniques, and also the strengthening of research and development in such areas as economic analysis, the improvement of health service institutions, and manpower utilization. The 1970 increase will provide for consultative services associated with the center's program and to develop research training programs in universities and other appropriate settings.

Program direction and management services. This includes top management and staff services for the national center, including central management services.

[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
ST. ELIZABETHS HOSPITAL			
Operating costs:			
Clinical and community services	33,563	37,129	38,091
Training and education	1,041	1,420	
Research	469	585	
Unfunded adjustment:			
Property or services transferred in without charge	−151	−75	−75
Capital outlay:			
Clinical and community services	701	855	880
Training and education	4	16	
Research	25	35	
Unfunded adjustment:			
Above capital assets transferred in without charge, net	−20	−20	−20
Total program costs, funded	35,632	39,945	38,876
Change in selected resources	256	−113	
Total obligations	35,888	39,832	38,876

Clinical and community services. This provides all of the therapeutic and rehabilitative programs of the National Center, maintenance of buildings, procurement of supplies and materials, and provision of necessary administrative services. The hospital is cooperating with the District of Columbia in the establishment and operation of a community mental health center on its campus, in order to serve the residents of the major southeast portion of the District.

Training and education. This supports the Division of Intramural Training, and provides multidisciplinary clinical training for professional and ancillary personnel engaged in or interested in mental health activities.

Research. This supports the Division of Clinical Research of the National Center which carries out coordinated research programs for the purpose of obtaining a better understanding of the causes of mental disorders, and of the factors bearing upon their development, treatment, and possible prevention.

[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
COMMUNICABLE DISEASES			
Laboratory improvement	4,521	6,027	6,346
Prevention and control			
Grants	9,730	6,777	2,921
Direct operations	25,534	27,695	27,570
Program direction and management services	1,793	1,894	1,894
Total program costs, funded	41,578	42,393	38,731
Change in selected resources	1,844	−996	
Total obligations	43,422	41,397	38,731

Laboratory improvement. A comprehensive national laboratory improvement program is administered through research for improving and standardizing laboratory methodology and through evaluation of techniques, materials, and reagents used in public health laboratories. States are provided experimental vaccines and special immune globulin is distributed to prevent and control laboratory infections. They are also provided consultation, training, and informational services in laboratory techniques. The program provides for upgrading the performance of the nation's clinical laboratories and for the licensure and evaluation of clinical laboratories engaged in interstate commerce.

Prevention and control. Grants: Research grants are awarded to organizations, institutions, and individuals for research concerned with epidemiology, prevention, laboratory diagnosis, and treatment of communicable diseases at the community level. Direction operations: Communicable diseases: Scientific technical skills in the fields of epidemiological medicine and microbiology are provided to State and local health departments through investigations, consultations, and demonstrations. Important disease investigation and control programs include hepatitis, aseptic meningitis, poliomyelitis, rubella, viral encephalitis, the enteric diseases, staphylococcal and other institutionally acquired infections, the acute fungal diseases, diseases of animals transmissable to man, and the vector borne diseases. Professional competence in the investigation of epidemic outbreaks is afforded to the States through the staff of the Epidemic Intelligence Service which is constantly alert to the epidemic situation in the contry. Epidemic Intelligence Service officers provide a wide range of service, including epidemic aid, epidemiological field investigations, consultations in communicable disease control, surveillance of infectious diseases, and collaborative field and laboratory research. Tuberculosis: Studies are conducted in epidemiology, prevention, detection, diagnosis, and therapy of tuberculosis. This research is conducted in cooperation with State and local health departments, tuberculosis hospitals, private investigators, and others. The results of the applied research are made available to the States and integrated into tuberculosis control programs by means of demonstrations, consultative services, operational studies, and training activities. Venereal diseases: Research evaluation activities are directed toward maintenance of uniformly satisfactory nationwide serologic services; development and introduction of new syphilis diagnostic tests; development of an immunizing agent for syphilis; improvement of diagnostic techniques for gonorrhea; evaluation of more effective methods of therapy; and the improvement of control procedures. Scientific and general information about venereal disease for both professional and lay groups is disseminated through State agencies. Foreign quarantine: Certain visa applicants are examined in order to determine those who are excludable for physical or mental reasons. Other inspections (persons and importations) are made to prevent the introduction into the United States of quarantinable and other communicable diseases.

Program direction and management services. This includes top management and staff services for the National Center.

[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
INDIAN HEALTH FACILITIES			
Hospitals:			
New and replacement	1,689	4,556	2,175
Modernization and repair	341	2,320	554
Outpatient care facilities	832	1,801	2,130
Grants to community facilities	250	864	
Sanitation facilities	8,173	14,420	19,113
Personnel quarters	3,341	1,379	806
Total program costs, funded	14,626	25,340	24,778
Change in selected resources	4,162	531	−5,076
Total obligations	18,788	25,871	19,702

[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
NATIONAL HEALTH STATISTICS			
National vital and health statistics	9,520	7,568	9,313
Program direction and management services	462	460	460
Total program costs, funded	9,982	8,028	9,773
Change in selected resources	−2,111		
Total obligations	7,871	8,028	9,773

National vital and health statistics. The program of the National Center for Health Statistics comprises the major activities of the Public Health Service in the measurement of the health status of the nation and in developing and applying optimum technical methods for the collection, processing, and analysis of health statistics. It includes: The collection, compilation, analysis, and dissemination of statistics on births, deaths, fetal deaths, marriages and divorces, and other health data related to these basic vital events; continuing surveys and special health statistics studies on the amount, distribution, and effects of illness and disability in the United States and the services received for or because of such conditions; studies of health survey methods with a view toward their continued improvement; and technical advice and assistance on the application of statistical methods in the health and medical fields.

[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
District of Columbia medical facilities: Construction grants or loans (costs—obligations)			15,000

Federal funds would be provided to make grants or loans to assist in meeting the cost of projects for the construction and modernization of public or nonprofit hospitals in meeting the cost of projects for the construction or modernization of public health centers, long-term care facilities, including extended care facilities, diagnostic or treatment centers, rehabilitation facilities, facilities for the mentally retarded, and community mental health centers.

[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
EMERGENCY HEALTH			
Medical stockpile:			
Acquisition of stocks	3,232	1,397	457
Inventory management	3,583	3,607	3,683
Stockpile management	579	637	684
Training and community preparedness	2,518	2,698	2,813
Hospital and ambulance services	489	561	561
Total program costs, funded	10,401	8,900	8,198
Changes in selected resources	−160	−610	−377
Total obligations	10,241	8,290	7,821

Medical stockpile. The goal is to provide medical material for civilian needs in time of disaster. Medical supplies and equipment have been assembled into emergency packaged disaster hospitals which are located throughout the United States. The estimate for 1970 provides for a continuing program of rehabilitation and refurbishment of the existing packaged disaster hospitals; relocating the packaged disaster hospital to achieve direct affiliation with the community hospital; procurement of new materials to increase the emergency medical supply inventories of community hospitals; and maintaining, inspecting, and servicing the national medical stockpile.

Training and community preparedness. This supports the preparation of national emergency health and medical plans, and the development of preparedness programs to achieve a continuity of health services necessary to meet all conditions of a national emergency. The estimate for 1970 provides for a continuing program of the development of plans and operational capability of civilian health manpower as well as utilization and distribution of other health resources including: the placement of federally furnished medical supplies and equipment in community hospitals; development and initiation of disaster management services; training at the State and local level; and providing assistance to States and communities in disaster situations.

Hospital and ambulance services. This provides for assistance to States and communities for the planning of organized programs of emergency health services.

[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
SERVICE AND SUPPLY FUND			
Fiscal services: Cost of services	863	1,708	1,939
Supply distribution:			
Cost of goods sold	2,272	2,454	2,437
Other	591	560	579
Publications distribution: Cost of services		49	78
Total operating costs	3,726	4,771	5,033
Total capital outlay	8	13	13
Change in selected resources	−263	−6	19
Adjustment in selected resources (donated working capital)	−1		
Total obligations	3,470	4,778	5,065

This fund finances medical supply and service operations of the Health Services and Mental Health Administration.

	1968 actual	1969 estimate	1970 estimate
Retired pay of commissioned officers:			
Retirement payments	5,849	7,086	9,967
Survivors' benefits	100	112	130
Dependents' medical care	5,341	5,843	6,603
Total obligations	11,290	13,041	16,700
Advances and reimbursements:			
Salaries and expenses, Office of the Administratcr	1,062	13	------
Health services research and development	28		
Comprehensive health planning and services		50	50
Regional medical programs	10	2,000	2,029
Hospital construction	1	2	2
Communicable diseases	19,556	8,031	8,723
National health statistics	430	432	449
Emergency health	19	65	65
Chronic diseases	440		
Consolidated working fund	5,910	2,980	1,848
Research grants	1,250	1,275	1,337
Total program costs, funded	28,705	14,848	14,503
Change in selected resources	57	−590	−208
Total obligations	28,762	14,258	14,295
Buildings and facilities:			
Total program costs, funded	2,150	7,355	9,092
Change in selected resources	454	2,971	−1,164
Total obligations	2,604	10,326	7,928

This includes all proposed direct construction items of the Health Services and Mental Health Administration, except construction of Indian health facilities, and all continuing projects except the mental health-neurology research facility.

[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
HEALTH SERVICE AND MENTAL HEALTH ADMINISTRATION TRUST FUNDS			
Patients' benefits	47	49	49
Unconditional gifts	7	50	5
Conditional gifts	44	93	59
Special statistical work		15	15
Construction and maintenance of Indian sanitation facilities.	138	177	158
Total program costs, funded	236	385	286
Change in selected resources	−2	−6	−14
Total obligations	234	379	272
OFFICE OF THE ADMINISTRATOR, SALARIES AND EXPENSES			
Management and central services—Total program costs, funded.	6,706	8,601	9,978
Change in selected resources	878		
Total obligations	7,584	8,601	9,978

Management and central services. This supports the Office of the Administrator, and includes staff advice to the Administrator and guidance, leadership, and direction to the programs and activities of the Health Services and Mental Health Administration regarding administrative and financial management, personnel, property and records management, office services, and organization and staffing problems.

[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
PUBLIC HEALTH SERVICE MANAGEMENT FUND			
Disease prevention and environmental control	$2,335		
Health services	1,717		
Total program costs, funded	4,052		
Change in selected resources	−105		
Total obligations	3,947		
NATIONAL INSTITUTES OF HEALTH			
Health manpower:			
Institutional support:			
Medical, dental, and related	32,588	66,000	96,400
Nursing	5,657	7,000	7,000
Public health	6,558	9,471	9,471
Allied health professions	8,123	10,975	10,988
Student assistance:			
Traineeships	17,135	30,958	25,620
Scholarships and opportunity grants	16,636	24,636	48,800
Loans	38,680	41,979	30,500
Manpower requirements and utilization:			
Grants	2,992	4,195	4,425
Direct operations	5,995	10,107	10,870
Program direction and management services	1,261	1,339	1,390
Total program costs, funded	135,586	206,659	245,464
Change in selected resources	25,059		
Total obligations	160,645	206,659	245,464

Institutional support. The principal agents of this activity are grant programs directed toward enhancing the educational experience of students entering the health and allied health professions resulting ultimately in better health service to the nation. Schools use these funds to support and enlarge faculty staffs, expand library holdings, modify existing and add new curricula, modernize teaching laboratories, and purchase educational aids and equipment. Support for nursing schools in 1970 is for project grants. Schools of pharmacy and veterinary medicine will be eligible for support for the first time in 1970. Improving the utilization of limited resources of health professionals requires appraisal of how various types of personnel are being utilized and the identification of new categories of allied health professionals and technicians for more effective team practice. In 1970, allied health new methods grants will support projects to develop curricula to produce personnel requiring newly identified skills.

Student assistance. This is of two kinds: graduate and specialized, comprising traineeships and research fellowships; and undergraduate, comprising scholarships and student loans. Research fellowship support candidates at the predoctoral and postdoctoral levels for research training in special fields related to studies for improving nursing care. Traineeships support the graduate and specialized preparation of teachers needed to expand and improve curriculum offerings, and the advanced training needed by supervisors, administrators, and other specialists in nursing, public health, and the allied health professions. Nursing and health professions scholarships enable deserving students from low-income families to pursue their education. Students of veterinary medicine will become eligible for scholarships for the first time in 1970. Schools make scholarship awards to students who, in the judgment of the school, have an exceptional financial need. The student loan programs for the health professions, including nurses, are also designed to help provide an adequate supply of health manpower and to assure that the needed supply of health professions and nursing manpower is drawn from the most capable individuals, but particularly to assure that students from low-income families can enroll for health professions training. The 1970 program concentrates these loans to students from families with annual incomes under $10,000.

Manpower requirements and utilization. Grants: Research grants support studies in the areas of physician methods and techniques, continuing physician education, effective use of health manpower, nursing care, and methods to deliver nursing care to patients. Research training grants enable institutions to establish training programs in fields where there is unusual demand for researchers having skills in nursing specialties and in the field of educational research. Direct operations: Funds are provided for programs to assess requirements, availability, and quality of health discipline education; provide professional guidance and leadership to meet the goals of nursing care by means of research, consultation, application of research findings and administration of grants; develop, administer, and support grant and operational programs to increase the supply and improve the education, utilization, and effectiveness of manpower in the health occupations; for servicing training and construction grants, student loans, scholarships, and operational programs for training of personnel. The increase in 1970 will be used primarily for services and technical assistance related to the new and expanded grant programs of the Health Manpower Act of 1968.

Program direction and management services. The Bureau of Health Manpower guides and supports health manpower programs, designs proposals to meet needs for new or revised health manpower programs, coordinates research and program reporting activities, and provides technical guidance and coordination to Bureau activities.

[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
NATIONAL CANCER INSTITUTE			
Grants:			
Research	79,163	80,052	80,488
Fellowships	4,019	4,374	4,201
Training	11,050	11,641	11,186
Direct operations:			
Laboratory and clinical research	15,082	16,114	17,178
Collaborative research and development	66,719	64,380	66,102
Biometry, epidemiology, and field studies	1,265	1,380	1,565
Review and approval	2,427	2,459	2,598
Program direction	1,079	1,019	1,084
Total program costs, funded	180,804	181,419	184,042
Change in selected resources	—4,897		
Total obligations	175,907	181,419	184,402

Grants. Research: Funds are provided for grants, general research support grants, and specialized research centers. Fellowships: Postdoctoral and special fellowships and career award and career development fellowships will be supported. Training: Grants are awarded to accredited schools for the improvement of instruction in the curriculum; clinical training grants are awarded for training in such fields as surgery, pathology, radiobiology, radiotherapy, and internal medicine; and grants are awarded to research training centers for individual traineeships.

Direct operations. Laboratory and clinical research: This includes laboratory research in the fields of biochemistry, biology, pathology, and physiology and clinical research in the fields of dermatology, endocrinology, immunology, metabolism, and surgery. Collaborative research and development: Research is conducted in the areas of etiology and cancer therapy. This activity includes several task forces including breast cancer and lung cancer and the special virus-leukemia program. Research efforts include field studies, investigations and contracts with public and private organizations and universities for the acquisition, development, and application of new knowledge pertinent to the prevention, control, and treatment of cancer. Biometry, epidemiology, and field studies: This program is designed to analyze defined populations having unusual risks to specific cancers or known exposure to high risk environments, in order to reveal statistically significant cause-and-effect associations and disassociations leading to the discovery of etiologic factors and agents.

[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
NATIONAL HEART INSTITUTE			
Grants:			
Research	104,825	99,666	101,307
Fellowships	6,769	7,604	7,309
Training	17,267	18,150	17,442
Direct operations:			
Laboratory and clinical research	12,017	13,168	13,641
Collaborative research and development	10,500	17,354	18,148
Biometry, epidemiology, and field studies	1,199	1,692	1,724
Training activities	142	225	204
Review and approval of grants	2,253	2,561	2,723
Program direction	652	590	643
Total program costs, funded	155,624	161,010	163,1
Change in selected resources	5,698		
Total obligations	161,322	161,100	163,141

Grants. Research: Funds are provided for research grants, general research support grants, categorical and specialized research centers, and the heart cooperative drug study. Training: For undergraduate training, funds will provide assistance to schools of medicine, osteopathy, and public health. Funds will also provide grants for graduate research and clinical training.

Direct operations. Laboratory and clinical research: Research is conducted to aid in the understanding of the cardiovascular system and its diseases, with emphasis in therapeutic agents, diagnostic instrumentation, surgery, and clinical medicine. Collaborative research and development: Funds will support the artificial heart-myocardial infarction program, heart cooperative drug study, and a national blood program. Biometry, epidemiology, and field studies: This activity conducts and supports epidemiological, biometrics research, and clinical trial studies to seek knowledge of the causes and prevention of cardiovascular disease. Causal factors are sought both by intensive study of "natural experiments" in population groups and by experimental modification of suspected factors. Training activities: Inservice training is provided for positions requiring unique combinations of cardiovascular training and experience.

[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES			
Grants:			
Research	83,217	83,717	84,263
Fellowships	20,207	21,373	20,040
Training	44,729	46,901	45,568
Direct operations:			
Collaborative research and development	3,924	3,295	3,288
Training activities	381	449	337
Review and approval of grants	2,741	3,125	3,251
Program direction	829	1,095	1,056
Total program costs, funded	156,028	159,955	157,803
Change in selected resources	—278		
Total obligations	155,750	159,955	157,803

Grants. Research: Grants will be supported. In addition, funds will be provided for general research support grants, research and training resources, and research centers in diagnostic radiology and anesthesiology. Fellowships: Awards will be made. Training: Grants will be awarded.

Direct operations. Collaborative research and development: Studies in the biomedical sciences and supportive areas are conducted by contract with institutions. Training activities: This activity supports a program for training pharmacologists and taxicologists.

[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
CONSTRUCTION OF HEALTH EDUCATIONAL, RESEARCH, AND LIBRARY FACILITIES			
Teaching facilities:			
Medical, dental, and other health personnel	150,799	130,196	141,000
Nurses	19,382	18,781	8,000
Allied health professions personnel	1,792	3,008	
Health research facilities	38,368	20,640	
Medical libraries	10,000	1,250	
Total program costs, funded—obligations	220,341	173,875	49,000

Teaching facilities. Federal grants are provided on an individual project basis to assist in the construction of medical, dental, pharmacy, optometry, podiatry, veterinary, osteopathy, and public health teaching facilities, schools of nursing, and for training centers for allied health personnel. Allied health professions personnel: Matching grants are made to public and other nonprofit schools for construction, expansion, and rehabilitation of teaching facilities as training centers for technical and other allied health personnel.

Health research facilities. Matching grants are made to public and other nonprofit institutions to assist in the construction of new facilities, and replacement of outmoded facilities, for the conduct of research in the sciences related to health.

Medical libraries. Matching grants are made to public and other nonprofit agencies or institutions for construction of new, and the renovation, expansion, or rehabilitation of medical library facilities.

[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
NATIONAL INSTITUTE OF ARTHRITIS AND METABOLIC DISEASES			
Grants:			
Research	94,203	91,691	92,289
Fellowships	6,574	6,737	6,475
Training	15,383	16,109	15,480
Direct operations:			
Laboratory and clinical research	13,774	15,891	15,664
Collaborative research and development	4,439	6,498	6,670
Biometry, epidemiology, and field studies	554	706	712
Review and approval of grants	2,101	2,279	2,373
Program direction	253	321	305
Total program costs funded	137,281	140,232	139,968
Change in selected resources	1,617		
Total obligations	138,898	140,232	139,968

Grants. Research: Grants will be supported. In addition, funds are provided for general research support grants and clinical research centers. Training: Grants will be awarded to accredited schools for the improvement of instruction.

Direct operations. Laboratory and clinical research: Research is conducted in the field of arthritis, rheumatism, diabetes, and other metabolic disorders, as well as studies in the major disciplines including pharmacology, physiology, biochemistry, nutrition, chemistry, pathology, endocrinology, physical biology, molecular biology, chemical biology, gastroenterology, hematology, and biomathematics. Collaborative research and development: These projects are conducted cooperatively and under contract with individuals and institutions, including comprehensive programs in scientific communications, such as the preparation of abstracts on specific areas of research interests; research and development conducted cooperatively and under contract leading to improved methods of hemodialysis and the development of a simpler, more economical, and less cumbersome artificial kidney; and projects directed toward the preparation and distribution of hormonal substances. Biometry, epidemiology, and field studies: Research and epidemiological studies are conducted on arthritis, diabetes, cholecystitis, iodine metabolism, and hyperuremia in special population groups, including long range studies in the southwestern United States.

[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES			
Grants:			
Research	58,520	60,185	60,582
Fellowships	3,911	4,362	4,191
Training	8,856	9,488	9,118
Direct operations:			
Laboratory and clinical research	13,530	14,581	15,182
Collaborative research and development	9,677	12,630	12,855
Training activities	154	165	155
Review and approval of grants	1,394	1,438	1,531
Program direction	269	324	308
Total program costs, funded	96,311	103,173	103,922
Change in selected resources	1,919		
Total obligations	98,230	103,173	103,922

Grants Research: Among the grants are those for the United States-Japan cooperative medical science program. In addition, funds are provided for general research support grants, clinical research centers, the Gorgas Memorial Laboratory, and International Centers for Medical Research and Training. Fellowships: Awards will be made for postdoctoral, special, and research career fellowships. Training: Funds will provide grants to train individuals in allergy and immunology, tropical medicine, infectious diseases, parasitology, mycology, and rickettsiology.

Direct operations. Laboratory and clinical research: This is conducted in the broad fields of allergic infections and parasitic diseases. The increase in 1970 provides for expanded research in clinical allergy and immunology, chronic and degenerative, and viral diseases. Collaborative research and development: Contracts are programed in the areas of vaccine development and testing, research reagents development, production and distribution, tissue transplantation immunology, and for the geographic medical science program. Training activities: This activity provides two-year training of promising young scientists to work abroad as members of the United States biomedical research groups in medical research related to problems of an international nature which cannot ordinarily be undertaken in the United States.

[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
NATIONAL INSTITUTE OF NEUROLOGICAL DISEASES AND STROKE			
Grants:			
Research	50,524	59,134	59,506
Fellowships	2,694	3,213	3,085
Training	11,130	15,659	15,047
Direct operations:			
Laboratory and clinical research	8,482	9,879	10,100
Collaborative research and development	9,651	9,742	10,092
Biometry, epidemiology, and field studies	2,790	3,016	3,028
Training activities	66	74	72
Review and approval of grants	1,894	2,058	2,114
Program direction	579	490	441
Total program costs, funded	87,816	103,265	103,485
Change in selected resources	12,365		
Total obligations	100,181	103,265	103,485

Grants. Research: Grants will be supported. Funds are provided for general research support grants, clinical research center grants, and specialized research center grants. Training: Graduate training grants are made to training institutions to establish and improve programs to train teachers and clinical investigators in neurology, ophthalmology, and otology.

Direct operations. Laboratory and clinical research: Research is being conducted on disorders of the brain, and spinal cord and peripheral nerves, such as epilepsy, multiple sclerosis, and apoplexy, and Parkinson's disease; on neuromuscular disorders, such as muscular dystrophy; hearing impairments; and the perinatal physiology studies using primates. Collaborative research and development: These studies include the coordination and central service activities for the collaborative project on cerebral palsy, mental retardation, and other neurological and sensory disorders of childhood. Biometry, epidemiology, and field studies: These studies include epidemiological, biometric, and international studies relating to cerebrovascular disease, speech and hearing disorders, and research on viruses and their effect on the central nervous system. Training activities: Support is given for inservice training of qualified staff members in subjects related to neurological and other sensory disorders.

[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT			
Grants:			
Research	36,474	41,679	46,564
Fellowships	2,953	4,193	4,027
Training	7,272	10,012	9,621
Direct operations:			
Laboratory and clinical research	5,754	6,065	6,373
Collaborative research and development	1,299	3,975	6,721
Biometry, epidemiology, and field studies	481	2,022	2,176
Training activities	89	89	85
Review and approval of grants	1,829	1,956	2,037
Program and direction	676	809	807
Total program costs funded	56,827	70,800	78,411
Changes in selected resources	9,552		
Total obligations	66,379	70,800	78,411

Grants. Research: Grants will be supported. In addition, funds are provided for general research support grants, clinical research centers, and mental retardation research centers. Fellowships: Postdoctoral and special fellowships will be supported. Also, career awards and career development fellowships will be supported. Training: Training grants will be supported.

Direct operations. Laboratory and clinical research: This is conducted in five major program areas of child health and human development: (1) Reproduction and population research—reproductive biology, endocrinology, and ecology. (2) Perinatal biology and infant mortality—maternal-child interactions; maturation of motor and behavioral systems; nutrition and development. (3) Growth and development—neurophysiology, neurochemistry, and nutrition. (4) Adult development and aging—cellular biology, biochemistry, physiology, and psychology. (5) Mental retardation—biochemistry, neurophysiology, and behavioral research. Collaborative research and development: This activity supplements and complements the National Institute of Child Health and Human Development's intramural research programs. It is one of the most effective ways for coordinating program development in family planning, perinatal biology, growth and development, aging, and mental retardation. The main thrust of the Institute's population research program is accomplished by contract efforts within this activity. Program liaison is maintained and advanced through support of interdisciplinary research conferences and symposia and through scientific information centers. Biometry, epidemiology and field studies: Through contracted research, this activity supports the Institute's scientific staff in planning and conducting studies dealing with the incidence, distribution, and control of health problems in certain populations. Efforts are also being made to develop more effective and reliable means for measuring health problems, to collect and analyze health data, and to make statistical studies for use in initiating and evaluating scientific programs. Training activities: This activity represents the National Institute of Child Health and Human Development's career development program designed to help overcome the shortages of professional manpower in pediatrics and obstetrics and the lack of the necessary cross-disciplinary training required in the basic research programs of the Institute.

[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
GENERAL RESEARCH AND SERVICES			
Division of Research Facilities and Resources:			
Grants:			
Research	56,797	60,871	64,831
Fellowships	148	154	146
Training	368	376	364
Direct operations:			
Collaborative research and development	1,193	1,488	1,483
Review and approval of grants	1,123	1,533	1,615
Program direction	471	643	641
Division of Computer Research and Technology: Direct operations	3,395	4,611	4,753
Engineering development:			
Direct operations:			
Collaborative research and development		750	750
Program direction	101	259	226
Total program costs, funded	63,596	70,685	74,809
Change in selected resources	1,640		
Total obligations	65,236	70,685	74,809

Division of Research Facilities and Resources. Grants: Research: Funds provide General Clinical Research Centers, Special Research Resources, Animal Resources (including primate centers). Direct operations: Collaborative research and development: Research is conducted in collaboration with Federal and non-Federal institutions through contracts. Included are chemical/biological information handling program, special research resources, surveys of animal resources, development of standards for laboratory animal facilities, and the applying of engineering and technological innovations to biomedical problems in such areas as the development of artificial organs, synthetic materials, and the automation of clinical and laboratory measurements.

Division of Computer Research and Technology: Direct operations. This activity conducts research in mathematics and the computer sciences as they relate to biomedical problems, provides professional advice to other areas of the National Institutes of Health, serves as a focus for training activities in computation and data processing, and operates a central computing facility for the National Institutes of Health.

General Research Support Grants—obligations: $59,674, $60,700, $61,500.

This provides for grants-in-aid to universities, hospitals, laboratories, and other public or nonprofit institutions for the general support of research and research training in sciences related to health.

[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
NATIONAL INSTITUTE OF DENTAL RESEARCH			
Grants:			
Research	15,521	15,055	15,559
Fellowships	1,724	1,765	1,694
Training	5,280	5,609	5,390
Direct operations:			
Laboratory and clinical research	4,394	4,687	4,947
Collaborative research and development	662	845	942
Biometry, epidemiology, and field studies	375	431	436
Review and approval of grants	608	689	763
Program direction	294	338	331
Total program costs, funded	28,858	29,419	30,062
Change in selected resources	169		
Total obligations	29,027	29,419	30,062

Grants. Research: Project grants will be supported. In addition, funds are provided for general research support grants, clinical research centers, and dental research institutes. Training: Grants will be awarded to schools for training individuals for academic teaching and research careers in the various fields of dental sciences.

Direct operations. Laboratory and clinical research: Research is conducted in the fields of dental caries, periodontal diseases, growth and development, oral surgery, microbiology, histology, pathology, and biochemistry. Collaborative research and development: The programs are concerned with investigations and contracts with public and private organizations for the accumulation, development, and application of new information related to oral health. Biometry, epidemiology, and field studies: The programs are concerned with epidemiologic activities or field studies related to oral diseases and conditions.

[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
NATIONAL EYE INSTITUTE			
Grants:			
Research	14,086	16,206	19,660
Fellowships	354	676	650
Training	2,703	3,603	3,462
Direct operations:			
Laboratory and clinical research	610	737	754
Collaborative research and development	168	349	349
Biometry, epidemiology, and field studies	267	303	317
Review and approval of grants	366	366	466
Program direction			120
Total program costs, funded	18,554	22,240	25,778
Change in selected resources	2,612		
Total obligations	21,166	22,240	25,778

Grants. Research: Grants will be supported. In addition, funds are provided for general research support grants and clinical research center grants. Training: Graduate training grants are made to training institutions to establish and improve programs to train teachers and clinical investigators in ophthalmology. Traineeships will be awarded to individuals for specialized postgraduate training.

Direct operations. Laboratory and clinical research: Research is being conducted in the causes of blindness and disorders of the eye including glaucoma, disorders of the cornea, infections of the eye, disturbances of eye movements, and refractive errors of vision. Collaborative research and development:

Grants. Training: Training grants are awarded. Special scientific projects: Awards are made to health scholars. Library resources: Libraries will receive grants.

Direct operations. Library operations: The increase in 1970 will provide funds for continued installation and conversion to a second generation Medical Literature Analysis and Retrieval System to improve the quality and speed of response to meet increased service demands, and expansion of bibliographic, reference, and loan services. Toxicology information: Increases in 1970 will maintain continued identification of user needs, fact gathering and file building activities, and staff planning and project management. National Medical Audiovisual Center: The increase in 1970 will support the initial implementation of a videotape distribution center; expansion of existing collections of motion picture films, audiotapes, and other audiovisuals with primary emphasis for use by medical and health-related professions; and the increased demand for loans of audiovisuals to health professionals, agencies, instiutions, and organizations interested in health. Lister Hill National Center for Biomedical Communications: The increase in 1970 will fund systems engineering in information and communications science and design and activation of a national biomedical communications network.

These studies include contractual programs for collaborative research on blinding eye diseases and visual disorders. Biometry, epidemiology, and field studies: Special studies in the fields of epidemiology and biometry will be developed to determine causes of blindness and eye disorders.

[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
NATIONAL LIBRARY OF MEDICINE			
Grants:			
Training	612	1,137	1,021
Special scientific projects	41	89	100
Research	980	1,285	1,442
Library resources	2,670	2,994	2,458
Regional medical libraries	517	1,750	2,211
Publications support	372	228	376
Directoperations:			
Library operations	2,929	7,465	6,493
Toxicology information	586	1,153	1,549
National Medical Audiovisual Center	1,438	1,451	2,175
Lister Hill National Center for Biomedical Communications	187	526	2,058
Research and support contracts	1,032	248	
Review and approval of grants and contracts	545	480	621
Program direction	1,337	917	1,469
Total program costs, funded	13,246	19,723	21,973
Change in selected resources	3,869	452	909
Total obligations	17,115	20,175	22,882
ENVIRONMENTAL HEALTH SCIENCES			
Grants:			
Research	8,496	8,406	8,967
Fellowships	42	200	194
Training	3,763	3,892	3,740
Direct operations:			
Laboratory and clinical research	4,357	4,432	5,322
Review and approval of grants	396	440	443
Program direction	266	312	338
Total program costs, funded	17,320	17,682	19,004
Change in selected resources	−764		
Total obligations	16,556	17,682	19,004

Grants. Research: Regular research grants will be supported. Environmental Health Institutes will be supported. This activity supports research on the phenomena associated with the source, distribution, mode of entry, and effect of environmental agents on biological systems through grants to universities, research institutes, and other public or private nonprofit institutions. Fellowships: Predoctoral, postdoctoral, and special grant awards will be made to graduate students and scientists for training in the field of environmental health sciences. Training: Grants will be supported. The graduate research training program supports the availability of high-quality training opportunities in environmental health. It was a threefold goal: to increase the number of highly qualified scientists primarily concerned with environmental health; to enable training institutions to strengthen and to enrich their research training capabilities; and to expand opportunities for environmental health research training in a greater number of graduate institutions throughout the United States.

Direct operations, laboratory and clinical research: This supports the in-house research programs in environmental health sciences at the National Environmental Health Sciences Center in the Research Triangle Park, North Carolina. Included are research efforts in cell biology, pharmacology and toxicology, analytical and synthetic chemistry, biophysics and biomedical instrumentation, animal science and technology, pathologic physiology, epidemiology, biometry, epidemiologic pathology, and scientific information as well as the supportng services for these laboratories and branches. Review and approval of grants: This supports the scientific and administrative staff responsible for the review, negotiation, processing, and awarding of all grants. Program direction: This supports the Office of the Director of the Division and scientific administrative staff who assist in the planning, supervision, and technical direction of the program.

[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
SCIENTIFIC ACTIVITIES OVERSEAS (SPECIAL FOREIGN CURRENCY PROGRAM)			
Foreign health research—Total program costs, funded	7,830	17,460	15,322
Change in selected resources	5,560		
Total obligations	13,390	17,460	15,322

The research efforts supported with foreign currencies, derived through the sale abroad of surplus agricultural commodities, are directed toward the solution of disease and health problems which hold promise of contributing knowledge of value and significance to the advancement of medical research in the United States and other countries. Research projects in the field of human reproduction and family planning will be supported. The collection and analysis of morbidity and mortality data as well as other scientific activities overseas such as research training, international conferences, and translation of research publications will also be supported.

[In thousands of dollars]

	1968 actual	1969 estimate	1979 estimate
DENTAL HEALTH			
Grants:			
Research	1,121	1,259	1,339
Fellowships	79	150	150
Training	2,598	3,850	5,276
Direct operations	4,200	4,926	5,123
Total program costs, funded	7,998	10,185	11,888
Change in selected resources	1,418		
Total obligations	9,416	10,185	11,888

Grants. Research: Research grants support studies in the prevention and control of oral diseases, more efficient methods for delivering dental services, and the effective use of dental manpower. Fellowships: Research fellowships support candidates for advanced degrees to prepare them to conduct research to help improve dental health by obtaining information about preventive dentistry, dental diseases, dental education, and more effective methods of delivering dental services. Training: In 1970, three new dental schools

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will initiate developmental programs to train students to use dental auxiliaries. The increased funds will permit existing programs to lengthen the training and to include other types of auxiliaries such as dental hygienists. Research training grants enable institutions to establish training programs in fields urgently in need of researchers in dental science. A dental continuing education grant program provides for upgrading the skills of dentists and auxiliaries through a national network of dental school programs.

Direct operations. Funds are provided for programs to study the supply, utilization, and distribution of dental manpower, to increase the productivity of dental practitioners, and to assist dentists to keep abreast of the latest concepts and techniques in dentistry. Funds also provide for disease prevention control programs, for studies related to the organization, delivery, and financing of dental health care service, and for research and development in dental technology.

[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
BIOLOGICS STANDARDS			
Program costs, funded	7,373	8,305	8,338
Change in selected resources	138		
Total obligations	7,511	8,305	8,338

Activities include administration of the Biologics Control Act, establishment of standards for preparation of biologics, testing of vaccines and their preparation, and research related to development, manufacture, testing, and use of vaccines and analogous products.

[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
JOHN E. FOGARTY INTERNATIONAL CENTER FOR ADVANCED STUDY IN THE HEALTH SCIENCES			
Operations:			
Grants:			
Research	229	150	150
Fellowships	1,378	1,636	1,570
International center	1,106	1,588	1,740
Facility planning and construction		500	
Total program costs, funded	2,713	3,874	3,460
Change in selected resources	11		
Total obligations	2,724	3,874	3,460

Operations. Grants: Research: Funds are provided for grants and for scientific evaluation. International center: This provides for the executive direction, planning, and coordination of all international activities of the National Institutes of Health, including operation of oversea offices and international seminars and conferences.

[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
NATIONAL INSTITUTES OF HEALTH MANAGEMENT FUND			
Research services	12,640	14,897	15,181
Clinical services	16,374	18,872	19,483
Administrative management	6,293	7,218	7,475
Grant review and approval	7,678	8,347	8,394
Cafeteria	145		
Total program costs, funded	43,130	49,334	50,533
Change in selected resources	2,198		
Total obligations	45,328	49,334	50,533

Research services. These provide the central administration and operation of services for the conduct of research activities such as the planning and supervising of design, construction, and development of new research activities; providing laboratory animals, culture media, and glassware; design and fabrication of laboratory instrumentation; operating the National Institutes of Health medical reference library including the translation of medical literature; scientific photography and medical arts; maintenance and alteration of all physical facilities including utility services; and environmental engineering services.

Clinical services. This consists of the operation of the clinical center together with the laboratory space required for the treatment of research patients.

Administrative management. This provides for such office services as housekeeping, transportation, space management and communications, supply management, and protection and safety.

Grant review and approval. This initiates and develops recommendations and provides staff support services for the National Institutes of Health in formulating Public Health Service grants and awards policies and procedures relating to research, center, and training grants and fellowship programs; assigns grant and award applications to the appropriate bureau of the Public Health Service; assigns applications within the National Institutes of Health to institutes and divisions and to initial review groups, and provides for the scientific review of applications by the National Institutes of Health study sections and review committees; conducts negotiations with grantee institutions, makes studies, and provides advisory and consultative services to National Institutes of Health institutes and divisions relative to Public Health Service grant policy and National Institutes of Health-wide management matters; collects, stores, retrieves, and analyzes management and program data needed by the National Institutes of Health in the management of its intramural programs.

[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
SERVICE AND SUPPLY FUND			
Administrative services:			
Cost of goods sold	4,408	4,958	5,482
Other	1,708	2,310	2,315
Computation and data processing:			
Cost of service	3,835	4,398	5,114
Instrumentation:			
Cost of goods sold	277	272	278
Other	1,056	1,050	1,179
Research animals:			
Cost of goods sold	182	156	160
Other	1,275	1,208	1,418
Total operating costs, funded	12,741	14,352	15,946
Capital outlay, funded: Sales program: Purchase of equipment		40	
Total program costs, funded	12,741	14,392	15,946
Change in selected resources	229	37	12
Adjustment in selected resources:			
Donated working capital	−48		
Total obligations	12,922	14,429	15,958

Administrative services. These include the sale of commodities, printing and reproduction services, and other services. The National Institutes of Health maintain a supply of scientific and general-use materials and supplies, alteration and construction material, linens, and special equipment. The Printing and Reproduction Section provides printing, distribution, and related services.

Computation and data processing: Cost of service. This central facility is expected to provide data systems design and consultation, key punching, EAM processing, computer programing, and computer processing services to Institutes/Divisions of National Institutes of Health.

Instrumentation. The Biomedical Instrumentation and Engineering Branch maintains, repairs, and fabricates scientific laboratory apparatus and equipment for use in the research laboratories at National Institutes of Health. There is also a specialized inventory of materials used in the development of the scientific equipment which is part of the services provided by the shops.

Research animals. The National Institutes of Health animal facilities provide small and large research animals to the research laboratories. They include breeding, holding, and conditioning facilities for mice, rats, guinea pigs, rabbits, hamsters, dogs, cats, primates, and ungulate animals.

[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
NURSE TRAINING FUND			
Loans to schools of nursing	6,581	7,300	2,671
Federal National Mortgage Association fees for sale of notes	8		
Interest accrued on participation certificates	51	222	222
Interest to schools of nursing (differential)			184
Interest to Treasury	64	249	627
Total program costs, funded—obligations	6,704	7,771	3,704
HEALTH PROFESSIONALS EDUCATION FUND			
Loans to health professions schools	11,540	12,209	1,113
Federal National Mortgage Association fees from sale of notes	26		
Interest accrued on participation certificates	169	734	735
Interest to Treasury	234	473	661
Interest to health professions schools (differential)			604
Total program costs, funded—obligations	11,969	13,416	3,113
ADVANCES AND REIMBURSEMENTS			
Health manpower education and utilization	1,810	1,979	2,110
National Cancer Institute	2	10	10
National Heart Institute	9	10	10
National Institute of Dental Research	2	6	6
National Institute of Arthritis and Metabolic Diseases	9	2	2
National Institute of Neurological Diseases and Stroke	50	86	86
National Institute of Allergy and Infectious Diseases	693	746	733
National Institute of Child Health and Human Development	1	1	1
National Library of Medicine	578	625	625
Total obligations	3,154	3,465	3,583
SALARIES AND EXPENSES, OFFICE OF THE DIRECTOR			
Management and central services (total program costs, funded)	5,812	6,993	7,193
Change in selected resources	326		
Total obligations	6,138	6,993	7,193

Management and central services. This provides the overall executive direction, policies, information, and planning of intramural and extramural research programs. This activity also includes financial management, personnel management, and management surveys, analyses, reviews, and evaluations.

[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
BUILDINGS AND FACILITIES			
Total program costs, funded	13,199	13,861	11,828
Change in selected resources	−8,893	934	−5,154
Total obligations	4,306	14,795	6,674

[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
SOCIAL AND REHABILITATION SERVICE			
Grants to States for medical assistance:			
Payments for medically indigent receiving maintenance payments:			
Old-age assistance	300,928	411,600	470,700
Aid to the blind	12,318	16,900	17,600
Aid to the permanently and totally disabled	190,055	279,200	319,900
Aid to families with dependent children	346,676	488,400	593,800
Payment for medically indigent not receiving maintenance payments:			
Aged	566,647	674,122	895,600
Blind	3,520	4,600	5,625
Permanently and totally disabled	98,547	129,700	219,700
Families with dependent children	180,782	230,500	284,400
Other—children under 21	60,300	76,200	132,700
State and local administration	76,918	98,100	130,000
Total, all activities	1,836,691	2,409,322	3,070,025
Collections and adjustments during year	−4,472	−13,000	−13,000
Total program costs, funded	1,832,219	2,118,300	3,057,025
Change in selected resources	341,566	72,737	
Adjustment between State requirements and Federal grants to States for fiscal year	−28,881		
Total obligations	2,144,904	2,191,037	3,057,025
Maternal and child health:			
Maternal and child health services	49,567	50,000	50,000
Crippled children's services	49,787	57,000	58,000
Maternity and infant care	29,645	48,000	62,850
Health of school and preschool children	36,779	39,000	40,950
Training	7,000	9,000	11,200
Research	5,580	6,200	7,700
Total obligations	178,358	209,200	230,700

Maternal and child health services. Formula grants are made to States for the extension and improvement of health services for mothers and children.

Crippled children's services. Grants are made to States on a formula basis.

Maternity and infant care. Matching grants are made to State or local health agencies, or to other public or nonprofit private organizations for maternity and infant care projects to help reduce infant and maternal mortality and the incidence of mental retardation and other handicapping conditions associated with childbearing. The existing projects also improve the quality and quantity of maternity services to women in low-income areas.

Health of school and preschool children. Matching grants are made to State or local agencies, medical schools, and teaching hospitals for comprehensive health care projects for children and youth, particularly in areas where low-income families are concentrated.

Training. Grants are made to public or nonprofit institutions of higher learning including university-affiliated mental retardation centers for training personnel for health care and related services for mothers and children.

Research. The main focus of this program is to improve delivery of health services to needy mothers and children through research grants, contracts, or jointly financed cooperative arrangements.

[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
MENTAL RETARDATION			
Research	126	126	126
Hospital improvement	8,610	8,972	8,972
Rehabilitation services projects			4,500
Community service facilities:			
Construction	15,998	18,013	13,531
Initial staffing		8,358	12,000
Construction of university-affiliated facilities	682	9,100	
Mental retardation implementation	1,394		
Total obligations	26,810	44,569	39,129

Research. Grants are awarded to organizations, institutions, and individuals to provide new knowledge and data relative to mental retardation. They support appropriate research activities to explore the health and care needs of the mentally retarded.

Hospital improvement. Grants are awarded to institutions for the mentally retarded to improve the quality of care provided for the mentally retarded through projects for care improvement and inservice training.

Rehabilitation services projects. Grants are awarded to public, nonprofit organizations, and to individuals, for service, training, and research activities. Professional and nonprofessional personnel will be trained, as will students in the Student Work Experience and Training program.

Community service facilities. Construction: Grants are awarded to public and other nonprofit organizations to support construction of community service facilities to house services for the mentally retarded. Initial staffing: Grants are awarded to assist in initial staffing of new community mental retardation facilities and new programs in existing facilities which will provide specialized services to mental retardates not now being served.

[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
Assistance to refugees in the United States: Health services	1,700	2,261	2,885

Health services. These are provided to new arrivals and to needy refugees in Miami and include medical screening, outpatient clinic services, and care of patients with tuberculosis and mental illness.

[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
SALARIES AND EXPENSES			
Medical assistance	1,193	1,438	1,791
Mental retardation	706	750	741
Total obligations	1,899	2,188	2,532

Medical assistance. This administers programs of medical assistance to the needy, particularly the medical assistance program authorized by Title XIX of the Social Security Act. These programs provide comprehensive medical care including nursing homes and intermediate care facilities to the needy, through State medical assistance programs. Also included is evaluation of the programs, assistance in recruiting and training State staff, and the development of policies and guides related to the comprehensiveness of State medical assistance programs.

Mental retardation. This develops and coordinates programs to support health and rehabilitation services for the mentally retarded. Consultative services are provided to State, local, and voluntary health agencies, educational and other institutions, that are initiating, improving, or expanding retardation services and activities. It provides grants to improve or provide care, to train personnel in State residential institutions, to support construction and initial staffing of community service facilities, and for planning and construction of university affiliated facilities for the mentally retarded.

[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
Advancements and reimbursements:			
Smoking and health	61	50	50
Assistance for repatriated U.S. nationals: Mentally ill—Total obligations	347	379	384

This provides for hospitalization and services to repatriated mentally ill United States nationals until arrangements can be made for assumption of responsibility by States of residence or the repatriate's family.

[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
SOCIAL SECURITY ADMINISTRATION			
Payment to trust funds for health insurance for the aged:			
Reimbursement for hospital insurance expenditures for the uninsured	556,372	465,227	617,262
Contributions to supplementary medical insurance trust fund	723,287	895,000	928,151
Total obligations	1,279,659	1,360,227	1,545,413

Reimbursement for hospital insurance expenditures for the uninsured. This covers the costs of hospital and related care for individuals aged 65 and over who are not insured under the social security or railroad retirement systems.

Contributions to supplementary medical insurance trust fund. These finance the Government's contribution to the Federal supplementary medical insurance trust fund. For each monthly premium paid by enrollees in the voluntary medical insurance program, which primarily covers doctor bills, the Federal Government matches a like amount.

[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
FEDERAL HOSPITAL INSURANCE TRUST FUND			
Benefit payments	3,736,322	4,367,000	4,940,000
Construction	459	2,044	701
Administration:			
Authorized program	96,671	97,997	105,839
Proposed increase in limitation		1,232	
Total obligations	3,833,452	4,468,273	5,046,540

Benefit payments. The hospital insurance program provides protection to persons aged 65 and over against the costs of inpatient hospital services, post-hospital home health services, and post-hospital extended care services.

[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
FEDERAL SUPPLEMENTARY MEDICAL INSURANCE TRUST FUND			
Benefit payments	1,389,622	1,567,000	1,598,000
Construction	593	2,636	903
Administration:			
Authorized program	158,467	180,533	214,981
Proposed increase in limitation		1,588	
Total obligations	1,548,682	1,751,757	1,813,884

Benefit payments. Almost all persons aged 65 and over are eligible to enroll in the voluntary supplementary medical insurance program provided by the Social Security Act. Participants in the program are covered for the costs of physicians' services, home health services not covered under the hospital insurance program, outpatient services, and certain other medical costs within specified deductible and coinsurance amounts.

[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
LIMITATION ON SALARIES AND EXPENSES			
Health insurance program:			
Hospital insurance plan	86,536	88,493	92,500
Supplementary medical insurance plan	154,731	178,785	205,312
Total program costs, funded	241,267	267,278	297,812

Health insurance program. Hospital insurance plan: This affords protection to persons aged 65 and over against the costs of inpatient hospital services, posthospital home health services, and posthospital extended care services. Bills for services rendered under the hospital insurance program are generally submitted by hospitals, extended care facilities, home health agencies, and in some instances by individuals who have received emergency care in nonparticipating hospitals. *Supplementary medical insurance plan:* Almost all persons aged 65 and over are eligible to enroll in the supplementary insurance program, which covers the cost of physician services and other medical costs within certain deductible and coinsurance requirements. Enrollees in the program pay a monthly premium and the aggregate of these premiums is matched by the Federal Government. (The administrative costs budgeted under the health insurance program cover the bill and claim payment functions performed by the intermediaries; services performed by State agencies in certifying and consulting wtih providers of services; all work performed by the Social Security Administration in directing the program, providing services to beneficiaries, maintaining records by individual beneficiary of utilization of hospital and medical services and processing claims to establish entitlement to hospital insurance for persons not insured for cash benefits under either the social security or railroad retirement program.

[In thousands of dollars]

	1968 actual	1969 estimated	1970 estimated
SPECIAL INSTITUTIONS			
Freedmen's Hospital:			
Operation and maintenance	9,103	11,239	11,232
Education and training	1,357	1,391	1,477
Total obligations	10,460	12,630	12,709

This is incorporated into Howard University as its teaching hospital. In carrying out this function, the Freedmen's Hospital furnishes inpatient and outpatient care and furnishes a facility for training of physicians and nurses and other professional and technical health personnel.

[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
DEPARTMENTAL MANAGEMENT			
Office of the General Counsel, Salaries and Expenses:			
Departmental program services:			
Public health grants and services	279	214	226
Food, drug, and environmental health	339	459	520
Health insurance	158	221	221
Total obligations	776	894	967

The Office of the General Counsel acts as legal adviser and provides legal services.

[In thousands of dollars]

	1968 actual	1969 estimate	1970 estimate
ADVANCES AND REIMBURSEMENTS			
Task force on prescription drugs	108	63	
Advisory Committee on Alcoholism	31	25	
Environmental health task force	13		
International health activities		749	1,130
Total program costs—obligations	152	837	1,130
FEDERAL RADIATION COUNCIL			
Salaries and expenses:			
Executive direction and administrative costs (program costs, funded)	92	163	124
Change in selected resources	33	−40	
Total obligations	125	124	124

The Council advises the President with respect to radiation matters directly or indirectly affecting health, including the formulation of radiation standards and the establishment and execution of programs of cooperation with the States.

Grand total	$12,270,899	$13,585,101	$15,392,23

IN DEFENSE OF THE ANTI-BALLISTIC-MISSILE SYSTEM

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. PUCINSKI) is recognized for 30 minutes.

(Mr. **PUCINSKI** asked and was given permission to revise and extend his remarks.)

Mr. **PUCINSKI**. Mr. Speaker, within the next few days the President of the United States will announce his decision as to whether or not we are going to proceed with the deployment of the anti-ballistic-missile system. This is a most awesome responsibility which rests on the shoulders of our President, and I am sure the entire country prays with Mr. Nixon in making this difficult decision. Indeed, this is one of the most far-reaching decisions to confront the President of the United States. It is one that has been widely debated on both sides and one that offers no simple solution.

I am confident the President will do what in his judgment he believes is the best thing for the security of the United States and for the defense of our country. In the final analysis, while we can all advise, the decision must be the President's and his alone. It is moments like these that make one realize how lonely the Presidency can be when only he—and he alone—must make the final judgment.

Mr. Speaker, I have taken this time today to assure the President that there are at least some of us here in this Chamber on both sides of the aisle, and in the other Chamber, who strongly believe that we ought to move forward with deployment of the anti-ballistic-missile system.

I am mindful of the shortcomings of the Sentinel but I am also mindful that a great deal of research will continue in this field while the initial phases of construction are underway.

I do not challenge the honesty and integrity of those who have strongly opposed the Sentinel system. I am sure that most of them are well-meaning Americans who see this controversy in their own light. But, I am reminded that in the middle 1930's there were similar voices who opposed all efforts by this country to build an adequate defense establishment. I have always felt that if America had had a better defense establishment, World War II could have been avoided. If the United States had had 10 percent of the defenses we have today, I believe that Hitler would have never gotten off the ground. All the agony that occurred in World War II could have been avoided.

So while I respect the right of those who wish to oppose the deployment of an anti-ballistic-missile system, I believe that we ought to place this entire matter in proper perspective.

In my judgment we ought to move forward with the construction of an anti-ballistic-missile system as quickly as possible. If we were to break ground tomorrow, we could not finish this system much before 1972.

It is now a matter of public knowledge that Red China will be fully capable of hitting the United States and our vital targets with nuclear missiles within the next 48 months.

There is no longer any question about Red China's capability.

Three of the 10 nuclear devices that Red China has detonated have been detonated in devices propelled by missiles.

We are in a race against time with Red China and those who try to downgrade the threat of the Red Chinese, or ridicule it, in my judgment are doing a disastrous disservice to the future security of this country.

I listened with a heavy heart last week when a Member of the other body ridiculed a witness before his committee who tried to point out that the anti-ballistic-missile system is designed to deal primarily with the threat coming from Red China. I do not believe we serve the security of America when we engage in that kind of tactic.

I believe that anyone who has taken the trouble to look at what has happened in Red China today must certainly realize the fact that Red China constitutes a meaningful threat to the United States.

Nor is there any reason to believe that

the Soviet Union has embarked on any policy of coexistence with the rest of the world.

The Soviet Union has made concessions only when they served the best interest of the Soviet Union, but when a small nation like Czechoslovakia, while pledging to remain within the Communist orbit, tried to restore some human dignity to her country; some freedom of choice, some freedom of speech, and when the Soviet leaders realized that this kind of an attitude could become infectious and adversely affect the Communist monolith behind the Iron Curtain, with cold and calculated brutality they struck down the seeds of freedom in Czechoslovakia while the whole world looked on helplessly.

Nor can we ignore the fact that the Soviet Union has methodically rearmed every one of the Arab States. The aggression being waged against Israel today is being waged with weapons and guns and tanks and ammunition supplied to the Arabs by the Soviet Union.

There is not a single piece of evidence anywhere that the Soviet Union has abandoned its policy of seeing Israel destroyed as a citadel of freedom in the Middle East.

Then there was the Berlin crisis last week when West Berliners tried to hold an election against intense Soviet provocation—are these the signs of a nation that seeks to live in peace with the free world?

Finally, all we have to do is to look at the mounting rate of American casualties in Vietnam.

Is there anyone naive enough to believe that the stepped-up war in Vietnam has not been stepped up on instructions from the Soviet Union?

Mr. Speaker, I submit there is nothing in the record at this point in time to indicate that the Soviet Union wants to live in peace with the rest of the world.

It is, therefore, extremely important that the United States move forward with the building of an appropriate anti-ballistic-missile system as a deterrent to any designs which either the Soviets or Red Chinese may have to disturb the peace of the world.

There are those who try to ridicule it and say it will not work. There are those who try to put all sorts of preposterous price tags on it. Some very distinguished Americans have spoken out against the system.

I respect their right to speak out against this system, but I would submit that their conclusions are drawn on erroneous information.

Last week a group of nuclear physicists issued an open letter attacking my position in support of the ABM system.

They are all employed at the Argon Nuclear Energy Laboratory at Argon, Ill. They would have you believe that because they work for the Atomic Energy Commission, that somehow or other they are experts in the field of missiles. I have made inquiry at the Atomic Energy Commission and I find that none of these people have been fully briefed on the Sentinel system and therefore many of their conclusions are based on erroneous information.

It occurs to me that those who want to oppose the system have a right to do so. But I think it would be wise if they first got the information and the facts straight.

There is nothing to indicate that the Soviets have in any way deferred the deployment of an ABM system around Moscow. As a matter of fact, Time magazine properly points out that there are now 75 missiles ringing Moscow. They have shown photographs of the Galosh system which the Soviets have perfected. There are those who say that the Soviet system does not work but those are only speculations and very dangerous speculations which tend only to mislead the American people into a sense of false security.

I do not see that the Soviets are in any way deterred in moving forward. They are not saying that by building a system around Moscow that somehow or other they will impede any discussion for a Nonproliferation Treaty.

It seems to me that we Americans ought to let our President know that we support his doctrine of speaking softly, as he has proposed to do, but to carry a big stick.

I believe President Nixon is trying sincerely to find some means of communication with the Soviets. But until we can look forward to the day of an open-skies policy, which has been proposed by Mr. Nixon and three previous Presidents, and until the Soviet Union shows some indication that it is willing to have foolproof mutual inspection, I think it would be national suicide for America not to build an anti-ballistic-missile system for our own protection.

The ABM proposed for our country is a deterrent.

Since World War II, we Americans have spent in excess of $1 trillion on national defense to try to preserve peace. It has not always worked. But I think it has helped deter major war. Our entire defense effort during these 20 years has been to deter war.

I remember being at an installation in Arizona where we had these huge ICBM's. You looked down into the ground 240 feet and you did not see the end of this huge intercontinental ballistic rocket capable of traveling 6,000 to 8,000 miles across oceans and continents and dropping a nuclear warhead on an enemy target.

It was rather significant to me that the soldiers there had written across the gate, as you drove into this installation, what I think spells out our foreign policy better than anything I could say or than anyone else here could say.

They had written the simple phrase across the gate to their ICBM installation:

> If we ever have to use it, we have failed.

Ponder the message of those few words and the wisdom of those soldiers. They know the ICBM is there not as an aggressive weapon to wage war against another country. It is there as a deterrent to war, to demonstrate to our adversaries the futility of mass attacks upon the United States, to demonstrate to them that should they ever be foolish enough to disturb the peace of the world on a major scale with an exchange of nuclear devices, they will suffer the full consequences of our ICBM arsenal.

The antiballistic missile being proposed in the Sentinel system is just one more instrument in this arsenal of deterrent to war.

It is no secret that the range of the Spartan is no more than 400 miles. This is a matter of public knowledge, published in the press. The whole Sentinel system is defensive. It could not hurt a fly on another continent. It is designed only to make sure that enemy rockets do not hit the United States if someone is foolish enough to launch them against this country.

So I say that those who oppose this system are, in my judgment, subjecting this Nation to nuclear blackmail. We know that the Soviet Union is moving forward in the development of ICBM's. The Soviet Union now has 950 ICBM's according to published reports, and capable of producing them at the rate of 300 more a year. You cannot close your eyes to these capabilities and expect peace to endure in this world unless you have an effective defense to serve as a deterrent.

When there is a shift in the balance of power, which could occur if the Soviet Union develops a space platform capable of launching nuclear rockets at any target in the world, or as they develop other offensive weapons they are now working on, the United States will again have to look at its capabilities.

It has been a never-ending struggle to maintain a balance of power, and we believe we have maintained such balance of power vis-a-vis the Soviet Union. This has been our most effective deterrent to major war.

This is why at this point in time the ABM is not designed against the Soviet Union. We feel we have a sufficient capability in offensive weaponry to checkmate the Soviet Union.

There is also a cultural background involved. We have reason to believe that the Soviet Union does not want to destroy its country with nuclear devices, any more than we want to destroy ours.

But that is not the story with China.

Red Chinese officials at the highest level have publicly stated they have no regard for a nuclear retaliation threat from the United States. They have publicly stated they could well afford to lose 300,000,000 to 400,000,000 of their people through atomic attacks and look upon that as one way of solving their massive problem of overpopulation.

We are dealing with two different countries. One has respected our retaliatory power, and at this point in time, continues to respect it, namely the Soviet Union. The other has no regard for our retaliatory power, namely Red China.

It is within this framework that our Defense Department has properly said we must start building an ABM system. Nobody contends that it is the pluperfect system.

The story of defense is a tragic story of obsolescence.

Almost every dollar that we spend in this Chamber on defense finds us buying obsolete equipment, obsolete by the time it is delivered, because man keeps surging forward in his technological progress. But no one has ever suggested that we ought to stop buying hardware altogether because it is going to be obsolete. We deal with the best equipment we have, and according to the best brains in this country, the Sentinel system is the best system that we have at this point in time.

Of course, it is going to be improved and developed. For all we know, in a couple of years there may be a better system. Only a few short years ago we praised the Nike system as the best, and we spent millions of dollars on it, only to find Nike-Zeus came along and was a better system. Then the Sentinel system came along and is still a better system.

It is entirely possible that this Nation may develop a space platform capable of launching nuclear rockets at any target in the world, and then that will become the most effective deterrent at that point in time.

But I submit that for this country to bury its head in the sand, and say we are not going to do anything because it is going to be obsolete, is to follow the road to disaster.

We followed that road once before, and we saw how the tragic consequences developed into World War II.

So I say to those who stubbornly oppose this system, give it a chance. Let us try to improve it.

It is going to take money. Of course, it will take money. I, too, would like to see this money spent on schools, and hospitals, and housing, and health, and all the other things—or, better yet, I would like to see a tax break for the taxpayer, to give him back some of the money he is paying in taxes.

However, I think the American people are realists. There is nothing at this time to indicate we have reached that glorious plateau when man will war no more. So we have to be ready.

It is said this will take $400 billion. I think that statement is the most irresponsible statement. There is no substance to it. The one who made that statement says that the Brookings Institution recently showed the cost of military hardware has increased by 700 percent, and therefore he says the ABM system will cost $400 billion before it is completed, and that he is right.

The logic of that speaker totally escapes me, but more important, he does a disservice to his country by misleading the American people with figures he knows are indefensible and cannot ever be proven.

The best figures we have are that this system is going to cost us $12 billion, of which $4 billion have already been spent on research. I think we ought to underscore the fact that $4 billion have already gone into the cost of research.

There are those who would have us believe the ABM Sentinel system was devised by some cigar-smoking general in some basement room of the Pentagon.

The fact is that some of the finest nuclear physicists in the world have worked on this system for more than 14 years, and they have now come to a period where they believe they have a system that can do the job. We cannot ignore the fact that all this research has gone into the project, and I think we have to rely on their recommendations.

Furthermore, we very seldom hear anyone mention the fact that the nuclear warhead for both the Spartan and the Sprint was devised and developed by the Atomic Energy Commission. It is rather interesting to me that some of the finest nuclear physicists in the world have worked on this project.

I am glad to see the distinguished Chairman of the Joint Committee on Atomic Energy here. It is also interesting to note that the Federal law, the Atomic Energy Act, specifically forbids the licensing of atomic devices which do not meet certain minimum safety standards. The recommendation for use of the nuclear warhead in the Sentinal system was made by the AEC fully mindful of the instruments and the ingredients with which they are working. The AEC would not and could not have recommended this system before it was satisfied the system is safe.

Are we to say that all these people are wrong, and nobody knows what he is doing except the opponents of this system?

For that reason it occurs to me that those who have not taken the trouble to familiarize themselves with the system and who have just gone ahead and tried to impress upon us how bad it is just do not know what they are talking about. I am sure that most of those who oppose the Sentinel system are well-meaning people, motivated by the highest ideals, but I am also sure they do not have the facts.

This is why I believe President Nixon was correct in calling for his own evaluation. Certainly we can all join in hopeful prayer that a reevaluation of this proposal will show that it can be built further away from the big cities. This is something which has disturbed many of the people.

The President was wise, as a new President of the United States, to get his own facts and his own figures, to make his own decision on this case.

I hope also that we can, if possible, find we can hold the cost down. Again I think the President was wise in seeking his own information.

But I hope now that he has this information we will move forward with the system. Only by moving ahead with the ABM can we demonstrate to the enemy the futility of trying to wage aggression against this country. There is no question in my mind that we can make it clear to our adversaries that any attack on the United States is going to fail.

When I hear distinguished scientists like Edward Teller defend this system and speak of its capability, then certainly I cannot in good judgment say he does not know what he is talking about. He has been joined by many other distinguished scientists and military people whose dedication to the preservation of this country is beyond question.

There are those who would have us believe that somehow or other a new un-American monster has been born in this country called the military-industrial complex. They would have us believe that somehow or other this is a conspiracy of men who have only the dollar sign in front of them and are not motivated by any other factors.

This kind of thinking is dangerous to America. Nobody wants peace more than all of us here in this Chamber, on both sides of the aisle. But I hope that we are not going to make the mistake we made in the middle 1930's. We could have at that time preserved peace.

I remember a great President who stood at the dedication of a bridge in Chicago in 1937 and made an eloquent plea to the free world to stop the first of the aggressors when Abyssinia was invaded. At that time the President recommended a quarantine against the aggressor. But the forces of isolation in this country shouted the President down, and Congress passed a neutrality act, an open invitation to aggression.

I am not saying that the Sentinel system is the most perfect system ever devised by man, and I am sure that between now and the time it becomes operational, many changes will be made.

But I believe it would be a tragic mistake if we failed to move forward at this point in time. I feel it is just as important to let Red China know as it is to let the Soviet Union know that any attack on this country will prove to be a failure. There are those who say "You are not building this system against the Soviet Union." As we said time and again, this system can be converted to meet the Soviet threat any time we feel the balance of power has shifted and we need a defense against the Soviet Union.

Right now, Mr. Speaker, looking 48 months down range, we know what is going to be the capability of Red China. We know the evil designs of Red China. I am sure every one of us here will say a thankful prayer if indeed all of these countries all of a sudden came to a realization that there is enough room for all of us in this world and that we do not have to war with each other.

I will tell you this, though: As one Member of this Congress elected to represent the interests of my people, I do not intend to shirk my responsibilities. I was too young in the middle thirties and I was away at war in the forties when the seeds were laid for the problems which we are faced with today, but this Member of this House, speaking for himself, intends to speak out as long as he can in defense of his country and its people.

The road to peace in this world, in my judgment, is to impress on our adversaries the futility of trying to disrupt this peace. I think the American people are willing to stand behind that plan and support it financially.

It is for this reason that I hope President Nixon will give the go sign for deployment of the ABM.

AMERICAN FISHING SOCIETY

(Mr. DON H. CLAUSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. DON H. CLAUSEN. Mr. Speaker, today I am introducing a bill whose purpose is to honor the founding of America's oldest natural resources conservation organization by providing for the striking of medals commemorating the 100th anniversary of the founding of the American Fishing Society. I am pleased to be joined in this bill by my distinguished colleague, Mr. JOHN SAYLOR.

This society, whose primary objectives

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were to promote the cause of fish culture, and to gather and disseminate information in the area of fishery science and practice, was founded in New York City on December 20, 1870, and was incorporated in the District of Columbia in 1910. The American Fisheries Society has long played a leading role in the field of fisheries, and was the first to urge the Congress to establish the first Federal fish hatcheries, one for salmon on the west coast and one for shad on the east coast.

The society has now expanded into an international association of more than 5,000 memberships in the United States and Canada and some 60 other countries throughout the world. Its present-day objectives include the promotion and advancement of all branches of fishery science; to exchange teaching of all phases of fishery sciences in colleges and universities; and most important, to promote conservation and wise utilization of fisheries.

The society will celebrate its centennial September 13–16, 1970, at the Waldorf Astoria in New York City. This bill will provide for the striking of medals commemorating this centennial. I urge that it be given favorable consideration.

AMENDMENT TO UNITED STATES-UNITED KINGDOM MUTUAL DEFENSE AGREEMENT ON USES OF ATOMIC ENERGY

(Mr. HOLIFIELD asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HOLIFIELD. Mr. Speaker, you may recall that President Johnson in the waning hours of the 90th Congress submitted to the Congress a proposed amendment to the 1958 Agreement for Cooperation between the United States and the Government of the United Kingdom on the Uses of Atomic Energy for Mutual Defense Purposes. In accordance with section 123d of the Atomic Energy Act of 1954, as amended, the proposed amendment was referred to the Joint Committee on Atomic Energy. No resolutions respecting the proposed amendment have been introduced since its submission, and therefore no formal report thereon is required of the committee. However, in the interest of keeping the Congress informed with respect to matters of this kind, I thought it appropriate as chairman of the committee that I provide an informal report on the unclassified terms and conditions of the proposed amendment as well as on certain understandings that have been reached with the executive branch as to implementation of the agreement.

Subsection 123d of the Atomic Energy Act of 1954, as amended, provides that no cooperation in the military field with any nation or regional defense organization for the transfer of classified atomic energy information or material may be undertaken unless a proposed agreement for cooperation has been submitted to the Congress and referred to the Joint Committee, to lie before the committee for a period of 60 days while Congress is in session. In addition to the submission of the proposed agreement, there must also be transmitted to the Congress the approval of the President of the United States and his determination that "the performance of the proposed agreement will promote and will not constitute an unreasonable risk to the common defense and security." The proposed agreement for cooperation or any amendments thereto shall not become effective if during the 60-day period the Congress passes a concurrent resolution stating in substance that it does not favor the proposed agreement.

The proposed amendment will extend for a period of 10 years, under the authority of section 91c of the Atomic Energy Act of 1954, as amended, those provisions of the 1958 United States-United Kingdom agreement, as amended, which expire December 30, 1969, and provide for the transfer of special nuclear material for research on, development of, production of, or use in utilization facilities for military applications. The proposed amendment also provides that the transfer of specific other materials will be authorized for such applications. The maximum quantities of these specific materials to be transferred, or authorized for transfer, by the United States during the effective period of this amendment—that is, prior to December 31, 1979—are set forth in supplementary classified documents which were submitted to the Congress together with the proposed amendment. According to the Atomic Energy Commission and the Department of Defense, these materials can be made available for transfer during the period involved without adverse effect on our national defense programs.

As is required by the Atomic Energy Act of 1954, the United Kingdom is participating with the United States in an international arrangement pursuant to which the United Kingdom is making substantial and material contribution to the mutual defense and security. Indeed, as noted in the President's message to Congress which I shall include in the RECORD at the conclusion of my remarks, this material, which will be used as fuel in the United Kingdom's nuclear submarine program, would substantially enhance the ability of the United Kingdom to contribute to our mutual defense, particularly in the North Atlantic area.

The Joint Committee's review of this matter actually antedates formal submission of the amendment by the President in October 1968. On October 25, 1967, officials of the Atomic Energy Commission consulted with the committee in executive session concerning a proposal to extend those provisions of the existing agreement authorizing the transfer of atomic materials for naval nuclear propulsion purposes. On March 10, 1969, the full committee convened to review the final details of the proposed amendment. Due to the necessary reference to classified information, the hearing was held in executive session. Principal witnesses in attendance were Commissioner Gerald F. Tape of the AEC; the Honorable Carl Walske, Assistant to the Secretary of Defense, Atomic Energy; and the Honorable Philip J. Farley, Deputy Assistant Secretary of State, Politico-Military Affairs. All three agencies of Government expressed support of the proposed amendment.

During the hearing the executive branch assured the committee that no transfer of naval nuclear propulsion technology or equipment, or of materials and equipment for nuclear weapons, could be made under the proposed amendment. The committee also was assured that the preferred method of transfer of special nuclear materials to the United Kingdom for use in its submarine program would be through toll enrichment—that is, through the enrichment in the AEC's gaseous diffusion plants, at published prices, of natural uranium supplied by the British—as opposed to outright sale of U.S.-enriched uranium, although the United States would, of course, have the unilateral option of selling enriched uranium if in a particular case that was deemed in the U.S. interest.

Finally, and most importantly in the view of the Joint Committee, the executive branch provided certain assurances concerning the use to be made of the nuclear fuels, equipment and technology transferred under the agreement. Specifically, the committee was assured that the enriched uranium to be provided under the amendment would be for fueling of United Kingdom nuclear-powered submarines, and for no other purpose. Moreover, the committee was assured that all assistance furnished to the United Kingdom submarine program pursuant to the agreement, whether in the form of materials, equipment, or technology, including that heretofore furnished, is subject to the provisions in article VII of the existing agreement which preclude its retransfer by the United Kingdom without U.S. consent. The executive branch today submitted a letter to the committee confirming these assurances in writing. Further, in view of the expiration at midnight on March 12, 1969, of the 60-day period during which the amendment must lie before Congress, the executive branch agreed that it would obtain confirmation from the British Government that it shares these understandings, before exchanging with the United Kingdom the diplomatic notes necessary to bring the amendment into force.

As I noted earlier, no formal Joint Committee vote or report on this matter is required. However, on the basis of its review of the proposed amendment and supporting data, and in consideration of the explicit assurances given to the committee by the executive branch respecting the amendment's implementation, I believe it was the sense of the committee that there was no substantial ground on which to interpose any objection to the proposed amendment.

Mr. Speaker, I ask unanimous consent that the President's message to the Congress dated October 11, 1968, and supporting documents and correspondence be included at this point in the RECORD, together with a copy of the AEC letter to the committee dated March 11, 1969, referred to above.

To the Congress of the United States:

Pursuant to the Atomic Energy Act of 1954 as amended, I am submitting herewith to each House of the Congress for appropriate action an authoritative copy of an amendment to the Agreement between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland for Cooperation on the Uses of Atomic Energy for

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Mutual Defense Purposes of July 3, 1958, as amended. The Amendment was signed at Washington on September 27, 1968.

The Agreement of July 3, 1958 as amended included a provision under which the Government of the United States agreed to transfer to the Government of the United Kingdom prior to December 31, 1969 special nuclear material for research on, development of, production of, or use in utilization facilities for military applications.

Under the Amendment submitted herewith, the Government of the United States shall transfer to the Government of the United Kingdom special nuclear material and authorize the transfer of specific other materials to the Government of the United Kingdom prior to December 31, 1979. The transfer of this material to be used as fuel in the United Kingdom's submarine program would substantially enhance the ability of the United Kingdom to contribute to our mutual defense, particularly in the North Atlantic area.

I am also transmitting a copy of the Acting Secretary of State's letter to me accompanying authoritative copies of the signed Amendment, a copy of a joint letter from the Chairman of the Atomic Energy Commission and the Secretary of Defense recommending approval of this Amendment, and a copy of my memorandum in reply thereto, setting forth my approval.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *October 11, 1968.*

DEPARTMENT OF STATE,
Washington, October 4, 1968.

The PRESIDENT,
The White House.

The PRESIDENT: I have the honor to transmit with a view to its submission to the Congress for appropriate action pursuant to the Atomic Energy Act of 1954, as amended, an Amendment to the Agreement between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland for cooperation on the Uses of Atomic Energy for Mutual Defense Purposes, as amended. The Amendment transmitted herewith was signed at Washington on September 27, 1968 on behalf of the United States pursuant to the authorization granted in your memorandum of September 26, 1968 to the Secretary of Defense and the Chairman of the Atomic Energy Commission, a copy of which was received by me. The Amendment provides for the transfer of nuclear fuel for the United Kingdom's submarine program.

Respectfully submitted,

NICHOLAS KATZENBACH,
Acting Secretary of State.

THE WHITE HOUSE,
Washington, September 26, 1968.

Memorandum for Secretary of Defense; Chairman, U.S. Atomic Energy Commission.

In your joint letters to me of September 18, 1968, you recommended that I approve a proposed Amendment to the Agreement Between the Government of the United States of America and the Government of the United Kingdom for Cooperation on the Uses of Atomic Energy for Mutual Defense Purposes.

I note from your joint recommendations, the United Kingdom is participating with the United States in international arrangements pursuant to which it is making substantial and material contributions to our mutual defense and security. The proposed Amendment will permit cooperation which will further improve our mutual defense posture.

Having considered your joint recommendations and the cooperation provided for in the Amendment, I hereby:

a. Approve the program for the transfer of materials, in the types and quantities and under the terms and conditions provided in the joint letters of September 18, 1968, to me from the Chairman, USAEC, and the Secretary of Defense and the proposed Amendment to the 1958 Agreement;

b. Approve the proposed Amendment to the 1958 Agreement;

c. Determine that the performance of the proposed Amendment will promote and will not constitute an unreasonable risk to the common defense and security; and

d. Authorize the execution of the proposed Amendment for the Government of the United States in a manner specified by the Secretary of State.

LYNDON B. JOHNSON.

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C., September 18, 1968.

The PRESIDENT,
The White House.

DEAR MR. PRESIDENT: There is hereby submitted for your consideration and approval a proposed Amendment to the 1958 Agreement Between the Government of the United States of America and the Government of the United Kingdom for Cooperation on the Uses of Atomic Energy for Mutual Defense Purposes.

The proposed Amendment will extend, under the authority of Section 91c. of the Atomic Energy Act of 1954, as amended, the provisions of the 1958 Agreement, as amended, which provide for the transfer of special nuclear material for research on, development of, production of, or use in utilization facilities for military applications. The proposed Amendment also provides that the transfer of specific other materials will be authorized for such applications. The maximum quantities of these specific materials to be transferred, or authorized for transfer, by the United States during the effective period of this Amendment (i.e., prior to December 31, 1979), are covered in a supplementary classified letter. These quantities can be made available for transfer during this period without adverse effect on our defense programs.

As is required by the Atomic Energy Act of 1954, as amended, the United Kingdom is participating with the United States in an international arrangement pursuant to which the United Kingdom is making substantial and material contribution to the mutual defense and security.

This Amendment does not provide for an extension of the exchange of naval nuclear propulsion technology or equipment or for any transfer of materials and equipment for nuclear weapons. On the other hand, it does not affect any of the provisions of the Agreement which are not being amended and, accordingly, does not affect our ability to continue to cooperate in the weapons or intelligence areas under the existing provisions.

The cooperation authorized by the provisions of the Amendment would cover the period January 1, 1970 to December 30, 1979, inclusive.

It is recommended that you:

a. Approve the program for the transfer of material as set forth herein and in the proposed Amendment to the 1958 Agreement;

b. Approve the proposed Amendment to the 1958 Agreement;

c. Determine that the proposed Amendment will promote and will not constitute an unreasonable risk to the common defense and security; and

d. Authorize the execution of the proposed Amendment for the Government of the United States in a manner specified by the Secretary of State.

The Secretary of State concurs in the foregoing recommendation.

Respectfully yours,

GLENN T. SEABORG,
Chairman, Atomic Energy Commission.
PAUL H. NITZE,
Secretary of Defense.

AMENDMENT TO AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND FOR COOPERATION ON THE USES OF ATOMIC ENERGY FOR MUTUAL DEFENSE PURPOSES

The Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland on its own behalf and on behalf of the United Kingdom Atomic Energy Authority;

Desiring to amend in certain respects the Agreement for Cooperation on the Uses of Atomic Energy for Mutual Defense Purposes signed at Washington on the third day of July, 1958, as amended;

Have agreed as follows:

ARTICLE 1

Subparagraph A.3 of Article III bis of the Agreement for Cooperation shall be deleted and subparagraph A.4 of Article III bis shall be renumbered as subparagraph A.3 thereof.

ARTICLE 2

Paragraphs B and C of Article III bis of the Agreement for Cooperation shall be renumbered as paragraphs C and D thereof, respectively, and a new paragraph B shall be inserted to read as follows:

"B. The Government of the United States shall transfer to the Government of the United Kingdom special nuclear material, and authorize the transfer of other material, for research on, development of, production of, or use in utilization facilities for military applications, in such quantities, at such times prior to December 31, 1979, and on such terms and conditions as may be agreed."

ARTICLE 3

Article IX of the Agreement for Cooperation shall be amended as follows: The words "paragraph A or paragraph B of Article III bis" shall be deleted from subparagraph 1 of paragraph B and the words "paragraph A, paragraph B, or paragraph C of Article III bis" shall be substituted therefor.

ARTICLE 4

This Amendment, which shall be regarded as an integral part of the Agreement for Cooperation, shall enter into force on the date on which each Government shall have received from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of this Amendment.

In witness whereof, the undersigned, duly authorized, have signed this Amendment.

Done at Washington, in duplicate, this twenty-seventh day of September, 1968.

For the Government of the United States of America:

JOHN M. LEDDY.
GERALD F. TAPE.

For the Government of the United Kingdom of Great Britain and Northern Ireland:

PATRICK DEAN.

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C., March 11, 1969.

Hon. CHET HOLIFIELD,
Chairman, Joint Committee on Atomic Energy, Congress of the United States.

DEAR CHET: During the Joint Committee's consideration yesterday of the proposed Amendment, signed September 27, 1968, to the Agreement for Cooperation with the United Kingdom on the Uses of Atomic Energy for Mutual Defense Purposes, two points were raised about which the Committee desired clarification.

This will confirm my testimony on those points, namely:

1. That the U–235 which would be provided under this Amendment to the Agreement would be supplied for the fueling of United Kingdom nuclear powered submarines; and for no other purpose.

2. That all of the assistance furnished to

the United Kingdom submarine program pursuant to the Agreement whether in the form of materials, equipment or technology, including that heretofore furnished, is subject to the provision in Article VII of the basic agreement, which precludes its transfer by the United Kingdom without U.S. consent.

Moreover, we would not proceed with any implementation of the Amendment until after the United Kingdom confirms that it agrees with these points. We shall, of course, provide the Committee with copies of the confirming documentation.

Sincerely,

GERALD F. TAPE,
Commissioner.

THE LOBBY FOR A GOLD PRICE INCREASE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. REUSS) is recognized for 10 minutes.

Mr. REUSS. Mr. Speaker, March 17 will mark the first anniversary of the accord that terminated intervention by the gold pool nations in the London gold market and established the two-tier price system. The accord successfully brought an end to speculation against the dollar that had threatened to drain the United States of its gold reserves and precipitate the most serious international monetary crisis since World War II. With the end of official intervention in the London market, purchases of gold from producers to increase official reserves were also terminated. The prospective distribution of Special Drawing Rights, sometimes referred to as "paper gold," led the financial leaders who formulated the accord to conclude that "the existing stock of monetary gold is sufficient."

Shortly after the accord was announced, I and several other Members of Congress applauded it as a constructive step in the postwar evolution of the international monetary system. In addition to alleviating the immediate pressures on the dollar, this agreement signaled the end of dependence upon gold as a critical factor in the successful operation of the system. The March 17, 1968, accord should be retained as a permanent component of the international monetary structure.

In the year since conclusion of the Washington accord, we have witnessed two severe international monetary crises, and the possibility of a third is now imminent. Disturbances in France last May and June led to the speculation against the franc that was eventually defeated through loans from the International Monetary Fund and other countries to the French Government. Speculation against the franc and in favor of the deutsche mark, believed to be a prime prospect for upward revaluation, renewed last fall and produced massive French reserve losses and similar German gains.

Although expectations at the time pointed toward a realinement of exchange rates, officials of the two nations resolved to deal with the problem through temporary changes in border tax adjustments and a variety of domestic restraints. Previously scheduled wage negotiations between French unions and the government deadlocked last week without agreement. The prospect of labor unrest on another round of substantial wage increases, beyond the gains won last summer, has renewed pressure against the franc and recently pushed up the free market price of gold.

Before the accord was reached last March, the view was commonly expressed throughout Europe that international monetary difficulties would not abate until the price of gold was doubled or perhaps even tripled. A number of Wall Street investment advisers expressed similar views.

In the months following the accord, the international monetary system has been buffeted by financial storms as severe as any since 1950. No official intervention retarded increases in the free market price of gold. Moreover, South Africa, the world's largest gold producer, withheld its supply from the free market. Still—under these extreme conditions—the free market gold price failed to reach a level even beginning to approximate the dire forecasts.

The same sources continue to forecast a major increase in the official price of gold. Scarifying advertisements alluding to explosions and collapses still appear frequently in the financial section of the Sunday New York Times. The performance of the free market in the past year indicates the unreliability of these forecasts and the fallaciousness of advice stating that the problems of the international monetary system would be solved if only the official price for gold were increased by a multiple of the current level. A March 5, 1969, article in the Wall Street Journal by Alfred L. Malabre observed:

> Some investment advisers, who have been talking about an imminent increase in the official gold price for many years, must by now find the non-event absolutely mortifying.

Even those who argue for a substantial increase in the official gold price admit that their solution would not be permanent. Given the net tendency throughout the industrialized world for prices to rise rather than fall, we—the gold boosters concede—would face precisely the same situation again in one, two, or three decades.

The March 17, 1968, accord constituted a historic step forward. At the appropriate time, it broke the dependence of the international monetary system on gold. Now that this dependence has been broken, we can move to base the international monetary system on a supply of reserve assets that will not be a source of periodic speculation.

Mr. Malabre's article follows:

VESTED INTERESTS IN A GOLD-PRICE RISE

(By Alfred L. Malabre, Jr.)

NEW YORK.—Few matters are so forbiddingly complicated and yet so vitally important to so many Americans as the relationship between the dollar and gold under the international monetary system. Uncle Sam, of course, has been insisting for years that the official U.S. gold price won't be increased—period. But any enterprising soul who, believing this claim has become a broken record, looks outside of Washington for expert opinion bumps into this unfortunate fact:

Discussion of the dollar-gold question all too often reflects only one point of view—that the wisest course for Uncle Sam would be to sharply increase the gold price.

The primary obstacle to a more balanced debate, to put it bluntly, seems to be the large and highly vocal contingent of influential business persons who, for one reason or another, stand to benefit if the U.S. boosts the gold price. At the same time, there is no comparable group on the other side that would gain if the gold price did not go up.

THEORETICAL PRICE-FIXING

The dollar and its relationship with gold, of course, constitute the foundation underlying the monetary arrangements by which non-Communist nations carry on international trade and capital transactions. Uncle Sam has pledged to buy and sell gold for dollars in dealings with other governments at an approximate rate of $35 per ounce. In so doing, the U.S., in theory at least, has fixed the international value of the dollar at one thirty-fifth of an ounce of gold.

Other non-Communist nations, in turn, set the international values of their own currencies in terms of the dollar. The British pound is currently fixed at $2.40; the West German mark is set at 25 cents.

In such a manner, non-Communist countries attempt to maintain fixed currency exchange rates for international dealings. In a transaction between businessmen in West Germany and Britain, for example, marks and pounds can be exchanged, barring unusual obstacles, at the rate of about 9.6 marks per pound, a ratio that derives from each currency's fixed relationship with the dollar.

The trouble with all this, as most Americans are by now well aware, is that the U.S. has run perilously low on gold; the U.S. supply stands at less than $11 billion today, about 50% below the level a decade ago. The current supply, moreover, amounts to barely more than a quarter of the value of foreign-held dollars; these dollars, of course, represent potential claims on the U.S. gold stock.

Foreign governments recently have refrained, for the most part, from cashing in dollars for U.S. gold. Much as they may admire the yellow metal more than the eroding dollar, they realize that if the U.S. runs out of gold or stops selling it altogether, the international monetary system would be in jeopardy. It is doubtful, however, that foreign governments will indefinitely resist the temptation to cash in dollars for gold at the $35 rate (considerably below the free-market rate in London and elsewhere, which reached record levels yesterday). Nor do many analysts expect America to be able in the long-term to halt the net flow of U.S. dollars abroad; last year's slim balance-of-payments surplus is widely regarded as a fluke, not likely to be repeated in the years ahead.

Optimistic observers are quick to point out that the creation of Special Drawing Rights, possibly later this year, should ease the pressure on the U.S. gold stock; the new SDRs, according to plan at least, will serve as a sort of "paper gold," theoretically as good as gold in international monetary dealings. Pessimists doubt, however, that ultimately SDRs will prove a solution to the gold-shortage problem; some analysts even doubt that the new form of monetary reserve will be available in time to help prevent a monetary crisis later this year.

In the present situation, then, the debate over what should be done about the dollar-gold predicament becomes an urgent, enormously important matter. Unfortunately, however, discussions of what should be done all too often wind up strongly favoring preservation of the fixed-rate system at all costs, including if necessary a very large increase in the official U.S. gold price, perhaps to triple the present level.

Those who urge that the fixed-rate system be maintained at all costs stress the familiar argument that only through such an arrangement can intolerable uncertainty be avoided in international business. This could, of course, turn out to be the case; so long

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as the present system remains intact, the answer cannot be known.

A corollary to this argument, it should be added, is that the fixed-rate system is currently jeopardized by the reduced U.S. gold supply and that the U.S. must move rapidly to "increase" this supply by raising the official gold price to $70 or even $105 per ounce. Only then, the argument runs, would the gold-dollar foundation of the fixed-rate system be secure, hopefully for many years.

Whatever validity there may be to this line of reasoning, it seems regrettable indeed that so much is being heard about the alleged virtues of the fixed-rate system and the "need" for a gold price boost while so little is being heard about the problems of the system and the highly undesirable aspects of an increase in the official gold price; these range from rewarding such lands as South Africa and the Soviet Union, the big gold producers, to harming anyone who has taken Uncle Sam at his word that the official gold price won't be changed.

It must be emphasized that there does not appear to be any actual conspiracy among those who lobby loudly for a gold price increase. Rather, like those who make up the influential military-industrial complex, the gold lobbyists seem to represent a diverse assortment of individuals involved in a variety of businesses. In some instances, no doubt their desire to see gold go up reflects a perfectly unselfish analysis of what would be best for the general economic welfare.

This notwithstanding anyone attempting to appraise today's gold-dollar debate would be well-advised to take a close look at some of the people who campaign for a higher U.S. gold price.

One particularly vocal group is made up of persons who make a business of providing investment advice. A recent advertisement under the black headline: "Granville Asks, Is Gold Fever on the Rise Again?" The ad goes on to talk about the "excellent opportunity" that gold-mining stocks may currently afford.

PREDICTIONS ON PRICES

An even larger ad predicts a 1969 gold price rise. In part, the ad states that "we do not see how a forthcoming overhaul of the international monetary system can fail to attack what, by our analysis, is the root problem—namely, to incorporate a sharp increase in the official price of gold. This, we predict, will take place in early 1969."

It is axiomatic, of course, that if the U.S. does not increase the official gold price, this could prove highly embarrassing to such advisors as the Holt service. Some investment advisors, who have been talking about an imminent increase in the official gold price for many years, must by now find the nonevent absolutely mortifying. Investors who for many years have been putting large sums into gold stocks or, worse still, illegally into gold itself, which is often costly to store and pays no interest, have sadly missed far greater investment opportunities in dozens of businesses that have blossomed and boomed in the post-World War II era.

A still more biased source of support for higher gold prices are individuals who have a direct financial interest in costlier gold, such as persons who own it or mine it. Fritz Machlup, a Princeton University economics professor, recently described the activities of those who mine gold as follows:

"In 1967, after years of rapid increase, the consumption of gold was still only about one-half of the output of the Free World. The excess gold supply has always had a secure outlet into monetary gold reserves, but the mining interests were not satisfied with the official support price. Thus, by means of stories continuously fed to the press and to investment analysts, they developed a huge demand for gold for private stockpiling. Private purchases for stockpiling increased . . . taking eventually not only the excess of gold output over gold consumption but several billion dollars worth of gold from monetary reserves."

One way in which gold-mining interests propagandize for a higher gold price is through arranging well-publicized conferences of eminent economists and other businessmen. Such conferences, typically, are sponsored by institutions that appear to have no direct tie with gold-mining. The meetings often wind up with resolutions calling for a big increase in the U.S. gold price.

One such conference was held last year at the Graduate Institute of International Studies, a private organization based in Geneva. after lengthy discussions, the conference produced a "final resolution" stating in part that "the price of gold should be approximately doubled." One American who attended the Geneva meeting recalls that Homestake Mining Co. of San Francisco approached him beforehand with an offer to pay the cost of the European trip for him. The American, who did not agree with the resolution, refused the offer and paid his own way, an expense of about $750. (A Homestake official concedes such an offer was made but claims that the money would have been provided by "other sources" than Homestake itself.)

SOUTH AFRICA'S INTERESTS

South African gold-mining interests appear especially active in setting up monetary conferences. The Transvaal and Orange Free State Chamber of Mines, for instance, financed a long weekend meeting of monetary analysts at a plush Tarrytown, N.Y., estate in October 1965. Guests included a considerable number of analysts known to favor a higher gold price, as well as members of the U.S. financial press.

Unlike the affair at Geneva, no resolution was issued and other views were presented. The official sponsor of the meeting was the prestigious National Industrial Conference Board, the nonprofit research organization, based in New York. More than 3,500 U.S. corporations, including most of the biggest, rely on Conference Board reports in the conduct of their business.

It may or may not be true that we would all be better off if the U.S. does decide to raise the official gold price. But we would all be better off if somebody as affluent as, say, the gold-mining people were available to finance a balanced discussion.

HOBBLING TRADE WITH TARIFF AND NONTARIFF CURBS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. COHELAN) is recognized for 10 minutes.

Mr. COHELAN. Mr. Speaker, we in the Congress are especially sensitive to the complexities of international trade and to the important role which trade plays in our commercial and diplomatic relations with other nations, as well as in our domestic industrial development.

The long, technical negotiations during the Kennedy round of world trade talks, completed in 1966 and signed by 76 nations, resulted in significant tariff reductions that are beneficial to all signers. It was hoped, too, that the reductions would assure steady progress toward a freer world trade.

That the agreed-upon tariff cuts would cause unfortunate dislocations in specific industries was to be expected, and we in the Congress were prepared to give sympathetic attention to serious dislocations, not only because of the short-term damage to some industries but also because national security interests are sometimes involved.

But it is distressing now to note, even as nations concur in the long-term goals of the General Agreement on Tariffs and Trade, that additional handicaps, in the form of increasing numbers of "nontariff barriers" are appearing, in the United States and in other countries throughout the world. One of the major obstacles to the elimination of these barriers has been the failure of the Congress to repeal the "American selling price" system as agreed during the Kennedy round. I hope that we shall do so in this session.

An informative review of the hazards which this and other "nontariff barriers" present to international trade was written by Mr. J. Russell Boner in the March 3, 1969, issue of the Wall Street Journal. I insert it at this point in the RECORD, and I urge its careful consideration by my colleagues in the Congress:

HOBBLING TRADE: NONTARIFF CURBS SPREAD DESPITE FREE TRADERS' FIGHT TO REMOVE THEM—COMMON MARKET SET TO TAX SOYBEAN OIL; UNITED STATES WANTS "VOLUNTARY" TEXTILE QUOTAS—SOME TARIFF CUTS ARE OFFSET

(By J. Russell Boner)

GENEVA.—The General Agreement on Tariffs and Trade recently finished a catalog that was intended to list every nontariff barrier impeding trade among Free World nations. The 276-page tome contains such obscure items as an Italian "sanitary tax" on foreign snake poison.

But the catalog already is out of date. It doesn't include the "import deposit" plan by which Britain limits sales in the United Kingdom of all sorts of foreign goods, nor the "voluntary" limits on shipments of steel to the U.S. that European and Japanese mills accepted under American pressure. They came too late to make the list.

And by the end of 1969 the catalog may be ancient history. A complete listing of nontariff barriers by then might have to include "voluntary"—or even mandatory—quotas on foreign textile shipments to the U.S. Plus an Austrian "variable" tax on foreign chickens that might be manipulated to keep their price always above the price of Austrian-grown birds. Plus a $60-a-ton tax on soybean oil sold in the European Common Market that American farmers think will crimp their exports of that commodity. Plus, free traders fear, many other schemes now intriguing protectionists around the world.

For, as the catalog's speedy obsolescence shows, an international effort to tear down nontariff barriers has accomplished less than nothing. Not only have few barriers come down; new ones are going up at an accelerating pace.

THE REASONS WHY

Why? "Nature abhors a vacuum, and manufacturers abhor free trade," a GATT official answers caustically. But however accurate he may be in identifying the underlying reason, there are some more immediate reasons. One, ironically, seems to be what looked like a great free-trade victory: The agreement signed in 1966 by 76 nations participating in the Kennedy Round of world trade talks to cut tariffs on industrial goods an average of 35% in five years.

While carrying out the first stages of these cuts, some nations have imposed new nontariff restrictions. By no coincidence, free traders suspect, some of these restrictions seem likely to soften or even negate the impact of the tariff reductions.

In the Kennedy Round, for example, the U.S. won a promise that the Common Market would impose neither tariffs nor quotas on soybean products. Now, officials fear the Market's proposed sales tax on soybean oil will make this victory meaningless.

The $60-a-ton tax would apply to domestic oil, as well as to imports, but the Common Market produces little soybean oil. So Americans suspect the tax is designed to prompt

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Common Market customers to buy European-produced substitutes in place of the $500 million worth of U.S. soybean oil they had been expected to buy this year.

"TVA" TAXES

Many European lands also are collecting sales taxes by the "TVA" (for "tax on value added" by manufacturing) system, which generally makes taxes higher on imports than on domestic goods. "Since the Kennedy Round, Germany, Denmark, the Netherlands and Sweden have switched to TVA, and Norway is planning to," says an expert of the Organization for Economic Cooperation and Development (OECD) in Paris.

Monetary crises have led to erection of new trade barriers, too. Import restrictions are expedient measures to strengthen a currency, says a Common Market expert, because "they help the balance of payments and cater to internal protectionist groups at the same time."

(The restrictions may be unpopular with other citizens. Some 1,500 Japanese dog lovers demonstrated outside the ministry of international trade and industry building in Tokyo last November to protest severe restrictions on pet-food imports. The ministry, however, stuck to its position that if the yen is to hold its value, Japan can't send too much money abroad to pay for such unessential products as dog food.)

Altogether, the OECD reports receiving twice as many notifications of changes in trade regulations—mostly restrictive changes—from its 21 members in the past two years as in the prior two years.

SOME INTERNATIONAL FIGHTS

This spread of nontariff barriers hasn't gone unopposed. GATT is complaining to the International Monetary Fund that the British import-deposit system violates trade treaties whose operation GATT supervises. The system requires many British importers to deposit with the British treasury for six months, at no interest, a sum equal to half the value of the goods they import. Britain imposed the system under IMF rules if claims allow such steps to protect a currency, such as the pound, facing a devaluation threat.

The Common Market similarly is demanding that Italy, a member nation, remove a 0.5% "administrative tax" on imports. It also has hauled France, another member nation, before a court maintained by European-unity organizations, charging that France failed to remove on schedule a system of subsidies to French manufacturers designed to enable them to compete more effectively against foreign rivals. The Market had allowed these subsidies as temporary measures to strengthen the franc against devaluation threats.

It's possible, however, that these fights may end by speeding the construction of nontariff barriers. International organizations usually punish a country that restricts trade in violation of the organizations' rules by allowing countries that are hurt to retaliate. Thus, if GATT can't get Britain to end the import-deposit system, it might have to allow its other members to erect barriers against British goods. Whether or not that would be just punishment, it would hardly further the cause of free trade.

The tendency to fight trade barriers with retaliatory trade barriers already is strong, and it alarms free-trade advocates.

There is "a very strong incentive for countries to emulate other nations' nontariff barriers, and with tariffs coming down there is even more incentive to do this," says Harald B. Malmgren, a U.S. Government trade official. He fears the result may be "a real wave of protectionism"—particularly if the U.S. acts to restrict imports further.

And the U.S. may do just that. Some American officials threaten that if the Common Market goes ahead with its proposed sales tax on soybean oil, the U.S. may retaliate against such major imports from the Common Market as autos, steel, office machines, cheese, ham and wines—though perhaps by raising tariffs on them, rather than by erecting nontariff barriers.

Efforts to stop the spread of nontariff barriers by diplomacy usually have been hamstrung because most nations are in a poor position to protest against other nations' barriers. The potential protesters usually have or are building nontariff barriers of their own that can be pointed out with embarrassing effect.

TRACTOR REGULATIONS

France, for instance, has irritated exporters of other nations by imposing "highway safety" regulations on farm tractors. The rules require tractors to have headlights. Headlights weren't required before the Kennedy Round, and would-be exporters to France say the expense of installing them just about cancels the effect of a 2% Kennedy Round tariff cut on tractors.

Both the U.S. and Germany have been annoyed—but they haven't protested. Possible reason: Germany requires two sets of brakes on a tractor and two seats—requirements that some trade experts consider as restrictive as the French headlight rules—while the U.S. enforces safety regulations on autos that European car makers consider costly to meet.

The U.S. has expressed concern to the Common Market about the group's proposed sales tax on soybean oil. The Common Market has countered by expressing equal concern about U.S. pressure on foreign textile mills to "voluntarily" limit cloth sales to the U.S. President Nixon, at a press conference in early February, spoke of possibly "having to go to legislation which would impose import quotas" on textiles if a "voluntary" agreement couldn't be reached.

A SMALL AGREEMENT

In this climate of "you're another" arguments, more formal efforts by international organizations to get nontariff barriers torn down have made only minuscule progress. The European Free Trade Association, a customs union of Britain and seven other nations, has been concentrating its efforts on nontariff barriers since its members abolished tariffs on each other's industrial goods at the end of 1966. Only last month, however, did it announce its first nontariff agreement, and that was a minor one: The eight partners agreed that they could use each other's test reports on electrical consumer goods, rather than having each nation run time-consuming separate tests on the other nations' products.

A much more important agreement to lower nontariff barriers has never gone into effect. During the Kennedy Round trade talks, some European nations agreed to eliminate discriminatory sales taxes against large American-made cars, in return for a U.S. agreement to scrap the "American selling price" system of valuing certain imported chemicals and dyes. Under the American selling price system, tariffs levied against the imports are calculated, not as a percentage of their actual price, but as a percentage of the price of competing American-made products. The system is considered a "nontariff" barrier because it affects the way the tariffs are calculated rather than the actual tariff rates.

Only Congress can repeal the "American selling price" system, however, and Congress hasn't seen fit to do that. So the Europeans haven't revised their auto sales taxes either—and their disappointment over the experience threatens to gum up pending negotiations about other nontariff barriers.

The negotiations, to be conducted under GATT auspices, will cover the whole range of nontariff barriers listed in GATT's 276-page catalog. Preliminary discussions opened last month. So far, they have established only that the Common Market delegation is reluctant to talk seriously about any concessions unless it can get some assurance that Congress will put into effect reciprocal concessions that might be agreed to by the U.S. delegation.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GRAY (at the request of Mr. ALBERT), for Tuesday, March 11, 1969, through Thursday, March 27, 1969, on account of illness.

Mr. PODELL (at the request of Mr. ALBERT), for balance of the week, on account of official business.

Mr. MCMILLAN (at the request of Mr. ALBERT), for Monday, March 10, and the balance of the week, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. MICHEL, for 30 minutes, today, and to revise and extend his remarks and include extraneous matter.

Mr. PUCINSKI, for 30 minutes, today.

(The following Members (at the request of Mr. FLOWERS) and to revise and extend their remarks and include extraneous matter:)

Mr. REUSS, for 10 minutes, today.

Mr. COHELAN, for 10 minutes, today.

Mr. BURTON of California, for 1 hour, on March 26.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. BENNETT in two instances and to include extraneous matter.

Mr. BELCHER and to include several letters.

Mr. DON H. CLAUSEN and to include extraneous matter.

Mr. MADDEN in three instances and to include extraneous matter.

(The following Members (at the request of Mr. FISH) and to include extraneous matter:)

Mr. STANTON.

Mr. BURKE of Florida in two instances.

Mr. SNYDER in three instances.

Mr. LUJAN in three instances.

Mr. BIESTER.

Mr. ASHBROOK in two instances.

Mr. BLACKBURN.

Mr. QUILLEN in four instances.

Mr. STEIGER of Wisconsin in two instances.

Mr. CONTE in five instances.

Mr. MCEWEN in 10 instances.

Mr. WATSON.

Mr. CHAMBERLAIN.

Mr. ROUDEBUSH in two instances.

Mr. TALCOTT in three instances.

Mr. WYMAN in two instances.

Mr. BROCK in three instances.

Mr. DERWINSKI in two instances.

Mr. SCHADEBERG.

Mr. POFF.

(The following Members (at the request of Mr. FLOWERS) and to include extraneous matter:)

Mr. YATRON.

Mr. PREYER of North Carolina in two instances.

Mr. MATSUNAGA.

Mr. VAN DEERLIN.

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Mr. Dent.
Mr. Eilberg.
Mr. Bingham.
Mr. Ronan.
Mr. Moorhead in two instances.
Mr. Ottinger.
Mr. Sikes in 10 instances.
Mr. Rarick in four instances.
Mr. St Germain.
Mr. Pepper in three instances.
Mr. Ashley in three instances.
Mr. Mikva in three instances.
Mr. Gonzalez in three instances.
Mr. Rooney of Pennsylvania in five instances.
Mr. Fallon in two instances.
Mr. Flowers in three instances.
Mr. Gaydos in three instances.
Mr. Marsh in two instances.
Mr. Kyros in two instances.
Mr. Fascell in three instances.
Mr. Dulski in three instances.
Mr. Evins of Tennessee.
Mr. Stephens.
Mr. Hagan in two instances.

SENATE JOINT RESOLUTION REFERRED

A joint resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S.J. Res. 37. Joint resolution to extend the time for the making of a final report by the Commission To Study Mortgage Interest Rates; to the Committee on Veterans' Affairs.

BILL PRESENTED TO THE PRESIDENT

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H.R. 497. An act to amend section 301 of the Manpower Development and Training Act of 1962, as amended.

ADJOURNMENT

Mr. FLOWERS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 5 minutes p.m.), the House adjourned until tomorrow, Wednesday, March 12, 1969, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. Aircraft piracy, preliminary report (Rept. No. 91–33). Referred to the Committee of the Whole House on the State of the Union.

Mr. KASTENMEIER: Committee on the Judiciary. H.R. 4297. A bill to amend the act of November 8, 1966 (Rept. No. 91–34). Referred to the Committee of the Whole House on the State of the Union.

Mr. BOLLING: Committee on Rules. House Resolution 213. Resolution to authorize the Committee on Government Operations to conduct studies and investigations with respect to matters within its jurisdiction, and for other purposes, with amendment (Rept. No. 91–35). Referred to the House Calendar.

Mr. SISK: Committee on Rules. House Resolution 282. Resolution to create a select committee to regulate parking on the House side of the Capitol (Rept. No. 91–36). Referred to the House Calendar.

Mr. MATSUNAGA: Committee on Rules. House Resolution 268. Resolution authorizing the Committee on Post Office and Civil Service to conduct studies and investigations within its jurisdiction (Rept. No. 91–37). Referred to the House Calendar.

Mr. BOLLING: Committee on Rules. House Resolution 313. Resolution providing for the consideration of H.R. 33, a bill to provide for increased participation by the United States in the International Development Association, and for other purposes (Rept. No. 91–38). Referred to the House Calendar.

Mr. BOLLING: Committee on Rules. House Resolution 306. Resolution to authorize the Committee on Banking and Currency to conduct an investigation and study of prices of lumber and plywood (Rept. No. 91–39). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ABBITT:

H.R. 8584. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

By Mrs. GRIFFITHS:

H.R. 8585. A bill to amend title IV of the Social Security Act to provide, under the program of aid to families with dependent children, for the furnishing of three meals a day to all children under age 16 who are eligible for such aid or whose families are below the poverty level, at appropriate day-care centers and at public and private schools; to the Committee on Ways and Means.

By Mr. ADDABBO:

H.R. 8586. A bill to provide that the nuclear accelerator to be constructed at Weston, Ill., shall be named the "Enrico Fermi Nuclear Accelerator" in memory of the late Dr. Enrico Fermi; to the Joint Committee on Atomic Energy.

By Mr. ANDERSON of California:

H.R. 8587. A bill to establish the Interagency Committee on Mexican-American Affairs, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ASHLEY:

H.R. 8588. A bill to declare a national policy on conservation development, and utilization of natural resources, and maintenance of the quality of the environment, and for other purposes; to the Committee on Rules.

H.R. 8589. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BERRY:

H.R. 8590. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BROYHILL of Virginia:

H.R. 8591. A bill to amend the act, entitled "An Act to require certain safety devices on household refrigerators shipped in interstate commerce," approved August 2, 1956; to the Committee on Interstate and Foreign Commerce.

By Mr. BURKE of Massachusetts (for himself, Mr. Beall of Maryland, Mr. Buchanan, Mr. Button, Mr. Cabell, Mr. Duncan, Mr. Edwards of California, Mr. Gonzalez, Mr. Halpern, Mr. Hathaway, Mr. Hosmer, Mr. Howard, Mr. Mikva, Mr. Pepper, Mr. Podell, Mr. Rogers of Colorado, Mr. Rosenthal, Mr. St Germain, Mr. Stubblefield, Mr. Symington, Mr. Tiernan, Mr. Tunney, Mr. Ullman, Mr. Vanik, and Mr. Charles H. Wilson):

H.R. 8592. A bill to expand the definition of deductible moving expenses incurred by an employee; to the Committee on Ways and Means.

By Mr. BUSH:

H.R. 8593. A bill to change the definition of ammunition for purposes of chapter 44 of title 18 of the United States Code; to the Committee on the Judiciary.

By Mr. BYRNE of Pennsylvania:

H.R. 8594. A bill to provide for the establishment of a program under which tickets to professional, semiprofessional, and amateur baseball, football, basketball, hockey, and soccer games will be furnished at no cost by local police officers and firemen to individuals under the age of 19, particularly such individuals who are economically underprivileged; to the Committee on Interior and Insular Affairs.

H.R. 8595. A bill to incorporate the Catholic War Veterans of the United States of America; to the Committee on the Judiciary.

H.R. 8596. A bill to amend title V of the Merchant Marine Act, 1936, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 8597. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

H.R. 8598. A bill to amend title II of the Social Security Act to eliminate the reduction in disability insurance benefits which is presently required in the case of an individual receiving workmen's compensation benefits; to the Committee on Ways and Means.

H.R. 8599. A bill to amend title IV of the Social Security Act to extend and improve the Federal-State program of child-welfare services; to the Committee on Ways and Means.

H.R. 8600. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. COLLIER:

H.R. 8601. A bill to provide that the nuclear accelerator to be constructed at Weston, Ill., shall be named the "Enrico Fermi Nuclear Accelerator" in memory of the late Dr. Enrico Fermi; to the Joint Committee on Atomic Energy.

By Mr. COWGER:

H.R. 8602. A bill to enforce the constitutional right to vote in presidential and vice presidential elections of certain persons who change their legal residence prior to such election; to the Committee on House Administration.

By Mr. DANIELS of New Jersey:

H.R. 8603. A bill to amend the Internal Revenue Code of 1954 to extend the head-of-household benefits to unremarried widows and widowers, and individuals who have attained age 35 and who have never been married or who have been separated or divorced for 3 years or more, who maintain their own households; to the Committee on Ways and Means.

By Mr. DULSKI:

H.R. 8604. A bill to improve law enforcement in cities by making available funds to be used to increase police salaries and to add more police officers; to the Committee on the Judiciary.

By Mr. EDWARDS of Louisiana:

H.R. 8605. A bill to amend title IV of the Social Security Act to extend and improve the Federal-State program of child-welfare services; to the Committee on Ways and Means.

By Mr. EILBERG:

H.R. 8606. A bill to amend section 312 of the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. ESHLEMAN:

H.R. 8607. A bill to amend the Internal Revenue Code of 1954 to provide an additional income tax exemption for a taxpayer supporting a child who is disabled; to the Committee on Ways and Means.

By Mr. EVINS of Tennessee (for himself, Mr. Boland, Mr. Shipley, Mr. Giaimo, Mr. Marsh, Mr. Pryor of Arkansas, Mr. Jonas, Mr. Wyman, Mr. Talcott, and Mr. McDade):

H.R. 8608. A bill to amend subchapter III of chapter 83 of title 5, United States Code, relating to civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FOLEY:

H.R. 8609. A bill to amend the Interstate Commerce Act with respect to recovery of a reasonable attorney's fee in case of sucessful maintenance of an action for recovery of damages sustained in transportation of property; to the Committee on Interstate and Foreign Commerce.

By Mr. FULTON of Tennessee:

H.R. 8610. A bill to amend section 4063(a) of the Internal Revenue Code of 1954 (relating to exemption of specified articles from the tax on motor vehicles); to the Committee on Ways and Means.

By Mr. GALLAGHER:

H.R. 8611. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Commitee on Ways and Means.

By Mr. GAYDOS:

H.R. 8612. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HALPERN:

H.R. 8613. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for income tax purposes of expenses incurred by an individual for transportation to and from work; to the Committee on Ways and Means.

By Mrs. MAY:

H.R. 8614. A bill to establish a National Commission on Libraries and Informative Science; to the Committee on Education and Labor.

By Mr. MIKVA:

H.R. 8615. A bill to amend the Fair Packaging and Labeling Act; to the Committee on Interstate and Foreign Commerce.

By Mr. MIZELL (for himself and Mr. Frey):

H.R. 8616. A bill to amend chapter 207 of title 18 of the United States Code to authorize conditional pretrial release or pretrial detention of certain persons who have been charged with noncapital offenses, and for other purposes; to the Committee on the Judiciary.

By Mr. MOORHEAD:

H.R. 8617. A bill to amend the Urban Mass Transportation Act of 1964, and for other purposes; to the Committee on Banking and Currency.

By Mr. OLSEN (for himself, Mr. Perkins, Mr. Tiernan, Mr. Andrews of North Dakota, Mr. Duncan, Mr. Gude, Mr. Schwengel, and Mr. Broyhill of Virginia):

H.R. 8618. A bill to amend section 8332, title 5, United States Code, to provide for the inclusion in the computation of accredited services of certain periods of service rendered States or instrumentalities of States, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PEPPER:

H.R. 8619. A bill to amend the Federal Water Pollution Control Act, as amended; to the Committee on Public Works.

H.R. 8620. A bill to amend title 38 of the United States Code to establish in the Veterans' Administration a national veterans' cemetery system consisting of certain cemeteries of the United States in which veterans of any war or conflict are or may be buried, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 8621. A bill to amend section 7701 of the Internal Revenue Code of 1954 to clarify the tax status of certain professional associations and corporations formed under State law; to the Committee on Ways and Means.

By Mr. PEPPER (for himself, Mr. Boland, Mr. Farbstein, Mr. Friedel, Mr. Gray, Mr. Howard, Mr. Jacobs, Mr. Joelson, Mr. Kee, Mr. Madden, Mr. Mikva, Mr. Olsen, Mr. Perkins, Mr. Podell, and Mr. Rosenthal):

H.R. 8622. A bill to create a Department of Youth Affairs; to the Committee on Government Operations.

By Mr. PERKINS:

H.R. 8623. A bill to strengthen and improve the Older Americans Act of 1965; to the Committee on Education and Labor.

H.R. 8624. A bill to amend the Railroad Retirement Act of 1937 to provide a 20-percent across-the-board benefit increase (with a minimum retirement annuity of $80 a month) and subsequent increases based on rises in the cost of living, and to finance the cost of these changes out of the general revenues; to the Committee on Interstate and Foreign Commerce.

H.R. 8625. A bill to amend title 38 of the United States Code in order to extend to certain veterans who served in the Mexican border conflict the benefits enjoyed by veterans who served during periods of war; to the Committee on Veterans' Affairs.

H.R. 8626. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. PETTIS:

H.R. 8627. A bill to change the definition of ammunition for purposes of chapter 44 of title 18 of the United States Code; to the Committee on the Judiciary.

By Mr. PRICE of Texas:

H.R. 8628. A bill to amend chapter 44 of title 18, United States Code, to exempt ammunition from Federal regulation under the Gun Control Act of 1968; to the Committee on the Judiciary.

H.R. 8629. A bill to amend the Internal Revenue Code of 1954 to provide that the valuation of a decedent's interest in a ranch, farm, or closely held business may at the election of the executor be determined, for estate tax purposes, solely by reference to its value for such use; to the Committee on Ways and Means.

By Mr. RAILSBACK:

H.R. 8630. A bill to amend title 37, United States Code, to provide for the procurement and retention of judge advocates and law specialist officers for the Armed Forces; to the Committee on Armed Services.

By Mr. RODINO:

H.R. 8631. A bill to provide Federal assistance for special projects to demonstrate the effectiveness of programs to provide emergency care for heart attack victims by trained persons in specially equipped ambulances; to the Committee on Interstate and Foreign Commerce.

By Mr. RONAN:

H.R. 8632. A bill to provide that the nuclear accelerator to be constructed at Weston, Ill., shall be named the "Enrico Fermi Nuclear Accelerator" in memory of the late Dr. Enrico Fermi; to the Joint Committee on Atomic Energy.

By Mr. ST. ONGE:

H.R. 8633. A bill to amend title XVIII of the Social Security Act to permit payment thereunder, in the case of an individual otherwise eligible for home health services of the type which may be provided away from his home, for the costs of transportation to and from the place where such services are provided; to the Committee on Ways and Means.

By Mr. SANDMAN:

H.R. 8634. A bill to amend the provisions of the Public Health Service Act relating to the construction and modernization of hospitals and other medical facilities by providing separate authorizations of appropriations for new construction and for modernization of facilities, authorizing Federal guarantees of loans for such modernization and Federal payment of part of the interest thereon, authorizing grants for modernization of emergency rooms of general hospitals, and extending and making other improvements in the program authorized by these provisions; to the Committee on Interstate and Foreign Commerce.

H.R. 8635. A bill to provide that the nuclear accelerator to be constructed at Weston, Ill., shall be named the "Enrico Fermi Nuclear Accelerator" in memory of the late Dr. Enrico Fermi; to the Joint Committee on Atomic Energy.

By Mr. TIERNAN:

H.R. 8636. A bill to permit officers and employees of the Federal Government to elect coverage under the old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

By Mr. VANIK:

H.R. 8637. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. WYATT:

H.R. 8638. A bill to amend title 38 of the United States Code to modify the reporting requirement relating to pensions for veterans and to liberalize the oath requirement for hospitalization of veterans; to the Committee on Veterans' Affairs.

H.R. 8639. A bill to impose import limitations on prepared or preserved strawberries; to the Committee on Ways and Means.

By Mr. ZWACH:

H.R. 8640. A bill to amend the Internal Revenue Code of 1954 so as to limit the amount of deductions attributable to the business of farming which may be used to offset nonfarm income; to the Committee on Ways and Means.

By Mr. ABBITT:

H.R. 8641. A bill to extend public health protection with respect to cigarette smoking, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ASHLEY:

H.R. 8642. A bill to abolish the preferential tax treatment of national banks; to the Committee on Banking and Currency.

By Mr. BEALL of Maryland:

H.R. 8643. A bill to expand the definition of deductible moving expenses incurred by an employee; to the Committee on Ways and Means.

By Mr. BOGGS:

H.R. 8644. A bill to make permanent the existing temporary suspension of duty on crude chicory roots; to the Committee on Ways and Means.

By Mr. BROYHILL of Virginia:

H.R. 8645. A bill to provide that the Administrator of the Federal Aviation Administration shall construct and operate a monorail system connecting Dulles International Airport with Washington National Airport, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. DON H. CLAUSEN:

H.R. 8646. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 8647. A bill to authorize the Secretary

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of the Interior to establish a national wildlife refuge in the south San Francisco Bay area; to the Committee on Merchant Marine and Fisheries.

By Mr. DON H. CLAUSEN (for himself and Mr. Saylor):

H.R. 8648. A bill to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the American Fisheries Society; to the Committee on Banking and Currency.

By Mr. DON H. CLAUSEN:

H.R. 8649. A bill to establish the Fort Point National Historic Site in San Francisco, Calif., and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. FISHER:

H.R. 8650. A bill to equalize the promotion opportunity of officers of the Air Force Reserve involuntarily ordered to active duty; to the Committee on Armed Services.

By Mr. GALLAGHER:

H.R. 8651. A bill to amend the Internal Revenue Code of 1954 to provide that pensions paid to retired policemen or firemen or their dependents, or to the widows or other survivors of deceased policemen or firemen, shall not be subject to the income tax; to the Committee on Ways and Means.

By Mr. McCULLOCH (for himself, Mr. Gerald R. Ford, Mr. Cahill, Mr. MacGregor, Mr. McClory, Mr. Smith of New York, Mr. Meskill, Mr. Sandman, Mr. Railsback, Mr. Biester, Mr. Wiggins, Mr. Dennis, Mr. Fish, Mr. Coughlin, Mr. Betts, Mr. Bow, Mr. Latta, Mr. Clancy, Mr. Taft, Mr. Wylie, and Mr. McCloskey):

H.R. 8652. A bill for the establishment of a Commission on Revision of the Antitrust Laws of the United States; to the Committee on the Judiciary.

By Mrs. MAY (for herself, Mr. Devine, Mr. Evans of Colorado, Mr. Scherle, and Mr. Wright):

H.R. 8653. A bill to provide for an exclusion from gross income in the case of compensation for members of the crew of the U.S.S. *Pueblo;* to the Committee on Ways and Means.

By Mr. MILLS:

H.R. 8654. A bill to provide that for purposes of the Internal Revenue Code of 1954 individuals who were illegally detained during 1968 by the Demoratic People's Republic of Korea shall be treated as serving in a combat zone; to the Committee on Ways and Means.

By Mr. MOSS:

H.R. 8655. A bill to amend the Internal Revenue Code of 1954 to provide for returns regarding receipts of interest; to the Committee on Ways and Means.

By Mr. O'KONSKI:

H.R. 8656. A bill to authorize the use of certain real property in the District of Columbia for chancery purposes; to the Committee on the District of Columbia.

By Mr. OLSEN:

H.R. 8657. A bill to provide an equitable system for fixing and adjusting the rates of compensation of wage board employees; to the Committee on Post Office and Civil Service.

By Mr. POLLOCK:

H.R. 8658. A bill to amend the Alaskan Statehood Act, Public Law 85-508, July 7, 1958, 72 Stat. 339, by repealing the exclusive jurisdiction of the Federal Maritime Board over common carriers engaged in transportation by water between any port in the State of Alaska and other ports in the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. PUCINSKI:

H.R. 8659. A bill to improve educational quality through the effective utilization of educational technology; to the Committee on Education and Labor.

H.R. 8660. A bill to provide for special programs for children with learning disabilities; to the Committee on Education and Labor.

By Mr. RARICK:

H.R. 8661. A bill to rescind the pay increases for Members of Congress and other Federal officials pursuant to Presidential recommendation to Congress in the budget for the 1970 fiscal year, to abolish the quadrennial Commission on Executive, Legislative, and Judicial Salaries, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. RIVERS:

H.R. 8662. A bill to authorize command of the U.S.S. *Constitution* (IX-21) by retired officers of the U.S. Navy; to the Committee on Armed Services.

H.R. 8663. A bill to amend the act of September 20, 1968 (Public Law 90-502), to provide relief to certain former officers of the Supply Corps and Civil Engineer Corps of the Navy; to the Committee on Armed Services.

H.R. 8664. A bill to authorize an increase in the number of flag officers who may serve on certain selection boards in the Navy, and in the number of officers of the Naval Reserve and Marine Corps Reserve who are eligible to serve on selection boards considering reserves for promotion; to the Committee on Armed Services.

By Mr. RODINO:

H.R. 8665. A bill to provide for the redistribution of unused quota numbers; to the Committee on the Judiciary.

By Mr. STAGGERS:

H.R. 8666. A bill to amend the Federal Aviation Act of 1958 so as to authorize the Civil Aeronautics Board to regulate the depreciation accounting of air carriers; to the Committee on Interstate and Foreign Commerce.

H.R. 8667. A bill to amend the Federal Aviation Act of 1958 so as to clarify the powers of the Civil Aeronautics Board in respect of consolidation of certain proceedings; to the Committee on Interstate and Foreign Commerce.

H.R. 8668. A bill to authorize the Department of Commerce to make special studies, to provide services, and to engage in joint projects, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 8669. A bill to amend section 406(b) of the Federal Aviation Act of 1958 to make certain air carriers ineligible for subsidy payments; to the Committee on Interstate and Foreign Commerce.

By Mr. TAFT:

H.R. 8670. A bill to rescind the pay increases for Members of Congress and other Federal officials pursuant to Presidential recommendation to Congress in the budget for the 1970 fiscal year, to abolish the quadrennial Commission on Executive, Legislative, and Judicial Salaries, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. TEAGUE of Texas:

H.R. 8671. A bill to amend chapter 34 of title 38, United States Code, in order to authorize educational assistance loans to veterans to supplement educational assistance allowances paid to such veterans under such chapter, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 8672. A bill to amend section 717 of title 38, United States Code, to authorize lump-sum settlements of national service life insurance maturing in the future unless the insured elects a different mode of settlement; to the Committee on Veterans' Affairs.

By Mr. TIERNAN:

H.R. 8673. A bill to protect consumers by providing a civil remedy for misrepresentation of the quality of articles composed in whole or in part of gold or silver, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 8674. A bill to authorize the reduction or elimination of the hazards of public rail-highway grade crossings along the high-speed rail line between Washington, D.C., and Boston, Mass.; to the Committee on Public Works.

H.R. 8675. A bill to amend the Internal Revenue Code of 1954 to provide a deduction for amounts expended by State policemen for meals which they are required to eat while on duty; to the Committee on Ways and Means.

H.R. 8676. A bill to amend the Internal Revenue Code of 1954 to provide a deduction for amounts expended by State, regional, city, county, and town policemen for meals which they are required to eat while on duty; to the Committee on Ways and Means.

By Mr. WATTS:

H.R. 8677. A bill to extend public health protection with respect to cigarette smoking, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CHARLES H. WILSON:

H.R. 8678. A bill to provide for the remission or mitigation of the forfeiture of a vehicle involved in a narcotics violation if the legal owner of such vehicle shows no actual knowledge that the vehicle would be used in such violation; to the Committee on Ways and Means.

By Mr. ZABLOCKI:

H.R. 8679. A bill to amend title II of the Social Security Act to provide that benefits (when based upon the attainment of retirement age) will be payable to both men and women at age 60, subject to the existing actuarial reduction, and that women with 30 years' coverage may retire at age 62 with full benefits; to the Committee on Ways and Means.

By Mr. MOORHEAD:

H.J. Res. 532. Joint resolution designating January 15 of each year as "Martin Luther King Day"; to the Committee on the Judiciary.

By Mr. MOSS:

H.J. Res. 533. Joint resolution proposing an amendment to the Constitution of the United States to provide for a national preferential primary election to select candidates for the office of the President and Vice President and to provide for the election of the President and Vice President by the popular vote of the people of the United States; to the Committee on the Judiciary.

By Mr. NICHOLS:

H.J Res. 534. Joint resolution proposing an amendment to the Constitution of the United States permitting the right to read from the Holy Bible and to offer nonsectarian prayers in the public schools or other public places if participation therein is not compulsory; to the Committee on the Judiciary.

By Mr. PATMAN:

H. Con. Res. 162. Concurrent resolution authorizing the printing of the book, "Our American Government," as a House document; to the Committee on House Administration.

By Mr. PEPPER:

H. Con. Res. 163. Concurrent resolution to create a joint congressional committee to provide Congress with a plan for legislation to deal with the crisis of the cities; to the Committee on Rules.

By Mr. FARBSTEIN:

H. Res. 307. Resolution to abolish the Committee on Internal Security and enlarge the jurisdiction of the Committee on the Judiciary; to the Committee on Rules.

By Mr. HAYS:

H. Res. 308. Resolution providing for the payment out of the contingent fund of the House of Representatives for a limited period of the salaries of certain House committee personnel newly appointed in the 91st Congress; to the Committee on House Administration.

By Mr. KOCH:

H. Res. 309. Resolution to abolish the Committee on Internal Security and enlarge the jurisdiction of the Committee on the Judiciary; to the Committee on Rules.

By Mr. QUILLEN:

H. Res. 310. Resolution to authorize the Committee on Banking and Currency to con-

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duct an investigation and study of prices of lumber and plywood; to the Committee on Rules.

By Mr. RODINO:

H. Res. 311. Resolution, U.S. aid for Iraqi Jews; to the Committee on Foreign Affairs.

By Mr. WYATT:

H. Res. 312. Resolution establishing a Code of Ethics and Standards for the House of Representatives; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

44. By Mr. OLSEN: Joint resolution of the Senate and House of Representatives to the Montana congressional delegation and to the Secretary of Agriculture, asking that appropriate changes be made in Federal statutes so that Montana meats, inspected under State inspection which has been approved as equal to Federal inspection standards, may be shipped in interstate commerce; to the Committee on Agriculture.

45. Also, joint resolution of the Senate and House of Representatives of the State of Montana, asking that the President and Congress expand the aid now given by the Federal Government, specifically to the Navajo and Hopi Indians, under Public Law 474, 81st Congress (64 Stat. 47, 25 U.S.C. 639), to all recognized Indian tribes and nations; to the Committee on Interior and Insular Affairs.

46. Also joint resolution of the Senate and House of Representatives of the State of Montana, requesting that the fight site of Meriwether Lewis and his men with Blackfeet Indians on the south bank of the Two Medicine River on the Blackfeet Indian Reservation of the State of Montana and the surrounding area evidencing ancient marine and animal life and Indian cultures be designated as both a historical landmark and national monument; to the Committee on Interior and Insular Affairs.

47. Also, joint resolution of the Senate and House of Representatives, that the superintendent of Yellowstone National Park and various Montana veteran wildlife and sportsmen organizations reach an agreement whereby members will be available to a call of the superintendent to be deputized as park rangers to assist regular park rangers in reducing the elk population in the park to safe and sustainable numbers; to the Committee on Interior and Insular Affairs.

48. Also, joint resolution of the Senate and House of Representatives, asking that the Montana congressional delegation take action necessary to insure that the Federal Government will continue to make payments for certain persons in State institutions; to the Committee on Interstate and Foreign Commerce.

49. Also, joint resolution of the Senate and House of Representatives of Montana to the Montana congressional delegation, asking that the Secretary of the Treasury be directed to forward to the State of Montana all unclaimed and unpaid deposits in the discontinued U.S. postal savings system, plus interest, in which the State of Montana is interested; to the Committee on Post Office and Civil Service.

50. Also, joint resolution of the Senate and House of Representatives to the Montana congressional delegation, stating that Montana, North Dakota, South Dakota, and Wyoming are now doing active planning for the development of water and related resources in order to achieve full resource potential, that additional time is needed to complete this planning and, therefore, until planning is completed in the four States of Montana, North Dakota, South Dakota, and Wyoming, there should be no interstate-interbasin transfer of water from these four States; to the Committee on Public Works.

51. Also, joint resolution of the Senate and House of Representatives, asking that Highway 16 from Glendive via Sidney, Culbertson, Plentywood, and Port of Raymond be designated as the interstate connection with the Province of Saskatchewan; to the Committee on Public Works.

52. Also, joint resolution of the Senate and House of Representatives of the State of Montana to the Congress of the United States, urging the Congress to provide immediate funds for the construction of a Veterans' Administration domiciliary to be located at the Fort Harrison, Mont., Reservation adjacent to the existing Veterans' Administration hospital facility; to the Committee on Veterans' Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 8680. A bill for the relief of Adelina Marylin Soto Aristy; to the Committee on the Judiciary.

H.R. 8681. A bill for the relief of Shiela Joy Brown; to the Committee on the Judiciary.

H.R. 8682. A bill for the relief of Eraldo Cinganelli; to the Committee on the Judiciary.

H.R. 8683. A bill for the relief of Antonio Costante; to the Committee on the Judiciary.

By Mr. BATES:

H.R. 8684. A bill for the relief of Giuseppe and Francesco Siragusa; to the Committee on the Judiciary.

By Mr. BIAGGI:

H.R. 8685. A bill for the relief of Yehuda, Eva, and Rony Adam; to the Committee on the Judiciary.

H.R. 8686. A bill for the relief of Dr. Iqbal Ahmed Ansari; to the Committee on the Judiciary.

H.R. 8687. A bill for the relief of Francesco Canale; to the Committee on the Judiciary.

H.R. 8688. A bill for the relief of Carlos Orueta; to the Committee on the Judiciary.

H.R. 8689. A bill for the relief of Carmelo Ricotta; to the Committee on the Judiciary.

H.R. 8690. A bill for the relief of Vincenzo Rosamilia; to the Committee on the Judiciary.

By Mr. BURKE of Massachusetts:

H.R. 8691. A bill for the relief of Maria de Rosario Rodrigues; to the Committee on the Judiciary.

By Mr. BURTON of California:

H.R. 8692. A bill for the relief of Angiolino Agriesti; to the Committee on the Judiciary.

By Mr. COLLINS:

H.R. 8693. A bill for the relief of Dr. Maruf Aziz Razzuk; to the Committee on the Judiciary.

By Mr. EDWARDS of Louisiana:

H.R. 8694. A bill for the relief of Capt. John T. Lawlor (retired); to the Committee on the Judiciary.

H.R. 8695. A bill to authorize the negotiated sale of vessels from the reserve fleet to Tidewater Marine Service, Inc., New Orleans, La.; to the Committee on Merchant Marine and Fisheries.

By Mr. EVANS of Colorado:

H.R. 8696. A bill for the relief of Alice Elisa Encinias Baca; to the Committee on the Judiciary.

By Mr. FALLON:

H.R. 8697. A bill for the relief of Dr. Joshua A. Perper; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 8698. A bill for the relief of Sebastian Silvio; to the Committee on the Judiciary.

Mr. FISHER:

H.R. 8699. A bill to provide for the advancement in grade of certain officers in the U.S. Air Force Reserve; to the Committee on Armed Services

By Mr. FOLEY:

H.R. 8700. A bill for the relief of Polyxeni Pantazatou and Alexandra Pantazatou; to the Committee on the Judiciary.

By Mr. FRELINGHUYSEN:

H.R. 8701. A bill for the relief of Laura Colubig and her daughter, Barbara Colubig; to the Committee on the Judiciary.

H.R. 8702. A bill for the relief of Guy Glaser; to the Committee on the Judiciary.

H.R. 8703. A bill for the relief of Anna Leonetti; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 8704. A bill for the relief of Mollie King Williams and Clarence Fitzroy Williams (husband and wife); to the Committee on the Judiciary.

By Mr. GUDE:

H.R. 8705. A bill for the relief of Felipe Perez Bazan and Carmen O. Bazan; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 8706. A bill for the relief of Clarence Cisin; to the Committee on the Judiciary.

H.R. 8707. A bill for the relief of Alfredo Giuliani; to the Committee on the Judiciary.

H.R. 8708. A bill for the relief of Mani Hashem, his wife, Malihe Hashem, and their minor daughter, Ariela Hashem; to the Committee on the Judiciary.

H.R. 8709. A bill for the relief of Lawrence Solomon; to the Committee on the Judiciary.

By Mr. HANNA:

H.R. 8710. A bill for the relief of William Young; to the Committee on the Judiciary.

By Mr. HUNGATE:

H.R. 8711. A bill for the relief of Dr. Waheedul Haque and his wife, Dr. Abida K. Haque; to the Committee on the Judiciary.

By Mr. LOWENSTEIN:

H.R. 8712. A bill for the relief of Ena Gaymes; to the Committee on the Judiciary.

H.R. 8713. A bill for the relief of Livia Villano; to the Committee on the Judiciary.

By Mr. MACDONALD of Massachusetts:

H.R. 8714. A bill for the relief of John Dallas Cosgrove; to the Committee on the Judiciary.

By Mr. OLSEN:

H.R. 8715. A bill for the relief of Dr. Desiderio Hebron and his wife, Dr. Martha Hebron; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 8716. A bill for the relief of Emidio Ascenzo; to the Committee on the Judiciary.

H.R. 8717. A bill for the relief of Italo Rosati; to the Committee on the Judiciary.

By Mr. OTTINGER:

H.R. 8718. A bill for the relief of Angela Ielo Gangemi; to the Committee on the Judiciary.

H.R. 8719. A bill for the relief of Lide Babayan Saee Gharajeloo; to the Committee on the Judiciary.

By Mr. PERKINS:

H.R. 8720. A bill for the relief of Howard C. Ramey; to the Committee on the Judiciary.

By Mr. PETTIS:

H.R. 8721. A bill for the relief of Luisa Celis de Reyes, Carlos Crispin Reyes, and Luisa Marie Reyes; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 8722. A bill for the relief of Delfin S. A. Goleco; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 8723. A bill for the relief of Lodovic Ancilloti; to the Committee on the Judiciary.

H.R. 8724. A bill for the relief of Vida A. Bell; to the Committee on the Judiciary.

H.R. 8725. A bill for the relief of Salvador Borras; to the Committee on the Judiciary.

H.R. 8726. A bill for the relief of Gyorgy Csatari; to the Committee on the Judiciary.

H.R. 8727. A bill for the relief of John Kaung; to the Committee on the Judiciary.

H.R. 8728. A bill for the relief of Eel Fong Koo; to the Committee on the Judiciary.

H.R. 8729. A bill for the relief of John Sellars Lyle; to the Committee on the Judiciary.

H.R. 8730. A bill for the relief of Youssef Faraj Mann; to the Committee on the Judiciary.

H.R. 8731. A bill for the relief of Esmeralda Antonia Ramierez y Pena; to the Committee on the Judiciary.

H.R. 8732. A bill for the relief of Luigi Viekoslav Pirjavec; to the Committee on the Judiciary.

H.R. 8733. A bill for the relief of John Alexander Staine and his wife, Georgiana Melba Staine; to the Committee on the Judiciary.

By Mr. ST. ONGE:

H.R. 8734. A bill for the relief of Herman F. LeDoyt; to the Committee on the Judiciary.

By Mr. SCHEUER:

H.R. 8735. A bill for the relief of Umberto Maccarone; to the Committee on the Judiciary.

H.R. 8736. A bill for the relief of Doris Isabelle Robotham; to the Committee on the Judiciary.

By Mr. SIKES:

H.R. 8737. A bill for the relief of Carmela Toschi; to the Committee on the Judiciary.

By Mr. YATES:

H.R. 8738. A bill for the relief of Mateo M. Arce; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

75. By the SPEAKER: Petition of Mr. and Mrs. Art Brown, Flint, Mich., relative to religion in public schools; to the Committee on the Judiciary.

76. Also, petition of Mr. James K. Kelly, Lansing, Kans., relative to redress of grievances; to the Committee on the Judiciary.

77. Also, petition of Eugene Lynch, Oakland, Calif., relative to redress of grievances; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

EXPLOSIVE GROWTH OF THE AIRLINES

Hon. EVERETT McKINLEY DIRKSEN

OF ILLINOIS

IN THE SENATE OF THE UNITED STATES

Tuesday, March 11, 1969

Mr. DIRKSEN. Mr. President, perhaps no other major industry in our country has the problems of explosive growth as those faced by the airlines. Consider, for example, that over the past 10 years—since the first U.S. jet flight—air travel has grown more than 16 times faster than the population and more than twice as fast as the gross national product. This exceptional growth has not been without serious problems, particularly airport-airways congestion which resulted in some massive air traffic jams last summer at several of our major airports.

I do not believe that any airline official is more concerned about this crisis in air transportation than Charles C. Tillinghast, Jr., the distinguished president of TWA. Through his initial efforts, the airlines and the Government are moving toward a solution to this complex problem which involves varied interests.

Mr. Tillinghast talked about the overall problem on a recent evening in Chicago before members of the Economic Club of Chicago. I believe that Senators will find his analysis of the problem most informative and thought provoking. More important he has suggested steps for immediate action to relieve air congestion.

I ask unanimous consent that Mr. Tillinghast's speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

AIRWAYS OF THE FUTURE

(Address by Charles C. Tillinghast, Jr.)

For the invitation to address you this evening I am complimented and grateful. It is a pleasant experience to be here though it is an appearance not to be taken lightly. The distinguished traditions of the Chicago Economic Club and your position in our nation as a listening post and valuable source of opinions command the respect of any speaker. Also, no city has been more deeply involved in transportation, or benefited so much from it, as yours.

In the middle of the last century when your ancestors decided to make railroads available to Chicago, they didn't quibble. Ten thousand miles of track were laid in nine short years. The benefits that accrued to Chicago from its fabulous railroad network are with you yet. Similarly from the beginnings of commercial aviation, Chicagoans have been air-minded. With the opening of Midway Airport in 1931, Chicago swiftly built a reputation in the air to match her reputation for primacy on the ground. You led with airport development in anticipation of the jet era, and with the advent of O'Hare in 1955 continued to perpetuate your distinction of having the world's busiest airport. Your municipal officials have developed a reputation for progressiveness and foresight in this area.

No city stands to gain more from its airways to the rest of the world in the Seventies and Eighties than does Chicago. And no city has greater reason to be concerned about the problems facing air transport today. So if I address myself to some of the current problems and opportunities of air transportation, we should, at least, find ourselves on a ground of common interest.

That the airline industry has a few problems should come as no surprise to you. The explosive growth that has seen U.S. air travel grow 16 and a half times faster than the population and two and a half times faster than the gross national product in the decade since the introduction of jets, has given us our share of problems—economic, financial and political. We have been alternately the hope and despair of the investment community, the sinew of commerce and industry and the frustrater of carefully laid plans, the symbol of romantic travel to exotic places, and the disturber of the peace.

One could talk at length to any of these subjects and occupy an evening—or at least so much thereof as would be meaningful after so bountiful a repast. But I propose this evening to focus on just two matters which are currently the subject of governmental consideration in Washington and with respect to which major policy decisions must be made in the coming months. These issues are first, the improvement of our airways and airports system, and second, the maintenance of the United States' position as a purveyor of advanced technology to the world, with special reference to supersonic transport.

Many of us fly between New York and Chicago where there are flights with ample capacity every half-hour from morn till night. Some of you undoubtedly fly on the hour, but, personally, I prefer to fly on the *half*-hour and therefore fly TWA. In any event, those who experience this abundant service under *good* conditions may wonder whether there are any very basic problems that a little better management could not solve. But those who have looked deeply into the situation know that things aren't that simple.

At the moment, 38 airlines are involved in the process of attempting to ration by agreement a maximum of 115 movements per hour at O'Hare. The agonies of this exercise speak eloquently of the seriousness of the problem and the diversity of viewpoints. If there were any doubts as to this seriousness and diversity, they should be quickly dispelled by the loud cries of complaint from general aviation interests at the mere idea of controls on the use of airports.

The whole problem is confused somewhat by the multiplicity of voices in and about our industry. A great many interests are involved and most are aware that the stakes in 1969 are very high. Few of these voices are bashful. Most solutions that make sense involve disappointment to somebody, somewhere. It is an era when we understand the significance of the poet's words: "What you are shouts so loud I can't hear what you say." As President Nixon said in his inaugural address, "America has suffered from a fever of words." He couldn't have phrased it better for the aviation industry.

One who speaks for *commercial* aviation today, for example, has a hard time being heard by one who speaks for *general* aviation, or so-called private flying. One who speaks for a new airport site has a hard time being heard by the nearby landowner.

But let us move back a step or two this evening and see if we cannot look at the subject with some degree of objectivity:

Last summer we saw at Chicago, New York and Washington, and at times at other cities, a series of massive air traffic snarls that shook many people out of their complacency. Congestion drove home, as no one previously had been able to do, the realization that we have a major problem. The fact that the problem of 1968 was due in large measure to the culmination of what is basically a labor problem between the flight controllers and FAA is of relatively little moment, for had there not been a controller's slowdown the other factors bearing on this problem would have presented us with this gigantic traffic jam in 1969 or 1970 or 1971. And indeed, the failure of our federal government to provide a complement of controllers adequate to the demands of the system is quite symptomatic of the basic problem.

The basic problem is not one that has developed out of thin air. It has been quite apparent in the distance to any of us—commercial airlines, general aviation, federal government and local government—to any one who cared to stop and really listen. During the 10 years of the jet age, concerned elements in industry and government have been shouting warnings and appeals to each other, but few of the elements have really listened. And so we have found ourselves making extensive and expensive studies and calling out the results to the other fellow like characters in a dream, whispering for help in voices that no one hears.

I hardly need to labor the point that paralysis of our air transport system is economically and socially undesirable. From our standpoint, it has contributed to a sharp

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increase in airline costs—helping to make current airline profits fit the phrase "Downstairs at the Upstairs." It has had its impact on the commerce of business centers like New York and Chicago. Business people simply are by-passing these cities where possible to avoid the congestion. And it should be emphasized that not all the congestion is in the air. At busy times, getting the traveler to and from the airport can be as frustrating as getting him out of the air. Those of you who have had to negotiate your way to O'Hare on a busy evening know whereof I speak.

What are the basic problems to which we should be directing our attention? What needs to be done to relieve the jam and permit air transportation to move ahead? Of course, the problems are diverse, and do not admit of a single answer. In my judgment developing a series of large new commercial airports does not represent the most important or immediate solution. To be sure, we are going to need new airports over the years—particularly to serve general aviation—but the development of new commercial airports is not as pressing as a number of other steps. Needs which strike me as equally or more immediate are:

First, provision of an adequate and well-trained corps of flight controllers;

Second, achievement of technological improvements to our airways system;

Third, increasing substantially the reliability of the present system;

Fourth, maximizing the capacity of existing commercial airports.

Fifth, achievement of a better separation of commercial and general aviation;

And sixth, provision of better means of ingress to and egress from our airports.

The need to beef up our corps of controllers has been obvious for some time. Unfortunately, adding adequate air controllers in good times lacked sufficient political sex appeal to obtain the necessary appropriations. By trying to stretch too far the limited staff in existence, the FAA generated a major labor problem of which it is not yet rid. There is growing acceptance of the fact that more people and more money are needed, and one must hope that this need will not again be lost sight of in the political jungles of Washington.

Although it will not come in time to eliminate the immediate need for more controllers, technology can, over a period of time, lighten the controllers' load and increase the capacity of the airways system. Relatively short-term improvements, such as improved radar now under contract, will help, but a more basic look at automating the system needs to be taken. Our present system was designed about 20 years ago, and a fundamental re-design unquestionably could yield important dividends within the next decade. With an energetic program, it is conceivable that the capacity of the air traffic control system in areas such as Chicago could be increased by 30 to 50 percent by 1975.

Of equal or greater importance in the short term is increasing the reliability of our present air traffic control system. Few people realize to what extent air traffic delays are due to breakdowns in the present system. Radars go out, Instrument Landing Systems fail, communications equipment breaks down. When this happens, controllers revert to procedures which will work without these vital aids, with the result that traffic flow is drastically reduced. In November 1967, under the auspices of the Air Transport Association of America, the airlines monitored delays in the New York area for the purpose of identifying their causes and of taking corrective action. One of the principal causes of delay was the failure of ATC equipment, such as radar. So one important task is to build redundancy and reliability into this equipment so that as a whole the system will rarely fail. This is quite feasible and can be done quickly if we have sufficient resolve and money. To date these have not been forthcoming to the extent required.

Likewise, we have not done all that we might to maximize the capacity of the major airports of the country by adding or enlarging runways and providing better landing aids. If this were done, construction of large new commercial airports in many cities could be avoided or substantially delayed.

Of course, all these solutions take money, and lots of it. Where will this come from? Of the three major elements of aviation, only one—commercial aviation—today pays the share of airways costs fairly attributable to it. This comes from you, our customers, in the form of a five-percent excise tax on airline tickets. General aviation pays only a small portion of the costs attributable to it; and the military, of course, pays nothing. So the major part of airways costs comes out of the general revenues of the government.

I express no opinion as to whether general aviation's share of these costs should be borne by the general public or by general aviation. Suffice it to say that commercial aviation is quite prepared to pay its fair share of these costs and is prepared to see these costs increased. It is the only way that we can move ahead. And I would urge you as citizens to push for—indeed to demand—these improvements, for they are vital to us all.

Having touched on general aviation, let me digress briefly to say a few things about it. First, I regard general aviation not only as a fact of life but as a desirable fact of life. Most of us in commercial air transport would not wish to see it go away, even if somehow we could endow ourselves with the power to banish it.

General aviation is very diverse. It ranges all the way from the rancher flying over the plains in lonely solitude to the sophisticated corporate jet flying between New York and Chicago. What is applicable to one part of general aviation is not necessarily applicable to other parts. As a consequence, broad statements about general aviation are apt to be inaccurate with respect to some part of that group.

Despite the risks of partial inaccuracy, however, I would urge that, with respect to both our airways systems and our airports, we need to provide—if I may use a somewhat discredited term—separate but equal facilities insofar as it is feasible to do so. The highly sophisticated commercial airways of the future will require high skill and terribly expensive gear in the cockpit. Much of general aviation will be able to supply neither. Optimum use of our airways and our major airports will require disciplined and experienced pilots familiar with prescribed procedures. Major points of congestion are no place for Sunday fliers to be wandering around.

So an important objective should be to achieve, insofar as practical, a separation between commercial and general aviation, so that each can operate in an environment best adapted to its needs.

The controversy which revolves around general aviation use of our major airports, such as O'Hare, is of course a lively one. Commercial air transport, pointing out that it has assumed full responsibility for the net costs of operating the airport and, in fact, does pay 99 percent of the costs after concession income, feels that it should have first call on these expensive facilities. General aviation understandably resents any threat to exclude it. Voices become more strident, and nobody really hears what the other fellow is saying.

For myself, I strongly affirm general aviation's right to adequate and convenient facilities. I recognize that a part of general aviation has special reasons to go to airports like O'Hare and the competence to do so. However, I would urge this community to be energetic in providing a string of general aviation airports designed to serve that segment of aviation well and to relieve the pressure on general aviation to use the major commercial airports.

Large commercial airports are frightfully expensive. It is estimated that a third Chicago airport would cost between 500 million and a billion dollars. A satisfactory general aviation airport could be built for a fraction of that cost—perhaps in the area of one-tenth as much. The land required, including buffer zones to protect against noise, would be only 10 to 15 percent of that needed for the third Chicago airport. Because of fewer noise and other political problems, general aviation airports can be located closer to concentrations of population and thus more nearly at points of maximum convenience.

Were we to take the steps I've outlined and, in addition, expand the runway capacity of some of them, the present network of commercial airports could be made to do quite satisfactorily for longer than many suppose. In this regard we will be helped by technological advances with respect to aircraft. For we are on the threshold of the era of the superjets—the Boeing 747, the Lockheed 1011 and the Douglas DC–10. This year, TWA will be flying the first of its 747s—bigger, faster, quieter and more comfortable than today's ships. With a capacity of more than 350 passengers, each of these new ships will move three times as many passengers as the standard domestic 707 or DC–8 of today. Two years later, the DC–10 and the 1011 will come along, each with a capacity of more than 250.

We can quite reasonably expect that much of the doubling of traffic expected in the next five or six years can be handled in congested areas by a sharp increase in the capacity of the average aircraft. In relation to traffic volume, there will be fewer aircraft for controllers to control, fewer landings and take-offs, fewer voices to and from the tower, and fewer gates needed at terminal buildings. Add to these larger aircraft some technical improvement in our airways system, added runway capacity on the ground, somewhat higher load factors than those being experienced today, and an adequate and adequately motivated staff of controllers, and one can see daylight for perhaps another 10 years.

This glimpse of daylight will disappear, however, if general aviation, which now numbers 50 times as many aircraft as the scheduled airlines and the movements of which are growing at a rate of about fourteen percent a year, has no choice but to press in on the major commercial airports. If this happens, there will be no alternative to a continuation of the distasteful rationing with which we are struggling today at O'Hare, the New York airports and Washington National. A number of other major airports are approaching this condition. One should not be surprised to see them rationed too if we do not have the resolve to lick these problems.

Nor should the chance of muddling through for another decade blind us to the need to be planning now for the decade of the Eighties. It is but a question of time when Chicago, like a number of other cities, will need another major commercial airport. Establishing such a facility—with its requirement for as many as 10-thousand acres—is a tremendous political, financial and logistical undertaking. A major city which postpones it runs the risk of finding itself in the position of my own community, New York, where the gravest doubt exists as to whether it is politically possible to establish an airport close enough to centers of population meaningfully to be a fourth New York airport.

In the course of urging that we intensify our efforts to get more out of our present airports, I have omitted one very large problem—and that is how to get all these people to and from the airport to their homes, their hotels and their businesses. If the airlines can move two or three times as many passengers in and out of O'Hare, can your local transportation system handle them? Or will you get, as we are getting at Kennedy airport, to the point where saturation of the local traffic system is such that at peak traffic times a veritable paralysis occurs.

The problem of airport traffic is, of course, just one facet of the traffic problems of our cities. And traffic is but one of a number of serious municipal problems. The techniques for handling airport traffic exist; the hitch is that these are expensive and must compete with politically more urgent problems. But a city such as Chicago which aspires to remain a crossroads of industry and commerce, of science, education and culture, had better keep its arteries open to the flow of its life blood. I come from a city which is developing arteriosclerosis. I urge you not to let it happen here.

Now if I may shift into an even higher gear, I should like to talk briefly about another controversial subject—supersonic transportation. In the last year or so, the progress of supersonic transportation has not moved ahead smoothly. The first flight of the Concorde was roughly a year late. Although the Concorde has now taken to the air, the program is not without serious problems and its first commercial service is still years away.

The U.S. supersonic transport program appears to be lagging even more than the Concorde. The original program envisioned commercial services by mid-1974. Now, 1977 or later, seems more plausible. Having abandoned its original design, Boeing has come up with a new, more realistic approach and one which may well lead to the development of a fully suitable vehicle. But achievement of this goal will not be easy. Development of viable supersonic transportation requires advancing the state of the art in a number of significant areas, such as structure, propulsion and aerodynamics. And to accomplish this it is necessary that there be uninterrupted and well-conceived research and development efforts, because design state-of-the-art barriers will best yield to steady and unrelenting pressures.

Only the Russians appear to have been making conspicuous progress in the SST field, and how good their ship is we really do not know. Historically they have not excelled in producing efficient commercial transports, and their SST may prove to be no exception. But the Russians' ability to master areas to which they give priority, such as space technology, has been sufficiently proved that it would be folly to proceed on the assumption that they are destined to fail at the task. After all, it appears that the Russians will have years to perfect their design before we can hope to compete with them. In all probability our first commercial SST will have to compete with a second-generation Soviet product.

As you know, this country's supersonic program is the object of considerable criticism. It is denounced as a waste of money that would better be spent on socially more desirable projects. People decry the alleged nuisance and danger of supersonic travel and assert there is no real demand for it.

I do not propose this evening to debate these points in detail. Suffice it to say that there is no factual basis for characterizing supersonic travel either as dangerous or as lacking in popularity. It should be as safe as ordinary flight, and I have not the slightest doubt of its popularity.

Every new and faster mode of transportation from the steamboat to the steam engine to the automobile to the airplane has been decried as dangerous and unwanted. Not too long ago, criticis were insisting that there was no demand for the speed produced by today's jets. But without exception, the new, faster transportation has carried the day, and so it will when the supersonic commercial airplane is here. I would have not the slightest doubt that 95 percent of those here in this room tonight will, when it is available, select it for overseas business trips.

From a selfish airline point of view, we already have more than enough expensive capital projects, and the last thing we need is another. You probably could get the airlines to vote to banish SSTs if you could figure out how to accomplish this. We might prohibit any plane having the capability of flying at supersonic speeds from landing in the United States. But if we were to do this, we would have to find some means of sealing off Canada and Mexico, for we would be very unhappy to see our overseas traffic funneled through these countries to the benefit of their carriers and their economies. Even if we could get them to go along, what would we do about Africa, Asia, Europe and the far reaches of the Pacific? In the interests of our balance of payments and our own competitive postures as carriers, I doubt that we would wish to forfeit these markets.

Personally, I doubt that we can effectively decree that technological progress shall stand still. Rather, a more realistic philosophy is that what is technically and economically possible will be done, and we had better be prepared to do it.

One hardly needs to labor the point that the United States has a serious balance-of-payments problem. Despite figures designed to put our foot forward, we also have a most serious balance-of-trade problem. If one excludes the merchandise we have given away in our various aid programs, we had a net unfavorable balance of 3.4 billion dollars in 1968—this despite a favorable balance of 2.6 billion dollars with respect to aviation and aerospace products. Over the last decade, again excluding giveaways, our net favorable trade balance was 11.3 billion dollars. Net exports of aviation and aerospace products during this decade reached 16.4 billion dollars. Simple arithmetic shows that without America's enormous aviation export business, our total U. S. balance of trade would have suffered a 5:1 billion dollar deficit.

We have come to the point that our production costs are now so high that America has lost many of her export markets. We are losing more every day. We have become increasingly dependent on highly technical products like data processing equipment and aviation devices—and at the other extreme, on agricultural products produced by the world's most advanced agricultural technology. If we let these markets go, we will be in trouble, indeed. Our defenses of the dollar will crumble fast.

So as a concerned citizen, I come to the conclusion that we simply cannot afford to default the era of supersonics to other countries. We dare not give the Russians an exclusive instrument with which they can control and determine the trade routes of the future. While technology often does not progress smoothly and in accordance with some pre-determined schedule, as evidenced by the U.S. supersonic program to date, we must see to it that, when the day of extensive supersonic travel arrives, U.S. aircraft lead the way—just as the Boeings, the Douglases and the Lockheeds have set the pace in more than three decades of world aviation.

Both of the issues to which I have addressed myself obviously are essentially political in nature. As such they will respond to the concern—or lack of concern—of those affected by them. To my mind, a community such as this—with its great history of leadership in transportation and trade—cannot avoid involvement. After all, it is your future that's at stake. I have no doubt that what you have to say will be heard, whether you speak with the voice of positive assertion or the voice of silence. So I commend to you the most careful consideration of these issues, the better to enable you to discharge the high responsibility that attaches to those who comprise so august a body as the Economic Club in so great a city as Chicago.

A RESPONSIBLE NEW APPROACH TO EDUCATION

HON. W. E. (BILL) BROCK

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. BROCK. Mr. Speaker, the March 3 issue of the Washington Star contained a most enlightening article by the respected columnist, David Lawrence. In it, Mr. Lawrence summarized the key points made by Health, Education, and Welfare Secretary Robert Finch, in a recent in-depth interview with the staff of a leading national news magazine.

As one of many Americans who has been concerned with the nature of the Federal Government's education policies over the past 8 years, I find Secretary Finch's intelligent, responsible approach to education refreshing and promising.

Judging from his statements, and from discussions held with him, Secretary Finch will concentrate on increasing educational opportunities for all through building more and better schools, attracting top-level talent, and cooperating with, rather than quarreling with, responsible State educators.

This is a welcome change from 8 years of Federal pressure for busing, cross-zoning, and other sociological schemes forced through at the expenses of orderly progress and improved education. Because of its importance and timeliness, I offer Mr. Lawrence's article for inclusion in the RECORD:

FINCH CLARIFIES SCHOOL GUIDELINES

(By David Lawrence)

The new Secretary of Health, Education and Welfare, Robert H. Finch, has just given the clearest and most informative comments available thus far from an authoritative source on the problems with which the superintendents of public school districts throughout the country have been struggling. He explains, for instance, the real difference between such words as "discrimination," segregation" and "integration."

The "guidelines" issued by the previous administration caused much consternation because they apparently were somewhat in conflict with the warning laid down by Congress that federal funds must not be used "to correct racial imbalance." In a copyrighted interview, conducted by members of the staff of U.S. News & World Report and

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published this week, comprehensive answers on many significant questions were given by Mr. Finch. He said in part:

"It is clear that when you withhold funds where there is a dual school system—with some all-white schools and some all-black—then it is the Negro schools that are going to suffer in the allocation of state and local funds. . . .

"I'm convinced that we just can't work with raw percentages and say: 'You've got to have the same percentage of blacks and whites in every school.' You go into parts of Chicago and Harlem and Pasadena, Calif., into Washington, D.C., and you find all-black situations. It's totally artificial to insist on busing school children if it may be detrimental to the level of education.

"The greatest problem we've got in the elementary and secondary schools in the country is not to get so hung up on these other struggles as to let the quality of education in the public school system erode and erode and erode. . . .

"The Supreme Court has never really said that segregation itself is unlawful—or at least de facto segregation. The court has said: If you commit deliberate acts of discrimination, then you are in violation of the law. . . .

"We're reviewing the guidelines now. We will still carry out the intent of Congress and whatever the interpretation of the Supreme Court is and will continue to be, so that we're more responsive and realistic in terms of what is happening to education. . . .

"I don't believe in a 50 percent figure, or 20 percent, or any other arbitrary figure. We have to look at each school district, with its own profile and its own 'chemistry.' We can't just take arbitrary percentages and still come out with quality education—however each of us may define 'quality education.' . . .

"If I were making a judgment as superintendent and I were convinced that the white faculty in that particular instance was capable of doing a better job of school teaching, well, then I—for one—would stay with the white faculty. And I don't think that, because the student body is overwhelmingly black, there has to be an arbitrary number of black faculty members."

Mr. Finch doesn't favor arbitrary percentages for the number of white or black faculty members in a school. He says that if 20 percent were insisted on, for example, it would be found in certain sections of the country that the best Negro teachers have gone elsewhere and hence an order to hire just any Negro teachers would hardly improve the quality of education.

"I intend," says Secretary Finch, "to put education first, in trying to maintain the quality of these school systems."

The secretary doesn't specifically criticize the "guidelines" and interpretations of those officials who handled these matters for the Department of Health, Education and Welfare in the preceding administration. But he indicates plainly that the confusion that has arisen is not confined just to one section of the country. He implies that there has been a widespread misinterpretation of what the federal government can do under existing law and Supreme Court decisions.

Many of the citizens in various school districts have been bewildered by the viewpoint of "compliance officers" sent out by government bureaus as contrasted with that of professional educators. What the new secretary has just discussed so frankly and at great length doubtless will be studied carefully by the citizens groups as well as school authorities in all parts of the country. For he has made a constructive start toward the solution of a difficult problem that is certainly not going to be solved overnight.

THE 119TH BIRTHDAY ANNIVERSARY OF THOMAS MASARYK

HON. VANCE HARTKE

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Tuesday, March 11, 1969

Mr. HARTKE. Mr. President, the spark of democracy and freedom in east-central Europe has not been extinguished. Czechoslovakia's hopes for achieving an ultimate goal of mutual cooperation with the West were snuffed out momentarily on August 20 of last year, when the Warsaw Pact troops, led by the Soviet Union, invaded Czechoslovakia in a surprise attack, and set out to crush Dubcek's reform regime. But the ideas and example of the nation's founder and first president, Thomas Garrigue Masaryk, continue to inspire the Czechs as they fight to save something of their hard-won freedoms. March 7 marked the 119th anniversary of the birth of this philosopher, patriot, and first President of the republic.

Born out of serfdom, he learned the trade of village blacksmith. From this humble background, he later grew to be one of the finest intellects of the century, a graduate of the University of Vienna and then for a time a university professor.

His abilities as an educator were manifested in his open and fair treatment of pupils, as he analyzed their problems frankly and fearlessly. That was indeed revolutionary in 1880.

But his sense of duty drove him from the university campus to the public arena of politics in 1891, where he served 12 years in the Austrian Parliament, taking active part in its deliberations, contending for political improvement of his country, and vigorously advocating political autonomy for it. At that time the Czechs of Bohemia and Moravia were a part of the Austro-Hungarian Empire, as was Slovakia. But the hunger for their own national independence was strong.

With the collapse of Russia in 1917, Masaryk showed great courage and leadership in guiding the Czechoslovak legions 10,000 miles across Siberia to the Pacific, to join the fighting on the Franco-German front against Austria-Hungary and the Central Powers as a prelude to their claim for postwar independence.

At the beginning of World War I, Masaryk himself had escaped to Paris and in January 1916, formed the Czechoslovakian Council in conjunction with Dr. Eduard Benes. In 1918 he came to America to win the support of President Wilson. Recognition as Czechoslovakia's legitimate representative came from France, Britain, and the United States later that same year. At the age of 68, Thomas Masaryk, after a lifelong fight for independence, was elected the first President of the new republic. He served faithfully for 17 years.

Thus, on March 7, the anniversary of his birthday, we celebrate his eternal vigilance in the great cause of freedom.

SENATOR GOLDWATER IS BACK ON THE JOB

HON. RICHARD L. ROUDEBUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. ROUDEBUSH. Mr. Speaker, one of the memorable events of the 91st Congress is the return to Capitol Hill of Barry M. Goldwater, of Arizona.

After a distinguished career in the U.S. Senate, Senator Goldwater was the Republican presidential candidate in 1964.

After a 4-year absence from Capitol Hill, we are now fortunate to have this man of deep courage and conviction back to lend his abilities and experience to the Congress.

Veteran Capitol Hill correspondent Ben Cole, of the Indianapolis Star and the Arizona Republic, has written a story concerning the return of Barry Goldwater, and Ben has done his usual fine job.

All of us who have been pleased by Senator Goldwater's return thoroughly enjoyed Ben's story and I offer it for the Record so that the entire Congress can read this wonderful tribute to a great Senator by Ben Cole.

The article follows:

Intermission Over in Washington—Goldwater Back on Job in Senate

(By Ben Cole)

Washington.—Coming back to the U.S. Senate after a four-year absence, says Sen. Barry M. Goldwater, was like returning to a play after the intermission.

"Some of the characters are different in a few places, but the scene is the same and the plot goes on," he grins from behind his big flat-top desk.

By general agreement of people who spend their lives watching senators, the gentleman from Arizona wears the toga more easily and naturally than just about anybody.

"He is one of the few people in history who truly loves being a senator," observes Richard Harkness, a long-time newsman.

Goldwater's staff is running smoothly, the way it used to do before he went away to make a try for the presidency.

He is four years older—60 now—and his famous gray hair is a little whiter and a trifle thinner, but otherwise he is the same; more relaxed, though.

He used to keep up a furious pace of speechmaking in the old days, "popping around the country," as he put it raising money for the Republican Party. He feels, now, that he has done his share—3,000 speeches and $6.5 million—and he chooses speaking dates according to his own wishes. He likes talking with young people.

"Look at this schedule," he says, picking up a fat sheaf of Xerox sheets. "It looks formidable, but it's not," and he ticks off the time he has blocked out for going where he chooses and saying what he pleases. It's an old Goldwater custom.

His staff keeps busy with requests from Arizonans for help with this and that problem of government relations.

"None say they used to take their problems to Carl Hayden, but, of course, we get a lot of his old requests," he said.

Joe Gonzales, a member of the Senate Appropriations Committee staff, gets Goldwater's praise for helping out with background on some of the continuing problems of the state.

"Gonzales is a great guy," Goldwater says, "a good man." Joe came from Tucson as part of the Hayden patronage hierarchy and has remained to become a senior Democratic staffer on Hayden's old committee.

Reflecting on Hayden and the old-timers, Goldwater's recollection pauses briefly at the remembrance of the late Henry Fountain Ashurst.

"I have the only tape recording of his voice," Goldwater says, adding that he also has perhaps the best collection extant of flowery Ashurst speeches.

"If the central casting office had ever sent out looking for a guy who looked like a senator, it would have picked Ashurst first thing," Goldwater recalls with a smile. Ashurst was one of Arizona's first senators, serving from statehood in 1912 until his defeat in 1940.

Goldwater's legislative goals in this, his return engagement in the Senate, are concerned with Arizona affairs. He has a close eye on legislation to improve Indian education, pointing out that the Indians themselves should be consulted about their needs. He expects to put his shoulder to the wheel for the Central Arizona Project—"All of us will be working on that." And he is seeking to expand the Grand Canyon National Park's boundaries to take in Marble Canyon.

Arizona's delegation of four Republicans and one Democrat meets each Thursday. Goldwater thinks the arrangement for weekly meetings is great.

"Now we can exchange news and help each other with problems for the benefit of the state," he says.

In national legislation, Goldwater is concentrating on military affairs. His elation at being allowed to return to the Armed Services Committee is nearly indescribable. And he is enthusiastic about being placed on the preparedness subcommittee.

He expects to confer often with President Nixon.

"Nixon wants me to visit him regularly," Goldwater says, adding quickly that it is not simply because of his former presidential candidacy.

"I have no burning ambition," he says, "I've had all the honors given me that a man could have."

He is gratified at the decision of his son, Barry Jr., to run for Congress in California. Young Barry consulted with his dad beforehand and confided that the Goldwater name was some help but it was a handicap, too.

"Change it to something else then," advised Barry Sr., with typical aplomb, but his son quickly protested that he couldn't do that—he would simply have to wear the Goldwater name and earn his own reputation.

The senior Goldwaters are settling into Washington life again. Barry is turning down invitations to many social events on grounds he wants to spend time with his wife.

But Peggy Goldwater, it turns out, likes embassy parties, and the senator finds himself squiring her to about one each week.

But Goldwater himself looks like a man at home. For him, the Senate is a wonderful place.

PROUD OF CIRCLE K CLUBS

HON. J. HERBERT BURKE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. BURKE of Florida. Mr. Speaker, last week my friend and colleague, Mr. Buchanan, of Alabama, spoke of the achievements of Circle K International, the world's largest collegiate service organization.

During this year, Circle K International has adopted a special emphasis program which is called Concern: Disadvantaged Youth. Through this program, Circle K, located on 750 college campuses, will be working in the communities in which they are located to enhance the lives of the communities' less fortunate young people.

Florida's 10th District is equally proud of the many Circle K clubs located there, with active and growing membership. I would like to take this opportunity to salute the work of these young people and to call to your attention again the constructive efforts made by individuals who refuse to turn over to the Government responsibility and concern for disadvantaged youth.

RESOLUTION OF SOUTH CAROLINA HOUSE OF REPRESENTATIVES RELATIVE TO PROHIBITION OF ADVERTISING OF TOBACCO PRODUCTS ON RADIO AND TELEVISION

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Tuesday, March 11, 1969

Mr. THURMOND. Mr. President, the South Carolina House of Representatives has passed a resolution urging Congress to take such action as is necessary to prevent the Federal Communications Commission from prohibiting the advertising of tobacco products on radio and television. Tobacco is of tremendous importance to the economy of South Carolina, and it is the feeling of the members of the house of representatives that the prohibition of advertising of tobacco products involves a tremendous extension and possible misuse of governmental power.

Mr. President, many questions remain unanswered concerning tobacco and its possible effects on health. Until these questions are resolved, it would certainly be a mistake for an agency of the U.S. Government to take such extreme action.

Mr. President, on behalf of the junior Senator from South Carolina (Mr. Hollings) and myself, I ask unanimous consent that the resolution of the South Carolina House of Representatives be printed in the Extensions of Remarks.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

A House Resolution To Memorialize the Congress of the United States To Take Necessary Action To Prevent the Federal Communications Commission or Other Administrative Agencies From Banning Advertisement of Tobacco Products on Television and Radio

Whereas, the Federal Communications Commission has threatened action to prohibit the advertisement of tobacco products on television and radio; and

Whereas, the publicly-owned airways should be protected from such arbitrary and unnecessary restrictions; and

Whereas, the tobacco industry so vital to the economy of South Carolina would be seriously damaged by this proposed prohibition.

Now, therefore, be it resolved by the House of Representatives of the State of South Carolina:

That the Congress of the United States be and hereby is memorialized to take such action as may be necessary to prevent the Federal Communications Commission or any other administrative agency from prohibiting the use of the public airways to advertise tobacco products on radio and television.

Be it further resolved that a copy of this Resolution be forwarded to the President of the United States Senate, the Speaker of the House of Representatives of the United States and each member of the South Carolina Congressional Delegation.

I hereby certify that the foregoing is a true and correct copy of a Resolution passed in the S.C. House of Representatives.

Inez Watson,
Clerk of the House.

MEADER SPOTLIGHTS THE CENTRAL ISSUE

HON. CHARLES E. CHAMBERLAIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. CHAMBERLAIN. Mr. Speaker, the suit of Adam Clayton Powell against the U.S. House of Representatives is currently scheduled to go before the U.S. Supreme Court on or about April 21. As many of my colleagues are aware, a former Member of this body has, because of his concern over the unique and fundamental constitutional questions involved, joined this suit as amicus curiae. In a recent editorial dated Thursday, March 6, 1969, the Jackson, Mich., Citizen Patriot discusses points raised by former Congressman George Meader, of Michigan, and hails his efforts. Due to the importance of this legal issue, I include the editorial in the Record:

Meader Spotlights the Central Issue

George Meader, former congressman from a district which included Jackson County in his time, has raised pertinent points in the legal controversy involving Harlem Congressman Adam Clayton Powell and the House of Representatives.

Mr. Meader now is in private practice in Washington but retains his lifelong interest in government and the prerogatives of the legislative branch of which he was a part. Accordingly, he has filed a brief, as a "friend of the court," challenging the right of the courts to take jurisdiction in a case involving Congress and one of its members.

Briefly, Powell has sued to have set aside the House's refusal to seat him in the 90th Congress, to regain his seniority and to avoid paying a fine imposed on him as he was admitted to the 91st Congress after his election last November. Lower courts have granted Powell no relief but have held that they have jurisdiction.

Meader's fight to clarify the status of the suit is one which needs to be made. Involved here are the principles of separation of the branches of government, the constitutional right of the houses of Congress to judge the qualifications of their own members, and the right, also granted by the Constitution, of lawmakers to be free from legal harassment in the conduct of their duties.

In an earlier day, the points would not have been raised. The doctrine of separation of powers has been respected by the courts since the beginnings of the Republic and a few precedent-setting showdowns.

Today's Supreme Court, however, has been shedding precedents by the dozens. Its interpretation of the Constitution has been liberal to say the least. No legal expert would dare say that the court would not find, somewhere in its current philosophy on individual rights, grounds for a decision favoring Powell and holding the House to be in error.

Mr. Meader contends, and the Constitution seems to bear him out, that no one has the legal power to sue Congress—not even one of its own members.

That, for the practical purpose of retaining the balance of powers in the government, is the way it has to be.

Far more than Powell's seat in the House, his seniority and the $25,000 the House wants him to restore to the federal treasury is involved here. The frightening thought is that nine men who hold lifetime jobs possibly will try to make themselves the supreme authority over representatives periodically elected by the people.

As Mr. Meader points out, a court decree probably could not be enforced against the House. That provides a measure of comfort for the people, but would not be nearly as reassuring as a clear ruling by the Supreme Court that it has no jurisdiction in cases in which a branch of Congress is the defendant.

SERMON BY THE REVEREND BRYANT M. KIRKLAND, MINISTER OF FIFTH AVENUE PRESBYTERIAN CHURCH

HON. JOSEPH D. TYDINGS

OF MARYLAND

IN THE SENATE OF THE UNITED STATES

Tuesday, March 11, 1969

Mr. TYDINGS. Mr. President, many of the time-honored traditions of America seem lost and forgotten amidst the tide of technological innovations. It seems that Mother Nature is being replaced by manmade environment, that computers are reducing our humanity, and that values constantly change to adjust to a changing society. Religious traditions are attacked as irrelevant in the context of modern life.

In the midst of such turmoil Dr. Bryant M. Kirkland, the senior minister of the Fifth Avenue Presbyterian Church in New York City provides many with spiritual stability. Dr. Kirkland began his service with the Presbyterian Church as a pastor of a small parish in Pennsylvania. He then served as chaplain in the U.S. Army for soldiers soon to be involved in the D-Day landing at Normandy. His missionary work has taken him from Point Barrow, Alaska, to Panama, and recently to India. He has also published several books, the most recent of which is "Home Before Dark."

Thousands of people listen to Dr. Kirkland each week at his church or on radio. He has made religion a vital part of their lives and a comfort in finding solutions to daily problems.

His recent sermon, "Find a New Style for Your Life," is a fine example of Dr. Kirkland's moral leadership. In the hope that it will prove valuable to others, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the sermon was ordered to be printed in the RECORD, as follows:

FIND A NEW STYLE FOR YOUR LIFE

(Sermon by the Reverend Bryant M. Kirkland, D.D., LL.D., S.T.D.)

"So that you will be able to choose what is best."—Philippians 1:10 (TEV)

We need a new style in our religious life. I was thinking all week how many of you are engaged in style-making and style-setting for clothes, perfumes,.and stocks and bonds. Religiously, God's people have been trying to set styles over the centuries. Moses changed the style when his people had been slaves for 400 years and he led them into the path of freedom. It was a most arduous undertaking. Joshua and Caleb spied out the Promised Land, but ten others of their committee said, "We can't do it. The people in there are like giants and we are but grasshoppers in their eyes."

Caleb and Joshua retorted, "God being our helper, we can set a new style and go in and possess the land," which they did after the fearful generation died away.

Our Lord, too, set a new style of life. A Roman legionnaire had the legal right to compel anyone to carry his military pack for a mile. Rather than be galled by such difficulty, the Lord made a new style for it. He said, "Go two miles and leave him wondering why you did it. If a man takes your overcoat, give him your jacket also. Be not overcome of evil. Have a style: Overcome evil with good."

St. Paul had a new style which he caught from the Lord. He was in jail. His wrists were chafed with the handcuffs, but he managed to write the letter I read to you (Philippians) in which he said, "I pray for the rest of you that you may have style in life, that you may see that these hard things are working out for the good of God in me."

Through the years in America and England, we too have had religious style. John Wesley grew up in the Church of England in its period of low style, rigidity, and dullness. He was quickened by the Holy Spirit and started what we recognize as world Methodism.

I have been very close to Quaker people all my years. They had a style. They came out of the same English background. They were plain people. Instead of lace ruffles and fancy neckbands, they wore plain beaver hats and simple brown clothes. But the word got out in the marketplace, "Take your work to a Quaker. You can count on his yes being yes and his no being no." This is what the Lord said, "Have a style where yes is yea and no is nay."

Among the many immigrants of Europe who came to this country through the Pennsylvania gateway were the Mennonites and the Dunkards, people of great traditions. They wore uniforms without buttons, plain brimmed hats and grew beards. These were outward symbols of an inward spiritual style.

One of the problems today in finding a style of life is that people think if they were to wear a broad-brimmed hat, grow a beard, and have buttonless coats they would have the same dynamic style within. But it only reflects itself in the badges and instruments outside. We all have to struggle to find an adequate style of life because the world tries to impose its style on us. St. Paul in his letter to the Romans writes, "Don't be overcome by the style of the world but be ye transformed and set a new style." The Lord met this problem frankly when He said, "Be salt. Be light."

I want to ask you a question: Do you think we are setting much of a religious style in New York City? Most of us are too timid to let our uniqueness shine. We do not confront the world to the point of risk, or jail, as St. Paul did, or as Christ did in going to the cross. Most of us bury ourselves in our turbulent society and try to maintain our secret personal identity as Christians.

For a moment let me release your sense of failure and bondage to show you the excitement of trying to find a new style for your Christian life. Many people insist that we must keep the old style. I can understand that. I have watched a harness and buggy shop for 30 years. It was finally torn down this summer. I have in mind a church in Pittsburgh which is now a garage. Life has a way of changing. We have to find our own style, a new language, new ways. Once I lived for a short period on the coast of the Arctic Ocean and had a wonderful snow parka. Wouldn't it be peculiar if I insisted on wearing my parka down here when the temperature gets hot, simply because it was the style which I used in Alaska? There is a proper style of Christian living for every age and place. As a Christian, what are you doing with your style of life in an oppressive society that says, "Just keep quiet quiet"?

Here are some guide points we need to make our creative style felt. First of all, we need to realize that this is an open world that God made and created. It is open to new experiences. By Christmas, somebody will have gone around the moon ten times and come back. (Apollo 8 did in December 1968). We need to be open to God's new disclosures. God isn't sitting with His hands folded. He has new things to show and give us.

Of course, someone will say, "I don't like to be open. It is too difficult." But to be open means that you find out how much you do trust God as the Sustainer of the universe and how much you do trust people. Today this world calls for more trust. We ride the subways that speed and hurtle through the tunnels, yet we don't know who the engineers are. We put ourselves gladly in the hands of an airplane pilot and settle for the smile of the hostess, but we don't know anything about the credentials of the man up front. We call our broker on the telephone. We may never have seen him face to face, and yet he executes our orders. If we become ill in a hotel, we call for a physician and he comes with a placid manner, black bag in hand, to take care of us. And we learn to trust him.

In this expanding universe of God's providence, we need to be open to new truth. We need to learn how to trust Him and other people much more.

Another thing, in this technological age we have learned to do things; for example, change the courses of rivers in the Midwest to eliminate the annual floods. In the field of therapeutics we have been able to use God's gift of drugs to wipe out diseases. We have learned that our religious style of life is not just to say, "In good time God will take care of it." We realize in the providence of God that He expects His people to do something about now and not wait for riverbeds to change their courses by erosion, but rather for men working under night-lights to put in concrete and steel webbing and change the course of a flooding river.

God wants to work through you today. God works through you in your industry, in your business. You are God's instrument. We cite nurses, physicians, explorers and researchers as God's men. But I would also like those of you who work in the back rooms of stock brokerage houses to know you are doing God's work. You who work in fashion design, perfumery and cosmetics, in law and school teaching—you are God's person right on the job. Did it ever occur to you that this is your style of life or say, "Lord, what do you want me to do? I am listening."

First, be open and trust. Second, realize that God is working through you. Third, realize that there are power structures in every generation. Recall the Medieval period when the lord of the castle controlled the whole valley and the people were his serfs. Then, lords and ladies, slaves and serfs knew where their power structure was. But some of our ancestors broke out of that with the *Magna Carta* and we have had freedom since. With the American Revolution came democracy, Congress and the Senate. Today we also have labor unions and actors' equity. We have the insurance industry, the legal profession, the medical profession, the National Association of Manufacturers. We live amid all these structures of power but, as Christians, we seem to have lost our style. We have let large organizations contradict the fact that you and I are unique as persons. Primarily, we are followers of Christ and we are to impart salty taste and light to these useful groups. Paul wrote the Epistle to the Phillippians from his power structure, which was a jail, that we are supposed to be witnesses of God in the power structure where we live. We are supposed to mold the policy of the company. We are supposed to influence the policy of the country club or even the bridge club. We are supposed to influence the policy of the people who are actually controlling our lives.

We have surrendered that because we don't follow the spiritual style of life to the point of confrontation. Paul said, "I thank God that these chains are making the Gospel known throughout the whole Roman Empire." Nobody is going to persecute the Christian Church today. It has lost its style. However, it can recover it.

The San Diego basketball team have recovered a new lease on life because they have one new player who has a real style. He thinks, eats and sleeps basketball and he has turned on the whole team because of the radiance of his personality. I am referring to Mr. Hayes.

New York City is just ripe for some stylistic Christians who will speak up in the Board meetings of their companies and associations when the issues are under debate. They will speak as Christian businessmen and professionals. You may say, "That is too idealistic." Yes, of course, unless you are willing to go all the way with it, and then you turn things around when you are willing to go all the way to the cross with it.

We need to influence our power structures, unions, associations and races. We can't operate as individuals. We have to operate within the normal power structures. This is our God-given style of life in modern times. This is why Christ said, "Render unto Caesar the things that are Caesar's." St. Paul tells us to pray for all men and to pay our taxes.

Now we move on to another style. In this world of simultaneous fulfillment and destruction, the Christian should have as his style of life a concern for others. Now this refers to our Lord's parable of the Good Samaritan. We are still supposed to be Good Samaritans who care about people, who care about nameless older men and women shuffling along the cold pavements of New York. We are to care, too, about the rich, the triumphant who live protected lives but inwardly are wistful, restless and hoping that life adds up to something significant.

Our style of life is that we are open. Our style of life is that we are God's man and woman on the job where we do our work. Our style of life is that we influence the power structures where we are. In this world of ambiguity and destruction, our style of life is to be the one who is sensitive to the people near us, to sense their needs and be kind.

In this computerized world, have a style of creative imagination. Isn't it a dreadful thing to get caught in the grip of a computer that won't talk to you as a reasonable person? You argue back and forth with it. In this kind of a mechanical world which we have arranged in order for economics to prosper, we need, as Christians, more than ever to stress the intuitive, the creative, the organic. We need to promulgate dreams in people and not say, "That is impossible. You are foolish to try to do it." The dreams usually precede the creative movement of life. Encourage people to dream dreams. The Scriptures say that someday the kingdoms of this warring world will be the kingdoms of our Lord and of our God. Don't give up that dream!

In one of the psychedelic style shops on Madison Avenue there is this sign: "Nothing is real." That is blatant secular theology: "Nothing is real." We have the exact opposite in Christian theology. We believe this is the Lord's earth. It is a good one. He made it. It works. It brings forth seed in the harvest for the spring to come, and the winter makes the way for the richness of the summer yet to be. A young child is baptized in a church that he may grow up and suffer, bleed and mature. At the end, white-haired with bent shoulders, he may say, "Despite it all, God has been good and all things have worked together for good to those who love Him."

The world needs stylistic Christians who have a dream, who have a hope, who believe in themselves, who believe in other people, who believe that God is the Lord, that Christ is the Saviour of sin. We have ourselves all mixed up in modern negativism. We have a resultant fear complex. We are a religious minority and we don't know how to handle it. We don't know how to operate as Christians outside of a spotlight. Therefore, a new style of Christian is needed, as Jesus said—salty, tangy, luminous as a candle.

What is your style? You won't find it by putting on a broad-brimmed hat, an Edwardian coat or even a Nehru jacket. One doesn't become a Ghandi by wearing a white sheet. You can be a stylistic person without the outward badge, and people will begin to say, "There is something different about you." Or a little more admiringly they might ask, "How is it you are not upset about everything today?" The French word in the Beatitudes for blessed is debonair. A disciple today needs to be a little more debonair because the earth is the Lord's. We are in His hands. We have a big job to do.

We can't be as super-idealistic Christians as we might wish. We are afraid to admit that we are not able to do everything we have dreamed. But we need to come down a little bit more toward reality. The Lord said, "There are twenty-four hours in a day, enough to do each day's work and rest. Just keep moving in life, even against difficulty and opposition. When you come to a village that will not receive you, don't get angry and wish to burn it down with fire called from Heaven, as the sons of Zebedee wanted to do. Just pass by debonairly on the other side and keep your face toward the cross."

How is your style? Of all people in the world, the Christian should be the most stylistic. The style of Jesus is to take that ramrod ego and cross it out with a minus sign of self-denial, which leaves you with a cross. St. Paul said, "I am crucified daily with Christ and yet I live." He added, "For me to live is Christ and to die is gain, so that in everything I do (where I work, where I play) God may be glorified."

So, friends, live it up a little more by faith. Be open and trusting. Witness for Christ in the power structures. Be tender and careful toward the weak. Be creative and imaginative in your job because we are here to celebrate the goodness of God in the 20th century. Keep your Christian style up.

A BILL TO CLOSE THE TAX LOOPHOLES FAVORING NATIONAL BANKS

HON. THOMAS L. ASHLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. ASHLEY. Mr. Speaker, I am introducing today legislation which would remove the privileged status enjoyed by national banks in their immunity from all forms of State taxation, other than what is specifically forbidden by the National Bank Act, for which State-chartered banks are liable. The bill would close the loophole favoring national banks and thus foster competitive equality between National and State banks within our dual system. It is estimated that the loophole costs the States about $50,000,000 annually.

As a result of the 1864 National Bank Act, which made national banks subject to income and real property taxes only, a patchwork quilt of systems grew up in the various States. Thus, national banks in some States have voluntarily paid State and local sales and use taxes, despite the act. On the other hand, in some States, both National and State banks have enjoyed exemptions from such forms of taxation as a matter of competitive equality. The result has been diminished State funds and confusion as to the States' ability to levy such taxes as use and sales taxes.

Since the Federal Reserve Act of 1913, the role of the national banks has changed markedly. National banks now perform essentially the same function as State banks. Similarly to their State-chartered counterparts, national banks are privately owned, privately managed, and operated for private profit. Not only do national banks perform no significant Federal governmental function not performed equally by State-chartered banks, but they also receive a myriad of State and local services.

Need for this legislation heightened as a result of the Supreme Court decision in *First Agricultural National Bank* v. *Tax Commissioner* (392 U.S. 339 (June 17, 1968)). In that case, Justice Black, writing for the majority in a 5-to-3 decision, found that the National Bank Act permitted States to tax national banks only in the areas specified; that is, income and real property taxes. He stated that the legislative history made it clear that the National Bank Act "was intended to proscribe the only ways in which the States can tax national banks and if a change is to be made in State taxation of national banks, it must come from the Congress which has established the present limits."

I am convinced that such change is necessary to remedy the existing inequities. In response to this clear need, the executive State and National bank committees of the American Bankers Association unanimously recommended legislation which would make national banks subject to the State sales and use taxes. Frank Willie, the New York superintendent of banks, has gone even further, as does this bill. He said:

> I consider it contrary to public policy, in the face of rising revenue needs on the part of State and local governments throughout the country, that national banks as a class should be exempted from non-discriminatory state and local taxes of any kind.

He warned that unless Congress removes this inequity, there may be "an increasing number of conversions by commercial banks from State to national charter." This would leave the States with even less revenue in this time of great State need.

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RETURNING 90 PERCENT FAIR FOR STATES

HON. MANUEL LUJAN, JR.

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. LUJAN. Mr. Speaker, the various States and particularly the States with large amounts of public lands are faced with the ever-growing problem of raising adequate money to meet the social needs of their citizens.

There have been a number of proposals that would rectify the weakness of the States in generating income. In the meantime, my distinguished colleague from the State of Wyoming has introduced a bill that would alleviate some of the financial burdens of the land-grant States by returning 90 percent of Federal oil royalties to the States.

A succinct analysis of the proposal is contained in an editorial published in the February 27 issue of the Casper Star-Tribune. Under unanimous consent I submit the editorial for inclusion in the CONGRESSIONAL RECORD, as follows:

THE STAR-TRIBUNE THINKS 90 PER CENT FAIR FOR STATES

When Alaska became a state it was with the provision that it should reserve for itself 90 per cent of the federal mineral royalties. This was an objective long discussed by the 11 other public lands states.

When the late Senator Frank Barrett of Wyoming wrote an amendment to give Alaska 90 per cent of its oil royalties upon gaining statehood, it was with the idea of setting the pattern for all public lands states in future legislation.

More than a decade has elapsed, and the Western states still batter the doors of Congress.

Now, John Wold, Wyoming's representative in Congress, wants to do something about it. If he can garner the support—and there is no reason why he should not—Wyoming, Colorado, Montana, and the other public lands states should have economic equality with Alaska on a fair-share basis.

Federal Government takes a 12½ per cent royalty from production. Out of this, there is returned to Wyoming 37½ per cent and another 52½ per cent goes to the Bureau of Reclamation. There can be no question but that Wyoming has benefited from these reclamation funds, although there have been agonizing times when Washington seemed to have forgotten the fact of this state's contribution to the fund. For many years, Wyoming has argued that it contributed through federal royalties much more than it ever received in return.

There has been considerable argument over the years that the states should receive the 90 per cent, with the other 10 per cent going to the federal government for administrative purposes. This is only fair, and it is a reasonable alternative to the complete return of the public lands to the states. This latter movement was popular in the '20's and '30's. It is basically sound, but the time does not appear opportune. The structure which has been built up is such that it would be impracticable today to give all this acreage back to the states in fee simple. Unless all state lines are erased, the time will come when that would be feasible.

In the meantime, there is the dominant question of a share in petroleum and other mineral royalties. In northern Alaska there is an oil field which is reported to have potential staggering the imagination. The reserve is estimated from 10 to 20 billion barrels. Yet Alaska will not have to take a back seat in federal allocations. It already has it made. It has all the federal royalties, minus a 10 per cent for federal administration.

This is not true in Wyoming. It is not true in any of the other states which came earlier into the federal structure. They were given full patents to their public lands. It was only the states of the West that were made wards and provinces.

Perhaps we ought to go with tin cup in hand and be grateful for the largesse. We ought not to question the 37½ per cent out of the 12½ per cent, or the 52½ per cent which we may share in, but over which we have no control.

If these comments seem caustic, it is not that we reject what has been done in the last few decades. The point is that there is a new picture on the horizon and that we cannot continue to conform to old patterns.

We are hopeful that Congressman Wold will receive the support to which he is entitled in his effort to achieve a better balance of royalty distribution.

NEW WEAPON IN WAR ON HUNGER

HON. GLENN R. DAVIS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. DAVIS of Wisconsin. Mr. Speaker, I am pleased to call the attention of my colleagues to the accomplishments of the Krause Milling Co. of Milwaukee, Wis., in the development of a high protein food—CSM—which is helping to fight malnutrition in more than 90 countries.

The development of CSM is an outstanding advance in food technology and in the economics of human nutrition. It is something of which I believe my colleagues will welcome additional information. Accordingly, I insert herewith a statement about this product and its utilization:

CSM: HIGH PROTEIN FOOD—NEW WEAPON IN WAR ON HUNGER

We have learned a good deal about practical nutrition in the American food aid programs around the world.

The key product that has been developed and used successfully in recent years to fight malnutrition in more than 90 countries is "CSM" High Protein Food. It is a blend of precooked corn meal, soy flour, nonfat dry milk and vitamin-mineral supplements that has been accepted by millions of consumers. It is a highly nutritious, high protein food, uniquely suited to correct malnutrition.

But it is more than that. As any homemaker knows, it is not enough to provide food that is merely "good for you." It must be appetizing and appealing as well. As the old saying goes, "the proof of the pudding is in the eating." CSM has been accepted and relished by millions of consumers in scores of countries. It is appetizing and palatable and readily adaptable to a wide variety of ethnic tastes. CSM makes an excellent soup, breakfast cereal, or cold drink. It possesses unique dough-forming properties that produce delicious empanadas, tamales, and tortillas for the Latin American diet. It can also be used to make chapatti, a staple in India and Pakistan. In country after country we hear of new ways that CSM has been adapted to local feeding habits. The versatility of the product is limited only by the imagination of the cook.

The Krause Milling Company began acceptability studies on pre-cooked or processed corn meal, which is the primary ingredient of CSM, in 1963. This product is familiar to the food industry as an ingredient in many kinds of manufactured foods, but its use directly by household consumers was a totally new concept. Krause felt that its taste and suitability for use in a wide variety of ways made it an ideal product for distribution under the foreign food aid programs.

In August 1963, Krause Milling Company donated 10,000 pounds of pre-cooked cornmeal for the first testing in food aid programs overseas by voluntary agencies. These earliest tests were conducted in 16 countries. The response was most enthusiastic. In mid-1965, Krause and two other corn millers donated an additional 90,000 pounds to voluntary agencies in 25 countries. The responses to questionnaires showed, without exception, great enthusiasm for the taste, adaptability, and convenience of pre-cooked corn meal. All of this testing was conducted at industry expense. More than $1,500,000 was spent for research, equipment and technology prior to any sale of CSM.

WORLD NUTRITION CRISIS ARISES

Just as these tests were getting underway, the Department of Agriculture challenged American food manufacturers to develop a blended food aimed at meeting the nutritional needs of vulnerable groups in the hunger populations of developing countries overseas—children of school and preschool age, nursing mothers, and pregnant women. The guidelines were prepared by scientists in the Agricultural Research Service of the Department of Agriculture. Cereal was specified as the primary ingredient. The protein content of the mix was to approximate 20 per cent, and the extra protein was to be provided by the addition of soy flour and non-fat dry milk. Vitamin and mineral fortification, a bland flavor, low-bran content, and smooth texture were also specified. The guidelines further stated that the product was to be partially cooked and ready for serving after boiling for one to two minutes.

The pre-cooked corn meal product which the industry had developed fully satisfied these standards for primary product qualities. Testing quickly confirmed that mixing 25 per cent soy flour and 5 per cent non-fat dry milk with pre-cooked corn meal produced an excellent food. Tests conducted at the Wisconsin Alumni Research Foundation showed that the "protein efficiency ratio" of CSM was 2.5, which is equal in protein quality to casein, the protein in milk.

CSM GETS WORLDWIDE USE

With the cooperation of AID Missions and Voluntary Relief Agencies around the world, the excellent acceptability of the product, which had been indicated by our earlier testing of processed corn meal, was proved. Final specifications were developed by the Agency for International Development and the Department of Agriculture, working cooperatively with the industry. In September 1966, only 28 months ago, the first purchase of 9¼ million pounds was made. Today the total purchases of CSM have passed the 821 million pound mark. Acceptability of the product seems to grow steadily, as consumers around the world gain familiarity with its versatility, convenience, palatability and nutritional properties.

The consumers asked for more because they liked it, and it fits into the way they regularly prepare their meals. Those who are responsible for the nutrition of the vulnerable population approve its superior nutritional quality, based on its content of 20 per cent protein, 6 per cent minimum fat, high protein efficiency ratio, and good essential amino acid balance.

The development of CSM is certainly an outstanding advance in food technology and in the economics of human nutrition. The food and nutrition scientists both in the government and in industry deserve appreciation for this achievement.

Usually less appreciated, but equally as

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commendable, is the sense of responsibility, decisiveness, and courage displayed by the government administrators in the U.S. Department of Agriculture and the Agency for International Development, both in Washington and overseas. Their prompt action in testing, then quickly approving distribution of this new food for worldwide use, saved many human beings from death or physical or mental retardation. The world is a happier place today as a result of their competence.

TESTS FIND CSM EFFECTIVE

An impressive body of technical information has been gathered on the nutritional benefits of CSM since shipments began. Dr. Fred R. Senti, Deputy Administrator of ARS, reported favorably on tests by Dr. George Graham at the British American Hospital in Peru on how successfully the nitrogen balance was maintained in children 1 to 3 years old when they consumed CSM as the primary source of protein. He also reviewed the three tests conducted by the World Health Organization in Taiwan and Algeria, which show the nutritional effectiveness of CSM when fed to undernourished and malnourished children.

All of us who participated in the development of CSM felt a glow of real pride when we learned of the health improvement of young people in Bihar, India, who had been fed CSM for 30 days during the famine two years ago, compared to those who were not participants in CSM feeding programs.

RESEARCH AND PRODUCTION

The Krause Milling Company research staff and production technicians maintain active contact with administrators in the U.S. Department of Agriculture, the Agency for International Development, the Voluntary Agencies and others. Information is exchanged that results in improvements in the CSM program. Through such cooperative efforts, we are making progress in our "War on Hunger."

In addition to the vitamins and minerals naturally present in the corn, soy and milk ingredients, CSM is fortified with vitamin and mineral supplements. Under ASCS Announcement CSM–1 dated 2/7/69, the following supplements must be included in CSM:

Mineral supplement	Pounds per ton, CSM	Milligrams per 100 g., CSM
Calcium carbonate, precipitated, FCC grade	12.0	600
Zinc sulfate, hydrated, FCC ($ZnSO_4 7H_2O$)	.08	4
Ferrous fumarate, purified food grade	.92	46
Iodized salt (.007 percent I_2), food grade	13.0	650

Vitamin supplement	Per ton, CSM	Per 100 g., CSM
Thiamine mononitrate	2.5 g	0.28 mg.
Riboflavin	3.5 g	.39 mg.
Pyridoxine hydrochloride	1.5 g	.17 mg.
Niacin	45.0 g	5.0 mg.
Ca D-pantothenate	25.0 g	2.8 mg.
Folacin	1.8 g	.2 mg.
Vitamin B_{12}	36.0 mg	4.0 mcg.
Ascorbic acid	364.0 g	40.0 mg.
Vitamin A (stabilized retinyl palmitate)	15,000,000 U.S.P. units	1,670 U.S.P. units.
Vitamin D (stabilized)	1,800,000 U.S.P. units	200 U.S.P. units.
Alpha tocoperol acetate	68,000 IU	7.6 IU.

AVAILABLE DATA RELATIVE TO SEVERAL OF THE ESSENTIAL AMINO ACIDS IN CSM

Essential amino acids	USDA guideline min. g/100 g.[1]	CSM g/100 g.[1]
Lysine	0.95	1.0
Methionine	.3	.4
Total S-containing	.6	.6
Tryptophan	.22	.22
Threonine	.65	.75

[1] Dry basis.

Composition:	Percent
Processed corn meal	64.0
Defatted soy flour	24.0
Nonfat dried milk	5.0
Mineral-vitamin premix	2.0
Typical analysis:	
Moisture	9.0
Protein, dry basis	20.0
Fat, dry basis	6.5
Crude, fiber, dry basis	1.5

SIKES KEYNOTES ROA CONFERENCE

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. BENNETT. Mr. Speaker, recently the Reserve Officers Association of the United States assembled here in Washington its leaders from all over the world for the association's annual midwinter conference.

The keynote to this gathering of citizen-reservists was delivered by the Honorable ROBERT L. F. SIKES, who is known to the Members of this House and throughout the Nation, not only as an outstanding Member of this body but as an outstanding citizen-soldier who has achieved high rank in the Reserves.

We in Florida are proud of BOB SIKES. Nobody in the country has done more for national defense than he has.

BOB SIKES' address to ROA on this day, the 21st of February 1969—the eve of George Washington's birth anniversary—was a significant one and I am pleased to invite attention to it. The text of this speech follows:

SPEECH OF CONGRESSMAN BOB SIKES BEFORE THE ROA MIDWINTER CONFERENCE, FEBRUARY 21, 1969

Mr. President and members of the National Council, I am always privileged when it is my opportunity to appear before you, and I am especially pleased to be introduced by my very good friend of many years, Don Dawson. He is indeed a distinguished leader among Reservists and in all groups in which he moves. I am glad to attest to the truth of all the nice things he said about me. Your organization has been very good to me indeed. When I was chosen for the Minute Man of the Year Award, I counted it one of the outstanding events of my life. I assure you I recognize the importance of any invitation to speak to this able and distinguished and clear-thinking group.

These have been busy years, and there is no reason to anticipate that the future will bring a change. We have gone through a period when it was extremely important that all friends of ROA stay alert at the Capitol in order to insure that the Reserves not be destroyed. I hope that particular necessity for alertness is no longer with us, but only time will tell. We should never relax our vigilance. More immediately, there will be other needs which require our constant interest—none greater than to insure the modernization of our defense forces. Because of the tremendous costs of the war in Vietnam, there has been serious slippage in the program of modernization which should have been maintained for weapons and equipment. Particularly is this true of planes, submarines, and other Navy ships. If it continues, we shall find that we have a second-rate force despite the best efforts of those who wear the uniform, and we cannot afford to have the second-best defense if we are going to maintain our freedom and our responsibilities to our own nation and to the free world.

I am reminded that great things have been happening in the field of surgery. For instance, examples of heart transplants have attracted the attention of the entire world. But one such bit of surgery has escaped general notice, even though we in ROA circles have been fully aware of it. We have watched the process of transplanting a heart into the Pentagon. There was a time when no heartbeat could be heard there insofar as Reserves were concerned. I hope this new heart, which has been transplanted with the aid of a team of surgeons on Capitol Hill who are close to you, will prove to be a strong and healthy transplant responsive to the needs of a strong Reserve. It is not necessary to tell you that ROA's heart continues to beat strong on Capitol Hill. No transplant is needed there. In Congress your friends are legion, and they are willing. And in Washington you have assembled an extremely effective staff headed by an outstanding Executive Director in Jake Carlton.

In a different sense it could be said that ROA itself has a new heart, and that it beats in the form of the new Minute Man Memorial Building on Capitol Hill—that living, working memorial that General Hershey and so many other great leaders helped to make possible.

Just a year ago tomorrow, on Washington's birthday, I had the privilege of helping to dedicate that building and then to deliver, before ROA representatives from all over the world, the famous George Washington Farewell Address. It was a real privilege for me—and I think it was a real tribute to ROA that the Speaker of the House, the President Pro Tem of the Senate, and the entire Congress joined forces to give ROA the recognition that you received on that day—George Washington's birthday of 1968. On that date, you made me very proud of ROA and its members for that was the day you filled the galleries of the House Chamber. Regretfully, it is a rare thing when more than casual attention is given to the delivery of this famous message. You made it an outstanding occasion, and this patriotic service is typical of the works of ROA. Incidentally, I might relate to you the comment of one listener who, when leaving the gallery, was overheard to say, "That Congressman Sikes sure wrote a good speech, didn't he?" I am sure he was a casual visitor and not a member of ROA.

Rather than present to you this morning a report of your legislative committee, let me talk to you very briefly about ROA's opportunities and challenges on today. My remarks are non-partisan, or at least as non-partisan as remarks can be from a man who has run 20 times for office on the Democratic ticket—Southern Democratic, that is. As you know, ROA by nature and by law is non-partisan, and in a broad sense, so is the Congress—most of the time.

We meet during troubled, uncertain, and in a sense, directionless times. Which way is our country going? We obviously are living in a time of great social change; we face unprecedented crises from day to day; those who administer the law do not seem to know how to respond to strange and querulous protests of minorities of our citizens. Established institutions are under attack, and accepted principles of morality, law and order seem to be in question. We hear strange proposals—and strange talk of appeasement from the most unexpected sources.

It requires no great profundity, or intellectual capacity, to be aware that our society is in danger. It is in danger because vested authority does not seem to have the courage, the resolution, or the conviction to resist disorder, chaos, or anarchy. Somehow, the great majority of our citizens seem unable or unwilling to prompt or inspire the sort of action which will insure for us an orderly society, moving forward to greater things with minimum damage to old institutions, most of which most assuredly deserve saving.

This situation cannot continue. We cannot permit rioting in our cities, senseless demonstrations on college campuses, or young people or minorities thumbing their noses at society by profane and antisocial acts. President Abraham Lincoln observed in 1864 that "The world has never had a good definition of the word 'liberty' and the American people, just now, are very much in want of one." That comment is very apt today. What is really needed may not be so much a definition of freedom as guidelines for its proper use. Freedom also means the exercise of rights and franchises under restraints and protections which are justly imposed by law. Freedom implies the presence of reasonable rules for the protection of the community and for the promotion of public health, safety, morals, and welfare. Daniel Webster said, "Liberty exists in proportion to wholesome restraint." If the objectives of freedom are honorable, as I believe them to be, then the uses of freedom must be no less honorable. There has never been a time when freedom was gained, held or enjoyed through the irreverance, immorality, or irresponsibility of citizens. Freedom requires individual responsibility, and each man must be a guardian of responsible freedom. When the element of personal responsibility is added, freedom becomes a prevailing force, exerting its influence on men and governments—protected by courage, fortified by wisdom, and nourished by the roots of private morality.

Now if that isn't plain enough, let me say it this way. It is time to discipline the nut fringe, to enforce the law, and to stand up for the things America stands for—at home and abroad. We cannot afford to be directionless. We cannot afford any more *Pueblos*. There must be purpose and direction and determination.

Let me add this one indispensable fact, and that is our association—and the other associations who will work with us—must remain strong. Because you as good Americans can contribute to a secure and progressive tomorrow, you have great tasks before you, and they are tasks which will test your strength, and your character, and your unity. For this you will need strength.

I believe in my country—in its people—and in its God, and I think I can pierce the mists of the future and predict for you that we will emerge from the miasma of the moment a strong, viable nation, worthy of a place in history as a free people. I cannot believe that there is real strength in the idiots who assail our institutions and disrupt our processes of government, or learning, and of living today. Even should they by chance and apathy of their fellow citizens somehow temporarily gain policy control—God forbid—their aims are doomed even before they could be activated—because their aims are based upon the weakest of reeds.

"There are eternal truths,
There are constant rules of morals.
Society does demand order.
Nations, to be free, must be strong."

I have not mentioned Vietnam. I have only this brief comment. The negotiations in Paris have been in progress for months. They have accomplished nothing. The Communists simply are waiting for concessions. They extracted concessions from the Johnson Administration, which was trying so hard to show substantial progress toward peace. Now the Communists are waiting to see what concessions they can extract from the new Nixon negotiations team.

The United States has never won a victory through negotiations. For some strange reason, those who represent us at the conference table never can be as tough in their quest for victory as those who wear the uniform. There is a way to get these negotiations on the right track, and that is to let our fighting men in Vietnam fight the war there for victory. We are in control and we can win the war at any time our fighting men are permitted to do so. We have too much invested in American lives and treasure for victory to be squandered or compromised at the conference table.

Let me remind you of one other thing, and of this I am proud as a member of ROA. Your Association—our Association—is today living in a great period of solid respect in the middle of the soul of world freedom—on Capitol Hill of the United States. You belong there, because you are a part of it.

Be proud of it—but let your pride in it prompt you to work to make it stronger. Your building itself, literally, is built upon rock. Be certain that your character as an organization is always the same.

RESOLUTION MEMORIALIZING CONGRESS TO REGULATE DRUG ADVERTISEMENTS ON TELEVISION

HON. FERNAND J. ST GERMAIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. ST GERMAIN. Mr. Speaker, under unanimous consent to extend my remarks, I include the following resolution adopted by the General Assembly of the State of Rhode Island on March 5, 1969, and entitled "Resolution memorializing Congress to regulate drug advertisements on television":

RESOLUTION, STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

Memorializing Congress to regulate drug advertisements on television

Whereas, Some drug advertisement commercials seek to appeal to the public by portraying the medication as candy; and

Whereas, Children are oftentimes influenced by what they view on television; and

Whereas, Congress should enact proper legislation to omit such drug commercials when programs for the entertainment of children are being aired; now, therefore, be it

Resolved, That the state of Rhode Island through its general assembly, now requests the congress of the United States to enact such appropriate legislation to ban airing of drug commercials when children's programs are being aired; and be it further

Resolved, That the senators and representatives from Rhode Island in said congress be and they are hereby earnestly requested to use concerted effort to enact such appropriate legislation to protect children from harmful drug advertisement commercials; and the secretary of state is hereby authorized and directed to transmit duly certified copies of this resolution to the senators and representatives from Rhode Island in said congress.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of the State of Rhode Island, this sixth day of March, A.D. 1969.

PRIMO IACOBUCCI,
First Deputy, Secretary of State.

TENTH DISTRICT VFW WINNER DENNIS JONES' SPEECH: "FREEDOM'S CHALLENGE"

HON. ROBERT G. STEPHENS, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. STEPHENS. Mr. Speaker, each year the Veterans of Foreign Wars of the United States and its ladies auxiliary conduct a Voice of Democracy contest. This year over 400,000 school students participated in the contest competing for the five scholarships which are awarded as the top prizes. The contest theme was "Freedom's Challenge."

The winning speech for Georgia was prepared by Mr. Dennis E. Jones, Route 1, Augusta, Ga., a resident of my district.

I think this speech will be of interest to all of the Members of Congress. Attending the VFW convention in Washington when Dennis was honored were VFW members, Judge Grady Pittford, Commander George Pugh, Bill Shiver, and Veterans Services Director Pete Wheeler, all from the 10th District. The speech of Dennis Jones follows:

FREEDOM'S CHALLENGE

Look at me. I am scarred and I am ragged, yet I stand as a beacon to all who are oppressed. Who am I? I am a thousand, no, a billion men. My name is freedom. You know me; yet you pass me with only a glance; believing I shall always be with you. And indeed I shall; for no matter who you are I am buried within you; in that part of you that can never be erased—the human soul.

How old am I? As old as man himself. I have conquered kings and emperors, and been oppressed by them. Caesar was crushed by me and Hitler shook before me.

Where am I? I am in the heart of the druggist, the town mayor, and the chinese farmer. You will see me in Africa, America, and Russia. Yes; in Russia, though my figure there is rather dim. I am not bound by race, creed, or color. You will find me in the black, white, or yellow man. I've fought with Germans, British, and Arabs. I have been in every country in every age.

I stand behind you in the voting booths of the free world. My words are printed in the books and magazines of those nations. I cry out with every war and every death.

But I am weakening. Once again my head is being forced into the yoke of slavery. Around the world the tyrant is leading you to the slaughterhouse. Strike now; I beg you; for, although I cannot die, I will be distorted by false statements, false hopes, and villainous propaganda into a thing you yourself will reject. Furthermore, I am not being oppressed by my enemies, but by my followers. "How?" you may ask. I will answer, "Through ignorance, lawlessness, and corruption."

In recent years, you my guardians, have ripped and torn at my fortress, America. Your students have threatened my training camps, the schools and colleges. What these students do not realize is that they are my future armies and they must not desert me through the use of violence.

"How," you may ask, "can I save you?"

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And I will answer, "In the same way you gave me birth. By fighting for me, by using me, and by correcting me; for I am not grown yet, and, like any child need correcting.

In the past I have helped you and you have praised me for it. Am I right? Am I worth fighting for? Look to the evidence before you. For thousands of years I lay an infant in the secret, dark hollows of your mind; and then in the middle 1300's I arose in the heart of a poor yeoman to overthrow the feudel system you slaved under. I have been thrown in darkness again and again and have always found the light of hope and will. I am precious. You have fought for me diligently through thousands of battles in just as many nations, giving the blood of your fathers, brothers, and sons willingly in order to possess me. Do not let me be oppressed now, for I am your destiny.

A CANDID DISCUSSION OF PRESIDENTIAL PROSPECTS

HON. PETER N. KYROS

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. KYROS. Mr. Speaker, most political columnists who have been on the Washington scene for a number of years tend to adopt a rather dispassionate view of the political process. Perhaps this is an occupational requirement of their profession. Occasionally, however, a political leader emerges who attracts the genuine enthusiasm of those writers who come into contact with him. Maine's Senator Edmund S. Muskie is such a leader.

Maine's citizens have long recognized Ed Muskie's remarkable qualities as an individual, as well as an outstanding Governor and Senator. During the past year, Senator Muskie was able to appear before a much larger segment of the Nation, and the Nation's press. The experience was a rewarding one for all concerned.

Mr. Stewart Alsop has written a most interesting column about the Senator's reaction to this exposure. As the column points out, the national campaign experience has not deprived Senator Muskie of what Alsop terms his "refreshing candor." In Mr. Alsop's words, Senator Muskie "is the very rare kind of man who is, quite simply, what he is, without concealment or apology."

Senator Muskie's willingness to talk openly about his interest in seeking the Presidency is not only a welcome source of material for the media. It is also a source of inspiration to the many, many Americans who believe that Ed Muskie possesses the qualities which could make him a great national leader in that office. I would like, therefore, to insert into the Record Stewart Alsop's column entitled "Can a Poor Man Get To Be President?" which appeared in the March 17, 1969, issue of Newsweek magazine. Perhaps the future will reveal that this question can be answered in the affirmative.

The article follows:

Can a Poor Man Get To Be President?

(By Stewart Alsop)

Washington.—Teddy's got it locked up, anyway, or just about," says Sen. Ed Muskie of Maine, sitting back relaxed in a leather chair, with his long legs stretched out in front of him. "There's the money, and the mystique,' and Teddy's an able, charming guy too. When everybody begins saying this early it's going to be Teddy, why, it's going to be Teddy—almost sure to be."

Even after being warned that he will be quoted, Senator Muskie talks with a refreshing candor for a major politician—and especially for a politician who candidly regards himself as a potential Presidential candidate. Even John F. Kennedy, who never bothered much to conceal his Presidential ambitions, never talked quite so candidly so long before an election.

If before the next election Edward M. Kennedy is anywhere near as far ahead of any other Democratic candidate as he is now, Muskie says, he'll be nominated on the first ballot. Even so, a lot can happen in four years. "It will depend on what happens, and on the issues, and on what I say about them, and on whether people will listen. By luck, I reached a national audience in the campaign, but my problem now is to stay alive for four years."

One of the problems of staying alive is money. To reach a national audience and to do all the necessary political spadework for a serious shot at the Presidency, Muskie figures that he needs about $200,000 a year in the first two years or so. This, he thinks, would "cover a hard-core staff" for research and advance work, as well as a skeleton national organization, and the necessary trips abroad. But where is the money to come from?

ON WITH THE JOB

Muskie himself has no serious capital. He is presently getting about the country a great deal by accepting lecture fees—$2,000 a talk, plus expenses for himself and an aide, is the usual deal. He is so much in demand that he could speak once or twice a day at that rate if he wanted to. But he has his Senate duties to think about—by April he means to cut down sharply on his present rather frenetic speaking schedule in order to get on with the job of being a senator. So where is he to get the $200,000 to pay for that "hard-core staff" he needs to "stay alive"?

"There'd be no problem getting that much money, but the question is how. I'm not going to set up some sort of secret fund—I don't want to be accused of setting up a slush fund. If we set up a Muskie-for-President committee, people would say, 'Look who's trying to buy him.' If we set up a committee just to get my views across, not a Presidential commission, people would say, 'Who's he trying to fool?' "

For awhile, Muskie admits, the money problem worried him a lot. "You know," he says, "it was a strange experience. For the first time in my life I was beginning to think of political success for the sake of political success. Always before, I was relaxed. I enjoyed the contest—if I won, fine, if I lost, too bad."

"Of course," he says, with a small smile, "I'd never felt the stirrings of Presidential ambition before, and for awhile it bothered me. It bothered me terribly. Maybe it even warped my judgment. Now I've sort of settled down, I think, and I'm beginning to get some fun out of it again. After all, here I am, a senator from Maine of all places, son of a Polish immigrant, and I'm one of the top two, I guess, for the time being anyway. It's a great feeling."

STRIKING PHENOMENON

Muskie is undoubtedly "one of the top two." At least for the present, political Washington does not rate Humphrey a serious contender. A widespread attitude was expressed by one former colleague: "Good old Hubert, everybody loves him, but for President, he's through."

As for Eugene McCarthy, he has performed an eccentric act of political self-immolation, and no one takes him seriously either. Other than some such cloud no longer than a man's hand on the horizon as Sen. Fred Harris of Oklahoma, that leaves only two at the starting gate—Kennedy and Muskie. But Kennedy is a favorite by such a margin that there are few Muskie takers. A striking phenomenon of this post-election period is that already, almost four years in advance, "everybody is saying it's going to be Teddy."

There are very good reasons why everybody is so saying. As Muskie says, "there's the money, and the mystique." Muskie's money problem is not confined to the $200,000-a-year problem of "staying alive" in the immediate future. Eventually, if he is to become a serious candidate, he must raise, without any resources of his own, enormous sums.

How enormous is suggested by a study now being conducted by the leading expert on campaign spending, Dr. Herbert E. Alexander of The Citizens' Research Foundation. Alexander, who has been doing exhaustive research on the subject, estimates that Richard Nixon spent $8.5 million before his nomination; Nelson Rockefeller $6 million in the same period; Hubert Humphrey more than $4 million before his nomination; Eugene McCarthy an amazing $7 million to $8 million; and Robert Kennedy "at least" $6 million in his 85 days of campaigning.

READYMADE APPARATUS

This list suggests that to become a serious contender a candidate either has to be very rich in his own right, like Rockefeller or Robert Kennedy; or close to the party apparatus, like Nixon or Humphrey; or the symbol of a pocketbook-emptying cause, like McCarthy. Muskie qualifies on none of these three scores. Edward Kennedy not only qualifies on the first, but he has inherited a ready-made apparatus of his own. As for causes, there is no visible difference at all on basic issues between Kennedy and Muskie.

And yet it might be foolish, all the same, to count out Ed Muskie. There is a remarkable quality about the man, and this quality, whatever it is, came over very strongly to the American voters in last fall's campaign.

One of the odd things about Muskie is that, without a single New England antecedent—he is straight Polish on both sides—he looks like a casting director's dream of the dour-but-honest Yankee of the old school. He recognizes this himself—he jokes about "this Saltonstall jaw of mine"—and the Maine twang completes the illusion.

In fact, of course, a lot of old-school Yankees were pretty sneaky fellows below the surface layer of the laconic speech and the granitic jaw. Muskie, unless he has deceived everybody who knows him, is not a sneaky fellow at all. He is the very rare kind of man who is, quite simply, what he is, without concealment or apology. This quality—Marshall McLuhan calls it "coolness"—comes across very clearly on the television screen, and in modern politics it is a pearl beyond price. So perhaps Teddy Kennedy hasn't got it quite locked up after all.

DECENNIAL CENSUS

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. GAYDOS. Mr. Speaker, a little more than a year hence Americans will be told to stand up and be counted—counted and much more. They will be harassed and bombarded with some 120 questions in 67 categories with refusal to answer any one of these questions imposing criminal penalties of $100 fine, 60 days in jail, or both. I speak, of course,

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of the forthcoming decennial census beginning April 1, 1970.

The very personal nature of some of these questions will most certainly expose some sensitive nerves and have an abrasive effect on an already indignant public. Simply asking people to respond to questions relating to their economic status, living conditions, and personal habits is one thing, but mandatory compliance with this extensive quizzing can only be construed as an invasion of personal privacy.

The statutory intent of the census under the Constitution is to provide an accurate population count for an equitable apportionment of the House of Representatives. Today we have drifted so far away from this original purpose that the Census Bureau is more easily recognized as a statistic gathering agency with a misplaced accent.

Today I join a number of my colleagues by introducing a bill which abolishes the 60-day jail sentence entirely and removes the $100 fine from all but six of the categories necessary for a population count in the 1970 census.

I am hopeful that Congress will press for early hearings and floor consideration on census reform bills that we may spare the American people this forcible extraction of impertinent data and restore to the individual some vestige of personal privacy.

CULTURE AND THE GOVERNMENT

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. FEIGHAN. Mr. Speaker, those interested in the humanities and the arts will be very much interested in the editorial which appeared in the Plain Dealer on March 3:

> The Ford Foundation's vice president for the humanities and the arts, W. McNeil Lowry, makes a strong pitch for a Department of Cultural Affairs in the federal government in an essay published yesterday in the Foundation's 1968 annual report.
>
> He believes that private patronage of the arts is strained and not much help really comes from business sources. His solution? A new national policy, accompanied by substantial funding, which should not be deferred because of domestic and international problems faced by the nation.
>
> This is the philosophy brought into the White House by the late President John F. Kennedy and seconded by former President Lyndon B. Johnson. Mr. Johnson signed the bill creating the National Foundation on the Arts and the Humanities in September 1965.
>
> But since then Congress has put the National Foundation on a low-dollar diet, citing pressures of war and other crises. Lowry concludes that there is no reason to believe any significant federal program in the arts can be effectively argued in Congress or in public if its priority always must be justified. Hence the call for a department of culture to provide, at least, a "proper battleground."
>
> Interesting statistics in this battle are these: In the fiscal year ended Sept. 30, 1968, Lowry's division made grants totaling $14,251,323 to the arts and humanities while the National Foundation's allotment for its fiscal year ending July 1969, is $5.9 million for the arts.
>
> Lowry warns that except for a few new foundations, little private contribution is being gained for promoting art in all its forms in the United States. Congress, meanwhile, takes a dim view of the arts, even as a means of providing expression for Americans who have been culturally, as well as economically, deprived. Last year it trimmed its own committee's recommendation of $135 million for the National Foundation down to $11.2 million and took away its power to make grants to individuals. President Nixon, in pre-election talks, pledged support of the National Foundation but tempered it with a warning against a "state-directed culture."
>
> This doesn't promise much sympathy in Washington for many art outlets. Regional theaters, for example, exist largely through support of private foundations but these grants have no permanency. Such theaters and art museums may not be "commercial" in the show business concept but are vital to a progressive American art culture.
>
> Lowry has performed a necessary service in calling attention to the dark side of the nation's cultural future while at the same time explaining, through the Ford Foundation's report, what private sources are trying to accomplish.

LAND USE CONCEPTS: PAST, PRESENT AND FUTURE

HON. DON H. CLAUSEN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. DON H. CLAUSEN. Mr. Speaker, in January of this year, I had the privilege of addressing the Western Regional Conference of the National Association of Counties at Disneyland in California.

My assigned subject was "Land Use Concepts: Past, Present and Future." Since the speech, I have had a number of requests for its content and further been encouraged to bring it to the attention of my colleagues in the House and Senate. Therefore, I take this means of doing so, by placing the speech in the CONGRESSIONAL RECORD as requested by NACO and others interested in advancing these concepts:

> LAND USE CONCEPTS: PAST, PRESENT, AND FUTURE
>
> (Address by the Honorable DON H. CLAUSEN, First Congressional District, California)
>
> As one who was born and raised on a farm up in Humboldt County, and who served on the Del Norte County Board of Supervisors for 7 years, and who now represents a predominantly rural area in the Congress—this matter of land use is no stranger to me. I have lived with it all of my life—as have most, if not all, of you.
>
> It is a subject for which I have great personal enthusiasm—and, as Ralph Waldo Emerson once said: "Nothing great was ever achieved without enthusiasm".
>
> If that is true, and I believe it is, then certainly the prospects for greatness in developing a dynamic, realistic and effective land use policy for the future—may be just around the corner!
>
> I say this because I personally view our present land use patterns in this country as one of America's most serious and complex domestic problems facing us today.
>
> What we as a Nation and we, as county-oriented officials and planners, come up with in the way of concepts and program recommendations in the immediate future—may well depend on the well-being of our people and the ultimate fate of our Nation in the long run.
>
> In my judgment, land use transcends every materialistic value held by man—because it affects *people!* As a matter of fact,, it affects *all* people whether they live in the high-rise apartments of Manhattan—a small potato farm in Idaho, or the tree farm of California, Oregon and Washington.
>
> By way of an example, let's take a look at 1968 from a slightly different perspective than that most often used to assess a given calendar year.
>
> As far as I'm concerned, 1968 was a *bad* year for cities—and it was a *bad* year for the countryside.
>
> Mounting problems in every aspect of urban life crowded the front pages and highlighted the growing paradox of space age accomplishments and domestic failures.
>
> City congestion, monumental airport and traffic tie-ups—while only part of the overall story—herald the compelling and urgent need for further in-depth analysis of our entire system of land use.
>
> In non-metropolitan areas, the problems are different to be sure, but equally as serious.
>
> Like all problem areas, any discussion of land use in this country should have a "point of departure." Essentially, I believe there are four such points regarding land use on which we can all agree:
>
> 1. First, is the shocking and totally unrealistic fact—that 70% of our total population in America now resides on only 1% of the land.
>
> 2. Second, there is the plain and simple truth—that our major metropolitan centers in this country have grown too overcrowded, too overly centralized and totally unmanageable.
>
> 3. Third, that rural economies and rural communities alike—are in desperate need of revitalization.
>
> 4. Fourth and most challenging and exciting of all, we have the technological capability to completely re-direct the future economic and population growth patterns in the up-coming decade—all that is required is the properly coordinated and enlightened leadership of organizations like NACO.
>
> We who are most vitally and directly concerned with county government, know only too well what effect the mass migration to the big cities has had on Rural America over the past 20 years.
>
> We have seen the vast authority and rich resources that once resided at county level, slowly fade away to the State capitols and to Washington. We have witnessed an erosion also of our rural economies with too many small communities turned into virtual "ghost towns," too many farms fold, too many small businesses fail, and too many young people head for the big cities in search of "greener pastures," thus creating a "brain drain" from Rural America.
>
> Regrettably, however, many of those who left Rural America for the big cities, found no "pastures" at all. Instead, they found a scarcity of jobs, polluted air, strange tasting water, and terrible overcrowding in their newly-found "concrete jungles."
>
> By and large these people were totally unprepared for big city life—yet financially unable to get out. These are the victims of what we now call the "urban crisis."
>
> As you know, we have heard much about urban decay and urban renewal—but I'm a little perplexed and disturbed over the lack of any equivalent concern for *rural* decay and *rural* renewal.
>
> For nearly 6 years now, I have attempted to serve as a "sounding board" in the Congress for the problems of Rural America. As such, I have continually, and in the loudest voice possible, tried to get this message across:
>
> 1. First, that nearly half of the poor people

and fully half of the inadequate housing in this country are to be found in *non*-metropolitan areas.

2. Second, that Federal "money programs" of the past have failed to cope with either the urban or rural problems effectively.

3. Third, that "Countryside USA" offers the best hope and the most solid promise of resolving nearly 75% of America's domestic problems.

4. And fourth, that the time has arrived to unleash a positive program of fiscal and institutional decentralization in this country before it is too late.

You know what the situation is on our campuses today. Many of our college and university educational institutions have simply grown too large. As a result, the individual student becomes lost in a "sea of humanity."

Young people today, I contend, are seeking identity—they want to be recognized. And the struggle to be recognized as an individual is becoming almost unbearable.

Whether we wish to accept it or not, people are now rebelling against bigness, against overcrowding, and against becoming a faceless computerized society.

So, what are we talking about in terms of land use patterns for the future? In the final analysis, proper land use planning is the *only* way we can guarantee a quality of environment for future living in America.

One of the problems that we are all paying the price for today, has been the lack of sufficient attention to sound land use planning in the past.

In my judgment, land use planning is nothing more or less than *creating the atmosphere for economic growth*. I believe we in the West must now move in the direction of establishing the kind of land use pattern that will guarantee, through proper zoning, sufficient "open space" to advance the "country living" environment that is so traditionally imbedded in Western values.

A student of American democracy, Alexis de Tocqueville said that "the sufferings that are endured patiently as being inevitable, become intolerable the moment it appears there might be an escape."

I believe that "moment" is rapidly arriving in the big cities and I submit that it's time we start planning and moving toward providing an "escape route" for these people—back to Rural America!

Once again, however, a familiar pattern has developed regarding land use—a pattern that has become all too common in this century. I refer, of course, to the practice of waiting until a problem becomes an emergency before *seriously* trying to resolve it.

The urban and rural crises in America have, indeed, reached emergency proportions!

The challenge now, as I see it, is to correct the mistakes of the past and move forward together to create what I call a *"total environment for future living"!*

To do this, many coordinated efforts will be required to reverse and redirect the imbalance in our population distribution and to create in this country a balanced, coordinated, and integrated transportation system that will promote and enhance economic growth.

In addition, we must intensify our efforts to balance the formula that now exists for revenue allocations through comprehensive tax revisions at every level of government—Federal, state and local! A system that, in my judgment, has become grossly inadequate, unfair, and unsound.

We must have a more realistic and more effective method of finance in this country if we ever hope to solve the many staggering domestic problems that now face us.

As some of you know, I try to deal in "concepts" at the Federal level because I believe the "nuts and bolts" of any Federal program in your behalf should be put together out here where government is much closer to the people.

One of the concepts I have advanced in the Congress is a plan that has become known as the "Clausen Reverse Migration Bill". Without belaboring you with the details, let me summarize this concept briefly.

Many Federal programs and legislative proposals have been advanced to "revitalize Rural America" and to ease pressures in the big cities. Most of these are highly commendable and laudable initiatives, except that, too often, the results have been either disappointing failures or total disasters.

Too often, as you well know, the Federal government has relied on dumping taxpayers' money directly on so-called "citizens' organizations" having no relationship or connection at all with local government or the electorate of a given area.

And too often, funds needed to satisfy program goals have either been held back or squandered on administration, staff salaries, or public relations projects.

In addition, too many of these programs were implemented on the basis of Congressional or Departmental studies and hearings—rather than the findings and recommendations of local government relating to local needs.

The bill that I introduced late in the 90th and the first introduced by me in the 91st Congress has as its purpose a new approach with maximum emphasis on coordination between the various political sub-divisions at all levels of government.

Basically, the intent of the bill is "to provide for a study of the *need* for increased expenditures for public works in smaller urban areas as a means of reversing the migratory trend toward large metropolitan areas".

Key provisions of this legislation are:

1. It calls for a coordinated effort between the Secretary of Commerce and the governors of each state to determine local needs for increased public projects.

2. It recognizes that the "problems and needs of various regions, States, areas and places within the Nation vary widely."

3. And third, it calls for an extensive survey of rural areas by local authorities to determine those "urban places within the State whose economic growth would best be promoted by increased expenditures for public projects."

Hopefully, this legislation and similar legislation will represent a "new dawn" in Federal program planning. Quite frankly, we in the Congress need your help in calling a halt to National programs that apply to only a few locations or to only specific problems that exist.

Domestic Federal programs, of the future *especially* those effecting land use, can and must be "tailored" and flexible to meet specific needs in specific places—not the sweeping, all-inclusive variety of the past that only tend to squander taxpayers hard-earned money, and disillusion those who need help the most.

In addition, you people are going to have to be brought more into the planning and coordination of these programs if they are ever going to be responsive to the people's needs.

No discussion of land use (or more specifically—multiple land use) would be complete, in my judgment, without mentioning transportation and the role it is playing and will yet play in regard to land use.

We all know that historically, the Growth of the West—depends on transportation and with proper advanced planning and coordination, we can, avoid some of the transportation pitfalls that are now plagueing the East.

A balanced and coordinated, land, sea, and air transportation system will open up new economic horizons, once these vast open spaced areas are made more accessible. This will set in motion the kinds of reverse migration that will permit a building-up and revitalizing of those smaller communities with a larger capacity for growth.

This will broaden both your economic and your tax base and at the same time, provide some semblance of relief from the enormous problems and pressures so prevalent in metropolitan areas. This is what prompts me to suggest "the key to our urban ills is to Build Rural America". We, in the West, must take the lead. We have the opportunity and indeed, the responsibility to "show the way".

In addition to transportation system development, the same long-range planning of Regional Water Resource development must take place.

Gentlemen, with the Jumbo jets scheduled for operations in 1970 and Super-Sonic Transports a few years thereafter, we must face up to the shocking fact that our surface transportation routings of today may well be obsolete for the '70s.

Air buses of both the rotary and fixed wing configuration will be unloading from 300 to 700 passengers into your airport terminals every day. Yet, today's airports are totally unprepared to handle either the present load or the influx that we know is coming.

In 1967, I delivered a speech to my colleagues on the floor of the House entitled "The Growing Crisis of the Lack of Airports". I said at that time: "The National airport plan is outdated before it is completed" and went on to outline a basic blueprint to meet the crisis that I have labeled "A Coordinated National Plan of Integrated Airport Systems".

One of the points I suggested in that speech was that "every State and county should develop an intrastate system of airports for aircraft flying principally between cities within a given State."

How, you may be asking, does this tie-in with land use? For many years I have advocated locating airstrips and air commuter centers contiguous to highways. Lands for these facilities should be acquired at the same time lands are acquired for highway purposes.

I cannot stress too strongly the vital importance of including airport site selection criteria in your future planning. I'm sure you have all heard of the current controversy involving general aviation. But, don't let anyone kid you—what this country really needs is more runways, not more regulations!

All of us here today are vitally concerned about what is going to be required to meet future transportation demands. And, while many believe that high-speed trains may be the ultimate solution, I believe we just have to think bigger. And again, I look to aviation and new innovations in helicopters and STOL-type aircraft to play a vital future role in short range commuter transportation.

SUMMARY

It's virtually impossible for anyone to outline a specific, detailed guide or handbook on land use that will apply to all of our counties. The multitude of diverse factors that govern land use criteria are not conducive to being stereotyped or catalogued.

We do believe, however, that there are certain guidelines and standards that can be made to apply to land use and I have attempted to outline a few of them here today.

While we do, in fact, have many complex problems regarding land use and have made some pretty costly mistakes in the past—I cannot help but believe that working together, we can and must change direction.

You people know better than anyone else what the problems are that plague county government. America desperately needs your knowledge and your expertise in getting this Nation back on the right track again.

We in the Congress are prepared to do everything possible to assist you but I'm personally convinced that no one is better qualified to deal with county problems than you who are directly involved in county government.

And, I just happen to believe that if the Federal government will give you the tools and the authority—you can do a far better job of solving county problems than Washington has thus far been able to do!

Today, America stands at the cross-roads. We, as a Nation, can either continue down the time-worn path of centralization that has given us most of the domestic problems we face today—or, we can choose the fork in the road that will lead toward the kind of balance that I have been talking about here today.

New cities and "satellite cities" can and must be built. And, I believe far more attention must be devoted to the *human* needs that exist and now threaten to erode the entire social fabric on which all nations depend.

Human resources, after all, are still the mainspring to progress and greatness in this troubled world and we cannot afford to lose sight of this fact.

America became the richest, the most advanced, and the best governed country on earth because of its people. And, land use planning, in a large sense, can greatly help people develop their own personal plans for the future.

This reminds me of a story I once heard about a fellow who was trying to put a jigsaw puzzle together. All he knew about the puzzle was that on one side was an unknown foreign country and on the other side the picture of a man. After studying the puzzle for some time, he wisely concluded that if he could properly put the *man* together—he could thereby put the *country* together.

As NACO has already so eloquently stated: "We need to put America back together again at the local government level, and the county structure which encompasses all the people of the area is the logical place to accomplish this".

Needless to say, as a member of the "County Government Fraternity", I find myself in complete agreement with the stated purpose and goals of what the National Association of Counties is working so hard to accomplish and you can count on my continued support in the Congress.

In closing, may I once again commend you on this outstanding Regional Land Use Conference. I feel highly honored to have been asked to address you here today and perhaps, in some small way, contribute to strengthening county government in America.

A balanced population pattern, a balanced method of finance, a balanced transportation system, a balance in revenue allocations, and a more balanced distribution of responsibility and authority within each of our political subdivisions of our Federal system of Government in America, and, a balanced multiple land use policy that will enhance economic growth and create a total environment for future living.

CONCLUSION

If we are going to meet the ultimate goal of making America more livable, there must be more attention paid to land use in the immediate future. To create that "total environment for living" that I spoke of, then we are going to have to take advantage of some of that unused "open space" that still abounds in Rural America.

All that is required is comprehensive and coordinated land use planning and financing. All of us serving as partners in the Federal system must continually communicate and coordinate on our respective efforts as it applies to land use. In addition, we must be flexible and not hesitate to reevaluate and update our land use policies and patterns as future trends dictate.

Make no mistake about it! Countryside USA is still the "great backbone of America." Country living, as I see it, is that "escape" to which de Toqueville alluded and I believe that millions of big-city dwellers would literally give their "eye teeth" to get out where the air is clean, where there is no serious over-crowding, and where people are still people—not so many robots mechanically going about the daily routine of merely surviving.

A PROPOSAL ON CAMPUS DISORDERS

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. MIKVA. Mr. Speaker, on behalf of myself and Representative PAUL FINDLEY, I wish to commend the administration, faculty, and students of MacMurray College in Jacksonville, Ill.

The problem of unrest on the college and university campuses of this Nation is a subject of concern to every American. The Director of the FBI has made a statement on the problem, the Attorney General has made a statement on the problem, and the President has made a statement on the problem. No one, it seems has looked to see whether there are college administrators who have met and overcome the problems of student unrest on their own campuses. Too few have emphasized that part of the answer to many student disturbances is identifying and redressing the legitimate grievances of the students.

Recently I received a letter from W. F. Starkey, director of public relations at MacMurray College. He described a program through which the administration of MacMurray College makes an honest effort to communicate with the students, to listen to their ideas and grievances, and to take action to utilize those ideas and redress those grievances. Granted the problems of running a huge, multicampus educational institution such as the University of Illinois or the University of California are greater than those of running a relatively smaller campus, nevertheless I believe that we can all benefit from the example of democracy in action which MacMurray College presents. Noted educators have often argued that academic pursuits cannot be democratically organized. The answer, I believe, is that today's colleges and universities are more than academic institutions. While the academic aspects of university life may not be fully susceptible to the democratic approach, I think we may well conclude that the overall organization of university life must be more democratic than it has heretofore been. Whether the MacMurray approach can be applied across-the-board or not is not the point. The point is that the administration and the student body at MacMurray are talking to each other; even more important, they are listening to each other.

The letter referred to follows:

MACMURRAY COLLEGE,
February 26, 1969.

Hon. ABNER J. MIKVA,
Chicago, Ill.

DEAR SIR: Not all news from college campuses is bad . . . but good news is almost rare enough to fall into the man-bites-dog category!

MacMurray College in Jacksonville, Illinois, is involved in an unusual experiment that we feel would be of interest to you. The experiment is optimistic, and it's unique.

The project is one of communication. But communication before the confrontation. We haven't had any demonstrations at MacMurray, but it would be naive to expect that we are an entirely untroubled campus. Instead of waiting for the explosion, however, we have done something to solve the problems before they reach the explosive stage.

Outlined briefly, this has been the progress of our Campus Conference:

In the fall of 1968, MacMurray's new president, Dr. John J. Wittich, proposed a campus-wide conference to discuss the State of the College—its problems, its future.

A committee composed of faculty, students and administrators set to work to devise a conference that is, as far as we have been able to determine, unique.

On December 4, 5 and 6 (originally planned for 2 days, but due to the enthusiastic response, it was expanded to 3 days) all classes were suspended, all meetings and assignments were cancelled, and the entire community met for three days of intensive talk, brain-storming, gripe-airing and evaluation. We met in one large group, we broke up into 64 small face-to-face talk sessions, we gathered into various combinations of groups. Our activist student groups (SDS, Black Students Union, etc.) were in attendance. But so was the "silent majority", that large body of students who are patently ignored in most situations of college crisis. They came, and they broke their silence. Every facet of the campus community was represented . . . all varieties of students, all factions of the faculty, the administration, the trustees. Topics for discussion ranged from curriculum to social restrictions to guaranteed tuition to problems of identity of black students to food served in the dining hall to Quaker counseling on the draft to re-evaluation of the functions of student deans . . . in short, to almost every facet of the life and function of the small, liberal arts college today.

The Conference culminated in a series of proposals, drafted out of the various discussions, being presented to the entire community in a Town Hall Meeting. The proposals were voted on by secret ballot. Each person . . . student, faculty, administrator, trustee . . . had one vote on each proposal.

Those proposals which were voted on favorably are now being dealt with in a variety of ways. Some have already been put into practice. Some, such as guaranteed tuition, will obviously require considerable examination and study.

A great many exciting things happened at our Conference. A number of original, creative ideas came out of the discussions. But perhaps even more importantly, an atmosphere of trust and understanding was established that continues to pervade our campus. In short, our Campus Conference was successful far beyond our fondest hopes.

We think we have come upon a technique that may be useful to other college campuses around the country . . . and we think we have something encouraging to say about the future of our young college generation.

Sincerely,

W. F. STARKEY,
Director of Public Relations.

TVA MUSHROOMING INTO BUREAUCRATIC GIANT

HON. J. HERBERT BURKE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. BURKE of Florida. Mr. Speaker, during its years of existence, the Tennessee Valley Authority has done a great deal of good for many people and achieved considerable success. But let us face the facts as they are today and that is, the TVA is mushrooming into a giant bureaucracy, far greater than its original intent. Its activities now include land development, fertilizer research and production, timber sales, and recreation development, not only in our country but in many areas outside the continental limits of the United States.

TVA has taken on the trappings of a multiheaded conglomerate in the Tennessee Valley area and is spreading its activities to many other places. For instance, the TVA owns 4,800 acres of land in the State of Florida—land which, from all appearance, has not been put to any good use and is located miles from any TVA installation.

It is further interesting to note that while the agency is supposed to be self-sustaining under its corporate status, American taxpayers are still called upon to pump millions of dollars annually into the TVA coffers for many of these nonpower activities.

A look at the various administrative costs and the ever-increasing number of employees that have been added to the TVA payroll over the years makes one aware of just how far afield TVA has gone, and makes one further wonder how far it intends to wander.

There is no question that the TVA has done a good job in harnessing the rivers of the Tennessee Valley to produce power for this region, but even good can be followed by bad; and the good of this agency cannot hide the dangers of its now expanding tentacles stretching far afield from its original purpose.

Mr. Tom Vinciguerra of the Fort Lauderdale News has written a series of articles that I believe are worthy of reading in regard to the TVA. He points out how the TVA has branched out from its power activities into numerous nonpower activities.

I commend these articles and ask my colleagues in the Congress to read them. I believe they will give further insight into the extent this Government giant has projected itself beyond its original intent:

[From the Fort Lauderdale (Fla.) News, Oct. 8, 1968]

The TVA Story: Its Branches Grow Over Into Florida

(Note.—The Tennessee Valley Authority was created by Congress in 1933 to develop the natural resources of the Tennessee Valley and to harness the Tennessee River. But the TVA has branched out and is even involved in Florida. This is the first in a series of four articles based on an investigation by award-winning reporter Tom Vinciguerra on the TVA, its functions, its practices and how it is contributing to the national debt.)

(By Tom Vinciguerra)

Washington.—The Tennessee Valley Authority, sacrosanct, depression-born, multi-billion dollar U.S. government-owned business, is a giant real estate owner in Florida.

The TVA holds title to 4,800 acres in Marion and Citrus Counties in North Florida, oak and pine lands the TVA lists cryptically as "phosphate reserves" for its "chemical and munitions" operations.

The term reads almost like a cover-up for the TVA's $69 million a year fertilizer research-production plant at Muscle Shoal.. Ala., which last year sold $16 million in fertilizer commercially, but not in competition; the TVA contends, with private enterprise.

The TVA has never mined its Florida phosphate reserves, purchased in the 1950s for about $1 million, and another million dollars or more spent on prospecting.

John Putz, mining engineer who supervised the TVA prospecting, says the ore supplies are under water because of a high water table in the area.

He estimates it would cost the TVA more than a half million dollars to start mining. The TVA retired Putz in 1961, convincing him the reserves probably will never be mined.

Moreover, the TVA has gone into a reforestation program on about 3,000 acres of its holdings. And on a 400-acre tract secluded in the slash pine lands south of Ocala, the TVA is trying to find the right fertilizer that will make trees grow faster.

The cost of that operation last year was $26,836 for overhead and salaries of two men.

The TVA's total expenditure in Florida last year was $226,187, including $114,728 paid to the W. R. Grace Co. in Bartow for phosphate mined in the shadow of the TVA's dormant mines.

These funds are noteworthy to taxpayers because they are tax dollars appropriated by Congress.

In order to stave off a staggering $25 billion deficit this year, Congress and President Johnson put over the 10 per cent income tax hike and promised in return to shave $6 billion from the cost of federal government.

Already, the $6 billion cut prospect has been shattered by increased costs of programs protected from the cutback.

The TVA this year asked for $50.2 million for its non-power activities (including fertilizer) and got every penny of it from Congress. Last year the agency tapped taxpayers for $61 million.

It uses the appropriations to keep up a $250.9 million navigation program; $191 million for flood control activities; $4.8 million for tributary area development; $26.6 million for recreation land development and for the $69 million fertilizer program.

The agency justifies expenditures of these federal funds on the "unified development" theory for the Tennessee Valley, touching seven states (not Florida).

The TVA was created in 1933 to provide electricity to the valley. Today, the TVA is a 2.8 billion operation, clothed by Congress with unusual powers of a private corporation. More about this later.

The TVA launched the fertilizer business almost immediately after it was created in 1933, taking over a couple of old World War I government-owned nitrate plants at Muscle Shoals that were supposed to help produce munitions, but produced only federal debt.

Already developing a savior complex, the TVA dramatically entered the fertilizer business with congressional approval to help farmers grow more food during the depression.

The agency's success in research and development became so successful that private fertilizer producers screamed to Congress in the 1940s that the TVA was putting them out of business.

The TVA has received many tongue lashings in Congress, but the agency has managed to go its merry way without serious legislative curtailment of its non-power functions.

Momentarily, at least, a truce exists between the TVA and the private sector of the fertilizer business, the National Plant Food Institute, which is a recent amalgamation of the former American Plant Food Council and the scrappy National Fertilizer Assn., which fought the TVA tooth and nail to no avail.

The scars of battle are still there.

"When the TVA wants funds, Congress usually rolls over and gives them to it," said Paul Truett, outgoing president of the big fertilizer organization.

He listed pro-TVA forces as the TVA-area congressmen, supported fiercely by the many rural electric cooperatives that purchase power from the TVA, and liberal congressmen from the North who support the philosophy of government-owned utilities.

The TVA says now it produces only .7 of 1 per cent of the nation's $2.4 billion fertilizer output.

The future of the TVA Florida holdings is uncertain. George Bengstrom, TVA research forester in charge of the Florida reforestation program, says he doesn't believe the TVA will ever mine the phosphate reserves "unless there's another war."

But even in war there won't be a need for the TVA's Florida phosphate, said Larry Miller, geologist for the Occidental Corp., big phosphate mine operator near Lake City.

Miller said phosphate producers are currently struggling to stay alive with a massive over supply. The industry is shutting down mines and cutting back employment, Miller said. "There won't be a shortage of phosphate," he added.

Even using its Florida lands for reforestation, the TVA finds a crowded field, too. Other governmental agencies including the U.S. Forestry Service, the University of Florida and the state of Florida, are active in the Sunshine State.

This may explain why the TVA's tree fertilizer experiment station south of Ocala would win no prize for promotion. A fenced-in, strongly-built, unpretentious shed—partly air conditioned for offices—marks the 400-acre experiment station.

There are no signs pointing to the layout. And on the tax records of Marion and Citrus Counties the TVA land is listed merely as "U.S. government owned."

The TVA pays no taxes.

Next: The TVA's Florida Land Holdings.

Millions Spent on Mined-Out Area but It Nets Nothing Except Tax Loss

Washington—About 30 years ago, the Old Dunnellon Phosphate Co. shut down in Citrus and Marion counties.

"The area was mined out," old timers thought.

The local folks had forgotten about the once-promising phosphate industry in their midst—until the Tennessee Valley Authority (TVA) came to Florida and bought up much of th old Dunnellon Phosphate Co. holdings from heirs in the 1950s.

TVA spent millions buying and prospecting for phosphate before shutting down the search in 1961.

But still today, local folks wonder why TVA bought the land. It has never been mined.

"I don't know why they've got it," said bewildered Ed Tole, Citrus County tax assessor. "There's a whole lot of land in this county. If it's as valuable as they (TVA) think it is, there'd be a whole lot of phosphate mining in this county."

Tole figures TVA's dormant "phosphate reserves" in Citrus County, being government owned and tax free, cost the county about $4,000 a year in tax revenues. Citrus County, with a $1.9 million tax yield annually, "of course could always use the money," said Tole.

Citrus County's big brother, adjacent Marion County, is Central Florida's big growth area.

And Deputy Tax Assessor Charles Flemming says the TVA lands are right smack in the middle of one of the biggest potential tax income areas in the county.

He, too, wondered what the TVA is going to do with its "phosphate reserves." Said Flemming, "This area was supposed to have been mined out long ago. I wish they'd go ahead and mine if that's what they got the land for."

XUM

He estimated TVA costs the county about $3,200 a year in taxes that the land would yield if privately owned in its present undeveloped state.

Development all around—a huge senior citizen retirement village to the south and Cross State Barge Canal to the north, a new veterans hospital in nearby Gainesville—"are making land scarce in that area," said Flemming.

"We're sensitive to these (real estate) influences on our holdings," Said R. B. Burt, chief of technical staff for TVA's fertilizer operation at Wilson Dam, Ala.

But he made it clear: "We bought those reserves to mine." He said he did not know when TVA would start mining.

The federal agency hasn't turned a spade yet.

FERTILIZER PLANT LOSES $10 MILLION A YEAR

TVA operates a $69 million fertilizer research, development and production plant at Muscle Shoals, Ala., at a net loss of about $10 million a year which Congress comes up with.

Most of TVA's Florida real estate holdings—which total about 4,800 acres—are tree planted. On about 400 acres TVA experiments with fertilizers to make trees grow faster.

TVA calls this reforestation, a program that temporarily at least has taken the place of trying to mine phosphate in Florida.

The phosphate TVA gets from Florida TVA purchases from a firm in Bartow. Last year, TVA paid some $115,000 for phosphate not including freight costs to the Muscle Shoals fertilizer plant.

To hear the folks around Citrus and Marion counties talk, you get the impression TVA has on its hands ore deposits that may be financially prohibitive to mine.

Asked about that, TVA's Burt hedged.

But not long-time Hernando County real estate man Norvell Byrant. He said it is no economic secret locally that the mines shut down because "no private individual or corporation can make a profit mining phosphate in Marion or Citrus counties."

ONLY GOVERNMENT CAN AFFORD IT

Said Byrant: "I guess the government can afford it because they get all the money they want from me and you."

Some of the land TVA prospected at Dunnellon in the 1950s but did not buy is now owned by the Rainbow Springs Corp., which is building a big tourist attraction in Central Florida, featuring among other things, a monorail.

Wondering recently about the phosphate mining potential on its 3,600 acres, Rainbow Springs Corp. wrote and asked TVA for its report on the phosphate hunt.

TVA, quoting from its prospecting findings, said the ore was too thin and too thick to mine profitably.

This may be the type of ore deposits TVA tenaciously holds on to. But TVA's Burt says the agency is not concerned. He says TVA reports show its reserves to contain "high grade ore."

Burt says TVA knows, however, the ore is under water.

As pressure mounts to get TVA to let go of the land, the agency merely tightens its fist.

Some of the TVA land, near highways and the scenic Withlachoochee River, is sought by other governmental agencies for right of way, or individuals seeking vacation cabin sites.

WON'T LET GO OF ANY OF ITS LAND

Real estate man Bryant is right-of-way agent now for his county, trying to get land for a county road between Hernando and Crystal River.

This transaction between two governmental agencies, both dependent on tax dollars, isn't as cut and dried as it would seem. TVA wants three times the appraisal value of the tract, Bryant says.

"They won't let go of a foot of their land," complained the real estate man.

Even congressmen get cooled off as they attempt unsuccessfully to intercede for constituents trying to buy some of the dormant reserves.

TVA, a $2.8 billion power operation in the Tennessee Valley, got into the fertilizer business after taking over a couple old World War I nitrate plants the government owned to produce munitions. The plants became obsolete and TVA started in the fertilizer business.

The Hoover Commission, which took a searching look at government businesses in competition with private enterprise back in the 1950s, had a lot to say about TVA's fertilizer activities.

HUGE SUMS PLOWED INTO ARID FERTILIZER PROGRAM

WASHINGTON.—The Hoover Commission looked into the federal bureaucracy more than a decade ago and found about 2,500 government businesses "engaged in useless and costly competition" with private enterprise.

The commission found 30 bakeries, 186 laundries, 11 dry cleaning plants, factories making paint, eyeglasses, ice cream, rope—and fertilizer.

According to latest figures available at the Library of Congress, only about 700 of the government businesses in direct competition with private enterprise have been shut down.

Among those that escaped the Hoover Commission probe was the $69 million fertilizer operation of the Tennessee Valley Authority.

Both Hoover Commissions, in 1947–49 and 1953–55, are only a memory now, their recommendations for overhauling the federal bureaucracy largely unfulfilled.

Of the 273 overhaul recommendations of the 1947–49 Hoover Commission, 31 per cent were implemented by legislation. A bare 17.2 per cent of the later commission's suggestions were enacted.

In its May, 1955, report to the Congress, the Hoover Commission recommended:

1. That the TVA discontinue all chemical research.

2. That the TVA's fertilizer program be turned over to the U.S. Department of Agriculture.

3. That the comptroller general audit the TVA's fertilizer program. The TVA, being tax exempt, "does not in its cost reports say whether they include depreciation, interest on the investment, amortization and fringe benefits to staff."

This year, Congress gave the TVA about $50 million for its non-power activities, such as fertilizer. The TVA's 1967 financial statement showed a net expense of $10 million for the program.

Last year, the agency sold $16 million in fertilizer.

The 1955 Hoover report made it clear it thought the TVA should be put out of the fertilizer business.

"There is no longer justification for the research activities as these may be more appropriately conducted by the Department of Agriculture and Industry," the report asserted.

Astonishingly, even as the Hoover Commission was taking its stand, the TVA launched a multi-million dollar adventure in Florida to prospect and mine phosphate for fertilizer production.

The federal agency purchased some old phosphate mines in Marion and Citrus Counties, where local officials today say the area was mined out long ago. And they say, the ore supplies that are underground are financially prohibitive to mine.

The TVA has never mined its phosphate holdings in Florida. It owns about 4,800 acres, on most of which it is growing trees. On 400 acres, the agency is trying to find a fertilizer that will make trees grow faster. In this endeavor, the TVA employs two persons and spends about $30,000 a year.

Last year, the TVA spent about $115,000, not including freight, for phosphate from a private firm in Bartow, not far from the TVA's dormant mines. The material was shipped to the TVA big fertilizer research and development center at Muscle Shoals, Ala., where the TVA employs about 1,000 people in the program.

The 1955 Hoover report noted:

". . . The Department of Agriculture had commenced fertilizer research many years before the TVA was created."

PROJECT SHIFTED

Gradually, over the past several years, the Department of Agriculture has shifted most of its research work on fertilizer to the TVA. However, the Department of Agriculture still runs experiment stations in the very same program the TVA now carries out in Florida—trees and reforestation.

The Hoover report stated:

"There is a strong feeling . . . that there should be a national laboratory dedicated to research in this field (fertilizer), but the general attitude is that this laboratory should be under the Department of Agriculture, a national organization, rather than a regional valley authority."

The report pointed out that the TVA's justification for getting into the fertilizer business in the first place—a shortage of nitrate and phosphorus—no longer exists, with both those minerals in adequate supply."

Florida phosphate mines are cutting back production today because of a massive over supply.

REAPPRAISAL URGED

The Hoover report said (back in the 1950s) "The present time, therefore, seems particularly opportune for a reappraisal of the TVA fertilizer program, since the TVA had sought to justify the post-war production of fertilizer primarily because of shortage."

There was no appraisal. The Hoover reports give no indication that their investigatory staffs delved in detail into the TVA's strange Florida venture.

The Citizens' Committee for the Hoover Report of 1955 has been dissolved; the Senate subcommittee on reorganization of the Committee on Government Operations no longer attempts to keep a tally on Hoover Commission recommendations, implemented or forgotten.

One of the reasons for the death of the Hoover reports and their unfinished business is that some of the suggestions were "almost immediately rejected" when a new administration took over.

IKE STARTED IT

Former President Dwight Eisenhower cranked up the Hoover Commission in the 1950s. Now the United States Chamber of Commerce has launched a drive for another Hoover Commission.

Major accomplishments of the Hoover Commissions were in reorganization of the Defense and State Departments and unification of some military and agency duplication.

The TVA escaped. For an agency skilled in self defense, the Hoover Commission clash was no contest for the TVA.

This year the agency received about $50 million for non-power activities—the basic reason for its existence—even as the nation faced a $25 billion budget deficit and took an income tax increase to try to stave off more red ink. Congress' promise to clip $6 billion from agencies had little or no effect on the TVA.

For in Congress, not to know the TVA intimately is to love it for providing cheap electricity and elevating the standard of living of the Tennessee Valley.

"THIN" AUDIT GIVES TVA FREE REIN

WASHINGTON.—Congress doesn't get a close look at how the Tennessee Valley Authority, a $3.3 billion federal business, spends its money.

The TVA employs its own auditors, Lybrand, Ross Brothers & Montgomery, New York certified public accountants.

The private audit, however, "is primarily for the financial community—the man on Wall Street who wants to see the balance sheets," said Robert Egner, spokesman for the accountant firm.

The General Accounting Office (GAO) in Washington, watchdog of tax money appropriated by Congress, departs from its usual dollar-watching role in the case of the TVA.

Under law, the GAO can go through TVA spending with a fine-tooth comb, but does not.

In reviewing the TVA's private audit for fiscal 1967, the GAO reported: ". . . In view of the fact that a firm of certified public accountants was employed by the authority, our audit included observations and tests of the firm's audit work."

The TVA, clothed by Congress with unusual corporate powers and with authority to sell revenue bonds, spends funds in two main categories—power and non-power activities.

The power activities are self-supporting and the TVA annually makes payments to the U.S. Treasury on the $1 billion investment of taxpayers. As of last year, the agency restored $370.7 million to the Treasury.

Apart from that fiscal picture, however, the TVA annually asks for and receives from Congress tax money to pay for its non-power activities. Total assets of the non-power activities are more than a half billion dollars.

This year the TVA got a $50 million appropriation from Congress to finance its non-power activities. Last year the appropriation was $61 million.

The non-power functions are navigation, flood control, fertilizer research-production, recreation land improvement and cooperative valley development.

BREAKDOWN OF ADMINISTRATIVE EXPENSES

Total administrative expenses of power and non-power activities, as reported in the TVA's 1967 certified public accountants' audit, were $7.7 million. Here's how that breaks down:

The TVA's three-member board of directors, $178,566; general manager, $198,990; budget staff, $172,958; finance, $2.3 million; regional studies staff, $348,860; division of personnel, $348,860; personnel, $1.6 million; law, $534,998; property and supply, $1,022,478; medical and safety services, $683,775.

In addition, the TVA spent $560,712 for an information office (TVA propaganda materials pour out); $49,358 for a Washington office and $93,281 for "other" expenses.

Included in the $7.7 million administrative expenses are $818,832, for the TVA's controversial fertilizer program—production, demonstrations, farm tests, research and investigations.

Justification, for instance, for the TVA's Washington office, or $93,281 for "other" expenses, or $560,712 for an information office, is not the private auditor's responsibility to evaluate.

Only the GAO would snoop that deeply into TVA books—in behalf of the taxpayers.

According to Charles P. McAuley, GAO auditor, the GAO doesn't make a routine government audit of the TVA unless, for instance, it hears reports of hanky panky.

If the TVA is run with the efficiency of General Motors, or the abandonment of some of the federal poverty programs, Congress has no way of knowing.

The TVA has grown accustomed to special treatment. Most recently was when Congress, faced with a staggering $25 billion budget deficit, ordered a federal employment rollback, but exempted TVA power operations along with three other agencies, the Postoffice, Federal Bureau of Investigation and Federal Aviation Agency.

The TVA was created in 1933 to dam the 650-mile Tennessee River from Knoxville, Tenn., to Paducah, Ky., with hydro-electricity a "paying partner."

The Tennessee, the most dammed river in the world, long ago reached water capacity to generate power, but the TVA built steam plants to expand and now is putting up nuclear plants.

POWER OPERATIONS HAVE BOUNDARY LINES

Congress, however, has strapped boundary lines beyond which the TVA cannot huckster its power. That's about the only victory the TVA's historic enemies, private power companies, have to brag about.

But even with its market confined, the TVA keeps itself busy expanding its non-power activities in such questionable fields as tributary area development; recreation land improvement; water quality management; wildlife development; fertilizer research and production—and forestry.

The TVA calls this "unified development." Birds use the trees, but so far as is known, the TVA has not yet gone into ornithology.

Knoxville is the TVA administrative headquarters; the power center is at Chattanooga, Tenn., and the fertilizer operation is at Muscle Shoals, Ala.

SOME 19,000 PEOPLE LIVE OFF ITS PAYROLL

The TVA payroll supports 19,000 people.

The three members of the board of directors serve nine-year staggered terms, the members being appointed by the president, who also sets their salary scale. The chairman, Aubrey J. Wagner, receives $29,500 a year, and the other members, Don McBride and Frank E. Smith, $28,750 each. McBride is a former Senate aide.

The TVA general manager is L. J. Van Mol.

The federal agency's die-hard friends are the rural electric cooperatives in the valley that purchase power wholesale and retail it.

Besides the anathema of the private electric industry, an armed truce exists now between the TVA and the nation's fertilizer industry.

"They are like a mountain. You can't move them," reflected Paul Truett, long-time leader of the private fertilizer industry, recently retired as president of the National Food Plant Institute.

LABOR'S COMMITMENT TO THE MODEL CITIES PROGRAM

HON. SEYMOUR HALPERN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. HALPERN. Mr. Speaker, organized labor's clear and solid commitment to the full success of the model cities program, which it supported vigorously, was reemphasized in an article by AFL–CIO Vice President Joseph D. Keenan, who is also secretary of the International Brotherhood of Electrical Workers and chairman of the AFL–CIO Housing Committee, which appears in the 1968 Housing Yearbook. Under unanimous consent, I include Mr. Keenan's article, as follows, in the CONGRESSIONAL RECORD:

ORGANIZED LABOR'S VITAL STAKE IN MODEL CITIES

(By Joseph D. Keenan)

Labor's foremost concern in housing—and in all of the problems of our cities—is people. For it is people who are homemakers in the house; it is people who are neighbors in the neighborhood; it is people who are citizens in the city.

A home, a neighborhood, a city are living things. They grow, they change, they age, they all and they recover from their ailments.

This growth and these changes reflect the well-being of the people who inhabit them, the drive of their inhabitants for better life, the plans people make—and carry out—for orderly growth and development of their household and their community.

What gives the Model Cities program historic importance in American life is that, in responding to President Johnson's call, the Congress recognized for the first time, as a matter of national policy, that physical and human elements of the city must be treated together, not separately and independently, if the city's ills are to be cured.

Jobs, acquisition of skills necessary to obtain jobs, schooling for one's own life, and schooling for educated citizenship are ingredients just as important as shelter in the make-up of good city life. And community awareness on the part of citizens and townspeople is important to sound city planning and to equitable and realistic execution of plans for urban redevelopment and growth.

As the champion of human betterment, the driving force for a higher standard of living, organized labor has a keen interest in the Model Cities program as the key to better life for all urban dwellers.

Our labor movement has taken an active part in the Model Cities program from the very start. In fact, labor's participation in President Johnson's Task Force which blueprinted this program has helped in its formulation as a combined physical-human redevelopment package.

When the program was dramatically presented by President Johnson in his historic message to Congress and formulated in legislative detail in the Administration-sponsored Demonstration Cities Act, it was the AFL–CIO and the National Housing Conference which jointly spearheaded the public interest drive for its Congressional enactment.

Last November, immediately upon the approval by the Department of Housing and Urban Development of applications from the first group of cities for Federal grants for planning funds, the AFL–CIO called for "the fullest participation" of its local central labor councils "in this strategically important program" in each community.

There were the words of AFL–CIO President George Meany's special message regarding Model Cities, sent by him on Nov. 29, 1967, to all the central labor councils in the 63 cities with approved programs.

Mr. Meany asked that, "to this end" each Council "establish a working and consultative relationship with its city officials responsible for this program."

"I hope you will find it possible," President Meany went on, "to have your Council's Committees on Housing, Education and Community Services to devote their special and urgent attention to this task, with special emphasis on housing and planning, education and training, and social services in their respective fields."

Local labor organizations responded promptly and fully to this call. In most cities, union representatives took an active part in the planning of specific model neighborhoods on which the program is to focus. Many were able to pledge active assistance from local union members, serving as volunteers, in training, education and community service efforts in these neighborhoods. In some cities, professionally trained welfare workers on the AFL–CIO Community Services field staff were available for assignment to help deal with the neighborhood human problem.

Local labor housing committees, reinforced by the guidance provided by the Housing

Committee of the national AFL–CIO, are able to take an active part in sound planning of local efforts to meet the housing and urban development needs in these neighborhoods.

Labor's emphasis in all these efforts is on the fact that the deeper roots of the urban crisis are poverty and privation resulting from the persistent denial of opportunity to minorities—opportunity for education, for training, for self-improvement.

Labor, therefore, believes that remedies must provide more than better housing and more than slum clearance. They must go beyond urban development to provide opportunities and means for human redevelopment. They must go beyond rehabilitation of housing to include rehabilitation of people concentrated in our city slums.

Although the building trades unions have often been assailed for "restrictive" practices which purport to discriminate against minority groups, the fact is that building and construction trades today actively support "outreach" projects designed to recruit minority applicants according to the requirements of the apprenticeship programs and to help prepare them to meet these requirements.

From Brooklyn's Bedford-Stuyvesant in New York City, to Los Angeles, from Cleveland to Atlanta, there is a network of 48 cities where such "outreach" projects have been undertaken by building unions to enlist local disadvantaged youths in apprenticeship training. Between January and the end of June 1968, more than 12,000 young people have been sought out, screened and tested and more than 1,500 actually placed as apprentices.

Similar projects are being mounted in a number of other cities. In many cases these efforts are undertaken by labor in the neighborhoods of model cities.

The latest example of such an effort is the program called Justice—Journeymen Under Specific Training in Construction Employment—launched by the AFL–CIO Building and Construction Trades Council in Buffalo, N.Y., in July 1968. Workers enrolling in this program, mostly Negroes, will concentrate for three weeks on classroom instruction in mathematical and blueprint reading after general orientation courses. Five weeks will be devoted to vocational training in the classroom by union journeymen. This is followed by 20 weeks of on-the-job training, the trainees working when possible with the same union members who gave them classroom instruction. This "outreach" program has been developed under an agreement with a non-profit group called the Opportunities Development Corporation of Buffalo in cooperation with the Workers' Defense League and the A. Philip Randolph Education Fund, with the U.S. Department of Labor helping meet part of the cost.

A like project, called Project Build, is already in operation in the District of Columbia under the sponsorship of the Greater Washington Central Labor Council, AFL–CIO, and the local Building and Construction Trades Council, it provides a six-month cycle of both instruction and work experience for youths between 17½ and 23 years of age to prepare them for apprenticeship in the building trades.

In Newark, N.J., a local painters union has underway a project called New Careers. The brainchild of Peter Yablonsky, president of the New Jersey Painters District Council No. 10, AFL–CIO, this project was realized with the active help of Lou Danzig, Executive Director of the Newark Housing Authority and Board member of the National Housing Conference. It employs unskilled young men—largely drawn from ghetto areas—as union-trained apprentice painters in public agency jobs. After they complete their apprenticeship, the trainees are eligible to become journeymen and to attain annual earnings of around $10,000.

My own union, the International Brotherhood of Electrical Workers, has worked out an agreement with the National Electrical Contractors Association on a program using a completely new approach in teaching craftsmanship in junior high schools. Introduced in a number of junior high schools in September 1967 after three years of preparation, this is a construction technology teacher-training program which is, to my knowledge, the first of its kind in the history of education. It provides support to 20 students per year over four years, each student receiving a four-year, $4,000 scholarship to cover tuition, fees and other expenses.

IBEW and NECA not only have helped to plan the electrical training program but are contributing $80,000 to provide scholarships to train the teachers. Other building trades unions have announced that they plan to cooperate in the program for their particular jurisdictions.

These and similar programs to provide skill training and quality education for the disadvantaged young people are but one example of labor's concern in human reconstruction in our rundown urban areas. And labor finds the Model Cities program to be the best vehicle for this effort.

Good shelter is indispensable to a person's well being. But, as has been said, man does not live by shelter alone.

That is why organized labor is wholeheartedly committed to the successful realization of the Model Cities program.

It is this program's "total attack" on the social, economic, and physical problems in slum and blighted areas, designed to turn them into "model" neighborhoods, that labor overwhelmingly supports.

In the success of this program, labor has a vital stake.

DO WE KNOW WHAT FREEDOM REALLY IS?

HON. RICHARDSON PREYER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. PREYER of North Carolina. Mr. Speaker, some of the best comments on freedom come from those who are not philosophers but who experience it in action.

I am glad to enclose a letter written by Rev. Bob Minnis, a Graham, N.C., resident, which has been given the top award in the letters to the editor division of Freedoms Foundation. Reverend Minnis is an ordained Penticostal Holiness Church minister and is an instructor at the Technical Institute of Alamance.

He is the second person in 2 years from Graham, N.C., which is in my congressional district, to receive a significant Freedoms Foundation award. Mr. and Mrs. D. A. Strickland of route 2, Graham, received the award for their son, Pfc. Hiram "Butch" Strickland, who was killed in Vietnam. His letter, written the day before his death, was given the Freedoms Foundation's highest honor—the George Washington Medallion Award.

Reverend Minnis' letter, which appeared in one of North Carolina's finest newspapers—the Daily Times-News of Burlington—follows:

Today's ever echoing cry is freedom. We hear it so often, and called for so loosely, that the question is prompted: "Do we know what freedom really is?" Much is going on under the banner (disguise) of freedom, but freedom is not found in resentment or lust or hatred. By its very nature freedom is incompatible with such attitudes and actions.

In America we pride ourselves in a heritage of freedom that is unknown in many parts of the world. The opportunity for individual achievement and the level of that achievement have been magnets that have drawn people from many parts of the world to our shores. But if our understanding of freedom does not rise above the desire for personal gain at the loss of others, there is grave danger that the freedom which we enjoy will not long endure.

Freedom is a two-sided coin involving two concepts: liberty and equality. And the real foundation for this freedom is law. Freedom has always come through the establishment of law. Indeed, there is no liberty nor equality in anything without law.

A man may wish to become a master piano player, but with becoming a master of the keyboard comes a great deal of bondage (law, if you please)—a disciplined learning process, practicing. No legislative act can decree a man a good piano player. He must earn this right by facing up to the requirements.

Today, rights and privileges are demanded on the basis of justice, and genuine freedom includes justice (fairness); this we can't deny. But some rights and privileges can't be ordered. Again, they must be earned. Everyone has the right to go out for the team, but everyone doesn't have a right to play in the game. You have to be good enough. Measuring up to certain requirements (laws, if you please) warrant this.

One of the verses of "America, The Beautiful," ends with these words, "Confirm thy soul in self-control, Thy liberty is law." These words aptly bring together the principle of liberty through law and the individual responsibility we have for freedom.

Freedom will never be found through lawlessness, since the very basis of liberty is law. Today's disorder and chaos, resulting from extremists activities, retards rather than advances freedom. In the cry for freedom the chains of requirements have been discarded, thus in place of a free for all policy we have a free-for-all.

To expect the privileges of freedom without the responsibilities is folly, because responsible freedom is the only kind that can endure. Freedom is earned, not bestowed. The crusaders of the past put their "cause" above self; today the reverse is true. Self comes first. Crusading (protesting) has become a luxurious game of self-indulgence.

If we can understand something of what freedom really is, then we can work together for the development of the sharing of both responsibilities and privileges that accompany it.

BOB MINNIS.

PRESS ACCLAIM FOR PRESIDENTIAL TRIP

HON. W. E. (BILL) BROCK

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. BROCK. Mr. Speaker, I submit for your attention an editorial which states, far more eloquently than I could, the response of most Americans to President Nixon's recent trip. It was published in the March 3 issue of the Nashville Banner, and is encouraging reading for those of us who have witnessed the decline in America's prestige abroad during the past few years.

The editorial follows:

WELL DONE, PRESIDENT NIXON—AND WELCOME HOME

President Nixon's working trip to Europe was a plus for the United States all the way—restorative of national prestige, introductive of policy views firm and coherent, and productive of respect and confidence. He imparted the qualities for these at every stop, and his home-coming is to a nation proud of a mission magnificently performed.

It was historic, in magnitude and achievement; and to the host countries abroad must have been the more remarkable for the fact that it was a newly-inaugurated Chief Executive thus measuring to unsurpassed dimensions of maturity in leadership.

To the President it was a self-assigned responsibility—beyond the call of immediate duty; but assumed with initiative addressed to solution of international problems high on the priority list.

As a realist, Mr. Nixon was and is aware that these will not be solved overnight. But as a man of reason, he also knows the essential factor of mutual confidence for unity and understanding prefatory to meaningful clasp of hands across the sea. He clasped those hands, at Brussels, London, Bonn, Rome, and Paris—and, unquestionably, the sincerity of his message was transmitted.

The handshake was with more than Heads of State, with whom he consulted, to listen and discuss questions of policy moment. To the populace of those lands he personified, in words and contact, a President of the people—an image of friendship neither fawning nor patronizing, but with respect of a human being for other human beings.

He is that, with no affectations of infallibility; but with the sobering realization of awesome responsibility—and determination to fulfill, both in domestic and in foreign affairs, a covenant of trust. Thus his language gets down to cases, whether confronting a problem at home, or issues vital to Free World security . . . and it registered all over Europe. The tone of his message, for strength and judgment along any avenue to honorable peace, could not have failed a hearing even through the Iron Curtain—where the question of meaningful summit negotiations is pending.

No man could have carried more superbly the burden of such a mission; nor wrought of it a better total accomplishment.

There are areas of individual national responsibility—the internal political and economic affairs that are sovereign to teach—and on these he did not trespass. On the other hand, there are multilateral interests requiring maximum attention by the community of Free World powers, and in behalf of these he sought the full measure of enlightened action in concert.

Notably, he did not re-embark his nation on the futile course either of banker to the world, or of universal policeman. He did not seek to acquit the United States of shared obligations for peace-making and peacekeeping; but he underscored the fact that difficulties or crises confronting civilized society were for the components of that society to solve together.

Where reason goes hand-in-hand with courage, it gains an audience—of men or nations of good will. It gains respect, and can unify. It identifies its possessor with the highest qualities of statesmanship; and cements friendship predicated on understanding and trust. It is addressed by President Nixon—not to secret covenants, but to open accord openly arrived at.

He adhered to that on a working trip whose signs of success vastly outweigh needling aspects of Communist-begotten resentment and opposition.

The United States takes due note of the substantial plus side—the distinguished record of its chief spokesman who, at any point, did not falter or default. The nation welcomes him home.

RESOURCES, CONSERVATION, AND ENVIRONMENTAL QUALITY ACT OF 1969

HON. THOMAS L. ASHLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. ASHLEY. Mr. Speaker, I am introducing today legislation to coordinate the Nation's natural resource conservation and environmental quality activities. This aim would be effectuated by the establishment of a Council of Advisers on Resources, Conservation, and the Environment in the Executive Office of the President and by the creation of Select Committees of Congress on Resources, Conservation, and the Environment.

It is a major function of the Congress to propose and consider policies to provide for the common defense and the general welfare of the United States. Due to the rapid deterioration of the environmental base, natural and manmade, we today face a threat to the very foundation of American security, welfare, and prosperity.

This environmental crisis is, as pointed out by the Senate Committee on Interior and Insular Affairs' report on "A National Policy for the Environment," largely the result of the unprecedented impact of a dual explosion of population and technology upon limited resources of air, water, land, and living space. We are thus faced with a challenge that has never occurred before in the history of mankind.

While we have been exploiting our environment, it in turn has been subtly undermining us. On the one hand we have rapidly completed the occupation of the easily inhabitable areas of the earth while the population has increased at an exponential and explosive rate. Thus, whereas the total population of present-day continental United States did not exceed 3 million people at the time of the American Revolution, the same space will raise 300 million people by the year 2000.

With the increase in population there has been a concomitant explosion in technology. While the technology has alleviated some forms of stress—for example, on forests for fuel or on wildlife for food—it has on the other hand resulted in enormously increased demands upon the environment in addition to the increase in population.

Utilizing our vast natural resources, we have achieved the world's highest standard of living. However, our production technology has been accompanied by unforeseen side effects. The history of soil exhaustion and erosion, of cut-over forest lands, and of slaughtered wildlife document a few of our early failures to maintain the restorative capacities of our natural resources.

Recently we have become acutely aware of polluted air and water, of the devastation of strip mining which has impoverished mining communities, and of the refuse of the machine age which lines our dying Great Lakes and is piled up in manmade mountains of junk.

These problems, along with the psychophysical stress of crowding, noise, and interpersonal tension on urban populations, may infinitely degrade the existence of civilized man before the end of this century. It is abundantly clear that we cannot continue to enjoy the benefits of our productive economy unless we bring its harmful side effects under control.

At the same time, grave problems of national security, poverty, health, education, and urban decay have just and appropriate claims for priority in national attention and for public expenditure. Yet it is evident that many aspects of these selfsame problems involve questions of environmental policy. For example, the slums and ghettos of the great cities, the increased disability and death from diseases nurtured by the environment—such as cancer, emphysema, mental disorders—and the decline and decay of our once great rural areas—such as Appalachia—all have significant environmental components. If the area of environmental quality encompassed no more than these three problems, I think the case for a Council would still be made. That these three areas represent only a small portion of the whole environmental question shows the great need for a Council.

We can no longer ask the question, can we afford it? It is now graphically clear that there is no way in the long run to avoid the costs of using our environment. The deferral of charges by letting them accumulate in slow attrition of the environment, or debiting them as loss of amenities will soon be no longer possible. If we continue to wait, specific effects of imperfectly understood technology may prove to be irreversible or prohibitively costly. We must recognize immediately the hard necessity and start paying to obtain such things as air and water of at least minimal standards of health and comfort.

Further, if we fail to preserve the U.S. coastline and coastal waters, lobster, shrimp, and shellfish may become archaic words. Even the great salmon of Washington might be gathered off the top of the waters rather than caught in them. And, most importantly, who can measure the cost of illness and general physical and psychological discomfort that even now may be destroying 15 percent of our people.

It is clear that there are many agencies now dealing with some of these problems. In fact, there are so many that they often work at cross purposes and duplicate efforts—at great cost to our citizenry. None of these bodies as presently constituted are equipped to look at man-environmental relations as a whole. This fragmentation has been well documented on many occasions including the fine statement on January 13 by our colleague from Wisconsin, Mr. REUSS.

To make policy effective through action in this area, a comprehensive system is required to assemble and report relevant knowledge and to place alternative courses of action that this knowledge suggests before the President, the Congress, and the people for public decision.

The legislation I introduce is designed to meet the problems that I have

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sketched. First, it sets up a high-level three-man Council of Advisers on Resources, Conservation, and the Environment. The Council would have the job of gathering information concerning natural resource conservation and environmental quality trends; of appraising the various programs of the Federal, State, and local governments and of developing and recommending national policies to the President.

Each January the President would transmit to Congress the Commission's report setting forth the condition of the environment and of natural resources, current and foreseeable trends in environmental quality and in management and utilization of natural resources, the adequacy of available natural resources for fulfilling human and economic requirements of the Nation, a review of the programs and activities of the Federal Government, the State and local governments and nongovernmental entities and individuals with particular reference to their effect on the environment and full conservation, development, and utilization of natural resources, and a program for carrying out the declared policy of the act.

Second, the bill establishes select committees of Congress to consider the Resources and Conservation report. They would be made up of the chairman and the ranking majority and minority members of the Committees on Interior and Insular Affairs, Public Works, Agriculture and Forestry, and Interstate and Foreign Commerce. The duties of the select committees would be to review the annual report and make such reports on resources and conservation matters and on studies undertaken by it to its respective House at it deems advisable.

Mr. Speaker, we have already waited too long to control the quality of our environment. Nature has warned us in many ways—frightening ways—of our laxness. Death-dealing smog, black lung and emphysema, contaminated and dying lakes, rivers, and streams, dead fish, and other water life, overcrowded cities with intolerable living conditions, stripped forests, dying birds and animals—many now extinct for all times. These are some of the warnings we have had.

I submit that the situation is too serious to continue to treat on a piecemeal basis—that we must look at the situation as a whole. To accomplish this I urge adoption of the Resources, Conservation, and Environmental Quality Act of 1969 as quickly as possible.

STUDENT "RIGHTS" RULING BODES NEW CAMPUS WOE

HON. RICHARD L. ROUDEBUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. ROUDEBUSH. Mr. Speaker, in a recent newsletter we expressed concern about the latest Supreme Court ruling which appears to open the door wide for student revolutionaries to wreak havoc with impunity in public schools.

A lot of the Nation's troubles can be traced to the Supreme Court and this latest bit of judicial idiocy is no exception.

Knowledgeable editors around the country are examining the ramifications of the decision and none that I have seen does a better job than William A. Mullen, the editor of the Pompano Beach (Fla.) Sun-Sentinel.

Editor Mullen is one of the country's outstanding editorialists and he has interpreted the dangers of the Court decision with a clarity and foresight that we wish to bring to the attention of the entire Congress.

The editorial follows:

STUDENT "RIGHTS" RULING BODES NEW CAMPUS WOE

(By William A. Mullen)

Any time it appears that the Warren Supreme Court has settled back to some rational decisions, a majority of the learned justices manages to snatch folly from the jaws of reality and an entire new generation of problems is rescued from deserved oblivion.

The court did it again this week with its 7–2 ruling that grammar and high school students have the right to demonstrate over the objections of public school officials.

Associate Justice Abe Fortas, who holds impeccable credentials as a liberal's liberal, wrote the majority opinion, contending that public school officials do not possess absolute authority over their pupils. He likened disciplined schools to "totalitarian enclaves," adding:

"Students in schools as well as out of school are 'persons' under our Constitution. They are possessed of fundamental rights which the state must respect, just as they themselves must respect the obligations to the state . . ."

These are teenagers he's talking about, not college level students who have emerged from a state of adolescence—physically, if not mentally, in too many cases.

The Fortas concept is as alarming as it is amazing.

As a "person" with constitutional rights, it must be recognized that a youngster may sass back his parents under the right of free speech. The child may hang around the pool room, dance hall or "pot" den under the right to peaceably assemble.

The right to worship grants a still wet behind the ears "constitutional person" permission to join sex sects and to engage in erotic rites as a spiritual pursuit.

Police may not agree with the spiritual experiences resulting therefrom. But if they are not sufficiently intimidated by past court decisions to have the temerity to make arrests, they probably will be dragged into the Supreme Court for violation of civil rights.

And parents, watch out. Junior must be treated as a person with all attendant privileges. Otherwise, law suit with the Civil Liberties Union as amicus curiae, if not counsel of record.

Don't rely on the Fifth Commandment. It could be declared unconstitutional as a violation of the 13th Amendment prohibiting involuntary servitude.

If these remarks appear facetious in tone, they are deadly serious in portent. For in the climate of our times there are corrupting Fagins who will manipulate children to further the anarchy now engulfing campuses from coast to coast.

This is not beyond the realm of possibility. As ludicrous as it may seem, a high school freshman or a junior high pupil can organize a "peaceful demonstration" that Justice Fortas rules is constitutionally proper, over the objections of teachers and principal.

In fact, there already have been protests and outbursts in Dade County public schools over the playing of "Dixie" and the use of the Stars and Bars at school sports events.

Justice Fortas equates a state's responsibility to youngsters and their responsibility to the state. How, we ask, does a teenager full of spirit and natural tendency to rebel against authority recognize such individual responsibilities when youthful ebullience hasn't felt the first touch of mature common sense?

He might better understand the problems besetting parents and the constant testing they endure from children who instinctively find security in discipline if he were not childless.

The real import of the Fortas opinion is that it gives a green light to the Students for a Democratic Society (SDS), organizers and perpetrators of campus violence, to invade the secondary and elementary public schools to recruit and train the college anarchists of tomorrow.

The court would have been more sensible by ordering firemen to douse blazes with gasoline.

WHAT AMERICA MEANS TO ME

HON. EDWARD G. BIESTER, JR.

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. BIESTER. Mr. Speaker, I have recently been given a statement entitled "What America Means to Me." It was written by Albert J. Crispell, who is the principal of the Mary W. Devine School in Croydon, Pa. I would like to include the full text of the statement in the RECORD at this point:

WHAT AMERICA MEANS TO ME

(By Albert J. Crispell)

1. It is a nation that permits me to help choose the people who will govern.

2. It is a nation with laws that limit the powers of those who govern.

3. It is a nation of fixed terms for those who govern and where elections are set for choosing new leaders.

4. It is a nation that permits me to choose in secret those of my choice.

5. It is a nation with many qualified and willing to serve in positions of leadership.

6. It is a nation where many who govern desire to return to private life after a reasonable length of time.

7. It is a nation where men of good-will can unite even though of opposing views.

8. It is a nation, proud of its achievements, with a sense of world responsibility.

9. It is a nation of many natural resources.

10. It is a nation much concerned about improving the standards of life, liberty, and happiness.

11. It is a nation concerned about religion and Man's freedom in worship.

12. It is a nation interested in education for all regardless of their station in life.

13. It is a nation that has problems that its citizens can seek to identify and can openly seek ways of solving in a peaceful manner.

14. It is a nation that gives protection to its citizens and their property.

15. It is a nation where fear does not rule the heart of man.

16. It is a nation with faith in its future and the future of the world.

17. It is a nation troubled by a war of long duration when victory is not in sight.

18. It is a nation concerned about its young people, its children, and its aged.

19. It is a nation that can endure in a world where other ideologies exist and can be tolerant to permit other peoples to choose

their own leaders and their own form of government.

20. It is a nation that has friends in the "World of Nations."

21. It is a nation that can stand alone or stand among friendly nations for a cause in which it continues to see as right, and for as long as it sees this cause to be right.

22. It is a nation willing to seek peace, and willing to seek friends among former foes.

23. It is a nation which continues to prosper, and give hope to its own people and be an inspiration to peoples of other nations that would seek a better way of life.

24. It is a nation made up of the union of citizens by birth and citizens by choice who find here opportunities for service, sacrifice, and success.

25. It is a nation which finds power for union where powers are separated in branches of government and where powers are divided between levels of government in which the State is sovereign, the Nation is indivisible and local government is strong.

TAX REFORMS OR TAX REVOLT

HON. M. G. (GENE) SNYDER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. SNYDER. Mr. Speaker, tax reform is of major concern to every taxpayer. Ed Wimmer, president of Forward America and public relations director for the National Federation of Independent Business, discussed "Tax Reforms or Tax Revolt" on a recent radio program. I commend this broadcast to my colleagues:

Regular or periodic listeners to these weekly broadcasts ought to be familiar with our continued insistence that Congress does not dare delay major tax reforms without risking a further liquidation of the earnings of millions of middle class citizens, and near-total monopolization and bureaucratization of the American economy.

Congressman Wilbur Mills (Ark.), Chairman of the House Ways and Means Committee, seems to accept this view, and in ordering a sweeping investigation of the entire tax structure, expressed the opinion that reforms could result earlier than is expected.

Republican John Byrnes, Wisconsin member of the Committee, has sought tax changes that would help the family farm, independent business and lower income families. He is a vigorous proponent of a reduction in oil depletion allowances, and has recommended that a tax reform study of the Treasury Department, begun under the Johnson Administration, be a part of the Ways and Means Committee Hearings.

Joseph W. Barr, retiring Secretary of the Treasury, predicted a "Taxpayers Revolt" if early reforms were not forthcoming under the Nixon Administration. He declared that the Treasury Study revealed billions of dollars in tax evasions by huge corporations and super-rich individuals, and particularly in the growing rash of conglomerate mergers.

During 1967, another 100,000 farm families became migrants, making a total of 5,300,000 families driven from their land since 1950, and either directly or indirectly, this was due to the failure of Congress to use taxing power to prevent the monopolistic power that is basic to the farm problem.

It was the tax structure that, either directly or indirectly, permitted monopoly practices which liquidated 50% of the independent ice cream plants in less than 10 years; over 75% of independent dairy plants; 40% of the wholesale grocers; up to 85% of all the independent druggists, hardware dealers and grocers in large communities, and caused nearly every independent department store in the nation to sell out to the big chains.

Consider in this light the attempt in the early thirties, led by Congressman Wright Patman (Texas) and our office, to get a graduated chain store tax on from one to 51 stores at a scale that would have made unattractive the operation of more than 50 stores by any one corporation. If this battle had been won, hundreds of thousands of manufacturers, brokers, wholesalers, retailers and small businesses of all kinds would have been preserved and probably 10,000 more independent banks would be in operation, creating billions in additional taxes and millions of job opportunities. The family farm, the products of which have suffered rigged-buying by the big chains and other monopolistic combines, would not have had to turn to subsidies and outlandish farm programs costing the consumer billions of tax dollars, and robbing the youth of the agricultural opportunities so basic to our American way of life.

A proposal was made by John K. Jessup, Chairman of the Board of Editors of Life, Time and Fortune, that ALL corporations should be called before a Court of Corporate Inquiry, and be made to prove that they needed to be as big as they were. In Life, Mr. Jessup declared:

"The best friend and exemplar of economic freedom in America is the independent, competitive enterpriser who wants to be in business for himself. Such a man should be the favorite of a truly liberal government, for the reason (and please listen to Mr. Jessup) that small business keeps the market active, the economy expanding because small business creates more jobs for others to choose from. He controls his own livelihood which represents a stage of freedom to which so many Americans aspire. The more the independent enterprisers the freer the nation."

Now why shouldn't graduated taxes on the number of stores—on corporations put together in violation of the spirit of the antitrust laws—have been the best possible approach to preserving our free enterprise system?

Mr. Jackson Martindell, Chairman of the Board, American Institute of Management, wrote me, Sept. 5, 1962) that he was reproducing my column on this subject to send out to his 30,000 clients and members. In his letter Mr. Martindell said:

"As an individual becomes richer and more powerful, he is taxed (or supposed to be) at a higher and higher bracket. . . . I believe that all corporations with net income of $100 millions a year before taxes, should continue to pay at the present rate, but that taxes (and listen, please) should be progressively reduced as the business becomes smaller in size."

In other words, why not a 'proprietorship' tax deduction to discourage mergers and encourage proprietorship?

Congressman Patman, whom I mentioned earlier, has led an investigation of the big Foundations that control billions of dollars in corporate assets, vast acreage in the U.S. and other countries, huge holdings in apartment buildings, trust funds, et cetera, and pay no Federal income taxes on much of this accumulated wealth and power. These Foundations will be fully investigated this year, and there is almost a certainty that big oil will have its depletion allowances reduced by at least 50%. When you stop to think that big oil is buying up insurance companies, opening thousands of unwanted, uneconomic service stations to destroy their own dealers and other small businesses, and going into vast operations of motels, restaurants, vending operations, et cetera, partly paid out of tax evasions, it all adds up to a pretty shameless situation. For Example:

Twenty giant oil companies with fantastic earnings, paid less than an 8% rate in federal income taxes, against 50% for other corporations with nowhere near such earnings. And while we are talking about Mr. Patman, he has stated his belief (along with our own) that many smaller foundations, easily managed, have been a source of great good to the nation, and this commentator for one would not support a move to end their work, even though some abuses are unquestionably evident.

Mr. Patman recently asked Congress to consider raising income tax exemption to the first $2,000 of earnings, while Paul Fisher, Fisher Pen Co., who wants all private enterprises owned by foundations, churches and other tax-exempt institutions, to pay the same rate of tax as other businesses, and Mr. Fisher has carried on a national campaign to repeal federal income taxes on all earnings under ten thousand dollars.

Continuing this week's treatment of tax reform, I would like to express my personal opposition to present proposals to offer tax inducements to corporations locating in rural communities or ghetto areas, on the grounds that already established businesses would be placed at a great competitive disadvantage. In the case of the rural communities, we are in a sad way when factories are needed to give farmers jobs so they can stay on the farm—instead of driving monopoly practices out of the market and thus ending corporate take-over of farm lands and huge subsidies paid corporate farm owners.

We agree with Congressman Gene Snyder (Ky.) that the surtax helps no one but big business, and like any other tax, the surtax increases rather than reduces the inflationary threat because all are added to the cost of living—which is now blowing through the ceiling. This is a middle-class liquidating tax and should be repealed at the earliest possible date.

A move is underfoot to repeal the 7% investment credit, which has helped thouasnds of small businesses to modernize. It applied to all businesses, big and little, and so long as it has a ceiling of 7% on expenditures no bigger than from $25,000 to $50,000, it is not adding to the inflation danger, and with profits and taxes what they are today, repeal of this 7% could have a devastating affect on present modernization plans of independent buisness.

We need millionaires in this country; in every community, to invest, contribute, lead, buy boats, fine homes, train horses, and build fine resorts. We do not need billionaires—a class of super-rich tax evaders—monopolists—who contribute too little that is good for their community or country, but who spend most of their time working against it. It is too bad that the more foresighted, patriotic rich couldn't see that what we should be building is an economic ladder with strong rungs at the bottom for all to take hold of; long rungs in the middle for an expanding middle class, with the rungs tapering down in length as they end toward the top of the ladder.

This is the only kind of economic structure that supports political liberty, and if we do not return to building such an economy, we will lose every freedom we possess—and I would say, within the next ten years.

For 36 years we have spent billions of taxpayers' money to establish inefficient, goal-less federal agencies and committees to treat effects—seldom causes.

How far the present investigation of tax abuses will go, and how many reforms we

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will get this year, are uncertain, but reforms there will be, and they will be as good as we can convince Congress they ought to be.

Even Charles Y. Lazarus, Vice President of the giant Federated Department Store Chain, has said again that absentee ownership is sterilizing our society. This is true whether it is conglomerates, holding companies, chain stores, big foundations, abuse of union pension funds, Security Exchange Commission upheavals now being witnessed, the breakdown of local government or the destruction of the family farm—there is a tax reform need and it cannot come to soon.

ABM

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. COHELAN. Mr. Speaker, one day this week the President will announce whether or not he will ask the Congress to continue the appropriations for the deployment of an anti-ballistic-missile system.

As one of those who has been strongly opposed to the ABM deployment for a long time, I have urged that the logic of halting deployment is overwhelming. For reasons of cost, effectiveness of the defense, escalation of the arms race, and simple lack of necessity, I have argued that we should not build the ABM.

In today's New York Times, Washington bureau chief and columnist, Mr. Tom Wicker writes:

> In fact, the case against ABM deployment is so overwhelming that it is hard to see how the President could decide for it.

I would like to say for the record that I strongly agree with this conclusion of Mr. Wicker. I only hope that the President would see it the same way.

I place Mr. Wicker's article at this point in the RECORD:

A DECISION THAT MAKES ITSELF

(By Tom Wicker)

WASHINGTON, March 10.—Mr. Nixon's interesting custom of setting dates upon which he will deliver major policy pronouncements has this capital positively quivering in anticipation or dread of his promised decision on the antiballistic missile system. In fact, the case against ABM deployment is so overwhelming that is hard to see how the President could decide for it.

Even the technical feasibility of the system is in doubt, particularly if deployment is to be justified by placing Sprint missiles to protect ICBM sites; and the Defense Department's research director, Dr. John S. Foster, warned two years ago that the whole Nike-X system—now known as Sentinel—would soon be obsolete.

The rationale first advanced by the Johnson Administration, that Sentinel some day would protect the nation against a Chinese missile attack, has been discredited by no less a hawk than Senator Richard Russell, a pillar of the armed forces establishment in Congress. "The Chinese are not completely crazy," he has said. "They are not going to attack us with four or five missiles when they know we have the capability of virtually destroying their entire country."

Now the ABM defenders have virtually abandoned the Chinese rationale and talk of deploying Sentinel to protect ICBM sites from new Soviet multiple-warhead weapons. But Senator Cooper of Kentucky has pointed out that no one has produced evidence that the state of Russian weaponry makes it imperative for the United States to deploy such defenses; and two authorities, Dr. Hans Bethe and Dr. J. P. Ruina, told a Congressional hearing last week that they knew of no such evidence.

The cost estimate attached to Sentinel—about $5 billion—is conservative at best and Senator Stuart Symington has effectively demonstrated that defense hardware costs always mushroom beyond Pentagon estimates. Moreover, the out-of-pocket cost to taxpayers is the least of it, while the worst is that these same dollars could be and should be used for all those domestic social needs so long starved for funds by the devouring demands of the military.

INSURING MILITARY EMBRACE

Politically, for the President to opt for Sentinel against these social needs, or even to insist, Johnson-like, that we can have missiles and social programs, would throw his Administration into the arms of the military-industrial complex and its servants in Congress, insuring for another four years the preeminence of generals and militarists; because a decision would repudiate the most progressive forces in Congress, now gathered in bipartisan opposition to the ABM system, and further alienate all those voters who already question Mr. Nixon's concern for the poor and the black, and doubt his interest in the quality of American life.

STEP TO COMPLETE SYSTEM

The deployment of any ABM system, moreover, however "thin," ineffective or near obsolescence, will be regarded by its victorious proponents as a "building block" in a vastly more expensive ABM defense against Soviet missiles. "It is the first step," Senator Russell said of sentinel, "toward the deployment of the complete system that I think is required."

But the estimated $40-billion cost of the "complete system" that Russell and others really want to develop from Sentinel deployment is not much better than an arbitrary guess; and former Defense Secretary McNamara has pointed out persuasively that even the "complete system" would be penetrable by the sophisticated Soviet weaponry its deployment would force them to build.

Above all, a decision to deploy an ABM system now might well trigger what McNamara called an "action-reaction phenomenon that fuels an arms race." The Soviets might and probably would step up their offensive or defensive missile armaments, or both, in response; they might recoil from the nuclear arms control talks Mr. Nixon has said he desires; and military hardliners in Moscow might well picture themselves as vindicated and find their influence enhanced for years to come.

If these arguments, all of which are being made to Mr. Nixon not only by Democratic liberals but by such Republicans as Cooper, Javits, Percy, Brooke and Hatfield (even Everett Dirksen and John Stennis, the Armed Forces Committee chairman, have expressed reservations), should persuade the President, he even has at hand a sound political explanation just waiting to be made.

He could say that the proposed ABM system needs more study and further development, which it does. He could add that this need dovetailed with his desire as a peacemaker to defer deployment at least until he had determined whether the Soviets would negotiate in good faith on arms control. And he could play on the disenchantment on Congress and the public by pointing out that deploying the Sentinel was Lyndon Johnson's idea, anyway. After all, this is a new Administration, isn't it?

NIXON AND VIETNAM

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. RYAN. Mr. Speaker, in his New York Post column on March 6 James Wechsler reported upon his conversation with Ambassador Averell Harriman, President Johnson's chief negotiator at the Paris peace talks. The recent increase in military activity by the North Vietnamese and Vietcong was foreseen by Ambassador Harriman when the United States intensified its military pressure after the bombing halt was ordered by President Johnson last fall. In fact, Ambassador Harriman warned that a step-up in U.S. military actions would produce a counter military reaction.

Ambassador Harriman said that the latest offensive action by North Vietnam and the Vietcong "were essentially a response to our actions rather than a deliberate, reckless attempt to dictate the peace terms or torpedo the talks." It is important to keep this in mind as the Nixon administration contemplates "an appropriate response." The only appropriate response is a political settlement.

For the benefit of my colleagues, I include James Wechsler's column in the RECORD:

[From the New York Post, Mar. 6, 1969]

NIXON AND VIETNAM

(By James A. Wechsler)

It is a matter of record that, in the aftermath of the bombing halt over North Vietnam decreed by President Johnson last Oct. 31, Commanding Gen. Creighton W. Abrams issued an order calling for "all-out pressure on the enemy" on other levels.

What is not in the published reports is that Averell Harriman, then our chief negotiator at the Paris peace talks, somberly warned the outgoing Administration that this step would inevitably invite the military reaction that we have been facing in recent days.

Reached by telephone at his vacation refuge in Hobe Sound, Fla., Harriman acknowledged yesterday that he had advanced this forecast during the debate that preceded the escalation of our military effort. He said it was important for the country to understand that the headlined new offensives of the Viet Cong were essentially a response to our actions rather than a deliberate, reckless attempt to dictate the peace terms or torpedo the talks.

Beyond that contribution to the historical archives, he declined to offer either critical appraisal or prediction.

"I want to be as helpful as I can be in bringing this war to an end," he said. "I don't want to say anything that could be regarded as a hostile judgment of the way Mr. Nixon is handling things. The big decisions are still to be made."

Even Harriman's limited comment, however, assumes crucial significance at a moment when Defense Secretary Laird is on his way to Vietnam and the question of resuming the bombing exercises is in the balance. In his Tuesday night telecast President Nixon took pains to point out that most of the recent targets were military; he appeared determined to avoid provocative rhetoric.

But he left wide open the possibility of a bombing renewal, and that remark received the biggest press-notice. That is why Harriman's testimony is so vital at this juncture. He is hardly a man who can be accused of innocence or "softness" about dealings with the Communists. But he has also displayed rare sophistication and sensitivity, based on many years of diplomatic experience, in evaluating Communist moods and methods.

Despite his reluctance to assume a controversial posture, it seems clear that he is convinced that Mr. Nixon is confronting a fateful decision in which the Pentagon and its political allies—with the enthusiastic cheers of the Thieu-Ky regime—are once again pressing the delusion of military "victory" and using the latest Viet Cong assaults as a cover for their campaign.

It should be reported in this context that Harriman has high regard for Gen. Abrams, viewing him as a military figure with an unusual awareness of the complexities of the Vietnam conflict. But he has no comparable esteem for many chairborne strategists now conducting their annual exercise in the propaganda of promise; "We can clean this up if we get one more chance."

He is also persuaded that each new foolish journalistic communique hearalding imminent victory is a further incitement to a show of strength by the Communists, and reduces the effectiveness of the Russians in what he sees as their authentic effort to promote the peace negotiations.

Between the lines of Harriman's discreet observations, the message was unmistakable; we are approaching that crucial turning point in which the chance for any serious private negotiations (the only kind that he has ever deemed meaningful) can be destroyed by a reversion to the futile formula of air power against the North.

In this crisis, as in the ABM dispute, Richard Nixon faces his first momentous tests of strength with what Dwight Eisenhower described in his farewell address as the "military-industrial complex." His responses may determine the fate of his Administration.

For a sudden expansion of the war, flimsily camouflaged by charges that Hanoi has violated the "understanding" of October when in fact the "all-out pressure" order first came from our side, will instantly recreate, on a larger scale, the discords that haunted the Johnson era. Neither Ellsworth Bunker nor Joseph Alsop nor all the generals who have so often proclaimed that we are on the enemy's one-yard line will be able to smother the storm. Mr. Nixon has enjoyed several weeks of meditation, and skillfully exploited that interval. But the holiday is nearing an end.

LARGER CITIES URGENTLY NEED HELP FOR POLICE BUILDUP

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. DULSKI. Mr. Speaker, our larger cities urgently need more Federal help in dealing with the mounting incidence of crime.

The Omnibus Crime Control and Safe Streets Act is fine as far as it goes, but it does not provide the help which is needed for our major cities.

I am today introducing a bill which would combat crime by providing assistance for those communities where crime is rampant. It will enable them to hire more policemen and to pay larger salaries.

The legislation specifies that 90 percent of each year's appropriation be reserved for grants to cities with 100,000 and more population. The balance would be made available to smaller cities upon a finding by the Attorney General that the city has an unusual need for a Federal grant.

An appropriation of $100 million is proposed for the first fiscal year.

The cost of police protection is increasing equally if not faster than the urgent need. And our large cities are in a critical fiscal bind—unable either to hire enough policemen or to pay them adequate salaries to encourage them to remain on the police forces.

The report of the President's Crime Commission in 1967 pointed up the plight of the larger cities and the need for special help.

I am hopeful that the Committee on the Judiciary will give special attention in this Congress to the law-enforcement needs of our larger cities.

DISC EMPLOYEES ENDORSE NEW PROGRAM

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. EILBERG. Mr. Speaker, a seemingly never-ending battle is being waged by educational authorities to eliminate the school dropout problem. Militating against success in this endeavor are many factors. The young student is devoid of hope, usually left to his own resources, he is friendless and ever present is the fear and anxiety that he is not wanted. Experience has proven that somewhere between junior high school and high school, the decision "to drop out" or "not to drop out" is made.

Concerned with this national problem, Rear Adm. G. C. Heffner, U.S. Navy, commander of the Defense Industrial Supply Center—DISC—in northeast Philadelphia, my district, has begun an experiment in his Defense installation designed to give hope, lend encouragement, provide a friend, and to show the junior high school student that he is needed in our society and also to demonstrate the opportunities available in our society and community.

In concert with his equal employment opportunity officer, Mr. Al Dorsey, and a civic organization called IN for "interested Negroes" the admiral has opened up his organization to visits by junior high school students of the inner city schools.

Groups consisting of 30 to 35 youngsters are bused to the center periodically where they spend a day with an employee sponsor. They spend the entire day on the job, working together and eating together. The student is indoctrinated into various work operations, hopefully to spark interest in the many professions and work categories at the center. Insofar as possible, the sponsor is from the same general locality where the youngster resides.

The first 30 youngsters who participated in the program were from the Fitzsimons Junior High School, 26th and Cumberland Streets. The students, along with their coordinator, Mrs. Beatrice Pope, were picked up in a Government vehicle and transported to DISC where they received a welcome from Admiral Heffner and then met with their sponsor for a full workday.

DISC employees and specifically those who acted as sponsors, have endorsed the program with great enthusiasm.

DISC is responsible for the purchase of over $1 million a day of industrial items from American industry for use by the Army, Navy, Air Force, and Marine Corps. Employing more than 2,300 people, with a payroll of over $21 million, DISC is a responsible and concerned member of the Philadelphia community.

HAWAII'S CHINN HO TRANSFORMS ISLAND VALLEY INTO PACIFIC TOURIST PARADISE

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. MATSUNAGA. Mr. Speaker, the greatness of our country finds its strongest base on men who dream dreams and work to make these dreams come true. Nearly 4 years ago, one of such dreamers, Honolulu financier Chinn Ho, disclosed his plans to develop arid Makaha Valley in rustic leeward Oahu, Hawaii, into a tourist's paradise. Many thought it was a beautiful but unrealistic and fanciful dream. Today, as Honolulu Star-Bulletin writer Harold Morse recently reported, "a $33-million, man-made miracle is transforming what was the desolate underbrush of an isolated valley into one of the recreational wonders of the Pacific."

On February 26, Mr. Ho celebrated his 65th birthday with the dedication of the Makaha Inn and Country Club and the initial 200-room hotel—the first unit in a planned major development of Makaha Valley. The simple birthday-dedication celebration for Mr. Ho was perhaps the "grandest birthday party of all." It was attended by a host of his associates and friends, including Hawaii's Governor, John A. Burns. The Rev. Abraham Akaka, pastor of Kawaiahao Church in Honolulu, using a wooden bowl that belonged to Kamehameha the Great, blessed the occasion and untied a maile lei opening the entrance to the club.

In developing Makaha Valley as a major tourist destination area, Mr. Ho pledged that the emphasis would be on quality and on the restoration and maintenance of the valley's historic Hawaiian sites. As a means to achieve the latter, Mr. Ho and his partners, the Weyerhaeuser Family Associates, have spearheaded the organization of the Makaha Historical Society which commissioned the Bishop Museum to undertake a $100,000 project to advance the historical and archaeological knowledge of Makaha and Leeward Oahu.

But the development is still in its infant stage in Makaha Valley, for the Makaha Inn and Country Club, with its two 18-hole golf courses, is just the beginning of a 20-year development plan. Projected costs for the first 5 years could reach 10 times that amount.

Included in the new Makaha Valley of the future will be a 325-room hotel tower, construction on which is scheduled to begin next month; a proposed central resort complex; 584 condominium units on either side of the valley and scheduled for occupancy in the spring of 1970; a beach club overlooking the famed Makaha Surfing Beach; and a luxury mountaintop restaurant with access by a cable car.

The lush greens of the 18-hole Makaha-West Golf Course will be the site of the $200,000 1970 Hawaiian Open which will be beamed live from Hawaii via the Lani Bird Satellite to mainland television viewers next fall.

I commend Mr. Ho for conceiving and developing this recreational paradise which in a few years promises to become as world renowned as Waikiki. Mr. Morse's article is a fine descripition of the philosophy of financier Ho in planning his dream—"second homes for islanders who want to vacation there, golf courses and apartments for mainlanders who wish to visit for lengthy stays and luxury resort cottages." It is with a deep sense of admiration for Hawaii's miracle worker that I submit for inclusion in the Congressional Record the article entitled, "From Desolate Valley to Playground in Pacific," from the February 22, 1969, issue of the Honolulu Star-Bulletin:

Makaha Inn and Country Club Opens March 1—From Desolate Valley to Playground in Pacific

(By Harold Morse)

A thousand cattle grazed there just a few years ago.

Today a $33-million, man-made miracle is transforming what was the desolate underbrush of an isolated valley into one of the recreational wonders of the Pacific.

Makaha Valley in rustic Leeward Oahu has become a land of milk and honey, and its two 18-hole courses are a golfer's dream.

A 200-room hotel facility, the Makaha Inn and Country Club, is scheduled to open there just one week from today.

It is anticipated by the developers that the Valley under a 20-year plan eventually may boast about 2,500 hotel rooms and 7,000 apartment units—with 25,000 people visiting, living, working and playing there.

The Hawaii Hotel Association and the Hawaii Visitors Bureau generally agree that Waikiki now has somewhat more than 10,500 hotel-type units and about 3,000 hotel apartments for visitor use.

Clearly then, Makaha Valley promises to be another vacation mecca on Oahu that could become as world-renowned as Waikiki.

SITE OF HAWAIIAN OPEN

It is already the first Oahu vacation area outside of Waikiki.

The pride of Honolulu financier Chinn Ho, his firm, Capital Investment of Hawaii, and the Weyerhaeuser Family Associates, partners in the resort development, Makaha next year will be the scene of the Hawaiian Open golf tournament.

Nestled between fairways of the tranquil valley's two 18-hole golf courses—Makaha-West (site of the $200,000 1970 Hawaiian Open) and Makaha-East—stands the just completed Makaha Inn and Country Club, scheduled to open March 1.

The precedent-setting, 200-room hotel has been designed as a series of pavilions and bungalows blending with the green tropical countryside and oriented to take full advantage of the panoramic views of the ocean and towering mountain peaks surrounding the Valley.

Within a month construction will begin on 584 condominium apartments. It is envisioned that these units will be ready for occupancy in the spring of 1970.

A 325-ROOM TOWER IN APRIL

An additional 325-room hotel tower, along with restaurant and lounge facilities, is planned, with construction to begin in April.

This, along with the 200-room Makaha Inn and Country Club, will bring the number of hotel rooms to 525.

The tower hotel addition will be ready in time for the 1970 Hawaiian Open.

The 525 total hotel units are the first phase of six planned hotel sites.

Located in the heart of the valley, the Inn and Country Club are only minutes away from the white sands of the magnificent Makaha Surfing Beach.

Shuttle service from the hotel area to the beach will be provided for hotel guests.

The architectural style of the new hotel was inspired by the hand-hewn structures of the original Polynesian settlers of Mahaka Valley. Umbrella roofs, wide lanais and the extensive use of wood convey the air of an idyllic native village of Old Hawaii.

The 200 air-conditioned hotel rooms, each with their own lanai, occupy low rambling one- and two-story cottages.

The complex is under the management of Western International Hotels.

A 60-foot-by-60-foot swimming pool is surrounded by an open deck for sunbathing, and a "Sunset Bar" for cocktails and poolside snacks is near at hand.

Locker rooms for golfers and the pro-shop occupy the lower level of the main hotel pavilion. The lower level also is shared with a shopping area where sundries, gifts and other items may be purchased.

Another pavillion-like structure, the Makaha Terrace, contains banquet facilities for groups up to 300 in size. The outdoor terrace is complemented by a bar, orchestra stand and dance floor to be used for luaus, informal entertainment and other evening activities.

The Makaha Inn and Country Club began almost four years ago when Chinn Ho, president of what was then Capital Investment Co., announced that William L. Pereira and Associates, Los Angeles planners and architects, had been retained.

(Capital Investment Co. became Capital Investment of Hawaii last July 31.)

A 5,200-ACRE VALLEY

The task before the Los Angeles planners was to blueprint an entire major residential and resort community in the vast, empty 5,200-acre valley.

Pereira and Associates—planners for Hawaii Loa College, Catalina Island off the California coast, Los Angeles Airport, and the Irvine Ranch which includes a branch of the University of California—took the Makaha task in hand.

"Their master plan for the valley envisioned a wide range of housing, an international hotel complex, shopping and community centers and elaborate recreational facilities, including the two 18-hole golf courses, tennis and volley ball courts and provisions for hiking, hunting and horseback riding.

Pereira disclosed in 1965 that more than half the entire property would be maintained in its natural state, with every effort made to preserve the valley's scenic beauty.

The championship golf courses were designed by William F. Bell, noted golf course architect from Pasadena, Calif.

The Makaha Valley developers see the evolutionary transition of the valley as a "long-range planned community development program."

VALLEY TO GROW WITH PRECISION

Where Waikiki has grown like Topsy, so to speak, Makaha Valley will grow in a precise, carefully thought-out esthetic progression.

Chinn Ho put it this way:

"The principal feature of this valley will be proper planning, designing and security service—maintenance of very tight security, privacy for the owners and the hotel guests."

When Ho showed a few visitors around the valley recently, one man remarked:

"This is just like going to the Neighbor Islands without leaving Oahu."

Ho pointed to the land in the rear of the valley which will remain in its natural state. Hiking and horseback riding will be among the recreation diversions this undeveloped valley land will offer.

Ho spoke of the "most spectacular trails" there.

HEIAU LOCATED IN BACK

"You can go all the way to Kolekole Pass," he said.

He mentioned a heiau back in the valley, an old Hawaiian burial ground.

Ho and his partners, the Weyerhaeuser Family Associates, spearheaded organization of the Makaha Historical Society, which commissioned the Bishop Museum to undertake a $100,000 project to advance historical and archaeological knowledge of Makaha and Leeward Oahu.

Among future projects of the historical society are the establishment of a Hawaiian museum at the valley resort.

Ho noted that helicopter service is now in operation between Honolulu and Makaha Valley.

The helicopter service is provided by Vernon L. Lofstedt in his Bell Jet Ranger. Lofstedt founded Kenai Air Service in Alaska in 1951 and recently set up a "branch" here.

JAPANESE INN PLANNED

Ho disclosed that a "Japanese inn of about 40 rooms" will be added to the resort complex, to be operated by Japanese interests.

And he pointed out a nursery area where 3,000 coconut trees are growing, eventually to be transplanted throughout the development, along with many Hawaiian flowering trees.

Before the development began, Ho said, the entire valley was kiawe trees and grazing land.

The quiet valley now has nine man-made lakes and a water system capable of producing more than three-million gallons a day.

A sewage treatment plant and access road have been built.

A second clubhouse to service the second 18-hole golf course is under construction.

The master plan provides uncluttered vistas from practically every spot in the development, dramatic views of the ocean and towering ridges which surround the Valley.

The two golf courses form an oasis of greenery that covers more than 300 acres.

MASSIVE AMOUNTS OF MONEY

The $33-million investment that construction projects for the first five years will require represents less than 10 per cent of the total Makaha Valley development program.

Subsequent projects will bring a community of single-family homes, town houses, smaller apartments and tower-codominiums on the valley's sloping hillsides.

The five other major hotels will be graced with quality shopping areas. Also, there will be residential shopping centers.

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A beach club will overlook Makaha Surfing Beach.

The golf courses provide not only an ideal setting for the likes of Dudley Wysong, who represents the Makaha Valley Courses on the professional golf circuit, but also offer challenging recreation for weekend golfers.

An architectural innovation in the Makaha Inn and Country Club is the use of large, arched laminated beams which reach as high as 24 feet.

OVERLOOKED BY MOUNT KAALA

Another aspect of the valley is that it is overlooked by Mount Kaala. The mountain's 4,064-foot elevation makes it the highest point on Oahu.

The second golf course was opened Feb. 3. Makaha West—which opened in the fall of 1966—was closed temporarily on that date. It will reopen when the Makaha Inn and Country Club open next Saturday.

Chinn Ho purchased most of Makaha Valley in 1946 from Waianae Sugar Co. Sugar production in the Valley ended with World War II.

Ho had long dreamed of transforming the property into golf courses, "second homes" for Islanders who want to vacation there, apartments for Mainlanders who wish to visit for lengthy stays and luxury resort cottages.

He made a significant observation about Makaha Valley while present development plans were in the early stages:

"A few years ago it was arid land going to waste. It's amazing what a little water can do."

The warm, dry valley is within convenient driving distance from downtown Honolulu.

CATHOLIC SCHOOLS PRAISED FOR WORK WITH DISADVANTAGED CHILDREN

HON. J. WILLIAM STANTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. STANTON. Mr. Speaker, it was recently brought to my attention that the Pittsburgh diocesan Catholic schools office was singled out for special praise by a national advisory body in a report to President Richard M. Nixon and the 91st Congress. The National Advisory Council on the Education of Disadvantaged Children said the schools office, working with the public schools, has administered a Federal-aid program for disadvantaged children in Catholic schools better than has been done anywhere else. Involved is aid provided under title I of the Elementary and Secondary Education Act of 1965. Funds come to the Pittsburgh Public School Board, which with nonpublic school officials decides on programs for disadvantaged children in all schools of the city.

Coordinator for the Catholic schools' program under Auxiliary Bishop John B. McDowel, schools superintendent, is Sister Collette Link.

The program is not connected with the war on poverty, although it does aid many of the same children. It has been providing remedial teaching during school hours, and special equipment and supplies for public and parochial schools throughout the area.

The National Advisory Council said it has studied 17 large and small communities and found that only Pittsburgh has done a thorough job of administering title I aid to nonpublic school children. A major reason, apparently, it said, was that public and nonpublic school officials here maintain "regular, cordial, and open communication."

I am very proud that Sister Collette Link was born and raised in my hometown of Painesville, Ohio. She is a member of the Holy Humility of Mary Order which is recognized internationally for its contribution to education.

This is a much better world because of Sister Collette Link.

THE MORAL MYOPIA OF MR. U THANT

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. ASHBROOK. Mr. Speaker, there is probably no other area of human endeavor in which the dearth of consistently applied values is more glaring than in the field of geopolitics. And, of course, the world's foremost geopolitician, by virtue of his position, is Mr. U Thant, the Secretary-General of the United Nations, and past master of the double standard.

It is not surprising that the U.N. in recent years has suffered from a confifidence gap when one reviews the statements and positions of its chief spokesman in various areas. Mr. Thant heartily endorses an economic boycott of Rhodesia because of that country's alleged voting irregularities. But the Secretary-General deplores the economic boycott of Cuba where there is no meaningful voting rights at all.

Presumably, there was no threat to world peace when the tanks and troops of the U.S.S.R. and certain Soviet-bloc nations smothered Czechoslovakia in August of last year. Certainly, there was justification for a U.N.-imposed economic boycott in this case.

Mr. John D. Lofton, Jr., in his article, "The Moral Myopia of Mr. U Thant," appearing in the March 15 issue of Human Events, reviews some of the Secretary-General's tragic inconsistencies. Tragic is the appropriate word for the lives and rights of millions of human beings are involved in the unprincipled manipulations of Mr. Thant.

I include at this point the abovementioned article by Mr. John D. Lofton, Jr., in the RECORD:

THE MORAL MYOPIA OF MR. U THANT

(By John D. Lofton Jr.)

The 16th-Century essayist and skeptic, Montaigne, once remarked that "he who has not a good memory should never take upon him the trade of lying."

U.N. Secretary-General U Thant has just illustrated how sage this advice is.

In a front-page story in the New York *Times* recently, Secretary-General Thant "spoke out firmly" for an end to the economic boycott of Communist Cuba. But he couldn't just stop there. He had to elaborate: "I am always for the termination of the isolation or segregation of any member of the international community. I am always for the revival of contacts and communications and exposure, as I have said."

Well, almost always.

I quote again from the New York *Times*, this time the Dec. 31, 1966, edition: "Fear and prejudice, suspicion and ignorance breed war, Thant said, and these have caused 'the present distressing state of affairs in Southern Rhodesia, where a minority is making a last-ditch effort to preserve its privileged position.' Mr. Thant asked the 'most resolute' action by all the nations of the world in implementing the 'historic' Security Council resolution of December 16. This called for selective, mandatory sanctions against Rhodesia, including a prohibition on the shipment of oil to that country. The sanctions banned the purchase of 12 key Rhodesian exports."

Shocking, you say? Not really, for Mr. Thant has been making outrageous statements for years and by now such moral confusion certainly can be nothing more than mere reflex action.

For example, in a speech over 10 years ago entitled, "A Burmese View of World Tensions," Thant spoke before the 62nd annual meeting of the American Academy of Political and Social Science and, among other things: affirmed his belief in a free people while advocating a planned economy; echoed the Soviet Union's propaganda line that the only reason they subjugated their neighbors was to ". . . establish a friendly cordon of states around itself"; and lastly, stated unequivocally that ". . . unlike Nazi Germany, the Soviet Union did not compel by actual military invasion any of its neighbors to become satellites."

Mr. Thant did not dwell on the Soviet conquest of White Ruthenia (1917), Georgia (early 1920s), the Ukraine (1920) or Azerbaijan, all four presumably agreeing to surrender their freedom after Socratically discussing the matter, the Red Army being in attendance no doubt to merely see that proper rules of debate were observed.

While professing a devotion to free institutions and the right of individuals to be free, U Thant has at the same time consistently refused to remain neutral and sided with the pro-Communist, anti-Western forces whenever the occasion arose. The three examples that come immediately to mind are: the Cuban missile crisis, the war in Viet Nam and the Mideast war.

At the height of the Cuban missile crisis, on Oct. 30, 1962, Secretary-General Thant went to Cuba and reportedly encouraged Fidel Castro to reject the all-important on-site inspection proviso—which, of course, was the key to insuring the removal of all offensive Soviet missiles from the island.

Thant, in his talks with Castro, emphasized that the U.S. quarantine was unusual—in his words, "something that only happens in a time of war." Latin observers at the time said that it was this tacit backing of Castro by Thant that led to Castro's taking a much firmer line against on-site inspections than if Thant had remained neutral.

As for his role in the Mideast war of June 1967, it was central to the conflict. The war may never have occurred had it not been for Thant's immediate, affirmative response to Egypt's demand for withdrawal of the U.N. peace-keeping force, a force created and empowered, by the U.N. General Assembly and *not* the secretary-general. With this irresponsible, unwarranted action, Thant opened the door to direct action by Nasser to blockade the narrow straits which control Israel's access to the Red Sea and its markets in Asia and Africa. Automatically, tensions increased and war was ineluctable.

But of all his public utterances, U Thant's statements on the war in Viet Nam have been the most contemptible. He has consistently sided with the North Vietnamese and the Viet Cong against the United States, making odious comparisons of our American

Revolution with Communist aggression in Viet Nam.

"It is nationalism and not communism that animates the resistance movement in Viet Nam and against all foreigners and now particularly against Americans," Thant told a World Conference of Quakers in Greensboro, N.C., in July 1967. "Those Vietnamese who have fought and still fight against foreigners do so to win their national independence. I am convinced that the war cannot be brought to an end until the United States and her allies recognize that it is being fought by the Vietnamese not as a war of Communist aggression, but as a war of national independence."

This sort of nonsense has since been dispelled time and time again, but most recently in a column by the Los Angeles *Times'* Asian expert, Robert Elegant. Quoting from what he called the "Mein Kampf" of the North Vietnamese, a 23,000-word lecture delivered by Hanoi's No. 3 man, Truong Ching, last summer, the document revealed beyond a shadow of a doubt what advocates of the domino theory have said all along: the so-called "liberation" of South Viet Nam by the north is but the first step in a campaign which will next proceed to the Communist conquest of the remaining states of Indo China—that is, Cambodia and Laos. The next step is "liberation of the oppressed peoples" of all Southeast Asia and the entire world.

Five years ago in an article in the *Reader's Digest,* Noel Bush wrote of U Thant: "One wonders if U Thant has a clear enough view of the moral issues at stake in our current international disputes."

Today it is no longer possible to wonder.

POTENTIAL CRISIS IN CIVIL SERVICE RETIREMENT

HON. JOHN O. MARSH, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. MARSH. Mr. Speaker, I have joined today with my Appropriations Subcommittee chairman, the gentleman from Tennessee (Mr. EVINS), in the introduction of legislation designed to restore the civil service retirement fund to a sound basis.

Dispassionate actuarial studies have made plain that the fund is in trouble.

I should emphasize that there is no immediate danger—that employees now retired, or soon to retire need not worry. There is money to pay their benefits.

The problem is for the future—will the money coming in from deductions from the salaries of present employees, plus the current rate of governmental contributions—the employer contributions—provide enough to guarantee payments to all who will be retiring in future years? The actuaries say no, and their evidence is disturbing and persuasive.

Through the years, the Congress has endeavored to improve retirement benefits for the career civil service employees of our National Government, but it is difficult for the individual retiree to comprehend the hard actuarial fact that what seems to be a very small increase in benefits in his case involves a commitment of the fund to an obligation of many billions of dollars in increased payments for the future years, not only to those already retired, but also to the thousands retiring each year.

I am glad to associate myself at this time with the bill of my chairman, the gentleman from Tennessee (Mr. EVINS), in the conviction of the need for prompt study of means to restore soundness to the fund, and with the belief that this bill could serve as a basis for responsible congressional action.

YOUTH CHAMPIONS

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. FASCELL. Mr. Speaker, the accomplishments of our youth today are all too often overlooked in the crush of headlines about demonstrations and other misdeeds by a small minority. Yet if the full story were recognized, it would tell of unprecedented progress and achievement among the vast majority of our young people.

In this respect, our young people today are more deserving than ever of full recognition as contributors to society. In fact, they are so far advanced—as compared to we of the older generation, when we were their age—that I believe we should change many of our standards of age for admission into the responsibilities of citizenship. We should lower the minimum voting age to 18, as one step.

Recently I was pleased to read of the accomplishments of the fine son of John H. Burnside, a rural mail carrier for the Post Office Department in Dade County, Fla. I have long been acquainted with Mr. Burnside, and consequently I was not surprised to learn that his son, Bill, is making an outstanding record on his own.

For the benefit of my colleagues, I would like to include in the RECORD an article from the Miami News concerning Bill Burnside and his fellow State wrestling champions. I especially congratulate Bill, Jeff Davis, Andy Burge, and Mike Soto of my congressional district, who won championships—the first three at the State level, and Mike Soto at the all-county level. They are indeed champions among our youth.

The article follows:

STATE CHAMPS TOP ALL-COUNTY WRESTLING SQUAD

(By Charlie Nobles)

When Don Drinkhahn, Killian High's wrestling coach, got some literature on a wrestling camp in Virginia last year, he passed it along to his wrestlers. Two of them—Bill Burnside and Jeff Davis—decided to go, along with Palmetto's Andy Burge and Jeff's ninth grade brother, Bob.

They are glad they did. All except Bob won state championships recently, and he had a legitimate excuse—he's not in high school yet.

"It helped a lot," says Burnside, the Cougars' 98-pounder whose 28–0 record is the best in the county. "I had an NCAA champ (Gray Simons) working with me. He'll be glad to hear we won state titles."

Palmetto's Burge won the 115-pound state title and Jeff Davis the 168-pound crown. The three lost just twice between them in 80 matches.

For having the county's top record, Burnside heads this year's Miami News All-County wrestling team, which features 10 state champions in the 12 weight classes.

Two other wrestlers finished unbeaten—Curley's 136-pounder, Marc Stead (23–0) and Norland heavyweight Glen Nardi (16–0), and both won state titles.

Other state champions: Carol City's Leroy Walker (123), Rdy Daniels (130) and Walker Miller (178), Miami Military's Angel Maybin (141) and North Miami's Frank Forestiere (148).

But it was Burnside, a bespectacled junior who likely is mistaken for more of a bookworm than an athlete, who stole the show this season. "This year," he says, "it was just a matter of getting my moves down good. I had learned a lot about what to do last year."

Last year, he had a 9–3–1 record in his first exposure to anything but back-yard wrestling with his brother Bob, a Killian star last season.

With another year ahead, one wonders what new horizons Burnside has to conquer. Everything hinges on how much he grows, and Bill has mixed emotions about getting bigger. "On one hand I want to get bigger," he says, "but for wrestling I want to be as small as I can."

At the same time, though, Burnside is philosophical about the whole thing. "I'm not watching my weight," he shrugs. "If I gain, I gain."

Bill does anticipate doing some weightlifting, which should make him stronger than ever next year. "I'll probably be in 106 next season," he says. "I don't think I'll gain that much weight. I only gained about eight pounds between my sophomore and junior years."

Four of the 12 All-County selections are juniors and one is a sophomore—Carol City's Walker—so competition should be better than ever next season.

Norland's Nardi, who has signed a football scholarship to Florida, defeated his chief opponent—Miami Springs' Gary McAlpin—both in the finals of the district and state competition to lock up the heavyweight spot.

The hardest selections came in the 106-and-157-pound divisions. Coral Park's Mike Soto got the 106 berth because he defeated his two closest rivals—Carol City's Jack Love and Palmetto's Ed Becker—more than they beat him in the regular season.

North Miami's Bill Brisson got the 157 shot because of overall consistency. He edged out Norland's Bob Cohen, who finished second in the state.

THE TEAM

Name and school	Weight	Class	Record
Bill Burnside, Killian	98	Junior	28–0
Mike Soto, Coral Park	106	do	23–2
Andy Burge, Palmetto	115	do	25–1
Leroy Walker, Carol City	123	Sophomore	24–1
Rudy Daniels, Carol City	130	Senior	24–1
Marc Stead, Curley	136	do	23–0
Angel Maybin, Miami Military	141	do	17–2
Frank Forestiere, North Miami.	148	do	18–2–1
Bill Brisson, North Miami	157	do	22–3
Jeff Davis, Killian	168	Junior	25–1
Walker Miller, Carol City	178	Senior	22–1
Glen Nardi, Norland	[1]	do	16–0
Coack of year—Ed Newkirk, Carol City.			

[1] Heavy.

HONORABLE MENTION

98—Hayward Bain, Carol City; Bob Roberts, Palmetto; Pat Murphy, Curley. 106—Jack Love, Carol City; Ed Becker, Palmetto; James Cooley, Northwestern. 115—Bob Robinson, Coral Park; Kevin Weil, North Miami. 123—Ron Sherman, North Miami; Ray

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Branch, Miami Springs. 130—Henry Britt, Killian. 136—Jeff Meyer, Edison; Rick Cadiente, North Miami; Don Wrinkle, Miami Military; Randy Goldberg, Norland. 141—James Bryant, Carol City; Bob Russell, Hialeah; John Hoyt, Coral Gables. 148—Don Jackson, Carol City; Steve Ellis, Palmetto; Don Huckins, Coral Park. 157—John Williams, Southwest; Bob Cohen, Norland. 168—Creigh Gibson, Coral Gables; Don Williams, Jackson. 178—Roy Griffin, Jackson; Chris Corder, Edison; Winston Palmore, Killian. Heavyweight—Gary McAlpin, Miami Springs; Ken Valentine, Hialeah; Tim Burrows, Killian; John Hyde, Southwest.

WAR ON ORGANIZED CRIME

HON. RICHARD H. POFF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. POFF. Mr. Speaker, the Honorable John N. Mitchell, the Attorney General of the United States, spoke last week in New York before the Fordham University Law Alumni Association. I ask unanimous consent that his speech be printed in the RECORD.

I am pleased to observe that the Attorney General has pledged to use all of the resources and tools available to him to end the tyranny of organized crime. The Attorney General has recognized, however, that the Federal Government alone cannot eliminate the evils of racketeering and the States must share the burden of this vital task. I believe his recommendations that the States adopt comprehensive organized crime laws and establish statewide organized crime divisions are sound.

I am gratified that the Attorney General has seen fit in the first days of the administration to declare war on organized crime. I commend this speech to my colleagues:

ADDRESS BY ATTORNEY GENERAL JOHN N. MITCHELL BEFORE THE FORDHAM LAW ALUMNI ASSOCIATION, NEW YORK, N.Y., MARCH 8, 1969

INTRODUCTION

You will be pleased to know how highly a Fordham man is regarded in the nation's capital. After one month in office, I can report that his opinions are constantly sought by the press and television and radio. His slightest comment is given the most serious analysis. A statement of present policy or future plans is quickly relayed to the public. I would be less than human if I could not enjoy this attention and, very soon now, I am going to ask Vince Lombardi how he manages to get it.

Today, I want to discuss with you the Department of Justice as I find it on beginning the assignment given me by President Nixon and to outline briefly some of my purposes and hopes for the Department's future.

I am the 67th Attorney General who has served under the Judiciary Act of 1789. It established the federal judicial system and the Office of Attorney General. The Act provides for the appointment of a "meet person learned in the law to act as Attorney General of the United States." I feel that Dean Mulligan would perhaps agree that I am a "meet person" but I have considerably less reason to believe that the Dean would consider me anywhere near as "learned in the law" as the first Attorney General, the distinguished Edmund Randolph.

Of course, Congress was thinking in terms of a legal counselor for the government—an official to interpret and expound the common law and the Constitution. In a way, I think I would have liked that concept of the job. It evokes for me a picture of things past, of a simpler life lived at a slower pace. The quilled pen and the standup desk, everything but the powdered wig, would have been congenial. But I must accept the Department as it is today and my responsibilities to it.

THE DEPARTMENT OF JUSTICE: PHYSICAL STRUCTURE

For here is an organization of no less than 208 separate entities. These include five offices—the Office of the Attorney General; the office of his chief assistant, the Deputy Attorney General; the office of the Solicitor General who, in his fine morning coat, presents the government's position to a sometimes receptive, sometimes not, Supreme Court; the Office of Legal Counsel, who is—let me tell you a secret—my private lawyer (and I need one); the Office of Public Information, which is a rather inflated title for my overworked speech writer.

The legal heart of the Justice Department is the seven law divisions:

The Antitrust Division.

The Civil Division, which represents the United States in most civil proceedings.

The Civil Rights Division.

The Criminal Division.

The Internal Security Division, which, like that other division of the State Department, is rather hush hush.

The Land and Natural Resources Division, which supervises suits relating to real estate claims, waterways and natural resources.

The Tax Division, which, I am sure, you know and I only hope you will never have to know them very well.

There are three very important Bureaus. The FBI, which is the most efficient and most deservedly renowned investigatory body in the world. The Bureau of Prisons, which operates federal correctional institutions. The new Bureau of Narcotics and Dangerous Drugs, for which we have great hopes to finally reverse the tide of addiction in this country.

The Department also has two Services. The Immigration and Naturalization Service which, among its functions, meets you at the airport. The Community Relations Service, which attempts to guide and counsel racially-tense cities so that tragedies may be avoided or at least mitigated.

There are two Boards. The Board of Parole, whose name speaks for itself, and the Board of Immigration Appeals, which hears challenges to deportation orders.

And then, of course, in addition to the other entities which I do not have time to discuss, there are 93 offices of United States Attorneys spread out around the country who represent the Department in most criminal and civil matters at the trial level, and 93 offices of the United States Marshal.

THE DEPARTMENT OF JUSTICE: PHILOSOPHICAL STRUCTURE

In its earlier days the concept of the Department of Justice was viewed primarily as that of a prosecutor or defense counsel in individual cases. In general, we took law violators to court when we found them and we proceeded on a case by case basis. We focused on a particular set of facts and on the rights and obligations which arose in a specific situation.

It is becoming more evident every day, however, that our statutory authority covers considerably more cases than we can effectively handle. The question is how can my 2,000 attorneys in the Department of Justice make a significant contribution to the improvement of life of our 200 million citizens.

The answer to this question is that, with our limited resources, we must select priorities—and in selecting them acknowledge that we are placing the full weight of federal authority behind the cases we choose.

Our priorities today deal with cases which affect the rights and obligations—not only of a single individual—but also of hundreds, thousands, and in some instances, even millions of citizens. It is this concept, of recognizing priorities in view of the massive problems to be solved, that historically and philosophically has placed our Department in an institutional transition.

Our population continues to grow and our economy, continues to expand, I predict that our nation's legal problems may multiply in the next decade even faster than they have in the last. I am sure that, relatively speaking, our legal federal manpower will become smaller and smaller.

Of course I recognize that there will still be those who argue that the most technical violation of federal law should be prosecuted with the same aggressiveness as the most heinous. They contend that a case involving a single individual's rights is as important as a case which would rectify a wrong for thousands. Morally speaking, I suppose they are right. But as Attorney General, I must consider the national morality and what ends I am trying to achieve with my limited means.

Permit me to give you some examples of three areas in which we find problems all over the nation rapidly outstripping our present resources. These are areas in which the Department of Justice has been forced to select priorities and to consider national goals.

ANTITRUST AND CONSUMER PROTECTION

My first example is the Antitrust Division. The major responsibility of this Division is to assure the free market competition of goods and services. In recent years, the difficulties of enforcement have been compounded. The law has become increasingly complex and the scope of many cases requires the attention of a dozen lawyers and economists when, in past years one or two lawyers would do.

The Antitrust Division itself was not formally established until 1933. At that time, it had a staff of 67 persons. Last year it had a staff of 528 persons and a budget of $8 million. This growth in personnel and resources, however, has not matched the growth of the gross national product. The gross national product has increased fifteen-fold from 1933 to 1968. But the personnel of the Antitrust Division has increased only half as much. The significance of this disparity need not be belabored.

Under the circumstances, it has become increasingly difficult for the Antitrust Division to keep pace with the demands of our growing nation and to assure a free competitive economy which makes our prosperity possible. To effectively protect the American consumer, the Department of Justice is not only concentrating on traditional price-fixing cases, but is also moving into cases involving marketing structures and especially the structure of pure conglomerates.

The great economic power of such conglomerates and the fact that they operate in many fields of commerce poses a danger to the American consumer. There has been some question as to whether, under existing law, we have the authority to attack the pure conglomerate—a corporation which acquires another in an apparently unrelated field of business.

My view is that, when in doubt, I will give the benefit to the American consumer by attempting to successfully prosecute pure conglomerates. If the courts defeat our attempt, we will ask for new legislation. It is the American consumer, whose interest in the end, the Antitrust Division is seeking to protect.

Our priority, therefore, is the major economic problems of the day and their relationship to citizens all over the country. Of course, we could spend our time searching around for smaller companies who may be in violation of traditional price-fixing laws. But with our limited resources, we plan to focus our efforts on key issues confronting our competitive economy. We must seek benefits for two-hundred-million consumers rather than fragmenting our efforts on 200 small cases.

SUPPLEMENTARY HELP FROM THE STATES

What is needed, obviously, is help—the kind of help that the federal government alone cannot provide to protect the consumer. The most obvious source of this help is the states—some of whom have already enacted consumer protection or antitrust legislation.

Since the beginning of this new Administration, we have maintained that the basic responsibility for the welfare of our citizens lies with the states and their subdivisions. The federal government will lead the way in difficult areas such as the conglomerate merger and in the more traditional areas such as major nationwide price-fixing. For here, the states may not have the manpower, investigative facilities, or the concentration of experienced legal talent to prosecute such difficult cases.

However, we hope that the states will follow our path in consumer protection and in the other areas I will discuss today. For example, we urge that the states make a substantial commitment to the protection of the national economic integrity in insuring free competition in local industry.

The Department of Justice has already started making the states more of a partner in federal law enforcement on all fronts. Three weeks ago, the State Attorneys General met in Washington. We told them that we would cooperate with them and exchange information in a number of areas including, in the antitrust field, the treble damage actions. We assured them that we would work closely with them and would, at every opportunity, give them guidance, and if possible, funding for consumer protection.

You see, I believe it is just as much a crime to deny a poor child an adequate diet because restraints on competition have made his food more expensive than his family can afford, as it is to strike that child with a stick in violation of the traditional criminal law. I urge the states to pass effective consumer protection codes and antitrust legislation if they do not have them; and if they do have such codes, to strengthen them wherever possible. Also I suggest that the states implement this legislation by establishing statewide consumer protection bureaus.

I urge the states to consider whether an empty stomach month after month may not damage a child as much as physical abuse.

CIVIL RIGHTS

The second area which I would like to discuss is civil rights. The Civil Rights Division was founded on September 9, 1957, under Attorney General Brownell. Its founding was a most important commitment by the Department of Justice to negroes and other minority groups. In 1957, it had 30 lawyers and a budget of $500 thousand. This year, it has 106 lawyers and a budget of $3 million.

But this question remains. How can a Division with only 106 attorneys effectively enforce all the federal civil rights laws. I know that not a week passes in this nation when our black citizens, be they lawyers or laborers, are not subjected to some aspect of racial discrimination. Much of this discrimination is subtle and may never be reached by the government.

But there remains massive legal discrimination against minorities. They are illegally segregated in schools. They are discriminated against by unions and industry. They are crushed into teeming ghettos and denied the ability to purchase adequate homes.

I have pledged to enforce the civil rights laws and the civil rights protections in the Constitution vigorously. I do this to insure that all Americans can share equally in our prosperous and promising nation.

In the field of civil rights, we have chosen housing, education and employment as the three priorities of our Civil Rights Division. And even within these areas, we must use our resources selectively.

For example, in the education field alone, we are involved with more than 200 school districts in about 150 law suits. If we are to eliminate racial discrimination, we need the help of the states. We urge the states to pass effective civil rights legislation; and if, like New York and Massachusetts, for example, they have such legislation, to strengthen their laws wherever possible. We urge the states to establish statewide civil rights divisions.

The federal government will, as it has in the past, continue to lead the way in new areas of the law and in massive cases of discrimination. But the time has now come for the states to look carefully at their own subdivisions.

They must be aware that there are many impoverished negroes and other minority group citizens who are subject to discrimination which cannot be handled by the federal government. These citizens cannot afford the lengthy litigation of a civil rights case and they may not even be aware of their right to demand equality.

In noting that the government should lead the way, let me mention one area which we are now considering. It is racial fairness in the market place—especially the money market place. There is ample evidence to indicate that many fields of commercial transactions discriminate against the minority borrower. Here is an area where we also believe state civil rights efforts could be extremely successful.

THE CRIMINAL DIVISION—ORGANIZED CRIME

The last Division I will discuss today is the Criminal Division and I am advised that it is impossible to fix a date for its establishment.

The Criminal Division has today 177 attorneys and a budget of $4.2 million. It handled, last year, 6700 cases and 6600 evaluations of investigations and other matters.

Given its broad jurisdiction over most of the federal criminal law, it could, on any given day, recommend dozens of prosecutions for petty crime. And yet, five years from today, what impact would misdemeanor prosecutions have on the nation as a whole. On the other hand, I can select a priority, a legal and moral symbol for the nation and employ my resources against crime to the fullest.

During the coming year, there will be two priorities for the Criminal Division. The first is organized crime. I will spare no effort to attack the nationwide organization of racketeers who corrupt our youth with illegal narcotics, who taint our public officials with bribes and corruption, who pervert the outstanding ideals of the labor union movement, who employ murder and torture to collect their debts, and who, in a very real sense, prey mainly on the poor and less educated segments of our population.

To be effective, we must launch a nationwide campaign against organized crime with all the weapons at our disposal. For example, we will engage in wiretapping in order to obtain evidence, which we might otherwise not have, to prosecute these syndicates which reportedly take in more than $50 billion a year. Another tool at our disposal is the Strike Force which we are now reorganizing and greatly strengthening. These Strike Forces are a unique concept of governmental law enforcement. They are composed of representatives from the FBI, several divisions in the Justice Department, the Internal Revenue Service, the Labor Department, and Customs. This interdepartmental unified approach has proved extremely successful and in one city alone, we have been able to obtain 30 indictments in an attempt to weaken an organized crime syndicate.

But organized crime is probably too widespread to be completely eliminated by the Department of Justice. Indeed, most experts in the field believe that it cannot exist without the cooperation or apathy of local law enforcement officers. It should be a prime local responsibility and we urge the states to pass comprehensive laws against organized gangsters. Also we urge the states to establish statewide organized crime divisions which will have substantial resources to staff their effort.

Similarly, we strongly advise that if the states allow wiretapping, that they will pass laws and regulations which will insure the closest supervision. They must decrease to a minimum any unnecessary invasions of homes and offices.

DEPARTMENT OF JUSTICE—LAW ENFORCEMENT ASSISTANCE ADMINISTRATION AND STREET CRIME

A second priority in the criminal field is street crime which is, in many ways, the opposite of organized crime. It is disorganized crime, exploding with unpredictable viciousness and frequently without the cool reasoning of an experienced gangster. The latest FBI statistics show that serious crime in the United States increased 17 per cent in 1968 over 1967. This is an area where the federal government has little enforcement power. Here as in no other area we must rely on the states for their cooperation. As Attorney General I can tell you that street crime and the fear of street crime is changing the fabric of our society—that crime is crushing us. The fear of crime is forcing our citizens to change their traditional living patterns, to stay off the streets at night, to shy away from helping strangers, to be distrustful and insecure in their own neighborhoods.

Our federal leadership in the war against street crime will come from the Law Enforcement Assistance Administration.

It has a 300 million dollar authorization for the next fiscal year, most of which will go to the states in block grants. We hope that a majority of the money available to the states and the communities through LEAA will be used, in one form or another, to attack street crime.

We need more police and they must be better educated and trained. We need, in most cities, better juvenile facilities and education programs to stop our youth from turning to the streets. We need more efficient justice so that those who are arrested will be tried promptly and either convicted or acquitted. We need a complete overhaul of most state prison systems with rehabilitation facilities, psychiatrists and social workers to assure that the prisoners of today will not be—as 4 out of 10 are expected to be—the prisoners of the future.

We hope that the states, in attempting to solve our national crime problem, will invite private industry and non-profit organizations to participate under the guidance of government officials and professional organizations. The voluntary sector offers an enormous reservoir of money and manpower to help in non-policed functions such as juvenile programs, narcotic rehabilitation programs and work re-training programs for prisoners.

CONCLUSION

Protection for the consumer, protection for the minority group, protection for the law-abiding citizen from street crime and organized crime—these are three priorities of my Department and they should be the three priorities for America.

The federal government will lead the way but it cannot succeed without the cooperation and help of the states. With this cooperation we will succeed. Without it, I warn

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you, we only face the increasing prospect of tragedy. However, I am optimistic that with my 2 thousand lawyers, with help from the states, and with your help, that we will make a significant contribution to the improvement of life for two hundred million Americans during my tenure in Washington.

JACOB BEAM: OUR MAN IN MOSCOW

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. RARICK. Mr. Speaker, James Kilpatrick, in his column appearing in the Evening Star for March 9, raises apprehensions regarding Mr. Beam's suitability as our Ambassador to the Soviet Union.

Unfortunately, Mr. Beam did not have the opportunity to dispel the suspicion and doubt surrounding his nomination at the hearings held by the Senate Foreign Relations Committee.

The American people would hope the Senate will remand Mr. Beam's nomination to the Foreign Relations Committee so that some of these serious questions can be answered.

Mr. Speaker, I include a copy of the testimony before the committee, taken from the official transcript, Mr. Kilpatrick's column of March 9, and an excerpt from my article in the Record of March 3, at page 5076 consisting of a report from the Government Employees Exchange following my remarks:

Copy of Transcript on the Hearings of Jacob Beam Before the Senate Foreign Relations Committee

Chairman. Mr. Beam, would you for the record very briefly state how long you have been in the Foreign Service and you know the usual.

Mr. Beam. Sir, I came in in 1931, in June 1931.

Chairman. And how many posts have you served in? Do you have some of those things, for the record, for the information of the Committee?

Mr. Beam. Yes, sir.

Chairman. Could you state very briefly where you were, the principal posts?

Mr. Beam. Yes, first in Geneva then Berlin then London, the State Department several times. Then the Netherlands Indies as it then was, became Indonesia; Yugoslavia, the Soviet Union.

Chairman. In what capacity in the Soviet Union?

Mr. Beam. I was Charge d'affaires ad interim.

Chairman. When?

Mr. Beam. Through, 1952 through 1953.

Chairman. Do you speak Russian?

Mr. Beam. Yes, sir, I have a working knowledge.

Chairman. Yes. And you were there in 52–53? What is your most recent visit to the Soviet Union?

Mr. Beam. I haven't been back there since 1953.

Chairman. '53?

Mr. Beam. Yes, sir.

Chairman. Where have you been serving for the last few years?

Mr. Beam. I have been in Czechoslovakia for the last 2½ years.

Chairman. How many positions have you served in as Chief of Mission?

Mr. Beam. It is 3. Three, sir. Poland—I beg your pardon, two, Poland and Czechoslovakia.

Chairman. Poland and Czechoslovakia. This will be your third?

Mr. Beam. Yes, sir, if confirmed.

Chairman. Would you, I don't know whether I should ask you this or not, you use your own judgment if you would like to say a few words about the conditions in Czechoslovakia where you so recently served.

Mr. Beam. Well, sir, they have gone through a very tragic experience and they are having difficulties right now. The struggle, I don't think is over yet, it is an internal political struggle which is going on of great interest to the world.

Chairman. I am sure you are very conversant with conditions in the Soviet Union at present, aren't you?

Mr. Beam. Not recently. I have not been there since 1953.

Chairman. Don't you follow those events with great interest?

Mr. Beam. I do, yes, sir. On the periphery we do.

Chairman. Don't you consider our relations with the Soviet Union of greatest importance?

Mr. Beam. Yes, sir, I do.

Chairman. And I hope you will be able to improve them. Do you think you can?

Mr. Beam. I hope we can, sir, while maintaining our own interests, of course.

Chairman. Well, of course, that is your main objective of this operation. Senator Sparkman?

Senator Sparkman. Mr. Chairman, I have no questions. I think Mr. Beam has performed wonderful service in his long years that he has been in the Foreign Service, and I wish him well in this most important post to which he is going.

Chairman. Senator Mundt.

Senator Mundt. I am glad the Chairman brought up this matter of residence of the ambassadors we have. I said to our friends from New Jersey and New York I was aware of the imbalance to the point where they publically gloat about it, and you are looking at one Senator who is about to run out of yes votes for ambassadors. I have already told Mr. Annenberg I would vote for him, and I will vote for John Eisenhower and I don't know why I should victimize you, but I think the White House and State Department should learn if we are going to have an adequate appropriate and effective understandable and acceptable foreign policy the time has come when the central part of this country should get their fair share of ambassadors. When it has gotten to the point where representatives of eastern states publically gloat about the monopoly they have, this message should be heard loud and clear in the State Department and in the White House.

Senator Javits. Mr. Chairman, will the Senator yield?

Senator Mundt. I want to finish what I have to say. You have done your gloating.

Senator Javits. I am sorry, sir.

Senator Mundt. And I accept it, as well justified.

Senator Javits. That is what I object to most strongly, if I was, I was not conscious of gloating. I apologize.

Senator Mundt. Don't apologize, I want it in the record. I appreciate it.

Senator Javits. I didn't intend to and I think the Senator is wishing something on it.

Senator Mundt. That is the word. Under which ambassadors have you served, Mr. Beam?

Mr. Beam. Sir, my first ambassador was Mr. Dodd in Berlin, Mr. Cochran in Indonesia, Mr. George Allen in Yugoslavia, and Mr. Bohlen very briefly in the Soviet Union.

Senator Mundt. You were in Czechoslovaiak, were you, at the time of the invasion?

Mr. Beam. Yes, sir; I was.

Senator Mundt. From your knowledge of Czechoslovakian affairs do you see any justification whatsoever for this invasion which the Russians took?

Mr. Beam. No, sir.

Senator Mundt. Nor do I. I have no other questions.

Chairman. Senator Pell.

Senator Pell. Thank you, Mr. Chairman. As a longtime friend of the ambassador, it is hard to be objective but I am sure we know he will do an excellent job. And as one who descended upon him in Czechoslovakia three times in the last ten months I find my familiarity with him has increased and my respect and regard, too. I wonder if as a kind of valedictory you had any thoughts as to how we could help in Czechoslovakia? Do you believe it a good idea to focus public attention, if it were put there with resolution of the gold problem and maybe some steps taken toward the most favored nation treatment toward that unfortunate country in order to try to keep the channels of economic and cultural access open even though the political channels have been closed?

Mr. Beam. Yes, sir, I believe in that very strongly, yes, sir. I think the increase in trade with Czechoslovakia is now important so we can get some money on those claims, we have a large amount of claims due us for nationalization of our property.

As regards the political and cultural situation I think exchanges should continue as a means of encouragement for them to maintain their identity and sovereignty, and I hope we can continue along these lines.

Senator Pell. I know it is the opinion of Czechoslovakia, at least of their government, that we have sort of lumped them in the outer world, we have cut them off from us and we are not interested in them, and I would hope this opinion could be corrected. I think the problem has been the focus of public opinion has been, on the more spectacular events in Czechoslovakia but not in the fact that Administrations have sought to keep these channels open and that we are doing the best we can in this regard and I think this to be a good forum to France, if you would agree with that statement, to enlarge on it.

Mr. Beam. Well, I do agree with that, and I think in the time that I have been there, which is 2½ years the situation has changed in our favor and they found out we are a friend of their countries.

Senator Pell. Not only that but in favor of the Czechoslovak peoples, too.

Mr. Beam. Yes, sir.

Senator Pell. Thank you. The other question in connection with your new post, we are particularly fortunate that you should be going from Czechoslovakia where you have seen the Soviets in action to Moscow but do you feel that you will be able—that you yourself might suffer from a certain subjective view from having seen them at their worst and will be able—to have an objectivity about the Soviet position there?

Mr. Beam. Well, it is something which, of course, I can not forget, but if I go to Moscow I will be representing the United States government and not the Czechoslovak government.

Senator Pell. Thank you very much, I am really so pleased with this appointment. I think we are doing very well.

Chairman. Senator Case, do you have anything further?

Senator Case. Only this, Mr. Chairman. I am so happy that the excellency of this appointment has made it possible for us to indulge in even a surface friendly rivalry here on the Committee. It is an excellent appointment and I may just, having said that, and meaning it very deeply, refer back to a man from another Dakota, who used to be, I think, he certainly was, a Member of the Senate, whether a member of this Committee or not I am not sure, our great friend, Bill Langer, whose chief song was They never got an appointment from North Dakota, and his outrage was such and so well-expressed that I am sure it was one of the factors that led to his reelection in his native state regularly like striking a gong.

Senator Mundt. Will the Senator yield?

Senator Case. I will be happy to yield.

Senator Mundt. That is something else that led to the appointment of Tommy Wayland to Nicaragua.

Senator Case. It led to something else, too, that his daughter lives in my state of New Jersey. Shows there is good stuff in that family. Thank you very much.

Chairman. Senator Javits.

Senator Javits. Well, Mr. Chairman, I didn't mean to cause a stir in Committee. I was not just gloating, and I don't and Mr. Beam certainly is not a resident of New York. But I do think it is pertinent to say a word about what Senator Mundt very feelingly, and I can understand it. I would be a very strong advocate of doing our utmost to recognize talent and high quality in his state or in any other in the U.S. I must say, however, that I would be equally against the idea of appointing second-raters because we want to make for geographical diversity to ambassadorships of the U.S. and that is the only reason I spoke. Perhaps I am too serious but I have the greatest affection for my colleague and the greatest feeling for what he has said, and I would be the first to vote authority and money for international education courses in any of the universities.

Senator Mundt. We are not a backward state. We don't need the money coming from New York. I just want a chance for our capable people to have a chance to be ambassadors.

Senator Javits. I don't want to make it worse.

Senator Mundt. Now, you are italicizing the gloat.

Senator Javits. And I certainly approve of Ambassador Beam. I am sorry that he, as a dignified diplomat is the innocent butt.

Senator Case. Which the Chairman started, by the way.

Chairman. I started? I was just commenting on a fact as it has developed. I hope the Senator from New York wasn't suggesting that people from that great and rich and powerful state gloat without being conscious of it.

Senator Javits. Well, I wasn't conscious of it, Mr. Chairman. So I suggested just that.

Chairman. Mr. Beam, do you have anything further to say?

Mr. Beam. No, sir.

Chairman. Well. We congratulate you on your long and distinguished service in the Foreign Service and wish you well. It is a difficult post. I hope your health is good.

Mr. Beam. Thank you.

Chairman. How old are you?

Mr. Beam. Sixty-one this month.

Chairman. You are getting along, but that is about right. (Laughter)

Thank you very much, Mr. Beam.

Senator Case. He is at the peak of his powers.

Chairman. You don't look that old.

Mr. Beam. I don't feel it either.

[From the Washington (D.C.) Evening Star, Mar. 9, 1969]

Jacob Beam: Our Man in Moscow?

Concern is being voiced on Capitol Hill these days at the President's nomintaion of Jacob D. Beam, to serve as U.S. ambassador to the Soviet Union. Before the gentleman is confirmed, several Senators propose quietly to inquire into a troublesome time in his career.

On paper, and perhaps in fact, Beam is well qualified for the Moscow assignment. At 60, he has spent 38 years in the Foreign Service. He began as a clerk in the U.S. consulate at Geneva, in the days of the League of Nations; he moved on to Berlin for a six-year stint; served in London during most of the war; did a tour of duty as consul general in Java, and spent seven months in 1952-53 in Russia.

In August of 1957, Beam arrived in Warsaw as American ambassador to Poland. He was to serve in this assignment until he returned to Washington in the fall of 1961. He resigned his post, and then was appointed assistant director of the U.S. Arms Control and Disarmament Agency. In 1966 he became U.S. ambassador to Czechoslovakia. Mr. Nixon's proposal is to shift him now to the most important and sensitive chancery of them all, the U.S. embassy in Moscow.

The nomination may be entirely in order. All the same, members of Congress remember the dismaying sex and spy scandals that occurred in the Warsaw embassy during Beam's administration there. A number of Senators are concerned at the prospect of having him serve as ambassador in the very center of Communist intrigue.

The story of those Warsaw days is as fantastic as any tale ever contrived by Ian Fleming for his fictional James Bond. To judge from various printed hearings and other published material, Communist intelligence agents infiltrated Beam's embassy as merrily as a swarm of termites boring holes in a tasty log.

Irvin C. Scarbeck, second officer of the embassy, was among those who succumbed to the age-old lure of a beautiful woman. He fell in love with a 22-year-old blonde, Urszula Discner. The presumption is strong that she was an agent of Polish intelligence. In any event, Urszula set him up for a raid that led to blackmail; this led in turn to the theft of classified documents. Scarbeck was caught, indicted, convicted and sentenced at first to 30 years in prison. Later the sentence was reduced. It was a sensational case.

Scarbeck was not alone in female involvements. A detachment of Marine guards, assigned to the embassy, engaged in wholesale revels with Polish girls. The wife of a middle-rank embassy employe had an affair with a Russian agent. A code clerk implicated in an illicit relationship was "permitted to resign."

It was during Beam's tenure that construction began on the new $1.6 million American embassy. The ingenious Poles succeeded in bugging the building from the ground up. Eventually, some 40 concealed microphones—including a mike in the code room itself—had to be dug out of the walls by a team of Seabees.

Guy Richards, in "Imperial Agent," and Clark Mollenhoff, in "Despoilers of Democracy," have dealt with the Warsaw intrigues. All told, more than a dozen embassy employes were compromised. Mollenhoff has written that "the near total destruction of security in the U.S. embassy in Warsaw was a frightening demonstration of how the Communists could effectively bore inside an American embassy." Other publications, notably the Government Employes Exchange here in Washington, have carried sensational accounts of the intricate webs that were woven by Polish intelligence agents.

None of the published material raises any question of Beam's loyalty. No one doubts his expertise in European affairs. He is given high marks for his performance in Prague during last year's invasion by Soviet troops. He speaks fluent Russian. Neverthless, there are unmistakable stirrings in the Senate. Beam may be the right man for the vital Moscow assignment; but then again Senators are saying, he may not.

Power Struggle Looms Over Beam, Otepka, Sonnenfeldt Between Congress, State

A "violent storm" is brewing between the Nixon administration and Capitol Hill over the failure of the President and his Department heads to extend normal consultation courtesies to Senators and Congressmen, this newspaper was informed on February 15. Although the "storm" already encompasses more than one Department, it is becoming sharpest between the State Department and Capitol Hill over the issue of "excessive privilege" as defined by Secretary of State William P. Rogers, the informant said.

The first lightning flashes have already been seen privately in the tone of the letters between Capitol Hill and the White House concerning Ambassador Jacob Dyneley Beam, whom Secretary Rogers is supporting for the position of the next U.S. Ambassador to Moscow, the source claimed.

The first reaction from the White House to the letters was "pained surprise" that the personnel dossier on Ambassador Beam sent to the President by the State Department did not contain such material on him as that which *The Exchange* had published more than a year ago, the informant stated.

JACOB BEAM

As readers of this newspaper will recall, Jacob Dyneley Beam was the American Ambassador at Warsaw during the outbreak of the notorious "sex and spy" scandals there in 1959–1961. Included in these scandals were Foreign Service Officer Erwin Scarbeck who delivered secret documents to the Polish authorities after he was surprised and photographed naked in bed with his mistress, Urszula Discher. Mr. Scarbeck was subsequently convicted by a Federal court in Washington, D.C. and was sentenced to prison. Ambassador Beam testified during his trial.

Another Foreign Service Officer, Thomas A. Donovan, was also named during the hearings of the Senate Internal Security Subcommittee as having had sexual relations with Polish female intelligence agents. This newspaper reported that, although the State Department wished to re-assign Mr. Donovan immediately to Washington after his "liaison" was discovered, Ambassador Beam arranged with his former Princeton College "old school tie" classmates, Ambassador E. Allen Lightner Jr. and Foreign Service Officer Howard Trivers, to have Mr. Donovan transferred instead to Berlin, Germany, where Ambassador Lightner was chief of mission and Mr. Trivers was his Deputy Chief.

In Berlin, Mr. Donovan was placed in charge of the Eastern Affairs Division, which had supervision over all reporting concerning East Berlin, and East Germany. In this role, Mr. Donovan received official documents recording telephonic intercepts by American intelligence officers of telephone conversations made between West Berlin and East Berlin and East Germany.

THOMAS A. DONOVAN

Because of his knowledge that these telephone intercepts were being made, Mr. Donovan went to Communist East Berlin to evade the telephonic monitoring of his own unauthorized telephone calls to Polish friends in Warsaw. These included his "girl friend" and such Polish officials as Jerry Michalowski, then the Director General of the Polish Foreign Ministry and today the Polish Ambassador in Washington, D.C.

During one of these telephone conversations, Mr. Donovan requested Ambassador Michalowski to instruct the Polish Military Mission in West Berlin to issue a visitor's visa to Mr. Donovan without the prior knowledge of American diplomatic officers in Warsaw so that Mr. Donovan could proceed there without their previous authorization. The Polish Military Mission honored the instruction of the Polish Foreign Ministry and issued Mr. Donovan the visa he desired.

When Foreign Service Officer Stephen A. Koczak reported these telephone calls to Foreign Service Officer Howard Trivers and to Ambassador E. Allen Lightner Jr., they accused him of trying to "stab Donovan in the back" and did not convoke any board of inquiry to ascertain the truthfulness of Mr. Koczak's allegations. Instead, they informed Mr. Donovan of Mr. Koczak's reports to them about him. Subsequently, Messers. Donovan, Trivers, and Lightner destroyed the original pages of the efficiency report they had written in 1961 on Mr. Koczak, forged substitute pages, backdated these and inserted them into his efficiency report as if they had in fact been the original pages. In addition, Ambassador Lightner wrote an "Additional Reviewing Statement" to the effect that Mr. Koczak had read the entire report and had, in the course of interrogation, admitted to "tale bearing" and one instance of "intrigue" against Mr. Donovan. Mr. Kuczak has repeatedly denied having made any such admission; he also denies ever having read the altered efficiency report prior to its dispatch to the State Department.

Despite Mr. Koczak's denials, he was fired by the State Department under the procedure of "selection out," a process which denies any formal appeals procedure to officers and does not permit confrontation and cross-examination.

Mr. Koczak's attorney, Marion Harrison, has repeatedly asked the State Department for admission or denial of these facts and, to date, the State Department has refused to comment on them.

SOVIETS BREAK CODES

Another "disturbing item" in the letters of the Senators to President Nixon concerning Ambassador Beam, the source continued, was the charge that the Soviet Union broke the "top secret and secret" codes of the United States by implanting "listening devices" into the bricks ordered from Yugoslavia for the new American Embassy building built in Warsaw during the incumbency there of Ambassador Beam.

ELMER DEWEY HILL

After the Embassy's walls were erected, an "electronic survey" was conducted by State Department security electronics technician, Elmer Dewey Hill, to detect and eliminate any "bugging" devices. Mr. Hill found none. Thus the Soviet and Polish intelligence agencies successfully recorded the reading of the texts of American top secret and secret codes by the code clerks while doing the encoding and decoding. Subsequently, by comparing these with the transmitted messages, the Soviet Union broke the codes. This resulted in the breaking also of the major codes of the United States in messages being sent to Germany, Italy, France, England and Japan. Central Intelligence Agency telegrams and communications were "broken" in the same manner by the Soviet Union, the source revealed.

OTTO F. OTEPKA

Elmer Dewey Hill was subsequently instructed by Deputy Assistant Secretary of State for Security, John Reilly, to "bug", with the assistance of Clarence Jerome Schneider, the telephone and office room of Otto F. Otepka, the State Department's top security evaluator, the source continued. Mr. Hill later denied under oath that he had had this role but when George Pasquale, a friend of Mr. Otepka, obtained an admission from one of the participants, Mr. Hill recanted and admitted he had lied under oath. Subsequently, Mr. Reilly also recanted and both he and Mr. Hill resigned from the State Department.

A lawyer and protege of the late Senator Robert F. Kennedy, Mr. Reilly subsequently was given a job as a "hearing officer" with the Federal Communications Commission at the same salary he had before.

Mr. Otepka, on the other hand, was demoted and reprimanded by Secretary of State Dean Rusk for having told the truth "without authorization", to the Senate Internal Security Subcommittee.

WILLIAM P. ROGERS

The informant revealed further that Secretary Rogers was very upset about the attempt of the three Senators to influence President Nixon through correspondence to change his mind about appointing Ambassador Beam to Moscow. Secretary Rogers is known to have been personally very critical of the role Mr. Otepka played in cooperating with the Senate Internal Security Subcommittee and for "telling the truth" without authorization. According to the source, Secretary Rogers is of the firm opinion that Mr. Otepka should have refused to answer the questions posed to him by Julian Sourwine, the Subcommittee's chief counsel, on the grounds of "executive privilege", a doctrine which Mr. Rogers espoused and expanded during the Eisenhower administration when he was Attorney General.

As this newspaper reported in its February 5 issue, Secretary Rogers has already vetoed President Nixon's election promise to re-examine the Otto F. Otepka case. On January 21, he informed Mr. Otepka, through intermediaries, that he would not allow Mr. Otepka back as an "active security officer". He also asked Mr. Otepka to indicate to him any other "alternative remedy" on the understanding Mr. Otepka would not remain in security work. Mr. Otepka's terms were communicated to Secretary Rogers through intermediaries, in the form of a memorandum, January 24, ostensibly addressed to Mr. Otepka's lawyer, Roger Robb.

The source revealed that Mr. Rogers chose this course of action in regard to Mr. Otepka because he is aware that the Senate Internal Security Subcommittee is planning new hearings on State Department security. The reinstatement of Mr. Otepka to security work would be hailed by the public and the Senate Internal Security Subcommittee as an admission by the State Department that "executive privilege" could not be invoked by it in forbidding its employees to "tell the truth" during testimony before Congressional Committees. Thus Secretary Rogers could not refuse "authorization" in the future to any State Department employee to testify truthfully and fully under oath on State Department practices.

Regarding Mr. Otepka, Mr. Rogers was reported saying he feared especially that, if re-instated and again ordered to testify under oath, Mr. Otepka would again proceed to tell the Subcommittee the "truth" about the current state of the State Department's security clearance program, including such matters as the disappearance of classified information from the security files of Ambassador Jacob Beam and of Helmut Sonnenfeldt, until January 20 an employee of the Department of State. Mr. Sonnenfeldt, about whom controversy is raging secretly within the intelligence and security communities, was recently appointed by Dr. Henry Kissinger to join him on the staff of the National Security Council located in offices next to the White House.

EXECUTIVE PRIVILEGE

As defined and expanded by Secretary Rogers when he was Attorney General, "executive privilege" is the doctrine that the executive branch of the government has the "right to refuse" to give Congress any document that includes either an advice, a recommendation or a conclusion. These documents therefore include all personnel actions involving the selection, promotion, demotion, transfer, dismissal or reprimand of any federal employee, if such action involves advice, recommendation or a conclusion from or by any federal officer.

Although he admitted as Attorney General that the Constitution did not explicitly give the executive departments such "power to refuse", Secretary Rogers nevertheless contended the executive branch had "an inherent right" to refuse to give testimony or produce records. In fact, he went much further and insisted that Congress could not even pass a law to require or force the executive department to produce such records, and that any such laws already on the books were not binding on the executive branch. In short, under this interpretation by Attorney General Rogers, Congress was impotent versus the "executive privilege", even if it was being invoked to "protect" or to "cover up" or to "white wash" executive actions.

In addition, Secretary Rogers claimed that the so-called independent regulatory agencies, including the Federal Communications Commission, the Securities Exchange Commission, the Federal Trade Commission, the Federal Power Commission, also had the "right" to invoke "executive privilege."

On the basis of this extreme definition of "executive privilege", no Federal employee would have the "right" to "tell the truth" or produce records on any substantive subject unless he had the prior approval or "authorization" from his superiors, the source commented.

CONGRESSIONAL RIGHTS

The doctrine of "executive privilege", as espoused by Mr. Rogers when he was Attorney General and as he is now re-asserting it to President Nixon in the cases of Ambassador Beam, Otto Otepka and Helmut Sonnenfeldt, is expected to lead to a "Constitutional storm and crisis" in the next six months, the source said, "unless President Nixon backs away from this exaggerated claim of executive privilege". Either Secretary Rogers will have to change his point of view radically or the battle between the legislative and executive branches of the Federal Government will become "irrepressible", the source concluded.

JUDGE M. E. McCONNELL

HON. WALTER FLOWERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. FLOWERS. Mr. Speaker, Sumter County, Ala., which comprises part of my congressional district, has recently lost one of its most respected citizens in the death of Judge M. E. McConnell.

Editor Dick Smith, of the Sumter County Journal, has very eloquently expressed the thoughts and feelings of the community. I am pleased to spread his tribute upon the RECORD:

"The law of the Lord is perfect, converting the soul; the testimony of the Lord is sure, making wise the simple."—Ps. 19:17.

That verse from the Great Book certainly reminds us of the active life of the late Judge M. E. McConnell. The earth swallowed him up last Sunday afternoon . . . but nothing can ever take his memory from those who knew him nor the history he made in Sumter County, Ala.

As depicted by the verse, he always kept life in focus.

He was a public servant, an elected official, a person truly interested in his fellowman and our children's education. He was a sportsman, a merchant, a cattleman, a humanitarian, a Christian of the first order.

He was further a legend in his own right.

Judge McConnell, a one-time Tennessee Vol football player, will be remembered by all who knew him during his very active life. A probate judge, a senator, a mayor, a sportsman, he was always active in civic affairs.

He was the kind of man right to his death who would "teach" his listeners by the very fact they would listen.

There is a football field named for him in Livingston . . . there is a street named for him in York. Most of all, there are literally thousands of good people who will, down through the years, be praising him for what he was.

XUM

GENERAL KRZYZANOWSKI AND THE BATTLE OF GETTYSBURG

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. DERWINSKI. Mr. Speaker, the centennial commemoration of the Civil War produced a great deal of historic research which enlightened us about this epic struggle in American history. One of the historians who produced extensive material in conjunction with Civil War commemoration was Dr. Edward C. Rozanski, Midwest coordinator of the American Polish Civil War Centennial Committee.

He called attention to the fact that numerous officers and men of Polish descent, many of whom had fought in the battles against the Russian and Prussian oppressors of their land, made significant contributions to the Union Armies' successes.

The latest article of significance covering the Civil War which was carried in the February 1, 1969, Polish American, Chicago, is a very dramatic report by Maj. Gen. Charles G. Stevenson, U.S. Army, retired, discussing action at the Battle of Gettysburg:

General Krzyzanowski and the Battle of Gettysburg

(By Maj. Gen. Charles G. Stevenson, U.S. Army, retired)

In early 1863, General Vladimir Krzyzanowski's brigade was assigned to the 3rd Division of Major General Carl Schurz in the newly constituted XI Corps, (Major General O. O. Howard Commanding of the Army of the Potomac).

At Gettysburg on July 1, 2 and 3, 1863, the regiments of Krzyzanowski's Brigade (2nd Brigade, 3rd Division, XI Corps) were the following, 58th New York Volunteers, 119th New York Volunteers, 75th Pennsylvania Volunteers, 82nd Ohio Volunteers, 26th Wisconsin Volunteers.

GENERAL KRZYZANOWSKI AT GETTYSBURG

Now I would like to sketch briefly what Krzyzanowski's brigade did on July 1, and 2, 1863, the first two days of the crucial battle of Gettysburg. I think General Krzyzanowski and his brigade made outstanding contributions to the famous battle which are generally overlooked. Krzyzanowski's brigade had 669 killed, wounded and missing in the battle.

FIRST DAY OF THE BATTLE

Map. No. 1, which I have prepared, is a rough sketch showing the position of Krzyzanowski's brigade, north of Gettysburg on the afternoon of July 1, 1863. It also shows the location of the other troops of the XI Corps on the right and left of Krzyzanowski. Krzyzanowski's brigade was in the center of the corps position. The sketch also shows the general line of the 1st Corps on Seminary Ridge on the left of the XI Corps. Also shown is the location of the Confederate troops which attacked the XI Corps.

You will note that the Confederate unit which attacked Krzyzanowski's brigade was the brigade of Brigadier General George Doles. These were Georgia troops and seasoned veterans.

General Doles was one of the outstanding brigadiers in the Confederate Second Corps (which was Stonewall Jackson's old Corps) of the Confederate Army. The second Corps was commanded in the Battle of Gettysburg by General Ewell, Stonewall Jackson having been mortally wounded at Chancellorsville on May 2, 1863.

As the battle progressed the XI Corps was driven back by the superior numbers of Ewell's Confederate Corps which were much stronger in numbers than the Federal Corps.

Doubledady's 1st Corps also was compelled to retire but both Federal Corps inflicted heavy losses on the Confederates and succeeded in saving the high ground along Cemetery Ridge for the main Union Army to form on and on which it won the final battle on the third day. Krzyzanowski's brigade put up a staunch fight as it withdrew through the town of Gettysburg and took position on Cemetery Hill, south of the town.

Krzyzanowski's brigade did its share to let the Confederate General Ewell know that he had been in a fight. Rodes' division of Ewell's Corps, which included General Doles' Georgia brigade, had 3,000 casualties out of 8,000 men. Not all of the casualties were at the hands of Krzyzanowski's brigade, of course. The fact is that Ewell showed no great eagerness to press the advantage that he had won. He did not continue the attack in the late afternoon and evening of July 1. He was content to stop in the southern part of the town, and wait until he got positive orders from General Lee for a general attack.

Many military experts, including Mr. Bruce Catton, Chairman of the New York Civil War Centennial Commission, as stated in his book "Glory Road," think that if Ewell had carried through his attack, he probably would have taken Cemetery Hill during the evening of the first day. But, due to the resistance he had met from the I and XI Corps, including General Krzyzanowski's brigade, Ewell was in no condition to press the attack any further on that day.

SECOND DAY OF THE BATTLE

The second map shows the position of Krzyzanowski's brigade on Cemetery Hill on July 2nd. Here again Krzyzanowski and his brigade made an important contribution to the Union victory. For five hours from about 4:00 p.m. to 9:00 p.m., the Confederate bombarded the position of the XI Corps, including Krzyzanowski's brigade on Cemetery Hill with the heaviest cannonade of the war. The brigade endured it with coolness and resolution.

At about 9:00 p.m., Ewell sent Early's division against General Ame's 1st Division of the XI Corps, which was on the right of the Corps position. Hays' Louisiana brigade broke into the Union lines and fought hand to hand for the guns of Captain Wiedrich's Battery, 1st New York Light Artillery, which Ames' 1st Division was supporting.

Krzyzanowski and his two New York regiments, the 58th and 119th New York Volunteers were sent to recapture the guns and drive the enemy off the hill. Other reinforcements were also sent to assist General Ames' infantry. These reinforcements included Carroll's brigade of the II Corps. In all the books, except one, that I have read on this particular fight, including Mr. Catton's book: 'Glory Road', no mention is made of the contributions to this fight made by Krzyzanowski and his two New York regiments, the 58th and 119th New York. Most books give all the credit to General Carroll's brigade for this action. These accounts are not fair to General Krzyzanowski and his two New York regiments, if the official reports of the Commanders concerned are taken into account.

Let me read from the after action report to General Krzyzanowski by Major Willis of the 119th New York, regarding this fight:

"Late in the evening (about 9 P.M.) the enemy made a most desperate charge upon a battery supported by the First Division of our corps. They rushed forward with incredible fierceness, driving back the First Division in disorder, and actually reached the guns (one of which our men had already spiked) and demanded a surrender, but the commander of the battery and his brave cannoneers did not yield. Then you, (note: General Krzyzanowski) seeing the critical position of affairs, and well knowing how soon the enemy would possess himself of the battery and that commanding heights, if not forced back, called upon our regiment and Fifty-eighth New York Volunteers, also of your brigade, to fall in and advance against them. It is needless for me to say, general, for you led us in person, with what alacrity the regiment responded, and with what determination it moved forward, and with what courage it met the foe, and, in conjunction with the gallant Fifty-eighth, drove him back, saved the position, and thus secured the whole army from irreparable disaster. Here ends the second day's struggle."

This report by Major Willis of the action of Krzyzanowski and his two N.Y. regiments, in coming to the assistance of Captain Wiedrich's battery of artillery, is confirmed by the after action report of the 58th N.Y. and also by that of the division commander, Major General Carl Schurz; and, finally, by the report of the Corps Commander, Major General O. O. Howard.

I must admit that a brief history of the 58th New York in Fox's book—"New York at Gettysburg" states that when the 58th got to this fight they found that the assailants had been, "repulsed without their assistance." But, that was written ten years after the war. I prefer to place greater credence on the after action reports written immediately after the battle when it was fresh in the commanders' minds. I, therefore, say that General Krzyzanowski and his New York Regiments, the 58th and 119 New York Volunteers, should receive a fair share of credit for their actions in this important part of the battle of Gettysburg.

FOUR RESOLUTIONS OF THE COMMONWEALTH OF MASSACHUSETTS

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. CONTE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include four resolutions by the Commonwealth of Massachusetts:

Resolution memorializing the Congress of the United States to enact legislation removing the restriction on the amount of income a person may earn while receiving social security benefits

Whereas, Under present law a person receiving social security benefits is not permitted to earn more than sixteen hundred and eighty dollars in any one year without a decrease in payments received by him; and

Whereas, Many of the persons receiving such payments are almost totally dependent upon them for their living expenses; and

Whereas, The cost of living has increased substantially so that the benefits referred to are now totally inadequate; and

Whereas, The removal of the restriction on the amount of income that a person may earn while receiving social security benefits will enable such person to retain his self respect; now, therefore, be it

Resolved, That the General Court of Massachusetts respectfully urges the Congress of the United States to enact legislation removing the restrictions on the amount of income a person may earn while receiving social security benefits; and be it further

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Resolved, That copies of these resolutions be transmitted forthwith by the Secretary of the Commonwealth to the President of the United States, the presiding officer of each branch of the Congress and to the members thereof from the Commonwealth.

Senate, adopted, February 12, 1969.

NORMAN L. PIDGEON,
Clerk.

House of Representatives, adopted in concurrence, February 19, 1969.

WALLACE C. MILLS,
Clerk.

Attest:

JOHN F. X. DAVOREN,
Secretary of the Commonwealth.

Resolution memorializing Congress to pass legislation amending the Internal Revenue Code to permit homeowners to deduct up to $500 a year for the maintenance, preservation, and rehabilitation of their homes

Whereas, The existing stock of residential property in the cities and towns of America provides the core of the residential resources of our Country; and

Whereas, The creation of new housing can never provide more than a small percentage of the units available in the existing housing stock; and

Whereas, The preservation of this priceless natural and economic resource must be the keystone of national housing policy; therefore be it

Resolved, That the Massachusetts House of Representatives respectfully urges the Congress of the United States to amend the Internal Revenue Code to permit homeowners to deduct up to five hundred dollars a year for the maintenance, preservation and rehabilitation of their homes; and be it further

Resolved, That copies of these resolutions be transmitted by the Secretary of the Commonwealth to the President of the United States, to the presiding officer of each branch of Congress and to the members thereof from this Commonwealth.

House of Representatives, adopted, February 13, 1969.

WALLACE C. MILLS,
Clerk.

Attest:

JOHN F. X. DAVOREN,
Secretary of the Commonwealth.

Resolution memorializing Congress to enact legislation granting tax incentives to those businesses which will locate in the slums and to those which give training necessary for the employment of the disadvantaged in or from slum areas

Whereas, One out of every three residents living in our city slums has a serious employment problem; and

Whereas, The continuing shift of the more affluent population, businesses and industries from the central cities to the suburbs is intensifying the employment problems of the poor who remain in central cities; and

Whereas, Strong measures are needed now to stem the flight of business and industry from the central city areas and to encourage private enterprise to offer opportunities for training to the nation's disadvantaged; therefore be it

Resolved, That the Massachusetts House of Representatives respectfully urges the Congress to enact legislation granting tax incentives to those businesses which will locate in the slums and to those which give training necessary for the employment of the disadvantaged in or from slum areas; and be it further

Resolved, That copies of these resolutions be transmitted by the Secretary of the Commonwealth to the President of the United States, to the presiding officer of each branch of Congress and to members thereof from this Commonwealth.

House of Representatives, adopted, February 13, 1969.

WALLACE C. MILLS,
Clerk.

Attest:

JOHN F. X. DAVOREN,
Secretary of the Commonwealth.

Resolution memorializing the Congress of the United States to enact legislation increasing the amounts of minimum monthly payments under the Social Security Act

Whereas, The cost of the necessities of life in this country has risen to an all time high; and

Whereas, A substantial portion of the people of this nation depend to a large extent, if not entirely, upon the monthly payments received by them under the Social Security Act; and

Whereas, The current minimum monthly payments under said program have now become grossly inadequate for their needs; and

Whereas, An increase of such minimum payments to one hundred and fifty dollars per month per person and two hundred and fifty dollars per month per married couple would tend to relieve such conditions; now, therefore, be it

Resolved, That the General Court of Massachusetts respectfully urges the Congress of the United States to enact legislation increasing the minimum monthly payments under the Social Security Act to one hundred and fifty dollars per month per person and two hundred and fifty dollars per month per married couple; and be it further

Resolved, That copies of these resolutions be transmitted forthwith by the Secretary of the Commonwealth to the President of the United States, the presiding officer of each branch of the Congress and to the members thereof from this commonwealth.

Senate, adopted, February 12, 1969.

NORMAN L. PIDGEON,
Clerk.

House of Representatives, adopted in concurrence, February 19, 1969.

WALLACE C. MILLS,
Clerk.

Attest:

JOHN F. X. DAVOREN,
Secretary of the Commonwealth.

PAN AMERICAN WORLD AIRWAYS

HON. DANIEL J. RONAN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. RONAN. Mr. Speaker, I was pleased to learn that Pan American World Airways will commence direct daily service between Chicago and Shannon, Ireland, on June 1, 1969, according to James Montgomery, vice president, sales.

The Pan Am flight will depart Chicago O'Hare International Airport 7 days a week and arrive at Shannon the following morning. The flights leaving Chicago on Sunday, Tuesday, Thursday, and Saturday will continue on to Paris and the flights departing on Monday, Wednesday, and Friday will proceed to Amsterdam.

This will be Pan Am's second daily flight between the United States and Ireland this summer, reflecting Pan Am's confidence that travel between the midwestern United States and Ireland will flourish and reach new peaks in the months ahead.

RELIGIOUS FREEDOM DENIED

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. RARICK. Mr. Speaker, ramifications from the Supreme Court's injecting itself into the religious freedom of the American citizens continues to raise questions—serious questions to free men—as to whether the Court has laid to rest the separation of church and state issue or if its usurpation has denied equal opportunity to religion in favor of establishing a pseudoreligion of secularism.

The Supreme Court, in striking down the Arkansas antievolution law, tacitly approved of teaching the evolution theory while suppressing the fundamentalist belief. If so, the Court has itself violated the first amendment prohibitions.

Should we not pay serious attention to the same analogy with the Court's prohibitions against nonsectarian prayer honoring God in school; yet, under the emotion of academic freedom, by inference encouraging the teaching in schools of a nonprohibited secularism such as socialism, communism, and internationalism.

Perhaps the Supreme Court has gone so far against religion they may soon encounter new law suits by those who feel the first amendment rights of their children are being infringed by the teaching of secularism in public schools.

Mr. Speaker, an interesting editorial appeared in the Liberty magazine for March–April, 1969, and I include it at this point in the RECORD:

MONKEY BUSINESS

The United States Supreme Court's ruling against the Arkansas statute forbidding teaching in the public schools the theory "that mankind ascended or descended from a lower order of animals," seems, on the face of it, to be a wise decision compatible with principles of religious freedom.

"It is clear," the Court said in last November's ruling, "that fundamentalist sectarian conviction was and is the law's reason for existence," and the "law's effort was confined to an attempt to blot out a particular theory because of its supposed conflict with the Biblical account, literally read."

Questions arise, however, when one thinks through an observation made by Justice Black in his reluctantly concurring opinion.

"Since there is no indication that the literal Biblical doctrine of the origin of man is included in the curriculum of the Arkansas schools," observed Justice Black, "does not the removal of the subject of evolution leave the State in a neutral position toward these supposedly competing religious and antireligious doctrines?"

In other words, no evidence showed that the creationist theory was being taught in Arkansas schools. Did not the Arkansas antievolutionary law, then, simply guarantee neutrality? And is not the State now in the position of favoring evolution? Adopting the Court's own argument in the Schempp case, unless the creationist hypothesis is given equal time with the evolutionary hypothesis, is not the State establishing a religion of secularism?

In Schempp the Court warned that a State might establish a religion of secularism by opposing or showing hostility to religion, thus *preferring those who believe in no religion over those who do believe.*

On reflection, one wonders why the Court felt called on to render a decision at all, especially in view of the facts that (1) Mrs. Epperson—the teacher involved—no longer lived in Arkansas, but in Maryland; therefore the case was mooted; (2) Mrs. Epperson made no attempt to show that she ever had been prohibited from teaching evolution as a *theory,* even as a teacher in Little Rock; (3) it is a matter of record that no attempt ever has been made, even once, by Arkansas to enforce "Initiated Act No. 1," the statute forbidding the teaching of evolution in the State. How, then, could she claim damages, as a plaintiff?

When the above facts are considered, what appears on its face to be a decision compatible with religious liberty raises the suspicion that the Court may have disestablished one religion only to establish another.

R. R. H.

AN APPEAL TO SECRETARY FINCH

HON. LIONEL VAN DEERLIN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. VAN DEERLIN. Mr. Speaker, as many of our colleagues will recall, the Air Quality Act of 1967 allows California to seek waivers from the national auto emission standards. The waivers may be granted by the Secretary of Health, Education, and Welfare—but only for standards that are more stringent than the national requirements.

California was given the right to attempt to run her own auto smog control program over strong objections by the auto industry, which apparently felt it might be inconvenienced.

A substantial majority of our colleagues agreed, however, that the State has uniquely severe smog problems which entirely justified the waiver clause in the air quality bill.

But the Detroit moguls, who sell millions of cars in California, remain unconvinced. They are trying to block a new set of standards recommended by the State legislature, and it can be assumed they will bring formidable pressure to bear on the Federal authorities who must pass on the California proposals.

I am confident that our new HEW Secretary, Robert H. Finch, a southern Californian who knows well the severity of the smog problem, will grant the waiver, as urged in the following editorial published 4 days ago in the Los Angeles Times:

THE RIGHT TO HAVE CLEAN AIR

Issue: Will California continue to have trouble winning the right to set and enforce strict auto exhaust control standards?

Seven million people in the Los Angeles Basin this week had the rare experience of breathing easily and seeing clearly in unpolluted air.

It was the kind of weather that made state and local officials plead all the more forcefully Tuesday for federal permission to make California anti-smog laws tougher. They know that our air cannot be cleaner until vehicle emissions are effectively controlled.

But the auto industry, as usual, had its foot on the brake at the hearings held this week by the Department of Health, Education and Welfare on the state's request to waive weaker federal regulations.

Although cars and trucks are responsible for 85 percent of the smog in Southern California, Detroit has continuously resisted the stringent exhaust standards enacted by the state Legislature.

California should take "on faith" the statements of auto company executives that they would work voluntarily for better pollution controls, said an industry spokesman at the HEW hearing Wednesday.

He seemed to forget that Detroit installed exhaust control devices on new cars only after the Legislature decreed that no new autos could be sold in California without them.

He also did not mention the auto industry's fight in Congress to deny California the right to continue to impose tougher requirements. Or that the federal government last January filed a civil suit charging the automakers with conspiring to delay development and installation of smog control equipment.

California must be allowed to require ever stricter standards on the emission of hydrocarbons, carbon monoxide and oxides of nitrogen—the vile ingredients of smog. A committee of scientific and technical experts has declared that the standards can be met, if Detroit tries.

HEW Secretary Robert Finch, a Southern Californian and former lieutenant governor of the state, knows the seriousness of the local air pollution problem. He is aware that 10,000 persons leave the smog-filled basin annually on the advice of their physicians.

The Times urges Secretary Finch to grant the waiver that will permit California to continue its pioneering efforts to control auto-caused smog. Every urban state will benefit.

AMERICA: GREATEST COUNTRY

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. DERWINSKI. Mr. Speaker, on November 14, 1967, I inserted in the RECORD a column by Dumitru Danielopol, the distinguished international correspondent of the Copley Press entitled "America: Greatest Country."

I am very pleased to see that the Freedom Foundation at Valley Forge, Pa., has granted its George Washington Honor Medal Award for 1968 to Mr. Danielopol for the article which originally appeared in the San Diego Union, Monday, November 6, 1967.

In presenting the award, the Freedom Foundation stated:

> An outstanding accomplishment in helping to achieve a better understanding of the American Way of Life.

Mr. Speaker, I feel that this column by Mr. Danielopol truly merits the award which has been bestowed by the Freedom Foundation and feel it most appropriate in view of the timelessness of the message that it be inserted again in the RECORD:

AMERICA: GREATEST COUNTRY—DELAYED PILGRIM ASHAMED OF CURRENT ATTITUDES

(EDITOR'S NOTE.—Dumitru Danielopol, former Romanian banker and diplomat, refused to return to his native country after the 1947 Paris peace conference. Instead, he came to the United States. Here, he reminisces on 20 years in America and the changes in the American spirit.)

(By Dumitru Danielopol)

WASHINGTON.—Twenty years ago today I set foot for the first time on American soil.

On that gray, misty morning New York's harbor was crowned with low dark clouds. The Manhattan skyline was a forbidding sight. It looked more like a barrier than a gateway to a new life.

This was not a city I was looking at; it was a world.

And from the deck of the Holland-America liner Nieuw Amsterdam it looked foreign, cold, ruthless, cruel.

IMAGE CHANGES

Then suddenly the image changed. We came within sight of the Statue of Liberty holding aloft her torch to: "Your tired, your poor, your huddled masses . . . the wretched refuse . . ." The statue softened the stark reality of the brick and stone skyline.

New York could not be so tough. How many millions like myself had fled Europe's troubles to find a new life.

Suddenly fear and awe gave way to a sense of challenge. Those tall buildings seemed to say, "Show us what you can do."

As I reminisce now 20 years later, I remember, too, the gratitude. Those of us who arrived by the thousands after World War II were grateful just to be here.

It never occurred to us to ask for favors. We had been granted the greatest of all favors: The freedom to try.

Thirteen years later President John F. Kennedy put it all in one sentence:

"Ask not what your country can do for you, ask what you can do for your country."

It wasn't easy, believe me. We—the "refuse" of World War II and postwar failures—were not the usual type of immigrant who came to stay and were immediately absorbed.

We were political exiles or refugees from communism. We were "DPs" (displaced persons). Often we were resented by our ethnic groups, the immigrants of long ago.

"DP" was not a pleasant term. It described a person adrift.

But we did not accept this.

"DP doesn't stand for displaced person," we quipped, "it stands for 'Delayed Pilgrim.'"

Today, many of those who arrived with me still cling to the hope that one day they can go "home."

Others, like me, have found "home." We have become citizens. We love to be here.

Those of us who continue to preach against communism and totalitarianism do it in the hope that we can protect our new home against this 20th Century disease.

It never occurred to us in 1947 that in a few short years we would see Americans expecting to live on the efforts of others: Refusing jobs because they could do better on relief; refusing to serve their flag; demonstrating against their duly elected President.

NOT OWED LIVING

It never crossed our minds that anyone owned us a living.

Free speech and the right to dissent were two of the riches that America gave me. I do not for one moment challenge the right of others to these riches but on this important anniversary in my life I claim the right to speak, too.

For the first time, I'm ashamed of some of my fellow Americans. I'm ashamed of the draft-dodger and draft card burner; of the youngster who lives in filth and claims to be "pure" in spirit; of the puppets who follow high-sounding, but often questionable leadership and go about inciting disturbances, sit-ins, riots, civil disobedience and demonstrations; of the self-styled intellectual who wants to bring communism to this country.

I'm also ashamed of the politicians who blind themselves, who apologize for enemies of our freedom, who describe the fight for freedom as "arrogance of power;" of the columnists who have made defeatism and appeasement their credo.

Certainly America is not perfect. But this is a country which has come closer to perfection than any other.

Impatience with technical, social and educational shortcomings is fuel for progress. But those who preach communism know nothing of progress.

For many in America, their tragedy is that they were born here. They don't realize how much they have to be thankful for. They have never experienced the thrill of becoming an American.

To those who would despair, who would capitulate to tyranny, who would renounce this heritage, I have only this advice:

Audi alteram partem: Listen to the other side.

Look around you. Look around the world.

You live in the greatest country man has ever put together.

Be proud of it.

CHAIRMAN PATMAN CRITICIZES HIGH INTEREST RATES AT HOUSING CONFERENCE

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. EVINS of Tennessee. Mr. Speaker, my colleague, the gentleman from Texas (Mr. PATMAN), chairman of the Committee on Banking and Currency, delivered a landmark address before the 38th annual convention of the National Housing Conference yesterday concerning home financing.

Chairman PATMAN was quite frank in his discussion of this matter, and because of the interest of the American people and my colleagues in this most important subject, I herewith place his remarks in the RECORD:

REMARKS OF THE HONORABLE WRIGHT PATMAN, OF TEXAS, CHAIRMAN, HOUSE BANKING AND CURRENCY COMMITTEE, BEFORE THE 38TH ANNUAL CONVENTION OF THE NATIONAL HOUSING CONFERENCE, WASHINGTON, D.C.

I am always honored to be invited to a meeting of the National Housing Conference. The NHC is made up of people who are really trying to do something about housing. You are a sincere and dedicated group.

We haven't always agreed right down the line. Last year, I remember that you—reluctantly—went along with the increases in the FHA and VA interest rates. But, that was last year and by now I hope I have some converts on this question.

I am always impressed by the Housing Conference. I am impressed by the optimism and the spirit that you generate for worthwhile housing programs. Your resolutions contain strong, well-thought-out programs and these resolutions inevitably find broad support among Members of Congress. The NHC, in my opinion, is a vital factor in rallying Congressional support for housing and urban programs. I don't know what we would do without you.

But, my friends, I have been coming down here to the Statler Hilton for the past four years to meet with you, and each year it seems that the nation's failures in the field of housing become more obvious and more depressing. We are not gaining in the race to house the nation in decent homes. We are falling back.

Each year—despite the fine optimism generated here—we find ourselves with bigger backlogs in practically every type of low-income and moderate-income housing. We're apparently doing all right in the $50,000 to $100,000—and up—brackets, but below that, we are dropping pitifully behind.

The housing field is pockmarked by goals that have never been met. All of us here can recall the string of high-sounding goals that have come forward from the National Housing Conference, from Presidents of the United States, and from various Committees of the Congress. Wonderful words, excellent goals, but little performance.

This is shameful in a great and powerful nation. We pride ourselves on our ability to produce. In the production of material goods, we look on ourselves as second to none in the world.

We are able to build sophisticated space vehicles that reach to the moon. We are able to glut the market with millions of shiny highpowered automobiles, and we are able to devise and construct the most complex computer and communications systems.

Yet somehow—and for some reason—we cannot put together the financing, the bricks, the lumber, and the glass to house our population in decent, reasonably priced homes.

This kind of failure demands attention from the highest levels of the Federal Government. This is an emergency which cannot be dealt with by another round of high-sounding Presidential Messages and reports from the Secretary of Housing and Urban Development.

The nation must have action—real action—on housing and not another reshuffling of existing machinery. To do this we are going to have to pursue a national housing policy which steps on some toes—the toes of some pretty big people in our economy.

I'm not sure that the Nixon Administration is up to the task.

I have great respect for the Secretary of Housing and Urban Development, George Romney. I have known him for a number of years and I regard him as one of the real geniuses of our free enterprise system.

But I am greatly disappointed by his start as the chief housing official of the nation. Before he even had a chance to rearrange the furniture in his office, Mr. Romney signed orders which sent FHA and VA interest rates through the ceiling . . . well above existing rates on conventional mortgages.

This increase was totally unnecessary. It was not based on the facts. The Secretary obviously fell for a bunch of high interest nonsense from one of the Republican whiz kids somewhere in the Administration. In any event, this was a pretty sad start for a man who professes to want to build houses.

Unfortunately, Mr. Romney has spent most of his time telling the nation about the impossibilities of meeting the previous Administration's goals on housing. He describes the 26 million units that President Johnson said should be built in the next decade as an "impossibility."

Well, I am sure we won't build many houses with this kind of defeatism. I know that Mr. Romney didn't produce all those Rambler automobiles by sitting around wringing his hands about the difficulties and the impossibilities.

We need officials all down the line who really believe in these programs and who believe that the nation's domestic priorities can and should be met. We need Cabinet members who are "can do" officials. We don't need a bunch of nervous nellies running around telling us why they "can't do" what needs to be done.

What we need is a lot of courage . . . a willingness to face the special interests that dominate and hold back housing. And this means that somewhere, sometime, and somehow, this Administration and the Congress will have to face up to what the monetary authorities have done and are doing to housing.

This will take a whale of a lot of courage. But without it, we are not about to solve the nation's housing crisis.

Credit—its availability and price—is the prime factor in all housing construction. You know that. The Administration and its housing experts know that. Yet they are still talking about tinkering with the fringe factors rather than facing the basic problem.

I realize that there have been a lot of price increases involving materials that go into housing. I am aware that lumber prices have skyrocketed, that the price of land has moved up at fantastic rates and that other costs are following. It is also a fact that many of these cost increases are the direct result of the shortages that have been built into the economy by high interest rates and tight money.

It is inescapable that the price of money is the number one cost in any house regardless of where it might be built in this nation. It dwarfs everything else. Today the interest charges on an average mortgage will be anywhere from 100 to 150 per cent of its principal. And this does not take into consideration the interest charges on construction loans which become part of the price of the house.

These are the kind of facts that make a lot of people in this nation—and particularly in our Federal Government—nervous. They don't want to face the special interests who control the availability of credit for housing. For the average politician, this is too much to ask. They would much rather talk about other costs.

The Congress did, back in 1966, gather up its courage enough to pass legislation giving the Federal Reserve authority to purchase housing paper in the open market. Congress renewed that authority in 1967 on a temporary basis and then made the measure permanent last year.

This was a law like any other law. The only difference is that no one has bothered to obey this law.

The Federal Reserve, led by its chairman, William McChesney Martin, has steadfastly refused to follow this law and buy housing paper in the open market. They have totally defied the Congress.

Mr. Martin has done this despite his promise to obey the law if the Congress passed it. Here is exactly what he told me when this legislation was before the Banking and Currency Committee:

"Whatever law you pass here, we will do our best to carry it out, Mr. Chairman."

In addition to the legislation passed by both Houses of Congress, the Joint Economic Committee—made up of Members of the Senate and the House—has called the Federal Reserve Board's attention to this legal authority and urged that it be carried out. The Federal Reserve has ignored the directive.

The legislation I am talking about is quite simple. It would mean that the Federal Reserve—through the purchase of housing paper in the market—would reallocate some of the nation's credit resources to the sorely-pressed housing market. It would allocate your credit—the people's credit—to meet a need that has been established beyond any doubt.

This is not very revolutionary. Why should anyone oppose allocation of credit for housing? Why should all of this money go into loans for business purposes? Why should not some of it go to meet a critical shortage of housing?

The time has come to put an end to this nonsense at the Federal Reserve. It is time that agency was required to obey the law like any other agency of the Federal Government.

Therefore, tonight I am challenging President Nixon and his Administration to go to the mat with the Federal Reserve on this issue. I urge that the President call in William McChesney Martin and the entire Federal Reserve Board and determine why the

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Board has refused to support the housing market.

The President should make it clear to the Federal Reserve Chairman that he wants the law carried out. If Martin continues to defy the Government, then the President should immediately issue an executive order requiring compliance with the law.

Should the Board refuse to accept the order, the Congress would have firm ground to remove any Member of the Board who defied the order.

Such a move undoubtedly would bring President Nixon a great flurry of opposition from the members of his own Cabinet who are so closely allied with the banking industry. I am sure that Secretary of the Treasury David Kennedy, formerly Chairman of the Continental-Illinois National Bank of Chicago, and the Under-Secretary of the Treasury, Charls Walker, formerly chief lobbyist of the American Bankers Association, would oppose—with everything at their command—such action against the Federal Reserve.

Both of these men, in their capacities in the commercial banking industry, were among the major apologists for the Federal Reserve System and I am sure that they are continuing to press this viewpoint within the Administration.

But this provides President Nixon with a clearcut chance to act in the public interest and to show his independence from the banking pressures.

President Nixon, of course, is not the only one who needs to act to protect housing and other vulnerable areas of the economy from the ups and downs created by misguided monetary policies.

The Congress has been derelict in its duty. It has not protected the public interest and has treated the Federal Reserve in the most gentle, kid-glove manner imaginable. It is time for the Congress to exert itself and to make sure that the Housing market does get the proper allocation of credit—at reasonable rates—even if this means hurting the feelings of a few well-heeled lobbyists.

This year I hope the Congress will correct the mistake it made last Spring on the FHA and VA interest rate ceilings. Amidst a lot of propaganda, the Congress relinquished its power over these rates and turned the authority over to the Secretary of Housing and Urban Development.

This was a terrible mistake and its only saving grace is the fact that the law was made temporary. The law expires on October 1 and the Congress at that time will regain authority over these rates.

The folly of allowing the Secretary of Housing and Urban Development to handle these rates was brought home to the American people when Mr. Romney slapped an effective FHA rate of eight per cent on homeowners January 24th—four days after the Nixon Administration was inaugurated.

As you remember, this Romney increase actually pulled the FHA rate nearly three quarters of one per cent *above* the average conventional mortgage at that time. The net effect was to pull all interest rates up drastically.

Apparently Mr. Romney was once again acting on the old worn-out theory that high interest rates somehow create more housing. Obviously, Secretary Romney did not bother to read his own Department's first annual report on National Housing Goals. He would have found it highly instructive on the point of interest rates. Here is what the report says:

"A review of experience during the last two tight money periods, 1959–60 and 1965–66, suggests that rising mortgage interest rates are likely to lead to a significant decline in housing starts."

That is a pretty clear and concrete statement. High mortgage interest rates reduce housing. And the Report fully documents this assertion.

High interest rates—according to one line of fallacious thinking—are supposed to reduce those so-called discounts or points. These points are terrible burdens for the seller and the buyer. And I think they should be eliminated.

But you cannot do this through high interest rates. When the Congress took the ceiling off FHA and VA interest rates last Spring, we were told that this would eliminate the points. The truth is, the points were back on almost overnight. And by the time Secretary Romney had assumed office, the points had climbed to six or seven on most mortgages. After the eight per cent interest rate imposed by Secretary Romney in January, the points declined slightly and are now on their way back up to their previous levels. It is my understanding that most FHA mortgages are carrying three, and possibly four points, as well as the Romney eight per cent interest.

I hope that groups like the National Housing Conference will do everything in their power to put an end to this fallacy that high interest rates are beneficial to housing. You know and I know that they are the most destructive things that can happen to housing programs.

These new high interest rates will tear the heart out of all of the low income programs—programs which I guess we would have to say are subsidized. But whether you use the term subsidy or not, these programs are worthwhile and are in the public interest.

As you know, under these programs, the Federal Government picks up all interest charges above one per cent. Now that the Nixon Administration has increased the interest rate to eight per cent, this leaves a tremendous gap to be picked up with the existing funds. The net result, obviously, will be a reduction in the number of units that can be built under these low-income programs. The funds that we had hoped to use for these additional units will simply go to pay higher interest charges.

This is an awful injustice. It puts us further and further away from solutions to our really bad housing problems.

We must find some lasting solutions to all of these problems for the low income families as well as the great mass of middle income families. It is obvious that we don't have the solutions now.

In just the last few days, there have been some estimates that the country is suffering its greatest shortage of housing in more than twenty years. In some localities, the housing shortages are as bad as those existing during World War II. This could have extremely serious consequences for the future of the nation.

According to the Federal Reserve System's own estimates, the nation will barely build 1.5 million units of new housing during 1969. The goal was 2.6 million units. We will fall exactly 1.1 million, or forty per cent, behind our hopes.

This puts us well behind the pace needed to build the 26 million new units in the next ten years. And at the lower end of the scale—the low income housing—the gap between goals and performance is growing even greater.

The Congress and the Administration are going to have to find solutions and quickly. I have outlined some of my ideas on the question of monetary policy and housing but I know that there is much more that must be done for us to have a long-range housing program that works.

Let me assure you that the House Banking and Currency Committee is well aware of the problem and there is great sentiment on the Committee for action. I hope that the Banking and Currency Committee this session will be able to launch a full-scale study of all of the housing and development problems of both our rural and urban communities. I would like this to be more than just a study. It should be a study that is aimed toward finding specific administrative and legislative solutions.

This type of study is long overdue. We must find out why the nation has consistently fallen so far behind its housing goals. We need to find out why the construction of low-income housing is so difficult; why transportation systems have failed to keep pace with the movement of the population. We need to know much more about the almost-forgotten problems of our rural areas and what effect the mass migration of rural people has on the urban problems. And we must pin down, for all time, the means to finance this entire area of activity.

This would be a comprehensive study covering every possible aspect of rural and urban growth problems. To accomplish this, it must be a "no-holds barred" study—perhaps investigation is a better term. To be successful, we would have to forget all the old cliches of housing and urban development and agree to find fresh solutions. The study would be worthless—a waste of the taxpayers money—if it ends up simply rehashing and rewording existing programs. This must be a new look, a new start.

As I see this study, the Banking and Currency Committee would have a great opportunity to lay out a blueprint—a working blueprint—for rural, urban and housing development through at least the year 2000. I regard this as a prime responsibility of the Banking and Currency Committee and I want to see the Committee carry out its responsibilities to the fullest.

In my opinion this must be a study which can be completed quickly—and still get all the facts. We cannot afford one of those unending two or three year studies. The country simply cannot wait that long to start finding real solutions to the rural and urban development crisis.

The country is waiting for answers and it is up to the Congress to provide them.

And, again, I cannot overemphasize the critical need to find the answers in the area of financing. Now I have asked that President Nixon take the Federal Reserve to the mat on this issue. I am serious about this.

If this fails, we are going to have to move in other directions, to get the necessary credit in the housing market. If the Federal Reserve does not fulfill its responsibilities and carry out its legal authorities, we must find other machinery.

When an agency fails to exercise a power it has been granted, then that power should be re-delegated elsewhere in the Government. We already have the Federal Home Loan Bank System for the Savings and Loan institutions whose sole purpose is to provide credit for homes. Therefore, we should consider giving the Federal Home Loan Bank Board additional authority—authority which now rests with the Federal Reserve System.

In short, the Federal Home Loan Bank Board could be given the power to use the credit of the nation—just as the Federal Reserve now uses the credit of the nation. This would allow the Home Loan Bank Board to make the credit—the people's credit—available for housing. This would mean a basic restructuring of our monetary system and I am sure that the conservative money managers and the bankers will be horrified at the suggestion. But it is this kind of old-line thinking that we have to overcome if we want to build housing in this country. We are going to have to think new thoughts and restructure old institutions to move the country forward in this area.

Thank you for inviting me.

THE WASHINGTON POST'S DR. STRANGELOVE OVERLOOKED A FEW FACTS ABOUT DR. NUTTER

HON. HENRY C. SCHADEBERG

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. SCHADEBERG. Mr. Speaker, recently the Richmond Times-Dispatch, one of the finest newspapers in the Nation, expressed its amazement over the reaction of a Washington Post editorial which was critical of the appointment of Prof. G. Warren Nutter as Assistant Secretary of Defense for International Security Affairs.

The Richmond Times-Dispatch took the Post editorial writer to task for his obvious bias. I concur in the Richmond editorial writer's views about the strange case of Dr. Strangelove on the Post's editorial staff. I commend the editorial to follow to my colleagues, just to set the record straight on this fine American and able public servant:

[From the Richmond Times-Dispatch, Feb. 28, 1969]

IN DEFENSE OF DR. NUTTER

In its long lead editorial last Sunday, the Washington Post fumed with indignation over the appointment of Professor G. Warren Nutter of the University of Virginia to a key job in the Nixon administration.

Ordinarily we do not answer editorials which appear in other newspapers. But the Post exercises unusual influence in matters such as these in Washington, and in this instance fairness demands a reply.

The selection of Dr. Nutter as Assistant Secretary of Defense for International Security Affairs—an office sometimes referred to as the Pentagon's "State Department"—was "strange" and "improbable," said the Post.

What is rather strange is that the Post, for all its fuming, was unable to cite anything very specific about Professor Nutter to justify its apoplexy. The paper asserted that he has a "history as an intellectual zealot of the Right," and that he has made "harsh and somewhat simplistic statements" concerning U.S.-Soviet relations.

Unfortunately, however, the Post failed to supply any details concerning Dr. Nutter's background, or to quote any of his statements to back up its assertions. The casual reader who knew nothing about him might easily assume, on the basis of the editorial, that he is a Bircher, a Babbitt or worse.

Certainly one would never have learned from the editorial that Professor Nutter earned his Phi Beta Kappa key, taught at Yale, has been chairman of the economics department at the University of Virginia, has written several scholarly books, and is widely regarded as one of the nation's foremost experts on the Soviet Union.

In fact, one would not even have learned from the editorial that Dr. Nutter is a professor at all! Though the *Post* referred to him once as "G. Warren Nutter of the University of Virginia," it never mentioned his faculty position, and all other references were to "Mr." Nutter—not "Dr." or "Professor."

The basis of the *Post's* complaint over the Nutter appointment was summarized in a single paragraph. It boiled down to the fact that in 1964 Dr. Nutter was active in Barry Goldwater's campaign for the presidency as an adviser and speechwriter. Whatever else he may have accomplished, in the eyes of the *Post* that alone was enough to bar the good professor forever from high office.

"To have thought that a man with such eccentric views (as Goldwater's) would have been a good president, is scarcely a mark of the kind of judgment required for this sensitive job," asserts the *Post*, concluding that, in making the appointment, "Secretary Laird—and through him Mr. Nixon—is taking quite a chance."

We would refer the *Post's* editorial writers to "The Making of a President, 1964," by Theodore H. White. In his book, Mr. White—hardly a right wing zealot—described Dr. Nutter as the "one man of unquestionably superior intellectual quality" who served on the Goldwater campaign staff.

It might be added that if support for Goldwater were enough to disqualify an individual from high federal office, the blacklist would include the names of 27 million Americans. High on that list, in case the *Post* has forgotten, would be the names of Mr. Nixon and Mr. Laird.

GET TOUGH WITH WHOLESALERS OF NARCOTICS

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. DULSKI. Mr. Speaker, in dealing with the mounting problem of narcotics, I want to commend the vigorous stand taken by the district attorney of Erie County, N.Y., in which my congressional district is located.

The answer to halting the flood of narcotics into our communities is to make it tough for the major peddlers—the ones who are supplying narcotics to the local pushers and the addicts.

District Attorney Michael F. Dillon is giving full support to stiffer penalties for heroin wholesalers—penalties as strong as life imprisonment.

It is time we showed these illicit operators that we really mean business in controlling narcotics.

Mr. Speaker, under leave to extend my remarks, I include an article from the March 6 edition of the Buffalo, N.Y., Evening News:

DILLON URGES LIFE TERMS FOR DOPE WHOLESALERS

Stiffer penalties—up to life imprisonment—for heroin wholesalers were supported today in a letter being sent by Dist. Atty. Michael F. Dillon to all area legislators as well as leaders of the State Senate and Assembly.

Mr. Dillon is asking them to vote for a series of bills that would make large-scale dope peddlers subject to long prison terms—up to life imprisonment—for possession of more than 16 ounces of heroin, morphine or cocaine, and up to 25 years for possession of 8 ounces or more.

The bills are now before the Codes Committee in both houses.

"Present penalties have proved inadequate and ineffective to cope with the activities of major violators," Mr. Dillon said.

A 15-YEAR TERM HIGHEST NOW

"The drug problem continues to grow at an alarming rate and profits are substantial. The new law may well be strong enough to discourage individuals from entering or continuing this illicit, lucrative enterprise."

He noted that under present law, an addict who sells a small quantity to support his own habit, is subject to the same penalties as the large-scale commercial seller, who is rarely an addict himself. They are both subject to punishment for Class C felonies, with a maximum term of 15 years.

Possession of one ounce or more is now a class C felony.

CITES REHABILITATION COST

The proposed legislation would make 8 ounces the necessary amount for a class B felony and 16 ounces, the amount for a class A charge.

Mr. Dillon said the changes would not interfere with the care and treatment or rehabilitation of drug addicts under present law.

"We spend hundreds of millions of dollars each year in the United States to rehabilitate addicts," he said. "If we can strike an effective blow at the source of narcotic traffic, we can save substantial moneys for our taxpayers. More importantly, we can help to preserve and protect human dignity."

The district attorney also noted that narcotic addiction is responsible for 40 to 50 per cent of all crime, especially in large urban centers.

BIPARTISAN SUPPORT FOR CONGRESSIONAL REFORM

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, efforts to achieve meaningful congressional reform are gaining momentum. Last month H.R. 6278 was introduced by our colleague, the gentleman from Illinois, DONALD RUMSFELD, with a long list of Republican sponsors. Recently the gentleman from California, Congressman THOMAS REES, together with a number of Democratic Members, has introduced a similar measure providing for substantial changes in congressional rules and procedures.

While there are some differences between the two bills and the measure which passed the Senate during the last Congress, they can and will be resolved. Of greater significance than the specific details of each bill is the fact that their introduction serves as an indicator of broad-based bipartisan support for reform. I include a release from the office of Congressman REES at this point as a reminder to my colleagues of the bipartisan nature of our efforts to modernize the Congress:

CONGRESSIONAL REFORM THIS SESSION PREDICTED BY REES

"This is the year for congressional reform," predicted Congressman Thomas M. Rees (Dem.-Calif.). "I believe the public will demand that we bring the legislative branch of government into the 20th century."

Legislation designed to reorganize and update Congress will be introduced next week by Rees. The bill will closely parallel the one recently introduced by Congressman Donald Rumsfeld (Rep.-Ill.) and generally supported by Republican members of the House.

While both bills are the work of the Joint Committee on Congressional Reorganization, Congressman Rees indicated they will contain some significant differences from the version which passed the Senate in 1967. Many of the changes are new additions which could be supported by congressmen generally, regardless of party affiliation.

"I'm hoping to have considerable support from Democratic members of the House on the bill," stated Rees. "While my bill differs from both the Rumsfeld bill and the original Senate bill, I'm hopeful that the differences can be worked out and that we will continue to have a bipartisan approach in dealing with the modernization of our legislative system. In talking with Republican members I'm convinced that this is possible."

Rees and the Democratic members worked closely with Rumsfeld last year in an effort to bring the reorganization bill to the floor for action. It had languished for nearly a year and a half without any action.

"I'm very hopeful that reorganization and the upgrading of Congress will be a top priority matter this year," Rees concluded. "With an early start this session I'm confident we will be successful."

TWO STATEMENTS BY OPPONENTS OF THE ABM SYSTEM

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. BINGHAM. Mr. Speaker, the New York Times this morning contains two eloquent statements by opponents of the ABM system.

One analysis, reprinted from the Saturday Review, is by its distinguished editor, Norman Cousins, who suggests that the ABM decision "could be President Nixon's Vietnam." The other, by columnist Tom Wicker, is titled simply "A Decision That Makes Itself." The case they make against deployment of an ABM system is not new. The overwhelming evidence against the system has been available to us for some time. But, at this critical moment of decision, these two gentlemen have made a real contribution by summing up the opposition case in unusually clear and cogent fashion. The texts of their analyses are as follows:

[From the New York Times, Mar. 11, 1969]

IN THE NATION: A DECISION THAT MAKES ITSELF

(By Tom Wicker)

WASHINGTON, March 10.—Mr. Nixon's interesting custom of setting dates upon which he will deliver major policy pronouncements has this capital positively quivering in anticipation or dread of his promised decision on the antiballistic missile system. In fact, the case against ABM deployment is so overwhelming that it is hard to see how the President could decide for it.

Even the technical feasibility of the system is in doubt, particularly if deployment is to be justified by placing Sprint missiles to protect ICBM sites; and the Defense Department's research director, Dr. John S. Foster, warned two years ago that the whole Nike-X system—now known as Sentinel—would soon be obsolete.

The rationale first advanced by the Johnson Administration, that Sentinel some day would protect the nation against a Chinese missile attack, has been discredited by no less a hawk than Senator Richard Russell, a pillar of the armed forces establishment in Congress. "The Chinese are not completely crazy," he has said. "They are not going to attack us with four or five missiles when they know we have the capability of virtually destroying their entire country."

Now the ABM defenders have virtually abandoned the Chinese rationale and talk of deploying Sentinel to protect ICBM sites from new Soviet multiple-warhead weapons. But Senator Cooper of Kentucky has pointed out that no one has produced evidence that the state of Russian weaponry makes it imperative for the United States to deploy such defenses; and two authorities, Dr. Hans Bethe and Dr. J. P. Ruina, told a Congressional hearing last week that they knew of no such evidence.

The cost estimate attached to Sentinel—about $5 billion—is conservative at best and Senator Stuart Symington has effectively demonstrated that defense hardware costs always mushroom beyond Pentagon estimates. Moreover, the out-of-pocket cost to taxpayers is the least of it, while the worst is that these same dollars could be and should be used for all those domestic social needs so long starved for funds by the devouring demands of the military.

INSURING MILITARY EMBRACE

Politically, for the President to opt for Sentinel against these social needs, or even to insist, Johnson-like, that we can have missiles *and* social programs, would throw his Administration into the arms of the military-industrial complex and its servants in Congress, insuring for another four years the pre-eminence of generals and militarists, because a decision would repudiate the most progressive forces in Congress, now gathered in bipartisan opposition to the ABM system, and further alienate all those voters who already question Mr. Nixon's concern for the poor and the black, and doubt his interest in the quality of American life.

STEPS TO COMPLETE SYSTEM

The deployment of any ABM system, moreover, however "thin," ineffective or near obsolescence, will be regarded by its victorious proponents as a "building block" in a vastly more expensive ABM defense against Soviet missiles. "It is the first step," Senator Russell said of sentinel, "toward the deployment of the complete system that I think is required."

But the estimated $40-billion cost of the "complete system" that Russell and others really want to develop from Sentinel deployment is not much better than an arbitrary guess; and former Defense Secretary McNamara has pointed out persuasively that even the "complete system" would be penetrable by the sophisticated Soviet weaponry its deployment would force them to build.

Above all, a decision to deploy an ABM system now might well trigger what McNamara called an "action-reaction phenomenon that fuels an arms race." The Soviets might and probably would step up their offensive or defensive missile armaments, or both, in response; they might recoil from the nuclear arms control talks Mr. Nixon has said he desires; and military hardliners in Moscow might well picture themselves as vindicated and find their influence enhanced for years to come.

If these arguments, all of which are being made to Mr. Nixon, not only by Democratic liberals but by such Republicans as Cooper, Javits, Percy, Brooke and Hatfield (even Everett Dirksen and John Stennis, the Armed Forces Committee chairman, have expressed reservations), should persuade the President, he even has at hand a sound political explanation just waiting to be made.

He could say that the proposed ABM system needs more study and further development, which it does. He could add that this need dovetailed with his desire as a peacemaker to defer deployment at least until he had determined whether the Soviets would negotiate in good faith on arms control. And he could play on the disenchantment on Congress and the public by pointing out that deploying the Sentinel was Lyndon Johnson's idea, anyway. After, all, this is a new Administration, isn't it?

[From the Saturday Review, Mar. 8, 1969]

THE ANTI-BALLISTIC-MISSILE DECISION: PRESIDENT NIXON'S VIETNAM

(By Norman Cousins)

President Johnson's most difficult decision in the early days of his office was whether to press for a military solution in Vietnam or to seek a negotiated settlement. From his military leaders in the field and from the Joint Chiefs of Staff in Washington came maximum pressure for stepping up the war. The President was told that North Vietnam would continue its attack in the South unless there was clear and specific evidence that the United States was prepared to become directly involved. Those who urged this view on the President said they were certain that North Vietnam would not dare to confront American military might.

President Johnson thereupon ordered U.S. combat units into the field. The direct intervention of the United States, however, did not bring about the expected result. Instead, North Vietnam stepped up the pace of the war, bolstered by increased military supplies from the Soviet Union. At this point, the President publicly declared that no military solution to the war was possible and urged Hanoi to come to the negotiating table. U.N. Secretary-General U Thant privately obtained Hanoi's agreement to participate in peace talks and so informed Washington. The American military, however, urged the President to spurn any talks at that time, persuading him that direct and sustained bombing of the North was absolutely essential.

And so it went. Each time it was demonstrated that the quest for a military verdict was fruitless and increasingly costly, our Government's response was to step up the military pace of the war. Meanwhile, thousands of Vietnamese and Americans were being killed or wounded. Meanwhile, too, the billions of dollars expended for the war made it impossible for the President to carry out his excellently conceived program for enlarging social justice and upgrading the quality of life inside the United States. The war cut deeply into the American subconscious, producing one of the most far-reaching and divisive debates in the national history. The result in the end was a debacle, with the President sacrificing his own political future to seek negotiations under circumstances far less propitious than might have been possible two or more years earlier.

In many respects, President Nixon is now facing the same kind of decision that confronted President Johnson in 1964 with respect to Vietnam. The issue today is whether to proceed with the full development of an antiballistic missile system. Again military pressure is being applied. It is argued that the Soviet Union has already started on its own ABM system, and that therefore we have no choice except to ring American cities with installations from which missiles containing nuclear warheads could be fired at attacking missiles.

The idea of protecting American cities against missile attack seems logical and incontestable until it is recognized that the ABM system would result in less security, not more. For there is an obvious and inevitable consequence of the ABM. And this is the development of an expensive decoy missile system and the packaging of greater destructive megatonnage in the missile warheads. An aggressor nation can readily afford to saturate a target with ten or more decoys to one armed missile, activating the defense and causing it to expend most of its explosive payloads on unarmed attackers. Radar devices have no way of discriminating between decoys and destroyers. Moreover, it takes only one penetrating armed missile to destroy a city, creating a hurricane of fire that can rage over hundreds of miles.

XUM

One thing is certain: once an ABM system is installed, its advocates will be no less energetic in pressing for funds for a full decoy system and for more powerful warheads. And, once the decoy phase of the nuclear arms race is in full development, it will be claimed that the Soviet Union intends to disadvantage the United States by going underground with its major industrial and defense facilities, its utilities, and its key government bureaus. We have no choice, it will be said, except to go underground ourselves with even more of our establishment because of our greater concentration of industry and population. Cost: anywhere from $300 billion to $500 billion.

The resultant atmosphere of tension and terror and its concomitants of political extremism are not difficult to imagine. The prodigious inflationary pressures and the squandering of national resources and wealth on measures that do not add to but actually subtract from the nation's security will create a stage for internal upheaval and explosion. The next step urged on government will be the need for preventive attack. It will be argued that there is no point in living with the mounting fear of surprise attack, and that the only thing that makes sense is to destroy the enemy before he destroys us. Both the United States and the Soviet Union will be (as they are now) in the same boat. Yet it will be argued that we have to knock a hole in their end of the boat before they open one in ours.

It would be dangerous to dismiss any of the foregoing as fanciful or exaggerated. What is happening already is a form of accelerating madness. The major nations are now capable of expunging life from this planet. Force is extolled and endlessly multiplied despite the fact that security no longer depends on the pursuit of force but on the control of force. President Eisenhower's warning about the inevitable tendency of installed power to magnify itself has not been taken seriously. Nor are the implications fully understood of President Kennedy's statement that there was scarcely a serious problem confronting the United States abroad in which the Pentagon did not advise him to use military force.

Is military power becoming an end in itself and a law unto itself? This may well be one of the most serious questions in American history. It is no answer to declare that the men at the head of the American defense agencies are balanced, intelligent, sober, responsible. This is not the issue. The issue is whether a context of power is now being created beyond the ability of even the best men to change. At the Philadelphia Constitutional Convention of 1787–89, no principle of history and political science was more thoroughly understood and applied than that good men cannot be expected to produce good works in a bad setting. Accordingly, it was decided to create good government through good laws and good structure. This meant preventing runaway power situations. Today, the system of checks and balances has become seriously impaired through both the massive spending power of the military and its ability to take action and to create situations in the field that force the hand of the President.

Is it claimed that the President's hand is forced only by the actions of other nations? Secretary of Defense Melvin Laird said as much when he justified his position by pointing to what he described as initial steps taken by the Soviet Union in building its own ABM system. It is the action of the Soviet Union, he insisted, that creates the need for an American system of anti-ballistic installations. Yet the hollowness of this argument was demonstrated when he was asked by U.S. Senators whether the best way to resolve this problem would not be to seek enforceable agreements with the Soviet Union under which both countries would forgo ABM development. It was pointed out to the Secretary that the Soviet Union had called for agreement to head off an ABM race and that, at the very least its stated willingness to talk should be tested. The Secretary replied that he was inclined to go ahead nevertheless. What, therefore, are we to conclude? If the stated reason for proceeding with the ABM lacks validity, is the real reason to be found in the determination of the military to press for massive appropriations whenever an opening presents itself?

The absence of logic in Secretary Laird's reasoning is not confined to the argument over the Soviet position. The discussion over Chinese missile capability is equally distinguished by its absence of rational examination. The question is being debated whether the United States ought to devise a system to defend against Chinese missiles or against Russian missiles. What the discussion overlooks is that if an attack should occur, there would be no way of determining whether the missiles come from China or the Soviet Union or any other nation.

This monstrous danger is now producing precisely the wrong response. We seek to confront the danger by enlarging it and igniting it instead of recognizing that there is now a totally new condition on earth, calling for a new emphasis on world controls and world approaches. The old reflexes of absolute national sovereignty are inconsistent with either peace or progress. The extent to which the United Nations can be transformed into an effective source of world law will be the measure of security and sanity for the United States—and everyone else.

President Nixon has declared that the main objective of his Administration is peace. The ABM road on which his Secretary of Defense is embarked, however, cannot lead to peace but only to increased tension, a tragic deferral of programs for meeting internal needs, relentless pressure on the American economy, and a world of no return. The ABM could be President Nixon's Vietnam. This is the time to stop the juggernaut.

GEORGE ANASTAPLO ON GREEK-AMERICAN RELATIONS

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. MIKVA. Mr. Speaker, a source of continuing concern to Americans who are dedicated to the principles of democratic government is the existence in the Kingdom of Greece of a military junta which rules that nation through intimidation and force. An article which amply describes the dilemma in which we Americans find ourselves—the dilemma of supporting and fostering this undemocratic regime—was recently published by the Southwest Review. The author, Mr. George Anastaplo, is chairman of the Political Science Department of Rosary College, River Forest, Ill., and a lecturer in the liberal arts at the University of Chicago. More than this, he is an astute observer of affairs in Greece, having visited that country regularly, most recently during the constitutional referendum of 1968. It is my pleasure to place Mr. Anastaplo's thoughtful article in the RECORD at the conclusion of my remarks.

For those of my colleagues who are not able to read the entire text of Mr. Anastaplo's article, I would recommend at least that they review with care his recommendations on what our Government can do to hasten the restoration of democratic rule in Greece. I list below a summary of these seven recommendations:

First. The United States should clearly indicate its disapproval of the colonels' regime in such a way that the Greek people cannot be mistaken about it.

Second. The United States should suspend completely the delivery of all military aid to Greece, not merely reduce it selectively as it did in early 1967.

Third. The United States has available a wide range of economic powers that it can exercise to put pressure on the Government of Greece.

Fourth. The United States should do what it can to see that the King is allowed to return to the Palace in Athens.

Fifth. The United States should provide better guidance than it has in the past 2 years for influential Greek-American organizations interested in Greek affairs.

Sixth. The United States should join forces with its friends in the Council of Europe to put pressure on the regime and even to isolate it politically and economically as various Western European countries are prepared to do.

Seventh. The United States has the ultimate sanction of moving to expel Greece from NATO.

I think it behooves all of us who are interested in preservation of democracy in the land which gave democracy its birth to consider the above recommendations. They come from one who by inclination, training, and experience is eminently qualified to make them.

The article referred to follows:

GREECE TODAY AND THE LIMITS OF AMERICAN POWER

(By George Anastaplo)

> "Look to her, Moor, if thou hast eyes to see:
> She has deceiv'd her father, and may thee."
> —SHAKESPEARE, *Othello*, I, iii.

Americans, in government as well as out, have become concerned in recent years about the attempted exercise of American power over political and other developments around the world. Our folly in Vietnam has taught us that our power to influence events abroad is far more limited than some had thought. There is in such self-appraisal a healthy note of realism.

But to recognize that American power is limited does not require us to say that it does not exist at all. One speaks realistically of "limits" when one recognizes that they mark not only the area beyond which one's power cannot reach but also the area where one's power can have some effect.

I have heard officials of the State Department insist the past eighteen months that the United States is without power to affect significantly the state of affairs in the Kingdom of Greece today. More precisely, the United States insists that it cannot do anything (short of armed intervention, which almost no one calls for) to help the Greeks dislodge the colonels who seized power in April, 1967.

It is hard to find in Greece today an informed man—whether a supporter or an opponent of the present regime—who agrees that American power in Greece is as ineffectual as we make it out to be. Indeed, I found in September, 1968, as I tried to make with Greeks an argument based on American impotence in the form then circulated by the

American Embassy in Athens, that my credit as a student of Greek affairs was rapidly exhausted. Anyone who could believe that the United States is virtually powerless to induce a change in the government of Greece, I was told (sometimes in anger), would believe anything. And yet, it is hard to see that any other belief on the part of our State Department makes more sense than this as an explanation of the public attitude of the United States since the military coup in 1967.[1]

What is most curious about the Greek situation is that Greece is, I believe, the only place in the world where an unpopular and repressive government, which is somewhat dependent upon our support, has as its most likely popular alternative a government of the Right. This, I believe, cannot be found anywhere else in the world today and does make somewhat puzzling American behavior in Greece.

If we really cannot influence events in Greece, despite our role in that country since World War II and despite the continued dependence of that country on us for economic and military support, then we should reconsider our alliances and pretensions in many other places around the world. We should also reconsider our assumption that the Russians (or the Chinese or the Cubans) are able to influence and even to undermine governments in distant places where they cannot bring their armed forces to intervene.

In any event, whatever may be our limits with respect to Greece, we at least retain the power to face up to the truth about what is going on there. This, I am sorry to say, we have not done.

Someone might observe, in response to my characterization of the present Greek government as "unpopular and repressive," that there has been recently conducted in Greece a constitutional referendum which found 92 per cent of the electorate voting for the adoption of the constitution written and endorsed by its government. Indeed, many rural areas of the country reported returns of 99 per cent in favor of the new constitution.[2]

I myself witnessed, in Delphi on the Sunday of the referendum, September 29, 1968, an instance of 99 per cent voting in favor of the proposed constitution. I was present in the local polling place, a large schoolroom, from long before the opening of the polls at sunrise through the counting of the ballots, which began upon the closing of the polls at sunset. (It is, perhaps, not irrelevant to note that I have served, on several occasions, as a Judge of Elections in Chicago precincts.) I was so placed that I could hear and see everything that was going on inside that room. There were 684 ballots cast in Delphi that day, of which 676 were NAI (Yes), 7 were OXI (No), and one was spoiled.[3] There can be no doubt that this was what was put into the ballot box by the individual voters and that this was what was counted by the judges, while I sat with them for the two hours it took to sort and tally the ballots.

Whoever does not believe this was "an honest count" is simply not in the position to assess properly what has been happening in Greece since a few dozen army officers took power unconstitutionally in 1967. I am persuaded upon talking to others that what happened in Delphi that day happened in most of the other country towns as well. The votes counted that evening throughout Greece—except, perhaps, in certain traditionally radical urban areas—were very likely the votes cast during that day. Thus, there was probably no need for the government to falsify figures in announcing the 92 per cent vote it did announce in favor of its constitution.

Nevertheless, one is obliged to add that these votes cannot assure us of the popularity of either the government or its constitution. In fact, this overwhelming popular endorsement should make us suspicious, especially those of us who know how excessively individualistic Greeks can be in political matters. Greeks like to think of themselves as different—as somehow special among the peoples on this earth—but this Russian-style referendum displayed for the world one thing which some no doubt already suspected, that this people is like all other peoples in one decisive respect: they, too, can be *intimidated, bribed,* and *indoctrinated.*

Intimidation took many forms. The best-known leaders of the country, especially the politicians who had had before 1967 considerable popular support (whether of the Left, Right, or Center), had been in confinement for some months prior to the referendum. A few of these politicians were released the Monday before the referendum: they were permitted to vote, but they were given to understand that they must not campaign against the proposed constitution or speak against the regime. (In fact, many members of the suspended Parliament have been forbidden during the past eighteen months even to appear in their constituencies.)

In addition, several thousand political prisoners (designated as "Communists") remain in island exile, having been picked up at the time of the April, 1967 coup. No one outside the government can be certain how many were originally picked up, how many have been released, or how many more have been picked up from time to time. I understand that there are also in island exile a number of senior Army officers who remained loyal to the King after the April, 1967 coup. There is for such prisoners, whether communist or royalist, no immediate prospect of trial. Few Greeks care to join them in their island confinement—and so all are cautious. It was evident during the period leading up to the referendum that one spoke publicly against the proposed constitution at one's risk. Anyone whose employment or business was susceptible to government control was expected to exhibit publicly his approval of the constitution.

The pursuit even into the American Embassy by the Greek police, a few days before the referendum, of an American family because of an OXI sign displayed in the family automobile revealed how excited the authorities can become upon confronting an unauthorized expression of dissent. I heard again and again, as I traveled across Greece, of people warned by local officials that they were expected "to vote right." I was also informed that the word had gone out that not only were people in the country towns to vote NAI, but they were to do so openly. That is certainly what happened in Delphi. Of the 684 voters on the day I observed the polling, less than twenty took both the NAI and the OXI ballots they were entitled to take into the curtained-off polling booth. That is, 96 per cent of the voters at Delphi took only a NAI ballot off the two stacks of ballots and sealed it in the envelope provided for the ballot box. (Few of them even bothered to enter the polling booth.) I personally know people in Delphi who detest the colonels' regime but who nevertheless took only the NAI ballot and thus assured the supervising authority that they were behaving as they had been told they should. (In the large cities, on the other hand, where most of the negative ballots were recorded, voters often took both ballots into the booth. Even so, I know men in Athens who voted OXI in fear and trembling.)

I can testify from personal experience to the kind of effort at intimidation exercised in the country from the attention I received one night before the referendum at my hotel in a Peloponnesian town from a police captain who had been telephoned by the police of another town (an hour's drive away) which I had visited that afternoon. The captain wanted to know what I had said that afternoon to certain people (whom I had interviewed in the privacy of their offices) about the constitution and the regime. It was not necessary, in order to turn aside his inquiries, for me to produce my accreditation as a foreign correspondent: it was sufficient protection for me on this occasion to be recognized by him as an American citizen, and—even better—one born in the United States. Thus, although this officer came to realize he would not be able to coerce me, he did reveal by his very presence and interest the kind of intimidation that has been exercised throughout Greece since April, 1967, to discourage serious public criticism either of the regime or of the Army officers who betrayed their military oaths and their King by seizing power unconstitutionally.

Bribery has taken various forms, some of them reminiscent of the political regime prior to that of the colonels, others perhaps distinctive to the current regime. Military officers have been granted financial privileges which have, in effect, increased their income. (These substantial pecuniary inducements for loyalty have been reinforced by large-scale purging of the armed forces, purging which has eliminated from active duty all high-ranking officers suspected of loyalty either to the prior political regime or to the King. "Unreliable" officers in the lower ranks have been assigned to remote parts of the country or otherwise put where they are less likely to be able to threaten the regime.) Government posts generally, including academic appointments and judicial offices, are being redistributed with a view to loyalty to this regime. Supporters of the regime, especially relatives of Army officers who were early participants in the successful conpiracy to seize power, have found themselves in prestigious positions, including cabinet posts: not even notorious scandal and public contempt can dislodge these office-holders.

The most significant bribery, statistically, has been that of the farmers, whose families make up half the population of Greece. Their debts to the Agricultural Bank were canceled in the spring of 1968 by the Prime Minister (in a move which caught even his Minister of Agriculture by surprise). No one has been permitted to point out publicly the bad economic and social effects of this cancellation: it, in effect, rewarded one group of farmers, those in default on their debts, at the expense of another group, those who had discharged or who had never contracted such debts; it encourages other interest groups to hope for similar debt cancellations and hence to conduct themselves accordingly; and, thus, it tends to undermine the delicately-balanced credit system of the entire community.

There can be do doubt that this cancellation of agricultural debts, accompanied as it has been by lavish praise in the government-controlled press, has had a marked effect on Greek rural opinion, however vulnerable such effect might someday be to informed analysis and honest discussion. Peasants with whom I talked in Crete, in the Peloponnesus, and in Boetia commented favorably (and, I believe, sincerely) on this measure. Similarly, I heard common people throughout Greece speak well of the credits made available to them by the government for the building of private dwellings, credits which they tended to talk about as if they were really outright gifts.

Indoctrination has been the product of eighteen months of continuous effort by the government in the censored press, on film, on the radio, and in printed pamphlets and signs. The government has been hard at work dramatizing its supposed accomplishments, disparaging its predecessors (and indeed all politicians), and magnifying the dangers from which it has saved the country. It has been relentless, unscrupulous, and often shameless in its propaganda efforts. One

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should not be surprised to learn that the government has been somewhat successful: after all, a people tends to believe what it hears month after month without substantial dissent. Any well-armed regime, anywhere—so long as it is not that of a foreign conqueror and so long as economic conditions do not become intolerable—can probably compel at least grudging support from its people if it enjoys long enough a virtual monopoly of the modern means of influencing public opinion and if it is known that a reputation for loyalty is necessary for retention of one's job or one's liberty.

For these reasons, then, the government was able to secure its 92 per cent vote. Thus, those who voted for the constitution can be divided into several groups.[4] There was, of course, the minority of deliberate supporters of the regime, Greeks who consider this regime and any constitution it might endorse an assurance of stability, of anticommunism, and of clean government. In addition, the unsophisticated, who see and hear nothing but government propaganda from both Athens and their local dignitaries, may have voted sincerely for the proposed constitution. Some opponents of the regime, on the other hand, were intimidated into voting for the constitution, especially in the easily-terrorized rural areas where the voter is never sure (even in normal times) that his choice can be kept secret from the authorities. Other opponents of this regime voted for its constitution in the hope that a return to political life under even an authoritarian constitution might be useful for restoring Greece to normal conditions, especially since the government had threatened to continue the martial law of the previous seventeen months until one of its constitutions was "accepted" by the people. (American policy, too, seems to cling to the hope that some good may come in Greece when the forms, if not the substance, of parliamentary government are restored.) Finally, since it is hard to imagine that a government that came to power by deceit and conspiracy would be reluctant to adjust the vote count to suit its convenience, some opponents of the regime believed it foolish to expose themselves to political and economic reprisals by a futile act of defiance in the polling place. All in all, it made more sense to many simply to take only the NAI ballot and thus be "free" to go on about their business.

The colonels realize that they must continue to use the means they have used in order to maintain themselves in power. They appreciate the fact that their regime must maintain constant vigilance lest it be overthrown: they know that even their ruthless purges of the military cannot keep the armed forces from going over to the King if an opportunity presented itself. Thus, the measures that have had to be used to preserve the regime and to secure a popular endorsement of its constitution reveal the fragile character of the colonels' mandate. Even their sincere support, including that of various remarkably sycophantic newspapers, would vanish immediately if the colonels could be freely exposed to criticism by the legitimate leaders of the country.

It should be remembered, if one is to understand why the colonels must maintain a government by institutionalized conspiracy, that they know they have against them most of the talented politicians of the country, most of the accomplished military officers, most of the royalists (including the King himself), virtually all of the skilled intellectuals, and quite a number of businessmen. Members of the government argue that these critics merely resent the loss of the power and privileges they once had. But this defense of the regime is made by men who have themselves gained power, influence, and privileges they would never have been able to secure by constitutional means.

How long will it be before the economic and social effects of the present regime begin to weigh more heavily upon the Greek people than even government handouts can conceal or government propaganda can explain away? What, that is, have been the social and economic effects of the colonels' eighteen months in power?

We should not be surprised to learn that the military governors of Greece are, despite their original good intentions, no more competent to assess and run the political and economic affairs of their country than twentieth-century Greek politicians have been to conduct the military campaigns in which they have meddled from time to time. One curious result of military rule has been that the Army of Greece, perhaps our most reliable NATO ally in normal circumstances, has been seriously damaged by a handful of junior officers who consider themselves entitled to dismantle the Army in their effort to retain power.

No one denies that there continues in Greece vigorous suppression of civil liberties, although this suppression *seemed* to me somewhat more relaxed in the summer of 1968 than it was the previous summer. That is, the regime may regard itself as somewhat more secure now, having (at least for the moment) taken care of many potential sources of effective opposition. (Consequently, among opponents of the regime a deeper sense of hopelessness was in evidence this past summer.) There continue as well the serious economic disturbances resulting from mismanagement of and loss of confidence in the economy which were manifested during the early months of the colonels' rule. Certainly, there is in Greece today a situation in which no thoughtful man knows what to believe of what the government says and permits to be said. This makes it difficult to learn what is really going on and to conduct one's affairs intelligently.

The longer the colonels stay, the more apparent it should be to anyone who looks behind government propaganda that they had no business seizing power in the first place. Even when desirable corrections of long-standing abuses have been made by the colonels, they have often been made in such a way as to induce people to remember the abuses as less significant than they had once been thought to be. The visitor is reminded of the tone and effects of a mild communist regime, an impression reinforced by the pervasive self-advertisements by the government to which I have already referred. The visitor who understands the Greek language and who visited Greece before the colonels took over cannot help but notice the oppression that has come in the name of "calm, order, and security." The foreign visitor, especially if he is known as an American professor, need not be too concerned about his own safety: but it becomes tiresome and even depressing continually to have to take precautions lest one's friends, whether of the Right, Left, or Center, or even nonpolitical, be compromised by what one says to them or does with them. Greece was far more pleasant, and certainly safer, for an intelligent Greek of spirit to live in during the unduly publicized crises of 1965 to 1967 than it is now.

The more serious economic effects of the regime are yet to be generally felt. Shopkeepers already know they have been hurt, especially since the tourist trade has been severely affected two years in a row after several years of steadily increasing traffic. The annual rate of growth in the national product, which at 7 to 8 per cent had been one of the highest in the world for years, has dropped since the coup to no more than 4 per cent (and in 1967 may have been close to zero). This drop should be reflected in an increase of unemployment. And unless foreign grants and loans intervene, or foreign investments revive dramatically, the government's dispensing of favors will make itself felt in extraordinary pressure on prices. Between the largesse of the government, the accumulation of savings by people who are waiting to see what is going to happen, and the reckless credit expansion encouraged by the government, there is a considerable amount of latent purchasing power available in an economy that is not much more productive now than it was before 1967. In fact, I have been informed by some of the best economists in Greece (who are not in the government, of course) that inflationary pressures have already begun to be felt, that prices have begun to rise significantly despite all that the government either decrees or admits.

But, it should be at once added, Greece has a long way to go before economic developments alone can unseat this government: there is still considerable room to fall back in the economy before the pressure becomes intolerable. (This is testimony, by the way, to the strength of the economy taken over by the colonels.) It remains to be seen what effect recent investments (such as those associated with Mr. Onassis) will have. Much was expected in early 1967 by apologists for the regime from the contract signed by the government with Litton Industries. But critical to that arrangement was that Litton was, for a handsome commission, to induce foreign capitalists to invest in Greece—and it has been unable to do so. First reports indicate that Mr. Onassis promises to do no more than that, that he (like Litton) is not putting up his own money. In any event, the pinch should be felt in Greece from the economic difficulties of the colonels' first eighteen months before any recovery that follows from whatever is now invested can manifest itself. Thus, the second winter of the colonels' rule could be particularly severe—and this would be a fitting prelude to their replacement in early 1969.

One serious social effect of this regime is that a primitive attitude toward the problems of the country is encouraged: education, urbanity, and experience are pushed aside by men who seem to think that an aptitude for conspiracy, a monopoly of armed force, and a rigid self-righteousness entitle them to rule. They regard loyalty to themselves as a far more important criterion for selection of subordinates than professional competence. This regime does not even represent a return to the simplicity and virtues of the Greek peasantry of a generation or two ago. There is here little of the charm, graciousness, and dignity that one associates with the country people from whom the colonels spring. There is instead the harshness and the narrowness that come from fanatical zeal and thwarted ambition.

The wild spontaneous reception given the King even in antiroyalist Kavalla on December 13, 1967, when he appeared there (without advance preparation) during his well-intentioned but badly-timed campaign to return to Greece to constitutional government, suggests how much the silenced Greek people resent their military dictators. Similarly revealing was the massive demonstration under the eyes of the government in Athens on November 3, 1968, during the funeral procession of George Papandreou, one of the principals in the imprudent July, 1965 confrontation between the King and his liberal Prime Minister. These spontaneous acclamations, for both royalist and antiroyalist, give one a better idea of what the Greeks really feel than does a carefully contrived referendum.

The United States has had to be deeply involved in the affairs of Greece for a generation. We will eventually be called upon to help repair whatever damage is left by the colonels. What should be done now by the United States?

I have made, ever since my visit to Greece in the summer of 1967, the suggestion that the most prudent resolution of the current Greek crisis would be the return to power

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of Constantine Karamanlis. (I say "current Greek crisis" because the colonels' regime, in its inevitable precariousness, relies on and, in effect, promotes constant crisis.) Mr. Karamanlis, who served as Prime Minister from 1955 to 1963, is a conservative politician of proven effectiveness, a man who has shown he can exercise power vigorously without having to silence his critics. (It should be remembered that he was enough of a constitutionalist to permit himself to be defeated during the Parliamentary elections of 1963, despite his long-standing control of the machinery of government. It would be naïve to expect the colonels to permit themselves to lose any election which they conduct.)

Mr. Karamanlis is more apt than anyone else today to secure the support of all factions in Greece, to be received by genuine public approval (not merely by the tolerant apathy or the contrived enthusiasm or the silent resentment found among many Greeks today), and to be respected by his country's indispensable ally, the United States. He is remembered as the disciplined architect of the great task of reconstruction needed in Greece after the terrible destruction of both World War II and the even crueler Civil War that followed. He is equipped to get the economy back on its feet even as he promotes the social and economic reforms which he recognizes that his country requires.

The United States should, therefore, long ago have encouraged the King to call upon all Greek political personalities, both in that country and abroad, to unite behind Mr. Karamanlis. We should have used our influence with the colonels to induce them to surrender power, as bloodlessly as they seized it, to the one Greek politician who could establish a stable government made up of major figures from all parties, including supporters of both the Army and the colonels.

The problem remains that of getting Mr. Karamanlis past the colonels and back into power. I found in my conversations in Greece in the summer of 1968 that his prestige throughout the country remains such that, once in power, he will be kept there for several years by his fellow citizens. Indeed, even if Mr. Karamanlis should be brought back to Greece by the colonels, and installed in one of their governments on their terms, he would not long remain a mere collaborator or "front man." No assurances that he could give them, no precautions that they could take, would long keep a man of his talents, ambition, and prestige in a subordinate position. Thus, the day that Mr. Karamanlis returns to Greece will mark, in the present circumstances, the beginning of the end for the colonels. The more astute colonels, who intend to stay in power indefinitely, know this: they will agree to give way to him only when they come to realize that they themselves can no longer retain power. They might also realize that Mr. Karamanlis is politician enough to know when and how to let bygones be bygones. Indeed, he could do for Greece what General de Gaulle did, in like circumstances, for France.

But the transition to legitimate political rule which would have been relatively easy for the United States to help bring about in 1967 became more difficult in 1968 and will be even more difficult in 1969. One of my concerns has been that Greek affairs not be permitted to drift beyond our ability to predict and to some extent influence them. Once large-scale violence begins in Greece, there is no way of knowing who or what will emerge to govern the country. If something should happen to Mr. Karamanlis, the chances of peaceful resolution of the current crisis would be significantly reduced.

The measures the United States would now have to take or be prepared to take to help its friends in Greece to disarm the colonels and thereby prepare the way for the bloodless return of Mr. Karamanlis are more drastic than what would have been required in, say, the summer of 1967 while the King was still in Greece and the Army was still healthy. Now, various of our corrective measures may have to be more public than they need have been then, with the possible repercussions that can have among any people who are sensitive about unwarranted outside interference in their affairs. The half-dozen measures suggested below are provided partly in response to the often-made argument of the American government that there is nothing we can do to influence Greek affairs. In addition, the measures one suggests to correct a situation further indicate how one understands it. Some of these measures would not, indeed cannot, be advocated by a Greek, just as I am not in a position to advocate what the Greeks themselves should do now. (It is the legitimate American interest in Greece that I am ultimately concerned about and that I have addressed myself to in everything I have published about Greece.)

First. It is important that the United States clearly indicate its disapproval of the colonels' regime, and in such a way that the Greek people cannot be mistaken about it. A good deal of the apathy toward the colonels today reflects the general opinion in Greece that it would be foolhardy to risk opposition to a government being supported (if not actually established) by the United States. Again and again, one is told that this is indeed "the Americans'" government, that there can be no doubt about that, and that there is no point in trying to overturn it.

Second. The United States should suspend completely the delivery of all military aid to Greece, not merely reduce it selectively as it did in early 1967. This move would not only impress Greek public opinion but would also affect the military, most of whom remain dubious about the colonels but nevertheless believe the United States really supports the regime. The military have learned over the years to respect what the United States believes and wants.

Third. The United States has available a wide range of economic powers that it can exercise to put pressure on the government. Direct economic pressure would come in the form of restrictions on American investment in Greece and on Greek deposits and assets in the United States. Indirect pressure would come both in the form of restriction on loans and grants from international agencies over which the United States has considerable influence and in the form of control of American tourism in Greece. (The suspension of military aid would have economic consequences as well: thus, for example, the Greek government would have to purchase with foreign exchange the oil necessary to keep its military equipment moving. This would make even more acute the already critical balance of payments problem that has been concealed, but not eliminated, by the manipulation of official economic figures.)

Fourth. The United States should do what it can to see that the King is allowed to return to the Palace in Athens. The King in Rome is, unless a government in exile is formed—and it may now be too late for that—not much use to anyone opposed to the regime. A King in Athens, on the other hand, provides a rallying-point for those who are opposed to the regime. And even though royal powers are severely limited under the colonels' constitution, there can arise circumstances in which the King's very presence can be decisive, especially if there should be a rising in the armed forces. Thus, he may be able, in an opportune moment, to name a Prime Minister and then call for foreign as well as domestic aid in support of the legitimate government of his country.

I should report, however, that most of the politicians I talked to in Greece this past summer believe the King should not return home now. But theirs seems to me an imprudent judgment, a judgment that depends upon an irrelevant sense of honor as well as upon a misconception of how the King's submission would be regarded in Greece and abroad. Everyone who counts should know now that the King is sincerely opposed to the colonels' regime and that he made (and is prepared to make) costly sacrifices in an effort to replace it. It is not generally appreciated how close the King came to success in his December, 1967 effort. It should be noticed, however, that the colonels do appreciate the threat the King poses to them—and they would prefer to keep him out of the country indefinitely. But could they continue to exclude him if the United States and its allies were to indicate that they could no longer continue to recognize a regime represented by a mock regent when the King himself is forcibly kept out of the country?

The resources Greece has at hand to displace the colonels are few—and the King in the Palace is one of them.

Fifth. The United States should provide better guidance than it has in the past two years for influential Greek-American organizations interested in Greek affairs. These organizations have tended, by and large, to support the current regime. This is partly because the information available to them comes almost exclusively from Greek government sources, partly because these organizations are themselves influenced by the seeming approval by our government of the Greek government, and partly because many Greek-Americans confuse a clique of the Army with the Army itself. It is indeed curious that Greek-American opinion, which is traditionally royalist, should thus be surrendered to the propaganda of colonels who have rebelled against their King.

Sixth. The United States should join forces with its friends in the Council of Europe to put pressure on the regime and even to isolate it politically and economically as various Western European countries are prepared to do. The United States could well consider adopting the measures and attitudes toward this regime that have been adopted by the Scandinavian countries, measures taken even at the cost of the lucrative trade advantages those countries had enjoyed in Greece. This is one situation where the United States need not run the risks of acting unilaterally: indeed, several of our usually "correct" friends have already done much more than we have ventured to do to interfere in "the domestic affairs" of the Greeks.

Seventh. The United States has the ultimate sanction of moving to expel Greece from NATO. The threat of expulsion would suffice, if the threat should be made in such a way as to seem serious.

But, I have been told by American officials, the United States dare not risk "another Nasser" in Greece. This, it seems to me, is an incredible response, one that displays a remarkable misconception of Greek circumstances. I was assured again and again by Greeks, including men who have held important portfolios in previous cabinets as well as officials in the present Greek government, that the colonels would be immediately overthrown if it were believed that they were taking Greece out of NATO and leaving her (so soon after the Czechoslovakia invasion) to take her chances in a Balkans dominated by "Slavic Communism." (After all, the unsubstantiated charge that Andreas Papandreou contemplated doing this very thing helped to undermine significantly his standing with the Army in 1965–66.) Indeed, insofar as the colonels have succeeded in persuading people of the seriousness of the communist threat from which they have saved the country—and insofar as the Army itself believes this—the prospect of a loss of American defense guarantees would be catastrophic for the regime.

Others might say, in arguing against the

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sanction of expulsion from NATO, that the national interest of the United States requires that Greece be kept an ally, that Greece may be vital to us in the event of a Mediterranean crisis, and that this is a far more important consideration for the United States than the domestic welfare of Greece. But, it should be pointed out, it is precisely in a crisis that Greece is least reliable for us today. The Cyprus crisis, in November, 1967, revealed what is otherwise implicit in this regime, that the present Greek government cannot afford to mobilize its military reserves. That is, it cannot afford to entrust arms and regiments to the hundreds, if not thousands, of trained officers who have been purged (and consigned to the inactive reserves) during the past eighteen months. Thus, the colonels would tend to give in to hostile military pressure where their predecessors might have held out. If, on the other hand, an emergency arose which compelled even the colonels to order full mobilization of the reserves, it is doubtful whether the present government would last long. If, that is, the Army (fully mobilized or not) should have to be used as a defense force, rather than for internal security and for what the Army is now, the only active political party in the country, the colonels would be swept out of office with remarkable ease, however unsettling that might be in the conduct of the affairs of Greece in such circumstances. Thus, if we are really interested in a stable ally, one which can be depended upon to use civilians to run the country and to develop the economy and which can afford to use the Army to defend the country and to cooperate with its allies, it is in our interest to get the colonels out of power as soon as possible.

It may seem old-fashioned for us to remember, as well, in considering whether Greece should be threatened with expulsion from NATO, that NATO was designed to help free peoples defend themselves. The Greeks certainly remember this—and they cannot help but resent the fact that a NATO-trained and NATO-equipped army has been employed to subjugate them to the will of a military dictatorship.

Other measures the United States could take in Greece at this time will no doubt occur to students of Greek affairs, some of which it would serve no useful purpose to describe here. Enough have been described, I believe, to support my argument on this occasion. To assume that we have no power to help the Greeks rid themselves of a government that has been imposed upon them by the misuse of American arms and training is to display a shocking ignorance of Greek circumstances, a narrow view of our own national interest, and a callous abandonment of our true friends in Greece.

Indicative of what the United States has been doing since the colonels seized power is what we have done in Greece and out about those Greeks who have been regarded by everyone as our friends. (I am sure that Greeks who had been critical of the United States, such as Andreas Papandreou and perhaps his late father, have fared no better at our hands.) The American government is not in a position to know what men such as Panayotis Kanellopoulos (in Athens) or Constantine Karamanlis (in Paris) believe about Greek affairs or what they would like to have us try to do.[5] The American government cannot know what these men are thinking from month to month, and this for the simple reason that no one connected with our government has been commissioned to keep in touch with such influential men. Representatives of other governments have kept in touch with these men, but not the United States. Indeed, we act in our caution as if we need the colonels rather than, as should be obvious to every student of Greek affairs, the colonels needing us.

Even more revealing of our irresponsibility, perhaps, is the degree to which we have lost touch with the King of Greece. The American Embassy in Athens does not know what the King is thinking or even doing. The American Embassy in Rome has had virtually no contact with the King, even though he now lives in that city. (Sources close to the King have confirmed for me that what these American embassies indicate is in fact true.) Does the United States Government believe the colonels are permanently established in Greece? Does it believe that the King will never return to his throne? Does it take into account what our friends in Greece will think in the future of American friendship, especially when they recall how they were ignored by the United States in this time of adversity? The King of Greece is a young man. How long a memory will he have in days of renewed prosperity of the shabby way in which he was abandoned by the United States during his bitterly lonely exile?

One might have thought that self-interest—if only the desire to keep adequately informed about opposition opinion—would prompt us to keep in touch with the men who once led the country and who might well lead it again. But then, it is my impression that the government of the United States is remarkably unconcerned about how informed it should be as to what is happening in Greece today. In fact, what I have seen of our intelligence in Greece since the April 1967 coup reveals something of the approach to foreign affairs which has helped produce our failures in Vietnam: thus, we seem as unaware of Constantine Karamanlis' appeal in Greece today as we were of Ho Chi Minh's appeal in Vietnam five years ago; and we reveal ourselves in our actions to be as deluded about the extent of enduring popular support for the military rulers of Greece as we sometimes seem to be about the extent of enduring popular support for the military rulers of South Vietnam.

In any event, we announced in October, 1968 resumption of the shipment to Greece of the full military aid we had cut in half at the time of the April, 1967 coup.[6] (This is no doubt regarded in Greece as still another endorsement by us of the present government.) We have, as well, neither discouraged large-scale investment by Americans in Greece nor exacted of the Greek government a significant price for our good will. But, most important, we have allowed ourselves to appear sympathetic to this regime: and this is the way we are indeed generally regarded among the Greeks, both by the naïve and by the sophisticated, an impression that the colonels are of course eager to promote.

I have already indicated the kind of regime it is that we have allowed ourselves to become identified with in Greece. The people who have made this revolution are radically different from the politicians who had formerly ruled (and, at times, misruled) their country. It is possible, when talking to Greek politicians, to have a decent exchange of views, to hear divergent opinions, to expect someone to listen to an argument and to think about it. It is even possible to hear a politician admit now and then that he has made a mistake on this or that occasion. In short, one encounters in the politician—even the more selfish or corrupt—someone who is more of a human being than he is a caricature of a patriot. It should also be said for the politicians that they have by and large refused to curry favor with the unconstitutional regime that has replaced them.

It should be noticed as well that the army officers who have usurped power in Greece are not considered by their professional colleagues to be the best of the Army. These are not the men who have distinguished themselves in their military careers, but rather men who have been occupied in plotting for years (beginning long before the 1965–67 crises, which merely provided them the opportunity they longed for). These colonels' lack of standing in the Army is reflected in what they have had to do to the armed forces in order to secure their power. Nevertheless, the colonels have presumed to compare themselves publicly to the military officers who intervened in Greek political affairs in 1909. The critical difference is, however, that the 1909 intervention was destined to establish the civilian Eleutherios Venizelos in power, whereas the 1967 intervention has been designed to establish in power the very military officers who carried off the plot. It should have been apparent in the summer of 1967 to anyone who had contact with these men—and it should now be obvious to everyone concerned with Greek affairs—that the colonels will stay in power as long as they can, and that they will self-righteously sacrifice the interests of the country if necessary to do so.

The true character of this regime is perhaps best revealed by the use that has been made by it of torture. I am not referring to the spontaneous roughing-up of a prisoner by the policeman who arrests him or by the officer who interrogates him. This is no doubt done all over the world. Rather, I refer to the deliberate use, with the knowledge of superior officers, of prolonged means of torture, such as the bastinado and electrical shock. This is not done indiscriminately; nor is it done, I have gathered, as punishment; but it *is* done and done systematically in order to elicit information from prisoners, especially about resistance activities and organizations.

One of the objectives of my recent visit to Greece was to learn what I could about the allegations of torture we had heard in the West. It is, of course, highly unlikely that a foreign observer would be able to testify from personal observation about torture. But one can talk to friends and relatives of men who have been tortured; one can talk to people who have seen tortured men and women when the marks and effects of torture were still fresh; one can talk to foreign correspondents stationed in the country who have also investigated these matters. The people I have talked with about the existence in Greece today of systematic torture are people whose reliability can be appraised, people whom one can question closely and whom one can check up on. My sources include men now in Greece who have held the highest cabinet posts in their governments.

The evidence and judgment I have relied upon, in coming to the unwelcome conclusion that deliberate torture has been and continues to be used by the present Greek government, are of the same degree of persuasiveness as the evidence and judgment which led me to another conclusion which I have already reported, that the overwhelming vote announced on September 29, 1968, for the new constitution in the rural areas of Greece (in addition to what I myself saw in Delphi) did represent an honest count of the ballots that were actually dropped by voters into ballot boxes that day.

There can be no serious doubt, to mention a publicized instance that I investigated with some care, that Gerassimos Notaras (a young liberal political scientist, coauthor of a useful book on Greek politics) has been brutally tortured, as has been his more conservative lawyer-colleague in the "Democratic Defense" resistance organization, Charalambos Protopappas. We need not concern ourselves here with these men's guilt or innocence with respect to the official charges made against them. (They were evidently members of an illegal organization which dared to organize the printing and distribution of materials attacking the colonels. Some members of this organization may have discussed as well the possibility of naval sabotage.) No one claims these men are

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Footnotes at end of article.

Communists: but then, the threat this government fears most is no longer (if it ever was) from Communists, but from liberals, conservatives, and royalists (who have all had representatives among the tortured).

It should be mentioned that Constantine Sophoulis was also part of Mr. Notaras' resistance organization: he, too, has been imprisoned (but not, it seems, tortured). Anyone familiar with the history of Greece knows that the Notaras and Sophoulis families have honored places in the annals of their country. A government that drives such men to "illegal" resistance and thereafter considers itself obliged to lock them up, and to torture some of them, is a government we should be much more reluctant than we have been to have anything to do with *as an ally*. The Greek government, in its indignant dismissal of torture allegations as "vile falsehoods," has itself fittingly described the alleged acts as "tortures of satanic inspiration." In short, it is thereby implicitly confessed that Greece under the colonels has gone to the Devil, even as the colonels piously proclaim the rebirth of "Christian Greece."

It should also be mentioned, as suggestive of the state of affairs in our State Department, that although other Western embassies in Athens expressed sympathetic interest in the torture of the particular men I have mentioned and even assigned representatives to observe their public trials, nothing has been said or done by the United States that anyone ever noticed. Reference has been made even in the House of Commons, and by the British Prime Minister himself, to the "bestialities" of the Greek government. The government of the United States, on the other hand, has remained shamefully silent.

Do we have an official opinion about what is likely to happen "in the long run" in Greece? Do we care? Who, in fact, is making our policy (or impeding the making of a sensible policy) for Greece?

The Greeks themselves are generally convinced that the American CIA is mainly responsible for what the United States is (and is not) doing in Greece. This may be no more than their way of saying that American policy in Greece is incomprehensible when one considers American principles and the genuine American interest. It is certainly true that whatever is responsible for American policy, it is something that cannot bear the full light of day. I myself suspect, however, that the Greeks overestimate our deviousness and underestimate our incompetence

It is of course impossible to guarantee that any of the meaures I have proposed that the United States adopt would in fact help the Greeks replace their present government by one more respectful of their character, interests, and desires. But a serious effort on our part to be helpful could help repair our moral position for the long future. If we do make a serious effort and fail, we will thereby at least learn as well as display to others the true limits of our power in Greece, perhaps even discouraging in the future exaggerated claims about the extent of American influence in a country such as Greece. (The least of our worries is that the colonels will not deign hereafter to accept our military and economic aid if we should now make an unsuccessful attempt to dislodge them.)

A basic fact of Greek politics for a generation has been the ferocious, even blinding, feeling against communism that has corrupted the political thought of that country. This is one legacy of a frightfully barbaric Civil War. Now, another ominous fact of Greek politics is emerging, a growing anti-Americanism, even among influential elements in Greece who could once be counted upon as most sympathetic to the United States. Should this feeling be permitted by us to sink in and take root, it can generate toward America a sense of resentful despair which would take a generation to eradicate and which can do neither the Greeks nor us any good.

We have ill served in Greece our friends of all parties and, consequently, ourselves. By not realizing in thought and in deed the true limits of American power in Greece, the United States is sacrificing the power it does have, that power which it should legitimately employ in the service of a free and humane world.

NOTES AND FOOTNOTES

This article, which was completed on November 7, is based on talks delivered in Chicago on October 27, 1968, and on October 31, 1968. These talks were sponsored, respectively, by the Hellenic Professional Society of Illinois and by the History and Poltical Science Departments of the University of Chicago.

Other publications by the author bearing on the subject of this article include:

"Retreat from Politics: Greece, 1967," *Massachusetts Review*, 9 (Winter, 1968): 83 (with *errata* noted in the Spring, 1968 issue at page 208).

"Greece Today," *Notes on World Events* (Chicago Council on Foreign Relations), 45 (September, 1968): 1.

"Greek Anarchy and American Paralysis," *Hellenic Review*, 1 (October, 1968): 13.

Letters to the Editor: *Christian Science Monitor*, September 9, 1968; *Chicago Daily News*, August 29, 1968.

Also drawn on is the author's talk, "Viet Nam and the First Amendment: The Presumption of Citizenship," delivered at the University of Chicago on April 29, 1966.

[1] See Note 6, *infra.*, for a summary of what seems to be the American policy in Greece today.

I realize that there are people in our State Department and in our Athens Embassy who would endorse much of what I have said on Greek affairs. I trust that what I say here will help them overcome in the next administration in Washington the excessive caution, if not institutional callousness, which impedes the development in Greece of a sensible American policy.

For a different account from mine of Greek affairs, see James Burnham, "What Are We Asking For?" *National Review*, October 22, 1968, p. 1062.

[2] "By 92.2% the Greek people approved yesterday the country's new constitution in a national referendum, held in absolutely irreproachable conditions of freedom and order throughout the country. Of the total number of 6,508,894 registered voters, 5,042,545 cast their votes. 18,473 of them were invalid votes. Of the valid votes, 4,633,602 were in favor of the constitution and 390,470 against it." *Information Bulletin No. 26*, September 30, 1968 (Royal Greek Embassy Press & Information Service, Washington, D.C.).

Any "parliamentary elections" in which the Greek government offers itself for legitimation will be conducted essentially like the constitutional referendum and will be eulogized the same way by apologists for the regime.

[3] Delphia had voted in 1964 (the last national balloting before the constitutional referendum of 1968) almost 3 out of 5 for the Papandreou ticket, that is, for the very party against which the 1967 military coup could be said to have been primarily directed. Most of the rest of the votes in Delphi on that occasion were cast for the ticket of the Karamanlis-Kanellopoulos party.

I was told by a voter in Delphi that he and two or three others who voted OXI would not have dared to do so if it had not been known in the town that I would be observing the election all day. (I am fairly well known in the town from other visits.) Many towns in the vicinity of Dephi recorded unanimous votes for the proposed constitution that day.

[4] Some opponents of the colonels' regime approve of various provisions in the new constitution. But even Greeks who found in the constitution some provisions they had advocated years before, such as the marked reduction of royal power, usually regarded the entire referendum procedure as dubious and irrelevant (however they decided to vote on September 29). Serious discussion of constitutional reforms has been referred by them to the time when the very fact of such public discussion will not constitute an implicit endorsement of the colonels and their methods.

[5] It suffices, by way of illustration, to speak in the text only about men of the Right.

Mr. Kanellopoulos could still be considered the constitutional prime minister of Greece. Both Mr. Kanellopoulos and Mr. Papandreou (leaders of their respective parties in recent years) spent much of the first seventeen months of the colonels' rule in strict house arrest (with interludes of liberty to move about and to receive visitors).

Mr. Kanellopoulos indicated, during his stirring address at the funeral of Mr. Papandreou in Athens on November 3, 1968, that his friendly rival and he had reached an understanding about how their normally competitive parties might co-operate in the service of Greece. I assume, on the basis of what I learned in Greece in October, 1968, that this "understanding" related to the question of the possible return of Mr. Karamanlis. See, also, Anastaplo, "Retreat from Politics: Greece, 1967," *Massachusetts Review*, 9 (Winter, 1968): 104. Mr. Kanellopoulos' funeral address appeared in *Le Monde*.

[6] See, on the resumption of military aid to Greece, *Newsweek*, November 4, 1968, p. 50:

When a clutch of obscure colonels seized power in Athens eighteen months ago, the U.S. did what it so often does when soldiers anywhere oust a legally elected government: it cut off military aid. Last week, Washington completed the pattern. As it also habitually does when a military regime survives and solidifies its position, the U.S. lifted its ban on major arms shipments to Greece.

To the Greek junta's numerous implacable foes, this seemed simply one more case of cynical U.S. coddling of an authoritarian regime. But to Washington policymakers, the resumption of arms shipments to Greece appeared a lamentable necessity of realpolitik. The U.S. has a considerable stake in the political stability of the eastern Mediterranean, and the junta in Athens has—if nothing else—provided Greece with stability. Moreover, the Soviet invasion of Czechoslovakia did much to strengthen the position of those NATO strategists who hold that the Soviet Union, which now must be reckoned a major Mediterranean power, cannot be counted on to act responsibly. And since Greece is regarded as a potentially important element in any "flexible response" NATO might make to a new Soviet thrust, it seems vital to Washington to keep the Greek fighting forces in good working order.

Initially, Greece will get twenty to thirty jet aircraft and a handful of minesweepers, but the likelihood is that other major hardware will follow in the months ahead. For as Secretary of Defense Clark Clifford sees it: "The obligations imposed on us by the NATO alliance are far more important than the kind of government they have in Greece or what we may think of it."

It has been suggested by some students of Greek affairs that the United States should, rather than align itself against the present Greek regime, ally itself with one faction among the colonels against other factions and thereby work to improve things. This would assure, however, the permanence of "the colonels"—that is, of their guiding spirit and all that it means for the Greeks and for us.

If the steady industrialization of the country, interrupted by the coming of the colonels, should now be somehow resumed and

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the scheduled incorporation of Greece into the Common Market should come about in the early 1970's, the colonels would become curiously irrelevant. That is, such a development would mean that businessmen and economists behind the scenes, in Greece and abroad, were really conducting the affairs of the country and that the ostensible Greek government was little more than an unpleasantly oppressive and ever-vulnerable charade. (The last years of the Turkish Occupation of Greece must have been like that, especially where the "governors" of the country had to take into account public opinion abroad.) But see Note 7, *infra*, on the conditions of stability in Greece.

[7] Torture of this character was not resorted to, I have been assured, by the political governments preceding that of the colonels. It was resorted to, I understand, in the Civil War period as well as during the Metaxas regime on the eve of World War II.

The colonels have long held the opinion that one can govern one's country the way one governs an armed camp. The resort to torture suggests that the colonels also believe that Greece is to be treated like an occupied country in time of war. The foreign investors and tourists as well as "Washington policymakers" who are now reassured by "stability" in Greece would have second thoughts if the colonels' opponents should be driven in desperation from their somewhat passive resistance thus far to organized violent attacks upon the "occupiers" of their country.

There has been published since this article was prepared the report of another American visitor to Greece who had inquired about the existence of torture in that country: Christopher Janus, "Greece—Police and Prosperity," *Chicago Sun-Times*, November 24, 1968, sec. 2, pp. 3, 6. He reports that "a few hundred people have been badly tortured." Consider, as indicative of what life can be like under the colonels, this testimony in the *Chicago Sun-Times* by Mr. Janus (a prominent Chicago investment broker and former newspaperman) upon his return home from his annual visit to Greece:

> I talked to three of those who were tortured—two former members of parliament, one of whom I doubt will live, and a 24-year-old who is a family friend and the daughter of a prominent Greek citizen.
>
> The girl told me that anti-junta literature was found in her home. She was taken to the Dionysos Military Camp between Athens and Marathon, she said, and while a motorcycle was kept running to muffle her screams, she was stripped naked by soldiers and beaten with a wire whip, among other indignities. And after several days of this, she was ready to tell them anything they wanted to hear. She was finally released, she said, after her father paid a ransom of $25,000.

What makes this incident particularly ominous is the fact that it is generally known in Athens that the father is not only "a prominent Greek citizen" but also a man with an international reputation in his profession, and indeed one of the Greeks most famous abroad. If the colonels were not restrained by such considerations to behave in a civilized manner on this occasion, one can imagine what happens in the typical confrontation between this government and its opponents. (Mr. Janus checked out his information about torture with a lieutenant colonel connected with the Greek government.)

Mr. Janus included in his report a warning from Andreas Papandreou "for the businessmen who are signing all those palmy contracts with the junta": "One of the first things we're going to do, when we're in power, is review all contracts—starting with the contract Mr. Pappas has with Esso Standard. We'll review the contract of Olympic Airways. And we're certainly going to examine everything that Litton Industries has done."

CONGLOMERATES

HON. HASTINGS KEITH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. KEITH. Mr. Speaker, the Nation's economy is undergoing a modern industrial revolution. It is the product in large part of the advances in American technology and managerial science. It is causing, as President Johnson's Cabinet Committee on Price Stability put it, a "massive restructuring of the Nation's economy."

I am speaking, of course, of the rise of the giant conglomerate corporation, which has propelled the greatest wave of merger activity in our history.

Not so long ago, news about conglomerates was relegated to the obscure pages of financial periodicals and legal and business journals. It seemed that the average American would remain oblivious to this momentous development, in which he ultimately has the greatest stake. This was a major consideration which prompted me to introduce House Joint Resolution 315 on January 28, 1969. This legislation would direct a joint study by the independent regulatory agencies of the effects of conglomerate activities on the transportation and communications industries, the securities markets, and interstate and foreign commerce. Because of continued takeover activity in the transportation industry, I introduced H.R. 8527 on March 10, 1969. This bill provides for acceleration of the study proposed by House Joint Resolution 315, and for a freeze on takeovers of carriers by noncarriers until such a study can be completed.

As of late, I am encouraged to see the great interest taken in conglomeration by the Nixon administration, congressional committees, and the regulatory agencies, and the financial press. But it is particularly noteworthy that a popular and distinguished magazine as Time has seen fit to publish a cover page article on "The Conglomerates' War To Reshape Industry," March 7, 1969. Time should be complimented for its perception in recognizing that the conglomerate phenomenon is not just the concern of bankers, legislators, lawyers, and financiers—but of all Americans. I highly recommend that all my colleagues read this article:

THE CONGLOMERATES' WAR TO RESHAPE INDUSTRY

The leaders of America's larger corporations have long been almost unchallenged rulers of their realms. Proud and powerful, self-confident and certain of their authority, they have often run their publicly held organizations very much like private fiefs. Now in many executive suites and board rooms, apprehension and even fear have replaced the old self-assurance. Some of the richest and most respected of the nation's companies have become vulnerable to sudden capture by a new and daring kind of business operator.

These men, mostly young and self-made, have little regard for established rules or customs. They are reshaping business in a manner that deeply affects not only owners and managers but millions of stockholders and employees as well. In time, their expanding takeovers of hundreds of companies could transform the entire structure of the U.S. economy. Already, they have stirred intense debate among businessmen and Government officials alike: Are their actions a threat or a boon to U.S. business?

The men who are challenging established firms with exuberance and even effrontery are the builders of conglomerates—those multipurpose, multi-industry companies that specialize in hodge-podge acquisitions. They are often put together in a seemingly haphazard tangle, with only finances for a common bond. In the modern conglomerate, oil and water do mix. So do steel and airlines, theaters and tobacco, chemicals and clothes, meat-packing and insurance. Such unlikely combinations have repeatedly paid off—at least up to now.

The growing impact of the conglomerates has been so great that even conservative businessmen, who usually complain about too much federal interference, are pleading for Government help in combatting their onslaught. The chances are that they will get it; the Government has lately begun to act as if "conglomeritis" is a virulent disease. Half a dozen agencies—including the Justice Department, the Federal Trade Commission and the Securities and Exchange Commission—have begun investigations of the phenomenon. They are worried that the takeover companies may be creating too much concentration of economic power, that some of them have unsound financing and inadequate management, and that they may tempt many shareholders into trading solid stocks for flossy packages of paper.

CONCERN ABOUT RISKS

In his first pronouncement as the new chairman of the Securities and Exchange Commission, former Idaho Congressman Hamer Budge complained last week that some complex forms of conglomerate financing offer only "an illusion of security." Testifying before a House subcommittee, he counseled investors against being misled by "apparent improvements" in the earnings of aggressive conglomerates. "Those who are engineering the present wave of takeover," he said, "appear to find short-term profits so tempting that they ignore long-term risks." Later Robert W. Haack, president of the New York Stock Exchange, told another House subcommittee that he is becoming "increasingly concerned" about the real worth of debt securities that are being offered to the public corporate takeover deals. Next day in Atlanta, Haack told a reporter that two companies have gone to such extremes in this direction that the Exchange may even delist them. And at week's end, the chief Justice Department trustbuster, Richard McLaren, announced that he will move to stop conglomerate mergers between large companies. McLaren argued that such mergers tend to reduce competition and aggravate inflation.

McLaren may not have an easy time cutting down the conglomerates. Their growth stems largely from the vagaries of antitrust law—and there is still considerable question about whether the Government has the legal power to stop the trend. Diversification by merger has long been an attractive tactic for industrialists who were anxious to reduce profit-sapping fluctuations in the demand for individual goods and services. It is easier and quicker to diversify by buying a going concern than by starting from scratch. But Government antitrust barriers often stand in the way of combinations within a company's own field. They may prevent not only "horizontal" mergers with competitors, but, to a lesser degree, "vertical" mergers with suppliers or customers. The present law, though, generally enables companies to take over other enterprises in different fields—and it is just that loophole through which the new conglomerate organizers are moving.

Inevitably, "conglomerate" has become something of a dirty word in business, bringing back memories of oldtime industrial trusts, interlock directorates and utilities pyramids that collapsed disastrously. Even most leaders of conglomerate companies loathe the name, largely because they are vocally critical of each other and do not like to be lumped together with some of the abrasive men and controversial companies involved in modern mergers. They prefer to be known as leaders of "multi-industry" or "multimarket" concerns. Yet "conglomerate" seems an apt title. Derived from the Latin verb, *conglomerate*, meaning "to roll together," it is also the geological term for heterogeneous stone fragments fused into a mass. However much the word grates, it has become fused into the business language.

STOCK MARKET GYRATIONS

Today's list of mergers, raids and takeovers is the largest and longest in corporate history. Last year the number of corporate acquisitions rose to a record 4,462—ten times as many as in 1950—and most were conglomerate mergers. Hardly any corporation, no matter how large, seems wholly safe from the grasp of conglomerates. During the past two years, conglomerates have absorbed or gained control of such big and basic enterprises as Jones & Laughlin Steel, Lorillard, Wilson, United Fruit and Armour. Lately, relative newcomers to the corporate scene have attempted to take over Sinclair Oil, B. F. Goodrich, Allis Chalmers and mammoth A & P. Even Pan American World Airways, long considered to be practically an unofficial agency of the U.S. Government, feels threatened by Resorts International, a onetime paintmaking company whose primary asset is a Bahamas gambling casino and a few hotels. Resorts' total assets are about a quarter the size of Pan Am's, but through a complex swap of securities, Resorts may become a major Pan Am stockholder. Last month Wall Street rumors whispered that U.S. Steel, with its $5.6 billion assets, was on several lists of takeover targets. The company has revamped its bookeeping, as have many other steel companies, to increase reported earnings in an obvious effort to fend off surprise assault.

Conglomerate activity has figured prominently in the stock market's recent gyrations, and Wall Street is understandably worried. Day after day, frenzied trading has placed the shares of many conglomerates, and the companies that they seek to swallow, high on the most active list of the New York Stock Exchange. Often, two or more rival conglomerates are anxious to take over the same company, and their competition for shares boosts the stock of the target company. Lately, even takeover rumors have been enough to lift the share prices of companies supposedly about to acquire Caesars Palace, the Las Vegas hotel-casino. After the takeover, prices generally sink back. Stocks of the conglomerates themselves were among Wall Street's best performers until some months ago; lately they have broken sharply, and the dive only deepened last week after Haack's warning of possible delistings. Shares of such firms as LTV, Litton, Gulf & Western, Ogden, Bangor Punta and "Automatic" Sprinkler are down 33% to 66% from their 1968 peaks. In sum, trading in conglomerate companies has brought both riches and disappointment to countless investors.

WHO THE LEADERS ARE

Much of the argument about conglomerates revolves around the men who make them go. A few are accepted members of the U.S. business Establishment, but many are newcomers. They have fought their way up from obscurity by innovating and taking risks in a way that flabbergasts conventional executives. They are seldom hired managers; most are founders and owners still in their 40s. They have little if any memory of the Great Depression, and they see only growth ahead for the U.S. economy. They are willing to dare much to gain a larger hold on the future.

Among the leaders of this new group of entrepreneurs are the three men on TIME's cover. Though they have much in common, each operates with individual style, convictions and aspirations. The companies that they manage are among the nation's largest and most discussed conglomerates. But, like the men who head them, they differ significantly in their speed of growth and state of financial health. Taken together, they reflect the origins, sweep and spirit of the most significant current trend in U.S. business.

Charles G. Bluhdorn, 42, chairman of Gulf & Western Industries, epitomizes the takeover specialist who fills the managers of sluggish companies with dread. "We have never been afraid to look for trouble," he says. "We are a damn competitive company." Vienna-born Bluhdorn came to the U.S. at 16 as a penniless wartime refugee, went to work as a $15-a-week clerk for a Manhattan cotton broker. He learned the secrets of commodities trading, and made his first million before he was 30.

In 1958, Bluhdorn took over a run-down Houston auto-parts company and began expanding. Though many conglomerates have prospered by invading new technological fields, he stuck largely with prosaic companies: zinc mining, paper, chemicals, farm products. "Generally speaking, I love to buy things no one else wants," he explains. Last year he collected a dozen companies, including machinery-making E. W. Bliss, Associates Investment (assets: $1.7 billion) and Consolidated Cigar Corp., which he acquired in the belief that the troubles of the cigarette industry would cause smokers to switch to cigars. As a result, Gulf & Western's sales leaped from $645 million to $1.3 billion, and its after-tax profits rose 50% to $70 million.

Although he earns $113,700 a year, and has an estimated net worth of at least $50 million, Bluhdorn seems ruled by insatiable ambition. Afire with ideas, he is forever in motion—smiling, grimacing, gesticulating, pointing, reaching. When he is excited, which is just about always, his brows knit, his lips curl, his voice rises to a screech, profanity tumbles out in a kilometer-a-minute Austrian accent. Despite his manner, however, Bluhdorn inspires awe and devotion among close associates.

He draws criticism from competitors, and makes investors wary. G. & W. stock sells for only twelve times per share earnings, appreciably less than most older, slower-moving blue chips. Yet many securities analysts maintain that Gulf & Western is one of the best-managed conglomerates. Bluhdorn disposes of his critics bluntly. "If we are chiselers," he says, drumming his desk with his fists, "we are chiselers for our stockholders. I want a dollar for a dollar—or better yet, $1.10."

James Joseph Ling, 46, chairman of Ling-Temco-Vought, Inc., of Dallas, is one of the most controversial and troubled of the new millionaires. He thrives on imaginative deals so complex that they often baffle even stockholders. They seem elementary to Ling, who talks like an advanced mathematician and delights in doodling the formulas for his deals on legal-sized yellow pads. His specialties are spin-offs and refinancings, and he uses cash and almost every combination of securities known to investors. In twelve years, his varied tactics have propelled his LTV from a tiny electrical-contracting firm into a complex that turns our products as disparate as hamburgers and jet bombers (the Navy's A–7). Annual sales have jumped from $4,000,000 to $2.7 billion, making LTV one of the fastest growing major companies in the world. Ling expects that it will rank among the top ten of Fortune's list for 1969.

Ling, whose father was an Oklahoma oilfield roustabout, dropped out of high school at 15 and bummed around the country for four years. He went into business in 1946 with a $3,000 stake. Later, in order to finance his first acquisitions, he hired salesmen to peddle stock from door to door. Dallas brokers snickered, but investors who bought 100 shares for $225 would today own stock worth $4,098.

The company that carries his name has succeeded in large part because Ling has used the old technique of the spin-off with stunning effect. Improbable as it may sound, when a company is split into several parts, investors will often pay more for its parts than for the whole. Ling has carved LTV into separate, publicly traded subsidiaries (there are ten today), keeping control but often selling off enough shares to repay much of what he borrowed to acquire them. This gambit also had the effect of lifting LTV earnings per share, thus raising the price of LTV stock and enabling Ling to expand still faster.

Ling directs LTV with tireless enthusiasm and demands the same from aides. "Don't tell me how hard you work," he says. "Tell me how much you get done. A race horse can get around the track faster than a jackass." Recently, Wall Street skeptics have begun to speculate that Jimmy Ling may have overextended himself, as he did in 1961 when he almost lost control of his company. Last year Ling borrowed $900 million to snare Jones & Laughlin, National Car Rental, and Braniff Airways whose latest advertising campaign shows odd couples flying high. He tried to refinance part of that debt last fall, but investors spurned his efforts. Ling scoffs at the doubters. "This is just the year to kick conglomerates," he says. He planned to sell off a small slice of Braniff, most of National Car Rental and perhaps a few other securities to raise all the funds that he said LTV now needs. At week's end, however, he cancelled the sale of National Car shares blaming "stock market condition."

G. (for George) William Miller, 43, heads Textron Inc., the oldest and one of the soundest conglomerates, and he is an articulate critic of racier companies. Textron, which started the conglomerate trend nearly two decades ago, has acquired the kind of image that newer conglomerates covet. Miller picked up two more companies last year—Talon zippers and Fafnir bearings—but Textron seems less interested in acquiring new branches than in managing and expanding the many that it already has. Its 33 diverse divisions turn out Bell helicopters, Sheaffer pens, Speidel watchbands, Gorham silverware, Bostitch staplers and some 70 other products. Last year the company earned $74 million on sales of $1.7 billion—both records.

Miller runs Providence-based Textron in low-key Yankee style. A model of blue-serge conservatism, he earns $181,000 a year but operates from a modest little office. His headquarters staff is lean—only 105 people. With them, Miller keeps close watch on the spending and planning of Textron's subsidiaries.

The Oklahoma-born son of a furniture dealer, Bill Miller graduated from law school at the University of California in Berkeley. He was plucked from a job with a Wall Street law firm in 1956 by Textron's flamboyant founder, Royal Little. When Little retired four years later, Miller stepped into the presidency under Chairman Rupert Thompson, 63, an imaginative ex-banker. Thompson, a major stockholder, built Textron into New England's second largest company (after United Aircraft) before he turned over his chief executive's title to Miller a year ago.

A business philosopher, Miller argues that Textron and similar companies represent the tide of the future because they can shift capital in great amounts to where it can be most wisely used. He figures that this "mobility of capital" has an ultimate social purpose. "If this country allows itself to go the way of some European companies, where capital was kept deep in the sock," he says, "then we will never achieve full employment and

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raise the standard of living for the bottom third of our population." At the same time, he faults many conglomerates for expanding wildly by issuing huge quantities of debt securities of questionable value.

THE BIG OPERATIVES

Many other makers of conglomerates have joined Miller, Bluhdorn and Ling in that elite group of American businessmen who have boosted their sales to more than $1 billion a year. Henry E. Singleton, a Ph.D. from M.I.T., has built Los Angeles' Teledyne Co. into a $1 billion conglomerate in eight years by moving into metals, electronics and defense systems. Ralph Ablon, a former business instructor at Ohio State University who heads Manhattan's Ogden Corp., has turned the world's biggest ferrous-scrap company into a billion-dollar conglomerate by moving into stevedoring, cattle raising, construction and food (Tillie Lewis). However fast other conglomerates are expanding, none has yet been able to overtake International Telephone & Telegraph Co., which had 1968 revenues of $4 billion. Under Chairman Harold Geneen (TIME cover, Sept. 8, 1967), ITT has built an executive team envied by many, matched by few. "Hurry-Up Hal" Geneen's ITT runs hotels, builds homes, rents autos, sells insurance, bakes bread and manufactures communications gear.

Many conglomerates have evolved elaborate rationales for such apparently aimless accretions. Pioneering Charles ("Tex") Thornton has tried to confine his 15-year-old Litton Industries to expansion in technological fields, using scientific management systems to retain overall control. Nearly a dozen Litton executives have quit to apply the formula elsewhere. The alumni have even coined a name for themselves: "Lidos," for Litton Industries Drop Outs. One of them, Fred Sullivan, has lifted his Walter Kidde Co. from a burglar-alarm and fire-extinguisher manufacturer with $40 million in sales five years ago to a $350 million conglomerate. He figured that Kidde was really in the "safety, security and protection" field, and that gave him latitude to make bank vaults, rifles and light fixtures. Another Lido, George Scharffenberger Jr., president of New York's City Investing Co., has increased his firm's revenues in the past three years from $7.5 million to more than $1 billion by acquiring nine companies, including Florida's General Development and New York's Rheem Manufacturing.

THE BANKERS' ADVANTAGE

Even commercial bankers, who often criticize the conglomerate trend, are half joining it. The Bank of America, New York's First National City and about 80 other large banks have recently formed "one-bank holding companies." That is, they have reorganized their corporate structure so that the bank itself is a subsidiary; the parent corporation may then venture into such fields as insurance, computer leasing and mutual funds. Some high members of the Nixon Administration, convinced that the trend to bank holding companies is a far greater threat to the future of the U.S. economy than conglomerates, are preparing restrictive legislation. Unless the law is changed, they say, bankers who know the secrets and control the credit lines of other companies could have a large competitive advantage.

Railroads are also becoming conglomerates. Ben Heineman's Northwest Industries Inc., the holding company that controls the Chicago & Northwestern Railway, last year derived less than half its $700 million revenue from trains. The company has spread into chemicals, steel, and the manufacture of apparel—from underwear to boots. Last month Heineman issued a $1 billion tender offer for B. F. Goodrich, the nation's fourth largest rubber company.

At least a dozen other major roads, including the Illinois Central, Santa Fe, Union Pacific, Norfolk & Western and Southern Pacific, have formed holding companies to diversify. Many railroad men insist that it hardly makes sense to invest money in railroads when they can net 15% in other industries. If this trend continues, some authorities fear that it will open the way for ultimate railroad nationalization in order to keep enough trains running to serve the public.

The technique of the takeover ranges all the way from polite negotiations to sneak attack. If the takeover is a friendly seduction, it usually follows a rather elaborate ritual. The first contact is often arranged by investment bankers, who stand to collect fees of up to $1,000,000 for arranging the merger. The potential partners usually meet at a country club or on some other neutral ground. They size each other up stiffly and uneasily; drinks are practically never served. If extreme secrecy is necessary, the top executives travel to out-of-town hotels where they figure nobody will recognize them.

Ogden Corp.'s Ralph Oblon wanted to expand into housing construction. He simply phoned Los Angeles Architect Charles Luckman, whom he had never met, and proposed a discussion. Luckman flew to New York. In just two hours over lunch at Manhattan's 21 Club, where myriad American mergers are made, Luckman agreed to join Ogden in exchange for common stock.

Many deals start on the golf course. One day at a Dallas country club, Jim Ling ran across an acquaintance who was a steel-company director. The man remarked that the steel company was in trouble and should be available for a takeover. As it turned out, the company threatened to resist, and Ling backed off. But his appetite had been whetted. He started looking for other steel companies. By reading annual reports, he became interested in Jones & Laughlin. First there was a correct but tense meeting at the elegant Rolling Rock Country Club outside Pittsburgh, then a secret hotel-room huddle in Cleveland. Though J. & L. Chairman Charles Beeghly was far from eager to sell his controlling shares, he considered Ling's offer so generous—some analysts insist that it was too generous for LTV's good—that he agreed to go along.

INSIDERS' DILEMMA

After Gulf & Western was blocked by the Justice Department from taking over Armour & Co., Charlie Bluhdorn attempted to resell his 750,000 shares to the meat packer for about $60 per share. He thought he had a deal—and an $18 million profit—but Armour Chairman William Wood Prince tried a squeeze play to drive the price down to $50. His method was ingenious. Armour made a public offer to repurchase 20% of its own outstanding shares at $50 each. If successful, the move would have increased Bluhdorn's stake in Armour from 9.8% to 12½%, thus making Gulf & Western an "insider"* under the rules of the Securities and Exchange Commission—and insiders are barred from pocketing short-term profits in their company's shares.

To avoid becoming an insider, Bluhdorn would have been forced to sell part of his Armour holding—at Prince's price. Angered, Bluhdorn quickly arranged to unload 150,000 Armour shares at $56 to Richard Pistell's General Host Corp., a Manhattan baking and food-freezing firm. Pistell took an option on Bluhdorn's remaining 600,000 Armour shares at $60. Thus Bluhdorn escaped the patrician Prince's trap. With great help from Bluhdorn's stock, Pistell last month captured control of Armour, despite Prince's frantic efforts to resist.

Increasingly, friendly negotiations are being supplanted by unfriendly tender offers and outright raids. The raiders lay their plans with military precision, occasionally use industrial espionage to find a disgruntled inside executive who can be persuaded to help. Often the attack begins in the stock market. Under the insider rules, a company may acquire up to 10% of another firm's shares without revealing the fact. The leader of the assault then confronts the target company. If management balks, the blitzkrieg begins. Its weapons include letters to stockholders, splashy ads in newspapers and personal approaches to the board of directors—all insisting that the offer is irresistible.

THE DEFENSIVE TACTICS

Companies sometimes use creative bookkeeping to inflate their profits in order to promote—or stave off—mergers. AMK Corp., a meat-packing and machinery conglomerate, almost doubled its reported income by making accounting changes during fiscal 1968. After the company altered the way a major subsidiary was keeping account of its depreciation, inventory and employee pensions, AMK Chairman Eli M. Black won control of Boston's United Fruit Co. by offering a package of stock and other securities. Would he have been successful without making the perfectly legal accounting changes that lifted the earnings? The answer is elusive, but accountants agree that the question is pertinent.

Defensive tactics usually include an advertising campaign, press releases, phone calls to key Wall Street financiers, and letters to shareholders—all insisting that the takeover is foredoomed to fail. To thwart takeover bids in advance, numerous public relations men specialize in "multiple flogging"—boosting the price-earnings ratio of a stock by artfully touting a company's performance and prospects. Sometimes the target companies put considerable pressure on the attacker through suppliers or banks. After Saul Steinberg, the 29-year-old head of Leasco, Inc., brashly announced that he would like to acquire Manhattan's Chemical Bank, his company's stock plunged. The word in Wall Street was that other banks and mutual funds had dumped Leasco shares to help Chemical resist Steinberg.

Supporters of conglomerate mergers argue that they increase the efficiency of American business. After they take over, the new chiefs sometimes coolly fire aging veterans and replace them with bright young executives. After Charlie Bluhdorn acquired Paramount Pictures in 1966, he installed new management, increased the filming schedule, and began turning out such hits as *The Odd Couple* and *Romeo and Juliet*. More often, mergers give old managements the courage to expand by providing them with new capital, ideas and expertise. After Jim Ling took over Wilson and split it into three separate, publicly held firms, he named presidents and many officers in each division and gave them generous stock options. At Braniff Airways, only the chief executive, Harding Lawrence, had options before Ling took control; now a score do. Ling also told Lawrence to change his advertising agency—Wells, Rich & Greene—because it was headed by Lawrence's wife, Mary Wells.

CRITICISM AND "CHINESE MONEY"

If conglomerates sharpen efficiency, why are they so severely criticized? One reason is that they are not always effective; they can stumble as easily as they succeed. Harry Figge's "Automatic" Sprinkler Corp. went into a nosedive last year when strikes and production snags crippled two divisions, while a third ran into cost-control woes. Ogden Corp. suffered after its shipbuilding subsidiary hit rough weather. Tex Thornton's Litton ran into multiple trouble: losses in shipbuilding, engineering snags on a new typewriter, slumping sales of office furniture. Much to the dismay of investors, the company blamed its plight on management deficiencies.

Another basic trouble, as SEC Chairman Budge warned last week, is that takeovers are too frequently financed with securities of

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doubtful future value. Such paper is commonly known to bankers and brokers as "Chinese money." The deals increasingly involve two little-understood kinds of securities:

Debentures are IOUs used to pay for companies. Like bonds, which they resemble, the debentures offer a fixed rate of return in interest. Usually the principal is repayable 25 years later, in two installments. Under that arrangement, recipients of debentures qualify for the so-called installment-sale tax provisions. If they swap shares in a target company for the conglomerate's debentures, they pay no capital-gains tax on the deal until they get their money back in 25 years. Debentures are doubly attractive because they are generally convertible into common stock at an above-the-market price. For the companies that issue them, debentures offer an even bigger tax break. The interest payments can be deducted from corporate taxable income as a business expense. On the other hand, stock dividends must come from after-tax earnings. Using debentures, conglomerates can often grab control of other companies at little or no real cost to themselves. For example, Victor Posner, Miami conglomerator who has plucked a personal fortune from slums and money-losing corporations, has just captured Sharon Steel (annual sales: $225 million) after a bitter battle. Posner's NVF Co., a Delaware mini-conglomerate (annual sales: $30 million), offered a package of debentures and warrants backed by so few assets that Sharon accused him of planning to raid its coffers to bail NVF out of financial trouble. Even Posner's prospectus admitted that the combine might well earn too little money to pay the $4,500,000 a year interest cost on the debentures. Last week, as Posner was elected chairman of Sharon, six of its directors quit.

Warrants are often issued to sweeten takeover offers, especially unfriendly ones. The holder of a warrant has an option to buy shares of the issuing company in the future, at a fixed price. Warrants carry no voting rights, earn no dividends, involve pure speculation. Technically, they have no value at all unless the common stock climbs above the option price. They were in disrepute for most of the years since the Depression because their volatile prices make them extra risky for investors. But warrants caught on again after LTV and Gulf & Western used them to pay for acquisitions. Issued in moderate amounts, warrants may have no significant effect on a corporation's finances. But Manhattan's General Host Corp., which has only 2.6 million shares of common stock, last month offered 14 million warrants in its successful fight to win control of Armour & Co., whose $2 billion in sales are ten times as great as General Host's. If even half of the 14 million are ultimately exchanged for stock, General Host's profits-per-share could plummet.

RISKS OF REGULATION

Many critics claim that too many bosses of conglomerates are too busy scrambling after Wall Street's Great God of Growth. These bosses are scorned as a phenomenon of the times, nurtured by inflation and a securities market possessed by the cult of performance. Yet many other conglomerates—ITT and Textron, to cite only two—are well-managed and amply financed. Quite a few more fit somewhere in between the two extremes. Saddled with debt and untested by any prolonged downswing in business activity, they present a considerable risk for shareholders. At the same time, they can offer correspondingly large opportunities for reward because they are widely diversified in expanding areas of the economy.

The problem for shareholders is to figure out which conglomerates are sound and which are shaky. The task for Government regulators is to devise ways to stop abuses without penalizing the innocent. Congress has not yet decided what to do about conglomerates. "We don't even know the symptoms yet," says New York Democrat Emanuel Celler, whose House antitrust subcommittee is beginning still another major investigation. Even so, Congress seems determined to write some new tax and banking laws this year to make it less attractive for companies to combine.

To help investors now confused by financial legerdemain, Congress might well order the SEC to shed more of its editorial timidity and demand plain language instead of euphemistic evasions in prospectuses and annual reports. The SEC already has considerable power to act. If accountants cannot agree to require straightforward and easily comprehensible reporting of profits, federal authorities may. On the other hand, it is arguable whether Congress would be wise to require stockholders to pay capital-gains tax on their profits when they swap stock for debentures. It appears to make better sense to deny corporations their tax deductions for the interest on debentures issued for mergers.

The dangers in all-encompassing regulation seem clear. Establishments—political, social or economic—need periodic shaking up. For all their faults, the conglomerates have certainly shaken the established leaders of American business and caused many to sharpen their management. They have also given meaning to the saccharine and often hollow phrase "shareholders' democracy." Today more than ever, a public company is public. When the shareholders are given an offer, they have the right to choose.

WHERE THEY ARE HEADING

Experts disagree on whether the conglomerates will continue their rapid growth. To some Wall Streeters, they represent the bright future of capitalism. Others insist that so many conglomerates have been built on such weak foundations that it may be necessary to take them apart and rebuild them. Often enough, conglomerate executives share that concern. "Our greatest worry," says Textron's Miller, "is that a merger bubble built on arithmetic will burst, hurting the whole economy." Adds Bluhdorn: "A shakeout we're going to get for sure."

The managers of many conglomerates—especially the newer ones—have not yet convinced skeptics that they have the talent to run the huge structures that they have built. Warns Chairman Willard F. Rockwell Jr. of North American-Rockwell, the aerospace-electronics combine: "Sooner or later, after all the crazy speculation, after all the manipulations, those acquisitions must be operated profitably. And it isn't easy to find the management." Conglomerates must cope with the problems of maturity—the inevitable day when the pace of expansion slackens. Then, without the continuous growth-through-merger that has too often been the basis of their Wall Street appeal, the conglomerates will become indistinguishable from such traditional multi-industry companies as General Electric. Only then will come the real test of whether they can survive and prosper. The conglomerates may indeed already be the corporate archetype of the future. They have yet to prove it.

THE BALTIC STATES

HON. GUS YATRON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. YATRON. Mr. Speaker, the people of the Baltic States continue to be dominated, exploited, and deprived of their right to self-determination by the Soviet Union. Citizens of Estonia, Latvia, and Lithuania who are residing in the United States are concerned over the plight of their countrymen. The Liths Club of Shenandoah, Pa., unanimously adopted the following resolution at their February 23, 1969, meeting:

RESOLUTION UNANIMOUSLY ADOPTED AT THE MEETING OF THE LITH'S CLUB, ON FEBRUARY 23, 1969, SHENANDOAH, PA.

Whereas the subjection of peoples to alien subjugation, domination, and exploitation constitutes a denial of fundamental rights, is contrary to the Charter of the United Nations, and is an impediment to the promotion of world peace and cooperation; and

Whereas all peoples have the right of self-determination, by virtue of that right they freely determine their political status and freely pursue their economic, social, cultural, and religious development; and

Whereas the Baltic peoples of Estonia, Latvia, and Lithuania have been forcibly deprived of these rights by the Government of the Soviet Union; and

Whereas the Government of the Soviet Union through a program of deportations and resettlement of peoples, continues in its effort to change the ethnic character of the populations of the Baltic States; and

Whereas it has been the firm and consistent policy of the Government of the United States to support the aspirations of Baltic peoples for self determination and national Independence; and

Whereas there exist many historical, cultural, and family ties between the peoples of the Baltic States and the American people; Be it

Resolved by the House of Representatives (the Senate concurring), That the House of Representatives of the United States urge the President of the United States—

(A) to direct the attention of the world opinion at the United Nations and at other such means as he deems appropriate, to the denial of the rights of self determination for the peoples of Estonia, Latvia, and Lithuania, and

(B) to bring the force of world opinion to bear on behalf of the restoration of these rights to the Baltic peoples; Be it further

Resolved, That copies of these resolutions be forwarded to the President of the United States, His Excellency, the Honorable Richard Nixon, the Secretary of State, the Honorable William P. Rogers, our Ambassador to the United Nations, the Honorable Charles Yost, our United States Senators, the Honorable Richard Schweiker, and the Honorable Hugh Scott, our Congressman the Honorable Gus Yatron, and to our Governor of Pennsylvania, the Honorable Raymond P. Shafer and also to the press.

A. J. BENEDICT,
President.
EDWARD DERRINGE,
Secretary.

ALLEN UNIVERSITY STUDENTS BECOME INVOLVED

HON. ALBERT W. WATSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. WATSON. Mr. Speaker, dissident students on the American campus are capturing many headlines these days, and as a result of the publicity given them, it often appears that a majority of students are involved in disrupting the academic community.

Nothing could be further from the truth.

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While the revolutionary antics of such radical groups as the Students for a Democratic Society will continue to appeal to hard-core militants, I sincerely believe that today's college youth are more serious minded and better prepared to meet the challenges of the future than any comparable generation of students in our history.

Dramatic proof of this positive attitude on the part of most students is found on the campus of Allen University, a predominantly Negro institution located in my congressional district in Columbia, S.C.

Like many small schools with a limited budget, Allen is struggling financially. Although it may seem like a nominal sum, Allen needs to come up with $350,000 that has been incurred as a debt.

The students at Allen, numbering about 750, decided upon a rather ambitious project for young people, most of whom come from poorer families. They met and announced confidently that they would raise the money somehow and pay off the debt.

Now, Mr. Speaker, I realize that college students can devise some ingenious schemes to keep themselves entertained such as holding contests to determine the champion in the matter of which male can hold the most coeds on his lap. But, raising $350,000 is another matter entirely, and such an endeavor would tax the mind of even the most enterprising of students.

However, the Allen University student body is not to be denied. Back in January, they boldly predicted that the job could be done, and they are doing it. With the assistance of wonderful local support and favorable publicity from such noted radio and television personalities as Joseph McCaffrey, of WMAL here in Washington, the students are getting the money, slowly but surely. They hold dances, concerts, exhibits, and solicit contributions. Together with the great appeal of Dr. J. W. Hairston, president of Allen, and an outstanding educator, these fundraising events are meeting with success.

Mr. Speaker, the story of Allen University speaks for itself. It is symbolic of the typical American student who takes pride in his school and the opportunity that school affords him for excellence in tomorrow's world. Allen students are trying to build, not destroy. They may lack financial resources, but they are not lacking the spirit and sense of comradeship which make the university system such a great American institution. These students are to be commended and they deserve the support of everyone genuinely interested in the future of our colleges and universities.

Mr. Speaker, as part of my remarks, I would like to include three editorials by Mr. Joseph McCaffrey, of WMAL, which describe more eloquently than I the magnificent efforts of the Allen University student body, as follows:

Comment

(By Joseph McCaffrey, WMAL–TV, Feb. 3, 1969)

There is nothing that brings an editor alive as much as the sight of blood. Blood is newsy.

So demonstrations are newsy. The more people involved, the more violence wrought, the more blood spilled, the bigger the spread either on page one, or on TV. Action is the key word.

It probably would be impossible to buy the space that has been devoted in the press and over the air to the blood letting at San Francisco State College. The College is one of Congresswoman Edith Green's targets when she says she is sick and tired of a minority making it impossible for the majority who want to attend classes.

J. Edgar Hoover suspects an international design behind the student uprisings, but a Democratic Member of the House Education Committee says he believes 25 percent of those making trouble are Revolutionists, and the other 75 percent are idiots. Whatever they are, they get lots of attention.

The question is how much attention and how much help will the students at Allen University in Columbia, South Carolina, receive. This is a Negro college, and over the years, it has been under nourished. It needs help.

The other day the students held a news conference, announced that instead of protesting and throwing bricks and bottles they had decided to join hands, and with the help of God and the University President, to do something constructive.

They intend to help pay off the University's $350,000 debt. And they hope that by March 8th, they will have raised—through contributions, dances, concerts, exhibits and other means, $100,000.00.

It will be interesting to see how much publicity the students at Allen University in Columbia, South Carolina, will receive. Or how many people who complain about campus disorders will sit down, address an envelope to Allen University and enclose a dollar or a five dollar bill.

Chances are the students at Allen would get a lot more attention by beating up an elderly professor.

Comment

(By Joseph McCaffrey, WMAL–TV, Feb. 4, 1969)

Last night I talked about Allen University in Columbia, South Carolina, reporting that its student body announced at a news conference last week that instead of wasting its time protesting, it intended to rally round and help pay off the college debt. The response to last nights program was so great that today I called the College President, Dr. J. W. Hairston, to find out how the student campaign was coming along.

Dr. Hairston emphasized the whole idea originated with the student body and was being carried out by it.

To realize the challenge the students have before them, consider these two facts. The debt is 350,000.00 dollars. There are only 700 students. But all 700 are involved, and they have faith.

Today, on Capitol Hill, a Democratic Member of the House Education Committee, James O'Hara said, the students at Allen have a lot better notion of what makes for a finer college, a better institution than students at some other colleges which have recently gotten much more attention.

The ranking Republican Member of the House Education Committee, William Ayres, commending the students at Allen, said this proves what most Americans believe, that 99 percent of the young people want a good education, that 99 percent of the young people think and act constructively.

Ayres, incidentally, is readying legislation which would cut off all . . . all Federal Funds to any College or University where the administration can not put an end to disorder.

But such legislation isn't needed for Allen University.

Its students may not be making the headlines through disorder and distruction, they are proving themselves by being constructive.

Comment

(By Joseph McCaffrey, WMAL–TV, Feb. 14, 1969)

A week ago last Monday I talked about a college whose students were not rioting, but rather were taking the other path. The students were starting a campaign to raise funds to help pay off the debt of the college.

There was so much interest because of that broadcast that I called the school, Allen University at Columbia, South Carolina, and talked to Dr. J. W. Hairston in order to give a more complete report the following night.

Today I talked to the President again and found out that more than thirty-three percent of the funds raised to date in the students campaign have come from the Washington, Maryland and Virginia area, and most of them as a result of last week's broadcasts.

Congressman Albert Watson, whose District Allen University is in, told me that the people in and around Columbia are beginning to rally around the students efforts.

And today Dr. Hairston told me that it would be difficult for only 750 students, the total enrollment, to raise $350,000.00 dollars but he said, "You know, money isn't everything. What is more important is the spirit that is being shown here. What is more important is the feeling of unity we have achieved here at this school, and the pride we have developed."

And, I might add, there are hundreds of people in this area who, in backing the students of Allen University, have shown that they, too, endorse the positive, and that, contrary to the Code of Journalism—good news can be more newsworthy than bad news.

PFC. BRUCE E. REED, U.S. ARMY, KILLED IN VIETNAM

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. OTTINGER. Mr. Speaker, it is my sad duty to report that another one of my constituents, Pfc. Bruce E. Reed, U.S. Army, of Peekskill, N.Y., died in Vietnam last month.

I wish to commend the courage of this young man and to honor his memory by inserting herewith, for inclusion in the RECORD, the following article:

[From the Peekskill (N.Y.) Evening Star, Mar. 5, 1969]

PFC. REED KILLED IN VIETNAM—IN ACTION NORTH OF SAIGON

Pfc. Bruce Edward Reed, 20, son of Lloyd and Evelyn Puff Reed, of 865 King Street, was killed in action in Vietnam on February 28, according to word received from the Pentagon.

He was born in Peekskill on April 23, 1948 and graduated from Peekskill High School in June, 1967. Prior to entering the military service with the Army, he was employed by Peterson's Auto Parts, Washington Street. He went into service April 23, 1968 and went overseas on October 27, 1968.

Pfc. Reed had been out in the "boondocks" north of Saigon for several months. He was a member of the 25th Infantry Division, Company "C", 1st Platoon.

The family received several conflicting dates of his death, including February 8th

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and February 20th, but it is believed his death occurred February 28th.

He was at one time active in Troop 42, Boy Scouts of America, sponsored by the Peekskill Rotary Club.

Surviving, in addition to his parents, is a sister Mrs. Judy Becktold, of the home address, 865 King Street, and a brother, Robert, of Peekskill and his paternal grandmother, Mrs. Ethel B. Reed, of New York City. Mrs. Becktold's husband is also serving in Vietnam.

Funeral arrangements, which are presently incomplete pending arrival of the body in the United States, are in charge of the E. O. Curry Funeral Home.

WHY ONE BRITISH SOCIALIST TURNED CONSERVATIVE

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. ASHBROOK. Mr. Speaker, for many years John Braine, the British novelist and author of the novel, "Room at the Top" was a member of Britain's Labor Party and a Socialist. As late as 1964 he was a member of the left establishment and in the course of his activities had been associated with the Fabians, the United Nations Association, the Council for Civil Liberties, the Campaign for Nuclear Disarmament—CND, all "approved associations," as he puts it, for those with a Socialist bent.

During his prolonged adventure in leftist circles, Mr. Braine acquired beliefs and policies not entirely unknown to some elements here in our own country. As an internationalist, he despised patriotism; he was anti-American, anti-West Germany, and anti-NATO. Crime was a disease to be treated and not a personal misdemeanor, although the mass-guilt principle made Braine partly responsible for Hiroshima, Nagasaki, Belsen, and Dachau.

Author Braine over the years became increasingly disenchanted with socialism, and upon his conversion came to identify it as the antithesis of freedom:

> It's difficult to say exactly when I rejected Socialism and progressive ideology in general. But this was the key log, this was the beginning of freedom.

A lecture tour of 3 months in the United States delivered the coup de grace to his Socialist experience. Although there were many aspects of American life which he disliked, "there would be regular visitations of absolute happiness of a kind which I had never previously experienced."

Like countless others before him he finally had the answer:

> Towards the end of the trip I worked it out: the name of the happiness was freedom.

John Braine's account, as it appeared in the New York Times of March 2, ends with the hope that others may benefit from his experience:

> And I only hope that I've been able to assure them that freedom isn't a cheat; that indeed on the other side of the barbed wire is a better country.

To help John Braine better tell his story, I place the article, "Why One British Socialist Turned Conservative," in the RECORD at this point:

WHY ONE BRITISH SOCIALIST TURNED CONSERVATIVE

(By John Braine)

LONDON.—There was no sudden conversion, no instant rejection of one set of beliefs and instant adoption of another. But as recently as 1964 I was a member in good standing of the Left Establishment and now I am a rebel against it.

I very much dislike writing about myself, for as I grow older, I become less and less real to myself. I want only to stand outside, recording and recreating, I don't want to become involved. Whether I'm a good or bad writer isn't for me to judge, but I am nothing else except a writer. And I am nothing else except a novelist. I am not quick-witted enough or robust enough for ordinary living. I take no pride in this; it's simply that I've long ago ceased to struggle with my own nature.

Most of all I want to be left alone. To be quiet, to be still, to remember the past: this is how for me a novel begins. I say *the* past and not *my* past, because what I can remember, what I can eventually give shape and life to, isn't my direct experience. The person to whom things happen is someone else, the person who remembers what happened is someone else again.

In fact, there is no sort of explanation for the whole process, except that a phantom talks to a liar. Both phantom and liar devour my time greedily and shamelessly. They don't take the whole of it, but there's always the temptation to give in entirely to their demands. I do this for a period of about six weeks every three years when I'm nearing the end of a novel, working late at night and over the weekend, answering no letters, accepting no invitations, abandoning myself entirely to an existence which is, as far as possible this side of the grave, perfect pleasure—one awakes to the prospect of satisfaction without satiety, of complete and controlled and continuing fulfillment.

Happiness is a dog asleep in the sun. No, it isn't. A dog asleep in the sun is a dog asleep in the sun. This stage of work—or shouldn't one say *labor?*—is happiness. What it isn't is politics.

I grew up a Socialist—was in fact born one—because I grew up in Bradford between two wars. Add to this the fact that I am of the working classes, and it's difficult to see what other choice there was. Bradford was a Socialist city in a decent, old-fashioned, nonconformist sort of way.

More important than this was the fact that virtually every living writer of any consequence was a Socialist. I didn't come to Auden and Isherwood and Spender and the rest until about 1942, when attitudes were already beginning to change. But I could hardly have been expected to know this. W. H. Auden, for instance, was for me still the W. H. Auden of "The Orators," Stephen Spender still the Stephen Spender of "Forward From Liberalism." And E. M. Forster was always saying that in Communism he saw hope. (I didn't ask myself when or under what circumstances he said this, or whether now he might have changed his mind.)

Even George Orwell was enlisted by me under the Socialist banner. Whenever he was critical of Socialism and specifically of Communism, I simply skipped. He was one of us, he was an engineer of the soul (a phrase I was very fond of) with a paid-up union card, and he was entitled to be wrong-headed occasionally.

There was, of course, some sort of idealism behind my beliefs. I was genuinely convinced that Socialism was the only way out of the mess in which the world had found itself. It was all so splendidly lucid: it was only necessary to understand that Left was good and Right was bad. Communism was, of course, on the extreme Left, and Fascism (which by about 1942 naturally included National Socialism) on the extreme Right. The Labor party was mid-Left, the Conservative party mid-Right. There can rarely have been in any society a more inaccurate way of delineating political differences. That the accident of the seating of the political parties in the Chambre des Députés should now have firmly established itself as the basis of political terminology doesn't surprise me, but it more and more frightens me.

If only I had seen active service during the war, I might have grown up earlier. I remember a young man at the Leeds Library School describing a Russian village to me. "A few broken-down huts," he said, "and a gallows and a communal latrine." We were arguing about Communism, which at the time (1947) I was in support of; but all that he could associate it with was the gallows and the communal latrine. That clinched the argument for him, as indeed it does.

But my war service consisted of eight months' training in Portsmouth and a month of waiting at Chatham, after which I was invalided out. For the rest of the war years I was a librarian in the West Riding; and for some reason my part of it was never bombed. I lost nothing, I suffered nothing. I worked at the library, I studied, I began to write, I fell in and out of love. All my waking hours were filled; and at the same time I felt increasingly isolated. I needed the isolation, but part of me had to have some contact with the human race, had to belong to something outside myself.

Socialism filled the gap. It was the high-quality, ready-made suit, with a great variety in cloth and fittings. To have got through to the truth about the causes of the war and what was really happening, to make for myself a mental attitude that would have been mine and no one else's would have been difficult but not impossible.

The Nazi-Soviet pact and the invasion of Finland, for example, were facts which the British propaganda machine, after the invasion of the U.S.S.R., didn't go out of its way to remind the public of; but their record wasn't suppressed or their discussion forbidden.

I chose, however, to accept the official Socialist view that the war was the intensification of the struggle between Left and Right, good and evil, that in the nick of time there was a Popular Front against the Fascist beasts. I even managed to fit the Spanish Civil War into the pattern. And I justified the great purges of the thirties as being directed against those who would have collaborated with the Nazis. Indeed, I asserted that there weren't any collaborationists in the U.S.S.R.

To be fair to myself, I didn't know how many Russians had at first welcomed the Nazis as liberators. Nor did I know how many Russians, even after the Nazis had begun the business of genocide, continued to actively collaborate, being particularly and enthusiastically helpful in hunting down the Jews. It goes without saying that I was completely unaware of the existence of active and state-approved anti-Semitism in the U.S.S.R. (So are the overwhelming majority of Socialists even to this day.)

I'm not standing on the penitential stool, monstrously misguided though my beliefs were. At least my instincts were sound enough to keep me from joining the Communist party. I did attend some of their meetings and social evenings, but the atmosphere of humorless fanaticism was too much to bear.

Nearly a quarter of a century later my memories of those encounters with the Communist party are distorted and fragmentary. The men, young or middle-aged, seem to have been stamped from the same die—short, thick-set, with brutally short hair,

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and loud inflexible voices, given to cardigans and the wearing of pens in the breast pocket. This is my impression; but I can't be certain whether I didn't, after reading Arthur Koestler's "Darkness at Noon" much later, graft on to them most of the characteristics of the inquisitor Gletkin with his shaven head and his inhumanly monotonous voice.

The women were uniformly drab, thin and shapeless or fat and shapeless. I remember only two, a dark-haired girl with an undefinably middle-class profile, and a red-haired girl with a very white face, which would color patchily whenever she talked about the horrors perpetrated by the Fascists. I didn't get anywhere with either of them; the dark-haired one wore a permanent frown which intensified into a ferocious scowl if any friendly approach was made and the red-haired one, though brightly comradely, was incapable of discussing any subject except the class struggle.

I ceased to attend party meetings finally because of Sir Oswald Mosley. He had been released from detention, ostensibly on medical grounds but actually, one suspects, because the Government wished to illustrate the difference between us and the Nazis. The Bradford branch of the party at a public meeting in the Mechanics' Institute one Sunday afternoon (I can still see that dingy little room) moved a resolution deploring Mosley's release and recommending his immediate execution.

I didn't vote against the resolution because I wasn't brave enough to be in a minority of one. There was an excitement in the faces around me which I felt might easily change into something else. But neither could I approve of executing anyone, particularly a slightly comic middle-aged Englishman with phlebitis, without trial. So I didn't vote for the resolution either, hoping that I wouldn't be noticed. But I was noticed, muttering began, heads turned in my direction, I recognized the group manifestation described by Soviet reporters as "Stir in hall." I had a seat at the end of a row next to the door, and was able to make my exit quickly and without fuss.

That was the end of my connection with the Communist party, if connection it may be termed. But I continued to think of myself as a Socialist and a progressive and in general to accept what James Burnham has called the liberal package deal.

The most important item in the package was the belief in progress, not simply towards a better society but towards a perfect society. This could only be achieved through Socialism which, through eradicating the profit motive, would release the creative energies of mankind. There would be no war, no crime, no poverty, no neurosis, no racism, no class division, and only the irreducible minimum of ill-health.

I saw this perfect society as being already alive in the minds and hearts of the people (that being the sort of phrase to which I was addicted). I couldn't imagine that there were any deep-rooted human instincts which would always prevent this perfect society from coming to full term; it was alive as the Sleeping Princess was alive, waiting only for the Labor party's awakening kiss.

Even six years of Labor Government didn't alter this simple faith. The reason for the Princess not being, so to speak, fully conscious, was that the kiss had been brief and respectful on the hand instead of long and passionate on the mouth.

I didn't, however, join the Labor party in an attempt to reform it from within; I was, being a local government officer, discouraged from political activity. In any case, all my observations of constituency politics led me to suppose that there I should find only boredom and drudgery. (The Young Conservatives appeared to be the only local political organization which had any fun.)

My disillusionment with the parliamentary Labor party steadily grew almost from the first day of its taking office. My belief in what I called pure Socialism became almost religious. It's odd to look back some 20 years to my disgust and horror as the late Hector McNeil at the main meeting hall of the Mechanics' Institute explained why the British Government had to help the Greek Government to put down the Communist uprising. McNeil wasn't notable for brilliance or charm, but he was an honest man who, like Ernest Bevin, loved his country. At question time he lost his temper with the Bradford Communists who were, of course, there in full force.

That evening was the first occasion in which I heard the word Fascist employed not merely descriptively, but to clinch an argument. It was, then as now, one of the Left Wing's magic words. Once it was used to describe the Greek Government, anyone who supplied the Greek Government or who even suggested that they might not be entirely in the wrong, was a Fascist, too.

Another magic word was Resistance. The Greek Communists had resisted the Nazis. Unquestionably they had been resisting evil, unquestionably they had been fighting for their country. Therefore their attempt to forcibly take over the Government of Greece now was quite clearly a continuation of that struggle. The enemy was now Greek Fascist instead of German Fascist.

What made the Communist case particularly convincing to me was the fact that the word Fascist as enunciated that evening sounded so sibilantly evil. I didn't ask myself what precisely was meant by Fascist, or why the fact of their having fought against the Germans should give the Communists the right to form a new Government, or whether there hadn't been Greeks fighting the Germans who weren't Communists. It goes without saying that I presumed the Greek people were behind the Communists. The people always were.

Even now I don't like to recollect my gullibility at the period and, indeed, for long afterwards. Not that I was alone. These brutally obvious questions which I failed to ask myself weren't asked by the majority of British and American journalists. And they didn't have the excuse of being young, totally inexperienced, totally untraveled, and incompletely educated into the bargain.

I'm sure that Hector McNeil stated the British Government's case firmly and clearly enough, and that the Government for once had a case. I'm equally sure that I didn't listen. If I had listened, I would have had to start thinking afresh, and not simply about Greece. For by the end of the war I had built myself a cosy and weathertight little dwelling in which I could shut out all unpleasant realities. But if I took one brick out, the whole structure would fall apart.

In my personal relationships I was an individual, judging each issue on its own merits. Politically, my judgment almost always conformed with Socialist ideology. The enemy, to use James Burnham's phrase, was always to the right. For example, I did once personally boycott South African goods, but it never occurred to me to extend the boycott to Polish goods. Yet if to buy South African fruit juice was to support apartheid, then to buy Polish salami was to support Soviet tyranny. The only tenable argument that can be used against this kind of boycott is also one against boycott in general.

But it was unthinkable not to trade with the Soviet bloc. No Communist country was ever really morally in the wrong; or when it was, it was less so than the villian countries—South Africa, Portugal, Greece, Spain, the U.S.A.

The excuse for the misdeeds of the U.S.S.R. was, if I remember correctly, necessity. This very nicely covered the Soviet-Nazi pact. Bear in mind that Soviet propaganda was exclusively directed at me. That is, at the Western intelligentsia (using the term in its broadest sense) of my generation. Those in charge of the British division wouldn't have advanced any explanation for the pact which even mentioned idealism or the suffering masses. The excuse for the continuing subjugation of Eastern Europe and the attempted subjugation of Yugoslavia, and the Berlin Blockade and later, the Berlin Wall. was fear of a revived Germany and American imperialism. I suppose that this fear was a subdivision of necessity.

I managed to accept this while at the same time thinking of the U.S.A. as holding down Western Europe by sheer force. The word (if so it may be termed) NATO had for me the same sinister ring as once had the Axis. That the U.S.A. had a monopoly of the nuclear bomb in 1945 and didn't extract the least advantage from it, never, I honestly believe, even occurred to me. If it ever did, it didn't seem of the least significance. I could never have allowed the Government of the U.S.A. the virtue of idealism; the U.S.A. was, as I have said, permanently cast as villain.

Along with this I managed to maintain a hero-worship for Tito as a champion of freedom. He was no more a champion of freedom than the managing director of a small firm resisting a take-over bid is a champion of Socialism; but I contrived to classify Yugoslavia as being one of the nations which couldn't be morally in the wrong without, however, classifying the U.S.S.R. as a villain. This isn't really important, but it does help to illustrate the deep-rootedness of the enemy-is-always-to-the-right syndrome.

It isn't amazing that someone who was (as I was for most of my 20's) working a full 40-hour week, studying for examinations, trying to learn how to write, falling in and out of love, reading voraciously and taking small parts in amateur plays with the notion of being a playwright, should be rather muddled politically. There is, when all is said and done, only so much time in the day. But the extent to which I was muddled appals me even now. It might have been that I had some inkling, even in the late forties, that the Left was the winning side. But Labor's victory in 1945 was merely an electoral victory, the protest vote of the forces. The Right Establishment was apparently as firmly seated as ever.

And in 1951 the Labor party was defeated. I had a job as a filing clerk at the time, having resigned my safe job as a librarian in Yorkshire to live on my earnings as a writer in London. The day that the election results were announced was the day on which I had realized that something was seriously wrong with my health. The job wasn't demanding; there was plenty of leisure in which to think. It seemed on the face of it that the Labor party was finished, as I was finished. And just as it was necessary for me to cling to a belief in myself, so it was necessary for me to cling to a belief in Socialism.

And cling to that belief I did for the next 13 years, on the winning side though I didn't know it. And when I was at last in a position to do so I joined all, or nearly all, the approved associations; it was as if I were grooming myself as a charter member of the Left Establishment. The Fabians, the United Nations Association, the Council for Civil Liberties, the Campaign for Nuclear Disarmament (C.N.D.) and, naturally, the local Labor party; I was so thoroughly establishment in my thinking that I was savagely glad when, under Gaitskell, Labor was defeated in the general election of 1959.

I hated Gaitskell almost as much as, if not more than, Macmillan. For he was betraying Socialism. He was against C.N.D., and C.N.D. was a Socialist organization. That he was against C.N.D. because with all his faults he loved his country was yet another black mark against him.

For I despised patriotism as a motive. I

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was an internationalist, ready to proclaim my love of all mankind at the drop of a petition form or editorial request from behind the Iron Curtain. I spoke frequently for C.N.D. all over the country, generally managing to bring tears to my own eyes, if not to the audience's. I varied the speech to bring in the latest announcement of some politician or general or scientist, and I was adept at pressing quotations from authors like Chekhov into service, but essentially it was always the same speech.

It was above all anti-American. And anti-West Germany and anti-NATO. Curiously enough, it wasn't 100 per cent pacifist. I wasn't in favor of total disarmament but only of nuclear disarmament. Unilateral, I should add, this word was very important. It was exact, concise, and had a professional diplomatic flavor, as if one were already in the council chamber into which the late Aneurin Bevan didn't wish to go naked. I had a shrewd idea that most people weren't quite sure what it meant, so I would always, without being too obvious about it, devote at least five minutes to explaining it.

The argument wrapped up inside this rather cheap wrapping was that this country by giving up the nuclear bomb and closing down the American bases would both set a moral example and make herself safer. I can only say in extenuation that I honestly and passionately believed this. What shocks me now is to hear this sort of argument still advanced not only by the younger generation but by my contemporaries. The arguments they use against the American action in Vietnam are exactly the same as I used against the American action in Korea.

I was to grow more and more disenchanted with C.N.D., the disenchantment beginning with the demonstration against Queen Frederika of Greece which ended with her having to hide from her pursuers. It wasn't only the sheer nastiness of this near-lynching which upset me. It was that such a demonstration could only be for the benefit of the Communist party. It had nothing to do with unilateral nuclear disarmament. If the leaders of C.N.D. knew that they were being used, then C.N.D. had become yet another Communist front organization. If they didn't know, they were so stupid that one couldn't possibly follow them any longer.

Nor was I enthusiastic about the sit-ins. Deliberately to put oneself in jail struck me as being not only immature but downright perverted. It should, I reasoned, be our opponents we should be planning to send to prison—if, indeed, anyone had to be sent to prison at all.

But my activities in C.N.D. had always been confined to speaking. I had never taken part in the Aldermaston March or any other demonstration. Instinctively I felt nothing but revulsion on the two occasions when I observed the long procession make its way into Trafalgar Square. Hysteria wasn't very far away, these people had lost their individuality; and, though I agreed with them, nothing on earth would have persuaded me to join them. I might not, I thought, amount to much as a person, but my individuality was all I'd got, I couldn't give it up even temporarily in a good cause.

Nor did I write for C.N.D. That would have meant writing for nothing, or for very low rates, which I am literally incapable of doing. I have always felt that if what I write isn't worth paying for it isn't worth writing. Or, to put it another way, I would give £100 to a cause which I supported but I wouldn't write a free article worth £100 for that cause.

These reservations aside, I continued as a professing Socialist until the beginning of 1965. There is an article of mine supporting the Labor party published just before the general election to prove it.

But at the same time as the article was published I was beginning to reject certain important items of the Left package deal. I looked at the statistics for crimes of violence and for murder, for instance, and realized that I didn't really believe that crime was an illness to be treated, and that the function of prison was to reform. As I looked at the statistics I could come to only one conclusion: the humanitarian approach to crime had vastly increased the sum of human suffering. It wasn't, properly speaking, humanitarian at all but ideological. The principle of deterrence—including capital punishment and the "cat"—was the genuinely humanitarian one, simply because it demonstrably decreased the sum of human suffering.

I went further, slowly and painfully. Severe punishment wouldn't reform anybody, it wouldn't make anyone behave well. But to make the people behave well wasn't the function of the criminal law. Its function was to prevent people from behaving badly in certain specific ways. I went further, aided by an essay of the late C. S. Lewis. The concept of crime as a disease to be treated and not a personal misdemeanor to be punished is essentially evil.

If a man commits a crime, is jailed for the allotted time, and serves his sentence, then his debt is paid. Punishment is finite. If his crime is to be regarded as an illness, then the treatment may take any form which the ever-changing fashions in psychiatry direct—including lobotomy, electric shocks, and castration—and may take any length of time. It might indeed be decided that the patient was incurable; and euthanasia is also part of the Left package deal. In short, the criminal is no longer a man to be punished, a debtor paying his debt, but a faulty machine to be repaired, remade, or scrapped.

The Pennine Moor murder case in 1965–66 rid me forever of the belief in another Left article of faith, to be summed up in the phrase "We are all guilty." (A variation of this, especially popular with hard-pressed journalists, is the use, or rather misuse, of the passage from one of John Donne's sermons beginning "No man is an island. . . .")

I had used this approach as much as anyone, most of all in my C.N.D. days. I had declared myself guilty of Hiroshima, Nagasaki, Belsen, Dachau so often that I'd almost come to believe that I had a direct share of responsibility in what had happened in these places. But when I was told, in one article, that those who wished to hang Myra Hindley and Ian Brady were guilty in exactly the same way, then something snapped inside my brain. I hadn't murdered those children. I would literally (and I never use this word lightly) rather have died than commit such foul and beastly atrocities. Above all, I wasn't there. And I wasn't at Belsen or Dachau either.

I could only be held guilty for actions which either I had personally committed or which I had given my authority for or which I had allowed to be committed having the authority to prevent them. And my desire to see Hindley and Brady hanged was activated not by my emotional kinship to them, but by my utter detestation of their crimes. I, and the majority of the population of Great Britain, was making the sort of moral judgment which has to be made if any civilized society is to survive.

It's difficult to say exactly when I rejected Socialism and progressive ideology in general. But this was the key log, this was the beginning of freedom.

The thinking—and I cannot emphasize often enough how abhorrent thinking in the abstract is to me—began in America in the autumn of 1964 when I made a lecture tour of three months. I missed my wife and children, I found the traveling more tiring than I had bargained for, and it wasn't really financially profitable. There were many aspects of American life which I disliked, and cities like Detroit I found especially depressing. But, nevertheless, throughout the trip there would be regular visitations of absolute happiness of a kind which I'd never previously experienced.

Towards the end of the trip I worked it out: the name of the happiness was freedom. This was still a country in which you could be anything you wanted to be from beatnik to millionaire. This was a country in which still the state existed for the people not the people for the state. The name of the system the people lived under was capitalism. It was often cruel, often unjust, often inefficient, often wasteful, but it gave everyone, even if in an arbitrary and confused way, the chance to be what he wanted to be. Above all, it didn't care. It left people alone. One could, as long as one was prepared to pay the price, contract out of it. And, for all its faults, it gave the majority of people a far higher standard of living than did either Communism or its ugly little sister Socialism.

There were pockets of devastating poverty but, given time, those would be wiped out. There was a racial problem alongside the poverty problem but, given time, that would be wiped out, too. The profit motive would do the job; for what poverty represents to capitalism is not so much an evil as an untapped market. The desire to make a profit out of one's fellow man is a more reliable and decent motive than the desire to do him good, to change his way of life, to make him a better person.

For eventually he may find himself being made a better person in the torture chamber or the prison camp or—for the good of the greatest number—on the gallows. The capitalist sells him something which, by and large, has to be reasonable value for money if he wants to make another sale. But he doesn't care what the customer believes or what color he is as long as he gets his money. Money, as Caligula said when he taxed the contents of public urinals, doesn't stink. And it only enslaves those who allow themselves to be enslaved by it. The richest man in the U.S.A. has not the power of life and death. The most minor bureaucrat in the Soviet secret police can exercise it a hundred times a day.

I don't think that I worked it out quite as coherently as this in America: the happiness was quite enough. When I returned I eventually resigned from the Council for Civil Liberties, C.N.D., the Labor party, the Fabians, and the U.N.A. I don't for one moment suppose that any of these organizations were in the least affected by my defection.

There was no new set of beliefs to replace the old, no new package deal, no new ideology. One is naturally a member of the Conservative party because it represents the only effective opposition to the Labor party. But the essence of my attitude now is that I judge each issue on its own merits and not in relation to any philosophical system. One isn't a member of any sort of establishment and one isn't ruled by any sort of establishment either. In my middle age I have become free.

And in my middle age I have been sustained by love. I have been able to acknowledge at last what I have always felt instinctively. I don't care about the well-being of any other country except my own. I can say quite shamelessly, *I love my country*, and, in saying it, be no less an individual, but find myself more closely in touch with the majority of people than ever before. There's another source of strength for me to draw upon now. I am more myself, whoever I am, than I ever was before, but I am not alone.

I have found the writing of this article extremely arduous. I have no business to write about myself, because I am of no importance except to my wife and children and friends. What I have had to say I have said only to record my escape route. I only hope that someone else may be able to use it. And I only hope that I've been able to assure them that freedom isn't a cheat; that indeed on the other side of the barbed wire is a better country.

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LIBERALISM STIFLES INDIVIDUALISM

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. RARICK. Mr. Speaker, Mr. E. William Gaedtke has prepared a thought-provoking paper he calls "An Introduction to Leftism," which differentiates between the true liberal and the totalitarianistic ideals of the modern liberal.

Present-day liberals have become conformists—all marching in step to the tune of a new form of nationalism called one-worldism.

Mr. Gaedtke says:

> Liberalism today is the vanguard of communism, preparing the means by which nations are conquered while they sleep. Liberals are the most powerful weapon in the Communist arsenal—they are a deadly breed and those who ignore the machinations of the Liberal, do so at their peril.

Mr. Speaker, "An Introduction to Leftism," by E. William Gaedtke, and a chapter from Henry Hazlitt's book "The Man Versus the State," follow:

AN INTRODUCTION TO LEFTISM

(By E. William Gaedtke)

An interesting and most heartening reaction to the forces of one-worldism is to be seen in the growing mistrust of arty politics throughout the nations of the free world. Like the man who claimed that he found religion only on leaving the church, public opinion indicates an enlightened awareness that party politics are seldom allied to any sense of patriotism; that the party-political machinery is a convenient means of achieving power to further the aims and ambitions of lesser beings.

Political leaders, in the best sense, are rare gems in the national treasury, but even the "bright, shining star," as exemplified by patriotic leadership, requires the right dynamic force to keep it positioned in a dark firmament. Graft, self-aggrandisement and opportunism within a party-political machine pose an ever-present threat to the strength of the force on which national leadership must rest.

The infiltrator wastes no time in moving in on the political plane, subverting, distorting and adding to the confusion and political intrigue. He knows that he may rely on the self-seekers and the army of white ants in the form of the Liberal to undermine and stir it up.

As Thomas J. Anderson puts it, "Most politicians are neither dedicated Leftists nor dedicated Rightists. They are dedicated to stay in there—it becomes an obsession with them that overrules everything else. Some cynics say that the answer to the professional politician is to elect rich people—that they won't have to steal. Of course, stealing has no connection with riches—most thieves don't want bread, they want power to move. Most politicians are like cockroaches—it's not what they steal and carry off—it's what they fall into and mess up."

AMBITIOUS POLITICIANS

The power behind the international Conspiracy relies—entirely—on the ambitious politician and the Liberal to provide the conditions which must ultimately result in the economic and political control of the world under a central government.

Since the unscrupulous politician and the Liberal are wittingly or unwittingly promoting the one-world ideology, it becomes increasingly difficult to define present day political philosophies; increasingly dangerous to be associated with any political party, unless one understands the techniques of Leftist infiltration and intent. World political trends suggest that it matters little under what label a political party functions—if infiltration has taken place the end result will be the same—whether or not the policies are intended to promote liberalism, socialism, conservatism or any other ism.

A classic example of this technique may now be seen in the United States, where the Fascist Party—so-called Rightwing—evokes in genuine Right-wingers an emotionalism to the point of extremism and acts of violence. In order to produce the necessary degree of chaos and confusion, the Communists are in control on both sides in the forces opposing each other. In this instance the Communists are actually creating the illusion of opposing each other for the purpose of achieving the same objective. This is a well-known technique to which the Liberal lends himself.

In an effort to define liberalism—either as an individual, inherent characteristic, or as a political philosophy, it is important to remember that one follows naturally on the other. In present day terms "liberalism" takes on many forms—Fabianism, socialism, fascism, nationalism (in its worst sense) and even conservatism which once signified the balanced thinking associated with the Right-wing.

LIBERALISM TODAY

Liberalism today—and in the light of world events—is the master-ism lying behind all revolutionary movements and to which Communism is the natural but contradictory extension, since the latter stands for oppression while liberalism—in its old-world senses—stood for freedom of thought and the liberty of the individual. With the introduction and clever manipulation of semantics, the internationalists were able to foster and further the concept of so-called Christian "humanitarianism" through the philosophy of Dickensian "liberalism" which provided the necessary Rabelaisian swamps in which the Liberals wallow.

Everyman's Encyclopedia defines liberalism as follows:—

"Liberalism in modern times stands for such government by the people as will maintain individual liberty to the maximum extent compatible with social order. Hence it is that L. and liberty are intimately bound up with one another, though the exact connotation of the latter terms is notoriously difficult to determine." Asquith took it to mean, "The power of initiative, the free play of intelligences and wills, the right, so long as a man did not become a danger or a nuisance to the community, to use as he thought best the faculties of his nature, or his brain, and the opportunities of his life."

Today one recognises liberalism as being—basically—the philosophy of compromise—the "easy-out" for the uncommitted—and the very antithesis of individual God-fearing, liberty. As a philosophy it appeals to the herd-instinct of the masses who delight in being "a danger or a nuisance to the community." In this they have "initiative" in abundance!

LIBERALISM: OLD STYLE

In drawing the distinction between old and modern concepts of liberalism, Collier's Encyclopedia has this to say of it—old style:

"Liberalism, as it developed in the seventeenth and eighteenth centuries and flowered in the nineteenth, put major emphasis on the freedom of individuals to control their own destinies. Individualism was its creed: collectivism and tyranny its enemy. . . . In politics, liberalism expressed itself as a reaction against authoritarian regimes. Liberals favoured limiting the rights or hereditary rulers, establishing parliamentary institutions, extending the franchise, and guaranteeing civil rights, and liberties. They favoured such measures both for their own sake, as a direct expression of essential political freedoms, and as a means of bringing about the adoption of the economic measures they advocated."

But it is interesting to note that even "old-style" liberalism appeared to favour a policy of internationalism in that they aimed at "free trade among nations" as a means for preventing war!

In a lengthy exposition Collier's continues:

"The twentieth century liberal will usually resolve the same doubt in favour of increasing the power of the central government at the expense of local government. His main objective is to strengthen the power of the government to do "good" for the people. And adds, "Twentieth century liberalism puts less faith in the market in all its manifestations and favours widespread government intervention in, and control over, economic activity. . . . Twentieth century liberalism sometimes favours collective means while advancing individualist objectives. And its objectives are individualist in a different sense; its keynote is welfare." This typifies the formless cerebral peregrinations of the Liberal "intellectual!"

LIBERALISM "THE VANGUARD OF COMMUNISM"

Liberalism today is the vanguard of Communism, preparing the means by which nations are conquered while they sleep. Liberals are the most powerful weapon in the Communist arsenal—they are a deadly breed and those who ignore the machinations of the Liberal, do so at their peril.

Liberals fall into two categories—the dedicated Queen ants (the "intellectuals") and the army ants. They are the carefully indoctrinated perverts of our age—stupid, vicious, arrogant. Wherever trouble exists the Liberal may be found—egged on by the "invisible" Communist pal, manipulating him like a puppet on a string from the wings.

Liberals are intellectually sick, labouring under delusions of self-importance. They have the diabolical cunning of the mentally unhinged; living in a world of grotesque phantasy devoid of spiritual light or Divine purpose; a world of lies, distortion and irrationality. Basically, Liberals are cowards, but sufficiently courageous—as with the "courage" of the suicide—to spurn God and country, while they spit venom at all who oppose them. They are a living plague on the face of the earth. In their feverish efforts to gratify the unconscious death-wish in themselves, they seek to engulf all of humanity under a cloud of stinking decay.

The white-anting Liberals are the misguided do-gooders, the politically unconscious in the patriotic sense; the instruments for agitation and revolution. They are the conspiratorial tool for applying the dialectic on all fronts in the life of an unsuspecting nation and for waging war against resistance. They have no morals, principles or scruples.

The real tragedy of the effects of liberalism may be seen more clearly in countries where these disciples of Darkness are at liberty to poison the minds of a nation's youth in teaching institutions.

If a nation is to survive the Liberal onslaught and prevent a Communist takeover, it must be alerted to the ramifications of Liberal intrigue and deceit. A healthy and vigorously progressive nation requires good, clean air, which spells death for the Liberal and Life for the nation.

FROM SPENCER'S 1884 TO ORWELL'S 1984

(By Henry Hazlitt)

(NOTE.—Mr. Hazlitt is the well-known economic and financial analyst, columnist, lecturer, and author of numerous books.)

(This article will appear as a chapter in a forthcoming book, *Man vs. the Welfare State*, to be published by Arlington House.)

In 1884, Herbert Spencer wrote what quickly became a celebrated book, *The Man Versus the State*. The book is seldom referred to now, and gathers dust on library shelves—if, in fact, it is still stocked by many libraries. Spencer's political views are regarded by most present-day writers, who bother to mention him at all, as "extreme *laissez faire,*" and hence "discredited."

But any open-minded person who takes the trouble today to read or reread *The Man Versus the State* will probably be startled by two things. The first is the uncanny clairvoyance with which Spencer foresaw what the future encroachments of the State were likely to be on individual liberty, above all in the economic realm. The second is the extent to which these encroachments had already occurred in 1884, the year in which he was writing.

The present generation has been brought up to believe that government concern for "social justice" and for the plight of the needy was something that did not even exist until the New Deal came along in 1933. The ages prior to that have been pictured as periods when no one "cared," when *laissez faire* was rampant, when everybody who did not succeed in the cutthroat competition that was euphemistically called free enterprise—but was simply a system of dog-eat-dog and the-devil-take-the-hindmost—was allowed to starve. And if the present generation thinks this is true even of the 1920's, it is absolutely sure that it was so in the 1880's, which it would probably regard as the very peak of the prevalence of *laissez faire*.

THE SEEDS OF CHANGE

Yet the new reader's initial astonishment when he starts Spencer's book may begin to wear off before he is halfway through, because one cause for surprise explains the other. All that Spencer was doing was to project or extrapolate the legislative tendencies existing in the 1880's into the future. It was because he was so clear-sightedly appalled by these tendencies that he recognized them so much more sharply than his contemporaries, and saw so much more clearly where they would lead if left unchecked.

Even in his Preface to *The Man Versus the State* he pointed out how "increase in freedom on form" was being followed by "decrease of freedom in fact":

"Regulations have been made in yearly growing numbers, restraining the citizen in directions where his actions were previously unchecked, and compelling actions which previously he might perform or not as he liked; and at the same time heavier public burdens . . . have further restricted his freedom, by lessening that portion of his earnings which he can spend as he pleases, and augmenting the portion taken from him to be spent as public agents please."

In his first chapter, "The New Toryism," Spencer contends that "most of those who now pass as Liberals, are Tories of a new type." The Liberals of his own day, he points out, had already "lost sight of the truth that in past times Liberalism habitually stood for individual freedom versus State-coercion."

So the complete Anglo-American switch of reference, by which a "liberal" today has come to mean primarily a State-interventionist, had already begun in 1884. Already "plausible proposals" were being made "that there should be organized a system of compulsory insurance, by which men during their early lives shall be forced to provide for the time when they will be incapacitated." Here is already the seed of the American Social Security Act of 1935.

Spencer also pays his respects to the anti-libertarian implications of an increasing tax burden. Those who impose additional taxes are saying in effect: "Hitherto you have been free to spend this portion of your earnings in any way which pleased you; hereafter you shall not be free to spend it, but we will spend it for the general benefit."

Spencer next turns to the compulsions that labor unions were even then imposing on their members, and asks: "If men use their liberty in such a way as to surrender their liberty, are they thereafter any less slaves?"

In his second chapter, "The Coming Slavery," Spencer draws attention to the existence of what he calls "political momentum"—the tendency of State interventions and similar political measures to increase and accelerate in the direction in which they have already been set going. Americans have become only too familiar with this momentum in the last few years.

Spencer illustrates: "The blank form of an inquiry daily made is—'We have already done this; why should we not do that?' " "The buying and working of telegraphs by the State" [which already existed in England when he wrote], he continued, "is made a reason for urging that the State should buy and work the railways." And he went on to quote the demands of one group that the State should take possession of the railways, "with or without compensation."

The British State did not buy and work the railways until 64 years later, in 1948, but it did get around to it, precisely as Spencer feared.

It is not only precedent that prompts the constant spread of interventionist measures, Spencer points out, "but also the necessity which arises for supplementing ineffective measures, and for dealing with the artificial evils continually caused. Failure does not destroy faith in the agencies employed, but merely suggests more stringent use of such agencies or wider ramifications of them." One illustration he gives is how "the evils produced by compulsory charity are now proposed to be met by compulsory insurance." Today, in America, one could point to scores of examples (from measures to cure "the deficit in the balance of payments" to the constant multiplication of measures to fight the government's "war on poverty") of interventions mainly designed to remove the artificial evils brought about by previous interventions.

ONE TURN DESERVES ANOTHER

Everywhere, Spencer goes on, the tacit assumption is that "government should step in whenever anything is not going right . . . The more numerous governmental interventions become . . . the more loud and perpetual the demands for intervention." Every additional relief measure raises hopes of further ones:

"The more numerous public instrumentalities become, the more is there generated in citizens the notion that everything is to be done for them, and nothing by them. Every generation is made less familiar with the attainment of desired ends by individual actions or private agencies; until, eventually, governmental agencies come to be thought of as the only available agencies."

FORMS OF SLAVERY

"All socialism," Spencer concludes, "involves slavery. . . . That which fundamentally distinguishes the slave is that he labors under coercion to satisfy another's desires." The relation admits of many graduations. Oppressive taxation is a form of slavery of the individual to the community as a whole. "The essential question is—How much is he compelled to labor for other benefit than his own, and how much can he labor for his own benefit?"

Even Spencer would probably have regarded with incredulity a prediction that in less than two generations England would have rates of income tax rising above 90 per cent, and that many an energetic and ambitious man, in England and the United States, would be forced to spend more than half his time and labor working for the support of the community, and allowed less than half his time and labor to provide for his family and himself.

Today's progressive income tax provides a quantitative measurement of the relative extent of a man's economic liberty and servitude.

Those who think that public housing is an entirely new development will be startled to hear that the beginnings of it—as well as some of its harmful consequences—were already present in 1884:

"Where municipal bodies turn housebuilders (wrote Spencer), they inevitably lower the values of houses otherwise built, and check the supply of more. . . . The multiplication of houses, and especially small houses, being increasingly checked, there must come an increasing demand upon the local authority to make up for the deficient supply. . . . And then when in towns this process has gone so far as to make the local authority the chief owner of houses, there will be a good precedent for publicly providing houses for the rural population, as proposed in the Radical program, and as urged by the Democratic Federation (which insists on) the compulsory construction of healthy artisans' and agricultural laborers' dwellings in proportion to the population."

One State intervention Spencer did not foresee was the future imposition of rent controls, which make it unprofitable for private persons to own, repair, or renovate old rental housing or to put up new. The consequences of rent control provoke the indignant charge that "private enterprise is simply not doing the job" of providing enough housing. The conclusion is that therefore the government must step in and take over that job.

What Spencer did expressly fear, in another field, was that public education, providing gratis what private schools had to charge for, would in time destroy the private schools. What, of course, he did not foresee was that eventually the government would provide free tuition even in tax-supported colleges and universities, thus more and more threatening the continuance of private colleges and universities—and so tending more and more to produce a uniform conformist education, with college faculties ultimately dependent for their jobs on the government, and so developing an economic interest in professing and teaching a statist, pro-government and socialist ideology. The tendency of government-supported education must be finally to achieve a government monopoly of education.

ANCIENT ROOTS OF TYRANNY

As the "liberal" readers of 1969 may be shocked to learn that the recent State interventions which they regard as the latest expressions of advanced and compassionate thought were anticipated in 1884, so the statist readers of Spencer's day must have been shocked to learn from him how many of the latest State interventions of 1884 were anticipated in Roman times and in the Middle Ages. For Spencer reminded them, quoting an historian, that in Gaul, during the decline of the Roman Empire, "so numerous were the receivers in comparison with the payers, and so enormous the weight of taxation, that the laborer broke down, the plains became deserts, and woods grew where the plough had been."

Spencer reminded his readers also of the usury laws under Louis XV in France, which raised the rate of interest "from five to six when intending to reduce it to four." He reminded them of the laws against "forestalling" (buying up goods in advance for later resale), also in early France. The effect of such laws was to prevent anyone from buying "more than two bushels of wheat at market," which prevented traders and dealers from equalizing supplies over time, thereby intensifying scarcities. He reminded his readers also of the measure which, in 1315, to diminish the pressure of famine, prescribed the prices of foods, but which was later repealed after it had caused the entire disappearance of various foods from the markets. He reminded them, again, of the many endeavors to fix wages, beginning with the Statute of Laborers under Edward III (1327-

XUM

77). And still again, of statute 35 of Edward III, which aimed to keep down the price of herrings (but was soon repealed because it raised the price). And yet again, of the law of Edward III, under which innkeepers at seaports were sworn to search their guests "to prevent the exportation of money or plate."

This last example will uneasily remind Americans of the present prohibition of private gold holdings and gold export, and of the Johnson Administration's attempt to put a punitive tax on foreign travel, as well as the actual punitive tax that it did put on foreign investment. Let us add the still existing prohibitions even by allegedly advanced European nations against taking more than a tiny amount of their local *paper* currency out of the country!

THE FEDERAL BULLDOZER THEN

I come to one last specific parallel between 1884 and the present. This concerns slum clearance and urban renewal. The British government of Spencer's day responded to the existence of wretched and overcrowded housing by enacting the Artisans' Dwellings Acts. These gave to local authorities powers to pull down bad houses and provide for the building of good ones:

"What have been the results? A summary of the operations of the Metropolitan Board of Works, dated December 21, 1883, shows that up to last September it had, at a cost of a million and a quarter to ratepayers, unhoused 21,000 persons and provided houses for 12,000—the remaining 9,000 to be hereafter provided for, being meanwhile, left houseless. This is not all. . . . Those displaced . . . form a total of nearly 11,000 artificially made homeless, who have had to find corners for themselves in miserable places that were already overflowing."

Those who are interested in a thorough study of the present-day parallel to this are referred to Professor Martin Anderson's *The Federal Bulldozer* (M. I. T. Press, 1964; McGraw-Hill paperback, 1967). I quote just one short paragraph from his findings:

"The federal urban renewal program has actually aggravated the housing shortage for low-income groups. From 1950 to 1960, 126,000 dwelling units, most of them low-rent ones, were destroyed. This study estimates that the number of new dwelling units constructed is less than one fourth of the number demolished, and that most of the new units are high-rent ones. Contrast the net addition of millions of standard dwelling units to the housing supply by private enterprise with the minute construction effort of the federal urban renewal program." (p. 229)

There is an eloquent paragraph in Spencer's book reminding his readers of the eighties of what they did *not* owe to the State:

"It is not to the State that we owe the multitudinous useful inventions from the spade to the telephone; it is not the State which made possible extended navigation by a developed astronomy; it was not the State which made the discoveries in physics, chemistry, and the rest, which guide modern manufacturers; it was not to the State which devised the machinery for producing fabrics of every kind, for transferring men and things from place to place, and for ministering in a thousand ways to our comforts. The world-wide transactions conducted in merchants' offices, the rush of traffic filling our streets, the retail distributing system which brings everything within easy reach and delivers the necessaries of life daily at our doors, are not of governmental origin. All these are results of the spontaneous activities of citizens, separate or grouped."

AGGRAVATED WASTE

Our present-day statists are busily trying to change all this. They are seizing billions of additional dollars from the taxpayers to turn them over for "scientific research." By this compulsorily subsidized government competition they are discouraging and draining away the funds for private scientific research; and they threaten to make such research, in time, a government monopoly. But whether this will result in more scientific progress in the long run is doubtful. True, enormously more money is being spent on "research," but it is being diverted in questionable directions—in military research; in developing greater and greater superbombs and other weapons of mass destruction and mass annihilation; in planning supersonic passenger airplanes developed on the assumption that civilians must get to their European or Caribbean vacation spots at 1,200 or 1,800 miles an hour, instead of a mere 600, no matter how many eardrums or windows of groundlings are shattered in the process; and finally, in such Buck Rogers stunts as landing men on the moon or on Mars.

It is fairly obvious that all this will involve enormous waste; that government bureaucrats will be able to dictate who gets the research funds and who doesn't, and that this choice will either depend upon fixed arbitrary qualifications like those determined by Civil Service examinations (hardly the way to find the most original binds), or upon the grantees keeping in the good graces of the particular government appointee in charge of the distribution of grants.

But our Welfare Statists seem determined to put us in a position where we will be dependent on government even for our future scientific and industrial progress—or in a position where they can at least plausibly argue that we are so dependent.

A DENIAL OF PRIVATE PROPERTY

Spencer next goes on to show that the kind of State intervention he is deploring amounts to not merely an abridgement but a basic rejection of private property: A "confusion of ideas, caused by looking at one face only of the transaction, may be traced throughout all the legislation which forcibly takes the property of this man for the purpose of giving gratis benefits to that man." The tacit assumption underlying all these acts of redistribution is that:

"No man has any claim to his property, not even to that which he has earned by the sweat of his brow, save by the permission of the community; and that the community may cancel the claim to any extent it thinks fit. No defense can be made for this appropriation of A's possessions for the benefit of B, save one which sets out with the postulate that society as a whole has an absolute right over the possessions of each member."

In the final chapter (just preceding a Postscript) Spencer concluded: "The function of Liberalism in the past was that of putting a limit to the powers of kings. The function of true Liberalism in the future will be that of putting a limit to the power of Parliaments."

In endorsing some of the arguments in Spencer's *The Man Versus the State*, and in recognizing the penetration of many of his insights and the remarkable accuracy of his predictions of the political future, we need not necessarily subscribe to every position that he took. The very title of Spencer's book was in one respect unfortunate. To speak of "the man versus the State" is to imply that the State, *as such*, is unnecessary and evil. The State, of course, is absolutely indispensable to the preservation of law and order, and the promotion of peace and social cooperation. What is unnecessary and evil, what abridges the liberty and threatens the true welfare of the individual, is the State that has usurped excessive powers and grown beyond its legitimate functions—the Superstate, the socialist State, the redistributive State, in brief, the ironically misnamed "Welfare State."

But Spencer was certainly right in the main thrust of his argument, which was essentially that of Adam Smith and other classical liberals, that the two indispensable functions of government are first, to protect the nation against aggression from any other nation, and second, to protect the individual citizen from the aggression, injustice, or oppression of any other citizen—and that every extension of the functions of government beyond these two primary duties should be scrutinized with jealous vigilance.

We are deeply indebted to Herbert Spencer for recognizing with a sharper eye than any of his contemporaries, and warning them against, "the coming slavery" toward which the State of their own time was drifting, and toward which we are more swiftly drifting today.

It is more than a grim coincidence that Spencer was warning of the coming slavery in 1884, and that George Orwell, in our time, has predicted that the full consummation of this slavery will be reached in 1984, exactly one century later.

DRUG USAGE AMONG HIGH SCHOOL AND COLLEGE STUDENTS

HON. RAY J. MADDEN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. MADDEN. Mr. Speaker, during the last few years schools and colleges over the Nation have become greatly concerned over the encroachment of the use of drugs such as marihuana and other stimulants by our American youth. The spread of this unfortunate epidemic among our youngsters has increased in alarming proportions in all metropolitan areas throughout our land, and particularly where many students are concentrated in high schools, colleges, and so forth.

Ed Zuckerman, Gary, Ind., Post-Tribune staff reporter has devoted considerable time making a personal survey and investigation of this awful scourge which was visited upon many youngsters who do not know or realize the physical and mental repercussions to their health and future by flirting with the devastating use of drugs and stimulants. And this applies to human beings of all ages.

I hereby submit two of several articles written by reporter Zuckerman on findings, discoveries, and conclusions he has made in his survey of the drug use among a small percentage of youngsters in the Calumet region of Indiana. The articles are designed to inform parents and other adults, to protect families and schools, and to provide authorities with every possible assistance in coping with a major problem.

The articles referred to follow:

(By Ed Zuckerman)

Youngsters in every city of the nation, including Gary and its environs, are experimenting with drugs and smoking marijuana in ever-increasing numbers.

It's an aftereffect of the "psychedelic explosion" that was brought to public attention when the hippie invasion brought drugs and marijuana to San Francisco's Haight-Ashbury district.

The district was a mecca for troubled youth. It was highly glamorized in that it generated mountains of publicity. And, if not joined by every sympathetic youngster, at least some of the Haight-Ashbury experience could be made a part of each youth—the mind-expanding drugs.

But the hippie cult was by no means the inventor of the mind-expanding agents.

As early as 1956, The Post-Tribune was publishing pictures of wildly flourishing marijuana patches in Lake County and within the Gary city limits!

The problem existed then, as it does now, but the problem has been greatly magnified by the growing number of youngsters who are learning about the psychedelic explosion from their friends who, in turn, have learned about it from other friends.

Police officials and school authorities have long been involved with the search for drug and marijuana abusers and, quite often, their work has been done quietly.

But the emergence of the psychedelic explosion, which has fanned the imaginations of so many young people, has put the quiet investigation on a new level—the loud roar.

Just how many youngsters in this area have lined themselves up with the "turned on" generation, or are on the verge of doing so, defies a clear-cut statistical report.

Gary Public Schools will attempt to demonstrate that drug use and marijuana smoking are problems in this city when the Gary School Board meets March 11. The report will describe the problem, citing several examples of drug abuse, but it will not be able to define the problem in terms of statistical evidence.

According to Carl Durkel, a Gary Public Schools social worker who is helping to prepare the report:

"Statistical evidence will be difficult to provide. But all we have to do is prove that the problem exists. No matter how small it is, it is still a problem."

Durkel has good reason to believe that drug abuse is a widespread problem and that many teen-agers are capitalizing on their teachers' and parents' lack of wisdom in this regard.

Durkel offers an example that gives him reason to believe that many youngsters are carrying on undetected by their teachers:

"I was called in by a school nurse who told me she found a student who showed all the symptoms of being a drug addict. She told me she rolled up his sleeve but couldn't find any telltale needle marks on his arm.

'I asked her to show me where she looked. She took my right arm and rolled up my sleeve. That was the extent of her examination," he recalled.

Durkel had reason to be disappointed . . . but he's an expert on drug usage and the nurse wasn't.

Examining the right arm for needle tracks is one way of finding if a person is injecting drugs. But only if he is left-handed. A right-handed person injects into the left arm.

Another thing, most addicts now inject into their thighs because there the needle marks can be covered by clothing. Addicts who shoot in the arm cover the marks with long-sleeved clothing.

Many of today's teen-age drug abusers shun injected drugs altogether. He or she is a pill-popper; that is, they are taking them orally.

If the school nurse couldn't recognize the symptoms properly, then how can a parent be expected to know if the sons or daughters are involved with drug experimentation?

Some people, to be sure, will be angered by what they read in the following series. They will label the series as providing an education for the youngsters as well.

We remind everyone that this information already is available to youngsters through a variety of channels—although not all sources of information are entirely accurate.

Years ago the experiments were in smoking and alcohol. Today the older generation is paying the price of smoking and alcohol in heart attacks, cancer, emphysema and a myriad of other ailments that might have been avoided.

This series will educate parents and adults; the youngsters already are getting their education, some of it accurate and some of it not.

But, in any case, the youngsters are knowledgeable and have access to all the drug and dope information—something parents and adults do not have and must have if they are to cope with the problem.

The greater good of the public can be served by everyone—not just the youngsters—becoming aware of what is going on. Those who protest and concentrate on objecting, but fail to recognize what exists, can and will do greater harm than any method of exposing the problem.

Here's what's coming: Next, we'll look at some of the reasons for the youngsters' eagerness to experiment with drugs, how they've built a secret culture which is masked by what they call the "generation gap" and how its information is disseminated by a clandestine newspaper system.

From there, we'll examine the types of drug abusers and how experts argue against marijuana and pills.

Next, we'll present a study of LSD, marijuana and other hallucinogens; then, an examination of amphetamines and barbiturates.

The final installment is a "no holds barred" conversation with two drug experts who usually don't have an opportunity to speak on their subject. They are Smokey Joe, a college student who sells drugs and marijuana, and Groover, another college student who has used drugs and has made a study of them.

(By Ed Zuckerman)

It goes without saying that not all Gary youngsters are members of the "turned on" generation.

But pot-smoking (marijuana), acid-dropping (LSD) and pill-popping (amphetamines and barbiturates) do exist in this city. And the phenomena is not unique in Gary. It is happening in every city of the nation.

While not all Gary youngsters are deeply involved in the mainstream of the "turned on" generation, a great majority of them are "hip" to it.

The purpose of this series is educational. It can be a primer on drug abuse, so parents may better understand the nature of the problem and how to recognize its symptoms.

A good starting place for this survey on drug abuse is to explore some of the reasons why the "turned on" generation has been so readily adopted by teen-agers, how it openly exists in places not easily recognized by adults and how its information is distributed.

For most youngsters involved with drug experimentation, its merely a new kick . . . an adventure. Others address the situation philosophically.

"Many kids feel they have to try drugs and find out for themselves because of the unrealistic way the subject is treated by adults, educators in particular," claims one oracle of the "turned on" generation.

She is Shirley Poston and she writes for Teenset Magazine.

"A perfect example is the drug films which are shown to young teen-agers in most cities throughout the country.

"In case you aren't familiar with the best known of the films, it is about a lot of thuggish-looking teen-aged characters who scruff about in leather jackets and go directly from one puff on a joint to dope addiction, murder and other similar pursuits.

"This and other films like it should be against the law instead of supposedly for it. They're not scary. They're so overdone that they're funny—and whatever message they hoped to contain is completely lost through over-emphasis and just plain lies.

"Everyone who smokes a marijuana cigarette does not turn into a raving dope fiend. A teen-ager already knows better because most kids know someone who has smoked it (if they haven't already tried it themselves). They also know that said smoking isn't limited to the black leather jacketers.

"Drug use has a lot of pitfalls and any boob with half a brain knows this. But until someone starts presenting them with taste and honesty, I rather doubt that very many people will bother to listen," she claims.

In short, she professes that scare tactics are laughed at by a generation that has lived its life in a scary world. Fear of nuclear holocaust, strangulation by polluted air and Communist subjugation are far more fearful than drugs.

It's a case of setting your own values . . . which problem do you fear most—death by fallout or death by overdose?

The author also lends insight to the problems of sex which have been greatly exploited by the "turned on" generation, also to the dismay of an older generation.

"What I've known of sex education in school was mostly a class where a few oafs sat around and tittered while an old maid laid a dried-up, watered-down version of the facts of life on us," she says.

"Why on earth they allow such an urgently important class to be taught by anyone but an experienced empathetic human being is beyond me. You'd think that adults would have enough brains to know that a lot of kids are either being left ignorant or unnerved by these ill-conducted classes."

Members of the "turned on" generation have their own subculture and, in order to join, you must be under 30 years old. If you're any older than that, then you're part of another generation . . . one they feel has been partly responsible for many of today's serious world and domestic problems.

And, the youngsters contend, anybody who can identify with that can't possibly be trusted.

While the use of drugs is a clandestine facet of the "turned on" generation, the phenomena has become openly manifested in another part of its sub-culture—the music.

They call their music acid rock. It is electrifying and mind-expanding. It's sort of a psychedelic experience without drug influence and, with a hallucinogetic aid, it's the music to "blow your mind" by.

The music is played by a host of groups such as the Jefferson Airplane, the Vanilla Fudge, the Cream, the Jimi Hendrix experience, the Beatles and many others.

The records get wide play on radio stations because the teenagers still spend the money that keeps the record industry humming.

Oftentimes, the music has a message but it's clouded in code or slang—and understood only by hip teen-agers.

Here's a few examples of acid rock's musical message:

Not long ago, British singer Donovan made a hit recording called "Mellow Yellow." Every "turned on" teen-ager knows that Mellow Yellow is a strain of marijuana that grows in Mexico and is smuggled into this country through the border station at Tijuana.

Pot-smoking hippies place a premium on Mellow Yellow because it produces a good, lasting "high." Other good hybrids, for the record, are Acapulco Gold and Panama Gold.

The Beatles recently made popular a song called "Day Tripper." (A "trip" is a mind-expanding experience.)

Another song, "White Rabbit" by the Jefferson Airplane, is a song about a pill they call White Rabbit. The pills is LSD.

The Rolling Stones cut a record called "Mother's Little Helpers.' An innocuous title? You bet it was, but the lyrics revealed that "Mother's Little Helpers" are the "upsies and downsies" that mom takes to get her through the day. The "upsies" are the pep pills she takes when she wakes up and the "downsies" are the tranquilizers she takes before going to bed.

The Temptations, another group, sing a song entitled "Cloud Nine." It is about a youngster who leaves home when he can't cope with life with parents. Things still don't work out when he's on his own but, he says, "I'm doing fine . . . on Cloud Nine" (presumably, a cloud of marijuana smoke).

Many parents may wonder how their children come to learn these things. Mostly, it's passed by word-of-mouth. But there is a point of origin for all this information.

The "turned on" generation has a pretty good grapevine called the underground press. In this region, youngsters who forage to Chicago's Old Town and Hyde Park (University of Chicago) districts can easily pick up copies of The Seed, Second City or Kalaidoscope—three underground newspapers.

"The underground press is the mammal devouring the eggs of the dinosaur," describes Jeff Shero, editor of the Rat, a New York City periodical that is the best known of the underground press.

"We lay bare the deformed nature of behemoth America and pierce its scaly armor—the national media. We are the future, an expression of the youth revolt determined to liberate ourselves and all men."

The Rat received national attention last August when it published a special issue in time for the National Democratic Convention in Chicago. The Rat printed maps and listed hotel addresses where delegates would be staying. They also published addresses of a CIA office and the U.S. Armed Forces Induction Center.

Gary school officials have confirmed that several Gary students were in Chicago during the time of the convention and participated in some of the confrontations that pock-marked that gathering.

The underground press also has close ties through the country, especially since the 1967 formation of the Liberation News Service (LNS) which supplies stories to approximately 200 subterranean newspapers in this country.

LNS, according to Jean Strouse writing in Eye Magazine, provides information unavailable to the established media such as detailed reports of peace movement activities, drug busts (arrests), tales of police harassment and brutality, long diaries and articles from Hanoi and Havana and muck-raking pieces about things like U.S. involvement in Latin America.

Of special interest is a new LNS service called HIP—the High School Independent Press Services—which started a year ago and sends out weekly news packets to about 100 high schools around the country. Students use the information in publications they print away from school authority and then distribute clandestinely.

"Most of these articles," Strouse reveals, "focus on immediate high school issues such as dress codes and free speech.

"But they are moving toward the larger issues of college revolt, the draft, school strikes, questions of academic freedom, school decentralization and racism."

Several of the underground newspapers have printed stories about new psychedelic drugs and even formulas for homemade LSD and tips on "How does your grass (marijuana) garden grow?"

So when asked how he's come to know these things, the hip youngster need only say:

"All I know is what I read in the papers."

METROPOLITAN GOVERNMENT

HON. BENJAMIN B. BLACKBURN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. BLACKBURN. Mr. Speaker, the problems facing local governments have been studied by the Congress and scholars for many years. The main objective, which we are all striving to accomplish, is to keep government close to the people. As a result, we find a proliferation of municipalities and political subdivisions around our major cities; and, often we find also that these subdivisions and municipalities duplicate services because of their overlapping jurisdictions. Inefficiency abounds.

The standard remedy proposed to solve this problem is "metro" government. However, I believe this solution to be unacceptable. Under a gigantic metropolitan government, services must be provided to sometimes 2 or 3 million people. Yet it is obvious that in major urban areas, the people desire local control of local institutions. A prime example of the inadequacy of this solution is the school decentralization struggle in New York City. Furthermore, each area in an urban complex demands different types of sanitation facilities, police protection, social services, and educational systems. I do not believe that a gigantic metropolitan government can provide this needed variety.

On the other hand, there is a possibility that the efficient services provided by large metropolitan governments can be used by smaller subdivisions while allowing local governments to exist. The basic idea is incorporated into a plan developed in Lakewood, Calif., which provides for the political subdivision to contract with the larger unit of government. The political subdivision would purchase whatever services it needed.

Prof. J. F. Freeman, of Emory University in Atlanta, Ga., has recently submitted an essay to me explaining the above-mentioned concepts. For the information of my colleagues, I hereby insert this essay into the RECORD:

METROPOLITAN GOVERNMENT RECONSIDERED

(By J. F. Freeman)

Since the 1902's reformers have proposed the adoption of "metro" government for our larger urban areas. The situation that attracted the attention of these reformers is now well-known to the public. In the 19th century the city limits usually enclosed the entire population of an urban area; the government for most urban areas had a simple structure—one compact urban area, one municipal government. However, with the rise of automotive transportation and lower cost housing in the 20th century, the situation changed. The population of most urban areas rapidly spread far beyond the old city limits, extending to other municipalities and crossing county and even state boundaries. This demographic change had governmental consequences. Instead of the pattern of one compact urban area with one municipal government, a new pattern of a sprawling urban area with a number of units of government developed. The best known examples of this are the New York and Chicago regions; each has approximately 1500 units of local government. By comparison, Atlanta is a piker with fewer than 80 units of government in its area.

The reaction of reformers to this situation has been repeated for over 40 years: we must, they declare, recreate as nearly as possible the 19th century pattern of one urban area, one government. The reasons cited for this are varied; frequently they include arguments that the various units of government in a metropolitan area are "at war" with one another, that essential governmental services are therefore not provided, and that inefficiency, duplication of services, and excessive overhead expenses abound. Additionally, voters are so confused by the jumble of governmental units, the reformers argue, that they cannot control the government. The widely-prescribed remedy for this is rather simple: merge the units of government or pass their responsibilities along to a unit with a greater jurisdiction. With a unified government, administrative inefficiency will disappear, costs will go down, and on election day the voters will be able to control a simpler unit of government.

As persuasive as the reformers' case sounds, it has not been widely accepted. Far more efforts to establish "metro" governments have failed than have succeeded. Only three such governments exist in the United States: in Miami, in Jacksonville, and in Nashville. "Metro" was established by referendum in each of these places, but studies of these elections seem to show that voters approved of "metro" to get rid of unpopular officials, not necessarily because the reformers' arguments struck a responsive note. Toronto, Canada, has a "metro" government that was imposed by the provincial legislature in 1953. The record of these governments is not long enough to assess fairly, but Toronto's performance may indicate the value of "metro". Because of its broader tax base, Toronto metro has been able to capitalize improvements that the older units of government could not finance. Whatever the objections to "metro" that may exist in the minds of many voters, it seems clear that large units of local government can raise more revenue.

In recent years, scholars have criticized the reformers' arguments for "metro." One frequently made criticism has been that reformers have concentrated their attention only on the structure of government and not on how it works. For example, one study of the St. Louis area revealed that adjacent independent units of government were not "at war" over zoning; in only one instance along a 23-mile strip were zoning practices of adjacent units of government incompatible. It is doubtful whether "metro" leads to the tax reduction that many efficiency arguments lead one to expect, and, furthermore, governments may get too big to operate efficiently, as New York City's school problems suggest. Finally, the claim that voters could more easily control a larger unit of government with a small number of elected officials is questionable. Studies of voting behavior have shown that voter choices on election day are influenced by a multitude of things besides campaign platforms or records in office. The vote on election day cannot direct public policy with any precision; the reformers attribute to the vote a "rifle" accuracy, when in fact election results have at best a "shotgun" effect. A "metro" government may be simpler from the point of view of textbook explanation, but from the point of view of the ordinary citizen, "metro" means decreased personal contact with elected officials and the need to unravel the organization of a complex bureaucracy if government is to be understood at all. Perhaps these are some of the reasons "metro" has not gained wide popularity.

Is there a way to arrange government in our metropolitan areas so that the financial advantages of large-scale production of services can be combined with the values of local control and widespread participation? The establishment of the "Lakewood Plan" in Los Angeles County indicates the outlines of a possible answer to this dilemma. In 1954 the city of Lakewood was incorporated, but, instead of setting up its own departments to provide all city services, Lakewood contracted with Los Angeles county to provide certain services to the city in specified amounts. In this way, Lakewood could provide the services its citizens wanted without having to undertake unnecessary capitalization. A number of other cities have followed Lakewood's example; they have incorporated and retained control over their neighborhoods but have contracted with the country for the supply of some or all of the munincipal services. Scholars studying the operation of the Plan have noted that the same unit of government must both produce and distribute a given service, but Lakewood shows that this is not so. A large unit of government can produce services, realizing economies of scale, and distribution of the services can be left to smaller units where each citizen has a greater opportunity to affect the decision-making process.

Arguments are frequently heard that today's cities can no longer afford to be governed by units of government that are unable to make decisions for the entire urban area; it is said that centralized, professional government must be substituted to deal with today's problems. The arguments are plausible, but even more plausible arguments can be suggested for encouraging the development of small units and broader popular participation: If our technology is freeing more time for leisure, why discourage citizens from participating in government and politics? If the educational level of the population is rising, why be reluctant to encourage citizen participation? If our metropolitan areas are a new form of urban settlement, why subject them to the old pattern of urban government? The measure of a good government is not, after all, how efficiently it produces this or that service; the true measure of government is the environment it provides for the development of citizenship.

BLACK ARM BANDS FOR A BLACK DAY

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. WYMAN. Mr. Speaker, I hope all readers of the RECORD will take the time to carefully read David Lawrence's editorial "Is Treason Permissible as Merely Free Speech?" in the March 10, 1969, issue of U.S. News & World Report. It is a significant indictment of yet another demonstrably harmful decision from the U.S. Supreme Court from which the American people are apparently to have no relief until the membership of the Court is changed.

In this most recent judicial crusade a majority has held black arm bands to be a constitutionally protected right of defiant students in the classrooms of the land, despite the contrary order of supervisory school authorities. Having pierced the political thicket, the Warren Court now boldly enters the academic thicket in perhaps its most sensitive area, the classroom; thus lowering morale and further diminishing reasonable supervisory authority in school at a time when a lack of order on campus and in our Nation's classrooms is a major concern.

As David Lawrence suggests, decisions imposing such new interpretive requirements of the first amendment, far from being required, should be the subject of judicial restraint. The classroom is no place for the Court. When decisions of the U.S. Supreme Court are allowed to become conceptualistic fiat conceived in an ivory tower of unreality from which there is no appeal, our whole system is in danger of disintegration.

Of all the vitally important responsibilities our new President has, none is more important to the future of America than whom President Nixon selects to fill vacancies as they occur on the Supreme Court of the United States. These simply must be men whose feet are firmly on the ground. There must be an end to the continued encouragement of defiance, anarchy, lawlessness, pornography, and subversion by loose decisions from the High Court.

The Founding Fathers never intended the Constitution of the United States to mean anything remotely resembling what the Warren Court has repeatedly interpreted it to mean. The situation is truly alarming and President Nixon holds the key.

The above-mentioned editorial follows:

IS TREASON PERMISSIBLE AS MERELY "FREE SPEECH"?

(By David Lawrence)

The Constitution defines treason as "levying war" against the United States or "adhering to their enemies, giving them aid and comfort."

This country today is engaged in a war in which our adversaries are supplied with money and armament by two Communist governments. We have sent more than 500,000 men to defend the people of South Vietnam against aggression. Casualties have been heavy.

Is it not a violation of the Constitution for anyone in our midst to participate in a "demonstration" which takes the enemy's side of the argument and demands, in effect, that the United States withdraw from the battlefield? Doesn't such an attitude encourage the enemy to prolong the war and keep on killing American troops as well as thousands of civilians?

The Supreme Court has just rendered a decision proclaiming as a denial of "free speech" a regulation issued by school authorities in Des Moines, Iowa, prohibiting students from wearing black armbands in the classroom. This form of "demonstration" was previously publicized as a means of expressing opposition to the Vietnam war. The Court says:

"The action of the school authorities appears to have been based upon an urgent wish to avoid the controversy which might result from the expression, even by the silent symbol of armbands, of opposition to this Nation's part in the conflagration in Vietnam."

The High Court, however, rules that school officials do not have absolute authority over their students and that the pupils "are possessed of fundamental rights which the State must respect." This is tantamount to saying that the supervisors in our school system—a part of the governmental structure itself—are no longer free to make their own regulations concerning the conduct of students from the time they enter until they leave the school grounds.

Seven Justices affirmed the opinion, and two were opposed. The Court confines itself primarily to the argument that the wearing of armbands did not disrupt classwork or involve "substantial disorder or invasion of the rights of others." The opinion declares:

"If a regulation were adopted by school officials forbidding discussion of the Vietnam conflict, or the expression by any student of opposition to it anywhere on school property except as part of a prescribed classroom exercise, it would be obvious that the regulation would violate the constitutional rights of students, at least if it could not be justified by a showing that the students' activities would materially and substantially disrupt the work and discipline of the school."

But what about the poisoning of the minds of other students by those who openly express their opposition to the war in Vietnam? The protest "demonstrations," the burning of draft cards, and now restrictions preventing school authorities from squelching "symbolic" free speech could stimulate the spread of "symbolic" treason.

Justice Black, in his dissenting opinion, asserts that when the Court says the wearing of armbands is "symbolic" speech, it "arrogates to itself, rather than to the State's elected officials charged with running the schools, the decision as to which school disciplinary regulations are 'reasonable.'" The Justice points out that the armbands took the students' minds off their classwork and diverted them to thoughts about the highly emotional subject of the Vietnam war. He adds:

"If the time has come when pupils of State-supported schools, kindergarten, grammar school or high school, can defy and flout orders of school officials to keep their minds on their own school work, it is the beginning of a new revolutionary era of permissiveness in this country fostered by the judiciary."

What has really happened is that the "right to teach"—hitherto presumed to be inherent in the functioning of our public schools—is being brushed aside as subordinate to "free speech." The students now could wear in the classroom even the hammer and sickle to express a "symbolic" support of the Communist cause in the war.

How, in the face of the High Court's new decision, can the schools effectively teach patriotism and a love of country? Must they submit to the type of protests which have already led the North Vietnamese to believe that the United States is willing to pull out its forces and accept "peace at any price"?

It is regrettable that the Supreme Court saw fit to ignore the true significance of the dissent being expressed by certain students in the Iowa school.

There certainly is no justification for a ruling by the highest court in the land which takes away the right of school authorities in a government-supported institution to bar "symbolic" treason. We are telling the world that we permit students in our public schools to indicate, in effect, that they are "adhering to the enemies" of the United States and "giving them aid and comfort."

TONGUE-TIED JUSTICE

HON. THOMAS L. ASHLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. ASHLEY. Mr. Speaker, James Earl Ray has pleaded guilty to murdering the Reverend Dr. Martin Luther King, Jr., and has been sentenced to 99 years in prison. I am not questioning the procedure that brought about this result; however, it leaves unanswered the vital question of whether or not Ray was part of a conspiracy.

We are left wondering who procured a duplicate driver's license for Ray in Alabama when he was in California, and where Ray got the more than $15,000 that he spent during the year after his escape from the Missouri State Penitentiary. These and many other questions have not been satisfactorily explained by the various investigating groups, the Memphis attorney general, P. M. Canale, or by Ray's counsel, Percy Foreman.

The issue has further been raised by Ray's actions in court, when he leaped to his feet and declared that he did not intend that his plea of guilty should in-

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clude a finding that there was no conspiracy. The questions raised by this statement and by the other unanswered queries are well put in the following editorial from the New York Times:

> TONGUE-TIED JUSTICE
>
> The aborted trial of James Earl Ray for the assassination of Dr. Martin Luther King, Jr. is a shocking breach of faith with the American people, black and white, and of people the world over still numbed and puzzled by the gunfire that struck down this international leader.
>
> Ray is entitled by all legal means to avail himself of the defenses open to him under the law. But by no means, legal or pragmatic, should the doors of the courtroom and the jail be slammed shut on the facts, the motives and the doubts of this horrible murder.
>
> And yet that is just what has occurred with stunning suddenness in a Memphis courthouse. By pleading guilty, Ray has been sentenced to 99 years in prison. The jury had to go along with this prearranged deal between the prosecution and the admitted killer's attorney. Circuit Judge W. Preston Battle went along with this deal, treating the whole matter as if it were a routine murder acse.
>
> Nothing but outrage and suspicion can follow the handling of this long-delayed and instantly snuffed-out trial. Percy Foreman, the defense lawyer, tells the public that it took him months "to prove to myself" that Ray was not part of a murder conspiracy. Ray himself acquiesces in the deal made on the guilty plea—then says publicly that he refuses to go along with the statement that there was no conspiracy.
>
> Why should this assassination case be tried by statements instead of formal legal procedures, subject to examination and cross-examination, the presentation of all the evidence by the prosecution, the appearance of the accused in open court? What in either sense or jurisprudence does it mean that the defense attorney convinced *himself?* In the getto and in the world outside the ghetto, the question still cries for answer: Was there a conspiracy to kill Dr. King and who was in it?
>
> The state's case has been read to the jury. But that is hardly enough in a case of this magnitude. This was not a street crime but, on the surface, a racist or quasi-political assassination. It was not enough to say that the state accepted the guilty plea and agree to end the case because the death penalty has not been used since 1961 in Tennessee.
>
> No one was demanding blood; everyone is demanding fact. Are we going to get the facts from Ray's lawyers, past or present, one of whom is trying to peddle the story to magazines? Are we going to get the facts from William Bradford Huie, the author who has "bought" the "rights" to Ray's story? What a mockery of justice for the facts to emerge in marketed justice!
>
> Unless proceedings are convened in court—Federal, if not state—we shall never know the adjudicated truth. There should be no Warren Commission necessary—a month or a year from now—to still our doubts and do what a Tennessee court has failed to do.

I do not doubt the good faith of the State of Tennessee nor of the FBI. I merely urge them to continue their investigation to determine whether or not this heinous crime was the product of a conspiracy and, if there is evidence to that effect, to place such evidence before a court of law. It is important for the integrity of the people of the United States that his issue be as firmly resolved as possible.

Regardless of the results of this investigation, I reaffirm my belief that almost all of us must share the blame for this action. As I said last April 8, 1968:

> It is this senseless animosity, this irrational hatred that tears at the very fabrics of our national life. Few are without blame. For if we do not share the hatred, and most of us do not, we accept it in our midst. We abhor the violence but we tolerate the animosity which feeds upon itself until the seeds of violence are sown.

It is important that all of the facts of this case be uncovered. However, regardless of their particularities, the greatest tribute that we can pay to this departed man of peace is to work in our daily lives to eliminate the animosity that breeds such senseless violence.

TENNESSEE HAILS A NATIVE SON

HON. W. E. (BILL) BROCK

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. BROCK. Mr. Speaker, the Tennessee House of Representatives has adopted the following resolution, honoring a native son whose skill and dedication have brought credit to his State and earned him well-deserved recognition. I was privileged to know Bill Timmons well, and to witness his ability first hand during the 6 years he served as my administrative assistant. Now, as a key member of President Nixon's staff, Bill Timmons will enjoy an opportunity to bring his talents to bear on an even wider scope in the service of his country. Because of its timeliness, I include the following resolution in the RECORD:

> HOUSE RESOLUTION 7
>
> A resolution to congratulate William E. Timmons on his appointment to the staff of President Richard M. Nixon
>
> Whereas, President Richard M. Nixon has assigned a capable and dedicated staff to assist him in the execution of his duties; and
>
> Whereas, William E. Timmons of Hamilton County has been named by the new President to the White House staff; and
>
> Whereas, Mr. Timmons served as an aide to former United States Senator Alexander Wiley of Wisconsin and was named Outstanding Young Republican of the Year in 1965; and
>
> Whereas, Mr. Timmons served from January 1963 to November 1968 as administrative assistant to United States Representative William E. Brock III rendering great service to the people of Tennessee's Third Congressional District in particular and to all the people of the State of Tennessee in general; and
>
> Whereas, Mr. Timmons was always willing and anxious to help and assist any Tennessean who came to Washington, D. C. or who telephoned or wrote a letter; and
>
> Whereas, Mr. Timmons has a brilliant mind, a keen insight into the legislative process and an uncanny ability to assess and evaluate the pressing issues of our time; and
>
> Whereas, This fine outstanding Tennessean has been assigned by the President to assure good working relations between the legislative and executive branches of our national government; and
>
> Whereas, All the people of Tennessee may now feel that they have a proven friend and fellow citizen on the White House staff who is willing and anxious to assist Tennessee;
>
> Be it hereby resolved by the House of Representatives of the Eighty-Sixth General Assembly of the State of Tennessee, That we commend President Nixon for his wisdom for selecting such a talented citizen and that we congratulate William E. Timmons on his appointment and wish him well in his new assignment; and
>
> Be it further resolved, That copies of this Resolution be forwarded to Mr. William E. Timmons, The White House, Washington, D.C.; United States Representative William E. Brock III, United States Congress, Washington, D.C.; and President Richard M. Nixon, The White House, Washington, D.C.
>
> Adopted February 27, 1969.
>
> WILLIAM L. JENKINS,
> *Speaker of the House of Representatives.*

SENSITIVITY TRAINING: TO CAPTURE ONE GENERATION

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. RARICK. Mr. Speaker, Lavrentia Beria, the Bolshevik psychopolitician, head of the Soviet secret police under Stalin, talked of a master plan to conquer the world:

> Give us one generation and you'll never be able to catch up.

It becomes more obvious that his plan is now underway in the United States to destroy one generation by removing from our youth the desire to be an individual resulting in loss of the will to resist—lawlessness, immorality, the warping of society, and consequently cultural destruction.

By now most people should understand that the term "human relations" is a "sliding-off" of identity to camouflage sensitivity training once called brainwashing.

Unless the parents of America become aroused and organize—"sensitivity training" or "group therapy" can well be the weapon to deliver the young generation.

So that our colleagues may know there are concerned Americans already trying to awaken the mothers and fathers I ask these documents follow my remarks: "Sensitivity Training" from National Defender for March 1969, "Sensitivity Training" from Blackboard Power, "NEA Threat to America" by Dr. Gordon V. Drake, and "Sensitivity Training: Boon or Menace" by Donna Gill from Chicago Tribune January 26, 1969, and an excerpt from Beria's address to American students in the Lenin University prior to 1936:

> SENSITIVITY TRAINING
>
> Sensitivity Training is a form of group criticism which is being introduced in high schools, colleges and universities, churches, Police Departments, YMCA groups, summer camps, etc. Described by its advocates as "group therapy," it has aroused widespread opposition wherever it has been used because it employs almost the same method that was used to brainwash American prisoners of war in Korea—organized "group criticism."
>
> Group criticism compels the participant to bare his soul before 10 or 15 other persons who are required to do likewise under the direction of a group leader. The individual is pressed to seek out real or fancied shortcomings in his personality and thinking, to humble himself and give up his independence of mind and judgment, to make himself

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dependent upon the good opinion of the leader and others in the group.

The individual's "problems" become group property and, as the talk progresses and the group tries to work out solutions, any or all of the following results may take place:

1. After hearing 10–20 others confess their "faults," one is inclined to feel that his own are not so bad, thus encouraging him to accept lower moral standards.
2. Discovery that one's own or family standards are different from those of the group creates doubts as to whose standards are correct.
3. Discourages, in fact penalizes, individual responsibility and decision-making, causing one to feel inadequate and unable to make decisions without approval of the group or group leader.
4. Encourages participants to bring problems to the group instead of to family and church.
5. Causes one's family to seem pretty "square" compared to the consensus of the group.

Since all such programs are "geared to change," they tend, unless one is of unusual integrity and character, to realign loyalties away from home, family and the church, and cause the individual to conform more nearly to the standards and ideals of the group. This is perhaps an oversimplification, but it is difficult to dispute the fact that group criticism or sensitivity training is a form of brainwashing.

Some years ago, Edward Hunter, author and foreign correspondent who originally introduced the term "brainwashing" into the English language, pointed out:

"The United States is being conditioned to accept military defeat . . . the objective now is to bring about, by a sophisticated *Pavlovian* approach, consent by the American people and Government for what we have always refused to discuss—battlefield defeat. . . . A long, highly skilled campaign has been going on to soften up our people for it. The immediate objective in this war is American acceptance of defeat at the hands of the Vietnam communists. But Vietnam is only one sector of a worldwide front. The long range objective, for which defeat in Vietnam is supposed to soften us up, is our acceptance of defeat by the Soviet Union."

Is Sensitivity Training part of this program? And is there anyone who can say that it is calculated to strengthen the moral fiber of this Nation?

SENSITIVITY TRAINING

(NOTE.—The following resolution was adopted by the DAR Pennsylvania State Conference, October 1968:)

Whereas, so-called "Sensitivity Training" or "Group Dynamics" is a well developed psychological technique whereby a leader of a group promotes each individual's self-criticism or confession and directs the group to criticize each for the purpose of "self-improvement" through throwing off old values and supposedly becoming more sensitive to other people; and

Whereas, *Sensitivity* Training or Group Dynamics has been perfected and long practiced in communist countries for the purpose of directing opinions in desired paths and at the same time destroying the capacity for independent thought—this having been the means by which communists caused GI prisoners to defect in the Korean war; and

Whereas, this same technique is being advocated by many groups and movements in the United States to make youth, the police, the military, church groups, etc., more sensitive—possibly to the particular (often unsavory) views and attitudes they would like to see universal; therefore

Resolved, That the Pennsylvania Society, Daughters of the American Revolution urge its members to study, then expose "the Sensitivity Training Program" or any program which undertakes to change basic human characteristics—no matter under what attractive title it masquerades.

SENSITIVITY TRAINING

It has been suggested that one of the main goals of sex education programs such as SIECUS, is to break down the barriers of privacy; to *free* children to speak about the most intimate subjects in their own lives and to bare their most secret thoughts. This technique is used in the current "rage" of liberal brain pickers, which they call "sensitivity training." Sensitivity training is also used in Communist countries as a device to make people reveal all personal feelings, thoughts, desires, and fears. This self and group criticism may be traced to the 1920's in Russia where it was regularly used to spot agitators or potential trouble makers and bring them into line. The Russian people (children and adults) thereby created their own police state and controlled one another.

Sensitivity training is called by various names such as group criticism, group dynamics, management development, group process, and T-group training. Dr. Carl Rogers of the Western Behavioral Science Institute, illogically concludes that "if therapy is good for people in trouble, then it is bound to be as good or better for people who function well." Woe be unto the medical doctor who would prescribe drugs and surgery for the hale and hearty, because he subscribes to Roger's philosophy.

Three main points of the Group Criticism technique are as follows:

1. The atmosphere helps participants to open up their behavior to examination by themselves as well as by others.
2. The first step is to unfreeze the old values.
3. Gradually members unlearn the inappropriate reactions and find the *courage* to experiment with new responses.

Of course the immediate thought that comes to mind is, Who will tell the "patients" what the appropriate response should be—Dr. Kirkendall?

The National Training Laboratory organized in 1952 by the NEA, has developed sensitivity training techniques which have been taught since 1956 to groups of church leaders, industrial and educational administrators, executives of volunteer organizations, social scientists, police, judges, and other key personnel in America.

The National Training Laboratory (NTL) has been amply financed through grants from many organizations and foundations, as well as the federal government. In 1965–66, 32 awards went to NTL for major projects in human relations training. For this, both the NEA and WCOTP of which NEA is a member, received grants from the Vernon Fund, a fund heavily contributed to by the federal government's Central Intelligence Agency (CIA). WCOTP apparently received approximately one million dollars from the Vernon Fund to "develop leadership" among educators.

The SIECUS Sex education program is working hand in hand with the sensitivity program as supported by the NEA, WCOTP, UNESCO, and the U.S. Office of Education. It is therefore a matter of most serious consequences to learn that the SIECUS program is presently being used in schools throughout America from California to New York. Public schools are using SIECUS coordinated materials for kindergarten through twelfth grade. Many teachers welcome this type of program since they have long held that parents are inadequately trained to teach their own children about sex. All phases of instruction, they stoutly maintain, should be left to the *professionals.*

The teachers in this instance are dead wrong. *No* sex education is better than the kind offered by SIECUS. It is not the role of the school to teach amoral sex education intended to present to the "youngster all the alternatives that he or she could take in regard to sex and sex relationships." In a suit filed in Sacramento by two fathers, the program is described as one which "fosters and teaches immorality."

Other opponents of the program charge the sex education course with being an expression of secular humanism in which man is closely identified with animals in reproduction function without any attempt to interrelate the higher ideals of marriage.

In addition, I strongly question the omission of a study of venereal disease. As the Executive Director of Siecus, Dr. Mary Calderone explained, "Veneral disease happen to be infectious diseases that are transmitted by sexual contact, but I don't think they are a part of sexual education." This is an astoundingly stupid statement and obviously eminates from the desire of SIECUS to glorify sex, and ensnare students into sexual promiscuity. Dr. Calderone's position that sex education should include neither moral attitudes nor knowledge of the dangers of infection are indefensible in the light of statistics on V.D.

According to the latest national figures, venereal disease is a major public health problem. The National Communicable Disease Center of the Public Health Service says that venereal disease has reached epidemic proportions in nearly all metropolitan areas. But most significant in reference to Dr. Calderone's statement, is the fact that teenagers account for most of the increase. "In 1964 and 1965 syphilis among U.S. teen-agers rose 12.4 percent while the overall national incidence remained constant. And in 1965 the rate of infection per 100,000 in the 15-19 group for syphilis and gonorrhea was more than double the rate for all age groups combined."

Parents are in grave danger of losing control of their children's secular and moral education. Moral values are being taught in the schools which are diametrically opposed to our traditional standards based on the Hebraic-Christian heritage. The practice is increasing because educational leaders such as Dr. Kirkendall—who rejoices at any public acceptance of homosexuality and sexual perversion—are determining the school curriculum.

SENSITIVITY TRAINING: BOON OR MENACE?

(By Donna Gill)

Sensitivity training.

This is a term that is misunderstood, hard to define, hailed as the savior of education by some, thwarted as a so-called brainwashing technique by others, and generally controversial.

It's been around for a few years now, in one form or other, but it stirred widespread interest in Chicago only this week. Sensitivity training sessions were held in private homes and directed by a teacher from Evanston Township High school, tho not sponsored by the school. People wrote and called *The Tribune* to seek information on sensitivity training itself.

The techniques of such training vary. There is no one set pattern, and much of it depends on the "trainer" himself. It can vary from discussion groups or self-criticizing and group-criticizing sessions, where the mood itself varies from talk to heated argument, to more than 100 games to be played.

ORANGE PASSING, CHANTING

The games themselves have many aspects: passing an orange around a circle, chanting arm in arm, crawling around and touching each other as you are wrapped in sheets or blankets, swimming nude in groups, bathing together, mimicry, and just staring eye to eye with another person.

At its best, its supporters say, sensitivity training is a form of group experience that will make the individual lose his hangups and become innovative, more of an individual, loving, more aware of himself and his true feelings, more sensitive of the feelings of others, and more creative.

At its worst, its detractors say, sensitivity training becomes a form of group pressure and brainwashing that makes the subject accept the lowest common denominator in morals, be vulnerable to anti-church and anti-family beliefs, destroys individuality, could lead to sexual promiscuity, creates neurotics, and reduces people to vegetables unable to do anything but accept the group's orders.

There are also those who take a middle view. They say sensitivity training is good—if handled by a competent professional, preferably a psychiatrist, and if the persons involved are suited to such sessions and have no deep problems.

MAY BECOME AUTISTIC

"If someone feels very alienated, out of touch with other people, feels remote, and you put him in a group whose members are ploying each other, he may move away even more and become completely autistic," said Dr. Jules Masserman, co-chairman of the Northwestern university psychiatry department.

"If you have someone already fairly well-balanced, and he feels he wants to explore other horizons and knows where the limits are and how to keep his maturity and sanity in limits, then it's fine," he said.

"But you have to individualize it, and it takes a great deal of experience and training on the part of the leader. A swimming teacher knows you don't throw the whole class into the pool at once because someone might not know how to swim and might drown or get hurt."

The danger of such sessions in the elementary or high schools, he said, is that "you cannot generalize on any of it and a great many of these teachers just are not trained. You cannot take just a general class of teen-agers who have all sorts of individual characteristics and just willy-nilly subject the class to any one procedure."

HAS HOLD ON COUNTRY

Whatever the dangers or procedures or good points, sensitivity training has a foot-lock on the country and is used, in one form or another, in business or management training, in churches, youth groups, and schools. It is in great use in California.

For part of its research, *The Tribune* contacted two professors at Chicago Theological seminary. Both have worked extensively in group therapy sessions.

Dr. Arthur Foster, a professor of theology and personality, admitted that parents upset by the sessions involving their children were not unusual.

While some of the Evanston parents said the sessions helped their children, most complained that after the sessions their children were rebellious, engaged in shouting sessions, woke up not knowing where they were, suffered mental set-backs, cried continuously, and were generally confused.

"In the process, sensitivity training is going to shake a lot of people up," Dr. Foster said. "If the parents feel that way about the training, they ought to be in a T-group (training group) with their kids. The answer to the generation gap is to get together. That type of response on rebellion is inaccurate. It won't give rebellion, but it might bring it out in the open. The kids are in a much clearer position on this then their parents."

PARENTS FIGHTING IT

The parents did not think so. And throughout the Country, small and large groups of parents and other groups are springing up to do battle against an activity they say is ruining their children.

Dr. Foster said sensitivity training is a loosely-used term that also includes forms of group dynamics. T-group training, auto-criticism, human relations training, Synanon Games clubs, basic encounter groups, self-honesty session, self-examination, and human potential workshop. Much of the trend originated in the National Training laboratories in Bethel, Maine.

"It is a study in the processes of change and the dynamics of planned change in society," he said. "It studies the dynamics of change in society, and what it takes to maintain a group, a society, or an institution, while at the same time bringing about change, or innovation."

He believes it will lead to good changes in education. He also believes it will lead to changes in people.

OPEN TO BRAINWASHING?

The critics believe the changes will mean that the person is open to the type of brainwashing used by the North Koreans on American prisoners of war during the Korean conflict?

Dr. Foster said the technique pretty well strips a person to the core, which is a common denominator of both brainwashing and sensitivity training.

He said that then, when the person is rather emotionally-stripped, if you were to brainwash him, you would apply coercion and threat.

But in sensitivity training, you rebuild and help the individual see himself as such. He said it is a matter of motive. Many of the groups who wrote *The Tribune* said that it is dangerous to get a person in such a vulnerable position at what they termed the "mercy of the leader."

Foster admitted there is possible danger, but said that something so "innovative and with such potential" should not be discontinued because of a fear of a possible abuse.

MOVING IN RIGHT DIRECTION

"I think it is the most innovative educational thing going on," he said. "I wouldn't indorse everything, but it's moving in a fresh kind of direction."

He said there is always a danger with an unqualified leader. He described some T-group sessions as taking about 12 persons and building a little society. He said it is always possible to come up with the demonic society the boys constructed in William Golding's "Lord of the Flies," but that the leader should be there "to see nothing is destroyed that shouldn't be."

"This little community could turn into a tyranny of group," he said. "It often happens in the process. At a certain moment, you get the whole group zeroing in on one person to try to make him think what they think. Then you get a wolf pack effect. Then it is time for the leader to zero in and get the group to see what they are doing to Joe. Since no leader is perfect, sometimes he doesn't pick up what's happening."

MANY USES SEEN

But, he said, he himself has not experienced it as a "dangerous thing." He said he could see much use of it to promote black-white understanding, for management to understand the role of labor, to increase church understanding and participating, and for couples.

His colleague, Dr. Ross Snyder, professor of religious education and pastoral psychology and a pioneer in group dynamics, did not always agree.

"There are great dangers that can be done by people who do not know what they are doing," he said. "You get things roused up that you might not have the knowledge to really cope with. You often end up with people who have learned a new way of being impersonal to each other.

"You've learned a new bag of tricks. You've learned new ways to be hostile and still appear to be friendly. For many, it just equipped them better to be hostile to each other and feel superior to those who had not had sensitivity training.

"Part of the problem is that people need to stay in the therapeutic group. All these very short term things may finally leave people more lonely than they were before they entered it."

MANIPULATING IS A VIOLATION

He said one might learn how to manipulate other people, "but that's violating the rules." He also does not think sensitivity training should be done on teenagers.

"Potentially it could be very dangerous to teens," Dr. Snyder said. "It is clear that nobody, including the psychiatrists, know how to work with teen-agers. With them, you should stick with communications skills and some of the basics of getting along with people. A teen-ager's identity is very fragile. You may tear him apart without knowing that you are. What they need is experience in being in places where they are treated as human beings.

"In some sessions, everybody will go after one person for what he's doing or not doing for the group. No holds are barred, in some forms. This is more than most teen-agers can take."

Dr. Snyder said sessions that lead to table thumping, shouting, and crying, need leaders "who know how to get contact back with these people."

HELP DISCOVER FEELINGS

But if it's done right, and with the right people, Dr. Snyder believes such sessions would "help people discover what their own feelings and attitudes are toward other people and what strategies they have used toward others."

But to Edgar C. Bundy, executive secretary of the Church League of America, Wheaton, "the main purpose appears to be the breakdown of all inhibitions, moral and physical, of the participants." He believes it is "turning some people into manipulated zombies."

The League's News & Views newsletter of October, 1968, attempted to describe some of the things done in sensitivity training and give its views on their merits.

It described nonverbal communications exercises in which people held hands for two hours without speaking and were instructed to allegedly "get really acquainted with your group. Let them realize that you are interested in them."

COMMUNAL KISSING MILL

The newsletter went on to say that what followed was a "communal kissing mill." It described reports of other sessions with five men rocking a girl like a baby, men hugging each other, and people wrestling on the floor and slapping each other to awaken sensory awareness.

The newsletter writer admitted there is no traceable link among all groups practicing sensitivity training, but added the opinion that "this does not negate the historical fact that self-criticism is a step in the communist brainwashing technique."

But parents who wrote *The Tribune* were not talking about communistic influences. Some said they were concerned because a person had to "tell all" in such a session, and eventually told all the family troubles and gave others ammunition to use against them. Others said they believed that those controlling the sessions could thus control the minds and opinions of the children and mold them for a cause.

Selected Quotes From the Lavrentia Beria Russian Textbook on Psychopolitics

(Prepared by Marilyn A. Angle, registered nurse, in her affidavit before the Santa Monica Board of Education, Jan. 13, 1969.)

I have selected quotes which relate especially to children, as the "one generation", the "important person" to which Beris refers:

"You must labor until we have dominion over the minds and bodies of every important person in your nation.

"You can change their loyalties by psychopolitics. . . . However, you labor under certain dangers. It may happen that remedies for our 'treatments' may be discovered. It may occur that a public hue and cry may arise against 'mental healing.' It may thus occur that all mental healing might be placed in the hands of ministers and be taken out of the hands of our psychologists and psychiatrists. But the Capitalistic thirst for control, Capitalistic inhumanity and a general public tempor of insanity can be brought to guard against these things. But should they occur, should independent researchers actually discover means to undo psychopolitical procedures, you must not rest, you must not eat or sleep, you must not stint one tiniest bit of available money to campaign against it, discredit it, strike it down and render it void. For by an effective means all our actions and researches could be undone.

". . . you are aided on all sides by the corruption of the philosophy of man and the times. You will discover that everything will aid you in your campaign to seize, control and use all 'mental healing' to spread our doctrine and rid us of our enemies within their own borders.

"Use the courts, use the judges, use the constitution of the country, use its medical societies and its laws to further our ends. Do not stint in your labor in this direction. And when you have succeeded you will discover that you can now effect your own legislation at will and you can, by careful organization of healing societies, by constant campaign about the terrors of society, by pretense as to your effectiveness make your Capitalist himself, by his own appropriation, finance a large portion of the quiet Communist conquest of the nation. (Emphasis supplied.)

"By psychopolitics create chaos. Leave a nation leaderless. Kill our enemies. And bring to Earth, through Communism, the greatest peace Man has ever known."

From Chapter I . . . "in view of the tremendous advance of Russian Cutlure in the field of mental technologies, begun with the glorious work of Pavlov and carried forward so ably by later Russians, it would be strange that an art and science would not evolve totally devoted to the aligning of loyalties and extracting the obedience of individuals and multitudes.

"Thus we see that psychopolitical procedures are a natural outgrowth of practices as old as Man, practices which are current in every group of men throughout the world. Thus, in psychopolitical procedures there is no ethical problem, since it is obvious and evident that Man is always coerced against his will to the greater good of the State, whether by economic gains or indoctrination into the wishes and desires of the State.

"Basically, Man is an animal. He is an animal which has been given a civilized veneer. Man is a collective animal, grouped together for his own protection before the threat of environment. Those who so group and control him must have in their possession specialized techniques to direct the vagaries and energies of the animal Man toward greater efficiency in the accomplishment of the goals of the State.

"The definition of Psychopolitics follows: Psychopolitics is the art and science of asserting and maintainnig dominion over the thoughts and loyalties . . . and the effecting of the conquest of enemy nations through 'mental healing' . . . children normally furnish the best targets, and these can be operated against without restraint . . . it is of utmost importance that the psychopolitic operatives infiltrates the healing arts of a nation marked for conquest.

"In rearranging loyalties we must have a command of their values. In the animal the first loyalty is to himself. This is destroyed by demonstrating errors to him, showing him that he does not remember, cannot act or does not trust himself. The second loyalty is to his family unit, his parents and brothers and sisters. This is destroyed by making a family unit economcally non-dependent, by lessening the value of marriage, by making an easiness of divorce and by raising the children wherever possible by the State.

"Denying a Capitalist country easy access to courts, bringing about the supporting propaganda to destroy the home, creating and continuous juvenile delinquency, forcing upon the state all manner of practices to divorce the child from it will in the end create the chaos necessary . . .

"Under the saccharine guise of assistance to them . . . the child can be driven in his teens into revolt. Delinquency will ensue.

"By making readily available drugs of various kinds, by giving the teen-ager alcohol, by praising his wildness, by stimulating him with sex literature and advertising to him or her practices as taught at the Sexpol, the psychopolitical operator can create the necessary attitude of chaos, idleness and worthlessness into which can then be cast the solution which will give the teen-ager complete freedom everywhere . . .

"Should it be possible to continue conscription beyond any reasonable time by promoting unpopular wars and other means the draft can always stand as a further barrier to the progress of youth in life, destroying any immediate hope to participate in his nation's civil life . . .

"If we could effectively kill the national pride and patriotism of just one generation we will have won that country. Therefore there must be continual propaganda abroad to undermine the loyalty of the citizens in general and the teen ager in particular.

"The ride of the psychopolitical operator in this is very strong. He can, from his position as an authority on the mind, advise all manner of destructive measures. He can teach the lack of control of this child at home. He can instruct, in an optimum situation, the entire nation in how to handle children—and instruct them so that the children, given no control, given no real home, can run wildly about with no responsibility for their nation or themselves.

"The misalignment of the loyalty of youth to a Capitalistic nation sets the proper stage for a realignment of their loyalties with . . . Creating a greed for drugs, sexual misbehaviour and uncontrolled freedom and presenting this to them as a benefit . . . will with ease bring about our alignment . . . the character of the girl or boy must be altered carefully into criminal channels and a control by blackmail or other means must be maintained.

"Thus the subject of loyalties and their realignment is in fact the subject of nonarmed conquest of an enemy.

"Psychoanalysis has the very valuable possession of a vocabulary, and a workability . . . It can be made fashionable throughout mental health organizations, and by learning its patter, and by believing they see some of its phenomena, the members of mental health groups can believe themselves conversant with mental health. Because its stress is sex, it is, itself, an adequate defamation of character, and serves the purposes of degradation well.

"If a group of persons interested in suppressing juvenile delinquency, in caring for the insane, and the promotion of psychopolitical operatives and their actions can be formed in every major city of a country under conquest, the success of a psychopolitical program is assured, since these groups seem to represent a large segment of the population.

"Constant pressure in the legislature of the United States can bring about legislation to the effect that every student attending a high school or university must have classes in psychology.

". . . we had to destroy, after many, many years of the most arduous work the Church, so we must destroy all faiths in nations marked for conquest . . . We have battled in America since the century's turn to bring to nothing any and all Christian influences and we are succeeding."

HOUSE OF REPRESENTATIVES—*Wednesday, March 12, 1969*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Now abideth faith, hope, love, these three: but the greatest of these is love.—1 Corinthians 13: 13.

O Thou eternal source of wisdom, power, and love, lead us through all the changes of this life upon earth to rest our spirits upon Thee. Help us to see Thee more clearly, to think about Thee more frequently, to pray to Thee more earnestly, and to do Thy will more faithfully. In Thee may we find confidence and courage for the living of these days.

In our minds we name before Thee those near and dear to us, and others whose lives have blended with ours and bring to us a sense of privilege and responsibility. Do Thou bless them mightily and sustain them in Thy service. Lay Thou Thy hand upon all those who are sick, comfort those who are sad, give courage to the discouraged, strength to the weak, light to those who sit in darkness, and love to those who would keep bitterness in their hearts.

We pray for our beloved land that we as a nation of free people may choose wisely, live worthily, relate ourselves to others affirmatively, and dare to be pioneers in brotherhood, strengthening the hands of those who would lead us in the paths of peace. Together may we go forward to build the kingdom of justice and truth and love among the children of men.

In the Master's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Leonard, one of his secretaries.

SPECIAL ORDER TO PAY TRIBUTE TO THE LATE HONORABLE FRANK BOYKIN, OF ALABAMA

Mr. ANDREWS of Alabama. Mr. Speaker, early this morning one of our former colleagues, Frank Boykin, passed away.

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I ask unanimous consent that on tomorrow at the conclusion of all business then pending before the House, and other special orders heretofore entered, that I may be permitted to address the House for 1 hour. I hope that all of Mr. Boykin's friends may be present.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

PERMISSION FOR COMMITTEE ON GOVERNMENT OPERATIONS TO HAVE UNTIL MIDNIGHT, MARCH 13, 1969, TO FILE REPORT ON S. 1058

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the Committee on Government Operations may have until midnight March 13 to file a report on the bill S. 1058, an act to extend the period within which the President may transmit to the Congress plans for reorganization of agencies of the executive branch of the Government.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

NEWSPAPER PRESERVATION ACT OF 1969

(Mr. EDMONDSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EDMONDSON. Mr. Speaker, 83 Members of the House are joining today in introducing the Newspaper Preservation Act of 1969, a bill to allow two newspapers which have entered into a "joint newspaper operating arrangement" to be treated as a single entity under the antitrust laws.

I need not recite to this body the history of newspapers in our country in recent years. We are all aware of the death of many of the great news voices by papers simply going out of business, or being purchased by a competitor in the same city. Each time a newspaper dies, there is one less voice in the marketplace of ideas, and our democratic system of government loses something of its strength.

While our antitrust laws were intended to help maintain competition, the application of these laws to the newspaper industry, as exemplified by the Supreme Court's decision in the Tucson newspaper case, will have an opposite effect. Papers with competing news and editorial voices will have to close their doors because the existing law holds a joint operating arrangement to be a per se violation of the antitrust laws.

The newspaper preservation bill would amend the antitrust laws in order to preserve news and editorial competition. The amendment would be in keeping with the spirit and intent of true antitrust doctrine—the fostering of competition.

Mr. Speaker, I urge all Members who are interested in this matter and who have not indicated to us their desire to participate in these bills to contact us, and join us in this fight. I believe it is a worthwhile fight. I believe it will preserve competition in news and editorial policies in 22 cities of this country that otherwise may be facing merger and single ownership in the near future.

Mr. MATSUNAGA. Mr. Speaker, will the gentleman yield?

Mr. EDMONDSON. I yield to the gentleman from Hawaii.

Mr. MATSUNAGA. Mr. Speaker, the eminent judge, Mr. Learned Hand, once said of the Nation's newspapers and of the press:

> It serves one of the most vital of all general interests, the dissemination of news from as many sources, and with as many different facets and colors as is possible.

This, indeed, is the very fabric of our system of government, and was recognized as such by our Founding Fathers in the first amendment to the Constitution.

Unfortunately, freedom of the press does not insure continued publication of newspapers when there is not an adequate commercial market to maintain such papers. The history of the 20th century has recorded the deaths of many newspapers, and on each newspaper tombstone might well be inscribed "Here lies a news and editorial voice."

The cold economic fact is that most cities simply cannot afford two commercially competing newspapers. In a number of such cities, however, the two papers, rather than sell out or merge one with the other, have entered into joint operating arrangements, whereby only the commercial functions are merged, but separate and competing news and editorial voices are maintained. Now this arrangement has been found to violate the letter but not the spirit, of the antitrust laws.

The newspaper preservation bill, of which I am a cosponsor, along with the gentleman from Oklahoma (Mr. EDMONDSON), the gentleman from Massachusets (Mr. BURKE), and others, would amend the antitrust laws to preserve such news and editorial competition. It is consistent with the intent of the antitrust laws, and meets the public need for a continuation of a press with varied voices expressing all shades of opinion. It is a bill which deserves the support of every Member of this House.

COMMODITY CREDIT CORPORATION REPORT, FISCAL YEAR 1968—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States; which was read, and, together with the accompanying papers, referred to the Committee on Banking and Currency:

To the Congress of the United States:

In accordance with the provisions of Section 13, Public Law 806, 80th Congress, I transmit herewith for the information of the Congress the report of the Commodity Credit Corporation for the fiscal year ended June 30, 1968.

RICHARD NIXON.

THE WHITE HOUSE, *March 11, 1969.*

EIGHTH ANNUAL REPORT OF U.S. ARMS CONTROL AND DISARMAMENT AGENCY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States; which was read, and, together with the accompanying papers, referred to the Committee on Foreign Affairs:

To the Congress of the United States:

Attached is the Eighth Annual Report of the United States Arms Control and Disarmament Agency. I am transmitting it pursuant to law.

In this report, the Agency describes its activities for the calendar year 1968.

RICHARD NIXON.

THE WHITE HOUSE, *March 11, 1969.*

PROVIDING FUNDS FOR THE COMMITTEE ON RULES

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privilege report (Rept. No. 91–40) on the resolution (H. Res. 94) providing funds for the Committee on Rules, and ask for immediate consideration of the resolution.

The Clerk read the resolution, as follows:

H. RES. 94

Resolved, That, effective January 3, 1969, in carrying out its duties during the Ninety-first Congress, the Committee on Rules is authorized to incur such expenses (not in excess of $5,000) as it deems advisable. Such expenses shall be paid out of the contingent fund of the House on vouchers authorized and approved by such committee, and signed by the chairman thereof.

With the following committee amendments:

On page 1, line 6, strike out the word "and" immediately following the comma.

On page 1, immediately before the period in line 7, insert a comma and the following: "and approved by the Committee on House Administration".

On page 1, immediately after line 7, insert the following new section:

"SEC. 2. Funds authorized by this resolution shall be expended pursuant to regulations established by the Committee on House Administration under existing law."

The committee amendments were agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

TO PROVIDE FUNDS FOR THE EXPENSES OF THE INVESTIGATION AND STUDY AUTHORIZED BY HOUSE RESOLUTION 47

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 91–41) on the resolution (H. Res. 100) to provide funds for the expenses of the investigation and study authorized by House Resolution 47, and ask for immediate consideration of the resolution.

The Clerk read the resolution, as follows:

H. RES. 100

Resolved, That effective January 3, 1969, the expenses of the investigation and study

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authorized by H. Res. 47 of the Ninety-first Congress incurred by the Committee on Veterans' Affairs, acting as a whole or by subcommittee, not to exceed $150,000, including expenditures for the employment of experts, and clerical, stenographic, and other assistance, shall be paid out of the contingent fund of the House on vouchers authorized by such committee, signed by the chairman thereof and approved by the Committee on House Administration.

Sec. 2. The official stenographers to committees may be used at all meetings held in the District of Columbia unless otherwise officially engaged.

Sec. 3. No part of the funds authorized by this resolution shall be available for expenditure in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House, and the chairman of the Committee on Veterans' Affairs shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds.

Sec. 4. Funds authorized by this resolution shall be expended pursuant to regulations established by the Committee on House Administration under existing law.

Mr. HAYS (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the resolution be dispensed with, and that the resolution be printed in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

TO PROVIDE FOR THE EXPENSES OF THE INVESTIGATION AND STUDY AUTHORIZED BY HOUSE RESOLUTION 105

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 91–42) on the resolution (H. Res. 106) to provide for the expenses of the investigation and study authorized by House Resolution 105, and ask for immediate consideration of the resolution.

The Clerk read the resolution, as follows:

H. Res. 106

Resolved, That effective from January 3, 1969, the expenses of the investigation and study to be conducted pursuant to H. Res. 105, by the Committee on Armed Services, acting as a whole or by subcommittee, not to exceed $175,000, including expenditures for the employment of special counsel, consultants, investigators, attorneys, experts, and clerical, stenographic, and other assistants appointed by the chairman of the Committee on Armed Services, shall be paid out of the contingent fund of the House on vouchers authorized by such committee or subcommittee, signed by the chairman of the Committee on Armed Services, and approved by the Committee on House Administration.

Sec. 2. The chairman of the Committee on Armed Services shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds. No part of the funds authorized by this resolution shall be available for expenditure in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House.

Sec. 3. Funds authorized by this resolution shall be expended pursuant to regulations established by the Committee on House Administration under existing laws.

Mr. HAYS (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the resolution be dispensed with, and that it be printed in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Ohio.

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

TO PROVIDE FUNDS FOR THE EXPENSES OF THE INVESTIGATIONS AUTHORIZED BY HOUSE RESOLUTION 21

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 91–43) on the resolution (H. Res. 117) to provide funds for the expenses of the investigations authorized by House Resolution 21, and ask for immediate consideration of the resolution.

The Clerk read the resolution, as follows:

H. Res. 117

Resolved, That, effective January 3, 1969, the expenses of investigations and studies to be made pursuant to H. Res. 21 by the Committee on Interior and Insular Affairs acting as a whole or by subcommittee, not to exceed $115,000, including expenditures for the employment of professional, stenographic, and other assistants, shall be paid out of the contingent fund of the House on vouchers authorized by such committee, signed by the chairman of such committee, and approved by the Committee on House Administration.

Sec. 2. No part of the funds authorized by this resolution shall be available for expenditure in connection with the study or investigation of any matter which is being investigated for the same purpose by any other committee of the House, and the chairman of the Committee on Interior and Insular Affairs shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds.

Sec. 3. Funds authorized by this resolution shall be expended pursuant to regulations established by the Committee on House Administration under existing law.

Mr. HAYS (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the resolution be dispensed with, and that it be printed in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

TO PROVIDE FUNDS FOR THE COMMITTEE ON THE JUDICIARY

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (H. Rept. No. 91–44) on the resolution (H. Res. 118) to provide funds for the Committee on the Judiciary, and ask for immediate consideration of the resolution.

The Clerk read the resolution, as follows:

H. Res. 118

Resolved, That, effective January 3, 1969, the expenses of conducting the studies and investigations authorized by H. Res. 93 of the Ninety-first Congress, incurred by the Committee on the Judiciary, acting as a whole or by subcommittee, not to exceed $250,000, including expenditures for the employment of experts, special counsel, clerical, stenographic, and other assistants, and all expenses necessary for travel and subsistence incurred by members and employees while engaged in the activities of the committee or any subcommittee thereof, shall be paid out of the contingent fund of the House on vouchers authorized by such committee signed by the chairman of such committee and approved by the Committee on House Administration.

Sec. 2. No part of the funds authorized by this resolution shall be available for expenditure in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House, and the chairman of the Committee on the Judiciary shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds.

Mr. HAYS (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the resolution be dispensed with, and that it be printed in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: On page 2, after line 10, add the following:

"Sec. 3. Funds authorized by this resolution shall be expended pursuant to regulations established by the Committee on House Administration under existing law."

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

TO PROVIDE FUNDS FOR THE EXPENSES OF THE STUDIES AND INVESTIGATIONS AUTHORIZED BY HOUSE RESOLUTION 131

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 91–45) on the resolution (H. Res. 132) to provide funds for the expenses of the studies and investigations authorized by House Resolution 131, and ask for immediate consideration of the resolution.

The Clerk read the resolution, as follows:

H. Res. 132

Resolved, That, effective January 3, 1969, the expenses of the studies and investigations to be conducted pursuant to H. Res. 131 by the Committee on Merchant Marine and Fisheries, acting as a whole or by subcommittee, not to exceed $155,000, including expenditures for the employment of investigators, attorneys, and experts, and clerical, stenographic, and other assistants, and all expenses necessary for travel and subsistence incurred by members and employees while engaged in the activities of the committee or any subcommittee thereof, shall be paid out of the contingent fund of the House on vouchers authorized and signed by the chair-

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man of such committee and approved by the Committee on House Administration.

Sec. 2. The chairman, with the consent of the head of the department or agency concerned, is authorized and empowered to utilize the reimbursable services, information, facilities, and personnel of any other departments or agencies of the Government.

Sec. 3. The official committee reporters may be used at all hearings held in the District of Columbia, if not otherwise officially engaged.

Sec. 4. No part of the funds authorized by this resolution shall be available for expenditure in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House, and the chairman of the Committee on Merchant Marine and Fisheries shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds.

Sec. 5. Funds authorized by this resolution shall be expended pursuant to regulations established by the Committee on House Administration under existing law.

Mr. HAYS (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the resolution be dispensed with and that it be printed in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: On page 1, line 5, strike out "$155,000", and insert in lieu thereof "$135,000".

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FUNDS FOR THE COMMITTEE ON THE DISTRICT OF COLUMBIA

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 91-46) on the resolution (H. Res. 148) providing funds for the Committee on the District of Columbia, and ask for immediate consideration of the resolution.

The Clerk read the resolution, as follows:

H. Res. 148

Resolved, That, effective January 3, 1969, the further expenses of the studies and investigations to be conducted pursuant to H. Res. 76 by the Committee on the District of Columbia, acting as a whole or by subcommittee, not to exceed $100,000, including expenditures for the employment of investigators, attorneys, and experts, and clerical, stenographic, and other assistants, and all expenses necessary for travel and subsistence incurred by members and employees while engaged in the activities of the committee or any subcommittee thereof, shall be paid out of the contingent fund of the House on vouchers authorized and signed by the chairman of such committee and approved by the Committee on House Administration.

Sec. 2. The chairman, with the consent of the head of the department or agency concerned, is authorized and empowered to utilize the reimbursable services, information, facilities, and personnel of any other departments or agencies of the Government.

Sec. 3. The official committee reporters may be used at all hearings held in the District of Columbia, if not otherwise officially engaged.

Sec. 4. No part of the funds authorized by this resolution shall be available for expenditure in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House, and the chairman of the Committee on the District of Columbia shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds.

Sec. 5. Funds authorized by this resolution shall be expended pursuant to regulations established by the Committee on House Administration under existing law.

Mr. HAYS (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the resolution be dispensed with and that it be printed in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FUNDS FOR THE COMMITTEE ON AGRICULTURE

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 91-47) on the resolution (H. Res. 167), to provide funds for the Committee on Agriculture, and ask for immediate consideration of the resolution.

The Clerk read the resolution, as follows:

H. Res. 167

Resolved, That effective January 3, 1969, the expenses of conducting the studies and investigations authorized by H. Res. 127, Ninety-first Congress, incurred by the Committee on Agriculture, acting as a whole or by subcommittee, not to exceed $250,000, including expenditures for the employment of accountants, experts, investigators, attorneys, and clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House, on vouchers authorized by such committee, signed by the chairman of such committee, and approved by the Committee on House Administration.

Sec. 2. The official committee reporters may be used at all hearings, if not otherwise officially engaged.

Sec. 3. No part of the funds authorized by this resolution shall be available for expenditure in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House, and the chairman of the Committee on Agriculture shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds.

Sec. 4. Funds authorized by this resolution shall be expended pursuant to regulations established by the Committee on House Administration under existing law.

Mr. HAYS (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the resolution be dispensed with and that it be printed in the Record.

Mr. SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: On page 1, line 5, strike out "$250,000", and insert in lieu thereof "$100,000".

Mr. HAYS. Mr. Speaker, this is just to explain what looks like a drastic cut, but may I say that the gentleman from Texas (Mr. Poage) misunderstood and put in an amount to cover the entire Congress, so the resolution would have covered both sessions. For one session it would have been $125,000, but since 3 months of the session have gone by, we put in $100,000, which is exactly the amount the committee had for the first session last year.

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FUNDS FOR NECESSARY EXPENSES OF COMMITTEE ON WAYS AND MEANS

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 91-48) on the resolution (H. Res. 198), to provide funds for necessary expenses of the Committee on Ways and Means, and ask for immediate consideration of the resolution.

The Clerk read the resolution, as follows:

H. Res. 198

Resolved, That, effective January 3, 1969, in carrying out its duties during the Ninety-first Congress, the Committee on Ways and Means is authorized to incur such expenses (not in excess of $50,000) as it deems advisable. Such expenses shall be paid out of the contingent fund of the House on vouchers authorized by such committee, signed by the chairman thereof, and approved by the Committee on House Administration.

Sec. 2. No part of the funds authorized by this resolution shall be available for expenditure in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House, and the chairman of the Committee on Ways and Means shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds.

Sec. 3. Funds authorized by this resolution shall be expended pursuant to regulations established by the Committee on House Administration under existing law.

Mr. HAYS (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the resolution be dispensed with and that it be printed in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING FUNDS FOR THE OPERATION OF THE COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 91-49) on the resolution (H. Res. 204), authorizing funds for the operation of the Committee on Standards of Official Conduct, and ask for immediate consideration of the resolution.

The Clerk read the resolution, as follows:

H. Res. 204

Resolved, That, effective January 3, 1969, in carrying out its duties during the first session of the Ninety-first Congress, the Committee on Standards of Official Conduct is authorized to incur such expenses (not in excess of $20,000) as it deems advisable. Such expenses shall be paid out of the contingent fund of the House on vouchers authorized and approved by such committee, and signed by the chairman thereof.

Sec. 2. Funds authorized by this resolution shall be expended pursuant to regulations established by the Committee on House Administration under existing law.

Mr. HAYS (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the resolution be dispensed with and that it be printed in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The SPEAKER. The Clerk will report the committee amendments.

The Clerk read as follows:

Committee amendments: On page 1, line 7, strike out the word "and" immediately following the comma.

On page 1, immediately before the period in line 8, insert a comma and the following: "and approved by the Committee on House Administration".

The committee amendments were agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FUNDS FOR STUDY AND INVESTIGATION AUTHORIZED BY HOUSE RESOLUTION 66

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 91-50) on the resolution (H. Res. 217), to provide funds for the study and investigation authorized by House Resolution 66, and ask for immediate consideration of the resolution.

The Clerk read the resolution, as follows:

H. Res. 217

Resolved, That effective January 3, 1969, the expenses of the study and investigation to be conducted by the select committee created by H. Res. 66, not to exceed $365,000, including expenditures for the employment of investigators, attorneys, and clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House on vouchers authorized by such committee, signed by the chairman thereof, and approved by the Committee on House Administration.

Sec. 2. No part of the funds authorized by this resolution shall be available for expenditure in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House, and the chairman of the Committee on Small Business shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds.

Sec. 3. Funds authorized by this resolution shall be expended pursuant to regulations established by the Committee on House Administration under existing law.

Mr. HAYS (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the resolution be dispensed with and that it be printed in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: On page 1, line 4, strike out "$365,000", and insert in lieu thereof "$350,000".

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I yield to the gentleman from Iowa.

Mr. GROSS. Is this for the Select Committee on Small Business?

Mr. HAYS. This is for the Select Committee on Small Business.

Mr. GROSS. Is the amount specified in this resolution?

Mr. HAYS. May I say to the gentleman, it is specified in House Resolution 66. Reference is made to House Resolution 66 in this resolution.

The SPEAKER. The question is on the committee amendment.

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

FUNDS FOR EXPENSES OF STUDIES, INVESTIGATIONS, AND INQUIRIES AUTHORIZED BY HOUSE RESOLUTION 192

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 91-51) on the resolution (H. Res. 256) to provide funds for the expenses of the studies, investigations, and inquiries authorized by House Resolution 192, and ask for immediate consideration of the resolution.

The Clerk read the resolution, as follows:

H. Res. 256

Resolved, That, effective January 3, 1969, the expenses of the studies, investigations, and inquiries authorized by H. Res. 192, incurred by the Committee on Science and Astronautics, acting as a whole or as a duly authorized subcommittee, not to exceed $400,000, including expenditures for employment, travel, and subsistence of attorneys, experts, and consultants (including personnel of the Library of Congress performing service on reimbursable detail) and clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House on vouchers authorized by such committee, signed by the chairman of such committee, and approved by the Committee on House Administration.

Sec. 2. No part of the funds authorized by this resolution shall be available for expenditure in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House, and the chairman of the Committee on Science and Astronautics shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds.

Sec. 3. Funds authorized by this resolution shall be expended pursuant to regulations established by the Committee on House Administration under existing law.

Mr. HAYS (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the resolution be dispensed with and that it be printed in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: On page 1, line 5, strike out "$400,000", and insert in lieu thereof "$350,000".

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR EXPENSES OF CONDUCTING STUDIES AND INVESTIGATIONS AUTHORIZED BY HOUSE RESOLUTION 143

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 91-52) on the resolution (H. Res. 260) providing for expenses of conducting studies and investigations authorized by House Resolution 143, and ask for immediate consideration of the resolution.

The Clerk read the resolution, as follows:

H. Res. 260

Resolved, That, effective January 3, 1969, the expenses of conducting the studies and investigations, authorized by H. Res. 143, Ninety-first Congress, incurred by the Committee on Foreign Affairs, acting as a whole or by subcommittee, not to exceed $210,000, including expenditures for the employment of experts, clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House on vouchers authorized by such committee or subcommittee, signed by the chairman of the committee, and approved by the Committee on House Administration.

Sec. 2. No part of the funds authorized by this resolution shall be available for expenditures in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House, and the chairman of the Committee on Foreign Affairs shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds.

Sec. 3. Funds authorized by this resolution shall be expended pursuant to regulations established by the Committee on House Administration under existing law.

Mr. HAYS (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the resolution be dispensed with and that it be printed in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The SPEAKER. The Clerk will report the committee amendment. The Clerk read as follows:

Committee amendment: On page 1, line 5, strike out "$210,000", and insert in lieu thereof "$200,000".

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR PAYMENT FROM CONTINGENT FUND OF SALARIES OF CERTAIN HOUSE COMMITTEE PERSONNEL NEWLY APPOINTED

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 91–53) on the resolution (H. Res. 308) providing for the payment out of the contingent fund of the House of Representatives for a limited period of the salaries of certain House committee personnel newly appointed in the 91st Congress, and ask for immediate consideration of the resolution.

The Clerk read the resolution, as follows:

H. Res. 308

Resolved, That there shall be paid out of the contingent fund of the House of Representatives such sums as may be necessary to pay the compensation for services performed for a standing or select committee of the House of Representatives in the period beginning on January 3, 1969, and ending immediately before the date of adoption by the House of a resolution providing funds for expenses of such committee, by each person—

(1) who was newly appointed to a position on the staff of such committee in that period; and

(2) who is certified by the chairman of such committee as performing such services in that period.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I am glad to yield to the gentleman from Missouri.

Mr. HALL. I wonder if the gentleman would explain this resolution to the Members, inasmuch as there is no printed copy available.

Mr. HAYS. There is a printed copy available, but I would be glad to explain it to the gentleman.

Mr. HALL. Where is the copy?

Mr. HAYS. Does the gentleman mean the report, or a copy of the resolution?

Mr. HALL. Neither the committee report nor a copy of the bill is available at the desk.

Mr. HAYS. It should be. I have a copy in my hand, and it should be at the desk.

Let me say to the gentleman, we passed a continuing resolution some weeks ago which applied only to members of the staff who were on the payroll on the 3d of January. In one instance, in one committee—I will tell the gentleman, it is the Committee on Interstate and Foreign Commerce—the chairman has put on two additional staff members, investigators, former FBI agents, I am told, with the concurrence of the minority on his committee, with the understanding when they were put on that they would not be paid until a resolution passed setting up the funds for the committee.

Unfortunately, partly due to the illness last week of the gentleman who is now addressing the House, my subcommittee was unable to hold a hearing. Partly because there was some internal discussion about the budget and they were not ready to come before us this week, these two men would be running over, perhaps, another pay period more than they anticipated.

This resolution is for the purpose of allowing them to be paid. I would like to point out to the gentleman that this is not giving them carte blanche to put on as many people as they want. Whoever they put on will have to be paid out of whatever sum the committee is finally allowed out of their resolution, which will presumably come up within the next 10 days.

Mr. HALL. I appreciate the gentleman's explanation.

I now have a copy of House Resolution 308 available. Since this does come from the Committee on House Administration, I presume that the resolution would be subject to the same rules of law as govern all of those within the control of the Committee on House Administration.

Mr. HAYS. Yes, sir. And if the gentleman will notice, when I called it up I asked unanimous consent that it be considered.

Mr. HALL. Yes. I do note that and appreciate the explanation.

Do I understand that this would cost the taxpayers not one additional cent from the contingency funds of the House?

Mr. HAYS. That is exactly right. It will be out of the funds of that committee just as though their resolution had passed along with the other 13 that have already passed.

Mr. HALL. I appreciate the explanation.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING CERTAIN PRINTING FOR THE SELECT COMMITTEE ON SMALL BUSINESS

Mr. FRIEDEL. Mr. Speaker, I call up House Resolution 95 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 95

Resolved, That there shall be printed for the use of the Select Committee on Small Business of the House of Representatives two thousand additional copies of its publication entitled "Final Report of the Select Committee on Small Business" (House Report 1985; Ninetieth Congress).

The resolution was agreed to.

A motion to reconsider was laid on the table.

ELECTION TO THE JOINT COMMITTEE OF CONGRESS ON THE LIBRARY

Mr. FRIEDEL. Mr. Speaker, I offer a privileged resolution (H. Res. 314) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 314

Resolved. That John Brademas of Indiana is hereby elected to fill the vacancy existing on the Joint Committee of Congress on the Library.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. BOLLING. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 19]

Abernethy
Anderson, Tenn.
Ashley
Baring
Belcher
Bell, Calif.
Betts
Blanton
Burton, Utah
Byrnes, Wis.
Clark
Clay
Conable
Conyers
Corman
Culver
Cunningham
Davis, Ga.
Delaney
Edwards, La.
Flynt
Foley
Gallagher
Garmatz
Gibbons
Gray
Gubser
Hawkins
Hébert
Holifield
Howard
Kastenmeier
Kirwan
Lipscomb
Long, La.
Lowenstein
McClory
McDonald, Mich.
McMillan
Miller, Calif.
Mills
Mollohan
Moorhead
Morton
Murphy, N.Y.
Nichols
O'Neal, Ga.
Pelly
Podell
Powell
Ronan
Scheuer
Smith, N.Y.
Steiger, Wis.
Stokes
Stuckey
Symington
Utt
Wilson, Charles H.

The SPEAKER. On this rollcall 369 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

INCREASING PARTICIPATION OF UNITED STATES IN THE INTERNATIONAL DEVELOPMENT ASSOCIATION

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 313 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 313

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 33) to provide for increased participation by the United States in the International Development Association, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Missouri is recognized for 1 hour.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from California (Mr. SMITH) and pending that I yield myself such time as I may consume.

Mr. Speaker, this resolution makes in order the consideration of H.R. 33, a bill identical to one which was pending before the Committee on Rules last year. It was not considered by the Committee on Rules because it was submitted to the committee after the time that the committee set as the last date on which a report from a legislative committee would be considered for a rule except under exceptional circumstances, those circumstances to be determined by the committee in consultation with the leadership. So this matter has been around in this form for some time.

In effect, it refreshes the funds of the International Development Association, an organization that came into being in 1960 under bipartisan auspices at that time. It was reported, I understand, from the Committee on Banking and Currency by an overwhelming bipartisan vote of 30 in favor and two against with one abstaining. It received equally overwhelming support for the rule by the Committee on Rules. I believe one vote was cast against it in the Committee on Rules on yesterday in the vote on the rule. In view of the fact that it is bipartisan and I know of no particular opposition to the rule, although there is opposition to the bill itself, I reserve the balance of my time.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, House Resolution 313 does provide for 1 hour of debate on an open rule for the consideration of H.R. 33, a measure to provide for the increased participation by the United States in the International Development Association.

The total increase to be authorized for the next 3 years—through June 30, 1971—is set at $1,200,000,000. Forty percent, or $480,000,000 is the share of the United States. Appropriations will be requested as needed to meet the request for funds.

IDA is the soft-loan operations office of the World Bank. Long term—50 years—loans are made at very low rates with no repayment required for the first 10 years. Because of this feature there is as yet no repayment history to go by as IDA was only set up in 1960.

IDA's program is directed at soft currency, underdeveloped countries. More resources are needed to continue an expanding program.

To protect our balance-of-payments position, calls on our share of the contributed funds until July 1, 1971, will not have to provide its full pro rata share. Only after that date will our full share be available to be used by IDA. This is to give us time to get our balance-of-payments situation into a better position.

The report points out that since the United States did not act last year, IDA has had to make do with some emergency procedures to insure its continued program during the last half of 1968. As of January 30, 1968, IDA had $87,000,000 available.

Supplemental views are filed by four members opposing passage and suggesting instead that a new agreement be negotiated cutting the increased funding available from $1,200,000,000 to $750,000,000. This would obligate the United States to $100,000,000 per year for the next 3 years. They believe our fiscal situation requires this modification in the proposed agreement with IDA.

The administration, through Secretary Kennedy, supports the bill as reported.

Mr. Speaker, I would like to add that in this instance I am supporting this rule, and I urge adoption of the rule.

Mr. Speaker, I would like to add a personal comment.

Insofar as the bill is concerned, I do not intend to vote for the additional money. I feel that the burden upon the taxpayer places him in an extremely difficult position, even more so than last year. Possibly, the surtax is going to be continued; some schools are being closed because of lack of funds; some people are evidently going hungry. I think charity should start at home. A good place to start is with the $480 million provided here today in this bill. We have been requested to increase the debt limit. I would like to see the day when we start taking care of some of our problems at home. I have opposed this program for years. I realized it was started by former President Eisenhower and was continued by President Kennedy, and President Johnson. Now President Nixon wants it. But, Mr. Speaker, I cannot change my colors after 20 years and vote for the authorization and expenditure of this amount of money when I feel the money is not necessary at this particular time. However, Mr. Speaker, I do urge the adoption of the rule.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I want to commend the gentleman from California for his views in opposition to this measure and ask him if there exists in the State of California, or any other State to the gentleman's knowledge, a bank with a soft loan window by which an individual can borrow money with which to build a home or buy a home or buy a farm at no interest over a 50-year period of a loan; with a carrying charge of only three-quarters of 1 percent throughout the life of the so-called loan, with a grace period of 10 years in which there is no payment on the principal, then 1 percent for the next 10 years and 3 percent on the balance during the remaining 30-year period.

Does the gentleman have such a bank in his State, national or State, that will lend money on those terms to the taxpayers who will have to put up the money for this bill?

Mr. SMITH of California. I will say to the gentleman from Iowa that we in California do not, of course, have such a bank. That is another reason for my opposition to this measure. We in California have just gone through the experience of extensive and recent devastating floods. Recovery will surely require the expenditure of substantial money. It will be a costly operation. We have a lot of problems and we are not getting loans from the SBA, to rebuild businesses and homes which have been lost, at the very low interest rates provided in this measure for foreign countries. That is one reason I do feel that charity must begin at home and that we ought to take care of our own people first.

Mr. Speaker, I urge the adoption of the rule. I have no further requests for time.

Mr. BOLLING. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. PATMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 33) to provide for increased participation by the United States in the International Development Association, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Texas.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 33, with Mr. BURKE of Massachusetts in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Texas (Mr. PATMAN) will be recognized for 30 minutes, and the gentleman from New Jersey (Mr. WIDNALL) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Texas (Mr. PATMAN).

Mr. PATMAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the replenishment of the International Development Association is of far-reaching importance to the developing countries of the world.

Funds are urgently needed to keep the World Bank's soft-loan affiliate an important credit source for the world's neediest nations.

Over the past few years IDA has been one of the most successful multilateral experiments in development finance. In fact, its present plight is the direct result of its intense and constructive activity. There is such a need for the funds it makes available and for the technical assistance it has provided that it has run out of money. Yet, demand continues.

Since its formation in 1960—on the basis of an idea originating in the U.S. Congress—it has done an excellent job in promoting the development of very poor nations that cannot afford the bank's conventional "hard" loans in terms of interest rates and periods of repayment.

At the moment, IDA's problem is that all its funds are committed to projects already underway. More money is needed to get additional programs started.

The United States, which accounts for about 55 percent of the total income of the 19 advanced countries subscribing to IDA, is being asked to provide only 40 percent of the replenishments. For every $2 that we put up, other countries will contribute $3. A $160 million a year contribution is not a high price to pay for encouraging economic development.

This country has long assumed the leadership in providing economic assistance on a multilateral basis, and Congress should continue to honor such a commitment.

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The request for IDA replenishment funds is one of the smallest of the aid bills before the current session of Congress. But it is one of the most important because IDA is the practical embodiment of the multilateral approach to development aid.

This replenishment is of far-reaching importance and will serve to advance basic U.S. objectives in international economic development in a framework of further multilateral financial cooperation.

IDA is an essential instrument to the future of the have-not lands, now so desperately in need of progress in agriculture, education, and transportation. In the words of a recent Washington Star editorial, Congress will be performing "an enlightened act in voting to grant the funds requested."

Mr. Chairman, H.R. 33, has been supported by four administrations including the current one. It deserves our support.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. Mr. Chairman, I yield to our distinguished Speaker, the gentleman from Massachusetts (Mr. McCORMACK).

Mr. McCORMACK. Mr. Chairman, I thank the gentleman for yielding.

It is my understanding that this bill was reported out of the committee by strong bipartisan support. Is that correct?

Mr. PATMAN. The gentleman is correct. The vote was 30 to 3.

Mr. McCORMACK. I also understand that the Secretary of the Treasury under the present administration appeared and testified in support of the bill that the committee reported out. Is that correct?

Mr. PATMAN. He strongly supported the bill, and also committed the President as being favorable to the bill.

Mr. McCORMACK. In other words, that President Nixon unconditionally supports the bill that the committee reported out?

Mr. PATMAN. That is correct, sir.

Mr. WIDNALL. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, the International Development Association—IDA—is an international foreign aid organization. Membership comprises 18 economically advanced countries and 84 lesser developed countries. It was formed in 1960 with an initial capitalization of $1 billion of which approximately 75 percent was to be contributed in usable currencies by the advanced countries. The U.S. contribution at $320 million represented 43.1 percent of the hard currencies the association initially received from advanced countries.

In 1964 the economically advanced member countries agreed to a first replenishment of IDA funds in the amount of $750 million payable over a 3-year period. The U.S. contribution was $312 million or 41.6 percent.

Last year the economically advanced countries agreed, subject to action by their respective governments, to a second replenishment of IDA funds in the amount of approximately $1.2 billion to become available over a 3-year period. The legislation before us would authorize the United States to make its further contribution to IDA in the amount of $480 million or 40 percent of the new funds.

As of June 30, 1968, the freely usable funds of IDA have been augmented by the 10-percent subscription of lesser developed countries in convertible currencies in the amount of $24 million, supplementary contributions by other members in the amount of $22.8 million, contribution of World Bank earnings in the amount of $285 million, a Swiss loan in the amount of $12.1 million and $21.4 million of IDA net income accumulated from operations.

Of all foreign aid operations, IDA remains as the one in which we are joined by the largest number of other contributing countries—17—with such contributions exceeding our own on approximately a 3-to-2 basis.

IDA provides its foreign aid assistance on a loan rather than a grant basis. It makes sound loans but provides them on soft terms. The loans are 50 years in maturity with no repayment for the first 10 years, then a 1 percent per year for the next 10 years and then 3 percent for the final 30 years. The loans are repayable in convertible currencies. The loans are interest free but a nominal three-quarter percent per year service charge payable in convertible currencies is made to meet administrative costs.

The provision of loans through a multilateral agency has important advantages for both lender and borrower. When nations combine their efforts, as they do in IDA, there is a more equitable sharing of the costs of assistance and a more efficient use of available resources. There is also a better assessment of the problems and needs of the developing countries, and greater willingness on their part to be guided in the use of loans.

IDA follows lending policies which insure sound use of the funds entrusted to it. It emphasizes self-help by borrowing countries, and will not lend to a country that is not making a strong self-help effort, or that will not make the best possible use of its own resources to achieve economic growth.

Moreover, IDA applies to every loan application the same strict standards used by the World Bank, and will not approve a loan for a project that is not economically and financially viable.

As of June 30, 1968, IDA credits amounted to $1.78 billion for the following purposes:

[In millions of dollars]

Electric power	122.2
Transportation	617.0
Telecommunications	74.8
Agriculture, forestry, and fishing	310.6
Industry	501.1
Education	127.1
Water systems	34.0
Project preparation	1.6

As of June 30, 1968, disbursements under the above credits totaled $1.34 billion.

Good progress has been made toward the proposed second replenishment of funds for IDA. Eleven of the 18 donor countries have completed action and deposited notifications of commitment with IDA. These countries are Australia, Austria, Canada, Denmark, Finland, Germany, Kuwait, Netherlands, Norway, Sweden, and the United Kingdom. Their contributions total $471.96 million. These together with U.S. approval of its $480 million contribution would be sufficient to place the new replenishment agreement in effect as under the term of the agreement, acceptance by 12 countries with pledged contributions of not less than $950 million is required.

Of the remaining six donor countries legislative action is pending in Belgium, Italy and Japan and approval is shortly expected from Luxembourg, France and South Africa. The proposed contributions of these six countries total $236 million.

In view of the balance-of-payments problems of the United States, the replenishment proposal provides that, during the 3 years ending June 30, 1971, and for as long, thereafter, as permitted by the state of its resources, IDA would call upon the U.S. contribution to meet disbursements on new credits only for the amount needed to finance procurement in the United States. Thus, during that period, payments under the second replenishment would have no adverse effect on the U.S. balance of payments. Amounts deferred, however, would be subject to subsequent call, thus permitting the entire amount of the replenishment to be committed. As a necessary corollary to this deferment arrangement for the United States, a number of other participating countries agreed to permit a compensating acceleration of IDA's drawings upon their contributions in order to meet its disbursement requirements.

The Federal budgets for fiscal 1969 and 1970 include $50 million of expenditures in each of these years from prior authorizations. The budgets also include $160 million for each of these years in new obligational authority under this proposed legislation. However, because of the limitation of U.S. expenditures under the new replenishment agreement to procurement of U.S. goods and services, actual expenditures under the new replenishment will not occur until fiscal 1970 when the amount of such expenditures is budgeted at $40 million.

IDA has always enjoyed—and should continue to receive—strong bipartisan support. President Eisenhower proposed the creation of the Association, and Presidents Kennedy and Johnson encouraged the expansion of its work. President Nixon has given his full support and approval to the proposed U.S. contribution. Many Members of the Congress, of both parties, strongly endorsed the establishment of IDA, and have been pleased by its subsequent development.

I believe that we should give IDA our continued support. Under the replenishment agreement, our near term balance-of-payments position will be protected. With our national budget moving into surplus, providing more leeway in our financial situation, we should have no hesitancy about authorizing this investment in the future of the developing nations.

In his inaugural address, the President called for cooperation among nations "to lift up the poor and the hungry." Through IDA nations are working together for that very purpose. I, therefore, urge you to approve the proposed U.S. contribution.

Mr. MIZE. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from Kansas.

Mr. MIZE. Mr. Chairman, I believe that the proposed U.S. contribution to help replenish the loan funds of the International Development Association deserves the support of every Member of the Congress.

It is obvious that the economic progress of the developing countries depends on continued access to development capital—their resources are too limited to permit progress entirely on their own. And it is equally clear that they need capital on terms they can afford. For the poorest of the developing nations, this means capital on the concessional terms set by IDA.

However, in urging approval of the proposed U.S. contribution, I am not thinking solely of the interests of the less-developed countries. I also have in mind our own country's interests, and in that regard why it is important for us to encourage the channeling of development assistance through multilateral agencies like IDA.

When IDA was established in the late 1950's, the United States hoped that it would be a means of increasing the share of development assistance provided by the other advanced countries. We hoped they would take over more of the job, so that our own burden would be lightened. I am pleased to note that this is what has been happening in IDA, gradually but surely. When IDA was created, the United States contributed 43 percent of the initial funds. Under the proposed replenishment agreement, the United States would contribute 40 percent and the other industrial nations would contribute 60 percent.

Thus, through IDA we are making some headway in having other developed nations bear a greater part of the cost of necessary development assistance. I could cite other reasons as well for keeping the Association in operation, but to me that is a particularly important and significant one.

I intend to vote in favor of the replenishment, and I urge each of you to give it your approval.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Kennedy, the Secretary of the Treasury, in his statement to your committee on this bill, said:

> Many IDA borrowers already face severe debt servicing problems in the years ahead. It just would not make financial sense to require harder terms for those countries.

The question I want to propound to the gentleman is, What about the taxpayers and borrowers in this country who are facing severe problems? Are they accorded any such treatment as this and, if not, why not?

Mr. WIDNALL. I would say that some of the borrowers in the current housing program—if that goes ahead—will have the same kind of treatment as far as payments and their ability to obtain homes in the United States. We are moving into programs in the United States which are going to give help, and give material help, to many of those who are distressed in this country.

I think the important thing about this, which has been stressed over and over again, is that it is multilateral. We are not the ones bearing the full burden. The burden of the United States has been reduced already, by almost 4 to 40 percent.

We are protected as to balance of payments, which is something that is extremely important as far as we are concerned. We are also engaged in an effort with many other nations to try to help the distressed nations overseas.

Mr. GROSS. Mr. Chairman, let me ask the gentleman another question. Why make this commitment here today if you are going to try to predicate it on the balance of payments? Why make the commitment to spend a half billion dollars here today, if that is that case?

Mr. WIDNALL. I think it is an honorable commitment in which we are involved with 17 other nations basically. The other nations to a large extent have already pledged their replenishment and six countries will be acting in the very near future. We are the only major nation that is not keeping up with replenishment at the present time. I think the objectives and projects that are being financed will be worthwhile and will be very helpful toward peace in the world.

Mr. GROSS. Let me go back to my original question and ask the gentleman from New Jersey if he knows of any borrowers in the State of New Jersey or in the State of Iowa who can borrow money on these terms and conditions?

Mr. WIDNALL. No. I would not say I know of any.

Mr. POLLOCK. Will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from Alaska.

Mr. POLLOCK. Mr. Chairman, is this not a $56-million-a-year increase on the part of the United States for 3 years?

Mr. WIDNALL. No, this is exactly the same as was proposed in the last session of Congress, which amounts to $160 million a year for 3 years. But actually, the call on our funds will not occur—the first call will not be until next year, when $60 million will be involved.

Mr. POLLOCK. It was my understanding there was an increase of $56 million on the part of the United States. If this is correct, then I wonder if the other nations are making proportionate increases in their loan capacities.

Mr. WIDNALL. That is absolutely true, because actually they are increasing their own share of the burden as ours has been decreased 4 percent.

Mr. POLLOCK. Is there any safeguard in the law or in the legislation pending before us which would prohibit use of any of these funds for purposes inimical to the best interests of the United States? Would the funds, for instance, be used to assist nations who are helping our enemies in Vietnam? Do we have any control over this?

Mr. WIDNALL. To the extent that as members of the World Bank, we have a major participation in that, and they, the Bank have the screening of the loans. They are screened for economic feasibility and soundness in the same way that the hard currency loans are screened. The purposes are not military purposes.

Mr. POLLOCK. I understand that.

Mr. WIDNALL. They would be very helpful as far as the development of the country is concerned.

Mr. POLLOCK. Could any of the money that we contribute here as part of the United States commitment be used as a soft loan to Communist nations? Could it or could it not?

Mr. WIDNALL. A great many of those countries, as I recall it, do not participate in the framework of the organization. Actually only Yugoslavia.

Mr. BROCK. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from Tennessee.

Mr. BROCK. Mr. Chairman, it is my understanding that is so, plus the fact that I would point out, even in the case of the so-called neutral nations, the United States with 40 percent of the payment exercises virtually a veto position over any loan and can exercise the judgment necessary to protect its national interest.

Mr. POLLOCK. Mr. Chairman, if the gentleman from New Jersey will yield further, would the gentleman from Tennessee address himself to the question I asked about the increase in the U.S. contribution for the next 3 years?

Mr. BROCK. The U.S. contribution is increased by $56 million per year for the 3-year period, over the level granted in the previous authorization and appropriation bill.

This does not mean an outflow of cash in that amount. There are two safeguards.

First, there will be no call on the funds from the United States for the immediate future. As a matter of fact, the budget request is less than that for the previous year in terms of actual cash required.

The second safeguard we have is that no money will be expended until 1971 without an offset for purchase of an equivalent amount of goods produced in the United States. We have a 100-percent offset to guarantee there will be no adverse impact on the balance of payments.

I should also like to point out, in response to the question as to the increase of the U.S. commitment, that the foreign nations who are the other members of the group of 18 have increased their percent of contribution, while we have decreased ours. They are assuming a larger burden than we are. In other words, our share is going down, and our dollar commitment will decrease this year.

Mr. POLLOCK. I thank the gentleman.

Mr. WIDNALL. I should like to suggest to the gentlemen that I cannot yield further at this time. I have promised to yield time for general debate.

Mr. PATMAN. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. BARRETT).

Mr. BARRETT. Mr. Chairman, there are several good reasons to support the pending legislation which would replenish funds for the International Development Association.

The IDA has enjoyed the firm support

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of the United States since its inception. We know of IDA's accomplishments in assisting the poorest nations of the world over the past 8 years and we also know that a lack of funds is threatening the continuance of its work.

At this period, as we see turmoil in all parts of the world, it would be foolhardy to permit the poor countries to suffer by not permitting and assisting them to build the kind of lives to which they aspire. By such folly would we increase the chance that frustrated aspirations will translate themselves into violence and war.

The bill authorizes the appropriation of $480 million, without fiscal-year limitation. The U.S. contribution would be paid in non-interest-bearing letters of credit in equal installments in November 1968, 1969, and 1970. These letters of credit would not be drawn upon until needed for disbursement by the IDA.

From its inception, IDA has received the strong support of both parties in the Congress. Three Presidents—Eisenhower, Kennedy, and Johnson—have given IDA their strong endorsement. President Eisenhower authorized the negotiation of IDA and requested Congress to approve American participation in that important international financial institution.

The first replenishment was negotiated and implemented under Presidents Kennedy and Johnson and now President Nixon has given the second replenishment his full support. In addition, innumerable business, labor, and banking organizations, in this country and overseas, have played an important part in helping IDA grow and to build the kind of confidence needed for success in the community of developing nations.

There can be little doubt about the need for continuation of IDA. It is a prime instrument in building the kind of world America has always stood for—a world of progress and peace for all nations.

I urge all my colleagues to support this legislation and to move with dispatch to approve it.

Mr. PATMAN. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Missouri (Mrs. SULLIVAN).

Mrs. SULLIVAN. Mr. Chairman, we have before us today a matter of utmost importance to the well-being of some 38 nations throughout the world. These nations are attempting to make the difficult but rewarding climb up the development ladder to the point where their economies can move forward on their own momentum.

Since 1960 the task of making this move upward has been accelerated significantly by the International Development Association, that worthy World Bank affiliate which makes loans to poorer countries at virtually no interest and over long terms of years. But the future work of this organization is in jeopardy for the most obvious reason—lack of funds.

Over the next 3 years IDA will need $1.2 billion to continue its lending operations. Of this amount, the United States is being asked to furnish $480 million, to be paid in three equal annual installments of $160 million.

It is critically important that we meet this obligation. I can think of many positive reasons for this body's favorable consideration of IDA replenishment and among them is that development helps create new markets for American products in years to come.

By assisting the less-developed countries of today, we help make possible the dynamic, growing nations of the future, ready and willing to purchase the good things of life of which many will be provided by the United States. Indeed, it would be but another example of the Biblical injunction to "cast thy bread upon the waters: for thou shalt find it after many days."

But there are less self-serving reasons for supporting IDA replenishment. To be blunt, the Association would collapse without our assistance although its collapse wolud not be the only consequent catastrophe. The prestige of the United States as a nation committed to helping the less fortunate peoples of the world would be impaired seriously.

But most importantly of all, of course, would be that the United States had let slip from its grasp another opportunity to continue bricking the foundations for world peace.

To those persons who voice concern about our balance of payments let me say that under the agreement covering IDA's future there can be no adverse impact on our payments position for a minimum of 3 years. Finally, an annual U.S. contribution to IDA of $160 million would be one-third less than the fiscal year 1969 budget estimate of $240 million.

Mr. Chairman, I cannot too strongly urge the Members of this body to give support to the replenishment of IDA.

Mr. Chairman, I would also like to indicate that in addition to the support for legislation increasing our contribution to IDA, the following organizations also support this legislation; namely, the AFL-CIO; the U.S. Catholic Conference; United Church of Christ, U.S. Chamber of Commerce; the League of Women Voters; and the American Association of University Women.

I would also like to, Mr. Chairman, since it states the needs for this legislation so succinctly, read into the RECORD the brief statement submitted by Mrs. Bruce B. Benson, president of the League of Women Voters of the United States and a telegram I received last night from the American Association of University Women.

LEAGUE OF WOMEN VOTERS
OF THE UNITED STATES,
Washington, D.C., March 3, 1969.

HON. WRIGHT PATMAN,
Chairman, Committee on Banking and Currency, Washington, D.C.

MY DEAR MR. PATMAN: Enclosed is a statement reiterating the league's support for congressional approval of your legislation "to provide for increased participation by the United States in the International Development Association"—H.R. 33.

We hope the Banking and Currency Committee will approve this legislation at an early date.

Sincerely,

MRS. BRUCE B. BENSON,
President.

STATEMENT IN SUPPORT OF H.R. 33, SUBMITTED BY MRS. BRUCE B. BENSON, PRESIDENT, LEAGUE OF WOMEN VOTERS OF THE UNITED STATES

The League of Women Voters would like to reiterate its vigorous support for the legislation authorizing the second replenishment of the soft loan affiliate of the World Bank—the International Development Association. IDA's replenishment cannot become fully effective until the United States makes good on its pledge to provide its $480 million share ($160 million a year for 3 years)—which represents 40 percent of the $1.2 billion total replenishment.

IDA's loans are urgently needed by the poorer nations which cannot afford hard development loans. As loan terms from other sources have become harder and harder and debt servicing has become increasingly burdensome for the developing nations, IDA's easier conditions of repayment have become increasingly important.

IDA has already made an impressive record in its 10 years of operation. IDA credits have helped to stimulate agricultural production, improve roads, and expand secondary and vocational schools as well as teacher training colleges.

Immediate action by the U.S. Congress is essential since IDA's replenishment is long overdue. Because of its lack of money, IDA loans dropped from an annual average rate of lending of $300 million a year to barely more than $100 million last year. The remaining available funds (including the World Bank's latest $75 million transfer to IDA) are already committed or earmarked for projects in the process of approval. A backlog of essential projects cannot be started without completion of the replenishment.

Eight other developed nations have recently expressed their confidence in IDA by speeding up their contributions (totaling over $200 million) in advance of the U.S. contribution. But U.S. participation is essential to put the replenishment over the top.

We urge your committee to again favorably report this bill.

MARCH 11, 1969.

HON. LENORE SULLIVAN,
U.S. House of Representatives,
Washington, D.C.:

American Association of University Women urges authorization U.S. contribution of $480 million to the International Development Association. As IDA had its origin in the U.S. Congress, as its programs are effective, we believe provision of this reasonable share of the replenishment of IDA's resources will enhance U.S. world position.

DR. GWENDOLEN M. CARTER,
Area Representative for World Problems.
DR. VICTORIA SCHUCK,
Chairman, Legislative Program Committee.

Mr. PATMAN. Mr. Chairman, I yield such time as he may consume to the gentleman from Wisconsin (Mr. REUSS).

Mr. REUSS. Mr. Chairman, I am going to proceed very briefly to summarize why I believe the House should respond affirmatively by voting for the IDA replenishment. The need is great.

The $1.2 billion over a period of 3 years to be put into IDA by all the wealthier nations of the world under the proposed replenishment is a very small amount as contrasted with the $3 billion which every student of the economic needs of the developing world suggests is the minimum.

The record is good. In its 22 years of life the World Bank has had an outstanding bankerlike record. Its loans are all in good shape, as are those of IDA itself.

The burden is being shared. Due to the

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representations made by your Banking and Currency Committee, the U.S. share in this IDA replenishment has gone down from 43 percent of the total to 40 percent of the total.

We have $720 million proposed to be put into the new fund by other nations, as against $480 million from the United States, which represents a very favorable ratio.

The balance of payments is secured, by reason of the special provisions eliminating any possible balance-of-payments impact on our participation in IDA during the 3-year period which the replenishment would cover.

I make no grandiose claims for this replenishment. But I do suggest that it will do a little something for world peace by producing a more hopeful and progressive and orderly developing world.

When I look at the amount we are spending currently on defense, some $80 billion in this year, and I look at the amount of the proposed IDA contribution, some $160 million, it takes not too much arithmetic to discover that this is merely one five-hundredth of the total we are spending on defense. This seems to me a prudent and conservative amount.

I have heard the point made by the gentleman from Iowa (Mr. Gross) that what we are doing for our homeowners in this country is not the same as we are doing here in IDA. The answer is that under the Housing Act of 1968—and I regret that the gentleman from Iowa did not vote for it—we are doing for our moderate-income would-be homeowners in this country about what is sought to be done by IDA. IDA's interest rate is three-fourths of 1 percent. Sections 235 and 236 of the Housing Act of 1968 provide for 1 percent. So the answer is that we are attending to the needs of those at home. Surely we can afford, in the interest of an orderly world, to do something for the developing two-thirds of the world.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. Of course, the gentleman knows that there is no financing that is comparable to this that is available to any taxpayer in this country. The gentleman knows that.

Mr. REUSS. Under the Housing Act, despite the gentleman's opposition last year, an American citizen of moderate income does get the benefit of 1 percent financing over the 30-year or even 40-year or longer period of his mortgage. It seems to me that this is comparable to the IDA terms, so that while the gentleman can have his own views on it, I think that Members generally would agree that we are not insensitive to the needs of homeowners.

Mr. GROSS. An American gets a grace period of 10 years when he borrows on this housing that you talk about. Is that right?

Mr. REUSS. That is right. That is a difference. But he pays his servicing charge, which is practically the same amount as the servicing charge paid by the low-income American taxpayer.

Mr. GROSS. And he pays nothing the first 10 years and then pays 1 percent the second 10 years and 3 precent on the principal the last 30 years. Do you mean to tell me that there is a financing program of that kind available to the taxpayers of this country? All of them and not just a minority group or a select group?

Mr. REUSS. If the gentleman wants to amend the Housing Act of last fall, which he opposed, so as to make those 1-percent interest rates available to the very wealthy, he is at liberty to propose such an amendment, but I think that most Members would feel that the interest subsidy should be channeled to those most in need. If today we were proposing to subsidize the wealthy countries of Europe, I would be opposed to this bill. In fact, we are only subsidizing the very poorest nations of the world. We are now getting the wealthy countries of Europe to bear a large part of the burden, and we will keep on needling them to try to get them to bear an ever larger part of the burden.

Mr. GROSS. As I understand it, there are 17 countries and the United States makes the 18th which put up 40 percent of this giveaway. Is that correct? Are there 17 countries exclusive of the United States?

Mr. REUSS. The gentleman is correct. Although the U.S. gross national product is 55 percent of the total of those countries, it is putting in only 40 percent of the funding. It seems to me that that speaks rather well of the bargaining done by President Nixon, by Secretary Kennedy, and the other people who have put their names and their reputations on the bill here this afternoon.

Mr. GROSS. And the gentleman would use this business of the gross national product as something valid?

Mr. REUSS. Yes, I do use it as something valid, although I rejoice that instead of putting in 55 percent, which on the basis of the gross national product we would have to do, we are only putting in 40 percent. That is progress.

Mr. GROSS. Well, that is a lovely concession. There are some 130 countries around the world, is that not true; and, there are 17 who have joined this so-called multilateral organization and we put up 40 percent of the total?

Mr. REUSS. If the gentleman is suggesting that we should get the Soviet Union and Czechoslovakia——

Mr. GROSS. Well, why not?

Mr. REUSS. Which are wealthy countries into the World Bank family, he is certainly at liberty to make such a suggestion. I think it would be met with an objection on the part of many Members that the World Bank is essentially a free world agency.

Mr. GROSS. Well, we are dealing with the Russians in other affairs today, are we not?

Mr. REUSS. The gentleman has a point there.

Mr. GROSS. Well, why place this burden just on certain countries to the exclusion of others?

Mr. REUSS. There may not be objection to including certain members of the Communist bloc in some of these world agencies, but the proposition has not yet been advanced.

Mr. GROSS. If the gentleman will yield further, the difference between the operation of the United States and the Russian operation is that they have a string on everything they do. They get a return for the money that they hand out around the world. We spew it out all over the world with no thought of return. The gentleman from Texas, as young as he is, will not be around 50 years from now when the defaults on these so-called loans come in and neither will the gentleman from Wisconsin (Mr. Reuss). It will be an utterly irresponsible act to vote for this bill.

Mr. PATMAN. Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio (Mr. Ashley).

Mr. ASHLEY. Mr. Chairman, I think it may be worth pointing out that the situation in the developing countries of the world is not the situation which exists in highly industrialized societies, including the United States. The situation is very different, and it is this difference, really, that justifies the multilateral approach that is continued in this legislation. It should not be too difficult to grasp the fact that the difference in IDA terms from those that we find in our American commercial activities are amply justified by the increasing gap between the "have" and the "have not" nations.

The 20-odd industrial countries with less than one-fifth of the free world's population produce and enjoy more than one-half of the wealth of the world. By contrast, the developing nations with one-half of the world's population account for barely one-sixth of the total output. So on its face, the disparity in living standards between rich and poor nations certainly poses a very real threat to the peace of the world. It is because of this threat that this legislation is before us today, recommended by the President of the United States.

Mr. Chairman, this is not a new program. This program is the product of the last Republican President, Dwight David Eisenhower, who recommended it back in 1956. I cannot help finding it passing strange to hear the carping and complaints, and the continued objections from the other side of the aisle against this highly important multilateral program that has proved so successful and which today is endorsed by a Republican President of the United States. And I would say that when the votes are counted, looking at those who speak in opposition to the program, the gentleman from Iowa and others might do well to count the Democratic votes in support of this bill. They may learn something about responsible opposition that provides responsible support of meritorious proposals such as the one before us.

Mr. Chairman, I believe the United States must give evidence of its determination that it truly wants to help other less fortunate peoples. If we do not provide a reasonable amount of finance to the poorer countries, discontent will keep the world in turmoil. Over the long run, the consequences will continue to be serious as they have already been serious in those parts of the developing world where conflicts rooted in unfulfilled

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popular aspirations have led to violence. In Vietnam, to cite one example.

Yet the $480 million replenishment of IDA, now before us, takes full account of the need to keep U.S. Government expenditures consistent with our other responsibilities.

The U.S. $160 million annual contribution in fact represents a reduction of one-third from the fiscal year 1969 budget estimate of annual installments of $240 million.

Payment of the first $160 million installment in fiscal year 1969 and of the two further installments in each of the succeeding fiscal years is to be made in the form of a letter of credit and only a portion of the $160 million would be reflected in actual cash expenditures in fiscal year 1969.

Unlike the World Bank, IDA cannot raise money through bond issues on international capital markets, such is the nature of the business it is in. IDA is, however, a focal point for mobilizing development aid resources from the higher-income countries. As a member of the community of nations, it is our task—indeed, our obligation—to do our part to help others.

A replenishment of IDA is essential.

Mr. WIDNALL. Mr. Chairman, I yield 4 minutes to the gentleman from New York (Mr. HALPERN).

Mr. HALPERN. Mr. Chairman, we are asked today to consider the position of the United States with regard to the second replenishment of IDA. In effect, we are asked to pass judgment on the life or death of IDA, for the U.S. position in that organization is so vital that without our participation, it cannot survive. That judgment, I submit, should be based on our consideration of three questions: Has the IDA performed effectively as an organization; is the concept of multilateral assistance which IDA embodies a worthwhile approach to foreign aid; and, finally, does the IDA serve the best interests of the United States.

To answer the first question, we need only turn to the record of IDA. As you well know, it enables developing countries with low per capita income to borrow necessary funds which they cannot acquire at commercial or World Bank rates. We are assured by our negotiations that special precaution will be taken to see that IDA loans are equitably dispersed and that no one nation-group will be singled out for special attention. Without question, the IDA, as an affiliate of the World Bank, has distinguished itself with regard to the objectivity and careful management with which it administers loans.

But the IDA, I believe, is more than an agency. It represents the most hopeful innovation in American foreign aid in the past decade; that is, the concept of a multilateral approach to economic assistance. Our Nation has long been committed to the idea of assistance to underdeveloped nations. The interdependence of the world economy and the moral obligation of the have nations to aid the have-not nations have governed that commitment. But IDA is a unique method of meeting this obligation. When IDA was conceived, the pooling of resources enabled the United States not only to share the burden, that up to that time it had borne almost exclusively, but it also anabled us to escape the charge of "economic imperialism" and the taunt that our aid is somehow motivated by our desire to control. Under IDA the other developed nations supply $3 for every $2 the United States provides and the IDA regulations assure that they will bear a larger share of the burden as they become more able to do so. The multilateral approach to foreign assistance, I believe, is the best possible approach.

However, as Members of the Congress of the United States we must consider this proposal not only as responsible members of the world economic community; we must also act as guardians of the self-interest of the United States. In this connection, the question which has most often arisen is that of the effect of IDA on the U.S. balance of payments. In this third and final area we have the assurance of the U.S. negotiators of the second replenishment agreement, as well as the word of our own Secretary of the Treasury, that as long as we require protection of our balance-of-payments position, this agreement will not diminish our position. Briefly, the agreement requires that the United States would have to provide only that portion of its annual pro rata share which represents IDA money spent in the United States; the difference would be made up by advance commitments from the other contributing nations. The deferred amount will be postponed for a fixed period to be paid by the United States 3 years from the date of deferment.

The IDA replenishment, then, is clearly in our own best interests and the best interests of the world community. Eleven of the twelve contributing countries have already approved the second replenishment. But the replenishment cannot become effective until the United States acts. Our failure to act may mean failure not only of IDA itself but also of the very concept of multilateral assistance. I urge this committee to act promptly and responsibly and approve this second replenishment.

Mr. PATMAN. Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. COHELAN).

Mr. COHELAN. Mr. Chairman, I rise in very strong support for this legislation. This last fall I was in India, meeting with various officials in the AID mission, and also with the Indian Government, and this was one of the priority items that were discussed which is so essential to the carrying out of very important programs.

Mr. Chairman, we are today considering H.R. 33, a bill to authorize an American contribution of $480 million to the International Development Association, the soft loan operation of the World Bank.

As a Member of this body who has long been concerned with our foreign assistance programs, and as one who now serves on the Committee on Appropriations Subcommittee on Foreign Operations, and as one who has witnessed the success of foreign assistance programs, I can say that I consider it to be of the utmost importance that we enact this authorizing legislation.

Last year both the House and the Senate reported bills to authorize $480 million for replenishment of IDA loan funds. However, these reported bills never received floor consideration. The result has been that IDA lending operations have come to a near standstill.

Moreover, a multiplier effect has been in operation. Because the United States has not made its contribution, other countries have held back or reduced their commitments to the IDA.

I recognize that foreign aid does not enjoy the highest priority in the minds of many of my colleagues. However, I would like to take a minute to point out the severe straits in which the developing countries now find themselves.

First, the developed countries as a whole have reduced the proportion of their national income which they devote to foreign economic assistance. The United States has in fact been a leader in this recalcitrance. This has meant that relatively smaller amounts of aid money have been available than in the past, and no one contends that the past sums were in any way adequate to meet the problems of development.

Second, several countries have reached the point where the commitments for the repayment of past foreign aid loans now equal or exceed the amount of new foreign aid money they can obtain. The result is a net loss of foreign aid, and not the increase in assistance which is clearly so vital to progress.

Third, the predicted famines and fiber shortages for the 1970's and 1980's which have seemed so inevitable for so long, now seem to have the faintest glimmer of not occurring—but only if we can get the resources to the developing countries to allow them to utilize the new miracle grains and provide water and fertilizer in adequate quantities while also implementing effective population control and education programs.

Development and avoidance of famine, of course, costs money. One of the most effective sources of this capital has been the International Development Association. But at the moment, this operation is functioning at a crawl. American assistance will revive these operations and will reverse the multiplier, bringing several hundred million more dollars in aid money than we ourselves contribute into the IDA activites.

Support of the IDA contribution is not a partisan issue. The Johnson administration and now the Nixon administration strongly support this authorization for IDA

In fact, Treasury Secretary Kennedy told the House Banking and Currency Committee last week that IDA has the "full approval and support" of President Nixon.

I commend the new administration for this farsighted stand, and I commend to my colleagues who are still in doubt on the IDA authorization the compelling testimony of both the present and past Secretaries of the Treasury.

The International Development Association, providing for multination financing, has made remarkable progress in important projects among peoples whose standards of living are abysmally and tragically low.

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Those of us who have seen the requests from developing nations for financial assistance from the International Development Association and have witnessed the results of its overseas developmental projects have been gratified to note President Nixon's recent support of our continued participation in this important work.

Both the Evening Star and the Washington Post have heralded this action in recent editorials, and I shall insert their comments at the close of my remarks.

The work of the IDA has been gravely handicapped by our delay in pledging the U.S. share.

I strongly urge the passage of this measure to provide funds for this essential international cooperative effort.

The editorials referred to follow:

[From the Washington (D.C.) Post, Mar. 7, 1969]

GOOD START ON AID

President Nixon got off on the right foot on foreign aid by tendering his "full approval and support" to the International Development Association, which lends money on easy terms to very poor countries. The need is incontestable: delay in pledging the three-year American share of $480 million for IDA had jeopardized a vital development vehicle.

IDA is a branch of the World Bank, a fact of double meaning on Capitol Hill, since, fairly or no, the Bank has a reputation for efficiency not enjoyed by the United States' own AID, and since the Bank as an international agency fits the current congressional predilection for aid channels that are multilateral and hence ostensibly trouble-free. Loans like IDA's at 2 per cent are to be repaid over 50 years are unquestionably a form of aid. But not by accident, one suspects, Treasury Secretary Kennedy presented Mr. Nixon's IDA appeal without one mention of that provocative word. Instead, it's "concessional development financing."

The Vietnam war, the election, the adverse balance of payments and the World Bank's own IDA performance all contributed last year to fouling the congressional weather for this fund. These clouds have now pretty much blown away. Mr. Nixon, in his first aid request, should get a Republican honeymooner's pass from GOP members who wouldn't give IDA the time of day last year; Democrats are generally more aid-minded anyway. Moreover, IDA has started leveling off the disproportionate share of its work in India and Pakistan, whose arms spending and international attitude had disturbed many Congressmen.

House approval of the $480 million pledge should be forthcoming promptly. In the Senate a certain danger lurks if Senator Symington should again fasten on the IDA bill a requirement that the World Bank match the American contribution dollar for dollar. But the Bank offers $75 million (half its profits), up from $10 million the previous year. Let the Congress urge the Bank to do more, and let the Congress do its share, regardless.

[From the Washington (D.C.) Star, Mar 10, 1969]

VOTE FOR FOREIGN AID

Treasury Secretary Kennedy told the House Banking and Currency Committee that President Nixon fully approves of and supports the proposed United States contribution to the International Development Association, the World Bank's "soft loan" window. The committee promptly approved the IDA bill by a 30 to 3 margin. That is all to the good. For IDA's soft loans serve a useful function and the bill itself is carefully tailored to specifications of the United States government.

IDA loans money on easy terms. The borrower pays only a nominal service charge of one percent and has 50 years in which to repay the loan. These easy terms are set that way for a very good reason. IDA lends to the poorest of the developing countries. These countries have abysmally low living standards. They are already deeply in debt to the developed nations and the international lending agencies from previous loans. Unless they are able to borrow some money on easy terms, their debt burden will mount to the point where most of what they borrow today pays off yesterday's loans with little left over for their on-going development programs.

The bill before Congress provides that the United States will pay 40 percent of the $1.2 billion multi-nation contribution to IDA, down from the 42 percent we contributed the last time. This country's gross national product amounts to about 55 percent of the total among the 19 developed countries contributing to IDA.

The IDA bill was not brought to a vote last year in either chamber because the congressional mood was so hostile to foreign aid. Yet at the same time, there was, and is, considerable sentiment in favor of soundly conceived multilateral aid programs. IDA is such a program. The overwhelming favorable vote by the Banking and Currency Committee indicates that Republicans as well as Democrats will support foreign aid proposals that are strongly endorsed by the Nixon administration. If the administration will continue to push the IDA bill, chances for passage this year seem bright.

Mr. PATMAN. Mr. Chairman, I yield such time as he may use to the gentleman from Texas (Mr. Gonzalez).

Mr. GONZALEZ. Mr. Chairman, helping others to help themselves is a timeworn phrase, but add five words—with minimum risk and maximum promise—and we have a concise and appropriate description of the purpose and work of the International Development Association.

IDA, as we know, lends funds to the less-developed nations, on "soft" or easy terms, for urgently needed projects in agriculture, industry, transportation and education.

Now, for the second time since its establishment in 1960, IDA needs additional funds if it is to continue its vital work. I believe that the United States must help provide those funds.

Over the years IDA—like its parent World Bank—has proved a highly successful experiment in multilateral financing of development. To date it has made 109 loans to 38 developing countries for projects that are urgently needed if these have-not countries are to become developed nations of the world.

Let us consider for a moment how these IDA loans are being used:

A $7 million loan to Guatemala is helping to develop that country's electric power resources.

A $27 million loan is aiding Pakistan toward self-sufficiency in her food requirements through purchase of equipment for irrigation and farm mechanization.

Also, $27.4 million in loans to three Asian countries is providing dredgers, harbor craft, ship berths, and cargo buildings to improve port facilities and waterways.

The $84.6 million in loans to eight African and two Asian countries is helping to construct, expand, or equip 511 general secondary and specialized training schools, 30 teacher training colleges, and two agriculture universities.

But the money IDA lends must be appropriated by the governments of the world's wealthy countries. Agreement has already been reached among the 19 developed-nation participants to replenish IDA's resources. The replenishment cannot proceed, however, without the United States.

Secretary of the Treasury Kennedy has presented to the Congress a request for $160 million a year for the next 3 years as the U.S. fair share of the replenishment. This is a relatively modest sum. It amounts to 40 percent of the total replenishment, even though the American economy can boast 55 percent of the total income of the proposed contributors. Furthermore, IDA members have agreed that the U.S. payment can be in a tied form—that is, disbursements limited to the amount of IDA-financed procurement in the United States—until our balance-of-payments situation improves.

Unless we act promptly, other developed countries may fail to follow through on their own contributions. The United States has long urged other advanced countries to participate more fully in multilateral efforts to extend economic assistance to the developing nations. To abrogate our role at this time would cause irreparable harm, not only by arresting economic development of the poorer nations but also by slowing their progress toward political stability. I therefore urge your approval of the U.S. contribution.

Mr. WIDNALL. Mr. Chairman, I yield 5 minutes to the gentleman from California (Mr. Clawson).

Mr. DEL CLAWSON. Mr. Chairman, although we have witnessed some dramatic political changes in the past few months, the changes in our domestic economy and the interrelationships of the international economy have not improved since the House leadership decided not to consider identical legislation last summer. If the facts are seriously assessed, the situation today is just as critical, if not more so, than last year. It is true that a new administration is at the helm and optimism runs high among our Members for improvement in the fiscal problems both at home and abroad that confront us. However, there has not been time to determine whether or not this new administration can come to grips with the inherited conditions that have caused these problems in sufficient time and with such success as to warrant immediate passage of this legislation which increases U.S. participation in the International Development Association by 54 percent over the next 3 fiscal years. Since no amended budget has reached the Congress, it is evident that the administration has not yet had time to properly analyze the previous administration's budget proposals for their accuracy. Very cogent objections have been raised over the methods used to attempt to bring the budget into balance and the subsequent announcement that a surplus could be ex-

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pected. It is my opinion, and I am confident one that is shared by many, that instead of a surplus, a deficit can be expected. Ootherwise, why the urgency of an increase in the public debt ceiling and the extension of the temporary surtax and current discussion of continuing restraint on Federal spending? If these conditions obtain, and they apparently do, then we have no business obligating the American taxpayer for another half-billion dollar foreign aid giveaway.

As the soft loan window of the World Bank, IDA makes loans on a 50-year term basis, with no interest charge and no principal repayment for the first 10 years and with only a 1-percent interest charge for the next 10 years and an interest charge of only 3 percent for the remaining 30 years. This is hardly an economic policy that makes sense to American taxpayers who must foot the bill. Current Federal borrowing carries an interest price tag on over 6 percent, with a resultant increase in Federal debt and the increased cost of administration and servicing of the debt. To borrow money under these terms, then turn around and give that money to an international organization over which we exercise no direct control and with no assurance whatever that it will ever be repaid does not represent a current priority need when the heavy demands are raging for funds to finance the numerous needed projects at home. It is not necessary here to mention the findings of congressional investigations on hunger, poverty, housing, education, and so forth that are spread across the 50 States in both urban and rural areas. How can we, in good conscience, give hundreds of millions of dollars away, for projects of questionable success to say the very least when these crises at home beg our attention.

Since the creation of IDA there has been no experience of repayment. None of us here today could accurately suggest that many of the recipient countries will even be in existence when the obligation to repay occurs. And if they are, whether the then governmental powers of these nations will honor a prior government's financial commitment. The uncertainty of leadership among the nations of the world today makes this observation even more valid.

The argument that through IDA other nations are brought into the foreign aid programs may have some appeal for those who desire to send American dollars abroad, but if at the present time, with existing fiscal problems, you believe these dollars should be kept at home, then this increased contribution should be at least delayed if not completely withheld.

Recent developments in Peru prompts another observation: the loss of U.S. control over the money provided to IDA makes it impossible to invoke the Hickenlooper amendment as can be done with other foreign aid programs when such action is necessary or desirable.

It seems to me, Mr. Chairman, that the House will be well advised to reconsider this legislation as it did last year and send it back to committee. I intend to make that possible when a motion to recommit is offered.

Mr. WIDNALL. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania (Mr. WILLIAMS).

The CHAIRMAN. The gentleman from New Jersey has 4 minutes remaining. The gentleman from Pennsylvania is recognized for 4 minutes.

Mr. MESKILL. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS. I yield to the gentleman from Connecticut.

Mr. MESKILL. Mr. Chairman, today the House of Representatives is asked to vote on H.R. 33, legislation to provide for increased participation by the United States in the International Development Association. I want to take this opportunity to explain the reason why I will vote "nay" on this proposal.

While I support the general principles on which the International Development Association was founded, I am concerned that this is the wrong time for the United States to expand its financial commitment to the Association.

My objection to increasing our commitment to IDA at this time comes not from opposition to the concept of a foreign aid loan program conducted on a multilateral basis. My objection stems from the condition of our economy here at home.

I think if we take a hard look at our own economy, we cannot avoid concluding that we are facing serious troubles of our own. Federal spending is at an all time high. Inflation is worse now than it has been in 17 years. We are living with a chronic condition of balance-of-payments deficits. Not too long ago, Congress voted a 10-percent tax increase coupled with a $6 billion reduction in expenditures in an attempt to restore some stability to the economy. And I am sure that as you read your mail from back home, the possibility of a "taxpayer revolt" is something that is not just a figment of the imagination.

In 1968, we passed the Revenue and Expenditure Control Act to try to keep the lid on spending and reduce the need for increased revenues. To give a "yea" vote on H.R. 33 would be to render the Revenue and Expenditure Control Act of 1968 almost meaningless. It would only start a new upward spiral in Federal spending.

A "yea" vote for H.R. 33 would increase our financial commitment to IDA by 54 percent per year over the next 3 years. Our present commitment of $104 million for each of the past 3 years would be jumped to $160 million per year over the next 3 years.

I say that we can't afford this added burden to our economy when we are fighting a full-scale war in Vietnam and when our cities at home are in a state of decay. How can we explain this expenditure when we know that there are people going hungry right here in the United States, when we need to take action to preserve and protect our environment, and when the American taxpayer is already groaning under the burden of taxes, taxes, and more taxes on all levels?

Tomorrow, we will be asked to vote to raise the national debt ceiling. Can we keep on going up and up?

The supporters of this supplemental say that it contains provisions that take into account America's difficult balance-of-payments situation. I am afraid, however, that these provisions are only tactics designed to delay the affect of this increase on our balance-of-payments deficits. It is just putting off the final day of reckoning. In my opinion, this is not wise policy, nor is it responsible representation. We could find ourselves in very serious difficulties in the years ahead if we don't take action now to work toward straightening out our balance-of-payments problems.

There is one other point that I would like to make. This relates to the allocation of loan funds. By the end of 1967, 52.3 percent of the development credits that had been authorized went to India; 19.5 percent went to Pakistan. In total, 71.8 percent of IDA's operations were directed at India and Pakistan. It is entirely possible that the effect of this program has been to supply these two nations with the wherewithal to wage war against each other. I should hope that our foreign aid programs would have higher objectives.

And finally, I would like to note that we have no knowledge, either statistics or other comprehensive information, on which to evaluate the success of IDA. There is no loan repayment history since nothing is paid on the soft loans for 10 years. Since the program came into being only in 1960, no loan payments are due until 1970, at the earliest. It is very possible that there may be many defaults on these repayments.

In view of our domestic economic situation, the war in Vietnam, and our pressing problems here at home, I am afraid that I must vote against an expansion of our participation in IDA at this time.

Mr. POLLOCK. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS. I yield to the gentleman from Alaska.

Mr. POLLOCK. Mr. Chairman, I don't think the real question is whether or not we vote for passage of this legislation, but whether we vote for an increase in the U.S. participation in the International Development Association, an increase of $104 million per year for the next 3 years.

I find no quarrel with the purposes of the IDA, as a soft-loan affiliate of the World Bank for the poorer, undeveloped nations of the world. I only wish Alaska could make such development loans on 50-year terms at no interest other than a nominal three-quarters percent per year service charge to meet administrative costs with no repayment required for the first 10 years, then 1 percent per year for the next 10 years, and then 3 percent per year for the final 30 years. But I feel this is a worthwhile international investment for those nations which would otherwise find it impossible to find money for development. It is a small investment in relation to our necessary war investment in Vietnam and elsewhere.

My quarrel is with the proposal to increase our participation in IDA. Indeed, how can we explain to the American people the need to continue the 10 percent surcharge, after reducing expenditures and obligational authority, when hospitals, educational needs, highways, airfields, water, sewer, and other forms of Federal aid here at home are being postponed or canceled. And, of course, we are stockpiling future U.S. balance-of-payments deficits.

While I will support the IDA at its present level I cannot support an increased foreign aid appropriation at this time.

Mr. WILLIAMS. Mr. Chairman, make no mistake about; this bill, H.R. 33, providing for increased participation by the United States in the International Development Association, actually calls for the expenditure of $480 million in the next 3 years. Three years from now we will be back for a replenishment of IDA, and if any of the $480 million that would be authorized today to be expended is still there, it will remain in the pipeline. So what we are actually considering here today is spending an additional $56 million a year for the next 3 years.

You have already heard how IDA makes its loans. There is no interest charge. There is a three-quarters of 1 percent service charge charged in lieu of interest. Nothing is paid on principal for 10 years. After that, for the next 10 years, 1 percent is paid on the principal, and for the last 30 years, 3 percent is paid on the principal.

None of this money will ever come back to the United States. It is repaid to the World Bank, if it is ever repaid, and they continue to operate the soft loan money at the World Bank with the repaid money.

Though 1967 and 1968, 71.8 percent of the IDA money was lent to India and Pakistan, and most of this money went to India, I am quite certain that the Republican President who started this program did not know that this program was going to function in this way. In spite of the announced intent of IDA to widen its credit operations to include more countries in its lending operations, already this year IDA has committed $125 million to India, and there may be more commitments to India later this year.

Most of this money has been spent on social programs and not on programs which would produce jobs. This is the important matter in any country's economy. We can build a house and give it to a family, but if they do not have jobs and income so they can buy food and maintain the house, then giving a home to them makes absolutely no difference.

While IDA has been lending this money to India—and I use the word "lending" with trepidation—what is the sort of thing India has been doing? India in 1967 entering into an agreement with Soviet Russia for Russian technicians to help with the construction of two major Mig assembly plants in India, and India has also purchased 100 supersonic jet fighters from Russia and has paid to Russia over $100 million for those planes.

Incidentally, it is my opinion that what this so-called program to aid underdeveloped countries is doing is actually permitting these countries to remain underdeveloped, because in all the time we have been lending these millions of dollars to India, India has been taking no positive progressive steps itself to eliminate the poverty and hunger and ignorance which is found in India. Rather, India has been depending on U.S. dollars received from IDA and other sources to maintain their economy rather than helping itself.

I conclude by saying this. We are talking about $56 million additional expenditure at a time when, tomorrow or next week, we are going to be asked to increase our national debt limit by $17 billion, and also in a very short time we are going to be asked to vote to continue the 10-percent surtax.

Today gold is selling in Europe at almost $50 an ounce, and we guarantee gold at $35 an ounce and over $34 billion U.S. dollars are held abroad that are—and I do not have to tell anyone what is going to happen to American currency if we have another run on gold. Right now Government borrowing is drying up home mortgage money in this country for middle-class borrowers, and the mortgage money interest rates in this country have been forced out of sight.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. PATMAN. Mr. Chairman, I yield the gentleman from Pennsylvania 1 additional minute.

The CHAIRMAN. The gentleman from Pennsylvania is recognized for 1 additional minute.

Mr. WILLIAMS. Mr. Chairman, our citizens are being taxed at this time at an excessively high rate, and it is time we started to limit our aid to foreign countries in order to protect our economy, so we can deal with the countless problems with which this country is being faced. Therefore, I urge the U.S. annual expenditure for IDA be continued at the previous level of $104 million annually.

Mr. PATMAN. Mr. Chairman, I yield to the gentleman from Pennsylvania (Mr. MOORHEAD) such time as he may consume.

Mr. MOORHEAD. Mr. Chairman, I join my colleagues in urging approval of the proposed U.S. contribution to the International Development Association.

I do so because I believe that continued development assistance through IDA is essential to the future economic progress of the less-developed countries, and to the hope of every American for a world of peace and progress. Clearly, we can never achieve such a world as long as millions of people in the countries of Asia, Africa, and Latin America suffer from hunger, sickness, and despair.

Nine years ago the United States took the lead in the creation of IDA. We urged its establishment as an affiliate of the World Bank because we understood the need of the developing countries for capital on easier terms than those set for conventional loans, and because we recognized the fact that assistance could best be provided by a multilateral agency.

We know that IDA has done the job set for it and done it exceptionally well. It has been a major supplier of capital to the developing countries, and it has operated efficiently, economically, and with an equitable sharing of the costs of assistance by the United States and other aid-giving nations.

Through the work of IDA, 38 of the poorest countries of the world have been helped along the path of economic growth toward the ultimate goal of self-sufficiency. Association loans of $1.7 billion have helped them increase food production, improve transportation, start and expand industries, and provide education for more of their people. In the process, IDA has demonstrated convincingly to the people of the developing countries that the economically advanced nations are genuinely concerned for their well-being and future, and ready to assist with their problems.

The question before us today is, quite simply, whether we want the good and necessary work of IDA to continue. The association's loan funds are now fully committed, and unless the United States and other nations replenish them, IDA must end its loan operations. This would be a tragic blow to the interests of developed and developing countries alike, and to the principle of multilateral assistance that our country has so vigorously encouraged.

The United States and 18 other advanced nations have agreed to continue IDA. Toward this end, they have pledged a $1.2 billion replenishment of its loan funds over the 3-year period ending in 1971.

The proposed contribution by the United States—the request we are considering today—is $160 million this fiscal year and the same amount in each of the next 2 fiscal years. This would be 40 percent of the total replenishment. In other words, for every $2 the United States would contribute for new development loans, our partners in IDA would provide $3. So it would be other nations, not the United States, that would provide the major share of the funds for future loans.

The replenishment agreement includes full protection for our balance-of-payments position. There should be no misgivings on this point, no fear that by approving the U.S. contribution, we will add to our serious payments problem. U.S. disbursements over the 3-year period would be limited in amount to IDA-financed procurement in this country. Thus until fiscal 1971 and possibly longer, the U.S. contributions could have absolutely no effect on our international payments.

I think we should bear in mind also several key reasons why we must strengthen IDA, not end it, and some of the basic policies and objectives of the Association.

We are still learning about foreign assistance—still seeking ways to get a maximum return on our investment. But one lesson we have already learned from experience is that the provision of aid through multilateral agencies has important advantages for both aid donors and aid recipients. When nations work together in a multilateral effort, as in IDA, there is a more equitable sharing of the costs of assistance and a more efficient use of available resources. Equally important, there is a better assessment of the problems and needs of the developing countries, and increased willingness on their part to be guided in the use of loans.

As in our own foreign aid program,

IDA emphasizes self-help by borrowing countries. It will not lend to a country that is not following sound and strong self-help policies, that is unwilling to make the best possible use of its own resources to achieve economic growth. The association also will not lend to a country that can obtain needed funds from the World Bank or other sources on reasonable terms. In addition, every loan application must meet the same strict standards followed by the World Bank, and the proposed project must be economically and financially viable.

In recent years, IDA has directed a growing share of its loans to projects in agriculture and education. That is a welcome development—one that should be encouraged and expanded—in light of the urgency of bringing the world food supply into balance with population, and providing the education that is essential to economic progress and responsible democracy.

IDA exists today largely because of American initiative and American resolve to help fill a great and growing need of the less-developed countries. President Eisenhower proposed the creation of the association, and Presidents Kennedy, Johnson, and Nixon have encouraged the expansion of its work. Many Members of the Congress, of both parties, strongly supported the establishment of IDA and have expressed approval of its subsequent development.

We should not—must not—turn our backs on the association at this critical point in its history. Instead, in the best interests of both the United States and the developing nations—to further our common objectives of peace and prosperity—we should promptly approve the proposed U.S. contribution and our continued participation in IDA.

Mr. BROYHILL of Virginia. Mr. Chairman, I rise in opposition to H.R. 33.

Next week we are most regrettably going to increase the limitation on our national debt to an all-time high of $337 billion. Last year we were forced to burden our already overburdened taxpayers with a 10-percent tax increase, and my colleagues in the Committee on Ways and Means are even now sitting in continuous hearings trying desperately to find new sources of revenue to avoid forcing them to continue to be overwhelmed by the intolerable tax burden we are placing on them.

At some point, Mr. Chairman, this Congress must stop increasing giveaway programs, no matter how worthy they may seem. I say we have reached the point, even passed it, and until such time as we can meet the needs of our own people, many living today in hunger and poverty, inadequate housing, and in need, we cannot add to the burden our taxpayers are carrying by approving additional amounts for programs such as this. Right here in these United States, we have dangerously polluted rivers and streams threatening the health of our citizens, we have inadequate highways with already authorized programs being delayed or stopped due to lack of funds. We must meet these needs with whatever revenue is available to us, and until these needs are met, authorizing additional foreign aid programs would violate the trust the American people have placed in us to protect the fiscal stability of this Nation.

More than two-thirds of the IDA funds available so far have gone to two nations, India and Pakistan. The combined total for both countries is $1.2 billion. India and Pakistan have thus been able to divert large amounts which would have been spent for peaceful development to the purchase of weapons with which to fight each other. Since we stopped supplying them arms after the war between the two nations in 1965, they have purchased weapons not only in Europe but also in the Soviet Union and Red China. The U.S.S.R. is now supplying India with supersonic jet fighter-bombers and assisting in the construction of jet assembly plants.

When IDA was created in 1960, Mr. Chairman, we were warned, but the majority chose to ignore the warning, that "periodic replenishment of those resources may be necessary." In 1960, the U.S. contribution was $320 million. In 1964, "replenishment" was necessary and the United States provided $312 million. Now we are being asked to authorize $480 million. If the majority of this Congress does so, we can virtually guarantee that IDA will be back for another "replenishment" in the next 4 years, if not sooner. This is the never-ending inflationary spiral, Mr. Chairman, that has led this Nation to the brink of financial disaster.

As a member of the Committee on Ways and Means, Mr. Chairman, charged with finding ways of paying the bills for this and literally hundreds of other spending programs, I urge the Members of this House to stop and think, and realize that even the United States of America, as great and mighty as we may be, cannot long afford to borrow and borrow, at an interest rate of 6½ percent, in order to provide interest-free grants to other nations. No other nation on earth would even try, and we court disaster if we continue.

Mrs. HECKLER of Massachusetts. Mr. Chairman, the legislation authorizing the United States to contribute to the financial replenishment of the World Bank's soft loan window, the International Development Association, deserves prompt endorsement from this Congress.

From its inception, IDA has received strong support from both parties. The idea of lending development funds on an easier credit terms was first proposed in 1951 by the Republican chairman of an advisory board under a Democratic President.

It was given new life by a Democratic member 7 years later during the Eisenhower administration. In 1959 the Republican Secretaries of State, Commerce, and the Treasury, the chairman of the Federal Reserve Board and the president of the Export-Import Bank formally approved the project. The World Bank itself then drew up the articles of agreement which were submitted by the President to the Congress which, in turn, approved this country's participation. Support came from a broad segment of private organizations, including the U.S. Chamber of Commerce, the American Farm Bureau Federation, and AFL–CIO.

One feature of this second replenishment deserves our attention.

This replenishment provides complete protection against any adverse impact on our balance-of-payments position during the next few years—critical years, I may add—when we are bringing our payments position into equilibrium.

There is an absolute assurance in the agreement up to June 30, 1971 that if required by our balance-of-payments situation, we would pay over in actual cash only that portion of our share to pay for IDA procurement in the United States. The balance-of-payments safeguard provides that the United States' contribution to IDA, to the extent required for other than U.S. procurement, will be postponed. Other contributing countries accelerate their contributions during such periods.

The payments safeguards for the United States are an explicit, integral part of the formal intergovernmental second replenishment agreement. The United States has indicated that when we are no longer in serious balance-of-payments difficulties we will waive those safeguards.

I am convinced that these safeguards protect our payments position at a critical time. At the same time, I am equally convinced that this legislation deserves prompt support.

Mr. SKUBITZ. Mr. Chairman, we are asked today to authorize an additional $480 million for the International Development Association. This is approximately 41 percent of the total amount to be raised by the 18 participating countries. You will recall that in 1964 the IDA funds were increased by $750 million and at that time we contributed $312 million—about 41 percent of the total.

As the Members of this body know, IDA came into being in 1960. It was created because the developing countries were about to exhaust their ability to borrow from the World Bank. In the 8 years that followed IDA has committed $1.8 billion to 43 countries. It is interesting to note, however, that two countries, India and Pakistan, have received 72 percent of the total amount—India $889 million and Pakistan $125 million. It should also be noted that the same two countries have received approximately $10 billion from other spigots of our foreign aid program.

The loans which IDA make are on a 50-year repayment basis—no repayment for the first 10 years, only a slight carrying charge of 1 percent repayment for 10 years, and 3 percent for the remaining 30 years. Is there any Member of this body who knows of any lending institution in this country loaning money on this basis? Our Government borrows money at 5 percent; our citizens pay from 7 to 8¼ percent. Does it make sense that Uncle Sam borrows at 5 and permits such funds to be loaned out at 1 to 3 percent to a borrowing country?

I believe that under our foreign policy we have a commitment to assist the underdeveloped countries help themselves. But such assistance must be on a responsible basis.

This is no time to increase our foreign commitment. Our taxpayers are urging tax reform, tax reduction and the termination of the surtax. At the same time.

cities are begging for more funds to meet the crises of the city, more housing, aid to education, welfare funds, assistance in the construction of nursing homes and hospitals, poverty funds and so forth. The end of the war in Vietnam is not yet in sight. To add to our problem is ever-increasing inflation. Is it not time to stop and reappraise and establish priorities?

I am hopeful that if this measure is recommitted that the amount will be reduced and adjustments made in the interest rates. If it is not, I shall vote against it. I believe the principle of lending funds to the developing countries makes more sense than our past give-away programs. But let us keep it in bound—let us keep it on a business basis.

Mr. VAN DEERLIN. Mr. Chairman, I cannot, in good conscience, vote at this time for legislation to increase U.S. support for an affiliate of the World Bank which last summer showed such scant regard for U.S. interests in awarding a $5.3 million fisheries development loan to Ecuador.

This loan was made in the face of Ecuador's oft-demonstrated contempt for the rights of our tuna fishermen to operate outside her 12-mile limit. The money, ironically, was intended to help Ecuador finance the purchase of 12 tuna purse seiners. I could not understand why, considering the generous income Ecuador was realizing from fines and other penalty fees extorted from our fishing crews, she needed any new boats of her own. And especially mystifying to me was the way this very questionable loan was backed by the State Department, which in theory should be at least mildly interested in upholding the rights of our own people to operate in international waters.

The State Department did, of course, try to explain away its bewildering action by citing the "technical merits" of Ecuador's application for this handout. As I pointed out at the time, the Department seemed oblivious to the diplomatic and political realities of the situation.

I have endorsed and supported with my vote the activities underwritten by the World Bank in the past. Unquestionably, the Bank and its affiliates, including the International Development Association, have rendered great assistance in the economic development of low-income nations.

Perhaps I can again vote for the World Bank—but not until I am convinced our own representatives on the staff and board of the Bank are consistently cognizant of our own legitimate national interests.

Mr. DERWINSKI. Mr. Chairman, I believe the minority views offered by four of our colleagues provide overpowering reasons for rejecting this increase in the U.S. contribution to IDA.

May I also point out that our contribution and participation in overseas financing and aid programs are so fragmented that it is impossible to coordinate the huge outlay of U.S. funds. With the worsening of U.S. balance of payments and the direct contradiction in spending by many of the recipients of these soft loans a complete reevaluation and coordination of our total foreign financial commitment is in order.

For these reasons and others that time does not permit me to enumerate, I cast my vote against H.R. 33.

Mr. RARICK. Mr. Chairman, we have before us a vote on a $480-million taxpayers' gift to the dependents of the World Bank under the reign of Robert Strange McNamara.

Supposedly the $480 million will be used by political leaders and dictators to improve the world living conditions of their emerging nations. It has even been suggested the World Bank is fighting communism. If it is, it must be fighting with reverse psychology—another no-win technique.

In the United States of America we have beheld student and professor demonstrations against the war effort; even some national leaders call for a Vietnam sellout, proclaiming we need all the tax revenues to battle poverty and rebuild our cities here at home. Yet, not one report was received of any of the champions of poverty marching against the World Bank in opposition to the $480 million being denied our U.S. poor and going into the coffers of the successful Socialist and Communist leaders abroad.

And where is the World Bank and Mr. McNamara using our money and for what? The Washington Post for March 10, 1969, carried a report on the Communist terrorist operation in Tanzania saying:

> The World Bank is Tanzania's largest aid donor.

Are we trying to outbid the Chinese Communists or to finance their revolution?

India, another World Bank recipient in the interest of Christian brotherhood, is now reportedly persecuting Christians and destroying pro-Christian institutions.

I include the release from the Post and a clipping on Indian anti-Christian bias in the RECORD, as follows:

[From the Washington Post, Mar. 10, 1969]

TANZANIA'S SOCIALIST REVOLUTION IS BLEND OF MANY CULTURES

(By Anthony Astrachan)

DAR ES SALAAM—One day last month 6,000 young Tanzanians assembled in National Stadium here to act out "the abolition of all types of colonialism," and to flip colored cards spelling out slogans like "education for self-reliance," or picturing Mt. Kilimanjaro, Africa's highest mountain.

It was the climax of a national youth week marking the second anniversary of the Arusha Declaration that set Tanzania on the path of socialism and self-reliance. Press reports said it cost this poor country about $400,000, presumably not including the services of the North Korean specialists who drilled the participants.

It was one of many efforts in Tanzania to educate people, "mobilize" them, use up excess "revolutionary energy"—anything to keep them from sitting back like peasants in the bush and passively accepting events.

Some of these efforts have won Tanzania amused or critical comment abroad, like a recent youth league attempt to prohibit miniskirts and the use of skin lighteners. Two girls were roughed up by hooligan puritans in October; in January, it became a disciplined "educational" campaign; in March, miniskirts can still be found in Dar.

Westerners take some of these efforts more seriously. Like the youth league demonstration that threatened to attack the Tanzania Standard newspaper in January. Or the five-year-olds drilling with sticks in place of rifles in a ujamaa village.

"Ujamaa" is the Swahili word for socialism. Literally, it means "familyhood." The mild cultural revolution here links ujamaa to communal aspects of traditional living, though old hands point out that eating out of a common dish does not stop African peasants from wanting to be kulaks, given a chance.

Tanzania is in fact highly selective about which African traditions it wants to use. It rejected the Masai bare-bottomed costume, while adopting traditional punishments of fines and ostracism for violators of the new self-help approach to local development.

A Westerner wonders if these efforts and ideas really help build this East African nation. Pius Msekwa, the executive secretary of the Tanganyika African National Union, the country's single party, thinks the campaign has its point—that the 6000 participants in the stadium show went home "full of enthusiasm for TANU principles," for instance.

But he puts more stress on TANU's continuing efforts to educate village and district leaders to the party's socialistic ideas.

As a Westerner watches recurrent preparations to bring villagers and national leaders into common discussion groups, he can't escape the feeling that Tanzania is building socialism by seminar.

Westerners and TANU ideologues both fall into the habit of associating Tanzania's cultural revolution with its friendliness to Communist states. Tanzania has warm relations with Communist China, North Korea and North Vietnam, as well as with most East European states doing business in Africa.

President Julius K. Nyerere apparently feels that equality and self-reliance, his pole stars in foreign as in domestic affairs, demand moving away from Tanzania's long association with the West without abandoning it entirely.

Westerners still make up the vast majority of foreign advisers, civil servants and teachers. The World Bank is Tanzania's largest aid donor; Communist China and the United States share second billing. A desire to dilute Western influence may explain the Tanzanian decision to dispense with Peace Corps volunteers, and British volunteer teachers will reportedly be the next to go.

Meanwhile, there are between 900 and 1100 Chinese in Tanzania, roughly half on the mainland and half on Zanzibar, which is still autonomous in many ways. Those on the mainland are said to behave with great correctness. About 350 of them are surveying the route for the Tanzania-Zambia railway intended to end Zambia's dependence on white-ruled Rhodesia.

Nyerere, who is not afraid of the Mao Tse-tung books being distributed in his capital, has thus seen no reason to distrust help from Peking or soften his admiration for China's emphasis on rural development.

[From Liberty, March–April 1969]

THREE INDIAN STATES SHOW ANTI-CHRISTIAN BIAS

It appears that the day of unlimited Christian witness in India is rapidly approaching sunset. Three recent incidents within that country cause more than a little concern to advocates of religious freedom.

Items:

Charges have been raised that foreign Christian missionaries are attempting to force Orissa State into two political entities. In calling for an ousting of the foreigners, a pro-Hindu organization claims that the missionaries bribed the natives and forced Christianity upon them.

A proposed "university bill" in Kerala (which was introduced by the Communist-dominated state government) provides for nationalization of "ill-administered" col-

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leges. Church administrators fear this bill would be used to strangle their educational program in the state. Of 130 colleges in Kerala 115 are privately owned, and 64 of these are Christian oriented.

So-called Freedom of Religion Acts introduced in two states, Orissa and Madhya Pradesh, seriously restrict the activities of missionaries and require that all conversions be reported to a district magistrate and investigated by an officer. Conversion of girls under eighteen is banned by the Madhya Pradesh statute.

A recent speech by India's Home Minister, Yeshwantrao B. Chavan, "equated the conversion of tribal people to a religion other than their own with the creation of 'anti-national' forces."

"This confusion of nationalism with belonging to a particular religion offers a clue to the state governments' [Madhya Pradesh and Orissa] real intention in pushing through the new legislation," observed the Hindustan Times, of New Delhi.

One can only hope that the clue is misleading.

—P. J. H.

Mr. MILLER of Ohio. Mr. Chairman, I am opposed to the increase in the annual contribution of the United States to the International Development Association as provided by H.R. 33.

Many of the Members of this distinguished body who cry out the loudest about the needs of our urban areas and of our own poor citizens are the same ones who support this resolution. We are hardpressed to find the resources to adequately develop the deprived areas of our own Nation and yet we are asked to approve a 54-percent increase in funds for a program which has aided, for the most part, India and Pakistan—two countries not particularly noted for their friendship toward their benefactor.

The terms of IDA loans would, of course, be absurd to anyone in the banking business. No repayment whatsoever is required for the first 10 years. The interest, or service charge, is three-fourths of 1 percent per year. The U.S. Treasury has recently been paying more than 6 percent interest to service its national debt obligations. It is apparent that IDA "loans" will, in actuality cost U.S. taxpayers a sizable yearly sum in interest subsidies.

Our economy is presently suffering from the strains of overexpansion. Inflation is rampant. Our balance-of-payments situation has been tottering on the edge of disaster for the past few years. Interest rates are at an alltime high. Despite the claims of balance-of-payments safeguards and the minimization of actual cash outlays recited in the majority report, we cannot be assured that the funds furnished under this bill will not put additional stress on our already critical financial position.

Mr. PATMAN. Mr. Chairman, we have no further requests for time.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the International Development Association Act is amended by adding at the end thereof the following new section:

"SEC. 10. The United States Governor is hereby authorized (1) to vote in favor of the second replenishment resolutions providing for an increase in the resources of the Association, and (2) to agree on behalf of the United States to contribute to the Association the sum of $480,000,000, as recommended by the Executive Directors in a report dated March 8, 1968, to the Board of Governors of the Association. There is hereby authorized to be appropriated, without fiscal year limitation, $480,000,000 for payment by the Secretary of the Treasury of the United States share of the increase in the resources of the Association."

Mr. PASSMAN. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from Louisiana is recognized for 5 minutes.

(By unanimous consent, Mr. PASSMAN was allowed to proceed for 5 additional minutes.)

Mr. PASSMAN. Mr. Chairman, the headline in today's Daily News is: "Nixon's First Budget $6 Billion in the Red."

The budget submitted this past January would be $9 billion in the red if we were to take out the boobytraps. In order to have a balanced budget we have to pass a substantial postage rate increase, extend all expiring taxes, and transfer all the money in the trust accounts that are in excess of expenditures over to the cash budget. In all probability the $6 billion deficit mentioned in the paper will be very, very mild compared to what we could have this fiscal year if we were to take out what I referred to as the "boobytraps."

Mr. Chairman, I am indeed reluctant to speak on the legislation before the committee in view of my profound esteem for the distinguished chairman of the House Banking and Currency Committee. However, I would be remiss in my duties as a Member of Congress if I did not state some facts about this proposed legislation. I do so because it will be incumbent upon me as chairman of the Foreign Operations Subcommittee on Appropriations subsequently to bring out a bill calling for an appropriation in part or in full for what you propose to authorize here today.

Mr. Chairman, this item is foreign aid, and in all probability it is foreign aid of the very worst sort, because these funds will go into a pot and immediately lose their identity. When they are disbursed the recipients will not know what part, if any, represents the U.S. contribution.

In addition, very often IDA nullifies reductions made by the Committee on Appropriations and the House in the other spigots of the foreign aid program. For instance, the Foreign Aid Subcommittee on Appropriations may reduce funds for a project or program by 5 percent because of the excessive request. Subsequently IDA can, and often does, contribute money out of its funds to the same project or program in the same amount that we reduced it in the mutual security program.

I believe that very few Members know that once our Government turns over the money to IDA that we lose the right of examination as to how it is committed or disbursed.

May I also add, sadly, that there is no provision for our country, even though we are, as we would say in my home State, "head over heels in debt," ever to get back one dime of this money.

Of the total funds to be paid into IDA, 40 percent represents U.S. funds and 60 percent is to be paid in by 18 other nations. But remember that the 18 other nations making a contribution recognize that by putting up 60 percent of the total, their former colonies or possessions are going to get not only our 40 percent, but also their 60 percent due to the very favorable trade agreements they have with their former colonies.

Mr. Chairman, two nations—India and Pakistan—have received in excess of $10 billion of our wealth out of the Mutual Security program spigot and over the past several years, have also received 72 percent of IDA's funds. If history repeats itself, they will receive 72 percent of this replenishment.

Mr. Chairman, IDA is just one other "gimmick" to cover up the total amount of foreign aid from the American people.

This is only one spigot of the 20 or more spigots contained in the President's budget for foreign aid that was submitted in January. That budget contains $10,764,000,000 for foreign aid or foreign assistance. Foreign aid has been so fragmented that even the most astute Members of Congress have a very serious problem trying to ascertain the total correct mount of foreign aid funds being requested.

May I say, sadly, that since the inception of the foreign aid program we have given away $171 billion of the wealth of America. We have specialists out now looking for the friends that we should have acquired by this staggering amount of wealth that we have given away.

Mr. Chairman, I shall place in the RECORD at this point a list of the 120 nations and six territories to whom we have given $118,432,000,000. Then I shall add to that the amount of interest that we have paid on the money that we have given away to make the grand total of $171 billion.

Total net foreign assistance to 120 nations and six territories of the world, fiscal years 1946 through 1968—fanatical, frightening, frustrating, but factual

Afghanistan	$344,900,000
Albania	20,400,000
Algeria	191,700,000
Argentina	409,400,000
Australia	431,500,000
Austria	1,122,900,000
Belgium-Luxem	1,757,200,000
Bolivia	476,200,000
Botswana	17,300,000
Brazil	2,476,400,000
Burundi	6,800,000
Burma	85,600,000
Cambodia	342,300,000
Cameroon	28,400,000
Canada	11,100,000
Cen. Africa Rep	4,400,000
Ceylon	109,500,000
Chad	7,400,000
Chile	1,221,600,000
China, Republic of	4,873,500,000
Colombia	747,100,000
Congo (B)	2,000,000
Congo (K)	393,500,000
Costa Rica	142,300,000
Cuba	43,800,000
Cyprus	20,300,000
Czechoslovakia	189,500,000
Dahomey	10,600,000
Denmark	877,300,000
Dominican Republic	358,800,000

Total net foreign assistance to 120 nations and six territories of the world, fiscal years 1946 through 1968—fanatical, frightening, frustrating, but factual—Continued

Total net foreign assistance to 120 nations and six territories of the world, fiscal years 1946 through 1968—fanatical, frightening, frustrating, but factual—Continued

East Germany	$800,000
Ecuador	245,500,000
El Salvador	99,400,000
Ethiopia	323,300,000
Finland	39,400,000
France	7,021,200,000
Gabon	7,000,000
Gambia	1,000,000
Ghana	204,200,000
Germany and Berlin	3,668,700,000
Greece	3,605,100,000
Guatemala	220,300,000
Guinea	72,200,000
Guyana	34,200,000
Haiti	101,500,000
Honduras	91,200,000
Hungary	14,900,000
Iceland	67,900,000
India	6,585,200,000
Indo-China	1,535,200,000
Indonesia	686,400,000
Iran	1,848,400,000
Iraq	98,800,000
Ireland	99,400,000
Israel	770,600,000
Italy	5,329,100,000
Ivory Coast	29,700,000
Jamaica	49,100,000
Japan	3,528,300,000
Jordan	622,700,000
Kenya	55,700,000
Korea	6,986,800,000
Kuwait	50,000,000
Laos	528,300,000
Lebanon	84,100,000
Lesothe	2,100,000
Liberia	213,400,000
Libya	216,600,000
Malagasy	12,500,000
Malawi	14,100,000
Malaysia	91,400,000
Mali	21,400,000
Malta	6,200,000
Mauritania	3,400,000
Mauritius	500,000
Mexico	517,900,000
Morocco	589,100,000
Nepal	114,200,000
Netherlands	2,052,700,000
New Zealand	24,400,000
Nicaragua	129,500,000
Niger	13,000,000
Nigeria	204,100,000
Norway	1,132,400,000
Pakistan	3,126,500,000
Panama	188,200,000
Paraguay	95,700,000
Peru	449,200,000
Philippines	1,761,400,000
Poland	444,100,000
Portugal	476,100,000
Rwanda	6,100,000
Saudi Arabia	217,900,000
Senegal	30,400,000
Sierra Leone	35,200,000
Somali	68,200,000
South Rhodesia	2,300,000
Spain	1,952,700,000
Sudan	128,600,000
Sweden	129,800,000
Swaziland	100,000
Syrian Arab Republic	62,600,000
Tanzania	55,800,000
Thailand	1,063,900,000
Togo	13,200,000
Trinidad-Tobago	51,600,000
Tunisia	531,400,000
Turkey	5,126,400,000
Uganda	27,900,000
United Arab Republic	925,400,000
United Kingdom	7,394,000,000
U.S.S.R.	186,400,000
Upper Volta	9,700,000
Uruguay	112,400,000
Venezuela	318,400,000
Vietnam	5,042,800,000
Western Samoa	200,000
Yemen	$43,900,000
Yugoslavia	2,633,100,000
Zambia	16,200,000
Bahamas	23,300,000
British Honduras	4,700,000
Surinam	10,100,000
West Indies	6,400,000
Hong Kong	42,600,000
Ryukyu Islands	364,700,000
Trust Territories of the Pacific	147,200,000
CENTO—Pacific	53,000,000
W/W regional	12,742,100,000
W/W aid, fiscal year 1968	5,550,000,000
Total net disbursements to foreign nations, 1946 to 1968	118,432,000,000
Total net interest paid on what we have borrowed to give away, 1946 to 1968	52,803,000,000
Grand total cost of foreign assistance, 1946 through 1968	171,235,000,000

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I am happy to yield to my distinguished colleague from Louisiana.

Mr. WAGGONNER. The committee report asserts that all of the credits are payable in convertible currencies. Does this money actually come back into the U.S. Treasury or does this money go back to the accounts of the World Bank or IDA? Does the U.S. Government ever again have any control over the money which is repaid, if indeed money is repaid?

Mr. PASSMAN. May I say to the distinguished gentleman from Louisiana that there is no provision in this legislation that provides for the return of any of this money to the U.S. Treasury. If any repayments—and I repeat, if any—are made, they go into the IDA's accounts.

There is no provision whereby we, the United States, will ever recoup any part of this money.

May I say further—and it is in our printed hearings of prior years—that many of the people who we would say are hell-bent on giving away our wealth, state forthrightly that it is much more palatable if we do it through international lending organizations. We do not then embarrass the recipient by his having to admit that he accepts aid from the United States. Is it not ridiculous that after having given away $171 billion to have these bureaucrats say that it would be so much easier for these nations to accept our aid if we would give it to them unidentified as to its source?

It is just that ridiculous, Mr. Chairman.

Mr. Chairman, this is bad legislation. This is foreign aid of the very worst type. When we make one of these disguised loans, which is in reality a grant of $25 million, the recipient has 50 years to pay back this money, even though we are borrowing the money to give away at the rate of 6 percent.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

(By unanimous consent, Mr. PASSMAN (at the request of Mr. GROSS) was allowed to proceed for 3 additional minutes.)

Mr. PASSMAN. I thank the distinguished gentleman from Iowa.

Mr. Chairman, we have to borrow this money at 6 percent and unborn generations will have to repay it back; make no mistake about that. We have only balanced the budget five times during the last 30 years. Then we say to them, "We think so much of you that you are going to get this loan for a period of 50 years. For the first 10 years you will not pay back anything on the principal and pay a service charge of only three-quarters of 1 percent, and for the next 10 years you will only pay 1 percent a year, and then for the last 30 years you must pay back 3 percent a year."

To my way of thinking it is time for us to come to our senses, and let it be known that Mr. and Mrs. America are getting tired of the manner in which we are giving money away.

Mr. OTTINGER. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. Yes, I yield to the gentleman from New York.

Mr. OTTINGER. I understand that the gentleman is an opponent of foreign aid, but why is this considered to be a form of foreign aid? Why should we carry the total burden when at the present time we receive some support from these other countries? Is it not very important to have these other countries pay 60 percent of it?

Mr. PASSMAN. May I answer the gentleman in this manner: The gentleman should go abroad and sit in on some of these sessions of parliaments in these various foreign countries when they are debating this issue. They say, "Do we not get back 40 percent? Not only do we recoup our 10 percent but we have an opportunity to get back the 40 percent contributed by the United States." In other words, there are some beautiful arguments to listen to. The gentleman should take the time to read some of the debate in these foreign parliaments.

Mr. BROWN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman from Michigan.

Mr. BROWN of Michigan. Is the gentleman from Louisiana saying that the developed nations, the nations that contribute to the fund, also receive money from IDA?

Mr. PASSMAN. I will answer the gentleman briefly.

Mr. BROWN of Michigan. The gentleman spoke of legislative bodies of other countries voting 10-percent participation with the view of getting more back. I assume the gentleman is saying these are contributing countries and you are suggesting that they are receiving loans from IDA under this program? Are they or are they not?

Mr. PASSMAN. I am not suggesting anything. I am making a statement of fact that two of the recipient nations of IDA loans have received in excess of $10 billion from other foreign aid programs.

Mr. BROWN of Michigan. If the gentleman will yield further, would the gentleman answer my question?

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Mr. PASSMAN. Can I answer the gentleman any more directly?

Mr. BROWN of Michigan. Then your answer is "No."

Mr. PASSMAN. I made a statement of fact.

Mr. HARVEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, in the 8 years that I have served in the House of Representatives I have never been known as a strong supporter of our foreign aid program. In fact, I have often followed the leadership of my friend, the gentleman from Louisiana. I have voted against the foreign aid program and I have voted to cut the program in response to the leadership of the gentleman from Louisiana. However, I will say this to my colleagues in the House: that I do not believe those of us who have voted against a bilateral foreign aid program can have it both ways. We just cannot expect to do that. We cannot stand here in the well of this House being critical of the program; regretting that we have to carry the full load, and asking why do not some of the other countries assist? Then when 17 of these countries come in here who are willing to help, turn them down.

We just cannot have it both ways. That is all there is to it.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield?

Mr. HARVEY. I will yield to the gentleman when I have finished my statement.

Mr. PASSMAN. The gentleman mentioned my name, did he not?

Mr. HARVEY. I never mentioned the name of the gentleman. I said that I followed his leadership. That was my mistake.

So I say, Mr. Chairman, that we cannot have it both ways here.

We often say that we are spreading our foreign aid to too many countries. The gentleman who preceded me in the well said we had fragmentized our program, that we had spread it to 126 different countries. Now all of a sudden we are critical because this organization has seen fit to concentrate on two of the most important and two of the largest countries in Asia, and the two that need the development assistance the most, India and Pakistan. We cannot have it both ways. We cannot criticize in that fashion and have any sort of a successful program of lending assistance.

Then to stand up here, and say as I have heard this afternoon "Well, there is no interest charged in connection with this program," or that the interest rates are not high enough. What should the preference be? Grants? Grants like those that have been contained in our foreign aid program, the bilateral program, all these years; programs that the gentleman's Appropriation Committee has brought forth to the floor of the House.

Is this what we should have in lieu of a low-interest, long-term loan? Would it be better than a promise to pay of any kind whatsoever? No sir. I will take the acknowledgment of these countries wherein they have promised to pay these sums, and I will believe them until they are dishonored.

If the record of the World Bank is any illustration, these sums will be paid. You mark my words. I have that faith and confidence in them.

Mr. PASSMAN. Mr. Chairman, now would the gentleman yield?

Mr. HARVEY. Let me finish my statement and then I will be glad to yield to the gentleman from Louisiana.

Mr. Chairman, I have been concerned here for a long time that a multilateral program just such as the one that we are concerned with here today should have long ago been the thrust of our aid program rather than the program that the gentleman has come in here with year after year. This should have been the type of program we should have come forward with.

We should be urging other countries in the world to help us, not turning our backs on them now when we have an opportunity like this. This should be the thrust of our program. It makes sense to me. You can ridicule it all you want to about not wanting to embarrass the recipient, but just let me say this: That multilateral lending through the World Bank does dignify the recipients. They do not have to come with hat in hand to the United States and beg. They can go to a lending institution. They can sign a loan with terms that they expect to pay back. Meanwhile, they keep their respect. This makes sense to me.

Mr. Chairman, I will say one thing finally: That supervision of these loans, as far as I am concerned, with the knowledge that I have after serving 6 years on the Committee on Banking and Currency, is as good or better than any program on the bilateral foreign aid program that has come forth from the committee of the gentleman from Louisiana.

I would urge for all these reasons, Mr. Chairman, that my colleagues support this program in the full amount.

Now I yield to the gentleman from Louisiana.

Mr. PASSMAN. Mr. Chairman, is the gentleman saying that I made a single statement that was not in keeping with the facts?

Mr. HARVEY. I had difficulty hearing the gentleman. Would the gentleman restate his question?

Mr. PASSMAN. Does my distinguished friend imply that I made a single statement not supported by the record—that two recipient nations that we have given over $10 billion out of other aid spigots, have also been recipients of 72 percent of IDA funds? Did I make a misstatement when I said there is no provision for a single dime of this money to come back into the U.S. Treasury? Does the gentleman imply I have made any misstatement of fact?

Mr. HARVEY. I would never accuse the gentleman of any inaccuracy of fact.

Mr. PASSMAN. Then why does the gentleman not support my view and bring this program under control? This is another big foreign aid program and we do not know where we are going to get the money.

Mr. HARVEY. This is an entirely different method, I will say to the gentleman.

Mr. PASSMAN. You are right—it is different but it is still foreign aid—and I thank the gentleman for yielding.

Mr. HARVEY. I will say further with regard to the funds coming back to the United States, these funds do come back to the World Bank and the United States has an interest there.

Mr. PASSMAN. They do not come back to us.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WAGGONNER. Mr. Chairman, I ask unanimous consent that the gentleman from Michigan (Mr. HARVEY) may proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. HARVEY. These funds do come back to the World Bank. The United States has a share in the World Bank. It is just the same as the situation where any Member of this House owns a share of stock in the First National Bank of Podunk. When the bank is dissolved for any reason whatsoever the value of a share will go to that person.

Mr. PASSMAN. I will support the gentleman's views if he will show me the provision in this legislation which provides for the return of these funds to the United States. Where can I find that provision?

Mr. HARVEY. You are talking about a banking institution.

Mr. PASSMAN. No, no—I am talking about IDA. Where can I find that provision?

Mr. HARVEY. IDA is a banking institution which is a part of the World Bank, and the gentleman does not know and I do not know of any banking institution where there would be such a provision in case of a failure or whatever happens in case the bank is dissolved.

Mr. PASSMAN. Show me where any of this money is coming back to our Treasury.

Mr. HARVEY. As a matter of fact, the United States has an interest in that and the countries of the free world are contributing and any losses will be treated the same as any other bank.

Mr. PASSMAN. There is no provision in IDA for bringing back any money to the U.S. Treasury.

Mr. BROWN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. HARVEY. I yield to the gentleman.

Mr. BROWN of Michigan. Am I correct in assuming that we are here more concerned about the jurisdiction of the gentleman's subcommittee than we are with IDA?

Mr. HARVEY. I would leave that to the gentleman or to our colleagues. I do not know of the operations of the gentleman's subcommittee. All I know is I followed his leadership in the past.

Mr. BROWN of Michigan. If I may say further, is it not the gentleman's position that if U.S. funds are to be involved, a multilateral international involvement such as this is much better than our bearing the whole load or 100 percent of the load?

Mr. HARVEY. That is what we have been working for—to try to make it possible so that everybody can contribute their share. That is what we are trying to do and now for us to turn our back on it makes no sense at all.

Mr. BROWN of Michigan. Would not the gentleman also agree that insofar as our commitment in Vietnam, and elsewhere is concerned, to the extent that it constitutes an attempt to assist underdeveloped nations or developing nations to build up some stability, would we not like it better if we had only a 40-percent commitment there?

Mr. HARVEY. I think anyone would agree to that. There is no question about that.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WILLIAMS. Mr. Chairman, I ask unanimous consent that the gentleman from Michigan (Mr. HARVEY) may proceed for an additional minute.

Mr. PASSMAN. Would the gentleman expand his request to allow the gentleman to proceed for 2 additional minutes?

The CHAIRMAN. Without objection, the gentleman from Michigan is recognized for 2 additional minutes.

Mr. WILLIAMS. Does the gentleman from Michigan understand the supplemental views contained in the report support the continuation of IDA at the existing level of prior years and is not suggesting that we cut IDA off entirely and the continuation of IDA at an increased figure of $56 million a year would be entirely contrary to the 1968 Expenditure and Revenue Control Act?

Mr. HARVEY. Yes, I do; and let me say I think as a practical matter, with respect to the share that we contribute to IDA and the share that other nations contribute, it was negotiated long before the 1968 Expenditure and Revenue Control Act was passed.

That does not diminish for 1 minute the problems that exist in the world that this measure is designed to prevent.

I do not think those problems are diminishing whatsoever and I have no hesitancy whatsoever in saying to my constituents that I approve and back this measure. The $56 million, as large as it might seem, may be minor as compared to the problems that these particular countries face, and what we may later be confronted with as a result of our failure to help solve these problems.

Mr. PASSMAN. Mr. Chairman, will the distinguished gentleman yield for a question?

Mr. HARVEY. I yield to the gentleman from Louisiana.

Mr. PASSMAN. This legislation, if it is passed, will come before the subcommittee which I have the honor to chair, will it not?

Mr. HARVEY. Yes, indeed.

Mr. PASSMAN. Do you feel that if my subcommittee could subsequently acquire information which would justify—and I use the word "justify" advisedly—making a reduction in the amount in the supplemental request as well as in the 1970 bill, that we would have the right under the present legislation to make any such reduction?

Mr. HARVEY. I would suppose that you would reduce the line item for the bilateral foreign aid program itself.

Mr. PASSMAN. You did not answer my question. I asked, would my subcommittee have the right to make any reductions in this authorization if we are able to establish justifications for them? Would we be violating any agreement if we should make reductions?

Mr. HARVEY. In this particular program?

Mr. PASSMAN. Yes.

Mr. HARVEY. Yes, I think it would, because the negotiations have taken place through the World Bank, through our representatives.

Mr. PASSMAN. Then it would be mandatory that my subcommittee appropriate all the funds recommended here, is that correct?

Mr. HARVEY. In the amount that is herein set forth, yes, because we are relying on the good judgment of the officers of that Bank.

Mr. PASSMAN. If the gentleman will yield further, I believe the House on two previous occasions did not accept the virtue of this type of legislation, but turned it down, did it not—about 4 years ago, and again last year?

Mr. HARVEY. I would say to the gentleman it is my understanding—and I worked on this myself—in February 1964, it was turned down by a very small vote, and in May 1964, it was passed by a much larger vote.

Mr. PASSMAN. I came to Congress by a very small majority, but I am here. We did turn down this request on two previous occasions for lack of virtue, did we not?

Mr. HARVEY. I would say it was turned down because of lack of funds, never because of lack of virtue.

Mr. BROCK. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I support this legislation. Perhaps it would help to get away from the emotion of the moment if I recounted some of the logic that I had to go through personally just as one Member of Congress, because I have been opposed to this bill in the past.

Last year I subscribed to the minority position and signed those views. I would like to recount to you some of the arguments we used in 1968 and what has happened. In 1968 we cited the fact that our budget had been $25 billion in the red, the most intolerable deficit this Nation has experienced since World War II. This year we have the prospect of a bare-bones plus balance in our budget situation.

We cited in our additional arguments the fact that our adverse balance of payments was critically oppressive to the stability of our monetary system. For the first time we begin now to see some limited prospect that our balance of payments may be getting back into a more stable situation.

We have also done something else in this bill and the ancillary agreements relating to it. We have an agreement that in the expenditure of funds from the U.S. Treasury, no money will be expended without a compensating offset of purchases within the United States between now and 1971. Thus there will be no adverse impact on our balance of payments.

We have also taken the step of reducing the dollar input because of this particular agreement. In fact, our budget request this year is reduced from last year, not increased by some $56 million, as said earlier.

Thirdly and finally, we have received the strongest assurances to date that IDA's aid program to India and Pakistan will be reduced and put on a more balanced basis with the rest of the world.

Let me cite you a couple of ideas on on foreign aid. What makes up foreign aid? What is good foreign aid and what is bad foreign aid?

You talk about the bilateral approach in tying the U.S. name to AID. Let us look at this particular program and contrast it with the foreign aid bill that the gentleman from Louisiana will be bringing before the House this year. This bill amounts to about 4 or 5 percent of the amount he is going to request for the foreign aid bilateral program where our name is directly related to the loan or grant.

Here we are putting up $160 million, and the others are putting up $400 million. Thus we are adding to the developing nations of the world $400 million, or better than 10 percent of the bilateral amount, so we get a multiplier—and the multiplier is rather an effective one. Actually our cash input this year will be $60 million and the loan program will be authorizing $400 million—that is a pretty good multiplier and a pretty good value for our dollar.

Contrast that with the foreign aid program under foreign aid we put up 100 percent. In addition, let us look at the incredible record of foreign aid and the abuses we have seen. We have had hair nets for Laos, television sets for countries which do not have electricity, and a dairy for a country that does not have cows. There has been incredible mismanagement with our AID program. Contrast that with the World Bank administering a program of long-term economic development, which raises the productivity of citizens of those countries. They do not just see human needs and fulfill them, but more importantly for the future the people become producers and purchasers.

Is this not a better investment by far? Is this not, in truth, the real conservation approach?

If we want to choose between AID administering a program and the World Bank administering a program, I will take the World Bank 10 to 1. We will be better off as a nation. If we want to support a really responsible program, I do not see any alternative but to support this program. It is terribly important, it is very needed in the world, and it is carried on at a minimum expense to the American taxpayer.

Mr. BROWN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman from Michigan.

Mr. BROWN of Michigan. Mr. Chairman, the gentleman from Louisiana has suggested this bill was defeated last year. As a matter of fact, this bill was favorably reported out by the committee and it never was scheduled for consideration by the House.

Mr. BROCK. That is correct.

Mr. BROWN of Michigan. So there was no action on this bill, so it was not defeated.

Mr. BROCK. That is correct. However, I do question whether it could have been passed last year. As I cited, the conditions were different. We had a $25 billion deficit facing us, on top of $100 billion of previous deficits of the Democratic administration. The case today frankly is different. That is one of the facts that I believe argues well for this bill today.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman from Texas.

Mr. PATMAN. Mr. Chairman, is it not a fact that the reason we did not take up the bill last year was because the Senate leaders of the bill in that body told us they would not take it up during the last session of the 90th Congress and there was no use of the House passing it, because that Congress would expire the end of 1968.

Mr. BROCK. I will yield to the gentleman on that statement, because I do not know whether that is a fact.

Mr. TAFT. Mr. Chairman, I move to strike the last word.

Mr. Chairman, there is a very basic question behind this measure relating to U.S. foreign policy. If we are convinced—and I believe most of us are—that in our foreign policy there should be a role for the United States participating in its own interest in assistance to developing nations, then I would suggest this is the best way we can possibly carry out this aspect of our foreign policy.

In other words, what I am saying is that if any form of foreign aid is to be used in an amount in excess of $160 million per year, then this bill should be adopted in the form in which it has been brought to the floor.

My reasons for this are several. First, I think it is obvious that we save a lot of money by pursuing this course. This is because only 40 percent of the funds going into IDA would come from the United States. If we were under our regular foreign aid program, even if that foreign aid were only $160 million, and we were to delete IDA completely, we would be paying 100 percent of the amount. In other words, in budgeting and assessing what our total foreign aid expenditures are going to be, this Congress should and will consider as part of the entire parcel and package the amount authorized for IDA. I suggest that if we would do that, we would save 60 percent in the overall foreign aid budget to the extent of the IDA package because we will be getting contributions from other nations to participate in the projects involved.

A number of other reasons ought to be mentioned also in explaining why I believe this is the preferable form of foreign aid.

One is that it is more acceptable to the recipients. Many of these nations are intensely nationalistic and as developing nations are very proud. Thus, often it handicaps and jeopardizes the chances for success of a project if we provide bilateral foreign aid support for it.

Next, I suggest that the United States gets less involved in ways that could embarrass us under a multilateral project than we do under a bilateral project.

We have heard already today of the protection insofar as the balance of payments is concerned. True, we have some similar protection under foreign aid, but it is no better and perhaps not as good as the balance-of-payments protection under IDA, at least so far as this year is concerned.

Next, we have less administrative cost, when we do not engage our own foreign aid agency in the handling of the loans or the financing of the study of them.

Also, I believe we have seen that better standards of protection in studying the validity of a particular project in the past has come from support by the World Bank and by IDA than have sometimes come in our own aid program.

These, I believe, all add up to good commonsense and economic reasons why this bill should be supported, and I urge your support.

Mr. GERALD R. FORD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I happen to believe it is awfully important for the United States to maintain a strong position internationally speaking—diplomatically, militarily, and in helping other friendly or neutral countries to develop their own economies so they can be partners in strength. In order to execute or implement that program I believe a foreign aid program which is broad and strong is an essential ingredient.

As a result, from the very first session I served in this body I have voted for a unilateral foreign aid program and I have supported the appropriations therefor—not to the dollar amount various Presidents have requested, but I have always supported the authorization and the final appropriation amount.

In addition, I have supported this program from its inception during the Eisenhower administration in 1960.

The first replenishment came in 1964, and I was one who voted against the motion to recommit in February of that year. We were defeated. The measure came back on the floor in May of 1964, and those of us who believed in IDA at that time, as I do now, were successful, and the program proceeded.

Let me say this with that background: I believe in our basic foreign aid—our military and economic aid program—and I believe in IDA.

From a purely political point of view, I get far less criticism for my support of IDA than I do for our own unilateral programs. Why? It is very simple. In the first place, in our basic military and economic aid programs we put up every penny for the procurement of the weapons, and for the economic development programs. We are the sole supporting party who is paying the bill. And the American taxpayers, I believe, are getting a little concerned about that. Therefore, if people believe in a foreign aid program by the United States, it is a better deal for them to have somebody else share in the cost. So politically, if you agree that a foreign aid program is good, you will get less adverse reaction from supporting this than you will from supporting the basic foreign aid program.

Second, I think it is better from the point of view of our taxpayers. If you can get other nations to put up 60 percent of the contribution to carry out the program and the United States puts up 40 percent, then I think it is just good old common horsesense that a sharing of the burden is infinitely better to our taking the whole cost upon ourselves. I do not see how anybody can dispute that.

Thirdly, for most of us who have voted for the foreign aid program over the years—and, as I said, I have and I have no apologies basically for it—there has been far less embarrassment in the management of these projects under IDA than under our own unilateral program. I do not see anybody here challenging that. We have been embarrassed by poor surveys, poor execution, and poor completions in our own unilateral programs. They have been unfortunately badly run in far too many cases. As far as I know, I know of no specific instance under this IDA program where such poor management has taken place. Therefore, I ask why do we not support the program that seems to get the best results with the least criticism? So, from the point of view of politics, from the point of view of investment, and from the point of view of results, I think that IDA is a good program.

One other fact I wish to mention, and then I will be delighted to yield to our distinguished Speaker.

President Nixon just came back from a trip to Western Europe. He talked there and he has talked since about multilateral programs and about multilateral action and having joint programs to solve the problems of Western Europe and elsewhere. This program fits in precisely with that point of view.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. GERALD R. FORD was allowed to proceed for 3 additional minutes.)

Mr. GERALD R. FORD. Mr. Chairman, the approval of this program ties in precisely with the foreign affairs techniques and solutions that the new President is aiming for.

May I add this as a postscript, and perhaps I should have said it earlier.

Many people have said one of the reasons why we are in so deep in Vietnam is that we went in virtually alone and that if we had gone in with others, we might not be as deeply involved as we are at the present time. There is a lot of commonsense to that argument. When you are deciding how you are going to do it yourself, if you get down to a certain course of action, nobody has any hold over you. And we are deeply involved in Vietnam. I think we will become less involved in some of these difficult areas in the future if we are doing it in conjunction with other people or other nations. This program provides for that kind of joint effort. So, if you want at least to avoid another Vietnam, this program may be helpful in that regard.

Now, Mr. Chairman, I yield to the distinguished Speaker.

Mr. McCORMACK. Mr. Chairman, in addition to the three reasons that the distinguished gentleman from Michigan, the minority leader, mentioned in his remarks, it appears to me that even greater than those, and without ignoring those three reasons, there is the reason that this legislation is consistent with the national interests of our country. To me that is always paramount, whether it is in connection with preparations for national defense or on the affirmative side, that is, in meeting the challenges of the day.

It appears to me that this bill amounts to what might be termed the affirmative in meeting the intense challenge that exists today not only in connection with our own country, but toward all countries and all people who want to be free under their own law.

So, in a few words I would like to ask my friend if he would agree with me that it is paramount, and even in addition and over and above what has been stated by the gentleman, this bill is in the national interest of our country and this bill is consistent with the national overall interest of our country?

Mr. GERALD R. FORD. Mr. Chairman, I do agree with the observation that this legislation is of the utmost importance in the successful implementation and the successful execution of our U.S. foreign or international policy. Therefore, in my judgment this legislation is definitely in the national interest.

For those reasons, Mr. Chairman, I strongly hope that the motion to recommit will be defeated and the bill will be approved on final passage.

Mr. CARTER. Mr. Chairman, I move to strike the necessary number of words.

Mr. Chairman, this is certainly a bill that presents a great deal of interest to the people of America. As I understand the bill, there will be no interest paid for 10 long years for these loans, soft loans of the softest kind, when the taxpayers of our country on that money will be paying a minimum of 6 percent. You know they are already complaining about the surtax and the various other taxes. And, I want you to consider these poor people, these working people, these middle-class people throughout our country who are paying all of these taxes. For us to think about this money that is coming out of the hides of our taxpayers and asking it to be loaned to foreign countries who will pay it back at the rate of not 1 cent of interest for 10 years and following that, for the next 10 years 1 percent, and following that I am told 2½ percent, is utterly ridiculous.

Actually, I think if we really consider the facts as they are, this will never be paid back to the IDA, to the U.S. Government, or to anyone else.

Mr. Chairman, it is time for us to bring a halt to such things as this. I am asking the Members here and I would ask anyone, have any of these countries to whom we have given so much aid come to our aid in Vietnam? Where are our friends?

I believe the distinguished gentleman from Louisiana (Mr. Passman) stated that we have spent $178 billion to help them. Yet, they are not with us there in the fighting in Vietnam. We do not have their aid. We do not have their friendship. It is something that is beyond purchase. We cannot buy that.

Mr. Chairman, I am reminded of what the bard said:

> Loan oft loses both itself and friend, and borrowing dulls the edge of husbandry.

I want to tell you that that same principle exists today. We cannot buy friendship of the world.

Mr. Chairman, I urge the Members of this House to deeply consider the welfare of our own constituents and vote down this iniquitous bill.

Mr. GROSS. Mr. Chairman, I move to strike the necessary number of words.

Mr. Chairman, the gentleman from Michigan (Mr. Harvey) said we cannot have it both ways on this bill, and I agree with him. I want it only one way. I want to be done with this foreign handout here and now.

Mr. Chairman, with the pending increase in the debt ceiling originally scheduled to be considered this week, I was hopeful that bill would come up before this measure. There is also the extension of the 10-percent surtax, plus the money crisis that this country is facing. We will be fortunate to get through this year without facing a real financial crisis in this country.

It is amazing, in the face of what confronts us, that this kind of a bill is before the House. It is absolutely amazing that anyone would bring this bill here under the circumstances that exist with respect to debt, deficit, and inflation, and the staggering burdens upon the taxpayers of this country. If this situation continues very much longer you will see a taxpayers' revolt in this country, and make no mistake about it. The heavy hand of taxation is being laid with more weight than ever upon all local subdivisions of government, and yet it is proposed that we pass a bill here today to compel the taxpayers to put up $480 million—a half billion dollars—to be shipped out of the country—never to return.

This bill was voted out of the committee on March 4, and I call the particular attention of the gentleman from Texas (Mr. Patman) and the gentleman from Michigan (Mr. Gerald R. Ford) to the fact that on March 5 a school district in the State of Texas, and a school district in the State of Michigan offered several million dollars' worth of construction bonds. One issue of these bonds was offered at a 5-percent interest rate, and the other at 5.5 percent. There were no takers for a dollars' worth of those bonds. Yet the half billion dollars in this financing operation will go to foreigners interest-free and for up to 50 years. Yet in the face of dire necessity to retrench in spending, you propose, as the gentleman from Louisiana (Mr. Passman) so well said, open the spigot even wider and spew out another half billion dollars to unappreciative foreigners. And on that day, after the committee voted out this bill, the newspapers reported that:

> The World Bank announced yesterday it has placed a $192,650,000 issue of U.S. dollar bonds in markets outside the United States. . . .
>
> The new Bank bonds bear an interest of 6¾ percent, with the first payment due September 15. . . .

The prime rate of interest in this country is now 7 percent. Borrowers with the best collateral have to pay 7 percent in the United States these days, but our dollars are going out through the World Bank to foreigners at 6¾ percent.

What kind of funny business is this?

Mr. REUSS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I will yield to the gentleman from Wisconsin.

Mr. REUSS. Mr. Chairman, I take it that the gentleman brings up this matter of the World Bank in order to commend the World Bank for doing the right thing. They did not place this bond issue in the United States where it would have affected our balance of payments. They placed it outside of the United States.

Mr. GROSS. I am not talking about the balance of payments. I am talking about the preferential treatment given foreigners. And you are just kidding yourself if you think you are going to settle the balance of payments in another year or 2 years. The gentleman knows better than that.

What I am talking about is putting out our dollars at 6¾ percent to foreigners, and charging borrowers in this country a minimum of 7 percent interest on new borrowings.

What are we doing to the people of our country with this kind of legislation?

Mr. PASSMAN. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Louisiana.

Mr. PASSMAN. I thank the gentleman for yielding.

Let us set the record straight on this balance-of-payment issue, Mr. Chairman. The very small balance-of-payments surplus that we had last year is simply because we are now borrowing money from some 30 nations of the world. It was not our exports that created this very small balance-of-payments surplus, it was a result of borrowed money. We have even borrowed money from Korea to whom we are giving economic and military aid. Sooner or later we are going to have to pay it back, then in what kind of a jam are we going to find ourselves?

Mr. GROSS. I thank the gentleman for his remarks.

Mr. Chairman, I hope there will be a straight motion to recommit this bill. I hope the House will put a stop to this kind of business, here and now

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. Burke of Massachusetts, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 33) to provide for increased participation by the United States in the International Development Association, and for other purposes, pursuant to House Resolution 313, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. DEL CLAWSON. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. DEL CLAWSON. Yes, I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Del Clawson moves to recommit the bill, H.R. 33, to the Committee on Banking and Currency.

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and the Speaker announced that the noes appeared to have it.

Mr. REUSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, and the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 155, nays 241, not voting 34, as follows:

[Roll No. 20]

YEAS—155

Abbitt
Adair
Andrews, Ala.
Ashbrook
Baring
Belcher
Bennett
Berry
Betts
Blackburn
Bray
Brinkley
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burleson, Tex.
Burlison, Mo.
Bush
Cabell
Caffery
Camp
Carter
Casey
Chamberlain
Chappell
Chisholm
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Collins
Colmer
Coughlin
Daniel, Va.
Denney
Dennis
Derwinski
Devine
Dickinson
Dorn
Dowdy
Downing
Duncan
Edwards, Ala.
Eshleman
Fisher
Flowers
Foreman
Fountain
Frey
Fuqua
Gaydos
Goodling
Gross
Grover
Hagan
Haley
Hall
Hammerschmidt
Harsha
Hastings
Henderson
Hogan
Hull
Hungate
Hunt
Hutchinson
Ichord
Jarman
Jonas
Jones, N.C.
King
Kleppe
Kuykendall
Kyl
Landgrebe
Langen
Latta
Lennon
Lipscomb
Long, La.
Long, Md.
Lujan
Lukens
McClure
McEwen
McKneally
Mann
Marsh
Martin
Mathias
Meskill
Miller, Ohio
Mills
Minshall
Mizell
Montgomery
Myers
Natcher
O'Konski
Passman
Pettis
Pollock
Price, Tex.
Pucinski
Purcell
Quillen
Randall
Rarick
Reid, Ill.
Rhodes
Rivers
Roberts
Rogers, Fla.
Roudebush
Ruth
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Scott
Sebelius
Sikes
Skubitz
Smith, Calif.
Snyder
Steed
Steiger, Ariz.
Stubblefield
Taylor
Teague, Tex.
Thompson, Ga.
Thomson, Wis.
Waggonner
Wampler
Watkins
Watson
Watts
Whalley
White
Whitehurst
Whitten
Wiggins
Williams
Winn
Wold
Wydler
Wylie
Wyman
Zion
Zwach

NAYS—241

Adams
Addabbo
Albert
Alexander
Anderson, Calif.
Anderson, Ill.
Andrews, N. Dak.
Annunzio
Arends
Ashley
Aspinall
Ayres
Barrett
Bates
Beall, Md.
Bevill
Biaggi
Biester
Bingham
Blatnik
Boggs
Boland
Bolling
Bow
Brademas
Brasco
Brock
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Burke, Mass.
Burton, Calif.
Burton, Utah
Button
Byrne, Pa.
Byrnes, Wis.
Cahill
Carey
Cederberg
Celler
Clark
Cohelan
Conte
Corbett
Corman
Cowger
Cramer
Culver
Daddario
Daniels, N.J.
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Dellenback
Dent
Diggs
Dingell
Donohue
Dulski
Dwyer
Eckhardt
Edmondson
Edwards, Calif.
Eilberg
Erlenborn
Evans, Colo.
Fallon
Farbstein
Fascell
Feighan
Findley
Fish
Flood
Ford, Gerald R.
Ford, William D.
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Galifianakis
Gallagher
Garmatz
Gettys
Giaimo
Gibbons
Gilbert
Gonzalez
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Gude
Halpern
Hamilton
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Harvey
Hathaway
Hays
Hechler, W. Va.
Heckler, Mass.
Helstoski
Hicks
Holifield
Horton
Hosmer
Jacobs
Joelson
Johnson, Calif.
Johnson, Pa.
Jones, Ala.
Karth
Kazen
Kee
Keith
Kluczynski
Koch
Kyros
Landrum
Leggett
Lloyd
McCarthy
McClory
McCloskey
McCulloch
McDade
McFall
Macdonald, Mass.
MacGregor
Madden
Mahon
Mailliard
Matsunaga
May
Mayne
Meeds
Michel
Mikva
Miller, Calif.
Minish
Mink
Mize
Mollohan
Monagan
Moorhead
Morgan
Morse
Morton
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Nedzi
Nelsen
Nix
O'Hara
Olsen
O'Neill, Mass.
Ottinger
Patman
Patten
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Powell
Preyer, N.C.
Price, Ill.
Pryor, Ark.
Quie
Railsback
Rees
Reid, N.Y.
Reifel
Reuss
Riegle
Robison
Rodino
Rogers, Colo.
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roybal
Rumsfeld
Ruppe
Ryan
St Germain
St. Onge
Schneebeli
Schwengel
Shipley
Shriver
Sisk
Slack
Smith, Iowa
Smith, N.Y.
Springer
Stafford
Staggers
Stanton
Stephens
Stratton
Sullivan
Symington
Taft
Talcott
Teague, Calif.
Thompson, N.J.
Tiernan
Tunney
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waldie
Weicker
Whalen
Widnall
Wilson, Bob
Wilson, Charles H.
Wolff
Wright
Wyatt
Yates
Yatron
Young
Zablocki

NOT VOTING—34

Abernethy
Anderson, Tenn.
Bell, Calif.
Blanton
Clay
Conable
Conyers
Cunningham
Delaney
Edwards, La.
Esch
Evins, Tenn.
Flynt
Foley
Gray
Gubser
Hawkins
Hébert
Howard
Kastenmeier
Kirwan
Lowenstein
McDonald, Mich.
McMillan
Nichols
O'Neal, Ga.
Pelly
Podell
Ronan
Scheuer
Steiger, Wis.
Stokes
Stuckey
Utt

So the motion to recommit was rejected.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Utt.
Mr. Kirwan with Mr. Conable.
Mr. Abernethy with Mr. Cunningham.
Mr. O'Neal of Georgia with Mr. Steiger of Wisconsin.
Mr. Ronan with Mr. Esch.
Mr. Gray with Mr. Gubser.
Mr. Foley with Mr. Pelly.
Mr. Evins of Tennessee with Mr. McDonald of Michigan.
Mr. Delaney with Mr. Anderson of Tennessee.
Mr. Howard with Mr. Bell of California.
Mr. Conyers with Mr. Lowenstein.
Mr. Hawkins with Mr. Kastenmeier.
Mr. Flynt with Mr. Podell.
Mr. Scheuer with Mr. Stokes.
Mr. Blanton with Mr. Stuckey.
Mr. Nichols with Mr. McMillan.
Mr. Edwards of Louisiana with Mr. Clay.

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on the passage of the bill.

Mr. REUSS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 247, nays 150, not voting 33, as follows:

[Roll No. 21]

YEAS—247

Adams
Addabbo
Albert
Anderson, Calif.
Anderson, Ill.
Anderson, Tenn.
Andrews, N. Dak.
Annunzio
Arends
Ashley
Aspinall
Ayres
Barrett
Bates
Beall, Md.
Bevill
Biaggi
Biester
Bingham
Blatnik
Boggs
Boland
Bolling
Bow
Brademas
Brasco
Brock
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Burke, Mass.
Burton, Calif.
Burton, Utah
Button
Byrne, Pa.
Byrnes, Wis.
Cahill
Carey
Cederberg
Celler
Clark
Cohelan
Conte
Corbett
Corman
Coughlin
Cowger
Cramer
Culver
Daddario
Daniels, N.J.
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Dellenback
Dent
Diggs
Dingell
Donohue
Dulski
Dwyer
Eckhardt
Edmondson
Edwards, Calif.
Eilberg
Erlenborn
Evans, Colo.
Fallon
Farbstein
Fascell
Feighan
Findley
Fish
Flood
Ford, Gerald R.
Ford, William D.
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Galifianakis
Gallagher
Garmatz
Gettys
Giaimo
Gibbons
Gilbert
Gonzalez
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Gude
Halpern
Hamilton
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Harvey
Hathaway
Hays
Hechler, W. Va.
Heckler, Mass.
Helstoski
Hicks
Holifield
Horton
Hosmer
Jacobs
Joelson
Johnson, Calif.
Johnson, Pa.
Jones, Ala.
Karth
Kazen
Kee
Keith
Kirwan
Kluczynski
Koch
Kyros
Landrum
Leggett
Lloyd
Long, Md.
McCarthy
McClory
McCloskey
McCulloch
McDade
McFall
Macdonald, Mass.
MacGregor
Madden
Mahon
Mailliard
Mathias
Matsunaga
May
Mayne
Meeds
Michel
Mikva
Miller, Calif.
Minish
Mink
Mize
Mollohan
Monagan
Moorhead
Morgan
Morse
Morton
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Nedzi
Nix
O'Hara
Olsen
O'Neill, Mass.
Ottinger
Patman
Patten
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Powell
Preyer, N.C.
Price, Ill.
Pryor, Ark.
Quie
Railsback
Rees
Reid, N.Y.
Reifel
Reuss
Riegle
Rivers
Robison
Rodino
Rogers, Colo.
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roybal
Rumsfeld
Ruppe
Ryan
St Germain
St. Onge
Schneebeli
Schwengel
Shipley
Shriver
Sisk
Slack
Smith, Iowa
Smith, N.Y.
Springer
Stafford
Staggers
Stanton
Stephens
Stratton
Sullivan
Symington
Taft
Talcott
Teague, Calif.
Thompson, N.J.
Tiernan
Tunney
Udall
Ullman
Vander Jagt
Vanik
Vigorito

Waldie
Weicker
Whalen
Whalley
Widnall
Wilson, Bob
Wilson, Charles H.
Wolff
Wright
Wyatt
Wydler
Yates
Yatron
Young
Zablocki

NAYS—150

Abbitt
Adair
Alexander
Andrews, Ala.
Ashbrook
Baring
Belcher
Bennett
Berry
Betts
Blackburn
Bray
Brinkley
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burleson, Tex.
Burlison, Mo.
Bush
Cabell
Caffery
Camp
Carter
Casey
Chamberlain
Chappell
Chisholm
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Collins
Colmer
Daniel, Va.
Denney
Dennis
Derwinski
Devine
Dickinson
Dorn
Dowdy
Downing
Duncan
Edwards, Ala.
Eshleman
Fisher
Flowers
Foreman
Fountain
Frey
Fuqua
Gaydos
Goodling
Gross
Grover
Hagan
Haley
Hall
Hammerschmidt
Harsha
Hastings
Henderson
Hogan
Hull
Hungate
Hunt
Hutchinson
Ichord
Jarman
Jonas
Jones, N.C.
King
Kleppe
Kuykendall
Kyl
Landgrebe
Langen
Latta
Lennon
Lipscomb
Long, La.
Lujan
Lukens
McClure
McEwen
McKneally
Mann
Marsh
Martin
Meskill
Miller, Ohio
Mills
Minshall
Mizell
Montgomery
Myers
Natcher
O'Konski
Passman
Pettis
Pollock
Price, Tex.
Pucinski
Purcell
Quillen
Randall
Rarick
Reid, Ill.
Rhodes
Roberts
Rogers, Fla.
Roudebush
Ruth
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Scott
Sebelius
Sikes
Skubitz
Smith, Calif.
Snyder
Steed
Steiger, Ariz.
Stubblefield
Taylor
Teague, Tex.
Thompson, Ga.
Thomson, Wis.
Van Deerlin
Waggonner
Wampler
Watkins
Watson
Watts
White
Whitehurst
Whitten
Wiggins
Williams
Winn
Wold
Wylie
Wyman
Zion
Zwach

NOT VOTING—33

Abernethy
Bell, Calif.
Blanton
Clay
Conable
Conyers
Cunningham
Delaney
Edwards, La.
Esch
Evins, Tenn.
Flynt
Foley
Gray
Gubser
Hawkins
Hébert
Howard
Kastenmeier
Lowenstein
McDonald, Mich.
McMillan
Nelsen
Nichols
O'Neal, Ga.
Pelly
Podell
Ronan
Scheuer
Steiger, Wis.
Stokes
Stuckey
Utt

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Delaney for, with Mr. Hébert against.

Mr. Gray for, with Mr. Abernethy against.

Mr. Ronan for, with Mr. McMillan against.

Mr. Podell for, with Mr. O'Neal of Georgia against.

Until further notice:

Mr. Scheuer with Mr. Utt.

Mr. Lowenstein with Mr. Conable.

Mr. Blanton with Mr. Gubser.

Mr. Howard with Mr. Pelly.

Mr. Kastenmeier with Mr. Bell of California.

Mr. Nichols with Mr. Nelsen.

Mr. Flynt with Mr. McDonald of Michigan.

Mr. Evins of Tennessee with Mr. Cunningham.

Mr. Stuckey with Mr. Esch.

Mr. Edwards of Louisiana with Mr. Steiger of Wisconsin.

Mr. Conyers with Mr. Foley.

Mr. Hawkins with Mr. Stokes.

Mr. LONG of Maryland changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks and include extraneous matter on the bill H.R. 33, just passed.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

LEGISLATIVE PROGRAM FOR THURSDAY, MARCH 13, 1969

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. GERALD R. FORD. Mr. Speaker, I have asked for this time for the purpose of ascertaining from the distinguished majority leader the agenda for the balance of this week.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, the following are additions to the program for Thursday, March 13:

First, House Resolution 306, to authorize the Committee on Banking and Currency to conduct an investigation and study of prices of lumber and plywood.

Next, House Resolution 282, to create a select committee to regulate parking on the House side of the Capitol.

Third, House Resolution 213, investigative authority, Committee on Government Operations.

And fourth, House Resolution 268, investigative authority, Committee on Post Office and Civil Service.

Mr. GERALD R. FORD. Mr. Speaker, I would further ask the distinguished majority leader concerning House Resolution 282, as to whether this refers to a different group from that group which is already in charge of parking in the garage?

Mr. ALBERT. It is my understanding that this is not a different group.

Mr. GERALD R. FORD. It is one and the same group?

Mr. ALBERT. The gentleman is correct. It just reconstitutes the select committee.

Mr. GERALD R. FORD. I thank the gentleman.

URGENT NEED FOR THE APPOINTMENT OF THE AMBASSADOR TO JAPAN

(Mr. HANNA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HANNA. Mr. Speaker, the new President deserves and has our consideration and sympathetic indulgence as he sets about adjusting this huge Government into patterns suited to his new administration. That he should move with care and caution is understandable in the light of present conditions both within and without our borders. There are, however, some factors which mitigate against a dalliance with time however much one would like to delay. Such factors are at work in Japan and our pressing need for an active Ambassador override in my judgment whatever dictation exists for further use of time.

We are facing a great challenge in the immediate present to prepare for the renegotiation of our treaty with Japan. The importance of the determination of our relations as to base facilities in that country and our operations in Okinawa are as critical as any decisions we are facing in today's turbulent world. To be catapulting toward a date with destiny with no one in the driver's seat is risky in the extreme.

Besides the treaty considerations we have the momentum of partnership for the development of the Pacific as, for instance, is demonstrated in the equal and dominant roles we hold in the Asian Development Bank with Japan. With our understanding, our encouragement, and our participation Japan has become increasingly a force for constructive cooperation in the development of many of the nations of the Pacific Basin. Without a captain on our team present on the scene this valuable momentum can be reduced at a time when it should be accelerated.

Finally, we are at a critical period in our trade relations with Japan. Its growth and strength plainly calls for a critical reevaluation of reciprocal advantages. We can fall into the trap of protectionism on our part or Japan can equally unwisely fail to move toward a more open economy on its part. In either event the future will suffer. Only the active presence of a strong and understanding embassy headed by an outstanding and experienced Ambassador can help us steer through the rocks and shoals incident to these problems in this transitional period.

Mr. Speaker, in a few words I have tried to point out that with all that faces the new President and it is much, we need and must have, immediately, the appointment of a man in the vital and important post of Ambassador to Japan. This country needs this appointment—and needs it now. I hope the President will agree.

ON THE PRESIDIO MUTINY TRIALS

(Mr. KOCH asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. KOCH. Mr. Speaker, I have received a newsletter from an organization known as Clergy and Laymen Concerned About Vietnam, the cochairmen of which are Dr. John C. Bennett, president, Union Theological Seminary; Rabbi Abraham J. Heschel, professor, Jewish Theological Seminary of America; Mrs. Coretta Scott King, Atlanta, Ga.; Mr. Philip Scharper, vice president,

XUM

Sheed & Ward, Inc.; and the Most Reverend James P. Shannon, Roman Catholic Archdiocese of St. Paul-Minneapolis.

These men and women are outstanding individuals and their statements must be given respect and attention. The thrust of the statement is to the effect that a charge of mutiny has been brought against 27 American soldiers who had been prisoners in the presidio in San Francisco.

I will not go into the alleged facts because they are succinctly set forth in the newsletter which accompanies my statement, other than to say that I was most upset by the fact that an official Army report by Capt. Richard Millard, prepared in advance of the Army's bringing mutiny charges, stated that the charge of mutiny was unfounded.

It would appear that if the alleged facts contained in the newsletter and the report of Captain Millard are correct, we are witnessing a disgraceful and uncivilized act on the part of the U.S. Army which may perhaps be compared at a later time to the infamous Dreyfus case and that the facts cry out for an impartial investigation to be made by an appropriate committee of this Congress. I have written to the Secretary of the Army, Stanley Resor, asking that he furnish me with a detailed reply to the alleged facts contained in the newsletter; and upon receipt of such a reply, I will advise the Members of this House of its contents.

The newsletter follows:

SAN FRANCISCO MUTINY COURTS-MARTIAL BEGIN

Fifteen years at hard labor is the average sentence imposed upon three men of a group of twenty-seven who are charged with mutiny for holding a sit-down strike which lasted less than an hour last October 14th. All twenty-seven were prisoners in the Presidio Stockade in San Francisco on various charges, most of them for having been AWOL. The men linked arms, sang "We Shall Overcome" and sat down during a morning roll call two days after one of their fellow prisoners was killed with a shot-gun by a guard. They took the action to protest the killing, the army's response to it, the over-crowded, substandard stockade conditions and general mis-treatment by the shot-gun carrying guards. The courts-martial for mutiny will continue through March; one is in progress as this is written. Thus far a total of forty-five years imprisonment have been imposed

The dead man was Richard Bunch, a nineteen year old private from Ohio, who had several times tried to end his life. A number of hand-scrawled notes were found among his belongings which clearly indicated his suicidal intentions. On the day he was killed, he had been forced out to work under threat of having his crucifix taken away. He asked a guard what would happen if he ran from the work detail. He was told he would have to try to find out. After instructing the guard to aim for his head, Bunch ran and was felled by the guard's shot-gun when no more than twenty yards away. Other guards could have stopped him physically without a shot being fired; the guard who killed Bunch did not utter an order to halt. The army termed this "justified homicide" within the day.

During the sit-down, the prisoners attempted to read a list of grievances to the stockade commander, twenty-five year old Captain Robert S. Lamont. He in turn read to them the section of the Uniform Code of Military Justice pertaining to mutiny. Evidence at the courts-martial indicated that this was not heard by the prisoners, and in fact was virtually inaudible. On this admitted attempt by Captain Lamont to produce a "shock effect" upon the men, the Army has based proceedings without parallel in the history of the United States Armed Forces. Within a week of the event, the Army was preparing the mutiny charges, for which preliminary hearings began on November 5th. The officer in charge of these hearings, Captain Richard Millard, reported his findings to superiors, including the Commanding General of the Sixth Army, Lt. General Stanley Larson. They chose to ignore the recommendations. Millard had determined that the mutiny charges were unfounded and unjust and recommended that they be dropped. He pointed out that five of the six to come before him had been recommended for discharge by Army psychiatrists. A portion of his report follows:

"The charge of mutiny under article 94 does not apply to the facts of 14 October 1968. There are 3 elements to the offense of mutiny, one of which is the intent to override lawful military authority. The element is absent in the present case. I find, however, there are facts sufficient to sustain a charge of willful disobedience under article 90 of the Uniform Code of Military Justice, a lesser included offense of mutiny under Article 94.

"In my opinion, this case has been built up out of all fair proportion. To charge (these men) with mutiny, an offense which has its roots in the harsh admiralty laws of previous centuries, for demonstrating against the conditions which existed in the stockade, is, in my opinion, an overreaction by the Army and a misapplication of a statute which could lead to a further miscarriage of justice. . . . The two basic reasons for the imposition of punishment are to deter crime and to rehabilitate offenders. . . . It is very questionable whether any long term confinement is likely to be effective in rehabilitating (these men). . . . As far as deterrent to crime is concerned, I feel that a six month sentence, which is the maximum a Special Court-Martial could adjudge, is an adequate deterrent against demonstrations such as the one that occurred on 14 October 1968. If it is not adequate, then the focus of the command should be on those conditions which lead to such demonstrations, for in my opinion, one does not give up six months freedom to participate in a short demonstration unless the conditions leading to the demonstration are compelling.

"There is ample testimony in this case to show that the conditions in the stockade prior to 14 October were not up to the standards we should expect. . . . Considering all the facts, including the nature of the disturbance, the conditions which existed in the stockade, the military service of the accused, the mental state and character behavior of the accused . . . and the unlikelihood that punishment will have any rehabilitative effect, and the established policy that trial by General Court-Martial will be reserved to only when the charges can be disposed of in no other manner consistent with military discipline, I recommend trial by Special court-martial, or as an alternative, separation under AR 635–212, which would be to the benefit of both the Army and the accused."

General Larson, Captain McMahon, the Post Commander, and Col. James Garnett of the Sixth Army Legal Office, rejected this report and recommended General Court-Martial for mutiny. No reason was given for the rejection. In addition, General Larson has repeatedly refused to meet to discuss the case with such prominent figures as Bishop Charles Golden, of the United Methodist Church in San Francisco, the Rt. Rev. C. Kilmer Myers, Episcopal Bishop of the Diocese of San Francisco, and Mr. Josiah Beeman, Legislative Assistant to Congressman Philip Hart.

Almost all reports agree that conditions at the Presidio Stockade are poor. Often there have been as many as one hundred and forty prisoners in space designed for eighty; rations have been short. During the six month period ending November, 1968, there were thirty-one suicide attempts by twenty men, many of which were near fatal. There have since been more. In fact, during the first series of courts-martial, one of the men on trial slashed his wrists. All these have been dismissed as "suicide gestures" by the authorities. Army psychiatrists have recommended discharges, but the Army has not acted upon such recommendations.

Shortly before the mutiny courts-martial began on January 28, 1969, forty-five religious leaders issued a statement under the sponsorship of CALVAV that called the mutiny charge "inhumane and intolerable." The signers of the statement protested the Army's behavior in the case and their refusal to recognize the human and psychological needs of the young men. The religious leaders demanded that "the Army immediately drop the mutiny charge". There has been no response from the Army to this statement.

These are the young men who have been tried so far:

Nisrey Sood, twenty-six years old, father of three, from Oakland, California, in the stockade originally for being AWOL to care for children who were being neglected by his wife; sentenced to fifteen years at hard labor, forfeiture of pay and allowances and dishonorable discharge.

Lawrence Reidel, twenty years old, from Northern California, comes from a broken home, recommended for discharge by Army psychiatrists, one of whom stated that he had severe mental problems, sentenced to fourteen years at hard labor, total forfeiture of all pay and allowances and dishonorable discharge.

Louis Osczepinski, twenty-one years old, from Florida, NY, one of eleven children, father crippled, family on welfare, recommended for discharge by army psychiatrists, slashed wrists during courtmartial, sentenced to sixteen years at hard labor, forfeiture of pay and allowances and dishonorable discharge.

One man is being court-martialed at Fort Erwin in the middle of the Mojave Desert as this goes to press. Five more will begin their court-martial on March 5th and the remaining sixteen on March 18th. (Two of the original twenty-seven escaped from the Presidio on Christmas Eve and have not been located.) Those sentenced have already begun serving their time at Fort Leavenworth, Kansas.

The sentences imposed are subject to review by the Army. First, General Larson has the options of increasing or decreasing the sentence or dismissing the charges altogether. Next, Stanley Resor, Secretary of the Army, has the same options available to him. Finally, there is an appeal process of civilian courts, culminating in the U.S. Supreme Court.

There is every indication that the Army is desperate to make an "example" of these men. Such punitive sentences and vindictive charges can indicate nothing else. Particularly on the West Coast where many men are shipped to Vietnam, the Army has severe problems stemming from dissent within its ranks because of the war. Because of its desperation, the Army is also sensitive to criticism, especially from the Congress, the general public, and the press.

FOR A MORE EQUITABLE TAX STRUCTURE

(Mr. MONAGAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. MONAGAN. Mr. Speaker, I have frequently voiced my conviction of the need for reforming the present Federal income tax structure which, among other defects, permits an unfair distinction between low- and high-income taxpayers. Toward guaranteeing a more equitable tax structure, I have recently introduced H.R. 7744 calling for a minimum income tax. In order that my statement on this subject may be on the Record of the House as well as that of the Committee on Ways and Means, I am inserting hereafter a text of my statement before the Committee on Ways and Means on March 3, 1969, in which I explain the salutary impact of my bill for a minimum income tax.

My statement follows:

Mr. Chairman, I appreciate this opportunity to testify before you and the Members of this distinguished Committee on the subject of tax reforms in general and minimum/maximum taxes in particular.

I have already submitted a minimum income tax bill (H.R. 7744). I have also spoken on the Floor of the House in behalf of eliminating or substantially reducing Federal income taxes on families with poverty level incomes.

The combined effect of these two tax reforms would be a net gain in total tax returns. The incremental revenues to be raised by my minimum income tax bill would be approximately double the amount of revenue loss resulting from my program of tax relief for the indigent. I have received an exceptionally large and favorable response from my constituents regarding my proposed tax reform package. I am more convinced than ever that the taxpaying citizens of the United States want and expect the 91st Congress to produce a Federal tax structure which is both equitable and efficient.

First let me discuss what a broad gauge minimum income tax bill would achieve. It would put an end to the rising mood of taxpayer distrust and discontent. Former Secretary of the Treasury Barr, in what has become a widely quoted remark, spoke of a potential taxpayers' revolt. Such a rebellion would come not from the poor but from the middle-class, and it would be in reaction to the widespread avoidance of taxes by wealthy individuals and wealthy corporations.

Those citizens earning between $7,000 and $20,000 who pay the great proportion of our taxes do not, it seems to me, expect to have their own tax burdens significantly lightened by any reforms which would impose minimum income taxes on wealthy individuals paying at present no or virtually no federal income taxes. What these people want instead is to feel that the tax laws are not instruments designed to favor the rich at the expense of middle-income earners. No right-thinking citizen can fail to condemn as unjust and wasteful a tax system which allowed 155 individuals with adjusted gross incomes in excess of $200,000 and 21 individuals with adjusted gross incomes in excess of $1 million to pay no Federal income taxes whatsoever in 1968.

My minimum income tax bill is designed to close down those "tax shelters" most commonly used by wealthy individuals and wealthy corporations to avoid paying a full share of the Federal income tax burden. Yet, recognizing that these tax deduction and tax exemption provisions serve valuable economic and social functions, I believe that the minimum tax rate should be a moderate one, substantially less than the much steeper rate which would be levied on large net individual and corporate incomes under the current tax rate schedules.

Accordingly, I recommend a minimum tax rate of 20% for both individuals and corporations.

An effective minimum income tax must be a broad gauge one. The "tax shelters" which are most commonly used and most often abused by the wealthy must be brought under the jurisdiction of this minimum tax. A narrowly constructed minimum tax might serve only to drive untaxed income from one tax shelter to another tax shelter.

Accordingly, an effective minimum income tax should serve to neutralize those provisions in our tax laws which wealthy individuals and corporations utilize to avoid tax liability. These are:

1. The unlimited charitable contribution deduction.
2. The exclusion of interest on tax-exempt State and municipal bonds.
3. Charitable contributions of appreciated property where the contribution deduction includes gains which have not been taxed to the individual.
4. Percentage depletion derived from income from the extractive industries.
5. Large amounts of income taxed at capital gains rates.
6. Depreciation on real estate making use of the accelerated depreciation rates as opposed to the straight line method of depreciation.
7. Farm losses which have been offset against non-farm income by individuals or corporations only peripherally involved in farming.
8. Credits allowed individuals and corporations for taxes imposed by foreign countries.

I recommend to the Committee my own minimum income tax bill (H.R. 7744) as a bill incorporating the two ingredients most essential to any effective and equitable minimum income tax bill: a moderate tax rate and a broad income base.

II. I support the recommendations of the Treasury Department regarding individual income tax relief for persons in poverty.

Under today's law single individuals and all but the largest families may be subject to income tax even though they are living in poverty. This results from the fact that the present individual exemptions and standard deductions are lower than the poverty income levels. There is thus a clear case of the need for tax relief at these income levels. The most effective way to provide relief at low income levels and to concentrate the associated revenue loss at such levels is through an increase in the minimum standard deduction.

Accordingly, I support the Treasury recommendation that the minimum standard deduction be increased from the present $200 plus $100 for each allowable exemption to $600 plus $100 for each allowable exemption (subject to the same overall limit of $1,000 that exists under present law). Out of the 2.2 million families in poverty who are subject to Federal income tax under present law, about 1.2 million would become nontaxable and the remaining 1 million would receive tax reductions.

PRAISE FOR REPRESENTATIVE RICHARD POFF'S DAUGHTER

(Mr. WAMPLER asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. WAMPLER. Mr. Speaker, when the news is headlined by stories of demonstrations on college campuses, I think the recent article about Representative Poff's daughter Becky is particularly refreshing. I submit it for reprinting in the Congressional Record from the Roanoke World-News of March 7, 1969, so that my colleagues may also enjoy it.

No Limelight for Becky Poff

(By Sandra Kelly)

"Just a politician's daughter" is the way Becky Poff, 21, likes to think of herself.

The psychology senior at Roanoke College, daughter of Rep. Richard Poff and newly engaged, prefers to "stand back and be proud of Daddy because about the only exciting thing I've done is be his daughter."

Becky says her father always tried to protect the family and keep it out of the limelight as much as possible. "We cherish our hours together and our idea of real fun is bouncing around Fairfax County in Daddy's old jeep. It's a man's jeep . . . no springs in the back . . . but we're really a family when we get those moments together."

And Rep. "Daddy" Poff has kept out of Becky's domain as much as possible too—except for fairly strict rules ("I was the only high school senior who had to be in by midnight.")

Until he accepted an invitation to speak at Roanoke College's commencement exercise this year, Rep. Poff had "never spoken anywhere" for his daughter mainly because she'd "never asked him. I wouldn't want to take credit for anything he had done."

Becky, who recently announced her engagement to Jay Marshall, descendant of Chief Justice John Marshall and a young man "who didn't impress me much at first," is a quiet young woman who sees herself as the calm, college type as opposed to the protester of today.

She has been spending her college time working at the local rehabilitation center and the Veteran's Hospital "to help with tuition" and taking part in Young Republican activities where she's "always embarrassed if I'm recognized."

Her only protest was toward fiancee Jay who confidently said the first time he spied Becky, "Someday, you're going to be mine."

"All I could think was well, what is this?" she laughs now.

Becky is "surprised" by protesting on campuses. She's surprised that students go to such extremes. "If they really feel this that's excellent, but I don't like the way they're going about it."

"You can't swing the pendulum all the way," she says, "and you can't get to the older generation by demonstrations. Fussing, screaming and yelling get you nowhere. It's sitting down and talking that helps.

"It would frighten me," she adds, "if some of these young people (the extreme protesters) get into major offices someday."

The Radford native would never like to be "active" in politics; probably, she admits, because she is a politician's daughter. "I'd rather listen to a man than a woman politician and I could never comprehend a woman president.

"I'm going to be a homebody and raise children," Becky says.

She believes her fear of politics goes back to when she would attend debates and meetings with her father "and listen to the hecklers."

"It bothered me," she says, "and I had to grow up to accept it."

Becky believes that when you miss things you cherish them all the more when they are available. She never spent a whole year in the same school—having to move to the Washington area when Congress was in session. Her family had little time together because of Rep. Poff's busy life.

So now, she works at school and family togetherness, cares nothing for Washington's political and social life and likes a quiet date sitting at home talking.

Becky admits she's "old fashioned," and she was delighted that Jay followed an almost forgotten tradition and asked her father for permission to marry her before he asked her.

"In fact, he didn't ask me for sometime.

He lost his nerve when it came to me," she says.

Becky, who holds a "senior key" giving freedom of leaving and entering the dormitory at odd hours, says she has no trouble "regulating" herself. "I'm so scared I'll lose my key that I pin it to my sweater with a safety pin."

And she has no sympathy for those who are expelled from college for misuse of privileges.

Becky has now had the opportunity of casting her vote for the first time. She doesn't believe she was ready to vote at 18, but agrees that "maybe the boys who are drafted should be able to."

She is a member of Chi Omega, the Goodwin Society and was section editor for the yearbook at the college.

But Becky has had little chance to talk politics with her father. "We don't discuss issues," she explains. "He does talk to my friends about youth, trying to understand the problems of today.

"But he doesn't understand because of the generation gap," she adds. "He can say, though, that I don't know but I can tell you what the young people say."

That's one of the reasons she likes being "just Daddy's daughter."

RULE CHANGE RELATING TO INTRODUCTION OF IMMIGRATION BILLS

(Mr. CAHILL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CAHILL. Mr. Speaker, I take this opportunity to explain to the Congress a change in the rules of the Immigration and Nationality Subcommittee of the Judiciary Committee which will have a substantial effect upon private immigration legislation.

This change has become necessary to protect the integrity of our immigration system. I am firmly convinced that the new rule will be welcomed by the Members as an important measure of relief from increasingly heavy pressure to introduce private bills without merit and lacking in the equities necessary for ultimate enactment into law.

The new rule approved yesterday by the House Committee on the Judiciary simply provides that hereafter the introduction of private bills for visitors, exchange visitors and students, will not stay deportation. In other words, alien visitors will no longer be permitted to remain in the United States pending a final decision upon a private bill introduced to grant them immigrant status, unless the subcommittee finds justifiable grounds for an exception. I assure you Members with meritorious cases will always be able to petition the Subcommittee on Immigration for a waiver of the rule. However, thousands of aliens whose private bills have no chance for ultimate favorable decision will no longer be able to remain in the United States for long periods taking employment opportunities away from U.S. citizens, and subverting our immigration program.

The abuses to the corrected by this rule change have multiplied in the last few years. Initially, the introduction of a private bill automatically stayed deportation in all cases. In 1947, a rule was adopted that the subcommittee would not request reports from the Attorney General—thus staying deportation—on bills for stowaways, deserting seamen, and border jumpers. This rule was initially resisted by some Congressmen but soon became accepted and actually relieved Congressmen of embarrassing requests for private legislation in weak cases. In 1967, the rule was broadened to include those who entered the United States as transients en route to third countries and illegally remain in this country.

The agreement between the House committee and the Commissioner of Immigration and Naturalization has been that the Immigration and Naturalization Service will stay deportation in the case of any alien—other than a stowaway, deserting crewman, border crosser, or transient—who is the subject of a private bill introduced in the House on which the committee has requested a departmental report. The stay has not applied in the case of an alien in whose behalf legislation has been disapproved by either the House or the Senate committee unless the disapproving committee notified the Commissioner that further consideration would be given to that case. Reports were automatically requested, upon receipt of information as required by rule 4 of the Committee Rules of Procedure, in all cases except those as outlined in rules 6 and 11. If a case was not reached during the Congress in which it was first introduced, the reintroduction of that bill acted as a further stay of deportation until such time as the new Congress has had an opportunity to consider the case.

In recent years the number of private immigration bills to grant immigrant status to aliens who entered the United States as nonimmigrant visitors has multiplied to such an extent that the Immigration Subcommittee has been unable to remain current. In the 90th Congress, 6,278 private immigration bills were introduced—the largest number ever introduced in a single Congress. Of this number, only 216 were found meritorious and enacted into law. A total of 5,968 private bills were introduced in the House alone and 4,846 were pending—unable to be reached for decision—when the second session ended. At least 85 percent of these bills were for visitors, exchange visitors, and students.

Hundreds of those bills were first introduced in the 89th Congress and consequently the subjects have been permitted to remain in the United States for as much as 4 years under the protection of the bill—in most cases after approximately 1 to 2 years of temporary residence in this country prior to introduction. In almost all cases, they are separated from the closest members of their family. Many have wives or husbands and children residing abroad. Others, single beneficiaries, have parents abroad as well as brothers or sisters both here and abroad.

As you can see, the introduction of such large numbers of private immigration raises questions and has significant consequences.

First, with a total immigration of 170,000 per year authorized by general law—outside the Western Hemisphere which had unlimited immigration until July 1, 1968—to have over 6,000 private bills—many involving more than one person—in a 2-year period is a rather high number of proposed exceptions to the general law.

Second, unfortunately, it has become increasingly obvious that a large number of aliens are coming to this country under the false claim that they are nonimmigrant visitors when, in fact, they intend to seek employment and remain here permanently. When they are detected violating their visitor status by overstaying their authorized stay, and by taking employment, they importune Congressmen to introduce a private bill to grant them immigrant status.

The fact is that, except for a very, very few, these bills are of a nature that could not possibly receive favorable action under almost any circumstances. You may be interested to know that the 90th Congress enacted private immigration bills benefiting only 10 persons in the categories of nonimmigrant aliens affected by the rule change.

Most bills merely buy time for beneficiaries to stay in the United States and build up equities or qualify administratively for admission while the subcommittee falls further and further behind in its docket. That is a large proportion of the bills have no chance for ultimate favorable consideration under established policies—but by reason of their introduction they permit some aliens to stay in the United States, marry U.S. citizens and take employment, raise U.S. children, and as a result, gain preferred positions for admission under general law. A situation exists where the introduction of private bills is being used primarily as a delaying tactic to prevent deportation—bills with no chance of favorable action but which, by their introduction, buy time during which the beneficiary may qualify under the general law. The subcommittee has always looked with disfavor upon such bills since they would benefit those who violate the law over aliens who apply for immigrant status in the home country under the general law and patiently wait their turn for admittance.

A final unhappy consequence of the huge volume of private immigration bills is that the Immigration Subcommittee is delayed and obstructed in its consideration of the good and meritorious private bills and the important task of dealing with needed changes in the general law.

I suggest that the reasons for the rule change are obvious and new policy has been long overdue. Members need have no fear that the new rule will prejudice them with respect to private immigration bills of merit. The rule can be waived upon showing a good cause. Thus, if an alien, by reason of an unusual set of circumstances, has valid and equitable grounds justifying a private bill, the subcommittee has procedures whereby deportation can be stayed and the Member heard. I can assure you that for my part, and I am confident I speak for all minority Members, the rights of every Member will be fully protected.

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BILL TO LIMIT FARM PAYMENTS

(Mr. FINDLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. FINDLEY. Mr. Speaker, today I have introduced a bill to redirect toward more constructive uses some of the tax money now being invested in farm program payments.

My bill has three sections:

First, a provision limiting to $20,000 the aggregate annual payments under the various farm programs which can be made to any single farm, and limiting to $10,000 the annual payment for any single program.

According to a study completed in the final months of his administration by Agricultural Under Secretary John A. Schnittker, these limitations would achieve budget savings of about $300 million a year "without serious adverse effects on production or on the effectiveness of production adjustment programs."

Second, a provision increasing by $100 million annually the authorization for food stamps. The present ceiling is $340 million, and my proposal would bring the total to $440 million for fiscal year 1970 under a comparable increase for the first 6 months of 1971.

Third, a provision increasing by $100 million annually the authorization for water and sewer system grants to rural communities under the Farmers Home Administration. The present ceiling is $50 million annually, and my proposal would bring the total to $150 million.

If my district is typical, and I believe it is, every congressional district with rural areas has many small towns and villages where water and sewer facilities are substandard. In fact, several in my district have been declared by health authorities to be unfit, but because of the financial position of the population, and rising construction costs, modern facilities simply cannot be built without some grant money.

In effect, my bill would take some of the money now going to millionaire farmers and spend it in ways more constructive to the economic health of rural America. The money invested in food stamps would not only help to meet the nutritional needs of low-income people throughout the United States. It would benefit farmers by creating additional cash markets for their produce.

The money invested in rural communities through grant assistance in water and sewer improvement would help meet basic needs for people living in those communities—many of whom are elderly and attempting to survive on social security income. Equally important, it would make these smaller communities more attractive as places for younger people to live and work, and hopefully attract industrial growth, which in turn will help to reverse the trend which concentrates people in explosive big-city circumstances.

The diversion of funds by the testimony of no less an authority than former Under Secretary Schnittker will not impair seriously the effectiveness of existing commodity programs. At the same time it will eliminate the anomaly under which some farming interests have collected annual payments as high as $1 million a year.

Last year, in connection with my efforts to establish a $20,000 limitation on payments, I inserted in the Congressional Record, volume 114, part 20, pages 26044–26089, a list of each farmer in the United States receiving in 1967 payments exceeding $20,000.

Under my bill, these farmers would continue to be eligible for $20,000 a year but no more. In my view, it makes sense to shift some of the above $20,000 in payments from these individuals to Food Stamps and rural community development.

My proposal also provides relief for the U.S. Treasury and the citizens who support it. The limitation would yield a budget saving of about $300 million, and after $100 million each is diverted to food stamps and rural community development, approximately $100 million a year would remain for net budget reduction.

Information concerning the USDA study of the effect of payment limitations and the attitude of Dr. Schnittker are set forth in the attached articles, the first being an Associated Press report dated Monday, and the second an article by Burt Schorr which appeared in the March 3 issue of the Wall Street Journal:

[From the Wall Street Journal, Mar. 3, 1969]

Battle on Limiting U.S. Farm Payments Likely To Be Revived by Agency Proposal

(By Burt Schorr)

Washington.—The ceiling on Government payments to farmers could be set as low as $5,000 per crop program and $10,000 per farm "without serious adverse effects on production or on the effectiveness of production adjustment programs."

That's the gist of a proposal worked up by Agriculture Department Democrats a few weeks before they left office. It's likely to revive a heated wrangle over limiting Government payments to farmers.

The proposal never got beyond a draft policy statement polished by then Under Secretary John A. Schnittker. The reasons: White House enthusiasm for a payment-ceiling study apparently evaporated after the November election, and Mr. Schnittker's boss, Secretary Orville Freeman, found it difficult to reverse his prior public position that payment limitations would destroy the supply-management effectiveness of major crop programs.

But the draft is currently being read with interest in Congressional and Executive Branch offices here and seems to offer the sharpest blade yet for Capitol Hill liberals bent on cutting back big crop payments to well-off farmers. The case for payment lids seems likely to get far wider attention if, as expected, Mr. Schnittker is called as a Congressional hearing witness later this year.

BREAKDOWN BY CROPS

For one thing, a table appended to the draft statement supplies the department's first payment breakdown on producers getting $10,000 or more under each of the cotton, feed-grain and wheat programs. Federal payments to individuals of $5,000 and up from all the programs combined have been available for two years. But a breakdown by crops—considered an essential step in limitations planning—had been lacking.

In 1967—the year on which the Agriculture Department's calculations were based—cotton payments exceeding $10,000 each went to nearly 8,200 growers, who accounted for almost half of total U.S. cotton production. The overall cotton payments in excess of the hypothetical $10,000 ceiling amounted to $262 million, or more than five times the excess for wheat and feed grains combined. Among the recipients was Sen. Eastland; the Mississippi Democrat and members of his family collected a total of $211,000 in crop payments that year, mostly for cotton-program participation.

By comparison, only 850 wheat growers, producing a mere 1% of total U.S. wheat in 1967, received more than $10,000 each in wheat payments. Similarly, fewer than 4,600 producers of feed grains (primarily corn and grain sorghums), with about 10% of overall U.S. production, got more than $10,000.

Based on the findings of this new computer analysis, the Schnittker draft concludes that a payment ceiling as low as $5,000 per program and $10,000 per farm could be imposed. But it suggests that a limit of $10,000 per program or $20,000 per farm is a more realistic objective.

Budget savings of perhaps $300 million annually could be expected on the more than $3 billion Uncle Sam currently pours into direct farm payments, the Schnittker draft contends. Advocates of payment limitations envision money saved in this manner being reallocated to fatten Government food aid to the poor or to job training and land retirement for low-income farmers.

As might be expected, top Republican newcomers at the Agriculture agency are reserving judgment until the Nixon Administration has time to investigate payment ceilings on its own; nonetheless, one of them confides that if limitations worked as touted, "we could all be heroes." Even if benefits from such a program don't live up to expectations, one department economist believes a limit on payments would be an important transitional step toward reduced Government intervention in commodity marketing—a long-term objective of the new Administration.

A HANDY TARGET

Whatever the practical arguments, fat Federal payments, particularly to big cotton and sugar planters, clearly have become a handy target for those who charge that farm subsidies make the rich richer and dont do enough for poor rural residents. There already is a $2,500 ceiling on conservation payments, while the sugar program has a sliding scale weighted to smaller growers, but no top limit. Of the five payees receiving more than $1 million from Uncle Sam in 1967, two were in the sugar program and three in cotton.

Last summer, liberal Republicans and Democrats in the House joined forces to tack a $20,000 payment ceiling on the bill extending major crop legislation for one year. The amendment later was eliminated from the final House-Senate version, but leaders in the ceiling fight made it plain they will raise the issue again. When they do, the Schnittker draft policy and the crop-by-crop payments breakdown it discloses are bound to be wielded as one of their biggest weapons.

Supporters of the Schnittker draft contend a $10,000 ceiling would affect so few wheat farmers that there wouldn't be any significant harm if some of them dropped out of the program to produce their crop without regard to Government acreage restrictions. The threat of a surplus buildup resulting from ceilings for feed-grains payments is somewhat greater, but proponents of the $10,000 limit contend this can be offset by sweetening acreage-diversion inducements for smaller growers.

To make payment limitations as painless as possible under all three programs, the draft suggests imposing them gradually over a three-year period. Wheat and cotton producers also might be allowed increases in their acreage allotments commensurate with

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their payment decrease, while feed-grain producers could be permitted similar reductions in land diversion required under the Government program.

Mr. Schnittker believes that, given such an opportunity, producers of high-quality cotton in the Mississippi River delta, Arizona and California, where farms tend to be big and efficient, would elect to expand acreage.

This is sharply disputed by payment-ceiling foes. Horace D. Godfrey, former Agriculture Stabilization and Conservation Service administrator who now is Washington representative for domestic sugar cane growers, asserts total cotton production costs simply are too high for this to happen.

The counter argument for some department economists is that such calculations are distorted by inflated cotton land values; they say operating costs, which include fertilizer, seed and labor, would be a better guide—a view bolstered by continuing pressure from Western growers for increased cotton acreage allotments.

What both sides agree on is that intensive computer studies are needed to determine what cotton growers would do when faced with a ceiling—turn to livestock, perhaps causing still more rural unemployment; switch to alternative crops like soybeans or vegetables, and maybe soften prices for those commodities; or remain in cotton.

One Government cotton expert believes there would be a tendency for big landowners to lease or sell their cotton tracts to bring payments within any ceiling. Others predict more troublesome methods of avoiding the ceiling's effect would develop. Even a $20,000 limitation would produce an "absolute administrative monstrosity," warns Mr. Godfrey, who as ASCS chief oversaw compliance with crop programs. One of his predictions: Landowners who lease cotton acres to tenants and take the Federal payments as rental might instead opt to give each tenant the Government cash—thus keeping individual payments within the ceiling—and take all fiber raised as rental.

The Schnittker draft acknowledges that ceiling-evasion tactics would present "serious administrative problems." Any ceiling "would need to be backed up by a firm policy against such farm-splitting," it adds. "There would need to be strict, uniformly administrated regulations to back up the law. As much as one-third to one-half of the potential savings might otherwise be lost," the draft warns.

Even without such calculated evasion, farmers who serve on the ASCS committees in each county might be hard-pressed to determine bone fide changes in family farm partnerships and small corporations. "It would be impossible for Washington, for a state administrative committee, and especially for a farmer-elected county committee to distinguish changes for causes other than those which would be a direct result of payment limits," the draft states.

But the draft concludes that such problems aren't decisive and "are not good reasons for opposing payment limits."

Schnittker Would Limit Farmer Aid

Dr. John A. Schnittker, former Under Secretary of Agriculture, says he favored some type of limitation on Government payments to farmers during the later years of the Johnson Administration. But he said he kept silent because it would have been against Democratic policy to speak out.

Johnson farm policies, spearheaded by former Secretary of Agriculture Orville L. Freeman, were strongly opposed to any ceilings on direct farm payments, which last year totaled about $3.5 billion.

Schnittker, an agricultural economist, is now with the Alfred P. Sloan School of Management at Massachusetts Institute of Technology, Cambridge, Mass.

He said in a telephone interview yesterday that when large surpluses of major crops such as wheat, cotton and feed grains existed in the early 1960s "there was some merit in opposing payment limitations," but that after 1964 or so when stockpiles were reduced "that's when I came around to having some thoughts about limitations."

Schnittker said he dissented privately with the Johnson Administration on this subject, but now, he said, there is need for a public airing. He said he would be glad to testify at any Congressional hearings if asked.

Schnittker said that for the first time Congress has enough facts to determine the question and that he "would try to show that limitations would not wreck farm programs."

Freeman and other Johnson farm leaders contended that restricting payments would force large-scale farmers from Federal production control programs.

SENATOR MILTON YOUNG MARKS HISTORIC ANNIVERSARY

(Mr. ANDREWS of North Dakota asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. ANDREWS of North Dakota. Mr. Speaker, on March 12, 1945, Milton R. Young, of La Moure, N. Dak., was appointed to the U.S. Senate by Gov. Fred G. Aandahl to fill the vacancy caused by the death of John Moses.

Prior to that time, he served on the school township and on his county AAA boards and was elected to the State house of representatives in 1932, the State senate in 1934; was elected president pro tempore of that body in 1941, and majority floor leader in 1943.

"Mr. Wheat," as he is affectionately referred to by the Members of the other body and by our fellow farmers in North Dakota, was elected to the U.S. Senate in 1946 and reelected in 1950, 1956, 1962, and 1968, each time by a large majority reflecting the love and respect his fellow North Dakotans have for him.

He is now the second ranking Republican in the Senate in terms of seniority, ranking minority member of the Senate Appropriations Committee, and second ranking on the Agriculture and Forestry Committee, as well as secretary to the Republican conference.

Today, on his 24th anniversary in the Senate, Milton Young has now served North Dakota in Congress longer than any other man in the history of our State.

I am pleased to call to the attention of my colleagues Milton Young's distinguished record of service to our State and to the Nation.

ANTITRUST LAWS MUST BE AMENDED TO PROVIDE FOR NEW COMPETITION

(Mr. BELCHER asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. BELCHER. Mr. Speaker, it is the purpose and intent of the antitrust laws to foster and preserve competition wherever possible. This admirable goal has been perverted, however, in the application of the antitrust laws to newspapers, and more particularly to joint operating arrangements. Newspapers have entered into joint operating arrangements, that is a merging of their commercial functions, when there is not enough of a market to support commercial competition between them. By entering such an arrangement, the two papers are able to preserve two separate news and editorial voices for the cities involved.

Obviously, the ideal would be to have both commercial and editorial competition. We must recognize, however, the economic facts of life as they apply to newspapers. In city after city across the country newspapers have died and are dying. They compete for advertising with TV, radio, weekly shopping guides, magazines, and billboards. There just is not enough of a market to support full commercial competition by two papers in all but a very few cities. This economic law can be neither repealed nor amended.

We still have the opportunity of providing competition in news and editorial services. Through the use of joint operating arrangements, 22 cities today have such competition, and the "newspaper preservation bill" would assure that this competition will continue.

This Nation can ill afford to have a news voice stilled. Yet, the clear result of the Supreme Court's decision in the Tucson newspaper case would be to still 22 such voices. Such a result is contrary to the intent and purposes of the antitrust laws, which must be amended to provide for news competition.

CHANGES IN RULES OF PROCEDURE AFFECTING PRIVATE IMMIGRATION BILLS

(Mr. FEIGHAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. FEIGHAN. Mr. Speaker, the rules of procedure for Subcommittee No. 1, Immigration and Nationality, were adopted yesterday by the Committee on the Judiciary. There is a significant change in the rules which I wish to bring to the attention of the Members of the House.

Prior to the adoption of the new rules, rule 6 of the rules of procedure stated:

> The Subcommittee shall not address to the Attorney General communications designed to defer deportation of beneficiaries of private bills who have entered the United States as stowaways, in transit, or deserting seamen, or by surreptitiously entering without inspection through the land or sea borders of the United States.

Rule 6 has now been amended to include visitors, exchange visitors, and students within the purview of this rule. Consequently, the introduction of private immigration legislation in behalf of a visitor, exchange visitor, and student, will no longer automatically stay deportation of an alien who has violated the terms of his admission to the United States.

This change in the rules was necessitated by the increasing number of private immigration bills obviously lacking in merit and introduced merely to stay deportation. The subcommittee unanimously agreed that it cannot condone the actions of nonimmigrants who violate their status and then exert every possible pressure on Members of Con-

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gress to have private legislation introduced to stay their deportation.

At this point, let me assure the House that the rules of procedure furthermore provide for an exemption from this rule if the subcommittee determines that the consideration of a private bill is solely designed to prevent an extreme hardship. As we have in the past, we shall continue in the future to give every possible consideration where the author submits evidence establishing a need for private legislation to alleviate or avoid extreme hardship.

The private immigration bill, as an extraordinary remedy, should be resorted to only after every possible administrative remedy has been exhausted and there still remains sufficient hardship or unusual circumstances to justify action by the Congress. During the 90th Congress, 6,278 private immigration bills were introduced—the largest in any Congress—and of this number only 216 became private law, 915 were adversely acted upon for lack of merit or because they were unnecessary, and 4,846 bills were left pending.

Eighty-five percent of the private bills introduced in the last Congress were in behalf of students, exchange visitors, and visitors.

The committee has consistently adhered to the policy of not acting favorably on private bills designed to take one intending immigrant out of turn for permanent residence to the obvious detriment of other immigrants who are patiently waiting abroad for the issuance of a visa. If there are more aliens desirous of immigrating to the United States than the law provides, the only orderly procedure is to get a place in line and await the proper turn.

The overload of private immigration bills, although the committee has diligently considered private bills week after week, makes it impossible to consider every bill introduced during the session of Congress and delays consideration of worthwhile private bills which the committee is prone to approve. The consideration of dilatory private bills sacrifices valuable time of the subcommittee, the full committee, and the Immigration and Naturalization Service and the Department of State as well. The delay in deportation that a private bill might have given to a visitor who has violated the terms of his admission is not justified by the great expense both in time and money.

Private bills have over the course of the years demonstrated a need to amend the general law. The committee has responded to the need and legislation has been recommended to Congress. Examples of public legislation enacted as a result of private bills have been waivers of the grounds of excludability based upon tuberculosis, convictions of crime, mental retardation, misrepresentation, and the admission of adopted children.

Such examples have perfected the general law and carry out the policy of reuniting families. Bills designed to take an alien out of turn circumvent the law and violate the basic immigration policy of first come, first served.

The committee is ever cognizant of the fact that there are areas in the Immigration and Nationality Act which may require amendment. The committee has studied these areas and will continue to hold hearings on possible amendments to the law.

THE 10TH ANNIVERSARY OF HAWAIIAN STATEHOOD

The SPEAKER. Under previous order of the House, the gentleman from Hawaii (Mr. MATSUNAGA) is recognized for 60 minutes.

Mr. MATSUNAGA. Mr. Speaker, exactly 10 years ago, on March 12, 1959, by an overwhelming vote of 323 to 89, this great House of Representatives approved "an act to provide for the admission of the State of Hawaii into the Union." The Senate had approved the same measure on the previous day by a 76-to-15 vote.

How vividly I can recall that momentous occasion. The Hawaii Territorial Legislature was then in session. In expectation of a final vote in the U.S. House of Representatives, the Hawaiian legislators had declared a recess and gathered in the throne room of Iolani Palace, which was then serving as the house chamber. I was the majority leader of the house at that time. The Honorable John A. Burns, Hawaii's Delegate to Congress, was in direct telephone communication with us from the cloak room and was relaying to us a blow-by-blow description of the events on the floor of this House. The receiver at the other end of the line was hooked up to an amplifying system in the throne room of Iolani Palace.

When the final vote was announced, there followed a spontaneous deafening cheer which must have lifted the rafters of the throne room—but only for a moment, for a strange and almost unbelievable thing happened. Every member of that tumultuous gathering suddenly found himself gripped by a mystic silence, and, as if guided by an unseen hand, all present joined in silent prayer, with heads bowed, some kneeling, many with tears welling in their eyes, to thank God for the great blessing He had seen fit to bestow upon Hawaii's citizens and to ask Him for His divine guidance in their new and heavier responsibilities. I can never forget the excitement and the gaiety, topped by the overpowering solemnity of that great occasion.

Mr. Speaker, when we of Hawaii were knocking at the congressional door, asking to be admitted into the Union, we contended that as a State we could make greater contributions to the Nation than as an incorporated territory; that we would serve as a showcase of American democracy in the vast Pacific region; that we would help to bridge the gap of understanding between the East and the West; that we would develop a viable State economy and become an asset rather than a liability to the Nation as a whole.

After only a decade of statehood, we believe we can now safely ask "Did we not tell you so" and expect an unconditional affirmation.

That Hawaii continues to be, as Mark Twain described it, "the loveliest fleet of islands anchored in any ocean," is obvious to anyone who has enjoyed its eternal spring climate, its swaying palms, its white beaches, and emerald lagoons. Our lovely hula maidens beckon to our shores peoples from all parts of the world—over a million of them last year. Fortunately, statehood has not changed this.

The people too have not changed, for they have continued to assume their responsibilities as full fledged American citizens. We of Hawaii realize that Hawaii today represents a bridge between the East and the West for international cooperation and world peace, and we accept that responsibility.

Working together in harmony and in concert toward their own social, political, economic, and cultural betterment, the people of Hawaii, people of diverse cultural origins, have proven that Hawaii is indeed the showcase of American democracy. All the anthropologists, sociologists, poets, and romanticists who have written about Hawaii agree on this point.

In delivering his first major civil rights speech on June 8, 1963, our late beloved President, John F. Kennedy, stated that he had chosen to speak in Hawaii, because "Hawaii is what the United States is striving to be."

In our struggle to maintain our friendship with the Afro-Asian nations, we must as a nation, exploit Hawaii's offerings to the fullest. We must take full advantage of Hawaii's great human resource. One of the greatest investments we have ever made in peace is represented in the East-West Center, brought into being by the principal efforts of the then Senator Lyndon B. Johnson, the then Delegate to Congress from Hawaii, John A. Burns, and Congressman JOHN J. ROONEY, of New York. At this great institution Asians and Americans have been granted, and continue to have, an opportunity to meet one another in an academic and social environment which lends itself to a dynamic program of interchange in which the participants begin better to understand one another's problems, and to work out mutually acceptable solutions. How much better this is than deciding issues on the battlefield. That most Americans realize this, is evidenced by the nationwide support which the East-West Center has received. We must continue and expand this support if we are to retain our leadership in man's quest for international cooperation and world peace.

Mr. Speaker, on this 10th anniversary of the passage of the Hawaii statehood bill by the Congress, I rise to thank those 147 Members who voted to approve that measure and who are still Members of this august House. I wish to thank also those who voted against Hawaii's admission, but who have since realized their mistake and helped in different ways to make Hawaii the great State that it is today. As one of Hawaii's Representatives to Congress, I assure you that the people I represent are a truly grateful people. They are resolved to continue to prove to their fellow Americans that their gratitude is only exceeded by their willingness to contribute their full share toward a greater America in a better world.

In the words of Hawaii's able Governor, John A. Burns, in its first decade of statehood:

> Hawaii has become the young living, throbbing Heart of the Pacific—no longer merely the inanimate hub, or step-stone, or bridge, or tropical resort—but an example of vibrant life at its best, and an inspiration for millions. In this Heart—small in size but pulsating with the vitality of many Pacific, Asian, American and European races and cultures—there lies a deep empathy for the many moods of the world and an intuitive appreciation of the yearnings and desires of all mankind.

I yield to my colleague, the Congresswoman from Hawaii, Mrs. MINK.

Mrs. MINK. Mr. Speaker, I rise today to commemorate an historic event that occurred in this House 10 years ago. On the morning of March 12, 1959, this House passed the bill granting statehood to the American Territory of Hawaii. The vote was overwhelming—323 to 89—the bill having passed the Senate the previous night. Three hundred and twenty-three Members of this House voted to make Hawaii the 50th State of the American Union, and many of them had worked hard toward that goal for a long time before that final vote.

On behalf of the people of my State, I wish again this year to offer our commendations and expressions of great gratitude to those 323 Members who voted in our favor, though not all are still here. They placed a great confidence in the people of Hawaii, and the people of Hawaii have fully justified that confidence.

The first decade of Hawaiian statehood has been dynamic years of great accomplishment and progress. Statehood created a new awareness of Hawaii by the people of the mainland States, and many more came to visit our shores than ever before. Ten of thousands who came as visitors to the new State fell in love with it and stayed; they are there now—the new citizens of Hawaii.

The decade of statehood has seen Hawaii grow in every way that a State can grow. We have more people, and so, more homes and schools, more business activity and more new industries that have been attracted to the newest State.

The decade of statehood has been a story of continuing success, year after year. This is clearly indicated by all the indices used to measure economic activity. Population, employment, personal income, construction, agricultural product, retail sales, manufactured product, foreign trade, and government expenditures have all increased yearly during the last glowing decade. And all the economic prognosticators agree that the Hawaii boom has but begun. Many of the country's most astute businessmen seem to agree, for they are investing in Hawaii in increasing numbers and in growing dollar volume. The people of Hawaii have reason to feel economically secure.

But business activity is not the only measure of a community's life, and in Hawaii, there is much more to be proud of. The cultural and political life of our State is vibrant and exciting. The University of Hawaii is a vigorous and growing institution with an enrollment of nearly 20,000. The East-West Center shares the university campus and attracts students and scholars from all over the world; and the cultural and intellectual exchange at the center is most stimulating to all involved. The Honolulu Symphony Orchestra has attained such stature that Igor Stravinsky was recently a guest conductor, and Van Cliburn, Mischa Elman, and Leonard Pennario have appeared as featured artists.

Hawaii has come a long way since the advent of statehood, and we are pleased with our accomplishments. But we are not resting on them, we have pledged ourselves to the continuing pursuit of excellence.

When this House voted on the question of statehood 10 years ago, the vote was overwhelming, but not unanimous. Today I believe it would be.

Mr. MATSUNAGA. Mr. Speaker, I thank my colleague for her contribution.

I yield now to the great majority leader, a friend of Hawaii and one who voted for the admission of Hawaii.

Mr. ALBERT. Mr. Speaker, I appreciate the gentleman yielding.

I congratulate the gentleman from Hawaii on his fine speech, and I congratulate the gentlewoman from Hawaii on her fine speech. I congratulate Hawaii on the outstanding representation it has in the House of Representatives. I also congratulate the State of Hawaii on its 10th birthday, and above all, I congratulate our country for being able to number Hawaii as one of the 50 States. It is truly one of our greatest States.

Mr. Speaker, it is with deep satisfaction that I recall my support 10 years ago of the bill which when passed admitted Hawaii as the 50th State of the Union. With that action we strengthened the United States beyond our power to measure. I believe that of all Americans, Mark Twain would find greater joy in the success story of this wonderful land that stretches 300 miles across the Pacific. Written long years ago, these are words he used to describe it:

> No alien land in all the world has any deep, strong charm for me but that one; no other land could so longingly and beseechingly haunt me, sleeping and waking, through half a lifetime, as that one has done.
>
> Other things leave me, but it abides; other things change, but it remains the same.
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> For me its balmy airs are always blowing, its summer seas flashing in the sun; the pulsing of its surfbeat is in my ears; I can see its garlanded crags, its leaping cascades, its plumy palms drowsing by the shore, its remote summits floating like islands above the cloud rack; I can feel the spirit of its woodland solitudes; I can hear the plash of its brooks; in my nostrils still lives the breath of flowers that perished twenty years ago.

And now that beautiful chain of islands has become an integral part of our great Nation espousing and defending its ideals of freedom and of liberty.

Several things make Hawaii a distinct and different State. Outside of Oklahoma, when it was admitted to the Union, its people existed in greater number than any other territory. As a territory and a State it has peacefully integrated the races of the earth. Eugene Fodor is authority for the statement that no less than 64 possible racial combinations can be found in Hawaii. It might also be noted that Hawaii is the only American State that is entirely tropical. Again I quote from Mr. Fodor:

> The islands have a tropical beauty of dazzling flowers, bright red soil, pineapples and wind swept storms that cannot be matched in the other 49 States. It serves an unparalleled function as America's gateway both to the South Pacific and to Asia.

When we admitted Hawaii as a State we partially repaid its heroic warriors of World War II. They were soldiers of which this Nation is immensely proud. They became the most decorated units in American military history. No Americans were braver. None were more steadfast. None were stronger in the teeth of adversity.

Now, after 10 years of statehood, Hawaii is making superb progress. Its people live in peace and in prosperity. Each passing year marks the increase of its wealth. At the end of its first decade, we can all rejoice in this great State, and as we welcomed her 10 years ago, we proudly recognize her greatness and her growth. All hail Hawaii, our gem in the west, the "paradise of the Pacific"—the 50th star in Old Glory.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. MATSUNAGA. Mr. Speaker, I yield to the gentleman from Michigan, the minority leader.

Mr. GERALD R. FORD. Mr. Speaker, I appreciate the gentleman from Hawaii yielding on this very auspicious occasion, the 10th anniversary of statehood for the State of Hawaii. I share all of the views expressed by the gentleman from Hawaii and the gentlewoman from Hawaii. I consider it one of the best votes I ever cast when I supported statehood for Hawaii—and also statehood for Alaska. It seemed to me that both, on the basis of all criteria, fully warranted and deserved statehood.

I might add there has been no disappointment from my point of view. The quality of the representation in both the other body and in this body has been excellent, although, of course, I have differed with Hawaii's Representatives at times. I naturally have wanted more representation on our side of the aisle, and we are hopeful that might materialize at some future date.

I say again, however, as I said a moment ago, that those who serve Hawaii in the other body and those who serve her here have done an outstanding job in representing the viewpoints that exist in the 50th State.

May I wish for all the residents of the State of Hawaii the very best in the future. They have had 10 grand and glorious years, and I believe all Americans are happy and delighted that Hawaii became a State and has been such a great State in its first decade.

Mr. MATSUNAGA. I thank the minority leader. I appreciate his words, especially in view of the fact that we have two on the opposite side of the aisle from him. But statehood was a bipartisan matter, and I thank the gentleman for his vote 10 years ago.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. MATSUNAGA. I yield to the gentleman from Illinois.

Mr. PUCINSKI. Mr. Speaker, I should like to join my colleagues in paying tribute today on this 10th anniversary of Hawaiian statehood. I remember well the day, the debate, and the vote.

I certainly should like to join the others in saying it was one of the finest votes I have ever cast, and one I am always proud of.

There is no question that in the 10 years the people of Hawaii have proven time and time again how well deserving they were of statehood and the honor and glory they bring to this great Republic of ours.

I am particularly grateful to the people of Hawaii for the good judgment they have demonstrated in sending us the two outstanding and gifted legislators, the gentleman in the well, the gentleman from Hawaii (Mr. MATSUNAGA) and the gentlewoman from Hawaii (Mrs. MINK).

It is my great pleasure to work on the Education and Labor Committee with Mrs. MINK, and I never cease to be amazed at the thorough knowledge she has of the educational needs of her own State and of this country.

So we are grateful to the people of Hawaii for sending us these excellent legislators.

I might add one postscript. The State of Hawaii has a particularly warm spot in my heart, because when the 50-star flag became official on July 4, 1960, I made arrangements to have the Federal official flag flown over the Nation's Capitol for every school, every church, and every hospital in my district. I believe some 240 flags were flown on that day and night. Throughout my district today many of those institutions preserve these historic flags as beautiful mementos of the day when America became a Republic of 50 States.

I wish you well, and I wish the people of Hawaii well on this very auspicious occasion of her 10th birthday.

Mr. MATSUNAGA. I thank the gentleman from Illinois. His State has given great support to Hawaii. And I thank him for his vote 10 years ago.

Mr. CAREY. Mr. Speaker, will the gentleman yield?

Mr. MATSUNAGA. I yield to the gentleman from New York.

Mr. CAREY. I thank my distinguished colleague from Hawaii for yielding at this time. I join with him and with our very distinguished colleague, the gentlewoman from Hawaii (Mrs. MINK), in taking note of this historic occasion of the 10th birthday of the 50th State.

We have a special regard for Hawaii in the State of New York, because we well remember that it was a member of the New York delegation, a former distinguished colleague, the Honorable Leo O'Brien, from Albany, N.Y., who, as chairman of the Subcommittee on Territories of the Committee on Interior and Insular Affairs, led the long and successful fight to extend our Republic to where it truly belongs, including and bringing into the total strength in our democracy the great people of the great State of Hawaii.

As his successor as chairman of this important subcommittee, I have learned to respect and to regard very highly the work that was done.

We are especially fortunate, I believe, to have as a member of that subcommittee, the distinguished gentlewoman from Hawaii (Mrs. MINK), who has not forgotten the trust which is placed in her by the people who do not share the benefits of statehood. In every case in her service on the Subcommittee on Territories, and on the great Committee on Education and Labor, she has been most meticulous, and always remembers that there are other islands and other lands which are a part of America that are not within the Union at this time in terms of full representation and things of that sort.

So, point by point she has included the people of the trust territory who depend on us for so much—the people of American Samoa, the Virgin Islands, and the Commonwealth of Puerto Rico—in many, many important beneficial programs so that they can fully participate in the American dream. For this reason alone we owe the great State of Hawaii a tremendous, tremendous debt.

Let me say also that we of the Democratic Party are especially fond of Hawaii because you gave us the great keynoter for our convention last year, Senator DANIEL INOUYE, as well as our colleagues, Mr. MATSUNAGA and Mrs. MINK, who have in every way lent great distinction to this body in which we all serve.

I can recall there was a comedian after the last war who used to look at the map showing the Territory of Hawaii and say, "When a New Yorker looks at this map he has to ask himself the question, What is Hawaii doing way out there in the middle of the Pacific Ocean, anyway?" That question has now been answered. The answer is given in theology where there is a famous expression that the essence of beauty is variety. We of New York used to call our city the melting pot. A new melting pot now exists in the great Pacific Ocean. Here people of all faiths, all creeds, color, and nationalities, people of all points of view come together and live in sweet harmony.

I have had the great pleasure and privilege to be in Hawaii in the last year during the course of a visitation to the trust territory and to see what Hawaii has done for the United States. You have taught us a memorable lesson, which is that no matter how diverse people are and no matter how pluralistic the society in which we live may be, if you know the meaning of aloha and if you can live as a Hawaiian, you can live as a better American. You have taught us in a memorable and in a treasurable way how people can get along so beautifully. If the music of Hawaii pervaded our great land, we will know beyond all measure of material riches that we are a greater nation because 10 years ago we had dedicated men in this House who saw that we needed it to make us a more perfect union.

Mr. Speaker, I thank the gentleman for yielding to me.

Mr. MATSUNAGA. Mr. Speaker, I thank the gentleman from New York for his kind words.

In the event that the gentleman should choose to retire, we may employ him out in our Hawaiian Visitors Bureau and send him throughout the country for his wonderful words.

I am glad that he mentioned Mr. Leo O'Brien, because we in Hawaii well know that it was he who led the debate on the floor of this House to admit Hawaii as well as Alaska into the Union. I recall Leo saying to me once that the proudest moment in his life will be when he gets on his rocking chair out on the porch watching the Fourth of July Parade and when he can turn to his grandchildren and say, "You see those last two stars on this flag? I played a role in putting them there."

Mr. BURKE of Florida. Mr. Speaker, will the gentleman yield?

Mr. MATSUNAGA. I am glad to yield to the gentleman from Florida.

Mr. BURKE of Florida. Mr. Speaker, I thank my colleague from Hawaii for yielding to me.

I would certainly be remiss if I did not stand up here today to congratulate not only the great State of Hawaii but also the two representatives of that State here in Congress. I am impelled to do so because 10 years ago I was, fortunately, in Hawaii. Truthfully, it was the only time I was there, and that occasion was shortly after Hawaii became a State. Although I did not have the opportunity of voting to make our former territory a State, as many of my colleagues in the House did, nevertheless I want you to know that I, as an American, have been proud of the fact that you and all others in Hawaii joined the United States of America.

I was born and raised in Chicago. After my service in World War II I found Chicago weather quite cold and I looked for an area of the world that I thought would be a garden spot in which to live.

I would not want my constituents to take my statement out of context because I am extremely happy with the decision I made. I believe had I gone to Hawaii at that time, very likely I may have settled there, because it is the only State in the Union that I can compare as a garden spot of the United States with my own State of Florida.

Also, Mr. Speaker, with reference to both the gentleman in the well and Congresswoman PATSY MINK, I want to say that it is an honor for me to have the opportunity of serving with you. I may differ with you philosophically, but I certainly know you represent the people of Hawaii in a most efficient and able manner. I am proud to stand up and join in this tribute to your State.

Mr. MATSUNAGA. I thank the distinguished gentleman from Florida for his congratulatory words on this occasion.

Mr. HECHLER of West Virginia. Mr. Speaker, will the gentleman yield?

Mr. MATSUNAGA. I am happy to yield to the distinguished gentleman from West Virginia.

Mr. HECHLER of West Virginia. Mr. Speaker, the observance of the 10th anniversary of House passage of the Hawaii statehood bill is a special occasion. Not only does it mark the inclusion of what is now America's most southerly State, the only State separated from the North American continent; it marks, more importantly, the inclusion within the Union of a politically active and economically thriving State unusually aware of and alert to the pace of contemporary life.

Politically, Hawaii looks to the future. For example, the people of Hawaii achieved a legislative success of national significance last November when they approved amendments to the State constitution and complied with a U.S. Supreme Court mandate on reapportionment. By a margin of 2 to 1, Hawaiians approved all but one of 23 amendments recommended by the Constitutional Convention. Among the changes adopted were deletion of restrictions against naturalized citizens as candidates for the office of Governor; terms of 2 years only for newly elected State senators, thereby eliminating staggered terms; requirement of a State ethics code; elimination of literacy tests for voters; authorization of collective bargaining by public employees; and significant protections against invasion of privacy.

Economically, Hawaii continues to grow. The visitor industry advanced during 1967 by a record $98 million, or 32.4 percent—the largest single contribution to economic advancement. Federal Government expenditures in Hawaii were up $87 million, or 11.6 percent, while air and sea transportation industries continued to expand. Manufacturing was up $22 million in 1967, while major utilities, including electricity, gas, telephone, and water showed an 8.7-percent increase in sales. Personal income advanced $181 million, or 8.1 percent.

Hawaii continues to be ranked among those States with the greatest population growth, registering a gain of 6.5 percent last year. Furthermore, the harmonious racial relations of Hawaii's diverse population serves as a model for all the Nation to emulate. In short, this 10th anniversary of Hawaiian statehood should remind us all that the passage of statehood for Hawaii has proven to be one of the wisest and most farsighted decisions ever made by the U.S. Congress.

Mr. Speaker, I am honored to speak today in honor of the State of Hawaii on its 10th anniversary. I recall very clearly the day in March in 1959 when the vote came up on Hawaiian statehood. I had only been here for a period of 2 months and that was one of the first major votes I cast in the House of Representatives. I have never been prouder of a vote.

I am also extremely proud, as all of us are, of the representation which we have in the House of Representatives from the State of Hawaii.

I would like to ask the gentleman in the well if he had anything to do with putting the extra two stars up there in the ceiling of the Chamber of this, the greatest legislative body in the world?

Mr. MATSUNAGA. The gentleman is asking me whether I did have something to do with it?

Mr. HECHLER of West Virginia. Yes, I wonder if the gentleman from Hawaii would enlighten us on that point?

Mr. MATSUNAGA. Yes; I might say that I talked with the Speaker and if he were present in the Chamber at this moment I am sure he would verify the fact. I discussed the matter, about putting in the additional stars, with him for an entire year—one for Hawaii and one for Alaska. He finally did it. However, I understand it cost about $2,000 to put in those two stars because they had to build a very high scaffold all the way to the ceiling and I sometimes regret the cost involved in doing that.

I had had occasion to ask many if they had counted the stars in the ceiling and they would say "No." It seems that I was the only one who counted them and noticed the fact that there were two missing. However, when I bring my constituents here I am proud to point to that fact.

Mr. HECHLER of West Virginia. Mr. Speaker, if the gentleman from the great State of Hawaii will yield further, since the gentleman is also a student of the history of Hawaii I would like to ask him to tell us who was the king in Hawaii in 1840 and what was the great event that occurred in that year?

Mr. MATSUNAGA. It was King Kamehameha III.

Mr. HECHLER of West Virginia. I knew that the gentleman from Hawaii would have the correct answer at his fingertips. As I understand it, the year 1840 was the year in which the first constitution of Hawaii was promulgated by King Kamehameha III. I further understand that last year the voters of Hawaii approved, following a constitutional convention, their seventh constitution.

Mr. Speaker, all of us here are extremely proud of the progress that this great new State has made, and will continue to make.

Mr. MATSUNAGA. I might point out, since the gentleman from West Virginia is a very able college professor, that the first constitution had as its motto the Constitution of the United States. So that ideologically as well as politically we had that relationship with the United States way, way back. The Constitution of the United States and that of the Commonwealth of Massachusetts also played a part.

Mr. HECHLER of West Virginia. Mr. Speaker, I love Hawaii. I thank the gentleman and his very able colleague, Mrs. Mink, and congratulate them and the State of Hawaii upon this 10th anniversary.

Mr. MATSUNAGA. I thank the gentleman from West Virginia. I know he voted for statehood 10 years ago. I thank him for his comments.

Mr. JACOBS. Mr. Speaker, will the gentleman yield?

Mr. MATSUNAGA. I yield to the gentleman from Indiana.

Mr. JACOBS. Mr. Speaker, I sincerely wish to join my colleagues in wishing a very happy birthday to the State of Hawaii. It is certainly one of the healthiest 10-year-olds of our country and I wish to say that Hawaii very clearly is one of the most generous assets which the United States enjoys. Normally on one's birthday one receives presents. But, Hawaii has given to this Nation the very generous and able performance to us in the presence of the gentleman in the well, the gentleman from Hawaii (Mr. Matsunaga) and the distinguished gentlewoman from Hawaii (Mrs. Mink) is indeed one of the loveliest gifts we could receive from any State.

I further want to say that while Hawaii may be some distance out in the Pacific Ocean, since it has become a State it is much nearer to all our people, even those in the hinterland where I live, in the State of Indiana. Somehow at this time of the year Hawaii gives all of America a very warm feeling.

Mr. MATSUNAGA. I thank the gentleman from Indiana for his warm words.

Mr. Speaker, I will now yield to the gentleman from Missouri (Mr. Randall).

Mr. RANDALL. Mr. Speaker, I thank the gentleman very much for yielding.

I chose to stay on the floor and actively participate in this special order because this is the 10th anniversary of a very important day, and one which I remember so extremely well. Ten years ago today I was one who voted to confer statehood on Hawaii. That was the first vote on substantive legislation I cast as a Member of the House of Representatives. One day earlier I had voted "yea" on the procedural question on the rule for bringing up the Hawaiian statehood bill. I had been here only about a week, coming on March 3, 1959. I was here to fill a vacancy created by the death of the late and beloved George Christopher.

It is a privilege to join with you today in celebrating the 10th anniversary of passage of legislation to admit Hawaii into the Union. It is with gratitude and humility that I recall this is also my 10th anniversary as a Representative in Congress for the good people of Missouri's Fourth Congressional District.

We should recall Hawaii was an independent nation, with a king and a queen, until it became an incorporated territory in 1898 with the complete understanding that full statehood would follow as quickly as the people of Hawaii prepared for it.

Incidentally, I understand we will have an opportunity to see the king's palace on television tomorrow night. I am told that it is a scene of a part of the action in the program "Hawaii Five-0."

History will show that immediately upon becoming a territory, the people of Hawaii began their preparations for assuming the responsibilities of statehood. The first Hawaiian statehood bill was introduced in 1919. But the Congress was not only slow, but extremely slow in delivering on its promise of statehood. It was not until 1948 that serious action, promising early statehood for what is appropriately called the "Gem of the Pacific," was undertaken. The Senate failed to act that year, although the House passed a statehood bill by a vote of 196 to 133.

As stateside understanding grew as to Hawaii's contributions to the welfare of our country, so did support for her statehood. In the 81st Congress the House again passed such a bill, this time by a vote of 262 to 138. But again the Senate failed to act. In the 83d Congress, once again 274 House Members voted for Hawaiian statehood while only 138 opposed.

I have read that in 1957–58 the record will show Hawaii unselfishly withdrew from the statehood debates in order to give a clear road to the Alaskan statehood bill.

But 1959 was Hawaii's year. Although not yet a State, early in 1959 her area had the rank of 16 among the States in per capita income tax payments into the U.S. Treasury. Before admission, she had consistently been No. 1 among the States in meeting quotas for war bond sales. Quite interestingly, she was No. 1 on a per capita basis in Armed Forces enlistments. And she was No. 1 among the States in educational facilities. Illiteracy was practically unknown. It seemed destiny could wait no longer. After the Senate acted, the House cleared the way on March 12, 1959, by a vote of 323 to 89, for Hawaii to become the 50th State.

I am glad that it was the 86th Congress that voted statehood for Hawaii. Over 40 of the original 86th Congress freshmen are still in Congress. One now serves in the Senate. I doubt if this record of durability of the 86th Congress freshmen has been surpassed in all the history of the Congress.

But Hawaii's durability as a stronghold for democracy and responsible statehood will be more lasting. Acceptance of Hawaii into the Union had the effect of extending far out into the Pacific the glad hand of friendship and cooperation between the United States and the new free nations of Asia around the Pacific basin from Korea to Ceylon. I am proud to look back on the first vote I cast as a Member of Congress in favor of Hawaiian statehood. Today I am proud to salute the 50th State of the Union on its 10th anniversary.

Mr. MATSUNAGA. Mr. Speaker, I thank the gentleman from Missouri for his kind words, and I want to thank him on behalf of the people of Hawaii for the vote he cast in favor of Hawaii's statehood 10 years ago.

Mr. McCORMACK. Mr. Speaker, It hardly seems possible that 10 years have passed since Hawaii became the 50th State of the Union. For the industrious, prosperous, and patriotic Americans of the Aloha State, the first decade of statehood must have passed very quickly indeed.

I can remember as though it were yesterday the moment when I had the high honor and the personal privilege of introducing in this House, as majority leader, the bill for Hawaiian statehood. It was on March 12, 1959, 10 years ago today, that the House of Representatives passed this vitally important legislation by a vote of 323 to 89. I said then:

> The 86th Congress in the passage of this bill will go down in history as a historic Congress. I also want to compliment the leadership in the other body for the outstanding manner in which that leadership has acted in bringing about the early passage of this bill in the Senate in a period of about four or five hours. That is the kind of leadership the country needs. I particularly refer to that great leader and great American, the senior Senator from Texas, Lyndon Baines Johnson.

In 1959 the man who became the 36th President was the leader of the fight for passage of the Hawaiian statehood bill in the Senate of the United States. In 1954 it was to the man who was to become the 37th President that was addressed, as Vice President of the United States and President of the Senate, the petition to Congress for statehood of 116,000 Hawaiian citizens.

In requesting that Hawaii be admitted as our 50th State, supporters reasoned that statehood would bolster Hawaii's role as our defense outpost in the Pacific. This it has done. It was asserted that statehood would make Hawaii a center where the people of the Pacific could study and learn of our American traditions. This has happened. Statehood, it was argued, would demonstrate dramatically that the United States cherishes and practices the democratic ideal of her citizens' equality before the law, regardless of race, color, or creed. This has been demonstrated. The State of Hawaii has been, is now, and will continue to be, a shining example of the highest ideals of the American democratic tradition.

In the pages of the printed transcripts of committee hearings on Hawaiian statehood and in the pages of the Congressional Record reporting Senate action on the bill on March 11, 1959, and House action on March 12, 1959, can be found projections for the future of Hawaii as a State of the Union. These projections were made on the basis of the best available data, but they were all in error, because none of them came close to anticipating accurately Hawaii's magnificent growth and progress in the 10 years that were to follow.

Americans from every State travel to the newest State in record numbers. They come by the hundreds of thousands and contribute millions to the Hawaiian economy. Hawaiian economists believe that there will be at least a million tourists there in the year 1970. To meet expected demand, a hotel building boom is at this very moment changing the skyline of Oahu's Waikiki and the more picturesque spots on the neighbor islands of Kanoi and Maui, and the island of Hawaii. But tourists who insist on a Polynesian atmosphere can still easily find it on the neighbor islands. That many of them do so is shown by a recent increase in interisland travel.

Statistics, which reflect the hum of Hawaii's industrial and military activity and its vibrant and vigorous social and economic life, show that the Aloha State has more than fulfilled the destiny that was predicted for it when it attained statehood. Strong in the sagacity and integrity of its public leaders, in the planning of its scholars, and in the vitality of its people, the State of Hawaii will achieve an even greater future.

In the decade just concluded, Hawaii has, then, fulfilled every single one of the predictions that were made for her back in 1959. In most cases, the Aloha State has far exceeded the most optimistic forecasts and the fondest hopes expressed by those who supported her cause by voting their support of the bill that brought her long-sought and keenly desired statehood.

Those who have represented our newest State in Congress have shown high abilities and great dedication to their State and to their country. They have met the very highest standards of performance, as holders of public office, as Americans, and as proud Hawaiians. For this they deserve our highest praise and our most sincere congratulations.

In Representatives Mink and Matsunaga, in Senators Inouye and Fong, the Aloha State has found leaders who work tirelessly for their constituents, for their State, and for the best interests of the United States. I am proud to serve in this body with my distinguished colleagues Mrs. Mink and Mr. Matsunaga. I congratulate them on the occasion of this tenth anniversary of their beloved Hawaii's statehood, and I congratulate the citizens of Hawaii for having sent such able and eminent Americans to represent them here in the House of Representatives of the United States.

Mrs. GRIFFITHS. Mr. Speaker, in its 10th year of statehood, Hawaii today stands as an inspiring example of democracy and the American way of life. It is an honor to send along to the wonderful and industrious citizens of our 50th State a few words of congratulation on their 10th anniversary.

It is undisputed that economically and geographically Hawaii is extremely essential to the well-being of the Union. Because these facts are clear I wish to center my remarks on our good friends and fellow citizens, the Hawaiian people.

One of the phenomena of Hawaii is the manner in which fragrant wreaths of fragile flowers form strong bonds of lasting friendship.

Friendship is Hawaii's greatest product. If there were some way of measuring the State's contribution to American culture, in a manner comparable to that used to estimate Hawaii's contribution to the economic wealth of the Nation, friendship would be at the top of the list in a position at least equal to that occupied by sugarcane and pineapples on the asset side of the ledger.

To residents of Hawaii, being friendly is good business, as well as a revered heritage. By being friendly with each other despite numerous interracial barriers and differences, they have been able to work together profitably.

Hawaiian hospitality—traditional friendly welcome accorded visitors—has been as important a factor as climate and scenic grandeur in making the tourist trade one of Hawaii's largest industries.

But this does not mean that the islanders have a price on their friendship, nor that the symbol of friendship is the dollar sign.

The symbol of friendship in Hawaii is the lei—a garland of flowers. The lei, however, is more than just a symbol; it is an instrument for keeping the spirit of good will perennially vigorous.

Wearing and bestowing the lei is a custom which has transcended racial lines in Hawaii; Japanese, Chinese, Koreans, Germans, Filipinos, Puerto Ricans, and Portuguese, as well as Hawaiians, have adopted the garland for use along with their individual customs.

East and West have met in the circle of the lei in our proud 50th State.

This month commemorates the conferring of statehood on the territory of Hawaii; let it also remind all Americans that, like the citizens of Hawaii, we too can overcome our differences by the simple practice of friendship.

Mr. DULSKI. Mr. Speaker, I well remember the occasion 10 years ago when I had the opportunity to vote in the House on the Hawaii statehood bill.

It was an occasion to which I had

looked forward, because statehood for Hawaii had been one of my campaign issues in the previous year when I was making my first bid for a seat in Congress.

After I came to Congress, I counseled with one of the great friends of Hawaiians, the Honorable Leo W. O'Brien, then a member of this House and one of Hawaii's strongest supporters in the Committee on Interior and Insular Affairs. His enthusiasm further bolstered my backing for statehood.

The admission of Hawaii to statehood came on August 21, 1959, and since that time Hawaii has made a considerable record of accomplishment and is to be commended for the excellent team of legislators which it has been sending to Washington to join us in dealing with the Nation's business. I cite in particular the two members—the Honorable Spark Matsunaga and the Honorable Patsy T. Mink—who are leading this recognition today.

I have had the pleasure of visiting the 50th State several times in the past decade while on committee business.

I recall in particular the royal welcome we received on an early visit when I chaired a subcommittee hearing there for the Committee on Veterans' Affairs, which was concerned with the adequacy of hospital facilities for veterans. I recall that the Honorable Daniel K. Inouye, then a Member of Congress from Hawaii and now a Member of the U.S. Senate, was a key witness at our hearing.

The State of Hawaii has a right to be proud of its achievements during its first decade, and all of us can look forward with confidence to Hawaii's future role in the affairs of our Nation.

Mr. FASCELL. Mr. Speaker, it hardly seems as if 10 years have passed since those of us in this body saw the culmination of our efforts to win statehood for the beautiful and alluring islands of Hawaii—yet 10 years have indeed passed. We are so accustomed now to thinking of Hawaii as a State that, on looking back, we might well ask: How did we ever get along without Hawaii as a State?

The bouyant warmth, engaging friendliness, and patriotic spirit of the Hawaiian people, coupled with their high economic productivity, render them an indispensable addition to the American population. That they should now be an integral part of the American community, benefiting from every aspect of our democratic tradition, is a fitting benefit not only to the people of Hawaii, but to Americans in general. The citizens of all States recognize this as they salute Hawaii today.

In the matter of patriotism, Hawaii established herself, to a remarkable degree, in World War II. Prior to then, there had been doubts in some quarters about the possible response of Japanese-Americans in Hawaii, in the event of war between America and Imperial Japan. But the doubts were soon erased by action, and replaced by admiration. Nisei troops fighting on the Italian front smashed through German Panzer divisions in areas where other American troops were unable to even hold their position. Nor was this an unusual occurrence. Similar demonstrations of Hawaiian courage and bravery happened again and again.

Among those Hawaiians serving with such distinction during this shining hour of Hawaii's destiny was our esteemed colleague, Spark M. Matsunaga. An Army volunteer officer, Mr. Matsunaga compiled an outstanding record during battles in North Africa and Europe.

The other outstanding Hawaiian Member of this body, Patsy T. Mink, has excelled in different fields—among them law, education, homemaking, assisting retarded children and the handicapped, and lawmaking. We are indeed fortunate to have two such capable, effective, and personable Representatives of our newest State.

While Hawaii was shaken up during the war as no other part of the United States, it did not allow this to slow its progress. It was, after all, our one important territory which withstood enemy attack and knew the meaning of war first hand. But out of the conflict came not only a heightened unity of all the races and peoples of Hawaii, but a greater measure of democracy in every sense.

The war also accelerated the development of new industries and companies involved in both civilian and military construction to the distinct benefit of the Hawaiian economy.

With the influx of outside capital and the new role of organized labor, Hawaii was ready to participate fully in our expanding economy, and from the moment she was admitted to the Union, she has performed far beyond anyone's expectations.

Congratulations, Hawaii, on your 10-year record of excellence.

Mr. AYRES. Mr. Speaker, those of us who have served many years in this body often have the fortunate opportunity of seeing the benefits of the acts that we have supported and endorsed brought into reality. Undoubtedly this is the most rewarding of our functions.

Today is the 10th anniversary of the Hawaii statehood bill. As one of the overwhelming majority who voted for this proposal, I must state that I am most pleased at that action for I believe that today we must all agree that Hawaii has indeed assumed its rightful place as an equal member of these United States of America.

As it is proud of its place amongst us so are we proud of having it as a full partner in our great Nation.

When one considers that it was less than 150 years ago that Hawaiians and Americans first clasped hands in friendship and that only 20 years later they modeled their first constitution after ours, one can readily see that we were then two peoples who were endowed with the spirit of freedom and equality. It is right that we are now one.

To those in the Far East, Hawaii is the "showcase of democracy." Here, those nations can see the workings of a government "by and for the people."

As one who has long admired the beautiful landscape of Hawaii and who has indeed believed that the few days that I have spent there were the most pleasurable of my life, I would suggest that all of the Members from our other 49 States take this occasion to pay a visit to the latest member of our United States. I am certain that they will find it as enjoyable as I have.

Our defense establishments in Hawaii are most important to our well-being. They should constantly remain in the forefront of our military thinking.

Prosperous days are in the offing for our 50th State. Since becoming a State, Hawaii has had an ever increasing economy that promises well for its future.

Yes, we can well be pleased that 10 years ago we opened our arms and welcomed these wonderful people to our union of States.

Mr. ASPINALL. Mr. Speaker, today marks the 10th anniversary of statehood for Hawaii, a proud and historic moment in the chronology of this great Nation. A decade ago, on March 12, 1959, this body in its wisdom passed legislation to provide for the admission of the State of Hawaii into the Union. At this time, it is indeed a pleasure for me to join my colleagues from Hawaii, the Honorable Patsy T. Mink and the Honorable Spark Matsunaga, in observing this 10th anniversary of Hawaiian statehood.

As we reflect upon the event which gave purpose to this anniversary observance, we can all say that March 12, 1959, was a great day for this Nation, a proud day for the people of Hawaii, and truly, one of the finest hours in the history of our great Nation. However, let me remind my colleagues who were not privileged to share in this historic moment that it was not an easy task. I was privileged to play a role in the long and difficult struggle which brought the territory of Hawaii into the sisterhood of States. Many other individuals were also so honored. They labored long and hard for the cause we commemorate today. Their efforts are being remembered and rewarded by what we say and do here today. For them and for me this is a happy occasion.

In the observance of this anniversary, permit me, as chairman of the Committee on Interior and Insular Affairs, the committee responsible for reporting the Hawaii statehood bill, to reflect upon two factors which made statehood for Hawaii a reality.

All of us know that in hammering out a proposal on the legislative anvil there must exist an attitude of give and taking, and the ability to compromise in order to obtain the desired result. Much of that spirit and quality is not spread upon the public record of statehood for Hawaii. It is in the unwritten record of statehood for Hawaii where one of these important factors occurred. I refer specifically to the decision of the Honorable John A. Burns, then the elected delegate from Hawaii, to step aside which provided the key to open the deadlock of whether Hawaii or Alaska should proceed the other in consideration for admission to the Union.

I submit, Mr. Speaker, that this decision, when considered in the light of all the uncertainties of the legislative processes, was a most unselfish, resolute, and courageous decision, a historic decision which paved the way for the admission of both our 49th and 50th States.

The second factor which made statehood for Hawaii a reality is, in my opin-

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ion, the most important—the people of Hawaii. Yes, lest we forget, the record of statehood for Hawaii was written by the remarkable people of Hawaii. A record of achievement that goes far beyond the date of March 12, 1959. A record that is too voluminous to incorporate in these brief remarks. A record which for more than 60 years sought a closer association through the demonstrated loyalty and determination of the Hawaiian people. It was this record written by the people of Hawaii—and their ability to prosper and develop to the fullest their human and natural resources—which led them into the sisterhood of the United States of America.

Mr. Speaker, as we observe this anniversary of Hawaii statehood, let the record clearly and proudly show that the action of this body on March 12, 1959, was done in conformity with the legacy of our Founding Fathers, and that we did in fact, "form a more perfect Union."

Mr. LANGEN. Mr. Speaker, one of the first bills that I had the privilege of voting on after coming to Congress for the first time in 1959 was the Hawaii statehood bill. It is a most happy recollection that I voted "yea." It is a pleasure to join our colleagues from Hawaii in this special order and to congratulate the people of our 50th State for their 10 years of progress and contribution to our great Nation.

I recall the debate in this House 10 years ago today. Those who opposed the bill had many warnings of dire consequences if Hawaii was added to the Union. Within 10 years we were to have paid dearly for our folly. The 10 years are up, and the results are in. Our faith in the people of Hawaii has been supported; our action vindicated. As we look at our bustling and busy 50th State today, one wonders what the argument was all about 10 years ago.

I remember that it was argued that we would even have a Communist state off our shores if the islands were given statehood. We have a Communist state off our shores all right, but it did not turn out to be Hawaii.

Hawaii today is not only an island paradise, which it certainly is, but is also a thriving part of this Nation's economy, contributing much to that economy and our cultural heritage.

Our colleagues from Hawaii have expressed the eternal gratitude of the people of Hawaii to those of us who voted for the statehood bill 10 years ago today. I would like to reverse it and express the eternal gratitude of the rest of the American people for the great contributions made by our Hawaii citizens to the general well-being of the Union. I feel personally honored to have had a small part in making Hawaii's statehood dream come true.

Mr. BYRNE of Pennsylvania. Mr. Speaker, the 10th anniversary of the entrance of Hawaii to the Union brings to mind the brilliance and significance of that noble sovereign State and splendid island fortress. In many ways—culturally, economically, and diplomatically—our country has reaped untold benefits from the addition of the Hawaiian star to our national design.

The history of Hawaii reveals a long struggle to establish stable government, and a burning desire for economic security. Under the warrior chieftan, Kamehameha, the islands were united under one government, at the beginning of the 18th century. Following American annexation economic stability was inaugurated at the close of the 19th century.

By the year 1959 Hawaii was clearly ready for statehood, and once it was granted the people set to work proving their importance to the Nation. The increase of Hawaiian industry over the past decade has attracted not only large numbers of new citizens from the mainland, but also great amounts of new capital.

The pineapple business, tourism, and woodworking—all of which are Hawaiian industries of long standing—now are all but overshadowed by the rapidly growing construction industry. Together, they have rendered the State of Hawaii one of the economic leaders of the Nation.

Hawaii has overnight become a major asset to the United States and a credit to the democratic cause.

I am proud to join in the chorus of praise in behalf of the Hawaiian performance to date; and I include the performance of their distinguished Representatives in the Congress.

Mr. PRYOR of Arkansas. Mr. Speaker, 10 years ago today, March 12, 1959, the House of Representatives approved an act to provide for the admission of the State of Hawaii into the Union. This action made possible the fruition of a Hawaiian dream and the culmination of 50 years of struggle for admission to the Union. Since 1903, the Hawaiian Legislature had introduced a score of resolutions petitioning Congress for statehood. The Hawaiian people are passionately proud of their Americanism and, in turn, our Nation has reason to be fiercely proud of our youngest State.

In Hawaii, the mixture of oriental, Western, and Polynesian languages, genes, and influences has made the islands a unique place of happy and harmonious living. In a world filled with chaos and suspicion, the interracial harmony and the tolerance and brotherhood practiced in Hawaii make the Aloha State a paradise of the spirit as well as an Eden of breathtaking beauty.

Hawaii, described by Mark Twain as "the loveliest fleet of islands that lies anchored in any ocean," exudes a charm that calls hundreds of thousands of mainland Americans to her shores each year. Fifty thousand tourists visited Hawaii in 1950; more than a million visited it in 1968. It has been said that 9 of every 10 people who visit Hawaii return to this happy place at least once more, such is the delight of the islands.

Hawaii is not only a place of beauty and universal good will, but she is also a progressive and prosperous State. Her population nearly doubled between 1950 and 1967, increasing 6.1 percent between 1966 and 1967. The per capita income of her citizens more than doubled in the same period of time. Annual manufacturing sales, which totaled $148 million in 1960, had reached $310 million by 1967. As a final example of increased prosperity, the assessed value of real property rose from more than $3 billion in 1960 to more than $5 billion by 1967.

Yet statistics alone cannot begin to describe Hawaii. She is unique among the States and is, in fact, unlike any place in the world. A model of modern American progressivism, her polyglot population has retained traditions from its varied heritages, making Hawaii a shining example of the American melting-pot. She is a combination, then, of the best of new and old, of the races of mankind, of tranquillity and bustling industry. Hawaii is a sportsman's paradise, an open greenhouse of magnificent flora, a land of brotherhood, a stable and prosperous State, and a proud part of the United States of America. We salute the Aloha State on the 10th anniversary of her statehood, and also her very able and distinguished Representatives in the Congress, Mr. MATSUNAGA and Mrs. MINK.

Mr. GARMATZ. Mr. Speaker, I join with my colleagues in observing the happy occasion of the 10th anniversary of the approval by the House of the Hawaii statehood bill.

Legislation to grant statehood to Hawaii had been pending in Congress for many years and since its final passage, the supporters of the legislation have been proven right in their arguments in favor of it.

In addition to being the fulfillment of the long-standing desire of the people of Hawaii, statehood has proved to be an asset to the United States in many ways.

Long before statehood had been granted, the people of Hawaii had proved their loyalty to and love for the United States, and these qualities of citizens are among the greatest resources a country can have.

We are proud to have Hawaii as part of our Nation and know that together we can be mutually helpful and do our share in meeting our responsibilities in the community of nations, to make the world a better place for all peoples.

Mr. STUBBLEFIELD. Mr. Speaker, 10 years ago the United States added one more star to the flag in the name of Hawaii. There were at that time some who doubted the wisdom of the move. There are no such people today.

Hawaii has served the country to a remarkable extent, economically speaking, over the past 10 years, and currently is classed among the most industrious, productive, and economically substantial States in the Union.

It once was doubted that Hawaiian skills and interests were sufficient to cope with the pressures of 20th century economic problems. There is no such doubt remaining today.

In the matter of government and politics, the people of Hawaii have demonstrated outstanding ability. Indeed, it can be said that Hawaiians in general are civic-minded. Community organizations and service clubs flourish in abundance throughout the islands. And on election day Hawaiians have a better record of voter participation than the people of almost any other State.

There used to be people who said

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Hawaii was not yet ready for self-government. There are no such people today.

In all she has undertaken since entering the Union the sovereign State of Hawaii has revealed herself capable of meeting every crisis and coping with every emergency in the manner of the most accomplished.

Her people are a credit to the State, her spirit a credit to the Union.

Mr. MAILLIARD. Mr. Speaker, I would like to add my congratulations to the great State of Hawaii on the occasion of its 10th anniversary as the 50th member of these United States.

It was 10 years ago that I had the privilege of casting one of the votes which granted statehood to what Mark Twain once described as "the loveliest fleet of islands that lies anchored in any ocean." In that period Hawaii has grown at a very rapid rate, an almost 20 percent population increase since statehood, and has attracted every year some one-half million American tourists from all parts of the country to its magnificent beaches and lush mountains. It is our gateway to Asia and the proud home of our Pacific Naval Fleet.

More than a third of the world's supply of pineapples and about one-fifth of all the sugar produced on American soil comes from Hawaii. Commercial fishermen catch millions of pounds of fish a year in Hawaiian waters.

Our fondly termed "island paradise" is truly an integral part of the Union, combining beauty with utility. I send my greetings to all Hawaiians on this anniversary and wish them happiness and prosperity in the years to come.

Mr. UTT. Mr. Speaker, on the 10th anniversary of the day on which this body approved statehood for Hawaii, I am pleased to participate in the celebration.

The growth, during this decade, of our westernmost State fully justifies the faith that I had in 1959 when I cast an affirmative vote, and renews my confidence, assuring that the next decade will witness an even greater future than its outstanding past.

Long noted for its tourist attractions, Hawaii now boasts commercial development which confirms that its growth is based on a firm foundation.

All America can be proud of its 50th State, and I offer my sincere congratulations upon this birthday of an important step toward its statehood.

Mr. STAGGERS. Mr. Speaker, it is a genuine pleasure to join my voice with those who do honor today to the sovereign State of Hawaii on the occasion of its 10th birthday.

More than four and a half centuries have elapsed since—

Stout Cortez with eagle eyes
  Stared at the Pacific, and all his men
Look'd at each other with a wild surmise
  Silent, upon a peak in Darien.

Their wild surmise was that somewhere within that vast expanse of placid sea lying before them was something infinitely tantalizing and appealing. Remotely and indistinctly there appeared before their mind's eye the vision of a land of charm, the Jewel of the Pacific—"a precious jewel carved most curiously, a little picture painted well."

Historians remind us that ancient civilizations clustered around the Mediterranean Sea, and modern societies flowered within reach of the Atlantic; but the future belongs to the Pacific. The compatriots of Cortez instinctively sensed this fact, and with commendable vigor and foresight made a strong bid for possession of important parts of the Pacific land area. First-rate warriors they may have been, but as administrators and developers they were lacking in some essential quality, and their bid for dominion ultimately was rejected. Meanwhile, Hawaii remained free. So far as the record goes, no foreign conqueror ever set foot on Hawaiian soil.

Possessed of characters and dispositions so similar to those of their neighbors on the east, it was perhaps inevitable that the Hawaiians would draw closer to the Americans. Friendly relations in commerce and in social development were established early in the 19th century, and by the close of that century they had progressed so far that the two were united by mutual consent. Statehood followed as a matter of course. It was a case of true love on a grand scale.

We have been speaking of Hawaii in the singular, as if it were one thing. Perhaps we err in this, for the form of the word is plural. And in fact, Hawaii is a multiplicity of land masses, of resources, of climates, of cultures. All this rich heritage Hawaii has contributed without reservation to the common pool of American enterprise and advancement. In peace and in war Hawaiian aims and ideals have been identical with those of her sister States. The heartstrings of a common sentiment stretch across the watery miles which separate the land areas, and draw us ever closer together. And today Hawaii stands as one of the brightest stars in our galaxy of States.

So today I should like to congratulate Hawaii, both on her record of achievement and on her prospects for the years to come. And among those achievements she may count the important one of finding such capable and urbane citizens to serve her as those who grace our legislative halls today.

Mr. NELSEN. Mr. Speaker, I recall with great pleasure that day some 10 years ago when the House of Representatives considered the bill to provide for the admission of the State of Hawaii into the Union. I was among the Members of Congress voting "yea" on that bill, and I have never since had occasion to regret it.

As our good friend and former colleague, the Honorable Walter Judd, observed at that time:

> Nowhere else in the world, including our own 48 States on the mainland, has there been a more successful demonstration than in the Hawaiian Islands of the ability of people of different races and national origins and tongues and cultural and social and intellectual background to work together in mutual respect and teamwork for the good of all, as the true way to promote the good of each.

The people of the State of Hawaii continue to demonstrate this splendid example to the rest of the Nation. They have enriched the Nation in countless ways, of course, but for their spirit of brotherhood, I am particularly proud today to join in saluting the people of Hawaii.

Mr. MORGAN. Mr. Speaker, I welcome this opportunity to extend greetings and good wishes to the people of Hawaii on the 10th anniversary of Hawaiian statehood.

The people of Hawaii are to be congratulated on the fine record they have made during this decade. Ten years ago there were those who were somewhat apprehensive as to the future of the new State. I did not share this concern and I voted for the Hawaii statehood bill.

In any event, any fears that may have existed then have been dissipated. The new State has enjoyed outstanding success, and the people of the mainland are proud of this new member of the family.

I want also to congratulate the people of Hawaii on the high quality of the Representatives which they have sent to this body. Their distinction and influence is recognized by us all.

As chairman of the Committee on Foreign Affairs, I have been particularly impressed with the worldwide reaction to the admission of Hawaii to statehood. The United States gained good will and prestige by this action not only from the people and governments which enjoy close ties of kinship to the people of Hawaii but from countries everywhere who regard the history of Hawaii as providing significant and encouraging evidence that people of diverse backgrounds can live and work together.

This is indeed a happy occasion and it is a privilege for me to participate.

Mr. MADDEN. Mr. Speaker, I wish to congratulate my two colleagues, SPARK M. MATSUNAGA and PATSY T. MINK, for setting aside this period of time to commemorate the anniversary of the State of Hawaii's admission to the Union 10 years ago.

I well remember the great opposition that was expressed by some of our membership as well as some newspapers over the Nation as to the advisibility of expanding our national limits far into the Pacific and extending statehood to the island of Hawaii. Some of the reasons for their alarm which they propounded at that time as to the dangers involved if the Congress acted favorably on Hawaii's admission to the Union are also remembered. None of the fantastic statements and alarming predictions concerning the admission of Hawaii has ever come to pass. On the contrary, the State of Hawaii, its people, officials, and the State's Representatives in the Congress of the United States have contributed immeasurably to the welfare and progress of our Nation. Hawaii has also contributed greatly to our Nation's prosperity from an agricultural, industrial, and educational standpoint.

The State of Hawaii has made major strides in all departments—its economy, educational facilities, and industry—and ranks with any other State in our Union in progress considering its comparative limitation of population.

I know the Members of the House of Representatives are unanimous also in congratulating Hawaii for sending to our legislative body two outstanding states-

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men in the persons of our friends, SPARK M. MATSUNAGA and PATSY MINK. During their service they have contributed greatly not only to Hawaii's status and progress but also to our Nation generally.

Mr. COHELAN. Mr. Speaker, nothing better testifies to our good judgment in welcoming Hawaii to statehood than the consistently high quality of the representatives that great Pacific State has sent to us in the Congress. I want to express my heartfelt appreciation for the hard work and wise counsel, which the distinguished gentleman from Hawaii (Mr. MATSUNAGA) and the gracious gentlelady from Hawaii (Mrs. MINK) bring to our deliberations. They do great honor to Hawaii and to the United States by their service here. I thank them sincerely.

I am happy to have this opportunity, too, to observe the 10th anniversary of the historic occasion when we voted affirmatively on the Hawaii statehood bill. Our Nation is much richer for the contribution which our island countrymen bring to it. As a Californian, too, I am aware of the increasingly important role which Hawaii will play in the Pacific future.

In thinking of Hawaii, I like to recall the words of our late beloved President, John F. Kennedy, who almost a decade ago, said:

> The admittance of Hawaii to the Union represents more than our 50th State. It represents the outstanding example in the world today of people of many races and national origins living and working together in peace and harmony. Hawaii as well represents a bridge to Asia.

In today's troubled world and in our pluralistic society, we can indeed learn much from Hawaii's example.

Mr. EVINS of Tennessee. Mr. Speaker, I want to join with my colleagues from Hawaii (Mrs. MINK and Mr. MATSUNAGA) and others in participating in the observance of the 10th anniversary of the passage of the Hawaii statehood bill.

It was my pleasure to support this bill making it possible for the people of Hawaii to realize their cherished dream of statehood and full partnership in our family of States.

Certainly Hawaii and the people of this great State have demonstrated initiative and enterprise in a great program of growth and progress. I want to commend and congratulate my colleagues from Hawaii (Mrs. MINK and Mr. MATSUNAGA) for the wonderful representation which they have provided and for their contribution to constructive national legislation.

I wish for them and for the people of Hawaii the very best of good luck and success during the next decade and the decades to follow as our Nation stands together, united and determined to move forward to preserve, promote, and protect the United States.

Mr. JOHNSON of California. Mr. Speaker, the people of Hawaii have much to be proud of on this occasion, honoring the 10th anniversary of Hawaiian statehood. For in the past decade their State has established the most remarkable record of achievement in the history of the country.

When before has a new State attracted such wealth and industry immediately upon entering the Union?

When before have the citizens of a new State demonstrated the ability to capitalize on every opportunity, and by so doing to elevate their living standard to such an extent?

When before have the people of a single State revealed so great and powerful a knowledge of the democratic process, to the extent that their record of voter participation far outdistances that of many older States?

In every respect the sovereign State of Hawaii has shown to advantage since entering the Union, to the distinct pleasure of the friends of Hawaiian statehood.

Once again, we have the example of a people for many years deprived of opportunity who, when finally granted a chance to perform, instantly display the genius and the talent insuring their success.

The story of prosperous Hawaii serves as an example to everyone concerned with the problems of democratic life and government. Here again is the story of American principles in action, and the benefits to be derived.

I would like at this time to extend congratulations to the people of Hawaii, on the occasion of the 10th anniversary of Hawaiian statehood.

Mr. WRIGHT. Mr. Speaker, it is with an unusual sense of fulfillment that I join our distinguished colleagues from Hawaii (Mr. MATSUNAGA and Mrs. MINK) in this colloquy commemorating our vote 10 years ago today for Hawaiian statehood.

Rarely is it possible for one to look back 10 years later with such a sense of total and undiminished pride upon something in which he had a small part.

The State of Hawaii symbolizes far more than just one more star in the constellation on the American flag. It means that the Nation is still vibrant, still progressive, still growing—and still young.

Hawaii is our most outstanding proof of the universal applicability of the basic creed for fairness which America has come to stand for. It weaves rich new thread into the American fabric, blending the best from ancient Polynesian and oriental cultures into the colorful tapestry of Americana.

Hawaii is a gateway. It is a bridge on which the East and West can meet. At its splendid university, the Center of East-West Studies, already has planted seeds which we hope may flourish in the gardens of improved understanding.

In 1959, Hawaii had amply demonstrated its readiness for statehood. In 1969, it has made good the faith we in the House of Representatives reposed in its citizenry.

I am prouder than ever on this day that I was one of those who were privileged 10 years ago to speak out for Hawaiian statehood, and I wish the inhabitants of those lovely islands which comprise our 50th State a future full of many fond alohas.

Mr. SAYLOR. Mr. Speaker, 10 years ago the people of Hawaii achieved the fulfillment of their most cherished dream—statehood—and so it is with sincere pleasure that I rise to participate in this, the 10th anniversary of statehood for Hawaii.

One of the most memorable days of my years in Congress will always be March 12, 1959, the day this House passed the bill to provide for the admission of Hawaii into the Union. Our action of that day resulted in a national wave of excitement and approval on the part of the people of this great Nation. I am proud to have had the opportunity to play some part in bringing Hawaii into the sisterhood of the United States of America.

As an early proponent of Hawaii statehood, I remember well that momentous day. I recall the strong and loyal opposition to statehood for Hawaii. At that time I reminded my colleagues that each of the 36 States admitted to the Union following the original 13 had met similar opposition. And in order to allay that opposition I challenged any Member from these 36 States to rise in the well of this House and say that when Congress in its wisdom admitted his or her State to the Union, that it, Congress, made a mistake.

Mr. Speaker, I am pleased to announce that to this day, no Member of Congress has come forward to say that Congress did make such a mistake.

In observing this 10th anniversary of Hawaii statehood, I think it appropriate to comment on the dedication and efforts of many individuals to the cause of statehood for Hawaii. The merits of statehood for Hawaii are no better expressed than through the dedication and the unremitting efforts of the late Joseph Rider Farrington. Joe Farrington came to this body in the 78th Congress as a Delegate from Hawaii. By virtue of his untimely death in 1954, the fruits of his labors in the cause of statehood for Hawaii was 5 years too late. Joe Farrington was only one of many such individuals, and the anniversary we commemorate today bears testimony to the truth that the good that men do lives long after they have gone. And, for those of us who remain and for all who participated in the cause of statehood for Hawaii, today is a happy one.

Mr. Speaker, throughout the history of this great Republic, our ability to progress and achieve our status as a leading world power is directly related to the admission of our territories into our sisterhood of States. That same history shows that these States have grown and prospered far beyond their expectations as territories. Hawaii is no exception. The economic, social, and political advancement of Hawaii from its earliest association with this great Nation, and since 1959, is astounding. But, we must always remember that this advancement and achievement was brought about by the people of Hawaii. Statehood for Hawaii was, and is, the accomplishment of the great people of Hawaii.

Mr. Speaker, what we did in this body on March 12, 1959, is now a part of our history. Since we decided to place the 50th star in our beloved flag, its glow has continuously shown our sisterhood of States as the bastion of freedom and democracy, not only to the nations of Asia and islands of the Pacific, but to all the world. It is most comforting to know, Mr. Speaker, that Hawaii, the 50th star in

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our beloved flag, will shine for all of us so long as our Nation endures.

Mr. FLOOD. Mr. Speaker, I should like to join with and congratulate our distinguished colleagues from Hawaii on the celebration of the 10th anniversary of statehood. The people of the great State of Hawaii have reason indeed to be proud of their very able Representatives, the Honorable SPARK MATSUNAGA and the Honorable Mrs. PATSY MINK.

On this occasion it is a great pleasure for me to extend to our fellow Americans and friends in the State of Hawaii the great happiness of the people of the other States that Hawaii is an integral part of our great country with the rights and fullness of statehood. The infinite richness and variety that is America has been immeasurably increased by Hawaii's membership in the sisterhood of States.

Each year the celebration by the people of Hawaii of their statehood anniversary reminds us of Hawaii's gratitude. Yet, statehood has not only benefited Hawaiians; rather, it has benefited all Americans.

One cannot speak of the blessings of Hawaii without mentioning the superb loveliness of its climate and scenery—the sparkling beaches, the lush profusion of foliage and flowers, the splendid mountain vistas, the incredible beauty of its sunsets. Hawaii is a delicate feast for the senses to the millions of visitors who have traveled there. Only poets can truly do it justice, but we mainlanders feel very fortunate to have the "island paradise" as one of our national scenic treasures.

Hawaii's natural beauty is only the first of the great resources it has brought to our Nation, however. Another is the spirit of its people, the spirit that is symbolized in that beautiful word, "Aloha."

Long before the House of Representatives, 10 years ago today, voted to admit Hawaii to statehood, the marvelously diverse peoples of our Pacific territory were giving lessons, unheeded by the rest of the world, in the art of interracial harmony. The practice of racial equality in the everyday lives of the people is rooted in a long tradition of mutual tolerance and an even older rationale that harmony is the only sensible guide to community living. The welcome that is so freely extended in the word "aloha," has become a way of life which stresses the natural dignity of all men and respect for human personality, regardless of skin color or religious beliefs.

Hawaii has also contributed to the Union her political maturity and responsibility, and the enthusiasm of her people for democratic self-government and American principles. In this time when the faith and loyalty of all our citizens is so desperately needed, Hawaiians have consistently provided a shining example of patriotism and good citizenship.

Finally, Hawaii in the last decade has been a center of economic growth and progress. She has provided an impressive standard of living for her people, and contributed greater amounts of revenue to the Federal Treasury than a number of larger States. Hawaii has become a center of Pacific trade and commerce. From economic exchange have come technological cooperation and cultural exchange that benefit all the nations of the Pacific. Perhaps the best expression of this era of cooperation among the Nations of the Pacific is found in the impressive work of Hawaii's Federal East-West Center.

There is nothing but brilliance ahead for Hawaii in terms of its progress as a State. America may indeed begin to look to this youngest State for leadership in many areas.

I am truly happy to have this opportunity to extend to our youngest State a warm and enthusiastic greeting on its 10th anniversary.

Mr. HOLIFIELD. Mr. Speaker, the American flag has been composed of its present 50 stars for 10 years. The 50th star, that of the Aloha State—Hawaii—was added in 1959. I was privileged to be among those who supported the legislation which established this State.

Approval of Hawaiian statehood was an issue which took many years of consideration in the House. During the 40 years before the House voted favorably on this matter, approximately 50 bills were introduced on it. Action on these bills was repeatedly deferred—to the disappointment of Hawaiians. Hawaiian sentiment was demonstrated in 1940, when a plebescite was held and residents voted overwhelmingly in favor of statehood.

In the years between 1946 and 1959, congressional committees repeatedly recommended favorable action, but it was not until 1959 that this action was taken. The House on March 12, 1959—just 10 years ago today—voted to approve statehood for Hawaii. I voted for that bill because I was convinced of the rightness of Hawaii's cause, and because it seemed to me that Hawaii had the potential to become one of the most prosperous and progressive States in the Union. Events have certainly demonstrated that those thoughts were justified.

As you no doubt know, Mr. Speaker, the boundaries of the Island State include the eight major islands, its smaller islands, and its territorial waters. Its land area is equal to that of Connecticut and Rhode Island combined. I can personally state that within Hawaii's boundaries is some of the most beautiful scenery and flora in the world and, surely, some of the friendlist people on earth. Most Americans know our 50th State as a prime source of pineapples and sugar, orchids and palm trees, and white beaches and temperate climate. It is also important to note, however, that Hawaiians are a very tolerant people; many members of different races live within the State's boundaries with the kind of cooperation and brotherhood which is a lesson well taken in these times of stress for our country.

Mr. Speaker, I want to take this opportunity to join with my colleagues in congratulating Hawaii on her anniversary, and to extend my very best wishes to the residents of our Aloha State.

Mr. BOLAND. Mr. Speaker, I would like to join my colleagues in paying tribute to the great and beautiful State of Hawaii on its 10th anniversary celebration of statehood. Ever since 1778 when Captain Cook anchored off Waimea Village, the Hawaiian Islands have stirred admiration in all who have come there. One such visitor was Mark Twain, who wrote:

> No other land could so longingly and beseechingly haunt me.

The climate, the reports said, was incomparably gentle, the beaches unsurpassed, the precipitous mountains breathtaking, the flowers ever-blooming, the natives gracious and hospitable. All these things remain just as true today, after 10 years of statehood, as they were in the time of Captain Cook; and, even taken by themselves, they make Hawaii one of the most precious parts of American soil. Yet, today, Hawaii as the 50th State of the Union has become far greater and more important than the visitors, missionaries, and immigrants of the last century could have envisioned.

Starting in 1820 New England missionaries came, and during the 19th century thousands of workers and immigrants arrived from Europe. Likewise from Asia hundreds of thousands of contract laborers were imported by the sugar plantations. From all this has grown one of the social phenomena of the 20th century; an almost totally harmonious community of many different races.

Today the eight main islands, whose total area is about that of Connecticut, have a population nearing 800,000 whose ancestors may have been Japanese, Hawaiian, European, Filipino, Chinese, or Korean, but who today are almost all American citizens. Their skin colors, religious, and national backgrounds are diverse. Yet Hawaii's polyglot citizens work together, swim at the same beaches, worship together, with a few exceptions belong to the same clubs, and live next to each other with greater social peace than is found in many single-raced communities.

When Luang Pibul Songgram, the Premier of Thailand, attended the Hawaiian Legislature in September 1957, he tore up his prepared speech. He said spontaneously:

> In my country we grow flowers when we are happy. Now I know why there are so many beautiful flowers in Hawaii. I see before me legislators of all races and creeds, many of whose parents were field workers. I see them laughing together and embracing. Any good man can become important and dignified in Hawaii. It is beautiful.

Ten years ago, in 1959, the Territory of Hawaii became the 50th State. From Kapoho to Kekaha the church bells clanged. People hula danced in the streets and threw leis about each other. Statehood focused attention on the islands, and it gave Hawaii's people the full benefits and responsibilities of American citizenship. Hawaii, today has more than fulfilled our expectations as an equal partner in our brotherhood of States.

But the great metamorphosis began about 20 years before statehood. It had to come. Hawaii simply had too many riches, too strategic a position and too much talent to remain only a beautiful, relaxed agricultural barony commanded by a few elite. It was in the 1940's that

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several 20th century phenomena exploded in Hawaii—labor unions, the advent of the fast airplane and World War II. Working together, they completely altered the social and economic structures of Hawaii.

The results of that transformation today are truly inspiring. The loyalty and dedication of Asian American citizens of Hawaii to American principles and democratic government were settled once and for all by their bravery and sacrifices on the battlefields of World War II. When the war heroes returned, many of them fulfilled an ambition which previously had been impossible. They obtained fine college educations through the GI bill of rights. Then they plunged into politics. Today the political maturity and responsibility of Hawaiians is regularly demonstrated by the more than 85 percent of registered voters who visit the polls for each election, and the high quality and ability of their chosen representatives in Congress. I have been most proud and grateful to have for my colleagues the distinguished Congressman, Spark Matsunaga, and the distinguished Congresswoman, Mrs. Patsy Mink.

Hawaii today is one of our most prosperous and rapidly growing States. Her per capita income exceeds the national average. She has consistently maintained an annual growth rate of 7.5 percent, compared with 5.5 percent for the rest of the Nation. At the same time, unemployment has stayed very low. Even in March of 1965, when the figure for the mainland hit a 7-year low of 4.7 percent, Hawaii's rate was only 3.3 percent. Furthermore, Hawaii has been paying into the Federal Treasury more taxes than 11 States.

Hawaii today is a bridge between Asia and the United States.

The vanguard of international relations is commerce, and Hawaii is the center of East-West exchange. From Manila around to Suez, there are Hawaiian construction companies, investment teams, and consultants at work on multimillion-dollar projects. It is no wonder that mainland businessmen come to Hawaii for information on the Orient.

At the East-West Cultural Center of the United States, scholars from 25 Asian and Pacific countries come to learn more about us and our democracy and to teach us to understand their own cultures better. This is making a great contribution, I think, to friendship in the Pacific and in the Far East.

Although Hawaii is a small State, its impact on the Union has far exceeded its geographical size. Hawaii earned statehood, and demonstrated beyond doubt that it deserved it. With its political maturity and strength, and with the vigor and experience to make the most of rapidly developing opportunities, Hawaii can look forward to further decades of unparalleled growth and progress.

Mr. WIDNALL. Mr. Speaker, the Aloha State, Hawaii, celebrates today the 10th anniversary of passage, by a vote of 323 to 89, by the House of Representatives, of the Hawaiian statehood bill. I was pleased to be one of those voting for statehood.

Hawaii has had a long history of democracy and love of freedom. She petitioned for 60 years, with the total support of all of her people, for the privilege and responsibility of becoming the 50th State in the Union. I believe there is little doubt that she has met this responsibility admirably during the last decade. Hawaii is a symbol of cooperation between many diverse cultures and races, a prime example of the "melting pot" which America has always tried to be. Possibly in this respect Hawaii is more American today than some parts of America which have been States for a much longer period of time.

The Aloha State is also an economic asset, in her agricultural products, providing us with fresh tropical fruits unavailable anywhere else in the United States, in her research and educational facilities, particularly in the oceanographic field, and as a tourist mecca, no State in the Union excels Hawaii. Her beauty, her prosperity, and the friendliness and tolerance of her people have made us all proud to have her as our 50th star.

At this particular time in our history, Hawaii also performs a great service in acting as a temporary home for thousands of our fighting men in Vietnam, providing the only possible opportunity for them to see sweethearts and family during their term of duty. If we had no other reason than this, we would owe her thanks for the happy hours and the glimpse of home that she provides these servicemen.

Mr. Speaker, I know that all Americans join with me and my colleagues today, and with our fellow citizens of Hawaii, in celebrating this occasion.

Mr. ROGERS of Florida. Mr. Speaker, I took a great deal of pleasure in casting my vote for the inclusion of Hawaii into the Union 10 years ago and today I take great pleasure in reflecting on that vote.

Our 50th State has contributed greatly to the wealth of the Union in a variety of ways. But the greatest contribution has been the inclusion of Hawaii's friendly and industrious people into the United States.

I can say that Hawaii, in the 10 years she has been part of the Union, has lived up to the expectations which we expected of her.

I know that Hawaii will continue to prosper and develop and that the Nation will continue to take great pride in the accomplishments of our sister State in the Pacific.

Mr. ROONEY of New York. Mr. Speaker, 10 years ago when the House of Representatives voted on statehood for Hawaii I was proud and pleased to be able to be counted with the Hawaiian "ayes." I still am. My association with our youngest State has been a long and happy one.

There were those who for years tried to block the entry of Hawaii into the Union. They were of course defeated by the earnest efforts of such people as my good friend Gov. John Burns, who has served Hawaii in many capacities, many years. Their argument was that it simply could not be done. Well, it has and Hawaii is not only a State but is, in fact, as the late President Kennedy said, "What the United States is striving to be." What harmony that exists in that beautiful State is living proof, if such really be needed, that Americans can live in peace regardless of origin or race. It is proof, too, that they will live in peace despite the efforts of some to have it otherwise.

One could go on for several hours, Mr. Speaker, extolling the beauties and attributes of Hawaii—her climate, scenery, beautiful beaches, industry, awesome volcanoes and mountains—but it is the people of Hawaii that one always comes back to. They are incomparable. To them I would just like to say "aloha" and "hauoli la hanau iaoe."

Mr. REUSS. Mr. Speaker, I am pleased to join my colleagues in observing the 10th anniversary of the final vote in this body to admit Hawaii to statehood. It seems incredible today that the issue of statehood for Hawaii stirred heated debate, and that success came only after 40 years of attempts to secure congressional approval of a statehood bill. Anyone visiting Hawaii must wonder why we hesitated for so long. Our Union has been enhanced by a State of great beauty, where East and West meet but do not clash, and where a dynamic and prosperous multiracial society lives and works in harmony. Our Nation has been enriched by Hawaii's many cultures, its centers of research and learning, and its vigorous commerce. Above all, this country, and particularly the Congress, has gained leaders of wisdom, courage, and great sensitivity. I am proud to recall that exactly 10 years ago today I voted for statehood for Hawaii.

Mr. HALPERN. Aloha, Mr. Speaker. Hawaii, land of dream and legend, was already blooming economically, politically, and culturally when President Eisenhower proclaimed it this Nation's 50th State in 1959.

In the 10 years since then, Hawaii has developed a sturdy economy based on sugar, pineapple, tourism, livestock, and a host of other industries.

The islands, which have a total area roughly that of New Jersey, have bred an incredibly varied and racially integrated population of over 700,000.

This means that Hawaiian statehood, besides conferring full U.S. status on a rich and decidedly vital area, indicated to all the peoples of the Pacific and of Asia that the United States is still the tolerant, hospitable melting-pot of old.

More important, it gave the warm and gentle people of Hawaii recognition of their many fine qualities and achievements.

Hawaii is our only State with an oriental majority, but its racial mixture is bewilderingly rich. Every possible racial combination can be found in the islands.

The most numerous people are the Japanese, followed by Caucasians, part-Hawaiians, Filipinos, and Chinese. An easy and admirable geniality prevails between all the different stocks. There are still traces of old frictions here and there, but the progress of Christianization and Americanization has brought warm unity amid diversity.

It can honestly be said that Hawaii is our showcase of democracy at work in the Pacific. I wish the cordial citizens of

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Hawaii a happy anniversary and health and happiness in the years ahead.

In their 10th year of statehood, I congratulate them on being able to meet the challenge of rapid diversification and tremendous growth with ease and good humor. We would all do well to take a lesson from our Hawaiian friends who have achieved so much in the 10 short years of their proud statehood. Aloha!

Mr. VANIK. Mr. Speaker, I join my distinguished colleagues today in celebrating the 10th anniversary of the passage of the Hawaii Statehood Act by an overwhelming four-fifths vote of this House.

Not through common race or history, nor through military or economic conquest did this come about, but through the free acceptance of American ideals by the Hawaiian people, dating from 1840 when their first constitution was established on American principles, and including their overwhelming desire for annexation to the United States in 1854.

Ten years of Hawaiian statehood have proven the wisdom of our action here in the Congress in 1959. The elected representatives from Hawaii have been exemplary. A former delegate to this body, the Honorable John Burns, serves as Governor of Hawaii. Former Congressman Tom Gill now serves as Lieutenant Governor. The present Representatives, PATSY MINK and SPARK MATSUNAGA, have made exemplary contributions to the work of this body.

The citizens of our 50th State continue to prove their worth in international affairs, world trade, scientific achievement, and in helping to overcome the cultural differences between East and West. As a center for trade and communications, as a military bastion, Hawaii is fulfilling its promise.

Let us always look to Hawaii for proof that race, ancestry, and color must never play a part in the determination of first-class American citizenship.

Mr. UDALL. Mr. Speaker, for nearly half a century, until 1958 when Alaska was admitted into the Union, my State, Arizona, was the Union's baby State. Therefore, I know firsthand, as a third generation native Arizonan, the sense of pride and fulfillment that is felt by citizens when the rights and privileges of statehood are conferred upon their territory.

From that viewpoint, then, I take a special pleasure in acknowledging and commemorating the 10th anniversary of the statehood of Hawaii. This is a proper time, also, to recall some of the misgivings that were voiced on the floor of this chamber during congressional debate that preceded statehood for Hawaii. It has been made abundantly clear in the years since 1959 that those misgivings were without foundation.

Hawaii, unique as our only island State and separated by more than 2,000 miles from the continental United States, has shown time after time her qualifications for statehood. She has shown it in many ways, in the way she manages her affairs, in a booming tourist industry, in the way she guards the natural beauty that makes the islands a true Pacific paradise, and by setting an example of racial harmony and peace for her sister States.

Most of all, Hawaii has shown her qualifications for statehood by consistently sending to Washington a delegation marked for its high caliber and responsibility. I congratulate Hawaii on its achievements in the first decade of its statehood.

Mr. ZABLOCKI. Mr. Speaker, it is a great honor to join with my distinguished colleagues, the Honorable SPARK MATSUNAGA and the Honorable PATSY MINK, in celebrating the 10th anniversary of the statehood of Hawaii.

Because the islands waited many years for statehood it was a particularly happy day when that status was finally reached not just for the enchanted islands, but for the other 49 States as well.

Having visited the islands, I can vouch for their breathtaking beauty and charm. They are truly a paradise on this earth.

Even though the islands are gifted with untold beauty, their greatest offering is their warm and friendly people. They embody the natural beauty of their island paradise.

This great country is much greater with the Aloha State. Indeed, this Congress is much greater for the two fine Representatives which the people of the islands have sent to us here in the House.

To the State of Hawaii I extend my very best wishes on this the 10th anniversary of its statehood.

Mr. RODINO. Mr. Speaker, it is with great pleasure that I remember 10 years ago when in this very room I voted for the Hawaii statehood bill. Although it was a little over 5 months before the Land of Aloha officially became a State, I am happy today to recall that momentous occasion.

Hawaii, the entrance way to the Pacific, is the land of beauty and love.

The United States is a land of immigrants—Hawaii even more so. The Polynesians, the first of the immigrants, came across the seas to make their homes. Then, in the mid 1800's, Western missionaries, traders, whalers, and explorers inundated the Islands. As they started to prosper, the people came; they came from China and Japan. Later the Spaniards, Portuguese, Filipinos, and Koreans came to start a new life.

Today the State of Hawaii is one of our fastest growing States. It is aware of the world today forever progressing into the land of ideas. There, over 2,000 miles from the mainland, all these immigrants live in harmony, for they are not of one race but many—they are Hawaii.

The Hawaiians fought long for their statehood and served our Nation well. And, I am happy to be among the many who say "Mahalo" to all Hawaiians.

Mr. FRIEDEL. Mr. Speaker, as one who voted in favor of the Hawaii statehood bill, I am indeed very pleased and happy to join our distinguished colleagues, Representatives MATSUNAGA and MINK, who so ably represent the extraordinarily beautiful and prosperous paradise in the Pacific, in the observance of the 10th anniversary of the enactment of that law. It was on March 12, 1959, that the Congress voted in favor of this measure and on August 21, 1959, the Aloha State became our 50th State. On the following July 4 another bright star was added to our beloved flag to symbolize the proud addition of another State to our Nation.

The State of Hawaii is a vibrant and living example to all the world that it is possible and good for people of diverse races and different ethnic and cultural background to live in peace together. Hawaii, among the States, has the most heterogeneous of populations, with Americans of Polynesian, Asian, European, and African extraction living together with a notable lack of racial tension. It truly lives up to its motto "The Life of the Land Is Perpetuated in Righteousness."

The admission of a new State into the Union is always a historic occasion; that is why we are today marking the 10th anniversary of such an epoch-making event. The growth of our Nation has been accompanied by a corresponding rise in the level of our prosperity and economic strength and Hawaii, in the past 10 years of statehood has made its own significant contribution to our economy.

Hawaii is blessed with great riches of soil and climate. Her more than 300,000 acres of arable land are among the most intensively and scientifically cultivated in the world. Her pleasant climate, scenic beauty, and recreation facilities are a major asset. More than 1,800 ships put into her great city of Honolulu each year and Honolulu International Airport has an average of 790 arrivals and departures of planes daily proving Hawaii's popularity as a vacation paradise.

It may be of interest that the University of Hawaii enrolls over 17,000 students and is especially noted for its Departments in Marine Biology and Tropical Agriculture. Students from halfway around the world attend the East-West Center, an institution of higher learning cosponsored by the university and the U.S. Department of State.

The correctness of our decision to admit Hawaii as a member of the United States has been clearly demonstrated during the past 10 years. It has proven to be in the best interests of our Nation, and of the free world. We are justly proud of our State of Hawaii and of our fellow Americans of all races and colors that are our fellow citizens. They are loyal, devoted, energetic, and are contributing their share to make our Nation even greater in every sense of the word. May Hawaii continue to prosper and may she always bask in the sunshine of her 49 sister States of the United States of America.

Mrs. GREEN of Oregon. Mr. Speaker, 10 years ago the Congress voted for Hawaiian statehood. That vote overcame racial prejudice and narrow economic and political advantage. The Congress corrected an injustice by its action 10 years ago, and I take what I hope is justifiable pride in my support for Hawaiian statehood.

I would pray that some of the spirit of that day could be recaptured after 10 years of turmoil and high emotion. Those Members of the Congress who voted "yea" 10 years ago were also moved by high emotion. But they were also deeply concerned that reasoned debate was and is our one clear assurance that the means of action would remain as important as the ends.

Mr. Speaker, one of my proudest moments was to help the Honorable DANIEL INOUYE raise the Stars and Stripes over the Capitol to celebrate Hawaii's first official day as a State of the Union. I am not ashamed of that pride; it derived not just from immediate victory. It derived from my appreciation of what human beings can accomplish this side of violence.

The vote for Hawaiian statehood came just because a majority of Americans understood that the idea of self-government has no geographic limits. It came after discourse and debate within a Government that strives to protect majority and minority alike from violence and tyranny.

I believe that this Nation can take inspiration from the imaginative dedicated people who have come from Hawaii to serve this Congress. I would further hope that this day of celebration for Hawaiian statehood will remind all Americans of our stake in reasoned debate to achieve just ends.

Mr. FEIGHAN. Mr. Speaker, I wish to join with my colleagues in commemorating the happy event of the 10th anniversary of the admission to the Union of the great State of Hawaii. During these years that new State has been represented in Congress by outstanding and dedicated representatives. I take this occasion to congratulate the citizens of Hawaii on the superb representation that they enjoy in Congress by the services of the distinguished and able colleagues on the Senate side, Senators HIRAM FONG and DANIEL INOUYE; and on the House side, SPARK MATSUNAGA and PATSY MINK.

The admission of Hawaii to the Union, in 1959, was a blessing to the country in many ways.

As an American outpost in the Pacific, Hawaii has clearly revealed the basic patriotic impulse that renders her invaluable.

As an economic contributor, she has performed to a remarkable extent, and to the great benefit of American interests.

She is also important as a tie between East and West, for clearly the Asian Continent is in the process of emerging from the darkness of political obscurity.

Hawaii's position as a State strengthens the American position in Asia because so many Hawaiians are of Asiatic ancestry. The political and social recognition of Americans of Asiatic ancestry confirms American democracy.

In the long struggle for Hawaiian statehood, the friends of the American dream sided with Hawaii, knowing that failure to accept her as a State would render less effective our claims of democratic practices.

American political strength has rested, constantly, upon the policy of extending authority and economic benefits to all Americans, whenever possible. Whenever and wherever we have failed to act in accord with that tradition we have injured the national cause; whenever and wherever we have lived up to our responsibilities in this regard, we have strengthened our standing in the world.

The great performance of Hawaii as a State has proven once again the virtues of genuine American principles in action.

Mr. FARBSTEIN. Mr. Speaker, it is with a great deal of pleasure and personal satisfaction that I rise in commemorating the 10th anniversary of Hawaiian statehood. The enormous progress that Hawaii has made during this past decade has more than justified our faith in its potential capabilities. In education, commerce, and cultural opportunities, Hawaii stands out as the showcase of the Pacific.

This growth and progress can be directly attributed to the people of Hawaii themselves. The potential for greatness was always there, but statehood served as the catalyst in transforming this potential into reality. Every American should be proud of the accomplishments of our fellow Hawaiian citizens, for it has been under our democratic system that this growth has occurred.

The energy and zeal of its people is one of the great characteristics of the American spirit. Mr. Speaker, the future brings with it many uncertainties; but of one thing I am sure and that is that Hawaii will continue on its present path to greatness.

Mr. CONTE. Mr. Speaker, it is with great pride that I recall my vote in favor of the Hawaii statehood bill 10 years ago on March 12, 1959. My faith in the great State of Hawaii and its wonderful people has certainly been justified. I foresee, as I did in 1959, continued progress in every area for the citizens of Hawaii.

Mark Twain described Hawaii as "the loveliest fleet of islands anchored in any ocean." Surely our 50th State is one of the most beautiful places on our planet. More important, it is also a dynamic community in the forefront of our ever-advancing civilization. Her population nearly doubled between 1950 and 1967, increasing 6.1 percent between 1966 and 1967. Today the eight main islands have a population nearing 800,000. The population is greatly mixed including those with Japanese, Hawaiian, European, Filipino, Chinese, and Korean ancestors. Her economy is and will continue to boom. The largest contribution to the economy is tourism which advanced a record $98 million in 1967, a 32.4-percent increase.

Because of her unique geographical position and her mixed population, Hawaii provides us with a superb link between East and West. The East-West Center is only the beginning. As the world continues to grow smaller because of modern technology, we must continue to establish contact with all peoples. Hawaii will be an indispensable element in this quest for world unity. Hawaii is and will continue to be an invaluable member of these United States.

Mr. POWELL. Mr. Speaker, the end of a decade of statehood for Hawaii is an appropriate time for both congratulations and reflection. March 12, 1959, was a day of historic significance, because on that date the House of Representatives voted into the Union a State which has seen the confluence of many cultures, a State destined to contribute to the reshaping of a nation, a State fated to influence the decisions that affect the peoples of the world.

Ten years ago, securing statehood for Hawaii was, in substance, an endeavor of mutual importance to all racial and ethnic groups on the mainland of these United States. This great endeavor's common goals were those of fulfilling cherished dreams, of insuring the franchise for the disenfranchised, of giving meaningful possessions with dignity to the dispossessed, and of continuing relentlessly the pursuit of true equality of opportunity.

Islanders and mainlanders alike, citizens of the United States all, we have been together on issues vital to the survival of this Nation—issues that touch the lifelines of millions of minority people. Let us keep the faith and join the battle until everyone in these United States, regardless of race, creed, color, or national origin, has his or her fair share of this Union's promises and blessings.

Mr. DANIELS of New Jersey. Mr. Speaker, 10 years ago, as a freshman Member of this House, I had the honor to cast my vote in favor of statehood for the then Territory of Hawaii.

As the years have gone by, I have become more and more convinced that this vote was a wise one. The people of the Islands have given other Americans a lesson in basic democracy. We can all profit from the example of the Aloha State. They have shown that differences of race, creed, color and national origin are of secondary importance.

Mr. Speaker, I think that the great political maturity of the people of the State of Hawaii has been demonstrated by the caliber of Representatives that they have sent to Washington.

When Hawaii was first admitted to the Union, its first Congressman-at-large was their present junior Senator, the able and articulate DANIEL K. INOUYE. When he was sent to the Senate by an overwhelming majority in 1962, he was replaced by another man of equal ability and character, SPARK M. MATSUNAGA.

Now the law of averages starts working against a State when you send two such men to Congress. It is highly unlikely that the people would choose three outstanding men in a row. And of course, as we all know, this was too much to ask. Rather than an outstanding man, the electorate of the State of Hawaii found an outstanding woman in the person of Congresswoman PATSY T. MINK.

Mrs. MINK is often referred to as one of the most outstanding women to serve in this House. To describe PATSY MINK in these terms, is a little unfair because after all the number of women who have served in the House has been fairly limited.

Having served with Mrs. MINK on the Education and Labor Committee for several years, I think I am in a position to say that she is one of the most outstanding persons, man or woman, ever to serve in the Congress.

Mr. Speaker, as we observe the 10th

anniversary of Hawaiian statehood, I salute my friends, SPARK MATSUNAGA and PATSY MINK and all the people of the Aloha State.

Mr. O'NEILL of Massachusetts. Mr. Speaker, I am happy to join my colleagues in paying tribute to the beautiful State of Hawaii. It has been my privilege on two occasions to visit that beautiful spot in the Pacific.

It seems very appropriate that the anniversary of Hawaii's statehood comes near the day so dear to my heart, St. Patrick's Day. For Hawaii is truly the Emerald Isles of the Pacific. The beauty of the islands and of the hospitable people is unsurpassed. The 50th State has brought an added dimension to our Union, an element of quiet, calm beauty, of peaceful wonder and excitement.

The natural loveliness of this State is matched only by the kindness of her people. No one is a stranger in Hawaii; each man is a part of these islands and is at home with her magnificence. Our newest State immediately became a full partner in the Union and has contributed her fair share to the development of the Nation.

The 10 years that Hawaii has been an equal partner in the United States have greatly benefited our citizens. She has contributed socially, economically, and culturally to the great diversity that has made our Nation strong. The melting pot of the world, our country, has gained immeasurably by having Hawaii as a strong and equal part of the whole that has made this Nation the greatest on earth.

It has been my privilege and pleasure to serve with the honorable gentleman and gentlewoman from that great State. I hope that we will serve together for many more years. They have ably and faithfully served their State and their Nation. I look forward to continued service to the benefit of our country from these able and dedicated representatives of the people.

Mr. Speaker, Hawaii's statehood has made our Nation greater, stronger, and more wondrous in its variety. I wish our 50th State many more years of success, progress, and growth.

Mr. POAGE. Mr. Speaker, it is indeed appropriate that we should recognize the 10th anniversary of Hawaii's statehood. For so many years committees of the Congress visited the Territory of Hawaii to make some kind of investigation as to the desirability of statehood that I had almost come to the conclusion that we were never going to grant statehood.

I supported statehood for Hawaii. I stated at that time that I felt the people of those islands had both the physical resources and the proper mental qualifications to make good citizens. They have made good citizens. The State has prospered. However, at the time of the passage of the statehood bill I went before the Committee on Interior and Insular Affairs and urged that all of the American islands in the Pacific be included in the State of Hawaii. The committee felt that this would somehow jeopardize the bill.

I would, however, at this time like to renew this suggestion. It is perfectly obvious that the smaller islands in the Pacific can never be granted statehood in the American Union. Neither can they be set adrift as independent communities. They could, however, expect continued and sound development as a part of the State of Hawaii. The mixture of the ethnic groups who make up the present population of the State of Hawaii certainly gives assurance that none of these people would be denied any opportunity of development as citizens of that State. In this way, and as far as I can see only in this way, can they be given the full rights of American citizenship which we would like to confer upon these people. I would be happy to see this enlargement of our 50th State.

Mr. BURKE of Massachusetts. Mr. Speaker, it is with great pride and pleasure that I commemorate this joyous day celebrating the 10th anniversary of Hawaii's statehood.

I well remember the day, as a freshman Member of Congress in 1959, that I proudly cast my vote in favor of Hawaii's statehood, and for a decade I have watched her growth and development in the economic, political, and social arenas. A booming economy was inevitable. Hawaii has rapidly developed her industries, and tourists flock by the thousands to the friendly shores of the Aloha State, for who can resist the lush foliage, the warm sunny beaches, the pineapples, and the charming people. In a time of such interracial strife, we can only look to our newest State to realize that peace and tranquillity can and does prevail between different peoples. Politically, Hawaii has taken a place of respect and dignity among her sister States and I expect that Hawaii's voice will become progressively greater in the affairs of our great Nation. I must at this time pay tribute to my distinguished colleagues, the Honorable PATSY MINK and the Honorable SPARK M. MATSUNAGA. They are fine, dedicated people and so well-deserving of the faith and trust of their constituencies.

In closing, I can simply say that the addition of Hawaii has infused a great spirit and people into our country, and as a nation we have indeed become stronger as a result.

Mr. BELCHER. Mr. Speaker, I would be remiss in my duty if I did not take the opportunity which the gentleman and the gentlewoman from Hawaii have provided to participate in the commemoration of the 10th anniversary of the adoption by Congress of legislation admitting Hawaii to the Union as the 50th State.

As a Representative from your relatively young sister State of Oklahoma, I think I have a special appreciation for the meaning and importance of statehood to the people of Hawaii. I was born in what was then Oklahoma Territory and am the only member of the Oklahoma delegation—and, I suspect, one of the few Members of this entire body—who can claim to have been born in a territory of the United States before its admission to statehood. I recognize that Hawaii's two very able Representatives share that distinction with me, as do both of the gentlemen who represent the State in the U.S. Senate.

At the time Congress was considering statehood for Hawaii, there was considerable doubt expressed about the wisdom of statehood for noncontiguous territories and, in some people's minds, doubt about the island's readiness for statehood. I am glad to be able to say that I was one who did not share either of those doubts. And I share the view expressed by other Members who have spoken that the contribution which Hawaii has made, as a State, to her own people and to the Nation as a whole have surpassed even the most optimistic expectations and have more than warranted my support and that of the other Members of Congress who voted for admission.

I congratulate the citizens of Hawaii upon the excellence with which they have assumed the responsibilities of statehood, and I congratulate the gentleman and gentlewoman, upon the quality of representation which they have given their State. While I have differed with them on issues, I know them as dedicated public servants who are conscientious in their efforts to serve the people who have sent them here.

May the next 10 years be as remarkable as the past decade has been, is my wish for Hawaii and her people.

Mr. BRADEMAS. Mr. Speaker, during my first term in the House of Representatives, I was privileged to join many of my colleagues to vote for the Hawaii statehood bill.

As we note the 10th anniversary of that historic bill, I would like to commend the people of Hawaii on their State's unique contributions to the Nation during the past decade. As America's gateway to the South Pacific and to Asia, Hawaii is a melting pot where people of all faiths, all creeds, colors, and nationalities live together in harmony.

Mr. Speaker, as one who has a particular interest in education, I have been impressed by the outstanding educational institutions of Hawaii. The schools, colleges, and universities of Hawaii offer students not only from the mainland but from all over the world, an opportunity to exchange their understanding of different governments and cultures. For example, the Center for Cultural and Technical Interchange Between East and West, located on the campus of the University of Hawaii, was established by Congress in 1960. At the East-West Center, scholars from 25 Asian and Pacific countries offer students of the Eastern and Western world opportunities for genuine communication.

Mr. Speaker, I must here cite another contribution Hawaii has made to the United States, three legislators who have served in the House, Representatives MATSUNAGA and MINK, and the Senator from Hawaii, Senator INOUYE. In particular, I would refer to the gentlelady (Mrs. MINK) with whom it has been my pleasure to work on the Education and Labor Committee. Mrs. MINK is an effective and articulate champion of legislation to assist retarded children, the handicapped, and preschool children and of other measures to strengthen education at every level.

To these three legislators and the people of Hawaii, I offer my sincere congratulations on this occasion.

Mr. CUNNINGHAM. Mr. Speaker, it

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was my distinct honor a decade ago to join 322 of my House colleagues who passed the bill granting statehood to the American Territory of Hawaii.

Hawaii, as the 50th State of the Union, has made great strides since that 12th day of March 1959.

Once described by Mark Twain as "the loveliest fleet of islands anchored in any ocean," Hawaii today represents a bridge between East and West for international cooperation and world peace.

The people of Hawaii are of diverse cultural origins. Yet they have proven that this 50th State is indeed a showcase of American democracy.

Mr. Speaker, I join the distinguished minority leader, Mr. Ford, in saying that I consider my vote on that March day 10 years ago one of the best I have ever cast.

I hope the progress of our 50th State is even more rapid in the next decade than it has been in its first. It has made a wonderful beginning.

Mr. CRAMER. Mr. Speaker, I rise to join with my colleagues in commemorating the historic event of March 12, 1959, at which time this body passed the bill granting statehood to Hawaii.

I had the privilege of casting my vote in favor of the Hawaii statehood bill at that time. I am pleased to observe that during the past 10 years Hawaii has grown at a rapid pace attracting nearly one-half million American tourists annually.

I believe this growth demonstrates the wisdom of the Congress voting for statehood for Hawaii and I look forward to many more years of growth and prosperity for our westernmost State.

Mr. PELLY. Mr. Speaker, as one of the original supporters of the Hawaii statehood bill, March 12, 1959, I wish to extend my best wishes to our 50th State, and "next door" neighbor to the residents and business community of my State of Washington.

This 10th anniversary of the passage of the Hawaii statehood bill is an ideal time to look back at the brilliant accomplishments that have been made by our Island State. The growth of Hawaii has been phenomenal, new air routes to the islands other than Oahu are providing more versatile links to the mainland, and industrially our bonds today are stronger than ever before.

Mr. Speaker, I take this opportunity to congratulate the citizens of Hawaii for the outstanding progress they have made in the last decade, and I am honored to have had the opportunity to have supported Hawaii statehood.

Mr. SMITH of Iowa. Mr. Speaker, I join with my colleagues in paying tribute to the State of Hawaii on this important anniversary. I so well remember the afternoon in the House of Representatives when a favorable vote was given to the proposition that Hawaii should become a State. The then delegate from the State of Hawaii, John Burns, was on a telephone in the cloakroom and in communication with the Hawaiian Legislature. I listened in on the telephone and could hear the tremendous ovation and could feel the great spirit expressed by that legislature as they heard the news of the vote in the House of Representatives.

The myth that the United States should not include inhabitants of an area seeking admission just because their land is not contiguous to the United States had been overruled as the unworthy reason that it always was.

The people of Hawaii obviously wanted to become a part of the family of States and I think the intervening years have proved the wisdom of both their decision and the decision of the Congress in passing necessary legislation and approval to complete this permanent bond.

Mr. GIAIMO. Mr. Speaker, it is indeed a pleasure to join my colleagues in celebrating the 10th anniversary of the enactment of the Hawaii statehood bill.

On March 12, 1959, the House of Representatives approved this measure by an overwhelming majority, and in August of that year, Hawaii became our 50th State. As a Member of the House at that time, I was privileged to have the opportunity to cast my vote for Hawaiian statehood. I shall always take great pride in the knowledge that I played a small role in the admission of Hawaii to the Union.

The Aloha State has demonstrated in the past decade that our faith and trust in her was well founded. As the youngest member of the Union, Hawaii has not only lived up to our expectations, but she has surpassed them.

Hawaii has proven to be an asset in the areas of business and agriculture. She is noted for her fine education and research facilities and programs, particularly in the field of oceanography. And, as a "melting pot" of so many diverse cultures and races, she has truly been a showplace for democracy in the Pacific and throughout the world.

Mr. Speaker, the people of Hawaii have much of which to be proud and they have given the United States of America much in which to take pride. I cannot in this short time do justice to their many accomplishments and to the great natural beauty and development of their State. I do, however, want to take this opportunity to offer my congratulations and best wishes to my distinguished colleagues from Hawaii, the Honorable Patsy T. Mink and the Honorable Spark Matsunaga, as well as to the people of this great State on the occasion of this 10th anniversary observance.

GENERAL LEAVE

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may have 5 legislative days in which to revise and extend their remarks on the subject of my special order.

The SPEAKER pro tempore (Mr. Carey). Is there objection to the request of the gentleman from Hawaii?

There was no objection.

MARTIN F. GRAHAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. Feighan) is recognized for 10 minutes.

Mr. FEIGHAN. Mr. Speaker, my good friend Martin F. Graham was recently honored for his outstanding service to the great State of Ohio. Gov. James A. Rhodes presented Marty with the Ohio Governor's Award at the recent annual banquet of the Ohio Newspaper Association.

An article appearing in the Cleveland Citizen of February 28, 1969, marking this singular honor follows under leave granted:

State Building Trades Leader Recipient of Governor's Award

(By Herb Moss)

Organized labor in Cleveland was honored recently by the selection of Martin F. Graham of the Ohio State Building and Construction Trades Council, as the first local labor recipient of the Ohio Governor's Award.

Graham, a native of Brooklyn, Ohio, was recently re-elected to a four-year term as secretary-treasurer of the Building Trades Council. His membership in Bricklayers Local 5 goes back 23 years, during which time he served as president and business representative of the union. In addition to his duties with the Building Trades Council, the veteran labor official also serves as vice president of the Ohio AFL–CIO.

The award, inaugurated in 1949, has been given annually to outstanding Ohioans who "have contributed invaluably toward enhancing the prestige of the State of Ohio throughout the world." Governor James Rhodes presented the bronze plaques at the Ohio Newspaper Assn. annual banquet as a "symbol of the highest honor that the state can bestow."

In noticing the caliber of others who received the award, Graham said that this made the presentation an even bigger honor for him.

He said a major goal of the Building Trades Council will be the licensing of public contractors to insure the proper enforcement of wage and fringe benefit laws.

Others honored this year included the Honorable Frank King, former state senator from Toledo and president of the Ohio AFL–CIO; Dr. Paul Briggs, superintendent, Cleveland public schools; Dr. Charles E. Chapman, president, Cuyahoga County Community College; Dr. William Carlson, president, University of Toledo; Dr. Harold Enarson, president, Cleveland State University and Dr. Max Lerner, president, Lorain County Community College, Elyria.

Graham is credited by experienced observers as the most effective legislative representative and lobbyist the Building Trades unions have ever had in the State of Ohio.

He has not limited his interests and activities to the building trades, however, but has worked with all phases of the labor movement during his time in Columbus.

NAVAL OFFICERS FIND ODD WAY OF REMEMBERING PEARL HARBOR

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. Harsha) is recognized for 30 minutes.

Mr. HARSHA. Mr. Speaker, it has required two telephone calls to the Naval Academy, two telephone calls to the highest echelon of the Department of Defense, and from February 26 to March 6, for response to my request for intelligence necessary to separate fact from fiction and commonsense from rationale regarding the widely protested March 3 Naval Academy appearance of Japanese

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Gen. Minoru Genda under the auspices of the Naval Institute.

Here is a summary of that intelligence finally dispatched to me:

The Naval Institute's secretary-treasurer and publisher defines the Institute as "the professional society of the sea services of our country."

But the institute's own constitution and bylaws define the Institute as something broader, less intimate, national, vital, and poetic:

> The United States Naval Institute is a voluntary, private nonprofit association formed in 1873 for "the advancement of professional literary, and scientific knowledge in the Navy." The membership includes officers and enlisted personnel of all branches of the military services, distinguished officers of foreign navies, and United States citizens interested in American seapower.

A Naval Academy news release, dated February 26, issued "to clarify any misconception regarding the participation of Gen. Minoru Genda in the U.S. Naval Institute's guest lecture program" sets forth the following:

> The General is retired . . . presently serving his second six-year term in Japan's House of Concillors. . . .
>
> Contrary to reports, General Genda did not "engineer" the entire attack on Pearl Harbor. Additionally, he will not be rendered military honors.

I would submit, Mr. Speaker, that the Naval Academy public information officer who wrote or approved that intelligence-insulting infantile rationale seems to ignore several things: Once an officer becomes a general he remains a general forever, retirement status notwithstanding; even without formal "military honors" the Japanese general's invitation to address the Naval Institute on Naval Academy grounds is honor in itself; that he did not "engineer" the entire attacks begs the issue beyond belief. At any rate, two paragraphs later, this Academy release says:

> A 1924 graduate of the Japanese Naval Academy, General Genda became a naval aviator in 1928. During World War II, then Commander Genda served as air operations officer aboard the flagship of Japan's First Air Fleet when the Pearl Harbor attack was ordered. In this capacity, he was given the assignment to plan the air tactics portion of the over-all attack.

In other words, what this rationale seems to be trying to infer is this: His job was not really too important compared to that of the Japanese officer who engineered "the overall attack"; General Genda just happened to be out there at sea, aboard "the flagship of Japan's 1st Air Fleet," a commander doing nothing much anyway, so, "when the Pearl Harbor attack was ordered," he was "given the assignment to plan the air tactics portion of the overall attack." I submit, Mr. Speaker, that if this is believed by the men in charge of our Naval Academy, the Naval Institute, and by their public information officers, they certainly need exposure to a thorough study of the facts of Pearl Harbor. If they really consider "the air tactics portion" unimportant, I would ask them: "What else showed up? What else delivered mass devastation to men, ships, installations and equipment?"

With reference to the Naval Academy's pathetic news release effort to play down General Genda's military career and character, I would call attention to the expensive-looking pamphlet with which the Naval Institute publicized his appearance. Its cover page features "then and now" photos of the general in his Pearl Harbor era military uniform and his current photograph in civilian attire. The three inside pages devoted in virtually solid type to General Genda's biography deals entirely with his military career—except for the first paragraph which gives his date and place of birth, and these last two lines of the final paragraph:

> A leading critic and formulator of military policy in Japan, General Genda became chief of the permanent Committee of National Defense of the Democratic Party. He was reelected to the House of Concillors for a second six-year term in July 1968.

The long career span to which the rest of those three biographical pages is devoted begins with his entry into the Imperial Naval Academy in 1921; it ends with his retirement—41 years later—in April 1962, and election to the House of Concillors 3 months later, in July 1962.

Clearly, it was his career as a prominent military officer on active duty for nearly half a century; a career which culminated by service as Chief of Staff of the Air Self-Defense Force, which made him the attractive figure which won him virtually instantaneous election upon retirement to a legislative position based on, and reflecting, his recognized expertise as a Japanese military man.

I turn, now, to a "Telegram sent by Naval Institute." It stresses that, in 1962, the U.S. Government honored this Japanese general with the U.S. Legion of Merit; that, in response to a newsman's question based on objections to this action, President Kennedy said:

> I know we all regret Pearl Harbor and everything else, but we are in a new era in our relationships with Japan, fortunately.

I agreed, then, that, "fortunately," we were, indeed, "in a new era in our relationships with Japan"; but I disagreed with the awarding Genda the Legion of Merit, an honor which must be hard earned by our own military men. I refuse to permit one error, one rationale of error, to be accepted as precedent for further error and rationale. So, even as I objected to honoring this Japanese Pearl Harbor air attack strategist in 1962. I object to honoring him in 1969.

In the original story that the general would appear at the Naval Academy, an Academy public information man was reported as having said the Naval Institute owned the building in which the general would speak on the Academy grounds.

The next day, the Academy's top public information officer, a lieutenant commander, told my office that the report was wrong, that the institute actually "leased" a portion of a building for its offices although, admittedly, no other nonofficial Navy organization, association, institution, or group was permitted that extraordinary privilege—not even the Academy's own alumni association which, as the officer stressed, maintained an office outside the gate.

Now, in the hand-delivered letter dated March 6, containing information promised for February 27, the Naval Institute's secretary-treasurer and publisher, a retired commander, tells still another version of the story:

> Through courtesy of an Act of Congress, passed in 1938, the Naval Institute is privileged to maintain offices in the Naval Academy's Museum Building on the grounds of the Naval Academy. The description of this Act is: Public—No. 450—75th Congress; chapter 52—3d session; S. 2963. A copy of this Act is enclosed herewith for your information.
>
> The cost of the original Museum Building in 1938 was some $175,000, $50,000 of which was paid by the Naval Institute, with the remaining $125,000 being paid by the Naval Academy Athletic Association. In 1962 additional construction doubled the size of the Museum Building at an expense of $600,000 borne entirely by the Naval Institute. While this addition provided more useful space to both the Naval Institute and Naval Academy Athletic Association, the Museum display area was also doubled.
>
> The Museum Building is the property of the Navy. Title is not vested in either the Naval Institute or the Naval Academy Athletic Association. There is no written lease arrangement. No rental money is paid.

A reading of the enclosed copy of the act of Congress shows that—

> The Superintendent of the United States Naval Academy is hereby authorized to accept gifts and bequests of money from the United States Naval Institute, the Navy Athletic Association, and others, and to use such money to construct a building for use as a United States Naval Academy Museum on land now owned by the United States at the United States Naval Academy.

It also shows authorization for the museum building's use "for the administrative offices of the United States Naval Institute and the Navy Athletic Association."

But, clearly, there is no authorization for the lecture series which this week featured the Japanese general.

I do note that the act specifies that "the land" upon which the museum building was authorized to be constructed is owned by the United States at its Naval Academy. I believe, therefore, that Congress has abundant right, responsibility and cause to question the activities and conditions established by its own act; particularly under the new circumstances which have been imposed upon the Congress as a consequence of the wave of understandably angry public protests rising from General Genda's Academy appearance.

I am, therefore, today dispatching a letter to the Secretary of the Navy suggesting that, in the interest of averting further embarrassment to the U.S. Navy and its Academy, a remedy is very much in order.

There is no question but what, in permitting and in rationalizing this Naval Academy appearance by this planner of the Japanese air attack upon Pearl Harbor, the Naval Institute, the Naval Academy, and their public information officers have established a precedent, a pattern for future performance in which such persons as the following might one day be invited to address the Institute at the Academy:

The Soviet Russian officer who planned or executed the Berlin Blockade against us.

The North Korean Communist officer who planned or executed his regime's aggression against South Korea, to push our forces to the southernmost tip of that peninsula.

The North Vietnamese Communist officer who planned or executed his regime's attack against our major helicopter base at Pleiku, South Vietnam, inspiring President Johnson to retaliate by bombing the north.

The North Korean Communist officer who planned or executed the attack upon, and seizure of, the U.S.S. *Pueblo*, its commander, and its crew.

For those who would rear back, cluck their tongues, and cry: "Never. That's absurd." I would hasten to offer this pointed reminder: Not one of these actions matched the Japanese attack on Pearl Harbor—an attack which the American people were exhorted to forever remember—on a day which President Roosevelt vowed would "live in infamy."

I consider it both vital and pertinent to note, here, that, according to the Naval Institute's secretary-treasurer and publisher—

> The position of (Institute) Secretary-Treasurer is filled by appointment. The Chief of Naval Operations normally serves as the Institute's President. The Superintendent of the Naval Academy normally serves as its Vice President. The six Directors are senior officers from the Navy, the Marine Corps, and the Coast Guard.

He then lists the current officers to show that this "normal" condition presently pertains.

So, here we find men who are top-level Navy officers, including the Chief of Naval Operations and the Superintendent of the Naval Academy, serving in dual capacities with the Naval Institute.

I would hope that, as I am suggesting in my letter to the Secretary of the Navy, the Chief of Naval Operations and the Superintendent of the Naval Academy can clean up this condition and apply the essential remedy against recurrence without the help of another act of Congress.

One step, for example, would be for them to move the Naval Institute's guest lecture series to a site off the grounds of the Naval Academy, a site off the grounds of any U.S. Government-owned land, base, installation, institution, or vessel.

Another step would be for them to consider a better program of public relations, probably with public information men, both service and civilian, better qualified and experienced in the art of coping with the press, public and the Congress and, certainly, who recognize the importance of handling with due dispatch and consideration congressional requests for intelligence with which to base judgments.

I neither argue for, nor suggest, any effort to limit freedom of flow and exchange of professional information beneficial to the national defense; nor do I argue for, nor suggest, any effort to limit freedom of speech nor assembly. But I do strongly suggest that the officers of the Naval Institute and of the Naval Academy are guilty of incredibly poor judgment.

Perhaps it would be less than fair to suggest that the officers of the Academy and the Institute are guilty of conflict of interest. But it would not be unfair to suggest that they are guilty of confusion of interests, of confusion of values—and, indeed, of grave misjudgment of what American taxpayers and their representatives in Congress are willing to accept, no matter how persistent the naval rationale.

The U.S. Naval Academy was established for the purpose of educating and training outstanding young men for careers as officers in defense of their country via the naval service. Since that establishment, in 1845, the Academy, its undergraduates and its graduates have held special positions of honor and respect. Many of them died at Pearl Harbor in exercise of justification of that honor and respect in manners far above the call of duty.

The appearance of General Genda on the hallowed grounds of this great and cherished institution was an affront, an insult, to those men and to this institution—this bastion of freedom and honor—that is our beloved U.S. Naval Academy.

Let us assure that there be no recurrence of this incident which, understandably enough, has aroused so much indignation and protest on the part of the American people, the press, and veterans groups who find this situation implausible on the face of it and outrageous as a result of the effort at rationale.

I prefer to assume that the Navy, itself, will remedy this bad situation which has resulted in so much embarrassment to the Navy and injury to its stature before our own people.

Even as I have expressed this attitude to the Secretary of the Navy, I have also made clear that I shall recommend a congressional remedy if the Navy does not act on this matter and so advise us within a reasonable period of time.

IMPORTS AND TRADE POLICY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. SAYLOR) is recognized for 15 minutes.

Mr. SAYLOR. Mr. Speaker, recently there have been demands for decreases in imports from spokesmen who in the past have apparently been wedded to a free trade policy regardless of its effect on the welfare of our Nation. As one who has never felt that my country is obligated to deprive its people of employment or imperil its security in an effort to satisfy the importunities of the rest of the world, I welcome these converts to a cause that is as just as it is necessary.

I have introduced in this session a number of bills to provide for orderly trade in iron ore, iron, steel mill products, textile articles, milk and dairy products, flat glass, and oil. In addition, I am author of legislation to amend the Tariff Schedules with respect to the rate of duty on paper industries machinery and on whole skins of mink.

I further call attention to H.R. 2509, to encourage the growth of international trade on a fair and equitable basis. In the days ahead I shall no doubt introduce other measures to provide protection of the products of American industry and labor, for I have long been convinced that our trade policies have been little short of insane because of their apparent contempt for the wants of our own people.

The U.S. Government has not only established a set of rules that have, for more than a quarter century, given foreign manufacturers and producers an enormous advantage over their counterparts here in competition for our very own markets; it has itself engaged in the purchase of foreign commodities and in doing so required our own taxpayers to underwrite the costs of such transactions.

For the information of my colleagues who have not previously served in the Congress, I inserted in the CONGRESSIONAL RECORD in the spring of 1965 a series of reports on the purchasing policies of governments of all other industrial nations to demonstrate that it is virtually impossible for American industry and labor to obtain public works contracts outside this country. The study was prompted by our own Government's actual discrimination against domestic industry and labor.

I recall the shock Americans received back in 1959 when it was discovered that the Tennessee Valley Authority would buy Swiss-made electrical generators. Similar protests accompanied the disclosure that the U.S. Army was buying trucks from Germany and Japan, and firm objections were raised in 1962 when a Japanese firm received a $1,138,900 contract for a hydraulic turbine at Yellowtail Dam in Montana.

A Swedish firm received the contract for two of four direct current terminals for the Pacific Coast Power Intertie in 1965. Two years later the Department of the Interior unashamedly announced that a Japanese firm would get $385,655 for pumps at the San Diego saline water test facility, and that pumps in a $1,162,742 contract at the San Luis unit in central California would be manufactured in Japan.

My report is not complete. I merely wish to show that, despite the way U.S. firms are shut out from foreign public works, the U.S. Government continues to shower favors on and pump dollars into alien nations. In 1964 I was successful in having the following amendment inserted in the Urban Mass Transportation Act:

> All contracts for construction, reconstruction, or improvement of facilities and equipment in furtherance of the purposes for which a loan or grant is made under this Act shall provide that in the performance of the work the contractor shall use only such manufactured articles as have been manufactured in the United States.

The provision would seem fair enough, inasmuch as the wherewithal to carry out the act was to come from American taxpayers. It did not set well with an administration dedicated to a philosophy

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of free trade, however, and was repealed in the next session.

With such leadership, it is not surprising that the Nation's overall import policy has tended to benefit foreign suppliers at the expense of American industry and labor. It is not surprising that steel mill products rose from 1,707,000 tons in 1958 to 18 million tons in 1968.

Mr. Speaker, I have long been disgusted with policies that imperil the national security and damage the national economy. I am particularly sensitive to what has been happening from the standpoint of steel because were it not for imports Pennsylvania's steel industry would have employed an additional 29,000 workers last year.

I am sympathetic to every industry, large and small, which suffers at the hands of doctrinaires who are quite willing to take away an American's job on the false assumption that in the exchange we improve our foreign image.

Pennsylvania has been hurt by an influx of foreign mushrooms that is threatening to take over 60 percent of the American market. We have been hurt by imports of dairy products and various agricultural products, and we have been hurt by imports of almost every product that we manufacture.

Foreign residual has taken a continued toll of our coal miners and railroad workers. We have lost ground to foreign manufacturers of glass and almost countless other products. Foreign textiles have steadily encroached on our domestic markets while many countries are banning outright the imports of textile products.

Horsepower taxes have been used to discriminate against American cars in foreign countries. Higher taxes on wheel base measurements has been another ploy. These and other restrictions have faced the American exporter everywhere that our products threaten competition, yet the U.S. State Department has persistently refused to consider relief for the U.S. manufacturer.

Now Congress must act. If the State Department insists that injury to the U.S. economy and security is not sufficient justification for reducing imports, cutbacks could apply exclusively to nations shipping to North Vietnam and Red China. No reasonable American can complain about putting a lid on purchases from countries aiding the enemy. The present Vietcong offensive would not have been possible without movement of equipment and supplies from nations which are beneficiaries of current U.S. trade policy.

The urgency for decreasing imports of assorted commodities has been documented by their effect on the defense structure as well as on labor and industry. If hostilities in Vietnam are terminated soon, as hoped, there will not be enough jobs for returning veterans because their services are being abrogated by low-paid workers in countries deluging our shores with competing products.

If, on the other hand, that war is not brought to a quick conclusion and the Soviet Union continues its intimidation of Europe and the Middle East, America's industrial capacity will not be able to meet emergency requirements unless expansion meanwhile keeps pace with domestic demand.

It is time Congress takes a stand. To delay longer is to countenance catastrophe.

NEW HIGH WATER MARK BY THE U.S.S.R. IN ARROGANCE AND INTERNATIONAL DECEPTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. PUCINSKI) is recognized for 15 minutes.

Mr. PUCINSKI. Mr. Speaker, the Associated Press is carrying a story out of Moscow today which in my judgment describes a new high water mark by the Soviet Union in arrogance and international deception.

The story says:

> The Soviet Government newspaper Izvestia gave President Nixon a gentle prod today to step up preparations for missile talks with the Soviet Union.
>
> Hinting at impatience in the Kremlin, the newspaper noted with approval that former Defense Secretaries Robert McNamara and Clark Clifford "now favor a rapid start of talks with the U.S.S.R. on disarmament."
>
> The article criticized unnamed officials in Washington who say "don't hurry" with the talks and insist on negotiating from a position of strength, "and so on, and so on."
>
> "The present balance of power" Izvestia said "makes it possible to conclude an agreement now in hand and reduction of nuclear weapons."
>
> The article which also condemned the Sentinel anti-missile system as another burden on the United States taxpayers appeared to be timed to coincide with Nixon's expected statement on the fate of the Sentinel.
>
> Izvestia said some supporters of the Sentinel argue that it is necessary, "because of the lack of an agreement on these questions with the U.S.S.R."
>
> "But it is well known that the Soviet Union is offering to start negotiations on the limitations and reduction of nuclear weapons—attack as well as defensive types," the wire continues.

Mr. Speaker, I have seen much deception and arrogance come out of Moscow. But in my many years of observing the Moscow tactics, I cannot think of anything that caps this. Where have the Soviets been for the last 12 years since 1957 when President Eisenhower proposed an open skies treaty and foolproof inspections to guarantee against sneak nuclear attacks?

This country has time and time and time again made offers to the Soviet Union to sit down and negotiate some meaningful treaties for inspection. The fact of the matter is the Soviet Union is now raising the question about the Sentinel antimissile system as being another burden on the U.S. taxpayers comes in my judgment as the height of Soviet hypocracy.

During the last two decades this country has had to spend more than a trillion dollars on national defense because for the last 20 years the Soviet conspiracy has kept this world in turmoil. Starting with the civil war in Greece which the Communists inspired and going right through to the rearming of Arab States today, to try to destroy the symbol of democracy in the Middle East, tiny little struggling Israel. In between, for a couple of years, it has been the Communists who have conspired to violate the peace of this world. If, indeed, the United States today is talking about developing a Sentinel antiballistic system, it is only because there is not any hope that the Soviet Union will show any sign of behaving like a civilized nation.

I said here on this floor yesterday that if anyone is naive enough to think that the Soviet Union is ready to give up any of its Communist doctrine, let him only look at Czechoslovakia. The Soviet Union would only agree where its own interest is not adversely affected.

We saw that demonstration in Czechoslovakia. The Soviet Union brutally destroyed and crushed the effort of that country even after it pledged to remain within the Communist orbit and even after Czechoslovakia had pledged to remain within the Soviet sphere, because they wanted some degree of personal dignity and human freedom, the Soviet troops destroyed that country's efforts.

So I say, Mr. Speaker, for Izvestia today to enter into discussion in the United States as to whether or not we are to deploy the anti-ballistic-missile system is again the height of Soviet hypocrisy. What about the 65 antiballistic missiles now ringing Moscow? Where is the concern of Izvestia and the Soviet press about the burden of the Soviet taxpayer who has to maintain that system? If we are today seriously considering deploying antiballistic missiles, it is only because the Soviet Union has deployed its own anti-ballistic-missile system against the whole industrial complex of Moscow. They do not talk about that.

I say to you that the President ought not to let the Soviet Union determine what policy this country is going to take on the deployment of antiballistic missiles. The fact of the matter is that this country has been ready since Mr. Eisenhower himself made the offer in 1957. And just let us look at a brief page in history. What happened? When Mr. Eisenhower made the proposal for an "open skies" treaty, and the Council of Ministers finally arranged a meeting in Paris and it looked like perhaps the United States might win world support to force the Soviet Union into some sort of nuclear deescalation, the Soviet Union shot down Gary Powers in the U–2 incident in order to wreck the Paris peace talks because they knew that we would get world support for our offer for disarmament. I do not know how successful Mr. Nixon will be in his present efforts to work out some treaty with the Soviet Union. The story says that the Soviet Union is offering to start negotiations on limitations and the reduction of nuclear weapons. Well, if we do not move any further in those discussions than we are now in the discussions for a peace treaty in Vietnam, the discussions which are going on in Paris, then I say that this country ought to move with full speed ahead to deploy its anti-ballistic-missile system. I cannot find any reason to place any great hope in the Soviet Union's desire to meet and talk. History is replete in example after example of Soviet infamy on that score.

If the Soviet Union really wants to make a contribution to peace and really make a contribution to disarmament and really make a contribution to stopping nuclear proliferation, let them get their puppets in Paris to sit down and start talking peace on a peace treaty in Vietnam. Today while the negotiations are going on in Paris, American casualties mount in Vietnam because of Communist atrocities.

So, Mr. Speaker, it is my hope that this article in Izvestia is going to be one more source of evidence why this country ought to proceed with the deployment of the anti-ballistic-missile system. I am sure we are ready to scrap that system the moment the Soviet Union is willing to give us a meaningful foolproof inspection system of their own installations and ours. I do not think any great violence will be done to justice, and I think America would be very willing to make that sacrifice if indeed the Soviet Union is sincere in negotiating a meaningful inspection treaty. But until that treaty is signed, and until actual foolproof inspection begins, I believe that this country would be engaging in national suicide if it failed to move ahead with the deployment of an anti-ballistic-missile system.

While I am on that score, yesterday I saw one of the saddest examples in our history when a distinguished scientist appeared before a committee of the other body and tried to point out that the anti-ballistic-missile system foreseen, the Sentinel system, is unacceptable because it does not provide any Presidential control. It is really lamentable that a distinguished scientist cannot understand the difference between an intercontinental ballistic missile designed to fly 6,000 or 8,000 miles across oceans and continents to drop a nuclear warhead on an enemy, and a defensive Spartan or Sprint missile in the Sentinel system. It is regrettable that a distinguished scientist cannot see the difference.

Of course, there is Presidential control over the ICBM because the ICBM is capable of traveling over oceans and continents and could conceivably involve this Nation in a nuclear war against the wishes of the President and the American people. And so safeguards have been properly built into the ICBM that it cannot be launched without Presidential approval.

Conversely, the defensive Spartan and Sprint, foreseen in the Sentinel, have a range of only 400 miles. They could not hurt a fly on another continent because they could never reach that continent. These are defensive weapons designed for quick response in the event that some nuclear power is foolish enough to attack this country. It is regrettable that those who know the least about this system have had the greatest influence in the current debate.

I hope Mr. Nixon, after reviewing all the facts, will indeed on Friday announce to the American people that while we agree to speak softly and seek out ways of findings peace in this world, we are going to keep our powder dry and we are going to proceed with improvement of the anti-ballistic-missile system and keep improving it and perfecting it until such a day when, indeed, there is a foolproof open-sky inspection policy available to all nations in this world. This, in my judgment, is the only way we can secure the safety of this country.

FEDERAL TRADE COMMISSION BEGINS LIMITED FIELD STUDY OF MAGAZINE SUBSCRIPTION SALES PRACTICES

The SPEAKER pro tempore (Mr. Carey). Under a previous order of the House, the gentleman from Pennsylvania (Mr. Rooney) is recognized for 15 minutes.

Mr. ROONEY of Pennsylvania. Mr. Speaker, on Monday, 19 of my colleagues joined with me in sponsoring a resolution to authorize and direct the House Interstate and Foreign Commerce Committee to investigate sales practices of the magazine subscription sales industry.

Each day's mail delivery to my office serves to accent the need for such investigation. Each day's mail delivery brings additional letters from consumers who have been misled by deceptive telephone come-ons and the followup, fast-talking salesmen into signing expensive and often long-term contracts.

I am concerned by the sales practices of both the paid-during-service—PDS—subscription sales companies and by the cash operators. I am concerned by the tactics employed both by those companies which have endorsed an industry "code of ethics" and those which have not because both categories of subscription sales companies utilize deception and misrepresentation, despite the code and industry self-policing.

One step I have taken in an effort to produce prompt action to halt fraudulent sales activity of this kind was to ask the Federal Trade Commission to reopen an investigation it made in this area several years ago. The "code of ethics" for the subscription sales industry resulted from that investigation.

I have now received a response from FTC Chairman Paul Rand Dixon which indicates the Commission's staff has been instructed "to continue to follow this matter closely with particular attention to developing information regarding effectiveness of the code in eliminating practices which are unfair or deceptive."

Chairman Dixon adds:

> If our investigation discloses that the Code is not, in fact, living up to promise, we will reconsider the Advisory Opinion and undertake other action to eliminate practices violative of the statutes administered by the Commission.

It is my understanding, Mr. Speaker, that this staff study is intended to be a "field investigation" to determine whether full-scale investigation is in order. I am confident that a full-scale investigation will result, if the field investigation generates a substantial amount of contact with the consumer. I am considerably less confident, however, if the field investigation is limited to exploratory talks with representatives of Central Registry of Magazine Subscription Solicitors, which administers the code and others associated with the industry.

I express this concern, without prejudice, simply because I recognize there necessarily exists a bond of communication between the FTC staff and Central Registry.

However, I would not want that bond to emerge as a deciding factor when the FTC determines if this problem warrants further investigation. It seems to me that the continuing flood of consumer complaints about magazine subscription sales practices should be the most important consideration.

In this regard, I am also aware, of course, of comments contained in a recent controversy-centered report by a team of law students who cooperated with Mr. Ralph Nader in a study of the Federal Trade Commission. In that report, specific reference was made to the close ties FTC members and staff are prone to develop with persons within the businesses which come under FTC regulation.

For example, communication between Central Registry and the FTC apparently has resulted in similar 1968 enforcement statistics being reported to me in the individual letters I received from the Commission under date of March 6, 1969, and from Attorney Earl W. Kintner, counsel for the PDS section of Central Registry, also under date of March 6, 1969, despite the fact that on March 7, 1969, a member of my staff was advised by a member of the FTC staff that the annual report of Central Registry for 1968 had not yet been filed with FTC.

Further, it now becomes evident that a recent visit of Central Registry representatives to the offices of the Easton, Pa., Express newspaper, which initiated a campaign to secure satisfaction of consumer complaints against the magazine subscription sales industry, apparently was instigated by the FTC. Reference to this is contained in Chairman Dixon's letter.

In addition, Chairman Dixon's letter notes that preferential handling is being accorded those complaints referred to Central Registry by the Easton Express. I consider this special treatment by Central Registry to be a disgusting example of submission to pressures and have conveyed that view to the Federal Trade Commission in a followup letter which I also wish to include in the Record. Every consumer complaint of this nature deserves sincere, honest, and expeditious handling and response. And if there appears to be any shortage of complaints, it is due to the fact that the average consumer once he has been duped, is embarrassed to draw attention to his plight, or is totally at a loss to know where to take his complaint for objective consideration.

In this regard, I have found that many local chambers of commerce do not process consumer complaints. The tri-city area in my congressional district, comprising the third largest metropolitan center of Pennsylvania, has no Better Business Bureau. Even if it had, my office has been advised by the Better Business Bureau office in Baltimore that it does not consider magazine subscription sales complaints to be "justified" unless the complainant has first contacted the offending company in writing, or if—and that is a big if—the complainant has signed a contract. In virtually every case, the complaint involves a contract signed without the consumer being aware that he was signing a contract.

Very few individuals who can be considered average American consumers are aware that the Federal Trade Commission has the authority to remedy their complaints. Even fewer contact their Congressman. And the average consumer has not the vaguest idea that an organization such as Central Registry exists for the purpose of self-regulation of the magazine subscription sales industry. Of course, if he was aware of Central Registry's function, it is possible the company which duped the subject consumer is one which does not subscribe to the industry code and thrives on deceptive sales practices free of even this substantially ineffective type of voluntary regulation.

I want to make it clear that I do not criticize the stated objective of Central Registry to do an effective job in policing sales practices within the magazine subscription sales industry. But I do maintain that the use of deceptive sales tactics is so widespread and so much a part of the magazine subscription sales industry that Central Registry, despite the very best of intentions, cannot achieve the needed degree of protection for the consumer.

Quite frankly, Mr. Speaker, I wonder how many Members of this House would knowingly sign a contract for an order of $150 to $200 worth of magazines. I venture that very few of us would do so knowingly. And by the same token, I submit that most American consumers would not place their signature on a contract for $150 worth of magazines unless they were misled to believe that they were not buying the magazines but actually were getting something for nothing. Yet hundreds of thousands of such subscription contracts are being signed every year, as evidenced by the multimillion-dollar businesses being conducted annually by a number of of magazine subscription sales companies.

Mr. Speaker, I am pleased to insert in the Record at this point a copy of Chairman Dixon's letter which makes reference to the staff review of the magazine subscription sales problem which was ordered by the FTC during a meeting held last week.

Also, I should like to include in the Record the letter I have received in response to questions I raised in a letter to Attorney Kintner, counsel for the PDS section of Central Registry. Enclosed with Mr. Kintner's reply is a copy of a speech he delivered before the Magazine Publishers Association last May 29 and in which he discusses the industry code and its admnistration.

I also would like to include in the Record a followup letter I have sent to the Federal Trade Commission. In this letter I have asked that the FTC field study give consideration to a number of specific matters related to this subject of magazine subscription sales practices, some of which I touched upon in my remarks.

Quite frankly, I am convinced that the FTC will begin a full-scale investigation of the magazine subscription sales industry, if it gives serious consideration to the 13 points I have included in this letter. Based on my own study of this situation, prompt and decisive action by the FTC certainly is in order.

Here is a perfect opportunity for the FTC to demonstrate conclusively that it can be the forceful protector of the American consumer that I believe the Congress always has intended it to be.

The above-mentioned material follows:

Federal Trade Commission,
Washington, D.C., March 6, 1969.

Re PDS Magazine Subscription Code, File No. 673 7038.

Hon. Fred B. Rooney,
House of Representatives,
Washington, D.C.

Dear Congressman Rooney: This is in response to your telegram of February 26, 1969, regarding practices used in your Congressional District and nearby areas by door-to-door magazine subscription sales solicitors. Over the years, the need for improving the practices of door-to-door salesmen of magazine subscriptions has been a matter of concern to the Commission and its staff. Several investigations were conducted and in May of 1967, the Commission, in an Advisory Opinion, gave approval on a trial basis, to establishment of the "Selling Code For Paid-During-Service Periodical Subscription Sales Agencies" (PDS Code). A copy of Advisory Opinion Digest No. 128 describing this action is attached. A copy of the PDS Code was furnished to Mr. Henderson of your office on February 19, 1969.

The PDS Code became effective on January 16, 1968. Since then the number of magazine subscription complaints we have received has dropped approximately fifty percent (50%). We are informed that the Code Administrator has received complaints at a higher rate than had previously been received by the Commission. In this connection, the Administrator works closely with Better Business Bureaus throughout the country. Over the first 12 months of Code operation the Administrator processed over 571 reports of possible Code violation. After collecting and investigating the facts, he made 89 findings of violation of the Code and assessed fines against the offending sales agencies in the total amount of $36,900.

Since first we learned from your office of the complaints originating in the Easton, Pennsylvania area, the Commission's staff has been in touch several times with Mr. Spivak, the "Action Express" reporter for the *Easton Express*, who had sent them to you. In addition, we contacted the attorneys for the PDS Code, with the result that the Code Administrator and one of his attorneys spent Tuesday, February 25, in Easton, conferring with Mr. Spivak, as well as with some consumers who had complained to the newspaper.

The Administrator has advised us that he had been handling the Easton complaints routinely, along with other complaints received from other sources. Since the visit on February 25, he has issued two complaints against magazine subscription sales agencies operating in the Easton area and others are expected. Further, we are informed (1) that he has established a special file for all complaints submitted by the *Easton Express*, (2) that his action on all of these complaints is being expedited, and (3) that a further detailed report will be submitted to us within a week.

In addition, I have instructed the Commission's staff to continue to follow this matter closely with particular attention to developing information regarding effectiveness of the Code in eliminating practices which are unfair or deceptive. If our investigation discloses that the Code is not, in fact, living up to promise, we will reconsider the Advisory Opinion and undertake other action to eliminate practices violative of the statutes administered by the Commission.

One further note I believe worthy of mention is that in reviewing the complaints furnished by your office we noted that in almost every instance the purchasers had not only signed an order but had made payments thereon for a period of time. In my view, the situation could also be improved by persons such as Mr. Spivak giving greater publicity to the need for consumers (1) to read and understand agreements before signing, and (2) to promptly cancel orders for magazines about which they have changed their mind. Please note that Section 5 of the PDS Code provides for cancellation of the subscription contract, either at the time it is verified by the sales agency, or by giving written notice within 72 hours after the contract is signed. I hasten to add that we are giving further consideration to this aspect of the matter too.

With best wishes, I am,
Sincerely, yours,
Paul Rand Dixon,
Chairman.

News Release, Federal Trade Commission, May 23, 1967

A group of producers of products sold by door-to-door salesmen employed by independent sales agencies has requested a Commission opinion with respect to the legality of a proposed code of ethics to govern the practices of the agencies and the salesmen. The opinion was rendered following the second submittal of the code, which had been substantially modified as a result of conferences with the Commission's staff pursuant to Commission direction.

The modified Code provides for the appointment of an Administrator who will be empowered to impose fines against any of the agencies if he finds that they have authorized, condoned or in any way supported deceptive practices by their sales and collection representatives. The maximum amount of fines has been limited to an amount which in the Commission's judgment will not operate anticompetitively or in a confiscatory manner but sufficient to constitute a deterrent.

Further, in the modified code the agreement between signatory agencies not to employ a person found to be a willful violator by the Administrator in a sales capacity for a period not to exceed one year was eliminated. In its place it is now provided that the Administrator, upon finding that a person has willfully violated the code, shall recommend that he not be employed in a sales capacity for a period not to exceed one year. However, it is further provided that an agency shall use its own discretion in deciding whether to follow such recommendation of the Administrator.

In order for a person to be found to be a willful violator it must be determined that on three separate occasions he violated the code with knowledge that his representations were in violation of the code. Moreover, if an agency repeatedly condones or authorizes violations of the code, it may be subject to expulsion from participation in the code.

Finally, in order to insure greater participation in the administration of the code by the agencies than was the case in connection with the original submittal, the code now provides that the Administrator will be responsible to a Board of Directors composed of six agencies and one producer. Of the six agencies, at least two must not be affiliated with any producer. Also, the one

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producer must not be affiliated with any agency. Appeals from actions of the Administrator may be taken as a matter of right to a committee composed of representatives of at least three participating agencies, at least one of which is not to be affiliated with a producer. A new committee is to be appointed each month and its members are to be rotated from among signatory agencies.

The Commission advised that it had given this matter very careful consideration in view of the magnitude of the problems which confront the industry and the obvious sincerity of the industry in attempting to devise ways to cope with those problems. Even taking all these factors into consideration, however, the Commission was unable to give its approval to those sections of code which apply to the salesmen as those sections are now written. While the code now provides that the action to be taken with respect to the salesmen found to be in violation would be on the basis of a recommendation by the Administrator rather than by agreement among the signatory agencies, the Commission believes the probable result of that recommendation would be to substantially interfere with those individuals' right of employment and their right to have their fate decided by their individual employers uninfluenced by virtually mandatory recommendations from the Administrator.

However, the Commission advised that it did not believe that this would call for outright rejection of the code, since it believed the code could be amended so as to achieve the legitimate objectives of the industry without running afoul of the antitrust laws. Thus the Commission stated it was prepared to advise the industry that it could see no objection to the maintaining by the Administrator of a public record of the names and circumstances respecting a finding of a willful violation. If this modification was agreeable to the industry, so that a provision to that effect could be inserted in the code in place of the present section applying to salesmen, the Commission would have no further objection on that score.

The Commission was further of the opinion, now that greater participation of the agencies had been assured, that it was possible to apply the code as now written to the producers and agencies in such a manner as not to do violence to the antitrust laws, particularly if the element of coercion could be truly eliminated insofar as the agencies were concerned when they were arriving at their decision as to whether to join or whether to remain under the code after having joined. The Commission made it clear, however, that this conclusion was a tentative one since there was little recorded experience upon which to predicate such a judgment. Therefore, the opinion was based on the understanding that there will be no coercion of any agency to subscribe to the plan, no coercion of any agency to remain in it after it has subscribed and no retaliation of any kind against any agency which does not choose to join or which subsequently elects to leave after having joined.

The industry was also advised that the Commission approval extended in the opinion was given for a three year period, following which the industry should resubmit its request, and, in the meantime, the Administrator must submit reports to the Commission of each complaint which was received, considered or investigated and for each action taken. Further, the opinion was rendered with instructions to the staff of the Commission to initiate periodic inquiries after the plan had been put into effect to determine and report to the Commission as to how it is actually working.

Commissioner Elman dissented. His dissenting statement is attached.

(NOTE.—In conformity with Commission policy concerning publication of digests of advisory opinions, this news release is the only material of public record. The advisory opinion itself and all background papers are confidential and are not available to the public.)

DISSENTING STATEMENT OF COMMISSIONER ELMAN

With the best of intentions, a trade association has proposed, and the Commission now approves, the establishment of a Code which provides for the exercise of the powers of government by a private group.

It is one thing to encourage businessmen to promote voluntary compliance with the law. It is something else to approve a private scheme of law enforcement, where investigations are conducted by private "policemen" and where violations of privately-decreed "laws" are punished by fines and penalties imposed by private "judges" after privately-conducted "trials".

The Code's Administrator and his staff will apparently function like a small version of the Federal Trade Commission. But there is a big difference between such an Administrator and the Commission, which is a public agency of government, with powers and duties that are defined and circumscribed by specific statutory provisions enacted by Congress. The decisions and orders of the Commission are subject to judicial review. Commission proceedings are public and must be conducted in conformity with the requirements of due process, the Administrative Procedure Act, and other applicable provisions of law. Findings of fact must be supported by substantial evidence on the record. In short, all our actions are subject, substantively and procedurally, to the basic safeguards and restraints established by law.

It is fundamental that the regulatory powers of government are too awesome to be turned over to private policemen, prosecutors, and judges—no matter how well-intentioned. Regulation of business—at least when it involves the imposition of fines and penalties for violations of prescribed standards of conduct—is the job of government agencies and officials bound by the limitations of due process and the rule of law. It runs against the basic grain of American society to permit private "vigilantes" to act as policemen and to allow private judges to hold "kangaroo courts" where punishments are imposed. The fundamental safeguards and restraints which protect the public against arbitrary or lawless official action are absent when the powers of government are sought to be exercised by private individuals or groups.

I think the Commission is taking a long step backward in approving the usurpation by a trade association of the law-enforcement powers and duties of an agency of government.*

ARENT, FOX, KINTNER,
PLOTKIN & KAHN,
Washington, D.C., March 6, 1969.

Hon. FRED B. ROONEY,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN ROONEY: This is in response to your letter of February 27, 1969 requesting from me, as counsel for the PDS Section of the Central Registry of Magazine Subscription Solicitors, a frank and honest opinion of the present status of the selling code for Paid-During-Service magazine subscription sales agencies.

I will first address myself to the complaints channeled to the PDS Code Administrator by the *Easton Express* Action Line (which were also brought to your attention) and, second, to the overall operation of the Code.

You speak of delay in the investigation of complaints forwarded to the Code Administrator by the Action Line and state that "the initial complaints were made well over a year ago. . . ." According to our information the *Easton Express* Action Line commenced forwarding these complaints to the PDS Code Administrator at the early part of this year. There were no complaints from the "Action Line" prior to that time nor were there any generalized series of complaints from the Easton-Allentown area before the "Action Line" commenced sending them.

It appears that 45 letters were forwarded to the PDS Code Administrator by the *Easton Express* relating to the complaints of 35 consumers. The Code Administrator has dealt with these 35 consumer complaints in the following manner:

(1) In eight (8) instances PDS complaints have been issued.

(2) In six (6) instances the Administrator has written to the consumer for additional information necessary to determine if a code violation has probably occurred.

(3) Twenty-one (21) of the letters including two in category (2) above were sent to the agencies involved for possible voluntary adjustment. Except for the possibility of issuing PDS complaints in the two instances which fall in category (2) above, these reports were not considered suitable for the issuance of a PDS complaint because many

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*Cf. "The Precious Ounce of Prevention", an address by Honorable Paul Rand Dixon, before the Advertising Association of the West, Spokane, Washington, June 28, 1966, pp. 11–12:

"The question then arises as to whether an industry is privileged to crack the whip on the illegal few within it. What kind of discipline is acceptable? Who is to be the judge and jury? What assurance is there that the assessment of the facts will be impartial? And will the accused have a fair chance to defend himself? These are serious questions. We are no longer living in the days of the Old West when punishment was dealt out with more speed than accuracy. We are living instead, thank Heaven, under a government of law for which many generations of free men have fought. Although legal process sometimes may be frustratingly slow, it is the safeguard of our liberty. Thus, should any industry interpret self policing as conveying the privilege to mete out justice to offenders without due process of law, far more would be lost than gained. That is why I say that self policing must be reinforced by governmental authority. For the advertising industry to set up high ethical standards, as you already have done, is all to the good, and to adhere to the standards is even better. Indeed, such self restraint serves to focus attention on those few who are out of step. They may even become so uncomfortably conspicuous that they will mend their ways. But if they don't, and persuasion fails, it is not your privilege to discipline them. Such is the sole responsibility of governmental authority—local, state or national."

Cf. also Donald F. Turner, "Cooperation Among Competitors", Northwestern Univ. L. Rev. 865, 870–71 (1967):

"In discussing collaboration among competitors which regulates or limits their competition in particular ways, I have been considering only *voluntary* adherence by the competitors themselves to agreements of one sort or another. I have not been discussing the question of sanctions that might be imposed within the group for failure to comply with the agreement; the more so, I have not been discussing sanctions effected through pressure on outside parties with whom the group deals. For good reasons, the law has always been suspicious of the potential abuse in private government of economic activity enforced by sanctions. Therefore, the use of sanctions within and without the group raises quite separate questions * * *. In short, the imposition of sanctions is indeed an assumption of legislative power by a private group which is likely to be intolerable under all but the most extreme circumstances."

relate to matters which occurred at least a year ago and some relate to matters which occurred at a time prior to commencement of operations under the PDS Code. In addition, others of these reports involve claims of misfortune in the family and consequent inability to pay, and other such hardship situations, which are suitable for adjustment by voluntary agency action, rather than PDS complaint. Of the 21 reports forwarded to the agencies involved, the Administrator has received four replies, and in each of the four instances the contracts have been cancelled.

(4) Two (2) complaints were referred back to the Action Line reporter of the *Easton Express* for further information. In these cases it was deemed best to refer them to the consumer through "Action Line" rather than directly to the consumer.

(5) Three (3) of the complaints do not concern publications which are covered by the PDS Code or the Magazine Publishers Association. (One involves a newspaper that contains information about the sports world, and the other two involve agencies which are not connected with the PDS Code or in any way with the Magazine Publishers Association).

In our view the action taken in response to these complaints is not dilatory, although in many cases the Code Administrator acts even more speedily. I believe that the speed of the Code Administrator's action compares favorably with the timing of governmental action of a like nature.

With respect to the overall operation of the Code, as of January 16, 1969 (which is one year from the time the Code began its operation) the Administrator had received from various Better Business Bureaus, Chambers of Commerce and state attorneys general offices a total of 571 reports indicating possible violations of the PDS Code. Of these reports 385 formal PDS complaints were issued alleging violations of the PDS Code. Thirteen of these were combined since the allegations and circumstances appeared to be related, so that the net number of PDS complaints actually issued by the Administrator in this one-year period is 378. In sixty-three (63) instances the determination of whether to issue a PDS complaint is pending receipt of further information from either the consumer or the reporting organization. In one hundred and twenty-three (123) instances no complaint was issued because there were no sufficient facts described in the complaint to warrant the probability that a Code violation had occurred. However, a decision not to issue a complaint is not made unless the matter is followed up at least twice with the complaining consumer and the reporting organization, and they fail to provide further information necessary for the issuance of a PDS complaint.

As you I am sure realize, after the PDS complaint is issued the agency has (a) an opportunity to answer, (b) may request a personal hearing before the Code Administrator, and (c) may appeal to a three-man appellate committee. As of January 16, 1969 two hundred and forty-two (242) complaints are pending in various stages of this litigation process. In 89 cases final action has been taken by the Code Administrator and the Appellate Committee and in such cases a net amount of $36,900 has been assessed as liquidated damage against various PDS selling agencies. In thirty-three (33) cases the Administrator has dismissed the complaint or rescinded it because the agency was able to demonstrate that no violation occurred.

Again, I believe that the actions so far taken by the PDS Administrator compare favorably in time, number and effect with what might have been accomplished by government authority.

In my view the Code is proving to be an effective instrument to control malpractices in the industry. The PDS Code in its operation for slightly more than one year already has demonstrated its effectiveness in reducing the volume of violations. We have asked various Better Business Bureaus across the country whether the PDS Code is effective in reducing improper selling and collecting activities. It has generally been reported to us that the Code has had a great effect in reducing improper PDS activities. A recent report of the National Better Business Bureau shows that during this past year PDS sales violations were down forty (40%) percent. We think that the results thus far have demonstrated the wisdom of the Federal Trade Commission's decision in authorizing the Code operations for an experimental three-year period, and under continuing operational review by the Commission and its staff.

I think it is also important to point out that thus far, we have focused only on the violations, and not on the total context of sales of magazine subscriptions through the PDS plan. The great majority of such sales are in accordance with law and good ethics. Improper selling in this field represents only a small proportion of total magazine subscription sales.

I am also aware of your most recent comments concerning sales of magazines subscriptions which appeared in the March 4, 1969 issue of the *Congressional Record*. I would respectfully point out that the newspaper articles which you included along with your remarks do not relate to PDS subscription sales but rather to sales by cash agencies which are not covered in the Code. I would also respectfully request, in order to complete the record on this matter, that the information contained in this letter also be included in the *Congressional Record*.

I am enclosing with this letter a copy of my remarks of May 29, 1968 before the Magazine Publishers Association which gives both an explanation of the PDS Code and of the underlying self-regulatory undertaking.

I would welcome any additional questions you may have, and would be willing to cooperate in any way, including personal discussion of the problem with you at your convenience.

Sincerely,

EARL W. KINTNER.

PROTECTION OF THE PUBLIC THROUGH THE PAID-DURING-SERVICE CODE

(Statement of Earl W. Kintner, counsel for Paid-During-Service Section, Central Registry of Magazine Subscription Solicitors, Arent, Fox, Kintner, Plotkin & Kahn, Washington, D.C., before the Magazine Publishers Association, White Sulphur Springs, W. Va., May 29, 1968)

The title of this talk just as well could have been "Protection of the Paid-During-Service Circulation Industry Through the PDS Code." Anyone readily may see that the public and the industry share mutual interests.

Circulation activity presents a continuing challenge commonly shared by each publisher. In no case does he wish to see a threat to any circulation source, whether or not he is using this particular source at a given time.

The Paid-During-Service subscription selling operation is one of those vital sources of magazine circulation. As you know, it gives many families the opportunity of buying several magazine subscriptions at one time without paying the cost in advance.

From circulation statistics among publishers generally it is evident that this service is in great demand by the public and yet, this important source was threatened by a cancer. That cancer was embodied in a small minority of industry people who suffered evidently from an inferiority complex, a complex leading them to believe that the public would not buy magazines through this particular plan, unless the sales presentations were deceptive, or danced on the edge of such illegality.

I have been connected with this industry in the development of the PDS Code since 1965 and I have come to know many of its problems and most of its leaders quite intimately. I am convinced that proper selling will not diminish sales or profits. In fact the housewife who buys magazines under the Paid-During Service plan is getting a real bargain for which no person in the magazine publishing industry need apologize. In the long run, proper selling will increase profits significantly, for few sales will have to be cancelled because they were deceptively sold.

The small minority, however, who have not grasped these facts, have caused grave problems for the industry. As a result of their activities, the Federal Trade Commission has conducted extensive investigations of almost every major circulation company in the industry. Some municipalities and states are contemplating the enactment of highly restrictive and discriminatory legislation which in many instances would have the effect of prohibiting the sale of magazine subscriptions on a door-to-door basis, and, in fact, in some places such legislation has been enacted. Also, Federal legislation is being considered in Congress which it is felt would have an unnecessarily deleterious effect in the industry.

It is evident to me that the executives of the leading companies in the industry have fully grasped the problems. In early 1965, a committee comprised of highly responsible leading executives of the principal circulation companies, with unqualified support from their publishers, decided that in order to forestall probably serious injury to the industry, which could result from federal and state governmental reaction to certain types of selling practices (even though practiced only by a minority), and to improve the reputation and standing of the industry, industrywide self-regulation was the only answer. It was decided by the Committee to develop a code which would effectively eliminate improper selling activities. Counsel was engaged to implement the decision. As a result, actual operating conditions in the industry were thoroughly investigated and, after extensive consultation with all principal industry members, a Code tentatively was agreed upon, after consultation with the staff of the Federal Trade Commission.

In the Code, the principal standards of selling practices were set forth, as well as provisions for enforcing those standards. In formulating the selling rules, the relevant decisions and policies of the Federal Trade Commission were taken into account, in addition to the views and necessities of the industry. In addition, in order to meet government standards, the Code was designed so that any agencies or persons affected by decisions under it would be afforded total fairness and full opportunity for their side of the controversy to be heard. Great care also was taken in formulating the Code to eliminate any provisions which might have the effect of restraining competition between the industry participants or in the industry generally.

The Code provides that an Administrator shall be appointed by the Board of Directors of the Paid-During-Service Section of the Central Registry of Magazine Subscription Solicitors. He is responsible for the administration of the Code and is empowered to originate all proceedings for enforcement of its substantive rules. He may bring proceedings against signatory agencies, and may hold hearings to determine whether such companies have violated the Code rules. The companies signatory to the Code are liable for liquidated damages if they have supported or condoned improper selling activity and also, although they have not supported or condoned such activity, they may be responsible if improper selling practices have taken place in circumstances where they should have known of such activity, and should have taken steps to prevent it. Persons engaging in improper selling activities may be found to be willful violators of the Code if the Administrator finds that each has violated the Code on three separate occasions with the knowledge that the activity constitutes a violation of the Code.

Penalty assessments will be levied only against the signatory agencies. Such agencies are held responsible for Code violations by their solicitors and representatives, even though they have no knowledge of such violations but under the circumstances should have been informed of the activity of their solicitors and representatives. The effect of this is to instill integrity at the top of each agency and to encourage practice of such integrity at each level of responsibility, to eliminate improper selling practices.

It was recognized that government approval for the Code was necessary and the proposed Code was submitted for clearance to the Federal Trade Commission. On May 22, 1967, the Commission, in a precedent setting action, approved a modified Code for a three-year experimental period. The Commission in effect entered into a limited partnership with the industry to promote compliance with the law. It required that the Administrator must submit reports to the Commission of each complaint which is received, considered or investigated and of each action taken. Further, the Commission's staff was instructed to initiate periodic inquiries after the plan had been put into effect to determine and report to the Commission as to how it is actually working. After three years the industry must resubmit its request for approval.

The industry must satisfy the Commission that the experiment has proved itself, that the industry self-regulation can benefit industry, government, and the public. To do this, the industry must fulfill its obligation, which is in effect spelled out in the Code, to rid itself of improper sales practices. If, at the end of the three-year period, we cannot demonstrate that the Code has had the effect of substantially lessening such activity, then we cannot hope to have it continued by the Commission, and the objectives for which it was created will be unfulfilled. In this event, the probability is that governmental activity, in the form of legislation and law suits, will be renewed with more vigor than ever before.

The administration and operation of the Code must have the effect of eventually eliminating violations or at least reducing them to a tolerable level from the point of view of the governmental enforcing authorities. One of the principal tools given the Administrator for the accomplishment of this end is the assessment of liquidated damages against agencies which have supported or condoned violations, or which should have known of violations by its solicitors. The Board of Directors of the Paid-During-Service Section of Central Registry has provided general guidelines to the Administrator in making liquidated damage assessments for violations of the Code. The general principle to be utilized by the Administrator is "that the damages assessed should be sufficient to deter future violations, but should not be of such a nature as to be confiscatory. . . ." The Administrator also considers other factors in making such assessments, including whether the violation is isolated or widespread, the extent to which it causes damage to the industry's reputation, and whether the violations have been supported or condoned by supervisory personnel. If this Code is to be successful, if the objective of the industry leaders is to be achieved, and ultimately if the industry is to be free from oppressive federal regulation and prosecution by various governmental authorities, the general principle of deterrence in making liquidated damage assessments must be applied rigorously. The object is to rid the industry of improper sales practices, or reduce such activity to minimal levels. The industry no longer can live with such practices.

Monetary penalty assessments alone will not do the job. One of the most important duties of the Administrator is to educate the industry concerning the requirements of the Code. He must use all resources at his command to urge circulation and sales executives to take proper steps, including, where necessary, expanded training programs, to insure that deceptive selling is not used. The Administrator, as part of his educational and public relations duties, also must maintain relations with Better Business Bureaus, Chambers of Commerce, and various law enforcement authorities to urge greater reliance upon the Code and the concept of self-regulation by such groups. Cooperation with the Better Business Bureaus is particularly essential. As confidence grows in the fairness and effective operation of the Code, among all such groups, the more the industry will be left to regulate its own affairs, and be free from regulation and enforcement from without.

I might point out that the concept of industry self-regulation and voluntary compliance with law is truly at the crossroads—its fate rests in no small measure with the success of the PDS Code. The Code's failure could register the death knell for the concept of self-regulation and voluntary compliance in other industries. Successful operation of the Code would, of course, immeasurably enhance chances for self-regulation and self-policing in other industries. More importantly, however, the reputation of this industry will be insured for long periods to come. The success of the Code will place the PDS industry in its rightful place among the rest of American business. I might also add in passing that I am painfully aware that, in part, my own reputation as an advocate of industry self-regulation and voluntary industry compliance with law is at stake. There are some influential persons in government who believe that self-regulation is merely a subterfuge to escape from the requirements of law. I do not believe this, and I look forward to the successful operation of the Code to prove me correct.

As I said above, the Federal Trade Commission, in authorizing this Code, has engaged in a new experiment in industry self-regulation and in government cooperation with industry. The experiment is for three years duration. One year has expired. During that time we have gotten a Code into operation, complaints have been issued and some assessments have been levied. I know that the agencies that have been assessed do not like it. It is not pleasant to have to pay under such circumstances. Hopefully, however, payment now will have the effect of preventing further violations, and averting even greater payment and losses in the years to come.

This industry is meeting the challenge. Its leaders have spent untold hours during the past three years in good-faith efforts to eliminate improper selling practices from the marketplace. These leaders have taken positive and constructive steps to preserve an important, and perhaps essential, means of bringing good periodical reading material into the homes of America. The PDS industry thus has demonstrated its firm commitment to integrity in selling and the protection of the good name of the magazine publishing industry.

I see in the audience today several who were in attendance at the annual luncheon of the Audit Bureau of Circulations in Chicago on October 22, 1959, which I was privileged to address during my services as Chairman of the Federal Trade Commission.

Many of you will recall that during this period there was a vigorous Congressional investigation of rigged quiz shows, attacks in many quarters on deceptive advertising and even on the utility of advertising in the economy, as well as demands both within and without government for more law and more regulation of advertising.

At that time, when my own day-to-day responsibilities included the interpretation and enforcement of legal standards for business, I pointed out that it is preferable for a sincere government officer to encourage industry in its own self-interest to express the integrity and self-policing so important in a society which emphasizes individual responsibility.

I can think of no more appropriate note on which to end these remarks than to repeat the closing remarks of that address of nearly nine years ago on "Self-Discipline at the Crossroads." I said then, and I say here again with equal feeling:

"I am quite aware that cynics ridicule the idea of self-discipline by businessmen. And while I concede there is evidence aplenty to support their cynicism, I know that without such voluntary compliance with law, this nation would be confronted with two unacceptable alternatives: becoming a police state or surrendering to commercial chaos.

"Granted that both alternatives seem remote at this time, I think it is tremendously important that we realize that self-discipline by businessmen can deteriorate—and that decay hastens decay. The capacity of business to police itself can be sapped by indifference, by ignorance, by avarice. It also can be undermined by the surrender of moral responsibilities to government—the demanding of new laws to fill the vacated bastions of self-reliance.

"Far better that governmental policing be accorded its proper role of restraining the errant few. Give it authority and strength to strike fast and hard at those who refuse to police themselves.

"Let us accept and put our faith in the political and economic system that developed this great nation of ours. Let us exalt in the privilege of living and working under a capitalistic free enterprise system—a system whose energies derive from the freedom and capacity of individual citizens and whose necessary restraints are imposed by government. One is the engine; the other the brakes. We need both. And please, God, may we never transpose these functions."

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., March 7, 1969.

Hon. PAUL RAND DIXON,
Chairman, Federal Trade Commission,
Washington, D.C.

DEAR MR. CHAIRMAN: I welcome the news contained in your letter, plus further details gleaned from telephone discussions, that a field investigation of continuing magazine subscription sales practices will be made at the direction of the Commission.

In this regard, I should like to make available to you some information I believe may be helpful if taken into consideration during the course of the field survey.

1. I have in my files at the present time a sampling of more than 30 pages of newspaper clippings from around the country on the subject of magazine sales frauds, consumer warnings, arrests, etc., all of which have been published since the industry's self-regulating code went into effect.

2. Complaints which have been brought to my attention show that the deceptive sales practices are being used indiscriminately both by sales organizations which have subscribed to the code of ethical practices and those which have not.

3. Disreputable characters of all kinds, including exconvicts, sex deviates and others are being recruited by magazine sales subscription agencies to carry out the door-to-door sales campaigns.

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4. Local newspapers daily are publishing classified ads seeking young men and women for travel jobs which are in fact recruitment ads for the magazine, encyclopedia, etc., crews which roam the country using every gimmick they can dream up to deceive consumers into putting their signature on a form, misrepresented as something other than what it actually is—a contract.

5. Investigations are continuing in Pennsylvania and New Jersey under the Attorneys General of those States. In Pennsylvania (Congressional Record, March 6, 1969, Page 5457), Attorney General Sennett has issued the first subpena for a magazine sales franchise operator and I am advised that others will follow shortly.

6. New Jersey's Director of the Office of Consumer Protection, Mr. Paul Krebs, advised my Administrative Assistant, Ray Huber, today that his office is receiving a continuing chain of complaints directed at a number of companies operating in that area. Among these is International Magazine Service, subject of a statement in the Congressional Record on March 5, 1969, Page 5379, regarding a Special Assistant Attorney General of Maryland who also is Secretary and Counsel for International Magazine Service of the Mid-Atlantic, Inc., of Baltimore.

7. My office has been contacted by ex-magazine sales personnel who have indicated a willingness to appear before an official body which might investigate this type of sales activity. They are prepared to testify that magazine subscription sales companies cannot survive without using fraudulent sales tactics.

8. It is important to consider that the Better Business Bureau, based on information from the Baltimore office, does not consider complaints about magazine subscriptions sales practices as being "justified complaints" (1) UNLESS the complainant has first written to the company involved requesting satisfaction of the complaint, or (2) IF the complainant has signed a sales contract. In virtually every case the complainant has signed a contract and therefore his complaint, in the eyes of the Better Business Bureau, would be "unjustified." It is specifically these fraudulent tactics used to secure signatures on contracts which require investigation.

9. The industry code of ethics cannot be effective if half of the industry does not subscribe to it or maintain membership in Central Registry.

10. Magazine advertising rates are based on paid subscriptions. If large volume subscriptions can be provided only by deceptive sales practices in order to maintain high advertising rates and conduct a profitable publishing business, are the magazine publishers going to bite the hand that feeds them?

11. The decision by Central Registry to give expeditious treatment to complaints forwarded from the Easton Express is in itself a disgusting demonstration of the manner in which Central Registry bows to pressures. By taking such action, Central Registry is seeking to quiet the tempest in the teapot before some fullscale investigation is begun to probe the causes of the furor. I find it most interesting to note that Central Registry is urging contract cancellations in regard to many, if not all, of the complaints forwarded by Easton Express, a practice which might be described as an attempt to pull the rug out from under the two investigations underway in Pennsylvania and New Jersey.

Mr. Chairman, I believe these points, if thoroughly considered during the course of your field investigation, will help provide substantial reason for a fullscale investigation by FTC. Meanwhile, I shall continue to press for a Congressional Investigation as well.

My sincere thanks to you and the Commission members for your prompt response to my request. I hope that I shall be able to convince you an investigation in considerable depth is warranted to protect the consumer from sales frauds on his doorstoop and in the comfort of his living room.

With kind personal regards, I am,
Sincerely yours,
FRED B. ROONEY,
Member of Congress.

STATE AIR QUALITY FINANCING ACT OF 1969

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. FARBSTEIN) is recognized for 15 minutes.

Mr. FARBSTEIN. Mr. Speaker, I introduce, for appropriate reference, the State Air Quality Financing Act of 1969. This act would open up a vast, new source of revenue to combat air pollution by authorizing the use of the highway trust fund for purposes of air pollution control. Under my bill, trust fund money could be used for the purposes of section 105, air pollution planning and control programs; and section 209, development of vehicle inspection programs, of the Air Quality Act of 1967, subject to regulations established by the Secretary of the Department of Health, Education, and Welfare for the 1967 act. The State Governor would be given the option of tapping part or all of his share of the $1.1 billion apportioned annually through the trust fund for ABC highways to fight against air pollution.

With automobiles responsible for over 60 percent of air pollution in the country and for over 95 percent of carbon monoxide in the air, it is appropriate that gasoline tax revenues be used to counteract the pollution which automobile exhausts place in the atmosphere. This pollution poses an extremely serious general health hazard, as the Congress recognized when it passed the Air Quality Act. But, in addition, it poses a particularly serious health and safety hazard to the automobile driver and pedestrian. The effects of carbon monoxide, the major pollutant emitted by autos, include impairment of judgment, reduced eyesight and muscular coordination, and drowsiness, any of which can be fatal to the person behind the wheel. Similarly, auto-caused photochemical smog, which is found in large urban centers on 20 percent to 30 percent of the days in a year, not only irritates the eyes, but in darkening the air, impairs visibility. Like carbon monoxide, it can be fatal to someone behind the wheel.

Even aside from the health and safety hazards, the dollar loss to property resulting from air pollution is staggering. It is estimated at $11 billion a year or $600 per family. An expenditure of only $10 to $25 per person for air pollution abatement activities could substantially eliminate the problem which in the long run, would result in a substantial savings to our society. Thus, if the hazards of air pollution to health and safety are insufficient motivation for tapping a major new source of revenue for air pollution abatement activities, represented by the highway trust fund, the adverse economic effects of automotive-caused air pollution should be sufficient motivation.

This question is a particularly appropriate one to raise at this time with the National Defense Highway System near completion and the Interstate Highway Trust Fund due to expire. While I have strong doubts about the desirability of maintaining any separate source of earmarked revenue for highway construction at all, if such a trust is going to be maintained, it would seem to me that it would have to be broadened to include use for abatement of the auto-caused pollution of our air.

I. THE AUTOMOBILE AS A MAJOR SOURCE OF AIR POLLUTION

Title II of the Federal Air Highway Act of 1956 created a trust fund to be appropriated among the States for use for specified highway and highway-related expenditures. As currently constituted, the State, at its discretion may use percentages of the amount allocated to it for primary and secondary road construction and for urban roads; $1.1 billion is currently available under the trust fund for these purposes. My legislation would give the Governor the discretion to use some or all of the funds derived from gas and oil taxes and allocated to his State under this mechanism, for air pollution abatement. The abatement use would be subject to approval by the Secretary of the Department of Health, Education, and Welfare as is currently required under the Air Quality Act.

While State and local expenditures for air pollution control have been rising rapidly compared to what they were even 6 years ago, they represent but a very small amount in absolute dollar terms to the objective need. Much of the increase is due to two factors. First, an increased awareness by State and local governments of the dangers of air pollution and a desire to take remedial action and, second, the matching funds provisions of the Air Quality Act of 1967. Unfortunately, the limited fiscal capacity of the State and local governments, coupled with a woefully inadequate level of funding available through the Air Quality Act to support the tremendous increase in activities needed in the field, has kept air pollution expenditures down in spite of the desire to take action.

It is generally recognized that the automobile represents the most important single source of air pollution in the United States. In terms of the total quantity of pollutants, it produces more contaminants by weight than all other sources combined. The nationwide contribution of the motor vehicle to air contamination includes: 66 million tons of carbon monoxide per year; 12 million tons of hydrocarbons; 6 million tons of nitrogen oxides; 1 million tons of particulates; 1 million tons of sulfur oxides; and 190 thousand tons of lead compounds.

The automobile is the prime source of two of these pollutants, carbon monoxide and hydrocarbons, and produces nearly half of the total nitrogen oxides released. In addition, the automobile is the chief source of lead in the atmosphere.

II. AIR POLLUTION AS A HEALTH AND SAFETY HAZARD

The Congress recognized the dangers to health posed by air pollution when it passed the Air Quality Act of 1967. The

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preamble to that act speaks of air pollution as a mounting danger to public health and welfare. The Congress recognized air pollution as a major source of disease, or in the words of former Secretary of Health, Education, and Welfare John Gardner, "as an important factor in the occurrence of worsening of chronic respiratory diseases and a factor in producing heightened human susceptibility to upper respiratory infections, including the common cold. There is no doubt that air pollution is a factor which contributes to illness, disability, and death."

But, beyond this, air pollution which is caused by automobiles, is even a more significant health and safety hazard to the automobile driver and pedestrian. This comes about as a consequence of four factors. First, air pollution obscures visibility. The familiar fog, dust, and smoke have always been around to occasionally obscure our views. In the past few decades with an increase in the use of the gasoline-powered automobile, some less familiar materials have increasingly blurred the vision of what we used to see. Nitrogen dioxide, which peaks during morning rush hour traffic, absorbs light in the blue region of the spectrum, and is responsible for the whiskey-brown haze that obscures the sky over many of our cities.

The particles that form during photochemical smogs also reduce visibility. Studies done by the Public Health Service have shown that as oxidant levels go up, visibility goes down.

Second, auto-caused air pollution can result in bodily conditions which are dangerous under any circumstances, but are particularly dangerous to one behind the wheel of an automobile. Carbon monoxide, for example, which impairs the oxygen-carrying ability of the blood, can reduce the quality of one's eyesight and bodily coordination as well as produce drowziness and impair judgment.

A third reason for the seriousness of the vehicular pollution problem has to do with the way in which the pollutants are released. About 10 percent of the hydrocarbon emissions are evaporative losses from the fuel tank and the carburetor, and about 30 percent blow by the pistons and escape from the crankcase, but most of the pollutant emissions are released by the tailpipe. These bases are emitted at low levels and often very close to sidewalks and pedestrian walkways crowded with people. Through the air intake system, the driver of a vehicle may be exposed directly to exhaust gases from the car ahead before much dilution can take place. Frequently, the same individual is exposed day after day, in a society where millions of people commute to and from work or use the motor vehicle on the job, and where bumper-to-bumper traffic is becoming routine to these pollutants.

In addition, a fourth factor is that the quantity of pollutants produced is not uniform over the 24-hour period, but usually reaches peak levels twice each weekday—once in the morning when people drive to work and once again in the evening as a result of the evening rush hour. The time of occurrence of each peak remains the same from day to day, thus adding to the drivers' and pedestrians' exposure.

III. AIR POLLUTION AS A SOURCE OF ECONOMIC LOSS

Even aside from the health hazards caused by auto-created air pollution and the safety hazards to the automobile driver and pedestrian, is the staggering dollar loss to property resulting from air pollution. This represents another strong reason for opening up a significant new source of revenue for air pollution. It is estimated to run $11 billion a year in property damage alone according to HEW. Air pollutants abrade, corrode, tarnish, soil, erode, crack, weaken, and discolor materials of all varieties. Steel corrodes from two to four times as fast in urban and industrial regions as in rural areas. Electrical equipment manufacturers are forced, in some cases, to use gold for electrical contacts, because other metals such as silver and palladium corrode in polluted atmosphere; and the corroded metal resists the passage of electric currents.

Heavy fallout of pollution particles in metropolitan areas deposits layers of grime on automobiles, clothing, buildings, and windows which adds to about $600 per year in washing, cleaning, repairing, and repainting bills to the budget of a family with two or three children in New York City, according to a study made by Irving Michaelson, a consultant in environmental health and safety.

Women in more than one U.S. city have had the unfortunate experience of developing runs in their nylons in the time it took them to walk to lunch and back again because of the level of pollution in the air. Pollution can also destroy paint pigments, and can attack fresh paint films as well and delay drying and produce water sensitivity. It can also discolor and disintegrate clothing and cause rubber to become brittle and crack.

In contrast to the $11 billion figure, estimates indicate that air pollution can be controlled to acceptable levels by spending about $10 to $25 per person per year.

Thus, if the hazards of air pollution to health and safety are insufficient motivation for tapping a major new source of revenue for air pollution abatement activities, the adverse economic effects of automotive-caused pollution should be.

IV. THE HIGHWAY TRUST FUND AS AN APPROPRIATE SOURCE OF FUNDS TO FIGHT AIR POLLUTION

This question is a particularly appropriate one to raise at this time with the National Defense Highway System near completion and the highway trust fund due to expire in 1972. As of December 31, 1968, 27,604 of the 42,500 mile interstate system was open to traffic, with an additional 5,216 miles of highway under construction. Title II of the Federal Aid Highway Act of 1956 terminates the highway trust fund in 1972 with the expectation that the highway system would be just about completed by then and that the fund will have accomplished its objective of building 42,500 miles of highway. It appears that the estimate was quite accurate. I am sure that there will be pressure nevertheless, to extend the trust fund for at least another 3 years to coincide with the expiration of the rest of the Highway Act which was extended in 1968. While I have serious doubts about the desirability of maintaining any separate source of earmarked revenue for highway construction at all, if such a trust is going to be maintained, it would seem to me that it would have to be broadened to include use for abatement of the auto-caused pollution of our air which represents a health hazard to the entire society, a safety hazard to the automobile driver and pedestrian, and a serious source of property damage and loss. Authorization of the use of the $1.1 billion ABC trust fund for air pollution would go a long way toward eliminating the health and safety hazard and reducing the property damage to which the Congress made a commitment in 1967.

WHAT HAPPENED TO ALL OF THOSE PEACENIKS?

(Mr. HENDERSON asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HENDERSON. Mr. Speaker, the editor of the Goldsboro News-Argus of Goldsboro, N.C., in his Monday edition of this week poses an interesting question: "What Happened to All of Those Peaceniks?"

I want to share his editorial with all of you:

> WHAT HAPPENED TO ALL OF THOSE PEACENIKS?
>
> Where are the peaceniks today?
>
> Those people who marched on the Pentagon. Those who, in the name of "peace" disrupted the Democratic National Convention. Those who picketed military recruiters and who demonstrated against Dow Chemical Company because it manufactures napalm.
>
> Where are they today as the United States and South Viet troops and the civilian population of South Vietnam take attack after massive attack from Viet Cong and North Vietnamese regulars—and stay the hand of retaliation?
>
> Retaliation is withheld with unbelievable patience as the United States buys costly extra days of hope at the Paris peace table.
>
> Why are not those demonstrators for peace today parading in front of the Russian Embassy and the United Nations? Why are not those vocal "pacifists" who have made trip after illegal trip to Hanoi and other communist capitals and shouted from the roof tops for us to stop the bombing—why are they not now shouting from the roof tops for the communists to stop the shelling?
>
> Could it be that they were insincere about peace? Could it possibly be that what they really wanted wasn't peace, but victory for the communists?
>
> Let them demonstrate their good faith today by demanding that the communists stop the attack and begin the peace talks.

Mr. Speaker, it is of more than passing interest to me and I hope to you that the peaceniks are never heard to deplore deliberate Communist attacks on innocent civilians—women and children—but cry loudly about inhumanity and atrocity when a limited number of civilian casualties result from an allied attack on a known and identifiable military target.

Talk about a double standard. This is about the most flagrant example I have ever seen.

THE HYPOCRISY OF THE CIVIL RIGHTS ACT OF 1964

(Mr. HENDERSON asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. HENDERSON. Mr. Speaker, the hypocrisy of the Civil Rights Act of 1964, of integration for the sake of integration, and a callous disregard not only for the desires of parents of schoolchildren, but also for education itself, is becoming increasingly apparent as the chickens come home to roost. Some of our friends in the North who say they believe in integration, but want the protection of the "neighborhood school concept" in their all-white suburbs, are beginning to cry foul.

A recent editorial by WCBS radio in New York is a case in point. It reads as follows:

Editorial WCBS Newsradio 88

Subject: School busing.

Broadcast: February 20, 1969, 12:20, 3:20, 8:20, 11:20 p.m., February 21, 1969, 8:20 a.m.

Busing of New York students to schools in distant neighborhoods has by now been given a fair trial.

It is the opinion of this station, as well as many parents and state legislators, that the device cannot be justified as a means of achieving integration of schools.

In retrospect, what busing has achieved, is a great deal of inconvenience and even hardship for a number of parents. As for children, for many of them it has brought emotional and academic dislocation.

We therefore endorse a proposed amendment to the New York State Constitution that will soon be debated in Albany. The chief sponsor of the bill is Senator Norman Lent of Nassau County. He supports desegregation of schools—just as we do. But he wants the New York Legislature to reverse busing plans imposed not by a locally-elected authority, but by state courts or the State Education Commissioner. Malverne, Long Island, is a case in point.

Malverne had an "open school policy". Under this, any child from anywhere in the school district was free to attend any school. But, since the majority of the community's residents are white, this was reflected in a lack of racial balance in the Malverne schools.

There is a certain irony in the invoking of the Federal Civil Rights Act of 1964 by advocates of busing.

The Act empowers the Federal Government to cut off aid to any school system which assigns children to specific schools on the basis of race.

But assignment to schools by race is precisely the intent of school busing plans.

Senator Lent insists that his bill will in no way infringe on the right of any locally-elected school board to initiate, or continue, voluntary busing—as in Great Neck.

The question cannot be finally decided before it is submitted to public referendum And that can't be held until 1971. There's ample time for careful consideration of the record. We hope that voters will decide against compulsory school busing.

Mr. Speaker, the editor is right. So are the white and Negro parents in North Carolina who want their children to go to the nearest appropriate school instead of being bused away somewhere to bring about racial balance. As the editor says, this is assignment based on race. It is a classic example of saying that assignment based on race and race alone to achieve segregation was wrong so now we will right it by making assignments based on race and race alone to achieve integration.

TAX RELIEF FOR APARTMENT TENANTS

(Mr. KOCH asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, pursuant to my testimony of March 3 before the Ways and Means Committee hearings on tax reform, I am introducing a bill today to allow for a tax deduction for part of the rent paid by tenants.

I find that the urban taxpayer is particularly prejudiced in the tax code as a nonhomeowner. A homeowner and the owner of a cooperative apartment are allowed to deduct property taxes on the home or building and the interest on its mortgage. These deductions are allowed as exceptions to the general rule that personal or living expenses are not deductible. This arbitrary discrimination in favor of homeowners clearly operates to the particular disadvantage of the urban dweller where tenancies are the rule and homeowning the exception.

Since the apartment tenant contributes toward the owner's property taxes and mortgage interest as a hidden cost included in the rent charge, he should, in all fairness, be permitted some kind of deduction for that payment.

Mr. Speaker, I believe that it is now time to place the ordinary tenant in the same position as homeowners and owners of cooperatives so far as deductions for interest and property taxes are concerned.

ON UNIFORM RELOCATION ASSISTANCE AND LAND ACQUISITION POLICIES

(Mr. KOCH asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, I am introducing today a bill to provide for uniform relocation assistance and land acquisition policies. My specific interest in this legislation lies in that portion of the bill providing for relocation assistance for persons displaced in all instances of Federal construction.

Right now the Federal Government operates in a strange way. In some instances it helps its citizens and in others it turns its back on them. When NASA, the Bureau of Highways, and the Defense Department demolish homes and businesses, relocation assistance is provided. When the Post Office uproots families, however, no assistance is given.

In the 17th Congressional District of New York, 175 families are faced with just this problem; they are being thrown out of their homes to make way for a new Murray Hill Post Office in Manhattan. The Murray Hill tenants are in many cases elderly or parents of large families for which it is terribly difficult to find new apartments in New York City where the vacancy rate is less than 1 percent. These people need help, both in finding new homes and in financing their moves. And yet they are receiving none.

To help make the Government's acts rational and understandable, the Uniform Relocation Assistance and Land Acquisition Act is sorely needed. It is important, however, that while we act this year to make our policies uniform, we also act to make our actions uniform as soon after enactment as possible. And so, in the bill I am introducing today, Mr. Speaker, I have made several changes in the legislation originally introduced by Senator Edmund Muskie so that its provisions will cover those persons and businesses all over the country under the immediate gun of eviction and who will be evicted in the next few years from property already owned by the Federal Government.

I should like to note, Mr. Speaker, that Senators Javits and Goodell, of New York, and I have worked together in drawing up the amendments contained in the bill I am introducing today; and it is my understanding that such amendments will be introduced by them in the Senate Government Operations Committee now considering S. 1.

The amendments principally involve persons and businesses occupying real property already acquired by the Federal Government or by federally assisted programs not covered by relocation assistance under other provisions of existing law. They provide for relocation assistance for those persons who moved or will move from such property on or after January 1, 1969. Precedence for this prior date certain is found in the Housing Acts of 1964 and 1965.

In addition, the existing effective date in S. 1 is set at 180 days after enactment. Because I have received word from the Post Office Department that they are in a position to implement the new law immediately after enactment—and while I realize that some other departments are not in this same position—I have added in my bill that with respect to relocation assistance, each agency will determine the date on which the Relocation title—title II—will become effective so long as it is not later than 180 days after the date of enactment of the act. Thus, this would enable the Post Office Department and other agencies to give immediate assistance to those tenants and businesses across the country now in the process of moving.

W. B. HICKS, JR.—1932–69

(Mr. RARICK asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. RARICK. Mr. Speaker, the pro-American cause suffered a severe setback with the untimely passing of W. B. Hicks, Jr., on February 9, 1969.

Mr. Hicks was a courageous American—one who placed God and country in the forefront of his life.

He was born in Houston, Tex., on April 22, 1932, and used the initials W. B. only, which for three generations of his family has stood for William Benjamin.

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Mr. Hicks was a graduate of Del Mar College in Corpus Christi, Tex., and also attended George Washington University here in Washington, D.C. He served in the U.S. Air Force for 6 years and was discharged in 1956 as a staff sergeant.

For 5 years Mr. Hicks was business manager and assistant publisher of Human Events before becoming executive secretary of Liberty Lobby on March 16, 1964.

Mr. Hicks regularly testified before congressional committees, where on such occasions he personally prepared most of his own testimony. Besides producing hundreds of articles for Liberty Letter, and writing numerous issues of Liberty Lowdown, pamphlets, he also wrote for other publications.

In addition, Mr. Hicks made himself available for consultation with other pro-American leaders, and selflessly devoted himself in every way to the task of restoring constitutional government to America.

Under his dedicated leadership, Liberty Lobby grew from about 30,000 to 200,000 subscribers, and the board of policy expanded from a small group of influential supporters to 15,000 members. It was typical of Mr. Hicks' creative talent that it was his idea to open the board of policy to general membership.

Survivors include his wife, Pat, and son, Benjamin, 1½; his parents, Mr. and Mrs. W. B. Hicks, Sr., of Corpus Christi, Tex.; his former wife, Marlene and their two children, Jimmie, 14, and Bonnie, 7; and four brothers and sisters.

Mr. Speaker, I include the following tribute, which appeared in the March 1969 issue of Liberty Letter, following my remarks:

W. B. HICKS, JR.

However great the grief of WB's loved ones and his fellow workers, the loss to America is yet greater, for a leader and patriot like him is rare. His natural compassion was constructively directed by sound common sense and solid philosophy. His fine mind and prodigious creative abilities were strengthened by his ability to work hard, a deep sense of personal responsibility for the well-being of his beloved America and the willingness to sacrifice for his beliefs. And his courage was rounded by an even temper.

In a way, he is one of America's first Middle Eastern casualties. For it was his profound conviction that insidious forces are driving America toward a disastrous war there that permitted him no respite in his unshakable intention to seek a quiet spot and write a book on the subject, warning his countrymen to stay out.

So on February 8 he left—with his father in law, Ray Walker, who has always drawn *Liberty Letter's* cartoon on page 1—and together on WB's schooner, *Dreamer*, they fell, victims to cold, raging waters and a ruthless gale, on the night of the 9th.

Like a Viking he fell, and this is doubtless the way that he would want it. The might of his enemy never intimidated WB—whether that enemy be Nature itself or merely human—his only concern was to fight the good fight.

If WB were to have a final wish it would doubtless be that his loss should serve to spur onward those of us who survive and who share his ideals, as if with a little greater effort on our parts we can replenish and even increase the life force that has been taken. And that, in fact, is what we must do.

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

(Mr. BRADEMAS asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. BRADEMAS. Mr. Speaker, today, the gentleman from New York (Mr. Reid) and I, together with 20 other Members of the House, have introduced a bill to establish a permanent National Commission on Libraries and Information Science.

The 1960's have been probably the most productive decade in the Nation's history in the number and significance of legislative measures enacted in the field of education. Billions of dollars are being invested by the Federal Government every year to bolster and supplement the billions of dollars already being spent by States and communities to support education at every level, from preschool through graduate school. Sharing in this increased investment have been the school, public, college, and university libraries which are so vital to the intellectual, cultural, and personal enrichment of American life and to the progress of our country.

We can see the result of Federal support and greater local financial effort in substantially improved and expanded public library services; new libraries in schools which never had them before; and better collections to underpin the programs of higher education institutions. In spite of the advances that have been made, much remains to be done. The population explosion that is crowding our schools and colleges, and the information explosion that resulted in the publication of almost 22,000 new book titles in 1967—as compared with only 13,500 in 1958—continue to strain the facilities of every type of library.

Moreover, in today's world of spectacular change, libraries are called upon to serve people studying and working in subject areas that extend far beyond their previous intellectual horizons.

Mr. Speaker, there is no agency or organization in this Nation now equipped to study, evaluate, and make recommendations for the improvement of both public and private library resources and assistance. If libraries are reasonably to be expected to provide efficient service, some method of conducting a periodic nationwide assessment of the problems of libraries and librarians and some means to coordinate plans for solutions to these problems are necessary.

It is for this reason, Mr. Speaker, that I am introducing a bill, the "National Commission on Libraries and Information Science Act," to establish an independent agency within the executive branch to serve as an overall planning, coordinating, and development agency in the field of libraries.

The establishment of such an agency was one of five major recommendations made by the President's National Advisory Commission on Libraries which last October reported the results of a year's study of the country's library and information needs. This advisory panel, composed of distinguished citizens, held extensive hearings throughout the United States in order to learn what scholars, elected officials, and a wide variety of other citizens had to say about library service in their communities.

In its report last fall, the National Advisory Commission recommended a "continuing planning agency" as the "most important single measure" that could be taken to develop a library services program to meet the Nation's needs.

This bill embodies that "most important single measure."

Long-range, broad planning has been welcomed by business and other sectors of our society as crucial to the success of their endeavors. It seems perfectly clear that we should help libraries to fulfill their essential public service roles and to maintain their relevancy to the constantly changing needs of society by providing for the establishment of a National Commission on Libraries and Information Science.

Mr. Speaker, under unanimous consent, I place a list of the sponsors of this legislation and the text of the bill at this point in the Record:

LIST OF SPONSORS OF H.R. 8839

John Brademas, Ogden Reid, Carl D. Perkins, Frank Thompson, John H. Dent, Roman Pucinski, Dominick V. Daniels, James G. O'Hara, Hugh L. Carey, William D. Ford, William D. Hathaway, Patsy T. Mink, James H. Scheuer, Lloyd Meeds, Phillip Burton, William Ayres, Albert H. Quie, Alphonzo Bell, Marvin L. Esch, William A. Steiger, Orval Hansen.

H.R. 8839

To establish a National Commission on Libraries and Information Science, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Commission on Libraries and Information Science Act."

Sec. 2. The Congress hereby affirms that library and information services adequate to meet the needs of the people of the United States are essential to achieve national goals and to utilize most effectively the Nation's educational resources and that the Federal Government will cooperate with State and local governments and public and private agencies in assuring optimum provision of such services.

Sec. 3. There is hereby established, as an independent agency within the Executive Branch, a National Commission on Libraries and Information Science (hereinafter referred to as the "Commission").

Sec. 4. The Department of Health, Education and Welfare shall provide the Commission with necessary administrative services (including those related to budgeting, accounting, financial, reporting, personnel and procurement) for which payment shall be made in advance, or by reimbursement, from funds of the Commission in such amounts as may be agreed upon by the Commission and the Secretary of Health, Education and Welfare.

FUNCTIONS

Sec. 5. (a) The Commission shall have the primary responsibility for developing plans for, and advising the appropriate governments and agencies on, the policy set forth in section 2. In carrying out that responsibility, the Commission shall—

(1) advise the President and the Congress on the implementation of national policy by

such statements, presentations, and reports as it deems appropriate;

(2) conduct studies, surveys, and analyses of the library and informational needs of the nation and the means by which these needs may be met through information centers, through the libraries of elementary and secondary schools and institutions of higher education, and through public, research, special and other types of libraries;

(3) evaluate the effectiveness of library and information science programs and disseminate the results thereof;

(4) develop overall plans for meeting national library and informational needs and for the coordination of activities at the Federal, State and local levels taking into consideration all of the library and informational resources of the Nation to meet those needs;

(5) provide technical assistance and advice to Federal, State, local and private agencies regarding library and information sciences;

(6) promote research and development activities which will extend and improve the nation's library and information-handling capability as essential links in the national communications networks; and

(7) submit to the President and the Congress (not later than January 1 of each year), a report on its activities during the preceding fiscal year.

(b) The Commission is authorized to contract with Federal agencies and other public and private agencies to carry out any of its functions under subsection (a) and to publish and disseminate such reports, findings, studies, and records as it deems appropriate.

(c) The Commission is further authorized to conduct such hearings at such times and places as it deems appropriate for carrying out the purposes of this Act.

(d) The heads of all Federal agencies are, to the extent not prohibited by law, directed to cooperate with the Commission in carrying out the purposes of this Act.

MEMBERSHIP

SEC. 6. (a) The Commission shall be composed of fifteen members appointed by the President, by and with the advice and consent of the Senate. Not more than five members of the Commission shall be professional librarians or information specialists, and the remainder shall be persons having special competence or interest in the needs of our society for library and information services. One of the members of the Commission shall be designated by the President as chairman of the Commission. The terms of office of members of the Commission shall be five years, except that (1) the terms of office of the members first appointed shall commence on the date of enactment of this Act and shall expire three at the end of one year, three at the end of two years, three at the end of three years, three at the end of four years, and three at the end of five years, as designated by the President at the time of appointment, and (2) a member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term.

(b) Members of the Commission who are not in the regular full-time employ of the United States shall, while attending meetings or conferences of the Commission or otherwise engaged in the business of the Commission, be entitled to receive compensation at a rate fixed by the Secretary, but not exceeding the rate specified at the time of such service for grade GS–18 in section 5332 of title 5, United States Code, including traveltime, and while so serving on the business of the Commission away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, and authorized by section 5703 of title 5, United States Code, for persons employed intermittently in the Government service.

(c)(1) The Commission is authorized to appoint, without regard to the provisions of title 5, United States Code, covering appointments in the competitive service, such professional and technical personnel as may be necessary to enable it to carry out its function under this Act.

(2) The Commission may procure, without regard to the civil service laws or the Classification Act of 1949, as amended, temporary and intermittent services of such personnel as is necessary to the extent authorized by section 15 of the Administrative Expenses Act of 1946, but at rates not to exceed $100 per day (or, if higher, the rate specified at the time of such service for grade GS–18 in section 5332 of title 5, United States Code), including traveltime, and while so serving on the business of the Commission away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons employed intermittently in the Government services.

AUTHORIZATION AND APPROPRIATIONS

SEC. 7. There are hereby authorized to be appropriated $500,000 for the fiscal year ending June 30, 1970, and for each succeeding fiscal year such sums as may be appropriated by the Congress for the purposes of carrying out the provisions of this Act.

THE REPORT OF PRESIDENT NIXON'S TASK FORCE ON EDUCATION

(Mr. BRADEMAS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BRADEMAS. Mr. Speaker, because education has become one of the most important concerns of all Americans, I am sure that every Member of the House and Senate, as well as persons with a particular responsibility in the field of education, will be interested in President Nixon's policies in the field of education.

I believe, therefore, that it may be useful to call to the attention of my colleagues the report to President Nixon prepared by a Task Force on Education which was headed by Alan Pifer, president of the Carnegie Corp., of New York.

Although this report has not been released by the White House, a summary of the report has appeared in the February 24, 1969, issue of the journal, the Chronicle of Higher Education.

I feel it appropriate, therefore, to insert at this point in the RECORD the complete text of the report of President Nixon's Task Force on Education followed by an article published in the journal to which I have just referred entitled, "Improve 'Image' in Education, Nixon Advised." As President Nixon and his principal advisers present their views to Congress and the American people in the field of education, I think it will be helpful to have in mind the recommendations made to the new President by his own Education Task Force.

Mr. Speaker, let me take advantage of this opportunity to congratulate President Nixon on the two principal appointments he has made so far that affect education. The first is that of Robert H. Finch as Secretary of Health, Education, and Welfare. Judging from his public statements so far, as well as the reputation he brought with him to Washington, Mr. Finch is keenly aware of some of the major problems facing our country in the field of education.

The other appointment, that of James Allen, the present commissioner of education of the State of New York, as Assistant Secretary of Health, Education, and Welfare for Education and also as U.S. Commissioner of Education, is, I hope, an indication of the significance which President Nixon assigns to education because Mr. Allen is regarded as probably the ablest chief State school official in the United States.

Mr. Speaker, at this point in the RECORD, I insert the text of the report of President Nixon's Task Force on Education:

REPORT OF PRESIDENT NIXON'S TASK FORCE ON EDUCATION

I. THE NEW ADMINISTRATION'S RESPONSIBILITIES IN EDUCATION

During the past half-dozen years there has been a dramatic increase in the Federal Government's responsibility for education. Some 60 new education measures have been passed by the Congress; the level of Federal funding has risen sharply; and the American people have come to accept and to expect a vastly enhanced Federal role.

This new situation reflects not simply vigorous educational leadership in Washington in recent years, although there has been that, but more fundamentally three other factors—the emergence of urgent national needs in education which could only be met by Federal involvement; an enormously expanded public awareness of the relationship of education to the solution of a variety of national problems; and the inadequacy of state, local and private sources of funding for education in the face of ever increasing costs. These factors have been reflected in the large bi-partisan majorities in favor of most of the new education legislation.

In addition to these factors, there has been a substantial new expression of public demand for education, viewed either as a basic right, or as a consumption item, especially at the two ends of the scale, at the preschool level and in higher education.

The new Administration, therefore, takes office in the face of a situation entirely different from that which confronted the Eisenhower and Kennedy administrations, or even the Johnson Administration. Any Administration today, and every one from now on, must be an education-minded Administration. Every President must be an education-minded President. Education has become clearly established as a top concern of the national government.

Speaking candidly, we do not believe that President-elect Nixon, with all his varied and high qualifications for office, would at present by most Americans be considered to have the kind of special concern for education the times require. Undoubtedly, as evidenced by his October 21st campaign radio broadcast on education and October 23rd telegram to the Association of American Universities, he has such a concern. But we are not aware that this speech or the telegram, or any previous speeches or actions by Mr. Nixon, have served to identify him personally with education, as he has, for example, been identified in the public mind with foreign affairs.

It would seem to us, therefore, that establishing his image as an education-minded President must be one of Mr. Nixon's highest priorities for his initial weeks in office. His concern for education, must become vivid and real—not only to the one American in four who is now either a student or teacher in the educational system but to the American populace at large.

Clearly, over the length of the President's term of office, his success in this regard will depend on the support he gives to educational measures, the wisdom with which these are formulated and on his leadership in effecting the needed reforms which we describe later in this report. In the short run, Mr. Nixon can speak briefly but eloquently in his Inaugural Address to the importance of education today and to his faith in it, he can address a special message to Congress on education at an early date, and he can give his immediate support to certain of the supplementary appropriations we recommend later in our report—appropriations which will gain him goodwill out of all proportion to their limited cost. We strongly recommend that he take all of these actions.

Of even greater immediate importance will be the quality of the appointment the President-elect makes to the chief education post in the Federal Government, (presently the Commissionership) and the status within his Administration which he accords that appointee. We urge Mr. Nixon to give the appointment his personal attention and, even at the cost of some delay, to seek out a person of the highest possible stature to fill it. We regard this post, even at its present level, as being of equal importance to several Secretaryships within the cabinet.

We also recommend that either in the Inaugural Address, or in a special message on education, Mr. Nixon make clear his intention to raise the status of the chief education post within the Federal hierarchy. Most of us in the Task Force favor making of it a Cabinet-level Secretaryship. (See discussion in Section II below.) Aside from the intrinsic merits of such a move, no step Mr. Nixon could take would so dramatically achieve the purpose of establishing his concern for education.

In establishing his concern for education and in recognizing the special educational aspirations and needs of minority groups, which we discuss in Section IV of this report, Mr. Nixon will be associating himself with two of the strongest and best traditions in American life, the improvement of human resources and the promotion of equal opportunity for all our citizens.

II. PRESENT NATURE OF THE FEDERAL ROLE IN EDUCATION AND IMPLICATIONS OF THIS FOR REORGANIZATION AND STAFFING

1. Definition of the Federal role

Despite the magnitude of the Federal role in education, there is at present considerable ambiguity in it. The leadership which Washington has felt obliged to assume in many areas of education as a matter of urgent national concern, the growing importance of its financial commitment, especially to higher education, and the weakness in general of leadership at the state level have been some of the factors serving to thrust the Federal Government into a role today which seems greater than what was probably intended by the framers of the Constitution—but which most Americans seem, nevertheless, to regard as necessary.

One member of the Task Force even suggested that, because of its financial capability, compared with that of other levels of government and of the private sector, Washington is coming to be regarded by many Americans as having a "residual responsibility" for the general support of education. We do not, however, agree that the Federal Government has, or should have, this level of responsibility for American education, and we see serious dangers in it. Nonetheless, unless some way can be found to provide increased financial resources for education at the state and local levels and from the private sector the tendency to look to Washington as the "court of last resort" will inevitably continue to grow. The call by leading higher educational associations for general Federal institutional support to colleges and universities and of the N.E.A. for general Federal aid for school construction and teachers salaries are evidence of this.

The present Federal responsibility for education can best be described as falling under the General Welfare clause of the Constitution. It consists of an obligation to provide leadership and financial support for certain specifically defined areas where, because of population mobility, the dictates of national security, the need to promote equal opportunity, or other special reasons, a national concern for the public interest, or "general welfare", transcends the sum total of the collective concerns of state, local and private agencies.

Examples of areas falling by this definition within the Federal purview (though, of course, not exclusively so) are: education of the disadvantaged (including the handicapped), the training of teachers and educational administrators, urban education, curriculum reform, vocational education, medical education, and, research (including basic research on learning, appraisal of the quality of education, experimentation and dissemination of research findings).

2. Inadequacy of Federal policy formulation and coordination

Given this definition of the Federal role, and the enormous increase of Federal responsibility under it in recent years, it is clear that the chief problems today in regard to the Federal Government's performance in education are the inadequacy of its mechanisms for policy formulation and for intra-Governmental coordination. The Federal effort has, indeed, in recent years been characterized by a multiplicity of uncoordinated, and sometimes conflicting, initiatives from many different departments and agencies of the Executive Branch and from the Congress. Although much of great importance has been accomplished, there has, nonetheless, been a serious lack of coherent planning and coordination within the Government and an absence of any mechanism for centralized appraisal of the net effect of the myriad Federal initiatives on state and local education authorities and on educational institutions. Of the total annual Federal expenditure on education of approximately $12 billion less than one-third is administered by the Commissioner of Education.

We are unanimous therefore in our view that the establishment of an effective capacity for policy formulation and coordination of the Federal involvement in education is a top priority matter for the new Administration to tackle. We are also agreed that this can only be accomplished through a significant upgrading of the rank and status within the Federal bureaucracy of the Government's chief education officer. We recommend to Mr. Nixon that he publicly state at the earliest opportunity his intention to seek legislation to this end.

3. Reorganization

It is obvious to us that reorganization of the Federal Government's capacity to handle its responsibilities in education can be done in several ways, each of which involves some difficult problems and possibly certain risks. We are, nonetheless, persuaded that for the reasons given above substantial reorganization is necessary.

A suggestion heard frequently today is that all the Human resource departments and agencies of the Government should be assembled under one super-level Cabinet officer and that an independent Department of Education, headed by a Secretary, be established at a second level under this officer.

Another suggestion is that education be separated from health and welfare and given separate status as a Cabinet-level department in its own right headed by a Secretary reporting directly to the President.

A third suggestion is for education to be given separate departmental status headed by a non Cabinet-level Secretary reporting to the President through the Secretary of HEW, much as the Secretary of the Army reports through the Secretary of Defense.

A fourth plan would be quite similar to this one only would have the Department of Education headed by an Under-secretary.

We discussed each of these alternatives briefly but did not feel qualified to pass judgment on them. A reorganization step of this magnitude is clearly linked to broader reorganization considerations and could not, in any event, be accomplished immediately because of the need for Congressional approval. Nor did we feel able in the time at our disposal to give adequate consideration to the difficult question of exactly which educational activities of the Government should be included within a Department and which should not. This problem, of course, is present in each of the above proposals.

Notwithstanding the larger questions involved, most of us, however, are of the opinion that the time has come for consideration to be given to the creation of a separate department of education headed by an officer of Secretary rank. This view is based primarily on the new level of importance occupied by education among the total range of Federal responsibilities, a level which seems to us every bit as great as the Federal responsibility in areas such as Labor, Commerce, Transportation and Housing and Urban Development.

We also believe that the existence of a Secretaryship of Education with the rank and pay such a post will entail is now a necessary inducement to attract to the Government's top education post a person of a stature commensurate with the magnitude of the job. Certainly the rank and salary level of the Commissionership are now totally incommensurate with the level of responsibility involved. This, we know, is a view that is widely shared by the educational community, which also feels that the low status given education in the Federal structure is undignified and demeaning to one of the nation's most important activities.

The creation of a Secretaryship also allows the appointment of a substantial number of non civil service appointees and would enable the Secretary to attract a much larger number of high quality persons to his top staff.

Finally, some Task Force members felt that a Secretary of Education would have more influence on the President than can a Commissioner, but this view was challenged by other members.

While most of us on the Task Force feel strongly that the time has come to centralize a wider range of Federal responsibilities for education under a Secretary, some cogent arguments against this were noted by one member. First, the present diffusion of responsibility allows those who are seeking Federal funds greater freedom of choice and maneuverability within the interstices of the Government. The very disorganization of the Federal effort serves as an important safeguard for the preservation of pluralism.

Secondly, the creation of a Cabinet-level Secretary would intensify public fear of "Federal control" of education. (Several members of the Task Force disputed this strongly.)

Thirdly, it is important to solidify the relationship of education to health and welfare, especially in regard to urban education. A separate department would weaken this relationship. (Others believed it would have the opposite effect.)

Fourthly, even if a Department were created, it would have to incorporate, and build

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on, the present Office of Education, and this is presently an inadequate base for the purpose.

4. Establishment of a National Council of Educational Advisors

Opinions were expressed for and against the need for a new high-level council of educational advisors staffed within the Government but made up, like PSAC, of eminent individuals drawn from outside Government. The purpose of such a body would be to carry out long-range studies of the Federal role in education, assess the need for possible new Federal programs, and make appraisals of the quality of educational effort in the nation. Such a Council, most of us believe, should, if established, be located in the Executive Office of the President. We recommend that the proposal be studied by the new administration and considered in relation to any plans for general reorganization of the Federal capacity to discharge its responsibilities in education.

5. The Commissionership of Education and other posts

Whether the post of chief education officer is upgraded or not, we are, as noted above, unanimous in our recommendation that the appointee be a person of considerable stature. He should be capable of being an articulate national spokesman for education and, if possible, be an individual with the imagination to give effective leadership to the many changes that must come in education in the near future. Administrative competence will also be important but perhaps less important than the more abstract personal qualities described above.

Some of us in the Task Force believe that the next Commissioner of Education (or occupant of an upgraded post) should be a person from higher education, probably a university president. Others, however, believe he should come from the elementary and secondary level. All agree that the ideal would be a person with experience at both levels.

We are in full agreement that at least one of the principal education posts in the administration should be held by a Negro, and we recommend that an energetic effort be made to recruit such a person.

Under present arrangements there are four high-level education jobs to be filled, the Commissioner, the Deputy Commissioner, the White House Staff Assistant for Education and Cultural Affairs, and the Assistant Secretary for Education in HEW. The last of these, which was created during Mr. Gardner's tenure as Secretary of HEW, is a staff position to the Secretary and has not emerged as a very significant or important post. It has inevitably been a somewhat anomalous position overshadowed by the Commissionership, a lower ranking but far more powerful post. With an upgrading of the Commissionership, this post could, however, become an important one.

The Deputy-Commissionership is presently held on an acting basis by Peter Muirhead, an able and experienced officer. This post is a non-political career civil service post. We recommend that consideration be given to the confirmation of Mr. Muirhead in this position, but we would note that this is a position which could also be held most appropriately by a Negro.

During the Kennedy and Johnson administrations a post of very great importance has been that on the White House staff held by Douglas Cater. Another assistant, Mr. Califano, has also played a key role in the passage of education legislation. There has, of course, never been a special White House staff post for education as such. Mr. Cater was employed for general duties and gradually acquired special responsibilities for education and cultural matters. Clearly, there must today be an individual on the President's personal staff with these special responsibilities, but we believe that care must be taken to make sure that the power he acquires from his close proximity to the President does not serve to diminish the authority of the chief administrative office for education, presently the Commissioner. We are not suggesting that this was the case under the last administration; we simply point to the danger.

An additional post under the present organization of HEW which can have importance for education is the Assistant Secretaryship for Program Planning and Evaluation. This is a staff position involving responsibilities for the health and welfare areas as well as education. It should be held by a person with a strong research background.

Lastly, we wish to call attention to the post of Special Assistant for Urban Education, a position on the personal staff of the Commissioner of Education. We believe that this post should be considerably upgraded, possibly to that of an Associate Commissioner. We have more to say on this later in our report.

III. MAJOR ISSUES ARISING FROM THE FEDERAL ROLE IN EDUCATION

1. Fiscal issues

The methods by which the Federal Government supports education is a subject of considerable confusion because of ambiguity in the meaning of the terms involved, especially the term "block grants," which to some people means general aid and to others has a more restricted meaning. We distinguish three possible methods of federal finance:

(a) General Aid.—This implies unspecified general funds for education given in lump sum either to the states or to specific institutions. There are presently no examples of federal funds being used this way except for the support of special institutions such as the Service Academies and Howard University and perhaps the Federally impacted area program.

(b) Block Grants (frequently and erroneously called "bloc").—There are Federal funds given or loaned for broadly defined purposes, usually, either on a formula basis to the states or subject to approved plans submitted by the states. Block grants or loans may also be given to institutions. The oldest example of a block grant is Federal support of the Land Grant universities. Title I of the Elementary and Secondary Education Act of 1965 can also be considered a block grant in that it provides funds to the states on a formula basis for a broad range of purposes for poverty impacted school districts.

(c) Categorical Grants.—These are Federal funds given or loaned for specifically, and frequently narrowly, defined, purposes, where the decision on specific grants or loans is reserved to a Federal agency. Grants may go to a state education authority, a local education authority, an institution or an individual.

Because of the confusion surrounding the term "block grants" we believe that a more precise description of this method of financing is required and have invented the term "designated block grants" to distinguish it clearly from the area of general aid. This is more than a semantic problem in view of the fact that general aid, if it were actually adopted by the Federal Government as a method of financing education, would involve some extremely undesirable consequences, among them the following:

(a) It would probably reopen the church-state issue in an aggravated form (see section III 2 below).

(b) It would cause problems in the civil rights area (see section III 3 below).

(c) It would, if widely adopted, destroy the capacity for a national approach to urgent national educational problems.

(d) It would in some situations almost certainly increase the cost of education greatly without a commensurate improvement in quality by serving as a stimulus to the wage and salary demands by non-academic and academic staff. Since these costs represent more than three-quarters of the total cost of education at all levels, the impact of general Federal support could be quite devastating. We do not mean to suggest by this that we are opposed to better salaries for teachers; on the contrary, we favor them, where deserved. We simply believe that the inevitable tendency for universal salary demands to become related to the fact and level of general Federal support would be harmful. Other ways must be found to judge the merits of salary claims.

(e) It would very probably aggravate the present problem of maldistribution of education funds between rural areas, the suburbs, and the great cities. Certainly it would not guarantee any alleviation of the special financial problem of the cities.

Finally, we do not believe that general aid, despite all the rhetoric that has been expended in support of it, is politically feasible. We seriously doubt that the Congress, if put to the test, would be willing to relinquish the political power that is represented in block and categorical grants. We must, however, point out that some powerful educational groups are in favor of general aid.

In view of the fact that Mr. Nixon has already espoused the cause of block grants in his campaign speech on education, and in view of the wide spread supposition, especially in state governments, that this term means general aid, we urge the President-elect at the earliest opportunity to make it clear to the nation that he does not favor general Federal support for education.

We do, however, believe there can and should be a general movement in Federal programs away from categorical aid narrowly defined toward more broadly defined "designated block grants". We favor this as a way of lessening the burden on state, local and institutional officials in applying for Federal funds—an area in which there is now considerable irritation and frustration—and because we see it as an important step toward the urgent task of strengthening the administrative capacity of the states to meet their responsibilities in education.

We, therefore, recommend to the new Administration that as a matter of high priority after taking office it make a thorough study of the possibilities for regrouping a number of present categorical grant programs into designated block grant programs in ways which continue to safeguard the Federal responsibility for meeting special national needs and meet the requirements of accountability and evaluation. Among Federal responsibilities is that of so framing and administering legislation that it helps to equalize per pupil expenditure among the states.

Along with any movement in the direction of "designated block grants" should go the use of Federal resources to strengthen state departments of education. We therefore strongly recommend an increase in the funding of Title V of ESEA under which grants are made for this purpose.

In making these recommendations, however, we must note the strong opposition of many higher educational institutions, both public and private, to any form of state control over Federal funds coming to them. This is a concern that will have to be weighed carefully.

We are fully aware that in our discussion of methods of Federal financing we have not dealt with the fundamental problem of how increased state, local and private funds are going to be found to meet the rising costs of education and the urgent need to improve the quality of education. In our opinion this is one of the two or three most critical domestic problems facing the nation. It is a problem that can probably be solved only through a reordering of national priorities, through fundamental changes in the taxation system, through some plan for revenue sharing, or a combination of all three. The alternative, as we have noted above, will inevitably be steadily mounting pressure on the Federal Government to meet a larger and larger share of the costs of education through general support grants, with all the undesirable consequences we have described.

We do not feel competent to make any specific recommendations as to how this great national problem might be solved. We do, however, strongly urge the new Administration to recognize the problem as a matter of the highest priority and begin to formulate the basic solutions to it. One possibility here might be the holding of a national conference on the financing of education.

Some of the Task Force also recommend that if it becomes necessary to extend the 10% income tax surcharge, or part thereof, to control inflation, that consideration be given to earmarking some of the revenue from this specifically for education.

2. The church-state issue

The immense complexities of this issue are explored with great clarity in two special memoranda which were commissioned by the Task Force. These are included as appendices to this report, and we urge that they be carefully studied. While for the moment the Church-State issue is quiescent because of the essentially political accommodations reached over recent Federal education legislation, especially ESEA, there are two distinct possibilities for it to become once again a lively area of controversy that could cause the new Administration a great deal of trouble.

The first of these could result from an unsophisticated effort to rearrange the methods through which Federal aid is channeled to the support of education, either through some general aid plan, a badly designed block grant or a clumsy scheme for the consolidation of legislation. Such an effort could easily upset the present delicate Church-State accommodation: politically, by granting the public school such broad benefits that the competitive position of the private schools would be simultaneously undermined; legally, by permitting private schools to obtain a range of services—e.g., payment of general teachers' salaries or ownership of real property—which would result in litigation testing the legislation's constitutionality.

Mr. Nixon, who has stated in his October 20th radio address that he favored ". . . a federal program to turn back to state and local control through block grants such funds as are urgently required to upgrade their educational performance," has already in our opinion come perilously close to reopening the issue. We recommend that neither he nor any high official of his Administration make any further allusions to block grants until the full implications of new methods of federal financing of education in regard to the Church-State issue can be fully explored. Since more than thirty states, including three of the largest, have provisions in their constitutions which tightly restrict aid to parochial schools, Catholic officials will in all probability be strongly opposed to any move on the part of the Administration which appears to have the effect of turning federal educational dollars into state educational dollars.

The second and very serious possibility for a general reopening of the Church-State controversy lies in the consequences of the Supreme Court's decision in Flast vs Cohen which in respect to the "establishment" clause of the Constitution for the first time grants an individual taxpayer standing to sue. The door is now open to lawsuits challenging, on first Amendment grounds, the validity of various federal education programs.

In view of the probability of such suits, we urge Mr. Nixon, soon after taking office, to set up a small study group of federal officials to review the consequences of a possible adverse decision by the Courts on all existing federal education legislation and to prepare proposals as to how such legislation might be revised should the need arise. Needless to say, such a review should be conducted as quietly as possible in order not to risk the danger of stirring up premature public controversy.

Lastly, we must call attention to the close relationship between one aspect of the Church-State issue and the enforcement of Civil Rights legislation. The more it becomes public policy to try to circumvent the first Amendment by aiding private schools indirectly through aid to the individual student under the "pupil benefit theory," the greater the danger of undermining integration efforts in those states where substantial numbers of parents have sought to avoid the consequences of integration by sending their children to private schools. This point was made so emphatically by one member of the Task Force with special experience in such a state that we feel constrained to mention it.

3. Civil rights

Present policies of HEW provide that if a school district is violating the Constitution as defined and interpreted by the federal Courts, the school district is not eligible, under the provisions of Title VI of the 1964 Civil Rights Act, for federal funds. Consistent with a Supreme Court ruling, HEW has taken the position that "freedom of choice" desegregation plans are acceptable, provided they are effective in disestablishing the racially dual school system. HEW has adopted as a matter of administrative policy the Constitutional standards defined by the Courts. The Executive branch has been supporting the Supreme Court and implementing the Court's decisions through enforcement machinery.

Critics of HEW have argued that "freedom of choice" plans should be accepted even though they are not effective in accomplishing the Constitutional requirement of desegregation. The new Administration has been urged, and will have continuous pressure put on it, to adopt a lower standard of administrative policy generally with regard to desegregation than that enunciated by the Supreme Court. If the new Administration should adopt a lower standard, school desegregation in the South and probably also in the North would come to a halt. The position of moderate Southern leaders and moderate Negro leadership throughout the country would be seriously undermined. Local districts which had previously decided to proceed with a school desegregation plan would be forced to move backward.

We strongly recommend that Mr. Nixon make absolutely clear to the nation that his Administration, in its implementation of Title VI, will be guided by the decisions of the Supreme Court and that it will do all in its power to assure that the Constitutional rights of children as defined by the Courts are fully protected. We regard the enunciation of such a statement, followed by firm enforcement action on the part of the new Administration, as far more important than the question of where the enforcement of Title VI should be located. We are aware of the argument that it should be removed from HEW because of its possible adverse effect there on the passage of new education legislation by the Congress, and the opposing argument that it should not be moved to the Justice Department because Title VI has to be enforced in close conjunction with the administration of federal education programs to be effective. We do not feel competent to pass judgment on this question but simply wish to call attention to it as one the new Administration will have to consider.

In supporting vigorous enforcement of Title VI, we must make it clear we do not believe this will in itself have much effect for preventing the seemingly inexorable movement toward de facto segregation in our largest Northern cities and now, increasingly, in our larger Southern cities. This is a massive problem which is tied inseparably to other massive problems, especially to housing, residential patterns, job opportunities, transportation facilities and to the growing demand for self-determination in the black community.

Nonetheless, Title VI must be enforced because the existence of legally sanctioned dual educational systems is contrary to present interpretation of the Constitution and a constant affront to all of our Negro citizens. Furthermore, the Federal Government must use all available means to promote school integration wherever possible. Among these means are incentive grants to state and local school authorities under Title IV of the Civil Rights Act of 1964. We recommend strongly that the funds available in this Office of Education administered program, which are presently woefully inadequate, be substantially increased. We also urge the new Administration to place a new emphasis generally on persuasion, education and financial inducement in its handling of the school integration question.

Over the longer run, the only workable attack on de facto segregation may be through metropolitan-wide plans in which inner city and suburban districts are given strong financial incentive to cooperate. These plans will be extremely expensive and will only be feasible when large new sums are available from Federal sources.

4. The reorganization of legislation

There are now operative 69 pieces of federal education legislation passed in the last eight years, about 50 of them administered by the Office of Education. The Office presently administers 105 programs and will be administering 113 in Fiscal '70. Some of the legislation authorizes categorical grant and loan programs and some block grant and loan programs. There is a widespread belief, both at the state and local level, that the seeking of funds under this multiplicity of legislation is an unnecessarily burdensome and time consuming business, and the time has come for a major effort at simplification of the process. With this we concur, and we believe it is a task which the new Administration must set itself as a matter of high priority.

We must point out, however, that aside from some simple codification of existing legislation, such as, for example, collecting together into a single Act, without changing them, the six pieces of legislation that deal with the education of the handicapped child, the business of the reorganization of legislation is fraught with many dangers. These are of two kinds: First, there are in regard to many pieces of legislation powerful forces against change. These often consist of groups in Congress, which derive political benefit from the legislation, allied with groups in the Executive branch, which have a vested interest in present arrangements for administration of the legislation, allied with groups outside the government, which have lobbied successfully for the legislation and fear they will lose something in any process of revision. The result is that reorganization in some areas, which may be highly desirable, may also be politically extremely difficult.

The other principal danger is that an attempt at the reorganization of legislation may in some cases inadvertently reopen old problems such as the Church-State issue which the complexities of existing legislation were skillfully designated to circumvent. This would be particularly true of the ESEA Act of 1965.

Nonetheless, the reorganization of legislation, some of which has been put on the

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books when better funding of existing legislation would have done the job, is a responsibility which the Federal Government must now assume and a job which the new Administration will have to tackle. We therefore recommend that Mr. Nixon set up a skilled Task Force within the Administration to make a thorough study as quickly as possible of all existing education legislation and recommend how this could be reorganized so as to provide for greater efficiency in administration and less burden on state and local education authorities.

5. *Appraisal of the effectiveness of Federal education programs*

One of the first tasks of the new Administration must be to make a quick appraisal of the effectiveness of the present major federal education programs, because it will in short order be faced with difficult decisions about extending the authorizations for these programs and the level of their funding. For example, planning for the renewal of ESEA in 1970 is already an urgent matter. We therefore recommend that Mr. Nixon set up a small, high-level task force of objective and well-informed people to carry out such an appraisal as quickly as possible, preferably within the next eight weeks.

This will, of course, inevitably be a somewhat rough and impressionistic job and will have to be based largely on interviews with Federal, state and local officials, with members of the Congress and with representatives of educational associations, rather than on research. Even with these limitations, however, we believe such a review to be well worth making as background information to the new Administration for the many important decisions it must make in the coming months.

Such an appraisal does not, of course, accomplish anything in regard to a highly important longer-range requirement, the need for the Federal Government to establish a mechanism for thorough, objective, research-based evaluation of educational programs in the nation, including those supported by federal funds. We discuss this need in section VI below.

IV. URBAN EDUCATION

While not universally true, the failure of education in most of our larger cities is now so general and so great as to constitute one of the nation's most serious domestic problems. The reasons for this are not wholly understood but they include such factors as: a general shortage of funds in relation to the special problems faced by urban educational systems, the frequently inequitable distribution of state funds to the cities and, in some cities, unequal allocation of funds between poorer and better-off neighborhoods; the influx to the cities of children with educational deficiencies acquired elsewhere; massive inflexible and anachronistic bureaucracies for the administration of urban education that deny the possibility of a supportive community relationship to the schools; the difficult home conditions of urban children from poverty backgrounds; the irrelevancy of educational programs and curricula; poor teaching; and many others.

Clearly, the new Administration cannot take any steps that can solve this enormous problem quickly. But we believe that, equally clearly, this is one of the areas of education where the Federal Government has a special responsibility for direct intervention and one to which the new Administration must devote a substantial portion of its attention. The difficulties in so doing cannot be disguised and are no less than formidable, especially for Mr. Nixon, who had the support in the election of neither city residents generally nor minority groups. Indeed, it would be fair to say that with minority groups living in urban ghettos the new Administration faces an attitude ranging from skepticism and cynicism to outright sullen hostility. To speak bluntly, the new Administration will be tackling the enormous problems of urban education with few or no credentials and at a time when there is widespread disillution in the ghettos caused by the rosy promises and subsequent failures of the past eight years.

To complicate the problem further, the new Administration is taking office at a time of severe budget stringency and of white backlash against special governmental efforts to help the black man. Both factors are likely to place severe limitations on what Mr. Nixon can do to establish confidence in his Administration in the inner cities and get some new programs and new approaches functioning there.

And yet we believe he has no alternative but to make the effort, in small and perhaps symbolic ways at first and later, as funds become available, with major new programs. Because, if the problems of urban education are not solved, if urban schools cannot produce an employable product, other major urban problems, from juvenile crime to skyrocketing welfare costs, will remain unsolved and our great cities will increasingly become places that can neither be adequately governed nor safely lived in.

Before any new moves are made, and preferably as soon as possible, we urge the new Administration to set up a series of quiet, private meetings with minority group leaders to discuss the problems of urban education. These meetings should be so structed that the voices of true ghetto leadership are heard in them, and the emphasis from the Administration's point of view should be on listening. The day has passed when external agencies, whether public or private, can tell the black man, the Puerto Rican, the Mexican American, and the American Indian in the ghetto what is good for him. His ideas and his resources must form the basis of any new approaches.

We do not deny that there are serious dangers in meetings of this kind. They may be publicized; they may get out of hand; most of all they may create false hopes. Clearly, a great deal of thought and care must go into the organization of them. But we believe they must be held, if the new Administration is going to come to grips effectively with the educational problems of the inner city and especially those parts of the city with high concentrations of minority group residents.

We assume that if the voice of the ghetto is listened to, what the new Administration will hear in many cases is a strong demand for community control of the schools. While the battle over community control has been fought largely at the local level thus far, it is moving rapidly to the state level and, it seems to us, will inevitably have repercussions at the Federal level. It is certainly an issue on which the new Commissioner and other Federal officials must be well informed and may be one on which they ultimately have to take a position.

In considering the means available to it for attacking the special problems, of urban education, the new Administration, will, above all else, have to appraise the effectiveness of Title I of ESEA. While we believe that in some cities Title I programs have been effective in regard to the problems of inner city schools, we do not believe that Title I in its present form, important as it is as a way of helping disadvantaged children generally, is having any significant impact on the massive problem of urban education. This is because a large portion of the money under the distribution formula goes to school districts which have children who meet the definition of being disadvantaged but which do not have any of the problems of the great city school systems, leaving too little for concentration in the cities.

It might, theoretically, when the renewal of ESEA comes up in 1970, be possible to revise the distribution formula to divert a higher portion of the funds to the big cities. Or it might be possible to provide that new funds above the present appropriation level go largely to the cities and, within the cities, be sufficiently concentrated in their use to provide some real impact. We seriously doubt that the former is politically feasible, and in any event the present level of funding, as we have pointed out above, is not such as to be able to make a large difference in the cities anyway.

If, however, it becomes possible to raise the level of Title I funding significantly in the future, we would certainly favor an attempt to devise a new distribution formula, at least for this incremental funding, that would give a much larger share of the money to the big cities. If this were to happen, and the funds were large enough, Title I could conceivably serve as the Federal Government's principal instrument for assisting urban education.

But there is an alternative possibility to which we believe the new Administration should give serious consideration as a means not only of increasing the effectiveness of Federal action in this area but also of dramatizing the seriousness of its own intentions. The alternative is to formulate, and try to get the Congress to pass in 1969 for Fiscal '70 funding, a new Urban Education Act.

Such an act would, in part, be a codification of existing pieces of legislation and, in part, contain some new authorizations. It would not incorporate or be a substitute for Title I of ESEA. (That program should, in our view, be both continued and expanded). But it would be designed to focus specifically on the problems of urban education, which no present legislation does, and it would be expected to accomplish some things which Title I does not.

As we envisage it, such an Act would need an annual level of funding of at least $1 billion to be effective and only the largest cities should be eligible. In addition, a small portion of the funds, perhaps 10 percent, might be available for state distribution to smaller cities which had special school problems caused by poverty and heavy concentrations of minority group children.[*] Cities would apply to the Federal Government through the states for funds under the Act, and, to be successful, would have to show convincing evidence that the funds were to be used only in the most disadvantaged areas of the cities and that community opinion in those areas had been taken into due consideration in the formulation of the proposals.

Emphasis in the Urban Education Act should be on such things as the training and employment of paraprofessionals in the schools, the training and employment of student aides, special training of teachers for inner city schools, new curricula and other experiments, keeping the schools open twelve months a year, preparation for community control, sensitivity training for both professional and nonprofessional personnel, special salary incentives to retain experienced teachers, pre-school programs, the rehabilitation of school buildings and in cases where facilities will be available equally to public and private school pupils the construction of new buildings.

It would be important that the Act be designed with two further principles in

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[*] One Task Force member opposed this suggestion on the grounds that it would unnecessarily complicate the Act and dilute the essential purpose of it.

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mind: that the Federal funds not become a substitute for state or local funds and that they be so concentrated as to have some real impact.

We recommend to the new Administration that it give serious consideration to this proposal for a new Urban Education Act and that if the reaction is favorable to it, Mr. Nixon launch the idea in general terms in a special education message to the Congress shortly after taking office. We caution, however, against any such unveiling of the idea unless the Administration is serious in its intent to seek an adequate level of funding for the act, which we would regard as at the least one billion dollars annually.

In our consideration of the pressing problems of urban education, although we recognize a current disillusionment in the ghettos with university-based urban assistance programs, we believe that the urban universities and colleges, nonetheless, constitute a vital resource for the improvement of urban education. If the resource they represent can be substantially strengthened, they can play the same kind of role for urban education which the Land Grant colleges did in an earlier era for agriculture and rural life. We therefore urge the new Administration to use every means at its disposal, particularly through Title I of the Higher Education Act of 1965, to fund well-designed university programs which give promise of being of direct assistance to the improvement of inner city education.

V. THE FINANCING OF HIGHER EDUCATION

Among the most serious problems facing education in the nation is that of the financing of higher education. Viewed as a problem extending over the next decade, it is a matter of more than doubling the resources available to colleges and universities from the present $17.2 billion to approximately $41 billion to provide places for an additional 3 million students, many of them from disadvantaged backgrounds, to start some 500 new institutions and to improve the quality of the entire enterprise. These are the principal findings of the Carnegie Commission on Higher Education contained in its recently issued report Quality and Equality: New Levels of Federal Responsibility for Higher Education. (A copy of this report is attached.) Although we have not had time to discuss the report in detail and there is certainly some disagreement among us on at least one aspect of it, we regard it as the most comprehensive statement on the problems of financing higher education yet to appear and recommend it to the new Administration for careful study.

Philosophically, we are divided within the Task Force on the question of how much emphasis should be put on student loans, especially to disadvantaged students, in the financing of higher education. Some of us, believing that the financial returns from higher education in the form of higher earnings throughout one's life time are clearly evident, take the view that much greater use should be made of loans to all kinds of students, especially in Federal programs. We see no inequities involved, if these are contingency loans to be repaid over a long period of years as a fixed percentage addition to income tax, and if, in the case of disadvantaged students, the loans are supplementary to grants based on need.

Others among us, while favoring the exclusive use of loans for students from middle-income families, are opposed to their use by students from poverty backgrounds, believing that such students, often having obligations to help support parents and siblings, should not start life saddled with this sort of burden.

We are, however, agreed that the present Federal program of basic Educational Opportunity Grants made available under the provisions of the Higher Education Act of 1965 is a good program and should continue with increased funding.

Finding adequate support for higher education is already a critical national problem and will become more so as each year passes. We believe it is a problem which will increasingly have to occupy the attention of the new Administration. Unless additional resources are found, the nation will not, solve the problem of providing equal access to higher education, will lack sufficient places for young people generally who desire higher education and will have to face a cut in the quality of the education which colleges and universities can offer. For the purposes of this report, however, we must confine our attention to a limited number of urgent problems.

1. Student aid

The Higher Education Act of 1965 required institutions receiving EOG funds to make intensive efforts to recruit needy students and it encouraged them "to the extent feasible to make conditional commitments for Educational Opportunity Grants with special emphasis on students enrolled in grade 11 or lower." Such commitments have been made, with the result that institutions will either be charged with breach of faith or forced to increase their institutional deficits, unless sufficient Federal funds are forthcoming.

Meanwhile, however, of the $136 million available for this program in 1969–70, some $111 to $116 million is required for the continuation of grants made in previous years, leaving only $20 to $25 million for new grants, a grossly inadequate sum in relation to commitments already made to potential new students by the colleges. In our opinion, this is a case where a reduction in the budget for fiscal '69 has been so severe that it has involved the Federal Government in a breach of faith with the colleges and universities. We urge the new Administration to determine the minimum additional funds required to enable the colleges to meet their outstanding commitments and to seek a supplementary appropriation in this amount from Congress for the Fiscal '69 year.

Funds available for National Defense Student Loan and Work-Study are slightly larger for 1969–70 than they were for 1968–69, but it seems certain that they will fall far short of the need. We know that over-all college enrollment will increase; that there will be a more than usual increase in students from very low income groups. In addition, college costs have risen and there is an increase in the allowance for administrative costs. We estimate that an additional $100 million would be required to meet the need for NDEA and Work-Study as adequately as in 1968–69.

The important point here is that not only will Educational Opportunity Grants provide for far fewer entering needy students than a year ago but, in addition, the NDEA and Work-Study funds will be entirely inadequate for their established users and cannot, therefore, cushion the loss of EOG funds.

We believe that this immediate problem connected with Federal support of needy students is one to which Mr. Nixon should address his personal attention and that in dealing with it expeditiously he can at limited cost to the budget gain a tremendous amount of goodwill from the academic community.

2. Graduate (pre-doctoral) fellowships and traineeships

Awards for these programs in any academic year are funded by appropriations made in the previous fiscal year. Thus, it is possible to estimate now the number of new fellowships that can be awarded in the 1969–70 academic year. The new Fiscal '70 budget will fund fellowships for the 1970–71 academic year.

In the 1966–67 academic year, the Federal Government supported 15,000 new fellowship awards to predoctoral students. For succeeding academic years the figures for new starts have declined as follows:

Years:	
1967–68	13,913
1968–69	10,950
1969–70 (estimate)	9,675

The sharpest declines have been registered in the NASA traineeship program, which fell from 1335 new fellowships in 1966–67 to 75 in 1969–70; the Office of Education NDEA fellowships, which fell from 6,000 in 1966–67 to 2,886 in 1969–70; and NSF fellowships and traineeships, which fell from 1225 and 2149, respectively, in 1966–67 to 948 and 1535, respectively, in 1969–70.

Unless this trend is reversed immediately, the supply of Ph.D.s in all fields, but particularly science, four to six years hence may decline seriously. We urge the new Administration to give this problem early attention.

3. Academic facilities

The academic facilities program, enacted in 1963, has generally been regarded as highly successful and has had a wide measure of bipartisan support in Congress. The nation's ability to find places in higher education for returning servicemen and for the disadvantaged, let alone the increasing number of regular students outside these categories who are seeking higher education, will depend directly on a continuation and expansion of this program. It is presently in trouble because of budget cuts.

A complete picture of the current need for academic facilities funds will not be available until late January from the Office of Education. However, the best information available at present on the backlog of demands for facilities funds is as follows:

Title I—Undergraduate Facilities Grants—As of last March, eligible applications to State Facilities Commissions totaled more than $584 million, about $320 million more than available for Fiscal '68. That left a backlog of $264 million at the start of Fiscal '69, which would consume almost the entire $266 million available for this fiscal year if no new applications at all were filed. The total amount of new applications filed with State Commissions will not be known until early in 1969.

Title II—Graduate Facilities Grants—As of mid-October, applications on hand for graduate facilities grants totaled $73 million, compared with $25.5 million available for them in the current fiscal year. Stated another way, applications already amount to nearly three times as much as can be funded.

Title III—Facilities Loans—The backlog of loan requests at the start of the fiscal year on July 1 was $108 million, which would consume more than two-thirds of the $150 million available for Fiscal '69. By November 1 applications on hand totaled $165 million.

We urge the new Administration to make a review in early February of this serious problem of a shortage of Federal loan and grant funds for higher educational facilities with a view to seeking emergency supplementary funds under the Fiscal '69 budget. In the light of the findings of this review, the budget requests for academic facilities in the Fiscal '70 budget should also be reexamined.

4. Urban programs of colleges and universities

In Section IV we noted the need for Federal funds to help certain colleges and universities develop their capacity to provide special assistance to city schools. We call attention here to the need for Federal funds to help urban higher educational institutions develop a more generalized capacity to assist

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in the solution of a wide variety of urban problems—through special research, training and service programs.

We recommend that the new Administration make a special study of the needs in this area and review of present Federal capacity to be of assistance, leading to the possibility of new legislative proposals, if required, or increased funding of existing authorizations.

5. Junior colleges

It is obvious that a substantial proportion of the future expansion of higher education must and should take place at the junior college level, for reasons of cost, educational policy and social policy. The junior college, being nonresidential, costs considerably less to attend. It is, therefore, an important institution in regard to increasing equality of access to higher education for disadvantaged students. It can furthermore, provide occupational training directly related to productive employment opportunities.

Junior colleges can also become, and a few are beginning to, genuine community institutions providing learning opportunities for the entire adult population of the surrounding areas. This is a development of enormous potential importance to the quality of life for many Americans.

We have no immediate recommendation to make in regard to junior-colleges except to urge the new Administration to examine carefully the adequacy of funding for aid to this sector of higher education in its review of the Fiscal '70 budget. But we do urge as a longer range matter that, in planning the future Federal role in higher education, special attention be given to assisting the states to establish and develop these two year colleges, especially where they can serve as community-wide learning centers.

6. The funding of university research

We assume that other Task Forces will have made recommendations to Mr. Nixon in regard to the extremely serious, possibly even dangerous, situation created by the drastic reduction in the rate of increase of Federal funding of university research, especially scientific research. This is a problem which requires the new Administration's immediate attention. We feel sure that Mr. Nixon, judging from statements in his October 23rd telegram to the Association of American Universities, is well aware of the problem and will have excellent advice from his Science Advisor, Dr. Lee DuBridge, on how best to deal with it.

The point we wish to emphasize, of which this situation is illustrative, is the great need for more consistency and orderliness in the process of Federal financing of universities, especially where, as in research, the Federal source of funds has become dominant. In this kind of situation a discontinuous, stop-and-go Federal funding process becomes nothing less than irresponsible.

7. Some cautions

In Section III 1 we have expressed our opposition to any program of general Federal institutional grants across the board to colleges and universities. This would include opposition to the so-called Miller bill for general institutional aid for the development of science. This would be far too broad to meet our definition of "designated block grants".

We are also strongly and unanimously opposed to the so-called Ribicoff plan of income tax credits for tuition costs. We believe this proposal, if enacted, would do little or nothing to relieve the general financial plight of the colleges and universities and would be regressive in its implications, favoring the better off at the expense of the poor. We know of no responsible group within higher education that is not strongly opposed to this plan.

We are therefore sorry to note that Mr. Nixon in his telegram of October 23rd to the Association of American Universities at its annual meeting in Washington expressed himself as favoring the tuition tax-credit plans. We urge him to reconsider his position on this matter.

VI. RESEARCH, EVALUATION, EXPERIMENTATION AND CHANGE IN EDUCATION

We believe that the Federal Government has a special responsibility for the support of research in education and dissemination of findings; for systematic evaluation of the quality of education offered the American people; for the support of educational experiments; and for the promotion of desirable change in the educational system. In the past ten years through programs administered by the Office of Education and the National Science Foundation, the Federal Government has been engaged in each of these activities except systematic evaluation of the quality of education and has in our opinion achieved sufficient success to warrant greater efforts.

It has been discovered, for example, that change is possible under the leadership of the Federal Government and that this leadership, contrary to the fears of some people, can lead not toward homogeneity but to greater diversity of curricula. It has also been discovered that the costs of promoting change are not unreasonable. Indeed, what has been spent on research, experimentation and the promotion of change has been infinitesimal compared with these activities in the defense system or in a major industrial enterprise.

The record, of course, has not been perfect. For example, while some of the research and development centers and national educational laboratories supported by Federal funds have been highly successful, others have failed to achieve anything much of significance. And, in an overall sense, the educational system of the nation at large has shown itself resistant to change and content to continue along in ways that are patently failing. This is particularly true of urban education.

There is, therefore, a great deal yet to be learned about how change in the content of education can be effected widely throughout the system and how the strategy of instruction, to make education more relevant to the individual learner, can be improved. Clearly this will involve the retraining of teachers on a massive scale, and we see Federal funds as being particularly appropriate for this purpose. We also believe there must be a significant increase in Federal funds for research, curriculum development and dissemination.

Title III of the Public Broadcasting Act required the Commissioner of Education to create an ad hoc Commission on Instructional Technology to study and report on the potential improvements in teaching and learning through applications of technology, including the use of equipment-based systems of instruction. The Commission, which is chaired by Dr. Sterling McMurrin of the University of Utah, a former Commissioner of Education, is scheduled to submit its report in June. We urge the new Administration to establish contact immediately with the Commission on Instructional Technology in order to take early advantage of its deliberations.

(We also recommend a study of the Committee for Economic Development's report on Innovation in Education, released in condensed form in the summer of 1968. One of the CED's recommendations was the establishment of an institution much like that proposed by Mr. Nixon in his October 21 radio address.)

We should also point out that Senator Yarborough introduced at the end of the last session of Congress, and will presumably reintroduce early in the next, a new Educational Technology Act, designed to increase the use of equipment in education. We recommend that this bill be studied carefully because, while its general intention to stimulate the improvement of instruction is good, some of its provisions can clearly be improved. Further, it duplicates Title III of NDEA, in many of its funding provisions. (The Johnson administration's budget for fiscal 1969 proposed a virtual elimination of NDEA III; but Congress eventually funded it at approximately the level of fiscal 1968.)

We have noted with particular interest the excellent suggestion made by Mr. Nixon in his radio address of October 21 for the establishment of a National Institute for the Educational Future.

In supporting this suggestion we are divided on the question of whether such an Institude should be located outside the Government (though supported by Federal funds) or inside it but independent of the Office of Education or any other agency operating programs in education. We are, however, agreed that the independence of the new agency is vital to its success.

A prime function which we would assign to the new Institute is sophisticated, objective, hard-headed evaluation of the quality of various educational programs in the United States including, of course, those supported by Federal funds. It is interesting that evaluation, the original and for many years only responsibility of the Office of Education, has never really been met by it, and now, because the Office has become a large operational agency, never can be.

And yet the need for evaluation, in part because the nation is now spending large sums of money through the Federal Government on education, has never been greater. As a matter not simply of public accountability but in the broad national interest, the Federal Government has a direct responsibility to obtain an independent evaluation of the net impact of Federal programs in various areas such as curriculum development, teacher training, vocational education, education of the disadvantaged, including the handicapped, and so forth.

We should note here that the only national attempt to assess the quality of American education there has ever been is just getting under way under the auspices of a new private organization called the Committee to Assess the Progress of Education (CAPE). The exploratory, preparatory and trial run phases of this undertaking have been supported by two private foundations and a grant for it has just been made by the Office of Education. If the national assessment is successful, which there is now considerable promise of its being, we would hope that it might be associated in some respect with the new Institute we have described above. We recommend that the new Administration familiarize itself with this project with a view to future Federal financial support for it.

Other functions we would assign to the Institute would be research, participation in experimental projects, the dissemination of research findings and the clearing house for new ideas function mentioned by Mr. Nixon in his speech. We would not expect the Institute to act as a large scale funding agency, even for research, leaving this function to the Office of Education.

All of us are painfully aware of the general lack of humanity in the public educational system of the nation. This derives partly from bureaucratic inflexibility, partly from inflexible and outdated curriculum, partly from the rigidity of poorly trained teachers, partly from an organizational emphasis on groups of children rather than the individual child, and partly from poor teaching materials, es-

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pecially textbooks. We believe the Federal Government can and should play a leadership role in the alleviation of this general problem of inhumanity in the educational systems, and we believe that in this regard also the Institute has particular relevance.

We strongly urge the new Administration to set up a small working party to draw up plans for the Institute for the Educational Future, this group to report back as soon as possible as to the Institute's functions, organization, budget and location inside or outside the government. We also recommend that Mr. Nixon consider mentioning the Institute in a special education message to the Congress should he decide to deliver one. We would hope that the working party would come up with a plan of operation for the Institute sufficiently specific and feasible to enable legislation to be introduced in this session of Congress establishing it.

VII. OTHER URGENT MATTERS

1. The future of the Headstart program

The Economic Opportunity Act expires June 30, 1969, and its future will, therefore, be one of the very first things the new Administration must come to grips with in its initial days in office. Included in this decision is the fate of the Head Start program, presently administered by the Office of Economic Opportunity. The decisions that must be made in regard to Head Start are whether to continue it and, if so, whether to leave it with OEO or move it to the Children's Bureau or the Office of Education.

Last October Congress directed the President to submit a report to it on Head Start by March 1, 1969. We understand that this study, in draft form, is presently on the President's desk. What action, if any, he will recommend remains to be seen. We urge the new Administration to get a copy of that report as soon as possible and study it prior to making any decision on the future of Head Start.

We believe that nothing happening in American education today can be regarded as more important than early childhood programs and we regard as tragic the non availability of these programs to some two-thirds of our children, including three-quarters of children from disadvantaged homes who so badly need them. We urge Mr. Nixon to consider early childhood education (including also the Follow Through Program) a "Presidential priority" and to use all of his influence to increase the funds available for it.

Regarding the future of Head Start the majority of us favor leaving it with the OEO. We believe that an important feature the program has had at OEO, a package of services to the pre-school youngster which include health and nutrition and community involvement as well as instruction, might be dropped if the program were to be transferred elsewhere. We also believe that, located outside the school system, Head Start can be a strong catalytic force for change. The "competition" it represents we regard as good. If however, Head Start must be transferred elsewhere, we would urge that it go to the Office of Education rather than the Children's Bureau. If Head Start is transferred, Congress should require that its good features, enumerated above, should be retained.

One of our members, however, believes that all pre-school programs would be better coordinated and more effective if they were administered as part of the regular school system and believes there is duplication and waste in the present competitive system. He also notes that at least twice as many children are presently enrolled in pre-school programs run by regular school districts with Title I ESEA money than are enrolled in Head Start clasess. He would, therefore, favor a transfer of Head Start to the Office of Education to make one unified pre-school effort for the nation. He too would be opposed to transfer of the program to the Children's Bureau.

2. Planning for the renewal of ESEA

One of the first tasks which the new administration must face is to begin planning for the renewal of the largest single piece of Federal education legislation, The Elementary and Secondary Education Act of 1965. While this act does not expire until June 30, 1970, major decisions about its renewal, we were told by Congressman Albert Quie, must be reached by March 1, 1969. Even if the date should prove to be slightly later than this, it is clear that there is not going to be much time for the new Administration to affect the renewal, unless it moves swiftly.

We therefore urge that the Secretary of HEW, or Commissioner, if he is appointed soon, organize a small task force immediately on taking office to make a quick appraisal of each title of ESEA as a means of assisting the new Administration to form a position on the ESEA renewal. (This recommendation is related to our recommendation in Section III 5 of a similar group to make a quick appraisal of the effectiveness of all major federal education legislation. The ESEA appraisal could be the first task which such a group might undertake).

In this appraisal of ESEA, there are three questions which should receive special attention. The first is the degree to which Title I is, or is not, making any appreciable difference in the inner cities. We have mentioned that in Section IV above.

The second is whether the funding of any substantial portion of the experimental projects supported under Title III is being taken over by state or local education authorities or whether these projects are simply being allowed to lapse. It is conceivable that, in the renewal of Title III, provision should be made for longer federal funding of projects, but this would, of course, substantially reduce the number of new projects that could be funded, unless this title were to be funded at a considerably higher level.

The third is whether the funding of Title V, under which grants are made to strengthen state departments of education, should not be substantially increased. We believe that it should, because we regard an improvement in the capacity of state governments to handle their responsibilities in education as being of absolutely critical importance. Without such an improvement it will be impossible for the Federal Government to keep its own rate in education within reasonable bounds and impossible for it with any degree of responsibility to move away from categorical grants toward the kinds of "designated block grants" we have recommended.

3. Inclusion of Indians under ESEA

A "Sword of Damocles" type of problem the new administration must deal with immediately is the following: When action was taken by Congress to approve forward funding of ESEA, Indians were for the first time made eligible for benefits under Titles I and III. This forward funding authority expires June 30, 1969 and with it the inclusion of Indians in ESEA, although the Act itself has another year to run after that date. We recommend that immediate steps be taken to continue the eligibility of Indians under ESEA through the duration of the Act's life and to include Indian children in Federal schools in all future education legislation.

4. The Teacher Corps

We believe that the Teacher Corps has demonstrated its value and are strongly in favor of seeing it continued at a higher level of funding. We urge that a supplementary appropriation be sought for this program in the amount of $10,000,000.

We also recommend that the legislation authorizing this program be amended to add incentives for participants without degrees to gain them and become fully fledged teachers.

In recommending a supplementary appropriation for the Teacher Corps, we must warn the new Administration that there have always been a considerable number of Congressmen who have opposed this program, and getting the supplementary appropriation will probably involve a stiff fight.

The Education Professions Development Act of 1968, of which the Teacher Corps is a part, is an excellent piece of legislation. We recommend that other titles of it also be funded at a higher level through supplementary appropriations.

5. Funding of the Vocational Education Act

We believe that the newly enacted Vocational Educational Act is potentially one of the most important pieces of legislation available. There are, however, two important needs in connection with it. First, is the need for firmer enforcement of the Act to ensure that state plans, before being approved, provide for more of the funds to be spent both at a lower age level (12–16 years) and higher age level (post-high school) than is normally the practice and also provide that a much higher proportion of the funds be spent in the inner cities in areas of high youth unemployment. This enforcement will challenge longstanding practices and vested interests and will not, in our opinion, be accomplished without a firm federal effort. But we regard it as essential.

Secondly, the level of funding of the Act is totally inadequate to the massive problem of youth unemployment in the cities. We recommend the seeking of funding for this essential legislation, for which there has as yet been no appropriation.

6. The Fulbright program

We strongly urge immediate action by the new Administration to salvage the international education exchange program through the following steps:

First, by means of a supplemental appropriation early in 1969, to close the $15,000,000 gap in the levels of the Fulbright-Hays appropriations as between fiscal year 1968 (approximately $46,000,000) and the current 1969 fiscal year (approximately $31,000,000); and

Second, in the budget for fiscal year 1970, to restore this major U.S. exchange program at least to the level it had reached in fiscal year 1967 (above $50,000,000) before the subsequent budget reductions occurred.

Such action would make a tremendous contribution to the good name and to the best interests of the United States in international affairs—out of all proportion to the modest sums involved. It would create an enormously important psychological impact by starting to reverse the sense of decline and disillusionment which have affected international education in the last few years. In general, Federal efforts in this field may require a certain amount of re-thinking and re-formulation in the next year or so. But in the Fulbright-Hays Act we already have a widely-known, highly respected program of long standing; more than any other Federal activity, Fulbright-Hays symbolizes the commitment of the United States to vigorous participation in international educational exchange. It should be kept strong and visible precisely at the time when other aspects of our international effort may be in a stage of re-definition and rebuilding.

The severe cuts in the Fulbright program since 1967 came at a very bad time. Through patient efforts translated into cost-sharing agreements, the contributions being made by as many as 13 other countries have now grown to almost $2,000,000. But interest in other countries is bound to fall off—indeed as it has in the present fiscal year—as U.S. financial support drops. Similarly, we are threatened by an already perceptible loss

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of vigor on the part of the bi-national commissions established in the Fulbright countries. By increasing the funds for this program in 1969 and 1970, the new administration would be giving an early signal that the United States did not, in fact, intend to turn inward on itself in a new period of isolationist withdrawal. This would give new life to the bi-national commissions and help dramatically to sustain interest in other countries as reflected in cost sharing.

This reaffirmation of commitment to the Fulbright program would also, indirectly and in subtle ways, help to improve the overall climate of international affairs—a matter of paramount importance in view of the approaching period of hard negotiations with the Soviet Union to which the President-elect has committed himself on several occasions.

This move would also be a clear and loud signal to the United States academic and educational community. It could thus become a crucial first step in rebuilding the bridges between the Federal Government and that community, bridges which have fallen into serious disrepair in recent years. The level of United States private support (mainly from the universities) in relation to the Fulbright program has been growing steadily, reaching about $5,750,000 in the present year. The concept of federal funds as a trigger to release major private voluntary effort would be advanced by early action on this front as here recommended. What occurs in this connection could well become a projection for the years ahead when, given reasonable federal stimulation, even greater support can be mobilized from the private sector.

7. Funding of the International Education Act

The International Education Act of 1966 is, in our view, an excellent piece of legislation which was prepared with tremendous effort and care. The failure of Congress ever to provide any funds under the Act has been a major disappointment to the colleges and universities and has unquestionably seriously restricted the overall quality of the nation's performance in international affairs, especially in educational assistance to the developing countries.

Even a small appropriation under this Act would have tremendous psychological value, aside from its intrinsic merit. It would unquestionably gain the Nixon Administration a great deal of good will in the academic community. We recommend that the new Administration seek such an appropriation from the Congress.

8. National endowment for the humanities

In our opinion, the National Endowment for the Humanities has been a considerable success. Operating with a pitifully small budget, it has, nevertheless, been able to support some excellent projects and has stood in the eyes of the academic and intellectual communities as visible evidence of the Federal Government's realization of the importance of the humanities and, as a symbolic attempt at least, to redress the enormous imbalance between Federal support of scientific and humanistic studies.

The Endowment is seeking a supplementary appropriation of $1,500,000 of matching funds for its fiscal '69 budget and an appropriation for fiscal '70 up to the full level of the authorization ($9,000,000 of program funds and $4,750,000 matching funds). We recommend that the new Administration support both of these requests.

In making this recommendation, some of us in the Task Force wish to note that, even though the Endowment for the Humanities has been very successful in securing private gifts to match its public matching funds, we have objections in principle against the notion of Federal matching funds. We would suggest that this feature of the Endowment be reviewed when plans are being made for renewal of its authorization. The authorization, incidentally, expires June 30, 1970, so arrangements for continuing the life of the Endowment past that date must begin fairly promptly.

Our discussion of the National Endowment for the Humanities led us into a broader area about which all of us in the Task Force hold strong views, and which we feel obliged to mention, even though we have no immediate recommendations to make in regard to it

We refer to the need for much greater attention to the arts and humanities in elementary and secondary educatioh generally. This is of particular importance in inner city schools where children from severely disadvantaged homes, whatever their ethnic or cultural background, can sometimes be reached by the imaginative use of the arts as an educational medium. Many valuable experiments in the humanities and arts have been supported by federal funds made available under Title III of ESEA, and it is here that the cutback in these funds has been particularly distressing.

9. The draft

Although some members of the Task Force expressed the view that much of the present campus unrest is directly attributable to the draft and favored early steps by the new Administration to substitute a volunteer system of military forces for it, other members regarded the question of campus unrest as considerably more complex and had objections in principle to a volunteer army. In any event, we do not regard this large issue as falling directly within our limited assignment and assume it will be the subject of careful study and deliberation by the Administration after it takes office.

There is, however, one specific aspect of the draft which we regard as of urgent immediate importance on which we must comment. We endorse the following memorandum submitted to us by the American Council on Education and urge the new Administration to take the steps recommended in it:

"It has been the position of the American Council that the orderly flow of men through the educational system all the way to the doctoral degree is essential to the health of the nation. A corollary to that position has been that those fortunate enough to enjoy the fruits of higher education should be equally liable (no more, no less) for military service with those who do not have the advantage of higher education.

"Current DOD-Selective Service Policy requires the induction of the oldest eligible registrants first as the Selective Service process continues. Because of the past policy of deferring all undergraduate and graduate students until they complete their education, virtually all of the pool of oldest men is now made up of college graduates and graduate students. If the current policy of drafting oldest first continues for another year, the overwhelming proportions of inductees will, therefore, be college graduates or those just embarking on graduate studies.

"The impact on enrollment in graduate schools has so far apparently not been severe. This is because of two factors: (1) the slowness of local boards to reclassify students who lost their II–S deferments last June; (2) the low draft calls of the first six months (July 1-December 31, 1968) of the current Fiscal year. A total of only 86,000 men were inducted during that period. DOD estimates that 174,000 men will have to be inducted during the next six months. Draft calls of 26,800 men for January and 33,700 men for February have already been announced. Thus, impact on graduate enrollment during the second semester can be extremely severe, since all eligible men now in the first and second year of their graduate study are there on borrowed time without the benefit (except in medical areas) of any kind of student deferment.

"We believe that the new Administration should take a long-range, a medium-range, and a short-range view of the whole problem. The President-elect has already stated his support for an all volunteer army; this is obviously long-range.

"We believe the medium-range approach should be be legislative revision of the Selective Service Act with a view to bringing greater equity into the program and assuring an uninterrupted flow of highly educated manpower. Since, under present circumstances, only approximately one in every 7 eligible males is likely to be needed in the Armed Services, we strongly recommend legislation establishing a prime age group and the institution of a process of random selection from that group.

"In the short-range it is possible to provide relief from the critical situation we now face through administrative action. This relief could be brought about by having the Secretary of Defense designate to Selective Service a prime age group from which inductees are to be drawn. This would most logically be the age of 19. Into this pool of 19 year olds would be placed all men over that age whose student and other deferments were terminated, and this latter group would be treated as if they were age 19.

"It is our impression that both the Defense Department and the Selective Service System believe such a proposal feasible. We are convinced from conversations with members of the Armed Services Committees in the Congress that they had expected the President to enunciate such a policy last Spring as an interim measure until he could present to the Committees his specific proposals for the institution of a random selection system."

10. Public broadcasting

The 90th Congress established the Corporation for Public Broadcasting as an independent, non-profit corporation, financed by both public and private funds to assist in the full development of public broadcasting in the United States. Unfortunately, it was meagerly financed and has had little impact on the nation's educational television and radio stations around the country.

The Congress authorized nine million dollars for the first year of the Corporation's life. It appropriated only five million, and asked the Corporation to explore with HEW, the Bureau of the Budget, and the Treasury Department a plan for long-term financing. The Carnegie Commission for Educational Television, which recommended the creation of the new Corporation in 1967 had suggested an excise tax on television sets with the proceeds dedicated by trust fund to public television. The Carnegie Commission eventually foresaw a yearly budget of 270 million—100 million from the trust fund and another 170 million for capital and basic operating costs from state and local governments, the Department of Health, Education and Welfare, and from foundations and other private sources. The trust fund device would permit federal funds to flow to public television outside the annual budgeting and appropriations process and thus insulate the system from political control and interference.

There are many other possibilities for sources of funding—The Ford Foundation suggestion of earmarking revenues from network use of satellites, a fee for commercial

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licenses granted by the FCC, a tax on broadcasters. The Administration will have to study all the alternatives carefully.

It is unusual, we know, for Congress to establish an agency and then grant it independence from Congressional influence. But the Corporation for Public Broadcasting is a unique institution and the trust fund technique will give it both independence and accountability. A national system of public television and radio, with government and private support, requires no less.

Recommendations

1. That the President ask the Corporation for Public Broadcasting for an immediate report as to its current status, and future needs.

2. That the Administration encourage the Corporation to accept the invitation of the Senate to apply for a supplemental appropriation of the 4 million remaining in the 9 million authorization of the last Congress. (In Senate Report 1484 of the 90th Congress, the Appropriations Committee said: "It should be noted that the Committee's action in recommending six million [compromised in conference to five million] is without prejudice for further appropriation requests should the need arise.")

3. That the Administration encourage the Corporation to take the lead in developing more imaginative network and local programming for the public stations.

4. That the President instruct the appropriate agencies to recommend a long-range financing plan and, while studying a course of action, include in the Fiscal 1970 budget a substantially increased appropriation for the Corporation.

5. That the budget for HEW include increased authorizations for building new stations and modernizing the existing system.

Public broadcasting can be an immensely important educational force in the nation. It requires not only additional funding, as indicated above, but a substantial improvement in content. We urge the new Administration to take an immediate and sustained interest in the Corporation for Public Broadcasting to see that it truly does become an agency to serve that high purpose.

VIII. CONCLUSION

We are fully aware that the recommendations in this report will, if fully adopted by the new Administration, involve the expenditure of perhaps a billion additional Federal dollars (plus the $1 billion we have recommended for The Urban Education Act), in a few cases as supplementary appropriations in the Fiscal 1969 budget, but principally as revisions to what we assume will be requested levels of funding for the programs as have discussed in the Fiscal 1970 budget.

We make these recommendations in the full knowledge that at least some of the funds required will, in all probability, have to be taken from other no doubt desirable Federal programs. We are, nevertheless, encouraged by Mr. Nixon's own words to think that our recommendations may not be unrealistic. In his Oct. 23rd telegram to the Association of American Universities he said:

"When we talk about cutting the expense of Government—either federal, state or local—the one area we cannot shortchange is education at all levels, seeing to it that young Americans are the best educated in the world, that education is available to all our people, that those who do not have an equal chance at the starting line will achieve equal opportunity. This must be our fundamental objective and our path to the realization of the American dream."

With these wise words we are in profound agreement.

Mr. Speaker, at this point in the RECORD I insert an article entitled "Improve 'Image' in Education, Nixon Advised," by Robert L. Jacobson, published in the February 24, 1969, issue of the Chronicle of Higher Education:

IMPROVE "IMAGE" IN EDUCATION, NIXON ADVISED

(By Robert L. Jacobson)

WASHINGTON.—President Nixon's task force on education has advised him to act promptly to offset an impression among educators and the public at large that he is not sufficiently education-minded.

In a confidential report that was completed shortly before Mr. Nixon took office last month, the task force told the President that despite his varied and high qualifications he was not considered by most Americans to have the kind of special concern for education that the times required.

None of his speeches or actions before he became President had personally identified him with education in the public mind, the task force said. It urged him to give high priority to this problem in the early weeks of his term.

A summary of the report, a copy of which *The Chronicle of Higher Education* obtained from a source outside the task force, appears on Pages 3 and 4.

IMMEDIATE STEPS SUGGESTED

The task force suggested that Mr. Nixon could go a long way toward building a positive education image by giving his immediate support to a number of supplemental appropriations for education in fiscal 1969. It said this action would gain him goodwill out of all proportion to its limited cost.

Among the areas that the task force singled out for supplemental support were the student aid programs of educational opportunity grants, National Defense loans, and work-study grants; academic facilities; university research; the Teacher Corps; and the Fulbright international exchange program.

In addition, the task force, which was headed by Alan Pifer, president of the Carnegie Corporation of New York, told the President that he had erred in telling the Association of American Universities last fall that he approved of tax credits for individuals who pay college costs, and urged him to reconsider his position.

It said tax credits would not relieve the financial plight of the institutions, and that they would benefit individuals who were financially well-off at the expense of the poor.

In a discussion of particular concern to higher education, the task force shot down proposals for broad institutional grants to colleges and universities—a pet goal of the major associations representing them in Washington. The task force registered strong opposition to any program of general federal aid to education, of which such grants would be one form, on grounds that it would involve a number of undesirable results. These objections included:

That general aid probably would reopen the delicate church-state controversy that had long stood in the way of major federal aid programs for education.

That it could destroy the capacity of the federal government to apply a national approach to urgent educational problems.

That in some instances it probably would bring greatly increased education costs, largely as the result of new wage and salary demands in the institutions, but with no commensurate improvement in educational quality.

The task force specified that its opposition to general aid applied to a bill by Rep. George P. Miller (D-Cal.), chairman of the House Science and Astronautics Committee, to authorize $400-million in fiscal 1970 for institutional grants for science education and research.

DOUBTS POLITICAL FEASIBILITY

In addition to its other objections to general aid, the task force said it did not think this form of federal assistance was politically feasible—that Congress probably would not be willing to relinquish the political power inherent in the existing forms of aid, which give it a measure of control over how the funds are spent.

As an alternative to general aid, the task force, whose membership has been a well-kept secret, said it believed there should be a general movement away from narrowly defined categorical grants and toward grants with somewhat broader purposes.

On another major approach to federal support of higher education—financial aid to students—the task force said it had been unable to agree unanimously on the relative emphasis that should be put on loans as opposed to grants to students.

It said it was divided philosophically on this issue, especially on the kind of aid that should be given to disadvantaged students.

Some members felt that greater use should be made of loans to all kinds of students, and that there would be no inequities in providing contingency loans repayable over many years as a fixed percentage of income. In the case of disadvantaged students, these members believed, the loans would have to be supplementary to outright grants based on need.

OTHERS OPPOSE LOANS TO POOR

But other members were opposed to giving loans to students from poverty backgrounds. They argued that such students should not have to start out after college with the burden of repaying long-term loans.

Nevertheless, all of the task force members agreed that the current federal program of educational opportunity grants was a good one, and that it should continue with increased funds.

Beyond this, the task force referred Mr. Nixon to the report of the Carnegie Commission on Higher Education, which it described as the most comprehensive statement yet to appear on the problems of financing higher education.

That report, produced under the chairmanship of Clark Kerr, former president of the University of California, strongly supported increased aid to students, particularly those with great financial need.

The Nixon task force was charged with studying all levels of education and its report turned out to contain proposals on a wide range of programs and issues relating to higher education, as well as elementary and secondary education.

In a brief concluding statement, the task force observed that its recommendations might involve additional federal expenditures of up to $2-billion a year and that some of these funds probably would have to taken from other desirable programs. But it said it hoped this was not unrealistic.

These were among its recommendations of interest to higher education:

The Nixon Administration should use all available means, especially Title I of the Higher Education Act of 1965, to support well-designed university programs for improving inner-city education.

The Administration should consider ways to reverse the decline of federal support of graduate fellowships and traineeships, particularly in the sciences.

Federal loans and grants for higher education facilities should be augmented, beginning with emergency supplementary funds in fiscal 1969.

The Administration should give immediate attention to the extremely serious situation which has resulted from a reduced rate of increase of federal support of university research. [Mr. Nixon acted earlier this month to raise the budgetary ceiling of the National Science Foundation by $10 million.]

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The Administration should seek an appropriation for the International Education Act of 1966, which has yet to receive any funds.

The Administration should support requests of the National Endowment for the Humanities for a $1.5-million supplemental appropriation in 1969 and a total appropriation of $13.75-million, the full authorization, for 1970.

For the draft a prime age group of 19-year-olds, and older men whose deferments have ended, should be established, along with a random selection system.

STATISTICS ON POVERTY

(Mr. PERKINS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PERKINS. Mr. Speaker, the statistics of poverty in America get wide circulation. Shocking as they are, they only begin to tell the story of the misery, want, and desolation that crushes so many lives in both rural and urban America—and has for generations. It takes eye-to-eye confrontation with the people, their conditions, their hopelessness to understand even a little of that. The Cincinnati AFL–CIO recently sponsored an hour-long television documentary on poverty and its effects in the hills of eastern Kentucky and slums of Cincinnati, aimed at bringing the message of poverty—first-hand—to the living rooms of that city. Such public service is typical of labor's history-long drive to improve the lives and lot of all their fellow citizens—and I think it merits recognition. Therefore, with unanimous consent, I offer for reprinting in the CONGRESSIONAL RECORD, an article about the Cincinnati AFL–CIO telecast, that appeared recently in the AFL–CIO News, as follows:

CINCINNATI LABOR TELEVISION FILM PENETRATES POVERTY OF APPALACHIA

CINCINNATI.—The Cincinnati AFL–CIO turned to television to help get labor's message to the public and apparently hit the jackpot on the first try.

The council sponsored a documentary titled "Appalachian Heritage," a deep and penetrating look at the major problems in the hills of eastern Kentucky and the slums of Cincinnati.

It was a successful television venture—so much so that the documentary is being considered for nomination for an Emmy award. That was an unexpected fringe benefit for the council.

More importantly, the presentation brought a heartening response to the council from television viewers and union members in the Cincinnati area.

It turned out to be one of the more gratifying projects ever undertaken by the council, said William P. Sheehan, executive secretary-treasurer of the Cincinnati AFL–CIO.

Sheehan began shopping for an effective medium to reach the public and discovered that occasional use of television would be within the council's means. He sent out feelers through Cincinnati advertising agencies noting that the council was looking for a program that offered dramatic impact. They steered him to Avco Broadcasting which was in search of a sponsor for the Appalachian documentary it was filming.

After viewing the film, Sheehan worked out a plan for the council's messages that were closely related to the theme of the program.

The "commercials" depicted in part how many of the poor from the Appalachian hills and Cincinnati slums elevated their status in society through union-won wage gains and benefits. Former Vice Pres. Humphrey also cooperated in taping one of the commercials.

Both the documentary and the council's public service messages were acclaimed by the show business trade publication, Variety.

The film described how strip mining in Appalachia has deteriorated the land, robbing it of beauty and resources and destroying the kind of life known to the mountain people.

Despite federal and state financial aid, legislation to regulate mining and other governmental measures, the people of the hills gave up hope for the desolate areas and moved north.

But on arrival most of them discover that they simply have traded one misery for another. They try to fit into an urban society they neither like nor understand. Thousands are "refugees" living in cold-water apartments in city slums trying to exist on city welfare subsistence.

* * * * *

CRASH LOCATOR BEACONS

(Mr. OTTINGER asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. OTTINGER. Mr. Speaker, I am introducing today, in behalf of myself and 27 colleagues, a bill directing the Federal Aviation Administration to require crash locator beacons on all civil aircraft in the United States, and also requiring all commercial aircraft, including air taxis, to be equipped with a receiving device capable of maintaining a continuous listening watch on the aeronautical international emergency frequency.

The purpose of this legislation is to end the FAA's 10-year delay in requiring the use of a device whose lifesaving capability is no longer open to question. The FAA needs no additional legislative authority to require crash locator beacons as a condition of aircraft certification. What it needs is the courage to resist pressure from certain segments of the aviation industry and I am convinced that a mandate from the Congress is necessary in that regard.

Last year, the bodies of an Oregon family whose light plane crashed in the mountains of northern California were discovered. The mother and daughter survived the crash and lived for 54 days. The father went for help and disappeared. Search planes covered the area, some flying directly overhead, but poor visibility prevented them from sighting the downed plane. The daughter's diary described in poignant detail their anguish at hearing help so close, and yet so far. A crash locator beacon would have enabled search planes to pinpoint the site of the downed aircraft for search parties on the ground. Three lives would have been saved.

A similar incident several years ago took the life of NASA flight surgeon Dr. Randolph Lovelace, whose air taxi crashed in Colorado, not far from a well-traveled highway. Dr. Lovelace survived the crash but died of exposure 5 days later. Again, a crash locator beacon would have saved a life.

Our Armed Forces in Vietnam are using crash locators with great success. The lives of more than a thousand flight crews have been saved by this little device, weighing about 2 pounds and costing under $300.

Brig. Gen. Allison C. Brooks, Commander of the Air Force Aerospace Rescue and Recovery Service, told a House subcommittee in 1967 that the ARRS in Orlando, Fla., conducted 254 search and rescue missions in 1964 involving civilian aircraft. A total of 801 people were on the missing planes. Fifty-eight were never located and six people lost their lives in the search efforts. We are currently spending about $60 million each year on air search and rescue missions and much of this is due to the amount of time involved in locating the site of a downed plane.

Recently, the FAA participated in successful tests of crash locator beacons in the Grand Canyon of Arizona and in the mountains of northern California. Two FAA DC-3's with press representatives aboard took less than 20 minutes to pinpoint a crash locator beacon planted in the Klamath Mountains about 3 miles from the spot where the Olen family perished.

A wide variety of beacons are available from at least 11 different manufacturers. They range in price from $80 to $750. Many are built to be automatically activated upon impact. Some put out both a powerful radio signal and a strobe light signal. Some have flotation characteristics, which make them particularly useful for flights over water. They are capable of sending continuous signals for 12 hours up to 30 days.

It is clear, Mr. Speaker, that crash locator beacons have been proven effective. It is clear that they are available at prices well within the means of all aircraft owners and pilots. It is clear that their mandatory use is required in view of the number of people exposed to crashes and the resources we are devoting to search and rescue missions.

By requiring all aircraft to carry crash locator beacons as a condition of certification by the FAA we are giving all pilots and passengers a meaningful measure of security. And by requiring commercial aircraft to be equipped with receivers capable of picking up the signal from a crash locator beacon, we are greatly improving the chances of speedy rescue. With lives in the balance, we can do no less than this.

Joining me today in introducing this legislation are six distinguished colleagues, who serve with me on the Committee on Interstate and Foreign Commerce, which, I hope, will act expeditiously and favorably on our bill. They are Mr. ADAMS, Mr. MOSS, Mr. DINGELL, Mr. MURPHY of New York, Mr. TIERNAN, and Mr. CARTER.

Also sponsoring the legislation are Mr. ADDABBO, Mr. JACOBS, Mr. GRAY, Mr. CHARLES WILSON, Mr. GEORGE BROWN, Mr. PODELL, Mr. NIX, Mr. SISK, Mr. HEL-

STOSKI, Mr. ROSENTHAL, Mr. MATSUNAGA, Mr. MOORHEAD, Mr. HATHAWAY, Mr. MIKVA, Mr. PHILLIP BURTON, Mr. HALPERN, Mr. DONOHUE, Mr. CLARENCE MILLER, Mr. CLEVELAND, Mr. ROYBAL, and Mr. GLENN ANDERSON.

THE TRUST TERRITORY

(Mrs. MINK asked and was given permission to extend her remarks at this point in the RECORD and to include extraneous matter.)

Mrs. MINK. Mr. Speaker, I am reintroducing today a bill that I first introduced in the second session of the 90th Congress and that is framed to provide an Organic Act for the establishment of a civil government in the Trust Territory of the Pacific.

The territory is presently administered by the United States under a trusteeship agreement with the Security Council of the United Nations entered into in 1947. Micronesia comprises some 2,100 islands and atolls—its 90,000 inhibitants occupy about 97 of them—scattered over 3 million square miles of the Pacific Ocean between Hawaii and the Philippines.

Under the terms of the trusteeship agreement, the United States assumed obligations to foster the development of such political institutions as are suited to the trust territory; to develop the participation of the people of the trust territory in their government; to give due recognition to the customs of the people of the territory in providing a system of law; to promote the economic development and self-sufficiency of the people by developing fisheries, agriculture and industries; to protect the people against loss of their lands and resources; to improve the means of transportation and communication; and to promote their social, educational, and cultural advancement.

On January 17, 1953, the then Secretary of Interior Oscar L. Chapman, introduced a bill to provide for a government for the Trust Territory of the Pacific. He said in his letter of transmittal to the Speaker that:

> The enactment of the proposed bill would contribute to the fulfillment of the obligations and responsibilities assumed by the United States as the administering authority of the Trust Territory.

Sixteen years have passed since the recommendation was made and still the trust territory is without an Organic Act. Surely we are remiss in our duties and must strive to compensate for our prior inactivity. When we delay it is the Micronesians that suffer. It is imperative that we move to meet our trust obligations to them. Witness the present situation which attests to the disruption caused by our delay. A new President occupies the White House. A new Secretary of the Interior is downtown and a new High Commissioner of the trust territory is to be appointed. These are the people most directly involved in governing the trust territory. Because they are all new, the territory's inhabitants do not know what to expect from them, or how their lives will be affected by them. An Organic Act is necessary to provide some semblance of continuity and some assurance that important rights will be always guaranteed.

Furthermore, I am convinced that these islands of the Pacific are of strategic value to the United States. The enactment of this bill, together with increased efforts to improve the economic development, educational opportunity, health, transportation, and other facilities of the trust territory will go far to assure favorable results in any Micronesian plebiscite on the question of future association with the United States.

The bill is similar to the Organic Acts of the several territories of the United States with variations designed to take into account the unique status of the trust territory and the fact that this is its first formal Organic document. It contains a bill of rights patterned after that in the U.S. Constitution and that of Puerto Rico. It also provides for a separate legislative branch under the Congress of Micronesia which though only established 4 years ago is composed of competent, conscientious legislators fully able to assume increased responsibilities.

The legislative power of the bicameral Congress is extended to all rightful subjects of legislation, except that no legislation may be inconsistent with first, treaties or international agreements of the United States; second, laws of the United States applicable to the trust territory; and third, Executive orders of the President of the United States. The six existing representative and administrative districts are to be maintained, that is, Marianas, Marshalls, Ponape, Truk, Palau and Yap Districts.

Regular sessions of the Congress of Micronesia are to be held annually for a period not to exceed 60 calendar days. Members of the Congress are to be paid a $6,000 annual salary, their expenses, and their staff needs directly by the U.S. Government.

The executive authority of the government of the trust territory would be vested in the Governor and exercised under the supervision of the Secretary of the Interior. The Governor would have general supervision and control over all executive agencies and instrumentalities of the trust territory and would coordinate all activities of a civil nature carried on by agencies of the Federal Government in the trust territory.

The Governor would be authorized to appoint all heads of executive agencies and instrumentalities with a preference to be given qualified persons of Micronesian ancestry. An annual report on the trust territory must be prepared by the Governor for submittal to the Secretary of the Interior with copies being sent to Congress and the President.

Veto power resides in the Governor, the Secretary of the Interior, and the Congress of the United States.

The Governor is directed to provide an adequate public educational system in the trust territory and to establish and maintain public health services. He is required to establish a uniform salary schedule to be set on an equal-pay-for-equal-work basis and provide that compensation, appointments and promotions be on the basis of merit, educational qualifications and experience. When necessary for recruitment purposes, however, the Governor is authorized to pay nontrust territory citizens a 30-percent-cost-of-living allowance in addition to their basic salary. All officers and employees of the trust territory whose homes are outside the trust territory would be entitled to transportation at the expense of the United States for themselves and their immediate families from their homes to their duty stations upon appointment and back to their homes upon completion of their duties.

Judicial power in the trust territory would be vested in a high court and the district courts and the community courts of the trust territory which have been established and are in operation on the date of approval of this act. The chief justice and two associate justices of the high court would be appointed by the Secretary of the Interior. The U.S. Court of Appeals for the Ninth Circuit would have jurisdiction over appeals from final decisions of the high court in civil and criminal cases involving the Constitution or a statute or treaty of the United States, in all other civil cases where the value involved exceeds $5,000 and in all habeas corpus proceedings.

The laws of the trust territory are defined to be those enacted by the Congress of Micronesia and approved by the High Commissioner in force on the date of enactment of the act. All other laws, regulations and orders in force on the date of enactment are to be continued in force for a period of 2 years from enactment—giving the Congress of Micronesia and the Governor the necessary time to enact measures pursuant to the provisions of the act. The bill would direct the President to appoint a commission to survey the field of Federal statutes and recommend to the Congress which Federal laws not in force in the trust territory should be extended to that area and which should be declared inapplicable within 1 year from the date of enactment.

The bill would exempt all articles of commerce, or whatever, sent to the United States from payment of any duty or tax of any sort.

The bill would grant trust territory citizenship to persons born in the trust territory, except in specified instances, and provide the basis for free entry of such citizens into the United States. Trust territory citizens are not however deemed to be nationals of the United States. All persons not U.S. citizens would be exempted from the income tax laws of the United States.

Finally, Mr. Speaker, I should like to urge my colleagues to join me in support of this bill as another affirmative step in the development of our policy toward the Trust Territory of the Pacific Islands, and an expression of our determination to grant these people every appropriate right to govern themselves

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within the requirements of the strategic trust which we hold under the United Nations. After 21 years of protection and tutelage, it would be a statement to the world and to the United Nations that we possess the confidence to test our governance of these people by giving them every possible measure of self-rule.

MAKING CONGRESS EFFECTIVE

(Mr. EDWARDS of Alabama asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. EDWARDS of Alabama. Mr. Speaker, ever since I first came to Washington as a Congressman more than 4 years ago I have been impressed to see how Congress serves the interests of the people, and have been proud to be a part of it.

American citizens of all races, of all income levels, of all ages have real access to their Government through Congress. This branch of our Government exists to represent the needs of the country, and it fulfills that function to a very substantial degree.

But in order to do its job as well as possible, Congress must change and keep up with the time. Our schools, businesses, local government, and families all change to keep pace with the modern world and Congress must also.

Unfortunately Congress has not done a good enough job in this regard. It has been more than 20 years since there has been any major reorganizational change in congressional operations, and the time is here for real reform.

For this reason, I have joined with some two score other Congressmen in proposing a set of reform measures designed to modernize and strengthen the operations of Congress.

Let me review briefly some of the reforms set forth in this bill.

First, it would improve the committee system. This is a basic need because so much of the vital work of Congress is done in committee.

It would require that committee meetings be open to the public, not closed. It would give the minority side of any issue an adequate chance to make their views known.

It would give the political minority a fair proportion of the committee staff positions and the right to call witnesses before committee hearings. And it would provide for television and radio broadcasting of these hearings.

It would make it possible for a majority of members of a committee to call a pending bill up for consideration. The existing system, with the chairman holding life or death power over each and every bill, tends to dilute the capacity of any committee to respond to the national interest.

Second, this proposal would strengthen congressional handling of the Government's budget. It would provide for automatic data processing of budget information.

It would tighten up the entire appropriations process by producing cost-effectiveness information on programs and by requiring record votes on all appropriations bills.

Third, the bill I support would improve the sources of information open to Congressmen and Senators by adding to the professionalism of committee staffs and by providing for the use of outside consultants when needed.

Fourth, this proposal calls for institutional changes in Congress. It sets up a permanent committee for the purpose of making continuing studies and recommendations on congressional operations.

It calls for improvements in the Capitol Police and guide services. It provides for appointments of postmasters and rural mail carriers on a merit system, as the new Postmaster General has recommended.

Fifth, it calls for greater public disclosure of money spent by lobbyists, and requires the registration of all individuals and organizations who handle funds for the purpose of influencing legislation.

These proposals are not so far-reaching or dramatic as many would prefer. But they would take us several good steps forward in the effort to make Congress more responsive to the needs of a changing and restless country.

Mr. Speaker, this bill, backed as it is by a substantial number of Congressmen, should be brought up for debate and consideration in both Houses of Congress this year.

We are working for that goal because we believe it will renew the vitality of our American concept of representative government.

MANDATORY RETIREMENT AGE OF 70 FOR MEMBERS OF CONGRESS, SUPREME COURT, AND OTHER FEDERAL JUDGES

(Mr. BUSH asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. BUSH. Mr. Speaker, today I am introducing a bill calling for a constitutional amendment instituting a mandatory retirement age of 70 for Members of Congress, the Supreme Court, and other Federal judges.

Congress has provided for a retirement age for civil servants. Private industry requires a retirement age for its employees. Only Congress and the courts are exempt from this practice.

This amendment would lead to a more efficient court system. It would help take some of the caseload off of the courts by making retired members available for work on a voluntary basis. It would lead to a more efficient Congress.

The bill I am proposing today will not apply to any Member of Congress at the time of enactment.

THE NEWSPAPER PRESERVATION ACT

(Mr. LLOYD asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. LLOYD. Mr. Speaker, I join today in cosponsorship of the Newspaper Preservation Act.

This bill would allow two newspapers, one of which is considered a failing newspaper, to enter into a joint newspaper operating arrangement for the purpose of preserving independent editorial voices.

The newspapers would be allowed to combine printing, advertising, and circulation operations, and would be treated as a single entity under the antitrust laws.

This legislative solution is vitally necessary in view of the ruling by the Supreme Court last Monday which held a joint operation in Tucson newspapers could have joint printing facilities, but barred jointly operated circulation and advertising departments.

In my own district, Utah's two major daily newspapers, the Salt Lake Tribune and the Deseret News, have been operating under a joint agreement since 1952. The two newspapers have combined advertising, circulation, and printing facilities, but have maintained editorial independence.

I am convinced that if it were not for this arrangement, Salt Lake City would have been faced with two alternatives: First, only one newspaper serving the community; or second, at least one newspaper which would have operated at great financial loss with no possibility of sale, and kept in operation as a result of direct subsidy by its owner.

Mr. Speaker, there is clear and incontrovertible evidence that editorial policy of the two Salt Lake City newspapers has not been affected by this joint operation. Indeed, one of the best examples of their active editorial competition was during the last election on the issue of whether to allow liquor-by-the-drink in Utah. The Deseret News, which is owned by the Mormon Church, was strongly opposed to the issue, while the Salt Lake Tribune was equally as strong for it. This is by no means an isolated example of their fierce editorial competition.

It is my firm belief that it is far better for the public to have the editorial views and news of two newspapers rather than one. However, I do recognize the validity of the arguments that advertising and circulation departments should ideally be kept separate and independent in joint newspaper operations. I personally would hope that this could be achieved, but I also realize that the economic realities of newspaper publishing may prevent separation of the advertising and circulation operations. If during the course of debate on this bill I am shown that advertising and circulation departments can be independent and still allow two separate, financially healthy newspapers, then I would prefer that they be independent. If the evidence shows otherwise, I would favor combined advertising and circulation departments as an alternative to having only a single newspaper, and the very strong evidence in my city at this date indicates that combining the advertising and circulation offices of the two newspapers is necessary if we are to prevent complete monopoly by a single newspaper which would then be free to adopt the predatory practices of a monopoly.

This bill is designed to preserve newspaper competition rather than stifle it. Language in the bill specifically forbids predatory practices by the joint operating newspapers and thus expressly protects smaller independent weekly and suburban newspapers.

Mr. Speaker, I believe this bill is fully consistent and proper in its intent, and would allow the continuing competition of editorial voices in Salt Lake City which might otherwise be extinguished.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Cunningham (at the request of Mr. Gerald R. Ford) on account of official business.

Mr. Conable (at the request of Mr. Gerald R. Ford), for today, on account of illness.

Mr. Kastenmeier (at the request of Mr. Zablocki), for today, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Andrews, of Alabama, for 1 hour, on March 13; to revise and extend his remarks and to include extraneous matter.

Mr. Feighan, for 10 minutes, today; and to revise and extend his remarks, and to include extraneous matter.

Mr. Harsha, for 30 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. Saylor, for 15 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. Halpern (at the request of Mr. Fish), for 5 minutes today; to revise and extend his remarks and include extraneous matter.

Mr. Pucinski, for 15 minutes, today; to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mrs. Mink) to revise and extend their remarks and include extraneous matter:)

Mr. Rooney of Pennsylvania, for 15 minutes, today.

Mr. Farbstein, for 15 minutes, today; and 15 minutes, March 13.

Mr. Leggett, for 1 hour, on March 18.

Mr. Cohelan, for 1 hour, on March 18.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. Hanna and to include extraneous matter.

Mr. Cohelan to revise and extend his remarks made in the Committee of the Whole today.

(The following Members (at the request of Mr. Fish) and to include extraneous matter:)

Mr. Meskill.
Mr. Findley in two instances.
Mr. Burke of Florida in three instances.
Mr. Gubser.
Mr. Ashbrook.
Mr. Jonas.
Mr. Kuykendall in two instances.
Mr. Minshall.
Mr. Watson.
Mr. Zwach.
Mr. Fish.
Mr. Reid of New York in five instances.
Mr. Frey.
Mr. Wyman in two instances.
Mr. Schadeberg.
Mr. Bob Wilson.
Mr. Steiger of Wisconsin.
Mr. Whalen.
Mr. Miller of Ohio in two instances.
Mr. Thompson of Georgia.
Mr. Cramer.
Mr. Ayres.
Mr. Pettis.
Mr. Nelsen in two instances.
Mr. Bray in three instances.
Mr. Bates.
Mr. McClory.

(The following Members (at the request of Mrs. Mink) and to include extraneous matter:)

Mr. Bingham in two instances.
Mr. Eilberg in three instances.
Mr. Ottinger in two instances.
Mr. Vanik in two instances.
Mr. Ryan in three instances.
Mr. Gilbert in two instances.
Mr. Boland in two instances.
Mr. Leggett in three instances.
Mr. Fallon.
Mr. Vigorito.
Mr. Patten.
Mr. Gonzalez in four instances.
Mr. Moorhead in two instances.
Mr. Pickle in two instances.
Mr. Kyros in two instances.
Mr. Rarick in four instances.
Mr. Hathaway.
Mr. Celler.
Mr. Dent.
Mr. Conyers.
Mr. Ashley in three instances.
Mr. Bolling.
Mr. Brown of California in two instances.
Mr. Miller of California in five instances.
Mrs. Chisholm.
Mr. Fascell in five instances.
Mr. Burke of Massachusetts.
Mr. Rogers of Florida in five instances.
Mr. Dingell in two instances.
Mr. Philbin in three instances.
Mr. Pike in two instances.
Mr. Dorn in two instances.

ADJOURNMENT

Mrs. MINK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 3 minutes p.m.), the House adjourned until tomorrow, Thursday, March 13, 1969, at 12 o'clock noon.

CONTRACTUAL ACTIONS, CALENDAR YEAR 1968, TO FACILITATE NATIONAL DEFENSE

The Clerk of the House of Representatives submits the following reports for printing in the Congressional Record pursuant to section 4(b) of Public Law 85–804:

U.S. Atomic Energy Commission,
Washington, D.C., March 11, 1969.

Hon. John W. McCormack,
Speaker of the House of Representatives.

Dear Mr. Speaker: The following information is submitted pursuant to the provisions of Public Law 85–804, approved August 28, 1958, and to the implementing of instructions as contained in the Federal Procurement Regulations 1–17.000 which establishes regulations for entering into and amending or modifying contracts to facilitate the national defense under the extraordinary emergency authority granted by this Act.

The Act provides that each agency shall, by March 15 of each year, submit to the Congress a report of all actions taken under the authority of the Act during the preceding calendar year. For the calendar year ending December 31, 1968, the Atomic Energy Commission submits data on the following items for which relief was sought, approved or denied under the subject Act.

A. ACTIONS APPROVED

(1) *Total number of actions—two.*

Total dollar amount requested—$173,257.84; total dollar amount approved—$173,257.84.

(2) *Type of actions:*

(a) *Modification of subcontract:* Number of actions—one. Dollar amount requested—$172,408.24; dollar amount approved—$172,408.24. Name of subcontractor—United Nuclear Corporation. Maximum cost—$172,408.24 (subject to audit).

Description of property or services involved—design, fabricate and deliver the reactor, shield and primary loop of a prototype Military Compact Reactor (MCR). Included in these services were the building of a critical facility to assist in design and fabrication of the MCR.

Statement of the circumstances justifying the action—Modification No. 2 to the subcontract did not adequately express the intention of the prime and subcontractor that the latter be compensated for its expenditures with respect to the critical facility in the event of termination of the project prior to completion of the critical facility. Based on this and other facts, it was determined that an equitable modification of the subcontract to carry out the intention of the parties would facilitate the national defense.

(b) *Mistake in bid:* Number of actions—one. Dollar amount requested—$849.60; dollar amount approved—$849.60.

B. ACTIONS DENIED

(1) *Total number of actions—two.*

Total dollar amount requested—$344,445.

(2) *Type of actions:*

(a) *Formalization of informal commitment:* Number of actions—one. Dollar amount requested—$93,445.

(b) *Correction of mistake and formalization of informal commitment:* Number of actions—one. Dollar amount requested—$251,000.

Sincerely,

——— ———,
General Manager.

REPORT OF EXPENDITURES OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS INCURRED IN TRAVEL OUTSIDE THE UNITED STATES DURING 1968 AS REQUIRED BY THE MUTUAL SECURITY ACT OF 1954, AS AMENDED BY PUBLIC LAW 86-472 AND BY PUBLIC LAW 86-628

Mr. FRIEDEL. Mr. Speaker, section 502(b) of the Mutual Security Act of 1954, as amended by section 401(a) of Public Law 86-472, approved May 14, 1960, and section 105 of Public Law 86-628, approved July 12, 1960, require the reporting of expenses incurred in connection with travel, including both foreign currencies expended and dollar expenditures made from appropriated funds.

The required reports for travel during 1968 are submitted herewith:

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 1070, 2D SESS., 90TH CONG., COMMITTEE ON AGRICULTURE, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Paul C. Jones:												
England	Pound	Mar. 4	Mar. 5	1	20.16.5	50.00	7.14.0	19.00			7.14.0	19.00
Spain	Pesetas	Mar. 5	Mar. 12	8	3,480	50.00	15,140	222.00			15,140	222.00
Germany	Marks								3177.60	793.61	3177.60	793.61
Eligio de la Garza:												
England	Pound	Mar. 4	Mar. 5	1	20.16.5	50.00	1.16.5	4.33			1.16.5	4.33
Spain	Pesetas	Mar. 5	Mar. 12	8	3,480	50.00	16,040	230.46			16,040	230.46
Portugal	Escudos	Mar. 12	Mar. 14	2	1,431.60	50.00	2,532.50	88.46			2,532.50	88.46
Germany	Marks								3177.60	793.61	3177.60	793.61
George V. Hansen:												
England	Found	Mar. 4	Mar. 5	1	20.16.5	50.00	20.16.5	50.00			20.16.5	50.00
Spain	Pesetas	Mar. 5	Mar. 12	8	3,480	50.00	27,840	400.00			27,840	400.00
Germany	Marks								2177.60	793.61	3177.60	793.61
L. T. Easley:												
England	Pound	Mar. 4	Mar. 5	1	20.16.5	50.00	11.16.5	28.39			11.16.5	28.39
Spain	Pesetas	Mar. 5	Mar. 12	8	3,480	50.00	16,140	233.00			16,140	233.00
Portugal	Escudos	Mar. 12	Mar. 13	1	1,431.60	50.00	891.60	31.14			891.60	31.14
Germany	Marks								3177.60	793.61	3177.60	793.61
Total						50.00		1,306.78		3,174.44		4,481.22

FEBRUARY 28, 1969.

W. R. POAGE,
Chairman, Committee on Agriculture.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, COMMITTEE ON APPROPRIATIONS, BETWEEN JAN. 1 AND DEC. 31, 1968

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Defense Subcommittee	Dollar							3,563.09		5,751.14		9,314.23
Interior Subcommittee	do							951.00		3,218.95		4,169.95
Foreign Operations Subcommittee	Dollar; Israeli pound; rupee.							4,135.17		12,867.20		17,002.37
Military Construction Subcommittee	Dollar							2,922.40		2,626.98		5,549.38
Public Works Subcommittee	do							590.00		1,212.40		1,802.40
State, Justice, Commerce, and Judiciary Subcommittee.	do							3,135.00		9,268.80		12,403.80
Surveys and investigations staff	do							5,531.50		7,784.00		13,315.50
Total								20,828.16		42,729.47		63,557.63
SUBCOMMITTEE ON DEFENSE												
Hon. Daniel J. Flood: New York, N.Y., Lima, Peru, and return.	Dollar	Nov. 14	Dec. 11	28				1,372.09		1,264.00		2,636.09
Subtotal								1,372.09		1,264.00		2,636.09
Hon. Glenard P. Lipscomb:												
United Kingdom	Dollar	Nov. 18	Nov. 20	3		30.00		90.00				90.00
Spain	do	Nov. 21	Nov. 24	4		25.00		100.00				100.00
Belgium	do	Nov. 25	Nov. 25	1		32.00		32.00				32.00
Germany	do	Nov. 26	Nov. 29	4		28.00		112.00				112.00
Italy (Rome)	do	Nov. 30	Dec. 3	4		30.00		120.00				120.00
Italy (Naples)	do	Dec. 4	Dec. 6	3		28.00		84.00				84.00
United Kingdom	do	Dec. 7	Dec. 7	1		30.00		30.00				30.00
Air transportation	do									1,091.00		1,091.00
Subtotal								568.00		1,091.00		1,659.00
Hon. John J. Rhodes:												
United Kingdom	Dollar	Nov. 18	Nov. 20	3		30.00		90.00				90.00
Spain	do	Nov. 21	Nov. 24	4		25.00		100.00				100.00
Belgium	do	Nov. 25	Nov. 25	1		32.00		32.00				32.00
Germany	do	Nov. 26	Nov. 29	4		28.00		112.00				112.00
Air transportation	do									832.00		832.00
Subtotal								334.00		832.00		1,166.00
Frank Sanders:												
United Kingdom	Dollar	Nov. 18	Nov. 20	3		30.00		90.00				90.00
Spain	do	Nov. 21	Nov. 24	4		25.00		100.00				100.00
Belgium	do	Nov. 25	Nov. 25	1		32.00		32.00				32.00
Germany	do	Nov. 26	Nov. 29	4		28.00		112.00				112.00
Italy (Rome)	do	Nov. 30	Dec. 3	4		30.00		120.00				120.00
Italy (Naples)	do	Dec. 4	Dec. 6	3		28.00		84.00				84.00
United Kingdom	do	Dec. 7	Dec. 7	1		30.00		30.00				30.00
Air transportation	do									931.00		931.00
Subtotal								568.00		931.00		1,499.00

XUM

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, COMMITTEE ON APPROPRIATIONS, BETWEEN JAN. 1 AND DEC. 31, 1968—Continued

SUBCOMMITTEE ON DEFENSE—Continued

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
on. Joseph M. McDade:												
United States	Dollar	Nov. 7	Nov. 8	2		25.00		50.00				50.00
Hawaii	do	Nov. 8	Nov. 17	9		25.00		225.00				225.00
Vietnam	do	Nov. 19	Nov. 21	[1] 3		36.00		108.00				108.00
Thailand	do	Nov. 21	Nov. 24	3		28.00		84.00				84.00
Hong Kong	do	Nov. 24	Nov. 28	4		30.00		120.00				120.00
Japan	do	Nov. 28	Dec. 1	3		28.00		84.00				84.00
United States	do	Dec. 1	Dec. 2	[1] 2		25.00		50.00				50.00
Air transportation	do									1,633.14		1,633.14
Subtotal								721.00		1,633.14		2,354.14
Defense Subcommittee total								3,563.09		5,751.14		9,314.23

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[1] Allowance made for international date line.

SUBCOMMITTEE ON FOREIGN OPERATIONS

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. Clarence D. Long:												
United States	Dollar		Jan. 3	½		25.00		12.50				12.50
Brazil	do	Jan 4	Jan. 6	2		32.00		64.00				64.00
Chile	do	Jan. 6	Jan. 8	2		28.00		56.00				56.00
Peru	do	Jan. 8	Jan. 11	3		31.00		93.00				93.00
Panama	do	Jan. 11	Jan. 12	1¾		28.00		49.00				49.00
Miscellaneous expenses	do							1.67				1.67
Transportation	do									840.00		840.00
Subtotal								276.17		840.00		1,116.17
Hon. Otto E. Passman:												
United States	Dollar		Feb. 12	1		25.00		25.00		7.50		32.50
Spain	do	Feb. 13	Feb. 16	3		25.00		75.00		3.00		78.00
Switzerland	do	Feb. 16	Feb. 18	2		30.00		60.00		3.25		63.25
Lebanon	do	Feb. 18	Feb. 19	1		28.00		28.00				28.00
Thailand	do	Feb. 20	Feb. 22	2		28.00		56.00		5.00		61.00
Singapore	do	Feb. 22	Feb. 23	1		32.00		32.00				32.00
Hong Kong and Macao	do	Feb. 23	Feb. 29	6		30.00		180.00		6.50		186.50
Taiwan	do	Feb. 29	Mar. 2	2		26.00		52.00		1.50		53.50
Japan	do	Mar. 2	Mar. 3	1		28.00		28.00		2.00		30.00
United States	do	Mar. 4		1		25.00		25.00		7.50		32.50
Air transportation	do									2,205.15		2,205.15
Subtotal								561.00		2,241.40		2,802.40
Francis G. Merrill:												
United States	Dollar		Feb. 12	1		25.00		25.00		7.50		32.50
Spain	do	Feb. 13	Feb. 16	3		25.00		75.00		3.00		78.00
Switzerland	do	Feb. 16	Feb. 18	2		30.00		60.00		3.25		63.25
Lebanon	do	Feb. 18	Feb. 19	1		28.00		28.00				28.00
Thailand	do	Feb. 20	Feb. 22	2		28.00		56.00		5.00		61.00
Singapore	do	Feb. 22	Feb. 23	1		32.00		32.00				32.00
Hong Kong and Macao	do	Feb. 23	Feb. 29	6		30.00		180.00		6.50		186.50
Taiwan	do	Feb. 29	Mar. 2	2		26.00		52.00		1.50		53.50
Japan	do	Mar. 2	Mar. 3	1		28.00		28.00		2.00		30.00
United States	do	Mar. 4		1		25.00		25.00		7.50		32.50
Air transportation	do									2,205.15		2,205.15
Subtotal								561.00		2,241.40		2,802.40
Hon. Silvio O. Conte:												
United States (en route)	Dollar		Aug. 11	½		25.00		12.50				12.50
Israel	Israeli pound	Aug. 12	Aug. 14	3	150.00	50.00	450.00	150.00			450.00	150.00
Jordan	Dollar	Aug. 15	Aug. 15	1		28.00		28.00				28.00
Israel	Israeli pound	Aug. 16	Aug. 18	3	150.00	50.00	450.00	150.00			450.00	150.00
Greece	Dollar	Aug. 19	Aug. 20	2		27.00		54.00				54.00
Italy	do	Aug 21	Aug. 31	[1] 1		30.00		30.00				30.00
United States (en route)	do	Aug. 31		½		25.00		12.50				12.50
Air transportation	do									[2] 86.00		86.00
Subtotal								437.00		86.00		523.00
Hon. Otto E. Passman:												
United States	Dollar	Oct. 21	Oct. 23	3		25.00		75.00				75.00
Switzerland	do	Oct. 24	Oct. 26	3		30.00		90.00				90.00
Lebanon	do	Oct. 27	Oct. 27	1		28.00		28.00				28.00
Thailand	do	Oct. 28	Oct. 30	2		28.00		56.00				56.00
Hong Kong	do	Oct. 30	Nov. 6	7		30.00		210.00				210.00
Taiwan	do	Nov. 6	Nov. 8	2		26.00		52.00				52.00
Korea	do	Nov. 8	Nov. 10	2		28.00		56.00				56.00
Japan	do	Nov. 10	Nov. 10	1		28.00		28.00				28.00
United States	do	Nov. 10	Nov. 14	5		25.00		125.00				125.00
Air transportation	do									2,547.05		2,547.05
Subtotal								720.00		2,547.05		3,267.05
Francis G. Merrill:												
United States	Dollar		Oct. 23	1		25.00		25.00				25.00
Switzerland	do	Oct. 24	Oct. 26	3		30.00		90.00				90.00
Lebanon	do	Oct. 26	Oct. 27	1		28.00		28.00				28.00
Thailand	do	Oct. 28	Oct. 30	2		28.00		56.00				56.00
Hong Kong	do	Oct. 30	Nov. 6	7		30.00		210.00				210.00
Taiwan	do	Nov. 6	Nov. 8	2		26.00		52.00				52.00
Korea	do	Nov. 8	Nov. 10	2		28.00		56.00				56.00
Japan	do	Nov. 10	do	1		28.00		28.00				28.00
United States	do	do	Nov. 14	5		25.00		125.00				125.00
Air transportation	do									2,433.05		2,433.05
Subtotal								670.00		2,433.05		3,103.05

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[1] Remainder of time on delay en route at own expense.

[2] Fare from Athens, Greece, to Rome, Italy; all other transportation at own expense.

XUM

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, COMMITTEE ON APPROPRIATIONS, BETWEEN JAN. 1 AND DEC. 31, 1968—Continued

SUBCOMMITTEE ON FOREIGN OPERATIONS—Continued

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. Jeffery Cohelan:												
Japan	Dollar	Nov. 30	Dec. 2	2		28.00		56.00				56.00
Okinawa	do	Dec. 2	Dec. 3	1		26.00		26.00				26.00
Philippines	do	Dec. 3	Dec. 7	4		24.00		96.00				96.00
Indonesia	do	Dec. 7	Dec. 12	5		34.00		170.00				170.00
Pakistan	do	Dec. 12	Dec. 16	4		25.00		100.00				100.00
India	do	Dec. 16	Dec. 22	6		29.00		174.00				174.00
United Kingdom	do	Dec. 22	Dec. 23	1		30.00		30.00				30.00
Air transportation	Rupees									2,105.50		2,105.50
Travel advance funds returned to AID in excess of maximum per diem rates	do							−182.00				−182.00
Subtotal								470.00		2,105.50		2,575.50
Hon. Clarence D. Long:												
Mexico	Dollar	Dec. 5	Dec. 8	7		27.00		189.00		21.00		210.00
Guatemala	do	Dec. 8	Dec. 11	4		29.00		116.00		12.00		128.00
Costa Rica	do	Dec. 11	Dec. 16	5		27.00		135.00		15.00		150.00
Air transportation	do									324.80		324.80
Subtotal								440.00		372.80		812.80
Total								4,135.17		12,867.20		17,002.73

SUBCOMMITTEE ON INTERIOR

Hon. John J. Flynt, Jr.:												
United States	Dollar		Jan. 3	[1] 2		25.00		50.00				50.00
Samoa	do	Jan. 5	Jan. 6	2		36.00		72.00				72.00
New Zealand	do	Jan. 6	Jan. 8	2		25.00		50.00				50.00
Australia	do	Jan. 8	Jan. 11	3		28.00		84.00				84.00
England	do	Jan. 12	Jan. 14	3		30.00		90.00				90.00
United States	do	Jan. 14										
Air transportation	do									2,403.15		2,403.15
Subtotal								346.00		2,403.15		2,749.15
United States	Dollar		Nov. 14	1		25.00		25.00		670.30		695.30
Great Britain	do	Nov. 15	Nov. 20	6		30.00		180.00				180.00
Germany	do	Nov. 21	Nov. 24	4		28.00		112.00		83.80		195.80
Austria	do	Nov. 25	Nov. 27	3		28.00		84.00				84.00
Yugoslavia	do	Nov. 28	Nov. 29	2		27.00		54.00		26.10		80.10
Italy	do	Nov. 30	Dec. 2	3		30.00		90.00		35.60		125.60
Great Britain	do	Dec. 3	Dec. 4	2		30.00		60.00				60.00
United States	do	Dec. 4										
Subtotal								605.00		815.80		1,420.80
Total								951.00		3,218.95		4,169.95

[1] En route Jan. 4.

SUBCOMMITTEE ON MILITARY CONSTRUCTION

Hon. John J. McFall:												
Korea	Dollar	Jan. 6	Jan. 7	2				45.57				45.57
Vietnam	do	Jan. 8	Jan. 13	6				161.86				161.86
Thailand	do	Jan. 14	Jan. 16	3				75.08				75.08
Hawaii	do	Jan. 18	Jan. 19	2				61.60				61.60
En route expenses	do							33.29				33.29
Air transportation										(1)		
Subtotal:								377.40				377.40
Hon. Elford A. Cederberg:												
Hawaii	Dollar	Jan. 12	Jan. 14	3		25.00		75.00				75.00
Guam	do	Jan. 16	Jan. 17	2		(2)		7.00				7.00
Philippines	do	Jan. 17	Jan. 19	2		(2)		10.00				10.00
Vietnam	do	Jan. 19	Jan. 24	5		(2)		60.00				60.00
Thailand	do	Jan. 24	Jan. 27	3		28.00		84.00				84.00
Okinawa	do	Jan. 27	Jan. 29	2		(2)		8.00				8.00
Japan	do	Jan. 29	Jan. 31	2		28.00		56.00				56.00
Hawaii	do	Jan. 31	Feb. 1	1		25.00		25.00				25.00
Air transportation	do									[3] 302.75		302.75
Subtotal:								325.00		302.75		627.75
Hon. Burt L. Talcott:												
Hawaii	Dollar	Jan. 12	Jan. 14	3		25.00		75.00				75.00
Guam	do	Jan. 16	Jan. 17	2		(2)		7.00				7.00
Philippines	do	Jan. 17	Jan. 19	2		(2)		10.00				10.00
Vietnam	do	Jan. 19	Jan. 24	5		(2)		60.00				60.00
Thailand	do	Jan. 24	Jan. 27	3		28.00		84.00				84.00
Okinawa	do	Jan. 27	Jan. 29	2		(2)		8.00				8.00
Japan	do	Jan. 29	Jan. 31	2		28.00		56.00				56.00
Hawaii	do	Jan. 31	Feb. 1	1		25.00		25.00				25.00
Air transportation	do									[4] 172.00		172.00
Subtotal								325.00		172.00		497.00

See footnotes at end of table.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, COMMITTEE ON APPROPRIATIONS, BETWEEN JAN. 1 AND DEC. 31, 1968—Continued

SUBCOMMITTEE ON MILITARY CONSTRUCTION—Continued

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
John M. Garrity:												
Hawaii	Dollar	Jan. 12	Jan. 14	3		25.00		75.00				75.00
Guam	do	Jan. 16	Jan. 17	2		(2)		7.00				7.00
Philippines	do	Jan. 17	Jan. 19	2		(2)		10.00				10.00
Vietnam	do	Jan. 19	Jan. 24	5		(2)		60.00				60.00
Thailand	do	Jan. 24	Jan. 27	3		28.00		84.00				84.00
Okinawa	do	Jan. 27	Jan. 29	2		(2)		8.00				8.00
Japan	do	Jan. 29	Jan. 31	2		28.00		56.00				56.00
Hawaii	do	Jan. 31	Feb. 1	1		25.00		25.00				25.00
Air transportation	do									[3] 302.75		302.75
Subtotal								325.00		302.75		627.75
Hon. Clarence D. Long:												
United Kingdom	Dollar	Jan 17	Jan 25	8		30.00		240.00		5.50		245.50
Belgium	do	Jan 25	Jan 28	3		29.00		87.00				87.00
Germany	do	Jan 28	Feb 1	5		26.00		130.00				130.00
Air transportation	do									327.00		327.00
Subtotal								457.00		332.50		789.50
Frank Sanders:												
United Kingdom	Dollar	Jan 17	Jan 25	8		30.00		240.00		4.18		244.18
Belgium	do	Jan 25	Jan 28	3		29.00		87.00				87.00
Germany	do	Jan 28	Feb 1	5		26.00		130.00				130.00
Air transportation	do									327.00		327.00
Subtotal								457.00		331.18		788.18
Frank Sanders:												
United Kingdom	Dollar	Sept 19	Sept 26	8				88.00		5.00		93.00
Air transportation	do									249.80		249.80
Subtotal								88.00		254.80		342.80
Hon. Burt L. Talcott:												
United Kingdom	Dollar	Nov. 18	Nov. 20	3		30.00		90.00				90.00
Spain	do	Nov. 21	Nov. 24	4		25.00		100.00				100.00
Belgium	do	Nov. 25	Nov. 25	1		32.00		32.00				32.00
Germany	do	Nov. 26	Nov. 29	4		28.00		112.00				112.00
Italy (Rome)	do	Nov. 30	Dec. 3	4		30.00		120.00				120.00
Italy (Naples)	do	Dec. 4	Dec. 6	3		28.00		84.00				84.00
United Kingdom	do	Dec. 7	Dec. 7	1		30.00		30.00				30.00
Air transportation	do									931.00		931.00
Subtotal								568.00		931.00		1,499.00

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[1] Furnished by Government-owned aircraft.

[2] Actual cost; Government quarters provided.

[3] Washington, D.C., to Honolulu, Hawaii; remainder of transportation furnished by Government-owned aircraft.

[4] Monterey, Calif. to Honolulu, Hawaii; remainder of transportation furnished by Government-owned aircraft.

SUBCOMMITTEE ON PUBLIC WORKS

Name and country	Name of currency	Arrival	Departure	Total days	Per diem rate: Foreign currency	Per diem rate: U.S. dollar equivalent or U.S. currency	Total amount per diem: Foreign currency	Total amount per diem: U.S. dollar equivalent or U.S. currency	Transportation: Foreign currency	Transportation: U.S. dollar equivalent or U.S. currency	Total: Foreign currency	Total: U.S. dollar equivalent or U.S. currency
Hon. John J. Rhodes:												
United States	Dollar	Dec. 3	Dec. 4	1½		25.00		37.50		[1] 303.10		340.60
Panama	do	Dec. 9	Dec. 13	5		22.00		110.00				110.00
Subtotal								147.50		303.10		450.60
Hon. Glenn R. Davis:												
United States	Dollar	Dec. 3	Dec. 4	1½		25.00		37.50		[1] 303.10		340.60
Panama	do	Dec. 9	Dec. 13	5		22.00		110.00				110.00
Subtotal								147.50		303.10		450.60
Hon. Howard W. Robison:												
United States	Dollar	Dec. 3	Dec. 4	1½		25.00		37.50		[1] 303.10		340.60
Panama	do	Dec. 9	Dec. 13	5		22.00		110.00				110.00
Subtotal								147.50		303.10		450.60
Eugene B. Wilhelm:												
United States	Dollar	Dec. 3	Dec. 4	1½		25.00		37.50		[1] 303.10		340.60
Panama	do	Dec. 9	Dec. 13	5		22.00		110.00				110.00
Subtotal								147.50		303.10		450.60
Total								590.00		1,212.40		1,802.40

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[1] Includes transportation to and from Panama.

SUBCOMMITTEE ON STATE, JUSTICE, COMMERCE, AND JUDICIARY

Name and country	Name of currency	Arrival	Departure	Total days	Per diem rate: Foreign currency	Per diem rate: U.S. dollar equivalent or U.S. currency	Total amount per diem: Foreign currency	Total amount per diem: U.S. dollar equivalent or U.S. currency	Transportation: Foreign currency	Transportation: U.S. dollar equivalent or U.S. currency	Total: Foreign currency	Total: U.S. dollar equivalent or U.S. currency
Hon. John J. Rooney:												
United States	Dollar	Nov. 25	Dec. 7	7		25.00		175.00				175.00
Taiwan	do	Dec. 8	Dec. 8	1		26.00		26.00				26.00
Japan	do	Dec. 11	Dec. 11	1		28.00		28.00				28.00
Hong Kong	do	Dec. 12	Dec. 18	7		30.00		210.00				210.00
Taiwan	do	Dec. 19	Dec. 20	2		26.00		52.00				52.00
Japan	do	Dec. 21	Dec. 27	7		28.00		196.00				196.00
Transportation	do									2,263.80		2,263.80
Subtotal								687.00		2,263.80		2,950.80

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, COMMITTEE ON APPROPRIATIONS, BETWEEN JAN. 1 AND DEC. 31, 1968—Continued

SUBCOMMITTEE ON STATE, JUSTICE, COMMERCE AND JUDICIARY—Continued

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Jay B. Howe:												
United States	Dollar	Nov. 25	Dec. 7	7		25.00		175.00				175.00
Taiwan	do	Dec. 8	Dec. 8	1		26.00		26.00				26.00
Japan	do	Dec. 11	Dec. 11	1		28.00		28.00				28.00
Hong Kong	do	Dec. 12	Dec. 18	7		30.00		210.00				210.00
Taiwan	do	Dec. 19	Dec. 20	2		26.00		52.00				52.00
Japan	do	Dec. 21	Dec. 23	3		28.00		84.00				84.00
Transportation	do									2,263.80		2,263.80
Subtotal								575.00		2,263.80		2,838.80
Hon. John M. Slack:												
Mexico	Dollar	Nov. 30	Dec. 5	5		27.00		135.00				135.00
Venezuela	do	Dec. 5	Dec. 11	7		35.00		245.00				245.00
Transportation	do									899.10		899.10
Subtotal								380.00		899.10		1,279.10
Hon. Neal Smith:												
Mexico	Dollar	Nov. 30	Dec. 5	5		27.00		135.00				135.00
Venezuela	do	Dec. 5	Dec. 11	7		35.00		245.00				245.00
Transportation	do									946.80		946.80
Subtotal								380.00		946.80		1,326.80
Hon. Elford A. Cederberg:												
Mexico	Dollar	Nov. 30	Dec. 5	5		27.00		135.00				135.00
Panama	do	Dec. 5	Dec. 7	3		32.00		96.00				96.00
Colombia	do	Dec. 7	Dec. 9	2		35.00		70.00				70.00
Venezuela	do	Dec. 9	Dec. 11	2		35.00		70.00				70.00
Transportation	do									899.10		899.10
Subtotal								371.00		899.10		1,270.10
Hon. Mark Andrews:												
Mexico	Dollar	Nov. 30	Dec. 5	5		27.00		135.00				135.00
Panama	do	Dec. 5	Dec. 7	3		32.00		96.00				96.00
Colombia	do	Dec. 7	Dec. 9	2		35.00		70.00				70.00
Venezuela	do	Dec. 9	Dec. 11	2		35.00		70.00				70.00
Transportation	do									899.10		899.10
Subtotal								371.00		899.10		1,270.10
Robert C. Gresham:												
Mexico	Dollar	Nov. 30	Dec. 5	5		27.00		135.00				135.00
Panama	do	Dec. 5	Dec. 7	3		32.00		96.00				96.00
Colombia	do	Dec. 7	Dec. 9	2		35.00		70.00				70.00
Venezuela	do	Dec. 9	Dec. 11	2		35.00		70.00				70.00
Transportation	do									1,097.10		1,097.10
Subtotal								371.00		1,097.10		1,468.10
Total								3,135.00		9,268.80		12,403.80

SUBCOMMITTEE ON SURVEYS AND INVESTIGATIONS STAFF

Cornelius R. Anderson:												
France	Dollar	Feb. 25	Feb. 29	4		33.00		132.00		0		132.00
Holland	do	Feb. 29	Mar. 4	4		29.00		116.00		0		116.00
Sweden	do	Mar. 4	Mar. 7	3		30.00		90.00		0		90.00
England	do	Mar. 7	Mar. 12	5¼		33.00		173.25		0		173.25
Round trip transportation	do									890.00		890.00
Subtotal								511.25		890.00		1,401.25
William G. Currall:												
Germany	Dollar	Feb. 25	Mar. 1	5		26.00		130.00		5.75		135.75
Italy	do	Mar. 1	Mar. 6	5¼		28.00		147.00		0		147.00
England	do	Mar. 6	Mar. 12	6		33.00		198.00		1.80		199.80
Round trip transportation	do									890.60		890.60
Subtotal								475.00		898.15		1,373.15
John G. Goedtel:												
Germany	Dollar	Oct. 4	Oct. 24	20		28.00		560.00		0		560.00
England	do	Oct. 24	Oct. 27	3		30.00		90.00		0		90.00
Round trip transportation	do									840.00		840.00
Subtotal								650.00		840.00		1,490.00
L. Clyde Groover, Jr.:												
Germany	Dollar	Feb. 25	Mar. 1	5		26.00		130.00		1.25		131.25
Italy	do	Mar. 1	Mar. 6	5¼		28.00		147.00		0		147.00
England	do	Mar. 6	Mar. 12	6		33.00		198.00		0		198.00
Round trip transportation	do									890.60		890.60
Subtotal								475.00		891.85		1,366.85
Edward J. Hayes:												
France	Dollar	Feb. 25	Feb. 29	4¼		33.00		140.25		7.00		147.25
The Netherlands	do	Feb. 29	Mar. 4	4		29.00		116.00		2.00		118.00
Sweden	do	Mar. 4	Mar. 7	3		34.00		102.00		5.00		107.00
England	do	Mar. 7	Mar. 9	2¼		30.00		67.50		0		67.50
Round trip transportation	do									890.00		890.00
Subtotal								425.75		904.00		1,329.75

XUM

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, COMMITTEE ON APPROPRIATIONS, BETWEEN JAN. 1 AND DEC. 31, 1968—Continued

SUBCOMMITTEE ON SURVEYS AND INVESTIGATIONS STAFF—Continued

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Robert G. Kunkel:												
Germany	Dollar	Oct. 4	Oct. 24	20½		28.00		574.00		0		574.00
Belgium	do	Oct. 24	Oct. 27	2½		32.00		80.00		0		80.00
England	do	Oct. 27	Oct. 31	4¼		30.00		127.50		0		127.50
Round trip transportation	do									840.00		840.00
Subtotal								781.50		840.00		1,621.50
Paul J. Mohr:												
Germany	Dollar	Oct. 4	Oct. 24	20½		28.00		574.00		0		574.00
Belgium	do	Oct. 24	Oct. 27	2½		32.00		80.00		0		80.00
England	do	Oct. 27	Oct. 31	4¼		30.00		127.50		0		127.50
Round trip transportation	do									840.00		840.00
Subtotal								781.50		840.00		1,621.50
William H. Welch, Jr.:												
Germany	Dollar	Oct. 4	Oct. 24	20		28.00		560.00		0		560.00
England	do	Oct. 24	Oct. 27	3		30.00		90.00		0		90.00
Round trip transportation	do									840.00		840.00
Subtotal								650.00		840.00		1,490.00
H. Branch Wood:												
Germany	Dollar	Oct. 4	Oct. 24	20½		28.00		574.00		0		574.00
Belgium	do	Oct. 24	Oct. 27	2½		32.00		80.00		0		80.00
England	do	Oct. 27	Oct. 31	4¼		30.00		127.50		0		127.50
Round trip transportation	do									840.00		840.00
Subtotal								781.50		840.00		1,621.50
Grand total								5,531.50		7,784.00		13,315.50

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 1124, 2D SESS., 90TH CONG., COMMITTEE ON ARMED SERVICES, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968

SUBCOMMITTEE ON MILITARY AIRLIFT

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. Melvin Price:												
South Vietnam	Piastre	Jan. 11	Jan. 17	6	5,900	50.00	24,900	211.00			24,900	211.00
Thailand	Baht	Jan. 17	Jan. 21	5	1,031	50.00	3,330	161.30			3,330	161.30
Taiwan	Taiwan dollar	Jan. 21	Jan. 22	1	2,000	50.00	880	22.00			880	22.00
Japan	Yen	Jan. 22	Jan. 24	2	18,000	50.00	35,300	98.05			35,300	98.05
Transportation	U.S. dollar									1,539.30		1,539.30
Subtotal								492.35		1,539.30		2,031.65
Hon. Chas. H. Wilson:												
South Vietnam	Piastre	Jan. 13	Jan. 17	4	5,900	50.00	23,600	200.00			23,600	200.00
Thailand	Baht	Jan. 17	Jan. 21	5	1,031	50.00	5,155	250.00			5,155	250.00
Taiwan	Taiwan dollar	Jan. 21	Jan. 22	1	2,000	50.00	900	22.50			900	22.50
Japan	Yen	Jan. 22	Jan. 24	2	18,000	50.00	36,000	100.00	7,420	20.60	43,420	120.60
Transportation from United States to Vietnam.	Deutsche mark								3,280	820.00	3,280	820.00
Transportation (return)	U.S. dollar									700.80		700.80
Subtotal								572.50		1,541.40		2,113.90
Hon. Frank E. Evans:												
South Vietnam	Piastre	Jan. 11	Jan. 17	6	5,900	50.00	35,400	300.00			35,400	300.00
Thailand	Baht	Jan. 17	Jan. 21	5	1,031	50.00	3,990	193.40			3,990	193.40
Taiwan	Taiwan dollar	Jan. 21	Jan. 22	1	2,000	50.00	690	17.25			690	17.25
Japan	Yen	Jan. 22	Jan. 24	2	18,000	50.00	36,000	100.00			36,000	100.00
Transportation	U.S. dollar									1,539.30		1,559.30
Subtotal								610.65		1,539.30		2,149.95
Hon. Floyd V. Hicks:												
South Vietnam	Piastre	Jan. 11	Jan. 17	6	5,900	50.00	26,400	223.73			26,400	223.73
Thailand	Baht	Jan. 17	Jan. 21	5	1,031	50.00	4,124	200.00			4,124	200.00
Taiwan	Taiwan dollar	Jan. 21	Jan. 22	1	2,000	50.00	620	15.50			620	15.50
Japan	Yen	Jan. 22	Jan. 24	2	18,000	50.00	36,000	100.00			36,000	100.00
Transportation	U.S. dollar									1,539.30		1,539.30
Subtotal								539.23		1,539.30		2,078.53
Hon. Hervey G. Machen:												
South Vietnam	Piastre	Jan. 11	Jan. 17	6	5,900	50.00	35,400	300.00			35,400	300.00
Thailand	Baht	Jan. 17	Jan. 21	5	1,031	50.00	5,155	250.00			5,155	250.00
Taiwan	Taiwan dollar	Jan. 21	Jan. 22	1	2,000	50.00	2,000	50.00			2,000	50.00
Japan	Yen	Jan. 22	Jan. 24	2	18,000	50.00	34,560	96.00			34,560	96.00
Transportation	U.S. dollar									1,539.30		
Subtotal								696.00		1,539.30		2,235.30
Hon. Wm. G. Bray:												
South Vietnam	Piastre	Jan. 11	Jan. 17	6	5,900	50.00	21,713	184.00			21,713	184.00
Thailand	Baht	Jan. 17	Jan. 21	5	1,031	50.00	3,745	181.62			3,745	181.62
Taiwan	Taiwan dollar	Jan. 21	Jan. 22	1	2,000	50.00	875	21.88			875	21.88
Japan	Yen	Jan. 22	Jan. 24	2	18,000	50.00	31,500	87.50			31,500	87.50
Transportation	U.S. dollar									1,539.30		1,539.30
Subtotal								475.00		1,539.30		2,014.30

XUM

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 1124, 2D SESS., 90TH CONG., COMMITTEE ON ARMED SERVICES, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968—Continued

SUBCOMMITTEE ON MILITARY AIRLIFT—Continued

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. Chas. E. Chamberlain:												
South Vietnam	Piastre	Jan. 11	Jan. 17	6	5,900	50.00	25,240	214.00			25,240	214.00
Thailand	Baht	Jan. 17	Jan. 21	5	1,031	50.00	4,124	200.00			4,124	200.00
Taiwan	Taiwan dollar	Jan. 21	Jan. 22	1	2,000	50.00	750	18.75			750	18.75
Japan	Yen	Jan. 22	Jan. 24	2	18,000	50.00	34,000	94.50			34,000	94.50
Transportation	U.S. dollar									1,539.30		1,539.30
Subtotal								527.25		1,539.30		2,066.55
Hon. Donald D. Clancy:												
Vietnam	Piastre	Jan. 11	Jan. 17	6	5,900	50.00	25,370	215.00			25,370	215.00
Thailand	Baht	Jan. 17	Jan. 21	5	1,031	50.00	3,024	146.65			3,024	146.65
Taiwan	Taiwan dollar	Jan. 21	Jan. 22	1	2,000	50.00	720	18.00			720	18.00
Japan	Yen	Jan. 22	Jan. 24	2	18,000	50.00	28,545	79.30			28,545	79.30
Transportation	U.S. dollar									1,539.30		1,539.30
Subtotal								458.95		1,539.30		1,998.29
Hon. Robert T. Stafford:												
South Vietnam	Piastre	Jan. 11	Jan. 17	6	5,900	50.00	21,400	181.35			21,400	181.35
Thailand	Baht	Jan. 17	Jan. 21	5	1,031	50.00	4,595	223.00			4,595	223.00
Taiwan	Taiwan dollar	Jan. 21	Jan. 22	1	2,000	50.00	630	15.75			630	15.75
Japan	Yen	Jan. 22	Jan. 24	2	18,000	50.00	30,500	84.75			30,500	84.75
Transportation	U.S. dollar									1,539.30		1,539.30
Subtotal								504.85		1,539.30		2,044.15
Hon. James V. Smith:												
South Vietnam	Piastre	Jan. 11	Jan. 17	6	5,900	50.00	20,060	170.00			20,060	170.00
Thailand	Baht	Jan. 17	Jan. 21	5	1,031	50.00	4,735	229.65			4,735	229.65
Taiwan	Taiwan dollar	Jan. 21	Jan. 22	1	2,000	50.00	1,600	40.00			1,600	40.00
Japan	Yen	Jan. 22	Jan. 24	2	18,000	50.00	29,880	83.00			29,880	83.00
Transportation	U.S. dollar									1,539.30		1,539.30
Subtotal								522.65		1,539.30		2,061.95
Earl J. Morgan:												
South Vietnam	Piastre	Jan. 11	Jan. 17	6	5,900	50.00	35,400	300.00			35,400	300.00
Thailand	Baht	Jan. 17	Jan. 21	5	1,031	50.00	5,155	250.00			5,155	250.00
Taiwan	Taiwan dollar	Jan. 21	Jan. 22	1	2,000	50.00	1,450	36.25			1,450	36.25
Japan	Yen	Jan. 22	Jan. 24	2	18,000	50.00	36,000	100.00			36,000	100.00
Transportation	U.S. dollar									1,539.30		1,359.30
Subtotal								686.25		1,539.30		2,225.55
Total								6,085.68		16,934.40		23,020.08

RECAPITULATION

Foreign currency (U.S. $ equivalent)	6,926.28
Appropriated funds: Government department:	
Air Force	16,093.80
Total	23,020.08

L. MENDEL RIVERS,
Chairman, Subcommittee on Military Airlift.

FEBRUARY 1969.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 1124, 2D SESS., 90TH CONG., COMMITTEE ON ARMED SERVICES, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968

SUBCOMMITTEE TO VIETNAM

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. Donald J. Irwin:												
Japan	Yen	Apr. 12	Apr. 14	2	18,000	50.00	36,000	100.00	938	2.61	36,938	102.61
Thailand	Baht	Apr. 14	Apr. 16	2	1,031	50.00	2,062	100.00			2,062	100.00
Vietnam	Piastre	Apr. 16	Apr. 21	5	5,540	50.00	23,800	201.69			23,800	201.69
Hong Kong	Kong Kong dollar	Apr. 21	Apr. 24	4	303.61	50.00	1,214.45	200.00			1,214.45	200.00
Korea	Won	Apr. 24	Apr. 25	1	13,683	50.00	13,638	50.00			13,683	50.00
Transportation	Deutsche mark								7,337.20	1,832.28	7,337.20	1,832.28
Subtotal								651.69		1,834.89		2,486.58
Hon. Chas. S. Gubser:												
Japan	Yen	Apr. 12	Apr. 14	2	18,000	50.00	36,000	100.00			36,000	100.00
Thailand	Baht	Apr. 14	Apr. 16	2	1,031	50.00	2,062	100.00			2,062	100.00
Vietnam	Piastre	Apr. 16	Apr. 21	5	5,540	50.00	23,800	201.69			23,800	201.69
Hong Kong	Hong Kong dollar	Apr. 21	Apr. 24	4	303.61	50.00	910.85	150.00			110.85	150.00
Korea	Won	Apr. 24	Apr. 25	1	13,683	50.00	13,683	50.00			13,683	50.00
Transportation	Deutsche mark								7,356.40	1,837.07	7,356.40	1,837.07
Subtotal								601.69		1,837.07		2,438.76

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REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 1124, 2D SESS., 90TH CONG., COMMITTEE ON ARMED SERVICES, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968—Continued

SUBCOMMITTEE TO VIETNAM—Continued

		Date			Per diem rate		Total amount per diem		Transportation		Total	
Name and country	Name of currency	Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Philip W. Kelleher:												
Japan	Yen	Apr. 12	Apr. 14	2	18,000	50.00	36,000	100.00			36,000	100.00
Thailand	Baht	Apr. 14	Apr. 16	2	1,031	50.00	2,062	100.00			2,062	100.00
Vietnam	Piastre	Apr. 16	Apr. 21	5	5,540	50.00	23,800	201.69			23,800	201.69
Hong Kong	Hong Kong dollar	Apr. 21	Apr. 24	4	303.61	50.00	1,214.45	200.00			1,214.45	200.00
Korea	Won	Apr. 24	Apr. 25	1	13,683	50.00	11,539	42.17			11,539	42.17
Transportation	Deutsche mark								7,356.40	1,837.07	7,356.40	1,837.07
Subtotal								643.86		1,837.07		2,480.93
Total								1,897.24		5,509.03		7,406.27

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	7,406.27

L. MENDEL RIVERS,
Chairman, Committee on Armed Services.
Subcommittee to Vietnam.

FEBRUARY 1969.

REPORT ON EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 1124, 2D SESS., 90TH CONG., COMMITTEE ON ARMED SERVICES, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968

SUBCOMMITTEE ON NATIONAL DEFENSE POSTURE

		Date			Per diem rate		Total amount per diem		Transportation		Total	
Name and country	Name of currency	Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. Porter Hardy, Jr.:												
England	British pound	May 8	May 11	4	20.17.5	50.00	71.9.9	171.15	3.10.10	8.45	74.19.19	179.60
Portugal	Escudo	May 11	do						578.78	20.23	578.78	20.23
Spain	Peseta	do	May 15	4	3,480	50.00	12,737	183.00	2,071	29.64	14,808	212.64
Italy	Lira	May 15	May 17	2	31,250	50.00	52,500	84.00	8,663	13.86	60,163	97.86
Turkey	do	May 17	May 22	4	450	50.00	1,458	162.00			1,458	162.00
Lebanon	Pound	May 20	May 20						17.83	5.65	17.83	5.65
Yugoslavia	New dinar	May 22	May 22						186.25	14.90	186.25	14.90
Germany	Deutsche mark	do	May 26	5	200	50.00	701.50	175.45			701.50	175.45
Sweden	Swedish krona	May 24	May 24						174.60	33.85	174.60	33.85
Denmark	Danish krone	May 25	May 25						65.06	8.72	65.06	8.72
Military transportation from United States and return.	U.S. dollar									2,166.75		2,166.75
Subtotal								775.60		2,302.05		3,077.65
Hon. F. Edward Hébert:												
Italy	Lira	May 16	May 17	1	31,250	50.00	31,250	50.00	4,331	6.93	35,581	56.93
Turkey	do	May 17	May 22	4	450	50.00	1,800	200.00			1,800	200.00
Lebanon	Pound	May 20	May 20						17.80	5.65	17.80	5.65
Yugoslavia	New dinar	May 22	May 22						186.25	14.90	186.25	14.90
Germany	Deutsche mark	do	May 26	5	200	50.00	1,000	250.00			1,000	250.00
Sweden	Swedish krona	May 24	May 24						174.65	33.86	174.65	33.86
Denmark	Danish krone	May 25	May 25						65.13	8.73	65.13	8.73
Commercial transportation from United States.	Gulden								1,784.12	494.08	1,784.12	494.08
Military transportation to United States.	U.S. dollar									1,083.37		1,083.37
Subtotal								500.00		1,647.52		2,147.52
Hon. Samuel S. Stratton:												
Turkey	Lira	May 21	May 22	1	450	50.00	403	44.78			403	44.78
Yugoslavia	New dinar	May 22	do						186.38.38	14.91	186.38	14.91
Germany	Deutsche mark	May 22 May 25	May 23 May 25	3	200	50.00	359	89.91			359	89.91
Sweden	Swedish krona	May 24	May 25	1	257	50.00	127	25.15	174.65	33.86	301.65	59.01
Denmark	Danish krone	May 25	do	1	373	50.00	43	5.78	65.13	8.73	108.13	14.51
Commercial transportation to Italy.	Gulden								171.06	468.70	171.06	468.70
Military transportation from Italy to Istanbul.	U.S. dollar									640.00		640.00
Commercial transportation from Sweden to Denmark.	Swedish krona								183	35.41	183	35.41
Military transportation to United States.	U.S. dollar									1,083.37		1,083.37
Subtotal								165.62		2,284.98		2,450.60

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 1124, 2D SESS., 90TH CONG., COMMITTEE ON ARMED SERVICES, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968—Continued

SUBCOMMITTEE ON NATIONAL DEFENSE POSTURE—Continued

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. Charles A. Halleck:												
England	British pound	May 8	May 11	4	20.17.5	50.00	54.15.9	131.01	3.10.9	8.44	58.2.0	139.45
Portugal	Escudo	May 11	do						578.78	20.23	578.78	20.43
Spain	Peseta	do	May 15	4	3,480	50.00	12,528	180.00	2,070.22	29.64	14,598	209.64
Italy	Lire	May 15	May 17	2	31,250	50.00	37,885	60.62	8,863.	13.86	46,548	74.48
Turkey	Lira	May 17	May 21	3	450	50.00	1,300	144.44			1,300	144.44
Lebanon	Pound	May 20	May 20						17.80	5.65		5.65
Germany	Deutsche mark	May 21	May 22	1	200	50.00	44	10.99			44	10.99
Military transportation to Europe	U.S. dollar									1,083.37		1,083.37
Military transportation from Istanbul to Frankfurt	do									616.00		616.00
Commercial transportation to United States.	Gulden								1,056.31	292.53	1,056.31	292.53
Subtotal								527.06		2,069.72		2,596.78
John R. Blandford:												
England	British pound	May 8	May 11	4	20.17.5	50.00	58.9.9	140.41	3.10.10	8.45	71.19.19	148.86
Portugal	Escuado	May 11	do						578.78	20.23	578.78	20.23
Spain	Peseta	do	May 15	4	3,480	50.00	9,920	142.53	2,070.22	29.64	5,550.22	172.17
Italy	Lire	May 15	May 17	2	31,250	50.00	4,250	6.80	8,663	13.86	12,913	20.66
Military transportation to Europe	U.S. dollar									1,083.37		1,083.37
Commercial transportation to United States.	Gulden								1,774	473.91	1,774	473.91
Subtotal								289.74		1,629.46		1,919.20
John T. M. Reddan:												
England	British pound	May 8	May 11	4	20.17.5	50.00	83.9.9	200.00	3.10.9	8.44	87.1.8	208.77
Portugal	Escudo	May 11	do						578.78	20.23	578.78	20.23
Spain	Peseta	do	May 15	4	3480	50.00	13,920	200.00	2,070.22	29.64	15,990	229.64
Italy	Lire	May 15	May 17	2	31,250	50.00	62,500	100.00	8,663	13.86	71,163	113.86
Turkey	Lira	May 17	May 22	4	450	50.00	1,800	200.00			1,800	200.00
Lebanon	Pound	May 20	May 20						17.80	5.65	17.80	5.65
Yugoslavia	New dinar	May 22	May 22						186.25	14.90	186.25	14.90
Germany	Deutsche mark	do	May 26	5	200	50.00	930	232.50			930	232.50
Sweden	Swedish krona	May 24	May 24						174.65	33.86	174.65	33.86
Denmark	Danish krone	May 25	May 25						65.13	8.73	65.13	8.73
Military transportation (from United States and return).	U.S. dollar									2,166.75		2,166.75
Subtotal								932.50		2,302.06		3,234.56
Labre R. Garcia:												
England	British pound	May 8	May 11	4	20.17.5	50.00	70.3.0	167.94	3.10.10	8.45	73.13.10	176.39
Portugal	Escudo	May 11	do						578.78	20.23	578.78	20.23
Spain	Peseta	do	May 15	4	3,480	50.00	12,220	175.57	2,070.22	29.64	2,070.22	205.21
Italy	Lire	May 15	May 17	2	31,250	50.00	62,500	100.00	8,663	13.86	71,163	113.86
Turkey	Lira	May 17	May 22	4	450	50.00	947	105.22			947	105.22
Lebanon	Pound	May 20	May 20						17.80	5.65	17.80	5.65
Yugoslavia	New dinar	May 22	May 22						186.25	14.90	186.25	14.90
Germany	Deutsche mark	do	May 26	5	200	50.00	428	107.14			428.00	107.14
Sweden	Swedish krona	May 24	May 24						174.65	33.86	174.65	33.86
Denmark	Danish krone	May 25	May 25						65.13	8.73	65.13	8.73
Military transportation from United States and return.	U.S. dollar									2,166.75		2,166.75
Subtotal						655.87		655.87		2,302.07		2,975.94
Frank M. Slatinshek:												
Italy	Lire	May 16	May 17	1	31,250	50.00	31,250	50.00	4,331	6.93	35,581	56.93
Turkey	Lira	May 17	May 19	2	450	50.00	900	100.00			450.00	100.00
Commercial transportation to Europe.	Gulden								1,784.12	494.08	1,784.12	494.08
Commercial transportation to United States.	U.S. dollar									393.40		393.40
Subtotal								150.00		894.41		1,044.41
Phyllis M. Seymour:												
England	Pound	May 8	May 9	1	20.17.5	50.00	12.19.9	30.53	0.16.4	1.95	13.17.3	32.48
Military transportation from United States and return.	U.S. dollar									2,166.75		2,166.75
Subtotal								30.53		2,168.70		2,199.23
Total								4,026.92		17,600.97		21,627.89

RECAPITULATION

Foreign currency (U.S. dollar equivalent)	6,978.01
Appropriated funds: Government department: Air Force	14,649.88
Total	21,627.89

FEBRUARY 1969.

L. MENDEL RIVERS,
Chairman, Committee on Armed Services.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 1124, 2D SESS., 90TH CONG., COMMITTEE ON ARMED SERVICES, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968

SUBCOMMITTEE TO EUROPE

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. Mendel Rivers:												
Spain	Peseta	Sept. 13	Sept. 16	3	3,480	50.00	10,440	150.00			10,440	150.00
England	B. pound	Sept. 16	Sept. 19	4	20.79.5	50.00	83.18.0	200.00	15.1.3	35.92	98.19.3	235.92
Transportation	U.S. dollar (from United States)									73.00		73.00
Transportation	B. pound (to United States)								165.4.7	393.97	165.47	393.97
Subtotal								350.00		502.89		852.89
Earl J. Morgan:												
Ireland	B. pound	Sept. 13	Sept. 15	2	20.71.8	50.00	41.43.6	100.00			41.43.6	100.00
England	do	Sept. 15	Sept. 18	4	20.79.5	50.00	83.18.0	200.00			83.18.0	200.00
Transportation	U.S. dollar									842.82		842.82
Subtotal								300.00		842.82		1142.82
Ralph Marshall:												
Ireland	B. pound	Sept. 13	Sept. 15	2	20.71.8	50.00	41.43.6	100.00			41.43.6	100.00
England	do	Sept. 15	Sept. 18	4	20.79.5	50.00	83.18.0	200.00			83.18.0	200.00
Transportation	U.S. dollar									842.82		842.82
Subtotal								300.00		842.82		1142.82
Total								950.00		2188.53		3138.53

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	1,379.89
Appropriated funds: Government Department: Air Force	1,758.64
Total	3,138.53

L. MENDEL RIVERS,
Chairman, Committee on Armed Services.
Chairman, Subcommittee to Europe.

FEBRUARY 1969.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 1124, 2D SESS., 90TH CONG., COMMITTEE ON ARMED SERVICES, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968

SUBCOMMITTEE ON NATIONAL DEFENSE POSTURE

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. Porter Hardy, Jr.:												
Mexico	Peso	Nov. 7	Nov. 7	1	624.50	50.00	442.42	35.42			442.42	35.42
Venezuela	Bolivar	Nov. 8	Nov. 10	2	224.25	50.00	398.50	88.85	136.07	30.34	534.57	119.19
Brazil	Cruzeiro	Nov. 10	Nov. 12	3	1,834.00	50.00	4,750.00	136.37	940.11	25.63	5,690.11	162.00
Argentina	Peso	Nov. 12	Nov. 15	3	17,500	50.00	49,700	142.00	19,169.5	54.77	68,869.5	196.77
Ecuador	Sucres	Nov. 15	Nov. 19	3	1,100	50.00	2,750	125.00	359.70	16.35	3,109.70	141.35
Tahiti	Pacific franc	Nov. 19	Nov. 20	1	4,488.5	50.00	4,488.5	50.00			4,488.5	50.00
New Zealand	New Zealand dollar	Nov. 21	Nov. 25	4	44.50	50.00	106.00	119.10			106.00	119.10
Australia	Australian dollar	Nov. 25	Nov. 28	4	44.83	50.00	179.32	200.00	27.49	30.66	206.81	230.66
Philippines	Peso	Nov. 28	Dec. 1	3	195.667	50.00	491.00	125.47			491.00	125.47
Military transportation from United States and return.	U.S. dollar									4,196.42		4,196.42
Subtotal								1,022.21		4,354.17		5,376.38
Hon. Charles A. Halleck:												
Mexico	Peso	Nov. 7	Nov. 7	1	624.50	50.00	442.12	35.42			442.42	35.42
Venezuela	Bolivar	Nov. 8	Nov. 10	2	224.25	50.00	437.75	97.60	136.07	30.34	573.82	127.94
Brazil	Cruzeiro	Nov. 10	Nov. 12	3	1,834.00	50.00	5,502.00	150.00	940.11	25.63	6,442.11	175.63
Argentina	Peso	Nov. 12	Nov. 15	3	17,500	50.00	42,100	120.29	19,169.5	54.77	61,269.5	175.06
Ecuador	Sucres	Nov. 15	Nov. 19	3	1,100	50.00	2,695.80	122.54	359.70	16.35	3,055.50	138.89
Tahiti	Pacific franc	Nov. 19	Nov. 20	1	4,488.5	50.00	4,488.5	50.00			4,488.5	50.00
New Zealand	New Zealand dollar	Nov. 21	Nov. 25	4	44.50	50.00	94.00	105.62			94.00	105.62
Australia	Australian dollar	Nov. 25	Nov. 28	4	44.83	50.00	179.32	200.00	27.49	30.66	206.81	230.66
Philippines	Peso	Nov. 28	Dec. 1	3	195.677	50.00	507.00	129.56			507.00	129.56
Military transportation from United States and return.	U.S. dollar									4,196.42		4,196.42
Subtotal								1,011.03		4,354.17		5,365.20
Hon. William L. Dickinson:												
Mexico	Peso	Nov. 7	Nov. 7	1	624.50	50.00	442.42	35.42			442.42	35.42
Venezuela	Bolivar	Nov. 8	Nov. 10	2	224.25	50.00	398.50	88.85	136.07	30.34	534.57	119.19
Brazil	Cruzeiro	Nov. 10	Nov. 12	3	1,834.00	50.00	5,399.30	147.20	940.11	25.63	6,339.41	172.83
Argentina	Peso	Nov. 12	Nov. 15	3	17,500	50.00	47,500	135.71	19,169.5	54.77	66,669.5	190.48
Ecuador	Sucres	Nov. 15	Nov. 19	3	1,100	50.00	2,800	127.27	359.70	16.35	3,159.70	143.62
Tahiti	Pacific franc	Nov. 19	Nov. 20	1	4,488.5	50.00	4,488.5	50.00			4,488.5	50.00
New Zealand	New Zealand dollar	Nov. 21	Nov. 25	4	44.50	50.00	76.00	85.39			76.00	85.39
Australia	Australian dollar	Nov. 25	Nov. 28	4	44.83	50.00	179.32	200.00	27.49	30.66	206.81	230.66
Philippines	Peso	Nov. 28	Dec. 1	3	195.667	50.00	577.00	147.44			577.00	147.44
Military transportation from United States and return.	U.S. dollar									4,196.42		4,196.42
Subtotal								1,017.28		4,354.17		5,371.45

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 1124, 2D SESS., 90TH CONG., COMMITTEE ON ARMED SERVICES, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968—Continued

SUBCOMMITTEE ON NATIONAL DEFENSE POSTURE—Continued

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. Otis G. Pike:												
Mexico	Peso	Nov. 7	Nov 7	1	624.50	50.00	442.41	35.42			442.41	35.42
Venezuela	Bolivar	Nov. 8	Nov. 10	2	224.25	50.00	448.50	100.00	136.07	30.34	584.57	130.34
Brazil	Cruzeiro	Nov. 10	Nov. 12	3	1,834.00	50.00	5,502.00	150.00	940.11	25.63	6,442.11	175.63
Argentina	Peso	Nov. 12	Nov. 15	3	17,500	50.00	41,450	118.43	19,169.5	54.77	60,619.5	173.20
Ecuador	Sucre	Nov. 15	Nov. 19	3	1,100	50.00	3,300	150.00	359.70	16.35	3,659.70	166.35
Tahiti	Pacific franc	Nov. 19	Nov. 20	1	4,488.5	50.00	4,488.5	50.00			4,488.5	50.00
New Zealand	New Zealand dollar	Nov. 21	Nov. 25	4	44.50	50.00	143.00	160.67			143.00	160.67
Australia	Australian dollar	Nov. 25	Nov. 28	4	44.83	50.00	179.32	200.00	27.49	30.66	206.81	230.66
Philippines	Peso	Nov. 28	Dec. 1	3	195.667	50.00	587.00	150.00			587.00	150.00
Military transportation from United States and return.										4,196.42		4,196.42
Subtotal								1,114.52		4,354.17		5,468.69
Hon. Alexander Pirnie:												
Venezuela	Bolivar	Nov. 8	Nov. 10	2	224.25	50.00	378.50	84.39	136.07	30.34	514.57	114.73
Brazil	Cruzeiro	Nov. 10	Nov.12	3	1,834.00	50.00	4,943.40	134.77	940.11	25.63	5,889.51	160.40
Argentina	Peso	Nov. 12	Nov. 15	3	17,500	50.00	44,300	126.57	19,169.5	54.77	63,469.5	181.34
Ecuador	Sucre	Nov. 15	Nov. 19	3	1,100	50.00	1,100	50.00	359.70	16.35	1,459.70	66.35
Commercial transportation from New York to Venezuela.	Deutsche mark								907.668	228.00	907.668	228.00
Commercial transportation from Ecuador to Washington, D.C.	Deutsche mark								1,031.079	259.00	1,031.079	259.00
Military transportation from Venezuela to Ecuador.										591.94		591.94
Subtotal								395.73		1,206.03		1,601.76
John T. M. Reddan:												
Mexico	Peso	Nov. 7	Nov. 7	1	624.50	50.00	442.41	35.42			442.41	35.42
Venezuela	Bolivar	Nov. 8	Nov. 10	2	224.25	50.00	438.50	97.77	136.07	30.34	574.57	128.11
Brazil	Cruzeiro	Nov. 10	Nov. 12	3	1,834.00	50.00	5,499.50	149.93	940.11	25.63	6,439.61	175.56
Argentina	Peso	Nov. 12	Nov. 15	3	17,500	50.00	52,450	149.86	19,169.5	54.77	71,619.5	204.63
Ecuador	Sucre	Nov. 15	Nov. 19	3	1,100	50.00	3,300	150.00	359.70	16.35	3,659.70	166.35
Tahiti	Pacific franc	Nov. 19	Nov. 20	1	4,488.5	50.00	4,488.5	50.00			4,488.5	50.00
New Zealand	New Zealand dollar	Nov. 21	Nov. 25	4	44.50	50.00	142.00	159.55			142.00	159.55
Australia	Australian dollar	Nov. 25	Nov. 28	4	44.83	50.00	179.32	200.00	27.49	30.66	206.81	230.66
Philippines	Peso	Nov. 28	Dec. 1	3	195.667	50.00	488.00	124.70			488.00	124.70
Military transportation from United States and return.	Dollar									4,196.42		4,196.42
Subtotal								1,117.23		4,354.17		5,471.40
Richard Ransom:												
Mexico	Peso	Nov. 7	Nov. 7	1	624.50	50.00	442.42	35.43			442.42	35.43
Venezuela	Bolivar	Nov. 8	Nov. 10	2	224.25	50.00	410.95	91.64	136.07	30.34	547.02	121.98
Brazil	Cruzeiro	Nov. 10	Nov. 12	3	1,834.00	50.00	5,502.00	150.00	940.11	25.63	6,442.11	175.63
Argentina	Peso	Nov. 12	Nov. 15	3	17,500	50.00	52,500	150.00	19,169.5	54.77	71,669.5	204.77
Ecuador	Sucre	Nov. 15	Nov. 19	3	1,100	50.00	3,300	150.00	359.70	16.35	3,659.70	166.35
Tahiti	Pacific franc	Nov. 19	Nov. 20	1	4,488.5	50.00	4,488.5	50.00			4,488.5	50.00
New Zealand	New Zealand dollar	Nov. 21	Nov. 25	4	44.50	50.00	80.25	90.17			80.25	90.17
Australia	Australian dollar	Nov. 25	Nov. 28	4	44.83	50.00	179.32	200.00	27.49	30.66	206.81	230.66
Philippines	Peso	Nov. 28	Dec. 1	3	195.667	50.00	517.00	132.11			517.00	132.11
Military transportation from United States and return.	Dollar									4,196.42		4,196.4
Subtotal								1,049.35		4,354.17		5,403.52
Labre R. Garcia:												
Mexico	Peso	Nov. 7	Nov. 7	1	624.50	50.00	442.42	35.42			442.42	35.42
Venezuela	Bolivar	Nov. 8	Nov. 10	2	224.25	50.00	448.50	100.00	136.07	30.34	584.57	130.34
Brazil	Cruzeiro	Nov. 10	Nov. 12	3	1,834.00	50.00	5,393.50	147.04	940.11	25.63	6,333.61	172.67
Argentina	Peso	Nov. 12	Nov. 15	3	17,500	50.00	52,500	150.00	19,169.5	54.77	71,669.5	204.77
Ecuador	Sucre	Nov. 15	Nov. 19	3	1,100	50.00	3,300	150.00	359.70	16.35	3,659.70	166.35
Tahiti	Pacific franc	Nov. 19	Nov. 20	1	4,488.5	50.00	4,488.5	50.00			4,488.5	50.00
New Zealand	New Zealand dollar	Nov. 21	Nov. 25	4	44.50	50.00	157.00	176.41			157.00	176.41
Australia	Australian dollar	Nov. 25	Nov. 28	4	44.83	50.00	179.32	200.00	27.49	30.66	206.81	230.66
Philippines	Peso	Nov. 28	Dec. 1	3	195.667	50.00	488.00	124.70			488.00	124.70
Military transportation from United States and return.	Dollar									4,196.42		4,196.42
Subtotal								1,133.57		4,354.17		5,487.74
Total								7,860.92		32,685.22		39,546.14

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	9,579.26
Appropriated funds: Government Department: Air Force	29,966.88
Total	39,546.14

L. MENDEL RIVERS,
Chairman, Committee on Armed Services.

FEBRUARY 1969.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 1124, 2D SESS., 90TH CONG., COMMITTEE ON ARMED SERVICES, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968

SUBCOMMITTEE TO FAR EAST

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. Hervey G. Machen:												
Korea	Won	Nov. 22	Nov. 24	2	14,050	50.00	18,880	67.16			18,880	67.16
Taiwan	Taiwan dollar	Nov. 24	Nov. 26	2	2,000	50.00	3,411.67	85.29			3,411.67	85.29
Hong Kong	Hong Kong dollar	Nov. 26	Nov. 28	3	305.25	50.00	899.65	145.73	35.40	5.80	925.05	151.53
Vietnam	Piastre	Nov. 28	Dec. 1	3	5,900	50.00	17,700	150.00			17,700	150.00
Laos	Kip	Dec. 1	Dec. 2	1	22,150	50.00	2,975	5.95			2,975	5.95
Thailand	Baht	Dec. 2	Dec. 6	4	1,034	50.00	4,134	200.00			4,134	200.00
Transportation	Deutsche mark								8,190.80	2,042.08	8,190.80	2,042.08
Subtotal								654.13		2,047.88		2,702.01
Hon. William G. Bray:												
Korea	Won	Nov. 22	Nov. 24	2	14,050	50.00	18,290	65.00			18,290	65.00
Taiwan	Taiwan dollar	Nov. 24	Nov. 26	2	2,000	50.00	3,411.67	85.29			3,411.67	85.29
Hong Kong	Hong Kong dollar	Nov. 26	Nov. 28	3	305.25	50.00	498.75	81.75	35.40	5.80	534.15	87.55
Vietnam	Piastre	Nov. 28	Dec. 1	3	5,900	50.00	14,710	139.54			14,710	139.54
Laos	Kip	Dec. 1	Dec. 2	1	22,150	50.00	2,975	5.95			2,975	5.95
Thailand	Baht	Dec. 2	Dec. 6	4	1,034	50.00	1,629	78.81			1,629	78.81
Transportation	Deutsche mark								7,973.20	1,987.83	7,973.20	1,987.83
Subtotal								456.34		1,993.63		2,449.97
William H. Cook:												
Korea	Won	Nov. 22	Nov. 24	2	14,050	50.00	19,130	68.05			19,130	68.05
Taiwan	Taiwan dollar	Nov. 24	Nov. 26	2	2,000	50.00	2,235	56.00			2,235	56.00
Hong Kong	Hong Kong dollar	Nov. 26	Nov. 28	3	305.25	50.00	908.05	148.87	35.40	5.80	943.45	154.67
Vietnam	Piastre	Nov. 28	Dec. 1	3	5,900	50.00	17,700	150.00			17,700	150.00
Laos	Kip	Dec. 1	Dec. 2	1	22,150	50.00	2975	5.95			2,975	5.95
Thailand	Baht	Dec. 2	Dec. 6	4	1,034	50.00	3781	182.92			3,781	182.92
Transportation	Deutsche mark								8,190.80	2,042.08	8,190.80	2,042.08
Subtotal								611.79		2,047.88		2,659.67
Total								1,722.26		6,089.39		7,811.65

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	7,811.65
Total	7,811.65

L. MENDEL RIVERS,
Chairman, Committee on Armed Services,
or Subcommittee to Far East.

FEBRUARY 1969.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 1124, 2D SESS., 90TH CONG., COMMITTEE ON ARMED SERVICES, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. G. Elliott Hagan:												
New Zealand	U.S. dollar	Jan. 1	Jan. 11	10				327.63				327.63
Australia	Australian dollar	Jan. 11	Jan. 16	6	44.43	50.00	209.58	239.59			209.58	239.59
Singapore	Singapore dollar	Jan. 16	Jan. 18	2	151.00	50.00	254.00	84.07			254.00	84.07
Israel	Israeli pound	Jan. 19	Jan. 20	2	175.00	50.00	247.40	70.69	132.40	37.83	379.80	108.52
Italy	Lire	Jan. 20	Jan. 21	1	31,200	50.00	9,200	14.69			9,200	14.09
Portugal	Escudo	Jan. 21	Jan. 23	2	1,432	50.00	2,500	87.30			2,500	87.30
Transportation from United States and return.	Deutsche mark								10,240	2,557.49		2,557.49
Subtotal								823.97		2,595.32		3,419.29
Hon. Robert L. Leggett:												
Italy	Lire	Jan. 4	Jan. 15	11	31,200	50.00	312,000	500.00	43,130	69.23	355,130	569.23
Transportation from United States and return at no expense to the Government (Commercial within Europe).	Deutsche mark								513.20	128.18	513.20	128.18
Subtotal								500.00		197.41		697.41
Hon. Charles E. Chamberlain:												
Switzerland	Swiss franc	Nov. 15	Nov. 17	2	214.50	50.00	413.50	96.46			413.50	96.46
Italy	Lire	Nov. 17	Nov. 21	4	31,150	50.00	124,600	200.00			124,600	200.00
France	Franc	Nov. 21	Nov. 23	3	245.00	50.00	735.00	150.00			735.00	150.00
Transportation military aircraft to Europe and return with NATO Interparliamentary Conference group under Committee on Foreign Affairs (Commercial travel within Europe).	Deutsche mark								817.20	204.30	187.20	204.30
Subtotal								446.46		204.30		650.76

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 1124, 2D SESS., 90TH CONG., COMMITTEE ON ARMED SERVICES, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968—Continued

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. James A. Byrne:												
Spain	Peseta	Nov. 19	Nov. 22	4	3450.	50.00	10,350	150.00			10,350	150.00
Germany	Deutsche mark	Nov. 23	Dec. 2	10	200.	50.00	1,800	450.00			1,800	450.00
Italy	Lire	Dec. 3	Dec. 5	3	31,150	50.00	93,450	150,00			93,450	150.00
England	British pound	Dec. 6	Dec. 9	4	20.16.8	50.00	62.12.4	150.00			62.12.4	150.00
Commercial transportation, from United States and return.	Deutsche mark								3,562.40	888.16	3,562.40	888.16
Subtotal								900.00		888.16		1,788.16
Hon. Richard H. Ichord:												
Germany	Deutsche mark	Nov. 10	Nov. 14	4	200	50.00	800	200.00			800	200.00
Italy	Lire	Nov. 14	Nov. 21	8	31,150	50.00	249,200	400.00			249,200	400.00
Greece	Drachma	Nov. 21	Nov. 25	4	1,500	50.00	6,000.	200.00			6,000	200.00
United Kingdom	British pound	Nov. 25	Nov. 27	2	21.0.0	50.00	41.15.0	100.00			41.15.0	100.00
Military transportation from United States and return.	U.S. dollar									984.00		984.00
Subtotal								900.00		984.00		1,884.00
John R. Blandford:												
Korea	Won	Sept. 30	Oct. 6	6	13,912	50.00	63,472	227.38			63,472	227.38
Japan	Yen	Oct. 6	Oct. 11	6	18,000	50.00	72,000	200.00			72,000	200.00
Taiwan	NT dollar	Oct. 11	Oct. 14	3	2,000	50.00	3,000	75.00			3,000	75.00
Hong Kong	Hong Kong dollar	Oct. 14	Oct. 18	5	305.25	50.00	1,526.25	250.00			1,526.25	250.00
Thailand	Baht	Oct. 18	Oct. 24	6	1,033.50	50.00	5,834.50	282.25			5,834.50	282.25
Singapore	Singapore dollar	Oct. 24	Oct. 25	1	152.00	50.00	84.00	27.50			84.00	27.50
Djakarta	Rupiah	Oct. 25	Oct. 26	1	25,900	50.00	13,800	26.86			13,800	26.86
Philippines	Peso	Oct. 27	Oct. 29	3	195.56	50.00	386.70	98.90	176.50	45.09	386.70	143.89
Military transportation from United States and return.	U.S. dollar									2,940.00		2,940.00
Subtotal								1,187.79		2,985.09		4,172.88
Earl J. Morgan:												
Germany	Deutsche mark	Nov. 10	Nov. 14	4	200	50.00	800	200.00			800	200.00
Italy	Lire	Nov. 14	Nov. 21	8	31,150	50.00	249,200	400.00			249,200	400.00
Greece	Drachma	Nov. 21	Nov. 25	4	1,500	50.00	6,000	200.00			6,000	200.00
United Kingdom	British pound	Nov. 25	Nov. 27	2	21.0.0	50.00	41.15.0	100.00			41.15.0	100.00
Military transportation from United States and return.	U.S. dollar									984.00		984.00
Subtotal								900.00		984.00		1,884.00
Berniece Kalinowski:												
Spain	Peseta	Oct. 19	Oct. 22	3	3,480	50.00	9,704	139.44			9,704	139.44
Italy	Lire	Oct. 22	Oct. 25	3	31,100	50,00	93,300	150.00			93,300	150.00
Germany	Deutsche mark	Oct. 25	Oct. 30	5	200	50.00	730.00	182.50			730.00	182.50
England	British pound	Oct. 30	Nov. 3	5	20.82.5	50.00	76.1.0	182.06	2.2.5	5.06	78.3.5	187.12
Commercial aircraft transportation	U.S. dollar									73.00		73.00
Military aircraft transportation	Deutsche mark								1,618.28	403.46	1,618.28	403.46
Subtotal								654.00		481.52		1,135.52
L. Louise Ellis:												
Spain	Peseta	Oct. 19	Oct. 22	3	3,480	50.00	5,517	79.37			5,517	79.37
Italy	Lire	Oct. 22	Oct. 25	3	31,100	50.00	93,300	150.00			93,300	150.00
Germany	Deutsche mark	Oct. 25	Oct. 30	5	200	50.00	460.0	115.00			460	115.00
England	British pound	Oct. 30	Nov. 3	5	20.82.5	50.00	63.1.0	151.07	2.2.5	5.06	65.3.5	156.13
Military transportation from United States.	U.S. dollar									73.00		73.00
Commercial transportation to United States.	Deutsche mark								1,618.28	403.46	1,618.28	403.46
Subtotal								495.44		481.52		976.96
Edna E. Johnson:												
Spain	Peseta	Oct. 19	Oct. 22	3	3,480	50.00	10,088	144.95			10,088	144.95
Italy	Lire	Oct. 22	Oct. 25	3	31,100	50.00	93,300	150.00			93,300	150.00
Germany	Deutsche mark	Oct. 25	Oct. 30	5	200	50.00	930	232.50			930	232.50
England	British pound	Oct. 30	Nov. 3	5	20.82.5	50.00	94.1.0	224.97	2.2.5	5.06	96.3.5	230.03
Military transportation from United States	U.S. dollar									73.00		73.00
Commercial transportation to United States.	Deutsche mark								1,618.28	403.46	1,618.28	403.46
Subtotal								752.42		481.52		1,233.94
Dorothy R. Britton:												
Spain	Peseta	Oct. 19	Oct. 22	3	3,480	50.00	10,207	146.66			10,207	146.66
Italy	Lire	Oct. 22	Oct. 25	3	31,100	50.00	93,330	150.00			93,300	150.00
Germany	Deutsche mark	Oct. 25	Oct. 30	5	200	50.00	960	240.00			960	240.00
England	British pound	Oct. 30	Nov. 3	5	20.82.5	50.00	87.3.2	210.13	2.2.5	5.06	10,207	146.66
Military transportation from United States.	U.S. dollar									73.00		73.00
Commercial transportation to United States	Deutsche mark								1,618.28	403.46	1,618.28	403.64
Subtotal								746.79		481.52		1,228.31

REPORT ON EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 1124, 2D SESS., 90TH CONG., COMMITTEE ON ARMED SERVICES, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968—Continued

		Date			Per diem rate		Total amount per diem		Transportation		Total	
Name and country	Name of currency	Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Doris L. Scott:												
Spain	Peseta	Oct. 19	Oct. 23	3	3,480	50.00	9,410	135.22			9,410	135.22
Italy	Lire	Oct. 22	Oct. 25	3	31,100	50.00	93,300	150.00			93,300	150.00
Germany	Deutsche mark	Oct. 25	Oct. 30	5	200	50.00	828.60	207.15			828.60	207.15
England	British pound	Oct. 30	Nov. 4	5	20.82.5	50.00	104.11.0	250.00	2.2.5	5.06	106.13.5	255.06
Military transportation from United States.	U.S. dollar									73.00		73.00
Commercial transportation to United States.	Deutsche mark								1,618.28	403.46	1,618.28	403.46
Subtotal								742.37		481.52		1,223.89
Hon. Wm. J. Randall:												
Greece	Drachma	Nov. 20	Nov. 22	3	1,500	50.00	3,700	123.35			3,700	123.35
Turkey	Lira	Nov. 23	Nov. 25	3	450	50.00	1,323	147.00			1,323	147.00
Germany	Deutsche mark	Nov. 26	Nov. 29	3	200	50.00	400	100.00			400	100.00
Belgium	Franc	Nov. 29	Dec. 2	2	2,500	50.00	3,525	70.50			3,525	70.50
Commercial transportation from United States and return.	Deutsche mark								2,527	631.80	2,527	631.80
Subtotal								440.85		631.80		1,072.65
Total						9,490.09				11,877.68		21,367.77

RECAPITULATION

	Amount
Foreign currency (U.S. $ equivalent)	15,767.14
Appropriated funds: Government Department:	
Navy	327.63
Air Force	5,273.00
Total	21,367.77

MASTER RECAPITULATION

Subcommittee on Military Airlift	6,085.68	16,934.40	23,020.08
Subcommittee to Vietnam	1,897.24	5,509.03	7,406.27
Subcommittee on National Defense Posture	4,026.92	17,600.97	21,627.89
Subcommittee to Europe	950.00	2,188.53	3,138.53
Subcommittee on National Defense Posture	7,860.92	31,685.22	39,546.14
Subcommittee to Far East	1,722.26	6,089.39	7,811.65
Full committee	9,490.09	11,877.68	21,367.77
Total	32,033.11	91,918.33	123,918.33

RECAPITULATION

Foreign currency (U.S. dollar equivalent)	55,848.50
Appropriated funds, Government Department:	
Air Force	67,742.20
Navy	327.63
Total	123,918.33

L. MENDEL RIVERS,
Chairman, Committee on Armed Services.

FEBRUARY 1969.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 1093 AND 1304, 2D SESS., 90TH CONG., COMMITTEE ON BANKING AND CURRENCY, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968

		Date			Per diem rate		Total amount per diem		Transportation		Total	
Name and country	Name of currency	Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. Frank Annunzio:												
Japan	Yen	Dec. 1	Dec. 4	4	1,800	50.00	[1] 1,476 5,724	[1] 41.00 159.00			5,724	159.00
Thailand	Baht	Dec. 5	Dec. 6	2	1,033.50	50.00	[1] 2,067 2,067	[1] 100.00 100.00			2,067	100.00
Vietnam	Vietnam dollar	Dec. 7	Dec. 9	3	5,900	50.00	[1] 11,800 5,900	[1] 100.00 50.00			5,900	50.00
Hong Kong	Hong Kong dollar	Dec. 10	Dec. 12	3	305.50	50.00	916.50	150.00			916.50	150.00
Taiwan	Yuan	Dec. 13	Dec. 13	1	2,000	50.00	2,000	50.00			2,000	50.00
Korea	Won	Dec. 14	Dec. 14	1	14,050	50.00	14,050	50.00			14,050	50.00
Japan	Yen	Dec. 15	Dec. 16	2	1,800	50.00	3,600	100.00			3,600	100.00
Hon. Thomas L. Ashley:												
United Kingdom	Pound	Nov. 15	Nov. 19	5	20.16.3	50.00	104.11.6	250.00	69.0.6	164.58	173.12.2	414.58
Sweden	Ore	Nov. 20	Nov. 23	4	250	50.00	1,000	200.00			1,000	200.00
Finland	Markka	Nov. 24	Nov. 26	3	208.45	50.00	625.35	150.00			625.35	150.00
Netherlands	Guilder	Nov. 27	Nov. 29	3	180.37	50.00	541.13	150.00			541.13	150.00
Italy	Lire	Nov. 30	Dec. 8	9	31,150	50.00	280,350	450.00	87,068	139.98	367,418	589.98
Denmark	Krone				375	50.00			206.16	27.47	206.16	27.47
Germany	Deutsche mark				200	50.00			4,172	1,040.14	4,172	1,040.14

See footnotes at end of table.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 1093 AND 1304, 2D SESS., 90TH CONG., COMMITTEE ON BANKING AND CURRENCY, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968—Continued

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. William Barrett:												
Japan	Yen	Nov. 15	Nov. 19	5	18,000	50.00	90,000	250.00			90,000	250.00
Hong Kong	Hong Kong dollar	Nov. 20	Nov. 25	6	305.25	50.00	1,831.50	300.00	163.35	26.73	1,994.85	326.73
Australia	Australian dollar	Nov. 26	Nov. 30	5	44.83	50.00	224.15	250.00			224.15	250.00
Hon. Garry Brown: Italy	Lire	Dec. 7	Dec. 8	2	31,150	50.00	62,300	100.00			62,300	100.00

[1] Refund.

WRIGHT PATMAN,
Chairman, Committee on Banking and Currency.

MARCH 3, 1969.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 1093 AND 1304, 2D SESS., 90TH CONG., COMMITTEE ON BANKING AND CURRENCY, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. Garry Brown:												
France	Franc	Dec. 9	Dec. 11	3	247.50	50.00	742.50	150.00	64.90	13.05	807.40	163.05
Belgium	do	Dec. 12	Dec. 13	2	2,500	50.00	5,000	100.00			5,000	100.00
Holland	Guilder	Dec. 14	Dec. 15	2	180.18	50.00	360.38	100.00			360.38	100.00
							*41.18.0	*100.00				
United Kingdom	Pound	Dec. 16	Dec. 17	2	20.16.3	50.00	41.18.0	100.00			41.18.0	100.00
Kenneth Burrows:												
Japan	Yen	Nov. 15	Nov. 19	5	18,000	50.00	90,000	250.00			90,000	250.00
Hong Kong	Hong Kong dollar	Nov. 20	Nov. 25	6	305.25	50.00	1,831.50	300.00			1,831.50	300.00
Australia	Australian dollar	Nov. 26	Nov. 30	5	44.83	50.00	224.15	250.00	17.00	15.30	241.15	265.30
Richard K. Cook:												
Italy	Lira	Dec. 7	Dec. 8	2	31,150	50.00	62,300	100.00			62,300	100.00
France	Franc	Dec. 9	Dec. 11	3	247.50	50.00	742.50	150.00	64.90	13.05	807.40	163.05
Belgium	do	Dec. 12	Dec. 13	2	2,500	50.00	5,000	100.00			5,000	100.00
Holland	Guilder	Dec. 14	Dec. 15	2	180.18	50.00	360.38	100.00			360.38	100.00
							*41.18.0	*100.00				
United Kingdom	Pound	Dec. 16	Dec. 17	2	20.16.3	50.00	41.18.0	100.00			41.18.0	100.00
Orman S. Fink:												
Australia	Australian dollar	Nov. 16	Nov. 19	4	44.83	50.00	179.32	200.00	96.89	107.90	276.21	307.90
							*150.00	*50.00				
Singapore	Malaysian dollar	Nov. 20	Nov. 21	2	150.00	50.00	300.00	100.00	123.60	40.55	423.60	140.55
Thailand	Baht	Nov. 22	Nov. 24	3	1,033.50	50.00	3,100.50	150.00			3,100.50	150.00
							*2,002	*50.05				
Taiwan	Yuan	Nov. 25	Nov. 25	1	2,000	50.00	1,998	49.95			1,998	49.95
Hong Kong	Hong Kong dollar	Nov. 26	Dec. 1	6	305.50	50.00	1,831.50	300.00	25.21	4.13	1,856.71	304.13
							*1,800	*50.00				
Japan	Yen	Dec. 2	Dec. 4	3	1,800	50.00	5,400	150.00			5,400	150.00
									*606.00	*151.08		
Hon. Tom S. Gettys:												
Germany	Deutsche mark	July 1	July 3	3	200	50.00	600	150.00	3,321	834.27	3,021	984.27
Italy	Lira	July 4	July 5	2	31,150	50.00	62,300	100.00			62.300	100.00
Spain	Peseta	July 6	July 7	2	3,485	50.00	6,970	100.00			6,970	100.00
United Kingdom	Pound	July 8	July 8	1	20.16.3	50.00	20.16.3	50.00			20.16.3	50.00
							*315.00	*15.28				
Hon. Richard T. Hanna:												
Thailand	Baht	Aug. 15	Aug. 16	2	1,033.50	50.00	1,752	84.72			1,752	84.72
							*102.00	*26.08				
Philippines	Peso	Aug. 17	Aug. 19	3	195.50	50.00	484.50	123.92			484.50	123.92
Hong Kong	Hong Kong dollar	Aug. 20	Aug. 21	2	305.50	50.00	610.00	100.00			510.00	100.00
							*7,360	*26.88				
Korea	Won	Aug. 22	Aug. 25	4	13,827	50.00	47,568	173.12			47,568	173.12
Taiwan	Yuan	Aug. 26	Aug. 27	2	2,000	50.00	4,000	100.00			4,000	100.00
							*18,000	*50.00				
Japan	Yen	Aug. 28	Aug. 31	4	1,800	50.00	72,000	200.00	20,433	56.76	92,433	256.76
Netherlands	Guilder				180.37	50.00			7,310.95	2,016.26	7,310.95	2,016.26
Charles B. Holstein:												
Australia	Australian dollar	Nov. 16	Nov. 19	4	44.83	50.00	179.32	200.00	96.89	107.90	276.21	307.90
							*150	*50.00				
Singapore	Malaysian dollar	Nov. 20	Nov. 21	2	150	50.00	300	100.00	123.60	40.55	423.60	140.55
							*507.00	*24.53				
Thailand	Baht	Nov. 22	Nov. 24	2½	1,033.50	50.00	2,593.50	125.47			2,593.50	125.47
							*1,000	*25.00				
Taiwan	Yuan	Nov. 24	Nov. 25	1½	2,000	50.00	3,000	75.00			3,000	75.00
							*305.50	*50.00				
Hong Kong	Hong Kong dollar	Nov. 26	Nov. 30	5	305.50	50.00	1,526	250.00	25.21	4.13	1,551.21	254.13
Japan	Yen	Dec. 1	Dec. 4	4	1,800	50.00	72,000	200.00			72,000	200.00
Casey Ireland:												
France	Franc	Nov. 11	Nov. 13	3	247.50	50.00	735	150.00			735	150.00
							*20.16.3	*50.00				
United Kingdom	Pound	Nov. 14	Nov. 19	6	20.16.3	50.00	126.06.0	300.00			735	300.00
Sweden	Krona	Nov. 20	Nov. 23	4	250	50.00	1,000	200.00			1,000	200.00
Finland	Markka	Nov. 24	Nov. 26	3	208.45	50.00	625.35	150.00			625.35	150.00
Netherlands	Guilder	Nov. 27	Nov. 29	3	180.37	50.00	541.13	150.00			541.13	150.00
Italy	Lira	Nov. 30	Dec. 7	8	311.50	50.00	249,200	400.00			249,200	400.00
France	Franc	Dec. 8	Dec. 10	3	247.50	50.00	742.50	150.00			742.50	150.00
Germany	Deutsche mark				200	50.00			4,269.20	1,064.37	4,269.20	1,064.37
Hon. Albert W. Johnson:												
France	Franc	Nov. 11	Nov. 13	3	247.50	50.00	735	150.00			735	150.00
United Kingdom	Pound	Nov. 14	Nov. 18	5	20.16.3	50.00	104.11.6	250.00	6.13.0	15.86	111.04.6	265.86
Denmark	Krone				375	50.00			110.10	14.67	110.10	14.67
Sweden	Krona	Nov. 21	Nov. 23	3	250	50.00	750	150.00			750	150.00
Finland	Markka	Nov. 24	Nov. 26	3	208.45	50.00	625.35	150.00			625.35	150.00
Netherlands	Guilder	Nov. 27	Nov. 29	3	180.37	50.00	541.13	150.00			541.13	150.00
Germany	Deutsche mark				200	50.00			3,850.40	959.96	3,850.40	959.96
Refund to embassies of unused funds.												(64.39)

See footnotes at end of table.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 1093 AND 1304, 2D SESS., 90TH CONG., COMMITTEE ON BANKING AND CURRENCY, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968—Continued

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. Sherman P. Lloyd:												
Australia	Australian dollar	Nov. 16	Nov. 19	4	44.83	50.00	179.32	200.00	96.89	107.90	276.21	307.90
							*150	*50.00				
Singapore	Malaysian dollar	Nov. 20	Nov. 21	2	150	50.00	300	100.00	123.60	40.55	423.60	140.55
Thailand	Baht	Nov. 22	Nov. 24	3	1,033.50	50.00	3,100.50	150.00			3,100.50	150.00
							*2,000	*50,000				
Taiwan	Yuan	Nov. 25	Nov. 25	1	2,000	50.00	2,000	50.00			2,000	50.00
Hong Kong	Hong Kong dollar	Nov. 26	Dec. 1	6	305.50	50.00	1,831.50	300.00	25.21	4.13	1,856.71	304.13
							*54,000	*150.00				
Japan	Yen	Dec. 2	Dec. 7	6	1,800	50.00	108,000	300.00			108,000	300.00
							*98.00	*24.50				
Hon. Joseph G. Minish:												
Germany	Deutsche mark	July 1	July 3	3	200	50.00	502.00	125.50	2,205.60	804.94	2,707.50	930.44
							*11,837	*19.00				
Italy	Lira	July 4	July 5	2	31,150	50.00	50,463	81.00			50,463	81.00
							*1,394	*20.00				
Spain	Peseta	July 6	July 7	2	3,385	50.00	5,576	80.00			5,576	80.00
							*3.62.7	*9.00				
United Kingdom	Pound	July 8	July 8	1	20.16.3	50.00	16.52.3	41.00			16.52.3	41.00
							*1,476	*41.00				
Japan	Yen	Dec. 1	Dec. 4	4	1,800	50.00	5,724	159.00			5,724	159.00
							*2,067	*100.00				
Thailand	Baht	Dec. 5	Dec. 6	2	1,033.50	50.00	2,067	100.00			2,067	100.00
							*13,800.10	*116.95				
Vietnam	Piastre	Dec. 7	Dec. 9	3	5,900	50.00	4,489.90	38.05			4,489.90	38.05
							*647.00	*106.00				
Hong Kong	Hong Kong dollar	Dec. 10	Dec. 10	1	305.50	50.00	268.84	44.00			268.84	44.00
Curtis A. Prins:												
Germany	Deutsche mark	June 24	June 27	4	200	50.00	800	200.00			800	200.00
Italy	Lira	June 28	June 28	1	31,150	50.00	31,150	50.00			31,150	50.00
Spain	Peseta	June 29	June 69	1	3,485	50.00	3,485	50.00			3,485	50.00
United Kingdom	Pound	June 30	July 1	2	20.16.3	50.00	41.19.2	100.00			41.19.2	100.00
Germany	Deutsche mark	July 2	July 4	3	200	50.00	600	150.00			600	150.00
							*8,996	*14.44				
Italy	Lira	July 5	July 6	2	31,150	50.00	53,304	85.56			53,304	85.56
							*2,500	*35.87				
Spain	Peseta	July 7	July 8	2	3,485	50.00	4,470	64.13			6,470	64.13
United Kingdom	Pound	July 9	July 9	1	20.16.3	50.00	20.16.3	50.00			20.16.3	50.00
									*1,565	*431.61		
Netherlands	Guilder				180.37	50.00			2,976.51	826.08		826.08
							*1,599	*44.44				
Japan	Yen	Sept. 12	Sept. 13	2	1,800	50.00	2,001	55.56			2,001	55.56
							*27,350	*98.90				
Korea	Won	Sept. 14	Sept. 15	2	13,827	50.00	304.19	1.10			304.19	1.10
Japan	Yen	Sept. 16	Sept. 16	1	1,800	50.00	*3,600	*100.00				
							*34.99	*8.95				
Philippines	Peso	Sept. 18	Sept. 18	1	195.50	50.00	164.41	42.05			164.41	42.05
							*360	*9.00				
Taiwan	Yuan	Sept. 19	Sept. 19	1	2,000	50.00	1,640	41.00			1,640	41.00
							*7,080	*60.00				
Vietnam	Piastre	Sept. 20	Sept. 20	1	5,900	50.00	4,720	40.00			4,720	40.00
Thailand	Baht	Sept. 21	Sept. 21	1	1,033.50	50.00	1,033.50	50.00			1,033.50	50.00
Netherlands	Guilder				180.37	50.00			7,214.23	1,989.58	7,214.23	1,989.58
Hon. Thomas M. Rees:												
Italy	Lira	Dec. 7	Dec. 8	2	31,150	50.00	62,300	100.00			62,300	100.00
France	Franc	Dec. 9	Dec. 11	3	247.50	50.00	742.50	150.00	559.90	112.57	1,002.40	262.57
Belgium	Franc	Dec. 12	Dec. 13	2	2,500	50.00	5,000	100.00			5,000	100.00
Holland	Guilder	Dec. 14	Dec. 15	2	180.18	50.00	360.38	100.00			360.38	100.00
							*41.18.0	*100.00				
United Kingdom	Pound	Dec. 16	Dec. 17	2	20.16.3	50.00	41.18.0	100.00			41.18.0	100.00
Hon. Henry S. Reuss:												
United Kingdom	Pound	Nov. 19	Nov. 25	7	20.16.3	50.00	146.90	350.00			146.90	350.00
Denmark	Krone	Nov. 26	Nov. 26	1	375	50.00	375	50.00	68.37	9.11	444.22	59.11
Netherlands	Guilder	Nov. 27	Nov. 29	3	180.37	50.00	541.13	150.00			541.13	150.00
Hon. Robert G. Stephens, Jr.:												
France	Franc	Nov. 14	Nov. 14	1	247.50	50.00	247.50	50.00			247.50	50.00
United Kingdom	Pound	Nov. 15	Nov. 19	5	20.16.3	50.00	104.11.6	250.00	20.16.3	52.01	125.07.6	302.01
Sweden	Krona	Nov. 20	Nov. 24	5	250	50.00	1,250	250.00			1,250	250.00
Spain	Peseta	Nov. 25	Nov. 26	2	3,485	50.00	6,960	100.00			6,960	100.00
Germany	Deutsche mark								3,912.80	975.52	3,912.80	975.52
Hon. Leonor K. Sullivan:												
Australia	Dollar	Nov. 16	Nov. 19	4	44.83	50.00	179.32	200.00	96.89	107.90	276.21	307.90
							*150	*50.00				
Singapore	Malaysian dollar	Nov. 20	Nov. 21	2	150	50.00	300	100.00	123.60	40.55	423.60	140.55
Thailand	Baht	Nov. 22	Nov. 24	3	1,033.50	50.00	3,100.50	150.00			3,100.50	150.00
	Yuan						*2,005	*50.13				
Taiwan	do	Nov. 24	Nov. 25	1	2,000	50.00	1,995	49.87			1,995	49.87
							*305.50	*50.00				
Hong Kong	Hong Kong dollar	Nov. 26	Nov. 30	5	305.50	50.00	1,526	250.00	25.21	4.13	1,551.21	254.13
Japan	Yen	Dec. 1	Dec. 4	4	1,800	50.00	72,000	200.00			72,000	200.00
									*268	*67.24		
Hon. Lester L. Wolff:												
Germany	Deutsche mark				200	50.00			3,454.80	866.73	3,454.80	866.73
Italy	Lira	July 4	July 5	2	31,150	50.00	62,300	100.00			62,300	100.00
Spain	Peseta	July 6	July 7	2	3,485	50.00	6,970	100.00			6,970	100.00
United Kingdom	Pound	July 8	July 9	2	20.16.3	50.00	41.18.9	100.00			41.18.9	100.00
							*11,800	*100.00				
Vietnam	Piastre	Dec. 9	Dec. 11	1	5,900	50.00	5,900	50.00			5,900	50.00
Japan	Yen	Nov. 26	Nov. 28	3	1,800	50.00	54,000	150.00			54,000	150.00
Philippines	Peso	Nov. 29	D . 3	5	195.50	50.00	978.15	250.00	370.20	94.58	1,348.35	344.58
							*2,000	*50.00				
Taiwan	Yuan	Dec. 4	Dec. 5	2	2,000	50.00	4,000	100.00			4,000	100.00
Total												
							*2,060	*100.00				

See footnotes at end of table.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 1093 AND 1304, 2D SESS., 90TH CONG., COMMITTEE ON BANKING AND CURRENCY, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968—Continued

		Date			Per diem rate		Total amount per diem		Transportation		Total	
Name and country	Name of currency	Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. Lester L. Wolff—Continued												
Thailand	Baht	Dec. 6	Dec. 8	2	1,033.50	50.00	2,074	100.00			2,074	100.00
Hong Kong	Hong Kong dollar	Dec. 12	Dec. 13	2	610	50.00	610	50.00			610	50.00
Taiwan	Yuan	Dec. 14	Dec. 14	1	2,000	50.00	2,000	50.00			2,000	50.00
Total								16,424.61		12,743.89		29,168.50

*Refund.

RECAPITULATION

	Amoun
Foreign currency (U.S. dollar equivalent)	29,168.50
Total	29,168.50

WRIGHT PATMAN,
Chairman, Committee on Banking and Currency.

FEBRUARY 28, 1969.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 960, 2D SESS., 90TH CONG., COMMITTEE ON EDUCATION AND LABOR, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968

GENERAL SUBCOMMITTEE ON LABOR

		Date			Per diem rate		Total amount per diem		Transportation		Total	
Name and country	Name of currency	Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. Augustus Hawkins:												
Holland	Guilder	Jan. 1	Jan. 4	3	180	50.00	540	150.00			540	150.00
Belgium	Franc	Jan. 4	Jan. 6	2	2,500	50.00	5,000	100.00			5,000	100.00
Germany	Mark	Jan. 6	Jan. 7	1	200	50.00	200	50.00			200	50.00
Italy	Lire	Jan. 7	Jan. 11	4	31,200	50.00	124,800	200.00			124,800	200.00
Spain	Peseta	Jan. 11	Jan. 14	3	3,480	50.00	10,440	150.00			10,440	150.00
Hon. Phillip Burton:												
Holland	Guilder	Jan. 1	Jan. 4	3	180	50.00	540	150.00			540	150.00
Belgium	Franc	Jan. 4	Jan. 6	2	2,500	50.00	5,000	100.00			5,000	100.00
Germany	Mark	Jan. 6	Jan. 7	1	200	50.00	200	50.00			200	50.00
Italy	Lire	Jan. 7	Jan. 11	4	31,200	50.00	124,800	200.00			124,800	200.00
Spain	Peseta	Jan. 11	Jan. 14	3	3,480	50.00	10,440	150.00			10,440	150.00
Hon. William D. Ford:												
Holland	Guilder	Jan. 1	Jan. 4	3	180	50.00	540	150.00			540	150.00
Dutch guilders returned							(27.50)	(7.64)				
Belgium	Franc	Jan. 4	Jan. 6	2	2,500	50.00	5,000	100.00			5,000	100.00
Belgian francs returned							(414)	(8.28)				
Germany	Mark	Jan. 6	Jan. 9	3	200	50.00	600	150.00			600	150.00
German marks returned							(26)	(6.50)				
Italy	Lire	Jan. 9	Jan. 11	2	31,200	50.00	62,400	100.0			62,400	100.00
Italian lire returned							(2,300)	(3.69)				
Spain	Peseta	Jan. 11	Jan. 14	3	3,480	50.00	10,440	150.00			10,440	150.00
Spanish pesetas returned							(9)	(.13)				
Robert E. Vagley:												
Holland	Guilder	Jan. 1	Jan. 4	3	180	50.00	540	150.00			540	150.00
Belgium	Franc	Jan. 4	Jan. 6	2	2,500	50.00	5,000	100.00			5,000	100.00
Germany	Mark	Jan. 6	Jan. 7	1	200	50.00	200	50.00			200	50.00
Italy	Lire	Jan. 7	Jan. 11	4	31,200	50.00	124,800	200.00			124,800	200.00
Spain	Peseta	Jan. 11	Jan. 14	3	3,480	50.00	10,440	150.00			10,440	150.00
Michael J. Bernstein:												
Holland	Guilder	Jan. 1	Jan. 4	3	180	50.00	540	150.00			540	150.00
Belgium	Franc	Jan. 4	Jan. 6	2	2,500	50.00	5,000	100.00			5,000	100.00
Germany	Mark	Jan. 6	Jan. 7	1	200	50.00	200	50.00			200	50.00
Italy	Lire	Jan. 7	Jan. 11	4	31,200	50.00	124,800	200.00			124,800	200.00
Spain	Peseta	Jan. 11	Jan. 14	3	3,480	50.00	10,440	150.00			10,440	150.00
Hon. John H. Dent:												
Germany (total commercial air transportation).	Mark								4,508.94	1,132.90	4,508.94	1,132.90
Turkey	Lira	Nov. 23	Nov. 26	3	450.0	50.00	1,350.0	150.00			1,350.00	150.00
Israel	Pound	Nov. 26	Nov. 29	3	175.0	50.00	525.0	150.00			525.0	150.00
Lebanon	do	Nov. 29	Dec. 1	3	158.0	50.00	474.0	150.00	96.8	[1]30.63	570.8	180.63
Ivory Coast	CFA franc	Dec. 2	Dec. 3	2	12,350	50.00	24,700	100.00			24,700	100.00
Brazil	Cruzeiro	Dec. 4	Dec. 8	4	187.0	50.00	748.0	200.00			748.0	200.00
Argentina	Peso	Dec. 8	Dec. 11	3	17,500	50.00	52,500	150.00			52,500	150.00
Chile	Escudo	Dec. 11	Dec. 14	3	431.0	50.00	1,293.0	150.00			1,293.0	150.00
Panama		Dec. 14	Dec. 17	3								
Bermuda	Pound	Dec. 17	Dec. 20	4	20/16/8	50.00	83/6/8	200.00			/83/6/8	200.00
Hon. Augustus F. Hawkins:												
Portugal	Escudo	Nov. 16	Nov. 19	3	1,430.6	50.00	4,291.8	150.00			4,291.8	150.00
Germany	Mark	Nov. 19	Nov. 23	5	199.0	50.00	995.0	250.00			995.0	250.00
Germany (total commercial air transportation).	do								6,443.22	1,618.90	6,443.2	21,618.90
Turkey	Lira	Nov. 23	Nov. 26	3	450.0	50.00	1,350.0	150.00			1,350.0	150.00
Israel	Pound	Nov. 26	Nov. 29	3	175.0	50.00	525.0	150.00			525.0	150.00
Lebanon	do	Nov. 29	Dec. 1	3	158.0	50.00	474.0	150.00	96.8	[1]30.63	570.8	180.63
Ivory Coast	CFA pound	Dec. 2	Dec. 3	2	12,350	50.00	24,700	100.00			24,700	100.00
Brazil	Cruzeiro	Dec. 4	Dec. 8	4	187.0	50.00	748.0	200.00			748.0	200.00
Hon. Phillip Burton:												
Argentina	Peso	Dec. 8	Dec. 9	1	17,500	50.00	17,500	50.00			17,500	50.00
Portugal	Escudo	Nov. 16	Nov. 19	3	1,430.6	50.00	4,291.8	150.00			4,291.8	150.00
Germany	Mark	Nov. 19	Nov. 23	5	199.0	50.00	995.0	250.00			995.0	250.00
Germany (total commercial air transportation).	do								4,732.22	1,189.00	4,732.22	1,189.00
Turkey	Lira	Nov. 23	Nov. 26	3	450.0	50.00	1,350.0	150.00			1,350.0	150.00
Israel	Pound	Nov. 26	Nov. 29	3	175.0	50.00	525.0	150.00			525.0	150.00

See footnotes at end of table.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 179, 2D SESS., 90TH CONG., COMMITTEE ON FOREIGN AFFAIRS, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968—Continued

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. L. H. Fountain:												
Japan	Yen	Nov. 12	Nov. 15	4	18,000	50.00	72,000	200.00			72,000	200.00
Korea	Won	Nov. 11	Nov. 18	3	14,000	50,00	42,000	150.00			42,000	150.00
Taiwan	Yuan	Nov. 19	Nov. 21	3	2,000	50.00	6,000	150.00			6,000	150.00
Singapore	Malaysian dollar	Nov. 22	Nov. 24	3	150	49.21	450	147.63			450	147.63
Indonesia	Rupiah	Nov. 25	Nov. 28	4	21,000	50.00	84,000	200.00			84,000	200.00
Australia	Australian dollar	Nov. 29	Dec. 2	4	44.83	50.00	179.32	200.00			179.32	200.00
Hon. E. Ross Adair:												
Japan	Yen	Nov. 12	Nov. 15	4	18,000	50.00	72,000	200.00			72,000	200.00
Korea	Won	Nov. 16	Nov. 18	3	14,000	50.00	42,000	150.00			42,000	150.00
Taiwan	Yuan	Nov. 19	Nov. 21	3	2,000	50.00	6,000	150.00			6,000	150.00
Singapore	Malaysian dollar	Nov. 22	Nov. 24	3	150	49.21	450	147.63			450	147.60
Indonesia	Rupiah	Nov. 25	Nov. 28	4	21,000	50.00	84,000	200.00			84,000	200.03
Australia	Australian dollar	Nov. 29	Dec. 2	4	44.83	50.00	179.32	200.00			179.32	200.00
Hon. Peter H. B. Frelinghuysen:												
Japan	Yen	Nov. 12	Nov. 15	4	18,000	50.00	72,000	200.00			74,000	200.00
Taiwan	Yuan	Nov. 19	Nov. 21	3	2,000	50.00	6,000	150.00			6,000	150.00
Singapore	Malaysian dollar	Nov. 22	Nov. 24	3	150	49.21	450	147.63			450	147.63
Indonesia	Rupiah	Nov. 25	Nov. 28	4	21,000	50.00	84,000	200.00			84,000	200.00
Australia	Australian dollar	Nov. 29	Dec. 2	4	44.83	50.00	179.32	200.00			179.32	200.00
Hon. William S. Broomfield:												
Japan	Yen	Nov. 12	Nov. 15	4	18,000	50.00	72,000	200.00			72,000	200.00
Korea	Won	Nov. 16	Nov. 18	3	14,000	50.00	42,000	150.00			42,000	150.00
Taiwan	Yuan	Nov. 19	Nov. 21	3	2,000	50.00	6,000	150.00			6,000	150.00
Singapore	Malaysian dollar	Nov. 22	Nov. 24	3	150	49.21	450	147.63			450	147.63
Indonesia	Rupiah	Nov. 25	Nov. 28	4	21,000	50.00	84,000	200.00			84,000	200.00
Australia	Australian dollar	Nov. 29	Dec. 2	4	44.83	50.00	179.32	200.00			179.32	200.00
Hon. J. Irving Whalley:												
Japan	Yen	Nov. 12	Nov. 15	4	18,000	50.00	72,000	200.00			72,000	200.00
Korea	Won	Nov. 16	Nov. 18	3	14,000	50.00	42,000	150.00			42,000	150.00
Taiwan	Yuan	Nov. 19	Nov. 21	3	2,000	50.00	6,000	150.00			6,000	150.00
Singapore	Malaysian dollar	Nov. 22	Nov. 24	3	150	49.21	450	147.63			450	147.63
Indonesia	Rupiah	Nov. 25	Nov. 28	4	21,000	50.00	84,000	200.00			84,000	200.00
Australia	Australian dollar	Nov. 29	Dec. 2	4	44.83	50.00	179.32	200.00			179.32	200.00
Hon. E. Y. Berry:												
Japan	Yen	Nov. 12	Nov. 15	4	18,000	50.00	72,000	200.00			72,000	200.00
Korea	Won	Nov. 16	Nov. 18	3	14,000	50.00	42,000	150.00			42,000	150.00
Taiwan	Yuan	Nov. 19	Nov. 21	3	2,000	50.00	6,000	150.00			6,000	150.00
Singapore	Malaysian dollar	Nov. 22	Nov. 24	3	150	49.21	450	147.63			450	147.63
Indonesia	Rupiah	Nov. 25	Nov. 28	4	21,000	50.00	84,000	200.00			84,000	200.00
Australia	Australian dollar	Nov. 29	Dec. 2	4	44.83	50.00	179.32	200.00			179.32	200.00
Albert C. F. Westphal:												
Japan	Yen	Nov. 12	Nov. 15	4	18,000	50.00	72,000	200.00			72,000	200.00
Korea	Won	Nov. 16	Nov. 18	3	14,000	50.00	42,000	150.00			42,000	150.00
Taiwan	Yuan	Nov. 19	Nov. 21	3	2,000	50.00	6,000	150.00			6,000	150.00
Singapore	Malaysian dollar	Nov. 22	Nov. 24	3	150	49.21	450	147.63			450	147.63
Indonesia	Rupiah	Nov. 25	Nov. 28	4	21,000	50.00	84,000	200.00			84,000	200.00
Australia	Australian dollar	Nov. 29	Dec. 2	4	44.83	50.00	179.32	200.00			179.32	200.00
Richard Donald:												
Japan	Yen	Nov. 12	Nov. 15	4	18,000	50.00	72,000	200.00			72,000	200.00
Korea	Won	Nov. 16	Nov. 18	3	14,000	50.00	42,000	150.00			42,000	150.00
Taiwan	Yuan	Nov. 19	Nov. 21	3	2,000	50.00	6,000	150.00			6,000	150.00
Singapore	Malaysian dollar	Nov. 22	Nov. 24	3	150	49.21	450	147.63			450	147.63
Indonesia	Rupiah	Nov. 25	Nov. 28	4	21,000	50.00	84,000	200.00			84,000	200.00
Australia	Australian dollar	Nov. 29	Dec. 2	4	44.83	50.00	179.32	200.00			179.32	200.00
Col. Grant McCombs:												
Japan	Yen	Nov. 12	Nov. 15	4	18,000	50.00	72,000	200.00			72,000	200.00
Korea	Won	Nov. 16	Nov. 18	3	14,000	50.00	42,000	150.00			42,000	150.00
Taiwan	Yuan	Nov. 19	Nov. 21	3	2,000	50.00	6,000	150.00			6,000	150.00
Singapore	Malaysian dollar	Nov. 22	Nov. 24	3	150	49.21	450	147.63			450	147.63
Indonesia	Rupiah	Nov. 25	Nov. 28	4	21,000	50.00	84,000	200.00			84,000	200.00
Australia	Australian dollar	Nov. 29	Dec. 2	4	44.83	50.00	179.32	200.00			179.32	200.00
Comdr. Stephen J. Barcay:												
Japan	Yen	Nov. 12	Nov. 15	4	18,000	50.00	72,000	200.00			72,000	200.00
Korea	Won	Nov. 16	Nov. 18	3	14,000	50.00	42,000	150.00			42,000	150.00
Taiwan	Yuan	Nov. 19	Nov. 21	3	2,000	50.00	6,000	150.00			6,000	150.00
Singapore	Malaysian dollar	Nov. 22	Nov. 24	3	150	49.21	450	147.63			450	147.63
Indonesia	Rupiah	Nov. 25	Nov. 28	4	21,000	50.00	84,000	200.00			84,000	200.00
Australia	Australian dollar	Nov. 29	Dec. 2	4	44.83	50.00	179.32	200.00			179.32	200.00
Group transportation:												
Singapore-Malaysia	Malaysian dollar								4,161.73	1,365.39	4,161.73	1,365.99
Indonesia	Rupiah								35,000	85.78	35,000	85.78
Australia	Australian dollar								544.09	490.17	544.09	490.17
Cost of transportation furnished by Department of Defense										45,330.00		45,330.00
Hon. Edward R. Roybal: American Samoa.	U.S. dollar	Dec. 2	Dec. 5	3		36.00		108.00				108.00
Hon. L. H. Fountain: American Samoa	do	do	do	3		36.00		108.00				108.00
Hon. E. Ross Adair: American Samoa	do	do	do	3		36.00		108.00				108.00
Hon. Peter H. B. Frelinghuysen: American Samoa.	do	do	do	3		36.00		108.00				108.00
Hon. William S. Broomfield: American Samoa.	do	do	do	3		36.00		108.00				108.00
Hon. J. Irving Whalley: American Samoa.	do	do	do	3		36.00		108.00				108.00
Hon. E. Y. Berry: American Samoa	do	do	do	3		36.00		108.00				108.00
Albert C. F. Westphal: American Samoa	do	do	do	3		36.00		108.00				108.00
Richard Donald: American Samoa	do	do	do	3		36.00		108.00				108.00
Col. Grant McCombs: American Samoa	do	do	do	3		36.00		108.00				108.00
Comdr. Stephen J. Barcay: American Samoa.	do	do	do	3		36.00		108.00				108.00
Hon. Wayne L. Hays: Bermuda	Pound	Feb. 25	Feb. 27	3	20.13.3	50.00	61.19.8	150.00	37.19.0	91.31	99.18.8	241.31
Hon. William S. Mailliard: Bermuda	do	do	do	5	20.13.3	50.00	103.6.2	250.00				250.00
Hon. F. Bradford Morse: Bermuda	do	do	do	5	20.13.3	50.00	103.6.2	250.00				250.00
Boyd Crawford: Bermuda	do	do	do	5	20.13.3	50.00	103.6.2	250.00				250.00
Frank R. Burget: Bermuda	do	do	do	5	20.13.3	50.00	103.6.2	250.00				250.00
James Buchanan: Bermuda	do	do	do	5	20.13.3	50.00	103.6.2	250.00				250.00

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 179, 2D SESS., 90TH CONG., COMMITTEE ON FOREIGN AFFAIRS, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968—Continued

		Date			Per diem rate		Total amount per diem		Transportation		Total	
Name and country	Name of currency	Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Group transportation, House delegation share (furnished by Department of Defense).										2,822.34		2,822.34
Hon. E. Ross Adair: Peru	Florin	Sept. 3	Sept. 9						1,350.50	372.45	1,350.50	372.45
Hon. Wayne L. Hays:												
France	Franc	May 8	May 9	2	245	50.00	490	100.00			490	100.00
Netherlands	Florin								3,038.26	841.39	3,038.26	841.39
Great Britain	Pound	May 10	May 13	4		50.00	83.9.9	200.00	28.0.0	67.31	111.9.9	267.31
Hon. F. Bradford Morse:												
France	Franc	May 8	May 9	2	245	50.00	490	100.00	248	50.37	738	150.37
Netherlands	Florin								3,038.26	841.39	3,038.26	841.39
Great Britain	Pound	May 10	May 16	7			146.4.3	350.00	3.3.8	7.65	149.8.11	357.65
Boyd Crawford:												
France	Franc	May 8	May 9	2	245	50.00	490	100.00			490	100.00
Netherlands	Florin								3,038.26	841.39	3,038.26	841.39
Great Britain	Pound	May 10	May 13	4			83.9.9	200.00			83.9.9	200.00
Official representation (Great Britain).	do										83.9.9	200.00
Hon. Wayne L. Hays:												
Colombia	Peso	Mar. 7	Mar. 10	4	812.50	50.00	3,250	200.00			3,250	200.00
Germany	Mark								1,480.00	369.49	1,480.00	369.49
Hon. E. Ross Adair:												
Colombia	Peso	Mar. 7	Mar. 10	4	812.50	50.00	3,250	200.00			3,250	200.00
Germany	Mark								1,480.00	369.49	1,480.00	369.49
Boyd Crawford:												
Colombia	Peso	Mar. 7	Mar. 10	4	812.50	50.00	3,250	200.00				200.00
Germany	Mark								1,480.00	369.49	1,480.00	369.49
Frank R. Burget:												
Colombia	Peso	Mar. 7	Mar. 10	4	812.50	50.00	3,250	200.00			3,250	200.00
Germany	Mark								1,480.00	369.49	1,480.00	369.49
Hon. John C. Culver: Czechoslovakia	Krone	Aug. 7	Aug. 13	6	717.50	50.00	4,186.60	291.75	150.00	10.45	4,336.60	302.20
	D. florin								3,255.00	897.68	3,255.00	897.68
Hon. Donald M. Fraser, Chairman:												
Pakistan	Rupee	Jan. 8	Jan. 12	4	238.09	50.00	608.10	127.73	569.52	110.95	1,177.52	238.68
India	do	Jan. 12	Jan. 19	6	380.00	50.00	1,560.00	205,26	2,919.10	384.07	4,479.10	589.33
Thailand	Baht	Jan. 19	Jan. 21	3	1,031.00	50.00	2,713.00	131.57	537.57	26.07	3,250.50	157.64
Vietnam	Piastre	Jan. 21	Jan. 26	4	5,900.00	50.00	17,810.00	150.93			17,810.00	150.93
Japan	Yen	Jan. 26	Jan. 27	2	18,000.00	50.00	9,900.00	27.50	4,023.00	11.18	13,923.00	38.68
	Deustche mark								8,166.20	2,041.55	8,166.20	2,041.55
Hon. Peter H. B. Frelinghuysen:												
Pakistan	Rupee	Jan. 8	Jan. 12	4	238.09	50.00	803.00	169.33	569.52	110.95	1,372.52	280.28
India	do	Jan. 12	Jan. 19	6	380.00	50.00	1,795.00	236.18	2,919.10	384.07	4,714.10	620.25
England	Pound	Jan. 19	Jan. 21	3	20.16.8	50.00	31.4.10	74.78	3.17.4	9.36	84.1.4	84.14
	Deutsche mark								4,975.08	1,243.77	4,975.08	1,243.77
Everett E. Bierman:												
Pakistan	Rupee	Jan. 8	Jan. 12	4	238.09	50.00	603.00	127.52	569.52	110.95	1,172.52	238.47
India	do	Jan. 12	Jan. 19	6	380.00	50.00	810.00	106.58	2,919.10	384.07	3,729.10	490.65
Thailand	Baht	Jan. 19	Jan. 21	3	1,031.00	50.00	2,072.00	100.48	537.50	26.07	2,607.50	126.55
Vietnam	Piastre	Jan. 21	Jan. 26	4	5,900.00	50.00	15,880.00	134.58			15,800.00	134.58
Japan	Yen	Jan. 26	Jan. 27	2	18,000.00	50.00	14,900.00	41.39	4,023.00	11.18	18,923.00	52.57
	Deutsche mark								8,166.20	2,041.55	8,166.20	2,041.55
Hon. Donald M. Fraser:												
Greece	Drachma	May 5	May 11	3	1,500.00	50.00	3,000.00	100.00			3,000.00	100.00
England	Pound	May 12	May 14	3	20.6.8	50.00	53.7.2	127.60			53.7.2	127.60
	D. florin								2,924.02	809.75	2,924.02	809.75
Italy	Lira	Dec. 6	Dec. 8	3	31,150	50.00	93,450	150.00			93,450	150.00
Tunisia	T. dinar	Dec. 9	Dec. 11	3	95.24	50.00	231.87	121.43			231.87	121.43
Israel	I. pound	Dec. 12	Dec. 19	8	175.00	50.00	1,400.00	400.00	431.75	123.36	1,831.75	523.36
	Deutsche mark								700.80	175.20	700.80	175.20
Frederick E. H. Kuehn:												
Guatemala	Quetzal	May 26 June 20	June 3 June 22	10	50	50.00	500	500.00			500	500.00
Honduras	Lempira	June 3	June 8	5	100	50.00	500	250.00	79.00	39.50	579	289.50
El Salvador	Colon	June 8	June 9	2	125	50.00	250	100.00			250	100.00
Nicaragua	Cordoba	June 9	June 14	4	350	50.00	1,400	200.00			1,400	200.00
Costa Rica	Colon	June 14	June 20	6	391	50.00	2,346	300.00	47.50	5.79	2,393.50	305.79
	Deutsche mark								1,612.80	403,20	1,612.80	403.20
James Y. Kurihara:												
Japan	Yen	June 27	June 30	4	18,000	50.00	72,000	200.00			72,000	200.00
Korea	Won	June 30	July 24	24	13,692	50.00	328,608	1200.00	5,510	20.12	344,118	1220.12
Japan	Yen	July 24	July 25	1	18,000	50.00	18,000	50.00			18,000	50.00
	Dutch florin								5,900.23	1,633.96	5,900.23	1,633 96
Hon. John S. Monagan:												
England	Pound	Jan. 26 Feb. 5	Jan. 30 Feb. 6	5	20.14.10	50.00	62.13.9	150.77			62.13.19	150.77
United Arab Republic	Egyptian pound	Jan. 30	Feb. 1	2	27.777	50.00	51.555	92.80	1.990	3.58	53.545	96.38
Saudi Arabia	Saudi rial	Feb. 1	Feb. 4	3	225	50.00	278	61.78			278	61.78
Lebanon	Lebanese pound	Feb. 4	Feb. 5	1	189	50.00	5	1.89			5	1.89
	Deutsche mark								4,367.52	1,091.88	4,367.52	1,091.88
Peru	Sol	Sept. 5	Sept. 12	7	2,185.5	50.00	4,371	100.00			4,371	100.00
	Deutsche mark								2,840	708.05	2,840	708.50
Hon. Barratt O'Hara:												
Italy	Lire	Oct. 26	Oct. 29	4	31,000	50.00	124,400	200.00	6,937	11.15	131,337	211.25
Somalia	Shilling	Oct. 30	Oct. 31	2	355	50.00	710	100.00	316.47	44.57	1,026.47	144.57
Tanzania	do	Nov. 1/5	Nov. 3/7	6	355	50.00	1,715.30	241.59	250.3	35.25	1,965.6	276.84
Malagasy Republic	Franc	Nov. 4	Nov. 5	1	12,400	50.00	12,400	50.00			12,400	50.00
South Africa	Rand	Nov. 8	Nov. 14	7	35.72	50.00	250	350.00	79.20	110.88	329.2	460.88
Senegal	Franc	Nov. 15	Nov. 16	2	12,400	50.00	24,800	100.00			24,800	100.00
Guinea	do	Nov. 17	Nov. 20	3	12,325	50.00	25,333	102.07			25,333	102.07
France	do	Nov. 20	Nov. 21	1	247.50	50.00	52.50	10.66			52.50	10.66
United Kingdom	Pound	Nov. 21	Nov. 23	3	20.16.7	50.00	62.15.0	150.00	13.0.8	31.44	75.15.8	181.44
Transportation	Deutsche mark								8,642.40	2,154.67	8,642.40	2,154.67
Hon. Armistead I. Selden, Jr.:												
Mexico	Peso	Oct. 5	Oct. 7	3	625.00	50.00	373.50	29.98			373.50	29.98
El Salvador	Colon	Oct. 8	Oct. 10	3	125.00	50.00	200.00	80.00			200.00	80.00
Honduras	Lempira	Oct. 11	Oct. 11	1	100.00	50.00	10.00	5.00			10.00	5.00
Nicaragua	Cordoba	Oct. 12	Oct. 14	3	350.00	50.00	169.00	24.13			169.00	24.13
Costa Rica	Colon	Oct. 15	Oct. 17	3	366.00	50.00	698.00	95.35			698.00	95.35
Columbia	Peso	Oct. 21	Oct. 22	2	831.50	50.00	953.00	57.32			953.00	57.32
Venezuela	Bolivar	Oct. 23	Oct. 24	2	224.25	50.00	243.50	54.29			243.50	54.29
Dominican Republic	Peso	Oct. 25	Oct. 26	2	50.00	50.00	73.00	73.00	33.10	33.10	106.10	106.10
	Dutch florin								1,813.00	500.00	1,813.00	500.00

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 179, 2D SESS., 90TH CONG., COMMITTEE ON FOREIGN AFFAIRS, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968—Continued

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. Robert Taft, Jr:												
India	Rupee	Dec. 20	Dec. 19	8	380.00	50.00	1,250.96	164.60			1,250.96	164.60
Malaysia	Malaysia dollar	Dec. 29	Dec. 31	3	151.75	50.00	212.61	70.12			212.61	70.12
Philippines	Peso	Jan. 2	Jan. 3	2	195.80	50.00	110.83	28.20			110.83	28.20
Hon. John V. Tunney:												
Vietnam	Piaster	May 18	May 27	9	5,900.00	50.00	21,900	270.34			21,900.00	270.34
	Dutch florin								6,801.78	1,883.63	6,801.78	1,883.63
Japan	Yen	Nov. 12	Nov. 29	18	18,000.	50.00	165,600.00	460.00			165,600.00	460.00
	Deutsche mark								3,171.20	792.80	3,171.20	792.80
Robert F. Brandt:												
Italy	Lire	Oct. 26	Oct. 29	4	31,100	50.00	124,400	200.00	6,937	11.15	131,337	211.15
Somalia	Shilling	Oct. 30	Oct. 31	2	355	50.00	710	100.00	316.47	44.57	1,026.47	144.57
Tanzania	do	Nov. 1/5	Nov. 3/7	6	355	50.00	1,715.30	241.59	250.3	35.25	1,965.6	276.84
Malagasy Republic	Franc	Nov. 4	Nov. 5	1	12,400	50.00	12,400	50.00			12,400	50.00
South Africa	Rand	Nov. 8	Nov. 14	7	35.72	50.00	250	350.00	79.20	110.88	329.2	460.88
Senegal	Franc	Nov. 15	Nov. 16	2	12,400	50.00	24,800	100.00			24,800	100.00
Guinea	do	Nov. 17	Nov. 20	3	12,325	50.00	25,333	102.07			25,333	102.07
France	do	Nov. 20	Nov. 21	1	247.50	50.00	52.50	10.66			52.50	10.66
United Kingdom	Pound	Nov. 21	Nov. 23	3	20.16.7	50.00	62.15.0	150.00	13.0.8	31.44	75.15.8	181.44
Transportation	Deutsche mark								8,642.40	2,154.67	8,642.40	2,154.67
Japan	Yen	Feb. 26	Mar. 4	8	18,000	50.00	144,000	400.00			144,000	400.00
Okinawa	do	Mar. 4	Mar. 6	1								
Japan	do	Mar. 6	Mar. 7	2	18,000	50.00	36,000	100.00			36,000	100.00
Korea	Hwan	Mar. 7	Mar. 9	1	13,682	50.00	13,682	50.00			13,682	50.00
Japan	Yen	Mar. 9	Mar. 11	3	18,000	50.00	54,000	150.00	117,205	325.57	171,205	475.57
Lebanon	Pound	Mar. 12	Mar. 14	2	156.60	50.00	313.20	100.00			313.20	100.00
Germany	Deutsche mark	Mar. 14	Mar. 17	3	200.00	50.00	600.00	150.00			600.00	150.00
Belgium	Franc	Mar. 17	Mar. 19	3	2,500	50.00	7,500	150.00			7,500	150.00
Netherlands	do	Mar. 19	Mar. 20	1								
(Transportation, above)	Deutsche mark								8,082.60	2,018.63	8,082.60	2,018.63
Guatemala	Quetzal	May 26	June 4	9	50.00	50.00	450.00	450.00			450.00	450.00
Salvador	Colon	June 4	June 9	5	125.00	50.00	625.00	250.00			625.00	250.00
Nicaragua	Cordoba	June 9	June 14	5	350.00	50.00	1,750.00	250.00			1,750.00	250.00
Costa Rica	Colon	June 14	June 21	7	391.00	50.00	2,737.00	350.00	572.50	73.21	3,309.50	423.21
(Transportation, above)	Deutsche mark								1,612.80	403.20	1,612.80	403.20
John J. Brady, Jr.:												
Japan	Yen	Nov. 8	Nov. 9	2	18,000	50.00	36,000	100.00			36,000.00	100.00
Thailand	Baht	Nov. 10	Nov. 20	11	1,033.50	50.00	11,368.50	550.00	792.00	38.32	12,160.50	588.32
Malaysia-Singapore	Malaysian dollar	Nov. 20	Nov. 22	1	152.37	50.00	152.37	50.00	148.50	49.00	300.87	99.00
Hong Kong	Hong Kong dollar	Nov. 22	Nov. 24	3	305.25	50.00	915.75	150.00			915.75	150.00
Taiwan	Yuan dollar	Nov. 24	Nov. 27	2	2,000.00	50.00	4,000.00	100.00			4,000.00	100.00
Philippines	Peso	Nov. 27	Dec. 3	6	195.62	50.00	1,173.75	300.00			1,173.75	300.00
Japan	Yen	Dec. 3	Dec. 6	4	18,000	50.00	72,000	200.00			72,000	200.00
	Deutsche mark								7,530.00	1,882.50	7,530.00	1,882.50
William E. Craumer:												
Japan	Yen	June 27	June 30	4	18,000	50.00	72,000	200.00			72,000	200.00
Korea	Won	June 30	July 24	24	13,692	50.00	328,608	1,200.00	4,199.00	15.34	332,807	1,215.34
Japan	Yen	July 24	July 25	1	18,000	50.00	18,000	50.00			18,000	50.00
	Dutch florins								5,900.23	1,633.96	5,900.23	1,633.96
Harry C. Cromer, staff consultant:												
Guatemala	Quetzal	May 30	June 3	4	50.00	50.00	200.00	200.00			200.00	200.00
Honduras	Lempira	June 3	June 8	5	100.00	50.00	500.00	250.00	128.00	64.00	628.00	314.00
El Salvador	Colon	June 8	June 9	2	125.00	50.00	250.00	100.00			250.00	100.00
(Transportation, above)	Deutsche mark	May 68							1,535.96	375.34	1,535.96	375.34
Japan	Yen	June 27	June 30	4	18,000	50.00	72,000	200.00			72,000	200.00
Do	do	July 24	July 25	1	18,000	50.00	18,000	50.00	20,677	57.44	38,677	107.44
Do	do	Nov 8	Nov 9	2	18,000	50.00	36,000	100.00			36,000	100.00
Do	do	Dec 3	Dec 6	4	18,000	50.00	72,000	200.00			72,000	200.00
Philippines	Pesos	Apr 13	Apr 26	13	195.80	50.00	2,545.40	650.00			2,545.40	650.00
Do	do	Nov 27	Dec 3	6	195.62	50.00	1,173.75	300.00			1,173.75	300.00
Korea	Won	June 30	July 24	24	13,692	50.00	328,608	1,200.00			328,608	1,200.00
Thailand	Baht	Nov 10	Nov 20	11	1,033.50	50.00	11,368.50	550.00	825.00	39.91	12,193.50	589.91
Malaysian/Singapore	Malaysian dollars	Nov 20	Nov 22	1	152.37	50.00	152.37	50.00	105.25	34.50	257.62	84.50
Hong Kong, B.C	Hong Kong dollar	Nov 22	Nov 24	3	305.25	50.00	915.75	150.00	36.30	5.94	952.05	155.94
Taiwan	Yuan	Nov 24	Nov 27	2	2,000.00	50.00	4,000.00	100.00			4,000.00	100.00
Transportation (Netherlands)	Florins	Apr 68							6,212.30	1,720.38	6,212.30	1,720.38
Do	do	Aug 68							5,900.23	1,633.96	5,900.23	1,633.96
Transportation (Germany)	Deutsche mark	Nov 68							7,530.00	1,882.50	7,530.00	1,882.50
Marie Crowe:												
Italy	Lire	Oct. 26	Oct. 29	4	31,100	50.00	124,400	200.00	6,937	11.15	1,313.37	211.15
Somalia	Shilling	Oct. 30	Oct. 31	2	355	50.00	710	100.00	316.47	44.57	1,026.47	144.57
Tanzania	do	Nov. 1	Nov. 6	5	355	50.00	1,715.30	241.59	250.30	35.25	1,965.60	276.84
Malagasy Republic	Franc	Nov. 4	Nov. 5	1	12,400	50.00	2,800	11.29			2,800	11.29
Transportation	Deutsche mark								7,652	1,913.00	7,652	1,913.00
Marian A. Czarnecki, staff consultant:												
Brazil	Cruzeiro	Aug. 16	Aug. 29	14	181.50	50.00	2,462.00	700.00	471.50	125.90	2,933.50	825.90
	Deutsche mark								3,260.00	812.76	3,260.00	812.76
Mexico	Peso	Oct. 5	Oct. 8	3	625.00	50.00	1,873.50	150.00			1,873.50	150.00
El Salvador	Colon	Oct. 8	Oct. 10	3	125.00	50.00	375.00	150.00			375.00	150.00
Honduras	Lempira	Oct. 10	Oct. 12	1	100.00	50.00	100.00	50.00			100.00	50.00
Nicaragua	Córdoba	Oct. 12	Oct. 15	3	350.00	50.00	1,050.00	150.00			1,050.00	150.00
Costa Rica	Colon	Oct. 15	Oct. 18	4	366.00	50.00	1,098.00	150.00			1,098.00	150.00
Colombia	Peso	Oct. 21	Oct. 22	2	831.50	50.00	1,663.00	100.00			1,663.00	100.00
Venezuela	Bolivar	Oct. 22	Oct. 24	2	244.50	50.00	448.50	100.00			448.50	100.00
Dominican Republic	Peso	Oct. 24	Oct. 26	2	50.00	50.00	100.00	100.00	33.10	33.10	133.10	133.10
	Dutch florin								1,813.00	500.00	1,813.00	500.00
Mary Louise O'Brien:												
Italy	Lire	Oct. 26	Oct. 29	4	31,100	50.00	124,400	200.00	6,937	11.15	131,337	211.15
Somalia	Shilling	Oct. 30	Oct. 31	2	355	50.00	710	100.00	316.47	44.57	1026.47	144.57
Tanzania	do	Nov.1–5	Nov.3–7	6	355	50.00	1,715.30	241.59	250.3	35.25	1,965.6	276.84
Malagasy Republic	Franc	Nov. 4	Nov. 5	1	12,400	50.00	12,400	50.00			12,400	50.00
South Africa	Rand	Nov. 8	Nov. 14	7	35.72	50.00	250	350.00	79.20	110.88	292.2	460.88
Senegal	Franc	Nov. 15	Nov. 16	2	12,400	50.00	24,800	100.00			24,800	100.00
Guinea	do	Nov. 17	Nov. 20	3	12,325	50.00	25,333	102.07			25,333	102.07
France	do	Nov. 20	Nov. 21	1	247.50	50.00	52.50	10.66			52.50	10.66
United Kingdom	Pound	Nov. 21	Nov. 23	3	20.16.7	50.00	62.15.0	150.00	13.0.8	31.44	75.15.8	181.47
Transportation	Deutsche mark								8,642.40	2,154.67	8,642.40	2,154.64

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 179, 2D SESS., 90TH CONG., COMMITTEE ON FOREIGN AFFAIRS, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968—Continued

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Edward W. Tom:												
Japan	Yen	Feb. 26	Mar. 4	8	18,000	50.00	144,000	400.00			144,000	400.00
Okinawa		Mar. 4	Mar. 6	1								
Japan	Yen	Mar. 6	Mar. 7	2	18,000	50.00	36,000	100.00	6,600	18.33	42,600	118.33
Korea	Won	Mar. 7	Mar. 9	1	13,682	50.00	13,682	50.00	6,650	24.29	20,332	74.29
Japan	Yen	Mar. 9	Mar. 11	3	18,000	50.00	54,000	150.00			54,000	150.00
Lebanon	Pound	Mar. 12	Mar. 14	2	156.60	50.00	313.20	100.00			313.20	100.00
Germany	Deutsche mark	Mar. 14	Mar. 17	3	200.00	50.00	600.00	150.00			600.00	150.00
Belgium	Franc	Mar. 17	Mar. 19	3	2,500	50.00	7,500	150.00			7,500	150.00
Netherlands		Mar. 19	Mar. 20	1								
Transportation, above	Deutsche mark	Mar. 68							9,238.22	2,307.05	9,238.22	2,307.05
Japan	Yen	June 21	June 30	10	18,000	50.00	180,000	500.00			180,000	500.00
Korea	Won	June 30	Jujy 24	24	13,692	50.00	328,608	1,200.00			328,608	1,200.00
Japan	Yen	July 24	July 25	1	18,000	50.00	18,000	50.00			18,000	50.00
Transportation, above	Deutsche mark	June 68							5,335.40	1,338.53	5,335.40	1,338.53
do	do	July 68							174.48	43.77	174.48	43.77
Japan	Yen	Nov. 8	Nov. 9	2	18,000	50.00	36,000	100.00			36,000	100.00
Thailand	Baht	Nov. 10	Nov. 20	11	1,033.50	50.00	11,368.50	550.00			11,368.50	550.00
Malaysia/Singapore	Malaysian dollars	Nov. 20	Nov. 22	1	152.37	50.00	152.37	50.00			152.37	50.00
Hong Kong	Hong Kong dollars	Nov. 22	Nov. 24	3	305.25	50.00	915.75	150.00			915.75	150.00
Taiwan	Yuan	Nov. 24	Nov. 27	2	2,000.00	50.00	4,000.00	100.00			4,000.00	100.00
Philippines	Peso	Nov. 27	Dec. 3	6	195.62	50.00	1,173.75	300.00			1,173.75	300.00
Japan	Yen	Dec. 3	Dec. 6	4	18,000	50.00	72,000	200.00			72,000	200.00
Transportation, above	Deutsche mark	Nov. 68							7,530.00	1,882.50	7,530.00	1,882.50
Total								43,071.95		99,220.52		142,492.47

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	93,152.13
Appropriated funds:	
H. Res. 260 H. Res. 1196	1,188.00
Government Department: Defense Department	48,152.34
Total	142,492.47

THOMAS E. MORGAN,
Chairman, Committee on Foreign Affairs.

MARCH 3, 1969.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 110, 2D SESS., 90TH CONG., COMMITTEE ON GOVERNMENT OPERATIONS, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968

MASTER RECAPITULATION

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Military Operations Subcommittee, Hon. Chet Holifield, chairman:												
Hon. Chet Holifield		Jan. 6	Jan. 17					410.05		1,274.95		1,685.00
Hon. William S. Moorhead		do	do					515.14		1,596.78		2,111.92
Hon. William J. Randall		do	Jan. 13					246.17		940.25		1,186.42
Hon. Frank Horton		do	Jan. 17					297.31		1,596.78		1,894.09
Hon. John N. Erlenborn		do	do					493.80		1,596.78		2,090.58
Herbert Roback		do	do					415.84		1,596.78		2,012.62
Douglas G. Dahlin		do	do					492.07		1,596.78		2,088.85
Joseph C. Luman		do	do					416.09		1,596.78		2,012.87
Subtotal								3,286.47		11,795.88		15,082.35
Foreign Operations and Government Information Subcommittee, Hon. John E. Moss, chairman:												
Hon. John E. Moss		Jan. 23	Feb. 15					1,200.00		2,570.00		3,770.00
Hon. Benjamin S. Rosenthal		Jan. 30	Feb. 15					850.00		1,982.10		2,832.10
Hon. Donald Rumsfeld		Feb. 2	Feb. 11					364.13		1,317.00		1,681.13
Vincent J. Augliere		Jan. 23	Feb. 15					1,200.00		2,570.00		3,770.00
Norman G. Cornish		Jan. 23	Feb. 15					1,200.00		2,570.00		3,770.00
Jack Wild		Jan. 23	Feb. 15					1,200.00		2,570.00		3,770.00
Alvin Mills		Jan. 23	Feb. 15					1,200.00		2,570.00		3,770.00
Cmdr. Robert H. Easterday		Jan. 23	Feb. 15					1,200.00		2,570.00		3,770.00
Subtotal								8,414.13		18,719.10		27,133.23
Master recapitulation by subcommittee:												
Military Operations Subcommittee, Hon. Chet Holifield, Chairman								3,286.47		11,795.88		15,082.35
Foreign Operations and Government Information Subcommittee, Hon. John E. Moss, Chairman								8,414.13		18,719.10		27,133.23
Grand total								11,700.60		30,514.98		42,215.58

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 179, 2D SESS., 90TH CONG., COMMITTEE ON FOREIGN AFFAIRS, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968—Continued

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. Robert Taft, Jr:												
India	Rupee	Dec. 20	Dec. 19	8	380.00	50.00	1,250.96	164.60			1,250.96	164.60
Malaysia	Malaysia dollar	Dec. 29	Dec. 31	3	151.75	50.00	212.61	70.12			212.61	70.12
Philippines	Peso	Jan. 2	Jan. 3	2	195.80	50.00	110.83	28.20			110.83	28.20
Hon. John V. Tunney:												
Vietnam	Piaster	May 18	May 27	9	5,900.00	50.00	21,900	270.34			21,900.00	270.34
	Dutch florin								6,801.78	1,883.63	6,801.78	1,883.63
Japan	Yen	Nov. 12	Nov. 29	18	18,000.	50.00	165,600.00	460.00			165,600.00	460.00
	Deutsche mark								3,171.20	792.80	3,171.20	792.80
Robert F. Brandt:												
Italy	Lire	Oct. 26	Oct. 29	4	31,100	50.00	124,400	200.00	6,937	11.15	131,337	211.15
Somalia	Shilling	Oct. 30	Oct. 31	2	355	50.00	710	100.00	316.47	44.57	1,026.47	144.57
Tanzania	do	Nov. 1/5	Nov. 3/7	6	355	50.00	1,715.30	241.59	250.3	35.25	1,965.6	276.84
Malagasy Republic	Franc	Nov. 4	Nov. 5	1	12,400	50.00	12,400	50.00			12,400	50.00
South Africa	Rand	Nov. 8	Nov. 14	7	35.72	50.00	250	350.00	79.20	110.88	329.2	460.88
Senegal	Franc	Nov. 15	Nov. 16	2	12,400	50.00	24,800	100.00			24,800	100.00
Guinea	do	Nov. 17	Nov. 20	3	12,325	50.00	25,333	102.07			25,333	102.07
France	do	Nov. 20	Nov. 21	1	247.50	50.00	52.50	10.66			52.50	10.66
United Kingdom	Pound	Nov. 21	Nov. 23	3	20.16.7	50.00	62.15.0	150.00	13.0.8	31.44	75.15.8	181.44
Transportation	Deutsche mark								8,642.40	2,154.67	8,642.40	2,154.67
Japan	Yen	Feb. 26	Mar. 4	8	18,000	50.00	144,000	400.00			144,000	400.00
Okinawa	do	Mar. 4	Mar. 6	1								
Japan	do	Mar. 6	Mar. 7	2	18,000	50.00	36,000	100.00			36,000	100.00
Korea	Hwan	Mar. 7	Mar. 9	1	13,682	50.00	13,682	50.00			13,682	50.00
Japan	Yen	Mar. 9	Mar. 11	3	18,000	50.00	54,000	150.00	117,205	325.57	171,205	475.57
Lebanon	Pound	Mar. 12	Mar. 14	2	156.60	50.00	313.20	100.00			313.20	100.00
Germany	Deutsche mark	Mar. 14	Mar. 17	3	200.00	50.00	600.00	150.00			600.00	150.00
Belgium	Franc	Mar. 17	Mar. 19	3	2,500	50.00	7,500	150.00			7,500	150.00
Netherlands	do	Mar. 19	Mar. 20	1								
(Transportation, above)	Deutsche mark								8,082.60	2,018.63	8,082.60	2,018.63
Guatemala	Quetzal	May 26	June 4	9	50.00	50.00	450.00	450.00			450.00	450.00
Salvador	Colon	June 4	June 9	5	125.00	50.00	625.00	250.00			625.00	250.00
Nicaragua	Cordoba	June 9	June 14	5	350.00	50.00	1,750.00	250.00			1,750.00	250.00
Costa Rica	Colon	June 14	June 21	7	391.00	50.00	2,737.00	350.00	572.50	73.21	3,309.50	423.21
(Transportation, above)	Deutsche mark								1,612.80	403.20	1,612.80	403.20
John J. Brady, Jr.:												
Japan	Yen	Nov. 8	Nov. 9	2	18,000	50.00	36,000	100.00			36,000.00	100.00
Thailand	Baht	Nov. 10	Nov. 20	11	1,033.50	50.00	11,368.50	550.00	792.00	38.32	12,160.50	588.32
Malaysia-Singapore	Malaysian dollar	Nov. 20	Nov. 22	1	152.37	50.00	152.37	50.00	148.50	49.00	300.87	99.00
Hong Kong	Hong Kong dollar	Nov. 22	Nov. 24	3	305.25	50.00	915.75	150.00			915.75	150.00
Taiwan	Yuan dollar	Nov. 24	Nov. 27	2	2,000.00	50.00	4,000.00	100.00			4,000.00	100.00
Philippines	Peso	Nov. 27	Dec. 3	6	195.62	50.00	1,173.75	300.00			1,173.75	300.00
Japan	Yen	Dec. 3	Dec. 6	4	18,000	50.00	72,000	200.00			72,000	200.00
	Deutsche mark								7,530.00	1,882.50	7,530.00	1,882.50
William E. Craumer:												
Japan	Yen	June 27	June 30	4	18,000	50.00	72,000	200.00			72,000	200.00
Korea	Won	June 30	July 24	24	13,692	50.00	328,608	1,200.00	4,199.00	15.34	332,807	1,215.34
Japan	Yen	July 24	July 25	1	18,000	50.00	18,000	50.00			18,000	50.00
	Dutch florins								5,900.23	1,633.96	5,900.23	1,633.96
Harry C. Cromer, staff consultant:												
Guatemala	Quetzal	May 30	June 3	4	50.00	50.00	200.00	200.00			200.00	200.00
Honduras	Lempira	June 3	June 8	5	100.00	50.00	500.00	250.00	128.00	64.00	628.00	314.00
El Salvador	Colon	June 8	June 9	2	125.00	50.00	250.00	100.00			250.00	100.00
(Transportation, above)	Deutsche mark	May 68							1,535.96	375.34	1,535.96	375.34
Japan	Yen	June 27	June 30	4	18,000	50.00	72,000	200.00			72,000	200.00
Do	do	July 24	July 25	1	18,000	50.00	18,000	50.00	20,677	57.44	38,677	107.44
Do	do	Nov 8	Nov 9	2	18,000	50.00	36,000	100.00			36,000	100.00
Do	do	Dec 3	Dec 6	4	18,000	50.00	72,000	200.00			72,000	200.00
Philippines	Pesos	Apr 13	Apr 26	13	195.80	50.00	2,545.40	650.00			2,545.40	650.00
Do	do	Nov 27	Dec 3	6	195.62	50.00	1,173.75	300.00			1,173.75	300.00
Korea	Won	June 30	July 24	24	13,692	50.00	328,608	1,200.00			328,608	1,200.00
Thailand	Baht	Nov 10	Nov 20	11	1,033.50	50.00	11,368.50	550.00	825.00	39.91	12,193.50	589.91
Malaysian/Singapore	Malaysian dollars	Nov 20	Nov 22	1	152.37	50.00	152.37	50.00	105.25	34.50	257.62	84.50
Hong Kong, B.C.	Hong Kong dollar	Nov 22	Nov 24	3	305.25	50.00	915.75	150.00	36.30	5.94	952.05	155.94
Taiwan	Yuan	Nov 24	Nov 27	2	2,000.00	50.00	4,000.00	100.00			4,000.00	100.00
Transportation (Netherlands)	Florins	Apr 68							6,212.30	1,720.38	6,212.30	1,720.38
Do	do	Aug 68							5,900.23	1,633.96	5,900.23	1,633.96
Transportation (Germany)	Deutsche mark	Nov 68							7,530.00	1,882.50	7,530.00	1,882.50
Marie Crowe:												
Italy	Lire	Oct. 26	Oct. 29	4	31,100	50.00	124,400	200.00	6,937	11.15	1,313.37	211.15
Somalia	Shilling	Oct. 30	Oct. 31	2	355	50.00	710	100.00	316.47	44.57	1,026.47	144.57
Tanzania	do	Nov. 1	Nov. 6	5	355	50.00	1,715.30	241.59	250.30	35.25	1,965.60	276.84
Malagasy Republic	Franc	Nov. 4	Nov. 5	1	12,400	50.00	2,800	11.29			2,800	11.29
Transportation	Deutsche mark								7,652	1,913.00	7,652	1,913.00
Marian A. Czarnecki, staff consultant:												
Brazil	Cruzeiro	Aug. 16	Aug. 29	14	181.50	50.00	2,462.00	700.00	471.50	125.90	2,933.50	825.90
	Deutsche mark								3,260.00	812.76	3,260.00	812.76
Mexico	Peso	Oct. 5	Oct. 8	3	625.00	50.00	1,873.50	150.00			1,873.50	150.00
El Salvador	Colon	Oct. 8	Oct. 10	3	125.00	50.00	375.00	150.00			375.00	150.00
Honduras	Lempira	Oct. 10	Oct. 12	1	100.00	50.00	100.00	50.00			100.00	50.00
Nicaragua	Córdoba	Oct. 12	Oct. 15	3	350.00	50.00	1,050.00	150.00			1,050.00	150.00
Costa Rica	Colon	Oct. 15	Oct. 18	4	366.00	50.00	1,098.00	150.00			1,098.00	150.00
Colombia	Peso	Oct. 21	Oct. 22	2	831.50	50.00	1,663.00	100.00			1,663.00	100.00
Venezuela	Bolivar	Oct. 22	Oct. 24	2	244.50	50.00	448.50	100.00			448.50	100.00
Dominican Republic	Peso	Oct. 24	Oct. 26	2	50.00	50.00	100.00	100.00	33.10	33.10	133.10	133.10
	Dutch florin								1,813.00	500.00	1,813.00	500.00
Mary Louise O'Brien:												
Italy	Lire	Oct. 26	Oct. 29	4	31,100	50.00	124,400	200.00	6,937	11.15	131,337	211.15
Somalia	Shilling	Oct. 30	Oct. 31	2	355	50.00	710	100.00	316.47	44.57	1026.47	144.57
Tanzania	do	Nov.1-5	Nov.3-7	6	355	50.00	1,715.30	241.59	250.3	35.25	1,965.6	276.84
Malagasy Republic	Franc	Nov. 4	Nov. 5	1	12,400	50.00	12,400	50.00			12,400	50.00
South Africa	Rand	Nov. 8	Nov. 14	7	35.72	50.00	250	350.00	79.20	110.88	292.2	460.88
Senegal	Franc	Nov. 15	Nov. 16	2	12,400	50.00	24,800	100.00			24,800	100.00
Guinea	do	Nov. 17	Nov. 20	3	12,325	50.00	25,333	102.07			25,333	102.07
France	do	Nov. 20	Nov. 21	1	247.50	50.00	52.50	10.66			52.50	10.66
United Kingdom	Pound	Nov. 21	Nov. 23	3	20.16.7	50.00	62.15.0	150.00	13.0.8	31.44	75.15.8	181.47
Transportation	Deutsche mark								8,642.40	2,154.67	8,642.40	2,154.64

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 179, 2D SESS., 90TH CONG., COMMITTEE ON FOREIGN AFFAIRS, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968—Continued

		Date			Per diem rate		Total amount per diem		Transportation		Total	
Name and country	Name of currency	Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Edward W. Tom:												
Japan	Yen	Feb. 26	Mar. 4	8	18,000	50.00	144,000	400.00			144,000	400.00
Okinawa		Mar. 4	Mar. 6	1								
Japan	Yen	Mar. 6	Mar. 7	2	18,000	50.00	36,000	100.00	6,600	18.33	42,600	118.33
Korea	Won	Mar. 7	Mar. 9	1	13,682	50.00	13,682	50.00	6,650	24.29	20,332	74.29
Japan	Yen	Mar. 9	Mar. 11	3	18,000	50.00	54,000	150.00			54,000	150.00
Lebanon	Pound	Mar. 12	Mar. 14	2	156.60	50.00	313.20	100.00			313.20	100.00
Germany	Deutsche mark	Mar. 14	Mar. 17	3	200.00	50.00	600.00	150.00			600.00	150.00
Belgium	Franc	Mar. 17	Mar. 19	3	2,500	50.00	7,500	150.00			7,500	150.00
Netherlands		Mar. 19	Mar. 20	1								
Transportation, above	Deutsche mark	Mar. 68							9,238.22	2,307.05	9,238.22	2,307.05
Japan	Yen	June 21	June 30	10	18,000	50.00	180,000	500.00			180,000	500.00
Korea	Won	June 30	Jujy 24	24	13,692	50.00	328,608	1,200.00			328,608	1,200.00
Japan	Yen	July 24	July 25	1	18,000	50.00	18,000	50.00			18,000	50.00
Transportation, above	Deutsche mark	June 68							5,335.40	1,338.53	5,335.40	1,338.53
do	do	July 68							174.48	43.77	174.48	43.77
Japan	Yen	Nov. 8	Nov. 9	2	18,000	50.00	36,000	100.00			36,000	100.00
Thailand	Baht	Nov. 10	Nov. 20	11	1,033.50	50.00	11,368.50	550.00			11,368.50	550.00
Malaysia/Singapore	Malaysian dollars	Nov. 20	Nov. 22	1	152.37	50.00	152.37	50.00			152.37	50.00
Hong Kong	Hong Kong dollars	Nov. 22	Nov. 24	3	305.25	50.00	915.75	150.00			915.75	150.00
Taiwan	Yuan	Nov. 24	Nov. 27	2	2,000.00	50.00	4,000.00	100.00			4,000.00	100.00
Philippines	Peso	Nov. 27	Dec. 3	6	195.62	50.00	1,173.75	300.00			1,173.75	300.00
Japan	Yen	Dec. 3	Dec. 6	4	18,000	50.00	72,000	200.00			72,000	200.00
Transportation, above	Deutsche mark	Nov. 68							7,530.00	1,882.50	7,530.00	1,882.50
Total								43,071.95		99,220.52		142,492.47

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	93,152.13
Appropriated funds:	
H. Res. 260 H. Res. 1196	1,188.00
Government Department: Defense Department	48,152.34
Total	142,492.47

THOMAS E. MORGAN,
Chairman, Committee on Foreign Affairs.

MARCH 3, 1969.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 110, 2D SESS., 90TH CONG., COMMITTEE ON GOVERNMENT OPERATIONS, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968

MASTER RECAPITULATION

		Date			Per diem rate		Total amount per diem		Transportation		Total	
Name and country	Name of currency	Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Military Operations Subcommittee, Hon. Chet Holifield, chairman:												
Hon. Chet Holifield		Jan. 6	Jan. 17					410.05		1,274.95		1,685.00
Hon. William S. Moorhead		do	do					515.14		1,596.78		2,111.92
Hon. William J. Randall		do	Jan. 13					246.17		940.25		1,186.42
Hon. Frank Horton		do	Jan. 17					297.31		1,596.78		1,894.09
Hon. John N. Erlenborn		do	do					493.80		1,596.78		2,090.58
Herbert Roback		do	do					415.84		1,596.78		2,012.62
Douglas G. Dahlin		do	do					492.07		1,596.78		2,088.85
Joseph C. Luman		do	do					416.09		1,596.78		2,012.87
Subtotal								3,286.47		11,795.88		15,082.35
Foreign Operations and Government Information Subcommittee, Hon. John E. Moss, chairman:												
Hon. John E. Moss		Jan. 23	Feb. 15					1,200.00		2,570.00		3,770.00
Hon. Benjamin S. Rosenthal		Jan. 30	Feb. 15					850.00		1,982.10		2,832.10
Hon. Donald Rumsfeld		Feb. 2	Feb. 11					364.13		1,317.00		1,681.13
Vincent J. Augliere		Jan. 23	Feb. 15					1,200.00		2,570.00		3,770.00
Norman G. Cornish		Jan. 23	Feb. 15					1,200.00		2,570.00		3,770.00
Jack Wild		Jan. 23	Feb. 15					1,200.00		2,570.00		3,770.00
Alvin Mills		Jan. 23	Feb. 15					1,200.00		2,570.00		3,770.00
Cmdr. Robert H. Easterday		Jan. 23	Feb. 15					1,200.00		2,570.00		3,770.00
Subtotal								8,414.13		18,719.10		27,133.23
Master recapitulation by subcommittee:												
Military Operations Subcommittee, Hon. Chet Holifield, Chairman								3,286.47		11,795.88		15,082.35
Foreign Operations and Government Information Subcommittee, Hon. John E. Moss, Chairman								8,414.13		18,719.10		27,133.23
Grand total								11,700.60		30,514.98		42,215.58

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 110, 2D SESS., 90TH CONG., COMMITTEE ON GOVERNMENT OPERATIONS, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968—Continued

SUBCOMMITTEE ON MILITARY OPERATIONS

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. Chet Holifield:												
Korea	Won	Jan. 6	Jan. 7	2	13,682.50	50	27,365	100.00				
Returned to U.S. Embassy	do						9,485	34.66				
Total expended	do						17,880	65.34			17,880	65.34
Vietnam	Piastre	Jan. 7	Jan. 13	6	5,900	50	35,400	300.00				
Returned to U.S. Embassy	do						7,500	63.56				
Total expended							27,900	236.44			27,900	236.44
Thailand	Baht	Jan. 14	Jan. 17	4	1,031	50	4,124	200.00				
Returned to U.S. Embassy	do						345	16.73				
Returned to U.S. Treasury	do						1,546.50	75.00				
Total expended							2,232.50	108.27			2,232.50	108.27
Military airlift furnished by DOD, Department of the Air Force.										1,274.95		1,274.95
Total								410.05		1,274.95		1,685.00

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	410.05
Government department (identify each): Department of Air Force	1,274.95
Total	1,685.00

WILLIAM L. DAWSON,
Chairman, Committee on Government Operations.

FEBRUARY 28, 1969.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 110, 2D SESS., 90TH CONG., COMMITTEE ON GOVERNMENT OPERATIONS, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968

SUBCOMMITTEE ON MILITARY OPERATIONS

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. William S. Moorhead:												
Korea	Won	Jan. 6	Jan. 7	2	13,682.50	50	27,365	100.00				
Returned to U.S. Embassy	do						10,000	36.54				
Total expended							17,365	63.46			17,365	63.46
Vietnam	Piastre	Jan. 7	Jan. 13	6	5,900	50	35,400	300.00				
Returned to U.S. Embassy	do						4,700	39.83				
Total expended							30,700	260.17			30,700	260.17
Thailand	Baht	Jan. 14	Jan. 17	4	1,031	50	4,124	200.00				
Returned to U.S. Embassy	do						175	8.49				
Total expended							3,949	191.51			3,949	191.51
Military airlift furnished by DOD, Department of the Air Force.										1,596.78		1,596.78
Total								515.14		1,596.78		2,111.92

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	515.14
Government Department: Department of the Air Force	1,596.78
Total	2,111.92

WILLIAM L. DAWSON,
Chairman, Committee on Government Operations.

FEBRUARY 28, 1969.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 110, 2D SESS., 90TH CONG., COMMITTEE ON GOVERNMENT OPERATIONS, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968

SUBCOMMITTEE ON MILITARY OPERATIONS

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. William J. Randall:												
Korea	Won	Jan. 6	Jan. 7	2	13,682.50	50	27,365	100.00				
Returned to U.S. Embassy	do						11,600	42.39				
Total expended							15,765	57.61			15,765	56.61
Vietnam	Piastre	Jan. 7	Jan. 13	6	5,900	50	35,400	300.00				
Returned to U.S. Embassy	do						13,150	111.44				
Total expended							22,250	188.56			22,250	188.56
Military airlift furnished by DOD, Department of the Air Force.										732.25		732.25

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REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 110, 2D SESS., 90TH CONG., COMMITTEE ON GOVERNMENT OPERATIONS, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968—Continued

SUBCOMMITTEE ON MILITARY OPERATIONS—Continued

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. William J. Randall—Continued												
Cost of transportation furnished by DOD, Department of the Air Force.										208.00		208.00
Total								246.17		940.25		186.42

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	246.17
Appropriated funds, Government department: Department of the Air Force	940.25
Total	1,186.42

WILLIAM L. DAWSON,
Chairman, Committee on Government Operations.

FEBRUARY 28, 1969.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 110, 2D SESS., 90TH CONG., COMMITTEE ON GOVERNMENT OPERATIONS, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968

SUBCOMMITTEE ON MILITARY OPERATIONS

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. Frank Horton:												
Korea	Won	Jan. 6	Jan. 7	2	13,682.50	50	27,365	100.00				
Returned to U.S. Embassy	do						15,000	54.81				
Total expended							12,365	45.19			12,365	45.19
Vietnam	Piastre	Jan. 7	Jan. 13	6	5,900	50	35,400	300.00				
Returned to U.S. Embassy	do						14,500	122.88				
Returned to U.S. Treasury							3,550	30.00				
Total expended							17,350	147.12			17,350	147.12
Thailand	Baht	Jan. 14	Jan. 17	4	1,031	50	4,124.00	200.00				
Returned to U.S. Treasury	do						1,958.90	95.00				
Total expended							2,165.10	105.00			2,165.10	105.00
Military airlift furnished by DOD, Department of the Air Force										1,596.78		1,596.78
Total								297.13		1,596.78		1,894.09

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	297.31
Appropriated funds, Government department: Department of the Air Force	1,596.78
Total	1,894.09

WILLIAM L. DAWSON,
Chairman, Committee on Government Operations.

FEBRUARY 28, 1969.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 110, 2D SESS., 90TH CONG., COMMITTEE ON GOVERNMENT OPERATIONS, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968

SUBCOMMITTEE ON MILITARY OPERATIONS

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. John N. Erlenborn:												
Korea	Won	Jan. 1	Jan. 7	2	13,682.50	50	27,365	100.00				
Returned to U.S. Embassy	do						14,500	52.98				
Total expended							12,865	47.02			12,865	47.02
Vietnam	Piastre	Jan. 7	Jan. 13	6	5,900	50	35,400	300.00				
Returned to U.S. Embassy	do						6,280	53.22				
Total expended							29,120	246.78			29,120	246.78
Thailand	Baht	Jan. 14	Jan. 17	4	1,031	50	4,124	200.00				
Returned to U.S. Embassy	do						0	0				
Total expended							4,124	200.00			4,124	200.00
Military airlift furnished by DOD, Department of the Air Force.										1,596.78		1,596.78
Total								493.80		1,596.78		2,090.58

RECAPITULATION

	Amoun
Foreign currency (U.S. dollar equivalent)	493.80
Appropriated funds: Government Department: Department of Air Force	1,596.78
Total	2,090.58

WILLIAM L. DAWSON,
Chairman, Committee on Government Operations.

FEBRUARY 28, 1969.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 110, 2D SESS., 90TH CONG., COMMITTEE ON GOVERNMENT OPERATIONS U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968

SUBCOMMITTEE ON MILITARY OPERATIONS

		Date			Per diem rate		Total amount per diem		Transportation		Total	
Name and country	Name of currency	Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Herbert Roback:												
Korea	Won	Jan. 6	Jan. 7	2	13,682.50	50.00	27,365	100.00				
Returned to U.S. Embassy	do						9,645	35.23				
Total expended							17,720	64.77			17,720	64.77
Vietnam	Piastre	Jan. 7	Jan. 13	6	5,900	50.00	35,400	300.00				
Returned to U.S. Embassy	do						10,700	90.68				
Total expended							24,700	209.32			24,700	209.32
Thailand	Baht	Jan. 14	Jan. 17	4	1,031	50.00	4,124	200.00				
Returned to U.S. Embassy	do						170	8.25				
Returned to U.S. Treasury	do						1,031	50.00				
Total expended							2,923	141.75			2,923	141.75
Military airlift furnished by DOD Department of the Air Force										1,596.78		1,596.78
Total								415.84		1,596.78		2,012.62

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	415.84
Government Department (identify each): Department of Air Force	1,596.78
Total	2,012.62

WILLIAM L. DAWSON,
Chairman, Committee on Government Operations.

FEBRUARY 28, 1969.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 110, 2D SESS., 90TH CONG., COMMITTEE ON GOVERNMENT OPERATIONS, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968

SUBCOMMITTEE ON MILITARY OPERATIONS

		Date			Per diem rate		Total amount per diem		Transportation		Total	
Name and country	Name of currency	Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Douglas G. Dahlin:												
Korea	Won	Jan. 6	Jan. 7	2	13,682.50	50.00	27,365	100.00				
Return to U.S. Embassy	do						12,000	43.85				
Total expended							15,365	56.15			15,365	56.15
Vietnam	Piastre	Jan. 7	Jan. 13	6	5,900	50.00	35,400	300.00				
Return to U.S. Embassy	do						4,700	39.83				
Total expended							30,700	260.17			30,700	260.17
Thailand	Baht	Jan. 14	Jan. 17	4	1,031	50.00	4,124	200.00				
Return to U.S. Embassy	do						500	24.25				
Total expended							3,624	175.75			3,624	175.75
Military airlift furnished by DOD, Department of the Air Force										1,596.78		1,596.78
Total								492.07		1,596.78		2,088.85

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	492.07
Appropriated funds, Government Department: Department of Air Force	1,596.78
Total	2,088.85

WILLIAM L. DAWSON,
Chairman, Committee on Government Operations.

FEBRUARY 28, 1969.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 110, 2D SESS., 90TH CONG., COMMITTEE ON GOVERNMENT OPERATIONS, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968

SUBCOMMITTEE ON MILITARY OPERATIONS

		Date			Per diem rate		Total amount per diem		Transportation		Total	
Name and country	Name of currency	Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Joseph C. Luman:												
Korea	Won	Jan. 6	Jan. 7	2	13,682.50	50.00	27,365	100.00				
Returned to U.S. Embassy	do						11,020	40.27				
Total expended							16,345	59.73			16,345	59.73
Vietnam	Piastre	Jan. 7	Jan. 13	6	5,900	50.00	35,400	300.00				
Returned to U.S. Embassy	do						11,050	93.64				
Total expended							24,350	206.36			24,350	206.36

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 110, 2D SESS., 90TH CONG., COMMITTEE ON GOVERNMENT OPERATIONS, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968—Continued

SUBCOMMITTEE ON MILITARY OPERATIONS—Continued

		Date			Per diem rate		Total amount per diem		Transportation		Total	
Name and country	Name of currency	Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Joseph C. Luman—Continued												
Thailand	Baht	Jan. 14	Jan. 17	4	1,031	50.00	4,124	200.00				
Returned to U.S. Embassy							1,031	50.00				
Total expended							3,093	150.00			3,093	150.00
Military airlift furnished by DOD, Department of the Air Force.	U.S. dollar									1,596.78		1,596.78
Total								416.09		1,596.78		2,012.87

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	416.09
Appropriated funds, Government department: Department of Air Force	1,596.78
Total	2,012.87

WILLIAM L. DAWSON,
Chairman, Committee on Government Operations.

FEBRUARY 28, 1969.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 110, 2D SESS., 90TH CONG., COMMITTEE ON GOVERNMENT OPERATIONS, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968

SUBCOMMITTEE ON FOREIGN OPERATIONS AND GOVERNMENT INFORMATION

		Date			Per diem rate		Total amount per diem		Transportation		Total	
Name and country	Name of currency	Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. John E. Moss:												
Panama		Jan. 23	Jan. 25	2		50.00		100.00				100.00
Colombia	Pesos	Jan. 26	Jan. 30	5	812.50	50.00	4,062.50	250.00			4,062.50	250.00
Peru	Soles	Jan. 30	Feb. 3	4	2,015	50.00	8,060	200.00			8,060	200.00
Chile	Escudos	Feb. 3	Feb. 5	2	349	50.00	698	100.00			698	100.00
Argentina	Pesos	Feb. 5	Feb. 7	2	17,500	50.00	35,000	100.00			35,000	100.00
Brazil	Cruzeiros	Feb. 7	Feb. 14	8	160	50.00	1,280	400.00			1,280	400.00
Venezuela	Bolivares	Feb. 14	Feb. 15	1	224.25	50.00	224.25	50.00			224.25	50.00
Military air transportation										2,570.00		2,570.00
Total								1,200.00		2,570.00		3,770.00

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	1,200
Appropriated funds, Government department: Department of Air Force	2,570
Total	3,770

WILLIAM L. DAWSON,
Chairman, Committee on Government Operations.

FEBRUARY 28, 1969.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 110, 2D SESS., 90TH CONG., COMMITTEE ON GOVERNMENT OPERATIONS, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1, AND DEC. 31, 1968

SUBCOMMITTEE ON FOREIGN OPERATIONS AND GOVERNMENT INFORMATION

		Date			Per diem rate		Total amount per diem		Transportation		Total	
Name and country	Name of currency	Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. Benjamin S. Rosenthal:												
Peru	Soles	Jan. 30	Feb. 3	4	2,015.00	50.00	8,060.00	200.00			8,060.00	200.00
Chile	Escudos	Feb. 3	Feb. 5	2	349.00	50.00	698.00	100.00			698.00	100.00
Argentina	Pesos	Feb. 5	Feb. 7	2	17,500.00	50.00	35,000.00	100.00			35,000.00	100.00
Brazil	Cruzeiros	Feb. 7	Feb. 14	8	160.00	50.00	1,280.00	400.00			1,280.00	400.00
Venezuela	Bolivares	Feb. 14	Feb. 15	1	224.25	50.00	224.25	50.00			224.25	50.00
Commercial air transportation, Washington to Lima.										352.10		352.10
Military air transportation										1,630.00		1,630.00
Total								850.00		1,982.10		2,832.10

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	850.00
Appropriated funds: Government department:	
Department of the Air Force	1,630.00
Department of State	352.10
Total	2,832.10

WILLIAM L. DAWSON,
Chairman, Committee on Government Operations.

FEBRUARY 28, 1969.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 110, 2D SESS., 90TH CONG., COMMITTEE ON GOVERNMENT OPERATIONS, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968

SUBCOMMITTEE ON FOREIGN OPERATIONS AND GOVERNMENT INFORMATION

		Date			Per diem rate		Total amount per diem		Transportation		Total	
Name and country	Name of currency	Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. Donald Rumsfeld:												
Peru	Soles	Feb. 2	Feb. 3	2	2,015	50.00	4,030	100.00				
Returned to Department of State	do							26.25				
Total expended								73.75				73.75
Chile	Escudos	Feb. 3	Feb. 5	2	349	50.00	698	100.00				
Returned to Department of State	do							31.97				
Total expended								69.03				69.03
Argentina	Pesos	Feb. 5	Feb. 7	2	17,500	50.00	35,000	100.00				
Returned to Department of State	do							27.40				
Total expended								72.60				72.60
Brazil	Cruzeiros	Feb. 7	Feb. 11	4	160	50.00	640	200.00				
Returned to Department of State	do							51.25				
Total expended								148.75				148.75
Commercial air transportation, Washington to Lima and Rio de Janeiro to Washington.										815.00		
Returned to Department of State										78.00		
Total expended										737.00		737.00
Military air transportation	U.S. dollar									580.00		580.00
Total								364.13		1,317		1,681.13

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	364.13
Appropriated funds, Government Department:	
Department of Air Force	580.00
Department of State	737.00
Total	1,681.13

WILLIAM L. DAWSON,
Chairman, Committee on Government Operations.

FEBRUARY 28, 1969.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 110, 2D SESS., 90TH CONG., COMMITTEE ON GOVERNMENT OPERATIONS, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968

SUBCOMMITTEE ON FOREIGN OPERATIONS AND GOVERNMENT INFORMATION

		Date			Per diem rate		Total amount per diem		Transportation		Total	
Name and country	Name of currency	Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Vincent J. Augliere:												
Panama		Jan. 23	Jan. 25	2		50.00		100.00				100.00
Colombia	Peso	Jan. 26	Jan. 30	5	812.50	50.00	4,026.50	250.00			4,062.50	250.00
Peru	Sol	Jan. 30	Feb. 3	4	2,015	50.00	8,060	200.00			8,060	200.00
Chile	Escudo	Feb. 3	Feb. 5	2	349	50.00	968	100.00			698	100.00
Argentina	Peso	Feb. 5	Feb. 7	2	17,500	50.00	35,000	100.00			35,000	100.00
Brazil	Cruzeiro	Feb. 7	Feb. 14	8	160	50.00	1,280	400.00			1,280	400.00
Venezuela	Bolivar	Feb. 14	Feb. 15	1	224.25	50.00	224.25	50.00			224.25	50.00
Military air transportation	U.S. dollar									2,570.00		2,570.00
Total								1,200.00		2,570.00		3,770.00

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	$1,200
Appropriated funds, Government Department: Department of the Air Force	2,570
Total	3,770

WILLIAM L. DAWSON,
Chairman, Committee on Government Operations.

FEBRUARY 28, 1969.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 110, 2D SESS., 90TH CONG., COMMITTEE ON GOVERNMENT OPERATIONS, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968

SUBCOMMITTEE ON FOREIGN OPERATIONS AND GOVERNMENT INFORMATION

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Norman G. Cornish:												
Panama		Jan. 23	Jan. 25	2		50		100				100
Colombia	Peso	Jan. 26	Jan. 30	5	812.50	50	4,062.50	250			4,062.50	250
Peru	Sol	Jan. 30	Feb. 3	4	2,015	50	8,060	200			8,060	200
Chile	Escudo	Feb. 3	Feb. 5	2	349	50	698	100			698	100
Argentina	Peso	Feb. 5	Feb. 7	2	17,500	50	35,000	100			35,000	100
Brazil	Cruzeiro	Feb. 7	Feb. 14	8	160	50	1,280	400			1,280	400
Venezuela	Bolivar	Feb. 14	Feb. 15	1	224.25	50	224.25	50			224.25	50
Military air transportation										2,570		2,570
Total								1,200		2,570		3,770

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	1,200
Appropriated funds: Government department: Department of Air Force	2,570
Total	3,770

WILLIAM L. DAWSON,
Chairman, Committee on Government Operations.

FEBRUARY 28, 1969.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 110, 2D SESS., 90TH CONG., COMMITTEE ON GOVERNMENT OPERATIONS, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968

SUBCOMMITTEE ON FOREIGN OPERATIONS AND GOVERNMENT INFORMATION

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Jack Wild:												
Panama		Jan. 23	Jan. 25	2		50.00		100				100
Colombia	Pesos	Jan. 26	Jan. 30	5	812.50	50.00	4,062.50	250			4,062.50	250
Peru	Soles	Jan. 30	Feb. 3	4	2,015	50.00	8,060	200			8,060	200
Chile	Escudos	Feb. 3	Feb. 5	2	349	50.00	698	100			698	100
Argentina	Pesos	Feb. 5	Feb. 7	2	17,500	50.00	35,000	100			35,000	100
Brazil	Cruzeiros	Feb. 7	Feb. 14	8	160	50.00	1,280	400			1,280	400
Venezuela	Bolivares	Feb. 14	Feb. 15	1	224.25	50.00	224.25	50			224.25	50
Military air transportation										2,570		2,570

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	1,200
Appropriated funds: Government department: Department of Air Force	2,570
Total	3,770

WILLIAM L. DAWSON,
Chairman, Committee on Government Operations.

FEBRUARY 28, 1969.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 110, 2D SESS., 90TH CONG., COMMITTEE ON GOVERNMENT OPERATIONS, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968

SUBCOMMITTEE ON FOREIGN OPERATIONS AND GOVERNMENT INFORMATION

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Alvin Mills:												
Panama		Jan. 23	Jan. 25	2		50		100				100
Colombia	Pesos	Jan. 26	Jan. 30	5	812.50	50	4,062.50	250			4,062.50	250
Peru	Soles	Jan. 30	Feb. 3	4	2,015	50	8,060	200			8,060	200
Chile	Escudos	Feb. 2	Feb. 5	2	349	50	698	100			698	100
Argentina	Pesos	Feb. 5	Feb. 7	2	17,500	50	35,000	100			35,000	100
Brazil	Cruzeiros	Feb. 7	Feb. 14	8	160	50	1,280	400			1,280	400
Venezuela	Bolivares	Feb. 14	Feb. 15	1	224.25	50	224.25	50			224.25	50
Military air transportation										2,570		2,570
Total								1,200		2,570		3,770

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	1,200
Appropriated funds, Government department: Department of the Air Force	2,570
Total	3,770

WILLIAM L. DAWSON,
Chairman, Committee on Government Operations.

FEBRUARY 28, 1969.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 110, 2D SESS., 90TH CONG., COMMITTEE ON GOVERNMENT OPERATIONS, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968

SUBCOMMITTEE ON FOREIGN OPERATIONS AND GOVERNMENT INFORMATION

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Cmdr. Robert H. Easterday:												
Panama		Jan. 23	Jan. 25	2		50.00		100.00				100.00
Colombia	Peso	Jan. 26	Jan. 30	5	812.50	50.00	4,062.50	250.00			4,062.50	250.00
Peru	Soles	Jan. 30	Feb. 3	4	2,015	50.00	8,060	200.00			8,060	200.00
Chile	Escudos	Feb. 3	Feb. 5	2	349	50.00	698	100.00			698	100.00
Argentina	Pesos	Feb. 5	Feb. 7	2	17,500	50.00	35,000	100.00			35,000	100.00
Brazil	Cruzeiros	Feb. 7	Feb. 14	8	160	50.00	1,280	400.00			1,280	400.00
Venezuela	Bolivares	Feb. 14	Feb. 15	1	224.25	50.00	224.25	50.00			224.25	50.00
Military air transportation										2,570.00		2,570.00
Total								1,200.00		2,570.00		3,770.00

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	1,200
Appropriated funds: Government Department: Department of Air Force	2,570
Total	3,770

WILLIAM L. DAWSON,
Chairman, Committee on Government Operations.

FEBRUARY 28, 1969.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 34, 1ST SESS., 90th CONG., COMMITTEE ON INTERIOR AND INSULAR AFFAIRS, U.S. HOUSE OF REPRESENTATIVES

SUBCOMMITTEE ON MINES AND MINING,[1] TERRITORIES, BETWEEN JAN. 1 AND DEC. 31, 1968

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. Laurence J. Burton:												
Switzerland	Franc	Nov. 18	Nov. 23	5	214.50	50.00	1,072.50	250.00			1,072.50	250.00
	Deutsche mark								2,124.40	529.64	2,124.40	529.64
Italy	Lira	Nov. 23	Nov. 24	1	31,150.00	50.00	31,150.00	50.00			31,150.00	50.00
Greece	Drachma	Nov. 24	Nov. 26	2	1,500.00	50.00	3,000.00	100.00			3,000.00	100.00
Israel	Pound	Nov. 26	Nov. 29	3	175.00	50.00	525.00	150.00	36.62	10.46	561.62	160.46
India	Rupee	Nov. 30	Dec. 1	2	380.00	50.00	760.00	100.00			760.00	100.00
Thailand	Baht	Dec. 1	Dec. 3	3	1,033.50	50.00	3,100.50	150.00			3,100.50	150.00
Malaysia	Dollar	Dec. 3	Dec. 5	3	150.00	50.00	450.00	150.00			450.00	150.00
New Zealand	Pound	Dec. 6	Dec. 9	4	44.55	50.00	178.20	200.00			178.20	200.00
	Do	Dec. 14	Dec. 15	1	44.55	50.00	44.55	50.00			44.55	50.00
Hon. Thomas S. Foley:												
Switzerland	Franc	Nov. 17	Nov. 23	6	214.50	50.00	1,287.00	300.00			1,287.00	300.00
	Deutsche mark								4,737.60	1,181.15	4,737.60	1,181.15
Hon. Theodore R. Kupferman:												
New Zealand	Pound	Dec. 6	Dec. 9	4	44.55	50.00	178.20	200.00			178.20	200.00
	Do	Dec. 14	Dec. 15	1	44.55	50.00	44.55	50.00			44.55	50.00
W. L. Shafer:												
Switzerland	Franc	Nov. 17	Nov. 23	6	214.50	50.00	1,287.50	300.00			1,287.50	300.00
	Deutsche mark								1,664.80	415.06	1,664.80	415.06
Italy	Lira	Nov. 23	Nov. 24	1	31,150.00	50.00	31,150.00	50.00			31,150.00	50.00
Greece	Drachma	Nov. 24	Nov. 26	2	1,500.00	50.00	3,000.00	100.00			3,000.00	100.00
Israel	Pound	Nov. 26	Nov. 29	3	175.00	50.00	525.00	150.00	36.62	10.46	561.62	160.46
India	Rupee	Nov. 30	Dec. 1	2	380.00	50.00	760.00	100.00			760.00	100.00
Thailand	Baht	Dec. 1	Dec. 3	3	1,033.50	50.00	3,100.50	150.00			3,100.50	150.00
Malaysia	Dollar	Dec. 3	Dec. 5	3	150.00	50.00	450.00	150.00			450.00	150.00
New Zealand	Pound	Dec. 6	Dec. 9	4	44.55	50.00	178.20	200.00			178.20	200.00
	do	Dec. 14	Dec. 15	1	44.55	50.00	44.55	50.00			44.55	50.00
Charles Leppert, Jr.:												
Switzerland	Franc	Nov. 18	Nov. 22	5	214.50	50.00	1,072.50	250.00			1,072.50	250.00
	Deutsche mark								1,664.80	415.06	1,664.80	415.06
Italy	Lira	Nov. 22	Nov. 26	4	31,150.00	50.00	124,600.00	200.00			124,600.00	200.00
Israel	Pound	Nov. 26	Nov. 29	3	175.00	50.00	525.00	150.00	36.62	10.46	561.62	160.46
India	Rupee	Nov. 30	Dec. 1	2	380.00	50.00	760.00	100.00			760.00	100.00
Thailand	Baht	Dec. 1	Dec. 3	3	1,033.50	50.00	3,100.50	150.00			3,100.50	150.00
Malaysia	Dollar	Dec. 3	Dec. 5	3	150.00	50.00	450.00	150.00			450.00	150.00
New Zealand	Pound	Dec. 6	Dec. 9	4	44.55	50.00	178.20	200.00			178.20	200.00
	Do	Dec. 14	Dec. 15	1	44.55	50.00	44.55	50.00			44.55	50.00
Total						50.00		4,250.00		2,572.29		6,822.29

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[1] The Members of Congress and the professional staff members of the committee were authorized by the Speaker of the House and pursuant to H. Res. 34, 1st session, 90th Congress, to attend meetings of the International Lead and Zinc Study Group at Geneva, Switzerland. The inspection of Antarctica was performed pursuant to an invitation from the Dept. of State, extended on behalf of the Antarctic Policy Group and pursuant to H. Res. 34.

WAYNE N. ASPINALL,
Chairman, Committee on Interior and Insular Affairs.

MARCH 7, 1969.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 168, 1ST SESS., 90TH CONG., COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968

		Date			Per diem rate		Total amount per diem		Transportation		Total	
Name and country	Name of currency	Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Samuel N. Friedel:												
Netherlands	Guilder	Nov. 13	Nov. 15	2	181.69	50.00	363.38	100.00			363.38	100.00
Belgium	Franc	Nov. 15	Nov. 19	4	2,500	50.00	10,000	200.00			10,000	200.00
Germany	Deutsche mark	Nov. 19	Nov. 23	4	200	50.00	800	200.00			800	200.00
Italy	Lira	Nov. 23	Nov. 25	2	31,150	50.00	62,300	100.00			62,300	100.00
Israel	Pound	Nov. 25	Nov. 29	4	175	50.00	700	200.00			700	200.00
Italy	Lira	Nov. 29	Nov. 30	2	31,150	50.00	62,300	100.00			62,300	100.00
Round trip transportation	U.S. dollar									967.60		967.60
Total								900.00		967.60		1,867.60
Refund of overpayment ($150.00).												
Horace R. Kornegay:												
Belgium	Franc	June 24	June 27	4	2,500	50.00	10,000	200.00			10,000	200.00
Round trip transportation	U.S. dollar									824.21		824.21
Total								200.00		824.21		1,024.21
William L. Springer:												
Sweden	Krona	Aug. 4	Aug. 8	5	258	50.00	1290	250.00			1,290	250.00
Norway	Krone	Aug. 9	Aug. 11	3	356.66	50.00	1070.25	150.00			1,070.25	150.00
Denmark	do	Aug. 12	Aug. 14	3	375.66	50.00	1127	150.00			1,127	150.00
Netherlands	Guilder	Aug. 16		1	180.63	50.00	180.63	50.00			180.63	50.00
Round trip transportation	U.S. dollar										3,248.50	895.89
Subtotal								600.00				1,495.89
Less refund expenses advanced												149.10
Total												1,346.79
John M. Murphy:												
Japan	Yen	Apr. 11	Apr. 14	3	18,000	50.00	54,000	150.00	15,034	41.76		191.76
Korea	Won	Apr. 14	Apr. 15	1	13,683	50.00	13,683	50.00			13,683	50.00
Hong Kong	Hong Kong dollar	Apr. 15	Apr. 16	1	303.65	50.00	303.65	50.00			303.65	50.00
Vietnam	Piastre	Apr. 16	Apr. 18	3	5,900	50.00	17,700	150.00			17,700	150.00
Thailand	Baht	Apr. 18	Apr. 21	3	1,031	50.00	3,093	150.00	1,400	67.90	4,493	217.90
Israel	Pound	Apr. 22	Apr. 24	3	175	50.00	525	150.00	143.83	41.09	668.83	191.09
Italy	Lira	Apr. 25	Apr. 26	2	32,200	50.00	62,400	100.00	15,912	25.46	78,312	125.46
Round trip transportation	U.S. dollar									2,039.56		2,039.56
Refund of overpayment ($100).												
Total								800.00		2,215.77		3,015.77
Hastings Keith:												
Norway	Krone	Dec. 16	Dec. 17	2	356.76	50.00	713.50	100.00			713.50	100.00
Denmark	Krone	Dec. 17	Dec. 18	1	374.50	50.00	1,123	150.00	268.32	35.77		50.45
Less refund								−135.32				
France	Franc	Dec. 18	Dec. 20	2	247.00	50.00	494	100.00			494.00	100.00
Portugal	Escuda	Dec. 20	Dec. 23	3	1,427.50	50.00	4,282.50	150.00	2,271	79.49		229.49
France	Franc	Dec. 23	Dec. 27	4	274	50.00	1,235	250.00				200.00
Less refund								−50.00				
Switzerland	Swiss franc	Dec. 27	Dec. 28	1		50.00	429	100.00				50.00
Less refund								−50.00				
United Kingdom	Pound	Dec. 28	Jan. 1	4	214.50	50.00		200.00	8-17-16	21.16		221.16
Round trip transportation										832.40		832.40
Total								814.68		968.82		1,783.50
Tim Lee Carter:												
United Kingdom	Pound	Nov. 8	Nov. 12	5		50.00	104.11.6	250.00	9.1.3	21.61		271.61
Netherlands	Guilder	Nov. 13	Nov. 15	2	180.00	50.00	360.00	100.00	114.33	31.53		131.53
Germany	Deutsche mark	Nov. 15	Nov. 18	4	199.00	50.00	796.00	200.00	186.31	46.45		246.45
Switzerland	Franc	Nov. 18	Nov. 21	3	214.3	50.00	643.50	150.00	353.00	82.28		232.28
Austria	Schilling	Nov. 21	Nov. 24	3	1,289.00	50.00	3,867.00	150.00	734.24	28.53		178.53
Spain	Peseta	Nov. 24	Nov. 29	5	3,480	50.00	17,400	250.00				250.00
Portugal	Escudo	Nov. 29	Dec. 1	2	2,856.46	50.00	2,856.50	100.00	875.00	30.58		130.58
Round trip transportation										991.90		991.90
Total								1,200.00		1,232.88		2,432.88
Refund of overpayment ($150.00).												
Joe Skubitz:												
United Kingdom	Pound	Nov. 8	Nov. 13	5		50.00	104.11.6	250.00	9.1.3	21.61		271.16
Natherlands	Guilder	Nov. 13	Nov. 15	2	180.00	50.00	360.00	100.00	114.33	31.53		131.53
Germany	Deutsche mark	Nov. 15	Nov. 18	4	199.00	50.00	796.00	200.00	186.31	46.45		246.45
Switzerland	Franc	Nov. 18	Nov. 21	3	214.50	50.00	643.50	150.00	353.00	82.28		232.28
Austria	Schilling	Nov. 21	Nov. 24	3	1,289	50.00	3,867.00	150.00	734.24	28.53		178.53
Yugoslavia	Dinar	Nov. 24	Nov. 28	3	625	50.00	1,815.00	150.00	1,253.50	100.28		250.28
Spain	Peseta	Nov. 28	Nov. 29	2	3,480	50.00	6,960.00	100.00				100.00
Portugal	Escudo	Nov. 30	Dec. 1	2	2,856.46	50.00	2,856.50	100.00	875.00	30.58		130.58
Round trip transportation										1,151.90		1,151.90
Total								1,200.00		1,493.16		2,693.16
Refund of overpayment ($150.00).												
W. S. Stuckey:												
Japan	Yen	Dec. 29	Dec. 31	3	18,000.00	50.00	54.000	150.00			54,000	150.00
Hong Kong	Hong Kong dollar	Dec. 31	Jan. 3	3	303.50	50.00	910.50	150.00			910.50	150.00
Thailand	Baht	Jan. 3	Jan. 5	2	1,032.00	50.00	2,062.00	100.00			2,062.00	100.00
Vietnam	Piastre	Jan. 5	Jan. 9	4	5,900.00	50.00	23,600	200.00			23,600	200.00
Round trip transportation										1,880.62		1,880.62
Total								600.00		1,880.62		2,480.62

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 168, 1ST SESS., 90TH CONG., COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31 1968—Continued

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S currency
Hon. Peter N. Kyros:												
Japan	Yen	Dec. 29	Dec. 31	3	18,000.00	50.00	54,000.00	150.00			54,000.00	150.00
Hong Kong	Hong Kong dollar	Dec. 31	Jan. 3	3	303.50	50.00	910.50	150.00			910.50	150.00
Thailand	Baht	Jan. 3	Jan. 5	2	1,032.00	50.00	2,062.00	100.00			2,062.00	100.00
Vietnam	Piastre	Jan. 5	Jan. 9	4	5,900.00	50.00	23,600.00	200.00			23,600.00	200.00
Round trip transportation										1,880.62		1,880.62
Brazil	Cruzeiro	Dec. 2	Dec. 5	4	187.00	50.00	748.00	200.00			748.00	200.00
Venezuela	Bolivar	Dec. 5	Dec. 9	3	224.25	50.00	672.75	150.00			672.75	150.00
Round trip transportation									2,460.00	815.00	2,460.00	815.00
Total								950.00		2,695.62		3,645.62
Andrew Stevenson:												
Argentina	Peso	Nov. 20	Nov. 27	7	17,500	50.00	94,290	259.00	28,210	91.00	122,500	350.00
Brazil	Cruzeiro	Nov. 18	Nov. 20	2	183.40	50.00	326.45	89.00	40.35	11.00	366.80	100.00
Chile	Escuda	Nov. 27	Nov. 30	3	424.50	50.00	1,235.30	145.50	189.80	23.12	1,425.10	168.62
Denmark	Kroner	Aug. 25	Sept. 4	10	75.06	50.00	2,809.75	374.20	943.50	125.80	3,753.25	500.00
Germany	Deutsche mark								3,987.60	994.17	3,987.60	994.17
Netherlands	Guilder								4,196.00	1,157.20	4,196.00	1,157.20
Peru	Sol	Nov. 30	Dec. 6	6	2,227.00	50.00	11,382.50	255.00	2,680.00	61.17	14,062.50	316.17
U.S.S.R.	Ruble	Aug. 19	Aug. 25	6	45.00	50.00	246.00	273.33	24.00	26.67	270.00	300.00
Venezuela	Bolivar	Dec. 6	Dec. 13	7	224.25	50.00	1,492.38	332.75	77.37	17.25	1,569.75	350.00
Total								1,728.78		2,507.38		4,236.16

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	24,526.31

HARLEY O. STAGGERS,
Chairman, Committee on Interstate and Foreign Commerce.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 40 AND H. RES. 838, 90TH CONG., COMMITTEE ON THE JUDICIARY, U.S HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. Wm. T. Cahill:												
United Kingdom	Pound	Nov. 14	Nov. 16	3	20.18.6	50.00	62.15.0	150.00	1.9.10	3.56	64.4.10	153.56
Germany	Mark	Nov. 17	Nov. 23	7	200	50.00	1,400	350.00	2,634.65	658.22	4,034.65	1,008.22
Switzerland	Swiss franc	Nov. 24	Nov. 27	4	214.5	50.00	858	200.00	116.00	27.00	974.	227.00
Total								700.00		688.78		1,388.78
Hon. Emanuel Celler:												
United Kingdom	Pound	Aug. 6	Aug. 9	4	20/17/7	50.00	83/10/6	200.00	22/16/3	54.38	106/6/9	254.38
Austria	Schilling	Aug. 10	Aug. 15	6	1,288	50.00	7,728	300.00	597	23.22	8,325	323.22
Switzerland	Swiss franc	Aug. 16	Aug. 27	12	215	50.00	2,577	600.00			2,577	600.00
France	Franc								3,866.04	777.88	3,866.04	777.88
Netherlands	Guilder								1,943.63	538.25	1,943.63	538.25
Total								1,100.00		1,393.73		2,493.73
Italy	Lira	Nov. 13	Nov. 15	3	31,150	50.00	93,450	150.00			93,450	150.00
Israel	Israeli pound	Nov. 16	Nov. 23	8	175	50.00	1,400	400.00			1,400	400.00
Switzerland	Swiss franc	Nov. 24	Nov. 27	4	215	50.00	860	200.00	771	179.42	1,631	379.42
United Kingdom	Pound	Nov. 28	Dec. 1	4	20/17/7	50.00	83/10/6	200.00	81/3/7	193.78	164/14/0	393.78
Germany	Mark								5,302	1,325.70	5,302.80	1,325.70
Total								950	1,698.90			2,648.90
Frances Christy:												
United Kingdom	Pound	Aug. 6	Aug. 9	4	20.17.17	50.00	83.10.6	200.00			83.10.6	200.00
Austria	Schilling	Aug. 10	Aug. 15	6	1,288	50.00	7,728	300.00	597	23.22	8,325	323.22
Switzerland	Swiss franc	Aug. 16	Aug. 29	14	215	50.00	3,010	700.00	25.50	5.94	3,035.50	705.94
France	Franc								3,866.05	777.88	3,866.05	777.88
Netherlands	Guilder								1,943.62	538.25	1,943.62	538.25
Total								1,200		1,345.29		2,545.29
Frances Christy:												
Italy	Lire	Nov. 13	Nov. 15	3	31,150	50.00	93,450	150,00			93,450	150.00
Israel	Israeli pound	Nov. 16	Nov. 23	8	175	50	1,400	400.00			1,400	400.00
Switzerland	Swiss franc	Nov. 24	Nov. 27	4	215	50	860	200.00	221	51.50	1,081	251.50
United Kingdom	Pound	Nov. 28	Dec. 1	4	20/17/7	50.00	83/10/6	200.00	22/5/3	53.00	106/5/9	253.00
Germany	Mark								5,302.80	1,325.70	5,302.80	1,325.70
Total								950.00		1,430.20		2,380.20
G. J. Cline:												
Switzerland	Swiss franc	May 8	May 15	8	214.50	50.00	1,734	400.00			1,734	400.00
Netherlands	Guilder								3,038.26	841.29	3,038.26	842.19
Total								400.00		841.29		1,241.29
G. J. Cline:												
Japan	Yen	Nov. 9	Nov. 14	6	18,000	50.00	108,000	300.00			108,000	300.00
Taiwan	New Taiwan dollar	Nov. 14	Nov. 17	2	2,000	50.00	4,000	100.00			4,000	100.00
Hong Kong, British Crown Colony	Hong Kong dollar	Nov. 17	Nov. 19	3	305.25	50.00	915.75	150.06			915.75	150.00
Vietnam	Piaster	Nov. 19	Nov. 20	1	5,900	50.00	5,900	50.00			915.75	50.00
Singapore	Dollar	Nov. 20	Nov. 22	2	150	50.00	3,000	100.00			300	100.00
Thailand	Baht	Nov. 22	do	0					571.50	27.65	571.50	27.65
Switzerland	Swiss franc	Nov. 23	Nov. 29	6	214.50	50.00	1,287	300.00	465	108.24	1,752	408.24
Germany	Mark	Nov. 29	Dec. 5	7	200	50.00	1,393	350.00	7,917.20	2,294.30	10,570.20	2,644.30
Austria	Shilling	Dec. 5	Dec. 8	3	1,289	50.00	3,867	150.00			3,867	150.00
Italy	Lire	Dec. 8	Dec. 16	8	31,150	50.00	249,200	400.00			249,200	400.00
Total								1,900.00		2,430.19		4,330.19

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 40 AND H. RES. 838, 90TH CONG., COMMITTEE ON THE JUDICIARY, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968—Continued

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Bess E. Dick:												
United Kingdom	Pound	Aug. 6	Aug. 9	4	20/17/7	50.00	83/10/6	200.00				200.00
Austria	Schilling	Aug. 10	Aug. 15	6	1,288	50.00	7728	300.00	597	23.22	8,325	323.22
Switzerland	Swiss franc	Aug. 16	Aug. 17	2	215	50.00	430	100.00			430	100.00
France	Franc								3,866.04	777.88	3,866.04	777.88
Netherlands	Guilder								1,943.63	538.25	1,943.63	538.25
Total								600		1,339.35		1,939.35
Bess E. Dick:												
Italy	Lire	Nov. 3	Nov. 15	3	31,150	50.00	93,450	150.00			93,450	150.00
Israel	Israel pound	Nov. 16	Nov. 23	8	175	50.00	1,400	400.00			1,400	400.00
Switzerland	Swiss franc	Nov. 24	Nov. 27	4	215	50.00	860	200.00	221	51.50	1,081	251.50
United Kingdom	Pound	Nov. 28	Dec. 1	4	20/17/7	50.00	83/10/6	200.00	22/15/3	53.00	106/5/9	253.00
Germany	Deutsche mark								5,302.80	1,325.70	5,302.80	1,325.70
Total								950		1,430.20		2,380.20
Hon. Joshua Eilberg:												
Switzerland	Swiss franc	May 8	May 12	5	214.50	50.00	1,083.75	250.00	1,338	307.87	2,421.75	557.87
Netherlands	Guilder								2,452.80	679.26	2,452.80	679.26
Total								250.00		987.13		1,237.13
Hon. William L. Hungate:												
Hong Kong	Hong Kong dollar	Jan. 8	Jan. 11	3	303.50	50.00	605	98.84			605	98.84
Japan	Yen	Jan. 6	Jan. 8	2	18,000	50.00	23,600	65.56	1,440	4.00	25,040	69.56
Thailand	Baht	Jan. 15	Jan. 19	5	1,031	50.00	4,753	230.46			4,753	230.46
Vietnam	Piastre	Jan. 11	Jan. 15	4	5,900	50.00	20,000	169.49			20,000	169.49
Germany	Mark								8,083.20	2,018.78	8,083.20	2,018.78
Total								564.35		2,022.78		2,587.13
Hon. Robert McClory:												
Switzerland	Swiss franc	Nov. 16 Nov. 25	Nov. 18 Nov. 26	4	214.50	50.00	858	200.00			858	200.00
Germany	Mark	Nov. 18	Nov. 19	2	200	50.00	400	100.00	3567.60	891.90		991.90
Austria	Schilling	Nov. 20	Nov. 21	2	1,290	50.00	2,580	100.00	129.54	5.03	2,709.54	105.03
Total								400.00		896.93		1,296.93
Hon. Clark MacGregor:												
Switzerland	Swiss franc	May 8	May 10	3	216.75	50.00	550.25	126.99	119.20	27.43	669.45	154.42
Netherlands	Pound								3,038.26	841.39	3,038.26	841.39
Total								126.99		868.82		995.81
Hon. Charles McC. Mathias, Jr.:												
Israel	Israel pound	Jan. 2	Jan. 9	8	175	50.00	1,400	400.00	284.07	81.16	1,684.07	481.16
Jordan	Dinar	Jan. 10	Jan. 11	1	17.800	50.00	17.800	50.00			17.800	50.00
Italy	Lire	Jan. 12	Jan. 14	3	31,200	50.00	93,600	150.00	65,520	105.17	159,120	255.17
Germany	Mark								5,781.60	1,443.95	5,781.60	1,443.95
Total								600.00		1,630.28		2,230.28
Hon. Tom Railsback:												
United Kingdom	Pound	Nov. 18	Nov. 21	4	20.18.6	50.00	83.13.3	200.00	17.2.3	40.80	100.15.6	240.80
Italy	Lire	Nov. 22	Nov. 25	4	31,150	50.00	124,600	200.00			124,600	200.00
Switzerland	Swiss franc	Nov. 26	Nov. 27	2	214.50	50.00	429	100.00	125	29.10	554	129.10
Germany	Mark								2,308.80	575.62	2,308.80	575.62
Total								500.00		645.52		1,145.52
Hon. Peter W. Rodino, Jr:												
Switzerland	Franc	Nov. 23	Nov. 29	6	214.50	50.00	1,287	300.00	632.50	147.23	919.50	447.23
Germany	Mark	Nov. 29	Dec. 5	7	200	50.00	1,383	350.00	4,948.82	1,233.81	5,341.82	1,583.81
Austria	Schilling	Dec. 5	Dec. 8	3	1,289	50.00	3,867	150.00	1,723.75	66.99	5,590.75	216.99
Italy	Lire	Dec. 8	Dec. 12	4	32,150	50.00	124,600	200.00			124,600	200.000
Total								1,000.00		1,448.03		2,448.03
Hon. Byron G. Rogers:												
Italy	Lire	Nov. 13	Nov. 15	3	31,150	50.00	93,450	150.00			93,450	150.00
Israel	Israel pound	Nov. 16	Nov. 23	8	175	50.00	1,400	400.00			1,400	400.00
Switzerland	Swiss franc	Nov. 24	Nov. 27	4	215	50.00	860	200.00	794.50	184.89	1,654.50	384.89
United Kingdom	Pound	Nov. 28	Dec. 1	4	20/17/7	50.00	80/10/6	200.00	22/15/3	53.00	106/5/9	253.00
Germany	Mark								5,302.80	1,325.70	5,302.80	1,325.70
Total								950.00		1,563.59		2,513.59
Grand total								13,141.34		22,661.01		35,802.35

EMANUEL CELLER,
Chairman, Committee on the Judiciary.

MARCH 4, 1969.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 19, 1ST SESS., 90TH CONG., COMMITTEE ON MERCHANT MARINE AND FISHERIES, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
H. C. Shepheard:												
United Kingdom	Pound	Jan. 13	Jan. 28	15	17.17	50	290.92	702.95	168.5	407.23	459.42	1,110.18
	Deutsche mark								3.010	751.85	3.010	751.85
Do	Pound	Mar. 8	Mar. 15	8	17.17	50	145.17	353.03	81.17	196.78	226.34	549.81
	Deutsche mark								3.010	751.85	3.010	751.85
Do	Pound	Oct. 19	Oct. 25	7	17.17	50	146.8	350.00	65.14	156.65	211.94	506.65
Do	do	Nov. 23	Nov. 29	7	17.17	50	146.8	350.00			146.8	350.00
Hon. Frank M. Clark:												
Thailand	Baht	Aug. 7	Aug. 10	4	1,033	50	4,134	200.00			4,134	200.00
Vietnam	Dollar	Aug. 10	Aug. 14	5	7,375	50	29,500	250.00			29,500	250.00
Hong Kong	do	Aug. 15	Aug. 16	2	150	50	610	100.00			610	100.00
Japan	Yen	Aug. 16	Aug. 18	3	13,500	50	37,740	104.83	19,716	54.77	57,456	159.60
Netherlands	Guilder								6,801	1,875.81	6,801	1,875.81
Albert J. Dennis:												
Thailand	Baht	Aug. 7	Aug. 10	4	1,033	50	4,134	200.00			4,134	200.00
Vietnam	Dollar	Aug. 10	Aug. 14	5	7,375	50	29,500	250.00			29,500	250.00
Hong Kong	do	Aug. 15	Aug. 16	2	150	50	610	100.00			610	100.00
Do	do	Aug. 18	Aug. 23	6	150	50	1,830	246.90			1,830	246.90
Japan	Yen	Aug. 16	Aug. 18	3	13,500	50	54,000	150.00	106,416	295.60	106,416	445.60
Netherlands	Guilder								6,801	1,875.81		1,875.81
Capt. J. H. Bruce:												
Thailand	Baht	Aug. 7	Aug. 10	4	1,033	50	3,731	180.44			3,731	180.44
Vietnam	Dollar	Aug. 10	Aug. 14	5	7,375	50	28,300	239.83			28,300	239.83
Hong Kong	do	Aug. 15	Aug. 16	2	150	50	429	70.40			429	70.40
Japan	Yen	Aug. 16	Aug. 18	3	13,500	50	54,000	150.00			54,000	150.00
Netherlands	Guilder								6,801	1,875.80	6,801	1,875.80
Hon. W. S. Mailliard:												
United Kingdom	Pound	Oct. 20	Oct. 26	7	17.17	50	9.12	23.49			9.12	23.49
Germany	Deutsche mark								3,010	750.54	3,010	750.54
Total						1,000		4,021.87		8,992.69		13,014.56

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	13,014.56

EDWARD A. GARMATZ,
Chairman, Committee on Merchant Marine and Fisheries.

MARCH 3, 1969.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 971, 1ST SESS., 90TH CONG., COMMITTEE ON POST OFFICE AND CIVIL SERVICE, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. Thaddeus J. Dulski:												
Germany	Deutsche mark	Dec. 1	Dec. 6	5			100	25.00	120	30.00	220	55.00
Greece	Drachma	Dec. 6	Dec. 7	1				0				0
Turkey	Lira	Dec. 7	Dec. 9	2			450	50.00			450	50.00
Lebanon	do	Dec. 9	Dec. 13	5				0				0
Transportation, round trip to Europe.	Deutsche mark								5,200	1,300.00	5,200	1,300.00
Subtotal								75.00		1,330.00		1,405.00
Hon. Jerome R. Waldie:												
United States, Tokyo, Hong Kong	Hong Kong dollar	Apr. 12	Apr. 13	1	300	50.00	300	50.00			300	50.00
Vietnam	Piastre	Apr. 14	Apr. 23	9	5,900	50.00	53,100	450.00			53,100	450.00
Transportation, round trip to Vietnam.	Deutsche mark								7,454	1,861.00	7,454	1,861.00
Subtotal								500.00		1,861.00		2,361.00
Committee total								575.00		3,191.00		3,766.00

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	3,766.00

T. J. DULSKI,
Chairman, Committee on Post Office and Civil Service.

MARCH 1, 1969.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 997 AND 1247, 2D SESS., 90TH CONG., COMMITTEE ON PUBLIC WORKS, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. George H. Fallon:												
United Kingdom	Pound	Nov. 13	Nov. 15	3	20.18.4	50.00	62.15.0	150.00	153.2.9	365.13	206.12.5	515.13
Germany	Deutsche mark	Nov. 18	Nov. 23	6	199	50.00	1,197	300.00	2,870.61	721.26	4,067.61	1,021.26
Austria	Schilling	Nov. 24	Nov. 27	4	1,289	50.00	5,156	200.00	15,214.58	590.17	20,370.58	790.17
Italy	Lire	Nov. 28	Nov. 30	3	31,150	50.00	93,450	150.00	445,731.58	715.46	539,181.58	865.46
Hon. John C. Kluczynski:												
United Kingdom	Pound	Nov. 13	Nov. 15	3	20.18.4	50.00	62.15.0	150.00			62.15.0	150.00
Germany	Deutsche mark	Nov. 18	Nov. 23	6	199	50.00	1,197	300.00	2,073.58	521.00	3,270.58	821.00
Austria	Schilling	Nov. 24	Nov. 27	4	1,289	50.00	5,156	200.00	15,214.32	590.16	20,370.32	790.16
Italy	Lire	Nov. 28	Nov. 30	3	31,150	50.00	93,450	150.00	302,778	486.00	396,448	636.00
Hon. Frank M. Clark:												
Australia	Australian dollar	Jan. 25	Feb. 2	9	44.43	50.00	399.83	450.00	101.96	115.20	501.79	565.20
Thailand	Baht	Feb. 3	Feb. 7	5	1,021	50.00	5,155	250.00			5,155	250.00
Hong Kong	Hong Kong dollar	Feb. 7	Feb. 9	2	302.50	50.00	605	100.00			605	100.00
Japan	Yen	Feb. 9	Feb. 11	2	18,000	50.00	32,000	88.89			32,000	88.89
Germany	Deutsche mark								8,635.60	2,156.75	8,635.60	2,156.75
Hon. Ed Edmondson:												
Vietnam	Piastre	Dec. 12	Dec. 14	2	5,900	50.00	5,900	50.00			5,900	50.00
Philippines	Peso	Dec. 14	Dec. 20	7	195.85	50.00	783.40	200.00			783.40	200.00
Germany	Deutsche mark								6,979.14	1,740.00	6,979.14	1,740.00
Hon. Wm. C. Cramer:												
Australia	Australian dollar	Jan. 25	Feb. 2	9	44.43	50.00	399.83	450.00	76.21	86.11	476.04	536.11
Thailand	Baht	Feb. 3	Feb. 7	5	1,031	50.00	5,155	250.00			5,155	250.00
Hong Kong	Hong Kong dollar	Feb. 7	Feb. 11	4	302.50	50.00	1,210	200.00			1,210	200.00
Japan	Yen	Feb. 11	Feb. 13	2	18,000	50.00	36,000	100.00	38,265	106.29	74,265	206.29
Germany	Deutsche mark								9,164.96	2,288.95	9,164.96	2,288.95
Hon. James C. Cleveland:												
Australia	Australian dollar	Jan. 30	Feb. 2	4	44.43	50.00	177.68	200.00	72.26	81.65	249.94	281.65
Germany	Deutsche mark								7,709.75	1,925.52	7,709.75	1,925.52
Hon. Don H. Clausen:												
Australia	Australian dollar	Jan. 25	Feb. 2	9	44.43	50.00	399.83	450.00	76.22	86.12	476.05	536.12
Thailand	Baht	Feb. 3	Feb. 7	5	1,031	50.00	5,155	250.00			5,155	250.00
Philippines	Peso	Feb. 7	Feb. 9	2	195.85	50.00	391.70	100.00			391.70	100.00
Japan	Yen	Feb. 9	Feb. 11	2	18,000	50.00	36,000	100.00			36,000	100.00
Germany	Deutsche mark								8,558.00	2,137.37	8,558.00	2,137.37
Hon. Roger H. Zion:												
Germany	Deutsche mark	Nov. 21	Nov. 23	3	199	50.00	597	150.00	2,781.53	698.11	3,378.53	848.11
Czechoslovakia	Koruna	Nov. 23	Nov. 25	2	717.50	50.00	1,435.00	100.00			1,435.00	100.00
Austria	Schilling	Nov. 25	Nov. 27	2	1,289	50.00	2,578	100.00	859	13.26	3,437	113.26
Italy	Lire	Nov. 27	Nov. 30	3	31,150	50.00	93,450	150.00	336,944	540.93	430,394	690.93
Hon. Jack H. McDonald:												
United Kingdom	Pound	Nov. 18	Nov. 21	4	20.18.4	50.00	83.13.3	200.00	54.13.2	130.32	138.6.5	330.32
Germany	Deutsche mark	Nov. 21	Nov. 23	2	199	50.00	398	100.00	2,388.60	599.41	2,786.60	699.41
Czechoslovakia	Koruna	Nov. 23	Nov. 25	2	717.50	50.00	1,435.00	100.00			1,435.00	100.00
Austria	Schilling	Nov. 25	Nov. 27	2	1,289.00	50.00	2,578.00	100.00	859	13.27	3,437	113.27
Italy	Lire	Nov. 27	Nov. 30	3	31,150	50.00	93,450	150.00	336,945	540.93	430,395	690.93
Landon Mitchell:												
Australia	Australian dollar	Jan. 25	Feb. 2	9	44.43	50.00	399.83	450.00	54.41	61.23	454.24	511.23
Thailand	Baht	Feb. 3	Feb. 7	5	1,031	50.00	5,155	250.00			5,155	250.00
Hong Kong	Hong Kong dollar	Feb. 7	Feb. 9	2	302.50	50.00	592.50	97.67			592.50	97.67
Japan	Yen	Feb. 9	Feb. 11	2	18,000	50.00	32,000	88.89			32,000	88.89
United Kingdom	Pound	Nov. 13	Nov. 15	3	20.18.4	50.00	62.15.0	150.00			62.15.0	150.00
Germany	Deutsche mark	Nov. 18	Nov. 23	6	199	50.00	1,197	300.00	10,356.71	2,602.19	11,553.71	2,902.19
Austria	Schilling	Nov. 24	Nov. 27	4	1,289	50.00	5,156	200.00	15,214.32	590.16	20,370.32	790.16
Italy	Lire	Nov. 28	Nov. 30	3	31,150	50.00	93,450	150.00	352,860.97	566.39	446,310.97	716.39
Clifton W. Enfield:												
Australia	Dollar	Jan. 25	Feb. 2	9	44.43	50.00	399.83	450.00	72.26	81.65	472.09	531.65
Thailand	Baht	Feb. 3	Feb. 7	5	1,031	50.00	5,155	250.00			5,155	250.00
Hong Kong	Hong Kong dollar	Feb. 7	Feb. 11	4	302.50	50.00	1,210	200.00			1,210	200.00
Japan	Yen	Feb. 11	Feb. 13	2	18,000	50.00	36,000	100.00	38,265	106.29	74,265	206.29
United Kingdom	Pound	Nov. 13	Nov. 21	9	20.18.4	50.00	188.4.6	450.00	54.13.2	130.32	142.17.8	580.32
Germany	Deutsche mark	Nov. 21	Nov. 23	2	199	50.00	398	100.00	11,425.37	2,856.16	11,823.37	2,956.16
Czechoslovakia	Koruna	Nov. 23	Nov. 25	1	717.50	50.00	713.50	49.72			713.50	49.72
Austria	Schilling	Nov. 25	Nov. 27	3	1,289.00	50.00	3,867.00	150.00	860	13.27	4,727	163.27
Italy	Lire	Nov. 27	Nov. 30	3	31,150	50.00	93,450	150.00	336,945	540.93	430,395	690.93
Total								9,575.17		24,797.96		34,373.13

RECAPITULATION

	Amount
Total	34,373.13

George H. Fallon,
Chairman, Committee on Public Works.

March 1, 1969.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 312, 1ST SESS., 90TH CONG., COMMITTEE ON SCIENCE AND ASTRONAUTICS, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. Geo. P. Miller:												
France	Franc	Jan. 9	Jan. 14	6	245	50.00	1,470	300.00	555.6	113.40	2,025.6	413.40
United Kingdom	Pound	Jan. 15	Jan. 16	2	21	50.00	42	100.00	11	25.75	53	125.75
	Mark								2,152	537.50	2,152	537.50
France	Franc	May 5	May 8	4	245	50.00	980	200.00	94.3	19.15	1,074.3	219.15
United Kingdom	Pound	May 9	May 12	4	21	50.00	84	200.00	70	165.50	154	365.50
	Guilder								3,017	835.63	3,017	835.63

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REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 312, 1ST SESS., 90TH CONG., COMMITTEE ON SCIENCE AND ASTRONAUTICS, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968—Continued

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. George P. Miller—Continued												
Germany	Mark	Aug. 13	Aug. 14	2	200	50.00	400	100.00	0	0	400	100.00
Austria	Schilling	Aug. 15	Aug. 19	5	1,286	50.00	6,430	250.00	1,178	45.80	7,608	295.80
Do	do	Aug. 23	Aug. 27	5	1,286	50.00	6,430	250.00	0	0	6,430	250.00
Spain	Peseta	Aug. 19	Aug. 21	3	3,485	50.00	10,455	150.00	0	0	10,455	150.00
Portugal	Escudo	Aug. 22	Aug. 23	2	1,430	50.00	2,860	100.00	650	22.70	3.510	122.70
Yugoslavia	Dinar	Aug. 28	Aug. 30	3	625	50.00	1,875	150.00	0	0	1,875	150.00
Italy	Lira	Aug. 30	Sept. 2	4	31,100	50.00	124,400	200.00	12,675	20.38	137,075	220.38
	Dinar								19,168	1,533.50	19,168	1,533.50
Total												5,319.31
Hon. John W. Davis:												
United Kingdom	Pound	Jan. 2	Jan. 2	4	21.0	50.00	84.0	200.00	48	114.78	132	314.78
France	Franc	Jan. 6	Jan. 10	4	245	50.00	980.00	200.00	1,010.54	206.28	1,990.54	406.28
Netherlands	Guilder	Jan. 10	Jan. 11	2	180	50.00	360.00	100.00	36.4	10.40	396.4	110.40
Italy	Lira	Jan. 12	Jan. 13	2	31,200	50.00	57,400	92.00	46,176	76.12	103,576	168.12
Spain	Peseta	Jan. 14	Jan. 15	2	3,480	50.00	6,560	94.00	27.50	39.22	9,710	133.22
Portugal	Escudo	Jan. 16	Jan. 17	2	1,432	50.00	2,633	91.96	1,760	61.45	4,295	153.41
	Mark [1]								3,714.8	927.77	3,714.8	927.77
Total												2,213.98
Hon. Guy Vander Jagt:												
United Kingdom	Pound	Jan. 2	Jan. 5	4	21.0	50.00	84.0	200.00	48	114.78	132	314.78
France	Franc	Jan. 6	Jan. 10	4	245	50.00	980.0	200.00	1,010.54	206.28	1,990.54	406.28
Netherlands	Guilder	Jan. 10	Jan. 11	2	180	50.00	360	100.00	36.4	10.40	396.4	110.40
Italy	Lira	Jan. 12	Jan. 13	2	31,200	50.00	62,400	100.00	46,176	76.12	108,576	176.12
Spain	Peseta	Jan. 14	Jan. 15	2	3,480	50.00	6,960	100.00	2,750	39.22	9,710	139.22
Portugal	Escudo	Jan. 16	Jan. 17	2	1,432	50.00	2,863	100.00	1,760	61.45	4,295	161.45
	(1)								3,714.8	927.77	3,714.8	927.77
Total												2,236.02
Hon. R. O. Tiernan:												
United Kingdom	Pound	Jan. 2	Jan. 5	4	21.0	50.00	84.0	200.00	48	114.78	132	314.78
France	Franc	Jan. 6	Jan. 10	4	245	50.00	980.0	200.00	1010.54	206.28	1990.54	406.28
Netherlands	Guilder	Jan. 10	Jan. 11	2	180	50.00	360	100.00	36.4	10.40	396.4	110.40
Italy	Lira	Jan. 12	Jan. 13	2	31200	50.00	62400	100.00	46,176	76.12	108576	176.12
Spain	Peseta	Jan. 14	Jan. 15	2	3480	50.00	6960	100.00	2750	39.22	9710	139.22
Portugal	Escudo	Jan. 16	Jan. 17	2	1432	50.00	2863	100.00	1760	61.45	42.95	161.45
	Mark [1]								3714.8	927.77	3714.8	927.77
Total												2236.02
W. H. Boone:												
United Kingdom	Pound	Jan. 2	Jan. 5	4	21.0	50.00	84.0	200.00	48	114.78	132	314.78
France	Franc	Jan. 6	Jan. 10	4	245	50.00	980.0	200.00	1010.54	206.28	1990.53	406.28
Netherlands	Guilder	Jan. 10	Jan. 11	2	180	50.00	360.0	100.00	36.4	10.40	396.4	110.40
Italy	Lira	Jan. 12	Jan. 13	2	31200	50.00	62400	100.00	46176	76.12	108,576	176.12
Spain	Peseta	Jan. 14	Jan. 15	2	3480	50.00	6960	100.00	2750	39.22	97.10	139.22
Portugal	Escudo	Jan. 16	Jan. 17	2	1432	50.00	2863	100.00	1760	61.45	4295	161.45
	Mark [1]								3714.8	927.77	3714.8	927.77
Total												2236.02
Hon. Geo. E. Brown, Jr: New Zealand	Dollar	Dec. 6	Dec. 15	5	44.55	50.00	222.75	250.00	0	0	222.76	250.00
H. A. Gould:												
Germany	Mark	Aug. 12	Aug. 14	3	200	50.00	600.00	150.00			600.00	150.00
Austria	Schilling	Aug. 15	Aug. 19	5	1,286	50.00	6,430	250.00	1,178	4,580	7,608	295.00
Austria	do	Aug. 23	Aug. 27	5	1,286	50.00	6,430	250.00			6,431	250.00
Spain	Peseta	Aug. 19	Aug. 21	3	3,485	50.00	10,455	150.00			10,455	150.00
Portugal	Escudo	Aug. 22	Aug. 23	2	1,430	50.00	2,860	100.00	650	22.70	3,510	122.70
Yugoslavia	Dinar	Aug. 28	Aug. 30	3	625	50.00	1,875	150.00			1,875	150.00
Italy	Lira	Aug. 30	Sept. 2	4	31,100	50.00	114,400	184.20			114,400	184.20
	Dinar [1]								10,288	920.70	20,288	920.70
Total												2,223.40
J. M. Felton:												
France	Franc	Sept. 8	Sept. 13	6	245	50.00	1,470	300.00	150	30.18	395	330.18
United Kingdom	Pound	Sept. 14	Sept. 16	3	21	50.00	63	150.00	3.14	8.90	66.14	158.90
	Franc [1]								3,924	788.97	3,924	788.97
Total												1,278.05
R. A. Carpenter:												
France	Franc	May 5	May 8	4	245	50.00	640	131.20	94.3	19.15	7,343	150.35
United Kingdom	Pound	May 9	May 12	4	21	50.00	64	152.22	20	47.78	84	200.00
	Guilder [1]								3,017	835.63	3,017	835.63
Total												1,185.98
Hon. J. L. Pettis:												
Ireland	Pound	Sept. 13	Sept. 15	3	21	50.00	42.11	101.76	0	0	42.11	101.76
United Kingdom	do	Sept. 16	Sept. 19	4	21	50.00	84	200.00	0	0	84	200.00
Subtotal												301.76
Hon. Bob Eckhardt:												
Ireland	Pound	Sept. 13	Sept. 15	3	21	50.00	63	150.00	0	0	63	150.00
United Kingdom	do	Sept. 16	Sept. 19	4	21	50.00	84	200.00	0	0	84	200.00
Subtotal												350.00
Hon. B. L. Podell:												
Ireland	Pound	Sept. 13	Sept. 15	3	21	50.00	63	150.00	0	0	63	150.00
United Kingdom	do	Sept. 16	Sept. 19	4	21	50.00	84	200.00	0	0	84	200.00
Subtotal												350.00

See footnotes at end of table.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 312, 1ST SESS., 90TH CONG., COMMITTEE ON SCIENCE AND ASTRONAUTICS, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968—Continued

		Date			Per diem rate		Total amount per diem		Transportation		Total	
Name and country	Name of currency	Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S currency
Earle Cabell:												
Ireland	Pound	Sept. 13	Sept. 15	3	21	50.00	63	150.00	0	0	63	150.00
United Kingdom	do	Sept. 16	Sept. 19	4	21	50.00	84	200.00	0	0	84	200.00
Subtotal												350.00
R. E. Beeman:												
Ireland	Pound	Sept. 13	Sept. 15	3	21	50.00	63	150.00	0	0	63	150.00
United Kingdom	do	Sept. 16	Sept. 19	4	21	50.00	84	200.00	0	0	84	200.00
Subtotal												350.00
Chas. R. Cottrell, Jr.:[2]												
Ireland	Pound	Sept. 13	Sept. 15	3	21	50.00	63	150.00	0	0	63	150.00
United Kingdom	do	Sept. 16	Sept. 19	4	21	50.00	84	200.00	0	0	84	200.00
Subtotal												350.00
R. F. Freitag:[2]												
Ireland	Pound	Sept. 13	Sept. 15	3	21	50.00	63	150.00	0	0	63	150.00
United Kingdom	do	Sept. 16	Sept. 19	4	21	50.00	84	200.00	0	0	84	200.00
Subtotal												350.00
P. A. Gerardi:												
Ireland	Pound	Sept. 13	Sept. 15	3	21	50.00	63	150.00	0	0	63	150.00
United Kingdom	do	Sept. 16	Sept. 19	4	21	50.00	84	200.00	0	0	84	200.00
Total												350.00
R. W. Givens[4]												
Ireland	Pound	Sept. 13	Sept. 15	3	21	50.00	63	150.00	0	0	63	150.00
United Kingdom	do	Sept. 16	Sept. 19	4	21	50.00	84	200.00	0	0	84	200.00
Total												350.00
J. E. Wilson:												
Ireland	Pound	Sept. 13	Sept. 15	3	4	50.00	63	150.00	0	0	63	150.00
United Kingdom	do	Sept. 16	Sept. 19	4	4	50.00	84	200.00	0	0	84	200.00
Total												350.00
Lady Jackson:[3] United Kingdom	Pound								326	788.96	326	788.96
Alexander King:[3] France	Franc								3,924.34	800.89	3,294.34	800.89
J. A. Sabato:[3] Argentina	Peso								250,250	715.00	250,250	715.00
Jas. G. Fulton:												
Austria	Schilling	Aug. 14	Aug. 18	5	1,286	50.00	6,430	250.00	0	0	6,430	250.00
Spain	Peseta	Aug. 19	Aug. 21	3	3,485	50.00	10,455	150.00	3,952	56.78	14,407	206.78
Portugal	Escudo	Aug. 22	Aug. 23	2	1,430	50.00	2,860	100.00	0	0	2,860	
	Guilder								3,313	913.80	3,313	913.80
Total												1,470.58
E. Q. Daddario:												
Peru	Sol	Sept. 1	Sept. 16	15	2,182.5	50.00	10,912.5	250.00			10,912.5	250.00
	Guilder[1]								1,642.5	452.98	1,642.5	552.98
Total												702.98
Lester L. Wolff:												
United Kingdom	Pound	Jan. 2	Jan. 5	4	21.0	50.00	84.0	200.00	48	114.78	132	314.78
France	Franc	Jan. 6	Jan. 10	4	245	50.00	980	200.00	1,010.54	206.28	1,990.54	406.28
Netherlands	Guilder	Jan. 10	Jan. 11	2	180	50.00	360	100.00	36.4	10.40	396.4	110.40
Italy	Lira	Jan. 12	Jan. 13	2	31,200	50.00	62,400	100.00	46,176	76.12	108.576	176.12
Spain	Peseta	Jan. 14	Jan. 15	2	3,480	50.00	6,960	100.00	2,750	39.22	9,710	139.22
Portugal	Escudo	Jan. 16	Jan. 17	2	1,432	50.00	2,863	100.00	1,760	61.45	4,295	161.45
	Mark[1]								3,714.8	927.77	3,714.8	927.77
Total												2,236.02

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[1] Cost of common carrier overseas transportation in connection with the trip.

[2] Department of Defense and NASA personnel attached to committee temporarily for purpose of travel and performance of escort duties but without salary reimbursement, as per letters of authority from Committee on House Administration dated Sept. 12, 1968.

[3] Special consultants to committee as per letters of authority from House Administration Committee dated Dec. 6, 1967.

[4] Cost of transportation furnished by Department of Defense to and from the Farnborough Air Show, England, prorated at $842.82 for each member of party.

GEORGE P. MILLER,
Chairman, Committee on Science and Astronautics.

MARCH 4, 1969.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 101 AND H. RES. 1031, 2D SESS., 90TH CONG., COMMITTEE ON VETERANS' AFFAIRS, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968

		Date			Per diem rate		Total amount per piem		Transportation		Total	
Name and country	Name of currency	Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. Olin E. Teague:												
Philippines	Peso	June 21	June 23	3	195.55	50.00	586.65	150.00			586.65	150.00
United States (transportation)	Dollar									887.80		887.80
Subtotal								150.00		887.80		1,037.80
John R. Holden:												
Japan	Yen	Nov. 12	Nov. 16	4	18,000	50.00	72,000	200.00			72,000	200.00
Korea	Won	Nov. 16	Nov. 18	2	14,000	50.00	28,000	100.00			28,000	100.00
Hong Kong	Hong Kong dollar	Nov. 18	Nov. 21	4	305.25	50.00	1,221	200.00			1,121	200.00

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 101 AND H. RES. 1031, 2D SESS., 90TH CONG., COMMITTEE ON VETERANS' AFFAIRS, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968—Continued

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
John R. Holden—Continued												
Vietnam	Piastre	Nov. 21	Nov. 26	4	5,900	50.00	22,000	186.44			22,000	186.44
Philippines	Peso	Nov. 26	Dec. 2	7	195.51	50.00	1,368.75	350.00			1,368.75	350.00
Germany	Deutsche mark								7,454.00	1,858.39	7,454.00	1,858.39
Subtotal								1,036.44		1,858.39		2,894.83
Hon. Seymour Halpern:												
Germany	Deutsche mark								3,666.14	930.29	3,666.14	930.29
Hong Kong	Hong Kong dollar	Jan. 1	Jan. 3	3	305.25	50.00	610.50	100.17			610.50	100.17
Vietnam	Piastre	Jan. 2	Jan. 8	7	944	50.00	41,300	350.00			41,300	350.00
Thailand	Baht	Jan. 6	Jan. 10	4	1,031	50.00	3,804.00	184.44	1,800.00	87.51	5,604.00	271.95
Laos	Kip	Jan. 9	Jan. 9	1	25,000	50.00	25,000	50.00			25,000	50.00
Taiwan	Yuan	Jan. 12	Jan. 12	1	2,000	50.00	2,000	50.00	321.90	8.05	2,321.90	58.05
Philippines	Peso	do	Jan. 15	3	195.87	50.00	387.62	98.94			387.62	98.94
Japan	Yen								5,490.00	15.25	5,490.00	15.25
Subtotal								833.55		1,041.10		1,874.65
Total								2,019.99		3,787.29		5,807.28

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	4,919.48
Appropriated funds: Government department: Veterans' Administration (transportation)	887.80
Total	5,807.28

OLIN E. TEAGUE,
Chairman, Committee on Veterans' Affairs.

MARCH 3, 1969.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. —, 2D SESS., 90TH CONG., COMMITTEE ON WAYS AND MEANS, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Cecil R. King:												
Italy	Lire	Feb. 19	Feb. 24	5	31,250	50.00	125,000	200.00			125,000	200.00
Lebanon	Pound	Feb. 24	Mar. 2	8	156.25	50.00	1,250.5	400.00			1,250.5	400.00
India	Rupee	Mar. 2	Mar. 9	7	238	50.00	2,280	300.00			2,280	300.00
Iran	Rial	Mar. 9	Mar. 11	3	375	50.00	11,250	150.00			11,250	150.00
England	Pound	Mar. 11	Apr. 11	31	17.18	50.00	145.9.10	350.00	2.2.11	5.16	148.2.9	355.16
Air transportation	Mark								7,585.6	1,894.51		1,894.51
Total								1,400.00		1,899.67		3,299.67

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	3,299.67

WILBUR D. MILLS,
Chairman, Committee on Ways and Means.

MARCH 1, 1969.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, AMERICAN GROUP, INTERPARLIAMENTARY UNION, BETWEEN JAN. 1 AND DEC. 31, 1968

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Alexander Pirnie:											
Trinidad	TT dollar	68.00	35.40							68.00	35.40
Senegal	CFA franc	32,900	134.28	12,375	50.50			13,005	53.08	58,280	237.86
Do	U.S. dollar								10.00		10.00
Colombia	Peso	1,455.00	90.93	21.00	1.27			800.00	50.00	2,276.00	142.20
Peru	Sol	11,594	263.50	964	21.90			3,800	86.70	16,358	372.10
E. Ross Adair:											
Colombia	Peso	450.00	27.32	49.00	2.98					499.00	30.30
Peru	Sol	5,045	114.65	3,424	77.82			1,275	29.09	9,744	221.56
John B. Anderson:											
Trinidad	TT dollar	88.00	45.80	49.49	25.77					137.49	71.57
Senegal	CFA franc	32,900	134.28	9,475	38.67			3,930	16.05	46,305	189.00
Emilio Q. Daddario:											
Trinidad	TT dollar	88.00	45.80	97.07	50.55					185.07	96.35
Senegal	CFA franc	32,900	134.28	3,925	16.02			14,987	61.16	51,812	211.46
Colombia	Peso	450.00	27.32	28.00	1.70					478.00	29.02
Peru	Sol	19,693.	447.56	6,496.	147.63			2,060.	46.93	28,249.	642.12
Edward J. Derwinski:											
Trinidad	TT dollar	88.00	45.80	22.05	11.48			40.00	20.83	150.05	78.11
Senegal	CFA franc	32,900.	134.28	10,700.	43.66			13,190.	53.84	56,790.	231.78
Colombia	Peso	660.00	40.07	71.00	4.31					731.00	44.38
Peru	Sol	10,695.	243.06	3,284.	76.64			1,552.	35.39	15,531.	355.09
John Jarman:											
Trinidad	TT dollar	88.00	45.80	60.59	31.55			.25	.13	148.84	77.48
Senegal	CFA franc	30,100.	122.85	11,950.	48.77			13,700.	55.91	55,750.	227.53

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, AMERICAN GROUP, INTERPARLIAMENTARY UNION, BETWEEN JAN. 1 AND DEC. 31, 1968—Continued

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Paul C. Jones:											
Colombia	Peso	660.00	40.07	249.00	15.12					909.00	55.19
Peru	Sol	9,546.	216.96	4,212.	95.72			1,192.	27.21	14,951.	339.89
Robert McClory:											
Trinidad	TT dollar	68.00	35.40	39.06	20.34					107.06	55.74
Senegal	CFA franc	24,500.	100.00	5,575.	22.75			18,250.	74.48	48,325.	197.23
Colombia	Peso	450.00	27.32	168.50	10.23			5.00	0.30	623.50	37.85
Peru	Sol	7,102	161.41	2,097	47.65			1,500	34.20	10,699	243.26
Do	U.S. dollar				73.00						73.00
Germany	do						66.76				66.76
Joseph M. McDade:											
Colombia	Peso	660.00	40.07	110.20	6.70					770.20	46.77
Peru	Sol	9,426	214.23	2,576	58.54			2,314	52.72	14,317	325.49
John S. Monagan:											
Trinidad	TT dollar	88.00	45.80	3.96	2.06					91.96	47.86
Senegal	CFA franc	32,900	134.28	7,700	31.42			12,310	50.24	52,910	215.94
Peru	Sol	6,137	139.50	1,054	23.95			1,095	25.00	8,286	188.45
W. R. Poage:											
Colombia	Peso	660.00	40.07	228.00	13.84					888.00	53.91
Peru	Sol	10,632	241.65	3,267	74.25			1,095	25.00	14,994	340.90
Katharine St. George:											
Trinidad	TT dollar	68.00	35.40	2.59	1.34					70.59	36.74
Senegal	CFA franc	24,500	100.00	12,750	52.05					37,250	152.05
Colombia	Peso	450.00	27.32	9.00	.55					459.00	27.87
Peru	Sol	6,953	158.03	1,423	32.35			2,358	53.72	10,735	244.10
Sherwood L. Boehlert:											
Trinidad	TT dollar	68.00	35.40	7.59	1.92			10.00	5.20	85.59	42.52
Senegal	CFA franc	24,500	100.00	14,450	58.97			18,450	75.30	57,400	234.27
Colombia	Peso	450.00	27.32	55.40	3.36			520.00	32.50	1,025.40	63.18
Peru	Sol	5,643	128.26	1,175	26.70			5,835	133.11	12,653	288.07
William H. Gleysteen:											
Trinidad	TT dollar	68.00	35.40	5.50	2.86			6.80	3.54	80.30	41.80
Senegal	CFA franc	24,500	100.00	3,375	13.77			4,145	17.00	32,020	130.77
Donald McHenry:											
Colombia	Peso	660.00	40.07	84.00	5.10			168.70	10.24	912.70	55.41
Peru	Sol	9,217	209.58	1,352	30.72			1,400	31.93	11,969	272.13
Charles Zinn:											
Trinidad	TT dollar	88.00	45.80	93.58	48.73					181.58	94.53
Senegal	CFA franc	31,500	128.57	3,400	13.88					34,900	142.45
Germany	U.S. dollar		45.90		20.30		561.15		6.40		633.75
Colombia	Peso	660.00	40.07	71.00	4.31					736.00	44.38
Peru	Sol	9,511	216.16	4,072	92.54			1,095	25.00	14,678	333.70
Total			5,042.92		1,556.24		627.91		1,202.20		8,429.27

RECAPITULATION

	Amount
Appropriated funds, other: 22 U.S.C. 276	8,429.27

ALEXANDER PIRNIE,
President of the Group and Chairman of the Delegations.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 551, 1ST SESS., 88TH CONG., HOUSE DELEGATION TO NORTH ATLANTIC ASSEMBLY, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968

Name and country	Name of currency	Date			Per diem rate		Total amount per diem		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Leslie C. Arends:												
Belgium	Franc	Nov. 10	Nov. 16	7	2,500	50.00	17,500	350.00			17,500	350.00
Germany	Deutsche mark	Nov. 8	Nov. 10	2	200	50.00	400	100.00			400	100.00
Wm. H. Bates:												
Belgium	Franc	Nov. 10	Nov. 15	5	2,500	50.00	12,500	250.00			12,500	250.00
Germany	Deutsche mark	Nov. 8	Nov. 10	2	200	50.00	400	100.00			400	100.00
Denmark	Krone	Nov. 15	Nov. 18	3	332.16	44.22	996.22	132.65			996.22	132.65
Norway	do	Nov. 18	Nov. 20	2	356.75	50.00	713.50	100.00			713.50	100.00
United Kingdom	Pound	Nov. 20	Nov. 25	6	20.16.8	50.00	125.9.6	300.00			125.9.6	300.00
Jack B. Brooks:												
Belgium	Franc	Nov. 10	Nov. 15	5	2,500	50.00	12,500	250.00			12,500	250.00
United Kingdom	Pound	Nov. 15	Nov. 17	3	20.16.8	50.00	62.15.0	150.00			62.15.0	150.00
Germany	Deutsche mark	Nov. 8	Nov. 10	2	200	50.00	400	100.00			400	100.00
Charles E. Chamberlain: Belgium	Franc	Nov. 10	Nov. 15	5	2,500	50.00	12,500	250.00			12,500	250.00
Frank M. Clark:												
Belgium	do	Nov. 10	Nov. 15	5	2,500	50.00	12,500	250.00			12,500	250.00
Germany	Deutsche mark	Nov. 8	Nov. 10	2	200	50.00	400	100.00			400	100.00
Denmark	Krone	Nov. 15	Nov. 18	3	332.16	44.22	996.22	132.65			996.22	132.65
Norway	do	Nov. 18	Nov. 20	2	356.75	50.00	713.50	100.00			713.50	100.00
United Kingdom	Pound	Nov. 20	Nov. 25	6	20.16.8	50.00	125.9.6	300.00			125.9.6	300.00
Peter W. Rodino, Jr.: Belgium	Franc	Nov. 10	Nov. 14	5	2,500	50.00	12,500	250.00			12,500	250.00
Paul Findley:												
Belgium	Franc	Nov. 10	Nov. 15	5	2,500	50.00	12,500	250.00			12,500	250.00
Denmark	Krone	Nov. 15	Nov. 18	3	332.16	44.22	996.22	132.65			996.22	132.65
Norway	do	Nov. 18	Nov. 20	2	356.75	50.00	713.50	100.00	288.00	40.36	1,001.50	140.36
United Kingdom	Pound	Nov. 20	Nov. 26	7	20.16.8	50.00	140.14.6	336.37			140.14.6	336.37
Wayne L. Hays:												
Germany	Deutsche mark	Nov. 8	Nov. 10	2	200	50.00	400	100.00			400	100.00
Belgium	Franc	Nov. 10	Nov. 15	5	2,500	50.00	12,500	250.00			12,500	250.00
Denmark	Krone	Nov. 15	Nov. 18	3	332.16	44.22	996.22	132.65			996.22	132.65
Norway	do	Nov. 18	Nov. 20	2	356.75	50.00	713.50	100.00			713.50	100.00
United Kingdom	Pound	Nov. 20	Nov. 25	6	20.16.8	50.00	125.9.6	300.00			125.9.6	300.00
L. Mendel Rivers: Belgium	Franc	Nov. 9	Nov. 11	3	2,500	50.00	7,500	150.00			7,500	150.00
Philip B. Billings:												
Germany	Deutsche mark	Nov. 8	Nov. 9	1	200	50.00	200	50.00			200	50.00
Belgium	Franc	Nov. 9	Nov. 15	6	2,500	50.00	15,000	300.00			15,000	300.00
Denmark	Krone	Nov. 15	Nov. 18	3	332.16	44.22	996.22	132.65			996.22	132.65
Norway	do	Nov. 18	Nov. 20	2	356.75	50.00	713.50	100.00			713.50	100.00
United Kingdom	Pound	Nov. 20	Nov. 25	6	20.16.8	50.00	125.9.6	300.00			125.9.6	300.00

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, TRAVEL AUTHORIZED BY H. RES. 551, 1ST SESS., 88TH CONG., HOUSE DELEGATION TO NORTH ATLANTIC ASSEMBLY, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1968

Name and country	Name of currency	Date			Per diem rate		Total amount per item		Transportation		Total	
		Arrival	Departure	Total days	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Boyd Crawford:												
Germany	Deutsche mark	Nov. 8	Nov. 10	2	200	50.00	400	100.00			400	100.00
Belgium	Franc	Nov. 10	Nov. 15	5	2,500	50.00	12,500	250.00			12,500	250.00
Denmark	Krone	Nov. 15	Nov. 18	3	332.46	44.22	996.22	132.65			996.22	132.65
Norway	do	Nov. 18	Nov. 20	2	356.75	50.00	713.50	100.00			713.50	100.00
United Kingdom	Pound	Nov. 20	Nov. 25	6	20.16.8	50.00	125.9.6	300.00			125.9.6	300.00
James D. Hittle:												
Germany	Mark	Nov. 8	Nov. 10	2	200	50.00	400	100.00			400	100.00
Belgium	Franc				2,500	50.00	7,500	150.00			7,500	150.00
Do	do	Nov. 10	Nov. 15	5	200	50.00	400	100.00			400	100.00
Delegation Expenses:												
Office space and expense: Belgium	Franc										81,346	1,585.69
Official representation: Belgium	do										15,000	300.00
Official representation: Germany	Mark										800	200.00
Transportation: Germany	do								696.80	173.72	696.80	173.72
Transportation: Denmark	Krone								8,318.50	1,108.39	8,318.50	1,108.39
Transportation: Norway	do								2,590.33	363.04	2,590.33	363.04
Official representation: United Kingdom.	Pound										200.0.0	476.05
Total									7,182.27	1,685.51		11,429.52

WAYNE L. HAYS,
Chairman, House Delegation, North Atlantic Assembly.

MARCH 3, 1969.

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, HOUSE OF REPRESENTATIVES DELEGATION, MEXICO-UNITED STATES INTERPARLIAMENTARY GROUP, U.S. HOUSE OF REPRESENTATIVES, BETWEEN JAN. 1 AND DEC. 31, 1969

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. James C. Wright, United States	Dollar		397.80		90.68				11.50		499.98
Hon. Eligio de la Garza, United States	do		131.04		83.40						214.44
Hon. William L. Springer, United States	do		131.04		85.46						216.50
Hon. James Harvey, United States	do		131.04		87.42				13.13		231.59
Hon. Thomas P. O'Neill, Jr., United States.	do		234.00		75.44				2.13		311.57
Hon. Guy Vander Jagt, United States	do		131.04		78.55				10.40		219.99
Hon. Marvin L. Esch, United States	do		131.04		74.08						205.12
Hon. James A. McClure, United States	do		78.00		16.26						94.26
Albert C. F. Westphal, United States	do		131.04		69.09				0.50		200.63
Helen L. Hashagen, United States	do		131.04		56.12				5.00		192.16
Delegation expenses, including transportation, telephone and telegraph, stationery, hotel offices, interpreters' fees and expenses, representation.									10,324.08		10,324.08
Total			1,627.09		716.50				10,366.74		12,710.32

RECAPITULATION

	Amount
Appropriated funds: Public Law 86–420	12,710.32

ROBERT N. C. NIX,
Chairman, House Delegation, Canada-United States Interparliamentary Group.

MARCH 1, 1969.

REPORT OF EXPENDITURES OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS, HOUSE DELEGATION, U.S. HOUSE OF REPRESENTATIVES, CANADA-UNITED STATES INTERPARLIAMENTARY GROUP, BETWEEN JAN. 1 AND DEC. 31, 1968

Name and country	Name of currency	Lodging		Meals		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. Mark Andrews: United States	U.S. dollar		53.00		2.85				55.00
Hon. William S. Broomfield: United States	do		53.00		4/43				57.43
Hon. John J. Duncan: United States	do		53.00		16.56				69.56
Hon. C. E. Gallagher: United States	do		106.00		9.65				115.65
Hon. Harold T. Johnson: United States	do		53.00		3.41				56.41
Hon. James Kee: United States	do		42.40		4.36		17.27		64.03
Hon. Thomas E. Morgan: United States	do		42.40						42.40
Hon. William T. Murphy: United States	do		53.00		4.41				57.41
Hon. John M. Slack: United States	do		53.00						53.00
Hon. Robert T. Stafford: United States	do		53.06		24.06				77.06
Hon. Vernon W. Thomson: United States	do		53.00		15.43				68.43
Albert C. F. Westphal: United States	do		42.40		1.52				43.92
Mary Louise O'Brien: United States	do		26.50		2.76				29.26
Delegation expenses							6,600.74		6,600.74
Total			683.70		89.44		6,618.01		7,391.15

RECAPITULATION

	Amount
Appropriated funds: Public Law 86–42	7,391.15

CORNELIUS E. GALLAGHER,
Chairman, House Delegation, Canada-United States Interparliamentary Group.

FEBRUARY 1969.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

573. A letter from the Comptroller General of the United States, transmitting a report on the examination of financial statements of the Commodity Credit Corporation, fiscal year 1968, Department of Agriculture (H. Doc. No. 91-88); to the Committee on Government Operations and ordered to be printed.

574. A letter from the Deputy Secretary of Defense, transmitting the seventh annual report of the Office of Civil Defense for 1968, pursuant to the provisions of section 406 of the Federal Civil Defense Act of 1950; to the Committee on Armed Services.

575. A letter from the Comptroller General of the United States, transmitting a report on a review of certain management controls of the quality assurance system for the Apollo program, National Aeronautics and Space Administration; to the Committee on Government Operations.

576. A letter from the Comptroller General of the United States, transmitting a report on the improvements made or to be made in the acquisition and management of nonexpendable personal property overseas, Department of State; to the Committee on Government Operations.

577. A letter from the Archivist of the United States, transmitting a report on records proposed for disposal under the law; to the Committee on House Administration.

578. A letter from the Chairman, Federal Power Commission, transmitting a copy of the publication, "Hydroelectric Power Resources of the United States, Developed and Undeveloped, 1968"; to the Committee on Interstate and Foreign Commerce.

579. A letter from the General Manager, U.S. Atomic Energy Commission, transmitting a report on actions taken during calendar year 1968 to amend or modify contracts to facilitate the national defense under the authority granted by Public Law 85-804, pursuant to the provisions of the act; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HAYS: Committee on House Administration. House Resolution 94. Resolution providing funds for the Committee on Rules with amendment (Rept. No. 91-40). Ordered to be printed.

House Resolution 100. Resolution to provide funds for the expenses of the investigation and study authorized by House Resolution 47 (Rept. No. 91-41). Ordered to be printed.

House Resolution 106. Resolution to provide for the expenses of the investigation and study authorized by House Resolution 105. (Rept. 91-42). Ordered to be printed.

House Resolution 117. Resolution to provide funds for the expenses of the investigations authorized by House Resolution 21; (Rept. No. 91-43). Ordered to be printed.

House Resolution 118. Resolution to provide funds for the Committee on the Judiciary, with amendment (Rept. No. 91-44). Ordered to be printed.

House Resolution 132. Resolution to provide funds for the expenses of the studies and investigations authorized by House Resolution 131, with amendment (Rept. No. 91-45). Ordered to be printed.

House Resolution 148. Resolution providing funds for the Committee on the District of Columbia; (Rept. No. 91-46). Ordered to be printed.

House Resolution 167. Resolution to provide funds for the Committee on Agriculture, with amendment (Rept. No. 91-47). Ordered to be printed.

House Resolution 198. Resolution to provide funds for necessary expenses of the Committee on Ways and Means (Rept. No. 91-48). Ordered to be printed.

House Resolution 204. Resolution authorizing funds for the operation of the Committee on Standards of Official Conduct (Rept. No. 91-49). Ordered to be printed.

House Resolution 217. Resolution to provide funds for the study and investigation authorized by House Resolution 66, with amendment (Rept. No. 91-50). Ordered to be printed.

House Resolution 256. Resolution to provide funds for the expenses of the studies, investigations, and inquiries authorized by House Resolution 192, with amendment (Rept. No. 91-51). Ordered to be printed.

House Resolution 260. Resolution providing for expenses of conducting studies and investigations authorized by House Resolution 143, with amendment (Rept. No. 91-52). Ordered to be printed.

House Resolution 308. Resolution providing for the payment out of the contingent fund of the House of Representatives for a limited period of the salaries of certain House committee personnel newly appointed in the 91st Congress (Rept. No. 51-53). Ordered to be printed.

Mr. ROGERS of Colorado: Committee on the Judiciary. H.R. 4600. A bill to amend the act entitled "An Act to incorporate the National Education Association of the United States", approved June 30, 1906 (34 Stat. 804) (Rept. No. 91-54). Referred to the House Calendar.

H.R. 2171. A bill relating to national observances and holidays, and for other purposes (Rept. No. 91-55). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. Survey on water pollution control and Adjustment at Federal Installations (Rept. No. 91-75). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 2669. A bill to amend section 213(a) of the War Claims Act of 1948 with respect to claims of certain nonprofit organizations with amendment (Rept. No. 91-76). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEE ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SMITH of New York: Committee on the Judiciary. H.R. 1507. A bill conferring jurisdiction upon the U.S. Court of Claims to hear, determine, and render judgment upon the claim of John T. Knight (Rept. No. 91-56). Referred to the Committee of the Whole House.

Mr. MANN: Committee on the Judiciary. H.R. 2214. A bill for the relief of the Mutual Benefit Foundation (Rept. No. 91-57). Referred to the Committee of the Whole House.

H.R. 2275. A bill for the relief of John Thomas Cosby, Jr. (Rept. No. 91-58). Referred to the Committee of the Whole House.

Mr. SMITH of New York: Committee on the Judiciary. H.R. 1721. A bill for the relief of William J. Hurley (Rept. No. 91-59). Referred to the Committee of the Whole House.

Mr. DONOHUE: Committee on the Judiciary. H.R. 2335. A bill for the relief of Enrico DeMonte (Rept. No. 91-60). Referred to the Committee of the Whole House.

Mr. SMITH of New York: Committee on the Judiciary. H.R. 2876. A bill for the relief of the Beasley Engineering Co., Inc. with amendment (Rept. No. 91-61). Referred to the Committee of the Whole House.

H.R. 2940. A bill for the relief of Henry E. Dooley (Rept. No. 91-62). Referred to the Committee of the Whole House.

Mr. MANN: Committee on the Judiciary. H.R. 3213. A bill conferring jurisdiction upon the U.S. Court of Claims to hear, determine, and render judgment upon the claim of Solomon S. Levadi (Rept. No. 91-63). Referred to the Committee of the Whole House.

H.R. 3377. A bill for the relief of Frank Kleinerman with amendment (Rept. No. 91-64.) Referred to the Committee of the Whole House.

Mr. SMITH of New York: Committee on the Judiciary. H.R. 3348. A bill for the relief of the estate of Pierre Samuel du Pont Darden (Rept. No. 91-65). Referred to the Committee of the Whole House.

Mr. DONOHUE: Committee on the Judiciary. H.R. 3379. A bill for the relief of Sfc. Patrick Marratto, U.S. Army (retired) with amendment (Rept. No. 91-66). Referred to the Committee of the Whole House.

Mr. MANN: Committee on the Judiciary. H.R. 3480. A bill for the relief of the New Bedford Storage Warehouse Co. (Rept. No. 91-67). Referred to the Committee of the Whole House.

Mr. SMITH of New York: Committee on the Judiciary. H.R. 3990 A bill for the relief of Harvey E. Ward (Rept. No. 91-68). Referred to the Committee of the Whole House.

H.R. 5000. A bill for the relief of Pedro Irizarry Guido (Rept. No. 91-69). Referred to the Committee of the Whole House.

H.R. 6400. A bill for the relief of Reddick B. Still, Jr., and Richard Carpenter (Rept. No. 91-70). Referred to the Committee of the Whole House.

H.R. 6583. A bill for the relief of the American Journal of Nursing (Rept. No. 91-71). Referred to the Committee of the Whole House.

H.R. 6584. A bill for the relief of Corbie F. Cochran, Jr. (Rept. No. 91-72). Referred to the Committee of the Whole House.

H.R. 6585. A bill for the relief of Mr. and Mrs. A. F. Elgin (Rept. No. 91-73). Referred to the Committee of the Whole House.

Mr. HUNGATE: Committee on the Judiciary. H.R. 6378. A bill for the relief of Noel S. Marston (Rept. No. 91-74). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ABERNETHY:

H.R. 8739. A bill to improve rice inspection; to the Committee on Agriculture.

By Mr. ADDABBO:

H.R. 8740. A bill to amend title VII of the Housing and Urban Development Act of 1965 to authorize financial assistance for the provision of street lighting facilities in aid to the prevention or reduction of crime; to the Committee on Banking and Currency.

H.R. 8741. A bill relating to withholding, for purposes of the income tax imposed by certain cities, on the compensation of Federal employees; to the Committee on Ways and Means.

By Mr. ASHLEY:

H.R. 8742. A bill to amend the National Housing Act to authorize annual payments to nonprofit mortgagors under FHA-insured mortgages for use in carrying out humanitarian rehabilitation programs in the neighborhoods involved; to the Committee on Banking and Currency.

By Mr. BARING:

H.R. 8743. A bill to provide that hereafter the Director of the Federal Bureau of Investigation in the Department of Justice shall be appointed by the President, by and with the advice and consent of the Senate, from among career officers or employees of

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such Bureau; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 8744. A bill to strengthen and clarify the law prohibiting the introduction, or manufacture for introduction, of switchblade knives into interstate commerce; to the Committee on Interstate and Foreign Commerce.

H.R. 8745. A bill to amend title IV of the Public Health Service Act to provide for the establishment of a National Lung Institute; to the Committee on Interstate and Foreign Commerce.

H.R. 8746. A bill to amend title 18, United States Code, to prohibit the mailing of obscene matter to minors, and for other purposes; to the Committee on the Judiciary.

H.R. 8747. A bill to exempt from the antitrust laws certain joint newspaper operating arrangements; to the Committee on the Judiciary.

H.R. 8748. A bill to facilitate the entry into the United States of aliens who are brothers or sisters of U.S. citizens, and for other purposes; to the Committee on the Judiciary.

H.R. 8749. A bill to amend the Federal Employees' Health Benefits Act of 1959 to provide that the entire cost of health benefits under such act shall be paid by the Government; to the Committee on Post Office and Civil Service.

By Mr. BRINKLEY:

H.R. 8750. A bill to strengthen the criminal penalties for the mailing, importing, or transporting of obscene matter, and for other purposes; to the Committee on the Judiciary.

H.R. 8751. A bill to amend section 1461 of title 18 of the United States Code with respect to the mailing of obscene matter, and for other purposes; to the Committee on the Judiciary.

H.R. 8752. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. BURTON of California:

H.R. 8753. A bill to transfer the Sequoia National Game Refuge to Sequoia National Park; to the Committee on Agriculture.

By Mr. CARTER:

H.R. 8754. A bill to improve and increase postsecondary educational opportunities throughout the Nation by providing assistance to the States for the development and construction of comprehensive community colleges; to the Committee on Education and Labor.

H.R. 8755. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CHAPPELL:

H.R. 8756. A bill to amend the Federal Aviation Act of 1958 in order to establish certain requirements with respect to air traffic controllers; to the Committee on Interstate and Foreign Commerce.

By Mr. CLANCY:

H.R. 8757. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CLEVELAND:

H.R. 8758. A bill to amend the Internal Revenue Code of 1954 to provide a 20-percent credit against the individual income tax for certain educational expenses incurred for elementary or secondary education in private or nonpublic schools; to the Committee on Ways and Means.

By Mr. COWGER:

H.R. 8759. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if certain relatives of such member died while serving in the Armed Forces in Vietnam; to the Committee on Armed Services.

H.R. 8760. A bill to provide that American foreign aid shall be suspended with respect to any country which has severed diplomatic relations with the United States on or after January 1, 1967, and for other purposes; to the Committee on Foreign Affairs.

H.R. 8761. A bill to amend title II of the Merchant Marine Act, 1936, to create the Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. DERWINSKI:

H.R. 8762. A bill to amend title 39, United States Code, to provide additional free letter mail and air transportation mailing privileges for certain members of the U.S. Armed Forces, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 8763. A bill to provide that the nuclear accelerator to be constructed at Weston, Ill., shall be named the "Enrico Fermi Nuclear Accelerator" in memory of the late Dr. Enrico Fermi; to the Joint Committee on Atomic Energy.

By Mr. DULSKI:

H.R. 8764. A bill to provide an equitable system for fixing and adjusting the rates of compensation of wage board employees; to the Committee on Post Office and Civil Service.

By Mr. EDMONDSON (for himself, Mr. Belcher, Mr. Bush, Mr. Camp, Mr. Daniels of New Jersey, Mr. Duncan, Mr. Fulton of Pennsylvania, Mr. Fulton of Tennessee, Mr. Jarman, Mr. Johnson of Pennsylvania, Mr. Lloyd, Mr. Macdonald of Massachusetts, Mr. Miller of California, Mr. Murphy of New York, Mr. Roybal, Mr. Saylor, Mr. Steed, and Mr. Wright):

H.R. 8765. A bill to exempt from the antitrust laws certain joint newspaper operating arrangements; to the Committee on the Judiciary.

By Mr. HALPERN (for himself, Mr. Del Clawson, Mr. Collins, Mr. Fish, Mr. Hanna, Mr. Hastings, Mr. Hébert, Mr. Hosmer, Mrs. May, Mr. Meeds, Mr. Minshall, Mr. Price of Texas, Mr. Rees, Mr. Rhodes, Mr. Rogers of Colorado, Mr. Taft, and Mr. Waldie):

H.R. 8766. A bill to exempt from the antitrust laws certain joint newspaper operating arrangements; to the Committee on the Judiciary.

By Mr. MATSUNAGA (for himself, Mr. Burton of California, Mr. Cabell, Mr. Carey, Mr. Evins of Tennessee, Mr. Farbstein, Mr. Gallagher, Mr. Kazen, Mr. Mailliard, Mr. O'Neill of Massachusetts, Mr. Pepper, Mr. Podell, Mr. Rosenthal, Mrs. Sullivan, Mr. Udall, and Mr. Waggonner):

H.R. 8767. A bill to exempt from the antitrust laws certain joint newspaper operating arrangements; to the Committee on the Judiciary.

By Mr. QUILLEN (for himself, Mr. Biaggi, Mr. Boggs, Mr. Brasco, Mr. Buchanan, Mr. Button, Mr. Devine, Mr. Gaydos, Mrs. Green of Oregon, Mr. Grover, Mr. Kuykendall, Mr. Moorhead, Mr. Pelly, Mr. Symington, Mr. Ullman, and Mr. Wyatt):

H.R. 8768. A bill to exempt from the antitrust laws certain joint newspaper operating arrangements; to the Committee on the Judiciary.

By Mr. WOLFF (for himself, Mr. Adair, Mr. Addabbo, Mr. Anderson of Tennessee, Mr. Boland, Mr. Brock, Mr. Burke of Massachusetts, Mr. Delaney, Mr. Fisher, Mr. Friedel, Mr. McCloskey, Mr. Pike, Mr. Schneebeli, Mr. Teague of Texas, Mr. Vigorito, and Mr. Wydler):

H.R. 8769. A bill to exempt from the antitrust laws certain joint newspaper operating arrangements; to the Committee on the Judiciary.

By Mr. EILBERG:

H.R. 8770. A bill to amend subchapter III of chapter 83 of title 5, United States Code, relating to civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 8771. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. FARBSTEIN:

H.R. 8772. A bill to permit a State to elect to use funds from the highway trust fund for purposes of preventing and controlling air pollution; to the Committee on Public Works.

By Mr. FINDLEY:

H.R. 8773. A bill to limit payments to farmers, increase the authorization for food stamps, and increase water-sewer grant authority for rural communities; to the Committee on Agriculture.

By Mr. FISHER:

H.R. 8774. A bill to amend the Internal Revenue Code of 1954 to provide a tax credit for employers who employ members of the hard-core unemployed; to the Committee on Ways and Means.

By Mr. FULTON of Pennsylvania:

H.R. 8775. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

H.R. 8776. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. GONZALEZ:

H.R. 8777. A bill to increase educational opportunities throughout the Nation by providing grants for the construction of elementary and secondary schools and supplemental education centers, and for other purposes; to the Committee on Education and Labor.

H.R. 8778. A bill to consider children living in federally assisted public housing as federally connected children for purposes of educational assistance to federally impacted areas; to the Committee on Education and Labor.

H.R. 8779. A bill to exempt from the antitrust laws certain joint newspaper operating arrangements; to the Committee on the Judiciary.

By Mr. GUDE:

H.R. 8780. A bill to provide for the selection and tenure of judges in the District of Columbia Court of Appeals, the District of Columbia Court of General Sessions, and the Juvenile Court of the District of Columbia; to the Committee on the District of Columbia.

H.R. 8781. A bill to establish in the District of Columbia a unified court system in order to provide increased attention to family problems, and for other purposes; to the Committee on the District of Columbia.

H.R. 8782. A bill to amend the Bail Reform Act of 1966 to authorize the conditional release or commitment to custody of certain persons charged with the commission of an offense punishable as a felony, and for other purposes; to the Committee on the Judiciary.

By Mr. HICKS:

H.R. 8783. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 8784. A bill to provide that the nuclear accelerator to be constructed at Weston, Ill., shall be named the "Enrico Fermi Nuclear Accelerator" in memory of the late Dr. Enrico Fermi; to the Joint Committee on Atomic Energy.

By Mr. HATHAWAY:

H.R. 8785. A bill to amend the Maritime Academy Act of 1958 to increase the amount of assistance to such academies and to provide a minimum subsistence payable per student; to the Committee on Merchant Marine and Fisheries.

By Mr. HOGAN:

H.R. 8786. A bill to amend title 28 of the United States Code to provide that the U.S. District Court for the District of Maryland shall sit at one addiional place; to the Committee on the Judiciary.

H.R. 8787. A bill to exempt from the antitrust laws certain joint newspaper operating arrangements; to the Committee on the Judiciary.

By Mr. JOHNSON of Pennsylvania:

H.R. 8788. A bill to improve the health and safety conditions of persons working in the coal mining industry of the United States; to the Committee on Education and Labor.

By Mr. KEE:

H.R. 8789. A bill to encourage the States to improve their workmen's compensation laws to assure adequate coverage and benefits to employees injured in employment, and for other purposes; to the Committee on Education and Labor.

By Mr. KOCH:

H.R. 8790. A bill to provide for uniform and equitable treatment of persons displaced from their homes, businesses, or farms by Federal or federally assisted programs, and to establish uniform and equitable land acquisition policies for Federal and federally assisted programs; to the Committee on Public Works.

H.R. 8791. A bill to amend the Internal Revenue Code of 1954 to allow a deduction to tenants of houses or apartments for their proportionate share of the taxes and interest paid by their landlords; to the Committee on Ways and Means.

By Mr. LATTA:

H.R. 8792. A bill to increase from $600 to $1,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemption for old age or blindness); to the Committee on Ways and Means.

By Mr. LEGGETT:

H.R. 8793. A bill to provide that the nuclear accelerator to be constructed at Weston, Ill., shall be named the "Enrico Fermi Nuclear Accelerator" in memory of the late Dr. Enrico Fermi; to the Joint Committee on Atomic Energy.

By Mr. LENNON (for himself, Mr. Mosher, Mr. Rogers of Florida, Mr. Pelly, Mr. Ashley, Mr. Downing, Mr. Keith, Mr. Karth, Mr. Schadeberg, Mr. Hathaway, Mr. Dellenback, Mr. Clark, Mr. Pollock, Mr. St. Onge, Mr. Ruppe, Mr. Jones of North Carolina, Mr. Goodling, Mr. Hanna, Mr. Bray, Mr. Mr. Leggett, and Mr. Feighan):

H.R. 8794. A bill to amend the Marine Resources and Engineering Development Act of 1966 to continue the National Council on Marine Resources and Engineering Development, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. McFALL:

H.R. 8795. A bill to extend for 2 years the period for which payments in lieu of taxes may be made with respect to certain real property transferred by the Reconstruction Finance Corporation and its subsidiaries to other Government departments; to the Committee on Government Operations.

By Mr. MARTIN:

H.R. 8796. A bill to consent to the upper Niobrara River compact between the States of Wyoming and Nebraska; to the Committee on Interior and Insular Affairs.

By Mr. MIKVA:

H.R. 8797. A bill to amend the Internal Revenue Code of 1954 to disallow any deduction for depreciation for a taxable year in which a residential property does not comply with requirements of local laws relating to health and safety, and for other purposes; to the Committee on Ways and Means.

By Mrs. MINK:

H.R. 8798. A bill providing for an Organic Act for the Trust Territory of the Pacific Islands; to the Committee on Interior and Insular Affairs.

By Mr. MOLLOHAN:

H.R. 8799. A bill to amend title II of the Social Security Act to eliminate the reduction in disability insurance benefits which is presently required in the case of an individual receiving workmen's compensation benefits; to the Committee on Ways and Means.

By Mr. MOORHEAD:

H.R. 8800. A bill to amend title IV of the Social Security Act to repeal the provisions limiting the number of children with respect to whom Federal payments may be made under the program of aid to families with dependent children; to the Committee on Ways and Means.

H.R. 8801. A bill to provide that the nuclear accelerator to be constructed at Weston, Ill., shall be named the "Enrico Fermi Nuclear Accelerator" in memory of the late Dr. Enrico Fermi; to the Joint Committee on Atomic Energy.

By Mr. MORTON (for himself, Mr. Fallon, Mr. Friedel, Mr. Garmatz, Mr. Gude, and Mr. Hogan):

H.R. 8802. A bill to provide that income from entertainment activities held in conjunction with a public fair conducted by an organization described in section 501(c)(3) or (5) shall not be unrelated trade or business income and shall not affect the tax exemption of the organization; to the Committee on Ways and Means.

By Mr. NIX:

H.R. 8803. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. OTTINGER (for himself, Mr. Adams, Mr. Moss, Mr. Dingell, Mr. Murphy of New York, Mr. Tiernan, Mr. Carter, Mr. Addabbo, Mr. Jacobs, Mr. Gray, Mr. Charles H. Wilson, Mr. Brown of California, Mr. Podell, and Mr. Nix):

H.R. 8804. A bill to amend the Federal Aviation Act of 1958 to require that every civil aircraft be equipped with a crash locator beacon, that certain commercial aircraft be equipped with devices designed to maintain a continuous listening watch on the aeronautical internation emergency frequency, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. OTTINGER (for himself, Mr. Sisk, Mr. Helstoski, Mr. Rosenthal, Mr. Matsunaga, Mr. Moorhead, Mr. Hathaway, Mr. Mikva, Mr. Burton of California, Mr. Halpern, Mr. Donohue, Mr. Miller of Ohio, Mr. Cleveland, Mr. Roybal, Mr. Anderson of California, and Mr. Tunney):

H.R. 8805. A bill to amend the Federal Aviation Act of 1958 to require that every civil aircraft be equipped with a crash locator beacon, that certain commercial aircraft be equipped with devices designed to maintain a continuous listening watch on the aeronautical international emergency frequency, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PASSMAN:

H.R. 8806. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $850 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. PATTEN:

H.R. 8807. A bill to amend title 37, United States Code, to provide for the procurement and retention of judge advocates and law specialist officers for the Armed Forces; to the Committee on Armed Services.

By Mr. PICKLE:

H.R. 8808. A bill to amend the Federal Aviation Act of 1958 in order to establish certain requirements with respect to air traffic controllers; to the Committee on Interstate and Foreign Commerce.

By Mr. PUCINSKI:

H.R. 8809. A bill to amend title IX of the National Defense Education Act of 1958 to provide for establishment of a national science research data processing and information retrieval system; to the Committee on Education and Labor.

By Mr. REID of New York:

H.R. 8810. A bill to improve the health and safety conditions of persons working in the coal mining industry of the United States; to the Committee on Education and Labor.

H.R. 8811. A bill to prevent the importation of endangered species of fish or wildlife into the United States, to prevent the interstate shipment of reptiles, amphibians, and other wildlife taken contrary to State law, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. ROSENTHAL:

H.R. 8812. A bill to limit payments to farmers, increase the authorization for food stamps, and increase water-sewer grant authority for rural communities; to the Committee on Agriculture.

By Mr. ROYBAL:

H.R. 8813. A bill to provide that the nuclear accelerator to be constructed at Weston, Ill., shall be named the "Enrico Fermi Nuclear Accelerator" in memory of the late Dr. Enrico Fermi; to the Joint Committee on Atomic Energy.

By Mr. RUPPE:

H.R. 8814. A bill to amend the Uniform Time Act of 1966 to permit a State situated in more than one time zone to observe standard time in one zone and daylight saving time in another zone; to the Committee on Interstate and Foreign Commerce.

By Mr. ST. ONGE:

H.R. 8815. A bill to develop business and employment opportunities in smaller cities and areas of unemployment and underemployment by providing certain preferences for prospective Government contractors in such cities and areas; to the Committee on the Judiciary.

H.R. 8816. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on whole skins of mink; to the Committee on Ways and Means.

By Mr. SANDMAN:

H.R. 8817. A bill to order the construction of a Veterans' Administration hospital in the southern area of New Jersey; to the Committee on Veterans' Affairs.

By Mr. SCOTT (for himself, Mr. Friedel, Mr. Esch, Mr. Halpern, and Mr. Lukens):

H.R. 8818. A bill to provide for the establishment of a national cemetery adjacent to the Manassas Battlefield Park, Va.; to the Committee on Veterans' Affairs.

By Mr. SHRIVER:

H.R. 8819. A bill to designate the Interstate System as the "Eisenhower Interstate Highway System"; to the Committee on Public Works.

By Mr. SKUBITZ:

H.R. 8820. A bill to amend title 38 of the United States Code to provide that veterans who are 70 years of age or older shall be deemed to be unable to defray the expenses of necessary hospital or domiciliary care, and for other purposes; to the Committee on Veterans' Affairs.

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H.R. 8821. A bill to amend title 38, United States Code, to increase the amount payable on burial and funeral expenses; to the Committee on Veterans' Affairs.

By Mr. STEED (for himself, Mr. Albert, and Mr. Edmondson):

H.R. 8822. A bill to repeal chapter 44 of title 18, United States Code (relating to firearms), to reenact the Federal Firearms Act, and to restore chapter 53 of the Internal Revenue Code of 1954 as in effect before its amendment by the Gun Control Act of 1968; to the Committee on the Judiciary.

By Mr. STEIGER of Arizona:

H.R. 8823. A bill to strengthen the penalty provisions of the Gun Control Act of 1968; to the Committee on the Judiciary.

H.R. 8824. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. TUNNEY:

H.R. 8825. A bill to declare that the United States holds certain lands in trust for the Quechan Indians of the Fort Yuma Reservation, Calif. and Ariz.; to the Committee on Interior and Insular Affairs.

H.R. 8826. A bill to provide Federal assistance for special projects to demonstrate the effectiveness of programs to provide emergency care for heart attack victims by trained persons in specially equipped ambulances; to the Committee on Interstate and Foreign Commerce.

By Mr. WHALLEY:

H.R. 8827. A bill to provide that, for purposes of the Internal Revenue Code of 1954, individuals who were illegally detained during 1968 by the Democratic People's Republic of Korea shall be treated as serving in a combat zone; to the Committee on Ways and Means.

By Mr. WHITE:

H.R. 8828. A bill to provide for voting in national elections by certain members of the Armed Forces who have attained the age of 18 years; to the Committee on House Administration.

By Mr. BOB WILSON:

H.R. 8829. A bill to prohibit the dissemination through interstate commerce or the mails of materials harmful to persons under the age of 18 years, and to restrict the exhibition of movies or other presentations harmful to such persons; to the Committee on the Judiciary.

By Mr. WOLD:

H.R. 8830. A bill to authorize the Secretary of the Interior to engage in a feasibility investigation for the modification of Buffalo Bill Dam; to the Committee on Interior and Insular Affairs.

By Mr. WOLD (for himself, Mr. Denney, and Mr. Cunningham):

H.R. 8831. A bill to consent to the upper Niobrara River compact between the States of Wyoming and Nebraska; to the Committee on Interior and Insular Affairs.

By Mr. YATRON:

H.R. 8832. A bill to provide that the nuclear accelerator to be constructed at Weston, Ill., shall be named the "Enrico Fermi Nuclear Accelerator" in memory of the late Dr. Enrico Fermi; to the Joint Committee on Atomic Energy.

By Mr. ZWACH:

H.R. 8833. A bill to rescind the pay increases for Members of Congress and other Federal officials pursuant to Presidential recommendation to Congress in the budget for the 1970 fiscal year, to abolish the quadrennial Commission on Executive, Legislative, and Judicial Salaries, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ABBITT:

H.R. 8834. A bill to revise the law governing contests of elections of Members of the House of Representatives, and for other purposes; to the Committee on House Administration.

By Mr. BLATNIK:

H.R. 8835. A bill to provide for orderly trade in iron ore, iron and steel mill products; to the Committee on Ways and Means.

By Mr. BOLLING:

H.R. 8836. A bill to amend the Military Selective Service Act of 1967 to provide for a fair and random system of selecting persons for induction into military service, to provide for the uniform application of selective service policies, to raise the incidence of volunteers in military service, and for other purposes; to the Committee on Armed Services.

By Mr. BRADEMAS:

H.R. 8837. A bill to provide that the nuclear accelerator to be constructed at Weston, Ill., shall be named the "Enrico Fermi Nuclear Accelerator" in memory of the late Dr. Enrico Fermi; to the Joint Committee on Atomic Energy.

By Mr. BRADEMAS (for himself and Mr. Perkins):

H.R. 8838. A bill to improve educational quality through the effective utilization of educational technology; to the Committee on Education and Labor.

By Mr. BRADEMAS (for himself, Mr. Reid of New York, Mr. Perkins, Mr. Thompson of New Jersey, Mr. Dent, Mr. Pucinski, Mr. Daniels of New Jersey, Mr. O'Hara, Mr. Carey, Mr. William D. Ford, Mr. Hathaway, Mrs. Mink, Mr. Scheuer, Mr. Meeds, Mr. Burton of California, Mr. Ayres, Mr. Quie, Mr. Bell of California, Mr. Esch, Mr. Steiger of Wisconsin, and Mr. Hansen of Idaho):

H.R. 8839. A bill to establish a National Commission on Libraries and Information Science, and for other purposes; to the Committee on Education and Labor.

By Mr. BURKE of Florida:

H.R. 8840. A bill to rescind the pay increases for Members of Congress and other Federal officials pursuant to Presidential recommendation to Congress in the budget for the 1970 fiscal year, to abolish the quadrennial Commission on Executive, Legislative, and Judicial Salaries, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 8841. A bill to permit the release of certain veterans from liability to the United States arising out of loans made, guaranteed, or insured under chapter 37 of title 38, United States Code; to the Committee on Veterans' Affairs.

H.R. 8842. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. CELLER:

H.R. 8843. A bill to permit a home mortgage loan by a federally insured bank to a bank examiner; to the Committee on the Judiciary.

H.R. 8844. A bill to amend, consolidate, and clarify certain criminal contempt statutes; to the Committee on the Judiciary.

By Mrs. CHISHOLM:

H.R. 8845. A bill to provide supplemental appropriations to fully fund programs to build 300,000 units of low- and moderate-income housing for the fiscal year 1969, and for other purposes, including jobs in housing; to the Committee on Appropriations.

H.R. 8846. A bill to promote the peaceful resolution of international conflict, and for other purposes; to the Committee on Government Operations.

H.R. 8847. A bill to provide that disabled individuals entitled to monthly cash benefits under section 223 of the Social Security Act, and individuals retired for disability under the Railroad Retirement Act of 1937, shall be eligible for health insurance benefits under title XVIII of the Social Security Act without regard to their age, and to reduce from $50 to $25 the annual deductible imposed under the supplementary medical insurance program; to the Committee on Ways and Means.

H.R. 8848. A bill to amend title II of the Social Security Act to provide that no reduction shall be made in old-age insurance benefit amounts to which a woman is entitled if she has 120 quarters of coverage; to the Committee on Ways and Means.

By Mr. DIGGS:

H.R. 8849. A bill to establish a Federal sabbatical program to improve the quality of teaching in the Nation's elementary or secondary schools; to the Committee on Education and Labor.

H.R. 8850. A bill to provide Federal assistance to improve the educational services in public and private nonprofit child day care centers; to the Committee on Education and Labor.

By Mr. DOWNING:

H.R. 8851. A bill to enable potato growers to finance a nationally coordinated research and promotion program to improve their competitive position and expand their markets for potatoes by increasing consumer acceptance of such potatoes and potato products and by improving the quality of potatoes and potato products that are made available to the consumer; to the Committee on Agriculture.

H.R. 8852. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FEIGHAN:

H.R. 8853. A bill to increase the amount authorized for the acquisition of land in Virginia under the Endangered Species Preservation Act of October 15, 1966; to the Committee on Merchant Marine and Fisheries.

By Mr. FULTON of Pennsylvania:

H.R. 8854. A bill to amend the National Aeronautics and Space Act of 1958 to provide that an astronaut shall be a member of the National Aeronautics and Space Council and that the executive secretary of the Council shall be an astronaut; to the Committee on Science and Astronautics.

By Mr. LEGGETT:

H.R. 8855. A bill to prevent vessels built or rebuilt outside the United States or documented under foreign registry from carrying cargoes restricted to vessels of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. NEDZI:

H.R. 8856. A bill to amend the Federal Water Pollution Control Act, as amended, and for other purposes; to the Committee on Public Works.

By Mr. NELSEN:

H.R. 8857. A bill to amend title 18, United States Code, to prohibit the mailing of obscene matter to minors, and for other purposes; to the Committee on the Judiciary.

By Mr. POLLOCK:

H.R. 8858. A bill to amend the 1964 amendments to the Alaska Omnibus Act; to the Committee on Interior and Insular Affairs.

By Mr. PRICE of Illinois:

H.R. 8859. A bill to amend chapter 67 (relating to retired pay for nonregular service) of title 10, United States Code, to authorize payment of retired pay at reduced percentages to persons, otherwise eligible, at age 50, and for other purposes; to the Committee on Armed Services.

H.R. 8860. A bill to amend section 264(b) of title 10, United States Code, to prohibit the transfer of expenditure of Reserve component funds for purposes other than that for which appropriated; to the Committee on Armed Services.

H.R. 8861. A bill to amend title 37, United States Code, to provide an incentive plan for participation in the Ready Reserve; to the Committee on Armed Services.

H.R. 8862. A bill to amend title 10, United States Code, to change the method if com-

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puting retired pay of certain enlisted members of the Army, Navy, Air Force, or Marine Corps; to the Committee on Armed Services.

H.R. 8863. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WALDIE:

H.R. 8864. A bill to amend the Internal Revenue Code of 1954 to allow a deduction from gross income for legal and other expenses incurred in connection with the adoption of a child by the taxpayer; to the Committee on Ways and Means.

By Mr. WHALLEY:

H.R. 8865. A bill to provide for the removal and extension of certain sections of the Appalachian Regional Development Act of 1965; to the Committee on Public Works.

By Mr. YOUNG:

H.R. 8866. A bill to amend the Sherman Antitrust Act (15 U.S.C. 1, et seq.) to provide that exclusive territorial franchises, under limited circumstances, shall not be deemed a restraint of trade or commerce or a monopoly or attempt to monopolize, and for other purposes; to the Committee on the Judiciary.

By Mr. BARING:

H.R. 8867. A bill to waive the acreage limitations of section 1(b) of the act of June 14, 1926, as amended, with respect to conveyance of lands to the State of Nevada for inclusion in the valley of Fire State Park; to the Committee on Interior and Insular Affairs.

By Mr. GUDE (for himself, Mr. Broyhill of Virginia, and Mr. Hogan):

H.R. 8868. A bill to authorize the District of Columbia to enter into the interstate compact on juveniles; to the Committee on the District of Columbia.

By Mr. STUBBLEFIELD:

H.R. 8869. A bill to extend public health protection with respect to cigarette smoking, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BURKE of Florida:

H.J. Res. 535. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

By Mr. BUSH:

H.J. Res. 536. Joint resolution proposing an amendment to the Constitution of the United States to establish a mandatory retirement age for Members of Congress and Federal judges; to the Committee on the Judiciary.

By Mr. CARTER:

H.J. Res. 537. Joint resolution proposing an amendment to the Constitution of the United States requiring the advice and consent of the House of Representatives in the making of treaties; to the Committee on the Judiciary.

By Mrs. CHISHOLM:

H.J. Res. 538. Joint resolution creating a Select Joint Committee on Population and Family Planning; to the Committee on Rules.

By Mr. CORBETT:

H.J. Res. 539. Joint resolution proposing an amendment to the Constitution of the United States providing that citizens of the United States shall be entitled to vote for President and Vice President without regard to excessive residence and physical presence requirements; to the Committee on the Judiciary.

By Mr. COWGER:

H.J. Res. 540. Joint resolution to declare the policy of the United States with respect to its territorial sea; to the Committee on Foreign Affairs.

By Mr. DULSKI:

H.J. Res. 541. Joint resolution proposing an amendment to the Constitution of the United States requiring the advice and consent of the House of Representatives in the making of treaties; to the Committee on the Judiciary.

By Mr. HALEY:

H.J. Res. 542. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. KING:

H.J. Res. 543. Joint resolution consenting to the Susquehanna River Basin compact, enacting the same into law thereby making the United States a signatory party, making certain reservations on behalf of the United States, and for related purposes; to the Committee on the Judiciary.

By Mr. KLUCZYNSKI:

H.J. Res. 544. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. ROGERS of Florida:

H.J. Res. 545. Joint resolution proposing an amendment to the Constitution of the United States relating to the election of President and Vice President; to the Committee on the Judiciary.

By Mr. WOLD:

H.J. Res. 546. Joint resolution authorizing the Secretary of the Interior to provide for the commemoration of the 100th anniversary of the establishment of Yellowstone National Park, and for other purposes; to the Committee on the Judiciary.

By Mr. COLLIER:

H. Con. Res. 164. Concurrent resolution, Biafra: The need for an immediate cease-fire; to the Committee on Foreign Affairs.

By Mr. HOLIFIELD (for himself, Mr. Lipscomb, Mr. Miller of California, Mr. Gubser, Mr. Moss, Mr. Hosmer, Mr. Sisk, Mr. Mailliard, Mr. McFall, Mr. Utt, Mr. Cohelan, Mr. Bob Wilson, Mr. Johnson of California, Mr. Teague of California, Mr. Corman, Mr. Smith of California, Mr. Brown of California, Mr. Bell of California, Mr. Burton of California, Mr. Don H. Clausen, Mr. Edwards of California, Mr. Del Clawson, Mr. Hanna, Mr. Talcott, and Mr. Hawkins):

H. Con. Res. 165. Concurrent resolution designating the year 1969 as the "Diamond Jubilee Year of the American Motion Picture"; to the Committee on the Judiciary.

By Mr. McCLOSKEY (for himself, Mr. Leggett, Mr. Mathias, Mr. Roybal, Mr. Pettis, Mr. Van Deerlin, Mr. Wiggins, Mr. Charles H. Wilson, Mr. Rees, Mr. Tunney, Mr. Waldie, and Mr. Anderson of California):

H. Con. Res. 166. Concurrent resolution designating the year 1969 as the "Diamond Jubilee Year of the American Motion Picture"; to the Committee on the Judiciary.

By Mr. ROSENTHAL:

H. Con. Res. 167. Concurrent resolution expressing the sense of the Congress with respect to reduced air fares for children, youth, and members of the Armed Forces of the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. FRIEDEL:

H. Res. 315. Resolution providing funds for the Committee on House Administration; to the Committee on House Administration.

By Mr. MINISH:

H. Res. 316. Resolution, U.S. aid for Iraqi Jews; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII,

53. The SPEAKER presented a memorial of the Legislature of the State of Idaho, relative to establishment of the Sawtooth National Recreation Area and Wilderness, which was referred to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of California:

H.R. 8870. A bill for the relief of Mrs. Anna Maria Baldini Dela Rosa; to the Committee on the Judiciary.

By Mr. BARRETT:

H.R. 8871. A bill for the relief of Magnus Humberto Rosa; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 8872. A bill for the relief of Camillo and Maria Serafino; to the Committee on the Judiciary.

By Mr. CAREY:

H.R. 8873. A bill for the relief of Pasquale Armetta; to the Committee on the Judiciary.

By Mr. CHAPPELL:

H.R. 8874. A bill for the relief of Dr. Edward J. Ossi; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 8875. A bill for the relief of Louis J. Rusek; to the Committee on the Judiciary.

By Mr. CORBETT:

H.R. 8876. A bill for the relief of Morris and Lenke Gelb; to the Committee on the Judiciary.

H.R. 8877. A bill for the relief of Mrs. Lim-Nio Jo; to the Committee on the Judiciary.

By Mr. DOWNING:

H.R. 8878. A bill for the relief of Frank J. McCabe; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 8879. A bill for the relief of Jose Cabrera; to the Committee on the Judiciary.

H.R. 8880. A bill for the relief of Ricardo M. Cuaycong; to the Committee on the Judiciary.

H.R. 8881. A bill for the relief of Giovanni De Marco; to the Committee on the Judiciary.

H.R. 8882. A bill for the relief of Lusaper Kalenderaglu; to the Committee on the Judiciary.

By Mr. HOGAN:

H.R. 8883. A bill for the relief of Dr. Carolina Alfonso Dacquel; to the Committee on the Judiciary.

By Mr. KLUCZYNSKI:

H.R. 8884. A bill for the relief of Aniela Mietus; to the Committee on the Judiciary.

H.R. 8885. A bill for the relief of Mary Sagriotou; to the Committee on the Judiciary.

H.R. 8886. A bill for the relief of Diamantis Thomas; to the Committee on the Judiciary.

By Mr. KOCH:

H.R. 8887. A bill for the relief of Dr. Manuel S. Alandydy, Jr.; to the Committee on the Judiciary.

H.R. 8888. A bill for the relief of Ida Moschini; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 8889. A bill for the relief of Manuel and Eugenia Bettencourt; to the Committee on the Judiciary.

By Mr. MINISH:

H.R. 8890. A bill for the relief of Pietro De Santis; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 8891. A bill for the relief of Angelo, Elisa, Giuissepina, Rafaello, and Anna Lisa Avallone; to the Committee on the Judiciary.

H.R. 8892. A bill for the relief of Angelina R. Compres DeMartinez; to the Committee on the Judiciary.

H.R. 8893. A bill for the relief of Eel-Fong Koo; to the Committee on the Judiciary.

H.R. 8894. A bill for the relief of Kelvin C. L. Leung; to the Committee on the Judiciary.

H.R. 8895. A bill for the relief of Michele and Rosa Scotti; to the Committee on the Judiciary.

By Mr. NIX:

H.R. 8896. A bill for the relief of Dr. Bijan Etemad and his wife, Dr. Guity Etemad (nee Banan); to the Committee on the Judiciary.

H.R. 8897. A bill for the relief of Antonio Pino; to the Committee on the Judiciary.

H.R. 8898. A bill for the relief of Maria Giovanna Iacovitti in Rocco and her daughter, Luigina Palma Rocco; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 8899. A bill for the relief of Cuthbert

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DaCosta McClean; to the Committee on the Judiciary.

H.R. 8900. A bill for the relief of Herbert Styles; to the Committee on the Judiciary.

By Mr. ROSENTHAL:

H.R. 8901. A bill for the relief of Hamid Dardashti; to the Committee on the Judiciary.

H.R. 8902. A bill for the relief of Elena Monteroso; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 8903. A bill for the relief of Maria de la Luz Peralta-Perez; to the Committee on the Judiciary.

By Mr. RUTH:

H.R. 8904. A bill for the relief of Paul Anthony Kelly; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 8905. A bill for the relief of Pedro Tomas Amaro; to the Committee on the Judiciary.

H.R. 8906. A bill for the relief of Pedro Lobato; to the Committee on the Judiciary.

By Mr. SISK:

H.R. 8907. A bill to provide private reilef for certain members of the U.S. Navy recalled to active duty from the fleet reserve after Sept. 27, 1965; to the Committee on the Judiciary.

By Mr. STEPHENS:

H.R. 8908. A bill for the relief of Filippo Sebastiano Saglimbeni; to the Committee on the Judiciary.

By Mr. THOMPSON of New Jersey:

H.R. 8909. A bill for the relief of Ermelinda D'Acierno; to the Committee on the Judiciary.

By Mr. WEICKER:

H.R. 8910. A bill for the relief of William J. Walsh; to the Committee on the Judiciary.

By Mr. WHITE:

H.R. 8911. A bill for the relief of Grant E. Thomas; to the Committee on the Judiciary.

By Mr. ST GERMAIN:

H.R. 8912. A bill for the relief of Anselmo Fernando Resendes; to the Committee on the Judiciary.

By Mr. DON H. CLAUSEN:

H.R. 8913. A bill for the relief of Takio Nozu; to the Committee on the Judiciary.

By Mr. MOLLOHAN:

H.R. 8914. A bill for the relief of Morris Moshe Chachmany; to the Committee on the Judiciary.

SENATE—*Wednesday, March 12, 1969*

(Legislative day of Friday, March 7, 1969)

The Senate met in executive session at 11 o'clock a.m., on the expiration of the recess, and was called to order by the Vice President.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Eternal Father, in whom we live and move and have our being, set our minds this day upon all that is beautiful and good and true that we fail Thee not. Preserve us from spiritual decay, from blurred idealism, from moral cowardice, from neglect of spiritual discipline, and from that dimness of soul which separates us from Thee or obscures our perception of Thy will. Keep us alive to all true values, to all that is highest and holiest in life that we may "be workmen who needeth not to be ashamed."

Through Jesus Christ our Lord. Amen.

REPORT OF COMMODITY CREDIT CORPORATION—MESSAGE FROM THE PRESIDENT RECEIVED DURING RECESS

Under authority of the order of the Senate of March 11, 1969, the Secretary of the Senate, on today, March 12, 1969, received the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Agriculture and Forestry:

To the Congress of the United States:

In accordance with the provisions of Section 13, Public Law 806, 80th Congress, I transmit herewith for the information of the Congress the report of the Commodity Credit Corporation for the fiscal year ended June 30, 1968.

RICHARD NIXON.

THE WHITE HOUSE, *March 11, 1969*.

REPORT OF THE U.S. ARMS CONTROL AND DISARMAMENT AGENCY—MESSAGE FROM THE PRESIDENT RECEIVED DURING RECESS

Under authority of the order of the Senate of March 11, 1969, the Secretary of the Senate, on today, March 12, 1969, received the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Foreign Relations:

To the Congress of the United States:

Attached is the Eighth Annual Report of the United States Arms Control and Disarmament Agency. I am transmitting it pursuant to law.

In this report, the Agency describes its activities for the calendar year 1968.

RICHARD NIXON.

THE WHITE HOUSE, *March 11, 1969*.

MESSAGES FROM THE PRESIDENT RECEIVED DURING RECESS

Under authority of the order of the Senate of March 11, 1969, the Secretary of the Senate, on March 11, 1969, received messages in writing from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations received on March 11, 1969, see the end of proceedings of today, March 12, 1969.)

THE JOURNAL

Mr. MANSFIELD. Mr. President, as in legislative session, I ask unanimous consent that the Journal of the proceedings of Tuesday, March 11, 1969, be approved.

The VICE PRESIDENT. Without objection, it is so ordered.

MESSAGE FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing the nomination of William R. Tyler, of the District of Columbia, for promotion from a Foreign Service officer of the class of Career Minister to the class of Career Ambassador, which nominating messages were referred to the Committee on Commerce.

(For nominations this day received, see the end of Senate proceedings.)

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, as in legislative session, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The VICE PRESIDENT. Without objection, it is so ordered.

NOMINATIONS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of nominations on the Executive Calendar, under "New Reports," beginning with Mr. Richard E. Lyng.

The VICE PRESIDENT. Without objection, it is so ordered.

The nominations on the Executive Calendar will be stated, as requested by the Senator from Montana.

COMMODITY CREDIT CORPORATION

The assistant legislative clerk read the nomination of Richard E. Lyng, of California, to be a member of the Board of Directors of the Commodity Credit Corporation.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

FEDERAL HIGHWAY ADMINISTRATION

The assistant legislative clerk read the nomination of Francis C. Turner, of Virginia, to be Administrator of the Federal Highway Administration.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

GENERAL SERVICES ADMINISTRATION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the nomination of Mr. Robert L. Kunzig.

The VICE PRESIDENT. Without objection, it is so ordered.

The nomination will be stated.

The assistant legislative clerk read the nomination of Robert L. Kunzig, of Pennsylvania, to be Administrator of General Services.

Mr. SCOTT. Mr. President, I should like to join in the request that this nomination be confirmed forthwith. I have known Mr. Kunzig for a great many years and hold him in the highest regard. This is an extremely fine appointment.

I ask unanimous consent that the statement I made before the committee yesterday be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

> Mr. Chairman, my colleague, Senator Richard S. Schweiker and I present to you Robert L. Kunzig of Pennsylvania, nominated by President Nixon as the Administrator of the General Services Administration.
>
> I have known Bob Kunzig for many years. We have been friends and co-workers. I feel I am well able to present him to you and tell you, very briefly, about his background.
>
> Bob was valedictorian of his Frankford High School class in Philadelphia and later a graduate of the University of Pennsylvania and its Law School. He is a member of Phi Beta Kappa.
>
> He saw duty during the Second World War as an Army Captain in the Quartermaster Corps, receiving supply experience, which will stand him in good stead today. He has had an extensive career in government service, serving at various times as Deputy Attorney General of Pennsylvania, and counsel to a Committee of the United States Congress, and was previously confirmed unanimously by this Senate as a member of the Foreign Claims Settlement Commission.
>
> Of particular importance today is his wide Washington administrative experience. Bob Kunzig has served as Executive Director of the U.S. Civil Aeronautics Board. He was responsible for the administration and operation of this Board for almost four years.
>
> He is presently serving in the Governor's Cabinet as head of the General State Authority in Pennsylvania. The State G.S.A., that is. There, his duties are very similar to what his duties will be in an enlarged sense in the Federal G.S.A. He supervises construction programs totalling at the moment $1,800,000,000. Governor Shafer has also named him as head of the State Highway and Bridge Authority and the Pennsylvania Transportation Assistance Authority.
>
> Both United States Senators from Pennsylvania feel that Bob Kunzig is eminently qualified to be the Administrator of the General Services Administration. He is a brilliant executive and administrator, well worthy of the President's trust and confidence.
>
> It is with great pleasure that I come before the Government Operations Committee of the Senate this morning and present to you my former Administrative Assistant, Robert L. Kunzig, of the Commonwealth of Pennsylvania.

The VICE PRESIDENT. The question is, Will the Senate advise and consent to the nomination of Richard L. Kunzig, of Pennsylvania, to be Administrator of General Services? [Putting the question.]

The nomination was confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The VICE PRESIDENT. Without objection, it is so ordered.

ORDER FOR RECESS UNTIL 10 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, as in legislative session, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 10 o'clock tomorrow morning.

The VICE PRESIDENT. Without objection, it is so ordered.

RECOGNITION OF SENATOR LONG

The VICE PRESIDENT. Under the order of yesterday, the Senator from Louisiana (Mr. LONG) is recognized for 1 hour.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. LONG. I yield.

ALFRED H. SELBY—55 YEARS OF SERVICE TO THE SENATE

Mr. DIRKSEN. Mr. President, 5 years ago, I called the attention of the Senate to the fact that Alfred H. Selby, who is one of the attendants of the Senate, had served this body for 50 years.

I should like simply to remark that 5 years later, on March 14, 1969, he will have served the Senate for 55 years; and in point of seniority he is probably—and I am sure he is—the oldest in service of any attendant or other employee of the Senate.

I should like to remark the fact, and I should like to salute him for faithful and dedicated service to this body and to the country.

MACHIASPORT PROJECT—PRIVATE PROFITS VERSUS PUBLIC INTEREST

Mr. LONG. Mr. President, I have prepared a number of charts and tables to document some of the things I am going to say today. Rather than ask repeatedly for unanimous consent to have this information printed in the RECORD, I ask unanimous consent at this time that the charts and the exhibits that qualify for presentation in the RECORD be printed in the RECORD at the conclusion of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. LONG. Also, Mr. President, I anticipate that there will be some interruptions and suggestions by other Senators in connection with the speech I am about to deliver, and I ask unanimous consent that such colloquy appear at the conclusion of my prepared remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. LONG. Mr. President, Machiasport, Maine, has become the scene of a controversy which has far-reaching effects on our national security. Until now this controversy has generated a substantial amount of heat but very little light. Senators, Governors, and other well-meaning and responsible persons, representing a particular section of this country, have fought very hard and emotionally in support of a proposal by the Occidental Petroleum Co. to construct a 300,000 barrel per day oil refinery in a foreign trade zone on the coast of Maine.

I respect the views of those Senators who sincerely believe that this project is in the interests of the New England States they represent. I firmly believe, however, and I shall demonstrate, that Occidental Petroleum's proposal is contrary to the national interest of the United States and violates the interest of the people of New England. The proposal, in my judgment, is nothing more than an attempt by that company to extract fantastic oil concessions from the Federal Government. Exploitations of these concessions would mean huge windfall profits to Occidental—profits beyond the wildest dreams of the robber barons of the 19th century. The granting of those concessions would deal a crippling body-blow to the oil import program as it has been established in law and supported by four Presidents of both major parties.

The purpose of this speech is to lay out all the facts relevant to the issues that have developed with regard to the Machiasport proposal.

THE PROPOSAL

On July 22, 1968, the Department of the Interior made public a voluminous brochure submitted in support of oil import quota applications filed by the Business Development Fund, Inc., and the New England Refineries, Inc. The proposal involved the construction of a 300,000 barrel per day refinery in Maine and stated:

> The largest share of ownership of the refinery will be held by a consortium of independent, non-integrated deep water terminal operators which currently market in the New England area.

One day later, on July 23, 1968, the Occidental Petroleum Co., notified the Secretary of the Interior that it, not the consortium, was the owner of the Business Development Fund company and New England Refineries, Inc., and that the application filed on behalf of the refinery was "filed on behalf of the Occidental Petroleum Co." It then became apparent that Occidental had for many months conducted secret planning and political negotiations prior to Interior's announcement and that a prime objective of the refinery proposal was to facilitate substantial imports of Occidental's Libyan crude oil production which could not otherwise be imported because of the national security limitations applicable to all crude oil imports.

I would not object if a refinery was set up in a foreign trade zone in New England which would import crude oil and export all its finished products. In that way, our national security interests would not be violated, the balance of payments would be helped, and the refinery would stimulate employment in New England without causing unemployment in other parts of the country. Moreover, this would be consistent with the objectives of the Foreign Trade Zones Act as it was set up in 1934. I would not object if such an import for export plan was set up without the use of the foreign trade zone. However, this is not what is being proposed by the Occidental Co.

The Occidental proposed refinery would have a capacity of 300,000 barrels a day, making it one of the largest refineries in the United States. The total

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import allocations of crude and unfinished oil in 1969 for all 123 refiners in the United States is only 567,965 barrels a day with the largest refiner receiving only 38,000 barrels a day. Thus, the crude oil imported by Occidental would be equal to 53 percent of total import allocations for 123 refiners in 43 States, and almost 10 times as much as the largest single refiner is now getting. Moreover, the refinery output of Occidental would include 100,000 barrels per day of finished products—90,000 barrels per day of heating oil and 10,000 barrels per day of gasoline—which would require a special quota to permit importation into the United States. This 100,000-barrel-a-day quota, if approved, would be by far the largest single quota allocation granted by the Department of the Interior. In fact, it would be larger than all finished product allocations in all 50 States, which for 1969, is set at 76,471 barrels a day. Here are tables showing the 1969 allocations for crude and unfinished oils in districts I–IV and the 1969 allocations for finished products.

The proposal was sweetened by several ingeniously devised promises by Occidental which appeal to the interests of New England. First, the Occidental Co. promised price reductions of $20 million annually to consumers and $6.5 million to the Defense Department. I will show later in my remarks that these so-called price reductions will never reach the consumer. Second, the company pledged a special tax deductible payment to the New England Marine Resources Foundation equal to 20 cents per barrel. This amounts to some $7 million a year that Occidental says it would pay this foundation whose board of directors would have six New England Governors, and allegedly some Senators. Third, the proposal also claimed that it would assist the merchant marine by the use of American-flag vessels in the transportation of oil from Machiasport to other points on the east coast. This is also illusory, as I shall demonstrate later.

Finally, the proposal promised to help the balance of payments and regional economic development. It is no wonder with all the claimed benefits why so many conscientious individuals jumped to support it vigorously.

Even a superficial examination of the alleged benefits, however, reveals that they are a smokescreen designed to obfuscate the real intent of the proposal which is to provide a captive market through which Occidental can dispose of its large oil findings in Libya at windfall profits. This is a serious charge, but this is a very serious matter. In this case for no other purpose than its own enrichment one company is attempting to destroy a program which is dedicated to assure our survival as a nation.

I intend to examine point by point the alleged benefits of this proposal against the adverse effects it would have on the national interest. Before doing that, however, let me review briefly the genesis of oil import programs in relation to national security.

NATIONAL SECURITY

In May of 1958, the Department of Defense, in a policy statement to the House Ways and Means Committee assessing our security posture in light of the 1957 Suez crisis said:

> Recent developments in the Middle East vividly demonstrate the folly of depending on foreign oil to supplement local supplies even in peacetime.

You will recall that was when Mr. Nasser nationalized the Suez Canal and British and French paratroopers tried to retake it. Mr. Khrushchev's "brinksmanship" caused the United States to take a "hands off" policy which knocked the props from under British and French efforts to regain control. Ten years later, in 1967, that lesson again was brought home when as the result of the Arab-Israeli war, Middle East oil supplies were again disrupted and Arab oil shipments to the United States, including Libyan oil, were again embargoed.

Three former Presidents, beginning with President Eisenhower and continuing with President Kennedy and President Johnson together with numerous special task forces, commissions as well as several congressional committees have understood the importance of the mandatory oil import program to protect the national security. I have no doubt that after a hard, cold look at the facts, President Nixon will see the need for this program also. Mr. President, I also include at the end of my remarks a memorandum explaining, in great detail, the national security foundation of the oil import program.

See exhibit 2.

There are times perhaps when the term "national security" is used loosely, but that is not the case with this program. The "national security" objectives of the program are manifest. They are extensive. They are not theoretical. Twice in the past 10 years we have seen that Mideast erupt into turmoil. At this particular time, it is the most explosive spot in the world. President Nixon has agreed to a four-power conference with the Russians, the French, and the British to smother the flames of hatred in that area that could turn the whole world into a holocaust. The President says he wants to "defuse" the situation, and we all hope and pray that he can.

Without the oil import program we would become progressively more dependent on the Arab countries for oil. There is no doubt that many small American refineries would go out of business; exploration for oil would drop off sharply; and we would find ourselves without usable reserves at the very time that we need them most. This is not just my personal opinion; it is the considered judgment of three Presidents, numerous task forces, and several congressional committees.

In 1941, when we entered World War II, our existing reserves were 12.3 times our annual petroleum demand. In 1959, when the oil import program was imposed, our reserves were 10.8 times demand. By 1967, in spite of the program, our proven reserves had fallen to 8.7 times our annual demand. Our oil imports, controlled and uncontrolled now constitute about 25 percent of domestic crude oil, and natural gas liquid production. That is about twice the expected import penetration of steel and three times that of textiles. Yes, even with the oil import program the trend is not good, but without it, there would be a disaster for this industry and I believe for the United States as well. We would become completely dependent upon foreign sources of supply for the oil that fuels our factories, our homes, our planes, ships, tanks, and automobiles.

Since a barrel of foreign crude oil can be landed in the United States at about $1.25 cheaper than it can be produced and sold for here, it is clear that many, in fact most, domestic producers would fold without a control over imports. True, some major domestic refineries, who have foreign oil as well as domestic oil would survive, but the inland refineries and the independent producers would be hurt badly and most would not survive.

We would then become dependent on the whims of Arab monarchs and the precarious political situation of the Mideast. And let no one deceive himself as to the consequence of that dependence. It would tilt the political balance in that sensitive area of the world, placing those Arab States in a better position to blackmail us into adopting policies more suited to their best interest and not ours. If nothing else convinced us, we should have gotten the message when the Suez crisis erupted in 1967 and the Arab nations boycotted the flow of oil from the Mideast. A boycott is an attempt to force a change in policies by economic pressure. Where would we be if domestic oil was not available and the Arabs again decided to stop the flow of oil to Western nations? What would have happened to the Northeast section of the country if the independent producers of this Nation were not around in time of emergency to come to their rescue and supply the fuel needed to generate their electricity and heat their homes, and fuel the factories in that part of the Nation? It would be a cold, dark place up there.

The Arab-Israel crisis was caused by minor powers. A confrontation with major powers would be even more serious. With Russian ships and submarines dogging our Mediterranean fleet day and night, we must know that in a crisis they would cut off our supply lines from Libya or anywhere in the Middle East, and even cut them off from Venezuela. Certainly, one of the first belligerent acts of a warring country is to cut off its enemies' fuel supplies—and if our supply lines are 6,000 miles long, it would not be difficult for a major warring nation to achieve that objective.

As an interesting commentary on history, I recall that 25 years ago, during World War II, a Japanese submarine surfaced off the California coast and lobbed more than 2 dozen shells from its deck gun onto U.S. soil. In my judgment, it was no accident that the target of that shelling—the first enemy attack against the U.S. mainland since the War of 1812—was the rich oilfields just below Santa Barbara, Calif.

It is pretty clear to this Senator that a major nuclear war is unthinkable, even in the minds of our adversaries. Any attack on this country with strategic nuclear weapons on our cities would bring swift retribution and retaliation in kind against their cities. The consequences of such an attack and counterattack are so horrendous and appalling that they

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serve as a sort of automatic checkrein against that type of war. Millions of noncombatant citizens would die needlessly, and major cities would be completely destroyed.

But that does not mean the end of wars. Conventional warfare with conventional weapons is very much with us. Korea, Vietnam, and the Middle East all attest to this. Africa is a seething continent, and the subcontinent of India has been attacked twice by China within the past 5 years. And Castro's Cuba keeps the Communist threat ever present in this hemisphere.

We all know the tremendous effectiveness of Hitler's submarine squadrons and how they virtually stopped coastwise shipping during World War II by lying in wait off the mouth of the Mississippi River or off Cape Hatteras and torpedoing every vessel that came by. The German submarine fleet was quite small compared with the size of the fleet the Russians now possess. With their greater strength and with Cuban bases to work from, they could put a stranglehold on the Gulf of Mexico and the Caribbean Sea. They are not going to let Venezuelan oil come through.

Equally important, in the event of a major war our offshore wells in the gulf and off the coast of California could be lost to us also. Those wells are stationary in the water; they would offer the easiest target possible for enemy torpedoes. Or the Russian subs could send out frogmen to destroy the wells with explosive charges. Not even the well which is located wholly beneath the sea and which is connected to shore by an underwater pipeline could escape enemy frogmen bent on destroying them.

Mind you, Mr. President, we could not even defend the offshore wells. The enemy would pick his own time and place and weapons. If we tried to protect our offshore wells against torpedo attacks by erecting protective netting around them, the enemy would either use their deck guns to reach over the net, or send frogmen to go under them. An enemy having just destroyed our offshore wells, cannot Senators just imagine the conflagration that would result if the enemy then set a match to the floating oil and natural gas? It would be weeks before the fires could be brought under control; meanwhile, the fires might have destroyed countless additional wells.

Further, oil from the wells in the Gulf of Mexico is, to my certain knowledge, produced by gas pressure. If the gas were ignited by the lighting of a match, the drilling platform would be destroyed, and a conflagration would be created which would take a long time to put out.

I am confident that our military leaders, who look on oil as vital to our defense, will agree that we cannot count on our offshore wells to provide the fuel to fight a major war.

With our offshore wells now furnishing about 10 percent of our petroleum needs and with foreign countries supplying another 25 percent, that means that nearly one-third of our present oil supplies would not be available to us. We would have to depend solely on the domestic wells, principally the inland wells—and inland refineries—for the petroleum we would need to fight a war.

Without a viable domestic petroleum industry, we could not move the supplies, the men, and the weapons which have to be moved in time of crisis. We have the mightiest military machine the world has ever known. But if we have no oil to fuel it, our magnificent weapons would be useless—mobilization would be paralyzed.

HOW MACHIASPORT AFFECTS NATIONAL SECURITY

Now, how does the Machiasport project affect this situation? In at least nine ways—all adverse.

First, Machiasport would operate 100 percent with foreign crude oil. The refinery capacity would be nearly 25 percent of the total refining capacity on the east coast, and there would be a tremendous displacement of U.S. oil supplies moving into the Northeast as that area became more and more dependent on foreign source oil. If foreign supplies should be disrupted by another Suez crisis—or one more serious—the entire Northeast section of the country would be devoid of heat and energy. To allow a 300,000 barrel a day refinery to be built on 100 percent foreign oil—Arab oil at that—which would be responsible for heating the homes and factories of New England is tantamount to placing the people of New England at the mercy of the Arab sheiks. It is a fact that the Arab oil would put a large number of independent producers out of business—producers who today fuel the Northeast. If they were gone, who would supply the needs of New England in a future oil emergency? If Machiasport were built, and using Libyan oil, and there were another Arab boycott—such as we have witnessed twice during the last 10 years—the people of New England would have to seek oil from other sources; but they might be unable to find it. In this regard, it is hard for me to understand why this project is championed as being in the interests of the people of New England, because in a future emergency, they would find themselves totally without fuel.

Second, the tremendous volume of foreign oil that would flow to Machiasport would affect prices of U.S. oil, which would then be reflected in a slow-down in exploration in this country. Now it begins to get serious from a strategic standpoint. The search for new oil would slow down in this country, our proven reserves would diminish through consumption, and our ability to fight a major war would be weakened. Without a doubt this is the situation in which our foreign enemies would like to see us.

Third, as our proven reserves diminished, prices for domestic crude oil would rise. U.S. refineries would then seek more and more cheaper foreign oil to help hold consumer prices in line. To get this foreign oil there would have to be larger allocations under the oil import program. If these requests for larger allocations were granted—and the pressure to do so would be virtually unbearable—it would accelerate the situation which I have described. In addition, it would signal the end of the oil import program as a serious link in our national security network.

Fourth, any decline in American crude oil prices which would result from increasing dependence on cheaper crude would be shortlived. The Arab nations, including Libya, are members of the Organization of Arab Petroleum Exporting Countries—OAPEC. The announced purpose of this export cartel is to increase the "take" from production by forcing up prices and taxes in those countries. Libya recently announced that it was going to renegotiate oil revenues from companies operating in that region. This is just one example. The negotiation could prevent the price concessions Occidental claims from occurring. We would be foolhardy in the extreme to believe that we could extend the dependence of our country, or even large sections of our country, upon Arabian oil without running the risk of paying whatever the traffic will bear once we are "hooked" on that source of supply with no practical alternatives.

A recent memorandum from the Department of the Interior entitled "Cost of the Oil Import Program to the American Economy," stated:

> The assumption that foreign crude oil prices, taxes and royalties would not rise with increased imports is probably valid only in the short run. While unused world capacity to produce crude oil might delay an immediate rise in world crude oil costs, shipments to the United States would rise from 5 percent of free foreign supplies in 1967 to 15 percent by 1980, *and would almost certainly result in higher prices*. Moreover, the growing reliance of the United States on foreign crude oil would strengthen the bargaining position of a host of producing countries *whose past performance demonstrates intentions of continually increasing their share of producing profits*. (Emphasis supplied.)

I incorporate in the RECORD a table showing how the countries of the Middle East and Venezuela have increased their government revenues from the U.S. oil companies. There has been close to a 300-percent increase in the take of the Middle East oil producing countries and a 75-percent increase in the take by the Venezuelan Government over the past 20 years—see exhibit 3. This study concluded the point by saying:

> As payments to producing countries increase, costs of foreign oil delivered to the United States will rise to offset some of the cost advantages initially gained by the removal of oil restrictions. With each ten cents a barrel rise in foreign costs matched by a corresponding increase in U.S. crude oil postings, annual U.S. consumer product-costs might be in the order of one-quarter of a billion dollars higher.

The postwar years have been marked by efforts of extremists, Communist-inspired or ultranationalist forces in oil producing countries to force exorbitant concessions from U.S. corporations. The oil companies, because they are large and because they are usually American, have taken the brunt of the nationalistic efforts. When these extremists obtained the upper hand, foreign industry was frequently nationalized.

Iran expropriated British Petroleum oil operations in 1951, disrupting oil supplies in the free world during the Korean war which threatened the ability to carry out that effort, and contributed to major world tensions. Today, we are faced with

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a crisis which may seriously affect our relations throughout Latin America, a crisis created by the Peruvian nationalization of a subsidiary of the Standard Oil Co. of New Jersey.

In the postwar era there have been significant expropriations of United States, British, and Dutch oil interests in Iraq, Egypt, Syria, Indonesia, Ceylon, Argentina, and Cuba. At the fourth Arab Oil Conference in 1963, blistering attacks were made against "foreign" oil companies. The Sheik of Arabia urged that all foreign companies' concessions should be nationalized outright because they were simply tools of Britain and the United States. He charged that the U.S. Government controlled companies through the artifices of the U.S. tax and antitrust laws. At the fifth Arab Conference in 1965, there was a consensus that the only question was not whether to nationalize but when to do it. Thus the threat of nationalization is present behind every major demand made by foreign oil producing governments, and every American oil company is well aware of that possibility every time negotiations start. The aims of the producing governments were stated succinctly by the Chairman of the Kuwait National Petroleum Co. when he said "we can't have foreigners running our main business forever." He calls for nationalization through step by step negotiation; others call for it immediately.

A key factor against nationalization of American investments, however, is the potential loss of our American marketing network, both here and in Europe—which is the largest in the world—and which we are presently able to supply from our own production. However, this safeguard would be lost if we were to permit ourselves to become dependent on foreign oil. For the United States to become dependent on the supply of crude oil from foreign countries, whose sole aim is to increase their profits, and ultimately to nationalize all foreign oil interests, is sheer folly.

I asked unanimous consent to include at the end of my remarks a memorandum I have prepared discussing the history of actions by oil producing countries to form a seller's cartel in order to increase the take from oil production—see exhibit 4.

May I ask that the companies located in those areas have been somewhat reluctant to state this fact publically. But they have been forced to pay far more than their agreements and contracts called for.

Even a cursory reading of this will reveal to my colleagues that any increased dependence upon foreign oil would not reap any benefit to the U.S. consumer. Instead of increasing the longrun cost to the consumer, U.S. oil production serves as a guarantee that oil prices will retain the stability they have demonstrated ever since the oil import program was established. Let me explain.

Venezuela supplies a considerable amount of oil to this country. Of the total imports of $2.1 billion in 1967, Venezuela supplied $832 million or about 40 percent of our oil imports. With the lower transportation costs between Venezuela and the mainland, United States, as compared with the transportation from the Persian Gulf, it is natural for U.S. companies operating both in Venezuela and in Africa or the Middle East to ship Venezuelan oil to the United States and for the same producers to ship the bulk of their African and Middle Eastern oil to the European market. Venezuela has increased taxes against U.S. corporations and is currently trying to ween further concessions out of them. Venezuela knows full well, however, that if the price gets too high—and if America still has the ability to produce its own oil requirements—it might lose its share of the American market. He who pays the piper, calls the tune.

At the same time, the Arabs realize that as long as America can substitute domestic for foreign oil, they cannot sell their oil at exorbitant prices without facing a loss of their share of the U.S. market and, at least, some part of the European market to the Venezuelans. The Arabs have to be price competitive with Venezuela, and Venezuela must gear its prices in accordance with those in the United States. In other words, U.S. ability to locate and produce its own oil serves as a sort of stabilizer for world prices. And let me remind my colleagues that, in spite of the oil import program, there is no other major commodity in the wholesale price index which shows the stability that oil prices have shown. Wholesale fuel prices have increased by only 2 percent in the last 10 years. At the retail level, the increase has been only about 7 percent, as compared with a 20-percent increase for all commodities. And, if you deduct State and Federal taxes, the average retail price of gasoline in this country today is about 7 cents a gallon cheaper than it was 45 years ago.

Forty-five years ago, with practically no tax at all, the price excluding tax was 30 cents a gallon for regular gas, whereas today, when the taxes are removed the average U.S. price for gasoline is 23 cents a gallon.

I also include two tables showing the retail price of gasoline, excluding taxes, over the 1958–68 period—see exhibits 5 and 6.

Mr. President, this is a classic example of how costs have been kept down by passing on to the consumers the benefits of mass production.

The less developed countries have been agitating for years to get special tariff preferences from the developed countries. The so-called UNCTAD—United Nations Committee for Trade and Development—has been very active in recent years in this area. For political reasons our State Department has become very sympathetic in their demands. Those countries have a lot of votes in the United Nations. Even if the major powers would veto these resolutions in the Security Council, the oil producing countries can band together and raise the price on their exports. They, in fact, are doing just that. But to unilaterally give oil producing Arab States special privileges to market their oil in this country is beyond all reason.

The petroleum producing countries in the Middle East and Africa had exports of $7.9 billion, and imports of only $4.1 billion in 1966—just before the latest Suez crisis. They do not need preferences. Libya exported $1 billion worth of oil, while their total imports were only $400 million. It does not need preferences.

Per capita incomes of oil producing countries in the Middle East are among the highest in the world. It seems the height of folly to me to allow special preferences for their products into our markets.

A good case can be made for lower prices for virtually any commodity. The impulse to buy cheap is understandable. But, the assumption that foreign oil, once we must depend upon it, will remain cheap is fallacious.

Fifth, as greater supplies of foreign oil come to this country at higher and higher prices, greater quantities of dollars are going to flow out. This would seriously jeopardize our balance-of-payments objectives and further weaken the dollar as an international currency. Libya's official gold and foreign exchange holdings increased tenfold from $53 million in 1958 to $588 million as of last November. The Euro-dollar holdings by the sheiks of the Middle East are known to be large, as are their Swiss bank accounts. Their earnings come mainly through oil exports.

Keep in mind that oil is already the largest single commodity imported into this country. Last year the dollar drain resulting from petroleum imports amounted to $2.1 billion, and without our oil import program that figure could easily double in a short period of time. How can anyone explain how spending $1.75 to $2 a barrel for Libyan oil will benefit our balance of payments?

Oddly enough, the alternates to the Foreign Trade Zones Board, in their recent action recommending approval of this project concluded:

> Implementation of the proposal as presented would have a neutral or slightly favorable effect upon the balance of payments, if finished petroleum products to be produced in the Machiasport subzone are imported within the present overall quota under the Mandatory Oil Import Program.

But, Mr. President, the 100,000 barrels a day of finished products are more than the total finished-product allocations throughout the land. Since obviously it is impossible to put 100,000 barrels within the 79,000 barrel a day limit for finished products fixed by proclamation, the assumption made by the alternates has to apply to the overall limitation of 12.2 of foreign oil in relation to domestic production. Now let us see what that involves.

It takes about 125,000 barrels of crude to produce 100,000 barrels of finished products. Thus, because Occidental proposes to use all foreign crude for the manufacture of finished products, domestic production will fall by 125,000 barrels a day. Moreover, to keep the 100,000 barrels of finished products within the 12.2 percent limitation, foreign imports allocations to others would have to be cut by 125,000 barrels a day. Now, the largest refinery—one equal to the size of the proposed Occidental refinery—can use only about one barrel of imported crude for every 21 barrels of domestic

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crude. The import allocations of these refineries has already cut back substantially as can be seen in exhibit 7. So, the cutback in quota allocations would have to come out of the allocations granted to small and medium size refineries. That raises antitrust implications which I will explore later.

Sixth, as domestic refineries get choked off by the switch from domestic to foreign oil, thousands of American jobs would be lost—not only in refineries, but also in road builders, pipe manufacturers, mud and service suppliers, cement producers, and a whole host of secondary industries. I need not remind Senators what would happen if our refineries started to close down. Those who provide services as well as those who use the refined products would be displaced.

It has been argued that the Machiasport project would lead to the creation of new jobs in a poverty area that cries for employment. I really question that any new jobs overall would be created. With the excess capacity that exists in our present refineries, the foreign trade zone would kill off far more jobs elsewhere in the United States—where the need for the employment opportunities may be even greater—as it might add in New England. At best, there would be a transfer of refining jobs from the South and Southwest to the Northeast. But even under those circumstances there is bound to be a loss of jobs in the extraction and distribution phases of the oil business. Every new refinery job would displace a refinery job elsewhere in the United States, and it would cost additional jobs in the oilfields.

For the benefit of my colleagues who are interested in the number of jobs which might be affected in their State, I am including in the Record a table showing the estimated number of employees in important segments of the petroleum industry in 1967—see exhibit 8.

Employment in the extraction—that is, the production—phase of the petroleum industry totaled 275,437 in 1967. This employment was spread out throughout the country with Texas, Louisiana, and Oklahoma having the largest share.

In petroleum refining employment was almost 150,000. Again, these were spread out throughout the country with significant employment in Arkansas, California, Delaware, Illinois, Indiana, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Montana, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, Texas, Utah, the State of Washington, and Wyoming.

While we cannot be precise in assessing the exact number of employees who would be displaced in the inland refineries in these States, there is no doubt whatsoever that the number would be extremely large. The maximum number of employees to be added in the Occidental plant at Machiasport has been estimated to be 300 to 350.

Since Machiasport could be the opening wedge in the virtual destruction of the whole import program, we can expect tens of thousands of production workers to be displaced, and a sizable number—in the thousands—of people in the refining aspects of the operations to be put out of their jobs. And this fact highlights something very important to national security; namely, that the production units and companies that would close down would be those small inland refiners who have higher unit costs of production. This would leave only those large refineries, with foreign operations, located on the coast. And they would be easy targets for any enemy action be it overt, through a few well-placed bombs or covert, through sabotage.

And, if we are talking about "sharing the wealth," let us compare the per capita personal income of the oil producing States—or at least the principal oil-producing States—with those in New England. Louisiana ranks 42d in the Nation as far as per capita personal income is concerned, with a level of $2,445. Oklahoma and Texas rank 34th and 32d, respectively, with per capita incomes of $2,623 and $2,704. Arkansas and Mississippi are 49th and 50th, with per capita incomes of $2,090 and $1,895, respectively. These contrast with per capita incomes of $2,620 in Maine, $3,019 in New Hampshire, $3,488 in Massachusetts, and $3,865—the highest in the land—in Connecticut. The New England average is $3,436 as compared with $2,580 in the oil producing region of the Southwest. In other words, the per capita income in New England averages close to a thousand dollars higher than per capita income in the principal oil-producing States.

Put another way, each State in New England has a higher per capita income than Louisiana, and five New England States each have higher per capita incomes than any oil producing State, including Texas.

So, if we are arguing this in terms of economic development, the oil-producing States are the most depressed.

Seventh, if the Machiasport project were approved, and a foreign trade zone was set up in Maine, we can expect other foreign trade zones to be established throughout this land which would surely add to our general import problems. The competitive advantage which Occidental would gain over its competitors in the oil and petrochemical industries would cause a further proliferation of foreign trade zone applications by oil and chemical firms which would be hard to deny. Many other industries are suffering from imports from abroad.

If we are willing to become dependent on foreign oil because it is cheaper, how can we justify not becoming dependent on foreign steel, textiles, chemicals, glass, electronic equipment, and a host of other products, which, mainly because of low labor costs, can be produced more cheaply abroad. I remember well when my distinguished colleague from Maine, Senator Muskie, testified in support of his proposed "Orderly Footwear Marketing Act" before the Committee on Finance. He said that footwear imports increased "because they are produced at wage and hour costs that are illegal in the United States."

Now, I respect the Senator for seeking relief through "orderly marketing" for the shoe industry in Maine, which he says is the largest employer in his State.

But, I find it ironic that national figures who go to great lengths to protect such industries as shoes, textiles, and electronics from lower cost foreign products, are willing to see the one industry which has been found to be vital for our national security suffer irreparable injury through the importation of cheap foreign fuel produced in Africa or the Middle East, which would not be available to us in time of national emergency.

If we are going to let oil in because it is cheaper, why could not we also open our markets wide to other products coming into this country from abroad where they can be manufactured more cheaply? There is no logic in seeking to protect one industry, while at the same time forcing other even more vital industries out of existence.

In this regard we know that the Japanese and the Scandinavians are the most efficient shipbuilders in the world. It cannot be denied that the merchant marine fleet is a vital force contributing to our military independence and yet we all know that the costs of constructing and operating a ship in this country are far higher than they are abroad. What would happen to the Boston shipyards and the jobs it supports if we started buying cheaper foreign ships for our merchant marine? There would be several times as many shipyard workers laid off in Boston than there would be new jobs created at Machiasport.

At some point we in Congress are going to have to devise a trade policy which is consistent, both internally and externally, with our national goals, our foreign aid and foreign relations policies. Right now these are at sixes and sevens. Foreign aid policy is divorced from foreign trade policy. Both are unrelated to domestic growth, employment and balance-of-payments objectives.

The proponents of the Machiasport project, are in effect, willing to see a "Balkanization" of the United States. It is an attempt to help the northeast section of the country at the expense of the southeast and southwest.

For many years in our history the northeast fought and achieved high tariffs to protect their manufacturing interests at the expense of Southern and Western agricultural interests who needed outlets for their agricultural produce and who desired cheap manufactured goods from abroad because they were poor. While the high-tariff policy advocated by the North hurt the South—and incidentally was a major issue in the Civil War—it did serve to allow U.S. industry to grow and prosper and eventually strengthened the whole country into the largest common market in the world.

But now, in this Machiasport project the Northeast appears to want to balkanize the country by giving advantages to their section of the country at a tremendous cost to other regions and the Nation as a whole.

There are too many trade policy officials who delude themselves and the public with cliches about "American superiority." They say, "we are the most efficient producers in the world." It is supreme arrogance to think a German-American is a more efficient—superior—human being than a German, or a French-American is more efficient than a Frenchman, just because he is in America.

Our wages are the highest in the world; technology and know-how are now widespread throughout the world—we do not have a monopoly on brains. Higher cost American producers are suffering from lower cost imports. We are, in effect, trading off high-paying jobs for low-paying jobs. If we were so superior, this would not be happening.

In the near future, I intend to make another speech discussing the issues in our foreign trade policy. At some time we shall have to decide which industries we want to preserve and which we are willing to see go down under competition from foreign imports. This further speech will discuss industry problems in some detail. It will also discuss how other countries are protecting their agricultural and industrial interests without regard to what economists call "the principle of comparative advantage."

Finally, it will lay the foundation for a full scale investigation by the Committee on Finance of our international trade relations and trade policy.

Eighth, I am firmly convinced that the framers of the Foreign-Trade Zones Act never intended that it would be used as a loophole to avoid the oil import program.

The Foreign-Trade Zones Act was designed to bring in materials, process them with American labor, and then sell them for export. Exactly the opposite would occur under this Machiasport proposal. Instead of creating jobs, it would displace them. And, more important, it would be a vehicle to destroy the oil import program and jeopardize the national security.

Today, there are two manufacturing plants operating in foreign trade zones which ship their products into the customs territories of the United States. One is a small textile operation in California. Another is a petrochemical complex in Puerto Rico. As of now, however, nobody can export finished petroleum products out of a trade zone into the U.S. customs territory. Yet, that is precisely what this proposal would do.

In recent years, the foreign trade zone has become the "gimmick" for economic development objectives in Puerto Rico. It would be cheaper and more consistent with the purposes of the program to give the people of this island a direct subsidy, rather than tinkering with the oil import program to accomplish that objective. Thus, instead of fostering U.S. exports and creating employment, which was the intention of the act when it was passed during the depression in 1934, it is presently being employed almost solely by Occidential as a device for getting around the oil import program, which was intended to save an essential domestic industry from undue injury as a result of foreign imports into this country.

Ninth, we have—today, at least—very good political relations with Venezuela. That country ships us a lot of crude oil and residual oil. It depends substantially on its oil sales for its foreign exchange earnings and economic progress. Venezuela's lifeline is threatened by the Machiasport project. In 1967, over 73 percent of the residual fuel oil imports into district 1 under a security-oriented program, came from Venezuela; and 55 percent of the crude oil imports into district 1 came from Venezuela. The shift from Venezuelan to Libyan oil would be a serious blow to our relations with Venezuela and our hemispheric commitments. If we ever again needed Venezuelan oil, it could turn out that it would not be available to us. From a strategic point of view, hemispheric oil is a lot safer bet than Arab oil. It is not as safe as domestic oil, to be sure, because of the submarine threat, but it surely is a lot safer than Middle East or African oil.

RED HERRING ARGUMENTS

In the beginning of this discussion I mentioned that the alleged benefits promised by the Occidental Petroleum Co. to the Northeast region were sweeteners designed to obfuscate the real intention of that company which is to gain a windfall profit by puncturing a large hole in the oil import program. The alleged benefits, I believe, are mostly red-herring arguments—smokescreens, if you will.

PRICE OF HOME HEATING FUEL IN NEW ENGLAND

First, there has been hue and cry raised that the oil import program is responsible for higher fuel costs in New England than in any other section of the country. I have looked into this matter and found that this is a "red herring" argument. It is simply not true.

Mr. President, the price question is so important that I have prepared charts which will demonstrate to my colleagues that the wholesale price of home heating fuel oil in New England for most years has been lower—not higher, mind you, but lower—than the comparable prices in other areas on the east coast, and lower than the average for the country as a whole. A chart in the rear of the Chamber demonstrates this.

Chart 1 compares the wholesale prices in New England, shown in the solid red line, with wholesale prices for the Nation as a whole, as shown in the solid black line. Wholesale prices are prices which are paid to integrated oil companies and operators of ocean terminals by the independent fuel oil distributors who deliver the heating fuel oil to the homeowners. The chart shows that in every year except three, over the 1958–68 period, wholesale prices in New England have been lower than wholesale prices for the Nation as a whole. Taking the 11-year period as a whole, the average wholesale price in New England has been 10.3 cents per gallon, as compared with an average price for the United States as a whole of 10.6 cents per gallon. In other words, it has been about 3 percent cheaper.

Now let us look at the wholesale prices in New England as compared with those in the Mid-Atlantic and South Atlantic States.

The bottom part of chart 2 shows that New England wholesale prices, again shown in red, have followed very closely those charged in the mid-Atlantic States. Over the 11-year period, 1958–68, the average wholesale price in New England was 10.29 cents per gallon as compared with 10.30 cents per gallon for the mid-Atlantic States.

Looking at the comparison with the South Atlantic States, however, one finds that New England prices have been consistently below those of the South Atlantic. This comparison is extremely important because neither of these two regions has any oil refineries operating within it.

For the 11-year period as a whole, wholesale fuel prices in the South Atlantic region were 10.57 cents per gallon, or about three-tenths of a cent per gallon higher than the New England prices.

To put it another way, the South Atlantic region was paying about 3 percent more for heating oil than New England.

The next chart shows a comparison of "dealer margins" in New England in red with those of the Nation as a whole in black. Here is where the problem is, Mr. President, so far as I can discover. These dealer margins are the markup made by the local fuel oil dealers who deliver the fuel oil to the homeowners. Here we find that although the New England dealer margins were only slightly higher than those in the country as a whole until 1962, after that time they suddenly became substantially higher and have remained so ever since. That is the crucial point. It is the dealer markups in New England which are responsible for the higher retail prices charged the consumers in that part of the country—not wholesale prices charged by the oil companies.

Finally, chart 4 sums it all up. Here we see, on the upper part of the chart, that wholesale prices in New England have been generally below those for the Nation as a whole. However, because of the higher dealer margins in New England, as shown in the middle part of the chart, the prices charged to consumers in New England, shown in the lower part of the chart, are higher than the average for the country as a whole.

The conclusion, Mr. President, is that oil companies deliver home heating fuel oil to New England at prices generally lower than to other areas in the United States. The higher New England retail prices are due solely to the higher markups charged by the distributors of this fuel. Just why the distributors and fuel oil dealers in New England overcharge the New England homeowner is a mystery. Perhaps there are higher costs of doing business in that part of the country; perhaps there is not enough competition between distributors. Whatever the reason for the higher dealer margins, the problem of higher retail costs to the consumer of fuel oil in the New England area is not due to refiners delivering the fuel to the distribution points at higher prices than in other parts of the Nation.

If lack of competition is the cause of the problem, I would give my wholehearted support to finding ways of providing more competition so that the New England homeowner would not suffer from higher markups by distributors than they do in other parts of the country. Perhaps the Antitrust and Monopoly Subcommittee of the Judiciary Committee—or that of the Small Business Committee—should look into the facts of the matter.

It is unfair to blame the oil import program for higher fuel costs in New England. The facts show that this is simply not the case. And above all, one should not distort and create gross in-

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equities in the oil import program because local dealers in New England are charging the consumers higher prices than dealers in other parts of the country are charging. Since I know it is not possible to include these charts in the RECORD, here are supporting data, in the form of tables, from which the charts were made—see exhibit 9.

Now, let us look at it from another standpoint—the average cost per barrel of fuel oil burned in steam generating plants in New England as compared with other regions of the country. I have asked for and received official statistics from the U.S. Federal Power Commission giving the comparisons for the year 1967. Here is what they show—and this is for the past year: The average cost of burning a barrel of oil in New England was $1.99. This compares with $2.05 in the Southeast, $2.82 in the Midwest, $2.10 in the Southwest, and $2.02 in the Far West.

I am sure my colleagues from New England are surprised to know that the average cost of burning a barrel of fuel oil in their region is cheaper than it is even in the oil producing regions in the Southwest. Here is a memorandum given me by the chief counsel of the Committee on Finance reflecting the official statistics obtained from the Federal Power Commission—see exhibit 10.

And, as I stated earlier, the pity would be if we attempted to lower fuel prices in New England by making the people of that region more dependent on Arab oil and then find the Arab nations squeezing the New England consumers by jacking up their prices, as surely would be the case. Try to explain that to our constituents.

PRICE DISCOUNTS

Occidental promises to reduce petroleum prices 10 percent below posted prices. But, even on the face of it, Mr. President, the value to consumers of the price discounts that Occidental promises is far less than the $20 million Occidental claims. The average discount prices in the New England area have been in the neighborhood of 5 percent over the past 5 years. Thus, a 10-percent reduction from posted prices would be only a 5-percent reduction from actual prices. And this is not all, because even this discount is very unlikely to be passed on to consumers. It is quite different, Mr. President, in that area at the wholesale price level. The refiners are already selling oil at 5 percent below the posted prices. That is a very competitive area. No company really controls that market. With each company fighting for it, they are selling oil at a 5-percent discount. The Occidental Co. comes in talking about a 10-percent discount below posted prices, but they would actually be cutting prices only 5 percent, not 10 percent, because the people there are already getting the 5-percent cut to begin with.

Furthermore, the discounts apply not to the prices charged to consumers but to the prices charged local distributors who apparently would be partners in the Machiasport venture. Since other suppliers will not have similar cost savings, it is highly unlikely that the discounts will even reach the consumers. There will be no incentive to pass them on. As I have already mentioned, the dealer markups in New England are higher than in any other part of the Nation.

Finally, the price of the fuel oil will depend heavily on the outcome of the renegotiation of oil concessions which Libya has announced.

In other words, the actual prices depend on getting Libyan oil at the present cheaper price. But Libya has already announced it will insist on further negotiations. Libya has a sovereign right to insist on that—even nationalize its oil production if it wants to do so—and, if history is any guide, the result of those negotiations would be to increase the taxes on and royalties payments by the U.S. oil companies.

Obviously, Libya wants the price to go up, and no doubt they will force it up, either by demanding greater royalties from the oil companies or by assessing greater taxes against them. Either way, Libya is going to benefit. Correspondingly, Occidental's share will go down and they will make it up by hiking prices to consumers—New England consumers, in order to make the profit it anticipates. And, once Libya and Occidental are assured a captive market in New England, you can no longer be certain that there will be any price reductions or savings to the consumer.

SAVINGS TO DEFENSE DEPARTMENT

What about the benefits that have been alleged as far as price reductions that Occidental has promised to the Defense Department? Here again we have a "red herring" argument. The alleged $6.5 million savings to the Government on military fuels is fictitious because the Department of Defense already has the option of purchasing foreign refined products and bringing them into the United States under the presently unused products quota.

But, for balance-of-payments reasons, the Department uses domestic oil whenever it can. For the fiscal year 1969 petroleum contract awards by the Department of Defense total 429 million barrels, valued at $1.75 billion. Of the total, 244 million barrels, valued at $1.2 billion, is domestic oil, and 185 million barrels, valued at $0.6 billion, is foreign oil. In the case of Vietnam, however, 96 percent of the procurement has gone to foreign producers—that is 43.9 million barrels out of a total 44.8 million.

On an overall basis, however, the Department has not used all the import allocations available to it. Moreover, how can Occidental guarantee any savings to the Defense Department whose purchases are under competitive bidding procedures?

Finally, the same factors regarding prices to consumers being related to the "concessions renegotiation" also apply to possible purchases by Defense. So, this argument, too, falls by the wayside when one looks at the facts.

MERCHANT MARINE ARGUMENT

Another fallacious argument—"red herring" if you will—is the alleged benefits which the Occidental project would have for the American merchant marine. Occidental promises to ship products from Machiasport by American-flag vessels.

That is a very interesting commitment because section 883 of the Merchant Marine Act of 1920, requires the use of American owned and operated flag vessels in the coastwise trade. All that Occidental is promising therefore is that it will not break the law of the land. Moreover, Occidental gives no effective guarantee that use of American-flag vessels, which is required by law in the coastal trade, would not be abandoned shortly in favor of possibly more economical pipeline transportation. Finally, even if all coastwise shipments were carried in American-flag vessels, the total effect on American carriers would be negative. This is because the substantial business that American ships now enjoy in transporting fuel and finished products primarily from the gulf coast to east coast refining and distributing facilities would be lost. Tell me one shipper who thinks he is getting a good deal by substituting short haul for long haul traffic.

AIR POLLUTION

Another argument, which is more serious, and deserves careful consideration, is the claim that Libya oil would help solve some of the air pollution problems in New England.

This is premised on the fact that Libyan oil is generally of lower sulfur content than Venezuelan residual fuel oil. However, fuel substitution is not the answer to this country's air pollution problems. Less costly and more equitable ways must be found to reduce sulfur emission than are proposed by Occidental.

As a matter of fact, on January 9, 1969, Secretary of the Interior Udall signed three long-term—10-year—oil import allocations under section 26 of Oil Import Regulation 1, which provided import allocations totaling 230,000 barrels a day of residual fuel oil into the New York-New England area, in return for agreements to construct in that area, without benefit of any free-trade zone, $190 million worth of desulfurization refineries. The allocations were granted to the Fuel Desulphurization, Inc., a New York company, the Guardian Oil Refinery Co., an Indiana company, and the Supermarine Oil Co., another New York concern.

These large, new refineries to be constructed in the New York-New England area have also agreed to produce large quantities of other products, such as gasoline, jet fuel, and home heating oil, and to match that production with crude oil or fuel oil obtained from domestic sources within the United States.

This plan, which has been approved, will serve the dual purposes of alleviating the air pollution problem in New England while preserving the integrity of the mandatory oil import program.

In addition to this, massive research programs directed toward this problem are currently being carried out by industry groups, Government agencies and individual companies. These programs will lead to efficient ways of solving air pollution problems at a reasonable cost.

However, if special treatment is given to Occidental for this one plant, it will be difficult to justify continued expenditures for alternative programs benefiting the entire Nation. Thus, while eliminating air pollution is a laudable objective, this should not be accomplished at the expense of the oil import program and the Nation's security. Surely, cheaper ways are available and are now being intensely investigated.

WINDFALL

Mr. President, I have discussed in general the Occidental proposal and why I feel it is not in the interest of this Nation or even in the interest of the New England section of this country. Let me now show how the proposal would discriminate severely against other companies and would result in huge windfall profits for the Occidental Co. As far as the refiners are concerned, the oil import program is administered under a published sliding scale, weighted in favor of small companies. A small refiner who produces 10,000 barrels a day of crude oil gets an allocation of about 18.8 percent of his input. This means he is required to buy slightly more than four barrels of domestic crude for every barrel he is allowed to import. Now, a larger refiner who, say, runs 30,000 barrels a day through his plant, gets an allocation of 13 percent which means that he is required to buy six barrels of domestic crude for every barrel he imports. A huge company running about 300,000 barrels a day—and there are only five refineries east of the Rockies which possess that capacity—which is the same as that involved in the Machiasport proposal, would get an allocation of only 4.6 percent, which means he is required to buy 21 barrels of domestic oil for every barrel he is allowed to import. The Occidental Co. is asking the Federal Government to let it import 100 percent of its refinery runs, not 4.6 percent. If the Government did this, it would give Occidental an unbelievable advantage over competitors. The windfall would amount to $130,000 every day. That is not a bad subsidy, is it? That is about $46 million a year or $1 billion over the life of the refinery. By way of contrast the Teapot Dome scandal involved oil shares worth about $200 million—one-fifth of the amount involved here.

ANTITRUST IMPLICATIONS

Earlier in my remarks I mentioned that the granting of such a special privilege to one company under the oil import program has antitrust implications. It should be clear by now why this is true. While its nearest competitors, in terms of size, are forced to use 21 gallons of higher priced domestic fuel for each barrel of foreign fuel, the Occidental Co. would be entitled to use 100 percent foreign fuel. But the big companies have access to huge reserves of foreign oil just like Occidental. By demanding equal treatment—and under the Foreign Trade Zones Act they are entitled to equal treatment—the large companies probably could survive. But the small refineries which look to domestic reserves, and which foster the development of more domestic reserves, and which do not have foreign reserves they can depend on—these companies could not endure the competition of low-cost overseas oil and the competition from the giants in the oil industry, who for the most part have larger, more efficient refineries. They would go out of business leaving the oil industry firmly in control of a few billion-dollar companies. That would create a monopoly problem which would raise serious antitrust questions.

Under the present Department of the Interior regulations, imports east of the Rocky Mountains, districts I–IV, are limited to 12.2 percent of domestic crude oil and natural gas liquids production within the area. If the Department of the Interior awards the licenses for Occidental, without regard to the 12.2 percent limitation on imports, domestic crude oil production will have to fall by 125,000 barrels a day, since this amount of crude oil is required to produce the 100,000 barrels per day of products the special import quota will displace. Domestic runs of other refiners would fall by 125,000 barrels per day. This would further idle our already excess refining capacity and raise refinery costs even higher.

Now, if the Occidental quota is kept within the 12.2 percent limitation on imports, the import quotas of existing refiners would be reduced by 100,000 barrels a day and crude oil production would fall by 25,000 barrels a day. The large reduction in the present refiners quotas—to make room for Occidental's high quotas—would be extremely unfair to existing east and gulf coast refiners who have made multi-million-dollar investments, based on the present supply patterns. Domestic refinery runs will fall by approximately 125,000 barrels a day which will idle existing capacity which will result in cost increases.

Now, let me show how approval of this project would reap substantial windfall benefits to the Occidental Co. running over a billion dollars during the life of the refinery. The special quota imports would amount to $46 million a year, $130,000 a day.[1] Even after the so-called price reductions would, as I have indicated are phonies, are taken into consideration, the giveaway to this one company would be over $12 million a year. What we really have here, Mr. President, is a situation where one company has ingeniously devised a smokescreen to market its huge Libyan oil resources through the foreign trade zone gimmick but at the expense of the whole oil import program.

Those domestic concerns which have expressed opposition to this proposal have been excoriated as being special interests seeking to preserve their market position. But from a national point of view, what we are witnessing is really an attempt by one company to gain a special interest of its own at the expense of its competitors and, more importantly, at the expense of the national security objectives of the oil import program.

At the risk of being somewhat repetitive, I think this matter is important enough to review and summarize just what is involved in this Machiasport project.

In perspective, we are looking at a fateful decision involving our Nation's energy policies and security. The question is whether this Nation will rely upon uncertain foreign sources for its fuel; well aware of the fact that this could prove to be the Achilles Heel of our future as a nation. Today we are in position to see ourselves through any emergency of any nature. Today, if the kind of uncertainties in the Near East, which have plagued both that area and the world for thousands of years, should result in a denial to this Nation and Western Europe of the oil produced in that area, we have the capacity to see our way through it without resorting to rationing and without even increasing the price of the product. If Arab nations seek to exert pressure upon other nations of the world, to achieve a political end, we are privileged and free to follow the dictates of our conscience and, though it may be at some inconvenience, we can carry our own load as well as that of our friends in Western Europe and elsewhere at the same time.

If the producing countries succeed in strengthening and broadening their seller's cartel, we can stand above it and even break its economic grip on the free world if we maintain and improve our productive capacity.

In the event that an enemy nation should risk a major world war with less than nuclear weapons, we could carry on the struggle without worrying about our fuel supply as long as our people maintain the will to see it through. If a major power, such as the Soviet Union, should be so foolhardy as to resort to nuclear weapons to achieve its international objectives, we today have the production and the refining capacity to continue the struggle even after he has destroyed all of our big refineries and we have been forced to disperse our population from the metropolitan areas.

In the economic struggle which exists throughout the world, we are in position to be the master of our own destiny with regard to both the production, the transportation, and the distribution of fuel in the world's largest markets. We have more influence than any two or three nations put together on all of these economic factors in the free world generally. We are in position to pass judgment on both sides who may be parties to a quarrel—the producers and the users of the product. If a ruler such as the late Mossadegh of Iran should engage in a reckless and unreasonable course, we are in position to deny him access to the free world markets. When a government leader such as Alvarado of Peru should embark upon an unwise—although perhaps locally popular—course of confiscating American investments, we are in a position to face the threat with quiet confidence, deliberate firmness, minus those passions that arise from a sense of desperation such as that which forced the British and French to invade Egyptian soil during the Suez crisis in 1956.

All of these assets are threatened in one degree or another by a proposal which would mean if fairly applied the end of the oil import quota system that presently exists.

With regard to the question of higher retail fuel prices in New England, clearly the problem lies, to be fair about it, with high dealer markup. The remedy should be sought at the level where the high price is being caused—namely, the fuel dealers and distributors in the New England area itself.

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[1] This figure is calculated by using a quota value of $1.25 a barrel times 100,000 barrels times 365 days. The $1.25 value is based on the difference between the landed cost of foreign oil on the East Coast versus the prevailing price of products on the East Coast.

If New England is capable of generating the same competitive factors that exist elsewhere, one would think that the dealer markup in the area could be reduced to the average for other areas of the United States. In any event it is neither wise nor fair to accord to the part of the Nation which produces no fuel, cheaper fuel than everyone else at the expense of national security. Every American should shoulder his share of the burden of preserving our liberties and the blessings of freedom. New England should be no exception.

Mr. President, I yield the floor.

EXHIBIT 1

TABLE 1.—REFINERY CRUDE AND UNFINISHED OIL IMPORT ALLOCATIONS FOR THE ALLOCATION PERIOD JAN. 1, 1969, THROUGH DEC. 31, 1969, DISTRICTS I TO IV

Authorized importers	Barrels per day
Ada Oil Co., Houston, Tex	786.0
Adobe Refining Co., La Blanca, Tex	1,501.0
Agway, Inc., Syracuse, N.Y	5,355.0
Allied Chemical Corp., Houston, Tex	1,569.0
Allied Materials Corp., Oklahoma City, Okla	704.0
American Petrofina, Inc., Dallas, Tex	8,398.0
Anchor Gasoline Corp., Tulsa, Okla	286.0
Apco Oil Corp., Oklahoma City, Okla	4,034.0
Arkansas Louisiana Gas Co., Shreveport, La	210.0
Ashland Oil & Refining Co., Ashland, Ky	11,285.0
Atlantic Richfield Co., New York, N.Y	20,080.0
Bayou State Oil Corp., Shreveport, La	144.0
Berry Petroleum Co., Magnolia, Ark	548.0
Big West Oil Co. of Montana, Spokane, Wash	612.0
Calumet Industries, Inc., Chicago, Ill	354.0
Caribou Four Corners Oil, Inc., Afton, Wyo	751.0
Celanese Corp., New York, N.Y	8,352.0
Cities Service Co., New York, N.Y	12,704.0
Claiborne Gasoline Co., Dallas, Tex	571.0
Clark Oil & Refining Corp., Milwaukee, Wis	8,485.0
Coastal States Gas Producing Co., Corpus Christi, Tex	7,618.0
Colorado Interstate Corp., Colorado Springs, Colo	3,331.0
Commonwealth Gas Corp., New York, N.Y	1,827.0
Continental Oil Co., Houston, Tex	12,487.0
Cracker Asphalt Corp., Douglasville, Ga	397.0
Crown Central Petroleum Corp., Baltimore, Md	4,593.0
Curtis Inc., Thermopolis, Wyo	205.0
Diamond Shamrock Corp., Amarillo, Tex	4,610.0
Dorchester Gas Producing Co., Amarillo, Tex	511.0
Earth Resources Co., Dallas, Tex	3,703.0
Eddy Refining Co., Houston, Tex	422.0
Evangeline Refining Co., Inc., Jennings, La	347.0
Famariss Oil & Refining Co., Hobbs, N. Mex	399.0
Farmers Union Central Exchange, Inc., St. Paul, Minn	3,143.0
Farmland Industries, Inc., Kansas City, Mo	5,331.0
Flank Oil Co., DBA, Oriental Refining Co., Denver, Colo	1.0
Flint Chemical Co., Detroit, Mich	52.0
Fort Worth Refining Co., Fort Worth, Tex	2,137.0
Gabriel Oil Co., Houston, Tex	1,000.0
Getty Oil Co., Los Angeles, Calif	11,680.0
Gladieux Refinery, Inc., Fort Wayne, Ind	449.0
Great Northern Oil Co., St. Paul, Minn	7,657.0
Gulf Oil Corp., Pittsburgh, Pa	38,040.0
Hassie Hunt Trust, Dallas, Tex	336.0
Hess Oil & Chemical Corp., Woodbridge, N.J	9,670.0
Howell Refining Co., San Antonio, Tex	1,616.0
Hunt Oil Co., Dallas, Tex	1,675.0
Husky Oil Co., Denver, Colo	[1] 4,941.0
Ida Gasoline Co., Inc., Shreveport, La	155.0
Indiana Farm Bureau Cooperative Association, Inc., Mt. Vernon, Ind	2,297.0
Jet Fuel Refinery, Billings, Mont	20.0
Kentucky Oil & Refining Co., Betsy Layne, Ky	34.0
Kerr-McGee Corp., Oklahoma City, Okla	5,186.0
Kirby Industries, Inc., Houston, Tex	1,097.0
Lakeside Refining Co., Kalamazoo, Mich	808.0
Laketon Asphalt Refining Inc., Evansville, Ind	781.0
Lano Corp., Palestine, Tex	226.0
Leonard Refineries, Inc., Alma, Mich	3,562.0
Little America Refining Co., Cheyenne, Wyo	316.0
Longview Refining Co., Midland, Tex	821.0
Macmillan Ring-Free Oil Co., Inc., Los Angeles, Calif	562.0
Marathon Oil Co., Findlay, Ohio	10,511.0
Marion Corp., Tulsa, Okla	1,568.0
Mid America Refining Co., Inc., Chanute, Kans	515.0
Midland Cooperatives, Inc., Cushing, Okla	2,526.0
Mobil Oil Corp., New York, N.Y	24,200.0
Monsanto Co., Houston, Tex	4,633.0
Morrison Refining Co., Grand Junction, Colo	13.0
Mountaineer Refining Co., La Barge, Wyo	.2
Murphy Oil Corp., El Dorado, Ark	4,153.0
Naph Sol Refining Co., Muskegon, Mich	1,376.0
National Cooperative Refinery Association, McPherson, Kans	4,999.0
Northwestern Refining Co., St. Paul Park, Minn	3,824.0
OKC Corp., Dallas, Tex	2,744.0
Osceola Refining Co., Reed City, Mich	161.0
PPG Industries, Inc., Pittsburgh, Pa	240.0
Panhandle Eastern Pipe Line Co., Kansas City, Mo	893.0
Pennsylvania Refining Co., Butler, Pa	207.0
Pennzoil United, Inc., Houston, Tex	4,169.0
Petroleum Refining Co., Lueders, Tex	444.0
Petroleum Resources Corp., Billings, Mont	98.0
Petrolite Corp., St. Louis, Mo	121.0
Phillips Petroleum Co., Bartlesville, Okla	15,444.0
Quaker State Oil Refining Corp., Oil City, Pa	2,116.0
R.J. Oil & Refining Co., Inc., Terre Haute, Ind	844.0
Rado Refining Co., McAllen, Tex	15.0
Richards, M.T., Inc., Crossville, Ill	53.0
Rock Island Refining Corp., Indianapolis, Ind	3,261.0
Sage Creek Refining Co., Inc., Cowley, Wyo	39.0
Seminole Asphalt Refining, Inc., St. Marks, Fla	545.0
Sequoia Refining Corp., Corpus Christi, Tex	4,501.0
Shell Co., New York, N.Y	22,888.0
Signal Co., Inc., Los Angeles, Calif	7,000.0
Sinclair Oil Corp, New York, N.Y	21,200.0
Somerset Oil, Inc., Somerset, Ky	109.0
Southwestern Oil & Refining Co., Corpus Christi, Tex	5,445.0
Southwestern Pallet Co., Abilene, Tex	23.0
Standard Oil Co. of California, San Francisco, Calif	22,760.0
Standard Oil Co. (Indiana), Chicago, Ill	30,076.0
Standard Oil Co. (New Jersey), New York, N.Y	35,681.0
Standard Oil Co. (Ohio), Cleveland, Ohio	10,250.0
Suburban Propane Gas Corp., Whippany, N.J	509.0
Sun Oil Co., Philadelphia, Pa	19,200.0
Superior Oil Co., Houston, Tex	254.0
Swift & Co., Chicago, Ill. (Bell Oil & Gas Co)	3,658.0
Tenneco Inc., Houston, Tex	7,884.0
Tesoro Petroleum Corp., San Antonio, Tex	1,966.0
Texaco Inc., New York, N.Y	29,094.0
Texas Asphalt & Refining Co., Irving Tex	800.0
Texas Eastern Transmission Corp., Houston, Tex	3,122.0
Texota Oil Co., Houston, Tex	703.0
Three Rivers Refinery, Tulsa, Okla	178.0
Union Oil Co. of California, Los Angeles, Calif	11,933.0
United Refining Co., Warren, Pa	2,633.0
Vermont Gas Systems, Inc., Yazoo City, Miss	1,608.0
Vulcan Asphalt Refining Co., Cordova, Ala	333.0
Warrior Asphalt Co. of Alabama, Inc., Tuscaloosa, Ala	294.0
Western Petrochemical Corp., Chanute, Kans	101.0
Westland Oil Co., Williston, N. Dak	472.0
Wing Corp., Houston, Tex. (Monarch Refining Co.)	407.0
Witco Chemical Corp., New York, N.Y	1,695.0
Wood, Charles J., Petroleum Co., Chicago, Ill	684.0
Yetter Oil Co., Burlington, Iowa	20.0
Total	567,965.2

[1] Includes 494 barrels per day for adjustment for 1968 OIA administrative error.

Note: The above allocations are subject to verification of eligibility and qualified inputs.

TABLE 2.—ALLOCATIONS FOR FINISHED PETROLEUM PRODUCTS OTHER THAN RESIDUAL FUEL OIL, FOR THE PERIOD JAN. 1, 1969, THROUGH DEC. 31, 1969

Authorized importers	Barrels per day
DISTRICTS I TO IV	
Blanchet & Fils, Ltee, Joseph H., Quebec, Canada	2
Castrol Oils, Inc., Newark, N.J	1
Defense Fuel Supply Center, Washington, D.C	21,783
Gulf Oil Corp., Pittsburgh, Pa	1,941
Hess Oil & Chemical Corp., Woodbridge, N.J	[1] 18,136
Irving Pulp & Paper Co., St. John, N.B., Canada	2
Lubrizol Corp., Cleveland, Ohio	1
Mobil Oil Corp., New York, N.Y	18
Pittston Co. (The), New York, N.Y	3,636
Robinson Lumber Co., Aroostock, Maine	1
Royal Petroleum Corp., New York, N.Y	1,052
Shell Cos., New York, N.Y	6,995
Standard Oil Co. of California, San Francisco, Calif	5,193
Standard Oil Co. (New Jersey), New York, N.Y	9,689
Sun Oil Co., Philadelphia, Pa	431
DISTRICTS I TO IV—Continued	
Texaco Inc., New York, N.Y	750
Tropical Gas Co., Inc., Miami, Fla	[2] 522
Union Oil Co., of California, Los Angeles, Calif	4
Total	70,157
DISTRICT V	
Defense Fuel Supply Center, Washington, D.C	3,592
Petrolane Gas Services, Inc., Long Beach, Calif	91
Shell Companies, New York, N.Y	179
Standard Oil Co. of California, San Francisco, Calif	534
Suburban Gas Co., Pomona, Calif	2
Time Oil Co., Los Angeles, Calif	1,916
	6,314

[1] Includes 15,000 barrels per day exports from the Virgin Islands only.

[2] Allocation granted by the Oil Import Appeals Board.

EXHIBIT 2

THE OIL IMPORT PROGRAM AND THE NATIONAL SECURITY, FEBRUARY 17, 1969

WORLD WAR I

After World War I there was a general belief that the United States eventually would be forced to depend upon foreign sources for the bulk of its petroleum. Accordingly, no effort was made to restrict oil imports, which by 1921 had risen to 28 percent of domestic demand. In the late 1920's domestic exploration resulted in the discovery of large reserves and changed the domestic supply-demand balance from shortage to surplus. Excessive domestic production coupled with unrestricted imports led to Federal action in 1932, when there were imposed import duties of 21 cents per barrel on crude oil and residual fuel oil, and duties in excess of $1.00 per barrel on gasoline, motor oil and lubricating oil.

INTER-WAR PERIOD (1930'S)

Import duties proved to be an ineffective barrier to increasing volumes of imported oil. Although excise taxes were at their highest in 1932–1933, the Government, under the National Industrial Recovery Act, imposed mandatory quantitative restrictions on oil imports and domestic production. During the period of the restrictions, the government limited such imports to approximately 4½ percent of 1932 domestic demand. Subsequently the United States became a large exporter reaching a peak of 530 MB/D in 1938. These exports were eroded until the nation became a net importer in 1948, because of large foreign discoveries, particularly in Venezuela and the Middle-East.

The national policy to limit petroleum imports was formulated after long and careful study and consideration as to the impact of imports on the domestic petroleum producing industry and the national security.

WORLD WAR II: PETROLEUM INDUSTRY WAR COUNCIL

During World War II, the Petroleum Industry War Council was created under the Petroleum Administration for War, to act as an advisory body to the Government on problems affecting the oil industry.

At the conclusion of the war, and at the last session of this agency, on October 24, 1945, the following resolution was adopted by that Council.

"Whereas, during the emergency just ended, in order to meet accelerated war requirements, this nation found it necessary to import abnormal quantities of crude oil and refined products from foreign sources; and

"Whereas, the future of the domestic petroleum industry in this country depends on the maintenance of sufficient reserves and the productivity of its many fields, thereby enabling the industry to meet all the requirements incident to an expanding domestic economy; and

"Whereas, the continued importation of large quantities of crude oil and products at prices below the cost of production in this country would have a depressing effect on exploration, development and production in the domestic industry;

"Now, therefore be it resolved, by the Petroleum Industry War Council, assembled on this the 24th day of October, 1945, in Washington, D.C., that it does declare that in the public interest and that in the interest of maintaining national security it should be the policy of this nation to so restrict amounts of imported oil so that such quantities will not disturb or depress the producing end of the domestic petroleum industry, and only such amounts of oil should be imported into this country as is absolutely necessary to augment our domestic production when it is produced under conditions consonant with good conservation practices."

Soon after World War II, Congress began to investigate and give extensive consideration to the effect of foreign oil on the domestic petroleum industry.

CONCLUSIONS OF SPECIAL COMMITTEE INVESTIGATING PETROLEUM RESERVES (1947)

On January 31, 1947, the Special Committee Investigating Petroleum Reserves, set up by the Senate, concluded as follows:

"In the final analysis the reserves within our own borders are more likely than not to constitute the citadel of our defense.

"It follows that nothing should be done to weaken the productive capacity of domestic reserves, and that every possible step should be taken to increase these reserves and continuously to develop them to such a degree as would occasion no regret in the event of war."

The Committee's report went on to say: "This Nation now faces two alternatives:

"Either—

"1. To await with hope the discovery of sufficient petroleum within our boundaries that the military requirements of the future will occasion no concern, and in the meantime to depend upon foreign oil and trust that war will not cut off our imports;

"Or—

"2. To take steps to guarantee a domestic petroleum supply adequate for all eventualities by means of:

"(a) Incentives to promote the search for new "deposits of petroleum within the boundaries of the United States and in the continental shelf; and

"(b) The continuation of the present program looking to the manufacture of synthetic liquid fuels to supplement our domestic crude supply.

"All the facts before us impel the choice of the second alternative."

Congress continued to be concerned with the effect of imports of foreign oil on the national security during the 1950's.

KOREA AND THE DEFENSE PRODUCTION ADMINISTRATION (1953)

In developing a national petroleum imports policy, Congress had the benefit of studies and conclusions of the executive branch, such as the conclusions of the Defense Production Administration, established as a result of the Korean conflict, in January, 1953. Its studies regarding defense matters resulted in a report entitled "Background for Defense, Expanding Our Industrial Might", which stated:

"The machines of peace and war run on petroleum. A program to expand American industry substantially and keep it operating at top capacity requires constantly increasing quantities for fuel, for lubricants, and for many chemicals made from petroleum—everything from toluene for TNT to wax for packagings. Greater industrial activity and peak levels of employment demand more and more gasoline for airplanes, automobiles, trucks, tractors, buses, and more diesel fuel for locomotives.

"The defense program will by 1953 boost our petroleum needs to some 8,200,000 barrels a day as contrasted with 6,800,000 barrels a day used in 1950—a better than 20 percent increase.

"If we are to meet the needs, we shall have to drill more wells each year than ever before in our history. We shall have to expand the refineries where crude oil is made into gasoline and fuel oil and the other finished petroleum products. We shall have to enlarge our transportation facilities to move the crude petroleum to the refineries and the finished products to consumers."

ADVISORY COMMITTEE ON ENERGY SUPPLIES AND RESOURCES POLICY (1954)

On July 30, 1954, the President established an Advisory Committee on Energy Supplies and Resources Policy. The Director of the Office of Defense Mobilization was designated as Chairman and the heads of the following agencies served as members: Departments of State, Treasury, Defense, Justice, Interior, Commerce and Labor. The White House directive respecting the Committee's assignment included the following specific statements:

"At the direction of the President the Committee will undertake a study to evaluate all factors pertaining to the continued development of energy supplies and resources fuels in the United States, with the aim of strengthening the national defense, providing orderly industrial growth, and assuring supplies for our expanding national economy and for any future emergency.

"The Committee will review factors affecting the requirements and supplies of the major sources of energy including: coal (anthracite, bituminous and lignite, as well as coke, coke tars, and synthetic liquid fuels); petroleum and natural gas."

Upon conclusion of its works, the President's Advisory Committee on Energy Supplies and Resources Policy recommended:

"Since World War II importation of crude oil and residual fuel oil into the United States has increased substantially, with the result that today these oils supply a significant part of the U.S. market for fuels.

"The Committee believes that if the imports of crude and residual oils should exceed significantly the respective proportions that these imports of oils bore to the production of domestic crude oil in 1954, the domestic fuels situation could be so impaired as to endanger the orderly industrial growth which assures the military and civilian supplies and reserves *that are necessary to the national defense.* There would be an inadequate incentive for exploration and the discovery of new sources of supply. (Emphasis supplied)

"In view of the foregoing, the committee concludes that *in the interest of national defense* imports should be kept in the balance recommended above. It is highly desirable that this be done by voluntary, individual action of those who are importing or those who become importers of crude or residual oil. The committee believes that every effort should be made and will be made to avoid the necessity of governmental intervention.

"The committee recommends, however, that if in the future the imports of crude oil and residual fuel oils exceed significantly the respective proportions that such imported oils bore to domestic production of crude oil in 1954, appropriate action should be taken."

This report was released on February 26, 1955. As a result of this study the oil importing companies were requested to voluntarily restrict imports of petroleum into the United States on an individual company basis in conformity with the report of the President's Advisory Committee on Energy Supplies and Resources Policy. Meanwhile this whole matter of petroleum imports was being debated in Congress.

SYMINGTON AMENDMENT (1954)

Section 2 of the Trade Agreements Extension Act of 1954 provided that no action was to be taken "to decrease the duty on any article" if the President found that such reduction "would threaten domestic production needed for projected national defense requirements."[1] This amendment was added on the Senate floor after the one-page 1954 Trade Extension Act[2] had passed the House and had been approved by the Senate Finance Committee without amendment.

The section 2 amendment was proposed by Senator Symington and passed the Senate the following day. In the Congressional Record, the Senator briefly expressed his reasons for offering the amendment:[3]

"I plan to offer an amendment, which in effect would require testing tariff decreases against defense requirements.

"I believe it should be mandatory for the administration to make certain that no tariff should be reduced, whenever such reduction would threaten continued domestic production necessary to meet our projected defense requirements.

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[1] Act of July 1, 1954, Ch. 445, Sec. 2, 68 Stat 360.

[2] H.R. 9474; H. Rept. No. 1777, 83d Cong., 2d Sess. (1954); S. Rept. No. 1605, 83d Cong., 2d Sess. (1954).

[3] 100 Congressional Record 8599 (1954).

"I refer to articles identifiable as necessary for national defense."

In commenting on the favorable amendment, Senator George noted that there would be no objection to the amendment because the President already had the broad power the amendment provided, but such a statement of it would pinpoint it.[4]

The House subsequently modified the Senate security amendment to clarify and improve it.[5] In doing so it insured that an article which is not important for defense, but is a prime part of a defense-essential industry, would be included in the provision. The rewording also insured that the President could exercise discretion in applying the provision.

SECTION 7 OF TRADE AGREEMENTS EXTENSION ACT, 1955

Congress wrote section 7 into the Trade Agreements Extension Act of 1955 (69 Stat. 162). This section, known as the national security amendment, reads as follows:

"In order to further the policy and purpose of this section, whenever the Director of the Office of Defense Mobilization has reason to believe that any article is being imported into the United States in such quantities as to threaten to impair the national security, he shall so advise the President, and if the President agrees that there is reason for such belief, the President shall cause an immediate investigation to be made to determine the facts. If, on the basis of such investigation, and the report to him of the findings and recommendations made in connection therewith, the President finds that the article is being imported into the United States in such quantities as to threaten to impair the national security, he shall take such action as he deems necessary to adjust the imports of such articles to a level that will not threaten to impair the national security."

In adopting the National Security Amendment, the Senate Finance Committee (Rept. 232, 84 Cong., first sess.) stated:

"(9) The committee had before it several proposals dealing with specific commodities, namely petroleum, fluorspar, lead, and zinc. In lieu of specific action on each of these the committee adopted an amendment which specifies that the Director of the Office of Defense Mobilization shall report to the President when he has reason to believe that imports of a commodity are entering the United States in such quantities as to threaten to impair the national security; that the President shall cause an immediate investigation to be made if he feels there is reason for such belief; and that the President, if he finds a threat to the national security exists, shall take whatever action is necessary to adjust imports to a level that will not threaten to impair the national security.

"The committee believes that this amendment will provide a means for assistance to the various national defense industries which would have been affected by the individual amendments presented.

"The White House issued on February 26, 1955, a report based on a study by the President's Advisory Committee on Energy Supplies and Resources Policy which indicates the importance of a strong domestic petroleum industry."

Congress thus provided the necessary tools for the President to use in case the growing tide of petroleum imports did not subside.

Imports of petroleum had been increasing during the years 1949 to 1955 and continued to increase during 1955. As a consequence of the increased level of imports during 1955 and the first half of 1956, as well as projected increase in the level of import schedules for the last half of 1956, the Independent Petroleum Association of America (IPAA) filed a petition on August 7, 1956, requesting action under section 7, the National Security Amendment, of the Trade Agreements Extension Act of 1955 (69 Stat. 162).

Pursuant thereto, the Director of Defense Mobilization held public hearings beginning on October 22, 1956.

Early in December 1956, due to the changed conditions growing out of the Suez crisis, the Director of Defense Mobilization suspended action on the case.

FINDING BY THE OFFICE OF DEFENSE MOBILIZATION 1959

However, on April 23, 1957, upon further review of the oil import situation and projected increases in oil imports, the Director of ODM "advised the President pursuant to section 7 of the Trade Agreements Extension Act of 1955, that he had reason to believe that crude oil is being imported into the United States in such quantities as to threaten to impair the national security."

SPECIAL CABINET COMMITTEE TO INVESTIGATE CRUDE OIL IMPORTS

The growing threat to the domestic petroleum industry as cited by congressional, industrial, and administrative studies, as well as the ODM certification, led to the establishment by the President of the United States on June 26, 1957, of a Special Cabinet Committee to Investigate Crude Oil Imports. This committee was made up of: Sinclair Weeks, Secretary of Commerce, Chairman; John Foster Dulles, Secretary of State; Donald A. Quarles, Secretary of Defense; George M. Humphrey, Secretary of the Treasury; Fred A. Seaton, Secretary of the Interior, and James Mitchell, Secretary of Labor.

COMMITTEE RECOMMENDATIONS

The report of this Committee states, in part:

"In summary, unless a reasonable limitation of petroleum imports is brought about, your committee believes that:

"(a) Oil imports will flow into this country in evermounting quantities, entirely disproportionate to the quantities needed to supplement domestic supply.

"(b) There will be a resultant discouragement of, and decrease in, domestic production.

"(c) There will be a marked decline in domestic exploration and development.

"(d) In the event of a serious emergency, this Nation will find itself years away from attaining the level of petroleum production necessary to meet our national security needs."

EISENHOWER DIRECTIVE (JULY 29, 1957) ESTABLISHING "VOLUNTARY PROGRAM"

On July 29, 1957, President Eisenhower, in a memorandum for the Secretary of the Interior and the Director of the Office of Defense Mobilization, declared: "I have approved the recommendations of the Special Committee to Investigate Crude Oil Imports as set forth in the attached report. I direct you to put these recommendations into effect as rapidly as possible."

Presidential approval of the Special Cabinet Committee's report thus established what became known as the "Voluntary Oil Import Program". This program was put into effect on July 1, 1957.

MANDATORY PROGRAM, MARCH 10, 1959

This voluntary program continued in operation until March 10, 1959, at which time the President established the mandatory oil import program. In contrast to the voluntary program which covered only crude oil imports, the mandatory oil import program covered imports of crude oil and its products and derivatives.

The mandatory program was established after the Director of the Office of Civil and Defense Mobilization, in his memorandum for the President quoted the Secretary of Commerce as follows:

"It is my considered opinion that the present rate of imports of crude oil and its derivatives and products is a major contributing factor in the *decline in drilling operations* both for exploration and development in the search for new oil reserves . . . Continuation of this trend will inevitably result in lowering of our *available reserves.*" (Emphasis supplied)

In the same report, the Director said:

"The consequences would continue to upset a reasonable balance between imports and domestic *production,* with deleterious effect upon *adequate exploration* and the *development* of *additional* reserves which can only be generated by a healthy domestic *production* industry." (Emphasis supplied.)

Thus, the President issued Proclamation No. 3279, dated March 10, 1959, which placed in effect the mandatory oil import program to be administered by the Department of the Interior. Upon issuing this Proclamation the President stated:

"The new program is designed to insure a stable, healthy industry in the United States capable of exploring for and developing new hemisphere reserves to replace those being depleted. The basis of the new program, like that for the voluntary program is the certified requirements of our national security which make it necessary that we preserve to the greatest extent possible a vigorous, healthy petroleum industry in the United States.

"In addition to serving our own direct security interests, the new program will also help prevent severe dislocations in our own country as well as in oil industries elsewhere which also have an important bearing on our own security. Petroleum, wherever it may be produced in the free world, is important to the security, not only of ourselves but also of the free people of the world everywhere.

"During the past few years, a surplus of world producing capacity had tended to disrupt free world markets, and, unquestionably, severe disruption would have occurred in the United States and elsewhere except for cutbacks in United States production under the conservation programs of the various state regulatory bodies.

"The voluntary controls have been and the mandatory controls will be flexibly administered with the twin aims of sharing our large and growing market on an equitable basis with other producing areas and avoiding disruption of normal patterns of international trade."

SECRETARY UDALL'S VIEW, OCTOBER 18, 1967

When former Secretary of Interior Udall testified before the Committee on Finance on October 18, 1967, he emphasized the national security objectives of the Mandatory Oil Import Program in these terms:

"I would like to state here my firm view that, in the present world petroleum situation, oil imports should be controlled in the interests of our national security. I think there has always been a strong case for this and there is today. This is the paramount, the only reason why such imports are controlled. In no sense does this position alter my views with respect to opposing trade barriers generally. But in the case of oil, our security would be jeopardized unless we have a strong, healthy, domestic oil industry, capable of meeting the demands of any conceivable emergency. One only has to look at the Middle East and what happened there a few months ago; Israel had to win or lose a war in a matter of days because of the fact that the mobility of their machines rested on very limited supplies of petroleum and I just use this to underscore what I mean.

"This we could not do if low-cost oil from petroleum-exporting countries were to flood this country, with consequent damage to our own energy-producing industries.

"The relationship between our national security and adequate supplies of oil is clear.

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[4] 100 Congressional Record 8873 (1954).

[5] 100 Congressional Record 9114–9115. (1954).

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On this score, it suffices to point out that oil is practically the sole source of energy for transportation—both civilian and military, and we are a highly mobile Nation.

"Adequate domestic supplies depend upon exploration and discoveries and these activities will not be carried on in the absence of an adequate market for domestic production."

EXHIBIT 3

HOST GOVERNMENT REVENUES FROM OIL PER BARREL OF PRODUCTION

[Dollars per barrel]

Years	4 Middle East countries [1]	Venezuela
1941–50	0.225	0.526
1951–60	.697	.833
1961–67	.812	.905

[1] Iraq, Kuwait, Saudia Arabia, and Iran.

Source: U.S. Department of the Interior.

EXHIBIT 4

MEMORANDUM: ORGANIZATION OF PETROLEUM EXPORTING COUNTRIES (OPEC)—A SELLER'S CARTEL OF OIL PRODUCING COUNTRIES, MARCH 5, 1969

After World War II, companies extracting oil in the Middle East were placed under great pressure by oil producing countries to subject themselves to a 50 percent income tax. The British Petroleum Company which refused to "voluntarily" submit to this and other pressures saw its property expropriated by the Government of Iran in 1951. Prior to that, the Venezuelan Government in 1948 introduced an income tax law dividing the industries' profits equally between the State and the companies. The 50/50 profit sharing device gained many adherents in other oil producing states. About the same time that the 50/50 profit split became prevalent, oil producing states sought another avenue to increase their revenues from oil production. Oil companies were required to post prices at which they would sell crude oil, and were further required to pay their income tax on the basis of these posted prices.

In 1950, Saudi Arabia became the first to implement the new system, and by 1952 all other important producers in the area had followed suit, with the exception of Iran. These deals proved much more favorable to the governments than even they imagined. In 1950, when the tax agreements were signed, the posted prices were related to the price of oil in the U.S. at the Gulf. At that time, there was a world shortage and the price of refined products was correspondingly high. When, however, a surplus of oil came on the international market in the middle and late fifties and the price of refined products began to fall, the governments refused to allow the posted prices to be reduced. The companies then had to introduce unofficial discounts while continuing to pay their taxes on the basis of higher official posted prices. As a result, the 50/50 profit-split has, in practice, changed into something nearer a 60/40 split.

In 1959–1960, all companies cut their foreign posted prices by 10 to 15 percent. The response of foreign governments was unexpected, sharp and dramatic. Those governments vehemently protested the price reductions and demanded that they be rescinded. They asserted that the oil companies had no right to reduce posted prices without prior government consent. Although the companies stuck to their guns and maintained their reductions, the price of doing so has been high.

On September 5, 1960, the Iraqi government, under General Abdul Kerim Kassem, called a conference of oil producing states in Baghdad. When it opened five days later, in the City Hall, it was found that despite the short notice, the delegates represented the most high-powered collection of senior officials from oil producing states ever brought together around a single table. High officials from Caracas, Iran, Saudi Arabia, Kuwait, and other countries were present. Their aim was to make unilateral price reductions by oil companies impossible in the future. The result of their deliberations was the formation of the Organization of Petroleum Exporting Countries (OPEC), in effect, a producers cartel designed to hold up prices in a falling market, and to harmonize the conflicting interests of its members. Since OPEC was formed, the companies have never tried to reduce their posted prices, even though market conditions have warranted such reductions.

The formation of OPEC united the foreign oil producing nations into a monopsonistic (seller's) cartel, with the expressed goal of preventing any oil company from further reducing its posted prices, has gone even further in its objectives.

In 1965, for example, OPEC resolved to institute *a group boycott* against any company which failed "voluntarily" to accede to changes in concession agreements which were unilaterally demanded and secured by the Government of Libya. OPEC has made it politically impossible for any oil company to consider further reductions in posted prices without prior governmental approval—which simply cannot be had.

That the OPEC nations recognize the difference between tax value and commercial value of oil is clear. In 1964, OPEC, as a bargaining agent for each of its Middle East governments "persuaded"—a better word would be "required"—the companies to amend their concession agreements so that royalties which had previously been creditable against taxes, were required to be deducted against taxes. This resulted in increasing the government's take by one-half the royalty amount, or by 6.25 percent of the posted oil price.

To soften the blow, the governments agreed to allow slight discounts of the posted price which would be phased out gradually. However, when the Suez crisis arose in 1967, Libya exerted pressure requiring that companies immediately eliminate these discounts. This was done on the basis that Libyan crude *had become more valuable* as a result of the closing of the Suez Canal. "More valuable" means they could charge higher prices as the market tightened. There is no question that if the oil import program is abolished, Libya could contend that its oil has become even more valuable and exert still greater pressure to further increase its price.

For certain companies, the further concessions demanded by the Libyan government—pursuant to an amendment to the Libyan petroleum Law made by royal decree on November 20, 1965—more than doubled the amounts they had to pay the Libyan Government on each barrel of oil they exported. Why did these companies accept the 1965 demand? They did so after the Libyan government obtained the approval of its parliament to take whatever action it considered necessary to compel them to accept the ultimatum. The Prime Minister declared that he was prepared to stop exports of any company that would not consent: that is to say, force it out of business in Libya.

There were other sanctions and incentives to back the government's pressure, exerted finally on only six recalcitrant companies, the rest having agreed to alter their concession terms. Libya was considering bids for some further oil concessions that it had to offer, and existing concessionaires were prominent among the many companies interested. The Government made it clear that new concessions would not be granted to any company which did not accept its new formula related to posted prices, both with respect to the concessions they already held, as well as those that might be granted in the future. Moreover, to all concessionaires agreeing to change over, Libya offered a "quit-claim" confirming, without further argument, their income tax returns for previous years over some of which it had threatened to argue very hard indeed. And finally, other governments that are members of OPEC let it be known that they had passed a resolution saying that they would not grant any new concessions in their countries to companies which held out against the new Libyan amendment. When the Libyan Government, with its parliament's consent made the definite threat to stop exports—that is, to act unilaterally in breach of its written contracts—these last recalcitrant companies gave in.

From this moment on, it was only a matter of time until the next "host government" decided to amend its concession terms unilaterally by the same threat of direct action in breach of contract. The doctrine that radicals in such countries have often urged—"legislate, don't negotiate"—had been given a new and considerable boost.

Within a few months, officials in Kuwait, another OPEC member-country, were also threatening to legislate unilaterally. Shortly thereafter the Government of Iran put pressure on the consortium of oil companies responsible for nearly all Iranian production to increase output far more sharply than they had planned. The Shah of Iran hinted ominously at the measures Iran might have to take to protect its national interest if these demands were not met. Before the end of the year, the consortium had agreed: (1) to raise its own output faster than had been planned, (2) to provide the national state-owned company with attractively priced crude that it could sell to Eastern Europe and, (3) to relinquish part of its operating territory several years in advance of the time-table set in the agreement. This is creeping nationalization.

Unilateral actions by all producing countries have become the rule rather than the exception. In 1966, the Government of Syria decided to nationalize 300 miles of pipeline carrying Iraqi oil through its territory. The Government of Iraq, whose oil income was liable to be cut in half by its Arab Socialist neighbors' move, responded by increasing its pressures on companies in its territory to "improve" the financial agreement reached 18 months earlier. In other words, they made these companies pay for their neighbors' illegal act.

In 1966, Venezuela, whose tax payments under the law are based upon actual oil sales realizations, arbitrarily challenged these realizations as being "too low," and after protracted negotiations, extracted some $200 million in back tax payments from producing companies. In addition, the companies had to agree to pay taxes for the future on minimum prices which generally exceed the market value for the crude oil and products sold. The current agreement on minimum prices provides for an annual escalation in the tax-bite regardless of market conditions.

A more recent example of the kind of treatment U.S. companies have received from oil producing nations is the expropriation of the Standard Oil Company of New Jersey's International Petroleum Company by the new military junta in Peru. The military junta, which illegally deposed the elected Government of Peru, has made this American company the whipping boy to stir up nationalist feelings in the country. Almost immediately upon assuming control of the nation's government, the military junta expropriated the International Petroleum Company, without offering a penny of compensation. They then seized all the assets of the company and issued a unilateral and administrative declaration of "no legal title" to the oil fields. Finally, by proclamation without any judicial determination, the Peruvian authorities had the audacity to claim that the IPC owes Peru $690,524,283 in back taxes. The military government of General Juan Velasco Alvarado is said to have plans to go before the Organization of the American States and accuse the United States of "economic aggression," if the sanctions that are in the Foreign Aid Act and the Sugar Act are applied.

This highanded attitude on the part of the military junta is not an isolated event. The Peruvians claim sovereignty within a 200-mile offshore limit to protect their fishing industry. This is approximately 190 miles more than any other country in the world claims. They shot up American fishing vessels who dared to penetrate the 200-mile limit. Moreover, Peru recently announced a new trade agreement with the Soviet Union, so they could become less dependent upon American aid and trade. The Peruvian actions are indicative of the treatment which American companies have received at the hands of some hot-headed dictators and extremist elements in a number of underdeveloped countries. Such experiences help explain why companies yield to unlawful demands and illegal pressures to pay more than their contracts require.

It is obvious from the actions of the Middle East and other oil producing countries that nationalization of American and other oil companies is being used as a lever to extort exorbitant concessions out of these companies. In several instances outright expropriations have taken place. It is the potential loss of the United States' market and the difficulties of obtaining retail outlets controlled by American companies and shipping subject to American and West European control that prevents expropriations on a mass scale. And only the presence of U.S. productive capacity prevents the wildest kind of price gouging that the oil producing countries could conceive. Let there be no misunderstanding on that point; the oil producing countries have shown a marked disdain for the rights of private property and for the consumer-country interests. Without the existence of U.S. productive capacity, these countries, acting through their cartel, OPEC, would nationalize foreign property, then jack up the prices to the detriment of the U.S. consumer and our nation's balance of payments.

Exhibit 5

RETAIL PRICE INDEX FOR GASOLINE, EXCLUDING TAXES, AS COMPARED WITH U.S. CONSUMER PRICE INDEX, 1958–68

[1957–59=100]

	Total United States	Consumer price index
Year:		
1958	99.4	100.7
1959	98.1	101.5
1960	97.2	103.1
1961	95.1	104.2
1962	94.3	105.4
1963	93.1	106.7
1964	92.5	108.1
1965	95.9	109.9
1966	99.9	113.1

Exhibit 5—Continued

RETAIL PRICE INDEX FOR GASOLINE, EXCLUDING TAXES, AS COMPARED WITH U.S. CONSUMER PRICE INDEX, 1958–68

[1957–59=100]

	Total United States	Consumer price index
Year:		
1967	104.4	116.2
1968	106.2	121.2

Source: Platt's Oilgram Price Service for Gasoline Price Index; U.S. Department of Labor for U.S. Consumer Price Index.

Exhibit 6

RETAIL PRICE OF GASOLINE, EXCLUDING TAXES, 1958–68

[Cents per gallon]

	Total, United States	New England	Midwest
1958	21.47	19.52	21.42
1959	21.18	18.80	21.53
1960	20.99	18.88	21.27
1961	20.53	19.46	21.04
1962	20.36	18.28	20.74
1963	20.11	17.91	20.61
1964	19.98	18.19	19.41
1965	20.70	19.60	21.15
1966	21.57	20.60	22.15
1967	22.55	22.31	23.30
1968	22.93	23.30	23.49
11-year average	21.12	19.71	21.46

Source: Platt's oilgram price service, prices at representative U.S. cities.

Exhibit 7

IMPORT QUOTA ALLOCATIONS AS A PERCENTAGE OF REFINERY INPUTS, 1962–69

DISTRICTS I–IV

Average barrels-per-day input	July to December 1962	January to June 1963	July to December 1963	January to June 1964	July to December 1964	January to June 1965	July to December 1965	January to December 1966	January to December 1967	January to December 1968	January to December 1969
0 to 10,000	12.0	12.5	12.5	14.0	15.0	17.0	18.0	18.0	20.0	19.0	19.5
10,000 to 30,000	10.2	10.7	11.5	11.9	11.2	11.6	11.9	11.4	11.4	10.2	11.0
30,000 to 100,000	8.2	8.6	9.2	9.3	8.9	9.2	9.4	8.9	8.0	6.7	7.0
100,000 plus	5.2	5.3	5.4	5.45	5.28	5.53	5.64	5.26	4.28	2.74	3.0
Percentage of last quota under voluntary plan:											
Historic importers	70.0	67.5	65.0	63.0	61.0	59.0	57.0	54.0	51.0	45.0	40.0
Overland importers	70.0	63.75	58.75	55.75	52.75	49.75	46.75	42.25	37.75	33.2	27.25

DISTRICT V

Average barrels-per-day input	July to December 1962	January to June 1963	July to December 1963	January to June 1964	July to December 1964	January to June 1965	July to December 1965	January to December 1966	January to December 1967	January to December 1968	January to December 1969
0 to 10,000	52.0	52.0	50.0	52.0	55.0	60.0	53.5	48.5	48.5	45.0	40.0
10,000 to 30,000	34.9	32.0	25.9	29.0	33.0	33.7	25.7	22.0	18.2	11.0	9.3
30,000 to 100,000	15.6	10.5	8.57	9.57	20.0	20.4	14.1	11.9	9.8	5.2	4.3
100,000 plus	11.0	10.5	8.57	9.57	14.08	14.1	9.54	7.3	6.0	2.2	1.9
Percentage of last voluntary quota for historic importers	70.0	67.5	47.0	55.0	53.0	51.0	49.0	46.0	43.0	28.5	23.5

Exhibit 8

ESTIMATED NUMBER OF EMPLOYEES IN IMPORTANT SEGMENTS OF THE PETROLEUM INDUSTRY IN 1967

	Crude oil and natural gas production	Petroleum refining	Pipeline transportation
Alabama	360	325	74
Alaska	[1] 1,675	(2)	(2)
Arizona	154	0	32
Arkansas	2,235	1,298	92
California	22,100	25,900	400
Colorado	5,100	400	100
Connecticut	(2)	0	(2)
Delaware	67	1,897	0
Florida	500	150	12
Georgia	11	105	457
Hawaii	(2)	204	(3)
Idaho	1	0	13
Illinois	7,800	8,000	1,100
Indiana	1,200	6,400	200
Iowa	30	0	210
Kansas	10,200	3,700	1,100
Kentucky	2,892	1,061	192
Louisiana	47,300	9,800	950
Maine	(2)	0	166
Maryland	(2)	406	(2)
Massachusetts	2	116	27
Michigan	1,201	1,703	184
Minnesota	66	1,020	300
Mississippi	4,904	827	151
Missouri	100	600	500
Montana	1,558	1,132	150
Nebraska	650	60	140
Nevada	72	6	20
New Hampshire	0	0	12
New Jersey	11	6,500	110
New Mexico	7,248	751	233
New York	1,963	8,645	168
North Carolina	4	8	78
North Dakota	1,284	418	53
Ohio	4,200	5,000	800
Oklahoma	39,600	8,000	2,300
Oregon	(3)	65	(4)
Pennsylvania	3,098	16,270	819
Rhode Island [5]	0	0	1
South Carolina	0	0	40
South Dakota	2	16	53
Tennessee	42	230	34
Texas [6]	97,176	33,502	5,864
Utah	1,002	1,015	52
Vermont	0	0	0
Virginia	107	290	35
Washington	36	1,000	52
West Virginia	3,600	500	200
Wisconsin	4	197	109
Wyoming	5,840	1,740	400
District of Columbia	42	1	0
Total United States	275,437	149,258	17,983

[1] Includes petroleum refining.

[2] Not Available.

[3] Included with petroleum refining.

[4] Included with gas companies and systems.

[5] Data for year 1966.

[6] Data for first 7 months 1967.

AVERAGE CRUDE OIL VALUE PER BARREL AT THE WELL

	1957	1967
Alabama	[1]$2.50	$2.65
Alaska		3.13
Arizona	[1]3.00	2.80
Arkansas	2.92	2.70
California	3.05	2.31
Colorado	3.02	2.29
Florida	[1]2.50	[1]2.25
Illinois	3.12	3.04
Indiana	3.13	2.98
Kansas	3.01	3.00
Kentucky	3.13	2.90
Louisiana	$3.32	$3.12
Michigan	3.06	2.89
Mississippi	2.91	2.72
Missouri	[1]2.55	[1]2.50
Montana	2.70	2.50
Nebraska	2.98	2.75
Nevada	[1]3.00	[1]2.20
New Mexico	2.99	2.92
New York	4.73	4.58
North Dakota	3.13	2.60
Ohio	3.23	3.17
Oklahoma	$3.03	$2.93
Pennsylvania	4.73	4.49
South Dakota	[1]2.40	2.38
Tennessee	[1]3.00	[1]2.85
Texas	3.11	3.01
Utah	2.27	2.63
Virginia	[1]3.25	[1]2.45
West Virginia	4.26	4.00
Wyoming	2.66	2.58
Total United States	3.09	2.92

[1] Estimated by IPAA.

Source: U.S. Bureau of Mines.

EXHIBIT 9

TABLE 4.—TANK CAR PRICES, NO. 2 FUEL (WHOLESALE TO DISTRIBUTOR)

[Cents per gallon]

	New England	Mid-Atlantic	South Atlantic	Midwest	West	Total, United States
1958	10.00	10.10	10.16	10.99	12.13	10.71
1959	10.50	10.54	10.68	10.74	12.32	10.93
1960	9.64	9.72	9.99	10.36	11.70	10.50
1961	10.86	10.87	11.05	10.22	11.45	10.71
1962	10.80	10.72	10.74	10.33	11.33	10.73
1963	9.97	10.02	10.42	10.28	11.41	10.40
1964	9.43	9.46	9.99	9.60	11.28	9.92
1965	9.70	9.75	10.17	9.95	11.37	10.17
1966	10.15	10.20	10.53	10.17	11.33	10.45
1967	10.87	10.79	11.12	10.34	11.58	10.91
1968	11.30	11.16	11.46	10.82	11.83	11.24
Average, 1958–62	10.36	10.39	10.52	10.53	11.79	10.72
Average, 1963–67	10.02	10.04	10.45	10.07	11.39	10.37

DIFFERENCE—NEW ENGLAND VERSUS OTHER AREA

1958	−0.10	−0.16	−0.99	−2.13	−0.71
1959	−.04	−.18	−.24	−1.82	−.43
1960	−.08	−.35	−.72	−2.06	−.86
1961	−.01	−.19	+.64	−.59	+.15
1962	+.08	+.06	+.47	−.53	+.07
1963	−.05	−.45	−.31	−1.44	−.43
1964	−.03	−.56	−.17	−1.85	−.49
1965	−0.05	−0.47	−0.25	−1.67	−0.47
1966	−.05	−.38	−.02	−1.18	−.30
1967	+.08	−.25	+.53	−.71	−.04
1968	+.14	−.16	+.48	−.53	−.06
Average, 1958–62	−.03	−.16	−.17	−1.43	−.36
Average, 1963–67	−.02	−.43	−.05	−1.37	−.35

Note: New England includes Portland, Maine; Boston, Mass.; Providence, R.I.; Hartford, Conn.; New Haven, Conn. Mid-Atlantic includes Syracuse, N.Y.; Albany, N.Y.; New York, N.Y.; Montclair, N.J.; Philadelphia, Pa.; Baltimore, Md. South Atlantic includes Washington, D.C.; Richmond, Va.; Wilmington, N.C.; Charleston, S.C.; Jacksonville, Fla. Midwest includes Chicago, Ill.; Detroit, Mich.; Cleveland, Ohio; Minneapolis, Minn.; St. Louis, Mo.; Indianapolis, Ind.; Milwaukee, Wis.; Des Moines, Iowa. West includes San Francisco, Calif.; Portland, Oreg.; Seattle, Wash., and Los Angeles, Calif

Source: Fuel Oil and Oil Heat.

TABLE 5.—TANK WAGON PRICES, NO. 2 FUEL OIL (RETAIL TO CONSUMERS)

[Cents per gallon]

	New England	Mid-Atlantic	South Atlantic	Midwest	West	Total, United States
1958	14.21	13.87	13.79	14.97	14.87	14.40
1959	14.87	14.37	14.36	15.16	15.17	14.87
1960	14.09	13.80	13.72	14.88	15.24	14.41
1961	15.69	15.22	14.97	15.00	15.24	15.21
1962	15.69	15.13	15.06	15.31	15.24	15.28
1963	15.69	15.47	15.06	15.31	15.21	15.34
1964	15.38	15.22	14.16	15.21	15.30	15.07
1965	15.79	15.42	14.72	15.30	15.56	15.35
1966	16.28	15.85	15.22	15.34	15.58	15.62
1967	16.89	16.38	15.83	15.56	15.90	16.05
1968	17.54	17.00	16.31	15.96	15.92	16.44
Average, 1958–62	14.91	14.48	14.38	15.06	15.15	14.83
Average, 1963–67	16.01	15.67	15.00	15.34	15.51	15.49

DIFFERENCE—NEW ENGLAND VERSUS OTHER AREAS

1958	+0.34	++0.42	−0.76	−0.66	−0.19
1959	+.50	++.51	−.29	−.30	
1960	+.29	++.37	−.79	−1.15	−.32
1961	+.47	+.72	+.69	+.45	+.48
1962	+.56	+.63	+.38	+.45	+.41
1963	+.22	+.63	+.38	+.48	+.35
1964	+.16	+1.22	+.17	+.08	+.31
1965	+0.37	+1.07	+0.49	+0.23	+0.44
1966	+.43	+1.06	+.94	+.70	+.66
1967	+.51	+1.06	+1.33	+.99	+.84
1968	+.54	+1.23	+1.58	+1.62	+1.10
Average, 1958–62	+.43	+.53	−.15	−.24	+.08
Average, 1963–67	+.34	+1.01	+.67	+.50	+.52

Note: New England includes Portland, Maine; Boston, Mass.; Providence, R.I.; Hartford, Conn.; New Haven, Conn. Mid-Atlantic includes Syracuse, N.Y.; Albany, N.Y.; New York, N.Y.; Montclair, N.J.; Philadelphia, Pa.; Baltimore, Md. South Atlantic includes Washington, D.C.; Richmond, Va.; Wilmington, N.C.; Charleston, S.C.; Jacksonville, Fla. Midwest includes Chicago, Ill.; Detroit, Mich.; Cleveland, Ohio; Minneapolis, Minn.; St. Louis, Mo.; Indianapolis, Ind.; Milwaukee, Wis.; Des Moines, Iowa. West includes San Francisco, Calif.; Portland, Oreg.; Seattle, Wash.; and Los Angeles, Calif.

Source: Fuel Oil and Oil Heat.

TABLE 6.—DEALERS' MARGIN, NO. 2 FUEL OIL

[Cents per gallon]

	New England	Mid-Atlantic	South Atlantic	Midwest	West	Total, United States
1958	4.21	3.77	3.63	3.98	2.74	3.71
1959	4.37	3.83	3.68	4.42	2.85	3.94
1960	4.45	4.08	3.73	4.52	3.54	3.91
1961	4.83	4.35	3.92	4.78	3.79	4.50
1962	4.89	4.41	4.32	4.98	3.91	4.55
1963	5.72	5.45	4.64	5.03	3.80	4.94
1964	5.95	5.76	4.17	5.61	4.02	5.15
1965	6.09	5.67	4.55	5.35	4.19	5.18
1966	6.13	5.65	4.69	5.17	4.25	5.17
1967	6.02	5.57	4.71	5.22	4.32	5.14
1968	6.24	5.84	4.85	5.14	4.09	5.20
Average, 1958–62	4.55	4.09	3.86	3.53	4.53	4.11
Average, 1963–67	5.99	5.63	4.55	5.27	5.27	5.12

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DIFFERENCE—NEW ENGLAND VERSUS OTHER AREAS

1958	+0.44	+0.58	+0.23	+1.47	+0.50
1959	+.46	+.69	−.05	+1.52	+.43
1960	+.37	+.72	−.07	+.91	+.54
1961	+.48	+.91	+.05	+1.04	+.33
1962	+.48	+.57	−.09	+.98	+.34
1963	+.27	+1.08	+.69	+1.92	+.78
1964	+.19	+1.78	−.34	+1.93	+.80
1965	+0.42	+1.54	+0.74	+1.90	+0.91
1966	+.58	+1.44	+.96	+1.88	+.96
1967	+.55	+1.31	+.80	+1.70	+.98
1968	+.40	+1.39	+1.10	+2.15	+1.04
Average 1958-62	+.46	+.69	+1.02	+.02	+.44
Average 1963-67	+.36	+1.44	+.72	+.72	+.87

EXHIBIT 10

U.S. SENATE,
COMMITTEE ON FINANCE,
Washington, D.C., February 28, 1969.

To: The Honorable Russell B. Long.
From: Tom Vail.
Subject: Cost of burning fuel oil in public utility plants, by major geographic region.

In accordance with your request, I have asked the Federal Power Commission for statistics concerning the cost of burning fuel oil in public utility plants in the various regions of the United States.

The data sent by the Federal Power Commission on fuel oil burned in 1967 are as follows:

	Average cost per barrel	Average cost cents per million B.t.u.
New England	$1.99	31.80
Southeast	2.05	32.54
Midwest	2.82	44.21
Southwest	2.10	32.89
Far West	2.02	31.58

(The following colloquy, which occurred during the delivery of Mr. LONG's address, is, by unanimous consent printed here at the conclusion of his address.)

Mr. McGEE. Mr. President, would the Senator be willing to yield?

Mr. LONG. Yes; I am happy to yield.

Mr. McGEE. Mr. President, the Senator from Louisiana has cast this question in a broader focus, which I think is important in something that is as personally and emotionally of interest, as this question is. I suppose all of us can understand why the New England area, which our colleagues from that area represent very brilliantly, is so much interested, and that the whole problem of fuel costs is an understandable one. But I think what the Senator has said, about considering the consequences on a much broader vein, and not limiting it to a specific region is most appropriate.

I hope the RECORD will show what this proposal would mean in terms of some of our whole domestic infrastructure, or economic structure.

Would the Senator agree with me that our smaller independent oil refineries in particular would be very materially endangered by this proposal?

Mr. LONG. Mr. President, there is no doubt about it. Without the oil import quota program as we have it presently, a great number of companies—I estimate a hundred independent refineries, and even small refineries owned by major companies—would be put out of business. It is the oil import program that keeps them in business.

As the Senator from Wyoming well knows, one of the reasons why we want them in business is that in the event of a war, we estimate that practically all of the coastal refineries—and we have some coastal refineries in Louisiana—would be destroyed and put out of operation by enemy action. We would have to depend upon the small inland wells and the small inland refineries during the period of the war. That would be particularly the case if the enemy resorted to tactical nuclear weapons, but it could be done even with less than tactical nuclear weapons.

But even if it were not a war situation, but a situation in which we had become completely dependent on cheaper foreign oil as a result of doing away with the oil import program, and then we find that source of supply shut off by another embargo, our planes, our factories, our whole transportation system, would not have the fuel to continue operations.

Mr. McGEE. Is it not also true that in trying to maintain an equitable oil import quota program we are constantly assaulted by piecemeal efforts to disrupt the balance? And is it not true that the moment we nibble at that program with one exception, then another exception, or still another, the real purpose of the quotas is then placed in jeopardy?

Mr. LONG. The Senator is correct. It is all right with me to modify the existing program in a way that would appear to be fair and would treat all competitors equally. I am not opposed to New England having all the refineries that any company wanted to build there. I only ask that New England play by the same ground rules that everybody else does. Someone has suggested that we have a common market with Canada, because Canadian oil—particularly if Canada had a treaty commitment to deliver it to us—could be delivered to us even if we could not get Venezuelan oil. That is all right with me, provided that the Canadians play by the same rules we do.

The Canadians know we have a football league. If we merged our leagues, I would have no objection to playing them, but I would not want to see them play with 12 men on their team.

Mr. McGEE. Some of our teams tried that during the last bowl season.

Mr. LONG. That extra flanker would just kill you, if they have 12 men on the field while you have only 11. It is perfectly all right with me to introduce any reasonable proposal to play the game by the rules which prevail, provided we treat all competitors alike and treat them all fairly.

Mr. McGEE. Probably the situation in my State of Wyoming is far more acute than it is in the Senator's State of Louisiana or other coastal areas that might have refineries. A very large proportion of our exploration activity in the field of oil is undertaken—and, hopefully, with success—by the independent. The independent is a far more marginal participant in our oil-producing economy than are the major companies, for obvious reasons. But in the State of Wyoming, oil production is an overwhelmingly large economic factor. For a State with a population of 330,000 or 340,000, the dimensions of this problem become critical in our view. We are not so fortunate as is Louisiana or as are parts of southern California, where according to a popular TV show some hillbillies can stick a finger in the ground and strike oil.

In Wyoming we have to resort to very deep drilling. It is very expensive, and that makes it almost prohibitive to take the chance. We have marginal operators who are willing to take that chance; but the moment we open up another 100,000 barrels elsewhere, their marginal operation, I am afraid, is economically infeasible and it would have disastrous consequences.

It is not just a question of how we come to grips with the matter of lower fuel costs in New England; it is what, in doing that, we might do to some other area, which might then have economic consequences that would be equally disastrous. Are we then going to have to look from region to region, in an attempt to solve some new problem that has been created because we took one step?

I think it is important that we not make the situation worse elsewhere in order to make one region better. I make the plea for our region of the United States and its current dependents on these marginal exploration activities, which would be jeopardized by the Machiasport proposal.

Mr. LONG. Mr. President, the Senator makes a point which, in my judgment, should be given every consideration by the President and everyone else considering this problem. Probably not one field in Wyoming can compete with Libyan oil. Some of the Libyan fields have a lifting cost of about 5 cents a barrel. Oil cannot be produced in Wyoming for a going price of less than about $3 a barrel.

Mr. McGEE. It is even tough for Wyoming to compete with Louisiana oil.

Mr. LONG. We certainly must recognize the importance of Wyoming for our national survival. Let me point out how enormously important this is.

The oil in Wyoming, small though the wells may be, compared with some of the big ones we have in the tidelands, will be there and will be available to us; and the fact that they are small and are dispersed makes it impracticable for an enemy to knock them out, even in an atomic war.

In a State having the large area of Wyoming, the small wells can provide us with fuel when the big coastal wells are gone. I have shown how easy it would be for submarines or other weapons to knock out the big tidelands wells and how nearly impossible it would be to defend them. Wyoming, by contrast, has small wells and small refineries dispersed throughout the State.

For example, American Oil Co. has a 34,000-barrel refinery at Casper. Empire

State has a 4,000-barrel refinery at Thermopolis. Gordon Refining Co., at Greybull, 300 barrels.

Husky, at Cheyenne, 20,500 barrels. Husky Oil, at Cody, 10,500.

Sage Creek, at Cowley, 500 barrels. Sinclair Refining Co., at Sinclair, 26,000 barrels. Sioux Oil Co., at Newcastle, 7,500. Texaco, at Casper, 20,000.

That does not look like a lot of oil. But when an enemy has knocked out the big refinery we have at Baton Rouge, let us say, and the big refinery we have at Lake Charles, and the big refineries in the Bayonne, N.J., area, and has knocked out the proposed refineries that might be built elsewhere, such as at Machiasport, which are easy coastal targets—when that happens, it will be the small refineries, dispersed across the Nation, on which we will have to rely to see us through to survival.

Moreover, it is the fact that these small refineries are dispersed across the country, and few, if any, could survive if we did not have this oil import quota program. An enemy might be reluctant to knock out the big refineries, because of his awareness that we would still have the small refineries. But if the small refineries go, knocking out the big ones along the seacoast, becomes more advantageous.

If we consider the problem purely on the basis of economics, all the advantages are with refining the cheapest oil, and refining it where the cheapest transportation can be obtained, which would be alongside the few big harbors that can accommodate vessels of 45-foot draft and deeper—vessels which, I may say, even New York Harbor cannot accommodate right now.

If we put the refineries alongside the few big harbors equipped for ships with very deep draft, and bring the oil in where the lowest transportation cost can be had, from the Near East or somewhere else, we must keep two points in mind. First, the foreign government might not be willing to let us have any oil if we had to fight a war. Second, an enemy could cut off the supply anyway, or we could not get the tankers to the refineries because of enemy action.

Mr. McGEE. The Senator is entirely correct. He mentions the small refineries we have in Wyoming; and even the very largest of them are relatively small. They are important to our State, however, and their economic impact at all levels of our life in the State is considerable.

The Senator mentioned one refinery, in particular, that I think helps to explain our concern here today. He mentioned the Mobil refinery at Casper. It is no longer the Mobil refinery. Because of various costs involved in that marginal operation, it was closed down by the Mobil Co., but after much urging, we finally succeeded in getting a Wyoming businessman to take a chance on that operation. It is now a total Wyoming institution. The operator's name is Earl Holding. He runs Little America, which is a motel enterprise. But in the case of this operation, he was willing to take a chance and put his neck out a long way, to try to keep this small refinery going; and he is in the process of doing that now.

The only way that he had even a chance to get the operation going again, and to keep it as a Wyoming enterprise on an independent basis, was due to the success of the import quota arrangement. I am confident that had we not had the stability of that kind of an arrangement, he would not have dared to take the risk in the first place, and if this all comes undone, if it comes unraveled, he will be one of the first forced to go out of business.

I think this matter likewise merits the consideration of Senators from New England. Everyone should consider the consequences for some of the rest of us under this proposal. It is not quite so easy as just deciding that we have a problem in the matter of fuel costs. That is understandable. But what the proposed solution would do to the rest of the country ought to give us all real pause.

Mr. LONG. Mr. President, the proposed Machiasport refinery is estimated to provide 300 to 350 jobs. It will be a very efficient operation, if it is built. As I say, it will be perhaps the largest refinery on the east coast.

But, as I explained in my statement, there is no way on earth we can do this for Occidental without giving similar concessions to Texaco, Gulf, Sinclair, Atlantic, Humble, the Standard Oil family, and others. If we do that, it will mean, for all intents and purposes, that Wyoming, let us say 10 years from now, or 5 years from now, will no longer be an oil-producing and an oil-refining State, and the oil in Wyoming will not be available to us in the event of an emergency. We will not have their refineries, and will not have their wells. They will be closed and sanded over. It would take a lot of reworking to bring them back into operation, and we would not have them for an emergency.

What would that mean to Wyoming? It would mean that Wyoming would lose 5,800 jobs in producing crude oil and natural gas, and would lose 1,740 jobs in the refining of those products.

Wyoming would have a potential loss of 7,500 jobs compared with an immediate gain to Machiasport of let us say, 300 jobs. I would much prefer to pay a premium for Maine lobsters, rather than to see Wyoming put out of business, especially when the Wyoming oil would otherwise be available to see us through an emergency. After all, we cannot say the same things for the Libyan oil. It might well be unavailable to us because the Arabs would not ship it or the Russians could cut it off with their large submarine fleet, in the event we relied upon it.

Mr. McGEE. One other question on the economic issue out in our high-altitude country is what would happen to our exploration activity if the New England proposal were approved. This is exceedingly important to us, and very costly, and very risky. In fact, the high risk element is such that it takes very little to tip the economic scales against it, where it would have to be abandoned.

A considerable part of our State's economy depends not merely upon the work in the fields, not merely upon the refinery itself, but upon the exploratory activity. This activity would go down the drain also. So we must add that to the economic impact of closing down the refineries. When we add it all together, we can begin to measure a very substantial economic disaster that would threaten the high-altitude oil-producing areas of the Rocky Mountain West.

Mr. LONG. Mr. President, my guess would be that if the oil import program were to go by the board, the State which I have the honor to represent in the Senate, the State of Louisiana, could probably stand the impact of that better than almost any other oil-producing State. We are fortunate to have several large tidelands wells. We have big refineries near the coast which enjoy the advantage of cheap transportation and low cost.

The State of Louisiana is in as favorable a position to compete with the world price as is any other oil-producing State in the Nation. By the same token, the first people who would be put out of business if this proposal were to go into effect would be those who would provide our country with fuel in a fight to survive in our Nation.

Wyoming oil and refineries, like Oklahoma oil and refineries and North Dakota oil and refineries, would be the ones that would still be there when the others were destroyed.

It was pointed out in a statement by, I believe, the Governor of Maine, that one big bomb striking Baton Rouge—which is where I happen to live—and one big bomb striking Bayonne, would cause one-third of the oil-refining capacity in this country to be destroyed. That is a correct statement. Many other small refineries in Louisiana would still be in operation because it would be more difficult for the enemy to get to the smaller inland sources of oil.

We have about 270 refineries in this country, and about 10 percent of that number refine well over 50 percent of the oil. But it is the other 90 percent that we should consider. The smaller they are, the more likely they are to be still in operation in the event we have to fight a war for our survival. If they are put out of business, a bigger target will be left for the enemy.

Mr. McGEE. Mr. President, the Senator makes a precise point. For a long time we talked about the strategic deployment of our key industries, and we viewed with very deep concern the fact that part of those strategic industries proliferate in their own immediate environment. Thus we have the southern California complex and the Chicago-Great Lakes-Pittsburgh complex.

In this space age, when we talk about space, sometimes we fail to utilize space to our advantage. We have space in the West—a great deal of it.

I think that this aspect of our dispersal is significant. It ought to be carried much further. We think it would be worth an investment on the part of the national security of our country so that some of the other related strategic industries might be moved into the wide open spaces if for no other reason than to disperse them. We think that this would have a further advantage in that it would tend to draw people out of the areas where problems exist, where people are stacked on top of one another, where we have urban renewal problems and ghetto blight. All of our problems go in that direction, and they all hinge upon dis-

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persing the industrial base of the industrial complex.

There is no reason why these refineries should not be used.

Mr. President, I would like to add my voice to that of the distinguished junior Senator from Louisiana in pointing out the disastrous effects which the granting of Machiasport Refinery application would have upon the domestic oil industry, particularly the smaller independent oil operators and producers in the Rocky Mountain West.

I have opposed this application from the time it was made, and I am convinced, that many of those who feel that this proposal should be granted are simply not aware of the basic facts of life in the oil industry.

The issue here is not simply one of whether or not a refinery might be constructed in New England to provide a new source of fuel to that section of the country, but the accomplishment of such an objective calls for the simultaneous granting of a 100,000 barrels-per-day import quota to enable that refinery's operation. Pure and simple, that means that once such a quota were granted, domestic producers would be forced to produce 100,000 barrels per day less than they currently do.

To some people, Mr. President, 100,000 barrels per day might appear to be a drop in the bucket. But those people fail to recognize two basic important facts in the oil production. First, our domestic producers are already operating under an oil import program that over the past few years has been so riddled with special exemptions and grantings of special foreign trade zone applications to accommodate the petro chemical industry that today the oil import program is ramshackle at best and impossible at worst. The further weakening of that oil import quota by the granting of the Machiasport proposal might well be the straw that broke the camel's back.

Second, while it is all very well to believe in and to promote export and import trade—and I count myself among those who believe very strongly in the free trade concept—every barrel of oil which is allowed to come into this country at the cheaper nondomestic cost has the chain-reaction effect of backing domestic oil production right into the ground. This particularly affects the smaller independent operators in my State of Wyoming and the Rocky Mountain West, for how can a man produce and market, on a relatively small investment, a barrel of oil in the State of Wyoming which can be imported in the State of Maine for one-half or less of the cost? The answer is, he cannot.

The granting of the Machiasport application, coupled with the granting of the import license for the oil—when combined with the several other import allocations that have been approved over the past few years—might very conceivably result in a drastic curtailment of the exploration and production of domestic oil. Not only would it disrupt and penalize the very livelihood of many of our citizens in the Rocky Mountain West, but it may sound the death knell of all domestic production. Domestic production, Mr. President, can take place only under an orderly oil import program. And the destruction of that program, which is inherent in the Machiasport proposal, means the destruction of the domestic industry.

I understand the sentiments which have aroused the strong feelings among my New England colleagues, but I suggest, Mr. President, that in this case there is more at stake than the problems of a geographic region of the United States. The issue here simply cannot be regionalized for it affects not only Maine, not only New England, not only the oil-producing States all across the country, but the economic well-being of a large industry whose economic health directly affects millions of Americans in all walks of life.

I cannot emphasize too strongly my opposition to this proposal and commend the Senator from Louisiana for the thoughtful presentation he has made on this issue here today.

Mr. LONG. Mr. President, since the Senator from Wyoming has raised that point, I ask unanimous consent to have printed in the RECORD a list which I have prepared of the inland refineries to show where they are located, and a second list showing where the coastal refineries are located.

There being no objection, the lists were ordered to be printed in the RECORD, as follows:

INLAND REFINERIES—BY STATE, REFINERY, AND CAPACITY

[Capacity in barrels per day]

State and refinery	Location	Crude oil capacity
Alabama:		
Cracker Asphalt Co	Moundsville	2,000
Hunt Oil Co	Tuscaloosa	9,000
Vulcan Asphalt Refining Co	Cordova	3,000
Warrior Asphalt Co	Holt	1,700
Arkansas:		
American Oil Co	El Dorado	43,000
Berry Petroleum Co	Stephens	2,000
Do	Waterloo	1,500
Cross Oil & Refining Co., of Arkansas	Smackover	3,500
MacMillan Ring-Free Oil Co., Inc	El Dorado	36,000
California:		
Kern County Refinery, Inc	Bakersfield	11,000
Mohawk Petroleum Corp	do	17,000
Palomar Oil & Refining Corp	do	
Signal Oil and Gas Co	do	22,000
Standard Oil Co. of California	do	26,000
Sunland Refining Corp	do	5,300
Colorado:		
American Gilsonite Co	Fruita	4,180
Continental Oil Co	Denver	19,500
Do	do	5,000
Lubco Oil & Refining Co	Rangely	5,000
Morrison Refining Co	Grand Junction	700
Oriental Refining Co	Denver	
Tenneco Oil Co	do	11,000
Illinois:		
American Oil Co	Wood River	86,500
Clark Oil & Refining Corp	Blue Island	57,000
Clark Oil & Refining Corp. (formerly Sinclair Refining Co.)	Hartford	29,500
Marathon Oil Co	Robinson	68,250
Mobil Oil Corp	East St. Louis	50,000
Pana Refining Co	Pana	6,000
Richards, M. T., Inc	Crossville	240
Shell Oil Co	Wood River	194,000
Texaco, Inc	Lawrenceville	81,000
Do	Lockport	72,000
Union Oil Co. of California	Lemont	53,000
Wireback Oil Co	Plymouth	1,200
Yetter Oil Co	Colmar	1,000
Indiana:		
American Oil Co	Whiting	241,000
Cities Service Oil Co	East Chicago	56,000
Gladieux Refinery, Inc	Fort Wayne	3,000
Indiana Farm Bureau Cooperative Association, Inc	Mount Vernon	12,500
Laketon Asphalt Refining Co	Laketon	5,500
Mobil Oil Corp	East Chicago	43,000
R. J. Oil & Refining Co., Inc	Princeton	4,500
Rock Island Refining Corp	Indianapolis	22,000
Sinclair Refining Co	East Chicago	113,000
Somerset Oil, Inc	Troy	
Witco Chemical Co., Inc	Hammond	10,000
Kansas:		
American Oil Co	Neodesha	30,800
American Petrofina Co. of Texas	El Dorado	22,500
APCO Oil Corp	Arkansas City	19,000
Century Refining Co	Shallow Water	4,310
CRA, Inc	Coffeyville	28,500
Do	Phillipsburg	16,500
Derby Refining Co	Wichita	22,100
Mid-America Refining Co., Inc	Chanute	3,000
Mobile Oil Corp	Augusta	46,000
National Cooperative Refinery Association	McPherson	40,000
Phillips Petroleum Co	Kansas City	85,000
Skelly Oil Co	El Dorado	65,000
Kentucky:		
Ashland Oil & Refining Co	Catlettsburg	107,000
Kentucky Oil & Refining Co	Betsy Layne	500
Louisville Refining Co., Inc	Louisville	20,000
Somerset Oil, Inc	Somerset	1,500
Louisiana:		
Inland:		
Atlas Processing Co	Shreveport	18,500
Bayou State Oil Corp	Hosston	1,000
Calumet Refining Co., a division of Calumet Industries, Inc	Princeton	2,150
Cotton Valley Solvents Co	Cotton Valley	8,000
Ida Gasoline Co., Inc	Hosston	1,200
Michigan:		
Bay Refining Co	Bay City	15,000
Crystal Refining Co	Carson City	3,000
Delta Terminal Co	Rapid River	
Lakeside Refining Co	Kalamazoo	3,500
Leonard Refineries, Inc	Alma	27,750
Do	Mount Pleasant	
Marathon Oil Co	Detroit	45,000
Mobil Oil Corp	Trenton (Woodhaven)	40,700
Naph-Sol Refining Co	Muskegon	10,000
Osceola Refining Co	West Branch	2,500
Petroleum Specialties, Inc	Flat Rock	
Minnesota:		
Great Northern Oil Co	Pine Bend	62,300
International Refineries, Inc. (subsidiary of Continental Oil Co.).	Wrenshall	16,800
Northwestern Refining Co	St. Paul Park	44,000
Mississippi:		
Lamar Refining Co	Lumberton	1,000
Southland Oil Co	Crupp (Yazoo City)	2,000
Do	Sandersville (Rogerslaw)	6,000
Missouri: American Oil Co	Sugar Creek	83,000
Montana:		
Big West Oil Co. of Montana	Kevin	2,850
Continental Oil Co	Billings	42,000
Diamond Asphalt Co	Chinook	1,500
Farmers Union Central Exchange, Inc	Laurel	26,000

INLAND REFINERIES—BY STATE, REFINERY, AND CAPACITY—Continued

[Capacity in barrels per day]

State and refinery	Location	Crude oil capacity
Montana—Continued		
Humble Oil & Refining Co	Billings	39, 000
Jet fuel refinery	Mosby	450
John Wight Inc	Hardin	
Do	Shelby	
Phillips Petroleum Co	Great Falls	4, 500
Tesoro Petroleum Corp	Wolf Point	2, 200
Union Oil Co. of California	Cut Bank	3, 800
ebraska: CRA, Inc	Scottsbluff	4, 000
evada:		
Nevada Refining Co	Ely	1, 250
Humble Oil & Refining Co	Linden	157, 000
New Mexico:		
Beeline Refining Co	Farmington	1, 000
Caribou-Four Corners Oil Co	do	1, 500
Continental Oil Co.:		
Artesia No. 8	Artesia	5, 000
Artesia No. 10	do	11, 500
Famariss Oil & Refining Co	Monument	4, 500
Plateau, Inc	Bloomsfield	2, 200
Shell Oil Co	Ciniza (Gallup)	14, 000
New York:		
Frontier Oil Refining Corp. (a division of Ashland Oil & Refining Co.).	Tonawanda (Buffalo)	37, 500
Mobil Oil Corp	Buffalo	38, 000
North Dakota:		
American Oil Co	Mandan	50, 000
Westland Oil Co	Willston	5, 000
Ohio:		
East:		
Ashland Oil & Refining Co	Canton	41, 500
Union Oil Co. of California (formerly Pure Oil Co.).	Newark	24, 000
Western Reserves Refining Co. (a division of Ashland Oil & Refining Co.).	Niles	
West:		
Ashland Oil & Refining Co	Findlay	
Chevron Asphalt Co	Cincinnati	12, 500
Gulf Oil Corp	Cleves (Cincinnati)	40, 000
Do	Toledo	46, 800
Standard Oil Co of Ohio	Lima	56, 000
Do	Toledo	116, 500
Sun Oil Co	do	112, 000
Union Oil Co. of California (formerly Pure Oil Co.).	Oregon (Toledo)	30, 000
Oklahoma:		
Allied Materials Corp	Stroud	4, 500
APCO Oil Corp	Cyril	10, 000
Bell Oil & Gas Co	Ardmore	27, 000
Champlin Petroleum Co	Enid	34, 000
Continental Oil Co	Ponca City	77, 500
Kerr-McGee Corp	Cleveland	
Do	Cushing	14, 000
Do	Wynnewood	24, 000
Midland Cooperative, Inc	Cushing	16, 000
Okmulgee Refining Co., Inc	Okmulgee	17, 000
Sequoia Refining Corp	Ponca City	35, 000
Sunray DX Oil Co	Duncan	45, 000
Do	Tulsa	90, 000
Texaco, Inc	Tulsa	47, 000
Tonkawa Refining Co	Arnett	7, 500
Trumbull Asphalt Co	Oklahoma City	
Oregon: Chevron Asphalt Co	Portland (Willbridge)	12, 0
Pennsylvania:		
West:		
Kendall Refining Co. (a division of Witco Chemical Co., Inc.).	Bradford	5, 600
Pennsylvania Refining Co	Karns City	1, 400
Pennzoil Co	Oil City (Rouseville)	10, 000
Quaker State Oil Refining Corp	Emlenton	3, 100
Do	Farmers Valley (McKean)	4, 100
United Refining Co	Warren	16, 500
Valvoline Oil Co. (a division of Ashland Oil & Refining Co.).	Freedom	5, 500
Witco Chemical Co., Inc. (Sonneborn Division)	Franklin	2, 000
Wolf's Head Oil Refining Co., Inc	Reno	2, 200
Tennessee: Delta Refining Co	Memphis	25, 500
Texas:		
Inland:		
Adobe Refining Co. (formerly Premier Oil Refining Co. of Texas).	Abilene	5, 850
Adobe Refining Co	La Blanca	5, 000
American Petrofina Co. of Texas	Mount Pleasant	26, 000
Anderson Refining Co	Tucker (Palestine)	1, 300
Chevron Oil Co., Western Division	El Paso	65, 000
Cosden Oil & Chemical Co	Abilene-Hawley	
Do	Big Spring	31, 500
Do	Colorado City	13, 500
Danaho Refining Co	Pettus	
Diamond Shamrock Corp. (formerly Shamrock Oil & Gas Corp.).	Sunray	34, 500
Flint Chemical Co	San Antonio	786
Fort Worth Refining Co. (formerly Premier Oil Refining Co. of Texas).	Fort Worth	12, 000
Howell Refining Co	San Antonio	3, 500
La Gloria Oil & Gas Co	Tyler	24, 000
Longview Refining Co. (formerly Premier Oil Refining Co. of Texas).	Longview	4, 500
Monarch Refining Co	San Antonio	3, 900
Petroleum Refining Co	Lueders	2, 278
Phillips Petroleum Co	Borger	85, 000
Rado Refining Co	McAllen	1, 250
Shell Oil Co	Odessa	24, 500
Tesoro Petroleum Corp	Carrizo Springs	3, 200
Texaco Inc	Amarillo	19, 000
Do	El Paso	16, 000
Texas Asphalt & Refining Co	Irving	2, 000
Three Rivers Refinery	Three Rivers	1, 200
Tydal Co	Gainesville	2, 000
Utah:		
American Oil Co	Salt Lake City	37, 600
Beeline Refining Co	North Salt Lake	7, 500
Caribou-Four Corners Oil Co	Woods Cross	3, 500
Chevron Oil Co., Western Division	Salt Lake City	43, 000
Phillips Petroleum Co	Woods Cross	20, 000
West Virginia:		
Elk Refining Co	Falling Rock	4, 000
Quaker State Oil Refining Corp	St. Marys (Ohio Valley)	5, 000
Wisconsin:		
Empire Petroleum Co	Sheboygan	
Murphy Oil Corp	Superior	21, 000
Wyoming:		
American Oil Co	Casper	34, 000
Empire State Oil Co	Thermopolis	4, 000
Gordon Refining Co	Greybull	300
Husky Oil Co, Frontier Division	Cheyenne	20, 500
Husky Oil Co	Cody	10, 500
Mobil Oil Corp	Casper	
Sage Creek Refining Co., Inc	Cowley	500
Sinclair Refining Co	Sinclair	26, 000
Sioux Oil Co	Newcastle	7, 500
Texaco, Inc	Casper	20, 000

Source: U.S. Bureau of Mines.

COASTAL REFINERIES—BY STATE, REFINERY AND CAPACITY

[Capacity in barrels per day]

State and refinery	Location	Crude oil capacity
Alabama:		
Alabama Refining Co., Inc	Theodore	10, 000
Chevron Asphalt Co	Mobile (Blakely Island)	6, 000
Alaska: Standard Oil Co. of California	Kenai	20, 000
California:		
Atlantic Richfield Co	Wilmington	165, 000
Beacon Oil Co. (formerly Caminol Co.)	Hanford	11, 500
Douglas Oil Co. of California	Paramount	24, 000
Do	Santa Maria	6, 000
Edington Oil Refineries, Inc	Long Beach	16, 000
Edington Oxnard Refinery	Oxnard	2, 500
Fletcher Oil & Refining Co	Wilmington	9, 600
Golden Bear Oil Co	Oildale	11, 000
Golden Eagle Refining Co., Inc	Torrance	9, 000
Gulf Oil Corp	Santa Fe Springs	46, 900
Lunday-Thagard Oil Co	South Gate	3, 000
MacMillan Ring-Free Oil Co., Inc	Long Beach	10, 000
Mobil Oil Corp	Torrance	110, 000
Newhall Refining Co., Inc	Newhall	6, 500
Phillips Petroleum Co	Martinez	120, 000
Powerine Oil Co	Santa Fe Springs	23, 000
Sequoia Refining Corp	Hercules	25, 000
Shell Oil Co	Martinez	86, 000
Do	Wilmington	83, 000
California—Continued		
Standard Oil Co. of California	El Segundo	150, 000
Do	Richmond	190, 000
Texaco, Inc	Wilmington	60, 000
Union Oil Co. of California	Arroyo Grande	33, 000
Do	Rodeo	56, 000
Do	Wilmington	101, 000
U.S. Oil & Refining Co	Long Beach	
Utility Refining Co	Ventura	8, 200
West Coast Oil Co	Oildale	3, 000
Delaware:		
Getty Oil Co. (formerly Tidewater Oil Co.)	Delaware City	140, 000
Texaco, Inc	Claymont	
Florida: Seminole Asphalt Refining, Ltd	St. Marks	3, 300
Georgia:		
American Oil Co	Savannah	6, 600
Cracker Asphalt Corp	Douglasville	2, 000
Hawaii: Standard Oil Co. of California	Honolulu	35, 000
Louisiana:		
Gulf:		
Canal Refining Co	Church Point	1, 600
Cities Service Oil Co	Lake Charles	185, 000
Continental Oil Co	do	66, 50
Evangeline Refining Co., Inc	Jennings	2, 50

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COASTAL REFINERIES—BY STATE, REFINERY AND CAPACITY—Continued

[Capacity in barrels per day]

State and refinery	Location	Crude oil capacity
Louisiana—Continued		
Gulf—Continued		
Good Hope Refineries, Inc	Good Hope	6, 500
Gulf Oil Corp	Venice	20, 300
Humble Oil & Refining Co	Baton Rouge	419, 000
Murphy Oil Corp	Meraux	29, 000
Shell Oil Co	Norco	170, 000
Tenneco Oil Co	Chalmette	68, 000
Texaco Inc	Convent	110, 000
Maryland:		
American Oil Co	Baltimore	12, 000
Chevron Asphalt Co	Baltimore (Fairfield)	8, 000
Mississippi:		
Gulf Oil Corp	Purvis	23, 800
Standard Oil Co. (Kentucky)	Pascagoula	133, 000
New Jersey:		
Chevron Oil Co	Perth Amboy	80, 000
Cities Service Oil Co	Linden	
Hess Oil & Chemical Corp	Port Reading (Sewaren)	67, 900
Humble Oil & Refining Co	Bayonne	30, 000
Do	Linden	157, 000
Metropolitan Petroleum Co. (a division of the Pittston Co.)	Bayonne	
Mobil Oil Corp	Paulsboro	79, 000
Texaco Inc	Westville	85, 000
New York: Mobil Oil Corp	Brooklyn	
Pennsylvania:		
East:		
Atlantic Richfield Co	Philadelphia	155, 000
Gulf Oil Corp	do	158, 300
Sinclair Refining Co	Marcus Hook	100, 000
Sun Oil Co	do	153, 000
Rhode Island:		
Mobil Oil Corp	East Providence	7, 500
Texaco In	Providence	
Texas:		
Gulf:		
Adobe Refining Co. (formerly Premier Oil Refining Co., of Texas).	Brownsville	
American Oil Co	Texas City	241, 000
Atlantic Richfield Co	Atreco (Port Arthur)	84, 000
Bayou Refining Co., Inc	Pasadena	7, 200
Coastal States Petrochemical Co	Corpus Christi	80, 000
Crown Central Petroleum Corp	Pasadena	40, 000
Eddy Refining Co	Houston	2, 500
Gulf Oil Corp	Port Arthur	293, 000
Hess Oil & Chemcial Corp	Corpus Christi	55, 000
Howell Refining Co	do	10, 000
Humble Oil & Refining Co	Baytown	340, 000
Marathon Oil Co	Texas City	47, 000
Mobil Oil Corp	Beaumont	280, 000
Monsanto Chemical Co	Chocolate Bayou	34, 000
Do	Texas City	
Phillips Petroleum Co	Sweeny	95, 000
Pontiac Refining Corp	Corpus Christi	52, 500
Shell Oil Co	Deer Park (Houston)	155, 000
Signal Oil & Gas Co	Houston	72, 000
Sinclair Refining Co	do	200, 000
Southwestern Oil & Refining Co	Corpus Christi	43, 500
Suntide Refining Co	do	45, 000
Texaco, Inc	Port Arthur	310, 000
Do	Port Neches	45, 000
Texas City Refining, Inc	Texas City	52, 500
Union Oil Co. of California (formerly Pure Oil Co.).	Nederland	95, 000
Union Texas Petroleum (a division of Allied Chemical Corp.).	Winnie	8, 500
Virginia: American Oil Co	Yorktown (Goodwin Neck).	43, 600
Washington:		
Mobil Oil Corp	Ferndale	45, 000
Shell Oil Co	Anacortes	84, 000
Sound Refining, Inc	Tacoma	4, 500
Texaco, Inc	Anacortes	60, 000
U.S. Oil & Refining Co	Tacoma	12, 500
Puerto Rico:		
Caribbean Gulf Refining Corp	Bayamon	37, 800
Commonwealth Oil Refining Co., Inc	Penuelas	115, 000

Mr. LONG. Mr. President, in my judgment the refineries that are listed in the first tabulation—the inland refineries—are all vulnerable, if the import program is destroyed, with the possible exception of one or two of the larger ones. I would say that every one having a capacity of 50,000 barrels or less would be threatened without the oil import program. The American Oil Co. refinery at Mandan, N. Dak., has a capacity of 50,000 barrels. The Westland Oil Co. refinery, Williston, N. Dak., has a capacity of only 5,000 barrels.

I note that Alabama has some small refineries which could be important to our national defense and our national survival. Alabama has the Cracker Asphalt Co. at Moundsville, the Hunt Oil Co., at Tuscaloosa, the Vulcan Asphalt Refining Co. at Cordova, and the Warrior Asphalt Corp. at Holt.

Those companies together represent a considerable amount of employment. Their capacity, individually or even collectively, is not large. However, it could prove to be very important in the event of an emergency. In fact, during the two Arab boycotts in the last 10 years, these independents were the workhorses, which heated the homes in New England, and even supplied fuel to Great Britain.

Mr. STEVENS. Mr. President, it is with great interest and appreciation that I listen to the remarks of the Senator from Louisiana (Mr. LONG). The Machiasport project involves questions of the most serious nature—questions of economic policy and national security. The Senator has presented these questions in a clear and forthright fashion. I commend him for raising this subject.

I was particularly struck by his warning that approval of the construction of a refinery at Machiasport to process foreign oil for the domestic market could begin a process which might well end ultimately in the Balkanization of the American economy.

I too am opposed to such a Balkanization.

If we are to have a trade policy, let us have a national trade policy. If we are to have free trade for one, let us have free trade for all. If we are to protect the regional industries of one part of the country from foreign competition, let us protect equally the regional industries of the other parts of the Nation.

Construction of the Machiasport refinery will give a very definite trade advantage to the oil users of one section of this Nation, an advantage not to be shared by the other sections of our Nation, an advantage dearly bought. I say dearly bought because cheap foreign oil will cost many jobs, many thousands of jobs, in the oilfields, the steel companies, the heavy equipment producers who benefit from a healthy domestic oil industry.

I would like to raise a point which I do not believe the Senator has covered. The Northern States pay less in wholesale prices for their oil than do the Mid-Atlantic and South Atlantic States. They will, if Machiasport is approved, at least initially pay even less for its oil. To obtain these lower prices, we are asked, in essence, to junk our oil quota system. This system has served us well. It has been in part responsible for the vigorous growth and healthy condition of the domestic American oil industry. How important this industry has become is seen in my own State of Alaska where the development of the Kenai-Cook Inlet oil fields plus the extraordinary discoveries on the North Slope mean that at last the State of Alaska has hopes of becoming economically strong, able to cope with the great poverty of its native people, to build roads it does not have, to improve the communications it so badly needs, to move forward together with our sister States as a full and equal member of the Union into the last quarter of the 20th century.

This is threatened by the importation of cheap Libyan oil. It is cheaper, at least in the short run, to drill and produce oil in Libya than it is in Alaska. As we learned so well during the Suez crisis in 1956 and the Arab-Israeli war of last year, it may be cheaper but it is not secure. Many Presidents and many Congresses have recognized the importance of having secure, accessible and sufficient quantities of domestic oil. So, this is a matter of national security. It is also a matter of domestic justice.

Mr. President, I ask unanimous consent that a table may be made a part of the RECORD at this point. This is a table of New England's manufacturing industries listed in rank of their relative importance to the area. The table was prepared by the Federal Reserve Bank of Boston for inclusion in an article published in the New England Business Review by Norman S. Fieleke.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 1.—*New England manufacturing industries included in this study*

[Value added as percent of all value added in New England manufacturing]

Industry:	
1. Aircraft and parts	6.6
2. Communication equipment	3.9
3. Metalworking machinery	3.7
4. Electronic components	3.0
5. Nonferrous rolling and drawing	3.0
6. General industrial machinery	2.9
7. Footwear except rubber	2.8
8. Cutlery, hand tools, hardware	2.6
9. Special industry machinery	2.6
10. Paper mills, except building	2.4
11. Ship and boat building	1.8
12. Cleaning and toilet goods	1.7
13. Lighting and wiring devices	1.7
14. Newspapers	1.7
15. Paper and paperboard products	1.7
16. Dairies	1.6
17. Rubber products, n.e.c	1.5
18. Electrical distribution products	1.4
19. Plastic products, n.e.c	1.4
20. Jewelry and silverware	1.4
21. Mechanical measuring devices	1.4
22. Commercial printing	1.3
23. Costume jewelry and notions	1.2
24. Women's and misses' outerwear	1.2
25. Bakery products	1.1
26. Screw machine products, bolts, etc	1.1
27. Paperboard containers and boxes	1.1
28. Office machines, n.e.c	1.0
29. Miscellaneous textile goods	.9
30. Weaving, finishing mills, wool	.9
31. Toys and sporting goods	.9
32. Household furniture	.8

Mr. STEVENS. The burden of Mr. Fieleke's article is summed up by his sentence:

> There are only a few major New England industries which experience substantial import competition, and they account for a much smaller share of New England's manufacturing output and employment than the industries with large exports. In fact, for the great majority of industries, accounting for about four-fifths of the New England output of the 32 industries studied the value of U.S. exports exceeds the value of competing imports into the U.S.

Of the 32 industries included in the table, competing imports into the United States account for less than 2 percent of the value of U.S. shipments of these industries. In fact, imports as a percent of U.S. shipments exceed 5 percent in only five of the 32 industries listed—textile goods, silverware, costume jewelry, weaving and finishing mills, and toys. Imports of textile goods in 1965 were 20 percent of U.S. shipments, silverware, 17 percent; costume jewelry, 10 percent; wool, 9 percent; toys 6 percent. All the other major industries of New England had less than 5 percent competition from foreign imports.

Of course, not one of these industries has major competition in Alaska. Alaska does not make silverware, aircraft, communications, footwear, or silverware. But Alaska does produce oil.

What is the import situation regarding oil? As the Senator has pointed out, oil imports now—even without the Machiasport refinery—constitute about 25 percent of domestic crude oil and natural gas liquid production. One-quarter of the oil and gas used in the United States comes from abroad—even without Machiasport.

It is true, the oil import system for reasons of national security as well as domestic, economic stability restrict the level of foreign imports. But oil is not the only industry so protected. Take a look at the 32 industries on our list. The so-called voluntary agreement on textiles covers a wide range of cotton products manufactured not only in the North but in many other States as well. This nontariff barrier to trade protects the American cotton textile industry. It is my understanding that efforts are afoot to extend this agreement to wool and manmade fibers as well.

Tariff quotas have been established on a number of items as a result of escape clause actions resulting from studies of the Tariff Commission and the approval of the President. Such a study of stainless steel flatware led to the imposition of tariff quotas. Such a study of carpets led to the imposition of tariffs. Such a study of watches led to the imposition of tariffs.

Furthermore, when it came time to renegotiate the GATT, certain products were exempted from tariff reductions. These products included wool textiles, footwear, leather products, ceramics, glassware, jewelry, electrical instruments, tobacco, and watches. In addition, the so-called American standard price, still in existence, has for years served to protect certain sections of the chemical industry.

As an example of the many laws now on the books which serve to protect or promote regional business and economic interests, I ask unanimous consent that a list prepared for me by the Library of Congress may be made a part of the RECORD at this point.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Foreign Trade:

1. Anti-Dumping Act of 1921 (19 U.S.C. 160).

2. Tariff Act of 1930 (19 U.S.C. 1202).

3. Buy American Act of 1933 (41 U.S.C. 10).

4. Trade Expansion Act of 1962 (19 U.S.C. 1801).

5. Agricultural Adjustment Act of 1933. Sec. 22—limiting agricultural imports (7 U.S.C. 624).

6. Webb-Pomerene Act of 1918—anti-trust exemptions for export associations (15 U.S.C. 61).

Agriculture:

7. Principal laws concerned with the stabilization of farm prices and income:

Agricultural Adjustment Act of 1933 (7 U.S.C. 601).

Agricultural Adjustment Act of 1938 (7 U.S.C. 1281).

Commodity Credit Corporation Act of 1948 (15 U.S.C. 714).[1]

Agricultural Act of 1949 (7 U.S.C. 1421).

Food and Agriculture Act of 1962 (7 U.S.C. 1441).

Food and Agriculture Act of 1965 (7 U.S.C. 1306, 1838).

8. Capper Volstead Act of 1922—antitrust exemption for agricultural cooperatives (7 U.S.C. 291, 292).

Ocean Shipping and Fisheries:

9. Merchant Marine Act of 1936—shipping subsidies (46 U.S.C. 1151).

10. Shipping Act of 1916—antitrust exemptions (46 U.S.C. 814).

11. Fisheries Cooperative Marketing Act of 1934—antitrust exemptions (15 U.S.C. 522).

Labor:

12. Fair Labor Standards Act of 1938 (29 U.S.C. 201).

13. National Labor Relations Acts of 1935 and 1947 (29 U.S.C. 141).

14. Railway Labor Act of 1926 (45 U.S.C. 151).

Small Business:

15. Small Business Act of 1953 (15 U.S.C. 631).

16. Small Business Investment Act of 1958 (15 U.S.C. 661).

17. Small Business Set-Aside Program—Section (15) of the Small Business Act (15 U.S.C. 637).

Regional Development:

18. Tennessee Valley Authority Act of 1933 (16 U.S.C. 831).

19. Rural Electrification Act of 1936 (7 U.S.C. 901).

20. Area Redevelopment Act of 1961 (42 U.S.C. 2501).[3]

21. Public Works and Economic Development Act of 1965 (42 U.S.C. 3121).

22. Appalachian Regional Development Act of 1965 (40 U.S.C. Appendix A).

Housing:

23. Federal Housing Administration Home Mortgage Insurance Program (12 U.S.C. 1707).

24. Veterans Administration Home Mortgage Insurance Program (38 U.S.C. 1801).[4]

Mr. STEVENS. It is interesting, Mr. President, how many of these acts, how many of these agreements, how many of these escape clause actions, have served to benefit industry in the areas which now seek to undermine the oil import system.

There is an aspect of the oil quota program which serves to protect and encourage the development of a domestic oil industry. Alaska has benefited and will benefit from the contribution of this program. My point today is a simple one.

Fair is fair. Regional industry has repeatedly been encouraged and strengthened under an umbrella of protection throughout the history of the United States. I do not believe any region of the United States can expect to have it only one way—protective tariffs and nontariff barriers for its industries and free trade for the products it consumes.

Arguments may be made for the benefits of free trade. Arguments can be made for protection. I do not believe that an argument can be made for regional protectionalism.

I do not support Machiasport.

Mr. LONG. Mr. President, I thank the Senator from Alaska. In my judgment, if the Machiasport proposal is agreed to, it could condemn the future of Alaska.

Alaska has tremendous oil reserves. However, that oil must be delivered and marketed in competition with Lybian oil. And it cannot compete. There would be no incentive to produce that oil so it would be available to us in the case of an emergency. Under today's program that oil could be available to see our country through an emergency or an international crisis such as occurred at the time of the Suez crisis.

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[1] The Commodity Credit Corporation was organized Oct. 17, 1933, pursuant to E.O. 6360 of Oct. 17, 1933, under the laws of the State of Delaware, as an agency of the U.S. From Oct. 17, 1933 to July 1, 1939, the CCC was managed and operated in close affiliation with the Reconstruction Finance Corporation. On July 1, 1939, the CCC was transferred to the U.S. Department of Agriculture by the President's Reorganization Plan I. Approval of the Commodity Credit Corporation Charter Act of June 29, 1948 . . . established the CCC, effective July 1, 1948, as an agency and instrumentality of the U.S. under a permanent Federal charter.

Source: U.S. Government Organization Manual, 1967–68. p. 272.

[3] Superseded entirely by the Public Works and Economic Development Act of 1965 (42 U.S.C. 2525).

[4] 38 U.S.C. 1801 et seq. applies to farm and business loans as well.

Alaska is a big oil developing frontier. Its oil would be lost to us if they had to compete with the Lybian oil.

Mr. STEVENS. Mr. President, I commend the Senator from Louisiana for his comments concerning the economic aspects of the developing oil area of the State I have the honor to represent.

I know that we have to ship our oil in American ships, because of the Jones Act. We purchase our steel from American steel producing companies, and they enjoy protection by law. The import system which we are supporting today is primarily responsible for the development of the oil industry in Alaska.

Mr. LONG. Mr. President, the alternative to what the Senator suggests is that the oil would be purchased from foreign nations and transported in ships made in foreign shipyards from steel produced in foreign steel mills, as compared to ships manufactured in American shipyards with American steel. That should be of great importance to New England. Many ships are built in New England. New England does a fine job and they build good ships, even though their ships are built with a higher wage scale than is prevalent in other countries.

Mr. MUSKIE. Mr. President, will the Senator yield?

Mr. LONG. I yield.

Mr. MUSKIE. I wonder whether the Senator, in considering these figures, has added to the cost, as included in his computation, the cost of heating in New England. I think it tends to close this gap somewhat. It costs a little more, may I suggest to the Senator from Louisiana, to provide a home in New England, to heat it, especially with the prices that are now paid by New England consumers; and perhaps this differential in part accounts for the increased cost of living.

Mr. LONG. I ask the Senator whose fault that is. The Senator very ably represents a great State in New England. Whose fault is it that it costs more to heat in New England?

The PRESIDING OFFICER. The Senator's hour has expired.

Mr. LONG. Mr. President, I ask unanimous consent that I may be permitted to continue for another hour or such part of that hour as I may require to complete my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG. Can the Senator tell me whose fault it is that it costs more to heat in New England?

Mr. MUSKIE. Appreciating the limitations on the Senator's time, and the fact that we have not had the opportunity to give full consideration to the argument he is making, New England Senators intend to cover the questions the Senator has just raised and all the related questions which are discussed in the Senator's statement. We intend to present a formal, orderly case, so that the country may understand it when we get to it.

We in New England challenge many points the Senator has made this morning—the facts, arguments based upon those facts, and conclusions. We intend to get into this. The Senator's speech is the first concentrated attention and concern the oil industry has indicated in New England in the 10 years I have been a Member of the Senate.

I appreciate the Senator's statement and his evidence of concern, and we intend to get into it when the time is more propitious and adequate than it would be if we tried to engage in that kind of exchange this morning.

Mr. LONG. The reason why I ask that question is that in my speech I develop the reason why it costs more to heat in New England. The best I can make of it, I say to the Senator, is that the dealers in his area charge a higher markup than do dealers elsewhere.

Mr. MUSKIE. I say to the Senator that most of the oil distribution in New England is done by the major oil companies. Is the Senator saying that the major oil companies are the gougers?

Mr. LONG. I have been informed by the staff of the Committee on Finance that the major oil companies distribute approximately 25 percent of the oil up there. The other 75 percent is distributed by the local dealers, and their markup is substantially higher than it is in the Middle Atlantic or South Atlantic area; and that is the main reason why it costs more.

I have the figures. You are getting your oil wholesale cheaper than they are. Your dealers are charging more to distribute it.

Mr. MUSKIE. I think we will be able to show that the major oil companies control supply in New England. Senator McIntyre's hearings have already indicated that, and we will show it at length when we get to it, at the right time. So if it is a gouging operation, the gouging is being done by the industry which the Senator is defending this morning.

Mr. LONG. With 75 percent of the distribution being done by the independents, it comes with poor grace to accuse the major oil companies.

May I say that, as a member of the Subcommittee on Small Business in years past, I have conducted hearings at which these independent distributors complained about the pricing conduct of the major oil companies. Does the Senator know what their complaint has been? Their complaint is that the major companies are not charging enough at retail and that they, in competition with the majors, cannot make enough money, with the result that the price of oil should go up.

I have done what I can to help the small retail gasoline stations get a better price and make a better profit, in order to keep them in business. Their principal complaints have been that the major oil companies will not let them have enough markup; that they have to compete with the major stations. They say that not enough money is made at the marketing end, and that the major companies should arrange their way of doing business so that they make more of their money on the marketing end. That has been a complaint in my hometown, where we have a major refinery; and it has been so in other areas where I have held hearings and talked with independent retailers.

In some instances States have even passed laws to see to it that major companies would not so reduce that retail markup to the point that the independent stations would have difficulty in surviving.

Mr. MUSKIE. Mr. President, will the Senator yield?

Mr. LONG. I yield.

Mr. MUSKIE. Mr. President, I do not wish to interrupt the Senator's discourse, but since he has referred to me specifically in this connection, I would like to make one or two points.

First, the Machiasport proposal does not require the repeal of the import quota system of protecting the oil system. Much of the Senator's argument is based on the assumption that that is the objective. It is not.

Second, the shoe industry has not had that kind of protection. At the present time imported shoes constitute almost 30 percent of the domestic production and not 12.2 percent, which is the protection for the oil industry.

Third, the Senator, as the chairman of the Committee on Finance, has not yet reported, nor to the best of my knowledge has he supported import quota production for shoes or textiles.

Mr. LONG. I shall demonstrate during the course of my speech that if this special advantage is given Occidental Petroleum, which would help Maine, there is no justice denying a similar advantage for Savannah, Ga. Or denying the company that has a foreign trade zone in Pennsylvania, a similar advantage, or denying it to a company in New York or in New Jersey that might want a foreign trade zone for the same purpose. How can we do this for Occidental Petroleum Co., which is a relatively new company, and deny it to the older companies which have made great sacrifices to maintain this Nation in good times and bad times at considerable sacrifice and cost to themselves?

Furthermore, with regard to other low-cost imports, that is a problem which is going to face us in the Senate. The Senator had advocated that there should be protection for the shoe industry of Maine; that they should not be put out of business by low-cost foreign competition.

In my judgment, the time will come when we will have to do something about that, and that time will come in connection with the steel industry. They have to compete with low-cost foreign steel, mainly because of the wage differential. The same thing is going to be true one of these days in connection with the electronics industry. Where American industries have to compete with products from foreign countries where they can get labor much cheaper, or about one-fourth the cost of ours, the problem will become increasingly serious.

I have never asked that we be judged by dual standards. When someone suggested we have a foreign trade zone in Louisiana to manufacture ships or

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barges to be sold in foreign areas, I was willing to support that proposal only on the condition that it would be a case of products coming in to be manufactured and then going back out to be used abroad, and that they should not be sold in competition with American manufacturers on the American market. I have been consistent.

If one looks at the overall problem, considering crude oil imports and residual fuel, they are about 25 percent of the market for oil and gas. If a war were to come upon us we could use our old shoes for quite awhile until we had our bare feet on the ground, but that is not true of fuel. It would only last about 30 days. We would have to rely on the refineries and resources we have.

(This marks the end of the colloquy that occurred during the delivery of Mr. LONG's address.)

Mr. McINTYRE. Mr. President, I listened with great interest to our distinguished friend from Louisiana as he stated the case for the big oil companies as to why and in what manner the Machiasport foreign trade zone would bring down the oil industry and result in the loss of jobs throughout the country.

I simply wish to say, Mr. President, that I have, since December, in the Small Business Subcommittee hearings, been not only frustrated but completely baffled by the administration officials, who have engaged in a game of musical chairs, as it were, in denying to the State of Maine and to New England what that region should have.

Mr. LONG. Mr. President, will the Senator yield?

Mr. McINTYRE. The Senator from Louisiana charges, Mr. President, that this project is an attempt to help the Northeast section of the country at the expense of the Southeast and the Southwest. All the experts would agree, I believe, that that is an accurate description, in reverse, of what the oil import program now does. The program helps the oil producers of our country, and has forced the concentration of refining capacity in Texas and Louisiana, causing high prices in New England and elsewhere in the Northeast. And I must say this is important to New England. We use 22 percent of the No. 2 fuel oil produced in this country.

Mr. LONG. Will the Senator yield at that point?

Mr. McINTYRE. Again, the Senator from Louisiana speaks of advantage to one section of the country. That certainly describes the effect of the oil import program. We in New England, I say to the Senator from Louisiana, are not seeking to gain any advantage, but are merely trying to share in the advantages which already exist, but accrue solely to the benefit of one other portion of this country.

As the Senator from Maine (Mr. MUSKIE) has stated, it was agreed that the New England Senators would allow the Senator from Louisiana his full time today, and that we would come back on another day, when I hope we will be joined by the distinguished chairman of the Joint Economic Committee, the Senator from Wisconsin (Mr. PROXMIRE), and we will then try to state our case.

I believe, the more I look into the matter, that New England has a unique case, and the strongest case possible. The more I examine the oil industry, with the concessions being granted to it in the form of tax credits and deductions, I am delighted that the Senator from Michigan (Mr. HART), in his capacity as chairman of the Antitrust and Monopoly Subcommittee of the Committee on the Judiciary, has started his hearings on the matter, because I noticed that while the Senator from Louisiana talked a good deal today about the little fellow, he did not tell us too much about what this oil import program means to the big ones.

We have many, many oil companies in this country with assets in excess of $500 million. Some of them have not paid a corporate income tax for 4 or 5 years. So on another day, we shall be back to present the case for Machiasport and New England.

I yield to the Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I associate myself with the remarks of the distinguished Senator from Maine (Mr. MUSKIE) and those of the Senator from New Hampshire (Mr. McINTYRE), and thank them for their comments here. They have indicated to the Senate that at some time in the very near future, within the next week or 10 days, many of us from the New England area, and I am sure Senators from other parts of the country as well, will have an opportunity to make a very careful review of the comments that have been made today by the distinguished Senator from Louisiana, who has presented his views and the views of the oil industry on this exceedingly important issue.

As the Senator from New Hampshire has pointed out, the Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary has been holding hearings on the whole question of the oil importation program, as well as the other kinds of special treatment that are provided to the oil industry in the way of benefits, exemptions, subsidies, handouts, or whatever other phrase one might wish to use.

The one fact that we cannot get away from, Mr. President, and that every American ought to know, is that just this one special program for the oil industry—the import controls—is costing us anywhere from $4 to $7 billion a year. Thus, Mr. President, since the oil importation quota program started some 10 years ago, the consumers of this country have been paying $40 to $70 billion to these special interest groups in the oil industry.

I think the burden of proof certainly lies with the oil industry to show the reasons why we ought to continue such an expensive program, why this is so important in terms of national security, and why they have to be treated so uniquely and so generously under the circumstances that exist today.

Mr. President, with all due respect to the distinguished Senator from Louisiana, that case has not been proved either by his statement, or by the many statements from the leaders of the oil industry. Many of the points that he has mentioned today have, I think, in fact been answered, and answered fully and responsibly, during the course of our hearings in the Anti-Trust Subcommittee these past few days, and have been answered many other times as well.

Mr. President, I welcome, as I know my colleagues from New England welcome, an opportunity to take this program issue by issue, advantage by advantage, subsidy by subsidy, handout by handout, and reveal to the Members of the Senate and to the American people exactly what this is costing not only the consumers of New England but also all the other consumers of our great land.

I associate myself with the remarks of the distinguished Senator from New Hampshire, and I commend the splendid work done by him in the hearings he has held and the information and the comments derived from those hearings which have provided such an insight into the whole broader question of special privileges and advantages to the oil industry.

I also commend the distinguished Senator from Maine for the splendid work he has done. He has really provided a great leadership in this area. He speaks in this matter not only for the State of Maine and for New England, but also in the interest of rendering a great service to the Senate of the United States and the American people.

I commend the New England Senators on the other side of the aisle for their interest in this matter. We all want to show the Senate and the American people what the facts are.

Mr. McINTYRE. Mr. President, I thank the Senator from Massachusetts. I applaud the emphasis with which he put the question before the Senate and the country today.

This matter may have started in Machiasport, but my own experience has been that as I look at the various aspects of the problem, I realize that I have been sitting here in the past completely ignorant of what the oil industry and the oil barons of this country have been doing and are doing.

I hope that the Senator from Michigan (Mr. HART) will come up with some answers. I know that as far as I am concerned, I will continue to do what I can to let the people know the facts.

Mr. MUSKIE. Mr. President, will the Senator yield?

Mr. McINTYRE. I yield.

Mr. MUSKIE. Mr. President, I do not want to add more than a word or two to what I said earlier this morning.

I compliment the distinguished Senator from New Hampshire for the hearings held with respect to the Machiasport project. I add my emphasis, as he has, to the hearings of the Hart subcommittee which have already begun.

I ask unanimous consent to have printed at this point in the RECORD an article entitled, "Probe of Oil Price Behavior Promises To Be Illuminating," written by Laurence Stern and published in this morning's Washington Post, which undertakes to outline the scope of the action initiated by the Hart subcommittee.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

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Probe of Oil Price Behavior Promises To Be Illuminating

(By Laurence Stern)

It is ten years since the Senate Antitrust and Monopoly Subcommittee conducted its hair-curling investigation into prices and profits of the drug industry. This week the same gadfly group quietly opened up a new inquiry into the price behavior of the American oil industry.

The subcommittee has made a specialty of digging into the subsurface issues of public life that are rarely featured on the front page or the 6:30 television report (its revelations on drug prices having been an exception).

Staff investigators have spent months gathering evidence and witnesses for the new series of hearings. The pattern of evidence suggests that as spectacular as the drug price markups might have been, they don't hold a candle to the excess costs being paid by American oil consumers—thanks in large measure to friendly Government intervention.

Drug products, beyond their economically intangible capacity to save lives and reduce suffering, play an important role in this country's industrial economy. But oil is the colossus of American enterprise. During 1968 the $55 billion in sales by oil companies dwarfed those of the drug industry by more than six-fold.

The drug manufacturers had friends and advocates spotted on strategic committees during the drug act reform battle in 1962 and it was only the thalidomide scandal that prevented them from carrying the day. But oil has entire regions, battalions of legislative allies on Capitol Hill and one of the most pervasive and well-heeled lobbies in Washington.

A commonly voiced criticism of oil's influence in Washington centers on the 27½ per cent depletion allowance that oil producers are able to write off on their taxes. And, in fact, the depletion allowance has proved far more durable than other innovations, such as the war on poverty.

But the antimonopoly subcommittee headed by Sen. Philip A. Hart (D-Mich.) will train its attention on the import quota system which was inaugurated by President Eisenhower and has hardened into concrete along with many other such Federal benefactions to American big business and big labor.

One prominent economist has told Hart's investigators that the oil import quota system costs all U.S. oil purchasers $4 billion annually.

Domestic producers in the Southwest began clamoring for import controls after World War II when lower-cost foreign oil from the Middle East began entering American ports. President Eisenhower finally proclaimed a system of mandatory quotas (a brief period of voluntary controls failed) in 1959 on grounds of national security.

The national security argument was that American dependence on cheaper Middle Eastern oil rendered the country vulnerable to the vagaries of international crisis. It was the Suez crisis in 1956 that led to the eventual adoption of the quota system.

Because of the oil quotas, the price of foreign oil coming into the United States is nearly twice the world level of about $2.10 a barrel. Imports are held down to 12.2 per cent of the total domestic demand.

While the oil industry boasts some of our most vociferous free enterprisers and rugged individualists, few sectors of the American economy are more intertwined with Government at all levels from the State House to the Capitol. The level of oil production is rigorously controlled down to virtually the last drop by a network of interstate, Federal and state agencies operating in close step with the producers. The object of this elaborate regulation is sometimes called conservation but the name of the game is price maintenance.

If the production of frying pans, or baby food were so controlled, the housewives of America would be in a state of rebellion.

Opposition to the import quotas on oil is not limited to impractical free enterprise economists. It encompasses some important big business interests, specifically the Nation's top chemical companies, who claim that the higher price of U.S. oil puts them at a disadvantage with German, British and Japanese competitors. The chemical industry will be heard from during the forthcoming Senate hearings.

All in all, the new investigation comes at a time of heightened public awareness of oil's ubiquitous influence on the American economy and physical environment.

The Santa Barbara oil slick, a result of lax public regulation of underwater drilling, was a major embarrassment to the industry. The fight over the proposed Machiasport, Maine, free trade zone galvanized Senators and Congressmen from New England against the majority of oil companies who sought to scuttle the project.

Also the recent increase in retail gasoline prices will take an estimated $800 million in additional costs from the pockets of gasoline buyers.

And so, it would seem, oil is once again finding its way into troubled waters.

Mr. MUSKIE. Mr. President, much wider questions have been opened up as a result of the Machiasport project.

The Senator from Louisiana in his speech has indicated the danger, as he sees it, of New England's reliance upon foreign oil for its fuel supply.

If this is indeed a danger, then we might consider whether we should repeal the oil depletion allowance which involves drilling for oil in this country and also overseas. It also involves drilling on the Outer Continental Shelf. The oil depletion allowance is used for those purposes as well.

If we are to believe the distinguished Senator from Louisiana, we are using this allowance to produce oil reserves which are vulnerable and would be of little consequence to us in times of national danger.

Mr. KENNEDY. Mr. President, with respect to the whole question brought up by the distinguished Senator from Maine concerning the importation programs, the Senator knows as well as I do that all of the oil consumed in New England comes by way of tanker from the gulf ports.

There is always the question as to why it is so much in the national interest to import that oil from the gulf ports rather than from Venezuela. If an enemy submarine is off the Atlantic coast or off Florida, it will sink a ship coming from the gulf ports as easily as a ship coming from Venezuela. Yet, we hear the statement made that this program, which makes us get our oil from the gulf, will protect our security.

The point the Senator made on oil depletion is fundamental and basic, and we will certainly want to get into this area as well.

Mr. McINTYRE. Mr. President, the Senators from New England will be heard from in due course.

Mr. LONG. Mr. President, I can understand the interest of the Senators from New England, and I applaud them for their interest.

I have been twice referred to as speaking the views of the major oil companies and acting in their behalf.

I make it a point to make such statements about other Senators. I try not to do so. On occasion I have said such things, and I have offered a very contrite apology when I have done so.

It might interest the Senators who have made such inferences that last year I proposed that we write the oil import program into law so that everyone would know what the rules are and where he stands. The reason I did not offer the measure on the floor was that I knew it would not prevail because I knew the major oil companies would oppose it. They wanted to bring in more foreign oil while I wanted to curtail it.

I was speaking for the independent producers in offering an amendment to put the oil import program into the statute. The little companies wanted such a measure, but the major companies did not want it. They would have opposed my suggestion for a firm, rigid limitation of oil imports had I offered it. They would have objected had it gotten out of the committee. I was aware of that.

When I came to the Senate, almost every oil company in my State was opposed to me. I had favored heavy taxes on the oil companies at the State level.

As one who represents a State that has 74,000 jobs in the production and refining of oil and in the service industries, I have as much interest in those 74,000 jobs in Louisiana as the Senator from Maine would have in the 300 jobs in Maine, but that should not be the test.

We should consider the national interest.

I was interested to hear the statement made by the senior Senator from Massachusetts (Mr. KENNEDY). He has now left the Chamber and will not hear me respond to his statement. It was suggested that in a war, for example, it would be just as easy to get the Libyan oil to Machiasport as it would be to get oil produced or refined in the United States, whether in Ohio, Louisiana, Indiana, Texas, New Mexico, or any other State.

Whether the Senator has heard of it or not, we have highways. Oil can be put in a truck and taken anywhere in the United States. We have pipelines. Has the Senator never heard of the Big Inch, or was he aware we built the Big Inch because enemy submarines were sinking the tankers during World War II?

We have since built the intercoastal waterway along the gulf coast to keep the tankers from having to go out where there was danger. The oil can be moved in barges. It can also be moved in railroad tank cars.

We are now building the barge canal across Florida so that the oil can move across the inland waterway along the gulf coast, go across Florida, and then the barges can proceed up an inland waterway as far as New York.

If a barge or ship goes beyond Long Island Sound, however, it has to go out in the ocean where it can be torpedoed.

If this oil refinery is built at Machiasport, once a ship goes outside of the Long Island Sound, and perhaps even in Long

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Island Sound, it is subject to being torpedoed.

Mr. McINTYRE. Mr. President, I know that the Senator from Louisiana has broad shoulders. If I have said anything in my remarks to reflect on him personally, I am sorry for doing so.

What I was trying to say today was with reference to the big oil companies, whose arguments the Senator has so ably presented. If there was any personal reflection, I withdraw it.

Mr. LONG. Mr. President, I sought information about this matter from every agency of the U.S. Government which to my knowledge has any information about it, including the antitrust aspects of the matter. I sought information for the speech made here from the Interior Department and from the committees that have studied the matter. Information that I could not secure from these sources I sought from both the major and the smaller oil companies and independent producers. In addition the Library of Congress was consulted.

I also called upon my own personal knowledge of this industry, because I have both made and lost money in the oil business. I know what it is to drill a dry hole, and I know that there is even worse luck possible than drilling a dry hole.

So I do know something about the industry from firsthand exposure to it, and because in Louisiana we have raised more money from this industry—which has not endeared me to the oil companies—than we have from any other single source. I understand something about the problems of the industry and I also know something about the national security, because it has been my privilege to help to protect this great country as a serviceman and as a member of such committees as Armed Services, Foreign Relations, and Finance.

If Senators want to talk about investigating the oil industry, there is nothing new about that, either. I welcome that They can investigate it until Congress runs out, and I will be pleased to learn whatever they can develop.

Mr. TOWER. Mr. President, today my distinguished colleague from Louisiana (Mr. LONG) has presented the facts relevant to the Machiasport project. I wish to compliment him on his thoroughness and to commend him for bringing this matter to our attention today.

The mandatory oil import control program has one purpose, and that is to prevent a veritable flood of foreign oil from undermining the stability of our domestic oil and gas industry, an industry which must remain strong and capable of supplying all our energy requirements in a time of national emergency.

I must point out that despite the oil import control program, this Nation has experienced a steady deterioration in its inventory of recoverable petroleum reserves. Exploration for new domestic reserves is not keeping pace with increased demand. The cumulative result is a decrease in our national petroleum self-sufficiency and severe impairment of our national security.

Two World Wars, the Korean conflict, the Suez crisis of 1956, the Arab-Israel war of 1967, and our current involvement in the Far East have proven beyond question the vital importance of petroleum self-sufficiency to our national security and to our independent survival in a world dependent on energy for existence.

We must recognize there are those persons in American industry who wish only financial advantage over their competitors, and they are willing to use the Foreign Trade Zones Act of 1934 as amended to gain such advantage. Such misuse of the act by any petroleum or petrochemical company might yield a short-term financial advantage for the company over its competitors but would surely result in permanent and severe damage to our petroleum self-sufficiency and impair our national security.

The regulations that govern the orderly and limited flow of foreign oil into the United States effectively channel the monetary benefit of the oil import license to the domestic producer through a broad distribution of oil import licenses to hundreds of refiners and petrochemical manufacturers located throughout the United States.

The creation of a few and then many refining and petrochemical foreign trade zones, with the immense pressure which they would exert upon the import program, would have the effect of removing the benefit of the oil import program from the domestic petroleum industry. The consequence would be to drastically accelerate the further deterioration of our domestic petroleum self-sufficiency and to jeopardize our national security.

I introduced a measure during the last session of the 90th Congress calling for a study of the oil import program. This study would reveal the exact administering of this program and give us the opportunity to make changes, if any, where necessary. President Nixon has seen fit to order a complete review of the oil import program. I am confident this review will proceed in an orderly fashion, and, after its completion, will produce guidelines for strengthening our domestic oil industry.

I wish to reiterate, in closing, that under no condition should any foreign trade zones be considered without viewing them in their entirety as to the effect they would have on our vital national oil industry.

TREATY ON THE NONPROLIFERATION OF NUCLEAR WEAPONS

The Senate resumed the consideration of Executive H, 90th Congress, second session, the Treaty on the Nonproliferation of Nuclear Weapons.

The PRESIDING OFFICER. The question is on agreeing to the resolution of ratification of the Nuclear Nonproliferation Treaty.

Mr. FULBRIGHT. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. FULBRIGHT. Are we in executive session?

The PRESIDING OFFICER. We are still in executive session.

Mr. FULBRIGHT. Mr. President, by previous arrangement, I agreed to respond to some questions to be propounded by the distinguished Senator from Virginia.

Mr. SPONG. Mr. President, I should like to clarify several points concerning the relationship between the treaty now before the Senate and the North Atlantic Treaty Organization. I would, therefore, propound these questions to the distinguished Senator from Arkansas.

It is my understanding that, under the treaty, the United States would still be able to place nuclear weapons on the lands of our NATO allies so long as the United States retained final control over the use of those weapons. Is my understanding correct?

Mr. FULBRIGHT. The Senator's understanding is correct. I think it is important to point out that this treaty speaks about actions which are prohibited, and not about those that are permitted. It does not undertake to outline everything that is permitted. It does prohibit the transfer of nuclear weapons and materials to a nonnuclear nation. It does not deal with, and therefore does not prohibit, the United States from placing nuclear weapons in the territory of a NATO ally so long as the United States retains control over the use of these weapons.

Mr. SPONG. Is it also correct that this is the current policy of the United States? In other words, do we not currently follow a policy whereby nuclear weapons are stationed in NATO countries but whereby the United States retains final control over their use?

Mr. FULBRIGHT. Not only is it our policy, but also, it is the law. The law—the McMahon Act—prohibits the transfer of control of nuclear weapons to other countries, and this treaty in a sense merely confirms the law and the legislative intent of Congress.

Mr. SPONG. There is discussion within the NATO alliance, with which the Senator is perhaps familiar, of use of a maritime contingency force in the Atlantic. Would the same policy regarding nuclear weapons which is applicable on land under the treaty be applicable to naval operations? In other words, would it be permissible, under the treaty, for the United States to provide the participating vessels with nuclear weapons so long as the United States retained final control over their use?

Mr. FULBRIGHT. The Senator is correct. The control by the United States upon the use of the weapons is the determining factor, and it is retained.

Mr. SPONG. In 1966, NATO established a Nuclear Planning Group for planning and discussing policy related to the use of strategic nuclear weapons. Is it the Senator's understanding that the treaty would in no way impinge upon the activities of this group?

Mr. FULBRIGHT. Most certainly, it is. It does not deal with the planning or consultation of our allies.

Mr. SPONG. Other than restricting the actual possession of nuclear weapons and the development of such by our NATO allies who now do not have such weapons, is there anything in the treaty which would restrict our NATO allies from assuming a greater role in the alliance?

Mr. FULBRIGHT. No, there is no restriction on our NATO allies from assuming a greater role, unless they envision that role as acquiring the control of nuclear weapons themselves from the United States. There is a restriction in that sense.

Mr. SPONG. So far as the committee was able to determine, have the NATO members been fully consulted concerning the provisions of the treaty?

Mr. FULBRIGHT. They certainly have. This treaty was under negotiation approximately 4½ years, and at every stage in these negotiations the NATO members were fully consulted concerning the provisions of the treaty. Moreover, some of them participated in the drafting of the treaty. Secretary Rogers, Secretary Laird, and General Wheeler also reiterated the statements of previous administrations that the treaty is consistent with the best interests of the North Atlantic Treaty Organization. Secretary Rusk told us that the United States had worked closely with those allies in the formulation of the treaty and that our allies were fully satisfied with the treaty and it in no way would jeopardize the alliance. I think the committee thoroughly agrees with that evaluation.

Mr. SPONG. I have read conflicting reports as to what would happen under the treaty should Europe unite. One report suggested that a united Europe could assume the same nuclear status which was previously held by one of its components. In other words, if Europe united with either France or Great Britain as part of the new union, the new union could become a nuclear power, succeeding the individual country which had been one. I believe that this was former Secretary of State Rusk's view. I have, however, also read an interpretation which suggests that the nuclear power joining the union would have to retain final control over the weapons. I assume that the committee adheres to Mr. Rusk's view. Is that correct?

Mr. FULBRIGHT. Yes; that is correct. The committee adheres to this view. Although the treaty does not deal with the problem of European unity, we were given to understand that a new federated European state could inherit the nuclear status of one of its former components. This new federated European state would have to control all of its external security functions, including defense. This interpretation, to which the committee subscribes, is part of a question and answer series included in the hearings of last July, on pages 262 and 263. I suggest that the Senator read that, if he wishes to do so.

Mr. SPONG. I am familiar with them; I have them here.

Mr. FULBRIGHT. I might also say that the committee was told by Secretary Rogers that the Soviet Union, as well as other States, has been given the series of questions to which I have referred, and that they have expressed no objection.

Mr. SPONG. Finally, I should like to turn for a moment to the inspection provisions of the treaty. Many questions can, of course, be raised with regard to title III, the inspection title, of the treaty. I would, however, like to focus on one aspect at this time. The treaty leaves open for negotiation between the International Atomic Energy Agency—IAEA—and Euratom an agreement on safeguards within the Euratom nations. The Euratom or Common Market nations, which include many of our NATO allies and France, apparently feel that their safeguards are comparable to those advanced by IAEA. I note in the committee report that certain witnesses were "optimistic" as to chances for the two agencies being able to reach agreement. I am not certain, however, that I share this optimism and I wonder if the Senator could tell us a little more about its source, especially in light of the fact that France may not agree to the treaty.

Mr. FULBRIGHT. Of course, nobody can guarantee that these countries will agree, and no one can guarantee that Euratom and IAEA will reach this agreement. I do believe, however, that the committee looked at this very closely and that these safeguard systems, which are presently used by these two organizations, are compatible. There is no great divergence between them other than their geographical responsibility, and I believe there is a very good opportunity and probability that they will agree.

I hesitate to say that I am optimistic about anything these days, whether it is foreign or domestic. But the significance of this and the danger of not having some restrictions upon the spread of these weapons is such that I think there would be great pressure upon Euratom and IAEA to resolve any differences.

As for France, the committee was told that France does not intend to put any barriers in the way of agreement between Euratom and the international organization, although the French have said they do not intend to sign the agreement. I do not know how seriously it might be said that the French never will. At the present time, their attitude is against doing so. There have been changes in other situations involving France in the last year or two; and these situations also lead to changes in their political attitudes in matters such as this.

The alternative of inadequate control is so threatening that I believe the chances are we can resolve these differences and agree on an inspection program for Europe.

Mr. SPONG. I thank the distinguished chairman of the Committee on Foreign Relations. I know that many Senators share my concern about the effect of the treaty upon the North Atlantic Treaty Organization should it be ratified. I felt that these questions and answers should be in the record of this debate. I thank the Senator very much.

Mr. FULBRIGHT. I thank the Senator. He has rendered a real service in bringing up these questions. There are many ways to clarify these points. I think the procedure the Senator has followed is a very effective one.

Those of us who deal with these matters in committee sometimes overlook or forget the best way to approach some of these questions. We think we have covered the matter as well as we could, but I believe this is a good way to develop these important points, and I appreciate the Senator's contribution.

ORDER OF BUSINESS

Mr. JAVITS. Mr. President, as in legislative sessions, will the Senator yield to me so that I may dispose of one or two small matters?

Mr. FULBRIGHT. I yield.

S. 1522—INTRODUCTION OF A BILL TO ESTABLISH GRADUATED MINIMUM INCOME TAX

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, a bill which would establish a graduated minimum income tax, two new types of reports from the Secretary of the Treasury with respect to the cost of tax preferences, liberalize the general and minimum standard deduction to reduce the impact of the tax system on low- and middle-income taxpayers and would reduce the tax advantages presently accorded to minerals, especially for gas and oil.

In order to provide a fuller explanation of the various provisions of the bill, I ask unanimous consent to have printed in the Record the full text of my testimony this morning before the House Ways and Means Committee on this subject.

The PRESIDING OFFICER (Mr. Eagleton in the chair). The bill will be received and appropriately referred; and, without objection, the statement will be printed in the Record.

The bill (S. 1522) to amend the Internal Revenue Code of 1954 so as to impose a minimum income tax on persons now allowed certain exclusions and deductions from gross income, to increase the amount of the general standard deduction and the minimum standard deduction allowable to individuals, and for other purposes, introduced by Mr. Javits, was received, read twice by its title, and referred to the Committee on Finance.

The statement, ordered to be printed in the Record, is as follows:

Statement by Senator Javits Before the House Ways and Means Committee Regarding Tax Reform, March 12, 1969

MINIMUM INCOME TAX: FIRST STEP TOWARDS TAX REFORM

I am honored to have the opportunity to appear before this Committee during its deliberations on tax reform. Congress should come to grips with the tax reform issue this year. At a time of heavy federal, state, and local tax burdens, the American public is greatly concerned about the significant inequities remaining in the tax code.

Tax reform is particularly urgent this year because Congress will have to act before June 30 on whether to extend the tax surcharge. Whether or not there are economic justifications for its extension, it would be extremely difficult to go before the American people and ask them to support this tax, unless they have assurance that there also will be meaningful tax reform this year. A more desirable objective would be to report out tax reform legislation simultaneously with the tax surcharge bill. I believe this is possible, especially if the Committee would begin tax reform by approving a minimum income tax proposal.

Also tax reform actions are needed if we are to consider tax incentives for such vital purposes as retraining the hard core unemployed and rebuilding the slums. If Congress finds that such tax incentives are useful and compatible with the basic purposes of the tax code—and I believe they are—it is

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essential that they be added to a tax code which has been freed of substantial inequities.

I am aware that tax reform cannot be accomplished quickly or without a great deal of stress. A new balance must be struck among many powerful interest groups in our society, and that is never an easy task.

However, the process of reforming our tax code has already begun. As a result of an amendment to the Revenue and Expenditure Control Act of 1968, which I had the honor to sponsor last year, the Treasury early last month published comprehensive proposals for tax reform. While this report was not endorsed by President Johnson, it has already exerted great influence in shaping opinion within Congress and by informing the American public of the specific problems that require urgent correction.

I would like to concentrate my testimony on the need for a minimum income tax, and describing my own proposal for such a tax. I will also discuss briefly the other provisions of a tax reform bill which I will introduce in the Senate today, namely; the requirements for an annual report from the Secretary of the Treasury indicating the cost of tax preferences to the Treasury and for a report from the Secretary of the Treasury showing a comparison of tax expenditures with budgetary expenditures; modifications in the general and minimum standard deduction to reduce the impact on low and middle income taxpayers, and reductions in advantages presently accorded to the oil and gas industries.

Minimum income tax

A minimum income tax is needed today *because there are too many people in high income brackets who, because they receive the bulk of their income from sources presently excluded from the Federal income tax, pay little or no tax.* As a result of the preferential treatment given to certain types of income, individuals in the same income bracket but with different sources of income have substantially different tax liabilities while most other taxpayers must pay a higher tax burden to provide the Federal Government with needed revenue.

In 1966, there were 51 individual tax returns filed with the IRS with adjusted gross incomes of $500,000 and over, and representing adjusted gross incomes of $82 million on which no Federal income tax was paid.

In the same year, 34,000 individuals filed tax returns with adjusted gross incomes in excess of $10,000 and paid no Federal taxes. The combined adjusted gross income of these individuals was almost $700,000,000.

In 1965, one U.S. oil company with a net income of $105 million paid no Federal income tax at all.

In principle, Congress should face up to tax preferences—the so-called "loopholes"—and reduce them in the light of new standards of fairness and equity. But this cannot be accomplished quickly or easily, because on examination, some of these preferences may be found desirable to retain for social or economic reasons. When a taxpayer is in the position to take adavntage of a great number of these preferences at one time, the resulting cumulative effect is the real inequity in our tax system. As an interim step, therefore, a minimum tax—below which tax liabilities would not be permitted by reason of these preferences—should be introduced into the system.

My proposal for a minimum income tax covers individuals as well as corporations, and it takes account of the 10% tax surcharge. The minimum would apply only when it exceeds the tax payable under present law. My proposal has the same objective as the minimum income tax proposed by the Treasury Department in its recent Studies and Proposals, with roughly the same revenue effect as far as individuals are concerned: a tax increase for some 40,000 taxpayers resulting in about $400 million of additional tax. The Treasury has not yet been able to give me an estimate of the revenue effects of my proposal on corporations. My proposal differs from that of the Treasury in that it is simpler and more predictable.

This is the way my proposal would work:

1. The taxpayer would start with his taxable income as computed under present law.

2. He would add together five specific existing exclusions and deductions which, under my bill, are included in the tax base for minimum tax purposes. The five items to be included for minimum tax purposes are (a) interest exempt under present law on State and local bonds less expenses and interests allocable to such interest, (b) depreciation taken on real property to the extent it exceeds straightline depreciation, (c) depletion deducted to the extent it exceeds cost depletion, (d) the capital gains deduction, and (e) charitable contributions which exceed 30 percent of adjusted gross income. If the total of these five items is less than $2500 ($5000 in the case of a husband and wife filing a joint return) no further minimum tax computation would be required. If the total of the five items exceeds these limits, the next step will be taken.

3. The taxpayer would reduce the total of the five items by $2500 (or by $5000 in the case of a husband and wife filing a joint return) and add the result to this taxable income under present law. The sum would be his minimum taxable income.

4. The minimum-tax taxable income arrived at in Step 3 would be multiplied by the minimum tax rates which would be 10 percent of the first $30,000, 20 percent of the next $70,000 and 30 percent of the remainder.

5. The result would be the minimum tax which, if it exceeds the tax due under present law, would become the tax in lieu of that otherwise imposed.

These are the principal differences between my bill and that in the Treasury proposals:

1. The minimum-tax taxable income base, under my bill, includes charitable deductions only where the unlimited charitable deduction has been used. The Treasury's proposal calls for inclusion of the appreciation in value of donated property.

2. The minimum-tax taxable income base, under my proposal, is computed with taxable income as a starting point, rather than adjusted gross income, as proposed by the Treasury.

3. If the five income items to be included in the minimum tax base are less than $2500 ($5000 in the case of a husband and wife filing a joint return) no further minimum tax computation is required. Under the Treasury proposal, all the remaining steps would be required.

4. If the five income items to be included in the base exceed $2500 ($5000 in the case of a husband and wife filing a joint return), the minimum tax base is arrived at by reducing the total of the five items by $2500 or $5000. as the case may be, and adding the result to taxable income under present law. Under the Treasury proposals, the unreduced five income-tax items would be added to present law adjusted gross income. The result then must be reduced by personal exemptions and personal deductions with the added feature of an optional $10,000 standard deduction to replace the personal deductions (standard or itemized) taken in the computation of taxable income under present law. This calculation is avoided under my proposal not only to achieve simplicity, but also to avoid surprising and unintentional effects.

Such effects would occur, for example, in the case of two taxpayers with equal minimum tax adjusted gross incomes and personal exemptions, one of whom had $9000 of itemized deductions and the other $4000 of itemized deductions. The new $10,000 standard deduction would be useful to the minimum tax computation, but would give more protection from maximum tax to the latter taxpayer than it would to the former. This would be an irrational result which is avoided under my bill.

New information from the Secretary of the Treasury

My bill also would call for two new types of information to be provided as a regular part of the Secretary of the Treasury's annual report: (1) Estimates of the losses in revenues resulting from income presently excluded from tax under the Internal Revenue Code, from deductions allowed under the Code, from the deferral of the imposition of the taxes imposed by the Code and such other special tax provisions of the Code and other laws as the Secretary of Treasury considers appropriate.

(2) Estimates of how much the government subsidizes such areas as housing, agriculture and natural resources through the income tax laws as compared to direct expenditures through the Federal budget.

Publication of the first type of information is needed to make the public aware of the cost of tax preferences to the Treasury, thereby calling the attention of the Congress to take appropriate action where needed.

For example, such a report might analyze the continued usefulness of such important exclusions and deductions as those which I have included in the minimum income tax base that I am proposing. The cost of these preferences in terms of Federal revenue are as follows:

Interest exempt under present law on State and local bonds less expenses and interests allocable to such interest—$1.8 billion;

Depreciation taken on real property to the extent it exceeds straight-line depreciation—$500 million;

Depletion deducted to the extent it exceeds cost depletion—$1.3 billion;

The capital gains deduction (individual and corporation) $5 billion;

Charitable contributions which exceed 30 percent of adjusted gross income—$45 million.

Also this type of a report would include information such as the impact of married couples filing joint returns on the tax system which would not be included in the second type of report my bill calls for.

The second type of information would be extremely valuable to Congress, and to the Executive Branch by permitting a clearer insight into the allocation of public resources. The Treasury made a first attempt in this direction when Secretary Barr provided some of this data in his testimony before the Joint Economic Committee on January 17, 1969. The Treasury is to be commended for this, and my bill would ensure that such information will be made a regular part of its Annual Report.

Increase in general and minimum standard deduction

These provisions of my bill are identical to the changes proposed by the Treasury and are included because *I believe that the tax burden on taxpayers earning under $5,000 and those earning between $5,000 and $15,000 is unduly high and should be reduced. These two groups of citizens have carried an inordinate share of the burden for too long.*

To help low income taxpayers, my bill would increase the minimum standard deduction from the present $200 plus $100 for each allowable exemption to $600, plus $100 for each allowable exemption, subject to the same overall limit of $1,000 that exists under present law. The Treasury estimates that this provision would put into nontaxable status 1¼ million families and reduce the tax liabilities of an additional 1 million families in poverty states who are presently subject to Federal income taxes. The resulting loss in revenue would be $1.13 billion.

To increase the equity of middle income taxpayers my bill would raise the general standard deduction to 14% of adjusted gross income with a ceiling of $1,800 from the present 10% of adjusted gross income with a ceiling of $1,000. The change would result in about 80% of taxpayers using the standard deduction rather than itemizing their deductions, thereby simplifying record keeping and calculating tax liability for millions of taxpayers and also reducing the auditing problems of the Government. The revenue cost of this reform would be $1.4 billion.

Limitations on intangible drilling cost deduction and on percentage depletion rates

My bill proposes to modify the tax treatment of minerals, particularly oil and gas, in two respects: It would gradually, over a five year period, limit the intangible drilling and development costs deduction to 50% of such costs paid or incurred and it would limit percentage depletion rates after a three year transition period to 20%.

The Treasury Department has given me the following estimates of the revenue effects of these proposals:

Limitation on Deduction of Intangible Drilling and Development Costs will increase tax revenues by:

[In millions]

First year	$75
Second year	140
Third year	200
Fourth year	280

Limitation of Percentage Depletion Rates will increase tax revenue by:

[In millions]

First year	$110
Second year	225
Third year	350

Therefore, when in full effect, the first modification would increase tax revenues by $280 million while the second change would increase revenues by $350 million.

I support modification of the tax advantages presently enjoyed by the oil and gas industry principally because I believe that this industry should carry a higher tax burden at a time when millions of Americans are asked to pay higher taxes to pay for the cost of government services. I have supported such a modification in the past on the ground that if the industry would agree to a moderate increase in its federal tax liabilities as I now recommend, it would improve its position in the eyes of the American people without threatening its ability to explore new reserves.

I am aware of some of the literature on this subject, including the supplemental material included in the Treasury's tax reform report on the tax treatment of minerals. I am persuaded by this evidence that this Committee has adequate grounds to explore carefully whether or not there remain adequate justifications from the point of view of the national interest to continue at present levels the two principal benefits now specially available to the oil and gas industry.

Let me make my position clear. *I am not advocating that these tax advantages be eliminated. I believe that the oil and gas industry performs a vital function in the American economy and for national defense. I contend only that, at this time, they should carry a somewhat heavier tax burden.*

Although a minimum income tax is the keystone of my tax-reform proposals, I firmly believe that all my recommendations should be implemented to eliminate the worst inequities of the federal tax system.

THE 50TH ANNIVERSARY OF THE AMERICAN LEGION

Mr. **JAVITS**. Mr. President, it is appropriate that the Congress should pause in this month of March 1969, to express its congratulations to a great organization commemorating its golden anniversary—the American Legion—and adopt Senate Resolution 163. Since the first meeting of the American Legion, held in Paris, France, 50 years ago this March 15, the Legion has contributed through its various programs a great deal to the welfare of our Nation.

The American Legion has achieved a magnificent record in its legislative activity and direct service to those men and their families who have sacrificed so much for our country. The Legion has moved effectively in the Congress to strengthen and extend veterans' benefits programs—compensation and pension, education and training, hospital and medical care, and vocational rehabilitation. As the Legion looks ahead to 1969—its 50th golden anniversary year—I am confident it will strive to seek to determine what further can be done to broaden and improve patriotism, service to the Nation and to its veterans.

The Legion's legislative accomplishments and personal service to veterans and their dependents serves as a living memorial to the sacrifice offered by those brave young Americans who fell in battle at Belleau Wood, Anzio, Pork Chop Hill, and most recently on the bloody ground around Khe Sanh, to many other shrines to their valor.

As a fellow Legionnaire, as are more than half of the Members of Congress, I say with pride: Congratulations to a great American institution, the American Legion on its golden anniversary.

FOLLOWUP ON U.S. CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

Mr. **FULBRIGHT**. Mr. President, as an early and strong exponent of the multilateral way of foreign assistance, I found the recent report of the Comptroller General entitled "U.S. Participation in the World Health Organization" somewhat disconcerting.

To illustrate, I ask unanimous consent, as in legislative session, that the GAO's own summary be printed in the RECORD at this point.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

COMPTROLLER GENERAL'S REPORT TO THE CONGRESS ON U.S. PARTICIPATION IN THE WORLD HEALTH ORGANIZATION, JANUARY 9, 1969—EXCERPT

FINDINGS AND CONCLUSIONS

GAO found that executive agencies have not obtained the specific analytical information relative to proposed and continuing WHO projects and programs needed to identify programs whose justification may be questionable or which could be accomplished with greater economy and efficiency. Budget and operational data furnished to members by the WHO Secretariat has been too sketchy and incomplete to make firm assessments regarding implementation of WHO projects and programs.

The United States has no systematic procedure for evaluating WHO projects and programs. Those attempts which have been made by the United States and by the United Nations agencies have fallen far short of what is required by United States officials to make independent judgments relative to the efficiency and effectiveness of WHO operations.

The General Accounting Office (GAO) does not, nor do I, suggest that the World Health Organization (WHO) is worthless. However, the GAO concludes on the basis of information available to it that it is most difficult to determine how worthwhile WHO programs and projects are and to what extent they serve not only U.S. interests but the interests of other members of the organization as well.

If the GAO study of the World Health Organization indicates conditions that exist in other international organizations it would seem that the flow of information to member governments must be improved. If the U.S. and other members are to place greater reliance on international organizations and if more aid is to be channeled through them, then the constituent governments must have the means to assure themselves that these agencies are effective.

I was encouraged to note in the GAO report that the Executive Branch and officials of the United Nations are aware of this problem and taking steps to bring it under control.

Implicit—but not explicit—in this GAO report (the first of a series) is the thought that what is everybody's business, is nobody's business. It behooves responsible officials in all member governments to exercise reasonable oversight of these institutions which hold so much potential good for mankind.

TREATY ON THE NONPROLIFERATION OF NUCLEAR WEAPONS

The Senate resumed the consideration of Executive H, 90th Congress, second session, the Treaty on the Nonproliferation of Nuclear Weapons.

Mr. **ERVIN**. Mr. President, will the Senator yield?

Mr. **FULBRIGHT**. I yield.

Mr. **ERVIN**. I direct attention to article VI on page 4 of the message of the President.

Mr. **FULBRIGHT**. Yes.

Mr. **ERVIN**. Article VI states:

> Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control.

My question is: Have the United States and Soviet Russia not been engaged in negotiations on these matters for a number of years at Geneva, Switzerland?

Mr. **FULBRIGHT**. There have been discussions in Geneva between our representatives, under Mr. Foster's leadership. They had a variety of matters before them. The first product of significance from the Geneva meetings was the Limited Test Ban Treaty, and now this treaty. I am sure, although I was not present, that the question in article VI has been raised. We ourselves some time ago suggested that we should have negotiations on this matter. It is my understanding that last summer President Johnson was about ready to announce a high-level meeting on this subject when the situation in Czechoslovakia occurred, and that caused the delay.

I would say yes; the answer is "Yes." And I am sure at lower levels than the presidential level there have been discussions.

Mr. ERVIN. Over a great period of years have not there been discussions on this very subject?

Mr. FULBRIGHT. I do not know how to answer. I am sure this subject has been part of the discussion because their representatives and ours have been meeting in Geneva for many months for a number of years. I was not there, but I am sure the subject was brought up but did not get anywhere—not yet. During the last 4½ years, this particular treaty has been their main preoccupation. But I am quite sure, with reference to that area, that they talked about what is in article VI.

Mr. ERVIN. I would like to invite attention to the second sentence or clause of subsection 2 of article IV on page 3, a little below the middle of the page:

> Parties to the Treaty in a position to do so shall also cooperate in contributing alone or together with other States or international organizations to the further development of the applications of nuclear energy for peaceful purposes, especially in the territories of non-nuclear-weapon States Party to the Treaty, with due consideration for the needs of the developing areas of the world.

Am I correct in interpreting that as a promise on the part of the United States to assist all nonnuclear nations that may adhere to this treaty in the development of atomic energy for peaceful uses?

Mr. FULBRIGHT. I would not say it as a flat and unqualified statement, as the Senator put it. I would put it a little differently: That the parties, particularly nuclear powers—which, of course, it has reference to—do agree to be of assistance to the nonnuclear powers for peaceful purposes so long as we, for example, believe this would be consistent with our own national interest. I do not think this is an absolute commitment to be of assistance.

This was gone into and there is a letter from the chairman of the Atomic Energy Commission, and it was discussed at length, to the effect that this is on a basis of consideration to us. It is not a grant. If we undertake to help a nonnuclear power with some peaceful development of atomic energy they will agree to pay us.

On page 10 of the report of the committee the Senator will find Dr. Seaborg's letter on behalf of the administration as to their attitude toward this section.

Mr. ERVIN. Normally, the word "contribute" means giving without monetary or other recompense. That is the primary use of the word "contribute."

I would like to ask the Senator whether in this sentence we are discussing in article IV the word "contributing" has reference to promising to give to these nonnuclear nations assistance in developing nuclear energy for peaceful purposes, and that it implies it is to be done without monetary or other considerations.

Mr. FULBRIGHT. I do not so interpret it at all. What the Senator is talking about here is not unique, but a very restrictive element: nuclear materials. I do not think the word "contribute" has the same connotation as when one contributes to the Red Cross or a charity, when talking about money.

It is not intended to mean and does not mean, in my opinion, that we will give to them this assistance without cost. We will make it available on a cost basis, which is made clear by Dr. Seaborg in his letter.

The Senator from Vermont (Mr. AIKEN) raised that question. In fact, it was his concern last summer, as I understand it, and during the course of succeeding months, it was clarified to his satisfaction, and to the committee's as well, that this would not be a grant program of nuclear materials but that we would be reimbursed on a cost basis for whatever we may furnish for peaceful uses.

Mr. ERVIN. Does not the Senator believe that each nonnuclear nation which may adhere to the treaty could interpret this second clause of the second section of article IV to be a clause which means that the United States as a nuclear power obligates itself to assist them in the development of atomic energy for peaceful purposes?

Mr. FULBRIGHT. If the phrase had "contributing without cost," I think they would. But, in the absence of that, they have no reason or justification to make such an assumption.

Mr. ERVIN. Does the Senator agree or disagree with the Senator from North Carolina that in interpreting a written document, a word is normally interpreted to have its primary and usual meaning?

Mr. FULBRIGHT. I say, in connection with nuclear weapons and nuclear materials, that I do not think it has any such primary or usual meaning. I think the Senator is reading into this the usual meaning when we are talking about a contribution to a charity.

Mr. ERVIN. I think the primary meaning of "contribution" is to contribute something, such as making a gift.

Mr. FULBRIGHT. I do not know.

I think the Senator, for example, makes a great contribution to the discussion of anything on the floor of the Senate. When he does that, I do not say he is making a gift because he is being paid for it, the same as I am.

It would be common to use that word in connection with the Senator's great talents when he contributes to the enlightenment of the Senate, when we use that word. These words do not have any formal meaning. The Senator is a great master of discussion, in matters of elucidating and confusing the meaning of a word. Here he is trying to confine it to one aspect, but if we use it in connection with the Red Cross, say, then I agree, it has no meaning, but when used in the sense of service to the Senate, it is not being done for nothing. It is not free.

Mr. ERVIN. In other words, the Senator takes the position that the word "contribution" means one thing when making a contribution, another thing when, say, we are fixing up our income tax return, and yet another when we make treaties with other nations?

Mr. FULBRIGHT. Since the Senator brings in the income tax, we contribute to the support of the Federal Government by that and I do not consider that to be without cost. We contribute because we have to and because we pay for all kinds of services.

Mr. ERVIN. The word "contribution" as used on the subject of income taxes is in contributing to the Federal Government; that is, to keep ourselves tax free.

Mr. FULBRIGHT. The Senator is not talking about charitable contributions. I do not think the Senator is trying to say that a word has a single meaning under all circumstances, would he, like the word "fast"? Sometimes we tie things fast to a post, and sometimes we run fast. In that connection?

Should that word always mean running fast, or should it sometimes mean tying things fast to a post?

Mr. ERVIN. So does the word "contribution." As someone said, "I shall be present at a particular time and place and I shall present you with a present."

Mr. FULBRIGHT. That is right.

Mr. ERVIN. I am trying to find out what the word "contribution" means.

Mr. FULBRIGHT. I am trying to make it clear in this discussion which the Senator is raising, that this certainly gives a very clear legislative history. Furthermore in the report of the committee, to which I have referred, and in the official letter from the chairman of the Atomic Energy Commission speaking on behalf of the administration, the matter is clarified, is it not?

Mr. ERVIN. Certainly, the testimony of Dr. Seaborg does, but it is not a part of the treaty.

Mr. FULBRIGHT. No, but it contributes to the understanding.

Mr. ERVIN. Gives an opinion about it.

Mr. FULBRIGHT. Well, the Senator gives his. I give my opinion, and the Senator from Vermont (Mr. AIKEN) has given his. The committee has given its opinion, also.

Mr. ERVIN. That is the reason I was somewhat perplexed by the Senator's opposition to my proposal that the Senate—along with Dr. Seaborg and General Wheeler, the Secretary of State and the Committee on Foreign Relations—should not have the right to give its interpretation.

Mr. FULBRIGHT. I said to the Senator that I did not object to the sense of his reservation. That it was largely a procedural matter. It is like one of these other reservations which are interpretations, and I agree should be included in the report. The signatories to the treaty should see them. But I think it is very inappropriate to attach such a statement to the resolution of ratification because it creates misunderstandings and raises questions where there is no need to do so. If there is a really substantive change that the Senator from North Carolina—or any other Senator—wants to make, and he offers a reservation, then that is a proper reservation and should be voted on its merits. I did not oppose what the Senator said yesterday on its merits. I just think it would confuse the situation and the fact that it did not change the meaning, it seems to me, would be misleading.

Mr. ERVIN. Let me ask the Senator if he can cooperate with me in my desire to let the Senate give its interpretation to the treaty in a way that will not have to be attached to the treaty, that I would offer a resolution—it would not be a reservation, it would not be an understand-

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ing—but it would be an interpretation by the Senate in the form of a sense-of-the-Senate resolution, that—

> That it is the sense of the Senate that the United States, by entering into the treaty on the nonproliferation of nuclear weapons, does not obligate itself to use its armed forces to defend any non-nuclear weapons state, or any member of the United Nations against any acts or threats of aggression even if such acts or threats are accompanied by the use or threatened use of nuclear weapons—

I make this addition because of the argument made by the Senator—

> and that such Treaty does not affect in any way any obligation assumed by the United States under any other treaty or the Charter of the United Nations.

Mr. FULBRIGHT. Would the Senator please read the last part again? I raised that question yesterday.

Mr. ERVIN. Yes.

Mr. FULBRIGHT. I raised the question about the effect upon our NATO allies. I certainly do not see any reason which would cause them to feel we are reneging on our obligations under NATO.

Mr. ERVIN. The first part of this proposed sense-of-the-Senate resolution states in substance what was in my reservation, and adds this—which I frankly state was suggested to me by the argument of the distinguished Senator:

> And that such treaty does not affect in any way any obligation assumed by the United States under any other treaty or the Charter of the United Nations.

Mr. FULBRIGHT. Offhand, I do not see any objection to it. If the Senator is offering it as a separate resolution, as a sense of the Senate, at the moment I do not see any objection to it. It would not, as I understand it, be submitted to the signatory nations. They would have to look at it and decide what it means and be able to say, rightly, what this does, that it is a sense of the Senate only, and I personally, at the moment, cannot see any objection to it.

Mr. ERVIN. I wonder whether the Senator——

Mr. FULBRIGHT. I cannot accept it as a part of the treaty. The Senator knows that.

Mr. ERVIN. So that I can get it before the Senate, I should like to make a unanimous-consent request that the Senate return for a moment to legislative business, and that I be permitted to offer this proposed sense-of-the-Senate resolution and ask for its immediate consideration. I recognize the right of the Senator to object to its immediate consideration and then it could go over and be printed and be made available to all Senators, or perhaps be acted on before we reach the pending business tomorrow on the treaty.

Mr. FULBRIGHT. Well, I really do not have any objection. I hesitate to agree without the majority leader's being here. I do not know whether he has any views on this. He is a ranking member of the committee. Could the Senator forgo it a minute? I do not have any objection to it. I would not want to foreclose the Senate from having an expression of what I believe to be the truth. We certainly do not want to obligate ourselves to give away this or that, but I also do not want to raise suspicions about our obligations.

Mr. ERVIN. My point was to have it printed and available for Senators.

Mr. FULBRIGHT. I have no objection to that.

Mr. ERVIN. If the Senator prefers, I will withhold it for the time being, before making the request, but I wanted to have it printed.

Mr. FULBRIGHT. I have no objection to that. The Senator does not want to precipitate an argument about it today?

Mr. ERVIN. No.

Mr. FULBRIGHT. I have no objection.

Mr. ERVIN. I want to afford all Senators an opportunity to read it.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. GOLDWATER. I have asked the minority leader to be notified to come to the floor, to be advised of any developments in this matter. I believe it would be advisable to have his view.

Mr. FULBRIGHT. I do not see any objection. It is a perfectly proper request to have it clarified. That is what the Senator is trying to do.

Mr. ERVIN. Mr. President, if it turned out that there was no opposition to it, the procedure would permit the resolution's being voted on before we took up the pending business, as I understand the rules.

Mr. FULBRIGHT. In view of the statement of the Senator from Arizona, why does not the Senator from North Carolina defer the request a few moments, and then go back to it?

Mr. ERVIN. I was going to say that, in view of the statement of the Senator from Arizona, I will defer this matter.

Mr. GOLDWATER. Mr. President, I may say that the minority leader is on his way here. It will be only a matter of a moment or two.

Mr. President, needless to say, I have followed the Senate debate on the resolution to ratify the Treaty on Nonproliferation of Nuclear Weapons with a great deal of interest. And because I intend to vote against ratification of this treaty, I wish to outline my position in some detail.

To begin with, let me say that this treaty has been somewhat misrepresented to the American people. I find that many of our citizens believe that the ratification of this treaty would somehow end—or slow down—the arms race and constitute a giant step toward world peace. It would, of course, do neither.

Nothing in this treaty will prohibit any of the nuclear states now possessing nuclear weapons from enlarging their inventories, increasing their weapons yield, or from placing weapons in friendly countries, provided, of course, that control remains with the nuclear nation.

Mr. President, I want it clearly understood at this time that I yield to no man in my heartfelt desire for world peace and in my great yearning for genuine, multilateral disarmament with adequate inspection procedures. This is a desire that all men of good will share equally. It does not belong exclusively to those people who urge ratification of this treaty and promote the idea of possible accommodation with the Soviet Union and other nuclear states. And I hasten to underscore the fact that this treaty has no important bearing on this kind of disarmament.

It does not prevent the United States, Russia, France, and China from pursuing an all-out quest for more and bigger and more powerful nuclear weapons. It does nothing to reduce the present level of nuclear weapons. It provides no machinery whatsoever to check on whether the nuclear powers cheat and secretly send atomic weapons to nonnuclear nations.

Mr. President, I am greatly impressed with what this treaty will not—let me repeat, not—accomplish. Permit me, if you will, to list a few of the additional things it will not do.

First. It will not guarantee that the number of nuclear weapons will be reduced.

Second. It will not guarantee that the 100 nonnuclear nations which are expected to sign this treaty will not change their minds at some later date.

Third. It will not have any effect on any of the so-called threshold nations which today stand on the brink of developing their own nuclear potential and which have all refused to sign the treaty.

Fourth. It will not guarantee disarmaments talks with the Soviet Union, even though article 6 of the treaty calls for the pursuit of such negotiations "at an early date."

Fifth. It will not stop the Soviet Union from continuing to deploy its anti-ballistic-missile system.

Sixth. It will not really halt the proliferation of nuclear weapons.

Mr. President, it does not surprise me that most of the threshold nations have refused to sign this treaty.

We have asked them, in effect, to forgo the possibility of their joining the world club of nuclear nations without providing sufficient promise that nuclear weapons will not be necessary in their futures. And if we do provide such guarantees, we are merely assigning to ourselves the role of "world policeman" and stating, in effect, that we will come to the defense of any nation confronted with a nuclear attack. As I have stated earlier on this subject—and nothing brought out in debate on the Ervin reservation has changed my mind—I believe that the U.N. Security Council Resolution 255 of 1968 on security guarantee and the U.S. declaration made in explanation of its vote for that resolution make that entirely clear. Both of these documents include specific reference to the concerned countries which desire to subscribe to the treaty that "appropriate measures be undertaken to safeguard their security" if they adhere to the treaty.

This expectation of the nonnuclear nations was fed throughout the negotiating stage by the former administration. On at least two occasions President Johnson promised "our strong support against threats of nuclear blackmail." Secretary McNamara went so far as to pooh-pooh the idea of any nation taking time to go through the United Nations. In testimony before the Joint Committee on Atomic Energy, he said:

> In case of a nuclear attack by country A on country B, the very survival of country

> B would be immediately at issue and it might well require military intervention by one of the great powers immediately, without time for the negotiation and discussion in international forums that would otherwise take place.

The question that disturbs me after having listened to the frequent denials of these new implications is not based upon the conditional question—although this question certainly arises—but, rather, is based upon a question of morality. No one can deny that these statements by McNamara and Johnson were made and that they appeared in the report on the committee hearings. Mr. President, this situation raises several questions. What, for example, will be the reaction of nonnuclear states if we go back on what is to me a statement by our leaders assuring them support if they are threatened or attacked? How long would it be before nonnuclear states signatory to this treaty start to pull out and develop their own weapons when the indications appear that the United States does not intend to carry out the promises of its leaders?

This is a serious question, and I think the Ervin reservation is addressed to it and should have been attached to the resolution for ratification of the treaty. It would not have affected the text of the treaty and it would have stated clearly what the chairman and members of the Foreign Relations Committee have been saying on the floor; namely, that we are not committed to the use of our forces and our weapons in any way as a result of this action.

But the way things stand now, nonnuclear nations may well ask us to run risks on their behalf that we may not be prepared to run. And it could be that the perpetuation of a bilateral power posture might lead both the United States and the Soviet Union to an arms race far exceeding that which might occur if third powers could be wooed back and forth. What I am saying, Mr. President, is that the end result of this treaty might well be one of "proliferation" rather than one of "nonproliferation."

Of course, as I have pointed out, it is being said by the proponents of this treaty that it would not commit the United States to the defense of nonnuclear signatories; that this commitment is not specifically to be found in this treaty. And I say that it does not make any difference whether such a commitment is reduced to actual language in the treaty. By ratifying a pledge by nonnuclear powers not to seek nuclear strength, we are committed by implication and by fact, whether the treaty says so or not. The alternative to noncommitment is to incur the wrath of the signatories and to insure their alinement with our enemies.

Mr. President, I believe that this treaty does commit the United States to a role which could have us fighting Vietnam-type wars in many areas of the world. I feel the commitment of which I just spoke would carry far enough to engage us in the defense of nonnuclear signatories against even the threat of attack by a member of the nuclear club.

In addition, I believe it would play right into the hands of Soviet strategic interests in Europe.

Consider, if you will, that the treaty would commit Russia to refrain from passing atomic weapons secrets to wavering satellites such as Czechoslovakia and untrustworthy puppets like Nasser and Castro. It commits Russia to refrain from doing what she would not consider doing under any circumstances.

In return for a commitment not to do what it would not think of doing, we guarantee to the Soviet what has been called an "atomic cordon sanitaire" running from Norway and Denmark down to Italy in the west, and all around the whole far eastern periphery with the exception of Red China.

This is precisely what the Soviets want. They do not want anti-Communist, Western countries to receive nuclear help from us.

Any way you figure it, this treaty has got to benefit the Soviet Union more than it does the United States. If there ever was a way to drive a wedge into the NATO alliance, this is surely it. In fact, Dr. Robert Strausz-Hupe, director of the Foreign Policy Research Institute at the University of Pennsylvania, says that if this treaty is ratified in its present form, it will "nail down the lid on the coffin of NATO."

Dr. Strausz-Hupe's argument is that the treaty supports what he terms the "thesis of revisionism"—the priority in U.S. foreign policy of bilaterally negotiated arms control and security agreements with the Soviet Union over the maintenance of the Western alliance.

Arrangements between the United States and the Soviet Union, such as this treaty, lend themselves to the growing belief that the usefulness of NATO as a military-strategic arrangement has diminished. Such arrangements lend support to arguments that there are other and better ways for insuring national security and world peace than through NATO. An extension of this argument, of course, says that if NATO is proving to be an obstacle to the "relaxation of tensions" it should be scrapped. This is exactly what the Soviets want.

It is certainly no secret that ever since the founding of NATO the destruction of the Western military alliance has been the main objective of Soviet foreign policy. Consider, for example, the words of Soviet Foreign Minister Andrei Gromyko when he informed the Supreme Soviet of the successful negotiations of the nonproliferation pact. That was on June 27, 1968, and among other things, Mr. Gromyko denounced NATO as an obstacle to arms control and disarmaments agreements, called for the "liquidation of foreign military bases" and singled out West Germany as the would-be disturber of the peace in Central Europe.

Mr. President, I find myself in accord with the argument that first, treaties with the Soviet Union are questionable at best; and, second, such treaties serve to undermine the free world's NATO shield.

There can be no doubt that the Soviet Union is pushing in two directions at the same time. Diplomatically her officials talk of negotiations to end or to slow down the arms race; they deliberately encourage the idea that the Kremlin is "mellowing" and seeking ways to reduce world tensions. At the very same time the U.S.S.R. is pursuing aggressive, warlike actions in almost every area where the interests of East and West meet.

One of these places is Vietnam, where the Russians are supplying the armaments and equipment to prolong the war and kill additional American fighting men.

One of these places is Berlin, where the Russians continue to encourage their East German Communist allies to harass and aggravate relations with the West.

One of these places is the Middle East, where the Russians are busily rearming the Arab world for a possible resumption of its war with Israel.

In addition to the constant agitation in these trouble spots, the Soviet Union is pushing its arms buildup in all categories, nuclear as well as conventional. In fact, the Russians are now ahead of the United States in nuclear missile strength when you add their heavy numbers of IRBM's to their ICBM's. The Russian submarine fleet is growing by leaps and bounds. Its naval influence has reached into the Mediterranean and may soon begin to dominate those strategic waters.

This, then, is the nature of our adversary. And I believe that the nature, the attitudes, and the intentions of treaty partners should become an integral part of the Senate deliberations when it undertakes to advise and consent.

When you consider these worldwide moves of the Soviet Union, and add to them its activities in its own sphere of influence, such as the rape of Czechoslovakia, how can we expect our alliance allies to react kindly to bilateral agreements with Russia? More than that, how can we expect a nation with this kind of a record to engage in profitable negotiations aimed at the reduction of armaments?

I do not hold with the often repeated statement on this floor that we should not offer reservations or changes to a treaty. If the charge contained in the Constitution that the Senate shall advise and consent on treaties has any meaning, then certainly, in its advising, it should act when a consensus of this body holds that a change should be made and the consent withheld until such change is made. If arguments to the contrary hold any water, then why bother the Senate with treaties? Why not just have the Foreign Relations Committee vote them up or down?

This treaty is unsigned by nations which could make it an effective arrangement. It will not bring about world peace or a reduction in nuclear arms. I hope and pray that I will see the day when this Senate does consider a treaty agreed to by all the powers of the world which would result in multilateral disarmament accompanied by the privilege of inspection. This treaty does not even come close to that, so I must vote against it.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

LEGISLATIVE SESSION

Mr. DIRKSEN. Mr. President, I move the Senate return to legislative session.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

RESOLUTION 164

Mr. ERVIN. Mr. President, I send forth a resolution and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will state the resolution.

Mr. FULBRIGHT. Mr. President, of course, I object to its immediate consideration. I do not object to its being printed.

The PRESIDING OFFICER. The clerk will read the resolution.

The assistant legislative clerk read as follows:

> *Resolved*, That it is the sense of the Senate that the United States, by entering into the Treaty on the Nonproliferation of Nuclear Weapons, does not obligate itself to use its Armed Forces to defend any non-nuclear-weapon state or any member of the United Nations against any acts or threats of aggression even if such acts or threats are accompanied by the use or threatened use of nuclear weapons and that such treaty does not affect in any way any obligation assumed by the United States under any other treaty or the Charter of the United Nations.

Mr. ERVIN. Mr. President, I ask unanimous consent that the resolution may be printed, so it will be available to Senators, and may be brought up for consideration tomorrow.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. FULBRIGHT. Yes; I object to its present consideration.

The PRESIDING OFFICER. Objection is heard. Under rule XIV, paragraph 6, the resolution will go over under the rule.

Mr. FULBRIGHT. I do not object to its being printed and to its being considered, as I said, but, as I apprehended in connection with the Senator's move yesterday, the effect upon the treaty is what disturbs me. I think my committee, and also the State Department, which is vitally interested in this matter, and the President ought to be given an opportunity to consider just what are the implications of the statement. I do not wish anyone to cast any doubt upon our sincerity in accepting the treaty and what we intend to do about it. If it does do that, of course, we will determine our attitude.

I had not heard of the resolution until this minute, and, of course, I am not prepared to make a commitment to support it or otherwise. This is very irregular in the case of a treaty, but, as I said yesterday, it seems to me those who are deeply concerned about the treaty, which has been before us since last summer, should have submitted ideas of this kind to the committee, in order to give the administration and the committee an opportunity to consider them. But I do not object to the resolution being printed and available. That does not mean I am not going to object to its being adopted.

Mr. ERVIN. Mr. President, I certainly am not asking the Senator to commit himself at this time.

Mr. FULBRIGHT. I think the normal thing is to have it go to the committee and give it the normal time to consider it. This is the normal procedure.

Mr. ERVIN. Yes; but it will automatically come up tomorrow.

Mr. FULBRIGHT. Mr. President, did I understand correctly that the result of the unanimous-consent request did not carry with it the obligation to consider this resolution tomorrow?

The PRESIDING OFFICER. The resolution went over under the rule, and is to be printed.

Mr. ERVIN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. ERVIN. Immediate consideration of the resolution having been moved, and objection having been voiced, I ask if it does not automatically go on the calendar.

The PRESIDING OFFICER. It goes over under the rule, and will come before the Senate, at the conclusion of the regular morning business, on the following legislative day.

Mr. ERVIN. In other words, if there is a recess, it will not come up automatically tomorrow?

The PRESIDING OFFICER. That is correct.

Mr. ERVIN. But it will come up automatically on the next legislative day?

The PRESIDING OFFICER. Yes.

EXECUTIVE SESSION

Mr. DIRKSEN. Mr. President, I move that the Senate return to executive session.

The motion was agreed to; and the Senate resumed the consideration of executive business.

TREATY ON THE NONPROLIFERATION OF NUCLEAR WEAPONS

The Senate resumed the consideration of Executive H, 90th Congress, second session, the Treaty on the Nonproliferation of Nuclear Weapons.

NUCLEAR NONPROLIFERATION TREATY SHOULD BE RATIFIED IMMEDIATELY WITHOUT RESERVATIONS

Mr. YOUNG of Ohio. Mr. President, the importance of the Treaty on the Nonproliferation of Nuclear Weapons cannot be overestimated. The future peace of the world may well be decided by whether or not the Senate ratifies the treaty, without reservation.

I was privileged along with other Senators to have been a guest of President Johnson in the East Room of the White House on July 1, 1968, to witness the signing of this Nuclear Nonproliferation Treaty by top representatives of more than 50 nations including Ambassador Dobrynin of the Soviet Union. This treaty, while not guaranteeing that nuclear weapons will never be used in war, clearly represents a milestone in the long journey toward world peace. The Limited Nuclear Test Ban Treaty achieved by President John F. Kennedy restricted the environment where nuclear bombs could be tested. The outer space agreement limited the areas where they could be stationed. Now, the Nonproliferation Treaty will limit the spread of nuclear weapons. This signing of the draft of this Nuclear Nonproliferation Treaty was a never to be forgotten dramatic, historic event. President Johnson's address ending the ceremony will be regarded by future historians as one of his finest—a historic state paper. In part President Johnson said:

> After nearly a quarter century of danger and fear—reason and sanity have prevailed to reduce the danger and to greatly lessen the fear. Thus, all mankind is reassured. For this Treaty is evidence that amid the tensions, the strife, the struggle and sorrow of these years, men of many nations have not lost the way—or have not lost the will—toward peace. The conclusion of this Treaty encourages the hope that other steps may be taken toward a peaceful world.

The facts which make imperative U.S. ratification are clear enough. Today, only five nations possess nuclear weapons—the United States, the Soviet Union, China, France, and Great Britain. However, many other nations have the resources to become nuclear powers. By spending approximately $200 million any mature industrial country can readily produce one or two atomic bombs or nuclear warheads. With each passing year more nations will be able to do so, and the possibility of nuclear war increases. Therefore, this treaty is of utmost importance in curtailing what former Defense Secretary McNamara termed "the mad momentum of the arms race."

Mr. President, the proposed treaty emerged after years of difficult and painstaking negotiations. In brief, the treaty will decrease international tensions by reducing the threat of accidental nuclear detonation, by eliminating the danger that a limited war between the smaller nations will escalate into nuclear holocaust and by decreasing the risk that nuclear weapons among smaller powers would offset regional balances of power that contribute effectively to the maintenance of international peace and security.

This treaty is not a Soviet invention. For many years both the Soviet Union and the United States have attempted to separate this issue from other issues on which leaders of both nations differ, and to support it as an important common goal. The fact is that the United States is the principal architect of the treaty which we first proposed in 1964. It is based on policies formulated under four administrations and was reflected in the Baruch plan, in the Atomic Energy Act, in the atoms for peace plan, and in the Limited Nuclear Test Ban Treaty.

May I say at this time that every provision of that Limited Nuclear Test Ban Treaty achieved by the late great President John F. Kennedy, due in large part to the fine work of his great Ambassador, Averell Harriman, was lived up to with respect to every obligation from the time it was entered into by the Soviet Union and the United States. The Soviet Union has implicitly lived up to every obligation in that treaty.

Mr. President, the representatives of more than 80 countries have now signed the Nonproliferation Treaty. All representatives of these nations signed in good faith. Indeed, its acceptance by most nations of the world was an inspir-

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ing act of faith and imposed an obligation upon the nuclear powers to aid smaller nations faced with aggression and to provide them with necessary nuclear resources so that their people may fully enjoy the blessings of the peaceful uses of nuclear energy. The good faith which is so essential to universal acceptance of this treaty may evaporate in the face of any vacillation upon the part of the U.S. Senate to ratify the treaty.

Throughout our history the United States has played a vital role in the search for international peace and security. The Nuclear Nonproliferation Treaty is another of the many steps on the long journey toward permanent peace. It is evidence amid the tensions and strife of this period of international anarchy that men of many nations have not lost the will to strive toward peace. It encourages the hope that other even more meaningful steps will be taken toward permanent peace in the near future and in years to come.

Many leaders of nations now capable of producing atomic weapons are awaiting our action to determine whether their countries shall become signatories to the treaty. We cannot allow their interest to wane or to indicate in any way our reluctance to accept the provisions of the treaty. Delay now might lead to final rejection of the treaty. Ratification would be an important effort to lift the threat of adding new and fearful dimensions to international tensions and disputes. To delay ratification could have tragic consequences for the future, not only for our Nation, but for all mankind.

EXECUTIVE RESERVATION NO. 1

Mr. TOWER. Mr. President, I call up my reservation.

The PRESIDING OFFICER. The reservation will be stated for the information of the Senate.

The legislative clerk read as follows:

> Before the period at the end of the resolution of ratification insert a comma and the following: "subject to the reservation that such treaty shall not be construed as precluding the provision of weapons or other materials for the establishment of nuclear defenses to regional organizations established under Article 52 of the Charter of the United Nations".

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I have discussed the possibility of a time limitation with the distinguished minority leader, the distinguished chairman of the Foreign Relations Committee, the distinguished Senator from Texas, and other interested Senators. I would like at this time to ask unanimous consent that there be a time limitation of 2 hours on the pending reservation, the time to be equally divided between the distinguished Senator from Texas and the distinguished Senator from Arkansas.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, it is my understanding that the distinguished Senator from Connecticut (Mr. Dodd) has two amendments. Whether they are understandings or reservations, at this time I do not know. I make the same request in regard to those two, with his approval—2 hours on each of the proposals, the time to be equally divided between the Senator from Connecticut (Mr. Dodd) and the chairman of the Committee on Foreign Relations, the Senator from Arkansas (Mr. Fulbright).

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The Chair inquires whether the time of the Senator from Vermont will come out of the time covered by this agreement.

Mr. MANSFIELD. No; this refers only to the time when these two amendments are discussed.

Mr. PROUTY. Mr. President, I shall vote in favor of ratifying the Treaty on the Nonproliferation of Nuclear Weapons. I shall do so with the hope it may lead to a world free of nuclear terror, but with the concern that it may lead to crippling delusions.

The treaty tempts rhetoric and renews hope, but glowing phrases and our sincere aspirations must not be allowed to obscure reality.

We must pause to ask ourselves if we see the treaty as it is or as we would wish it to be.

All men of good faith endorse the intent of the Nonproliferation Treaty. Nuclear weapons, with their catastrophic power of destruction, must not be allowed to spread further among the nations of this earth.

Such a design is laudable, yet the treaty fails to carefully delineate the safeguards needed to implement its intentions. Instead, it leaves much to be done to match its performance with its promise. Existing limitations and possible future problems in enforcing the treaty's noble intent must not be ignored.

Instead, the treaty must be viewed in the proper perspective. It is only a small step on a long arduous road to peace. The difficult journey ahead requires clear heads, unclouded by delusions that the road is easy or the distance short.

I have cast myself in the role of the skeptic to warn of delusions and to prod the dreamer. We cannot afford to linger with our reveries of a world without arms. We must be on our way toward disarmament. This treaty must be ratified, then quickly buttressed with adequate safeguards. We must adhere to the course set by article 6 to negotiate in good faith to end the nuclear arms race and to effectuate nuclear and general disarmament. There is much to do, but it must be done, if men are to continue to live upon this earth.

Mr. BYRD of Virginia addressed the Chair.

The PRESIDING OFFICER. The time is now under control.

Mr. TOWER. Mr. President, I ask unanimous consent that the distinguished Senator from Virginia be recognized for as much time as he requires, without the time being charged to either side.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The Chair recognizes the Senator from Virginia.

Mr. BYRD of Virginia. I thank the distinguished Senator from Texas.

Mr. President, the Nation's top military officer, Gen. Earle G. Wheeler, appeared before the Committee on Armed Services to discuss and answer questions in regard to the military implications of the Treaty on the Nonproliferation of Nuclear Weapons.

At this point in the debate, I desire to read into the Record certain questions I addressed to General Wheeler, and subsequent to that I would like to invite the attention of the chairman of the Committee on Foreign Relations, so that I might ask him several questions to get the thinking of his committee.

Mr. President, on February 27 and 28, General Wheeler appeared before the Committee on Armed Services, and I put these questions, among others, to General Wheeler:

> General Wheeler, several of my questions will be repetitious but I do it for emphasis.
>
> My understanding is that you see no military disadvantages to the suggested treaty.
>
> General Wheeler. I do not, sir.
>
> Senator Byrd. My understanding is that that is likewise the unanimous view of the Joint Chiefs of Staff.
>
> General Wheeler. That is correct, Senator.
>
> Senator Byrd. General, on page 1 of your statement you say the Joint Chiefs addressed treaty proposals formally on 19 occasions. Each of these resulted in specific recommendations for strengthening the treaty.
>
> Were the specific recommendations, all of them, accepted?
>
> General Wheeler. Yes, they were.

Then I put these questions to General Wheeler:

> Senator Byrd. This treaty would not operate to the disadvantage of the United States or its allies?
>
> General Wheeler. That is my belief, and the belief of my colleagues.
>
> Senator Byrd. This treaty would not involve an obligation for the automatic commitments of the U.S. military forces?
>
> General Wheeler. It does not, sir.
>
> Senator Byrd. And this treaty does not prevent the development and use of an ABM system by the United States?
>
> General Wheeler. It does not, sir.
>
> Senator Byrd. Article VIII of this treaty provides that any party to the treaty may propose amendments to this treaty.
>
> Are there any amendments that you feel should be proposed?
>
> General Wheeler. Not at the present time, sir. I am not aware that any amendments are in the process of being proposed by other signatories.
>
> Senator Byrd. But there are no amendments that the Joint Chiefs of Staff would recommend?
>
> General Wheeler. Not at this time, sir.

Mr. President, another question I put to General Wheeler was this:

> General Wheeler, as I understand it, the Joint Chiefs of Staff played an important part in the development of this treaty.
>
> General Wheeler. Yes, sir.
>
> Senator Byrd. And, as I understand it, it is the view of the Joint Chiefs of Staff that its enactment would not involve an obligation for automatic commitment of U.S. military forces.
>
> General Wheeler. That is corrrect, Senator Byrd.

Mr. President, if I may have the attention of the distinguished chairman of the Committee on Foreign Relations, I should like to ask him whether in his judgment this treaty in any way involves an obligation for the commitment of U.S. troops in the event any nonnuclear nation should be attacked.

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Mr. FULBRIGHT. I say to the Senator that it does not. This treaty does not affect the disposition of our troops in any way whatever. It does not attempt to deal with that in any respect.

I have read the exchange that the Senator has read from the hearings of the Committee on Armed Services, and I congratulate him on eliciting these very positive statements from the chairman of the Joint Chiefs of Staff. I agree with it completely. Our own hearings reflect exactly the same thing. There is not the slightest doubt, in my opinion—and I believe it is the opinion of all the members of the Committee on Foreign Relations—that what the Senator has just read is in accord with the treaty.

Mr. BYRD of Virginia. It is my understanding—I have not found it in the committee report, but I understand it is in the committee report—that the committee report does not make clear that in the judgment of the Committee on Foreign Relations, and I understand it is the unanimous judgment of the Committee on Foreign Relations, nothing in this treaty would commit, in itself, the use of U.S. troops.

Mr. FULBRIGHT. The Senator is correct. The treaty does not deal with that subject, I may say. It does not prohibit, permit, or do anything about that. It just does not attempt to deal with the question of troops. It deals only with weapons and nuclear materials.

Mr. BYRD of Virginia. I thank the Senator from Arkansas. What the Senator has just stated is the way I understand the treaty.

Mr. FULBRIGHT. The Senator is correct.

Mr. BYRD of Virginia. It is unfortunate, I think, that on June 19, 1968, our Representative in the United Nations made certain declarations. I refer to the declaration which the Senator from North Carolina has called attention to.

I think the Senator from North Carolina was justified in calling attention to the United Nations declaration, which to my way of thinking is a misleading declaration in that it misleads not the Senate, which is considering the treaty, but it misleads other nations, because, as I understand this treaty, and as the chairman of the Committee on Foreign Relations has indicated, and as the Chairman of the Joint Chiefs of Staff has indicated, there is nothing in this treaty that commits the United States to go to the aid of any other country should other countries be attacked with nuclear weapons.

In my judgment, what occurred in the United Nations on June 19, 1968, is very unwise, unfortunate, and very misleading. I wish to congratulate the distinguished senior Senator from North Carolina for focusing attention on that United Nations declaration. I wish to say that I do not propose to be bound by a declaration of some representative in the United Nations.

The threat posed by the possibility of more nations, some under irresponsible leadership, obtaining nuclear warmaking devices is so grave that every reasonable precaution should be taken.

In my judgment, the treaty now before the Senate will not solve many problems; in my judgment, it has been oversold by its proponents.

But ratification of the treaty has been recommended by former President Johnson, by President Nixon, and it has the support of the Chairman of the Joint Chiefs of Staff, the Nation's top military officer, and it has the support of the Chief of Naval Operations, the Chief of Staff of the Army, the Chief of Staff of the Air Force, and the Commandant of the Marine Corps.

General Earle G. Wheeler, Chairman of the Joint Chiefs of Staff, testified that our military leaders played an important part in the development of this treaty.

He testified, too, that its enactment would not involve an obligation for commitment of U.S. military forces. He testified, too, that it is the unanimous view of himself, the Chief of Naval Operations, the Chief of Staff of the Army, the Chief of Staff of the Air Force, and the Commandant of the Marine Corps that there are no military disadvantages to the United States in the ratification of this treaty.

The distinguished senior Senator from North Carolina (Mr. ERVIN) has, quite properly, I think, invited the attention of the Senate to a declaration of the Government of the United States made in the United Nations Security Council June 19, 1968, when our Government noted "with appreciation, the desire expressed by a large number of states to subscribe to the Treaty on the Nonproliferation of Nuclear Weapons."

The Senator from North Carolina called attention to the assertion by the U.S. representative in the United Nations that—

> In conjunction with their adherence to the treaty . . . appropriate measures be undertaken to safeguard their security . . . the United States affirms its intention . . . to seek immediate Security Council action to provide assistance, in accordance with the charter, to any non-nuclear weapon state party to the treaty on the non-proliferation of nuclear weapons that is a victim of an act of aggression or an object of a threat of aggression in which nuclear weapons are used.

The above assertion by the U.S. representative in the United Nations is, I believe, unfortunate in that it misleads the nonnuclear nations.

It does not, however, bind the U.S. Senate nor the Congress. It is not a part of the treaty.

The distinguished chairman of the Foreign Relations Committee has made clear—and the total membership of the Foreign Relations Committee has made clear—the declaration in the United Nations is not a part of the treaty and is in no way binding on the Senate or on the Congress.

I want the record to clearly show, Mr. President, that ratification of this treaty does not in any way associate the Senator from Virginia—or any Member of the Senate for that matter—with the misleading statements made by the U.S. representative in the Security Council of the United Nations.

I shall cast my vote for ratification. The treaty does not appear harmful to our own national interest, and it could prove helpful in preventing the spread of nuclear weapons.

I am hopeful, however, the public will not be lulled into a false sense of security. We must remain militarily alert and strong, and this treaty should be recognized for what it is: Only a hopeful first step in preventing the spread of nuclear weapons.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. BYRD of Virginia. I yield to the Senator from Arizona.

Mr. GOLDWATER. Mr. President, I agree with my distinguished friend from Virginia that these remarks were unfortunate. I also think that it is unfortunate that they were placed near the treaty, such as in the report.

I am disturbed about these statements, not necessarily from a constitutional view, although I could be. I think there is a moral question involved with reference to how much influence that statement, plus other strong statements, had on nonnuclear states in getting them to go along with the treaty.

I refer to a statement, which is much stronger than the one we are talking about, which appears on page 169 in the report, quoting President Johnson in a television address on October 18, 1964:

> The nations that do not seek national nuclear weapons can be sure that if they need our strong support against some threat of nuclear blackmail then they will have it (TV address, October 18, 1964) * * * they will have our strong support against threats of nuclear blackmail. (Message to 18 nation disarmament committee, January 27, 1966.)

Does the Senator from Virginia see a moral responsibility in here in connection with this treaty and what these words might mean to countries that sign this treaty?

Mr. BYRD of Virginia. Mr. President, I noted the statement which the Senator from Arizona has just read quoting former President Johnson. I think that tends to mislead these other nations, just as I think the United Nations declaration by our representatives tends to mislead.

But I do not think that either one of those statements can speak for the Congress of the United States and, of course, President Johnson is no longer President.

It may have had an effect on causing some of those nations to sign the treaty which would not have signed otherwise. I would put those statements in the category of campaign oratory, the campaign being to obtain signatures for the treaty.

I think it is unfortunate that in campaigns people are misled on some occasions. I might say that when the distinguished Senator from Arizona was a candidate for President he did not mislead the people, he was completely frank with the people.

Mr. GOLDWATER. I thank the Senator. It did not pay any dividend, I might say.

I agree with the Senator from Virginia. I hope the debate on this subject will make it amply clear that the Congress is not swayed by these statements made before the United Nations or in a television address. That is why I was hoping that the chairman of the committee would permit a vote to be taken on some statement that would not damage the

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treaty, to make it clear that these unfortunate statements and what the President stated are not binding on any of us or this body as a whole.

Mr. BYRD of Virginia. Mr. President, I join with the Senator from Arizona in expressing the same hope that he expressed. I do not know whether the resolution introduced by the Senator from North Carolina will or will not come to a vote. I hope it does.

Whether it does or does not come to a vote, I feel that in voting on the treaty, Senators are not in any way bound by assertions made by those who are not Members of Congress, whether by an appointed official in the United Nations, for example, or by an ex-President of the United States.

Mr. GOLDWATER. I agree with the Senator, and associate myself with his remarks. What concerns me is what country or countries feel that those words do have validity to them and had an influence on them in signing the treaty. That is the question in my mind.

Mr. BYRD of Virginia. As I see it, we have no way of knowing; but perhaps some countries were influenced by them.

Mr. MURPHY. Mr. President, will the Senator from Virginia yield?

Mr. BYRD of Virginia. I yield.

Mr. MURPHY. I raised this question, or a similar question, yesterday, but unfortunately all the available time had been used, so the question that I posed on this exact point was not answered.

If, as we are told, there are 80 signatories to the treaty, I am sure that a number of those signatories, just as perhaps many Members of this distinguished body, possibly could have had a misunderstanding of the conditions.

I know that my distinguished colleague and I have both wondered whether the language in the report guaranteed the immediate use of American troops and weapons, the immediate protection, the immediate going to war—if you will—by the United States, in the event any non-nuclear-weapons nation signatory to the treaty was attacked by another nation using nuclear weapons. It was certainly my understanding, at the outset, that this was a condition. I have discussed this with many people, both retired military, and atomic energy experts; and, unfortunately, this seemed to be the consensus, that the statements made by the former Secretary of State, the former President, and the former Ambassador to the United Nations did guarantee military action by the United States of America.

Now, I wonder whether, if the 80 nations presently signatories had had the advantage of hearing the debate which has been carried on in the Senate, had they heard the questions and answers, the explanation of the position of the distinguished chairman of the Foreign Relations Committee, and the explanation of General Wheeler that this was not a commitment, would they have been willing, under these circumstances, with this full knowledge, to sign the treaty, or if they might decide they signed under a misconception or a misunderstanding of the content of the treaty, of the intent of the treaty, or of our moral obligation—if you will—would they still continue to be signatories to the treaty or would they make active the 30-day release notification and withdraw from the treaty.

I wonder whether my distinguished colleague would comment on that, because it has been disturbing me greatly.

Mr. BYRD of Virginia. The Senator from Virginia would not know how to interpret the views of those 80 nations, nor would he have any way of knowing what motivated them to sign the treaty, nor how much the declaration on the part of our representative in the United Nations had in causing one or more of those nations to sign the treaty. Possibly one or more were misled.

Mr. FULBRIGHT. Mr. President, would the Senator from Virginia yield for an observation?

The PRESIDING OFFICER (Mr. CRANSTON in the chair). Does the Senator from Virginia yield to the Senator from Arkansas?

Mr. BYRD of Virginia. I am happy to yield to the Senator from Arkansas.

Mr. FULBRIGHT. I might say that the first committee report, of last summer, was printed before most of the non-nuclear states ever said they would sign the treaty. So they had plenty of notice, or at least had available to them the attitude of the committee and the views of the committee. The first report of the committee last summer made it very clear that the United States is not committed by what happened up there. So, it is not right to say that they had no notice as to the attitude of the committee.

Mr. BYRD of Virginia. I thank the distinguished Senator from Arkansas.

I want to say that, so far as I am concerned, I think we have too many commitments all over the world.

We have mutual defense commitments to 44 nations.

I am not interested in advocating or supporting a proposal which could be, logically, properly, and accurately construed as committing us to additional wars.

We have had too many wars.

This Nation has been engaged in more major wars during the past 50 years than any other nation in history in a comparable length of time.

World War I was a major war. World War II was a major war. The Korean war was a major war; and the Vietnam war is a major war.

I say that we have made too many commitments already around the world.

This treaty does not, however, commit the United States to any future acts. It does not commit the United States to do anything except what it voluntarily is doing anyway; that is, not to give away to other countries nuclear devices for warmaking potential. We are not going to do that, anyway.

Thus, I cannot see that the treaty would be harmful to the United States.

By the same token, I am not sure that it will accomplish very much, but at least it presents, as I see it, a small hope, a small, first step toward trying to keep out of the hands of many nations who do not have nuclear weapons, these terrible war-making devices.

Mr. TOWER. Mr. President, will the Senator from Virginia yield?

Mr. BYRD of Virginia. I am happy to yield to the distinguished Senator from Texas.

Mr. TOWER. I should like to commend the distinguished Senator from Virginia for his remarks. Although I shall not vote for the treaty unless certain reservations are adopted, the Senator from Virginia has expressed his intention to vote for it. I just wish that more of the proponents and supporters of the treaty could be as frank and candid about it as the Senator from Virginia has been.

I am afraid that too many of those who passionately want to see the treaty ratified have conveyed the impression that it will terminate the prospect for a nuclear holocaust.

I think that we must realistically observe that that simply is not the case. I think the Senator from Virginia has been responsible in enunciating his support for the treaty and pointing out that we must not be lulled into a false sense of security or euphoria.

I further commend him for underscoring the fact that we must still maintain a degree of military superiority over those who have aggressive designs upon the rest of the world.

I thank the Senator from Virginia for his most instructive statement.

Mr. BYRD of Virginia. I am grateful to the distinguished Senator from Texas for his remarks.

Like the Senator from Texas, I think it is very important that the American people have an accurate understanding of just how much this treaty can do and how little it can do, and be governed accordingly.

Mr. TOWER. Mr. President, I ask unanimous consent that the distinguished Senator from Kentucky (Mr. COOK) may proceed, as in legislative session, for 10 minutes without the time being charged to either side.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

THE ABM SYSTEM

Mr. COOK. Mr. President, I am told that the administration has about eight options available to it in making a decision on the current anti-ballistic-missile controversy. Seven of these alternatives, some of which are variations of the proposed Sentinel system favored by the Johnson administration, would call for deployment of antiballistic missiles in the near future. Some of my colleagues have indicated that their major opposition stems from the outcry of citizens in Seattle, Chicago, Detroit, and Boston over the planned location of bases near those cities.

I would hope today to direct the emphasis of the ABM debate to the larger question, not where shall the installations be placed but, rather, whether they shall be deployed at all.

The outrage expressed by the people of these cities and the subsequent consideration of alternatives raises an all-important question. What is the purpose of the ABM? Originally we were told the deployment around the cities was essential and that the Sentinel's purpose was damage limitation; that is, to reduce our losses by 40 or 50 million people in the event of nuclear exchange. The problem with this was pointed out by Senator MATHIAS on the floor last week when he asked, "Which people are you going to save?" By deploying in one place and not in another one makes a God-like decision as to who shall live and who shall perish. And besides, can there be any victory when millions die? In the years it would take to deploy the Sentinel, who can say what the offensive capacity of the enemy would become. Then, a fortiori, who can testify to the accuracy of the assumption that Sentinel would reduce casualties by 50 million?

Another justification for deployment of the Sentinel ABM system was that it would protect us against irrational behavior on the part of the Chinese. But as Jerome Wiesner points out:

> We ought to regard the Sentinel as a bad joke perpetrated on us by Mr. McNamara and President Johnson in an election year. It seems to me that their very rationalization—that it was to defend us against the Chinese but we would stop building it if the Russians agreed not to build one—demonstrates that well enough.

One of the strongest arguments against deployment of any ABM system at this time centers around the question of effectiveness. A meaningful defense against nuclear attack must be almost perfect, as opposed to conventional warfare where, for example, one planeload of bombs will not do as much damage as many planes each loaded with the same destructive force.

The very real problem with today's quickly changing technology is that a defense system may well be obsolete before it is finished. It has been estimated that planning and deployment of such systems as we are talking about might take as long as 10 years. Certainly the Nike-Zeus and Nike X systems, if we had decided to deploy them, would now be obsolete. In fact, it is entirely possible that any defense system which depends on projectiles, rather than rays or beams, will be obsolete before completed.

Among the many technical difficulties which Sentinel is not likely to overcome, according to scientific testimony, are employment of penetration aids by an attacker, the possibility of blackout, and destructive fallout if the enemy chooses not to attack our points of defense and makes his missiles land and explode in sparsely populated areas. This latter plan of attack would minimize death from explosion but maximize the dangers of fallout throughout the country. There are a myriad of other possibilities. What all of this adds up to is that no defender is ever really going to know what to expect. The alternatives available to any planner of an offensive system are so many and varied as to give him every possibility of retaining the likelihood of success.

Skepticism about whether the Sentinel would work as designed is so widespread that even some of the contractors who have orders to build certain parts for the system are asking that the ABM not be deployed at this time. A scientist for a company which presently has such contracts with the Department of Defense was in my office the other day and said he had been authorized by his employer to come to Capitol Hill and tell Members of Congress that he and the managers of his company were convinced that Sentinel, in its current state of development, would not work and should not be deployed. Delay in deployment of the system would cost this company hundreds of thousands of dollars but its technical people could not, in good faith, advocate such an expenditure of public money on a project which its scientists felt had little or no chance of performing as it was designed to function. I regret that I am not authorized to divulge the name of this contractor, but quite frankly, the reason I am not at liberty to do so, is because they fear reprisal in the form of lost contracts on other projects.

The theory behind defensive missile systems it seems, is twofold:

First. To limit damage—the deficiencies of this argument have already been explored—and

Second. To enhance our power to deliver a retaliatory blow. The problem with the second justification is that the Pentagon has been telling us for years that we have retaliatory power in abundance. Even if all our land-based power was knocked out, the 646 Polaris missiles to be fired from beneath the seas would totally destroy the enemy.

The opinions I have advanced were drawn from the best scientific minds available and these alone would tend to compel my opposition on the grounds that the system is unlikely to function properly. But there are still other strong reasons for opposing Sentinel, one of which is cost. Senator SYMINGTON on the floor last week pointed out that already $15 billion of the taxpayers' money has been spent on missile systems placed in production, deployed, and then abandoned and that another $4.2 billion was spent on additional missile systems which were discontinued in the research and development stage. He added that the total cost of unworkable or obsolete missiles probably is in excess of $23 billion. Bearing in mind this record of expense and failure, we must ask what cost is anticipated for Sentinel, another missile system, which in all likelihood will also be abandoned or become obsolete before completion? The Johnson administration estimated that deployment of the "thin" Sentinel system designed to protect us against the Red Chinese would cost between $5 and $10 billion. Official cost estimates of a "thick" system designed to protect against Soviet attack range in the $40 billion category. But these estimates are highly suspect. Senator SYMINGTON raised last week the question of how accurate predictions of missile expense by the Department of Defense had been. He pointed out that the 12 major systems developed during the 1950's exceeded their original estimated cost by 220 percent and that at this rate "thick" Sentinel would not cost $40 billion but over $160 billion. Brookings Institute studies indicate that costs have exceeded estimates by from as much as 300 percent to 700 percent. My able colleague from Missouri added further that, based on these studies and recent Department of Defense requests, it was conceivable that the "thin" system would cost $40 billion and the "thick" $400 billion—more than the national debt.

Now, no patriotic American opposes spending what is necessary for the defense of our country. And I am not opposed to continued appropriations for research and development of ABM systems, but I do oppose such astronomical expenditures for a defense system of questionable value, if not positive harm.

The last and most compelling argument against deployment of an ABM system at this time is the effect I believe such action would have on continued attempts to curb the nuclear arms race. Even if the sentinel worked perfectly, which almost no one is willing to concede, it would still have the major defect, in terms of international stability, of assuring an escalation in kind on the part of the Soviet Union. By passing the Nuclear Nonproliferation Treaty, we will be urging other nations not to enter the nuclear arms race. How can we then ignore our own admonition and deploy an ABM system which will almost certainly set off another arms race round between the United States and the Soviet Union. Such an action would not enhance our defense but only increase international tension. It is not insignificant that every one of the last four presidential scientific advisers is against deployment of the Sentinel. Jerome Weisner gave a better summation of my views than I could compose myself so I will quote him in conclusion:

> This is not a matter that anybody can settle with numbers and calculations. It is a judgment. But judgments of this kind are at the heart of the decision to build or not to build an ABM system, not the statistics, the calculations about "cost-effectiveness" or how many people will be killed. These factors are important in the decision, of course. What is most important, however, it the total dynamics and the likely interaction of the policy makers on both sides. I come back to where I began and ask: Can we play this game, which certainly will not buy us a real defense, and at the same time achieve a rational world? My answer is "No."

I thank the Senator from Texas.

Mr. COOPER. Mr. President, my colleague, the distinguished junior Senator from Kentucky, (Mr. COOK), deserves commendation for his thoughtful, reasonable, and incisive speech in opposition to the deployment, at this time, of the Sentinel anti-ballistic-missile system.

He has, I know, studied this complex issue thoroughly for several weeks and has made this decision on the merits giving chief consideration to the security of our country—which is the main consideration of all—whether favoring or opposing deployment. I know that he requested a discussion of this issue with other new members of the Senate, with Senate witnesses distinguished scientists who have testified in the current hearing before the Gore subcommittee of the Senate Foreign Relations Committee.

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And, he has asked to hear the arguments and reasoning of those who support deployment in the Department of Defense.

This is another evidence of the attitude of inquiry, of seeking all the facts, of independent and reasoned judgment and decision which characterizes our colleague. His judgment has the support—expressed only yesterday—before Senator GORE's committee by Drs. Killian, York, and Kistiakowski, prominent scientists who were advisers to former President Eisenhower.

His speech is a valuable contribution to the debate and I congratulate him.

Mr. TOWER. Mr. President, I ask unanimous consent that the distinguished Senator from Florida may proceed, as in legislative session, for 5 minutes, without the time being charged to either side.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

MAINLAND CANE SUGAR PROBLEMS

Mr. HOLLAND. Mr. President, during the first session of the 89th Congress, Public Law 89-331 was enacted to extend the Sugar Act of 1934 from December 31, 1966 through December 31, 1971.

The extension of this act increased the domestic beet sugar quotas by 375,000 tons above the 1962 quotas to 3,025,000 tons annually and increased the mainland cane quotas by 205,000 tons above the 1962 quotas to 1,100,000 tons. This was in the nature of an advance against the sugar consumption in the United States. It left unchanged the domestic offshore cane quotas for Hawaii, Puerto Rico, and the Virgin Islands of 2,265,000 tons and the Philippine quotas, set by treaty, at 1,050,000 tons. In addition, 2,260,000 tons were allocated to foreign nations. Likewise it provided that deficits in the Puerto Rican, other domestic and foreign nations quotas should go to foreign nations.

Mr. President, the limited quotas for mainland cane established by the Sugar Act have resulted in the accumulation of huge reserves of sugar by our domestic cane sugar producers who, at the specific request of our Government, vastly increased production at the time the Cuban sugar quota was cut off. These surpluses have resulted in the issuance of orders by the Secretary of Agriculture reducing the acreage allotments for mainland cane producers. Therefore, unquestionably when Congress again considers the extension of the Sugar Act, a strong and rightful effort will be made to increase the mainland cane sugar quotas.

I bring this matter to the attention of the Senate for two reasons: First, to demonstrate the need for fairer treatment of our domestic mainland cane producers; and second, to advise the Senate that, at a time of inflated food prices, when the housewife is viewing with alarm the almost daily increases in most commodity prices on the grocer's shelf, and at a time when great stress is being placed on consumer protection, the fact that sugar prices have remained stable because of the legislation above mentioned has perhaps been completely overlooked.

The price of sugar has remained stable even though approximately 40 percent of the sugar consumed in this country comes from foreign sources, and notwithstanding the fact that we recently had a ship strike lasting better than 60 days during which time it was impossible to unload sugar in any port other than the port of Boston and on the west coast. This stability is the result of the Sugar Act which not only guarantees the American consumer an adequate supply of sugar at fair and reasonable prices but also guarantees the American sugar producer a reasonable price for what he produces. This guarantee to the producer is made in the form of payments to the producer from monies derived by levying a tonnage processing tax on the sugar processors and therefore does not require expenditure of Treasury funds or the taxpayers dollars. The payments to producers are greater per produced unit to the small producers than they are to the large producers. The processing tax has produced sufficient revenue to not only make the payments to producers, but also to turn over to the general revenue fund substantial amounts each year, amounting to a total of some $600 million during the life of the Sugar Act and its extensions.

Mr. President, I call this to the attention of the Senate today so that we can realize the value of the Sugar Act, not only to the farmer, but to the American consumer.

Mr. President, I warmly thank my distinguished friend from Texas.

TREATY ON THE NONPROLIFERATION OF NUCLEAR WEAPONS

The Senate resumed the consideration of Executive H, 90th Congress, second session, the Treaty on the Nonproliferation of Nuclear Weapons.

Mr. TOWER. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time consumed by the quorum call not be charged to either side.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. TOWER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. GOLDWATER in the chair). Without objection, it is so ordered.

The PRESIDING OFFICER. The time is under control, 1 hour being under the control of the distinguished Senator from Texas and the other hour being under the control of the distinguished Senator from Arkansas.

Mr. TOWER. Mr. President—and I am delighted to call you that, because I was not sure that I would ever have the opportunity—I yield myself 20 minutes.

The PRESIDING OFFICER. The Senator from Texas is recognized for 20 minutes.

Mr. TOWER. Mr. President, if I may have the attention of the distinguished chairman of the Committee on Foreign Relations, I should like to pose a question relative to article I of the treaty, which states:

> Each nuclear-weapon State Party to the Treaty undertakes not to transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices directly, or indirectly.

Does this mean that the United States is prohibited from giving nuclear weapons to countries such as the United Kingdom that are already nuclear powers and from submitting control of those weapons to them, I might add?

Mr. FULBRIGHT. It is the control, as I understand it, that is prohibited. This treaty and the article, I think, permits placing nuclear weapons on the real estate of a friendly power with its approval, of course, but retaining control for the United States. That is my understanding.

Mr. TOWER. It would mean, then, that even though the United Kingdom is a nuclear power and might be producing nuclear weapons similar or identical to those produced in the United States, we would be prohibited from improving or enhancing their inventory by giving them additional weapons that we produced which might be either similar or identical to the ones they are producing, and yielding to them control of such weapons.

Mr. FULBRIGHT. Mr. President, it is my understanding that the French objected to special relations with Great Britain. We have never given them what we call nuclear warheads—that is, the weapons. We have given them assistance and technology. As the Senator recalls, there was a great deal of fussing about this by the French some years ago.

If I recall correctly, the McMahon Act, long before this treaty was brought up, prohibited our giving weapons to other countries.

Mr. TOWER. I understand it does just that. As a matter of fact, the McMahon Act, from our point of view, obviates the necessity of the treaty, because we are already prohibited from doing it.

Mr. FULBRIGHT. I agree with the Senator's statement. However, the treaty goes far beyond that. A very important part of the treaty is that the nonnuclear states agree not to receive or to make the weapons.

Mr. TOWER. I understand that. However, the point is that the McMahon Act is a statutory act binding on us, which we can repeal at any time.

Mr. FULBRIGHT. The Senator is correct. However, it has been the policy of the United States since that act not to give control of nuclear weapons to another state. It is still the policy and the law, and this treaty only reiterates that and adds other features.

Mr. TOWER. That is understood, of course. And the McMahon Act does exist. We are prohibited from doing just what article I would prohibit us from doing. The point that I am making is that currently, in the absence of the treaty, we can on our own initiative repeal the McMahon Act and deliver nu-

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clear warheads to the United Kingdom, for example.

Mr. FULBRIGHT. Mr. President, I certainly agree with that. If we wish to change our policy and repeal the McMahon Act, we can give them to anybody, if we want to do so. However, I would not advise it.

Mr. TOWER. I do not necessarily advise it, either. However, we are talking about the legal options available to us here.

Mr. FULBRIGHT. The Senator is correct.

Mr. TOWER. Then, if we ratify the treaty, even if we should repeal the McMahon Act, we would not be able to transfer nuclear warheads to friendly nations.

Mr. FULBRIGHT. If we were to do that, we would withdraw from this treaty under the provision of 3 months—I think it is 3 months' notice—which is less than it usually takes to pass an act through Congress. There is no problem about that. If we wish to get away from the restriction of this treaty, we can do it. I hope we do not. But it is feasible. It is 3 months.

Mr. TOWER. Three months; that is correct.

Mr. FULBRIGHT. Very few acts of any significance go through Congress within 3 months.

Mr. TOWER. The point I am trying to make is that with the treaty in force, in the absence of our filing notice to withdraw in 3 months' time, as long as the treaty remains in effective force, we cannot by legislative action breach the provision I just read in article I of the treaty.

Mr. FULBRIGHT. That is correct. But I think the Senator forces me into an area that is somewhat controversial, about the effect of an act being passed subsequent to a treaty which is in conflict. I vaguely recall having quite a discussion about this in years past: If we have a treaty in effect and then Congress passes an act which is in conflict with that treaty, which takes precedence? Can you do it in that fashion? I think this case raises a rather difficult question. I am not sure, until I review it, whether or not it is a constitutional matter—a later expression of Congress, with the President, I suppose, participating and signing the act.

Mr. TOWER. It is my understanding that a treaty, properly ratified by the United States, in effect enjoys essentially the same status as the Constitution; that any legislation that is passed that is not consonant with the treaty will be unconstitutional, or will be so held by the courts.

Mr. FULBRIGHT. The treaty certainly becomes the law of the land.

I did not anticipate this particular question. This question has been up before. I have to wrack by brain about a situation in which an act is passed that is in conflict with it. I shall have to defer a specific answer as to whether or not, subsequent to the treaty, we could pass an act which is in direct contravention of the treaty, whether or not it would not have an effect.

As a practical matter, since we do not belong to a world of law but only of the jungle law, the effect of that would be the same as withdrawal; because nobody is going to be able to enforce the treaty against us, and in the case of war, all bets are off. That is acknowledged. If we have a war, this treaty is no longer applicable.

The Senator is raising a nice point of international law, which at the moment I am not prepared to answer specifically. I will look up the answer. I know that in the past I considered that matter, but I have forgotten the answer. As a practical matter, I do not believe it presents any problem. Who is going to enforce it?

Mr. TOWER. Are there not precedents for the courts striking down laws that are in contravention of treaty agreements?

Mr. FULBRIGHT. There certainly are State laws. I can think of that offhand. This is what I meant: If it is an act of Congress, passed subsequent to a treaty—I have to confess that I have not thought of that. I know that State laws in contravention of a treaty are not valid. We have had many such cases.

Does the Senator know offhand of a Federal case like this, a Federal law? He might be right.

Mr. TOWER. I am asking the distinguished Senator from Arkansas because he is a lawyer, and I am not.

Mr. FULBRIGHT. I am just sort of a lawyer. It has been 30 years since I really gave attention to these fine points of the law. I did not anticipate this particular question today, in which a treaty and an act of Congress passed subsequent to it are inconsistent. I had not thought of it, because the easy way to resolve it is simply to withdraw from the treaty.

Mr. TOWER. Perhaps I should explain why I am following what might appear to be a dubious line of questioning or what might be considered nitpicking. I want to distinguish between what we might be compelled to do by the treaty and what our options might be in the absence of the treaty, even though existing statutory law may prohibit precisely what the treaty prohibits. The question then is one of the preservation of options, and this is why I followed this line of questioning.

Mr. FULBRIGHT. Since we can withdraw from the treaty, I do not see that any significant option would be given up.

Mr. TOWER. But we can only withdraw from the treaty on 3 months' notice. We might want to legislate in a crisis situation in a very short period of time.

Mr. FULBRIGHT. Then, we just violate the treaty.

Mr. TOWER. In other words, the Senator from Arkansas is proposing that if we think it necessary, we should treat the treaty as a scrap of paper?

Mr. FULBRIGHT. Well, when we went into the Dominican Republic, we did exactly that. We had treaties with all of Latin America. Does the Senator mean to say that he thinks the United States has not done that? And it did it apparently with the approval of most of the people—not with my approval, but with the approval of the past administration.

This country does that in an emergency. The Senator from Texas posed an emergency case. I have already said that in case of war, the treaty really would have no applicability—if we want to do what we please in the case of war. The understanding is that in case of war, the treaty is immediately abrogated by both parties—all parties, but certainly by the United States.

The Senator is posing a question of emergency, and I presume that by "emergency" he means a state of war or something equivalent.

I did not advocate, and I criticized very much, the invasion of the Dominican Republic in violation of our treaty, but it was done anyway.

Mr. TOWER. I was thinking about not necessarily an actual outbreak of war but an imminent threat of attack.

Mr. FULBRIGHT. Against us?

Mr. TOWER. No, against a friendly power, against an ally.

Mr. FULBRIGHT. Well, if it is under NATO, if the Senator is contemplating NATO, we have nuclear weapons there. We are in control of them. We can use them, and that is what they are there for; but we have already agreed not to turn the weapons over to them. Why would we want to turn the weapons over to them, in any case?

Mr. TOWER. I should like to ask the distinguished Senator from Arkansas another question.

Mr. FULBRIGHT. Do not make it so difficult. Ask me an easy one.

Mr. TOWER. In withdrawing from the treaty—let us say that we determine it to be in the national interest, or somebody in a position of leadership determines it to be in the national interest, to give the 3 months' notice of withdrawal—what would be the procedure of our withdrawal? Would it require action by Congress? Could the President do it on his own initiative?

Mr. FULBRIGHT. Under the treaty, the President could do it. That is my understanding. The Executive is given that power. I do not believe it takes an act of Congress.

Mr. TOWER. So the President could, on his own initiative, without any action from Congress, serve notice to the signatory powers that we intended to withdraw in 90 days?

Mr. FULBRIGHT. That is correct. That is my understanding. It is the customary notice of withdrawal from or abrogation of a treaty.

Article X reads:

> 1. Each Party shall in exercising its national sovereignty have the right to withdraw from the Treaty if it decides that extraordinary events, related to the subject matter of this Treaty, have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all other Parties to the Treaty and to the United Nations Security Council three months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.
>
> 2. Twenty-five years after the entry into force of the Treaty, a conference shall be convened to decide whether the Treaty shall continue in force indefinitely, or shall be extended for an additional fixed period or periods. This decision shall be taken by a majority of the Parties to the Treaty.

This treaty does not impose any real restrictions on the nuclear powers. There is a significant restriction in this treaty that applies to non-nuclear powers who

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give up the right which they now have to manufacture weapons, and this is in the interest of everybody, even those powers that we believe—and they believe, I think—will achieve a greater degree of security than they now have.

I do not see that it really impinges upon the freedom of action of this country in any substantial way—certainly not with regard to the use of nuclear weapons. That is the complaint, of course, of the non-nuclear nations. The reason why we have article VI in the treaty is really to try to go some way toward giving the nonnuclear states a good reason for having the treaty.

The reason for the big countries, the so-called superpowers, or nuclear powers, is to take some step to lessen the probability of self-destruction. The desire for survival is a rather fundamental concern of most people. It used to be considered fundamental, at least. Sometimes I wonder if we still harbor that concern, and not only with regard to nuclear materials. When I look at the smog and some other things in this country I do not know whether we are as concerned with it as we used to be or not.

Mr. TOWER. I thank the Senator from Arkansas. I should like to say that I am very much concerned with survival. I reject the arguments that have been raised by many of the proponents of the treaty that this is a major step toward reducing the prospect of a nuclear holocaust or those who suggest that antagonists of this treaty are insensitive to human life.

I might note that I am the father of three daughters. I am a family man. I have no desire to see my children burned up in a thermonuclear attack. I think that the objective of the treaty is a lofty one. I wish we did not have any nuclear weapons at all, or a situation to require the United States to spend vastly more money on conventional weapons and conventional forces because the Soviets, for all practical purposes, have outstripped us in that field.

The only thing that stands between the ambitions of the Soviet Union and the present existence of the free nations of this world is the nuclear deterrent of the United States. It has been suggested that the Russians have the same legitimate fears that we do; that the Russians are concerned about the defense of their own country against possible aggression of the United States and her allies. We have heard that we have to understand that the Russians are just as afraid of us as we are of them.

Mr. President, I do not for 1 minute buy that naive argument, and it is naive at best. We are not an aggressor nation. In modern history we have not been an aggressor nation. We have been in four wars in this century. We have gone into each one of them reluctantly and unprepared to fight aggressors.

Immediately after World War II we demobilized. I can remember when I was an enlisted man in the Navy in Saipan, in the Marianas. It is not a very desirable spot. I could hardly wait until I had enough points to be sent back home and to be discharged from the Navy. If anybody wanted me back home more than I wanted to be back home, it was my mother. She could be multiplied by several million mothers. We demobilized. We virtually abandoned our Armed Forces, but the Soviet Union did not.

The Soviet Union, by pillaging Germany and various Eastern European countries, not only rebuilt her industry but also updated her military forces.

The PRESIDING OFFICER. The Senator's 20 minutes have expired.

Mr. TOWER. Mr. President, I yield myself such time as may be necessary.

The PRESIDING OFFICER. The Senator from Texas may proceed.

Mr. TOWER. Mr. President, in 1948, when it finally became apparent 2 years after Winston Churchill had made his famous speech in Missouri warning us of the Iron Curtain, we came to our senses after the entirety of Eastern Europe had been subjected to the efforts of the Soviet Union. Even after they had closed the autobahn and forced us to use the airlift into Berlin so that city might survive, we acted with restraint. We had nuclear weapons. We could have destroyed them, but we did not.

The Soviets have some knowledge of history. Even though they are terribly unpleasant people, they are not fools. They know we do not have aggressive designs on the rest of the world. They do not fear a resurgence of German militarism. Let us put this matter in its proper perspective. The Soviet Union is an aggressor power. They would prefer not to use military means. They would rather use economic, political, and psychological warfare to achieve their ends.

However, it was brought home to us dramatically last fall that they are prepared to use military force, if necessary, to achieve their ends. I hope we do not hear any more nonsense about the legitimate concerns of the Soviet Union for its own safety. They know we are not going to attack them or any of their allies. Let us get this matter in proper perspective. Why do we maintain this vast resource? It is not so we can initiate attacks against them or their friends; it is not because we desire to bring any territory or any people under our control. It is because we want to provide a climate in this world in which the people can enjoy self-determination and aspire to some real hope of realizing that aspiration.

So we have the nuclear deterrent and we have the North Atlantic Treaty Organization. For all its foibles, weaknesses, shortcomings, and for all its difficulties, had it not been for NATO the Russians would have been to the English Channel long before now.

So NATO itself is a deterrent, because it is a manifestation of the desires of the countries of the Atlantic Community to defend themselves against aggression and against encroachment. So NATO is tremendously important.

Certainly we do not have the conventional force to stop the Russians, should they mount a land war against us in Western Europe, but, as I say, the only thing that prevents such a war is the existence of NATO, wherein a collective decisionmaking process is available to the Atlantic Community nations to defend themselves, and the nuclear deterrent of the U.S. strategic superiority.

In my estimation, we should not now transfer nuclear weapons to Germany, to Italy, to Belgium, to Holland, or to any of our NATO allies. Such weapons should be kept under our control, and that is, indeed, precisely what the McMahon Act prescribes.

But why on earth can we not preserve our options? A time may come when this would seem to be feasible. I have some doubt whether under the provisions of this treaty we could legally establish a unified command structure for the deployment and use of nuclear weapons. We are not talking about strategic weapons; we are talking about the tactical use of the small, clean kind—if we can describe nuclear weapons as clean—weapons that might be needed to preclude and preempt a Russian land war against Western Europe.

Already France is a nuclear power. France has opted out of NATO, and France has opted out of NATO for several reasons, some known only to General de Gaulle himself, but for one reason that I think is very important: That is, the French do not believe that the United States will defend Western Europe. So they are out of NATO. France is a nuclear power on its own. It is not going to sign it.

Several other countries that possibly have the capacity to develop nuclear weapons are not going to sign the treaty. Israel is not going to sign it. India is not going to sign it. Switzerland is not going to sign it. I do not speak for those governments, but that is my belief. I do not know whether Japan will sign the treaty. Japan probably has made great progress in the development of nuclear weapons; but because of the particular intelligence of the Japanese, and because they were attacked by nuclear weapons, Japan might sign the treaty.

The fact of the matter is that there are nations who are independent of possible nuclear weapons who are not going to sign, and nations who possess nuclear weapons that will not sign. We are in the business of trying to revitalize NATO. The Soviets have long wanted to see NATO disbanded. They have long wanted to promote contention among the NATO powers. With this mischievous treaty, they will have done it.

The Germans do not want the treaty. The Italians do not want the treaty. They are our friends. We are discriminating—they use that very word "discriminating." That is a word that, ordinarily, stirs the hearts of Members of the Senate in terms of discrimination as applied to some of our domestic affairs; but, apparently, it does not stir them very much when we talk about our friends and allies in Western Europe.

Yes, the Germans will sign. They will ratify the treaty. The Italians will also ratify it. But they will do so very, very reluctantly, indeed. They are embittered because they feel they are being discriminated against, that they will be forever compelled, at least for the duration of the treaty, which is 25 years, to be forced into the position of being a second-rate power.

France has the bomb. Germany and Italy do not. Indeed, France has chosen to take itself out of the NATO fraternity.

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Thus, we have done very little to promote the revitalization of NATO, the improved and enhanced integration of the command structure. We have done nothing to raise the morale of our Western allies by this treaty. We have, in fact, added to their frustrations and, indeed, weakened NATO.

It is for that reason, Mr. President, that I have offered a reservation which will allow us the option—simply the option—of transferring weapons to our Western allies, to NATO, should we choose to exercise that option.

I do not anticipate that we necessarily will choose to exercise that option, even if we have it, but I think the psychological effect on our Western allies would be salubrious, indeed, if we included that kind of reservation.

Remember, this is a bilaterally negotiated treaty. We did not consult our allies about it. We did not take into consideration their fears. It seems to me that we are sometimes more concerned about the welfare of the Soviets than we are of our friends.

Someone has argued that we have to have the treaty because the Russians desperately fear the Germans.

I wonder whether the Russians fear the Germans any more than the Germans fear the Russians.

Because, who has the upper hand right now?

Yes, the Germans will ratify the treaty. I heard a socialist member of the Bundestag say—the Bundestag is the lower house of the German Parliament, and Socialists are pretty liberal guys, great peace lovers—that, "We Germans must ratify the treaty. I wish the treaty did not exist, but it does exist and, therefore, we must ratify it."

How do the Germans feel?

They feel that we are standing over them with a bludgeon, with a blackjack, and that they are being blackmailed into ratification of a treaty which they consider to be contrary to their national interest. They feel it will inhibit their industrial growth, that it will commit them to the position of a second-rate power, not on a par with France or the United Kingdom, and not on a par with their potential enemy.

Now, it has been argued that if the reservation is adopted, it means the same thing will apply to Warsaw Pact nations. That simply is not true, because international law dictates that a reservation attached to a treaty by a ratifying nation applies only to that nation, and the reservation does not extend to another nation which does not adopt it.

Of course, the Russians could, if we adopt this reservation, place a similar reservation which would allow them, if they chose, to transfer nuclear weapons to the Warsaw Pact nations. But, my friends, there is a vast difference between NATO and the Warsaw Pact. Any attempt to compare them is like comparing apples and oranges. They are not the same. Most of the Warsaw Pact nations are, for all practical purposes, under the effective political and military control of the Soviet Union. The nations in NATO are not under the political or military control of the United States. We would not attempt to impose our will upon them by military means. Indeed, it is doubtful that we could, unless we wanted to use the nuclear threat, and that is foolish even to contemplate.

Thus, let us think in terms of what is good for NATO.

I think this reservation would have a salubrious effect on NATO and would contribute to the revitalization of this defense community, which is, I think, so vital to the stability of the free world.

Mr. President, I think one man who has contributed a great deal to the argument for the reservation preserving the NATO option is my distinguished colleague in the other body, Representative PAUL FINDLEY, of Illinois. I should like to read from a memorandum that he prepared for me, and then eventually ask consent to place the memorandum in the RECORD. He says:

> In less than 100 years, three major wars have started in Europe because of the jealousies, hates, and fears of the individual European states. Whatever the faults of NATO and the Warsaw Pact, they have at least had the effect of restraining the old European jealousies which ignited the sparks of war.

I think we do nothing to contribute to the restraint of those jealousies when we elevate the have's for a period of 25 years above the have-nots.

Mr. President, this reservation that I offer is actually a position that was taken by the Eisenhower, the Kennedy, and the Johnson administrations initially when this treaty was being talked about and eventually negotiated. It is a position that we abandoned to the Soviet Union.

Now let us look to the very present possibility that if we fail to adopt this reservation, the Russians are going to try to achieve some accommodation with some of our Western Allies, such as Germany. They can go to Germany and say, "Look, you cannot have nuclear weapons, anyway. So why not agree to a nuclear free zone?"

This is something the Russians have been trying to achieve since 1950—a nuclear free zone. If anything is calculated to pull the teeth of a deterrent to Russian aggression in Western Europe, it will be the creation of a nuclear free zone.

So, Mr. President, I urge the adoption of my reservation.

The PRESIDING OFFICER. Who yields additional time?

Mr. FULBRIGHT. Mr. President, I promised to yield 5 minutes to the Senator from Vermont (Mr. AIKEN).

Mr. AIKEN. Mr. President, when I first gave consideration to this treaty, certain doubts arose in my mind relative to inspection safeguards provided under article III, and also article V, which relates to the extension of economic assistance to non-nuclear signatories to the treaty. I wish to say that those doubts have been resolved to such an extent that I think we would now do well to approve this treaty.

Another factor which influences me in giving my full support to this treaty is the fact that the prestige of the President of the United States would take a nosedive if it were not approved at this time; and certainly we need to have our President have the fullest prestige around the world if we are to succeed in our progress toward a peaceful world.

There is, however, another allied subject on which I would like to speak for 2 minutes, which I believe is very important. It relates to the defenses of the United States and our own national security.

Yesterday Senator PASTORE, the distinguished vice chairman of the Joint Committee on Atomic Energy, placed before the Senate information concerning an amendment to the United States-United Kingdom Mutual Defense Agreement on the uses of atomic energy. In connection with this amendment to the United States-United Kingdom Agreement for cooperation, I note that the British Government undertook, in the original agreement in 1958, not to disclose any naval nuclear propulsion technology obtained from the United States to other governments without the express agreement of the United States.

The United States, for security and other reasons, has limited assistance in naval nuclear propulsion solely to the British Government, and has denied a number of requests by other governments for such assistance. It is natural to assume that these other governments may at some time request naval nuclear propulsion assistance from the British.

I urge the State Department, the Defense Department, and the Atomic Energy Commission to maintain the closest possible contact with the British Government to assure that adequate protection is always afforded the United States in the naval nuclear propulsion technology previously transmitted to the United Kingdom under this treaty, and that the United States is fully apprised and consulted regarding any British plan to assist other governments in the field of naval nuclear propulsion.

I wish to emphasize that, although I do not oppose—in fact, I favor—the provision of limited quantities of enriched uranium and other materials to the British for their own nuclear submarine program, I do oppose additional assistance to foreign governments of naval nuclear propulsion technology.

The recent dramatic improvements which have been made by the Soviets in their nuclear submarine force make it more important than ever that the most stringent protective measures be applied to the technology which provides the United States with its advantage in this field.

I urge the executive branch and the Congress to continue the policy of holding this important technology closely within the U.S. naval nuclear propulsion program.

Mr. President, we are satisfied that other countries, particularly Russia, have been making very rapid gains in overcoming what, up to now, has been United States nuclear submarine superiority. And it is my belief that our Polaris underwater fleet has done as much toward preventing the spread of war over the world as any other factor of our defense program.

I thank the Senator from Arkansas for giving me time, and I want to assure him

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that I intend to vote for approval of this treaty. We have gone so far that it would be disastrous not to approve it at this time.

Mr. FULBRIGHT. I thank the Senator. I know his opinion will have great weight with Members of this body.

Mr. President, I yield 12 minutes to the Senator from Idaho.

Mr. CHURCH. Mr. President, almost 25 years ago some of the finest scientific minds of this era huddled in bunkers on a dry mesa near Los Alamos in New Mexico. These men, led by J. Robert Oppenheimer, were the creators of, and witnesses to, the first atomic bomb explosion.

The device itself was installed on a tower platform high above the desert floor. Shorn of its housing the first atomic bomb, according to contemporary accounts, resembled a peeled orange bolted together to make a sphere of some 5 feet in diameter. Inside this curious object was a mere 5 kilograms of plutonium, that potentially deadly byproduct of the fission process in nuclear reactors. These few kilograms of plutonium were of such an exotic and valuable commodity in 1945 that Dr. Oppenheimer was concerned that the United States would have only enough plutonium to test-detonate a single atomic bomb.

I think it would be appropriate, as the Senate considers giving its advice and consent to the pending Nonproliferation Treaty, to recall Dr. Oppenheimer's thoughts and first reactions after the detonation of this new and terrible force. He said:

> A few people laughed, a few people cried, most people were silent. There floated through my mind a line from the *Bhagavad-Gita* in which Krishna is trying to persuade the Prince that he should do his duty: "I am become death, the shatterer of worlds."
>
> I think we all had this feeling more or less.

As Dr. Oppenheimer and his fellow physicists reflected on the meaning of the development of this nuclear weapon, Oppenheimer recalled that "we felt the world would never be the same again."

Dr. Oppenheimer's eloquence and his concern are worth remembering today when we consider that the first atomic bomb which shattered the desert silence in New Mexico and turned the desert floor to glass was made from a mere 5 kilograms of plutonium. Five kilograms. To put the problem squarely of what is at stake as we consider this treaty, compare these hard won few kilograms of plutonium with the estimated production in 1980 of 45,000 kilograms of plutonium from civilian nuclear power reactors located outside of the United States. Another estimate is that the plutonium production of reactors in the Western World alone will, in less than 10 years, run as high as 20 tons of plutonium per year. Twenty tons as compared to the 10 pounds used in the first atomic detonation.

It is the growing world realization that the byproduct of commercial nuclear power is producing enough plutonium to destroy the world many times over, that has given such a strong stimulus to the negotiations which have now led to a treaty to slow the spread of nuclear weapons.

The treaty before us is fundamentally an exchange of pledges. The nuclear weapons states such as the United States, the Soviet Union, and Great Britain pledge, under the provisions of this treaty, not to transfer nuclear weapons or nuclear weapons skills to others. For their part, the nonnuclear states who become parties to the treaty pledge not to receive, manufacture, or to otherwise accept nuclear weapons. For all of the disagreements on the implications arising from U.S. adherence to this treaty, the fact is that the Nonproliferation Treaty is an important, if only half-way and belated, effort to ease the growing threat to world security of a further spread of the materials and skills necessary to build atomic weapons.

Why should the United States as a major nuclear power be concerned about the further spread of these weapons? In the first place, every new addition of nuclear weapons increases the likelihood of an accident involving a nuclear explosion. It required an enormous investment and all of the technological skills of the United States in the field of nuclear weapons safeguards to prevent the collision of two B-52's in the skies over Spain from resulting in the accidental detonation of the nuclear weapons aboard. Imagine how much higher would have been the chances for a massive disaster if the nuclear weapons involved had belonged to a poorer and less technologically developed country than the United States. An adequate investment in devices to prevent accidental detonations is likely to be the first item a parvenu nuclear weapons power will cut back in order to reduce expenses. I think we can anticipate, therefore, that if these weapons spread much further throughout the world, one day there will be an accidental nuclear detonation of tragic proportions.

If the increased likelihood of accidents involving nuclear weapons will be one result of their proliferation, we should also consider the increased risks for the United States if a regional conflict such as the one now smoldering in the Middle East should ever involve nuclear weapons. Imagine the dangers to international peace if either Arab or Israeli now possessed nuclear arsenals. Would we be drawn into such a war? Could we stay out if one or more countries in the Middle East were threatened with total destruction? The treaty before us is designed to retard that spread of nuclear weapons and thereby give the world a better chance to avoid clashes involving nuclear devices.

I believe these nightmares will become realities if the effort is not made to stop, or at least to retard, the further spread of nuclear weapons. Stripped of all the technicalities and semantics, the pending treaty is just such an effort. So much of the public dialog surrounding the treaty has turned on the question of the reliability of the Soviet Union as a party to this treaty, the tragedy of Czechoslovakia, the adequacy of inspection, and the problems of the commercial exploitation of nuclear explosive devices, that the very essence of the Nonproliferation Treaty is sometimes obscured.

These questions of inspection, commercial exploitation, and the like are certainly important and must be dealt with openly and candidly. But at the same time we must not be distracted from considering the essence of this treaty and its alternatives.

As a member of the Committee on Foreign Relations, I endorse the conclusions of the majority report of the committee that the Nonproliferation Treaty represents a beginning, perhaps an important beginning, in controlling the further spread of nuclear weapons. I agree further with the majority position that although there are potential problems in the safeguards field that these problems can be dealt with and that a worldwide, reliable inspection system can be developed.

It must be remembered, moreover, that the proliferation of nuclear arsenals, giving an increasing number of foreign governments the power to trigger off a nuclear war, poses an identical threat to both the United States and the Soviet Union. The extreme danger that such a war would quickly escalate into a full-scale thermonuclear exchange, in which the two nuclear superpowers would inevitably become the principal targets, creates a parallel interest on the part of both nations to keep the number of nuclear triggers loose in the world at a minimum.

This is the purpose of the treaty. It is in no sense grounded upon trusting the Russians, but rather upon a rational recognition that the Soviet Union, as well as the United States, has a vital self-interest in observing the treaty and trying to make it work. Moreover, our intelligence capabilities are such that we could identify any substantial or sustained violation of the treaty by the Russians, should that ever occur.

At the present time, some 40 nations possess operating nuclear reactors which could be used in the development of nuclear weapons at a future date, unless these governments bind themselves to refrain, including submission to subsequent international inspection, as contemplated by the treaty.

Naturally, there is no copper-riveted guarantee that any treaty will be kept. All governments, including our own, have broken treaties when it suited them to do so. The test is whether the risk under the treaty is less than the risk without it. In the application of this test, four American Presidents have concluded that our own best interests would be served by slowing the spread of nuclear weapons.

I have weighed the evidence, over a long period of time, under both Democratic and Republican administrations. Since the treaty affects neither the size nor shape of our own nuclear weapons system, and since it could reduce the danger of a general nuclear conflagration in which we, ourselves, would be consumed, I shall vote in favor of its ratification.

I would also like to make it clear that my support of this treaty is in no way related to my opinion of the Soviet Union's actions in Czechoslovakia. The Russian invasion of Czechoslovakia was an inexcusable intervention born of a pathological fear of change. But Rus-

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sian interference in Czechoslovakia, however much we may deplore it, furnishes no rational basis for refusing to subscribe to a treaty that is multilateral in character and solidly rooted in the best interests of the United States. In giving our advice and consent to this treaty, we are not ratifying Soviet behavior in Czechoslovakia but showing our approval and support of a treaty that serves our national needs, and the interest of international peace and security as well.

I suggest, as we consider this treaty, which is intended to slow the spread of nuclear weapons, that Dr. Oppenheimer's quotation from the Bhagavad-Gita remains all to appropriate:

> I am become death, the shatterer of worlds.

Atomic energy when used to destroy man and his works can indeed become death and the shatterer of worlds. We have an opportunity by ratifying the Nonproliferation Treaty to at least restrain, if not to finally contain, this potional shatterer of worlds.

Mr. JAVITS. Mr. President, I yield myself 9 minutes.

The PRESIDING OFFICER. The Senator from New York is recognized for 9 minutes.

Mr. JAVITS. Mr. President, I rise for two purposes—first, to make a general statement on the treaty before us; and, second, to oppose the reservation proposed by my distinguished colleague, the junior Senator from Texas.

In evaluating the reservation, I wish to make clear my respect for his objectivity and the desire of the Senator from Texas to see that the national security of our country is preserved.

I hope the Senator will recognize my remarks as being in that vein.

What we have tried to do is to get at the best bargained arrangement we could with respect to a basic policy decision which is to stop the spread of nuclear weapons. In doing that, each of us—we and the Soviet Union—has assumed awesome responsibilities.

I thoroughly agree with the interpretations which have been made here concerning the United Nations Security Council resolution with respect to the security of non-nuclear-weapon states which sign the treaty is separate and apart from the treaty. Nonetheless, I point out that we do not approve that arrangement here but we do rather approve the treaty as it stands before us; no more and no less.

I think that there is one thing that is clear. We continue to have the obligation of NATO. The very concept of the Nonproliferation Treaty which we are considering encourages greatly the idea of security arrangements, because it is to be noted that this Security Council resolution, which President Johnson in the exercise of his power as the chief negotiator on the part of the United States entered into, reaffirms the inherent right of self-defense.

We have adopted the construction—it has not been challenged—which is incorporated in the documents before us, that if there is a new federated European state, then the nuclear status of one of its components; namely, the United Kingdom, would extend to that federated state. Thus, within the purview of this treaty, NATO countries could still acquire nuclear status through political union. Conversely, it seems to me that the main problem with the reservation is that it would mean killing the treaty. I am against that because I think the treaty is desirable.

Another drawback of the reservation is that if we give nuclear weapons technology to a regional security group, and that group breaks up, each of those powers would then have nuclear weapons status.

We would then be running exactly contrary to the desire to confine the possession of nuclear weapons, which is the purpose of the treaty. I can hardly conceive of this being conducive to our objective with respect to the treaty. It would work exactly in reverse of the fundamental policy of the United States as it pertains to the treaty.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. JAVITS. Mr. President, I have only 9 minutes. Would the Senator from Texas indulge me and grant me another minute if I require it?

Mr. TOWER. Yes.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. TOWER. Mr. President, the Senator is saying that if there were a federation in Europe participated in by the United Kingdom, regardless of how many countries are involved, each would be a beneficiary of the nuclear rights under the treaty.

Mr. JAVITS. That is correct, if the federation were to dissolve.

Mr. TOWER. They would all be nuclear powers if they had been parties to the federation.

Mr. JAVITS. I understand. However, the point is that the inducement to enter into the treaty is also an inducement to enter into a regional or collective security arrangement. That is the point I make. Remember that any regional organizations would come after the treaty and not before. Hence, as we stand now, we have a great inducement to do this. If we adopt the reservation of the Senator, it would only relate back to NATO and other security arrangements which now exist. That would expose us to the risk of proliferation of nuclear weaponry and nuclear technology to all of those member powers.

Mr. TOWER. Mr. President, I wonder whether the stultifying effect of a country being compelled to curb its own efforts to develop a self-sufficiency in the defense field through the development of nuclear weapons is really going to be conducive to the unification of Western Europe.

Mr. JAVITS. Of course, this is the essence of the Senator's whole reservation. I gather that. However, I notice with very great interest that he uses the concept of defensive weapons, which is a classic way to get to the point. However, I believe the stultifying effect, as the Senator refers to it, is to be preferred over the more liberating concept which would come by way of this reservation. In my judgment, our cause will be promoted by taking it as it is rather than adding this reservation.

I think if we were to add the reservation, we would go along a new track which I do not think is as desirable and which obviously is not in accord with the policy which induced us to go into this matter in the first place, to wit, the nonproliferation of nuclear weapons.

On the general matter of the Nonproliferation Treaty now being considered by the Senate, the one thing I would like to emphasize very strongly and sharply is the fact that this treaty is a platform which is absolutely essential to put us on the road to further progress toward nuclear arms control, particularly in the antiballistic missile field which is the next step up.

The Nonproliferation Treaty now before the Senate for ratification is important in its own right. But its full significance can be judged only in context of the larger issue at stake. Whether we like it or not, we are engaged in a hectic race to our nuclear destiny. That destiny can be an atomic Armageddon ending in the extinction of the human race; or a world rule of law in which the bounties of nuclear and other technology can eliminate the age-old causes of human misery and deprivation. There is no room for complacency with regard to the earnestness and the relentlessness of this race or of the alternatives.

The Nonproliferation Treaty is a step on the path toward a better chance for a more peaceful world; and gives momentum to our movement toward further arms control and disarmament agreements. And renewed momentum is sorely needed because our progress thus far has been desultory and intermittent.

Meanwhile, the advance of technology has brought us to the brink of a major new escalation of the arms race; as a whole new generation of nuclear weapons systems has reached maturity in the research and development stage.

We must consider this treaty not so much based on the lessons of the past as from the perspective of the requirements of the future. In this light, it is not an end in itself but a significant step forward in a long and urgent journey. We are by no means free to set a leisurely pace for ourselves. As Dr. York pointed out so eloquently in his testimony yesterday before the Disarmament Subcommittee of the Foreign Relations Committee, the deployment of the Sentinel ABM system could move us into a new era in which the decision to fire nuclear weapons would be surrendered from human control to that of preprogramed, high-speed computers. Once we cross that threshold—in which the highest functions of leadership and decisionmaking are usurped by machines—we may find ourselves beyond the point of no return on the road to an eventual atomic Armageddon.

Primarily for this reason, I consider article VI of the Nonproliferation Treaty to be its potentially most important clause. Article VI commits the present nuclear powers, primarily the United States and the U.S.S.R. "to pursue negotiations in good faith on effective measures relating to cessation of nuclear arms race at an early date." This article would, if the treaty is ratified, be the takeoff point for arms limitations negotiations on the ABM and other offensive and defensive nuclear weapons.

The Nonproliferation Treaty seeks to prevent the proliferation of nuclear weapons to nations not now possessing them. This is an important objective which can have a direct bearing on the prospects for world peace in the last third of the 20th century.

But we should make no mistake about it. The gravest threat to mankind's survival today lies not so much in the dangers of "horizontal" proliferation of nuclear weapons to nonpossessor states as it does in the dangers of "vertical" proliferation of nuclear weapons systems in the possession mainly of the two super powers.

Article VI not only points the way but it places upon us an inescapable responsibility. The provisions of article VI are consistent in every way with the expressed policy of our Government, and with our own urgent national interest.

It is precisely because negotiations with the Soviet Union for limitations on the deployment of strategic offensive and defensive nuclear weapons systems are so urgently in our own national interest that Senators have sought so earnestly to delay deployment of the Sentinel ABM system to give the Senate a chance to act on the treaty and to allow the broader arms limitations discussions to start. We are very anxious that the prospects for negotiations with the U.S.S.R. in accordance with article VI not be prejudiced in advance, as a decision to plunge ahead with Sentinel and other new weapons systems could do.

I am confident that President Nixon appreciates the full dimensions of the issue before us. His decisions with respect to the Sentinel ABM system and with respect to negotiations with the U.S.S.R. are, when coupled with the end of the Vietnam war, apt to be viewed by history as the most portentous of his administration.

Negotiations for the control of nuclear weapons carry us onto new and uncharted seas. The very novelty of this course inevitably produces a certain sense of uneasiness, for we are by nature a habit-loving species. But the great test which challenges us now is our capacity to adjust to an accelerating pace of change. Just as the weapons systems of today and tomorrow require the inventors to "think the unthinkable" in terms of destruction, we who are charged with responsibilities of preserving peace must condition our minds to "think the unthinkable" in terms of new agreements and cooperative arrangements even with our deadliest adversaries.

The PRESIDING OFFICER. Who yields time?

Mr. FULBRIGHT. Mr. President, I yield myself such time as I may require.

Mr. President, all I can say about this is that it is clearly in contradiction to one of the principal purposes of the treaty. It reserves to us the right to give nuclear weapons to a regional arrangement. In our case, it could be NATO. Or, if we wanted to, we or the Russians could give one to the Warsaw Pact countries, because it is considered a regional arrangement, also. I am not sure that the Senator from Texas intends that we give it to them.

In any case, it would require the renegotiation of the treaty. It is absolutely in contravention of the treaty. I do not believe the other members would accept it, because to a great extent it makes a nullity of the entire purpose of the treaty. I hope the Senate will not accept it.

So far as I am concerned, I am ready to vote, if the Senator from Texas is. I ask the Senator from Texas whether he is ready to vote.

Mr. TOWER. I have a few more remarks to make.

Mr. HOLLAND. Mr. President, will the Senator yield for a question?

Mr. FULBRIGHT. I yield.

Mr. HOLLAND. On the point that the Senator has just made, would there be any reason why, under the particular wording now being debated, the United States would not be free to offer nuclear weapons to the members of the OAS?

Mr FULBRIGHT. No. It is a regional organization.

Mr. HOLLAND. Well, is that a thinkable position for us to take?

Mr. FULBRIGHT. I do not think it is. In the first place, it is against our existing law. This provision, in effect, contravenes existing law—I mean the domestic law of this country—and it is against the policy we have followed for 25 years. That is what I said. I know it is not consistent with existing law and with the purpose of the treaty. That is why I believe it is unacceptable, and I hope the Senate will not agree to it.

Mr. TOWER. Mr. President, I yield myself such time as I may require.

Let us be serious. After all, what I am trying to do is to preserve for the United States an option, which it may or may not exercise, at its discretion. I am not suggesting that we proliferate nuclear weapons to the OAS or to SEATO or to CENTO or even to NATO. I am not suggesting that we do that. I am not suggesting repeal of the McMahon Act, which prohibits this. All I am doing is saying that a treaty provision enjoys the status of a provision of the Constitution of the United States, and we cannot legislate in contravention of it. All I am saying is that we should keep the option, so that we can exercise it if we choose. I am sure that the Senate and the House of Representatives, in their usually good judgment, are not going to come in here and start legislating to the effect that we start giving nuclear weapons to everybody.

Mr. FULBRIGHT. Mr. President, will the Senator yield for a correction?

Mr. TOWER. I yield.

Mr. FULBRIGHT. A moment ago I said that I thought my memory was correct. The Senator is not correct in saying that a treaty is the same as a provision of the Constitution. It is not. A law passed by Congress subsequent to a treaty, in contravention of the treaty, takes precedence. It is not like a constitutional amendment. A treaty may create certain obligations in the mind of a foreign country, but domestically it does not. Therefore, a law passed subsequent to this treaty, contrary to the treaty, would be the law of the land.

A treaty is not the same as a provision of the Constitution. A moment ago we discussed this, and I said that I was a little fuzzy about this. I dislike to get into abstruse discussions of constitutional law in the midst of one of these debates, because we can go on forever.

I have consulted the authorities on it, and I am quite sure that the Senator is not correct in saying that it is the equivalent of a provision of the Constitution of the United States. That is not so.

Mr. ALLOTT. Mr. President, will the Senator yield for a question?

Mr. FULBRIGHT. I yield. I am sorry I brought it up, if it will result in a long discussion. I yield.

Mr. ALLOTT. I did not bring it up.

Mr. FULBRIGHT. I did. I apologize.

Mr. ALLOTT. There is no question in the Senator's mind, is there, that if a treaty is partially in contravention of a previously passed statute, the treaty is the supreme law of the land?

Mr. FULBRIGHT. If the treaty is subsequent in time to the law, the treaty of course is the latest expression of Congress, and it takes precedence over the earlier passed law. But if we now pass a law subsequent to approval of the treaty, the law takes precedence. That is the latest expression of Congress, and it does not have to go through the procedures of a constitutional amendment. That is all I was trying to say.

Mr. ALLOTT. That is correct.

Mr. TOWER. What the Senator is saying is that we could, by a joint resolution, perhaps, abrogate a treaty provision at any time.

Mr. FULBRIGHT. I would think so. A joint resolution is a law of the land, signed by the President, in contrast to a concurrent resolution.

Mr. TOWER. Could the Senator cite the precedents on this?

Mr. FULBRIGHT. This is from the "Senate Library, Constitution of the United States of America Annotated, 80th Congress, First Session, 1963," page 470. I shall not read it all, but I shall read enough of it to answer the question:

> In short, the treaty commitments of the United States in no wise diminish Congress' constitutional powers. To be sure legislative repeal of a treaty as law of the land may amount to a violation of it as an international contract in the judgement of the other party to it. In such case, as the Court has said, "Its infraction becomes the subject of international negotiations and reclamations, so far as the injured party chooses to seek redress, which may in the end be enforced by actual war. It is obvious that with all this the judicial courts have nothing to do and can give no redress."
>
> Treaties versus prior acts of Congress: The cases are numerous in which the Court has enforced statutory provisions which were recognized by it as superseding prior treaty engagements.

There is much more to it, but I believe that answers the question.

Mr. TOWER. Would the Senator from Arkansas take lightly the notion of voting for a measure that was in contravention of a treaty provision?

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Mr. FULBRIGHT. No, I would not take it lightly, just as I would not take lightly the reservation the Senator has offered, which is contrary to the existing law of the land.

Mr. TOWER. But, of course, if we did, through legislation, violate a treaty provision, we would be subject to whatever sanctions might be provided in the treaty or, let us say, the safeguards that are yet to be negotiated, to which we submitted ourselves.

Mr. FULBRIGHT. The treaty does not submit us or subject us to the safeguards. Those safeguards are for the nonnuclear powers.

Mr. TOWER. Then, if this is the case, what really is the purpose of a treaty, if it can be done away with that lightly?

Mr. FULBRIGHT. The treaty provides for withdrawal on 3 months' notice. That is rather short, I must say. This treaty is a very minor step toward agreements with the other nuclear powers, particularly Russia, toward an effort to deescalate the arms race.

The Senator a moment ago, I believe, overstated the case. Those of us who favor it are not passionately devoted to it as the ultimate step toward peace. None of us thinks it is a panacea for the world's ills. None of us thinks it is a cure for the possibility of nuclear war.

But we do think it is a very small but significant step toward better relations with the world. The only way I can put it is to contrast it with a possible approach of some people who believe that the only way to solve these difficulties is by an all-out war and, therefore, the sooner we confront Russia in an all-out war the better. We take a different view and say that any effort to reconcile our differences is better. This is no different than a fisheries agreement or an Antarctic agreement, or any other agreement where our mutual interests would warrant our moving in that direction.

I do not look forward to this being of great significance but as one step in the right direction. This is the way I would characterize it.

Mr. DODD. Mr. President, will the Senator yield to me for just a few questions?

Mr. TOWER. I shall yield to the Senator in a moment.

Mr. DODD. I thank the Senator.

Mr. TOWER. Mr. President, in the Curtiss-Wright case in 1936 the Supreme Court held that the power to conduct foreign relations was a necessary concomitant of nationality which would vest in the National Government regardless of constitutional provisions.

If this were carried to its logical conclusion I have no doubt it would not be as difficult to strike out any action of Congress under any treaty obligation we had.

I see this as an inhibition in free action on the part of the United States should we determine to repeal the McMahon Act. I do not think we can conceive that is going to happen. I do not know why we are going to deny ourselves the opportunity to legitimately exercise an option if we choose to.

I would say it would be manifestly unwise for us to transfer nuclear weapons to anybody right now. However, we cannot anticipate what is going to happen a few years hence. Thirty years ago would anybody have anticipated that we would be so closely allied with Japan and Germany? I doubt it. Thirty years ago we did not know we would have nuclear weapons, nor did we know it 25 years ago.

I think we better consider the fact that we cannot predict the future, and we should keep our options open when we are engaged in a deadly game of trying to deter the ambitions of aggressive powers. If anyone wants to debate the point as to whether or not the Soviet Union or Red China are aggressor powers I would be delighted to debate that point from now on.

I think we are being extremely naive. Regardless of the statement by the Senator from Arkansas that we do not regard it as a panacea, the fact is that this has been used as an argument. When people talk about a nuclear holocaust and children burning and the only way to stop it is with this treaty, I think we are being lulled into false security. The next thing we will hear will be, "Why do we not start disarming; and if we disarm, the rest of the world will bring moral pressure on the Soviet Union to compel them to do the same thing." If anybody believes that, we are, indeed, in trouble.

I am delighted to yield to my friend from Connecticut.

Mr. DODD. Mr. President, I do not think the Senator was present yesterday when I said:

> As early as September 1960, President Kennedy called for a "new approach to the organization of NATO." He suggested, among other things, that our allies "may wish to create a NATO deterrent, supplementary to our own, under a NATO nuclear treaty."
>
> Two years later, speaking in Copenhagen, Mr. McGeorge Bundy said:
>
> "If it should turn out that a genuinely multilateral European deterrent, integrated with ours in NATO, is what is needed and wanted, it will not be a veto from the Administration in the United States which stands in the way. . . ."

Mr. TOWER. I am glad that the Senator has enlightened us on this history about President Kennedy's attitude. As I noted earlier, President Kennedy took the approach that when we started talking about negotiating this treaty, one of the positions of the United States was that we should preserve the NATO options. This is a position we abandoned about 1967 or about the time the treaty was finally consummated. This was the original position held by Presidents Eisenhower and Kennedy and initially by President Johnson.

Mr. DODD. Would it in any wise strengthen the Senator's proposed reservation if language were added providing that the weapons and materials will be placed in the custody of the nuclear weapons nations who are members of the regional organization in question? I am thinking of NATO. The Senator from Arkansas suggested there might be some other approach, but I find it hard to conceive of one. Perhaps there could be some language such as I have suggested, leaving question of command over the use of these weapons to the individual and collective decision of the member nations of that organization.

Mr. TOWER. I appreciate the thrust of the Senator's statement. My thinking would be that rather than proliferate weapons to nations individually, if we felt there should be a transfer of nuclear weapons, that it would be with an integrated command structure. But again, this might be inhibiting and make it unwieldy because we cannot anticipate what kind of structures we might want to submit to.

I would prefer to keep it in this form. If we fail, we may try something else.

Mr. DODD. The big roadblock seems to be that our present law would prohibit it.

Mr. TOWER. The Senator is absolutely correct. Even if we adopted that reservation, we could do nothing unless we amended or repealed the McMahon act.

Mr. DODD. That answers the question.

Mr. TOWER. Any transfer of weapons will have to be surrendered to the judgment of the Congress. What we are doing is preserving an option.

Mr. FULBRIGHT. I am ready to yield back the remainder of my time.

Mr. TOWER. Mr. President, I am prepared to yield back the remainder of my time.

Mr. FULBRIGHT. Does the Senator wish to request the yeas and nays?

Mr. TOWER. Yes. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER (Mr. GOLDWATER in the chair). Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to Executive Reservation No. 1. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Washington (Mr. MAGNUSON) is absent on official business.

I also announce that the Senator from North Dakota (Mr. BURDICK), the Senator from Alaska (Mr. GRAVEL), the Senator from Oklahoma (Mr. HARRIS), and the Senator from Ohio (Mr. YOUNG) are necessarily absent.

I further announce that, if present and voting, the Senator from North Dakota (Mr. BURDICK), the Senator from Alaska (Mr. GRAVEL), the Senator from Oklahoma (Mr. HARRIS), the Senator from Washington (Mr. MAGNUSON), and the Senator from Ohio (Mr. YOUNG) would each vote "nay."

Mr. SCOTT. I announce that the Senator from Tennessee (Mr. BAKER) is necessarily absent.

The Senator from Colorado (Mr. DOMINICK) is absent because of illness.

The Senator from Vermont (Mr. PROUTY) is detained on official business.

If present and voting, the Senator from Colorado (Mr. DOMINICK) and the Senator from Vermont (Mr. PROUTY) would each vote "nay."

The result was announced—yeas 17, nays 75, as follows:

XUM

[No. 18 Ex.]

YEAS—17

Allen
Cook
Curtis
Dodd
Eastland
Ervin
Fannin
Goldwater
Gurney
Hollings
Jordan, N.C.
Long
McClellan
Murphy
Talmadge
Thurmond
Tower

NAYS—75

Aiken
Allott
Anderson
Bayh
Bellmon
Bennett
Bible
Boggs
Brooke
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Church
Cooper
Cotton
Cranston
Dirksen
Dole
Eagleton
Ellender
Fong
Fulbright
Goodell
Gore
Griffin
Hansen
Hart
Hartke
Hatfield
Holland
Hruska
Hughes
Inouye
Jackson
Javits
Jordan, Idaho
Kennedy
Mansfield
Mathias
McCarthy
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Montoya
Moss
Mundt
Muskie
Nelson
Packwood
Pastore
Pearson
Pell
Percy
Proxmire
Randolph
Ribicoff
Russell
Saxbe
Schweiker
Scott
Smith
Sparkman
Spong
Stennis
Stevens
Symington
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.

NOT VOTING—8

Baker
Burdick
Dominick
Gravel
Harris
Magnuson
Prouty
Young, Ohio

So Executive Reservation No. 1 was rejected.

NPT AND DEFENSIVE PROLIFERATION

Mr. SPARKMAN. Mr. President, I rise in support of Senate consent to ratification of the Nonproliferation Treaty, a treaty which has now been signed by 87 nations, nuclear and nonnuclear, big and small. I personally believe it is quite essential that the Senate not only "consent" to the ratification of this treaty, but in so doing, indicate its firm support for the principles that are embodied in this treaty's text, namely, preventing the further spread of nuclear weapons and striving to bring the nuclear arms race under control, while at the same time promoting the development and availability of the peaceful uses of nuclear energy.

My interest in promoting these objectives stems in part from the fact that, in Senator FULBRIGHT's absence last summer, I chaired the hearings on the Nonproliferation Treaty and thus had an opportunity to become more familiar with the testimony given than might be the case otherwise.

During the committee's consideration of the treaty last summer, one suggestion put forward was that the treaty should not preclude the United States from transferring to friendly nations custody and control over "purely defensive" nuclear weapons.

Dr. Edward Teller of the Lawrence Radiation Laboratory and chairman of the Divisional Advisory Group of the Air Force Space and Missiles Systems Organization, testified:

> It seems to me, therefore, necessary to declare that weapons which are designed for defense and can be used for defense alone are in the interest of peace. That when and if such defensive systems are properly developed, the necessary steps will be taken to make them widely available for self-defense, and that this will be done even if it requires modification of existing laws or treaties.
>
> I, therefore, explicitly recommend that the Senate make it known that it looks with favor on the development of effective defensive systems, and that by ratifying the treaty the Senate does not intend to preclude the deployment of purely defensive arrangements, if and when these become available.

Senator TOWER has now suggested that a reservation be attached to the treaty to permit the proliferation of defensive weapons to regional organizations established under article 52 of the charter of the United Nations. Such a reservation would, of course, require renegotiation of the treaty and destroy it.

To begin with, there is the imposing fact that as of now there is no such thing as a "purely defensive" nuclear weapon. Dr. Teller's testimony recognized this. And once a missile with a nuclear warhead is in a nation's possession, it can at present be used for attack as well as defense. There is no foolproof way of rigging nuclear weapons to fire only defensivley.

Of course, in theory at least, it may be technically feasible in the future to design tamper-proof systems which would prevent an anti-ballistic-missile warhead from being used as an offensive weapon. However, even should this prove possible, the nation receiving such a tamper-proof defensive weapon could discover the technology of manufacturing offensive nuclear weapons by uncovering the secrets of the defensive weapons in its possession. Once the non-nuclear-weapon state had custody and control of the tamper-proof ABM, it would be possible for that state, by the use of X-rays and other scientific techniques, to develop highly sensitive design information on the warhead even though the warhead case remained intact and untampered with. From such information a nation could manufacture its own offensive thermonuclear weapons and the objective of transferring for defensive uses only would have been negated.

Even were we to assume that nuclear weapons could be designed so that they would be used only for defensive purposes and even if information for use in offensive weapons could not be uncovered through the use of X-ray or other sophisticated devices, there are several political and economical problems which would indicate distinct disadvantages in providing "purely defensive" nuclear weapons.

For one, we have no idea what something not yet developed is likely to cost.

Also, since it would be necessary to "seal" the casing of the ABM warhead so that the country to whom it is transferred cannot get inside the weapon to deactivate the safety device and convert it to offensive purposes or to obtain vital design information, one might ask how the country to whom the ABM was transferred and in which it had invested vast sums of money could be sure that the warhead was in a proper state of maintenance. And how could the United States be absolutely certain that given enough time and patience the receiving country could not devise a means of penetrating the casing?

Of course, again there may be technically feasible answers to these technical questions, but the further one lets his imagination run in this field, the greater the political difficulties in any proposed arrangement seem to become. It basically does not seem realistic to expect a country to go to the great effort and expense of installing an ABM system of its own and yet have the key to that system be a warhead which it is not permitted to maintain and which, under one theory, would be set so as to blow up if tampered with—an arrangement which could hardly add to the ease and sense of security of the recipient.

In addition, from the point of view of a third country which might find itself threatened by one of its neighbors acquiring a nuclear potential, it taxes belief to assume the third country would accept at face value the assertion that the warhead acquired was solely defensive in nature.

Mr. President, I have addressed myself to several of the technical sides of this issue of defensive proliferation to demonstrate its dubiousness from even the technical point of view.

Of course, the most important and telling argument against those who advocate defensive proliferation is the fact that our own domestic laws prohibit it, with or without the Nonproliferation Treaty. I think it bears repeating that the U.S. option to proliferate nuclear weapons of any kind to any other country was foreclosed by Congress in 1946 with the adoption of the McMahon Act. Section 92 of the legislation which succeeded it, the Atomic Energy Act of 1954, as amended, now prohibits the transfer of atomic weapons in foreign commerce. Just such a prohibition on transfer is the heart of the draft Nonproliferation Treaty. It might be noted, by the way, that the agreement on a treaty draft with the Soviet Union reflected, therefore, Soviet adoption of our attitudes—not our adoption of theirs.

The reasons behind the policy against transfer in our domestic legislation have been well stated by Secretaries of State in Republican administrations as well as by those in Democratic. As Secretary of State Herter said:

> The more nations that have the power to trigger off a nuclear war, the greater the chance that some nation might use this power in haste or blind folly.

And Secretary Dulles said:

> Your government believes that this situation can be and should be remedied.

The Treaty on the Nonproliferation of Nuclear Weapons goes a long way toward remedying that situation.

Mr. President, I have dwelled on this question of defensive proliferation because of the various criticisms directed at the treaty which have said that it closes this important option. The truth is that as regards the United States, it does not close that option at all. It already is closed by our own domestic legislation, which has been on the books since 1946. So it is not the treaty that forecloses for the United States the option of "defensive" proliferation or of "selective" proliferation or of "regional" proliferation.

Now, of course, Congress might decide to amend the Atomic Energy Act but as Secretary Rusk said during the hearings on nonproliferation in 1966 in regards to U.S. domestic legislation outlawing proliferation, "we are not proposing it, and I would predict that you would not amend it," to which the Chairman of the Joint Committee on Atomic Energy replied, "you were never more right in a prediction."

Mr. President, one most important factor in any discussion of the NPT is to note what the treaty prohibits and what it does not. Although defensive proliferation, in the sense of transferring custody and control over defensive nuclear weapons, is forbidden, it is important to note what options the treaty preserves. The treaty does not deal with, and therefore does not prohibit, transfer of nuclear delivery vehicles or delivery systems, or control over them to any recipient, so long as such transfer does not involve bombs or warheads. It does not deal with allied consultations and planning on nuclear defense so long as no transfer of nuclear weapons or control over them results.

And, for our purposes, it is especially relevant to note that the treaty does not deal with arrangements for deployment of nuclear weapons within allied territory as these do not involve any transfer of nuclear weapons or control over them unless and until a decision were made to go to war, at which time the treaty would no longer be controlling. In other words, where appropriate, ABM defenses could be provided other nations as long as we maintained custody and control over them.

Mr. President, we reach the conclusion that this non-proliferation treaty is not foreclosing any proliferation options for the United States. But it will foreclose for other nations an option which we have already discarded in domestic legislation, and which other nations have not.

Raising the risk of nuclear war by increasing the number of players in a game which might become nuclear roulette is certainly not in our interest or in the interest of the rest of the world. It is that risk which this treaty, endorsed by both Democratic and Republican administrations is designed to reduce. I agree that it is in our national interest and that of all mankind. As such, I believe it should have the unanimous support of the U.S. Senate without the attachment of reservations or understandings.

Mr. BAYH. Mr. President, it is my intention to support and to vote for the Treaty on the Nonproliferation of Nuclear Weapons, despite the fact that in my opinion it would have been a more effective instrument if certain provisions could have been strengthened and if additional safeguards could have been added. After careful consideration of all factors, however, I concur in the view of the committee that the treaty represents the "best that can be negotiated at this time." It would be tragic, I believe, if the treaty should be long delayed or possibly even abandoned by insistence now on reservations or modifications requiring further negotiations with an approval by signatory nations.

Certainly few if any will question the basic goal of this treaty. There is no need to dramatize or moralize on the terrible, almost inconceivable destruction and horror which could result from a nuclear conflict. If mankind is to survive, if civilization as we know it is to continue, these weapons must be subjected to adequate, effective, and worldwide controls. The prevention of easy accessibility by all nations, large or small, rich or poor, to nuclear explosive devices must be an essential element in any satisfactory system of controls. It is a truism that, as additional nations acquire nuclear weapons, the danger of a nuclear confrontation becomes that much greater. The possibilities of an accidental "triggering" or of an irrational, irresponsible action by some dictator or leader gone mad, inevitably multiply as the number of nuclear powers grow.

Experts tell us that the knowledge and skills required to develop and construct atomic or hydrogen weapons are no longer secret, and that many nations before long will have the technogical capacity and the materials necessary to build explosive nuclear instruments. Nuclear reactors which, as a by-product, produce plutonium, a major component of atomic bombs, are now operative in more than 40 countries. It appears that even comparatively underdeveloped nations might in the future master the techniques and possess the resources which would enable them to produce nuclear weapons. In my opinion to allow such a risk to go unchecked would be folly indeed.

The Nonproliferation Treaty would ban all signatory states from transferring nuclear explosive devices to other countries or from helping them to manufacture such weapons on their own. It would at the same time stipulate that any nonnuclear nation agreeing to the treaty could not receive nuclear weapons from other countries and could not attempt to produce them on their soil. If the nations of the world all subscribe to this pact, and if the treaty is properly and effectively enforced, these two provisions in combination would stop the spread of nuclear weapons to the "have-not" nations. At present only five countries are known to have developed and tested explosive nuclear devices: the United States, the Union of Socialist Soviet Republics, the United Kingdom, France, and mainland China. Granting that the treaty would not in any way inhibit the production and use of nuclear weapons by these five nations, at least it would have the potential virtue of preventing other nations from following down the same pathway.

Unless positive, meaningful steps to the contrary are taken soon, other nations are likely to believe that their own future interests will require them to embark on a nuclear weapons program. Once the possession of these destructive devices are in the hands of a few more countries, their neighbors and rivals will be confronted by heavy internal and external pressures to become active participants in the nuclear race. History surely proves that once this international game of "keeping up with their neighbors" philosophy starts its course, status, prestige and a sense of self-preservation would force all but the most resolute to succumb. One by one nations which can ill-afford the enormous required expenditures of time and resources would believe it necessary to acquire or manufacture, as well as to stockpile, nuclear arms. Prospects for world peace would suffer a severe blow if such a frightening development should ever come to pass; the present nuclear "standoff" between major powers would no longer be of great significance as a deterrent if nuclear explosive devices come into the possession of 15, 20, 25 or more countries.

Some criticism has been directed at the inspection and enforcement provisions of the treaty. Under article III, the International Atomic Energy Agency would be allocated the task of determining whether nonnuclear weapon countries have used nuclear facilities or materials for other than peaceful purposes. This would be accomplished through agreements which must be made by IAEA with each country and which would spell out in detail the various safeguards to be observed. The various nuclear weapon states, however, such as the United States and the Soviet Union, would not have their peaceful nuclear activities subjected to international inspection or oversight, unless they volunteered to this inspection, and of course the treaty would in no way affect the future production or use of nuclear weapons by the present "have" nations. Nevertheless, the President of the United States has announced unilaterally that our country would voluntarily accept similar safeguards and inspection on the peaceful uses of nuclear materials and facilities.

There is some fear that IAEA might encounter difficulties in reaching agreements with the various nations for inspection of their nuclear facilities and materials. It has been argued that this might delay the application of satisfactory standards and controls and permit evasion or deceptive practices which could defeat the purposes of the treaty. Question also has been raised about the competence and experience of IAEA in the field of inspection. While these points are well worth noting, they do not seem to me to be unsurmountable. Once the requisite 40 signatory states and the three depositary governments have officially deposited their ratifications of the treaty and it has formally gone into effect, attention will be focused on the task of concluding suitable and effective inspection agreements. It must be assumed that nations which are willing to sign the treaty will do so in good faith and will accept reasonable inspection and control measures. Moreover, their governments will be subjected to the force of public opinion, both at home and abroad, directed toward the establishment of meaningful controls over nuclear weapons. Likewise, IAEA already has had considerable experience in the field of nuclear inspection; any shortcomings it might have now could be remedied by appropriate increases in manpower, funding and applied research.

There are other significant aspects of the treaty which should not be overlooked. It seems to me that ratification of this instrument would stimulate future negotiations looking toward additional arms control and other international agreements so necessary for the establishment of eventual world peace. Important as limiting the spread of nuclear weapons is to our well-being, it is equally important to begin meaningful discussions on mutual limitation of nuclear delivery systems and conventional weapons of war. Moreover, the peaceful uses of atomic energy and the development of nuclear technology ought to derive concomitant benefits from this pact. Defeat of the Nonproliferation Treaty at this stage might endanger if not defeat any prospects for serious consideration of disarmament measures. If nations can be freed of the inexorable pressure forcing them to expand huge sums for nuclear-weapons, they would be able to devote more of their resources to the constructive and invaluable civilian purposes for atomic energy which hold so much future promise of benefits to mankind.

It is well to remember in this connection that the participants to the treaty will bind themselves to the exchange of data, materials and equipment for peaceful uses of nuclear energy. We are still in the infancy of the atomic age. Research and development in future years, if it is to be most beneficial to mankind, should take advantage of the knowledge, skills and abilities of scientists and engineers throughout the world. The treaty should contribute to this desirable goal by making it practicable to disseminate and share with all both present and future discoveries and techniques.

Likewise, the treaty in article V provides assurance to the nonnuclear powers that if they join in this common effort they will be entitled to participate at minimum cost in the use of nuclear explosives for peaceful purposes. This contemplates, in effect, the sale of such devices for useful commercial projects, as canals, harbors, and other large excavation works, but with strict controls over their possession and use exerted by the manufacturing nation. Because the sale price would not include the costs of research and development, I know that some have criticized the economics of this provision. They have expressed fear that it might become a subsidy to private companies, such as mining or oil ventures, which could make use of this service to their advantage. While there may be some truth in this allegation, it seems to me that careful administration can avoid this becoming a troublesome problem. Moreover, guarantee to nonnuclear powers that they would have access on a reasonable basis to nuclear explosive devices for peaceful uses should prove to be a very attractive, if not essential, inducement to obtain their approval of the treaty itself.

One other issue involving approval of the treaty has caused considerable concern, although it is not a part of the treaty itself. The resolution adopted last June 19 by the United Nations Security Council, to which the United States fully subscribed, in effect was a warning to any nation committing or threatening aggression with nuclear weapons that such actions could be "countered effectively," by measures taken according to the United Nations Charter to suppress that aggression. There are those who believe that ratification of the Nonproliferation Treaty as it now stands would imply that the United States was pledging itself to immediately commit its full strength against any nation which resorted to or threatened to resort to nuclear weapons. To counteract this, Senator ERVIN proposed Executive reservation No. 2 as an attachment to the resolution of ratification, asserting that the United States would not obligate itself by the treaty to use armed force to defend a non-nuclear-weapon state which might be attacked or threatened with nuclear aggression.

While I concur with those who contend that the United States should not in advance make such a commitment through this treaty, I am convinced that the Foreign Relations Committee judgment is correct in concluding that the treaty would not have this effect. At no place in the treaty itself is there any such pledge of assistance to another nation. Final approval of the treaty itself would not, in my opinion, mean that the Senate had thereby assented likewise to the full implications of the June 1968 resolution, nor has it waived the requirements of the Constitution with respect to the taking of belligerent action. Despite approval of the treaty, I believe that regular constitutional procedures would have to be fully observed before U.S. Armed Forces or weapons systems could be committed to the defense of any other nation. Whatever the effect of U.S. adherence to the resolution of June 19, 1968 may be under the United Nations Charter, it seems clear that approval by the Senate of the Nonproliferation Treaty would neither fortify nor detract from its authority.

Therefore, I believe that the best interests of the United States and of world peace would be served by the Senate consenting to ratification of the treaty on the Nonproliferation of Nuclear Weapons. We must soon start down the road toward international understanding and trust if we are to avoid the terrible havoc which would result from a war in which nuclear weapons were employed. There is no doubt in my mind that this treaty, while not solving all the problems facing us nor removing completely the dangers of nuclear confrontation, would contribute substantially to reducing world tensions and might lead eventually to even more effective international understanding and agreements. Consequently, I plan to vote for approval of the treaty and hope that it will receive the necessary affirmative support by at least two-thirds of the other Senators.

Mr. MOSS. Mr. President, I have long been on record in support of the Nuclear Nonproliferation Treaty. I announced my support when President Johnson sent it to the Senate as the "most important international agreement since the beginning of the nuclear age" and I agree now with President Nixon that it should be ratified without further delay.

I recognize that the consummation of this treaty will not, in itself, guarantee against the possibility of another nation acquiring nuclear weapons. I recognize also that it is not a perfect instrument. But it is as balanced and safeguarded as it is possible to make it, and the security of the world will be increased proportionately with the ratification and signature of each new nation on it.

The peace of the world will be constantly in danger if we do not take steps to keep nuclear weapons out of the hands of any new belligerent or militaristic regime which may take over any country in any corner of the world. We must be sure that they have at their command only conventional weapons—not weapons which could, at the whim of some unbalanced, power-hungry individual, destroy civilization as we know it.

Opponents of the treaty seem to see in it simply an accommodation to the Soviet Union. Surely, the Soviet Union is just as anxious to protect its people and its cities as we are. They regard this treaty in the same light as the United States does—as a way of protecting their nation from annihilation. We should stop talking of the treaty as an accommodation to the Soviet Union, and to start thinking of it in terms of protecting our own security and, we trust, the peace of the world.

Mr. President, I compliment the members of the Committee on Foreign Relations for bringing the treaty to the floor of the Senate—and with a unanimous vote. It is a long step forward in man's historical drive for arms control, and I hope the Senate will overwhelmingly advise and consent to its ratification.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may yield to the Senator from Connecticut to call up an understanding or a reservation, with the understanding that I may yield without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE UNDERSTANDING NO. 2

Mr. DODD. Mr. President, I call up my understandings Nos. 2 and 3, which are at the desk, and ask that they be made the pending business when the Senate convenes tomorrow.

The PRESIDING OFFICER. Does the Senator wish to have them considered en bloc, or separately?

Mr. DODD. Separately.

The PRESIDING OFFICER. Which one does the Senator wish to be considered first?

Mr. DODD. No. 2 first.

The PRESIDING OFFICER. Understanding No. 2 will be stated.

The legislative clerk read as follows:

Before the period at the end of the resolution of ratification insert a comma and the following: "with the understanding that, after the United States Senate has voted to ratify the treaty, any military attack directed against the independence of another country by a nuclear-weapons State party to the treaty, would be regarded as a violation of the spirit of the treaty and as a threat to the security of other signatories justifying their withdrawal under the ninety-day clause; and with the further understanding that, after the treaty has the ratifications necessary to enter into force, any military attack directed against the independence of another country by a nuclear-weapons State party to this treaty, will automatically be regarded as an abrogation of the treaty, rendering the treaty null and void".

The PRESIDING OFFICER. Without objection, understanding No. 2 will become the pending business.

Mr. DODD. Mr. President, I ask the majority leader, Is this the appropriate time to ask for the yeas and nays?

Mr. MANSFIELD. Yes; indeed.

Mr. DODD. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MANSFIELD. Mr. President, for the information of the Senate, there will be no further votes today. Furthermore, it is not anticipated that we will take up the pending understanding until after the Senate convenes, or shortly after 10 a.m., tomorrow.

UNANIMOUS-CONSENT AGREEMENT

At this time, with the concurrence of the distinguished Senator from Connecticut, the distinguished minority leader, the ranking member of the committee, and the chairman of the committee, I ask unanimous consent that the time limitation on the Dodd understandings be reduced from 2 hours to 1 hour each, with the time to be equally divided between the Senator from Connecticut and the Senator from Arkansas (Mr. FULBRIGHT).

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. With the further approval of the Senators previously mentioned, I ask unanimous consent that there be a time limitation of 1 hour on all further understandings and reservations, the time to be equally divided between the chairman of the Committee on Foreign Relations and the sponsor of each understanding or reservation, and that there be a 2-hour limitation on the treaty itself.

The PRESIDING OFFICER. Is there objection?

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from California.

Mr. MURPHY. Mr. President, reserving the right to object, I should like to have some time on the treaty itself.

Mr. MANSFIELD. Yes; we will get some.

Mr. MURPHY. I have no objection.

Mr. RUSSELL. Mr. President, reserving the right to object, I have no objection to the limitation on reservations and understandings. I do have some reservations as to the proposed limitation on the treaty itself.

Mr. MANSFIELD. Mr. President, I withdraw the latter part of the request, and request only the time limitation of 1 hour on each understanding or reservation, under the terms specified.

The PRESIDING OFFICER. Is there objection? Without objection it is so ordered.

The unanimous-consent agreement was subsequently reduced to writing, as follows:

Ordered, That there be a 1-hour limitation of debate on any further reservations or understandings to the pending treaty, with the time to be equally divided and controlled by the Senator from Arkansas (Mr. FULBRIGHT) and the Senator offering the reservation or understanding.

Mr. DODD. Mr. President, I do not know whether it is clear that I intended to call up my second understanding also.

Mr. MANSFIELD. The Senate can only consider one at a time, unless the Senator wanted them considered en bloc, and I understood the Senator to say he wanted No. 2 considered first, and the other one later.

Mr. DODD. That is right.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into legislative session and that there be a period for the transaction of routine morning business.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to the consideration of legislative business.

NIXON POSITION ON ENFORCED INTEGRATION

Mr. HOLLAND. Mr. President, for years I have had the conviction that compulsory legislation seeking to force the races toward integration was foolish, and would accomplish no useful purpose. I am glad to see that view supported in today's Washington Evening Star, in a column written by Mr. William F. Buckley, Jr., entitled "A Blunt Word Required on Nixon."

Mr. Buckley takes the position that the new President, President Nixon, has now committed himself to the position of forced integration. Whether that be true or not will remain to be seen. However, there are certain comments in this article which I think are well worthy of inclusion in the CONGRESSIONAL RECORD. I refer, for example, to this part of the column:

> The truth is that the overwhelming majority of the white population of America associates with white people, even as the blacks associate with blacks, in their homes, at schools, and, though to a lesser extent, professionally. We can and should deplore the obstinacy of these social conventions.
>
> But to attempt to enact and implement laws that forbid these natural associations—as distinguished from altogether desirable laws which attempt to bring advantages to the disadvantaged—is foolish, and bound to bring about consequences everyone deplores.

Mr. President, I ask unanimous consent to have printed in the RECORD the entire column, entitled "A Blunt Word Required on Nixon," written by William F. Buckley, Jr., and published in the Washington Evening Star for today, March 12, 1969.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

A BLUNT WORD REQUIRED ON NIXON

(By William F. Buckley, Jr.)

The American Conservative Union has come out and said bluntly what is on the minds of those Americans who made possible the election of Richard Nixon. That Nixon's performance, so far, is not altogether reassuring.

There are the complaints which are not altogether fair. It is much too early to know whether Nixon will freeze under the pressure of Communist salients, in Vietnam, at the negotiating table in Paris, in Berlin. Too early to conclude gloomily that Richard Nixon will do nothing to help the community to survive the intimidations of organized labor unions; too early, even, to know whether he will engage the problem of inflation other than rhetorically.

But on one point Nixon appears to have staked out a position, and it is, in the judgment of most of those Americans who reject ideology, the wrong one. It is the position of forced integration.

It does not seem to occur to anyone to remark that the exodus of white middle class families from the cities, the rate of which has trebled in the past three years, is above all things an indication of the lengths to which people intend to go in order to avoid certain conditions.

It is utterly useless to moralize about it: the people who dominate America have written their position on the matter of forcible integration with their feet. The father who is willing to leave the city where he grew up, where he holds down his job, to endure the expenses of moving, of reacclimation, of buying or renting a new home, is expressing himself about as directly as anyone can.

To criticize him for being uncharitable, let alone to attempt to devise laws that would rob him of the economic freedom to make his decision, is as useless as to criticize politicians for seeking to please their constituencies; or to attempt to devise laws which would force politicians to speak the truth.

The truth is that the overwhelming majority of the white population of America associates with white people, even as the blacks associate with blacks, in their homes, at schools, and, though to a lesser extent, professionally. We can and should deplore the obstinacy of these social conventions.

But to attempt to enact and implement laws that forbid these natural associations—as distinguished from altogether desirable laws which attempt to bring advantages to the disadvantaged—is foolish, and bound to bring about consequences everyone deplores. For instance the migration of whites from the cities the widespread rejection of the law, as for instance by the Southern schools; the crystallization of hypocrisy, as for instance by the white population of Washington, D.C. which by day writes laws forbidding segregation and by night returns to its segregated quarters; the rise of resentful black extremism.

Robert Finch is, from all appearances, a child of the old liberalism, which reasoned ("rationalism," Professor Oakeshott observes, "is making politics like the crow flies") that because separation of the races was morally wrong, therefore it should be forbidden by law. One would think that the 15 years that have passed since Brown vs. Board of Education would have convinced us that although it is no less wrong, any government that seeks to end it by force majeure is going to a) make matters worse, and b) impale itself on its abstractions.

We cannot, once again, know for sure whether Finch is going to return us to the bayonet-point integrationism of the post-Warren era. But he and Nixon appear to be quite blunt on the matter of applying Title VI of the Civil Rights Act, which would deny federal funds to school districts which fail to integrate at the speed required by the relevant court.

Now pledged to law and order, the Nixon administration could hardly ignore a national statute. But if the strategy was to enforce the law so as to reveal the law's shortcomings, then Finch would hardly have brought to his side as Commissioner of Education Dr. James Allen of New York, who did perhaps more than anyone to ignite frustrations, resentments, bitterness, interracial hostility and, finally, the great exodus we all bemoan.

THE QUESTION OF IAEA INSPECTION OF PEACEFUL NUCLEAR FACILITIES IN THE UNITED STATES

Mr. DODD. Mr. President, because I was concerned over the fact that both the Nixon administration and the Johnson administration before it have offered, once the Nonproliferation Treaty goes into effect, to submit all of our peaceful nuclear facilities to the inspection safeguards system of the International Atomic Energy Agency, I addressed a letter on March 5 to Dr. Glenn T. Seaborg, Chairman of the Atomic Energy Commission, for the purpose of obtaining clarification on what was involved.

I ask unanimous consent to insert into the RECORD at this point both the text of my letter to Dr. Seaborg and of the reply I received to the questions posed in the letter.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

MARCH 5, 1969.

Dr. GLENN T. SEABORG,
Chairman, U.S. Atomic Energy Commission,
Washington, D.C.

DEAR MR. CHAIRMAN: The purpose of this letter is to seek guidance and clarification on an important aspect of the Nonproliferation Treaty in advance of the forthcoming Senate debate on the subject.

While the Treaty itself does not require nuclear weapons states to submit their peaceful facilities to IAEA inspection under the terms of Article III, President Johnson and President Nixon have both made it clear that we are willing to accept such inspection for the purpose of allaying the misgivings of some of our allies.

Obviously, in voting for the Treaty, the Senate will not be called upon to approve these consecutive declarations by the Executive branch. Even if it does vote to ratify the Treaty, the Senate would still be free to recommend to the Executive branch that the wisdom of submitting all of our peaceful nuclear faclities to unilateral inspection should be the subject of a careful review.

However, since an Executive commitment on this point would have the force of law when the Treaty is ratified, it would be helpful if the Senate could be informed of the precise implications of this Presidential commitment. Specifically, I should like to ask the following questions:

1. Would all of our peaceful nuclear facilities be open to IAEA inspection? And, if all of them will not be open to such inspection, how many will be?

2. Under what circumstances will such inspections be permitted? Will IAEA inspectors be permitted to stage inspections without notice, as they are occasionally permitted to do under the standard IAEA safeguards system?

3. What kinds of inspection would the IAEA inspectors be able to carry out? Would they, for example, in line with the IAEA safeguards system, have the right and responsibility "to examine the design of specialized equipment and facilities, including nuclear reactors"?

4. How many inspections of each facility would the IAEA inspectors be permitted to carry out each year?

5. How many inspectors would be involved in these inspections?

6. While we would apparently have the right to veto the selection of individual inspectors, could this veto power be applied broadly enough to eliminate potential inspectors from any of the communist countries?

7. Since the Treaty places no internal restraints on nuclear weapons nations regarding the disposition of materials produced in their peaceful nuclear facilities, what purpose is served by voluntarily submitting our nuclear facilities to the IAEA inspection safeguards?

Since it now appears likely that the Treaty will come up for debate during the first part of next week, I would be very grateful if you could let me have your replies to these questions by this coming Monday morning, March 10.

Sincerely,

THOMAS J. DODD.

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C., March 10, 1969.

Hon. THOMAS J. DODD,
U.S. Senate.

DEAR SENATOR DODD: I am enclosing AEC's answer to the questions on the Non-Proliferation Treaty listed in your letter of March 5, 1969.

If we can be of any further assistance, please call upon us.

Cordially,

GLENN T. SEABORG,
Chairman.

Question 1. Would all of our peaceful nuclear facilities be open to IAEA inspection? And if all of them will not be open to such inspection, how many will be?

Answer. In connection with the Hearings before the Committee on Foreign Relations during July 1968, the AEC supplied a memorandum (p. 110–112) explaining the offer that when such safeguards are applied under the Treaty, the United States will permit the International Atomic Energy Agency to apply its safeguards to all nuclear activities in the United States—excluding only those with direct national security significance.

The memorandum notes that the date in the future when the offer is to take effect cannot be fixed at this time. It notes further that we will wish to consider the progress being made in gaining adherence to the Treaty and in negotiating and implementing the agreements between non-nuclear-weapon parties and the IAEA, in determining when the U.S. offer will take effect.

The U.S. offer will be fulfilled by the negotiation of a formal agreement, between the IAEA and the U.S. Government, which would identify the U.S. activities in which the IAEA could apply its safeguards. As I stated before the Armed Services Committee on February 28, 1969, the U.S. would have absolute control over the definition of where we draw the line between peaceful facilities and those that have national security implications. In implementing the agreement, the IAEA will determine in which of the listed activities covered by the offer its safeguards are to be applied. It is doubtful that the IAEA will wish to apply its safeguards to all activities listed, nor do we believe that the purpose of the U.S. offer would require that it do so. We believe that rather than apply its safeguards to all the U.S. activities on the list, the IAEA will elect to apply safeguards to a representative number of U.S. activities, at least initially.

The memorandum contained on pages 110–112 of the July 1968 Foreign Relations Committee Hearings includes an illustrative list of facilities, in six categories, which might meet the criteria of the U.S. offer. The number of facilities built, being built, or planned in each of the six categories are:

A. Approximately 55 central-station electric power reactors operating or under construction, and some 30 additional reactors now planned;

B. Two dual-purpose plants now planned;

C. Five experimental electric power reactors currently operable or under construction;

D. Appoximately 100 facilities in the category of test, research and university reactors currently operable or under constuction;

E. Approximately 20 critical assembly facilities currently operable;

F. Approximately 10 fuel fabrication, scrap recovery, and chemical processing facilities currently handling fuel associated with the facilities noted above.

The facilities now in operation, being built or planned which might be included, subject to our review at the time the agreement will be negotiated with the IAEA, total about 200. As noted above, the IAEA may choose to apply safeguards only to a representative number of the activities which will be included in the list at that time. For example, the IAEA would probably choose to apply its safeguards only to a small number of the activities listed in categories A through E above, but to most or all of the fuel fabrication and chemical processing facilities handling the fuel for the nuclear reactors selected.

It should be noted that before a definitive list of the activities or the facilities is included in the agreement to be negotiated with the IAEA, a detailed review will be conducted by the U.S. to assure that none have direct national security significance.

Question 2. Under what circumstances will such inspections be permitted? Will IAEA inspectors be permitted to stage inspections without notice, as they are occasionally permitted to do under the standard IAEA safeguards system?

Answer. Three sets of circumstances will have to be met before such inspections will be permitted.

A. The conditions called for in the offer will have to exist i.e. ". . . when such [IAEA] safeguards are applied under the Treaty, the United States will permit etc. etc. . . ."

B. The activity to be safeguarded will have been thoroughly checked by the U.S. to assure that it does not have direct national security significance.

C. The magnitude of the nuclear operation at the facility will have to be such as to warrant inspection at the level of intensity prescribed in the Agency's safeguards principles and procedures.

The current IAEA safeguards principles and procedures are contained in the Agency's Safeguards System 1965 (INFCIRC/66/Rev. 2), a copy of which is enclosed. This document sets forth a guide as to the maximum frequency of inspections for smaller facilities. For major types of nuclear plants handling strategic quantities of nuclear material, INFCIRC/66/Rev.2 provides that inspectors shall have access at all times. This may be implemented by random unannounced visits and in the case of fuel fabrication and conversion plants, and chemical reprocessing plants handling large quantities of nuclear material may normally be implemented by continuous resident inspection.

Question 3. What kinds of inspection would the IAEA inspectors be able to carry out? Would they, for example, in line with the IAEA safeguards system, have the right and responsibility "to examine the design of specialized equipment and facilities, including nuclear reactors"?

Answer. In making the offer on December 2, 1967, President Johnson noted that ". . . I want to make it clear to the world that we in the United States are not asking any country to accept safeguards that we are unwilling to accept ourselves." Therefore, the intent would be to permit the IAEA to apply to the selected facilities in the US the identical application of safeguards as the IAEA would employ in other countries. This would include, as provided in INFCIRC/66/Rev. 2:

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"30. The Agency shall review the design of principal nuclear facilities, for the sole purpose of satisfying itself that a facility will permit the effective application of safeguards.

* * * * *

"32. To enable the Agency to perform the required design review, the State shall submit to it relevant design information sufficient for the purpose, including information on such basic characteristics of the principal nuclear facility as may bear on the Agency's safeguards procedures. The Agency shall require only the minimum amount of information and data consistent with carrying out its responsibility under this section. It shall complete the review promptly after the submission of this information by the State and shall notify the latter of its conclusions without delay."

It has been our definite impression in observing the operation of the Agency's safeguards system that the design review provision has not posed any burden on activities subjected to Agency safeguards and that, in fact, the information which has been provided has been that readily available through other channels.

Question 4. How many inspections of each facility would the IAEA inspectors be permitted to carry out each year?

Answer. As noted in response to Question 2 above and also in INFCIRC/66/Rev. 2 (see paragraphs 56, 57, 58, 60, 64, 68, Annex I paragraphs 3, 4 and 5 and Annex II paragraphs 3, 4, 5 and 6) a guide to the maximum frequency of routine inspections has been determined. In any case, it would depend on the inventory, throughout, input or production potential of nuclear material for the facility during the period in question.

Question 5. How many inspectors would be involved in these inspections?

Answer. It is difficult to give a precise answer to this question. As suggested by our answer to your first question, this will depend on the actual number of facilities that the Agency elects to inspect under the terms of the offer. The number of inspectors would depend on the magnitude and complexity of the operations being safeguarded.

Question 6. While we would apparently have the right to veto the selection of individual inspectors, could this veto power be applied broadly enough to eliminate potential inspectors from any of the communist countries?

Answer. Under the IAEA's procedures, the Director General normally submits a list of inspectors to a nation before any inspection takes place. The nation concerned has the right to reject any of these inspectors without stating a reason and to request that substitute candidates be nominated. This provision was incorporated in the Agency's safeguards system to cover situations where a nation submitting to safeguards might seriously be embarrassed if it had to accept inspectors from a given country. Therefore, we shall have the discretion at the time our agreement with the IAEA is implemented, to determine whether we wish to receive inspectors from Soviet Bloc countries. We could, for example, decide to accept inspectors from Soviet Bloc non-nuclear-weapon countries that have agreed to adhere to the NPT, and who are therefore subject to safeguards, but reject inspectors from the USSR until such time as the USSR also agrees to place its civil atomic energy program under IAEA safeguards.

The IAEA provisions for designation of inspectors are as follows:

"1. When it is proposed to designate an Agency inspector for a State, the Director-General shall inform the State in writing of the name, nationality and grade of the Agency inspector proposed, shall transmit a written certification of his relevant qualifications and shall enter into such other consultations as the State may request. The State shall inform the Director General, within 30 days of receipt of such a proposal, whether it accepts the designation of that inspector. If so, the inspector may be designated as one of the Agency's inspectors for that State, and the Director-General shall notify the State concerned of such designation.

"2. If a State, either upon proposal of a designation or at any time after a designation has been made, objects to the designation of an Agency inspector of that State, it shall inform the Director-General of its objection. In this event, the Director-General shall propose to the State an alternative designation or designations. The Director-General may refer to the Board, for its appropriate action, the repeated refusal of a State to accept the designation of an Agency inspector if, in his opinion, this refusal would impede the inspections provided for in the relevant project or safeguards agreement.

Question 7. Since the Treaty places no internal restraints on nuclear weapons nations regarding the disposition of materials produced in their peaceful nuclear facilities, what purpose is served by voluntarily submitting our nuclear facilities to the IAEA inspection safeguards?

Answer. During discussions of the draft Non-Proliferation Treaty at the Eighteen Nation Disarmament Committee, in the United Nations, and at the North Atlantic Council, some countries asserted that the proposed safeguards article was discriminatory because it called for mandatory international safeguards on all peaceful nuclear activities solely in non-nuclear-weapon states party to the Treaty. They expressed concern that such safeguards might interfere with their peaceful nuclear energy activities and compromise their industrial secrets, thus placing non-nuclear-weapon parties at a disadvantage in the commercial nuclear energy market.

We do not believe that the safeguards called for by the NPT would place non-nuclear-weapon states at any disadvantage. In order, however, to demonstrate the sincerity of this conviction, and that we sought no commercial advantage through the NPT, President Johnson announced, on December 2, 1967 that the US was not asking any country to accept safeguards that we are unwilling to accept ourselves. On December 4, 1967, Disarmament Minister Mulley told the House of Commons that the United Kingdom would take similar action. We believe the offers contributed significantly to our ability to gain acceptance by our allies of Article III of the draft NPT then being considered. Recent conversations we have had with some of our allies have suggested that they continue to ascribe a great importance to the willingness of the United States to take this step.

Mr. DODD. Mr. President, I want to note at this point that, if the Senate votes to ratify the Nonproliferation Treaty, it would not be voting to ratify the administration's unilateral decision to submit all peaceful nuclear facilities in this country to IAEA inspection despite the fact that the Soviet Union has made it clear that it intends to open none of its facilities to international inspection.

Indeed, it is my hope that the administration will reconsider its position at this point.

I want to call the attention of my colleagues to question No. 6 and to the answer given by Dr. Seaborg.

In this question I ask whether the right to veto the selection of IAEA inspectors could be applied broadly enough to eliminate potential inspectors from any of the Communist countries. In his reply to me, Dr. Seaborg said the following:

> We shall have the discretion at the time our agreement with the IAEA is implemented, to determine whether we wish to receive inspectors from Soviet Bloc countries. We could, for example, decide to accept inspectors from Soviet Bloc non-nuclear-weapon countries that have agreed to adhere to the NPT, and who are therefore subject to safeguards, but reject inspectors from the USSR until such time as the USSR also agrees to place its civil atomic energy program under IAEA safeguards.

I find this statement anything but reassuring. Indeed, it appears to indicate that my suspicions on this point were well founded and that it would be extremely difficult politically, if not impossible, once we accept IAEA inspection, to put a blanket veto on all inspectors from Communist countries.

Dr. Seaborg appears to believe that nuclear inspectors from other Communist countries would be less dangerous to our security than nuclear inspectors from the Soviet Union.

On the basis of some knowledge of Soviet espionage operations, I am afraid that I cannot go along with this evaluation.

Indeed, I would be willing to place no more trust in a nuclear inspector from Poland or Bulgaria or Hungary or Rumania or even from occupied Czechoslovakia, than I would in an inspector from the Soviet Union.

No matter what his nationality may be, it can be taken as a maxim that any IAEA inspector coming from a Communist country would have an important supplementary function to perform.

I hope that my colleagues will find the time to study Dr. Seaborg's replies to my questions and that they will give due consideration to the many serious problems that may be incurred if the administration goes through with this unilateral commitment, which is not called for by the treaty language.

SENATOR RANDOLPH STRESSES CONCERN OVER SPECIAL CONCESSION CIRCUMVENTING OIL IMPORT CONTROLS

Mr. RANDOLPH subsequently said: Mr. President, a hearing on the pending coal mine health and safety legislation by the Subcommittee on Labor from approximately 9:30 a.m. to approximately 2:15 p.m. kept me occupied and necessitated that I forgo participation in the oil import discussion in the Senate today by the able junior Senator from Louisiana (Mr. LONG), and other Senators.

It is my desire, however, to supplement the discussions today by placing in the RECORD the substance of a message I sent on October 4, 1968, to the then Chairman of the Foreign Trade Zones Board at the U.S. Department of Commerce. In that message I stated that I am a believer in the validity and the necessity of the mandatory oil import program in the interest of national security. This relates to the ability of our fossil fuels industries to retain a viable position in our national defense structure.

I reemphasize now that I share the concern of the independent petroleum industry and many of the integrated oil companies, as well as the concern of the coal industry, with respect to the application filed with the Foreign Trade Zones Board by the Occidental Petroleum Co. for a foreign trade zone at Machiasport, Maine. Occidental's proposal is to operate a 300,000-barrel per day refinery entirely on foreign oil stocks.

I am informed that this would be a privilege—indeed, a special concession—which no other refinery—no other oil company in the United States—would possess. And I have not received any evidence to refute such information.

If the Occidental application for the establishment of the foreign trade zone at Machiasport were to be approved, I wrote to the Chairman of the Board, it is my judgment that it would be the first major step toward destroying the mandatory oil import program with very serious consequences.

Senators are aware that there is divided sentiment in this forum on the validity of the oil import control program and that the New England region especially resents it. New England does need some fuel cost relief, but turning to foreign sources and perhaps creating economic dislocation in fuel-producing regions of our country is not, in my judgment, the way for the Federal Government to cope with the problem. We must find a better way.

The Government of the United States did not create a special concession for any single electric utility when it built atomic energy plants in Ohio and Indiana, for example. Instead, combinations of power companies were encouraged and authorized to build the powerplants, not a single company in each franchise area, to supply electricity for those atomic energy plants.

VIOLENCE HITS HIGH SCHOOLS

Mr. BYRD of West Virginia. Mr. President, on March 7, 1969, in a floor statement to my colleagues, I warned that black militants and revolutionaries of the new left would seek to spread to our high schools the wave of destruction and defiance which has become prevalent on so many of our college and university campuses.

I was not surprised, therefore, to see a United Press International story in today's Washington Post describing how militants are trying to take over high schools, and even junior high schools, in California, Michigan, and Illinois.

Two schools in Los Angeles have been closed down temporarily because militants are picketing, throwing rocks through windows, and setting fires. Ten persons have thus far been arrested as a result.

Off-duty policemen have been hired to patrol a junior high school at East St. Louis, Ill., because of a student boycott. And 86 students—most of them black militants—have been arrested during a sit-in at a high school in Pontiac, Mich. They were demanding more black studies—a term which has become synonymous with racism in reverse. Police are also guarding the high school at Plainfield, N.J., which was the scene of a black versus white free-for-all on March 3.

The UPI article, Mr. President, goes on to cite instances of campus strife at colleges and universities in seven other States. The story of rebellion on the campuses has become so widespread and so commonplace, in fact, that UPI now covers it in one big wrap-up.

How long, Mr. President, are Americans going to stand by calmly while the Nation's educational system—the backbone of our democratic society—undergoes siege by the militant advocates of minority rule-by-force.

We cannot temporize with troublemakers whose radical demands are disrupting our schools and keeping serious students from acquiring the education which they need.

I say again that the academic community should promptly expel from our high schools and college campuses demonstrators and militants who foment disorder. Where the law is broken, there should be arrests.

The fire of rebellion is burning. I hate to think of the consequences if there is further delay in extinguishing it.

I ask unanimous consent that the UPI article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington Post, Mar. 12, 1969]

Violence Hits High Schools

Windows were broken, minor fires broke out, and picket lines set up at several Los Angeles high schools and junior highs yesterday on the second day of a student strike called by black militants.

A junior high and a high school were ordered closed for two days and 10 persons were arrested in Los Angeles as the unrest that has plagued college campuses across the Nation spread to the high school level.

At Pontiac, Mich., 86 students, most of them Negro, were arrested during a sit-in at predominantly white Pontiac Northern High School in support of demands for more black history courses and the hiring of more black teachers. They also were protesting the school board's decision to build a new high school in a predominantly white area of the city.

In East St. Louis, Ill., off-duty policemen hired as guards patrolled Rock Junior High School as a student boycott entered its second day.

Police also were posted outside the high school in Plainfield, N.J., where the city's 15 public schools reopened after a weeklong shutdown following a free-for-all between Negroes and whites at the high school March 3.

Elsewhere in New Jersey, a group of Princeton University students, most of them Negro, seized the school's seven-story administration building and barricaded themselves inside for 12 hours in protest of Princeton's financial ties with companies doing business with South Africa, then left. The University has said it could not liquidate these investments, but would not make new ones. The students left after Princeton President Dr. Robert F. Goheen warned they could face expulsion.

Striking militant Negro students in Los Angeles were protesting what they called brutality by police in the way they cleared 200 youths from the hallways of Carver Junior High School Friday.

Los Angeles police denied the brutality charge but the Board of Education ordered Carver and nearby Jefferson High School closed yesterday and today after windows were broken and a rash of small fires erupted at several schools Monday.

Other unrest included:

California—Dikan Karaguezian, editor of San Francisco State College student newspaper, the Gator, defied the suspension of publication ordered by S. I. Hayakawa, acting president of the school.

Karaguezian, in yesterday's edition of the newspaper, said: "if Hayakawa wants to silence us, he'll have to throw his body upon the wheels of our printing presses." Hayakawa had no comment.

Mississippi—Some 53 Negro students at Delta State College and a white sympathizer were scheduled to be arraigned in Cleveland, Miss., on charges of blocking hallways and disturbing classes at the predominantly white college Monday. The protesters, demonstrating in support of 10 demands ranging from the hiring of black instructors to black representation in student government, were jailed overnight in the State Penitentiary in lieu of $200 bonds.

New York—The sit-in by students at the Sarah Lawrence College administration building in Bronxville rolled into its eighth day. At Wagner College on Staten Island, students striking in protest of a planned tuition hike and for the reinstatement of four teachers said they would continue the strike until today when the Board of Trustees is to meet with them.

Wisconsin—About a dozen Negro students at Beloit College removed an Afro-American "culture centre" erected Monday in the administration building after a warning from the school president.

Pittsburgh—About 200 students and faculty members at the University of Pittsburgh began a three-day fast in a move aimed at forcing the Board of Trustees to hold public meetings.

Massachusetts—Four non-students, who had drawn attention to themselves by taking off their clothes in a Harvard dormitory during the weekend, broke up a sociology class and were arrested for trespassing and possession of narcotics.

The hecklers were members of a group of eight men and women who entered the campus both Saturday and Sunday nights and took off their clothes in the dormitory.

Illinois—Classes were cancelled for the third consecutive school day at the Southeast branch of Chicago City College for more talks between administrators and striking black students. Both sides have come to terms on four demands of the black students and were still talking in an attempt to resolve the fifth and final major student demand.

Pennsylvania—About 200 students and faculty members at the University of Pittsburgh began a three-day fast aimed at forcing the school's board of trustees to hold public meetings. The trustees met in executive session at a regular meeting as the fast started.

THE ADMINISTRATION'S VIETNAM PEACE OBJECTIVES

Mr. PELL. Mr. President, I believe it was Sir Winston Churchill who once said that "jaw jaw was better than war war." But, in connection with Vietnam, even though in Paris we are engaged in "jaw jaw," the war is going on at an all too intensive level. Our young men—and Vietnamese young men—are being killed in a never-ending war. In fact, deaths have gone up. If we keep going as we are, in a very few weeks, our young men killed in Vietnam will have exceeded in number those killed in Korea a few years ago.

According to the Department of Defense, 33,629 Americans were killed in combat during the Korean conflict. As of March 1 of this year, the number of combat deaths of Americans in Vietnam totaled 32,376. In the number of wounded American servicemen, the war in Viet-

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nam has far exceeded the number wounded in Korea. The total number of Americans wounded in Korea was 103,284, while 204,488 American servicemen have been wounded through March 1 in Vietnam.

My own belief is that, human nature being what it is, whenever conditions seem to be on a fairly even keel or even look up, we tend to escalate our objectives or to sit tight while hoping for certain military breakthroughs.

This seems to be the temptation into which we have presently fallen in connection with Vietnam.

I believe that it is our general wish to give our new President a chance to make his own policies and to give fairplay to his efforts to end the war in Vietnam. But, it would seem as if the new administration may be falling into many of the pitfalls of the old administration—listening to the siren voices of the military and changing our objectives as conditions look up.

In this connection, I was much struck by a statement attributed to Averell Harriman, a man whom I immensely respect, where he was quoted as having said that the present Vietcong offensive is "essentially a response to our actions rather than a deliberate, reckless attempt to dictate the peace terms or torpedo the talks."

I hope the administration will take notice, seek to cool our military activities and deescalate our objectives.

My own impression is that, while young men—white, black, and yellow—are being killed and mangled in this way, our new administration has not yet truly decided on what are its hard, real, minimum Vietnam peace objectives.

Before American public opinion again rises in anger, before a thousand more young Americans are killed, I trust the administration will come to this determination.

I would also hope that the administration will not overreact with a swing toward an even sharper upsurge in military activities. There are many signs on the political horizon that there are those in the administration who lean in this direction. I would hope these portents are incorrect. Rather, I urge the administration to focus on this issue and seek to cool and eventually liquidate it along the lines of reason, competence, and good judgment, which President Nixon has shown these past weeks.

I would ask unanimous consent at this point to have inserted in the Record an article from the Washington Post of February 6, quoting some of Mr. Harriman's views; an article by James Reston in the New York Times of March 7, setting forth lucidly the views that I have sought to express; and, finally, an editorial from the New York Times of March 9.

There being no objection, the material was ordered to be printed in the Record, as follows:

[From the Washington Post, Feb. 6, 1969]

Harriman: Don't Escalate Aims

(By John Maffre)

Between the shafts of pure, vintage Harriman there was the old negotiator's message: Resist the bad national habit of escalating objectives in mid-war, and the U.S. could emerge well enough from the Paris talks.

Moreover, even though Hanoi surely plans to rock many boats in Southeast Asia, Washington could and should work with Hanoi to achieve a "neutral, nonaligned area" that could oppose Peking's southward advances.

"Unless we do reach an agreement," he said, "we never will have peace in Southeast Asia."

This was W. Averell Harriman, 77-year-old statesman extraordinary, rumbling to a National Press Club luncheon yesterday that "you had better get rid of those people who want to escalate our minimum objectives."

LOSS OF MOMENTUM

He didn't say who they were, but he recalled the 1950s when the main objective was to defend South Korea, and then some wanted to "subjugate North Korea, and then we might take on China while we were about it."

It was too bad, he said, that there was a "definite loss of momentum" when Saigon balked last November at sitting in on the Paris peace talks.

"There were bonfires and rejoicing when (Henry Cabot) Lodge took my place," he said.

Then there were troubles with the State Department. Often he found himself laboring at all hours not only because Paris was six hours ahead, but because Washington "was so badly organized they often didn't get down to problems until 6 p.m. their time."

SENATOR SALUTED

Backgrounders? He "abhorred" them for public men, who should speak out or keep silent. But he conceded they had their uses for press officers "to answer questions by you people who are too lazy to find out the answers yourselves."

On his left at the head table he saluted "my favorite Republican Senator"—John Sherman Cooper (R-Ky.) a leading dove on the Senate Foreign Relations Committee—then turned to his right to welcome that Committee's new recruit, hawkish Sen. Gale McGee (D-Wyo.) with this observation:

"Maybe the Senate Foreign Relations Committee will make some sense from now on."

Harriman intends to live here, and said he would stand by to help the new Administration—"but I'm sure nobody's going to consult me"—and said he was dubious about writing his memoirs.

"I wasn't always right," he confessed, "and I don't want to write a book on when I was wrong".

[From the New York Times, Mar. 7, 1969]

Mr. Nixon and the Vietnam Casualties

(By James Reston)

In a few weeks, at the present casualty rate, more Americans will have been killed in Vietnam than in any other conflict in U.S. history except the Civil War and the two World Wars.

Last week, 453 Americans were killed in Vietnam and 2,593 wounded. This brought the total U.S. combat dead to 32,376—very close to the 33,629 total for the entire Korean War.

In the face of this terrible waste and killing, the urgent need for a new and creative effort to end the fighting is manifest. The negotiators are stuck in Paris. The new government in Washington is following the same old policies. The language of the war is lower but the cost is higher.

THE DEATHS TALK

In fact, 9,425 Americans have been killed in Vietnam since the preliminary peace talks began in Paris last May 13, and 2,319 of these have died since South Vietnam joined the enlarged talks last Dec. 7.

The carnage among the Vietnamese meanwhile is almost beyond comprehension. On the enemy side alone, according to the official U.S. command in Saigon, at least 457,132 Vietcong and North Vietnamese soldiers have been killed since the beginning of 1961 when the United States entered the war, and nobody has the heart to estimate the dead among the civilian population, North and South.

The reaction to all this is remarkably casual. Even expressions of pity are now seldom heard. The enemy continues his rocket attacks on Saigon. Ambassador Henry Cabot Lodge says in Paris that "the consequences of these attacks" are the enemy's responsibility. President Nixon says that if the attacks go on, he will make "some response that is appropriate." And Secretary of Defense Laird says in Saigon: "We will not tolerate any enemy escalation of the war."

There is not even any agreement on the terms of the Paris peace talks or on whether the enemy was first to step up the military pressure, or vice versa. Washington says it had an "understanding" that there would be no enemy attacks on the cities if it stopped the bombing of North Vietnam. Hanoi says there was no such understanding. Hanoi says the U.S. kept up the bombing pressure and the search-and-destroy raids early this year; Washington says it did so in response to the enemy's increasing pressure.

Meanwhile, despite all the recent expressions of mutual understanding between President Nixon and officials of the Soviet Union and the Western European countries, the efforts of London, Paris, Moscow and even the United Nations to bring about a cease-fire have virtually ceased.

THE CRITICAL POINT

In this situation, it is fairly clear that President Nixon is not going to get a settlement without a shift in policy. He has apparently been hoping that by sounding reasonable toward both Saigon and Hanoi, the enemy will come forward with the compromise President Johnson could not get, but this is not forthcoming.

The sticking point for the enemy is his doubt that the United States intends to withdraw from that peninsula. Hanoi simply cannot believe that the United States would sacrifice over 32,000 lives and spend over $30 billion a year in defense of a principle, then make peace and take its men back home.

In actual fact, there is reason for believing that if Mr. Nixon could get a negotiated peace, he would be willing to do precisely that, but he has not made the point clear, and so long as the enemy is in doubt about this critical point, the chances are that the war will go on indefinitely.

If this intention were emphatically stated instead of merely being discussed around the White House as a likely objective of U.S. policy, then it might be possible to bring the influence of the world community, including the Soviet Union, to bear on the Paris talks.

THE WISHFUL WAITING

But the President hesitates. He is still hoping the old policy will work simply because it is in new hands and is being expressed in different language. He is back on the brink again of one more military response to the enemy's attacks, though there is no evidence that the enemy, having lost over 450,000 men, will hesitate to keep on sacrificing until it is sure American power will definitely be removed as part of any settlement.

Sooner or later, Mr. Nixon will probably have to come to this decision, and the longer he waits, the harder it will be to make the switch, the greater the danger of one more round of escalation, and the higher the death tolls.

[From the New York Times, Mar. 9, 1969]

The President's Vietnam Test

The challenge confronting President Nixon in the current Vietcong offensive is to resist the Lyndon Johnson tendency to react, in the words of one high official of the old Administration, "as if his manhood were at stake."

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The sudden doubling of American casualties in South Vietnam is a bitter new indication of the high price of this dismal war, one that makes clearer than ever the necessity for ending it with maximum speed. That endeavor will not be aided by another rash of self-defeating responses dictated by frustration and anger.

In his foreign policy news conference last week, President Nixon confirmed that the Communist attacks in South Vietnam have been "primarily directed toward military targets." Only "technically," in his phrase, do they contravene the American warning that attacks against major cities would make it impossible to maintain the bombing halt.

Several factors need consideration before an Administration decision on what to do about the present attacks. The first is that experience at all stages of the war indicate that Communist offensives soon run out of supplies and that their duration is not significantly affected by bombing North Vietnam.

Before President Johnson ordered the halt last Nov. 1, it had become abundantly clear that attempts at aerial interdiction of supply routes through North Vietnam were incapable of stopping the tortuous flow of arms and equipment into the South. Nor has the punishment and economic damage inflicted on the North ever visibly shaken Hanoi's will to fight.

The most predictable effect of precipitate resumption of the bombing would be to alienate world opinion again and hamper negotiations on Vietnam and other critical issues with the Russians. It certainly would halt the Paris talks, prolong the war and escalate the fighting, thus increasing instead of reducing the ultimate cost in American casualties.

Moreover, as former Ambassador Harriman last week told James A. Wechsler of The New York Post, the present Vietcong offensive is "essentially a response to our actions rather than a deliberate, reckless attempt to dictate the peace terms or torpedo the talks." General Abrams after the Nov. 1 bombing halt was instructed by Washington to maintain "all-out pressure on the enemy" in South Vietnam.

Pentagon figures show that from November to January the number of allied battalion-sized operations increased more than one-third, from 800 to 1,077. Of these 919 were South Vietnamese, 84 American and 74 combined. Meanwhile, the North Vietnamese pulled all but three of their 25 regiments in the northern sections of South Vietnam back across the borders. This freed more than a full division of American troops to join in maximum military pressure further south as a means of maintaining morale there and encouraging Saigon to get into the Paris talks.

American spokesmen have heralded successes on the battlefield and in renewed pacification efforts as improving both the allied bargaining position in Paris and the Saigon Government's chances for surviving a peace settlement. There have even been repeated claims that an allied military victory was ripe for the taking.

The United States simply cannot have it both ways. It cannot demand the right to press the fighting with increased vigor itself while charging doublecross whenever the Communists do the same. The sad fact is that the Paris talks have been left on dead center while Ambassador Lodge awaits a White House go-ahead for making new peace proposals or for engaging in private talks out of which the only real progress is likely to come. Everything has been stalled while the Nixon Administration completes its military and diplomatic review.

Now that the Communists have responded with a new military offensive in South Vietnam, the United States will simply have to grit its teeth and see the battle through. Hanoi as well as Washington and Saigon must once again learn the hard way that military victory is an impossibility for both sides, that the sole real hope lies in ending the drift in the peace talks. Anything either side does to retard progress there simply condemns more life and treasure to destruction in the bottomless pit that is the Vietnam war.

DEMONSTRATIONS IN ALABAMA

Mr. ALLEN. Mr. President, we have been informed by sources in Alabama that plans are afoot again to use the citizens of Selma, Ala., and the State of Alabama in a most shocking and ironic scheme to exploit the memory of Martin Luther King in a fundraising scheme.

The sometime preacher, Ralph David Abernathy, has stated that he expected to lead a bunch of mules and wagons on a march to Montgomery, Ala., and that as a result of the attendant publicity he hopes to create boycotts, school walkouts, work stoppage, peace demonstrations, student protests, rent strikes, hunger marches, and other disruptive demonstrations as a means of commemorating the memory of Martin Luther King.

The people of Alabama strenuously object to the bitterly ironic and callous plan called for by Ralph Abernathy.

Mr. President, a so-called peaceful demonstration of this nature appeals to the human flotsam in our society. It attracts hoards of sullen, unclean, uncouth, unwashed, and wild-eyed radicals together with their motley crew of professional camp followers. It attracts "reverend" hypocrites—pseudopreachers, if you please—who are all too ready to walk through the filth, crime, corruption, poverty, decadence, and stench in their own backyards to travel to Selma and Montgomery, Ala., to lecture our people on morals and to demonstrate the art of making a fast buck by prostituting their professions.

Mr. President, it has been amply demonstrated that these people are led, directed, and supervised by a core of disciplined Communists, anarchists and syndicalists, who aim only to create violence and disrupt the duly constituted government. The agitation, confrontations, lawlessness, and disruptive tactics employed are deliberately designed to create divisiveness, ill will, and strained relationships.

What we have here, Mr. President, is an extension of "Lynch Law." Extralegal measures are executed by mobs against entire communities. This is the essence of their tactics. This virulent extension of "Lynch Law" has been sanctioned by the U.S. Supreme Court as a "right" protected by the first amendment of our Constitution. Police of the State and community must be diverted from their normal tasks of protecting life and property of law-abiding citizens and committed to protecting a lawless rabble. Streets and highways are diverted from their proper uses and converted into arenas for use of despicable riffraff, prostitutes, bums, and hucksters to ply their trades.

It has been observed that these callous leaders are the first to arrive on the scene and the first to depart. Having conned the public, these disciples of violence and discord leave responsible white and Negro citizens the difficult task of restoring order and picking up the shattered pieces of constructive race relations in the communities.

On behalf of the people of Alabama, I deplore this potentially explosive action and express the hope that it will not take place.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDING OFFICER laid before the Senate the following letters, which were referred as indicated:

REPORT OF OFFICE OF CIVIL DEFENSE

A letter from the Deputy Secretary of Defense, transmitting, pursuant to law, the seventh annual report of the Office of Civil Defense covering civil defense functions assigned to the Secretary of Defense, for the fiscal year 1968 (with an accompanying report); to the Committee on Armed Services.

REPORT OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on improvements made or to be made in the acquisition and management of nonexpendable personal property overseas, Department of State, dated March 12, 1969 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on an examination of financial statements, Commodity Credit Corporation, fiscal year 1968, Department of Agriculture, dated March 12, 1969 (with an accompanying report); to the Committee on Government Operations.

PETITION

A petition was laid before the Senate and referred as indicated:

By the PRESIDING OFFICER:

A resolution of the Legislature of the State of Minnesota; to the Committee on Post Office and Civil Service:

"RESOLUTION 1

"A resolution memorializing the President and Congress of the United States to issue a Postage Stamp commemorating the establishment of Fort Snelling

"Whereas, the corner stone of Fort Snelling was laid September 10, 1820; and

"Whereas, Fort Snelling was constructed at the confluence of the Mississippi River and the Minnesota River as the guardian of the Northern Frontier of the United States; and

"Whereas, the construction of Fort Snelling marked the beginning of modern civilization in what were the most distant territories of the Old Northwest; and

"Whereas, the one hundred and fiftieth anniversary of that historic event will be marked in 1970; now, therefore,

"Be it Resolved, by the legislature of the State of Minnesota that the Post Office Department of the United States be urged to issue a Commemorative Postage Stamp on or about September 10, 1970, in honor of the establishment of Fort Snelling and the beginning of modern civilization in the area now known as the Upper Midwest.

"Be it further resolved, that the Post Office Department of the United States be urged to have first day ceremonies for the stamp in or near Fort Snelling.

"Be it further resolved, that the Secretary of State of the State of Minnesota transmit copies of this resolution to the President of the United States, the Postmaster General of the United States, the Commmtitee on

Post Office and Civil Service of the United States House of Representatives, the Committee on Post Office and Civil Service of the United States Senate and the Minnesota Representatives and Senators in Congress.

"L. L. DUXBURY,
"*Speaker of the House of Representatives.*

"JAMES B. GOETZ,
"*President of the Senate.*

"Passed the House of Representatives this third day of February in the year of Our Lord one thousand nine hundred and sixty-nine.

"EDWARD A. BURDICK,
"*Chief Clerk, House of Representatives.*

"Passed the Senate this seventh day of February in the year of Our Lord one thousand nine hundred and sixty-nine.

"H. Y. TORREY,
"*Secretary of the Senate.*

"Approved February 14, 1969.

"HAROLD LEVANDER,
"*Governor of the State of Minnesota.*

"Filed February 14, 1969.

"JOSEPH L. DONOVAN,
"*Secretary of the State of Minnesota.*"

CONVENTION ESTABLISHING THE WORLD INTELLECTUAL PROPERTY ORGANIZATION AND PARIS CONVENTION FOR THE PROTECTION OF INDUSTRIAL PROPERTY—REMOVAL OF INJUNCTION OF SECRECY

Mr. BYRD of West Virginia. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from Executive A, 91st Congress, first session, the convention establishing the World Intellectual Property Organization and the Paris Convention for the Protection of Industrial Property, as revised at Stockholm on July 14, 1967, transmitted to the Senate today by the President of the United States, and that the conventions, together with the President's message, be referred to the Committee on Foreign Relations and ordered to be printed, and that the President's message be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The message from the President is as follows:

To the Senate of the United States:

I transmit herewith, for the advice and consent of the Senate to ratification, (1) a copy of the Convention Establishing the World Intellectual Property Organization, signed at Stockholm on July 14, 1967, and (2) a copy of the Paris Convention for the Protection of Industrial Property, as revised at Stockholm on July 14, 1967. I transmit also, for the information of the Senate, the report of the Secretary of State with respect to the Conventions.

The Conventions remained open for signature until January 13, 1968. During that period the Convention Establishing the World Intellectual Property Organization was signed on behalf of 51 States, including the United States, and the Paris Convention was signed on behalf of 46 States, including the United States. Both Conventions remain open for accession.

(1) *Convention Establishing a World Intellectual Property Organization.* Two significant services will be rendered by the new organization. First, it will provide a coordinated administration for the various intellectual property Unions presently administered by the Secretariat, the United International Bureaus for the Protection of Intellectual Property, and through such administration, render an economical and efficient service to the Member States and the interests protected by the Unions. Second, it will promote the protection of intellectual property, not only for Member States of the intellectual property Unions, but also for the States which, while not members of the Unions, are parties to the World Intellectual Property Organization Convention. This is of particular importance since a forum will thus be provided for the advancement of industrial property and copyrighted protection on a worldwide basis.

(2) *Revision of the Paris Convention For the Protection of Industrial Property.* Administrative and structural reforms in the Paris Convention have long been overdue, and the modernization of the Union which has been accomplished by the Stockholm revision will be of importance in expanding the protection of industrial property.

A limited amendment to one substantive provision of the Paris Convention was also effected at the Conference. This amendment would accord to applications for inventors' certificates of the Eastern European countries the right of priority presently accorded to patent applications, provided that the Eastern European countries maintain a dual system of both inventors' certificates and patents and that both are available to foreign nationals. Inclusion of this provision is considered helpful to furthering industrial property relations with Eastern European countries.

The Stockholm Act of the Paris Convention and the World Intellectual Property Organization Convention will make a significant contribution to the protection of the foreign intellectual property rights of American nationals. I recommend that the Senate give early and favorable consideration to the Conventions submitted herewith and give its advice and consent to their ratifications.

RICHARD NIXON.

THE WHITE HOUSE, *March 12, 1969.*

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

Walter H. Annenberg, of Pennsylvania, to be Ambassador Extraordinary and Plenipotentiary to Great Britain;

Jacob D. Beam, of New Jersey, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary to the Union of Soviet Socialist Republics;

John S. D. Eisenhower, of Pennsylvania, to be Ambassador Extraordinary and Plenipotentiary to Belgium;

David M. Kennedy, of Illinois, to be U.S. Governor of the International Monetary Fund; U.S. Governor of the International Bank for Reconstruction and Development; and a Governor of the Inter-American Development Bank; and

David M. Kennedy, of Illinois, to be U.S. Governor of the Asian Development Bank.

Mr. FULBRIGHT. Mr. President, from the Committee on Foreign Relations, I also report favorably sundry nominations in the Diplomatic and Foreign Service. Since these names have previously appeared in the CONGRESSIONAL RECORD, in order to save the expense of printing them on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The VICE PRESIDENT. Without objection, it is so ordered.

The nominations, ordered to lie on the desk, are as follows:

Lloyd C. Burnett, of Florida, and sundry other officers for promotion in the Foreign Service;

Alfred L. Atherton, Jr., of Massachusetts, and sundry other officers, for promotion in the Foreign Service;

Gilbert F. Austin, of Washington, and sundry other officers, for promotion in the Foreign Service; and

John E. McGowan, of New Jersey, and sundry other persons, for appointment in the Foreign Service.

By Mr. GOODELL, from the Committee on Commerce:

Kenneth N. Davis, Jr., of New York, to be an Assistant Secretary of Commerce.

By Mr. PASTORE, from the Committee on Commerce:

Paul W. Cherington, of Massachusetts, to be an Assistant Secretary of Transportation;

Secor D. Browne, of Massachusetts, to be an Assistant Secretary of Transportation;

James D. Braman, of Washington, to be an Assistant Secretary of Transportation;

C. Langhorne Washburn, of the District of Columbia, to be the Director of the U.S. Travel Service;

James T. Lynn, of Ohio, to be General Counsel of the Department of Commerce;

Andrew E. Gibson, of New Jersey, to be Maritime Administrator, Department of Commerce;

Albert L. Cole, of Connecticut, to be a member of the board of directors of the Corporation for Public Broadcasting;

James D. O'Connell, of California, to be an Assistant Director of the Office of Emergency Preparedness;

Donald L. Jackson, of California, to be an Interstate Commerce Commissioner; and

James M. Beggs, of Maryland, to be Under Secretary of Transportation.

Mr. PASTORE. Mr. President, from the Committee on Commerce, I also report favorably sundry nominations in the Environmental Science Services Administration. Since these names have previously appeared in the CONGRESSIONAL RECORD, in order to save the expense of printing them on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The VICE PRESIDENT. Without objection, it is so ordered.

The nominations, ordered to lie on the desk, are as follows:

Eugene A. Taylor, and sundry other persons, for appointment in the Environmental Science Services Administration.

TREATY ON THE NONPROLIFERATION OF NUCLEAR WEAPONS—EXECUTIVE UNDERSTANDING NO. 4

Mr. ERVIN submitted an understanding, intended to be proposed by him, to

Executive H, 90th Congress, second session, the Treaty on the Nonproliferation of Nuclear Weapons, which was ordered to lie on the table and to be printed.

BILLS INTRODUCED

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. STEVENS:

S. 1503. A bill for the relief of Per Einer Jonsson; to the Committee on the Judiciary.

By Mr. PROXMIRE (for himself, Mr. Sparkman and Mr. Bennett):

S. 1504. A bill to enable the Federal Reserve Banks to extend credit to member banks and others in accordance with current economic conditions, and for other purposes; and

S. 1505. A bill to enable Federal Reserve Banks to invest in certain obligations of foreign governments; to the Committee on Banking and Currency.

(See the remarks of Mr. Proxmire when he introduced the above bills, which appear under a separate heading.)

By Mr. TYDINGS (for himself, Mr. Eagleton, Mr. Goodell, Mr. Hatfield, Mr. Magnuson, Mr. Mondale, Mr. Muskie, Mr. Scott, Mr. Stevens, and Mr. Yarborough):

S. 1506. A bill to provide for improvements in the administration of the courts of the United States, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. Tydings when he introduced the above bill, which appear under a separate heading.)

By Mr. TYDINGS (for himself and Mr. Eagleton):

S. 1507. A bill to improve judicial machinery by amending provisions of law relating to the retirement of justices and judges of the United States; to the Committee on the Judiciary.

(See the remarks of Mr. Tydings when he introduced the above bill, which appear under a separate heading.)

By Mr. TYDINGS:

S. 1508. A bill to improve judicial machinery by amending provisions of law relating to the retirement of justices and judges of the United States;

S. 1509. A bill to improve judicial machinery by providing for the appointment of a court executive for each judicial circuit;

S. 1510. A bill to improve judicial machinery by providing for the filing of financial reports by the judges and justices of the United States;

S. 1511. A bill to improve judicial machinery by providing benefits for survivors of Federal judges comparable to benefits received by survivors of Members of Congress, and for other purposes;

S. 1512. A bill to improve judicial machinery by amending provisions of law relating to the retirement of justices and judges of the United States;

S. 1513. A bill to improve judicial machinery by amending provisions of law relating to assignment of judicial duties to retired judges;

S. 1514. A bill to improve judicial machinery by amending provisions of law relating to membership on judicial councils;

S. 1515. A bill to improve judicial machinery by amending the provisions of law relating to the selection of circuit chief judges and district court chief judges; and

S. 1516. A bill to improve judicial machinery by creating a Commission on Judicial Disabilities and Tenure, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. Tydings when he introduced the above bills, which appear under a separate heading.)

By Mr. MANSFIELD (for himself and Mr. Metcalf):

S. 1517. A bill to set aside certain lands in Montana for the Indians of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana; to the Committee on Interior and Insular Affairs.

By Mr. JACKSON (by request):

S. 1518. A bill to increase the lease term to ninety-nine years on Indian allotment numbered MA–10, commonly known as Wapato Point; to the Committee on Interior and Insular Affairs.

By Mr. YARBOROUGH:

S. 1519. A bill to establish a National Commission on Libraries and Information Science, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Yarborough when he introduced the above bill, which appear under a separate heading.)

By Mr. INOUYE (for himself, Mr. Allen, Mr. Allott, Mr. Baker, Mr. Bayh, Mr. Bellmon, Mr. Bennett, Mr. Cook, Mr. Cranston, Mr. Eagleton, Mr. Fannin, Mr. Fong, Mr. Goldwater, Mr. Harris, Mr. Magnuson, Mr. Moss, Mr. Murphy, Mr. Packwood, Mr. Randolph, Mr. Schweiker, Mr. Scott, Mr. Tower, Mr. Williams of New Jersey, Mr. Saxbe, and Mr. Yarborough):

S. 1520. A bill to exempt from the antitrust laws certain combinations and arrangements necessary for the survival of failing newspapers; to the Committee on the Judiciary.

(See the remarks of Mr. Inouye when he introduced the above bill, which appear under a separate heading.)

By Mr. PACKWOOD:

S. 1521. A bill to authorize the Secretary of the Interior to establish the John Day Fossil Beds National Monument in the State of Oregon, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. JAVITS:

S. 1522. A bill to amend the Internal Revenue Code of 1954 so as to impose a minimum income tax on persons now allowed certain exclusions and deductions from gross income, to increase the amount of the general standard deduction and the minimum standard deduction allowable to individuals, and for other purposes; to the Committee on Finance.

(See the remarks of Mr. Javits when he introduced the above bill, which appear under a separate heading.)

By Mr. McGEE:

S. 1523. A bill for the relief of Michael Tzoros;

S. 1524. A bill for the relief of Vincenzo Venosi; and

S. 1525. A bill for the relief of Yu Shu Chan (also known as Chin Fang); to the Committee on the Judiciary.

By Mr. SYMINGTON:

S. 1526. A bill for the relief of Dr. Zeliha Bilsel; and

S. 1527. A bill for the relief of Dr. Yilmaz Bilsel; to the Committee on the Judiciary.

By Mr. NELSON:

S. 1528. A bill for the relief of Chung Hwa Chow; and

S. 1529. A bill for the relief of Enoch Shih; to the Committee on the Judiciary.

By Mr. CRANSTON (for himself and Mr. Murphy):

S. 1530. A bill to authorize the appropriation of additional funds necessary for acquisition of land at the Point Reyes National Seashore in California; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Cranston when he introduced the above bill, which appear under a separate heading.)

By Mr. SCOTT:

S. 1531. A bill for the relief of Chi Jen Feng; to the Committee on the Judiciary.

By Mr. GURNEY (for himself, Mr. Bellmon, Mr. Bennett, Mr. Eastland, Mr. Fannin, Mr. Jordan of Idaho, Mr. Jordan of North Carolina, Mr. Holland, Mr. Hollings, Mr. Murphy, Mr. Thurmond, and Mr. Tower):

S. 1532. A bill to amend the National Labor Relations Act to make certain secondary boycotts, regardless of motive, an unfair labor practice, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Gurney when he introduced the above bill, which appear under a separate heading.)

By Mr. BOGGS:

S. 1533. A bill to amend subchapter III of chapter 83 of title 5, United States Code, relating to civil service retirement; to the Committee on Post Office and Civil Service.

By Mr. McCARTHY (for himself and Mr. Mondale):

S. 1534. A bill to amend the Act entitled "An Act authorizing the village of Baudette, State of Minnesota, its public successors or public assigns, to construct, maintain, and operate a toll bridge across the Rainy River at or near Baudette, Minn.," approved December 21, 1950; to the Committee on Foreign Relations.

S. 1504 AND S. 1505—INTRODUCTION OF AMENDMENTS TO THE FEDERAL RESERVE ACT

Mr. PROXMIRE. Mr. President, at the request of the Board of Governors of the Federal Reserve System, I am introducing two bills to liberalize and modernize the operations of the Federal Reserve System. Both of these bills have passed the Senate in the 89th and 90th Congress.

The first bill would broaden the definition of eligible paper required from member banks to secure advances from the Federal Reserve discount window. In the absence of this broader definition, member banks are required to pay a penalty rate of one-half of 1 percent whenever advances are secured by paper not meeting the narrow technical requirements of the Federal Reserve Act.

The second bill would authorize Federal Reserve banks to invest in securities which are direct obligations of or fully guaranteed by any foreign government or monetary authority and which have maturities from date of purchase not exceeding 12 months and payable in any convertible currency. This measure is designed to increase the flexibility of Federal Reserve Board foreign currency operations and to permit the Federal Reserve to earn a higher rate of interest on idle foreign currency balances.

The chairman of the full committee, John Sparkman and the ranking Republican member, Wallace Bennett are joining me in sponsoring these two bills.

Mr. President, I ask unanimous consent that the bills be printed at this point in the Record.

The PRESIDING OFFICER. The bills will be received and appropriately referred; and, without objection, the bills will be printed in the Record.

The bills (S. 1504) to enable the Federal Reserve Banks to extend credit to member banks and others in accordance with current economic conditions, and for other purposes; and (S. 1505) to enable Federal Reserve Banks to invest in certain obligations of foreign governments, introduced by Mr. Proxmire (for

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himself and other Senators), were received, read twice by their titles, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

S. 1504

A bill to enable the Federal Reserve banks to extend credit to member banks and others in accordance with current economic conditions, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following new section is inserted in the Federal Reserve Act immediately preceding section 14:

"SEC. 13A. (a) Any Federal Reserve bank may make advances to any of its member banks secured to the satisfaction of such Federal Reserve bank, subject to such limitations, restrictions, and regulations as the Board of Governors of the Federal Reserve System may prescribe.

"(b) In making advances pursuant to this section, each Federal Reserve bank shall give due regard to the maintenance of sound credit conditions and the accommodation of commerce, industry, and agriculture. Each Federal Reserve bank shall keep itself informed of the general character and amount of the loans and investments of its member banks with a view to ascertaining whether undue or inappropriate use is being made of bank credit for the speculative carrying of or trading in securities, real estate, or commodities, or for any other purpose inconsistent with the maintenance of sound credit conditions; and, in determining whether to grant or refuse advances, the Federal Reserve bank shall give consideration to such information. Whenever the Board of Governors of the Federal Reserve System, in the light of any reports made to it by a Federal Reserve bank, determines that any member bank is making such undue or inappropriate use of bank credit, the Board may, in its discretion, after reasonable notice and an opportunity for a hearing suspend such bank from the use of the credit facilities of the Federal Reserve System and may terminate such suspension or may renew it from time to time.

"(c) Any Federal Reserve bank may make advances in exigent circumstances to any individual, partnership, or corporation on its promissory notes, secured to the satisfaction of such Federal Reserve bank, subject to such limitations, restrictions, and regulations as the Board of Governors of the Federal Reserve System may prescribe."

SEC. 2. The following provisions of the Federal Reserve Act are hereby repealed: section 10(a) (12 U.S.C. 347a); section 10(b) (12 U.S.C. 347b); section 11(b) (12 U.S.C. 248(b)); the second, third, fourth, fifth, sixth, eighth, tenth and thirteenth paragraphs of section 13 (12 U.S.C. 343, 344, 345, 346, 347, 347c); section 13a (12 U.S.C. 348-352); and the last sentence of the third paragraph of section 24 (12 U.S.C. 371).

SEC. 3. The eighth paragraph of section 4 of the Federal Reserve Act (12 U.S.C. 301) is amended to read as follows:

"Said Board of Directors shall administer the affairs of said bank fairly and impartially and without discrimination in favor of or against any member bank or banks."

SEC. 4. The thirteenth paragraph of section 9 of the Federal Reserve Act (12 U.S.C. 330) is amended by changing the colon after "member banks" in the second sentence to a period and by striking, commencing with "*Provided, however,*", the remainder of the paragraph.

SEC. 5. The last sentence of section 11(m) of the Federal Reserve Act (12 U.S.C. 248(m)) is amended by changing "of all rediscount privileges at Federal reserve banks" to read "from the use of the credit facilities of the Federal Reserve banks".

SEC. 6. The second paragraph of section 12 of the Federal Reserve Act (12 U.S.C. 262) is amended by changing "discount rates, rediscount business" to read "advances under section 13A of this Act, rates of interest charged by the Federal Reserve banks on such advances".

SEC. 7. The first paragraph of section 14 of the Federal Reserve Act (12 U.S.C. 353) is amended to read as follows:

"Any Federal Reserve bank may, subject to the regulations of the Federal Open Market Committee, purchase and sell in the open market, at home or abroad, either from or to domestic or foreign banks, firms, corporations, or individuals, cable transfers, bankers' acceptances, and bills of exchange, with or without the indorsement of a member bank."

SEC. 8. Section 14(c) of the Federal Reserve Act (12 U.S.C. 356) is amended by striking "arising out of commercial transactions, as hereinbefore defined".

SEC. 9. Section 14(d) of the Federal Reserve Act (12 U.S.C. 357) is amended to read as follows:

"(d) To establish from time to time, subject to review and determination of the Board of Governors of the Federal Reserve System, rates of interest to be charged by the Federal Reserve bank on advances under section 13A of this Act, which shall be fixed with a view of accommodating commerce, business, and agriculture, and of maintaining sound credit conditions; and different rates may be fixed for different classes of paper or according to such other basis or bases as may be deemed necessary in order to accomplish such purposes; but each such bank shall establish such rates every fourteen days, or oftener if deemed necessary by the Board;".

SEC. 10. The third sentence in the second paragraph of section 16 of the Federal Reserve Act (12 U.S.C. 412) is amended to read: "The collateral security thus offered shall be notes of member banks or others acquired under the provisions of section 13A of this Act, or bills of exchange or bankers' acceptances purchased under section 14 of this Act, or gold certificates, or Special Drawing Right certificates, or direct obligations of the United States."

SEC. 11. The second sentence of section 19(e) of the Federal Reserve Act (12 U.S.C. 374) is amended by changing "discounts" to read "advances".

SEC. 12. The proviso to the first sentence in the second paragraph of section 23A of the Federal Reserve Act (12 U.S.C. 371c) is amended by striking out "drafts," and "for rediscount or".

SEC. 13. The third sentence of section 201(e) of the Act of July 21, 1932 (12 U.S.C. 1148), is amended by striking out "various Federal reserve banks and".

S. 1505

A bill to enable Federal Reserve banks to invest in certain obligations of foreign governments

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 14(e) of the Federal Reserve Act (12 U.S.C. 358) is amended to read as follows:

"(e)(1) With the approval or upon the direction of the Board of Governors of the Federal Reserve System and subject to such regulations as the Board may prescribe:

"(A) to establish and maintain accounts in foreign countries and to appoint correspondents and establish agencies in such countries;

"(B) to buy and sell through such correspondents or agencies (i) bills of exchange and acceptances arising out of actual commercial transactions that have not more than ninety days to run, exclusive of days of grace, and that bear the signatures of two or more responsible parties, and (ii) any securities that are direct obligations of, or fully guaranteed as to principal and interest by, any foreign government or monetary authority and that have maturities from date of purchase of not exceeding twelve months and are denominated payable in any convertible currency; and

"(C) to establish and maintain accounts for such foreign correspondents or agencies, for foreign banks or bankers, or for foreign states as defined in section 25(b) of this Act.

"(2) Whenever any Federal Reserve bank establishes an account or agency or appoints a correspondent pursuant to this section, any other Reserve bank, with the approval of the Board, may be permitted to conduct, through the Reserve bank establishing such account or agency or appointing such correspondent, any transaction authorized by this section, subject to such regulations as the Board may prescribe."

S. 1506, S. 1507, S. 1508, S. 1509, S. 1510, S. 1511, S. 1512, S. 1513, S. 1514, S. 1515, AND S. 1516—INTRODUCTION OF THE JUDICIAL REFORM ACT AND RELATED BILLS

Mr. TYDINGS. Mr. President, last February I introduced a bill, entitled "The Judicial Reform Act," which was developed on the basis of a study begun in October 1965 by the Subcommittee on Improvements in Judicial Machinery of which I am chairman. With some modifications which I will discuss, today on behalf of myself, the Senator from Missouri (Mr. EAGLETON), the Senator from New York (Mr. GOODELL), the Senator from Oregon (Mr. HATFIELD), the Senator from Washington (Mr. MAGNUSON), the Senator from Minnesota (Mr. MONDALE), the Senator from Maine (Mr. MUSKIE), the Senator from Pennsylvania (Mr. SCOTT), the Senator from Alaska (Mr. STEVENS), and the Senator from Texas (Mr. YARBOROUGH), I am reintroducing this bill as the "Judicial Reform Act." The act represents an attempt to solve some of the critical problems confronting the Federal judiciary. Although it deals with a wide range of judicial administration issues, its primary feature is the establishment of machinery within the judiciary to deal with judges who through their actions have failed to meet the standard of "good behavior" required by article III of the Constitution, or who are unable to perform judicial duties because of disabling mental or physical infirmities.

Courts, like all public institutions, are bodies of men, and the confidence they inspire depends upon the human qualities of these men. The American people have maintained their confidence because the members of the Federal judiciary have continued to inspire it. The strength of our courts has been only as great as the strength of those who have manned them. It is justly a source of great pride that Federal judges for the most part have always been men of exceptional ability and integrity.

But just as human qualities of imagination and courage are the strength of the Federal courts, so are human frailties the primary cause of those weaknesses that have appeared from time to time. We are all realistic enough to recognize that judges like the rest of us can fall prey to these frailties. Although the Federal bench has rarely been occupied by

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the unfit judge, instances of unfitness are not unknown. Some of us have encountered the lazy judge. Others have known the judge who becomes ill and fails to recognize that he is no longer capable of performing his duties properly. Some judges, after many years of distinguished service, become senile. Others drink too much and some—very few—have fallen prey to temptation by selling justice to the highest bidder. Justice is denied whenever any of these conditions prevail and, equally important, one or two unfortunate instances can sully the reputation of the entire judiciary. Moreover, when the fitness of a judge is in doubt, the appearance of justice is impaired and the faith of the people may be shaken. The judiciary, like Caesar's wife, should be above suspicion. For these reasons, the pride we share in the historical quality of the Federal bench must not lead us to ignore the occasional case that threatens to mar the record.

Consistent with the high quality of its performance, the Federal judiciary has not been unmindful of the problems of unfitness that occasionally plague its ranks, and there are notable instances in which fellow judges have been able to deal with these situations by persuading unfit colleagues to leave the bench or, where appropriate, to accept a lightened caseload. Informal techniques of persuasion, however, are not always adequate to the occasion, and, by contrast, the formal congressional mechanism of impeachment is cumbersome at best and wholly inappropriate in some cases.

With these considerations in mind, the Judicial Reform Act would create a Commission on Judicial Disabilities and Tenure, with power to investigate complaints of misconduct or physical or mental disability on the part of any judge of the United States, to recommend the removal of misbehaving judges, and to effect the involuntary retirement of physically or mentally incapacitated judges who do not retire voluntarily. The Commission is a modified version of the Commission on Judicial Qualifications established by the State of California in 1960 and since adopted in a number of other States.

Other important but, perhaps, less dramatic portions of the act deal with liberalized retirement, judicial conflicts of interest, the selection of chief judges, the composition of judicial councils, and judicial survivorship benefits.

When I introduced the Judicial Reform Act in 1968, I said that it was my hope that its introduction would bring about a spirited and rigorous dialog on every aspect of the bill: on the need for such legislation, the philosophy of the bill, the soundness of its provisions, and alternative solutions to the problems that it recognized.

After its introduction the Judicial Reform Act was circulated to interested laymen and to leading lawyers, judges, professors, and court administrators, many of whom responded in depth to a request for comments, criticisms and suggestions. In addition, the subcommittee held 6 days of hearings and received testimony from, among others, such jurists as the Honorable J. Edward Lumbard, chief judge of the second circuit; the Honorable John Biggs, Jr., and the Honorable Albert Branson Maris, senior judges of the third circuit; and the Honorable Richard H. Chambers, chief judge of the ninth circuit. Ernest C. Friesen, Director of the Administrative Office of the United States Courts and Andrew E. Ruddock, Director of the Bureau of Retirement and Insurance, U.S. Civil Service Commission, and other experts testified on some of the more technical aspects of the act. Knowledgeable laymen, such as Glenn Winters, executive director of the American Judicature Society, and Joseph Borkin, author of "The Corrupt Judge," also testified in the hearings.

The hearings, correspondence, and conferences arising out of the introduction of the Judicial Reform Act in 1968 served not only to illuminate the problems that the legislation was designed to meet, but also to produce important suggestions for the improvement of the legislation. On the basis of those suggestions I have made a number of changes in the act. The Judicial Reform Act which I am introducing today embodies those revisions.

Title I of the act, which I am introducing today, is similar to title I of the bill which I introduced last year. It is this title which would create a Commission on Judicial Disabilities and Tenure with the powers which I have already described to deal with unfit judges. It would be composed of five judges of the United States assigned to Commission service by the Chief Justice. It would act to retire or remove a judge only after an investigation and a formal hearing held in accordance with the requirements of due process. A decision to remove a judge for misconduct would be subject to review by the Judicial Conference and ultimately by the Supreme Court by certiorari. The confidentiality of the proceedings is insured by the act.

Only one significant change has been made in title I. The original provision enabled the Commission to investigate the disability of a judge only upon certification of such disability by the Judicial Council of the judge's circuit. The new provision would enable the Commission to undertake an investigation of a judge's physical or mental fitness upon the report of any person, thus bringing its power to investigate reports of disability in line with its power to investigate reports of misconduct.

Title II of the act deals with the retirement of judges. Last year this title included a provision which would have enabled a Federal judge to retire at full pay at the age of 65 after 10 years of service. This measure was designed, primarily, to increase the manpower on the Federal courts in order to help alleviate existing backlogs and avoid future ones. Each time a judge retires, a vacancy occurs on his court which can then be filled by appointment of a new regular active service judge. Both the retired judge and his newly appointed successor can be employed in the disposing of the business of the court, where, before, only one superannuated judge was available.

Despite the surface attractiveness of this provision, the judiciary reacted unfavorably to it. There was a general feeling that it made retirement too easy and tended to dilute the character of the Federal bench by making it look like a haven for easy retirement. Upon reflection, the reaction of the judges seems reasonable and I have deleted this provision from the bill. I have, however, inserted in title II a substitute measure which will allow a judge to take senior status after 20 years of service regardless of age. This measure also will serve to increase the manpower on the Federal bench and 20 years of service hardly raises the specter of easy retirement. Since retirement at full pay is now available to judges at age 65 after 15 years service, the new provision will only assist those judges appointed at a rather young age.

Other provisions of title II would enable a disabled judge to retire on full pay regardless of years of service and would give a retired judge the right to demand assignment of such work as he is willing and able to undertake. A means of enforcing that right through the Commission on Judicial Disabilities is also provided. These measures will also serve to encourage retirement of disabled and superannuated judges and are the same as the relevant provisions in the predecessor bill. Under present law, a judge who has served less than 10 years, no matter how disabled, may only retire at half pay. This feature of the present law has led to instances where judges have been carried on the active rolls while disabled and unable to work, to the detriment of effective judicial administration. If a judge is disabled after taking office, he should be treated generously by the Nation, not made to linger on the bench until some arbitrary time limit has passed.

Title III of the bill relates to the judicial survivors annuity fund and is designed to remedy present deficiencies by merging the judicial survivors annuity fund with the civil service retirement fund and by making participation in the civil service survivorship plan available to judges and justices alike. It would place the benefits available to judges on an equal footing and at an equal rate of contribution with those available to Members of Congress, and it would tie the solvency of the survivorship plan for judges to the solvency of the broader based civil service retirement fund. In addition, however, it preserves for the judiciary existing prerogatives in the administration of the fund. Questions of eligibility would still be determined within the Administrative Office of the United States Courts. Individual participation records would be kept there, counseling of judges and their survivors would remain Administrative Office functions, and payments from the fund could be made upon the order of the Director.

With the exception of some technical modifications, title III of the bill which I am introducing today is the same as title III of the act which I introduced last year.

The knowledge gained in the past year has led to some significant changes in title IV of the act which deals with judicial conflicts of interest and financial disclosure. During the hearings a number of witnesses expressed the view that

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some of the provisions of title IV were too stringent, in that they would allow the removal of a Federal judge for what might be basically unknowing and/or unintentional behavior. This was not the intent of the provision. Hopefully, the problem has been solved by tightening the language of title IV, and by incorporating in it a de minimis principle so that participation by a judge in an adjudication in which he has some small remote interest will not necessarily provide grounds for removal.

Title IV of the Judicial Reform Act of 1968 also provided for the filing by each judge of the United States of a financial statement disclosing a limited amount of financial information. This year the disclosure provisions have been broadened to include justices of the United States. They have also been expanded to effect a much more complete disclosure of financial interests. For example, unlike the measure introduced last year, the bill which I am introducing today would require a judge and justice of the United States to disclose his major liabilities, and all of his income, including gifts and honorariums, for the year and the sources of such income. In addition, it would require him to disclose not only his own business, professional, real estate, and trust interests as in the prior bill but also those of his spouse and of his minor children. Their financial interests are as significant as his in judging his conduct on the bench.

This past year this body passed Senate Resolution 266 requiring Senators and certain Senate employees to file financial reports. An analogous resolution, House Resolution 1099, was passed in the House of Representatives. With the passage of these two resolutions the judges can no longer complain they are being singled out for special reporting requirements. Indeed, with the passage of Senate Resolution 266 and House Resolution 1099 and the longstanding requirement of executive disclosure, the judiciary is now "singled out" for nondisclosure. The reports required under my proposed provision are similar to those provided for in Senate Resolution 266. They are, however, broader, and I believe that the broader provisions are justified. Unlike Senators and Congressmen, Federal judges are not responsible to any constituency.

The new bill, like the old one, provides that the financial statements are to be filed pursuant to rules promulgated by the Judicial Conference of the United States. The revised bill specifically provides that those rules can be designed to ensure the confidentiality of the required reports. Senate Resolution 266 and House Resolution 1099 provide such protection. They also provide for inspection by the Senate Select Committee on Standards and Conduct of the reports filed by Members of the Senate and its employees, and inspection by the House Committee on Standards of Official Conduct of the reports filed by Members of the House and its employees, upon a majority vote of the respective committees. Title IV of the Judicial Reform Act of 1969 has similar teeth. Taking into account the impeachment process, I have provided in the new bill that, upon a majority vote of the full committee, the Committee on the Judiciary of the House of Representatives may require that it be provided with any financial report which has been filed by any judge or justice. Reports may not be required, however, by that committee unless they are reasonably needed for use in an investigation related to the initiation of an impeachment proceeding. The reports are also, of course, to be made available, when needed, to the Commission on Judicial Disabilities and Tenure.

Title V of the bill contains a number of miscellaneous provisions, tied as in the previous bill to the overall purpose of the act, increased efficiency in the Federal courts. Last year title V contained a provision which would have substituted an election process for the seniority system which presently determines the chief judges of the circuits and of the district courts. This was an attempt to replace the seniority system with the judgment of the judges of the court as an index of administrative skill and inclination. It was also intended to discourage the superannuated judge from remaining in regular active service, even after retirement at full pay becomes available, in the expectation of ultimately achieving the chief judgeship. There was substantial well-reasoned opposition to this provision on a number of grounds from a number of quarters. It was felt, for example, that an election process would become involved in personalities and would create ill-will on the court. The election provision has been deleted from the new act. Some of the problems which it was designed to deal with would be solved by a new provision which would prevent any judge from becoming a chief judge of a circuit or of a district court after reaching the age of 66. This provision will terminate the practice of judges, qualified for retirement, lingering on the bench for some time in order to attain the title of chief judge and hold it for a matter of months or a few years. Also, the new provision assures such chief judge at least a 4-year term, one long enough for him to grasp and control the administrative reins of his court.

I have retained in title V of the bill a provision which would, for the first time, provide that the Judicial Councils will be composed partially of district court judges. Representation of district court judges should add to the effectiveness of the Councils which are presently composed solely of judges of the U.S. circuit courts of appeals.

More significantly, perhaps, the new title V incorporates an expanded version of the bill which I introduced as S. 3062 last year and which would provide for the appointment of a court executive in each circuit. The court executive would be responsible, subject to the general supervision of the chief judge of the circuit, for the administration of the circuit and would be selected on the basis of his managerial expertise. His duties would be those delegated by the Judicial Council. A number of possible duties are enumerated in the bill. The bill could easily be expanded to provide court executives for the large metropolitan districts if such an expansion is shown by the hearing to be desirable. Court management, unlike judicial decisions, need not be left to judges who by training and inclination may have little interest in administration. Our courts now suffer from placing administrative responsibilities solely in the hands of a chief judge or judicial council—judges who are expected to carry a full judicial workload—with no provision for competent managerial assistance.

The provisions of the Judicial Reform Act are to a large extent interrelated. Enactment of some of the component parts of the act would, however, help solve a number of independent problems. Consequently, in addition to the bill which I have just described, I am introducing a number of separate bills which give individual treatment to many of the significant portions of the omnibus bill. I am also introducing on my own behalf and on behalf of Senator EAGLETON a bill that would provide for mandatory retirement of judges and justices of the United States at the age of 70. An earlier version of this bill was introduced as S. 3061 last year.

It is my opinion that the Judicial Reform Act should be enacted in its entirety and that it would be a substantial step forward in solving many of the critical problems of the Federal judiciary. It would provide a better way to make retirement attractive to older judges, to permit disabled judges to choose an honorable retirement and to make that choice for the disabled judges when they cannot or will not recognize their disability. It would provide more equitable financial treatment for the survivors of Federal judges. It would provide machinery through which significant improvement in the administration of the Federal courts can be made. It would, moreover, provide a better way to resolve complaints about judges of the United States, to insure that Federal judges do not sit in judgment of their own financial interests, and ultimately to preserve for the Federal judiciary the confidence of the American people.

Mr. President, I ask that the bills and the outline of the Judicial Reform Act be printed in the RECORD at this point.

The PRESIDING OFFICER. The bills will be received and appropriately referred; and, without objection, the bills and outline will be printed in the RECORD.

The bills (S. 1506) to provide for improvements in the administration of the courts of the United States, and for other purposes, introduced by Mr. TYDINGS, for himself and other Senators; (S. 1507) to improve judicial machinery by amending provisions of law relating to the retirement of justices and judges of the United States, introduced by Mr. TYDINGS, for himself and Mr. EAGLETON; (S. 1508) to improve judicial machinery by amending provisions of law relating to the retirement of justices and judges of the United States; (S. 1509) to improve judicial machinery by providing for the appointment of a court executive for each judicial circuit; (S. 1510) to improve judicial machinery by providing for the filing of financial reports by the judges and justices of the United States;

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(S. 1511) to improve judicial machinery by providing benefits for survivors of Federal judges comparable to benefits received by survivors of Members of Congress, and for other purposes; (S. 1512) to improve judicial machinery by amending provisions of law relating to the retirement of justices and judges of the United States; (S. 1513) to improve judicial machinery by amending provisions of law relating to assignment of judicial duties to retired judges; (S. 1514) to improve judicial machinery by amending provisions of law relating to membership on judicial councils; (S. 1515) to improve judicial machinery by amending the provisions of law relating to the selection of circuit chief judges and district court chief judges; and (S. 1516) to improve judicial machinery by creating a Commission on Judicial Disabilities and Tenure, and for other purposes, introduced by Mr. Tydings, were received, read twice by their titles, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

S. 1506

A bill to provide for improvements in the administration of the courts of the United States, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Judicial Reform Act."

TITLE I—COMMISSION ON JUDICIAL DISABILITIES AND TENURE

Sec. 101. (a) Chapter 17 of title 28, United States Code, is amended by adding at the end thereof the following new sections:

"§ 377. Commission on Judicial Disabilities and Tenure

"(a) There is established within the judicial branch of the Government a Commission on Judicial Disabilities and Tenure, whose purpose it shall be to promote the honorable and efficient administration of justice in the courts of the United States through the performance of the duties imposed upon it by law.

"(b) The Commission shall be composed of five members. Each member shall be a judge of the court of the United States who is in regular active service. The Commission shall, at all times, include at least two district judges and two circuit judges. All members shall be assigned to the Commission by the Chief Justice, who shall also designate one of the members as the Chairman of the Commission. No judge who is a member of the Judicial Conference of the United States shall be assigned to the Commission.

"(c) The term of each assignment to the Commission shall be four years; except that—

"(1) a member appointed to fill a vacancy shall serve for the remainder of the term for which his predecessor was assigned;

"(2) the terms of members first assigned to the Commission shall be those prescribed in section 103(a) of the Judicial Reform Act; and

"(3) the term of a member shall become vacant automatically when he resigns, retires, or is permanently separated from regular active service as a judicial officer, becomes a member of the Judicial Conference of the United States, or becomes a Justice of the United States.

A judge who has served a full term may be reassigned to the Commission only once. A judge assigned to fill a term that has been vacated may be reassigned to the Commission for one full term.

"(d) Performance of duties as a member of the Commission shall constitute the transaction of official business within the meaning of section 456 of this title.

"(e) The Commission shall act upon the concurrence of any three of its members, but the concurrence of any four of its members shall be required to effect a determination that the conduct of a judge has been or is inconsistent with the good behavior required by article III of the Constitution.

"§ 378. Good behavior of a judge

"(a) Upon complaint or report, formal or informal, of any person, the Commission may undertake an investigation of the official conduct of any judge of the United States appointed to hold office under article III of the Constitution to determine whether the conduct of such judge is and has been consistent with the good behavior required by that article. After such investigation as it may deem adequate, the Commission may dismiss the complaint as frivolous, unwarranted, or insufficient in law or in fact. Should such investigation give the Commission cause to believe that the conduct of the judge is or has been inconsistent with the good behavior required by article III, the Commission shall order a hearing concerning the conduct of such judge.

"(b) A judge whose conduct is to be the subject of a hearing by the Commission shall be given notice of such hearing and the nature of the matters under inquiry not less than thirty days before the date on which the hearing is to be held. He shall be admitted to such hearing and to every subsequent hearing regarding his conduct. He may be represented by counsel, offer evidence in his own behalf, and confront and cross-examine witnesses against him. A record of each such hearing shall be kept by the Commission and one copy of such record shall be made available to the judge at the expense of the Commission.

"(c) Willful misconduct in office or willful and persistent failure to perform his official duties by a judge of the United States shall constitute conduct inconsistent with the good behavior required by article III of the Constitution and shall be cause for the removal of that judge.

"(d) Within ninety days after the adjournment of hearings held pursuant to subsection (b) of this section, and pursuant to rules established in accordance with subsections (b) and (c) of section 103 of the Judicial Reform Act, the Commission shall make findings of fact and a determination regarding the conduct of the judge who was the subject of such hearing. If the Commission determines that the conduct of such judge has been or is inconsistent with the good behavior required by article III of the Constitution, it shall forthwith so report to the Judicial Conference of the United States, recommending that the judge be removed from office, and shall forthwith notify the judge of its determination and order him to cease the exercise of any judicial powers or prerogatives pending disposition of the Commission's recommendation by the Judicial Conference. Failure of the Commission to reach the four-member concurrence required by section 377(e) shall in every case be deemed a determination that the conduct of the judge has not been inconsistent with the good behavior required by article III of the Constitution. If the Commission determines that the conduct of the judge has not been inconsistent with the good behavior required by article III, it shall forthwith so notify the judge, inquiring whether he desires the Commission to make information pertaining to the nature of its investigation, its hearings, findings, and determination, or any other facts related to its proceedings regarding his conduct available to the public. Upon receipt of a request in writing from the judge, the Commission shall make such information available to the public.

"(e) Whenever the Commission determines that the conduct of a judge is or has been inconsistent with the good behavior requirement of article III of the Constitution, the Commission shall, after consultation with that authority within his court responsible for the assignment of business to judges, formulate such order or orders regarding the business pending before the judge as the Commission may deem appropriate.

"§ 379. Duties and powers of the Judicial Conference

"(a) The Judicial Conference of the United States may adopt such rules of procedure as it may deem appropriate to the performance of its duties under this chapter.

"(b) Whenever the chairman of the Conference, or other officer designated for the purpose, receives from the Commission a recommendation that a judge be removed from the office for conduct inconsistent with the good behavior required by article III of the Constitution, the Conference or one of its committees shall forthwith review the record, the findings, and the determination of the Commission, both on the law and on the facts. In its discretion, the Conference or one of its committees may receive additional evidence, hear oral arguments, or require the filing of briefs. The Conference may accept, modify, or reject the findings of the Commission, or remand the case to the Commission for further proceedings in accordance with the Conference's order. Should the Conference accept the recommendation of the Commission, the Conference shall stay certification to the President of its determination that the conduct of the judge has been inconsistent with the good behavior required by article III of the Constitution, pending review in the Supreme Court. Such stay shall expire upon final disposition of the case in the Supreme Court or on the day after the date on which the time for seeking such review has passed without the filing of a petition for the writ of certiorari. The Conference may, in its discretion, continue any order issued by the Commission pursuant to subsections (d) and (e) of section 378 of this title pending disposition by the Supreme Court.

"(c) If the Conference determines that the conduct of the judge has not been inconsistent with the good behavior required by article III, it shall forthwith so notify the judge, inquiring whether he desires the Conference to make information pertaining to the nature of its investigation, its hearings, findings, and determination, or any other facts relating to its proceedings regarding his conduct available to the public. Upon receipt of a notice in writing from the judge, the Conference shall make such information available to the public.

"(d) A judge aggrieved by a determination of the Conference to certify him for removal may seek review of such determination by writ of certiorari in the Supreme Court under section 1259 of this title.

"(e) Upon affirmance by the Supreme Court of the Conference's determination to certify a judge for removal, or upon expiration of a stay for failure to seek review of the certification in the Supreme Court, the Conference shall forthwith so certify to the President, and such judge shall be removed from office. The President shall forthwith appoint, by and with the advice and consent of the Senate, a successor to such judge.

"§ 380. Disability of a judge

"(a) Upon report, formal or informal, of any person, the Commission may undertake an investigation of the physical or mental condition of any judge of the United States appointed to hold office during good behavior to determine whether the judge in question has a permanent mental or physical disability seriously interfering with the performance by him of one or more of his critical duties and whether any such disability is or is likely to become permanent in character. After such investigations as it may deem adequate, the Commission may dismiss the complaint as frivolous, unwarranted or insufficient in law or in fact. Should the Commission determine that the judge in question is unable to discharge efficiently one or more of the critical duties of his office by reason of permanent mental or physical disability, the Commission shall order a hearing concerning the physical or mental condition of such judge.

"(b) A judge whose physical or mental condition is to be the subject of a hearing by the Commission shall be given notice of such hearing and of the nature of the matters under inquiry no later than thirty days prior to the date on which the hearing is to be held. He shall be admitted to such hearing and to every subsequent hearing regarding his physical or mental condition. He may be represented by counsel, offer evidence in his own behalf, and confront and cross-examine witnesses against him. A record of each such hearing shall be kept by the Commission and one copy of such record shall be made available to such judge at the expense of the Commission.

"(c) Within ninety days after the adjournment of hearings held pursuant to subsections (a) and (b) of this section, and pursuant to rules established in accordance with subsections (b) and (c) of section 103 of the Judicial Reform Act, the Commission shall make findings of fact and a determination regarding the physical or mental condition of such judge. Should the Commission determine that the judge does have a physical or mental disability seriously interfering with the performance by him of one or more of his critical duties and that the disability is or is likely to become permanent in character, the Commission shall proceed pursuant to section 372(b) of this title. Should the Commission determine that the judge does not have such a disability it shall forthwith so report to the judge. The judge shall be informed that, upon receipt of his written request, the Commission will make information regarding the nature of its proceedings, its findings and determinations, and such other matters regarding its proceedings in his case as are not confidential or privileged under law available to the public. Upon receipt of such request, the Commission shall make such information available to the public.

"§381. Claim of a judge

"The Commission shall hear and decide any claim by a judge retired under section 372(b) of this title that he is not being assigned such judicial duties within his court as he is willing and able to undertake. The Commission may prescribe by rule such procedures as may be appropriate to the consideration and disposition of these claims. Whenever such a claim is substantiated to the satisfaction of a majority of the Commission, the Commission shall transmit an appropriate order to the authority within his court responsible for the assignment of judicial duties to retired judges.

"§382. Confidentiality of proceedings

"Notwithstanding any other provision of law, the filing of papers with and the giving of testimony before the Commission shall be privileged. Unless otherwise authorized by the judge whose conduct, physical or mental ability, or claim is the subject of proceedings under this chapter, or authorized by this section, or by section 378 or 380 of this title, the record of hearings before the Commission and all papers filed in connection with such hearings shall be confidential; but the filing of an application for a writ of certiorari to the Supreme Court of the United States, as provided in section 1259 of this title, shall render public the record of hearings before the Commission and before the Conference and all papers filed in connection therewith to the extent that such record or such papers are required for the disposition of such application and for the conduct of any subsequent proceedings.

"§383. Disqualification

"A judge who is a member of the Commission or the Judicial Conference of the United States shall not serve as a member of such body in any proceedings when it inquires into his own conduct or physical or mental condition or claim. No judge of the same court as the judge whose conduct or physical or mental condition or claim is the subject of any inquiry by the Commission or the Conference shall participate in such inquiry or in the determination by such body thereof. In the event that a Commission member is disqualified under this subsection, the Chief Justice shall assign a substitute judge to the Commission, to serve only in the matter which caused this assignment.

"§384. Powers of the Commission and the Judicial Conference

"(a) In the conduct of investigations and hearings under sections 378–381 of this title, the Commission and the Judicial Conference of the United States may administer oaths, order and otherwise provide for the inspection of books and records, and issue subpoenas for the attendance of witnesses and the production of papers, books, accounts, documents, and testimony relevant to any such investigation or proceeding.

"(b) No person shall be excused from attending and testifying or from producing books, papers, and other records and documents before the Commission or the Conference on the ground that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subject to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, documentary or otherwise, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

"§ 385. Enforcement

"If any person refuses to attend, testify, or produce any writings or things required by a subpena issued by the Commission or the Judicial Conference of the United States the issuing body may petition the district court for the district in which such person may be found for an order compelling such person to attend and testify or produce the writings or things required by the subpena. The court shall order such person to appear before it at a specified time and place and then and there shall consider why he has not attended or testified or produced the writings or things as required. A copy of the order shall be served upon him. If it appears to the court that the subpena was regularly issued, the court shall order such person to appear before the issuing body at the time and placed fixed in the order and to testify or to produce the required writings or things. Upon failure to obey the order, such person shall be dealt with as for contempt of court.

"§ 386. Depositions

"In pending investigations or proceedings before them, the Commission and the Judicial Conference of the United States may order the deposition of any person to be taken in such form and subject to such limitation as may be prescribed in the order. The Commission or the Conference may file in the district court for the district in which such investigation or proceeding is pending a petition entitled "In the Matter of Proceedings of the Commission on Judicial Disability and Tenure (or Judicial Conference of the United States) Numbered —", stating generally, without identifying the judge, the nature of the pending matter, the name and residence of the person whose testimony is desired, and directions, if any, of the Commission or the Conference, asking that an order be made requiring such person to appear and testify before a designated officer. Upon the filing of the petition, the court may make an order requiring such person to appear and testify. A subpoena for such depositions shall be issued by the clerk and the depositions shall be taken and returned in the manner prescribed by law in civil actions.

"§ 387. Fees and mileage of witnesses

"Each witness, other than an officer or employee of the United States, shall receive for his attendance the same fees, and all witnesses shall receive the same mileage, allowed by law to a witness in civil cases as provided in section 1821 of this title. The amount shall be paid by the Administrative Office of the United States Courts from funds appropriated for the judiciary.

"§ 388. Duty of marshals to serve process and execute orders

"It shall be the duty of the United States marshals, upon request of the Commission or the Judicial Conference of the United States, to serve process and to execute all lawful orders of the Commission or Conference.

"§ 389. Commission and Conference staffs

"(a) The Commission shall have a permanent staff of attorneys, and clerical and secretarial assistants.

"(b) The Commission and the Judicial Conference of the United States may employ on a temporary basis such counsel, assistants, and other employees as are necessary for the performance of the duties and exercise of the powers conferred upon them. The Commission and the Conference may arrange for and compensate medical and other experts and reporters, and arrange for the attendance of witnesses, including witnesses not subject to subpoena.

"(c) The Director of the Administrative Office of the United States Courts may pay from funds available to the judiciary all expenses reasonably necessary for effectuating the purposes of sections 377–381 of this title, whether or not specifically enumerated herein.".

(b) The analysis of chapter 17 of title 28, United States Code, is amended by adding at the end thereof the following new items:

"377. Commission on Judicial Disabilities and Tenure.
"378. Good behavior of a judge.
"379. Duties and powers of the Judicial Conference.
"380. Disability of a judge.
"381. Claim of a judge.
"382. Confidentiality of proceedings.
"383. Disqualification.
"384. Powers of the Commission and the Judicial Conference.
"385. Enforcement.
"386. Depositions.
"387. Fees and mileage of witnesses.
"388. Duty of marshals to serve process and execute orders.
"389. Commission and Conference staffs.".

(c) Section 451 of title 28, United States Code, is amended by adding at the end thereof the following new definition:

"The term 'Commission' means the Commission on Judicial Disabilities and Tenure established under chapter 17 of this title.".

SUPREME COURT REVIEW

SEC. 102. Chapter 81 of title 28, United States Code, is amended—

(1) by adding at the end thereof the following new section:

"§ 1259. Review of Judicial Conference certification

"Upon the petition of the aggrieved judge, the Supreme Court may review by writ of certiorari a certification to the President by the Judicial Conference of the United States, pursuant to section 379 of this title, that a judge be removed for conduct inconsistent with the good behavior required by article III of the Constitution. The petition for a writ of certiorari shall be filed within the time provided in section 2101(c) of this title.";

and

(2) by adding at the end of the analysis thereof the following new item:

"1259. Review of Judicial Conference certification.".

MISCELLANEOUS

SEC. 103. (a) Within ninety days after the date of enactment of this Act, the Chief Justice shall assign judges of the United States to serve on the Commission on Judicial Disabilities and Tenure in accordance with section 377 of title 28, United States Code, as added by section 101(a) of this Act. The Chairman shall be appointed for a term of four years, and the members shall be appointed for terms of two, three, and four years, as designated by the Chief Justice.

(b) Within one hundred and eighty days after the date of enactment of this Act, the Commission shall promulgate rules for the conduct of its proceedings and other business it is authorized to undertake under title I of this Act.

(c) Within one hundred and eighty days after the enactment of this Act, the Judicial Conference of the United States shall promulgate rules of evidence for the use of the Commission and the Conference, or any constituent committee thereof empowered to conduct hearings on their behalf, and rules for the conduct of its proceedings and other business related to its compliance with duties imposed upon it under title I of this Act.

(d) All rules promulgated pursuant to subsections (b) and (c), and amendments thereto, shall be matters of public record, and shall be effective upon promulgation.

TITLE II—RETIREMENT OF JUDGES

RETIREMENT FOR AGE

SEC. 201. (a) Section 371(b) of title 28, United States Code, is amended by inserting immediately before the period at the end of the first sentence the following: "or at any age after serving at least twenty years continuously or otherwise."

(b) The last full paragraph of section 372(a) of such title is amended to read as follows:

"Each justice or judge retiring under this section shall, during the remainder of his lifetime, receive the salary of the office.".

DISABILITY RETIREMENT

SEC. 202. (a) Section 294(b) of title 28, United States Code, is amended by striking out the phrase "retired from regular active service under section 371(b) or 372(a) of this title", and inserting in lieu thereof the following: "retired voluntarily from regular active service under section 371(b) or 372(a) of this title, or who has been involuntarily retired under section 372(b) of this title,".

(b) Section 294(c) of title 28, United States Code, is amended—

(1) by striking out of the first sentence thereof the phrase "Any retired circuit or district judge may", and inserting in lieu thereof the following: "A circuit or district judge retired voluntarily under section 371 (b) or 372(a) of this title or involuntarily under section 372(b) of this title shall, from time to time,"; and

(2) by adding at the end thereof the following new sentence: "A judge of the United States retired involuntarily under section 372(b) of this title shall be designated and assigned by the chief judge of his court to perform such judicial duties in such court as such judge is willing and able to undertake.".

(c) Section 372 of title 28, United States Code, is amended by striking out subsection (b), and inserting in lieu thereof the following:

"(b) Whenever any judge of the United States appointed to hold office during good behavior who is eligible to retire under this section does not do so and a majority of the Commission finds, subject to the requirements of section 380 of this title, that such judge is unable to discharge efficiently one or more of the critical duties of his office by reason of permanent mental or physical disability, the Commission shall certify its determination to the President and such judge shall be retired involuntarily from the regular active service.

"(c) The President, by and with the advice and consent of the Senate, shall forthwith appoint a successor to any judge retired involuntarily under the provisions of subsection (b) of this section. Whenever such successor shall have been appointed, the vacancy subsequently caused by the death or resignation of the judge involuntarily retired shall not be filled.

"(d) Habitual intemperence that seriously interferes with the performance of any of the critical duties of a judge shall be regarded as a permanent disability for the purposes of this section and section 380 of this title.".

TITLE III—JUDICIAL SURVIVOR ANNUITIES

REVISION OF THE SURVIVOR ANNUITY PROGRAM

SEC. 301. Subchapter III of chapter 83 of title 5, United States Code, is amended by adding after section 8341 thereof the following new section:

"8341A. Annuities for survivors of judicial officials

"(a) For the purpose of this section—

"(1) 'judicial official' means an individual who gives notice in writing to the Director of the Administrative Office of the United States Courts within six months after (i) the date on which he takes office (ii) the date on which he gets married, or (iii) the enactment of this section of his desire to make his survivors subject to this section and who is—

"(A) a justice or judge of the United States as defined by section 451 of title 28;

"(B) a judge of the United States District Court for the District of Puerto Rico, the United States District Court for the District of the Canal Zone, the District Court of Guam, or the District Court of the Virgin Islands;

"(C) a Director of the Administrative Office of the United States Courts who has filed a waiver under section 611(a) of title 28; or

"(D) a Director of the Federal Judicial Center who has filed a waiver under section 627(b) of title 28; and "(2) 'retirement salary' means, in the case of—

"(A) a justice or judge of the United States, as defined by section 451 of title 28, salary paid (i) after retirement from regular active service under section 371(b) or 372(a) of that title or (ii) after retirement from office by resignation on salary under section 371(a) of that title;

"(B) a judge of the United States District Court for the District of Puerto Rico, the United States District Court for the District of the Canal Zone, the District Court of Guam, or the District Court of the Virgin Islands, salary paid after retirement from office by resignation on salary under section 373 of title 28 or by removal or failure of reappointment after not less than 10 years judicial service;

"(C) a Director of the Administrative Office of the United States Courts, an annuity paid under subsection (b) or (c) of section 611 of title 28; and

"(D) a Director of the Federal Judicial Center, an annuity paid under subsection (c) or (d) of section 627 of title 28.

"(b) Survivors of judicial officials are entitled to the same benefits under this subchapter as survivors of Members. For the purpose of this subsection, service as a judicial official shall be credited in the same manner as Member service, and the pertinent provisions of sections 8331, 8332, 8333, 83334, 8339–8342, and 8345–8348 of this title are applicable to a judicial official and his survivors to the same extent as such provisions are applicable to a Member and the survivors of a Member, except that—

"(1) service as a judicial official includes any period for which the judicial official is paid retirement salary, except a judge resigned on salary under 28 USC 371(a) or 373;

"(2) in lieu of amounts required to be deducted, contributed, or deposited under section 8334 of this title, (A) the amount to be deducted under section 8334(a) of this title is 3 percent of the salary, including retirement salary of the judicial official and a like amount shall be contributed from the appropriation or fund available for the payment of the salary of the official, and (B) the amount of any deposit referred to in sections 8334 (c) and (d) of this title is 3 percent of the salary, including retirement salary with interest, received for the service covered by the deposit; and

"(3) the lump-sum credit shall be paid to a judicial official who leaves office before becoming eligible to receive retirement salary;

"(4) a judicial official is defined by section 8341A(a)(1)(B) who is separated after not less than 10 years of service may either (i) be paid a lump-sum credit or (ii) leave his money in the fund in which case if he dies before having become eligible for payment of retirement salary his survivor is entitled to the benefits provided under section 8341 (b)–(f);

"(5) interest on deductions and deposits under section 8331(8)(C) shall be compounded annually after December 31, 1947, at 3 percent a year through the last day of the calendar year in which this section is enacted;

"(6) any balance not applied as prescribed in section 8342(h) shall be refunded rather than deemed a voluntary contribution;

"(7) designations of beneficiary under section 8342(c) shall be filed with the Director of the Administrative Office of the United States Courts;

"(8) determinations of persons responsible for care of a claimant under section 8345(e) shall be made by the Director of the Administrative Office of the United States Courts.

"(c) Nothing contained in this section shall be construed to prevent a widow eligible therefore from simultaneously receiving an annuity under this section and any annuity to which she would otherwise be entitled under any other law without regard to this section, but in computing such other annuity, service used in the computation of her annuity under this section shall not be credited.

"(d) Notwithstanding section 8347 (a)–(k) of this title, the Director of the Administrative Office of the United States Courts shall administer this subchapter insofar as it applies to judicial officials and their survivors, except that—

"(1) deposits, withholdings, deductions, and contributions shall be received and administered in accordance with section 8348 of this title;

"(2) actuarial duties shall be performed in accordance with section 8347(f) of this title; and

"(3) authorizations, disbursements of lump-sum credits and annuities shall be made by the Civil Service Commission out of the fund on certification by the Director of the Administrative Office of the United States Courts.".

"(e) Subchapter III of chapter 83 of title 5, United States Code, is further amended by adding after item 8341 of the analysis of such subchapter the following new item:

"8341A. Annuities for survivors of judicial officials.".

TRANSFER OF FUNDS AND RECORDS

SEC. 302. (a) The Secretary of the Treasury shall transfer all assets credited to the judicial survivors annuity fund under section 376 of title 28, United States Code, to the Civil

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Service Retirement and Disability Fund, and the judicial survivor annuity fund shall thereupon be abolished.

(b) The Director of the Administrative Office of the United States Courts and the Secretary of the Treasury shall transfer to the Civil Service Commission any records, accounts, papers, or other matter which the Commission deems necessary to carry out the functions imposed upon it by this title.

APPLICABILITY

SEC. 303. (a) Except as provided in subsection (b), section 301 of this title shall not apply in the case of annuities which became payable under section 375 or 376 of title 28, United States Code, prior to the effective date of this title, and such annuities shall continue in the same manner and to the same extent as if section 301 of this title had not been enacted.

(b) On and after the effective date of this title, an annuity which became payable under section 376 of title 28, United States Code, prior to the effective date of this title shall be (1) increased by the same total percent increase used to adjust a survivor annuity paid from the Civil Service Retirement and Disability Fund with the same commencing date, and (2) thereafter be adjusted and paid in accordance with section 8340 of title 5, United States Code, applying the same base month and price index change used to adjust annuities of civil service employees under section 8340(b) of title 5, United States Code.

(c) On and after the effective date of this title, any annuity or refund payable out of the judicial survivors annuity fund shall be paid out of the Civil Service Retirement and Disability Fund.

(d) Notwithstanding section 8348(g) of title 5, United States Code, benefits resulting from the enactment of this title shall be paid from the Civil Service Retirement and Disability Fund.

WAIVER BY JUSTICES

SEC. 304. Section 375 of title 28, United States Code, is amended by adding at the end thereof the following new subsection:

"(c) If a Justice of the United States gives notice in writing to the Director of the Administrative Office of the United States Courts of his desire to become subject to section 8349 of title 5, the widow of such Justice shall be ineligible to receive an annuity under this section.".

REPEALER

SEC. 305. Section 376 of title 28, United States Code, is hereby repealed. A judicial official under the purview of section 376 on the date of enactment of this section will automatically become subject to section 8341a.

EFFECTIVE DATE

SEC. 306. This title shall become effective on the first day of the third month following the date of enactment of this Act.

Title IV—Judicial Conflicts of Interest

SEC. 401. (a) Chapter 17 of title 28, United States Code, is amended by adding at the end thereof the following new sections:

"§ 390. Conflicts of interest

"(a) The conduct of a judge of the United States who participates in the adjudication, of any motion, petition, claim, controversy, charge, accusation, arrest, or other particular matter in which, to his knowledge, he, his spouse, minor child, creditor, partner, organization in which he is serving as officer, director, trustee, partner, or employee, or any person or organization with whom he is negotiating or has any arrangement concerning prospective employment, has a substantial financial interest, is inconsistent with the good behavior required by article III of the Constitution and shall be grounds for removal from office under sections 378 and 379 of this title: *Provided, however,* that participation by a judge in such an adjudication shall not be grounds for removal if the nature or size of the financial interest described above is such that it is unlikely to have affected the integrity of any ruling by such judge in the adjudication.

"(b) The preceding subsection shall not apply if the judge first advises the chief judge of the court on which he serves, or if he is the chief judge of a district court, the chief judge of the circuit court in which his district is located, or if he is a chief judge of a circuit court or the chief judge of the Court of Claims, Court of Customs and Patent Appeals, or Customs Court, the Chief Justice, of the nature and circumstances of the proceeding or other particular matter in which he is to participate by virtue of his office and makes full disclosure of the financial interest and receives in advance a written determination by such chief judge or Chief Justice that the interest is not of such a nature as will affect the integrity of any ruling by such judge.

"§ 391. Financial statements

"(a) Pursuant to such rules as the Judicial Conference of the United States shall promulgate, each judge and justice of the United States shall, at least annually, file the following reports of his personal financial interests with the chief judge of the court on which he serves, or if he is the chief judge of a district court with the chief judge of the circuit in which his district is located, or if he is an Associate Justice of the Supreme Court or the chief judge of a circuit or the chief judge of the Court of Claims, the Court of Customs and Patent Appeals, or Customs Court, with the Chief Justice, or if he is the Chief Justice, with the Judicial Conference of the United States:

(1) A report of his income, his spouse's income and the income of his minor children for the preceding year; the sources thereof and the amount and nature of the income received from each such source.

(2) The name and address of each business or professional corporation, firm, or enterprise in which he or his spouse or his minor children was an officer, director, proprietor or employee during the preceding year.

(3) The identity of each liability of $5,000 or more owed by him and/or his spouse at any time during the preceding year.

(4) The source and value of gifts in the aggregate amount or value of $50 or more from any single source received by him and/or his spouse or by his minor child during the preceding year.

(5) The names and address of each corporation, association, foundation, trust or other entity whether non-profit or organized for profit in which to his knowledge he, his spouse, minor child, partner, organization which he is serving as an officer, director, trustee, partner or employee has an interest and the fair market value of such interest.

(6) The identity of each interest in real or personal property having a value of $10,000 or more which he and/or his spouse owned at any time during the preceding year.

(7) The amount or value and source of each honorarium of $300 or more received by him during the preceding year.

He shall keep such reports current by filing such supplementary reports as the Conference shall by rule require.

"(b) Except as provided in subsection (c) of this section and notwithstanding any other provision of law, the rules promulgated by the Judicial Conference pursuant to subsection (a) of this section may include provisions designed to insure the confidentiality of the required reports: *Provided, however,* that the reports shall be made available to the Commission on Judicial Disabilities and Tenure, whenever they are reasonably needed for use in an investigation into the conduct of a judge in accordance with the provisions of section 378 of title 28, United States Code.

"(c) Notwithstanding the rules promulgated by the Judicial Conference under the provisions of subsections (a) and (b) of this section, the Committee on the Judiciary of the House of Representatives, by a recorded majority vote of the full Committee, may require that it be provided with any financial reports filed in accordance with the provisions of subsection (a) of this section: *Provided, however,* That no report shall be required unless it is reasonably needed for use in an investigation of allegations of misconduct which may lead to the initiation of an impeachment of the judge or Justice of the United States who filed the financial report being required.

"(d) The intentional failure by a judge of the United States to file a report required by this section, or the filing of a fraudulent report, shall constitute conduct inconsistent with the good behavior required by article III of the Constitution and shall be grounds for removal from office under sections 378 and 379 of this title.

(b) The analysis of chapter 17 of title 28, United States Code, is amended by adding at the end thereof the following new items:

"390. Conflicts of interest.
"391. Financial statements.".

SEC. 402. (a) The heading of chapter 17 of title 28, United States Code, immediately preceding section 371 of such title, is amended to read as follows:

"CHAPTER 17.—RETIREMENT, RESIGNATION, AND REMOVAL OF JUDGES"

(b) The table of contents of part I of title 28, United States Code, immediately preceding the analysis of chapter 1 of such title, is amended by striking out

"17. Resignation and retirement of judges ------------------------ 371"

and inserting in lieu thereof the following new chapter heading:

"17. Retirement, resignation, and removal of judges---------------- 371".

Title V—Miscellaneous

JUDICIAL COUNCILS—MEMBERSHIP AND COURT EXECUTIVES; SELECTION OF CHIEF JUDGES

SEC. 501. (a) Section 332 of title 28, United States Code, is amended to read as follows:

"§ 332. Judicial councils

"(a) The chief judge of each circuit shall call, at least twice in each year and at such places as he may designate, a council of the judges specified in this section. The judges of the council, unless excused by the chief judge of the circuit, shall attend all sessions of the council.

"(b) The council shall be known as the Judicial Council of the circuit.

"(c) The chief judge of the circuit shall preside at each session of the council. In his absence the chief judge of a district who is senior in commission to the other chief judges participating as members of the council shall preside. To each meeting of the council the chief judge of the circuit shall summon an equal number of circuit and district judges in regular active service. The total number of judges summoned shall be computed by multiplying the number of circuit judges authorized for each circuit under section 44 of this title by two, but in no event shall the total number of judges summoned exceed eight, not including the chief judge of the circuit.

"(d) The circuit judges shall be summoned in the order of the seniority of their circuit court commissions. The district judges summoned shall be those chief judges elected to membership on the council by a majority vote of the chief judges of the districts within the circuit under procedures prescribed by the chief judge of the circuit, except that in the District of Columbia circuit the distrct judges summoned shall be the chief judge of the District Court for the District of Columbia and the appropriate number of district judges in regular active service, summoned in order of the dates of their com-

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missions. Whenever a district judge member shall cease to be chief judge, his membership on the council shall cease, and within sixty days thereafter the chief judges of all the districts within the circuit shall select a chief judge to replace him on the council.

"(e) The chief judge shall submit to the council the quarterly reports of the Director of the Administrative Office of the United States Courts. The council shall take such action thereon as may be necessary.

"(f) Each judicial council shall make all necessary orders for the effective and expeditious administration of the business of the courts within its circuit. The district judges shall promptly carry into effect all orders of the judicial council.

"(g) Each circuit's Judicial Council shall appoint a court executive of that circuit who shall exercise such administrative powers and perform such duties as may be delegated to him by the Circuit Council. The duties delegated to the court executive of each circuit may include but need not be limited to:

(1) Exercising administrative control of all non-judicial activities of the court.

(2) Assigning, supervising, and directing the work of the officers and employees of the court, except quasi-judicial personnel such as Magistrates and referees.

(3) Formulating and administering a system of personnel administration subject to guidelines established by the Circuit Council and subject to limitations established by the Judicial Conference of the United States.

(4) Preparing and administering the budget of the circuit, including coordinating the circuit budget with guidelines and controls laid down by the Administrative Office of the United States Courts.

(5) Maintaining a modern accounting system.

(6) Establishing and maintaining property control records.

(7) Undertaking definition of the space management program, including space design, control and requirements projections.

(8) Representing the circuit in its dealings with other government agencies and with the Administrative Office of the United States Courts with respect to the establishment, maintenance, and use of courtrooms, chambers and offices.

(9) Initiating studies relating to the business and administration of the courts within the circuit and preparing appropriate recommendations and reports to the Chief Judge, the Circuit Council and the Judicial Conference.

(10) Defining management information requirements and collecting, compiling, and analyzing statistical data with a view to the preparation and presentation of reports based on such data as may be directed by the Chief Judge, the Circuit Council, and the Administrative Office of the United States Courts.

(11) Representing the circuit as its liaison to the courts of the various states in which the circuit is located, the Marshal's Office, state and local bar associations, civic groups, news media, and other private and public groups having a reasonable interest in the administration of the circuit.

(12) Arranging and attending meetings of the judges of the circuit and of the Circuit Council, including preparing of the agenda and serving as secretary in all such meetings.

(13) Establishing procedures for the calling of jurors in the circuit and controlling their utilization and payment.

(14) Preparing an annual report to the circuit and to the Administrative Office of the United States Courts for the preceding calendar year, including recommendations for more expeditious disposition of the business of the circuit.

In exercising the duties delegated to him by the circuit council the court executive shall be subject to the general supervision of the judge of the circuit.

The qualifications for the position of court executive shall be set by the Judicial Conference and shall emphasize management expertise.

Each court executive shall be paid at a salary to be established by the Judicial Conference of the United States and shall serve at the pleasure of the Judicial Council of the circuit.

(b) Within sixty days after the date of the enactment of the Judicial Reform Act, or within thirty days preceding the convening of the next scheduled meeting of the council of a circuit, whichever is sooner, the chief judges of all of the districts within each circuit shall select the district judge members of the circuit council under procedures prescribed by the chief judge of the circuit.

SELECTION OF CIRCUIT CHIEF JUDGES

SEC. 502(a). Section 45(a) of title 28, United States Code, is amended to read as follows: "(a) The circuit judge in regular active service who is senior in commission shall be the chief judge of the circuit: *Provided, however,* That no circuit judge shall become chief judge of the circuit after reaching sixty-six years of age nor remain as chief judge after reaching seventy years of age. If at the time a new chief judge of the circuit is to be selected all the circuit judges in regular active service are sixty-six years of age or older, the youngest shall act as chief judge until a judge has been appointed and qualified who is under sixty-six years of age, but a judge may not act as chief judge until he has served as a circuit judge for one year."

(b) This section shall become effective on January 1, 1971.

SELECTION OF DISTRICT COURT CHIEF JUDGES

SEC. 503(a). Section 136(a) of title 28, United States Code, is amended to read as follows: "In each district having more than one judge, the district judge in regular active service who is senior in commission shall be the chief judge of the district court: *Provided, however,* That no district court judge shall become chief judge of the district court after reaching sixty-six years of age nor remain as chief judge after reaching seventy years of age. If at the time a new chief judge of the district court is to be selected all the district judges in regular active service are sixty-six years of age or older the youngest shall act as chief judge until a judge has been appointed and qualified who is under sixty-six years of age, but a judge may not act as chief judge until he has served as a district judge for one year.

(b) This section shall become effective on January 1, 1971.

S. 1507

A bill to improve judicial machinery by amending provisions of law relating to the retirement of Justices and judges of the United States

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 371 of title 28, United States Code, is amended:

(1) by striking in subsection (b) the words "after attaining the age of seventy years and after serving at least ten years continuously or otherwise, or";

(2) by adding a new subsection (c) to read:

(c) "Every Justice or judge of the United States appointed to hold office during a good behavior shall be retired upon his attainment of the age of seventy years. The President shall forthwith appoint, by and with the advice and consent of the Senate, a successor to each Justice or judge so retired. Each Justice or judge so retired shall, during the remainder of his lifetime, continue to receive the salary of the office."

SEC. 2. Subsection (b) of section 294 of title 28, United States Code, is amended to read:

"(b) Any judge of the United States who has retired from regular active service under section 371 (b) or (c) or 372(a) of this title shall be known and designated as a senior judge and many continue to perform such judicial duties as he is willing and able to undertake, when designated and assigned as provided in subsections (c) and (d)."

SEC. 3. The provisions of this Act shall not affect the tenure or terms of resignation or retirement of any judge serving on the day of its enactment.

S. 1508

A bill to improve judicial machinery by amending provisions of law relating to the retirement of justices and judges of the United States

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 371(b) of title 28, United States Code, is amended by inserting immediately before the period at the end of the first sentence the following: ", or at any age after serving at least 20 years continuously or otherwise."

S. 1509

A bill to improve judicial machinery by providing for the appointment of a court executive for each judicial circuit

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 332 of title 28, United States Code, is amended (a) by designating each of the existing paragraphs thereof as subsections (a), (b), (c), and (d), respectively; and (b) by inserting a new subsection (e) to read: "(e) each circuit's Judicial Council shall appoint a court executive of that circuit who shall exercise such administrative powers and perform such duties as may be delegated to him by the Circuit Council. The duties delegated to the court executive of each circuit may include but need not be limited to:

(1) Exercising administrative control of all nonjudicial activities of the court.

(2) Assigning, supervising, and directing the work of the officers and employees of the court, except quasi-judicial personnel such as magistrates and referees.

(3) Formulating and administering a system of personnel administration subject to guidelines established by the Circuit Council and subject to limitations established by the Judicial Conference of the United States.

(4) Preparing and administering the budget of the circuit, including coordinating the circuit budget with guidelines and controls laid down by the Administrative Office of the United States Courts.

(5) Maintaining a modern accounting system.

(6) Establishing and maintaining property control records.

(7) Undertaking definition of the space management program, including space design, control and requirements projections.

(8) Representing the circuit in its dealings with other government agencies and with the Administrative Office of the United States Courts with respect to the establishment, maintenance, and use of courtrooms, chambers and offices.

(9) Initiating studies relating to the business and administration of the courts within the circuit and preparing appropriate recommendations and reports to the Chief Judge, the Circuit Council and the Judicial Conference.

(10) Defining management information requirements and collecting, compiling, and analyzing statistical data with a view to the preparation and presentation of reports based on such data as may be directed by the Chief Judge, the Circuit Council, and the Administrative Office of the United States Courts.

(11) Representing the circuit as its liaison

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to the courts of the various states in which the circuit is located, the Marshal's Office, state and local bar associations, civic groups, news media, and other private and public groups having a reasonable interest in the administration of the circuit.

(12) Arranging and attending meetings of the judges of the circuit and of the Circuit Council, including preparing of the agenda and serving as secretary in all such meetings.

(13) Establishing procedures for the calling of jurors in the circuit and controlling their utilization and payment.

(14) Preparing an annual report to the circuit and to the Administrative Office of the United States Courts for the preceding calendar year, including recommendations for more expeditious disposition of the business of the circuit.

All duties delegated to the court executive shall be subject to the general supervision of the Chief Judge of the circuit.

The qualifications for the position of court executive shall be set by the Judicial Conference and shall emphasize management expertise.

Each court executive shall be paid at a salary to be established by the Judicial Conference of the United States and shall serve at the pleasure of the Judicial Council of the Circuit.

S. 1510

A bill to improve judicial machinery by providing for the filing of financial reports by the judges and justices of the United States

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) Chapter 17 of Title 28, United States Code, is amended by adding at the end thereof the following new section:

FINANCIAL STATEMENTS

SEC. 377. (a) Pursuant to such rules as the Judicial Conference of the United States shall promulgate, each judge and justice of the United States shall, at least annually, file with the Conference the following reports of his personal financial interests:

(1) A report of his income, his spouse's income and the income of his minor children for the preceding year, the sources thereof, and the amount and nature of the income received from each such source.

(2) The name and address of each business or professional corporation, firm, or enterprise in which he, his spouse, or his minor child was an officer, director, proprietor or employee during the preceding year.

(3) The identity of each liability of $5,000 or more owed by him and/or his spouse at any time during the preceding year.

(4) The source and value of gifts in the aggregate amount or value of $50 or more from any single source received by him and/or his wife or by his minor child during the preceding year.

(5) The name and address of each corporation, association, foundation, trust or other entity whether nonprofit or organized for profit in which to his knowledge he, his spouse, minor child, partner, organization in which he is serving as an officer, director, trustee, partner or employee has an interest and the fair market value of such interest.

(6) The identity of each interest in real or personal property having a value of $10,000 or more in which to his knowledge he, his spouse, minor child, partner, organization in which he is serving as an officer, director, trustee, partner or employee had an interest at any time during the preceding year and the fair market value of such interest.

(7) The amount or value and source of each honorarium of $300 or more received by him during the preceding year.

He shall keep such reports current by filing such supplementary reports as the Conference shall by rule require.

(b) Except as provided in subsection (c) of this section and notwithstanding any other provision of law, the rules promulgated by the Judicial Conference pursuant to subsection (a) of this section may include provisions designed to insure the confidentiality of the required reports.

(c) Notwithstanding the rules promulgated by the Judicial Conference under the provisions of subsections (a) and (b) of this section, the Committee on the Judiciary of the House of Representatives, by a recorded majority vote of the full Committee, may require that it be provided with any financial reports filed with the Judicial Conference. *Provided, however,* That no report shall be required unless it is reasonably needed for use in an investigation of allegations of misconduct which may lead to the initiation of an impeachment of a judge or justice of the United States who filed the financial report being required.

(b) The analysis of Chapter 17 of Title 28, United States Code, is amended by adding at the end thereof the following new item:
"377. Financial Statements."

S. 1511

A bill to improve judicial machinery by providing benefits for survivors of Federal judges comparable to benefits received by survivors of Members of Congress, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subchapter III of chapter 83 of title 5, United States Code, is amended by adding after section 8341 thereof the following new section:

"8341A. Annuities for survivors of judicial officials.

"(a) For the purpose of this section—

"(1) 'judicial official' means an individual who gives notice in writing to the Director of the Administrative Office of the United States Courts within six months after (i) the date on which he takes office, (ii) the date on which he gets married, or (iii) the enactment of this section of his desire to make his survivors subject to this section and who is—

"(A) a justice or judge of the United States as defined by section 451 of title 28;

"(B) a judge of the United States District Court for the District of Puerto Rico, the United States District Court for the District of the Canal Zone, the District Court of Guam, or the District Court of the Virgin Islands;

"(C) a Director of the Administrative Office of the United States Courts who has filed a waiver under section 611(a) of title 28; or

"(D) a Director of the Federal Judicial Center who has filed a waiver under section 627 (b) of title 28; and

"(2) 'retirement salary' means, in the case of—

"(A) a justice or judge of the United States, as defined by section 451 of title 28, salary paid (i) after retirement from regular active service under section 371(b) or 372(a) of that title or (ii) after retirement from office by resignation on salary under section 371(a) of that title;

"(B) a judge of the United States District Court for the District of Puerto Rico, the United States District Court for the District of the Canal Zone, the District Court of Guam, or the District Court of the Virgin Islands, salary paid after retirement from office by resignation on salary under section 373 of title 28 or by removal or failure of reappointment after not less than 10 years judicial service;

"(C) a Director of the Administrative Office of the United States Courts, an annuity paid under subsection (b) or (c) of section 611 of title 28; and

"(D) a Director of the Federal Judicial Center, an annuity paid under subsection (c) or (d) of section 627 of title 28.

"(b) Survivors of judicial officials are entitled to the same benefits under this subchapter as survivors of Members. For the purpose of this subsection, service as a judicial official shall be credited in the same manner as Member service, and the pertinent provisions of sections 8331, 8332, 8333, 8334, 8339–8342, and 8345–8348 of this title are applicable to a judicial official and his survivors to the same extent as such provisions are applicable to a Member and the survivors of a Member, except that—

"(1) service as a judicial official includes any period for which the judicial official is paid retirement salary, except a judge resigned on salary under 28 USC 371(a) or 373;

"(2) in lieu of amounts required to be deducted, contributed, or deposited under section 8334 of this title, (A) the amount to be deducted under section 8334(a) of this title is 3 per centum of the salary, including retirement salary, of the judicial official, and a like amount shall be contributed from the appropriation or fund available for the payment of the salary of the official, and (B) the amount of any deposit referred to in sections 8334 (c) and (d) of this title is 3 per centum of the salary, including retirement salary with interest, received for the service covered by the deposit; and

"(3) the lump-sum credit shall be paid to a judicial official who leaves office before becoming eligible to receive retirement salary;

"(4) a judicial official as defined by section 8341(a)(1)(B) who is separated after not less than 10 years of service may either (i) be paid a lump sum credit or (ii) leave his money in the fund in which case if he dies before having become eligible for payment of retirement salary his survivor is entitled to the benefits provided under section 8341 (b)–(f);

"(5) interest on deductions and deposits under section 8331(8)(c) shall be compounded annually after December 31, 1947 at 3 per centum a year through the last day of the calendar year in which this section is enacted;

"(6) any balance not applied as prescribed in section 8342(h) shall be refunded rather than deemed a voluntary contribution;

"(7) designations of beneficiary under section 8342(c) shall be filed with the Director of the Administrative Office of the United States Courts.

"(8) determination of persons responsible for care of a claimant under section 8345(e) shall be made by the Director of the Administrative Office of the United States Courts.

"(c) Nothing contained in this section shall be construed to prevent a widow eligible therefore from simultaneously receiving an annuity under this section and any annuity to which she would otherwise be entitled under any other law without regard to this section, but in computing such other annuity, service used in the computation of her annuity under this section shall not be credited.

"(d) Notwithstanding section 8347(a)–(k) of this title, the Director of the Administrative Office of the United States Courts shall administer this subchapter insofar as it applies to judicial officials and their survivors, except that—

"(1) deposits, withholdings, deductions, and contributions shall be received and administered in accordance with section 8348 of this title;

"(2) actuarial duties shall be performed in accordance with section 8347(f) of this title; and

"(3) authorizations, disbursements of lump-sum credits and annuities shall be made by the Civil Service Commission out of the fund on certification by the Director of the Administrative Office of the United States Courts.".

"(e) Subchapter III of chapter 83 of title 5, United States Code, is further amended by adding after item 8341 of the analysis of such subchapter the following new item:

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"8341A. Annuities for survivors of judicial officials.".

TRANSFER OF FUNDS AND RECORDS

SEC. 2. (a) The Secretary of the Treasury shall transfer all assets credited to the judicial survivors annuity fund under section 376 of title 28, United States Code, to the Civil Service Retirement and Disability Fund, and the judicial survivor annuity fund shall thereupon be abolished.

(b) The Director of the Administrative Office of the United States Courts and the Secretary of the Treasury shall transfer to the Civil Service Commission any records, accounts, papers, or other matter which the Commission deems necessary to carry out the functions imposed upon it by this title.

APPLICABILITY

SEC. 3. (a) Except as provided in subsection (b), section 301 of this title shall not apply in the case of annuities which became payable under section 375 or 376 of title 28, United States Code, prior to the effective date of this title, and such annuities shall continue in the same manner and to the same extent as if section 301 of this title had not been enacted.

(b) On and after the effective date of this title, an annuity which became payable under section 376 of title 28, United States Code, prior to the effective date of this title shall be (1) increased by the same total percent increase used to adjust a survivor annuity paid from the civil service retirement and disability fund with the same commencing date, and (2) thereafter be adjusted and paid in accordance with section 8340 of title 5, United States Code, applying the same base month and price index change used to adjust annuities of civil service employees under section 8340(b) of title 5, United States Code.

(c) On and after the effective date of this title, any annuity or refund payable out of the judicial survivors annuity fund shall be paid out of the civil service retirement and disability fund.

(d) Notwithstanding section 8348(g) of title 5, United States Code, benefits resulting from the enactment of this title shall be paid from the civil service retirement and disability fund.

WAIVER BY JUSTICES

SEC. 4. Section 375 of title 28, United States Code, is amended by adding at the end thereof the following new subsection:

"(c) If a Justice of the United States gives notice in writing to the Director of the Administrative Office of the United States Courts of his desire to become subject to section 8349 of title 5, the widow of such Justice shall be ineligible to receive an annuity under this section.".

REPEALER

SEC. 5. Section 376 of title 28, United States Code, is hereby repealed. A judicial official under the purview of section 376 on the date of enactment of this section will automatically become subject to section 8341a.

EFFECTIVE DATE

SEC. 6. This title shall become effective on the first day of the third month following the date of enactment of this Act.

S. 1512

A bill to improve judicial machinery by amending provisions of law relating to the retirement of justices and judges of the United States

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last full paragraph of Section 372(a) of Title 28, United States Code, is amended to read as follows: "Each justice or judge retiring under this Section shall, during the remainder of his lifetime, receive the salary of the office.".

S. 1513

A bill to improve judicial machinery by amending provisions of law relating to assignment of judicial duties to retired judges

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 294 of Title 28, United States Code, is amended (a) By striking out the phrase "retired from regular active service under section 371(b) or 372(a) of this title" in subsection (b), and inserting in lieu thereof the following: "retired voluntarily from regular active service under section 371(b) or 372(a) of this title, or who has been involuntarily retired under section 372(b) of this title,".

(b) By striking out of the first sentence of subsection (c) the phrase "Any retired circuit or district judge may", and inserting in lieu thereof the following: "A circuit or district judge retired voluntarily under section 371(b) or 372(a) of this title or involuntarily under section 372(b) of this title shall, from time to time,"; and

(c) By adding at the end of subsection (c) the following new sentence: "A judge of the United States retired involuntarily under section 372(b) of this title, shall be designated and assigned by the chief judge of his court to perform such judicial duties in such court as such judge is willing and able to undertake.".

S. 1514

A bill to improve judicial machinery by amending provisions of law relating to membership on judicial councils

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) Section 332 of Title 28, United States Code, is amended to read as follows:

"§ 332. Judicial Councils

"(a) The chief judge of each circuit shall call, at least twice in each year and at such places as he may designate, a council of the judges specified in this section. The judges of the council, unless excused by the chief judge of the circuit, shall attend all sessions of the council.

"(b) The council shall be known as the Judicial Council of the circuit.

"(c) The chief judge of the circuit shall preside at each session of the council. In his absence the chief judge of a district who is senior in commission to the other chief judges participating as members of the council shall preside. To each meeting of the council the chief judge of the circuit shall summon an equal number of circuit and district judges in regular active service. The total number of judges summoned shall be computed by multiplying the number of circuit judges authorized for each circuit under section 44 of this title by two, but in no event shall the total number of judges summoned exceed eight, not including the chief judge of the circuit.

"(d) The circuit judges shall be summoned in the order of the seniority of their circuit court commissions. The district judges summoned shall be those chief judges elected to membership on the council by a majority vote of the chief judges of the districts within the circuit under procedures prescribed by the chief judge of the circuit, except that in the District of Columbia circuit the district judges summoned shall be the chief judge of the District Court for the District of Columbia and the appropriate number of district judges in regular active service, summoned in order of the dates of their commissions. Whenever a district judge member shall cease to be chief judge, his membership on the council shall cease, and within sixty days thereafter the chief judges of all of the districts within the circuit shall select a chief judge to replace him on the council."

"(e) The chief judge shall submit to the council the quarterly reports of the Director of the Administrative Office of the United States Courts. The council shall take such action thereon as may be necessary.

"(f) Each judicial council shall make all necessary orders for the effective and expeditious administration of the business of the courts within its circuit. The district judges shall promptly carry into effect all orders of the judicial council."

(b) Within sixty days after the date of the enactment of the Judicial Reform Act, or within thirty days preceding the convening of the next scheduled meeting of the council of a circuit, whichever is sooner, the chief judges of all of the districts within each circuit shall select the district judge members of the circuit council under procedures prescribed by the chief judge of the circuit.

S. 1515

A bill to improve judicial machinery by amending the provisions of law relating to the selection of circuit chief judges and district court chief judges

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Section 45(a) of title 28, United States Code, is amended to read as follows: "(a) The circuit judge in regular active service who is senior in commission shall be the chief judge of the circuit: *Provided, however,* That no circuit judge shall become chief judge of the circuit after reaching sixty-six years of age nor remain as chief judge after reaching seventy years of age. If at the time a new chief judge of the circuit is to be selected all the circuit judges in regular active service are sixty-six years of age or older, the youngest shall act as chief judge until a judge has been appointed and qualified who is under sixty-six years of age, but a judge may not act as chief judge until he has served as a circuit judge for one year."

(b) This section shall become effective on January 1, 1971.

SEC. 2. Section 136 (a) of title 28, United States Code, is amended to read as follows: "In each district having more than one judge the district judge in regular active service who is senior in commission shall be the chief judge of the district court; provided, however, that no district court judge shall become chief judge of the district court after reaching sixty-six years of age nor remain as the chief judge after reaching seventy years of age. If at the time a new chief judge of the district court is to be selected all the district judges in regular active service are sixty-six years of age or older the youngest shall act as chief judge until a judge has been appointed and qualified who is under sixty-six years of age, but a judge may not act as chief judge until he has served as a district judge for one year."

(b) This section shall become effective on January 1, 1971.

S. 1516

A bill to improve judicial machinery by creating a Commission on Judicial Disabilities and Tenure, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Judicial Disabilities, Tenure and Conflicts of Interest Act".

TITLE I—COMMISSION ON JUDICIAL DISABILITIES AND TENURE

SEC. 101 (a) Chapter 17 of title 28, United States Code, is amended by adding at the end thereof the following new sections:

"§ 377. Commission on Judicial Disabilities and Tenure.

"(a) There is established within the judicial branch of the Government a Commission on Judicial Disabilities and Tenure, whose purpose it shall be to promote the

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honorable and efficient administration of justice in the courts of the United States through the performance of the duties imposed upon it by law.

"(b) The Commission shall be composed of five members. Each member shall be a judge of the court of the United States who is in regular active service. The Commission shall, at all times, include at least two district judges of the district courts and two circuit judges. All members shall be assigned to the Commission by the Chief Justice, who shall also designate one of the members as the Chairman of the Commission. No judge who is a member of the Judicial Conference of the United States shall be assigned to the Commission.

"(c) The term of each assignment to the Commission shall be four years; except that—

"(1) a member appointed to fill a vacancy shall serve for the remainder of the term for which his predecessor was assigned;

"(2) the terms of members first assigned to the Commission shall be those prescribed in section 103(a) of the Judicial Disabilities, Tenure and Conflicts of Interest Act; and

"(3) the term of a member shall become vacant automatically when he resigns, retires, or is permanently separated from regular active service as a judicial officer, becomes a member of the Judicial Conference of the United States, or becomes a Justice of the United States.

A judge who has served a full term may be reassigned to the Commission only once. A judge assigned to fill a term that has been vacated may be reassigned to the Commission for one full term.

"(d) Performance of duties as a member of the Commission shall constitute the transaction of official business within the meaning of section 456 of this title.

"(e) The Commission shall act upon the concurrence of any three of its members, but the concurrence of any four of its members shall be required to effect a determination that the conduct of a judge has been or is inconsistent with the good behavior required by article III of the Constitution.

"§ 378. Good behavior of a judge.

"(a) Upon complaint or report, formal or informal, of any person, the Commission may undertake an investigation of the official conduct of any judge of the United States appointed to hold office under article III of the Constitution to determine whether the conduct of such judge is and has been consistent with the good behavior required by that article. After such investigation as it may deem adequate, the Commission may dismiss the complaint as frivolous, unwarranted, or insufficient in law or in fact. Should such investigation give the Commission cause to believe that the conduct of the judge is or has been inconsistent with the good behavior required by article III, the Commission shall order a hearing concerning the conduct of such judge.

"(b) A judge whose conduct is to be the subject of a hearing by the Commission shall be given notice of such hearing and of the nature of the matters under inquiry not less than thirty days before the date on which the hearing is to be held. He shall be admitted to such hearing and to every subsequent hearing regarding his conduct. He may be represented by counsel, offer evidence in his own behalf, and confront and cross-examine witnesses against him. A record of each such hearing shall be kept by the Commission and one copy of such record shall be made available to the judge at the expense of the Commission.

"(c) Willful misconduct in office or willful and persistent failure to perform his official duties by a judge of the United States shall constitute conduct inconsistent with the good behavior required by article III of the Constitution and shall be cause for the removal of that judge.

"(d) Within ninety days after the adjournment of hearings held pursuant to subsection (b) of this section, and pursuant to rules established in accordance with subsections (b) and (c) of section 103 of the Judicial Disabilities, Tenure and Conflicts of Interest Act, the Commission shall make findings of facts and a determination regarding the conduct of the judge who was the subject of such hearing. If the Commission determines that the conduct of such judge has been or is inconsistent with the good behavior required by article III of the Constitution, it shall forthwith so report to the Judicial Conference of the United States, recommending that the judge be removed from office, and shall forthwith notify the judge of its determination and order him to cease the exercise of any judicial powers or prerogatives pending disposition of the Commission's recommendation by the Judicial Conference. Failure of the Commission to reach the four-member concurrence required by section 377(e) shall in every case be deemed a determination that the conduct of the judge has not been inconsistent with the good behavior required by article III of the Constitution. If the Commission determines that the conduct of the judge has not been inconsistent with the good behavior required by article III, it shall forthwith so notify the judge, inquiring whether he desires the Commission to make information pertaining to the nature of its investigation, its hearings, findings, and determination, or any other facts related to its proceedings regarding his conduct available to the public. Upon receipt of a request in writing from the judge, the Commission shall make such information available to the public.

"(e) Whenever the Commission determines that the conduct of a judge is or has been inconsistent with the good behavior requirement of article III of the Constitution, the Commission shall, after consultation with that authority within his court responsible for the assignment of business to judges, formulate such order or orders regarding the business pending before the judge as the Commission may deem appropriate.

"§ 379. Duties and powers of the Judicial Conference.

"(a) The Judicial Conference of the United States may adopt such rules of procedure as it may deem appropriate to the performance of its duties under this chapter.

"(b) Whenever the chairman of the Conference, or other officer designated for the purpose, receives from the Commission a recommendation that a judge be removed from the office for conduct inconsistent with the good behavior required by article III of the Constitution, the Conference or one of its committees shall forthwith review the record, the findings, and the determination of the Commission, both on the law and on the facts. In its discretion, the Conference or one of its committees may receive additional evidence, hear oral arguments, or require the filing of briefs. The Conference may accept, modify, or reject the findings of the Commission, or remand the case of the Commission for further proceedings in accordance with the Conference's order. Should the Conference accept the recommendation of the Commission, the Conference shall stay certification to the President of its determination that the conduct of the judge has been inconsistent with the good behavior required by article III of the Constitution, pending review in the Supreme Court. Such stay shall expire upon final disposition of the case in the Supreme Court or on the day after the date on which the time for seeking such review has passed without the filing of a petition for the writ of certiorari. The Conference may, in its discretion, continue any order issued by the Commission pursuant to subsections (d) and (e) of section 378 of this title pending disposition by the Supreme Court.

"(c) If the Conference determines that the conduct of the judge has not been inconsistent with the good behavior required by article III, it shall forthwith so notify the judge, inquiring whether he desires the Conference to make information pertaining to the nature of its investigation, its hearings, findings, and determination, or any other facts relating to its proceedings regarding his conduct available to the public. Upon receipt of a notice in writing from the judge, the Conference shall make such information available to the public.

"(d) A judge aggrieved by a determination of the Conference to certify him for removal may seek review of such determination by writ of certiorari in the Supreme Court under section 1259 of this title.

"(e) Upon affirmance by the Supreme Court of the Conference's determination to certify a judge for removal, or upon expiration of a stay for failure to seek review of the certification in the Supreme Court, the Conference shall forthwith so certify to the President, and such judge shall be removed from office. The President shall forthwith appoint, by and with the advice and consent of the Senate, a successor to such judge.

"§ 380. Disability of a judge.

"(a) Upon report, formal or informal, of any person, the Commission may undertake an investigation of the physical or mental condition of any judge of the United States appointed to hold office during good behavior to determine whether the judge in question has a permanent mental or physical disability seriously interfering with the performance by him of one or more of his critical duties and whether any such disability is or is likely to become permanent in character. After such investigation as it may deem adequate, the Commission may dismiss the complaint as frivolous, unwarranted or insufficient in law or in fact. Should the Commission determine that the judge in question is unable to discharge efficiently one or more of the critical duties of his office by reason of permanent mental or physical disability, the Commission shall order a hearing concerning the physical or mental condition of such judge.

"(b) A judge whose physical or mental condition is to be the subject of a hearing by the Commission shall be given notice of such hearing and of the nature of the matters under inquiry no later than thirty days prior to the date on which the hearing is to be held. He shall be admitted to such hearing and to every subsequent hearing regarding his physical or mental condition. He may be represented by counsel, offer evidence in his own behalf, and confront and cross-examine witnesses against him. A record of each such hearing shall by kept by the Commission and one copy of such record shall be made available to such judge at the expense of the Commission.

"(c) Within ninety days after the adjournment of hearings held pursuant to subsections (a) and (b) of this section, and pursuant to rules established in accordance with subsections (b) and (c) of section 103 of the Judicial Disabilities, Tenure and Conflicts of Interest Act, the Commission shall make findings of fact and a determination regarding the physical or mental condition of such judge. Should the Commission determine that the judge does have a physical or mental disability seriously interfering with the performance by him of one or more of his critical duties and that the disability is or is likely to become permanent in character, the Commission shall proceed pursuant to section 372(b) of this title. Should the Commission determine that the judge does not have such a disability it shall forthwith so report to the judge. The judge shall be informed that, upon receipt of his written request, the Commission will make information regarding the nature of its proceedings, its findings, and determinations, and such other matters regarding its

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proceedings in his case as are not confidential or privileged under law available to the public. Upon receipt of such request, the Commission shall make such information available to the public.

"§ 381. Claim of a judge.

"The Commission shall hear and decide any claim by a judge retired under section 372(b) of this title that he is not being assigned such judicial duties within his court as he is willing and able to undertake. The Commission may prescribe by rule such procedures as may be appropriate to the consideration and disposition of these claims. Whenever such a claim is substantiated to the satisfaction of a majority of the Commission, the Commission shall transmit an appropriate order to the authority within his court responsible for the assignment of judicial duties to retired judges.

"§ 382. Confidentiality of proceedings.

"Notwithstanding any other provision of law, the filing of papers with and the giving of testimony before the Commission shall be privileged. Unless otherwise authorized by the judge whose conduct, physical or mental ability, or claim is the subject of proceedings under this chapter, or authorized by this section, or by section 378 or 380 of this title, the record of hearings before the Commission and all papers filed in connection with such hearings shall be confidential; but the filing of an application for a writ of certiorari to the Supreme Court of the United States, as provided in section 1259 of this title, shall render public the record of hearings before the Commission and before the Conference and all papers filed in connection therewith to the extent that such record or such papers are required for the disposition of such application and for the conduct of any subsequent proceedings.

"§ 383. Disqualification.

"A judge who is a member of the Commission or the Judicial Conference of the United States shall not serve as a member of such body in any proceedings when it inquires into his own conduct or physical or mental condition or claim. No judge of the same court as the judge whose conduct or physical or mental condition or claim is the subject of any inquiry by the Commission or the Conference shall participate in such inquiry or in the determination by such body thereof. In the event that a Commission member is disqualified under this subsection, the Chief Justice shall assign a substitute judge to the Commission, to serve only in the matter which caused this assignment.

"§ 384. Powers of the Commission and the Judicial Conference.

"(a) In the conduct of investigations and hearings under sections 378–381 of this title, the Commission and the Judicial Conference of the United States may administer oaths, order and otherwise provide for the inspection of books and records, and issue subpoenas for the attendance of witnesses and the production of papers, books, accounts, documents, and testimony relevant to any such investigation or proceeding.

"(b) No person shall be excused from attending and testifying or from producing books, papers, and other records and documents before the Commission or the Conference on the ground that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subject to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, documentary or otherwise, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

"§ 385. Enforcement.

"If any person refuses to attend, testify, or produce any writings or things required by a subpoena issued by the Commission or the Judicial Conference of the United States the issuing body may petition the district court for the district in which such person may be found for an order compelling such person to attend and testify or produce the writings or things required by the subpoena. The court shall order such person to appear before it at a specified time and place and then and there shall consider why he has not attended or testified or produced the writings or things as required. A copy of the order shall be served upon him. If it appears to the court that the subpoena was regularly issued, the court shall order such person to appear before the issuing body at the time and place fixed in the order and to testify or to produce the required writings or things. Upon failure to obey the order, such person shall be dealt with as for contempt of court.

"§ 386. Depositions.

"In pending investigations or proceedings before them, the Commission and the Judicial Conference of the United States may order the deposition of any person to be taken in such form and subject to such limitation as may be prescribed in the order. The Commission or the Conference may file in the district court for the district in which such investigation or proceeding is pending a petition entitled "In the Matter of Proceedings of the Commission on Judicial Disability and Tenure (or Judicial Conference of the United States) Numbered ——", stating generally, without identifying the judge, the nature of the pending matter, the name and residence of the person whose testimony is desired, and directions, if any of the Commission or the Conference, asking that an order be made requiring such person to appear and testify before a designated officer. Upon the filing of the petition, the court may make an order requiring such person to appear and testify. A subpoena for such depositions shall be issued by the clerk and the depositions shall be taken and returned in the manner prescribed by law in civil actions.

"§ 387. Fees and mileage of witnesses.

"Each witness, other than an officer or employee of the United States, shall receive for his attendance the same fees, and all witnesses shall receive the same mileage, allowed by law to a witness in civil cases as provided in section 1821 of this title. The amount shall be paid by the Administrative Office of the United States Courts from funds appropriated for the judiciary.

"§ 388. Duty of marshals to serve process and execute orders.

"It shall be the duty of the United States marshals, upon request of the Commission or the Judicial Conference of the United States, to serve process and to execute all lawful orders of the Commission or Conference.

"§ 389. Commission and Conference staffs.

"(a) The Commission shall have a permanent staff of attorneys, and clerical and secretarial assistants.

"(b) The Commission and the Judicial Conference of the United States may employ on a temporary basis such counsel, assistants, and other employees as are necessary for the performance of the duties and exercise of the powers conferred upon them. The Commission and the Conference may arrange for and compensate medical and other experts and reporters, and arrange for the attendance of witnesses, including witnesses not subject to subpena.

"(c) The Director of the Administrative Office of the United States Courts may pay from funds available to the judiciary all expenses reasonably necessary for effectuating the purposes of sections 337–381 of this title, whether or not specifically enumerated herein.".

(b) The analysis of chapter 17 of title 28, United States Code, is amended by adding at the end thereof the following new items:

"377. Commission on Judicial Disabilities and Tenure.
"378. Good behavior of a judge.
"379. Duties and powers of the Judicial Conference.
"380. Disability of a judge.
"381. Claim of a judge.
"382. Confidentiality of proceedings.
"383. Disqualification.
"384. Powers of the Commission and the Judicial Conference.
"385. Enforcement.
"386. Depositions.
"387. Fees and mileage of witnesses.
"388. Duty of marshals to serve process and execute orders.
"389. Commission and Conference staffs.".

(c) Section 451 of title 28, United States Code, is amended by adding at the end thereof the following new definition:

"The term 'Commission' means the Commission on Judicial Disabilities and Tenure established under chapter 17 of this title.".

SUPREME COURT REVIEW

SEC. 102. Chapter 81 of title 28, United States Code, is amended—

(1) by adding at the end thereof the following new section:

"§ 1259. Review of Judicial Conference certification

"Upon the petition of the aggrieved judge, the Supreme Court may review by writ of certiorari a certification to the President by the Judicial Conference of the United States, pursuant to section 379 of this title, that a judge be removed for conduct inconsistent with the good behavior required by article III of the Constitution. The petition for a writ of certiorari shall be filed within the time provided in section 2101(c) of this title.";

and

(2) by adding at the end of the analysis thereof the following new item:

"1259. Review of Judicial Conference certification.".

MISCELLANEOUS

SEC. 103. (a) Within ninety days after the date of enactment of this Act the Chief Justice shall assign judges of the United States to serve on the Commission on Judicial Disabilities and Tenure in accordance with section 377 of title 28, United State Code, as added by section 101(a) of this Act. The Chairman shall be appointed for a term of four years, and the members shall be appointed for terms of two, three, and four years, as designated by the Chief Justice.

(b) Within one hundred and eighty days after the date of enactment of this Act, the Commission shall promulgate such rules for the conduct of its proceedings and other business it is authorized to undertake under title I of this Act.

(c) Within one hundred and eighty days after the enactment of this Act, the Judicial Conference of the United States shall promulgate rules of evidence for the use of the Commission and the Conference, or any constituent committee thereof empowered to conduct hearings on their behalf, and rules for the conduct of its proceedings and other business related to its compliance with duties imposed upon it under title I of this Act.

(d) All rules promulgated pursuant to subsections (b) and (c), and amendments thereto, shall be matters of public record, and shall be effective upon promulgation.

TITLE II—RETIREMENT OF JUDGES

RETIREMENT FOR AGE

SEC. 201. (a) Section 371(b) of title 28, United States Code, is amended by inserting

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immediately before the period at the end of the first sentence the following: ", or at any age after serving at least twenty years continuously or otherwise."

(b) The last full paragraph of section 372(a) of such title is amended to read as follows:

"Each justice or judge retiring under this section shall, during the remainder of his lifetime, receive the salary of the office.".

DISABILITY RETIREMENT

SEC. 202 (a) Section 294(b) of title 28, United States Code, is amended by striking out the phrase "retired from regular active service under section 371(b) or 372(a) of this title," and inserting in lieu thereof the following "retired voluntarily from regular active service under section 371(b) or 372(a) of this title, or who has been involuntarily retired under section 372(b) of this title,".

(b) Section 294(c) of title 28, United States Code, is amended—

(1) by striking out the first sentence thereof the phrase "Any retired circuit or district judge may", and inserting in lieu thereof the following: "A circuit or district judge retired voluntarily under section 371(b) or 372(a) of this title or involuntarily under section 372(b) of this title shall, from time to time,"; and

(2) by adding at the end thereof the following new sentence: "A judge of the United States retired involuntarily under section 372(b) of this title shall be designated and assigned by the chief judge of his court to perform such judicial duties in such court as such judge is willing and able to undertake.".

(c) Section 372 of title 28, United States Code, is amended by striking out subsection (b), and inserting in lieu thereof the following:

"(b) Whenever any judge of the United States appointed to hold office during good behavior who is eligible to retire under this section does not do so and a majority of the Commission finds, subject to the requirements of section 380 of this title, that such judge is unable to discharge efficiently one or more of the critical duties of his office by reason of permanent mental or physical disability, the Commission shall certify its determination to the President and such judge shall be retired involuntarily from the regular active service.

"(c) The President, by and with the advice and consent of the Senate, shall forthwith appoint a successor to any judge retired involuntarily under the provisions of subsection (b) of this section. Whenever such successor shall have been appointed, the vacancy subsequently caused by the death or resignation of the judge involuntarily retired shall not be filled.

"(d) Habitual intemperance that seriously interferes with the performance of any of the critical duties of a judge shall be regarded as a permanent disability for the purposes of this section and section 380 of this title.".

TITLE III—JUDICIAL CONFLICTS OF INTEREST

SEC. 301. (a) Chapter 17 of title 28, United States Code, is amended by adding at the end thereof the following new sections.

"§ 390. Conflicts of interest.

"(a) The conduct of a judge of the United States who participates in the adjudication, of any motion, petition, claim, controversy, charge, accusation, arrest, or other particular matter in which, to his knowledge, he, his spouse, minor child, creditor, partner, organization in which he is serving as officer, director, trustee, partner, or employee, or any person or organization with whom he is negotiating or has any arrangement concerning prospective employment, has a substantial financial interest, is inconsistent with the good behavior required by article III of the Constitution and shall be grounds for removal from office under sections 378 and 379 of this title: *Provided, however,* That participation in such adjudication shall not be grounds for removal if the nature or size of the financial interest described above is such that it is unlikely to have affected the integrity of any ruling by such judge in the adjudication.

"(b) The preceding subsection shall not apply if the judge first advises the chief judge of the court on which he serves, or if he is the chief judge of a district court, the chief judge of the circuit court in which his district is located, or if he is a chief judge of a circuit court or the chief judge of the Court of Claims, Court of Customs and Patent Appeals, or Customs Court, the Chief Justice, of the nature and circumstances of the proceeding or other particular matter in which he is to participate by virtue of his office and makes full disclosure of the financial interest and receives in advance a written determination by such chief judge or Chief Justice that the interest is not of such a nature as will affect the integrity of any ruling by such judge.

"§ 391. Financial statements.

"(a) Pursuant to such rules as the Judicial Conference of the United States shall promulgate each judge and justice of the United States shall, at least annually, file the following reports of his personal financial interests with the chief judge of the court on which he serves, or if he is the chief judge of a district court with the chief judge of the circuit in which his district is located, or if he is an associate justice of the Supreme Court or the chief judge of a circuit or the chief judge of the Court of Claims, the Court of Customs and Patent Appeals, or Customs Court, with the Chief Justice, or if he is the Chief Justice, with the Judicial Conference of the United States:

(1) A report of his income, his spouse's income and the income of his minor children for the preceding year; the sources thereof and the amount and nature of the income received from each such source.

(2) The name and address of each business or professional corporation, firm, or enterprise in which he or his spouse or his minor child was an officer, director, proprietor or employee during the preceding year.

(3) The identity of each liability of $5,000 or more owed by him and/or his spouse at any time during the preceding year.

(4) The source and value of gifts in the aggregate amount or value of $50 or more from any single source received by him and/or his spouse or by his minor child during the preceding year.

(5) The names and addresses of each corporation, association, foundation, trust or other entity whether non-profit or organized for profit in which to his knowledge he, his spouse, minor child, partner, organization which he is serving as an officer, director, trustee, partner or employee has an interest and the fair market value of such interest.

(6) The identity of each interest in real or personal property having a value of $10,000 or more which he and/or his spouse owned at any time during the preceding year.

(7) The amount or value and source of each honorarium of $300 or more received by him during the preceding year.

He shall keep such reports current by filing such supplementary reports as the Conference shall by rule require.

(b) Except as provided in subsection (c) of this section and notwithstanding any other provision of law, the rules promulgated by the Judicial Conference pursuant to subsection (a) of this section may include provisions designed to insure the confidentiality of the required reports. Provided, however, that the reports shall be made available to the Commission on Judicial Disabilities and Tenure whenever they are reasonably needed for use in an investigation into the conduct of a judge in accordance with the provisions of section 378 of title 28, United States Code.

(c) Notwithstanding the rules promulgated by the Judicial Conference under the provisions of subsections (a) and (b) of this section, the Committee on the Judiciary of the House of Representatives, by a recorded majority vote of the full Committee, may require that it be provided with any financial reports filed in accordance with the provisions of subsection (a) of this section. Provided, however, that no report may be required unless it is reasonably needed for use in an investigation of allegations of misconduct which may lead to the initiation of an impeachment of a judge or justice of the United States who filed the financial report being required.

(b) The analysis of chapter 17 of title 28, the United State to file a report required by this section, or the filing of a fraudulent report, shall constitute conduct inconsistent with the good behavior required by article III of the Constitution, and shall be grounds for removal from office under sections 378 and 379 of this title.

(b) the analysis of chapter 17 of title 28, United States Code, is amended by adding at the end thereof the following new items:

"390. Conflicts of interest.

"391. Financial statements.".

SEC. 302(a) The heading of chapter 17 of title 28, United States Code, immediately preceding section 371 of such title, is amended to read as follows:

"CHAPTER 17.—RETIREMENT, RESIGNATION, AND REMOVAL OF JUDGES."

(b) The table of contents of part I of title 28, United States Code, immediately preceding the analysis of chapter 1 of such title, is amended by striking out

"17. Resignation and retirement of judges .... 371"

and inserting in lieu thereof the following new chapter heading:

"17. Retirement, resignation, and removal of judges.................. 371".

The outline, presented by Mr. TYDINGS, follows:

OUTLINE—THE JUDICIARY REFORM ACT

CONTENT OF THE BILL

TITLE I: Commission on Judicial Disabilities and Tenure.
TITLE II: Retirement of Judges.
TITLE III: Judicial Survivor Annuities.
TITLE IV: Judicial Conflicts of Interest.
TITLE V: Miscellaneous Provisions: Judicial Council—Membership and Court Executives; Selection of Chief Judges.

TITLE I—COMMISSION ON JUDICIAL DISABILITIES AND TENURE

A. The Commission

Nature: Establishment "within the Judicial Branch"; national, rather than regional

Composition: 5 judges of the United States (no Justices; no Judicial Conference Members); 2 District Judges, 2 Circuit Judges required.

Selection: Assignment by Chief Justice; Chairman designated by Chief Justice.

Tenure: 4 years, except originally (2, 2, 3, 4, 4).

Compensation: No salary; actual and necessary expenses.

General Powers: Conduct inquiries and other proceedings to determine.

1. Good behavior of a judge—recommendation of removal to be reviewed by Judicial Conference, also reviewable by Supreme Court.

2. Physical or mental condition of a judge—retirement determination not reviewable.

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3. Claim of a retired judge that he is not receiving cases despite his ability and willingness—determination of claim not reviewable.

Action: Requires concurrence of three members in every instance except recommendation of removal, which requires concurrence of four members.

Disqualification: No member of Commission or Conference may sit on case (removal, disability, or claim) involving a judge of his own court. Chief Justice appoints *ad hoc* member of Commission upon disqualification of a member under this provision.

Confidentially: Unless subject judge opts otherwise, records of Commission or Conference proceedings to be confidential. Petition for certiorari in removal cases effects *pro tanto* release of record.

B. Removal proceedings

Initiation of Inquiry: "Upon complaint or report of any person." No *sua sponte* investigations.

Preliminary Investigation: Commission personnel "follow up" on complaints or reports.

Initial Determination: i.e., proceed or dismiss for insufficiency, frivolity, etc. (even a dismissal gives the Commission the opportunity to give the subject judge an informal non-statutory "warning".)

Hearings: Commission determination to proceed means full scale hearings on conduct of judge.—Subject judge to receive notice of hearing, has right to attend, have counsel, offer evidence, cross-examine, etc.; rules of evidence to be established by Conference.

Findings of Fact, Report and Recommendation:

Finding that judge's conduct not inconsistent with Article III good behavior requirement—Subject judge and complainant are notified. Matter ends here. Judge may "release" record to public.

Finding that judge's conduct *is or has been* inconsistent with Article III good behavior requirements—Subject judge so notified. Commission so reports to Conference, recommending removal of judge. Commission has power to make order concerning business pending before subject judge.

Conference Review of Commission record and findings, may be undertaken by a committee of the Conference.

Additional Appropriate Action by Conference or committee, including additional hearings, briefs, etc. Subject judge has same rights as he had at Commission level.

Conference Determination:

Reject Commission recommendation—find judge's conduct not inconsistent with "good behavior". Matter ends here. Judge may release record to public.

Accept Commission recommendations—prepare certification of judge's "bad conduct" to President, but stay its issue pending Supreme Court proceedings.

Supreme Court Review of Conference decision to certify judge for removal. Optional.

Presidential Action: Commission's stay of certification lapses when time to file *certiorari* petition has run or when petition is otherwise disposed of. Upon receipt of certification by President, judge is removed. President to "forthwith" appoint successor (with advice and consent of Senate).

C. Disability proceedings

Initiation of Inquiry: As in removal, above.

Preliminary Investigation: As in removal, above.

Initial Determination: As in removal, above.

Hearing: As in removal, above.

Determination: Two questions to answer, "Is judge suffering from a physical or mental disability seriously interfering with the performance by him of one or more of his critical duties?" (Habitual intemperance is made such a disability by the statute.) "Is such disability now, or is it likely to become, permanent in nature?"

If Commission answers either or both questions *"No,"* judge is notified; judge remains in "regular active service."

If Commission answers both questions *"Yes,"* judge is retired; retains office but leaves "regular active service" status; retains salary of the office for life; is entitled to be assigned such cases as he is "willing and able to undertake." Proceedings end here—no review. President to "forthwith" appoint another "regular active service" judge to the appropriate court (with the advice and consent of Senate).

D. "Claim of a judge" proceedings

Initiation of Inquiry: Claim by a retired judge that he is not being assigned to such business of the court as he is willing and able to undertake. (N.B. Bill gives him a kind of "right" to such assignments.)

Proceedings: At the discretion of the Commission.

Determination: After such investigation as it deems adequate Commission may find:

Judge's claim substantiated.—Commission may enter appropriate order to assignment authority of his court. Case ends here—no review.

Judge's claim not substantiated. Case ends here—no review.

E. General policy provisions

Papers and testimony before Commission or Conference *privileged.*

All proceedings of Commission or Conference in these confidential, but subject judge may request disclosure to public. His petition for *certiorari* to the Supreme Court in removal matter will effect *pro tanto* disclosure of papers, record, etc., necessary to consideration of his application.

No Commission or Conference member to participate in determination by such body of his own or his court-brother's case or claim.

F. Powers of commission and conference

Each has powers of court generally.

Each may compel testimony, grant immunity, etc.

Each may issue orders etc., has contempt power.

Commission to employ permanent staff, may also hire temporary assistants, counsel, etc.

Conference may hire temporary assistants, counsel, etc.

TITLE II—RETIREMENT OF JUDGES

A. Retirement for age

Judge may retire at any age after twenty years of service.

B. Disability retirement

Judge may *voluntarily* retire at any age and after any period of service when permanently disabled from performing one or more of his critical judicial duties.

Judge may be *involuntarily* retired by action of Commission (see above).

Retired judges given "right" to assignments they are willing and able to undertake.

Office and Salary of a voluntarily *or* involuntarily retired judge preserved for life.

TITLE III—JUDICIAL SURVIVORSHIP ANNUITIES

Revision of existing code provisions

To bring survivorship benefits available to widows and dependent children of deceased judges up to those available to survivors of Members of Congress;

To avoid impending bankruptcy of present judicial survivor's fund.

To relocate judicial survivorship within title 5, but preserve administration of funds to the Judiciary.

TITLE IV—JUDICIAL CONFLICTS OF INTEREST

A. Reporting and disclosure

Each judge and justice of the United States to file, at least annually, *a statement of his financial and other specified interests.* Participation by judge in a judicial proceeding or in a decision affecting such interest is "willful misconduct in office" making him liable to removal, unless the interest is *de minimis* or he gets approval of appropriate authority (ruling of "no substantial interest") before he participates.

Willful failure to file or fraudulent filing is "willful misconduct in office"—makes judges liable to removal

Judicial Conference to make rules for administration of conflict of interest provisions. Committee on the Judiciary of the House of Representatives permitted to inspect the financial statements in appropriate circumstances.

TITLE V—MISCELLANEOUS PROVISIONS

A. Reform of Judicial Council membership

Each council to be composed of equal numbers, circuit and district judges two times the number of circuit judgeships authorized—but *not more than total of 8*—not including circuit chief judge.

Circuit Judges summoned in order of seniority of circuit judgeship commission.

District Judges summoned to be elected by district chief judges from circuit from among themselves (except D.C.)

B. Court executive

Appointment of court executive in each circuit to exercise administrative powers delegated by the Circuit Council.

C. Selection of chief judges

Selection of Chief Judges—Circuit and District Court Judges sixty-six years of age or older not eligible for promotion to chief judge of the Circuit or District Court respectively.

S. 1519—INTRODUCTION OF A BILL—NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE ACT

Mr. YARBOROUGH. Mr. President, by Executive order of September 2, 1966, the President of the United States established a National Advisory Commission on Libraries, which was charged to:

First. Make a comprehensive study and appraisal of the role of libraries as resources for scholarly pursuits, as centers for the dissemination of knowledge, and as components of the evolving national information systems;

Second. Appraise the policies, programs, and practices of public agencies and private institutions and organizations, together with other factors which have a bearing on the role and effective utilization of libraries;

Third. Appraise library funding, including Federal support of libraries, to determine how funds available for the construction and support of libraries and library services can be more effectively and efficiently utilized; and

Fourth. Develop recommendations for action by Government or private institutions and organizations designed to insure an effective and efficient library system for the Nation.

In its studies the group met 11 times as a full Commission to discuss library problems and potentials. They also heard formal testimony and had informal discussions with technological experts, librarians, people from Government and private agencies and a variety of users and producers of both conventional library material and newer forms of informational transfer. They also held regional meetings in communities throughout the country to ascertain the people's library needs at the grassroots of our Nation.

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For example, 47 Texans from all areas of our State were heard at the Commission's 1-day regional hearing in Lubbock, Tex., on October 6, 1967. Mayor W. D. Rogers, of Lubbock, where the Lubbock City-County Library has been designated as one of the 10 major resource center libraries in the State of Texas, testified:

> The . . . library is the only institution . . . available to all people of all races, creeds, age groups, and levels of educational achievement, whereby a citizen may improve his economic potential through self-education, find the facts needed to do research necessary to operate his business, seek to improve his knowledge and understanding of the world in which he lives, find ecstatic fulfillment through the culture of past ages and broaden his horizons to worlds beyond his own.

The Commission, in a report filed July 1, 1968, which was transmitted to the President, made a number of recommendations, the first of which was the "establishment of a National Commission on Libraries and Informational Science as a continuing Federal planning agency."

In its report on this recommendation, the Commission said:

> In order to implement and further develop the national policy of library services for the Nation's needs, the most important single measure that can be undertaken is the establishment of a continuing Federal planning agency.

Mr. President, I send to the desk a bill to create a National Commission on Libraries and Information Science to carry out the first recommendation of the National Advisory Commission on Libraries. I ask unanimous consent to have this bill printed in the Record at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred and, without objection, the bill will be printed in the Record.

The bill (S. 1519) to establish a National Commission on Libraries and Information Science, and for other purposes, introduced by Mr. Yarborough, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the Record, as follows:

S. 1519

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Commission on Libraries and Information Science Act."

Sec. 2. The Congress hereby affirms that library and information services adequate to meet the needs of the people of the United States are essential to achieve national goals and to utilize most effectively the Nation's educational resources and that the Federal government will cooperate with State and local governments and public and private agencies in assuring optimum provision of such services.

Sec. 3. There is hereby established, as an independent agency within the Executive Branch, a National Commission on Libraries and Information Science (hereinafter referred to as the "Commission").

Sec. 4. The Department of Health, Education, and Welfare shall provide the Commission with necessary administrative services (including those related to budgeting, accounting, financial reporting, personnel and procurement) for which payment shall be made in advance, or by reimbursement, from funds of the Commission in such amounts as may be agreed upon by the Commission and the Secretary of Health, Education, and Welfare.

FUNCTIONS

Sec. 5. (a) The Commission shall have the primary responsibility for developing plans for, and advising the appropriate governments and agencies on, the policy set forth in section 2. In carrying out that responsibility, the Commission shall—

(1) advise the President and the Congress on the implementation of national policy by such statements, presentations, and reports as it deems appropriate;

(2) conduct studies, surveys, and analyses of the library and informational needs of the Nation and the means by which these needs may be met through information centers, through the libraries of elementary and secondary schools and institutions of higher education, and through public, research, special and other types of libraries;

(3) evaluate the effectiveness of library and information science programs and disseminate the results thereof;

(4) develop overall plans for meeting national library and informational needs and for the coordination of activities at the Federal, State and local levels taking into consideration all of the library and informational resources of the Nation to meet those needs:

(5) provide technical assistance and advice to Federal, State, local and private agencies regarding library and information sciences;

(6) promote research and development activities which will extend and improve the Nation's library and information-handling capability as essential links in the national communications networks; and

(7) submit to the President and the Congress, (not later than January 1 of each year), a report on its activities during the preceding fiscal year.

(b) The Commission is authorized to contract with Federal agencies and other public and private agencies to carry out any of its functions under subsection (a) and to publish and disseminate such reports, findings, studies, and records as it deems appropriate.

(c) The Commission is further authorized to conduct such hearings at such times and places as it deems appropriate for carrying out the purposes of this Act.

(d) The heads of all Federal agencies are, to the extent not prohibited by law, directed to cooperate with the Commission in carrying out the purposes of this Act.

MEMBERSHIP

Sec. 6. (a) The Commission shall be composed of fifteen members appointed by the President, by and with the advice and consent of the Senate. Not more than five members of the Commission shall be professional librarians or information specialists, and the remainder shall be persons having special competence or interest in the needs of our society for library and information services. One of the members of the Commission shall be designated by the President as chairman of the Commission. The terms of office of members of the Commission shall be five years, except that (1) the terms of office of the members first appointed shall commence on the date of enactment of this Act and shall expire three at the end of one year, three at the end of two years, three at the end of three years, three at the end of four years, and three at the end of five years, as designated by the President at the time of appointment, and (2) a member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term.

(b) Members of the Commission who are not in the regular fulltime employ of the United States shall, while attending meetings or conferences of the Commission or otherwise engaged in the business of the Commission, be entitled to receive compensation at a rate fixed by the Secretary, but not exceeding the rate specified at the time of such service for grade GS–18 in section 5332 of title 5, United States Code, including travel time, and while so serving on the business of the Commission away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, and authorized by section 5703 of title 5, United States Code, for persons employed intermittently in the Government service.

(c)(1) The Commission is authorized to appoint, without regard to the provisions of title 5, United States Code, covering appointments in the competitive service, such professional and technical personnel as may be necessary to enable it to carry out its function under this Act.

(2) The Commission may procure, without regard to the civil service laws or the Classification Act of 1949, as amended, temporary and intermittent services of such personnel as is necessary to the extent authorized by section 15 of the Administrative Expenses Act of 1946, but at rates not to exceed $100 per day (or, if higher, the rate specified at the time of such service for grade GS–18 in section 5332 of title 5, United States Code), including travel time, and while so serving on the business of the Commission away from their home or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons employed intermittently in the Government services.

AUTHORIZATION OF APPROPRIATIONS

Sec. 7. There are hereby authorized to be appropriated $500,000 for the fiscal year ending June 30, 1970, and for each succeeding fiscal year such sums as may be appropriated by the Congress for the purposes of carrying out the provisions of this Act.

S. 1520—INTRODUCTION OF A BILL TO BE KNOWN AS THE NEWSPAPER PRESERVATION ACT

Mr. INOUYE. Mr. President, during the 90th Congress our beloved former dean of the Senate, Carl Hayden, together with 14 other Senators, introduced legislation to correct a basic inequity in the antitrust laws as they affect newspapers. His bill, S. 1312, was the subject of 21 days of extensive and far-ranging hearings by the Subcommittee on Antitrust and Monopoly Legislation. These hearings, contained in six printed volumes, to date, with at least one more still in preparation, covered in detail all aspects of the newspaper business.

At the close of the hearings, and in recognition of the major criticisms voiced to S. 1312 as introduced, Senator Hayden suggested to the subcommittee an amended version of the bill. The amended bill, called the newspaper preservation bill, was favorably reported by the subcommittee to the full Committee on the Judiciary, but too late in the session for that committee or the Senate to act on the bill.

It is indeed regrettable that Senate action could not be taken during Senator Hayden's last term. However, I am introducing again today, on behalf of myself and 24 Senators, the newspaper preservation bill, identical to the bill prepared by Senator Hayden and favorably reported last year by the Anti-

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trust and Monopoly Subcommittee. This legislation is true to his purpose, to protect and preserve joint newspaper operating arrangements, and is totally consistent with the spirit and intent of the antitrust laws.

A joint newspaper operating arrangement legalizes the combining or merging of the commercial functions of two newspapers—their printing, advertising, and circulation departments—while maintaining two separate and competing news and editorial departments. Thus, a joint operating arrangement may constitute a total commercial merger, but retain the news and editorial competition so vital to our democratic system of government.

The 20th century has witnessed a steady decline of separately owned newspapers in our major metropolitan areas. Many cities which just a few years ago enjoyed a great diversity of editorial voices have seen the number of such voices shrink, generally leaving only one paper—sometimes with morning and afternoon editions—where there once had been two or more.

It has been demonstrated that the loss of such papers is the result of a draining off of advertising revenue to competing media, including radio and television, and the steadily increasing costs of production, in both labor and newsprint. While some may say that a newspaper died because it was a "bad" paper, I doubt that any of us can make such a judgment, and particularly in light of the death of such papers as the highly regarded New York Herald Tribune.

The economic pressures upon newspapers became readily apparent during the depression. In seeking a means whereby two competing newspapers could continue in operation when the economic situation was such that only one could survive in full commercial competition, the two papers in Albuquerque devised the first joint operating arrangement. The commercial functions of the two newspapers were totally merged, but each paper maintained its own news and editorial policy. This joint operation, entered into in 1933, proved to be a successful means of keeping two papers alive. Since 1933, similar operations have been entered into in 22 cities, including San Francisco in 1965, and Miami in 1966.

In addition to the arrangement in Albuquerque, and the one entered into in my home city of Honolulu, there are like arrangements in: Birmingham, Ala.; San Francisco; Miami; Tucson; Evansville; Fort Wayne; Shreveport; St. Louis; Lincoln; Columbus; Tulsa; Salt Lake City; Franklin-Oil City, Pa.; Pittsburgh; Nashville; Knoxville; El Paso; Bristol, Tenn.-Va.; Charleston, W. Va.; and Madison, Wis. Many of these arrangements date back for 20 years or more and, though they received the scrutiny of several attorneys general, there apparently was little doubt as to their legality.

Late in 1964 the Antitrust Division of the Department of Justice brought an action in the Tucson Federal court, challenging the joint operation that had been in existence there for some 25 years. Pursuant to a Government motion for summary judgment, and without reviewing the conditions giving rise to the arrangement or the natural results of breaking it apart, the court held that a joint operating arrangement was a per se violation of the antitrust laws.

And here is the anomaly. While it is recognized by all, including the court in Tucson, that the joint operating arrangement had preserved two separate and distinct news and editorial voices, the operation violated the antitrust laws though a total and absolute merger of the two papers, including the news and editorial voices, would have been acceptable under the failing company doctrine of the antitrust laws.

A complete and total merger, eliminating one of the news and editorial voices, would meet the test of the antitrust laws, but a commercial merger, preserving two separate and competing voices, violates the antitrust laws.

To me this is a sophistry which is too subtle to be acceptable. The more pervasive merger, eliminating any vestige of competition, is acceptable under antitrust doctrine, but an arrangement which provides for the economies of joint printing, advertising and circulation with continued competition in the essential realm of thought and ideas, is condemned.

The Department of Justice in anticipation of this Monday's Supreme Court action upholding the lower court, has announced its intention of moving against all of the other joint operating arrangements, forcing them to separate commercially. The economic facts demonstrate that only one of the newspapers would survive in each of the 22 cities, thus stilling one news and editorial voice in each city. The history of newspapers in the 20th century leaves little hope that a new paper would enter any of these metropolitan markets.

There are today only 59 cities in the United States where there are two or more separately owned newspapers. If the 22 cities with joint operations are eliminated—as the Justice Department now proposes—then there will be only 37 cities with such separately owned news and editorial voices, and it is no secret that the economic bases of such papers are shaky in more than one of these cities.

Mr. President, we simply cannot afford to allow these news voices to die. As Judge Learned Hand said of the press:

> It serves one of the most vital of all general interests, the dissemination of news from as many different sources, and with as many different facets and colors as is possible.

These varying voices weave the basic fabric of our democratic system.

That is why Senator Hayden introduced the newspaper preservation bill, and I, with my colleagues, am proud to reintroduce the same bill today. This bill would grant to joint newspaper operators a very limited exemption to the antitrust laws, allowing two separate newspapers which have entered into a joint operating arrangement to be treated as a single entity—a totally combined or merged newspaper—would be treated under the antitrust laws. The bill is not complicated, nor does it do harm to the purpose and spirit of the antitrust laws.

I do not lightly offer an amendment to the antitrust laws. I recognize their importance to this Nation in assuring continued competition. But, I cannot conceive of any public interest served by the application of the antitrust laws in a way which results in the reduction or elimination of competition.

Mr. President, I sincerely believe that where the public interest in a free and varied press runs afoul of the language, but not the spirit or intent of the antitrust laws, it is time for the Congress to take corrective action.

The Antitrust Subcommittee of the Senate has already devoted a great amount of time to the study of this problem. The House Antitrust Subcommittee also held hearings on an identical bill in the 90th Congress. I would certainly hope that further delay can be avoided, and that prompt consideration can be given to this pressing problem.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1520), to exempt from the antitrust laws certain combinations and arrangements necessary for the survival of failing newspapers, introduced by Mr. INOUYE (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. GOLDWATER. Mr. President, I am happy to join today with the distinguished junior Senator from Hawaii and many other Senators in introducing the Newspaper Preservation Act.

As everyone knows, this measure relates to the manner in which newspapers are operated in the city of Tucson in Arizona, and in 21 cities in 19 other States, ranging from Hawaii to both coasts of the mainland. In each of these cities the owners of two competing newspapers have entered into joint operating arrangements as a way to reduce costs and to prevent the failure of at least one of the two papers.

In Tucson, for example, which seems typical of the other situations, a joint operating agreement was entered into in March 1940, between the Tucson Daily Citizen and the Arizona Daily Star. For many consecutive years prior to 1940 Citizen had been operating at a substantial loss. Its debts surpassed $100,000 at the time of the agreement. The Star, on the other hand, had been operating at a profit. Thus, the Citizen, which was losing advertising and circulation to the Star, was on the brink of collapse.

The owners of these two papers could have resolved the situation by having the Citizen sold to the Star—a complete merger. But both owners felt that Tucson should continue to have two independent, locally owned newspapers in order to serve the community with the broadest contrast of opinion and range of news. Therefore, these papers entered into a special arrangement designed to preserve the identities of each but to share their costs jointly. The agreement achieved this by specifically providing that the news and editorial departments of each would remain separate, while the other operations of their business would be integrated. This has meant a single typesetting room, a single proofroom, combined printing press facilities, and so forth. It has not, I wish to add, meant one crew. Two full crews of employees have been retained for these mechanical operations.

Mr. President, the joint arrangement in Tucson has been successful. Both newspapers are today on a sound financial footing. Costs to readers are lower per page than in 1940, when the agreement was made, and costs to advertisers are lower per number of readers than formerly. At the same time the Citizen and the Star have retained separate news and editorial staffs and engaged in vigorous competition with each other in the presentation of news and editorial material.

Then, in the mid-1960's, after a quarter century of operations in Tucson under this arrangement, the Antitrust Division suddenly saw something about this procedure that they had never noticed before. Tucson was made the test case in a suit charging a violation of the antitrust laws. Please note, if you will, Mr. President, that by this time similar arrangements had been allowed in 20 other cities and had been in effect in six of these cities for more than 20 years.

By now the outcome is settled. The district court held that the arrangement did violate the law, and this week the Supreme Court sustained this decision.

Regardless of this Court ruling, however, I cannot believe that "justice" or "fairness" has prevailed. As the district court stated during proceedings in this case, if the papers had merged into one paper, and printed morning and evening editions, the Government would not have had much chance of attacking that arrangement. But because they left the news and editorial departments separate, they ran into the new rules thrown up by the Government.

Therefore, I believe the bill which is being introduced today is a fair bill. It treats the newspapers fairly that are already operating under this type of arrangement. It treats the communities fairly by assuring them of receiving separate editorial voices and news presentation.

In my opinion this bill is a better bill than the one that was before the Senate last year. The provision in section 4(b) which expressly prevents the bill from being used to allow predatory pricing or discriminatory practices is an especially wise addition.

There may be other changes that will be put forth that could sharpen the terms of the bill and guarantee that it will apply to a limited situation. I am well aware that the granting of an exemption from the antitrust laws, unless carefully limited, might permit the erection of barriers against the free entry of new competitors in unintended situations and might weaken the protection needed by the suburban papers.

Therefore, Mr. President, for my part I promise to look carefully at any reasonable amendments that might be offered during the course of legislative proceedings on this bill that would preserve the continuation of the joint operating arrangements in each of the 22 cities with such agreements, and at the same time preserve and protect the interests of the public in having freedom of competition in the newspaper industry.

Mr. President, the Newspaper Preservation Act is a necessary measure. It would treat the joint operating newspapers on an equal basis with newspapers that are permitted to merge into a single unit. It would prevent the unnecessary demise of failing papers and preserve two editorial voices and news sources in communities which would otherwise be unable to support two commercially competing papers. I urge that early and favorable action be taken on the bill.

S. 1530—INTRODUCTION OF A BILL TO AUTHORIZE THE APPROPRIATION OF ADDITIONAL FUNDS NECESSARY FOR ACQUISITION OF LAND AT THE POINT REYES NATIONAL SEASHORE IN CALIFORNIA

Mr. CRANSTON. Mr. President, on behalf of myself and my distinguished colleague from California (Mr. **Murphy**) I introduce, for appropriate reference, a bill to authorize the appropriation of additional funds necessary to acquire land at Point Reyes National Seashore.

In 1962, Congress approved the Point Reyes National Seashore, in Marin County, Calif., and authorized funds to buy the privately owned land. Today 6½ years later, almost half of the land in the seashore remains in private hands. The acreage in Federal ownership is a patchwork of random parcels which cannot be managed as a unit. The National Park Service has reached the limit of the previous authorization and thus cannot buy the approximately 32,000 acres needed to complete its land acquisition program.

The consequent delay is unfair to the property owners within the seashore, and costly to the Federal Government as California land values continually increase.

I believe that Point Reyes should be completed and dedicated as soon as possible. It is a beautiful and unique portion of northern California coastline and should be maintained for the enjoyment and recreation of all our Nation. Congress wisely decided to make Point Reyes a National Seashore. The justifications for that decision are even more valid today.

I urge early consideration and passage of this bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1530) to authorize the appropriation of additional funds necessary for acquisition of land at the Point Reyes National Seashore in California introduced by Mr. **Cranston** (for himself and Mr. **Murphy**), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

S. 1532—INTRODUCTION OF A BILL RELATING TO BOYCOTTS

Mr. GURNEY. Mr. President, today I am introducing legislation to amend the National Labor Relations Act to prohibit the use of product boycotts. I am joined in cosponsoring this bill by the following Senators: Mr. **Bellmon**, Mr. **Bennett**, Mr. **Eastland**, Mr. **Fannin**, Mr. **Jordan** of Idaho, Mr. **Jordan** of North Carolina, Mr. **Holland**, Mr. **Hollings**, Mr. **Murphy**, Mr. **Thurmond**, and Mr. **Tower**.

One of the great pressing needs in the United States is adequate housing. The figures used in Congress last year were 26 million new homes or apartments over the next 10 years, 6 million needed right now for 20 million Americans who live in substandard housing.

Our great cities are rotting. Whole inner city sections need either leveling and rebuilding or massive repairing on a scale never before undertaken. Also needed is the building of entire new communities to relieve the teeming anthill pressures in the big cities.

For a nation which has split the atom, circumnavigated the moon, manufactured 8,848,321 automobiles in 1 year, this should be an easy task.

And so it would be if American technology could be applied to building homes as it has been applied in creating rockets and spaceships.

But, unfortunately, the hands of our architects, engineers, and builders and workmen have been effectively shackled by recent decisions of the Supreme Court.

We have the ability to rocket past time zones, but in the homebuilding business, our courts have turned back the hands of the clock. They have decided that we shall meet 21st-century housing needs with 18th-century building methods.

I say this in all candor. For a Rip Van Winkle type carpenter could actually arise from his 18th-century sleep and feel quite at home pounding nails and sawing wood in the homebuilding industry of 1969.

Time has virtually stood still in the building business. If transportation had followed a similar course, this Nation would still be moving about in horses and buggies, open-air trolley cars, and big front-wheel bicycles.

This is because the Supreme Court has effectively chained the people of our building industry to old ideas and techniques and prevented their forging ahead with new concepts and methods.

Today, I am introducing legislation to strike these Supreme-Court-forged chains which shackle our building industry.

Specifically, my bill amends the National Labor Relations Act in order to prohibit product boycotts.

Let us go into the history of the urgent need for this legislation.

In a landmark 5-to-4 decision in 1967, the Supreme Court held that labor unions may lawfully boycott and prevent innovations, improvements and economics in construction and other industries for the purpose of preserving work traditionally done at the site. The principal opinion was written in National

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Woodwork Manufacturers Association against NLRB, universally known in the building trades as the Philadelphia Door decision.

In this case, a contractor on a large housing project in Philadelphia required 3,600 doors. He bought prefitted doors with holes cut for the knob and spaces cut out for the hinges since this work can be done better and more economically at the factory. The carpenters union refused to install the doors under its contract provision. By stopping the job, they forced the contractor to buy "blank" doors which the carpenters cut and fitted at the site. Quite clearly, here was a product boycott of the precut doors.

The Landrum-Griffin Amendments of 1959 made it unlawful for any union and employer to enter into a contract whereby the employer agrees "to cease and refrain from handling, using, selling, transporting, or otherwise dealing in any of the products of any other employer, or to cease doing business with any person." The Labor Act also makes it unlawful for a union to coerce an employer not to use any product or deal with another person whether or not there is such an agreement.

Until the Philadelphia Door case, most people familiar with the Labor Act would have called the unions' action a product boycott and clearly unlawful under the Landrum-Griffin amendments.

But the National Labor Relations Board dismissed the complaint of the National Woodwork Manufacturers Association on the theory that the union's purpose was preservation of work of its members and that contracts and boycotts having that purpose should be exempted from the statute even though Congress did not so provide and even though they result in secondary boycotts and product boycotts affecting other employees. The Court of Appeals for the Seventh Circuit reversed the Board in part. But the Supreme Court predictably came up with one of its 5-to-4 decisions and reinstated the Board's decision in full.

The Court majority concluded that even though the union's contract and its boycott "may be within the letter of the statute" they are not "within its spirit." The "letter," of course, was the clear language of Congress: the "spirit" was the fanciful flight of the Supreme Court's boundless imagination. To use the words of the four dissenting Justices:

> The Court has substituted its own notions of sound labor policy for the word of Congress.

The four dissenting Justices further commented that the majority used "a curious inversion of logic" to reach its conclusion.

The dissenting Justices found it clear that the Congress intended to outlaw hot cargo contracts of this type and all product boycotts. In their view "it is entirely understandable that Congress should have sought to prohibit product boycotts having a work preservation purpose. Unlike most strikes and boycotts, which are temporary tactical maneuvers in a particular labor dispute, work preservation product boycotts are likely to be permanent, and the restraint on the free flow of goods in commerce is direct and pervasive." Even though the union's purpose was the preservation of work through primary activity, a result of this activity was a boycott of a certain manufacturer. It cannot be said that work preservation boycotts do not interfere with the free flow of goods, for they do. These boycotts may be permanent in character and are certainly disruptive of the free flow of goods in commerce, as so aptly pointed out by the dissenting Court members.

The consequences of this decision are far-reaching and disturbing. The decision embodies and upholds union featherbedding, it denies management its right to manage in its exercise of choice of methods and products, it kills innovation, improvement, and lowering of costs, it thwarts increases in productivity, and it even strikes at other union members whose labor produces prefabricated products. Pandora's box was indeed opened by this Philadelphia Door case. A brief look at recent events eminating from this decision can only begin to show the ramifications that it will have on our economy.

In Cleveland, the Building Trades Union struck home builders in that city for an agreement not to use prefabricated roof trusses, cabinets, and similar prefabricated materials.

The San Diego Building Trades Council opposed use of concrete forms which were prefabricated off the job site. The council insisted such forms should be constructed by the union at the site.

The AFL–CIO plumbers refused to install prefabricated heating equipment on a Ford Motor construction project in St. Thomas, Ontario, unless all piping in the units was dismantled and reassembled by the plumbers on the job.

In Houston, the local Heat and Frost Insulators and Asbestos Workers Union declined to install precut insulation and struck in protest. Charges that the strike constituted a secondary boycott were dismissed by the National Labor Relations Board. Its decision was later upheld by the Supreme Court.

On a New York department store job, a sheet metal workers local refused to handle sheet metal parts, including air-conditioning dampers, purchased from a Milwaukee firm. The basis of this protest was union insistence that the parts used on the job had to be manufactured by members of the New York local. This boycott of products from other than union-approved manufacturers was upheld by the Federal court of appeals.

Late last year, a Federal court of appeals in a case involving the American Boiler Manufacturers Association, broadened the holding of the National Woodwork case to permit construction unions to boycott prefabricated products to reacquire work previously lost, and further held, that if the selection of the prefabricated product is not within the contractor's right to control, the fact would not make much, if any, difference.

In another recent case involving the Tonka Toy Co., a union was held to be within its rights in refusing to install prefabricated boilers specified by the design architect. The union contended that it was entitled to refuse to handle such equipment on the basis that the prefabrication of the boiler took away work historically done by the union. The National Woodwork case was the precedent.

Such decisions, if allowed to stand, can lead to no other conclusion than refusal by unions to install other cost and time saving materials which may be specified by architects and engineers. This limits the design professional's freedom in selecting the best materials or methods to accomplish a project.

The unions often cite historical work practices in construction to justify a veto of even the most elementary advances. The plumbers, for example, have long insisted that piping under 2 inches in diameter be assembled on the site. The most ludicrous example of this make-work mentality occurred at the Vandenberg Air Force Base when pipefitters refused to handle a prefabricated manifold, an assembly of pipes and valves used in the hydraulic system of an ICBM launching pad. The unions insisted that the unit be knocked down and reassembled. Since disassembly might have damaged the unit, the union agreed that it would merely charge for the time that would have been expended on the job, and insisted that an appropriate number of men squat around the object. At the end of this period, a welding bead or mark was ceremoniously added and the unit was then trundled off to the assembly site. This ritual act became known as "blessing the manifold."

The wording of the Supreme Court decision is particularly disturbing since it appears to apply even if the use of such materials is not covered by a protective union agreement. Unions are authorized to use boycotts or strikes to prevent installation or use of any kind of prefabricated product or material so long as their ultimate objective is to insure or secure work for members.

It is important to note that the minority opinion of the four dissenters in the National Woodwork case disagrees with the majority on every point, and finds instead, that:

> Relevant legislative history confirms and reinforces the plain meaning of the statute and establishes that the union's product boycott in this case and the agreement authorizing it were both unfair labor practices. In deciding to the contrary, the Court has substituted its own notions of sound labor policy for the word of Congress. There may be social and economic arguments for changing the law of product boycotts . . . but those changes are not for this Court to make.

In other words, Mr. President, four out of nine of the Supreme Court said plainly and bluntly that the intent of Congress had been either ignored or wildly distorted to make law out of the biased sentiments of the individual Court members.

The important thing now will be for Congress to correct this Court decision and make clear that it intends to have a free and progressive economy rather than one hamstrung by union boycotts of all new products and innovations.

These restrictions imposed by the building trades on the use of prefabricated products are seriously holding

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down productivity. Technological progress in the construction industry is impeded and costs are being increased beyond today's all-time high. Carried to their ultimate conclusion, these recent Court decisions mean that unions could ban all technical progress in the construction industry.

Unless Congress sees fit to do away with this practice by legislation, the National Woodwork doctrine will allow continued union activity in this area with results not only in the realm of work preservation but also with the additional effect of depriving secondary employers of business and the consumer of substantial economic advantages.

Now, let us return to the great national need for housing. This is a priority problem which demands solution like Vietnam, crime, education, pollution. On these latter problems, all of us see daylight at the end of the tunnel, even though it may be long, uphill and we have to crawl instead of run.

But if we try to solve housing with century-old tools and techniques, we are indeed doomed to stay in the darkness of the tunnel permanently.

There is universal agreement by the housing experts and planners, by architects and engineers, by the contractors, that there is no way for this Nation to meet this urgent need and put our people under adequate roofs, unless we go to new ways of building. These must include prefabrication, systems analysis and programing, new resources, new policies, new concepts, and new techniques.

The irony of the Supreme Court decisions and the attitudes of a few labor leaders is that all this is self-defeating.

Their reason is to preserve jobs, to make work.

But with new building methods, billions of dollars could be funneled into the building industry, creating countless new jobs all over the Nation, a delicious dessert to top off the main course of solving the housing problem.

Further irony is that the European builders have already paved the way. They are solving their acute housing needs with just this sort of innovation. They are applying mass production techniques.

Happily, they are not hamstrung by a Supreme Court of nine men, already comfortably housed in a marble palace.

Fifty years ago, only the wealthy could afford an automobile. Now, all of our citizens can. In fact, it has become a necessity of life. And the auto today which even the poor can own is a far better vehicle than that previously owned by the rich. All this has come about because of constantly changing and improving techniques.

The auto worker is one of the best paid in America. This is as it should be, because his constantly increasing productivity earns him the right to a bigger share of the dollar take of this industry.

On the other hand, it has been pointed out that a $7.50-an-hour plumber is producing little more work than his grandfather at 75 cents a day.

He, then, is getting a free ride on the increased productivity of other workers. That is bad enough, but now backed up by the Supreme Court, his labor leaders want to prevent other workers in the product part of the building business from further enhancing his excellent economic position and at the same time strike a grevious blow at the chances of other less fortunate Americans to finally obtain decent housing, so long overdue to them.

My bill cuts across party lines and philosophical differences.

All of us in the Congress want to help out in solving this housing need.

Here is legislation which is a must if we are to break the housing logjam. The bill will also be an economic boom to those who oppose it.

Way back in the slow moving, quiet times of 1923, the famous architect Le Corbusier said:

> Building is at the root of social unrest today . . . entire cities have to be constructed, or reconstructed, in order to provide a minimum of comfort, for if it is delayed too long, there may be a disturbance of the balance of society.

He was so right. His predicted revolution is now with us.

One way of paving the way for the new construction needed is this legislation outlawing product boycotts, for the second time, I might say.

Hopefully, this time, the Supreme Court will get the message.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1532) to amend the National Labor Relations Act to make certain secondary boycotts, regardless of motive, an unfair labor practice, and for other purposes, introduced by Mr. Gurney (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTION

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that at its next printing, the names of the Senator from South Dakota (Mr. McGovern), the Senator from Massachusetts (Mr. Brooke), the Senator from Rhode Island (Mr. Pell), the Senator from West Virginia (Mr. Randolph), the Senator from California (Mr. Cranston), the Senator from Hawaii (Mr. Inouye), and the Senator from Utah (Mr. Moss) be added as cosponsors of the bill (S. 335) to prevent the importation of endangered species of animals illegally taken, or the transportation in interstate commerce in the United States of animals illegally taken in violation of State law.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YARBOROUGH. I also ask unanimous consent that, at its next printing, the names of the Senator from Kentucky (Mr. Cooper), the Senator from Indiana (Mr. Bayh), the Senator from Nevada (Mr. Bible), the Senator from Missouri (Mr. Eagleton), the Senator from Oklahoma (Mr. Harris), the Senator from Iowa (Mr. Hughes), the Senator from Hawaii (Mr. Inouye), the Senator from New York (Mr. Javits), the Senator from Minnesota (Mr. McCarthy), the Senator from Montana (Mr. Metcalf), the Senator from Minnesota (Mr. Mondale), the Senator from Wisconsin (Mr. Nelson), the Senator from Rhode Island (Mr. Pell), the Senator from West Virginia (Mr. Randolph), the Senator from Connecticut (Mr. Ribicoff), the Senator from Pennsylvania (Mr. Scott), the Senator from Maine (Mrs. Smith), the Senator from Alaska (Mr. Stevens), the Senator from Texas (Mr. Tower), the Senator from Maryland (Mr. Tydings), and the Senator from North Dakota (Mr. Young), be added as cosponsors of the bill (S. 338) I introduced January 16, 1969, to provide for increased educational opportunities for cold war veterans.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCARTHY. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from West Virginia (Mr. Randolph) be added to the list of cosponsors of the bill (S. 35) to amend the Internal Revenue Code to extend the head of household benefits to unremarried widows and widowers, and individuals who have attained age 35 and who have never been married or who have been separated or divorced for 3 years or more, who maintain their own households.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FANNIN. Mr. President, on behalf of the Senator from Illinois (Mr. Percy), I ask unanimous consent, that, at its next printing, the name of the Senator from Idaho (Mr. Church) be added as a cosponsor of the bill (S. 1179) the Airline Special Services Act of 1969.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, at its next printing, the name of the senior Senator from West Virginia (Mr. Randolph) be added as a cosponsor of the joint resolution (S.J. Res. 70) to provide that the nuclear accelerator to be constructed at Weston, Ill., shall be named the "Enrico Fermi Nuclear Accelerator" in memory of the late Dr. Enrico Fermi.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE RESOLUTION 164—RESOLUTION RELATING TO INTERPRETATION OF NUCLEAR NONPROLIFERATION TREATY

Mr. ERVIN submitted a resolution (S. Res. 164) relating to interpretation of Nuclear Nonproliferation Treaty, which was ordered to lie over, under the rule, and to be printed.

(See the above resolution printed in full when submitted by Mr. Ervin, which appears under a separate heading.)

SENATE RESOLUTION 165—RESOLUTION AUTHORIZING THE PRINTING OF A REPORT ENTITLED "CRIME AGAINST SMALL BUSINESS" AS A SENATE DOCUMENT

Mr. BIBLE submitted the following resolution (S. Res. 165); which was re-

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ferred to the Committee on Rules and Administration:

S. Res. 165

Resolved, That a report of the Small Business Administration entitled "Crime Against Small Business," submitted to the Congress pursuant to Public Law 90–104, the Small Business Protection Act of 1967, be printed in four parts with illustrations as a Senate document; and that there be printed one thousand four hundred additional copies of such document for the use of the Select Committee on Small Business.

NOTICE OF RECEIPT OF NOMINATIONS BY THE COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the following nominations:

William B. Buffum, of New York, a Foreign Service officer of class 1, to be the Deputy Representative of the United States of America to the United Nations with the rank and status of Ambassador Extraordinary and Plenipotentiary.

Christopher H. Phillips, of New York, to be Deputy Representative of the United States of America in the Security Council of the United Nations.

Glenn A. Olds, of New York, to be the Representative of the United States of America on the Economic and Social Council of the United Nations.

In accordance with the committee rule, these pending nominations may not be considered prior to the expiration of 6 days of their receipt in the Senate.

SPEECH BY HUBERT HUMPHREY

Mr. MONDALE. Mr. President, I invite attention to the perceptive and imaginative remarks recently delivered by one of our most distinguished and honored former colleagues, Hubert H. Humphrey, at the Macalester College Urban Crisis Symposium.

Professor Humphrey called for a "model States" program to complement our present model cities program. While noting the dangers of "urban sprawl," Professor Humphrey went on to indicate the urgent need to expand our present model cities program. Such an effort is plainly needed if we are to "avoid the haphazard and irrational growth patterns which cripple so many of our existing metropolitan centers."

Professor Humphrey later pointed out that the primary reason the urban crisis has not been solved can be traced to "an inability or an unwillingness of the people's elected representatives to act on a scale which reflects the magnitude of the crisis."

Mr. President, I ask for unanimous consent that the text of Professor Humphrey's remarks be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

REMARKS OF HON. HUBERT HUMPHREY AT URBAN CRISIS SYMPOSIUM, MACALESTER COLLEGE, ST. PAUL, MINN., FEBRUARY 23, 1969

American political history could be written from the perspective of the crises which periodically threatened the existence of our democracy . . . but crises which eventually were overcome by the fundamental strength and resiliency of the American political system.

For much of the 19th century, the paramount political issue was slavery and preservation of the union.

During the 1920's and 1930's, it became the survival of our economy.

Today it is the survival of our cities.

In reciting the facts and statistics of the urban crisis, we usually forget that this is fundamentally a political crisis . . . an issue which, in the end, must be solved by political action.

For only as national, state and local governments receive a popular mandate to act—a clear political decision by the American people to get the job done—will we be able to mobilize the necessary resources to break the seamless web of problems which today is strangling our major metropolitan centers.

Our failures to date, moreover, have been primarily political failures—an inability or an unwillingness of the peoples' elected representatives to act on a scale which reflects the magnitude of the crisis. And so it is to political action in behalf of our cities that we should turn our attention.

The urgency of the situation is evident to anyone who tries to walk in our cities . . . or drive . . . or breathe . . . or find a quiet park, or a home, or a hospital, or a school of which a child could be proud.

Life for the residents of our ghettos and slums is even harsher, more tragic:

There is physical overcrowding which renders almost impossible the normal conduct of life.

In Harlem the population density is almost 140 thousand persons per square mile. This contrasts with 26 thousand persons per square mile in all of New York City . . . or 85 hundred in Minneapolis . . . or 50 per square mile for the entire United States.

If the total population of the United States lived at the same density as the people of Harlem, more than 200 million people could be contained on Long Island, New York.

There is dilapidated housing which compounds the problem of overcrowding.

There are 4.3 million substandard dwelling units in urban America. In our central cities, one-third of the housing units are found in poverty areas.

There is unemployment which guarantees that most residents of the ghetto will remain trapped and helpless.

A Department of Labor survey of nine large cities discovered a subemployment rate of 32.7 percent—almost nine times greater than the unemployment rate for all U.S. workers. Negro youth unemployment continues to run five to seven times higher than the national average for all persons.

There are infant mortality rates approximately three times higher than the national average.

There are grossly inadequate sanitation services which increase the likelihood of disease and poor health.

In 1965 there were over 14 thousand cases of ratbite reported in the United States—mostly in slum neighborhoods.

Simply to dwell further on statistics is unnecessary . . . for the recitation of facts is today the mark of procrastination—not commitment to action.

We know what slums are—those places in our major cities where the most critical problems get attended to last.

Public services are least where the need is most urgent.

Schools are the poorest where the educational needs are the greatest.

Building codes are not enforced where the conditions they were designed to prevent are most prevalent.

Garbage collection is slowest where the danger to health is the greatest.

Police protection is least effective where crime rates are highest.

But the crisis of our cities is worse than the sum of its parts. It is more than inadequate housing, inferior education, unemployment, crime, noise and air pollution.

Capping all of these problems is the evolving frustration, despair and hopelessness which is sporadically transformed into rage, violence and destruction. And underlying everything is the loss of community by people who feel uprooted by change, overwhelmed by the complexity of urban life, and alienated from the mainstream of American society.

The growing numbers of Negro Americans in our central cities—concentrated in the most deteriorated and undesirable neighborhoods—has added the factor of race to the other staggering urban problems. Today, to put it frankly, the problems of race and the city have become inseparately intertwined.

It would be a tragedy if the American city were simply abandoned to the blacks . . . as more and more whites moved to the suburbs. It would be an even greater tragedy if by neglect of the city we practiced the cruelest form of discrimination—that of apartheid, the deliberate separation of the races. If this were to happen, we could well initiate a downward spiral of black violence and white repression which could literally destroy the fabric of our democratic society.

These are the components of the urban crisis in America. Apart from our efforts to achieve peace in the world, it is the greatest single challenge confronting the American nation in the last third of the 20th century.

We know what is wrong with our cities. And we have known for a long time.

Advisory councils, task forces, study groups, and Presidential commissions have studied the problem, restudied the problem, and studied the studies that studied the problem.

The failure to solve the urban crisis is not the lack of knowledge of what to do . . . it is simply the lack of a political commitment to do it.

Let me illustrate. Our first specific public housing act was passed in 1937. Twelve years later, the Housing Act of 1949 boldly proclaimed as its goal a "decent home and a suitable living environment for every American family" and authorized 135 thousand new public housing units a year for the next *six years*—or a total of 810 thousand new units.

Since setting that goal *twenty years ago,* however, we have actually built about 500 thousand units, or *only two-thirds of the six-year goal announced twenty years ago.*

Why this sorry record? Because the U.S. Congress failed to provide the funds necessary to build the houses and the American people failed to demand that Congress vote the money.

Last year Congress passed another major housing act—one which calls for an unprecedented ten-year housing campaign to produce 26 million homes, 6 million of them Federally assisted.

Will we fulfill that pledge—or will it be a replay of the Housing Act of 1949—a bold blueprint which never goes beyond the cornerstone-laying ceremony?

The answer will depend entirely on the depth of political commitment which the American people can sustain over the next decade.

Let's quit kidding ourselves. There can be no solution to the urban crisis until this nation by public and private expenditure cleans out the filth of the slums and provides decent housing for everyone.

We can build highways on schedule. We can launch an Apollo mission to the moon precisely on schedule. Now why can't we do a far more simple task—that of building houses for people—also on schedule?

Two years ago I proposed a Marshall Plan for America's cities. I did so from the conviction that only a program of this scope—only one of this vision—could generate the political support which was essential for real progress.

XUM

The effectiveness and magnificence of George Marshall's concept for the rebirth of Western Europe after World War II arose from several factors:

First, it frankly recognized that American interests would be served if Europe again achieved a healthy and vibrant economy. The American people put nearly 14 billion dollars into Western Europe over a five-year period. But this sum was less by far than the cost—to us—if Europe had remained in economic chaos . . . and then degenerated into despair and violence.

Second, the Marshall Plan produced quick and visible impact—not only in bricks and mortar but in peoples' lives. The initial investment was large enough and the vision grand enough to inspire hope . . . to show that the job *could* be done . . . to generate the will for self-help which brought Europe to self-sufficiency and prosperity . . . and to convince the American people and the U.S. Congress, that the 14 billion dollars was money well spent.

Third, the Marshall Plan operated on the basis of local initiative, careful planning, coordinated policy, and strict priorities. These techniques brought a new Europe from the ashes of World War II.

And this is the way to save the American city.

America is more than separated bits of geography—jet planes, super highways, radio and TV, and a highly complex economy have seen to that.

Yet all over America we encounter an endless vista of municipalities with overlapping responsibilities . . . with widely varying and usually outdated building codes—with zoning regulations which lack uniform standards . . . and with piecemeal rather than integrated programs to correct these deficiencies.

This is government by anachronism—government suitable for the old days of the industrial revolution.

This indictment extends to our municipalities . . . to our states . . . and to our federal government—a bureaucratic structure which is still better able to handle economic and social crises of the 1930 variety than the very different problems of the 1970's and 1980's.

Let me be candid: our present governmental structure—federal, state and local—is incapable of planning and achieving the living environment our wealth and technology permit . . . and our survival requires.

This fragmentation of resources and programs throughout the federal system has seriously crippled our capacity to act decisively over a sustained period of time.

New urban planning and other single-purpose governmental agencies have been layered upon old and fossilized institutional structures. When one unit of government is prepared to act, other units of government—neighboring communities, school districts or transit authorities . . . or perhaps the state or the federal government—disagree with the proposed plan of action.

Without cooperation and coordination among these disparate governmental units, resources are frittered away—valuable time is wasted—and the seemingly endless disagreements among governments consume the energy, confidence and vision of urban leaders.

We have just begun the long, hard job of improving the federal government's performance. This will involve some basic changes: decentralizing many functions to lower levels of government and to the private sector; changing the ground rules by which government and the private sector operate; increasing incentives and reducing the bureaucratic burden which all too often frustrates local action.

The Model Cities Act of 1966 points the way toward a more effective federal role.

Comprehensive planning is now going forward in slum neighborhoods in 150 cities across the country. These local plans must take account of housing, jobs, education, transportation, health, recreation and open spaces. And they must always reflect the human problems which underlie the physical deterioration of the central cities.

The Model Cities mechanism should be extended as rapidly as possible to cover all neighborhoods within each participating city and to cover all cities.

But we also need a "*Model States*" program to bring state and local governments into full and constructive partnership in national urban policy.

Direct federal aid to beleaguered municipalities has been a new and productive innovation in national affairs. But this has not encouraged the states to assume their share of the burden.

The federal government should provide financial rewards to those states which demonstrate initiative in modernizing their governmental and tax structures, including constitutional reform—in adapting their programs and expenditures to the needs of an urbanizing society—in creating state departments of urban affairs—and in revising the ground rules for local action, such as abolishing outworn legal jurisdictions.

We need a national urban strategy to define basic social, economic and demographic objectives that will help guide our urban, suburban and rural growth.

The doubling of our urban population, which is projected within the next generation, will demand space for a tripling of the nation's urban areas—an estimated 12 million additional acres of urban land by the year 2000.

We must build totally new cities in underpopulated regions of the country—cities which avoid the haphazard and irrational growth patterns which cripple so many of our existing metropolitan centers.

Control of land use is the key to influencing the pattern of this future urban development.

We need metropolitan regional compacts—so that metropolitan-wide problems can be attacked by metropolitan-wide units of government.

We must regulate more effectively the inmigration of people from rural to urban areas, even though this problem has become somewhat less acute in recent years.

These breakthroughs are possible if we discard empty rhetorical appeals for good government and offer instead financial and other incentives which make it profitable for municipalities, counties and states to work together.

This is precisely what happened in the Marshall Plan—and it is happening today in the Appalachian and other regional commissions. There is no reason why these experiments in regional planning and action cannot be expanded to the entire nation.

In testimony before the National Commission on Urban Problems, the mayor of a large city identified another critical dimension of the urban crisis. He said: "I have sometimes characterized the three major problems (of cities) as being money, finances, and revenue.' '

Many cities are today teetering on the brink of financial collapse. The influx of low-income families into the central city has created a heavy demand for welfare and other costly public services. Yet the departure of middle and high-income families to the suburbs has eroded the tax base to support these new services.

Municipalities are making a gallant effort to find the money. Since World War II local government expenditures have increased 571 percent—compared to an increase in our gross national product of 259 percent. In 1967 state—local property tax revenue totaled $27.7 billion—against $19.1 billion five years earlier. Yet cities like Philadelphia are almost bankrupt. New sources of revenue must be found—and found quickly.

To finance the rising level of federal assistance, I have proposed committing to the urban crisis a major portion of the "growth dividend"—the increasing level of federal tax receipts arising from the expansion of the economy—as well as the "peace dividend"—the additional federal funds available upon conclusion of the Viet Nam War.

The growth dividend is estimated at $3 to 4 billion dollars in the next two years, rising to $30 billion dollars in the following two years. The peace dividend is estimated at $19 billion dollars.

New approaches to solving the revenue crisis—combining public and private energies—must also be explored.

I have proposed creating a *National Urban Development Bank* financed through subscription of public and private funds. The Bank would underwrite the unusual risk elements involved in meeting the hardest and most critical urban problems—low cost private housing, for example. Securities sold by the Bank would also attract private investment capital for the revitalization of our cities. Federal funds would be appropriated to get the Bank started.

A National Urban Homestead Act could subsidize land costs for qualified private housing developments to allow the use of relatively high-priced urban and suburban land in relieving the population pressures in the central city.

A program of *federal support for state equalization of vital community services*—education and welfare, for example—within metropolitan areas would provide immediate assistance to hard-pressed local communities, particularly where the property tax has been exhausted as a realistic means of taxation.

These proposals—plus thorough reform of the overall federal, state and local tax structures—would dramatically alter the critical revenue situation which today makes impossible any concerted and large-scale assault on our most critical urban problems.

In 1976 we will celebrate the two-hundredth anniversary of the United States. Let us honor this bicentennial, not with a backward glance, but with a dramatic step forward.

I propose that on July 4, 1976, we dedicate a new American city—one which exemplifies the highest standards of beauty and excellence.

Bicentennial City would test new ideas in land use, housing technology, and community leadership. Its construction would attract the finest talents in America—from industry, the States, municipalities and the federal government.

By reflecting what is *best*, as well as what is possible, it would become a pilot city for a new America. Its dramatic symbolism would heighten that pioneering spirit which was the touchstone of this nation and which is vitally needed today. Its newness would bring fresh promise . . . and it would provide the visible evidence that progress is possible, one of the principal factors in the success of any proposal.

For the past eight years the Democrats had their chance to turn this country around in meeting the urban crisis. We should not be surprised that problems centuries in the making did not disappear in the span of two administrations. I offer neither excuses nor apologies for the Democratic record.

To the contrary, such landmarks as the creation of the Department of Housing and Urban Development, the Model Cities Act and the Housing Act of 1966 have finally pointed this nation toward real progress on the urban front.

The Republicans now have their opportunity to continue—and hope fully to accelerate—this record of accomplishment. Indeed, that is the name of the game in a viable two-party system.

During the Presidential campaign I proposed creating a Domestic Policy Council. President Nixon has taken precisely this step in establishing the Urban Affairs Council and he has drafted a good Democrat. Daniel P. Moynihan, to run it. That's politics in action.

But regardless of the institutional devices that are developed, it is illusory to believe that sustained headway is possible without the political backing of our elected officials . . . and without the support of the people who send them to office.

As a leader of the Democratic Party, I intend to do everything in my power to generate this support in the coming months and years. I intend to talk frankly about what must be done to seize and maintain the initiative in saving the American city. And I intend to work for the election of those people who understand the urgency of our present circumstances—and who are prepared to join with others in a long-term commitment to see this struggle through to victory.

What happens in our cities happens to America. It is there that American democracy will either succeed or fail—either flourish or perish. For by the quality of life in our cities will the character of American civilization ultimately be judged.

GOLDEN ANNIVERSARY OF THE AMERICAN LEGION

Mr. TALMADGE. Mr. President, on Saturday, March 15, the American Legion will celebrate its golden anniversary. It has been 50 years since a group of weary men met in Paris following World War I to discuss the formation of an association of veterans on the return of American forces to the United States.

This turned out to be the first meeting of the American Legion, an organization that has steadfastly dedicated itself to strengthening Americanism and good citizenship.

The American Legion has a long and glorious history of patriotic accomplishment, and I join its many friends and members in saluting the Legion on its 50th birthday.

It was my privilege and honor on February 25 to be named chairman of the Senate Finance Committee Subcommittee on Veterans' Legislation. This is an important assignment, and I have pledged my services and my subcommittee to constantly be on the alert for new and better ways to improve veterans' service programs.

Today at noon, it was my pleasure to address the American Legion's National Rehabilitation Conference at the Sheraton Park Hotel. I addressed myself primarily to legislation I introduced in the Senate yesterday to increase monthly servicemen's death benefits payments and to raise death payments paid under the servicemen's group life insurance program from $10,000 to $15,000.

For the Record, and in order that other Senators may be apprised of my proposed legislation—on which I intend to hold hearings at a later date—I ask unanimous consent that my speech be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Address by Senator Talmadge

(Remarks at the National Rehabilitation Conference of the American Legion, the Sheraton Park Hotel, Washington, D.C. March 12, 1969)

It is an honor indeed to meet with you gentlemen attending the American Legion's National Rehabilitation Conference.

I know the Legion's record. It is a record that all Americans may be proud of. It is a refreshing experience to be with Americans who believe that loyalty to their country is the duty and responsibility of every citizen, and who are not embarrassed by their patriotism. These are qualities, I am sad to say, that have been sadly lacking on the American scene in recent years.

As a nation, we have always recognized the debt we owe to those who risk their lives, and in some cases lose their lives or suffer disabling wounds, in our defense.

Compensation for veterans disabled in wartime was well established in colonial laws long before the Revolutionary War. As early as 1636, the Plymouth Colony enacted a law providing that "if any man shall be sent forth as a soldier and shall return maimed, he shall be maintained competently by the Colony during his life."

Similarly benefits were established for veterans of the Revolutionary War shortly after it started. An act passed in August, 1776, providing compensation, for a service-connected disability on the basis of half pay for life for every officer, soldier or sailor whose service wounds rendered him incapable of earning a livelihood. These benefits were liberalized so that by 1785, a totally disabled enlisted man was awarded compensation payments of $5 a month.

This period also saw the beginning of compensation benefits for the widows and orphans of servicemen. In August, 1780, the Continental Congress enacted a resolution providing compensation payments of half pay for seven years to widows and orphan children of officers dying in service. The resolution made no provision for the widows and orphans of enlisted men.

It was in 1818 that the Congress enacted our first program for needy veterans, providing pensions for veterans whose need bore no relationship to their military service during the Revolutionary War. Former officers were eligible for a $20 monthly pension, while former enlisted men could receive $8.

Like the compensation and survivor benefits before them, the Revolutionary War benefits in the pension area were particularly significant because of the precedent they established. The 1818 act for the first time adopted the policy that the Government owed it to veterans to protect them against poverty in their old age.

The precedent of compensation, pension, and survivors benefits established for Revolutionary War veterans was followed throughout the nineteenth century, but virtually no effort was made to provide benefits aimed at helping servicemen to readjust to civilian life. Though veterans were provided mustering out payments, land grants, homestead preferences and preference for Government jobs, these benefits were intended primarily as incentives for enlistment, rather than as readjustment benefits.

Before the First World War, almost all legislation affecting veterans was handled in the Senate by a Committee on Pensions. A turning point in the history of veterans' benefits was reached when the Senate Finance Committee took over the responsibility for veterans' programs. For it was at this point that an effort was made to bring about a change in the nature and philosophy of the whole system of veterans' benefits. In its work on the War Risk Insurance Act of 1917, the Finance Committee and the Congress attempted to establish a new kind of benefit system to aid veterans. In addition to compensation benefits, this Act provided a system of optional low cost government insurance. Vocational rehabilitation was established to return disabled veterans to useful employment. Another law, enacted in 1919, authorized medical care for veterans with service-connected injuries.

This new approach reached its fruition in World War II. The challenge to veterans' programs imposed by World War II was unsurpassed in the nation's history. Over 16 million servicemen were called to the colors. Compensation, insurance and medical benefits were provided for these veterans, but the most striking development in veterans' benefits occurred in the readjustment category. It was in 1944 that the Senate Finance Committee originated the GI Bill of Rights.

This act was passed on the philosophy that veterans whose lives had been interrupted by military service or who had been handicapped because of this military service should be provided assistance in returning to civilian life. The GI Bill provided for educaton and training, home, farm and business loan guaranty benefits, and unemployment allowances. Almost $20 billion was spent in assisting World War II veterans to return to civilian life in this remarkably successful program which has served as the model for subsequent readjustment benefit legislation.

The GI Bill of Rights was one of the best investments this country has ever made. By upgrading the ability and productivity of these veterans, the Treasury has benefited through increased tax revenues. And the economic advantages do not show the immense benefits we have reaped in terms of human happiness and self-satisfaction.

As a nation, we have made a commitment to the men who have sacrificed themselves for our freedom. We have come a long way toward meeting that commitment since the first rudimentary programs for Revolutionary War veterans and their survivors. We are going to keep trying to meet that commitment fully.

I am particularly proud to have served on the Senate Finance Committee because of the historic role that Committee has played in the development of the veterans' programs. And it is with great pleasure that I accepted the honor of becoming the Chairman of the Subcommittee on Veterans' Legislation of the Committee on Finance. The Committee has always served veterans well, although it must handle a variety of equally significant problems—to name a few, tax reform, the welfare crisis, rising costs of Medicare and Medicaid, and foreign trade. No one has criticized the Finance Committee in the last several years for failing to give veterans' legislation the attention it deserves. But the establishment of a Subcommittee on Veterans' Legislation can provide a new forum for careful consideration of the veterans' programs; and when the Finance Committee takes up veterans' legislation, the Subcommittee members already familiar with the proposals will speed Committee action.

Now let me turn to the Subcommittee's program for 1969. I know of your interest in the compensation and pension programs. These were dealt with in a most constructive way during the last Congress.

As a result of last year's legislation, compensation benefits to more than two million disabled veterans and pension payments to more than one million needy veterans were increased. The compensation increase bill represented the largest single increase in compensation payments ever enacted by the Congress.

Having acted on these two programs so recently, we intend to turn our attention this year to benefits for the survivors of servicemen killed in war. This will be the Subcommittee's top priority in 1969.

In 1956, the Congress established a new kind of veterans' program, called Dependency and Indemnity Compensation. This program provides the widows of men killed in service with a monthly benefit payment related to her husband's rank. The formula in the 1956 Act provided a widow with DIC payments of $112 plus 12 per cent of the monthly basic pay currently received by a serviceman whose rank and length of service are the same as her deceased husband's. In 1963, the basic amount was increased from $112 to $120.

By relating the DIC benefit to military pay, it was intended that benefits would rise as servicemen's pay is increased. But as we analyze what has happened over the past dozen years, we find that DIC benefits have been adequately increased for some widows and not for others.

Since the DIC benefits first went into effect, the cost of living has gone up 27 per cent. Benefits for the widows of officers from captain on up have risen by at least that amount. But DIC payments to widows of lieutenants and enlisted men of rank staff sergeant and higher have not kept pace with increases in the cost of living. Payments to surviving wives of enlisted men in the first five pay grades have increased even more slowly than this.

It is now time for action to remedy this situation. You will be pleased to know that I have introduced—yesterday afternoon in fact—a bill to correct deficiencies and improve the DIC program.

First, my bill will increase the DIC formula from $120 plus 12 per cent of basic pay to $130 plus 12 per cent of basic pay. This step will bring benefits for widows of lieutenants and higher ranking enlisted men in line with the increased cost of living.

Second, my bill guarantees a minimum DIC benefit for widows of $165 per month. An increase in the formula from $120 to $130 will not by itself match the increased cost of living for widows of servicemen in the first five pay grades. Yet it is just these lower ranking enlisted men who account for five-sixths of the deaths suffered in Vietnam. It is their widows who we must be sure are adequately protected. The Committee on Finance has always recognized the need for at least a minimal level of social security benefits. I think it is time we applied this social security rationale to the DIC program.

Third, my bill will provide an additional $20 monthly DIC benefit for each child of the deceased serviceman. Children's DIC benefits today represent one of the most inadequate features of the present program. Under a complex and cumbersome formula, a widow may receive additional benefits if she has two or more children, depending on how much social security she receives. At most, she may receive an additional $28 if she has two children and $53 if she has three or more children. A widow with five, seven or ten children today receives the same amount of DIC and social security as a widow with three children. My bill will remedy this situation.

Fourth, my bill includes a 10 per cent increase in DIC payments to orphans where there is no widow entitled. This increase will match the rise in the cost of living since these benefits were last increased in January, 1967.

Fifth, my bill will provide a $50 additional monthly allowance to widows receiving DIC who require regular aid and attendance. A similar benefit was provided in legislation enacted in 1967 for widows receiving pensions.

Sixth and last, my bill will assure that the widow of a veteran who was totally disabled from service-connected causes for 20 or more years will receive DIC unless the veteran's death was the result of an accident not related to his service-connected disability. It sometimes happens today that the cause of such a totally disabled veteran's death cannot definitely be established as service-connected. This amendment will in effect provide a statutory presumption that the death in this type of case is service-connected for survivor benefit purposes. While extending DIC to cover this uncertain case, the amendment preserves the principle of not brniging clearly non-service-connected deaths under the compensation program.

When the Dependency and Indemnity Compensation program was enacted in 1956, the Congress terminated the $10,000 indemnity which had been provided for servicemen during the Korean War. For almost a decade, servicemen had no Government life insurance protection payable in a lump-sum upon death.

In 1965, I introduced the bill which established Servicemen's Group Life Insurance. I am proud of this legislation, and grateful for that opportunity to render this important service to veterans and their families. Under this program, we are providing $10,000 life insurance to the three and one-half million servicemen on active duty. They pay $2 a month, based on ordinary group life insurance rates for civilians, and the Government pays the cost of the additional risk due to military service. In fiscal year 1968, SGLI paid $218 million in benefits; of the total, $83 million was withheld from service pay, and the remaining $135 million was paid by the Government as the cost of the extra hazards of service in combat areas.

I feel that the $10,000 insurance limitation is too low. But I don't think that the SGLI program should be looked at in isolation. We should view it in the context of the total benefits provided by the Government for survivors of servicemen. When the Dependency and Indemnity Compensation program was initiated in 1956, social security protection was also extended to servicemen and their families. Thanks to improved compensation and social security benefits, the survivors of a serviceman who is killed in battle today are much more adequately protected than they would have been in previous wars.

Let us take as an example of this the case of a private who is survived by a 20 year old wife with no children, and let us assume that the widow does not remarry. If such a serviceman had died during World War II, the value of the survivor benefits would have been $44,000—$10,000 in insurance and $34,000 in compensation. If that same enlisted man had died during the Korean War, the survivor benefits would have been worth $61,000—$10,000 in insurance and $51,000 in compensation. But if that enlisted man died in Vietnam today, his widow would receive $112,000 in survivor benefits—$10,000 in Servicemen's Group Life Insurance, $90,000 in DIC and $12,000 in social security.

The increased protection we are providing today shows even more dramatically in the case of a widow of a sergeant with seven year's service, who has two young children. In World War II, survivor benefits would have totaled $58,000; in the Korean War $90,000; and today, $175,000.

However, though both DIC and social security amount to very substantial benefits, they are paid in relatively small monthly payments, over a period of years. Servicemen's Group Life Insurance, however, may be paid in a lump sum. It can enable the surviving family to pay off a debt which would have been repaid had the serviceman survived. It helps with all the substantial expenses of the family, and it can help see a child through school. It can be used to meet the unusual expenses associated with the death of the principal wage earner.

It is for this reason that I have also introduced—yesterday along with my other measure—a bill to increase the SGLI face value from $10,000 to $15,000. The increase will be effective as of the date of enactment of the bill.

As I stated upon accepting the Chairmanship of the Subcommittee on Veterans' Legislation, it shall be the objective of the Subcommittee to assure the nation's veterans that their interests and the interests of our entire country are not ignored.

The two bills I have introduced are an indication of the kind of positive initiative that the Subcommittee intends to demonstrate. I am looking forward to utilizing this new opportunity. I want to do more to better serve our nation's veteran population.

Thank you and, in closing, let me congratulate each and every one of you on the 50th Anniversary of the American Legion. The whole country owes you a debt of gratitude for a job well done.

GOVERNOR WILLIAMS TALKS SENSE

Mr. FANNIN. Mr. President, Arizona is blessed with a very articulate and capable Governor who has replied in a most forceful and cogent manner to an unfair charge made by the Federal Government against Arizona's school system.

A Federal report claims Tucson's School District No. 1 is one of 40 school districts in the Nation allowing de facto segregation to continue.

Gov. Jack Williams responded by saying:

> If there is something inherently wrong in de facto segregation, why do the Federal Government's Indian schools continue?

The Governor was also quick to point out that he is not criticizing Indian schools, he simply wants to point out that the Federal Government should not jump on the States for de facto segregation when they practice the same thing in all-Indian schools.

I am not condemning the school program under which Indian children living on the reservations go to the nearest schools available. In fact, I encourage this procedure, the goal being to have more schools nearer the children's homes.

It should be made abundantly clear also that Governor Williams is not a segregationist. His record is clear. As a member of the Phoenix School Board in the 1940's, when outlawing segregation was under consideration, he cast his vote for integrating schools on a neighborhood basis, and segregation was abolished. That was 20 years ago.

It is time, I think, that we have more clear, sensible speaking out on some of the problems we seem to be creating for ourselves in America.

For instance, today I do not hear strong clear voices raised saying that the primary purpose of our schools is to educate children, not to carry out somebody's idea of social reform.

Speaking as an individual, I have had quite a sufficiency of self-proclaimed experts trying to tell taxpaying parents what is good for their children in areas of sociological reform. It is time we returned to the concept of inculcating children with a basic education as the first aim of our schools. Let us provide good schools with excellent teachers for all our children.

Certainly I am for progress, and for progress in education; but it is necessary for us to clear our vision and stop mistaking frills and fashion and somebody's preconceived notion of what the right "mix" or racial "balance" should be, and get back to the basics of providing a good sound education.

Gov. Jack Williams has made an excellent observation on our education system in Arizona. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SEGREGATION CHARGE DRAWS REPLY

(By John H. Vesey)

The federal government should clean its own dirty linen before pointing a finger at Arizona's, Governor Williams implied today, referring to the Washington report claiming Arizona is one of 14 states practicing segregation in its schools.

"Let the government answer its own questions," Williams said. "If there is something inherently wrong in de facto segregation, why do the federal government's Indian schools continue?"

He quickly added that he was not criticizing Phoenix Indian School. He just wanted to make it clear that the federal government should not accuse states of practicing segregation in their schools when the government supports all-Indian schools.

The Federal report, put out by Robert H. Finch, secretary of health, education and welfare, claimed Tucson's School District 1, was one of 40 such school districts in the country allowing de facto segregation to continue.

Thomas Lee, Tucson school superintendent, said the situation, if it exists, is caused by "neighborhood racial patterns, not through intent of the schools."

Williams voiced surprise to learn Tucson was the area under investigation by HEW. "Tucson of all cities should be less criticized than most," Williams said.

There are more than 70 schools in the Tucson District 1, making it one of Arizona's largest school districts. Lee said there are about six schools in the area in which more members of the minority races attend than from the majority.

Williams has yet to receive an official word from Washington on the segregation charge. He plans to confer with the State Department of Public Instruction.

The governor's office does not run the state's schools, Williams explained.

Williams was on the Phoenix school board back in the 40s when segregation was abolished. "I cast my vote for integration," he said.

SAVING DEFENSE DOLLARS

Mr. PROXMIRE. Mr. President, on Monday of this week I spoke to the Senate on the crisis we face with respect to defense spending. In my judgment, it is out of control. Neither the executive nor the legislative branch has control over the total amounts spent or the way in which funds are expended.

The results are huge cost overruns, delayed deliveries, and unbelievable excesses and surpluses in the supply system. Commonly, the contracts for major weapons systems cost 200 percent more than the original estimates. Deliveries are routinely 2 years late. Last year the surplus supplies amounted to over $12 billion, or 28 percent of the value of the supply system inventory.

The Washington Daily News commented on these problems in an editorial published on Tuesday, March 11, 1969. The editorial supports a number of the specific suggestions which I and others have made to help solve these problems. The proposals include more competitive contracts, a far more penetrating Budget Bureau review of Pentagon spending requests, a uniform accounting system for weapons contractors, and additional attacks on the huge surpluses.

Over the years, no newspaper has done more both to expose military waste and to urge action than has the Washington Daily News. I commend the editorial to the Senate and the public and ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SAVING DEFENSE DOLLARS

Sen. William Proxmire, chairman of the Congressional Joint Economic Committee, was indulging in a bit of senatorial hyperbole in saying the President, the Congress and the country have "lost control" over the Pentagon's spending.

Many a corporation president, Governor, mayor and storekeeper can testify that, with rising materiel costs and wage demands, money (as we remember it) seems to be going out of style.

With a budget of $80 billion a year, however, the Pentagon is not a molehill but a mountain. And Sen. Proxmire is right when he says the Defense Department's procurement practices are too sloppy and wasteful and need tightening.

There is plenty of documentation of how the Pentagon has paid $1.90 for 25 cent nuts, and such. There is also the big stuff, such as the Lockheed C–5A jumbo transport whose original contract ceiling of $3 billion for 120 copies has jumped to $5 billion.

It was no pacifist but Adm. Hyman G. Rickover, the Navy's atomic sub expert, who testified that propulsion turbine suppliers, taking advantage of the Pentagon's "weighted guideline" system of setting profits, are insisting on a 20–25 per cent profit over cost as compared with 10 per cent a few years ago. Etc., etc.

The Pentagon never misses a "cost reduction" report, claiming so many million dollars were saved. But the leakage, big and small, goes on. How to stop it? Sen. Proxmire makes some sensible suggestions, including:

Reduce immediately the number of negotiated contracts, increase the amount of truly competitive bidding. Fine or blackball companies prone to huge cost "overruns" (increases) and tardy deliveries.

To outflank Pentagon indifference, let the Budget Bureau add personnel to make skeptical, penetrating reviews of the defense budget.

Install a uniform, effective system of accounting for military contractors. Improve the monitoring of contracts while they are in process. The General Accounting Office, Congress' watchdog agency, whose excellent efforts are concentrated on post-audit reviews, shall play a larger, concurrent role.

Keep attacking the problem of stockpile excesses.

These steps show the way to saving defense dollars. They ought to be seized upon in official Washington. They certainly would be welcomed by the taxpayers.

ADDRESS DELIVERED BY DR. LEE A. DUBRIDGE AT GODDARD MEMORIAL DINNER

Mr. HATFIELD. Mr. President, recently, at the Goddard Memorial Dinner, Dr. Lee A. DuBridge, the President's science adviser, spoke about America's history of rocketry and technological progress. He reminded his audience of mankind's enduring visions of creating a better world. I ask unanimous consent that the text of Dr. DuBridge's valuable address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS BY DR. LEE A. DUBRIDGE

Tonight's dinner of the National Space Club comes at a most propitious moment in the history of the American space program. Last Monday morning the whole Nation and much of the rest of the world witnessed the launching of Apollo 9 carrying three astronauts and their complex spacecraft equipment into a 10-day orbital test of the spacecraft whch will in a few months carry men to their first landing on the surface of the moon.

Some of us who witnessed the firing of the enormous Saturn V rocket system could not help reflecting back only a few years to the days when any talk about a rocket with 7½ million pounds of thrust would have seemed like the most idle sort of day dreaming. Even when the Apollo program was initiated nearly 10 years ago, it was very apparent that we had a long way to go to achieve this kind of a technological triumph.

However, by 1960 we did have a solid base of knowledge on which to build this great venture. We knew the laws of physics that were required. We had achieved the kind of a technological development which had made it clear that large rocket engines could be designed and built and made to work reliably. We knew about radio communication, about remote and automatic methods of guidance and control. No new principles of science had to be discovered in order to initiate and carry on the complex program of space exploration which the last ten years have witnessed. What we needed was not new science, but new technology and new systems of managing a very large and complex technological enterprise. Our engineers and our managers have achieved this tremendous feat of putting our knowledge to work in a systematic coordinated way to achieve goals which we as a nation have set for ourselves. We sometimes forget this simple fact: that basic knowledge must be available before we can proceed with a great new technological development.

Thus, we are witnessing another spectacular example of the utilization of scientific knowledge, accumulated by many generations of scientists, some famous and some obscure, who worked away in their laboratories trying to probe the secrets of nature. We have seen how once these secrets of nature have been revealed, engineering skills could put them to work.

We see in our space program also an example of the reverse process which so often takes place. New technological developments lead to new techniques and new instruments which very often speed up our basic work in science and lead to new ways of uncovering new secrets of nature. Thus, during these past ten years the advance of science has been enormously aided by the advance of space technology. We have learned much more about the earth than we knew ten years ago. We know more about its upper atmosphere, about its magnetic field, and about the interaction between the earth's magnetic field and the newly discovered solar wind which continuously impinges upon it. We have learned about the radiation and particles which exist in space throughout a large segment of the solar system. We have already had very intimate views through our cameras and through the eyes of our astronauts of the surface of the moon, and we have even landed instruments

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on the moon to make chemical tests of its soil. We have had close-up glimpses of Venus and Mars, and have torn away the shroud of mystery which has surrounded both of these planets.

Today as we watch with interest the difficult schedules through which our three astronauts are passing in their test program, we must not forget that there is also a Mariner 6 well off on its long journey for another look at the planet Mars.

During the coming months and years we will see additional instrumented spacecraft launched to explore other parts of the solar system, and it is clear that the technology now is within our reach to make journeys to Jupiter and Saturn and beyond. Thus, during these exciting years man's search for knowledge has received an enormous impetus and the hopes for further extension of our knowledge continue to accelerate. The long history of man has shown that the acquisition of knowledge is not only one of his primary urges but one of his most valuable attainments as he seeks to make a better life for everyone on this little planet which we call the earth.

Our new space technology can now also be applied to learn more about our planet—its resources, its weather patterns, and its oceans and continents. We will communicate and navigate with satellites. Our investment in the space program will pay huge dividends.

It is appropriate that at this dinner also we honor one of the great pioneers whose dreams and whose experiments laid the basis for modern rocketry and modern space technology. Robert Goddard's achievements were little noticed in the early days of his experiments but now we recognize that he laid the basis of thought and experience for what has followed since. When President Nixon made the Goddard award to the three Apollo 8 astronauts this morning, he very properly said that they and the hundreds of thousands of individuals who have participated in our space program were able to reach these heights because they stood on the shoulders of the giants of past years. Goddard was one of those giants on whose shoulders we all stand today as we reach for the stars.

Another newsworthy event occurred today when the President announced this morning that he was nominating as the Administrator of the National Aeronautics and Space Administration the present Acting Administrator who is with us tonight, Dr. Tom Paine. As the President said this morning, he and his staff searched the country to find the best man to head our civilian space program during the coming critical years, and he found the best man right here on the spot. I am sure that I speak for all of you in expressing our congratulations to Dr. Paine and our great pleasure that he is to take on this new assignment. Under his leadership we will move confidently ahead to the completion of the Apollo program and to the initiation of a new decade in space achievements.

I appreciate the honor of being here tonight, and I congratulate and thank all of you who are here who have participated in our space ventures and who have followed and supported them with such interest and enthusiasm. We will need your continued interest, enthusiasm and participation in the days, months and years that lie ahead. The space age has just dawned and ten years hence we will look back on the achievements of the 1970's with as much if not more wonder and awe and pride as we look back on the achievements of the past decades.

WHO WILL WATCHDOG THE CREDIT WATCHDOG?

Mr. PROXMIRE. Mr. President, the rapid growth in consumer credit has lead to the tremendous expansion of the credit reporting industry. In order to provide creditors with the information they need to extend credit, a vast, private, unregulated information network has grown up. For example, in 1967 the credit bureaus belonging to the Associated Credit Bureaus of America issued over 97 million credit reports. Their files include information on more than 110 million individuals.

There has been growing concern that public standards need to be developed concerning the activities of credit bureaus. A number of complaints have been raised concerning the problem of inaccurate information, the failure to keep information confidential, and the individual's right to privacy.

I have introduced a Fair Credit Reporting Act, along with nine other Senators, to require credit bureaus to observe certain elementary safeguards and procedures designed to insure that consumers are treated fairly. Considering the power these self-appointed credit watchdogs have to affect the person's reputation and even job, we must be sure that they are publicly accountable.

Yesterday Bruce Biossat, in the Washington Daily News, devoted his entire column to this issue. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WATCHDOG OVER CREDIT

(By Bruce Biossat)

The time clearly has arrived for the creation of a Federal watchdog commission to exercise powerful and aggressively vigilant control over the nation's credit bureaus and credit-extending agencies.

These "private" bureaus and agencies, thru their command over an individual citizen's credit standing and his opportunity to use credit in major transactions affecting his life, are in plain fact employing power which is governmental in scope.

They have, indeed, far more sweeping authority over an individual's personal and business financial affairs than the U.S. Internal Revenue Service normally applies in its congressionally-empowered inquiries into citizens' income tax returns.

A credit bureau, operating in misty anonymity most of the time, may determine whether you can buy a house or a car, float a loan to pay off crushing medical expense, expand your activities, undertake certain necessary travel.

It is your "credit rating" which decides all this, and whether or not you can get general or special credit cards and develop charge accounts with retail stores and various other business establishments.

Your "rating" is presumed to be determined by your past "credit record"—the available evidence as to how you paid your bills, how you met bank or car or other loan payments, etc.

Unhappily, credit bureaus across the country make many minor and some very serious errors in compiling this evidence. The horror stories are legion, compiled more and more frequently by highly reputable newspapers, pieced together in endless living room conversations where individuals compare notes.

In theory you are supposed to be able to gain access to the credit bureau's file on your credit performance if any difficulty arises. Actually, as many specifically documented cases demonstrate, your rating may suddenly plummet to zero and you may find it impossible, or nearly so, to learn why.

Letters to credit bureaus and credit-extending agencies go unanswered for long periods or are never answered. If you can bring off a personal visit with an agency official, which is no mean feat, you may be smothered in vague replies.

In many instances, the agency treatment of the inquiring citizen is grossly arrogant, indifferent, negligent and downright incompetent.

Sometimes a bureau, goaded into unaccustomed frankness, acknowledges its capacity for error and even says certain matters of credit performance are "difficult to verify."

From the public's standpoint, failure on this score is totally unacceptable. There can be nothing too difficult to verify when a person's whole financial status is at stake. And no serious error is permissible, for the same reason.

With power goes responsibility. The responsibility of these agencies is to be absolutely correct, even if they have to recheck their records 20 times. And evidently a Government commission is now needed to see that they do just exactly that.

Furthermore, such a commission should be charged with seeing that their often inhuman impersonal treatment of citizens is completely curbed. The experiences some people have had make the so-called "impersonality" of today's huge university look like an exercise in free love.

If Federal tax investigators judge your income tax returns faulty or fraudulent, and you dispute their findings, you have recourse first to the tax court and then to the general courts to seek reversal of the verdict.

No such protection exists for you in the credit field. The citizen should not be forced to spend time and money to prove errors by self-appointed private arbiters of your credit. A Government commission should put the burden of accuracy fully upon them.

CANADA'S INCENTIVES AID MINING INDUSTRY

Mr. STEVENS. Mr. President, the extraordinary development of Canada's mineral and mining industry is due to a variety of assistance and incentive programs. These programs work. The United States with its vast store of undeveloped resources in Alaska and elsewhere has much to learn from the experience of our neighbor to the North.

Mr. President, I ask unanimous consent that a short article by Edmond E. Price, published in the first issue of Alaska Industry, January, 1969, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CANADA'S INCENTIVES AID MINING INDUSTRY

(By Edmond E. Price[1])

Change is the operative constant today both in Alaska and that vast expanse of land to the east known as "Northern Canada," or that part of Canada lying north of the 60th parallel comprising:

1. The Yukon and Northwest Territories
2. 40% of our land mass, or 1.5 million square miles
3. One-third of the mineral rich Canadian Shield and the Cordillera Range of the Yukon
4. 50,000 inhabitants.

From the time of Samuel Hearne's trip

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[1] Edmond E. Price is the Canadian consul and trade commissioner at Seattle. His paper on Canadian mining incentives was presented at the Fairbanks annual meeting of the Alaska State Chamber of Commerce in October.

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in 1771 in search of the legendary native copper brought in by Indian traders to the Hudson's Bay Company posts, and Alexander Mackenzie's journey of this time from Lake Athabasca to the Arctic Ocean during which he noted considerable oil seepage, we have known something of this area's vast storehouse of resource riches.

The Klondike gold rush of the 1890s gave us further indication, yet only within the past 10 years have we really begun to "Look North to the Future" (wtih acknowledgement to Gov. Walter J. Hickel and [Alaska's] Department of Economic Development!)

The development of Canada's north will follow the historic pattern of development which formed Canada as a nation. It will depend upon:

1. The discovery of desirable minerals in economic quantity,
2. The provision of economic transportation to markets,
3. Development of technology to enable economic extraction under conditions of severe climate and high transit costs.

IMPORTANCE OF MINERALS

I shall concentrate on the development of minerals in Northern Canada and how this development is being facilitated and fostered by the Canadian federal government.

Thus I shall leave aside anything more than mere mention of the estimated 23 billion cubic feet of merchantable timber in Northern Canada, although federal resource incentive programs have application in this field as well.

When I speak of minerals, I include oil and gas, which are minerals but not really part of the "mining" or "mineral industry." Their importance to Canada can be shown in many ways, including:

1. 7.1% of our 1967 GNP, or $4.4 billion. (All figures given in Canadian dollars.)
2. Largest earner of foreign exchange, for 28.5% of total exports in 1967, valued at $3.2 billion
3. A principal area for foreign investment, i.e., in 1965, $250 million of $443 million in foreign gross capital inflow was invested in mining and petroleum industries
4. The mineral industry employs, directly and indirectly, 15% of Canada's labor force, or more than one million people
5. It is a substantial earner of income for governments. During the 1960's, the Canadian mineral industry has accounted for an average of 18% of all federal corporation income taxes paid in Canada.

NORTHERN DEVELOPMENT INCENTIVE

To stimulate development in the North, which contains three times the volume of sedimentary rock that exists in Alberta, and three times as much pre-Cambrian geology as the province of Ontario (the home of so much mining activity), the government of Canada has over recent years introduced a number of resource development assistance programs.

Before outlining these programs—which are—additional to the various tax concessions, benefits and writeoffs that mining companies enjoy under the Income Tax Act—I should point out that these programs apply to Crown land in Northern Canada, which is administered by the federal Department of Indian Affairs and Northern Development.

The programs include:

1. The Northern Mineral Exploration Assistance Program. Up to 40% of an approved exploration program (including geological, geophysical and geochemical examinations, aerial mapping, surveying, surface examination and drilling) in search of minerals or oil can be provided by the government. If the program is successful, the grant is repayable over a 10-year period commencing when production starts. If unsuccessful, the grant is not repayable.

2. The Prospectors Assistance Program. Provides grants on a first-come-first-served basis of up to $900 per year to stake an individual prospector. It provides $30,000 in each territory to assist prospectors.

3. Northern Roads Program. Provides for assistance on resource projects up to:

(a) 50% of the construction cost for a tote trail but not to exceed $20,000

(b) 50% of actual road cost for initial access roads to a yearly limit of $100,000 if the project is exploratory in nature, and $500,000 if the project is primarily development

(c) Two-thirds of the cost of construction of permanent access roads, but not exceeding 15% of actual capital invested by the company prior to commencement of commercial production or exploitation

(d) 100% of the construction and maintenance costs for resource development and network roads to link resource-potential areas with established road networks.

This program applies to forestry, petroleum, mineral, tourism, recreation and other industrial developments.

4. Northern Resource Airports Program: Provides for financial assistance up to 50% of the cost of airports in support of exploration operations to a maximum contribution of $20,000, and preproduction operations, to a maximum federal contribution of $100,000. Airports constructed under this policy are to be made available for public use at reasonable times, and the company must construct, maintain and operate the airstrip. This arrangement applies to a natural resource development company, a private tourist or recreational enterprise, or established airline.

5. Economic Feasibility Studies: In some cases the federal government will finance economic feasibility studies of proposed northern primary production operations.

6. Northern Canada Power Commission.[3] A Crown corporation which plans (and in some cases operates) power operation facilities in Northern Canada. It provides power to mining operations in Pine Point and Yellowknife.

7. Canadian National Railroad.[3] This Crown corporation may also become involved, as it did through the $80 million extension of its line from Grimshaw, Alberta, 432 miles north to the Pine Point lead-zinc deposits.

8. Other Assists. These include: financial support for Chamber of Mines; subsidized assay services; strategically located Mining Recorders' offices; the provision of serviced lots for sale in "open" townsite developments, etc.

RECENT DEVELOPMENTS

This new focus on the North has led to exciting and dramatic recent development.

In the mining field, industry has spent $260 million on new mine development in the past four to five years, supported by $240 million in federal government expenditure.

In addition to actual development of new mines—such as Anvil, Cassiar, New Imperial and Pine Point—exploration activity is at a $12 million annual level, with 36,000 claims recorded in the Yukon and Northwest Territories in 1967—up from 5,800 in 1963.

Exploration expenditures for oil and gas in Canada's north have increased by 10–15% every year during the last five years.

This year, exploration should approximate $35 million (compared to $15.5 million in 1963). Included is part of a $20 million, three-year program to be undertaken by a consortium of Canadian mining, petroleum and investment companies and the Canadian government (on a 55:45 equity sharing basis) to drill 17 wells on a 44 million acre permit area in the Arctic islands. As of this date 236 million acres are held under permit by oil companies.

And so, in what might be described as "unseemly haste," is a capsule review of how private enterprise and public enterprise are working together to develop Canada's north.

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[3] Indirect assistance.

CORPUS CHRISTI TIMES PAYS TRIBUTE TO COURAGEOUS SENATOR HOLLINGS

Mr. YARBOROUGH. Mr. President, it is not always easy to stand up for your convictions, even when you know you are right. It is even more difficult to admit to a mistake or misjudgment, and to change your mind because you believe it is the right thing to do. It takes courage to take such action, especially when you are in the public eye, knowing that your every move is carefully scrutinized by friends and enemies alike.

The Corpus Christi Times, from my home State of Texas, has noted a recent expression of such courage by one of our Members. During the recent hearings by the Select Committee on Nutrition and Human Needs, the distinguished Senator from South Carolina (Mr. HOLLINGS) testified concerning the extent of hunger and malnutrition in his own State. As the Corpus Christi Times so accurately points out, his straightforward and concerned testimony expressed "political courage and humanitarianism."

Mr. President, I think Senator HOLLINGS has set a fine example for all of us who are involved in our Nation's Government to follow. I salute him for his courageous stand on this vitally important issue.

I ask unanimous consent that the editorial entitled "False Pride," published in the Corpus Christi Times of February 24, 1969, be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FALSE PRIDE

Score a high mark for political courage and humanitarianism for Sen. Ernest F. Hollings, former Democratic governor of South Carolina.

Though knowing how politically unpopular his testimony would be back home, he pulled no punches in dramatically describing the dreadful extent and consequences of hunger in his state. But he did not stop there in the hearings of the Senate's Select Committee on Nutrition and Human Needs, headed by Sen. George McGovern, D–S.D. He went on to say that shamefully he as governor had collaborated in a public policy of covering up human misery in South Carolina because the truth might make the state less attractive to new industry.

That admission of mistake is admirable. And it is a mistake still prevalent in poverty-plagued states, including Texas. This fear of "hurting our image" for industrialization (aburd because industry locators know all social and economic details of an area interesting them) is probably what caused the Senate Rules Committee to try to cut the McGovern committee's $250,000 study expenses to $150,000.

The Senate in a rare move overruled its Rules Committee to give the hunger study its full funds.

We hope Texas public officials will emulate Sen. Hollings' good sense by realizing that a state's economic and social progress is served not by covering up its human misery but by finding out its causes and undertaking its cures. It may hurt state and local pride when our shortcomings are exposed, but that is a false pride that is self-defeating. Any industrial management that does not think better of South Carolina after hearing Sen. Hollings' testimony is not the kind a state should want to attract.

AIR QUALITY STANDARDS FOR CALIFORNIA

Mr. MURPHY. Mr. President, on March 5, I submitted a statement to be included in hearings by the Department of Health, Education, and Welfare being held in Los Angeles, Calif., on California's request for a waiver to implement its Pure Air Act of 1968, as authorized by the Murphy amendment: to the Federal Air Quality Act of 1967.

In this statement, I urged Secretary Finch and his Department to grant the full waiver as requested by the State of California, so that we might continue to establish standards that will bring to California the air quality that the people demand and deserve.

Mr. President, I ask unanimous consent that my statement fully supporting California's request be printed in the RECORD.

In addition, I ask unanimous consent that California Assembly Joint Resolution 8, also supporting California's waiver request, be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR GEORGE MURPHY, OF CALIFORNIA, HEW HEARING ON CALIFORNIA'S WAIVER REQUEST, LOS ANGELES, CALIF., MARCH 5, 1969

Mr. Chairman. I strongly urge the complete waiver as requested by the State of California be granted. The granting of the waiver will enable the State to implement the Pure Air Act of 1968, which was passed by the State Legislature and signed into law last year by Governor Reagan. The waiver is a *must,* if California is to achieve the clean air that our people both demand and deserve.

As the author of the "Murphy amendment" which was incorporated into Section 208(b) of the Federal Air Quality Act of 1967, I am obviously very familiar with the congressional intent and the history of the amendment. Under the Air Quality Act of 1967, the federal government pre-empts the field insofar as the establishing and enforcing of automobile emission standards are concerned. This means that the states are not allowed to establish and enforce automobile emission standards. California under my amendment was the only state in the nation granted a waiver from this Federal pre-emption.

Mr. Chairman, the securing of the waiver for California was not an easy matter. Although California's congressional delegation is large, the task of convincing our colleagues from other states that one state should be granted a waiver was a difficult one.

On the Senate side, I was able to persuade my colleagues on the Senate Public Works Subcommittee on Air and Water Pollution that both the need and California's pioneering air pollution efforts justified this special treatment for California. Thus, my amendment preserving California's right to continue its battle against air pollution was adopted in Committee and was included in the bill as it passed the Senate. The Senate Committee report points out the "positive benefits" that would flow from the approach of the Senate—that is, federal pre-emption but with the waiver to California.

"1. Most importantly California will be able to continue its already excellent program to the benefit of the people of that State.

"2. The Nation will have the benefit of California's experience with lower standards which will require new control systems and design. In fact California will continue to be the testing area for such lower standards and should those efforts to achieve lower emission levels be successful it is expected that the Secretary will, if required to assure protection of the national health and welfare, give serious consideration to strengthening the Federal standards.

"3. In the interim periods, when California and the Federal Government have differing standards, the general consumer of the Nation will not be confronted with increased costs associated with new control systems.

"4. The industry, confronted with only one potential variation, will be able to minimize economic disruption and therefore provide emission control systems at lower costs to the people of the Nation."

Thereafter, an all-out campaign was mounted to delete the "Murphy amendment" with the result that the House Interstate and Foreign Commerce Committee deleted the amendment. When this occurred, an aroused and united California congressional delegation girded by a tremendous groundswell of public opinion succeeded in reinstating the "Murphy amendment" on the House Floor. Following this action, I remarked that this was a great victory for the public interest and it demonstrated how the voices of the people can and will make a difference in the action of their Congress.

California through the "Murphy amendment" had won the right to continue to enact legislation to further the State's determination to have clean air. In 1968 the California Legislature responded to the vote of confidence that Congress gave with the enactment of the Federal Air Quality Act of 1967 and demonstrating its desire to continue to be the nation's bellwether in the pollution fight enacted the Pure Air Act of 1968.

In summary, Mr. Chairman, California fought for the waiver and won. They responded to the opportunity afforded them by the amendment by enacting the Pure Air Act of 1968, and they are going to fight for this waiver which will enable them to implement the badly needed tougher standards of the Pure Air Act of 1968.

I am pleased that the hearing is being held in Los Angeles. Here is where the air pollution problem is the most serious. That extraordinary and compelling circumstances exist is so obvious that I feel it is unnecessary to labor this point. That 10,000 citizens have been advised to leave the Los Angeles areas because of the air pollution problem shows that the problem is, as one radio station in Los Angeles called it, a matter of "Life or breath."

Further, Mr. Chairman, the standards of the Pure Air Act of 1968 have been found to be both economically and technologically feasible by a nine-member blue ribbon technical advisory panel, composed of California's foremost engineers, scientists and air pollution experts. Unless the hearings prove that the California standards are not technologically and economically feasible, the "Murphy amendment" requires the waiver to be granted to California.

While I certainly do not agree, I can understand industry's opposition to the California standards. I do not understand, and I emphatically disagree with, the feeling that I get that certain people in the Department of Health, Education and Welfare in the past have attempted to construct any roadblock or strawman they can to prevent California from moving ahead in the air pollution field. I feel confident that under the new Secretary this will not be done in the future. I would think that the Department of Health, Education and Welfare would be delighted to see California increase its efforts to protect the health and welfare of its citizens—efforts that would not only immediately benefit California but ultimately benefit the entire nation.

I was further alarmed to read in Monday's, March 3, Wall Street Journal an article where one nameless "federal expert" indicates that if California is granted the waiver the federal government would be under strong political pressure to tighten federal requirements. The "federal expert" is quoted as saying "the question is if this is feasible for California, why not for the rest of the country?" I would suggest to this "federal expert" that he ought to spend some time studying legislative history and the intent of the Congress. Congress intended that a waiver be granted to California so that California could continue to be the nation's pacesetter in pollution control. I might add further, as serious as the pollution problem is, a little pressure to improve air pollution control across the country would not hurt anything.

The unfortunate truth is that it may have taken California's pressure to get the industry to realize the seriousness of the air pollution problem. I have been encouraged by some recent outstanding and constructive research and action projects now underway by industry. For example, Mr. Miller, retiring chairman of Ford, recently announced a major engineering breakthrough. The Inter-Industry Emission Control Program, jointly sponsored by various automobile companies and the oil industry has invested $4 million into clean air research. Had we pushed earlier, we may not have found ourselves in the serious difficulties that we are in today.

And I would suggest that a good place to start would be for the federal government to put its own house in order by cleaning up pollution from federal facilities. For example, a 1968 report by former Secretary of Health, Education and Welfare, Wilbur Cohen, states, and I quote: "Federal installations account for about 30 per cent of the air pollution of the District of Columbia." We in Los Angeles have certainly done a better job in cleaning up pollution from stationary sources than the federal government has done in cleaning such pollution from the Nation's Capital.

We frequently hear a great deal of criticism that the states are not living up to their responsibilities. While some of this criticism is undoubtedly true, there are states that not only face up to their responsibilities, but also point the way for other states and the federal government. Air pollution is an excellent example, and we should remember insofar as air pollution is concerned, that the federal government is a "johnny-come-lately." If the statistics are accurate regarding pollution from the federal facilities in the District of Columbia and other states, they would indicate that the federal government's record has not been the most enviable one.

As part of a new Administration that has pledged itself to a new era of federal-state relations, I strongly urge that the waiver as requested by the State of California be granted.

Mr. Chairman, I think that a statement by Dr. Joseph Boyle, President of the Los Angeles Medical Association, on the critical nature of the air pollution problem needs to be carefully studied:

"This committee concludes that air pollution is becoming increasingly worse, and could lead to a great loss of life in this community. The evidence is conclusive that the increase in the significant components of this air pollution is due primarily to emissions from motor vehicles. These emissions constitute a serious threat to the health of residents of the Los Angeles Basin. Although this is especially true for those that are ill, the very young or the very aged, it also applies to those who are presently in good health. The Los Angeles County Medical Association wishes to emphasize to the Legislature of the State of California, and the Congress of the United States, that a critical and worsening health crisis exists in Los Angeles County, despite all efforts for its control. The pending crisis is imminent, and demands that every appropriate action, how-

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ever drastic, be taken immediately. No further delay can be tolerated, with safety."

So, Mr. Chairman, Dr. Boyle's statement leaves no doubt that we need to accelerate our battle against air pollution. To those government officials and members of industry who say that we should go slow and that we cannot afford to move as rapidly as California wants to and has found it economically and technologically feasible to do so, I would quote from a statement by Mr. M. A. Wright, who, as President of the U.S. Chamber of Commerce, said: "To those who say they cannot afford to take effective anti-pollution measures, I can only respond that they can't afford not to."

In my judgment, Mr. Chairman, the federal government should be encouraging and urging California to move ahead. It can do so by approving the waiver as I strongly urge.

ASSEMBLY JOINT RESOLUTION 8

Joint resolution relative to the Pure Air Act of 1968

Whereas, Seventy percent of the poisonous smog which each year costs California approximately half a billion dollars is caused by motor vehicles; and

Whereas, The California State Legislature last year developed vehicle emission standards which all new vehicles must meet beginning in 1970 and which become increasingly more stringent through 1974; and

Whereas, California may not implement these standards unless the Secretary of Health, Education, and Welfare finds, under the Federal Air Quality Act of 1967, that the standards are technically feasible and capable of implementation with reasonable economic cost; and

Whereas, The standards in the Pure Air Act of 1968 have been found to be technically feasible and capable of implementation with reasonable economic cost by a technical advisory panel of nine California engineers, scientists, and air pollution experts; and

Whereas, The automobile manufacturers have repeatedly asked that emission standards be established well in advance so that they may have "lead time" to develop the hardware to implement the standards; and

Whereas, All the standards in the Pure Air Act of 1968 are now California state law: the standards for cars as well as larger vehicles, the standards for exhaust emissions as well as evaporative loss, and the standards for 1971, 1972, 1973, and 1974 as well as 1970; and

Whereas, This is the law passed by both houses of the Legislature, and this is the law signed by the Governor; and

Whereas, On November 20, 1968, the California Air Resources Board unanimously adopted test procedures for all the standards in the Pure Air Act: for both exhaust and evaporative loss; for hydrocarbons, carbon monoxide and oxides of nitrogen; and for 1970, 1971, 1972, 1973, and 1974; and

Whereas, Without the strong responsible standards in the Pure Air Act of 1968 there is persuasive medical evidence that California faces a public health crisis of major dimension; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California requests the Secretary of Health, Education, and Welfare to grant California a waiver on all of the standards and procedures in the Pure Air Act of 1968 as promptly as possible; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Secretary of Health, Education, and Welfare and to each Senator and Representative from California in the Congress of the United States.

MORAL ISSUES BEFORE THE COUNTRY: HUMAN RIGHTS CONVENTIONS—XXV

Mr. PROXMIRE. Mr. President, the debate now proceeding in the Senate on the Nuclear Nonproliferation Treaty is of crucial and unending importance. By ratifying this treaty, the United States will declare its commitment to help end the arms race and prevent the proliferation of nuclear weapons among nations. We should not underestimate the world ramifications of this treaty.

Our technological progress has brought our Nation both comforts and great military capability. It has also brought great problems and major political dilemmas not only to ourselves but to all mankind. Many believe that if this treaty is not ratified, the possibility of an eventual nuclear holocaust and the destruction of nations will be enhanced.

Thus there are great moral issues involved in our foreign policy decisions. This is the time in the case of the Nuclear Nonproliferation Treaty. And it is also time in the case of ratification of the pending Human Rights Conventions on Genocide, Political Rights of Women, and Forced Labor which are still in committee. While we do not live in a jungle, we do not live in utopia either. We have to carry into foreign policy at least some rudimentary sense of ethics and morality. We simply cannot divorce the moral issues from the political issues. We cannot expect to achieve peace in a jungle. We should give further credence to our commitment as a nation to achieve peace and ratify both the human rights conventions and the Nuclear Nonproliferation Treaty.

DESERET NEWS SERIES ON ENDANGERED SPECIES UNDERLINES NEED FOR PASSAGE OF S. 335

Mr. YARBOROUGH. Mr. President, it is increasingly apparent that unless something is done to stop the continued exploitation of wildlife and the destruction of their habitats, this generation may witness the end of most of the world's animals. One observer notes:

> By the year 2000, conservationists foresee a world whose polluted continents and oceans are the almost exclusive domain of men, livestock and rats.

Already, hundreds of species are losing the fight for survival by being trapped, hunted, and crowded out of their natural habitats.

I have long been concerned with the rapid disappearance of the world's endangered species. During the 88th Congress, I submitted Senate Concurrent Resolution 52 on August 23, 1965, calling for a World Wildlife Conference to consider the fate of endangered species. On August 28, 1967, I submitted Senate Concurrent Resolution 41 of the 90th Congress, which repeated my concern that such a conference be called. Then, I introduced S. 2984, a bill to prevent the importation of endangered species or parts thereof; and to prohibit the interstate shipment of any domestic species taken contrary to State law. I introduced a similar bill, S. 335, on January 16, 1969, shortly after the 91st Congress convened.

The House has already held hearings on several endangered species bills, and it now appears that Congress is ready to pass legislation that will prevent the further exploitation of endangered species. I am hopeful that the Senate will soon schedule hearings on my bill, S. 335, and will take immediate action on it.

Mr. President, the distinguished Senator from Utah (Mr. Moss), has brought to my attention a series of articles published in the Salt Lake City, Utah, Deseret News. These interesting, informative, and well-written articles, written by Miss Marcia Hays, describe in detail, the plight of endangered species. They should be carefully read by anyone who is concerned with preserving the world's endangered species of fish and wildlife.

I ask unanimous consent that the following articles from the Deseret News be printed at this point in the RECORD: "Vanishing Wildlife: Extinction List Mounts," Tuesday, January 28, 1969; "Our Endangered Wildlife; Born to be Worn," Wednesday, January 29, 1969: "Our Endangered Wildlife: Odd Pets Usually Die," Thursday, January 30, 1969: "Endangered Wildlife: Birds Facing Extinction," Friday, January 31, 1969; "Endangered Wildlife: Why Conservation Pays," Tuesday, February 4, 1969; "Endangered Wildlife: Successes Offer Hope," Wednesday, February 5, 1969.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the Deseret News, Jan. 28, 1969]

VANISHING WILDLIFE: EXTINCTION LIST MOUNTS

(EDITOR'S NOTE.—By the year 2000 most of the world's wild animals will be extinct. What is behind this problem and what can be done to prevent it is the subject of this series on our vanishing wildlife. The author is currently working under a fellowship in the Advanced Science Writing Program at Columbia University's Graduate School of Journalism.)

(By Marcia Hayes)

This generation may witness the end of most of the world's wild animals.

Trapped, hunted, and crowded out of their natural habitats, hundreds of species are already losing the fight for survival. By the year 2000, conservationists foresee a world whose polluted continents and oceans are the almost-exclusive domain of men, livestock, and rats.

The World Health Organization estimates that there is one rat for every human in the world—3.3 billion of them. But the rest of the world's wildlife has not fared as well. In the name of sport, profit, and progress 550 species of mammals, birds, and reptiles have been pushed to the brink of extinction within the last century. And more names are being added to the list every year.

In the United States alone, 50 native American species have been wiped out in a period of 50 years. It took just over a century to exterminate 5 billion passenger pigeons. Bison, once numbered in the tens of millions, were slaughtered methodically by hunters and cavalrymen until only a few dozen of one species remained.

Among those already extinct here are the sea mink, the Florida wolf, the eastern cougar, two species of bison, and the bighorn sheep.

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Today's victims are the American mountain lion, the Canada lynx, the Florida key deer and the American alligator. All are on the verge of extinction. All are being hunted despite restrictions.

In Africa and Asia, cheetahs, leopards, and tigers are being trapped by the hundreds for their furs. Zoologists don't expect them to last out the decade. Orangutans and mountain gorillas are being crowded out of their jungle habitats. Elephants, slaughtered by the thousands for their ivory, are becoming the bison of Africa. And wealthy sportsmen are killing off the rhinoceros, the gazelle, and the polar bear.

Names familiar to every child fill row after row of the list of endangered animals compiled by the International Union for Conservation of Nature and Natural Resources. Among them are seven kinds of whales, five varieties of bears and tigers, seven types of seals and leopards, five species of rhino and nine kinds of gazelle.

Mammals alone are disappearing at a rate of one species per year, according to the IUCN. And the organization reports that the ranks of 250 mammals are dwindling so fast that they may become extinct at any moment—in a year or in a decade.

The predator is man. Whether he wears a hunting jacket, a business suit, or sits at the controls of a bulldozer, civilized man is the most formidable opponent animals have encountered since the first giant reptiles roamed the earth 200-million years ago.

Man hunts primarily for pleasure. But he kills in quantity to satisfy demands for exotic foods and fashions, and he destroys and pollutes animal habitats to make way for his own housing, transportation, and industry.

Before man became civilized, the death of a species was a fairly uncommon event. Geologists estimate that 1,000 species may have become extinct over a period of one million years, a rate of one every millennium. Today the death rate is at least one species per year.

A species is headed for extinction when its death rate exceeds the rate of which new animals are born. Its extermination is assured when its breeding population falls below a certain critical level, which varies with every species. Although a few individuals may remain, they will be easily outnumbered by their natural enemies. And they may be scattered over such wide distances that they cannot find each other to mate.

This is the plight of the great blue whale, largest of the world's mammals, now thought to be extinct as a species. Dr. Ross Negrelli, curator of the New York Aquarium, estimates that less than 1,000 and perhaps as few as two dozen of the whales remain in the vast southern oceans of the world. Dispersed over thousands of square miles, the odds are slim that a mating pair will meet.

Blue whales have been on the endangered list for years. Yet it was 1967 before the whaling industries of Russia, Norway and Japan agreed to stop hunting them. And the industry has yet to set reasonable quotas on other endangered whales.

Conservationists warn that six other species of whale will become extinct unless the kill is drastically reduced. Fin whales are being caught at the rate of 14,000 per year, three times the catch that conservationists say the species can stand. Also hunted indiscriminately are the North Atlantic, Pacific, and southern white whales, and the humpback and greenland whales—all endangered.

There is no limit at all on the sperm whale, and some 29,000 of the mammals are killed every year. The industry argues that since it doesn't know exactly how many sperm whales exist, it cannot set a meaningful quota. Rough estimates of the total number of sperm whales, compiled by mammalogists, have been ignored by the industry.

The dilemma of the whaling nations is shared by all industries that have a stake in endangered wildlife: their source of profit is disappearing, and they know it. Yet the investment in equipment is so great—millions of dollars in the case of whaling ships—and the profits so high, that they will not voluntarily regulate the catch.

Hunters are also a big threat to several endangered species. Although the majority of sportsmen limit their catch and stalk their prey on foot, there are hundreds of callous trophy-seekers who don't care how they get their game.

A number of guide services cater to this type of client. One agency guarantees its customers a polar bear for a $3,500 fee. A spotter plane is sent out to locate the animal, radioing back to a second aircraft, which carries the hunting party to land and shoot the bear.

If the victim is a mother with cubs, the young bears are also doomed. Totally defenseless at birth, Polar Bear cubs are not mature enough to survive alone until they are nearly a year old. The female of the species gives birth every two years—and usually to only one pair of cubs.

The World Wildlife Fund estimates that Polar Bears are being killed at the rate of 1,200 per year, while the total population is less than 12 thousand. Only stiff international controls can save the bears, which drift with the arctic ice sheet through the territorial waters of the United States, Russia, Norway, Greenland and Canada.

In Alaska, the increasingly rare American timberwolf is still hunted for bounty, pursued across the tundra by airborne hunters, who get $50 for every hide they bring in.

And in Egypt and parts of Arabia, ibex and gazelle are hunted from planes and cars. The technique is to pursue the herds until the animals drop from exhaustion.

"Then they shoot them down wholesale, sparing neither the pregnant females nor the fawns," writes conservationist Philip Kingsland Crowe in his book "The Empty Ark," "Every single animal is killed, even the kids. And for the rest of the year, dried carcasses are handed out as favors to friends . . . The horns, some pathetically small, are mounted over the door."

Most nations have laws to protect wildlife, but they lack the money and manpower to enforce them. The worst offenders are poachers—primarily in the fur and hide industries, and the United States is now making an effort to take the profit out of such illegal hunting. A bill introduced into the House last year would prevent the import of hides and skins of endangered wildlife and would forbid the interstate shipment of animals and animal parts taken contrary to state law.

Vehemently opposed by lobbyists for the fur and hide industries, the House bill is awaiting action by the new Congress.

In the Senate, it has the vigorous support of Ralph Yarborough, D-Tex., who has introduced a concurrent resolution calling for a World Wildlife Conference.

Both proposals could regulate the catch of the whaling and food industries. They could also stop or greatly reduce illegal poaching and trapping for the fur and pet industries, practices that are rapidly exterminating the world's most beautiful and strange animals.

[From the Deseret News, Jan. 29, 1969]

Our Endangered Wildlife: Born To Be Worn

(By Marcia Hayes)

The last wild tiger in the world could end up on a Seventh-Avenue coat rack. The last American alligators may be sold as a set of matched luggage. Right now the odds are for it. No law says it can't happen.

In the U.S. it is quite possible to import almost any animal, alive or dead, in any number. Likewise the interstate shipment of hides or furs from rare animals is not prohibited.

Legislation is now before the House that would prohibit such imports in interstate traffic. But it is being vigorously opposed by lobbyists from the fur and hide industries and could be shelved indefinitely.

Until a law is passed and strictly enforced, poachers will continue a virtually unrestricted slaughter of endangered fur-bearing animals and reptiles. The United States is a profitable market.

The price of rarity is high, but many are prepared to pay it. Status seeking consumers willingly spend thousands for a "fun fur" and hundreds for a single pair of shoes. The demand is encouraging the methodical destruction of the world's most beautiful and ancient animals: The large cats, the alligators and the crocodile.

Within the next few years, all of the great cats except the lion will be pushed beyond the biological point of no return. The American alligator has already been exterminated over most of its range, and the Chinese alligators are not expected to last much longer.

In the past, the fashion industry came close to doing in the sea otter, the ostrich, the snowy egret, and the trumpeter swan. Luckily, otters were saved at the last moment by a conservation campaign, and the birds were spared by sudden change in style.

But furs don't go out of style, and the market for them continues to increase. Recently, a Somali leopard coat, fashioned from eight skins, was advertised in a New York paper for $16,000. The caption read: "Set free to make its fashion mark."

In a recent full-page magazine ad, three furs from the rare Himalyan snow leopard were shown draped across a model above the caption: "Untamed . . . born free in the wild whiteness of the high Himalayas only to be snared as part of this captivating fur collection!"

Somalis, considered the most desirable type of leopard, are being decimated so quickly that conservationists don't expect the species to last 10 years.

One leading furrier says he bought close to 500 leopard skins from Somaliland alone last year, along with approximately 1,000 less valuable furs from Asia and other parts of Africa. The industry as a whole is estimated to have imported about 7,000 leopard skins, and the yearly world trade is close to 50 thousand.

Mrs. Jacqueline Kennedy Onassis gets the credit from the fur industry for whetting the feminine appetite for leopard. Jackie bought a leopard coat in 1962, says designer Ben Kahn, and the demand has been rising ever since. "We have created our own Frankenstein's monster, a demand that destroys the raw material," he said recently.

Furriers are not happy with the situation. Some, like furrier Jacques Kaplan, find it tragic. Kaplan published a full-page ad in the New York Times declaring his intention to stop trading in the furs of endangered species and encouraging other furriers to do the same.

But he says he has received no response and a lot of abuse from American furriers as a result.

"Only one furrier, another Frenchman named Jacques Ferber, has agreed to stop trading in these animals," says Kaplan. "But since I made my announcement, there is not a trick in the book that hasn't been pulled on me by rival furriers. I can't go into details, it is too nasty. But I am resented by the industry."

Yet Kaplan is a staunch defender of the conventional fur business. "I believe man is entitled to wear real fur. It is part of his heritage," and he points to the species that are bred solely for this purpose: Persian lamb, mink, and nutria. "But I think it is a terrible thing to destroy a species," he says. "It should be the responsibility of the people in this business to protect wildlife."

Tigers, described as an "interesting" fur by one industry spokesman, are disappearing fast from India. A curator at the American Museum of Natural History estimates that there may be 4,000 Bengal tigers left. Yet, they are shipped by the hundreds to furriers in New York and Paris and they are still hunted on safari.

Two South American cats have had the bad luck to be beautiful. Jaguars and ocelots are shipped out by the hundreds, and the jaguar's future is already in doubt. Ocelots are becoming rare. It takes two dozen of the small cats to make one coat and they are exported accordingly.

Peru alone shipped 11,244 ocelot skins out of the country in recent years. And last year the U.S. customs passed 115,458 from all parts of South America.

So numerous in 1900 that a dozen skins could be brought for $4, chinchillas are believed extinct in the wild. They are now bred in captivity, and the price of a chinchilla fur reflects the expense of raising them. A stole is worth $50,000.

The shy, delicate vicuna, whose soft fur is fashioned into coats, scarves and blankets, is extinct over most of its former range. It is now found only in remote areas of the Andes, where the Peruvian government is taking steps to protect it.

Poachers make between $50 and $100 for a leopard skin, somewhat less for a tiger, and somewhat more for a cheetah. Ocelots bring less than $20. So that the large part of the skin will be unmarked and therefore more valuable, poachers frequently use steel traps to catch the animals, a method that causes slow and painful death by bleeding.

Cats are not the only quarry of the fur trade. At the beginning of this century, sea otters were practically wiped out by fur trappers. But conservationists stepped in at the last moment and saved the species. Rigidly controlled for years, otters are once again numerous enough to be harvested.

But fur seals are now being killed with the same abandon that almost wiped out the otter. Whole herds of seals are trapped on shore, where they are virtually helpless, and beaten to death with huge clubs. Like steel traps, clubs do not kill instantly. But they leave the fur unmarked.

Next to cats, reptiles are the biggest victims of fashions, and the American alligator is the major accessory to the crime. Snapped up by the handbag, shoe and luggage manufacturers as fast as they can be hauled out of the swamps, 'gators have a dim future in the wild unless the government steps in. Pushed further and further into the swamps by encroaching civilization, the 'gators are pursued to the densest, remotest areas by airborne hunters. Using helicopters and airboats, the poachers can land almost anywhere in the vast marshlands.

Such a vast area is hard to control by game wardens, and the only hope of saving the alligator lies in legislation aimed at closing the market.

Since unscarred skins are most desirable, poachers have killed the youngest animals—usually before they reach breeding age. Thus the species is unable to renew itself.

"The American alligator is now common only on a few restricted areas in the state and federal refuges and parks," says a representative of the Southeastern Association of Game and Fish Commissioners. A retired alligator poacher put it more bluntly: "I wouldn't give the 'gator more than four years," he told a reporter recently. "There are 1,000 professional hunters in Florida alone, and the laws are so weak they laugh at them."

Alligators are mourned not for their beauty in the wild but for the part they play in balancing their environment. Predators on gar and other game-fish destroyers, they also open up "Alligator holes," where deer and other game can find water in the dry season.

Alligators bring $6.50 per foot, and hunters can make as much as $300 for three nights of work in the swamps. If they poach in pairs, the profits can often be tripled.

If interstate shipment of alligator skins and products were banned, most of the profit would be taken out of poaching. And legislation has been introduced that would do just that.

HR 11618, now awaiting action by the new Congress, would stop poachers from shipping live alligators, "their carcasses, or parts thereof" across state lines. It would also require customs officials to list all types of skins and furs imported. Those from countries that prohibit the capture of the animal in question would be turned away.

Customs does not presently list all furs or skins by type. Mink and beaver are itemized, but leopards, jaguars and tigers are conspicuously absent from import tallies.

However, the bill will do nothing to control animal skin imports by other countries. Senator Ralph Yarborough, D-Tex., who has introduced a Senate resolution calling for a World Wildlife Conference, believes that international controls are the only permanent answer.

"It will do little good to put restrictions on only one country," he says. "Imports and exports must be controlled throughout the world to end this terrible slaughter of wildlife."

[From the Deseret News, Jan. 30, 1969]

Our Endangered Wildlife: Odd Pets Usually Die

(By Marcia Hayes)

"I have a lovely lion I'd like to donate to the zoo," says the voice on the phone. "When can I bring him over?"

The curator of mammals may find it hard to make a civil reply. His zoo, like most others, is full up with lions. And he is probably fed up with getting calls from the disillusioned owners of exotic pets.

Yet hundreds of queries like this flood into zoos across the country every year. They come from former wild animal enthusiasts who want to trade in a slightly used ocelet, a parrot, or a three-toed sloth. But most zoos don't have room for the unwanted creatures.

"If we know of a zoo that might need an animal, we'll do what we can to place it," says William Conway, Director of the New York Zoological Society. "But too often, no one wants it."

The orphaned animals that end up on a zoo doorstep are the ones lucky enough to survive their captivity. Hundreds of others die in poachers' traps, in a poorly heated airplane hold, or on the petshop shelf.

Alarmed conservationists are viewing the pet business as an increasing menace to wild animal populations. According to U.S. Fish and Wildlife Service reports, approximately 900,000 birds, reptiles, amphibians and mammals are imported by the United States every year. An additional 20 to 30 million fish are brought in for the aquarium trade.

In 1967, out of a total of 830,000 animals imported, 74,300 were mammals, 203,189 were birds, 405,130 were reptiles, and 137,697 were amphibians. There is no legal limit on the type or quantity of animals that can be imported. The only restrictions involve periods of quarantine for animals that may be harboring a communicable disease.

Of the 62,526 primates imported, a large number were designed for medical research. Although usually treated well, the number of monkeys and apes used in research is depleting the wild populations severely. Estimates place the world chimpanzee population at 250,000, and they are being captured at the rate of 5,000 per year.

But conservationists are particularly disturbed by the fact that most wildlife is imported regardless of the chances of survival in captivity. There is no thought of tomorrow among many unscrupulous pet dealers.

Some dealers in Miami will accept any animals shipped to them, according to Dr. Stanley Cain, assistant secretary for Fish Wildlife and Parks. In recent testimony before the House Subcommittee on Fisheries and Wildlife, Cain said that the animal trade from Peru alone supports a special weekly flight from Inquitos to Miami. Exports from Colombia have reached even greater proportions, he said.

Among the unlikely animals to be found in pet stores are prehensile-tailed porcupines, arboreal anteaters, three-toed sloths, and Bornean Flying Lizards.

"Even the most experienced zoologists have trouble keeping these animals alive," says Conway. "But they're being given to 12-year-olds as pets."

On a pre-Christmas visit to the pet department of a large Bronx department store, Conway saw a rare golden-headed quetzal, a scarlet cock-of-the-rock, and an Indonesian fiery bluebird. "These birds both need extremely special care," he says. "They feed on special foods and must have extremely large cages. Yet they were being fed canary food and kept in parakeet cages. They wouldn't live more than a week."

Conway says that it is not uncommon for hundreds of birds to be lost in shipment because the importer wanted to cut costs in packing. Shipped in inadequate boxes under the worst conditions, the birds starve or die of heat, cold or overcrowding.

Compared to the fur trade, the pet industry plays a relatively small part in exterminating a species. But it subjects thousands of animals to needless suffering.

"The main problem here is cruelty," says Conway. "For every animal that makes it to a pet shop, you can be sure that four or five others have died in a native poacher's trap or in an airplane."

In a recent editorial for the Zoological Society magazine, Conway wrote: "It seems inconceivable that a people whose care of dogs, cats, and horses is watched over by innumerable regulations and protective societies should be allowed to starve, mistreat, and buy and sell rare and delicate wild creatures."

The animals that do survive in captivity are as good as dead for any natural purposes. "Once these animals are removed from the wild, they are no longer part of a breeding group," says Conway. "Participation ceases, and they might as well have been shot."

While acknowledging that many persons take excellent care of wild pets, Conway believes this is more often the exception than the rule.

"Unhappily, too many people keep wild animals because of their own exhibitionist tendencies, or because of some more or less serious personality defect in themselves," he says. "And then there are those who attribute human characteristics to their animals, who fall in love with them so to speak. But if people want that kind of relationship with a pet, they're better off getting a dog. He's been bred for that purpose."

Conway believes that very few wild animals make good pets, and he is against importing any of the large carnivores for this purpose.

"In many cases, wild animals are a disease hazard," he explains. "They are always unpredictable. Too many unfortunate accidents have occurred with the large cats."

He and other conservationists are hopeful that a World Wildlife Conference, as proposed by Senator Yarborough, would lead to international controls on the importation of live animals. As it is, only the U.S. Treasury has restrictions on pet imports, and these, says Conway, are not enforced.

What animals do make good pets? Conway's list is small. "I always recommend frogs," he says. "They're interesting, active, and there are a lot of them."

[From the Deseret News, Jan. 31, 1969]

Endangered Wildlife: Birds Facing Extinction

(By Marcia Hayes)

On September 1, 1914, the death of a bird in a Cincinnati zoo became frontpage news across the country.

Martin, as the zoo named her, wasn't a particularly pretty bird, but she was as rare as a creature can get. She was the last of a species that had numbered more than 5 billion less than a century before: The passenger pigeon.

At the turn of the 19th Century, ornithologists estimated that a third of all the birds in America were passenger pigeons. One observer in Kentucky reported seeing a flock a mile wide and 200 miles long that blotted out the sun.

The idea that a few hunters could make a dent in this population seems incredible then, as it does now. But 100 years later, the species was exterminated.

Its executioners earned 2 cents a head for every bird they shot. Using a special repeating rifle, predecessor of the machine gun, hunters slaughtered entire flocks of pigeons for the New York markets, where they were prized for their delicate flesh. The feathers were used in women's hats.

A year after the last passenger pigeon died, the Cincinnati Zoo saw the extinction of another native American bird: The Carolina parakeet. A native of semi-tropical cypress swamps, the colorful bird was once numerous in the southeastern United States. But when the swamps were drained for orange plantations, the birds ate the fruit and became a pest. In less than two decades, fruit farmers had exterminated them all.

The passenger pigeon and the Carolina parakeet are martyrs to the cause of conservation, and ornithologists are fighting to keep the tragedy from being repeated. Among the winged candidates for extinction are members of almost every bird family. Geese, owls, whippoorwills, warblers, wrens, finches, doves, hawks, pheasants, bobwhites and parrots, all have relatives on the world's endangered list.

The task of conserving rare birds is difficult. Many, like the whooping crane and the California condor, require several hundred acres of territory for each individual—an especially difficult requirement to fulfill amid the housing developments of suburban Los Angeles.

But ornithologists have a number of successes to their credit. The best-known example is the trumpeter swan. Once hunted for their plumage which decorated women's hats in the 1920s, the trumpeters were reduced to a flock of 73 when conservationists stepped in to save them in 1935.

Today the Interior Department's Bureau of Sports Fisheries and Wildlife estimates there are between four to five thousand of the swans in the U.S.—divided between wildlife refuges in Yellowstone National Park and Lacreek National Park in South Dakota.

Early last month the government officially removed the trumpeter, the nation's largest water bird, from its list of endangered species. It hopes to restore the majestic swans to most of their former breeding range.

Conservationists now have reason to hope that the whooping cranes can be saved from extinction. Down to 14 birds when the bureau began to monitor them in 1948, there are now 43 of the giant birds in the wild and 18 more in captivity.

This March the entire wild flock will leave the wildlife refuge near Corpus Christi, Texas, on its annual 8,000-mile journey north to the breeding grounds on the edge of the Arctic.

Another plus on the conservation scoreboard is the Hawaiian goose. Extremely rare in the wild, they have been raised so successfully in captivity that 30 were recently returned to a refuge on the islands.

But the future looks dim for many other species. The giant Canadian goose is dying out. So is the Florida sand-hill crane. In California, the closely guarded condors are being literally squeezed out of existence by encroaching housing developments. The bald eagle has almost disappeared from the United States and is decreasing in Alaska and Canada.

Louisiana's official bird, the brown pelican, has completely disappeared from the state—victims of the small boats that ply the swamps of southern Louisiana, disturbing the birds' nesting grounds.

Elsewhere, the colonization of New Zealand has been the doom of more than 24 bird forms. On the verge of extinction there is the goose-sized giant rail. Also in grave danger is New Zealand's national bird, the shy little kiwi.

On the Pacific Islands of Laysan and Bonin, egg hunters are harvesting the eggs of the rare Laysan and Stellar Albatross, species that lay only one egg a year.

"The main problem is people," says William Conway, director of the New York Zoological Society. "There are too many of us, and in polluting and destroying our own habitat, we make the environment unfit for wildlife.

[From the Deseret News, Feb. 4, 1969]

Endangered Wildlife: Why Conservation Pays

(By Marcia Hayes)

Most people will never see a Hairy-Nosed Wombat, or a Bridled, Nailtail Wallaby, and they probably won't regret it. So why, asks the skeptic, should we bother to save these creatures from extinction?

Conservationists are ready with four reasons: moral, economic, ecological, and esthetic. Perhaps the most convincing argument is a selfish one—that in the long run, it is man himself who suffers from the death of a species.

Ecologists, specialists in animal environments, point out that when an animal disappears from the earth, nature is pushed a little more off balance. As predator or prey, the animal was part of a complex natural system by which animal and plant populations are kept healthy.

Put simply, black snakes control the field mouse population. Coyotes prey on rabbits, and timber wolves prey on deer. Without these predators, or without prey, one of the animals would multiply beyond the point where their food supply could support them. They would starve.

But before starving, they become weakened and diseased. In their search for food, they invade man's habitat, eating his crops and spreading disease to his domestic animals.

An equally compelling reason for saving animals, say conservationists, is that many now being slaughtered for hides and skin could be an economic asset to their countries if harvested properly. One square mile of East African Savannah, for instance, can support only 16,000 lbs. of cattle, but can graze up to 90,000 pounds of wild game.

Lastly, it is morally and esthetically wrong to destroy another form of life, the conservationists argue. "The wildlife of the world is not ours to dispose of wholly as we please," wrote the late conservationist William Hornaday. "We hold it in trust, for the benefit of ourselves and for equal benefits to those who come after us."

This point of view is not new. India espoused it in the Third Century, B.C., when the emperor established wildlife refuges and passed strict hunting laws.

But in the 20th Century, the voices of conservation are being shouted down by the sporting, clothing and pet industries, which have a price on the heads of almost all forms of wildlife—dead or alive.

Unlike the dinosaur, which died out naturally over millions of years, today's endangered wildlife is being wiped out in a second of geologic time. Man has exterminated 110 kinds of mammal since the beginning of the Christian era, with seventy per cent of these losses sustained in the past century and 40 per cent in the past 50 years. This figure is exclusive of the dozens of reptiles, birds and amphibians destroyed in the same period.

"When man came to control his environment he upset the balance of nature and became ecologically dominant," says Lee Talbot, field director for the Smithsonian Institution. Because of this dominance, he continues, man has the responsibility to protect the wildlife he had displaced.

"An animal does not exist by itself," says Talbot in his book, "The Call of the Vanishing Wild," "Instead, it might be considered as the center of a complex ecological web. The strands of the web are the animals' relationship to water, soil, plants, other animals, climate, and parasites. When any strand of this web is altered, it has some effect on most other strands."

The United States government has firsthand experience of what happens when man tampers with this natural balance. Several years ago, officials decided to protect a valued herd of mule deer in the Grand Canyon National Park by destroying all the predators in the area. In their zeal, the officials banned all hunting, killed eagles, coyotes, wolves and more than 800 mountain lions.

As expected, the herd of 4,000 increased fast—much faster than the officials had dared to hope. Within 5 years the herd was up to 50,000 and within a decade it had topped 100,000. Confined to the Kaibab Plateau, with its limited supply of grass and legumes, the animals began to starve.

In their search for food, they pulled the grass out by the roots and trampled the soil into hard clay. They stripped the bark and leaves from the trees, which died as a consequence.

Finally, the entire herd perished from starvation. The plateau was stripped bare, unable to support any form of life.

Predators, like wolves and bobcats, have always had a bad reputation as livestock killers among cattle and sheep farmers, who hunt them down accordingly. Yet conservationists note that nothing will decimate a landscape faster than domestic animals. Livestock overgraze pasturelands, stripping it of its grass, girdling trees, and pounding the soil into hardened, easily eroded clay.

Importing new predators into strange habitats can be as disastrous as removing them entirely. When Australian colonists introduced housecats and foxes to control the burgeoning rabbit population, the predators went to work on marsupials instead. Several varieties of marsupial are now extinct, but rabbits still thrive.

Deprived of its prey, a predator faces certain extinction. In the far west, the rare black-footed ferret is dying out because the prairie dogs, or gophers, on which it feeds are being exterminated by ranchers.

What are the economic advantages to conservation? The legitimate export of hides could be a major source of income for underdeveloped nations, as long as the supply is safeguarded. And in countries where tour-

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ism is a big industry, animals that attract visitors are like money in the bank.

Yet some African countries are catering to a different type of tourist: the souvenior hunter. To keep him supplied, elephants are killed for their ivory, and waste baskets are made from their feet. And fly swatters are fashioned from the tails of gnus.

Although many farmers in Africa think of big game as a threat to themselves and to domestic animals, experiments have shown that it is more profitable to promote the growth of wild herds. Game animals eat many type of plant life, while cattle feed only on grass. Thus a small patch of ground containing a variety of plant life can satisfy the selective tastes of a variety of game. Furthermore, antelope contain more meat than most range cattle.

The World Wildlife Conference proposed by Texas Senator Ralph Yarborough could map out educational programs for underdeveloped countries and thus save many vanishing animals. Will it become a reality?

According to Yarborough, the Department of the Interior has made tentative plans to hold such a conference in 1970, but approval is needed by the 91st Congress to make it definite.

[From the Deseret News, Feb. 5, 1969]

Endangered Wildlife: Successes Offer Hope

(By Marcia Hayes)

New York.—Scattered through the dreary records of wildlife conservation are a few success stories that offer hope to the world's endangered animals.

The American Bison, down to a herd of less than 1,000 in 1900, was saved largely through the efforts of one man: Zoologist William Hornaday.

Hornaday, first director of the Bronx Zoo, organized the American Bison Society, which lobbied in defense of the vanishing American Buffalo and finally pushed protective legislation through Congress. Today there are several thousand Bison in the far west, enough to need occasional thinning out.

In England, the Duke of Bedford, has been solely responsible for saving the Pere David deer from extinction. The species was wiped out in its native China at the turn of the century, largely during the Boxer Rebellion. But from a few survivors sent to the Duke a herd of several hundred has been raised.

A number of years ago a pair of the deer were returned to China, but it has been impossible to learn whether they survived.

Sea otters, once almost decimated by the fur trade, have been protected for several years and are now being harvested under strict international law. Trumpeter swams, down to a flock of 73 in 1935, have just been removed from the U.S. list of endangered animals. There are now more than 4,000 of the birds. And whooping cranes seem to be making a comeback.

In Thailand and Kenya, government officials are fixing export quotas by species so that a controlled trade in live animals and their furs and hides can be maintained.

And in this country, a bill has been introduced in Congress that would prohibit the import and interstate shipment of rare or endangered animals, their furs and hides or products made from them.

Happily, some animals don't need to be conserved. In America, the black bear and deer are thriving. And Coyotes, or Prairie Wolves, are increasing as rapidly as their two relatives—the Red and Timber wolves—are dying out. Valuable as a predator of rabbits and other rodents, the coyote has extended its range into almost every state. They have recently been spotted as far north as Vermont and as far south as Florida.

In the crowded suburbs, skunks, flying squirrels, opossums, and racoons have adapted to dense zoning and heavy traffic. Living in trees and burrows, they sleep by day and raid garbage pails by night.

Chipmunks, rabbits, and mice are so numerous that dogs and house cats will never exhaust the supply.

And despite the most ingenious efforts to wipe him out, there is one animal multiplying as rapidly as man himself:

The rat. The World Health Organization estimates that there is one rat for every human on earth, a total of 3.3 billion. It is the only animal species that is a match for man in endurance and tenacity—the only one that is uniquely adapted to his habitat.

Rats thrive on waste and filth. The most congenial environment for them is the sewer, where they find water and shelter. And with the advent of garbage disposal units, a sewer also supplies them with food. Health officials fear that as sewers spread through the suburbs, the rat population will mushroom.

But the numbers of the world's most beautiful and curious animals are dwindling fast. The few conservation credits are canceled out by the huge debit: 550 birds and animals on the verge of extinction.

Pulling for the animals are dozens of organizations with intentions that far outdistance their budgets. Among them are the Defenders of Wildlife, The National Wildlife Federation, the Committee of International Affairs in Ecology and Conservation, the International Union for Conservation of Nature and Natural Resources, and the Sierra Club.

The largest financial contributions have come from both the World Wildlife States, Britain, Austria, West Germany, and Switzerland, and the New York Zoological Society, which sponsors a number of projects in Africa. Its current projects include an expedition to observe the rare mountain gorilla and a donation to the government of Tanzania for the creation of a national park and game preserve.

Almost all of the conservation organizations support the Charles Darwin Research Station in the Galapagos Islands, which is working to preserve the Giant Tortoise and the Marine Iguana. The Zoological Society maintains a full-time conservation warden on the islands.

A World Wildlife Conference, such as the one proposed by Texas Senator Ralph Yarborough, could bring these diverse organizations together and perhaps establish a basis for future cooperative effort. Most importantly it could lead to an agreement among the governments of the world to stay the execution of our greatest national resource.

"The beauty and genius of a work of art may be reconceived," wrote the late Conservationist William Beebe, "but when the last individual of a race of living things breathes no more, another heaven and another earth must pass before such a one can breathe again."

CALIFORNIA HONORS ELGIN BAYLOR, A GREAT LEADER, A GREAT AMERICAN, BOTH ON AND OFF THE COURT

Mr. MURPHY. Mr. President, on March 21 of this year, the entire State of California and all of the sports world of the United States, will pay tribute to one of the greatest athletes in the history of American sports—Elgin Baylor. The night of March 21 has officially been proclaimed "Elgin Baylor Night," and a capacity audience of people of all ages, of all races, will join his Los Angeles Lakers teammates in honoring him in a special hour of tribute at the Los Angeles Forum prior to the Los Angeles Lakers-Atlanta Hawks National Basketball Association game.

Elgin Baylor is a living legend. He is a native of Washington, D.C. His mother and father, who will join Elgin and the rest of his family in Los Angeles for the night of the 21st, still live in our Capital City. Elgin was twice all-American at Seattle University in the State of Washington and was drafted first by the Minneapolis Lakers of the NBA. Elgin was named Rookie of the Year, and made the first all-pro team at forward. This year is his 11th year of professional basketball. Elgin Baylor has been all-pro for 10 of those years, missing only when he was out of action with a knee injury. He is captain of the Los Angeles Lakers and five times has led them into the finals for the world championship. He is the second highest scorer in the history of professional basketball. He is the alltime leading scorer in championship games in the NBA. Many sports followers believe that Elgin Baylor is the greatest basketball player of all times. No other man who ever played the game has mastered all facets of basketball with such incomparable skill.

Leadership is another quality which has been reflected all through his career. He is a natural-born leader of men—all kinds of men. He has won the admiration of a variety of players, announcers, writers, owners and managers, and of the basketball public at large.

Courage is another quality. Only those very close to him really understand the strength and the determination inside of him that brought him back from the crippling knee injuries to his continued all-pro status. Year after year a commentator, or a columnist, has written him off as being in the sunset of his career. And every time, Elgin Baylor has come back again to bring the legend to life, bringing the kind of recognition from his teammates, and from the players on the other NBA teams, that mark him as alltime all-pro cornerman.

Style is another quality. In politics, in government, in the arts, in the entertainment world, it is the same as in the world of sports. Talent may be present. Intelligence may be present. Stamina may be present. But rarely are these characteristics combined with an overall style, the magic that makes a unique personality before the public. No other basketball player has ever possessed the kind of style that Elgin Baylor gives to his every movement on the basketball court.

Dedication is another quality. No one ever saw Elgin Baylor loaf or quit on a court. He is a team man in the purest sense of the word. Because of that, a team has been built around him through the years, as the Lombardi-Green Bay dynasty was built, and as the Joe McCarthy-Lou Gehrig-Babe Ruth-Joe DiMaggio dynasty was built. Everyone who knows Elgin Baylor realizes his complete commitment to the very best that is in him to give, every time he walks on the floor.

Most of all, though, and much more important, the people of California are honoring Elgin because he and Ruby, his wife, and his children represent the very best in American life. The other day,

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Bill Russell, of the Boston Celtics, appeared at his old campus in San Francisco and gave a very beautiful and meaningful talk concerning race relationships in this country. He concluded:

> It is absolutely vital that we all walk down the street together.

On the night of March 21, 1969, and on all the days of Elgin Baylor's life, on or off the court, literally thousands of Americans of all races will be "walking down the street" with him and his family, and trying to build, with him, a better country in which to live—a country that is so very fortunate to have Elgin Baylor.

Mr. President, there are times these days when it seems that the small minority of misfits, professional protestors, and irresponsible demonstrators among us are threatening not only our heritage but also our future. At such times, we can look to men like Elgin Baylor and the example he has set, and in their deeds we can find reassurance and inspiration. It is a privilege, therefore, for me to join in commending this exemplary American and in wishing him many more years of health, happiness, and success.

TRIBUTE TO THE AMERICAN LEGION ON THEIR 50TH ANNIVERSARY

Mr. YARBOROUGH. Mr. President, I wish to join my many colleagues in the Senate and House who are paying tribute this week to the American Legion on its 50th anniversary. For 50 years, the American Legion has honored and fulfilled the objectives of its founders, who created the organization in Paris at the end of World War I. That war was fought for the United States by an essentially civilian Army. At its conclusion, its veterans were determined to take with them back into civilian life the spirit and principles that had brought them to France. So this week we are marking the golden anniversary of the American Legion, which has embraced veterans of subsequent wars and has carried out expanded programs of assistance to veterans and civic education for the Nation's youth.

The American Legion numbers more than 2,600,000 members, drawn from among the veterans of World War I, World War II, and the Korean war, and those brave men and women who have had service during the present period of hostilities. Joining the Legion in its many fine programs is the American Legion Auxiliary, with a membership of nearly 1 million women. The combined organizations comprise more than 3½ million dedicated Americans working at the community, State, and national level for a better America.

For 50 years, the American Legion and its Auxiliary have worked especially hard for disabled veterans and for the widows and orphans of those who are deceased. They have worked in VA hospitals, particularly among those who are bedridden with chronic diseases. They have proposed and supported legislation expanding and improving compensation and pension benefits and they have made it their business to lend sympathetic interest and care where it has been needed most.

The American Legion has many fine programs and among them none are more commendable than those encompassed within the scope of the overall rehabilitation program. I am sure that all of us in Congress can join in commending the Legion for its first 50 years and in expressing hope that Legionnaires and auxiliary members will continue to find satisfaction and success in their work with the sick and disabled veterans and their dependents, and in their service to the community, State, and Nation.

It has been my honor to be a member of the American Legion since my return from overseas service in the Army in June of 1946. I salute all the Legionnaires.

TOWARD A SOCIAL REPORT: INCOME AND POVERTY

Mr. MONDALE. Mr. President, it is almost 2 months since I introduced the Full Opportunity Act of 1969—S. 5. The bill would establish a Council on Social Advisers to prepare an annual social report and a joint congressional committee to review the report and the President's recommendations.

I wish to speak today about the fourth chapter of "Toward a Social Report: Income and Poverty." As Senators know, this document was prepared by HEW as a preliminary working model for a social report.

We are all aware that we are fortunate to live in the most prosperous country of the world. We are all also aware that in the midst of the unprecedented plenty, there are pockets of poverty. For the many people who live in these pockets of poverty the goal of S. 5, full opportunity for every American, has not been realized.

While there are fewer people today than there were 20 years ago who are earning incomes below the poverty line, the distribution of income in our country over the same period of time has not been altered. As the report notes:

> In 1947 the median money income of nonwhite males was a little over half that of white males.

While both groups' money income in 1966 was two-thirds larger, the income "level for nonwhite men was still only a little over half that of white men." The report goes on to indicate that—

> Based on extrapolations from current trends, poverty in the United States is not likely to disappear in the near future even for those groups most helped by the War on Poverty.

This, of course, is no excuse for us to throw up our hands in despair and deescalate our efforts. If there is a war which should be escalated, it is the war on poverty. This is an effort which all of us should be committed to. If this effort is to be successful, it must be intelligently planned for.

"Toward a Social Report"—even though it is only a preliminary working model—it is invaluable because in the process of analyzing our present programs and diagnosing their flaws it has yielded vital information upon which to formulate future programs. Programs, I might add, which are to be directed toward consciously picked and carefully formulated goals.

Knowledge of this type is essential if we are to avoid creating future programs like aid to families with dependent children which has, the report indicates, "contributed to dependence and stultified initiative and self-help." This type of information generated by a social report will allow us intelligently to reform our "system of income maintenance" so that we not only include those who deserve to be included but also provide adequate aid for them.

Mr. President, I ask unanimous consent that the fourth chapter of "Toward a Social Report" entitled "Income and Poverty," be printed in the RECORD.

There being no objection, chapter IV was ordered to be printed in the RECORD, as follows:

CHAPTER IV. INCOME AND POVERTY

Are we better off?

Income is a rough but convenient measure of the goods and services—food, clothing, entertainment, medical care, and so forth—available to a person or a family or a nation. This chapter first discusses the general level of income in the United States: What is happening to total and average income for the country as a whole? Next, it describes the distribution of that income: Are incomes becoming more or less equally distributed and how are Negroes faring relative to whites? Third, it discusses poverty: How many people have incomes which are lower than what is generally considered a minimum standard of decency? Finally, this chapter discusses, at somewhat greater length than other chapters, the policy implications of present trends: What are we doing to eliminate poverty and what could we do?

Obviously, income is not the only measure of the well-being of individuals, families, or nations. If two people have the same income but one is sick and one is healthy, the healthy person is clearly better off. Similarly, the well-being of a nation is measured, not just by its level of income, but also by its health, its education, and many other aspects of national life, some of which are discussed in other chapters of this report.

Moreover, people, individually and collectively, often trade income for leisure. As productivity has increased in the United States and other advanced countries, the workweek has fallen. We have chosen to give up additional income for increased leisure.

Money income, of course, cannot buy happiness, and it is by no means obvious that satisfaction rises along with income. Perhaps the very poor in contemporary America feel most dissatisfied with their level of income; perhaps not. It may be those who are most dissatisfied have incomes just below the average and see all about them evidence of a generally high standards of living to which they aspire but cannot reach. Since we cannot measure satisfaction and dissatisfaction, however, we must turn to the more easily measurable statistics of money income.

Affluent America

The most obvious fact about American income is that it is the highest in the world and rising rapidly. In terms of gross national product per capita—or any other measure of the average availability of goods and services—the United States far outranks its nearest competitors, Canada and the countries of northern Europe. Average incomes in the

United States are several orders of magnitude larger than those in the underdeveloped world.

Aggregate personal income (the amounts paid to individuals in wages, grants, interest, dividends, and other forms) increased from $14 billion at the turn of the century to about $584 billion in 1966 or more than 40-fold. After adjusting for price level increases and population increases, it is estimated that personal income per capita in constant dollars was four times greater in 1966 than at the turn of the century. In other words, those of us living today have four times as much in the way of goods and services as did those living in 1900.

The signs of affluence are everywhere. Americans own more than 60 million automobiles; 95 percent of American households own at least one television set, 25 percent own at least two; and over 60 percent of American families own their own homes.

The distribution of income

Although overall income levels are high and rising, the distribution of income in the United States has remained practically unchanged in the last 20 years. As table 1 shows, the Depression of the 1930's brought a sharp drop in the share of the top 5 percent of all families and unrelated individuals and a rise in the share of the lowest 20 percent. World War II brought an even more marked rise in the share of the lowest 20 percent. However, since the mid-1940's, there has been little observable change in the overall distribution of income. The lowest 20 percent of households have consistently received 5 percent or less of personal income and less than 4 percent of total money income.

Perhaps one of the most interesting questions with respect to income and its distribution is what has happened to nonwhites relative to whites.

Income Levels of Whites and Nonwhites: The ratio of nonwhite to white median incomes for several different groups in selected years is shown in table 2. In 1947, the median money income of nonwhite males was a little over half that of white males. By 1966, both groups had money incomes about two-thirds larger ($2,961 and $5,364), but the level for nonwhite men was still only a little over half that of white men. However, the trends for nonwhite women and for nonwhite families as units have been more favorable.

The most dramatic shift has been in the position of nonwhite women. In 1953, the median income of nonwhite women was about 60 percent that of white women. In the North, it was about 80 percent, and in the South it was less than 50 percent. At the end of 1966, the median income of nonwhite women was about 75 percent that of white women. It was above that of white women in all regions except the South where it was slightly more than half that of white women.

There are several factors accounting for this change. It would appear that nonwhite women in the North and West have been shifting into higher paying jobs. Nonwhite women are also more likely to work full time than are white women. For the country as a whole, full-time employment among nonwhite females has been increasing to a greater extent than part-time work, while the opposite has occurred among white women.

In interpreting these differences, several factors are important. The longer hours worked by nonwhite women have been noted. Nonwhite men, on the other hand, experience more unemployment or part-time employment than do white men. Nonwhites, both men and women, are generally employed in the low-paying occupations. Beyond this, there is some indication that even within the same occupations, there may be significant differentials in the opportunity to advance.

TABLE 1.—DISTRIBUTION OF PERSONAL AND MONEY INCOME: MEAN INCOME AND SHARE OF AGGREGATE RECEIVED BY EACH FIFTH AND TOP 5 PERCENT OF FAMILIES AND UNRELATED INDIVIDUALS, SELECTED YEARS, 1929–66

Year and income	Mean income before tax (current dollars)	Percentage distribution of aggregate income					
		Lowest fifth	Second fifth	Middle fifth	Fourth fifth	Highest fifth	Top 5 percent
PERSONAL INCOME							
Families and unrelated individuals:							
1929	$2,335		12.5	13.8	19.3	54.4	30.0
1935–36	1,631	4.1	9.2	14.1	20.9	51.7	26.5
1944	3,614	4.9	10.9	16.2	22.2	45.8	20.7
1947	4,126	5.0	11.0	16.0	22.0	46.0	20.9
1957	6,238	4.7	11.1	16.3	22.4	45.5	20.2
1962	7,262	4.6	10.9	16.3	22.7	45.5	19.6
MONEY INCOME							
Families and unrelated individuals:							
1947	3,224	3.5	10.5	16.7	23.5	45.8	19.0
1957	4,861	3.4	10.8	17.9	24.8	43.1	16.7
1962	6,049	3.5	10.3	17.3	24.5	44.3	17.3
1966	7,425	3.7	10.5	17.4	24.6	43.8	16.8
Families:							
1947	3,566	5.1	11.8	16.7	23.2	43.3	17.5
1957	5,483	5.0	12.6	18.1	23.7	40.5	15.8
1962	6,811	5.1	12.0	17.3	23.8	41.7	16.3
1966	8,423	5.4	12.3	17.7	23.7	41.0	15.3
Unrelated individuals:							
1947	1,692	2.9	5.4	11.5	21.3	58.9	33.3
1957	2,253	2.9	7.2	13.6	25.3	51.0	19.7
1962	2,800	3.3	7.3	12.5	24.1	52.8	21.3
1966	3,490	2.8	7.5	13.2	23.8	52.7	22.5

Source: Ida C. Merriam, "Welfare and Its Measurement," Indicators of Social Change, Sheldon & Moore, eds., p. 735.

TABLE 2.—RATIO OF NONWHITE TO WHITE MEDIAN INCOMES FOR SELECTED GROUPS AND YEARS, 1947–66

	1947	1953	1957	1964	1966
Males 14 and over	0.54	0.55	0.47	0.57	0.55
Females 14 and over	.49	.59	.62	.70	.76
Families	.51	.56	.54	.56	.60
Unrelated individuals	.72	.80	.67	.69	.73

Source: Ida C. Merriam, "Welfare and Its Measurement," Indicators of Social Change, Sheldon & Moore, eds., p. 744.

TABLE 3.—TOTAL MONEY INCOME OF NONWHITE FAMILIES: MEAN INCOME AND PERCENTAGE SHARE RECEIVED BY EACH FIFTH AND TOP 5 PERCENT 1947–66

Year	Mean income	Percentage distribution of aggregate income					
		Lowest fifth	Second fifth	Middle fifth	Fourth fifth	Highest fifth	Top 5 percent
1947	$2,016	4.8	10.2	15.7	23.6	45.8	17.0
1948	2,104	4.3	10.1	16.9	24.4	44.3	16.6
1949	1,965	3.8	9.9	16.6	24.6	45.1	17.1
1950	2,128	3.8	9.7	17.9	25.1	43.4	16.6
1951	2,368	3.8	10.3	16.9	25.3	43.8	16.1
1952	2,639	5.0	11.4	17.9	23.7	41.9	16.0
1953	2,890	3.9	10.7	17.0	25.1	43.4	15.2
1954	2,758	3.6	10.0	17.2	25.8	43.4	15.5
1955	2,890	4.0	10.3	17.8	25.5	42.4	14.3
1956	3,073	3.9	10.5	17.2	25.3	43.1	15.0
1957	3,241	3.6	10.2	16.9	26.0	43.1	15.0
1958	3,351	4.0	9.9	16.2	25.0	44.9	17.0
1959	3,523	4.1	9.5	16.5	25.3	44.7	16.2
1960	3,913	3.9	9.6	16.4	25.4	44.7	16.2
1961	4,031	4.0	9.6	15.9	24.5	46.0	17.4
1962	4,020	4.2	10.6	16.6	24.2	44.5	16.3
1963	4,340	4.4	10.2	16.1	24.6	44.7	17.2
1964	4,772	4.5	10.5	16.2	24.3	44.6	16.7
1965	4,903	4.6	10.7	16.5	24.7	43.5	15.5
1966	5,526	4.7	10.7	16.8	24.9	42.9	15.4

Source: Ida Merriam, "Welfare and Its Measurement," Indicators of Social Change, Sheldon & Moore, eds., p. 797.

One analysis, which takes account of the effects of family background, education, mental ability, number of siblings, and occupation concludes that perhaps one-third of the difference in average income (for 1961) between Negroes and whites "arises because Negro and white men in the same line of work, with the same amount of formal schooling, with equal ability, from families of the same size and the same socioeconomic level simply do not draw the same wages and salaries." [1]

Measured by income levels, nonwhites have made substantial progress in absolute terms and, to a lesser degree, in comparison to whites. However, the degree of inequality of income among nonwhites has changed very little.

Table 3 shows how total nonwhite income was shared by nonwhites. As in the overall distribution of income in the U.S., there has been little change in the share of the lowest 20 percent of nonwhite households. In 1947, the lowest 20 percent received 4.8 percent of total money income. In 1966, their share stood at 4.7 percent. There does, however, seem to be a rising trend in the share of this group beginning with 1960.

It may also be significant that in 1947 nonwhites comprised 8.3 percent of the families in the lowest 20 percent of all families (whites comprised 91.7 percent), and received 4.1 percent of the total income which accrued to this group of families (whites received

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[1] Otis Dudley Duncan, *Inheritance of Poverty or Inheritance of Race* (forthcoming).

95.9 percent). In 1966, nonwhites accounted for 10 percent of the families in the lowest 20 percent of all families and received 5.5 percent of the income.

Poverty

Although the distribution of income has remain virtually unchanged, rising income levels have meant that fewer and fewer people have incomes below the "poverty line."

In 1963, the Council of Economic Advisers established a tentative level of "poverty income" of $1,500 or less per year for individuals and $3,000 or less per year for families of two or more. By that standard, there were 33 million poor Americans in 1963. The standard was a useful first approximation; but, it obviously was only that.

To gain a greater understanding of the nature and composition of our poor population, the Social Security Administration developed new criteria built around minimum food requirements. The amounts required to purchase necessary food are based on the Department of Agriculture's "economy food plan." This plan is described as "for temporary or emergency use when funds are low." The base established by the food budget is raised by a factor of approximately three to allow for the minimum amounts necessary to purchase housing, clothing, medical care, etc. Adjustments are also made to reflect differences in family size, age, and farm or nonfarm residence. In 1966, the poverty level for a nonaged, nonfarm, male headed family of four was $3,335. Using this standard, the poor numbered some 40 millions persons in 1960. By 1967, that number had dropped to 26 million (the most recent year for which poverty statistics are available).

The decline in poverty came during a unique period of sustained economic expansion and in the midst of increased governmental efforts to alleviate the poverty problem. Not surprisingly, the benefits of economic growth and of the War on Poverty have fallen unevenly on the poor population. As table 4 shows, the sharpest declines have been in those families headed by an able-bodied working man. From 1961 to 1966, the number of nonaged, male-headed poor families declined by more than 35 percent. In contrast, the number of aged poor households declined by about 6 percent, and among the unemployed and families headed by a female, the decline was less than 5 percent.

TABLE 4.—POOR HOUSEHOLDS, 1961-66, BY AGE, FAMILY STATUS, AND SEX OF FAMILY HEAD

Status	1961 number	1966 number	Percent change
Total households (thousands) (excluding military)	12,881	10,826	−16
Nonaged households	8,360	6,591	−21
Families	6,149	4,476	−27
Male headed families	4,579	2,900	−37
White	3,416	2,102	−39
Worked	3,005	1,740	−42
Didn't work	411	362	−13
Nonwhite	1,163	797	−32
Worked	1,060	691	−35
Didn't work	103	106	+2
Female headed families	1,570	1,576	(1)
White	939	934	−1
Worked	451	460	+1
Didn't work	488	474	−3
Nonwhite	631	642	+1
Worked	383	376	−3
Didn't work	248	266	+7
Unrelated individuals	2,211	2,115	−4
Male	815	712	−13
White	567	534	−6
Worked	421	386	−8
Didn't work	146	148	+1
Nonwhite	248	178	−28
Worked	186	116	−38
Didn't work	62	62	0
Female	1,396	1,403	(1)
White	1,048	1,079	+3
Worked	590	571	−3
Didn't work	458	508	+10
Nonwhite	348	324	−7
Worked	204	199	−3
Didn't work	144	125	−13
Aged households	4,521	4,235	−6

[1] Less than 0.5 percent.

Although the reduction in poverty has been impressive among some groups, an extrapolation of past trends suggests that poverty in the United States is not likely to disappear in the near future even for those groups. With a 4 percent rate of growth in GNP (in constant dollars, which is higher than the average growth since 1960), there are likely to be close to 17 million persons in poor households in 1974 compared to 26 million in 1967. Of these, more than 4 million will be in families headed by a nonaged working male compared to 10 million in 1967. Moreover, unless we are more successful than in the past in dealing with the problem of inadequate income among the aged, and among those in families headed by a female or an unemployed male, these groups will still account for 11 million poor persons in 1974, compared to 13 million in 1967.

Again, it is important to emphasize that these estimates are based on a poverty standard which, by 1974, will have remained unchanged for 15 years except for adjustments to reflect changes in the cost of living. Should our notion of what constitutes a minimum income change during this period, the forecast of poverty made above would be even more bleak.

The pattern of present programs

The incidence of poverty and the distribution of income are overwhelmingly determined by the operation of the Nation's economic system. In large part, this means earnings for work.

Employment and wages depend primarily on the tastes, preferences and incomes of consumers, the technology used in producing goods, the productivity of labor as determined by education, experience, age, skill levels, and so forth, and the supply of labor. Overlaying these basic forces are other factors which also have a powerful effect on employment and wages. These include the bargaining power of labor unions and discriminatory practices with respect to the aged, women, and nonwhites.

Since the wage system is driven primarily by market forces, it does not necessarily insure everyone an adequate income or an equitable distribution of income for the Nation as a whole.

The programs which have evolved since the 1930's to deal with the shortcomings of the wage system fall essentially into two categories. On the one hand, insurance type solutions have been applied in cases where loss of earnings is due to a severing or weakening of the tie to the labor force due to age, disability, death, or unemployment. This approach has been supplemented by a more or less parallel system of public assistance for those individuals not covered by the insurance type mechanism or for whom protection, though available, is inadequate.

On the other hand, solutions to the problem of low income for those who work have been primarily concerned with increasing the level and coverage of the minimum wage and, more recently, with a series of human investment programs designed to help individuals become more productive members of the labor force. The Federal Government has not directly intervened in the market place to supplement the earnings of those who work but still have inadequate incomes.

Although this section is confined to a discussion of those programs which provide a direct transfer of money income from one group to another or increase the income of some groups relative to others through the wage system, it is important to realize that almost every Government program can and does have an effect on the distribution of real income and wealth (physical and human), sometimes explicitly, sometimes implicitly. Government programs to finance the cost of health services for large segments of our population are examples of a large and explicit redistribution in which the beneficiaries receive a service at a much lower cost (or no cost) rather than money incomes. The Food Stamp Program is another example.

What is not frequently realized is that other Government policies, such as provisions for tax deduction of interest paid on owner-occupied homes, for oil depletion allowances, and for farm price supports represent intentional and unintentional transfers in the other direction.

With these thoughts in mind, we now turn to a discussion of some of the more important programs affecting the distribution of income.

Social Insurance: It is fair to say that our insurance type programs have worked better and gained greater acceptance than either our public assistance programs or those designed to aid the working poor. This is undoubtedly due, in large part, to the idea that protection grows out of the work that people do, with eligibility for, and the amount of, benefits related to past earnings and contributions. Also characteristic is the absence of any individualized means test. Just about all industrial countries now base their "income maintenance" systems on social insurance.

In the United States, the largest and most important of the social insurance programs is the Federal system popularly called social security. This program insures against the loss of earnings due to retirement, disability or death and pays benefits to meet the great bulk of hospital and medical costs in old age.

This year, 90 million people will contribute to social security. Ninety percent of our population age 65 and over are eligible for monthly social security benefits. More than 95 out of 100 young children and their mothers are eligible for monthly benefits in the event the family breadwinner should die. Four out of five people of working age have income protection against loss of earnings due to long-term severe disability of the breadwinner. When the Federal civil service system, the railroad retirement program, and State and local government staff retirement systems are taken into account, nearly everyone now has protection under a Government program against the risk of loss of earned income for selected causes.

Public Assistance: Public assistance and programs for the working poor have worked less well. In 1965, only 20 percent of poor persons received public assistance payments and, of these, 82 percent remained poor after payment. Payment levels are erratic with wide State-by-State differences; in New York, for example, the average monthly payment for a family of four on Aid for Dependent

Children is almost $250, compared to $115 in Ohio and $35 in Mississippi. Moreover, the determination of eligibility has frequently been made by procedures which detract from dignity and which stigmatize the recipient as being on relief or the beneficiary of a welfare handout.

The program of Aid to Families with Dependent Children has come in for the lion's share of the criticism of present welfare programs. Originally conceived as a program for widowed mothers and their children, over time, the character of the program has changed; the source of dependency has been rooted less and less in the death or incapacitation of the father and increasingly in socially less acceptable causes—the absence of a father due to divorce, desertion, imprisonment, or even the lack of a legal father.

At the same time, public attitudes toward working mothers have become less negative and in the postwar period, there has been a tremendous upsurge in labor force participation of married women.

Both of these facts must form the backdrop for understanding the recent attacks on public assistance. Not only have payment levels been so miserably low in some places that the perpetuation of poverty from one generation to another seems inevitable, but paradoxically, the program has contributed to the creation of dependency for less socially acceptable causes—family breakups—and at the same time has stultified individual initiative and self-help because of the fact that additional income from earnings or elsewhere meant an equal reduction in assistance payments, in effect a 100 percent tax rate on earnings.

Recently enacted changes in public assistance should improve the program on the latter point. After July 1, 1969, recipients of AFDC will be permitted to exempt the first $30 of earnings and one-third of earnings above that in determining assistance levels. In addition, the 1967 Amendments established a Work Incentive Program of training and education, and increased support for day care and related services to enhance the employability of AFDC recipients.

Minimum Wage and Training Programs: Minimum wage legislation, as a solution for the problem of the working poor, has been criticized by its supporters for establishing a minimum wage level which is too low and for restricting coverage too narrowly. It has been attacked by its critics on the grounds that it results in significant unemployment of marginal workers and that this loss outweighs the gain in higher wages for those who remain employed. Hard data on the quantitative effects are lacking.

Advocates and skeptics also abound with respect to manpower training programs, and in some sense over the same issues: coverage and effectiveness.

Although no analyses are available which resolve these issues, it is clear that even if there were no employment effects, increases in the minimum wage would be an inefficient and not totally effective way of redistributing income because—

It does not distinguish between large and small families. Adequate levels for small families would be inadequate for large ones.

Many households have inadequate incomes, but no connection with the labor force.

Many of the poor work intermittently. A high minimum wage would not assure them adequate annual incomes.

It is also clear that, even under the most optimistic assumptions about the effectiveness of manpower training programs, these programs alone cannot be an entirely satisfactory solution to the problems of income redistribution because—

It would take 5 to 10 years to reach all of the employable poor even with much heavier funding than at present.

We have few programs that deal with persons at the lower end of the income distribution who work full time (or even part time). In 1966, about one-third of the persons in poverty were in families headed by a man or woman who worked all year.

Finally, it should be noted that there are some ethical issues involved. Even if everybody who was employable had training and/or a job there would be a good deal of variance in income levels. Wages are largely a function of skill levels. The skill levels with which one enters the labor force are largely a function of the opportunities available in early life to get education, training, and to grow up healthy. Yet, the opportunity structure is not uniformly open.

This has meant that the risk of poverty is much greater for some than others, and that for these the poverty of one generation is more likely to be perpetuated in the next. Children born into poor families will not only be poor children, but face a higher probability that they will be poor adults and that they, themselves, will raise poor children. There is mounting evidence that malnutrition in early childhood may cause permanent and irremediable mental retardation. Children in poor families often tend to drop out of school to contribute to the family support, an action that drastically increases the risk of being poor adults. It is unrealistic to suppose that training programs can overcome all the barriers to obtaining an adequate income exclusively from the wage system when these same barriers are the product of an imperfect opportunity structure.

However, even if we had a completely equal opportunity structure, there would still be a question of equity. Under these circumstances, the distribution of income from earnings would largely reflect distributions among the general population of abilities that are in demand in the labor market—primarily intelligence. It is quite conceivable that the resulting income distribution would still be unsatisfactory on social grounds and one could argue for systematic redistribution of income.

The next section looks at some of the alternatives which are currently being considered for achieving such a redistribution.

Income maintenance alternatives

Without question, there is a growing consensus that social security programs need improvement, that public assistance is badly in need of reform, and that better ways must be found to help the working poor and their families. There is no lack of statements on the subject of income maintenance by business and labor groups, Government officials, those from the academic community, and the press. The question, it seems, is not whether, but how, and on that, there is far from a consensus.

The issue of "how" revolves around two fundamental but inter-related questions:

To what extent can present programs be modified to develop a more adequate system of economic security?

Which of the major new proposals put forward in recent years should be selected to round out the Nation's system of income maintenance?.

With respect to social security, the specific issues raised by the first question concern the benefit structure, the benefit levels, program coverage, and the financing of benefits. Social Security is a social insurance program. As is the case in most countries with such programs, the benefits replace a higher proportion of previous earnings for low than for high income groups and minimum benefit levels have been established. A small number of aged persons have been blanketed into the program with benefits financed from general revenues. Benefit levels have been adjusted from time to time to reflect rising price and real income levels. To what extent should social security be further modified to provide additional income to the poor?

As a practical matter, the answer probably depends on how successful we can be in reforming our present welfare system or developing a new program based on need. To the extent that a decent standard of living for the aged, the disabled, and surviving widows and children can be insured through a humanely administered program of public welfare or a negative income tax, it can be argued that to try to re-fashion social security so that it meets all income maintenance needs would be inefficient, and possibly detrimental to the program.

The question of how and whether public assistance should be modified is a complex one. One proposal which has been put forward would federalize the system for the present federally aided categories, establish minimum standards at the poverty level, and finance the program entirely with Federal funds.

Such a program would overcome many of the defects of the present system:

Within categories, much of the wide variation in payment levels in present programs would be eliminated.

The program would be more adequate in terms of coverage—by 1974, between 70 and 75 percent of those who are poor would fall in the categories eligible for aid and would receive it compared to 55 percent under present programs.

The programs would be more adequate in terms of level of support—by 1974, it would close about 60 percent of the total poverty gap.

The program would provide substantial financial relief for the States by removing the shared cost of the present Federal/State public assistance program. By 1974, the States would realize a saving of about $4 billion in welfare costs which could be allocted to other uses.

Despite these improvements, however, the program has several distinct drawbacks:

The poor in households headed by a male who works, numbering about 10 million in 1967, and expected to account for about 5 million persons in 1974, would not be eligible for supplementation.

The program would provide a substantial monetary incentive for the adult members of intact families to establish separate households.

The program would intensify already serious equity problems with respect to different treatment of poor families headed by a male who works and those headed by a female who works. A man with a wife and two children who works full time would receive no supplementation whereas a woman with three children who works full time and earns the same amount could receive a substantial amount of additional support. This difference is much less under present programs because of the low payment levels in some States for female headed families.

As these facts suggest, the problem of income inadequacy cannot be completely solved by reforms in public assistance. The third major building block in addition to social security improvements and welfare reform should be designed to close the remaining gaps in our income maintenance system. The main options which have been advanced are the Negative Income Tax and Children's Allowance.

* * * * *

The children's allowance is a "demogrant" program; that is, entitlement is based on a demographic characteristic, in this case, age. Benefits would be paid to all families based on the number and perhaps the age of the children. It would not, of course, meet the income needs of other groups, and thus would have to be part of a multiprogram package including public assistance, social security, and so on.

The chief advantage of the children's allowance is that it is not income tested. It is also its chief disadvantage. Programs without an income test do not develop the stigma associated with programs that have an income test. Being on social security is not demeaning. Being on public assistance can be and frequently is. The basic argument in

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favor of using an income test is that it more efficiently channels funds to those who are needy. Transferring funds on the basis of age or sex, rather than on the basis of need, means that many nonneedy persons are eligible and thus the percentage of total benefits going to the poor may be small.

It is precisely this inefficiency which has led most children's allowance proponents to include "recoupment" features in their plans. One common recoupment plan would eliminate the $600 children's exemption in the present tax laws. This, and similar plans, tend to move the costs of children's allowance programs toward a negative income tax for children.

In summary, there is no such thing as a single, simple answer to the problems of poverty and of economic security. There are no magic solutions. We will unquestionably continue our multifaceted attack on the problem.

Nearly 35 years ago, in a message to Congress preceding the passage of the Social Security Act, President Roosevelt outlined the goal that still lies before us:

"Our task of reconstruction does not require the creation of new and strange values. It is rather the finding of the way once more to known, but to some degree forgotten, ideals and values. If the means and details are in some instances new, the objectives are as permanent as human nature.

"Among our objectives I place the security of the men, women, and children of the Nation first.

"The security for the individual and for the family concerns itself primarily with three factors. People want decent homes to live in; they want to locate them where they can engage in productive work; and they want some safeguards against misfortunes which cannot be wholly eliminated in this mandate world of ours."

TRIBUTE OF SENATOR B. EVERETT JORDAN TO LAWSON B. KNOTT

Mr. JORDAN of North Carolina. Mr. President, I think most of us will agree that Government is to a large extent a composite reflection of the people who serve it and that its effectiveness hinges on the quality of their performance.

Granting the truth of that observation, I think ours has been considerably the better because it has had the services of men like Lawson B. Knott.

As many Senators now know, he retired late last month as administrator of the General Services Administration after 34 years of service in that and other Government posts.

Of all the positions he held, his last one was by far the most demanding, exacting, and important. He was responsible for billions of dollars in Federal property and for activities directly affecting thousands of people in every part of the country.

He performed the job with dedication, imagination, skill, tact, and unshakeable integrity which made his contributions doubly valuable.

I am proud to stress the fact that Lawson Knott is a native of my own State of North Carolina and am equally proud to call him my good friend.

I salute him as an outstanding man and outstanding public servant whose record should serve as an example to those he leaves behind in Government.

I cannot believe that at 56 he is going to be really retired for very long and I wish him every success and satisfaction in whatever new activity he undertakes after he has paused long enough to catch his breath from those 34 years he has devoted to his country.

SOIL CONSERVATION SERVICE

Mr. MUNDT. Mr. President, through the years the Soil Conservation Service has been extremely helpful to farmers of the country. Conservation processes initiated and sponsored by the Service have saved many acres of valuable farmland from wind and water erosion.

The Senate Agricultural Appropriation Subcommittee, of which I am a member, has given attention over the years to providing adequate funds for the Soil Conservation Service. However, because of the generally tight budget the last few years, funds have not been available to provide as much technical personnel and assistance to districts as have been needed. The shortage is critical and has recently been considered by the legislature in South Dakota. The legislature has passed house concurrent resolution 513 which points up the serious situation that exists. I hope that Senators will help those of us who serve on the Agricultural Appropriations Subcommittee in alleviating this situation and ask unanimous consent that the resolution be printed in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

House Concurrent Resolution 513

Concurrent resolution, memoralizing the Congress of the United States to give priority consideration to the needs of technical assistance by the Soil Conservation Service to conservation districts for the conservation and development of soil, water and all related natural resources

Be is resolved by the House of Representatives of the State of South Dakota, the Senate concurring therein:

Whereas there is a national shortage of technical personnel to tend the growing demand for technical assistance to Conservation Districts and their cooperating land occupiers; and

Whereas manpower ceilings and budget proposal reductions have resulted in a steady decline of assistance; and

Whereas South Dakota has eleven Conservation Districts without a District Conservationist and many Districts operating without Conservation Technicians; and

Whereas the Soil Conservation Service has less funds and personnel to now serve over 40,000 Conservation District cooperators in South Dakota than was necessary to serve 25,000 cooperators: Now, therefore, be it

Resolved by the House of Representatives of the forty fourth Legislature of the State of South Dakota, the Senate concurring therein, That the Congress of the United States be memorialized to take whatever action it deems appropriate to assure that additional funds and manpower be made available to provide necessary technical assistance to South Dakota's seventy Conservation Districts for the conservation of soil, water and related natural resources; be, it further

Resolved, That ways and means be provided to assure funds and technical personnel necessary to carry out the program of each Conservation District and district cooperator to assure the conservation and development of soil, water and related natural resources of South Dakota and the nation; be, it further

Resolved, That copies of this Concurrent Resolution be transmitted by the Clerk of the House of Representatives of the State of South Dakota to the offices of the President and Vice-President of the United States, the Speaker of the House of Representatives of the United States, the members of the Congressional delegation of the State of South Dakota and the Governor of the State of South Dakota.

Adopted by the House of Representatives, February 20, 1969.

Concurred in by the Senate, February 27, 1969.

Dexter H. Gunderson,
Speaker of the House.

Attest:

Paul Inman,
Chief Clerk of the House.

James Abdnor,
President of the Senate.

Attest:

Niels P. Jensen,
Secretary of the Senate.

SUPPORT OF PROPOSALS FOR EARLY RATIFICATION OF NUCLEAR NONPROLIFERATION TREATY BY EDUCATIONAL COMMITTEE TO HALT ATOMIC WEAPONS SPREAD

Mr. COOPER. Mr. President, Mr. Arthur Larson, who was an able adviser to former President Eisenhower, has been very active in efforts to achieve support for the Nonproliferation Treaty. Arthur Larson is chairman of a most distinguished committee, the Educational Committee To Halt Atomic Weapons Spread, whose membership includes many of this country's most distinguished citizens. I ask unanimous consent that an open letter to President Nixon and a list of the committee's membership be inserted in the Record at the conclusion of my remarks because of the valuable contribution they have made to the widespread approval of the Nonproliferation Treaty.

There being no objection, the letter and list were ordered to be printed in the Record, as follows:

Open Letter to President Johnson and President-Elect Nixon

We strongly support your proposals for early ratification by the U.S. Senate of the Nuclear Nonproliferation Treaty. Appproval of this Treaty, providing for action to stop the spread of nuclear weapons and to increase the peaceful uses of atomic energy, is urgent, both for our own safety and for the well-being of all mankind.

Eighty-two nations have signed this pact—positive evidence of its critical importance to global peace. The favorable report of the Senate Foreign Relations Committee gave the world reason to expect prompt ratification, particularly since the Senate itself, in an almost unanimous vote in recent months, had urged the U.S. to conclude a non-proliferation agreement.

Any further postponement of ratification may cause irreparable damage to the Treaty's prospects. Already there are indications that opposing forces are active. Every day's delay increases the chance that some near-nuclear states may decide to take the nuclear road.

The prestige which the United States gained through its leadership in achieving the agreement is being eroded by the delay. If the United States postpones final action, sudden changes in the international climate could forever foreclose the opportunity for what may be the most crucial vote in the nuclear age.

Public opinion polls, nation-wide editorials, and supporting mail to the Senate all indicate widespread approval for this agreement, won through four years of patient and difficult negotiation. We urge you to do all in

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your power to facilitate ratification immediately after the Senate convenes in January.

Sincerely,

ARTHUR LARSON,
Chairman.

(NOTE.—The Educational Committee To Halt Atomic Weapons Spread was initiated in 1966 by the Disarmament Issues Committee of United Nations Association of the United States of America.)

LIST OF SIGNATORIES TO THE STATEMENT ON THE NUCLEAR NONPROLIFERATION TREATY

(Titles used are for purposes of identification only)

A

Mr. I. W. Abel, President, United Steelworkers of America, Pittsburgh, Pa.

Mr. Conrad Aiken, Author, Brewster, Mass.

Dr. Alan C. Aisenberg, Asst. Prof. of Medicine, Harvard Medical School, Boston, Mass.

Dr. Samuel E. Allerton, Ph. D., Asst. Prof. of Biochemistry, U. of So. California, Los Angeles, Calif.

Prof. William P. Allis, Cambridge, Mass.

Mr. Frank Altschul, New York, N.Y.

Mr. Hoyt Ammidon, Chairman, United States Trust Co., New York, N.Y.

Mr. Ernest Angell, Attorney, Former Pres. American-Civil Liberties Union, New York, N.Y.

Mr. J. Garner Anthony, Lawyer, Honolulu, Hawaii.

B

Mrs. Louise Laidlaw Backus[1], UNA–USA Board; Chrm. of NY Chapter, New York, N.Y.

Mr. A. Doak Barnett, Professor of Government, Columbia University, New York, N.Y.

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Mr. Louis T. Benezet, president, Claremont University Center, Claremont, Calif.

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Harold Berry, vice president, Fisher New Center Co., Detroit, Mich.

Mr. Sidney Blackstone, writer, Chicago, Ill.

M. Hildred Bleivett, senior physicist, Argonne National Laboratory, Argonne, Ill.

Mr. Joseph L. Block, chairman, executive committee, Inland Steel Co., Chicago, Ill.

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Dr. Harrison Brown, professor of geochemistry, science, Government, California Institute of Technology, Pasadena, Calif.

Dr. Jerome S. Bruner, professor of psychology, Cambridge, Mass.

Mr. James F. Bunting, executive director, National Council of YMCA's, New York, N.Y.

Mr. Frederick Burkhardt, president, American Council of Learned Societies, New York, N.Y.

William H. Burnett, county judge, Denver, Colo.

Mr. Edgar M. Buttenheim, president, Buttenheim Publishing Corp., New York, N.Y.

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EXECUTIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I move that the Senate return to executive session.

The motion was agreed to, and the Senate resumed the consideration of executive business.

TREATY ON THE NONPROLIFERATION OF NUCLEAR WEAPONS

The Senate resumed the consideration of Executive H., 90th Congress, second session, the Treaty on the Nonproliferation of Nuclear Weapons.

Mr. BYRD of West Virginia. Mr. President, I voted against the Nuclear Test Ban Treaty in 1963, and I voted against the Consular Convention between the United States and the Soviet Union in 1967. However, I intend to vote for the Treaty on the Nonproliferation of Nuclear Weapons, which is now under consideration by the Senate.

I am no longer a member of the Senate Committee on Armed Services, but I have read the hearings conducted by that committee on the treaty. Based on the testimony given before that committee, I have reached my decision.

All witnesses who appeared before the committee were unanimous in their support of the treaty. Among these witnesses were Gen. Earle G. Wheeler, U.S. Army, Chairman of the Joint Chiefs of Staff, and Dr. John S. Foster, Jr., Director of Defense Research and Engineering, Department of Defense. I am personally acquainted with both men, and I have confidence in their knowledge, ability, and judgment.

The central purpose of the treaty before the Senate is to prevent the spread of nuclear weapons. It was patterned after the Atomic Energy Act of 1954, which forbids transfer of U.S. nuclear weapons to other countries. The treaty before us makes such a prohibition binding on all other signatory nuclear weapons countries, and it bars non-nuclear-weapons countries from receiving nuclear weapons and from manufacturing or receiving any assistance in the manufacture of nuclear weapons. The treaty, at the same time promotes the development of nuclear energy for peaceful purposes under safeguards.

The danger of a general proliferation of nuclear weapons constitutes a problem of pressing concern. Such proliferation would be attended by consequences of accident or a miscalculation by an aggressor nation, which could lead to an all-out nuclear holocaust. I believe that it is not only in the good interests of our own national security but that it is also in the interests of mankind everywhere that we try to take whatever steps are possible to prevent such a tragic occurrence.

I have never trusted the Soviet Union. I believe that the leaders in the Soviet Union can only be depended upon to keep an agreement so long as to do so is in their own best interests. In the case of the treaty before us, I believe that it is in the best interests of the Soviet Union to ratify and obey the provisions of this treaty. It is generally felt that the Soviets are as fearful of proliferation as we are, and that they consider it to be as dangerous to their own security as we think it is dangerous to ours. In reality, the thrust of the treaty is not primarily to restrain the Soviet Union or the United States from developing and deploying nuclear weapons, but it is rather intended to stop non-nuclear-weapons countries from acquiring or manufacturing nuclear weapons.

Some concern has been expressed to the effect that the treaty would inhibit a continuation of vigorous research and development activities by the United States on nuclear weapons as required for our own national security, but Dr. Foster testified that "there are no provisions of the nonproliferation treaty which will in any manner restrict these activities."

Some people have said that the treaty would foreclose the option to defend our allies. The treaty does prohibit the transfer of nuclear weapons or their control to any other nation, but such transfer of weapons and/or their control is already prohibited by Federal statute, and, accordingly, the treaty would not change the present arrangements which we have today with our allies for maintaining custodial control of our nuclear systems.

As I have already indicated, the treaty contains provisions for the development of safeguards which are designed to insure that nuclear energy is not diverted from peaceful uses to nuclear weapons or other nuclear explosive devices. The non-nuclear-weapons signatories to the treaty must undertake to accept such safeguards. The safeguards are to be as set forth in agreements to be negotiated and concluded with IAEA, the International Atomic Energy Agency. The negotiation of such safeguards shall commence within 180 days from the original entry into force of the treaty, which shall occur upon the deposit of instruments of ratification by 40 signatory states in addition to the United States, the United Kingdom, and the Soviet Union. The inspection procedures provided by such safeguards will insure that there is no diversion of nuclear materials into a nuclear weapons program within any non-nuclear-weapons signatory state. As Dr. Foster stated in his testimony before the Armed Services Committee:

> A safeguard system should have access to those facilities associated with nuclear activities, be able to observe their operation and be able to make an inventory of materials going into the operation and coming from the operation so that it is possible to tag the nuclear atoms and the source material for the operation.

It has been thought by some persons that the United States would be at a disadvantage, under the treaty, in that inspections would be permitted with respect to some of our facilities while, at the same time, the Soviet Union would refuse to allow such inspections. The fact is, however, that the treaty safeguards clause does not apply to any nuclear power, for example, the United States, the United Kingdom, or the Soviet Union. These nations already possess nuclear weapons and the facilities and know-how for the manufacture of additional nuclear weapons. The object of the treaty is to prevent the spread of such knowledge and manufacture to nations which presently do not possess nuclear weapons. Consequently, the inspections need only be made in the signatory countries which are not already nuclear powers. It is true that President Johnson offered, and President Nixon has likewise offered, to let inspectors go through our nuclear facilities for peaceful purposes. However, the gratuitous offer made by Mr. Johnson and Mr. Nixon deals only with the examination of commercial nuclear activities. The offer does not deal with the inspection of our military activities or any of our facilities which pertain to nuclear weapons. According to General Wheeler:

> The President very carefully excluded our military nuclear facilities from any inspection.

Dr. Glenn T. Seaborg, Chairman of the U.S. Atomic Energy Commission, said, during the course of his supporting statement on the treaty, that the reason for the offer by Mr. Johnson and Mr. Nixon to place our peaceful nuclear activities under IAEA safeguards, excluding all of those that have a national security significance, "is that there was concern by some of our own friends, Western allies, that if their peaceful nuclear activities were subjected to these inspection procedures they might be at a disadvantage with respect to us if our's were not inspected, because of the possible leak of trade secrets and things of that sort." So, the offer was made in order to further encourage non-nuclear-weapons countries to become signatories of the treaty, while, at the same time, protecting them commercially.

It is interesting to note that, according to Dr. Seaborg, at least seven nations, which do not now possess nuclear weapons, have the capability of producing them within a spread of 5 to 10 years. He named 16 additional nations as being capable of producing cruder nuclear weapons with less delivery capability "and possibly over a longer period of time." So, I think it is quite evident that the danger of proliferation of nuclear weapons grows with each passing year.

It is said that this treaty is a step along the road toward additional agreements between the United States and the Soviet Union leading to disarmament. As a matter of fact, the treaty expresses the determination of the parties that the treaty should lead to further progress toward arms control and disarmament. To be specific, I shall quote article VI of the treaty, which is as follows:

> Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict effective international control.

As I have already stated, I do not trust the Soviet Union to keep any agreement which is not in its own best interests. The Soviets are notorious for having broken scores of agreements. Although I want us to pursue every path which can reasonably lead to a deescalation of the arms race, I think we must continue to keep our eyes open and our guard up. I am not one who believes that we have made progress simply because we have reached an agreement with the leaders of Communist countries. I am opposed to anything which, in essence, amounts to unilateral disarmament on our part, but I am in favor of doing everything we can to slow down the proliferation of nuclear weapons, because every additional nation that acquires nuclear weapons is just one more finger on the trigger of nuclear war.

I do hope that this treaty would operate to discourage such proliferation.

General Wheeler stated that he saw "no military disadvantages to the treaty insofar as our country is concerned." He went on to say that he believed that "if, indeed, the treaty operates to preclude the proliferation of nuclear weapons in other areas of the world, then in a general sense, a broad sense, it is helpful to our national security."

General Wheeler stated that the treaty would not impose any obligations on us to unilaterally withhold deployment of an ABM defense system or of any offensive strategic system, and that it would not impose any limitation or restriction upon our own country's research and development in connection with nuclear defensive or offensive systems. The same can, of course, be said with respect to the Soviet Union, but as I have indicated above, the treaty is not calculated to inhibit development and deployment of nuclear weapons systems in current nuclear countries. Its purpose is to prevent the proliferation of nuclear weapons.

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Some people have expressed the fear that the Soviet Union would not allow access to Warsaw Pact countries for the purpose of implementing the inspection safeguards, but Dr. Seaborg stated that there was no indication that the Soviets would want to deny access of safeguards inspectors to Warsaw Pact countries. However, the Soviets would be in violation of the treaty if they exported fissionable material to satellite countries without the accompanying required international atomic energy safeguards. The Soviets had their fingers burned when they helped Red China to get started with nuclear activities leading to the development of nuclear weapons and, according to those individuals who have testified in support of this treaty, the Soviets are very interested in making sure that there is no diversion from peaceful facilities in their satellites. They do not want their satellites to get nuclear weapons. In any event, there is no limitation at the present time on the Soviet Union's supplying nuclear materials or nuclear facilities to any of its satellite countries, because no treaty exists and no safeguards exist. In other words, if the Soviet Union wishes to supply nuclear weapons to Warsaw Pact countries now, it can do so. There are no restrictions or inhibitions against it. So, we would be no worse off under the treaty, in this regard, than we are now without it. There is no limitation at the present time on the transfer of nuclear weapons by the Soviet Union to any other country. There is no treaty or agreement, but there is self-interest, and the treaty would further that self-interest on the part of the Soviets.

Article X of the treaty provides a right of withdrawal upon 3 months notice if a party finds that extraordinary events related to the subject matter of the treaty have jeopardized its supreme interests. Therefore, our country will have the option of withdrawing from the treaty if the circumstances should dictate our doing so at some future date.

The treaty also provides for a conference, 5 years after the treaty enters into force, to review the operation of the treaty, and for further review conferences, at 5-year intervals, to be held if requested by a majority of the parties. The treaty provides, moreover, for a conference to be held 25 years after the treaty enters into force, at which a majority of the parties will decide whether the treaty shall continue in force.

Parties to the treaty who renounce the acquisition of their own nuclear explosive devices will be able to obtain benefits from the peaceful applications of nuclear explosions through the provision by nuclear states of what would be, in effect, a peaceful nuclear explosion service. The nuclear explosive devices would remain at all times under the custody and control of the nuclear weapons state. The recipient nations would pay for the cost of the nuclear explosive devices, such cost to exclude any charges for research and development of the devices. According to Dr. Seaborg:

> Such services will be performed on the basis of full cost recovery . . . including, among other things, the full cost of all materials, the fabrication of the explosive device, and the firing of them. Appropriate overhead costs would also be included.

A total of 87 nations have signed the treaty, although only nine nations have deposited their statements of ratification. France has indicated that it will not sign the treaty, but it has indicated its intention, nevertheless, to live up to the provisions of the treaty. Red China, another nuclear state, will not sign the treaty nor will it abide by the provisions thereof, but there is nothing to prevent that country even at the present time from contributing to the spread of nuclear weapons, so we will be no worse off under the treaty than we are at the present time insofar as Red China is concerned.

In closing, Mr. President, I wish to state my belief that, on balance, the treaty will be in the interest of our own national security. When one looks back to the beginning of World War II and considers the fact that, just 30 years ago, the nuclear fission reaction had not yet been discovered—the reaction that makes possible nuclear weapons—one shudders to think what the next 30 years will bring if the proliferation of nuclear weapons grows apace. We owe it to ourselves and to our posterity to do everything we can to get other nations committed as early as possible to satisfactory inspections and safeguards against proliferation. By so doing, we prevent, to some considerable degree at least, the possibility of a nuclear exchange too horrible to contemplate. It is not a matter of trusting the Russians, in this instance; it is a matter of believing that they are as interested in self-preservation as we are; and it is also a matter of recognizing that a handful of fingers on the nuclear trigger is far better than a half hundred or more of such fingers. I am not nearly so afraid that the Soviets, the British, the French, or the Americans will pull that trigger, realizing that to do so would invite sudden, full, and unacceptable retaliation, as I am afraid that some small country, in an effort to commit aggression against a small neighbor, might resort to nuclear weapons and, in so doing, create a chain reaction among other nations which would result in the catapulting of the superpowers into a mutually destructive effort.

I believe that the treaty provides a hope against the proliferation of nuclear weapons, and, therefore, I shall vote for the resolution of ratification.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS UNTIL 10 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, the Senate stand in recess, in executive session, until 10 o'clock tomorrow morning.

The motion was agreed to; and (at 5 o'clock and 21 minutes p.m.) the Senate took a recess, in executive session, until tomorrow, Thursday, March 13, 1969, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate March 11 (legislative day of March 7), 1969, under authority of the order of the Senate of March 11, 1969:

HOME LOAN BANK BOARD

Preston Martin, of California, to be a member of the Federal Home Loan Bank Board, for the remainder of the term expiring June 30, 1970, vice Robert L. Rand, resigned.

FOREIGN SERVICE

William B. Buffum, of New York, a Foreign Service officer of class 1, to be the Deputy Representative of the United States of America to the United Nations with the rank and status of Ambassador Extraordinary and Plenipotentiary.

UNITED NATIONS

Christopher H. Phillips, of New York, to be Deputy Representative of the United States of America in the Security Council of the United Nations.

Glenn A. Olds, of New York, to be the representative of the United States of America on the Economic and Social Council of the United Nations.

Executive nominations received by the Senate March 12 (legislative day of March 7), 1969:

U.S. COAST GUARD

The following licensed officers of the U.S. Merchant Marine to be permanent commissioned officers in the Regular Coast Guard in the grades indicated:

To be lieutenant

Leo G. Vaske.

To be lieutenant (junior grade)

James L. Hassall.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 12 (legislative day of March 7), 1969:

GENERAL SERVICES ADMINISTRATION

Robert L. Kunzig, of Pennsylvania, to be Administrator of General Services.

COMMODITY CREDIT CORPORATION

Richard E. Lyng, of California, to be a member of the Board of Directors of the Commodity Credit Corporation.

FEDERAL HIGHWAY ADMINISTRATION

Francis C. Turner, of Virginia, to be Administrator of the Federal Highway Administration.

WITHDRAWAL

Executive nomination withdrawn from the Senate March 12 (legislative day of March 7), 1969:

FOREIGN SERVICE

William R. Tyler, of the District of Columbia, for promotion from a Foreign Service officer of the class of career minister to the class of Career Ambassador, which was sent to the Senate January 16, 1969.

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EXTENSIONS OF REMARKS

FREEDOM'S CHALLENGE

HON. CHARLES RAPER JONAS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. JONAS. Mr. Speaker, each year the Veterans of Foreign Wars of the United States and its Ladies Auxiliary conducts a Voice of Democracy essay contest for school students. This year over 400,000 students participated in the nationwide competition, and almost 6,000 students took part in the contest in North Carolina. An outstanding young man from the congressional district I represent was the North Carolina State winner. He is Mr. Brent McKnight, a junior at Myers Park High School and the son of Mr. and Mrs. Harold F. McKnight of 409 Sharon View Road, Charlotte, N.C. Mr. McKnight's script on this year's theme, "Freedom's Challenge," won him a $50 U.S. savings bond for first place in local competition, and a plaque for first place in the contest district composed of Mecklenburg, Gaston, and Union Counties. As State winner he was also invited to Washington, D.C., March 1–4, as a guest of the VFW for its annual congressional dinner. Under leave to extend my remarks in the Record, I am inserting Mr. McKnight's inspiring essay in the Record and commend it to my fellow Members:

FREEDOM'S CHALLENGE

Every person on earth must have a certain degree of freedom of thought and action if he is to improve himself and the world about him. If one is to speak of a degree of freedom, then the word "freedom" itself must be defined. However, upon examination, freedom evidences itself in so many ways and connotes so many things to all people that it becomes an abstraction of the mind, an ideal to be defined within a sphere of location and population. In America, freedom is the ideal goal of each person. It is the privilege of a man or woman to walk up to a voting booth and help decide who will rule the country. It is the privilege of a poor man to start a small business and see it grow to success. Freedom is that ecstasy which comes with looking at the stars on a clear night and knowing that each individual has the right to exist and be happy in such an immense universe. On the other hand, freedom is not the privilege of a minority to forcefully impose its will on a majority. It is not the privilege of anyone to run rampant in the streets, killing and looting. The question thus presented is how this freedom evidences itself in the lives of Americans today.

Freedom can be compared to a beacon light atop a search tower facing out to sea. A man alone in a small boat is caught in a tempest in that sea. Though the tempest rages, the light from this beacon is able to penetrate the fog and rain to reach the boat. With a joyful heart, the man is able to steer his boat shoreward past obstacles. As this man was lost on the sea, so are Americans bewildered in a sea of troubles. They must rely on the light of freedom, and never taking their eyes from it, steer forward to a safe shore free from tyranny.

The determination of America's future depends upon the actions of men and women today. The United States has not been known as the land of the free because it passively accepted tyrannical and foreign rule. Throughout the history of the United States, the freedom-loving dwellers in America have fought oppression in all forms. For them, to be free signified the right to choose, to promote, and to defend those ideals which, they held to be true, to be right, and to be for the betterment of mankind. Americans today must follow in the lead of these crusaders of the past in several definite ways.

First, freedom must be maintained. It must be kept whole and solid within the due confines of the law—the law created by a majority of the people. No one must be allowed to take the law into his own hands and thus smear the freedoms of others. Americans old and young can join this crusade by helping to elect responsible leaders, by serving to defend America, and by helping the unfortunate to support themselves responsibly and to contribute to society.

Second, all young people in America must receive education. They must be instructed in the freedom ideals which America's honored forefathers fought to attain: those embedded in the framework of the Declaration of Independence and the Constitution, those which hold that unity maintains strength, and that freedom within unity creates new ideas. Thus, each individual young person in America must learn the true meanings and limitations of freedom and from this use his initiative to define his position in society.

Third, freedom must be engendered in the hearts of those oppressed by poor rulers or inferior economic conditions. The history of civilization has been one of many failures and few successes. Kingdom after kingdom has risen up, only to fall because of the combination of socio-economic conditions which deprived people of their basic freedoms. Greece was divided into many small states, but one, Athens, rose to greatness because of the liberty of its people. The creative energies of all citizens were channeled into the building of a better city.

Our challenge is to maintain a free society where individual initiative is reaffirmed and where indigent poverty and prejudice is uprooted. Only free, creative people can utilize our many resources fully.

Freedom certainly presents itself as a challenge to every individual. Americans must work to maintain their precious freedoms and not let these freedoms be preempted by false illusions. Young people must be instructed as to the true meaning of freedom. Finally, Americans must transport the ideas of freedom around the globe with the hope that freedom bestowed upon each individual will bring peace and prosperity upon the entire earth for the remaining generations to come.

HICKEL BANS MUSK OX HUNTING IN ALASKA REFUGE

HON. THEODORE F. STEVENS

OF ALASKA

IN THE SENATE OF THE UNITED STATES

Wednesday, March 12, 1969

Mr. STEVENS. Mr. President, I commend to Senators the action taken on March 10 by Secretary of the Interior Walter J. Hickel. Secretary Hickel once again proved himself to be a progressive conservationist by banning the hunting of musk oxen on the Nunivak Island National Wildlife Refuge in Alaska.

Secretary Hickel's announcement was prompted by action in the Alaska State House of Representatives, which last week passed a bill to allow the State department of fish and game to issue big-game hunting tags for the taking of musk oxen on Nunivak, a national wildlife refuge.

The Secretary vetoed a similar bill a year ago when he was Governor of Alaska.

I ask unanimous consent that his cogent remarks be printed in the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

HICKEL BANS MUSK OX HUNTING IN ALASKA REFUGE

"We have no intention of permitting such a hunt," Hickel said. "The musk ox is not a game animal and should continue to be developed for domestic purposes." "To permit such a hunt," the Secretary added, "would be contrary to the intentions of the conservation-minded people who worked so hard in the 1930s to import the first of these gentle animals to this country from Greenland."

"The musk ox is a rare animal and one which, through careful breeding and domestication, offers an excellent means of developing new industry in the Arctic.

"Any short-term profit which might accrue to the state through the sale of big game hunting tags for musk oxen would be more than balanced by the potential danger inherent in opening the door to possible further easing of hunting restrictions in the future because of pressure to increase the number of available trophy animals."

The musk oxen herd on Nunivak now numbers about 750, developed from 34 animals purchased in Greenland and established on the island in 1936.

The island, 18 miles off the Alaska coast on the Bering Sea, was set aside as a National Wildlife Refuge in 1929 under an executive order signed by President Hoover.

The land was withdrawn to permit the U.S. Department of Agriculture to conduct experiments in the development of musk oxen for domestic purposes, and also to conduct research on crossing and propagating reindeer and caribou to provide food for Alaska's native Indians and Eskimos. The program was transferred to the Department of the Interior in 1939.

The federal government and the state of Alaska have an agreement covering cooperative efforts in game and habitat management on Nunivak Island. However, any decision to permit hunting on the federal land would require the Secretary's approval.

"Eight years ago responsible authorities recognized the probability of the musk ox population on Nunivak Island reaching the carrying capacity of the available range," Secretary Hickel said. "At that time a management agreement was worked out with the state providing for position actions to limit further growth of the herd when it had reached a total of 750 animals.

"A seven-step program to handle additional animals was developed, with top priority going to projects to relocate and establish musk oxen in other parts of Alaska—including the Arctic North Slope—and to provide others to husbandrymen who would work on their domestication.

"Public hunting, even on a restricted, permit basis, was fifth in that list of priorities," Secretary Hickel said. "There is no indication at this time that we have taken care of restocking projects, zoological gardens and zoos, and other conservation programs to a point where we should destroy any animals for sport."

The Secretary said that the question of range condition on the island is such that the department is conducting a range sur-

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vey, supervised by Dr. John Tener, chief of the Canadian Wildlife Service.

Tener, one of the world's outstanding authorities on musk oxen, surveyed the range both at Nunivak Island and on Alaska's North Slope in July 1968, and he is continuing a winter survey at the present time.

Hickel said he expects to receive Tener's report in a few weeks, at which time the department will prepare further recommendations on animal transplants.

"If it is determined that transplants are needed, we will cooperate fully," Secretary Hickel said.

DOROTHY LEHMAN BERNHARD

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. BINGHAM. Mr. Speaker, I regret to inform the House of the death last week of a distinguished citizen of my State; Dorothy Lehman Bernhard. She will be greatly missed not only by members of her family and by her many friends, but by the entire community for which she did so much.

The eulogy delivered at her funeral on Sunday by Rabbi Perilman of the Congregation Emanu-El was a beautiful tribute to Mrs. Bernhard by one who had been a friend and associate in good causes for many years. Under leave to revise and extend my remarks, I insert it in the RECORD, together with the obituary article which appeared in the New York Times:

DOROTHY LEHMAN BERNHARD FUNERAL EULOGY

(Delivered by Rev. Dr. Nathan A. Perilman, Temple Emanu-El, March 9, 1969)

Friends: We are gathered here this morning in the kinship of human sorrow. We come to say farewell to the earthly presence of a valiant woman, a gracious lady. The beautiful lines which we read a few minutes ago from the Book of Proverbs describe the qualities that the ancients thought were made for valor. Most often we reserve these lines for someone who has reached a great age, one who has had plenty of time to prove the valiant qualities that made her the model of excellence for her time. Dorothy Lehman Bernhard did not attain that great age, but she has merited the accolade for most of the years of her all-too-brief life.

We come to say farewell to her, to pay the tribute of our hearts for all that was fine and good in her blessed life and by being here to bring comfort not only to those who are bereft of adored mother and grandmother, darling sister, beloved aunt and cherished friend, but to comfort one another in the loss of a great force in the life of our community. We are all diminished by her passing, made less because she will no longer be with us. Not only those who were privileged to know and work with her in the many areas of life that drew her, but uncounted numbers of people, now some of them grown to middle-age and old age, who might perhaps never know her name, and yet knew the benefit of the warmth, the love and wisdom that she brought to their need.

Nothing human was alien to her interest. But most of all she was drawn to children; those who were abandoned, neglected, forgotten, uncared for; those who needed help, found help in her.

The ancient prophet could say, "here am I, send me". She could say, "if I'm needed, I'll be here". And when she was needed, she was always there. Not just as "Lady Bountiful", but as one who involved herself completely in the needs of those to whom she gave so much of herself. If she needed the help of the State Legislature, or the City Council to ease the way of the neglected children of our community, she turned to them. Because she believed that it was not proper for children to be brought up in the cold walls of an institution, she gave herself, many years ago, to the work of foster parents, and herself was a foster parent to a number of children from other countries and from our own. She built in so many ways monuments that we can find if we but look about.

Dorothy Bernhard went to every part of the world to see where things were done better and then tried to improve upon them here in our own community, in our own country. To list the activities that she engaged in would surely be to omit too many. And yet there were some that were very precious to her—Jewish Child Care, Foster Home, the Institution of International Education. She could be the most generous person in the world when it came to human needs, when it came to ideals, to principles, to rules for living; she turned to those things that time had tested, values that were proved and practiced in her own life.

How should one speak of the very special love that was in her heart, that bound her to family as loyal, loving and devoted daughter who honored her parents in their lifetime and revered them in memory? As the darling wife of him whom she now joins in the life beyond, as that wise and good mother of her sons and the daughters who came to her in marriage. To them she was not only loving mother, but wise counsellor, good companion and understanding friend. Their friends became a part of her own larger family. They knew the warmth and the hospitality and welcome of her beautiful home where they found not only things of great beauty and excellence in the world of art, but a profusion of flowers that gave expression to life in every nook and corner. It was their home as it was hers.

So it was in her Canadian home which was haven to old friends and to neighbors and to new friends who always found warm welcome because warmth issued so affectionately from her.

Almost always when I saw her in whatever company, it was always in some good cause, she was surely one of the most distinguished persons present by almost whatever measure one could possibly apply. And yet there was a quiet dignity, a simplicity and great humanity about her which made her presence felt in a very special way. With all of her knowing about the work and needs of children, she never acquired the crispness, or even hardness, of those who know so very much.

I first came to know Mrs. Bernhard in 1932 when she was Chairman of Patronesses for our then Emanu-El League, which put on very bad musical shows for a very good cause. They worked for scholarships for young people. At that very time when she was yet a very young woman her family asked her to take charge of a most important task, to bring out those who were caught in the furnace of German fury and terror and destruction. She brought out more than a hundred and didn't stop with that. She involved herself in their lives, followed them to every part of the country to which they went, watched with joy and pride their quick accommodation to American life, and watched with loving care over those who couldn't make their way. A woman of valor, a gracious lady.

To her we say, go in peace, may peace and quiet be thy portion in life eternal. To her children and grandchildren, to her sisters and brothers who came to her in marriage, to the nephews and nieces, to all who were bound to her by whatever tie, the best of her will remain right here in the treasure-house of loving memory. Not because memory is so unfailingly good, we forget a lot of things, but we will always have need of those who care and those who do, those who can say, "if you need me, I'm here", and are always there when called upon. Such was the life of Dorothy Lehman Bernhard. Amen.

[From the New York Times, Mar. 7, 1969]

DOROTHY LEHMAN BERNHARD DIES; CIVIC LEADER AND PHILANTHROPIST

Mrs. Dorothy Lehman Bernhard, civic worker and philanthropist and the widow of Richard J. Bernhard, investment banker, died of cancer yesterday. She was 65 years of age and lived at 46 East 71st Street. She also maintained a home on Penguin Island, New Brunswick.

Mrs. Bernhard, who was born in New York, was the daughter of Arthur Lehman and the niece of Herbert H. Lehman. Her mother was the former Miss Adele Lewisohn. Mrs. Bernhard was educated at the Horace Mann School and was graduated from Wellesley College. Her husband, who died in 1961 was with Wertheim & Co.

Mrs. Bernhard was active in child welfare and social work. At one time she was a member of the State Board of Social Welfare, and in 1960 Mayor Robert F. Wagner appointed her to the city's Advisory Board of Public Welfare. She was also chairman of the Advisory Committee of the Hunter College School of Social Work.

For more than a quarter of a century she was a moving force in the Child Welfare League of America, serving as president and vice president. In 1962 she received the organization's first Child Welfare Award. It was presented to her by Mrs. Franklin D. Roosevelt at a dinner at the Plaza.

Mrs. Bernhard was also vice chairman of the Institute of International Education and was a trustee of the Federation of Jewish Philanthropies. She was also a member of the board of directors of the New York Philharmonic, a post to which she was appointed last June.

Mrs. Bernhard was the owner of a notable art collection and was quite knowledgeable about painting. Her collection, included works by Cèzanne, Van Gogh, Renoir, Sisley, Fantin-Latour, Seurat, Picasso, Corot, Manet, Monet, Degas and Pissarro. She was a benefactor of the Metropolitan Museum of Art.

Mrs. Bernhard is survived by two sons, Robert A., a partner in Lehman Brothers, and William L.; two sisters, Mrs. John Loeb and Mrs. Benjamin Buttenwieser, and four grandchildren.

A funeral service will be held on Sunday at 11 A.M. at Temple Emanu-El, Fifth Avenue and 65th Street. Burial will be at Salem Field Cemetery, Brooklyn.

REPEAL OF THE PRESIDENTIAL SALARY REVIEW COMMISSION

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. ZWACH. Mr. Speaker, I have introduced a bill to repeal that section of the postal salary and revenue bill of the 90th Congress which authorized the Presidential Salary Review Commission of top Federal officials and to void the very recent outlandishly high salary increases which resulted from this back-door type of legislation.

As many of you will recall, this amendment, which established this hidden route of increasing salaries of Congress-

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men, was only approved by a narrow margin of 12 votes in the 90th Congress. Not only were these increases oversized, they are completely out of step with the need for this Congress and administration to provide leadership in fighting inflation, balancing the budget, and in showing restraint at this time.

In addition, I believe it is imperative that Congress reestablish themselves as serving as the legislative body only at the will of the governed. I believe that any future salary increases for Congressmen should not be voted for the incumbents, but for the holder of that office after the people decide who should hold that office.

THE 50TH ANNIVERSARY OF THE AMERICAN LEGION

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Wednesday, March 12, 1969

Mr. THURMOND. Mr. President, on March 11, 1969, some 2,600,000 Legionnaires across the Nation were joined by Members of the Senate and House of Representatives in commemorating the 50th anniversary of the American Legion. As a Legionnaire of long standing, I am proud and happy to join my comrades in recognizing the dedication and service of those who have worked long and hard on behalf of the American Legion and our Nation.

As a highlight of this golden anniversary, the American Legion's anniversary gift to the Nation will be the permanent lighting and maintenance of the Tomb of the Unknowns and the Temple Facade at Arlington National Cemeteries. This gift is exemplary of the pledge found in the preamble to the American Legion constitution, drafted in 1919, "to preserve the memories and incidents of our associations in the great wars." It is a fitting tribute by a great organization of war veterans to their comrades who have paid the supreme sacrifice.

At the time of the ceremony at the Tomb of the Unknowns, hundreds of "flames of freedom" torches will be lighted across the Nation, as a tribute to the dead of all wars. May these torches serve to remind all of us of the great service performed during the past 50 years by the American Legion and guide it to greater achievements in the years ahead.

Let us also remember as we pay tribute to this organization of millions of war veterans that the ideals upon which the American Legion was founded are being tested to a greater degree than ever before.

Our Nation is faced with a continuing conflict in Vietnam, with serious international problems in Europe and Africa, and a new crisis grows to alarming proportions in the Holy Land.

At home we have witnessed other problems of major import, that of civil disobedience, defiance of the draft laws, concentrated efforts to stem our own efforts in Vietnam and all Asia. These are not isolated incidents. We have even seen the symbol of our heritage, the flag of the United States of America desecrated.

It seems to be a fact of life that there are those among us today who are willing to taste citizenship, but who recoil in horror when it is suggested that they, too, must shoulder their share of citizenship responsibility.

While we are sending young men 10,000 miles from home to fight, and perhaps die, in the cause of freedom, here on the home front many of us are too pathetic and lethargic about preserving the very virtues and principles for which we are asking those young Americans to risk their lives.

These are not the words and deeds of the men who founded the American Legion 50 years ago. Certainly not the words or deeds of those joined in celebrating this 50th anniversary.

The national commander of the American Legion, William C. Doyle, has sounded the key note of this golden anniversary with "50 years of 100 percent Americanism."

Commander Doyle explains this as a calm reasoned approach to and concern for our beloved America. An earnest effort to seek sane and sound solutions to our problems within the framework of law. It is a love of country and respect for its institutions. It is the respect for the rights of our fellow men; it is a concern for the freedoms of men, as God-given rights, but with a recognition that every right carries a responsibility.

This simple declaration of duty to and love of our country, is the ultimate demand of good citizenship. To work, to honor, and when necessary fight for those principles we all hold dear.

This the American Legion has done through 50 years and four great conflicts. For this, I am proud to salute the American Legion and wish Godspeed in the next 50 years.

Mr. President, the American Legion magazine of March 1969 contained an excellent article on the founding of the American Legion in 1919. I ask unanimous consent that it be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE PARIS CAUCUS, MARCH 15, 16, 17, 1919

Exactly 50 years ago this March 15, what turned out to be the first meeting of The American Legion was held in the American Club, 4 Rue Gabriel, Paris, France.

Present were a number of WW1 officers and enlisted men then on active duty overseas, four months and four days after the Armistice of Nov. 11, 1918.

Nobody today knows how many people were present. One vote was recorded on that Saturday, March 15, 1919, as "279 to 72 with many not voting," so there were "many" more than 351 in the hall then. The names of 463 are preserved, but others came and went without registering. It is known that many who were not registered among the 463 were there, for they served on committees. For instance, the late J. Monroe Johnson, of South Carolina, served on several committees but wasn't registered. He was for many years later a prominent national official, one of Harry Truman's political stalwarts in the Democratic party, and a tower of strength in the Legion (where he always removed his political cap and donated abounding good humor, priceless wisdom and impartial influence).

Lt. Col. Theodore Roosevelt, Jr.,[*] son of the 26th President of the United States, had joined with 19 other officers to call the Paris meeting for the purpose of forming a veterans' organization. They connived (chiefly by getting dubious orders written) to bring into Paris officers and enlisted men from as many different military units then in France as they could.

The U.S. high command didn't authorize the meeting. In fact it had to look the other way, because one of the ground rules of that first Legion meeting was most unmilitary. As men from brigadier general to private walked into the hall they shed their rank and debated as equals. (Few if any of the officers were Regulars. Like the enlisted men present the officers were already viewing themselves as civilians-soon-to-be.)

The enlisted men weren't the only ones to enjoy the "no rank here" rule and to abuse it with occasional snide remarks about officers. Even a major would now and then say something on the floor about colonels that he wouldn't repeat outside. Thus, in the second meeting, two days later, the 36th Division's Major Maurice K. Gordon (now a Madisonville, Kentucky, lawyer in his 90's), moved to adopt the name "American Legion." His chief reason was that it was the fifth and last choice of a committee named by "the brass" to recommend a name. Major Gordon's logic was so delightful that the name "American Legion" carried unanimously. When pleasingly plump Sgt. Alexander Woollcott, of later literary fame, objected to the name "American Legion" someone else called him a "fat medico" and he subsided.

But if the delegates had such fun and sport with one another, they were deadly serious about forming a veterans organization that would (1) continue in peace the comradeship that war had thrown them into, and (2) continue in peace the sense of service and dedication to America that in war had led them to offer their lives for their country.

They were determined not to create another Grand Army of the Republic or United Confederate Veterans, both of which got into partisan politics after the Civil War.

In this aim, Teddy Roosevelt, Jr. (a leading young Republican) and Bennett Champ Clark (a leading young Democrat from Missouri, later to serve long in the Senate and spearhead the WW2 GI Bill) joined hands together in a non-partisan gesture as early leaders of the embryo Legion.

The March 15 meeting in Paris took much time to do little business. The secretary, the late Major Eric Fisher Wood, of Pennsylvania, took the chair because Roosevelt had already been returned to the States by the Army.

Wood (whose son, Eric, Jr., was to become one of the legendary heroes of the Battle of the Bulge in WW2, fighting on alone to his death when his regiment was overwhelmed and surrendered) explained for what purpose the members of the caucus had been called through the efforts of Roosevelt and his 19 officer friends. That took a long time, as few there yet knew what was up.

Then Bennett Clark took the chair, Wood reverted to secretary, and Captain Ogden Mills moved that committees be named to draw up and submit plans for (1) permanent organization, (2) a constitution, (3) a name, and (4) a later convention in the States in 1919. Mills, scion of a wealthy New York family and later U.S. Secretary of the Treasury, also helped finance the Legion in its difficult formative months in 1919.

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[*] He died of a heart attack as a Brigadier General on the Normandy beachhead one war later.

With the naming of committees, the March 15 meeting adjourned shortly before 6 p.m. It had been a long day.

On Sunday, March 16, the committees deliberated and prepared their reports, and there was no general meeting.

The second, and final, general meeting of the Paris Caucus assembled in the Cirque de Paris, an amusement hall that had been taken over by the Y.M.C.A., at 9:25 a.m., Monday, March 17, 1919. The only known existing photo of the Paris Caucus, is of that March 17 meeting. Bennett Clark called the meeting to order, but as he had to leave on military business the chair was taken by Lt. Col. Thomas W. Miller, then of Delaware and the 79th Division. Of all of those with leading roles at Paris, only Miller is still an active national Legion official 50 years later. He is the National Executive Committeeman for Nevada. In 1968 he became the sixth of the Legion's early founders to be voted the honorary title of Past National Commander never having been National Commander.

A five-man delegation was sent to wait on President Woodrow Wilson and invite him to the caucus. Wilson was then in Paris for the peace conference. The five-man committee included three brigadier generals, a sergeant and a private. The last two—who worked on the Army newspaper *Stars and Stripes* in Paris—were Private Harold W. Ross and Sergeant John T. Winterich. Both were later editors of the American Legion's magazine, and Ross left it to found, publish and edit the New Yorker magazine until his death. They returned from their mission empty-handed. Wilson would not see them, and writer Laurence Stallings later complained of something aloof in Wilson's character which led him never to visit any of the battlefields or establish any personal rapport with the WW1 Doughboys.

Down through the years, many Legion founders have lodged one complaint about Eric Wood (who was also named an honorary Past National Commander before his death). As secretary, they said, he didn't record half of the salty stuff that was said on the floor on March 17. Perhaps Wood is to be commended for exercising a little judicious censorship in his minutes. There was intense suspicion that the 20 officers under Roosevelt who'd called the meeting had something up their sleeves. From what has come down in history by word of mouth, these suspicions were often expressed in plain language.

Even the Chief of Chaplains of the AEF, Bishop Charles Brent, came to the Cirque de Paris brooding with suspicion. He was already forming a veterans organization called Comrades in Service. But when, on March 17, the caucus approved a preamble not unlike the present Legion preamble, Bishop Brent seconded the motion, said he'd been afraid that an organization without purpose was being formed, and on the spot threw Comrades in Service into the Legion.

Though far from perfect, the reports of the four committees that had worked on Sunday are remarkable for how much they conceived in one day's work that was right, and endured.

The present structure of the Legion, with state, territorial and overseas Departments, all enjoying a large degree of self-rule, was fairly spelled out by the 13-man Committee on Constitution. It included Tom Miller, Ross, Winterich and others who for years continued to give the Legion a large degree of leadership. Among the 13 were Lemuel Bolles (later National Adjutant), Milton Foreman of Chicago (also later made an honorary Past National Commander) and Frank A. White, later Treasurer of the United States.

Foreman, a wealthy lawyer (born during the Civil War and a Spanish war veteran), was the "father" of the Illinois Legion. He personally saw to it that no Illinois delegate lacked funds to attend the first national convention in Minneapolis the following November. Without personal contributions to the Legion in 1919 by such men of means as Roosevelt, Foreman, Franklin D'Olier, Mills and others, the Legion might have died, or become an ex-officer's organization. The enlisted men were turned out of the Army with little money in their pockets and often jobless. They hardly had the means to see the Legion through its expensive first year.

The Committee on Constitution in Paris wrote a preamble in one day's work which, though it differed from the final premable, contained four of the fundamental statements that still endure.

No clear history exists that explains in detail how the Legion became semimilitary in its trappings and titles. The view of Legionnaires from the start was that the Legion is a civilian organization. Military sounding titles and uniforms were not conceived in Paris. The Committee on Constitution proposed that the officers be a president, vice-presidents, a secretary, a treasurer and a board of directors. The substitution of commanders, vice-commanders, adjutants, finance officers and judge advocates came later. The next caucus, in St. Louis in May, drafted a much more detailed proposed constitution, but strangely made no suggestion for national officers at all.

Sometime between May and November, the idea of military sounding titles came into being. The familiar commanders, vice-commanders, etc., were written into the *official* constitution at the first national convention in November without debate or anything on the written record to explain the switch from "president" to "commander." One permanent effect of that change has been that many outsiders have ever since supposed the Legion to be quasi-military—a sort of *bund* to its enemies and a loyal, reserve militia to its friends. The military titles and uniforms obscure the fact that there are only blanks in the ceremonial rifles, and that the Legion's main concern is with selfless and responsible American citizenship and service.

The delegates at Paris completely and wisely, reversed the majority report of the Committee on Convention, headed by Col. J. H. Graham. The majority report called for selecting representatives to a later convention in the States on the basis of military units. It offered a complex plan whereby delegates should be chosen from battalions, divisions, corps, armies and supply units, etc. The same Major Gordon who sold the name "American Legion" because it was the last choice of the leadership, resisted the majority Convention report by writing a minority report. He urged that another meeting be held in the States to bring off a convention, and that representation be based on the "place of residence," not military units. This tallied closely with the report of the Committee on Permanent Organization, chaired by the same William J. (Wild Bill) Donovan who headed our "cloak-and-dagger" O.S.S. in WW2. Donovan's committee urged that at Paris an Executive Committee be named to go back home and organize locally, then have another caucus with a broader base. It agreed with Gordon's warning not to try to settle too many matters until a more representative meeting could be held. This sat very well with the more suspicious members of the Paris Caucus. The upshot was that in Paris both the Convention and Permanent Organization reports were scrapped. A special committee was given a few hours of recess to bring in a new report. Its report was adopted. The heart of it was that an Executive Committee be named, made up of men from every state. Its members should get local organization going all over the country to supplement work Roosevelt was already doing in the States. Then, in six weeks, a much larger meeting should be held in the States to iron out the problems of calling an official convention, and to make more considered suggestions for permanent organization.

Six weeks still seems pretty ambitious as a target date to have been set in Paris, but the St. Louis caucus was actually held only seven weeks later. By then there were Legion units formed or forming all over the country.

If anything is more remarkable than the speed with which the Legion leaped from a groping idea in Paris to a nationwide body in being, it is the enormous amount of ground covered in three days in Paris by a large, unwieldy and sometimes contentious group. The organizational skill of the Legion's founders, as put into practice, may have no parallel in America history. Eight months after Paris, at the time of the first national convention, the Legion had roots all over the country with nearly 700,000 paid up members.

CONGRATULATIONS TO MEMPHIS OFFICIALS FOR REMARKABLE ACHIEVEMENT

HON. DAN KUYKENDALL

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. KUYKENDALL. Mr. Speaker, the time now has come to compliment and congratulate a group of individuals who have done their duty with the world looking over their shoulders and who have done it well.

Since an assassin's hand struck down Dr. Martin Luther King in Memphis almost a year ago, the harsh glare of the public spotlight has focused on Memphis, Tenn., and its citizens. In the intervening months we all have watched and read avidly as each step in the succeeding drama has unfolded and been duly chronicled.

Throughout it all, there has been a quiet and stubborn determination on the part of many people to carry out the ends of justice without being stampeded; to investigate the crime and seek out the guilty; and to leave no room for the cry of bias, vigilante justice, or whitewash.

The list of these people is a long one: The Memphis City Police, under the direction of Frank Holloman, who worked untiringly to protect their city against those who would have torn it apart in their anger and frustration, and who still had a murder to solve; the Shelby County officers and their able Sheriff William N. Morris, Jr., who stood shoulder to shoulder with their brother officers in the time of trouble and later guaranteed one of the world's most famous prisoners his safety; the Federal Bureau of Investigation, whose Agent-in-Charge, Robert Jensen, was acting directly under the orders of Director Hoover to help solve the case; and the Tennessee National Guard task force, under the command of Gen. Hugh B. Mott, who came to a stricken town offering an outstretched hand and asking only "What can we do to help?"

Judge W. Preston Battle's scholarly domination of his courtroom may well become a hallmark for other jurists to follow in the future, and the painstaking care with which our district attorney general, Phil M. Canale, built the case

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against James Earl Ray resulted this week in a guilty plea and a conviction.

Whether the case of the State against James Earl Ray is yet closed, these citizens of Memphis, Shelby County, Tenn., and the Nation who banded together in the pursuit of only one goal—justice for a defendant and a wronged citizenry.

And in the pursuit of that goal, they left a message for all to read—that justice for all means more than just the last three words of the pledge of allegiance to our Nation's flag.

CONDITION OF JEWS IN ARAB COUNTRIES

HON. JACOB K. JAVITS

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Wednesday, March 12, 1969

Mr. JAVITS. Mr. President, there is deep concern regarding the fate of the Jewish residents left behind in Arab countries. For many of them, occupants of communities dating back many centuries, the question of emigration is no less than a matter of life or death, for the situation is, especially in Iraq, deteriorating at an ominous rate.

President Nasser, of Egypt, indicated in an interview published last week that Egyptian Jews were free to leave if they wished to do so. As Iraq has been called on to permit the Jews to emigrate to freedom, so the United Arab Republic should be called on to do the same.

The Buffalo Jewish Review of February 14 published an interesting and informative article by Prof. Joseph A. Hasson of the State University College at Buffalo on the condition of Jews in Arab countries. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE CONDITION OF JEWS IN ARAB COUNTRIES

(By Dr. Joseph A. Hasson)

The civilized world has been shocked and indignant at the hanging of fourteen men, nine of whom were Jewish by the Iraqi Government on charges of spying for the Israeli Government. These hangings have been characterized as barbaric and inhumane and have served to focus widespread attention on the plight of Jews in Arab countries. More than 10,000 Jews are still living in these countries under difficult and threatening circumstances. The Israeli Government has issued an impassioned appeal to save their lives.

Since the eve of the Six Day War in June, 1967, Jewish Communities in Syria, Iraq, Egypt, Libya, Morocco and elsewhere have been exposed to a grim sequence of constantly mounting persecutions, harassments and imprisonment. The once flourishing Communities had already been greatly reduced and impoverished in Arab countries where they have resided for hundreds of years. Large numbers had fled to Israel which was for them a haven of refuge, with a deeply religious messianic and nostalgic significance. Not all Jews chose or were able to leave, however.

At the Islamic Congress in Amman, Jordan in September, 1967, a resolution was adopted on all Moslem peoples to boycott Jews in their lands and to treat them as sworn enemies. Jewish persecution in Syria, Iraq and Egypt, in particular, are a violation of obligations assumed by these States under the United Nations' Universal Declaration of Human Rights. The treatment of Jews in Arab countries contrasts unfavorably with the treatment of Arabs under Israeli rule. Extensive efforts by various groups, public and private, have been made to relieve their position. Public bodies, including the Governments of Greece, Spain, Italy and, even, France as well as private bodies—the Jewish Agency, the American Jewish Congress, the American Jewish Committee, the B'nai B'rith, the World Sephardic Federation, the International Red Cross and others—have been persistent in their attempts to obtain the release of Jews who have been held hostages in Arab countries.

Some comments on the Jewish position in each of several countries follow:

Egypt: The Jewish Community here is down to about 2,500 persons from about 80,000, about twenty years ago. Hundreds were arrested in 1967, confined in jail and, according to some reports, treated inhumanely, deprived of food, water and subjected to physical mistreatment and indignities. About 600 Jews were thrown into the prisons of Abu Zaabal and Turah near Cairo and La Burrago near Alexandria. Some have managed to leave, but frequently they have been compelled to go without their families. The Egyptian Government has since banned the exit of the remnants of what once was a large and prosperous Jewish Community. Most synagogues are closed and Jewish persons not imprisoned are scattered in small groups and in great danger. The country that once welcomed a harassed Maimonides has hardened its heart and refuses to let our people go.

Libya: The Jewish Community in this country of North Africa has been maligned and after the Six Day War was victimized by mob violence. Families sought refuge behind barricaded doors in their homes. They were confronted with severe shortages of food. Their shops were burned; their apartments were gutted; their houses of worship desecrated. The Government of Libya initially was adamant against permitting Jewish persons from departing. Subsequently, they reversed their positions so that now there are less than 100 Jews in Libya.

Syria: The Jewish position in this country was extremely grave even before the June, 1967 War. Repeated reports of a brutal policy by Kameshli officials were leaked to the world. Jews were exposed to unannounced night arrests, interrogations and torture. They were restricted in their movements; their opportunities for employment were limited. Starvation has been imminent amongst them. Yet the Government of Syria has repeatedly refused to grant the Jewish people exit permits.

Iraq: Two decades ago, Iraq had the largest, most flourishing Jewish Community in the Middle East. It had a history that reached back 2,500 years to Biblical times. At the end of the 1940's, its total population was about 130,000. By 1967 at the outbreak of the War, its numbers had been drastically reduced to about 3,000, largely as a result of a mass exodus of persons airlifted to Israel via Cyprus. The emigres had first been stripped of all their property by the Iraqis. Hence, the positions of those Jews who had remained behind had been bad before the War. Since the Arab-Israeli conflict, approximately one hundred Jewish heads of families and community leaders have been incarcerated. The Grand Rabbi of Iraq, Lasson Khadouri, has intervened for their release without success. Jews have been searched in their homes, forbidden to travel freely, subjected to constant surveillance and subjected to confiscation of remaining belongings by the Iraqi Court of Cassations. They have suffered tremendous economic losses and been on the brink of complete impoverishment. While they have existed under such severe conditions, the Government of Iraq has brought espionage charges against Jewish and other persons. Despite an outraged world public opinion, led by the Secretary-General of the United Nations, U Thant, who deplored the Iraqi hangings on humanitarian grounds, the Government has refused to declare the evidence which led to the conviction and condemnation of the persons involved, Jewish or non-Jewish.

Jewish persons in other Arab countries are in varying degrees of uncertainty and danger. While the Moroccan officials have sought to allay its Jewish Communities, there is anxiety and isolated incidents entailing physical assault have been reported. In Tunisia, President Bourguiba had denounced riots which led to the sacking of synagogues. Algeria, despite its opposition to Israel, has not mistreated its Jewish population, most of whom are French citizens. Terrorist outbreaks against Jews have occurred in Aden. The Community has been evacuated. Jews have been protected by public authority in Lebanon.

Meanwhile, the Israeli Government has issued an impassioned plea for the rehabilitation of Jews from Arab countries, especially, Syria, Iraq and Egypt. The issue has been raised in the United Nations. The cautious hope and careful negotiations have given way to anxiety and gloom for the remnants of Jewry in the Arab World. In the Israeli Knesset, Prime Minister Eshkol in a special memorial session, read the names of the nine Iraqi Jews and referred to them as "harugey malchut" (martyrs of the kingdom), a Talmudic term denoting those executed by a hostile master for the sole reason of being Jews.

MESKILL SENDS QUESTIONNAIRE TO SIXTH DISTRICT CONSTITUENTS

HON. THOMAS J. MESKILL

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. MESKILL. Mr. Speaker, today I am once again sending a questionnaire to every postal patron in the Sixth Congressional District of Connecticut.

At a time when voters are increasingly aware of world and national events, I think it is vitally important for a Representative to know his constituents' views on some of the major issues coming before the Congress. Polling my constituents in the Sixth District will help me to do a more effective and responsible job of representing them—of making good decisions based on their needs and aspirations.

From past experience, I can testify that people do want to be asked their opinion. They appreciate being included in the governmental process; they want to have the opportunity to tell their Representatives how they feel about issues that affect their everyday lives.

When I mailed out my last questionnaire, I received many complaints that there was no space provided for a spouse's response. This questionnaire has been designed in an attempt to rectify this situation. There are boxes provided on the same card for the responses of both the husband and the wife to allow them

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to express different opinions if they wish. This year I am looking for an even higher percent of response.

As soon as tabulation of the questionnaire is completed, I shall publish the results along with my own answers and comments.

The 10 questions to be asked are:

1. Should the Federal Government develop laws to help prevent strikes by public employees?
His............ Yes ☐ No ☐ Undecided ☐
Her............ Yes ☐ No ☐ Undecided ☐

2. Do you favor Federal aid to private and parochial schools?
His............ Yes ☐ No ☐ Undecided ☐
Her............ Yes ☐ No ☐ Undecided ☐

3. Should the voting age be lowered to 18 years?
His............ Yes ☐ No ☐ Undecided ☐
Her............ Yes ☐ No ☐ Undecided ☐

4. If a satisfactory peace in Vietnam cannot be secured in the foreseeable future which of the following, if any, would you favor?
(a) Withdrawal of U.S. forces, even if this means a Communist takeover..... ☐ ☐
(b) Adhere to holding operations by joint United States-South Vietnam forces.... ☐ ☐
(c) Bring increased military pressure to bear on North Vietnam.............. ☐ ☐
(d) None of these.................... ☐ ☐

5. Would you favor a constitutional amendment which would allow Congress to override a Supreme Court decision by a two-thirds vote?
His............ Yes ☐ No ☐ Undecided ☐
Her............ Yes ☐ No ☐ Undecided ☐

6. Should the electoral college be abolished and the selection of the President and Vice President be purely and simply by popular vote?
His............ Yes ☐ No ☐ Undecided ☐
Her............ Yes ☐ No ☐ Undecided ☐

8. Should the United States adopt a 12-mile offshore territorial limit against other nations which impose more than a 3-mile limit?
His............ Yes ☐ No ☐ Undecided ☐
Her............ Yes ☐ No ☐ Undecided ☐

9. Should the Federal Government try to slow the population migration from rural to urban areas through programs of economic incentives and aids to private industry to help create jobs in rural areas?
His............ Yes ☐ No ☐ Undecided ☐
Her............ Yes ☐ No ☐ Undecided ☐

10. At the conclusion of the Vietnam conflict, would you favor granting amnesty to those who fled the country or were imprisoned because of conscientious objection to the war?
His............ Yes ☐ No ☐ Undecided ☐
Her............ Yes ☐ No ☐ Undecided ☐

PUBLIC INTEREST IN POLLUTION PROBLEMS

HON. J. CALEB BOGGS

OF DELAWARE

IN THE SENATE OF THE UNITED STATES

Wednesday, March 12, 1969

Mr. BOGGS. Mr. President, an article published in yesterday's edition of the Christian Science Monitor is encouraging to those of us who are concerned with the prevention of pollution of our air and water.

The article, written by Mr. Robert Cahn, told of a recent Gallup poll which indicated that that concern is shared by great numbers of the American people. It also showed that concern over pollution is not the province of any special group of people. It is shared by city people, rural people, and the young and old alike.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PEOPLE ROUSED ENOUGH TO PAY MORE TAXES—POLL FINDS ALARM OVER POLLUTION

(By Robert Cahn)

WASHINGTON.—Most Americans—not just the nature enthusiasts—are troubled about pollution of their environment.

This is the major conclusion of the first Gallup Poll ever taken sampling national public opinion on the effects of environmental deterioration.

About half (51 percent) of all persons interviewed said they are "deeply concerned" about the effect of air and water pollution, soil erosion, and destruction of wildlife.

About one-third (35 percent) said they are "somewhat concerned." Only 12 percent said they are "not very concerned."

And three out of every four people interviewed backed up their concern by stating they would be willing to pay additional taxes to improve natural surroundings.

The poll was commissioned by the National Wildlife Federation, and its conclusions were the highlight of the federation's 33rd annual meeting here.

PUBLIC THINKING REFLECTED

Thomas L. Kimball, executive director of the federation, said it sponsored the Gallup survey in the face of increasing criticism from some people, including members of Congress, that organized conservation groups don't truly represent the general public's thinking.

"Conservationists are accused of talking only to themselves," Mr. Kimball said. "But this poll puts us in the category of knowing on a sound statistical basis how the public really feels about the total environment."

He urged the delegates of regional wildlife groups in the federation, who represent a combined membership of 2 million persons, to take the issues "to the guy in the street. We now know that they care and will pay for what is needed."

In announcing results of the survey, Dr. George H. Gallup, president of the American Institute of Public Opinion, told delegates that the statistics on willingness to pay additional taxes to improve natural surroundings were especially significant.

FUND AVAILABILITY SEEN

"People are never eager to pay additional taxes, so these figures must be regarded as very encouraging," he said. "When these percentages are projected to the national adult population, it is clear that large potential funds are available to improve our environment."

The keynote speaker for the conference, Sen. Henry M. Jackson (D) of Washington, said that economists have estimated it will cost between $26 billion and $29 billion over the next five years to clean up streams, lakes, bays and rivers, and $15 billion a year to get clean air in Metropolitan areas alone.

"A new attitude of concern for values which cannot be translated into the language of the marketplace or computed in cost-benefit ratios is being felt and seen in citizen efforts to save parks, open spaces, and natural beauty from freeways, reservoirs, and industry," said Senator Jackson, chairman of the Senate Interior Committee.

ONE OF NATION'S BIG ISSUES

"People are no longer complacent about the quality of their surroundings, about the use of the environment, and the way in which public resources are administered," he added.

Secretary of the Interior Walter J. Hickel also took note of the conservation trend.

"The impact of environment on people has become one of the nation's big issues," he told federation delegates.

One has to be zealous about conservation, he said, and "attack the problem as if it were war, because it is. The potential extinct species are not certain animals and birds, but people—you and me."

An oil spill off Santa Barbara, Calif., and disastrous flooding in that state, air pollution, the destruction of Lake Erie are not just freakish incidents, he said.

"Nature is reminding us that with all our technical and scientific progress, we dare not ignore natural forces. We cannot shut ourselves off from the natural world. In our cities and suburban complexes more of us are more vulnerable to a failure of the environment than ever before."

Dr. Gallup said the survey was conducted during the last part of January by personal interviews with a national sample of 1,503 adults, 21 years of age and over. The results can be projected to the national adult population of the nation with a high degree of accuracy, he said.

NONURBAN AREAS PREFERRED

In addition to questions about concern over natural surroundings and willingness to pay added taxes, questions were asked about which environmental problems were most severe, possible corrective measures, the necessity to limit human population, areas thought to be most pleasant for living.

Results included these highlights:

More men (56 percent) were "deeply concerned" over the environment than women (46 percent).

Although most Americans live in urban areas, the overwhelming majority, when asked where they would like to live if they had a choice, said they would prefer non-urban areas.

The most pressing conservation problems are air pollution (36 percent) and water pollution (32 percent).

Only 5 percent of those polled rated wildlife preservation as the most urgent conservation problem. (Mr. Kimball expressed disappointment over this result, and warned delegates they needed to work harder to convince the public of the need for wildlife preservation.)

Respondents were evenly split on the question of the need to limit human population in order to maintain present living standards. Dr. Gallup said that, surprisingly, the breakdown among Roman Catholics and non-Catholics also was just about even on the subject.

A huge majority (75 percent) is in favor of setting aside more public lands for conservation purposes.

Following are some of the statistical results:

You may have heard or read claims that our natural surroundings are being spoiled by air pollution, water pollution, soil erosion, destruction of wildlife and so forth. How concerned are you about this—deeply concerned, somewhat concerned, or not very concerned?

	Deeply concerned	Somewhat concerned	Not very concerned	No opinion
National results	51	35	12	2
By sex:				
Men	56	31	10	3
Women	46	38	14	2
By age:				
21 to 34 years	51	41	7	1
35 to 49 years	50	38	10	2
50 years and older	52	28	16	4
Undesignated (19)				
By size of community:				
1,000,000 and over	51	36	8	5
250,000 to 999,999	52	35	11	2
50,000 to 249,999	55	35	9	1
2,500 to 49,999	52	31	16	1
Under 2,500	46	37	14	3
By region of country:				
East	46	38	12	4
Midwest	56	34	9	1
South	44	36	16	4
West	59	31	10	0

How much would you be willing to pay each year in additional taxes earmarked to improve our natural surroundings—a small amount such as $10 or less, a moderate amount such as $50, or a large amount such as $100 or more?

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[In percent]

	Small amount	Moderate amount	Large amount	None	Don't know
National results	51	18	4	9	18
By sex:					
Men	49	21	6	9	15
Women	53	16	2	9	20
By age:					
21 to 34 years	53	25	5	5	12
35 to 49 years	52	20	3	8	17
50 years and older	49	13	4	12	22
By annual family income:					
$10,000 and over	45	28	10	6	11
$7,000 to $9,999	52	20	3	10	15
$5,000 to $6,999	59	15	2	8	16
Under $5,000	52	10	1	11	26
Undesignated (18).					
By region of country:					
East	49	17	6	9	19
Midwest	56	19	3	11	11
South	51	15	3	6	25
West	47	24	3	9	17

In this country, which one of these do you think is the most pressing problem connected with our natural surroundings?

[National results in percent]

Air pollution	36
Water pollution	32
Pesticides (chemicals used to kill insects)	7
Preservation of open green spaces	6
Wildlife preservation (birds and animals)	5
Soil erosion	4
Don't know	10
Total	100

In your opinion what can be done to correct air pollution?

Find way to control auto exhaust	24
Control chemical and industrial wastes	17
Provide filters, smoke-control devices	16
Enforce law or pass new legislation	10
Careful study, research	7
Do away with gasoline engine	6
Control burning of rubbish or garbage	3
Move industry to the suburbs	2
Educate the public	1
Other answers	3
Don't know	31
Total[1]	120

In your opinion what can be done to correct water pollution?

Stop industrial pollution	26
Enforce law or pass new legislation	23
Keep sewage out of water	12
Individuals should be more careful	8
Careful study, research	5
Sewage conversion plants	5
Educate the public	3
Chemically purify the water	3
Use filters	2
Other answers	2
Don't know	27
Total[1]	116

In your opinion what can be done for preservation of open green spaces?

Set aside land for parks, forests	31
Better zoning	31
Limit the spread of commercialization	11
Other answers	4
Don't know	30
Total[1]	107

In your opinion what can be done to correct the problem of pesticides?

Use different, improved pesticides	26
Government controls, laws	18
Use with discretion	14
Stop using pesticides	7
Other answers	6
Don't know	31
Total[1]	102

[1] Total exceeds 100 percent due to multiple response.

It has been said that it will, at some time, be necessary to limit the human population [number of people] if our present living standards are to be maintained. Do you think this will be necessary or not?

[In percent]

	Necessary	Not necessary	Don't know
National results	44	43	13
By sex:			
Men	47	42	11
Women	41	45	14
By age:			
21 to 34 years	55	37	8
35 to 49 years	44	43	13
50 years and older	36	48	16
Undesignated (19).			
By education:			
College	60	34	6
High school	45	44	11
Grade school	29	51	20
Undesignated (8).			
By annual family income:			
$10,000 and over	53	38	9
$7,000 to $9,999	52	39	9
$5,000 to $6,999	41	45	14
Under $5,000	32	50	18
Undesignated (18).			

Which of these kinds of places [respondent shown card] would you find most pleasant as a place to live?

[National results, in percent]

Rural area	30
Small city	25
Suburbs	18
Mountains	15
Seashore	9
Large city	6
Other	1
Don't know	1
Total[2]	105

[2] Totals exceed 100 percent since a few respondents named more than one area.

Are you in favor of setting aside more public land for conservation purposes such as national parks, wildlife refuges, bird sanctuaries, and so forth, or not?

[In percent]

	Yes	No	Don't know
National results	75	19	6
By age:			
21 to 34 years	83	13	4
35 to 49 years	76	18	6
50 years and older	69	24	7
Undesignated (19).			
By size of community:			
1,000,000 and over	79	15	6
250,000 to 999,999	78	17	5
50,000 to 249,999	80	16	4
2,500 to 49,999	78	19	3
Under 2,500	66	25	9
By region of country:			
East	82	12	6
Midwest	76	20	4
South	68	24	8
West	75	21	4

JAPAN-UNITED STATES PARTNERSHIP IN SOUTHEAST ASIA

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. HANNA. Mr. Speaker, all of our citizens should be aware of the constructive progress being achieved in Southeast Asia. No small credit for much of the advance is due to the effective partnership of United States and Japanese assistance to the underdeveloped nations of the Pacific area.

The amazing recuperation of the Japanese is one of the miracle performances in the postwar period. As the newly created power base emerged the far seeing leadership in Japan has shown an increasing interest and commitment to the advance of all of the Pacific basin nations.

Recently Ambassador Shimoda visited in my district and delivered a very interesting and educational address to the World Affairs Council. The practice of going to the country with the important stories of international affairs is one that should be applauded and encouraged. When the message is as effectively stated as in the instance of Ambassador Shimoda's presentation it is particularly noteworthy.

I commend to the attention of every Member of the House the timely and cogent comments of the Japanese Ambassador and include his remarks in full below:

ADDRESS BY AMBASSADOR TAKESO SHIMODA, OF JAPAN, AT THE DINNER MEETING OF THE WORLD AFFAIRS COUNCIL OF ORANGE COUNTY, ON FRIDAY, FEBRUARY 21, 1969

It is a great honor and a pleasure for me to be here with you at the World Affairs Council of Orange County which has been addressed in the past by a number of internationally-famed people. The subject which has been given to me today is "Japan and Southeast Asia".

In my opinion, if I may state my conclusion first, the core of the many problems confronting Southeast Asia at the present time lies in how to ensure the common goal of "no more Vietnams".

Today not only Americans but almost all the people in the world heartily welcome the Paris Talks. Great efforts are being continued under the new Administration with a view toward giving the talks substance. It is also satisfying to note that the Paris Talks seem to have begun, not only with support and endorsement from the Western Allies, but also with those, both explicit and tacit, from the Soviet Union and the other East European Communist nations.

However, it is not my intention here today to make a complete analysis of the Vietnam problem or a full study of the problems of Asia in general. As a representative of Japan, I think it appropriate to confine the scope of my discussion to the problems of Japan and its immediate neighborhood.

People often say that the future of the whole world depends upon Asia, where lives approximately two-thirds of the entire population of the world, and where the immeasurably rich potential in natural resources still remains largely untouched. But the real importance of Asia should be examined from a historical perspective.

History shows that the difference between Asia and the other developing areas on earth lies in the fact that Asia has had its own

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remarkable traditional civilizations. In Africa, the dawn of a new civilization has just set in for the vast majority of the countries. In Latin America, the old civilization of the Indios, like the one under the Empire of the Incas, was almost completely destroyed by the impact of European civilization. On the contrary, in Asia, at least a portion of its traditional civilizations, possibly some of the oldest ever set up by mankind, has been successfully conserved up to the present day by descendants of the founders.

In the past few centuries, however, the European powers, armed with modern war equipment, started a strong colonization drive against the Asian countries dormant amidst their old traditions. As a result, only Japan, China and Siam came to be counted as independent nation-states in Asia at the beginning of this century.

The Victory of Japan over Czarist Russia in 1905 startled awake the whole Asian people. They came to realize that even a tiny Asian country could match, and win against, a great Imperial power. In addition, as a statement of pure historical fact, the experience of the Southeast Asian countries during World War II provided the Asian peoples with a golden opportunity to turn their dream of independence into reality.

After the War, though, what did we find in Asia? We saw the emergence of the two most powerful Communist nations, that is, the Soviet Union and Communist China, in the north and in the central part of Asia, surrounded by a group of newly-independent countries still crippled by perennial political and economic instability, including a Japan completely disarmed and on the brink of starvation.

The optimism, on the part of the Allied Powers, that everlasting world peace could be obtained simply by means of disarming Germany and Japan was severely betrayed. The military vacuum which resulted from the disarming of the Axis nations gave rise to the Berlin Crisis in Europe and to the Korean War in Asia.

The situation in Asia was actually worse than that in Europe where NATO, of which Germany is a member, was established, and where a balance of power between the East and West has been fairly rapidly restored. Due to the lack of homogeneity and equivalence of social as well as economic standards in the European sense, it was found impossible to establish in Asia a powerful single collective security arrangement such as NATO. Therefore, the balance of power in Asia was only attained and maintained by means of a number of bi-lateral and small-scale multi-lateral security arrangements hurriedly concluded between the countries concerned. The burden and sacrifices borne by the United States in order to accomplish the restoration of a balance of power in Asia, as is the case in other areas of the world, are by far greater in magnitude than those any other single power in history has ever been able to shoulder. For this, Japanese people, together with the people of other free nations, are most grateful.

At this point, let us take a brief look at the main paths which Southeast Asian countries have taken after the War. By Southeast Asia we mean the area extending eastward from Burma to include Japan, where live approximately three hundred million people. Japan and Indonesia have a population of approximately one hundred million each, while another one hundred million live in the rest of the area. Ten Southeast Asian countries are scattered on the periphery of Continental China, which alone has a population of about seven hundred million.

As the Angkor Wat in Cambodia and Borbodur in Indonesia so eloquently symbolize, almost all these Southeast Asian nations have their own rich cultural traditions. After a considerable period of humiliation as colonies for the Great Powers, these countries joyfully celebrated their independence after World War II, but their future prospect was far from being bright.

The people of these nations had optimistically believed that economic prosperity and a high standard of living, in the European sense, would automatically be attained once independence was accomplished and exploitation by the colonialists was eradicated. However, it was not long before they realized, to their great disappointment, that this hypothesis was a sheer illusion.

Due to various reasons, including lack of capital and insufficient technical skill, the productivity of these countries was still extremely low. With the shortage of food and other necessities of life, famine and malady proved impossible to control, and, by then, the inflation had been getting worse and worse.

The situation of Japan was no better immediately after the War. Its territories had been reduced in half, while its population was increased by five million repatriates from its former colonies. To make matters worse, a war reparation amounting to two billion dollars was imposed upon Japan.

The miserable plight of Southeast Asia provided the Communists with a golden opportunity for propaganda and agitation. A number of these countries became the targets of their active infiltration. Whole continental China soon fell under Communist control. Korea came close to suffering the same fate. Only the superlative efforts by the late General MacArthur was able to check the Communist infiltration at the 38 degree parallel.

Then followed the situation which led to Vietnam.

Almost a quarter of a century has passed since the termination of World War II. As a matter of fact, the rapidity of the changes which took place in the political, economic and social life in Asia during the period was astounding. Such changes would have taken several centuries to bring about in an age other than our own.

During this past quarter century, Communist China has experienced a massive turmoil in the Great Cultural Revolution. On the other hand, its military power has constantly been strengthened. Especially, the development of nuclear weapons has been much faster than we expected. Communist China has by now succeeded in seven nuclear tests including a hydrogen bomb explosion.

Indonesia was once on the brink of being taken over by the Communists, and managed to escape the danger only by the fall of Sukarno. Countries neighboring Vietnam have not been actively involved in the war. But they have consistently been exposed to the fear of political and military infiltration by the Communists.

In spite of these continuous and conspicuous changes in the international situation, however, ladies and gentlemen, the basic structure and the background of the problems of Southeast Asia remain the same. This will continue to be so, even if the Paris Conference turns out to be a success and the post-Vietnam era becomes a reality.

At this point, I should like to probe deeper into the question of what kind of policy alternatives are available for us in order to cope with the present situation of Southeast Asia in such a way that the danger of a second Vietnam War, or a second Korean War, may be avoided.

In my opinion, we can theoretically prescribe two entirely different policy alternatives. The first is so-called "military-oriented" policy. This policy is based on the assumption that all the troubles and uneasiness in Southeast Asia are caused by, or caused in connection with, the threat of Communist China and its developing nuclear weapons. Therefore, this policy envisages, among other objectives, the establishment of an overall collective security organization in East and Southeast Asia which would be the equivalent of NATO in Europe.

The second is a "politico-economic" policy, and emphasizes the position that the true source of the majority of Southeast Asian problems is "poverty". All famines, maladies, lack of education and social unrest can be attributed to this underlying "poverty". The line of the argument for this policy is, further, that whether or not poverty in Asia can be overcome depends primarily upon the realization of this problem and the efforts on the part of the people residing in this area themselves, but that, on the other hand, assistance from foreign powers is also indispensable.

As a matter of practical measures, differentiation between these two policies will, in reality, be subtle. Both are identical in so far as they recognize that all the political, economic, and military aspects of the problem cannot be ignored. The difference is only that one gives priority to the military factor, while the other gives precedence to the politico-economic factor.

The Government as well as the people of Japan choose the second alternative.

Today, economic aid to Asia is far from being sufficient. On a per capita basis, Asia receives only half as much in foreign aid as is granted to the African countries, much less than that provided to Latin American countries. If the future of the world is to depend upon Asia, a rescaling of the present magnitude of economic aid to Asia must be a prerequisite.

In Southeast Asia and in the Western Pacific areas, such multi-lateral military arrangements as SEATO and ANZUS as well as such bi-lateral agreements as those between the United States and, respectively, Japan, Korea, Nationalist China, the Philippines have already been in effect for years. In view of the existence of this network of regional security arrangements, it seems more appropriate to spend the funds, materials, and energy for the purpose of the conquest of poverty in Asia, rather than to spend them to establish a more powerful military wall against China.

In Europe, West Berlin has been often referred to as the "show-case" of the Western world to Communist, East Germany. Prosperous West Berlin, in comparison with desolated East Berlin, was a most eloquent witness of the superiority of the free West over the Communist dictatorial system.

In Asia, an even sharper contrast than that between East and West Berlin can be seen between Continental China and Japan. Though Communist China, with the development of its nuclear weaponry, has emerged as the strongest military power in Asia, Japan today enjoys being the third greatest industrial power in the world, following only the United States and the Soviet Union. Japan had to start its post-war economic reconstruction from scratch. In spite of its small land area and its scarce natural resources, Japan, under its democratic political regime, managed to achieve its economic recovery by making the best of its free enterprise system and its technical development.

The outstanding success of Japan has caused many voices to be raised urging Japan to assume greater responsibility and leadership in Asia. Under Article 9 of the present Constitution, however, Japan is prohibited from maintaining any war potential including army, navy and air forces which would be capable of aggressive attack against other nations. After the war, a deep-rooted anti-militaristic feeling has also prevailed among the Japanese people. Therefore, the only policy alternative left for Japan is to seek a role in the politico-economic field.

Only a few years ago, Japan, after long years of hesitation, first took an initiative in the field of regional economic cooperation. The rationale which prompted Japan to take this initiative was the fact that the post-war economic policies adopted by some newly-independent countries did not always

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seem to be well-chosen. A number of ambitious projects were pressed hard by some Southeast Asian leaders in an attempt to catch up, at a leap, with the advanced industrial powers, but failed in the absence of a systematic economic policy sustained by the necessary technology.

Under the circumstances three years ago, in 1966, the Government of Japan proposed that a conference of economic ministers of Southeast Asian countries be held in Tokyo. This conference proved most encouraging. Until then, some Japanese people had felt that such a proposal might be rejected by other Asian countries who might suspect that Japan's true intention was economic encroachment into Southeast Asia. It actually turned out, however, that the participants of that meeting heartily welcomed Japan's initiative and even said that they could not understand why Japan had delayed in taking such an initiative. Almost all of the cabinet ministers who participated in this conference advocated a very sound and realistic approach to the economic problems of their own countries, without the excess of idealism or impatience which used to be noticeable.

The Tokyo Conference in 1966 was followed by the second Ministerial Conference in Manila in April 1967. At this meeting, the establishment of, among others, the Agricultural Development Fund, and the Southeast Asian Fisheries Development Center was agreed upon. The third Ministerial Meeting was held in Singapore last year. The fourth meeting will be convened in Bangkok this year, at which time many more useful and realistic projects are expected to be discussed.

In addition to the meetings I have just mentioned, the Ministerial Meeting of the Asian and Pacific Council is held each year to discuss various political, social and cultural problems in Southeast Asia. The Asian Development Bank, for the establishment of which Japan took a strong initiative, has already commenced operating in Manila.

The growing trend to promote regional cooperation in Southeast Asia led The Honorable Dean Rusk, the former Secretary of State, to say a "new wind" has started blowing in Asia. Our present goal is to let this "new wind" blow even harder in Southeast Asia. Indeed, this movement toward mutual cooperation may be called a renaissance of Asia in the sense that it is a concerted effort by the Asian people themselves to construct, on a sound economic basis, a new culture fitting the requirements of modern times on the foundations of their old traditions; in other words, through the revaluation and adoption of the old Asian philosophy of harmony and cooperation.

While the overall trend in Southeast Asia is clearly toward cooperation among nations, Communist China still continues to be an exception, by holding fast to such an alien philosophy of confrontation as that of Marx and Engles. Nobody in Southeast Asia stands to gain by keeping alive the antagonism between these two different philosophies. On the contrary, our ultimate hope is that Communist China will, sooner or later, return to international society and recognize the existence of common interests by cooperating with others.

In order to make such trends bear fruit, the responsibility and burden of the countries in the area, especially Japan, will become increasingly heavier. At the same time, assistance and cooperation from other areas, particularly from the United States, will continue to be of the utmost importance.

After the War, a strong inward-looking trend emerged in Japan, and it has taken some twenty years for Japan to overcome this tendency and to exercise initiative in the direction of a "new wind" in Asia. Even at present, however, not a few Japanese people find strong attraction in trying to retreat from the affairs of the world. Today, a similar tendency has just begun to appear in some circles within the United States as well. What would happen in Asia, if both the United States and Japan were to return to isolationism?

On the occasion of the last vist of Prime Minister Eisaku Sato of Japan to this country, Mr. Lyndon Johnson, then President of the United States, described the relationship between the United States and Japan as a "partnership of responsibility".

It has now become necessary for both of our countries to cooperate closely with one another, not only for our own mutual benefit but also to make a joint contribution toward the accomplishment of Asia's reconstruction and stabilization, and, ultimately, toward the attainment of world peace.

As the members of the World Affairs Council of rapidly growing Orange County, you will have the deepest understanding of the necessity of cooperation on the part of the United States in this aspect. I sincerely hope for your assistance and support in our present and future endeavours.

Thank you.

NEW RECORD OF ACCOMPLISHMENTS AT VISTA

HON. CHARLES E. GOODELL

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Wednesday, March 12, 1969

Mr. GOODELL. Mr. President, a recent article, entitled "VISTA Overtakes Peace Corps at Colleges," written by Eve Edstrom, and published in the Washington Post, points out the new record of participation and accomplishment at VISTA. The program does a great service for our country in providing American youth with a relevant and constructive outlet of their desire to participate actively in the affairs of the Nation.

I recently read a memorandum written by the acting director of VISTA, Padriac Kennedy, in which he outlines the present status of the program. A great deal remains to be done, but VISTA is definitely moving in the right direction.

Mr. Kennedy and his staff are to be complimented for the fine work that they are doing.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

VISTA OVERTAKES PEACE CORPS AT COLLEGES

(By Eve Edstrom)

College campuses were turned on eight years ago this weekend. That's when the Peace Corps, stardust child of President Kennedy's New Frontier, was born.

Now its domestic prototype, VISTA, is attracting equal attention.

A Gallup poll conducted for the Office of Economic Opportunity at the end of the last college year showed that VISTA and the Peace Corps were neck and neck—47 per cent each—in student preference for voluntary service in the two programs.

This represented an amazing gain for VISTA, a lackluster appendage to President Johnson's War on Poverty.

VISTA (Volunteers in Service to America) was born four years after the Peace Corps and had a hard time competing with the Peace Corps for volunteers.

WHERE ACTION IS

But more and more students now want to be where the action is—in the urban and rural poverty pockets where VISTA volunteers work.

This is a plus for the Nixon Administration which is committed to enlisting millions of citizens volunteers to attack the Nation's social ills.

The Administration particularly wants to appeal to young people. And there is a huge untapped reservoir of them.

The Gallup projections showed that 4.3 million of 6.5 million college students last summer were interested in either VISTA or Peace Corps service.

But both programs can absorb only several thousand, and both are getting more selective in their recruitment policies.

They want volunteers with skills and judgment as well as ideals. VISTA, with almost 6000 full time volunteers, no longer seeks 18- and 19-year-olds. The number in that age group has dwindled from 20 per cent to less than 5 in the last 18 months.

HIGHER PRIORITY

And the Peace Corps, with more than 11,000 volunteers on duty, has put an increasingly high priority on those who have knowledge in the agricultural, construction, nursing and teaching fields.

Even so, the pool they have to draw from far exceeds available slots. Peace Corps training openings this spring number 1261, but there are 3004 qualified applicants.

Vice President Agnew, in a Feb. 15 speech, credited a renewed interest in the Peace Corps to President Nixon's Inaugural address.

"The President's enthusiasm for America's youth is well known," Agnew said. "And there is gratifying evidence that the feeling is reciprocal.

"Immediately after the President's inaugural message, Peace Corps recruitment showed a sudden surge."

Actually, the surge occurred before President Nixon's speech. The Peace Corps was swamped with 700 applications on Jan. 21, but they represented an accumulation of mail that had piled up over the long inaugural weekend.

The applications reflected the culmination of recruitment drives begun last fall, and the decisions that many college seniors make in January concerning their post-graduate plans in June.

MOMENTUM FROM SHRIVER

Although the Peace Corps got its initial momentum from the Pied Piper-like qualities of its first director, Sargent Shriver, interest in the Corps has remained almost constant over the last few years.

Its current and relatively low-keyed director, Jack Hood Vaughn, attributes a slight decline in applications last year to the more refined recruiting techniques that now reach more "prime applicants" and weed out those who are not qualified.

Service in Upper Volta, Dahomey or the 57 other countries where the Peace Corps now operates may seem quite remote from life as it is at home.

Yet the Peace Corps is having a sizable impact on institutions here.

About 27,000 volunteers have returned. Of those who are working, one out of every three is teaching, primarily in ghetto schools.

Almost equal numbers are with governmental or social service agencies. And last November saw the election of the first Peace Corps volunteer to public office. Anthony Hall, 27, is now a member of Ohio's State Legislature.

NEW PRESTIGE LIKELY

The glamor of the Peace Corps has never rubbed off on VISTA. Yet VISTA, despite some serious shortcomings, may soon enjoy a new prestige, simply because voluntary ac-

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tion is slated to be a "central theme" of the Nixon Administration.

Furthermore, many of the VISTA projects are in tune with Administration goals for the economic development of the ghettos.

In California, for example, the Stanford School of Business Administration sponsors a team of VISTA business school graduates and volunteers recruited directly from a poverty area. Backed up by the Stanford Business School faculty, they are assisting ghetto businessmen with a wide variety of economic development projects.

MORE LAW GRADUATES

VISTA also is recruiting an increasing number of law school graduates. They have helped negotiate building loans, scrutinized loans contracts and have succeeded in getting better terms for ghetto businessmen.

In the health field, VISTA volunteers are working to improve the distribution of emergency food in low-income areas, and to organize classes in pre-natal care and nutrition.

VISTA still has a long way to go. As its acting director, Padraic Kennedy, pointed out to volunteers on the program's fourth anniversary, many "deadwood" projects have to be eliminated, and the supervision, selection and training of VISTA volunteers has to be strengthened.

PREPARATION NEEDED

VISTA is learning what the older Peace Corps has learned. The will to give service is not enough. Practical preparation is needed.

This is why the Peace Corps shifted a large portion of its training to sites in host countries, and this is why VISTA is now training its volunteers in the community which is to be served.

And for the first time last summer, the Peace Corps asked representatives of host countries to help in the recruitment of volunteers. Similarly, VISTA's professional recruits—the lawyers, business school graduates, architects, teachers and nutritionists—are working with ghetto volunteers to design projects that the latter want.

Requests for VISTA volunteers now number five times as many as its budget can support, and applications for service continue to soar, indicating there is no limit to the youthful human resources available to the Nixon Administration.

NEWSPAPER PRESERVATION BILL

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. BURKE of Massachusetts. Mr. Speaker, the newspaper preservation bill would correct a basic anomaly in the antitrust laws. Under existing law, if two newspapers in the same city have totally merged, and at least one of these papers had been in a failing condition at that time, there is no violation of the antitrust law for the single ownership to publish morning and afternoon editions, with combination advertising rates and even combination circulation rates. However, if these same two papers merger only their commercial functions, but maintain two separate news and editorial voices by entering into a joint newspaper operating arrangement, then they have committed a per se violation of the antitrust laws.

The newspaper preservation bill would simply allow two newspapers, one of which was in a failing condition, that have entered into a joint operating arrangement to be treated as a single entity would be treated under the antitrust laws.

There are 22 cities, with 44 newspapers, involved in joint operating arrangements. In each of these cities, there was not an adequate advertising market to economically support two commercially competing papers. Rather than have the failing paper sell out to and be merged into the other paper, the two papers merged all of their commercial functions, but maintain two separate papers with independent news and editorial staffs. Thus, each of these cities is provided with competition in news services, which is so vital to our democratic system.

TONGUETIED JUSTICE

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. REID of New York. Mr. Speaker, the recent "trial" and sentencing of James Earl Ray reveals a travesty of justice of which we as American citizens believing in trial by jury should be ashamed.

The prenegotiated deal between judge, jury, and defense is a contemptible show of disrespect and mockery for our courts of law. By depicting his goal as that of saving Ray's life, the lawyer for the defense is avoiding the issue, for those of us who decry the trial do not advocate the death sentence. Rather, we ask only that justice may be served by a searching probe of the whole truth by formal legal procedures, which would in this case include doubts and charges of conspiracy.

Whether or not Ray was part of a conspiracy to kill Martin Luther King is a matter to be determined by the court alone, not on the basis of a few public statements by the defense, but in court and by procedures including examination and cross-examination, with a jury committed not to a prearranged deal with the judge, but rather to hearing the full story and making an unbiased judgment thereon. A snuffed-out trial will raise doubts across the Nation.

Mr. Speaker, I insert yesterday's New York Times editorial on this subject in the RECORD:

TONGUETIED JUSTICE

The aborted trial of James Earl Ray for the assassination of Dr. Martin Luther King Jr. is a shocking breach of faith with the American people, black and white, and of people the world over still numbed and puzzled by the gunfire that struck down this international leader.

Ray is entitled by all legal means to avail himself of the defenses open to him under the law. But by no means, legal or pragmatic, should the doors of the courtroom and the jail be slammed shut on the facts, the motives and the doubts of this horrible murder.

And yet that is just what has occurred with stunning suddenness in a Memphis courthouse. By pleading guilty, Ray has been sentenced to 99 years in prison. The jury had to go along with this prearranged deal between the prosecution and the admitted killer's attorney. Circuit Judge W. Preston Battle went along with this deal, treating the whole matter as if it were a routine murder case.

Nothing but outrage and suspicion can follow the handling of this long-delayed and instantly snuffed-out trial. Percy Foreman, the defense lawyer, tells the public that it took him months "to prove to myself" that Ray was not part of a murder conspiracy. Ray himself acquiesces in the deal made on the guilty plea—then says publicly that he refuses to go along with the statement that there was no conspiracy.

Why should this assassination case be tried by statements instead of formal legal procedures, subject to examination and cross-examination, the presentation of all the evidence by the prosecution, the appearance of the accused in open court? What in either sense or jurisprudence does it mean that the defense attorney convinced *himself?* In the ghetto and in the world outside the ghetto, the question still cries for answer. Was there a conspiracy to kill Dr. King and who was in it?

The state's case has been read to the jury. But that is hardly enough in a case of this magnitude. This was not a street crime but, on the surface, a racist or quasi-political assassination. It is not enough to say that the state accepted the guilty plea and agreed to end the case because the death penalty has not been used since 1961 in Tennessee.

No one was demanding blood; everyone is demanding facts. Are we going to get the facts from Ray's lawyers, past or present, one of whom is trying to peddle the story to magazines? Are we going to get the facts from William Bradford Huie, the author who has "bought" the "rights" to Ray's story? What a mockery of justice for the facts to emerge in marketed justice!

Unless proceedings are convened in court—Federal, if not state—we shall never know the adjudicated truth. There should be no Warren Commissions necessary—a month or a year from now—to still our doubts and do what a Tennessee court has failed to do.

ENGINEERING: PARTNER IN REBUILDING URBAN AMERICA

HON. LOUIS FREY, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. FREY. Mr. Speaker, solving the many problems associated with the growing urban crisis in the United States should have a high priority with all of us. It seems to me that all Americans, in whatever trade or profession they find themselves, have a great stake in this matter.

Recently, an interesting address regarding this subject was delivered by the dean of the College of Engineering and Technology at the new State University in east central Florida, Florida Technological University, between Orlando and Cape Kennedy. The remarks of Dr. Robert C. Kersten, before the Indian River chapter, Florida Engineering Society—Engineer's Week banquet—Cocoa Beach, February 21, 1969, are worth passing along to all Americans.

I recommend Dean Kersten's comments about the vital role the professional engineers of American can have, and must have, in our national attempt to solve the mushrooming urban crisis all about us. I present his remarks at this time for insertion in the RECORD:

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Engineering: Partner in Rebuilding Urban America

As a Professional Engineer, it is indeed a pleasure to address this august gathering on this topic. The theme of Engineers Week—1969 is reflected therein. Let us examine it carefully.

Engineering: I can think of no better statement of definition than that of Herbert Hoover.

"It is a great profession. There is the fascination of watching a figment of the imagination emerge through the aid of science to a plan on paper. Then it moves to realization in stone or metal or energy. Then it brings jobs and homes to men. Then it elevates the standards of living and adds to the comforts of life. That is the engineer's high privilege.

"The great liability of the engineer compared to men of other professions is that his works are out in the open where all can see them. His acts, step by step, are in hard substance. He cannot bury his mistakes in the grave like the doctors. He cannot argue them into thin air or blame the judge like lawyers. He cannot, like the architect, cover his failures with trees and vines. He cannot, like the politicians, screen his shortcomings by blaming his opponents and hope that the people will forget. The Engineer simply cannot deny that he did it. If his works do not work, he is damned. That is the phantasmagoria that haunts his nights and dogs his days. He comes from the job at the end of the day resolved to calculate it again. He wakes in the night in a cold sweat and puts something on paper that looks silly in the morning. All day he shivers at the thought of the bugs which will inevitably appear to jolt its smooth consummation.

"On the other hand, unlike the doctor, his is not a life among the weak. Unlike the soldier, destruction is not his purpose. Unlike the lawyer, quarrels are not his daily bread. To the engineer falls the job of clothing the bare bones of science with life, comfort and hope. . . .

"The engineer performs many public functions from which he gets only philosophical satisfactions. Most people do not know it, but he is an economic and social force. Every time he discovers a new application of science, thereby creating a new industry, providing new jobs, adding to the standards of living, he also disturbs everything that is. New laws and regulations have to be made and new sorts of wickedness curbed. . . . But the engineer himself looks back at the unending stream of goodness which flows from his successes with satisfactions that few professions may know.

"But he who would enter these precincts as a life work must have a test taken of his imaginative faculties, for engineering without imagination sinks to a trade."

Partner: (One who has a share with others in some undertaking). This is tremendously important. Let us not be so innocent and naive as to think or expect any one occupation, profession, or calling to solve the urban crisis. Some people keep hoping for a simple, quick, or painless solution. It will never emerge. The technical, economic, legal and social factors involved are immensely complex. As professional engineers we have in the past built what others decided we needed. It is about time we shared in the decision process and helped others decide what should be built.

Rebuilding: (To build again). To a degree the course of empire may be traced through the ruins of cities of civilizations past: From Babylon in the Mesopotamia to Angkor Wat of Thailand to the Inca ruins of old Mexico to the Indian Pueblos of the American West. I shall leave to my friends in history and the humanities to explore this point further—but suffice it to say the decay of cities and the failure of man to live in an urban setting is not new in our day. Many contemporary historians view our present urban crisis as the greatest test of our economic, social and political system since the Civil War. Lincoln recognized it very well when he said, "A nation divided against itself cannot stand—half slave, half free," and we might add today, half affluent suburbia, half ghetto—half neat, clean, and beautiful, half slovenly, filthy, and ugly. We have learned to build faster than we can rebuild. Perhaps here is a lesson for engineering designers to learn—to be more concerned about the life of their product, to have a planned life instead of planned obsolescence.

Urban: (Belonging to or included in a town or city). There is little doubt that we are an urban society. Nearly three-fourths of all the people in the United States (approximately 150,000,000) live in 200 densely packed urban centers, occupying only about 3½ percent of our land, or 120,000 square miles. Compound this picture by emphasizing the diversity of these people's economic, educational and cultural background, combined with their immediate needs and growing aspirations—all being fanned with the help of our modern mass media communications—and just perhaps we begin to see the complexity of the problem.

THE PROBLEM

The present state of affairs is the consequence of our "non-systems" approach. In times past, we attempted to conquer nature, exploit her resources, and moved on when they were depleted or polluted. Now there is no place else to move. Hopefully, we have come to understand that we must coexist with nature.

We can't avoid some alteration of the natural world we live in. But man, even industrial man, is a part of nature, and must find some limit to the headlong destruction and fouling of his natural environment. How much fouled air can we breathe? How much filth can we spew into our rivers and lakes without disastrous consequences? How much bleakness and ugliness can we tolerate around us? How much congestion and bumper-to-bumper madness will we endure?

Several examples will serve to illustrate the "non-systems" approach of the past. One, in water supply we too frequently took raw water from a stream, treated it, used it, put it in the sewer, and flushed it back in the same stream and let the next town downstream worry about the consequences. That Jacksonville cesspool called the St. John's River is a good local example. Second, the modern commercial jet aircraft travels at about 600 miles per hour while the old DC–3 could do about 200 m.p.h. A recent Lockheed study shows that on the average it takes 45 minutes longer to get from downtown Washington to downtown New York than it did 20 years ago. Third, our governmental agencies are spending about $16.5 billion per year on transportation items, 75% of which is spent on highways. While we now can get from city to city easily, the urban traffic crush gets worse by the day. Again, a "non-systems" approach, no strategy, no attempt to optimize the system. Today, one out of seven gainfully employed Americans is involved in highway transportation. It would seem that "automobiles only" is not the solution to the urban transportation problem.

CHANGING TECHNOLOGY

There is no question but what our society has benefited from modern science and engineering. In effect, these professionals have been organizing and directing technological changes in our way of life. We have "almost" reached the state wherein we can "almost" have any technological entity we desire—if someone can be found to pay for it. (Although, strangely, money may no longer be of primary importance in obtaining problem solutions, but rather people, i.e., our institutions, have become the focal point of our frustration.)

Unfortunately, not all the technological changes wrought by our professional colleagues have served to improve the quality of our way of life. I can buy a new car but I cannot buy a good transportation system. I can buy a new home but I cannot buy a beautiful city. I can buy the best of medical services but I cannot buy clean air to breathe. What then?

ENGINEERING RELEVANT TO SOCIETY'S NEEDS

I suggest the professional engineer must assume an active role in all of society's affairs—he must become a participant in the decision making process. For example, the Interstate Highway system was and is a wonderful engineering achievement, but it has not solved our urban traffic problems. Similarly, the space effort culminating in the Apollo program is a singularly outstanding achievement—but it has not solved our urban traffic problems either.

The point is, that surely the nation which produced these two programs can solve the urban traffic problem. As Mr. Webb has indicated, maybe it's equally important "how" we did it as "what" we did. Perhaps the engineering-management team of the space program could teach some other governmental units "how" to do it.

An old Danish proverb reads, "Prediction is difficult, especially if it deals with the future." Everyone wants the government to do many things and especially to be bold, imaginative and infallible, all at the same time. It just will never happen that way. Professional engineers have always been "problem solvers." Why can't we help government solve a few of its (our) problems?

LET GEORGE DO IT

Probably because as a professional group, we are too timid and want to "let George do it." That has been our problem for a good long while. However, the problems demanding solution in our very complex economic, social, cultural, urban environment just will not grant us this luxury any longer.

Most organizations have a structure that was designed to solve problems that no longer exist. Our governmental institutions are blind to their own defects, they suffer not because they *can't solve*—but because they *won't see* problems. Professional engineer-consultant, modern government needs you.

GOVERNMENTAL UNITS

Our ability to create governmental units in this democratic society is simply astounding. For example, to completely solve water and water pollution problems in the United States we would have to effectively deal with 40 Federal Agencies; 53 States, Territories and Possessions; 3,047 Counties; 17,214 Townships; 50,453 School Districts; 14,423 Special Districts; for a total of 102,397 units.

In East Central Florida the problem reduces slightly: 40 Federal Agencies; 1 State; 19 State Boards and Commissions; 7 Counties; 70 Municipalities; 7 School Districts; 6 Special Districts or Boards; for a total of 150 units.

Now, I am not suggesting that we consolidate all of these into some form of super agency, but surely there is a more effective way. It seems to me that we are afraid to fix responsibility in some particular agency. We are afraid of the possible concentration of economic and political power that might develop therein. (In this regard, the forthcoming Florida Legislature has my sincere best wishes and sympathies in view of the job they have to do in consolidating state agencies.)

This proliferation of governmental units has made it nearly impossible to achieve any desired end in a coherent, logical, rational, timely manner. Responsibility for a given project cannot be fixed. There is no place for the "buck passing" to stop.

To quote John Gardner (former Sec. HEW), "We are going to have to do a far more imaginative and aggressive job of

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renewing, redesigning and revitalizing our institutions if we are to meet the requirements of today. . . . But *it* is the work of our generation. Each preceding generation had its great work to perform—founding the nation, conquering the wilderness, settling the land. Ours is to make this a *livable* society for every American.'

I suggest "leadership" just can't happen with such a multiplicity of agencies trying to deal with so large a problem. Nearly 100 million automobiles and trucks are drawn into and repelled from the core of our metropolitan areas daily; 30 billion gallons of drinking water must flow in and 22 billion gallons of liquid wastes must flow out daily; some 600 million pounds of solid waste/trash must be disposed of every 24 hours; 7 million cars and trucks go to the junk pile each year.

We live in a throw-away society. Everything is disposable. Now this philosophy is about to be imposed upon our cities. Some parts of them literally should be disposed of. What then—are we to become a society to be remembered for how many cities it created, desecreated and abandoned? Surely not.

Broader social involvement for the professional engineer

Nearly everyone else has had a try at the problem. Isn't it about time professional engineers got in the game? Again, to quote John Gardner, "The air is only part of our total environment and pollution only one of the ravages that our civilization has wreaked upon it. We also have garbage dumps, dying lakes and poisoned rivers, noise, crowded communities, absence of green space, ugliness all around us. Surely this is not the net gain of our technology nor the legacy we want to leave other generations."

Where are those creative professional engineers? Where are those innovative problem solvers? Engineers by the very nature of their work are problem solvers—even problem seekers—problem requirers. Society in general, on the other hand, is a very primitive problem solver and indeed seeks to avoid problems. Our society needs our help to see through the jumbled mess to problem definitions and possible problem solutions.

It is my impression engineers are happiest when solving someone else's problem—particularly when it's never been done before. The urban crisis presents a problem of first magnitude—one that no past society has solved. Therefore, fellow engineers, the solving of that problem ought to give you great delight. In my opinion, that would be living! Let's get on with the task.

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ON KEEPING ONE'S PROMISE: A DECENT HOME FOR EVERY AMERICAN

HON. SHIRLEY CHISHOLM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mrs. CHISHOLM. Mr. Speaker, last year it appeared that Congress was on the verge of recognizing the true dimensions of the Nation's housing problems. It passed the 1968 Housing and Urban Development Act and authorized unprecedented millions of dollars to alleviate many of the horrifying conditions existing in the country.

But then the appropriations machinery went to work, and nearly every program in the 1968 act was slashed unmercifully. The housing program was maimed from its start. Degrading slum conditions still exist in the Nation's cities: two, three children often sleep in one bed; rats still prowl the rundown tenement houses. And neither has rural housing been aided to any real extent: rotting houses without plumbing still abound.

Gentlemen, some 7.8 million American families still cannot afford to pay for decent, wholesome housing. One in eight American families cannot afford the market price of standard housing without paying more than 20 percent of their total income for it. And for nonwhite Americans, if you are poor and rent, the chances are one in four that you live in substandard housing. This means the slums, the rats, the outhouses, and disease for millions of people.

We cannot blame the failure to meet the Nation's housing needs on the Federal bureaucrats. The responsibility is ours. It is all very well to draw up and approve innovative programs to meet these needs; it is all very well to authorize money for these programs. But we have to follow up these promised authorizations with hard, cold cash. The guts of legislation is in the appropriations. It is time the U.S. Congress lived up to its promises and put its money where its mouth is.

Therefore, Mr. Speaker, today I join my colleague from New York (Mr. RYAN) and 29 other Members in cosponsoring an omnibus supplementary appropriation bill to fund fully several of the vital housing and urban development programs of the 1968 act which did not receive the full amounts authorized by Congress for the fiscal year 1969. This bill would show the American public that Congress means what it says. It was in 1949 that Congress called for "a decent home and a suitable environment for every American family." We now must show the American people that we mean it.

The bill I introduced today would appropriate the additional $927.5 million which was authorized, but never appropriated, by Congress under the 1968 Housing and Urban Development Act. The bill would appropriate an additional $100 million to the homeownership and rental programs—sections 235 and 236 of the 1968 act—an additional $35 million to the rent supplement program, $187.5 million more for model cities urban renewal, and an additional $650 million for overall urban renewal. This is a great deal of money, Mr. Speaker, but it is well worth our while if it leads us toward our goal of a decent home for every American.

Let me summarize each section of this vitally important bill.

SECTION 235

This section would help provide a massive attack on slum housing in providing subsidy payments based on the difference between 20 percent of the homeowner's monthly income and his monthly mortgage payment.

This section of the bill would add an additional $50 million—the full amount authorized by Congress—to the $25 million already appropriated. The 3-year authorization of the 1968 Housing and Urban Development Act proposed a production goal of 500,000 housing units in that period of time under this program. But only 33,000 units can be funded under the current $25 million appropriation level. By adding the additional $50 million to this appropriation, this bill would bring the production level up to 100,000 units.

SECTION 236

This section also would appropriate an additional $50 million to the $25 million already appropriated. The benefits of section 236 reduces the market interest rate—which includes principle, interest, and cost of insurance premium—to an amount commensurate with an interest rate of 1 percent. The tenant pays no more than 25 percent of his income, thus aiding him in securing a decent home for his family.

The 1968 act envisioned a total of 720,000 units of housing to be funded under this section over a 3-year period. But at the present $25 million level, only 33,000 to 40,000 units could be funded during the current fiscal year. At the full $75 million level, 99,000 to 120,000 units could be produced.

RENT SUPPLEMENTS

Each year the rent supplement program lacks the necessary funds to do a good job, and this year was no exception. The administration's budget for rent supplements was slashed by more than 50 percent—from $65 million to $30 million. Sometime this month the authority of the Department of Housing and Urban Development to enter into contracts for annual rent supplement programs will be completely exhausted. By increasing the program to the requested $65 million, 35,000 more housing units could be financed during the fiscal year 1969.

The rent supplement program is the private sector complement to the low rent housing program. Under the program, the Federal Government pays an amount equal to the difference between 25 percent of the tenant's monthly income and the market cost. The aim of the program is to enable private enterprise to take a larger measure of responsibility in fulfilling our housing needs. But inadequate funding has made this nearly impossible.

MODEL CITIES AND URBAN RENEWAL

This section would appropriate an additional $187.5 million for the fiscal year 1969 for use in model cities neighborhoods and an additional $650 million for the urban renewal program. This section will help the double-duty aspect of the model cities program—providing both housing and jobs at the same time—to be realized. It will create a large number of job opportunities for low and middle income persons while it helps to increase the amount of decent housing that is so desperately needed. This is an investment in the future, and it should be given top priority by Congress.

Gentlemen, we have told the American

people that we will provide a decent home for every person. Let us not neglect our responsibilities. We must keep our word.

NEW ENGLAND IS DISAPPOINTED BY FOREIGN TRADE ZONE DELAY

HON. PETER N. KYROS

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. KYROS. Mr. Speaker, over the past several months there has been considerable interest in Maine and throughout New England regarding a proposed foreign trade zone in Portland, with a special subzone at Machiasport, Maine. New Englanders are most distressed about the extremely high fuel costs in their region, and the continuing delay in gaining any measure of relief from this problem. The possible establishment of an oil refinery at Machiasport has been viewed as a means of meeting this fuel cost issue.

The establishment of a refinery is deeply enmeshed in the question of national oil import policy. It is possible that a full-scale review of this policy would militate against the establishment of a refinery at Machiasport, although I remain unconvinced about the merits of such a possible decision. The point, however, is that the request for granting of a free trade zone must legally be considered as entirely separate from the oil import issue. This was recognized several weeks ago by the Foreign Trade Zones Board Committee of Alternates, which approved the requested free trade zone and subzone in Maine.

The decision of Commerce Secretary Maurice Stans to relate the free trade zone request to the oil import question has now brought justifiable dismay to New England. I would like to bring to the attention of my colleagues an editorial which appeared March 9, 1969, in the Maine Sunday Telegram. This independent newspaper has evidenced a high level of respect toward the new administration during the latter's first 2 months in office. The recent editorial, however, is typical of the disappointment and disenchantment which has arisen in New England over the continued unfair treatment of Maine's Free Trade Zone request. This editorial follows:

MORE MISHANDLING OVER TRADE ZONE

Now Secretary Maurice Stans of the Nixon administration is making an ass of himself and his boss by the bungling way he has mishandled Maine's application for a Free Trade Zone.

There is not much excuse for Mr. Stans's stupidity. When he was grilled by the Senate before being confirmed in his new job, Stans said he would give Maine's application priority treatment. The issue, so mishandled by his predecessor, Commerce Secretary Smith, had blighted the last days of the Johnson Administration. Stans was well aware of the national as well as Maine and New England attention which would be focussed upon his ruling for the Foreign Trade Zone. Senators Margaret Smith, Edward Kennedy, Edmund Muskie, George Aiken, Edward Brooke, as well as House members, had worn a path to Maurice Stans' door, urging he promptly approve Maine's application. Stans thereupon publicly indicated his decision would be prompt and probably positive. His sub-committee quickly ruled favorably. And Stans ordered a meeting of the top-ranking Foreign Trade Zone Committee to act upon the long delayed application.

Suddenly, in an off-hand corridor remark to Reuters, Stans declared the meeting off, some 24 hours before it was to take place. He said he would wait until after the White House had completed a long, full scale review of the whole oil import problem—an item which is separate from and must not govern the Foreign Trade Zone application.

Consternation resulted in Maine and New England.

The oil lobby rubbed its hands with glee.

Senator Dirksen, according to reports filed by Mr. Don Larrabee of our Washington Bureau, claimed dubious credit for blocking action upon Maine's Foreign Trade Zone. And the fat was in the fire!

Now, lo and behold, at the Press Club, Stans admits he has handled Maine's application "badly". "We all learn from experience", says Stans, who had experience enough in the Eisenhower administration to know better. Then, to put his foot in his mouth again, Stans went on to compound his first error by saying "The Machiasport proposal (for a Foreign Trade Zone) depends entirely upon an oil import allocation."

No, it does not! And our good Senator Margaret Smith promptly told President Nixon so plainly at a White House meeting. As soon as the President returned from Europe, the New England Senators called on Nixon to gripe strongly to Nixon about Stans' 'snafu'.

To cap the whole gaffe, the President apparently said he had no knowledge of the actions taken by Secretary of Commerce Stans! While the boss was in Europe, Stans had jumped off the deep end all on his own!

'All on his own'? There is the nub of the question . . . How much arm-twisting is the oil lobby doing? Is Stans damned with an arm as weak as his predecessor's?

The answer will be clear only when the Nixon administration grants Maine's application for a Foreign Trade Zone on its merits.

A BILL TO PREVENT THE IMPORTATION OF ENDANGERED SPECIES OF FISH OR WILDLIFE

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. REID of New York. Mr. Speaker, I am today introducing a bill to prevent the importation of endangered species of fish or wildlife into the United States and to prevent the interstate shipment of reptiles, amphibians, and other wildlife taken contrary to State law.

A recent New York Times editorial pointed out that there is now a booming trade in alligator skins, since the demand for shoes and other articles of "genuine alligator" has made it profitable for poachers to invade the Everglades National Park and other areas where these reptiles are protected to steal and kill them. In addition, hunters and poachers in Africa and Latin America are decimating the wildcats in an effort to meet the demand for coats made of spotted fur. As the Times pointed out:

Since the countries where these animals live have been unable to control this trade, it is up to Congress to come to their aid by providing the indispensable cooperation of the United States, the principal buying country.

I hope that the Congress will take prompt action on this legislation.

FCC COMMISSIONER NICK JOHNSON LOOKS AT THE TELEVISION INDUSTRY OR "THROUGH THE VIDEO SCREEN DARKLY"

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. LEGGETT. Mr. Speaker, Nicholas Johnson, a highly effective member of the Federal Communications Commission has taken a long look at the television scene. His views have been published in a paper entitled "Television and Violence—Perspectives and Proposals." This paper, submitted to the National Commission on the Causes and Prevention of Violence is a detailed account of how an industry licensed to serve the public interest in return for the use of the public airways has perhaps failed at its job. Television has had an enormous sociological effect on the country in the last two decades. It has changed the eating and sleeping habits of America and consumes an average of 22,000 hours of our children's waking hours by the time they are 18 years old. A media with this audience could be a factor in the betterment of living in this country—but the concept of profit uber alles has inundated the airwaves with trash. For too long the Federal Communications Commission sat by and automatically relicensed television stations without a cursory look at the public service performance of the stations.

The situation may change now. Commissioner Johnson has become a forceful advocate for the public interest, and a forceful advocate for change. It is indeed fortunate that the FCC has the talents of a man who has the courage to take the industry to task and the intelligence to present his views clearly and with persuasive effect.

I include here for the benefit of my colleagues a summary of Commissioner Johnson's report as the same appeared last week in the Christian Science Monitor:

THROUGH THE VIDEO SCREEN DARKLY

(By Nicholas Johnson)

(NOTE.—Television is "one of the most important influences on all attitudes and behavior," declares Federal Communications Commissioner Nicholas Johnson. But the nature and scope of this vast force are little understood. Appearing before the National Commission on the Causes and Prevention of Violence, Mr. Johnson discussed TV's impact. Substantial excerpts from his remarks follow.)

There are 60 million homes in the United States and over 95 percent of them are equipped with a television set. (More than 25 percent have two or more sets.) In the average home that set is turned on some five hours and 45 minutes a day. The average male viewer, between his second and 65th year, will watch television for over 3,000 entire days—roughly nine full years of his life

There is a common ingredient in a great

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many of the social ills that are troubling Americans so deeply today—the impact of television upon our attitudes and behavior as a people—and we ought to know much more about it than we do. One cannot understand violence in America without understanding the impact of television programming upon that violence. But one cannot understand the impact of television programming upon violence without coming to grips with the ways in which television influences virtually all of our attitudes and behavior.

PROGRAMING MYTHS

Whenever the question arises of the impact of television programming upon the attitudes and behavior of the audience, industry spokesmen are likely to respond with variants of three big myths:

1. We just give the people what they want. The "public interest" is what interests the public. The viewer must be selective, just as he would be in selecting magazines. He gets to choose from the great variety of television programming we offer. He can always turn off the set.

2. Entertainment programming doesn't have any "impact" upon people. It's just entertainment. We can't be educational all the time.

3. We report the news. If it's news we put it on; if it's not we don't. It's as simple as that. We can't be deciding what to put on the news or not based upon its impact upon public opinion or national values. We can't be held responsible if someone sees something on television and goes out and does the same thing.

When Dean George Gerbner of the Annenberg School of Communications at the University of Pennsylvania testified before you he said:

"In only two decades of massive national existence television has transformed the political life of the nation, has changed the daily habits of our people, has molded the style of the generation, made overnight global phenomena out of local happenings, redirected the flow of information and values from traditional channels into centralized networks reaching into every home. In other words it has profoundly affected what we call the process of socialization, the process by which members of our species become human."

SELF-CONTRADICTORY ARGUMENT

I share Dean Gerbner's sense of television's impact upon our society. Many spokesmen for the broadcasting establishment, however, do not. And so I would like to anticipate their rebuttal with a little more discussion of the matter.

The argument that television entertainment programming has no impact upon the audience is one of the most difficult for the broadcasting industry to advance. In the first place, it is internally self-contradictory.

Television is sustained by advertising. It is able to attract something like $2.5 billion annually from advertisers on the assertion that it is the advertising medium with the greatest impact. And it has, in large measure, delivered on this assertion.

At least there are merchandisers, like the president of Alberto-Culver—who has relied almost exclusively on television advertising and has seen his sales climb from $1.5 million in 1956 to $80 million in 1964—who are willing to say that "the investment will virtually always return a disproportionately large profit."

The manufacturer of the bottled liquid cleaner Lestoil undertook a $9 million television advertising program and watched his sales go from 150,000 bottles annually to 100 million in three years—in competition with Procter & Gamble, Lever Brothers, Colgate, and others.

The Dreyfus Fund went from assets of $95 million in 1959 to $1.1 billion in 1965 and concluded, "TV works for us."

BILLIONS IN ADVERTISING

American industry generally has supported such a philosophy with investments in television increasing from $300 million in 1952 to $900 million in 1956 to $1.8 billion in 1964 to on the order of $2.5 billion this year.

Prof. John Kenneth Galbraith, in the course of creating and surveying "The New Industrial State," observes: "The industrial system is profoundly dependent upon commercial television and could not exist in its present form without it . . . [Radio and television are] the prime instruments for the management of consumer demand."

My point for now is that television's salesmen cannot have it both ways. They cannot point with pride to the power of their medium to affect the attitudes and behavior associated with product selection and consumption, and then take the position that everything else on television has no impact whatsoever upon attitudes and behavior.

Nor is our evidence of commercial television's influence limited to the advertising. Whatever one may understand Marshall McLuhan to be saying by the expression "the medium is the message," it is clear that television has affected our lives in ways unrelated to its program content.

PARENTS DISPLACED

Brooklyn College sociologist Dr. Clara T. Appell reports that of the families she has studied, 60 percent have changed their sleep patterns because of television, 55 percent have changed their eating schedules, and 78 percent report they use television as an "electronic babysitter."

San Francisco State College president Dr. S. I. Hayakawa asks: "Is there any connection between this fact [television's snatching children from their parents for 22,000 hours before they are 18, giving them little 'experience in influencing behavior and being influenced in return'] and the sudden appearance . . . of an enormous number of young people . . . who find it difficult or impossible to relate to anybody—and therefore drop out?"

A casual mention on television can affect viewers' attitudes and behavior.

After Rowan and Martin's "Laugh-In" used the expression, "Look that up in your Funk & Wagnalls," the dictionary had to go into extra printings to satisfy a 20 percent rise in sales.

When television's Daniel Boone, Fess Parker, started wearing coon-skin caps, so did millions of American boys.

The sales of Batman capes and accessories are another example.

Television establishes national speech patterns and eliminates dialects, not only in this country, but around the world, "Tokyo Japanese" is now becoming the standard throughout Japan. New words and expressions are firmly implanted in our national vocabulary from television programs such as Rowan and Martin's "Sock it to me," or Don Adam's "Sorry about that, chief."

Television can also be used to encourage reading. The morning after Alexander King appeared on the late-night Jack Paar show, his new book, "Mine Enemy Grows Older," was sold out all over the country. When the overtly "educational" Continental Classroom atomic-age physics course began on network television, 13,000 textbooks were sold the first week.

CONSPICUOUS CONSUMPTION

Politicians evidently think television is influential. Most spend over half of their campaign budgets on radio and television time, and some advertising agencies advise that virtually all expenditures should go into television time. When Sig Mickelson was president of CBS News he commented on "television's ability to create national figures almost overnight"—a phenomenon which by now we have all witnessed.

What do we learn about life from television? Watch it for yourself and draw your own conclusions. Here are some of my own:

We learn from commercials that gainful employment is not necessary to high income. How rare it is to see a character in a commercial who appears to be employed.

We learn that the single measure of happiness and personal satisfaction is consumption—conspicuous when possible. Few characters in televisionland seem to derive much pleasure from the use of finely developed skills in the pursuit of excellence, or from service to others. "Success" comes from the purchase of a product—a mouthwash or deodorant, say—not from years of rigorous study and training.

How do you resolve conflicts? By force, by violence, by destroying "the enemy." Not by being a good listener, by understanding or cooperation and compromise, by attempting to evolve a community consensus.

Who are television's leaders, its heroes, its stars? Not educators, representatives of minority groups, the physically handicapped, the humble and the modest, or those who give their lives to the service of others. They are the physically attractive, glib, and wealthy.

What are these network executives doing? What is the America they are building? What conceivable defense is there for the imposition of such values upon 200 million Americans? What right have they to tear down every night what the American people are spending $52 billion a year to build up every day through their school system—just to serve the greedy striving for ever-increasing profits by three corporations? Giving the people what they want? Nonsense.

SEARCHING QUESTIONS

No, I think we must listen to William Benton:

"I can only ask, if this alleged 'wasteland' is indeed what the American people want, is it all they want of television? . . . is it all they are entitled to . . . are not . . . these dwellers of the wasteland .. the same Americans who have taxed themselves to create a vast educational system . . . are they not the same who have established an admirable system of justice, created a network of churches . . . when they turn their TV knobs do they not by the millions have interests broader than the entertainment which is so complacently theirs? . . .

"I think the American people should expect that the greatest single instrument of human communications ever developed must make its due contribution to human security and human advancement. . . . A high common denominator distinguishes our people—as well as a low one—and both denominators apply to the same men, women, and youngsters. Television has crystallized into the low road. . . ."

"TRASH: 100 TO 1"

Indeed, it has. Charles Sopkin concluded his "Seven Glorious Days, Seven Fun-Filled Nights" of watching New York City's television with the observation: "[Television] is dreadful, make no mistake about that. If I did not convey that feeling throughout this book, then I have failed rather badly. I naively expected that the radio would run 3 to 1 in favor of trash. It turned out to be closer to 100 to 1."

Given the great unfulfilled needs that television could serve in this country and is not, given the great evil that the evidence tends to suggest it is presently doing, one can share the judgment of the late Senator [Robert F.] Kennedy that television's performance is, in a word, "unacceptable."

The popular outrage and cries for reform are warranted. They must be heeded. If they are not, I fear for popular remedies that will be unfortunate from everyone's point of view.

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Responsible broadcasters know what must be done. I pray they will get on with the task.

NAM-JOHNSON FOUNDATION CONFERENCE ON URBAN AND RURAL ECONOMIC DEVELOPMENT: A DESIGN FOR ACTION

HON. HENRY C. SCHADEBERG

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. SCHADEBERG. Mr. Speaker, while a good many others are just talking about our economic future, something is being done about it in Racine, Wis., one of the fine cities in my district.

The Johnson Foundation, whose parent company manufactures household products known throughout the world, in conjunction with the National Association of Manufacturers, has just concluded a 3-day conference in Racine to design a plan of action to meet the problems of black capitalism head on.

Because of the need in this area of our economic progress, I feel certain the details and structure of this excellent conference will be of interest to Members:

URBAN AND RURAL ECONOMIC DEVELOPMENT: A DESIGN FOR ACTION, SPONSORED BY NATIONAL ASSOCIATION OF MANUFACTURERS IN COOPERATION WITH THE JOHNSON FOUNDATION, MARCH 4 TO 6, 1969

The purpose of this conference is *to design a plan of action* that will provide guidelines for Urban and Rural Economic Development. To make this conference meaningful, representatives have been invited from the Black Community and Rural America, from Business, Industrial, and Financial Institutions, from the Educational System, and Behavioral Scientists.

A variety of concepts will be explored that must be considered if inner city and rural entrepreneurial and capital formation activity is to be launched into a position of being truly representative of the principles of sound private enterprise.

The conference must reflect two realizations: first, there is a need to consider those concepts that might be relevant to any form of economic development; and second, that the effective programs already in existence need to be examined with care in terms of their successes and their failures.

This conference will pose two basic questions that reflect many ramifications.

First: What elements are involved in defining Economic Development in Urban and Rural America?

Second: What must be done to achieve meaningful results and best carry out various aspects of the strategies involved?

WHAT ELEMENTS ARE INVOLVED IN DEFINING ECONOMIC DEVELOPMENT IN URBAN AND RURAL AMERICA?

Black capitalism: What is it?

Are we only concerned with "entrepreneurship" (i.e. small business, started and managed by black people)? Are we thinking primarily of companies as subsidiaries launched by larger corporations and eventually owned and operated by members of the black community? Is "black capitalism" different from "capitalism" as traditionally defined? Does "black capitalism" imply "sheltered markets" and "guaranteed loans"? Should these concepts be limited to the urban areas only? Is "black capitalism" feasible?

What is meant by rural economic development?

Can we ignore the need for economic development in Appalachia or other non urban areas where economic conditions are less than stable? What is the state of capital formation and new business development in our rural areas? What can be done to improve the situation while we direct so much *apparent* effort to our urban areas?

LIST OF PARTICIPANTS

Robert W. Anderson, Director of Urban Affairs, Burroughs Corporation, Detroit, Mich.

Joseph L. Baldwin, Vice President-Project Development, United States Gypsum Urban Development Corporation, Chicago, Ill.

Karl Bays, Vice President, American Hospital Supply Corporation, Evanston, Ill.

Mrs. Del Behrend, Research Director, Small Business, Urban Affairs, Bank of America, San Francisco, Calif.

James H. Blow, Jr., General Manager, Rochester Business Opportunities Corporation, Rochester, N.Y.

C. Eugene Boyd, Jr., Vice President, The Coca Cola Company, Atlanta, Ga.

James Brewer, President, Nairobi Corporation, San Francisco, Calif.

Curtis A. Brooks, Executive Director, Columbus Metropolitan Area, Community Action Organization, Columbus, Ohio.

Deane Buchanan, Administrative Assistant, Negro Industrial & Economic Union, Cleveland, Ohio.

Berkeley G. Burrell, President, National Business League, Washington, D.C.

John H. Chandler, Vice President, The Danforth Foundation, St. Louis, Mo.

Harold K. Charlesworth, Associate Dean, Extension Division of Development Services, College of Business & Economics, University of Kentucky, Lexington, Ky

David J. Christensen, Director Community Relations, CNA Financial Corporation, Chicago, Ill.

John Clay, President, Businessmen Development Corporation, Philadelphia, Pa.

Paul Cody, Director of Urban Affairs, S. C. Johnson & Son, Inc., Racine, Wis.

Walter Cooper, Chairman pro tem, National Advisory Council for Black Economic Development, Washington, D.C.

Richard Cornuelle, President, Center for Independent Action, New York, N.Y.

Edgar Crane, Illinois Senate Staff, Chicago, Ill.

Milton O. Davis, Director, Urban Development Division, Hyde Park Bank & Trust Company, Chicago, Ill.

Byron DeHaan, Public Affairs Manager, Caterpillar Tractor Company, Peoria, Ill.

Morgan Doughton, President, Program Development Institute, New York, N.Y.

P. T. Drotning, Manager Public Relations, American Oil Company, Chicago, Ill.

Dennis Durden, Vice President, Federated Department Stores, Inc., Cincinnati, Ohio.

Joseph Francomano, Executive Vice President, Junior Achievement, New York, N.Y.

Marvin L. Franklin, Assistant to the Chairman of the Board, Phillips Petroleum Company, Bartlesville, Okla.

Donald M. Graham, Chairman of the Board, Continental Illinois National Bank & Trust Company of Chicago, Chicago, Ill.

Garland C. Guice, Executive Director, Chicago Economic Development Corporation, Chicago, Ill.

Charles Hagler, Manager, Community Affairs, General Motors Corporation, Detroit, Mich.

Walter A. Hamilton, Deputy Assistant Secretary for Domestic Business Policy, Department of Commerce, Washington, D.C.

T. George Harris, Editor, Careers Today, Del Mar, Calif.

Thomas T. Hart, Economic Development Corporation of Greater Detroit, Detroit, Mich.

Herbert S. Heavenrich, Acting Chief Economist, Division of Economic Development, City of Milwaukee, Office of the Mayor, Milwaukee, Wis.

Gary Herzberg, Manager, Financial Planning, General Mills, Inc., Minneapolis, Minn.

Adolph Holmes, Associate Program Director, National Urban League, Inc., New York, N.Y.

Kenneth D. Howard, Industrial Relations Special Assistant, Eastman Kodak Corporation, Rochester, N.Y.

Bennett J. Johnson, Director, Talent Assistance Program, Chicago, Ill.

Hymon T. Johnson, Community & Employment Coordinator, Great Atlantic & Pacific Tea Company, Chicago, Ill.

S. C. Johnson, Trustee, The Johnson Foundation, Racine, Wis.

Loyal Jones, Executive Director, Council of the Southern Mountains, Berea, Ky.

Thomas B. Jones, Vice President, Lionel D. Edie & Company, New York, N.Y.

Lloyd O. Kaldor, Program Coordinator, Small Business Administration, Chicago, Ill.

John L. Komives, Director, The Center for Venture Management, Milwaukee, Wis.

Daniel V. Lemanski, Marketing Department, Northern Illinois University, DeKalb, Ill.

David McClelland, Chairman, Social Relations Department, Harvard University, Cambridge, Mass.

Robert W. McKeand, Director Equal Opportunity Program, Systems Group of TRW, Inc., Redondo Beach, Calif.

Robert McKersie, Professor of Industrial Relations, Graduate School of Business, University of Chicago, Chicago, Ill.

Floyd B. McKissick, President, McKissick Enterprises, Inc., New York, N.Y.

Dunbar McLawrin, President, Ghettonomics, Inc., New York, N.Y.

Walter McMurtry, President, Inner City Business Improvement Forum, Detroit, Mich.

Charles E. Meech, Assistant to the President, Northwestern National Bank of Minnesota, Minneapolis, Minn.

Joseph B. Nelson, Executive Director, Racine Environment Committee, Inc., Racine, Wis.

D. Peter Newquist, Vice President-Urban Affairs, Commerce Trust Company, Kansas City, Mo.

Daniel Parker, Chairman of the Board, Parker Pen Company, Janesville, Wis.

Arthur H. Rogow, Administrator of Ownership Opportunity Program, Menswear Retailers of America, Washington, D.C.

Carlos Rivera, Coordinator, National Advisory Council on Spanish Speaking Economic Development, Washington, D.C.

Douglas Sands, Chief, Economic Development Division, United States Department of Justice, Community Relations Service, Washington, D.C.

Aaron Scheinfeld, Chairman, Manpower, Inc., Milwaukee, Wis.

Fred W. Shewell, Vice President, Continental Illinois National Bank & Trust Company of Chicago, Chicago, Ill.

Robert Smith, Director, Program Development and Public Information, North Carolina Manpower Development Corporation, Chapel Hill, N.C.

Thomas C. Stevens, President, Dominican College, Racine, Wis.

James H. Tinsley, Assistant to the President, Warner and Swasey Company, Cleveland, Ohio.

Dempsey Travis, President, United Mortgage Bankers of America, Inc., Chicago, Ill.

H. W. Wallace, Director of Public Relations, Eli Lilly and Company, Indianapolis, Ind.

John H. Wandless, Senior Urban Affairs Advisor, Midwest Research Institute, Kansas City, Mo.

James Ward, President, Special Market Resources, Washington, D.C.

James Watts, Impact Chemical Products, Inc., Chicago, Ill.

Mayfield K. Webb, President, The Albina Corporation, Portland, Oreg.

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Wilford L. White, Director, Small Business Guidance and Development Center, Howard University, Washington, D.C.

Roger Wilkins, Program Officer of Social Development, Ford Foundation, New York, N.Y.

John D. Whisman, States' Regional Representative, The Appalachian Regional Commission, Washington, D.C.

Harry H. Woodward, Jr., Director of Education, Stone-Brandel Center, Chicago, Ill.

Fred Zulack, Director of Home Planning, The Singer Company, Inc., New York, N.Y.

Leonard Storey Zartman, Assistant to Patrick Moynihan, Urban Affairs Council, The White House, Washington, D.C.

National Association of Manufacturers staff

J. J. Bieber, Vice President, Midwest Division, National Association of Manufacturers, Chicago, Ill.

William F. X. Flynn, Assistant to the Vice President, National Association of Manufacturers, New York, N.Y.

W. P. Gullander, President, National Association of Manufacturers, New York, N.Y.

William H. McGaughey, Senior Vice President, National Association of Manufacturers, New York, N.Y.

Paul Slater, Director Urban Affairs Study Group, National Association of Manufacturers, New York, N.Y.

Robert H. Waechter, Program Director, Urban Affairs, Midwest Division, National Association of Manufacturers, Chicago, Ill.

The Johnson Foundation staff

Leslie Paffrath, President.

George Goss, Senior Program Associate.

Rita Goodman, Program Associate.

Sister Rosita Uhen, Senior Program Associate for Urban Affairs.

Kenneth A. Kautzer, Administrative Assistant.

Sonia Christie, Program Assistant.

Observers

Elmer Anderson, Director, Milwaukee Urban League, Milwaukee, Wis.

Betty Bahl, The Bridge, Chicago, Ill.

John H. Batten, President, Twin Disc, Inc., Racine, Wis.

Allan Birndorf, Special Assistant on Urban Affairs, Milwaukee Jewish Council, Milwaukee, Wis.

R. T. Bryant Carr, Associate Director, Urban League of Racine, Inc., Racine, Wis.

Ernest Denny, Executive Director, Racine County CAP, Racine, Wis.

William K. Eastham, Executive Vice President—United States Operations, S. C. Johnson and Son, Inc., Racine, Wis.

Charles Engman, Vice President, University of Wisconsin, Madison, Wis.

Sig Gissler, Editorial Staff, The Milwaukee Journal, Milwaukee, Wis.

James Hamilton, President, Greene Manufacturing Company, Racine Wis.

Wilbur Johnston, Executive Director, Urban League of Racine, Inc., Racine, Wis.

Dennis C. Kelsey, Branch Manager, Small Business Administration, Milwaukee, Wis.

James L. Ketelson, President, J. I. Case Company, Racine, Wis.

Harold H. Lentz, President, Carthage College, Kenosha, Wis.

Roger D. Mulhollen, Assistant to the President and Chairman, S. C. Johnson & Son, Inc., Racine, Wis.

James Page, Project Assistant, Human Relations Institute, University of Wisconsin—Milwaukee, Milwaukee, Wis.

Bernard H. Regenburg, President and General Manager, Belle City Malleable Iron Company, Racine, Wis.

Harold Stassen, Stassen & Kephart, Philadelphia, Pa.

Julian Thomas, J. I. Case Company, Racine, Wis.

Israel Unterman, D.B.A., Project Director, Education in Business Administration for Negroes, Harvard Graduate School of Business, Harvard University, Cambridge, Mass.

PROGRAM

March 4, 9:30 a.m.: Plenary session, Terrace Room.

Welcome: S. C. Johnson, trustee, the Johnson Foundation.

Introduction: William H. McGaughey, Senior Vice President, National Association of Manufacturers.

Opening Statement, Conference Moderator: William F. X. Flynn, Associate Director of Urban Affairs, National Association of Manufacturers.

The Role of the Black Community: Floyd B. McKissick, President, McKissick Enterprises, Inc.

The Role of Behavioral Science: David McClelland, Chairman, Social Relations Department, Harvard Business School.

11:00 a.m.: Coffee and Tea will be Served.

11:15 a.m.: Plenary Session, Terrace Room.

The Role of the Private Sector: Daniel Parker, Chairman of the Board, Parker Pen Company.

Discussion.

12:30 p.m.: Hospitality.

12:45 p.m.: Luncheon will be Served.

2:00 p.m.: Group A discussion with Mr. McKissick, Library; Group B discussion with Dr. McClelland, Cypress Room; Group C discussion with Mr. Parker, Theatre Conference Room.

2:45 p.m.: Group A discussion with Dr. McClelland, Library; Group B discussion with Mr. Parker, Cypress Room; Group C discussion with Mr. McKissick, Theater Conference Room.

3:30 p.m.: Refreshments.

3:45 p.m.: Group A discussion with Mr. Parker, Library; Group B discussion with Mr. McKissick, Cypress Room; Group C discussion with Dr. McClelland, Theatre Conference Room.

4:30 p.m.: Plenary Session, Terrace Room.

Feedback Observations from each Group.

Details of Group Sessions to develop "A Design for Action" presented.

5:30 p.m.: Hospitality.

6:00 p.m.: Dinner will be Served.

7:30 p.m.: Plenary Session, Terrace Room.

9:30 p.m.: Adjourn, Return to Racine Motor Inn.

March 5, 9:00 a.m.: Plenary Session, Terrace Room.

The Role of Education: Robert McKersie, Professor of Industrial Relations, University of Chicago, Graduate School of Business.

The Role of Government: Walter A. Hamilton, Deputy Assistant Secretary for Domestic Business Policy, Department of Commerce, Washington, D.C.

The Role of Financial Institutions: Donald M. Graham, Chairman of the Board, Continental Illinois National Bank & Trust Company.

10:30 a.m.: Coffee and Tea will be Served.

10:45 a.m.: Plenary Session, Terrace Room.

Discussion.

11:30 a.m.: Hospitality.

11:45 a.m.: Luncheon will be Served.

1:00 p.m.: Group A discussion with Dr. McKersie, Library; Group B discussion with Mr. Graham, Cypress Room; Group C discussion with Mr. Hamilton, Theatre Conference Room.

1:30 p.m.: Group A discussion with Mr. Graham, Library; Group B discussion with Mr. Hamilton, Cypress Room; Group C discussion with Dr. McKersie, Theatre Conference Room.

2:00 p.m.: Group A discussion with Mr. Hamilton, Library; Group B discussion with Dr. McKersie, Cypress Room; Group C discussion with Mr. Graham, Theatre Conference Room.

2:30 p.m.: Plenary Session, Terrace Room.

Feedback Observations from each Group.

3:00 p.m.: Refreshments.

3:15 p.m.: Resume Group Design Sessions.

5:15 p.m.: Plenary Session, Terrace Room.

5:30 p.m.: Adjourn, Return to Racine Motor Inn.

6:30 p.m.: Return to Wingspread.

6:45 p.m.: Hospitality.

7:15 p.m.: Dinner will be Served.

8:30 p.m.: Pro Arte Quartet University of Wisconsin.

9:30 p.m.: Return to Racine Motor Inn.

March 6, 9:00 a.m.: Plenary Session, Terrace Room.

Final Group Design Session.

11:00 a.m.: Coffee and Tea will be Served.

11:15 a.m.: Plenary Session, Terrace Room.

Group A Design Presentation.

Group B Design Presentation.

Group C Design Presentation.

12:45 p.m.: Hospitality.

1:00 p.m.: Luncheon will be Served.

2:15 p.m.: Plenary Session, Terrace Room.

The Next Step: W. P. Gullander, President, National Association of Manufacturers.

Discussion.

3:15 p.m.: Departure.

A FREE BALLOT—A FREE COUNTRY

HON. JERRY L. PETTIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. PETTIS. Mr. Speaker, Freedoms Foundation of Valley Forge has awarded Capt. Jon M. Samuels, one of its top freedom awards.

The Air Force captain received the George Washington Honor Medal and a $100 cash prize for a letter he wrote on "A Free Ballot—A Free Country" while serving with the 35th Security Police Squadron at Phan Rang Air Base, Vietnam.

Captain Samuels was born in San Bernardino, Calif., and is a graduate of the University of Southern California.

He was designated a distinguished Air Force ROTC graduate and was commissioned on June 10, 1964. Later he was assigned to the 441st Air Force Squadron at Yokota Air Base, Japan. While there, he attended the Basic Airborne School. In August 1966 he attended the American University graduate program in correctional administration in Washington, D.C. In January 1968 he was assigned to Vietnam and returned in January 1969. He is presently assigned as an exchange officer with the Royal Air Force in Catterick, England.

Among his decorations are the Bronze Star Medal with "V" device, the Air Medal, the Purple Heart, the Air Force Commendation Medal, and the Vietnamese Gallantry Cross with Silver Star. He has been nominated for the Korean Army Commendation Medal.

Captain Samuels' award-winning letter reads as follows:

OCTOBER 23, 1968.

The night enfolds me in an unwelcome embrace. Outside my bunker, across the wire, the enemy flirts with the darkness.

Sweeping, searching, my eyes seek the invisible, the sounds, the shapes, lurking just beyond in the shimmering elephant grass. Is that "Charlie"? I am ready—weapon clean, ammo dry, claymores set, courage primed. Ten lonely hours each night.

I fancy myself a good soldier, come here to rescue freedom or at least a chance for it. Freedom, something that in America is as common as the morning paper.

America, how far away tonight! There, in spite of a few for whom anarchy is Eden, we still solve our problems in the sanctity of the voting booth. For we have learned that though democracy can be won with bullets, it can only be sustained with ballots.

To vote is a quiet act of courage. The voter, standing alone, confronts the world's insoluble problems and selects those men to whom he will trust his destiny. In that moment he too mounts the barricades. The free ballot is the heir of Patrick Henry rising to address the Virginia House, George Washington standing firm in the face of sunshine patriots, Lincoln at Gettysburg, and John Kennedy challenging a new generation.

The secret ballot is the great weapon in a free man's arsenal. With it, he makes one voice a symphony, tells his leaders where they shall lead him, silences the demagogue, and gives new life to the Republic.

Should his courage waiver, should he cease to employ this weapon, there are forces at large who will fill the void stealing his freedom.

Dissent expressed at the ballot box garners no cheers, accrues the dissenter no public honors, and gives him entrance to no sanctuaries. It merely breathes life into a governmental system that logically should not have survived these past 180 plus years. The ballot exercised freely and responsibly earns no profit except the establishment of an environment where freedom flourishes.

America, how far away tonight! A time of great strife is upon you. Your path appears clouded and only your citizens singing out their decisions can clear your way. Their free ballots are their free country.

Morning light—I have stood my post. Today, I must mail my absentee ballot for my free tomorrow depends upon it.

COMMISSION ON GOVERNMENT PROCUREMENT

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. MOORHEAD. Mr. Speaker, I want to compliment the gentleman from California (Mr. HOLIFIELD) and to express my appreciation for the explanation of the background and purpose of H.R. 474, the bill to establish a Commission on Government Procurement. This bill has been referred to the Military Operations Subcommittee, and as the ranking Democratic member of the subcommittee I expect to participate actively in the hearing program that the chairman has mentioned.

We know that improvements can be made in Government, and especially military procurement and contracting, and it is interesting to point out that in a $50 billion volume of annual procurement $1 billion can be saved by a mere 2-percent improvement in efficiency, an amount that is equivalent to three times the annual appropriation for the entire Headstart program. The improvements must come from both buyer and seller. The Government, as buyer, needs more trained personnel, more efficient purchasing and inventory management. The contractor, as seller, needs to do a better job of contract performance and management, judging by frequent reports of cost overruns of up to 200 to 300 percent and failure to meet performance standards on our major new weapon systems.

I would hope that the techniques and methods for systems management could be improved to the point where problems are identified much earlier in the procurement process, before things get out of hand and before the Government—and the taxpayer—are faced with large financial burdens not anticipated or planned for.

In this connection it is my hope that the subcommittee will examine in some depth, the unique, and rather disturbing way that the Bureau of the Budget fails to scrutinize the Defense budget and military procurement programs in the same way and to the same extent it does the budgets of domestic agencies.

This is the result of both inadequate manpower and the nature of the Defense budget process itself.

For example, there was one BOB examiner assigned to the Headstart program, and one examiner assigned to the anti-ballistic-missile system. There is somethng basically wrong when a government gives equal Budget Bureau attention to an ABM system, with projected expenditures of anywhere from $5 billion to $50 billion, or as high as $400 billion, and the Headstart program which has an estimated expenditure of $338 million in fiscal 1970.

Furthermore, domestic agency budgets are given different and less intense scrutiny than the Defense budget. In all departments of Government except for the Defense Department, budget examiners conduct an independent analysis and review which is submitted to the Director of the Budget. In Defense, budget examiners work not independently, but with their Defense counterparts, and the analysis and review are submitted first to the Secretary of Defense rather than to the Budget Director. Only after the Secretary has approved it, is the review submitted to the Budget Director. The result of this procedure is that whereas other Secretaries must go to the President to have him overrule the Budget Director, in the case of Defense, the Budget Director must go to the President to overrule the Secretary.

This process, of course, shifts the whole budget process power structure and renders the Bureau almost impotent as a force for independent analysis of military procurement programs.

In any case, we hope to get more information and insight into the Government procurement process as a result of the hearing program which the chairman has announced. Our subcommittee wishes to be objective and fair, not to avoid controversy, but to hear all sides. We do not propose to utter all the words of wisdom on the subject but hopefully to get a better understanding of the procurement process and to lay a foundation for the work of the expert commission which H.R. 474 would establish.

PASS "PREVENTICARE" NOW

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. PATTEN. Mr. Speaker, a "preventicare" program would save and prolong millions of lives in America. Delay in enacting this urgently needed program is not only senseless, but tragic. I say this not because I am one of the cosponsors, but because I have known thousands of persons who would be alive today if "preventicare" was law.

"Preventicare" would enable persons 50 or older to receive a free medical examination regularly at health protection centers where diseases could be detected—but not treated. Results of the examinations would be sent to physicians who care for the persons.

Mr. Speaker, I strongly believe that the Federal Government has a duty to assist the adult population of the United States—especially the aged and aging—in protecting, maintaining, and improving their health.

The existence of modern equipment and techniques make possible the efficient and rapid appraisal of large numbers of persons for signs of chronic diseases, including heart and vascular diseases, cancer, diabetes, tuberculosis, glaucoma, and kidney disease. A "preventicare" program would utilize such equipment and methods.

Under the bill, which is being chiefly sponsored in the U.S. Senate by the legislative pioneer of "preventicare," HARRISON A. WILLIAMS, JR., U.S. grants would help plan, establish, and operate regional health protection centers to provide health appraisal and disease detection services.

Another section would provide Federal funds for specialized training in operating the centers through working internships for physicians, nurses, health counselors, referral specialists, medical technicians, and other skilled health personnel

In addition, the measure would enable the Surgeon General to enter into contracts with educational institutions and other organizations for developing and executing programs to improve the effectiveness of personnel involved in operating the centers.

I would also like to point out, Mr. Speaker, that it was very gratifying to read that Wilbur Cohen, the outgoing Secretary of the Department of Health, Education, and Welfare, also advocated the passage of "preventicare" in the medicare report he issued.

Because of past delays in enacting "preventicare," millions of persons have either died prematurely, or suffered diseases that might have been prevented. There should be no further delays. "Preventicare" should be passed by this Congress, so I hope that many more Members of this House will help cosponsor it. Good health and long life are too precious to be taken for granted or be ignored.

IMPROVED PROFESSIONAL STATUS FOR AIR TRAFFIC CONTROLLERS

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. PICKLE. Mr. Speaker, today I am introducing a bill to promote the pro-

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fessional level of the Nation's air traffic controllers.

The safety of all air passengers, crews, pilots, and planes falls ultimately upon less than 10,000 controllers in the Federal Aviation Administration. Their responsibility is staggering because of the unprecedented growth of air travel. Not only are about six jets per month added to the many fleets in this country, but dozens of planes each month are purchased and flown by general aviation users.

Last July, these air controllers pointedly and forceably called our attention to the overburdened and cumbersome air traffic control system. Many decided to follow the rules of the FAA pertaining to spacing for safety. As subsequent investigations proved, these air controllers were not then or now solely responsible for the lengthy delays in the air, flight cancellations, and general tieups in the passenger airline industry. They felt they were, moreover, forced to take the actions they did as a direct result of oversaturation of the air traffic system.

The buck stops at the air controller's console. With split second timing and precision accuracy, they must discharge their responsibilities for safety the instant aircraft comes into their system. They must restrict the movements of air traffic to reduce demands upon the system. Without hesitation, they must space air traffic according to the dictates of safety. Anything less than total effort by the air controller invites, and probably results in, disaster and deaths.

We are faced with a horse-and-buggy approach to the most sophisticated form of travel history has known. What possible utility is there in flying nonstop across the continent in a matter of hours, only to circle like great flocks of migratory birds for hours above an overcrowded airport approach path?

Air technology is constantly creating bigger, faster, sleeker planes. Soon we will have the jumbo jets and supersonic aircraft. And they will be landing in the same manner of their predecessors—eventually.

Obviously, there are other aspects to this problem. There are other solutions. Some of these problems will require engineering studies before remedial action can be prescribed and taken. Other problems will require technological breakthroughs in airport design.

But one step can be taken today. We can improve the conditions under which air controllers must labor. They work in a sweatshop of tension. We can help by recruiting able people, retaining the qualified controllers, and adequately compensating air controllers commensurate with the demands placed upon them.

Therefore, Mr. Speaker, I introduce a bill designed to raise and maintain the standards and qualifications for air traffic control personnel.

We must accept our responsibility and act now. The number of frontline traffic controllers has actually declined over the past few years, while the remainder of the air travel industry is running rampant with growth. The technique of air control simply has not kept pace with the technological revolution throughout the remainder of the industry.

The safety, then, of the public and the industry is ours by default.

The bill which I present today will: Upgrade the entrance requirements for trainees by requiring controllers to have either a bachelor's degree in an accredited institution offering a course in air traffic control or a mixture of experience and 2 years of college; require annual physical checkups and semiannual proficiency examinations; increase the minimum salary equal to the job and the responsibilities; aline retirement benefits with declining abilities as age retards competence; establish three categories of control proficiency, training and compensation; require continuing training for all controllers to take place in the cockpit of an aircraft; distribute workload through the adjustment of personnel and the placing of 'facilities; and will penalize the FAA when controllers must work in excess of a 40-hour week.

Mr. Speaker, we need more controllers. We need to give them better training and better hours of work, and better equipment. What we in Congress can do is pass basic legislation. But we need to do more. The shortage or shortcomings of the controller system is not alone the fault of FAA, or Congress or the controllers. We need a unified and concentrated and cooperative effort of an entire industry, seeking the help of the public. Good controllers can be found by a broad-based public relations program, and I do not think that approach has been properly used. Here is a way for all of us to help. I am convinced of the need. I have visited twice with the controllers of Austin, Tex., and I know that much needs to be done. We need legislation to help, but we also need the cooperative effort of the public, and all allied and related industrial segments of aviation.

ALBERT PRUDENCE, OF CLEVELAND PRESS, WINS FREEDOMS FOUNDATION AWARD

HON. WILLIAM E. MINSHALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. MINSHALL. Mr. Speaker, the credo of Freedoms Foundation at Valley Forge is:

> To personally understand and maintain the American way of life, to honor it by his own exemplary conduct, and to pass it intact to succeeding generations is the responsibility of every true American.

Each year this nonprofit, nonpartisan, independent organization, using its credo as the sole basis for judging nominations, makes Freedoms Foundation awards to good citizens who have substantially contributed to the goal set forth in the foundation's charter:

> To create and build an understanding of the spirit and philosophy of the Constitution and the Bill of Rights and of our indivisible bundle of political and economic freedoms inherent in them. To inspire love of freedom and to support the spiritual unity born of the belief that man is a dignified human being created in the image of his Maker and, by that fact, possessor of certain inalienable rights.

Albert Prudence, who is the world news editor of the Cleveland Press, was a well-deserved winner of one of the foundation's coveted awards this year. Al—in addition to being one of the outstanding journalists in the country—is also an Air Force Reserve colonel, a member of the Reserve intelligence staff of the Pacific Air Command and chief admissions representative in northeastern Ohio for the Air Force Academy. I have known, liked, and admired Al Prudence for many years and I am pleased at the recognition he has achieved for a combination of two of his many fine qualities: His ability as a fine writer and a devoted American.

His moving letter, "A Free Ballot—A Free Country," which won him his award, follows:

> A FREE BALLOT—A FREE COUNTRY
>
> Just because that ballot you marked in the last election was free, don't get the idea that it was cheap. It was paid for in blood—at Valley Forge, Verdun, Berlin, Tarawa, Okinawa, Chosin Reservoir, Khe Sanh, and dozens of other bitter places where youthful dreams are drowned in tears and terror.
>
> Those tears are nothing compared with the agony shared by others who were subdued or tricked into political and economic slavery in dictatorship nations far from America. They would gladly pay any amount for the privilege of a free ballot through which they could change their leaders, shake off censorship, eliminate secret police, and end harsh prison sentences for criticizing government officials and their actions.
>
> Millions have risked death or jail by "voting with their feet" to get to places where a truly free ballot meant a free country. They climbed the Berlin Wall, crawled and prayed their way across mine fields between Soviet satellite nations and the Free World, and painfully made their way through mountains and jungles of Asia.
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> Some of them died in the dash to freedom. But most of them survived to live in the Free World, where they know they can change the government by a free ballot without bloodshed or fear. They know for a certainty there is no price tag on the ballot. The blood of others has paid for it many, many times. But they know—and have learned the hard way—that unless they work to keep the ballot free, their country will not be free. And their dreams, too, will be drowned in tears and terror.

FLOOD CONTROL SUBCOMMITTEE RESPONSIVE TO NEEDS

HON. GEORGE H. FALLON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. FALLON. Mr. Speaker, the Honorable Robert E. Jones, of Alabama, who is chairman of the Flood Control Subcommittee of the House Public Works Committee, and members of his subcommittee recently conducted hearings in east Texas on the potential flood dangers along the Sabine River. In addition to Congressman Jones, members attending the hearings were Hon. Frank Clark, Hon. William Jennings Bryan Dorn, Hon. Ray Roberts, Hon. Don H. Clausen, Hon. William H. Harsha, Hon. Robert V. Denney, Hon. Jack H. Mc-

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Donald, Hon. John Paul Hammerschmidt, and Hon. Ed Edmondson.

Our distinguished colleague and members of his subcommittee created a favorable impression for the Congress in their hearings and in their evidences of appreciation for the severe flooding problems of the east Texas area.

We on the House Public Works Committee intend to be responsive to the great needs of proper development of our Nation, and we will particularly acquaint ourselves with the requirements for water resources development in all parts of the United States.

The Flood Control Subcommittee hearings in east Texas were marked by considerable public attention as attested by an editorial in the Longview, Tex., Daily News commenting on the hearings.

So that all my colleagues will have a chance to know of this important work being conducted by the Public Works Committee, I am including this editorial as a part of my remarks:

Brighter Outlook for Sabine

Proponents of full development of the Sabine River were greatly encouraged with the statements made during and after the hearing conducted here last Friday by the Flood Control Subcommittee of the House Public Works Committee.

Rep. Robert E. Jones, chairman of the group, said on two different occasions during the hearing that Congress is now concerned with total benefits from water projects rather than partial benefits, such as flood control. He went on to say that planning today must consider the well-being of an entire area through the best use of water and related land resources and the preservation of the natural resources to meet all foreseeable short and long range needs and goals.

Congressman Jones said that "through our efforts in Washington and your untiring efforts here in Texas, we hope to expedite the Corps of Engineers report on protective measures in order that these items may be considered in the next Omnibus River and Harbor Flood Control Bill." This would be a big step toward our ultimate goal.

The subcommittee's favorable reaction was augmented by the announcement by Reuben Johnson, deputy director of the Water Resources Council, that as soon as a study of the Sabine River Comprehensive Basin report prepared by the U.S. Corps of Engineers is completed, both its finding and the report will be sent to the governors of Texas and Louisiana and federal agencies. After getting their comments, the council will forward the final recommendations to the White House for consideration and transmission to Congress, possibly this summer.

In the meantime, the Water Development Board is committed to sponsor and otherwise support construction of the Mineola and Lake Fork reservoirs, two of the three projects proposed by the Corps of Engineers in its comprehensive report.

The more than 400 persons who attended the hearing were obviously impressed with the exemplary manner in which the subcommittee and witnesses functioned.

Everyone was generous in praise of Congressman Jones and his colleagues, and grateful to them for their interest and enthusiasm in the Sabine River development program. Many who had the opportunity of hearing the questions and comments of the congressmen said the proceedings, and the way in which they were handled, gave them a better and greater appreciation of how Congress works.

Rep. Ray Roberts, a member of the Flood Control Subcommittee, came in for a large measure of praise from his colleagues for his tireless efforts in behalf of his constituency, the state of Texas and the nation. It was at his invitation that the group came to Longview to see and hear evidence of the damage wrought by the Sabine.

We are confident that as a result of this congressional hearing, the first ever held in Longview, we shall see within a reasonable time the authorization of projects on the Sabine River that will bring total benefits, including navigation, to the people of this area.

It can truly be said that last Friday and Saturday were "red-letter days" in the history of East Texas, because more hope was held out to us than ever before insofar as full development of our water resources is concerned.

NELSEN PROPOSAL WOULD STEM FLOW OF SMUT TO MINORS

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. NELSEN. Mr. Speaker, I join today in introducing a measure aimed at curbing the flow of obscene and pandering materials being sent to juveniles.

The Supreme Court has liberalized almost to an absolute degree the standards printed material must meet in order to be protected by the constitutional rights of "freedom of the press."

The Court has been clear, however, that the freedom of the press does not extend to sexually offensive materials when minors are involved.

My proposal provides for a fine of up to $5,000 or imprisonment of up to 5 years for the first offense, and a fine of up to $10,000 and imprisonment of up to 10 years for subsequent offenses.

It prescribes these penalties to persons who use the mails to sell, offer for sale, deliver, distribute, or provide to a minor any picture, drawing, sculpture, motion picture, or similar visual representation or image of a person or portion of the human body which depicts nudity, sexual conduct, or sadomasochistic abuse, in a manner designed to primarily appeal to the viewer's prurient interests, or materials containing explicit descriptions of such things.

The problem of pandering literature offered in "plain brown wrappers," used to be a joke. Today, the dimensions of the problem have gone far beyond the laughing stage.

Because of broad Supreme Court interpretation of obscenity as being "utterly without redeeming social importance," the contents of the plain brown wrapper can contain things of such description as to make washroom walls seem like Robert Frost.

We are empowered, and I feel we are obligated, to defend youngsters and defend the right of parents and guardians to protect their children against such materials. This bill will go a long way to preserve those rights and stop the flow of unsolicited, objectionable materials to the young.

CONGRESS AND THE COMPUTER AGE

HON. RICHARD BOLLING

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. BOLLING. Mr. Speaker, my able colleague from Pittsburgh, Pa., Representative William S. Moorhead, spoke Monday, March 10, to a Conference on Electronic Data Processing sponsored by the American Management Association in New York City. I have read the speech and find it a most useful and informative one. Congressman Moorhead quite aptly speaks about a need of the Congress to make comprehensive use of information retrieval systems. But he quite properly cautions it should be done rationally and carefully so that incompatible systems are not brought into being. It follows:

Thank you, Mr. Chairman.

Ladies and gentlemen, I understand that your Chairman is not only an expert in electronic data processing, but is also a loving husband; and he proved both of these when he complimented his wife by saying, "Honey, after they programmed you, they broke the tape."

Mr. Rude is an expert—all of you are experts—and it is very humbling for me, a politician, to talk with you about a field in which all of you are experts.

Of course, you know that an expert is a man who gets to know more and more about less and less until he knows everything about nothing; whereas a politician is one who gets to know less and less about more and more until he knows nothing about everything.

I was particularly pleased to receive an invitation to address the 15th Annual EDP Conference of the American Management Association, which this year is taking a good look at the management requirements of the Nation in the 1970's. The splendid program which you have created will do much to alert the leaders both in public and private sectors to the proper role of electronic data processing in the next decade. And it is appropriate that this be done, as some economists are predicting that by the year 2000, the computer industry will be the largest employer in the United States.

Today, I am going to talk with you about the congressional need for improved information handling, and in doing this I hope to set forth the challenge which faces my colleagues and me, and the potential which EDP offers the decision-makers within the United States Congress.

As you know, the Member of Congress is called upon to function in several ways. First, he is responsible for rendering judgments on issues of national and international importance. Second, he serves as the prime representative of his district or State and in this capacity must see to it that its interests and future are protected. Finally, he strives to fulfill the role of an ombudsman—a servant of the people—who is accessible to one and all, to help any constituent with the most critical or trivial problem.

The Congress of today is different in many ways from its predecessor bodies.

In the first Congress, the 65 Members of the House of Representatives came from constituencies averaging 33,000 persons. The total work load of that group resulted in 118 public and private acts and resolutions being enacted.

Today's Congressman represents an average of 450,000 constituents, and the number may double in the next 40 years.

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When the Congress came into being, there were less than 4 million people concentrated mostly between a narrow 50-mile long coastal strip between the Atlantic Ocean and the Appalachian ridgeline.

Today there are nearly 200,000,000 people spread all across the United States.

In the 90th Congress, there was a record total of 29,000 bills and resolutions introduced in the two chambers. In the House alone, there were 395 quorum calls, 478 Yea and Nay votes, hundreds of division, teller and voice votes, and mailbags of letters from constituents which included as many as 5,000 letters daily to many congressional offices.

Ours is a growing nation, with all that that implies. We are bigger, more complex, and on the move! The demands of the citizens for security against foreign and domestic threats, their expectations of a continually improving standard of living, and their need for an unprecedented range of public services are placing stresses on the fabric of our society which require imaginative and immediate action by those who govern.

The Congress, as a reflection of our society, finds the problems confronting it to be numerous and serious. At any point in time, my colleagues and I are forced to consider not one or two, but several issues of significance, and these can be decided only with accurate, timely, relevant information. In 1965, I called attention to the "information explosion" and the potential of EDP in helping to cope with the problems of our age. At that time, I said:

"Responsible decisionmakers in Government and in industry need new techniques and systems of organizing, storing, retrieving, integrating, analyzing and testing the multiple of factors upon which a rational decision must rest. Now is the time to use these techniques at the highest level of Government where the mass of relevant and important information is the largest, where the complexity of the interrelationships is the greatest and hence, where the decisionmaking is the most difficult."

The executive branch of the Federal Government has adopted the computer with enthusiasm, and today has more than 4,600 electronic devices to serve its needs. In defense, space, atomic energy and urban problems, the power of the computer is being harnessed to our needs. But the problem facing us, all of us, today is not that of too little information, but of too much. We must be able to distinguish between the significant fact and the inconsequential detail, and we in the Congress must have equal access to those data which will allow us to function effectively. On many occasions I have spoken out about the balance which must be maintained between the executive branch and the Congress. This balance has been jeopardized as the result of the fantastic demands upon the time and energies of the Members of the Congress.

In 1966 I made a study of congressional computer capability in preparation for a speech before the National Colloquium on Information Retrieval. As a result of my study I was able to make the following shocking remarks to the Colloquium. In 1966 I said:

"Today except for one small unit which the Library of Congress uses to handle its payroll, the Congress of the United States does not own one penny's worth of ADP equipment.

"When I tell you this I am expressing my concern for the future of representative government in the United States.

"Secretary of Defense McNamara, over at the Pentagon can conclude, with the help of computers, that it should be our national policy to phase out our bombers, that it should be our national policy NOT to deploy an anti-missile system.

"But how can the Congress agree or disagree with him? How can the Congress provide or deny him the necessary funds, when the information on which the legislative decision is made comes out of horse-and-buggy procedures?"

Even today, I invite you on your next visit to Washington to look in on the musty document room in the Capitol where papers are handled in about the same way they were when George Washington was President. Bills are filed away in rusty old metal boxes in floor to ceiling slots and accessible from an old oaken ladder that slides sideways on rollers.

For several years, I have been attempting to instill in Members of Congress a desire to seek new tools and techniques which can allow Congress to serve the people of this country in a more responsive, meaningful fashion. One resource that will insure this type of effectiveness on our part is the computer. From the days when I supported Congressman Jack Brooks of Texas your distinguished speaker at this conference last year, as he worked successfully to establish a rationale and guidelines for Federal procurement and agency use of computers, to the present, I have considered it my duty to inspire Members of Congress to modernize many of the administrative and legislatively-oriented routine activities of the Congress. In my presentation in 1966 before the National Colloquium on Information Retrieval I noted:

"Our constitutional government with its delicate system of checks and balances depends on the development of computer capability in the legislative branch. I propose that we bring Congress from the horse-and-buggy age into the age of the computer."

Even these efforts to create an interest on the part of Congressmen met with criticism, and from people in the electronic data processing field.

One EDP magazine wrote a very critical editorial asking me, ". . . how will computers supply the integrity, the sincerity and the conscience required by the Congress?"

However, Professor Kenneth Janda of Northwestern University, in a letter to the magazine corrected the over-zealous editor and insightfully instructed the writer that I was not making the naive assertion that computers would make a bad congressman good, but merely that computers could make a good congressman better, and that the job at that time was to make other Members of Congress aware of the challenge and the potential of computer systems for Congress.

To help create computer interest in Congress my friend and honored colleague Robert McClory of Illinois and I last year co-hosted a special seminar conducted by the Brookings Institution on the subject of Congress and its use of computers. At that meeting, a score of serious legislators from both parties discussed candidly their hopes and feelings about using a computer-oriented information system. Their reaction was encouraging, and a number of these men have written or spoken about the importance of bringing this new capability to Capitol Hill.

Outside of Congress a few farsighted individuals and organizations have begun to urge—through books, articles, television shows, and at forums such as this—that Congress "get on with it" and adapt EDP to its own uses. Commentator David Brinkley, in the introduction to the book "Congress Needs Help," offered this observation about the importance of institutions adjusting to changing conditions:

"Congress has great power, more than any other branch of the government. But effective use of power or leadership certainly requires change to accommodate to the changes in society. A leadership institution that fails to change will become an interesting and perhaps charming irrelevance, like the founder of the hardware business now grown into a huge corporate enterprise, an elderly gentleman whose oil portrait hangs in the boardroom, who mouths 19th Century platitudes, who is ceremoniously honored for his early achievements and always remembered on his birthdays—and otherwise ignored."

Similar messages were contained in such books as "We Propose a Modern Congress," by the House Republican Task Force, "Congress, the First Branch of Government," published by the American Enterprise Institute for Public Policy Research, and "Information Support for the Congress," written by Chartrand, Janda and Hugo.

Last year there were two computer seminars—designed to establish lines of communication between systems technology and the government—held on Capitol Hill. These were sponsored jointly by the Washington Operations Council and the Institute for Management Science, and each seminar attracted about 100 Members and staff.

The Legislative Reference Service held introductory computer seminars for interested staff members, and approximately 60 attended from the Committee and Member offices of the House and Senate.

One large, nationally-known corporation has developed a fascinating seminar on the concepts of computers. To date, several hundred Members and staff have attended this innovative seminar at the company's Washington Presentation Center, and more are enrolled for future seminars.

The Legislative Reference Service—which handled over 130,000 requests for Members last year—has also completed and made available several studies to aid Members and staff. Some of these are "Automatic Data Processing for the Congress", "Systems Approach, A Tool for the Congress", "Application of ADP in Legal Information Handling", and "The Planning-Programming-Budgeting System". More importantly, this has resulted in more face-to-face consultations between LRS, Members of Congress and staff.

All of this spade work accomplished the objective of creating congressional interest, and there are various "happenings" that indicate that Congress may be about to enter the computer age. In fact, the problem may have shifted from creation of interest in computers to coordination of that interest.

Let me cite some of the developments.

Under the leadership of the Clerk of the House, William "Pat" Jennings, steps have been taken to establish a machine capability for doing the payroll and maintaining an inventory of mechanical and electrical equipment, furniture and property. Consideration now is being given to the merits of an automatic voting system, computerized addressing service, and the possibility of an information retrieval system.

In the Senate, the Sergeant at Arms has been using a computer to perform computerized mailing for Senators.

Of particular interest to me, as a Member of the House Banking and Currency Committee, has been the installation of a terminal in the administrative office of that group. The device is being used, through a tie-in to the Library of Congress computer, for the handling of the Committee's legislative calendar and also affords access to the synoptic and status data of other public bills and resolutions.

The House Democratic Caucus very properly expressed an interest in computer technology for the Congress, and I was one of eight Congressmen, who under the leadership of Representative John Brademas of Indiana, presented to the Caucus the following resolution:

"*Resolved,* that the Committee on House Administration be fully supported by Democratic members in efforts to improve the efficiency of operations of the House of Representatives, and we urge that these efforts include, but not be limited to, the use of computers and of a centralized mail processing system."

I supported this resolution even though I believe that it is but one step, and much more is required if we are to bring Congress from

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the "quill and snuff box age" into the age of the computer.

The largest computer installation on the Hill, and one to which both the Senate and House have access, is located in the Library of Congress. In support of congressional requests for information support, which topped 130,000 last year, the Legislative Reference Service has consulted with congressional personnel about those priority areas of activity where EDP could be useful. One of these is the publishing of the "Digest of Public General Bills," which provides Members with key information on the contents, in summary form, and status of the thousands of pieces of legislation which have been introduced. More than a dozen typewriter terminals are linked to this computer, providing researcher access to certain categories of information.

What we are seeing is a gradual proliferation of computer facilities which is a usual trend in a given working environment as many of you well know.

Although the function of continuing to create interest in congressional computer capability must go forward, the emphasis must now shift to coordination.

As Congress moves into the computer age, it is my feeling that the biggest mistake we can make is to acquire one machine for mailing services and then find that another is required for research, another for file maintenance, another for publication of the Calendar, another for the Digest, etc. The result will be an expensive, inefficient group of incompatible machines and programs which still fail to accomplish the job and which will leave the Congress little better served and probably as far behind as it is now.

A strong inclination among most organizations is to jump in quickly without carefully considering long-term needs. One installation may be great for a limited application, but leave software and personnel out in the cold when more advanced applications are required. I hope that Congress will avoid this pitfall.

Capitol Hill computer systems must be compatible. They must be able to "talk to one another."

Coordination on Capitol Hill is not the easiest of tasks. You start with a bicameral legislature with one House having 435 members and the other 100 members, and you must recognize that there is no single leader over both Houses.

In addition, on Capitol Hill there are semiautonomous bodies such as the Library of Congress, the Comptroller General, the Public Printer, and the Legislative Counsel of both Houses.

In the 90th Congress, and again in the 91st Congress, with Representative McClory, I introduced a bill (H.R. 7012) designed to achieve this coordination.

The bill features the creation of an independent, "dedicated" computer center, staffed by a highly professional staff. The purpose of the center, as set forth in the bill is to:

". . . assist the two Houses of Congress, their officers, committees, joint committees, Members, and supporting services in the performance of their respective functions by making available to them automatic data processing services."

Under our bill, coordination between the Senate and the House will be achieved through a Joint Committee on Legislative Data Processing made up of 5 representatives from each body, with House Members appointed by the Speaker, Senators by the President pro tempore of the Senate, with party representation prevailing that in the respective bodies.

The Computer center itself would be supervised by a Director appointed by the Speaker of the House and President pro tempore of the Senate, after consultation with the Joint Committee.

For expertise and further coordination, the Joint Committee would rely on an independent Advisory Board made up of 8 ex-officio members (the Director of the Center, the Librarian of Congress, the Comptroller General, the Public Printer, the Secretary of the Senate, the Clerk of the House, and the Legislative Counsel of both Houses of Congress), and 4 data processing experts—two appointed by the Speaker of the House and two by the President pro tem of the Senate.

If the Moorhead-McClory bill or some similar legislation is passed, Congress can begin to initiate a rational, integrated, compatible first phase of a modern congressional computer capability.

Even the first phase cannot be achieved overnight.

Certainly we should not buy the hardware first and then look for the personnel and systems thereafter—quite the contrary.

There should be a two-year design and implementation period to develop such a system as I propose. Consultants have estimated that the initial cost for this period would range from $1.4 to $1.7 million.

After Phase One has been in operation and proved its worth, Congress can decide whether it should move onward into even more sophisticated systems, simulated environments and so forth—but it is very important that Phase One be designed and coordinated so that it can be expanded when more sophisticated usages are needed and desired.

What I am proposing is scarcely revolutionary, for several State legislatures are well along in their development of fairly sophisticated computer-centered systems. The State of New York has demonstrated leadership in this regard, with many services being offered the State legislators; other advanced systems have been implemented in my home State, Pennsylvania, and in Florida, North Carolina, and Texas. Thus, there is evidence on every hand that Congress must make use of the versatility, adaptability, and capabilities of the electronic computer. Last year, I urged that—

"With private enterprise, the executive branch and the State legislatures in the computer age, Congress must change its ways or it will fail the American people. Computers cannot make congressional decisions, but as our world gets more complex, Congress will be unable to make rational decisions without computers."

One obvious focus of attention must be on the projection of congressional needs versus anticipated capabilities of legislative branch components.

When we speak of "needs," and many of these are very real, we should attempt to redefine what the Members and committees do which might be enhanced by computerized support. I have noted the heavy volume of requests for information on pending legislation—and keep in mind that during the 90th Congress a record 29,000 bills and resolutions were introduced—and told of how effective the use of EDP would be in handling such data. In my way of thinking, information on the status and contents of bills should be up-to-the-minute and available by a telephone call or through dialing in a request through a terminal with a television-type screen.

Committee activity information is susceptible to machine handling. With dozens of standing, special, and joint committees, not to mention the numerous subcommittees, the lawmaker is hard pressed to know when he is to be present for a meeting or hearing, where it is to be held, the topic to be discussed, and in some cases which witnesses are slated to testify and on what subjects.

The importance of current, properly structured budgetary data scarcely can be overstressed. Accessibility to these data often is difficult at best, and with the advent of the PPB Systems in the executive branch, the Congressmen responsible for budget review must adjust to the new form of presentation. Further, we need information which will allow us to determine the policy bases on which the budget was submitted, and the real reasons why agency reductions were made by the Bureau of the Budget or the President prior to forwarding the budget to the Congress. I have bemoaned the fact many times in the past that we have no means such as that available to the executive branch for setting priorities to determine alternative programs affecting the tax dollar. The Bureau of the Budget maintains key budgetary information in computerized form, and the American Enterprise Institute for Public Policy Research has placed the last four years of the "Budget Index" in random-access storage. Yet, the Congress has no support at all in this vital policy area!

Access to topical research information, whether situated in an executive branch or the Library of Congress, is a continuing need of the Congressman. I have proposed that there be read-out devices or closed circuit television screens in the offices of Senators and Representatives and in all committee offices. Since most of the desired data comes from the Legislative Reference Service—and I have been outspoken in urging an upgrading of that organization—there must be additional staff of an uncommonly high calibre. The creation of a Selective Dissemination of Information (SDI) capability in connection with what I believe must be called the "Legislative Research Service" is a next logical development. This would allow each Member to create his own "profile" of interests, and through a keyword matching technique within the computer, generate notices of new acquisitions such as books or articles which could be checked by his staff.

Would you believe that we do not even have a comprehensive index to congressional documents, although partial listings are prepared by the Government Printing Office? Here again, the computer is "a natural" for this type of service. The Congressman, besieged by constituent requests for information and simultaneously striving to prepare himself for committee assignments and floor debate, must be able to check quickly existing documentation and associated material. The computer can be the instrument by which these operations are performed.

Join me for a moment as I sit in my office, reordering my schedule to meet the demands of the day. Think how helpful it would be to retrieve, through my own console, information on issues up for vote, histories of my committees' activity which I can use for a self-briefing, and such useful information as that on Federal contract awards and lobbyist activity. And yet another area looms large where the computer can serve; that of handling constituent correspondence. In some offices on the hill, staggering volumes of mail arrive each day—as high as 5,000 letters to a single office! Files are kept manually in virtually every office, files which show not only which voters have written, but what type of response has been sent in fulfillment of a request. The problems related to indexing, storing, and retrieving such data are well known to an audience such as this.

And so we see that there is a very real need for EDP within the congressional environment. Gradually, we are learning what the new machines can and should do. The ability of man to master his tools has not changed. He must study his needs and plan accordingly. Prior to establishing a master computer support system for the Congress, I would recommend that these steps be taken.

First, a thorough orientation and education for all involved in the management, operation, and use of the EDP-centered system. Second, careful planning by qualified persons, including outside consultants. Third, a serious consideration of all possible alternatives as to equipment location and configuration, level and type of staffing, and functioning of the interface group responsible for receiving, reviewing, and possible transcribing congressional requests for data. Fourth, the creation of a responsible monitor

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of the system, with authority sufficient to make and impose priorities for system use and performance. Without these logical, interdependent steps, the achievement of a useful service for the Congress will be impossible.

In closing, may I ask that each of you consider the problems which I have enumerated, in the light of your own experience and perception. Management problems in the realm of information use are not unique either to the corporation president or the United States Congressman. Let us work together to solve these problems. Let us communicate our findings and recommendations to the improvement of the Nation at large.

Ours is the greatest Nation in the annals of man. To survive and attain even greater stature it must be guided by men who make the right decisions. In a democracy decisions are made by the populace acting through its duly elected representatives. How effectively they govern is contingent upon their judgments based on valid, obtainable information.

We have the skills and resources, human and mechanical, to achieve more than we can imagine. We must not fail to use them effectively. There is nothing for Congress to fear from the new technology, but only in our own uncertain grasp of how best to use it. Yet, as the social scientist, Michael Polanyi has said, "we're in a totally new place no one has explored before, and we can make our own map."

We have today at our fingertips the technology which can aid us in controlling our surroundings and planning our destiny.

The computer has become man's information machine . . . giving curious, resourceful, intelligent men more time to think, encouraging him to soar to the farthest reaches of his imagination.

Man enjoys a heritage of freedom in action and thought. Let us work together to meet the challenges of the future through an expression of will and intelligence and the humane use of our promising new tools.

ABM: WHOSE FINGER ON THE NUCLEAR TRIGGER?

HON. OTIS G. PIKE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. PIKE. Mr. Speaker, on February 26, during the discussion of the ABM on the floor of the House, I raised for the first time the question of the command and control problems involved in making the decision to utilize an ABM.

Most of the debate in the past has been geared to the technological aspects of the system—whether it could be made to work, or the psychological aspects of the system—whether it would simply trigger a rapid escalation of offensive weapons in the hands of our enemies.

Yesterday, however, the command and control problem was again brought to the attention of the American people by the testimony of three eminent scientists, Dr. James A. Killian, Jr., Dr. Herbert F. York, and Dr. George B. Kistiakowsky before a Senate subcommittee.

These three experts agreed that deploying an anti-ballistic-missile system would mean quite simply that the control of our nuclear weapons would pass out of the hands of the President into the hands of middle-grade military officers or even computers. As I pointed out on February 26, assuming the very best—that a hostile missile is detected the moment it is launched, and properly identified as hostile at that point—no small assumption—less than 30 minutes remain before impact. Who, then, makes the decision to fire the ABM's? The President may be in Europe, asleep, in an airplane, sailing on Biscayne Bay. The Vice President may be in New York, or Hawaii, or fishing.

ABM's must be, as the scientists said yesterday, a hair-trigger operation. America has never been geared for a hair-trigger response to a surprise attack. We were not at Pearl Harbor, the *Liberty's* messages did not get through, nor did the *Pueblo's*. In order to maintain the "hair-trigger" posture, said Dr. York:

> The power to make certain life-and-death decisions is inexorably passing from statesmen and politicians to more narrowly focused technicians, and from human beings to machines. The direction we are going is not toward the ultimate weapon but toward the ultimate absurdity. We are getting to the point in complexity and in the time scale where there is no time for humans, and decisions are made by machines.

While the President might sleep better nights with this awesome burden removed from his shoulders, all Americans must sleep a little worse at the thought of deploying a hair-trigger nuclear system under the control of hundreds of nervous officers and thousands of indifferent machines.

STATEMENT OF COOPERATION WITH THE UNITED KINGDOM IN THE FIELD OF NUCLEAR PROPULSION OF NUCLEAR SUBMARINES

HON. WILLIAM H. BATES

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. BATES. Mr. Speaker, my colleague, Congressman CHET HOLIFIELD, chairman of the Joint Committee on Atomic Energy, yesterday reported to the House the results of deliberations of the Joint Committee on Atomic Energy on an amendment to the United States-United Kingdom Mutual Defense Agreement concerning the use of atomic energy. This agreement covers the transfer of enriched uranium to the United Kingdom for use as fuel in their submarines which will be utilized for our mutual defense. The statutory requirement of the Atomic Energy Act of 1954, as amended, provides that no cooperation in the military field with any nation or regional defense organization, covering the transfer of classified atomic energy information or material, may be undertaken unless a proposed agreement for said cooperation has been submitted to the Congress and referred to the Joint Committee, to lie before the committee for a period of 60 days while the Congress is in session. This 60-day period ends at midnight tonight.

I am pleased to note that U.S. assistance to the United Kingdom in nuclear submarines during the 1970's will be limited to supplying enriched uranium for British submarines. This would indicate that the United Kingdom, with U.S. assistance, has achieved a capability in this difficult field.

This also means, however, that the United Kingdom is likely to be subject in coming years to requests from other governments for assistance of the sort they have received from the United States. The United States, of course, has been asked for such assistance on numerous occasions in the past; we have considered it in our interest to limit our assistance in naval nuclear propulsion to the United Kingdom only. We continue to believe it is in our interest—and in the best interest of our allies as well—to minimize the dissemination abroad of this sensitive technology.

I, therefore, believe it is highly important that the United States reiterate to the British Government the importance that we attach to the protection of naval nuclear propulsion information. This will require continued consultation on all contacts from other countries concerning requests for U.S. nuclear propulsion technology. We must make sure that this technology is safeguarded.

PROBLEMS ATTENDANT TO A GRAZING FEE RAISE

HON. MANUEL LUJAN, JR.

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. LUJAN. Mr. Speaker, the livestock industry is one of the most important industries in the district which I represent, and it is of paramount importance to many of my constituents that a fair and equitable solution be arrived at in this problem of grazing fee increases. It is my feeling that the current increase has been hurried into effect, and this is unfortunate.

Many of the livestock growers in northern New Mexico are extremely small operators—the average permittee on Carson and Santa Fe National Forests, for example, runs only 17 head—and for them this increase may possibly mean the difference between economic survival and extinction. Larger operators may be adversely affected also, and a healthy livestock industry is clearly essential to a healthy economy; but I do not think due consideration was given to the effects this increase will have on marginal operations.

Further, I find it difficult to find reasons why this entire matter could not have waited until the report of the Public Land Law Review Commission was published. I am sure that the Commission, headed by the honorable Chairman, has studied all the problems attendant to a grazing fee raise carefully, has gathered a great deal of important evidence on the subject, and I think that the Forest Service and the Bureau of Land Management would do well to hold their fee-increase program in abeyance until the Public Land Review Commission study is made public.

CONGRESSMAN GONZALEZ INTRODUCES TWO BILLS TO AID SCHOOLS SERVING CHILDREN FROM LOW-INCOME FAMILIES

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. GONZALEZ. Mr. Speaker, I am pleased today to sponsor two bills to aid schools serving children from low-income families. One bill would count children from federally financed public housing units toward a local school district's entitlement for Federal impact aid. The other would assist in the construction of schools serving children of low-income families, or schools experiencing sudden increases in enrollments. The latter also authorizes funds for the construction of supplementary educational centers.

Both of these pieces of legislation are currently under consideration by the General Subcommittee on Education of the House, which held an opening day of hearings on both the construction bill—H.R. 517 is the "lead bill"—and the amendments to the impacted areas laws—H.R. 1285.

These bills are of highest importance to the school districts in San Antonio. The school districts I represent are in desperate need of the means to expand and upgrade their quality of instruction. These districts cannot expand their boundaries and thereby increase their indigenous source of funds, which is a tax on real property. Many have a substantial amount of tax-free Federal land. The growth in the value of the real property in these landlocked districts is totally inadequate to finance the services needed. The tax school rates on the real property range from 45 to 70 percent of assessed value—with one exception—further rate increases are almost intolerable. It thus becomes a tragedy for these school districts to have a public housing project in their districts within their boundaries, whatever the need may be for decent housing. A project would remove land from the sorely pressed tax rolls. The Federal payment in compensation for the loss in property taxes is ludicrous—$11 for each school-aged child in a public housing unit is the national average.

Public housing units are thus a double blow to school districts. They reduce the tax base, while increasing the number of children in school, with the Federal payment a negligible increase in resources.

The purpose of the federally assisted public housing program is to provide a suitable living environment to all Americans. This goal is subverted if the children from these units contribute to a breakdown of their school environment, to the point where they have no chance of participating in the great opportunities our Nation affords the well educated.

The equity and the desirability of adequate payments to local schools for children from public housing units is obvious. The legislation I am introducing today would extend the impact aid benefits under both Public Law 815—construction assistance—and Public Law 874—maintenance and operation assistance.

The second bill I am introducing today is entitled the "Elementary and Secondary School Construction Act of 1969." Title I of this act establishes a formula for assisting school districts with a high proportion of children from low-income families in the construction of schools and the acquisition of facilities. The formula is based upon the number of children from families with incomes lower than $2,000, or from families whose total income is from AFDC. This school construction aid would be of great benefit to Edgewood Independent School District in San Antonio which has been forced to extend its bonding capability for new construction to a critical degree.

Edgewood, incidentally, with an assessed property valuation per pupil of $2,208 receives less in State funds than a neighboring school district with 10 times more in assessed property values per pupil to draw from.

Title II of this act deletes that section of Public Law 815 which assists school construction in areas experiencing sudden increases in school population due to a new military installation or some other Federal activity, and as a substitute proposed that any school district which experiences an increase in enrollment that puts undue financial burden on its resources—from whatever cause—be eligible for Federal assistance in proportion to the impact of the increase. This title would be of great value to Harlandale School District, which last year found it had grown by 900 students instead of the average of 400 students per year. This doubling was due largely to the influx of children from newly constructed multifamily dwellings which received mortgage insurance under the 221(d)(3) program of the Federal Housing Administration. A building assisted by 221(d)(3) sends a lot of children to the local schools, but supplies little increase in the assessment base. These children could not be counted toward Federal impact aid under Public Law 815 as now in force, but they would count for Federal grants under my bill.

Title III of the bill authorizes funds for the construction of supplementary educational centers through fiscal year 1975.

Both of these bills have open-ended authorizations. With no money figure authorized, there is no ceiling set on expenditures, nor anything to serve as a guideline of the national need. The level of funding for these bills would, of course, be determined by the congressional appropriation process.

Mr. Speaker, these bills by themselves are no panaceas of the diverse ills which face many of our Nation's schools. But they are logical and equitable responses to well-documented problems. I urge their passage.

THE PORNOGRAPHY PROBLEM

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. BOB WILSON. Mr. Speaker, I am today introducing legislation to prohibit the interstate dissemination of pornographic materials of all kinds to juveniles under 18.

Recent court decisions have brought into sharp focus the need for corrective and definitive legislation. Our outstanding San Diego Police Department has been conducting a series of open houses to acquaint the public with current police problems. The displays on narcotics and pornography by the San Diego Police were particularly effective. All of us who saw these displays came away with a greater awareness of the seriousness of the pornography problem and the alarming and disgusting nature of the smut material now on the market. The courts have torn down much of the legislation that has been enacted to control the flow of pornography. New legislation, in line with recent decisions is imperative. The need for such corrective legislation is magnified by the fact that the young are the prime targets of the smut dealers. Seeing firsthand the type of material being pushed on our children and grandchildren greatly emphasized the necessity for immediate corrective action.

Of particular note in this instance is the Supreme Court decision of last year which held constitutional a New York statute to prohibit the sale to minors of materials defined as obscene, although these same materials might not be declared obscene for adults. This is a promising first step in pornography control and a sound basis for legislative action.

For this reason I am introducing legislation which explicitly defines the meaning of obscene materials and prohibits the dissemination of such obscenity to juveniles under 18.

Under this bill, first offenders could receive a prison sentence of up to 5 years or a $5,000 fine, or both. These penalties would be doubled for a second offense. The time has come for a get-tough policy with smut peddlers.

Affirmative legislation to protect our young from further assaults by the pornography mills is needed immediately, and I sincerely hope that the Judiciary Committee will schedule early consideration of this legislation.

THE BIGGEST PROBLEM FACING OUR COUNTRY IS THE LOSS OF HONESTY

HON. FLETCHER THOMPSON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. THOMPSON of Georgia. Mr. Speaker, recently the Mutual Broadcasting System, Inc., through its 500 affiliated radio stations throughout the country, offered over $7,700 in savings bonds for answers to three searching questions confronting the Nation. Twenty-five winners were chosen who answered the following questions:

First. What do I think is our biggest problem?

Second. If I were President, what would I do about it?

Third. What can I do about it personally here and now?

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It was with great pleasure that I learned from Stephen J. McCormick, vice president for news at MBS that a third-prize winner was selected from my congressional district and he received a $500 savings bond for his answer on what he believed is our biggest problem. This award was given to Mr. James F. Armstrong of 3012 Mornington Drive NW., Atlanta, Ga., because the judges thought his thinking and presentation were excellent.

He declared that the biggest problem faced by our country is the loss of honesty. Because so many of us, I am confident, will agree with his statements, I am pleased to enter into the CONGRESSIONAL RECORD today a copy of his entry which was selected for this award by the judges. It is a truthful but sad commentary upon conditions in our society today. We would all be remiss in our responsibilities to ourselves and to our Nation if we did not carefully consider his words and do our best to follow the advice suggested in his entry.

Mr. Speaker, his entry is submitted below:

GENTLEMEN: The biggest problem our country faces is the loss of honesty.

As one grows up in America today, he comes to realize there exists an unwritten law which exempts us from being honest with one another. This posture is evident wherever we look . . . hypocrisy in the pulpit and the classroom . . . slanted and distorted news . . . false advertising claims . . . doubletalk and deceit between races . . . mistrust between labor and capital. We passively approve of dishonesty everywhere. We all accept the system to one degree or another. We all participate in it.

We jokingly accept the fact that "there's no such thing as an honest politician" without stopping to evaluate the consequences of tolerating dishonesty in our political campaigns. We vote for candidates after hearing them make speeches containing little but claims and phrases so grossly exaggerated they border on lies, or so full of innuendoes and half-truths about their opposition as to constitute dishonesty. In fact, our acceptance of this system virtually forces candidates to participate in this sort of thing if they are to get any appreciable support, with the tragic result that the voter is forced to attempt to determine which of the candidates is distorting the truth less.

In such a climate of dishonesty, we are raising generations increasingly disenchanted with the hypocrisy they see everywhere . . . and this is stifling (and will eventually extinguish) individual initiative and personal integrity, resulting in increased delinquency and moral degradation.

I believe most of us have no thoughts or ambitions of which we should be ashamed, and this should also be true of our country's objectives. Why, then, don't we (as the kids say) "tell it like it is" and begin to tell each only the truth and require this of our political leaders and our society?

SUPPLEMENTAL VIEWS ON INCREASING PARTICIPATION OF UNITED STATES IN THE INTERNATIONAL DEVELOPMENT ASSOCIATION

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. ASHBROOK. Mr. Speaker, today the House by a vote of 247 to 150 passed H.R. 33, a bill which authorizes the appropriation of $480 million—40 percent of the total—to the International Development Association, an affiliate of the World Bank. Briefly, the IDA makes development loans on 50-year terms at no interest other than a nominal three-quarter percent per year service charge to meet administrative costs. No repayment is required for the first 10 years, following which 1 percent per year for the next 10 years, then 3 percent per year for the final 30 years is required.

In the light of our present financial situation, and with the likelihood of another debt increase just around the corner, it is hard to understand the increase in this particular area.

House Report No. 91–31 of the Committee on Banking and Currency contained supplemental views on H.R. 33 which deserve consideration, and for this reason I insert them in the RECORD at this point:

SUPPLEMENTAL VIEWS ON H.R. 33

FISCAL ZIGZAG

With Federal spending at an alltime high, and with devastating balance-of-payments deficits, it is painfully evident the United States financially is overextended. That is why the Congress voted a 10-percent tax increase coupled with $6 billion reduction in expenditures and reduction and rescission of obligational authority.

After that action, along comes this proposal calling for an increase in a particular type of foreign aid obligational expenditure of 54 percent per year over the next 3 fiscal years. In place of our $104 million participation in the International Development Association (IDA) for each of the past 3 years, this proposal would increase our contribution to $160 million per year for the next 3 years. To say the least, such action would be totally inconsistent with the action the Congress recently took on the tax bill.

The expenditure controls contained in title II of the Revenue and Expenditure Control Act of 1968 would be reduced to meaningless gestures if the new obligational authority for most domestic and international programs contained in the January 1968 budget and called for doubling existing program levels ($240 million per year new obligational authority in fiscal year 1969 versus $104 million appropriated in fiscal year 1968), as was the case with IDA.

Certainly the intent and the spirit of the Revenue and Expenditure Control Act was aimed at holding new obligational authority for all programs at roughly the same levels as those that prevailed in the current fiscal year ($191.7 versus $186.5 billion). We would like to remind our colleagues that, because IDA is an international institution, if the House passes this bill, IDA will be immune from the statutory expenditure reduction requirements in ttile II of the tax bill. The only appropriate opportunity for the House to act in a manner consistent with the responsibilities we imposed on the administration and ourselves in the tax bill will be in connection with the action we take on H.R. 33.

Moreover, how can we explain to the American people the need for a whopping increase in IDA, when hospitals, highways, water, and sewer, and other forms of Federal-aid projects here at home are being postponed or canceled.

IDA

IDA is the soft-loan affiliate of the World Bank. IDA makes development loans on 50-year terms at no interest other than a nominal three-quarter percent per year service charge to meet administrative costs. The repayment terms are most generous. No repayment is required for the first 10 years, then 1 percent per year for the next 10 years, and then 3 percent per year for the final 30 years.

IDA formally came into existence in the fall of 1960 and made its first loans in mid-1961. There are 98 member countries, of whom 18 are economically advanced countries. Initially, these 18 countries contributed IDA's hard-currency resources in the amount of $750 million over a 5-year period. The first replenishment of these resources occurred in 1964, calling for the payment of an additional $750 million over a 3-year period. The proposed further replenishment of funds calls for the payment of $1.2 billion over the next 3 years beginning in November 1968.

THE GOOD AND BAD OF IDA

Like most institutions, IDA is not without its good points—nor is it without its bad.

On the favorable side, IDA is a multilateral aid organization which generates $3 of aid funds from other sources for each $2 that the United States contributes. Of the proposed $1.2 billion increased resources over the next 3 years, the U.S. portion is $480 million, or 40 percent.

Make no mistake about it. This is pure grant assistance. None of the repayment of loans made with these funds will come back to this country as long as IDA is a functioning institution. In this respect it differs from our bilateral aid program where, although we provide all of the loan funds, we also hopefully will be the beneficiary of any future loan repayments.

The new proposal calling for a $480 million increase in the U.S. contribution to IDA purports to give recognition to our difficult balance-of-payments problem. For the next 3 years, drawdown of the new U.S. contribution would be limited to procurement in this country. What this amounts to is a temporary holdback on use of the U.S. contribution. Sometime after the 3 years, U.S. dollars again would be utilized for non-U.S. procurement. We are simply stockpiling future U.S. balance-of-payments deficits to the tune of approximately $200 million (42 percent of $480 million). The action proposed is but another in a long list of gimmicks aimed at postponing the impact on our balance of payments. As the National Advisory Council observed, this innovation will allow IDA to operate "without impairment of IDA's fundamental principle that the role of competitive international bidding should prevail in its procurement operations * * *."

Postponement of the impact on the U.S. balance of payments for 3 years assumes that our deficits are temporary rather than chronic. We would contend, however, that our balance-of-payments deficits most assuredly are chronic, and will continue to be so long as we ignore the effects of expenditures on Government account. As members of the minority of our committee have stated on numerous other occasions, we had better wake up to the fact that we no longer can look forward to huge balance-of-trade surpluses financing Government overseas expenditures. We had better trim our sails before it is too late.

One of the simple, basic facts to remember with respect to our international accounts is that about 25 percent of total U.S. expenditures abroad are on Government account. In absolute figures, this ranged between $7.5 and $8.5 billion up to 1965. Since then it has jumped to $9.9 billion in 1966, and more than $11 billion in 1967. The major components of this are foreign aid, including contributions to international institutions such as IDA, and military expenditures. There are other items, such as interest payments on Government bonds held abroad, pension payments to retired Americans living in foreign countries, and so forth.

There are offsets against the Government expenditures; about $3 billion of exports resulting from "tied" aid, including Public Law 90–480, and $1.2 billion of military hardware sales, and a few other smaller items. But these receipts on Government account always have fallen far short of total expenditures. Thus the Government's needs for net transfers of resources to foreign countries for political, economic, and military reasons have been in deficit by between $2.9 and $3.9 billion in the years 1960 to 1965, and then jumped to $4.1 billion in 1966 and $4.7 billion in 1967.

Private international transactions, even taking into consideration capital movements and tourism, have consistently earned a surplus for the United States. This has been true, more specifically, in foreign investment and income. Unfortunately, these surpluses have not been sufficient to satisfy the Government's mounting needs for transfer or acquisition of resources abroad. The shortfall up to 1966 has been between $2.9 and $3.9 billion, if one excludes special transactions, such as prepayments of debts and shifting liabilities from less-than-1-year to more-than-12-month notes, devices or gimmicks which we have stated are little more than statistical deferments of the day of reckoning. If one disallows similar temporary statistical reallocation of items, the 1967 picture was much worse than generally known.

In recent testimony, Secretary of the Treasury David Kennedy made the statement, "I think you can still say that we are not out of the woods on the balance of payments; in fact, we are still in difficulty * * *. We still have a serious balance-of-payments problem."

THE INDIA-PAKISTAN DEVELOPMENT ASSOCIATION

We would like to direct our colleagues' attention to a particular matter. Unless IDA substantially alters its allocation of loan funds, its name more appropriately should be the "India-Pakistan Development Association." By the close of 1967, IDA had authorized development credits in the amount of $1.7 billion. Of this total, $889 million, or 52.3 percent, was for India, and $331 million, or 19.5 percent, went to Pakistan, for combined totals of $1.2 billion, or 71.8 percent of its operations. Now, in 1969, IDA has already committed $125 million to India.

It is also relevant to discussion of this proposal to suggest that the use of IDA funds (together with Public Law 90–480 and foreign aid grant and loan assistance) in these two countries indirectly has permitted the large-scale diversion of resources from peaceful economic development to the purchase of sophisticated weaponry. It is entirely possible that in 1967 India and Pakistan spent far more in hard currency for weapons than IDA and bilateral grant agencies contributed for peaceful economic development.

Since the India-Pakistan war in 1965 (fought largely with U.S. arms on both sides), the United States has, for the most part, placed a moratorium on arms sales and military grants to these two countries. We should keep in mind, however, that prior to 1965 most U.S. arms sales and military grants to India and Pakistan were restricted to relatively inexpensive and somewhat outdated equipment. Since 1965, the situation has radically altered. India and Pakistan have made large-scale purchases of up-to-date weaponry both in Europe and in the Soviet Union and Red China. Although details on most of these weapons purchases are classified, a few examples from recent published reports highlight the situation.

Recent arms purchases by India are even more interesting. In 1967, India reached an agreement with the Soviet Union under which Soviet technicians would assist in the construction of three Mig 21 jet assembly plants at an unknown cost. In addition, in 1967 India purchased 100 SU–7 supersonic jet fighter-bombers from the U.S.S.R. at a cost of at least $100 million. The exact extent to which diversion of resources from peaceful development to military weaponry has occurred as a result of multibillion-dollar soft loans and grants mostly from the United States probably will never be known. On the other hand, in raising this question we do not suggest for a moment that IDA, any other multilateral lending institution, or for that matter our own State Department has any control over such diversion of resources.

Nevertheless, we certainly take this opportunity to express our frank opinion that the "India-Pakistan Development Association" (IDA) should begin to look elsewhere for potential soft-loan recipients, at least until such time as India and Pakistan come to their senses.

PROGRAM SHOULD BE HELD TO EXISTING LEVEL

One of the interesting aspects of the IDA operation is that since other nations are also contributors to the fund, they serve as a check on the spending. Negotiation of the current proposal bears out this statement.

Two years ago Mr. George Woods, then President of the World Bank and its affiliate IDA, proposed that the donor countries support a $3 billion addition to IDA funds at the rate of $1 billion a year for 3 years beginning in fiscal year 1969. This country countered with a proposal for a $2.4 billion increase over a 4-year period (see p. 105 of the Budget of the United States for fiscal year 1969). Apparently, the other donor countries would have none of that and cut the proposal to $1.2 billion over a 3-year period.

In our opinion, the proposal still is too high. Surely the Congress has as much right to adjust the program downward as do the other foreign nations involved. We believe the program should be cut back to the existing level of $750 million over a 3-year period. With a 40-percent U.S. participation, that would mean $300 million over the next 3 years, or $100 million a year contrasted with the $104 million per year (41.6 percent) of our participation in the existing program. Such action would be consistent with our budgetary problems and in keeping with the spirit and intent of the tax bill. The proposed 54-percent increase in our contribution most assuredly is not.

Holding the program at the existing level, of course, would require renegotiation of the new proposal. Since the other donor nations drastically reduced the starting proposals of both the President of IDA and the administration, that should present no problems. As a matter of fact, we wouldn't be surprised if the other donors would be such ready takers that a new agreement could be negotiated.

We must bear in mind that we have not, as yet, finished fiscal 1969, and we do not know what deficit or surplus, and it will probably be a deficit, will result by June 30, 1969. Further, the 1970 fiscal budget has not been presented by the present administration, and this cannot be done until the entire fiscal situation has been reviewed. In just a few weeks, we will be asked to increase the national debt limit from $365 to $382 billion, and we will be asked to continue the 10-percent surtax for at least another year, and include the expenditure controls contained in title II of the Revenue and Expenditure Control Act of 1968.

There is a complete absence of statistics or other information pertaining to the success, or lack of success, of IDA. Since nothing is paid on the IDA soft loans for the first 10 years, IDA has no loan repayment history. It is quite possible, in fact, quite probable, that the majority of the IDA loans will never be repaid.

We urge that this proposed 54-percent increase in our contribution to IDA be defeated, and the U.S. annual contributions remain at $104 million annually.

DEL CLAWSON.
BEN B. BLACKBURN.
LAWRENCE G. WILLIAMS.
CHALMERS WYLIE.

DICKEY-LINCOLN SCHOOL PROJECT

HON. WILLIAM D. HATHAWAY

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. HATHAWAY. Mr. Speaker, an interview with former Secretary of the Interior Stewart L. Udall in the American Public Power Association's Public Power magazine, indicates the importance of the Dickey-Lincoln School project. Secretary Udall was hopeful about the future of the project, as he stated:

> I think it's so right that I find it hard not to be optimistic in the long run. I just can't see a basic, valid reason why it should not be built. Because in essence what we're proposing is to do in New England what we've already done in other parts of the U.S., and it's highly successful.

Advance engineering and design of the Dickey-Lincoln School project would continue with the $807,000 request in the fiscal year 1970 budget. This project has a proven benefit-cost ratio of 1.9 to 1, and, as Secretary Udall noted, there is no good reason why it should not be completed. High power rates in New England indicate the necessity for Dickey-Lincoln, and I hope that it will be retained in the budget and supported by my colleagues this year.

I wish to insert at this time the complete text of the January 1969 Public Power interview with former Secretary Udall:

EIGHT YEARS OF POWER POLICY

(NOTE.—Retiring Interior officials cite accomplishments, note electric utility industry trends.

(Eight years ago this month, Stewart L. Udall took office as Secretary of the Interior in the Cabinet of President John F. Kennedy. One morning last month as he prepared to turn the reins of the Department over to a new Administration, Secretary Udall and his Assistant Secretary for Water and Power, Kenneth Holum, sat in front of a crackling fire in the Secretary's office and discussed with Public Power editors developments in electric power during the past eight years and what they see ahead in the power field. Interviewing the retiring Interior officials were: Public Power publisher Alex Radin, general manager of the American Public Power Association; APPA assistant general manager Lawrence Hobart, a Public Power contributing editor; and Ron Ross, editor of Public Power.)

Question: Secretary Udall, what do you regard as the outstanding accomplishments of your administration in the power field during the past eight years?

Secretary UDALL. I believe that these eight years coincide with a very dynamic period and a turning point in power technology. I think when I recall eight years ago that we probably expected more hydropower development than we have gotten, and some of that is to be regretted. I don't think any of us realized just how rapidly steam technology was developing and would develop, not only in terms of nuclear power moving faster but of the significance to the whole industry of the very large units and big transmission lines.

I know, Alex, you and others talked about giant power grids. Even eight years ago this was pie in the sky to a lot of people. They viewed this as visionary. Yet one of the achievements in which I think we can take some of the greatest satisfaction was the West

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Coast intertie, which is exactly what you were talking about. In singling out the benefits to be gained by interconnecting regions and systems through the West Coast intertie, we also have to key it in with the Columbia River Treaty, because this was a development of significance to the whole West Coast and its electric power future.

Although it's a national organization and it's always been a bellwether along with the Tennessee Valley Authority, the Bonneville Power Administration in the way it's grown and broadened is, I think, a very important story. The private segment of the industry is leaning on Bonneville and is encouraging. BPA and going along with BPA playing the major role in terms of the future with regard to transmission lines and interconnections. There will be the third powerhouse at Grand Coulee and the region will move towards large steam plants. This will be in a region with an economy that has always had a degree of inflation built into it, and BPA will be holding its power rates in the future. They've always had the lowest rates in the country. I think the strengthening and reinvigorating of Bonneville and its role is one of the major stories of this Administration.

We've had some very significant accomplishments in the Missouri Basin, and I'd like Ken Holum to comment because he's much more knowledgeable on the detail than I am. I don't know whether you realize it or not but of the original Presidential appointees at the Department's Under Secretary and Assistant Secretary levels, Ken is the only one staying the full eight years with me. I want to say for the record that I have been very fortunate, because no one has been more loyal. Secretary Holum brought a lot of insights with him that I needed. He had a background on power that I didn't have. It has also been a tremendous help to me to have people like Jim Carr (first Under Secretary under Secretary Udall), Charles Luce (former Under Secretary of the Interior) and (Under Secretary) Dave Black in the Department. These people were students of the electric power industry, and I believe, to be honest about it, in whatever this administration has done in electric power matters, these people deserve more credit than I.

Secretary HOLUM. First, I want to say that Secretary Udall is the one who has provided the leadership and support which has resulted in our accomplishments during the past eight years.

In addition to what we have done elsewhere, I do take a great deal of satisfaction in what we've accomplished in the Missouri Basin. When we came to work eight years ago the power supply situation and the whole water development program in the Missouri Basin was in a sambles. Congress had taken the position, and appropriately so, that nothing should happen our there until the Department of the Interior could provide Congress with the assurances that we were going to meet our payout obligations. We couldn't provide those assurances on the basis of the situation as it existed in 1961. First, we had to face up to the problems associated with pay out. We spent a lot of time on it. The solution that we found did result in a small 5% increase in power rates, but it also resulted in applying to the Missouri Basin the same payout principles that had been applied to the rest of the country. It put the project on a sound financial basis so that Congress would be willing to move ahead and make appropriations for transmission lines and to operate water resource development programs.

We also were confronted with a situation, which we inherited from our predecessors, in which preference customers (there are over 200 of them in the Missouri Basin) had been told that the project couldn't meet their power requirements and they were pretty much on their own individually to do something about it. The first step that we were able to take, after analyzing their resources very carefully, was to extend the period that the project would carry their requirements, so that they could work together and take advantage of the new technology.

The first result was necessary contracts with the Interior Department and the Rural Electrification Administration which made possible the construction of a 200,000-kw, lignite-burning steam plant by Basin Electric Power Cooperative. This with Federal hydro meets the requirements of preference customers through 1973 or 1974. In the last three months we have completed new contractual arrangements so that they can build a 400,000-kw addition to the steam plant, linked by the Bureau of Reclamation transmission system to seven states. With that accomplished, preference customers in the Missouri Basin can look forward to an assured supply of low-cost power for at least 10 years into the future.

Question: You have discussed some of your accomplishments, but what do you consider your greatest single disappointment in the electric power field during the past eight years?

Secretary UDALL. I would say that the thing that leaves me with the greatest feeling of frustration and disappointment is the failure to move forward rapidly on the Dickey-Lincoln School Project and to bring the benefits of Federal hydro power to the northeast part of the country. We have talked glowingly about other regions where the Interior Department has a very strong and dominant presence. These regions have done very well. The one region in the country that has suffered from lack of competition in electric power, from the failure to develop its hydro potential, is New England. I think the one thing we—along with APPA and some regional spokesmen such as Governors Hoff and Curtis and Senator Muskie and others—is that we've made the region much more aware that one of the reasons its economic growth has been retarded as compared with the rest of the country is that it has the highest power rates. It hasn't realized the benefits that can be gained from a diverse and competitive electric power industry.

We had hoped at one time, of course, that we could go with the Passamaquoddy project. I don't regard that as a failure, necessarily. Secretary Holum was in France two weeks ago and was very much impressed with the new horizontal turbines. But our failure to really get the Dickey-Lincoln School project under construction, the fact that it's under a cloud today and its future is uncertain, has to be a major disappointment to all of us.

Question: Do you feel hopeful about the future of the Dickey-Lincoln School project?

Secretary UDALL. I think it's so right that I find it hard not to be optimistic in the long run. I just can't see a basic, valid reason why it should not be built. Because in essence what we're proposing is to do in New England what we've already done in other parts of the U.S., and it's highly successful. I guess the debate and discussion has to continue, and I would hope that in New England they will see the light.

You also see developing something that I believe is a wave of the future—the sharing of benefits of the very large thermal plants. This has to come in northern California where the municipal utilities have a strong, new, aggressive organization. They are in the process of negotiating on this matter now, and I'm optimistic that they will succeed. A type of cooperation has been developed by public and private power entities sharing in the output of very large thermal units in the Southwest. And I learned in October from an official of Northern States Power Co. that the company is buying the surplus power from a large thermal unit being built by Dairyland Power Cooperative in western Wisconsin. To get the economies of scale, Dairyland is building a larger plant than they themselves need, and the private power company is purchasing the excess power. That's one pattern.

The other pattern is for a private, or joint arrangement, where a private company might build a large plant and one or more public entities could acquire ownership and part of the output. I think that this is what we're going to see develop. The reason it has to move in this direction is that it's good for everyone. If you build large, you get economies of scale, you get cheap power, and everyone shares in it. I think it is important that we have begun to develop this pattern.

It looked to some of us a few years ago that the prospect was that public power would be tied to diminishing hydro resources, private power would build all the large thermal units, and the public power movement would, in effect, be squeezed against the wall because its power would be increasingly high-priced. Because of these very large units, there would be significant competitive advantages to the private segment in terms of the total picture. But there has been a degree of statesmanship and an awareness—certainly in most parts of the West—that the smart thing to do is to work together and let everybody have a piece of the action and do what is most economic.

Question: How do you view the role of the Department of the Interior in the changing power industry?

Secretary UDALL. I think and I hope that the Department will play an increasingly strong role as a kind of balance wheel—even a broker, or midwife—in many situations. Our leverage in the past has been the fact that we had sources of hydro power with new sources coming on the line, and, of course, this will continue to be important. The leverage that we have can increase, if we use it wisely, because using hydro for peaking purposes would be the most economic use for it in terms of total systems.

On the other hand, we have protected the western part of the country, and the fact is that we always will have a say about rights-of-way. In terms of such things as water quality control and thermal pollution problems, we're going to be increasingly in the picture in a way that we weren't a few years ago. The Department is going to have a say in regard to plant siting plans, how they're carried out. We're going to be in the picture—even in the eastern part of the country—in ways that we were not before.

When it comes to pumped storage projects, which again is hydro, this Department is going to have a say on these matters. We have one pumped storage project pending at Tocks Island, on the Delaware River right now, and there are others where we undoubtedly will be involved from the standpoint of conservation values and other things.

So, I would think that our role is going to be larger, not smaller, nationwide. Maybe it will be less regional, less confined to the West and to the areas where traditionally the Department has had a strong influence on electric power policy. I would hope the Department also could be influential in appealing to the enlightened element in the private sector to point out to them the values and the benefits to be gained from new patterns of cooperation.

Certainly, on the other hand, there are still some undeveloped hydro resources that should be developed. Dickey-Lincoln School is only one of them. I would hope that these will come on the line, and I would predict, too, that just as we were able to restudy and use a new technology to come up with a fantastic increase in the capacity of Grand Coulee, we may be looking at all of our hydro resources and how we can recast them and reuse them to maximize their values to the nation as a whole.

Question: While the Federal government has been of great assistance to the smaller electric systems as a source of hydro power, are you now saying that government can use other techniques to be of assistance to these smaller utilities?

Secretary Udall. What I'm talking about is, I think, exemplified by the northern California situation today. The new organization that exists there is trying to plan for the future to take care of the power needs of a group of municipals that are an important part of a fast-growing state. Here we find the Department in a situation where, as a part of the intertie arrangements, we have already committed and mortgaged, as it were, the future hydro that comes on the line. So we don't have that card to play. But we do have another card to play, and we must play it as well as we can. We had a meeting in October in Sacramento to provide some thrust and guidance. We indicated essentially that we want to make our system as versatile as possible and to accommodate it to these needs, and we tried to include the large private utility that has worked with us on other matters. We say here's a group of people and they've got problems and we think the three of us working together can solve these problems. Even though we don't have a great amount of hardware to throw on the table, we do have a system that can be adapted to needs, and I think we find ourselves increasingly playing this role—not to the detriment of anybody, but to the benefit of everybody.

Question: You have worked actively with various groups that were interested in projects and programs and provided dynamic leadership in getting them through Congress, but another Secretary might adopt the philosophy that it was up to the interest groups to carry the ball. How do you view the role of the Secretary of the Interior in visibly being an activist in pushing for new projects and programs rather than merely administering programs?

Secretary Udall. You've opened up a new door in terms of departmental accomplishment, and I think we ought to duck into it. You reminded me of some of the things we've overlooked. Certainly when there is a rock in the road, you figure a way around it. Maybe this is the kind of hope that people ought to have with Dickey-Lincoln School. Thinking of the Hanford power project and of the Colorado project transmission lines, which was one of our significant victories in Congress, we haven't had too many head-to-head showdowns in the Congress.

The Sixties have been good years in terms of project authorizations. They've tended to run ahead of appropriations too much, and that's one of our problems. We've had the Frying Pan-Arkansas Project in Colorado, the Auburn-Folson South Project in California, the San Juan Chama Project in New Mexico and now the Central Arizona water project. All of these, of course, involve hydro to one degree or another.

The Upper Colorado transmission decision has led to a significant change in the whole region, with regard to the transmission of power, with the presence of public power as a balance wheel agency. While I know there was a lot of disappointment by some with regard to the Arizona water project and the dams on the Colorado, the one consolation prize for public power in this is that I see no reason why the Bureau of Reclamation should always be tied to hydro power. The fact that we got Congress to agree to tie one project to thermal generation and the fact that Salt River Project is going to build a major thermal unit there, will be beneficial not only to water projects, but beneficial to the electric power industry generally. I think this may be an important precedent. It could lead to doing the old things in a new way and not merely confining ourselves to one set formula.

As to departmental philosophy, we like to think of ourselves as activists, and I believe that there has to be aggressive leadership. Some of us spent weeks on the Canadian Treaty. This was an extremely difficult problem. The Treaty was ratified, but implementing was nip and tuck because we had some very hard bargaining Canadians. It involved very large amounts of money in the sale of downstream benefits of Canadian power, and this posed a lot of questions. But again, if executives are vigorous and if we conceive our role as one of making things happen rather than waiting for people to bring decisions to our desk, you can achieve maximum effectiveness. At least that's what I think our experience has been for these eight years.

Question: You said that you don't think that the Bureau of Reclamation should be tied to the hydro program and that it might go into thermal generation. In view of the very tight budget situation which may continue for some time, do you see any possibility of the Federal government going into thermal generation, either by the appropriations process or through converting some of the existing government entities to corporations like TVA which could issue revenue bonds and finance their generation without going to Congress for each specific plant?

Secretary Udall. Certainly in the present climate of Congressional opinion I wouldn't see any drastic changes of that type occurring. It's obvious to us that were going to have to solve problems, and were going to have to be adaptive and creative. I thought the solution we arrived at for the Colorado River development was a good one. We used thermal power instead of hydro power since the hydro power question became inflamed and controversial. I would simply like to express the hope that everyone be flexible enough and wise enough to consider new solutions to old problems. I hate to see us, in an industry that has to be dynamic, get tied to one or two ways of doing things. I'm addressing all segments of the industry when I say this. If we are to maintain a dynamic electric power industry, I think we need to have people who are open minded and who will consider new solutions to old problems.

Question: Secretary Holum, you came to the Department of the Interior after having been a grass roots power leader and the first executive secretary of the Mid-West Electric Consumers Association. After eight years, what is your feeling about the role of such organizations?

Secretary Holum. I think these groups are tremendously important, looking more to the future perhaps than to the past. We were talking a few minutes ago about how the smaller municipal systems participate in the benefits of large-scale technology, and I doubt very much that they're going to be able to do it individually. The smaller publicly owned utilities must work together to find a position of strength. The pattern that first emerged, I believe, in Utah was that the small cooperatives and municipal utilities banded together in order to get the benefits of Colorado River Project power. More activities of this sort followed in northern California, in Iowa and Minnesota, and they are just beginning to emerge in the Southwest. While Dickey-Lincoln School was an acute disappoinment, one of the good things from that effort was the organization of the Northeast Public Power Association. I think that the small municipal utilities are going to participate in the big technology, but first they have got to learn to work together more closely than they have in the past.

Question: The Department has helped groups like the Northern California Power Agency to get organized and assisted them once they are organized. Do you foresee this as a continuing role of the Department of the Interior?

Secretary Udall. I would hope that the Department can and would play an important role in encouraging and abetting these kinds of organizations, where people are essentially trying to pool their needs and their resources in order to get the benefits of new technology. I felt no resentment from those in the private sector to our taking such leadership, and I think this is an important gain. Looking back about five years when it looked like public power was going to draw a blank in terms of participating in large thermal units, I think it was in the national interest that these systems did participate and I think we started the move down this road. I believe it's in everyone's interest that the pattern that we see emerging continue and be enlarged. I hope that's the result. Anytime we see utilities, public or private, insisting that they are going it alone and not going to work with other people, they're not going to achieve benefits and they're going to find in the long run that this is detrimental now that we have the kind of transmission technology to interconnect everyone. This isn't a go-it-alone business anymore.

Question: Secretary Udall, you've spoken many times about the increased concern that everyone has to feel about the environmental, ecological and esthetic problems of the country, and the electric utility industry anticipates a seven- or eight-fold increase in plant capacity in the next 30 years. What impact do you think this situation is going to have on the way the electric utility industry deals with the problems of supplying the electric requirements of its customers?

Secretary Udall. I see many problems for a big, vital industry such as this in terms of the danger of diminshing and intruding on the environment. I thing that is going to tax the creativity of the industry, because I believe most of these problems are soluble. I think the industry has to face the prospect that it may mean that expenditures will have to be made and research will have to be done and that there will be extra costs attached to keying electric power to conservation. If this means that it's going to add 4%, 5%, or 7% or 8% to costs, I think the consumer will be willing to pay it. It's his environment after all. I sense this in the country today.

Rather than utilities feeling that they can heat up rivers or pollute air to make a mess out of the countryside, I think they have to be aware that if they just spend whatever extra money it takes to come in with the best solution possible within reason, that the consumer will be wiling to pay the extra cost as the price of having a good, long-run solution. This may mean, of course, a lot more research and a lot of results we don't even anticipate today in terms of underground lines and things like MHD.

Question: Where do you think emphasis should be placed in legislation that might help solve some of our power problems?

Secretary Holum. In terms of legislation that's been drafted and received some preliminary consideration by Congress, I think that the Reliability Bill, sponsored by the Federal Power Commission with the Johnson Administration's support, and the Aiken-Kennedy Bill, with respect to nuclear power, are two of the most significant pieces of legislation before the country.

Question: Secretary Udall, what qualifications do you think a Secretary of the Interior ought to have?

Secretary Udall. He'd certainly have to like hard work, but I think this is one of the happy jobs in the Cabinet. You're doing constructive things—or have an opportunity to—for the country in many ways. You're the guardian of most of the resources, and, therefore, I think it is important to have a well-developed sense of what the public interest is and be willing to speak up for it. If you don't have such a philosophy, you're going to be constantly in trouble, because most decisions that come to you don't relate any longer to what do we do about this piece of land or that resource. Everything affects everything else in the kind of country we have today, and we must have a total environment concept of conservation.

I think the country is best served when you have men who are forthright and outspoken. It was one of Ickes' great strengths. Everybody always knew where he stood and what his views were. I hope that any Secretary, even though I might disagree with him from time to time, would be forthright, because this at least opens the way to vigorous debate and discussion.

Question: There's no single spokesman in the Federal government today for energy policy. Should there be centralized within the government some agency with authority for power and energy?

Secretary UDALL. You can make a strong case for this, and I would like to see wide discussion of this idea. We have fewer cabinet offices than many of the other governments such as Canada, Britain or Japan. Some of these breakdowns make a great deal of sense. Of course, at the present juncture we have added two new cabinet departments within a year and a half or two years. It may very well be that in this complex world of ours where things move rather rapidly, that something like this might be a rational solution to the problem.

GOVERNMENT'S PROBLEM OF SELF-GOVERNMENT

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. RARICK. Mr. Speaker, the folks back home just would not believe the things that happen here in the Nation's Capital. I have news clippings from the several local newspapers over the past 2 days which I feel illustrate the Alice-in-Wonderland environment of the nerve center of the United States.

Mr. Speaker, the news clippings follow:

[From the Washington (D.C.) Post. Mar. 12, 1969]

Holdup Suspect Slain; Homicide Toll Now 64

(By Alfred E. Lewis)

A holdup suspect was slain at 10:30 a.m. yesterday in an exchange of shots with a clerk at Shankman's Market, 400 Kennedy st. nw.

Homicide Squad Lt. Patrick Burke said the death of Francis DeS. Ross, 33, of 1414 Girard st. n.w., on the sidewalk in front of the market went into the records as the city's eighth homicide in less than three days—its 63d since Jan. 1.

The ninth homicide—and 64th for the year—occurred last night at 7 p.m. when James Nussman, 29, of 1809 19th st. nw., was shot to death in an apparent robbery attempt on the sidewalk at 18th Street and Wyoming Avenue nw. Three youths, one armed with a shotgun or rifle, were seen running from the scene, police said. Nussman was employed at the American Council on Education.

Burke said this is 23 deaths ahead of the toll at this time last year, which set an all-time high of 209.

Lt. Burke said it was Ross's second visit to Shankman's Market in the last few days. Last Saturday morning, police said, Ross was carrying a shotgun when he and two companions escaped with about $400.

Since then, the Shankman clerk, William Belton Jr., 23, had been carrying his boss's .22-caliber pistol in his belt, police said.

Belton told police he came out of the store's back room and saw his boss, Sidney Kattler, 51, pulling money out of the cash register and putting it on the counter. A man Belton couldn't see very well was stuffing it in his pockets.

Belton shouted at the man, "Hold it!"

The man whirled and fired one shot. Belton fired back. Belton told police he thought he had missed because the man grabbed a customer who was just coming in the door and whirled him around, apparently as a shield. The customer, however, wrenched away and ran off before anyone could get his name.

Ross collapsed and died on the sidewalk. Police said Belton's shot had hit Ross just above the mouth and entered the brain. No charges were filed against Belton after a police conference with the U.S. Attorney's office.

Lt. Burke said police records on Ross show only that he was sentenced to a 4-to-12-year term for housebreaking and rape 15 years ago.

In a homicide Monday, John H. Littlejohn, 42, of 1830 C st. se., was shot in the chest in an apartment at 334 18th St. ne. He was pronounced dead at D.C. General Hospital.

Police charged the occupant of the apartment, Julia A. Woodward, 40, mother of four, with homicide. Mrs. Woodward was released on her personal bond pending a hearing April 8.

Shortly after 11 p.m. Monday, John J. Kondratlavicz, 46, an electrical worker living at 531 9th st. se., told police he was attacked from behind as he approached the rear of his home. He fired three shots from a pistol he told police he had been carrying since a previous street attack, fatally wounding James N. Gaston, 19, of no fixed address.

Police said Gaston had been charged with a street robbery on Feb. 3 but the charge had been reduced by the U.S. Attorney's office to petty larceny and simple assault. He had been released on $100 cash collateral posted by his mother and was due in court on April 18 for a jury trial.

The weapon in still another of the recent homicides, Lt. Burke said, was a bottle of gasoline. It was thrown in the course of a domestic argument, Burke said, by Bennie E. Barnes, 47, of 934 M st. nw. on Sunday.

Barnes' wife, Ella Mae, 48, suffered 1st- and 2d-degree burns in the fire that resulted and five children in the home were slightly injured.

Mrs. Barnes died early yesterday in Freedmen's Hospital. Her husband was charged with homicide and released in $2000 bond for a hearing April 8.

[From the Washington (D.C.) Evening Star, Mar. 11, 1969]

District of Columbia Riot Loss Nearly Double First Estimates—New Report Sets Property Damage Over $24 Million

(By Winston Groom)

A new report has revealed that property damage and financial losses suffered during the April rioting in Washington will run nearly twice as high as previous estimates.

The first half of the report, which will officially be known as the Washington Civil Disorder Survey, was released today by the National Capital Planning Commission. It is the product of a 10-month-long collaborative research effort by the NCPC, the District government and the D.C. Redevelopment Land Agency.

Among the principal conclusions of the survey released today are that some 1,199 properties were damaged in the riots with losses amounting to more than $24 million. This is in contrast to the initial report by RLA last April which found 645 properties damaged for an estimated $13.3 million loss.

WHITES OWN 97 PERCENT

In addition, the report found that almost all of the damaged properties not previously reported by the RLA—in fact, 41 percent of the total number—lay outside the major corridors of concentrated damage. It also found that 97 percent of the damaged properties were owned by whites, most of whom live either in the suburbs or elsewhere in D.C.

Today's release is a 30-page summary of data compiled only on real properties involved in the rioting. A spokesman for NCPC said the second half of the report, which will deal with business and job losses is forthcoming within the next few weeks.

The business losses, which include stolen or damaged inventories, damaged and destroyed equipment and lost business, are expected to run even higher than the property losses.

FIRST REPORT ON MAJOR CITY

According to NCPC, the report's purpose is to analyze the economic and social costs of the disturbance, partly for the purpose of planning to rebuild these areas.

Robert Gold, assistant director of NCPC of social and economic research and head of a 14-man staff which compiled the survey, says it is the first report of its kind to be prepared by a major city hit by rioting.

Among the survey's 23 separate tables, some of the principal findings are:

Although the most extensive damage was done in the four "corridors of concentrated damage," other damaged properties were found outside of these areas—scattered all over the city east of Rock Creek Park.

The survey defined the four major corridors as (1) 14th Street NW (2) 7th Street-Georgia Avenue NW (3) H Street NE and (4) downtown NW.

Of the $24.75 million in property damage, $17.56 million in insurance claims has been filed. Even if the insurance companies pay that amount, this leaves over $7 million in losses which must be absorbed by the property owners themselves. Although most owners did have some insurance, many were grossly underinsured.

Some 26.4 percent of insurance policies on properties not totally demolished were canceled, the survey found.

Before the riots there were 1,590 businesses housed in the damaged properties, but only 879 remained afterwards. Therefore, there were a total of 711 businesses lost—nearly 45 percent decided not to reopen. In addition, 17 percent of the residential properties that were damaged stopped leasing after the riots.

Of the 1,199 damaged properties, 368 were either totally demolished or only a shell or ruins were left standing. This can be compared with the original estimate of 223 buildings listed in this category just after the riots. An estimated 768 properties incurred extensive glass breakage and over 300 suffered damage from fire, water, smoke or a combination of these.

Seventy-four percent of the damaged properties incurred damage on only one day of the riot, 18 percent had damage on two days and only 7 percent had damage on three days or more. Ten percent of the properties were damaged after the official period of rioting was over. Forty-four percent of the damaged properties were single ownership properties, 26 percent were partnerships and the rest were either corporations, or parts of trusts or estates.

Only 5.2 percent of the property owners lived within 10 blocks of their property. Forty-three percent, the survey reports, live outside the District in the suburbs. However, some 48 percent of the property owners had a business address either on or within 10 blocks of their property—indicating at least some tie with the community.

In 68.8 percent of the cases, the owner also managed his property. In the 31.2 percent of the cases in which the owner did not manage his own property, 29.2 percent of the managers were white.

Twenty-nine and four-tenths percent indicated they intended to sell their property and go into business elsewhere, only 8 percent were undecided and the rest said they would

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either repair their buildings, build a new building or lease the site.

Gold explained that he and his staff began work on the survey immediately following the end of the official period of the civil disturbance which began April 4, the night Dr. Martin Luther King was assassinated, and ended April 15. The report is based on questionnaires filled out by property owners and businessmen on 531 properties.

That data was then projected into survey estimates by three statisticians—one from the U.S. Bureau of the Budget, one from the National Commission on the Causes and Prevention of Violence and one from the Metropolitan Washington Council of Governments.

The final figures were then tabulated and rechecked with the American Insurance Association, the General Adjustment Bureau and other interested agencies.

A spokesman for NCPC indicated that when the part of the survey dealing with business losses is complete and the full impact of the disturbance is realized, the total costs could run upward of $60 million and the job losses will run into the thousands.

[From the Washington (D.C.) Post, Mar. 12, 1969]

Eight Hundred Stores Damaged in Riots Still Closed

(By Claudia Levy)

Nearly half the estimated 1,600 businesses looted and damaged in last April's riots have not yet reopened, a survey showed yesterday.

Damage was widely scattered. Nearly a third were outside the four focal areas of the disorders—14th and 7th Streets NW., H Street NE., and the downtown shopping district.

The estimates were based on interviews with 550 property owners, about half the owners of the total number of buildings believed damaged.

The report sets damage to the 1200 buildings housing the 1600 businesses at $24.7 million, a figure close to that earlier calculated by the American Insurance Association and the General Adjustment Bureau, Inc.

The study was prepared by researchers from the National Capital Planning Commission, the District government and the D.C. Redevelopment Land Agency. In addition to the summary of real property damage made public yesterday a survey of business losses was compiled. It is to be released later this month.

Those findings, including figures on stolen and destroyed equipment in inventory, as well as lost business, are expected to exceed property loss.

The report found that an estimated 97 per cent of the damaged property was owned by whites, most of whom live in suburbs or outlying areas of Washington.

Insurance claims of $17.5 million have been filed. An estimated $7 million of this is property loss. Insurance was later canceled for more than a fourth of the buildings that were damaged but not demolished, it was estimated.

The survey, begun immediately after April 4–15 rioting, was conducted by mail, phone and personal interview.

OTHER FINDINGS

Other points made by the study:

Nearly a third of the 1200 buildings were destroyed. Fewer than half are still partly or completely occupied.

Of the estimated 374 real estate agents and property managers of damaged buildings, 18 were black.

About 45 per cent of the buildings were owned by an individual, 27 per cent by partners.

Fewer than 1 per cent of the building owners in corridors are thought to have abandoned their property. Almost half of the owners said they would retain ownership and repair their buildings.

[From the Washington (D.C.) Evening Star, Mar. 11, 1969]

UPO Job, Luxury Car—Former Drugs Figure Is in Trouble Again

(By John Fialka)

Catfish Turner is in trouble again—this time because of a custom-painted lavender Lincoln Continental Mark III.

Until last Tuesday, Randolph (Catfish) Turner was getting ready to direct a $100,000 experimental narcotic-addict rehabilitation program for the United Planning Organization.

Well-heeled, flashy and fond of new Cadillacs, Turner was almost a legend in Washington's underworld until 1952. That year he was convicted as the head of the largest narcotics dealership ever uncovered in the city.

According to testimony at his trial, the Catfish had ties with syndicate leaders in New York that may have helped him import as much as $1 million worth of drugs into the District each year.

In 1967, Turner returned to Washington, out on parole from the U.S. penitentiary in Atlanta. He took a $6,000-a-year job with UPO, the local antipoverty agency, and announced he was going to help others get jobs and go straight.

On the theory that he and other ex-convicts knew the problems of addiction best, the Catfish worked up a program and sold it to the Department of Labor. Labor had given the UPO tentative approval to give the Catfish, now 53, a $10,000-a-year job as director, and permission to set up a staff and begin operating a "halfway house" to treat addicts.

Last Tuesday, The Star has learned, Catfish turned himself in when he heard the U.S. marshal's office had a warrant for his arrest.

Within the next few days, the U.S. Parole Board will grapple with the question: How can a man making $6,000 a year afford to drive a brand new Mark III Lincoln Continental, costing about $8,600?

A spokesman for the U.S. Parole Board, asked to comment about the case, would say only that Turner is being detained in the jail for a hearing at which he must explain charges brought against him by parole officers.

He said the charges include alleged involvement in illegal gambling activities and "failing to adequately explain various sources of funds and income."

The spokesman said that unless Turner can explain adequately the sources of his money, his parole might be revoked and he could be sent back to Atlanta to complete his sentence.

Sources at UPO said parole officers were puzzled about several of Catfish's recent activities, including the purchase of the Continental, the purchase of a 1968 Continental last year, which he traded in on the new one, and the movement of "several thousand dollars" in and out of Turner's account in the UPO credit union.

They added that Turner was arrested after he explained the funds to parole officers as resulting from a bet on a "lucky number." During his 1952 trial, Turner insisted that he never dealt in drugs. His money came from gambling winnings, he stated repeatedly.

William Davis, acting director of the manpower division of the UPO, is Turner's supervisor. He said that Turner's job as director of the addict program will be held open pending the result of the Parole Board hearing.

Davis denied rumors that several other employes working with Turner on the program were recently asked to resign. He added that one employe, Mrs. Odessa Madre, "resigned of her own free will."

Mrs. Madre, a longtime friend of Turner's, once was called "The Queen" of the Washington numbers racket. She was convicted of narcotics dealing in 1949, and convicted on stolen property and lottery charges in 1960.

Davis defended Turner, calling him "one of the best job coaches that UPO has." He said he knew Catfish was driving the 1969 Continental. "I never investigated that because it was a private affair. This man came up on his own, without anything. This program gave him the first sensible break he ever had. Nobody knows how much debt the man was in or how much he owed on the car."

Petey Green, a well-known former dope addict and ex-convict, is Catfish's immediate superior and helped him draw up the addict rehabilitation program.

Contacted at home, Green was upset about Turner's arrest.

"To take Catfish from the job that he's been doing for so long would not only be unfair to him, but would be unfair to the kids who are now beginning to use dope. Catfish is not a saint, but he is well equipped to lend assistance to help people," he said.

He explained that as a "job coach," Turner counseled youths attempting to find jobs, went with them to interviews and even visited them at work to see that they would keep their jobs.

Green, who is director of job coaches for the Washington Concentrated Employment Program, funded by UPO, said the charges against Catfish were unfounded, a result of the resentment of "middle-class blacks and whites who saw he was going to make $10,000 a year."

"When are these people going to get off the ex-convicts' backs?" Green asked. He pointed out that ex-convicts now successfully operate a number of programs to rehabilitate convicts in the city, including Bonabond, also funded by UPO, which recently was singled out for praise by a Senate committee for its work in supervising defendants out on bail.

"A lot of people are going to go to bat for Catfish to help him get out of this," Green added.

Turner's addict rehabilitation program, designed to remove the craving for heroin from addicts after a six-month stay at the halfway house, caused some consternation among officials of other city agencies assigned to deal with drug addicts.

"A lot of the program's functions seemed to overlap with other ones. Some of us wondered what a dealer could do to help understand the addict's problems. Catfish was never hooked himself," commented one former addict.

[From the Washington (D.C.) Evening Star, Mar. 11, 1969]

Nixon Plans Hit—OEO Workers Sound Off

(By Richard Critchfield)

Leaders of the war on poverty's community action agencies appear bent on persuading President Nixon that the taste of power is more easily acquired than given up.

A demand for even greater community control of public services is dominating a four-day annual meeting of some 500 members of the National Association for Community Development at the Shoreham Hotel.

Almost every aspect of the President's program for continuing the battle against poverty has been under fire, from its chief priority on rescuing infant children from the mental and physical handicaps of poverty to its substitution of the politically more attractive "minority business enterprise" for "black capitalism."

Some delegates have voiced fears that the planned consolidation of all federal manpower programs under the Labor Department would mean turning all local efforts to finding jobs for the poor over to the state employment agencies, which were described as "hidebound and mismanaged."

In a typical reaction at yesterday's meeting, one man shouted from the floor, "It's a lot of nonsense. You can't even get a phone call or letter out of the Labor Department, so what business do they have taking over all the manpower programs."

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But the main fear voiced in speeches and lively open discussions by the antipoverty workers is that Nixon plans gradually to phase out the community action agencies themselves.

Cited as evidence of "a systematic emasculation" of the Office of Economic Opportunity was the planned shift of the Job Corps to Labor and Head Start to Health, Education and Welfare. The removal of Head Start, a popular program for preschool education of poor children, would leave the community action program all the more vulnerable to attack, the delegates said.

Others noted that the White House, by not submitting its over-all poverty proposals until later this spring, will have the benefit of public reaction to a General Accounting Office study of OEO, due to come out Saturday.

According to leaks, the GAO will disclose hair-raising discoveries of local mismanagement, pilferage and swindles in some of the community action programs.

Although Dr. Daniel P. Moynihan, Nixon's adviser on urban problems, seemed to be widely credited with encouraging the President to give OEO itself another year's lease on life, he had been critical of the community action program, charging that it has stimulated and encouraged a rebellious attitude among some of the poor.

The three main speakers at yesterday's meeting dramatized how serious the problem has become.

John McClaughry, who served on Nixon's task force on voluntary action, urged patience. He said he is convinced that "the concept of community action" will not be dismembered.

But Howard Fuller, a bearded black power advocate who once worked as an OEO consultant, said the attempts at integration by community action agencies were "a flop" because "if you get ready to fight a war, you do not bring your enemy into your discussion on strategy."

When a man in the audience asked if Fuller meant that blacks should pull out of community action agencies, he said no, that "if you're out to destroy a system you can do it both from within and without."

But he added, "If you don't destroy the community action programs but instead try to help institutionalize them, then I will try to destroy you."

Fuller's remarks, which drew cheers and shouts of approval at the government-sponsored meeting, were challenged by Leon Shull. national director of the Americans for Democratic Action, who seemed to speak for the kind of liberals who originally created the program.

With visible emotion, Shull opposed racial separation on grounds that it is "morally wrong, ethically wrong and will fail."

He told Fuller, "I believe in an integrated society. I will continue to believe in it all my life. We don't want two nations, separate and unequal. That is the road to defeat and disaster."

His plea failed to draw applause.

HELPING STUDENTS FLY

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. ROSENTHAL. Mr. Speaker, I am today introducing a bill which specifically authorizes the CAB to permit reduced air fares for students and military personnel on a space-available basis.

A CAB examiner has held that standby fares enabling youths between the ages of 12 and 22 years to travel at rates far below standard are discriminatory. He stated that the lowered fares violate section 404 of the Federal Aviation Act of 1958 which prohibits "unreasonable" discrimination in fares.

According to what I believe to be faulty logic of the CAB examiner, the students get service substantially similar to that of full-fare passengers. I strongly disagree. The fact is that students do not get substantially similar service. A student may be deprived of his seat at the last minute if a full-fare passenger arrives; on a multistop flight, a student can be removed at any of the stops. Frequently a student is not able to get a flight during peak travel times, or he may have to wait hours before he knows whether he will be seated. He cannot fly during certain heavily booked holiday periods. He does not have the usual wide choice of seats.

The student accepts this unequal treatment because he is paying a reduced rate. He recognizes that because he is not entitled to substantially similar service, he has to accept delays, inconvenience, and the insecurity of not knowing whether he will be flying or when he will be flying.

Since 1966 when the youth fare standby plan went into effect, youth fare traffic on the airlines increased from 2,100,100 to 5,760,000 passengers.

Air travel to and from school and for work-study programs is not a luxury; it is a necessity. The abolition of the student fare will greatly reduce the ability of many students to fly; revenue losses resulting from the elimination of this rate could mean an increase in fares for all passengers.

Everyone benefits from standby fares. The student is able to travel to and from school—attending educational conferences, visiting his family, witnessing major events in person. The airlines fill a seat that otherwise might go empty. This program is far too valuable to be abolished.

WHEN A COMMUNIST ISN'T

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. DERWINSKI. Mr. Speaker, an especially intriguing column in the Elgin Daily Courier-News on February 18, by Copley Press Washington correspondent Dumitru Danielopol, has come to my attention.

The point emphasized in the article is well worth pondering and I include it in the RECORD at this point:

DEVIL'S CHILDREN: WHEN A COMMUNIST ISN'T

(By Dumitru Danielopol)

WASHINGTON.—The devil's best ally is the liberal intellectual who doesn't believe in the devil."

The German poet Heinrich Heine wrote that over 100 years ago.

Had Heine attended Washington's conference of "Clergy and Laymen Concerned About Vietnam" he might have written:

"The principal ally of the Communist conspiracy is the liberal intellectual who doesn't believe in the Communist conspiracy."

The liberals I have in mind include three U.S. senators who were prominent at the conference—Sen. George McGovern, D-S.D.; Sen. Vance Hartke, D-Ind., and Sen. Mark Hatfield, R-Ore.

Had they better investigated the nature of the organization and its aims they might have abstained. The theme of the conference alone, "Vietnam and the future of the American Empire," should have been enough to open their eyes.

Who but the Communists call the United States an "empire"?

Who but Communists talk about "American imperialists"?

The 1969 position paper adopted by the organization advocates nothing less than a complete abandonment of South Vietnam to the Reds.

It calls for the "halt of the bombing of South Vietnam," unequivocal rejection of any talk of a "military solution" in Vietnam, rejection of the claim that "the Saigon regime is the legitimate government of South Vietnam," and so on.

It calls for American support of "whatever forms of government emerge from the Vietnamese people"—even a Communist regime.

It calls for an amnesty for U.S. resisters, draft dodgers, defectors, deserters, etc.

The whole paper could easily have been written in Moscow or Hanoi. The committee includes many who have long been connected with pro-Communist and Communist front organizations.

Among the most notorious are Dr. John C. Bennet of the Union Theological Seminary who is a member of such organizations as the National Committee to abolish the House Un-American Activities Committee, the National Federation for Constitutional Liberties—described by the Subversive Activities Control Board on July 26, 1957, as "one of the viciously subversive organizations of the Communist party," and many others.

Another is Dr. Edwin Dahlberg, a long time denouncer of congressional investigations of communism.

The conference was obviously called to embarrass the new administration and apply pressure for a soft policy not only in Vietnam but in other countries threatened by communism.

"Now is the time . . ." the paper says, "for those who have been opposed to this country's Vietnam policy to study in depth the whole of our foreign policy and to pressure the government to change where it is lacking."

The performance of Sen. McGovern, a would-be president of the United States, was particularly tactless.

He shared the podium with the Rev. William Sloane Coffin, convicted on conspiracy charges related to anti-draft activities; Vincent McGee, convicted on four draft violations; David Harris, a founder of the student resistance movement, who is appealing a three-year sentence for refusing induction into the armed forces; and others of the same ilk.

How can the American people be asked to respect the laws of the country when their lawmakers consort with the lawbreakers.

WAR ON CRIME—AWARENESS AND SELF-DEFENSE—A GUIDELINE

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. LEGGETT. Mr. Speaker, as Congress moves forward in its war on crime, sometimes we are prone to forget the obvious. Unless a citizen takes reasonable care to protect his own person and affairs, all the Federal laws and funding programs will certainly be ineffective.

The problems connected with crime in our cities prey particularly upon merchants. It is very difficult for the businessman, especially the owner of a single small store or shop to defend himself and his property against attack or exploitation by the criminal.

Jack E. Stiltz, chief of police of Vallejo, Calif., has prepared a series of instructions to merchants to assist them in warding off theft and other forms of aggression upon their businesses.

I think that Chief Stiltz' guidelines are excellently presented and would be helpful to merchants throughout the country. It is with this in mind that I present them for the review of my colleagues, as follows:

Crime Prevention Bulletin

(By the Vallejo, Calif., Police Department)

The Vallejo Police Department is a municipal service and law enforcement agency, responsible for your safety and for the security of persons and property. Every law breaker has infringed upon your security by violating laws your representatives have enacted for the protection of all citizens. Your problems in this field and the use of lawful authority to solve them are police matters. This department undertakes to assist you in any anticipated infringement of law endangering you or your property. Law enforcement activities are confined to the field of law violations that have already occurred, and in those instances where action is required to prevent threatened violations. Police officers are on duty twenty-four hours a day, and in a year's course respond to hundreds of calls to the scenes of crimes, disturbances, accidents, and many other places where their services may be needed. The department's effectiveness depends in a large measure upon the prompt and intelligent cooperation of all citizens. The following are some suggestions to help prevent crime in order to better protect your business.

RECOMMENDED PROCEDURE WHEN CASHING CHECKS

The following procedure is recommended when cashing checks. When the check is presented for payment, for instance at a grocery store, the manager should take the check and place his name and the date and time the check is presented in the upper left-hand corner. He should then turn the check over and have the payee endorse the reverse end of the check in his presence. The payer should demand positive identification. If a driver's license is presented, the description, signature and address of the license should be checked to make sure they fit the person presenting the check. All information should be placed on the back of the check, including the driver's license number. If other identification is accepted, place all numbers contained thereon on the back of the check. Temporary driver's licenses are often obtained for the purpose of giving fictitious identification and should be accepted with caution.

If this procedure is followed and the payer is called to testify in criminal proceedings, he or she will be able to positively identify the check without any hesitation, and will also be able to testify as to the procedure followed in the transaction. It is not the intention of this system to question persons who are known to you personally, but only those who are not known to the person accepting the check and who do not have positive identification.

After cashing a check, if you are in doubt of the payee, it is suggested that a clerk or another person follow the payee and obtain the car license number; also, the number of persons in the car, their sex, etc., placing this information on the check below the endorsement. Make certain that the proper license number is obtained and that the payee actually drives the car away. If the car is driven away by the payee and he has stated that he does not own an automobile or possess a driver's license call this department immediately, giving all available information.

During the holiday season, check passers work in pairs, male and female, to give the appearance of man & wife. In this case, if possible, get the identification of both.

If you have the slightest doubt of the authenticity of a check, refuse to cash it.

If any assistance is needed at any time concerning checks, phone the Police Department Investigation Division, and a plainclothes officer will be dispatched to your location immediately.

Most check passers are strangers, but all strangers are not check passers. It is suggested that signs be placed in conspicuous places in the store, reading, "We reserve the right to require positive identification on all checks."

SHOPLIFTERS

Shoplifting has become an increasing problem to businessmen. Many hours of time are lost in prosecuting these offenders, as well as the tremendous amount of loss of property taken from business places.

The police are well aware of the problem, and all measures are taken to protect the merchant against this type of crime. Every city throughout the nation has a similar problem, and it is impossible to provide a police officer for each place of business to guard against these thefts.

In order to prevent shoplifting, the merchants should select trustworthy employees to police their stores, paying particular attention to suspicious persons who loiter around counters where goods are on display and clerks are not available. Wherever merchandise is left unguarded, it attracts and invites persons who have a habit of taking things which do not belong to them. Greater assurance of protection would be for the merchant to hire qualified persons as Special Officers with this department to police their places of business, particularly during peak shopping periods.

If merchants immediately report to the Police Department all suspicious persons or loiterers, including juveniles, officers will make an investigation and this type of crime can be greatly reduced.

Too often merchants feel that shoplifters are responsible for the total amount of loss, but this is not always the case. We find in our investigations that many employees remove merchandise from the stores for their own use.

Full cooperation between the merchants and the Police Department in signing complaints against persons apprehended will assist us in prosecuting these cases properly, and public warning through the press will definitely assure greater crime prevention.

SAFE AND TILL-TAPPERS

During the past year there has been an increase in safe and till tapping throughout the State and Nation. This type of thief is very clever and operates during regular store hours. He pretends to be looking over merchandise and counters in the store, sizing up the situation, at all times observing the activity of the clerk or clerks, and particularly the type of safe or cash register used. He generally operates during the time when only one clerk is on duty. If he is approached by a clerk he will make a very small purchase and then remain in the store as though he intends to purchase something else. Sometimes they work in pairs, and when the clerk's attention is drawn by one to another part of the store out of sight of the safe or cash register, the other thief accomplishes the theft.

Safes, money drawers or other money containers should be locked at all times. Day locks, (sleepers), on safes are not a secure protection against safe tappers. It takes only a second to spin the dial for security and a very few seconds to open the safe, compared to the time and money lost in case of a theft. Cash register drawers should be locked when it is necessary for the clerk to leave the area of the cash register. Please take all precautions and notify this department immediately when suspicious persons are noticed loitering in your place of business.

MAGAZINE ADVERTISING SOLICITATION

In the past, several Vallejo merchants have purchased advertising space in so-called law enforcement magazines which were misrepresented and had no connection with, nor were they beneficial to this department or any other authorized official peace officers' organization. A false impression was gained during telephone solicitations, and it is known that on occasions when the solicitor called to collect for the advertisement his manner of speech was such as to indicate that he was not an officer. This man was not a member of the Vallejo Police Department.

It is our suggestion that if magazine advertising is solicited by telephone and you have any interest in the matter, the solicitor be asked to call in person. You will then be in a position to determine if he has proper credentials from the publication he represents and if the placing of an advertisement would be a good investment for you.

Because we highly value our cordial relationship with Vallejo businessmen, we want you to know of the situation described above so that you may be forewarned. If any question arises concerning magazine advertising solicitation, you are invited to call this office.

SANITATION

Numerous reports and comments have been received by this department pertaining to cluttering sidewalks and gutters with papers, wrappers, and other debris. This can be eliminated by sweeping the sidewalks in front of your business establishment and placing the rubbish into garbage cans, rather than sweeping it into the gutters where it is blown back onto the sidewalks if not picked up. This condition is not only unhealthy and unsightly, but is in violation of Vallejo Ordinance 12 N.S. In an effort to assist our Street Department to keep our sidewalks and streets clean and to have a better appearance around your place of business, it is requested that all persons concerned conform with this ordinance.

EMERGENCY SERVICE

Emergency cards in store windows with the proprietor's and assistants' names, addresses and phone numbers, could be used by persons with ulterior motives; therefore, it is requested that the use of these cards be discontinued.

This emergency service will be given to you by the use of a confidential file maintained at the Police Department. It is requested that you fill out the enclosed form and return it to the Police Chief for filing. This information will be used for reference purposes in the event of any emergency during the night, holidays, or other hours when your store is closed.

Should you receive a phone call during the night or closing hours of the store, such as, "This is the Police Department. An emergency exists at your business place—fire, broken water pipes, open window, light out, door unlocked, etc." under no circumstances go directly to the store. Please phone the Police Department and verify the phone call. If the call is authentic a car will be dispatched to your residence and officers will accompany you to your store to investigate and then will return you to your home. In the event you have an occasion to go to your place of business during the night, come to the Police Department first, if you so desire, and an officer will accompany you.

On closing your place of business, always

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check the entire store for hideouts. As you know, a hideout is a type of burglar who hides in the store and then prowls and burglarizes it when all have left. A check of the store is also valuable in preventing fires which may start from cigarette stubs, matches, etc. Be certain all windows and doors are closed and locked before leaving. Should anything look suspicious, please phone the Police Department immediately.

Be sure to leave a light on over or near the safe at night so the officers patrolling their beat can observe the safe. In the event the light is out an investigation will be made immediately and you will be notified.

THE FOLLOWING LIST OF "DON'TS" WILL AID YOU IN CRIME PREVENTION

Don't wait for the patrol car to drive by your place of business if a crime has been committed or you see anything suspicious. Telephone the Police Department at once, MI 3–5661.

Don't leave your place of business at night without leaving a light burning. A theft usually will avoid entering a business place where a light is burning.

Don't forget to try your door to see that it is locked when you leave.

Don't neglect to inspect your rear doors and windows, as well as your front entrance and windows. Many burglars gain entrance to stores via the rear.

Don't install fasteners on windows unless they are of an improved type. Those that are easily opened by the use of a knife or other flat instrument are of no value.

Don't neglect to install a new lock if your keys have been lost or stolen.

Don't leave your roof doors or skylights unfastened.

Don't fail to have safes and cash registers exposed to the officer's view as he patrols his beat. Also, have store premises well lighted so that he can observe the interior, thereby affording maximum protection for your property at night.

Don't permit the accumulation of money. Make frequent deposits at the bank.

Don't display valuable merchandise in windows or showcases at night.

Don't store valuable articles in your basement.

Don't leave money in cash registers at night. Leave the drawer of same open. Many cash registers have been destroyed by thieves in search of money.

Don't leave your keys with the janitor or other employee of the building.

Don't fail to notify police upon observing a suspicious character loitering about the premises.

Don't fail to have buzzers installed on doors leading from the street, especially when working in rear of store or alone in store.

Don't admit persons who represent themselves as agents, canvassers, etc. into your place unless they display their credentials. If doubtful, telephone their employer. If suspicious, telephone this department.

Don't trust persons with whom you come in contact because they are prosperous looking, smooth talkers, or with polished manners. Remember, up-to-date thieves do not look like thugs.

Don't fail to observe persons loitering about your place of business. Make a mental note of their appearance and notify this department.

Don't fail to inform the desk officer at the police station of the exact location and the need when you telephone for assistance.

Don't fail to keep a record and thorough description of all marks of identification of all your valuable property.

Don't fail to record the serial numbers of your bonds or stocks in any corporation. If lost or stolen the numbers can be furnished to the police to aid in their recovery.

Don't, after the commission of a crime, permit the handling of any articles which might contain fingerprints, as they are of great value and assistance to the police.

Don't display a quantity of money when paying bills to collectors.

Don't stop anyplace enroute to your place of business after drawing money from the bank or on your way to make deposits.

Don't fail to have your safe containing valuables securely locked during business hours to prevent a possible holdup.

Don't open the safe for any purpose while there are strangers present. Make a practice of closing the outer door of your business place at the closing of the day before putting valuables into the safe.

Don't carry large sums of money on your person. A check book is safer and more convenient.

Don't omit to check your premises before closing for the night to see that no one is hiding within.

Don't forget to check your safe and see that it is locked before leaving for the night.

Don't leave the combination numbers for your safe in your desk drawer or elsewhere in the premises.

Don't employ anyone until you have investigated his or her character and verified references.

Don't pay for C.O.D. packages until you have examined the contents and are satisfied that the goods have been ordered by you.

Don't fail to notify the police immediately upon discovering the loss of property, whether lost or stolen.

Don't forget that any suggestions or recommendations whereby the police can better serve you will be greatly appreciated by this department.

With reasonable cooperation, many crimes can be prevented. Please be assured of the fullest cooperation of your Police Department at all times, and when in need, please phone this department—MI 3–5661.

JACK E. STILTZ,
Chief of Police.

GROUNDBREAKING FOR NEW MODERN ARMY HOSPITAL AT FORT DEVENS, MASS.

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. PHILBIN. Mr. Speaker, I was very much privileged early last month to participate in the groundbreaking ceremonies for the new Fort Devens Hospital which has been long delayed as a result of freezes by the Pentagon on new military construction.

I include in the RECORD the text of the remarks I made on this occasion:

REMARKS OF CONGRESSMAN PHILIP J. PHILBIN AT THE GROUNDBREAKING CEREMONIES FOR NEW FORT DEVENS HOSPITAL, FEBRUARY 3, 1969

The great and distinguished Commanding Officer of Fort Devens, General Cushman, distinguished officers and guests, distinguished public officials and community leaders, enlisted men and women and friends, to come to Fort Devens is always a heartwarming experience for me, and this groundbreaking ceremony today for the new hospital is certainly a special and gratifying occasion for all of us. I am very grateful for the generous references of General Cushman and Colonel Franklin R. Day of our great Army Engineers.

We can be proud that the construction of this proposed, urgently needed new hospital facility is getting underway.

It represents the fulfillment of our hopes and dreams for a suitable, adequate, modern hospital at Fort Devens.

It also represents a great deal of hard work by our able Commanding Officers of Fort Devens, and our own, outstanding, General Cushman, and their staffs and assistants, and our great Army Engineers, since the need for this type of hospital facility was first recognized.

It also represents the sympathetic cooperation and earnest efforts on the part of high level officials in the Surgeon General's office and the Department of the Army.

While we rejoice today that our continued efforts have been crowned with success, we are still mindful of the fact that along the road there have been trials and tribulations that delayed this highly desirable and badly needed 116 bed Army hospital.

While our struggles for the hospital were long-continued, we were not working alone. Since the beginning, the Fort Devens Minute Men Chapter Association of the United States Army had played an important role, and I salute, commend, and thank them, and all the others, who have helped us, and who through the years have shown commendable zeal and concern for this great Post of which we are all so proud, and its talented, dedicated leaders and fine complement of well-trained, faithful, enlisted personnel, both men and women.

I want to express my gratitude here today to all those—groups and individuals, because their sustained support and effective contributions played a great part in enabling us to start this new hospital here today.

Included in this group, are several high ranking officers and officials of the Defense Department and the Army and the Surgeon General's office who, even in the face of fiscal delays, nevertheless kept up their personal efforts to get this vital project underway.

You will recall that back in 1965 the Congress voted $4,794,000 to fund the hospital and we thought at this time that it was soon going to be underway, as it should have been.

Unfortunately, there were other delays caused by the so-called austerity program first in 1965 and again in 1967 when military construction projects were frozen by administrative orders.

In the meantime, construction costs were rising all the time, and for that reason, it was necessary for the Congress to appropriate an additional $1,294,000 so that our great Army Engineers were finally able to advertise for new construction bids.

Happily, the contract was awarded January 23, 1969.

So we can all see, in setting up this ceremony, that General Cushman and the Army Engineers are not letting any grass grow under their feet.

It is with great satisfaction, honor and pleasure that we are now turning over the first shovel of frozen earth on this mid Winterday for what will become a magnificent modern medical facility, designed to give our men and women in the Armed Services the best medical care in the world.

It was only yesterday that the Army proudly celebrated the 68th anniversary of the Army Nurse Corps.

This is the oldest of our wonderful service nursing organizations, and it was officially established by Congress back in 1901.

It would be impossible for any of us to over stress the tremendous contributions to the Army and the nation that these noble women have made.

Some 900 Army nurses are now serving in Vietnam, all volunteers, which is in the finest tradition of the great Army Nurse Corps.

The heroic, courageous service of these women under the most difficult, hazardous conditions is unsurpassed, and never could possibly be excelled.

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We are all justly very proud of what these women are contributing in such an unselfish outstanding way, some times with their blood and their lives, for the health, safety and welfare of our boys in Vietnam and elsewhere all over the world.

As we all gratefully participate in this historic memorable, ground-breaking ceremony for the new Fort Devens Army Hospital, let us fervently pray and hope that, by the time this medical facility becomes fully operational, war, and the sacred mission of caring for wounded Vietnam heroes, will no longer be confronting us in the same way that it is today and that we will have peace, understanding and brotherhood in this troubled world.

American servicemen and their dependents are entitled at all times to have the best, modern, up-to-date facilities and the best trained, competent, dedicated Doctors and nurses, and everything else they need to provide for their health, care, treatment and well-being.

That is the mandate of the people of this country.

That is the mandate of the Congress. It should be noted here that we do not intend to permit misguided bureaucrats, or so-called economic prophets to ignore it.

To the many devoted leaders and people, in and out of the military, who have labored so hard and so vigorously to make this great day possible, I want to express my special gratitude.

Today, Fort Devens takes another step forward and it will be our purpose to try to continue this progress in every way that is necessary.

Heartiest congratulations on this great day for Fort Devens, and again, my warm thanks and deep appreciation to all those who have helped.

I am sure our efficient contractors will also honor and please us by building the new hospital in record time.

MARCH 9 PROCLAIMED AMERIGO VESPUCCI DAY

HON. JACOB H. GILBERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. GILBERT. Mr. Speaker, March 9, 1969, was declared "Amerigo Vespucci Day" by the president of my borough of the Bronx. This proclamation was made at the request of the Amerigo Vespucci Lodge No. 2159 of the Order of the Sons of Italy of my congressional district. With permission, Mr. Speaker, I would like to insert the proclamation in the Record, as follows:

Proclamation

Whereas: Amerigo Vespucci was one of mankind's greatest navigators and explorers to have crossed the Atlantic Ocean; and was among the first to sight the mainland of the Western Hemisphere; and

Whereas: Amerigo Vespucci, flying the colors both of Spain and Portugal on voyages to these shores, calculated latitude and longitude making invaluable contributions to geography; and

Whereas: All those of Italian descent are proud of the achievements of this great man for whom America was named and

Whereas: It is fitting and proper that we all pay tribute to his memory.

Now, therefore, I, Herman Badillo, President of the Borough of The Bronx, do hereby proclaim March 9th, the anniversary of his birth, as Amerigo Vespucci Day and do urge our people to participate in all appropriate observance of this occasion.

Mr. Speaker, I want to also take this opportunity to extend my best wishes to Venerable Orlando Oliva of Amerigo Vespucci Lodge No. 2159 and to the other members of this lodge, who are good friends of mine and reside in my community.

The Sons of Italy is a fraternal society of Italo-Americans that started in New York City in 1905. Its motto is: "Liberty, Equality, and Brotherly Love." The fraternity is nonpolitical and nondenominational in concept and programs, and its membership comprises persons of every profession and occupation. It is the largest Italian organization, with lodges throughout the United States and Canada. The aims of the Sons of Italy are to promote civic education among its members, to uphold the concept of Americanism; to encourage the dissemination of Italian culture in the United States; and to organize and establish benevolent and social welfare institutions for the protection and assistance of its members, their dependents and the needy in general.

I extend to the Sons of Italy Lodges throughout the country my best wishes for the continuation of their civic and social aims and accomplishments.

AIRPORT SAFETY FACILITIES NEEDED

HON. CHARLES S. GUBSER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. GUBSER. Mr. Speaker, I am becoming increasingly concerned over the complete stalemate of activity which appears to characterize the Federal Aviation Administration with respect to taking steps for the protection of airline passengers through the installation of instrument landing system facilities at various ariports. Frankly, I think it is time we stopped deceiving the public and admitted that air travel is becoming increasingly hazardous as traffic becomes more dense.

Included herewith are the pertinent portions of a letter from an airline pilot who happens to be one of my constituents and which point up his concern for both his own and his passengers' safety. I believe the incident he relates is worthy of consideration by every Member of Congress since this is a very serious problem which will become increasingly so as the years go by.

Also, I am inserting a copy of a letter which I am today sending to the Federal Aviation Administration regarding this subject.

The material referred to follows:

February 17, 1969.

Hon. Charles S. Gubser,
House of Representatives,
Washington, D.C.

Dear Sir: If you are an occasional passenger on an airline and I'm sure you are, then I'm also sure that you will be interested in the following.

Once again the Federal Aviation Administration has been so busy policing everyone else that they have failed to police themselves. When they do, the investigation is performed by one of their own order, and the results are never known. It is my opinion that they have built a large organization, with more airplanes than many of our domestic airlines, and which are rarely used. Even the Military Services contract with the Domestic Airlines to airlift men and materials to Viet Nam because it is considerably more economical. I contend they have spent far too much money on a Police force that is relatively ineffective. I have often wondered how an F.A.A. Check Pilot with 2500 hours of Military flying and 600 hours additional can police or instruct an Airline Pilot with the same 2500 hours of Military Flying and 28,000 hours of Airline experience, accident free. The Airline check pilot would be far more competent to do the job. That was the system not too many years ago.

F.A.A.'s money could better be spent on equipment. I refer to Representative Fletcher Thompson, Republican, of Georgia: "I'm appalled that there's nothing in the new budget for I.L.S.'s, when we know that seven out of eight recent landing accidents occurred at airports where there were no I.L.S.'s." New York Times, Feb. 7, 1969.

I, and all of the passengers and crews aboard two airliners narrowly missed death only a month ago, because of the F.A.A. [failed] to provide themselves with adequate equipment. They require all airliners to carry two transmitters and two receivers so that radio failure is near impossible, while they content themselves with only one. Another airliner and the one I commanded were on Instrument Flight Rules departing ———. It was pitch dark and there were clouds. The controller had issued Headings to each of us, which turned out to be a perfect collision course. Then his transmitter failed and he was unable to issue further headings. I did not even know that an emergency existed until I saw an airpline pass a few hundred feet directly underneath me. The F.A.A. controller admitted that he only had one transmitter.

I am occasionally in Washington and would be happy to give you a better description of this incident if you so wish.

March 12, 1969.

Mr. John H. Shaffer,
Administrator, Federal Aviation Administration, Washington, D.C.

Dear Mr. Shaffer: Enclosed please find a letter which I have received from an airline pilot who is one of my constituents. I have every reason to believe that the fears he expresses are legitimate and should be of very urgent concern to the Federal Aviation Administration.

Frankly, I do not believe that enough leadership has been exerted by the FAA in this vitally important area. It would be appreciated if you could meaningfully respond to the points made in the enclosure and also give me some idea of the type of leadership which the FAA intends to display in this field in the immediate future.

Thanking you, I am,
Yours sincerely,
Charles S. Gubser,
Member of Congress.

SCIENCE GROUP URGES CAUTION ON ABM

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. BROWN of California. Mr. Speaker, not too long ago, scientists received regular criticism because they seemed to be overly "ivory-towerish" in their relations with everyday political issues. Now the trend is steadily swinging the other way. Much of the recent analysis and debate

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regarding the proposed Sentinel ABM system has originated from within the Nation's scientific community.

This week, the Federation of American Scientists, a national organization of approximately 2,000 scientists and engineers concerned with the impact of science on national and international affairs, released a statement dealing with some crucial aspects of the ABM concept. The article follows:

USE OF THE SENTINEL, ABM SYSTEM TO PROTECT OUR RETALIATORY FORCES: SOME CONSIDERATIONS

(Prepared by the Federation of American Scientists)

In its continuing attempt to develop a justification for the deployment of an anti-ballistic missile (ABM) system, the Defense Department has brought forth the idea of using such a system to protect our land-based retaliatory force, consisting of our intercontinental missiles and long-range bombers. Since the radar and missile sites for such a defense could, in principle, be located far from our major cities, the need for a Soviet missile buildup in response, to preserve their retaliatory capacity, might be reduced. This approach would also have the virtue, from the Pentagon's viewpoint, of avoiding the heated reactions from the public that attended the original Sentinel deployment near cities. Since this new role for an ABM system has received little public attention, it seems desirable to examine some aspects of it and to explore its broader implications.

The Sentinel ABM system in this role would use its long-range radars and high-altitude interceptor missiles to detect and destroy incoming warheads directed at our missile sites or bomber bases. Since our missile sites are located in the northern Great Plains of this country, the radars and interceptors could also be located primarily in that area. However, because of the need to protect against attacks coming from different directions, and because of the long range of the radars and interceptors, there would unavoidably be some overlap with cities in the Midwest. The system would thus be able to attack incoming warheads aimed at those cities as well. Most bomber bases are located near cities, and they are distributed over the country from Maine to California. Any attempt to provide anti-missile protection for them would simultaneously imply the creation of a defense for the rest of the country.

An ABM system intended to protect our retaliatory force would require the same types of radar, computers, and interceptor missiles as a defense of our cities, so that the same production facilities would have to be established. From the Soviet point of view, this development, together with the five to seven years it would take to deploy the system (during which our plans could evolve considerably), would make it difficult for them to be certain that the system would indeed be limited to the protection of our retaliatory force alone. They would have to assume that it would be modified and expanded, threatening their ability to retaliate against our cities in the event of a nuclear war, and leading them to respond by further expanding their own missile force.

There does not appear to be any evidence that the Soviet Union is seeking now—or, indeed, has ever sought—a capacity to attack our missile force. For a number of years they have had a force of limited size, clearly suitable only for retaliation against our cities in the event of an attack from us. In order to be able to successfully attack our missile sites and still retain sufficient force to attack our cities, they would have needed a substantial numerical superiority over us. They have never attempted to achieve this.

The Soviet Union today possesses about 1000 ICBMs and a total of about 1200 available warheads and bombs, as compared with our 1054 land-based and 656 sea-based missiles and 4200 available warheads and bombs. According to Defense Department figures, even as few as 200 delivered warheads (for instance, one-third of the Polaris force) could cause 50 million Soviet fatalities and destroy 70% of their industry. Thus the Soviets would need the capacity to eliminate a large portion of our missile force before they could feel capable of carrying out a successful attack on it. However, our ICBMs are each in individual, concrete underground "silos". Using reasonable assumptions for the yield and accuracy of Russian missiles, there is about a 50% chance that one of their missiles could destroy one of our ICBMs; put another way, they would have to use three missiles to have a 90% chance of destroying one of ours. What is clear, then, is that at the present time the Soviet missile force does not pose a danger to our ability to retaliate against them in the event of attack.

In the past we have been assured by the Pentagon that the Sentinel system was intended as an anti-Chinese defense and could easily be defeated by the Russians. The same weakness to Russian attack is present in the version directed at protecting our missile force, but its inadequacy is even more glaring. In order to have a significant effect on our ability to retaliate, reducing it to levels which the Soviets might consider acceptable, they would have to attack with several thousand warheads. Against such an attack, presumably accompanied by a large number of decoys as well, the Sentinel system would be completely inadequate and would probably fail completely. Any ABM system that would protect our missile forces must have several interceptors for each missile being protected. As now proposed, the Sentinel system would have a much smaller number of interceptors, reportedly a total of about 700. Also, if the Soviets were to launch such an attack, they would undoubtedly first use a small portion of their warheads to destroy or black out the long-range detection radars of the Sentinel system, giving their remaining warheads a "free ride" to their targets. One must conclude either that this rationale for the system is not serious, or that the system will be further expanded to have the proposed effect. There is, in short, no such thing as a "thin" defense of our retaliatory force.

Looking ten or fifteen years into the future, and assuming that the arms race continues, our land-based missile forces are likely to become vulnerable to Soviet attack. They may have more ICBMs, guidance accuracies will increase, and multiple individually-guided warheads may be introduced. At that time, if we have not reached an agreement to halt the arms race, there is a possibility that the deterrent capacity of at least the land-based portion of our retaliatory force could be substantially diminished.

There are several ways of forestalling this situation which avoid the numerous disadvantages of ABM deployment. The most desirable, of course, is an agreement with the Soviet Union that would maintain the present stable balance. As a unilateral measure, the Defense Department is currently developing super-hard missile silos which, by providing greater protection for our missile force, would make it much more difficult for the Soviets to attack this force. Dr. Harold Brown, former Secretary of the Air Force, described these new silos as "a form of ABM defense." The Air Force envisages raising the hardness by about a factor of ten, requiring a corresponding increase in the yield, accuracy, or number of missiles which the Soviets would need to carry out a successful attack on our ICBM's. The introduction of such super-hard silos would provide a far cheaper means of protecting our ICBMs than an ABM system, would be far more reliable (they involve only concrete and shock protection devices, as contrasted with the highly complex ABM network which could fail for a wide variety of reasons), and would not launch a new round in the arms race.

We might also continue to introduce multiple warheads as a means of countering any threat to our missiles from the Soviet Union. Such warheads would effectively increase the number of missiles we possess and require the Soviets to destroy a correspondingly greater number of them if their attack was to be effective. These warheads should be introduced, though, only if there is clear evidence that the Soviets are attempting to achieve such a capability. If we were to install them (especially the type that could be individually targeted) in the absence of a Soviet force buildup, we could so threaten their retaliatory capacity that they would be forced to respond by just the expansion we fear. Just as we must preserve our own ability to retaliate, so we must recognize that they will take whatever steps are necessary to retain their capacity as well.

Eventually, we must be prepared to dispense with the land-based portion of our retaliatory force and place primary reliance on our submarine-based missile force. It seems likely that this will remain invulnerable to effective attack for decades to come. As noted earlier, it possesses quite enough destructive capacity to provide a sound deterrent. Attempts to preserve the land-based Minuteman system may please the Air Force, and reassure those strategists who believe in the "mix" approach to deterrence, but they will only delay the inevitable, while adding new fuel to the arms race and requiring vast new expenditures for military hardware.

ENCOURAGEMENT FOR NONPROFIT SPONSORED HOUSING

HON. THOMAS L. ASHLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. ASHLEY. Mr. Speaker, in recent years the Congress has enacted a variety of housing programs designed to encourage nonprofit corporations to undertake rehabilitation and restoration of housing in our densely populated center cities.

It has been the expression of many nonprofit groups using these Federal programs that the rehabilitation and restoration of housing of itself is not sufficient. Equally important, they have found, is an ongoing program involving the human renewal of the people who are to live in the restored housing.

The suggestion has come from a number of nonprofit sponsors that the Federal Government make available to nonprofit sponsors a minimum of 5 percent of their outstanding mortgage balances to channel into varying social programs. The legislation I have introduced today would accomplish this by authorizing the FHA to remit back from its national insurance fund an amount equal to 5 percent of any nonprofit sponsored housing development's outstanding mortgage balance annually. This money would then be used by the sponsors to carry our necessary human rehabilitation programs, designed locally and approved Federally, that would reflect the particular needs of a given neighborhood.

Mr. Speaker, if we are to continue to depend upon nonprofit sponsors to help

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provide decent housing for low income families, we must provide the tools needed to perform the task. It is for this reason that I urge prompt action on the bill I have introduced today.

JACOB BEAM: ALL THE FACTS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. RARICK. Mr. Speaker, Mr. Michael D. Jaffe, general counsel of Liberty Lobby, reported today that he was refused the privilege of testifying in opposition to Jacob D. Beam as Ambassador to Moscow.

Censorship and denial of free speech through established conventional hearings can but alarm more and more Americans who must be asking, "What are they trying to hide about Mr. Beam?"

Mr. Speaker, I include the suppressed statement of Mr. Jaffe prepared for delivery before the Senate Foreign Relations Committee and a news release by Liberty Lobby following my remarks:

STATEMENT OF MICHAEL D. JAFFE, GENERAL COUNSEL, LIBERTY LOBBY, BEFORE THE SENATE COMMITTEE ON FOREIGN RELATIONS HEARINGS ON NOMINATION OF JACOB D. BEAM, TO BE U.S. AMBASSADOR TO THE SOVIET UNION

Mr. Chairman and Members of the Committee: I am Michael D. Jaffe, General Counsel of Liberty Lobby. I appear here today to represent the views of the 15,000 members of Liberty Lobby's Board of Policy, on behalf of more than 200,000 subscribers to our monthly legislative report, *Liberty Letter*. The Board of Policy has voted in favor of an "anti-Communist foreign policy" for the United States. In joining the Board, its members specificially authorize the Washington staff of Liberty Lobby to speak for them before Committees of Congress. It is for this specific reason that they join the Board of Policy.

We oppose the confirmation of Jacob D. Beam as American Ambassador to the Soviet Union because Mr. Beam's lack of understanding of the dangers posed by the international Communist conspiracy indicates that he would be incapable of representing the best interests of the United States.

The United States Embassy in Moscow is, we are sure the Committee will agree, the world's most sensitive diplomatic post. A man appointed to the position for which Mr. Beam has been nominated carries a grave responsibility. The wrong man in this position can irreparably injure the national security of the United States. He can set back the cause of peace.

During his campaign for the Presidency, Richard M. Nixon pledged to clean up the mess in the State Department. But Mr. Beam is representative of the individuals who have made the mess. Jacob Beam's career in the foreign service of the United States is replete with instances of tragically poor judgment, if not worse.

It is, we believe, the duty of this Committee to secure the answers to the mystery surrounding Mr. Beam.

Public scrutiny of his approach to the conduct of foreign policy largely centers around his service in the American Embassy in Warsaw from 1957 through 1961. Mr. Beam's antics as our Ambassador to Poland would be hard to believe if they were not fully documented.

It is a matter of public knowledge that, during Beam's service as Ambassador to Poland, there was, according to journalist Clark Mollenhoff, "the near total destruction of security in the U.S. Embassy." The lurid tales of the Embassy staff holding wild parties with Polish girls—obviously with the knowledge of Mr. Beam—read like a somewhat wacky modern novel.

As Ambassador to Poland, Mr. Beam also served as U.S. Representative to the U.S.-Communist Chinese talks being held in Warsaw. Although the talks accomplished nothing, Mr. Beam achieved a great deal of popularity with the Red Chinese.

In 1958, it became known that a member of the House of Representatives was planning to issue a press release demanding that President Eisenhower remove Beam from his duties as negotiator with the Red Chinese. On hearing this, the State Department became frantic. Walter S. Robertson, then Assistant Secretary of State for Far Eastern Affairs, placed a late-night phone call to the Congressman's administrative assistant. He told him, "If your boss makes public his recommendation to President Eisenhower that he replace Beam as a negotiator, he will get every prisoner held by the Red Chinese decapitated." (More than 30 U.S. citizens were at that time being held captive in Red China, and one of the purposes of the negotiations was to secure their release.)

Several FBI agents were then dispatched to find the Congressman at his hunting lodge in the New England mountains. On being told of the probable consequences of the release of his attack on Beam, of course, agreed to withhold it.

We believe that this Committee has the duty to find out why Jacob Beam was held in such high regard by the Red Chinese. We urge that Mr. Robertson, who now lives in Richmond, be called as a witness to give first-hand testimony on this incredible incident.

Another of Mr. Beam's interests while serving as Ambassador to Poland concerned the curbing of Radio Free Europe broadcasts to Poland. The Ambassador's communication to Washington, requesting the State Department to "induce" Radio Free Europe to "cease its Polish broadcasts," was drafted by two Foreign Service officers serving in Warsaw, Edward Symans and Thomas A. Donavon. Mr. Symans was identified before the Senate Internal Security Subcommittee as a "double agent" of the U.S. and the Soviet Union.

According to the widely credited publication *The Government Employee's Exchange*, Mr. Donovan later became involved "in the controversy he engendered in West Berlin by making 'unauthorized telephone calls' from Communist East Berlin to top Communist officials in the Polish Foreign Ministry. One of these has since been identified as Jerzy Michalowski, the present Polish Ambassador in Washington and then the Director of the Polish Foreign Ministry. Mr. Donovan allegedly placed his telephone calls in Communist East Berlin in order to evade the American security telephone monitors in West Berlin who recorded all calls placed to Communist countries."

Ambassador Beam's reasons for wanting to curb Radio Free Europe, as given in the communication drafted by Symans and Donovan, was that RFE was often at "cross-purposes" with the Embassy, and that his own relations with the Polish Communist government would be "less strained" if RFE "stayed off his territory."

The mention of Mr. Beam's "relations with the Polish Communist government" leads to the infamous "Warsaw sex and spy" scandal, in which Beam was intimately involved. We believe that the national security of the United States demands that the facts of this outrage be brought to the attention of Congress and the American people, as unpleasant a task as it might be.

The Government Employee's Exchange of Jan. 10, 1968, quoting "a source with over 30 years of service in the State Department," exposed Ambassador Beam's part in the Warsaw scandal. The source stated that Madam Jerzy Michalowski, wife of the current Polish Ambassador to the United States, "without any question of doubt" maintained an "intimate personal relationship" with Mr. Beam from 1957 to 1961.

On the basis of this "intimate personal relationship," the *Exchange's* source stated, "Madam Michalowski, in 1960, obtained from Ambassador Beam details about the dispatches being sent the Central Intelligence Agency by Lt. Col. Michael Goleniewski, an American 'agent in place' who had first revealed to United States authorities the existence of the sex and spy scandals in Warsaw. . . . As a result of her discoveries from Ambassador Beam, Madam Michalowski, her husband, Jerzy Michalowski (then Director General of the Polish Foreign Ministry), and Polish and Soviet intelligence agencies uncovered the identity of 'Lt. Col. Goleniewski' who had to flee to West Berlin on Dec. 24, 1960."

Madam Michalowski is reported to have arranged the Scarbeck case, to take the heat off her friend, Ambassador Beam, by making Foreign Service Officer Erwin Scarbeck the scapegoat of the Warsaw scandal. The *Exchange* reports that she, along with Polish agents, plotted the "discovery" of Scarbeck "in bed with Urszula Discher," who was "already in the employ of Soviet and Polish intelligence."

It will be recalled that Victor Dikeos, the Security Officer credited with exposing Mr. Scarbeck, refused to tell the Senate Internal Security Subcommittee how he obtained the lead on Scarbeck. According to the *Exchange* source, the lead was supplied to Mr. Dikeos personally by Ambassador Beam.

Madam Michalowski, Ambassador Beam's "friend," is a long time and highly experienced Communist intelligence agent, having worked as such since 1936. Her first husband was Professor Ignace Zlotowski, a Communist spy. According to General Lzydor Rudolf Modelski, Minister of War in the last free Polish government before the Communist take-over, Professor Zlotowski was the top Polish-Soviet agent in the United States, seeking to steal our nuclear secrets. He is reported to have succeeded in obtaining the classified blueprint of the atomic bomb "trigger mechanism."

Can any member of this Committee defend Ambassador Beam's performance in Warsaw? We think not! There can be no doubt that a full investigation is called for. To confirm Mr. Beam and send him to the highly sensitive Moscow embassy would be an unpardonable breach of faith with the American people.

The charges have been made and Mr. Beam, of course, should have full opportunity to defend himself against them. But under no circumstances should this Committee tolerate any attempt to cover up Mr. Beam's incredible record.

We appreciate the opportunity to present these facts for the Committee's consideration. Our charges are not motivated by political considerations, or by any personal feeling against the nominee. We merely insist that the American people are entitled to the facts about those officials chosen to serve them.

Thank you.

NEWS FROM LIBERTY LOBBY

WASHINGTON, D.C.—Col. Curtis B. Dall, chairman of Liberty Lobby, the largest conservative group in America, today expressed astonishment at the action of Sen. J. William Fulbright, who denied the group a chance to oppose the nomination of Jacob D. Beam as Ambassador to Moscow.

"I find it hard to believe," Dall declared, "that the Senate of the United States, for generations the greatest deliberative body in the world, will allow itself to be used as an instrument of one Senator's arrogant and irresponsible intention to suppress facts."

Dall accused the Senate Foreign Relations Committee, chaired by the controversial Arkansas Senator, of denying Liberty Lobby an opportunity to bring out little-known facts concerning the past record of Ambassador-designate Beam. Dall claimed that the decision was made to ban Liberty Lobby's explosive testimony "because apparently neither President Nixon nor Senator Fulbright can afford to have Beam's fantastic record brought to light."

Colonel Dall described the Beam appointment as "the worst ambassadorial appointment in American history." Reviewing Beam's involvement in the notorious Warsaw sex and spy scandals, his "intimate personal relationship" with Madame Jerzy Michelowski, known as the "Polish Mata Hari," his attempt to suppress Radio Free Europe, his "strange diplomacy" that so endeared him to the Red Chinese that in 1958 they threatened to behead 30 American prisoners if he was fired by President Eisenhower as a negotiator; Dall demanded that Beam's appointment be withdrawn by President Nixon.

TELEVISION IN TURMOIL

HON. JOSEPH P. VIGORITO

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. VIGORITO. Mr. Speaker, as one of the cosponsors of the legislation which has been introduced to probe the effects of violence on television on the viewing public, I wish to bring to the attention of my colleagues the following article which appeared in the February 8 issue of TV Guide.

This courageous publication has presented a most penetrating discussion of the violence we saw on TV screens during the Democratic Convention in Chicago last August and its aftermath.

I feel the article should be read by all interested in this problem and insert it below:

TELEVISION IN TURMOIL

(By Neil Hickey)

Six months after the Democratic convention, the air is still filled with charges and countercharges. Crucial questions about the role played by television in Chicago still remain unanswered. How well did the networks discharge their responsibilities? Was coverage slanted? Were viewers fully and fairly informed? Did many of them deliberately refuse to believe their eyes? The answers to these and other questions will influence the future course of television news coverage. . . .

The twenty-year romance which television has enjoyed with American families was seriously shaken amid the charges and countercharges over whether or not TV news fulfilled its responsibility of reporting news objectively to the public. Tens of thousands of letters flooded the three major networks and the Federal Communications Commission complaining that:

(1) Network coverage of the convention was biased against the Johnson-Humphrey Administration and Mayor Richard Daley of Chicago.

(2) TV newsmen in the streets consistently filmed scenes of police violence and clubbing of dissenters, but never the provocation which led up to it.

(3) Floor reporters for the networks spent a disproportionate amount of time interviewing anti-Administration delegates and those favorable to the candidacy of Sen. Eugene McCarthy; floor men were accused of generating and perpetuating rumors having little basis in fact. . . .

(4) TV reporters and anchor men engaged in too much editorializing (at the expense of straight news) without labeling it as such.

(5) Networks too often cut away from the podium to show film of riots and interviews with delegates hostile to the majority view.

(6) TV newsmen were too generous and affectionate in their coverage of the hippies, yippies and radical leftists who had come to Chicago with the announced purpose of disrupting the convention and creating havoc in the streets.

(7) The networks were bent upon "revenge" for prior restrictions placed by Chicago officials upon their capability for live, remote coverage and their access to the convention floor; and also for the Democrats' refusal to meet in Miami Beach (as had the Republicans) instead of Chicago, a decision which cost the networks millions.

But even such serious charges as those might reasonably fade into distant memory and be blurred by time—except that a series of high-level official investigations promise to keep them in the public eye well into 1969, with effects that will surely impinge upon all future television handling of national political conventions, as well as opening to debate for the first time on a broad scale the very nature and influence of television's involvement in the American political process.

The Senate Commerce Committee and the House Interstate and Foreign Commerce Committee (which have jurisdiction over broadcasting), as well as the House Committee on Un-American Activities, are studying TV's performance in Chicago. So is the U.S. Department of Justice and a Chicago Federal Grand Jury. The National Commission on the Causes and Prevention of Violence, whose full report is due later this year, released an interim study (attorney Daniel Walker's report) which—while sternly accusing the Chicago police of wanton pummeling of dissenters and newsmen—noted that television created the stage upon which the young radicals dramatized their anger and that television thus substantially influenced the behavior of both demonstrators and police.

"There is no question that the protestors in Chicago . . . 'played to the cameras' or that they often did it very effectively . . ." the Walker Report says. ". . . What the 'whole world was watching', after all, was not a confrontation but the picture of a confrontation, to some extent directed by a generation that had grown up with television and learned to use it."

The news media, including television, had been reporting for weeks that from 100,000 to one million protestors would converge on Chicago during convention week. But the best estimates now indicate that the demonstrators' recruitment was an almost total flop, and that no more than 5000 of them came to the city from points outside Illinois.

None the less, the advance publicity about their supposed invasion "played a part in conditioning authorities and demonstrators alike as to what to expect . . ." the Walker Report pointed out, and caused the mobilization of 25,000 police and National Guardsmen and Regular Army troops to deal with a major insurrection which simply never materialized but the mere threat of which made law enforcers edgy and nervous before the convention ever got started. . . .

Congress was . . . noisily masticating the whole subject in what Broadcasting magazine called "a climate of almost unanimous Congressional disapproval of the Chicago coverage compounded with the politically potent reaction against televised violence that has swelled since the assination of Senator Kennedy."

Sen. Russell B. Long (D-La.) claimed: "Unfortunately, the City of Chicago was convicted by the television media without its side ever being seen or heard." Sen. John O. Pastore (D-R.I.), chairman of the Senate Communications Subcommittee, asked the TV networks to consider seriously giving Mayor Daley an hour of free time, as he had requested, to tell his side of the story. (All three refused, eventually) . . .

Those strong sentiments were seconded by Rep. Ed Edmondson (D-Okla.), who rose to say: "Network media personnel such as Cronkite, and Huntley and Brinkley have done violence to the truth by their unfair coverage at Chicago and the public deserves better at the hands of this great industry." . . .

CBS reported to TV Guide that of 9000 letters received after the convention, the ratio of critical letters to favorable ones was 11 to 1. NBC got 8542 letters condemning its efforts and 1092 praising them. (ABC did not air full coverage of the convention.) Mayor Daley claims to have received 135,000 letters supporting him, 5000 against.

The trade newsletter Television Digest noted the mood of Washington in early September. "We've been covering Washington for many years and never have we observed such a mass of Congressional vehemence against broadcasting." A month later, it quoted a veteran Senate employee as saying: "It doesn't make any difference who wins the Presidency; television is in for one hell of a rough time when Congress comes back in January. Your industry just couldn't be in worse shape, despite the fact there'll be many new faces in Congress" . . . .

Thus, the vision of Chicago, August 26–29, 1968, which erupted through millions of television sets in the U.S. and the world, will have its wise and reasoned partisans for what may be an endless debate. Sen. Everett Dirksen (R–Ill.), for example, calls TV's handling of both political conventions "an outrage against the democratic process" and describes one particular reportage from the convention floor in Chicago as "a clear and outrageous attempt at editorializing and bias." . . .

Among the angriest of TV's tormentors have been columnists Drew Pearson and Jack Anderson, who, in a series of syndicated reports, claimed inside knowledge of a House Commerce Committee study purportedly confirming that "some of the networks deliberately went out to slant the news"; that TV directors purposefully photographed Vice President Humphrey and Mayor Daley in unflattering poses, even resorting to distorting the TV color; that speeches favorable to the Johnson regime were forsaken repeatedly by the cameras to focus on some disident eager for publicity; that the networks wanted revenge on the Democrats for costing them $3 million by their insistence on holding the conclave in Chicago instead of in Miami Beach. . . .

It is a fact . . . that the TV networks did exert enormous pressure on the Democrats to keep the convention in Miami Beach. . . . Many experts felt that—as much as any other single factor—the televised conflict along Michigan Avenue and in the international Amphitheatre had made Richard M. Nixon President of the United States.

Oddly, there seemed even more profound effects than the election of a President; namely, a kind of "social dynamite" (in columnist Max Lerner's words) in the spreading suspicion among both liberals and conservatives that the wells of communication in the U.S. are poisoned. Broadcast news, especially, stood in severe crisis at year's end, fearful of an erosion of confidence among its heretofore loyal viewers (who for long had depended on TV for most of their news); fearful also that its prized journalistic freedoms were about to suffer the most vigorous assaults in television's twenty-year life.

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CHARLES A. MEYER: A NEW INTER-AMERICAN LINK

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. FASCELL. Mr. Speaker, at the beginning of the week I made some remarks on the floor of the House regarding President Nixon's selection of Mr. Charles A. Meyer, one of the top-ranking executives of Sears, Roebuck & Co. as the new Assistant Secretary of State for Inter-American Affairs and U.S. Coordinator for the Alliance for Progress.

Yesterday's New York Times carried a profile of the new nominee. It contains some information which I am certain will prove of interest to Members of Congress. For this reason I place that article in the RECORD, and commend it to the attention of my colleagues in the House:

INTER-AMERICAN LINK: CHARLES APPLETON MEYER

WASHINGTON, March 10.—Charles Appleton Meyer admitted publicly today—probably for the first time in his life—that he was "a little bit frightened."

A few moments before, at an impromptu news conference, Secretary of State William P. Rogers introduced the tall, elegant New Englander as his new Assistant Secretary of State for Inter-American Affairs, President Nixon, he said, would shortly send Mr. Meyer's name to the Senate for confirmation.

The State Department press corps, puzzled and rumor-ridden for the last eight weeks as to who would eventually fill the post, reacted to Mr. Meyer with unusual benevolence.

"He was good," said one hard-bitten observer. "He said little—which was smart. He declined to comment on policy questions until he could get briefed. He looks like a diplomat—and he behaved like one."

GRANDFATHER AN AMBASSADOR

Diplomacy runs in "Charley" Meyer's blood although this will be his first taste of Government service. His grandfather, George von Lengerke Meyer, was President Theodore Roosevelt's Secretary of the Navy and Ambassador to Italy and was a prime mover in persuading Czarist Russia to accept the United States mediation that ended the Russo-Japanese war at Portsmouth, N.H., in 1905.

The Assistant Secretary-designate has risen to eminence not through diplomacy but through retailing. Born into the Massachusetts "establishment" on both sides of his family—his mother was a Saltonstall—he entered Sears, Roebuck at the bottom upon graduation from Harvard in 1939.

He helped the company president at the time, the redoubtable Gen. Robert E. Wood open a company outlet in Havana in 1942. After service in the Pacific as an Army captain, he rejoined the company and spent the next 12 years—from 1947–60—expanding Sears, Roebuck operations throughout Latin America.

"We started out originally hoping to export our products to Latin America and sell them at competitive prices," he recalled today. "But between 1948–49 the Latin countries had run through the accumulated foreign exchange they'd earned during the war. This resulted in a totally different ball game."

From then on Mr. Meyer's main task was to travel throughout the hemisphere persuading Latin manufacturers to produce goods for sale through Sears outlets. From 1953–55 he lived in Bogota, Colombia, acquiring fluency in Spanish and coming to know and appreciate the Latin American mentality.

From 1955 to 1960 he was based in Chicago as vice president in charge of Sears' hemisphere operations. Largely as a result of his policies, all goods sold now in Sears outlets in Colombia, Mexico and Peru are locally produced and in other countries the proportion of locally manufactured products is steadily rising.

For the last nine years Mr. Meyer has been vice president for the company's United States Southwest and Eastern areas—with about 85,000 employes under his supervision.

"We chose him," said a senior State Department official recently, "because we wanted someone who knew Latin America, who spoke Spanish, and who had broad administrative experience. We also thought that Charles Meyer had a personal manner—you might call it a style—that would help in dealing with our Latin American friends."

Mr. Meyer, who was born June 27, 1918, is tall, courteous and soft-spoken and still has a trace of his New England accent. He is likely to go over well with the Latin diplomats and officials—once they come to know him. The Latins are extremely sensitive to background and Mr. Meyer combines family background with a hard-headed sense of business, Latin politics and economics.

His directorship in the United Fruit Company may prove an initial handicap owing to the company's "big business" image among Latin leftists. But Mr. Meyer took pains today to point out that he has resigned from the board of United Fruit and five other companies to avoid any possible "conflict of interest" problems in his new task.

He is also conferring with State Department legal experts on his holdings in Sears, Roebuck and the Gillette company.

SEEMS "FIRST RATE"

"At least his background is retailing—and not oil or mineral mining," said one Latin ambassador. "We don't know him yet but he seems to be a first-rate appointment."

To help him with the complexities ahead—notably the gathering quarrel with Peru over expropriation of United States oil properties—the new Assistant Secretary brings expertise, a sense of humor and a wife and family who share his regard for the Latin American peoples.

His wife, the former Suzanne Seybur, and their two children, Brooke and Nancy, keep up their Spanish with two Colombian maids who have been in their service for 16 years.

"We bought a ski lodge in Vail, Colo., some years ago and it's the nearest to home the kids have ever had," Mr. Meyer said. "We try to get there several times a year whenever we can. But don't get the idea that there's any conflict of interest between my little ski lodge and skiing interests in Portilo, Chile. There isn't!"

CONGRESSMAN EILBERG INTRODUCES A BILL TO ASSIST THE BLIND

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. EILBERG. Mr. Speaker, today I introduced a bill that will liberalize the conditions governing the eligibility of blind persons to receive disability insurance benefits under the Social Security Act. My bill will do two things: First, it will allow a person who is blind to qualify for disability insurance payments after working six quarters in social security-covered work; and second, it will allow these people to draw disability insurance as long as they remain blind, regardless of their earnings.

Under existing law, a person must work 5 of the 10 years prior to applying for disability insurance payment benefits in order to establish eligibility for these benefits. The bill, which I have introduced today, will make the disability insurance program a true and effective insurance program for blind persons.

In 1964, the Senate adopted a disability insurance measure for the blind bill by a voice vote with no opposition as an amendment to the bill being considered to amend the Social Security Act. However, the conference committee failed to agree on a social security-amending bill that year and the effort was thwarted. In 1965, a bill was adopted by the Senate by a vote of 78 to 11 establishing the disability insurance for the blind proposal as an amendment to the Social Security Act amending bill which was then under consideration. In spite of the overwhelming support for the bill in the Senate, the conference committee failed again to approve the bill.

When this bill was reintroduced in 1967, there were 57 cosponsors in the Senate. When the Senate Finance Committee met in executive session to consider Social Security Act amendments, it unanimously gave its endorsement to the blind disability insurance bill.

When the conference committee met on the legislation, a portion of the amendment which had been approved by the Senate Finance Committee was adopted establishing the generally accepted definition of blindness—20/200—as the standard of visual loss for the disability insurance benefit payments.

With this established congressional support for approval of the principles included in the bill I have introduced today, I sincerely hope that the 91st Congress will give its full endorsement to this measure.

POSTMASTER GENERAL LAUDS VETERAN POSTAL OFFICIALS FOR AID

HON. THADDEUS J. DULSK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. DULSKI. Mr. Speaker, several key officials of the Post Office Department were honored this week by Postmaster General Winton M. Blount for their great assistance to him and to members of his new staff in the transition period for the new administration.

The high caliber of these officials is well known to me because I have had occasion to work with them and to know of their work for some years. I want to add my own commendation for these public servants:

Former Assistant Postmasters General Edward V. Dorsey, Frederick E. Batrus, Ralph W. Nicholson, and Chief Postal Inspector Henry B. Montague.

The awards which the Postmaster General has given these fine public servants is well merited, and I believe his re-

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marks at the presentation ceremony tell a story of dedication that warrants wider circulation.

Following is Mr. Blount's text:

Remarks by Postmaster General at Awards Ceremony, March 10, 1969

This is the first opportunity I've had to participate in an Awards Ceremony like this and I said to those that are going to be honored today just a few minutes ago that this is far more than just a ceremony as far as I'm concerned.

I will say something of this in the remarks that are prepared here but each of these gentlemen have been of tremendous value as far as I'm concerned—they have been unstintingly helpful to me personally and to those of us who are coming in to the Department for the first time, in not only describing the problems to us but, far more importantly, telling us where the time bombs are lying and where the pitfalls are.

They've been very helpful in guiding us in that way and I'm keenly aware of the fact that they have invested a great portion of their lives here in this Department and I have some feeling for what their feelings must be at this time—which, I'm sure are very mixed.

It doesn't take long to get that feeling about the Post Office Department—in the short while that I've been here, these kinds of feelings have been generated within me so that I have some feeling and compassion for their mixed feelings.

But we do really come here to praise them today and I'm reminded of an aunt of mine who has a peculiar philosophy about praise. She says at 20 you blush when a man praises you; at thirty you think he is clever; and at forty you wonder what he wants.

I'm not sure that the four gentlemen we have here today—that we are here to praise—admit to even being in that last age category, but we simply—and very simply—want to express our appreciation and our respect for the job that they have done—not just for the time that we've been here but for the entire time that they've been in the Post Office Department.

As I've stated, their assistance and cooperation during this transition period has really been invaluable to me—and to all of us that are coming aboard.

They have been a stabilizing force in the new Administration during the sometimes hectic weeks that we've had here, as we tried to get a handle on the problems and put together our team.

They've tried to guide us and as we would ask stupid questions, they would straighten us out and tell us about the problems with some of the suggestions that we'd made—but they have considerably lightened the burden during the transition period we have been facing.

I recognize, of course, that their efforts of the last few weeks have been very small indeed when compared to the total service and the total efforts that they have given to the Post Office in their years of service.

If the figures that were given to me are correct, they represent between them a very talented 86 man-years of service in the Post Office Department.

All of us know that the Post Office Department has more than its share of problems but I find myself amazed that, under the circumstances, it performs as well as it does.

The reason it is able to carry out its mission, of course, is because it has been successful in attracting and developing capable executives such as those we honor here today, who despite the difficulties, have managed to accomplish a great deal—and the Postal Service and the nation are indeed indebted to each of you.

Three of them—Fred Batrus, Pete Dorsey and Henry Montague—symbolize the vast store of potential talent that is available within the Post Office Department—within the Postal Service.

They have worked their way to the top, and along the way they have obtained an intimate knowledge of the Postal Service. This knowledge, plus their own obvious talents, have enabled them to make important contributions at the upper levels of this Department.

The other man that we honor today, Ralph Nicholson, symbolizes the outside source of talent that is available to the Postal Service.

Although after eight years, I don't know who'd say "outside sources," really, Ralph—but men from the outside, from business and other areas who have become experts in particular fields, and who like Ralph, are often willing to make that expertise available in public service at personal sacrifice.

The combination of the career postal management and talented newcomers from outside, seems to me to make for a real vital blend for continued progress in the Postal Service. Both are very important.

In terms of years of service, Henry Montague stands senior among us today. He entered the Postal Service at Poughkeepsie, New York, in 1937 as a substitute clerk and he rose through clerical and supervisory ranks to become an inspector in 1942. He became Chief Inspector in 1961.

Since that time, he has led the Postal Inspection Service in many of its major investigations and successful criminal prosecution efforts, including vigilance in protecting the public interest through investigations of rackets involving millions of dollars in mail frauds.

During the transition, he has been invaluable in assuring a smooth changeover in the area of enforcement of postal laws.

Fred Batrus and Pete Dorsey both entered the Postal Service in 1946, Fred as an attorney in headquarters, and Pete as a Postmaster of Upper Marlboro, Maryland.

Pete and I have a mutual friend that lives in Upper Marlboro. My mother—when she was in Washington—used to visit there often. I understand that's the hunt country, but I can't imagine Pete Dorsey riding to the hounds!

Fred served in a number of executive positions in transportation, including Deputy Assistant Postmaster General, prior to his appointment as Assistant Postmaster General for Transportation. He has applied this extensive experience to the continued efficient transportation of the mails during this change.

The transition period has been marked by several difficulties, including the longshoremen's East Coast strike affecting international mail—and Fred's assistance was particularly helpful in weathering this event.

Pete Dorsey was named Director of the Bureau of Operations' Post Office Changes Branch in 1962 and was assigned in March, 1964, as staff assistant to the Deputy Assistant Postmaster General for Field Operations.

In May of 1966, he was promoted to be Special Assistant for Policy and Projects, and in August of that same year, moved up to Director of Installations Management Division. In 1967, he was appointed Deputy Assistant Postmaster General for Operations. A few months ago he was named Acting Assistant Postmaster General for Operations.

Ralph Nicholson came to the Post Office Department in 1961 from a New York advertising agency as Assistant Postmaster General for Finance and Administration.

He has been particularly helpful in assisting our new postal managers in obtaining a full grasp of the complex field of postal finance and administration—and to me personally as I have attempted to get a grasp on the problems that I have faced.

I have been told many times of the extreme respect that the people on the Hill have for his intimate knowledge of the financial areas of this Department.

The description on this distinguished Award reads:

"For distinguished public service in the interest of a better postal system for the Nation."

Again, I'd like to say that I'm grateful to each of these gentlemen for what he has contributed, and for the opportunity that I've had to have worked with them personally.

Each of these gentlemen is unselfishly remaining here in one capacity or another at my request—to continue to assist us in our efforts and I deeply appreciate their commitment and the personal sacrifice to them.

GENEROUS CONSERVATION GIFT OF MR. AND MRS. JAMES F. HILLMAN, OF PITTSBURGH

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a pleasure to call to the attention of my colleagues in the U.S. Congress and the American people the generous gift of 3,654 acres of land to the State of Pennsylvania by Mr. and Mrs. James F. Hillman, civic leaders of Pittsburgh, Pa.

The land, located in Hanover Township, Washington County, about 20 miles west of Pittsburgh, will be designated Hillman State Park.

My hearty congratulations to Mr. and Mrs. James Hillman for this fine contribution. Their enlightened and forward-looking leadership for the public good is a fine advance in the preservation of our natural heritage for Pennsylvania and the American people.

I present for the Record at this point an article by Fred Jones, conservation editor of the Pittsburgh Press, which describes the Hillman State Park and Mr. Hillman's long interest in conservation:

City Leader Gives State 3,654 Acres for Park

(By Fred Jones)

A Pittsburgh conservationist has given the State a 3654-acre tract of land valued at more than $1 million for use as a park.

The gift from James F. Hillman, of Parish Lane, Oakland, is the largest single land gift for State park purposes in the U.S., according to officials.

IN HANOVER TWP.

The tract is located in Hanover Twp., Washington County, just north of Rt. 22 about 20 miles west of Pittsburgh.

Receipt of the land was announced yesterday by Gov. Raymond P. Shafer who declared that "Mr. Hillman's benevolence manifests his life-time philosophy that conservation of natural resources, wise use and protection, results in benefits that go beyond economic considerations; that lasting value to all people and community, is the primary goal.

"Many times recognized for his responsive and dedicated leadership in community development, Mr. Hillman again demonstrates meaningful and effective expression of his profound humanitarianism. The Commonwealth has gratefully accepted his unparalleled gift in the same spirit as which the Hillman family has bestowed it," the Governor said.

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EXPRESSES "PLEASURE"

Mr. Hillman, president of the Harmon Creek Coal Co., in notifying the Governor of his gift, said:

"It is our sincere pleasure to present this land to the people of the Commonwealth with the knowledge that it will be held in perpetuity and developed for public outdoor recreational purposes."

Practically all of the big tract had been stripped and then restored by Mr. Hillman, one of the first coal operators in the nation to advocate complete restoration of the land.

For more than two decades before the passage of the State's strip mine law in 1963, Mr. Hillman was backfilling and grading his strip mine pits and planting trees, shrubbery, and game feeds to restore his lands to useful purposes.

He was one of the leaders in the fight that eventually gave Pennsylvania a strip mine law that serves as a model for the rest of the Nation.

NEAR RACCOON PARK

The land gift lies about eight miles south of Raccoon State Park and is slightly more than half as big as the park itself.

Gov. Shafer noted that for a number of years, the State Dept. of Forests and Waters had been inspecting sites in southwestern Pennsylvania for state park purposes "with little success."

"The Hillman family land gift is beyond our highest hopes since the site is uniquely located in relation to high population centers, has excellent access, and it has topographical features conducive to State Park development," the Governor said.

Gov. Shafer said the Dept. of Forests and Waters is including in its capital budget for fiscal year 1969–1970 a request for funds with which a master development plan for the area could be produced. This money would come from the State's Project 500, the land and water conservation and reclamation fund.

HILLMAN NAME

"It was my distinct pleasure," Gov. Shafer said, "to recommend to the State Geographic Board that this area be named in honor of, and be so designated as Hillman State Park. Although this was a departure from the board's policy of naming state parks, it concurred in that recommendation that this unprecedented bestowal to the people of our Commonwealth by the Hillman family be perpetually recognized."

The big land tract will be placed under the administration of the park superintendent of Raccoon State Park for now. The Governor explained that this would permit immediate public use of the area for snowmobiling, horseback riding, cross country skiing and hiking.

Although the biggest, the land gift announced yesterday was not the first park donated by Mr. Hillman. In 1949 he donated a number of parklets to the City of Pittsburgh and later developed and presented a 2000-acre park complete with swimming pool, picnic areas, and recreational facilities to the community of Burgettstown.

In recognition of this and other gifts, the citizens of Burgettstown erected a monument to him a number of years ago to express their gratitude.

PUBLIC SERVICE CAREER

The park gift was in keeping with Mr. Hillman's career of public service that extends over more than a half a century.

Essentially a modest man, Mr. Hillman worked in the background of many groups that led to a better Pittsburgh. He was the moving spirit in the starting of Pa Pitt's Partners that organized a cleanup campaign in 1947. He served on hospital boards and was president of the Pittsburgh Park and Playground Assn.

He was a supporter and director of the Civic Light Opera Assn. and a member of the Fine Arts Committee of Carnegie Museum.

Mr. Hillman, who celebrated his 80th birthday a few days ago, is continuing his active interest in conservation matters.

At present, he is working out with Federal and State officials the details of a system of disposing solid wastes in abandoned strip mines.

SOBER THOUGHT ON AMERICA'S ROLE IN THE MIDDLE EAST: AN ADDRESS BY SENATOR BIRCH E. BAYH

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. CELLER. Mr. Speaker, I am pleased to include in the RECORD the eloquent address delivered by Senator BIRCH E. BAYH on Sunday, February 23, 1969, at the New York Hilton Hotel, when B'nai Zion, the American fraternal Zionist organization, honored our former esteemed colleague, Herbert Tenzer. The Senator's address follows:

SOBER THOUGHT ON AMERICA'S ROLE IN THE MIDDLE EAST

I do not plan this evening to offer panaceas or magical formulas for what ails the Middle East. I have no cure-alls; nor does anyone else. The complex task of achieving peace in that land of riddles—so aptly characterized by the enigmatic Sphinx—has baffled and eluded the United States and our Israeli friends for nearly two decades. Nevertheless, I would like to suggest some perspectives on America's role in the struggle to insure the existence of a Jewish homeland and produce a Middle East at peace with itself. These perspectives I offer to you of B'nai Zion this evening—and to men of good will everywhere—in the hope that, possibly, they may serve as the building blocks from which that elusive peace can be fashioned.

You in B'nai Zion are dedicated to friendship, peace, the betterment of mankind in the United States and in Israel; the B'nai Zion Home for Retarded Children in Israel and the America-Israel Friendship House in the United States are monuments to your energy. As members of an organization whose focus is set on works of friendship and whose deeds are marked by understanding and compassion for human suffering, I know that you share with me the agonizing knowledge that as long as ploughshares are turned into swords, the peoples of the Middle East—Jews, Christians, and Moslems alike—cannot expect to reap a harvest of peace.

The dramatic story of the creation of the Jewish homeland—poignantly described by Israel Zangwill as "the land without a people waiting for the people without a land"—is particularly relevant to our hopes for a new and peaceful Middle East. For it clearly shows that when the mind and the body and the spirit are devoted to the tasks of creation—and not destruction—the human potential is unlimited. Prophecies can be made into realities. Deserts can be made to bloom. It was done in Zion. I saw it done there. It can be done in other nations of the Middle East. Israel can help them do it. The United States can help.

That is the message we must bring to an Arab world seething with frustrated and starving masses and fed on the inflammatory statements of extremists. But that message must also state, in no uncertain terms, that there can be no economic and social progress without peace—and there can be no peace until the permanent existence of the State of Israel is recognized by its neighbors.

What can the United States do to assist the nations of the Middle East to move forward to a peaceful settlement of their differences? That is a question to which I have been devoting a great deal of time and thought since my return from Israel in early July, 1967. I wish I could say to you tonight that, yes, the United States can bring peace to the Middle East. In all honesty, in my judgement, it cannot; nor can any other power outside of the area. Nor should it be within the power of an outside nation to work its dictatorial will on this tragic land, which has for too long now suffered the effects of the old imperialism.

A peace is just—and can be permanent—only to the degree that it is voluntarily entered into by the parties directly involved. An imposed peace, however well-intentioned the peacemakers, is an open invitation to renewed hostilities. That is the lesson of 1956. Can we, in good conscience, once again ask Israel to surrender the fruits of victory in exchange for promises, not from its adversaries, but from others? I say no, for history tells us these are empty.

Ten years ago, the maritime powers pledged that the Suez Canal would be open to Israeli shipping and that if Egypt tried to close the Canal they would be prepared to deal with such a situation in a firm and decisive manner. In those ten years, there has been enough diplomatic rhetoric about free transit to float the entire Israeli Navy through the Canal many times over—but there was no action when Nasser acted unilaterally to restrict passage.

More recently, as a prelude to the June War we witnessed Egypt's open defiance of the 1957 United Nations arrangements for free and unobstructed passage in the Straits of Tiran and the Gulf of Aqaba.

And what of the 1956 and 1957 guarantees of territorial integrity? With a commitment from the Western nations in hand, Israel withdrew behind her previous borders. The Sinai Peninsula was completely evacuated in exchange for the presence of United Nations forces. These troops stayed in the Sinai, as we were to see, only at Egypt's pleasure. When the time came for Nasser to mobilize his armies in the desert, the United Nations forces were told to pack—and they did!

So much for international guarantees.

Upon my return from the Middle East, I said that a strong and secure Israel is the best deterrent to agression. I think this bears repeating now, particularly in view of the Soviet Union's policy of lavishing armaments upon the Arab states.

Recent estimates put Russia's military aid at $1 billion since the defeat of the Arab forces in June, 1967. As a result of the steady and continuing arms build-up, Syria and Iraq are now at full strength. The Egyptians are reported to have more tanks now than ever before and their air force is at about 50 percent of its pre-war level.

These reports are cause for alarm. They are also cause for the United States to reassess its policy of military assistance. Simply, we cannot afford to see the balance of power tipped in favor of aggression. For that reason, I have not hesitated to call upon our government to make available to Israel the necessary AF Skyhawks, Hawk Missiles and, most importantly, the F4 Phantom Jets. The prompt delivery of the Phantoms in 1969 is an essential ingredient in the Middle East equation—an equation that was upset decisively by France's high-handed action in refusing to deliver the Mirage Jets already paid for by Israel. I believe the United States must take up the slack caused by France's sudden courtship of the Arab states.

In view of France's recent posture and the Soviet Union's continued policy of re-arming the Arabs, the United States must proceed with extreme caution in any Four Power

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talks. In fact, the stepping-up of terrorist activity and the increasing intransigence of Arab extremists may very well turn out to be part of Soviet-Arab strategy. This policy of provocation might be designed to create a false climate for the upcoming talks in which peace at any price appears as the only alternative to further aggression. The aim of this strategy, of course, is to force the United States into a compromising position with its Israeli ally and to pressure us into forcing concessions from Israel.

Before any talks begin, therefore, I suggest that the President of the United States clearly state to the Russians and to the French, our determination to protect the territorial integrity of the State of Israel. That should be the main principle of American policy. The specifics of that policy should be, as I said on June 23, 1967, when I joined my distinguished colleague, Senator Javits, in sponsoring a "sense of the Senate" resolution on the Middle East:

1. Every nation has the fundamental right to exist and to have that right respected by its neighbors.

2. An equitable solution to the thorny refugee problem.

3. Free and unobstructed passage through international waterways, including the Suez Canal and the Gulf of Aqaba.

4. A halt to the dangerous and spiralling arms race.

5. Recognized boundaries, voluntarily agreed to by the parties involved.

Point number one calls for an end to the state of war, embodied in a peace treaty, and recognition of Israel. The only way to implement this, it seems to me, is to have the parties themselves sit down face-to-face and negotiate a settlement.

I am not naive. This will not be easy. Winning a peace never is, but as Aristotle wisely pointed out: "It is more difficult to organize peace than to win a war; but the fruits of victory will be lost if the peace is not well organized."

For twenty years, the refugees have been fertile soil for exploitation by Arab politicians. I suggest that this is the one area where Israel can take the lead and by so doing, can demonstrate to a watching world its obvious and sincere desire for peace. By taking the all important step toward the compensation, rehabilitation, and resettlement of these unwitting victims of aggression, Israel can deprive the Arab states of a potent political weapon.

My concern for free and unobstructed passage through the Suez Canal and Gulf of Aqaba is not a new policy. Traditionally, both avenues of commerce have been regarded as international waterways. Of course, until the Arabs are prepared to sign a peace treaty, Israel's holding on to the strategic outpost at Sharm-el-Sheikh is a necessity. It simply cannot afford to have this vital lifeline cut once again.

The answer to the spiralling arms race, as you know, lies not with Israel, the United States or even with the Arabs. It lies with the Soviet Union, now the main source of money and weapons for the Arabs and a new force to be considered in the already confused Middle East picture. This is one area where the Four Power talks can prove useful and where Russia's often stated desire for peace in the Middle East can be tested.

Resolving the many complex and centuries old boundary disputes will be a particularly difficult task—but a task in which there appears to be some room for give-and-take. The ideal solution would be a settlement in which neither Arabs nor Jews gained a decided military advantage—and Israel's borders were secured. But no one who believes in the Israeli cause—and in the cause of freedom and peace—can, in good faith, ask her to agree to a settlement that would permit hostile forces to be arrayed along her borders, as in 1967.

As a visitor to a kibbutz on the Sea of Galilee, I personally witnessed the vulnerability of these borders. I saw the disastrous effects of Syrian artillery shelling on innocent civilians. The Golan Heights must never again be used as a military outpost from which shells are launched on women and children below.

The question of Jerusalem involves more than just land and even security. It is a question of great religious significance for Jew, Christian and Moslem—and for that reason will prove the most difficult of all to resolve. I suggest that while Israel retain the City, it agree to some sort of international status for the Christian and Moslem holy places.

So I say to my Israeli friends: Persist in what is just and we shall have a just peace. As long as the Arab nations are unwilling to recognize Israel and give up the foolhardy idea of driving the Jews into the Sea, Israel is justified in retaining those strategic areas that proved so vulnerable in 1967.

To negotiate a lasting peace in the Middle East, is indeed a monumental task. But as the poet Milton observed: "Peace hath her victories no less renowned than war." For if peace comes to the Middle East, all of its peoples will benefit and the works of creation can begin again. I am confident that with Israel's faith, perseverance and justice, we can accomplish this goal.

Tzee Yon B'Meeshpat Teepaeh—Zion shall be redeemed through justice.

Shalom, my friends. May peace be with you forever.

THERE IS NO LACK OF GOOD CHARACTER

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. ST. ONGE. Mr. Speaker, we hear a great deal these days about the lack of character in people and true Americanism as it was understood in our country for many years. Yet from time to time something always happens in one part of the country or another to prove that this is not so, that most Americans are still proud of their country and still very much interested in their fellow men, despite the demonstrations and the violence.

Such an example occurred recently in Norwich, Conn., in my congressional district. During a large public sale at a local well-known retail store, which attracted many people, there was a sudden fire scare and everyone had to leave the building. A brief letter from the owner of the store, Mr. John Meyer, published several days later in the Norwich Bulletin, describes the situation in precise words. I can only add that everyone concerned deserves commendation for their behavior, their honesty, and for preventing a panic. His letter reads as follows:

THANK YOU

MR. EDITOR: To everyone who was attending our Annual Public Sale on Thursday evening at the time of the "fire scare," let me extend my personal thanks and gratitude for the manner in which you reacted.

In these days of confusion, demonstration, and rioting, the people from this area are splendid examples of true Americanism. People showed concern, remained calm and when we were sure there was no fire or danger, these people reentered the building with the garments in their arms.

The Norwich Police Department reacted quickly and reported they saw no one leaving with unwrapped merchandise. We had two people call to tell us they had to leave due to problems but would be in Friday to pay for their garments.

The Norwich Fire Department responded to the call within minutes and double checked to assure everyone that all was well.

Again—Thank You—one and all for coming and for being "wonderful people" in what could have been a real panic.

JOHN MEYER.

PVT. HENRY BETHEA, U.S. ARMY, KILLED IN VIETNAM

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. OTTINGER. Mr. Speaker, it is my sad duty to report that another one of my constituents, Pvt. Henry Bethea, U.S. Army, of Montrose, N.Y., died in Vietnam earlier this month.

I wish to commend the courage of this young man and to honor his memory by inserting herewith, for inclusion in the RECORD, the following article:

[From the Peekskill (N.Y.) Evening Star, Mar. 8, 1969]

MONTROSE PARATROOPER KILLED—PVT. BETHEA IN VIETNAM ONLY 2 WEEKS

Pvt. Henry Bethea, foster son of Mr. and Mrs. James Jones, of Dutch Street, Montrose, was killed in Vietnam early in March, two weeks after he had arrived in the war zone, the War Department has announced. The youth would be 21 on March 22.

The former outstanding athlete of Hendrick Hudson High School, a native of New York City, had been a member of the Jones family for 12 years. He was a member of the 1967 graduating class of Hendrick Hudson. He entered the service last October, and trained at Fort Gordon, Georgia. Following basic, he had selected paratroop training.

The family was notified on Wednesday that the youth was missing, and a telegram received yesterday advised that he had been killed.

A younger brother, Rayfield Bethea, it was learned this morning, has been notified of his impending induction in the armed services and will have a physical examination next week.

Funeral arrangements have not yet been completed. It is expected that the body will arrive in about five days. A foster brother, Sgt. Ronald Jones, who served in Vietnam for a year and returned home two months ago, is expected to be an escort. Sgt. Jones is now stationed at Fort Huachuca, Arizona, for the balance of his six months in the army.

The first notice from the War Department stated that Pvt. Bethea was missing when his platoon returned from action. He was a member of Co. C of the Third Brigade.

OUTSTANDING ATHLETE

At Hendrick Hudson, Pvt. Bethea played varsity football for four years, and was a halfback on the 1966–67 undefeated team. He was also on the wrestling team, played JV basketball and held the school track records for hurdles and broad jump.

Following graduation from high school, Pvt. Bethea attended Community College at Garden City, Kansas, for several months before entering the service.

Surviving is Pvt. Bethea's brother, Rayfield Bethea; his foster parents, Mr. and Mrs. James Jones, and several foster brothers and sisters.

SEARS MIDWESTERN TERRITORY MAGAZINE TELLS STORY OF INDIANAPOLIS ANTICRIME CRUSADE

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. BRAY. Mr. Speaker, in the 7 years that the Indianapolis anticrime crusade has been in operation, mobilizing the talents and energies of 50,000 members of over 1,000 Indianapolis women's organizations, it has become a model for cities all over the country.

The following article from Sears Midwestern Territory magazine for October 1968 describes the crusade and the help they received from the Sears-Roebuck Foundation:

IT CAN BE DONE: THE AMAZING ANTICRIME CRUSADE OF 50,000 INDIANAPOLIS CLUB WOMEN

Crime and public apathy toward it were on the rise in Indianapolis the night that Dr. Margaret Marshall, a 90-year-old retired psychologist and teacher, stepped from her doorway into a darkened street. Without warning, a mugger lashed out at her head with a blunt weapon and snatched her purse. When Dr. Marshall died of her injuries, the *Indianapolis News* was deluged with letters from infuriated women. Assistant Publisher Eugene S. Pulliam asked one of the paper's staffers, Margaret Moore, a petite 57-year-old widow, to help 30 prominent, civic-minded women to decide on a course of action.

Within weeks, Moore, with the help of local club leaders, had mobilized the 50,000 members of more than 1,000 Indianapolis women's organizations into an Anti-Crime Crusade. That was in March of 1962.

What has happened since is a modern-day mircle. In 1965, Indianapolis crime dropped 2.2 per cent while the national crime rate was rising 6 per cent. Although in 1966 and 1967 there was a 5.2 per cent resurgence in the city's total crime, this was less than half the 11 per cent rise the FBI reported for the nation as a whole.

Recently, President Johnson's Crime Commission pointed to the Indianapolis Crusade as "the most dramatic example in the country of a citizens' group that has addressed itself forcefully and successfully to the problems of crime and criminal justice."

Last month the Anti-Crime Crusaders, members of the Seventh District Federation of Clubs of Indianapolis, received a check for $12,500 from Indianapolis Group Manager Vincent Haggerty on behalf of The Sears-Roebuck Foundation as top honors in the 1966–68 nationwide Community Improvement Program.

Following is the story of how these Indianapolis clubwomen—not much different, probably, from the ones in your home town—helped clean up crime in their city with the support of The Sears-Roebuck Foundation.

LOOKING AND LISTENING

"The first six months," says Mrs. Moore, "we went to the power structure and listened to all their problems in crime prevention. Then we listened to outside experts explain ways of dealing with them." The view was the same from the male side of the fence, too. "They were around here for months asking questions before they made a move," says Police Chief Winston Churchill.

To get a better view of the problem, Mrs. Moore and her Crusaders camped at police headquarters for 48 hours, often riding with the police on their neighborhood patrols.

TURNING THE LIGHT ON CRIME

On one of these rides, a Crusade volunteer learned that a high percentage of violent crimes were committed on dark streets. "The worst," says Crusade Coordinator Moore, "were the semi-commercial, semi-residential neighborhoods near the downtown area."

Soon women were appointed to the lighting advisory committee for the Board of Works, and they appeared at city council meetings to speak in favor of an increased budget for lighting. The result is that well over 9,000 new lights have been installed at a cost of $1,000,000 since the Crusade began. Police figure that crime has dropped as much as 85 per cent in some of the newly illuminated areas. Further, night accidents have decreased 38 per cent on these same streets.

The Crusaders next turned their attention to the lot of Indianapolis' policemen. They lobbied for pay raises and uniform appropriations. They established quarterly merit awards for policemen. They fought to change a city council ruling that prohibited the police department from recruiting men from anywhere but the city of Indianapolis. And they won a partial victory, too—the department can now accept as recruits men who come from outside the city but live in Marion County, in which Indianapolis is located.

The Crusade also worked to refurbish the image of the policeman. They persuaded the department to let two sharp, young officers give talks at city schools, at the same time passing out pamphlets that discuss laws affecting juveniles. As a result, today most students have formed a new opinion of the police department and its work.

BROOMS AND BUCKETS

In a spruce-up campaign, the Crusaders learned that good housekeeping is a crime deterrent, too. Says Mrs. Moore, "We picked one of the dirtiest blocks we could find and asked the city to close it to traffic one Saturday afternoon and lend us a truck to haul away the junk. About sixty kids came running out to enlist, and pretty soon their mothers were tossing so much junk out of the windows that it took six truck loads to haul it away."

Before very long the women saw the fruits of their labor. "The houses were so clean and there was so much more room," Moore discovered, "that the children had a place to study and made better grades. Their mothers were more content, so the fathers stayed home and didn't get in trouble with the police."

Since then, Mrs. Mattie Coney, a Negro school teacher who was appointed spruce-up chairman, has organized more than 500 citizen block clubs. Last year she spearheaded a city-wide clean-up drive in which 175,000 tons of trash and junk were hauled away.

"People make slums," says Mrs. Coney, who received a top Freedoms Foundation award for her work. "Bad neighborhoods develop because individuals fail."

COURTING IMPROVEMENT

At the end of 1962, the women began a "court watchers" program. Some 3,000 women have sat in on more than 70,000 cases, filled out reports on the defendant, the charge, the plea, the verdict, the proceedings. Was the judge punctual? Were the attorneys prepared with their cases, or did they ask for a continuance? Was the arresting officer present to testify? Some attorneys disapproved, but court efficiency increased. "It's the only honest evaluation we get," says Judge William T. Sharp. "It shakes everybody up and makes us analyze our decisions."

As the women sat in courts, they noted that many juvenile offenders were high school dropouts. So they began a pilot project in which 28 women worked with 28 dropouts on a person-to-person basis, furnishing tutoring help, encouragement, books, clothes and carfare.

When 26 of the 28 went back to school and stayed, the school administrators asked the women to help with 520 dropouts. They have since been able to get more than 2,000 dropouts back in school without city expenditures. Clubs assist by holding benefits, book-and-author luncheons, apron sales, chili suppers.

The first step in the stay-in-school program is to write a personal letter to the student, offering help with any problems that may have caused him to drop out. About 75 per cent of the students who have responded said they dropped out because no one cared if they stayed. The women showed they cared by visiting the youngsters in their homes or treating them to a soda.

THE "FIVE-FINGER DISCOUNT"

On a bus one day, a Crusade member overheard one girl ask another, "Did you take your 'five-finger discount' today?" They were talking, the volunteer deduced, about shoplifting. A little spadework subsequently revealed that merchants all over the city were despairing about a steadily rising rate of light-fingered theft, but most were afraid to act against possible "boosters" for fear of being sued.

Crusaders joined the city police department and business organizations in sponsoring seminars for merchants, where experts demonstrated ways to spot and discourage shoplifting. The women then wrote an anti-shoplifting guide which has been distributed to more than 10,000 store owners. They also pressed vigorously for new legislation that would allow store personnel to detain and search suspicious customers with impunity.

The law was passed last year and is credited by Police Chief Winston Churchill with increasing shoplifting arrests in Indianapolis more than 30 percent and hiking the conviction rate to an unprecedented 87 per cent. The number of reported offenses, meanwhile, is dropping.

WHAT YOU CAN DO

To the bewildered lady who asks, "But what can *I* do about crime prevention?" the women of Indianapolis have prepared the following checklist:

Sponsor a one-day workshop on crime prevention and law enforcement. Invite the mayor, police chief, district attorney, parole and probation officers, police administration professors, and a representative of the Chamber of Commerce to participate in panels.

Visit law enforcement officials on the job.

Take a look at lighting in your town or city. Ask police for help, and conduct a lighting survey correlated with high crime areas.

Begin a court-watching program.

Start a crime alert program. Make sure the citizens in your town or city know what the crime rate is and how much it's costing them in human lives and money.

Find out if you have dropouts. Your help may be needed to start a back-to-school movement.

Make sure children in your town or city know the laws that affect them.

Meet with parole officers and other corrections officials to help youths released from correctional institutions. Police records show that approximately 35 per cent of juvenile offenders are repeaters. These youths need to get adjusted to law-abiding life in their communities.

Study legislation affecting law enforcement and crime prevention.

Find out whether your police department has a recruiting problem.

Begin a spruce-up campaign in one area, and enlist the help of women throughout the city to make the program city-wide.

Work with churches. Approximately 50 per cent of the youths in trouble have no church affiliation—but 50 per cent *do* have some affiliation.

The women of Indianapolis have the blueprint. Do the women in your city have the initiative?

SEARS-ROEBUCK FOUNDATION FUNDS AID FIGHT ON CRIME

As a result of Indianapolis' outstanding Anti-Crime Crusade, the nationwide Community Improvement Program, co-sponsored by The Sears-Roebuck Foundation and the General Federation of Women's Clubs (GFWC), has recently been revamped and expanded.

The $220,000 Program will now provide educational seminars on community development, national recognition, and incentive grants for outstanding community improvement projects by women's clubs in cities of more than 50,000 population.

Announcing the program's new emphasis, Mrs. Walter Varney Magee, GFWC president, and William F. McCurdy, Foundation president, stated: "The program will offer increased incentives to federated women's clubs to undertake projects dealing with problems arising from the size and complexity of metropolitan communities.

"In past years, the program's major impact has been in smaller communities. Our two-year program for 1968–70 will now include a new national metropolitan category to recognize important contributions by women's clubs in major city areas."

Inaugurated in 1955, the Community Improvement Program emphasizes projects involving the entire community. Two-year projects by women's clubs are entered first in state competition. First-place winners in each state, which also receive incentive grants, then compete at the national level. Nearly 12,000 women's clubs participated in the 1966–68 program.

"Effectiveness of clubwomen in community betterment has been proved by past results of the Community Improvement Program," Mrs. Magee and McCurdy said. "Thousands of communities are better communities today because of clubwomen who cared."

THE FEDERAL COAL MINE HEALTH AND SAFETY ACT OF 1969

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. REID of New York. Mr. Speaker, today I am introducing the Federal Coal Mine Health and Safety Act of 1969, which was first introduced by the gentleman from West Virginia (Mr. HECHLER) on February 6.

In my judgment, the Congress must act on this legislation immediately, for we have already delayed too long. When President Truman signed the Federal Coal Mine Safety Act of 1952, he warned that the public might be "misled into believing that this legislation is a broad-gauge accident prevention measure." In fact, the law contained loopholes that permitted the retention of dangerous electrical equipment and faulty ventilation systems. More than 5,500 miners have been killed since the old law was signed and more than 100,000 of the country's 135,000 soft coal miners are affected by "black lung" disease. This is a national disgrace.

This bill would transfer enforcement power from the Bureau of Mines to the Department of Labor, charge the President's Office of Science and Technology with mobilizing the most modern scientific techniques for safe mining and rescue, establish a Disaster Evaluation Center in conjunction with the Office of Emergency Preparedness, abolish the Federal Coal Mine Health and Safety Board of Review, and enforce stricter coal dust standards to protect the health of men working in coal mines. Early action by the Congress to enact legislation along these lines is imperative.

JET MAGAZINE'S REPORT ON HUNGER IN THE UNITED STATES

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. CONYERS. Mr. Speaker, I would like to share with my colleagues an article by Simeon Booker on hunger in the United States which appeared in the March 13, 1969, issue of Jet magazine. Although I am aware that all of you have read about hunger before, I hope you will read this article by a distinguished journalist who has often been able to pinpoint social problems in America long before many others took note of them. Mr. Booker and Johnson Publications have through the years made a great contribution through their incisive reporting on critical issues.

In the past few months many groups and individuals have brought the problem of hunger in the United States to the public eye. Although hunger in America is not new, despite the fact that this is the richest nation in the world, it has only recently become a "popular" problem. Just as the civil rights movement hit its peak as a popular effort a few years ago, now it is not quite so "fashionable." I hope that while the hunger question is before us we can take drastic action to solve it. But, as usual, the disadvantaged, the starving, must wait until masses of bureaucratic redtape can be cut or untangled before their children can receive the adequate nutrition required to make them mature to healthy productive adults.

Hunger takes its toll not only in weakened, undernourished protein-starved bodies and parasitic infestations, but in spirit, psychological development and most importantly, in mental development. Severe malnutrition in expectant mothers can lead to mentally defective babies. Faulty and inadequate diet in childhood can result in a lowered IQ, a slower rate of mental development and loss of incentive. Among the many doctors who have pointed this out to Americans are Drs. Price Cobbs and William Grier, whose book, "Black Rage," is having a major impact on the medical profession. In some cases, the mental deterioration caused by chronic hunger can be reversed or slowed down if the child receives treatment at an early age, but tragically, many, many children can never reach their potential, simply because they lack adequate food.

Mr. Speaker, I do not intend a long discourse on the ravages of hunger because we are receiving reports every day from those who are touring parts of the country and documenting the shame of America. The Department of Agriculture has finally condescended to provide free food stamps to some of the families in three South Carolina counties, but not to enough of them. Free food stamps are now available to only those families who have practically no income at all. The $30 per month income limit for eligibility for free food stamps is utterly ridiculous. It is as absurd as a physician's saying to a patient with a chronic, but curable illness, "yes you are sick, but you are not sick enough for me to treat you, yet. Come back in about 6 weeks." The Department of Agriculture, which is on the one hand, paying farmers, many of them with substantial incomes, not to grow food, is fostering the hunger of families throughout the Nation who can barely scrape up something to quiet their hunger pangs. Free food stamps must be available in not just three counties, but in every county in America with reasonable income eligibility standards, otherwise, the entire program is a fraud as it now operates.

I hope that my colleagues will read the article by Simeon Booker which follows my remarks because I think we need to be constantly reminded of the problem until we are prepared to spend the money and provide the food for the millions of starving, undernourished, and malnourished Americans who at this very hour are slowly, but surely, wasting away. Their lack of resources to secure a proper diet has ceased to be their problem alone, it is our problem. It is also our shame, if we continue to ignore the needs which we can so easily meet with the vast resources at our fingertips.

Although Mr. Booker's article tells its story well, I wish it were possible to share with all my colleagues the excellent photographs of Beaufort County, S.C., residents taken by Maurice Sorrell. They are, indeed, worth many thousand printed words.

The article follows:

TRAGIC REPORT: HUNGER IN UNITED STATES—SENATOR HOLLINGS CRIES "SHAMEFUL"

(By Simeon Booker, Jet Washington Bureau Chief)

"Yes, we all shall be free!" shouted slaves at a freedom meeting in Beaufort, S.C., more than 100 years ago. Minutes later, police came in and arrested the listeners at the church for violating a law that forbade blacks to congregate. When the Union Army reached the area years later, thousands of slaves deserted the plantations and tramped toward the coast to gain their freedom. Many slaves fought and died during the war. The first black unit to fight in the war was a regiment of South Carolina slaves. This unit held the sea islands and greeted Gen. William T. Sherman when he completed his famous march to the sea. After the war, the coastal areas contained a heavy concentration of blacks, determined to start out as freed people. In the ensuing years, the state's white power vintage took over and set out to destroy the band of freedom-loving blacks. The easiest way was to deny blacks education and jobs.

Last week in the nation's capital, a Senate committee, uncovering pockets of hunger in America, highlighted the tragic examples of two South Carolina counties, Beaufort and Jasper. Two campaigning black GIs, William Grant and William Barnwell, told about hunger and disgraceful health and sanitation conditions of their brothers and sisters in the "world's greatest democracy."

This was the area that black troops regained for the Union during the Civil War and these were descendants of the men who fought to keep the nation united. A century later, these people gained the fruits of the labor of their foreparents—a livelihood amid primitive conditions.

Tears welled in the eyes of Sen. Ernest Hollings (D., S.C.) when he visited the broken-down shanties in the two counties and saw the "hungry look" in the eyes of hundreds of black children. The visit arranged by the two exGIs caused the former governor to reverse his views that thousands of blacks in the state were not victims of malnutrition and poor health. Even before the Senate committee completed its testimony on South Carolina, Secretary of Agriculture Dr. Clifford M. Hardin announced the issuance of the first free food stamps by his department. Previously, low-income families had to pay for the stamps.

In the backwood shanties of the two counties, black families had little knowledge of such a trivial offering—more than 100 years too late. Beaufort County welfare aides admitted that their department reached only about 20 percent of the black poor and most of the daily press' emphasis was on "only the poorest of the poor getting free food." There was little enthusiasm among state officials to face up to the mounting health and welfare problems of thousands of blacks, a situation so critical it could seriously impair the development of the state's highly publicized nearby beach resort areas.

"It's not only food we are fighting for," said 35-year-old William W. Grant Jr., a North Carolina Mutual Life Insurance Co. representative in Beaufort County and a Korean war veteran with a partial plastic stomach because of gun wounds received in battle. "Now the welfare department has persistently discriminated against blacks in amount of payment and expanding a program to reach all of the poor. More free stamps will give grocers a break. We've got to patrol them so that these people don't receive neckbones, poor-quality meats and leftover vegetables. What we need is a massive program of health, sanitation, home economics, education and job opportunities." Many civil righters, like Grant, feel that the overkill on the free food stamps to a few black poor families is a deliberate public relations stunt to blind the nation's leaders of the South Carolinian tactic of wiping out the blacks. "It took them more than a century and over many generations," said Grant, "but they finally succeeded in smashing the pride and hope of thousands of black people. The blacks refused to leave and they got beaten down into the germ-infested ground."

Today, this "lost colony of poor blacks," scorned by the whites and ignored by most of their more-fortunate brothers and sisters, exist in a pitiable state, skeptical, disillusioned and uncommunicative. Explained John Gadson Jr., director of the Beaufort Neighborhood Youth Corps Center, "One of the biggest jobs is to motivate these families. You've got to start from scratch. Somewhere along the line, you've got to break the vicious cycle—maybe with the children. Some of the old people are too far gone."

The unsung hero of the baring of the plight of South Carolina blacks is a white doctor, Donald E. Gatch, who a year ago testified at a state hearing of the presence of vast amounts of "intestinal worms" among residents in black-occupied, low-country areas. The charge was bitterly denied by his colleagues and he was threatened with ouster from medical societies. When witness Charles Fraser told senators in the nation's capital that a million persons in the Southeast—a huge number in South Carolina alone were infested with intestinal parasites, Dr. Gatch was not present. Jet tried to interview Dr. Gatch in Beaufort, but he was unavailable. Said a friend: "He's taken enough beating from these crackers. He's satisfied that he knew what he was talking about when state aides called his reports untrue. They objected to him trying to help blacks."

UNITED STATES AND STATE DO NOTHING ABOUT WORMS IN KIDS

Even with the known presence of near-epidemic levels of ascarides, a round intestinal worm that grows to almost 14 inches and incubates to totals of 200 in a child, and other parasites, neither state nor U.S. health authorities have taken the first step to control or eradicate the menace in black areas of South Carolina. A summer survey of 177 black children done by the University of South Carolina and Meharry Medical College specialists indicated that 98 were infested with worms. A world health organization report listed among the toll of infestation—stunting and general undernourishment.

In many black communities, the intestinal worm feeds better than the people, and has a more ideal atmosphere for a population explosion. The lack of sewage and water systems in black communities and the lack of sanitation and hygiene methods make it possible for an egg (200 can cling to the head of a needle) to find its way within hours into a human body. Said Mrs. Laura Ann Bush, a health worker for the University of South Carolina summer project: "Just by walking from your car, you have enough eggs on your shoes to become a transporter. Most every black area has contaminated soil dating back for years. Every area is almost hopelessly infested."

In most of the communities, the state government has made no provisions for sewage or a water system. Families tote buckets, barrels and tubs, carrying water for miles for home use. Many of the families have no outhouses, no tubs for bathing. A long-time observer noted, "To relieve yourself, you just squat. Grab a bit of moss to wipe yourself, and trot on. These germs eventually wind up in the water in the few wells. Some of these old people have never taken a bath."

While students rampage on campuses in a black power movement, not one black doctor has established offices in either Beaufort or Jasper County. "A black doctor," said war veteran Grant, "would at least be a symbol of health to these people, many of whom still have faith in herbs and spirits."

A black doctor, James P. Carter, a nutrition specialist at Meharry Medical College and Vanderbilt University Medical Schools, shocked U.S. senators at the hearing about the frightful oversight. Dr. Carter charged that the U.S. government provided more than 392 million dollars from 1960 to 1964 for economically developing countries for water supplies and waste disposal systems. Argued Carter: "Some of the areas I saw in Beaufort County would probably have qualified for this type of assistance had they been overseas in a country friendly to the United States at this time."

Dismal is the world when one makes an on-the-scene inspection trip. Mrs. Julia Boles, 83, rocks beside her leaning one-room shanty. It's a race of time whether the Office of Economic Opportunity (OEO)-financed workers can finish building her a new home before the old shack falls down. "I'se just lucky," she told JET. A magazine published a picture of the old lady and her home. In Warsaw, Mrs. Blossom Metz furiously objected to a cameraman taking her picture: "It an't gunna do no good. We been promised water for years." Aging neighbor Mrs. Mary Taylor described the plight of trying to raise a large-size family on less than $100 a month, "I just want to put my soul to rest. I'se just tired now." On St. Helena Island, Mrs. Christine Bradley nurses her oldest son, 38-year-old Nathan Mitchell, who's been in bed in one of the two rooms for 30 years. He fell and broke his back. There is no such thing as welfare sending a nurse or a doctor. "This is my fate," she says smiling. Mrs. Marie Brown, mother of three, talks about the welfare taking $50 out of her $87.50 check to pay the rent. "What I need," she declared, "money man." A father and son, James Sweetwine Sr., 70, and Jr., 43, live in side-by-side ramshackled and rusting school buses. "Best we can do," the father said sadly as he gazed at the bus.

In pulpwood-monopolized Jasper County, 33-year-old former Air Force Sgt. Thomas Barnwell is one of the few leaders who maintains dialogue with all of his people. A Tuskegee (Ala.) Institute graduate, Barnwell is trying to organize co-ops; one, a fishing co-op of ten boat owners, is the largest black business in the county. But Barnwell spends more time agitating for improvement of conditions. Said Barnwell: "We need a new young dynamic leadership now. We've got our backs to the wall."

Typical of the new breed are educators Callie B. Coaxum and Assistant Principal William S. Young Jr. of the St. Helena High School faculty. Parents recommended that the free lunch program, subsidized by the U.S. start with breakfast and include students of all grades, not just the first to sixth grades.

Beaufort's first and only black councilman, mortician Joseph Wright, recalled that black troops liberated Beaufort for the Yankees during the Civil War. But a friend reminded him that the Confederates got 100 years of revenge for that deed—enforcing a primitive civilization for blacks in the two counties.

CAPTIVE NATIONS AND THE UKRAINE

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. PHILBIN. Mr. Speaker, I am anxious to join my distinguished colleagues and friends, the Honorable DANIEL J. FLOOD, the Honorable EDWARD J. DERWINSKI, and others in the sentiments they expressed during the week-long observance of Ukraine's independence, which was recently held in the House.

As a strong supporter of a proposed, special House Committee on Captive Nations, I hope that this Nation can move toward a more vigorous position in behalf of the suffering enslaved peoples of the Captive Nations Group, and firmly assert a policy that will commit this Nation to continuing its efforts to try to persuade the Soviet Union to recognize ordinary human rights, accepted democratic rights, and the undoubted right of all nations to be free and independent, which these unfortunate people assert so bravely at such high cost.

Now that we are laying the ground for high-level conferences to discuss many matters which are shaping American-Soviet relations, creating great distrust, violence, revolutionary activities and aggression in the world, I hope that this Nation and the other free nations identified with us, all free nations, can make our views and observations felt, and that some way can and will be found to release all captive peoples from the indenture and the denial of ordinary human rights that millions and millions of people in this world are being deprived of and denied under current policies and actions of the Soviet Union.

There is a long history of enslavement and persecution in the world and we have every reason to believe that in this enlightened time and day, recognition can at last be given throughout the entire

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world of the basic rights of men and women to live lives of their own choosing under national autonomy, free, democratic patterns and personal liberty.

If we could come to some kind of agreement on these related questions, admittedly, it would be much easier, in my opinion, to press for peace, and perhaps to secure real peace that would be predicated upon the frank acknowledgment by all nations that aggression and aggrandizement against other nations and oppression of peoples, denial of ordinary, human democratic rights to their peoples should be ended by all the nations by common consent, pursuant to the widespread human aims and aspirations of all peoples save those intent upon fastening their dictatorial power upon the helpless and the weak.

After all, man was born free, is entitled to remain free, and when he is oppressed and persecuted, no enduring peace is possible, though cruel force and persecution may be imposed upon him.

This Nation does not want to be throwing its weight around the world, trying to force or wheedle other nations to join our system, or to adopt our form of government. These are questions that must be left to them, but we should make it clearly known, so that everyone can understand it, even the leaders of the Kremlin, that we believe in free government, that we oppose tyranny and oppression of others, that we stand for the liberation of all people from every form of tyranny, enslavement, and persecution.

With these principles in mind, which freedom-loving, freedom-seeking people everywhere embrace, I again urge a sympathetic understanding of the aims for a free Ukraine, and express the hope that, like all other peoples desiring it, that nation, and all nations may soon be released from persecution and oppression, and be allowed to share in the fruits of self-government, democratic control over their affairs, and full enjoyment of those rights which are contemplated by the sacred principle of human freedom.

The hour is at hand when we can make another great crusade to bring all nations together in one vast union devoted to the rights of the individual, whatever his color, creed, or status where the human race can end hatred and killing and conspiracy and finally lay down the charter for enduring, universal peace with justice in the whole world.

A BILL TO ESTABLISH A NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. REID of New York. Mr. Speaker, I am today cosponsoring with the gentleman from Indiana (Mr. BRADEMAS) a bill to establish a National Commission on Libraries and Information Science.

The creation of such a permanent Commission was the first recommendation of a report issued last fall by the National Advisory Commission on Libraries. The bill we are introducing today would create a 15-member independent Commission, appointed by the President with the advice and consent of the Senate, to study our library and informational needs; evaluate the effectiveness of current programs; develop plans for meeting national needs in this area; provide technical advice to Federal, State, local, and private agencies; promote research and development in the field; and advise the President and Congress on program and policy needs.

This legislation would authorize a first-year appropriation of $500,000 and continuing appropriations thereafter as the Congress shall determine. The Commission would be independent of any given agency, but the Department of Health, Education, and Welfare is directed to provide it with administrative support, to be paid for out of the Commission's funds. I hope that this bill and related legislation will be the subject of early hearings by the Education and Labor Committee.

KRAUSE MILLING CO. OF MILWAUKEE DEVELOPS NEW WEAPON FOR WAR ON HUNGER

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. REUSS. Mr. Speaker, the Krause Milling Co. of Milwaukee has played a major role in development of the high-protein food "CSM," which is helping to feed millions of hungry people throughout the world. I commend two articles on this valuable product to my colleagues:

[From the Chicago Tribune, Feb. 22, 1969]

BIAFRANS GENTLY TAP BOWLS, TIN CANS IN PLEA FOR FOOD

(By David Mazzarella)

UMUOHIAGU, BIAFRA, February 17.—Sister Mary Thomas' breakfast guests begin arriving before dawn.

More than 2,000 of them form lines up and down the field. Most are children, squatting on their haunches, tapping out subdued rhythms on chipped bowls and empty sardine cans. Their colorfully robed mothers and silent fathers stand behind, many of the women balancing babies on their hips.

Sister Mary's helpers appear, carrying three-foot-deep kettles, and the tapping quickens.

SPOON AND SPATULA

The aging nun from Ireland's County Cork walks briskly, a broad-lipped metal spoon in her right hand, a wooden spatula in her left. She dips deeply into the mixture and begins filling the bowls and the cans.

Little fingers plunge into the bowls, dip and lick, dip and lick.

"Ah, a great food this is," the smiling nun remarks. It contains cornmeal, soybean, and milk powder and comes from the United States.

"We add powdered egg, oil and stockfish," said Sister Mary. "They like it. . . . and what a world of good for them it does."

The base, known as Formula Two, has been donated to relief agencies in huge quantities recently by the American government.

Sister Mary's feeding center is one of the largest of more than 1,500 set up in Biafra to aid thousands of persons displaced by the 18-month Nigerian civil war.

ONE MEAL DAILY

It provides one meal a day—breakfast—and the meal possibly is the most wholesome in Biafra.

The Red Cross, and Roman Catholic and Protestant relief organizations are serving 3 million high protein meals a week. Officials agree that the dreaded protein deficiency disease—kwashiorkor—has nearly been controlled, at least among the children.

Six months ago, children with bloated stomachs, gray skin, and reddish hair—the signs of kwashiorkor—were seen in great numbers anywhere in Biafra.

Only 10 kwashiorkor cases were reported this week at Itu Olokoro refugee camp here. At Queen Elizabeth's Hospital, an average of three children a day used to die of malnutrition. Now three or four die in a week from all causes.

Relief workers warn, however, that should the airlift cease the situation would be reversed quickly. They say that while the present supply is keeping Biafra's children on a safe nutrition level, there is not enough for adults who need food desperately.

MEALS ARE LIMITED

"Most feeding centers still can only provide three meals a week to refugees," said Earl Roe, a Chicago schoolteacher who runs a distribution center for the World Council of Churches.

Aged men and shabbily dressed women camp outside the centers. Sometimes they get a bit of food left over after the distribution to refugee camps, feeding centers, and hospitals.

But much of the time the hard-pressed relief officials can give them nothing.

[From the U.S. Department of Agriculture, Feb. 27, 1968]

CSM MEETS MAJOR NUTRITION NEED—REVIEW OF BLENDED PRODUCT BY USDA POINTS TO IMPORTANCE OF FOODS WITH ADEQUATE NUTRITION AS WELL AS FILLING STOMACHS

WASHINGTON.—The story behind the development of CSM, Blended Food Product Formula No. 2 bought by the Agricultural Stabilization and Conservation Service for donation abroad in relief programs, is reviewed by the Department of Agriculture in a special summary for the press, released on February 27, 1968.

Since the summer of 1966, the A.S.C.S. has bought about 4,000,000 cwts of the product for donation to recipients in 90 countries.

The U.S.D.A. review of the CSM program follows:

"There can be a big difference between filling empty stomachs and providing adequate nutrition. And concern for this difference, explain U.S. Department of Agriculture scientists, is behind the shipment of nearly 400,000,000 lbs of a multi-purpose food blend from the United States to more than 90 developing countries.

"The formulated food is called CSM, representing the three main ingredients—corn, soybeans, and milk.

"INEXPENSIVE AND RICH IN PROTEIN

"CSM was developed to meet an urgent need for a food that is inexpensive, is rich in proteins, stores well, and may be easily prepared in a variety of ways. It can supplement the diet of any poorly nourished person, but especially weaned infants and preschool children.

"Scientists in Agricultural Research Service, cooperating with the Agency for International Development and the National Institutes of Health, developed the CSM formula. A blended food high in the proteins so desperately needed in the developing countries, CSM is manufactured by commercial millers and is purchased by U.S.D.A.

for distribution abroad by A.I.D. and voluntary groups.

"It consists of processed cornmeal (68%), soybean flour (25%), nonfat dry milk (5%), and minerals and vitamins (2%). The cost is approximately 7.5c per lb packaged and delivered to ocean ports.

"ESSENTIAL MINERALS FOR CHILDREN

"Three and one-half ounces of this blend, when made into a gruel or porridge, will supply a child with one-third to one-half or more of the necessary daily nutrients, except for ascorbic acid. These nutrients are particularly important during a period in his life when lack of proper food can irreversibly harm both body and mind. Officials estimate that the death rate for children under five years of age is about 40 times higher for children in undernourished families than for children who are well fed. Those undernourished children who survive face an average life span of 30 years with a lowered capacity to learn and without the energy to help themselves. When children are reached in time they respond rapidly to the improved diet.

"SPECIFICATION AND CONSISTENCY CHECKS

"U.S.D.A. has not stopped with development of the CSM formula. Scientists from the Department's Consumer and Marketing Service check each shipment to be sure the product meets specifications covering protein and fat content as well as texture, and cooked consistency checks are also made to see that the odor and flavor are satifactory. A.R.S. food specialists prepare and test samples of soups, beverages, gruels, and porridges for flavor and other characteristics which combine to make the blend acceptable. Experience shows that even hungry people will not eat a food if the taste, appearance, texture, or odor offends them—and each country has its own standards. Food habits are hard to change, often reflecting centuries-old religious and social beliefs and superstitions.

"INTO METHODS OF PRE-COOKING MEAL

"Besides developing the formula for CSM and the specifications for the product, A.R.S. scientists have conducted research on different methods for pre-cooking corn meal, the major ingredient. This research has contributed to increased production, thereby making the product more available to the government. The revised specifications assure uniformity regardless of the production method used.

"EXPERIMENTS TO PERFECT FORMULA

"Efforts to develop new uses for CSM are continuing, as are experiments designed to further perfect the formula. Further research is also devoted to composition of the blend (fat content, nonfat dry milk, and inclusion of sucrose or dextrose) as it relates to moisture content and temperatures. Both are very important to "keeping quality" of the product during storage and distribution, and to flavor and texture when it is consumed."

CRAMER ANTIRIOT ACT TO BE ENFORCED AS DETERRENT TO STUDENT DISORDERS

HON. WILLIAM C. CRAMER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. CRAMER. Mr. Speaker, as the author of the Antiriot Act—chapter 102, Public Law 90–284—and as an American deeply concerned over the continuing seriousness of student disorders on campuses across the Nation, I noted with great interest the article in the Washington Post of Saturday, March 1, by Mr. William S. White, entitled "Administration Going All Out on Issue of Campus Disorders."

I have in the past called upon the Attorney General of the previous administration to enforce the Antiriot Act but that administration failed to make use of this potent weapon against professionally organized disturbances. I am therefore especially gratified that the Nixon administration, through its able Attorney General, the Honorable John N. Mitchell, has selected as one of its first principal domestic issues the campus disorders now sweeping the country, and the Nixon administration is devoting top priority to its most effective weapon in bringing these disturbances under control, that is, the use of the Antiriot Act to prosecute the professional outside agitator who travels in interstate commerce or uses interstate facilities for the purpose of inciting riots and public disorders.

As Mr. White points out in his article, and as I have stated repeatedly on the House floor and elsewhere, the professional agitator, bent on formenting riots, demonstrations, and the like, using whatever cause can help him accomplish his revolutionary aims, is a criminal and must be prosecuted. Without the aid and encouragement of experienced troublemakers, most student protestors would be at a loss to even attempt to organize and carry out disorders of the magnitude and ferocity we are now witnessing. Just recently the press reported that at the very moment students at Howard University Law School in Washington, D.C., were attempting to occupy their school's offices, the leaders of the demonstration were in constant telephone communication with demonstration leaders in California. Obviously, here, as elsewhere, the students were getting their advice on "disorderly procedure" from the outside professional agitators. Such use of interstate facilities "in furtherance of a riot" is a blatant violation of the provisions of the Antiriot Act.

With the active enforcement of the Antiriot Act, resulting in the removal and prosecution of the professional outside agitator, I predict we will witness a sharp decline in the number of campus disorders in America.

The full text of Mr. White's excellent article on this matter is inserted herewith for the information of my colleagues:

ADMINISTRATION GOING ALL OUT ON ISSUE OF CAMPUS DISORDERS

(By William S. White)

From the whole range of home issues President Nixon has chosen campus disorders for his first truly major commitment to action in the domestic field.

The President's denunciation of student rioting made in a letter saluting the strong line taken by Father Theodore Hesburgh of Notre Dame University, was, in fact, the signal for a push involving in one way or another the Administration's total resources. The long and short of it is that the Government has selected the frenzy of the campuses for a display of a great deal more than mere moral disapprobation of academic hoodlumism.

Not only has Mr. Nixon assigned the top member of his Administration, Vice President Spiro Agnew, to monitor the problem, in cooperation with the Nation's Governors, among others; the entire cabinet, save for Secretary of State William Rogers, has also been brought into the picture.

By necessity, however, the real buck stops at the desk of Attorney General John Mitchell. Mitchell, though fully conscious of the essential constiutional limitations on the Federal Government's power to deal with local disorders, is nevertheless far from weaponless here. He is first of all making cooperative arrangements with the Governors and local officials to give to them indirect assistance wherever he lawfully can. More importantly, he is preparing to exercise one undoubted Federal authority which has never thus far been invoked.

This is a section of the Safe Streets Act of 1968 which makes it a Federal crime—a felony—to cross State lines for the purpose of inciting to riot or public disorder. To make a case here is admittedly not easy since effective prosecution actually requires the hardest job of proof in all the criminal law, that is, the marshaling of unassailable evidence of what amounts to a conspiracy. Still, the thing can be done, and Mitchell is resolutely determined to do it.

The FBI has long since known that while some student "demonstrations" are strictly home-grown, some others are fomented by leap-frogging non-student and thoroughly adult "activists" of the far left who go from campus to campus to exploit fancied or real academic grievances and turn them into violent campaigns aimed at subverting the Vietnam war policy, the military draft and the like.

It is to these types—and really only to these types—that the Attorney General intends to apply the sanctions of the Safe Streets Act. The reasoning is that if out-and-out revolutionaries can be brought to trial, under the full daylight of due process, it can be shown that the undoubted right of peaceful protest and dissent is being perverted.

The end purpose, in short, is to separate the truly bad fellows from authentic students who in any row with the university administration are prone to side with the protesters on the general human inclination to go along with those one believes are one's own.

When Mitchell, a tall, urbane lawyer late of Wall Street, discusses these matters, his concern for genuine civil liberties is as sensitively obvious as is his firm determination to break the long process by which nonstudent revolutionaries have been able to becloud the real issues on many campuses.

The Administration's central motivations in all this are two. The first is simply that sound public policy manifestly requires an end to the destruction of civility in tortured universities. The second is a lively awareness that of all the complex feelings bound up in the phrase "law and order" perhaps the most sensitive to the public is the spectacle of obscene violence in halls of ivy where until lately this sort of thing had been as remote as the moon used to be.

TENNESSEE EXPORTS BOOSTED BY FEDERAL-STATE TEAMWORK

HON. DAN KUYKENDALL

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. KUYKENDALL. Mr. Speaker, under permission to extend my remarks in the RECORD, I would like to include an editorial from the Memphis Commercial Appeal of Monday, March 10.

This editorial points out the tremendous contribution the great State of Tennessee is making in exporting American

XUM

manufactured goods. Tennessee has a proud record of progress and achievement. Our record in this one area proves again that Tennessee is a good place to work, live, and play.

The editorial follows:

TENNESSEE EXPORTS

Tennessee is contributing to the United States effort to boost sales abroad, which in turn benefit American business, workers and the balance of payments.

This also is true of the rest of the Mid-South. John M. Fowler, director of the Memphis field office of the Department of Commerce, points out that Tennessee-manufactured products exported in 1960 were worth 232 million dollars. In 1966 they had risen to 313.9 million. Mr. Fowler believes the increase for 1966 through 1968 will be even more substantial.

The Department of Commerce is greatly helpful to manufacturers in their export problems. Some 500 economic and commercial specialists in 152 United States embassies and consulates in more than 90 countries keep a lookout for trade opportunities. They visit foreign government trade offices and private firms and attend local trade association meetings. By keeping in close touch, they see where United States products and services can be used and sold.

Embassy and consular officers have found opportunities for American businessmen to sell a wide variety of products. Last year foreign firms offered about 1,400 trade opportunities, each trade opportunity specifying the product wanted and the name and address of the potential buyer.

Trade officials here can be proud of past results. They have shown the value of federal-state teamwork. The need for more Tennessee exports remains, and that means attracting the industries with export potential.

POSTHUMOUS MEDALS PRESENTED TO PARENTS OF L. CPL. SHULER A. HOFFMAN, U.S. MARINE CORPS

HON. ALBERT W. WATSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. WATSON. Mr. Speaker, just recently a very poignant ceremony was held in a community in my congressional district which has been enacted in virtually every community in the Nation.

Appearing before the former classmates of their son, Marine L. Cpl. Shuler A. Hoffman, Mr. and Mrs. Virgil Hoffman of Springfield, S.C., accepted in his behalf six medals for gallantry in action. The medals were awarded posthumously because Lance Corporal Hoffman was killed while on patrol in Vietnam last month.

In an article which appeared in the Orangeburg, S.C., Times and Democrat, Mr. John Faust described the presentation of the medals to the parents. Because of the monumental sacrifice of this young man and the deep gratitude owed his memory by every American, I commend Mr. Faust's story to the attention of Congress and the Nation as follows:

SPRINGFIELD MARINE REMEMBERED: POSTHUMOUS MEDALS PRESENTED

(By John Faust)

SPRINGFIELD, S.C.—It was a bitter-sweet day at Springfield High School Thursday.

One of its alumni was being honored by both the United States and South Vietnamese governments, with some of their highest military awards being presented for his actions, but, Lance Corporal Shuler A. Hoffman, USMC, couldn't be present to receive the symbols of respect and honor.

LCpl Hoffman lost his life while on patrol against the Viet Cong, February 5, 1968. Accepting the posthumous awards were Mr. and Mrs. Virgil Hoffman, parents of the former Springfield High athletic star.

Speaking before the entire student body of SHS, Marine Captain Clark H. Rowe said LCpl Hoffman's actions merited the highest respect from his former schoolmates and friends and that it was small tribute in recognition of his ultimate sacrifice that the awards represented.

Hardly a sound could be heard inside the school auditorium save the spatter of raindrops against the windows of the room as Capt. Rowe presented Mr. and Mrs. Hoffman the awards authorized by special order of the Vietnamese government.

The Gallantry Cross with Palm for valor, the Military Merit Medal and the Vietnamese Campaign Medal. Capt. Rowe added that it was unfortunate young men had to die before their lives could be completely fulfilled, but that Americans such as LCpl Hoffman gladly accepted such risks is recognition of their duty and love of country.

Accompanying Capt. Rowe was USMC Sgt. Donald R. Tanner who explained to the silent assembly the meaning of each medal presented the parents of the young Marine.

He also paid quiet tribute to the willingness of the Springfield native in living and dying for his responsibility.

Also presented Mr. and Mrs. Hoffman, by the U.S. government, were the Purple Heart, the National Defense Medal and the Vietnamese Service Medal.

Principal J. E. Bethea, in a few remarks at the close of the solemn presentation pointed out to the students of his school that he hoped they appreciated the sacrifice of their former schoolmate and understood that what he had done for his country and family could not be measured in terms of just life and death.

Bethea pointed out that it was a willingness on the part of LCpl Hoffman to insure the endurance of their peace, security and way of life.

"He understood," said Bethea, "I think, that the American flag you see on the auditorium stage was more than just cloth and colors. He knew the suffering, sacrifice and demands of her history and future."

LCpl Hoffman, a 1967 graduate of Springfield High School, was killed by enemy gunfire while on patrol near Quang Tri, Vietnam, with elements of his unit, E Co., 2nd Btn, 9th Marines.

NIXON OFF TO FINE START

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. NELSEN. Mr. Speaker, Americans as a whole have reason to be gratified by the worldwide acceptance of President Nixon as a fair and forceful leader. The climate of trust and cooperation he has already created is fundamentally important to the resolution of difficult national and international problems.

Typical of public reaction to the President is a recent editorial by John Weber, publisher of the Murray County Herald, Slayton, Minn. I place it in the RECORD at this point:

NIXON OFF TO FINE START

While we have no poll results or other statistics to back it up, we doubt very much whether any American president in recent history has managed to get off to as fine a start as Richard M. Nixon.

His early actions seem to have won the stamp of approval from large numbers of people in both major political parties. We have seen practically no adverse comment in the press of the Upper Midwest.

Nixon has only been in office for a few short weeks, yet he has already demonstrated that he will be a fair and forceful leader. His whirlwind tour of western Europe seemed to capture the fancy of the public, and the manner in which he handled the political leaders of that area is widely respected. Even our French friend, Charles De Gaulle, demonstrated courtesy and friendship toward the American president—something for which LeGrande Charles is not noted.

The tipoff on Richard Nixon probably came several years ago when he wasted no time in out-pounding and out-shouting the then Soviet premier Nikita Krushchev. As vice president at the time, he clearly demonstrated that he was capable of facing the world's political leaders with confidence and authority. He demonstrated that same ability again last week in Europe.

Domestically, Nixon hasn't had an opportunity to do a great deal as yet. He is saddled with the programs of his predecessor and is somewhat bound for the first year of his administration. Even here, however, he has been impressive with his directive to trim the Johnson programs at every opportunity.

All in all, we can think of practically no areas where Nixon has failed during these few short weeks in office. He has served notice on the world that he will be a strong president—and that the authority and power of the United States will remain unchallenged.

ESTABLISHMENT OF THE FRANCES PAYNE BOLTON PARK

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. VANIK. Mr. Speaker, it is my pleasure to introduce today a bill to change the name of the Piscataway Park across the Potomac River from Mount Vernon to the Frances Payne Bolton Park in honor of the long and dedicated service to our country of our former distinguished colleague.

Mrs. Bolton has particularly been in the forefront in protecting the scenic approaches to the area surrounding Mount Vernon and has spearheaded the preservation of Mount Vernon itself. The former Congresswoman from the Greater Cleveland area has donated generously to provde the means to buy the lands required to prevent interests from obscuring the view from Mount Vernon across the river and from the opposite shore to Mount Vernon. Those who live on those shores of the Potomac appreciate very much her noble efforts to preserve the countryside. Ultimately, the Nation is the beneficiary of Mrs. Bolton's generosity and good will. Now everyone in the country can enjoy the scenery of this beautiful area of the country and also the beautifully maintained historic home of our first President, George Washington.

It is my sincere hope that this bill,

which I introduce today, to change the name of the Piscataway Park to the Frances Payne Bolton Park will soon become law. The language of the bill is as follows:

H.R. —

A bill to provide that the park referred to as the Piscataway Park on the Potomac River, Maryland, shall hereafter be known as the Frances Payne Bolton Park

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in honor of Frances Payne Bolton, of Cuyahoga County, Ohio, and in recognition of her long and outstanding service to her community, State, and Nation, her leadership in the creation of Piscataway Park, her distinguished service in the United States Congress for twenty-eight years from the twenty-second Congressional District of Ohio, a district represented by her husband, the late Chester C. Bolton for twelve years, the Piscataway Park on the Potomac River, Maryland, shall hereafter he known and designated as the "Frances Payne Bolton Park." Any law, regulation, map, or record of the United States in which such park is referred to shall be held and considered to refer to such park by the name of the "Frances Payne Bolton Park."

LIMITING FARM SUBSIDIES

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. ROSENTHAL. Mr. Speaker, I introduce today an amendment to the Food and Agriculture Act of 1965, as amended, to limit subsidy payments and apply most of the savings to the food stamp and rural redevelopment programs. This amendment was introduced last year by my colleague Mr. FINDLEY, of Illinois, whose leadership I follow today.

Its purpose is twofold: to apply an absolute limit of $20,000 to any farm—$10,000 for any single program—receiving subsidy payments and to use the funds saved for two other important programs which need expansion.

Limiting subsidy payments is a proper first step toward their elimination. We must rebuild our system of agricultural programs to allow farmers a much greater return on their labors but we have learned that subsidy payments do not effectively serve that end. We must tailor these programs to insure a reasonable and equitable rate of return on agricultural investment and agricultural labor. This means equity for all farmers, not just the few giants of farm production. Limiting subsidy payments will demonstrate our determination to assure equity and justice for the millions of small- and medium-sized-farm owners.

My amendment, which would save about $300 million, would specify the distribution of this savings as follows: $100 million would go to an expanded food stamp program; $100 million would aid the rural redevelopment program, and $100 million would represent a net budget reduction.

We have learned much in the past months since this amendment was first proposed about the serious malnutrition problem in America. The Senate nutrition hearings, now underway, will add to that knowledge. But we know enough right now to approve a move to give extra funds to the food stamp program which this amendment provides. In addition, I will support efforts to expand the pilot program to provide free food stamps where needed and to expand the program into those areas, where, for whatever reason, it is not operating and should be.

The extra funds for rural redevelopment are badly needed to provide additional opportunities for rebuilding and improving our rural communities which tend to be neglected in our concerns for urban development. Here again, in the balance between subsidy payments and funds for rural development we have misguidedly overemphasized one area and badly neglected the other. This amendment attempts to restore this balance.

ON SAVING 78TH STREET FROM THE TRANSIT AUTHORITY

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. KOCH. Mr. Speaker, many of us are becoming more aware these days of the important issue of conservation. Most of us, however, think only of our forests and rivers and other natural resources when considering the problem. I would like to call to your attention today an incident that has occurred in New York City which dramatizes the need to conserve whatever sources of beauty we have remaining in our cities, be they manmade or natural.

The New York City Transit Authority has developed plans to build an electrical power transformer substation to provide extra power for the Lexington Avenue subway line. The substation is to be built underground, below a street adjacent to the present subway tunnel.

Unhappily, the TA never felt that the residents of the area need be advised of these plans in advance. It was not until residents of 78th Street between Lexington and Third Avenues noticed surveyors at work on their street, and consequently made inquiries at various city agencies, that the community realized what was planned.

Of course, the TA's undercover procedures in this case are reprehensible. But what makes this particular instance of governmental insensitivity all the more appalling is that the proposed site for construction of this substation, 78th Street between Lexington and Third Avenues, happens to be an unusually lovely, tree-lined block, bordered on one side by historic row houses which the Landmarks Preservation Commission has termed "outstanding examples of mid-19th Century residential brick architecture."

The construction of a substation will require at least 2 years of digging and blasting, with no guarantee that the trees and houses will not suffer irreparable damage. And all this is to be done despite the fact that the substation could be built elsewhere. I am given to understand that the location of a transformer station, either below or above ground elsewhere—where less damage would be done—would not significantly reduce its efficiency.

The TA has argued that the 78th Street block was chosen because it would be most economical to build there. However, residents of the block have offered to raise funds to defray whatever reasonable expenses the TA would incur in changing the location. Why is it that money considerations are always paramount when we think of saving our cities and beautifying them, but never a consideration when funds are used to destroy our cities with highways which turn them into open air garages?

Despite this offer to defray costs, the TA insists on its present plans and the mayor has approved the contract. In light of such policy, is it any wonder that families flee our cities for the suburbs? Too great a proportion of our urban centers are overcrowded, overpolluted, and physically unattractive. Must our cities be such total eyesores? They must not; and all governmental bodies—city, State, and Federal—must be responsive to the need to conserve our few remaining urban landmarks and areas of unusual beauty.

This example in Manhattan is a vivid indication of how government, by ignoring the people it is intended to serve, ignores its responsibility to help Manhattan remain a truly habitable place. By ignoring the need for urban conservation, government only speeds the abandonment and decay of the cities.

The residents of Manhattan's 78th Street and other concerned individuals in the community are to be applauded for their efforts to preserve their homes. They have just won a court injunction temporarily barring construction of the power substation. This injunction remains in effect pending the outcome of the trial. Until this matter is decided in court, I shall assist the residents of this area in pressing for a public hearing to reexamine the location and construction plans for this substation. Such a hearing should have been held long before the TA's plans were finalized. And so I commend these citizens who have fought long and hard to preserve their houses and scenic beauty, not only for their own enjoyment but also for that of all those who pass along their street. I say to my fellow citizens—keep up the good fight.

THE AIR FORCE MUSEUM: THE CARETAKER OF A LEGEND

HON. CHARLES W. WHALEN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. WHALEN. Mr. Speaker, I would like to direct the attention of my colleagues to an excellent article which appears in the March 1969 issue of Air Force magazine.

It tells of the Air Force Museum which is located at Wright-Patterson Air Force Base and of the unique contribution it makes to the understanding of the history of military aviation.

The museum is presently located in old quarters on Patterson Field and will be moved in the future to the new facility planned for Wright Field.

I wish to congratulate Air Force magazine and William P. Schlitz, the writer, for making the article possible.

Mr. Speaker, for the information of the Members of the House I herewith insert the article:

THE AIR FORCE MUSEUM: CARETAKER OF A LEGEND

(By William P. Schlitz, news editor, Air Force/Space Digest)

A metal sentinel guards the entrance to the Air Force Museum at Wright-Patterson AFB, Ohio. It is the Douglas A-1E Skyraider flown by Maj. Bernard Fisher the day he bounced to a landing on a rough patch of ground in South Vietnam to rescue a downed fellow pilot being fired on by surrounding enemy troops. For that deed Major Fisher became the first Air Force man of the Vietnam War to be awarded the Medal of Honor (*see AF/SD, March '67*).

That plane and the story behind it symbolize the recurring theme of the Air Force Museum—the men and flying machines that together created the Air Force legend from Kitty Hawk to the technical marvels and achievements of the space age.

The Museum, then, is much more than a display case for old airplanes. It is an open-ended history book that tells the chapter-by-chapter story of aviation and airpower through the sixty-odd years of manned flight. And thanks to the diligent efforts of the Museum staff, very few pages are missing from the book.

The Museum, under operational control of the Secretary of the Air Force's Office of Information, is located appropriately enough near Dayton, Ohio, home of the Wright brothers during many of their early flights. It is free to the public and open every day except Christmas.

Currently housed in a converted engine-overhaul shop, the Museum dates back to the wood and fabric aircraft brought back from Europe for testing following the end of World War I. Initially established in a corner of a hangar building at old McCook Field near Dayton in 1923, the Museum since has experienced a turbulent history of moves and interruptions.

With its growth through the years, the Museum has become a major point of interest. Last year some 600,000 visitors passed through it. Because of the vast number of people who have been involved in aviation during its brief span, the Museum has almost universal appeal, and the number of visitors is expected to continue to grow. Grayheads of the '30s era bring their grandchildren to admire the planes that helped set altitude and speed records. Teen-age sons are introduced to the types of jets their fathers piloted above the barren Korean landscape.

The Museum's exhibits are arranged chronologically to reflect the development of aviation. And the displays have been set up with considerable thought to make the best possible use of the limited floor space—an excellent job by the Museum staff that is frequently remarked upon by visitors.

At the outset of a tour, one first sees models and scenes demonstrating man's early experiments with and concepts of flight. A blue panel depicting birds in flight bears a message that sets an eloquent theme: "Since the beginning of time, there have been those men who looked to the sky, who envied birds their graceful, soaring flight, who said to themselves, 'If I could but fly. . . .' This is the story of those men, and how they learned to fly, and the remarkable things that have happened since."

Next is a portrayal of the Wright brothers' achievements, without which no air museum would be complete. A reproduction of the Wright 1909 Military Flyer equipped with an engine donated by Orville Wright brings to mind how the rich adventure of those first hesitant flights by the two brothers drew the era's reckless young men to their banner. Those men surely appreciated the fantastic potential for manned flight, but each certainly would have been astounded to stroll through the Museum's six decades of aviation history and emerge—in the space age.

The backbone of the Museum's collection of memorabilia, of course, are the aircraft, many representing almost miraculous breakthroughs in the progress of aviation. Forty-three are exhibited in the Museum. Youngsters viewing such World War I and 1920s aircraft as the famous Curtiss JN-4D "Jenny," the Standard J-1, and the de Havilland D.H. 4 at last are able to put into context such phrases as "flying by the seat of your pants" and learn what "barnstorming" was all about.

At the opposite end of the Museum's time spectrum is the "now" look of the section devoted to aerospace where reside the X-1B rocket plane and such other space-age hardware as a Discoverer capsule snatched in midair after reentry. Being prepared for exhibition is the space capsule that carried astronauts Virgil Grissim and John W. Young during the historic Gemini-3 mission in March 1965. Other aerospace items will be added as they become available.

It is difficult to imagine, in this technically sophisticated age, the stir that resulted in 1924 when the World Cruiser *New Orleans*, now in the Museum's possession, was one of two Douglas-built aircraft to complete the first aerial circumnavigation of the globe. The trip took 175 days, with fifteen days of actual flying time. Another, more recent, acquisition of the Museum is the Boeing B-52 *Lucky Lady III*, which, in a similar round-the-world flight in 1957, was able to cover the distance in considerably shorter time—forty-five hours and nineteen minutes nonstop. (This aircraft is not to be confused with the *Lucky Lady II*, a B-50 which made the first nonstop circumnavigational flight in 1949.) Of special interest at the Museum also is a Curtiss P-6E Hawk, the last in existence and still considered by many as the most beautiful airplane ever built.

At the outset of both Great Wars, adventurous American lads went off to get in the fight long before their country was openly committed. Consequently, they flew airplanes built by other nations, such as the Spad and Spitfire, both now displayed at the Museum. It was in those planes and others like them that members of the Lafayette Escadrille and the Eagle Squadron helped make air warfare history.

In one area of the Museum, two once-deadly adversaries now at peace face each other across the aisle: a North American F-86 Sabrejet and a Russian-built MIG-15. The MIG was flown to Kimpo Air Base in Korea in September 1953 by defecting North Korean pilot Noh Keun Suk, who received sanctuary and a $100,000 reward. He has since graduated from engineering school, has married, and is living in the United States.

It is with nostalgia that many visitors view the famous World War II Mustang and Thunderbolt on display. Once again in memory the old arguments are heard regarding the respective merits of the two aircraft. The North American P-51 Mustang had great range and speed, its proponents would say. Yeah, but the ol' Jug was sure to get you home, Republic P-47 pilots would counter.

Where possible, the stories of the men who flew the planes are featured in original photographs and text displayed on panel walls, along with other items of interest. And in a special room is the Aviation Hall of Fame, established to give recognition to those who contributed much to the advancement of flight.

Although the Museum is designed for touring without guides, at fifty locations brief electronic messages explaining exhibits can be heard through wireless "By-Word" headsets rented for a small fee from a concessionaire. And on Saturdays, Sundays, holidays, and when otherwise requested, films on a variety of Air Force and aviation subjects are shown in the Museum theater. Contemporary paintings in the Museum's art gallery can be viewed at any time and offer a panorama of Air Force activity from a remote radar station in Alaska to a street scene in Tokyo.

The Museum is constantly on the lookout for vintage aircraft it can add to its collection. But competition from other museums, private collectors, and manufacturers is fierce. Of the thousands of military aircraft produced during the two World Wars, few remain intact. Treaty stipulations brought about the destruction of many following World War I, and vast fleets of aircraft were destroyed after World War II because of the cost of storing and maintaining planes considered outmoded.

The Museum will accept any World War I aircraft. On its shopping list from the 1919-1941 era a Boeing P-12 and B-9; Curtiss A-8 or A-12; Martin B-10 or B-12; Northrop A-17; and Seversky P-35. World War II planes the Museum would like to acquire are a Messerschmitt 163 and a Mitsubishi Zero.

The Museum, of course, can rely on Air Force help in obtaining planes to fill the gaps in its collection. When Charles Gebhardt, head of the Museum's Aircraft Restoration Division, got wind of the location of a pre-World War II O-38 observation plane that had crashed in the Alaskan wilds in 1941, he enlisted Alaskan Air Command assistance in a salvage effort. (*See "Operation O-38, A Salvage Adventure in Alaska's Deep Freeze," February '69 issue, p. 56.*) The carcass of the aircraft, remarkably preserved during its long sleep, is now in the hands of the Museum, and Mr. Gebhardt hopes to have the plane completely restored and on display within a year or so.

If an aircraft specimen is simply not to be had, the Museum has experts among its staff of forty-three who can build historic replicas from scratch using original plans and designs. They often will incorporate resurrected armament, engines, and other equipment once aboard the original. Fans of comic-strip character Snoopy will be glad to know a Sopwith Camel is being constructed in such a manner.

The stress in such projects is authenticity, as it is in the other exhibits.

Over the years the Museum has gathered together a huge amount of historical material, much of it donated by the individuals involved, such as flight clothing from World War II ace Don Gentile; personal items from the B-25 crews of the Tokyo raid led by Jimmy Doolittle; and items such as compasses and tunneling equipment ingeniously constructed from bits and scraps of material by escape-minded prisoners of the Stalags during World War II. In fact, the activities of the men behind the wire merit much more attention than the Museum is capable of giving them because of its space limitations.

That is a major problem. The infusion of such a large amount of hardware and other material has put a severe strain on Museum space, with the result that many items of particular interest cannot be shown. Adjoining the Museum building is a four-and-a-half-acre airplane park that currently accommodates an air armada of more than forty aircraft, exposed to the deteriorating effects of the weather.

A project to build a new home for the Museum to solve these and other problems has been in the works for some time. The Air Force has set aside a 200-acre site at Wright-Patterson to house a new facility,

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and architectural and exhibit designs have been drawn up under the direction of the Air Force Museum Foundation (*see "Space for Our Air Heritage," January '65* AF/SD, *p. 40*). The central problem is funds, and although the Foundation has been successful in generating almost $4 million in contributions, considerably more is needed before actual construction of a new home for the Museum can begin.

The main architectural feature of the new home planned for the Museum is a huge space-age canopy made of steel cables and topped by a steel deck. It is to cover eight acres or about 350,000 square feet, four times the space of the current facility. The canopy, designed by Kevin Roche John Dinkeloo & Associates (formerly Eero Saarinen & Associates), of Hamden, Conn., will be supported only at the four corners and will form a wedge-shaped arch, running from ground level entry at the narrow end to 130 feet high and 700 feet across at the wide end. Three sides will be open.

Both indoor and outdoor space will be used in the new facility but all will be under cover. As previously, the displays will be arranged in chronological order, with the early, fragile aircraft contained in an air-conditioned enclosed area. Herb Rosenthal & Associates of Los Angeles designed the new structure's interior displays.

Upon being admitted into the new Museum facility at the low and narrow end of the structure, visitors will move past the replica of the 1909 Wright Flyer and the unfolding story of military aviation out of the sunken air-conditioned area to the larger end of the Museum arch. Later model aircraft will be in an open environment but still under the immense canopy. The larger planes will be near the open end where the ceiling is highest. Outside the high end the most modern aircraft will be on display, parked in the open air and on a ramp, thus placing them in a realistic setting.

To present important phases or aspects of such aviation developments as propulsion and armament technology, various clusters of displays called "inner museums" will be seen on promontories and elevated floors. These will provide the thread linking the Air Force story in the flow of time. Smaller "time capsule" clusters will detail specific events such as the Berlin Airlift or development of the atomic bomb.

In talking with the Museum's director, Col. Joseph D. Hornsby, a visitor learns that the long-range goal of the Air Force Museum is not simply to be a repository for items having historical interest in respect to military aviation. One main objective is to serve as an educational facility to teach the young about aviation through a panoramic view of its advancing technology, and to acquaint them with the vibrant excitement of aviation's past.

SYMBOLS IMPORTANT: IT'S TIME TO WAVE FLAG

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. GAYDOS. Mr. Speaker, I invite the attention of my colleagues to an excellent article by Ernest Cuneo which recently appeared in the Pittsburgh Press.

In view of the disrespect and outright desecration the American flag, our national symbol of freedom, has been subjected to in recent years, I wholeheartedly agree, it is indeed time to wave the flag.

As a Congressman from Pennsylvania, the birthplace of our flag, I am particularly pleased to submit at this time the article for inclusion in the RECORD:

SYMBOLS IMPORTANT: IT'S TIME TO WAVE FLAG

(By Ernest Cuneo)

It has long been noted that the principal problem of 20th Century democracy is the protection of the unorganized majority from the highly organized minorities.

To this day, the Communist Party of Russia is a very small percentage of the population.

A very small and hated minority of Communists, backed by the Red Army, are for all practical purposes the rulers of Czechoslovakia.

Within the United States, various groups have rioted, taken possession of public buildings, looted and terrorized. No less than 113 American cities have experienced arson to the point of conflagration.

Each of these malevolent organizations in one way or another, varying from the white sheets of the Klan to the Black Panthers, has an insignia to identify its members.

It is a fact that in union there is strength, psychologically as well as physically. As Alexander Hamilton noted, men feel fortified when they perceive that others stand with them. This also applies to loyal Americans.

Most Americans subscribe to the view of former Chief Justice Fred Vinson, who declared that freedom as we understand it permits a man to have many loyalties, based on that one loyalty which must be supreme, loyalty to the country itself.

The symbol of the loyalty of the vast majority is the American flag.

It would hearten many and certainly could do no harm if on Flag Day, June 14, each American contrived to wear either a tiny flag or a small red, white and blue ribbon in his lapel or visibly upon his person.

At a time when the American flag has been burned publicly in New York City's Central Park, hauled down and supplanted by the Red flag of revolution and the black flag of anarchy in Chicago, it would seem appropriate that with "malice toward none and charity toward all," American citizens peaceably display their colors.

Appropriately enough, Pennsylvania, the state where it was born, has declared Flag Day a legal holiday. Not one of the other 49 so designates it, though at last report, they too were under its protection.

PARALYZED VETERANS OF AMERICA

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. BROWN of California. Mr. Speaker, many American veterans are permanently confined to wheelchairs. One organization, first formed in 1947, was established by paraplegics to serve needs of this segment of our population. The organization, Paralyzed Veterans of America—or PVA—runs a comprehensive program ranging in areas from housing to education and employment.

On February 24 I introduced two bills—H.R. 7439 and H.R. 7441—calling for incorporation and recognition of PVA by the Federal Government. In order to convey a better understanding of the scope and intent of PVA, I include the following publication describing the history, purpose, and program of the Paralyzed Veterans of America:

PVA: THE HISTORY, PURPOSE, AND PROGRAM OF THE PARALYZED VETERANS OF AMERICA

At the end of World War One there was no need for an organization of paralyzed war veterans. Anyone sustaining a spinal cord injury resulting in paralysis, whether from war, accident, or disease, was soon gone, usually within eighteen months. His troubles were over.

Today, thanks to penicillin and other medical miracles, paralyzed individuals live on. Many spinal-cord-injured veterans of World War Two are still alive. Their ranks are increased every year by accidents, disease, and the hazards of military service in peacetime, in "cold war," and in "brush-fire war."

These men and women, more than most human beings, have problems, needs, and unfulfilled hopes. Hence, the Paralyzed Veterans of America (PVA).

WHAT WE ARE

PVA is an organization of veterans, male and female, who have served honorably in the armed forces and who have incurred an injury or disease affecting the spinal cord, causing paraplegia. The organization is nonprofit, non-sectarian, and interracial, and is concerned with the welfare of non-veteran paraplegics as well as veterans.

A paraplegic is an individual who, having suffered spinal cord damage, is paralyzed below the point of damage, generally from the waist down. (Persons with paralysis of all four limbs are called quadriplegics.) Paraplegics nearly always cannot walk, have lost control of some internal functions, and are confined permanently to a wheelchair.

The "cord cases" of World War One died off quickly from pneumonia, kidney infections, bed-sore complications, and the like. Those of World War Two were kept alive by antibiotics and by improved methods of surgery. There then remained the problem of restoring them to useful living.

Staying alive, overcoming severe disability, returning to usefulness, being accepted by society—this required the help of many skilled people: nerve specialists, surgeons, internal-organ specialists, psychiatrists, experts in physical medicine, nurses, teachers, and others. It also required the will and initiative of the patients themselves.

This last became evident as early as 1946. Groups of paralyzed veterans organized to help each other solve their common problems. In 1947 representatives of these groups met at the Hines Veterans Administration Hospital near Chicago and formed a national body.

Today PVA is a federation of local chapters that run their own affairs. They cooperate with the national organization and in return receive cooperation and assistance from it. Chapters extend geographically from Boston to Los Angeles, from Chicago to San Juan. They pay the nominal sum of one dollar per member as dues to national PVA. All other chapter income is put to use to serve local needs.

WHAT WE DO

A paraplegic, just after his injury, has a galaxy of needs and problems. Half his body is useless. He requires guidance and encouragement. He must learn or relearn almost all the skills and arts of living—*this time from a wheelchair*. He must fight his way upward from a hospital bed through many steps to a satisfying life in normal society.

PVA and its chapters attempt to help him in that fight:

In the Hospital. From the moment of his injury or disease until he is discharged from the hospital as "fully rehabilitated," the paraplegic patient must be attended constantly. Watch must be kept against bed sores, kidney infection, bladder infection, and other complications, any one of which will threaten his life. He must also receive an intensive program of physical rehabilitation, to train him in new ways of using his body.

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National PVA and its chapters strive unceasingly to help assure the patient of medical and rehabilitation treatment of the highest quality. PVA works with the Veterans Administration in Washington and, through the chapters, with local VA hospitals to maintain and where possible to improve standards of medical care for paraplegics.

In Housing. When a government hospital discharges the paralyzed veteran he has been medically rehabilitated and given certain benefits and assistance. But his fight is just starting. For example, where will he live? The home or apartment he lived in before his injury, even if still available, is almost surely no longer adequate. Stairs, narrow doorways, and small bathrooms will not accommodate his wheelchair.

The chapters of PVA help solve this problem by locating apartments suitable for a paraplegic and by advising members on the purchase or building of homes. They work to influence the design of all new housing, both public and private, to make it practical for wheelchair living.

In Transportation. Transportation is the paraplegic's second immediate problem. He cannot use the usual public transit—bus or subway or street car. He cannot travel by taxi because of the prohibitive cost. A wheelchair and the strength of his two arms can carry him only so far.

A hand-controlled automobile is the only answer. Several chapters of PVA offer their members financial assistance in buying cars. Several sponsor driver-training courses for both paraplegics and quadriplegics.

In Education and Training. To get a decent job and make a contribution to society the paralyzed veteran must start or continue his education or vocational training. Usually this means *re*-training, in skills he never before had.

A very important function of PVA is to inform and advise the paralyzed veteran on education. Eligibility for training under the GI Bill of Rights and other federal programs is our constant concern. We maintain a file on colleges, universities, and vocational training schools that will accept disabled students, are accredited by the Veterans Administration, and—most important—have the proper facilities for a wheelchair. PVA has worked closely with federal, state, and local agencies to expand our services in this area.

In Employment. The next great concern of the paraplegic is a job. The work place must be able to accommodate a wheelchair and the work must be such that it can be done from a wheelchair. Also, it should be satisfying work. Finally, his job should offer him chances for growth and advancement—no more, *no less*—than any worker expects, commensurate with his skills.

The chapters of PVA maintain a continuous survey of the employment situation for their members. Through questionnaires, they keep track of those desiring jobs, the types of work they can do, the number of hours they can work, and so on. Armed with this information, the chapters seek prospective employers on behalf of their members.

A major task is educating employers to the fact that the paralyzed person can do productive work at *all* levels, not merely the lowest ones. National PVA conducts a continuous program of public education through its "Employer of the Year" awards, made on a competitive basis. Chapters give similar awards on the local level. We also work closely with the President's Committee on the Employment of the Handicapped as well as the corresponding Governor's Committee in each state.

In Adjudication. From their beginning, the chapters of PVA have been involved with the problems of members faced with the adjudication of claims before government agencies. At its 1960 convention, PVA authorized the setting up of a National Service Program, in which each chapter utilizes the services of a member experienced in such work to pursue members' claims. The cost is underwritten by the national organization. The program has grown steadily from year to year and has expanded to give service to many non-member veterans as well as members.

In Social Integration. To keep him from withdrawing into a shell of helplessness and depression, the recently disabled individual must be brought into the normal relationships of human society. Suddenly faced with serious disability, the individual is inevitably subject to deep and longlasting depression. He is fearful for his future and uncertain of his position among relatives and friends and in the outside world.

Our goal in PVA is to bring the paraplegic out of this frame of mind before he becomes so deeply mired that recovery is impossible. Entertainment, sports, and travel are some of the means used. Chapters provide tickets for the theatre and sporting events. We arrange picnics, dinners, trips, and similar affairs to which the wheelchair-bound can come, along with his spouse, other family members, or friends.

PVA and the chapters sponsor an active program of sports for the paralyzed. Basketball, archery, races, field events, and others have proved practicable and enjoyable for the wheelchair disabled.

In Legislation. The paraplegic has received the severest blow, short of death, possible to a human being. Federal government and the states have recognized this; they attempt in some measure to compensate both veterans and non-veterans. PVA has worked to encourage this attitude. It has supported legislation to assist *all* disabled individuals. It has been instrumental in establishing certain benefits for its members and others:

Financial assistance in buying automobiles for veterans with service-connected disabilities. Financial and legal assistance for the same group in the purchase of homes. Increased compensation and tax abatement for the service connected disabled. Liberalized pension benefits for those with non-service-connected disabilities. Nursing care and medical supplies for the non-service-connected. Special units for the disabled in federally-assisted housing projects.

Further legislative aims of PVA include:

Gaining the official national recognition that will empower us to represent our members in claims before the Veterans Administration. Supporting bills that would extend tax deductions and aid in meeting transportation costs to all seriously disabled individuals. Gaining the grant of VA benefits to all veterans of the armed services, including those serving in peacetime, "cold war," and "brushfire war." Improving programs of medical care and rehabilitation for all of the most seriously disabled. Promoting a sliding scale of benefits under the Social Security program for totally disabled individuals who do not now qualify because of lack of "quarters of coverage."

WE DO MORE

To heal, train, house, and encourage the wheelchair-bound man or woman is not enough. There are many other difficulties he or she must overcome. PVA is also concerned with:

Architectural Barriers. One of the most needless of physical handicaps to the paraplegic is *steps*, in public and private buildings. PVA is actively engaged with several federal and many local agencies in a drive to eliminate or neutralize (by ramps, for example) outside steps and inside stairs in public buildings, and to make *all* buildings and other facilities usable by the handicapped.

Spinal Cord Research. From its beginning PVA has realized that adjusting to life in a wheelchair is not the paraplegic's whole answer. He must also have *hope* for something better. We therefore set as our goal what amounts to the ultimate dissolution of the organization—through the search for a cure for paraplegia and quadriplegia.

In 1947 we founded the National Paraplegia Foundation, of which the chief function is raising and disbursing funds for spinal cord research. Hundreds of thousands of dollars from PVA's budget have supplied the life's blood of that organization. NPF, as well as PVA, also promotes public education for the prevention of the terrible injuries resulting in paraplegia. Both also seek to interest medical students in selecting this field, so urgently requiring expanded medical effort, for their clinical and research work.

Publications. A monthly newspaper that has gained international recognition, *Paraplegia News*, is a PVA publication. It is important to our members, to other paraplegics, and to all interested in paraplegia. Members receive it as part of their membership; nonmembers pay a nominal subscription fee. With coverage of activities of both PVA and NPF as well as other news *Paraplegia News* is a vital source of information, education, and enjoyment to its readers.

Also published by PVA is "Where Turning Wheels Stop" a guide to living and eating facilities accessible, on a global scale, to wheelchair travelers. With unlimited possibilities, this pamphlet is republished frequently in expanded editions. It is available on request to anyone interested.

A brochure on chapter procedures serves to aid the establishment and maintenance of PVA chapters. Other publications being planned include an employment guide and a pictorial information brochure.

Other Organizations. PVA is interested not only in its own members but in veterans and the disabled all over the world. It is an active member of the World Veterans Federation, the International Society for Rehabilitation of the Disabled, the Congress of Organizations of the Physically Handicapped, and other groups.

A National Office. Just recently, one of our greatest needs has been realized: a permanent central office for the administration of all our programs. This has been set up in the national capital. It provides new stimulus to the activities aimed at achieving our far-reaching goals. The number of new chapters has increased and more increase is anticipated. All chapters have seen growth in their membership. This is evidence of a rebirth of PVA as a dynamic giant with the zest to meet the challenge of its responsibilities and the power to fulfill its aspirations.

We believe that the paraplegic can—in spite of his handicap—live normally as a person and a citizen. He has a multitude of problems to face. They arise every day. They are inevitable, but not insurmountable.

The Paralyzed Veterans of America is dedicated to the solution of every one of these problems.

JOHN R. BLANDFORD, CHIEF COUNSEL OF HOUSE COMMITTEE ON ARMED SERVICES, WRITES ON ROLE OF CONGRESS IN NATION'S DEFENSE

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. BRAY. Mr. Speaker, the phrase "Tell it like it is!" has now become a familiar figure of American speech, and if the person doing the telling happens to know what he is talking about, then no one can ask for anything more.

This is exactly what John R. "Russ" Blandford, chief counsel to the House Committee on Armed Services, has done in the March 1969 issue of Government Executive magazine. Few people are better equipped than Russ to describe, as the title of his article reads, how "Congress Has a Role in Providing for Common Defense." The article follows:

Congress Has a Role In Providing for Common Defense

(By John R. Blandford)

(Note.—John Russell Blandford, a native of Buffalo, N.Y., was appointed as Counsel to the Committee on Armed Services, House of Representatives, in January 1947, and served continuously in that capacity until his appointment as Chief Counsel of the Committee on December 1, 1963. He is a graduate of Hobart College, Geneva, N.Y. (1939, cum laude, B.A. degree), and Yale Law School (1946 primi honoris, LLB degree). He is a Brigadier General in the Marine Corps Reserve program, having served in World War II in the Tulagi-Guadalcanal Campaigns and the Cape Gloucester-New Britain Campaigns in the Pacific. He received the 1966 Rockefeller Public Service Award in the field of Law, Legislation, or Regulation, in recognition for his distinguished service to the Government of the U.S. and to the American people. He has been admitted to practice law in the State of New York, District of Columbia and before the U.S. Supreme Court. He is a member of Phi Beta Kappa and Tau Kappa Alpha fraternities.)

Highlights: 1. The great controversies that frequently take place between Executive and Legislative Branches of Government are solved—if they are solved—when the leaders of both branches sit down and discuss practical solutions; 2. Congress is very much aware of its powers and responsibilities but frequently has been frustrated in its efforts to obtain information upon which to base a decision; and 3. Congress has played a significant role in the development of new weapons systems.

In the Carl Vinson Room, the main committee room of the House Armed Services Committee, there appears a plaque with these words:

> "U.S. Constitution, Article 1—Sec. 8
> The Congress shall have power . . .
> To raise and support armies . . .
> Provide and maintain a navy . . .
> Make rules for the government and
> Regulation of the land and naval
> forces."

Only space limitations prevented the Committee Chairman, Mendel Rivers, from including the words, "And, to make all laws which shall be necessary and proper for carrying into execution the foregoing powers . . ."

The plaque in the Carl Vinson Room just happens to be located directly beneath the row of seats where Rivers sits when he presides over the Committee.

The plaque just also happens to be on almost eye level with any witness who appears before the Committee to testify.

The plaque is a reminder—and not even a subtle one—to members of the Executive Branch of our Government that *the Congress* has the power to raise and support Armies and provide for a Navy.

These powers, vested in the Congress by the Constitution, are in turn delegated to the respective Committees of the Congress.

The Legislative Reorganization Act of 1946 provides that all proposed legislation, messages, petition, memorials and other matters relating to the following listed subjects shall be referred to the Committee on Armed Services:

Common defense generally;

The Department of Defense generally, including the Departments of the Army, Navy and Air Force generally;

Ammunition depots; forts; arsenals; Army, Navy and Air Force reservations and establishments;

Conservation, development and use of naval petroleum and oil shale reserves;

Pay, promotion, retirement and other benefits and privileges of members of the Armed Forces;

Scientific research and development in support of the armed services;

Selective service;

Size and composition of the Army, Navy and Air Force;

Soldiers' and sailors' homes;

Strategic and critical materials necessary for the common defense.

Having established the broad constitutional responsibilities and the legal jurisdiction of the Congress and the House Armed Services Committee in exercising its power to provide for the common defense, the obvious question is how is it exercised?

The answer is neither black nor white, although some political scientists and many candidates for masters degrees have made the effort.

Most of us were taught—at an early period in our education—that "this is a nation of laws, not a nation of men." Philosophically this is a most impressive cliché, but in my opinion, it is not true.

After 22 years of experience as Counsel and Chief Counsel for the House Armed Services Committee, I am fully convinced that this is a nation of men (under complete control of women, of course) with laws as the broad lines.

The great controversies that frequently take place between the Executive and Legislative Branches of Government are solved—if they are solved—when the leaders of both branches sit down and discuss practical solutions.

Sometimes it is a "Walk in the Rose Garden" with the President; other times it's a compromise that is acceptable to both sides, even though it does not fully meet the law.

A case in point is the Act which authorized $1,605,000,000 for naval vessels but added this language, "of which amount $249,600,000 is authorized only for the construction of two nuclear-powered guided missile frigates shall be entered into as soon as practicable unless the President fully advises the Congress that their construction is not in the national interest."

This presented an interesting dilemma to the then-Secretary of Defense, who did not favor the construction of two additional nuclear-powered guided missile frigates (a previous frigate had already been authorized and funded).

The Congress, through its legislative committees, including the Joint Committee on Atomic Energy and the Appropriations Committees, had made it quite clear that it strongly favored nuclear-powered frigates.

Notwithstanding, the then-Secretary of Defense persisted in his opposition.

But a new Secretary of Defense, more responsive to the position of the Congress, recommended that *one* of the two new frigates be approved, and that work begin on five smaller nuclear-powered escorts, then called DXGNs.

The appropriate members of Congress were consulted and agreed, the legal requirement placed upon the President was strictly followed. Today the previously authorized frigate and one of the two additional frigates are under construction. And work is proceeding on the DXGNs (which now closely resemble the frigates).

Practical men obviated the challenge, and both sides appear to be content.

The Congress is very much aware of its powers and responsibilities, but frequently has been frustrated in its efforts to obtain information upon which to base a decision.

Military and civilian witnesses who have appeared before the committees in the past have been faced with a difficult choice if they did not approve the official position of the Department of Defense.

On January 11, 1965, the Deputy Secretary of Defense issued a memorandum of Defense witnesses. The memorandum stated:

"Subject: Congressional Appearances by Department of Defense Witnesses

"I have been asked by prospective witnesses to provide guidance for the benefit of personnel of the Department who, in the course of congressional hearings, are required to give their personal opinions on matters concerning which a Department of Defense position has been established by the Secretary of Defense with the approval of the President. If pressed for his personal opinion, the witness should make clear:

"1. that his personal views were expressed (if such be the fact) to appropriate authorities within the Defense Department before the departmental position was established;

"2. where his views are not in accord with the departmental decision, that, notwithstanding his personal views, he has accepted and will abide by the departmental position; and

"3. the considerations or factors which support the decision; in other words, the pros and cons on the issue involved."

This imposed an almost impossible burden on the witness. He not only had to be pressed for his personal opinion, but when asked, he had to give the pros and cons and then became an advocate for a position which he may have opposed.

How could the Committee members obtain the advice they needed and sought unless qualified witnesses were permitted to express themselves freely?

This problem has been partially solved by the enactment of a new law which requires that future appointments of Chiefs of Staff and Chiefs of Naval Operations will be for a term of four years. Until this law became effective on January 1, 1969, the Commandant of the Marine Corps was the only member of the Joint Chiefs of Staff appointed for a four-year term.

It is logical to assume that there is a considerable difference in appointing a man for four years and appointing a man for one or two years, with the hope of reappointment for another one or two years based upon his ability to vociferously support the decisions of the Secretary of Defense.

This new law providing for a four-year term for all members of the Joint Chiefs of Staff was first recommended by the House Committee on Armed Services, with the expectation that if enacted into law it would widen the scope of the testimony received from military witnesses. The Committee has every reason to believe that after the law has been fully implemented more complete testimony will be received from military witnesses than has been the case in the past.

The decision-making process in our framework of government sometimes produces rather strange results. If a member of Congress, who has been dealing with Defense problems for many years, makes a statement concerning a weapons system or military requirements, he inevitably will be blasted by certain news media. But if a man who has been running an auto plant is appointed a military secretary, any pronouncement he may make, no matter how short a time he had been in office, it is considered by that same media as the Gospel according to St. John.

To paraphrase Vice President Barkley: We know how they are appointed, but we have never been able to figure out how they became anointed.

Notwithstanding, the Congress of the United States has played a significant role in the development of new weapons systems.

We all point with pride to the nuclear submarine. Some people think the Navy invented it. Actually, the Navy was not very favorably inclined toward the nuclear submarine until the Joint Committee on Atomic Energy and other committees, as well as the Atomic Energy Commission, got in the act. It was practically forced down the Navy's throat.

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As a matter of fact, the reactors for the prototypes and for the *Nautilus* and the *Sea Wolf* were bought by the Atomic Energy Commission and provided free to the Navy.

The Committee on Armed Services fought for nuclear-powered frigates against the objection of the Department of Defense. Anybody who can read, write and add must agree that nuclear power is better than conventional power when it comes to running ships, particularly major combat vessels. But it has been a fight to get nuclear-powered ships.

The Air Force is very proud of its airlift, but they had not moved off dead center until Congressman Mendel Rivers took on our airlift—or lack of it—as a personal project and eventually obtained funds for the purchase of C–130s, and thereafter the C141s and now the C–5As.

Today the Air Force is very proud of its airlift. They believe they have accomplished a great deal, and they have, but it took the prodding of the Congress to do it.

Congress plays a much greater role in providing for the common defense of the United States than many people realize. They have the ability to make decisions and the competence to choose among alternatives. And for those who clamor the loudest for civilian control of the Armed Forces, it is well to remember there is no greater civilian control than the Congress of the United States.

SECRETARY FINCH'S STATEMENT BEFORE THE COMMITTEE ON EDUCATION AND LABOR

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, Robert Finch, the new Secretary of Health, Education, and Welfare, appeared before the Committee on Education and Labor Monday to testify on legislation pending before the committee.

Secretary Finch's testimony is a comprehensive, forthright and useful analysis by the new administration and serves as an excellent example of the commitment and concern which President Nixon and Secretary Finch have to improving the Nation's educational opportunities.

Under unanimous consent I place the full text of the statement in the RECORD at this point and I urge my colleagues to review it for a picture of trends in educational policy:

STATEMENT OF HON. ROBERT H. FINCH, SECRETARY OF HEALTH, EDUCATION, AND WELFARE

Mr. Chairman and Members of the Committee, it is a pleasure to meet with you this morning in my first appearance before this Committee. I would like to take this occasion to emphasize the high priority this Administration places on education.

We firmly support extension of the Elementary and Secondary Education Act. We also support the concept of advance funding for education programs in order to assure more orderly planning and expenditure of funds by State and local agencies.

We also support the concept of long-term authorization of proven programs to give greater stability to efforts to strengthen the educational system. However, we are now conducting a careful review of existing programs, and we expect this process to produce some more substantive recommendations for improvements in ESEA. Therefore, at this time I would proposed that the legislation be extended only through Fiscal Year 1972, with the understanding that I will return to this Committee with further recommendations at a later date.

One of our greatest concerns is to find better ways to meet the educational crisis in the cities. School people and board members across the country are frightened by what they are calling the "Youngstown phenomenon"—the complete shutdown of their schools for lack of funds. Cities like Philadelphia, Chicago, Baltimore, Los Angeles, and Detroit, to name a few, are facing severe financial crises. Some, like Baltimore, have made the most strenuous efforts to obtain additional resources, and are still finding their needs to be far beyond their capacities.

The core cities contain the highest concentration of the poor and educationally deprived, and they are experiencing mounting difficulties in finding adequate resources to support their school systems.

According to the study, "Crisis in Education":

"The average Negro student in the core city school is more likely to come from a broken home than the average white student in the school. He is more likely to come from a poor family, more likely to come from a large family, more likely to live in a crowded home, more likely to live in substandard housing, more likely to be forced to work part-time, more likely to change school districts and schools, more likely to attend a school with serious social problems, and more likely to be a dropout."

This study conducted by five Congressmen (four of them members of this Committee) found that ghetto youths attend schools with a poorer academic curriculum and learning environment, generally poorer facilities, and fewer libraries, books, and librarians than suburban schools. Their teachers are also different from those teaching in the suburbs: they are more likely to have attended a college which gives less than a regular teaching certificate, more likely to have scored lower on verbal aptitude tests, they are absent slightly more than suburban teachers, and they are required to teach more students per class.

As a result, the study concludes:

"It becomes obvious that merely offering identical educational opportunities to urban Negroes and suburban whites will not begin to serve the goal of equivalent skills upon entering the job market. The environment of the urban Negro student makes him more difficult to teach than the suburban white student. Identical education systems will leave the urban Negro behind—and they have.

"America must create an urban education system attuned to the environmental disadvantages from which urban students suffer. If the urban Negro and the suburban white are ever to enter the job market with equivalent skills the environmental advantage of the suburban student must in effect be equalized by an educational advantage of the urban student. Put in other words, urban education must be made superior to suburban education if the graduates of both are to have equivalent skills."

I wholeheartedly agree with these conclusions. The necessity for providing quality education for the disadvantaged children in our cities, as in rural areas, rises not only for the sake of poverty's children; it is imperative for the sake of all in an increasingly urbanized America.

This problem will be among the most important priorities in our search for improved ways to respond to the needs of America's schools and school children. We must devise better approaches and methods to assure that needed funds get to our central city school systems.

I would also like to emphasize at the outset that evaluation is a necessary foundation for effective implementation and judicious modification of our existing programs. At this point, evaluation is probably more important than the addition of new laws to an already extensive list of educational statutes.

Evaluation will provide the information we require to strengthen weak programs, fully support effective programs, and drop those which simply are not fulfilling the objectives intended by the Congress when the programs were originally enacted.

Evaluation in the field of education has not played its part in the management process at HEW in the past, for three reasons: (1) useful, thorough evaluation of educational programs is extremely difficult, (2) such efforts are necessarily long-range and require long lead-time in the accumulation of data, and (3) funds for evaluation have been insufficient for an effective program.

Accordingly, I recommend that a provision be added to H.R. 514 that would authorize the Secretary to use up to 1 percent of appropriated program funds, across-the-board, for program evaluation. Language that would carry out this recommendation is attached.

This approach to the funding of evaluation is, as you know so well, not a new departure. In the health field, statutory authority has been provided and used for setting aside a fraction of appropriated program funds for this purpose. I cannot stress too strongly the importance of extending this concept to the field of education.

There are a number of other important problem areas which we are now reviewing. In the meantime, I would like to suggest some changes which we would recommend in H.R. 514.

Now let me turn to the individual titles of the legislation up for renewal. My predecessor testified earlier about the scope and activities of most of these programs, and I will not take your time today with a repetition of the facts and figures, which I am appending to this testimony (Appendix A) and ask to have included in the record of these hearings. Instead, I would like to offer some of my own views on what these figures add up to in terms of the promise of these programs.

TITLE I OF ESEA

Title I of the ESEA, though representing an extremely small proportion of the annual Federal budget, is HEW's largest effort to focus funds on a single and pressing problem in American education. Since the program's inception 3 years ago, local educators have used some $3 billion under Title I in their search for more effective ways to educate the children who for decades have come out on the short end of our education process: the children of the Nation's poor.

Last month, President Nixon reaffirmed this Administration's commitment to explore all possible means to attack the human costs of poverty. We know that education must be one of the major weapons for that attack. As the President has said of the anti-poverty effort, "Precedents are weak and knowledge uncertain. These past years of increasing Federal involvement have begun to make clear how vast is the range of what we do not know, and how fragile are projections based on partial understanding. But we have learned some lessons about what works and what does not."

On the education front, it is Title I that has been teaching us those lessons; it is Title I that is making it possible for local educators to put them to work. Perhaps the most important function Title I has served has been to focus the attention of educational leadership at the local and State level on the specific disadvantages and special educational needs of poor children. It has made the public, educators, and legislators alike more aware that our school system has not done enough to ensure poor children a more equal chance in life, and that many more resources and energies are going to have to go into the effort.

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Title I has marked the first commitment of resources on a national scale to help combat the inadequacies in schooling presently offered the poorest and neediest of our children. While the current level of Title I funding does not match the tremendous need, it has at least given some 16,000 school districts across the country the chance to face the task with something more than good intentions. It has brought special educational services to millions of disadvantaged children. It has encouraged new and more relevant teaching approaches, bolstered motivation to stay in school, enhanced cultural exposure, and brought medical care and even food to children who had every reason to believe that the bounty and benefits of American life were hopelessly beyond their reach. Title I has also provided important support for the classroom teacher and the school administrator.

At the same time, I think it is important to recognize the hard limitations of Title I. Its effort to upgrade education for disadvantaged children has faced a number of serious obstacles, many of them inherent in the nature of the problem. First of all, since the special needs of disadvantaged children have been so long overlooked, we are only just beginning to come up with some firm ideas about how these children can be most effectively educated. Second, many of the approaches that have emerged are costly, requiring specially trained staff and equipment beyond the reach of present Title I resources. And third, compensatory education must bear the burden not only of compensating for inadequate schooling, but also of compensating for all the other deprivations of the child's total environment.

Administration of Title I funds has in many cases limited the impact of the program. Late appropriations have been a persistent problem for local educators. It is hardly fair for us at the national level to ask that local school systems develop well-planned, comprehensive Title I projects when we cannot even guarantee them a particular level of funds on which to plan. It is hardly appropriate for us to look to local administrators for quality education and for fresh approaches to the problems of the education of disadvantaged youngsters when they receive funds at mid-year or later; when they can hire only the teaching staff passed over at prime hiring time in the spring; when summer activities must be planned and staffed well after June. Therefore, I heartily endorse advance funding of Title I, well before the school year for which the funds are to be used.

Title I's impact has also been limited by the tendency of local administrators to try to reach as many children as possible with available Federal funds. In many school districts, this has meant the dilution of projects to the point that few children receive the full range of services they need to make clear educational progress. Certainly, we would like to see every disadvantaged child in America benefit from Title I. However, we must recognize that this goal is not presently feasible, not only in terms of the level of support, but also in terms of the state of knowledge: we do not know just what approaches are most effective, or how they can be reproduced in other school systems. Therefore, we are currently urging State and local Title I administrators to focus their money on a comprehensive range of services for those children most in need of them.

There are a number of other changes I believe would improve the administration of Title I. One would facilitate joint funding or programs by two or more agencies. This and other minor and technical amendments which I suggest be included in the bill at this time are described in Appendix B of my testimony and I hope they will speak for themselves. The attached language also supplies some omissions from the bill which I understand are inadvertent. These changes do not represent an exhaustive list of possible improvements to Title I. Many other suggestions for improvement have been made. We intend to give these extensive consideration, and we may want to recommend further improvements or new initiatives at another date.

Finally, I would like to comment on the formula of Title I, an issue that has been running through these hearings. Like all formulas attempting to deal with complex social issues, it is not perfect and will always be to some extent a product of compromise. As I understand the formula, it uses the only national poverty data available. Even though decennial census data do become rapidly obsolete in our highly mobile society, the legislation does utilize annually current AFDC data as a modifier, and under the 1967 amendments, the States are given considerable authority to change the basis for distribution where they can show that they have more realistic data. The fact that this authority is virtually unused may indicate that an alternative is not easy to come by.

I do not have any recommendation for change at this time, but I might add my voice to the many who have called for the establishment of a quinquennial census. Its urgency may be somewhat dimmed as we prepare for the 1970 Census, but if action is not taken, we will not be ready for 1975.

Because of the size of the Title I program, it will be the subject of continuing review, and we will bring before you any recommended changes in the formula which might emerge from such a review, if they offer a promise of improvement.

EXTENSION OF TITLES II, III, AND V OF ESEA

Moving now to the other titles of the Elementary and Secondary Education Act, I would like to recommend an extension of the following program:

The Title II program for School Library Resources, Textbooks, and Other Instructional Materials.

The Title III program for Supplementary Educational Centers and Services, and for innovative projects.

The Title V program for Strengthening State Educational Agencies.

Title II provides State allocations for the purchase of school library resources, textbooks, periodicals, films, video tapes, and other printed and published instructional materials. It is estimated that 44 million of the Nation's public and private school children have benefited from Title II since 1966. In addition, Title II has helped to stimulate the establishment of thousands of new public school libraries throughout the country.

Title III offers 100 percent grants to State and local education agencies for the development of innovative and exemplary elementary and secondary education projects (the PACE program: Projects to Advance Creativity in Education). Since the program's inception, over 2,800 Title III projects have been funded, serving some 10 million school children and school personnel. This fiscal year, 75 percent of the funds and about 1,000 projects are being administered by the States. The remainder of the fund, supporting approximately 200 projects, are funded directly through the Office of Education. Next year, of course, the States will be overseeing all local projects, except those continuing from prior years on special projects grants from the Commissioner.

At the national level, top priority for Title III projects has gone to strengthening education for disadvantaged children in core cities, equalizing minority group education, improving educational opportunities in isolated rural areas, and setting up model programs for early childhood education.

These PACE projects were intended to provide new innovative thrusts into the educational process, with successes to become models for general application. The purpose is critically important; after 3 years and one major administrative turn (from local to predominantly State control), I doubt that we can truly measure Title III's impact. I think the program should definitely be continued, with a special eye, however, to retaining the "model building" emphasis. Once a model has been shaped and perfected, its future funding should not constitute a drain on Title III's seed-money.

Title V authorized grants to State education agencies to help them identify needs in elementary and secondary education and exert State leadership for change. The statistical and supervisory services formerly provided under Titles X and III of the National Defense Education Act are now being funded under Title V of the Elementary and Secondary Education Act. Five percent of each State allocation is reserved for special project grants, and 10 percent goes to local education agencies for their use in strengthening local leadership and identifying local needs.

With the help of Title V, over 1,000 professionals were added to State education agencies in 1968 alone. Title V funds and the extra personnel they support have enabled States to broaden consultative and technical assistance to local education agencies. They have provided for the coordination of planning, development, and research cooperation at the State level. Funds have also bolstered State management capabilities, and increased other services to local agencies, such as school and teacher accreditation.

Overall, these programs have shown their worth, even under limited funding, and we will be looking with interest at the fully developed State role in connection with Title III of the ESEA beginning next fiscal year. This, coupled with the strengthening effects of Title V, may set the direction for future aid programs.

TITLE VI, EDUCATION OF HANDICAPPED CHILDREN

An extension is requested for Part A of Title VI, the State grant program, for Part B, the Regional Resource Centers; for Part C, Centers and Services for Deaf-Blind Centers; and for Part D, the recruitment of personnel and information on education of the handicapped.

Part A of Title VI of the Elementary and Secondary Education Act authorizes grants to States to assist them in the initiation, expansion, and improvement of programs and projects for the education of handicapped children at the preschool, elementary and secondary levels. It has made an impact both in terms of short-range and long-range objectives and programs, in many States. It has stimulated increased State and local expenditures and programs for handicapped children. At the same time, it has stimulated greater awareness of handicapped children, their needs, and methods to meet these needs on the part of the general public, administrators, both regular and special education teachers, and personnel in various nonschool agencies working with the handicapped.

Altogether, it is estimated that 182,000 handicapped children will receive benefits this school year under this program.

Parts B, C, and D of Title VI are still in the first stages of development.

Part B of Title VI authorizes the establishment of Regional Resource Centers. Four such Centers will be selected for establishment this fiscal year at a cost of $125,000 each.

These Centers will provide the backup resources to enable the teacher of handicapped children to do more effective teaching. They will handle the work of the diagnostician, curriculum development specialist, educational evaluator, and media specialist.

Part C of Title VI authorizes centers and services for deaf-blind children, 8 to 10 of which will be established this year and next year. These centers will serve the large new

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population (an estimated 1,250) of deaf-blind children struck by the German measles epidemic of 1964 and 1965 who are now 3 and 4 years old. Currently, only about 100 of approximately 550 school-age, deaf-blind children are enrolled in special classes with instruction designed for their dual handicap, and preschool programs are almost nonexistent. The new centers will be located strategically to serve a population and geographic region, rather than an area within State boundaries.

Part D of Title VI authorizes a program to establish and support special information centers and to recruit young people for the special education professions.

TITLE VII, BILINGUAL EDUCATION PROGRAM

One of our most popular new programs is the Bilingual Education Program, and we recommend that it be extended. This program is designed to meet the special educational needs of children of limited English-speaking ability in schools having a high concentration of such children from families of low income. These children, who number around 3 million of school age, are deprived of equal educational opportunity because of their limited communication skills. For example, the approximately 1½ million Spanish-speaking children of school age in the five southwestern States average 7.1 years of school as compared with 11.1 years for all school children in the region.

Altogether, the Office of Education received 312 preliminary proposals requesting over $41 million for projects to deal with this ever-increasing problem. Of these, 78 were selected for funding, this year, at a cost of $7.5 million. These projects will serve some 139,000 pupils, 64 percent of them in urban communities. The majority of projects will deal with children from Spanish-speaking backgrounds; five deal with American Indian dialect backgrounds, four deal with students from Portuguese-speaking families, and two deal with children from French-speaking backgrounds. The projects are located in 22 States, and include preschool storefront centers, the development of special curriculum materials, inservice education in bilingual methodology for bilingual staffs, and summer bilingual programs. This program holds great promise for children with language difficulties which prevent them from obtaining the full benefits of our educational system. Through bilingual instruction, they will come to speak and comprehend two languages with equal competence and with pride in their bilingual heritage.

One of the amendments I am recommending would make children in Indian schools eligible for services under this title.

TITLE VIII, DROPOUT PREVENTION PROGRAM

Section 807 of Title VIII of the Elementary and Secondary Education Amendments of 1967 (P.L. 90–247) authorizes the Dropout Prevention Program. Its primary purpose is to develop and demonstrate educational practices for the reduction and prevention of dropouts in urban and rural schools having a high concentration of children from low-income families and a high dropout rate. This program holds great promise, and we ask that it be extended.

The Office of Education received a total of 369 preliminary proposals for participation in the Dropout Prevention Program; more than $67 million was requested by these proposals. Since the total appropriation was $5 million, only 20 preliminary proposals have been selected. Local educational agencies may receive up to $20,000 each for comprehensive program planning. Formal proposals will be submitted by each agency in May 1969, and only about 10 will be made operational this year. The rest can be funded for operations in fiscal year 1970 if the increased funds requested are appropriated.

TITLE VIII, DISSEMINATION ACTIVITIES

Section 806 of the Elementary and Secondary Education Act of 1965 authorizes dissemination activities and new programs of technical assistance to rural areas. All the activities authorized in this section are now encompassed by the more comprehensive provisions for collection and dissemination of information and technical assistance in Section 303 of Title III of the Vocational Education Amendments of 1968, which authorizes the appropriation of such sums as may be necessary through fiscal year 1972. In fact, Congress specified in Section 303(e) that:

"Section 806 of the Elementary and Secondary Education Act of 1965 shall become ineffective the first fiscal year for which funds are appropriated to carry out the provisions of this Section."

The Budget for fiscal year 1970 requests funds under Section 303; therefore Section 806 does not need to be extended.

ADULT BASIC EDUCATION

We support an extension of the Adult Basic Education program. This program has been in successful operation and is meeting the established need for adult literacy and educational deficiency of a population that is increasingly aware of the importance of continuing education for every man and woman.

PUBLIC LAWS 815 AND 874 (IMPACTED AREAS)

My predecessor transmitted to the Congress draft legislation substantially modifying the entitlement formula and making other substantive changes in P.L. 874. I believe that it is important, however, at this point to note that a major study of the Federal impacted area programs is being conducted by the Battelle Institute under authority and funds granted by the last Congress. We expect this study to be completed by the end of the year and, after an evaluation of their recommendations, we may wish to return with proposals for modification of the Public Laws 874 and 815 programs.

In the meantime, and in the light of proposed budgetary levels for these programs, I would urge an amendment to § 5(c) of Public Law 874, so that, whenever appropriations are insufficient to meet all entitlements in full, the funds would be applied toward satisfying entitlements under section 3(a), involving so-called "A" children whose parents live and work on Federal property, before funds are applied to entitlements under § 3(b) with respect to "B" children whose parents do not live on, but work on Federal property. This amendment would protect the school districts receiving a large proportion of their school budget from this program. (Of the 138 districts where impacted areas grants equal 25% or more of school revenues, 130 received the vast majority of such grants under section 3(a).) Under the amendment we propose, any reduced appropriations would only affect districts which receive a relatively small proportion of their revenues from impacted grants, largely under section 3(b).

CONCLUSION

I have limited my testimony at this time mainly to the issues presented by H.R. 514 and to technical and clarifying amendments which the Department desires. There are, of course, much broader educational issues presented by the extension of the Elementary and Secondary Education Act.

We recognize, for example, that the need to simplify the administration of programs at both Federal and State levels has been a continuing concern of this Committee and of individual members on both sides of the aisle. While we are not yet prepared to make specific recommendations along these lines, one of the goals of this Administration is the consolidation and simplification of the many categorical grant programs. We would welcome any congressional initiative to consolidate some of the State grant programs without changing their character in ways that would prejudice any future recommendation of this Administration.

There are a variety of approaches that can be taken to consolidate elementary and secondary education programs. For example, one which could provide major and immediate benefit to the States would be to amend Title V to consolidate the administrative set-asides from the various titles of ESEA into one fund to be used by the States according to a plan approved by the Commissioner.

Another possible area of consolidation, which could greatly simplify and improve the efficiency and effectiveness of Federal programs, relates to those providing equipment and instructional materials. Titles which might be considered for consolidation in this area include Title II of ESEA (library resources, and textbooks and instructional materials), Title III of NDEA (equipment and instructional materials), Title V-A of NDEA (counseling and guidance services), and Section 12 of the National Foundation on the Arts and the Humanities Act (instructional equipment for arts and humanities). It may even be possible to consolidate these programs into a broader-purpose grant.

There could be a number of advantages to such program consolidation, even beyond the administrative improvements. One of these could well be to make available to nonpublic school children and teachers instructional equipment on the same basis as we make library resources and textbooks available under Title II of ESEA. Equitable participation of nonpublic schools could be provided by the removal of matching provisions and the addition of a Federal by-pass (as in Title II of ESEA).

Similarly, the Battelle Institute study, which seeks to determine the effectiveness and efficiency of Public Laws 815 and 874, may have significant bearing on the shape of Federal assistance to federally affected areas in the future. It may shed light, for example, on the question of whether children in low-rent public housing should be counted for the purpose of this legislation.

President Nixon has also advised us to welcome the clash of new ideas as a necessary price for educational progress. One way we plan to do this is through the development of experimental schools, where successful approaches and promising new ideas in education can be identified and developed.

Ever since Sputnik, the necessity to improve the relevance and the quality of American education has been apparent, but our efforts to find the most effective ways to accomplish this has proliferated and broadened. The original emphasis on the uses of science and technology has given way to the more recent recognition of the multiple educational handicaps of a third of out Nation's children. ESEA and other Federal programs have helped develop many significant approaches to cure various educational ills, but these have had two serious limitations: (1) a narrow approach to isolated segments of the curriculum or population, and (2) weak or inconclusive findings on the extent of educational impact and the reasons therefore.

No existing approaches or combination of approaches can be confidently labelled as models for educational progress in America.

We believe that this situation can be improved. We plan to establish, in partnership with State and local authorities, a network of experimental schools which will attempt to design models of comprehensive educational environments. These will incorporate the best ideas that have been developed in the past decade and focus them on the most important social and educational issues which face our schools. An important feature of these experiments will be a thorough and rigorous documentation of their educational processes, so that we can know with confidence what educational approaches will likely work, in what circumstances, to overcome the educational disabilities of our children.

I have already stressed our intention of developing educational programs which will better meet the critical problems of our

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core cities. There are other major areas which we intend to explore; for example, the need for new and expanded means of educating the handicapped.

Today I urge the Committee to extend the Elementary and Secondary Education Act through fiscal year 1972, rather than fiscal year 1975 as proposed by H.R. 514. This would accomplish the immediate and pressing goal of providing sufficient authorization to allow for advance funding of Title I. It would provide continuity to local school officials, assuring them that programs begun under the Act will not be suddenly terminated. And, such an extension would allow for an orderly phase-in of any new or revised programs which may be suggested by the results of our various studies. When I return to propose more substantive changes or additions to current programs for elementary and secondary education, I would also hope to support a longer extension of this legislation.

STEAM-ELECTRIC POWER AND THERMAL POLLUTION

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. DINGELL. Mr. Speaker, the January–February 1969 issue of the Sport Fishing Institutes' Bulletin carries an outstanding article entitled, "Steam-Electric Power and Thermal Pollution." In addition to pointing out the growing threat from thermal pollution, this article discusses some of the steps which are being taken to combat this hazard to our water and fisheries resources. So that my colleagues may be familiar with the points made in this article, with unanimous consent I place its text at this point in the RECORD:

STEAM-ELECTRIC POWER AND THERMAL POLLUTION

(NOTE.—Summary of remarks by R. H. Stroud, Executive Vice President, Sport Fishing Institute, during panel on "Industry and Environment," at the 15th Annual Invitational Conservation Conference sponsored by the National Wildlife Federation, Washington, D.C., December 12, 1968.)

The current expansion-rate of the steam-electric-station (S.E.S.) industry seems to have surprised many aquatic ecologists and conservationists by (1) the rapidity of its expansion and (2) its insatiable appetite for cooling water. The first circumstance generates controversy through competition for sites often otherwise desired for natural resource refugia or outdoor recreation. The second circumstance poses a new threat of widepread massive *thermal pollution!*

The question when a state of pollution may exist is greatly simplified when tied in with the concept of desired use. Thus, if there is no impairment of desired use by the presence or addition of any man-caused factor, there is no pollution.

Waste Cooling Water is a Pollutant. The term *thermal pollution* should be applied only to situations where thermal loading exerts some adverse effect on the use of waterways—and upon the occupying aquatic life, which supports a diversity of vital recreation. For example, hot water discharged by a sugar processing plant at Fremont, Ohio, resulted in losses of fish in the Sandusky River during January, 1967, and again in January, 1968. As a consequence the Northern Ohio Sugar Company indemnified the Ohio Department of Natural Resources in the amount of $3,241—possibly the first case of an indemnity payment for a fish-kill caused by thermal pollution. As a further consequence, a condenser-water cooling system has since been installed at the plant, in order to prevent further recurrence of fish kills.

Steam Plants Heat Huge Water Volumes. The natural runoff in the contiguous 48 United States averages about 1,200 billion gallons per day. Withdrawals of water for various uses aggregated about 22½ per cent of runoff in 1965, expected to rise to 37 per cent by 1980 and to 75 per cent by 2000. Cooling water for steam-electric power plants is much the greatest single withdrawal use of water. This use amounted in 1965 to 7 per cent of total runoff, projected to rise to more than 16 per cent by 1980 and to about 50 per cent by the year 2000—if conventional once-through cooling procedures would still be generally employed at that time. . . .

There is a strong trend toward nuclear-fuel S.E.S., with 14 nuclear plants already constructed, 75 under construction, and 11 in final planning stages. Although nuclear-fuel S.E.S. now account for only 5 per cent of thermal-electric power production, they will be generating 35 per cent by 1980.

Obviously, America stands on the threshold of a new era in the production of electric power. It is estimated that at least 25 per cent more water for cooling purposes will be required in nuclear-fuel than in fossil-fuel S.E.S. Thus, there is an obvious urgent ecological necessity to incorporate means of controlling the discharge of waste heat into the aquatic environment. There is equal urgency to start off with adequate control and not, once again, have to rely on much more costly after-the-fact abatement.

Accelerating Power Production Requires New Planning. The time is here, now, when the S.E.S. industry must accept the principle that provision for dissipation of waste heat, required to protect the aquatic ecology, is fully as much a part of the normal cost of doing business as is the cost of generators that are required to produce the electricity. It should also be recognized that the added cost of cooling S.E.S thermal effluents, even if it should amount to several million dollars per plant, is a very small fraction of overall plant capital investment—which may total $200 million, perhaps more!

Actual cost of cooling amounts to about 0.14 mill (1/7 of one mill; there being 10 mills per penny) to be added to basic production cost of about ⅓ cent per kilowatt-hour—i.e., less than 3 per cent additional. As we calculate it, this is the equivalent of adding about $1.00 annually to average household electric bills.

Several possible methods for handling the waste heat discharged with cooling waters are available, viz:

(1) Some of the more enlightened industry leaders have already publicly rejected *Once-Through Cooling*, or a continuation of the past do-nothing policy. This fact doubtless reflects its nearly universal denunciation by ecologists and conservationists. It seems clear that high discharge temperatures, often at the level of 115° F. (or more), cannot be tolerated on a massive scale either in inland waters or in many coastal situations. The fact that such temperatures could "cook" proteins, deactivate enzymes, stimulate the production of toxic materials within the bodies of fishes, and create many other vital hazards to fish life, seems at last to be gaining recognition.

(2) Use of *Evaporative Cooling Towers* generally represents a distinct improvement over the unacceptable laissez-faire practice of doing nothing. Unfortunately, the large, pinch-waisted (hyperbolic) chimney-like structures involved may (as at TVA's Paradise fossil-fuel S.E.S. in Kentucky) be as much as 320 feet in diameter and 437 feet high, possibly larger. Their construction, however, does not assure that temperature of discharge waters will be reduced entirely or even very close to that of intake waters. Normal use of *Evaporative Cooling Towers* would serve to lower the induced temperature differential between intake and outlet by at least half. With sufficient recirculation, however, a three-fourths reduction might reasonably be expected.

(3) A variant on the open-circuit cooling system incorporates the *Cooling Pond*, which cools largely by heat radiation from the surface, as well as partly by evaporation. *Cooling Ponds* may reduce evaporation rates somewhat, thereby possibly saving some water. *Cooling Ponds* are specially-constructed artificial reservoirs that may be rather large. For example, a 1,000-megawatt plant would require a 2,000-acre lake with fifty-foot maximum depth.

(4) The advanced system design of *Closed-Circuit Cooling* is evidently preferable in many situations. This approach, employing forced-air radiant heat-exchangers in somewhat the same manner as a fan-cooled automobile radiator, may well have the potential capability of eliminating thermal pollution as a byproduct of the S.E.S. industry in suitable climatic locations. It can also save substantial quantities of economically-valuable water that would otherwise be lost through consumptive evaporation.

Some combination of open-circuit evaporative cooling and closed-circuit radiant cooling may prove to be the most satisfactory methodology in many climatically-troublesome situations. Other possible solutions, only superficially researched thus far (and scarcely at all as to ecological feasibility), are largely speculative, perhaps decades removed from practical application—if ever practicable. These include a variety of suggested beneficial uses for this source of low-grade heat in aquaculture, outdoor recreation, home heating, etc. Certain other suggested means of "managing" the waste heat seem to represent little more than minor variations of the unacceptable system of once-through cooling.

PRESENT SITUATION—PROGRESS AND PROBLEMS

As matters currently stand, it would appear that the problem of *thermal pollution* is amenable to control. The legal machinery, related administrative policy, and necessary technology are all clearly available.

Among a recent listing of 47 conventional (fossil-fuel) new steam plants or plant additions of 500 megawatts or larger, only seven incorporated cooling towers, five employed cooling ponds, 21 used once-through cooling, and 14 were not reported. Among an October, 1967, listing of 32 nuclear S.E.S. of 500 megawatts or larger capacity, already completed (2) or under construction (30), only seven incorporated cooling towers, and the rest had been planned to employ once-through cooling.

Obviously, many revisions of design must be effected in the near future and will undoubtedly be made in consequence of expected public outcry. That an aroused public opinion is the key to effective resolution of these matters is evidenced by the fact that a number of utilities have announced recent revisions of former plans so as to incorporate newly-planned cooling-tower facilities.

Some Evidence of Progress. The Portland General Electric Company recently decided to employ a natural-draft cooling tower at its proposed Trojan nuclear power station, instead of using 2,000 c.f.s. of Columbia River water in once-through cooling. This may be an extremely important precedent in industrial leadership in the Pacific Northwest. In the Atlantic Northeast, the Vermont Yankee Nuclear Power Corporation has changed its original plan to pass two-thirds of the average annual flow of the Connecticut River through its proposed nuclear S.E.S. at Vernon, Vermont. It will construct cooling towers in order to avoid overheating the river.

On the Green River, Kentucky, the Tennessee Valley Authority changed previously-planned once-through cooling of its huge coal-fired Paradise Steam Plant and has already constructed the world's three largest natural-draft cooling towers to prevent thermal pollution. The Houston Power and Light Company has also recently decided to

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employ cooling towers to prevent thermal pollution of Trinity Bay, Texas, during operation there of large nuclear expansion units planned to augment its existing S.E.S. facilities.

The Georgia Power Company is to be particularly commended for its recently announced decision to employ a closed-circuit cooling tower system at its planned nuclear power plant on the Altamaha River near Baxley, Georgia. All waste heat will be dissipated into the atmosphere, *not* into the river. A new plant to be located on the Etowah River, near Cartersville, Georgia, will include similar water cooling devices—as also will new expansion units at their Hammond Plant on the Coosa River near Rome, Georgia.

Some Urgent Unresolved Problems. While it is possible to point to a gratifying measure of progress, many other proposed S.E.S. remain as unresolved threats to the aquatic ecology. Among these are the new nuclear steam-power plants that Florida Power and Light Company is constructing at Turkey Point, on Florida's southern Biscayne Bay. In the midwest, the Commonwealth Edison Company is planning a complex of seven large nuclear power plants on Lake Michigan, to be constructed by 1975. On nearby Lake Erie, the Toledo Edison Company proposes to build a large nuclear power plant on a marsh-site west of Toledo, Ohio. Similarly, the large Bell Station nuclear plant is planned by the New York State Electric and Gas Corporation for construction on Lake Cayuga, near Cornell University, a particularly serious matter.

In these and many other situations, all too many utility officials remain antagonistic to cooling their thermal effluent—in the face of a clear trend.

The need is not subject to reasonable doubt, the tools are already available, the battle lines are clearly drawn. It's up to the public, as usual, to make it abundantly clear to all concerned that it will not tolerate gradually accumulating degradation of environmental quality at the hands of the S.E.S. industry any more than it will at the hands of any other polluters.

SEX EDUCATION: TEACHING, MORALIZING, OR TERRORIZING?

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. RARICK. Mr. Speaker, the continued interest of parents of our country over the sex education revolution increases.

Life Lines, of Dallas, Tex., a patriotic voice of freedom, has devoted several issues of their publication to preparing a carefully researched article, "Why Go Slow on Sex Education" including recent reports of lawsuits and parental alarm which I place at this point in my remarks:

[From Life Lines, Dec. 6, 1968]

WHY GO SLOW ON SEX "EDUCATION"?

What is "sex education"?

What are we doing right? Wrong?

Are we teaching? Moralizing? Terrorizing?

Why the lawsuits and controversy?

What is SIECUS? What are Communists doing in it?

Should we do nothing until we know what we are doing?

Questions about sex education in 50% of America's schools have the fervor of those asked by Columbus' sailors as they sailed out of Palos, Spain, in 1492 to sail the ocean blue. Like the Spaniards, the teachers and scholars knew where they wanted to go: unlike them, sex education was launched on a sea of Red.

The trouble was partly because sex educators were confused about how and when to reach their goal. Then, Trouble Number Two arrived on the scene in the form of SIECUS, a frenetic flock of scholars and Communists—but more on that later.

Sex education found itself short on teachers long before the late wave of enthusiasm for sex education courses burst forth. Thus, the need for capable teachers on "sexuality" hit the schools very hard. The ways and means committee of academe is still foundering as to the best approach to take toward educating students responsibly on sex. As if the above shortcomings weren't enough, the nation's schools came up with a surfeit of shocking extremist concepts from peculiar sources they all too greedily accepted. The result has been controversy and lawsuits.

Many parents aren't too keen about sex education at school, even though endeavors at home may be woefully lacking. School officials say they have inherited sex teaching by default of the parents.

Two national magazines, the *Saturday Evening Post and McCall's,*[*] have done well in presenting the status of sex education in the United States today. Each report quotes the same authorities and largely comes to the same conclusion: sex education may be a good thing, but why rush it, take chances and maybe ruin a noble effort?

The two magazines say sex education "has become a fad in American education," that sex education "is here *now,*" that "spirited agitation comes before there are sufficient numbers of people prepared to teach," and that rolling in this land is a loud "sex-education bandwagon." The reason for the controversy is sex education is "new," in the sense of its wide application, and there are few standards and too many conflicting views.

That both should agree there is a mad rush for sex education is interesting. Sex courses are being tried in all parts of the country, from kindergarten through high school, and the reason may not be what the magazines seem to indicate; no sex education at home, so the parents tossed it to the schools.

The motivation, it appears, is SIECUS, and therein lies a tale that both magazines did not know or care to pass on.

SIECUS means Sex Information and Education Council of the U.S. and is touted by the *Post* as "by far the most influential organization shaping the structure of American sex education." *McCall's* says SIECUS is the "high-voltage, nonprofit, most important force in sparking sex education in schools." SIECUS jets its personnel to any institution seeking help, adds *McCall's*.

SIECUS' Family Life Education (FLE) sex courses are certainly high-voltage. Parents who have seen the subject material for six-to-ten year old students are shocked, sensing a feeling not unlike a split-second ride in an electric chair. Kindergarten through third grade classes are shown slides of animal copulation and parents under counterpane, and are asked to spell the names of human genitals and polysyllabic terms referring to sexual situations, actions, mini-perversions, aftermaths and chemical changes.

Fourth through sixth graders (ages 9, 10, 11) are treated to a simple and prurient FLE description of the sex act, before, during and after. FLE then delves deeper into terms referred to above and asks the students to write a paper on their opinion of extra-marital intercourse, and on the curious, topical non sequiturs, "My Parents Expect Too Much/Don't Expect Enough of Me." Debates are assigned on, "I have a right to do as I please" and "the meaning of the word *good,*" the latter debate to have "no real conclusion."

Such are some matters left unattended by the *Post* and *McCall's*. Also unmentioned was SIECUS' corporate or personnel connections with *Sexology* magazine, New York, which concerns itself with such high moral aids as "Alcohol Can Solve Sex Problems" and "Group Sex Orgies." It is a sex magazine exploiting sex for monetary and ideological gain, whose personnel are highly placed in SIECUS and who are pouring sexual teaching "aids" down the throats of schools and school children. The lawsuits which followed FLE's introduction to schools could hardly have been unexpected.

Who is with SIECUS? At last word, Isadore Rubin was second vice-president of Sexology and treasurer of the SIECUS board. He was identified in testimony before the House Committee on Un-American Activities (HCUA), on May 3, 1955, "as a member of the Communist Party" and refused to tell the Senate Internal Security Subcommittee in 1952 if he had "ever been a member of the Communist Party."

The tainted associations of *Sexology's* and SIECUS' personnel with other causes, both politically and sexually shady, form a story that seems possible only in fiction.

A co-founder of SIECUS, who is also a Board Consultant of *Sexology,* is reputed by files of the HCUA to have been connected with three Communist fronts which sought the outlawing of atomic warfare (a most laudable and noble goal) and the repeal of the 1950 Internal Security Act. Both aims are supported by Moscow.

Another Board Consultant of *Sexology* and Board Director of SIECUS has published a story admitting that he was sexually initiated grand-maternally—and in homosexuality, paternally (Note: forgive our fuzzy phrasing—this journal is sent to school libraries and this subject matter is perforated with pitfalls).

A highly-placed official of *Sexology* has listed two birthplaces in *Who's Who in Commerce and Industry,* has worked with an organization which invited alleged Communist folksinger Pete Seeger to entertain, and whose wife sold tickets for a Soviet-American friendship group affair attended by a Soviet editor and a Communist lawyer.

SIECUS also uses the pamphlets of a publishing house headed by a man who was identified as a Communist by Louis Budenz in testimony to the Senate Internal Security Subcommittee. At the same time, it recommends a book by ex-Bishop James Pike, plus other selections which state that adultery, perversion and premarital sex relations should be condoned. Perhaps it is not accident that such material and people are working hard to follow the Communist commandments to corrupt the young and destroy American standards of morality.

The reaction to this—described by the Post as coming from all sides, including "die-hard conservatives who oppose any liberalizing trend"—has been vociferous and dedicated. Mrs. "A", a Redwood City, Calif., woman, has spend $1,400 of her own money fighting FLE and SIECUS whose material she describes as "subversive and pornographic." Redwood City residents, shocked by SIECUS' magical and speedy intrusion into local schools, have started a recall movement against the local school board through the efforts of VOTE (Voters Organized for Trustee Election). Redwood City would have reason to be up in arms, even if FLE material were harmless; Mrs. A says FLE Teachers' Resource Guides are available at the San Mateo County Superintendent's office in Redwood City, "that is, if you have the right credentials." Mrs. A is rightfully suspicious that if FLE doesn't have anything to hide from parents, why the secrecy?

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[*] Saturday Evening Post, June 29, McCall's, January, 1968.

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The Resource Guide books for 1969 came out in November and are being shipped to 900 counties. "Every effort is being made to keep these new editions from the parents," says Mrs. A, "but we'll get them somehow."

At the same time, a county group known as Citizens for Parental Rights is working with VOTE. At a recent school board meeting, "1,500 angry parents attended," says Mrs. A. Two weeks later, a thousand similarly concerned parents descended on a local school board meeting. The parent roundups were organized by persons such as Mrs. A who went door to door to gain support for the fight against FLE.

Redwood City is not alone in the fight. Mrs. Barbara Richards, a leader against FLE and SIECUS in Santa Ana, Calif., reports that "Parents in White Bear Lake, Minn., are attempting to sue their school board because of methods and materials being used in sex courses in the elementary grades." Parents in San Luis Obispo, incensed about the slides being shown first graders, "are attempting to sue their school board." Santa Anans were treated to a SIECUS maneuver which backfired with parental indignation: The Garden Grove District hired its sex education coordinator two months before the school board passed the program.

Particularly disturbing, as well as presenting an almost insoluble moral question amid sex education's runaway momentum, is FLE's high school instruction in the use of oral and other contraceptives. Indignation grows unbearable (*McCall's* terms the following example of sex education "the outer limits of poor taste") when a parent learns his daughter has been given a list of ten instruments for aborting a fetus.

Not all sex education is bad. If the *Post* has reported accurately, then the frank classroom discussions which it says took place among girls and their instructor at Pershing Junior High in San Diego could do much to help youngsters through trying and confusing confrontations with sex problems.

But SIECUS is another matter. Its aim is lofty but highly unbelievable in the light of what it is and what it is doing.

It is the force-feeding post-toddlers sex information they can't handle and teenagers methods they would never need know if the proper education were administered.

SIECUS has tainted itself with Moscow-oriented thinking, and Moscow has not been noted for its tender mercies toward the American way of life.

The question which should be asked about sex education these days is, "What kind of sex education—subversively prurient or morally educational?"

SEX EDUCATION: THE PROS AND CONS

Dr. William McGrath, Phoenix, Ariz., psychiatrist: "Anyone who would deliberately arouse the child's curiosity or stimulate his unready mind to troubled sexual preoccupations ought to have a millstone tied around his neck and be cast into the sea.

"A letter asks: Isn't sex the source of most psychological problems? No; not in a man or woman who has been allowed to develop character before his introduction to sex. Sexual problems are almost always secondary, or symptomatic of a deeper immaturity.

"To be first and above all a man among men is what one begins to learn in the latency period (5 to adolescence). This is sacred territory. A plague on those who trespass."

Mrs. Mary Calderone, SIECUS Exec. Director: "Everything that science knows about sex and sexuality our children must have access to. . . . We must give full information."

SIECUS Study Guide: "Sex education must be thought of as being education—not moral indoctrination. Attempting to indoctrinate young people with a set of rigid rules and ready-made formulas is doomed to failure in a period of transition and conflict."

Lester Kirkendall, SIECUS: "The public would be welcome to view (SIECUS) material to be used in the classes, but I don't believe they should decide on curriculum, books, and such."

"Most people have the vague hope that (sex education) will somehow cure half of the world's ills—reduce casual sex experience, cut down on illegitimate births, eliminate venereal diseases. To be perfectly blunt about it, we have no way of knowing that sex education will solve any such problems."

Dr. James Lieberman, National Institutes of Mental Health: "Too much information about sex can be as harmful to children as not enough. Even perfectly accurate information can miss the mark and be disturbing (or be ignored or distorted) if the child is not ready intellectually or emotionally."

The Gesell Institute's book on Child Behavior: "Avoid the greatest error of all—telling too much too soon."

[From Life Lines, Jan. 15, 1969]

SIECUS FALLOUT

Our article on the SIECUS brand of sex education (Vol. 10 No. 146) has stirred much reader interest. Late word is that the Anaheim school district, where the hurry-up, reddish program first started, is in an uproar, with clouds of parents protesting at school board meetings. An observer on the scene says "Most people are betting the Board will fire Anaheim School Superintendent Paul Cook before the April school board election."

[From Life Lines, Jan. 29, 1969]

FLE and SIECUS are headed for rough going. For the uninitiated, FLE is the Family Life Education courses dreamed up by SIECUS, Sex Information Council of the United States. SIECUS is connected with *Sexology* magazine, whose prurience exceeds that of Roman orgies, and FLE is the SIECUS instrumentality that crams sex down children who aren't ready for it, along with a heaping dose of sugar-coated Communist thinking. Anyway, the program which had its inception in California is in trouble—in California. The State Board of Education has voted to examine the sex/family-life education programs. Citizens for Parental Rights, P.O. Box 593, Belmont, Calif., is a leader in the anti-FLE fight, and is organizing a write-in campaign to make sure SIECUS doesn't fool the Board's examination like it did all local school boards who tried the FLE courses.

[From Life Lines, Feb. 5, 1969]

IBM & SIECUS

Is IBM a corporate masochist which wants to be beaten? It would seem so, for this computerized gadfly is asking to be smacked with the public fly swatter. Not satisfied with being picketed for selling computers to Communist countries, it has entered the sex-in-the-schools fight. Worse yet, it has chosen SIECUS' side. SIECUS, the Sex Information and Education Council of the U.S., is America's fellow traveler which sells sex courses to American schools, the content of which tells six-year-olds all about sex in a willy-nilly manner that can only disturb the emotionally immature. Parents from California are fighting SIECUS so hard, SIECUS has beckoned something called Science Research Associates, an affiliate of IBM, to fight parental resistance to the sex courses (see Life Lines, Vol. 10, No. 146, for details). Employing the same brand of suspect rationale that led to the sale of computers to Communists, IBM Information Specialist Paul Barton says SIECUS leader Lester Kirkendall is "highly qualified." Kirkendall thinks "morality is relative," which it most certainly is not, and gets furious when someone mentions "The Ten Commandments."

[From Life Lines, Feb. 19, 1969]

RED SEX

The label, "humanist," also cropped up in sex education in the Yakima, Washington, West alley school. The film slide course for 9th graders is prima facie evidence that conservative fears of sex education in the U.S. aren't nearly as fearful as they ought to be. The film's lecturer refers to himself as a "Christian humanist" who promptly discounts the Bible and parenthood and refers to Communist society as "atheistic and yet, is giving everybody equality—and men and women are equal and all that kind of progress." What follows in the film lecture is an intimately explained grapple-by-grapple course in erotic foreplay. The intent of the course is subversively plain, though wrapped in a Christian ethic of premarital chastity: it pushes the 9th graders to the fevered edge, then tells them anything that follows is naughty naughty. We strongly suggest that the Congress should investigate sex education courses, because it is becoming clear that parental concern in local school boards is being swept aside by an attack of international origin. By the way, congratulations to The Eagle of Yakima for revealing the nature of this most shocking sex course.

[From Life Lines, Feb. 26, 1969]

MARY A-GO-GO

The sex-in-the-schools fight intensifies, as the SIECUS brand of sex-crazed sex courses comes under more fire. Mary Calderone, chief troubleshooter for SIECUS, Sex Information and Education Council of the U.S. (blood brother of erotic Sexology magazine), flew to Stanford to speak on sex in elementary schools and how everybody should use SIECUS material. She promptly refused to debate an attorney who is suing a school board because of use of SIECUS courses, saying, "I will only debate an educator." Pushers of SIECUS' Family Life Education courses (a nice way of describing SIECUS' class material which negates moral, parental and religious influences, in the grand Bolshevikian manner) were told "Get to Stanford and support Dr. Calderone!"

[From Life Lines, Mar. 12, 1969]

LAWSUITS *v.* SIECUS

Their houses may be in a mess and their children somewhat neglected, but California mothers are fighting sex education in schools a-la-SIECUS with heightened fury. Representing several local groups, more than 600 persons convened in Sacramento March 1st under the banner of "California Families United" (CFU) to map future battle plans against school boards which want to use sex course material by SIECUS (Sex Information and Education Council of the U.S.). Three anti-SIECUS lawsuits are pending against school boards, in: the Rancho Cordova area of Sacramento; San Mateo, south of San Francisco; San Luis Obispo, north of Los Angeles. Two other lawsuits will soon be filed. Typical SIECUS test question, for ninth graders, explains why parental opposition grows: "How long does a well adjusted couple make a single act of sex relations last?" CFU's address is P.O. Box 20352, Sacramento, Calif. 95820.

Americans for the Restoration of Morality in Schools (ARMS), the group in San Luis Obispo, Calif., has until March 10 to file an answer in local court after being denied an injunction against use of sex education materials in eight local schools. Says Janet Becker, leader of ARMS, P.O. Box 67: "We have to raise $3,000 to have this matter heard on its merits (full trial) and we have a crying need for an Amicus Curiae (friend of the court) because SIECUS, now teamed with IBM and publishers Harcourt, Brace & World, Inc., will surely be there with an Amicus Curiae. This whole thing is astounding,

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school boards over the state won't listen to or answer those of us who are fighting SIECUS. They act as if they've turned deaf and dumb."

CONGRESSMAN EDWARD I. KOCH REPORTS FROM WASHINGTON

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. KOCH. Mr. Speaker, in a few days I will be sending my constituents Volume 1, No. 1 of my newsletter. The newsletter is entitled "Congressman EDWARD I. KOCH Reports From Washington," and will go to every residential postal patron in New York's 17th Congressional District. I am now submitting its text for insertion in the CONGRESSIONAL RECORD for the reading of my colleagues.

During the first two and a half months of this session of Congress, I have been most concerned with the continued struggle in Vietnam, draft reform, and our cities' need for more and better mass transit facilities. And so, I have devoted the greatest portion of my newsletter to these topics.

I also have included a short questionnaire in the newsletter, allowing space for personal comments. I hope that my constituents will find this to be a convenient means for apprising me of their thoughts on some of the issues before us today.

I might note that the report also contains two photographs, one entitled "At the 86th Street Lexington Avenue subway again—keeping informed," and the other, "Some of my advisors."

The text of my newsletter follows:

NEWSLETTER

DEAR CONSTITUENT AND FELLOW NEW YORKER: This is my first newsletter to you. I plan on sending four a year. My purpose is to make you aware of what is taking place here in Washington as it affects our lives in New York City. Wherever possible in each newsletter I intend to focus on one or two major issues so as to give you as much background information as possible.

Every Congress believes that it is representing the public at a particularly important moment, and the 91st Congress is no different. The Age of Pericles is often referred to as one of the high points of our civilization, when men devoted their time to the expansion of culture. In our time we are faced, as they were, with the problems of morality and the decay of the cities. But today these problems are even graver because they affect the lives of *all* our citizens, whereas in that earlier age, "culture" and "civilization" were for a special class. Therefore, our opportunities are so much the greater.

I hope that conversation and correspondence between us will be a two-way street and that you will call and write to me from time to time giving me the benefit of your point of view and bringing to my attention those ideas which you believe I could use and which in some way would advance the goals we share.

The last page of the newsletter consists of a questionnaire. I do hope you will take the time to respond and add your personal comments.

And now to turn to the two major subjects which will be covered in this newsletter and some other activities relating to my first two and one half months in Congress.

VIETNAM

In the course of the campaign which I waged to become your Congressman, I made it clear that I consider the war in Vietnam as the major and overriding issue. Now that I am here, I intend to continue the fight to terminate that war in which our continuing involvement is unconscionable. The Pentagon has recently reported that since March 31, 1968, the date that President Johnson began to limit the bombing of North Vietnam, 11,591 Americans have been killed in combat and 75,794 have been wounded.

I was told at a recent off-the-record conference that our government neither has proposed nor intends to propose a permanent cease-fire. It is more apparent each day that the Nixon Administration and the Vietnamese combatants intend to use the period before a peace agreement is signed to accumulate as much real estate as possible without regard to the 200 American lives being lost each week and the comparable Vietnamese casualties. This is unconscionable.

I believe that our first objective at the Paris talks should be an immediate cease-fire, pending the final outcome of current negotiations. Such an offer should be made now and I have so publicly stated.

President Nixon, in his Inaugural Address, made it very clear that his goal was to bring this country together. He recognizes that the Vietnam War has caused this nation to divide in a way not seen since our own Civil War. One of the great tragedies of this war is that so many of our young men, estimated at between five and thirty thousand, have exiled themselves to Canada and Sweden to avoid service in a war which they believe is immoral. Under our existing selective service law, as presently interpreted by the Selective Service Administration, only those who are opposed to all wars are entitled to be designated as conscientious objectors and permitted alternative service to military service. My own examination of the law and of some decisions of several federal courts indicates that the law as it presently exists could be interpreted to include the selective conscientious objector: one who, because of deep moral, religious, and ethical considerations opposes a particular conflict, in this case the Vietnam War. On February 9, I wrote to President Nixon and urged that he issue a directive that such an interpretation be applied, and that it be applied retroactively so as to permit those who have exiled themselves or are in jail to come home and apply for such status which, if granted, would require that they serve in alternative forms of service for a two year period just as those who have received conscientious objector status now do.

The President's staff acknowledged the letter on February 26th and advised that the suggestion would be given consideration. On February 27th I introduced a bill in the House to amend the Selective Service Act of 1967 so as to remove any statutory ambiguities and make clear that conscientious opposition to participation in a particular war is sanctioned. I also believe that we should think in terms of amnesty to be offered after the war is terminated. Senator Edward Kennedy has made a proposal for a commission to study the question. My proposal for the selective conscientious objector is not radical in substance and has been endorsed by the National Council of Catholic Bishops, the World Council of Churches and the Governing Council of the American Jewish Congress.

If you agree with my proposals, may I suggest that you write to President Nixon and urge these courses of action upon him.

MASS TRANSIT

Those of us who live in the major cities of this country know the importance of mass transit. We know how the cities have suffered as a result of the attempts to alleviate our traffic congestion by building more highways in the city.

In early December, before the new administration took over, I appeared before the Federal Highway Administration to testify on proposed regulations which were offered by the Highway Administrator and which were intended to provide an opportunity for the public to come in and testify whenever a highway route was to be designed in any city and further provided testimony would be taken at the hearings on mass transit alternatives to such highways. Because of the tremendous pressures of the highway lobby, the regulations for all practical purposes were killed.

In 1956, the highway lobby was able to establish a highway trust fund which by 1974 will have spent $60 billion on highways. In 1969 alone the federal government will spend nearly $5 billion on highways; and in the same year, for all of the mass transit needs in this country, the federal government will provide only $175 million.

This is intolerable. One of my first bills in Congress provides for the establishment of a mass transit trust fund for use in building mass transit facilities in the major cities of this country. My bill would do the following: it would fund the trust by continuing the existing 7% federal automobile excise tax and requiring that all of the monies raised by that tax go into the mass transit trust fund; it would require that the federal government, as it now does for highways, pay 90% of any project with the state paying 10%; and it would provide for an expenditure of $10 billion over the next four years on mass transit facilities—a modest amount when you note that the cost of a Second Avenue subway exceeds $1 billion.

It will be a very hard fight and only if the urban legislators work together do we have a prayer of succeeding: However, what gives me hope is the fact that Chairman Wright Patman of the House Banking and Currency Committee and Senator Harrison A. Williams of the Senate Banking and Currency Committee have introduced similar legislation, although much more limited in scope than my bill in terms of federal financing; it is their committees which have jurisdiction over the subject.

I am now attempting to obtain the interest of the urban Congressmen and city and state legislators in joining together in an organization supporting mass transportation which will do for the cities what the highway lobby has done for rural and suburban constituents.

In the coming months I will sponsor conferences in New York City and Washington, D.C., to give direction to this organization and to focus attention on the current need for more and better mass transit. The conferences will deal with realistic proposals and not Rube Goldberg gimmicks or 21st century pipedreams.

We cannot sit by and permit the highway lobby to turn the Borough of Manhattan into an open air garage. We need subways—not highways and we need them now.

OTHER CONGRESSIONAL ACTION WHICH I HAVE INITIATED IN THE LAST 60 DAYS

Introduction of a Federal Privacy Act to require federal agencies maintaining personal records on any individual to notify such person of the existence of the records and permit him to examine and supplement the file.

Introduction of a bill to provide a minimum income tax for those wealthy individuals who have avoided paying any income tax.

Introduction of a bill to provide tax relief for apartment house tenants by giving them deductions comparable to those given cooperative apartment and home owners.

Introduction of a bill to require the federal government to provide financial relocation assistance wherever it demolishes residential and business properties.

Organization of a group of Congressmen to join in supporting the FCC's proposal to ban cigarette advertising on radio and television.

Proposal to provide more building sites by leasing air space over federal buildings at $1 a year for the construction of low and middle income housing.

EXCERPTS FROM CONGRESSIONAL CORRESPONDENCE WHICH MAY BE OF INTEREST

A letter dated November 20, 1968 received by my predecessor from a soldier in training reported the following:

"Having accepted the reality of serving in the Army, I am presently half-way through my two month period of basic training. Basic is much better than I feared it would be—but with one exception: I honestly feel that I am not adequately fed. I spoke to (my first Sergeant) over two weeks ago with no results. I think it appropriate to write my Congressman."

My predecessor wrote to the Army. The Army replied January 15, 1969:

"Reference is made to your inquiry concerning Private ——— who claims he is not receiving an adequate amount of food in his unit mess hall . . . the welfare of the soldiers assigned to this station is of the utmost importance to me . . . Private ——— was interviewed in connection with his complaint . . . he has gained weight since entering the Army . . . Your interest in this soldier is appreciated."

——— ———.
Brig. General, USA.

Response of Soldier, February 20:

"I am dissatisfied with the Army's response . . . the ten pounds I gained only brought me up to my usual weight. I was only able to maintain my usual weight by buying extra food . . . I generally ate between 3 and 5 candy bars a day plus a couple of cokes and ice creams. I was known as the "Candy Man" . . . Having gotten married last January, I have begun taking separate rations and eating at home. My wife feeds me well."

From me to Private, February 25:

"The most comforting aspect is that your wife is now responsible for your rations. Would that we could say that for everyone in the Army. May I suggest for health's sake that you have your metabolism checked. Bon appetit!"

Being a Congressman is a full time job and then some. I therefore have withdrawn from the private practice of law. My staff and I are ready to serve your needs in any matter in which we can be of help. My Manhattan office is located at 26 Federal Plaza (Foley Square), phone number: 264–1066. And I will be opening shortly a storefront office at 79th St. and Second Ave. It will be open during evening hours to better serve you. And remember, you can always write to me in Washington.

QUESTIONNAIRE

Please circle choices, cut along dotted lines, and return to: *Rep. Edward I. Koch, 1223 Longworth HOB, Washington, D.C. 20515.* The answers received will be tabulated and recorded in the next newsletter.

1. Cease-fire: Do you agree with my proposal for an immediate cease-fire in Vietnam? Yes—— No——.

2. Selective conscientious objector: (a) Do you agree with my proposal to grant selective conscientious objector status to those opposed to a particular war and who have refused to serve to date? Yes—— No——.

(b) If you disagree, would you grant such status to those objectors who face military service in the future? Yes—— No——.

3. Amnesty: Do you favor amnesty after the Vietnam War for all who have refused to serve? Yes—— No——.

4. Mass transit. (a) Do you support my proposal for a Mass Transportation Trust Fund? Yes—— No——.

(b) Do you believe that it should be funded by continuing the existing 7% automobile excise tax? Yes—— No——.

5. Smoking: Do you support my position in favor of the FCC's proposed ruling banning all cigarette advertising on radio and television? Yes—— No——.

6. Do you agree with the General or the Candy Man? General—— Candy Man——.

Personal comments

Dear Congressman: ------------------------

CONGRESSMAN EILBERG INTRODUCES A BILL TO IMPROVE THE CIVIL SERVICE RETIREMENT SYSTEM

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. EILBERG. Mr. Speaker, today I have introduced a bill which, when enacted, will not only insure the solvency of the civil service retirement system, but will also make long-overdue improvements in the whole system and make it a more modern system capable of meeting the present and future needs of our retired civil servants.

Maintenance of the Federal civil service retirement system is one of the most important responsibilities of Congress. It is an essential part of the modern employment system which we have tried to help develop to attract and keep employees of the highest caliber to conduct the complex business of Government. Enactment of the bill I have introduced today will contribute greatly to the financial security of many past civil servants and their families as well as to future retirees. It will be a landmark in our efforts to maintain the system and remove any doubt as to the retirement fund's ability to meet its commitment to our Federal civil servants.

The results of a comprehensive study conducted by the Post Office and Civil Service Committee's Subcommittee on Retirement, Insurance, and Health Benefits testifies to the need for this bill. Federal employees have always contributed the full amount to the retirement system but, while the Government has contributed substantially, it has failed to appropriate regularly and systematically sufficient amounts to meet the ultimate cost not covered by employee contribution.

At the end of the 1968 fiscal year, the unfunded liability of the system had approached $55 billion. Under present funding practices, this unfunded liability will continue to grow by more than $2 billion a year. When the latest salary statute is implemented and Federal employee salaries at last reach a point where they are comparable with those paid in private industry, this coupled with the cost-of-living increases to annuitants which must be made is expected to increase the deficiency in the fund to over $60 billion by fiscal year 1970. It is also estimated that the assets of the fund—currently at about $19 billion—will increase to $22 billion in the next several years while the deficiency in the fund will approach $70 billion. The need for changes in the funding of the system is evident. The bill, which I have introduced today, will bring about reforms in the system before a situation arises where the necessary money is not available to pay the annuities of Government retirees and their survivors in full and on time.

My bill also provides for certain changes in the benefit structure of the retirement program. It will increase the retirement fund deduction for employees to 7 percent and increase the Government's contribution to the same level. At the same time the bill will authorize the Civil Service Commission to increase the employer-employee contribution rate as increases are needed to cover the cost of increased benefits. While I do not believe that responsibility for the system should be taken from the Congress, I believe that the Commission needs the authority contained in my bill because situations have occurred too frequently when increases in benefits have been authorized and no provision has been made for funds to pay for them. This bill will remedy this defect in the system, but at the same time will assure that Congress will maintain a final veto over the actions of the Commission in this area. It provides that we can veto or change the action of the Commission in this area within a period of 90 days after the Commission announces changes in the contribution rate.

My bill will make other long-overdue changes in the system. It provides that compensation given in addition to base pay of a civilian position should be included as part of an employees' base pay. It contemplates inclusion of all remuneration for personal services—overtime differentials, premium pay, and so forth for the purpose of deductions, agency contribution, and the computing of the average salary.

Also, my bill provides for a change in the retirement annuity computation formula by making the high 3 years of service the factor to be used in computing the employees retirement annuity rather than the current high-5-year factor. The high-5-year factor tended to keep people working beyond the time they otherwise would and should retire. This tendency has been strengthened with general pay increases which have been enacted in recent years. Up to a point the escalating effect of the high-5-year factor was advantageous to the employing agency, encouraging employees to serve out their full productive years in the Government service. But, with respect to those who have completed their most productive years of service, the formula operates to oppose the best interests of management. It provides an incentive for employees to postpone retirement indefinitely, irrespective of their performance level.

This bill will also make a long overdue improvement in the procedure for awarding retirees cost-of-living increases in their annuities when the Consumer Price Index goes up. In the 89th Congress substantial improvements were made in the retirement system to make annuity increases more timely. Still more must be done because it is common to have a 5-month timelag between the initial month that the Consumer Price Index rises by 3 percent over the previous base month and the month in which the cost-of-living increase is reflected in annuity checks. To correct this situation, my bill provides for an additional 1-percent increase in the cost-of-living increase to cover this timelag. We cannot continue to have a situation where, by the time retirees receive an increase in their annuities, they are already behind again due to another increase in the index.

In addition to a provision which authorizes payment of retirement annuities to either civil servants or their survivors who have remarried after July 18, 1966, my bill provides limited recognition to those employees who have prudently utilized the sick leave privilege. This bill will provide that an employee's years of service would be increased by the amount of his accrued sick leave. An employee who has met the age and service requirements for immediate retirement, such as one who is 55 years old and has served 30 years, for example, will have his service increased by 1 calendar month for each 22 days of unused sick leave; or a retired or deceased employee who has accrued sufficient leave to be carried in a paid leave status for 1 year will be given retirement credit of 1 year. While this provision of the bill does not provide the immediate cash payoff that many have advocated in the past for unused sick leave, it will mean that an employee can expect to receive in additional annuities about 25 percent of the dollar value of his accrued leave.

Mr. Speaker, the need for this bill is evident. The House passed this bill last year after extensive hearings. However, failure by the Senate to act has necessitated that the process be repeated this year. I am confident that the Post Office and Civil Service Committee will act on this bill promptly so that our Federal retirees will be assured that they will have a retirement annuity when they retire and that their annuities will allow them to at least keep pace with continual increases in the Consumer Price Index.

UNSOLICITED CREDIT CARDS

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. BINGHAM. Mr. Speaker, last month I introduced legislation designed to protect consumers from the flood of unsolicited bank credit cards now being unleashed on the market. It was and is my opinion that the practice of issuing unsolicited credit cards constitutes not only a nuisance to consumers, but also a possible threat to household and national economies. The legislation I have introduced would give the Federal Reserve Board a mandate to regulate the issuance and terms of these cards with the interests of consumers in mind.

When I submitted this legislation, I told the House of my own unhappy experience with one of these unsolicited credit cards. Judging from my mail, many other citizens across the country have had similar experiences and share my irritation and concern over this practice.

Under unanimous consent I submit some related correspondence for inclusion in the CONGRESSIONAL RECORD, as follows:

FEBRUARY 24,1969.

Hon. JONATHAN BINGHAM,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN BINGHAM: Enclosed materials speak for themselves. Originally I planned to return the entire envelope to Atlantic Richfield, including the credit cards.

"One of our Atlantic Richfield employees—an acquaintance of yours—requested the enclosed Credit Cards be sent to you.

"You will enjoy Guaranteed Red Ball Service and many other advantages—listed in the enclosed brochure—these modern, versatile cards offer.

"We are looking forward to serving you as a Credit Card customer.

"ATLANTIC RICHFIELD CO."

My friends do not have to hide—give the name!

The letter was received Feb. 15, hence I had to wait until Monday, Feb. 17, to call State Attorney General Lefkowitz's office to learn more about this kind of unsolicited, unregistered mailing of personal liability credit cards. I was told by one of A. H. Lefkowitz's assistants to destroy the credits by all means at once. Since I do not own an automobile, & people who know me know this well, the—"an acquaintance of yours"—is a gratuitous deception & legalistic ploy. All of this leads me to wonder how this approach to business can be condoned & considered legal (State Att. office is helpless—the dismayed one at that, because they lost a court test on precisely this kind of problem) & how long will it take Congress as a whole to introduce remedial measures to curb this kind of one-sided liability imposition? This is a truly unbelievable situation & steps should be taken at once to secure the safety of the individual's sovereignty over his purse. This hardly comes under the heading of consumer protection, but fits the heading: "Raiding the Unwary's Assets." How can one be sure that such cards will not be used against one's accounts without ever having seen the card personally?

With best regards,
Respectfully yours,
ROLF STERNBERG.

SALISBURY, N.C.,
March 5, 1969.

Hon. JONATHAN BINGHAM,
House of Representatives,
Washington, D.C.

DEAR MR. BINGHAM: Mrs. Walsh and I heartily support your stand against the issuance of credit cards except upon request.

We thank you for your courage and thoughtfulness.

Cordially yours,
DOUGLAS WALSH.

NEW ORLEANS, LA.,
March 6, 1969.

Hon. JONATHAN BINGHAM,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN BINGHAM: I enjoyed your report on BankAmericard. The same thing happened to me though mine was a bill from Brennan's Restaurant.

I hope that you and Senator Proxmire really press this legislation.

Sincerely,
BRUCE K. BROWN.

MANHATTAN, N.Y.,
March 5, 1969.

Hon. JONATHAN BINGHAM,
Congressman, 23d New York,
Washington.

DEAR CONGRESSMAN BINGHAM: The item on Wall Street Journal Editorial Page today under Notable and Quotable has been read with interest.

I cannot imagine any circumstance wherein I'd use a credit card. However, over the years I've received many unsolicited cards, more than one from the same institution, company, or however it may be classified. On receipt I destroy them.

I go along with your idea that credit cards should only be issued when requested by the intended user. But, I'd go even further in restricting them, to the extent that a credit card should not be issued to anyone with a proved income of say $20,000 yearly.

With all the current credit cards outstanding, just what might happen in the event we have a "depression," "recession," or just plain old time "hard times." I've heard of individuals whose outstanding credit card obligations amount to much more than their yearly income. I know of no way another depression, recession or hard times can surely be avoided, and, probably the persons with the largest outstanding credit card obligations would be the first to be released by their employers, should such a condtiion develop.

Much success, and my best wishes.
Sincerely,
H. SMITH.

JANEWAY PUBLISHING &
RESEARCH CORP.,
New York, N.Y., March 6, 1969.

Hon. JONATHAN BINGHAM,
Congress of the United States, House of Representatives, Washington, D.C.

DEAR JONATHAN: Bully for you on the exasperated outburst which won you honorable mention in yesterday's Wall Street Journal. Wanted to be sure that you had seen it.

Great minds hone in on the same target at the same time as per the latest issue of our Service, which I am delighted to enclose with the fervent hope that you will put it in the Record and use it as a basis for the investigation you intend to make. The passage I have marked relating to the fraudulent practices invited by these excesses on the part of the banking establishment offers a particularly inviting target for investigation.

Sincerely yours,
ELIOT JANEWAY.

[From the Janeway Service, Mar. 5, 1969]

"*Consumer Credit* is the most profitable single source of business the banks have. Even at the height of the 1966 credit crunch, when Reserve city banks were worrying about their ability to meet their own payrolls, they were nevertheless continuing to rain out cash on expensive advertising to compete for new consumer credit loans. But at that time, retail credit was at least measurable as it went on the books; for the form it took was limited to the signing of notes and the writing of checks. It no longer is. And at least as fast as the Washington authorities are using their power to deliquefy the banks, the banks are getting out from under by the simple device of mailing out more credit cards, each armed with a de facto overdraft with a limit (generally at the moment $5,000). At the rate at which bank credit card money is being punched out and written into the stream, the bank issuers will be months finding out how much they have created and how much new loan demand on the growing army of retail card carriers is forcing the country's commercial system to incur.

"The success of bank merchandising in popularizing the use of instant bank credit card money serves a multiplicity of purposes. For

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one thing, the banks are able to build up the one reliable source of limitless business available to them which they can handle at a profitable spread over the uneconomic cost to them of the money they are borrowing. For another, the retailers of goods and services are relieved of the familiar fear of credit risk and the new fear of credit fraud. (The new headaches the banks are making for themselves in the department of fraud control by the mass circulation of bank credit money is another story; and this scenario is being activated on the law and order front rather than in the economy.) In addition, the proliferation of instant bank credit card money is reinforcing the conspicuously casual attitude of the public toward savings and intensifying its willingness to commit future income to pay off new debt."

AUSTIN, TEX., *March 5, 1969.*

Hon. JONATHAN BINGHAM,
House of Representatives,
Washington, D.C.

DEAR SIR: I noted with interest an excerpt from the *Congressional Record,* as reprinted in the March 5 edition of *The Wall Street Journal,* concerning your support of legislation to limit unsolicited credit card issuance. I wholeheartedly agree with your efforts and the efforts of Senator Proxmire concerning this legislation and would offer this comment.

The consumer credit situation as it exists today can have a crippling effect on an individual when misused, no matter what income classification he may fall into. A computer's mistake may ruin a man's community standing, his protests having no effect, and make large purchases almost impossible for him because of his damaged credit rating. I would advocate even more stringent and far reaching measures than those as yet proposed to insure every American freedom from such unwarranted harassment and to limit the scope and power of consumer credit bureaus.

Even though not a constituent, I will remain an admirer of any legislation of this nature that you may be able to promote.

Very truly yours,
MRS. ALBERT A. KENNEDY, JR.

WHITMAN, MASS.,
February 24, 1969.

Hon. JONATHAN BINGHAM,
Washington, D.C.

DEAR SIR: Recently I read a newspaper item in which it stated you had received an unsolicited credit card from State St. Bank & Trust Co., Boston, Mass.

Not knowing the proper committee to write to I would like to bring to your attention that I also received the same from the State St. Bank and Trust Co.

This to me is an invasion of privacy of myself and family as I did not request them to check on my credit standing and I would appreciate it if you would bring this to the attention of the proper people for an immediate investigation.

Several of my friends and fellow employees have also received these unsolicited credit cards from this same institution.

Am bringing this to the attention of our State Banking Commissioner as well.

Thanking you for anything that you might do on this matter, I am

Respectfully yours,
CLAUDE M. FROST.

CAMBRIDGE, MASS.,
February 24, 1969.

Representative JONATHAN BINGHAM,
House Office Building,
Washington, D.C.

DEAR MR. BINGHAM: More power to you! I have returned two unsolicited Bankamericards to the State Street Bank & Trust Company (in fragments) and have canceled a charge account with S. S. Pierce that I had had for thirty-seven years.

Sincerely yours,
MRS. A. N. BARRETT.

DEAR SIR: In regard to the article in the Boston Globe I would like to say that Mr. Max Davis had the similar experience with the State St. Bank and Trust Co., he read a statement from a Dr. Chefetz who he never had any business with him rec'd a double bill for the same acct. amt twice $50.00 and $16.00 interest. I feel that this is not a fair way of doing business or obtaining money under false pretenses. I would like you to investigate this matter.

Yours truly,
MAX DAVIS.

ARLINGTON, MASS.,
February 21, 1969.

Hon. JONATHAN BINGHAM,
House of Representatives,
Washington, D.C.

SIR: I read of your troubles with the State Street Bank with deep sympathy. This callous disregard for its customers seems increasingly to be a characteristic of large corporations. In part it is due to inadequate planning and preparation for automation.

As a computer programmer by trade, I can confidently assert that such troubles are not a necessary consequence of automation. The major problem is that oversights in system design which lead to experiences such as yours do not cost the State Street Bank anything. If the State Street Bank were liable for substantial damages as a consequence of erroneous billing, you can be sure there would be elaborate safeguards.

The solution to the problem, as I see it, is legislation that enables an individual to collect substantial punitive damages from a business that wrongfully presses for payment for goods or services that it did not in fact render, or that were not in fact ordered by the individual.

Furthermore, of course, if it could be made into law that the free and unsolicited issuance of a credit card amounts to a free gift of all the goods and services that can be purchased with it, such troubles as yours would never get started, since there would no longer be such a thing as an unsolicited credit card.

Very truly yours,
JEROME T. HOLLAND.

NEW YORK, N.Y.,
February 22, 1968.

DEAR SIR: I would like to register my support of your bill against unsolicited credit cards. I have received such credit cards from certain banks and I would like their practice of sending such unwanted cards to stop.

Thank you,
Miss L. GREENE.

RADCLIFFE COLLEGE,
Cambridge, Mass., February 28, 1969.

Hon. JONATHAN BINGHAM,
House of Representatives Office Building,
Washington, D.C.

DEAR MR. BINGHAM: I am enchanted with your campaign against the State Street Bank and Trust Company. Do you need any more ammunition?

Something over a year ago an unsolicited Bankamericard arrived at my house addressed to Bernard DeVoto. Since my husband died in November 1955 (a fact widely noted in the press) you can imagine my feelings—sheer fury was predominant. I wrote a lot of nasty letters in my head but never got round to sending one.

Four months later another credit card arrived for the late Bernard DeVoto. I know better than to write to computers. I always write to the president of the company. So I wrote a corker to Mr. Frederick Hagemann. I am told by those who know him that he is a blameless Harvard man and that I would like him very much.

I wish I'd kept a copy of that letter, because it worked, and I never got another mailing. I said it was a hell of a way to run a bank. I asked what earthly good was a mailing list which included a man long dead. I said I regarded credit cards as illegal and immoral, that I hoped the Mafia would take over the credit card business and that the State Street Bank and Trust would lose their shirts. I asked him to see to it personally that my husband's name was removed from that list and I suggested that an apology to me might not be amiss. I never got an apology, but DeVoto is off that list.

If you beat on the president of a company you really get somewhere. I won an absolutely abject apology from the credit department of Filenes (which said I didn't exist though I'd had a charge account there for 30 years) over a six dollar charge, by writing direct to Maurice Lazarus who is president of that great consortium of Filene Bloomingdales Abraham Strauss and the lot.

I shall be watching your campaign with fascination.

Most gratefully yours,
MRS. BERNARD DEVOTO,
Assistant to Dean Williston.

THE URBAN CRISIS AND SUBURBAN INVOLVEMENT—ANALYSIS BY BRONX TEACHER

HON. JACOB H. GILBERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. GILBERT. Mr. Speaker, with permission I wish to insert in the CONGRESSIONAL RECORD an analysis of our urban problems, prepared by Mr. Terrence K. Quinn, an alert and concerned young teacher at the John Dwyer Junior High School in my congressional district. I call it to the attention of my colleagues in the House, who will, I believe, agree that it is both perceptive and thought provoking. I would not be so concerned about the future of our schools—and of our children—if teachers with the dedication and countenance of Mr. Quinn were in more of our classrooms.

The analysis follows:

THE URBAN CRISIS AND SUBURBAN INVOLVEMENT

The astounding changeover in the United States from an essentially rural type of society to an urban society was not made in a day—or even in a century. In 1790, nearly two centuries after Jamestown, the first permanent English settlement in America was founded, cities were still few and far between in America. The census of that year was the first to be taken after the 13 colonies wrenched their independence from Britain. It showed that 95% of the people lived in the countryside—mostly as farmers or frontiersmen. Only two cities of the infant nation—Philadelphia with 42,444 people and New York with 33,131—had population over 25,000 people!!

To Americans of that time, the slow development of the cities indicated anything but a lack of progress. Men such as Thomas Jefferson believed that America would be better off if it remained a nation of independent farmers and merchants living in rural areas and small communities. Big cities, Jefferson warned in his anti-urban *Notes on Virginia*, would bring crime, disease, and other social evils in their wake.

Alexander Hamilton, Jefferson's political

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rival, saw the situation in another light. Looking ahead to the coming era of big industry and improved transportation, he foresaw an America whose might and prosperity would be centered in its great cities. Progress, he believed, would go hand in hand with the growth of an urban nation.

As it turned out, of course, Hamilton's vision of the future was nearer the mark than Jefferson's. As the Industrial Revolution gained momentum, more and more Americans poured into the cities. Today—in contrast to 1790—about 70% of our population lives on only 1% of the land. By the year 2000, it is estimated that nine out of every ten Americans will be residents of urban areas and the outlying communities of these areas.

Jefferson, however, was not altogether wrong by any means. Though his dream of a predominantly rural America has not come to pass, his prediction of the great problems that cities would bring with them has proved all too true.

Indeed, from Thomas Jefferson to George C. Wallace, our nation's most distinguished artists, political figures, and social critics have proclaimed open hostility toward the city. Unlike the Englishman's London or the Frenchman's Paris, they have found nothing to love in the sprawling American metropolis. Our cities have been the traditional object of prejudice, fear, and distrust. Thomas Jefferson once commented on the city with the following indictment: "I view great cities as pestilential to the morals, the health and the liberties of man." Today George Wallace, who recently offered himself as a candidate for the Presidency of the United States ran on a platform that would, among other things, relocate all those "social undesirables" who live in the city and are responsible for the deterioration of the American city.

Throughout American history the urban dweller has been the object of much scorn. This scorn expressed itself at the New York Constitutional Convention of 1894 when one delegate argued against New York City: "I say without fear of contradiction that the average citizen in the rural district is superior in intelligence, superior in morality, superior in self-government, to the average citizen in the great cities. I tell you gentlemen, you who represent the great city that when that time comes when your streets are filled with those who are parading your streets and destroying your property and killing your citizens, then you will come for help. And to whom? You will then turn your eyes to the green fields of Oneida and Herkimer. You will call to us, we who have no Emma Goldbergs and no Herr Mosts . . ." (*Revised Record of the New York State Constitutional Convention*, 1894, pp. 10–11).

America's greatness seemed derived from the soil, the forests, the open country, and not from the commercial and political cesspools of the cities. It is no accident that Davy Crockett became a folk hero rather than Boss Tweed; had not Jefferson himself maintained the superiority of an agrarian life? A social critic from Europe, Alexis de Tocqueville had seen the growth of cities as a danger to democracy because of the volatile elements they contained. For many an American intellectual the city was a dirty and evil place. Only from the open air and the rich soil of the new world might the distinctive, creative American spirit flourish. James Fenimore Cooper's popular *Leather Stocking Tales* gave romatic sustenance to the agrarian myth. The city and virtue seemed incompatible. In more modern times, Stephen Crane, author of *The Red Badge of Courage*, likened the city unto a jungle. The poet T. S. Eliot regarded the city as a wasteland. Even the world famous industrialist Henry Ford said, "We shall solve the city problem by leaving the city."

This then is what we must cope with if we are to effectively understand and solve some of the urban problems. Within a few years, four-fifths of all Americans will live in cities. The cities are the centers of culture, fashion, finance and industry, of sports and communications, for us all, and thus the centers of possibilities of American life. They are also the center of the problems of American life: poverty, crime, scanty education, pollution, racial tension to name but a few. Urban problems stretch far beyond the center city. Sheer growth has sent suburbs tumbling across the countryside, overburdening our systems of transportation and water supply, education and medical care, antiquating the means of raising money to finance these vital services. Growth has polluted our water and poisoned our air, and stripped us of contact with sunlight, trees and lakes. Government has floundered as new agencies have proliferated, splitting tasks and energies among dozens of distant and unconnected bureaus. Individuals have lost touch with the institutions of society, even with one another (alienation); and thus have become more and more both perpetrators and victims of coldness, cruelty, and violence.

In the next fifty years our population will double from 200 million to 400 million, and our problems may double as well. We will have to build twice as many homes, hospitals and schools as we have now. More than this, we will have to find space for ourselves to plan where we will live and work and play, and where and how we can begin to rebuild our community and our society to make them both places where each man finds importance and significance in his own life, and in his contributions to the lives of others. This is a large task. But it is the least we can do if our cities are to be places of dignity and safety, of rich excitement and achievement; if our community and our society are to gain the name of civilization.

Confronted by this urban crisis, many Americans have opted for the suburbs as a solution to the problem of urban living. And yet President Johnson was warned in a confidential report that the suburbs of America "face a quiet, slowly-building crisis." The report paints a shocking picture of life in the suburbs also.

It recommends drastic new federal programs to deal with the suburban crisis. The report was compiled by the President's Task Force on Suburban Problems, a 10-member commission. Among the surprising findings of the task force are these:

Forty percent of the nation's poor live in suburbs.

Crime, decay and pollution problems are growing at the same rate in the suburbs as in the central cities.

"Cultural dehydration" of suburban life has led to an alarming rise in vandalism, drug offenses and larceny among children.

A surprising number of suburbanites are without such fundamental services as adequate police protection, sewage and waste disposal and transportation.

New suburbs have been built "recklessly" by developers using "Bulldozer and land-leveling tactics that have dried up the country, killing animal life and made housing areas needlessly dull."

The report concludes that suburban life, both spiritually and physically, is not what it's cracked up to be. It often is an unhappy place with problems just as grave and critical as those of the central city. And, the report concludes, the problems of the suburbs have gone undetected because of governmental focus on the problems of the inner city.

The task force made a number of recommendations for federal action to save the suburbs. And it warned the President that the federal government, as well as local governments, must stop putting the problems of metropolitan areas into separate pigeon holes. "The suburban crisis is an indivisible part of the urban crisis. The suburbs do not stand alone. They are part of the great metropolitan areas . . . help to the central city and the suburbs must move in parallel. Pollution, crime and decay are not respecters of municipal boundaries."

Among the major recommendations of the task force are:

Creation of an urban development bank, similar to the world bank. It would provide large scale loans and technical assitance for orderly metropolitan development.

A series of measures to open the suburbs to groups now blocked from them, such as Negroes, the poor, the aged and surprisingly, Vietnam veterans.

A massive program to build $6,000,000 low and moderate housing units in suburban areas to handle families from inner cities.

An experimental program of government-backed insurance to protect homeowners against losses due to racial integration of their neighborhoods. (This would help eliminate some of the fear now hindering orderly integration, the report states).

Massive federal aid to plan and finance area-wide waste disposal systems.

Direct government grants of up to 50% of the cost of community centers, swimming pools, and libraries.

In a letter to the President, the head of the task force, Chales M. Haar, of the Department of Housing and Urban Development, emphasized the urgency of the suburban problem. "Beneath the popular image of the suburbs as middle class, happy and affluent, there is a quiet crisis that threatens the quality of life to be enjoyed by millions of Americans. Nor is the threat limited to the one-out-of-four Americans who live in the suburbs. The independence of our urban society makes it certain that the problems of our central cities cannot be fully resolved without finding the answers in the suburbs."

The task force's findings and recommendations were surprising in many ways. For example, the report pinpoints the returning Vietnam veterans as one of the problems facing metropolitan areas. After noting that 70,000 Vietnam veterans are being returned to civilian life each month, the task force points out that housing and financing to purchase housing are not available for them. It calls for federal programs to give the returning GI's a rent-supplement program and flexible methods of low down-payment on houses.

The question arises then as to our ability to cope with crises in both our urban and suburban communities. A simple answer will not be forthcoming, because the problems are as compound as they are complex. Perhaps we can best answer the questions posed to us by issuing a challenge to ourselves. In the words of the President's National Commission on Urban Problems:

The recommendations we make in these areas are a test of our most fundamental beliefs. We are a wealthy nation, so it is not really a question of whether we can afford to do such things as we recommend. It is simply a matter of whether we still have faith in freedom, in equality, in justice, enough to make sacrifices in their cause. We are confident that the nation can rededicate itself to these goals that have been the touchstone of national progress and success.

GONZALEZ COMMENDS SANYO-AF PROGRAM TRAINING MEDICAL LABORATORY AIDES

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. GONZALEZ. Mr. Speaker, I wish to bring the attention of my colleagues to a successful and unique job-training program now successfully in progress in my district.

Eleven San Antonio girls are training

to become medical lab aides, and are receiving in-the-lab training at the Wilford Hall USAF Hospital at Lackland Air Force Base.

This work-training program is run by the broad-based San Antonio Neighborhood Youth Organization—SANYO—under a grant from the Department of Labor. The girls were recruited from one of the worst areas in the country in terms of "subemployment" rates, as defined and identified by the Labor Department.

Each week, the girls receive 8 hours of classroom training at the SANYO office, and 32 hours of practical experience in the Air Force medical lab. And each day at the lab, they also receive an hour of classroom instruction. The course will last for 6 months. This first class graduates in June, when they will be prepared for employment in local hospitals and laboratories.

Mr. Speaker, under unanimous consent, I wish to include at this point in my remarks a press release with further details of this fine work-study program:

Sanyo NYC Enrollees Study at Wilford Hall

(By S. Sgt. Dick Walters)

Wilford Hall U.S. Air Force Hospital's Department of Pathology has joined with the SANYO, Inc. in a unique laboratory aid training program which will prepare students to fill semiskilled laboratory aid positions in local hospitals and laboratories upon successful completion.

The SANYO enrollees earn while they learn in the special training program.

The program is termed the "Phase One" course, leaving the way open for a more advanced course in the future. A possible Phase Two course could lead to recognition as laboratory technicians.

The 11 girls now pursuing their work-study program with the Department of Pathology are on a busy schedule with 32 hours of work in the lab each week and 8 hours of classroom time at the SANYO office located at La Salle High School. In addition, one hour of each day is spent in the classroom at Wilford Hall learning why as well as how their jobs are done in a particular manner.

The students work throughout the Department of Pathology. Their laboratory duties take them through work sessions in histopathology, microbiology, hemotology, the blood donor center, the wash room, automation, urinalysis, and the front desk.

The classes at Wilford Hall are taught by Senior Master Sergeant Charles A. Reasner, noncommissioned officer in charge of the Department of Pathology. He is a veteran of seven years experience in the laboratory technician field and has served as NCOIC of each of the branches of the department.

The girls learn everything from mounting a specimen to drawing blood, with much time spent in learning to handle the administrative tasks which follow each action.

Mrs. Teresa Widish, SANYO counselor for Wilford Hall Hospital, watches each girl's progress and is always available to help them with problems that may arise.

The program started recently with the first class beginning in December. The students have progressed quickly according to Sergeant Reasner. "They have picked up the fundamental ideas very rapidly. In one instance, I had set aside four hours of class time for explaining one medical procedure."

"The girls have also shown great initiative outside the classroom," he commented, "progressing far ahead of their training schedules. Our policy has been that once they notice a job that they feel they could do, they may ask their supervisor to instruct them in it. As soon as they are qualified, they begin working under supervision."

In June, having completed the six months curriculum, the students will become available for employment in local hospitals and laboratories.

Colonel Robert W. Morrissey, chairman of the Department of Pathology, points out that the program helps the hospital as well as the students. The students, as they learn, release skilled Air Force technicians for more complicated clinical duties.

Because of the initial success of the program, SANYO is now recruiting students for x-ray, medical records and pharmacy positions for training under supervision at Wilford Hall Hospital.

To recruit students for the original program, Mrs. Widish went to the councilors of the SANYO Neighborhood Youth Corps who were working with young people in the out of school program. Each recommended young people to enroll in the laboratory aid course. Mrs. Widish then interviewed the volunteers and selected those who showed the greatest interest and aptitude for a career in health related fields.

Young men may also enroll, however Mrs. Widish had much difficulty trying to enroll two for a pharmacy training course. Many other areas of the hospital are now opening to SANYO volunteers, following the example of the Pathology Department.

SANYO is a nonprofit corporation, operating in the low income areas of San Antonio. Three-quarters of its board of directors are residents of low income neighborhoods, guiding the organization and the community in its self-help programs.

The Department of Labor helps finance SANYO's neighborhood youth corps operations through its bureau of work training programs. The Office of Economic Opportunity (OEO) also helps by providing an emergency loan program and support of the SANYO Credit Union. The Department of Commerce in cooperation with SANYO is preparing a feasibility study on establishment and operation of locally owned community businesses in the low income areas of San Antonio.

SANYO also provides work for about 50 undegraduate college students who meet the poverty criteria of its programs.

ABM II—HOW GENERAL STRANGEBIRD WILL GET US TO LOVE THE ANTIBOMB

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. LEGGETT. Mr. Speaker, Richard Rovere, an astute correspondent for the New Yorker magazine, wrote a very interesting piece in the last issue concerning the Pentagon propaganda plan to sell the antiballistic missile to the American public.

I am pleased to see that our all-new action Army is in step with the times. It was a stroke of genius to equate the Sentinel ABM system with underarm deodorant and soap. I can see it now—"Don't be half safe. Buy the Sentinel for 24-hour protection"—or possibly—"Our town has a Sentinel. Don't you wish everyone did."

I include the article for the edification of my colleagues who may still have the outmoded view that weapons systems are developed on the basis of military and technical value:

Letter From Washington

February 23.

Someone—most likely a Democrat on his way out of the Defense Department—recently turned over to the Washington *Post* a pair of classified documents dealing not with any specific questions of national security but, rather, with the problem of persuading American citizens and their representatives in Congress that the Sentinel anti-ballistic-missile system is a good and desirable investment. The first of these documents, which gave birth to the second, is a seventeen-page memorandum, headed "Public Relations Program for Sentinel," which was written sometime last year by Lieutenant General Alfred D. Starbird, identified by the *Post* as the "manager" of the Sentinel project. It was addressed to his boss, Secretary of the Army Stanley R. Resor, who was appointed by President Johnson in 1965 and was retained by President Nixon and his Secretary of Defense, Melvin R. Laird.

The second document is a shortened and extensively paraphrased version of the Starbird memorandum that was prepared by Resor and passed along to Johnson's Secretary of Defense, Clark Clifford, a few weeks before the 1968 election. In classifying these documents on its front page last Sunday, the Post treated its readers to very little of the seminal paper written by the wonderfully named General Starbird, evidently for the reason—amply established in the few quotations it did publish—that, even though its subject was public relations rather than military strategy, it was so full of military and bureaucratic gobbledygook that ordinary readers would find it impenetrable. The paper did, however, publish substantial portions of the abbreviated Resor version, and that, while scarcely a model of literary felicity, was altogether clear. It advised Secretary Clifford (as if he did not already know) that "several highly placed and reputable U.S. scientists have spoken out in print against the Sentinel missile system," and went on to propose a whole series of techniques for countering the influence of the heretics and assuring congressional support deployment of the ABM system.

The techniques were anything but new and were not—given the prevailing modes for the conduct of the public business of our society and most other societies this side of the New Jerusalem—in and of themselves immoral. "We will be in contact shortly with scientists who are familiar with the Sentinel program and who may see fit to write articles for publication supporting the technical feasibility and operational effectiveness of the Sentinel system," Resor wrote. This is a sly but routine procedure both in and out of government, and it is employed—or, at least, attempted—in behalf of the most virtuous of causes as well as of the most dubious ones. Resor recommended extensive "briefings" of congressmen journalists, the preparation of tapes and films to be used by Army personnel in encounters with the public, and "information packets" for interested citizens.

This is the way—or a large part of the way—that the consent of the governed is won, whether by the Army when it wishes to plant rocket launchers in the suburbs or by the Justice Department when it wants to build up support for a civil-rights law. The only defense the public can have is an independent press and an educational system that breeds skeptics. There are, however, some important differences between the military's use of public relations and the use that most other institutions make of it. The military, for one thing, has more money than anyone else, and when to its vast funds are added those of the industries it deals with, it seems to have just about all the money there is. (The Starbird memorandum specifically suggested recruiting the assistance of "all individual industrial firms and civilian contractors participating in the produc-

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tion and deployment of the Sentinel system.") The Under-Secretary of Housing and Urban Development may take some doubting Thomas from Congress or the press on a tour of local projects in a government limousine, but his funds are severely limited and more or less subject to public scrutiny, and the agency could not organize a propaganda campaign on anything like the scale of the one proposed to Secretary Clifford by Secretary Resor. Moreover, the military can make a secret of anything it chooses. It chose to "classify" these two memoranda, which contain about as much information on "national security" as might be found in a soap merchant's instructions to his salesmen, with the consequence that Army officials could claim that they would be violating discipline if they discussed the documents with representatives of the *Post*. (One did go as far as to explain that although there was a "freeze" on Sentinel construction, there would be no letup in the campaign to persuade the public of the benefits of deployment.) Other government agencies—and, of course, private institutions—have methods of concealment that are often as effective as the military's, but they cannot hide behind them quite as unchallengeably as the military can. If Department of Commerce spokesmen clam up when asked for figures on trade, there are, as a rule, plenty of other sources to which determined investigators can turn. But if the military says there are facts about a weapons system that civilian scientists haven't been told, there is nothing much to do but to plead for the "declassification" of these facts. Not all such pleas are bound to go unheeded. A great deal depends on the outlook of the pleader. Deep in his own "classified" memorandum, General Starbird recommends that in certain cases—clearly those that would favor the Sentinel—the Army take a favorable view of declassifying material "which is responsive to the anticipated questions."

For decades now, the defense agencies have been conducting huge and hugely expensive public-relations campaigns. For the most part, though, the effort has been undertaken with the aim of reflecting glory on a particular service or, less frequently, on the Department of Defense itself. It has rarely been necessary to focus a propaganda drive on any one program, such as the deployment of the Sentinel. Inter-service conflicts over appropriations have sometimes had to be adjudicated more or less publicly by the President or the Congress, but the usual rule has been to ask the generals and the admirals to compose their differences in the Pentagon and then bill the country for whatever they think is needed to keep the flag aloft and unsullied. The bills have been paid on presentation, sometimes with a substantive gratuity. It is questionable whether much in the way of military public relations was ever needed to achieve these results; so many societies more strapped for funds than this one give their soldiers and sailors everything they ask for and give their civilians anything that happens to be left over. What is striking and, in recent times, unprecedented about the Army's campaign for the Sentinel is not its slyness or the attempt to keep it secret but the fact that it is essentially defensive in nature and content. It calls for the use of all the loaded devices of propaganda, but its appeal is not primarily to patriotism—though no doubt the assemblers of the "information packets" have not overlooked the possibilities of scoring points with displays of Old Glory—but to reason and logic. The Army's argument this time is not with pacifists or appeasers but with informed critics, who have managed to unsettle certain sections of the public by not moralizing about foreign and military policy but by asserting their primarily scientific expertise and planting doubts as to whether the military really knows what it is doing, and even whether it is capable of making guns that will shoot.

This, to be sure, is only one of several new elements that have come to light in the Sentinel controversy, which seems likely to be the most important and certainly the most interesting one in these early months of the Nixon Administration. The war in Vietnam has, of course, gone a long way toward undermining public and congressional confidence in military leadership. The senators on the Foreign Relations Committee who have been giving Secretary Laird and other Administration members so hard a time over the Sentinel—while ostensibly soliciting their views, all favorable, on the non-proliferation treaty—had expressed dismay over the competence of General Westmoreland and his aides long before the present disputes arose. But there was a tendency then to put the major blame for Vietnam on the civilian policymakers and to fault the military men mainly for their complicity in what the senators regarded as an unwise and unworkable foreign policy. The senators did not take it upon themselves to get into disputes over weapons technology with the presumed experts from the Pentagon. Another obvious factor that bred dissatisfaction—though not, as far as is known, disenchantment—with the military was its intrusion, through the original Sentinel deployment plan, into communities that happen to include the homes of influential and articulate citizens. But these citizens' objections, apparently, can rather easily be met by a military rezoning, which the Sentinel proponents would be happy to undertake. This controversy, though, would not be ended—at least in the Senate, where the most widely publicized debate will take place—if the war were called off tomorrow and all suburbanites were assured that there would be no missile sites within five hundred miles of them. For the argument really turns (as such arguments rarely do) on the facts in the case—or; to put it another way, on who, as between scientists and soldiers, is better equipped to determine the facts.

The question could not have arisen in an age when the military dealt with gunsmiths and shipwrights rather than with scientists. A military education was sufficient to enable a soldier to pass judgment on the effectiveness of a rifle, or a sailor on the seaworthiness of a ship. But if Jerome Wiesner, who was science adviser to President Kennedy and is currently provost of the Massachusetts Institute of Technology, knows what he is talking about, the Sentinel, in its present state of development, "is probably the most complicated electronic system anyone has ever tried to put together . . . the most elaborate, sophisticated, dynamic combination of rocketry, radar, computers, electronics, and other technology ever proposed." Wiesner says that the Sentinel is untestable (because it would violate the test-ban treaty, and also because it could never be really tested unless the Chinese or the Russians sent an ICBM our way) and in all likelihood unworkable. General Starbird, a West Pointer of the class of 1933 and an officer with a fair amount of engineering experience, and Secretary Resor, once an Army major and a 1946 graduate of the Yale Law School, may know something about the Sentinel that Dr. Wiesner doesn't know, but there is clearly a growing tendency here and around the country to believe that men like Dr. Wiesner know a great deal about electronics, computers, and radar (in the development of which Wiesner played an important role) that General Starbird and Secretary Resor, like most of the rest of us, do not and probably never could know.

The military would no doubt respond by saying that there are scientists who hold with them rather than with Dr. Wiesner, and certainly this must be true, or the Sentinel would not exist. But most of them are presumably working for the government or for defense industries. In the Resor memorandum, it was delicatey pointed out that the articles to be written in praise of the Sentinel and in dispraise of such as Dr. Wiesner should be "preferably by nongovernment scientists." As far as is known, the search for qualified debaters free of government ties has been unavailing. Meanwhile, all seven of the men who have served in the sixties as science adviser to the President or as Director of Defense Research and Engineering in the Department of Defense have declared their opposition to ABM systems of one kind or another.

Senator Edward Kennedy, the new Democratic whip and an opponent of the Sentinel, has asked Dr. Wiesner and Professor Abram Chayes, formerly legal adviser to the State Department and now at Harvard Law School, to prepare a lengthy report on the ABM and get it in his hands before the Pentagon completes its own review of the program, which has been promised for early March, when the floor debate will probably begin in earnest. A year ago, it would have been safe to predict that although Senator Kennedy and those who share his view might win the debate they could hope to win nothing else. When the roll was called, the Pentagon and the defense industries always prevailed, with votes to spare. The case against the Sentinel is abstract and abstruse—and, in the end, as unprovable as the case for it, which is that it could save millions of American lives. No elected official likes the prospect of running against an opponent who can charge him with voting to expose his constituents to death.

The import of the Pentagon's review is as predictable as that of Dr. Wiesner's, and it is scarcely conceivable that the President would decline to endorse it. Yet the campaign that Senator Kennedy is mounting, in collaboration with Senator John Sherman Cooper, the leading Republican opponent of the Sentinel, cannot now be regarded as altogether quixotic, or worth making only for the sake of the public record. In the last session, Senator Cooper, joined by Senator Phillip A. Hart, of Michigan, and others, three times offered amendments striking from authorization or appropriation bills funds intended for deployment of the Sentinel. As they knew they would, they lost all three votes, their best showing on any one being thirty-four. But Senator Cooper has recently pointed out that on one proposition or another more than forty senators voted as he did, and he and other anti-ABM senators believe that their position has been greatly strengthened in the course of the current controversy. They are claiming that there are now forty-five senators ready to oppose the Pentagon on the Sentinel. The Majority Leader, Senator Mansfield, can be counted on, and the Minority Leader, Senator Dirksen, seems to be avoiding commitment at this time. If, in fact, forty-five senators are siding with Senators Cooper and Kennedy, they constitute at least a temporary plurality, for there are surely more than five straddlers. Among the straddlers is to be found the surprising figure of Senator Barry Goldwater, who has never, up to now, been known to question the good judgment or the competence of anyone accoutred with military brass or braid.

NEWSPAPER PRESERVATION ACT

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. ROSENTHAL. Mr. Speaker, today I am introducing the Newspaper Preser-

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vation Act. The bill provides that it will not be unlawful under the antitrust laws for a failing newspaper to enter into certain joint operating arrangements with another newspaper in the same city.

The survival of failing newspapers has become a serious problem. Over the last 50 years, many independent newspapers, primarily in metropolitan areas, have either suspended publication or merged.

What is the explanation for this trend? Economic conditions lie at the heart of the failure of many newspapers. Although the cost of production has spiraled upward, advertising revenue has become more scarce, largely due to competition for this revenue by other media. The result: in many cases, only one newspaper in an urban area can survive.

The only feasible remedy available for the newspaper that is in dire financial straits is a joint operating arrangement. At present there are 22 joint operating arrangements for newspapers in the United States. Although business and mechanical functions are combined—that is, the production, distribution, and advertising solicitation divisions—independent editorial departments are preserved. Separately owned newspapers can, therefore, continue to serve the public.

This bill allows the continuation of an arrangement which, I believe, is in the public interest. For this arrangement obviates the merger of two newspapers if one is threatened to close because of reduced revenues. When a merger occurs, only one stream of news and editorial information reaches the people in a community. On the other hand, if a joint newspaper operating arrangement is treated under the antitrust laws as a single entity and failing newspapers are not required to merge to survive, it is the public that benefits—for the public would thereby receive the widest exposure to varied data and diverse opinions.

In 1965 the Antitrust Division of the Department of Justice instituted an action against a joint arrangement operating in Tucson, Ariz.; the district court held that the Tucson joint operating arrangement was a per se violation of the antitrust laws. An appeal was taken to the U.S. Supreme Court; on March 10, 1969, the Supreme Court ruled that such joint arrangements were in violation of the antitrust laws.

The Department of Justice has declared its intent to move against all of the other joint operating arrangements similar to that of Tucson. This would mean in a number of communities a complete domination of the news and editorial information by one newspaper; competing editorial voices will be squelched. This, in my opinion, is a situation that is less desirable from an antitrust standpoint than the situation I am attempting to preserve in my bill. In light of the Supreme Court decision, prompt enactment of this bill is imperative.

The role of the newspaper as an organ of debate and vehicle for the exposure and discussion of ideas is a critical one in our society. When a newspaper dies, the public loses an additional means of access to pertinent facts and judgments on daily events. We must not permit this to happen.

ALIEN COMMUTER SYSTEM

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. REID of New York. Mr. Speaker, today I am cosponsoring with the gentleman from Ohio (Mr. FEIGHAN) a bill which is designed to refine the current operation of the so-called alien commuter system on our borders with Canada and Mexico. The bill would amend the Immigration and Nationality Act to provide that each commuter alien must be regularly certified ever 6 months by the Department of Labor in order to assure that his presence in the United States to seek or continue employment does not adversely affect wages and working conditions of American workers similarly employed.

Under the commuter system, Canadian and Mexican workers who have been lawfully admitted to the United States for permanent residence and who hold green cards are permitted to reside in Canada or Mexico and regularly commute across the border to jobs in the United States. Experts consider the commuter system largely responsible for the stabilization of poverty in the Southwest, particularly.

A staff report called "The Commuter on the United States-Mexico Border," prepared by the U.S. Commission on Civil Rights, states:

> The impact of these commuters on the labor market has been enormous. It has been estimated that over 17% of the labor market in El Paso, Texas, are commuters. Further estimates have shown that 5% of the San Diego, California, labor market and 23% of the Brownsville, Texas, labor market are commuters. Their presence can be directly related to high unemployment rates in these areas.

In many border communities where unemployment among American citizens is high, alien commuters having the same occupational skills as the unemployed Americans do have jobs.

Enactment of this bill would in no way injure the relationship between the United States and Canada or Mexico, but would merely impose reasonable safeguards to protect our citizens and residents. In addition to regulating commuter traffic, the bill would remove a provision in the Immigration and Nationality Act that exempts from criminal sanctions individuals who willfully and knowingly employ aliens who have entered the United States illegally. This is necessary since the number of immigrants illegally entering the United States from Mexico is rapidly rising. Many employers lure prospective agricultural and factory workers into the United States to obtain inexpensive labor; criminal sanctions against such employers would help stop the high number of illegal entrants.

In my judgment, this bill would help bring an end to the system which forces domestic workers to compete for wages with workers living in a much lower cost economy and which sometimes provides agricultural producers faced by strikes with workers, thus stifling the organizing and collective-bargaining efforts of the American farmworker. I hope that the Congress will give early consideration to the legislation.

SENATE—*Thursday, March 13, 1969*

(Legislative day of Friday, March 7, 1969)

The Senate met in executive session at 10 o'clock a.m., on the expiration of the recess, and was called to order by the Vice President.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Eternal God, in whose perfect kingdom no sword is drawn but the sword of righteousness, and no strength known but the strength of love: So guide and inspire, we pray Thee, the work of all who seek Thy kingdom at home and abroad, that all peoples may seek and find their security, not in force of arms, but in the perfect love that casteth out fear, and in the fellowship revealed to us by Thy Son, Jesus Christ our Lord. Impart Thy higher wisdom to the Members of this body, to whom the people have committed the stewardship of peace, that in this moment of history they may clearly know Thy will and have courage to do it.

In Thy holy name, we pray. Amen.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries, and he announced that on March 12, 1969, the President had approved and signed the act (S. 17) to amend the Communications Satellite Act of 1962 with respect to the election of the board of directors of the Communications Satellite Corp.

REPORT ON WORLD WEATHER PROGRAM—MESSAGE FROM THE PRESIDENT

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Commerce:

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To the Congress of the United States:

I am pleased to transmit to you, in accordance with Senate Concurrent Resolution 67 of the 90th Congress, the first annual plan for United States participation in the World Weather Program. This document describes the long-range goals of the World Weather Program and the activities in support of that program which have been planned by eight Federal agencies for Fiscal Year 1970. The budget figures shown in this report are consistent with those which appeared in the budget submitted to the Congress on January 15, 1969.

I commend this report to you and hope you will give it your careful attention, for it describes activities which can contribute in important ways to the quality of American life. The World Weather Program promises, for example, to produce earlier and more accurate weather forecasts than we now receive. It is also exploring the feasibility of large-scale weather modifications. Because so much of our social and economic life is significantly influenced by weather conditions, it is important that we encourage those advances in weather prediction and control which our scientists now foresee.

This project, and our role in it, also have great political significance. For the World Weather Program, growing out of United Nations initiatives in the early 1960's, has developed into a most impressive example of international cooperation. On a scale never attempted until this decade, scientists and governments in many countries are joining hands across national boundaries to serve the entire human community. Their example should be instructive for all of us as we pursue lasting peace and order for our world.

This report "talks about the weather," but it demonstrates that we can do far more about our weather than merely talk about it. I believe that the plans for American participation which are outlined here reflect the sense of both the Congress and the Executive Branch of our government that the United States should give its full support to the World Weather Program.

RICHARD NIXON.

THE WHITE HOUSE, *March 13, 1969*.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate sundry messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

TREATY ON THE NONPROLIFERATION OF NUCLEAR WEAPONS

The Senate resumed the consideration of Executive H, 90th Congress, second session, the Treaty on the Nonproliferation of Nuclear Weapons.

The VICE PRESIDENT. The Chair lays before the Senate the pending business, which the clerk will state.

The LEGISLATIVE CLERK. Executive H, 90th Congress, second session, the Treaty on the Nonproliferation of Nuclear Weapons.

The VICE PRESIDENT. The pending question is on the understanding offered by the Senator from Connecticut (Mr. DODD). Under the unanimous consent agreement of yesterday, the time will be controlled by the Senator from Arkansas (Mr. FULBRIGHT) and the Senator offering the reservation or understanding, to the extent of a 1-hour limitation.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, as in legislative session, I ask unanimous consent that I may make the following requests, apart from the time limitation on the pending understanding.

The VICE PRESIDENT. Without objection, it is so ordered.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Journal of the proceedings of Wednesday, March 12, 1969, be approved.

The VICE PRESIDENT. Without objection, it is so ordered.

SUBCOMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The VICE PRESIDENT. Without objection, it is so ordered.

ORDER FOR RECESS UNTIL 10 A.M. TOMORROW—ORDER VACATED

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 10 o'clock tomorrow morning.

The VICE PRESIDENT. Without objection, it is so ordered.

(Later in the day, the Senate, in vacating the above order, ordered that the Senate stand in adjournment until Monday, March 17, 1969, at 12 o'clock meridian.)

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, again apart from the time limitation.

The VICE PRESIDENT. Without objection, it is so ordered.

The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I yield 3 minutes, on my time, to the distinguished Senator from West Virginia (Mr. BYRD).

MAN TO WATCH

Mr. BYRD of West Virginia. Mr. President, one of the newcomers to Capitol Hill during the 91st Congress, the Honorable SPIRO T. AGNEW, Vice President of the United States, was the subject of an interesting article in the March 17 issue of the U.S. News & World Report.

That article was entitled "A New Kind of Vice President?" It might well have been entitled "Man To Watch."

Those of us in the U.S. Senate have had our special opportunities to observe the Vice President as he has fitted into the job of Presiding Officer of the Senate. And I believe it is a fair assessment to say that the manner in which he has discharged his duties has commended him to all of us.

The U.S. News & World Report article says it very well when it reports that the new Vice President is "gaining acceptance in Congress." We in the Senate appreciate the dignity and bearing with which he presides over the Chamber, and we have noted his conscientious efforts to carry forward his share of the daily work routine of the upper body of Congress.

Of greater substance, we have been interested to learn more of his views on issues of national concern, many of which must come before this body during the coming months of this congressional session. For this reason, I noted with particular interest the statement in the article that Vice President AGNEW "is reported to believe that relief, or welfare, is one of the most difficult problems in the country." I noted that the article stated that it has been said about Mr. AGNEW that "he has experienced poverty and prejudice and risen above them on his own merits." I noted that the article stated that he has repeatedly said that he is "for civil rights" and "against civil disobedience." I noted that the Vice President is reported to hold the view that "no President should tolerate violence," and that law and order means "the protection of the individual regardless of race or creed."

In gist, I noted some good, solid reports on the Vice President, and I recommend the article to the Members of the Senate for review.

Mr. President, I also call attention to the fact that the Vice President has presided 22 days since the inauguration. The Senate has been in session 22 days since the date of the inauguration. So far as my own observations are concerned, since I became a Member of this body over 10 years ago, the fact that the Vice President has been on the job as Presiding Officer of the Senate every day it has been in session since the inauguration of the President and the Vice President on January 20, a total of 22 days is somewhat of a record.

Moreover, I have been very favorably impressed by the manner in which the Vice President presides over this body and the manner in which he preserves decorum and order in this body. I merely wanted to take this moment to express my appreciation for the manner and dignity with which he presides, and to congratulate our Vice President, Mr. AGNEW.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the article to which I have alluded.

There being no objection, the article

was ordered to be printed in the RECORD, as follows:

SPIRO T. AGNEW: A NEW KIND OF VICE PRESIDENT?

The Vice President is settling into his job in a different way from most of his predecessors.

One reason is that the job itself is not the same. A vice-presidential office in the White House is evidence of the expanded role assigned to the Government's No. 2 executive.

For Mr. Agnew, service in Washington goes far beyond presiding over the U.S. Senate.

In choosing Spiro T. Agnew as his running mate last year, Richard Nixon said:

"My primary concern was to select a man who had the courage, the character and the intellect—not only to be Vice President—but also to be an effective President if the need arose."

The Nixon Administration has been in office now for almost two months. Yet few people seem to know very much about Mr. Agnew, or what he is doing as the No. 2 man in the U.S. Government.

The Vice President is a 50-year-old lawyer who formerly served two years as Governor of Maryland and five years as chief executive of Baltimore County. Friends call him "Ted," after his middle name—Theodore. Associates describe him as "poised and controlled"—a man of dignity, fairness and common sense.

Mr. Agnew is the first Vice President to have an office in the White House itself. His quarters have been set up in the West Wing, down a corridor from the President's Oval Room office.

In addition, Mr. Agnew has a newly refurbished suite in the Executive Office Building—the rooms occupied by Lyndon Johnson when he was Vice President; the traditional vice-presidential offices off the Senate floor at the Capitol, and staff quarters in the new Senate Office Building.

SENATE DUTY

The Vice President's only constitutional duty is to preside over the U.S. Senate. Mr. Agnew takes this duty seriously, has made a point of being in the presiding officer's chair at the opening of Senate sessions.

Often he steps down to the floor to talk to Senators. Having spent most of his prior government service as an executive, he says the legislative process "is a whole new world to me." Normally, he spends three or four hours a day on Senate business.

The Vice President cheerfully recognizes that his role is that of an "associate member," able to vote only in case of a tie. His main concern has been to win the trust and confidence of the lawmakers of both parties.

"A PLEASANT SURPRISE"

Veterans at the Capitol believe the new Vice President is gaining acceptance in Congress. He is the first man in 24 years to preside over the Senate without first having served as an elected member of that body—sometimes described as "the most exclusive club in the world."

A Republican Senator has observed:

"Agnew is a pleasant surprise. He is doing a whale of a job to cultivate the Senate. He has spent more time in the chair than his predecessor. He eats in the dining room at the Capitol—and I can't remember any Vice President doing that."

A Democratic Senator has commented:

"Agnew is a smooth politician. He knows how to talk to the Main Street American, and is proud of calling himself a middle-brow. He will beat the drums for Nixon all over the country. Democrats make a great mistake if they underestimate Agnew."

Recently, former President Johnson was quoted as saying he believes that Mr. Agnew is "underrated," and that "Nixon made a good choice."

By law or executive order, the Vice President is a member of the President's Cabinet and of the National Security Council, and vice chairman of the newly created Urban Affairs Council.

Moreover, Mr. Agnew is head of the National Space Council, Council on Economic Opportunity, Council on Marine Resources and Engineering Development, Peace Corps Advisory Council, Indian Affairs Council, Cabinet Task Force on Youth Opportunity, and Council on Physical Fitness. He also attends White House congressional-leadership meetings and is a member of the board of the Smithsonian Institution.

Recently, President Nixon assigned Mr. Agnew to work with the nation's Governors and mayors through a new Office of Intergovernmental Relations, with a 12-man staff directed by Nils A. Boe, former Governor of South Dakota.

Said a highly placed source:

"The Governors now feel they have an 'ambassador' in Washington. This new office should be helpful in bringing cooperation on domestic programs at all levels of government."

A GOOD RAPPORT

The Vice President feels that he has established a good rapport with President Nixon, whom he sees on an average of a couple of hours a day in various meetings. An official high up in the Administration describes their relationship in this manner:

"No President has ever been more considerate to his Vice President. They have the kind of mutual understanding that does not require constant consultation.

"Mr. Nixon is easy to communicate with, and precise in making his posture known. He is firm on principle, flexible on procedure. The President is always willing to listen to another approach, but he has his objectives clearly in mind, and he does not vacillate from day to day."

Mr. Agnew is becoming familiar with problems of defense and foreign affairs through frequent NSC meetings and private briefings by Government specialists. The same problems come up in meetings with congressional leaders.

The Vice President gets the same information on economic and monetary affairs that goes to the President from the Council of Economic Advisers.

Mr. Agnew works closely with such key White House aides as Arthur F. Burns, Henry Kissinger and Daniel P. Moynihan. Probably his closest friend in the Cabinet is Attorney General John Mitchell.

AN INSIDER'S VIEW

A White House insider gave this insight into the Vice President's activities:

Mr. Agnew is aware that he is the Vice President, and not the President. He presides at meetings when Mr. Nixon is away, but is careful never to push his own point of view on these occasions.

When the President is on hand, Mr. Agnew never hesitates to speak out on policy matters. Hardly a meeting passes when he does not voice an opinion. He has been a prime supporter of a new national urban policy. But Mr. Agnew has impressed on his aides that only the President can make decisions.

When the Vice President chairs a meeting, he does it "superbly." He is an intelligent questioner, good at drawing people out, helping them to formulate ideas. Mr. Agnew "talks to a point," and is "very precise."

The Vice President is very correct and does not want to appear overbearing. When Mr. Nixon was on an out-of-town trip, some members of the Urban Affairs Council invited Mr. Agnew to take the President's chair. "No," the Vice President replied, "I'll preside from my own chair."

As a former State and county official, Mr. Agnew tends to look at government programs "from the bottom up," rather than "from the top down." He is interested in how federal programs affect people at the local level. Also, Mr. Nixon wants more attention paid to the impact of federal policies on State and local governments.

In the future, Mr. Agnew's role as an Administration spokesman is to increase. The Vice President will be making some trips abroad as a "good-will ambassador"—but none, probably, before autumn. Also, Mr. Agnew will be greeting foreign visitors, and doing ceremonial things for the President. "For the time being," the White House insider concluded, "he is learning the ropes, just like the rest of us."

The Vice President's schedule on an average day is described as follows:

Between 7:30 and 8:30 a.m., he arrives at the White House from his home in a nine-room apartment at the Sheraton Park Hotel.

By 11:30 a.m., Mr. Agnew goes to the Capitol, where he is briefed by aides on the legislative calendar, appointments and other activities.

At noon, the Vice President opens the Senate session, staying on through the business of the opening hours, and sometimes coming back after a late lunch.

Between 2 and 3:15 p.m., he receives callers in the Vice President's office off the Senate chamber.

By 3:30 p.m., he returns to the White House for executive duties. Usually he leaves for home around 7 p.m.

At the outset of the Administration, an aide said, the Vice President "was out almost every night, attending official social functions." Now, he added, that has tapered off to "one or two evenings a week."

The Agnews have given a few small parties for friends. They hope to do more entertaining at home in the future for Congressmen, Cabinet members and the like.

INTEREST IN URBAN AFFAIRS

The Vice President has taken a special interest in work of the Urban Affairs Council. He is reported to believe that relief, or welfare, is one of the most difficult problems in the country. Also, he sees no immediate solutions.

The Council is coming up with new data on the cause and effect of poverty in city slums. This is said to point to a need for new leadership and a complete change of social environment.

The problem is being viewed in its impact on the total economy, with a backing-up effect on the suburbs and rural areas. Solutions are to be aimed at drawing people out of the cities to populate underdeveloped areas.

The Vice President has been traveling around the country, speaking to such organizations as the U.S. Chamber of Commerce, National Conference of Christians and Jews, American Management Association and Investment Bankers Association.

Mr. Nixon expects him to perform a variety of chores. At the recent Governors Conference, Mr. Agnew was asked to sound out State leaders on what could be done to curb student violence at colleges and universities. Later, the Vice President visited Cape Kennedy for the Apollo 9 space shot.

Mr. Agnew helped arrange the transfer of the Brooklyn Navy Yard to the City of New York, where—he said—private investment would be able to "develop an industrial park providing 3,500 jobs immediately and 20,000 jobs within three years in an area plagued by chronic unemployment."

POLITICAL CHORES

The Vice President is expected to carry the main burden of political campaigning and party building for the President—something that Mr. Nixon did during the Eisenhower Administration.

Mr. Agnew has made speeches to Republican Lincoln Day dinners at St. Louis and Cincinnati, where he predicted that the Nixon Administration will usher in "a new era of Republican renaissance."

The Vice President also declared: "If the South is ever to rise again, it will not be a

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segregationist South, but an industrial South."

In introducing his running mate in 1968, Richard Nixon said of Spiro Agnew: "He has experienced poverty and prejudice, and risen above them on his own merits."

FAMILY BACKGROUND

Mr. Agnew was born in Baltimore, Md., of Greek-American parents, on Nov. 9, 1918. His father had come to this country from Greece in 1897. His mother was a native of Bristol, Va.

Mr. Agnew's early life was a struggle. He failed when he first opened his own law office. He worked for an insurance company and a food market, but returned to the law.

Mr. Agnew was married May 27, 1942, to the former Elinor Isabel Judefind, the daughter of a Baltimore chemist. He calls his wife "Judy." They have four children and one grandchild.

Pamela, 25, is a social worker in Baltimore County. Randy, 22, who served 10 months with the Navy Seebees in Vietnam, attends the University of Maryland. Randy has an 18-month-old daughter. Susan 21, is a secretary for the joint Republican leadership in Congress. Kimberly, 13, is going to the National Cathedral School in Washington, D.C.

AGNEW AND THE "LIBERALS"

Mr. Agnew was elected as the Republican Governor of Maryland in 1966 with the backing of many Negroes and "liberals" in both parties, over a Democratic opponent who waged a compaign against an "open housing" bill.

The Governor tended to alienate some of that support in 1968 when he publicly rebuked a group of Negro leaders for not condemning black militants in the Baltimore riots that followed the assassination of the Rev. Dr. Martin Luther King.

The Governor told the group:

"I publicly repudiate, condemn and reject all white racists. I call upon you to publicly repudiate, condemn and reject all black racists."

During the 1968 campaign, Mr. Agnew stated repeatedly that he is "for civil rights" and "against civil disobedience."

Now as Vice President, an aide said, Mr. Agnew gets along well with Negroes as individuals and in small groups. He has a Negro on his staff. But Mr. Agnew still encounters resistance when he runs into a political group of Negroes under an activist leader.

The Vice President, however, has remained steadfast in his view that "no President should tolerate violence," and that law and order means "the protection of the individual regardless of race or creed."

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I am glad to yield to the Senator from Pennsylvania.

Mr. SCOTT. Mr. President, I am so happy to hear the fine statement of the distinguished Senator from West Virginia.

The VICE PRESIDENT. The Senator's 3 minutes have expired.

Mr. MANSFIELD. Mr. President, I yield 2 additional minutes to the Senator, and that will be all, although I would like to join in the commendations.

Mr. SCOTT. Mr. President, within the time limitation, may I say I am particularly pleased that the matter has been stated so well by the distinguished Senator from West Virginia because we are all well aware of the devotion to duty which the Senator from West Virginia has shown. The fact that he, himself, is always here and always available on the floor of the Senate when any matter of concern or importance is involved, makes what he has said "praise, indeed, from Sir Hubert."

I wish to add that on both sides of the aisle we are immensely pleased with the fact that we have in the chair as President of the Senate the Vice President of the United States, who has shown his interest in the Senate and its problems, who has manifested a continuing and earnest interest in all of our proceedings, and whose guidance and presence are an inspiration to all of us. We are, therefore, very happy that we are so fortunate in having the Vice President as our Presiding Officer. I do not wish to embarrass the Presiding Officer by noting these things.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. PASTORE. Mr. President, I wish to associate myself with the compliments which are being paid to the Vice President. The Vice President has adorned this Chamber, and adorned it well. We wish him good health and happiness.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. TYDINGS. Mr. President, I would like to associate myself with the remarks of the distinguished minority whip. I am particularly proud because the Vice President is from my State, the Free State of Maryland.

Mr. CURTIS. Mr. President, I associate myself with the expressions of praise for our distinguished Presiding Officer, the Vice President. It is my firm belief that these statements reflect the high regard and great respect in which the distinguished Vice President is held throughout the land.

The VICE PRESIDENT. The Chair thanks the distinguished Senators. The time has expired.

Mr. MANSFIELD. Mr. President, I yield not more than 5 minutes, as in legislative session, to the distinguished Senator from Maryland. Before I do so, however, I wish to join my colleagues in all the words of commendation they have had to say about our distinguished Presiding Officer. I wish to compliment him for a job well and assiduously done. He has been and will be a credit to this body and to the country.

The VICE PRESIDENT. The Chair is grateful to the distinguished majority leader.

S. 1536—INTRODUCTION OF A BILL TO UPGRADE THE IMPORTANCE OF POPULATION PLANNING AS A COMPONENT OF FOREIGN POLICY AND FOREIGN ASSISTANCE PROGRAM

S. 1537—INTRODUCTION OF AN AMENDMENT TO SECTION 305(a) OF THE TARIFF ACT OF 1930

SENATE RESOLUTION 166—SUBMISSION OF A RESOLUTION REQUESTING THE PRESIDENT TO CONVENE INTERNATIONAL CONFERENCE ON PROBLEMS OF HUMAN ENVIRONMENT

Mr. TYDINGS. Mr. President, I rise today to introduce legislation aimed at strengthening and expanding U.S. efforts to assist other nations to develop effective population control and family planning programs.

Eight years ago today, on March 13, 1961, President John F. Kennedy unveiled a bold and imaginative plan to promote a peaceful social, political, and economic revolution in Latin America. The Alliance for Progress, in the late President's words, was to be "a vast cooperative effort, unparalled in magnitude and nobility of purpose, to satisfy the basic needs of the American people for homes, work and land, health and school—techo, trabajoy tierra, salud y escuela."

The President's proposal was accepted by all the nations of Latin America, save Cuba, and the Alliance charter was signed at Punta del Este in Uruguay later that year. The charter pledged efforts at economic development, setting a target of at least 2.5 percent annual growth in per capita income. But more importantly, it promised this economic progress in a context of increasing democracy and social justice.

In the 8 years since its inception, the Alliance has produced some notable achievements. Tax reform has resulted in markedly increased revenues for most of the 19 participating Latin American governments. Hygenic water systems serving over 10 million people have been constructed. Thousands of classrooms have been built. Primary school enrollment has been boosted by 23 percent, secondary school enrollment by 50 percent and university attendance by 40 percent.

However, though the concepts of hemispheric cooperation and the democratic revolution by reform remain valid nearly a decade later, the overall performance of the Alliance has been a disappointment to even its ardent supporters. The fact remains that the standard of living for most Latin Americans has improved little since Punta del Este, and in some parts of the continent the quality of life is actually declining.

Much of the failure the Alliance has experienced can be laid at the feet of the wealthy oligarchies and military cliques that dominate many Latin nations, and which have refused to relinquish their power and privileges. Some of the responsibility must be placed at our own door for our unwillingness to make available the resources these nations require to build a sound infrastructure.

However, a root cause of the inability of the Alliance to generate the progress its architects envisioned is the accelerating rate of population growth that characterizes most of Latin America. Even in countries where government efforts have been sincere and U.S. assistance competent, population growth has outdistanced increases in agricultural and industrial productivity.

It is like the paradoxical situation in "Alice in Wonderland" where Alice is informed she must run faster if she is to stay in the same place. Aggregate agricultural output has been growing by 3 percent a year in Latin America during the sixties; but so has population. And in some areas, the per capita food supply has actually been decreasing since 1960.

Latin America, a continent of 213 million inhabitants, is expected to triple its population to nearly 700 million people by the end of the century. Unless something is done immediately to dampen this population explosion, our neighbors to the south confront a future repleat with famine, and economic stagnation, and, I might add, violence and revolution. For unless a way is found to close the growing gap between food and people, millions will surely starve in the coming decade. Unless a way is found to prevent population growth from absorbing increased agricultural and industrial productivity, capital accumulation in sufficient quantities will remain impossible and poverty will continue as a way of life for the vast majority.

And, the population problem is not confined to Latin America. It is endemic to most of the developing nations—in Africa and Asia as well as Latin America.

At its present rate of growth, world population will double from 3.5 billion to 7 billion people in the next 30 years. At this time, there is no indication that the countries of the third world will be able to grow enough food to sustain these billions yet unborn. And soon U.S. food surpluses will be exhausted.

Conservative estimates place the number of people who starved to death throughout the world last year at 3.5 million. If Malthus' prediction of a geometrically expanding population outdistancing an arithmetically increasing food supply is permitted to come true, the next 10 to 20 years will see this number swell into the hundreds of millions.

There is no way to temporize the solution of this dilemma. The processes at work are inexorable. The problem will be solved in our lifetimes. Either the birth rate will fall as a result of large scale population planning, or the death rate will rise in response to war, pestilence, and famine—the ubiquitous horsemen of the Apocalypse.

Mr. President, I have said it before and I repeat it now because I fervently believe it: along with the possible use of nuclear arms, the population explosion constitutes the greatest current threat to man's survival.

It is out of the utter sense of urgency one derives from study of the population problem that I offer two bills and a resolution in the Senate today.

The first measure is designed to upgrade the importance and visability of population planning as a component of our foreign policy and foreign assistance program. The bill calls for the creation of an Assistant Secretary of State for Food and Population and an Assistant Administrator for Population in the Agency for International Development. As a means of improving present assistance to other nations and expanding the scope of such help, the authorization for programs relating to population control is increased from its present level of $50 million to $100 million in 1970.

As another means of making additional resources available this bill also calls for the removal of current limitations on the percentage of excess foreign currencies that can be used for family planning programs.

Finally, this measure would establish a National Council on Food and Population, an interagency committee charged with coordinating all U.S. overseas food and population programs. The Council would be responsible to make recommendations to the President and Congress each year with respect to these programs.

The VICE PRESIDENT. As in legislative session, the bill will be received and appropriately referred.

The bill (S. 1536) to provide for an Assistant Secretary of State for Food and Population, an Assistant Administrator for Population in the Agency for International Development, and a National Council on Food and Population, and to amend the provisions of the Foreign Assistance Act of 1961 and the Agricultural Trade Development and Assistance Act of 1954 relating to family planning and population control programs, introduced by Mr. TYDINGS, was received, read twice by its title, and referred to the Committee on Foreign Relations.

The VICE PRESIDENT. The time of the Senator has expired.

Mr. MANSFIELD. Mr. President, I yield 1 additional minute to the Senator from Maryland.

The VICE PRESIDENT. The Senator is recognized for 1 additional minute.

Mr. TYDINGS. Mr. President, the second bill I offer would amend section 305(a) of the Tariff Act of 1930 to eliminate the prohibition against the importation of drugs, medicine, and other articles for the prevention of conception. This bill would simply strike from the books an anachronistic law which the Supreme Court has ruled unenforceable.

The VICE PRESIDENT. As in legislative session, the bill will be received and appropriately referred.

The bill (S. 1537) to amend the Tariff Act of 1930 to remove the prohibition against importing articles for preventing conception, introduced by Mr. TYDINGS, was received, read twice by its title, and referred to the Committee on Finance.

Mr. TYDINGS. The third piece of legislation I am submitting is a resolution requesting the President to convene an International Conference on problems of Human Environment. The purpose of such a conference would be to mobilize the knowledge and experience in the international community to study the new relationships between man and his environment resulting from the rapid scientific and technological developments of the 20th century. In addition, an attempt would be made to develop a global plan to help man become the master of that environment instead of its captive. Hosting such a conference would serve to underline the U.S. commitment to a bold and vigorous attack on the problems of the human environment and population control.

From where we stand today in our comfortable and increasingly affluent society, the population problem in Africa, Asia, and Latin America remains a "quiet crisis." It remains easy to ignore, easy to put off. However, as the ranks of the starving are swelled by millions upon millions of new recruits—most of them children—in the decade ahead, how long will we be able to complacently ignore their cries?

William Shakespeare wrote:

> Men at some time are masters of their fates:
> The fault, dear Brutus, is not in our stars
> But in ourselves, that we are underlings.

We must act now while it remains within our power to be masters of the situation.

The VICE PRESIDENT. As in legislative session, the resolution will be received and appropriately referred.

The resolution (S. Res. 166), which reads as follows, was referred to the Committee on Foreign Relations:

S. RES. 166

Resolution to provide for an International Conference on Problems of Human Environment

Whereas the relationship between man and his environment is undergoing profound changes due to rapid scientific and technological developments;

Whereas these developments, though they offer unprecedented opportunities to change and shape man's environment to meet his needs, also present grave dangers if not controlled;

Whereas the United States should take the initiative in organizing an international conference for the purpose of mobilizing the knowledge and experiences of human environment problems, and developing a global plan to curtail the occurrence of environmental problems: Now, therefore, be it

Resolved, That the President is requested to invite in 1970 other interested nations of the World to join with the United States in organizing, convening, and participating in, an International Conference on Problems of Human Environment for the purpose of dealing, through international cooperation, with the environmental problems of man.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I yield not to exceed 2 minutes to the Senator from Nebraska.

S. 1538—INTRODUCTION OF A BILL TO ABOLISH THE COMMISSION ON EXECUTIVE, LEGISLATIVE AND JUDICIAL SALARIES

Mr. CURTIS. Mr. President, I am introducing today a bill to abolish the Commission on Executive, Legislative, and Judicial Salaries. It is a brief bill. It merely repeals about two lines in existing law.

Unless this Commission is abolished, it will be incumbent on the Commission to make another recommendation in regard to salaries for the Congress, the Cabinet members, the Supreme Court, and other Federal judges 4 years from now. Such permanent authority should not exist. I voted against the pay raise and for the Williams resolution to reject the recommendation of the Commission which went into effect on February 14, 1969. However, there are additional and, in a sense, more far-reaching reasons that these salaries should not be handled in this manner in the years that lie ahead.

What evidence is there before the Congress that the salaries of the Cabinet, the Supreme Court and other judges, and the Congressmen and Senators should be revised 4 years from now? Since most so-called revisions of salaries end up as increases in salaries, the assumption of need for such a Commission must be based on inflation. Inflation is very serious at the present time. It could reach

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runaway proportions. To permit this authority to stand is to assume continued inflation. Such an assumption is financially and psychologically bad. Furthermore, it is notice to all the victims of inflation that the U.S. Government expects inflation to go on. We should not treat the people that way.

Another reason for repealing this authority of a commission to set salaries is that we should place first things first. The first financial need of our country is to put the budget in balance and start out in an orderly reduction of the national debt. Even though that annual reduction in debt were to be small, it would bring cheer to the hearts of the majority of the American people. It would raise the image of the United States around the world and enhance the prestige and influence of Uncle Sam. Uncle Sam is handicapped in being an influence for good in the world so long as the suspicion lurks in the background that the U.S. Government neither has the courage nor the know-how to set our financial house in order. Until our financial house is in order, there is danger that Uncle Sam will be regarded by the rest of the world as a busybody who either can not or will not pay his bills as they accrue.

In the third place, the fixing of salaries for the executive, legislative, and judiciary by an outside commission is wrong in theory and wrong in practice. At first glance it sounds very attractive. The notion that some unbiased, qualified outside group should say when Congressmen and Senators and judges and Cabinet members should have a raise in salary and to say how much has an appeal. Upon closer examination or upon observation of practical experience the theory must be cast aside. I wish to cast no reflections upon the Commission members personally. The point is that captains of business and industry are apt to be placed on such a commission. It is inconceivable that such captains of industry are going to say to high officials in Government such as Cabinet members, Congressmen, Senators, the Supreme Court and other judges, "Your salary should not be raised." It is totally inconceivable that they would ever recommend a reduction in salaries even if the country were in a more grave financial crisis. Probably any commission appointed would be heavily weighted with individuals drawing enormous salaries and there would be nothing about their day-to-day experience that would keep them in tune with the economic facts of life for the rank and file of Americans.

It cannot be said that such a commission is a necessity. Through the years salaries have been increased and always without the gimmick of a commission to take the responsibility.

The VICE PRESIDENT. As in legislative session, the bill will be received and appropriately referred.

The bill (S. 1538) to abolish the Commission on Executive, Legislative, and Judicial Salaries, introduced by Mr. CURTIS, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

TREATY ON THE NONPROLIFERATION OF NUCLEAR WEAPONS

The Senate resumed the consideration of Executive H, 90th Congress, second session, the Treaty on the Nonproliferation of Nuclear Weapons.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to suggest the absence of a quorum with the time to be taken out of both sides.

The VICE PRESIDENT. Without objection, it is so ordered; and the clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. DODD. Mr. President, let me say at the outset that I regret that more Senators are not in the Chamber to listen to the discussion of this understanding. I can understand why. Everyone is busy with committee meetings, and this is an early hour. I was supposed to chair a meeting this morning but I cancelled it. However I do not want it to be understood that what I will have to say is in any sense pro forma, because I am very serious about it. It is a serious matter.

I hope that Senators will have an opportunity to read what has been said here on the floor by me about this understanding.

Let me begin by saying, Mr. President, that I am very grateful to the majority leader for his consideration. I shall try to keep my remarks brief and do so as expeditiously as I can.

In offering this understanding I also want to emphasize that I do not, in any way, propose to change or amend the language or the meaning of the Nonproliferation Treaty.

My understanding has to do with the resolution of ratification, as distinguished from changing the meaning of the treaty. Essentially, what it says is that, in ratifying the treaty, the Senate of the United States takes it for granted that the language of the treaty means exactly what it says. That is the point, really, of this understanding.

I wish to explain it in a little more detail. The preamble of the treaty reads in part as follows. and I quote from it:

> The States concluding this Treaty . . .
>
> Recalling that, in accordance with the Charter of the United Nations, States must refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the Purposes of the United Nations.

The non-nuclear-weapons states, in forgoing the right to develop nuclear armaments of their own, I believe, are entitled to the basic assurance spelled out in that preamble. Indeed, I go so far as to say that if this preamble had not been made a part of the treaty, not half a dozen nations would have signed it, because it is the basic inducement to them not to develop their own nuclear weapons.

We say to them, "In return for your not developing your own nuclear weapons, we assure you, in this solemn treaty, that you will not be invaded and there will be no threat against your sovereignty, your political integrity, or your independence."

That, it seems to me, is the "guts" of this treaty; and without it, it is less than what it is now, and I do not think it is much now. But certainly, without that assurance, if I were the head of state of any one of these smaller nations, I would say, "You do not get me into a treaty stopping me from developing nuclear weapons, unless you guarantee that I will not be attacked."

I have talked about that here, but I have never been able to get much attention.

While the treaty is not yet legally in force, it seems to me the Senate cannot ignore the fact that the Soviet Union, since the signing of the treaty on July 1, 1968, has violated the intent expressed in the preamble, and has done it three times: First of all, by the monstrous invasion of Czechoslovakia; second, by the open threat of intervention in Western Germany, on the ground of the existence of neo-Nazism; and, third, by the express threat of intervention in the affairs of the so-called Socialist states, promulgated in what is now called the Brezhnev doctrine.

Those were three violations of the preamble. The ink was hardly dry on the treaty when the first occurred; the second followed quickly; and then the third.

The purpose, therefore, of this understanding is to try to make it clear that the preamble means something; that it is not just verbiage; that it is not just platitude or some pleasantry by way of introduction.

Legally or legalistically, however one wants to say it, I suppose Czechoslovakia can be swept under the rug by saying, "Well, the Nonproliferation Treaty was not in force when that happened." That answer is without validity, in my judgment.

It is a fact that it happened after the Soviet Union signed the treaty. It was after the preamble, which is a party of the treaty, was signed. So I do not think that this event can normally be swept under the rug.

I do not say we should always be bringing up that treacherous attack on Czechoslovakia, and refuse to go any further along the road to arms control. But I do not believe in forgetting, as we have been forgetting for many years, the constant breaking of treaties by the Soviet Union. I am hoping this one will stick; that it will be good enough so that all parties will know it is being lived up to; and that there is no danger that one signatory party may violate it by threatening intervention or by actual military intervention.

So I repeat, legally or legalistically, however one wants to put it, the argument does not impress me that the treaty was not yet in force.

However, in light of the recent record, I believe we have to make it unmistakably clear to the Soviet Union, when we ratify this treaty, as I expect we will, that we do not regard the preamble as

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a scrap of paper or as a formality, but, instead, we regard it as a basic aspect of the treaty, the continuation of which must be taken at face value by the signatory nations.

I phrased the language of my understanding as diplomatically as I could, as diplomatically as possible within my ability. I do not name the Soviet Union; I do not see any sense in constantly calling the Soviet Union names, making it more difficult to bring the Soviets to their senses. I call the attention of my colleagues to the fact that the understanding does not single out the Soviet Union by name. It states:

> Any military attack directed against the independence of another country by a nuclear-weapons State party to the treaty.

I hope my colleagues will see fit to support this understanding, because I believe—earnestly believe, and I am sure I am right—it will strengthen the treaty.

Certainly it will delay the widespread fear that the United States will be willing to sweep future Czechoslovakias, as well as the past one, under the rug, and discourage statements that we shall be indifferent to future Soviet aggression.

I think my understanding will serve several purposes. First, it will strengthen the hand of the moderates—and I know there are some within the walls of the Kremlin—and it will weaken the hand of the extremists, which is in our interest. They should be weakened. Second, it will reduce the possibility of further Soviet intervention. Third, it will give at least some small measure of reassurance to our allies, as well as to the so-called Socialist states that I think are threatened by the Brezhnev doctrine.

That is my case, Mr. President, and I could talk about it a great deal longer, but I do not know that I could shed much more light on it. I think it is that simple.

The first part of the understanding states that if any one of these nuclear weapons states party to this treaty intervenes before the deposit of the instrument of ratification, this would allow others to withdraw under the 90-day provision.

The second part of it is that, after the treaty is in effect, if there is intervention by force, or threat of it, by one of the nuclear weapons states party to the treaty, then the treaty is null and void.

That is why it is in two parts.

I say, Mr. President, that is the case. The Senate will have to decide for itself.

It will be argued, as it has been when other understandings have been offered here, that it will mean a delay.

If it means a delay, then there is more to it than I have said already, and it suggests to me all the more the need for my understanding.

If none of the parties mean to intervene by threat of force, or actual military force, they are not going to say, "There is no need for it. We are not going to do that sort of thing." So if there is going to be a delay in their ratification of the treaty I think it is fair to surmise that they may be thinking of doing something like they did in Czechoslovakia. And there are rumors about Rumania now. Tito himself, within the last 48 or 72 hours, has said things that lead me to believe he is worried about the Soviets, too.

My understanding is one way—the only way we have now—of saying, "Look here, this treaty means what it says. It does not mean anything else, and we are not going to fool the American people, we are not going to fool the world, into thinking we have a treaty that will prevent what happened in Czechslovakia if you have no intention of abiding by it."

That is why I have offered the understanding.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. DODD. Yes, I yield.

Mr. BYRD of West Virginia. Mr. President, I have indicated my support for this treaty, and I have not seen in the treaty any verbiage which I would interpret to mean what I think the distinguished Senator from Connecticut has indicated that some of the verbiage means to him. I do not see such language in the preamble. The preamble would have no force of law, in any event.

Mr. DODD. Oh, yes.

Mr. BYRD of West Virginia. Does the preamble to the Constitution have any force of law?

Mr. DODD. Yes, it does. Our Supreme Court has said repeatedly that the preamble to the Constitution of the United States must be considered in any interpretation of the Constitution itself. There are several decisions along that line.

Mr. BYRD of West Virginia. Are there any decisions, though, that are rooted in the preamble of the Constitution?

Mr. DODD. I do not recall the decisions in that detail, but I think the general welfare phraseology of the preamble has been used as a legal foundation, away back during the Roosevelt administration. I do not know whether the Senator would call that an interpretation or a root.

But I would answer the distinguished Senator from West Virginia by asking, Why in the world do we put it into this treaty, then, if it does not mean anything? If I am called upon to sign a contract, I think every word of it means something, and it ought to be so understood.

It has been argued on the other side—and I am fearful that that is what is in the Senator's mind—that this is just a platitude or pleasantry, and does not really mean anything.

It ought to mean something. If, as the Senator argues, it does not mean anything, the treaty is practically worthless.

It is weak enough anyway, God knows, with respect to inspection and a hundred other things. But I plead that we should at least be sure we know what the preamble means, and we ought to assure ourselves that everyone else knows what it means.

That is my point.

Mr. BYRD of West Virginia. Will the Senator yield further?

Mr. DODD. Yes, I am happy to yield.

Mr. BYRD of West Virginia. Mr. President, I do not see any verbiage here, I repeat, which would indicate that we are binding ourselves to go to the defense of any nation that is invaded. That is what I understood that the Senator indicated——

Mr. DODD. No, no.

Mr. BYRD of West Virginia. Was the thought, or one of the thoughts or meanings, contained in this treaty. I do not find it in here.

Mr. DODD. No, I am sorry; I think the Senator misunderstood me. I was not suggesting that.

Let me say it again. The whole thrust of my understanding is: First, that before the treaty is in effect, if any nuclear-weapons power, party to the treaty, invades another country by military force to destroy its political integrity, then the other parties can withdraw under the 90-day clause; and, second, that after the treaty is in effect, if there is military intervention directed against the independence of another nation, then the whole treaty is null and void. That is all I said. I did not say anything about us having to go to the defense of anyone.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield further?

Mr. DODD. I yield.

Mr. BYRD of West Virginia. Mr. President, I think that article X provides adequate avenues for withdrawal of any nation in the event the need arises. The article says:

> Each Party shall in exercising its national sovereignty have the right to withdraw from the Treaty if it decides that extraordinary events, related to the subject matter of this Treaty, have jeopardized the supreme interests of its country.

Mr. President, I think if any event should arise which, in the judgment of our own Nation, jeopardizes the supreme interests of our country, the avenue for our withdrawal is provided in article X.

Mr. DODD. I understand the Senator's position.

Mr. BYRD of West Virginia. So if what the Senator has stated should develop, and if, in the judgment of our leaders, such a development would jeopardize the interests of our country, we have the right of withdrawal, just as any other country has the right of withdrawal.

Mr. DODD. The Senator is absolutely correct about that. But it is not only the interests of our country; it is the interests of all these other little countries which are foregoing their right to develop their own nuclear weapons that I am worried about.

I think we can take care of ourselves, and I am sure we will. But we have gotten a lot of other countries to sign already, to give up their right to defend themselves with nuclear weapons if threatened. And I think this is why they did it.

I say to the Senator from West Virginia that without this preamble, I do not think we would have gotten six nations to sign it. That is the whole justification of the treaty, the whole reason for its being.

The Senator says it is in article X. I say, let us make it clear by this understanding, so there will be no doubt.

I have no doubt. I think other Senators have no doubts, including one I see in the Chamber whom I think all of us consider a great constitutional lawyer.

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I think this preamble is an integral part of this treaty, as any preamble is to any contract, as a matter of law.

The Senator from West Virginia is a good lawyer, and I think he agrees with that principle of law. I think he has gone off a little bit from his usual sound judgment about these matters, and I hope to straighten him out. But I am afraid I am losing time.

Mr. President, how much time do I have remaining?

The VICE PRESIDENT. The Senator has used 17 minutes of his time.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield to me for just 1 minute? I will take no more.

Mr. DODD. Yes. I cannot refuse the Senator that, although I am losing time.

Mr. BYRD of West Virginia. I do not wish to labor the point, and I respect the Senator for his efforts here, and for his strong convictions; but I do not think that, in the context of the intent of this treaty, the understanding which he is supporting would be beneficial.

I think the thrust of the treaty is not to prevent the invasion of any country, or to assure any country that we will go to its defense in the event that it is invaded; the whole thrust is to prevent further proliferation of nuclear weapons. I think this treaty would accomplish that, and I hope it will, and that is why I support it.

Mr. DODD. I thank the Senator for his expression of his views, although I respectfully do not agree with him. I think there is a need for the treaty to be clarified by this understanding.

Reserving such time as I have remaining, I yield to the majority leader.

Mr. MANSFIELD. Mr. President, I yield myself 5 minutes, and if the Senator from Connecticut wishes more time——

Mr. DODD. I say to the majority leader, I do not yet know whether I shall. It depends on what is said.

Mr. MANSFIELD. Fine.

Mr. President, I have listened with interest to the definition of the understanding which the distinguished Senator from Connecticut has presented to this body, and I have also been privileged to hear the statements made by the distinguished Senator from West Virginia (Mr. BYRD).

I would be forced to aline myself with the Senator from West Virginia in his interpretation of the treaty which is before us, while at the same time recognizing the fact that this treaty is not a cure-all or a be-all, but is only a small step in what I think is the right direction to afford some relief to the people of this world from the danger of a nuclear holocaust.

As far as atomic weapons are concerned, we are not holding anyone back at the moment. No country has atomic weapons except the Soviet Union, the United Kingdom, this country, and China. What kind of nuclear weapons France has I do not know; but as far as China, France, and the United Kingdom are concerned, their weapons certainly cannot be compared to those which this country and the Soviet Union have.

It appears to me that the reservation itself is directed, and I think rightly, to the attack of the Soviet Union on Czechoslovakia last August, a situation which we all deplore, and which caused the present President, the then candidate of the Republican Party, to suggest to the Senate that there be a delay in the consideration of the treaty now before us; and, primarily on that basis, we acceded to the wishes of Mr. Nixon.

Since that time, he has had a chance to go over the situation as it affects the status of the treaty, and, without qualification, he and his administration have advocated that the Senate give its advice and consent to the ratification of the measure now before us.

I would hope that no Members of the Senate would want to abrogate this treaty, if it is agreed to.

How could we be able to determine what our policy would be in situations which we cannot contemplate, such as, for example, a Soviet attack upon China. We are not even aware of the circumstances attendant thereto. I point out that under article X of the treaty, which has been referred to by the distinguished Senator from West Virginia, any signatory has a right to withdraw within 90 days—and this is a very short period—and such a withdrawal would be quite a blow.

On the question of war, if it comes, the treaty would be ineffective, because on page 424 of the hearings, we find information in the third and fourth paragraphs which reads as follows—and this statement is made by Secretary Rusk:

> I think, sir, that this was simply a recognition of what today is almost an element of nature, and that is, in a condition of general war involving the nuclear powers, treaty structures of this kind that were formerly interposed between the parties would be terminated or suspended. (July 11, 1968 hearings, p. 27.)

I continue to read from page 424 of the report:

> At the other extreme would be a limited, local conflict, not involving a nuclear weapon-state. In this case the treaty would remain in force. The first preamble to the treaty considers "the destruction that would be visited upon all mankind by a nuclear war and the consequent need to make every effort to avert the danger of such a war" and the second preamble states the belief "that the proliferation of nuclear weapons would seriously enhance the danger of nuclear war." This central purpose of the treaty would be subverted by maintaining that the treaty was suspended in the event of such a war between non-nuclear-weapon parties. Accordingly, such parties would be bound by the treaty unless and until they exercised the right of withdrawal under Article IX.

The VICE PRESIDENT. The time of the Senator has expired.

Mr. MANSFIELD. Mr. President, I yield myself 1 additional minute.

The VICE PRESIDENT. The Senator from Montana is recognized for 1 additional minute.

Mr. MANSFIELD. Mr. President, the right to withdraw is a material right, to be determined by each individual state, large or small. The record is very clear that in case of general war, the treaty would be immediately null and void, as I have tried to indicate on the basis of my statements today.

In my opinion, the total effect of this reservation would be to muddy the treaty as well as to delay it. It would be my hope that the best way to move ahead on the road to disarmament and to bring about a hope for peace for all of the world would be to agree to this treaty, to do our part in bringing it to fruition, and to join the other nations of the world in achieving this worthwhile objective.

I repeat, this treaty is not an end-all or a be-all or a cure-all. But it is a step in the right direction. It is a small, hesitant step toward a goal which might take a long while to effect, but it is a step that is worthwhile.

Mr. DODD. Mr. President, how much time do I have remaining?

The VICE PRESIDENT. The Senator from Connecticut has 11 minutes remaining.

Mr. DODD. Mr. President, I yield myself 2 minutes. I do not think that I will take that long.

The VICE PRESIDENT. The Senator from Connecticut is recognized for 2 minutes.

Mr. DODD. Mr. President, I respectfully address my response, as far as I can, to the remarks of the majority leader.

I thought about China and every other country. I think that the language of my understanding has been very carefully drafted to get away from border skirmishes. That is not what it is directed to. It addresses itself to a military attack directed against the independence of another country.

Unfortunately, as the majority leader, I am sure, will agree, this kind of intervention does not always take on the appearance of a full-blown war.

No war was declared on Czechoslovakia. The Russians just marched in with troops and with tanks and took the country over. That is what I fear they may try again.

I agree with the majority leader. And I hope, with him, that this measure will be effective. However, we have had bad experiences with these people. We entered into the test-ban moratorium with them in all good faith.

What did the Soviets do? This is not ancient history. They violated it at a time of their choosing, with a series of monster atmospheric explosions.

In the face of a hundred violations—and that is an understatement—we are now asked to enter into the serious and fateful agreement involved in this treaty.

I do not care to rehash all the bad experiences we have had.

I remember yesterday—I think it was —on the floor when I said that I had read the late Senator Robert F. Kennedy's book over the weekend in which he relates how Gromyko sat and looked President Kennedy in the eye, and lied in his teeth, and said the Soviets had no missiles in Cuba.

President Kennedy, however, knew they did have missiles in Cuba. And Ambasador Dobrynin, who is still the Ambassador to the United States, lied in his teeth, too.

That is not ancient history. That happened a half dozen years ago. They said they had no missiles in Cuba. But we knew they had them there.

If we were dealing with people who had a record of trustworthiness, we could

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afford to take chances. And we are taking a big chance now.

We want everyone to understand that the preamble means what it says. We should stop this business of having Russia invade Czechoslovakia and threaten Rumania and West Germany, and claim the right to step into the affairs of any so-called Socialist country.

That is what my understanding is about.

I said earlier, and I think I ought to repeat it, that I know of the majority leader's earnestness and devotion to peace. I do not say that as a polite parliamentary ritual. I know that this is so. Indeed, I am deeply aware that this is so. And I highly respect the majority leader for this.

The majority leader has labored long and hard. But he says what so many others have said, that my understanding will muddy the waters and delay things.

I cannot understand why it should delay anything.

If we mean it and Great Britain means it, and it is already signed and deposited, why can the Soviet Union not say "Yes"? There should be no trouble in their doing that.

What is really bothering people is that if we write this provision into the treaty, the Soviet Union may say, "No dice. We are not going to commit ourselves to not interfering militarily."

If they are not about to do this, we can forget about the treaty. It will be remembered in history as one of the biggest jokes ever perpetrated on the American people and the world.

I do not care to delay the Senate. The majority leader has a great deal of work to do in trying to get through with this measure.

I did ask yesterday, as the majority leader will recall, for the yeas and nays. I would like to have an expression from the Senate. I have no illusions; I think, however, that it is important to make a record. It may not mean much today, but it may mean something some day for others.

Mr. President, I yield back whatever time I have remaining.

The PRESIDING OFFICER (Mr. SPONG in the chair). Does the Senator from Connecticut yield back his remaining time?

Mr. DODD. Yes, I do.

Mr. MANSFIELD. Mr. President, I yield myself a minute or two.

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. MANSFIELD. Mr. President, may I say that the test-ban treaty, despite its inequities—and there were some—was likewise a small step forward. And as far as violations of the Nuclear Test-Ban Treaty are concerned, there have been unintentional violations of that treaty by both the Soviet Union and the United States. It has held up very well, however.

I recall traveling with the late President John F. Kennedy when he undertook a natural resources tour of the western part of this Nation. He discussed natural resources in Duluth and Grand Forks, and the reaction was not very overwhelming. But when he reached Billings, Mont., and addressed a crowd of 75,000 people, he brought out the fact that just several days previously the Nuclear Test-Ban Treaty had been approved by the Senate. When he made that statement, he brought down the house, to use show business parlance; and it was an indication of the fact that the people of this country are interested in peace and are willing to take chances to bring about that most desirable objective.

We cannot go on building arms forever. Missiles are not the answer to the needs of the people today. Armaments are not the answer to the needs of the cities. These are problems we must confront and face up to, and these are steps we must take if the world is to be given the opportunity, which it should have, to advance on a fairly peaceful and prosperous basis, to the end that all its peoples, regardless of color or creed or origin, will be given the chance to live in a degree of peace and a chance to offer their children a small degree of hope.

When we talk of aggression, please keep in mind that the same charge could be applied against this country. Just yesterday, we apologized to Laos for an aggression into that country. Just a few days ago, Prince Norodom Sihanouk, the Chief of State of Cambodia, returned four American flyers who came down in that country. Several weeks ago, Prince Norodom Sihanouk returned 11 other Americans who had penetrated into Cambodian territory.

So I believe we should take an overall look at this treaty, weigh the consequences as the distinguished Senator from Connecticut has laid them out, and recognize that this is not the answer to the objective we seek, that it is only a step in the right direction.

I hope, Mr. President, that this treaty will be acceded to overwhelmingly by the Senate when the vote occurs.

Mr. DODD. Mr. President, I have yielded back the remainder of my time, but I would like 1 minute.

Mr. MANSFIELD. I yield as much time to the Senator as I have remaining.

Mr. DODD. I thank the Senator.

Mr. President, the Senator pointed out the situation in Laos and Cambodia. This is not what I referred to, in any respect. This was an accident in the course of war. I do not believe anyone contends that we purposely were trying to invade or interfere with the sovereignty of Laos or Cambodia. I am not talking about this. I am talking about the kind of thing that happened in Czechoslovakia.

As the majority leader knows, I agreed with him about the test ban treaty. He will recall that I introduced my own resolution, and I believe we made progress on that. What I referred to was not a treaty; it was an executive understanding suspending all nuclear testing, which we entered into in 1958.

Mr. MANSFIELD. That is correct.

Mr. DODD. That is the one I had in mind when I said that.

Mr. MANSFIELD. Mr. President, I could mention other countries in addition to Laos and Cambodia, such as the Dominican Republic. But I believe it is time to bring this reservation to a vote, and I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back.

The question is on agreeing to the understanding of the Senator from Connecticut (Mr. DODD). On this question, the yeas and nays have been ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may be allowed to suggest the absence of a quorum, for a period not to exceed 10 minutes after 11 a.m.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The clerk will call the roll.

Mr. MANSFIELD. The attachés should notify Senators that this vote will soon be in process.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

All time having been yielded back, the question is on agreeing to Executive Understanding No. 2 of the Senator from Connecticut (Mr. DODD). On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Georgia (Mr. TALMADGE) is necessarily absent.

Mr. SCOTT. I announce that the Senator from Colorado (Mr. DOMINICK) is absent because of illness.

The Senator from Colorado (Mr. ALLOTT) and the Senator from New York (Mr. GOODELL) are detained on official business.

If present and voting, the Senators from Colorado (Mr. ALLOTT and Mr. DOMINICK) and the Senator from New York (Mr. GOODELL) would each vote "nay."

The result was announced—yeas 15, nays 81, as follows:

[No. 19 Ex.]

YEAS—15

Allen
Bible
Byrd, Va.
Cannon
Curtis
Dodd
Eastland
Ervin
Hollings
Jordan, N.C.
Long
McClellan
Russell
Thurmond
Tower

NAYS—81

Aiken
Anderson
Baker
Bayh
Bellmon
Bennett
Boggs
Brooke
Burdick
Byrd, W. Va.
Case
Church
Cook
Cooper
Cotton
Cranston
Dirksen
Dole
Eagleton
Ellender
Fannin
Fong
Fulbright
Goldwater
Gore
Gravel
Griffin
Gurney
Hansen
Harris
Hart
Hartke
Hatfield
Holland
Hruska
Hughes
Inouye
Jackson
Javits
Jordan, Idaho
Kennedy
Magnuson
Mansfield
Mathias
McCarthy
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Montoya
Moss
Mundt
Murphy
Muskie
Nelson
Packwood
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Saxbe
Schweiker
Scott
Smith
Sparkman
Spong
Stennis
Stevens
Symington
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NOT VOTING—4

Allott
Dominick
Goodell
Talmadge

So Executive Understanding No. 2 was rejected.

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EXECUTIVE UNDERSTANDING NO. 3

Mr. DODD. Mr. President, I call up my Understanding No. 3.

The PRESIDING OFFICER. The clerk will state Understanding No. 3.

The assistant legislative clerk read the understanding (Executive Understanding No. 3), as follows:

> Before the period at the end of the resolution of ratification insert a comma and the following: "with the understanding that the United States shall deposit its instrument of ratification simultaneously with the Soviet Union, at a time to be agreed upon".

The PRESIDING OFFICER. The debate on the understanding will be under controlled time, half an hour to a side.

Would the Senator from Connecticut, before the time begins, yield in order that the Senate may receive a message from the House?

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had passed a bill (H.R. 33) to provide for increased participation by the United States in the International Development Association, and for other purposes, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to a resolution (H. Res. 314) electing JOHN BRADEMAS of Indiana to fill the vacancy existing on the Joint Committee of Congress on the Library.

HOUSE BILL REFERRED

The bill (H.R. 33) to provide for increased participation by the United States in the International Development Association, and for other purposes, was read twice by its title and referred to the Committee on Foreign Relations.

Mr. MANSFIELD. Mr. President, as in legislative session, I yield 1 minute to the Senator from New York.

CONCURRENT MEMORIALIZING RESOLUTION OF LEGISLATURE OF NEW YORK

Mr. JAVITS. Mr. President, I call the attention of the Senate to the fact that the New York State Legislature, through its joint legislative committee, headed by State Senator William E. Adams as its chairman, called on Senator GOODELL and me this morning and presented a concurrent resolution, adopted unanimously without regard to party by the State legislature, memorializing the Congress to reform the welfare system and to create minimum standards for public assistance in all States. Also present to present this resolution to us were State Senator William T. Smith, and Assemblymen James L. Emery, vice chairman, and Lawrence E. Corbett, Jr.

I think this is such an important document and so very well done that I ask unanimous consent that its text may be printed in the RECORD as a part of my remarks and also that it may be included as one of the petitions and memorials presented today, and appropriately referred.

The PRESIDING OFFICER. Without obection, it is so ordered.

The concurrent resolution, which reads as follows, was referred to the Committee on Finance:

> Concurrent resolution of the Legislature of the State of New York memorializing Congress to enact legislation to create a minimum standard for public assistance in all States which provide an adequate level for the maintenance of health and decency and which cannot be altered or reduced by the introduction or application of minimum payment levels, or other percentage deductions or other devices which impose a limit below the national standard amount of assistance which eligible families may receive; to provide that assistance to the aged, disabled, and the blind be fully funded and administered by the Social Security Administration of the Department of Health, Education, and Welfare; to establish a comprehensive, nation-wide program of public assistance based upon the simple criterion of need, replacing arbitrary, inequitable and inefficient, categories of assistance presently in effect; creating a simple and uniform formula to determine federal reimbursement for public assistance, other than aid to the aged, disabled, and blind, which will provide for equitable and reasonable fiscal efforts among the states and will not penalize those states which maintain and provide more adequate and comprehensive assistance level; to provide block grants to states for the purpose of establishing research projects to increase effectiveness, efficiency and economy in the administration of public welfare, commensurate in size and scope with the national investment in the assistance program and to establish demonstration projects in each of the States for restructuring the public welfare system through meaningful and effective separation of income maintenance responsibilities from the delivery of social services
>
> Whereas, It has been recognized that the foremost domestic crisis facing the people of this nation is poverty; and
>
> Whereas, Public welfare is the only governmental vehicle primarily designated to assure the provision of guarantee against poverty and social deprivation, and to insure the basic essentials of living to individuals and families who are in need; and
>
> Whereas, Rapid urbanization and advancing technology have markedly affected the dimensions of public welfare in this country to the point that individual states are no longer in a position to control or ameliorate the causes of rising welfare rolls nor are they fiscally able to support an adequate system of income maintenance for those who require assistance; and
>
> Whereas, The present Federal system of administering public welfare, based on the restrictive categorical programs and inequitable reimbursement rates to the states, tends to ignore our national commitment to provide an adequate standard of living for all citizens irrespective of their place of residence; and
>
> Whereas, It is the judgment of this Legislature that efforts should be made to correct the injustices imposed upon the people and the inequities imposed upon the states referred to herein; now, therefore, be it
>
> *Resolved (if the Assembly concur)*, That the Congress of the United States be and it hereby is memoralized to enact legislation creating a minimum standard for public assistance in all states which provides an adequate level for the maintenance of health and decency, and which cannot be altered or reduced by the introduction or application of maximum payment levels, percentage reductions, or other devices which impose a limit below the national standard amount of assistance which eligible families may receive; and be it further
>
> *Resolved (if the Assembly concur)*, That the Congress of the United States be, and it hereby is, memoralized to enact legislation providing that assistance to the aged, blind and disabled be fully funded and administered by the Social Security Administration of the Department of Health, Education, and Welfare; and be it further
>
> *Resolved (if the Assembly concur)*, That the Congress of the United States be, and it hereby is, memoralized to enact legislation to establish a comprehensive, nation-wide program of public assistance based upon the simple criterion of need, replacing arbitrary, inequitable and inefficient categories of assistance presently in effect; and be it further
>
> *Resolved (if the Assembly concur)*, That the Congress of the United States be memorialized to enact legislation creating a simple and universal formula to determine Federal reimbursement for public assistance, other than aid to the aged, blind and disabled, which will promote equitable and reasonable fiscal efforts among the states and will not penalize those states which maintain and provide more adequate and comprehensive assistance levels; and be it further
>
> *Resolved (if the Assembly concur)*, That the Congress of the United States be memorialized to enact legislation to provide block grants in aid to states for the purpose of establishing research projects to increase effectiveness, efficiency and economy in the administration of public welfare, commensurate in size and scope with the national investment in the assistance programs; and be it further
>
> *Resolved (if the Assembly concur)*, That the Congress of the United States be memorialized to enact legislation for the establishment of demonstration projects in each of the states for restructuring the public welfare system through meaningful and effective separation of income maintenance responsibilities from the delivery of social services.

S. 1540—INTRODUCTION OF A BILL FOR NURSE TALENT SEARCH PROGRAM

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, a bill to help meet the crisis in health care caused by serious shortages of registered and practical nurses. This bill would aid recruitment into the nursing professions.

My proposal would expand the present nurse talent search program, of which I was the author, to:

Include licensed practical nurses as well as registered nurses;

Permit more widespread identification of potential nursing candidates from minority and disadvantaged groups;

Provide for the development and demonstration of new and effective ways of assisting young people to overcome the effects of cultural, economic, and educational deprivation in order to become nurses;

Broaden the base of the program to include older individuals rather than just "youths" as in the present law, thus giving recognition to the fact that many older women ably serve as nurses, entering the professions later in life;

Expand the present authorization to include grants as well as contracts, thus providing flexibility in achieving the objectives of the program; and

Authorize $300,000 for fiscal year 1970, $750,000 for fiscal year 1971, $1.25 million for fiscal year 1972 and $1.75 million for fiscal year 1973.

The dimensions of the crisis in the shortage of nurses was dramatically de-

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scribed by the New York State Joint Legislative Committee on the Problems of Public Health and Medicare, the Lent committee, which observed that the "single most important health problem in New York State and the Nation is how to increase the number of professional registered nurses." At a time when the proportion of high school students choosing nursing as a career has declined and Negroes comprise only 3 percent of nursing students—although 11 percent of the population—it is apparent that we must intensify efforts to recruit individuals into the nursing professions if we are to supply adequate health care for our people.

At present rates of recruitment, the Nation will be short 151,000 nurses in 1970. This dearth of nurses has already curtailed hospital services. For example, last year the District of Columbia General Hospital was obliged to close a wing because of a nursing shortage. In addition, many parts of the Nation are very adversely affected. While the national average is 313 registered nurses per 100,000 population, the actual range is from a high of 536 in Connecticut to a low of 133 in Arkansas. Other States having less than 200 registered nurses per 100,000 population are Georgia, Alabama, Kentucky, Mississippi, Tennessee, Louisiana, Oklahoma, and Texas.

While New York fares better, the fact is that in New York City vacancies range from 20 percent of the vital nursing positions in some of our best run hospitals to an incredible 75-percent vacancy in some proprietary and in most municipal hospitals.

Today, with changing hospital techniques, most bedside services are performed by licensed practical nurses—LPN's—and nurse's aides. Yet the LPN registries are only able to fill about three-fourths of the calls made on them for personnel. My bill would for the first time establish a program for recruitment of LPN students to help relieve this situation. This bill is identical to the measure I sponsored in the last Congress which was included in the Health Manpower Act of 1968 as it passed the Senate, but which was dropped in conference.

The **PRESIDING OFFICER.** The bill will be received and appropriately referred.

The bill (S. 1540) to amend the Public Health Service Act to extend and improve the provisions thereof authorizing contracts and grants to encourage full utilization of nursing education talent, introduced by Mr. JAVITS, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

TREATY ON THE NONPROLIFERATION OF NUCLEAR WEAPONS

The Senate resumed the consideration of Executive H, 90th Congress, second session, the Treaty on the Nonproliferation of Nuclear Weapons.

The **PRESIDING OFFICER.** The Senator from Connecticut is recognized.

Mr. DODD. Mr. President, I ask for the yeas and nays on my understanding.

The yeas and nays were ordered.

Mr. MANSFIELD. Mr. President, if the Senator will yield, I wish to allow myself 1 minute to urge Members of the Senate not to go too far away, and, if possible, to remain in the Chamber. It may not take the full hour to come to a vote on the pending understanding, and it will save much time if what I have suggested is given serious consideration.

Mr. DODD. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. DODD. I join the majority leader in saying to the Members of the Senate that I do not think it will take anywhere near the full hour. I shall not require more than 15 minutes.

Mr. MANSFIELD. So it may take perhaps 15 or 20 minutes.

Mr. DODD. Mr. President, I would like to have the attention of my colleagues. I think this is important.

Mr. President, this is a very brief understanding. It simply says that the "United States shall deposit its instrument of ratification simultaneously with the Soviet Union, at a time to be agreed upon."

It is a very simple matter, but I think a gravely important one.

I offer this understanding to the resolution because while it in no way affects the sense of the treaty, the addition of this understanding may help us to avoid certain political pitfalls which might arise if we rushed to deposit our instrument of ratification while the Soviet Union held off on depositing its own instrument of ratification.

Great Britain has already deposited its instrument of ratification. I assume we will ratify this treaty. But I do not want to see us deposit that instrument of ratification until the Soviet Union, at the same time, in a common ceremony, deposits its instrument of ratification.

Why should not that be so? The first thing I want to point out is that the text of the treaty establishes no deadline for the deposit of the instruments of ratification.

While the report says it is the opinion of the committee that the major powers should deposit their instruments of ratification at the same time, there is nothing in the resolution of ratification that requires it.

One may say, "What about it? What is the danger?" We got into the consular treaty, after some debate. Some of us had doubts about it. At any rate, the Soviet Union did not deposit its instrument of ratification for a year or more afterward.

I do not know what it was up to. But I do not want it said, after we have deposited our instrument of ratification, that there is some other understanding or interpretation, or perhaps some reason for the Soviet Union's not depositing its instrument of ratification at all.

Why not deposit our instruments of ratification simultaneosuly, if everything is on the level?

Great Britain has deposited hers. I am sure we will deposit ours. There will be only one left, the Soviet Union. I think it ought to be required to do the same thing at the same time.

According to several news articles, the Soviet Union and other Communist states have let it be known that they do not intend to ratify the treaty unless and until it has been ratified by the West German Government. More than one commentator has made the statement that we can expect no action by the Bonn government until after the September election in that country, because there is a lot of misgiving over the treaty in political circles.

What worries our German allies is not that the treaty would prevent them from developing nuclear weapons of their own because they have already given up that option at the point of joining NATO. What worries them is that the treaty appears to place a prohibition on the development of a European deterrent force.

There is no assurance that West Germany will sign the treaty even after the September election. If it does not, then it is clear the Soviet Union will seize the situation to make West Germany an international whipping boy and to drive a further wedge between the United States and some of its principal NATO allies.

But the Soviet Union could very well hold off. It has said it will not do anything until West Germany does. We might then be in the position of having deposited the instrument of ratification, as has Great Britain, and, I expect, we would consider ourselves bound by it.

The Soviet Union may wait a year or more, as it did in the Consular Treaty, or it may not ever deposit its instrument of ratification.

I do not know why we should not deposit our instruments of ratification together. There are only three of us—the United States, Great Britain, and the Soviet Union, and Great Britain has already done it. Why not do it together? That is the way contracts are signed.

Mr. JAVITS. Just to elucidate the situation, does not the Senator agree that, as a matter of international law, even though we cast a vote for ratification, that does not make the treaty take effect until the President actually deposits the instrument of ratification?

Mr. DODD. That is correct. That is what I am talking about—depositing.

Mr. JAVITS. I understand.

Mr. DODD. I say that when we deposit the ratification, in all fairness, I can see no reason for any objection to an understanding that the Soviet Union should deposit its ratification at the same time.

Mr. JAVITS. But does the Senator agree that the treaty does not take effect until the President actually does that?

Mr. DODD. That is correct.

Mr. JAVITS. And that the President may withhold it if he chooses, even though we vote to ratify?

Mr. DODD. I think that is correct, but I think that is immaterial.

Mr. JAVITS. Should we not give our President some flexibility? Perhaps in this case, for very good reasons, he would like to delay our deposit until a year later than the Russians, just as the Russians chose to do in connection with the Nuclear Test Ban Treaty. Why do we have to tie ourselves to simultaneous action with the Russians?

Mr. DODD. Mr. President, there is nothing in this treaty that directs the President to do anything. It simply says, as part of this resolution of ratification, that when the instruments of ratification are deposited, this shall be done simultaneously. It does not say when the President has to deposit it, or that he

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ever has to deposit it. It simply says that when the President does deposit it, the Soviet Union shall deposit its instrument of ratification at the same time, in a common ceremony.

If the Senator says this might cause delay, I say that is the best argument for my understanding. What delay will it cause if the Soviet Union is in good faith with regard to this treaty? Then it ought to say, "Why, of course, we are ready, let us both sign up together, like parties to any agreement do."

I think there is a possibility that the Soviet Union may react to the possible refusal by the West German Government to sign the treaty by again invoking its proclaimed right to intervene in West Germany.

On the other hand, if West Germany does adhere to the treaty, we might find the Soviet Union, at the point of depositing its own instrument, attaching conditions, reservations, or interpretations. I do not think any of us want to see that happen.

As I tried to point out yesterday, and as a majority of the members of the Committee on Foreign Relations have pointed out, the language of the treaty is ambiguous on many points.

I could go on and talk at greater length about this matter, but I think it is that simple. I am not happy about some other aspects of the treaty.

I think the President has done the best he can.

I understand the attitude of members of the Committee on Foreign Relations, and others. I have no ill will about the vote on the understanding I offered earlier. I believe it was right. But as to this one, I say to my fellow Senators, I deeply and truly believe we should act affirmatively.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. DODD. I yield.

Mr. PASTORE. I believe a fundamental mistake that is being made in discussing this treaty, Mr. President, is in the supposition that the treaty is an accommodation to Russia. I would hope, because I have lived with this matter from the time of its beginning, that Senators would read the treaty very carefully.

It is a fact, Mr. President, that insofar as the United States of America is concerned, under this treaty we are not being obligated to do anything that we are not doing today; and as far as Russia is concerned, she is not being obligated to do anything she is not doing today. The only people who are sacrificing part of their sovereignty under this treaty are the nonnuclear powers.

All we are trying to do here is bring the nonnuclear powers into the fold, by inducing them to agree that they will not fabricate atomic or hydrogen weapons, and that they will permit an international agency to inspect their peaceful atomic establishments to make sure that none of the material is being diverted to military purposes. Unless we understand that, Mr. President, I think we are losing sight of the very essence of this treaty.

Russia is just as much interested as the United States is interested in seeing that these bombs do not get into the hands of other irresponsible governments which today do not have them. That is essentially what this treaty is all about. But one might think, by listening to the debate on this floor, that here is the United States of America, bowing to the great power of Russia and accommodating Russia.

We are not doing that at all. Mr. President, do you know whom this treaty accommodates? It accommodates mankind. We must understand that fact.

What we are saying here today is that unless we stop this madness of every country in the world making bombs—and there are enough bombs today to destroy the world—some crazy triggerman, one day, will let this thing go off and burn this world. We are trying to avoid that.

I realize that this treaty is not the panacea or the cure-all for all of our problems. I understand that completely. But the fact still remains that unless we make a beginning, we will have a disastrous ending.

We have been struggling with this matter for months and months. I have talked with Bill Foster, I have talked with Adrian Fisher, and I have talked with all our negotiators. I even went to Geneva. All we are trying to do in this case is to reaffirm the present law.

This country could not give a bomb away without Congress authorizing it. We are not giving a bomb away under this treaty; and as far as I know, even Russia is being careful enough not to give her bombs away. And if she ever gets around to doing that, we can break the treaty if we want to. There is enough leeway under this treaty to do that.

But I leave this thought with the Senate, and I hope it will be understood: This treaty is not an accommodation to Russia. If I thought it was, I would not vote for it. This treaty is an accommodation to mankind and the survival of our civilization.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. DODD. Mr. President, I am running out of time. I appreciate the eloquence of the Senator from Rhode Island, but I do not wish to lose all my time to the other side.

I yield to the Senator from Florida.

Mr. HOLLAND. Mr. President, I agree with the Senator from Rhode Island, in part; this treaty means what he says. However, I agree very strongly with the Senator from Connecticut that his proposed understanding is useful. I think it would serve to indicate to the world, when we ratify the treaty, as I think we shall—I shall certainly vote for its ratification—that the United States, having ratified, the pressure is in only one place, and that is on the third remaining depository, which is the Soviet Union. I think that our withholding of deposit would be a method of indicating to the nations of the world that we are in accord with this treaty, but that we are simply waiting while one other of the depositories makes up its mind when it is going to bring the relative calm and peace to the many nations of the world which are non-nuclear. I think it is the best device available to us to bring some pressure on the Soviet Union, which may result in a much earlier ratification and deposit by the Soviets than would otherwise be the case.

Therefore, I support the understanding of the Senator from Connecticut.

Mr. DODD. I thank the Senator from Florida. He is a great Senator and his support means a great deal to me.

The Senator from Rhode Island is, indeed, a persuasive, knowledgeable, and eloquent Member of this body. He is a very difficult Member with whom to debate, because he has such great ability. But having said as much as I could about the real thrust of this understanding, I want to point out for the RECORD that I do not agree when the Senator says the treaty is not an accommodation to the Soviet Union. I think it is. If it were not, I do not think they would be in it for one second.

I do not know of anything in their entire record, any time, any place, where they ever did anything for anybody unless it advanced their cause and their interests.

They have broken over a hundred agreements with us. I asked here earlier, in relation to the first understanding I offered, how often we have to be reminded of this.

I do not think there is any doubt about their interest in the treaty being greater than ours. That is why they are pressing for it. That is why they want it. But that is all right with me, if they will live up to the treaty.

I agree with the distinguished senior Senator from Rhode Island that this can be a great day for the world.

I know the interest of the Senator from Rhode Island in peace. The Senator is vice chairman of the Joint Committee on Atomic Energy. He has vastly more knowledge than I have on the subject. However, he misunderstands my purpose.

I feel that it is greatly to their interest. They are pushing so hard, at so many points I am afraid that they might try some new move.

The Senator from Rhode Island is a good lawyer. He is well known in his own State and beyond the borders of his State as being an excellent lawyer. He knows that when parties enter into a contract, they usually sign the contract together, simultaneously. Sometimes there is a little delay. However, on this treaty we are likely to run into a delay of a year or more. I do not know how long the delay will be or what will happen in the meantime.

The Senator knows what happened with relation to the honest agreement we had—it was an executive agreement—with the Soviet Union to suspend all tests of nuclear weapons. We got into that agreement by taking their word on the matter. They, without any warning or notice to anybody, suddenly embarked on their massive series of atmospheric tests and spread radioactive debris all over that part of the world.

The Senator can trust them if he wants to. I do not. I do not know of anything in their record that would compel me or lead me to do so.

I hope they will be trustworthy. I think our best hope is that they will change. It

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is a sensible thing to say to them, "Let us ratify this treaty together. This is what we agree on. Let us go ahead."

That is all I am asking for, and no more. I am not trying to defeat the treaty. I may vote for it myself. I am simply trying to make sure that we do not run into any more of the disappointments and betrayals I have referred to.

I might add an additional sentence or two since the Senator could not be present at the time we were discussing the earlier understanding.

I am really afraid of another Czechoslovakia. And I know that there are those who say that is nonsense. I do not know why it is nonsense. They did it 6 months ago. There are rumbles now about Romania. Tito is alarmed.

We do not know what these people will do if the extremists are still in control, as I am afraid they are, in the Kremlin.

Despite our desire for peace, despite President Nixon's eloquent statement in his inaugural address of his desire to seek peace, we all know that we have always gone that extra mile. We are still on that road. What a little thing it would be to ask that they deposit their instrument of ratification at the same time we do.

That is the case I am trying to make, and that is all.

Mr. President, how much time do I have remaining?

The **PRESIDING OFFICER.** The Senator from Connecticut has 10 minutes remaining.

Mr. **PASTORE.** Mr. President, will the Senator yield?

Mr. **MANSFIELD.** Mr. President, I yield 5 minutes to the distinguished Senator from Rhode Island.

The **PRESIDING OFFICER.** The Senator from Rhode Island is recognized for 5 minutes.

Mr. **PASTORE.** Mr. President, certainly I do not want to be placed in the position this afternoon of being the devil's advocate.

I hate what the Russians have done as much as does anyone else in the Senate. I am not certainly standing here today to defend Russia. I am not defending Russia for setting up the missiles in Cuba. No one has been more critical of that than I.

The fact still remains that under President Kennedy we did bring about the Nuclear Test Ban Treaty which, in my opinion, is a triumph for our time, without any question.

Since that time, there has not been an explosion in the atmosphere by any of the signatories to that treaty. Perhaps eventually there will be an abrogation of that treaty or a violation of that treaty then we can act accordingly.

The point that I am making here today, however, is that the awesome power we are talking about here has to be brought under control, and we have to begin to do that step by step.

Under the very terms of this treaty, it cannot take effect after it is ratified until such time as the three nuclear powers that we are talking about file the treaty and deposit it. That refers to Great Britain, the United States, and Russia, plus 40 other signatories to the treaty.

Of course, there are only two other nuclear powers in the world—France and Red China—but they are not parties to this Nonproliferation Treaty. Under Section 3 of Article IX, which appears on page 5, it states very clearly:

> This Treaty shall enter into force after its ratification by the States, the Governments of which are designated Depositaries of the Treaty, and forty other States signatory to this Treaty and the deposit of their instruments of ratification.

That is it.

Mr. President, all I am saying is that we cannot confuse this issue on the floor by means of reservations or understandings or amendments.

This measure has gone through the Committee on Foreign Relations. We have had hearings in which the members of the Joint Committee on Atomic Energy joined.

I realize the fear of my good friend, the Senator from Connecticut, with reference to the threat of Russia. I am not trying to minimize that at all. All I am saying here today is, first, the treaty protects us against the thing he fears; and, second, we always have the backstop of the President who can deposit this treaty anytime he deems it is in the interest of the United States of America to do so.

Mr. **MANSFIELD.** Mr. President, I yield myself 5 minutes.

The **PRESIDING OFFICER.** The Senator from Montana is recognized for 5 minutes.

Mr. **MANSFIELD.** Mr. President, there is not much I can add to what the distinguished senior Senator from Rhode Island has said in opposition to the pending understanding which, in my opinion, is unnecessary, unneeded, and would accomplish nothing.

I argee with the Senator from Rhode Island when he says that this treaty is an accommodation for all mankind. I disagree with my distinguished friend, the Senator from Connecticut, when he states that this is an accommodation to the Soviet Union. Nothing could be farther from the fact.

When we arrive at an agreement, when we consider a treaty after 4½ years of deliberation, when we have a proposal before us which is approved by both the preceding Democratic President and the present Republican President, then I think we have gone into the matter just about as consistently and assiduously as we can.

I think this treaty is an accommodation for mankind. No one can speak more forcefully or more factually on that point than can the distinguished senior Senator from Rhode Island, the present vice chairman of the Joint Committee on Atomic Energy, who was chairman of that joint committee in the preceding 2 years. The Senator from Rhode Island knows whereof he speaks.

I recall the words of Col. Frank Borman, the commander of the Apollo 8 flight, who, when he looked down on this little globe from up in the area of the moon, said it is so small and so beautiful, and he remarked how he longed to be back here. But this so small and so beautiful earth could be blown up if we were to live in the past and forget the many dangers confronting this world today.

We must look to the future. We should not perpetuate a credibility gap based on events which happened 10, 20, or 30 years ago. We should not keep alive old antipathies, old resentments, and old policies.

We should think of people, not governments—of people, regardless of the type of government under which they live.

This body has a grave responsibility, and it will not be diminished by avoiding the questions which confront us, no matter how difficult they may be and no matter how emotionally they may be presented.

What the distinguished Senator from Connecticut is advocating today has already been recommended in the committee report, and therefore is completely unnecessary. If I may read from page 17 of the report:

> The committee expresses the opinion that this treaty is of such significance that the administration should endeavor to arrange for the major nuclear powers to deposit their instruments of ratification contemporaneously—

Contemporaneously—

> thus emphasizing the historic nature of the event and avoiding insofar as possible misunderstandings which might otherwise arise.

Again, if we adopt this understanding, we will be opening up the treaty to all kinds of understandings and reservations and misunderstandings so far as the signatory powers are concerned. Making such an absolute requirement by this understanding assumes a lack of confidence in Secretary of State Rogers and President Nixon, who, after all, have the constitutional responsibility for depositing the instrument of ratification. That is the President's responsibility, and he can desposit the instrument at his own discretion. It could be next month, next year, or 5 years from now.

I add one further item, and this is a repetition of what the distinguished Senator from Rhode Island has already said. The third paragraph of article IX reads:

> This Treaty shall enter into force after its ratification by the States—

"The States" refers to the United Kingdom, the U.S.S.R., and the United States—

> the Governments of which are designated Depositaries of the Treaty—

That means, of course, the places for deposit are Moscow, London, and Washington—

> and forty other States signatory to this Treaty and the deposit of their instruments of ratification.

Mr. President, I intend to do what I can to uphold the hand of the President of the United States, and I intend, insofar as I possibly can, to allow President Nixon as much discretion as possible. He is not a hasty man. He is a man who will move carefully, cautiously, with a full awareness of the facts; and if the Senate approves this treaty, I am quite certain that at an appropriate time, all the facts considered, the President will do the job

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which is his. I would uphold the President's discretion in this matter. I have faith in him.

The PRESIDING OFFICER (Mr. ALLEN in the chair). Who yields time?

Mr. DODD. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator from Connecticut has 10 minutes remaining.

Mr. DODD. I am happy to yield 4 minutes to the distinguished Senator from Florida.

Mr. HOLLAND. Mr. President, I do not like to be in opposition either to my distinguished majority leader or to the distinguished former chairman of the Joint Atomic Energy Committee.

I desire to call attention to the fact, however, that the committee which considered this matter has already expressed its opinion that the course suggested by the pending understanding of the Senator from Connecticut should prevail. I see no reason why other Members of the Senate should not have the same privilege and the same opportunity. Insofar as the Senator from Florida is concerned, he is going to exercise that privilege and accept that opportunity by voting for this understanding.

This understanding would not disturb the treaty in any way. It is not a reservation. It would be persuasive only upon the President, as he may act. I have great confidence in the President, and I would much rather that he knows how keenly I feel about this matter than to have it simply stand upon a recommendation of the Committee on Foreign Relations, which has already been read into the RECORD and which appears on page 17 of the committee's report.

I read only a part of it now:

> The committee expresses the opinion that this treaty is of such significance that the administration should endeavor to arrange for the major nuclear powers to deposit their instruments of ratification contemporaneously—

That is, at the same time.

Mr. President, I strongly agree with that expression of opinion. I believe that every Senator on the floor of the Senate should have a chance to join in that matter. I do not know how we can join in it without voting for this understanding.

My own feeling, may I say with great respect to my majority leader, is that in attaining or helping to the maximum of our ability to attain this boon to humanity about which he rightly speaks, we will have accentuated our own influence in that matter, by making it clear to the world that we ratify; that only one step is necessary to go further; that then 40-odd nations or 50-odd, or however many nonnuclear nations are relying upon this treaty, will have the relief which they get under this treaty; and that only one nation stands in the way of perfecting this arrangement, which does bring a boon to mankind.

I believe it will have a real influence in the world, because much of the world will say that we are waiting on only one thing, and that is for one of the nuclear nations to itself ratify and deposit. We will have ratified. We are ready to deposit. We will have invited Russia to deposit. It seems to me that we will have put ourselves in the strongest possible position in the mind of the world, generally, and in the strongest way to get early, complete ratification of this treaty, by following this course.

I believe we should support the understanding of the Senator from Connecticut.

Mr. DODD. I thank the Senator from Florida for his excellent contribution.

Mr. MANSFIELD. I am prepared to yield back the remainder of my time.

Mr. President, I have made my arguments. I think they are valid. I have tried to bring to the attention of the Senate the attitude of the Committee on Foreign Relations toward this understanding, and also to express—and I do so again—my faith in the discretion of the President of the United States in carrying out his constitutional responsibility as to when in his judgment would be the right time to deposit the instruments of ratification. To reiterate: I do not think that President Nixon would rush to make that deposit.

Mr. DODD. Mr. President, it seems to me that my argument has not been answered. It has been bolstered by the Senator from Florida.

Nothing in this understanding says that the President of the United States has to do anything. He does not ever have to deposit it. Not one word in this understanding directs the President to do anything.

I have just as much confidence in our President as anyone else has. I have great confidence in him. I do not have any doubt about the fact that he wants to achieve a real settlement for peace in the world. I am content to put our case in his hands. I do not worry about the President. I do worry about the careless way we are getting into this treaty, and I do worry about the Soviet Union.

The majority leader eloquently says that we should no longer live in the past. I do not think I am living in the past. I am not talking about 10, 20, or 30 years ago. I am talking about 6 months ago, when I talk about Czechoslovakia. I am talking about 4 months ago, when they threatened Western Germany. I am talking about 3 months ago, when they said they could intervene in any so-called Socialist country. There is no ancient history about this. There is nothing more current.

I am well aware of the language in the committee report. I believe it is good language. It is the opinion of the committee that this should be done simultaneously, and the Senator from Florida has put the case better than I. That is the reason for offering the understanding. If the members of the committee think that simultaneous deposit is right, why not say so? Why not do what we can do to make sure that is so?

The one thing that troubles me is that it seems I am being placed in a difficult position by offering the understanding, and I do not think I should be.

I do not think my understanding will open the way to all kinds of understandings. It would not do anything of the sort. If the Soviet Union is on the level, and I hope it is, and I hope it is becoming more so, I still say we better look out because we are not living in ancient history.

When I said that it is an accommodation to the Soviet Union, I meant that is why they are so greatly interested.

When we disregard the words of the preamble, instead of adopting the previous understanding I offered, then those small nations now forgoing their right to develop their own nuclear weapons are the ones who may not be accommodated by future developments.

Without the preamble, I say again, we would have no one signing this agreement.

I, too, shall support the President. I shall support him, as I have been trying to do, and shall do, I believe in him and I believed in him for many years. I watched him when he presided over this body. I have no doubt about the President. I think this measure would help him. I know that the Secretary of State, the chairman of the Committee on Foreign Relations, and everyone else want to end this nuclear race; and I do, too.

I have no doubt about our motivations in entering into this treaty. However, I think it would be helpful if we adopted this simple understanding.

How can the Soviets say no? For the life of me, I do not understand. I hope that some day people do not come around and say, "It is too bad we did not do these things."

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. DODD. I am glad to yield to the Senator from Florida.

Mr. HOLLAND. In the event the Senate by this vote turned down the Senator's understanding, would not that make it appear that at least the Senate doubts the wisdom of the committee opinion as expressed in its report?

Mr. DODD. That is an excellent point which had not occurred to me. The Senator is correct. It seems to me it would. It seems to me when it is said if we adopt this understanding it would cause delay—what delay?—that seems the best argument for it. If they have in mind delaying because of some understanding of this kind, then heavens above, what will they do in other instances?

I think the Senator's point is well taken and it is one of the best reasons offered for agreeing to the understanding. I am for everything we are trying to do in the treaty.

The PRESIDING OFFICER. All time of the Senator has expired.

Mr. MANSFIELD. Mr. President, I cannot agree with the interpretation made by the Senator from Florida, although he is entitled to his thoughts on this matter. I think the record should speak for itself.

The distinguished Senator from Connecticut is a member of the Committee on Foreign Relations. He expressed no objections when the committee went over the report.

I invite the attention of the Senate again to the committee language:

> The committee expresses the opinion that this treaty is of such significance that the administration should endeavor to arrange for the major nuclear powers to deposit their instruments of ratification contemporaneously, thus emphasizing the historic nature of the event and avoiding insofar as possible misunderstandings which might otherwise arise.

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I also call attention to paragraph 3 of article IX of the treaty before us today which reads:

> 3. This Treaty shall enter into force after its ratification by the States, the Governments of which are designated Depositaries of the Treaty, and forty other States signatory to this Treaty and the deposit of their instruments of ratification.

I believe that the treaty, the report, and the constitutional responsibility of the President to use his discretion as to when the instrument of ratification shall be deposited are sufficient to guarantee that nothing untoward would take place; and I point out that if we adopt an understanding of this nature, what would stop the Soviet Union from saying they will not sign unless West Germany does so. Other countries might do the same thing, and it could create a situation that adds confusion and does not add a degree of stability to what this administration and the previous administration both have been trying to do.

Mr. President, I yield back the remainder of my time.

Mr. DODD. Mr. President, will the Senator yield to me 1 minute? He is a generous man.

Mr. MANSFIELD. I yield 1 minute to the Senator from Connecticut.

Mr. DODD. I thank the Senator from Montana.

Mr. President, the Senator made reference to the fact that I did not voice opposition in committee. I sat in committee and I voted "present."

Mr. MANSFIELD. The Senator is correct.

Mr. DODD. I had not been able to do all the work I wanted to do on this matter. My position was that I did not want to take a position.

Mr. MANSFIELD. That is understood. But, then, the committee went over the report paragraph by paragraph. When objections were raised to language, changes were brought about; and when no objections were raised to language, the committee, ipso facto, accepted the language.

I yield back the remainder of my time.

The PRESIDING OFFICER. The time of the Senator from Connecticut has expired; and the Senator from Montana has yielded back the remainder of his time. The question is on agreeing to Executive Understanding No. 3 offered by the Senator from Connecticut. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Wyoming (Mr. McGee) and the Senator from Georgia (Mr. Talmadge) are necessarily absent.

Mr. SCOTT. I announce that the Senator from Colorado (Mr. Dominick) is absent because of illness.

The Senator from Colorado (Mr. Allott), the Senator from Arizona (Mr. Goldwater) and the Senator from Illinois (Mr. Percy) are detained on official business.

If present and voting, the Senators from Colorado (Mr. Allott and Mr. Dominick) would each vote "nay."

The result was announced—yeas 15, nays 79, as follows:

[No. 20 Ex.]

YEAS—15

Allen
Byrd, W. Va.
Dodd
Eastland
Ervin
Holland
Hollings
Jordan, N.C.
Long
McClellan
Miller
Russell
Stennis
Thurmond
Tower

NAYS—79

Aiken
Anderson
Baker
Bayh
Bellmon
Bennett
Bible
Boggs
Brooke
Burdick
Byrd, Va.
Cannon
Case
Church
Cook
Cooper
Cotton
Cranston
Curtis
Dirksen
Dole
Eagleton
Ellender
Fannin
Fong
Fulbright
Goodell
Gore
Gravel
Griffin
Gurney
Hansen
Harris
Hart
Hartke
Hatfield
Hruska
Hughes
Inouye
Jackson
Javits
Jordan, Idaho
Kennedy
Magnuson
Mansfield
Mathias
McCarthy
McGovern
McIntyre
Metcalf
Mondale
Montoya
Moss
Mundt
Murphy
Muskie
Nelson
Packwood
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Saxbe
Schweiker
Scott
Smith
Sparkman
Spong
Stevens
Symington
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NOT VOTING—6

Allott
Dominick
Goldwater
McGee
Percy
Talmadge

So Executive Understanding No. 3 was rejected.

EXECUTIVE UNDERSTANDING NO. 5

Mr. THURMOND. Mr. President, I call up my Understanding No. 5.

The PRESIDING OFFICER. The clerk will state the understanding.

The bill clerk read as follows:

> Before the period at the end of the resolution of ratification insert a comma and the following: "subject to the understanding, which is to be made a part of the instrument of ratification, that the Treaty will be construed in accordance with the answers given by the United States in response to certain questions by other members of the North Atlantic Treaty Organization, which questions and answers are as follows:
>
> "'1. Q. What may and what may not be transferred under the draft treaty?
>
> "'A. The treaty deals only with what is prohibited, not with what is permitted.
>
> "'It prohibits transfer to any recipient whatsoever of "nuclear weapons" or control over them, meaning bombs and warheads. It also prohibits the transfer of other nuclear explosive devices because a nuclear explosive device intended for peaceful purposes can be used as a weapon or can be easily adapted for such use.
>
> "'It does not deal with, and therefore does not prohibit, transfer of nuclear delivery vehicles or delivery systems, or control over them to any recipient, so long as such transfer does not involve bombs or warheads.
>
> "'2. Q. Does the draft treaty prohibit consultations and planning on nuclear defense among NATO members?
>
> "'A. It does not deal with allied consultations and planning on nuclear defense so long as no transfer of nuclear weapons or control over them results.
>
> "'3. Q. Does the draft treaty prohibit arrangements for the deployment of nuclear weapons owned and controlled by the United States within the territory of non-nuclear NATO members?
>
> "'A. It does not deal with arrangements for deployment of nuclear weapons within allied territory as these do not involve any transfer of nuclear weapons or control over them unless and until a decision were made to go to war, at which time the treaty would no longer be controlling.
>
> "'4. Q. Would the draft prohibit the unification of Europe if a nuclear-weapon state was one of the constituent states?
>
> "'A. It does not deal with the problem of European unity, and would not bar succession by a new federated European state to the nuclear status of one of its former components. A new federated European state would have to control all of its external security functions including defense and all foreign policy matters relating to external security, but would not have to be so centralized as to assume all governmental functions. While not dealing with succession by such a federated state, the treaty would bar transfer of nuclear weapons (including ownership) or control over them to any recipient, including a multilateral entity.'"

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. THURMOND. I am pleased to yield.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a time limitation of 30 minutes on the pending understanding, the time to be equally divided between the distinguished Senator from South Carolina (Mr. Thurmond) and the distinguished chairman of the committee, the Senator from Arkansas (Mr. Fulbright), and that the last 10 minutes be allocated to the Senator from South Carolina.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request? The Chair hears none, and it is so ordered.

Mr. THURMOND. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. THURMOND. Mr. President, as I understand, this is the last matter that will come to a vote before the final action on the treaty. Is that correct?

The PRESIDING OFFICER. The Chair does not know.

Mr. THURMOND. Mr. President, a critical question with regard to the NPT concerns our nuclear-sharing arrangements with our military allies in NATO. On the face of the treaty, any transfer of nuclear weapons or explosive devices, or control over them, is prohibited to any recipient whatsoever, directly or indirectly. The key words here are "transfer," "recipient," and "indirectly." The definition of those words is not spelled out, and they leave us open to accusations that we are breaking the treaty by our deployment of nuclear weapons on the soil of our nonnuclear allies.

Are we "transferring" warheads when we physically transfer them to another country, but retain control? Is that country "receiving" them "indirectly"? Does the treaty permit us to retain the present deployment, but prohibit us from "transferring" improved nuclear weapons to that country in the future?

The answers to these questions ought to be "No," and it is reassuring that the official witnesses testifying before the Senate committees adopted that position. In transmitting the treaty to President Johnson, Secretary of State Dean Rusk appended a list of four questions asked by our NATO allies, and the answers supplied by the United States. In effect,

XUM

these four questions constitute our interpretation of the treaty, and they are part of the so-called legislative history of the negotiations.

Unfortunately, the four questions imply an interpretation that may appear to some to be at variance with the text of the treaty. The treaty says there shall be no transfer to any recipient whatsoever, directly or indirectly. The four questions say that the deployment of nuclear weapons on allied soil is not transfer within the meaning of the treaty because such deployment does not involve the transfer of control until the moment we decide to go to war. There is nothing in the treaty to differentiate between physical transfer of hardware and the transfer of control. That important distinction rests only upon our own unilateral interpretation expressed in our consultations with our allies.

Therefore, I am going to propose that the Senate adopt its understanding that the treaty is to be interpreted according to the principles set forth in the four questions. The four questions constitute a collateral document which is not clearly inserted into the legislative history of the negotiations. I am informed that it does not appear in the records of the 18-nation Disarmament Committee. Even if it did so appear, I would think that the Senate would be eager to put itself on record as endorsing the principles of interpretation set forth both by the administration of President Johnson and the administration of President Nixon. Therefore, I am submitting, as a formal understanding, an amendment to the resolution of ratification which will incorporate the four questions verbatim as endorsed by both administrations. This will not be a reservation which would change the obligations of the treaty, or an amendment to the treaty itself, which would require renegotiation. My proposal is simply an understanding by the Senate that the Senate supports the interpretation set forth by two administrations. Not one word has been changed or qualified.

Even though, on balance, I oppose the ratification of the treaty, I believe that all of us will want the record on this point to be clear. Many reports now say that the treaty will be ratified. I would like to be able to go as far along with this treaty as possible, and to indicate my desire to achieve world peace. If the treaty is ratified without this understanding, some may doubt that our intentions are fully on record. My mail is overflowing with letters opposing this treaty from every section of the country. I would like to be able to reassure my constituents and correspondents on this point, even if the treaty is ratified, and I am sure that all of us would like to be able to do likewise.

The PRESIDING OFFICER (Mr. CRANSTON in the chair). Who yields time?

Mr. FULBRIGHT. Mr. President, I yield myself 3 minutes, or such time as I may require.

I have said, and the Senator, I think, made it quite clear, that these questions and answers were circulated to achieve a better understanding of certain aspects of the treaty. Unfortunately, to try to incorporate all such interpretations into the language in the treaty would make the treaty so complicated that it would not really serve its purpose.

I think the way it was handled is not too bad. Senators will find the questions and answers referred to by the Senator from South Carolina in the message of transmission from the President of the United States on page 6. They were submitted, in other words, together with the treaty itself, for the information of the Senate.

These questions and answers have been circulated, and their meaning is quite clear, as the Senator from South Carolina has already stated, that what is prohibited by this treaty is the transfer of control of nuclear weapons. Of course, that prohibition is consistent with our own domestic law under the McMahon Act. On the other hand, nothing in the treaty prevents the physical stationing, under our control, of nuclear weapons in the territory of our allies.

Let me make it clear that it is no objection to substance of the understanding offered by the Senator from South Carolina. As I have said before, my objections are procedural. If we begin to attach to the resolution of ratification all of our different views and interpretations, the procedure, I believe, will arouse questions in the minds of the other countries which will be expected to approve the treaty. I would think that this understanding could well inspire the Russians to feel that, if we were going to attach understandings which pertain to our NATO allies, they would feel that they ought to do likewise for their Warsaw Pact allies.

This understanding offered by the Senator from South Carolina would put the Russians in the politically difficult position of having to agree to all of these understandings which do not directly concern them. As a result, I suppose some of their allies would say—"Why do you do not do the same for us?" I think it would merely complicate the process.

In sum, Mr. President some of the understandings that have been submitted I do not disagree with on the merits, but I do not think they ought to be made a part of the actual formal instrument. Therefore I cannot accept the Senator's understanding, and I hope that the Senate will vote against it.

The PRESIDING OFFICER. Who yields time?

Mr. FULBRIGHT. I yield back the remainder of my time. If the Senator from South Carolina wishes to conclude, that is all right with me.

Mr. THURMOND. Mr. President, in answering the distinguished chairman of the Committee on Foreign Relations, I wish to quote Charles Evans Hughes as the authority for my position.

There is plenty of precedent for this procedure. Hackworth's Digest of International Law, volume 5, cites a letter of Charles Evans Hughes to Senator Hale, of July 24, 1919, with regard to the treaty of Versailles. Hackworth was the State Department's legal adviser, and is the preeminent authority in this field. Charles Evans Hughes wrote as follows:

> But where there is simply a statement of the interpretation placed by the ratifying State upon ambiguous clauses in the treaty, whether or not the amendment is called a reservation, the case is really not one of amendment, and acquiescence of the other parties to the treaty may readily be inferred unless express objection is made after notice has been received of the ratification with the interpretive statement forming a part of it.
>
> Statements to safeguard our interest which clarify ambiguous clauses in the covenant by setting forth our interpretation of them, and especially when the interpretation is one which is urged by the advocates of the covenant to induce support, can meet no reasonable objection. It is not to be supposed that such interpretation will be opposed by other parties to the treaty, and they will tend to avoid disputes in the future.

Mr. President, that is exactly what we are trying to do here, to avoid any dispute in the future.

Article I, Mr. President, reads as follows:

> Each non-nuclear weapon State Party to the Treaty undertakes not to transfer to any recipient whatsoever nuclear weapons.

That means that nuclear weapons will not be transferred. But yet, under the questions that were answered by Mr. Rusk, he says that is not the interpretation that he places upon it, that what he means is that it does not permit transfer of control.

For instance, suppose the United States decided to place some nuclear weapons in Holland, which we would have a right to do. Under this treaty, if you construe it strictly, we could not do that, even though Mr. Rusk says it does not mean we cannot transfer the physical nuclear weapons, it merely means that we cannot transfer the control to Holland of the nuclear weapons.

If that is the reasoning, I think it is important for these questions and answers, which have been agreed to by two administrations, the Johnson administration and the Nixon administration, to be included in the resolution of ratification here, so that no question can arise on that point.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. THURMOND. I am pleased to yield to the distinguished Senator from Arkansas.

Mr. FULBRIGHT. I do not know, but perhaps this reiterates the point I have made. The Senate has considered several understandings, including the understandings of the distinguished Senator from South Carolina. I do not disagree with their substance.

I think even if we could pick and choose among these understandings, that in itself would be bad practice. The Senate has already voted on these matters. As to the understanding, I do not want to be misunderstood as disagreeing with the Senator's interpretation. I agree with the Senator's interpretation, and the executive branch agrees with it. But we would force other nations which we hope will sign this treaty to take public positions upon our particular interests, and I do not know why we would want to put them in that position.

If we do it, a lot of them would feel that, as sovereign nations, they would

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have to do likewise; and if we keep doing that, it would be an interminable process. But I agree with what the Senator says on the substance.

Mr. THURMOND. Mr. President, I am pleased that the distinguished Senator from Arkansas agrees that the questions propounded by the NATO countries and answered by Secretary Rusk are true and accurate and are included in the report of the Committee on Foreign Relations.

Mr. FULBRIGHT. The Senator is correct.

Mr. THURMOND. The only question is that the Senator feels it is not necessary for those to be included here as an understanding.

I say that it is necessary or ought to be necessary in view of another construction that might be placed upon this treaty in articles I and II which I just explained a few moments ago.

Why should we allow some question to arise when we can avoid it now with an understanding that will be included within the resolution of ratification?

I favored the reservations of the distinguished Senator from North Carolina and the understandings of the distinguished Senator from Connecticut. I think they were good and should have been adopted.

My understanding is clearly an understanding which includes questions raised by the NATO countries and answered by Secretary Rusk. These questions and answers were also later adopted and approved by the Nixon administration as well as the Johnson administration. I can see no objection to letting them be included as an understanding, because that is what the Government intended. However, since the treaty does not interpret it that way, there could be some misunderstanding.

It seems to me that we could avoid that possible misunderstanding by doing this.

Mr. President, during the debate of the past few days, there seems to have been a presumption that it is somehow inappropriate for the Senate to attach reservations or understandings during the process of ratifying the treaty. I cannot accept that presumption. The attachment of reservations and understandings to treaties has a long and honorable history. It is part of the treatymaking obligations of the Senate. It implies no criticism of those who negotiated in good faith. The text that was struck off in the heat of negotiations, under the pressure of give and take may appear in a different light a few months later when the opportunity is presented for reflection and a calmer look at its implications.

I am confident that my understanding will not require renegotiation, and that it will not meet conflict with the other parties to the treaty. Indeed, the other parties will appreciate our international courtesy in putting the views of the United States on official record in the negotiating process. There is plenty of precedent for this procedure. Hackworth's Digest of International Law, volume 5, cites the letter of Charles Evans Hughes to Senator Hale, July 24, 1919, with regard to the Treaty of Versailles. Hackworth was the State Department Legal Adviser, and is the preeminent authority in this field. Charles Evans Hughes wrote as follows:

> But where there is simply a statement of the interpretation placed by the ratifying State upon ambiguous clauses in the treaty, whether or not the amendment is called a reservation, the case is really not one of amendment, and acquiescence of the other parties to the treaty may readily be inferred unless express objection is made after notice has been received of the ratification with the interpretive statement forming a part of it.
>
> Statements to safeguard our interest which clarify ambiguous clauses in the covenant by setting forth our interpretation of them, and especially when the interpretation is one which is urged by the advocates of the covenant to induce support, can meet no reasonable objection. It is not to be supposed that such interpretation will be opposed by other parties to the treaty, and they will tend to avoid disputes in the future. (Hackworth V; 103.)

This is exactly the case with my understanding. It is the interpretation urged by those who favor the treaty. It can meet with no reasonable objection. The other parties to the treaty will favor it, since it will tend to avoid disputes in the future.

Furthermore, if reservations or understandings were not to be permitted, it would be reasonable to find them prohibited in the text of the treaty. This is a common practice in treaty making. Two examples are the Declaration of London and the League Covenant. This treaty does not prohibit understandings, so we must presume that they are permitted.

In fact, some treaties have even set forth the conditions under which reservations would be accepted. The International Sanitary Convention for Aerial Navigation, 1933, is an example. This nonproliferation treaty sets forth no conditions for the acceptance of reservations, so naturally they are in order.

As the precedents show, we need expect no objections, since this understanding simply goes along with what the supporters say it means. The nations which have ratified so far are Cameroon, Canada, Denmark, Finland, Ireland, Mexico, Nigeria, Norway, and the United Kingdom. Does anyone believe that any of these nations would object to an understanding clarifying our NATO rights?

Under international law, the nations which ratify subsequently to our deposit of ratification implicitly accept our understanding. Hackworth says about reservations—and this would also apply to understandings:

> As to signatories whose ratifications are deposited subsequent to the receipt by them of notice of the deposit of a ratification with reservations, acceptance of the reservations would seem to be implied from failure to object.

The main reason why a formal communication of intent is necessary is that disputes may arise after ratification which would result in the dissolution of the treaty. If the Senate ratifies this treaty, I think we would all seek to avoid a course which might lead to dissolution over a mere misunderstanding.

I would like to point out that understandings and reservations are binding only upon the party making them—unlike amendments to the text of the treaty. There is no reason to believe that others would seek renegotiation. El'i'hu Root wrote to Senator Lodge on June 19, 1919, with regard to the Treaty of Versailles. He said:

> This reservation and these expressions of understanding are in accordance with long-established precedent in the making of treaties. When included in the instrument of ratification, they will not require a reopening of negotiation, but if none of the other signatories expressly objects to the ratification with such limitations, the treaty stands as limited as between the United States and the other powers. (Hackworth 135.)

If the understanding is not included in the instrument of ratification, it has no legal effect on our obligations. Mere publicity or distribution of our views is not enough. The legal record must be made and communicated to the other parties. The Kellogg-Briand Pact of 1928—the so-called Treaty for the Renunciation of War—was in spirit similar to the pact we are now discussing. I hope that this treaty, if ratified, will do what its sponsors say it will do to preserve peace, and that it will not meet the fate of the Kellogg-Briand Pact. However, during the negotiation of the Kellogg-Briand Pact, many interpretations and understandings were expressed in the course of the proceedings. Yet none were included in the final document. Such interpretations were held to be binding only on the side of those making them. They show the intent of some of the negotiators. They were not recognized as valid by the other signatories.

The Kellogg-Briand history also shows what happens when these understandings are not incorporated into the instrument of ratification. We have here a clear precedent for Soviet reaction to such a situation. The Soviet Commissar for Foreign Affairs, Litvinov, said in a letter to the French Ambassador in Moscow, August 31, 1928:

> . . . But the said note of the British Government is not communicated to the Soviet Government as forming a constituent part of the pact or an annex thereto, so it cannot be regarded as binding on the Soviet Government any more than the other restrictions concerning the pact that are mentioned in the diplomatic correspondence of the original signatories are binding on the Soviet Government.

The Soviet attitude in this respect is perfectly legal and proper. The Soviets reject the idea that even a formal declaration is valid when it is not contained in the text or its annexes. The Soviets could very well make the same objection to the Rusk memorandum to President Johnson on NATO.

This is not to say that the Soviets would necessarily object to the substance of the understanding. They would object only to the validity of the understanding. We already have the testimony of Gerard Smith, Director of the ACDA, that the Soviets have not objected to our views, even though they are informally aware of our views. The important point—and this is why I am offering the understanding—is that if this understanding is approved by the Senate, the Soviets will have nothing to which to object.

XUM

The Rusk memorandum, consisting of the questions and answers with regard to NATO are not yet part of the official record of the negotiations. I have been informed by the Arms Control Disarmament Agency—ACDA—that the memorandum has not been formally communicated to the other parties to the negotiations. The memorandum was not a part of the proceedings of the 18-nation Disarmament Committee—ENDC. The Soviets have every reason to say, as Litvinov said in 1928, that the memorandum has not been communicated to the Soviet Government as forming a constituent part of the pact or annex thereto.

However, I do not believe the Soviets will object to the substance unless some day a misunderstanding arises. Perhaps this matter has not been fully explored in the negotiations. At some time, we might be charged with violating the treaty. Even if the charge were not true, the text would give color to the argument, and we could lose a war of propaganda. There is no reason why our intent should not be made clear by the Senate officially communicating that intent in the actual ratification process.

As for the interpretation of these words in the text—"transfer," "recipient," "directly or indirectly"—I might point out that our interpretation is a restricted one. In interpreting the treaty, we must do so from the point of view of nonproliferation. The "rights" under the treaty are rights to be free of proliferation. We are interpreting "transfer" in the limited meaning of "transfer of control," as found in our own Atomic Energy Act. But our interpretation of domestic law has no bearing on treaties. The law of treaties is that the most liberal interpretation should be applied—in this case, the interpretation that will insure the least possible proliferation of any sort. The broadest such interpretation of "transfer" would restrict any physical movement or transfer whether control is changed or not.

This is the rule of interpretation which has been handed down by the U.S. Supreme Court. Mr. Justice Stone in Nielson against Johnson said:

> When a treaty provision fairly admits of two constructions, one restricting, the other enlarging rights which may be claimed under it, the more liberal interpretation is to be preferred. The rights in question are the rights of the signatories to be free from world proliferation, not the right of the U.S. and NATO to transfer nuclear arms. So the liberal interpretation—that is, any transfer of any kind—would be controlling.

I cite Mr. Justice Stone in another case, Factor against Laubenheimer:

> In choosing between conflicting interpretations of a treaty obligation, a narrow and restricted construction is to be avoided, as not consonant with the principles deemed controlling in the interpretation of international agreements. Considerations which should govern the diplomatic relations between nations, and the good faith of treaties, as well, require that their obligation should be liberally construed so as to effect the apparent intentions of the parties to secure equality and reciprocity between them.

The same principle has been cited by the Permanent Court of International Justice in the case of the Austro-German Custom Regime:

> It is a fundamental rule of interpretation that words must be given the ordinary meaning which they bear in their context unless such an interpretation leads to unreasonable or absurd results.

I ask, what is the common meaning of transfer?

I cite again from the World Court in the case of access to or anchorage in, the Port of Danzig, of Polish war vessels:

> The Court is not prepared to adopt the view that the text of the Treaty of Versailles can be enlarged by reading into it stipulations which are said to result from the proclaimed intentions of the authors of the treaty, but for which no provision is made in the text itself.

Mr. President, I submit that it is not enough, on this vital question, of our right to transfer nuclear weapons under our control across the boundaries of NATO countries, to allow our alliance to rest on public statements which are not a part of the official negotiating history. Mere publicity for our views is not enough; it is not controlling. The widest interpretation applies, says the U.S. Supreme Court. Proclaimed intentions are not enough, says the World Court. The Senate should avail itself of its role in the treatymaking process and include our intentions in the resolution of ratification and the instrument of ratification. Then no nation, from any quarter, can ever say that our intentions in this regard were not communicated to them.

I again state that the Thurmond understanding would remove any possibility of misinterpretation of the treaty with regard to the U.S. right to maintain present arrangements with our NATO allies for the deployment of nuclear weapons.

The Thurmond understanding should be adopted because it indicates bipartisan support. As I just stated, it puts the Senate on record in the treatymaking process as favoring the interpretation of the treaty with regard to NATO, endorsed by both the Johnson and the Nixon administrations.

It does not change the meaning of the treaty as explained by the negotiators and would not require renegotiation.

It incorporates verbatim the memorandum sent by Secretary Rusk to President Johnson on July 2, 1968, as appears on pages 262 and 263 of volume I of the Senate Foreign Relations Committee hearings and on pages 11 and 12 of the Senate Armed Services Committee hearings.

This interpretation has not been objected to by the Soviet Union, according to official testimony.

Incidentally, Mr. Smith, the head of the Disarmament and Control Agency, answered the questions I proposed to him on this point.

The understanding would not set any precedents inviting retaliation by other signatories, since our views are already known unofficially to all.

The text of the treaty in articles I and II appears to be ambiguous with regard to our present and future right to the deployment of nuclear weapons under our control across the national boundaries of NATO countries.

The words "transfer," "control," and "any recipient whatsoever," and "directly or indirectly" are not defined in the treaty. If taken in an exclusive sense, the way could be opened to international misunderstandings, particularly in the distinction between physical transfer and transfer of control.

The Rusk memorandum consists of consultations with third parties, and does not constitute part of the official negotiating history. It does not appear in the proceedings of the 18-nation Disarmament Committee. It has not been officially communicated to other participants and signatories even though our interpretation is unofficially known.

I can see no objection in the world to incorporating this understanding in order to avoid misunderstanding. And I cannot imagine why the chairman of the Foreign Relations Committee would oppose this understanding except that he just does not want to agree to anything offered by any Senator, as I understand. However, I do not think that position should be taken.

I think that if we can go on record as showing that the understanding had been by both administrations, the Johnson administration and the Nixon administration, on the relations of this treaty with our country and our NATO allies, and showing that this treaty does not affect our relationship with NATO, it is important that be done in order to prevent any complication or questions arising in the future.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. FULBRIGHT. Mr. President, I yield back my remaining time.

The PRESIDING OFFICER. All time having expired, the question is on agreeing to Executive Understanding No. 5. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Arkansas (Mr. McClellan), the Senator from Wyoming (Mr. McGee) and the Senator from Georgia (Mr. Talmadge), are necessarily absent.

Mr. SCOTT. I announce that the Senator from Colorado (Mr. Dominick) is absent because of illness.

The Senator from Colorado (Mr. Allott) and the Senator from Arizona (Mr. Goldwater) are detained on official business.

If present and voting, the Senator from Colorado (Mr. Allott) would vote "yea."

The result was announced—yeas 17, nays 77, as follows:

[No. 21 Ex.]

YEAS—17

Allen
Cook
Curtis
Dodd
Dole
Eastland
Ervin
Fannin
Griffin
Hansen
Hollings
Jordan, N.C.
Murphy
Russell
Thurmond
Tower
Williams, Del.

XUM

NAYS—77

Aiken
Anderson
Baker
Bayh
Bellmon
Bennett
Bible
Boggs
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Church
Cooper
Cotton
Cranston
Dirksen
Eagleton
Ellender
Fong
Fulbright
Goodell
Gore
Gravel
Gurney
Harris
Hart
Hartke
Hatfield
Holland
Hruska
Hughes
Inouye
Jackson
Javits
Jordan, Idaho
Kennedy
Long
Magnuson
Mansfield
Mathias
McCarthy
McGovern
McIntyre
Metcalf
Miller
Mondale
Montoya
Moss
Mundt
Muskie
Nelson
Packwood
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Saxbe
Schweiker
Scott
Smith
Sparkman
Spong
Stennis
Stevens
Symington
Tydings
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

NOT VOTING—6

Allott
Dominick
Goldwater
McClellan
McGee
Talmadge

So Mr. THURMOND's Executive Understanding No. 5 was rejected.

EXECUTIVE UNDERSTANDING NO. 4

Mr. ERVIN. Mr. President, I call up Executive Understanding No. 4 and ask that it be stated.

The PRESIDING OFFICER (Mr. ALLEN in the chair). The understanding will be stated.

The assistant legislative clerk read as follows:

> Before the period at the end of the resolution of ratification insert a comma and the following: "subject to the understanding that the United States does not obligate itself by this treaty to use its Armed Forces to defend any nonnuclear weapon State or any member of the United Nations against any acts or threats of aggression even if such acts or threats are accompanied by the use or threatened use of nuclear weapons and that this treaty does not affect in any way any obligation assumed by the United States under any other treaty or the Charter of the United Nations".

Mr. ERVIN. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. ERVIN. Mr. President, I think it is important to state what this treaty does not do. It does not deny to the United States, or to the United Kingdom, or to the Soviet Union the right to manufacture without limit nuclear weapons. It does not deny to the United States, or to the United Kingdom, or to the Soviet Union the right to use nuclear weapons at any time on any nation on earth. It does not provide, as far as the treaty is concerned, for any inspection in respect to nuclear activities in Russia or in Great Britain. As far as the United States is concerned, it does not provide for any inspection of any kind, although both President Johnson and President Nixon have promised that we will submit to any inspection that nonnuclear nations submit to under the treaty.

If the Soviet Union had been anxious to make a real treaty to safeguard the peoples of this world, it would have joined the United States and the United Kingdom in an agreement that none of the nuclear nations which are parties to this treaty would use their nuclear weapons except in defense of themselves or their allies.

So, Mr. President, this treaty has been oversold to the American people. It leaves Russia just as free as it ever was, to do what it pleases. But if it is carried out, it makes certain that the United States and Great Britain are the only two signatories to the treaty that might tempt Russia to use nuclear weapons in offensive warfare.

Furthermore, France and China—and I refer to mainland China—have both stated they will not join in this treaty. They are two nuclear nations which are exempt from any of the limitations in the treaty. Therefore, to say that this treaty is a great thing for the world is magnifying its importance and the security it affords out of all proportion to the truth.

This treaty does give the United States, the United Kingdom, and Russia the assurance, so far as it can give by words, that all other nations will be without the power to acquire nuclear defenses. So if Russia should be so minded it would only concentrate its attention on the United States, the United Kingdom, or Red China. It would not have to bother about the other nations of the world.

I submit that the objective of this treaty is good. But I am reminded of the fact that after he had attended conferences in Potsdam and observed other negotiations with Russia, James F. Byrnes, one of America's great statesmen, wrote a book called "Frankly Speaking," in which he said that for some strange reason those who negotiate treaties for the United States think they have made a success if they get an agreement with other nations regardless of what the agreement may provide or fail to provide.

Mr. President, this treaty is not a complete treaty because a treaty of this nature is virtually without value unless it has some safeguards. This treaty does not have a single safeguard of any kind. As a matter of fact, article III of the treaty makes it plain that all of the signatories to the treaty recognize that it has no safeguards. It provides the safeguards are to be accepted by the nonnuclear-weapon states, parties to the treaty, and that the agreement is "to be negotiated with the International Atomic Energy Agency in accordance with the statute of the International Atomic Energy Agency and the agency's safeguards system." There may never be any safeguards in this treaty.

Mr. President, if you are going to see that this treaty is being observed, you are going to have to have inspection. Russia announced it is never going to submit to inspection. Of course, Russia is being given, as is the United States, a preferred position in not being subject to inspection. But there are no safeguards in this treaty and there are going to be no safeguards as a result of this treaty unless the nonnuclear nations make such safeguards by agreements in the future.

Why those who negotiated this treaty did not have those safeguards negotiated first and spelled out in the treaty is beyond comprehension. We may never have safeguards. We have nothing to rely on except the naked promises of other nations. If history teaches any lesson it teaches that when one has to rely upon the naked promises of nations, reliance is upon a broken reed.

Now the treaty provides, in effect, in the same article III, that the United States will be bound by any agreements these other nations may make with respect to safeguards.

Now the Constitution of the United States says in effect that any agreement of importance between the United States and another nation must be in the form of a treaty, that it does not become binding unless ratified by two-thirds of the Senate. Yet here, article III of the treaty delegates to other nations the power to make agreements in the future for establishment of alleged safeguards which will be binding upon the United States, notwithstanding the fact that we do not know what the unwritten, unnegotiated, and unspoken agreements provide.

I invite attention to the fact that the treaty places an obligation upon the United States in that the last sentence of section 2, article IV states:

> Parties to the treaty in a position to do so shall also cooperate in contributing alone or together with other states or international organizations to the further development of the application of nuclear energy for peaceful purposes, especially in the territories of non-nuclear weapon states party to the treaty, with due consideration for the needs of the developing areas of the world.

If those words mean anything, and they certainly do mean something, they mean that the United States obligates itself to furnish the benefits of nuclear energy to all the nonnuclear nations on earth which join or adhere to this treaty. In other words, it is a way for Uncle Sam and the taxpayers of the United States to assume other worldwide agreements to supply nuclear energy to all the nonnuclear states which agree to the treaty.

I invite the attention of the Senate to the statement made by Secretary of State Rusk about what the treaty prohibits:

> It also prohibits transfer of other nuclear explosive devices, because nuclear explosive devices intended for peaceful purposes can be used as a weapon or can be easily adapted to such use.

This does not necessarily prevent the spread of nuclear weapons. In fact, it may result in the spread of nuclear weapons. Article V has something to say on that subject.

Mr. President, I ask unanimous consent to have article V printed in the RECORD at this point.

There being no objection, article V was ordered to be printed in the RECORD, as follows:

ARTICLE V

> Each Party to the Treaty undertakes to take appropriate measures to ensure that, in accordance with this Treaty, under appropriate international observation and through appropriate international procedures, potential benefits from any peaceful applications of nuclear explosions will be made available to non-nuclear-weapon States Party to the Treaty on a non-discriminatory basis and that the charge to such Parties for the explosive devices used will be as low as possible and exclude any charge for research and development. Non-nuclear-weapon States Party to the Treaty shall be

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able to obtain such benefits, pursuant to a special international agreement or agreements, through an appropriate international body with adequate representation of non-nuclear-weapon States. Negotiations on this subject shall commence as soon as possible after the Treaty enters into force. Non-nuclear-weapon States Party to the Treaty so desiring may also obtain such benefits pursuant to bilateral agreements.

Mr. ERVIN. Mr. President, under article V each party to the treaty undertakes to take appropriate measures to insure that the benefits of explosives or nuclear explosions are made available to non-nuclear-weapons states party to the treaty on a nondiscriminatory basis.

In other words, we undertake that nuclear explosions—that is, the results of nuclear explosives which can be easily converted into atomic weapons—be made available on a nondiscriminatory basis to all the nonnuclear states which ratify the treaty.

Thus, as Secretary of State Rusk stated, we obligate ourselves to make available through agreements to be ratified in the future—which is another indication of the fact that the treaty is not complete—nuclear explosions to all the nations ratifying the treaty.

Mr. President, I ask unanimous consent to have printed in the Record United Nations Security Council Resolution 255, which appears on pages 6 and 7 of the message from the President of the United States transmitting this treaty to the Senate.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

UNITED NATIONS SECURITY COUNCIL RESOLUTION 255—1968

(Adopted by the Security Council at its 1433d meeting on 19 June 1968)

The Security Council,

Noting with appreciation the desire of a large number of States to subscribe to the Treaty on the Non-Proliferation of Nuclear Weapons, and thereby to undertake not to receive the transfer from any transferor whatsoever of nuclear weapons or other nuclear explosive devices or of control over such weapons or explosive devices directly, or indirectly; not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices; and not to seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices,

Taking into consideration the concern of certain of these States that, in conjunction with their adherence to the Treaty on the Non-Proliferation of Nuclear Weapons, appropriate measures be undertaken to safeguard their security,

Bearing in mind that any aggression accompanied by the use of nuclear weapons would endanger the peace and security of all States,

1. *Recognizes* that aggression with nuclear weapons or the threat of such aggression against a non-nuclear-weapon State would create a situation in which the Security Council, and above all its nuclear-weapon State permanent members, would have to act immediately in accordance with their obligations under the United Nations Charter;

2. *Welcomes* the intention expressed by certain States that they will provide or support immediate assistance, in accordance with the Charter, to any non-nuclear-weapon State Party to the Treaty on the Non-Proliferation of Nuclear Weapons that is a victim of an act or an object of a threat of aggression in which nuclear weapons are used;

3. *Reaffirms* in particular the inherent right, recognized under Article 51 of the Charter, of individual and collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security.

Mr. ERVIN. Mr. President, I also ask unanimous consent to have printed in the Record the declaration of the Government of the United States of America, answering the United Nations Security Council Resolution 255, which appears on pages 7 and 8 of the message of the President of the United States transmitting the treaty to the Senate.

There being no objection, the declaration was ordered to be printed in the Record, as follows:

DECLARATION OF THE GOVERNMENT OF THE UNITED STATES OF AMERICA

(Made in the United Nations Security Council in explanation of its vote for Security Council Resolution 255 (1968))

The Government of the United States notes with appreciation the desire expressed by a large number of States to subscribe to the treaty on the non-proliferation of nuclear weapons.

We welcome the willingness of these States to undertake not to receive the transfer from any transferor whatsoever of nuclear weapons or other nuclear explosive devices or of control over such weapons or explosive devices directly, or indirectly; not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices; and not to seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices.

The United States also notes the concern of certain of these States that, in conjunction with their adherence to the treaty on the non-proliferation of nuclear weapons, appropriate measures be undertaken to safeguard their security. Any aggression accompanied by the use of nuclear weapons would endanger the peace and security of all States.

Bearing these considerations in mind, the United States declares the following:

Aggression with nuclear weapons, or the threat of such aggression, against a non-nuclear-weapon State would create a qualitatively new situation in which the nuclear-weapon States which are permanent members of the United Nations Security Council would have to act immediately throughout the Security Council to take the measures necessary to counter such aggression or to remove the threat of aggression in accordance with the United Nations Charter, which calls for taking "* * * effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace * * *". Therefore, any State which commits aggression accompanied by the use of nuclear weapons or which threatens such aggression must be aware that its actions are to be countered effectively by measures to be taken in accordance with the United Nations Charter to suppress the aggression or remove the threat of aggression.

The United States affirms its intention, as a permanent member of the United Nations Security Council, to seek immediate Security Council action to provide assistance, in accordance with the Charter, to any non-nuclear-weapon State party to the treaty on the non-proliferation of nuclear weapons that is a victim of an act of aggression or an object of a threat of aggression in which nuclear weapons are used.

The United States reaffirms in particular the inherent right, recognized under Article 51 of the Charter, of individual and collective self-defence if an armed attack, including a nuclear attack, occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security.

The United States vote for the resolution before us and this statement of the way in which the United States intends to act in accordance with the Charter of the United Nations are based upon the fact that the resolution is supported by other permanent members of the Security Council which are nuclear-weapon States and are also proposing to sign the treaty on the non-proliferation of nuclear weapons, and that these States have made similar statements as to the way in which they intend to act in accordance with the Charter.

Mr. ERVIN. Mr. President, I am not going to read these documents at length. I did that the other day. But I promised to read the resolution asking for a promise that the states would support immediate assistance in accordance with the Charter of the United Nations.

The only state party to the treaty or a member of the United Nations which is a victim of nuclear attack or the threat of nuclear attack that has cause for assistance—immediate assistance—and the United States, in effect, states in this declaration that it is the duty of the nuclear nations which are parties to the treaty to furnish such immediate assistance. And it adds—and I invite the attention to the Senate to this:

> Therefore, any State—

This is in the declaration of the United States—

> which commits aggression accompanied by the use of nuclear weapons or which threatens such aggression must be aware that those actions are to be countered effectively by measures to be taken in accordance with the United Nations Charter to suppress the aggression or remove the threat of aggression.

Mr. President, if that means anything, it means that the United States in this action in the United Nations was attempting to pledge our assistance to these states. Of course, our distinguished friend from Arkansas (Mr. Fulbright) now tells us all that the United States was doing was just saying, "We will take the matter before the United Nations and they can debate the question until the last lingering echo of Gabriel's horn trembles into ultimate silence, without doing anything."

Any party to this treaty which is a nuclear state can end anything by a mere veto under the Charter of the United Nations, and some of the things done through the United Nations are done by the exercise of force unless there is a veto.

I challenge any man not a Philadelphia lawyer to read this declaration of the United States and not come to the conclusion that the United States has obligated itself to go to war if necessary, as an example, if Red China were a part of this treaty and dropped a bomb on Russia, then we would have to go to the aid of Russia against Red China, or vice versa.

I do not say that a Philadelphia lawyer would so construe it, but anyone who reads this statement would come to the conclusion that it pledges immediate help. Manifestly, there cannot be any

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help immediately against a nuclear attack, or the threat of a nuclear attack, except through the use of nuclear weapons. The United States, in its declaration on this, in substance, has said that it is the duty of the nuclear states parties to this treaty to act immediately through the Security Council to take measures necessary to counter such aggression or to remove the threat of aggression. The only measures which do that are measures which involve the use of nuclear weapons by those states.

The pending understanding does not affect the substance of the treaty, but it merely states an understanding similar, in part, to the reservation which I offered previously. That is, it provides as follows:

> Before the period at the end of the resolution of ratification insert a comma and the following: "subject to the reservation that the United States does not obligate itself by this treaty to use its armed forces to defend any nonnuclear-weapon State or any member of the United Nations against any acts of aggression even if such acts or threats are accompanied by the use or threatened use of nuclear weapons".

That was what was in my other reservation. I have added these words to satisfy the argument of the distinguished Senator from Arkansas, chairman of the Foreign Relations Committee:

> And that this treaty does not affect in any way any obligation assumed by the United States under any other treaty or the Charter of the United Nations.

The understanding would make it clear that this treaty, in and of itself, does not obligate the United States to use its Armed Forces in defense of any other country, and does not add any new obligation to us in that respect, and does not affect any obligation which we may heretofore have assumed in respect to our NATO treaties or under the Charter of the United Nations.

It seems to me that every Member of the Senate would welcome an opportunity to go on record for this understanding. It is simple. It just shows that the United States is not assuming further military obligations. I think the American people are entitled to have that assurance.

I sincerely hope that the Senate will approve the understanding. It does not affect the substance of the treaty, but it does away with a lot of confusion that had been thrown around the treaty and which has obscured what the Senator from Arkansas declares is its real purpose.

Mr. JAVITS. Mr. President, I yield myself 5 minutes.

The chairman of the Foreign Relations Committee has requested, in his absence—and he should be back here very shortly—that I deal with the understanding that the distinguished Senator from North Carolina has proposed to us.

Virtually the same proposal, with the exception of the last words—those words being "and that this treaty does not affect in any way any abligation assumed by the United States under any other treaty or the Charter of the United Nations"—was rejected by a vote of 61 to 30.

It seems to me that the key words which indicate the reason for the rejection are the words "by this treaty," which appear on line 4 of the proposal by the Senator from North Carolina, because it is very clear, and the United States has made it very clear, and we have made it very clear in our report, that the treaty does not in any way include or deal with the question of the obligation of our forces. The only thing that can be argued in this regard is that a resolution adopted by the United Nations Security Council, together with its understanding of what that understanding means to the United States issued by the State Department, with the authority of the President, raises a question of whether or not the United States in any way obligated itself.

If the Senate adopted the understanding, it would import something into this treaty to which it has no reference in its text. So it seems to me, very basically and frontally, the understanding which the Senator from North Carolina proposes should be rejected because it would import something into the treaty which is not there in text or in fact and which the Foreign Relations Committee has very clearly enunciated as not being there so far as ratification of the treaty by the Senate is concerned.

Secondly, as to the merits, we know that every time one tries to refine something which is very clear and unequivocal on its face, he just gets tangled up in his own feet. With respect to the resolution of the Security Council, as well as in the U.S. statement with respect to it—even laying aside the constitutional question as to whether they could bind the United States; and there is no question about that; they could not; we have made that very clear in our report—but even laying that aside, there is nothing in either the Security Council resolution or in our statement with respect to it which obligates us.

The Senator from Arkansas (Mr. Fulbright) argued that, quite properly and in great detail, and I would simply summarize his argument.

The fact is that the resolution of the United Nations, with all respect to the views of the Members of the Senate, must be read as to its actual text. The resolution relates to the fact that a situation would be created in the event of an attack or threat of attack with nuclear weapons, in which the permanent members would act immediately in the Security Council. It does not commit the United States or anybody else to the use of its military forces. They would have to act immediately in accordance with their obligations under the United Nations Charter.

Mr. President, I yield myself another 5 minutes.

Under the United Nations Charter, we have two strings to our bow which insulate us against a compulsion to further action. One, we can veto. We have never done that. Perhaps we never will, but we can do it. Two, even if we do not veto, we have the option whether or not to use our Armed Forces even if the Security Council passes a resolution for military sanctions.

So the United States has undertaken no commitment, as we see it, in the Security Council resolution—which, of course, is a separate matter from this treaty. The U.S. declaration in this regard says even less than the Security Council resolution. Our own interpretation says we affirm our intention, as a permanent member of the United Nations Security Council, to seek immediate Security Council action to provide assistance, and so on.

Seeking is a very far cry from doing or committing or obligating. Indeed, our report makes very clear that all we have undertaken to do is to put this matter before the Security Council.

We can veto such action, or, even if it is taken, we can refrain from participating in it. These are our absolute rights under the United Nations Charter.

The Senate, it seems to me, has shown itself overwhelmingly in favor of ratifying this treaty. Everybody agrees we are going to ratify it.

If we are going to ratify it, what are we going to do, hang a stone around its neck so no one else will ratify it, and it will never come into effect? If so, we had better reject it. If we are to ratify it, we had better make it as reasonably attractive as possible without incurring obligations where none now exist.

I should like to say one further word as to the activities of the Senator from North Carolina (Mr. Ervin) in this matter. I do not think that by now—and I have read this record pretty carefully—there can be any question that there is riveted into the whole legislative position of the United States the very basic proposition that we reserve the most complete freedom of action, except for the fact that we will immediately consider what our own reaction will be, and we will immediately seek Security Council action. Nothing else.

It seems to me that is the very minimum that could be asked. That is all which, even in honor, we commit ourselves to; and therefore, to adopt this understanding, having turned down one practically like it by a vote of 2 to 1, would only be another way of saying that we are going to ratify the treaty, but we are going to discourage the other 40 nations from entering into it.

I do not think we wish to do that, and, therefore, speaking for the committee with Senator Fulbright's permission, I hope the Senate will reject this understanding.

The PRESIDING OFFICER. Who yields time?

Mr. ERVIN. Mr. President, I yield myself 1 minute, and then I shall be happy to yield back the remainder of my time.

I hope this time to get a direct vote upon this issue. This is an understanding; the other was a reservation. It was tabled, and there was no vote on the merits. I want the Senate to vote on the merits in this matter, and say whether it is willing to tell the American people that this is not obligating them in any way to go to the aid, with military assistance, of any or all the nations on earth, in case any other nation drops an atom bomb on them or undertakes to make an attack with nuclear weapons.

I yield back the remainder of my time.

Mr. JAVITS. I yield back the remainder of my time.

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The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the understanding (Executive Understanding No. 4) of the Senator from North Carolina. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Arkansas (Mr. McCLELLAN), the Senator from Wyoming (Mr. McGEE), and the Senator from Georgia (Mr. TALMADGE) are necessarily absent.

Mr. SCOTT. I announce that the Senator from Colorado (Mr. DOMINICK) is absent because of illness.

The Senator from Arizona (Mr. GOLDWATER) is detained on official business.

The Senator from Texas (Mr. TOWER) is detained on official business, and if present and voting would vote "yea."

The result was announced—yeas 25, nays 69, as follows:

[No. 22 Ex.]

YEAS—25

Allen
Bible
Byrd, Va.
Byrd, W. Va.
Cannon
Curtis
Dodd
Dole
Eastland
Ervin
Fannin
Griffin
Gurney
Hansen
Holland
Hollings
Jordan, N.C.
Long
Miller
Montoya
Murphy
Russell
Stennis
Thurmond
Williams, Del.

NAYS—69

Aiken
Allott
Anderson
Baker
Bayh
Bellmon
Bennett
Boggs
Brooke
Burdick
Case
Church
Cook
Cooper
Cotton
Cranston
Dirksen
Eagleton
Ellender
Fong
Fulbright
Goodell
Gore
Gravel
Harris
Hart
Hartke
Hatfield
Hruska
Hughes
Inouye
Jackson
Javits
Jordan, Idaho
Kennedy
Magnuson
Mansfield
Mathias
McCarthy
McGovern
McIntyre
Metcalf
Mondale
Moss
Mundt
Muskie
Nelson
Packwood
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Saxbe
Schweiker
Scott
Smith
Sparkman
Spong
Stevens
Symington
Tydings
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

NOT VOTING—6

Dominick
Goldwater
McClellan
McGee
Talmadge
Tower

So Mr. ERVIN's Executive Understanding No. 4 was rejected.

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair). The question now recurs on the adoption of the resolution of ratification.

Mr. MILLER addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. DIRKSEN. Mr. President, we are trying to contrive a time limit, and I thought that perhaps an hour on each side would be sufficient. I am trying to ascertain who desires time on the treaty. The distinguished Senator from Massachusetts has only three pages. The Senator from South Dakota will require perhaps 30 minutes.

Mr. MILLER. I require approximately 15 minutes.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MILLER. I yield to the majority leader.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I should like to inquire whether any Senators on this side of the aisle intend to speak on the treaty itself. I understand that there will be about one hour and 15 minutes on the other side.

Hearing no replies, I make the unanimous-consent request, which has been considered by the joint leadership, that 2 hours be allowed on the treaty, the time to be under the control, equally, of the majority and minority leaders.

The PRESIDING OFFICER. The request is for 2 hours on the resolution of ratification, the time to be divided equally. Is there objection?

Mr. MUNDT. Mr. President, reserving the right to object, I was unable to hear the request.

Mr. MANSFIELD. Two hours, the time to be under the control of the joint leadership; and if more time is needed, it will be forthcoming.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

The time is now under the control of the majority leader and the minority leader.

Mr. MILLER. Mr. President, I ask unanimous consent that I may be permitted to yield to the Senator from Massachusetts for 5 minutes, with the understanding that I do not lose my right to the floor.

Mr. DIRKSEN. The Senator from Iowa does not have time as yet. The time is controlled.

I yield 15 minutes to the Senator from Iowa.

Mr. MILLER. Mr. President, I had reached an understanding with the Senator from Massachusetts that I would yield to him for approximately 5 minutes after we contrived the time arrangements.

I ask the indulgence of the Senator from Illinois to extend 5 minutes to the Senator from Massachusetts.

Mr. DIRKSEN. Why, indeed. I yield 20 minutes to the Senator from Iowa, and he can yield as much time as he wishes.

Mr. MILLER. I appreciate the wonderful gesture of my colleague, the Senator from Illinois, and I yield 5 minutes to the Senator from Massachusetts.

Mr. BROOKE. I thank the minority leader and the Senator from Iowa.

Mr. President, for many days this body has been engaged in extensive and often enlightening debate on a treaty to prevent the spread of nuclear weapons.

All Americans can take great pride in the fact that this historic and constructive document is at last about to enter into force. It was the Government of the United States which proposed this treaty to the Geneva Disarmament Conference in 1964. Together with many other nations, we have worked long and hard, through a multitude of drafts and revisions, to devise a treaty which will truly be in the interests of the peoples of the world.

There were many claims and interests to be met in drafting this document.

Nuclear states needed to be protected in their right to continue research and development on weapons deemed essential to their national security. Fortunately, and purposely, the treaty is silent on this question.

Nonnuclear states which are closely allied with one or another of the nuclear powers required assurances that their own defense needs would not be sacrificed. Here, too, the treaty is silent, its only requirement being that control of nuclear weapons cannot be transferred to an ally, but must remain in the hands of one of the existing nuclear states.

And, finally, nonnuclear states which are neutral in their orientation to the great powers looked for some assurance that their signature on the treaty would not place them at a permanent disadvantage in their relations with nuclear neighbors or with neighbors who might, for one reason or another, refuse to become parties to the agreement. In some respects these have been the most magnanimous states, for no absolute assurances of their security can be given beyond a reiteration of the general principles of regional agreements and collective defense.

Mr. President, in surveying these three classes of states, I submit that it is the nonnuclear states which are making the greatest sacrifice in the interests of international peace. It is the nonnuclear powers, many of which are new states with uncertain boundaries and unresolved irredentist issues, which are most likely to become involved in international conflict. In some areas of the world, most notably the Middle East and Asia, these issues have already led to international conflict.

Given this situation, it is important to bear in mind that nothing in the present treaty obligates any of the nuclear powers to come to the defense of an invaded state.

Eighty-four nonnuclear nations, many of them in presently troubled areas, have already signed this treaty. They are taking a great gamble in the hope that this treaty will be ratified, and observed, by the vast majority of the governments and peoples of the world. They are willing to trust their neighbors—who often are their enemies as well—and to believe that they share a common interest in preventing the spread of nuclear armaments.

Mr. President, we have already seen what can happen when new cycles of the arms race are begun. When the Soviet Union acquired a nuclear capability, our own program was vastly accelerated. When Soviet weapons were deployed in Central Europe, France devoted resources it could ill afford to develop an independent nuclear capability. When Communist China detonated a nuclear explosion, the Soviet Union began to deploy a limited antimissile system, and the United States initiated an extended debate—which is still far from resolved—on the question of deploying a costly and complicated antimissile system of our own.

Each stage in the arms race has led to a vastly expanded and infinitely more costly level of technological development. No nation—not even the United States or the Soviet Union, and certainly not the developing states of the world—

can afford to devote increasing billions of dollars to a costly arms race of questionable utility.

On the grounds of economy, on grounds of national security, on grounds of political wisdom, this treaty is a singular accomplishment. As General Wheeler testified before the Armed Services Committee, this treaty in no way detracts from needed American military options, nor does it add to our country's military burdens. Indeed, I think the only fair judgment is that it greatly reduces the likely dimensions of our military problems in the years ahead. Furthermore, and most important, I believe this treaty is a necessary prelude to other attempts at developing stable arms control arrangements between the nuclear powers. If it serves its purposes of inhibiting the spread of nuclear weapons, the intense concentration of energies on strictly strategic and military efforts can gradually be shifted to diplomatic exploration of alternative concerted diplomacy approaches to safeguarding the peace of the world. In short, this is another building block in the structure of peace to which every human being should be dedicated.

Ratification of this treaty can be a vital step toward applying the brakes to the arms race. It will stand as a vote of confidence—in ourselves, our allies, the neutral nations, and yes, even our enemies. As riders together on the spaceship earth, we share a common interest in keeping all hands off the lever marked self-destruct. Let us set the example to the world, and proudly uphold it. Let us commit ourselves to the limited provisions of this treaty, let us encourage others to do likewise, and let us get on with the job of building together a better world for all.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. MILLER. I yield, but may I yield on the Senator's time?

Mr. FULBRIGHT. Yes, indeed.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. FULBRIGHT. Mr. President, first I want to say to the Senator that I think he made a very fine statement. But I wish to add one thought that I think might not be as clear as it should be, and that is the obligations of the major nations.

It is true that the smaller non-nuclear-weapons countries are giving up the important right to acquire nuclear weapons. But if article VI is taken seriously, then there is also a very serious obligation for the major countries, especially this country and Russia. I hope that as the President and the administration consider the question of whether or not to deploy an ABM system, they will give attention to article VI.

If we vote for the treaty today, as I anticipate we will, it should be interpreted as a specific endorsement of article VI because of all the attention focused on article VI during the debate and during the hearings by the committee.

I think the Senator has made a good point.

There is one other thought I wish to inject. I gather that there has been some comment that I and others think there is no obligation under this treaty to come to the assistance of smaller countries. Of course, these obligations already exist under our treaty arrangement and under the United Nations Charter.

Mr. JAVITS. Mr. President, will the Senator yield at that point?

Mr. FULBRIGHT. I yield to the Senator from New York.

Mr. JAVITS. We may have quite unwittingly gone a little further than many of us expected in regard to this matter of "no obligation."

Will the committee now, after all the debate, stand by what it said in its report—and we do this only in fairness to the nonnuclear powers that are parties to the treaty—that first, we will undertake to bring a situation promptly to the attention of the Security Council?

Mr. FULBRIGHT. Yes.

Mr. JAVITS. And second, we will do our utmost to get action by the Security Council. That action may be negative but those two things we do; and we would not have those two obligations.

Mr. FULBRIGHT. Yes, plus article VI. It is possible that during the course of the debate the point may have been overstated. I think the Senator has given better balance to the issue.

Mr. BROOKE. I thank the Senator. I concur in the interpretation of article VI and I share the expressions and hopes that it will be followed.

Mr. MILLER. Mr. President, I shall vote for ratification of the Nonproliferation Treaty.

After carefully reading the record of hearings before the Senate Foreign Relations Committee and the Senate Committee on Armed Services, listening to key points of the debate, and consulting other sources of information available to me, I have concluded that there is no danger to our national security interest entailed by ratification.

The Joint Chiefs of Staff and the Secretary of Defense are unanimous on this point.

First. The treaty's ratification would in no way inhibit or prohibit continuation of vigorous research and development activities by our country on nuclear weapons required for our national security—nor the deployment of such weapons.

Second. The treaty does not prohibit the transfer of nuclear weapons to the territorial jurisdiction of our allies as long as they remain under our control. Thus there is no difference from what is presently the law under the Atomic Energy Act.

Third. If the Western European countries should join together to form a federation, the nuclear weapons of Great Britain or France would be inherited by the federation.

Fourth. We can always withdraw from the treaty if it is deemed in our supreme national interest to do so.

It will be recalled that I voted against ratification of the Consular Treaty with the Soviet Union because, as I pointed out, the timing was terrible—considering the fact that the Soviet Union was furnishing North Vietnam with weapons which were killing American and allied troops in South Vietnam. I would vote against the Consular Treaty today for the same reason. But the Consular Treaty is a bilateral treaty with the Soviet Union; whereas the Nonproliferation Treaty is multilateral and involves most of the nations of the world. Accordingly, my reason for voting against the Consular Treaty is not applicable to this one.

There are two somewhat troublesome considerations which deserve comment. First is the Security Council—of the United Nations—resolution of June 19, 1968, and the explanation by the U.S. representative of the vote cast by the United States for the resolution. The resolution recites:

> Any state which commits aggression accompanied by the use of nuclear weapons or which threatens such aggression must be aware that its actions are to be countered effectively by measures to be taken in accordance with the United Nations Charter to suppress the aggression or remove the threat of aggression.

The explanation of the vote by our representative states:

> The United States also notes the concern of certain of these states that, in conjunction with their adherence to the Treaty on the Non-proliferation of Nuclear Weapons, appropriate measures be undertaken to safeguard their security. Any aggression accompanied by the use of nuclear weapons would endanger the peace and security of all states. . . . aggression with nuclear weapons, or the threat of such aggression against a non-nuclear-weapons state would create a qualitatively new situation in which the nuclear-weapon states which are permanent members of the United Nations Security Council would have to act immediately through the Security Council to take measures necessary to counter such aggression or to remove the threat of aggression in accordance with the United Nations Charter which calls for taking "effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace." Therefore, any state which commits aggression must be aware that its actions are to be countered effectively by measures to be taken in accordance with the United Nations Charter.

The report of the Senate Foreign Relations Committee, which is a most important item of evidence of legislative intent underlying ratification of the Nonproliferation Treaty, makes it clear that our United Nations representative may well have exceeded his authority. And to underscore this fact, the report states unequivocally:

> The committee, therefore, records its firm conclusion, reached after extensive testimony, that the Security Council resolution and security guarantee declaration made by the United States in no way either ratify prior national commitments or create new commitments.

Were this not the case, I would have to vote against ratification, and I trust that hereafter our representative in the United Nations will not engage in voting or explanation which might result in misinterpretation or false impression on the part of other members of the United Nations.

The second troublesome consideration has been occasioned by what the Chairman of the Joint Chiefs of Staff de-

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scribed as the "gratuitous" offer made by President Johnson, and subsequently echoed by President Nixon, that the United States will permit the International Atomic Energy Agency to apply its safeguards covering nonnuclear states to all nuclear activities in the United States, exclusive of those activities with direct security significance. The Soviet Union has made no such offer and shows no disposition to do so.

We are told that the reason for the gratuitous offer was to persuade nonnuclear states to ratify the treaty, because they would be reassured that their agreement under the treaty to permit the IAEA to apply its safeguards—through appropriate inspection procedures yet to be negotiated—to assure that nuclear energy made available to them for peaceful uses is not diverted to nuclear weapons or nuclear explosive devices—would be reassured that we would not obtain an unfair commercial advantage over them unrelated to the basic purpose of the treaty. Great Britain has also made a similar gratuitous commitment.

Whatever the reason—and it appears that the reason in this case is meritorious—the fact remains that no President can commit the United States to inspection procedures within our country under the jurisdiction of an international organization such as the IAEA—much less to procedures which have not yet been negotiated with a nonnuclear state. This can only be done by ratification of the specific procedures, which would be in the nature of a treaty by the U.S. Senate.

It is interesting to note that assurance was given, during the hearings, that if we did not like the idea of having a Russian moving into one of our peaceful-uses facilities, we could prevent a Russian from being on the team of inspectors. Moreover, the Senate Foreign Relations Committee report says on this point:

> The committee notes but does not comment or pass on the constitutional appropriateness of announcements by both former President Johnson and President Nixon that the United States will permit the International Atomic Energy Agency to apply its safeguards to all nuclear activities in the United States, exclusive of those activities with direct security significance.

From the standpoint of the United States, it appears that there are three benefits from the treaty:

First. It is in the interest of our security that there not be a proliferation of nuclear weapons to any other countries than now already possess them. Unfortunately, the unwillingness of Red China and France to sign and ratify the treaty seriously undercuts this benefit.

Second. Signatories to the treaty, including the Soviet Union, undertake to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament. It is good to have the Soviet Union on record on this point, and while agreement from such negotiations is clearly a long way off, the "good faith" requirement of such negotiations can serve to place Soviet intransigence, if it continues, in proper perspective among the family of nations.

Third. Through the inspection procedures to be developed by the IAEA, United States and Soviet Union inspectors will eventually be working side by side in nonnuclear states in a common endeavor which, hopefully, may eventually persuade the Soviet Union to agree, with us, to inspection and control safeguards within her own territory which must accompany any effective agreement for nuclear arms control. In the long run, this could be the most important benefit of the treaty—not only to the United States but to the goal of a more orderly and peaceful world.

For these reasons and in view of the considerations I have discussed, a favorable vote for ratification is indicated.

Mr. SAXBE. Mr. President, I yield 5 minutes to the Senator from Nebraska.

The PRESIDING OFFICER. The Senator from Nebraska is recognized for 5 minutes.

Mr. HRUSKA. Mr. President, in his inaugural address, President Nixon challenged this Nation to take as its goal "where peace is unknown, make it welcome; where peace is fragile, make it strong; where peace is temporary, make it permanent." The single question before this body is whether ratification of the Nuclear Nonproliferation Treaty will strengthen the structure of peace.

All thoughtful men seek peace, but we may differ on how it is to be achieved. Some of my colleagues feel ratification is not a proper step. I respect their decision and recognize their true concern for our Nation and the cause of world peace. It is my determination, however, to vote for ratification of the treaty as a step toward curbing the spread of nuclear weapons which does not jeopardize our national security.

Debate on this treaty has been highly significant because it has demonstrated to the world, friend and foe alike, the universal belief in peace, and the deep respect for freedom and self-determination of all peoples, held by the Members of the U.S. Senate.

The main provisions of this treaty can be summarized as follows: The treaty would, first, prohibit nuclear-weapon states from transferring to any recipient nuclear weapons or other nuclear explosive devices or control over them; second, prohibit nuclear-weapon states from helping non-nuclear-weapon nations to develop their own nuclear weapons or other nuclear explosive devices; third, prohibit non-nuclear-weapon states from receiving nuclear weapons, other nuclear explosive devices, or from manufacturing their own; fourth, provide for effective safeguards on the peaceful nuclear activities of non-nuclear-weapon states to assure that no nuclear materials are diverted to nuclear weapons; fifth, encourage cooperation between nuclear and non-nuclear-weapon nations to insure that all will benefit from the peaceful uses of nuclear energy; and, sixth, affirm the responsibility of the nuclear-weapon states to strive for effective measures to end the nuclear arms race and promote disarmament.

The treaty will enter into force only on the deposit of instruments of ratification by the United States, the United Kingdom, the Soviet Union, and 44 other signatory states. Any party to the treaty can withdraw from the treaty after giving 3 months' notice if it decides that the "supreme interests of its country" are jeopardized.

The treaty deals only with what is prohibited, not with what is permitted. It does not prohibit transfer of nuclear delivery vehicles or delivery systems, or control over them. It does not prohibit allied consultations and planning on nuclear defense. It does not prohibit arrangements for deployment of nuclear weapons among allies as long as control is not transferred. It does not bar succession by a new federated state in Europe to the nuclear status of one of its former member nations.

Careful consideration has been given to possible affects on the North Atlantic Treaty Organization. Secretary Rogers, Secretary Laird, and General Wheeler all agreed that the treaty is consistent with the best interests of NATO. The United States worked closely with its allies in the formulation of the treaty and our allies have been fully assured that the treaty would in no way jeopardize the NATO alliance, or prevent allied consultations on nuclear matters.

In addition, the Joint Chiefs of Staff set forth certain considerations essential to the national security interests of the United States and our allies:

The treaty does not operate to the disadvantage of the United States and our allies.

The treaty does not disrupt any existing defense alliances in which the United States is pledged to assist in protecting the political independence and territorial integrity of other nations.

The treaty does not prohibit deployment of U.S. owned and controlled nuclear weapons within the territory of our nonnuclear NATO allies.

The treaty does not prohibit the United States from using nuclear weapons in any situation wherein nonuse of nuclear weapons would be inconsistent with U.S. security interests.

The treaty does not involve automatic commitment of U.S. military forces.

We must also recognize that the treaty will not influence or deter Red China and France from continuing to develop their own independent nuclear capabilities; neither nation is expected to sign the treaty.

The treaty may lead to broader disarmament negotiations between the United States and the Soviet Union, but does not require them. If such negotiations are begun, it will be many years before any significant achievement on halting the arms race can be expected; the cold war may have passed, but the reasons for distrust among nations are diverse, and the conflicts in the world are many.

Yet the risks of the world conflict if the proliferation of nuclear weapons is not halted are infinite.

The report to the White House Conference on International Cooperation submitted by Dr. Jerome Wiesner's Com-

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mittee on Arms Control and Disarmament pointed up the dangers:

> The spread of nuclear weapons threatens to bring about a painful, expensive, and dangerous reorganization of international relations. It threatens to add new dimensions to the very fears that encourage it: new concerns in the struggle for Arab-Israeli understandings; new barriers to a permanent easing of Indian-Pakistani tensions; and new setbacks to improved relations between Western and Eastern Europe. It threatens established political relationships between countries and within them; dissension over the hard decisions it entails in government already torn by dissension; realignments associated with shifting power in nonaligned areas; and, for those in the major-power alliances, the premature assertion of an unreal independence based on nuclear status alone. There are, in these problems, the seeds of a hundred crises.

We should not promise ourselves peace tomorrow because the road to peace is long and hard. But, as President Nixon said, "we are entering an era of negotiation," and a first step away from confrontation is necessary.

Mr. President, when President Nixon sent to the Senate his message requesting the advice and consent of the Senate to the ratification of the Nuclear Nonproliferation Treaty, he acknowledged that he opposed ratification of the treaty last fall in the immediate aftermath of the Soviet invasion of Czechoslovakia. He also carefully pointed out that his present request in no sense alters his condemnation of that vicious Soviet action.

Similarly, I opposed the ratification of the treaty in the aftermath of the invasion of Czechoslovakia. On the floor of the Senate I called for a reexamination of the national concept of detente and I called for an immediate review and strengthening of the NATO defense alliance.

Since that time several significant events have occurred which have renewed my confidence in our foreign policy and in the strength and vigor of the NATO alliance. I am convinced that the United States and its allies are approaching the Nuclear Nonproliferation Treaty with their eyes open and with paramount concern for the security and strength of our mutual defense alliance.

The most significant of these events was the election of Richard Nixon as President of the United States. President Nixon's election heralds a new era of hardheaded, realistic leadership in our foreign policy. His approach was spelled out in a major speech during the campaign:

> So we begin with the proposition that if we are to have peace we must negotiate. If we are to negotiate, we must negotiate from strength. If we are to have strength, we must restore the strength of the United States and also we must restore the strength of the Western alliance.

The President desires peace and international cooperation with all nations, including the Soviet Union, but he enters the era of negotiation with no delusions. His analysis of the Nonproliferation Treaty reflects this new approach.

The former administration, on the other hand, lacked this same sense of reality. President Johnson, in his message to the Congress on July 9, 1968, was concerned with elusive "good will." His message of transmittal stated that the treaty's "very achievement, as well as its provisions, enhances the prospect of progress toward disarmament."

This statement rests on the mistaken theory of detente. My greatest concern over the past several years has been that the national security of the United States was being sacrificed for the policy of convergence. This policy assumed that as Russia developed and prospered, its interests would converge with those of the Western democracies, and that detente would follow.

The brutal subjugation of the Czechoslovak people forced second thoughts on even the most ardent disciples of the theory of Soviet melioration.

President Nixon, proceeding soundly, places his emphasis on our own national security. In his public statements, he has shown a grasp of the complexities of foreign relations and an ability to deal with them.

The President has returned from a highly successful visit with our NATO allies. He acted with judgment and his actions inspired confidence.

It is confidence in this leadership that strengthens my decision to favor ratification of the Nuclear Nonproliferation Treaty. We know precisely what we are asking for and precisely what we are getting. There are no fond, but ill-advised, hopes spurring the Nixon administration's support of this treaty.

The second significant event that I have witnessed is the rejuvenation of the NATO alliance. Both the North Atlantic Council and the North Atlantic Assembly met in November in Brussels to review the weaknesses of NATO and to consider means of strengthening the Alliance.

As a member of the U.S. delegation to the Atlantic Assembly, I felt in its November 1968 sessions in Brussels the new spirit that had been generated into NATO. The Assembly and the Council adopted a number of resolutions demonstrating a renewed determination to maintain a strong military deterrent in Europe and a willingness to accept a more equitable sharing of the costs of a strengthened NATO force.

Gen. Lyman Lemnitzer, Supreme Allied Commander, Europe, summarized for the Atlantic Assembly the proper stance for NATO:

> There is not a military man who has personally experienced the horror and shock of war who would not welcome a true detente in Europe—that is, a climate of freedom, of stability, of security, and of confidence that would lead to the peaceful and equitable solution of the political problems of Europe. But a necessary precondition to such a true detente is the maintenance by the North Atlantic Alliance of an adequate and suitable military posture.

The renewed resolve and cooperation expressed at the North Atlantic Council and Atlantic Assembly meetings can be carried forward into actions which will strengthen our NATO defenses. Such actions can dispel any doubts the Soviets may have that the members of NATO do not fully intend to defend their alliance with credible capabilities.

Mr. President, the leadership of the President of the United States, his determination to deal only from a position of strength, and the revitalized strength of the NATO alliance allow us to choose a period of negotiation rather than a period of confrontation.

We know, as we negotiate with the Soviet Union and other Communist nations that a treaty can be broken easily and that treaties often are broken by the Russians.

In his testimony to the Foreign Relations Committee last year, Dr. Robert Strausz-Hupe, director of Foreign Policy Research Institute explained:

> International agreement does not mean to totalitarian governments what it means to a Democratic people. An arms control agreement has never meant and does not mean to a militant Communist, steeped in the dialectic of Communism what it means to a Democratic statesman, steeped in the doctrine of international cooperation. There is no mystery as to why the Soviet negotiators proved relatively pliable as regards the treaty's provisions for control: an open and Democratic society controls itself, and a free press can be relied upon to ferret out and to denounce any treaty violations by the national government. A totalitarian government need not worry about the disclosure of violations by its own well-muzzled citizens.

There are three reasons why the unreliability of the Soviet Union does not compel me to oppose ratification.

First, the treaty involves many more nations than Russia. There are 87 signatories including the United Kingdom, Canada, Denmark, the Netherlands, Belgium, Sweden, Czechoslovakia, Poland, Republic of China, Iran, Iraq, the Philippines, and the Republic of Korea. The United Kingdom is a nuclear power and others could become nuclear powers. The stability of world peace may be significantly affected by ratification of the treaty by many nations.

Second, there is a provision similar to the one contained in the Test Ban Treaty that allows the United States to withdraw from the treaty upon 3 months' notice.

Third, the treaty does not prohibit or prevent the United States from defending ourselves and our allies with nuclear weapons in any situation where our security interests are deemed by us to require such use.

If the treaty were dependent upon the good faith of the Russians, I would oppose it. But I am persuaded the safeguards are such that it does not depend on trusting the Russians.

Mr. President, there may be risks involved in ratifying this treaty. However, with the growing number of nations that have, and can soon have, nuclear power, there are risks involved in refusing to ratify. I have balanced them carefully in my mind. I have examined the endorsements of this treaty by President Nixon, the Secretary of State, the Secretary of Defense, and the Joint Chiefs of Staff.

If this treaty can limit the spread of nuclear weapons, it will accomplish a great deal of good. Just as I decided to support the Nuclear Test Ban Treaty in 1963, Mr. President, and for many of the same reasons, I have decided the correct position is to support ratification of the Nuclear Nonproliferation Treaty.

Mr. President, I yield back the remainder of my time.

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Mr. KENNEDY. Mr. President, I ask unanimous consent to suggest the absence of a quorum, with the time to be charged to both sides.

The PRESIDING OFFICER. Without objection, it is so ordered, and the clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, I yield 20 minutes to the Senator from South Dakota (Mr. MUNDT).

Mr. MUNDT. Mr. President, I want to say a few words about the treaty before it comes up for a vote, primarily because, as is well known, I was one of the five members of the Foreign Relations Committee who wrote and supported the minority views when we had this treaty before us last summer. Those who have read the report are aware of the fact that our opposition at that time did not run particularly to the contents of the treaty. It did not involve what we thought would be any deleterious effects flowing from the treaty, but the opposition related itself primarily to the question of timing and to the unsolved and unanswered questions which we had presented to the State Department and to the Pentagon and to which no satisfactory or definitive answers had been provided to the committee. So we opposed ratification of the treaty at that time and suggested consideration of the treaty be delayed until this year. Thus it is now before us for action.

Since I expect to vote for the treaty today, I want to discuss the treaty as I see it and try to put it in the perspective and in the framework of the world situation as I see it.

First of all, the world conditions prevailing at this time are not the same as those which caused us to flash a bronze light suggesting prudence and patience and postponement at that time. At that time Russian armies were moving with their tanks through the peaceful lanes and highways of Czechoslovakia. The papers and the airwaves were filled with rumors and reports that the Russians were also going to move with similar naked force into Rumania and perhaps Yugoslavia.

We thought at that time—and I think our conclusions and deductions then were correct—that it would be very bad international policy indeed for us to close our eyes to those intolerant acts and those imperialistic moves and go ahead and sign a treaty of which Russia was a part just as though she were behaving as a civilized neighbor should act toward a neighbor or another country in this day and age.

While Czechoslovakia is still in the throes of Russian control, happily the major Russian armies have pulled out, and we hear no current reports indicating that Russia again expects to defy world opinion by moving in with might and muscle and take away the sovereignty of Rumania or Yugoslavia.

In fact, quite the reverse is true. Yugoslavia certainly has been making sounds lately which indicate perhaps an increased independence toward Russia; and if not that, certainly an increased willingness to criticize the overt imperialistic acts of Russia.

Having said that, let me say that, in my opinion, the Nonproliferation Treaty is neither as good as its friends proclaim it to be, nor as bad as its opponents or critics describe it. In my opinion, it is an inadequate and disappointing document, and I say that as one who is going to vote for its ratification. But I consider it inadequate and disappointing and one which, I am afraid, has been oversold to the public as accomplishing a great deal more than it possibly can.

I consider it to be in those categories for these reasons: In the first place, it does not reduce or curtail or modify one iota the capacity of nuclear powers to attempt to destroy each other. This is a treaty which says to nuclear powers, "You can have the nuclear armament which you have. You can expand it. You can increase it. You can develop it. But countries which do not have nuclear capacity at this time are not going to be able to obtain it in terms of military weapons."

I think we should have an understanding by the public generally, that this is what the treaty provides. It is not a treaty to end nuclear war. It is not a treaty which safeguards us from the possibility of a nuclear attack. It is not a treaty which even decreases the stockpiles, or the capacity to stockpile weapons, on the part of countries that presently have them.

The second reason I think it is an inadequate and disappointing document in terms of meeting the real challenge of our day and the real need of civilization is the fact that it does not prevent the United States, the U.S.S.R., or Great Britain from accelerating their nuclear armament programs, magnifying them, expanding them, and making them move forward at any rate of increase they might desire. It does not even call upon any of the nuclear powers to stop where they are. It simply says, to those countries that do not have them, "You cannot get them."

Third, I think it fails to meet the problems of our day because it does not commit any nuclear power to total or even partial or gradual nuclear disarmament. It accepts the status quo, and proceeds from there.

So I think what the public has in mind, and what it should have in mind, and what we all ought to be thinking about, is the goal which should be sought by every good citizen in every land on this earth, and that is total and permanent nuclear disarmaments of both offensive and defensive weapons, with neutral and international inspection of an unchallenged and unchallengeable nature.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. MUNDT. In a moment.

That, to me, is the goal we should be approaching; and this treaty, if it moves at all in that direction, moves an inch when the world requires a mile of forward motion.

I am happy to yield to my chairman.

Mr. FULBRIGHT. Mr. President, I am inclined to agree with a great deal of what the Senator is presently saying about the world's needs, and so forth.

But will he not also agree that the spirit of article VI, while it is not mandatory and does not require an agreement to adopt such a course, requires that members make a good faith effort to move toward what the Senator says we ought to be moving toward?

Mr. MUNDT. Yes.

Mr. FULBRIGHT. It is the most effective expression of its kind, at least in recent history, between these two nations.

Mr. MUNDT. That is correct; and, of course, it is not limited to the two nations but all the nuclear nations.

Mr. FULBRIGHT. Yes, the nuclear nations.

Mr. MUNDT. It suggests that they should start negotiations leading toward this goal which I have been talking about.

Mr. FULBRIGHT. That is right.

Mr. MUNDT. The difficulty is that it is not mandatory—it is an expression of hope and aspiration—and does not change the status quo materially from what both countries should be thinking about now, which is the need for negotiation.

Mr. FULBRIGHT. I agree with the Senator, but it is a statement which, under the circumstances of the world as we know it, while I grant it is a small step, is a very significant one, provided that the signatories are sincere about what they are undertaking, or unless they are completely cynical about it.

Mr. MUNDT. That is correct. The Senator is anticipating what I intend to say when I get around to saying why I shall vote for the treaty, despite my disappointment.

It seems to have been produced during a period of world history when there was beginning to be a meeting of the minds, but it may actually have delayed a good while longer the achievement of a great deal more. It seems to me most unfortunate that, in negotiating the treaty, we did not hold out for a better deal and a wider understanding among the nuclear nations of the world at this time, when they were sitting around at least agreeing on some of the factors which are involved in the treaty.

Additionally, the language of the treaty, in my opinion, is unfortunately and unnecessarily obtuse and ambiguous on a number of important points. I think students of history, and even present day commentators and analysts of the legislation, would enjoy reading the majority report which was issued last August, as well as the minority report, because, as we who authored the minority report then said, "We advocate delaying this treaty, and if you do not want to accept the arguments of the five of us writing the minority views, read the majority report, because it damns the treaty with faint praise." It raised more objections, if possible, than we raised in the minority report. It called attention to a whole series of unanswered questions.

I suggest, Mr. President, that the time has come, in the treaty-writing business of this country, when we ought to state it as it is, clearly and concisely, with meaning, definitiveness, and decisiveness, and not in the obtuse and ambiguous language with which this treaty is unfortunately replete. That is another criticism I have of the treaty.

Despite these disappointments, and despite my feeling that this is a highly inadequate and disappointing document, I shall vote for its ratification today, for the following reasons:

First, I think to reject it now, after we have had the opportunity to study all its details, after we have had a chance to explore with the Pentagon and the State Department and the White House the answers to the unanswered questions raised by the ambiguity of the language, and with the world in a somewhat better condition than it was last August, when the Russians were invading with their troops and their tanks the innocent little country of Czechoslovakia, would be interpreted rather widely around the globe as indicating that our country lacks concern about the dangers of proliferation of nuclear weapons.

I think any sane individual has to recognize that nuclear weapon proliferation is dangerous. It ought to be stopped. Stopping it does not give much security to the world. Stopping it does very little to avert the danger of a nuclear holocaust between the great powers which now have weapons. But it ought to be stopped, because every time you add some nuclear fighting capacity to another country, you add another danger: that here is another country where some intemperate ruler, some irresponsible leader, someone in a fit of rage, might push a button somewhere and start launching the few bombs he has; and once the air is filled with missiles carrying destruction to humanity across the oceans, no one knows then how to stop it, and everybody might get involved.

So I would hate, by my vote, to indicate that I am not concerned about the problem of proliferation. In the tiny, comparatively insignificant area of making it less likely that countries which do not now have bombs are going to get them, and that it can bring about a slowdown of proliferation, I want to cast my vote on the side of the faint hope that this treaty may, in some way, decrease the likelihood of proliferation. It certainly will not increase it. Any impact it has will surely be on the side of the angels. It has to be on the side of decreasing the likelihood of proliferation, and that is an important plus.

Second, not only do I think it is important to world peace and to the survival of humanity to prevent proliferation, but I believe that this treaty does have some significance toward achieving that goal; because, while it does not in any way inhibit the nuclear powers from expanding their military aspects, it does provide a set of circumstances and rules of procedure whereby nonnuclear powers obtaining fissionable material for peaceful purposes have to subject themselves to a great many prohibitions, inhibitions, and inspections not now in force. So it has some practical application in that regard.

The third reason I support it, Mr. President, is that while regrettably it imposes no inhibitions of any kind on the great powers or the nuclear powers, and does not in any way, shape, or form subject them to inspection from beyond their own state boundaries, this treaty does for the first time recognize a very significant principle. That principle is that international inspection is an imperative device for assuring compliance with prohibitions in the terms of the use of fissionable material.

This validates in a treaty proclamation the feeling of the world that we do not have any security in terms of what is to be done with atomic weapons or fissionable materials without a mutuality of complete and continuing inspection. This writes it in the book that, while the great nuclear powers are not ready to accept such inspection for themselves, as far as the rest of the world is concerned, we believe in the open skies doctrine of Dwight Eisenhower and the concentration of international inspection which was advocated by Bernard Baruch and in the realism which says that only insane diplomats would rely upon the pledges of others when the question of national survival is involved. We have to have security and mutuality of inspection and protection against nuclear attack. That is unchallengable.

It is recognized that if a nonnuclear power accepts fissionable material under the terms of the treaty from any nuclear powers, they subject themselves to international inspection.

I think it is important to have laid out in the mosaic of history this international recognition that without inspection any attempt at restriction or curtailment or reduction of atomic striking power is a hoax and a sham and a dangerous venture in the area of national suicide.

I want to support that concept by my vote.

Fourth, finally this treaty does set the stage, as was brought out in my recent colloquy with the chairman of the committee, the distinguished Senator (Mr. FULBRIGHT). This does set the stage for meaningful negotiations and for significant steps which can and should be urged upon the U.S.S.R. by the United States for the purpose of providing complete nuclear disarmament, permanent in nature, thoroughly inspectable.

This treaty now sets the stage, and we can say to the Russians and to the British and to the other nuclear powers, "Are you willing to provide those peace-preserving prohibitions for yourselves that we insist upon imposing upon others? Are you serious about trying to free the world from the threat and the specter of an international conflict with nuclear weapons? Are you willing now to face up to the fact that these weapons are far too destructive to be stockpiled in any area of the world or to be built up offensively and defensively? Are you willing, with us, to reduce the whole business permanently and to demilitarize our respective countries in a nuclear capacity and totally disarm and then provide for the inspection of devices and routines and the giving of evidence to prove that no one can cheat? Everyone will have to faithfully fulfill this."

That is the goal of humanity. And this, I think, now sets the stage for that.

I hope the United States of America will now approach the U.S.S.R. and say, "We have signed this document. We wrote in our committee report that we think it would be a great historic event if our State Department and our President exercise the patience, which I hope they will, not to complete finally the actions of ratification until it can be done at some central point with the British and the Russians by our side, depositing the articles of ratification.

I think this is another way of testing them. This is another way to see whether we have set the stage for some fruitful drama or are going simply to set the stage so that nothing will happen.

I seriously commend to Secretary Rogers and President Nixon that they read carefully that paragraph of our committee report which was unanimously adopted, which suggests that we delay the final act of ratification until it can be done simultaneously and contemporaneously and at the same point, with a blare of trumpets and some expression of good will to act, with the British and the Russians by our side in a historic event of great significance.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. SAXBE. Mr. President, I yield an additional 10 minutes to the Senator from South Dakota.

The PRESIDING OFFICER. The Senator from South Dakota is recognized for an additional 10 minutes.

Mr. MUNDT. Mr. President, I think we ought to learn something from experience in this country. The last time I talked about a treaty on this floor, it was the consular treaty. It happened to be my responsibility to lead the opposition to that treaty. We failed to stop it by only three votes. We were told then, "It is important that we do this now. The Russians are getting ready to beat us to the draw."

All of this time has passed, and the Russians still have not ratified it. It still has not become operative.

Once again, we knuckled under, but we are now in the position of saying to the other side, "Why don't you follow our example and join the British and the United States in a joint meeting to finalize our acts of ratification?"

I think it is wise. I think it will be productive with the Russians and will show our concern about the proliferation of nuclear weapons if this time we do not rush in gayly and without any serious thought, and say, "We have it all ratified. we have completed action here and hope that some day other people will do the same."

It will be on the President's desk. The final act of ratification is the filing of the documents of ratification. This, and I think wisely, the committee suggested should be done simultaneously among the three great nuclear powers. With that evolved, I think we will have set the stage even better for the kind of talks which we should have.

Whether that will be done or not, I do not know. I have learned to my dismay in 30 years that congressional advice is not too often heeded at the other end of the avenue, no matter from whom it comes. They usually pay far too little at-

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tention to our colloquy here or to our reports from the Foreign Relations Committee.

I hope that at least they follow up on this action, supplementing this highly inadequate treaty and disappointing document by suggesting to the Russians, "We would like to sit down with you and talk about total nuclear disarmament with inspections with no attempt to deceive or fool anybody."

I hope that this is done while there is still time so that if Russia and the United States can agree to do away with their nuclear armaments, we can find a way to stop the Red Chinese from getting theirs ready for deployment come the middle 1970's, which is now the target date when they expect to have enough weapons to bomb the daylights out of either Russia or the United States or perhaps both simultaneously, if they have enough bombs.

Since the Red Chinese are not going to sit down and negotiate and since they are now carrying on a hate war against the world, I am convinced that if Russia and the United States could stop that development from occurring, as between ourselves and the British and other nuclear powers, we will be able to work out an agreement, a total agreement toward disarmament and through inspection in the area of superdestructive weapons.

Mr. President, on balance, I think there is more to gain than there is to lose by voting for this treaty in terms of our American prestige, in terms of the security of the world, in terms of trying to work toward some meaningful document of disarmament in the months ahead.

I express one other hope. I hope that President Nixon will start the sort of new policy in this country of ours whereby the State Department discontinues bringing before us treaties which are shabbily written, and that are inadequate to achieve the fundamental purpose which it is so important to obtain.

Treaty ratification is a serious business. We have difficulty writing amendments. We have difficulty accepting reservations. Some amendments and reservations were offered, and properly so to this treaty and some of them were very significant. But we run into the argument always, "You might as well vote against the treaty, because you have to renegotiate and get the countries together again. If you are going to have to put something in, vote the treaty down and start over."

I think treaty writers should at least use as much circumspection and care and meticulosity in writing the words of a treaty as a committee of the Senate or the House would utilize in drawing up a bill. I guarantee that if a bill of Congress were couched in the lax language of this treaty it would be amended over and over again before it were voted upon by the Senate or the House, because we want our legislation to be concise and purposeful and not subject to various interpretations or some ambiguous presentation whereby everybody is the judge of what is contained.

I would simply like to say to the State Department and the President—because more treaties will be coming before us—next time, let us get a treaty written which is concise enough and clear enough so that we do not need a great body of documentation to try to interpret it and then, when we get through, have almost as many interpretations as interpreters.

Let us limit treatymaking to important subjects and the solution of significant problems, and then let us adjust the treaty to the target, instead of missing it completely as this one misses the grave challenge to humanity presented by the fact that these nuclear weapons are continuing to expand in the countries which already have them and the dangers continue to exist. Nothing here is done which is going to reduce those tensions or decrease those armaments or bring about a solution to the problem unless, happily, the parties do get together for a joint act of ratification in a tremendously significant historic event after which, hopefully, both Russia and Great Britain are ready to take that final step toward development of a safe and sure system of mutual nuclear disarmament with complete and continuing inspection of each other.

Even though this fails to lead to something more significant, I would say to my colleagues that I think it is better to vote for this treaty, under all the circumstances now, than to vote against it. It at least may give us one more chance to come together and to come up with something much more meaningful.

I do hope, however, that the next time we have a treaty before us, it will be a better job of treaty writing than certainly we had in the Consular Treaty and surely in this one, with language so obtuse in certain areas that even after two sets of Senate hearings and two sets of administrative interpreters, no one can be precisely sure as to what is meant by some of the passages which have been prepared for the treaty.

I yield the floor.

The PRESIDING OFFICER (Mr. GRIFFIN in the chair). Who yields time?

Mr. BYRD of Virginia. Mr. President, will the Senator yield me 5 minutes?

Mr. KENNEDY. I yield 5 minutes to the Senator from Virginia.

Mr. BYRD of Virginia. Mr. President, I find myself in substantial agreement with the distinguished Senator from South Dakota. I shall cast my vote for ratification. The treaty does not appear harmful to our own national interests, and it could prove helpful in preventing the spread of nuclear weapons.

Mr. President, the threat posed by the possibility of more nations—some under irresponsible leadership—obtaining nuclear warmaking devices is so grave that every reasonable precaution should be taken. The one concern that many Senators have had in connection with this treaty involves the declaration made by a representative of the United States at the United Nations on June 19, 1968. I believe that matter was fully covered yesterday, in debate which took place on the floor of the Senate and which appears on pages 6194, 6195, and 6196 of the RECORD of Wednesday, March 12.

However, before the final vote is taken today in regard to ratification of this treaty, I wish to read into the RECORD one paragraph from the report of the Committee on Foreign Relations. That paragraph is on page 14 and is as follows:

> The committee wishes to make it unmistakably clear that it considers the Security Council resolution and the U.S. declaration as separate and distinct from the Nonproliferation Treaty. This resolution and the accompanying declaration, are solely executive measures.

I continue quoting from the committee report:

> However, because these actions are linked politically to the treaty, the connection could convey the impression that approval of the treaty by the Senate also means approval of the Security Council resolution. For this reason, the committee wishes to make the record clear that support of the Nonproliferation Treaty is in no way to be construed as approval of the security guarantee measures embodied in the United Nations resolution or the supporting U.S. declaration.

So I believe it is perfectly clear to all Members of the Senate that the declaration made in the Security Council on June 19, 1968, is in no way binding on the U.S. Senate, is in no way binding on Congress, and has nothing to do with the ratification of the treaty now under consideration.

Mr. President, as I stated at the beginning of my remarks, I shall vote for ratification. I am hopeful, however, that the people will not be lulled into a false sense of security. We must remain militarily alert, and this treaty should be recognized for what it is—only a hopeful first step in preventing the spread of nuclear weapons.

I yield the floor.

Mr. MURPHY addressed the Chair.

Mr. KENNEDY. Mr. President, I yield 25 minutes to the Senator from California.

Mr. MURPHY. I thank the distinguished majority whip. I doubt that I will require that much time. I should like to make some remarks with regard to the treaty now under consideration.

Mr. President, I wish I could rise in this Chamber today with full enthusiasm and honest excitement to urge with full confidence the signing of the so-called Nonproliferation Treaty. I have listened to the debate, attended hearings of the Committee on Armed Services, and read all reports I could find on the matter.

I yield to no man in my desire to obtain a reasonable and trustworthy control of the spread of nuclear weapons and in the hope, finally, for the cessation of the costly and dangerous arms race; and it is my devout wish that we can reach the ultimate attainment of a lasting peace and an end to all the seemingly needless and costly wars.

However, Mr. President, in our great desire and our great hope to reach these objectives—and I share them with my colleagues—I am not sure that the treaty before us will achieve these things or that it will even constitute a first step. "First step" is an expression we have heard in this Chamber quite often lately—"hope" and "first step." I hear constantly the term "first step" and "good example" and "show of good faith."

I have listened to these phrases before. Last year in connection with the Consular Treaty we were told how important it was and what great advantages would accrue to the United States. We were told what a great forward step this would be. The Soviet Government has not even signed the Consular Treaty to this date, to my knowledge.

Before that, it was the Test Ban Treaty. The Test Ban Treaty was to achieve a halt. It was to achieve a first important step toward peace. Then, we find that even during the discussion of that treaty, the Soviet Union, a signatory, had taken an advantage, and actually the United States, according to witnesses who came before us, has been handicapped in tests which might improve our military capability, because of the Test Ban Treaty.

Mr. President, in other words, I am saying we did not gain anything; on the contrary, we lost.

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. MURPHY. I yield.

Mr. KENNEDY. Mr. President, with reference to the point the Senator made with respect to the Consular Treaty, it is my understanding that the Senate acted on March 16, 1967, and the Soviet Union acted on April 26, 1968.

Mr. MURPHY. That had not come to my attention. I thank the Senator for correcting my statement. I had no knowledge of it.

Mr. President, I ask that the statement of the Senator from Massachusetts be added so that the RECORD will be correct. It would not be my wish or intent to use any facts that were not completely accurate.

Before the Test Ban Treaty there was the Peace Treaty in connection with Korea. I trust I am correct in this statement and if I am not, I hope the Senator from Massachusetts will correct me. We still do not have a peace treaty that has been signed in connection with Korea after these many years.

Then, we go back to Potsdam, Teheran and Yalta; we go back to the beginning, to the original agreements whereby the great Government of the United States of America first recognized the Soviet Union. As I recall, the basic agreements that were entered into, both of these treaties to which I have referred, have disappeared into the dust of history without any of them having been fulfilled by the U.S.S.R.

It seems to me that we in America are always trying to prove that we wish to be a friendly and peaceful nation, and that we want to live in a happy peaceful way with our neighbors and help other nations achieve health, education, and the productivity we enjoy in this great country. There is no evidence that I know of to the contrary. History is long and our record is there for all to see.

It also occurs to me that the more we try, the more we are lied about, vilified, and accused of being the "imperialist nation," "the aggressor," the "enemy of peace." We are called the aggressor in Vietnam.

Would it not be wonderful if the Soviets suddenly decided to make a "first step" and stopped supplying arms in Vietnam; or a "second step" in calling off their expansionist policy in the Middle East; or a third step by stopping the infiltration of Communist-trained and led troublemakers all over the world, even possibly on our college campuses? Would this not be wonderful?

With this show of faith there would be no ends to which this Senator would not go to promote peace and understanding. And I could vote for this treaty with a hopeful heart.

This, however, is not the case.

I have therefore, come to the conclusion that maybe from now on we must be coldly objective, factual, practical, in our dealings with other nations, particularly the U.S.S.R., and that we should assess the actual benefits of all treaties and agreements on the basis of "how do they benefit and safeguard the future security of the United States of America?"

It is in this frame of mind that I finally must decide my vote on this treaty today.

I can find no actual benefit to the United States within the treaty. I have been told the treaty really does nothing, binds nothing, creates no new conditions with regard to nuclear weapons that do not now already exist.

I find there are no actual positive safeguards written into the treaty. The organization, which will be charged with the duty of policing the treaty seems to me to be completely inadequate.

It is certain that at least two nuclear powers which presently have the capability of making atomic weapons will not sign the treaty—China and France. They have said so.

Other nations such as Israel, West Germany, Japan, which could achieve the capability of building nuclear weapons would have to depend on either the United States or U.S.S.R. for protection from nuclear attack—a condition which might not be desired—and, therefore, it might be necessary in their own self-interest, or for their own protection, to create their own capability—and thereby destroy or weaken the alleged purpose of the treaty.

There is no certain method of inspection written into the treaty to guarantee compliance by the signatories—Dr. Teller, in whom I have great confidence, is concerned about whether or not this inspection could be certain—even if and when it is agreed upon.

The U.S.S.R states plainly that under no circumstances will she permit inspection within her borders. On the other hand the former President of the United States said he would not only permit inspection, but would invite foreign teams to view any or all of our nuclear activity and expertise, excepting only what shall be classed as military.

If any of our industries using nuclear devices demurred, it has been suggested that they could be forced by the Government to comply—or be cut off the bidding lists for Federal contracts. This is a type of coercion which I have always objected to and will object to as long as I can stand and be heard.

We seem to have promised to come to the protection of the signatories in the event they are attacked by nuclear weapons.

Let us explore this matter for a moment. If China, which has the capability and has a weapon, should attack Russia with nuclear weapons, would we be committed to enter into a nuclear war on the side of Russia? Or if the Chinese should give weapons to Cuba, what would our position be under the treaty? If Russia, who has been arming the Arab States should suddenly decide to give nuclear weapons to the Arabs, and they were used, would we not be expected to come immediately to the protection of the State of Israel?

In short, if any nuclear power used nuclear weapons to attack any signatory nation, would we not be expected to come to their immediate defense?

Mr. President, the chairman of the Foreign Relations Committee, for whom I have the greatest respect, says that this is not so. However, the record shows that the former President of the United States, the former Secretary of State, and the former Ambassador to the United Nations say that it is so.

On whom am I to rely?

How do the signatory nations understand these conditions and the apparent changes which I have heard recited during the past few days?

What does this treaty do to the NATO nations?

Does it not weaken their protective potential?

Does it not cut down the potential of all our friendly nations, while it permits the only nation, which has stated that it will bury us, to proceed unimpeded in its announced plan for world domination?

What would be the psychological effect upon our friends in Europe if they suddenly found that they may not have any hope, at least for 25 years, of having any nuclear weapons with which to protect themselves, and that the promise of protection to be supplied by the United States of America is uncertain, as has been stated on the floor of the Senate?

Mr. President, is this not the time to deal in an honest, straightforward manner from our position of full strength, rather than to wait until a later time, when our strength may have been impaired and weakened?

Is it not better to deal now than to bind ourselves and our friends—possibly forever—and lose whatever bargaining advantage we now may have, or what advantage we may not have already lost in our frenzied pursuit of peace?

And here, let me pray that I will not be misunderstood. To me, the pursuit of peace is the highest goal, the highest quest with which we could concern ourselves; but, in our anxiety, we must not lose sight of the facts. We must not lose sight of the conditions as they exist today.

I have been told that the signing of this treaty would be of great help to President Nixon in the coming talks with world leaders. I have been told that to oppose the treaty might weaken his position abroad and might tend to undermine the confidence which he has built up at home and abroad as a result of his recent trip.

Mr. President, I do not believe that to be the case. First, let me say that I would do nothing to diminish his power and progress in any way. On the contrary,

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there is nothing that I would not do to help his quest for peace. Were I to be convinced that the signing of this treaty would help, I would not be taking the precious time of the Senate today to explain the reasons for reaching my conclusions.

Mr. President, I sincerely hope that I am not being too critical of the content, or rather the lack of content, in this treaty. However, I cannot eliminate from my mind the memories of our continued efforts of the past—sincere efforts, efforts on many occasions that, I thought, went clearly beyond the bounds of propriety, and I believe they were honest efforts.

I believe that this treaty, and what it may effect, has been oversold. I believe that our people may be expecting too much, that we may have created the impression that if the Senate ratifies the treaty, many future worries, if not all such worries, concerning a possible nuclear war will disappear. This, I assure you, Mr. President, is not the case. There are no such provisions in this treaty.

I believe that we have seen too often, recently, the unfortunate and dangerous results which follow raising false hopes of progress toward admittedly noble goals.

Of course, as I have said, like every other Member of this body, I am completely in favor of peace. I am in favor of disarmament, when—but only when—it is safe for this Nation and the other nations of the world who depend upon us for their protection.

Unfortunately, the facts are, as I see them, that the principal safeguard of peace in the world since World War II has been the military strength plus the integrity of the United States of America. This has been the only certain, effective bulwark against imposition of the Communist ideology upon the world.

Mr. President, this is not a pleasant situation. It is not a situation to be desired. But it is a fact.

I believe that the time has come when our Nation and its representatives must face the facts in a realistic manner. We must assess the facts as they actually exist. We must stop dealing in theory. We must stop thinking in fantasies. We must get back to the true, hard facts of reality.

I wish that the treaty before us had full safeguards, references, and compliances for full inspection for the equal treatment of all nations and proper guarantees. I wish it were a treaty in the best interests of the United States of America, a treaty which would be binding, safe, permanent, and productive.

Unfortunately, I do not believe that these are the conditions which exist in the treaty.

Therefore, Mr. President, regrettably, I must cast my vote against adoption of the treaty.

I yield back the remainder of my time.

Mr. SAXBE. Mr. President, I yield 1 minute to the Senator from Colorado (Mr. ALLOTT).

The PRESIDING OFFICER. The Senator from Colorado is recognized for 1 minute.

Mr. ALLOTT. Mr. President, I appreciate very much my colleague from Ohio's yielding to me, as well as my colleague from Colorado, because basically what I wish to take the floor for at this time is to welcome my own distinguished colleague (Mr. DOMINICK) back to the floor of the Senate after a brief illness.

I am sure that everyone joins me in welcoming him back to the Senate. We are all happy to see him and are very glad that he will be back with us now for a long time to come.

Let me say to my colleague, it is good to see you back.

Mr. SAXBE. Mr. President, I yield 5 minutes to the Senator from Colorado (Mr. DOMINICK).

Mr. DOMINICK. I should like to say to the Senator from Ohio that if there is enough time available, could he make that 8 minutes. I shall try to be brief.

Mr. KENNEDY. Mr. President, I will be glad to yield 3 additional minutes to the Senator from Colorado.

The PRESIDING OFFICER. The Chair takes great pleasure in recognizing the junior Senator from Colorado (Mr. DOMINICK) for 8 minutes.

Mr. DOMINICK. Mr. President, I thank the Chair, the distinguished Senator from Massachusetts, the distinguished Senator from Ohio—and I particularly thank my colleague from Colorado (Mr. ALLOTT).

Mr. President, I came back today from the hospital feeling remarkably improved, although somewhat weaker than when I went in—as everyone is when they lie in bed too long.

I came back because I thought this particular treaty and its ratification was of such extraordinary significance in the country's history that I should, if possible, play a part in determining what would happen in its ratification.

As usual, so far as I know, the Senate has been asked to consider a treaty which was formulated by the executive branch and which we are now being asked to consent to.

We had not been asked, so far as I know, to advise to its terms originally.

It has been a long time in the history of this country since the Senate's role of advise and consent has given rise to the term "advice." We are simply being asked to consent.

The Nonproliferation Treaty, by its very significance and by its name, indicates to the public at large that if one votes against this kind of treaty, as my distinguished colleague from California has suggested, that person is in favor of irradiating the entire world and proliferating nuclear weapons in every country.

Nothing, of course, could be further from the truth, but this is obviously the significance that many people are going to put on it.

During my enforced stay away from the Senate, I have had the opportunity of reading the hearing record before the Committee on Foreign Relations and reading the report that was issued by the very distinguished Armed Services Committee, on which I have the opportunity of serving—and I am glad to see the chairman (Mr. STENNIS) present in the Chamber—and I have also had the opportunity of recently reading a committee print put out by the Committee on Government Operations in this year, 1969, called "The Soviet Approach to Negotiation."

I think in the consideration of this particular treaty we should take into consideration some of the comments that have been made in the process of those various documents. On page 64 of the latter, "The Soviet Approach to Negotiation," is a paragraph which I should like to quote, written by Arthur H. Dean, entitled "Soviet Diplomatic Style and Tactics." It was written in 1966. He was ambassador in the post-armistice negotiations in Korea; chairman of the U.S. delegation at the Disarmament and Nuclear Test Ban negotiations in Geneva in 1961 to 1963; and a former member of the U.S. delegation to the United Nations General Assembly.

The paragraph that I want to read now is, in my opinion, Mr. President, the key to the reason why we should not ratify this agreement. I quote:

> Then there is the pitfall of the "agreement in principle," which was already a serious danger in wartime negotiations with the Soviets. Time and again—and certainly this is clear in the Soviet insistence on an agreement on disarmament first, with details of inspection and such matters to come later—Soviet negotiators will press for a general agreement, often on a principle, such as being for "peace," to which it is very difficult to object, and will charge bad faith when this is refused. They are aware of the impatience of their Western counterparts and seek to make agreements seem very close by stressing how easy it would be to record it in general terms. By pushing in this way, they hope for an agreement of such vagueness that they will be able to interpret it in their own way and act to their own advantage while professing to observe the agreement.

Mr. President, in July of last year, the President of the United States, President Johnson, signed an agreement with the Soviets on a Nonproliferation Treaty. Since then, according to a statement made by General Ira C. Eaker, retired, they have sent nuclear material to Cuba, along with 200 nuclear scientists, to teach the Cubans how to use it.

Mr. President, it is not easy for anyone to stand here and say that we are not in favor of a treaty called a Nonproliferation Treaty, but there have been some strong men who have testified before the Foreign Relations Committee. Dr. Edward Teller has already been referred to by my very distinguished colleague from California (Mr. MURPHY).

The PRESIDING OFFICER. The Chair regrets that the Senator's time has expired.

Mr. DOMINICK. Mr. President, I ask unanimous consent for 3 additional minutes.

Mr. SAXBE. Mr. President, I yield the Senator that time.

The PRESIDING OFFICER. The Senator from Colorado is yielded 3 additional minutes.

Mr. DOMINICK. On page 129 of the hearings on the treaty is a statement of Dr. Robert Strausz-Hupé, who said:

> International measures for barring the spread of destructive nuclear devices should be a concern of every responsible government. If I urge the U.S. Senate to withhold ratification from the present nuclear Nonproliferation Treaty, I do so because I have found that: First, the present treaty does not pro-

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> vide effective safeguards against the spread of nuclear weapons—

Generalities again, as Mr. Dean was talking about—

> second, the present treaty, if ratified by the Senate, will have been concluded at a cost to U.S. national security far greater than the worth of any of its foreseeable benefits to the United States; third, the present treaty, if ratified by the Senate, will commit U.S. foreign policy further and, perhaps irrevocably, to a course which will alienate the allies of the United States, encourage Communist adventurism, and lead to the perilous isolation of the United States in world politics.

Mr. President, there are three reasons, then. We have an agreement in principle, which has not been set out in detail—which has been the problem with every agreement that we have ever reached with the Soviet Union.

Second, the nonnuclear nations who are our allies and who are in perilous trouble with the Soviets are not in favor of this treaty. I am talking about West Germany, France, Israel, India, Pakistan, and a lot of other countries which are in the middle of the problems that we see around the world at the present time.

If we should reach an agreement with the Soviet Union all by ourselves, on our own, we would be not only labeling ourselves allies, but we would be making these people believe that we are, from now on, going to work in a joint way with the Soviet Union, to the detriment of the other countries with the ability to defend themselves in some cases and with a need for doing so in many cases.

Certainly it seems to me it would downgrade our ability to work in NATO.

Mr. President, I am sorry to have taken so much time, but I think this matter is of such extraordinary importance in today's age that, despite the fact that I am sure I shall be accused of trying to proliferate nuclear weapons—which is the last thing in God's world that any person in this country should ever do—in my opinion, it is a treaty that should not be ratified by the U.S. Senate in its present form.

The **PRESIDING OFFICER.** Who yields time?

Mr. **KENNEDY.** Mr. President, I suggest the absence of a quorum, the time to be charged equally——

Mr. **PEARSON.** Mr. President, will the Senator withhold that request?

Mr. **KENNEDY.** I withhold it.

Mr. **PEARSON.** Mr. President, will the Senator yield to me briefly?

Mr. **KENNEDY.** I yield to the Senator from Kansas.

Mr. **PEARSON.** Mr. President, the Senate will soon be voting on the question of whether or not to ratify the proposed Nuclear Nonproliferation Treaty. The product of many years of patient negotiation, this pact is one of the most important foreign policy issues we will be asked to consider this year. As such, it deserves our closest scrutiny. Our duty to protect the interests of the American people demands that we study it with as much objectivity as is humanly possible to muster on a question as sensitive and emotion-laden as this.

The treaty is designed to do two things. First, to secure a pledge from the nuclear countries not to give nuclear weapons to the nonnuclear states; and second, to secure from these nonnuclear states a promise that they will not seek to develop or acquire nuclear weapons of their own.

In return, the nuclear nations are committed to give the nonnuclear countries the help they need to develop peaceful uses of atomic energy under appropriate international safeguards. The nuclear states are also pledged to begin early disarmament negotiations to still further reduce the risk of world holocaust.

After careful thought and examination, it is my opinion that the treaty merits our support. The United States began the negotiations on this treaty many, many years ago and it would be ironic for us to be the reason for their ultimate failure. Let us never forget that we bear a commitment to the international community to work toward a realistic step-by-step approach to the universal goal of gradual disarmament. To reject the treaty would thus be to reject a vital cornerstone of our own program.

Though the treaty is worth supporting, the question of its ratification is not as clearcut as it might appear at first glance. The simple fact is that while the treaty is another important step down the long road to world peace, it is nonetheless far from perfect.

Among the first factors which we should take into consideration is that while 87 nations have thus far signed the treaty, the vast majority have not ratified it. Many are waiting to see what we will do. It is no exaggeration then to say that the treaty's fate is in our hands, not only in terms of our own involvement, but also in terms of world support.

However, the fact that so many countries were at least willing to take the initial step of signing the treaty is in itself encouraging, for it indicates a willingness by a large portion of the world community to forego the prospect of owning nuclear weapons if such a step will contribute to world peace. By signing, these countries are agreeing that even though inspection procedures will not be required for the nuclear states, they will be applied to the nonnuclear countries, who, after all, comprise 84 of the treaty's 87 supporters. It is the acceptance of the inspection procedures outlined in the treaty by so many of these nations which represents such an important step forward toward universal arms control.

Mr. President, vital though this acceptance may be, it is also necessary to point out that most of the nonnuclear countries which have signed the treaty are uninterested in acquiring and are unable to produce nuclear weapons in the foreseeable future. Thus, by supporting the treaty, they are surrendering a theoretical right, albeit an important one, rather than a real prospect.

Following the five nuclear powers, two of whom, France and Red China, have not signed the treaty, the most important states affected by the treaty are the so-called "nulcear potentials" who clearly have the capacity to build nuclear weapons should they desire to do so. Of these countries, only Canada, Czechoslovakia, Italy, and Sweden have signed the treaty. Thus, such significant nonnuclear states such as India, Israel, Japan, and West Germany have not given even tentative approval to the treaty. As a result, of course, it runs the risk of being less effective than it otherwise would be.

Mr. President, another major question which must be asked with regard to this historic proposal is whether or not it will act as a realistic brake on the desire of other countries to acquire nuclear weapons. There is little doubt that none of the nuclear powers are anxious at this time to encourage the spread of nuclear weapons. But what of the feeling on the part of the "have-nots" that the only way in which they might really be able to protect their security would be to retain the right to eventually obtain nuclear weapons of their own?

The basic problem is that the only truly effective way in which we could reassure these states would be to give them an iron-clad commitment to come to their defense should they be threatened or attacked with nuclear weapons. Such a commitment could be made either in concert with the Soviets or unilaterally. The former is highly unlikely and the latter, of course, is unacceptable to us. Our security commitments are extensive already.

Our leaders have made several policy statements indicating to the nonnuclear states that their security will be protected through appropriate measures in the Security Council of the United Nations, but naturally these remarks do not have the force of binding treaties. Thus, the problem is still with us and as long as this dilemma exists, the treaty is unlikely to receive the full-fledged support from all the "nuclear potentials" that would be ideal. The fact that world support for the treaty is not yet universal, is still no reason for us to refrain from adding our endorsement. Our support will help garner more and even if it did not, the list of the treaty's adherents is already quite impressive.

Because some of the current abstainers are allies, fears have been raised that the treaty might weaken the Western Alliance by creating dissention and mistrust between the United States and our friends. It is my opinion that these diplomatic risks, while real, are not nearly as great as some have supposed. The fact is that the overwhelming majority of our allies have given the treaty their support, albeit reluctantly. And even should this treaty not exist, they still know very well that we would be unlikely to give them nuclear weapons. We have not done it yet, and there is no reason to suppose we would in the future. It simply is not in our interest to do so. Thus, the treaty really does not affect our nuclear relations with our allies in the slightest. Should this situation change, however, the treaty allows us to withdraw our commitment upon 3 months' notice.

Mr. President, it has also been said that we should not ratify this treaty because it would risk our national security by having it rest on a pledge by the Soviets whose word is notoriously unreliable. This fear is unfounded. The treaty in no way restricts our ability to do whatever we feel is necessary to strengthen our national defense. Though we are under an obligation to pursue disarmament talks in good faith, this too, is in our national interest. The fact of the matter is that we are not being asked to trust the Soviets beyond the point of mutually agreeing not to give nuclear weapons to countries which now do not have them. This is an agreement which we can easily make, for all it prohibits is something which neither of us are doing now and which is not in the interest of either of us to do in the future anyway.

Mr. President, hard as it may be to believe, some people are opposed to the treaty, not only because of their mistaken fear about the risk it poses to our national security, but also because they are not convinced that nuclear proliferation is necessarily against our interests. Pointing to the need to further diffuse the balance of power in the world and by so doing to stabilize a number of areas which are now in ferment, these critics urge that proliferation be considered as a potentially positive rather than a negative force. Because most of the countries which might soon "go nuclear" lie outside the Communist bloc, they also argue that if proliferation were allowed to continue unchecked the ultimate advantage would lie with the West.

Mr. President, I completely disagree with this viewpoint. I find it incredible, really, for such a line of reasoning is based on two clearly false assumptions; first, that nuclear spread would stop with just a few countries when the pressures would all be mounting to force more and more proliferation; and second, that all political leaders will remain rational. But how can they be so sure? How can they be convinced that every leader whose country might obtain nuclear weapons would indeed be rational? Would Hitler, for example, have refrained from using nuclear weapons if they were available? I doubt it.

The fact is that the uncontrollable spread of nuclear weapons represents a clear and present danger to the future safety and stability of the world. It is true that possession of nuclear weapons provides a deterrent against aggression. But who can say whether or not such a deterrent will always work even if the leaders involved are rational? It almost did not in the Cuban missile crisis. And in future confrontations, the leadership might not prove to be as skillful as that provided by President John F. Kennedy and his advisers during that tense period. But whether the leadership failed because it was irrational or unskillful, the result would still be the same—world holocaust.

Another danger of proliferation, irrespective of the leadership qualities of the men governing nuclear countries, is that simply by placing more fingers on the nuclear trigger the mathematical odds on either an accidental or a deliberate attack are greatly increased. And with regard to a deliberate attack, let me point out all nuclear weapons need not be mounted on the top of intercontinental ballistic missiles or carried in the bomb bays of jet aircraft. They can be dismantled and brought into a country in a variety of ways. And the more countries that obtain them the more likely they are to use them, no matter how primitive the delivery system they have available. This danger is compounded by the fact that, because of the variety of means which an attacker can use to reach his target, it is entirely possible that a major power could be attacked and not be certain of the identity of his attacker. Obviously, such a danger is a threat not only to us, but to all the world, for it could trigger a massive nuclear exchange by the major powers.

Thus, the dangers of proliferation, only a few of which I have discussed, are many. But more importantly, they are real and immediate. Nuclear weapons are becoming easier and cheaper to build. Every year more countries acquire the ability to "go nuclear." Unless some incentive is provided—and provided soon—to halt this spread, it will inevitably occur, with all the potentially disastrous effects mentioned earlier. It might occur anyway. Given the flaws in the treaty, that is a real possibility. But our obligations to the American people and the cause of world peace demand that we try to stop it.

Another factor which we must bear in mind is that one of our primary foreign policy goals is to help our less developed friends throughout the world create stable, progressive societies that can achieve continued economic growth. This type of economic development is both in their interest and in ours. Nuclear proliferation could interfere with this objective by siphoning off scarce resources within these countries from badly needed economic and social projects and applying them instead to programs of weapon development. As the current controversy in our own abundant land over the possible deployment of the Sentinel anti-ballistic-missile system so aptly illustrates, no country has the unlimited resources to develop both sophisticated weapons and achieve maximum social and economic progress simultaneously.

Mr. President, the treaty also offers the positive benefit of adding to the efforts of recent years to build an atmosphere of greater trust between ourselves and the Soviets. We are no longer dealing with a monolithic Communist bloc. It is badly splintered. Early last week, for example, the Soviets and the Red Chinese fought a pitched battle along their common border. It is in our interest to do anything we can to demonstrate to the Soviets the value of closer cooperation with the West as opposed to the increasingly bitter character of their relationship with the Red Chinese. The treaty might be of help in this regard.

Mr. President, the Nuclear Nonproliferation Treaty may not be the perfect instrument many of its vigorous proponents would have us believe. But then neither is it the threat to our security that some of its more outspoken opponents fear. On balance, it may not turn out to be much more than a grand gesture. But it could turn out to be much more, for while the treaty's effectiveness may be limited, there is always the chance that ratification might mean the difference between world peace and nuclear war. That chance is well worth taking. As Theodore Roosevelt once said:

> It is hard to fail, but it is worse never to have tried to succeed.

In this case a failure to try could be fatal to all mankind.

Mr. KENNEDY. Mr. President, I yield 2 minutes to the Senator from New York (Mr. JAVITS).

Mr. JAVITS. Mr. President, I wish to sum up my support of this treaty, and put it in focus, as I see it.

This is the first time that we have really made an effort to arrest the nuclear arms race. In business, as in government, before one can start on the road back, one has to stop. I deeply believe that we are going just about one-tenth of the way in the ratification of the treaty. This is a case of our ratification, and that of the Soviet Union and the United Kingdom. We still have to bring 40 nonnuclear nations into it. That is going to be a very big job. They must be inspired with a sense of confidence that it is worthwhile to go into it. In addition to the 40 countries, we have problems with nations like West Germany, Israel, and other nations that have special problems.

So what we do, when it is done, is not all done and finished. It is but the beginning of a very long road.

Mr. MURPHY. Mr. President, will the Senator yield for a question?

Mr. JAVITS. I have only 2 minutes, but I yield.

Mr. MURPHY. Is it not a fact that the attempt to stop the proliferation, to stop the spread of nuclear arms, actually started at the Geneva meeting, when President Eisenhower was present?

Mr. JAVITS. Of course it did.

Mr. MURPHY. And this is a continuation of that effort.

Mr. JAVITS. Of course.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. JAVITS. May I have 1 more minute?

The PRESIDING OFFICER. The Senator is recognized for 1 additional minute.

Mr. JAVITS. This is but the consummation of the beginning; I completely accept the amendment of the Senator from California. This is the culmination of a phase that began with the efforts of President Eisenhower.

Second, one of the most critical things here, aside from the problems I have just mentioned of winning the world to this position, is article VI. In my judgment we will not actually get to a negotiation with the Soviet Union on offensive and defensive nuclear weapons unless this treaty is ratified. They have to have a base; they are political, too. They have got a country, and people who are their fellows in office, and who were not in office last year, or were before and may not be next year. They have a political problem, too.

This will give them a base for going forward in good faith with these negotiations. It is an auspicious moment, and I pay great tribute to the Senator from Arkansas (Mr. FULBRIGHT), who has piloted this measure through with unexampled skill.

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I repeat, it is a great moment, but it will take the most creative efforts, on our part and on the part of our new President, if we are really going to make it mature into what it ought to be, a beginning of the rollback from what seemed to be an unstoppable arms race, which would end only with the mutual destruction of the world and all mankind.

Mr. FULBRIGHT. Mr. President, I yield myself 5 minutes to respond to the Senator.

I appreciate particularly, of course, his gracious personal reference, and I wish to say that the Senator from New York has done a great deal of work, and very effective work, on this treaty, both on the floor and in the committee. I might as well say also that I think the staff, and, in particular, Bill Bader, has done a fine job in helping the committee to marshal the evidence for our hearings. The entire committee has done a very good job on the treaty.

I compliment the Senator from New York for what he has said. It puts the matter in perspective. It has been said on this floor that we have oversold this treaty. The members of the committee have not oversold it at all, nor has the Senator from New York. We all recognize it is no panacea. It is, just as the Senator has said so well, a beginning; and especially is article VI a beginning, because that article represents an obligation to negotiate. It is not mandatory. Unless both parties proceed to negotiate in good faith, it can easily be nullified.

This is, to me, the most significant obligation of all: In return for the pledge of small nations to refrain from accepting or developing nuclear weapons, which is very important, we commit the large nations to negotiate in good faith to stop the piling up of arms and the escalation of the arms race, and hopefully to begin the disarmament effort.

As the Senator has stated, this is a political matter. We will vote within the next few minutes on the treaty with its obligations under article VI. I cannot imagine that the President of the United States would announce within hours of the approval of this treaty that he has decided to deploy an antiballistic-missile system. While technically the treaty would not prevent such a decision, certainly the spirit of article VI is inconsistent with any substantial increase in our armaments in the nuclear field. This seems to me to be as clear as it can possibly be. So I think, in approving this treaty, we will have made a real contribution to a vital political decision.

Our President is a political animal, like all of us, who must run for office. This treaty will give him a political base to make the right decision on antiballistic missiles; so I think we will have accomplished a great deal in approving the treaty at the time we did.

Mr. JAVITS. Mr. President, will the Senator yield for one comment?

Mr. FULBRIGHT. I yield.

Mr. JAVITS. I think we can really give the President a bipartisan base. Keeping in mind that this will be the first real arms negotiating situation in which only we and the Soviet Union are engaged—only we have real or potential ABM capabilities—there is still time for negotiations. Overwhelming ratification of this treaty, with article VI will provide a solid bipartisan base for utilizing that time to the greatest effect.

Mr. FULBRIGHT. The Senator is quite right. This committee, with the great help of the subcommittee headed by the Senator from Tennessee (Mr. GORE), has, I think, given the President an ample base for reconsidering the deployment of the ABM system. The effort is strictly bipartisan. The Senator from New York, the Senator from Illinois, and the Senator from New Jersey have played just as great a part as any Democrat.

Mr. JAVITS. And I remind the Senator that today four new Senators had a press conference on the subject.

Mr. FULBRIGHT. And the four new Senators. The effort has been widely distributed. There is nothing partisan about it at all. It has been one of the most spontaneous movements, I would say, that I have witnessed in the Senate in a long time; and I think the same is true for the country.

So in that sense, I think it is very significant. But that is not overselling, when we call attention to the possibilities. This all remains to be done. To point out the possibilities is not saying we have accomplished the task. We are taking a significant step, which makes possible and I think more probable future steps, which will be in the interest of our security and in the interest of peace in the world generally.

So I am very pleased with the reaction of the Senate up to now to the offered reservations. As I have stated, many of the reservations were unobjectionable substantively, except that, as a matter of form and procedure, they should not be attached to an instrument of this kind, lest they cause some confusion abroad.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. DODD. Mr. President, we have come to the conclusion of this historic debate, and now the moment approaches when each of us, having weighed all the factors in the balance, must cast his vote for or against the Nonproliferation Treaty.

For me, the decision has not been an easy one. I share the desire of the majority of the Foreign Relations Committee to prevent or restrict the proliferation of nuclear weapons.

The treaty, as it is now drafted, has posed a dilemma for me because, while I believe in the principle and purpose to which the treaty itself is directed, I fear that the treaty suffers from serious weaknesses which will impair its ability to achieve its stated purpose.

I have sought to call these weaknesses to the attention of my colleagues and to suggest certain understandings which would help to overcome these weaknesses, at least in part.

My dilemma has been increased by the fact that the Senate has seen fit to reject all understandings, apparently on the theory that it is inadvisable to tamper in any way with the wording of the resolution of ratification.

Among other things, I pointed out that the inspection provisions of the treaty are ambiguous and grossly inadequate. And I am constrained to note that although I spelled out the weaknesses of the inspection provisions in great detail, not a single Senator took issue with my critique or sought to reassure me that the inspection provisions would turn out to be adequate.

I have the impression that even the most ardent defenders of the treaty agree with me on this score, even though they themselves may not have dealt with the matter in the course of the current debate.

I pointed out that there is ample reason for fearing that certain nations, having used the treaty to acquire a nuclear capability for themselves, may then proceed to develop clandestine facilities to produce nuclear weapons, and finally, at the appropriate moment, may contrive some excuse to invoke the 90-day withdrawal clause.

Because I wanted some expert opinions on certain implications of the Nonproliferation Treaty, I addressed a series of questions to three of the top nuclear experts in the country: Dr. Edward Teller, whose name is known to all of us; Dr. Harold Agnew, head of the Weapons Division of the Los Alamos Laboratories; and Dr. John Wheeler, recent president of the American Physical Society, coauthor with Niels Bohr of the original paper on the mechanism of nuclear fission, and last year's recipient of the Fermi award for nuclear physics.

I ask unanimous consent at the conclusion of my remarks to insert the full text of the replies I received from the three scientists I have named.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibits 1, 2, and 3.)

Mr. DODD. Dr. Teller, Dr. Wheeler and Dr. Agnew did not agree on all points. Indeed, it would have been nothing short of amazing if they did. But there is one point on which they seem to be generally agreed which I would like to call to the attention of my colleagues, because I do think it has a very direct bearing on the treaty.

Until I had received these replies, I had been under the impression, and I am sure that this impression was shared by 99.9 percent of informed laymen, that reactor-grade plutonium could not be used for weapons purposes without putting it through a complicated and fairly costly refining process. But from the three answers I have received, it is apparent that such a refining process is not essential.

For example, Dr. Agnew says in his reply to my first question:

> Reactor-grade plutonium is superior to enriched uranium for many weapons applications. Consequently, if one has what you call "peaceful nuclear materials" which I infer to mean reactor grade plutonium, there is no need to convert to weapons grade plutonium in order to produce a nuclear explosion.

Dr. Teller in his own answer to the same question says that the distinction between peaceful and military materials "has been mistakenly overemphasized."

As for the problem of building a clandestine facility for refining weapons-grade materials, I call attention to Dr.

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Wheeler's statement that a number of countries will be able to find a simple and inexpensive way to convert peaceful nuclear materials into weapons-grade plutonium.

I hope that my colleagues will find the time to read the replies I have received from these three outstanding scientists.

The weaknesses to which I have pointed are not the fault of President Nixon. Indeed, I believe that the President himself and some of his key advisers are acutely aware of these weaknesses. But President Nixon inherited a treaty which either had to be approved as it was signed last July 1 or else had to be repudiated.

Under the circumstances, I believe that President Nixon took the only course open to him by accepting the treaty which he had inherited, with its virtues and its weaknesses, and asking for its ratification.

I believe that there is no one who understands better than President Nixon the need for reviving or seeking to keep open the so-called NATO or European option. And this is one of the reasons why I am led to support the treaty, despite its weaknesses.

I have done what I consider to be my duty in pointing to the weaknesses of the Nonproliferation Treaty and to the perils that may be generated by it.

With grave misgivings and many reservations I shall now cast my vote for it, because I do believe in the principle of nonproliferation. It is my earnest hope that my misgivings will prove unfounded, and that the Nonproliferation Treaty will prove to be an important step along the difficult road to arms control and peace.

Exhibit 1

Questions

From: Senator Thomas J. Dodd.
To: Dr. Edward Teller.
Re: Nonproliferation Treaty.

1. Question: How difficult would it be for nuclear have-not nations, once they are provided with nuclear facilities under the terms of the Nonproliferation Treaty, to use these facilities to give themselves a nuclear military capability?

Answer: The bottleneck in producing fission bombs is the availability of an appropriate quantity of U235 or Pu239. Powerful nuclear reactors having a thermal power of 1,000 megawatts or more, will produce ample amounts of Pu239. To erect appropriate chemical separation plants will raise considerable difficulties if they are not already available. This difficulty can most probably be overcome by a determined effort in two or four years. Furthermore, in the natural course of events chemical plants applicable to separation of plutonium will be established.

While it is generally believed that the secrecy erected around nuclear weapons technology will impede development in have-not nations, there is good evidence which shows that this is not the case. None of the present five nuclear nations had difficulty on this score and studies performed by uninformed individuals for the purpose of verifying the efficacy of secrecy have shown that essentially correct solutions on paper will be obtained by capable individuals in a rapid and reliable manner. Secrecy may provide somewhat greater protection in connection with the development of thermonuclear explosives.

1(a) Question: Is the supplementary technology necessary to convert peaceful nuclear materials into weapons-grade plutonium, simple and inexpensive enough to make this technology accessible to small countries?

Answer: This technology is neither simple nor inexpensive. On the other hand, a sharp distinction between reactor-grade plutonium and weapons-grade plutonium is not valid. This distinction has been mistakenly overemphasized, even during discussion of the Baruch plan. It is wishful thinking to believe that the composition of plutonium will be a sufficient guarantee against misuse of reactor products in making nuclear explosives.

1(b) Question: Is it accurate that the so-called centrifuge process for the production of weapons grade plutonium can be accommodated in facilities compact enough to lend themselves to easy concealment?

Answer: According to the authoritative statement of Chairman Seaborg, the centrifuge process lends itself to the establishment of clandestine plants. However, even if the centrifuge is employed, production of so-called weapons-grade plutonium remains difficult and expensive. As pointed out in the previous answer, production of such material is not essential.

1(c) Question: How effective would the IAEA inspecting procedures be in preventing the diversion of materials for military purposes by governments bent on circumventing the Treaty?

Answer: An economically effective nuclear reactor must have at least a thermal power of 1,000 megawatts. Such a reactor would produce approximately 300 kg of plutonium per year and if 10% of this amount should be diverted, this will suffice to produce several nuclear explosives. By the best possible inspection procedures, diversion of material might be decreased to a couple of percent. Even in this case, the possibility of producing nuclear explosives in a short time is not eliminated. One should further remember that cheap nuclear power would make it desirable to establish a power equivalent to 100 such plants in countries like Japan and Germany in the next decade or two, and 25 such plants in countries like India or Spain. (These figures are based on the assumption that demands for nuclear electric power equivalent to the presently installed total electric power will arise in each country before the year 1980.)

It is therefore certain that even the best possible IAEA inspection will not eliminate the possibility of circumventing the Treaty in a secret manner. It is much more likely that a diversion of several percent of the plutonium will prove possible. If the Treaty is ratified, it may be essential to announce our intention to revise our stand at the end of the 18-month period, at which time we should know whether the inspection procedures are meaningful.

2. Question: Do you believe that this Treaty will really serve to prevent the proliferation of nuclear weapons? Or do you believe that the Treaty may wind up by encouraging the proliferation of nuclear weapons to nuclear have-not nations?

Answer: In view of the answers given to the previous questions, I believe that proliferation will be prevented only in case of countries which do not desire to circumvent the Treaty. Therefore, the question of whether or not the Treaty will be effective reduces to a problem of psychology, rather than technology. It should furthermore be remembered that in case of detected violation by one or two nations, other nations may feel justified in taking open possession of the whole plutonium stock which resides in their functioning reactors. In this case, rapid proliferation will ensue.

3. Question: Is it technically possible to distinguish between offensive and defensive nuclear weapons and, if so, would it be possible to build defensive weapons which could not then be employed for offensive purposes?

Answer: It is not possible to make a technical distinction between offensive and defensive nuclear weapons, *per se*. It is, however, equally obvious that one can distinguish between weapons systems deployed in an offensive and defensive manner. The antiballistic missile system is an example for the latter. It is not proven, but in my opinion likely, that one can develop appropriate electromechanical devices which together with effective inspection procedures will provide substantive assurance against the offensive use of any weapons systems which is defensively deployed and which is safeguarded in an appropriate manner. Such developments could be most significant in allowing peaceful nations to defend themselves, and would thereby decrease the incentive toward deployment of offensive systems.

In case the Treaty is ratified, it would seem highly desirable explicitly to encourage the deployment of defensive systems, and in case that appropriate safeguards become available, to exempt such defensive systems from restrictive provisions of the Treaty.

4. Question: Do you believe that this Treaty is in the overall military and political interest of the United States and the free world?

Answer: To limit proliferation would be in our interest. It is, however, not clear whether the Treaty accomplishes such limitation. By providing aid toward the development of big reactors, and by prohibiting defensive deployment of nuclear weapons, the Treaty may even help to create the means and the incentives for rapid proliferation of offensive weapons.

5. Question: In the latter part of 1969 it was announced that Moscow had installed a nuclear reactor in Cuba. On January 9 of this year Havana radio announced the conclusion of a Moscow-Havana nuclear pact. Under this Treaty, according to a broadcast statement by Dr. Antonio Nunez-Jiminez, President of the Cuban Academy of Sciences, the Soviet Union obligated itself to provide equipment and scientific material, as well as Soviet scientific personnel and training in nuclear technology for Cuban engineers and scientists. Mr. Jiminez said that there were 231 top Russian scientists now serving in Cuba, with 222 more due to arrive . . . In your opinion, does the prospect of the rapid expansion of Cuban nuclear capability which is almost certain to result from this Treaty, pose a serious danger to the security of the United States? And if there is a danger, is it a danger that relates to the next few years or is it several decades removed?

Answer: There is nothing to prevent Cuba from developing a nuclear capability in the next few years if they are helped to do so by the Russians. Such a development would certainly prove a serious danger to our security. In considering the question whether or not such a development will occur, one may remember that in the case of China, Russia first provided help then withdrew the help. The Chinese, nevertheless, proceeded to perfect nuclear weapons, although this development was somewhat delayed. On a purely technical basis it is, of course, impossible to predict what decisions Moscow will make and whether or not effective help for the development of a nuclear capability will be given.

Exhibit 2

University of California,
Los Alamos Scientific Laboratory,
Los Alamos, N. Mex., March 7, 1969.
Senator Thomas J. Dodd,
*U.S. Senate, Senate Office Building,
Washington, D.C.*

Dear Senator Dodd: Reference your letter of March 4, 1969 with regard to the Nonproliferation Treaty. My answers to your questions follow:

1. This depends entirely on the extent of the facilities provided. It should be obvious that any assistance will make such endeavor on their part easier.

(a) This is not a very good question. Reactor grade plutonium is superior to enriched uranium for many weapons applications. Consequently if one has what you call "peaceful nuclear materials" which I infer to mean reactor grade plutonium, there is no need to convert to weapons-grade plutonium in order to produce a nuclear explosion.

(b) I believe this is correct, especially if very large outputs are not required.

(c) This depends entirely on the procedures which are yet to be defined. I believe techniques being developed at the Los Alamos Scientific Laboratory would make diversion extremely difficult if we were to write the rules and were given a free hand to enforce them.

2. I don't believe it will have any effect. Those countries that want to develop weapons will. Those that wouldn't have anyway will attempt to get their "pound of flesh" from us for getting them to sign. I do not believe the treaty will encourage the proliferation of nuclear weapons to nuclear have-not nations.

3. The warhead components of defensive and offensive weapons are very similar. The difference lies in the mode of employment, i.e., range, accuracy, delivery means. Most defensive weapons weapons could be used in a tactical offensive role. Since we are contemplating a defensive warhead in the megaton region (Spartan) even yield is no criterion to separate defensive and offensive weapons. Hercules, an existing air defense weapon system, has an excellent ground-to-ground capability and at one time was a mobile system. I suspect that just having a defensive nuclear weapon system would result in military planners considering how it could be used in an offensive role. Here again the point should be made that the technology, yield, and physical size, is really indistinguishable between offensive and defensive warheads. The difference lies primarily in their application.

4. I don't know. I can argue it either way. If we and the Russians were the only "have" countries then clearly it would be. But we aren't. If any other "have" countries such as Russia, China, France, and England, wanted to get us into trouble with Russia or China they could conceivably blame an incident on us or in times of tension create something that might escalate. On the other hand, if all nations had nuclear weapons they might not be so willing to get engaged in conventional wars but clearly they could cause a lot of mischief. We have become so obsessed with the fears of a nuclear war that we seem quite willing to engage in a conventional war of any magnitude. I personally would prefer to ban conventional weapons exchange and push for conventional disarmament before we attempt nuclear disarmament. Peace can be preserved with nuclear weapons. It cannot be preserved with conventional weapons because the diplomat believes that only the military get killed in a conventional war. In a nuclear war the diplomat also is vulnerable.

If we coerce Germany to sign, it could, in the long run, have some very serious implication for NATO. If they sign voluntarily fine. The treaty in no way appears to affect the present arrangement we have with NATO and our nuclear weapons so I don't believe we can really be against it.

Since you clearly have to vote Yes or No and can't vote "That Depends" I would support a Yes vote.

I do believe that there should have been a fifth safeguard on the limited Test Ban Treaty which would have required a review every couple of years to determine if the political advantages which we expected to accrue from the treaty outweighed a technical disadvantage which we knew would exist. I am not clear as to what sort of review should be provided for in this treaty but there should be one and also if possible some sort of penalty for violators, but this seems to be impossible in todays civilized world.

5. I don't believe that a nuclear buildup in Cuba could pose a serious danger to the security of the U.S. However, it would certainly create chaos with regard to our relationships to the countries of South and Central America and Mexico and their relationships to each other. Cuba, like England, is at a tremendous disadvantage in a nuclear era simply because of its very limited land mass.

Of necessity I have made my comments very brief so that I could comply with your request for a rapid response. If I can be of further service please call upon me.

Sincerely,

H. M. AGNEW,
Weapons Division Leader.

EXHIBIT 3

PRINCETON UNIVERSITY, PALMER PHYSICAL LABORATORY, DEPARTMENT OF PHYSICS,
Princeton, N.J., March 12, 1969.

Hon. THOMAS J. DODD,
U.S. Senate,
Washington, D.C.

MY DEAR SENATOR DODD: You raise important questions in connection with the hearings on the Nonproliferation Treaty. I will answer to the best of my ability. However, I must point out that my background is limited to the physics of fission, the design of plutonium production reactors, the design of atomic and hydrogen weapons, and includes only a limited background in the field of chemical processing.

1(a). Is the supplementary technology necessary to convert peaceful nuclear materials into weapons-grade plutonium, simple and inexpensive enough to make this technology accessible to small countries?

Answer: Predetonation of plutonium is the concern here. Purification is one answer. Fast implosion, before predetonation can cause trouble, is another answer. The combination of the two techniques is a third answer. India, Israel, Sweden and Switzerland, in my opinion, all possess the necessary number of people with the necessary amount of knowledge and ability. All four countries, in my opinion, can find a simple and inexpensive way to convert peaceful nuclear materials into weapons-grade plutonium.

1(b). Is it accurate that the so-called centrifuge process for the production of weapons-grade U–235 can be accommodated in facilities compact enough to lend themselves to easy concealment?

Answer: The centrifuge process in my opinion is superior to the diffusion process and the process of production of fissile material in a pile. It is superior because it lends itself to easy concealment. Even more important, both for us and for others, in my view, is this, that the centrifuge process lends itself to operation in a blast shelter.

1(c). How effective would the IAEA inspection procedures be in preventing the diversion of materials for military purposes by governments bent on circumventing the Treaty?

Answer: In connection with my past service on the U. S. A. E. C. Reactor Safeguard Committee, I and a few other colleagues have given very special attention to the possibilities of sabotage and of conducting operations that are illicit by all the rule books. I have been impressed and dismayed at how many ways one can dream up to do extremely dangerous things without much chance of getting caught. These studies referred to operations where one had to assume that everybody around the plant is an enemy of the saboteur. When one can assume that everybody around is a friend or even that 90% of those around are friends, as I can well imagine to be the case, when concerned men in a small country want to divert materials to military purposes, I believe the opportunities are infinitely greater and the dangers—to the man!—are infinitely less.

2. Do you believe that this Treaty will really serve to prevent the proliferation of nuclear weapons? Or do you believe that the Treaty may wind up by encouraging the proliferation of nuclear weapons to nuclear have-not nations?

Answer: A meeting of bishops in Paris outlawed the crossbow, but the crossbow spread. What could be more immoral, they said, than a bolt which flies out of the sky to kill one without the opportunity even to see his assailant? They ruled that anyone captured in war with a crossbow in his hand should be deprived of all the rights of a prisoner and be put to death. The history of later ages is rich with agreements between power and power to prevent the spread of gunpowder from similar reasons of morality. Gunpowder spread. Nothing could be better calculated, in my opinion, to encourage the small nations to enter what would otherwise be a hopeless race than to freeze technology at its present level.

3. Is it technically possible to distinguish between offensive and defensive nuclear weapons? In your opinion, would open access to defensive weapons on the part of the have-not nations increase or decrease the pressure to acquire offensive nuclear weapons?

Answer: I do not know of any device more definitely in the category of defense than a nuclear bomb planted in a Turkish mountain pass to block the way from the Soviet Union. There is no one whose word I would sooner trust than that of the Turkish leaders well known to me. But if it ever became necessary for the survival of Turkey as a nation to convert that nuclear mine to a deliverable weapon, Turkey can in my opinion put together a group with the drive and energy and ability to convert that device into a deliverable bomb. I have followed over the years the changing fortunes of the struggle between the maker of locks and the picker of locks, the maker of guns and the maker of armor, the maker of codes and the breaker of codes. No more in this case than in those cases do I see the possibility of stopping a clever group of men from making a deliverable bomb out of the defensive device. I see no clear way to distinguish between offensive and defensive nuclear weapons. Aware as I am of the people and pressures in two countries that would force those countries to start making nuclear weapons, I cannot think of a means better calculated to help them realize their dream than to put into their hands "defensive" nuclear weapons.

4. Do you believe that this Treaty is in the over-all military and political interest of the United States and the free world?

Answer: I know of no better answer to this question than the eloquent statement of the great lawyer and leader, the late Secretary of State, Charles Evans Hughes, when, speaking on behalf of the United States, he recommended against ratification of the Hague Convention against poison gas warfare. His reasoning was simple. The responsible nation that signs will adhere to the convention. The warmaker will not. Moreover, he reasoned, no nation whatever its standards can be expected to refrain from using a decisive weapon at a moment when its own future existence as a nation is at stake. The United States agreed with his reasoning and rejected the convention. I cannot think of any move better calculated to give the secret police states an advantage over the democracies than to ratify this "nonproliferation treaty".

5. In the latter part of 1968 it was announced that Moscow had installed a nuclear reactor in Cuba. On January 9 of this year Havana radio announced the conclusion of a Moscow-Havana nuclear pact. Under this Treaty, according to a broadcast statement by Dr. Antonio Nunez-Jiminez, President of the Cuban Academy of Sciences, the Soviet Union obligated itself to provide equipment and scientific material, as well as Soviet scientific personnel and training in nuclear technology for Cuban engineers and

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scientists. Mr. Jiminez said that there were 231 top Russian scientists now serving in Cuba, with 222 more due to arrive . . . In your opinion, does the prospect of the rapid expansion of Cuban nuclear capability which is almost certain to result from this Treaty pose a serious danger to the security of the United States? And if there is a danger, is it a danger that relates to the next few years or is it several decades removed?

Answer: I am not worried about the possibility that Taiwan might build a weapons-and-missiles system, with or without American aid. I am not worried about the possibility that Cuba might build a weapons-and-missiles system with or without Soviet aid. I am very much worried about the possibilities quickly to introduce the existing Soviet weapons-and-missiles system in Cuba. The time scale for my worry is not decades or years, but months. With a few hundred key technicians of the right kind on the right spot, with the right directives, it is a matter only of a limited number of months, in my opinion, before a dismaying destructive power could be brought to bear on the United States from close quarters.

I appreciate the honor and privilege of being asked to contribute on this topic.

Sincerely yours,

John Archibald Wheeler.

Mr. HART. Mr. President, earlier this week I voiced support for the treaty. At that time I suggested that it was not quite as dramatic an advance as some seemed to suggest, though it was desirable to ratify, and that rejection would have serious adverse consequences.

Two rather short but interesting and conflicting views were published in the March 14 issue of Commonweal. One was written by Betty Pilkington, the United Nations correspondent for Pacifica radio, WBAI. The other article is written by Peter Steinfels, an associate editor of Commonweal.

I suggest these views would be appropriate as we approach the vote. I therefore ask unanimous consent to have the articles to which I have referred printed at this point in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

Nonproliferation: Two Views[1]

DISARMING BUT NOT DISARMING

(By Betty Pilkington)

When Washington at long last ratifies the Treaty on the Nonproliferation of Nuclear Weapons, Americans in general will probably share a common illusion: that the United States has demonstrated to the world that she not only preaches disarmament in the appropriate forums but practices it through binding international commitments.

There is, unhappily, not one ounce of actual disarmament in the package. There is no demand for the destruction or freeze or cutback of those nuclear (or other) arms now in the possession of the five nuclear powers—China, France, and the United Kingdom, but more especially the United States and the Soviet Union, cardinal framers and movers of the treaty.

Moreover, of some eight or ten measures regarded as providing a proper linkage with the treaty, none has received serious attention. Indeed, even as early as October 20, 1966, Arthur Goldberg, speaking in the UN's First Committee, had warned against "encumbering [the] negotiations . . . by any attempt to link it [the treaty] to additional disarmament[!] measures." One of those measures, a prohibition of the development or deployment of anti-ballistic missiles, now appears to have been openly defied by the Pentagon disclosure that the question is less one of "whether" than "where."

The Senate debates ratification

Senator J. William Fulbright, on the first day of the Senate Foreign Relations Committee Hearings on the treaty, confronted Secretary of State Rogers with the inherent contradiction between Article VI (the undertaking "to pursue negotiations in good faith . . . relating to . . . nuclear disarmament . . .") and deployment of the Sentinel. The Secretary not only disagreed but refused to say Yes when the Senator asked, "If this is ratified, you might be more persuaded to drop the ABM?" There is one potential plus factor here. By reiteration of that contradiction the committee hearings have fortified Senate opposition to the ABM; and if the Sentinel is in fact defeated, the treaty can claim credit.

The treaty's second sin of omission—its failure to oblige the nuclears to offer the non-nuclears guarantees against nuclear attack—was, like the first, no accident. On August 24, 1967, Ambassador William C. Foster (US), speaking before the Eighteen Nation Disarmament Committee, had termed the security of the non-nuclears a matter "which because of its complexity and the divergent interests involved, cannot be dealt with in the treaty itself."

U.N. resolution

In an attempt to answer the objections to this incredible void, the two superpowers moved through the Security Council a resolution to "accompany" the treaty. It is, however, virtually worthless since its effectiveness demands unanimity among the five permanent members of the Council, something that is most unlikely—historically so proven—when tensions are at the threat-to-the-peace-of-the-world level.

What the treaty does not do is all too clear. What it does do is not.

There are, indeed, two articles concerned with making nuclear energy for peaceful purposes more available to the non-nuclears. But the main thrust of the document is contained in the first two of its eleven articles: nuclear powers undertake not to transfer nuclear explosive devices or the control over such to "any recipient whatsoever" and not to "assist, encourage, or induce" a non-nuclear to manufacture or acquire the same; and non-nuclears, for their part, undertake not to receive, manufacture or acquire such devices.

The no-transfer obligation assumed by the nuclears had its origin in the gulf dividing the United States and the Soviet Union in the early stages of their negotiations on the treaty. The Soviet Union feared that West Germany, by either a multilateral Western nuclear defense force or a political union, would get access to nuclear weapons. In fact, this central issue is still unresolved. The language of the treaty sounds prohibitive in application of this very point, and yet the United States retains her view that a multilateral nuclear force incorporating personnel from one or more non-nuclear states would not violate the treaty, and at the same time the Soviet Union adheres to her view that it would.

But the potential hazards inherent in this central conflict of interpretation was not enough to slow the speed and fury of the US–USSR efforts, within the UN, to give the covenant a certain first round of legality by "commending" it via a General Assembly resolution (June 12, 1968; 95 to 4, with 21 abstentions).

But why that haste? And for that matter, why the treaty at all, since it addresses itself only to the threat or possibility of horizontal proliferation and not to the frightening reality of vertical proliferation?

Privately the nuclear powers seemed to see it as a means of deterring a handful of countries with the capacity and/or will to manufacture nuclear weapons—India, Canada, West Germany, Japan, Israel and others—from doing so. But it would seem highly probable that allegiance to an inequitable treaty is going to be less sacred for any of these nations in a time of crisis than the concept of national survival.

Some of the treaty's most severe critics, therefore, believe that the superpowers had other objectives, such as: (a) to restrict the public image of the nuclear club to its four UN members ("monopoly in perpetuity" was the phrase used by Kenya's late Minister of State for Foreign Affairs, Mr. Argwings-Kodhek); and by a broad ratification of the treaty, to ward off any later formation of a sizable Chinese-directed nuclear consortium; (b) by a sustained ballyhoo over something that looks like disarmament but isn't, to deflect complaints directed against the nuclears themselves for getting nowhere with real disarmament; and—as for the Why of the haste—(c) to get a formulation nailed down before the opposition had had a chance to exploit its glaring weaknesses.

Chances: Zero

The non-nuclears wanted to be able to hold their own conference well before being obliged to vote on the Assembly resolution conveying the treaty. Heady corridor pressures reduced their chances to zero. In fact, Ambasador Danieli of Tanzania stated openly (First Committee) that when his delegation and others expressed concern about the treaty "we were told that the only alternative for us was to 'take it or leave it.' We had expected . . . the spirit of accommodation—not the bitter pill of blackmail."

When the non-nuclears finally met—in Geneva, more than two months after the resolution had cleared—the issue was largely academic. But they felt that their ideas might exert some influence, if only indirectly, once the treaty had experienced a few trials-by-fire, especially in the application of those clauses designed to aid the non-nuclears in the peaceful use of nuclear energy.

Meantime, Washington's long delay between signature and ratification has done nothing to change the feeling of these countries about the inadequacy of the treaty, and most of those same states would, too, remain non-nuclear with or without a treaty.

The lineup

In all, 88 states (including East Germany) have signed it. But only 9 have to date ratified it, and among these Canada is the only "near-nuclear." Among the nuclears, only the United Kingdom has ratified it. The Soviet Union is expected to act immediately after the United States; France has of now no intention of even signing it; and China, understandably, has had no wish to become a party to a treaty that was in any way authenticated by an organization from which she is still barred.

Lyndon Johnson, as President, speaking before the General Assembly less than an hour after the crucial resolution was adopted, called the treaty the "most important international agreement in the field of disarmament since the nuclear age began." But what Lord Chalfont had said a year earlier (ENDC, Geneva) was decidely less Texan and far more relevant: "[I]f a non-proliferation treaty is not followed by serious attempts amongst the nuclear powers to dismantle some of their own vast nuclear armory, then the treaty will not last . . ."

A Nuclear Sarajevo

(By Peter Steinfels)

Several years ago, nuclear non-proliferation, like integration and Adlai Stevenson's sense of humor, was an unquestioned liberal cause. But like other liberal causes, non-proliferation has become suspect. Alastair Buchan wrote in 1966 that "the discussion about the spread of nuclear weapons and its inhibition or control is, to an even greater extent than earlier controversies about the arms control, an argument about the future structure of authority, prestige and power in the world." And since the war in Vietnam, many Americans have come to doubt the "liberal" vision of this future world structure.

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[1] Betty Pilkington is the United Nations correspondent for Pacifica Radio, WBAI. Peter Steinfels is an associate editor of Commonweal.

No surprise then that the non-proliferation treaty, up for Senate ratification, has met a resounding lack of enthusiasm on the left as well as the usual objections from the right. The treaty is very much in the interests of the U.S. and the USSR because it helps preserve their super-power status. No one has ever concealed this fact, although a few critics are discovering it now as though it were evidence of horrendous Machiavellianism. Now and then, of course, the interests of the super-powers happen to coincide with those of world peace. Still, the brutal intervention of the U.S. in Vietnam and the Soviet Union in Czechoslovakia does make their support for this peacemaking measure suspicious, if not downright hypocritical.

There are also tactical reasons for sniping at the treaty. For example, *Mayday*, in its relentless harassment of the Establishment, recently revealed that the Atomic Energy Commission's interpretation of Section 5 of the treaty would provide nuclear explosive services to American firms for oil and gas exploration without charging for taxpayer-supported research and development. Senator Fulbright and others have used the treaty's clause concerning nuclear disarmament as a club in their fight against the Sentinel antimissile defense system.

More disturbing, however, is the possibility that liberals and radicals, like Dr. Strangelove, have simply "learned to live with the bomb." The peace movement, of necessity, has shifted criticism from missiles and warheads to napalm and counter-insurgency. The generation of SANE and the Student Peace Movement is succeeded by that of Clergy Concerned and SDS. The menace of a new arms race may counteract this tendency. But meanwhile the assumption has spread that a world of many nuclear powers might be as stable as the bipolar "balance of terror" has lately appeared to be. Furthermore, sympathy for the Third World or Gaullist non-conformism renders incredible, or even ludicrous, the implicit assumption of some non-proliferation advocates that only Americans and Soviets, of all people, are mature enough to handle nuclear weapons.

Yet unless one believes that nuclear weapons are just too horrible and humans just too smart ever to use them again—shades of Mr. Nobel and his hopes for dynamite!—the possibility of proliferation should be unnerving. The international system would not be one of stable deterrence at all, but rather of a whole series of unstable arms races, overlapping and feeding back in deadly patterns. An Indian bomb to deter China (and experts have told Congress that India could have nuclear arms in six months) might require a Pakistani bomb to deter India. Since India's nuclear armament would be inferior to China's, a nuclear threat from Peking might call forth a nuclear threat from Washington to cover New Delhi, or a border incident might lead the Indians into a preemptive strike; or if Pakistan's weaponry were inferior to India's, a conflict between those two nations might draw in China, in turn drawing in the U.S., and so on. Stanley Hoffman described a series of such frightening scenarios in the American Assembly's *A World of Nuclear Powers?*

The point is that various nations would always be passing through the phases of non-hardened weapons or primitive delivery systems which would either limit their own deterrence capacities to surprise attacks on first strikes, or which, on the other hand, would tempt their opponents to "kill the snake in the egg." Enormous sums would be diverted from more rational purposes. The desire of super-powers neither to be dragged into Armageddon by their smaller partners nor to abandon these partners to nuclear blackmail or destruction might infect alliances with an intolerably dangerous degree of ambiguity. Then there are the increased chances of irrational leadership or nuclear mishap. The world would constantly stand on the verge of a new Sarajevo.

Critical objective

None of which proves that nuclear proliferation can indeed be halted at all, or that the present treaty is the best instrument to that end. It does suggest that non-proliferation remains a critical objective, and that criticism of the treaty ought to be directed toward making it more effective rather than exposing the admitted self-interest of the super-powers.

In fact, the treaty is a good, if modest, beginning. The ambiguity regarding regional nuclear armament is there, yes, and other shortcomings as well; but that only raises the old question of half a loaf, and all the metaphysical arguments attendant thereon. The whole loaf might link non-proliferation firmly with some concrete and substantial super-power disarmament; it might also give a clear "no" to the question of West German participation in a nuclear force. But the first proposal would surely postpone the treaty past the time when it could be effective in halting the drift to proliferation. The second proposal risks, as does even the present treaty, a political reaction within West Germany by giving nationalists there a handy issue. As for guarantees to non-nuclear nations, they are highly delicate and highly dangerous matters, capable of transforming local incidents into world disaster.

The treaty could be rendered worthless or even self-defeating—if it is not part of an over-all anti-proliferation policy. (As a precedent, there is the well-intentioned Eisenhower "atoms-for-peace" program, which most experts now agree helped rather than hindered proliferation.) Any anti-proliferation policy must begin with a U.S.-Soviet agreement to halt the new arms race in antimissile defense systems and additional weapons developments.

This could lead to extending the test ban to underground testing, a step blocked so far by the need to test antimissile devices. Further measures might be international inspection or ownership of all diffusion plants and chemical separation plants, and the establishment of non-nuclear zones beginning with Latin America and Africa.

On the political level, the emergence in peace-making efforts of a self-conscious non-nuclear club of nations like Canada, Germany, Japan, India, and Sweden, which would have renounced their obvious nuclear potential, might dissociate international prestige from possession of nuclear arms.

All claims to international ranking on the basis of nuclear armaments should be abandoned. Finally, and more immediately, a U.S.-Soviet understanding over the minimal security needs of India and Israel might allow those nations to forgo nuclear weapons without leading to the kind of unilateral and automatic nuclear "guarantee" that could bring on a fatal East-West confrontation.

Mr. MONDALE. Mr. President, nothing will come before Congress this year that is any more important than the Nuclear Nonproliferation Treaty before us right now.

Somehow, now, this year, before it is too late, we must begin to take the steps that will deemphasize arms and deescalate military techniques as a means of dealing with our international problems. I hope the passage of this treaty will be followed by decisions not to deploy antiballistic missiles, by serious talks with the Soviet Union on weapons systems, and by an end to our involvement in Vietnam—in whatever order those things can be accomplished.

Before us now is the question of what kind of world this is going to be in the last third of the 20th century, and perhaps whether there will be another century for us at all. We are right up against a decision about whether or not we will have two great armed camps permanently bristling with arms and waiting for a nearly inevitable explosion.

The campaign for nuclear weapons has already shown us what happens when the United States and the Soviet Union take the line of competition rather than the line of cooperation. Once we were two nations with the power to destroy not only each other but also the rest of the world. Now, belatedly, we seek international agreement to stop the worldwide deployment of nuclear weapons. With China and France clearly in the category of nations with nuclear capability, and other nations on the way or talking about getting on the way, we are finally seeking the route of sanity with regard to nuclear weapons.

Of course, there is nothing in this treaty to assure us it will not be abrogated. There is nothing in this treaty to assure us that every nation will sign it. We must, if we sign this treaty, depend on the good faith of the international community to protect us from disaster.

But what else is there for us to depend upon—whether we talk about weapons systems, military restraint in the face of lesser or greater provocation, reaching a settlement in Vietnam, strengthening the United Nations as a force for peace—whatever the means of protecting ourselves from international disaster? International negotiations and international agreements—international good faith—are truly our only means of survival. For in a world of nuclear power and defensive alliances, any nation has the capacity to destroy the world, through provocation or intemperate response to the provocation of others.

We, the Soviet Union, and the other nations of the free and the not-so-free world, are on the verge of committing ourselves to policies about as certain to bring disaster as pushing the plunger on a charge of dynamite. Once that plunger is pushed, about the only thing that can stop the explosion is a worn-out battery.

The Nuclear Nonproliferation Treaty offers us the chance to step back, at least symbolically, from the international competition in arms, and to encourage other nations to do the same. It will be a hollow gesture if it is not followed by other steps to dampen the arms race. But anything else we might do will ring hollow as well, if we do not take the opportunity that is before us.

Mr. President, there has been a great deal of official and unofficial talk about post-Vietnam "peace dividend." Unless we stop the arms race, there will not be a dividend at all. This treaty is a vital step along the way, if not to peace, at

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least to the promise of a less warlike international atmosphere.

Mr. President, this treaty should not merely be ratified. It should be ratified unanimously. I do not expect that we will accomplish that, but I urge my fellow Senators to join me in this critical step.

Mr. GOODELL. Mr. President, the history of voluntary arms control among nations has been long, but with modest achievement. Competition in arms has been the rule. Limitation, restriction and reduction of arms have come about only as hard won exceptions.

We recall that the Nuclear Nonproliferation Treaty, the most far-reaching nuclear disarmament document to date, has emerged after over 7 years of laborious talks among nations, including over three years of intensive Soviet-American negotiation.

In the Senate, the treaty has received concentrated study by the Senate Foreign Relations Committee and incisive review on the Senate floor. The time has now come to make a decision.

I strongly support ratification of the Nonproliferation Treaty. I am gratified that the resolutions and understandings offered to the treaty, the net effect of which would have added little to its substance while weakening its acceptability to other nations, have been soundly defeated.

In essence, this treaty bans the spread of nuclear weapons. It also provides the nonnuclear nations access to the benefits of nuclear energy for peaceful purposes. As such, it is a document with advantages to both nuclear and nonnuclear countries.

In effect, the treaty presents us with a way to minimize the prospects of nuclear war from a variety of sources. Equally important, it involves a conception about future relations among nations and the nature of world stability. The treaty envisions cooperation among nations rather than vicious arms competition. In these important respects, the treaty advances our national security and foreign policy interests.

The treaty represents a consensus among the signatory nations that proliferation of nuclear weapons could seriously increase the danger of nuclear war. It represents a consensus among nuclear and nonnuclear nations that there are shared national interests even amid great differences; despite other conflicting interests, there is ground for common action to reduce the risk of nuclear war.

Throughout Senate consideration of the Nonproliferation Treaty several fundamental points have emerged:

The treaty is presently weakened in effectiveness by nonsignatories. The treaty has been rejected by nuclear nations France and Communist China. It has yet to be signed by West Germany, India, Israel, and Japan. Nevertheless, the treaty does represent a major step toward halting the spread of nuclear weapons and it is a framework for cooperation among nations;

The treaty is in no way to be construed as establishing new commitments by the United States to defend nonnuclear nations threatened by nuclear aggression.

The treaty does not provide for reduction of nuclear armaments of the United States or any other nation; rather it checks the spread of nuclear weapons to nonnuclear nations.

There are many things at stake in our advice and consent on the Nonproliferation Treaty. At one level, at stake is the usefulness of the United Nations and the Eighteen Nation Disarmament Conference—ENDC—in providing a forum for international discussion and action. Clearly these forums are of increasing importance to the nations of the world.

At another level, at stake is the advance already made in expanding agreement on nuclear weapons beyond the United States and the Soviet Union. Prior to the Nonproliferation Treaty, focus was on Soviet and American agreement on nuclear weapons and minimizing nuclear risks. We recall the "hot line," the atmosphere Test Ban Treaty, and the nonmilitarization of outer space. Today, with the Nonproliferation Treaty we seek agreement from the other nations of the world.

At still another level, at stake is the future of general disarmament and the likelihood of mutual and parallel steps in this direction. Article VI of the treaty provides that each party to the treaty "undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control."

Clearly, there is unfinished disarmament work on nuclear testing and on qualitative limitations to the escalation of nuclear arms between the United States and the Soviet Union.

In addition, there is an area of biological and chemical warfare—BCW. While we talk of minimizing the dangers of nuclear devastation, let us be reminded of the fear, panic, casualty, and death caused by the toxic environment of gas used in World War I. There is presently growing concern over herbicidal chemicals and their use in war. Experience demonstrates the impact that science and technology can have on the battlefield and forecasts the insidious nature which weapons could have in future wars unless checked. There is an urgent need for clarification on just what constitutes biological and chemical warfare. There is the pressing need for the nations of the world not only to condemn the use of biological and chemical warfare—BCW—but also to limit its production.

The Nonproliferation Treaty, then, is one step in preventing the proliferation of nuclear confrontation. Further steps toward easing international tension and increasing mutual trust are based on the question of whether the interests we hold in common with other nations provide a sufficient basis for further cooperative action.

While we speak of preventing the spread of nuclear weapons, nations of the world will not accede unless and until their problems of national security are solved.

Ratification of the Nonproliferation Treaty, then, must be paralleled with increased efforts at confidence-building among nations. President Nixon's recent trip to Europe, his consultations with the leadership of Western Europe, his willingness to meet with the Soviet Union in missile talks, his expressed interest in listening to the leadership of the nations of the world are a hopeful sign in this confidence-building.

For the above reasons, I am pleased to join with other Senators in urging advice and consent to the ratification of the Nonproliferation Treaty.

Mr. HARTKE. Mr. President, I support and shall vote for ratification of the Treaty on Nonproliferation of Nuclear Weapons presently before us.

The arguments both pro and con ratification have been ably marshaled and presented to us in the report of the Committee on Foreign Relations. By a nearly unanimous vote the committee, under the brilliant leadership of its distinguished chairman, the Senator from Arkansas (Mr. FULBRIGHT), has strongly recommended ratification. Other Senators of great distinction have debated the question, both in support of and opposition to the committee's recommendation, in a manner that reflects the highest possible credit upon this body and reinforces its status as the greatest deliberative assembly in the world.

I may say, too, Mr. President, that the quality of this debate should serve to remind the Nation—if indeed it needed any reminders during this tragic era of our Vietnam involvement—that competence on the deepest problems of international politics is by no means confined to members of the executive branch of Government.

The question now before us is whether we should advise and consent to the ratification of the Treaty on Nonproliferation of Nuclear Weapons. I have already stated that I shall vote "yea" on the absolutely fundamental grounds that it is in the vital interest of the United States to adhere to the treaty. Not even the opponents of the resolution deny that effective steps to halt the spread of nuclear weapons are indeed vitally important to us. The only question is, does this treaty hold promise of being an effective means to that end? I believe it does, Mr. President, and wish at this time to address myself to one aspect of crucial importance to an assessment of the treaty's feasibility.

It can be put in the form of a simple query: Can we trust the Russians? Can we trust them to abide by the terms of the treaty and not take some sort of insidious advantage of our own good faith?

The answer seems to me perfectly clear. We cannot trust the Russians to abide by any agreement, formal or informal, which they believe to be harmful to their own interests. But neither can we trust the British, the French, the Indians, the Mexicans, or any other nation that now exists or ever has existed, to live up to the terms of a commitment that they come to regard as inimical to their own vital interests. Nor indeed, Mr. President, has the United States ever sacrificed a vital interest in order

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to fulfill an undertaking that, because of changed circumstances, appeared threatening to us.

But we can trust the Russians—and they us—to comply faithfully with the terms of a mutually advantageous agreement. So the judgment we have to make is whether, in fact, the Soviet Union shares with us an interest in preventing the spread of nuclear weapons throughout the world. And alternatively, are there circumstances in which the leaders of the Kremlin would perceive important advantages to themselves in providing nuclear arms to states which do not now possess them?

Again, the answer to both these questions seems to me perfectly clear. The Soviet Union has demonstrated in every conceivable way that they, like us, view the prospect of a nuclear war with utter horror. On every occasion since the dawn of the atomic age when confrontation between us seemed imminent, or even possible, they have joined with us in defusing the crisis. And indeed in some instances—most notably the Berlin confrontation of late 1961—the Russians unilaterally pulled back from a position on which their leaders had staked a considerable measure of reputation. I emphasize the word "unilaterally"; they themselves defused the very dangerous Berlin situation without the slightest concession on our part. This seems to me a telling indication of their profound concern to avoid nuclear confrontation. And by joining with us and other signatory powers in limiting the spread of nuclear weapons, the Soviets enhance their own vital national interest in lessening the possibility that confrontations will be imposed upon them—or us—by circumstances outside our control.

Let us look at the matter of Soviet good faith from the vantage point of the second question I raised: Could the Russians gain some positive advantage by secretely providing nuclear arms to their friends and allies? If the weapons were ever to be used, such an act of madness could come about in only two ways: the Soviet-armed state could launch an attack with Kremlin permission or without it. If the latter, the Soviet Union itself would then be engulfed in a nuclear catastrophe against its own wishes. If the former, it would suffer the same immeasurable disaster without having had whatever strategic advantage accrues from precise controls over the timing and targeting of the attack.

For there can be no mistaking the consequences of a nuclear attack by any nation upon any nation: the nuclear superpowers would inevitably, irresistibly be drawn into the maelstrom of retaliation and counterretaliation. Can we, for example, envision the United States sitting idly by while Egypt, say, launched a nuclear assault—the weapons supplied by Russia—against Israel? Can we envision the Soviets sitting idly by while Greece, say, lauched a nuclear assault—the weapons supplied by this country—against Bulgaria?

No, Mr. President, the situation is entirely clear: There is absolutely no advantage to be gained, this side of Armageddon, for either the Russians or ourselves to provide other nations with means of waging nuclear war. Hence, to join with the Soviet Union in a Nonproliferation Treaty is not at all to rest our national security upon Soviet good faith, benevolence, or high-mindedness. It is a matter, plainly and simply, of recognizing that Russian interests, like ours, require their compliance with the terms of the treaty. For them to violate the treaty is to place their own vital interests in jeopardy. That is the most nearly perfect guarantee we can have or hope to have—that they will abide by an undertaking of this sort.

None of what I have said, Mr. President, is meant to suggest that the problem of nuclear weapons proliferation will be definitively settled by our ratification of this treaty or by the Soviet Union's strict observance of its terms. We shall still have to live with the fact of French and Chinese refusal to become signatories and with the expressed unwillingness of other nations that have the technical capacity to become nuclear powers in the near future. But it is surely no argument against this or any other treaty to say that it falls short of perfection. It is a step—a large, useful step—in the direction of a goal all civilized people wish to attain—a world in which the word "nuclear" will be associated in men's minds not with nightmare and annihilation but with progress and abundance for all the peoples of the world.

Mr. NELSON. Mr. President, the awesome power of the hydrogen bomb is known to all of us. Today, five nations, Great Britain, France, Russia, China, and the United States have nuclear weapons, and about 25 other countries have the technological and economic potential to develop them also. As the membership in the nuclear club increases, the chance that some irresponsible nation might unleash this vast power grows greater. Therefore, stopping the spread of nuclear weapons should be of vital concern to men everywhere.

Certainly, we are aware that the triggering of nuclear warfare would bring disaster to all countries involved. It is crucial that further proliferation of this enormous power be stopped.

The ratification by the U.S. Senate of the Nuclear Nonproliferation Treaty is a most important step in that direction. This treaty is another wedge in our attempt to stop the insane rush that has propelled our civilization towards self destruction.

Our country has a long history of trying to control this devastating power—in 1946 the Baruch plan proposed an international authority to control all dangerous atomic materials from the mining process to the manufacturing of finished products. Approval of this plan would have removed nuclear energy from the military field, but unfortunately it was not adopted. However, in the same year, 1946, the McMahon Act prohibiting the proliferation of nuclear weapons to any other nation, passed the Congress. This unilateral action indicated to the rest of the world that the United States had no intention of sharing this military power with other nations. However, other countries did develop the bomb, first Russia, then Great Britain, France, and most recently China. Despite the spread of the bomb to other nations, in 1954 we reiterated our pledge not to share the U.S. nuclear military expertise with other nations, when we passed the Atomic Energy Act.

Ever since the Soviets exploded their first atomic bomb, the United States has sought to reach an agreement with Russia limiting the use of atomic energy to peaceful purposes. In 1963, the first breakthrough was made with the Soviets. A Nuclear Test Ban Treaty was mutually negotiated and found acceptable to us and the other major world powers. Testing of weaponry in the atmosphere was prohibited, and neither Russia nor the United States had broken its pledge in this regard.

In 1963, all Americans hailed this treaty as a great step forward.

In 1963, our nuclear sophistication and know-how was so great that our national security was not at all endangered by ratification of that treaty. There was no need for further atmospheric testing. Today we have stockpiled vast stores of atomic weaponry. We have enough hydrogen bombs to explode every form of matter in existence. To be sure, the Russians probably have a force equivalent to ours.

But while our military strength is enormous, there have been events that could have precipitated a nuclear disaster.

Fortunately, the lines of communication between Russia and the United States have been kept open, and differences have been discussed—disputes settled.

However, as atomic warheads and nuclear weaponry proliferate, the channels toward peaceful resolution of problems become more difficult to negotiate.

In recognition of this fact, the U.S. Senate in 1966 unanimously adopted a resolution urging the President to negotiate an international agreement limiting the spread of nuclear weapons. On this issue, there was no partisan dissent. But yet today after an agreement has been negotiated, and after 87 nations have already signed the treaty, including the U.S.S.R. and Great Britain, some are heard to say, "Maybe the Senate ought not to ratify this treaty."

This Nation cannot afford to let the irresponsible voices win out over the sensible arguments pressing for ratification of the Nuclear Nonproliferation Treaty. Men of great military and political expertise such as General Wheeler, Deputy Secretary of Defense Nitze have testified before the Senate Foreign Relations Committee urging speedy approval of this treaty. I think their dialog is of particular importance, and let me read it to you now:

> Senator Pastore. Now there is absolutely nothing in this treaty that is of a disadvantage to us in a military sense. Is that true?
>
> General Wheeler. That is my belief, sir.
>
> Senator Pastore. As a matter of fact, all that the military, all that the nuclear powers, are being asked to do is not pass the control of these weapons to other countries.
>
> General Wheeler. That is correct, sir.
>
> Senator Hickenlooper. Does this treaty

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create any inhibitions on our own national defense?

Secretary Nitze. It does not, Senator.

General Wheeler. That is my view also, Senator.

The Secretary of State, under the Johnson administration, Dean Rusk, has wisely counseled the Senate along with other high-ranking Government officials for speedy acceptance.

I, too, believe that the Senate should give its advice and consent to this treaty. Failure to do so in this session of Congress would be irresponsible and detrimental to the cause of world stability and peace.

The incorrect conception that this treaty is against the interests of the security of the United States should not be given legitimacy and credence. The Nuclear Nonproliferation Treaty in no way affects our nuclear capacity. It simply provides assurance that the nations without nuclear weapons will not develop the military aspects of atomic energy but will direct atomic know-how for peaceful purposes only. The treaty also commits the nations with nuclear capacity not to transfer nuclear weapons or control over them to any other nonnuclear power.

While the Nuclear Nonproliferation Treaty represents a step forward, it is not the end of the road. It does mark an improvement over the present situation—possibly 100 nations will be signatories of this treaty—this seems to be a milestone in the progress of international diplomacy.

Sharing the knowledge of nuclear power for peaceful purposes can bring great benefits to the people of the world. Nuclear energy is now helping us to treat and diagnose the sick, to produce and grow better crops, and to run industries more efficiently. Most dramatically dozens of nuclear power stations will produce millions of kilowatts of electricity. We can even look forward to the day when the energy from large nuclear reactors will produce fresh water, fertilizers, in addition to more electrical powers.

During the Truman, Eisenhower, Kennedy, and Johnson administrations, every effort was made by Americans, regardless of party, to work out sensible international agreements involving atomic materials. The search for some formula to control the spread of nuclear weapons has been an important and urgent task of four administrations.

Today in 1969 speaking in favor of the Nuclear Nonproliferation Treaty to prevent the spread of nuclear weapons this is the question we face: Are we now going to turn our backs and repudiate the work of four administrations and the advice of the new Nixon regime to ratify, ignore the advice of our leading military and Government officials; or are we going to speedily ratify the Nuclear Nonproliferation Treaty?

The question has been put forward—my vote is for ratification.

Mr. PERCY. Mr. President, the Treaty on the Nonproliferation of Nuclear Weapons raises many questions, some of which have been ably answered on this floor in the past few days, and others which have as yet been unanswered. I have consulted with the able and distinguished Senator from Maryland (Mr. Mathias), and we concur that the following questions are pertinent, and we feel that the answers provide an adequate basis for supporting ratification of the treaty. The questions we have asked ourselves follow:

Question: When will the Soviet Union ratify?

Answer: On the one hand, one might expect the U.S.S.R. to delay deposit of ratification until the United States had deposited and West Germany had at least signed. On the other hand, the Soviets might believe they would have more leverage if they deposited in the not too distant future, possibly at the same time as the United States, and thereby would be able to exert more pressure on nonsignatories and nonratifiers.

Question: What of the intention of France and Communist China not to sign?

Answer: There is no doubt that the treaty would be relatively stronger if both Communist China and France were to sign. However, every nonnuclear nation which signs eliminates itself as a recipient of nuclear weapons, including from nuclear powers who do not sign the treaty. Already 84 nonnuclear nations have signed, and we anticipate many more.

Moreover, the NPT contains an obligation that nonnuclear powers should not make nuclear weapons on their own, and this obligation obviously is not affected by the nonadherence of France and Communist China.

There is no reason to presume that Communist China and France would place nuclear weapons in the hands of other seven if they were in a position to do so. In fact, the French Ambassador stated at the United Nations that "France will behave in the future in this field exactly as the states adhering to the treaty."

Question: What is the status of the major non-nuclear-weapon nonsignatories?

Answer: Nine countries are judged capable of producing some nuclear weapons within 5 years. Four have already signed the NPT: Canada, Italy, the Netherlands, and Sweden. Those that have not yet signed are Australia, Federal Republic of Germany, India, Israel, and Japan.

Among those other states with some nuclear weapon potential, but whose resources are more limited so that it would take longer to develop sizable and sophisticated nuclear weapons and delivery systems, seven have not signed: Argentina, Brazil, Chile, Pakistan, South Africa, Spain, and Switzerland.

Nearly all of these countries support the principle of nonproliferation. Their decisions will be influenced by U.S. action on the treaty, by the actions of their neighbors, and by progress in controlling the arms race. Some have reservations concerning technical aspects of the treaty. India has indicated that it does not plan to sign. Brazil believes the treaty should not have prohibited national acquisition of nuclear explosives for peaceful purposes.

Question: What effect does NPT have on NATO relationships?

Answer: Our NATO allies were consulted at significant steps in the negotiation of the NPT. It is indicative of their support that 11 of those 14 allies have now signed the treaty.

Our NATO allies raised a number of questions about the treaty's effect. The following statements were developed to answer these concerns and they now form part of the legislative history of the treaty:

> The treaty deals only with what is prohibited; not with what is permitted. . . . It does not deal with allied consultations and planning on nuclear defense so long as no transfer of nuclear weapons or control over them results. It does not deal with arrangements for deployment of nuclear weapons within allied territory as these do not involve any transfer of nuclear weapons or control over them unless and until a decision were made to go to war, at which time the treaty would no longer be controlling.

General Wheeler, at the July hearings, restated the U.S. principle that "any international agreement on the control of nuclear weapons must not operate to the disadvantage of the United States and our allies," and asserted that this principle has been observed.

Question: Why not permit proliferation of "purely defensive" nuclear weapons?

Answer: Section 92 of Atomic Energy Act of 1954, as amended, the successor to the McMahon Act of 1946, prohibits the transfer of atomic weapons in foreign commerce, in any form. NPT, therefore, merely confirms U.S. domestic legislation of 23 years.

Furthermore, at present there is no such thing as a "purely defensive" nuclear weapon. There is at present no foolproof way of rigging nuclear weapons to fire only defensively. Therefore, defensive proliferation is potentially offensive proliferation.

Even if it becomes possible to design tamperproof systems which would prevent ABM warheads from being used offensively, the recipient could discover the technology of manufacturing offensive weapons by uncovering the secrets of defensive ABM warhead, for example by X-rays.

Even if technically possible to develop an ABM warhead so that recipients could not acquire design information through the use of X-rays, and so forth, there would be political and economic disadvantages in providing "purely defensive" weapons. We have no idea, for one, what something not yet developed is likely to cost, but it is clear the cost would be great. Secondly, could we assure the "purely defensive" weapons would be effective? Also, since the casing of the warhead would have to be "sealed" if tampering was to be avoided, the recipient which had invested vast sums of money would have no way of assuring that the warhead was properly maintained. In addition, it is difficult to foresee that a third country which might find itself threatened by one of its neighbors acquiring a nuclear potential, would accept at face value the assertion that the warhead was solely defensive in nature.

Question: Are International Atomic Energy Agency safeguards adequate?

Answer: During last July's hearings there was a good deal of discussion as to whether the IAEA was in a position to fulfill its safeguard responsibilities under article III. General Wheeler stated that the Joint Chiefs of Staff believed the safeguards will be adequate for purposes of verification of the NPT. Deputy Defense Secretary Nitze agreed. AEC Chairman Seaborg stated that it is quite within the capability of the IAEA to take on the safeguards responsibility.

Some have criticized NPT for not having empowered IAEA to search for clandestine nuclear facilities. If such extensive police powers had been given IAEA, NPT would have become unacceptable to most non-nuclear-weapon states. A worldwide system of safeguards under NPT will have sufficient crosschecks and controls on the supply of nuclear material to give us a handle we do not have today with regard to problems of clandestine facilities. With NPT in force, interested countries will be very alert to undeclared or clandestine facilities and undoubtedly will use their intelligence resources. If indications of a clandestine facility were found, questions of violation would arise. We would then have numerous recourses available; use of Security Council, withdrawal under article X, and so forth.

Question: Do the "security assurances" contain a new commitment?

Answer: No. They merely reflect the basic concept underlying the Charter of the United Nations itself. In article 24 of the Charter, the U.N. members "confer on the Security Council primary responsibility for the maintenance of international peace and security." We have incurred no additional obligations beyond those implicit in our permanent membership on the Council.

The United States remains free to use its veto power in case a future resolution before the Security Council seems contrary to U.S. national interests. The question would only arise in the event of a grave situation which would have to be considered in light of all aspects of the situation at that time. Nothing in these security assurances binds the United States to a preconceived position regarding a hypothetical future situation. Our actions at the time would be based on our national interest as seen by the President in consultation with the leaders of Congress.

Question: Since not a new commitment, what is the importance of the Security Assurances Resolution?

Answer: It is reinforcement of the Security Council's capacity for dealing with a very serious problem. This reinforcement is made possible by an unprecedented measure of agreement and reflects significant common purpose among nuclear power NPT signatories.

It is unrealistic to expect an alliance-type specific commitment to the whole world. Also, the nonalined nations might not want such a commitment since it could imply political commitment affecting their nonalined status.

Mr. WILLIAMS of New Jersey. Mr. President, our debate on ratification of the Nuclear Nonproliferation Treaty poses a mighty question for all mankind. The question is simply this: Does man, the maker of mechanical marvels, have the capacity to control that which he makes? Can humanity still write its own history, or will the frenzied tools of technology run away with the age?

It is not an idle question, particularly when applied to atomic energy. By 1985, plutonium byproducts from atomic powerplants will be sufficient to build 20 nuclear bombs a day. Twenty bombs a day, plus the weaponry in our 1,000 Minuteman sites, our 40 Polaris submarines and our 600 long-range bombers, is clearly enough machinery to render one error, one miscalculation, man's last error on earth.

The Kingston Trio had a verse in a song which began modern protest folk music. It went:

> But we should be thankful and tranquil and proud; for man was endowed with a mushroom-shaped cloud; and we may be certain that some lucky day, someone will set the spark off, and we will all be blown away.

It could happen. If only one-fifth of our "ready" weapons were delivered on the Soviet Union, we would eliminate one-third of the Russian population and one-half its industry. All estimates place the Russian capacity to strike at the United States somewhere near this level; thus, the balance of terror is truly worldwide. In numbers of weapons, we possess nuclear armament sufficient to undo civilization.

These are the mathematics of madness.

Surely there is some hope that man can carry on his international affairs without recourse to the terrible machines of war. Surely there is enough courage left in the world to turn away from nuclear weapons and look instead to the economic and political devices of international relations.

American youth has told us that we must build a world free from the anxieties, frustrations, and injustices of war. Youth has told us that we are not free to sit complacently by while man perpetuates his inhumanity to man. Never before has the so-called establishment been as aware of a generation which cannot and will not blindly accept war's merciless penalties. It is our responsibility—the older generation, the establishment—to prove that we share youth's hope for a better world.

If there is such hope, then the Nuclear Nonproliferation Treaty is a mandatory step down the road to an eventual decrease in weaponry. In its present form, the treaty is a straightforward pledge to curb the spread of nuclear weapons to nonnuclear nations, while at the same time offering to share the peaceful uses of nuclear fission with those same countries. The treaty is an international agreement on the need to keep the peace, by limiting the availability of nuclear weapons whose very existence hang over our world like a gathering storm.

In addition, the joint signatures of the Soviet Union and the United States to this treaty would further induce each nonnuclear nation to become a signatory of the treaty. At the same time, such action would alleviate a great deal of pressure now felt by the various nations which feel they must now develop their own nuclear weaponry. Those nations which suspect or know that their rivals have nuclear capability now feel the imperative to acquire similar capabilities. Suspicion could be replaced by the beginnings of mutual trust and assurance that neither nation would engage in the acquisition of nuclear weapons. This would be further reinforced by the mandatory submission of each nation's peaceful nuclear facilities to international inspection.

Does the Nonproliferation Treaty guarantee that there will be no nuclear war? We must all certainly wish that peace could be projected on a piece of paper, but unfortunately, such is not the case. Wars, and their elimination, are the province of proud and passionate men; and for the time, we can only hope that this treaty signals the beginning of a series of agreements which move mankind farther away from war.

We must admit to ourselves that many countries are so bound up in nationalism, factionalism, regionalism, and ideological conflict that they cannot objectively view the future, nor control the forces which sweep them along the crest of history.

It is time to face the sobering acknowledgement that there are some nations with a capability to create nuclear weapons, which are at swords point with other nations. Should they possess these weapons, and face military defeat, they might be tempted to resort to any extreme in order to survive.

We may use adjectives like "selfish" and "unthinking," but a value judgment, though it may be valid, is hardly useful after a bomb has been dropped and wiped out either a part of or all of mankind. We must be pragmatic. We have to deal with what is. Existence in our time will have to depend a great deal on seeing people as they are, not as they should be.

There have been men in high positions of authority who have sacrificed their own armies in the past, as well as the well-being of entire populations. We have every reason to fear that such men would be little interested in peace and survival of our entire world.

The time has come when these acrimonious crusades must end, and peace must be prized above all other of man's works. The world's governments can no longer afford the folly of spending almost $200 billion a year for war and its weapons. The world's nations cannot continue to build for Armageddon, because no one will be left to witness it if it ever comes.

Unfortunately, the United States has led the madness in recent years; so much so that the very Soviet arms buildup we are trying to match has come about, in large measure, in reaction to what Russia sees us doing. Who knows, for example, what new handiwork will roll off the Russian and Chinese assembly lines if we rush to build a "thin" antiballistic-missile system? And who knows years from now, what new weaponry we will have to develop to counter the latest Russian and Chinese devices?

No one knows. Only one thing is certain: if all these weapons are built, and given to all the nations of the world in the name of some insane brand of "security," we will never know true security again—if we live to know anything again.

Our Department of Defense is a large, powerful organization. It is rich, largely due to inadequate investigation of its funds both by the budgetary people in the administration and the Congress. How is the Department of Defense to be made more accountable for their action and reaction? And secondly, to whom should they be responsible? Mistakes are costly, and are of particular concern when people pay their taxes. They concern us all, because our dollars might better be used to combat the crisis in the cities, improve conditions for our senior citizens, poor, disabled, and hungry. We should reflect on what it means for 90 percent of Federal research and development to be directed to military programs. $20 billion is spent on the sciences while $20 million is spent on the arts. Is science really 1,000 times more important than the arts?

The U.S. Senate has the opportunity to write the answer to the mighty question of man's control over his machines. If we ratify this treaty, perhaps other negotiations on arms control will soon follow. If arms negotiations proceed, perhaps nations will begin to turn away from war's ugly hardware and turn instead to tools that build. Perhaps, in our lifetime, some of the barriers will be lowered, and some of the tensions eased.

The Nuclear Nonproliferation Treaty is one step toward relieving the insecurity which constantly haunts us. Other steps have been taken: In 1959, the Antarctic Treaty barred nuclear weapons from the Antarctic bases. The Test-Ban Treaty of 1963 prohibited nuclear explosions in the atmosphere, in the seas, and in outer space. The 1967 treaty governed the exploration and use of outer space. Now the Nonproliferation Treaty aims at preventing the spread of nuclear weapons.

The United States has signed this treaty. So have the Soviet Union and Great Britain, and 53 other states. The idea of negotiations for nonproliferation received the overwhelming support of this Senate, when we supported Senator Pastore's 1966 resolution on nonproliferation by a vote of 84 to 0. Nonproliferation is, and has been, bipartisan, international, multilateral, and high on the agenda of most peace-loving nations.

I am sure that there are those who would not like the United States to take the risk for peace. They would have us sit snug and secure, surrounded by missiles and loaded with enough warheads to set off the eclipse. They would even have us give these weapons to as many other nations as possible, so that they will be on our side if the shooting starts.

There will be no sides if the nuclear shooting starts. There will be only the empty roar of self-destruction, and the whimper of a ruined earth. No postures, no flexibility, no alternatives, no policy decisions, no mutual interests, no safeguards, no alliances, no obligations, no consultations. There will be nothing.

Last year, the Senate consented to the ratification by the President of 15 treaties, but it did not approve the one which the President called at the United Nations, "the most important international agreement in the field of disarmament since the nuclear age began."

The U.S. Senate has the chance to start down the road to world peace. Let history show that America gave this incredible decision not to kings, not to rulers, but to a legislature of common men: farmers, storekeepers, lawyers, workingmen who have the mandate to act for the common good.

Will we act for the common good? Will we finally see that the path of nuclear weaponry is the path to oblivion? I believe that we will, Mr. President, for in the end, I believe in man's triumph over his own machinery. We will ratify the Nuclear Nonproliferation Treaty because in the name of our children's dreams, we must not miss this chance at one more link in the chain of peace.

Mr. HOLLINGS. Mr. President, the intent of the Nuclear Nonproliferation Treaty is good, but the time for its ratification is bad. America's stand is for the sovereignty of nations, and the treaty expressly recognizes the territorial integrity of nations. Yet before it can be ratified, the Soviet has already violated the integrity of Czechoslovakia. This comes at a time when the Soviet is openly supporting aggression in Vietnam and the Middle East. Our NATO allies are wavering from the bonds of the alliance because they feel that they cannot rely on the United States to act in their defense. This treaty would forbid the supplying of nuclear weaponry to NATO. The treaty at this time takes on the hue of appeasement to the Soviet, while the Soviet is on the march. While the Soviet refuses inspection, both Presidents Johnson and Nixon announce that the United States will submit to inspection. We hail President Nixon's trip to repair fences with our European allies on the one hand, while we tear them down at home. If the Soviet would cool it in Europe, the Middle East, the Far East, if they would submit to inspection, then I could support this Nonproliferation Treaty. I believe that the Soviet should show good faith as provided in the treaty in negotiations and disarmament talks rather than the continued bad faith so evident. When this is done, it will be appropriate for the Senate to formally ratify.

Mr. TALMADGE. Mr. President, I have given considerable serious deliberation to the responsibility of my vote on ratification of the Nuclear Nonproliferation Treaty. I have decided to vote for ratification.

Although I am well aware of some of the weaknesses and uncertainties regarding this treaty, I have concluded that its actual good points outweigh its potentially bad ones.

I know that the treaty does not set forth adequate inspection safeguards. They are in fact vague and uncertain and even nonexistent. Under the treaty, it is the responsibility of the International Atomic Energy Agency to work out separate inspection agreements with each signatory nation. But we have no way of knowing at this time how safe these safeguards will be, or how effective.

Furthermore, we do not know at this time what happens if satisfactory inspection agreements cannot be concluded. Nor do we know what enforcement provisions there will be if subsequent inspections reveal a secret violation.

These are only some of the aspects of this treaty that indicate that it rests in large part on the good faith of the parties concerned. I hope, and all the world hopes, that our trust will not be abused.

There are also practical questions about the effectiveness of the treaty. France and Communist China, both already nuclear powers, have indicated they do not intend to adhere to the treaty in the foreseeable future. There is also doubt that the so-called threshold countries, which can be expected to soon have technological nuclear capabilities, will sign the treaty, including West Germany, India, Israel, and Japan. However, these countries are not likely to be able to produce both effective nuclear weapons and reliable delivery systems without substantial assistance from either the Soviet Union or the United States. Thus, even without the signature of the threshold nations, the treaty would have the meritorious effect of making nuclear activity for them virtually impossible.

We have to also recognize the fact that the Soviet Union has a long record of violated treaties and broken promises. Communist actions of the past give the free world good reason to suspect that the Soviet Union will honor solemn international agreements only as long as it serves their national goals to do so. For this reason, there will have to be dependable inspection agreements with the signatory nations. These agreements must be reliable. They must be enforceable.

Mr. President, although I have raised some objections and doubts to the treaty, I am constrained to support this ratification. No responsible citizen—of the free world or of the Communist world—can fail to be horrified by the prospect of nuclear warfare. We must do everything possible to keep a nuclear holocaust from being triggered by the madness of a two-bit dictator of some small and unstable government. We need some kind of positive insurance that it will not be possible for this to happen in the immediate future or at any time in the distant future.

We all know that the danger of thermonuclear warfare increases in direct proportion to the number of nations that possess a destructive nuclear force. It is to the advantage of the Soviet Union as well as the United States to act now to restrict the spread of nuclear weapons. It is to the advantage of people everywhere to prevent a nuclear war in which all the world would lose.

If both the letter and the spirit of this treaty are strictly adhered to, then we will have taken an important step

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toward preserving nuclear sanity in a very troubled world.

We cannot expect too much of this treaty. But it can be regarded as an act of good faith, on our part and I hope on the part of all the signatory nations, particularly the Soviet Union, that will bring us closer to the strengthening and preservation of world peace.

Mr. FONG. Mr. President, the U.S. Senate is once again called on to give its advice and consent to a treaty that could potentially have a profound effect on the survival of mankind.

The principal provisions of the Treaty on the Nonproliferation of Nuclear Weapons may be summarized as follows:

First. Prohibit nuclear weapon states from transferring to any recipient nuclear weapons or other nuclear explosive devices or control over them;

Second. Prohibit nuclear weapon states from helping nonnuclear weapon nations to develop their own nuclear weapons or other nuclear explosive devices;

Third. Prohibit nonnuclear weapon states from receiving nuclear weapons or other nuclear explosive devices or from manufacturing their own;

Fourth. Provide for effective safeguards on the peaceful nuclear activities of nonnuclear weapon states to assure that no nuclear materials are diverted to nuclear weapons;

Fifth. Encourage cooperation between nuclear and nonnuclear weapon nations to insure that all will benefit from the peaceful uses of nuclear energy; and

Sixth. Affirm the responsibility of the nuclear weapon states to strive for effective measures to end the nuclear arms race and promote disarmament.

Ever since the Nonproliferation Treaty was signed on July 1, 1968, I have been reading and studying the statements and testimony of our country's leading diplomats, military leaders, civilian advisers, and concerned citizens.

I have scrutinized and examined with great care the extensive testimony that was given before the Joint Committee on Atomic Energy in 1966, and the Senate Foreign Relations Committee in 1968 and 1969. I am also well aware of the views of some members of the Senate Armed Services Committee, which examined the treaty in closed session this year. I have read and studied the statements of former President Johnson and President Nixon, and have followed the speeches made by my colleagues on the Senate floor.

I withheld final judgment on this issue until I had an opportunity to study and analyze closely all the evidence and all the views of our country's most knowledgeable persons. Because the ratification or rejection of this treaty could have considerable repercussions for the future of our Nation and our civilization, I wanted to be sure that when I cast my vote I would have considered and weighed all the possible arguments for and against the treaty.

In arriving at my decision I have been impelled by one overriding consideration, and one consideration only: Is this treaty in the best interests of America?

Many factors—security, diplomatic, military, political, historic, and others—are relevant in deciding what constituted the best interests of our country. After evaluating each of these factors, after weighing their relative importance and all the pros and cons, I concluded that ratification of the Treaty on the Nonproliferation of Nuclear Weapons is indeed in the best interests of our country.

For this reason, and for reasons which I shall subsequently outline, I shall vote for ratification.

HISTORICAL DEVELOPMENTS LEADING TO NUCLEAR NONPROLIFERATION TREATY

Mr. President, the first effort to bring the atom under effective international control took place in Washington, D.C., on November 15, 1945—at a time when the United States alone possessed a nuclear weapon. On that date the United States, the United Kingdom, and Canada declared their willingness to join with other nations in sharing, on a reciprocal basis, information on nuclear energy for peaceful purposes.

During that period, important proposals concerning the international control of nuclear energy were presented to the United Nations by Bernard Baruch—in 1946. The Baruch plan, as the American proposals came to be known, contemplated the establishment of an International Atomic Development Authority, whose functions would include the following:

First. Control or ownership of all nuclear energy activities potentially dangerous to world security;

Second. Control, inspection, and licensing of all other nuclear activities;

Third. Promotion of the beneficial energy; and

Fourth. Control of nuclear raw materials and primary nuclear production plants.

Under the Baruch plan, the manufacture of nuclear weapons would have ceased, all existing weapons would have been destroyed as weapons and the useful nuclear material transferred to the international agency for peaceful purposes.

This very generous offer by the United States, if accepted and universally adhered to, would have meant the removal of the threat of nuclear weapons at the very outset. It would have allowed all nations of the world to enter the nuclear age in a joint and peaceful endeavor.

Unfortunately, international experience with the atom was limited in 1946. No agreement was reached because, in large part, the Soviet Union refused to agree.

Although no international agreement was reached, the U.S. Congress enacted the McMahon Act of 1946, prohibiting the Government from proliferating nuclear weaponry know-how to any other country. The McMahon Act subsequently was incorporated in the Atomic Energy Act of 1954.

Thus, the United States unilaterally acted to prevent the spread of nuclear armaments, and has been in the forefront of this effort ever since that period.

ATOMS FOR PEACE

Mr. President, by the early 1950's it had become apparent that the United States no longer possessed a monopoly on nuclear technology, either for military or peaceful purposes. Several countries, especially the Soviet Union, had developed substantial nuclear programs of their own. However, these technological advancements were not accompanied by programs in the field of arms control or disarmament through negotiations with the United Nations.

The ominous consequences of an impasse on nuclear arms control led the Eisenhower administration to place a new and constructive proposal before the world. It was called the atoms-for-peace program, which was enacted by Congress in the Atomic Energy Act of 1954.

Under this atoms-for-peace program, the Atomic Energy Commission launched a significant research and development program devoted to the peaceful uses of nuclear energy.

The United States has provided many nations with nuclear reactors to be used for peaceful purposes.

As a part of this program, we developed a system of safeguards to insure that the reactors would not be used for the production of nuclear weapons. These safeguards consisted of a system of controls, including inspections, designed to inhibit or detect the diversion to military purposes of materials committed to the peaceful use of nuclear energy.

The second effort to bring the atom under effective international control came in 1956.

Recognizing that the maximum effect of safeguards could be achieved only if they were carried out by an international organization with broad political membership, we led the fight to establish the International Atomic Energy Agency—IAEA—as an agency of the United Nations. As a result of steady progress through the years, the IAEA now has in operation an effective safeguard system that is suitable for application to a wide variety of peaceful nuclear activities. This is the Agency that will be charged with the responsibility for safeguards under the Nonproliferation Treaty.

The third effort to control the atom came 7 years later, in 1963, after accelerated nuclear weapons competition and testing, with its accompanying nuclear fallout, had posed continuing and direct threats to international health and security.

In that year agreement finally was reached on the first major nuclear arms control measure—the Limited Nuclear Test Ban Treaty—a treaty which I strongly supported and which was ratified by an overwhelming margin.

That treaty has effectively slowed the development of nuclear weapons. But it has not halted it.

A fourth effort is now being made to bring the destructive power of the atom under additional international control—through the Nonproliferation Treaty. While the Limited Test Ban Treaty gave mankind a greater margin of security, the spread of nuclear weapons to additional countries could vastly enlarge the danger of a general nuclear holocaust. Adoption of the Nonproliferation Treaty,

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I believe, could significantly reduce the danger.

THE DEVELOPMENT OF AN IDEA

Former Secretary of State Dulles plainly explained the motivation behind American nonproliferation policy in 1957 when he said:

> Already large nuclear weapons are so plentiful that their use in general war could threaten life anywhere on the globe. As matters are going the time will come when the pettiest and most irresponsible dictator could get hold of weapons with which to threaten immense harm. . . .

The Eisenhower administration concluded that, since we did not propose to proliferate, our interests would be served by securing the following pledges: First, a promise from the Soviet Union to refrain from doing so; and, second, an agreement from nonnuclear powers not to acquire nuclear weapons from any source.

These two provisions form the backbone of the present Nonproliferation Treaty.

On June 15, 1965, the United Nations Disarmament Commission passed a resolution by an overwhelming vote—83 to 1 with 18 abstentions—urging that the Eighteen-Nation Disarmament Committee—ENDC—reconvene without delay and give priority attention to a treaty to prevent the further spread of nuclear weapons. The ENDC was an organization first convened at Geneva on March 14, 1962, and whose members were four Western allies—the United States, United Kingdom, Canada, and Italy—France, which is a member but has declined to participate; five Communist nations—U.S.S.R., Bulgaria, Czechoslovakia, Poland, and Rumania—and eight others—Brazil, Burma, Ethiopia, India, Mexico, Nigeria, Sweden, and the United Arab Republic.

On May 17, 1966, the Senate by unanimous vote—84 to 0—adopted Senate Resolution 179, commending the President's "serious and urgent efforts to negotiate international agreements limiting the spread of nuclear weapons" and supporting additional efforts "in the interest of peace for the solution of nuclear proliferation problems." I cosponsored that resolution.

Intensive negotiations on a draft treaty began in early 1964 and continued for nearly 4 years at the ENDC. Then on March 11, 1968, the Cochairmen of the ENDC presented the draft to the U.N. General Assembly. After considerable debate in the Assembly, a final draft was presented by the United States and the Soviet Union on May 31. On June 12 a resolution commending the treaty draft was adopted by the General Assembly by a vote of 95 to 4, with 21 abstentions.

PROVISIONS OF THE NONPROLIFERATION TREATY

Mr. President, the treaty before us contains a preamble and 11 articles. The preamble is a general statement of the principles upon which the treaty is based. It declares that the spread of nuclear weapons would seriously enhance the danger of nuclear war, and that the benefits of peaceful applications of nuclear technology should be available to all parties to the treaty.

The essence of the Nonproliferation Treaty is found in articles I and II. In article I the nuclear powers are obliged not to transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices directly, or indirectly and not to assist, encourage, or induce any nonnuclear state to manufacture or acquire nuclear weapons.

Article II provides that the nonnuclear countries are obliged not to receive nuclear weapons or control over them. They are also forbidden from manufacturing nuclear weapons or receiving assistance in their manufacture.

Article III contains the inspection provisions. The nonnuclear powers agree to accept safeguards on all sources of fissionable material being used in peaceful nuclear activities in their territory with a view to verifying that the material is not being diverted to weapons.

Article IV reaffirms that all parties to the treaty have the right to develop, research, production, and use of nuclear energy for peaceful purpose.

Under article V each party undertakes to insure that the potential benefits from the peaceful applications of nuclear explosions will be made available to all signatories on a nondiscriminatory basis. The cost will be as low as possible and will exclude any charge for research and development.

Article VI imposes an obligation on the nuclear powers to pursue negotiations relating to the cessation of the nuclear arms race and to nuclear disarmament.

Article VII allows any group of states to "conclude regional treaties in order to assure the total absence of nuclear weapons in their respective territories."

Articles VIII, IX, X, and XI deal with the procedural aspects of the treaty—that is, amending, ratifying, and withdrawing.

U.N. SECURITY COUNCIL'S RESOLUTION ON SECURITY ASSURANCES

In addition to these provisions, a United Nations Security Council resolution must be considered in the light of the Nonproliferation Treaty.

During the course of negotiations on the treaty, several nonnuclear nations expressed the concern that if they signed the treaty—and thus renounced any right to acquire nuclear weapons—they would be defenseless against the threats or actual aggression by nations which did have nuclear weapons.

Because the treaty does not provide for such eventualities, the U.N. Security Council adopted a resolution on June 19, 1968, by a vote of 10 to 0, with the United States, the Soviet Union, and Britain voting for it. This resolution provides as follows:

> * * * any state which commits aggression accompanied by use of nuclear weapons or which threatens such aggression must be aware that its actions are to be countered effectively by measures to be taken in accordance with the United Nations Charter to suppress the aggression or remove the threat of aggression.

The United States, the United Kingdom, and the Soviet Union made separate but identical statements affirming their intention as permanent members to seek immediately Security Council action to provide assistance to any nonnuclear party to the treaty which was a victim of an act of aggression with nuclear weapons.

In its unanimous report, the Senate Foreign Relations Committee pointed out that it did not consider the Security Council resolution as an integral part of the Nonproliferation Treaty; indeed, the committee wished to make it "unmistakably clear" that support of the treaty "is in no way to be construed as approval of the security guarantee measures embodied in the United Nations resolution or the supporting U.S. declaration."

Thus, while the committee strongly affirmed its support of the Nonproliferation Treaty itself, it did not consider the U.N. resolution and the supporting U.S. declaration as establishing any new commitments on the part of the United States. In the event that the United States contemplates any action pursuant to the U.N. resolution and the supporting U.S. declaration, "such action can only be taken with due regard to proper constitutional processes."

Mr. President, I support this position of the Foreign Relations Committee. I agree that the Constitution requires the advice and consent of the Senate before any action may be taken under the U.N. resolution.

As of March 11, 1969, 87 nations had signed the Nonproliferation Treaty, and 10 had ratified it.

Mr. President, I ask unanimous consent that a list of the 87 signatories of the treaty, including the 10 which have ratified it, be included as a part of my remarks at the conclusion of my statement.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

(See exhibit 1.)

HOW MUCH OF A DANGER IS THE PROLIFERATION OF NUCLEAR WEAPONS?

Mr. FONG. The Foreign Relations Committee, in its months of painstaking study, examined carefully the ominous threat of nuclear proliferation.

Five countries have nuclear weapons today: The United States, which exploded its first nuclear device on July 16, 1945, and had a monopoly for 4 years; the Soviet Union, whose first test was conducted August 29, 1949; Great Britain, which conducted its first explosion on October 3, 1952; France, which exploded its first nuclear device on February 13, 1960; and Communist China, which detonated its first nuclear device on October 16, 1964.

No other country has announced plans to produce atomic weapons, but the spread of advanced nuclear technology has made plain that the list could easily be tripled over the next 10 years. As former Secretary of Defense McNamara said:

> . . . there are at least three nations today which if they decided to proceed to develop a nuclear weapon could detonate a nuclear device in from six to 18 or 24 months, and there will be many more in the future. I will say that within the next 10 years, 7 to 10 nations would fall into the category that I call threshold nations, meaning by that nations which have within their power, by applying their own technology and their

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own economic resources, the capability to develop nuclear weapons.

In the absence of a nonproliferation treaty many other countries would likely follow in close pursuit. In addition, there are more than 40 countries with nuclear reactors which produce as a by-product plutonium, a principal component of nuclear weapons.

The next few years will see the number of reactors and the amount of plutonium produced, around the world, increase dramatically. A typical modern power reactor produces in the neighborhood of 100 kilograms of plutonium per year. Even nuclear reactors used only for research purposes can produce as much as 5 kilograms of plutonium a year.

Five to 10 kilograms of plutonium is the estimated amount necessary for one atomic bomb. Eleven of the 40 countries having nuclear reactors now have civil power reactors which can produce much larger quantities.

A memorandum from the Atomic Energy Commission has stated:

> The resources necessary for the manufacture of a few rudimentary nuclear weapons are within the means of many nations. The essentials are a cadre of trained personnel, uranium, and an industrial base adequate to permit the construction of a nuclear reactor and auxiliary facilities large enough to provide the necessary quantities of plutonium. Thus many nations possess resources sufficient to undertake, without special outside assistance, to manufacture a few rudimentary nuclear weapons, given the national will to do so and the readiness, in some cases, to forego the benefits from the endeavors to which those resources might otherwise be applied. The time required would vary among the group of countries, and for those which have only the minimum resources, the time might be ten years or more.
>
> At the upper end of the scale, highly industrialized nations, with substantial national income, large numbers of trained scientific, technical and managerial personnel and a reasonably available source of uranium could become capable of manufacturing a few rudimentary nuclear weapons. . . .
>
> Among those non-nuclear-weapon countries whose industrial economies are probably adequate to support a program for the manufacture of a sizeable number of reasonably sophisticated nuclear weapons and systems for their delivery, within five to ten years from a national decision to do so, are those such as Australia, Canada, the Federal Republic of Germany, India, Italy, Japan, and Sweden. Those states whose resources are somewhat more limited, and might therefore take somewhat longer to reach that level of numbers or types of weapons systems, could include Argentina, Austria, Belgium, Brazil, Chile, Czechoslovakia, Hungary, Israel, Netherlands, Pakistan, Poland, South Africa, Spain, Switzerland, United Arab Republic, and Yugoslavia.

Underlying the Nonproliferation Treaty is the premise that the larger the number of countries that possess nuclear weapons, the greater becomes the danger of nuclear war. The possibility of nuclear war beginning by accident or miscalculation will multiply with each addition to the current number of nuclear powers, particularly since few other nations will have the resources to devote to safety precautions such as those devised by our own country.

Moreover, with proliferation the danger increases that nuclear weapons will fall under the control of irresponsible persons or governments who might deliberately initiate a nuclear war without regard to its consequences.

As former Secretary of State Christian Herter has said:

> The more nations that have the power to trigger off a nuclear war, the greater the chance that some nation might use this power in haste or blind folly.

In view of all these facts I have been citing, it would seem quite unreasonable to me that critics of the treaty would continue to argue that the dangers of the proliferation of nuclear weapons have been greatly exaggerated.

It is very clear to me that the facts speak otherwise.

CAN THE TREATY PREVENT THE SPREAD OF NUCLEAR WEAPONS?

Some opponents of the treaty feel that the spread of nuclear weapons is inevitable and will not be stopped by a nonproliferation treaty. They point to the fact that some of the nonnuclear powers who are most likely to build nuclear weapons have not signed and that until it is ratified by all the important nonnuclear weapon countries, the treaty will be meaningless.

In addition, two of the nuclear powers, France and Communist China, have indicated that they will not sign the treaty.

As one critic has written:

> The . . . most important reason why the treaty can be expected to fail is that, for at least a few of the more important non-nuclear countries in the next ten years, the motivations for building these weapons are not going to be eliminated, reduced, sublimated, bought off, altered by ingenious argument, or provided for by other means. (David A. Robison, Learning to live with nuclear spread, Air Force and Space Digest, August, 1966; pp. 53–63.)

These shortcomings, the opponents contend, will render the treaty ineffective.

On the other hand, those in favor of the treaty believe that ratification is a step in the right direction. The treaty represents, first of all, a formal mutual commitment by the two nuclear giants not to distribute nuclear weapons or to assist other nations in manufacturing them.

Without the assistance of the two super nuclear powers, the achievement of a significant nuclear capability by any other country would be much more difficult. Proponents point out that cooperation between the United States and the Soviet Union has resulted in a large measure of agreement on a treaty.

While putting considerable pressure on the nonnuclear powers to become parties to the treaty, ratification would also relieve some of the pressures which would otherwise push nations to becoming nuclear powers.

For example, suspicion that one side may be acquiring nuclear weapons may make similar acquisition seem imperative to the other side.

Pressures to enhance status and prestige through the possession of nuclear weapons would also be reduced by the Nonproliferation Treaty.

Though the absence of signatures of some of the nuclear powers or powers-to-be undoubtedly would affect the effectiveness of the treaty, it would be only in degree. The main purpose of the treaty—to prevent the widespread proliferation of nuclear weapons—will still be preserved.

The 1963 Limited Nuclear Test Ban Treaty, to which neither Communist China nor France is a signatory, is considerably better than no treaty at all. So also is the Nonproliferation Treaty, adhered to initially by the United States, the U.S.S.R., the United Kingdom, and by the principal nonnuclear countries—even without the signature of either Peking or Paris.

Despite the absence of Communist China and France, as a representative of Mexico at the ENDC has said:

> Unless a radical change comes about in the international situation, either the nonproliferation treaty will be concluded with all its limitations and inevitable shortcomings, or all reasonable possibility of stopping the arms race and making progress towards general and complete disarmament will be removed forever. The nonproliferation treaty is only one step on the long road to disarmament. But it is a necessary step. If it is not taken, this road will not be travelled. And if it is not taken soon, within a short time this road will be closed. (Mr. J. Chastaneda, June 13, 1967, ENDC/PV 304, pp. 4–5)

THE EFFECT OF THE TREATY ON NATO

Some critics of the treaty claim that it will weaken the strength and durability of NATO. They feel that the treaty would inhibit the military growth of our allies and make them forever dependent on the nuclear capability of the United States, or, to a lesser extent, Britain and France.

These critics claim that many Europeans who favor a strong Atlantic Alliance would like to replace European military dependence on the United States with a true partnership based upon the interdependence of a powerful United Europe and a powerful United States. East-West agreement on nuclear nonproliferation would render the concept of interdependence meaningless.

Partnership, they argue, implies the creation of a European deterrent independent of the American deterrent, yet closely connected with it. The prospects for creating a European nuclear deterrent are now slim. A nonproliferation treaty might eliminate any future possibility of such a development.

Other opponents feel that the treaty will alter the strategic balance in Europe in favor of Russia and the Communist bloc nations. The prospect of a Western European nuclear deterrent will be decreased, but the military situation in Eastern Europe will not be affected at all.

In addition, they contend, the treaty can foster a false sense of security by lulling the West into forgetting the dangers of Soviet or Soviet-bloc aggression.

On the other hand, proponents view the treaty as furthering the ultimate objectives of NATO, which are to preserve peace and security. They argue that the achievement of these goals is not incompatible with those of the Nonproliferation Treaty.

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Defense Laird, and Chairman of the Joint Chiefs of Staff, General Wheeler, testifying to the Foreign Relations Committee, have all reiterated the statements made by the previous administration that the treaty is consistent with the best interests of NATO.

They all agreed with former Secretary of State Rusk, who assured members of the Foreign Relations Committee:

> The treaty does not, for example, affect the deployment of U.S.-owned and controlled nuclear weapons on the territory of our allies and the existing arrangements under which those weapons are present. It does not affect the closest consultation in the Nuclear Committee of NATO on all of the problems of strategy and the decisions which have to be made in that field. It does not, of course, apply to a situation of war.

He further stated that this treaty will enhance the security of NATO because the members of NATO, too, have an interest in the nonproliferation of nuclear weapons.

Moreover, the treaty would not prohibit progress toward military integration in Western Europe that did not involve a transfer of nuclear weapons or control over them. Progress could be made, for example, on integrating conventional forces, establishing a common alert warning system, a common logistics system, further integration of communications, and air defense.

And the treaty does not prohibit a truly unified Europe from succeeding to the other nuclear assets of a former national component—such as Britain or France.

Another important point that proponents make is that the United States would not relinquish control over its nuclear weapons to a nonnuclear country, anyway—whether or not there was a Nonproliferation Treaty. This is because section 92 of the Atomic Energy Act already prohibits the transfer of nuclear weapons to another nation; thus, they say, the treaty does not prohibit the United States from doing anything that was not already prohibited by its own legislation.

It is true that this law can be amended or repealed by the Congress and the President. By ratifying the treaty, however, we will be forgoing the exercise of this option, and thereby forgo the possibility of assisting any of our allies to develop nuclear arms.

Nonetheless, as the Foreign Relations Committee report on the treaty points out, the possible future costs of renouncing this option are overshadowed by the major step the treaty takes in the direction of controlling the spread of nuclear weapons.

SHOULD THE TREATY BE RATIFIED NOW, IN VIEW OF THE INVASION OF CZECHOSLOVAKIA?

Critics of the treaty have also raised the question of timing. They argue that, in view of the Soviet Union's invasion and occupation of Czechoslovakia last August, this is not the time to ratify the treaty.

And if the Russians are so indifferent to their international obligations and so callous in disregarding world opinion, why should they respect the Nonproliferation Treaty?

Supporters of the treaty, on the other hand, have argued that while the Soviet actions are inexcusable and regrettable, the treaty is of such importance as a potential barrier to the further spread of nuclear weapons, that any additional delay would be unwise and inadvisable. Since both the Soviet Union and the United States find the treaty to their mutual advantage, both countries can be expected diligently to support and enforce its provisions. Further delay by the Senate will not penalize the Soviets for their invasion of Czechoslovakia so much as it will harm our own self-interest and that of the rest of the world in our race against time to prevent further nuclear proliferation.

Political scientists point out that treaties between sovereign governments are negotiated on the basis of mutual self-interest, not as rewards for good conduct or as evidence of good faith. There is wide agreement that there are a number of areas in which the interests of the United States and the Soviet Union coincide.

Examples of such areas of mutual self-interest are those embodied in the Limited Nuclear Test Ban Treaty, the Treaty on Outer Space, and now, the Treaty on the Nonproliferation of Nuclear Weapons. Each of these agreements either has built-in safeguards or is self-enforcing.

As a safeguard against unscrupulous parties to the Nonproliferation Treaty, article X provides a party the right to withdraw if it decides that extraordinary events, related to the subject matter of the treaty, have jeopardized its national interests. A withdrawing state must only give 3 months' notice to the other parties and the Security Council.

The Soviet Union will take any action necessary to insure its own security and interests. They demonstrated this in their invasion and occupation of Czechoslovakia.

By their active participation in negotiating, drafting, and then signing the Nonproliferation Treaty, Soviets have demonstrated that they deem the treaty to be in their self-interest.

The very same holds true for the United States, which also was in the forefront of consummating provisions of the treaty.

Neither superpower wants nuclear war; both are determined to do their utmost to avoid it.

As between themselves, they know that neither can attack the other without being itself destroyed. They do not want others to start nuclear conflicts, because they fear these would be likely to spread and involve the entire world—including themselves.

Thus, the interests of the nuclear powers and those of all other nations is the same: to avoid the horror of a nuclear conflagration.

HOW WOULD THE TREATY AFFECT PEACEFUL NUCLEAR TECHNOLOGY?

One of the major concerns of some of the nonnuclear nations is their fear that the treaty's provisions concerning peaceful nuclear technology will place them in a permanent position of inferiority in this area, as well as nuclear weapons technology.

But proponents of the treaty assert that the nonnuclear nations will benefit by these provisions: first, in that by forgoing the tremendous costs to research, develop, and manufacture nuclear weapons, the nonnuclear states will be able to devote more of their resources to and concentrate their efforts on the development of peaceful uses of nuclear energy; and second, in that the treaty will alleviate any fear that any exchange of information, material, and technology might be used for weapons purposes.

Some persons in this country have expressed the fear that the United States will undertake an open-ended commitment to all non-nuclear-weapons nations on a nondiscriminatory basis and at a charge as low as possible. They point out that this commitment suggests the United States would provide its services to any party, regardless of its relationship to this country, and without regard to the importance of these projects to American interests abroad.

These persons also have objected to the United States undertaking nuclear engineering projects throughout the world with the American taxpayer paying the major cost.

In testimony before the Foreign Relations Committee, Dr. Glenn Seaborg, Chairman of the Atomic Energy Commission, pointed out that the treaty does not contain any commitment on the part of the United States to support or provide peaceful nuclear technology or services indiscriminately to any nation. Only if it were deemed to be in the national interest would we do so.

Moreover, Dr. Seaborg pointed out that the American taxpayer will incur no greater expenses in the field of peaceful nuclear explosion services as a result of the treaty than he would without it. In fact, he said, we plan to make these services available on a commercial basis to the nonnuclear nations who are signatories to the treaty.

DOES THE TREATY PROVIDE FOR ADEQUATE INSPECTION?

American officials who negotiated the Nonproliferation Treaty look on its inspection provisions, embodied in article III, as a means of moving closer toward an objective for which the United States has long been working—the international inspection of all peaceful nuclear activities.

In each and every instance that the United States has furnished nuclear assistance to other countries to develop peaceful uses of the atom, we have insisted on a safeguards and inspection system as a precondition.

However, the United States no longer is the only country able to furnish such assistance; and as an increasing number of countries begin to sell reactors in the international market, the United States will no longer be able to assure that such nuclear materials will be under some kind of safeguards system.

Proponents contend that article III of the treaty will provide a method of getting all the peaceful nuclear activities of nonnuclear states under inspection, whether or not they receive American assistance; the treaty requires that all nonnuclear countries which become parties must agree to inspection arrangements under the IAEA, and they have 180 days to begin and 18 months to conclude negotiations of such arrangements.

The IAEA has already gained considerable experience in applying safeguards for the peaceful uses of nuclear energy, and U.S. officials believe it will be capable of carrying out the safeguards envisioned in the treaty—although its staff will have to be expanded to meet the added workload.

Basically these safeguards would consist of periodic inspections by the IAEA to verify a nation's accounting of the quantity and location of all nuclear material being used or stored by it.

The development of the IAEA as an international body responsible for and capable of promoting and safeguarding the peaceful uses of atomic energy has long been an objective of American policy. The Agency originated as a result of the atoms-for-peace proposal made by President Eisenhower in 1953.

In recent years, the United States has begun to designate the IAEA to carry out inspection of nuclear assistance it has provided to some 30 countries under bilateral agreements. We have already relied to a great extent on the IAEA safeguards system. Thus, the IAEA is an on-going organization with substantial experience to build on.

The Agency has demonstrated that the techniques of international inspection are feasible, effective, and are not considered an invasion of national sovereignty.

Some critics have objected to the fact that while President Nixon has endorsed a commitment made by former President Johnson—to permit IAEA inspection of all nuclear activities in the country except those related to national security—the treaty does not require similar inspection in the Soviet Union. They contend that this is a concession to Russia.

Proponents reply that the treaty—which does not require inspection in any nuclear-weapon country which is a signatory, including the United States and the U.S.S.R.—is not a concession to the Soviet Union. The main objective of this treaty, they maintain, is to prevent nonnuclear weapon countries from acquiring nuclear weapons—not to limit the right or capacity of any present nuclear power to produce more nuclear weapons.

Inspection of the Soviet Union, then, is not necessary to the purpose of the treaty.

Another objection lodged by opponents of the treaty is that it does not spell out the inspection arrangements; they say that the pledge to conclude a safeguards arrangement leaves the inspection to be agreed upon vague and uncertain.

But those supporting the treaty point out that article III does indeed set standards for the safeguards to be applied—those set forth in the Statute of International Atomic Energy, and in the Agency's safeguards system.

Even with the successful application of inspection procedures by the IAEA on declared peaceful nuclear activities, critics contend that it would still be possible for a nation secretly to manufacture nuclear weapons. A nation intending secretly to produce nuclear arms could have some fissionable material hidden prior to the inauguration of the system; it could secretly build entirely separate facilities for nuclear arms production.

Such separate facilities could not be detected without general inspection of the entire country, and no feasible way has yet been found to detect hidden stockpiles of fissionable material.

The Foreign Relations Committee report takes the view that no inspection system acceptable at the present time would be completely foolproof. But coupled with the observations and sources available to the diplomatic, military, commercial, and intelligence communities, the inspection system contemplated in the Nonproliferation Treaty would be adequate.

The main effectiveness of the treaty, according to the committee report, consists of the declaration of intention. If a nation wishes to become a nuclear power, it would either not sign the treaty or withdraw from it, rather than attempt to avoid it clandestinely.

To quote the report:

> Admittedly, the implementation of the treaty raises uncertainties. The reliability and thereby the credibility of international safeguards systems is still to be determined. No completely satisfactory answer was given the committee on the effectiveness of the safeguards systems envisioned under the treaty. Moreover, the committee was not given a completely satisfactory answer as to what the signatory nations will do if the International Atomic Energy Agency fails to work out mutually satisfactory agreements with individual states or associations of States within the time prescribed by the treaty. The committee hopes that the optimism of the administration will be borne out and that successful agreements with the IAEA will be concluded without difficulty or delay. Nevertheless, the committee notes that the Euratom States have unanimously agreed that the treaty will only be ratified after a satisfactory verification agreement has been reached between Euratom and the IAEA.
>
> The committee is fully aware of the potential problems in the safeguards field. But it is equally convinced that when the possible problems in reaching satisfactory safeguards agreements are carefully weighed against the potential for a worldwide mandatory safeguards system, the comparison argues strongly in favor of the present language of the treaty.

Mr. President, I am fully cognizant of the shortcomings of the safeguards provisions of the Nonproliferation Treaty.

But in weighing the problems inherent in article III as against the possibilities for the eventual formulation of a more effective and comprehensive safeguards system, I am inclined to go along with the committee.

THE NONPROLIFERATION TREATY IS ANOTHER TENTATIVE STEP TOWARD PEACE

Mr. President, the ultimate and guiding question to be asked, after thoroughly and carefully studying all of the pros and cons, all of the relevant factors, all of the limitations inherent in the treaty, is: Does the Treaty on the Nonproliferation of Nuclear Weapons serve the best interests of the United States of America?

After many months of careful analysis and review of all of these issues, I am satisfied that it does.

I have no illusions that the treaty is a panacea to all the problems of nuclear proliferation. It will not solve all the problems resulting from the wide prevalence of nuclear armaments.

It does not affect in any way the existing arsenals or the continued development and production of nuclear arms in the five nuclear powers.

Nor will it patch up American-Soviet differences, end the threat of Communist aggression, and usher in a new era of peace.

However, the weight of military and diplomatic authority, balancing the risks against the benefits to be gained from the treaty, does favor ratification.

During the course of the extensive hearings of the Committee on Foreign Relations, the Chairman of the Joint Chiefs of Staff, General Wheeler, was asked whether the view of the Joint Chiefs was fully considered while the treaty was being negotiated and drafted; he was asked whether the treaty fully protects our national security interests.

General Wheeler responded:

> At the initiation of treaty discussions, the Joint Chiefs of Staff formulated certain principles relating to national security that should not be violated by such a treaty. First, we believe that any international agreement on the control of nuclear weapons must not operate to the disadvantage of the United States and our allies. Secondly, it must not disrupt any existing defense alliances in which the United States is pledged to assist in protecting the political independence and territorial integrity of other nations. These principles have been observed.

General Wheeler assured the committee that every proposal made by the Joint Chiefs affecting the treaty was adopted.

The Joint Chiefs of Staff, he testified, unanimously supported the treaty.

Our Nation's Commander in Chief, President Nixon, deems the treaty to be in the interest of the United States and has urged ratification.

Former President Johnson took a similar stand.

So have the Secretaries of State and Defense, both past and present.

I am quite fully aware of all of the uncertainties which have been thoroughly discussed in the many studies I have read and in the very complete hearing record compiled by the committee in the 3 years it has been investigating nuclear nonproliferation—in 1966, 1967, and 1969.

However, I am also fully cognizant of the fact that this treaty represents an extremely important development in our constant effort to resolve a dilemma—making available to all mankind the benefits of the peaceful uses of nuclear energy, while minimizing the risks of proliferating nuclear weapons.

The coming decade is likely to be a crucial one in determining whether or not nuclear weapons will spread uncontrollably beyond the borders of the present five nuclear powers.

The acquisition of nuclear armaments by additional countries would seriously hinder the efforts of the United States, through the United Nations and in concert with many other countries, to begin

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to establish a stable and enduring world peace.

Without a doubt, the uncontrolled proliferation of nuclear weaponry would make local conflicts far greater threats to igniting a spark that would lead to a worldwide conflagration.

Amid the tensions, the strife, the struggle, and the sorrow of the tense and trying nuclear age, the Nonproliferation Treaty represents, to me, strong evidence that men of many nations have not lost their hopes that a faint beginning can now be made to control the power of the atom.

It is my hope that, with patience, perseverance, and the knowledge that we are acting for the very survival of mankind, we will continue to pursue the long, hard road of stemming the tide of nuclear proliferation, as the first tentative step to more remote goals—negotiating effective, worldwide arms limitation and control—and possibly, even disarmament.

Although this treaty is not a cure-all, it is in a sense an experiment in trust, another faint step toward the easing of tensions and perhaps the improvement of relations between the world's two superpowers.

I support the treaty because it lays a significant foundation for expanded cooperation between the United States and the Soviet Union in the peaceful application of nuclear energy—and possibly for additional measure to halt the nuclear arms race.

I support the treaty at this time because it would bolster the Nixon administration's policy of negotiation, rather than confrontation, with the Soviet Union.

I support the treaty because, on balance, it is good for my country, good for the world, and good for all mankind.

I urge my colleagues to ratify the treaty.

EXHIBIT 1

TREATY ON THE NONPROLIFERATION OF NUCLEAR WEAPONS OPENED FOR SIGNATURE AT WASHINGTON, LONDON, AND MOSCOW ON JULY 1, 1968

1. Afghanistan.
2. Austria.
3. Barbados.
4. Belgium.
5. Bolivia.
6. Botswana.
7. Bulgaria.
8. Cameroon (ratification deposited January 8, 1969).
9. Canada (ratification deposited January 8, 1969).
10. Ceylon.
11. Chad.
12. Republic of China.
13. Colombia.
14. Congo (Kinshasa).
15. Costa Rica.
16. Cyprus.
17. Czechoslovakia.
18. Dahomey.
19. Denmark (ratification deposited January 3, 1969).
20. Dominican Republic.
21. Ecuador (ratification deposited January 10, 1969).
22. El Salvador.
23. Ethiopia.
24. Finland (ratification deposited February 5, 1969).
25. Gambia.
26. Ghana.
27. Greece.
28. Guatemala.
29. Haiti.
30. Honduras.
31. Hungary.
32. Iceland.
33. Iran.
34. Iraq.
35. Ireland (ratification deposited July 1, 1968).
36. Italy.
37. Ivory Coast.
38. Jordan.
39. Kenya.
40. Republic of Korea.
41. Kuwait.
42. Laos.
43. Lebanon.
44. Lesotho.
45. Liberia.
46. Libya.
47. Luxembourg.
48. Malagasy Republic.
49. Malaysia.
50. Maldive Islands.
51. Mauritius.
52. Mexico (ratification deposited January 21, 1969).
53. Mongolia.
54. Morocco.
55. Nepal.
56. Netherlands.
57. New Zealand.
58. Nicaragua.
59. Nigeria (ratification deposited October 7, 1968).
60. Norway (ratification deposited February 5, 1969).
61. Panama.
62. Paraguay.
63. Peru.
64. Philippines.
65. Poland.
66. Romania.
67. San Marino.
68. Senegal.
69. Somali Republic.
70. South Yemen.
71. Sudan.
72. Sweden.
73. Syria.
74. Togo.
75. Trinidad and Tobago.
76. Turkey.
77. Tunisia.
78. U.S.S.R.
79. United Arab Republic.
80. United Kingdom (ratification deposited November 27, 1968).
81. United States of America.
82. Upper Volta.
83. Uruguay.
84. Venezuela.
85. Viet Nam.
86. Yemen Arab Republic.
87. Yugoslavia.

Mr. McGEE. Mr. President, ratification of the Nuclear Nonproliferation Treaty is overdue. We should have taken this step last autumn, though we did not for reasons entangled in the politics of 1968. We should be anxious to put the stamp of Senate ratification upon this document, for the Senate itself encouraged the negotiations which produced the treaty.

Some scoffers say that the treaty does not amount to much. Perhaps not, Mr. President, but in a world which can only contemplate with dread the further spread of nuclear armaments, every little bit helps. We need all the psychology of peace we can get, if, indeed, this treaty is but a psychological step, as some would have it. In my opinion, it has greater significance than that.

Clearly, the treaty is consistent with America's national interests. It does nothing to hamper our defense. Not one single bomb will be scrapped because of this treaty. It does not prevent deployment of additional weapons. And it does not become operative until ratified by the Soviet Union.

What it would do is prevent nuclear weapons from being put into the hands of additional nations. Unhappily, it has not been signed by either France or Communist China, nor by other important powers now lacking nuclear capability. We can regret this fact, but it should not blind us to the necessity of taking what steps we can toward imposing some limitations on the possibility of nuclear holocaust. This treaty, after all, has been signed by the United States, by the U.S.S.R., by Great Britain, and by 90 other world powers, large and small. It goes far toward establishing what we might call a world consensus in favor of limiting nuclear weaponry.

As a practical matter, we in the United States have had no intention of sharing nuclear weapons. Our laws, in fact, forbid it. I doubt that Russia, either, has ever dreamed of handing nuclear weapons over to smaller powers. So the practical effect may be small. But it is formal. Lest there be fears that nuclear weapons might be developed by a nonnuclear signatory under the guise of peaceful projects, the treaty's safeguards provide for international inspection—in itself another breakthrough we can hope will be developed and expanded in years ahead.

Finally, Mr. President, the treaty commits us as a nation to talks, in good faith, aimed at calling a halt to the nuclear arms race. Progress in this area is painstakingly slow. It is complicated by mutual distrust and by hostilities growing out of the continued international turmoil that confronts us, as in Vietnam. But the treaty does contain an operative article—article VI—by which the powers agree to pursue cessation of the nuclear arms race "at an early date."

That date—we cannot kid ourselves—is probably going to be late instead of early. But it will be, when it comes, an alleluia day for all mankind—when all can breathe easier in the knowledge that the greatest force man's intelligence has loosed can at last be directed away from death and destruction and that vast energy put to work for his benefit. Many more steps will be necessary before that great date dawns, but the Nuclear Nonproliferation Treaty is one step. It follows the Limited Test-Ban Treaty of 5 years ago, which was a first step. If we are to achieve the shackling of these arms that could lead all nations to ruin, we will have to do it one step at a time.

Though the effect of this treaty may be limited, let it not be said that we failed to take every opportunity afforded to move in the path of sanity. Let us ratify this treaty now. It is already overdue.

Mr. SPONG. Mr. President, the Nuclear Nonproliferation Treaty will neither save us nor destroy us. It is neither the panacea many of its proponents proclaim nor the dragon many of its opponents deplore.

With it we will not necessarily be

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guaranteed safety from nuclear holocaust nor lulled into a false security which will permit our enemies to deceive us. And, without it, we would not necessarily be lured into nuclear destruction or saved from it.

In the final analysis there was one principal question to be answered with regard to the treaty: is this treaty better than no treaty at all. After a review of the hearings and other relevant background information, I have concluded that it is.

The specter of nuclear warfare is a horrible one to contemplate. Any appropriate action which can be taken to limit the possibility of such war should be taken. We must do what we can to prevent a disaster, and this treaty might help preclude one.

In the aftermath of the Soviet invasion of Czechoslovakia, I felt that ratification of the treaty should be delayed as an indication of U.S. disapproval of the invasion. Time has, however, passed and the good the treaty may accomplish should not be sacrificed simply to signify protest.

I am concerned about the failure of Red China and France to sign the treaty. Certainly its effectiveness is lessened by the fact that two of the five nuclear nations do not desire to participate in this endeavor.

I have also questioned the inspection and safeguards provision. It can undoubtedly be argued that these provisions are extremely vague, yet they are the best provisions we can obtain at this time and they are a step in the direction we must take if nuclear weaponry is to be controlled.

Finally, I have had some reservations about the treaty and its effect on our allies in the North Atlantic Treaty Organization, especially West Germany. Fortunately, I was able to resolve most of the doubts concerning the relationship of the treaty to NATO in a colloquy earlier this week with the able chairman of the Senate Foreign Relations Committee.

Certainly not all the questions which could be raised over the treaty have been fully answered. They probably could not be. We should, however, utilize the means available to us for preserving and advancing our Nation's security in a nuclear age and for meeting our responsibilities as a world leader. The Nuclear Nonproliferation Treaty, for all its imperfections and omissions, can help serve both these ends. Accordingly, I am voting to ratify the treaty.

Mr. CURTIS. Mr. President, I fully support the objectives of the Nuclear Nonproliferation Treaty. It would be an extremely dangerous world if 10, 20, or 50 countries had nuclear weapons. With each additional country possessing nuclear weapons, the possibility of nuclear war increases. A nuclear missile launched by accident, by an irrational man, or even by a desperate nation about to be defeated, might set off a chain reaction which could end civilization as we know it today.

I understand these dangers, and I have reviewed the Nonproliferation Treaty—NPT—and the U.S. unilateral pledge to permit "all" peaceful nuclear activities to be under international safeguards. After studying the issues, I have come to the conclusion that I cannot support the Nonproliferation Treaty, and I expect to cast my vote against it.

What has emerged from more than 4 years of negotiations is a weak, vague, and ambiguous instrument open for contention and subject to misuse. Shakespeare once wrote:

> Some rise by sin and some by virtue fall.

I believe that by being excessively virtuous in trying to obtain an NPT at any price our negotiators have left the door open for others to take advantage of us.

On October 12, 1968, at the close of the congressional session, I spoke of taking a hard look at the nuclear NPT. At that time I concluded:

> The purpose of the treaty is admirable but regrettably I believe in our great enthusiasm to conclude this treaty we have lost sight of the true purpose of our Communist adversaries. They drive a harder bargain, I am afraid, than we do. The Soviet Union will not be inspected under the Nonproliferation Treaty. By separate position outside the Nonproliferation Treaty we will. We have stressed vague security assurances and thus placed ourselves in the position of either becoming the policeman of the world or backing away from implied commitments. Either course I believe is wrong. I suggest that we take a new hard look at the Nonproliferation Treaty.

I find that very little has occurred to change my pessimistic view. In regard to security assurances, the report of the Committee on Foreign Relations, printed March 6, 1969, illustrates the ambiguity of our position concerning the providing of security assurances to nonnuclear nations. The report states in part:

> The committee is constrained to point out that, in its view, this United Nations resolution and its accompanying declaration [to suppress aggression] in no way involve a ratification or prior commitments or establish new commitments.

However, four paragraphs later the report says:

> It now appears that the United States is honor bound to follow a definite if limited course of action if a nonnuclear weapon state declares that it is a victim of nuclear aggression or the threat of such aggression.

No wonder our allies and our friends are confused, particularly when on page 5 of this report they find that the treaty is not "discriminatory."

The Foreign Relations Committee report points out that General Wheeler, Chairman of the Joint Chiefs of Staff, stated that the NPT does not operate to the disadvantage of the United States or its allies. Elsewhere, the report states:

> In order to give effect to Article VI, the committee believes that the administration should consider deferring the deployment of these [offensive and defensive] weapons until it has had time to make an earnest effort to pursue meaningful discussions with the Soviet Union.

There are Senators—perhaps a majority—who feel that delaying the development and deployment of a U.S. antiballistic-missile system—in light of the fact that the Soviet Union has already deployed one and possibly two ABM systems—would be disadvantageous to our national interest.

I now turn to article III, concerning safeguards. In this connection, the Foreign Relations Committee report appears to be less than lucid. It says:

> To stimulate nuclear autarky by a rigid application of the very means designed to encourage international cooperation in the nuclear field is obviously not the intent of the Nonproliferation Treaty. (Page 17.)
>
> Neither does the treaty require that preferences be given to signatory non-nuclear states. (Page 17.)
>
> As a practical matter, however, it is the view of the committee that the nuclear powers should be most reluctant to treat nonsignatory states on the same basis as signatory states, despite the fact that the treaty does not prohibit such action. (Pages 17 and 18.)
>
> * * * * *
>
> It is the view of the committee, therefore, that the application of Article III should be handled with a carefully considered appreciation of what will encourage states to adhere and what will encourage them to abstain. (Page 18.)

Concerning article III, the report also states:

> Administration witnesses took the position that nuclear weapon states party to the treaty would be subject to an *undertaking not to provide nuclear material to any non-nuclear weapon state for peaceful purposes unless the material was subject to safeguards resulting from an agreement with the IAEA.* The United States was confident that no such situation would develop, according to the testimony before the committee. It was left *unclear*, however, how the United States would react if such a situation did develop. (Emphasis added.)

Does it mean that unless Israel signs the Nonproliferation Treaty we will cut off peaceful nuclear shipments to Israel?

Does it mean that if Israel signs the Nonproliferation Treaty that representatives from Communist nations or Arab countries will have freedom to inspect any or all of its nuclear facilities?

These ambiguities concern me greatly. But of utmost importance is the unilateral arrangement entered into as a result of President Johnson's pledge of December 2, 1967, which was reaffirmed by President Nixon on February 5, 1969. This pledge states:

> When such safeguards are applied under the Treaty, the United States will permit the International Atomic Energy Agency to apply its safeguards to all nuclear activities in the United States, excluding only those with direct national security significance.

In this connection I would like to pay tribute to the wisdom and judgment of the distinguished Senator from Vermont (Mr. AIKEN), who displayed his usual broad understanding of foreign affairs when he wrote to the Secretary of State concerning this U.S. unilateral offer and its ramifications.

The implications of what Senator AIKEN uncovered are truly momentous. Senator AIKEN asked as his first question:

> What authority does the United States Government have to require private companies in the United States to accept foreign inspection of their plants?

The answer was as follows:

> It is our intention in making this offer to rely upon the voluntary cooperation of the

> U.S. nuclear industry in implementing it. Our consultations with them, prior to making the offer, have given us confidence that this cooperation will be forthcoming. However, if it becomes necessary in any instance to rely on the regulatory powers of the U.S. Atomic Energy Commission to require the participation in the inspection system by specific companies, the Attorney General would have to determine the extent to which the Commission's current authority would permit it to require a licensee to open his facility to inspection by an organization other than the Commission or other U.S. agencies.

What this says is shocking to me. The United States will initially rely on the voluntary cooperation of private industry. If this fails, the U.S. Government may rely on the regulatory powers of the AEC and perhaps go to the Attorney General to require licensees to open their facilities to foreign inspection. Put in plain language, this means that foreign nationals, including representatives of Communist countries, are going to inspect U.S. private industry plants regardless of whether the plant owner likes it or not; and if he dislikes it, the U.S. Government will bring pressure to force him to acquiesce. I think this is one of the most undemocratic situations I have ever seen. If I had suggested to the American public 10 or 20 years ago that the U.S. Government was advocating, on a unilateral basis, without even being required to do so, that American industry open its doors to possible Communist inspection, I am sure that no Senator would have taken me seriously. So that no one is confused, Senator AIKEN points out that a Yugoslav national has already inspected the Yankee nuclear reactor at Rowe, Mass., and a Rumanian national has attended the AEC safeguards school at Argonne National Laboratory outside of Chicago.

How far—how dangerously far—we have come down the road of sacrificing our national interest to the siren cries of internationalism at its worst.

To compound this situation the United States is paying almost one-third of the cost of the foreign inspections which we are not required to have. This payment is made directly to the International Atomic Energy Agency in Vienna.

I hope that all Senators will look carefully before they approve this treaty. I hope that all Members will particularly review the implications of the unilateral commitment that the U.S. Government has undertaken—and which, of course, the Russians have not.

In my speech concerning the Nonproliferation Treaty made in the Senate on last October 12, I pointed out that neither Red China nor France has had any part of this treaty. Soviet Russia is a party to the treaty but by its terms the Soviets are exempt from inspection. The United States will be subject to a most unusual system of inspection.

I cannot forget that on October 18, 1964, President Lyndon Johnson said:

> The nations that do not seek national nuclear weapons can be sure that if they need our strong support against some threat of nuclear blackmail, then they will have it.

Will the nations of the world rely upon Mr. Johnson's promise?

Were the small nonnuclear countries relying upon Mr. Johnson's promise when they became parties to the treaty?

To what future wars might this course of action commit the United States?

THE SENATE SHOULD CONSENT TO THE NONPROLIFERATION TREATY FOR THE WELFARE OF US ALL

Mr. YARBOROUGH. Mr. President, the great powers have devoted tens of billions of dollars to the development of nuclear weapons systems, but we have devoted almost nothing to international control of them. After World War II, the United States did make it our national policy not to distribute these weapons to other countries.

The purpose of the treaty we have before us is to elevate our national policy to international status and to gain for our policy adherence of those other nations of the world which will become parties to this treaty.

The ratifying nations possessing nuclear weapons pledge not to give them to others. Of the five nuclear powers, China and probably France will not join the treaty in the forseeable future. Even so, the two leading powers—the United States and the Soviet Union—are parties to the treaty and are also the major potential sources of nuclear weapons. Even without China and France as parties, this Nation and the world are better off by having the two major powers publicly agree to keep their nuclear weapons under their own control.

The treaty does not deal with deployment of nuclear weapons in the territory of other nations. Our weapons stored abroad are in no way affected as long as these devices remain under our jurisdiction and command and continue to remain so. The same will apply to the Soviet Union.

The treaty does not affect delivery systems—chiefly missiles. All signatories may do as they wish with regard to giving or making available missile systems to other countries as long as no transfer of nuclear warheads is involved or results.

In short, this treaty in no way affects or limits our capacity to defend ourselves, even if such defense includes placing warheads under our control overseas. This treaty merely binds us not to share the control over these weapons with other nations.

It will be seen that this treaty is a frail limitation indeed on the capacity of the nations of the world to lay waste to all the earth. The nuclear powers have on hand, thousands of weapons, each with many times the destructive force of the Hiroshima bomb; they also have an ingenious variety of means for delivering them throughout the world.

A limitation on the spread of these weapons to other countries is in the national interest of the United States. It deserves to be furthered by means of ratification of this treaty.

We are the world leaders in the manufacture of nuclear weapons. We ought to be the leaders in this world in efforts to prevent their widespread diffusion and use. We have developed this monster; we owe it to mankind to be the leader in chaining it.

NATIONAL SECURITY IS THE ISSUE

Mr. FANNIN. Mr. President, I have listened to the debate surrounding this treaty which is before us and I have read the record with great interest. In addition, I have done research on my own to try to discover other aspects of the question which may not have been previously developed.

It seems to me that both the Nuclear Nonproliferation Treaty and the question of the anti-ballistic-missile system are related because the national security is at stake.

May I make it clear that I do not claim to be an expert on either foreign affairs or defense technology. Perhaps this is somewhat of an advantage because I can speak from the standpoint of a layman and perhaps voice some of the questions arising in the minds of Americans across the Nation.

One of the basic questions, it seems to me, is if we sign this treaty what do we get? How does this agreement improve our national security?

All too often in the past we have apparently been willing to give away a great deal more than we get when it comes to international negotiations.

At the very least it seems the advantages we supposedly will receive under this treaty are in some doubt; particularly, when two nuclear powers have indicated they do not intend to join this treaty. I refer, of course, to France and Red China. My question is how an agreement of the latitude which we are presently proposing will prevent nonproliferation when at least two members of nuclear community are simply not concerned with it.

Second, it seems inconsistent to me to argue on the one hand that America can no longer afford to police the world while at the same time enter into an agreement, which by every explanation I have read, commits us to additional policing responsibilities.

For instance, if we had signed this treaty last year, and if Russia had also signed the treaty along with its satellite state, Czechoslovakia—when Russia invaded Czechoslovakia—would we have been obligated to go to the defense of Czechoslovakia?

If we sign this treaty what will happen if Russia decides to invade Rumania? Will we be obligated to go to the defense of that Iron Curtain country? It seems to me quite inconsistent for some of my colleagues to argue as they have on both sides of this question. Certainly no one can question any Senator's desire for peace and tranquillity.

No one wants to see a multiplication of nuclear weapons but if we are going to enter into an agreement, we must be sure there are adequate safeguards to make it effective.

That brings me to my next point. I cannot see that there are any safeguards in this treaty. Those nations which desire to secure fissionable material for peaceful or domestic purposes, could under the proposed mechanism of this treaty, convert that material to nuclear weapons. So, I cannot see the treaty as an effective instrument. In fact, it very well may accomplish the opposite by allowing nations which do not have the capability of producing nuclear materials to get those materials under this agreement.

The whole question of national security comes to mind as we discuss this problem. The loud and long criticism of the ABM system comes to mind. I think of all the arguments that seem irrelevant, the one concerning cost seems to me to be the most irrelevant. If this system is needed for national survival it is needed no matter what the cost.

The cost of the system has been compared with the national debt. I would like to point out that a large portion of the national debt was incurred during World War II. Does anyone say that winning World War II was not worth that money? What would this country be if we had not won the war?

This is the basic fear which I feel arises in the hearts of the American people when we discuss these issues. It is pure folly in my opinion to talk about programs to benefit the poor if we neglect the very program which would allow the country to continue to exist. Mr. President, it is my intention to support continued research, development, and if necessary, deployment of the Sentinel system if the situation is as I understand it to be. I also broaden this to include any other recommendations which the President makes in support of our national security.

Even though there has been continued and significant disagreement in the scientific community over the feasibility and cost of the Sentinel system, I am not particularly impressed when I find agreement between three witnesses called at the request of a committee chairman whose opinion and position on the question is already well known. No one doubts that the preponderance of evidence in such a hearing is bound to be weighted in favor of the chairman's opinion. He controls the witness list, the time of the hearings, and to a large degree, the direction of the questioning. All this must be taken into account in considering the "body of evidence" which is developed.

Certainly no one wants to spend any money—not one penny—on a system which is not effective. On the other hand, I think the vast majority of Americans would be willing to spend any amount of money when they are convinced it is essential to the defense and maintenance of our great country. So, the question resolves down to what is essential and what is not. This is the same question which applies to the Nuclear Nonproliferation Treaty as well as the ABM system. There are hosts of unanswered questions in both of these areas. I think there are great uncertainties in the minds of the American people over the actions we are proposing.

When we look at the Russian record of abiding by treaty agreements, we find a string of broken and mangled promises. Although much has been made of a Soviet willingness not to continue the arms race, the hard fact must be faced that Russia has given absolutely no concrete evidence of either their willingness or their intention to follow such a course if we pull out. In ratifying this treaty I think we are kidding ourselves and furthermore deceiving the populace into thinking we have accomplished something in the way of nuclear weaponry control when we actually have done nothing of the kind.

Mr. President, I think the best interests of the Nation are served and the national security best preserved if we do not ratify this treaty. I shall vote against it.

Mr. THURMOND. Mr. President, first, the Soviet Union acquires a significant military strategic advantage; namely, continued assurance that Germany will be subjected to second-class status for 25 years or more. We are giving up an opportunity for a strong and independent ally for one which will be forever dependent upon us. The Soviets also gain a significant political advantage in that for the first time, Germany would be integrated into a treaty structure with the U.S.S.R. and open to harassment and propaganda pressures.

Second. The Soviet Union loses nothing if its satellite countries are subjected to controls. None of its satellites have the potential for significant production of fissionable materials or explosive devices. After the experience of Czechoslovakia and Red China, the Soviets probably would not arm any of their satellites with nuclear weapons anyway. As it is, we do not know the control arrangements over the Warsaw Pact IRBM's aimed at Western Europe. We do know that the command structure of the Warsaw Pact forces goes directly to Moscow. NATO countries are sovereign, but Warsaw Pact countries are subject to Soviet domination, as the invasion of Czechoslovakia demonstrated. Nonnuclear NATO countries give up the sovereign right of self-defense, but the nonsovereign Warsaw Pact countries have nothing to give up.

Third. The invasion of Czechoslovakia demonstrated that a fundamental change has come over Central Europe. Before August 21, many people tended to think that Soviet domination of the satellites was a myth or at worst was weakening. However, under the so-called Brezhnev doctrine, the Soviets explicitly claim the right to intervene whenever the future of communism is threatened in the so-called Socialist commonwealth of nations. The withdrawal of some or even all Soviet troops from Czechoslovakia has no effect upon the assertion of this right. In fact, the troop withdrawal indicates that the internal security of the country has been guaranteed. The Ministry of the Interior, including the interior police, is firmly in the hands of pro-Soviet officials.

Fourth. Although the debate about the Nonproliferation Treaty usually centers on strategic missile systems, and the great cost of the delivery vehicles, the Nonproliferation Treaty also outlaws tactical nuclear field weapons. A modern army must have such weapons, and the control over their use, if it is to be a match for the Warsaw Pact forces. The development of such weapons is feasible by many present nonnuclear allies, and there is no sound military or economic reason why they should not do so. In fact, we may someday wish to alter our laws to assist them in such development. The Nonproliferation Treaty forecloses this option. It requires our allies to remain dependent upon NATO sharing arrangements for the next 25 years. If we go back 25 years to 1944 and visualize the state of the art of weaponry then—before even the first atomic bomb had been dropped—and then compare that state with the present, we would be able to realize the positions of our allies who will be shutting themselves off from modern weapons.

Fifth. In addition, as Dr. Teller has pointed out, it will soon be technically feasible to construct missiles which can only be used defensively. This would be a way of strengthening our allies and increasing their confidence and morale. We would have to change our laws to do this, but we will not be able to do so if we ratify the Nonproliferation Treaty.

Sixth. Again, no one can confidently predict the future of nuclear research in the next 25 years, just as the past 25 would have been difficult to plot. The Nonproliferation Treaty is based upon current assumptions about nuclear explosives and the need for fissionable material to produce them. I am informed that a whole new direction may open up in the field of fusion rather than fission. Fusion theory may produce the so-called neutron bomb. Fission bombs produce about 85 percent heat and blast and 15 percent radiation, while the fusion process, if ever perfected, would produce the opposite proportions, destroying property. A breakthrough in fusion research would have profound military significance but also many peaceful uses. Such peaceful research on fusion is already well advanced in Italy and in the Soviet Union. Those of our allies who are non-nuclear-weapon states under terms of the safeguards on fissionable materials would have to give up their work on fusion explosives.

Mr. President, I ask unanimous consent that the article entitled "The Nonproliferation Treaty and Fission Free Research," by William R. Van Cleave, Orbis, winter 1968, be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. THURMOND. Seventh, Mr. President, the proponents of this treaty have stated that the advantages for the United States and the Soviet Union are mutual. That statement holds true only if you consider the alleged benefits of the treaty in stopping the proliferation of nuclear weapons. If you look at the two countries not in isolation but in the structure of the opposing alliances, as I have already pointed out, the Soviets gain a significant goal in the subjugation of West Germany as a second-class nuclear power. However, there are other areas the Soviets appear to have the advantage:

In a collateral action, the United States has opened its peaceful nuclear installations to IAEA inspection. The Soviets have made no such voluntary gesture.

The former head of the IAEA, Mr. William C. Foster, made a formal statement of principles to the nonnuclear nations of the world that the nuclear states would supply explosion service to the nonnuclear countries on a cost basis. This offer carried the implication that the United States was ready to provide

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such service. The Soviets have never made so direct a commitment. The Soviets have only accepted the vague wording of article V which says only that—

> Each party to the treaty—

And this applies to both nuclear and nonnuclear states—

> Each party to the treaty undertakes to take appropriate measures to ensure that through appropriate international procedures . . . peaceful applications of nuclear explosives will be made available to nonnuclear weapon states party to the treaty on a nondiscriminatory basis.

This is no promise of service at all. It merely says that all signers agree not to interfere with this service being made available. Once again, an important part of this treaty depends upon the collateral promise of the United States, while the Soviets have made no commitment.

The question of costs: The distinguished member of the Joint Committee on Atomic Energy, Representative CRAIG HOSMER, has conducted an extensive study and estimates that the costs of enforcement will pass $1 billion a year by 1990. Nowhere in the treaty is the question of costs ever mentioned. I was surprised to learn from questions submitted to the ACDA that the question of costs had never been raised with the Soviets. Knowing the past record of the Soviets in not paying U.N. bills for activities that displeased them, it would appear that our negotiators were derelict in their duty in not reaching at least an informal understanding on this matter. At present, the administrative budget of the IAEA is assessed to members on the same basis of U.N. dues. We pay 31.57 percent, while the Soviets pay 15.4 percent. Once again we come out on the short end.

Eighth. The purported aims of this treaty is to increase the security of the United States by restricting the number of nations that urge nuclear war. No one has ever demonstrated that restricting the number of nuclear-weapon states will reduce the chance of war. This is a basic assumption that will not stand up to analysis by commonsense. The chance that a nuclear war will be started depends not upon the number of nations with a nuclear weapon capability, but upon which nations have it. Furthermore, no one can predict accurately which nations will misuse it. To do so requires us to render an invidious a priori judgment upon a nation's responsibility. Moreover, the evidence of history seems to indicate that the possession of nuclear weapons makes a nation more responsible—or at least more prudent. The proponents of this treaty have not presented any studies which show that proliferation is dangerous or that it would result in more security than alternate options, such as the selective defensive proliferation described by Dr. Teller. It is well known that the nations most likely to develop a nuclear explosive capability are the ones most reluctant to sign. This includes Israel, West Germany, India, Japan, and Brazil. Some of these who are reluctant participated in the 18-Nation Disarmament Conference, so there is no gainsaying their good will. Why then the reluctance?

In my opinion, it is because they are reluctant to close themselves off from basic research in the theory of nuclear explosions. It is all well enough and good to say that the nuclear nations shall provide explosion service on a nondiscriminatory basis. However, having a specific job done for you is not the same as participating in basic research. No one can predict what will develop out of explosion research. No one can predict what will be the best site for creativity. The Israelis and the Germans and the Japanese, for example, are all highly inventive peoples. Shall they cut themselves off from research in the basic area by a mere policy decision? To ask them to do so is an arrogant demand on our part and on that of the Soviets.

Ninth. It is true that the non-nuclear-weapon states will be allowed to "participate in the benefits" of our research. They will be allowed to develop many subsidiary areas, and they will be able to use enriched fissionable materials obtained under safeguards. But all of this is to be dependent upon castoffs and charity. It is like being the eternal poor relative. The basic impetus for scientific and economic development comes from participating in the basic formulation and testing of explosion theory. This is where the best minds will be working, and if they cannot work in the non-nuclear-weapon states, they will go to the nuclear weapon states. No nation likes to see its best talent drained off.

Furthermore, the essence of scientific creativity is discovery. Who can safely say what remains to be discovered, particularly over a 25-year span? What may appear to be impossible for a smaller nation today may be perfectly feasible in 10 years. Although at the present time, the United States is the most economical source of enriched nuclear materials, new developments may shortcut nuclear processes and make such dependence unnecessary.

One has only to look at the growth of peaceful nuclear industry in the United States today to see that this field may well be the prime area for the expansion of technology, just as the electronics industry has in recent years. This is now a $700,000,000 industry. For we must not only include basic nuclear applications such as the potential for explosives and the generation of electric power, but also the wide-ranging impact of nuclear technology on other technologies. In addition, there is a considerable spinoff of new developments that do not depend upon nuclear technology, but were created either to meet the demands of nuclear technology or through adaptation of equipment to meet new needs.

I have asked the Library of Congress to put together a short summary of the current state of the nuclear industry to give some idea of the potential in this field. At the present time the industry comprises less than 1 percent of the gross national product, but the peaceful nuclear industry is just now completing its transition from public to private hands. Mr. President, I ask unanimous consent that this memorandum be printed in the RECORD at this point in my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. THURMOND. Mr. President, now, of course, the non-nuclear-weapon states will be able to do research in many aspects of the peaceful nuclear field under safeguards. But that is not the same thing as having the opportunity to do your own basic research on explosion theory. In passing, I might note that, so far as the safeguards are concerned, the basic technique is to keep a check on the inventory of fissionable materials to prevent diversion to military uses. Yet it is precisely the volume of activity that a smaller nation may want to keep secret for purely commercial reasons. While it is true that the United States has put some of its peaceful facilities under inspection, the United States is dominant in the field. The American unilateral offer of inspection does not compare with the situation of a small producer competing in a tight market.

Tenth. The plight of our nonnuclear allies is especially acute with respect to West Germany. This is not because of any specific situation in West Germany, but because I believe that the Soviets have agreed to the Nonproliferation Treaty solely as the solution to their so-called "German problems." The Soviets have continued to maintain a paranoid attitude toward West Germany even though that country, under its new leadership, has never manifested any of the tendencies of the Hitler leadership. A chief Soviet aim has been to neutralize West Germany's military capability as much as possible. If Germany and the United States ratify this treaty and it goes into effect, that aim will have been achieved for the following reasons:

For the first time, the West Germans will be integrated into a treaty framework with the Soviet Union, allowing the Soviets ample opportunity for interventions and harassment.

Even without the treaty, the Soviets still claim the right of intervention in West Germany as a so-called enemy state under articles 57 and 103 of the U.N. Charter. The United States does not accept this interpretation of the charter, but the Germans have been made to feel the threat very strongly within the past year.

The West Germans will be dependent upon the United States for the use of modern weapons and the development of modern tactics and strategy.

Germany's peaceful nuclear industry will also be dependent upon the United States for basic enriched nuclear materials. It is noteworthy that the Germans are already seeking to invest in U.S. nuclear facilities and to send scientific teams in the United States for research. France, on the other hand, wants to be independent of the United States, and has chosen the more expensive route of using nonenriched nuclear materials to generate electricity, since the United States is the principal source of enriched materials.

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Because of this dependency, the West Germans will be subject to political pressure and veto by the United States.

The subjugation of West Germany to dominant American interests will make it easier for the Kremlin to seek a deal between the two superpowers.

Of the five high industrial nations—the United States, Soviet Union, Germany, Great Britain, and France—only Germany will be barred from the production of fissionable materials.

Even without the East-West conflict, the Germans will be placed at a disadvantage relative to France, which refuses to sign the treaty.

Although the United States estimates the cost of safeguards at 1 percent of the sales volume of the peaceful nuclear industry, the Germans say a more realistic figure is 5 percent.

For these reasons, the Germans are very hesitant to sign a treaty which would treat them as a second-class power. Their security would be tied forever to that of the United States; they would have little room for diplomatic maneuvering. Their scientists would be cut off from basic research; their economic capability would be stunted; they would be at a disadvantage with regard to France; and they would be ripe for Soviet harassment. The Germans may sign this treaty, but I think it would be against their best interests to do so. They have already tied the main part of their defense to NATO, and circumstances put them under pressure to continue. Despite our pledge to support NATO, can we really guarantee its survival for 25 years? This is NATO's 20th anniversary, and it has already been grievously weakened by the military withdrawal of France. The day may come, against our will, when the only NATO members are the United States and West Germany. We would not want that to happen, but we must put ourselves in West Germany's position and examine all the possible outcomes.

Eleventh. The ambiguity about our right to continue our present nuclear arrangements with NATO is still very much in doubt. The failure of my understanding to be accepted leaves the future of this treaty and of our NATO commitment in doubt. If you go back over the history of the negotiations, it is clear that the Soviets had one aim, one goal which they sought to obtain. That goal was to bar West Germany from access to nuclear arms in any shape or form. Over and over again, the Soviet representatives specifically mentioned their desire to block West Germany from obtaining nuclear arms, despite the fact that West Germany has already pledged itself not to acquire such arms. The Soviet draft treaties specifically barred the use of military alliances to obtain participation in the use of nuclear arms. The Soviet representatives attacked U.S. draft treaties on the grounds that they left "loopholes" for West Germany, and permitted "indirect access."

Mr. President, I have made a list of such attacks from the Soviets and their allies, as mentioned in the official ACDA history of the public negotiations. The ACDA history is a brief handbook, and it doubtless omits relevant material. Nevertheless, even this brief work shows the Soviet obsession with the question.

Mr. President, I ask unanimous consent that the list of Soviet attacks on West Germany through the Nonproliferation Treaty negotiations be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 3.)

Mr. THURMOND. Mr. President, when the United States and the U.S.S.R. agreed on the common draft which was the basis of this treaty, these attacks disappeared. The Soviets at long last had a treaty which did not have "loopholes" from their point of view. The text was more general than their earlier versions, but it did not contradict their point of view on the transfer of nuclear weapons as regards West German territory. As I pointed out in my earlier remarks, the broad interpretation of transfer is easily construed as prohibiting all transfers, even of the physical hardware. This interpretation fits the Soviet view down to the announcement of the common Soviet-United States draft treaty.

The United States, on the other hand, gave up all the qualifications it had formerly insisted upon. Although we have given a restricted interpretation of the treaty, the text alone does not support it. How can we tell what the intent of the negotiators was when we know that the two sides had conflicting intentions?

In point of fact, the Soviet negotiators and the U.S. negotiators did not agree on anything substantive. There was no meeting of minds on the key issue. They agreed only on an ambiguous language that masked the conflicting intentions of both. This conflict is bound to emerge at some point in the future.

Mr. President, the obligation of the Senate to advise and consent in the treaty-making process is a most serious duty, and after much reflection and examination of all the issues, I have concluded that I cannot vote for the resolution of ratification.

EXHIBIT 1

[From Orbis, winter, 1968]

THE NONPROLIFERATION TREATY AND FISSION-FREE EXPLOSIVE RESEARCH

(By William R. Van Cleave)

On January 18, 1968, President Johnson announced that agreement on a draft nonproliferation treaty had been reached by the United States and the Soviet Union.[1] "Agreement" by the two superpowers does not assure either the entry into force of the treaty (ratification by all signatory nuclear-weapon states and forty other states) or its effectiveness even if ratified. Nor does it by any means resolve the major problems and questions associated with a nonproliferation treaty. Indeed, these matters must now be more soberly examined than before. Many specialists on nuclear affairs have argued that the draft treaty presented to the Eighteen Nation Disarmament Conference at Geneva does not adequately take into account certain realities of the situation and thus may be self-defeating in its aims.

The problem of securing the adherence of all nuclear-weapon states (e.g., China, France) to the treaty has been widely discussed, as has the difficulty of obtaining signatures from states actively considering the weapons option (such as India) or seeking to avoid constraints on their industrial nuclear research and development.[2] The draft treaty attempts to deal with these problems. But the whole effort raises the question whether the emotional satisfaction of obtaining a treaty signed by a majority of nations should take precedence over the weakening of the treaty (in order to gain wider acceptance) and the generation of serious minority dissent.

Even the question of the development of nuclear explosives for peaceful purposes—the U.S. Plowshare program—has been widely discussed in relation to the treaty. A recent report in the *Bulletin of the Atomic Scientists* examined the peaceful application of nuclear explosives in excavation and earth-moving, tapping natural resources and scientific experimentation, and then speculated on the impact of Plowshare on nonproliferation negotiations.[3] While the Plowshare question has been one of the more intractable in negotiations, the new draft treaty does concern itself with preserving potential Plowshare advantages to signatory nations (Article V).

I

What the treaty does not deal with, and what has not been treated candidly in negotiations and public discussions, is the effect that certain ongoing scientific research will have on the objectives of the treaty. This is particularly true in the case of research on pure-fusion explosives, i.e., nuclear explosives that are devoid of fissionable materials.

Nuclear research in general remains one of the most complicated problems of the treaty. The present draft omits "peaceful" nuclear research from treaty safeguards, while at the same time pledging nonnuclear-weapon signatories "not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices." Article III of the draft is clear: "Procedures for the safeguards required by this Article shall be followed with respect to *source or special fissionable material*. . . ." (Emphasis added.) Article IV supplies additional assurance that only materials, not research, shall be affected by the safeguards: "Nothing in this Treaty shall be interpreted as affecting the inalienable right of all Parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes. . . ."

This provision is acceptable to the Euratom countries, as well as most advanced or developing civil nuclear powers. "The Germans believe that the best way to avoid the abuse of controls is simply to regulate the entry and exit of nuclear fuels, while industrial and research installations remain exempt from inspection."[4] Euratom formally announced to the North Atlantic Council on October 31, 1967, that Euratom controls could not be supplanted by the control powers of the International Atomic Energy Agency (IAEA), which include Soviet bloc countries, and that any controls must pertain only to materials not to research. Thus, it seems, nuclear research that can be justified on peaceful grounds, regardless of its potential weapons implications, will have considerable freedom under the treaty.

The reasons for this are fairly clear. Non-nuclear-weapon states, as well as the nuclear-weapons powers, are loathe to have their scientific and technological research restrained or even in many cases closely observed by other powers. Moreover, an inspection and safeguards system that tried to watch over such research would be very demanding and difficult to set up at a time when controls over materials alone remain to be worked out.

Yet, this treaty provision may raise more problems than it successfully avoids. There is no clear dividing line between strictly peaceful and militarily useful nuclear re-

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search. The Plowshare controversy is only one example of this fact. Even research directed at civil goals can place a nation in an advanced state of "eight-months pregnancy." It is entirely possible that nonprohibited scientific research could produce distinctly advanced nuclear-weapons options or an entirely new approach to nuclear weapons. On the other hand, it is manifestly impossible (and, in the view of many, undesirable) to stop nuclear research that seems to have peaceful promise—whether or not it may also have some military significance. In fact, reliance on such research and development is a fundamental tenet of the U.S. Atoms for Peace program.

The draft nonproliferation treaty neither resolves nor clarifies this problem. It ignores it. In particular, it neglects an area of research that may some day demonstrate very clearly the peaceful-military ambivalence of nuclear research: pure-fusion explosives.

In addition to the overriding desire on the part of U.S. and USSR statesmen to secure a treaty without upsetting the applecart, there appear to be three basic reasons for ignoring this problem in treaty discussions. The difficulty and unpopularity of including scientific research within the compass of the treaty's safeguards system have already been noted. The other two explanations are the assumption that "Nth countries" must follow the fission-weapon route developed by the present nuclear-weapon states, and the disparagement of pure-fusion research in terms of its weapons significance.

Even though China demonstrated the fragility of notions about Nth country weapons development by starting with uranium rather than plutonium bombs and moving quickly to thermonuclear weapons, it has been commonly assumed that any violator of the nonproliferation treaty must follow a single, well-marked path. The plutonium fission-explosive path seems obvious because success is virtually certain. Even if successful development of gas centrifugation for the enrichment of uranium leads to the dispersal of U–235 plants, and thus the possibility of following a uranium-fission path, the essential procedure would remain the same. Presumably, the path for the would-be nuclear-weapon power would be the diversion of sufficient fissile material to stockpile bombs clandestinely, or simple abrogation of the treaty.

The draft nonproliferation treaty is based on this technical assumption. Leaving aside the question of the treaty's effectiveness even if this assumption is granted, the purpose of the present discussion is to question the assumption and call attention to the implications of current research on pure-fusion explosives.

II

The articles of the treaty, and the controversies that have surrounded these articles, are directed toward preventing or inhibiting other countries from doing what has been accomplished by all present nuclear powers: producing nuclear explosives that require fissionable material for their operation. The draft treaty has not addressed itself in any serious way to preventing or inhibiting countries from doing what has *not* been accomplished: successfully developing nuclear explosives that do not require fissionable material. This yet-to-be-developed class of explosives is that of fission-free fusion devices. In contrast to fission explosives, which have used kilogram quantities of plutonium and enriched uranium derived from reactors and isotopic separation plants that are relatively few in number and thus subject to safeguards, pure-fusion weapons could use gram amounts of heavy hydrogen, which is more easily and surreptitiously obtainable—and may permit much cheaper devices.

The concept of pure-fusion explosives received widespread publicity several years ago when controversy developed over the concept of the "Neutron Bomb," at that time described as an anti-personnel weapon without destructive anti-property characteristics.[5] Some argued that this concept promised a revolutionary advance in nuclear weaponry. Others debunked the idea on grounds of infeasibility, impracticality or undesirability. The controversy was linked to the debate over the test moratorium and projected test ban treaty: Some did not want test ban negotiations complicated and jeopardized by the neutron bomb. Others feared that a comprehensive test ban would prevent the United States from developing a potentially advantageous weapon with no guarantee that the Soviet Union was not forging ahead with it. The development and even the testing of such a weapon could proceed without detection.

Despite the potential usefulness of such an explosive device for Plowshare programs or power generation, the debate was limited to weapons applications until it receded from public notice after 1961. For several years the subject of pure-fusion explosives received scant public attention. For one thing, development of a pure-fusion device encountered great technical difficulties, as was pointed out in a widely read article published in 1964 by two key Presidential scientific advisers.[6] While there have been several public reports of progress in controlled fusion research, there is very little available in the public domain concerning a U.S. pure-fusion explosive or neutron bomb program.[7]

In June 1967, a paper was published by S. T. Cohen of The RAND Corporation, which briefly discussed the neutron bomb, related pure-fusion explosives to peaceful uses, and described pure-fusion explosive research being conducted under Euratom auspices at the Laboratori Nazionali De Frascati Del Comitato Nazionale Nucleare in Frascati, Italy.[8] The paper caused a great deal of controversy.[9] However, the controversy was short-lived and the practical implications the paper raised for the nonproliferation treaty and for U.S. Atoms for Peace policies were ignored. Despite the potential embarrassment these implications could cause political leaders, they seem far too important to be dropped so abruptly. Pure-fusion explosive research, the potential of the neutron bomb, and the Frascati work should be examined more carefully in view of the present draft nonproliferation treaty.

First, a brief description of the pure-fusion explosive concept is in order. Whatever the political-military controversies surrounding the concept, the pure-fusion neutron bomb would differ technically from fission weapons in the following ways: (1) The energy would be released primarily as an instantaneous burst of radiation, rather than as blast and heat. (2) Nuclear processes that may produce no radioactivity, in contrast to the vast amounts created by fission weapons, would be involved. (3) The cost in scarce nuclear materials would be far less than that of fission or fission-fusion bombs.[10] Whereas the energy release from a fission explosion is about 80 per cent blast and heat and 5 per cent or less neutrons, blast and heat may comprise only about 15 per cent and neutrons 80 per cent of the energy yield of a pure-fusion explosion.

These characteristics may give both peaceful and military significance to pure-fusion explosives, if such devices can be developed in practical forms. Or, depending on the forms of devices developed, it is possible that peaceful but not military utility may be derived. This presently unanswerable question poses a dilemma.

The Frascati program is directed toward peaceful application of pure-fusion explosives. But regardless of its intent, the possibility of military applications, if not of an innovative breakthrough in nuclear weapons technology, exists. This raises some disturbing questions about the draft nonproliferation treaty.

First, since the draft treaty (Article II) specifically obligates nonnuclear-weapon countries "not to manufacture or otherwise acquire nuclear weapons or *other nuclear explosive devices*" (emphasis added), could the Frascati effort be prohibited under the treaty?

Second, if such research is to be prohibited or monitored, what would this require of the treaty safeguards system, and how might the proposed attempt to control such research affect national policies toward the treaty?

Third, if such research, which seems to have military implications, is not to be prohibited or safeguarded, what does this imply for the treaty's usefulness and viability?

Fourth, due to the obvious technical problems associated with the development of pure-fusion explosives, certain classes of these devices may have no military utility. If this is so, should the treaty wording be modified to permit development of these types of nuclear explosives?

Fifth, it is curious that both the United States and the Soviet Union, which are acquainted with the Frascati project, have made no known effort to take such programs into account in the Geneva negotiations. How can this be interpreted? Does it represent considered approval, or unconcern for the implications of the research, or reluctance to disturb treaty negotiations, or such a primary concern with the fission weapon problem that pure-fusion developments seem unimportant?

These are puzzling questions for which there seem to be no answers from official sources. Pointing to the technical difficulties of pure-fusion development is not an adequate answer. These might be solved at any time. Apparently the United States, despite several years of work, has not achieved success in pure-fusion. If this example is used as the criterion, success at Frascati or elsewhere does not seem likely in the near future. But solutions to seemingly unyielding technical difficulties have appeared quite suddenly in the past; thus it is presumptuous and dangerous to cite technical problems as a reason for avoiding important questions.

III

In a sense, the present status of pure-fusion research bears some similarity to the efforts leading to the test of a fission device and later to the test of a thermonuclear device, which involved the problem of producing fusion reactions. The pure-fusion problem seems considerably more formidable, and no solution has been publicly announced either for the production of minimal yields in bulky containers for peaceful purposes or for a range of yields in more compact containers for military purposes. As evidenced by the number of known research efforts, the problem of using nonnuclear means to produce nuclear fusion explosions seems solvable in theory. But there is no definitive answer as to when a practical demonstration will take place.

It might be recalled, however, that a similar question was central to the debate over the thermonuclear superbomb. In 1949 and 1950 there was much controversy about the production of a thermonuclear (fission-fusion) explosion. Many scientists felt the state-of-the-art precluded a thermonuclear device of practical military utility. Others were more optimistic. But it was not possible to resolve the dispute until in 1951 a new technique suddenly appeared and changed the state-of-the-art. What followed should be kept in mind when questioning pure-fusion practicality. As S. T. Cohen expressed it, "Somewhat less than two years after the zenith of doubting occurred the doubters were silenced by the 'thermonuclear breakthrough' at Los Alamos. Who knows when

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Footnotes at end of article.

such a breakthrough may occur in the pure-fusion area?"[11]

The dream of producing fusion energy has produced a variety of schemes over the years. The Soviet Union initiated work on a pure-fusion explosive a number of years ago, using a heavy explosive assembly directly to implode and heat a small amount of deuterium and tritium (the heavy hydrogen isotopes).[12] More recently, there has been speculation on the use of lasers to initiate fusion.[13] At Frascati, Dr. J. G. Linhart has been investigating the possibility of producing small fusion explosions through the use of highly intense magnetic fields, the "Megagauss technology."[14]

The Frascati program is apparently aimed toward contained pure-fusion explosions for the production of electrical energy. The characteristics of these explosions seem to permit a unique type of "nuclear reactor" where convertible energy is produced by pulsed, very-low-yield explosions of pure-fusion, at costs perhaps more than competitive with advanced nuclear fission reactors.[15] There appear also to be important isotope breeding advantages to fusion reactors. On the face of it, therefore, there seem to be good reasons for this approach to the production of heat and electricity. What is not yet known, in addition to the very feasibility and requirements of contained pure-fusion explosions, is the cost of producing such explosions. Until such factors are worked out, the practical advantages of the system cannot be conclusively determined. But then, who could determine in 1942 what future Fermi's atomic pile, under the grandstand at the University of Chicago, had for producing nuclear power?

Whatever the promise of these approaches, if the timing of success cannot be predicted, neither can it be precluded—nor should it be excluded—from considerations of the nonproliferation treaty. To what extent should a nonproliferation treaty take pure-fusion explosion research into account? Should the ban on all nuclear explosives be modified to permit certain explosives to be developed—or certain types of certain explosives? If such a modification is to be made, should the United States actively collaborate with other nations in the development of pure-fusion devices that hold a promise of peaceful utilization? What are the risks that this research might lead to the development of new weapons?

Although public discussion of pure-fusion explosives has thus far centered on the military application of the neutron bomb, it is possible that at least the first generation devices may be so bulky and complex as to render any military application infeasible. A workable device of the Frascati variety appears to require a ton of heavy explosives, a large containment unit, equipment for producing and injecting plasma, and a complex electrical system. These characteristics suggest a machine much too large and expensive and producing too small a nuclear yield to offer military advantages.

This might suggest that the blanket prohibition of all nuclear explosive devices in the draft nonproliferation treaty is open to serious question, particularly if it is used to inhibit scientific research of this type. On the other hand, if such research and development activities continue freely, and result in military breakthroughs, the idea of a blanket prohibition may be vindicated—but too late.

There may be no practical military uses for pure-fusion explosions in the foreseeable state-of-the-art. But if pure-fusion explosive development proves comparable to previous experiences with nuclear weapons, one might anticipate improvement, refinement, or even breakthrough toward weaponization. By no means can it be assumed that subsequent designs of pure-fusion explosives will be confined to the cumbersome technology of the first successful device. In short, if pure-fusion explosive research is pursued, such explosives may eventually be put to both peaceful and military uses. The implications of this for proliferation will be great. Whatever the technical advantages of pure-fusion weapons over fission or fission-fusion weapons, their cost may be substantially less and clandestine diversion and smuggling of the necessary materials would be far easier, since only very small amounts of relatively weak radioactive materials would be required.

IV

In conclusion, there are compelling reasons for taking such research into account in deliberations over the nonproliferation treaty. It is a simple fact that research on pure-fusion nuclear explosives—whatever the chances of success of such work and whatever utility early devices might have—is being conducted by prospective signatories of the treaty.

The Frascati work is notable if only for the fact that no attempt seems to have been made to consider it in relation to the draft nonproliferation treaty. If the program is eventually successful, it will include nuclear explosive testing. Will the conduct of these tests also be ignored? Does the current tacit acceptance of this research extend also to testing? If so, there seems to be no reason why other nations cannot pursue the development and testing of pure-fusion nuclear explosive devices. What might this mean for nuclear proliferation and the nonproliferation treaty?

One can imagine the outcry if a non-nuclear-weapon nation which had signed the treaty established an open laboratory for research and development of fission explosives. Such an effort, which would have predictable success and obvious military implications, would be interpreted as a clear violation of the treaty. It seems highly inconsistent that *fission*-explosive research is clearly outlawed, while *fusion*-explosive research is not, when the draft treaty does not make an explicit distinction between the two. Does this mean that a line has been tacitly drawn somewhere between a guaranteed success and an anticipated but unpredictable development? If so, where? And why is this not made explicit in the treaty? What time element is presumed to make the critical difference between one and the other? Or has no consideration been given to the matter at all?

It is understandable that those favoring the current draft treaty would wish to postpone reference to pure-fusion explosive research. The matter would greatly complicate negotiation of the treaty. It could be argued that, barring undisclosed developments, a workable pure-fusion device has not been achieved, and one with military significance cannot be expected for a number of years. This could be buttressed with the observation that the major nuclear-weapon powers have apparently not assigned major importance to the development of pure-fusion weapons—although, as noted above, a U.S. program for the development of these weapons has been publicly revealed. Moreover, the work at Frascati, for example, has been open and in collaboration with Euratom, and neither the United States nor the Soviet Union has voiced objections to it. The attempt to stop such research would be not only politically unwise but also technically undesirable. Important peaceful benefits may one day flow from it.

If this is the case, should not the United States openly and actively collaborate with such research? The efforts of the United States to promote the peaceful atom have had mixed blessings, but the peaceful atom remains U.S. policy and the draft nonproliferation treaty supports and internationalizes this policy. International collaboration on pure-fusion explosive research would give it a sanction and respectability that a nationally conducted program would not have, and thus perhaps ease any later misunderstandings that might arise from it.

Why not make it clear at this time how pure-fusion explosive research fits into the nonproliferation treaty? Why run the risk of treaty disruption when one party later charges that another is manufacturing (pure-fusion) "nuclear explosive devices" and is thus in violation of the treaty? All parties should expect the clearest possible statement concerning permissible activities under the treaty. If there is to be a distinction drawn between work directed toward one type of nuclear explosive device and another type, it should be made explicit. In the case of pure-fusion explosive research, the formula "what is not explicitly prohibited is implicitly permitted" is likely to produce more problems in the long run than it may seem to avoid during negotiations.

Whether the treaty makes such distinctions or not, United States policymakers should. If scientific and other peaceful purposes are being served by pure-fusion explosive research conducted abroad, it might benefit all concerned for the United States to cooperate in furtherance of it. Such cooperation might also help to heal political wounds caused by what some European allies consider an inequitable military nuclear policy.

At the same time, it is important to be aware of potential military applications. An important weapons breakthrough could be achieved. The destabilizing consequences of this may be greater in the case of a purely national (or even exclusively Euratom) program than one with which the United States had been collaborating. It is always a delicate question whether to support research because it might have peaceful benefits or to try to restrict it because it might result in a threat to international security. At least, U.S. collaboration would ensure that research progress is being monitored to determine whether prospective devices hold military promise.

Technological progress often has the unsettling effect of changing the conditions upon which arms control proposals and treaties are based. Changes in this area occur so quickly that politics and policies are outdated before national authorities recognize this fact. Reluctance to face squarely the potential ramifications of pure-fusion explosive research because this might jeopardize a currently high-priority arms control objective can only increase the probability of future embarrassment or failure.

FOOTNOTES

[1] Draft Treaty on the Non-Proliferation of Nuclear Weapons," January 18, 1968, and "Statement by the President on the Presentation to the 18-Nation Disarmament Committee of the Non-proliferation Treaty," released by the White House Press Secretary, January 18.

[2] India's initial reaction to the draft was that it did not intend to sign the treaty because of security considerations. "India Won't Sign A-Ban Treaty, Official Says," *Los Angeles Times*, February 9, 1968, p. 22. For a statement of the West Germans' concern over treaty-imposed constraints on their civil nuclear program, as well as other objections to the treaty ("there are serious doubts in Germany as to whether the conditions for the conclusion of the treaty still exist"), see Dietrich Schwarzkopf, "Nuclear Defense Through German Eyes," *Interplay*, January 1968.

[3] "A Special Report on Plowshare, Prospects and Problems: The Nonmilitary Uses of Nuclear Explosives," by David R. Inglis and Carl L. Sandler, *Bulletin of the Atomic Scientists*, December 1967. pp. 46–53.

[4] Schwarzkopf, *op. cit.*, p. 14. But, "from the German viewpoint, the guarantees of this 'inalienable right' are still inadequate."

[5] See, for example, "Neutron Bomb, Nuclear

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Tests—Next Decision for U.S.," *U.S. News & World Report*, July 17, 1961.

[6] Jerome B. Wiesner and Herbert F. York, "National Security and the Test Ban," *Scientific American*, October 1964.

[7] For example, T. K. Fowler and R. F. Post, "Progress Toward Fusion Power," *Scientific American*, December 1966; and "Scientists Expect Way to Curb H-Bomb Energy in 3–5 Years," *New York Times*, February 4, 1968, p. 66, reporting on an American Physical Society conference. In September, the Atomic Energy Commission publicly reported research on pure-fusion weapons, but indicated that the status of these programs is classified. "U.S. Discloses Its Weapons in Nuclear Arsenal," *Los Angeles Times*, September 6, 1967, p. 1.

[8] S. T. Cohen, "The Peaceful Neutron Bomb: A New Twist on Controlled Nuclear Fusion" (Santa Monica: The RAND Corporation, P–3510, June 1967).

[9] Perhaps because of a somewhat misleading newspaper report: "Euratom Plans Clean Bomb," *Washington Post*, September 10, 1967. See also "European Commission Corrects Press Reports," The European Community, Press Release, September 11, 1967.

[10] Cohen, *op. cit.*, p. 1.

[11] *Ibid.*, p. 9.

[12] L. A. Artsimovich, "Research on Controlled Thermonuclear Reactions in the U.S.S.R.," *Proceedings of the Second UN International Conference on the Peaceful Uses of Atomic Energy*, United Nations, Geneva, 1958.

[13] "High Temperature Laser Plasma Program," Research Progress Report, Maryland Institute of Technology, January 1, 1967.

[14] J. G. Linhart, "Megagauss Fields," *Physics Today*, February 1966.

[15] Cohen, *op. cit.*, pp. 2–4. Also, see the Annex describing the work at Frascati, included with The European Community Press Release of September 11, 1967, *op. cit.*

EXHIBIT 2

ITEM 1

To: Hon. STROM THURMOND.

Discuss the role of nuclear research as it influences other technologies.

The principal effects of nuclear energy upon other sciences and technologies all depend on nuclear fission. When an atom of uranium or plutonium splits apart, or fissions, energy is emitted in several forms. It can appear as heat, as radiant energy—such as light and X-rays, in the energy of rapidly moving nuclear particles—electrons, neutrons, and debris from fission, and in the energy of radioactive decay of the radioactive debris left after fission.

Our modern technologies have put these various forms of energy to use in many different ways. I have listed below some of the principal fields of use.

1. Civil engineering

The use of nuclear explosives for civil engineering works has been so much identified during discussions of the non-proliferation treaty that it needs no further discussion. Other less spectacular uses of nuclear energy are largely found in non-destructive testing apparatus for highway and other construction. Small amounts of materials that have been made radioactive by putting them inside a nuclear reactor, better known as radioisotopes, can be used to measure densities of materials, to examine specimens for cracks or voids, or to measure moisture content of soils or cement.

2. Food

Radiation from radioisotopes manufactured in a reactor, or recovered from radioactive debris of fission is being used experimentally to extend the shelf lives of some foods, and to sterilize others. Irradiation of grains, for example, can also cut food losses from insects. Irradiation of potatoes and certain fruits can prolong their useful lives. In another connection, radiation has been used to control one insect pest by sterilizing large numbers of insects and releasing them to mate with others, with a resulting dramatic decrease in the insect population.

3. Health

Radioisotopes are routinely used in the practice of medicine. Radioactive iodine, for example, finds daily use in diagnosis and treatment of certain thyroid conditions. Radioactive cobalt is widely employed in treatment for cancer. Other radioisotopes provide a portable source of radiation for x-rays. The AEC reports a new cancer therapy facility for low exposure rates of whole body irradiation of patients with chronic leukemia has been developed and is in use.

Recent research points the way to artificial hearts which derive their energy from radioisotopes that might be implanted into the body. Other radioisotopes are being used to heat the suits of skin divers.

4. Housing

In addition to non-destructive testing for construction by means of radioisotopes, nuclear energy has been applied to create new products which may affect housing. One is a wood-plastic combination which takes on desirable new properties when exposed to intense radiation. Three companies are now manufacturing products from this material. One example of wood-plastic combinations was the floor of the U.S. exhibition at the Worlds Fair in New York. Another, newer product is the recently announced concrete-polymer material. Preliminary experiments indicate marked improvements in the properties of this form of concrete. Preliminary tests show compressive strength increased up to 190 percent, tensile strength increased up to 220 percent, absorption reduced as much as 95 percent, abrasion resistance increased from two to five times, and greater durability in freezing and thawing tests.

5. Manufacturing

Radiation from radioisotopes are being used in industry to process materials so as to obtain new and desirable properties. One example is in the irradiation of plastics to increase their ability to withstand high temperatures, or to otherwise change their normal properties. Another application is to control process machinery. One of the earliest applications was using such radiation in a thickness gage to control the thickness of paper in a paper mill. This same idea has been extended to controlling the thickness of metals being rolled in a rolling mill. Another application is in non-destructive testing and inspection of castings.

The employment of radioactive isotopes offer advantages in industry—which must, of course be balanced against economic advantages or disadvantages—such as:

Low temperature initiation.

Solid-phase initiation.

A product with no catalyst impurities.

Adjustment of the rate of a reaction by variation of the radiation from the external sources.

Irradiation of a material in place in its final container, or in its final shape.

Producing a reaction which is unique to the use of radiation and cannot occur by other means.

6. Power

Advocates of nuclear energy claim that it has relieved mankind of the threat of running out of fuel to supply the energy required by our energy intensive civilization and economy. Thus one major reason for the Atomic Energy Commission's interest in the breeder reactor idea is that in principle one could "burn" all the uranium and thorium present in the earth's crust for fuel.

The nuclear reaction of fusion in which atoms of light elements fuse together with release of energy also promises to be an even greater supply of energy for mankind if the fusion process can be controlled for this purpose. We know full well the power of the fusion process in a weapon.

Another energy related use is to employ nuclear explosives to release natural gas and perhaps to heat oil or tar sands so as to obtain fuels from them.

The radioisotopes recovered from fission debris or certain others made in reactors or with accelerators can also be used as power supplies for special purposes where high costs of energy are less important than a compact, long lived supply. Thus heat given off by radioactive decay in strontium, for example, can be converted into electricity for use in navigation aids on the sea floor, and other radioisotopes are used to provide energy for space satellites.

7. Research

Radiation from radioisotopes has provided an immensely powerful tool for research in the life and physical sciences and in engineering. While natural radioactive materials such as radium and a few artificial radioisotopes made with accelerators were available in the late 1930's, their cost and very small supply greatly limited their use. The nuclear reactor now provides a virtually unlimited source for many different radioisotopes that furnish the scientist with many kinds and qualities of radiation.

Minute quantities of radioisotopes or tracers, can be introduced into life and physical processes so that the inner workings of a process can be better understood. Thus agricultural scientists have used them to trace the entry and fate of fertilizers in plants, chemists have used them to see what happens in various chemical reactions, engineers have used them to measure flow of fluids, metallurgists have used them to measure the transfer of materials between rubbing surfaces. The possibilities for applications are limited only by the imagination of the user.

8. Service and maintenance

The increasing growth of service industries in our national economy and the need to increase their productivity is opening new opportunities for new uses of radioisotopes. For example, in plumbing certain radioisotopes that quickly lose their radioactivity can be introduced into pipes to locate leaks, instruments using radioisotopes can measure the wall thickness of pipes and boilers and detect spots weakened by corrosion, ventilation rates can be measured with radioactive tracers, and such tracers also can provide early warning of wear inside an engine. Radiation from larger sources is being used for routine inspection of jet engines for aircraft and to check airframes.

9. Space

Energy from fission and radioisotopes may also drive the engines for vehicles that will probe deeply into space and visit the outer planets.

10. Transportation

Radioisotopes are beginning to find uses in transportation. For example, they provide the energy for luminescent signs in aircraft to mark doors and exits, railroads have experimented with them as light sources for signals at track switches, the Coast Guard is experimenting with them to supply power for unattended buoys and lightships. Nuclear fission drives the experimental merchant ship, the N.S. *Savannah*, which is now in routine commercial use.

ITEM 2

Discuss the development of the nuclear industry in the United States.

The American nuclear industry was conceived during the Manhattan Project of World War II. By 1946 uranium mining and prospecting were going on and government owned factories to mill the ores, extract the uranium, separate out the fissionable content and convert uranium-238 into plutonium were in existence. The commercial nuclear industry began to expand with revision of the Atomic Energy Act in 1954 to permit private ownership of nuclear reactors and possession and to encourage use of nuclear fuel materials. The AEC has followed a deliberate policy of encouraging private industry to provide necessary products and services, and has withdrawn from competition as private suppliers have proven adequate to supply civil needs. The first part of the industry to become wholly private was the mining and milling of uranium. At present, all manufacturing capabilities needed for civil use of nuclear energy are privately available except for separation of the fissionable component of uranium, and disposal of the intensely radioactive wastes left over from reprocessing of used nuclear fuels.

For 1967, the value of selected atomic energy products was $356 million of which $119 million was to Government agencies and $35 million was export trade. This industry includes prospecting for uranium ores, mining them, extracting the uranium, separating out its fissionable component and converting other forms into fissionable plutonium, manufacturing radioisotopes, manufacturing nuclear reactors for power and for research, fabricating fissionable materials into fuel products for reactors, and disposing of radioactive wastes.

The estimated cost of nuclear power plants announced by utilities during the first nine months of 1968 totaled about $2 billion, bringing the estimated investment in nuclear power plants operating, under construction or planned to about $12 billion.

ITEM 3

Discuss the share of the nuclear industry in the Gross National Product.

For 1968 the GNP was $860.7 billion. While the selected shipments for the atomic energy industry for 1967 do not represent the whole of the industry, for they do not include Government enriching and plutonium manufacture, the $356 million should be more than half. Assuming then that the American nuclear industry had a level of from $356 million to $700 million, and realizing the inaccuracies in comparing such a figure directly with the GNP, nevertheless, it appears that the nuclear industry is presently less than one percent of the GNP.

ITEM 4

Discuss the spin off of new industry growth from the nuclear industry.

Since the beginning of the Manhattan project which created the atom bomb, some of the technology and products originated or perfected for nuclear energy have moved into general use. One example is the large scale use of fluorocarbons which led to teflon and related products. A whole new, although small, instrumentation industry has been created. Remotely controlled manipulators perfected for use in places of intense radiation have been adapted to undersea research vehicles. Very recently the AEC announced that a high-speed centrifuge developed at Oak Ridge has been put to a new, important use, which is research in the control of insect pests. The U.S. Department of Agriculture Forest Service is now using the centrifuge to concentrate and purify viruses in large quantities for use in viral insecticides that can attack a specific insect species while not harming other species. The immediate target pest is the tussock moth, which kills Douglas fir trees.

EXHIBIT 3

SOVIET ATTACKS ON GERMANY THROUGH THE NPT

August 29, 1957—Soviet representative Valerian A. Zorin attacks Western disarmament proposals, charging that the United States had already transferred nuclear weapons to the Federal Republic of Germany.

July 19, 1962—Zorin attacks West Germany and proposes an agreement among the nuclear powers "not to deliver nuclear weapons, control of them, or information necessary for their manufacture to states which at the present time do not possess them.

July 11, 1964—Soviet opposition to the Multi-Lateral Forces (MLF) centers on the participation of West Germany. Soviet note to the United States charges that West German "military and political circles" regard the MLF as only a beginning and checks a dominant role in the project.

June, 1965—Soviet representative Semyon Tsarapkin to the Disarmament Commission attacks the United States for leaving the door open for a MLF or Atlantic Nuclear Force (ANF) and questions Secretary of Defense McNamara's recent proposal for a special NATO Committee to study nuclear planning, especially because West Germany would participate in the Committee.

August 17, 1965—Semyon Tsarapkin asks whether the U.S. draft of the treaty provides the prohibition of "direct" access to nuclear weapons through a MLF with West Germany participation. He says that the draft treaty is unsatisfactory on this point because it leaves open the door for the MLF. He insists that a non-dissemination agreement must not allow any loopholes or exceptions. He says it is necessary to ban direct access and that the MLF would give West Germany and other non-nuclear NATO countries access to nuclear weapons.

September 24, 1965—Soviets submit draft treaty to U.N. In the First Committee, Soviet Ambassador Fedorenko says the American position aims at "legalizing access to these weapons and in the first analysis to participate in the position of management and utilization of them by the non-nuclear powers of NATO—and first of all by the Federal Republic of Germany." He says that the Soviet draft treaty would make it impossible to create a MLF or an ANF which would enable non-nuclear powers, above all, the Federal Republic of Germany, to obtain nuclear weapons.

September 8, 1965—Soviet Foreign Minister Gromyko tells the Supreme Soviet that West Germany's desire to participate in an MLF was in effect a vote against the General Assembly Resolution on disarmament and was an attempt to "torpedo" a Non-Proliferation Treaty. He says that the U.S.S.R. not only opposes the MLF and ANF but also rejects a two-committee system for controlling nuclear weapons on West German territory. In the Soviet view, any attempt "to camouflage the (West German) accession to nuclear weapons through the establishment of some sort of committee" would contradict the Potsdam Agreement and other allied commitments to prohibit German militarism.

September 1, 1966—Premier Kosygin sends a message to the ENDC. He says that the Soviet Union is now willing to include a clause "on the prohibition of the use of nuclear weapons against non-nuclear states or parties to the treaty which have no nuclear weapons in their territory." At the same time, he attacks alleged plans to give West Germany "terrorists and revanchists" access to nuclear weapons.

September 17, 1966—Soviet Ambassador Tsarapkin says that whatever nuclear sharing plans the U.S. and its allies might have, the U.S.S.R. would never agree to West German "access to nuclear weapons" for this would increase tension in Europe, threaten European security, and nullify any attempts to conclude an effective NPT.

September 17, 1966—Zdenek Cernik, Czechoslovak representative, says that the West German desire to participate in a joint nuclear force and in the control of nuclear weapons and the making of decisions on their use within the framework of NATO shows that there are other direct ways and means of proliferating nuclear weapons.

February 17, 1966—Miesczyslaw Blusztajn, the Polish representative charges that West Germany is the only Western European country interested in nuclear sharing and that the majority of Western Europeans are against it.

March 29, 1966—Ambassador Alexi Roshchin charges that the Western Powers still wished "to leave a loophole for giving access to nuclear weapons to non-nuclear powers and in the first place, to the Federal Republic of Germany."

April 28, 1966—Rochchin says that the U.S. draft provides the possibility for the U.S., irrespective of whether unified nuclear forces are created in NATO or not, to transfer nuclear weapons to other countries; for example, the Federal Republic of Germany and for the latter, to obtain these weapons, keep them, transport them as it sees fit, and put them into its missiles or aircraft which could thus carry out flights with nuclear weapons aboard. Lastly, the Federal Republic of Germany would be able to use these weapons after receiving the consent of a nuclear power.

August 16, 1966—Rochchin says the U.S. regards the treaty as a piece of paper "but gives priority to giving West Germany the right to take part in a joint nuclear force."

September 26, 1966—Czechoslovak delegate reports that East Germany is prepared to accept IAEA safeguards if West Germany also accedes.

September 23, 1966—Foreign Minister Gromyko again says the U.S. draft treaty leaves loopholes for West Germany.

August 17, 1967—Soviets charge that use of Euratom safeguards in place of IAEA safeguards meant that West Germany was being inspected only by its Allies.

August 24, 1967—Common Soviet-U.S. Draft Treaty on the Non-Proliferation of Nuclear Weapons.

Mr. KENNEDY. Mr. President, I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. KENNEDY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. SAXBE. Mr. President, I yield back the remainder of my time.

Mr. KENNEDY. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having expired, the question is, Will the Senate advise and consent to the resolution of ratification? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

Mr. AIKEN. Mr. President, will this be the final vote on the treaty?

The PRESIDING OFFICER. The Senator from Vermont is advised that this will be a vote on whether the Senate will advise and consent to the resolution of ratification. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Arkansas (Mr. MCCLELLAN) is necessarily absent,

XUM

and if present and voting would vote "yea."

Mr. SCOTT. I announce that the Senator from Kentucky (Mr. Cooper) is detained on official business, and if present and voting, would vote "yea."

The yeas and nays resulted—yeas 83, nays 15, as follows:

[No. 23 Ex.]

YEAS—83

Aiken
Allott
Anderson
Baker
Bayh
Bellmon
Bennett
Bible
Boggs
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Church
Cook
Cotton
Cranston
Dirksen
Dodd
Dole
Eagleton
Ellender
Fong
Fulbright
Goodell
Gore
Gravel
Griffin
Hansen
Harris
Hart
Hartke
Hatfield
Holland
Hruska
Hughes
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy
Magnuson
Mansfield
Mathias
McCarthy
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Montoya
Moss
Mundt
Muskie
Nelson
Packwood
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Saxbe
Schweiker
Scott
Smith
Sparkman
Spong
Stevens
Symington
Talmadge
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—15

Allen
Curtis
Dominick
Eastland
Ervin
Fannin
Goldwater
Gurney
Hollings
Long
Murphy
Russell
Stennis
Thurmond
Tower

NOT VOTING—2

Cooper
McClellan

The PRESIDING OFFICER (Mr. Stevens in the chair). Two-thirds of the Senators present and voting having voted in the affirmative, the resolution of ratification is agreed to.

Mr. FULBRIGHT. Mr. President, I move that the President be immediately notified of the Senate's consent to the resolution of ratification.

The PRESIDING OFFICER (Mr. Stevens in the chair). Without objection, it is so ordered.

Mr. FULBRIGHT. Mr. President, I wish to extend appreciation to the distinguished majority leader and the distinguished minority leader for the way they cooperated in the handling of this very important treaty. I think all of the Senate should be proud of the fine debate that has taken place. I think this has been an exhaustive and informative debate.

Those Senators who offered reservations and understandings, even though the chairman could not accept them, are to be commended. Nearly all proposals were sound in substance, and it was for procedural reasons that I could not accept them. However, the debate which they inspired did a great deal to make a clear legislative history. I think the debate added a great deal to national understanding of the treaty. I believe a fine record has been made.

Mr. MANSFIELD. Mr. President, the distinguished Senator from Arkansas (Mr. Fulbright), the able and effective chairman of the Foreign Relations Committee, deserves the highest commendation of the Senate for the manner in which he led this treaty to final approval today. All Senators are aware of the extensive hearings and work involved in bringing a treaty of such great importance to the floor. Its handling by Senator Fulbright was distinguished most perhaps by the highly thoughtful and competent way the chairman led the discussion. Once again we are in his debt. Once again does the Nation owe to him its gratitude for such a thorough and high-level discussion of the great issues involved.

May I say also that the ranking minority members of the committee, the senior Senator from Vermont (Mr. Aiken) deserves similar high praise for his devoted efforts in behalf of this treaty. From the outset—when hearings began last summer—he joined with the able Senator from Alabama (Mr. Sparkman) in assuring a full and exhaustive study. So we are indeed grateful to Senator Aiken, to Senator Sparkman, and to the other committee members for their vast contribution to the success of this matter.

And joining specifically to assure a full discussion of all of the issues involved were the distinguished Senator from Connecticut (Mr. Dodd), the distinguished Senator from North Carolina (Mr. Ervin), the distinguished Senator from South Carolina (Mr. Thurmond), and the distinguished Senator from Texas (Mr. Tower). Their strong and sincere views are always welcome; indeed, the Senate profited particularly from their expressions concerning the issues involved in a matter as complex and important as is this treaty.

A number of others are to be similarly commended for their participation: the Senator from Massachusetts (Mr. Kennedy), the Senator from South Dakota (Mr. Mundt), the Senators from California (Mr. Cranston and Mr. Murphy) and many more should be included in this list. In fact, I believe the Senate as a whole may justly be proud of this achievement—obtained with such great bipartisan cooperation on an issue of such monumental importance to all mankind.

ORDER OF BUSINESS

Mr. DIRKSEN. Mr. President, I would like to query the majority leader concerning the program for the remainder of the week and also for next week, if possible.

VACATING OF ORDER FOR RECESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order which was agreed to earlier by the Senate to recess at the conclusion of business today until 10 o'clock tomorrow morning be vacated.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT TO MONDAY, MARCH 17, 1969

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until noon on Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORITY TO RECEIVE MESSAGES, FILE REPORTS, AND SIGN BILLS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that during the adjournment following today's session until the Senate reconvenes on Monday, March 17, 1969, the Secretary of the Senate be authorized to receive messages from the President of the United States and the House of Representatives, and that said messages may be appropriately referred.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. MANSFIELD. Mr. President, it is my understanding that several measures have been reported by the Committee on Commerce today which hopefully will be taken up on Monday next. It is anticipated that we will try to clear as much of the Executive Calendar as possible immediately upon the conclusion of this colloquy with the distinguished minority leader so that we can see to it that some of these people who have been appointed will be able to take up their jobs immediately.

There will be no further votes tonight.

Mr. AIKEN. Mr. President, will the Senator yield for a question?

Mr. MANSFIELD. I yield.

Mr. AIKEN. When does the majority leader expect to take up the nomination of Mr. Smith for the Farmers Home Administration?

Mr. MANSFIELD. I would assume on Monday.

Mr. AIKEN. I thank the Senator.

Mr. MANSFIELD. I think that can be worked out for Monday.

Mr. AIKEN. The reason I ask is that the Farmers Home Administration is not able to properly function and it is one of the most important agencies of Government.

Mr. MANSFIELD. The Senator is correct.

NOMINATIONS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of nominations on the Executive Calendar, beginning with John S. D. Eisenhower, under Department of State.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations on the Executive Calendar will be stated, beginning with the nomination of John S. D. Eisenhower.

DEPARTMENT OF STATE

The bill clerk read the nomination of John S. D. Eisenhower, of Pennsylvania, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Belgium.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

INTERNATIONAL MONETARY FUND, INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT, AND INTER-AMERICAN DEVELOPMENT BANK

The bill clerk read the nomination of David M. Kennedy, of Illinois, to be U.S. Governor of the International Monetary Fund, U.S. Governor of the International Bank for Reconstruction and Development, and a Governor of the Inter-American Development Bank.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

ASIAN DEVELOPMENT BANK

The bill clerk read the nomination of David M. Kennedy, of Illinois, to be U.S. Governor of the Asian Development Bank.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

DEPARTMENT OF TRANSPORTATION

The bill clerk proceeded to read sundry nominations in the Department of Transportation.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations in the Department of Transportation be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Department of Transportation are considered and confirmed en bloc.

DEPARTMENT OF COMMERCE

The bill clerk proceeded to read sundry nominations in the Department of Commerce.

Mr. MANSFIELD. Mr. President, I ask that the nominations in the Department of Commerce be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Department of Commerce are considered and confirmed en bloc.

INTERSTATE COMMERCE COMMISSION

The bill clerk read the nomination of Donald L. Jackson, of California, to be a member o fthe Interstate Commerce Commission.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

OFFICE OF EMERGENCY PREPAREDNESS

The bill clerk read the nomination of James D. O'Connell, of California, to be an Assistant Director of the Office of Emergency Preparedness.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

U.S. TRAVEL SERVICE

The bill clerk read the nomination of D. Langhorne Washburn, of the District of Columbia, to be the Director of the U.S. Travel Service.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

CORPORATION FOR PUBLIC BROADCASTING

The bill clerk read the nomination of Albert L. Cole, of Connecticut, to be a member of the board of directors of the Corporation for Public Broadcasting.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

DEPARTMENT OF TRANSPORTATION

The bill clerk read the nomination of James M. Beggs, of Maryland, to be Under Secretary of Transportation.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. SPARKMAN, from the Committee on Banking and Currency:

Carlos C. Villarreal, of California, to be Urban Mass Transportation Administrator;

Henry Kearns, of California, to be President of the Export-Import Bank of the United States; and

Preston Martin, of California, to be a member of the Federal Home Loan Bank Board.

FEDERAL HOME LOAN BANK BOARD

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the nomination of Preston Martin, of California, to be a member of the Federal Home Loan Bank Board. This nomination was reported unanimously by the Committee on Banking and Currency earlier today, and the reason is that it has to do with a deadline.

The PRESIDING OFFICER. The nomination will be stated.

The bill clerk read the nomination of Preston Martin, of California, to be a member of the Federal Home Loan Bank Board.

Mr. DIRKSEN. Mr. President, the incumbent chairman of the Home Loan Bank Board has resigned effective tomorrow night. Unless this nomination is taken up there would be no chairman to function for that board, and no majority.

Normally I have always insisted that these names come to us on the printed Executive Calendar, but I think it is necessary to make a dispensation here because of the extraordinary circumstances in this case.

I have no objection to a consideration of the nomination.

The PRESIDING OFFICER. The nomination is considered and confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate resume the consideration of the nominations on the Executive Calendar.

The PRESIDING OFFICER. The nominations will be stated.

NOMINATIONS PLACED ON THE SECRETARY'S DESK—IN THE DIPLOMATIC AND FOREIGN SERVICE

The bill clerk proceeded to read sundry nominations in the Diplomatic and Foreign Service, placed on the Secretary's desk.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

NOMINATIONS PLACED ON THE SECRETARY'S DESK—IN THE ENVIRONMENTAL SCIENCE SERVICES ADMINISTRATION

The bill clerk proceeded to read sundry nominations in the Environmental Science Services Administration, placed on the Secretary's desk.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEPARTMENT OF STATE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of nominations in the Department of State, beginning with Walter H. Annenberg, of Pennsylvania.

The PRESIDING OFFICER. The nomination will be stated.

The bill clerk read the nomination of Walter H. Annenberg, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Great Britain.

Mr. YOUNG of Ohio. Mr. President, it is my desire to comment briefly on this nomination.

Mr. SCOTT. Mr. President, may we have order?

Mr. YOUNG of Ohio. Mr. President, I take a dim view of the nomination of Walter H. Annenberg to be Ambassador Extraordinary and Minister Plenipotentiary to the Court of St. James. In my opinion, this nomination made by President Nixon is not a good nomination.

I am opposed to confirmation of Mr. Annenberg to this highly regarded and most important diplomatic post. This is a political nomination, pure and simple, and my vote, Mr. President, will be cast against his confirmation.

For more than 100 years our relationship with the mother country, England, has been amiable. In two world wars American and British soldiers have fought side by side.

Our Ambassador in London should be a truly great American whose achievements in American life as a private citizen, if not as a public official, have proven him worthy of advancement to the position of being personal representative of the President of the United States to Great Britain.

Incidentally, in view of our terrible and unjustified involvement in a civil war in Vietnam and the tremendous total of Americans killed and wounded in combat, it is noteworthy to observe that these are happy days for England. The year 1968 was the first year in a period of more than 300 years that not one British soldier, sailor, marine, or airman was killed in combat action anywhere in the world.

It would have seemed fitting that an outstanding American known for his achievements, service, and compassion in American life be our Ambassador in London.

Over the years, a fine tradition has been built up, and our ambassadors have in the past deserved and won the respect and admiration of Americans and of the heads of state of European nations. I feel impelled to advert somewhat briefly to the Ambassador-designate Walter H. Annenberg, who, I fear, will be confirmed in the Senate. In all truth and candor I feel that this is a bad appointment by President Nixon.

The career of Walter H. Annenberg, new Ambassador Extraordinary and Plenipotentiary-designate to the Court of St. James, has been extraordinary for his generosity to certain charities, highhandedness in exercising the prerogatives of his profession, narrow-mindedness in the treatment of his fellow men—and I could mention contributions to that "Grand Old Party" of which I am not a member, but I have no fault to find with that.

He has, however, been consistently, almost vehemently, faithful to the Grand Old Party, of which I am not a member, though not always to Richard Nixon. Under the usual political rule of thumb, reward goes to those who stand up to be counted early. Publisher Annenberg, according to my reading of newspapers, did not stand up early.

When he arrived in Miami Beach for the GOP convention last August, he was for Ronald Reagon of California and had promoted Reagan for some time.

On one occasion he invited Reagan to Philadelphia to attend a swank gathering at the Barclay Hotel to meet Tom McCabe, the Scott Tissue king, and Phil Sharples, former head of Sharples Cream Separations, both big bankrollers for the Republican Party.

Annenberg tried to keep the meeting off the record, but his city editor, Bob Holland, heard about it over the radio and assigned reporter Bob Collins to cover for the Inquirer. But publisher Annenberg objected, forbade his own reporter to interview Reagan at the airport. He could wait and see him briefly in the hotel lobby, it was stipulated.

After the hotel reception, however, Governor Reagan gave reporter Collins the brushoff on the excuse that he had already been interviewed at the airport—by the Inquirer's rival, the Bulletin.

Regardless of all this, while I cannot fathom the reason for our President nominating Mr. Annenberg to this extremely important and prestigious ambassadorial post, my present conclusion is that the reason must be political.

The British are accustomed to having American newspapermen serve as ambassadors to the Court of St. James. A long and distinguished list of publishers and newspapermen have been distinguished American ambassadors to Great Britain, ranging from John Hay, later Secretary of State, to his grandson, John Hay Whitney, who was publisher of the New York Herald Tribune.

Mr. PELL. Mr. President, will the Senator yield for a moment on this subject?

Mr. YOUNG of Ohio. Yes; I yield for a question.

Mr. PELL. No; on the same subject.

Mr. YOUNG of Ohio. Yes, I yield.

Mr. PELL. It might be of interest to note that the gentleman whose bust is in the gallery above me, George M. Dallas, also had some of the criteria of which the Senator from Ohio is speaking. He happened to be my great-great-granduncle.

Mr. YOUNG of Ohio. Yes; and he was a distinguished American statesman and patriot. I am glad the distinguished Senator from Rhode Island pointed that out.

There have also been Robert Worth Bingham of the Louisville Courier-Journal, Walter Hines Page of the Atlantic Monthly, Whitelaw Reid of the New York Herald Tribune, and George Harvey, editor of the New York World and Harper's. But Britishers frankly are raising their eyebrows over the appointment of Walter Annenberg, publisher of the Daily Racing Form and Morning Telegraph, the two bibles of the race tracks. It is true that Annenberg likes to be known as publisher of the Philadelphia Inquirer rather than the race sheets. It is also true that the new envoy should be an expert at picking the winners at Ascot. In fact, English cartoonists are already sharpening their pencils, waiting for a chance to lampoon Annenberg in frock coat and gray top hat, whispering race tips to Prime Minister Wilson. However, Anglo-American relations, at a time when President Nixon is trying to rebuild the American position in Europe, and had a productive visit with Prime Minister Wilson, should be considered too important by serious-minded diplomats to be the subject of racing jokes. And though London is accustomed to American publishers, there is a serious question as to how much Annenberg or his newspapers are really interested in foreign affairs. Certainly the Daily Racing Form and the Morning Telegraph are not. The Philadelphia Inquirer is the fifth or sixth largest morning newspaper in the United States, yet it has stationed no foreign correspondents abroad, and did not even send a newsman on President Nixon's recent trip to Europe, though a record number of newsmen—170—accompanied him.

It seems to me, Mr. President—and I am a reader of the Philadelphia Inquirer in the Marble Room—that under publisher Walter Annenberg, the Philadelphia Inquirer's chief interest on foreign affairs has been confined to sending its fashion editor to Paris to cover the fashion shows. I know of no policy relating to the interests of our Nation with that of Britain and other European nations. It seems to me that this newly designated Ambassador's fortune was built up originally not by himself, but by his father, through Chicago gang wars and illegal race wire services.

If we in the Senate were to be guided by the lamp of experience and to make our confirmation of an American ambassador to Great Britain on a high level in accord to our ambassadors over many years, I feel certain that we would realize there is no rhyme or reason for Walter Annenberg to be nominated and confirmed to this high and important post as Ambassador to the Court of St. James's.

I desire my vote to be recorded against the confirmation of this nomination.

Mr. MURPHY. Mr. President——

Mr. MANSFIELD. Mr. President, will the Senator yield, without losing his right to the floor?

Mr. MURPHY. I am glad to yield.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I call for a vote on the pending nomination of Mr. Walter Annenberg.

The PRESIDING OFFICER. Does the Senator from California yield further to the Senator from Montana for this purpose?

Mr. MURPHY. I am happy to yield.

The PRESIDING OFFICER. The question is on the confirmation of the nomination of Walter H. Annenberg, of Pennsylvania, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Great Britain.

The nomination was confirmed.

Mr. MURPHY subsequently said: Mr. President, I feel compelled at this time to speak about the gentleman whose nomination as Ambassador to the Court of St. James has just been confirmed.

I have had the privilege, and I declare it is a great privilege, of knowing him well personally over a period of 20 years. I know him to be one of the finest citizens in this great country of ours. I know of no man who has been more public spirited, who has done more for charity in his community and in other communities across the Nation. He has been interested in all progress, not only in the city of Philadelphia and the State of Pennsylvania, but also throughout the country, and he has been a great patron of the arts. He is a man of high culture who has gone to great lengths to prepare for the job for which I am so pleased to find that he has been nominated and his nomination confirmed today by the Senate.

I think to qualify a man's performance and possibility of performance on the question of whether or not he inherited wealth is not a sound basis for qualification. I think it is much more intelligent to approach the matter on the manner in which he has used his inheritance.

I know, for example, that Ambassador Annenberg has done one of his greatest

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jobs for a school in New Jersey. I know that he has helped in matters of hospitals on the west coast, and I am more than pleased that I was present today when his nomination came up for confirmation.

I am sure that if my distinguished friend and esteemed colleague from Ohio had had the privilege of knowing Mr. Annenberg as well and as long as I have, he would probably feel as I do about this appointment. I think and I sincerely hope that not only the President, but all the Members of the Senate and the people of this great country will be well served by Ambassador Annenberg when he takes over his post in the Court of St. James.

Mr. President, I yield the floor.

The bill clerk read the nomination of Jacob D. Beam, of New Jersey, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Union of Soviet Socialist Republics.

Mr. THURMOND. Mr. President, I have been deeply concerned about the nomination of Mr. Jacob Beam as U.S. Ambassador to Moscow because of the record of serious security problems that developed during his period as U.S. Ambassador to Warsaw. It is a record that does not appear to commend itself as grounds for the post as our chief representative in the Soviet Union.

Grave doubts are still in my mind about this nomination, but I am assuming that the administration has been fully apprised of the many news stories and columns, and the hearings of the Senate Internal Security Subcommittee that have dealt with the Beam period in Warsaw and since then. I am assuming that the administration has made a thorough investigation of all of these activities and has concluded that there are some overriding reasons why it is in the best interests of the United States to name Mr. Beam as U.S. Ambassador to the Soviet Union.

While I still have serious reservations about this nomination, I shall not oppose it. I want to give the administration the benefit of the doubt. I hope that the administration has made a right decision, and that Mr. Beam's duty in the Soviet Union will prove to be of benefit to the United States.

I am disappointed that the Senate Foreign Relations Committee did not question Mr. Beam extensively on the serious security problems that developed in Warsaw during his period as U.S. Ambassador, as it is only through depth investigation and penetrating questioning of such nominees that the Congress can assume its full responsibility in such matters.

The **PRESIDING OFFICER.** The question is on the confirmation of the nomination. [Putting the question.]

The nomination was confirmed.

Mr. MANSFIELD. Mr. President, I move that the President be immediately notified of the confirmation of these nominations.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, has Executive Calendar No. 263, Message No. 196, on the nomination of Andrew E. Gibson, of New Jersey, to be Maritime Administrator, under the Department of Commerce, been confirmed?

The **PRESIDING OFFICER.** It has been confirmed.

Mr. MANSFIELD. I thank the Chair.

Mr. SCOTT. Mr. President, the qualifications of the Ambassadors whose nominations we have confirmed today are, in my judgment, of such outstanding caliber that they do not require testimony to that effect.

The appointment of John Eisenhower as Ambassador to Belgium is that of an able man, whose knowledge of the country is founded not only on personal interest and the command of the language, but a great deal of research pertaining to the battles which took place in that country, and whose personal qualities and qualifications are beyond dispute.

The same may be said, in my judgment, of Mr. Jacob Beam, the confirmation of whose nomination to be Ambassador to Russia is a recognition of his long and significant service to his country.

With regard to the confirmation of my friend, Mr. Walter H. Annenberg, I take this occasion to correct any misapprehensions that may perhaps have been raised here today. For example, the testimony which I attended in the Committee on Foreign Relations brought out quite clearly that the nominee, and now the confirmed Ambassador, had not, either in the year 1960 or in the year 1968, made any contribution whatsoever to the political campaigns of Mr. Nixon, now the President of the United States, and that in fact the only contributions whatever made by any member of his family were represented by a very modest campaign contribution by his wife in 1968, and I believe in 1960.

Therefore, the recognition of Mr. Annenberg is based upon his merit and upon his qualifications as an eminent charitarian and a man whose knowledge of international affairs and whose dedication to his country and to his country's interests at home and abroad are well known to all Pennsylvanians. I deeply regret that any reference has been made to whether or not people who are chosen to represent us abroad are persons of means or not of means, as I do not believe that the Senate is the place where judgment should be made on the basis of how much material worth a person has. The test, it seems to me, should be on the basis of the worth of the man himself, of his character, of his qualifications, and of his ability and willingness to serve.

As the founder and donor of the Annenberg School of Communications at the University of Pennsylvania, he has made possible advanced education to untold numbers of Americans. As a donor and contributor, both publicly and in many cases without any publicity whatever, to any number of charitable institutions, he has eminently shown the compassion which characterizes him.

His services will be a credit to the United States, and the United States will be fortunate in having Mr. Annenberg as its Ambassador to the Court of St. James and to have his well-qualified and attractive wife, a graduate of Leland Stanford University, accompany him and assist him in the performance of the manifold duties of that office.

I have talked with a number of representatives of the British Crown. They are very pleased at Mr. Annenberg's coming there. They do not reflect the sentiments that were reflected here today. They do not indulge in any derogation of the appointment in any manner whatsoever. They are looking forward eagerly to welcoming Mr. Annenberg to the Court of St. James.

I join with many other Pennsylvanians who are delighted that he has been selected for this post.

(At this point, Mr. MURPHY assumed the chair as Presiding Officer.)

Mr. SCHWEIKER. Mr. President, I am pleased to join with the senior Senator from Pennsylvania in his remarks and his expressions of pleasure at the actions of the Senate here today in confirming the nominations of John Eisenhower and Walter Annenberg.

Pennsylvania is proud of its two sons and distinguished leaders.

I was pleased to join with the senior Senator from Pennsylvania in testifying in their behalf at the confirmation hearings held on these two gentlemen.

In John Eisenhower we have a person who has been a distinguished educator, writer, military leader, and military historian in his own right.

John Eisenhower has rendered outstanding service to his country. He will do an excellent job in representing our country in Belgium.

In Walter Annenberg we have a person who has served the Pennsylvania area and the Greater Philadelphia community for many years as a hard-working editor and publisher dedicated to the betterment of Pennsylvania and its neighboring States.

He served as a philanthropist and one who has taken a keen and active participation in many charitable programs.

He served as one who has always placed the interest of public service first in his approach to problems and in his own work and feelings as well.

I was proud to testify in behalf of both of these gentlemen. We are glad to have these two men serve their country in this capacity.

I am sure that the United States will be proud of the records they make in their new roles.

LEGISLATIVE SESSION

Mr. HARRIS. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

There being no objection, the Senate resumed the consideration of legislative business.

S. 1563—INTRODUCTION OF A BILL FOR A NATIONAL INSTITUTIONAL GRANTS PROGRAM

Mr. HARRIS. Mr. President, I introduce, for appropriate reference, a bill to establish a National Institutional Grants Program. The bill, if enacted, would augment Federal support for sci-

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entific research and education in a period of serious budgetary cutbacks.

Mr. President, I am privileged to be able to announce that Senators BURDICK, CANNON, EAGLETON, FULBRIGHT, HUGHES, METCALF, MUNDT, PACKWOOD, SPARKMAN, YOUNG of North Dakota, and YOUNG of Ohio are cosponsors.

The budgetary squeeze, caused principally by our vast commitment in Vietnam and the urgency of confronting firmly and resolutely the teeming social and urban problems of our Nation, has produced profound adverse effects on the soft underbelly of Federal expenditures—basic research and science education.

We must fully realize the extent to which Federal support of research and development has tapered off in recent years. Compared to the halcyon days of science in the late fifties and early sixties, the total Federal R. & D. expenditures, actual and estimated, have remained essentially constant for the last 4 years. Expenditures for fiscal year 1967 were $16.8 billion; for fiscal year 1968, $16.9 billion; for 1969, $16.4 billion; and for the upcoming fiscal year, $16.7 billion.

The research portion, one-third of the budget, shows essentially the same pattern: Between fiscal years 1968 and 1970 a meager increase from $5.1 billion to $5.4 billion is all that is anticipated.

In the same way, support of research in colleges and universities has also plateaued: $1.5 billion was expended in 1968; $1.4 billion is estimated for 1969; and $1.5 billion has been proposed for 1970.

The growth rate of Federal research and development funds for the last 5 years stands in sharp contrast to that of the preceding decade. Between 1955 and 1965 the Federal R. & D. budget increased from $3.3 billion to $14.9 billion for an average annual rate of increase of about 20 percent. But from 1965 to 1970 the budget will have inched forward from $14.9 to $16.7 billion for an average rise of 2.5 percent per year or about one-tenth of the previous rate. Meanwhile in those 5 years the number of scientists will have jumped some 20 percent.

As a percent of the gross national product, the R. & D. budget has decreased from 2.4 percent in 1964 to 1.7 percent in 1970—another dramatic indication of the downward trend when compared with one of our standard economic indicators.

Compounding the magnitude and intensity of this problem, which I must stress does not relate just to the total research and development budget but especially to the most sensitive part of that budget—basic research in universities—are inflationary trends that have reduced the buying power of the research dollar. General inflation plus the increasing sophistication and complexity of research projects and research equipment combine to reduce even further the value of the dollar invested in research.

Therefore, even if we decide only to stand in place, a continuing boost of 5 to 7 percent is needed per year. If, however, we attempt to provide for the growing number of science and engineering students, the higher costs of education and inflationary trends, we have to have a yearly increase of about 15 percent in university research funds in order to maintain a healthy rate of growth.

Unfortunately, we are not even maintaining our previous level of activity. The dollar today buys five-sixths of what it bought 6 years ago. The R. & D. budget for fiscal year 1970 is estimated to be $3 billion more than that for 1964. But, because of inflation, the 1970 budget in 1964 dollars amounts to $600 million less. A similar case can be made for the Federal support of university research.

We are, therefore, acting dangerously by stifling scientific progress. A zero gain is, in effect, a serious negative factor, and if continued will cripple our world leadership in science by stemming the flow of new knowledge from our universities into the governmental and industrial sectors.

Why are we faced with this crisis in science?

First and foremost, the high rate of expansion, in the decade beginning in 1955, could not have continued indefinitely. A slowdown was inevitable.

Second, R. & D. expenditures, while representing only 10 percent of the total Federal budget, are a markedly higher percentage of the controllable budget of some $40 billion. In fact, between 25 and 33 percent of the budget which could actually be raised or lowered substantially in recent years has been in the research and development area. In tight budget years, which are becoming the rule rather than the exception, the R. & D. budget is acutely vulnerable because of its high visibility. Arguments are advanced in favor of science cutbacks that downgrade the long and unpredictable payoffs of basic research as compared to the supposedly more immediate results which would accrue from allocating resources to many non-research areas.

Third, the hasty marriage of science and Government in World War II made it unnecessary for the scientific community to mount a comprehensive campaign to deepen public and congressional understanding of the needs and potentials of scientific research. The public support of science has been created and sustained to a significant extent by the threat of the scientific prowess of the Soviet Union. They tested the atomic bomb in 1949 and the H-bomb in 1953 and then launched Sputnik in 1957. Our Nation viewed these events as a series of external threats. We reacted quickly, and in part, in a rash manner.

The ironic result is that the Soviets have had—in effect—a major voice in the making of our national science policies. Hopefully, we are past the days of the action-reaction syndrome between the United States and Russia in this area. Now that much of the mystique and luster in science has faded we should strive to articulate national goals and priorities so that the people of America are brought within the locus of science policy affairs and can more clearly see the justifications for our support of research.

Fourth, the consequences of the cutbacks in research grants are often misunderstood. The history of the growing dependence of academic institutions on the Federal Government is too long and detailed to discuss at this time. In short, the project grant was the initial form of Federal support of university research. Out of these grants came funds for education, training, and other services, vital to the functioning of a university, that are intertwined with conducting research. Federal funds to universities account for two-thirds of their research support. When those funds are severely curtailed the impact reverberates throughout an entire institution.

Perhaps, in the past we have relied too heavily on the project grant approach which has supported science, education, and training through the back door. By stepping up the pace of institutional support and development I believe we can minimize the limitations of the project grant system. This, in large measure, can be accomplished through the adoption of the National Institutional Grants program, which is now before the Senate.

Mr. President, a fifth reason for the cutbacks is the inadequacy of our science constituency in relation to the amount of money, manpower and facilities that are at stake. We are in a period of keen competition for Federal funds. The scientific community, perhaps lulled into complacency by the overwhelming increases in funding levels of an earlier decade, seems unprepared to marshall its forces to meet the challenge of competing in the kitchen of hotly contested views. The apparent lack of political acuity of the science community is, hopefully, disappearing. The need for a higher order of persuasion is manifest if academic research and science education are to gain the support they must have.

Finally, an underlying source of tension which many feel has led to reductions in Federal research activity is the demand in a democratic system of government for accountability and the scientific demand for freedom of action. During the honeymoon of science and Government, tensions were minor. Now though, the quest for sovereignty and freedom of action on the part of the scientist is in open conflict with those in a democratic society who have raised a voice, increasing in pitch, in favor of greater accountability for the expenditures of public funds. Tensions develop between a scientist wanting to do what he thinks is best from his point of view and nonscientists, from their point of view, recommending research relevant to the needs of society.

Simplistic as this may seem, it is the type of conflict that has often prompted the public and their elected officials to react unfavorably and even harshly toward science. In such a climate, the net effect of reductions in spending is to reduce the national priority for basic research.

Altogether these factors have combined to cause a gradual erosion of the base that has supported basic research in our country. Efforts must be taken to reverse this trend and to expand and strengthen the political foundation which can support an adequate research and development budget.

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Mr. President, the effects of these cuts in basic research especially have been severe on science programs in our institutions of higher education. Primarily they represent a long-term loss for a short-term economic gain. I strongly maintain that this is a false economy move. Basic research, as it clearly implies, is basic to all advances that we have made and can ultimately make in such fields as physics, chemistry, biology, the social sciences and other fields of science which underlie the tremendous technological revolution that this country has undergone since World War II. And I would remind Senators of the inextricable interrelationship of technological advance and innovation to our economic well-being.

Those of us who are trying to accomplish a more equitable distribution of research and development funds, so that additional centers of academic excellence can be created and a first-rate education in the sciences be made available to the young people of more States, must be concerned with the implications of reduced funds for research and training. Dr. Donald F. Hornig, the former President's Special Adviser for Science and Technology, said in testimony before the Senate Subcommittee on Government Research, of which I am chairman, that there is no doubt that the quality of teaching is much higher in institutions where first-rate research is going on. Every other expert witness before the subcommittee, to whom the question was posed, agreed with that view and so do I.

In the area of science teaching and university science department development, the so-called have-not universities and colleges will suffer most from diminished Federal funds that they so desperately need if they are to develop into centers of excellence in science and engineering. It is hardly sensible for us to believe that additional universities can become first-rate and be able to compete for research and development funds on an equal basis if we are unwilling to spend the seed capital to make them excellent.

I am sure that serious damage will be done to all American universities and colleges. Students will be diverted from pursuing careers in science; professors will interrupt their research for want of supporting funds; laboratories and other facilities will go unused and constitute an unbearable financial burden on university budgets already hard pressed; young graduate assistants whose stipends depend on Government funds will turn away from teaching careers; and many promising research projects will be aborted.

Every major university has encountered situations similar to the one at Oklahoma State University which was reported to me recently. A bright, young Ph. D. in chemistry received a "starter" grant from the petroleum research fund. Afterward, in order to continue his work, he applied for a grant from the National Science Foundation. It was not approved. Unavailability of funds, and not lack of merit, was the reason for this action. Additional research experience, it was suggested, would strengthen the scientist's competitive position. But how can a scientist gain experience when funds are not available? If science is to move forward, scientists must move forward, too.

We will lose our technological edge and our position of industrial superiority if we continue to throttle back on our research effort. Our economic and social strengths are dependent upon our technical capabilities which in turn are derived from our underlying base of scientific knowledge.

Universities and colleges, faced with the sharp reductions in funding levels and the curtailments and deferments of many programs, will tend to lose confidence and trust in the Federal Government. Delicate and fragile relationships developed over decades and resulting in many healthy forms of cooperation could be seriously, if not permanently, damaged if we continue to act precipitously.

NASA's sustaining university program offers a startling example of the jolting effect that the science crisis can have on universities. Funds have plummeted from $45 million in fiscal year 1966 to $10 million in 1968 and to $9 million in 1969 and 1970. This program issues institutional grants to help universities build up their research capabilities. However, the budget squeeze has forced the Space Agency to pair down the number of recipient institutions to 30, a reduction of 16 over last year's level. It is of special concern to me that a university in Oklahoma is among those being removed for next year.

The establishment of a national institutional grants program would be a timely remedy for academic science. University and college administrators, scientists, educators, and students are all suffering from the effects of the zero growth rate. The ties of mutual trust and confidence could be strengthened and our technological edge sharpened with the passage of this proposal.

A quantum jump in the level of support for institutional development would be a valuable complement to our project grant system—a system that is viable, responsive and relevant, but one which has serious shortcomings. It does not provide for the continuity of support necessary for colleges and universities to plan confidently for impending increases in student bodies, faculties, facilities, and programs. Project grants have come to support science education and training indirectly through such means as supporting graduate students and making possible the purchase of equipment which may be used for both research and instruction. Many feel that indirect costs charged to research projects are used to support teaching functions. It may very well be advantageous to support a larger share of research, science education, and training through institutional grants thus avoiding some of the problems associated with the project system and emphasizing the vital interdependence of these functions.

An augmentation of Federal science funds is a prerequisite to a steady rise once again in the research budget. The shotgun marriage of science and Government in World War II no longer offers the rationale or momentum for steady and predictable growth. Congress and the public must become involved in the formulation of policies for science and technology in a manner and on a scale heretofore unknown. Neither the science agencies nor the science community has readily sought such involvement before but without it the future of scientific research will be plagued with uncertainty and adversity.

The National Institutional Grants program is designed to increase substantially institutional support for scientific research and education from the community college to the university level. A sum of $400 million is authorized for fiscal year 1970. Then each year thereafter a sum equal to 20 percent of the total Federal funds for academic science expended the previous year is authorized. In this way the Federal research budget will rise at a rate that will ensure a healthy growth of our academic capabilities in science.

The allocation of funds employs a multiformula approach. First, one-third of the funds shall be allocated to institutions of higher learning as a graduated percentage of the total sum of project awards received by them in academic science from the Federal Government during the preceding year; second, one-third of the funds shall be divided among the States in proportion to the ratio of the total number of full-time undergraduate students in each of the States' institutions of higher learning in the preceding year as compared to the total number of such students in the United States. The final third of the funds shall be allocated to institutions of higher learning in proportion to the ratio of the number of advanced degrees awarded by the institutions in the preceding 3 years in the sciences as compared to the total number awarded in the United States.

The program shall, if enacted, be administered by the National Science Foundation. A newly created National Institutional Science Council will advise, consult with and make recommendations to the Foundation on matters relating to the administration of this act.

The consequences of the bill are diverse and profound. It would provide greater continuity and predictability of Federal support of academic science and education. A viable growth rate for academic science would be initiated and sustained.

Because of the multiformula approach, the authorized funds will not go to colleges and universities in the same proportion as they are received at present. At the same time the existing system of support will not be dismantled. In effect, the augmentation of funds will bring about a more equitable distribution of academic research funds without disrupting the present pattern of support.

I would hope that hearings on this bill could be held in the Senate. In hearings, ways to modify or refine the three formulas and the guidelines for applying them could be sought, especially if inconsistencies with the purpose of strengthening American science were found. For example, I believe, the social sciences should be liberally defined for the purposes of administering the act. The Foundation has tended to support those social

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science projects that employ rigid scientific methods. Systematic social science research which may not be scientific as defined by a physicist or chemist is still good research and should be supported.

Congress should mandate the National Science Foundation to devise procedures for encouraging colleges and universities to expand their undergraduate, graduate, and research programs in an effort to enlarge the number of centers of scientific excellence on a more equitable geographical basis.

The extensive hearings of the Senate Subcommittee on Government Research clearly indicated a consensus that the national interest would be served by the development of additional centers of research and educational excellence in all areas of the United States.

We further concluded that excellence begins with local initiative. However, I feel very strongly that this does not relieve the Federal Government of an important responsibility. Federal support of research should be handled in such a way as to encourage local planning for local excellence, give incentive for increased local initiative and support and help to insure maximum impact from such research and educational excellence.

If the National Science Foundation is to play a leading role in the support of science, Congress must give it explicit authority to formulate innovative methods to encourage excellence at the local level without dismantling the present structure of academic science support and without giving the Foundation the power to stifle local plans and initiatives. The National Institutional Grants program would give to the National Science Foundation such authority and, with adequate funding, the health of academic science could be assured.

Mr. President, Dr. Leland J. Haworth, Director, National Science Foundation, presented in table form the estimated geographic distribution of institutional grants under H.R. 35, a bill identical to the one which I introduce today. He also presented the distribution under this formula to selected institutions of higher education. I ask unanimous consent that these tables be printed at this point in the RECORD so that Senators may see what benefits would accrue to their States through the passage of this measure.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

APPENDIX TABLE I

ESTIMATED GEOGRAPHIC DISTRIBUTION OF INSTITUTIONAL GRANTS UNDER H.R. 35

[Dollar amounts in millions]

	Dollar distribution				Percent distribution				Percent of U.S. population[4]	Percent of Federal R. & D. funds (67)[5]
	Pt. 1[1]	Pt. 2[2]	Pt. 3[3]	Total	Pt. 1	Pt. 2	Pt. 3	Total		
Total, United States	$133.3	$133.3	$133.3	$400.0	100.0	100.0	100.0	100.0	100.0	100.0
New England	11.5	8.1	12.7	32.4	8.7	6.1	9.5	8.1	5.8	14.3
Connecticut	2.0	1.7	2.5	6.2	1.5	1.3	1.9	1.5	1.5	1.8
Maine	.6	.5	.2	1.3	.5	.3	.2	.3	.4	.1
Massachusetts	5.7	4.5	8.5	19.7	5.0	3.4	6.4	4.9	2.7	11.1
New Hampshire	.7	.5	.4	1.7	.6	.4	.3	.4	.4	.4
Rhode Island	.9	.6	.9	2.5	.7	.5	.7	.6	.5	.8
Vermont	.6	.4	.1	1.1	.5	.3	.1	.3	.2	.2
Middle Atlantic	23.3	21.5	26.0	70.8	17.6	16.1	19.4	17.7	18.5	19.1
New Jersey	2.6	2.7	3.9	9.1	2.0	2.0	2.9	2.3	3.5	2.0
New York	13.4	12.3	15.2	40.9	10.1	9.2	11.4	10.2	9.1	12.0
Pennsylvania	7.3	6.5	6.9	20.7	5.5	4.9	5.1	5.2	5.9	5.1
East North Central	19.5	25.1	30.1	74.7	14.7	18.8	22.5	18.7	19.8	18.0
Illinois	5.2	6.5	8.7	20.4	4.0	4.9	6.5	5.1	5.5	6.3
Indiana	2.6	3.1	5.6	11.3	1.9	2.3	4.2	2.8	2.5	2.3
Michigan	4.5	6.1	6.8	17.4	3.4	4.6	5.1	4.3	4.4	4.4
Ohio	4.4	6.3	5.3	16.0	3.3	4.8	3.9	4.0	5.3	2.8
Wisconsin	2.8	3.1	3.7	9.6	2.1	2.3	2.8	2.4	2.1	2.3
West North Central	12.4	11.5	11.9	35.7	9.4	8.6	8.9	8.9	8.0	6.3
Iowa	2.4	2.0	3.0	7.4	1.8	1.5	2.2	1.8	1.4	1.1
Kansas	1.8	1.8	2.2	5.9	1.4	1.4	1.7	1.5	1.2	.8
Minnesota	2.2	2.4	2.4	7.0	1.7	1.8	1.8	1.7	1.8	1.9
Missouri	3.3	3.0	2.8	9.1	2.5	2.3	2.1	2.3	2.3	1.9
Nebraska	1.2	1.1	.7	3.0	.9	.8	.5	.8	.7	.3
North Dakota	.6	.5	.4	1.6	.5	.4	.3	.4	.3	.1
South Dakota	.8	.5	.4	1.8	.6	.4	.3	.4	.3	.1
South Atlantic	19.5	15.9	13.0	48.4	14.7	11.9	9.7	12.1	15.1	11.3
Delaware	.3	.2	.5	1.0	.2	.2	.4	.3	.3	.1
District of Columbia	1.6	.9	2.0	4.4	1.2	.6	1.5	1.1	.4	1.1
Florida	3.1	3.7	2.1	9.0	2.4	2.8	1.6	2.2	3.1	2.0
Georgia	2.7	1.9	1.4	6.1	2.1	1.5	1.1	1.5	2.3	1.1
Maryland	2.2	2.3	1.9	6.4	1.7	1.7	1.4	1.6	1.9	2.9
North Carolina	4.3	2.7	2.7	9.6	3.2	2.0	2.0	2.4	2.6	2.7
South Carolina	1.6	1.1	.5	3.2	1.2	.8	.3	.8	1.3	.2
Virginia	2.4	2.1	1.3	5.8	1.8	1.6	1.0	1.5	2.3	.8
West Virginia	1.3	1.1	.6	2.9	1.0	.8	.4	.7	.9	.3
East South Central	9.0	7.3	4.0	20.3	6.8	5.5	3.0	5.1	6.6	3.4
Alabama	2.4	1.9	.8	5.1	1.8	1.4	.6	1.3	1.8	1.0
Kentucky	1.8	1.8	.7	4.3	1.4	1.4	.5	1.1	1.6	.6
Mississippi	1.8	1.3	.7	3.9	1.3	1.0	.5	1.0	1.2	.4
Tennessee	3.0	2.3	1.8	7.0	2.2	1.7	1.3	1.8	2.0	1.4
West South Central	12.8	12.2	9.6	34.6	9.7	9.2	7.2	8.7	9.7	5.9
Arkansas	1.3	1.0	.5	2.8	1.0	.8	.4	.7	1.0	.3
Louisiana	2.4	2.1	1.7	6.1	1.8	1.6	1.3	1.5	1.9	1.1
Oklahoma	1.7	2.0	2.4	6.1	1.3	1.5	1.8	1.5	1.3	.6
Texas	7.4	7.1	4.9	19.5	5.6	5.4	3.7	4.9	5.5	3.9
Mountain	6.8	6.6	6.8	20.3	5.1	5.0	5.1	5.1	3.9	4.3
Arizona	1.0	1.5	1.5	3.9	.7	1.1	1.1	1.0	.8	.6
Colorado	2.0	1.7	2.0	5.7	1.5	1.3	1.5	1.4	1.0	1.7
Idaho	.5	.6	.3	1.3	.4	.4	.2	.3	.4	.1
Montana	.7	.5	.4	1.7	.6	.4	.3	.4	.3	.2
Nevada	.2	.2	.1	.5	.2	.1	.1	.1	.2	.2
New Mexico	1.1	.7	.9	2.6	.8	.5	.7	.7	.5	.6
Utah	1.0	1.3	1.3	3.6	.8	1.0	1.0	.9	.5	.9
Wyoming	.3	.2	.3	.9	.2	.2	.2	.2	.2	.2

See footnotes at end of table.

APPENDIX TABLE I—Continued

ESTIMATED GEOGRAPHIC DISTRIBUTION OF INSTITUTIONAL GRANTS UNDER H.R. 35—Continued

[Dollar amounts in millions]

	Dollar distribution				Percent distribution				Percent of U.S. population[4]	Percent of Federal R. & D. funds (67)[5]
	Pt. 1[1]	Pt. 2[2]	Pt. 3[3]	Total	Pt. 1	Pt. 2	Pt. 3	Total		
Pacific	16.5	24.1	19.8	60.5	12.5	18.1	14.8	15.1	12.7	17.1
Alaska	.3	.1	.1	.5	.3	.1	.1	.1	.1	.3
California	11.7	18.9	15.2	45.8	8.8	14.2	11.3	11.5	9.6	13.0
Hawaii	.5	.5	.5	1.5	.4	.4	.3	.4	.4	.6
Oregon	1.9	1.6	1.7	5.2	1.4	1.2	1.3	1.3	1.0	1.1
Washington	2.2	2.9	2.4	7.5	1.6	2.2	1.8	1.9	1.6	2.1
Territories and possessions	.9	1.1	.1	2.0	.7	.8	.1	.5		.3

[1] Formula used: 100 percent of first $50,000; 20 percent—$50,000 to $100,000; 10 percent—$100,000 to $500,000; 5 percent—$500,000 to $2,000,000; 4 percent—$2,000,000 to $4,000,000; 2 percent—$4,000,000 to $10,000,000; 1.5 percent—$10,000,000 to $20,000,000; 1 percent—$20,000,000 to $35,000,000; 0.5 percent—$35,000,000 and above. (Total amount of computed grants equals $132,300,000 rather than $133,300,000.)

[2] Formula used: State's percentage of national total of undergraduate resident students (full and part time) multiplied by $133,300,000 to determine State's allocation.

[3] Formula used: State's number of master's degrees in science and engineering (1963–64, 1964–65, 1965–66) plus 3 times the number of doctor's degrees in science and engineering (1963–66). Total number of degree units then multiplied by $700. (Total amount of computed grants equals $133,900,000 rather than $133,300,000.)

[4] Census Bureau provisional estimate of total resident population July 1, 1968.

[5] Federal obligations to universities and colleges (as reported to CASE) for fiscal year 1967.

Note: Detail may not add to totals because of rounding.

APPENDIX TABLE II.—ESTIMATED INSTITUTIONAL GRANTS UNDER H.R. 35

A. COMPUTATION OF GRANTS AND OVERALL DISTRIBUTION

1. Funds Required for Part 1 by Formula Interval

[Dollar amounts in thousands]

Percent	Formula interval	Maximum increment	Number of institutions	Cost per formula interval
100	$1 to $50	$50	1,903	$60,500
20	$51 to $100	10	926	7,992
10	$101 to $500	40	696	16,530
5	$501 to $2,000	75	278	14,706
4	$2,001 to $4,000	80	161	11,079
2	$4,001 to $10,000	120	123	10,673
1.5	$10,001 to $20,000	$150	67	$6,903
1	$20,001 to $35,000	150	29	2,919
0.5	$35,001 to $95,487	302	14	1,006
Total				132,308

2. Distribution of Funds in Part 1 by Institution Group

[Dollar amounts in thousands]

Formula interval	Maximum increment	Maximum IG	Number of institutions	Base dollars	Institutional grants
$1 to $50	$50	$50	977	$14,200	$14,200
$51 to $100	10	60	230	16,662	12,532
$101 to $500	40	100	418	95,905	30,490
$501 to $2,000	75	175	117	111,112	14,331
$2,001 to $4,000	80	255	38	106,970	7,889
$4,001 to $10,000	120	375	56	355,651	16,913
$10,001 to $20,000	$150	$525	38	$550,173	$16,803
$20,001 to $35,000	150	675	15	381,895	8,694
$35,001 to $95,487	302	977	14	691,227	10,456
Total			1,903	2,323,795	132,308

NOTES

Pt. 1, sec. 2(b)(1).

Base used: Total Federal funds for academic science, fiscal year 1967.

Formula used: 100 percent of first $50,000; 20 percent, $50,001 to $100,000; 10 percent, $100,001 to $500,000; 5 percent, $500,001 to $2,000,000; 4 percent, $2,000,001 to $4,000,000; 2 percent, $4,000,001 to $10,000,000; 1.5 percent, $10,000,001 to $20,000,000; 1 percent $20,000,001 to $35,000,000; 0.5 percent, $35,000,001 and above ($100M=IG of $1,000,000).

B. DISTRIBUTION TO SELECTED INSTITUTIONS

1. Top 20 in Federal Funds for Academic Science, Fiscal Year 1967

[In thousands of dollars]

	Pt. 1	Pt. 2	Pt. 3	Total IG
Massachusetts Institute of Technology (95,487)[1]	977	155	3,536	4,668
University of Michigan (56,344)	782	690	3,296	4,786
University of Illinois[2] (52,446)	762	896	4,096	5,754
Columbia University (52,113)	761	349	1,780	2,890
University of California, Berkeley (48,889)	744	577	4,225	5,546
Harvard University (48,861)	744	293	2,177	3,214
University of Wisconsin, Madison (48,290)	742	407	3,375	4,524
Stanford University (45,856)	727	231	3,023	3,984
University of California, Los Angeles (45,398)	727	581	2,351	3,660
University of Minnesota[2] (42,125)	711	922	2,266	3,898
University of Chicago (39,583)	698	195	1,560	2,453
New York University (39,363)	697	673	2,636	4,006
University of Washington (38,731)	694	600	1,686	2,979
Cornell University (37,741)	689	389	2,108	3,185
Johns Hopkins University (34,968)	675	205	790	1,670
University of Pennsylvania (33,770)	663	388	1,589	2,640
Yale University (30,926)	634	173	1,434	2,241
Duke University (27,594)	601	151	736	1,488
University of Maryland[2] (27,138)	596	906	717	2,219
University of Colorado (24,412)	569	523	1,135	2,227
Total				68,014

[1] Figures in parentheses on this and following pages represent the base dollars (in thousands) for pt. 1 of the formula. It is the total Federal funds for academic science obligated to the institution in fiscal year 1967, as reported to CASE.

[2] All campuses.

2. 25 Other Universities[1] Ranked in Order of Ph. D.'s in Science and Engineering for 3-Year Period

[In thousands of dollars]

	Pt. 1	Pt. 2	Pt. 3	Total IG
Purdue University (22,379)	549	670	3,263	4,482
Ohio State University (23,602)	561	854	2,366	3,781
Iowa State University (10,407)	381	337	1,772	2,490
Michigan State University (19,143)	512	775	2,173	3,460
University of Texas, Austin (23,029)	555	597	1,657	2,809
Princeton University (20,531)	530	95	1,342	1,967
Pennsylvania State University (18,331)	500	722	1,698	2,920
Northwestern University (17,233)	484	345	1,320	2,148
Indiana University (22,361)	549	971	1,246	2,766
Rutgers University (13,080)	421	544	1,273	2,238
University of Florida (15,832)	463	387	1,306	2,156
California Institute of Technology (16,911)	479	30	914	1,423

See footnotes at end of table.

B. DISTRIBUTION TO SELECTED INSTITUTIONS—Continued

2. 25 Other Universities [1] Ranked in Order of Ph. D.'s in Science and Engineering for 3-year Period—Continued

[In thousands of dollars]

	Pt. 1	Pt. 2	Pt. 3	Total IG
University of Iowa (15,587)	459	368	1, 048	1, 875
Oklahoma State University (8,167)	338	394	1, 310	2, 043
Texas A. & M. University (13,239)	424	237	1, 068	1, 728
Oregon State University (10,025)	375	266	1, 109	1, 751
University of California, Davis (12,635)	415	203	860	1, 477
University of Pittsburgh (21,006)	535	501	865	1, 902
University of Kansas (15,444)	457	316	925	1, 697
University of North Carolina, Chapel Hill (23,972)	565	307	809	1, 680
North Carolina State University (11,892)	403	192	977	1, 571
Carnegie Institute of Technology (11,557)	398	105	839	1, 342
Brown University (8,590)	347	101	711	1, 158
University of Arizona (10,286)	379	446	1, 002	1, 828
University of Oklahoma (8,762)	350	363	974	1, 687

[1] These 25 institutions plus the top 20 in Federal Funds for Academic Science constitute the 45 top-ranking producers of science and engineering Ph. D.'s for 3-year period 1963–64 through 1965–66.

3. 20 State Colleges and Universities (Master's the Highest Degree)

[In thousands of dollars]

	Pt. 1	Pt. 2	Pt. 3	Total IG
Arkansas State University (109)	61	128	22	211
San Francisco State College (California) (1,696)	160	358	138	655
Southern Connecticut State College (348)	85	180	8	273
Valdosta State College (Georgia) (182)	68	49	0	118
University of Northern Iowa (493)	99	165	109	373
Kansas State Teachers College (600)	105	139	230	474
Towson State College (Maryland) (630)	107	138	0	244
State College at Bridgewater (Massachusetts) (101)	60	100	0	160
Western Michigan University (2,228)	184	369	169	722
Bemidji State College (Minnesota) (134)	63	83	8	154
Jackson State College (Mississippi) (269)	77	60	0	137
Southeast Missouri State College (134)	63	128	0	192
Chadron State College (Nebraska) (87)	57	37	3	97
Glassboro State College (New Jersey) (24)	24	159	4	188
SUNY, New Paltz (New York) (355)	86	90	25	201
Fayetteville State College (North Carolina) (65)	53	23	0	76
Southeastern State College (Oklahoma) (245)	75	44	36	155
Indiana University of Pennsylvania (346)	85	168	68	321
Winthrop College (South Carolina) (106)	61	63	1	125
Western Washington State College (405)	91	129	29	249

4. 20 Private Colleges (Most Baccalaureate Only)

[In thousands of dollars]

	Pt. 1	Pt. 2	Pt. 3	Total IG
Tuskegee Institute (Alabama) (1,098)	130	61	43	234
Reed College (Oregon) (450)	95	23	17	135
Pomona College (California) (543)	102	26	0	129
Franklin & Marshall College (Pennsylvania) (478)	98	47	11	156
Fisk University (Tennessee) (291)	79	24	12	115
Vassar College (New York) (115)	62	33	6	101
Knox College (Illinois) (587)	104	27	0	132
Earlham College (Indiana) (92)	58	23	1	82
University of the South (Tennessee) (102)	60	18	6	85
Millsaps College (Mississippi) (300)	80	19	0	99
Carleton College (Minnesota) (159)	66	27	0	93
Washington & Lee University (Virginia) (142)	64	29	0	93
Kalamazoo College (Michigan) (443)	94	25	0	119
Morehouse College (Georgia) (171)	67	21	0	88
Grinnell College (Iowa) (443)	94	24	0	118
Centre College (Kentucky) (41)	41	15	0	56
College of Wooster (Ohio) (54)	51	33	0	84
Spring Hill College (Alabama) (72)	54	25	0	79
Birmingham-Southern College (Alabama) (125)	63	21	0	84
Davidson College (North Carolina) (14)	14	20	0	34

FOOTNOTES

Pt. 2, sec. 2(b)(2)—Formula used: Number of resident students (full and part time) enrolled in fall 1967 multiplied by $20.

Pt. 3, sec. 2(b)(3)—Formula used: Number of master's degrees in science and engineering (for 3-year period)×1, plus number of doctor's degrees in science and engineering×3. Total number of advanced degree units then multiplied by $700.

Note: The numbers of advanced degrees in science and engineering for a 3-year period (1963–64 1964–65, 1965–66) were:

M.S. 100, 390×1=100, 390
Ph. D. 30, 293×3= 90, 879
Total degree units 191, 269

$133.3M divided by 191,269 degree units=$700 (approximately).

Totals under pts. 1–3 (in thousands):
Pt. 1 $132, 308
Pt. 2 133, 408
Pt. 3 133, 888
Total 399, 604

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1563) to promote the advancement of science and the education of scientists through a national program of institutional grants to the colleges and universities of the United States, introduced by Mr. HARRIS (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

THE ANTI-BALLISTIC-MISSILE SYSTEM

Mr. GORE. Mr. President, three eminent scholars, Dr. Allen S. Whiting, Dr. Marshall D. Shulman, and Dr. Carl Kaysen, appeared before the Subcommittee on Disarmament of the Committee on Foreign Relations this morning.

I have also received a telegram from the presidential adviser to President Johnson, Dr. Donald F. Hornig.

I ask unanimous consent that these statements and the telegram may be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATEMENT OF DR. ALLEN S. WHITING, PROFESSOR OF POLITICAL SCIENCE AND ASSOCIATE, CENTER FOR CHINESE STUDIES, THE UNIVERSITY OF MICHIGAN, MARCH 13, 1969

Mr. Chairman, distinguished members of this committee. I would like to express my appreciation for the privilege accorded by your invitation to appear here today. Unlike Professor Schulman, I can lay no claim to first-hand contact with the Chinese Communist leadership and people. But twenty years of analyzing the People's Republic of China in action does give a basis for evaluating the claim that an anti-ballistic missile system is necessary to cope with the alleged "Chinese threat." In addition to past Chinese behavior, we can develop a logical framework of likely future contingencies within which we can estimate the range of probable Chinese actions. And finally, I would like to offer some thoughts on how our construction of an ABM, officially justified in terms of a "Chinese threat," might affect our future relations with China.

There appear to be two alternative premises underlying the rationale, which links an ABM with China's anticipated ICBM capability, estimated to be available to Peking in the next four or five years. One premise holds that the Chinese leadership at that time—quite likely after the death of Mao Tse-tung—may be sufficiently irrational as to launch a thermonuclear attack against American cities despite the absolute certainty of retaliatory nuclear devastation in China. An alternative premise holds that our confrontation with China in situations of mutual but conflicting interests will be sufficiently serious as to require an ABM to safeguard against the possibility of miscalculation, escalation, and a sudden—if suicidal—Chinese ICBM attack.

Both premises share an assumption that the Chinese will be fundamentally different from the Russians in their handling of nuclear weapons and their response to the threat of nuclear devastation. We have lived for many years with several generations of Soviet weapons systems capable of striking American cities. We have actually faced down the Russians in Berlin and Cuba. We have found that Soviet doctrine and American deterrence worked. No Russian attack occurred. In the Western Pacific theater we have deployed and can deploy so vast an arsenal of nuclear weapons in land, sea, and airborne systems, as to literally destroy much of China's population and virtually all of its agricultural as well as its industrial economy. And yet we are asked to believe that unless we have an anti-ballistic missile system, we are in serious jeopardy should China acquire an intercontinental ballistic missile system.

I see no basis in fact or theory for attributing a significantly higher likelihood of irrationality to Chinese as compared with Russian decision-makers. To be sure, the Chinese are far more strident than the Russians in verbal support of so-called "people's wars" and "national liberation struggles." But Peking has done no more than Moscow in rendering open aggressive support for foreign insurgencies, much less is risking nuclear retaliation on behalf of such insurrections. Despite our continued intervention in the Chinese civil war, protecting Chinese Nationalist forces on Quemoy within gun-range of Chinese Communist batteries on the mainland, there has been no compulsive or reckless risk-taking on the part of Peking. True, Chinese Communist forces engaged us massively in the Korean War while Russia stood aside. However an American military move in Hungary in 1956 or Czechoslovakia in 1968 would almost certainly have found Moscow taking risks similar to, if not greater than, Peking took in Korea. The Chinese gave no help to the North Korean invasion in 1950 but did intervene when that regime was about to be driven off its own territory. Any similar effort to roll back communist rule in East Europe would have run an equally grave risk of provoking an identical—or worse—Russian reaction.

Since the Korean War, the only major action involving Chinese troops has been the several weeks of limited war with India in the disputed Himalayan border area. Indeed, the preponderant weight of evidence shows that the Chinese leadership to date has used force beyond its borders with a consistently deliberate control so as to minimize the risks consonant with the perceived interests involved. This rational behavior seems to be at least as equally, if not more, likely in the post-Mao regime of the mid-nineteen seventies.

The alternative premise postulates a situation wherein the Chinese leadership acts rationally but miscalculates, and suddenly finds itself compelled to launch an ICBM attack against American cities regardless of the consequences. This could arise from one or two situations. Peking attempts nuclear blackmail, its bluff is called, and it is "locked in" to a situation from which it sees no alternative but to proceed. Alternatively Chinese interaction, political or military, with the United States or its allies, reaches a point which threatens a nuclear attack on China and Peking feels it must pre-empt or lose its small, highly vulnerable ICBM force to enemy attack.

These hypothetical projections cannot be assessed in vacuo, however. They must be applied to specific situations, past, present, or future, so as to assess their likelihood. Blackmail must have a purpose; confrontations must offer credible gains as well as credible risks. For instance, the most familiar aspect of Chinese Communist propaganda is Peking's avowed support for "people's wars." However, to make this a plausible basis for projecting a Chinese nuclear attack against the United States, we must go well beyond simple patronage, whether public or private, for insurgency. We must hypothesize serious, direct, and overt material Chinese support sufficient to identify an insurgency as of vital interest to Peking—so vital as to risk the entire Chinese mainland suffering nuclear devastation.

Between 1949 and 1969 not one such insurgency has arisen, either on China's borders or at more distant points overseas. Despite a serious border dispute with New Delhi, one which eventually triggered actual war in 1962, Peking has not given massive support nor taken significant risks on behalf of Indian communist insurrectionary movements or anti-Indian minority uprisings. The Telangana uprising in 1949 failed as did the Naxalbari revolt in 1968. Both applied Mao's maxims of armed struggle in the countryside. Both times Peking anathematized New Delhi as a fascist regime, acting as an anti-Chinese tool for foreign governments. Yet China never took any serious steps to keep these insurgencies alive, much less see them through to victory.

Similarly anti-Indian movements or actual uprisings, in the sub-Himalayan states and principalities of Nepal, Bhutan, and Sikkim, or amongst the Nagas of Assam, have failed to win significant Chinese aid. Incitement and subversion may be attempted through propaganda and, to a modest extent, through money, arms, and training as well. Beyond this, however, Peking refuses to go. This pattern has remained fairly constant, despite the heightened militancy associated with China's Cultural Revolution.

Equally relevant is the low degree of Chinese involvement in Burma's various insurgencies, both communist and those of national minorities. At no time since 1949 has the Rangoon regime been able to pacify the entire country. Much of the territory adjacent to China has been controlled by various armed groups hostile to Rangoon's rule. As in India, Peking's patronage, both overt and covert, encourages and equips communist insurrectionists and anti-Burmese separatists. Yet neither the amount nor the kind of such aid has seriously threatened the regime. The situation has ebbed and flowed and today seems no worse than in the past, at least in terms of Chinese involvement.

Thailand, of course, has won considerable attention as a public target of Peking's propaganda. Over the past few years actual armed insurrection has spread through provinces in the north, northeast, and southern sectors of Thailand. Most recently Meo revolts have further challenged Bangkok's authority. Some support for these various insurgencies comes from Hanoi; most comes from Peking. Defectors provide graphic evidence of training and direction from Chinese sources on the mainland and in Thailand. Presumably China could easily infiltrate a well-trained guerrilla force that would be wholly Thai in composition, recruited from the 200,000 ethnic Thais in the nearby Chinese province of Yunnan. However, the present insurgents remain a scattered, poorly equipped, un-coordinated force of less than 2,000. This small effort is what lies behind Peking radio's grandious claims for "people's war" in Thailand.

In short, after twenty years of these unstable situations on the unpoliced borders of a nation with six or seven hundred million people supposedly "supporting" armed struggles abroad, we must ask: what has kept China from doing more? Has it been the fear of U.S. retaliation? This could hardly apply in remote Nagaland or amongst the hill peoples of neutralist Burma. Chinese troops or an indigenous fifth column could march into adjacent territory with overwhelming force and establish a "liberated area" without fear of U.S. power being unleashed against the Chinese mainland. Moreover, where China's interests have been seen by Peking as truly vital, such risks of U.S. retaliation have been taken—overtly in Korea, and covertly in Vietnam.

Thus by focusing less on Peking's words and more on Peking's actions, we can separate out the lesser from the greater Chinese interests. Clearly the Peking leadership does not believe its vital interests include giving significant material support to foreign revolutionary movements. In fact, Mao's doctrine explicitly describes national liberation struggles as essentially dependent on local resources, a "do it yourself" philosophy. This doctrine serves Chinese ethnocentric and practical interests as well. First, it points to the Chinese as the models for guerrilla warfare and prolonged struggle without outside help. The message is clear: "we did it basically on our own; you can, too." Second, China's practical interests are served because this general doctrine excludes the necessity of choosing between safe and unsafe situations in allocating Chinese assistance. All people's wars will be treated equally; no risks will be taken because no Chinese aid will be that important. This is the constant in Chinese policy, whether with neutral Burma, hostile India, or American-allied Thailand.

I see no plausible reason for these Chinese calculations to change five years hence. Neither in the first flush of victory in 1949 nor in Mao's last political convulsions during the Cultural Revolution did Chinese armies move across borders on behalf of "people's wars." Mao's successors are unlikely to react any differently to the role China should play in advancing communism abroad. They might conceivably scale down their lip-service to "national liberation struggles," although if the Soviet precedent serves any example, we should not expect this to happen for many years to come. But certainly there is no reason to believe they will take greater risks in staking their prestige, and possibly their country, behind a local insurgency through a show of force or nuclear blackmail.

Indeed, were one to concede any plausibility to this basis for Chinese nuclear blackmail, it would have far more relevance to Chinese deployment of an intermediate range ballistic missile system, targeted against U.S. bases on China's periphery and against cities of our allies. A Chinese ICBM and a U.S.-based ABM would be largely irrelevant to a serious and systematic effort by Peking to back local insurgencies with nuclear force. But even the IRBM alternative assumes so fundamental a change in Chinese doctrine as to raise serious questions of probability.

Moreover, so long as U.S. nuclear power remains capable of devastating China, the credibility of any such blackmail—whether through ICBM's or IRBM's—is so low as to, in all likelihood, discourage its use by Peking. If we assume a burgeoning nuclear missile program in China, we also assume the concomitant infrastructure of technological modernization and all that is entailed in supporting so costly and complicated a military system. This developmental process has a double effect. First, it educates an elite in the long and painful process of pulling a backward country somewhere near the levels of advanced nations. Moreover it increases the vulnerability of their society, no longer dependent on scattered rice-fields but now locked into the urban complex, to nuclear attack. In short, China's acquisition of an operation nuclear missile capability should reduce, not increase, the willingness of Peking to risk nuclear war.

If we shift from so-called "people's wars" to conventional types of conflict, the past twenty years give far more cause for concern in projecting the future. The important uses of Chinese force, with varying degrees of anticipated risk, occurred in Korea, 1950–53; Quemoy, 1954–55 and 1958; India, 1962 and 1965; and Vietnam, 1965–68. Several characteristics link these events together. Every clash occurred in immediate proximity to, if not actually on, China's border. In every case Peking regulated the level and tempo of its military actions so as to minimize the risk of escalation spilling over into China, although accepting some such risk as basically unavoidable. After Korea, Peking never again openly courted U.S. attack against the mainland. On the contrary, it very carefully controlled its actions in the Taiwan Strait crises, and its words in the Vietnam War, so as to avoid provoking us to use either conventional or nuclear force against targets in China.

Looking at the specific issues involved in

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each clash, these events obviously differ, one from another. The first Sino-Indian conflict of 1962 grew out of a festering border dispute, complicated by Chinese assumptions of foreign exploitation of internal vulnerabilities in the disastrous aftermath of Mao's "Great Leap Forward." However, China's attack in 1965 was part of the Pak-Indian conflict within which Peking had a limited interest on behalf of Pakistan as well as itself. In both Korea and Vietnam, Chinese assistance came on behalf of a besieged neighbor with a common communist ideology against a commonly perceived enemy, "U.S. imperialism." Finally, the two Quemoy crises arose in the context of China's unfinished civil war into which we interposed our force nineteen years ago and from which we have never disengaged.

One can examine this record much as one looks at the doughnut or the hole. On the one hand, it shows the careful deliberation behind China's use of force in conventional situations commonly encountered in international relations over the past two hundred years. This is the way nations behave, communist or not, Chinese or not. On the other hand, it does show Peking's willingness to take risks and to use its force in situations other than clear and immediate self-defense. I would suggest that combining both points of emphasis permits us to project a situation when China acquires nuclear weapons which is neither wholly reassuring nor wholly frightening. I suspect this will be more or less true so long as nuclear weapons remain in *anyone's* hands, other than our own, and certainly should they proliferate beyond the present nuclear powers.

There is one aspect of the Chinese situation, however, which is unique compared with our relationship to other nuclear powers: we did intervene and continue to intervene in the Chinese civil war. Moreover, in the second Quemoy crisis of 1958, we provided the Chinese Nationalist forces with eight-inch howitzers publicly identified as capable of firing nuclear shells. Aside from whatever role our threats to use nuclear weapons in 1953 may have played in bringing about a truce in Korea, our nuclear deployment in the West Pacific has taken on a particular salience for Peking because it has provided the ultimate deterrent against Mao's pursuit to the end of his more than thirty years of struggle with Chiang Kai-shek.

Here a bit of historical perspective is in order. For more than one hundred years, China—long confident of its civilization's superiority to the outside world—suffered invasion and exploitation by foreign powers, large and small, European and Asian, largely because of China's material inferiority, especially in weapons. We call this "gunboat diplomacy." Chinese—whether Nationalist or Communist—call it the period of "Unequal treaties and foreign imperialism." Peking's determination to gain sufficient military strength to prevent foreign interference in China's internal affairs made the development of nuclear power in China absolutely essential. Whether against American dominance or Soviet dependence, China's nuclear capability would provide at least psychological and political strength, if not an actual strategic equalizer.

I do not doubt that significant elements in the Chinese leadership—certainly Mao himself—believe their explanation of former Secretary of Defense McNamara's announcement to build an ABM because of the Chinese threat, as a step "taken by U.S. imperialists to continue with their nuclear blackmail and nuclear threats against China" and "another anti-Chinese measure adopted to intensify the administration's collusion with the Soviet revisionist leading clique." If we continue with the ABM and its present justification, we will perpetuate the suspicion, if not the conviction, in Peking that we are determined to maintain maximum military superiority over China so as to act at will in pursuit of our interests, regardless of the consequences for Peking. Given our confrontation over Taiwan and the offshore islands, anything which perpetuates or intensifies the sense of bitterness and frustration in the Chinese leadership must be justified as necessary on other grounds which offset this cost. Seen in this perspective, the ABM is not a guarantee against Chinese irrationality or miscalculation but rather may actually be a further goad to Chinese assumptions of our malevolance and permanent enmity.

STATEMENT BEFORE THE SUBCOMMITTEE ON INTERNATIONAL ORGANIZATION AND DISARMAMENT OF THE SENATE COMMITTEE ON FOREIGN RELATIONS BY MARSHALL D. SHULMAN, PROFESSOR OF GOVERNMENT, AND DIRECTOR, RUSSIAN INSTITUTE, COLUMBIA UNIVERSITY, MARCH 13, 1969

Mr. Chairman, I address myself to some international political aspects of the question whether the United States should now deploy some form of anti-ballistic missile system, and in particular, I would like to suggest how I believe this decision affects, and is affected by, our relations with the Soviet Union.

I am not competent to testify regarding the technical aspects of the question, but I think it is evident that the matter is by no means a purely technical one, and that even if the question of technical feasibility were wholly satisfied, the *political context* in which this decision is made deserves serious consideration.

In the course of the public discussion of this question, there is no disagreement, I believe, that the central issue is how best to strengthen the security of the United States. The disagreements arise over how to think about security, in the light of the new conditions now prevailing, involving a complex and rapidly changing weapons technology, and an intricate process of interaction between the Soviet Union and the United States, whose policies are deeply influenced in both cases although in different ways by the interplay of political and social forces which we do not yet understand very well.

My testimony is divided into two parts: Background and Recommendations.

I. BACKGROUND

(1) Until a few years ago, the strategic military relationship of the Soviet Union and the United States had reached a plateau of relative stability, based upon a gross balance of mutual deterrence, despite considerable disparities between the two arsenals. Experience had taught both countries a considerable measure of sobriety, and in practice there developed significant tacit restraints which introduced some measure of stability in their strategic military competition. However, the quest for superiority by each country and the appearance of a new generation of technological innovations now threaten to undermine that tenuous stability. From the Soviet point of view, the United States has by and large appeared to be the pacesetter, and the Soviet Union has been making a strenuous effort in recent years to catch up. Both countries are now in the grip of technological possibilities—improved accuracy, more target information from reconnaissance satellite photography, greater range and yield, multiple guided warheads, advanced computer technology, and potential military uses of outer space and the sea-bed—which call into question the relative invulnerability of the retaliatory deterrence on which the previous stability was based. This circumstance is an important part of the context within which the ABM question arises.

(2) There has been a spiral of interaction between the two countries, which stems partly from the fact that strategic policy is often determined by bureaucratic politics and psychological apprehensions, with rational doctrine coming along as an afterthought. The interplay of forces and interests operating on the decision-making process within each country is affected by that on the other side, with the result that a reciprocal process of simulation has sometimes been set in motion. However, there is often a lag in time involved, during which ideas are diffused and sink in and get translated into action by cumbersome bureaucratic processes, with the result that we have often not recognized a reaction for what it is, but have taken it as a new initiative, reflecting a change in intentions. For example, it appears probable to me that the increased rate of intercontinental missile deployment by the Soviet Union of which we became aware a few years ago may reflect a decision taken in response to the steep rate of increase in our missile program foreshadowed in the 1961 U.S. budget, which was in turn a response to our estimate of what the Soviet missile program of 1958 might have projected.

(3) Soviet policy in the present period, particularly as it affects domestic and Eastern European developments, appears to be dominated by the orthodox wing of the Communist Party bureaucracy, and is marked by a preoccupation with ideological conformity among intellectuals, artists and nationality groups. While some of the social tensions stem from factors that also appear in the United States and elsewhere in the world, the modernization of the economy within the Soviet Union and in Eastern Europe raises special and difficult questions for a centralized system of Party governance, and this may in part be responsible for the present tightening of ideological control. If there should be a relaxation of the level of tension with the United States, it is quite possible that this will be accompanied, as has been the case at times in the past, by a further tightening of police and Party vigilance against "contamination by bourgeois ideology." However, the Soviet effort to increase its influence in areas where U.S. influence has receded, as in the Middle East, sets limits on the degree of detente that can be expected in the present period.

(4) Among the considerations which weigh heavily upon the Soviet leadership in the present period, as it faces the problem of drafting a Five Year Plan for the allocation of resources for the period 1971–1975, is the drain on resources generally and upon advanced technology in particular as it contemplates the upward spiral of the strategic arms race. One year ago at this time, the Soviet leadership was engaged in a hard-fought debate, whether to enter into talks with the United States to damp down the strategic arms race. By the late spring of 1968, this issue was settled in favor of entering into such talks. We do not know what coalition of interests may have carried this decision or how far this coalition would be prepared to go in actual negotiations—it may be that the only agreement reached at that time was to let the talks begin—but it does appear to be the case that a serious concern about economic costs has been an important factor in impelling the Soviet leadership to want to find out how far the United States is prepared to go in checking the upward spiral of the strategic arms race.

(5) As of this moment, the Soviet attitude toward the new American Administration is tentatively hopeful, with many reservations in the background. Despite its past feelings about the new President, and its anxieties about pressures it sees toward the militarization of the American society, the Soviet press and leadership appear to believe that "objective circumstances"—meaning domestic social tensions in the United States, budgetary pressures, and the pacific inclination of the American people—together with the practicality of the President may create a

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present opportunity for moderating the strategic arms race in some measure.

(6) The rise in publicized hostility between the Soviet Union and Communist China is a factor that may operate in several contradictory directions. The Soviet Union has clearly been anxious about the possibility of an alliance between China and the United States, however remote that prospect now appears to us; I do not, however, see the possibility of a Soviet alliance with the United States against China in view of the intensity of the residual hostilities in our relationship. Nevertheless, some quiescence in its realtions with the United States may seem attractive in a period of intensified conflict on the Chinese border. On the other hand, this conflict also catalytically increases Soviet interest in defense, and sets limits on the possibilities for overt collaboration with the United States.

(7) Soviet thinking about the significance of ABM may have gone through changes with time. The original deployment decision appeared to be something of a "politician's compromise" among conflicting pressures, and it corresponded to a folk-wisdom feeling about the defense of Moscow. Over time, however, the decision seems to have been weakened by a growing realization of the ineffectiveness of that particular system and its stimulating effect upon the U.S. strategic budget. In recent years, serious analytical writing on the ABM in military doctrine has dropped out of the public press. With regard to the U.S. decision to deploy Sentinel, the Soviet press has not until recently expressed deep concern, except for the worry that a thin ABM might soon put on more weight. Although evidence is lacking, I believe the ABM by itself may be of less concern than the ABM in its context, which includes the deployment of MIRVs and other technological developments previously mentioned, especially the improvement of missile accuracy. Taken together, these may seem to give some plausibility to the arguments of those who claim the U.S. is bent on achieving a first-strike capability. The Soviet response could be expected both on the psychological level and on the level of military strategy—as was our response to the Soviet ABM—and would involve the acceleration of technological innovations which would, in turn, lead to a further American response.

II. RECOMMENDATIONS

With this background in mind, Mr. Chairman, I find myself impelled to the following conclusions:

(1) In the absence of a compelling case for the immediate deployment of an ABM, and a persuasive case for the feasibility of the proposed system, I believe that any such deployment should be put on "Hold" at the present time, while continuing our research and development on various anti-ballistic-missile systems. There are risks and costs to such deferment, but I believe they are less than the risks and costs of stimulating a continuation of the upward spiral of the strategic arms race, and delaying a possible agreement with the Soviet Union until it becomes even more difficult to achieve than it would be today.

(2) Even more important, I believe, would be an effort on our part to begin the process of negotiations with the Soviet Union on the damping down of the strategic arms race as soon as possible, with a clear indication of the seriousness of our intentions to achieve stability, levelling-off and, when possible, reductions. One essential mark of our seriousness would be a clear indication of our willingness to exercise restraint in the further deployment of Poseidon, Minuteman III and other advanced offensive weapons. There are also risks to this course, but if our security is best advanced at this stage by a stable deterrent balance at a moderate level, the risks are neither disproportionate nor irretrievable.

(3) I would recommend that we carefully avoid creating undue expectations for early and dramatic results in such negotiations. It seems likely that these talks may take a long time, that they may involve procedural wrangles and set-backs, and that they may at best produce tacit and reciprocal restraint rather than treaty agreements. We should also remind ourselves that these talks are not likely to produce an across-the-board detente, nor to settle other important political differences.

(4) The Administration should be commended for its effort to move ahead on a number of political issues with the Soviet Union, but the missile talks should not depend upon the successful outcome of these efforts. It is evident that progress in the missile talks would be difficult if the Soviet Union sought to gain political advantage from the climate created by the fact of the talks themselves, or if the Soviet Union were actively fanning the sparks in the Middle East, or if the United States were engaged in bombing North Viet Nam. But the point should be clearly established that there is an overlapping interest on the part of the Soviet Union and the United States equally in levelling-off the strategic arms race, even though the political rivalry between the two countries is not now substantially abated, as it may not be for some time.

(5) It follows also, Mr. Chairman, that it would not be wise to deploy an ABM system in the belief that it would improve our bargaining position in relation to the missile talks. To do so would be more likely to strengthen the position of those on the Soviet side who are only too ready to argue that the United States is too committed by its system or its pressure groups to an arms race to be seriously interested in its abatement.

(6) I would not argue that every level of anti-ballistic missile deployment under every circumstance is necessarily destabilizing. I can conceive of circumstances arising in the course of these negotiations in which the Soviet Union might indicate it would not wish to contemplate the dismantling of its ABM installations. It could then accept with equanimity some moderate level of ABM protection for the invulnerability of our fixed-site missiles, our command and control installations and our Strategic Air Force, as a stabilizing factor in the deterrent balance. In such a case, I would think it important that both by Presidential declaration and by the physical disposition of these facilities, it should be made clear that they will not be used as building blocks toward a thick ABM system for the defense of cities, thus degrading the Soviet deterrent. In such a circumstance, progress in the missile talks and restraint in the deployment of advanced offensive weapons would be necessary concomitants to these deployments.

(7) Finally, Mr. Chairman, I would urge that we never lose sight of our longer term objective to work our way out from under the balance of terror, toward agreed reductions in strategic weapons as these become possible, and toward at least tentative first steps to forms of security that need not hold our people in precarious hostage.

Thank you, Mr. Chairman.

Statement of Carl Kaysen for the Subcommittee on Disarmament, Senate Foreign Relations Committee, Thursday, March 13, 1969

The question to which I am addressing myself is, "Should the Government of the United States now go ahead with the proposed deployment of the Sentinel Antiballistic Missile System?" This question in turn must be divided into two parts: first, whether the deployment that has recently been proposed should go forward—namely, that of a "thin" area defenes over the whole country, relying primarily on the *Spartan* long-range, high-altitude interceptor missile but incorporating also a number of *Sprint* shorter-range, lower-altitude interceptors used mainly to defend the radar installations of the system—and second, whether, alternatively, there should be a modified deployment which would be designed primarily to defend Minuteman missle sites and bomber bases, but which would still contain a substantial element of area defense.

My answer to the question is "No."

This response is based primarily on two propositions: (1) we do not need such a deployment now to increase our security; (2) since we don't need it, we must not do it because it is expensive and there are more pressing claims on our resources and efforts which merit higher priority than a large new military system that is not strictly necessary.

Further, it is my judgment that the deployment of a Sentinel system in either of the modes described above is more likely to decrease than to increase our security. Agreement with this third proposition is not strictly necessary to a conclusion that a deployment decision is not in order, but obviously it reinforces greatly the more narrowly based argument that rests on the first two propositions above

My first proposition—that we do not need an ABM system now for security reasons—requires elaboration. The primary function of the large, complex strategic weapons systems we have built up over the last decade and a half is to insure that no adversary with a large strategic capability will be tempted to use it against us. Our present system does that by its capability to inflict a very high level of damage on even the largest and most powerful potential adversary—i.e. the Soviet Union—after that adversary has made a surprise attack on us. In the face of that capability, such an attack would be irrationl. This deterrent posture has been efficacious in the face of a large build-up in Soviet striking strength. The present size and disposition of our offensive forces and the associated intelligence, warning, command and control systems, is such as to insure that they can continue to perform this function effectively in the near future, say the next three to four years. Whether they can do so in the further future is a different question to which I will return in a moment. The proposed ABM system will add little if anything to the capability of our forces to continue to perform this deterrent function. Their own performance is quite uncertain, and their effect in adding to our very large retaliatory capacity—what the Defense Department has come to call our capacity for assured destruction—is marginal at best if the system performs well and may be nil or even negative if it performs badly. You have already heard from scientists of great technical competence and experience on the complexities of the system and the difficulties of predicting its performance. Since I am neither scientist nor engineer, I can add nothing from my own knowledge to what you have already heard. Further, the Soviet Union can readily take responsive measures in the way of adding to their offensive force, improving the penetration capability of their reentry vehicles and the like, which can be expected to overcome a very substantial part, if not all, of whatever defensive capability the ABM system possesses.

Second—as far as its supposed function of defense, in the event of nuclear war, the proposed system may have some value if the Soviets do nothing to respond to it. With the system we might sustain fewer casualties in the event of deterrence failing and war coming, than without it. However, we must remember that our primary reliance is on deterrence, and that damage limitation is, and has been, at best a poor and weak second. In the past damage limitation has been argued for in somewhat inconsistent terms, partly as a kind of nearly free add-on to what were essentially deterrent forces, partly as a somewhat euphemistic way of discussing something that was nearly, but not quite, a first-strike capability. Even separately, these arguments are not persuasive. Together they tend to be contradictory. They become no more effective when the mode of damage limitation is defensive rather than preemptive. Further, the more it appears that the system could achieve a significant defensive result, the more likely it is that the Soviets will respond to it in such a way as to negate most of its effect.

Soviet capabilities, both in terms of current deployments and development in production potential for improving and increasing them are such as to make it impossible for our strategic forces to do much more for us than provide mutual deterrence. The existence of these forces, confronting large and similarly stable Soviet second-strike forces, does provide some general extra restraint on both powers in respect to any action which might lead to military involvements and the awful threat of escalation. Even this restraint is imperfect, as the recent past has shown. However, it is clear to me, and I think to every other careful observer, that strategic striking power cannot now, has not in the recent past, and will not in the foreseeable future, offer the kind of military threat vis-a-vis the Soviet Union that is translatable into useful political power, precisely because the Soviet Union offers and can continue to offer the same kind of threat to us.

On the scale and in the mode originally proposed, the Sentinel system would simply make no essential difference in respect to our strategic relations with the Soviet Union as far as mutual deterrence goes, even if the Soviet Union does little to respond to its deployment. Of course, we cannot predict that they will not respond. If the system is deployed on a larger scale than is now proposed—i.e. if the "thin" system grows up to a "thick" one—we must anticipate a Soviet response. It has never been our policy, and I think it never should be, to seek a first-strike capacity vis-a-vis the Soviet Union. If we were seeking such, and an ABM were big enough, reliable enough, and not capable of being effectively countered by Soviet response, then its deployment might indeed alter significantly the strategic balance. But none of these conditions holds.

The original rationale of Sentinel deployment and "thin" area defense to protect the whole country against a Chinese missile attack in the mid or late 70's was never convincing. It seems to have been abandoned by its proponents. An attack on the United States by the strategically weak Chinese would be wildly irrational. The U.S. has a first-strike capacity against China now. Are we seeking to extend it? To use it? Do we really believe that while we do deter the Soviets, we cannot deter the Chinese?

If the rationale for the deployment of Sentinel is shifted once again and becomes that of defending our bomber bases and Minuteman sites, we can say again, "It's not now needed." The survivability of a sufficient striking force for effective deterrence is not in doubt now and does not appear likely to be in the near future. To the extent that, in the further future, it becomes in doubt, the question of whether the Sentinel system, designed for quite another task, is the efficient mode for increasing that survivability deserves careful examination. For example, it is obviously cheaper, simpler and quicker to increase the survivability of the bomber force by spending the extra money required to increase the number of planes on air-alert or provide for a large number of additional bases, rather than to erect an elaborate missile system for close-in defense of bomber bases.

My second proposition hardly needs elaboration. Deployment of the Sentinel system will cost us $5 to $10 billion over the next several years. The Senate needs no instruction on the variety of pressing needs for which these sums could be used. If, as I have argued above, Sentinel is not a necessity for our security, then there is every reason to seek higher priority uses for Federal funds. Not only is the money important, but the question of political effort and priority is also important. The question of how we value what may at best be a marginal addition to our defense in relation to what are clearly major urgent needs in domestic areas is deeply involved.

In my own view, the argument goes beyond the two points that I have made. A decision to begin now to deploy the Sentinel system will detract from our security, not add to it. The argument for this view is complex; it involves a further forecast into what is inevitably an uncertain future and includes an important element of judgment, but so, of course, do the arguments the other way. Forecasts and judgment cannot be escaped. The military technology embodied in the forces that we and the Soviet Union now have deployed is such as to make the maintenance of deterrent stability relatively secure. The nature of the forces is such that a would-be attacker can hardly entertain a belief in his ability to succeed. Further, each side has a clear notion of the forces which the other side commands. The next stages of the evolution of the technology of strategic weapons will change that situation in a drastically unfavorable way. The combination of ABM defense, MIRVs, and mobile missiles, toward which both sides appear to be moving offers much less prospect of certainty and stability of deterrence. Our most urgent task in maintaining our security is to insure the kind of arms control negotiations which have a good prospect of closing off movement in this direction. An immediate decision to deploy will do nothing to help that process and may hinder it. It will stimulate forces both within our own governmental system and within the Soviet system that will push toward further radical changes in weapons.

It has been stated by some that, if we fail to deploy the ABM, we will be throwing away a bargaining card for negotiation with the Soviet Union. I cannot understand this argument. The future capacity to deploy, and perhaps to deploy a better conceived and designed system is all the bargaining card we need. Actual deployment, by revealing what we are doing, diminishes rather than increases the effectiveness of our bargaining position.

Finally, there is an even larger and deeper issue. Do weapons dictate policy, or do we decide on the basis of our policy concepts what weapons we wish to deploy? As new and frightening technological possibilities open up before us, I think this is the most important question that the Senate, the Government, and the country must face.

PITTSFORD, N.Y.,
March 13, 1969.

Senators ALBERT GORE AND JOHN SHERMAN COOPER,
Subcommittee on Disarmament, Foreign Relations Committee, Old Senate Office Building, Washington, D.C.:

During my five years as science advisor to President Johnson I studied, with the aid of distinguished consultants, the question of ABM systems, their technical capabilities and their relations to our overall strategic position. I came to the conclusion then and believe now that the deployment of any of the proposed ABM systems would impair the security of the United States and retard progress toward a stable, peaceful world.

I can see no necessity for the deployment of a system to protect us from the Chinese. If our ICBM, Polaris and bomber forces are adequate to deter the Soviet Union, which possesses very large nuclear forces of its own, the deterrent against China is overwhelming for the foreseeable future.

As for an ABM defense against the Soviet Union, there is no present prospect of a defense which could stop a large-scale attack. Any system which I have examined was vulnerable in various respects, and in any case could be relatively easily countered by new developments in offensive weapons and tactics.

ABM systems cannot be considered in isolation. They would become part of an offense-defense game in which, at present, the offense seems to have the advantage. In any case, whatever initial system we deploy would have to be constantly elaborated and improved and eventually replaced by newer generation of ABM systems as the other side increased the quantity and quality of its offensive forces. This it would inevitably do if the ABM system had any effectiveness, so that even the cost of the so-called full system would only be a down payment on the eventual expense. More important still, it would lead to continual escalation in the armament level of both sides with no increase in security. Indeed, if one reflects that in the face of a stronger Soviet force we would rely on a fantastically complicated system which could never be tested full scale and whose overall reliability would never be known, I believe that our security would decrease.

In my view the question of whether we would be defended better with or without an ABM system can only be answered by considering our overall strategic situation. Since so much is at stake, this should be reviewed free from historical or partisan bias or vested interest. For this reason I support the proposal by Dr. Killian that a broadly based national commission be created to study the total problem.

At this time I believe deployment of ABM would be contrary to the national interest and might well impede what I consider the most urgent business, to get on with talks aimed at the possibility of limiting the further expansion of nuclear armaments.

DONALD F. HORNIG.

Mr. MOSS. Mr. President, I am opposed to the Sentinel anti-ballistic-missile system. I was opposed to it when President Johnson first proposed that it be deployed, and I voted twice in the Senate to postpone deployment. There is nothing which has occurred since I cast those votes to change my mind and I intend to vote against deployment once again.

The country and the Congress are in a state of anticipation today as the countdown continues at the White House. It is expected that the President will announce his decision on the ABM at his press conference tomorrow. I ask him to call a halt on ABM. I cannot believe that with all of the hard facts—the scientific facts—he has at hand, that he will decide to resume emplacement of this system which is so obviously ineffective at this point in time.

If a nuclear war ever starts, it will be lost in that moment. I do not hold with the argument that we might, with an antiballistic system, reduce casualties from 100 million people to maybe 70 or 80 million people. Does one call that a victory? To any but the military mind, to call this a victory is absurd.

What the administration is talking about is a thin system which it hopes would be an effective guardian against the Chinese. To me it is unbelievable that China with its primitive missile arsenal, would attack the United States, since we have the capacity to retaliate by wiping out most of their cities within minutes.

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But, even if a case could be made for a thin missile system as a defense against the Chinese, once such a thin system were adopted it would be a short step to the thick system urged as a defense against the Soviet Union, and we would be thrust in a monstrous open-ended weapons race which could escalate the cost of ABM, now billed as a $5 billion venture, to $100 billion a year. And still no assurance that it would be really effective.

The scientific community is opposed to the Sentinel system, and some of their spokesmen have told us why with brilliance and clarity in the last 2 days. Many of our military leaders have little faith in it. Millions of Americans are opposed to it, not only because they feel it would be useless, but because it would add an even greater threat to our cities than they now face.

Mr. President, the ABM system would not be, as some insist, America's best mainstay against attack, enhancing our security, but instead would become America's biggest miscalculation, because it would escalate the arms race to an ever higher rate of peril, and make it all but impossible to bring the deadly competition in overkill under effective control.

If a nuclear war ever starts, which God forbid, it will be lost in that moment. We know that the Soviets have a limited defense system, but we do not know how good it is. If we insist, because the Russians have one, that we must adopt a similar system and a better system, we will be triggering an arms race whose end we cannot foresee. If we build the Sentinel system, it will merely increase the possibility that it will have to be used. We must have the courage to move toward a more peaceful world, toward nuclear weapon limitation.

SENTINEL ABM SYSTEM

Mr. KENNEDY. Mr. President, this week, the Committee on Foreign Relations has heard the testimony of six eminent Americans—all of them opposed, for various and differing reasons, to deployment of the Sentinel anti-ballistic-missile system. Taken as a whole, I find this testimony so compelling and persuasive that I believe it should be made widely available.

I noticed in the last few minutes that the Senator from Tennessee (Mr. GORE), who is chairing the hearings, placed that testimony in the RECORD and I urge all my colleagues to read it very carefully.

I do not think that the arguments these gentlemen made need restating on the Senate floor today. Instead, I should like to point out that the expertise they brought to their testimony—expertise in science, in foreign relations, in public policy service at the top of our Government—is unique in its breadth. I hope, as a result, that their testimony is closely studied.

One particular suggestion by one of the witnesses—the chairman of the board of the Massachusetts Institute of Technology, Dr. James R. Killian—deserves further comment. In his testimony, Dr. Killian made the suggestion that there be created an ad hoc commission or task force to make an "independent, comprehensive study in depth of our weapons technology and of the factors which bear upon the decisions the Nation must make regarding ongoing strategic forces and policies." I do not think the value of this proposal can be overstated.

In Dr. Killian's words, the work of such an ad hoc commission or task force would have special value to the Nation and the Congress for the overriding reason that its proposals would be independent conclusions reached by a group of competent citizens who were free of organizational loyalties. It was precisely this kind of thinking which motivated me to ask Dr. Jerome Wiesner and Prof. Abram Chayes to organize a report to me and to the Congress on the Sentinel ABM system. I was concerned that we would not have available to us, as we debated the Sentinel and the budget requests to support its deployment, any comprehensive and coherent body of information which presented the arguments of those who opposed deployment.

Were Dr. Killian's suggestion adopted, then we would have a dispassionate evaluation available to us not only on the Sentinel ABM system, but on our entire strategic and other weapons systems as well. The experience of the Gaither Commission, appointed in the early 1950's and whose recommendations both greatly altered and still influence the direction our weapons policies take, is an instructive example of the worth of this concept. Coming as it would at a crossroads in our history, such a report could prove of signal value in bringing us closer to a safe and sane world. It is my hope that such an ad hoc task force or commission is appointed soon, and that its work is available in a relatively short time.

Dr. Killian's suggestion raises a larger and deeper issue, which Dr. Carl Kaysen phrases this way in his testimony:

> Do weapons dictate policy, or do we decide on the basis of our policy what weapons we wish to deploy?

There is a growing feeling that for far too long weapons have dictated policy, and that President Eisenhower's warning about the influence of the military-industrial complex has not been closely heeded.

We must be vigilant to assure that the decisionmaking process for matters so vital as our weapons policies is an orderly and open process. If it is not, then we will continue to have our priorities distorted and our security imperiled. This is the lesson of the current debate over the Sentinel system, a lesson whose importance we cannot neglect.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. SPARKMAN, from the Committee on Banking and Currency, without amendments:

S. 408. A bill to modify eligibility requirements governing the grant of assistance in acquiring specially adapted housing to include loss or loss of use of a lower extremity and other service-connected neurological or orthopedic disability which impairs locomotion to the extent that a wheelchair is regularly required (Rept. No. 94); and

S. 1130. A bill to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the American Fisheries Society (Rept. No. 96).

By Mr. SPARKMAN, from the Committee on Banking and Currency, with amendments:

S. 1081. A bill to provide for the striking of medals in honor of the dedication of the Winston Churchill Memorial and Library (Rept. No. 95).

STRIKING OF MEDALS IN HONOR OF THE DEDICATION OF THE WINSTON CHURCHILL MEMORIAL AND LIBRARY

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 1081.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill to provide for the striking of medals in honor of the dedication of the Winston Churchill Memorial and Library, reported with amendments, on page 2, line 2, after the word "President.", strike out "There is hereby authorized to be appropriated the sum of $3,000 to carry out the purposes of this section." and insert "*Provided*, That the Fulton Area Chamber of Commerce, Incorporated, agrees to pay, under terms considered necessary by the Secretary to protect the interests of the United States, all costs incurred in the striking of such medal."; and, in line 11, after the word "than", strike out "ten" and insert "five"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a), in honor of the dedication of the Winston Churchill Memorial and Library at Westminster College in Fulton, Missouri, in May 1969, the President is authorized to present in the name of the people of the United States and in the name of the Congress to the widow of the late Winston Churchill a gold medal with suitable emblems, devices, and inscriptions to be determined by the Fulton Area Chamber of Commerce, Incorporated, subject to the approval of the Secretary of the Treasury. The Secretary shall cause such a medal to be struck and furnished to the President. *Provided*, That the Fulton Area Chamber of Commerce, Incorporated, agrees to pay, under terms considered necessary by the Secretary to protect the interests of the United States, all costs incurred in the striking of such medal.

(b) The die from which such gold medal is struck shall be marred and donated to the Winston Churchill Memorial and Library for display purposes.

SEC. 2. (a) The Secretary of the Treasury shall strike and furnish to the Fulton Area Chamber of Commerce, Incorporated, not more than one hundred thousand duplicate copies of such medal in silver and bronze (of which not more than five thousand copies shall be in silver). The medals shall be considered to be national medals within the meaning of section 3551 of the Revised Statutes (31 U.S.C. 368).

(b) The medals provided for in this section shall be made and delivered at such times as may be required by the Fulton Area Chamber of Commerce, Incorporated, in quantities of not less than two thousand, but no medals shall be made after December 31, 1969.

(c) The Secretary of the Treasury shall cause such medals to be struck and furnished at not less than the estimated cost of manufacture, including labor, materials, dies, use of machinery, and overhead expenses, and security satisfactory to the Director of the Mint shall be furnished to indemnify the United States for full payment of such costs.

The **PRESIDING OFFICER**. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. **SPARKMAN**. Mr. President, I move that the committee amendments be agreed to en bloc.

The **PRESIDING OFFICER**. Without objection, the amendments are agreed to en bloc.

The bill is open to further amendment. If there be no further amendments to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

S. 1560—INTRODUCTION OF A BILL TO AMEND INTERNAL REVENUE CODE OF 1954 TO PREVENT FARM OPERATION LOSS WRITEOFFS

Mr. **MILLER**. Mr. President, for myself and Senators GRIFFIN and COOK, I introduce for appropriate reference a bill to amend the Internal Revenue Code of 1954 to prevent farm operation loss writeoffs for tax purposes in the case of taxpayers whose principal business activity is not farming. I ask unanimous consent that the bill be printed in the RECORD at the conclusion of my remarks.

The **PRESIDING OFFICER**. Without objection, the bill will be received and appropriately referred; and, without objection, will be printed in the RECORD at the conclusion of the Senator's remarks.

(See exhibit 1.)

Mr. **MILLER**. Mr. President, this bill is basically the same as the one I introduced last year—S. 3443, with amendment.

Its approach is to prevent any tax loss writeoff, with certain exceptions to cover off-farm wages and salaries and losses resulting from flood, drought, hail, and other type casualty. In this respect, my bill differs from several other bills introduced recently on this subject which permit varying amounts of tax loss writeoffs and, to this extent, fail to plug the loophole.

These other bills also tend to force farmers to change their accounting systems from the cash basis to the accrual basis, which is considerably more complicated. They do so by excepting accrual basis farm operations from the prohibition against tax loss writeoffs within the varying amounts specified in the bills. My bill would leave cash basis farmers alone. Furthermore, by excepting accrual basis farm operations, the loophole permitting tax loss writeoffs would not be closed.

The policy behind my bill and others introduced on this subject is to protect the commercial farmer from unfair competition which results when individuals and corporations not primarily engaged in farming operations can deduct losses from farming operations against income in high income tax brackets. The tax law developed on so-called hobby farmers is inadequate for this purpose, because the court decisions permit loss writeoffs if there are businesslike operations with "a reasonable expectation of profit." Most loss writeoffs involve businesslike operations, and the line between those with a reasonable expectation of profit and those without a reasonable expectation of profit is extremely difficult to draw. Meanwhile, Uncle Sam absorbs a large amount of the loss burden, ranging up to 77 percent, depending on the income bracket of the taxpayer.

Worse yet, a top income bracket taxpayer can, using proper planning, convert $1 of loss into 77 cents of tax savings; and then, by selling off his farm assets lock, stock, and barrel realize long-term capital gain of $1 with maximum tax of 25 cents.

The extent of these tax loss writeoffs is reflected in a study of 1966 income tax returns by the Internal Revenue Service which shows that 75 percent of the 4,778 individuals who had farm operations and incomes over $100,000 deducted $72 million in farm losses against their other income.

A more complete breakdown shows: Millionaires: of the 103 involved in farming operations, 15 showed a net profit and 88 or 85.4 percent showed a net loss; $500,000 to $1,000,000: of the 228 in farming, 27 showed a net profit and 201 or 88.1 percent showed a loss; $200,000 to $500,000: of the 1,104, 209 showed a net profit and 895 or 81.1 percent showed a loss; $100,000 to $200,000: of the 3,343, 986 showed a net profit and 2,357 or 70.5 percent showed a loss; $50,000 to $100,000: of the 14,202, 5,622 showed a net profit and 8,580 or 60.3 percent showed a loss.

A U.S. Department of Agriculture study, released about the same time as the Internal Revenue Service survey, discloses that nonfarm business income was reported most frequently by those with the largest farm losses. Although the USDA study was based on 1963 income tax returns, it shows the depth of the problem, which is even greater today. The study shows that individuals with farm losses reported nonfarm income nearly twice as often as those with farm profits, and their nonfarm business income averaged more than twice that of persons with farm profits. Out of a group classified by the study as "well off," comprising almost a quarter of a million individuals, approximately 111,000 reported farm losses and more than 38,000 reported farm profits of less than $12,000. Of the 66,000 individuals who were classified as "wealthy," more than two-thirds reported farm losses, with the average losses reported being $14,110.

A properly designed tax law is needed. Tax loss farming is detrimental to the regular farmer in that it tends to push up the price of farmland. This, in turn, pushes up the land values and property taxes of regular farmers. Furthermore, the fact that farmowners with nonfarm income in high-income brackets may consider a farm profit, in the economic sense, unnecessary for their purposes places the ordinary farmer at a disadvantage when competing in the marketplace. Because he does not have to depend on his farm operations for a livelihood, the high-income bracket taxpayer can demand less for his products than the regular farmer, who needs to make a profit to be able to stay in business.

If farm losses could not be offset against nonfarm business income, these multibusiness individuals and corporations would get out of farming or they would help fight for better prices and lower costs of production.

The bill I have introduced follows an uncomplicated formula. It would provide that, except in the case of a taxpayer engaged in the business of farming as the principal business activity, the deductions attributable to the business of farming—which include losses—may not exceed the gross income derived by the taxpayer from the business of farming for the taxable year plus, in the case of an individual residing on the farm, the gross income derived by such individual and his spouse from wages and salaries, timber located on the farm, and royalties derived from property on which the farming operations are conducted.

A taxpayer is deemed to be engaged in the business of farming as the principal business activity if net income from farming for the 3 preceding taxable years—or so many of such preceding years as the taxpayer has been engaged in the business of farming—equals or exceeds two-thirds of total net income for such years. This conforms to the congressional definition of a "farmer" for purposes of filing a declaration of estimated tax.

The bill defines "business of farming" to include the holding of property used in farming. Thus, the so-called "investor" in livestock operations is prevented from benefiting from loss writeoffs.

Appropriate exemptions are provided to the general rule. Thus a deduction would not be disallowed if it is attributable to drought, abnormal weather conditions or other casualty; to a research or experimental farming operation conducted under a program approved by the U.S. Department of Agriculture, a State department of agriculture, or an agricultural school of an accredited college or university; or to farming operations consisting of egg or broiler production—which is a special situation not involved in the tax loss writeoff problem.

A farm enterprise acquired from a decedent and a farm enterprise acquired by foreclosure are also excepted from the limitation of the bill for the taxable year in which the farm enterprise is acquired and for two succeeding taxable years. This would give taxpayers acquiring, for example, a farm by devise or debt settlement a reasonable opportunity to place the farm on a profitmaking basis or to sell it within a reasonable period of time.

The final exception is in the case of a farming enterprise which comprises a part of an estate. In such a case the limitation would not apply to the estate for the first 2 taxable years if the business of farming was the principal business activity of the decedent for the last full taxable year before his death.

The bill authorizes the Secretary of the Treasury to prescribe regulations to carry

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out the purpose of the bill including specific regulations dealing with a taxpayer who has more than one business of farming and a business of farming which is carried on by a partnership or by a subchapter S corporation. Under these regulations, the Secretary would make it clear that if a taxpayer had more than one business of farming they would be treated together, and the income and deductions of a partnership or a subchapter S corporation would be treated as the income and deductions of the members or shareholders, respectively.

Mr. President, the bill I have introduced would not prohibit farming operations by nonfarmers. It would simply put an end to the use of farming as a tax avoidance mechanism by some individuals and corporations which results in unfair competition with the regular farmer.

The bill (S. 1560) to amend the Internal Revenue Code of 1954 to limit losses allowable with respect to farming operations which are incurred by taxpayers whose principal business activity is not farming, introduced by Mr. MILLER (for himself and other Senators), was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD.

EXHIBIT 1

S. 1560

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) part IX of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to items not deductible) is amended by adding at the end thereof the following new section:

"SEC. 277. Limitations on deductions attributable to certain farming operations.

"(a) General Rule.—Except as provided in this section and except in the case of a taxpayer engaged in the business of farming as the principal business activity, the deductions attributable to the business of farming which, but for this section, would be allowable under this chapter for the taxable year shall not exceed an aggregate amount equal to the sum of—

"(1) the gross income derived from the business of farming for the taxable year, and

"(2) in the case of an individual whose principal residence is on a farm, the gross income derived by such individual and his spouse for the taxable year from (A) wages and salaries for personal services, (B) timber located on a farm, and (C) royalties derived from property on which the taxpayer's farming operations are conducted.

"(b) Business of Farming.—For purposes of this section, the term 'business of farming' includes the holding of property used in farming.

"(c) Farming as Principal Business Activity.—

"(1) In general.—For purposes of subsection (a), the business of farming is the principal business activity of a taxpayer for a taxable year only if the net income from the business of farming for the three preceding taxable years (or so many of such preceding years as the taxpayer has been engaged in the business of farming) equals or exceeds two-thirds of the total net income of the taxpayer for such years.

"(2) Net income from business of farming.—For purposes of paragraph (1), the net income from the business of farming of a taxpayer for any taxable year is the sum of—

"(A) the gross income derived from the business of farming for such year minus the deductions attributable to such business, and

"(B) the full amount (if any) by which the gains from sales or exchanges of property used in the business of farming (within the meaning of section 1231 (b)) which are treated as gains from sales or exchanges of capital assets exceed the losses from such sales or exchanges.

"(3) Total net income.—For purposes of paragraph (1), the total net income of a taxpayer for any taxable year is the taxpayer's adjusted gross income (taxable income, in the case of a corporation) determined without regard to gains from sales or exchanges of capital assets or of property used in a trade or business, other than the business of farming. For the purposes of the preceding sentence, adjusted gross income and taxable income shall be computed by recognizing the full amount (if any) by which the gains from sales or exchanges of property used in the business of farming (within the meaning of section 1231(b)) which are treated as gains from sales or exchanges of capital assets exceed the losses from such sales or exchanges.

"(d) Exceptions for Deductions Attributable to Drought, Flood, and Other Casualties and to Certain Farming Operations.—

No deduction shall be disallowed under subsection (a) if such deduction is attributable—

"(1) to drought, flood, hail, or other abnormal weather conditions, disease, fire, storm, or other casualty or theft;

"(2) to a research or experimental farming operation conducted under a program approved by the United States Department of Agriculture, a State department of agriculture, or the agricultural school of an accredited college or university; or

"(3) to farming operations consisting of egg or broiler production.

"(e) Other Exceptions.—

"(1) Farm enterprise acquired from a decedent.—The limitation in subsection (a) shall not apply with respect to any farming enterprise acquired by the taxpayer by devise or inheritance, or by distribution of a testamentary trust, for the taxable year in which such enterprise is so acquired and for the two succeeding taxable years.

"(2) Farm enterprise acquired by foreclosure, etc.—The limitation in subsection (a) shall not apply with respect to any farming enterprise acquired by the taxpayer in partial or complete satisfaction of a debt for the taxable year in which such enterprise is so acquired and for the two succeeding taxable years.

"(3) Estates.—In the case of an estate, the limitation in subsection (a) shall not apply to any farming enterprise comprising a part of the estate for the first and second taxable years of the estate if the business of farming was the principal business activity of the decedent for the last full taxable year before his death.

"(f) Regulations.—The Secretary or his delegate shall prescribe such regulations as may be necessary to carry out the purposes of this section, including regulations applying the provisions of this section—

"(1) to a taxpayer engaged in more than one business of farming,

"(2) to a business of farming carried on by a partnership, and

"(3) to a business of farming carried on by an electing small business corporation (as defined in section 1371(b)).

The regulations required under paragraphs (2) and (3) shall provide that the income and deductions of a partnership or an electing small business corporation which is engaged in the business of farming shall be treated as the income and deductions of the partners or of the shareholders of such corporation."

(b) The table of sections for such part IX is amended by adding at the end thereof the following new item:

"SEC. 277. Limitation on deductions attributable to certain farming operations."

SEC. 2. The amendments made by this Act shall apply to taxable years beginning after December 31, 1969.

AUTHORIZATION FOR COMMITTEES TO FILE REPORTS DURING ADJOURNMENT OF THE SENATE

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that committees of the Senate be authorized to file reports during the adjournment of the Senate until noon on Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that there now be a brief period for the transaction of routine morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. PELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL ENDOWMENT FOR THE ARTS

Mr. PELL. Mr. President, it is with regret that I bring to the attention of the Senate the fact that Roger Stevens who has been the Chairman of the National Endowment for the Arts since its establishment has not been reappointed to his post upon the expiration of his term of office.

I fully understand that an administration has the right to appoint whomever it chooses to positions which come open during the Executive's term of office. However, I would like to most emphatically clear up some misinformation which is currently being cited concerning Mr. Stevens' original appointment.

Press reports lead one to believe that fundraising activities was one of the reasons, if not the reason, why Mr. Stevens was appointed Chairman for the Arts by President Johnson. As principal sponsor of the legislation which established the National Foundation on the Arts and Humanities, and as chairman of the Special Subcommittee on the Arts and Humanities, I was aware of the selection process involved, and believe the record should be set straight.

In fact, at the time of the assassination of President Kennedy, on November 22, 1963, Mr. Richard Goodwin was to have been named to this job and have this responsibility. However, following President Kennedy's death, the decision was made that whoever filled this position should be acceptable to the new President. Moreover, President Johnson had other duties in mind for Mr. Goodwin.

Various conversations were held with those interested in the arts program, both in and out of Government. The view that emerged from these conversations was that Roger Stevens was the man who would be most able to nurture the new, rather delicate creation that was the National Endowment on the Arts, that he was more qualified than any other individual of whom we knew to handle the work in a noncontroversial, nonpartisan manner, and that he would be particularly able to deal with Congress and with people throughout the country without regard to political alinement in carrying out his responsibilities.

Moreover, he was already chairman of the Kennedy Center for the Performing Arts and hence was here in Washington, an important factor since the question of funds for operating expenses and salary was then very much in the air.

The fact that he had been a leading fundraiser for Adlai Stevenson in his two campaigns for the Presidency in 1952 and 1956 was in no way a factor in the decision to name him. In fact, in the 1960 Kennedy-Johnson campaign it should here be noted that his fundraising activities for the Democratic Party were minimal.

All told, Roger Stevens has done a superb job as Chairman on the Council. I knew that when he took the job he, or anybody else in that position, would face almost impossible criticism. He has not; rather, he has secured the trust and acceptance of a great majority of people of the arts.

Again, while it is President Nixon's privilege to name his own man to this job, I do think as a matter of fairness that the public should be aware that Roger Stevens was not appointed because he was a Democratic fundraiser.

I would also hope that because this erroneous conclusion might be drawn from the press articles, it would not now mean that the Endowment for the Arts would be headed by a man with the newly established qualification of being a political fundraiser.

THE POTENTIALLY EXPLOSIVE SITUATION BETWEEN THE UNITED STATES AND PERU

Mr. PELL. Mr. President, I desire to call the attention of the Senate to the potentially explosive situation between the United States and Peru concerning the expropriation of the International Petroleum Co. assets and the abuse of our fishermen. Lessons should be learned from this situation in terms of the proper limitations of our foreign aid program.

Before turning directly to a brief description of the facts of the current controversy, let me refer to the announcement that President Nixon will send John Irwin II as his personal emissary to Peru for high-level discussions.

John Irwin is a particularly fine man and an eminently capable diplomat. At the same time, however, I want to express the hope that he receive the full backing of the administration and that this trip does not turn out to be a stopgap diplomatic measure; in other words, I hope that the Irwin mission leads to some significant policy changes.

As to the specific changes that might be called for, I would like to suggest three: First, the United States should make more use of the Organization of American States, as both a channel for diplomatic discussions and foreign aid programs. Second, the United States should give consideration to the formulation of an international convention covering the rights and responsibilities of multinational corporations. Third, the United States should press forward with an international ocean space arrangement capable of securing multilateral agreement on the width of the territorial sea and the breadth of the continental shelf; such an arrangement also should give consideration to the creation of international machinery to regulate activities beyond the limits of coastal State jurisdiction, including the question of regional fisheries and their proper management.

Having made these recommendations, let me briefly sketch the complex background to the present controversy between the United States and Peru. In 1963, following a period of military government, Fernando Belaunde Terry was elected President of Peru for a 6-year term. His appeal was rather vaguely to the moderate left, and he embarked on a program which emphasized roadbuilding and community development. Although he left some things undone—partly from his own volition, partly because his Congress was controlled by the opposition—his general approach was in tune with the Alliance for Progress. As his administration began, it seemed to be one of the more promising governments in Latin America and one with which the United States could work in the spirit of the Charter of Punta del Este.

Bilateral issues between the United States and Peru served to prevent the development of a fruitful relationship, however. The most important of these have been over the International Petroleum Co., the breadth of the territorial sea, and Peruvian military expenditures.

The International Petroleum Co.—IPC—an Esso subsidiary, acquired oil fields in northern Peru from British interests in the 1920's. The validity of the company's rights has long been a matter of controversy between the company and a succession of Peruvian Governments, and Peruvian policy toward the company has long been a subject of political debate within Peru.

The issue over the breadth of the territorial sea arose because of Peru's assertion of sovereignty to a line 200 miles from its coast. Pursuant to this assertion, the Peruvian Navy from time to time seizes a U.S. fishing boat within this area but beyond the 3-mile territorial or 12-mile fisheries limit recognized by the United States. This happened most recently when on February 14, 1969, the Peruvians seized the U.S. tuna boat, *Mariner;* at the same time, according to press reports, the Peruvian Navy fired on another tuna boat, the *San Juan*.

In this connection, though, we should bear in mind that the reason for the August 1, 1947, unilateral declaration of Peru and similar declarations by other Pacific Latin American nations—nations which have virtually no continental shelf—to the effect that they considered their territorial seas extended 200 miles outward was in riposte to the earlier, September 28, 1945, declaration of President Truman that the United States has jurisdiction and control over the natural resources of its continental shelf.

The issue over military expenditures arose from the desire of the Peruvian Air Force to modernize its equipment, a desire which eventually led to the purchase of supersonic Mirage jet aircraft from France. And, I am afraid, a desire that all Latin American military people seem to have, mostly I believe for reasons of prestige.

In major part because of the actions of Congress, the United States at one time or another has used the foreign aid program, usually through withholding aid or threatening to withhold it, as an instrument to resolve these disputes. This tactic has been unsuccessful. Not only do the disputes remain unresolved; they have been aggravated. At the same time, we have not accomplished what might have been achieved if aid had been extended to the Belaunde government in timely and substantial amounts.

This is the consequence, I suggest, of attempting to use the aid program to accomplish purposes for which it is an inappropriate instrument. It is difficult to argue that the United States ought to aid countries which expropriate American property without compensation, or seize American fishing vessels on what most of the world regards as the high seas, or fritter away their own resources on useless military expenditures. But we delude ourselves if we think that the withholding of aid—or the threat to do so—is going to cause these countries to behave much differently. On the contrary, it is more likely to make them even stubborner about their preexisting policies.

This is precisely what happened in Peru. In August last year, the Belaunde government and the IPC settled their differences. On October 3, Belaunde was overthrown by a military coup d'etat, and on October 9 the military government expropriated not only the IPC oil fields but also its refinery and other installations.

This started a timebomb to ticking. Under the terms of the Hickenlooper amendment to the Foreign Assistance Act, all U.S. aid programs to Peru will have to be terminated unless the Peruvian Government takes steps to compensate IPC within 6 months of the expropriation; that is, by April 9. This in itself is not a matter of large consequence, because the aid program in Peru has already been trimmed to modest efforts at technical assistance.

There is an analog to the Hickenlooper amendment in the Sugar Act, however, requiring that the Peruvian sugar quota also be cut off. This is more serious. Peru's initial sugar quota for calendar 1969 has been fixed at 354,253 tons, and it is reasonable to expect that this might be increased by perhaps 50,000 tons during the course of the year to meet shortfalls from other suppliers. At a differential of 4½ to 5 cents a pound over the world price, this means approximately $40 million in foreign exchange to Peru. Furthermore, some of Peru's sugar industry is American-owned, and most of Peru's sugar exports to the United States are carried on American ships.

It is to be hoped, of course, that the Peruvian Government will take adequate steps to compensate IPC, or at least to submit the matter to judicial determination, but the prospects do not appear bright. The military government was highly nationalistic to begin with and seems to be becoming more so.

The more the United States waves what looks like a big stick, the more this nationalism is inflamed—and it finds a popular response among the Peruvian people.

The story of United States-Peruvian relations over the last 6 years is one of a steady accumulation of irritations, each building upon, and greater than, the last. This is the more to be deplored because the prospects of 1963 seemed so bright.

We are now in a maze out of which there appears no clear path. Even in the absence of such problems as the IPC case, the 200-mile limit, and military expenditures, it might well be that we would not want to assist the present Government of Peru anyway. After all, it came to power in a flagrantly unconstitutional manner and gives every indication that it intends to remain in power indefinitely, a la the Ongania government in Argentina.

But following a policy of cool, correct relations is quite a different thing from moving from one point of friction to another, each more irritating than the last. This is the present framework of our relations with Peru, and this is the vicious circle which we need to break. If it is not broken, one can foresee a growing trend toward leftist, irrational nationalism, to the detriment of all concerned and of none more so, ultimately, than the Peruvians themselves.

The way to deal with this, I submit, is to leave the Peruvian Government alone—to carry on formal, arm's-length diplomatic relations but no more. I do not believe the time is now propitious for pressing the IPC matter; it took 4 years to settle the claims resulting from the Mexican oil expropriations in 1938. It may be that, the law being what it is, we shall have to invoke the Hickenlooper amendment, liquidate what is left of the aid program, and cancel the sugar quota. I do not think we need be overly concerned by Peruvian threats to expropriate other American investments—for example, in the copper industry—or by Peruvian feelers toward the Soviet bloc.

In the meantime, it seems to me that we should take to heart the lessons of Peru with respect to our Latin American policies in general. One of these lessons is that the aid program is ineffective in solving problems which are essentially irrelevant to the main purposes of aid. Another is that the simple existence of an aid program, and of threats to terminate it, complicates issues which might otherwise be more amenable to traditional diplomacy.

I hope the Foreign Relations Committee will explore all these matters in greater depth in connection with its consideration of the aid bill and the military sales bill this year.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDING OFFICER laid before the Senate the following letters, which were referred as indicated:

Report of the Maritime Administration

A letter from the Secretary of Commerce, transmitting, pursuant to law, the annual report of the Maritime Administration for the fiscal year 1968 (with an accompanying report); to the Committee on Commerce.

World Weather Program

A letter from the Secretary of Commerce, transmitting, pursuant to law, the first annual plan for U.S. participation in the World Weather Program dated March 1, 1969 (with an accompanying document); to the Committee on Commerce.

Hydroelectric Power Resources of the United States, Developed and Undeveloped, 1968

A letter from the Chairman, Federal Power Commission, transmitting for the information of the Senate a copy of the publication "Hydroelectric Power Resources of the United States, Developed and Undeveloped, 1968, dated January 1, 1968 (with an accompanying document); to the Committee on Commerce.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDING OFFICER:

A concurrent resolution of the Legislature of the State of South Dakota; to the Committee on Commerce:

"S. Con. Res. 510

"A concurrent resolution memorializing the Congress of the United States to take whatever action might be necessary to require planes to be equipped with a downed aircraft locator beacon for rescue purposes

"Be it resolved by the Senate of the State of South Dakota, the House of Representatives concurring therein:

"Whereas, this past year has seen the tragic loss of some of the outstanding citizens of this state en route from Colorado Springs, Colorado, to Sioux Falls, South Dakota, by airplane; and,

"Whereas, the number of private planes has increased and is expected to keep increasing significantly in the years ahead; and,

"Whereas, the loss of aircraft is becoming a growing problem in this state and throughout the country; and,

"Whereas, planes could be equipped with a Downed Aircraft Locator Beacon (DALB) with a transmitter which would activate on impact or could be manually activated in case of an emergency to broadcast on 121.5 Mc/s and 243 Mc/s to pinpoint the location of downed aircraft for rescuers; and,

"Whereas, Downed Aircraft Locator Beacons which have a minimum operating time of 48 hours and cost approximately two hundred dollars per unit are now available; and,

"Whereas, the required use of Downed Aircraft Locator Beacons would result in the saving of much time, money, property and human life; and,

"Whereas, the basics of a national system of locating downed aircraft through the use of automatic locator beacons correlated with an air-borne search plan appear technically feasible by reason of having already been explored and their effectiveness demonstrated experimentally; and,

"Whereas, the Federal Aviation Agency has requested comment on an 'Advanced Notice of Proposed Rule Making—Docket GC-24, Mandatory Crash Locator Beacon Regulation'; and,

"Whereas, a bill (S. 3430) amending the Federal Aviation Act to require planes to be equipped with a downed aircraft beacon or transmitter was introduced by the Honorable Senator Magnuson of the State of Washington in the United States Senate on May 3, 1968; and,

"Whereas, planes are of a very transient nature and requiring the use of a Downed Aircraft Locator Beacon on a statewide basis would pose significant enforcement problems; and,

"Whereas, a requirement of the use of the Downed Aircraft Locator Beacons on all airplanes should be uniform throughout the country:

"Now, therefore, be it resolved, by the Senate of the Forty-fourth Legislature of the State of South Dakota, the House of Representatives concurring therein, that the Congress of the United States be memorialized to take whatever action might be necessary to require within a reasonable period of time that all appropriate aircraft be equipped with a Downed Aircraft Locator Beacon; and,

"Be it further resolved, that copies of this Concurrent Resolution be transmitted by the Secretary of the Senate of the State of South Dakota to the offices of the President and Vice President of the United States, the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, the members of the Congressional delegation of the State of South Dakota, the Administrator of the Federal Aviation Agency, and the Governor of the State of South Dakota.

"Adopted by the Senate March 3, 1969 and Concurred in by the House of Representatives March 7, 1969.

"D. H. Gunderson,
"Speaker of the House.
"Paul Inman,
"Chief Clerk.
"James Abdnor,
"President of the Senate.
"Niels P. Jensen,
"Secretary of the Senate."

A concurrent resolution of the Legislature of the State of South Dakota; to the Committee on Finance:

"S. Con. Res. 503

"A concurrent resolution, memorializing the Congress of the United States to give serious consideration to the implementation of a users' tax upon airport facilities and the dedication of the revenues derived therefrom to a special trust fund for the development of a program similar in nature to the federal-aid highway program to meet the immediate and long-range needs of the Nation's air transportation system

"Be it resolved by the Senate of the State of South Dakota, the House of Representatives concurring therein:

"Whereas, airports are as necessary for a

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growing nation, state or community as are its highways; and

"Whereas, in many areas of the United States, including South Dakota, airports have become the centers of transportation for goods and for passengers; and

"Whereas, airports provide a transportation network essential to the existing and developing economic well being of the entire nation, including South Dakota; and

"Whereas, despite the investment of over five billion dollars in airport facilities by state and local governments and over one billion dollars by our federal government in matching funds, our national airport system is inadequate to meet today's travel and commerce needs; and

"Whereas, estimates indicate the need for the investment of another six billion dollars in airport facilities alone during the next eight years to keep up with the increasing growth in traffic and the radical changes in aircraft technology; and

"Whereas, state and local governments do not have the resources to fund this massive investment in the time period within which these improvements are needed or within the immediately foreseeable future; and

"Whereas, the United States Senate Subcommittee on Aviation has endorsed the need for a massive airport and airways construction program, and has recommended that an airport trust fund be established similar to the existing highway trust fund with revenues coming from passenger and cargo user fees; and

"Whereas, it is anticipated that the Senate Subcommittee on Aviation will be conducting further hearings on this matter:

"Now, therefore, be it resolved, that the Senate of the Forty-fourth Session of the Legislature of South Dakota, the House of Representatives concurring therein, respectfully urge the Congress of the United States to seriously consider and implement a users' tax upon airport facilities and service and the dedication of the revenues derived therefrom to a special trust fund for the development of a program similar in nature to the federal-aid highway program to meet the immediate and long-range needs of the nation's air transportation system, in recognition of the need for vast improvements and new construction of airports and airways systems; and

"Be it further resolved, that such Congressional considerations should include feasibility studies of levies on domestic and foreign air travel and the transportation of commodities as well as other methods of raising revenues for airport improvements and construction, including federal grant-in-aid programs, bond issues, tax incentives and other available general revenues and trust fund concepts; and

"Be it further resolved, the South Dakota Legislature has adopted this resolution in affirmation of its continuing interest in the efficient and orderly development and integration of the overall transportation systems requirements of our nation and upon all of the considerations contained herein and for many more important reasons urges the Congress of the United States to take expeditious action in this regard; and

"Be it further resolved, that copies of this concurrent resolution be transmitted by the Secretary of the Senate of the state of South Dakota to the Offices of the President and Vice-President of the United States, the Secretary of the Senate and Clerk of the House of Representatives of the United States, the chairman and members of the Senate Subcommittee on Aviation of the United States Senate, the members of the Congressional delegation of the state of South Dakota, the Secretary of the United States Department of Transportation, and the Governor of South Dakota.

"Adopted by the Senate February 7, 1969 and Concurred in by the House of Representatives February 28, 1969.

"D. H. Gunderson,
"Speaker of the House.
"Paul Inman,
"Chief Clerk.
"James Abdnor,
"President of the Senate.
"Niels P. Jensen,
"Secretary of the Senate."

CONCURRENT RESOLUTION OF LEGISLATURE OF SOUTH DAKOTA RELATING TO SOIL CONSERVATION

Mr. McGOVERN. Mr. President, I ask unanimous consent to have printed in the Record a concurrent resolution of the South Dakota Legislature urging Congress to provide sufficient funds to assure that soil conservation districts receive adequate technical assistance through the Federal Soil Conservation Service.

I would like to add my personal endorsement to the sentiment expressed in the resolution. It is economy of the poorest sort to allow our basic soil resources to deteriorate in order to balance a budget unwisely burdened by such projects as the supersonic transport, the race to the moon, and the anti-ballistic-missile system, and a tragic war in which we should not be involved.

There being no objection, the concurrent resolution was ordered to be printed in the Record, as follows:

H. Con. Res. 513

A concurrent resolution memorializing the Congress of the United States to give priority consideration to the needs of technical assistance by the Soil Conservation Service to Conservation Districts for the conservation and development of soil, water and all related natural resources

Be it resolved by the House of Representatives of the State of South Dakota, the Senate concurring therein:

Whereas, there is a national shortage of technical personnel to tend the growing demand for technical assistance to Conservation Districts and their cooperating land occupiers; and

Whereas, manpower ceilings and budget proposal reductions have resulted in a steady decline of assistance; and

Whereas, South Dakota has eleven Conservation Districts without a District Conservationist and many Districts operating without Conservation Technicians; and

Whereas, the Soil Conservation Service has less funds and personnel to now serve over 40,000 Conservation District cooperators in South Dakota than was necessary to serve 25,000 cooperators:

Now, therefore, be it resolved, by the House of Representatives of the forty fourth Legislature of the State of South Dakota, the Senate concurring therein, that the Congress of the United States be memorialized to take whatever action it deems appropriate to assure that additional funds and manpower be made available to provide necessary technical assistance to South Dakota's seventy Conservation Districts for the conservation of soil, water and related natural resources.

Be, it further resolved, that ways and means be provided to assure funds and technical personnel necessary to carry out the program of each Conservation District and district cooperator to assure the conservation and development of soil, water and related natural resources of South Dakota and the nation.

Be, it further resolved, that copies of this Concurrent Resolution be transmitted by the Clerk of the House of Representatives of the State of South Dakota to the offices of the President and Vice-President of the United States, the Speaker of the House of Representatives of the United States, the members of the Congressional delegation of the State of South Dakota and the Governor of the State of South Dakota.

Adopted by the House of Representatives February 20, 1969.

Concurred in by the Senate February 27, 1969.

Dexter H. Gunderson,
Speaker of the House.
James Abdnor,
President of the Senate.

Attest:

Paul Inman,
Chief Clerk of the House.
Niels P. Jensen,
Secretary of the Senate.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MATHIAS:

S. 1535. A bill for the relief of Mrs. Chung Sook Paik; to the Committee on the Judiciary.

By Mr. TYDINGS:

S. 1536. A bill to provide for an Assistant Secretary of State for Food and Population, an Assistant Administrator for Population in the Agency for International Development, and a National Council on Food and Population, and to amend the provisions of the Foreign Assistance Act of 1961 and the Agricultural Trade Development and Assistance Act of 1954 relating to family planning and population control programs; to the Committee on Foreign Relations.

S. 1537. A bill to amend the Tariff Act of 1930 to remove the prohibition against importing articles for preventing conception; to the Committee on Finance.

(See the remarks of Mr. Tydings when he introduced the above bills, which appear under a separate heading.)

By Mr. CURTIS:

S. 1538. A bill to abolish the Commission on Executive, Legislative, and Judicial Salaries; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Curtis when he introduced the above bill, which appear under a separate heading.)

By Mr. DOLE:

S. 1539. A bill to amend the Agricultural Adjustment Act of 1938, as amended to permit advance payments to wheat producers; to the Committee on Agriculture and Forestry.

By Mr. JAVITS:

S. 1540. A bill to amend the Public Health Service Act to extend and improve the provisions thereof authorizing contracts and grants to encourage full utilization of nursing education talent; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Javits when he introduced the above bill, which appear under a separate heading.)

By Mr. MONTOYA:

S. 1541. A bill to amend title II of the Social Security Act to provide for periodic cost-of-living increases in monthly benefits payable thereunder; to the Committee on Finance.

(See the remarks of Mr. Montoya when he introduced the above bill, which appear under a separate heading.)

By Mr. DODD:

S. 1542. A bill for the relief of Dorothy C. Hamilton; to the Committee on the Judiciary.

By Mr. PEARSON:

S 1543. A bill for the relief of Hoi Shan Keung; to the Committee on the Judiciary.

By Mr. HATFIELD (for himself and Mr. Packwood):

S. 1544. A bill to provide that certain lands shall be held by the United States in trust for Indians of the Burns Paiute Indian Colony of Harney County, Oreg.; to the Committee on Interior and Insular Affairs.

By Mr. McGOVERN:

S. 1545. A bill to redesignate the Badlands National Monument as the Badlands National Park; to the Committee on Interior and Insular Affairs.

By Mr. MONTOYA:

S. 1546. A bill for the relief of Refugia Gurriola Alvarez; to the Committee on the Judiciary.

By Mr. FANNIN:

S. 1547. A bill to amend the National Labor Relations Act so as to make it an unfair labor practice for a labor organization to require an employer to pay for unnecessary services; to the Committee on Labor and Public Welfare.

By Mr. JORDAN of North Carolina:

S. 1548. A bill for the relief of Wai Fong Kan;

S. 1549. A bill for the relief of Chung Pui Wong;

S. 1550. A bill for the relief of Ping Sum Yuen;

S. 1551. A bill for the relief of Pui Nam Tong;

S. 1552. A bill for the relief of Fu Keung Au-Yeung;

S. 1553. A bill for the relief of Sing On Cheung;

S. 1554. A bill for the relief of Chung Cheung;

S. 1555. A bill for the relief of Ma Kei Lok;

S. 1556. A bill for the relief of Yuen Chun Cheuk; and

S. 1557. A bill for the relief of Chi Ming Lo; to the Committee on the Judiciary.

By Mr. MOSS:

S. 1558. A bill to provide for airports on Indian reservations; to the Committee on Interior and Insular Affairs, by unanimous consent.

(See the remarks of Mr. Moss when he introduced the above bill, which appear under a separate heading.)

By Mr. HARRIS (for himself and Mr. Bellmon):

S. 1559. A bill to amend the act entitled "An act to provide for the disposition of judgment funds now on deposit to the credit of the Cheyenne-Arapaho Tribes of Oklahoma," approved October 31, 1967 (81 Stat. 337); to the Committee on Interior and Insular Affairs.

By Mr. MILLER (for himself, Mr. Griffin, and Mr. Cook):

S. 1560. A bill to amend the Internal Revenue Code of 1954 to limit losses allowable with respect to farming operations which are incurred by taxpayers whose principal business activity is not farming; to the Committee on Finance.

(See the remarks of Mr. Miller when he introduced the above bill, which appear under a separate heading.)

By Mr. HRUSKA (for himself, Mr. Bayh, Mr. Burdick, Mr. Dirksen, Mr. Fong, Mr. Hart, Mr. Mathias, Mr. Scott, and Mr. Tydings):

S. 1561. A bill to amend chapter 235 of title 18, United States Code, to provide for the appellate review of sentences imposed in criminal cases arising in the district courts of the United States; to the Committee on the Judiciary.

(See the remarks of Mr. Hruska when he introduced the above bill, which appear under a separate heading.)

By Mr. SCOTT:

S. 1562. A bill to establish a Judicial Service Commission; to the Committee on the Judiciary.

By Mr. HARRIS (for himself, Mr. Burdick, Mr. Cannon, Mr. Eagleton, Mr. Fulbright, Mr. Hughes, Mr. Metcalf, Mr. Mundt, Mr. Packwood, Mr. Sparkman, Mr. Young of North Dakota, and Mr. Young of Ohio):

S. 1563. A bill to promote the advancement of science and the education of scientists through a national program of institutional grants to the colleges and universities of the United States; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Harris when he introduced the above bill, which appear under a separate heading.)

By Mr. MURPHY (for himself, Mr. Cranston, Mr. Dirksen, Mr. Javits, and Mr. Goodell):

S.J. Res. 78. Joint resolution to designate 1969 as Diamond Jubilee Year of the American Motion Picture; to the Committee on the Judiciary.

(See the remarks of Mr. Murphy when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. PELL (for himself and Mr. Boggs):

S.J. Res. 79. Joint resolution granting the consent of Congress to the States of Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, and the District of Columbia to negotiate and enter into a compact to establish a multistate authority to construct and operate a passenger rail transportation system within the area of such States and the District of Columbia; to the Committee on the Judiciary.

(See the remarks of Mr. Pell when he introduced the above joint resolution, which appear under a separate heading.)

S. 1541—INTRODUCTION OF A BILL TO MODERNIZE SOCIAL SECURITY—AUTOMATIC COST-OF-LIVING INCREASES

Mr. MONTOYA. Mr. President, during the next few days I intend to introduce a series of bills which will make a number of badly needed changes in the social security program if adopted. The changes which I will be proposing would: First, increase widows' benefits; second, lower the age at which old-age benefits are paid; third, increase the amount of earnings allowed social security beneficiaries; fourth, reduce the age at which special benefits are paid to people who never worked under social security; and fifth, increase benefits to take account of rises in the cost of living.

In addition to these measures, I will, of course, continue reviewing the changing circumstances and needs of our elderly and shall propose whatever measures are necessary as the need arises.

Mr. President, the need for these changes should be obvious if one takes a few moments to think about them in relation to the whole social security program.

At the present time, about 24.5 million people receive over $2 billion a month in social security benefits. Now $2 billion a month is a large sum, even to those of us who have learned to think in terms of large amounts of money as part of our daily tasks. Therefore, we hesitate to make any changes in a program of the magnitude of social security unless the changes are necessary and the funds to pay for them are available. I believe this is the way we should operate, and I am happy to say that the changes I propose meet both tests.

Mr. President, the proposals I will be making are necessary if social security is to provide a reasonable income to retired workers, to disabled workers, to their dependents, and to the survivors of deceased workers. Moreover, the recent report of the trustees of the social security trust funds shows that there is money to pay the foreseeable costs of the changes I propose.

Since the last increase in social security benefits, February 1968, the consumer price index has gone up about 4½ percent. Or to put it another way, people living on social security benefits have had to reduce their spending by 4½ percent.

Studies by the Social Security Administration indicate that most social security beneficiaries have little or no income other than their benefits. These benefits are not so large that there is any fat in them to be used to absorb the effect of rising prices. As a result, every rise in prices means that the social security beneficiary must cut down his standard of living. No matter how small the rise, he must give up something. A small rise in prices may mean a slice of bread less each day. A larger rise, another meatless day. This, I think, is too much to ask or expect of social security beneficiaries.

In the past, when prices have risen we have raised social security benefits from time to time, but generally long after the price rise. As a result of the lag between benefits and prices, social security beneficiaries are probably the group that is hit hardest by inflation. Other Federal retirement programs have provisions for automatic increases in pensions when the cost of living goes up. After a Federal employee retires, his pension is automatically increased. Is there any good reason why social security benefits should not go up automatically when the cost of living goes up? I think there is not.

The measure which I propose today provides for increasing social security benefits each January by the same amount as the rise in the consumer price index for the previous year. The first of these increases would be for January 1970 and would take into account the rise in the index from the date of the last benefit increase, February 1968 through December 1969.

Mr. President, I adopted the yearly increase instead of the more general provision which calls for a benefit increase whenever the consumer price index rises by some specified percentage in consideration of the size of the social security program and the time involved in recomputing benefits. It just did not seem reasonable to require a program with 25 billion or so beneficiaries to increase benefits except on some fixed schedule. In arriving at this decision, I was forced to make some compromises in what I would like to do—that is, to get increased benefits out as fast as the cost of living rises. My proposal calls for the benefits to be increased as of each January in proportion to the rise in the cost of living for the previous year. Now, as a practical matter, I know that it probably will not be possible to send out the increased checks for January early in February. But I do want to establish the principle that increased benefits should follow hard on the heels of increased prices. And, under my bill the increased benefits would be due for January. Even if the actual increase had to be paid at a later date, the beneficiary should know that he is going to get it for January.

Because the expense of providing a cost-of-living increase in social security benefits can not be foreseen with any accuracy, my bill would require the Secretary of Health, Education, and Welfare, each time benefits are increased, to send to Congress his recommendations for any additional financing that might be needed to meet the cost of paying the additional benefits.

Whether any additional financing might be needed in a particular year would depend on the relationship of increases in wages to increases in prices. When wages rise, the income to the social security program also rises because the program is financed by a payroll tax. In some years the additional income would be sufficient to pay for the cost-of-living benefit increase, in other years it might not be.

For these reasons, it seemed advisable to require the Secretary to report to Congress whenever the cost-of-living increase required additional financing. In this way we would be warned in plenty of time that action is needed and could take whatever action we thought necessary early enough to avoid any financial strain on the social security program.

The need for a cost-of-living provision in the Social Security Act is something I think Senators on both sides of the aisle can agree on. In the recent presidential campaign both Democrat and Republican platforms favored some such provision.

Mr. President, this proposal, plus those I will be proposing during the next few days, should be adopted if we wish to assure that the social security program will remain a vital force in assuring a cash income to a large and important segment of our population. A social security program that adapts to the needs of a dynamic society was the goal envisaged by the planners of the Roosevelt era and the objective which has been carried forward by Congress since that time. As I see it, the great achievement of the program has been its preventing people from slipping into poverty when a worker retires, becomes disabled, or dies. However, as the economic climate of the Nation changes, the social security program must change if it is to fulfill its role.

The changes I am now proposing and will be proposing are the natural development of the social security program in our present socioeconomic climate. I hope the Senate will have an opportunity to work its will on this measure at an early date.

Mr. President, I ask unanimous consent that the text of my bill be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1541) to amend title II of the Social Security Act to provide for periodic cost-of-living increases in monthly benefits payable thereunder, introduced by Mr. MONTOYA, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 1541

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 202 of the Social Security Act is amended by adding at the end thereof the following new subsection:

"COST-OF-LIVING INCREASES IN BENEFITS

"(w) (1) For purposes of this subsection, the term 'price index' means the Consumer Price Index (all items—United States city average) published monthly by the Bureau of Labor Statistics.

"(2) During the month of December 1969, the Secretary shall determine the percentage of increase (if any) in the price index for November 1969 over the price index for February 1968, and, during December 1970 and each December thereafter the Secretary shall determine the percentage of increase (if any) in the price index for the preceding November over the price index for the preceding December. If the Secretary determines that a price increase has occurred, there shall be made, in accordance with the succeeding provisions of this subsection, an increase in the monthly insurance benefits payable under this title equal to the percentage of the rise in the price index, adjusted to the nearest one-tenth of 1 per centum.

"(3) Increases in such insurance benefits shall be effective commencing with the month of January following the December in which the Secretary's determination under paragraph (2) was made, but shall only be applicable to individuals who were entitled to monthly benefits under this title for such December.

"(4) In determining the amount of any individual's monthly insurance benefit for purposes of applying the provisions of section 203(a) (relating to reductions of benefits when necessary to prevent certain maximum benefits from being exceeded), amounts payable by reason of this subsection shall not be regarded as part of the monthly benefit of such individual.

"(5) Any increase to be made in the monthly benefits payable to or with respect to any individual shall be applied after all other provisions of this title relating to the amount of such benefit have been applied. If the amount of any increase payable by reason of the provisions of this subsection is not a multiple of $0.10, it shall be reduced to the next lower multiple of $0.10."

SEC. 2. In January 1970 and in each succeeding January the Secretary of Health, Education, and Welfare shall submit to the Congress his recommendations with respect to any additional funds that may be necessary to defray the costs brought about by reason of the amendment made by the first section of this Act.

S. 1558—INTRODUCTION OF A BILL RELATING TO AIRPORTS ON INDIAN RESERVATIONS

Mr. MOSS. Mr. President, I introduce, for appropriate reference, a bill to provide for airports on Indian reservations.

There are already a few airports located on Indian reservations, but there has been no pattern to their establishment. This bill would give the Department of the Interior general authority to establish such airports, provided, of course, that the airport is included in the then curent revision of the national airport plan formulated by the Administrator of the Federal Aviation Administration, pursuant to the provisions of the Federal Airport Act. The bill also provides that the airport must be maintained in accordance with the standards, rules, and regulations prescribed by the Administrator of the Federal Aviation Administration. I ask unanimous consent that the bill be referred to the Committee on Interior and Insular Affairs.

The PRESIDING OFFICER. The bill will be received; and, without objection, the bill will be referred to the Committee on Interior and Insular Affairs.

The bill (S. 1558) to provide for airports on Indian reservations, introduced by Mr. Moss, was received, read twice by its title, and, by unanimous consent, was referred to the Committee on Interior and Insular Affairs.

S. 1561—INTRODUCTION OF A BILL RELATING TO APPELLATE REVIEW OF CRIMINAL SENTENCING

Mr. HRUSKA. Mr. President, I introduce a bill to amend chapter 235 of title 18 of the United States Code, to provide for the appellate review of Federal criminal sentences. I ask unanimous consent that the full text of the bill be printed at the conclusion of my remarks and that the bill be appropriately referred.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

(See exhibit 1.)

Mr. HRUSKA. I am pleased to announce that eight of my colleagues on the Judiciary Committee have joined with me in introducing the bill: Mr. BAYH, Mr. BURDICK, Mr. DIRKSEN, Mr. FONG, Mr. HART, Mr. MATHIAS, Mr. SCOTT, and Mr. TYDINGS.

This legislation is identical to S. 1540 which was passed unanimously by the Senate in the last Congress. Unfortunately, S. 1540 was not acted on by the House. It is my sincere hope that the Senate and the House both will promptly consider and pass the bill this session.

The bill will correct one of the greatest single injustices existing in our Federal criminal process today: the lack of authority and machinery to review unreasonable sentences. Extensive studies have shown that unreasonably harsh sentences are imposed on many individuals who stand convicted of a violation of our laws. Many of these unreasonable sentences are imposed on individuals with fine families and good backgrounds, on individuals who strayed from the path on a single occasion and under trying circumstances, on individuals whose only offense was minor in comparision to those of others who have yet received far lesser sentences.

The problem of disparity of sentences has concerned Congress, bar associations and legal societies, students, and workers in the field of penology and, indeed, the executive branch of our Government and the courts for many years.

Putting aside what may be the ultimate or most desirable goals of a rational and humane sentence, we have in modern times been receding from the practice of enacting statutes calling for a mandatory fixed sentence. A greater number of our criminal laws now provide for a wide range of permissible sentences. The practical effect of this is obvious. As the final determining factor in the sentence to be imposed, the judge's discretionary power becomes increasingly important.

By and large the wisdom of this policy of delegating the function to the trial judge has been clearly demonstrated. Our district judges are exceedingly conscientious, knowledgeable, and experienced. They are best able, informed, and qualified to deal fairly with the convicted defendant. However, they are the first to recognize the inadequacies in the present system. The exercise of judgment in this delicate area is not easy.

The responsibility for determining the proper sentence is so great as to justify and warrant the means of review. There is little wonder that judges have openly commented on the incongruity of the situation that the power to impose a sentence is the only discretionary power vested in the Federal trial judge which is not subject to appeal.

A study of the Federal statutes and the interpretation given them by the courts establishes that no authority exists for an appellate review of the sentence imposed by the judge in a criminal case so as to determine whether the sentence is excessive. A sentence will be modified only when it is unauthorized by law as not being within the limits fixed by a valid statute.

In the 85th Congress the concern about the problem of sentence disparities brought about pioneering legislation: the Sentencing Act of 1958 which provided for institutes and joint councils on sentencing. Their value cannot be overestimated. The institutes have been described as giving "the Federal judges themselves an opportunity to assume the initiative in eliminating sentences which may appear biased, capricious, or the result of defective judgment."

However, this and other related legislation have not been a complete answer to the problem. The Judicial Conference of the United States rejected appellate review legislation in 1958, reconsidered it in 1961, and then approved appellate review legislation in 1964. When we review the actions of the Judicial Conference, it is logical to ask what caused such a substantial shift in judicial opinion. While a redraft of the bill and increased interest in the problem may have played a part in this change, it is clear that the original objection of the Judicial Conference was to the principle of appellate review, and not the language of any particular bill. In retrospect, it seems that a consensus in favor of the principle did not develop until it became manifest that the problem of excessive sentences was not going to be resolved by the extensive use of the facilities provided in the Sentencing Act of 1958 or by other existing legislation.

Ten years of experience under the act has demonstrated that such procedures and techniques are not enough.

Nor has indeterminate sentencing proven to be the answer to the problem. For various reasons, many judges have declined to impose indeterminate sentences, or have imposed such sentences only infrequently.

To adequately cope with the problem of excessive sentences—to correct injustices once they have occurred—the practice of appellate review is required.

For illustration of the injustices which this bill attempts to correct, let me bring to the Senate's attention three or four of the many cases that were documented during the study of this problem.

In one of our district courts a bookkeeper who had assisted in an income tax fraud was given consecutive sentences totaling 31 years and 31 days—perfectly legal though considered as incredibly harsh by those who have reviewed the case.

In another case the defendant was a 20-year-old boy with an IQ of 52, who had become addicted to heroin while being treated for epilepsy. He had a friend, aged 17, with whom he "palled"; when one had dope, he would supply the other. The defendant, the boy with an IQ of 52, was picked up, charged and convicted of selling narcotics to his friend who was a minor. The sentence was life imprisonment without parole. Why was not he sentenced to an institution which could provide the needed help and guidance to return this young handicapped boy to society? The judge who imposed the sentence agreed that the sentence was not proper. However, he was disposed to a harsher rather than a more remedial sentence. He stated that the defendant should really have been given death.

In one penitentiary there were two men who had each been convicted of illegally cashing a check under $60. The first man's wife had become ill and he needed the money for rent, food, and doctor bills. He had no prior criminal record. The other man's wife had left him for another man. His prior record consisted of a drunk charge and a nonsupport charge. An examination of the cases indicated no significant differences for sentencing purposes. How were these cases handled? The second man, whose wife had left him, was given 30 days. The first man, the man who had tried to help his family, was sentenced to 15 years imprisonment.

Mr. President, such shocking injustices cannot be permitted to continue. Excessive and disparate sentencing prevents the rehabilitation of those who have been unjustly sentenced, they contribute to disorder in our prisons, and they increase disrespect for our criminal process which weakens the moral fiber of our citizens and which can only result in increasing violations of our laws.

As Justice Potter Stewart wrote in 1958, prior to the time of his appointment to the Supreme Court of the United States:

> Justice is measured in many ways, but to a convicted criminal its surest measure lies in the fairness of the sentence he receives.

The importance of the sentencing process is evident when it is observed that in 1967, 23,131 defendants were convicted in our district courts by pleas of guilty and nolo contendere, whereas only 1,040 defendants were convicted by jury and court trials.

Mr. President, the real anomaly and injustice of the existing lack of review of sentences was pinpointed by the introductory statement of the tentative draft of the American Bar Association's Advisory Committee on Sentencing and Review, "Standards Relating to Appellate Review of Sentences" when it stated:

> One of the most striking ironies of the law involves a comparison of the methods for determining guilt and the methods for determining sentence. The guilt-determination process is hedged in with many rules of evidence, with many procedural rules, and, most importantly for present purposes, with a carefully structured system of appellate review designed to ferret out the slightest error. Yet in the vast majority of criminal convictions in this country—90 percent in some jurisdictions; 70 percent in others—the issue of guilt is not disputed.
>
> What is disputed and, in many more than the guilty-plea cases alone, what is the only real issue at stake, is the question of appropriate punishment. But by comparison to the care with which the less-frequent problem of guilt is resolved, the protections in most jurisdictions surrounding the determination of sentence are indeed minuscule.

The protections in our Federal courts surrounding the determination of sentences are indeed minuscule and the situation must be corrected.

Mr. President, the concept of appellate review of sentences is not new to criminal law in the United States. Prior to 1891 the Federal Code provided a right to appeal a case on the basis of a disproportionately severe sentence. However, due to an oversight or inadvertence, a revision of the statute in 1891 did not mention sentences and the courts subsequently held that the power had been withdrawn by Congress.

The situation that presently prevails in the Federal courts stands in marked contrast to the practice of 17 States, many foreign nations, including England and Canada, and our military courts. Indeed, the Federal jurisdiction is a singular example of an advanced system of jurisprudence that does not allow review of sentences.

Under our existing Federal law the determination of the sentence in a criminal case is the only matter that is left to the unsupervised discretion of the district judge before whom the case is pending. As long as the sentence imposed is within the statutory limits provided by the law, the sentence is unreviewable by appeal. No matter how excessive or unjust the sentence might be, an appellate court is legally powerless to modify it in any way.

This basic shortcoming in our criminal procedure is unique to our judicial system and has allowed serious inequities and disparities in the sentences which have been imposed.

Another unfortunate aspect of the present practice is that harsh and irrational sentences have often led appeal courts to reverse convictions on technical or minor points and on strained interpretations of the law, interpretations which ill serve justice and society in future cases.

I do not suggest that this bill will solve all of the difficult problems in the determination of proper sentences. However, it will provide a significant tool for improving the sentencing process and for

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correcting unjust sentences when they are imposed. It also will facilitate the development of proper sentencing practices and standards. In other words, an important gap in the present system will be closed.

Other phases of the work of trial judges are subject to appellate review and supervision. Only sentencing errors are immune to correction on appeal. The reasons for such a gap are for the most part historical. Such reasons are becoming irreconcilable with the standards of due process and are not in step with the need for a fair and just sentencing system.

This legislation will not allow one judge or a panel of judges, simply to substitute their judgment for that of the trial judge. Mere whim or fancy will be insufficient reason to modify the sentence. Only when it reasonably appears from the circumstances that a sentence was excessive will the appellate court act. Although the system will be made flexible by allowing review, it will remain the trial judge's duty to weigh the facts and appraise the defendant.

Valid reasons exist for variations in sentences for the same crime. Certainly a sentence which may be quite proper in a case involving one defendant and one set of circumstances may be grossly inadequate in dealing with the same offense committed by a different type of individual or under aggravated circumstances. But where the same crime has been committed by similar offenders under similar circumstances, the punishment should be reasonably uniform. Disparities based solely upon the personality of the judge passing sentence are unjust.

The determination of a proper sentence involves many considerations. Sentencing is not nor can it be reduced to an exact science. The exercise of sound judgment is an indispensable part of the process, but that does not justify arbitrary determinations. When judgments cannot be reconciled with reason, the appellate courts will be empowered to prevent a miscarriage of justice.

Mr. President, it is my hope that Congress will correct this injustice. Every effort has been made to produce a bill in the best form possible. Briefly, it provides as follows:

Subsection (a) provides that a defendant may apply to the court of appeals for leave to appeal a felony sentence of imprisonment or death imposed by a district court.

Subsection (b) provides that the court of appeals may in its sole discretion grant or deny an application for leave to appeal a sentence. A denial of leave to appeal is final in the matter. If leave to appeal is granted, the court may review the sentence to determine if it is excessive.

Under subsection (c) the court of appeals is authorized to take or direct any action on the sentence that it believes is required under the circumstances of the case, except to increase the sentence.

Subsection (d) provides that the appeal procedure is to be synchronized with the appeal rules generally and if an appeal is taken from an order of conviction as well, it allows the matter to be heard at the same time.

Subsection (e) provides that the defendant shall have the same access to presentence reports on appeal as he had at the district court. The sentencing judge is required to state for the record his reasons for selecting the particular sentence imposed in each felony case where a felony sentence of imprisonment or death is imposed.

Subsections (f) through (i) insure that appellate review does not complicate other phases of criminal procedure. Subsection (f) defers the time for filing an application for leave to appeal whenever a diagnostic study is ordered prior to imposing sentence. Subsection (g) makes certain that credit is given for time served during the pendency of a sentence appeal. Subsection (h) makes explicit that bail opportunities would not be enlarged by the enactment of the bill. Subsection (i) provides that the act shall apply only to sentences imposed 6 months after the effective date of the act. This latter provision avoids the argument about retroactivity and affords the courts time to prepare for the new procedures.

Mr. President, there are two scholarly writings in favor of an improved sentencing procedure which I wish to bring to the Senate's attention today. They are: "Appellate Review of Sentences: To Make the Punishment Fit the Crime," 20 Stanford Law Review 405 (1968) by Hon. Stanley A. Weigel; and "Appellate Review of Legal but Excessive Sentences: A Comparative Study," 21 Vanderbilt Law Review 411 (1968) by Prof. Gerhard O. M. Mueller and Fré La Poole. Mr. President, I ask unanimous consent that these two law review articles be printed in the RECORD at a point immediately following the printing of the bill in the RECORD.

Mr. President, I also ask unanimous consent that a brief appendix, which I have prepared listing several additional examples of cases where excessive sentences have been imposed, be printed in the RECORD immediately following the close of my remarks here on the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. HRUSKA. As a member of the Judiciary Committee, I have authored and coauthored a number of proposals concerning crime and improvements in our legal system. Many of these bills, including those on wiretapping and investment of income derived from criminal activities, have been to assist the prosecution in bringing criminals to justice. At the same time, I have been concerned with the rights of the defendant. We must strive to insure that the criminal legal process is at all times fair and just.

Excessive sentences, which are inexplicable by any circumstance or logic, are an injustice to the individual and are a discredit to the entire criminal justice system. This is why the principle of appellate review is supported by the Judicial Conference of the United States, the Department of Justice and the American Bar Association, and why appellate review is the practice in many foreign nations, including England and Canada, in our Armed Forces, and in 17 of the States.

The bill is intended to correct this injustice.

Again, I express the sincere hope that the Senate and the House both will promptly consider and pass this needed legislation.

The bill (S. 1561) to amend chapter 235 of title 18, United States Code, to provide for the appellate review of sentences imposed in criminal cases arising in the district courts of the United States, introduced by Mr. HRUSKA, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD.

EXHIBIT 1

S. 1561

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 235 of title 18, United States Code, is amended by inserting immediately after section 3741 thereof the following new section:

"**§ 3742. Appeal from sentence**

"(a) An application for leave to appeal from the district court to the court of appeals the sentence of imprisonment or death imposed may be filed by a defendant with the clerk of the district court in any felony case in the following instances:

"(i) after a finding of guilt by a judge or jury, whether following a trial or the acceptance of a plea;

"(ii) after the revocation or modification of an order suspending the imposition or execution of a sentence or placing the defendant on probation;

"(iii) after a resentence under any other applicable provision of law.

"(b) Upon granting leave to appeal, the court of appeals may review the merits of the sentence imposed to determine whether it is excessive. This power shall be in addition to all other powers of review presently existing or hereafter conferred by law. If the application for leave to appeal is denied by the court of appeals, the decision shall be final and not subject to further judicial review.

"(c) Upon consideration of the appeal, the court of appeals may dismiss the appeal, affirm, reduce, modify, vacate, or set aside the sentence imposed, remand the cause, and direct the entry of an appropriate sentence or order or direct such further proceedings to be had as may be required under the circumstances. If the sentence imposed is not affirmed or the appeal dismissed, the court of appeals shall state the reasons for its action. The defendant's sentence shall not be increased as a result of an appeal granted under this section.

"(d) The application for leave to appeal from sentence shall be regarded as a notice of appeal for all purposes, and the procedure for taking an appeal under this section shall follow the rules of procedure for an appeal to a court of appeals. A denial of the application for leave to appeal on the ground that the sentence imposed is excessive shall not prejudice any aspect of the appeal predicated on other grounds. If the application is granted all issues on appeal shall be heard together.

"(e) When an application for leave to appeal is filed, the clerk of the district court shall certify to the court of appeals such transcripts of the proceedings, records, reports, documents, and other information relating to the offense or offenses of the defendant and to the sentence imposed upon him as the court of appeals by rule or order may require. Any report or document contained in the record on appeal shall be available to the defendant only to the extent that it was in the district court. In each felony case in which sentence of imprisonment or death is imposed the judge shall state for the record his reasons for selecting that particular sentence.

"(f) When a judge has adopted the sentencing procedure set forth in section 4208 (b) of title 18, United States Code, an application for leave to appeal may only be filed after a judgment or order is entered by the judge following the completion of the study provided by such section.

"(g) The provisions of section 3568 of title 18, United States Code, shall be applicable to any defendant appealing under this section.

"(h) This section shall not be construed to confer or enlarge any right of a defendant to be released following his conviction pending a determination of his application for leave to appeal or pending an appeal under this section.

"(i) This section shall become effective six months after its approval and shall apply only to sentences imposed thereafter."

(b) The analysis of chapter 235 of title 18, United States Code, is amended by adding at the end thereof the following new item:

"3742. Appeal from sentence."

The matters, presented by Mr. HRUSKA, are as follows:

EXHIBIT 2

[From the Stanford Law Review, February 1968]

APPELLATE REVISION OF SENTENCES: TO MAKE THE PUNISHMENT FIT THE CRIME

(By Stanley A. Weigel*)

Unjustifiable disparities in the sentencing of criminal offenders have become a matter of serious concern to many observers of the criminal process.[1] The key word is "unjustifiable." Reasonable disparity is necessary to achieve the purposes of sentencing, which include prevention of further criminality on the part of the offender, rehabilitation, and deterrence of the commission of similar offenses by others. Such purposes cannot be achieved without providing some range of sentencing alternatives to allow adjustment for the special facts of each crime as well as the record and character of each convicted individual.

These considerations are reflected in the broad discretion allowed the sentencing judge by statute in the federal and in many state jurisdictions. However, most of these jurisdictions, including the federal, fail to provide any effective remedy for abuse of that discretion.

The absence of such a remedy is a serious defect in the sound administration of the criminal law, even though the number of unjust or aberrant sentences may be very few. In the words of Mr. Justice Stewart, "It is an anomaly that a judicial system which has developed so scrupulous a concern for the protection of a criminal defendant throughout every other stage of the proceedings against him should have so neglected this most important dimension of fundamental justice."[2]

The seriousness of that neglect is underscored by the fact that sentencing is the only significant adjudication performed by the trial judge in the overwhelming majority of criminal cases. This is so because the overwhelming majority of criminal defendants plead guilty or nolo contendere.[3] Moreover, sentencing is generally the most difficult determination a judge must make, one made even more difficult by the increasing variety of possible dispositions and by the paucity of meaningful guidelines to assist the judge in his choice.

In light of the foregoing, it is indeed surprising that few American jurisdictions offer meaningful remedies to the victims of unjustified severity in sentencing, This absence is all the more striking in that a comparison with other nations indicates that those American jurisdictions failing to provide a remedy stand largely alone in this respect.[4]

Recognizing that inequitable and disparate sentences constitute "a major and justified complaint against the courts,"[5] the President's Commission on Law Enforcement and Administration of Justice has recommended that "[p]rocedures for avoiding and correcting excessive, inadequate, or disparate sentences should be devised and instituted."[6] Progress has been made in the federal judiciary in recent years to encourage the development of rational, uniform sentencing criteria and practices. There are sentencing institutes for district judges,[7] and a number of district courts have set up a system of panels to assist the sentencing judge in his determination of the proper sentence.[8] However, there is a need to supplement these practices with procedures designed for the correction of grossly inequitable sentences.

I. DISPARITY AND INEQUITY IN FEDERAL SENTENCING

The past few years, then, have been marked by increasing concern over the breadth of the disparities in sentences meted out for the same crimes.[9] This concern is especially applicable to the federal system, in which the wide range of sentencing alternatives available to its trial courts[10] and great regional diversity tend to invite sentencing disparities.

Congress has, over the years, added significantly to the choices available to district courts in setting sentences.[11] A brief summary will be illuminating.

(1) Imprisonment for a determinate length of time. Offenders so sentenced are eligible for parole after having served one-third of the sentence.[12]

(2) Imprisonment of indeterminate length. Under this alternative the sentencing court may reduce or eliminate minimum terms for parole eligibility, leaving the release of the offender to the discretion of the board of parole.[13]

(3) Probation. Probation cannot exceed a period of 5 years but may otherwise be granted upon "such terms and conditions as the court deems best."[14]

(4) Split sentence. This procedure allows a court to split a sentence between confinement of up to 6 months in a penal or treatment institution and probation for the remainder of the sentence.[15]

(5) Youth Corrections Act. This Act[16] is applicable to offenders under the age of 22 and, at the discretion of the sentencing judge, to those between 22 and 26.[17] Offenders sentenced under the Act may be placed on probation, committed for treatment and supervision for fixed or indeterminate terms, or sentenced under any other applicable penal provision.[18]

(6) Juvenile Delinquency Act. This Act[19] applies to offenders under the age of 18.[20] Proceedings under the Act are regarded as adjudications of status rather than as criminal trials.[21] Juveniles found to be delinquent may be placed on probation for a period not exceeding their minority, or committed to special custody and treatment for a term not exceeding their minority or the maximum term for the offense committed, whichever is less.[22]

(7) Other dispositions. These include fines, suspended sentence, deportation, and disqualification. In addition, a district court may defer sentencing and commit an offender for a period of study, by the Bureau of Prisons, not to exceed 6 months.[23]

In my view, the number of incidents of unjustifiable disparities in sentencing by federal district judges is very small in relation to the large number of offenders sentenced.[24] Nevertheless, that such disparities do occur despite all efforts to eliminate them is suggested by a number of relevant facts.

There have been significant variations in the terms of imprisonment imposed by federal district court judges[25] and in the use of the various sentencing alternatives that are available. Average terms of imprisonment for all offenses vary widely from circuit to circuit[26] and from district to district within the circuits.[27] There is great deviation in the average terms for specific types of offenses.[28] Similar variations are to be found in the frequency of use of split sentences[29] and indeterminate sentences,[30] in the application of provisions of the Youth Corrections[31] and Juvenile Delinquency Acts,[32] and in the use and duration of probation.[33] To some extent these disparities may be attributable to variations in the types of offenses committed within particular districts or circuits. The Administrative Office of the United States Courts has devised weighted averages, however, which take account of such variations and which show disparities of a magnitude almost equal to those indicated by the raw data.[34]

Certainly, careful analysis of these incidents of disparity would reveal rational justifications for a great majority of the sentences imposed. It would show, for instance, that many similarities between offenders and offenses are more apparent than real, and that many sentencing deviations result from proper considerations of factors unique to individual defendants. But such analysis would certainly also expose a small but important residue of cases in which the disparities are so excessive and the facts so similar that they preclude such justifications. That such cases do exist is confirmed by the reports of federal judges who regularly point to cases from their own experience in which substantially different treatment was accorded offenders with similar records, ages, and backgrounds who had committed the same or similar offenses.[35]

The principal reason for the existence of inequities is clear. They occur because each judge, just as each person he sentences, is a unique individual. Each judge is the product of a different inheritance and life experience. It follows inexorably that there are differences among judges in senses of values, reactions, predilections, and points of view.

There are at least some judges who tend habitually to "lay it on" convicted or confessed offenders.[36] They may do so out of antiquated or misguided notions about the functions of sentencing, or as a consequence of more obscure personal factors. Whatever the reasons for their actions, the results are aberrant and unfair sentences. These few judges do not seem to respond to persuasion or reason in regard to their sentencing practices. Since most of them are excellent judges in every other respect, discipline or removal would be a remedy worse than the disease and, if applied to the federal judiciary, would unwisely undermine its independence.

There are also a few judges who apparently regard one type of offense as particularly heinous. They may, for example, impose the maximum sentence allowable in every instance of narcotics violation or bank robbery. Their appraisals of the danger or evil of these crimes may be quite right, but the automatic imposition of the maximum penalty for a particular crime contradicts the judgment of Congress in providing for a range of punshment, and contributes to irrational disparities in the system as a whole. Differences in regional attitudes toward certain crimes may similarly contribute to disruption of the uniform implementation of national penal policies.

Finally, the best of judges make mistakes. Some federal judges in metropolitan districts sentence as many as 1,000 defendants in a single year, and rare indeed is the federal judge in any district who sentences fewer than 100. In each case the judge must study carefully the presentence reports, make his personal assessment of the defendant, and

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appraise the sentencing alternatives available to him. Not only is this judgmental task complex, but the judge can turn to few standards to guide him. The limited statutory criteria are nebulous,[37] and because there is no relevant appellate review, no common-law standards have evolved. It is hardly surprising, therefore, that seriously inequitable disparity is occasionally to be found in the sentences imposed.

Sentencing disparities create serious problems for the federal courts and correctional institutions quite apart from the manifest unfairness of subjecting some offenders to inordinately severe penalties. The recipient of an excessive sentence will learn, through comparison of his own sentence with those of his fellow prisoners, that he has been the victim of injustice.[38] His resentment inevitably breeds unrest and disciplinary problems,[39] and, in addition, may well undermine his reformation.

Furthermore, the impossibility of direct challenge to unfair sentences results in a great volume of appeals on tenuous technical grounds [40] and a corresponding tendency on the part of the appellate courts to find merit in otherwise questionable allegations of error, or to find error prejudicial where it would normally be considered harmless.[41] Needless to say, these attempts to redress indirectly the inequity of excessive sentences make bad law.

Finally, public confidence in the judicial system must suffer when grossly unfair sentences go unredressed, in visible violation of a most basic principle of legal justice—that similarly situated individuals be treated alike. This loss of public confidence becomes particularly troublesome where members of minority groups interpret uncorrected disparities as a form of legally sanctioned discrimination.

II. PRESENT MEANS FOR ALLEVIATING SENTENCING ERRORS IN THE FEDERAL SYSTEM

The federal system does provide for some limited means of correcting inequitable sentences. While they have been used more frequently in recent years than in the past, analysis will indicate they are inadequate.

A. The present scope of appellate review

Federal defendants may, of course, obtain redress for illegal sentences,[42] such as those that exceed statutory limits for the offense charged,[43] or are ambiguous with respect to the time and manner in which the term is to be served,[44] or do not adequately specify punishment for individual counts.[45] However, where the trial judge remains within statutory bounds and observes formal and procedural requirements, review of his sentencing discretion is sharply limited.

In the 19th century the circuit courts as then constituted exercised review over the sentences imposed by federal trial courts.[46] Save for that brief historical exception, federal appellate courts have consistently refused to review the sentencing discretion of district-court judges if sentences were within the prescribed statutory limits.[47] They have occasionally suggested in dicta that they might intervene if a trial court were to exercise extreme abuse of its legal discretion,[48] but such extreme abuse has apparently never been discovered. The refusal to review district-court sentences is more commonly stated in absolute terms: "If there is one rule in the federal criminal practice which is firmly established, it is that the appellate court has no control over a sentence which is within the limits allowed by a statute." [49]

A few limited exceptions to the rule of nonreview have developed over the years. Where an offense has no statutory maximum penalty, as in the case of criminal contempt, the appellate courts will review the discretion of the sentencing court.[50] This review is justified on the grounds that "where Congress has not seen fit to impose limitations on the sentencing power . . . [a]ppellate courts have . . . a special responsibility for determining that the power is not abused, to be excised if necessary by revising themselves the sentences imposed." [51]

Additional exceptions have been recognized by the courts of appeals as a result of the decisions of the Seventh Circuit in *United States v. Wiley*.[52] In that case the trial judge refused to consider probation for Wiley, one of several codefendants, because he would not plead guilty on charges of possession of property stolen from an interstate shipment.[53] The circuit court reversed this "arbitrary" refusal to consider Wiley's application for probation, but the trial judge, on remand, considered and denied Wiley's application and reinstated his term of imprisonment. In a second appeal the Seventh Circuit again set aside the sentence and remanded, this time on the ground that the district court had arbitrarily sentenced Wiley more severely than it had his codefendants who had pleaded guilty.[54]

Although several federal courts have limited the *Wiley* doctrine to cases of disparity among codefendants based upon different pleas,[55] the language of *Wiley* supports the broader proposition that any demonstrably arbitrary disparity among codefendants may require remand for resentencing.[56] While *Wiley* has failed to provide the basis for any significant review of disparate sentences, it has obliged a number of courts to hear challenges similar to those in *Wiley* and to assess the reasons for the disparities involved in those cases.[57]

Arbitary refusal to utilize diagnostic procedures provided by statute may also constitute grounds for appellate review of sentencing.[58] Lastly, in a series of recent cases, several courts of appeals have held that increases of sentence on retrial must be acceptably justified and will be reversed if arbitrary.[59]

These exceptions to the rule of nonreview are important steps in developing means of redress for sentencing inequities in very limited areas. But even if they were firmly established in all the circuits, these exceptions would reach only a small fraction of all the disparities that demand consideration.

A few commentators and judges [60] have argued that the federal appellate courts have always had authority to review all sentences by virtue of section 2106 of the Judicial Code, which empowers them to "affirm, modify, vacate, set aside or reverse any judgment, decree, or order . . . and direct the entry of such appropriate judgment . . . as may be just under the circumstances." Others have argued that review and correction of disproportionate sentences is constitutionally required, either because excessive and irrational sentences constitute cruel and unusual punishment [61] or because unreasonable disparity in the treatment of essentially similar defendants violates the equal protection clause.[62]

Whatever the merits of such arguments, federal courts have shown little inclination to adopt them. For the present, federal appellate judges are likely to continue to express the view, perhaps with some reluctance that "[u]nless we are to over-rule sixty years of undeviating federal precedents, we must hold that an appellate court has no power to modify a sentence," [63] and that problems relating to the power of the judiciary to review sentences are "peculiarly questions of legislative policy." [64]

B. Some nonappellate remedies

1. Indeterminate Sentencing

Indeterminate sentencing might appear, at first glance, to provide a solution to the problem of disparate sentences. Because the judge simply sentences the defendant to "the term prescribed by law," [65] he is relieved of the responsibility for any disparities in the length of imprisonment. But the real effect of the indeterminate sentence is to shift the burden of social justice from the judge to a parole board or parole authority. While I have the highest respect for such bodies, I believe that for some time to come, in view of the methods of their appointment and the shortage of qualified personnel to assist them,[66] they will certainly be no more competent to determine lengths of imprisonment than is a conscientious and independent judge. Moreover, because parole authorities of necessity operate on a committee basis, have relatively little time for each prisoner, and use more or less standard classifications, they are likely to be less responsive to the special situation of a particular offender than is a single judge concerned solely with the case before him.

The day may come when the quality, qualifications, and quantity of prison personnel and of assisting psychiatrists and sociologists, and the methods of their selection and tenure, will combine to make the indeterminate sentence the best means of avoiding unjustifiable disparity in sentencing. But that day is not here nor likely soon to be. The great majority of district-court judges apparently agree, if one may judge by the reluctance of so many to impose indeterminate sentences.[67]

2. Panels of Judges for Advance Consideration of Sentences

Various district courts have experimented with "sentencing councils," in which panels of judges regularly consider dispositions proposed by the sentencing judge and offer nonmandatory recommendations for his consideration.[68] This is a step in the right direction, but, for several reasons, it is not the best solution now available.

To begin with, nearly half of the federal districts have fewer judges than are required for such a system.[69] In these districts, to convene sentencing panels would entail travel, delay, and other complications. Even in districts with enough judges, such panels would encroach upon the working time of already overburdened jurists. Furthermore, those judges most in need of such guidance would likely be those least affected by the views of their peers.

III. THE CASE FOR APPELLATE REVIEW

The reasons that have been stated for supporting appellate review in the federal system are not claimed to be novel or unique. So much has been said and written on the general subject that there are few new arguments for or against it.[70] The best that a trial judge can offer is a point of view that is part the product of personal experience and part a personal evaluation of the considerations urged both for and against appellate review.

I am convinced that sentencing, at least for the present, ought to remain a judicial function. Courts should not abdicate their powers or responsibilities in this area. At the same time, they should be armed with every means of assuring wise, reasonable, and just exercise of this heavy power to deprive individuals of property and freedom. At present, trial judges are granted very broad discretion by Congress in the sentencing of criminals. Surely that discretion over the fate of human beings should not be held sacrosanct, particularly since no such immunity attends the exercise of discretion by trial judges in civil cases.

Some contend that appellate judges are not qualified to ascertain whether a trial judge has abused his discretion in imposing sentence.[71] This argument seems to me to be invalid. For one thing, many judges of the courts of appeals serve there after long experience on the trial bench. For another, it seems to me to be plainly desirable, in case of harsh sentences, to permit review by a group of jurists detached from the pressures and immediacies of the trial courtroom. The passage of time between sentencing and review may afford a better perspective. There is nothing so esoteric about sentencing that

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the decision of one man should be held sacred and beyond the proper scope of appellate review.

Some have argued that the trial judge is better acquainted with the true character of the defendant because of personal contact or observation.[72] For a number of reasons, this contention cannot withstand careful scrutiny. Frequently the judge's contact with the defendant is limited to visual observation because, in many cases, defendants do not testify. But whether the observation is exclusively visual or is supplemented by an assessment of the defendant's testimony and demeanor on the witness stand, is it really a reliable basis on which to judge whether the defendant should be imprisoned for 2 years or for 20? Who, as a defendant, would want to have that vital determination turn upon one man's assessment of his personality under such unusual and difficult circumstances? My admiration for my brothers on the federal trial bench throughout the country and for their exceptional insights into human beings is second to none, but it has not convinced me that they or I possess some unique capacity to make a sentence fit the crime on the basis of personal observation of a defendant during the course of his trial.

One more consideration should be adduced against the argument that the judge's opportunity to observe the defendant is a *sine qua non* for justice in sentencing. The great majority of defendants convicted of federal crimes have pleaded guilty.[73] In these cases, the "eyeball-to-eyeball" confrontation between judge and defendant, including the colloquy involved in the defendant's right of allocution,[74] is usually a matter of 10 or 15 minutes at the most. I do not urge that this person-to-person communication is without value. It has worth to all concerned. But great as that value is, it is not a sound predicate for the notion that, lacking such confrontation, an appellate court cannot adequately review a sentence imposed by a trial judge. So far as justice in sentencing turns upon appraisal of the defendant's personal traits, I doubt that there is a worse time to make that evaluation than when that always anxious, often frightened, individual stands before the judge for sentencing.

The federal trial judges recognize this. The principal sentencing aid for nearly all is the written presentence report of trusted and independent probation officers.[75] If these reports are available to the court of appeals along with the full record of the lower court proceedings, the appellate court will have before it all the material most significant to the trial court's imposition of sentence.

I should add that the trial judge, in his consideration of the presentence report, can and often does confer informally with the probation officer who prepared it. These conferences aid the judge in a better understanding and evaluation of the presentence report. The court of appeals might not have the benefit of these informal conferences. But such a lack, even if it were substantial, would not negate the wisdom of appellate review. To have an adequate basis for wise and effective review, an appellate court need only have sufficient information to examine intelligently what the trial court did. Then, giving due weight to the advantages that the trial court had in making its original decision, the appellate court can determine whether the trial court abused its discretion. The courts of appeals can be given more than sufficient information to make such a determination in the review of sentencing.

Furthermore, it is highly unlikely that any court of appeals would regularly substitute its judgment of the proper sentence in a case for that of the federal trial judge. On the contrary, exercise of the power to change a sentence imposed by a district judge would undoubtedly be restricted to those relatively infrequent—but extremely serious—instances where the sentence imposed was clearly excessive. Such a scope of review would no more demean the power and dignity of the federal trial judge than does the similar scope of review now exercised by the courts of appeals over innumerable rulings and decisions that are generally within the discretion of the district courts.

One hears the argument made against appellate review of sentencing that to allow it would be to open the gates to a flood of frivolous appeals. The best answer to this contention is that experience does not support it. Appellate courts review trial-court sentences regularly in 15 states and occasionally in others; [76] the same practice has been a regular feature of other civil-law and common-law jurisdictions for many years.[77] There has been no such flood of appeals in these jurisdictions.[78] If it be true, as I think it is not, that a very large number of defendants are victimized by excessive sentences, then justice would call for a great number of appeals. And even if there were many frivolous appeals, I have observed no incapacity in our courts of appeals to make short shrift of them.

In fact, I think it is likely that appellate review will ultimately reduce the total number of appeals. As mentioned above,[79] many appeals on the merits are generated only because of the imposition of an unduly harsh sentence, and many appellate courts, dealing with an appeal on the merits where the sentence has been unduly severe, are prone to seize upon error in the trial as a sufficient ground for reversal and retrial. Provision for review of trial-court sentences would eliminate any need for unmerited appeals and for reversals motivated primarily by the harshness of the sentences involved.

IV. PROPOSALS FOR APPELLATE REVIEW IN THE FEDERAL SYSTEM

In recent years a number of proposals to permit review of sentences by the courts of appeals have been introduced in Congress.[80] The last of these was reported favorably by the Senate Committee on the Judiciary [81] and passed in the Senate on June 29, 1967.[82] The Advisory Committee on Sentencing and Review of the American Bar Association has also suggested statutory provisions for appellate review.[83] Each of these proposals would empower appellate courts to review sentences appealed on the ground of excessiveness. They differ, however, in the categories of sentences made reviewable, the powers of the reviewing court, and the procedures for review of sentences.

A. Sentences reviewable

The ABA advisory committee's report on appellate review of sentences recognized that although "[i]n principle, judicial review should be available for all sentences imposed in cases where provision is made for review of the conviction . . . it may be desirable, at least for an initial experimental period, to place a reasonable limit on the length and kind of sentence that should be subject to review." [84]

The first five of the recent series of bills would have permitted review of all convictions where no mandatory sentence was required by law.[85] Each of the other bills would limit review to sentences of imprisonment or death in felony cases,[86] or to sentences of imprisonment exceeding specified periods.[87]

Appellate review would probably not prove very useful in correcting excesses in short sentences. Given present workloads and appellate procedures, most defendants who have been sentenced to terms of less than 1 year will have been freed for good behavior before their appeals can be heard. Furthermore, however invalid the argument that the courts of appeals would be overwhelmed by a flood of appeals, it may be wise initially to limit review to sentences of appreciable severity, where the more critical disparities would occur.[88] Review could readily be extended to lesser periods of imprisonment, terms of probation, fines, and commitments under the Youth Corrections and Juvenile Delinquency Act [89] as the courts of appeals acquire experience in handling such cases and develop techniques for the prompt disposition of frivolous claims.[90]

B. Powers of the reviewing court

The ABA Advisory Committee on Sentencing and Review has recommended that courts reviewing sentences be empowered to remand for resentencing or to substitute any disposition of the offender originally available to the sentencing court—except that the offender's sentence could not be increased either on appeal or on remand.[91] All of the proposed bills [92] would permit reduction of sentences by the courts of appeals. Several would permit modification of sentences,[93] and of these almost all would permit increase of sentences within limits.[94] The most recent bill would authorize the reviewing court to "dismiss the appeal, affirm, reduce, modify, vacate, or set aside the sentence imposed, remand the case, and direct the entry of an appropriate sentence or order or direct such further proceedings to be had as may be required under the circumstances," but would forbid any increase in sentences.[95]

The reviewing court should be empowered to select from the full range of statutory alternatives open to the district courts, but neither the reviewing court nor the trial court on remand should be empowered to increase the original sentence. To do so would raise serious constitutional objections, particularly in view of the recent line of federal cases holding increases of sentences on retrial unconstitutional.[96] Also, because of the threat of an increase in sentences, such a procedure would deter legitimate appeals and thus make appellate review illusory for many aggrieved defendants. Finally, experience in those jurisdictions that permit review but deny power to increase sentences indicates that, contrary to the argument urged in favor of allowing longer resentences, the absence of this threat does not result in a flood of frivolous appeals.[97] The courts of appeals can readily control the volume of appeals in other, less objectionable, ways—through limitations on the category of cases subject to review and procedural techniques in the handling of appeals.

C. Review procedures

The ABA advisory committee recommended that all appeals from sentences be of right except to courts with discretion to refuse consideration of appeals from convictions.[98] A few of the bills in Congress likewise specified that all appeals from sentences would be of right.[99] However, other bills, including the latest, require defendants to seek and be granted leave to appeal by the courts of appeals.[100] Although it may be thought that aggrieved defendants should have an appeal of right against the severity of their sentences, it is undoubtedly wise as an initial step to give the courts of appeals discretionary review to allow adjustment to and control over the new caseloads that might be generated by sentence review.[101] Similarly, at first the decisions of the courts of appeals should be final,[102] at least until experience under the new procedures demonstrates that such an added caseload can be handled without further overburdening the Supreme Court and that the problem of disparity among the circuits deserves the Supreme Court's attention.[103]

The ABA advisory committee [104] and the last few bills in Congress [105] would require the sentencing judge to state reasons for the imposition of each sentence that might later be subject to review. The object of these provisions, of course, is to encourage carefully considered and reasoned sentences by the trial judge and to inform the review-

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Footnotes at end of article.

ing court of the factors that led to the particular sentence imposed. However, I doubt that these objectives would be very well served by such a requirement. Most judges do state their reasons for sentences, and these statements are readily available to the courts of appeals.[106] To require a statement of reasons in every case might well focus concern on making a record rather than on matters of substance. Plausible rationalizations can often be adduced to support excessive sentences and, conversely, infelicitous reasoning can confuse and cast doubt upon reasonable sentences. I think that the possibility of review will in itself do enough to ensure more careful and complete consideration by trial judges of all relevant factors. It should be sufficient to authorize the courts of appeals to order statements by the sentencing judge where such statements are deemed particularly useful.

Finally, special provision is made in nearly all of these proposals empowering the reviewing court to order the production of all materials available to the sentencing judge.[107] This is, of course, undoubtedly desirable as a general proposition and is usually feasible. Special problems arise, however, with respect to material given in confidence to the sentencing judge by probation officers. There has been great controversy over the propriety and constitutionality of withholding such reports from defendants.[108] Nonetheless, while these reports must of course be available to the courts of appeals, they should not be disclosed to defendants without prior consultation with the probation officers who prepared them.[109] Such precaution is necessary to prevent family bitterness or even violence, which might result if a defendant learned the source of frank information given in confidence, and to avoid drying up confidential sources. I realize that, although the defendant usually knows the facts about himself and his actions that are revealed by such reports, there is some unfairness in withholding from the defendant any of the factors that may have been taken into account in sentencing. I realize, too, that "confidential" information is often not worth much and that trial judges are little influenced by it. On balance, I think it best to provide the probation officer with an opportunity to acquaint the reviewing court with the possible consequences of disclosure.

In all other respects, procedures for review of sentences should be identical to procedures for review of convictions, and all appeals on the same case should be considered together. This would eliminate the possibility of confusion and of fragmented appeals. The most recent proposals so provide.[110]

CONCLUSION

There are many good reasons for adopting a means of appellate review of federal district-court sentencing: It would right serious wrongs to individuals. It would promote public respect for and confidence in the law and the judiciary. It would ease the problems of discipline in prison and aid in the rehabilitation of those prisoners who otherwise might be permanently alienated from society by the knowledge that a cruel wrong imposed on them had not been righted. It would encourage greater rationality in sentencing practices. Overall, the institution of general appellate review would bring needed improvement in an important aspect of the administration of criminal justice. The latest bill before Congress, with the few modifications I have outlined, would appear to be a sound vehicle for achieving this much-needed reform.

FOOTNOTES

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[1] The problem of disparity in sentencing is treated generally in Joint Comm. on Continuing Legal Education of the ALI and the ABA, The Problem of Sentencing 56–77 (1962); M. Paulsen & S. Kadish, Criminal Law and Its Processes 162–68 1962); *id.* at 55–56 (Supp. 1967); McGuire & Holtzoff, *The Problem of Sentence in the Criminal Law*, 20 B.U.L. Rev. 423 (1940); Rubin, *Disparity and Equality of Sentences*, 40 F.R.D. 55 (1966).

[2] Shepard v. United States, 257 F.2d 293, 294 (6th Cir. 1958).

[3] During fiscal year 1964, 91.2% of all cases ending in conviction were concluded without trial. Administrative Office of the U.S. Courts, Federal Offenders in the United States District Courts 1964, at 15, table 8 (1965).

[4] *See Hearings on S. 2722 Before the Subcomm. on Improvements in Judicial Machinery of the Senate Comm. on the Judiciary*, 89th Cong., 2d Sess. 83–102 (1966).

[5] President's Comm'n on Law Enforcement and Administration of Justice, The Challenge of Crime in a Free Society 145 (1967).

[6] *Id.* at 146.

[7] The Judicial Conference of the United States is authorized under 28 U.S.C. § 334 (1964) to convene institutes and councils of federal judges to study sentencing.

[8] *See generally* Smith, *The Sentencing Council and the Problem of Disproportionate Sentences*, Fed. Probation, June 1963, at 5; Doyle, *A Sentencing Council in Operation*, Fed. Probation, Sept. 1961, at 27.

[9] *E.g., Hearings on S. 2722, supra* note 4, at 10–54, 69–82, 109–22; Address by Mr. Chief Justice Warren, American Law Institute Annual Meeting, May 18, 1960, *reprinted in* 25 F.R.D. 213 (1960).

[10] For an analysis of the sentencing structures of American jurisdictions see Note, *Statutory Structures for Sentencing Felons to Prison*, 60 Colum. L. Rev. 1134 (1960).

[11] Congress has authorized the following procedures: in 1925, the use of probation in lieu of imprisonment, Act of Mar. 4, 1925, ch. 521, § 1, 43 Stat. 1259, 18 U.S.C. §§ 3651–58 (1964); in 1938, special custody and treatment for juvenile offenders, Federal Juvenile Delinquency Act, ch. 486, § 4, 52 Stat. 765 (1938), 18 U.S.C. § 5034 (1964); in 1950, special custody and treatment for youth offenders under the age of 22, Federal Youth Corrections Act, ch. 1115, § 2, 64 Stat. 1087 (1950), 18 U.S.C. §§ 5006(e), 5011 (1964); in 1958, indeterminate sentencing, special commitments for study by the Bureau of Prisons, and commitments of offenders under the age of 26 as youth offenders, Act of Aug. 25, 1958, Pub. L. No. 85–752, §§ 3–4, 72 Stat. 845–46, 18 U.S.C. §§ 4208–09 (1964); and, finally, in 1966, special confinement and treatment of offenders addicted to narcotics, Act of Nov. 8, 1966, Pub. L. No. 89–793, § 201, 80 Stat. 1443, 18 U.S.C. § 4253 (Supp. II, 1965–66).

[12] 18 U.S.C. § 4202 (1964).

[13] 18 U.S.C. § 4208(a) (1964).

[14] 18 U.S.C. § 3651 (1964). The power of the court to impose conditions of probation is fairly broad. *Compare* Berra v. United States, 221 F.2d 590 (8th Cir. 1955) (employment or office holding in labor union forbidden), *and* United States v. Worcester, 190 F. Supp. 548 (D. Mass. 1961) (disclosure of evidence required), *with* Karrell v. United States, 181 F.2d 981 (9th Cir. 1950) (restitution of funds in transaction not involved in indictment improper).

[15] 18 U.S.C. § 3651 (1964).

[16] 18 U.S.C. §§ 5005–26 (1964).

[17] 18 U.S.C. §§ 4209, 5006(e) (1964).

[18] 18 U.S.C. §§ 5010, 5017 (1964).

[19] 18 U.S.C. §§ 5031–37 (1964).

[20] 18 U.S.C. § 5031 (1964).

[21] *See* United States v. Borders, 154 F. Supp. 214 (N.D. Ala. 1957), *aff'd*, 256 F.2d 458 (5th Cir. 1958).

[22] 18 U.S.C. § 5034 (1964).

[23] 18 U.S.C. § 4208(b) (1964).

[24] Others have been of the opinion that the frequency of unjustifiable disparities is relatively great. *See* authorities cited note 1 *supra; Hearings on S. 2722, supra* note 4, at 10–54, 69–82, 109–22. Mr. Chief Justice Warren, for example, expressed concern in 1960 about "the wide diversity in the use of probation and other sentencing practices in our several courts and the great disparity in the sentences pronounced by our judges." Address by Mr. Chief Justice Warren, *supra* note 9, at 215.

[25] *See* Glueck, *The Sentencing Problem*, Fed. Probation, Dec. 1956, at 15, 17–18; Note, *Due Process and Legislative Standards in Sentencing*, 101 U. Pa. L. Rev. 257, 259–60 (1952); Note, *Appellate Review of Primary Sentencing Decisions: A Connecticut Case Study*, 69 Yale L.J. 1452, 1458–59 (1960).

[26] The average sentence in each of the circuits for all persons committed to federal institutions in fiscal year 1965 varied from 28.3 months in the First Circuit to 45.1 months in the Seventh Circuit, *Hearings on S. 2722, supra* note 4, at 150–53.

[27] The range of lowest and highest districts in average sentences for all offenses within the various circuits is as follows: First Circuit, 21.9 months to 40.3 months; Second Circuit, 16.6 months to 37.2 months; Third Circuit, 18.0 months to 45.1 months; Fourth Circuit, 19.4 months to 57.0 months; Fifth Circuit, 20.9 months to 44.8 months; Sixth Circuit, 22.1 months to 49.6 months; Seventh Circuit, 27.7 months to 50.0 months; Eighth Circuit, 23.4 months to 63.5 months; Ninth Circuit, 0.5 months to 67.4 months; Tenth Circuit, 30.3 months to 44.3 months. *Id.*

[28] For example, the average sentence for narcotics violations varied from 44.4 months in the Third Circuit to 82.3 months in the Eighth Circuit and 82.8 in the Tenth Circuit; for forgery, from 15.8 months in the First Circuit to 35.9 months in the Eighth Circuit; for liquor violations, from 8.4 months in the Ninth Circuit to 22.3 months in the Third Circuit. Variations among individual districts were even more extensive. *Id.*

[29] The frequency of use of split sentences in fiscal year 1964 varied from 2.5% of all convictions in the Fifth Circuit to 7.4% in the Fourth Circuit, and more widely among districts within the circuits. Administrative Office of the U.S. Courts, *supra* note 3, at 76–77.

[30] Use of indeterminate sentences varied from 1.7% of all convictions in the First Circuit to 8.0% in the Sixth Circuit, with wider variations among the districts. *Id.*

[31] Use of the Youth Corrections Act varied from 1.7% of all convictions in the First Circuit to 7.8% in the Tenth Circuit, with wider variations among the districts. *Id.*

[32] Use of the Juvenile Delinquency Act varied from 0.3% of all convictions in the First Circuit to 8.6% in the Tenth Circuit, with wider variations among the districts. *Id.*

[33] Use of probation in fiscal year 1965 varied from 44.3% of all convictions (excluding violations of immigration laws, wagering tax laws, and federal regulatory acts) in the Sixth Circuit to 63.8% in the Third Circuit, with wider variations among the districts. Administrative Office of the U.S. Courts, Persons Under the Supervision of the Federal Probation System, Fiscal Year 1965, at 102–05 (1967). The percentage of probationers under supervision for less than 2 years varied from 69.3% in the Fourth Circuit to 83.7% in the First Circuit. *Id.* at 94–95.

[34] *See* Administrative Office of the U.S. Courts, *supra* note 3, at 26–27, 32–33, 78–83. A total of 20 districts exceeded or fell short of the national weighted average by 20% or more in the use of probation, and 19 districts by a similar percentage in the overall severity of sentences. *Id.*

[35] As examples of possible abuses, Judge Sobeloff of the Court of Appeals for the Fourth Circuit points to the 15-year sentence imposed upon a first offender who wrote a $58 bad check to pay for rent, food, and his ailing wife's medical bills, and to the sentence of life imprisonment without parole

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given a feeble-minded 20-year-old Mexican boy who sold a shot of narcotics to his 17-year-old friend. *Hearings on S. 2722, supra* note 4, at 25–26. For examples of abuses in consecutive sentencing on multiple counts see *id.* at 14; 46 IOWA L. REV. 159 (1960).

[36] *See* Glueck, *The Sentencing Problem,* FED. PROBATION, Dec. 1956, at 15, 17.

[37] The following standards are typical of the statutory criteria governing the use of the various sentencing alternatives: "when in its opinion the ends of justice and best interests of the public require . . . ." 18 U.S.C. § 4208(a) (1964) (indeterminate sentencing); "when satisfied that the ends of justice and the best interest of the public . . . will be served . . .," 18 U.S.C. § 3651 (1964) (probation); "[i]f the court is of the opinion that the youth offender does not need commitment . . . ," 18 U.S.C. § 5010(a) (1964) (probation for youth offenders).

[38] *See* Ashe, *A Warden's Views on Inequality in Sentences,* FED. PROBATION, Jan.-Mar. 1941, at 26–27.

[39] *See Hearings on S. 2722, supra* note 4, at 166–67. *But see* Ashe, *supra* note 38, at 27.

[40] *Hearings on S. 2722, supra* note 4, at 11, 35.

[41] *See, e.g.,* United States v. Hoffman, 137 F.2d 416, 422 (2d Cir. 1943).

[42] 28 U.S.C. § 2255 (1964) states: "A prisoner in custody under sentence of a court established by Act of Congress claiming the right to be released upon the ground that the sentence was imposed in violation of the Constitution or laws of the United States, or that the court was without jurisdiction to impose such sentence, or that the sentence was in excess of the maximum authorized by law, or is otherwise subject to collateral attack, may move the court which imposed the sentence to vacate, set aside or correct the sentence."

Furthermore, under FED. R. CRIM. P. 35, a court "may correct an illegal sentence at any time and may correct a sentence imposed in an illegal manner" within 120 days of the imposition of sentence, dismissal of appeal, or denial of review by the Supreme Court.

[43] *See, e.g.,* Herndon v. United States, 207 F.2d 412 (4th Cir. 1953); United States v. Baldwin, 128 F. Supp. 739 (S.D. Ohio 1953).

[44] *See* Scarponi v. United States, 313 F.2d 950 (10th Cir. 1963) (dictum).

[45] *See* Benson v. United States, 332 F.2d 288 (5th Cir. 1964).

[46] Act of Mar. 3, 1879, ch. 176, § 1, 20 Stat. 354, which remained in effect until the appellate jurisdiction of the circuit courts was transferred to the circuit courts of appeals in 1891, was interpreted as empowering the circuit courts to modify excessive sentences on appeal. *See* Bates v. United Stats, 10 F. 92 (C.C.N.D. Ill. 1881). *See generally* Hall, *Reduction of Criminal Sentences on Appeal,* 37 COLUM. L. REV. 521 (1937).

[47] *See, e.g.,* Gore v. United States, 357 U.S. 386, 393 (1958); United States v. Baysden, 326 F.2d 629 (4th Cir. 1964); Boerngen v. United States, 326 F.2d 326 (5th Cir. 1964); Martin v. United States, 317 F.2d 753 (9th Cir. 1963). For an exhaustive compilation of cases denying review in each of the circuits see 10 DEPAUL L. REV. 104, 105 n.8 (1960).

[48] *See* United States v. Hetherington, 279 F.2d 792, 796 (7th Cir. 1960) ("manifest abuse"); Livers v. United States, 185 F.2d 807, 809 (6th Cir. 1950) ("gross abuse"); Tincher v. United States, 11 F.2d 18, 21 (4th Cir.), *cert. denied,* 271 U.S. 664 (1926) ("gross or palpable abuse").

[49] Guerera v. United States, 40 F.2d 338, 340–41 (8th Cir. 1930).

[50] *See* Yates v. United States, 356 U.S. 363 (1958); Green v. United States, 356 U.S. 165 (1958) (dictum); *cf.* United States v. United Mine Workers, 330 U.S. 258 (1947).

[51] Green v. United States, 356 U.S. 165, 188 (1958).

[52] 267 F.2d 453 (7th Cir. 1959); 278 F.2d 500 (7th Cir. 1960) (second appeal).

[53] The trial judge stated flatly: "Had there been a plea of guilty in this case probably probation might have been *considered* under certain terms, but you are all well aware of the standing policy here that once a defendant stands trial that element of grace is removed from the consideration of the Court in the imposition of sentence." United States v. Wiley, 184 F. Supp. 679, 681 (N.D. Ill. 1960) (emphasis in original).

[54] Wiley, a minor participant in the crime, received a sentence of 3 years, while the ringleader and three other minor participants received terms of from 1 to 2 years. Wiley's criminal record was less serious than those of some of his codefendants. *See* United States v. Wiley, 278 F.2d 500 (7th Cir. 1960).

[55] *See* United States v. Martell, 335 F.2d 764, 766 (4th Cir. 1964); Ellis v. United States, 321 F.2d 931, 933 (9th Cir. 1963); *In re* Cohen's Petition, 217 F. Supp. 240, 244 (E.D.N.Y. 1963).

[56] The Court of Appeals for the Seventh Circuit stated that "where the facts appearing in the record point convincingly to the conclusion that the district court has, without any justification, arbitrarily singled out a minor defendant for the imposition of a more severe sentence than that imposed upon the co-defendants, this court will not hesitate to correct the disparity," United States v. Wiley, 278 F.2d 500, 503 (7th Cir. 1960). However, "the presumption is that the court acted reasonably," and an appellant "must make allegations at least indicating some unreasonable basis for the disparity of sentences." Simpson v. United States, 342 F.2d 643, 645 (7th Cir. 1965).

[57] *See, e.g.,* United States v. West Coast News Co. 357 F.2d 855 (6th Cir. 1966); United States v. Gargano, 338 F.2d 893, 897 (6th Cir. 1964); United States v. Vita, 209 F. Supp. 172, 173 (E.D.N.Y. 1962).

[58] *See, e.g.,* Leach v. United States, 334 F. 2d 945 (D.C. Cir. 1964) (refusal to order mental examination of prisoner under previous psychiatric care); Peters v. United States, 307 F. 2d 193 (D.C. Cir. 1962) (unreasonable refusal to order presentence investigation).

[59] Patton v. North Carolina, 381 F. 2d 636 (4th Cir. 1967); Marano v. United States, 374 F. 2d 583 (1st Cir. 1967); Short v. United States, 344 F. 2d 550 (D.C. Cir. 1965).

[60] *See, e.g.,* Smith v. United States, 273 F. 2d 462, 468 (10th Cir. 1959) (Murrah, C. J. dissenting).

[61] *Cf.* Rudolph v. Alabama, 375 U.S. 889 (1963) (Goldberg, Douglas, Brennan, JJ., dissenting from the denial of certiorari), which suggests that the imposition of a sentence of death upon a convicted rapist might constitute cruel and unusual punishment.

[62] *See* Rubin, *supra* note I, at 62–69.

[63] United States v. Rosenberg, 195 F. 2d 583, 604 (2d Cir. 1952).

[64] Gore v. United States, 357 U.S. 386, 393 (1958).

[65] *E.g.,* CAL PENAL CODE § 1213.5(b) (3) (West 1956).

[66] For a discussion of the problems of the lack of adequate resources and qualified personnel available to parole authorities see D. DRESSLER, PRACTICE AND THEORY OF PROBATION AND PAROLE 231–34 (1959).

[67] About 6% of the federal offenders sentenced in fiscal year 1965 received indeterminate sentences. ADMINISTRATIVE OFFICE OF THE U.S. COURTS, *supra* note 3, at 18.

[68] *See* authorities cited note 8 *supra.*

[69] *See Hearings on S. 2722, supra* note 4, at 13.

[70] *See, e.g., Hearings on S. 2722, supra* note 4, at 2–3, 7–8, 34–38, 61–66, 111–12; ABA, STANDARDS RELATING TO APPELLATE REVIEW OF SENTENCES 21–31 (1967); Sobeloff, *A Recommendation for Appellate Review of Criminal Sentences,* 21 BROOKLYN L. REV. 2 (1954). For a complete bibliography see *Hearings on S. 2722, supra* note 4, at 146–49.

[71] *See Hearings on S. 2722, supra* note 4, at 127.

[72] *Id.*

[73] *See* note 3 *supra.*

[74] FED. R. CRIM. P. 32(a) (1) provides: "Before imposing sentence the court shall afford counsel an opportunity to speak on behalf of the defendant and shall address the defendant personally and ask him if he wishes to make a statement in his own behalf and to present any information in mitigation of punishment."

[75] FED. R. CRIM. P. 32(c) requires a presentence investigation and report "unless the court otherwise directs." The report must contain "any prior criminal record of the defendant and such information about his characteristics, his financial condition and the circumstances affecting his behavior as may be helpful in imposing sentence or in granting probation or in the correctional treatment of the defendant, and such other information as may be required by the court."

[76] ABA, *supra* note 70, at 13. A more complete survey of the law in the various states may be found in Mueller, *Penology on Appeal: Appellate Review of Legal but Excessive Sentences,* 15 VAND. L. REV. 671, 688–97 (1962).

[77] *Hearings on S. 2722, supra* note 4, at 83–100.

[78] Studies of several such jurisdictions have been made, and in no case was there found to be an excessively troublesome problem of administering numerous frivolous appeals. In Britain, only 8% of convicted prisoners appeal their sentences. *Id.* at 29. In Massachusetts, procedures for sentence review have apparently even reduced the number of appeals taken with regard to the merits of criminal cases. *Id.* at 163. *See also* Note, *Appellate Review of Primary Sentencing Decisions: A Connecticut Case Study,* 69 YALE L.J. 1453, 1464 (1960).

[79] *See* notes 40–41 *supra* and accompanying text.

[80] *See* S. 1540, 90th Cong., 1st Sess. (1967); S. 2722, 89th Cong., 1st Sess. (1965); S. 823, 88th Cong., 1st Sess. (1963); S. 2879, 87th Cong., 2d Sess. (1962); S. 1692, 87th Cong., 1st Sess. (1961); S. 3914, 86th Cong., 2d Sess. (1960); H.R. 270, 85th Cong., 1st Sess. (1957); S. 1480, 84th Cong., 1st Sess. (1955); H.R. 4932, 84th Cong., 1st Sess. (1955).

[81] S. REP. No. 372, 90th Cong., 1st Sess. (1967).

[82] CONGRESSIONAL RECORD, vol. 113, pt. 14, pp. 17986–17988.

[83] *See* ABA, *supra* note 70.

[84] *Id.* at 13. States permitting review of sentences generally limit the scope of review according to the length or type of sentence, the type of proceeding for determining guilt or sentence, or the general authority of the reviewing court. *Id.* at 15–16.

[85] S. 1692, 87th Cong., 1st Sess. (1961); S. 3914, 86th Cong., 2d Sess. (1960); H.R. 270, 85th Cong., 1st Sess. (1957); S. 1480, 84th Cong., 1st Sess. (1955); H.R. 4932, 84th Cong., 1st Sess. (1955).

[86] S. 1540, 90th Cong., 1st Sess. § 3742(a) (1967).

[87] S. 2722, 89th Cong., 1st Sess (1965) (aggregate of more than 1 year); S. 823, 88th Cong., 1st Sess. (1963) (5 years or more); S. 2879, 87th Cong., 2d Sess. (1962) (5 years or more).

[88] About ¾ of all possibly appealable sentences of imprisonment exceed 1 year; about ¼ exceed 5 years. *Hearings on S. 2722, supra* note 4, at 39. It has been estimated that a 1-year limit would reduce the average volume of sentence appeals to 88 annually for each circuit, and that a 5-year limit would further reduce it to about 32 per circuit. *Id.* at 29.

[89] *See* text accompanying notes 16–22 *supra.*

[90] The courts of appeals should, of course, have authority to review sentences imposed after revocation of orders suspending sentence or granting probation, and after periods

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of confinement for study. The latest congressional bill specifically provides for such review. *See* S. 1540, 90th Cong., 1st Sess. §§ 3742 (a), (f) (1967).

[91] ABA, *supra* note 70, at 53–55.

[92] *See* authorities cited note 80 *supra*.

[93] S. 1540, 90th Cong., 1st Sess. (1967); S. 2722, 89th Cong., 1st Sess. (1965); H.R. 270, 85th Cong., 1st Sess. (1957); S. 1480, 84th Cong., 1st Sess. (1955); H.R. 4932, 84th Cong., 1st Sess. (1955).

[94] S. 2722, 89th Cong., 1st Sess. (1965); H.R. 270, 85th Cong., 1st Sess. (1957); S. 1480, 84th Cong., 1st Sess. (1955); H.R. 4932, 84th Cong., 1st Sess. (1955).

[95] S. 1540, 90th Cong., 1st Sess. § 3742(c) (1967).

[96] *See* Patton v. North Carolina, 381 F. 2d 636 (4th Cir. 1967); *cf.* Marano v. United States, 374 F. 2d 583 (1st Cir. 1967); United States v. Russell, 260 F. Supp. 265 (M.D. Pa. 1966). *See also* 80 Harv. L. Rev. 891 (1967).

[97] All but three of the states that provide for review permit no increase of sentences by the reviewing court. *Hearings on S. 2722, supra* note 4, at 38. The Uniform Code of Military Justice provides for mandatory review of the sentences of courts-martial without possibility of increase, 10 U.S.C. § 871 (1964), and this system appears to have functioned without difficulty. *See Hearings on S. 2722, supra* note 4, at 140. European jurisdictions rarely permit increases in appeals by defendants, and then only with careful safeguards such as a requirement of unanimity on the part of the reviewing court. *Id.* at 85. After 60 years of experience with a system of sentence review permitting increases, the British Parliament withdrew from its appellate courts the power to increase sentences imposed at trial. Criminal Appeal Act 1966, § 4(2), c. 31.

[98] ABA, *supra* note 70, at 36.

[99] H.R. 270, 85th Cong., 1st Sess. (1957); S. 1480, 84th Cong., 1st Sess. (1955); H.R. 4932, 84th Cong., 1st Sess. (1955).

[100] S. 1540, 90th Cong., 1st Sess. (1967); S. 1692, 87th Cong., 1st Sess. (1961); S. 3914, 86th Cong., 2d Sess. (1960).

[101] At the very least, the courts of appeals should not be required to grant a full hearing on all such appeals. *See* S. 2722, 89th Cong., 1st Sess. (1965); S. 823, 88th Cong., 1st Sess. (1963); S. 2879, 87th Cong., 2d Sess. (1962).

[102] The latest bill in Congress provides specifically that the court of appeals' denial of appeal is final. S. 1540, 90th Cong., 1st Sess. § 3742(b) (1967).

[103] *See* notes 26–28 *supra*.

[104] ABA, *supra* note 70, at 42.

[105] S. 1540, 90th Cong., 1st Sess. (1967); S. 2722, 89th Cong., 1st Sess. (1965); S. 823, 88th Cong., 1st Sess. (1963); S. 2879, 87th Cong., 2d Sess. (1962).

[106] At present, the court reporter is required to transcribe and certify all "proceedings in connection with the imposition of sentence in criminal cases. . . ." 28 U.S.C. § 753(b) (Supp. II, 1965–66). This transcript would be available to the courts of appeals through Fed. R. Crim. P. 39(b), and also through provisions, in most of the bills, authorizing the courts of appeals to order the production of all trial documents. *See* S. 1540, 90th Cong., 1st Sess. (1967); S. 2722, 89th Cong., 1st Sess. (1965); S. 823, 88th Cong., 1st Sess. (1963); S. 2879, 87th Cong., 2d Sess. (1962); S. 1692, 87th Cong., 1st Sess. (1961); S. 3914, 86th Cong., 2d Sess. (1960).

[107] *See* S. 1540, 90th Cong., 1st Sess. (1967); S. 2722, 89th Cong., 1st Sess. (1965); S. 823, 88th Cong., 1st Sess. (1963); S. 2879, 87th Cong., 2d Sess. (1962); S. 1692, 87th Cong., 1st Sess. (1961); S. 3914, 86th Cong., 2d Sess. (1960); ABA, *supra* note 70, at 42.

[108] *Compare* Smith v. United States, 223 F.2d 750, 754 (5th Cir. 1955), *and Hearings on S. 2722, supra* note 4, at 117–18, *with* United States v. Durham, 181 F. Supp. 503 (D.D.C. 1960), *and* Barnett & Gronewold, *Confidentiality of the Presentence Report*, Fed. Probation, Mar. 1962, at 26.

[109] Two of the bills in Congress specifically require the courts of appeals to "take such appropriate measures as may be necessary to safeguard the secrecy of any such presentence reports and other evaluations." S. 823, 88th Cong., 1st Sess. (1963); S. 2879, 87th Cong., 2d Sess. (1962).

[110] *See* S. 1540, 90th Cong., 1st Sess. (1967); S. 2722, 89th Cong., 1st Sess. (1965).

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APPELLATE REVIEW OF LEGAL BUT EXCESSIVE SENTENCES: A COMPARATIVE STUDY

(By Gerhard O. W. Mueller* and
Fré Le Poole**)

(The American criminal statutes do not generally establish criteria to be followed by the trial judges in sentencing; therefore, the right of judicial review of sentences as a matter of law is largely unavailable due to the almost total exercise of judicial discretion in the sentencing process. The authors will examine and evaluate the continental system in which the criminal codes generally provide sentencing guidelines, thus enabling sentence review to be obtained as a matter of law.)

I. EMERGENCE OF SENTENCE REVIEW

Classical penology was conceived in France in the eighteenth century,[1] and then eclipsed all over the world in the nineteenth, when Lombroso conjured up the picture of the born criminal. It was finally laid to rest in the United States in the twentieth century. Its basic tenet had been simple enough: the legislature in its infinite wisdom would seek and find the appropriate punishment for every crime. This can be accomplished if a crime is defined narrowly enough, perhaps by the creation of subcategories of that crime, so as to encompass all potential perpetrators who will each incur the same amount of criminal guilt. All perpetrators in the same subcategory are then entitled to the exact same amount of punishment in expiation of their criminal guilt. This system, so it was thought, ideally adjusts the punishment to achieve a balance between the crime and its harm and the criminal and his guilt, without going into undue subtleties of minute variations in the guilt of perpetrators in the same subcategory. Consequently the codes of the eighteenth and nineteenth centuries could satisfy themselves with defining and categorizing crimes in terms of the harm created and the specific means are in question.

The punishments in such a scheme of things, being almost entirely designed to serve the goals of retribution and deterrence of all nondescript members of a class, could be almost entirely stereotyped. A system which does not admit of variation among members of its various categories of perpetrators needs little variability of its punishments. Therefore, whether in an American state or European nation in the nineteenth century, nearly all first degree murderers were rewarded with death, and nearly all thieves received a stereotyped penitentiary sentence. To the extent that the need for variability was recognized, such variability—like its historical ancestor, the benefit of clergy—was regarded primarily as a matter of mercy to be dispensed by the sovereign. However, in nearly all countries the legislative scheme of crimes and punishments did permit a minimum of variation, usually in terms of alternate punishments, or sometimes regarding the quantum of punishment. "The duration and quantity [of fine and imprisonment] must, says Blackstone, frequently vary from the aggravations, or otherwise of the offence, the quality and condition of the parties, and from innumerable other circumstances . . ."[2]

In a system of relatively stereotyped punishments for static guilt and harm, practically no question of reviewability of sentence can arise as long as each sentence is within the narrow legislative frame. However, such an arrangement could not survive a recognition that the infinite variety of subjective and objective factors, which exist in the personality of every offender, and in the harm and guilt, must be reflected in the criminal sanction. Likewise, the criminal sanction must be adjusted to serve the needs of a variety of aims of penal policy. While the new variants in the personality of the perpetrator and in the aims of penal policy were first scientifically recognized and stated in Europe, especially by the Italian positivists, it was in this country that the first significant breaks with the established stereotyped and static penal scheme occurred. Among the devices of the new penology we find the following: (1) the mini-max statute, which allows the court to choose an appropriate sentence within a framework of a minimum and maximum sentence provided by the legislature; (2) the alternate sentence, providing for either one form of punishment or another, or both; (3) additional sentences, *e.g.*, forfeiture of office, added to imprisonment; (4) the open-ended sentence, which allows the court to individually fix either the minimum or the maximum and to make the other limit to the sentence depend on subsequent factors; (5) good conduct and good time provisions, resulting in deductions from initial punishment; (6) parole rights and duties; (7) probation; and (8) an infinite variety of commitments to special institutions.

With such a potpourri of penal dispositions available, the modern judge needs a degree of guidance unimagined in the nineteenth century. Now, a significant choice has to be made in every case, a choice which was generally not possible a few decades ago. Therefore, it seems that a legal machinery is needed to guard against the wrong choice. How does the law usually protect the defendant against a wrong choice on the part of a judge? It grants appellate review. But our system has not yet adapted itself to the novelty. Appellate review is largely unavailable to question the exercise of sentencing discretion. While a system without appellate review of criminal sentences was workable and lawful in the nineteenth century, it can be neither proper nor lawful at the present time. It can be attributable only to chance or ignorance that the American system, which permits no review of judicial choice in sentencing, has not been declared unconstitutional.

Elsewhere we have demonstrated that a movement is underfoot to provide American convicts with a machinery for the review of criminal sentences alleged to be excessive, though lawful. From the modest beginning of a single American jurisdiction which granted such review in 1858, we now have reached the point at which such remedies are available in fifteen jurisdictions, albeit on a very limited scale.[3] It does not take much courage to predict that in the foreseeable future, all American jurisdictions will adopt sentence review procedures.

II. THE LACKING CRITERIA OF SENTENCE REVIEW AT HOME

While the need for reviewing the exercise of judicial choice in sentencing may be quite apparent, what makes one pause is the lack of criteria by which we can measure the propriety of a given choice. It must be noted that we are here interested primarily in the judicial choice. There is also a legislative choice, which is subject to review. Thus, the constitutionality of a statute permitting any prison sentence from one day to life and/or a fine of any magnitude for the crime of shoplifting may well be subject to some doubt. Indeed, the supreme courts of the nineteenth century at first were considerably hesitant to uphold as constitutional, against charges of uncertainty and vagueness, statutes allowing penological variety which

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seemed to permit the exercise of judicial choice, unguided by fixed legislative criteria. For all practical purposes, the legislatures have not provided the judiciary with criteria to guide them in exercising sentencing discretion. If there are no criteria to begin with, how can it be charged that the wrong criteria have been used? Our system has muddled along with vague expressions like "the sound exercise of judicial discretion," "recognition of the crime and the criminal," "the gravity of the deed," "the guilt of the perpetrator," and "the protection of society." None of these slogans is law. Appellate review, however, has been customarily available for judicial violations of law—not slogans, and it is arguable that slogans are not entitled to appellate review.

Elsewhere we have endeavored to state the real criteria which have prompted courts to play with the legislative choices in sentencing and which we found to be conditioned by the infinite variety of life, manifested in the perpetrator and his crime, but always limited by the scope of the penal purposes. This limitation, designed to protect society from initial or repeated harm through crime, extends to vindication of the law, retribution for the wrong committed, penitence of the perpetrator, neutralization of the still dangerous actor, deterrence of potential wrongdoers, and above all, resocialization of the offender.[4] While these observations may properly describe reality, they are not positive law. There is a need for appellate review of criminal sentences. But upon what criteria should such review proceed and to what end?

To solve these perplexing problems we have turned to the experiences of other members of the family of civilized nations. While their experiences are not likely to be dispositive of our problems, they are likely to be helpful, for all nations are endeavoring only to find the most appropriate method of insuring the establishment and continuance of the most effective sentencing policies. Although these problems appear predominantly theoretical at first glance, they have the potential of becoming explosively practical in the not-too-distant future. The Supreme Court of the United States recently held unconstitutional for vagueness a statute which permitted the jury to impose costs upon an acquitted criminal defendant, *without guidance as to when costs were or were not to be imposed.*[5] By dictum the majority added that the distribution of varying punishments based solely upon the reprehensibility of a convicted offender would certainly violate the due process clause. Mr. Justice Stewart, concurring, contended that much of the reasoning in the opinion cast grave constitutional doubt upon the settled practice of many states to allow the jury in its unguided discretion to determine the nature and degree of punishment to be imposed.[6] Also, consideration must be given to the problem of the judge's use of his unguided discretion in the sentencing process. It appears that in the near future sentencing criteria and the aims of penal policy may become matters of positive law and, therefore, subject to appellate review as questions of law. By looking at the advanced continental experience, we may be able to delineate the course that we should follow.

III. GENERAL SCHEME IN CIVIL LAW COUNTRIES

As in our system, continental code provisions contain sentencing alternatives and sentence ranges. Many foreign codes set some guidelines for the exercise of sentencing discretions, both in the penal provisions and in special sentencing sections of the more general parts of the codes. These sentencing frames and criteria have become matters of positive law, and, like all other matters of law, are subject to appellate review. However, there are many code and statutory provisions which contain no criteria for guiding sentencing choice; frequently these are found in cases where a crime category (*e.g.*, homicide) has been subdivided into minute subcategories which are descriptive of different offender types. Thus, the old, but still subsisting German Penal Code provides in section 211 that "murder shall be punished by confinement in a penitentiary for life." This stereotype sentence for all murderers is understandable only if it is considered that this provision also describes a murderer in terms of specific personality characteristics and that the murder provision is followed by eight subsequent provisions on homicide which are descriptive of other stereotypes, including: manslaughter (section 212); manslaughter under extenuating circumstances (section 213); mercy killing (section 216); infanticide (section 217); genocide (section 220a); negligent homicide (section 222); and assault and battery with fatal consequences (section 226). Each of these variations from the basic form of criminal homicide carries its own penal sanction which differs from that of the basic form. Some of these penal sanctions also allow a certain amount of variation (*e.g.*, for "mitigating circumstances," as in section 216.2, or for "serious cases," as in section 212.2).[7]

By far the most frequent sentencing variables which the continental codes place at the disposition of judges are in terms of minimum-maximum sentences and alternative sentences. For example, under the Italian Penal Code the punishment for mercy killing is "confinement in a penitentiary from six to fifteen years." [8] As regards imprisonment, the legislature has sometimes set only maximum [9] or only minimum terms [10] for each offense. Under statutes with open-ended provisions, the judge has to find the limit for the open-end in the penal provisions of the General Part of his code. For example, the Dutch Code provides: "Temporary imprisonment may be imposed for a term of at least one day and not exceeding fifteen years . . . ." [11] Under some codes the minimum and maximum standards may be extended in case of mitigating or aggravating circumstances, which may be of either a general or a more limited nature.[12] Some codes/statutes set further standards for judges by establishing what might be termed "judicial arithmetics." [13] For example the Spanish Penal Code presents a veritable "price list" of criminal wrongs by giving consideration to a multitude of aggravating and mitigating circumstances, which is, in effect, a catalogue of human emotions (*see* Appendix A.).

We do not regard it as possible or desirable to emulate the Spanish example. Apart from the hopelessness of any effort to achieve completeness in the list of factors to be considered in sentencing, the attribution of weight measures to these human emotions amounts to an objectification of applied psychology, which is totally at odds with an individualized system of criminal justice, administered by relatively sophisticated judges and correctional officers, rather than automatons.

IV. GUIDELINES FOR AND EVIDENCE OF JUDICIAL DISCRETION

Within the legal framework described and with variations to be noted, sentencing in civil law countries has remained a matter of some judicial discretion. The legislature, however, may provide guidelines. Many criminal codes (*e.g.*, the Brazilian, Bulgarian, Danish, Greek, Swedish, Swiss and Yugoslav Codes and the German Draft Penal Code) tell the judge what factors should be taken into account when imposing sentence. Different legislatures have shown a fair amount of agreement on this subject. Factors frequently mentioned are: the dangerousness of the offense and its harmful consequences; the motives of the offender; the intensity of his criminal intent or criminal negligence; his previous criminal record; his personal and economic conditions; and his behavior during and after the act (*see* Appendix B).

From the nature of the different factors to be taken into account in sentencing, it is apparent that punishment is not meant to serve one goal exclusively. Rather, multiple goals—such as retribution, deterrence (both general and specific prevention), and rehabilitation—seem to have their place. Some legislatures seem to express a preference for one of these goals, while others allow the judge to determine which goal should be primarily considered in a specific case. The latter is the position of those codes which contain specific provisions on the goals of punishment (e.g., the Soviet Union and Czechoslovak Codes) (*see* Appendix C). These lists of goals are not dissimilar to those compiled by American criminologists and are comparable to the American Model Penal Code provisions in point.[14] All such lists are subject to the criticism that they remain codified social science and philosophy and are scarcely subject to empirical validation as to their effectiveness. Nevertheless, the codification of correctional policy may be a necessary first step toward effective judicial administration of the ultimate preventive goal of all penal law.[15]

All correctional policy exhortations in penal codes are bound to remain ineffectual until there is evidence of the extent to which such exhortations have influenced judicial choice in sentencing. Consequently, in most European countries trial judges are obligated to write detailed opinions justifying their sentences in terms of the codified correctional policy.[16] A judge who fails to give evidence that he abided by the codified standards is likely to have his sentences set aside on motion of either party.[17] The Italian Supreme Court has ruled expressly that it will not accept standardized or cliché formulas adhering only formally to the codified standard.[18]

V. APPELLATE REVIEW OF SENTENCES

Most continental countries do no distinguish between appellate review of convictions and sentences. They do, however, distinguish between appellate review on matters of fact and law and on matters of law only. The former is primarily meant to serve the purpose of correction of errors of the trial court; while the latter primarily assures the uniform interpretation of the law. Generally, appeal solely on matters of law is available only if all other appellate rights have been exhausted. An appeal concerning matters of fact and law may result in a review of the sentence. This is due to the fact that European codes, unlike American statutes, prescribe sentencing rules which must be respected by the trial judge. Also, in some countries, the appellate courts interpret "law" broadly and, consequently, have an extensive power of review.

In some countries, the system of appeal differs from that just described. Norwegian law provides that a so-called "appeal proper" may be directed against a sentence for the reason, among others, that the punishment is not appropriate because it is too severe or too lenient.[19] This indicates that such appeals may be brought by either prosecution or defense; [20] however, it is not likely that a defendant will appeal a sentence he considers too lenient. The prosecutor, who is legally obligated to see that the law is properly applied, may appeal a sentence which is too severe, as well as one he considers too lenient. So as not to discourage sentence appeal by convicts, many codes provide that "the judgment may not be amended to the prejudice of the defendant, insofar as kind and amount of punishment are concerned, if the appeal was initiated by the defendant alone." [21] This doctrine, which is referred to as the prohibition of *reformatio in pejus*, has no applicability when the sentence is appealed by the prosecution for being too lenient. In that case, the appellate tribunal could

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either increase or decrease the punishment. This is also true where both defendant and prosecutor have appealed the sentence, as long as the sentence increase is not the result of the defendant's appeal. In the Netherlands the punishment may be increased even if only the defendant has appealed, provided that all judges of the appellate court concur.[22] Finally there is some doubt in Europe, as there is in this country,[23] as to what in fact constitutes an increase of punishment (*i.e.*, an amendment of the sentence prejudicial to the defendant). Thus, while both the German and Dutch courts hold a longer suspended sentence to be heavier than a shorter nonsuspended sentence,[24] it can be doubted that the defendants agree.

VI. PERMISSIBILITY AND SCOPE OF APPEAL ON FACT AND LAW

Most European nations permit, as of right, an appeal on fact and law. In France and the Netherlands, an appeal lies from practically all criminal judgments, except those involving very small penalties.[25] However, in France no such appeal is possible from the judgment of a jury court,[26] since there, as formerly in England,[27] the judgment of the jury is regarded as unimpeachable. Also, in France no fact-and-law appeal is possible from the judgments of a number of special courts.[28] In the Netherlands and some other countries, a defendant may not appeal a judgment of acquittal rendered "for lack of evidence," despite the fact that such a judgment leaves him under a shadow of suspicion, which he may wish to have removed by the more favorable judgment of acquittal because of "innocence." [29] In Germany, the only difference between the two types of acquittal lies in the availability of compensation for detention suffered pending trial for those acquitted because of "innocence." [30] The German Code of Criminal Procedure, which is generally regarded as providing the most limited appeal on fact and law (*Berufung*), only allows such appeal against judgments of some of the least significant criminal courts. This results in allowing a defendant tried in a minor court for a minor offense to have a fact-and-law appeal and a pure-law appeal; while a defendant tried in a major court for a major offense is limited to an appeal of law only.[31] This is regarded as one of the most serious shortcomings of the German Code of Criminal Procedure.[32]

Where partial appeals (*i.e.*, those restricted to a single issue) are permissible, the judgment unlike that of the general appeal, is subject to review only insofar as it has been attacked.[33] Ordinarily it is not advisable for a defendant to lodge a partial appeal, since this may be held to bar the appellate court from amending the judgment in the defendant's favor with respect to matters not called to its attention. Thus, the German Supreme Court has held that where a convict appeals solely on the ground that his sentence is excessive, the court has no jurisdiction to reverse and enter a judgment of acquittal for lack of criminal responsibility.[34] Where the defendant chooses to appeal the sentence only, it has been held that an appeal may not be limited to the type of punishment, and therefore, type and duration of punishment are also regarded as being reviewable.[35] Thus, when not limited by a partial application, the reviewing court will proceed to a re-examination of the entire case. It may receive new evidence,[36] or it may use only the evidence before the trial court which has become a matter of record.[37] If the court considers the appeal well-founded, it will either render a new judgment or remand the case for a new trial. Rarely will it remand the case to the trial court whose judgment was attacked.[38] The German courts have held themselves competent to review such questions as whether a commitment to an institution for cure and care was justified [39] and whether the lower court had been right in cancelling the defendant's driver's license or in imposing other supplementary penalties.[40]

VII. PERMISSIBILITY AND SCOPE OF APPEAL ON LAW ONLY

In practially all continental countries final criminal judgments are subject to appeal on matters of law. However, there are a few exceptions, such as acquittals rendered by French jury courts [41] and judgments rendered which acquit for lack of evidence or are appealable by another remedy of which the defendant has not availed himself.[42] If the appellate court finds that the law appeal is well-founded, it may reverse the judgment attacked, or it may decide the matter itself, if it can do so without a further inquiry into the facts.[43] Generally, however, it will remand the matter to a trial court other than the one which rendered the judgment attacked.[44] In Germany and the Netherlands, the court to which the case is remanded is bound to respect the higher court's decision.[45] In an appeal solely on law, the scope of inquiry is much narrower than in an appeal on fact and law.[46] The court is bound to the facts as stated in the judgment below and the review is limited to points listed in the petition for review.[47] As stated previously, appeal on law only includes sentences which under American law would not be reviewable.

In Switzerland and Austria the appellate courts hold themselves incompetent to review the determination of punishment, as long as the judge has exercised his discretion within the legal framework, but in case of clear arbitrariness, a sentence might be reversed.[48] Thus, these two alpine countries follow the same procedure as the Supreme Court of Pennsylvania.[49] According to German theory, the discretion of the trial judge is not subject to review in an appeal on matters of law.[50] But a judgment and sentence are subject to such a review if the standards of law have not been properly applied by the judge. The following are examples of successful reviews of legally "improper" sentences which nevertheless had been within the statutory framework: the trial judge had only taken into account deterrence without considering the retributive guilt of the offender; [51] the punishment imposed though within the legal framework was not proportionate to the guilt of the offender and, in that sense was excessive; [52] the trial court had not considered all aspects of the offense and the offender by taking into account all essential goals of punishment; [53] and the maximum penalty had been imposed, although it was "obvious" that the punishment should have been closer to the minimum.[54]

In Norway, the Supreme Court has full authority to reverse sentences when the punishment is too lenient or too severe, that is, excessive in either direction. Nevertheless, the Norwegian judge is given a wide discretion in sentencing.[55] Extracts from the Norwegian Supreme Court decisions show that the Court does not limit itself to reviewing sentences which are truly outrageous, but in fact does sometimes substitute its own discretion for that of the trial judge (*see* Appendix D). The Supreme Court considers the particulars of each offender and offense and decides what should be the principal objective of punishment in that particular case. If there is a reasonable possibility of rehabilitation, the Court tends to let this consideration prevail over reasons of general prevention. The Norwegian judges, as those of all other nations which have not catalogued the objectives of punishment, are ultimately driven to finding the right criteria in their own internalized notions of the proper objectives of criminal justice.

VIII. CONCLUSIONS

This study of continental schemes of appellate review of legal but excessive sentences has the reassuring effect of informing us that we do not stand alone with our problems. The benefit of comparative study extends beyond theoretical reassurance; it reveals that continental law, more readily than ours, regards a proper criminal sentence within the legislative framework to be a matter of law, and therefore reviewable. The difference between review of an ordinary error of law and an error in legal sentence is one of standards for determining the error. While our legislatures have rarely seen fit to provide the judiciary with legal criteria for the imposition of legally proper sentences, many European legislatures have provided their judges with such criteria. These criteria are of two kinds: (1) the recognized aims of penal-correctional policy; and (2) the proper criteria by which the perpetrator and his deed should be evaluated.

We are not convinced that any foreign code has provided a truly acceptable list of penal-correctional aims. Nevertheless, even a hodgepodge of stated aims, as that contained in the Model Penal Code of the American Law Institute, can usefully serve as a convenient guide, the total disregard of which would be considered illegal. In any event, in accordance with continental experience, a statement of penal-correctional aims appear to us to be a necessary step toward developing a sound sentencing and sentence review system. We are totally unimpressed by the efforts of some nations in cataloguing the enormous range of human emotions and character. This approach, designed to provide a legal (and thus reviewable) framework in which the trial court may evaluate the crime and the perpetrator in imposing sentence, views man, including both the judge and the judged, as a mechanical monster.

If the European experience teaches us anything, it is that an imaginative, free-thinking judge, properly guided by the codified basic penal-correctional objectives, must be trusted to find the right sentence. Since the sentence is then a matter of law, it is subject to review and revision by an appellate court which has its own criteria and approach for interpreting the legal goals of punishment and correction. These appellate court interpretations make precedent and build tradition. Several European judges have assured us in personal conversation that no one factor is as strong a sentence review criterion as the custom of the court.

Criteria and custom have been developed through appellate decisions in several European countries (Norway and Germany have been cited as leading examples). While we have cited Norway as a leading example of an enlightened practice, Norway also acquaints us with an all-to-liberal law of sentence review. We wonder whether an appellate court's view of a sentence is truly more expert than that of a trial judge. It strikes us that the proper limitation for sentence review may have been stated by the English Court of Criminal Appeal:

> "In the first place, this Court does not alter a sentence which is the subject of an appeal merely because the members of the Court might have passed a different sentence. The trial judge has seen the prisoner and heard his history and any witness to character he may have chosen to call. It is only when a sentence appears to err in principle that the Court will alter it. If a sentence is excessive or inadequate to such an extent as to satisfy this Court that when it was passed there was a failure to apply the right principles, then this Court will intervene." [56]

It is doubtful whether the appellate court should be empowered to increase the sentence. In Europe, an increased sentence usually prevails only on an appeal by the prosecutor, a procedure which is not available in the United States. In England, the Court of Criminal Appeal has such power, but it has recently been proposed that this power, which was rarely used, be abolished. In 1963, out of 1976 applications for leave to appeal

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received by the English Court, the sentence was reduced in one hundred forty-five, quashed in thirteen and increased in only six cases. In England, as elsewhere, it is felt that an increase in sentence on appeal is basically unfair. Nor is there any evidence that the existence of the power to increase a sentence on appeal serves as a substantial barrier to frivolous appeals.[57] If, per chance, there are policy reasons—which we cannot detect—favoring the existence of the power to increase sentences on appeal, we would urge that the Dutch practice, requiring unanimity of all judges of the appellate court, be followed.

FOOTNOTES

*Professor of Law, Director, Comparative Criminal Law Project, New York University School of Law. Ploen College, Germany, 1947; Keil University Faculty of Law, 1949; J. D. University of Chicago Law School, 1953; L.L.M. Columbia University, 1955. This article is based upon a study made by the authors as advisors to the Senate Committee on the Judiciary and is a follow-up of Professor Mueller's American study. *See* Mueller, *Penology on Appeal: Appellate Review of Legal but Excessive Sentences,* 15 Vand. L. Rev. 671 (1962).

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[1] *See* Canals, *Classicism, Positivism and Social Defense,* 50 J. Crim. L.C. & P.S. 541 (1960).

[2] Frese v. State, 23 Fla. 267, 270, 2 So. 1, 2 (1887), upholding fine provision without maximum as constitutional.

[3] Mueller, *Penology on Appeal: Appellate Review of Legal but Excessive Sentences,* 15 Vand. L. Rev. 671 (1962).

[4] Mueller, *Punishment, Corrections and the Law,* 45 Neb. L. Rev. 58–98 (1966).

[5] Giaccio v. Pennsylvania, 382 U.S. 399 (1966).

[6] *Id.* at 405.

[7] All citations of the German Penal Code are to G. Mueller & Buergenthal (transl.), The German Penal Code (Vol. 4, American Series of Foreign Penal Codes, 1961).

[8] Italian Criminal Code (hereinafter It. C. Pen.) art. 579 (1930).

[9] *E.g.,* in the Netherlands.

[10] *E.g.,* It. C. Pen. art. 575.

[11] Dutch Penal Code art. 10 (1881).

[12] *Compare, e.g.,* Dutch Penal Code art. 44 *with* art. 288; *see also* note 8 *supra* and accompanying text.

[13] See Schmidt, Die Strafzumessung in Rechtsvergleichender Darstellung 124 (1961).

[14] Model Penal Code § 1.02 (Official Draft 1966).

[15] *See* Mueller, *Punishment, Corrections and the Law, supra* note 4, at 86.

[16] *See, e.g.,* Dutch Code of Criminal Procedure (hereinafter WvSv) art. 359; French Code of Criminal Procedure (hereinafter Fr. C. Pro. Pen.) arts. 485, 543; German Code of Criminal Procedure (hereinafter StGB) art. 267.

[17] *See, e.g.,* WvSv art. 359; Italian Code of Criminal Procedure (hereinafter It. D. C. Pro. Pen.) art. 574.

[18] Court of Cassation, Jan. 30, 1935 (La giustizia penale 1935, 310).

[19] Norwegian Ministry of Justice, Administration of Justice in Norway 80 (1957).

[20] *Compare* Fr. C. Pro. Pen. art. 497, *with* WvSv art. 404, *and* StGB ¶ 296.

[21] StGB ¶ 331; StGB art. 358; Fr. C. Pro. Pen. art. 515; WvSv art. 424.

[22] WvSv art. 424.

[23] See State v. Fisher, 126 W. Va. 117, 27 S.E. 2d 581 (1943).

[24] Oberlandesgericht (hereinafter OLG) Oldenburg (Monatschrift für Deutsches Recht 55, 436); Hoge Raad (hereinafter H.R.) December 18, 1933 (Nederlandse Jurisprudentie 1934, 298).

[25] Fr. C. Pro. Pen. art. 546; Dutch Law on Court Organization (hereinafter Wet R. O.) 44.

[26] Fr. C. Pro. Pen. art. 370. But cases brought before the Jury Court have been evaluated in the pre-trial stage by two judicial authorities, the investigating magistrate and the Chamber of Indictments.

[27] In England, before the introduction of the Criminal Appeal Act in 1907, there was no appeal as of right from the verdict of a jury in a criminal trial. Only in very few cases did the trial judge decide to reserve a point of law for consideration by the Court for Crown Cases Reserved which could quash the conviction. Under the 1907 Act (§ 3), a person convicted on indictment may appeal against conviction as of right if a question of law, alone is involved. If his appeal is based on a question of fact or mixed law and fact, he may appeal only after having obtained the leave of the Court of Appeal or of the judge who tried the case. Appeal against sentences is permissible only on leave of the Court of Appeal. Compare: Interdepartmental Comm. on the Court of Crim. App., Report, Cmd., No. 2755, at 3, 6 (1965).

[28] Court of State Security, Military Courts, etc. *See* Stéfani-Levasseur, Prfcédure Pénale 18 (1964).

[29] WvSv art. 404; StGB § 267.*V* distinguishes between the two kinds of acquittals, but the distinction has no bearing on the permissibility of appeal. (*See* StGB § 313).

[30] *See* German Law Concerning Compensation for Innocently Suffered Preliminary Detention of July 4, 1904.

[31] StGB ¶ 312–13.

[32] *See* Hirschberg, Das Amerikanische und Deutsche Strafverfahren 33 (1963).

[33] Fr. C. Pro. Pen. art. 509; StGB ¶ 327.

[34] Reichsgericht (hereinafter RG) (Deutsche Rechtszeitung 22 (1930).

[35] RG (Juristische Rundschau 1927 nr. 667).

[36] Fr. C. Pro. Pen. art. 513; WvSv art. 414; StGB ¶ 323.

[37] Fr. C. Pro. Pen. art. 513; WvSv art. 422; StGB ¶ 325.

[38] Fr. C. Pro. Pen. art. 514–20; WvSv art. 423; StGB ¶ 328.

[39] Compare ¶ 42b German Penal Code.

[40] Court Freiburg (Deutsche Rechtszeitung 140 (1941)).

[41] Fr. C. Pro Pen. art. 572.

[42] Wet R.O. 96; WvSv art. 430. The rule is otherwise in Germany, where a defendant may waive his initial right to appeal on fact-and-law and proceed immediately to his appeal on law only (so-called "leap revision"). *See* StGB § 335.

[43] StGB ¶ 353–54; Fr. C. Pro. Pen. art. 617; WvSv art. 441. Compare Minkenhof, Nederlandse Strafvordering 296 (1948).

[44] Fr. C. Pro. Pen. art. 609 et seq.; WvSv art. 441; StGB ¶ 354.

[45] In France this is not the case. If, however, after reversal of a first decree or final judgment, the second decree or second final judgment, rendered in the same case between the same parties, is attacked on the same grounds as the first, it will be decided by the united divisions of the Supreme Court. If a reversal results, the court to which the matter is remanded is bound to respect the decision of the united divisions, unless the decree rendered by these is different from that passed by the Criminal Division in the first place. Fr. C. Pro. Pen. art. 619.

[46] Fr. C. Pro. Pen. art. 567; Wet R.O. 99; StGB ¶ 337.

[47] StGB ¶ 353.

[48] Compare Schmidt *supra* note 13 at 29 & 43 (1961).

[49] Commonwealth v. Green, 396 Pa. 137, 151 A. 2d 241 (1959).

[50] Kern Strafverfahrensrecht 208 (1959).

[51] RG 76, 325; OLG Freiburg (Höchstrichterliche Entscheidungen in Strafsachen 2, 112).

[52] OHGst 1, 174. Compare State v. O'Dell, 240 Iowa 1157, 39 N.W.2d 100 (1949). But within this range of factors the trial judge's discretion is decisive. *See* OHGst 2, 145. Compare State v. Sullivan, 241 Wis. 276, 5 N.W.2d 798 (1942).

[53] OGHst 2, 94.

[54] Bundesgerichtshof 2 StR 45, 50. Compare Dalcke, Strafrecht und Strafverfahren 1365 (1955); Löwe-Rosenberg, Strafprozessordnung 1301 et seq. (1962).

[55] Compare Norwegian Penal Code 52–65.

[56] Regina v. Ball, 35 Crim. App. 164, as quoted by Interdepartmental Committee on the Court of Criminal Appeal, Report, Cmd. No. 2755, at 43 (1965).

[57] *Id.* at 42–47.

Appendix A

Provisions on Sentencing Taken From the Spanish Penal Code

(1870, modified in 1944)

CHAPTER III: MITIGATING CIRCUMSTANCES

Article 9

The following are mitigating circumstances:

1. All those mentioned in the preceding chapter, when the requirements needed for complete exemption from liability in each situation did not concur.
2. Intoxication which is neither habitual nor self-induced for purposes of committing an offense.
3. Minority below the age of eighteen years.
4. The fact that the criminal harm caused is more severe than the perpetrator intended.
5. Sufficient antecedent provocation or threats on the part of the victim.
6. When the act was committed in proximate vindication of a grievous offense against the actor, his spouse, his ascendants or descendants, his legitimate, natural or adoptive brothers, or his relatives by affinity in the same degrees.
7. The fact that the deed was motivated by moral, altruistic or patriotic reasons of considerable importance.
8. The fact that the deed was committed under such powerful excitement as to cause rage or loss of self-control.
9. The fact that the perpetrator, prior to having knowledge of the institution of judicial proceedings against him, and moved by his own voluntary repentance, proceeded to make amends in whole or in part for the harm caused, to offer satisfaction to the victim, or to confess his infraction to the authorities.
10. And lastly, any other circumstance of like significance to the above.

CHAPTER IV: AGGRAVATING CIRCUMSTANCES

Article 10

The following are aggravating circumstances. The fact that:

1. The act was committed with perfidy. Perfidy is present whenever the perpetrator commits an offense against persons through such means, forms or kinds of execution which directly and particularly insure the success of the criminal act without those risks to his own person which would result from the defensive action the victim might otherwise take;
2. The offense is committed for a price, reward or promise;
3. The offense is committed by means of flood, fire, poison, explosion, destruction of an aircraft, grounding of a ship or other willful damage, derailment of locomotives, or by any other highly destructive means;
4. The offense is committed by means of printed matter, radio broadcasting or other means facilitating publicity;
5. The ordinary harm of the offense is willfully aggravated by causing additional harm unnecessary for the commission of the offense;

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6. The act is perpetrated with known premeditation;

7. Trickery, fraud, or disguise are employed;

8. Advantage is taken of superior strength or through the use of means which weaken the victim's defense;

9. The victim's confidence is misused;

10. The perpetrator makes use of his official position;

11. The crime is committed during a fire, shipwreck or other calamity or misfortune;

12. The offense is committed with the aid of armed companions or persons who provide or secure impunity;

13. The act is committed at night, in secluded locations, or by a gang; a gang is present whenever three or more armed persons jointly engage in the commission of an offense;

14. The perpetrator is a general recidivist. A general recidivist is one, who at the time of the commission of the deed, has previously been sentenced for another offense which carries an equal or greater punishment, or for two or more offenses which carry a lighter punishment.

15. The perpetrator is a specific recidivist. A specific recidivist is one who, at the time of the commission of the deed, has already been (executorily) sentenced for one or more offenses within the same Title of this Code.

16. The deed was committed against public authority or with disrespect toward the dignity, age or sex of the victim, or in the victim's home, provided the victim did not provoke the act.

17. The deed was committed in a sacred place.

CHAPTER V: CIRCUMSTANCES WHICH MAY EITHER MITIGATE OR AGGRAVATE CRIMINAL LIABILITY, DEPENDING ON THE FACTS

Article 11

The fact that the victim is the perpetrator's spouse, ascendant, descendant, legitimate, natural or adoptive brother, or a relative by affinity within the same degress of relationship, may attenuate or aggravate his criminal liability depending on the nature, motives or effects of the offense.

Article 61 *

Whenever the punishment prescribed by law is composed of three degrees, the Courts shall impose it according to the following rules depending upon the concurrence of aggravating or mitigating circumstances:

1. If only one mitigating circumstance is present in the deed, the punishment prescribed by law shall be applied in its minimum degree.

2. If one aggravating circumstance is present, the punishment shall be applied in its maximum degree.

However, in cases where the maximum degree is the death sentence, and only one aggravating circumstance is present, the Courts, after considering the nature and circumstances of the felony and of the perpetrator, may refrain from imposing the death sentence.

A death sentence shall never be imposed due to the aggravation of a punishment prescribed for a felony unless prescribed in this Code for such felony.

3. When both aggravating and mitigating circumstances concur, the punishment shall be determined after reasonably weighing them in view of their relative importance.

4. In the absence of either aggravating or mitigating circumstances, the Courts shall apply the punishment prescribed by law in the degree they consider adequate, in view of the harm caused by the deed and the personality of the offender.

5. When two or more, or when one highly mitigating circumstance alone, concur in the absence of aggravating ones, the Courts may impose a punishment one or two grades lower than the one prescribed by law, in whatever degree they consider reasonable in view of the number and importance of such mitigating circumstances.

6. Regardless of the number and importance of aggravating circumstances, Courts shall not impose a punishment higher than the one prescribed by law in its maximum degree, unless the aggravating circumstance described in number 15, Article 10 is present, in which case a punishment one or two grades higher shall be imposed, starting with the second conviction for the same offense, to the extent they consider reasonable.

7. Within the limits of each degree, the Courts in determining punishment shall consider the number and importance of aggravating or mitigating circumstances and the greater or less harm produced by the offense.

Article 62

If the punishment prescribed by law does not consist of three degrees, the Courts shall apply the rules set forth in the preceding article, and shall divide the term of each punishment in three equal parts, each constituting a degree.

Article 63

Courts may impose fines as widely as allowed by law, determining the amount not only on the basis of the mitigating or aggravating circumstances present in the deed, but especially on the basis of the financial status or capabilities of the perpetrator.

APPENDIX B

EXAMPLES OF GENERAL GUIDELINES FOR SENTENCING

1. Provisions which express a preference for several theories of punishment: Section 81, Danish Criminal Code: [1]

"In determining the penalty, account shall be taken, not only of the gravity and dangerousness of the offense, but also of the previous record of the offender, of his age and of his general conduct before and after the deed, of the persistence of his criminal tendencies and of the motives underlying the act."

Article 79, Greek Penal Code: [2]

"JUDICIAL CALCULATION OF THE PUNISHMENT

"1. In the calculation of the punishment within the defined limits of the statute, the court shall consider on the one hand, the quality of the act committed, and, on the other hand, the personality of the offender.

"2. In order to determine the gravity of the offense the court shall consider: (a) the damage resulting from the offense, or the threatened danger; (b) the nature, the kind and the purpose of the offense, as well as all factors accompanying its preparation or commission, circumstances of time, place, means and manner; (c) the intensity of the intention, or the grade of the negligence of the perpetrator.

"3. In the evaluation of the personality of the offender the court weighs particularly the degree of the criminal propensity of the perpetrator, as evidenced by the act, and for a more precise determination thereof: (a) the reasons which prompted him to commit the offense, the origin and the purpose which he sought; (b) his character, and the grade of his development; (c) the individual and social circumstances and his prior life; (d) his conduct during and after the act; especially his remorse and his willingness to compensate for the harm he has inflicted.

"4. The judgment shall state the reasons explaining the decision of the court for the imposition of the sentence."

Articles 132, 133 Italian Penal Codes [3]

"DISCRETIONARY POWERS OF THE JUDGE IN IMPOSING THE PUNISHMENT: LIMITS

"Within the limits established by law, the judge shall apply the punishment in his discretion; he must state the grounds which justify the use of such discretionary power.

"In increasing or reducing the punishment, the limits established for each kind of punishment may not be exceeded, except in the cases expressly established by the law."

"GRAVITY OF THE CRIME: VALUATION FOR THE PURPOSES OF PUNISHMENT

"In the exercise of the discretionary powers specified in the preceding Article, the judge must take into account the gravity of the crime as inferred from:

"(1) The nature, character, means, object, time, place and any other circumstances of the act.

"(2) The gravity of the harm or the danger caused to the person injured by the crime.

"(3) The intensity of criminal intent or the degree of culpable negligence.

"The judge must also take into account the perpetrator's propensity for delinquency, as inferred from:

"(1) The motives to commit delinquency and the character of the offender.

"(2) The criminal and judicial precedents and, in general, the conduct and life of the offender prior to the crime.

"(3) The conduct contemporary with or subsequent to the crime.

"(4) The individual, domestic and social conditions of life of the offender."

Article 54, Polish Penal Code: [4]

"The court shall impose penalty according to its discretion having regard primarily for the motives and the manner of acting of the offender, and his relation to the person injured, to the degree of mental development and the character of the offender, to his past life, and to his behavior after committing the offense."

Article 37, USSR Criminal Code: [5]

"GENERAL PRINCIPLES FOR ASSIGNMENT OF PUNISHMENT

"The court shall assign punishment within the limits established by the articles of the Special Part of the present Code which provide for responsibility for a committed crime, in strict accordance with the provisions of the Fundamental Principles of Criminal Legislation of the USSR and Union Republics and of the General Part of the present Code. At the time of assigning punishment the court, guided by socialist legal consciousness, shall take into consideration the character and degree of social danger of the committed crime, the personality of the guilty person, and circumstances of the case which mitigate or aggravate responsibility."

Article 38, Yugoslav Criminal Code: [6]

"For a particular criminal offence the Court shall fix the degree of punishment within the limits provided by law for that offence, with due consideration for all the circumstances influencing the punishment to be severer or milder (aggravating and extenuating circumstances), and especially, the degree of criminal liability, the motives from which the offence was committed, the intensity of the danger or wrong to the protected object, the circumstances under which the offence was committed, the earlier life, the personal circumstances and the behaviour of the offender after the commission of the criminal offence."

2. Provision which consider *retribution* as the primary goal of punishment: Section 60, German Draft Penal Code: [7]

"(1) The basis for fixing a punishment shall be the guilt of the perpetrator.

"(2) In fixing a punishment the court shall weigh against each other such circumstances, other than definitional elements, as speak for and against the perpetrator.

"Especially there shall be considered:

"The motives and aims of the perpetrator,

"The state of mind which the act bespeaks and the exercise of volition involved,

"The extent of breach of duty,

"The manner of perpetration and the wrongful effects of the act,

"The prior life of the perpetrator, his personal and economic circumstances, as well

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Footnotes at end of article.

as his conduct after the act, especially his endeavor to make restitution."

Article 63, SWISS CRIMINAL CODE: [8]

"Sec. 1. General Rules. ART. 63. The court shall mete out penalties in accordance with the guilt of the offender, considering the motives, previous conduct and the personal situation of the convicted person."

3. Provisions which consider *correction* (*rehabilitation*) as the primary goal of punishment:

Section 7, SWEDISH PENAL CODE: [9]

"In the choice of sanctions, the court, with an eye to what is required to maintain general law obedience, shall keep particularly in mind that the sanction shall serve to foster the sentenced offender's adaptation to society."

FOOTNOTES

*The provision refers to the complicated schemes and charts ruling the grades and degrees of punishment which are contained in art. 68–79 of the Penal Code.

[1] GIERSING (transl.), THE DANISH CRIMINAL CODE 49 (1958).

[2] LOLIS (transl.), THE GREEK PENAL CODE (mimeo. ed. 1962).

[3] Translated by the Comparative Criminal Law Project, per J. M. Canals.

[4] LEMKIN & MCDERMOTT (transl.), THE POLISH PENAL CODE of 1932 (1939).

[5] BERMAN & SPINDLER (transl.), SOVIET CRIMINAL LAW & PROCEDURE (1966).

[6] 10 THE NEW YUGOSLAV LAW (3–4) 17 (1959).

[7] ROSS (transl.), THE GERMAN DRAFT PENAL CODE (1965).

[8] FRIEDLANDER & GOLDBERG (transl.), THE SWISS FEDERAL CRIMINAL CODE, in supplement to, 30, J. CRIM. L.C. & P.S. (1969).

[9] SELLIN (transl.), THE PENAL CODE OF SWEDEN (1965).

APPENDIX C

EXAMPLES OF PROVISIONS SOLELY STATING THE VARIOUS GOALS OF PUNISHMENT

Section 17. CZECHOSLOVAKIAN CRIMINAL CODE: [10]

"1. The goal of punishment is:

"(a) to make the enemy of the working people harmless;

"(b) to prevent the offender from committing other offenses and to educate him towards respecting the rules of socialist society;

"(c) to contribute to the education of other members of society.

"2. The execution of the punishment shall not lower human dignity."

Article 20, USSR CRIMINAL CODE: [11]

"Purposes of punishment. Punishment not only constitutes a chastisement for a committed crime, but also has the purpose of correcting and re-educating convicted persons in the spirit of an honorable attitude toward labor, of strict compliance with the laws, and of respect toward socialist communal life; it also has the purpose of preventing the commission of new crimes both by convicted persons and others.

Punishment does not have the purpose of causing physical suffering or the lowering of human dignity."

FOOTNOTES

[10] Translated from SCHMIDT, *supra* note 13, at 216.

[11] BERMAN & SPINDLER, *supra* note 5A, at 151.

APPENDIX D

EXTRACTS FROM DECISIONS OF THE SUPREME COURT OF NORWAY CONCERNING SENTENCE REVIEW

(The decisions were kindly made available to the authors by Prof. Johs. Andenaes, a former Justice of the Supreme Court of Norway, and a member of the International Advisory Board of the Comparative Criminal Law Project of New York University.)

December 18, 1951 (Norsk Retstidende 1166 et seq.)

The defendant had been convicted of attempted homicide and sentenced to a term of imprisonment of one year and six months, less 154 days already spent in custody, as well as deprivation of the right to hold office. He appealed on the ground that the sentence was too severe.

From the opinion of the leading judge:

"I believe the appeal should be granted.

"The crime considered here is a very serious one, but in view of the fact that the Jury found that the act was committed under especially mitigating circumstances and during a strong reduction of the level of consciousness, c.f., the Penal Code, Section 56, No. 1b, I consider a punishment of 1 year's imprisonment suitable. I also attach importance to the fact that Johansen immediately after the act repented it, helped his victim to bed, "stanched" the bleeding, lay down beside her and was lying crying when people arrived. He attempted afterwards to commit suicide. The Court has been informed that after hospitalization for about 14 days, the woman he stabbed was discharged with a clean bill of health and has suffered no permanent injury. She has not put in any request for prosecution.

"The expert witnesses have found Johansen to be a person with inadequately developed mental faculties, but the Jury has given a negative answer to the question whether there is any danger that he may again commit an act as specified in Section 39 point 2 of the Penal Code. The Court has been informed that after being released from custody he has again moved into the said woman's home and that it is his and the woman's intention to marry as soon as the latter has obtained her divorce.

"Under these circumstances and in view of the fact that Johansen is an able workman, who works for the said woman and her children, whose home he has taken part in rebuilding, I find compelling reasons for not sentencing him to serve a long term of imprisonment. I find special grounds in the case for presuming that the execution of the sentence is not necessary in order to keep Johansen from committing new offenses . . ."

Execution of the sentence was suspended.

September 8, 1959 (Norsk Retstidende 799 et seq.)

The defendant has been convicted of attempted rape and had been sentenced to a term of imprisonment of 3 years subject to deduction of one day for custody sustained. He had appealed from the judgment on the ground that the sentence should have been suspended.

From the opinion of the leading majority judge:

"I have found the case extremely doubtful, but have come to the conclusion that it is justifiable to apply a suspended sentence . . . Among the special reasons to which I attach importance, I mention that Appellant, who is married and has two children under age, has according to our information lived a normal married life, that he has no previous convictions whatsoever, and that in general nothing discreditable is known about him. These circumstances support the assumption, which also seems to be upheld by the medical certificate produced in the Court: that the offense was committed on the spur of the moment, that it was an act of emotional excitement caused by excessive alcohol consumption and committed during a consequent reduction of his powers of judgment and ability to reason."

The execution of the sentence was suspended for a trial period of 2 years.

From the dissenting opinion:

"In my opinion, considerations of general deterrence must weigh heavily in determining the punishment for a crime of this nature. In addition, it is only permissible, in this case where the Code's minimum penalty is imprisonment for 3 years, to hand down a suspended sentence when special reasons so indicate, cf. the Penal Code Section 52, No. 2, second paragraph. Although Appellant has no previous convictions, I cannot find any such special reasons in the present case. Appellant is a married man of mature age. As pointed out by the Court of Appeal, he showed considerable brutality during the attempt at rape, and he did not abandon his attempt until his victim obtained assistance. True, the execution of the sentence will have very serious consequences for his family—wife and 2 boys, but I cannot find that these detrimental effects are greater than must normally be expected from the serving of a prison sentence of such long duration. Nor do I find it decisive that the punishment imposed is far higher than that which I would have voted for under the general principles governing the determination of sentences, if I had not been bound by the minimum penalty provided by the Code. In my opinion, this should not lead to the conclusion that the entire sentence be suspended.

"From the conference I know that a majority of the Court are for allowing the appeal, whereby the sentence will be suspended. If the appeal had been dismissed, I would have recommended—as is the case quoted in Rt. 1959, pp. 43 et seq.—that the punishment imposed be considerably reduced or in part suspended, by reprieve."

March 2, 1963 (Norsk Retstidende 231 et seq.)

Defendants had been convicted of bank robbery and sentenced to a term of imprisonment of one year and three months, subject to deduction of 71 days of sustained custody for each of them, as well as to pay compensation to the victim.

On the appeal of the Public Prosecutor, the sentence was converted to imprisonment for two years and three months less 155 days of sustained custody.

From the majority opinion:

"I come to the conclusion that the appeal ought to be allowed. It is true that the prisoners are very young. However, this is a case of a carefully premeditated crime, which has been planned and discussed by the prisoners for some time, and had been carried out cynically and in cold blood according to the plan. The amount robbed was considerable, as the offenders assumed it would be. The planning and execution of the offence were particularly likely to attract attention notably among adventurous young people; for that reason as well as the crime must be regarded as particularly dangerous to the community. In these circumstances considerations of general deterrence weigh heavily. The prisoners, both of whose intellectual qualifications and social environment should have given them every reason to behave properly, have flagrantly failed to live up to expectations."

April 6, 1963 (Norsk Retstidende 365 et seq.)

Defendant had been convicted of driving when under influence of alcohol and sentenced to imprisonment for 21 days to be suspended subject to a trial period of two years without probation, as well as a fine of Kr. 300.—or, if the fine was not paid, to imprisonment for nine days. The local Chief of Police appealed against the sentence on the ground that it should not have been suspended. The appeal was dismissed.

From the majority opinion:

"Further, I attach importance to A's young age—as mentioned in the statement of appeal he was 19 years and 4 months old at the time when the driving took place—although this age is not so low that this fact alone would have been sufficient to justify a suspension of the sentence. I also attach importance to the fact that A is at present doing his military service which he commenced on January 10, 1963. If the prison sentence is made nonsuspended the effect will be either that he must leave his military services in order to serve his sentence—with the result that his

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military service would be extended accordingly—or that he would have to serve his sentence after the military service has been completed in July, 1964."

May 15, 1957 (Norsk Retstidende 541 et seq.)

Defendant had been convicted of grand larcenies and sentenced to a term of imprisonment of 120 days, subject to deduction of 31 days for sustained custody. Defendant appealed, on the ground that the sentence should have been suspended. The Supreme Court decided to suspend the remaining punishment with a probation period of two years.

From the majority opinion:

"In considering the appeal, I have felt serious doubts, especially in view of the fact that Appellant has on several previous occasions been guilty of similar offences, that he has a previous conviction for robbery (Penal Code Section 267) and that the conditions are now satisfied for applying a heavier punishment for repeated crimes pursuant to the Penal Code Section 263, first paragraph. Nonetheless, I have come to the conclusion that in view of the special circumstances in the case, it is justifiable to let the execution of the prison sentence be suspended in accordance with the Penal Code Sections 52 et seq. I have attached importance to the fact that the thefts concerned very modest values, that most of the stolen objects have been returned to their owner and that the offences are partly of a casual nature. Appellant's previous convictions are not to my mind of decisive importance in view of the comparatively long period of time—almost 6 years—that has passed since his last offence. Appellant has been unemployed for some time when the offences were committed; he has not obtained more permanent employment and one may suppose that the execution of the sentence, by depriving him of his employment, would have a particularly serious effect on himself, his wife and unsupported children. According to the information in the case, there is reason to believe that Appellant has received a strong warning and that he will now make a serious effort to mend his ways and not again come into conflict with the criminal law. I find it reasonable that, under these circumstances, he be given a last chance and I add that the Mayor of his home town has recommended this in a letter to the Supreme Court dated March 12, 1957."

Appendix

In one of our district courts a sentence of 52 years without parole was imposed on a first offender for the sale and possession of narcotics. There was no indication that this was an aggravated case and, when appealed, the Court of Appeals for the 10th Circuit agreed that the sentence was excessive but held that it was powerless to reduce the sentence imposed.

In another case, a 25 year sentence was imposed on an individual for the theft from the mail, forgery and cashing of a Treasury check in the sum of 380.51. The defendant's only prior convictions had occurred 20 and 7 years respectively prior to the theft of the check. On appeal, the Court of Appeals for the 5th Circuit also held that it had no power to reduce a legally permissible sentence; however, it reversed the conviction for legal error.

A 12 year term of imprisonment was imposed on a bank clerk for embezzlement of approximately $70,000, much of which he used for the benefit of harrassed debtors of the bank. This defendant was not motivated by personal gain in most of the embezzlement, instead he manipulated the books of the bank to cover up the accounts of delinquent depositors. The judge was on assignment from another district and imposed the sentence without securing even a presentence report by the probation officer.

In 1961, two bank embezzlers were committed to the same Federal institution from the same district within the same week. Yet, sentenced by different judges, one received a term of six months, to be followed by eighteen months probation, and the other received a term of 15 years.

The above are not isolated examples. In the fiscal year ended June 30, 1969, the average sentence for transportation etc. of stolen motor vehicles varied from 13.5 months in the District of Massachusetts to 48 months in the Southern District of Iowa and 50.5 months in the District of Minnesota. Terms for forgery ranged from an average of 12 months in the Southern District of Georgia to 70.3 months in the District of Kansas. In fact, the overall average of time imposed varied from 24.2 months in the Middle District of North Carolina and 23.1 months in the Western District of Wisconsin to 74.7 months in the District of Maryland and 75.3 months in the Northern District of Oklahoma.

SENATE JOINT RESOLUTION 78—INTRODUCTION OF A JOINT RESOLUTION TO DESIGNATE 1969 AS DIAMOND JUBILEE YEAR OF THE AMERICAN MOTION PICTURE

Mr. MURPHY. Mr. President, today I, on behalf of myself and Senators Cranston, Dirksen, Goodell, and Javits introduce a joint resolution which would designate 1969 as the "Diamond Jubilee Year of the American Motion Picture."

The motion picture is the only indigenous American art form, born 75 years ago. Since then, it has transformed the popular arts, communications, entertainment, dramatic and literary expression and education not only in the United States but throughout the world.

The birthplace of motion pictures was at 1155 Broadway in New York City. There, on April 14, 1894, 10 kinetoscopes, invented by Thomas Edison, were set up to exhibit ten 13-second films. They immediately captured the public's imagination.

Mr. President, I would like to highlight a few of the motion-picture industry's growth statistics since its fragile birth 75 years ago:

Today, box office income of 13,700 U.S. theaters exceeds $1 billion a year.

The annual payroll of the industry's 190,000 employees is about $1 billion.

The capital investment in its studios and theaters is $3 billion.

More than 80,000 students are enrolled in 3,000 graduate and undergraduate film courses in 200 American institutions of higher learning.

Mr. President, having been a member of the motion-picture industry for so many years, I have long known of its many contributions not only to our Nation but to the entire world.

Consider that on an average day, 10.5 million people in foreign countries see an American film. There are 3.7 billion admissions to foreign theaters to see such films each year. These motion pictures clearly rise above barriers of language and nationality in showing America to the world, and they occupy more than half the screen time in foreign theaters.

No other American medium or industry reaches so many persons abroad.

Also, U.S. film companies contribute a substantial dollar surplus to our balance of payments at a time of pressing needs to the Nation's fiscal and economic wellbeing.

It is, therefore, my sincere hope that the Congress of the United States will designate 1969 as the "Diamond Jubilee Year of the American Motion Picture."

Mr. President, the motion picture is the greatest form of mass entertainment in the world. If properly used and utilized to its potential, there would be no greater force for good on earth. This should be the goal of motion pictures as they move toward their centennial year.

Since April 14 will be the 75th birthday of the motion picture, I would hope that the Congress might act expeditiously so that we could have the measure enacted prior to this important date.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 78) to designate 1969 as "Diamond Jubilee Year of the American Motion Picture," introduced by Mr. Murphy (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

SENATE JOINT RESOLUTION 79—INTRODUCTION OF A JOINT RESOLUTION RELATING TO CONSTRUCTION AND OPERATION OF A RAIL TRANSPORTATION SYSTEM IN THE NORTHEAST CORRIDOR

Mr. PELL. Mr. President, in each of the last four Congresses, I have introduced legislation permitting the eight States of the Northeast Corridor, plus the District of Columbia, to form a multistate authority with power to construct and operate a passenger rail transportation system.

I continue to believe that a regional authority ultimately will be found to be the most advantageous mechanism for providing modern rail passenger service in this region as well as other megalopolitan areas of the country. I have been encouraged by the increasing interest being shown in this approach, and I am today together with the junior Senator from Delaware (Mr. Boggs) introducing again a joint resolution granting the consent of Congress to the formation of such an authority.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 79) of granting the consent of Congress to the States of Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, and the District of Columbia to negotiate and enter into a compact to establish a multistate authority to construct and operate a passenger rail transportation system within the area of such States and the District of Columbia, introduced by Mr. Pell, was received, read twice by its title and referred to the Committee on the Judiciary.

ADDITIONAL COSPONSORS OF BILLS

Mr. INOUYE. Mr. President, I ask unanimous consent that, at its next printing, the names of the senior Senator from Alabama (Mr. SPARKMAN) and the senior Senator from Tennessee (Mr. GORE) be added as a cosponsor of the bill (S. 1520) to exempt from the antitrust laws certain combinations and arrangements necessary for the survival of failing newspapers.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Maine (Mr. MUSKIE) and the Senator from Nevada (Mr. BIBLE) be added as cosponsors of the bill (S. 335) to prevent the importation of endangered species or parts thereof into the United States; and, to prohibit the interstate shipment of any domestic species taken contrary to State law.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TALMADGE. Mr. President, I also ask unanimous consent that, at its next printing, the name of the junior Senator from California (Mr. CRANSTON) be added as a cosponsor of the bill (S. 1479) to amend chapter 19 of title 38, United States Code, in order to increase from $10,000 to $15,000 the amount of servicemen's group life insurance for members of the uniformed services.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TALMADGE. Mr. President, I ask unanimous consent that, at its next printing, the name of the junior Senator from California (Mr. CRANSTON) be added as a cosponsor of the bill (S. 1471) to amend chapter 13 of title 38, United States Code, to increase dependency and indemnity compensation for widows and children, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE CONCURRENT RESOLUTION 11—SUBMISSION OF A CONCURRENT RESOLUTION TO CONVENE A WORLD WILDLIFE CONFERENCE

Mr. YARBOROUGH. Mr. President, I submit, for appropriate reference, a concurrent resolution calling for U.S. initiative to convene a worldwide conference for the preservation of endangered species of wildlife.

I have already introduced in this session of Congress, a bill, S. 335, to prevent the importation of endangered species or parts thereof into the United States when illegally taken in the country of origin; and to prohibit the interstate commerce of any domestic species of fish or wildlife taken contrary to state law. This bill is an effort to stop the widespread illegal poaching that is contributing to the rapid decline in the numbers of many beautiful and exotic species. My bill is substantially the same as H.R. 11618, the bill voted favorably out of the Senate Commerce Committee on October 10, 1968. I had introduced a similar bill, S. 2984 of the 90th Congress last year which has received much attention and support.

Already this year, hearings have been held by the House on similar bills which seek to provide protection for various endangered species. I am hopeful that the Senate will also take swift action in considering this matter.

One of the purposes of S. 335, and the other endangered species bills, is to encourage other countries to enact similar protective legislation. To this end, I am proposing in the resolution that a worldwide conference for the preservation of endangered species of wildlife be called. It is my hope that a conference such as this could begin to find significant answers to the threats facing wildlife.

The resolution proposes that the conference consider measures in three principal categories:

First. International trade in wild animals and wildlife products must be brought under control. Much of the illicit exploitations of endangered species would be drastically reduced if the line between the poacher and the wholesaler could be pinched off. The demand for horn, ivory, skins, pelts, and other products far exceed the legal limits on taking them, and this provides an incentive to poachers which ought to be eliminated. S. 335, or a similar bill, passed in the United States would be of great value in dealing with this problem. It would not be enough, however, to put import or export restrictions in only one country. These have to be worldwide, and to be enforced, for them to be effective in ending this terrible slaughter of wildlife.

Second. The vital economic importance and use of wild animals can be explored by this conference. Even more than poaching, man's expansion into wildlife habitats threatens their continued existence. The new settlers regard the wild animals of Africa as a threat to themselves and their crops. Wildlife is seen as an obstacle to progress in Africa.

In reality, this is not so. In a continent starved for protein, game animals can provide the major source of meat. The carcasses of animals such as antelopes contain more meat than most common range cattle in Africa, they mature faster, and a given range can support more of them. Experiments in South Africa indicate that it is more profitable to promote the growth of wild herds and cropping of the resulting surplus than to raise cattle. One square mile of east African savannah can support 16,000 pounds of cattle. The same area can support 66,000 to 90,000 pounds of wildlife because the different species of wildlife grazes grass, shrubs, or tree leaves, at different levels above the ground. A program of education is necessary, not only to teach the techniques of game ranching, but to overcome a social system, prevalent in east Africa, which counts wealth and social prestige in terms of numbers of cattle, however little meat is on their bones. The problem is large and complex, but the return potential is enormous, once a conference begins to determine what specific steps are needed.

The economic uses of wildlife are not exclusively agricultural however. The legitimate export of such articles as hides can be a major source of income as long as steps are taken to insure that the supply is safeguarded. And in countries where tourism is a major source of income, animals which attract visits by tourist should not be wantonly destroyed.

Third. The conference should explore ways of helping developing countries to undertake conservation programs of their own. The conference should consider both conservation programs which might profitably be undertaken by the developing countries, and forms of increasing assistance from the United Nations and the developed countries to them for this purpose. It will be fruitless to cut off trade in illegally obtained wildlife if the countries from which it comes cannot conserve it adequately to keep it alive. These programs might take the form of game reserves, stricter game laws and better enforcement of them, wildlife conservation specialists.

I have submitted similar resolutions in other Congresses, Senate Concurrent Resolution 52 on August 23, 1965; and Senate Concurrent Resolution 41 on August 28, 1967, of the 90th Congress. In the 90th Congress, the proposal was endorsed by Secretary Udall and was supported by the Fish and Wildlife Commission and by the Department of State. The problem has not abated in these years of delay and it will only grow more serious in the future. Another species, or several, will perhaps have been irretrievably lost in the delay.

Mr. President, action by the Senate is urgent. This is no mere sentimental question; there are hard economic reasons for conservation. There are even more pressing moral ones. The wildlife which remains to us is not ours. We hold it in trust for the future. We cannot by act of Congress retrieve and restore the passenger pigeon in the skies, the Carolina parakeet to the southern forests, or the great auk to our eastern seashores. They are gone forever. Let us not be the exterminators of additional species of nature's heritage to the earth.

Man has, and has shown, an infinite capacity for destruction. Let us make this one effort to show that he is also capable of preservation.

I ask unanimous consent that the concurrent resolution be printed in full at this point in the RECORD.

The PRESIDING OFFICER. The concurrent resolution will be received and appropriately referred; and, without objection, the concurrent resolution will be printed in the RECORD.

The concurrent resolution (S. Con. Res. 11), which reads as follows, was referred to the Committee on Foreign Relations:

S. CON. RES. 11

Whereas it is in the common interest of mankind to preserve the world's wildlife;

Whereas the United States and other countries have an obligation, pursuant to international agreements, such as the migratory bird treaties and the Inter-American Treaty on Nature Protection and Wildlife Preservation, 1940, to conserve and protect the species of wildlife;

Whereas more effective international measures for the protection of wildlife are urgently needed;

Whereas nearly two hundred and fifty species of wildlife are in danger of becoming extinct;

Whereas many other species of wildlife are being dangerously reduced in numbers: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that the United States shall

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promote the worldwide conservation of wildlife, particularly of species that are rare or threatened with extinction and that the United States, through the Secretary of State, in consultation with the Secretary of the Interior, shall take all necessary steps to convene an international conference on the conservation of wildlife after consultation with the United Nations and its specialized agencies.

SEC. 2. The Secretary of State and the Secretary of the Interior should cooperate with such United Nations agencies and other international organizations as may be interested in developing an agenda which includes—

(a) action by each country to control international trade in wildlife and its products, especially rare and endangered species;

(b) studies by the developed and developing countries to determine how wildlife conservation and management in the latter can increase their production of food, make optimum use of marginal lands, and increase tourist revenues; and

(c) assistance by developed countries to developing countries, either unilaterally or multilaterally through the United Nations or other international agencies, to establish or improve training schools for wildlife and conservation specialists, to establish conservation departments in the developing countries, to prepare wildlife conservation laws and regulations, and to carry out needed world conservation programs.

SEC. 3. As used herein, the term "wildlife" means wild mammals, wild birds, reptiles, amphibians, fish, mollusks, crustacea, and all other classes of wild animals, excluding oceanic animals.

SEC. 4. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this resolution.

SENATE RESOLUTION 166—SUBMISSION OF A RESOLUTION TO PROVIDE FOR AN INTERNATIONAL CONFERENCE ON PROBLEMS OF HUMAN ENVIRONMENT

Mr. TYDINGS submitted a resolution (S. Res. 166) to provide for an International Conference on Problems of Human Environment, which was referred to the Committee on Foreign Relations.

(See the above resolution printed in full when submitted by Mr. TYDINGS, which appears under a separate heading.)

NOTICE OF HEARING

Mr. JACKSON. Mr. President, I wish to announce for the information of the Members of the Senate that the Committee on Interior and Insular Affairs will hold an open hearing on Tuesday, March 18, on the nomination of Mr. Peter A. Bove to be Governor of the Virgin Islands.

The hearing is scheduled to begin at 10:30 a.m. in room 3110 New Senate Office Building. Any Member of the Senate is, of course, welcome to attend and participate.

Mr. President, I ask unanimous consent that a brief biographical sketch of the nominee be included in the RECORD following my remarks.

There being no objection, the biographical sketch was ordered to be printed in the RECORD, as follows:

PETER A. BOVE

Born: Rutland, Vermont, September 21, 1906.

Party affiliation: Republican.

Education: Graduate of St. Peter's Parochial School, Rutland. Graduate of Rutland High School in 1925. Graduate of Holy Cross College in 1929, PHB. Graduate of St. John's Law School in 1934.

Positions: City Attorney, Rutland, Vermont (Elective) 1939–40; Secretary of Civil & Military Affairs of the State of Vermont, January 8, 1947 to May 15, 1947, reappointed November 15, 1948 to June 7, 1949; Chairman, Vermont State Liquor Control Board, May 1947 to July 11, 1951; Member Parole Board 1947–49; Member of the Joint Committee of States on alcoholic beverage control; President of the National Alcoholic Beverage Control Association 1951–1952. (Organization comprises 17 monopoly states.); Lawyer; appointed Comptroller of the Virgin Islands by President Eisenhower and served in the capacity for a little over eleven years resigning in September of 1968.

Award: Department of Interior Meritorious Award, Sept. 1967.

Activities: Coached football at West Rutland High School and helped at Rutland High School one year. Helped organize the Northern League Baseball League. President of the Rutland Royals and Vice President of the Northern League. Past President of the Rutland County College Alumni Association of Catholic Colleges. Past President of the Rutland County Bar Association. Member of the Executive Board of the Green Mountain Council of Boy Scouts. Chairman of the New York Herald Tribune Fresh Air Fund for Vermont for eleven years.

Married: June Lounsbury, April 15, 1967.

Current address: Box 1459, Christiansted, St. Croix, Virgin Islands.

NOTICE OF RECEIPT OF NOMINATION BY THE COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the following nomination:

Henry Loomis, of Virginia, to be Deputy Director of the U.S. Information Agency.

In accordance with the committee rule, this pending nomination may not be considered prior to the expiration of 6 days of its receipt in the Senate.

A PACIFIC PERSPECTIVE—A MAJOR ADDRESS BY SENATOR MANSFIELD

Mr. PEARSON. Mr. President, I invite the attention of Senators to a speech by the distinguished majority leader which was delivered March 10, 1969, at Kansas State University as a part of that university's prestigious Alfred M. Landon lecture series.

Under the title "A Pacific Perspective," Senator MANSFIELD delivered one of the most lucid and cogent statements on America's present and future role in Asia. His analysis of the present state of relations between the United States and Japan and the policy alternatives with which we must soon come to grips, his discussion of our future relationship with mainland China, and his review of the situation in the Philippines and Indonesia are all most perceptive and represent a major contribution to the dialog on the future of U.S. foreign policy.

Mr. President, I ask unanimous consent that the speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

A PACIFIC PERSPECTIVE

(Lecture of Senator MIKE MANSFIELD, of Montana, for the Alfred M. Landon Lecture Series, Kansas State University, Manhattan, Kans., Mar. 10, 1969)

I

We have been an Atlantic-minded nation and understandably so. Fourteen of the states border the Atlantic. The majority of our ancestors reached America via the Atlantic. Most of us follow religions of trans-Atlantic origin. The languages that are learned in our schools are primarily those of the nations across the Atlantic. Americans who travel abroad usually begin their journeys by crossing the Atlantic. Fashions, architecture, routines of living in this nation all show strong influences from the opposite side of the ocean. We are, in short, preponderantly "Atlantic" by heredity, tradition, and proclivity.

However, the authority as well as the territory of the United States stops at the western edges of the ocean. The Atlantic has been a kind of sea barrier for us in the sense that the Pacific has not been. In the Pacific, not only do five states reach the ocean, but one of them—Hawaii—literally emerges from it. In addition, we have territories of various sizes, shapes, and legal relationships spread through its distant reaches. The Aleutian Islands which project towards the Soviet Union and Japan are part of the State of Alaska. American Samoa, Guam, Wake, Johnston, Midway and the Howland, Baker and Jarvis Islands are far-flung dependencies. The Canton and Enderbury Islands are an American-British condominium. The Trust Territory of the Pacific Islands has been administered by the United States since the end of the Second World War; it comprises over 2,000 islands and atolls which together total only 678 square miles of land but which are dispersed over three million square miles of ocean. World War II left a provisional American administration in Okinawa and the other Ryuku Islands; there it has remained for a quarter of a century, almost within sight of the Asian mainland. More than a frontier, more than an avenue of communication and trade, the Pacfiic is a vast marine-arena within which lie states, territories, and dependencies appertaining in large part to the United States.

I would like to make clear that in referring to the Pacific, I do not include the Asian mainland or the waters immediately adjacent. On that mainland, there are no American possessions but there are more American forces than anywhere else in the world outside the United States. Not only is there the immense consignment in Viet Nam but large American military contingents are also stationed in Thailand and South Korea. For the first time in history, we have deployed military power in mass along the whole arc of the Asian mainland.

In this manner, almost without realizing it, we have cast ourselves in the role of Asian power. We have extended the outposts of our Pacific power to China's borders. We have done so on the assumption that China is bent on military expansion and that it is essential for the United States to contain that expansion. That we have erred in the form of our response, even if the assumptions are accurate, is illustrated, in my judgment, by the war in Viet Nam. The war has not contained China in any sense. Nor has it even decreased Chinese influence in Viet Nam. If anything, it may be having the opposite effect.

What needs most to be learned from the tragic experience in Viet Nam is that there is no national interest of the United States which requires us to perform the functions of an Asian power. On the contrary, it is as self-damaging as it is futile to presume that that role can be exercised by an outside power anywhere on the Asian land-mass. The fact is that the nations of Asia are going to develop along economic and political lines which are determined by themselves. The development will spring from their history, philosophy, and tradition. It will be based on their human and material resources. It will reflect the political realities of their surroundings.

Nations outside the region, perhaps, can participate economically in limited ways in this process, but they cannot control the social evolution of Asia. What applies to other outside nations applies to us. We have never been a part of the Asian continent. We are not now. We will not be in the future.

However, we are a part of the Pacific, as I have already observed, and we will continue to be. Whether we will remain a Pacific power is not in question; we have no choice. What is at issue is our future role with respect to Asia. On that score, it seems to me, the character of our commitment is largely a matter of our choice. We were not forced, for example, into the present involvement in Viet Nam. Largely by a pyramiding of successive unilateral declarations and acts, the commitment was built to its great dimensions. The choice was ours. By the same token, this nation, through the President, still retains, in my judgment, the capacity to increase, reduce, or even to dismantle that commitment by its own calculated decisions.

Whatever else may prove true of our future role in Asian affairs, I am persuaded that it will differ from the role we have played in the past. The postwar World War II era has ended, whether or not we recognize it. Whether or not we realize it, we are in a period of transition in our relations with the nations of the Western Pacific.

II

That such is the case is best illustrated by reference to Japan. Our relations with that nation have been relatively quiescent for many years. Time has brought changes in Japan which have now reached a point just short of crisis.

The cloud on the horizon is the U.S.-Japan security treaty. Under the terms of the treaty, beginning in 1970 either party may announce an intent to amend or terminate the agreement. As this date has drawn closer, the political debate in Japan over the treaty has grown in intensity. It has centered on two specific points.

The first is the question of the American bases in Japan—number, location and use. Among the Japanese, there has been a growing resentment of these bases. They are not uniformly regarded as sources of a benevolent American protection. Often, they are seen as symbols of excessive foreign influence as well as hazardous nuisances. Furthermore, U.S. military airfields, on occasion, act to disturb the populace, not only because they occupy scarce land, but also because they pose dangers of accidental explosions and crashes. In the case of naval bases there is, in Hiroshima-conscious Japan, the additional concern with the assumed danger of radiation whenever nuclear-powered U.S. vessels call at these facilities.

The second specific issue around which the debate has centered in Japan is the question of the Ryukyu Islands (notably Okinawa), which were an integral part of Japan before World War II. At the end of that conflict, the United States occupied these islands and has since administered them through the Defense Department. The Japanese peace treaty of 1951, however, left dangling, so to speak, certain matters pertaining to their final disposition. While the United States retained administrative control, Japan was not required to relinquish sovereignty. Moreover, this nation has since stated on more than one occasion that there is no question that Japan possesses "residual" sovereignty over the Ryukyus.

Nevertheless, the United States has converted Okinawa into a great military depot. Bases on the island are specifically exempted from certain restrictions which are in effect on similar U.S. installations in Japan proper. In 1960 the United States agreed that bases on the Japanese main islands cannot be used for "military combat operations" without the agreement of the Japanese government but by contrast the same inhibition is not in effect in Okinawa which has served as a staging area for the war in Viet Nam and for B–52 bomber operations. Finally, there is a most fundamental difference: we have agreed not to store nuclear weapons in Japan proper; there is no such agreement respecting Okinawa.

The military bases relate to the larger issue of Japan's future military role in the Pacific. What is involved in this question is the continuance of a situation in which the primary responsibility for defending Japan, and indeed the entire Western Pacific, falls to the United States. Over the years, this state of affairs has cost us untold billions of dollars. Its persistence is now beginning to appear somewhat anacronistic a quarter of a century after World War II and with a Japan that is the third greatest industrial power in the world.

Many Japanese are restless under U.S. military surveillance of their homeland and adjacent waters. On the other hand, there is also a conflicting factor of Japanese anxiety that American military protection may be withdrawn. Out of the dichotomy has come a view that Japan should rearm beyond the modest "self defense" forces which it possesses and assume a part of the defense functions which are now being discharged by this nation. The view has adherents not only in Japan but in certain quarters in the United States.

All of the issues which I have discussed so far have a significant characteristic in common: they are military matters. There are, of course, also non-military matters in dispute between Japan and the United States as, for example, certain barriers to trade and investment. The fact remains, nevertheless, that the main source of friction in U.S.-Japanese relations, today, is to be found in disagreement over military questions. I emphasize this point because there has been some tendency to avoid public consideration of these matters in connection with foreign policy. Yet, the questions are fundamental. The future of the U.S.-Japanese relationship will be very shaky, indeed, if we proceed to try to base it preponderantly on our military convenience in the Pacific, notwithstanding the irritation and hostility which may be caused thereby in Japan.

It seems to me there is a need for great alertness to changing Japanese attitudes respecting our military activities. While some sentiment already exists in Japan for the removal of all U.S. military bases, I do not think that that is the dominant view. There is, rather, a general desire to see a reduction in the number of U.S. bases in Japan. A prompt response to this desire, I believe, not only would meet Japanese wishes but would also correspond to the interests of this nation. Certainly, it would dovetail with our present effort to reduce federal expenditures and, in particular, expenditures abroad. In my judgment, it would also act, in timely fashion, to preserve an accommodating tone in U.S.-Japanese relations.

Indeed, I am persuaded that much of the growing controversy with Japan could be dispelled if it were simply stated that we are prepared to abide by Japanese desires respecting the bases. The installations are maintained at great cost to this nation on the grounds of the contribution which they make to Japanese security and, hence, indirectly to the security of the United States. If the bases have now ceased to have that function in Japanese calculations, how can they possibly serve a useful purpose in ours? They become, in fact, a growing liability if they cause mounting friction between this nation and the Japanese populace.

Whatever the sentiments on the question of American bases in Japan, Okinawa is the looming issue in Japanese-American relations. It is the lightning rod, so to speak, which has attracted most of the arguments, most of the protests, and most of the attention.

There is strong and growing pressure within Japan and Okinawa for the immediate repossession of full control over the Ryukyus. It seems to me that we have delayed a long time—perhaps too long—on this sensitive issue. Okinawa is Japanese; we have never claimed otherwise. I see no just or rational alternative other than to try to arrive at a fixed time-schedule for the progressive and prompt return of administrative control over the Ryukyu Islands to Japan. In restoring Japanese administrative control over Okinawa, moreover, it seems to me that there are also strong arguments against insisting on a "deal" which will permit the use of the military bases in ways which are not acceptable to the Japanese people.

There will be, I am sure, cries of anguish in some quarters at any significant modification of our right to unrestricted use of Okinawa. Nevertheless, entrenched parochial interests cannot be permitted to prevail in this critical matter. Okinawa is undoubtedly a great military convenience but it is by no means indispensable. The fact is that there have been enormous technological developments in the military field since World War II. We now have missiles which can carry nuclear weapons into space. We have planes which can carry them in the atmosphere over the ocean. We have ships which can carry them on the ocean, and submarines which can carry them under the ocean. We also have other bases in the Pacific—bases which are under unchallenged American sovereignty—where nuclear weapons can be stored and where Strategic Air Command planes with nuclear weapons may be based without question or complaint.

As I have already noted, the issues of the bases and Okinawa relate to the larger question of Japan's future military role. Here, too, it seems to me, that a greater sensitivity to Japanese popular sentiment is essential. It would appear particularly ill-advised for the United States to try to push the Japanese towards a new and expanded military role in the Western Pacific. To be sure, the Japanese may one day raise the present level of their self-defense forces. They may even, one day, amend their constitution in order to possess other than self-defense forces. Any such decisions, however, should result from Japanese political processes which reflect Japanese judgments of Japanese needs—judgments for which the Japanese accept full responsibility. They should not result from American pressures reflecting American judgments of American needs and, for which, this nation in the end will have to bear responsibility.

III

If the Japanese do not assume the military burdens which the U.S. would relinquish when the bases in Japan are reduced in number and those on Okinawa are restricted in use, some will ask: who will defend the Pacific? Presumably, it is fear of China which gives rise to this question. It does not follow, however, if the Chinese are bound on expansion, that they are capable of trans-Pacific aggression. Indeed, President Nixon has made it clear that he does not buy the contention of some defense advisors that a "thin" anti-ballistic missiles system is needed because of the Chinese threat.

A thrust of military power across the Pacific is quite a different matter from ex-

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pansion on the Asian continent. Even in the latter case there is a difference of view as to the nature of Chinese continental pressure and what constitutes the principal danger to orderly progress in Asia. Among the nations of Southeast Asia, for example, it is commonplace to find that the threat of Chinese military aggression is rated a more remote menace than the immediate problems of economic underdevelopment and political instability which, in some cases, stem from internal economic disparities and in others from conflicts between two or more countries within the region.

These latter problems can hardly be met by U.S. defense outposts in the Western Pacific. Rather, their solution requires cooperation for constructive purposes among the Southeast Asian nations and with other nations outside the region. In fact, such cooperation has begun and it is taking two forms. First, there are groups of states within the region, such as the newly formed Association of Southeast Asian Nations. Second, there are regional organizations with outside members, such as the Asian Development Bank. The Bank includes European and North American subscribers whose modern resources can play an important, if peripheral, part in the progress of the Asian nations.

In this connection, there seems to me to be considerable merit in Japanese suggestions that the United States, Canada, Australia, New Zealand, and Japan should form a Pacific community to help developing countries. I should add, that in a grouping of this kind, Japan can play a most significant part. Indeed, in my judgment, it is in the sphere of economic development wherein lies Japan's principal potential for a contribution to the peace and progress of the Western Pacific.

IV

I have talked of several facets of the situation in an effort to place the needs of our Asian policies in clearer perspective; of the distinction between a Pacific power which we have no choice but to be and an Asian power which we can and should choose not to be; of our military relations with Japan and the heat which is rising from the issues of the bases. Okinawa, and the overall Japanese role in the security of the Western Pacific; and, finally, of economic development in the Asian countries and the possibilities of cooperative aid. There are several other related questions which need to be touched on to complete this discussion. One concerns our relations with mainland China.

Strictly speaking, China is not of the Pacific but of Asia. Yet, the very vastness of China projects its relevance not only over the Asian mainland and the Pacific but, in fact, throughout the entire world. It is not possible to talk about the future of international peace, let alone about our future in the Pacific, without reference to the great nation which lies on its farther shore.

China will not remain forever, as is now the case, in substantial isolation. Its proper role is as a leading nation in the councils of the world. Sooner or later China will assume that place. It seems to me the Japanese have long since come to recognize that prospect. And there are indications that they are seeking to bridge the gap with China. Even if we could, there is no cause for this nation to impose obstacles of any kind—either spoken or unspoken—to increasing Japanese contacts with China. On the contrary, such efforts—whether in the economic, cultural, or political fields—might well be encouraged. They can serve not only Japan's needs for trade, they can contribute to clearing up a whole range of enigmas involving China and the security of the Western Pacific. In that fashion, they can be helpful in bringing about an enlightened approach to the building of a stable peace in that region.

For our part, and for much the same reasons, I see no purpose in imposing any special restrictions on the travel of Americans to China. Nor do I see any reason not to place trade with China in non-strategic goods on the same basis as trade with the Soviet Union, Poland, and other Communist countries. For a decade and a half we have sought to maintain a rigid primary and secondary boycott of Chinese goods. The effort is unique in our history and it finds no parallel among the present practices of other nations with respect to China. In my view, we would be well advised to abandon this antiquated pursuit of China's downfall by economic warfare and treat with the Chinese in matters of trade as we treat with European Communist countries—no better and no worse.

It seems to me, the Nixon Administration's announced intention to reopen previous offers to exchange journalists, scientists, and scholars with China is well founded. The cancellation of the meeting in Warsaw on February 20, at which these offers were to be reiterated, is regrettable. One can only hope that another opportunity will soon present itself and, hopefully, that the official offers will be made and accepted.

Trade, travel, and cultural and scientific exchanges are relatively tangible issues in our relationship with China. Hence, they seem to be more readily amenable to solution; perhaps, that is why current discussion of the relationship with China tends to concentrate on them. Similarly, the present debate is intensive on the questions of Chinese admission to the United Nations and U.S. diplomatic recognition of Peking. These issues, too, seem susceptible to clear solution. They are not, however, at the root of the difficulties. To try to resolve them at this point may be a useful intellectual exercise but it also tends to put the cart of the difficulty before the horse.

The fundamental problem of U.S.-Chinese relations is the status of Taiwan. It is a problem which is as complex as it is crucial. It is not an either-or issue. It is not really soluble, in an enduring sense, in terms of two Chinas as has been suggested in recent years because there are not two Chinas and the attempt to delineate them is synthetic. The fact is that China is a part of Taiwan and Taiwan is a part of China. Both Chinese governments which are agreed on little else are agreed on that score. The question is not whether the twain shall meet but when and in what circumstances. While we are not aloof from this question, the decisions which appertain thereto involve primarily the Chinese themselves—the Chinese of the mainland and the Chinese of Taiwan. Sooner or later the decisions will have to begin to be made. Only then will the other part of the Chinese puzzle—such questions as U.S. recognition and U.N. admission—fall into a rational place in our policies.

V

While I have spoken today principally about the United States, Japan, and China, two other major nations are of immediate concern. I refer to the Republic of the Philippines and to Indonesia.

There are signs of difficulties in our relations with the Philippines, principally in the field of trade and investment and with respect to U.S. military bases. In my judgment, however, none of the problems which confront us is of a nature as to be beyond reasonable solution in the light of the general cooperation which we have long enjoyed with the Philippines. Yet it is precisely this basic cooperation which seems to me now to be in jeopardy. It is adversely affected by a vestigial tendency—a hang-over from pre-independence days—to continue to think almost automatically in terms of special economic privileges and concessions. Similarly in the field of foreign relations there is an inclination to expect that the policy of the Philippines government, inevitably, will mirror our own attitudes. Therefore, such departures as the recent Philippine initiation of contact with Communist countries seems somehow inimical to continued warm U.S.-Philippines relations. That is ironic inasmuch as we have long since had contact with most of these countries.

It is not a law of nature—it is an Aesopian fable—that familiarity must always breed contempt. A half century of familiarity which was crowned with the common sacrifices of World War II laid the basis not for a mutual contempt but for an enduring friendship between the Filipino and American people. It seems to me that we need to bestir ourselves now if this mutually valuable tie is not to be lost. Indeed, it would be my hope that the new Administration would give prompt attention to this matter.

To allow barriers of estrangement to be raised, by negligence or nonsense, is to admit a serious disability in our capacity to order our relations with other countries, notably those which have gained independence since World War II. After all, if we cannot hold the confidence, the friendship, and the respect of a people with whom we have been intimately associated for half-a-century, what can be expected with regard to other nations in Asia with which we have had little or no historic connection?

Indonesia is one such nation. Formerly the Dutch East Indies, this immense island chain was largely unknown to Americans during the colonial era. In the post-independence period, there has been a considerable contact but it has been uneven and unpredictable. In recent years, there has been a deterioration which, at times, has reached almost the point of outright mutual hostility. The pendulum apparently is now swinging and hope exists once again for a more agreeable situation.

It will take time, however, for us to form a balanced view of this enormous island-nation which in terms of population is the sixth largest in the world. It will take time, too, for Indonesia to emerge from its accumulated political and economic ills. The burden of the past is heavy and pervasive.

The United States can do little to speed up the development of a better association with Indonesia. Indeed in present circumstances the best policy is to accept our own limitations in this regard. To be sure, there are the gestures of goodwill which can be made in the form of technical, scientific, and educational cooperation. Moreover, through regional aid channels, such as I have already discussed, some assistance can be provided to Indonesia for economic development. That is a far cry, however, from self-delusive assumptions that by sending Americans to fight in Viet Nam we have somehow saved Indonesia from Communism or that the astute efforts of U.S. agencies and enough money in some miraculous fashion can act to delineate the emerging structure of the Indonesian nation.

VII

Having described the problems which confront the United States in the Pacific, I feel that I have an obligation to close with a few general words of prescription. Almost fifty years of association with the Pacific—as a student, Marine, teacher, and freqeunt visitor—prompt me to do so. A quarter of a century of political experience, on the other hand, impel me in the other direction. In these years of specializing in foreign relations both in the House of Representatives and in the Senate I have come to recognize the general absence of finality in the disposition of major international problems.

Nevertheless, I did remark at the outset that whatever our future in the Pacific, that future will be unlike the past. I am now under some compulsion to fill in details which sustain the general observation. The most fundamental new factor in the situation, as I see it, is the appearance of at least one new generation since my generation began to grapple with the post-World War II Asian situation and, in particular and with a singular lack of effectiveness, with the monumental upheaval of the Chinese revolution. This new generation is a source of hope for the future. It is a hope which derives largely from the interest young people now take in the affairs of the other side of the Pacific. That interest is more profound and far better informed than was the case two decades or more ago.

It used to be that in an "Atlantic-minded" nation the consideration of Asian questions was left largely to a relative handful of Americans, to "old Asian" or "old China hands," whose attitudes were churned out of a mixture of 19th century religious altruism, political idealism, cold-cash imperialism, and unscrupulous adventurism. World War II altered this mixture; the Korean War modified it further; and now Viet Nam has changed it greatly. The attitudes which once held sway in this nation with respect to our relations with Asia and the Pacific have lost most of their relevance and much of their potency.

If there is to be a worthwhile future in the Pacific, it seems to me that U.S. policies for the problems of the Asian littoral will not be left in "old Asian hands." Rather they will take on the sense and sensitivity of "young American hands." The problems will be dealt with in a new spirit of cooperation and collaboration, free of attitudes of dominance or condescension. The keynote of a new policy for contemporary Asia, as I see it, is mutuality. Its characteristics will be mutual respect, mutual appreciation, and mutual forebearance.

For us there is no choice. We must make the effort to put our policies into that perspective. We will not only continue to live in the Pacific, we will also have to learn to live with the Pacific and the nations of its western reaches, basing our relations with its peoples—with the Chinese, Japanese, Filipinos, Koreans, Indonesians, and others—henceforth, on a profound respect for the equal dignity and worth of all.

BOB BARTLETT

Mr. CHURCH. Mr. President, I understand that Bob Bartlett's likeness will soon be placed in the U.S. Capitol, 6,000 miles from the State he loved so much and served so well.

We of the Senate have known a man who is insured a high place in the history of his State. Such a distinction is rare, but Bob Bartlett was a rare kind of man.

Our regard for him was fully shared by the people of Alaska. In 10 elections, he never faced a serious challenge. He knew and respected the people of Alaska; they knew and respected him. Together, they loved Alaska and worked to make it a thriving State.

He built an enviable legislative record here—even though for 14 years he could not cast a vote. The 49th star on our flag is also Bob Bartlett's star, for he did the most to put it there. His Senate years were filled with accomplishment for Alaska and America.

The ties between Idahoans and Alaskans are strong. Both like plain language and lots of elbow room. Both have a frontier heritage that is still close to the life of the people. Both are users of vast public lands. Common problems abound.

For these reasons, and even more because of the nature of the man, Bob Bartlett was my personal friend; and I miss him.

So, when visitors gaze upon Bob's likeness in Statuary Hall, let us hope that our successors in the Senate stand among them; that they will reflect upon this man who was our contemporary; and that they will benefit from his example, which will always be contemporary.

Mr. President, I was in the West on the day set aside for tributes to Bob Bartlett. Consequently, I was unable to participate in the round of rememberances for our late colleague on that day, nor in the many expressions of sympathy extended to his wonderful wife, Vide. I ask, therefore, unanimous consent that my tribute today may appear with the rest in the commemorative volume.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

FIGHT ON INFLATION—TOO LITTLE AND TOO LATE

Mr. PROXMIRE. Mr. President, after several days of hearings by the Joint Economic Committee, I have come to the conclusion that the action proposed by the Council of Economic Advisers, the Treasury, the Federal Reserve Board, and by both labor and industry are wholly insufficient to stem the inflationary tide now moving in this country. I have said I believed it was too little and too late.

In today's New York Times I find confirmation of what I believe to be true from Mr. James A. McCullough, who is an economist with the highly respected Wall Street firm of Scudder, Stevens & Clark.

He is quoted as saying that it was too much to expect that our fight to reduce inflation will "bear fruit in any important way in calendar 1969."

He is quoted further as saying:

> At most, we can expect a deceleration of the inflation from the 4 per cent range to about 3.5 per cent average for all of 1969.

I ask unanimous consent that the relevant section of the column, "Marketplace," written by Robert Metz, in which Mr. McCullough's statement appears, be printed in the RECORD.

There being no objection, the item was ordered to be printed in the RECORD, as follows:

MARKETPLACE: INFLATION THEORY TAKES DRUBBING

(By Robert Metz)

James A. McCullough, a tall, professional economist at the respected Wall Street firm of Scudder, Stevens & Clark, took a long-range view of the economy yesterday, touching on the influences of inflation and the flow of funds into the stock market.

Mr. McCullough denounced the theory that inflation is good for stocks. At a business conference he noted that in Continental Europe, in the early 1960's, inflation was at a far higher rate than in the United States and was not brought under control until the second half of the decade.

"For more than half of the decade of the 1960's, the Continental stock markets as a whole experienced an almost steady deterioration," he observed. "More recently, these Continental markets have emerged with considerable strength."

As for our own inflationary spiral—which now exceeds the rate in the stronger Continental European economies—he said it was too much to expect that our fight to reduce inflation will "bear fruit in any important way in calendar 1969."

He continued, "At most, we can expect a deceleration of the inflation from the 4 per cent range to about 3.5 per cent average for all of 1969."

Mr. McCullough made an interesting point regarding the pension funds which have provided a strong base of support for the stock market for years. "In another 10 years, the growth in resources of these funds may peak out as payments to beneficiaries match receipts."

However, he added that increasing stock market purchases by life insurance companies and the state and local retirement funds would offset "with something to spare" the loss of new money from the private pension funds in the years ahead.

THE SENIOR SENATOR FROM GEORGIA—A WARM AND CANDID PROFILE

Mr. McGEE. Mr. President, William Grigg, of the Washington Star, wrote a very warm and candid profile of the distinguished Senator from Georgia (Mr. RUSSELL), the President pro tempore, which was published in the Sunday Star of March 9. It is appropriate that this profile of a dedicated man of the Senate should appear in the pages of the RECORD. I ask unanimous consent that it be so printed.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SENATOR RUSSELL, OF GEORGIA: HIS CLUB IS ON CAPITOL HILL

(By William Grigg)

A strictly reared son of the dust and rote-learned Bible verses of rural Georgia, Richard Brevard Russell loosened up a bit when he went to college. He drank illegal "pop-skull" whiskey and wine with his brothers in Sigma Alpha Epsilon and managed to make no mark as either a scholar or student leader. (His dad, Judge Russell, had been both.)

Now 71—and long accustomed to being one of America's most powerful men—Senator Russell smiles shyly to recall those careless years.

He glances across his desk at his interviewer, who could be his grandson, and perhaps wonders if any product of today can grasp the feeling of selectness and freedom which a college afforded a country boy then.

Oh, he did well enough in the courses he liked such as Blackstone, he says quietly, and he "got by" in the others. He held a post on the fraternity council for a time and helped arrange some campus dances. And he made some solid friendships.

When the college interlude ended, the dust and the Bible verses of hometown Winder, Ga., reasserted themselves. But there was also the law now. And Russell's discovery that he—with his big hands, his pitcher ears and his plain-as-Georgia-clay manner—had the capacity to gain the trust of others.

A LONG ERA

Almost by accident he was propelled into the Georgia legislature, the governorship and on into history—including that long era when he led the Southern defense of states rights, a cause now as lost as the Confederacy.

Today, Russell defends the Union. Chairman of the Senate Appropriations Committee, he stands in the way of those who would like to slash military spending to gain a painless source for domestic spending.

He is today both a stalwart advocate of preparedness and a cautious advocate of accommodation.

"I want to keep this country prepared, so

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that we needn't back down," he says fervently. "Although we sometimes have backed down, I don't want us ever to have to."

Yet he has advocated discussions with Red China and has backed treaties with the Soviet Union—as long as there are sufficient guarantees against a double-cross.

Toward this work, Russell conserves his energy. Although there is something grand about the man, his style of life is plain. This permits him to work long hours and look rested and fit, despite emphysema.

This deterioration of lung tissue was diagnosed in 1958—and, in 1965, it was complicated by a bout with pneumonia that almost carried him off.

It was tough giving up his three packs of cigarettes a day after the emphysema diagnosis. "But I saw Bill Fulbright and he said he had stopped two weeks before and then I saw Milt Young and he had quit.

"I figured I could do anything they could," Russell says.

STRONG DESIRE

The desire to smoke held strong for weeks, but Russell resisted. Finally, it was no longer a struggle. "And then I learned Bill and Milt had long been back smoking again!" That made Russell's victory that much sweeter.

Cigarette smoking itself had been a departure from his upbringing. Until he was a grown man, he didn't dare let his father see him smoke. Then he was surprised to see a younger and bolder brother light up in front of their father and get away with it.

Russell was one of 15 children born and 13 surviving infancy, but he had the special relationship of a "junior." Richard B. Russell Sr. was chief justice of Georgia and widely respected.

The judge was both stricter and more emotionally open than most men today. After 39 years of marriage, he began a letter to his wife, "My precious little sweetheart," and ended it "with a sense of love and gratitude that is overpowering, I can only say, God bless you, darling of my heart."

The Judge raised his family near Winder.

The town was renamed Winder, as promised, after the engineer who found a way to get the railroad to go through what was previously known as Jug's Tavern.

The Russell place was a cotton farm which had once been operated as a slave plantation by "old man Jackson," Sen. Russell recalls. "Oh, shaw—what was his first name?"

Ina Russell, to whom Russell wrote so lovingly, noted in her diary that she made 184 pieces of clothing in the spring of 1912.

She got the family around the piano each Sunday afternoon to sing hymns to her accompaniment. At these times, each child had to recite a new Bible verse he had learned. But these sessions were not overly severe; a youngster could get by, at least once, with "Jesus wept" for his verse.

The Senator once said that as a small child he thought that mothers never had to rest. When at 10, he discovered his mother asleep, "I still recall how shocked I was."

She too could express her emotions, warmly but realistically. She wrote a daughter, "You have been a fortunate girl, born with a good little body, a fair amount of good looks and a bright mind. Also you found a fond father and a loving mother awaiting you. You young people can't realize how much you are loved."

And to a child who complained she was tired of being poor: "Oh, my child, that hurts me."

And to a son away from home: "How I do want to see you, but how proud I am that you are sticking it out and not coming home."

When his mother died, Sen. Russell wrote a long inscription for her memorial. It said in part: "There has never been a marriage relationship more tender and true than existed between this noble woman and her eminent husband."

Springing from such a family, Dick Russell Jr. must have felt an obligation to do well. Judge Russell had wanted to be Georgia governor and a U.S. senator. Dick would do it.

After graduating from the University of Georgia in 1918, and spending a year in the Navy Reserve just as World War I was ending, Russell toyed with going to Atlanta to join a city law firm but decided to return to Winder because he liked the more general practice that could be provided there.

He hadn't been back long before he started thinking it would be a good thing to run for the state legislature. First, it would provide an excuse to buy an automobile. Second, the campaign would spread his name around and, even if he lost, produce additional clients for his law practice.

But the most important reason for running was simply that "I had the political bug," Russell says.

Surprising himself, he won easily. Thus, in 1921, when he was hardly out of college, he began 10 years in the legislature that would lead to his election as governor—Georgia's youngest—at 33. He was an adept reformer of the state's government and proved a popular man, electable to the U.S. Senate—at 35.

Two years later, he was leading a successful filibuster against a federal anti-lynching law. And again and again, over the next two decades, he was to lead the forces of the South.

Disarmingly, Russell says of these filibusters and anti-civil rights votes: "I guess they look pretty bad to any liberal today. But I was brought up to believe that the states should exercise all powers not specifically vested in the federal government."

PUSHED BY SOUTH

Twice, once against Truman and once against Stevenson, the South pushed Russell seriously as a candidate for President. In 1952, against Stevenson, Russell seems to have been giddy enough to take his bid seriously.

But Southerners seem destined to find their strength in the Senate, not the White House. In large part, their Senate strength is built on the status that comes simply from seniority, which is aided by the South's one-party system. Here Russell is king, now serving his 37th year in the Senate.

As the most senior in service in the Senate, he was this year elected as Senate President Pro Tempore—an honorary post traditionally recognizing seniority. Seniority also made him chairman of the Senate Armed Services Committee for many years. He is now the ranking member of that committee but has given up its chairmanship to head the most powerful committee in the Senate, Appropriations.

The chairmanship gives Russell a great deal of bargaining power.

He derives additional influence from his continuing leadership of his fellow Southerners, who listen to his views on policy and his ideas on strategy. Fellow Senators say there is no better parliamentarian in the Senate.

Thoroughly reliable, sure to do as he promises, Russell also makes a fine negotiator.

Excepting on civil rights, Russell also enjoys a reputation for depth and openness of mind.

He also is farsighted. For example, as governor in the depression years, he somehow found the money for research in the utilization of pine trees—now a major crop in the state, replacing cotton on the Russell family farm and many others.

Russell has been boosting research ever since, particularly if it is located in Georgia.

But besides these mental capacities, parliamentary and leadership skills, plus seniority, there is another major source of Russell's influence. This is the club-like feeling among many in the Senate. Here, as in a Greek letter fraternity, there is a lot of importance placed on warmth, wit, personality and fairness.

As some men devote their lives and entire personalities to their college fraternities, Russell devotes his to the more serious and important Senate club. After the daily treatment he gives himself with a device that spreads a mist of medication through his lungs, he arrives for breakfast at the Capitol at 8:45 a.m. or so. Often, he'll still be working in his office 10 hours later. He likes to read all the mail from his constituents and check the replies his staff has made, or reply himself, occasionally in longhand.

He comes in on Saturdays too. "Sometimes I've wished he had a wife who would call him to come home to dinner, so I could get home to my wife," an aide says. But he married none of the Georgia girls he was linked with as a young man. He lives alone in a small apartment, reading history or watching a ballgame on television.

He is the perfect clubman, the friendly bachelor whose club is his family.

If the Senate club got out a yearbook, as the University of Georgia at Athens did in 1918, Russell would be called, once again, "a friendly and unassuming fellow . . . one of the most popular men we have." But there would have to be an addition: "And one of the most powerful."

OPPOSITION TO DEPLOYMENT OF PROPOSED ANTI-BALLISTIC-MISSILE SYSTEM

Mr. SCHWEIKER. Mr. President, today the Senator from Kentucky (Mr. Cook), the Senator from Maryland (Mr. Mathias), the Senator from Ohio (Mr. Saxbe), and I wrote to President Nixon, urging him to decide against the deployment of the proposed anti-ballistic-missile system at the present time.

We expressed our doubts about the military effectiveness of the ABM system, and expressed our concern that deployment at this time would adversely affect the possibility of significant disarmament talks with the Soviet Union and the ratification of the Nuclear Nonproliferation Treaty. We also mentioned as a disturbing factor the enormous cost of such a system.

Although we expressed our support for continued research and development of an ABM system, we stated our belief that the case for the Sentinel system has not been made and that it should not be deployed at this time.

I ask unanimous consent that the text of our letter to the President be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Dear Mr. President: This morning you approach the moment of final decision on whether or not to deploy the Sentinel Anti-Ballistic Missile. Though first-term Senators, we feel compelled by the urgency of this matter to present our views directly to you.

We have heard and participated in the Senate debate on the A.B.M. We have listened to experts—those who favor and those who oppose—in committee testimony and elsewhere. We have concluded that the case for deployment of the Sentinel has not been made, and while we favor continued research and development, we urge you, Mr. President, not to deploy it at this time.

From the scientific and military standpoint there is grave doubt that the Sentinel could function effectively against increasingly complex weapons systems and amidst the chaos and confusion of a nuclear attack.

Diplomatically, the United States finds itself on the verge, perhaps, of meaningful steps toward disarmament with the Soviet Union. By disturbing the precarious strategic balance that now exists between us we could destroy the possibility of those steps being taken. There is also the Nuclear Non-Proliferation Treaty, upon which the Senate will soon be voting. By ratifying it the United States will, in effect, urge other nations not to enter the arms race. Can America ignore its own admonition by taking a step which might well embark us on another arms race, and might also jeopardize the Treaty?

Finally there must be considered the Sentinel's great cost—estimated at anywhere from five billion to hundreds of billions of dollars at a time when America's domestic needs cry out for action.

We share with you the goal of peace—the goal to which you have dedicated your Administration. And we feel strongly that the cause of peace can only be enhanced by the action we urge upon you today: a decision not to deploy the Sentinel.

TV STATEMENT BY SENATOR BYRD OF WEST VIRGINIA ON THE NUCLEAR NONPROLIFERATION TREATY

Mr. BYRD of West Virginia. Mr. President, on March 11, 1969, I made a statement for television regarding the Nuclear Nonproliferation Treaty.

I ask unanimous consent that the transcript of the statement be printed in the RECORD.

There being no objection, the transcript was ordered to be printed in the RECORD, as follows:

ROBERT C. BYRD FAVORS TREATY

I am for the treaty because it provides for the development of safeguards to insure that nuclear materials in non-nuclear weapons countries be used for peaceful purposes instead of for weapons purposes. It does not impose any obligation on us to unilaterally withhold deployment of an ABM defense system or any offensive strategic system. I would be against unilateral disarmament, but I am in favor of doing all that we can to slow down proliferation of nuclear weapons, because every additional nation that gets nuclear weapons is just one more finger on the trigger for a nuclear war. I hope that the treaty will operate to discourage such proliferation.

CRIME AND JUSTICE

Mr. McCLELLAN. Mr. President, often there is a significant difference in the attitudes of those who deal with crime on an everyday basis and those who pontificate on criminal rights from lofty ivory towers. The Honorable Edward M. Curran, chief judge of the U.S. District Court for the District of Columbia, deals with and observes crimes and criminals during the course of his daily work.

On March 8, 1969, before the Federation of Business Associations of the District of Columbia, he shared his conclusions drawn from his experience in a speech. He recognized the necessity of affording justice to victims and society as a whole as well as to those who commit criminal acts and exploit and oppress our law-abiding citizens. I would hope that those members of our judiciary who are far less experienced with the tragic takeover of our city streets by hoodlums and the ever-increasing exploitation of our society by organized criminals would take heed of Judge Curran's words, acknowledge the greater experience from which he speaks, and adjust their judicial philosophies to the present realities of the crime menace in American life.

I ask unanimous consent that significant excerpts from Judge Curran's speech be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY HON. EDWARD M. CURRAN, CHIEF JUDGE, U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA, PRESENTED TO FEDERATION OF BUSINESS ASSOCIATIONS OF THE DISTRICT OF COLUMBIA, MARCH 8, 1969

In the Nation's Capital, on the walls of the magnificent stone edifice that houses the Department of Justice, is carved the following inscription: "Justice is the great interest of man on earth—wherever her temple stands there is a foundation for social security, general happiness and the improvement and progress of our race."

One of the great problems facing this country today is the crime problem. We cannot conquer crime by any simple formula. We cannot eliminate crime, but we can reduce it. We must apply against it the same painstaking research, the same willingness to sacrifice preconceived notions, the same high-minded dispassionate spirit that we would gladly apply to the control of an even less destructive plague. One of the aims of democratic governments is to achieve justice in a true sense. That no man should be condemned without being given his day in court and without being proved guilty beyond a reasonable doubt are the basic principles of criminal justice. We try to achieve speedy justice, but the safeguards that are placed around the accused bring irritating delays in securing their conviction. This crime problem has become so acute that President Johnson, in signing the Law Enforcement Assistance Act, declared, "The control of crime is a major target of this Administration."

* * * * *

Organized crime in its present form, in my opinion, is the result of an increasing intelligence on the part of the criminal classes. Crime is as ancient as civilization and begins at a time older than recorded history. A competent history of organized crime, carried through to the development of the movement under present-day conditions, with its underlying sources and philosophy, would require a treatise dealing with human relationships over the centuries. It would concern the feudal system, the feats of the old buccaneers, the slave traders, the caravan highwaymen of the Far East, the smugglers, the Molly Maguires of more recent times, and many others of their ilk. It would concern not only the material but the spiritual, with considerations of religion, environment, and geographical mobility; the passions and the greed of men; and it would lead logically to those operations of criminal groups which we face today. I believe that widespread lawlessness is a symptom of widespread paganism, and a growing paganism could prostrate the soul of America.

There is no more sinister force in the United States than that of the millions who are engaged, by day and night, in the commission of felonies which occur every few seconds. Nearly 3 million serious offenses are committed every year. These offenses continue, with five serious offenses being recorded every minute. * * *

There are many causes of crime. Poverty is one; unemployment is one; slum areas are one; lax parents are one; and lenient courts are another and the trend of leniency keeps growing. Constitutional rights are all right, but in these days there often are criminal cases in which it appears that the main concern of some courts is for the rights of the perpetrator of the crime and not for the rights of the victim or society.

In thousands of cases the parents are at fault. There is a breakdown of the family unit. It is in the home that respect and authority must first take shape. I feel that the solution of the crime problem to a great extent lies with the family, the schools, the church and the community.

Why is it that some parents do not try to understand their children? Why is it that they are not interested in the difficulties and problems which their children may run across?

I think it is very necessary that parents perform their duty in attempting to raise their children with the idea of obedience and respect for them, for, as they grow older, such obedience and respect will develop into respect and obedience for the law.

* * * * *

The school is an important factor in our civilization, for today our teachers are more qualified and better fitted than ever before in the nation's history. It is not necessary, however, that a curriculum should be laid down to apply to all children alike, because if this is done, the handicapped boy or girl would not receive the proper training and his education would go for naught. In the New York City schools there have been shocking cases—assaults on teachers, vandalism and displays of vicious attacks. Facing such a situation, the teachers are helpless. I believe that it is necessary that those in the teaching profession should deal more in individuals, rather than in groups.

You cannot ignore the church as an important part of our everyday life. Today is the age of irreverence and criticism. This is a world of greed, lust and power; a world besmirched and bedraggled by the most brazen carnival of materialism that ever blackened the reputation of self-respecting people; a world which knows not God's commandments; a world which needs a panacea in the recount of moral values. The churches of all denominations should awaken the spiritual appreciation of living. Years ago parents attended church, and children attended Sunday School, where they were taught the underlying principles of morality and character. Today parents are less prone to attend, and the children attend Sunday School intermittently or not at all. If this pace keeps up, the church is bound to lose the influential place it held, in days gone by, as an effective weapon in crime prevention.

The community, being a part and parcel of American life, is most important in this ever increasing problem. Neighborhoods of various kinds and characteristics bob up through this country of ours with all types of families, foreign and domestic, rich and poor, educated and illiterate—neighborhoods where one is not content; regions where one is dissatisfied; residences where there exists ill influence. In the slum areas, there are too many broken homes, too many working mothers, too many children running loose in the streets, learning about liquor, narcotics and crimes, such as mugging, yoking, purse snatching, gang assaults, and violence just for the sake of violence. Conditions existing such as these do not offer much encouragement to the boy or girl who may desire to live an exemplary life.

There are four important elements to be considered in the crime situation. They are the public, the police, the prosecuting agencies and the judiciary. These, functioning together, become an effective instrument in the suppression of crime. Operating independently, they hearten the criminal element to the detriment of the law-abiding citizen. Sometimes they may work at cross purposes; sometimes they may criticize each other; and sometimes they may not be interested in harmonizing their differences to the end that the commonweal might be best served. I believe that there should be a better understanding among them, in order that we may have a closer cooperation as a bulwark of defense in this war on crime. And the time has come when we must recognize that society has certain rights, as well as the accused. You have the right to life, liberty and the pursuit of happiness. As a distinguished Judge of the United States Court of Appeals for the District of Columbia Circuit, the Honorable Wilbur K. Miller, once said, "Nice people have rights, too." * * * Your wife has the right to walk down the street without fear of being raped or molested. Your family has the right to feel secure in your home. Putting it bluntly, the law-abiding citizens of this country have the right to be left alone, and when some of the judges in this country realize that the rights of society should be balanced against the rights of the individual, then law enforcement will be more effective.

As the distinguished Bishop of Rochester, the Most Reverend Fulton J. Sheen, has said, crime is increasing because of a "false compassion" for criminals. He defines false compassion in these words, "A pity that is shown not to the mugged, but to the mugger; not to the family of the murdered, but to the murderer; not to the woman who is raped, but to the rapist". The Bishop deplored "social slobberers" as those "who insist on compassion being shown to the junkies, the dope fiends, the throat slashers, the beatniks, the prostitutes, the homosexuals, and the punks. Today the decent man is practically off the reservation."

I think a study should be made to determine whether or not court decisions are causative factors in the commission of crime. I say this because it is clear to me that some appellate court decisions have unduly tipped the scale in favor of the criminal and against society's rights to be protected.

There is no substitute for swift, certain and impartial justice, with less attention paid to the technicalities which appear aimed at the protection of the criminal and not society.

Respect for law and the maintenance of order are among the bulwarks of our republic.

Morality, law and order, and other great principles of our heritage, are fighting for their very existence. They are under attack from certain influences which, if not stopped, will wreck every trace of decency and orderliness in our society.

It is even argued by some groups that profane verbal abuse directed at the police is a Constitutional right.

The best interests in this country lie in a law-abiding and orderly society. The citizens of America cannot live with lawlessness, vulgarity, obscenity and blasphemy.

The time has come for us to cease being led toward the hole of self-destruction by certain do-gooders and to get on with the perpetuation of those self-evident truths which have served our country so well.

The only way to fight these organized crusaders of filth, immorality and crime is to get tough.

Liberty cannot exist without law, for the law protects liberty. We should remember, however, that liberty is not absolute but relative, for no person may infringe or transgress on the liberty of another.

The most effective deterrent to crime is the apprehension and punishment of criminals. If the factor of punishment is ignored, then there can be no deterrent.

The courts of this country are courts of justice—not courts of mercy. A trial should truly represent an enlightened search for truth, so that deception, surprise, technicalities, and delays will be obliterated. The atmosphere of some courtrooms is still polluted by some jurors, who close their minds to the evidence before them, and some of our judges seek out technicalities rather than guilt or innocence.

Forty odd years ago an experienced attorney and jurist in New York issued this strong warning, "It is not the criminals, actual or potential, that need a neuropathic hospital. It is the people who slobber over them in an effort to find excuses for their crime". What we need today, in attempting to minimize crime, are jurors with conscience and vision, judges with courage and fortitude, and penitentiaries which are neither country clubs nor health resorts.

In this war on crime, we stand as men and women in the ranks of humanity, who are under the law of duty that allows us no stopping place short of our utmost capabilities. Whatever in human nature is hopeful, generous, aspiring—in love of God and trust in man—is arraigned on one side, and on that side, let us stand.

U.S. AID TO INDIA—DOES THIS AID SUBSIDIZE THE PURCHASE OF MILITARY AIRCRAFT FROM THE SOVIET UNION?

Mr. SYMINGTON. Mr. President, the other day, I made a statement on the floor of the Senate concerning the mounting criticism of U.S. aid to India; and placed in the RECORD an article to that effect written by Ernest Weatherall and published in the Christian Science Monitor.

That article noted:

> There have been recent rumblings in Washington that American aid has subsidized India's hard-currency purchases of Soviet arms and submarines.

As a followup, Mr. Weatherall has written a second article reporting that India has already purchased a substantial number of fighter aircraft from the Soviet Union and plans to reach additional defense agreements with that country in the near future.

I ask unanimous consent that this subsequent article, entitled "Indian-Soviet Accord on Defense Looms?" be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

INDIAN-SOVIET ACCORD ON DEFENSE LOOMS?

(By Ernest Weatherall)

NEW DELHI.—Military cooperation between the Soviet Union and India, along with stepped-up arms assistance, is seen here as a possible outcome of the early-March visit to India of Soviet Defense Minister Andrei A. Grechko.

The Soviet Union, eager to contain Chinese Communist expansion, could only benefit from such cooperation, it is reasoned. And Indian ability to defend the troubled northern border with Chinese-ruled Tibet would be increased.

In the event of a Moscow-Peking confrontation, an agreement with India would give the Soviets the use of Indian Air Force forward airbases. These are nearer Chinese military installations in Tibet and southern China than are the Soviet bases in Siberia.

Marshal Grechko showed extreme interest in the Indian Air Force during his visit. He stopped off at the IAF base at Chandigarh, in northern India, to watch Indian pilots fly their Soviet-built MIGs.

LOCAL ASSEMBLY PLANNED

According to reports here, India has bought 100 Mig-21's from the Soviet Union and plans to build 300 more in India, with Russian technical help.

The Soviet defense chief also visited a plant at Nasik, near Bombay, where airframes of the Migs are assembled.

Unofficial figures put the number of Mig squadrons in the Indian Air Force at six. Indications are that the IAF plans to equip another 15 squadrons with these jet interceptors. It has also been reported that India has bought 100 Sukhoi SU-7B close-support fighters, with an option to buy a hundred more. Deliveries of the plane, to be used to equip four squadrons, began in 1968.

But the Mig–21's and SU–7's do not belong to the latest generation of Soviet planes. There has been some criticism that by the time India's Mig factories start manufacturing the jet fighters without Soviet components, the plane will be obsolete.

India's Defense Minister, Sardar Swaran Singh, admitted in Parliament that he was looking into the possibility of acquiring planes that would perform better than the present Mig.

Aviation experts hold that the IAF is going to require a different type of aircraft from those with which it defended India during the war with Pakistan in 1965. China's Tibet bases are pretty much beyond the range of the Hunter, the Mystere, and the Canberra. Even Pakistan has moved its airbases as far away from India as it could—to the West Pakistani-Iranian border. To strike at Pakistan's new airbases and targets in Tibet, India will need a longer-range aircraft which can carry larger loads, to replace its aging British-made Hunters and Canberras.

These needs, in view of the latest Sino-Soviet border clash, were almost certainly discussed with Marshal Grechko during his visit to India, observers maintain.

ANOTHER HOSTILE ASIAN NATION

Mr. YOUNG of Ohio. Mr. President, friendship between the United States and Thailand dates back to the time when Siam's King Mongkut offered President Abraham Lincoln war elephants to help the North in the Civil War.

We now have over 45,000 soldiers and airmen in Thailand. In early November 1963 we had fewer than 4,000. Recently, Kukrit Pramoj, editor of the Bangkok pro-Western newspaper Siam Rath, published a lead editorial denouncing our military presence in Thailand. He wrote:

> The Americans are the real enemies of our people, not the communists.

President Nixon and the Congress would do well to reconsider our situation in Thailand before our militarists—our CIA and the generals of our Joint Chiefs of Staff—cause us to blunder into another Vietnam.

THE PASSENGER PIGEON—A REMINDER OF MAN'S DEPREDATIONS

Mr. MUNDT. Mr. President, the March 1 issue of Farmer magazine, published in St. Paul, Minn., contains a most informative article on the passenger pigeon, written by Benny Bengtson. I think a reading of the article can point the way for many who are interested in being of assistance to our presently threatened species of wildlife. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE WILD OR PASSENGER PIGEON

(By Benny Bengtson)

Many years ago, the late Mr. P. O. Fryklund, of Roseau, Minnesota, showed me the egg of a wild or passenger pigeon that he had in his collection of birds' eggs. It was white in color, unmarked and resembled the egg of the mourning dove, only larger. He had collected it during the 1890's, before these pigeons became extinct and vanished forever from the earth.

In color, the passenger pigeon was quite similar to the mourning doves we so often see in our fields, or perching on telephone and highline wires. Perhaps a bit more of bluish around the head and on the wings and back, and a little darker on the breast, but otherwise much the same. But they were larger—some 16 to 18 inches long, compared with the mourning dove's average length of around a foot.

They were beautiful birds, as are the mourning doves, with their soft, grayish and grayish-blue shades—colors so much associated with doves and pigeons that we have come to call them "dove-like." Around the head, neck and shoulders, especially when the sunlight struck them, there was an iridescent sheen, a mingling of bronze, green and purplish shades. The breast was washed with a rosy tinge. Altogether, as is the case with the mourning doves, they were a study in pastels.

When the white man first came to America, and through most of the 1800's, they were extremely abundant. Some ornithologists have estimated that, at one time, the passenger pigeon alone made up 25% to perhaps 40% of the total bird population of this country. A poet of Colonial times wrote:

"The pigeons in such numbers we see fly
That like a cloud they do make dark the sky."

Flocks of incredible size sometimes were reported during spring migration. Alexander Wilson, the famous ornithologist, recorded his observations of one such flock that he saw in Kentucky. The birds, "flying with great steadiness and rapidity," in a column well over a mile wide, kept on passing by for most of one afternoon. Trying to arrive at a credible estimate of their numbers, he figured the length of the column at 240 miles and the number of birds at three to each square yard. He concluded that there were 2 billion, 230 million birds in the flock. "An almost inconceivable multitude," he wrote, "yet probably far below the actual amount."

John James Audubon, the great bird painter, watched another flock pass, and estimated the number of birds at two to a square yard. More conservative than Wilson, he figured its length at 180 miles, but his estimate of the total number of birds was still well over a billion.

They sometimes nested in immense colonies. John Muir, in "The Story of My Boyhood and Youth," tells of "one nesting-place in Wisconsin 100 miles long and from 3 to 10 miles wide. Every tree, some of them quite low and scrubby, had from 1 to 50 nests each. Some of the nests overflow from the oaks to the hemlock and pine woods." This was in 1871. Other nesting sites in Michigan, Kentucky and Pennsylvania varied in size from 1 to several miles in width, and from 30 to 50 miles in length.

Many of the wild pigeons nested in smaller colonies, however, and as single pairs. So far as I know, there is no record of any large nesting colonies in Minnesota or the Dakotas. But they were fairly abundant in the wooded sections of Minnesota. Being birds of the forest, they occurred only in those parts of the Dakotas and Montana where there were trees. They were found in the greatest numbers from Wisconsin eastward through Michigan, Ohio and Pennsylvania to the Atlantic Coast.

Henry David Thoreau, when he was in Minnesota during the summer of 1861, found nests of the passenger pigeon. Alexander Henry, traveling through Manitoba in April of 1800, saw wild pigeons "in great abundance." And it is recorded that many nested along the Red River south of Pembina in 1873. They often nested in aspen groves, but preferred hardwoods, like oaks and coniferous trees, when available.

Favorite food included beechnuts and acorns, and great flocks congregated where and when these nuts were plentiful. But they ate many other things as well—grain and tree seeds of many kinds, weed seeds, berries, wild rice, rose hips, earthworms, caterpillars, grasshoppers and other insects.

Why was it that a bird so abundant became extinct? The answer is plain and cannot be avoided—it was due to the greediness and lack of vision of man.

They were shot, caught in nets and traps, even killed with poles and clubs by men who raided their roosts at night. When the great flocks passed over in spring, small armies of men fired continually into the dense mass of birds—one shot sometimes bringing down 50 and even 70 birds! Their roosts and nesting colonies were raided by market hunters who killed them by the hundreds of thousands. Often, so many were slaughtered that most of them never were picked up, but left to rot where they fell. When shot at, the pigeons became confused and returned again and again to their roost, only to be greeted with another barrage. Sometimes, even cannons were used!

In 1874, market hunters at one nesting site in Michigan shipped out 100 barrels of dead birds daily for 30 days. Each barrel contained some 300 or more birds, or a total for the season of nearly a million. In 1878, from a large nesting near Petoskey, Mich., 1½ million pigeons were shipped out. Prices obtained varied greatly—from a penny apiece, if the market was glutted or they were in danger of spoiling, to $2.50 for a dozen. A fair average probably was around 25¢ to $1.25 a dozen.

The worst feature of this carnage was that, when a nesting site was ravaged and destroyed, the young as well as the old birds died. Unable to reproduce and replenish their numbers, and persecuted during migration and at their roosts, it is not to be wondered that, by 1900, the last passenger pigeon in the wild had been exterminated! A few in zoos survived another decade or so—the last one dying in September of 1914 in Cincinnati.

The wild pigeons never received any protection worthy of the name. A few state laws, attempting to stop the indiscriminate killing, never were enforced and most of them came too late. When a bill to protect the pigeons was introduced into the Ohio State Legislature, it was killed by a committee report stating bluntly: "The passenger pigeon needs no protection." That seems to have been the opinion of the majority of people.

And, so today, visitors to Wyalusing State Park in Wisconsin, located where the Wisconsin River empties into the Mississippi, can see a monument erected to the passenger pigeon. Dedicated on May 11, 1947, the bronze tablet reads:

"Dedicated to the last Wisconsin passenger pigeon, shot at Babcock, Sept. 1899. This species became extinct through the avarice and thoughtlessness of man. Erected by the Wisconsin Society for ornithology."

CLARKSVILLE, TEX., TIMES POINTS OUT DISCREPANCY AGAINST VICTIMS OF VIOLENCE

Mr. YARBOROUGH. Mr. President, every day, we read in the newspapers or see on our television screens reports of new crimes and violence in Washington and throughout the country. All of us in the Senate are concerned with the problems of rising crime. All of us are eager to find ways to deal with this serious problem.

But all too often, I think, our concerns stop with capturing, convicting, and punishing the criminal. Too few of us, it seems, are concerned with what can be done for the victim.

On January 19, 1969, I introduced a bill, S. 9, to provide compensation to innocent victims of violent crime in the District of Columbia and certain other federally administered areas. I introduced this bill in two previous Congresses and on each occasion, I was gratified by the large amount of public support that my proposal received. Once again, I am receiving indications of popular support for this measure.

An example of this support is demonstrated in an editorial published in the Clarksville, Tex., Times of February 20, 1969. The editorial strongly endorses my proposal and also brings up a matter which is of great personal concern to me; namely, that the bill will receive more consideration by both Houses of Congress this year, than in any previous years. I ask unanimous consent that this fine editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

DISCREPANCY AGAINST VICTIMS OF VIOLENCE

California and New York have passed state laws to reimburse persons injured by violent actions of criminals. Discussions relating to this growing problem of loss in varying degrees sustained by innocent victims of law violators are due in a number of legislatures as well as Congress this year. Sen. Ralph Yarborough of Texas has advocated legislation for years to provide relief to persons attacked by criminals. He introduced Senate Resolution 9 in January dealing with this matter.

"The question of compensation to victims is a critical issue," Yarborough asserted, "and it must receive careful consideration if we are to deal with all aspects of violent crime properly.

"Every day in this country we witness a gross discrepancy in the way we attempt to administer justice. A violent crime against a person occurs, perhaps as an assault, a murder, a stabbing or a rape. The attacker is apprehended. What takes place? The attacker may receive free legal counsel, free psychiatric examinations and treatment, hospitalization, food, clothing, and even vocational training or an education, all paid for by the state.

"The victim suffers serious injury, entails great expense, pain and personal loss, but is in no position to obtain any type of adequate compensation from the government that throws every cloak of protection around the criminal."

Yarborough makes a strong case for the victim of violent crimes, but, as he points out, the issue has critical aspects that require much study. Lawmakers at both the state and national levels will likely give it more consideration during the year than previously.

SUPPORT FOR SENATE RATIFICATION OF HUMAN RIGHTS CONVENTIONS—XXVI

Mr. PROXMIRE. Mr. President, the case for support and ratification of the

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human rights conventions is indeed strong. The basic principles behind the Declaration of Independence and the Constitution are the same as those which inspired men of our time to draft the human rights treaties. Our entire American legal tradition seeks to protect the rights of the individual and to shield him from the arbitrary action of government. That is precisely the objective of these treaties.

These human rights treaties are backed by such respected American organizations as: The National Catholic Conference for Interracial Justice, the National Conference of Christians and Jews, the national board of the YWCA, the NAACP, the American Baptist Convention, the American Jewish Congress, the American Jewish Committee, and the United Church of Christ.

Such distinguished Americans as John Kennedy, Lyndon Johnson, Dean Rusk, Arthur Goldberg, and Willard Wirtz—and now President Nixon—have given their strong support to the ratification of these treaties.

I urge Senators to add their "aye" to the American chorus of support for these treaties and ratify the Conventions on Genocide, Forced Labor, and Political Rights of Women.

SUPPORT FOR MONTOYA PRESCRIPTION DRUG BILL

Mr. MONTOYA. Mr. President, on January 29, 1969, I reintroduced a vitally-needed bill to assist the elderly of this country meet their burdensome, catastrophic prescription-drug costs. The measure is being backed by 31 cosponsors from both sides of the aisle. The measure is urgently needed, and I firmly believe that the chances of enacting legislation along these lines at this session of Congress are very good.

Recently the National Council of Senior Citizens, which represents some 2,500,000 senior citizens of the Nation, called attention to my bill, S. 763, noting:

> The National Council of Senior Citizens supports the Montoya drug legislation because it is well conceived, offers a measure of relief from the burden of soaring drug prices and has the backing of nearly a third of the U.S. Senate, Hutton (Mr. William R. Hutton, NCSC Executive Director) declared.

Mr. President, I am greatly encouraged by this strong endorsement from an organization that has the best interests of the elderly of the country at heart. I have enjoyed working with the NCSC on this and other measures beneficial to our older citizens, and I once again welcome their support. I have the highest praise for the NCSC's executive director, Mr. William R. Hutton, and feel the senior citizens of America are fortunate in having an organization such as NCSC looking out for their welfare and in having such an outstanding individual such as Mr. Hutton at the helm.

Mr. President, I ask unanimous consent to have the text of the article, published in the Senior Citizens News, printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Senior Citizens News, March 1969]

Thirty-One Senators Ask Medicare Payments for Out-Patient Drugs

Washington, D.C.—Coverage of out-of-hospital drugs under Medicare had the support of 31 U.S. Senators as this issue of *Senior Citizens News* went to press.

These Senators seek enactment of a bill—S. 763—drafted by Senator Joseph M. Montoya (D., N.M.) to protect the elderly against catastrophic drug expenses.

Under this legislation, seniors would pay the first $25 of prescription drug expense. Then, Medicare would pay an amount to be set in a Federal drug formulary or four-fifths of the retail purchase price—whichever is lower.

HOW LEGISLATION WOULD WORK

The eligible drugs would be determined by a committee of experts.

It is expected most drugs prescribed for treatment of chronic ailments that afflict older persons would be covered under the legislation, Senator Montoya has said.

In a speech on the Senate floor upon introducing the legislation, the New Mexico lawmaker said reimbursement for prescription drugs would be on the basis of the full allowance to be determined by the Government for a covered drug or four-fifths of the out-of-pocket payment for the same drug at a drug store—whichever is less.

A Government drug formulary would be set up giving essential information on drugs to be covered and setting the reimbursement considered reasonable for each drug listed.

DOCTORS NOT AFFECTED

Senator Montoya emphasized that use of the proposed formulary for reimbursement of insured drugs would place no restriction on doctors in writing prescriptions nor would it permit druggists to fill prescriptions with any other product than specified by the doctor.

"In no way would a patient be denied the particular drug his doctor wants him to have," the Senator explained.

Appealing for early action on the legislation, Senator Montoya said: "The views of older people on the need for extension of Medicare to out-of-hospital drugs are well known.

"The elderly have a right to expect that the Senate will move to bring about changes in the present Medicare system which will provide at least some measure of protection against catastrophic out-patient drug expenses."

The need for extension of Medicare to prescription drugs arises from the unconscionably high prices charged for their products by drug manufacturers, William R. Hutton, the National Council's Executive Director, declared.

The National Council of Senior Citizens supports the Montoya drug legislation because it is well conceived, offers a measure of relief from the burden of soaring drug prices and has the backing of nearly a third of the U.S. Senate, Hutton declared.

A drug insurance measure, sponsored by Senator Montoya and 27 other Senators, passed the Senate in 1966 but died in the House of Representatives.

PROSPECTS MORE FAVORABLE

Prospects for Senate enactment of the new Montoya drug bill are good with favorable consideration of the legislation in the House of Representatives considered better than in 1966, the National Council leader declared.

"The reason is the shocking escalation of prescription drug prices since 1966," Hutton said.

As a result, he declared, an estimated 3,000,000 low income elderly must spend between $100 and $250 a year on drugs they need to preserve life and promote health.

Hutton asserted public opinion generally has been aroused by the rapacity of drug manufacturers, as revealed at public hearings conducted over the last two years by Senator Gaylord Nelson (D., Wis.).

TEXAS CLUBWOMEN SUPPORT BIG THICKET NATIONAL PARK

Mr. YARBOROUGH. Mr. President, the Texas Federation of Women's Clubs is a highly respected organization that has lent its support to a great many worthy causes. These women have always worked hard for the improvement of their communities and for the advancement of the State of Texas. That is why I am especially pleased that they have decided to work for the preservation of the Big Thicket in southeast Texas, and to support S. 4, my bill to establish a Big Thicket National Park.

Mrs. Henry F. Shaper, president of the Texas Federation of Women's Clubs, has chosen as one of her special projects, the preservation of the Big Thicket as a national park. The clubwomen have been urged to support my Big Thicket Park bill. They are also involved in educational activities which support the preservation of the Big Thicket.

At a recent meeting of the Women's Shakespeare Club in Denton, Tex., Mrs. Carl Marder presented a program on the Big Thicket in which she outlined the steps being taken to protect this beautiful land. I ask unanimous consent that an article entitled "Club Women Asked To Help Support Texas' Big Thicket," published in the Denton, Tex., Record Chronicle of January 30, 1969, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Denton (Tex.) Record Chronicle, Jan. 30, 1969]

Clubwomen Asked To Help Support Texas' Big Thicket

Mrs. Carl Marder III presented a program on The Big Thicket at the general meeting of the Women's Shakespeare Club.

Mrs. Henry F. Shaper, Texas Federation of Women's Clubs president, has chosen as one of her special projects the preservation of the Big Thicket in East Texas as a national park.

Clubwomen have been urged to write United States government officials to urge support of the Big Thicket Park bill S4 which has been introduced by Sen. Ralph Yarborough.

Mrs. Marder said that the area is one of the nation's most remarkable wildernesses and it is disappearing at an alarming rate. It once covered 3.2 million acres in all but now covers only about 300,000 acres. She said it is being destroyed at the rate of 50 acres a day.

Mrs. Marder explained that the Big Thicket, located in Polk, Liberty, Tyler, and Hardin counties, is valuable to botanists, scientists, students, tourists and others but is a disappointment to visitors because facilities are so bad.

Over 300 species of birds are found there including the magnificent Ivory Billed Woodpecker, for some years considered extinct, she said.

The Thicket contains trees thought to be as old as 1,000 years. There are rare leatherwood and golden pines as well as the tallest cyprus trees in the world. Mrs. Marder commented that much of the region had been destroyed by logging operations.

The area contains rare wild orchids and four of the five meat-eating plants found in

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America. Scientists estimate the presence of more than 1,000 species of fungi and algae yet unclassified.

Panthers, bobcats, ocelots and black bears weighing up to 400 pounds are found in the Thicket. At one time, a colony of monkeys were spotted there, Mrs. Marder told the club.

The only Indian reservation in Texas is located in the Big Thicket.

Clubwomen and others interested were asked to write letters to the following people stating that they favor preservation of 100,000 acres of the Big Thicket as a National Park; President Richard M. Nixon, The White House, Washington, D.C.; Hon. Ralph Yarborough, Senate Office Bldg., Washington, D.C.; Hon. John Tower, Senate Office Bldg., Washington, D.C.; Hon. John Dowdy, House Office Bldg., Washington, D.C.; Hon. Walter Hickel, Secretary of the Interior, Washington, D.C.

Aid is possible also by joining the Big Thicket Association (dues $5, tax deductible). Checks should be made payable to The Big Thicket Association and mailed to Mrs. Laura Mitchell, Saratoga, Texas.

Hostesses for the club meeting were from the Modern Arts and New Horizons department.

UNION BACKS STEEL IMPORT RESTRICTIONS

Mr. **HARTKE**. Mr. President, on February 25 I introduced S. 1164, a bill to establish limitations on steel imports. The bill rests in part on findings in a Finance Committee study concerning the industry and its diminishing capacity to cope with the flood of steel imports, which results in part from the establishment of new steel production facilities in other parts of the world. With capacity outrunning their own national needs, and with the assistance of their governments, foreign firms are increasingly making inroads both on our traditional export market and, even more dangerously for our own economy, on our own U.S. market.

As I have noted previously in speaking of the bill, in which more than 30 other Senators have joined me, support for restrictive legislation comes not only from leaders of the industry and such organizations as the Iron & Steel Institute, but also from leaders of the United Steelworkers of America. Such a united labor-management position indicates the undeniable fact that the situation not only has potential threat for the profitability of the industry but also poses a real threat to jobs within the industry, which of course is the primary concern of the union.

Recently, the Steelworkers' president, I. W. Abel, spoke on this topic before the Cleveland City Club Forum. His February 7 address, which preceded the introduction of my bill, points up precisely the facts upon which it is based. I ask unanimous consent that a report of Mr. Abel's address, published in the current issue of Steel Labor, may be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

ABEL SCORES OVERCAPACITY, OVERPRODUCTION AS CAUSES OF IMPORT CRISIS

CLEVELAND, OHIO.—USWA President I. W. Abel has reiterated the union's serious concern over the rapid rise in foreign steel imports which threaten the jobs and wage standards of Steelworkers.

In an address Feb. 7 before the Cleveland City Club Forum, Mr. Abel said "we have been urging the Congress—and so has the industry—to pass legislation establishing import quotas, in order to halt the inroads of foreign producers.

"We have not succeeded in winning such legislation but there has been progress on another front. Just a few weeks ago, the State Department announced that Japanese and European steel producers have agreed to restrain their exports to the United States for three years—through 1971."

The countries, which he identified as Japan, France, Italy, Belgium, Luxembourg, The Netherlands and West Germany, are going to hold their exports to the United States to 11.5 million tons this year but the total will be allowed to increase five per cent next year and another five per cent in 1971, Mr. Abel pointed out.

"This means that when you include the imports of nations not party to the agreement, imports this year will total about 14 million tons—about 4 million less than were imported last year. However, without any restriction," President Abel emphasized, "it was estimated that foreign steel imports would have gone to 22 million tons by 1971."

He said that while this is a step in the right direction and represents progress on the import problem, it doesn't do what the USWA thinks must be done to fully protect the jobs of Steelworkers. Instead, he said the USWA believes that imports should be held to a total of 12 million tons per year—and they be allowed to increase only two per cent a year—not five per cent.

To dramatize the seriousness of the steel import problem, Mr. Abel told the Cleveland Forum what last year's total imports would mean to Cleveland's economy and to the USWA members in that area: "The 18 million tons imported last year is about six times greater than the shipments of steel mill products in 1968 by Republic Steel's operation in Cleveland and about 2½ times greater than Republic's total tonnage throughout the country."

He cited "over-capacity" and "over-production" as the real reasons for the import problem and said that a recent study by the U.S. Senate's Finance Committee estimated that steel capacity would continue to exceed world demand—that from 1965 to 1970 world capacity would be increasing at the rate of 33 million net tons a year.

The study, which was completed before the voluntary agreement on imports was reached, noted that "foreign steel producers have a tradition of cutting export prices below total costs rather than to restrict operations." Mr. Abel pointed out that there is reason, therefore, to fear that foreign steel industries will not act prudently and adjust output and prices to levels permitting a reasonable return on sales and investment.

The USWA spokesman, quoting the study, added that "the concern is that foreign steel producers, facing further deterioration of their financial status, will continue to sell increasing quantities of steel in the United States at prices which do not fully reflect their full and direct costs, with the collaboration of their governments."

The study concluded that "no private industry can, in the long run, survive in competition with foreign industries which have become 'instruments of governments,' unless its own government helps against subsidized imports."

President Abel assured that the Steelworkers Union will continue to press for a more permanent solution to the steel import problem "so that a fair trade relationship can be established and the jobs of our members can be protected more effectively."

LABOR LAW REFORM ARTICLES

Mr. **FANNIN**. Mr. President, the Chamber of Commerce of the United States, in its Washington Report on Labor, has begun a series of articles dealing with needed reform in certain areas of labor law. It was my privilege to have the opportunity to explain one of my bills, S. 424, as the first article in the series. I think the coming series will do much in the way of informing American businessmen of the specific labor law reform proposals as they are introduced in the 91st Congress.

The chamber is to be commended for this educational effort to spread information concerning specific abuses of the current labor laws. I ask unanimous consent that the introductory article and other items relating to it be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

SERIES OF ARTICLES WILL EXPOSE UNION ABUSES

WHY WE NEED LABOR LAW REFORM

More than three years have passed since the National Chamber initiated an intensive study of the growing labor problem through a new Blue Ribbon Committee of 100 Lawyers for Labor Law Reform. The need was obvious to all businessmen.

Today the need is even more compelling as unions abuse their power and scorn individual rights under the shelter of a friendly National Labor Relations Board.

Growing evidence of the problem has widened business support and mobilized the public to the point where congressional reaction—and action—is within reach.

Proof of this can be found in public opinion polls and results of the November elections. A poll by Opinion Research Corp. released last year showed increases in the number of citizens who believe that unions are strong enough or have grown too large, and should be regulated by the government, or were critical of unions in one way or another.

In the last election, the AFL–CIO's Committee on Poltical Education (COPE) made Labor Law Reform an issue and went all-out, investing a record amount of money and manpower, in futile efforts to defeat Richard M. Nixon for President and most Republican candidates for Congress.

Support of the Labor Law Reform program has widened to include other business organizations. Recommendations stemming from careful analysis of existing laws and the problems are being constantly reviewed and revised and will be presented to Congress at the appropriate time.

It is no surprise that the NLRB is the prime target. Its decisions have been widely condemned as biased not only by employers, but by many who could be described as neutrals. NBC Commentator David Brinkley has charged that this supposedly judicial agency "behaves like a Department of the AFL–CIO and is about as neutral as George Meany (AFL–CIO president)."

The co-author of the 1959 Landrum-Griffin labor reform law, Sen. Robert P. Griffin (R-Mich.), accused the Board of being "determined to impose its own policies" with little or no regard for those laid down by Congress.

With this article, Washington Report on Labor introduces a series which will illustrate by case examples the need for labor law reform. Abuses covered will include:

Union members fined for crossing a picket line.

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Union members fined for exceeding production quotas set by the union.

Featherbedding and other restrictive union practices which add to costs and fan the inflation threat.

Union monopoly power which has created an imbalance in collective bargaining power.

Forcing workers into a union which they have not selected by secret ballot and does not have majority support.

Special privileges for unions will be removed and equity restored for individual workers and management alike when a majority of Congress is convinced of the need. We hope this series will help get the message across. We invite your support and cooperation.

PROBLEM: UNION WHIPS MEMBER FOR EXERCISING RIGHTS

WHY WE NEED LABOR LAW REFORM

Richard C. Price has good reason to wonder how his government protects him when his *rights* conflict with the *privileges* granted to unions.

As a member of United Steelworkers Local 4028 in Santa Clara, Calif., he was put on "trial," fined, harassed, suspended, blacklisted and deprived of his job—all with the later approval of the National Labor Relations Board. Mr. Price's crime? Circulating a petition seeking to decertify Local 4028 as bargaining agent and replace it with another union that he and other employees felt would better serve their interests.

Mr. Price didn't object—at first—when he was required to join the union in 1951 because of a union shop contract. He worked his way up from helper to crane operator. Eventually he became disillusioned with the union because, as he told fellow workers, "it didn't fight for us." That's when he stopped advancing in his work and his troubles began.

The unionist not only dared to voice his opinions, but even drove 50 miles to NLRB's regional office to find out what more he could do to protect his interests. With assurances from the Board attorney that he had a legal right to do so, Mr. Price took the leadership of a group that was dissatisfied with Local 4028.

Leaders of Local 4028 retaliated quickly. In 1964 Mr. Price was brought before a kangaroo court and put on trial for "undermining the union." The president at first peremptorily refused to poll the members, allow him to speak in self defense, or take a secret ballot. The verdict was rendered by a show of hands, and Mr. Price stood convicted. Less than one-third of the local's membership was at this meeting. He was fined $500 (later withdrawn), suspended and charged the cost of his "trial."

He returned to the NLRB, expecting support and help. While waiting for a decision, he was harassed continuously and told by his foreman to "stop filing petitions." When he left work for an operation, the union prevailed upon the company to refuse to take him back.

After a year of this, word came back from Washington. The Board, admitting that he did have the legal right to file the petition, nevertheless ruled the unions "disciplinary action" to be permissible. The decertification petition, the Board reasoned, threatened the union's "very existence."

Still not giving up, the victim appealed all the way to the Supreme Court. Last June—four years after his union "trial"—his request for review was turned down.

At 35 years of age, Richard Price is nervous, bewildered, and unable to find a job in the industry for which he is trained. He is a beaten man.

"The NLRB listened to the company and to the union," he muses. "They paid no attention to me. The little guy just doesn't stand a chance."

It's for the "little guy" that we need labor law reform.

ONE SOLUTION: FANNIN LABOR LAW REFORM BILL LIMITS UNION FINES

(NOTE.—Senator PAUL J. FANNIN, Republican, of Arizona, a former member of the Senate Labor Committee and longtime supporter of the Chamber's reform efforts, is introducing a series of bills to achieve various labor law reform objectives. In this article, Senator FANNIN explains how one bill, S. 424, would prevent inequities to union members.)

S. 424, dealing with the opportunity for unions to levy fines against members, is one of a series of bills which I have sponsored to protect the rights and privileges of the individual union member or employee.

This bill would amend the National Labor Relations Act to prohibit the levying of punitive fines by unions against members for exercising their rights under the Act. Presently a member may be fined by a union for simply doing what the law says he has a right to do.

Under this proposal, for example, a union could not fine a member for exceeding production quotas set by unions, nor could it levy a fine for crossing union picket lines, or filing decertification petitions to get rid of a union no longer representing the employee's best interests. Unions have even fined members who testified in proceedings before the National Labor Relations Board!

My bill would outlaw all such punitive union measures presently exercised against members when they utilize their legal rights.

The argument has long been advanced that a union should have the right to discipline its own members. I will accept that argument *if* the unions will allow a man to voluntarily associate himself—or choose not to associate himself—with the union. The big problem is that the unions want to have their cake and eat it, too.

It seems plainly unfair to me to require that a man join a union and then require that he agree with every action of that union or pay a fine. We are not just discussing token fines here. Some of these union-imposed levies run into the thousands of dollars.

It seems to me that unions which can compel payment of dues or their equivalent fees cannot be regarded in the same light as private voluntary organizations, which are, and should be, free to impose on their voluntary members any set of rules they choose.

Passage of this bill will carry out the intent of Congress that the rights given to unions should be balanced by an equally heavy scale of responsibilities.

HONESTY AND INTEGRITY AT AUGUSTA COLLEGE, GA.

Mr. TALMADGE. Mr. President, in these times of student turmoil and youthful unrest we hear too much, I believe, of those young people who erupt in violence on college campuses and in the streets, who seem bent on the complete disruption and even destruction of society, and who have shown a total lack of integrity and responsibility in dealing with their own campus problems and the problems of the Nation.

It is, therefore, refreshing to read for a change of someone who stands taller and straighter than all the rest who have been making headlines across the country and to hear about a young man who demonstrates the honesty, responsibility, and perseverance that characterizes an overwhelming majority of American youth.

Danny Egan, a student from Augusta, Ga., having to work his way through Augusta College, happened upon a sack containing $4,000 in currency. No one was around and that money would have solved a lot of Danny's financial problems. But as we read in the Augusta Chronicle-Herald, there was a question of honesty and integrity.

I like to see things in the newspaper about young people who are too busy working to get through school to have time to riot and create all kinds of disorder. They set a very good example. They are the ones in whom I prefer to put my trust for the future of America, and not the others, the troublemakers and the rabble-rousers.

I bring the Augusta newspaper article to the attention of the Senate, and ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HONESTY IS BYWORD FOR DANNY

So you think the younger generation is "going to the dogs?"

Take a look at Danny Egan, and you might change your mind.

Egan, 20, works nights at a local mill to pay his tuition at Augusta College. A couple of weeks ago he had a chance to make a quick $4,000, and he turned it down.

It never crossed his mind to do otherwise.

What happened was this:

Egan was reporting for work at John P. King Manufacturing Co., where his timekeeping job helps to pay the bills of today's higher education.

"I went up a couple of steps to unlock a door to the mill to get in," said Egan. "When I bent over to unlock the door, I kicked a sack. I saw that it wasn't empty, so I picked it up."

The bag was full of money.

Egan started counting it. The total came to $4,000.

There was a note attached to the money: "I stole this from King Mill and want to give it back."

Egan, son of M. Sgt. and Mrs. Joseph Egan of 3044 Jeanne Rd., tried to call his supervisor and, when that failed, he called the police.

No one saw Egan pick up the paper bag or count the money. He could have kept it, but the thought never entered his mind. There was no question of need. College would be out of the question without the job.

But here was a question of honesty and integrity.

So the money went to officials at the mill, who added it to the company's assets.

Authorities at the firm studied the note, but they were unable to find any leads in the scribbled note. The firm speculated that the money was repayment for stolen material, merchandise or cash taken many years ago. Egan was given a $100 reward.

Meanwhile, Egan continues to work his split shift at the mill, meeting his college bills and academic requirements on a schedule that leaves little free time.

So you think the younger generation is "going to the dogs?"

Take a look at Danny Egan, and you might change your mind.

THERAPEUTIC EQUIVALENCY OF DRUGS

Mr. NELSON. Mr. President, the issue of therapeutic equivalency as between drugs sold under their official—generic—and by their trade names has been a major matter of consideration during the hearings of the Senate Small Business Committee's Monopoly Subcommittee which we have been conducting in our investigation of competitive problems in the drug industry.

The November 18, 1968, issue of the Journal of the American Medical Association carried as its lead article a paper entitled "The Generic Inequivalence of Drugs," written by Alan B. Varley, M.D. An editorial in the same issue of the AMA Journal was entitled "Generic Drugs and Therapeutic Equivalence" and drew a number of conclusions based in large part upon Dr. Varley's article.

Dr. Varley reported on a laboratory study conducted between "Commercial Tolbutamide Tablets" and "Experimental USP Equivalent Tablets." The only commercially available tolbutamide tablets in the United States are manufactured under the trade name of Orinase by the Upjohn Co. of Kalamazoo, Mich. Dr. Varley himself is medical director of pharmaceutical marketing for the Upjohn Co.

On the very same day that Dr. Varley's article was published in the AMA Journal, Dr. John G. Wagner, of the University of Michigan, College of Pharmacy and University Hospital, read Dr. Varley's paper before a national meeting of pharmaceutical scientists in Washington, D.C. While only Dr. Wagner's present affiliation was listed in the program, he had been employed by the Upjohn Co. until a few months earlier.

Dr. William Bean of the University of Iowa Medical Center testified before the Senate Small Business Committee's Monopoly Subcommittee on December 11 and referred to Dr. Varley's AMA Journal article. Dr. Bean testified that—

> When influential M.D.s have important academic and administrative posts as drug promoters, the conflict of interest is automatic rather than merely possible.

Dr. Bean has also stated in a published article that—

> A physician who is in the pay of a pharmaceutical manufacturer is in no position to keep public confidence in his objectivity.

The concern expressed by Dr. Bean to the Monopoly Subcommittee appears to have been neither idle speculation nor exaggeration. Dr. Varley's article had the professed purpose of denigrating the official compendium standards as evidenced by his repeated assertions that "USP-type specifications are clearly not a satisfactory answer." Dr. Lloyd C. Miller, the highly respected Director of Revision of the USP, has taken strong exception to the Upjohn Co.'s Dr. Varley's statements and has replied vigorously to Dr. Varley's attack on this world-recognized authority in the establishment of drug standards. Dr. Miller points out:

> The pharmaceutical scientists of the USP try to set standards that will give the physicians reproducible results both between lots of a given brand and between brands of the same generic drug product.

Dr. Miller also points out that Dr. Varley, as a physician, has a personal professional responsibility to contribute in a positive way toward the improvement of USP drug standards. Dr. Miller also points out that the Upjohn Co. is the sole American manufacturer of this article and, as such, the company and Dr. Varley, as its representative, have a moral obligation to call any deficiencies which may exist in the USP standards to the attention of the USP authorities.

While it has been months since this article was published and even additional months since the study was conducted, it is my understanding that neither Dr. Varley nor the Upjohn Co. have as yet conveyed such information to the USP authorities. This is a typical example of the propaganda effort which the drug industry has been engaging in on a broad scale with the obvious purpose to destroy public confidence in the official standards and the general quality of drug products.

Dr. Lloyd Miller in a letter to me stated that:

> This article reports nothing more than the successful execution of a pharmaceutical trick. For medical newsworthiness, it doesn't begin to compare with some of Houdini's exploits. Thus it seems to me that the Editor of JAMA is due criticism for assigning the lead-article position to this report and for making the very exceptional grant of 2-color treatment to the two charts. You may note the mention made of the fact that Mr. Graham of the Upjohn staff is one of the 60 members of our current Revision Committee. Mr. Graham was not aware that the article was in preparation and has been unable to obtain for our testing any of the two lots of Tolbutamide Tablets that Dr. Varley studied. In short, through accident or deliberate company policy, this attack on U.S.P. standards was planned to exploit the differences observed and to avoid making use of the most effective means of correcting them.

Mr. President, I ask unanimous consent that Dr. Miller's March 4, 1969, letter to Dr. Varley be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MARCH 4. 1969.

ALAN B. VARLEY, M.D.
Kalamazoo, Mich.

DEAR DR. VARLEY: Perhaps the long delay in its arrival will be the only cause for surprise in our offering comment on your article, "The Generic Inequivalance of Drugs," *J. Am. Med. Assoc.* 206:1745 (Nov. 18) 1968 which obviously has the object of downgrading the U.S.P. Actually, we are not sure we would be writing had you not repeatedly included the name of the Pharmacopeia in your blanket condemnation of physical-chemical specifications of drugs and drug products. However, we do see other grounds for criticism also.

Clarification of the semantically muddled concepts of "equivalence" is a laudable objective; however, we wonder if at this stage the muddling is not far beyond the corrective efforts of any single individual. The Academy of Pharmaceutical Sciences has recently issued a draft of a statement and, in our view, that distinguished body has failed utterly to improve matters. Your former colleague, Dr. John Wagner, has perhaps kept you advised on that score.

On the constructive side, we believe that it would help greatly to reserve the word "drug" for the active agent only, and to use the term "drug product" for the drug combined with other ingredients in the form by which the drug reaches the physician, pharmacist, nurse, and ultimately, the patient. These two terms seem to be on their way to acceptance through rather consistent use by the Pharmaceutical Manufacturers Association, the American Society of Hospital Pharmacists' computer file of drugs, by FDA staff in recent talks, and in much of the recent, pharmacy-oriented literature. I am sure that, on re-reading your article, you would find it clearer if this distinction had been made, and we will use the terms, drug and drug product, in that context in the following comments enumerated below.

1. A general condemnation of "chemical" specifications (your last sentence) for drug products is not justified, we believe.

a. Pharmaceutical manufacturers generally have had excellent results in controlling batch-to-batch consistency of most of their drug products with physical and chemical tests alone;

b. Such tests are usually far more sensitive in establishing differences among drug products than clinical studies of therapeutic efficacy can possibly be. For example, with physical-chemical tests we can reasonably require that Aspirin U.S.P. be 99.5% pure acetylsalicylic acid and be sure that water accounts for almost all of the remaining 0.5%; with these same tests, we might require that Aspirin Tablets U.S.P. contain 99.5 to 100.5% of the labeled amount of pure acetylsalicylic acid—but this would scarcely be reasonable, since there are more variables in the manufacture of the drug product than in making the drug. Therefore, the U.S.P. standard for Aspirin Tablets, a *chemical equivalence specification,* sets 95% and 105% of the labeled amount as the limits on the content of pure acetylsalicylic acid. This is a reasonable production standard even though it represents a degree of precision quite beyond that attainable by measurement of therapeutic response. On the basis of some personal experience with tests of analgesics and other drugs, I suggest that your "ideal criterion for establishment of therapeutic equivalence—trial of comparative efficacy in appropriately disease-afflicted patients" is wholly unrealistic for distinguishing among Aspirin Tablets or for that matter, different formulations of most other drug products. In short, at best, physicians can seldom detect drug product differences of the sort generally picked up readily by properly chosen and applied chemical and physical tests.

2. Your general condemnation of "U.S.P.-type" specifications for drug products is not justified, in our view.

a. Equating "chemical" and "U.S.P.-type", as you have, betrays a glaring unfamiliarity with U.S.P. specifications. For reasons set forth above, the U.S.P. Revision Committee prefers the precision of physical-chemical tests whenever they are appropriate. However, numerous U.S.P. drug and drug product specifications are biological in nature, e.g. insulin, digitalis, tubocurarine, etc. Prior to the development of physical-chemical methods for quantifying cyanocobalamin, your "ideal criterion" was the best we could muster in standardizing Liver Extract, Liver Injection, and Crude Liver Injection on a batch-by-batch basis for nearly 15 years. The U.S.P. has a solid history of using the types of tests consistent with the expertise and scientific knowledge of the times which are best suited to the needs of the particular drug product.

b. We heartily agree with the substance of your comment that "The fact remains that it *is* (italics yours) clearly possible to produce considerable differences in both availability of drug to the human patient and in eventual therapeutic usefulness by making tiny changes in the formulation which are clearly within present U.S.P. chemical equivalence standards." In short, the ingenuity of our very talented pharmaceutical chemists can be put either to good or bad use.

In the light of this, what sets U.S.P. policy in this area? Briefly stated, the pharmaceutical scientists of the U.S.P. try to set standards that will give the physicians reproducible results both between lots of a given brand

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and between brands of the same generic drug product.

All too often, physicians are of no help whatever in this regard. For example, there has never been an assay for Coal Tar because no one seems to know what it contains that accounts for its usefulness to dermatologists. Thus, in effect, neither the active ingredient nor its vehicle are standardized. As another example, the physicians on the U.S.P. Revision Committee have agreed that 1.1% of hydrocortisone acetate is a desirable amount of drug to have in an ointment but decree that the choice of base should be left to the individual prescriber for the particular condition he is treating and the area of the body being treated. We might elaborate at length on the differences, but the fact is that they are numerous and substantial. We have exchanged considerable correspondence with experts in your company on this very point.

There are U.S.P. scientists and practitioners who believe that every U.S.P. drug product should have a specified formula. The very thought of such a requirement would raise hackles a foot high all through the drug industry!

3. It should be recognized that tightening of standards is rarely due to physicians' requests as a result of therapeutic failures but nearly always to efforts of pharmaceutical scientists aimed at improving the product. A case in point is the dissolution testing which you report using with Tolbutamide Tablets. Studies of dissolution rates came about as a result of attempts to improve on the disintegration properties of tablets and to correlate those properties with absorption of the drug from the drug product into the blood.

I do not wish to imply that physicians are not interested in drug standards, least of all the physicians of the U.S.P. Committee of Revision. I am merely saying that the physical-chemical methods of the pharmaceutical scientist generally lead to more sensitive and precise standards for drug products than do any measurement of therapeutic response by a physician.

The foregoing applies to "availability equivalence." The pharmaceutical scientist can set dissolution rates which help to assure batch-to-batch uniformity of the drug product. Your article reported this as the distinguishing measurable difference between the two Tolbutamide Tablets discussed. Yet absorption does not vary consistently with differences in dissolution rates. When does a dissolution rate profile, obtained with a specific instrument and procedure, reflect real differences in availability equivalence? If we can establish that for a U.S.P. drug product, it will promptly become a part of the standard even if availability equivalence is *not* an indication of *detectable* therapeutic differences!

This position evolves from the conclusion that a dissolution rate test is a reasonable addition to the physical-chemical testing armamentarium, and that some day the art of therapy using that drug product may advance to a point of greater sensitivity in detecting therapeutic differences. Conversely, if availability equivalence can indicate therapeutic differences but no dissolution rate test can be devised which consistently reflects availability from different formulations of a particular drug product, the absorption test itself can become a part of the U.S.P. standard. Then the U.S.P. Revision Committee will have to decide how the standard shall be applied; i.e., whether all formulations of that drug product should meet a specific availability standard, or whether to allow variations in the rate of availability provided the label declares the rate for each specific formulation.

4. As a physician, *you* individually have a responsibility for U.S.P. standards.

a. In almost all other countries, an agency of the government sets the standards of quality for drugs and drug products. In America the professions do it (except for antibiotics and biologicals where, for one reason or another, a government agency has been given specific authority by the Congress). The United States Pharmacopeial Convention antedates both the American Medical Association and the American Pharmaceutical Association, not to mention federal food and drug legislation. The U.S.P. Convention is the only organization in this country based equally on institutions and organizations representing the scientist-educators and practitioners of medicine and pharmacy and supplemented by organizations of scientists of related skills. The members of the U.S.P. Committee of Revision, 20 physicians and 40 pharmaceutical scientists, are elected by the delegates from these organizations. Many of those elected are associated with pharmaceutical manufacturers, either at the time of their election or subsequently during their term of service. As a physician and as a researcher employed by a pharmaceutical manufacturer, you should have a special interest in ensuring that this professionally-responsible organization establishes the best standards for drug products of your manufacture. U.S.P. standards are not set by the U.S.P. staff; they are worked out through the concensus of the experts on each drug and drug product, whoever and wherever they may be.

b. At present, your company is the only American manufacturer of Tolbutamide U.S.P. and Tolbutamide Tablets, U.S.P. Therefore, our U.S.P. standards largely reflect the experience and needs of your company. If there is any deficiency in these standards, we would expect your firm to be the first to call them to our attention. As a matter of fact, the late Dr. Glenn Bond and Mr. C. Leroy Graham of your firm were elected to the U.S.P. Committee of Revision in 1960. In rendering service on the U.S.P. Committee, both distinguished themselves as first-rank statesmen. Mr. Graham also serves on the National Formulary Board and, furthermore, is a member of the U.S.P./N.F. Joint Panel on Physiological Availability, a panel which has been working diligently on the very object of your complaint.

The Panel has recently advised the U.S.P. and the N.F. to standardize on two dissolution test procedures from among the many which have been proposed. To build up experience and data, we welcome the receipt of samples of two formulations of any chemically equivalent drug product which have been found to provide consistent and significantly different blood levels.

Sincerely yours,

LLOYD C. MILLER, Ph. D.,
Director of Revision.

RICHARD GOODWIN DISCUSSES THE SOURCES OF THE PUBLIC UNHAPPINESS

Mr. McGOVERN. Mr. President, one of the most thoughtful and informed commentaries I have read in recent weeks dealing with the discontent and ferment in our society, is a piece by Richard Goodwin, entitled "Sources of the Public Unhappiness." The article appeared in the January 4, 1969, issue of the New Yorker magazine. I believe that this article, authored by one of the Nation's most brilliant and creative men, will be of interest to my colleagues. I therefore ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SOURCES OF THE PUBLIC UNHAPPINESS

All political movements are efforts to redistribute power. That's all politics can do. It can't create wealth or bestow happiness. It can, however, grant to people and institutions the power to decide public issues that can affect our economic welfare, the physical setting of our lives, and even our personal contentment. The character of men chosen to hold office, the nature of the office, and the limits placed on the range of the officeholders' public actions often determine the substance of those decisions. That's why politics is important. The United States government has been unusually stable partly because political issues have rarely been discussed in terms of power. Candidates promise to help the poor or suppress them, to end wars or escalate them, to reduce spending or rebuild cities, and sometimes to do all these things at once. Rarely do they challenge the distribution of power directly, even though their policies may compel large shifts. (For example, in the course of fighting a depression the Roosevelt Administration took much of the power of economic decision away from scattered private centers.) This observation yields at least one useful dividing line between the blending concepts of evolution and revolution. Evolution occurs when power shifts in the course of an attack on particular problems. A revolution is a direct and explicit assault on those people or institutions that hold power in favor of those that want it. (Of course, particular grievances help trigger revolutions, as, in our own, opposition to British taxation became opposition to British rule.)

The temperament we brought from Britain, combined with extraordinary resources taken from nature and the Indians, has made us a rational and pragmatic people—the creators of an evolutionary nation. (That is not the whole story, of course, since it is possible to be rational and pragmatic in pursuit of foolish or monstrous goals, but one source of values is an acute sense of possibility.) Generally, we become aware of a problem, decide to solve it, and, in doing so, find that reason or expediency requires some change in the structure of power. We may set up a new government bureau or pass a law. Today, however, we are in one of those rare periods in our history marked by a large and serious revolutionary movement. There is serious discontent not only with what we as a nation are doing but with who is doing it. There is a challenge to the "power structure" itself, which means simply the methods, institutions, and people by which decisions affecting the public are made. We see this explicitly in the recent pronouncements by George Wallace, the manifestos of the New Left, and the demands of black militants. However, it is also a principal focus for the new politics of the middle class, as the response to Eugene McCarthy and Robert Kennedy revealed. Although this "movement" takes its tone and its issues from the nature of modern life, it returns us to the seminal debate between the forces of Alexander Hamilton and those of Thomas Jefferson. That, too, was a debate about power. Putting aside the relative merits of Jefferson's agrarianism and Hamilton's capitalism—both largely irrelevant—one side of the argument called for the centralization of power, in the interests of order and the economy, and the other, Jefferson's side, demanded the diffusion of power and the right of the citizen to participate in decisions, even at the price of economic efficiency. (Today's conservatives are trapped in the insoluble dilemma of demanding more order, even on a world scale, and less power for government, but when a choice is forced, they invariably prefer order; this is why the new conservatives, like Goldwater, are rejected by the old conservatives, like George Aiken, of Vermont—one lives by fear and the other by trust.) For years, textbooks have routinely praised Jefferson's idealism while asserting that Hamilton's view was the wave of the future, bound to dominate American devel-

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opment for all time to come; Jefferson was a wonderful romantic, and Hamilton was the realist, and in proof of this historians invoke Jefferson's own conduct in the Presidency, which aggrandized the nation.

Whatever modern revisionists do to this traditional analysis, it appears that Jefferson's day may yet come. Much that he said, if it were stripped of eighteenth-century stateliness and equipped with one or two four-letter words, could be incorporated into an S.D.S. manifesto or shouted at a Yippie rally. For example, he warned, "Were we directed from Washington when to sow, and when to reap, we should soon want bread," and "When all government . . . shall be drawn to Washington as the centre of all power, it . . . will become as venal and oppressive as the government from which we separated," and "If ever this vast country is brought under a single government, it will be one of the most extensive corruption, indifferent and incapable of a wholesome care." And he stated his general principle of government by asserting, "It is not by the consolidation, or concentration of powers, but by their distribution, that good government is effected." (Almost a century later, Emerson added the advice to "do your thing" to this political theory, which also contained warnings against a military establishment, foreign involvements, and any use of coercive power.) Today, these Jeffersonian ideas have a greater vitality than at any other time since they were written. If anything, their relevance has been increased by modern technology, for it has stripped us of the protections of distance and time, which once compelled a certain diffusion of power.

The issue of power—who shall have it and how it shall be exercised—is the overwhelming political issue of modern times. In fact, it is far more than a political issue; it penetrates our social, economic, and personal life. Nor is it simply an American problem; it plagues the entire affluent West. And if it is different in the developing countries, that is only because they are preoccupied with urgent difficulties of poverty and oppression which we have largely overcome. Thus, their politics reflect more traditional clashes between economic and social groups. The issue, more than any other, explains the appeal and the ascendancy of Senator McCarthy and, more ominously, the attraction of George Wallace. It is now a source of enormous turbulence, but it can become the cement of a new style of national unity. The year 1968, with its monstrous dislocations, has forced this issue to awareness. The campaign against President Johnson was one of the currents that helped bare the roots of public unrest.

At the beginning of 1968, the country, although far from quiet, seemed set in a relatively conventional political pattern. The president would run for reelection, stressing his domestic accomplishments and defending the war in Vietnam. To those then in power and to expert outside observers, Senator McCarthy's campaign seemed a trivial and somewhat puzzling annoyance. The Senator himself said at first that his purpose was only to give people a chance to make a "reasoned judgment" about the war, to conduct a sort of "referendum" on Vietnam—and ultimately his campaign illuminated and reinforced an overwhelming public discontent with our policies in Vietnam. As he campaigned, however, it became apparent that the public unhappiness far transcended the war. If Senator McCarthy had campaigned on that issue alone, it is doubtful if he would have received more than twenty per cent of the vote. But other issues began to emerge. People were unhappy about our leadership, about the direction of our society, and about President Johnson personally. They gradually became engaged and then excited by the possibility, however remote at the time of the New Hampshire primary, that it was within their power to bring about change. McCarthy's campaign rapidly shifted to embrace these larger issues, placing less and less emphasis on the war itself. In the final two days before the vote in New Hampshire, his campaign repeated a single radio spot every half hour on every station: a voice simply urged, "Think how you would feel to wake up Wednesday morning to find out that Gene McCarthy had won the New Hampshire primary—to find that New Hampshire had changed the course of American politics." By then, there was little doubt that many of those who stopped to think would quickly realize that such an outcome would delight them. For the campaigners had uncovered the "gut" issue of 1968 in its most generalized and explicit form: the desire for change, and its mirror image of discontent with the present. Equally unanticipated, but inevitable in retrospect, was the arrival of students, first by the hundred and then in numbers so large that busloads were intercepted on the roads to New Hampshire because the campaign organization could not handle them all. They came because they opposed the war and the President, but they also came because they had an opportunity to share in the political process, to personally affect important issues. They participated for the sake of their convictions, but they also participated for the sake of participating.

As his campaign progressed, McCarthy introduced a new kind of discourse. He talked about the war and the cities and many of the classic political staples, such as taxes and inflation, but, in addition, he said that the role of government was to liberate people, and not to organize them, that the Presidency had assumed too great power, and that we were threatened by an arrogant and powerful military establishment. These were abstract ideas for politics, and perhaps it was as much the manner and style of the man as anything else that conveyed the message. He did not use the traditional rhetoric of the politician, and he did not feel compelled to present a program or an answer for every ill. But he seemed to be saying that our welfare and our lives did not have to be at the mercy of forces we did not understand and institutions and men we could not control. In so doing, he touched the most sensitive nerve in the American consciousness: the individual's desire for mastery over his own life and environment.

At first, people talked almost exclusively about McCarthy's appeal to the young, and today it seems we have come back to that misunderstanding by focussing on youthful protesters. However, much of McCarthy's support and most of his votes did not come from the young, or the intellectuals, or the liberals. His strength was among the members of the great middle class, the inhabitants of suburban America, who are—more than any other group—our rebels without a cause. The students and the urban poor do have a cause, or a multiplicity of causes: war and injustice and poverty. It is the middle class whose discontent and uneasiness lack aim, and some of whose members found through McCarthy a hope that purpose and value could be restored. How different this is from the usual political dogmas. For these supporters were not asking to be promised better schools or lower taxes, although they want them. They were looking for some way in which they could regain control of and play a real part in the enterprises of society. It was this same nerve that Robert Kennedy touched in two other groups—the blacks and the poor whites—when he talked of the need for community control and local power. No one was more surprised than Kennedy himself when he found that, next to peace in Vietnam, the words that brought the loudest response were a call for decentralizing the government—a term so ponderous that a skilled speechwriter would use it only when he was too tired to think of anything else.

It would be hard to overstate the extent to which the malaise of powerlessness has eaten its way into our society, evoking an aimless unease, frustration, and fury. It is probably least pervasive among the poor urban blacks, around whom so much of the surface debate about local control and Black Power now revolves. Their grivances are, for the most part, closer to the classic ills that the New Deal was designed to solve. They want jobs and decent homes, a higher standard of living, and freedom from the welfare bureaucracy. If a beneficent government were to provide these rudimentary components of the just life, it would meet most of the present demands of the black community. Of course, even among America's poor, questions of power are more important than they were thirty years ago. For the poor of today are inevitably caught up in the main currents of our society and partake of the general atmosphere of helplessness and drift, and the resistant nature of racial feelings is forcing black Americans toward a kind of separatism as an alternative to the assimilation that was their initial goal. However, these questions can be seen most acutely among those who are neither poor nor black—the American majority. Their psychological plight is both worse and more dangerous than that of the black militant leading a slum riot. For he at least has a cause and a purpose, an enemy, and comrades in the struggle. No such outlets and no human connections so satisfying are available to the man who lives in a middle-class suburb or a lower-income city apartment. And his discontents, unlike those of the poor, have real political weight.

It is impossible to provide an accurate and uniform description of a group of people as large and varied as non-poor Americans. For the most part, such an American commutes to a job that he may like or hate but is most probably indifferent to—indifferent not to the income status it provides but to the products of his labor. It is the job that counts, not the refrigerators or vacuum tubes he produces. He would be among a minority if he felt that his work made an improving difference to the life of his country or his neighbors. At home, he can either sit amid his many purchases or get back into his car and drive to visit friends. There is probably no place for him to talk, and, almost certainly, no neighborhood gathering place where he can meet with friends, discuss the day's events, and share in the satisfactions and concerns of community. If he stays home, he probably watches television, wishing both that he had something better to do and that he could buy the goods that float alluringly across the screen. It is this increasingly atomized and insulated existence that we have created with our wealth. And if this is the suburban man's life, how much less exciting is that of his wife. Perhaps she has gone to college. Yet she does not have a job, nor are there many outlets for her intelligence or her energies. She is expected to stay home, care for children, and shop and clean house, even though hospitals and schools and many other vital services are deteriorating for want of the skills she could provide. What an incredible monster women's education has become. We spend decades instilling the same values of competition and achievement in girls as in boys, even though we can clearly foresee an ultimate collision with the socially imposed responsibilities of housewife and mother and with the mythic compulsions of lover and servant-helpmate. Some of the most ambitious women in the world hasten to confide that they have an "Oriental" streak, as well they may have. The society that sets up this clash of desires provides neither daycare centers for children nor opportunities for the use and development by women of their wasted skills. The frustrations thus generated are aggravated by the absence, especially in our better sub-

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urbs, of any communal park or neighborhood center where women can naturally meet and share experiences.

The life of the lower-income urban white shares many characteristics with that of the suburban citizen. However, the urban white is also trapped in a no man's land between black poverty and what he sees or imagines of middle-class affluence. He has the advantage of being able to express many of his wants in traditional economic terms. However, his discontent is fed both by envy of the more prosperous and by anger at the blacks—not just because he fears the blacks but also because their problems, and not his, seem to be the focus of national concern. That is why it was possible for many members of this group to support Wallace after having supported Robert Kennedy: both men, in very different ways, could be identified with their wants, and both conveyed a deeply emotional sympathy with the importance of their fears and their plight.

The unexciting and envy-producing tone of the non-poor citizen's private life is heightened by the growing remoteness of public life. The air around him is poisoned, parkland disappears under relentless bulldozers, traffic stalls and jams, airplanes cannot land, and even his own streets are unsafe and, increasingly, streaked with terror. Yet he cannot remember having decided that these things should happen, or even having wished them. He has no sense that there is anything he can do to arrest the tide. He does not know whom to blame. Somehow, the crucial aspects of his environment seem in the grip of forces that are too huge and impersonal to attack. You cannot vote them out of office or shout them down. Even the speeches of mayors and governors are filled with exculpatory claims that the problems are too big, that there is not enough power or enough money to cope with them, and our commentators sympathize, readily agreeing that this city or that state is really ungovernable. Even when a source of authority can be identified, it seems hopelessly detached from the desires or actions of individual citizens. Thus, the citizens of Boston woke up one day not very long ago to read that two hundred million dollars' worth of antimissile missiles were scheduled to replace hundreds of acres of nearby woodland. And who could say no? And who was asked? More grotesque and more shattering, we find ourselves in a major war, and our young people shipped off to battle, without any formal expression of consent or support, even by the members of Congress. And we are also aware, in some dim psychic recess, that our President, along with a few people whose names we can't remember, can blow us all up.

This powerlessness, in large measure a product of the complexity and the sheer size of modern society, is a problem in itself. It is a problem in the same way that lack of money or of useful work is a problem. For individuals have a fundamental, instinctive need for a degree of personal mastery over their lives and their environment. The sense of powerlessness is, moreover, greatly aggravated by the failure of our institutions and our social processes to respond to more specific ills. If we were providing good schools, inspiring cities, and safe streets, the degree of public discontent would be far less. If the quality of individual life were being steadily raised, we would be less concerned that we had little share in the process. But that is not the case. The desire to increase our national wealth and distribute it more broadly—a desire that was idealistic in origin and welcome in its consequences—led us to create machinery for both stimulating and regulating the economy. It is not simply that power was withdrawn from private centers and brought to Washington. It is that the use of that power was judged in terms of economic growth, which meant that construction, technology, and expansion were made into self-sufficient virtues. Build a better mousetrap or a bigger housing development and you not only made money, you were a hero of the Republic. Added to this were the exigencies of the Cold War, which persuaded us of the necessity of a large standing army. This was a historic decision, constituting the first irrevocable departure from almost two centuries of compliance with the warning of the founding fathers that such a military force would be a danger to democracy. The military-budget cutting of President Truman marked the last effort to return to the earlier tradition, and the farewell speech of President Eisenhower was an echo of those early warnings. The half peace of the past twenty years has made military forces essential, yet we are victims of some of the consequences against which we were warned. The military establishment has assumed a life of its own, developing more weapons and new ones, often unrelated to rational considerations of security, and, more subtly, leading policymakers to look at diplomatic problems in terms of force. After all, if you are the strongest kid on the block, any passionate argument is bound to evoke at least the passing thought that you could end it with a couple of blows.

Unfortunately, the policies and the institutions we evolved to make ourselves wealthy are not appropriate to the needs of a society in which lack of wealth is not the problem for the country as a whole or for most of the people. It is not simply that we need new values but that our institutions are facing demands they were never shaped to meet. A classic example is the federal housing programs, which were designed to stimulate construction and avoid a postwar depression, and which have failed miserably under the pressure of social demands for slum clearance and the creation of livable neighborhoods. These programs can do a job, but it is not the job we now need done. Moreover, many of our institutions, including our political parties themselves, are led by men who developed their ideas in response to earlier demands, and are therefore unable to understand or cope with a newer set of problems. The worst of these men no longer care for anything except the power and influence they have won, and the best of them are angry because their beneficient and humane intentions are not appreciated. The occasional violence of their response to opposition shows their unawareness that time and change, not particular individuals, have been their remorseless critics.

Asking many of today's institutions to respond to new needs is a little like putting a man on a windowsill and asking him to fly. not only he was not built for flight but if you keep insisting he's likely to turn around and punch you in the nose. When institutions and leaders are faced with demands they barely understand, their reaction is often to become rigid and defensive, and even angry. Perhaps the ultimate symbol of this reaction was the contorted fury of Mayor Daley at the Chicago Democratic Convention, lashing out at a group whose values and aims were totally alien to his experience. It is precisely this phenomenon that led Thomas Jefferson to assert the necessity of periodic rebellion. It seems almost inevitable that the repositories of power and control will react to changing circumstances and a changing environment by hardening their attitudes, narrowing the avenues of access for new ideas and men, and losing the flexibility that gave them their initial glow and effectiveness. What is even more ominous, beliefs that were once tentative and responsive to changes in circumstance tend to stiffen into dogma when confronted by conceptual challenge. When this happened in the nineteen-thirties, we were fortunate enough to get Franklin Roosevelt and a peaceful revolution. When it happened in the eighteen-fifties—a period like our own in many ways the system collapsed in civil war. Unfortunately, the profound nature of modern change resembles the eighteen-fifties more than it does the nineteen-thirties, and there is no Roosevelt in sight.

The same stiffening of established patterns invades the relationship between private institutions and the public interest. The basic pattern of government regulation of business has hardly changed for decades, although much of it is irrelevant, some is oppressive, and many new abuses are unrestrained. The Internal Revenue Code of 1954, despite its grotesque inequities—some of which are actually harmful to wealth and business—appears to be engraved in marble. We cannot stop incredibly wasteful subsidies to groups like the shipbuilders and large-scale farmers, even though their political power has almost evaporated, while at the same time it is extraordinarily difficult to supplement the income of more needy and numerous groups. No demonology of power and wealth can explain a rigidity that is part of a general resistance to new assertions of what is desirable and good. When we understand the fact that what now seems wrong may once have been right, then we can understand the fierceness of the defense.

Another example of this process in action is the Democratic Party itself. It has clung to the ideas and attitudes that made it the country's leading party, and its leaders, once ensconced, have clung to positions of control, often closing the door behind them. The result is that the governors of eight out of the ten largest states are Republican, and much of the vigorous new talent in the Congress is Republican. Increasingly, new Democrats" are coming from underpopulated states like Idaho, South Dakota, and Iowa, where they do not run up against rigidified Party structures. More harmful in the long run is the shift in the locus of intellectual debate. It seems that almost all the ideological ferment and the passionate clash of new ideas come either from the alienated left or from the alienated right. The once fertile soil of liberal and Democratic thought finds it difficult to produce new concepts or institutions, and its Presidential candidate could only—and with the best of intentions—point to the liberal past and promise more and better of the same.

This phenomenon is not just political. In almost every aspect of life, men are confronted by institutions and processes that seem unresponsive to their needs. There is, for example, no way in which the citizen can even begin to create a community—a place where he can both work and play in some kind of shared fellowship with neighbors. Our society is simply not equipped to deal with such a demand, and our political leaders are not even able to articulate it, since it transcends their own professional assumptions.

Powerlessness is made more acute by the seeming opposite of rigidity—by the swirling inconstancies of modern life. We are like boats tied to a riverbank with the rapid waters constantly seething beneath us while rope after rope breaks away. It is now commonplace to observe the weakening of the ties of family and community. However, it is not merely that we are being deprived of important values. These institutions, and others, gave us a resting spot, an association within which we could have some secure sense of our own value and place regardless of our fate in the world outside. In a more subtle and profound way, the increasing incredibility of religious doctrines and the complexities of science, which have made it impossible to understand the natural world, have deprived us of anchors against the storm of events. Even our physical environment has betrayed our memories. The other day, I drove through Harvard Square, where I had

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gone to school ten years before. There were new buildings, shops, and roads. The familiar place of law-school days had changed beyond recognition. In fact, it did not exist. There was no place for the past, and the present, one knew, would also fade. Yet man has nearly always anchored his sense of reality, his sense of himself, to a fixed place, amid familiar landmarks. Our world has become nomadic as the scenery of our life is constantly shifted. It is small wonder if we sometimes feel as unreal as actors moving from part to part.

To all this is added the torrent of events: wars and riots, inventions and spaceships. One day we are informed that we must fear a man called Castro, on the next day that our security requires the end of strife in the Congo, and on the next that de Gaulle menaces the grandeur of our nation. And we pass through all this tumult, great and small, seated before the inexorable shadows of a television set—certainly the greatest psychic disturber ever created by man. Only it is capable of producing unrest, fear, and unbridled envy, and, at the same time, of numbing us to the human reality of that which disturbs us.

A people suffering from institutions that can't respond, problems that are virtually left untouched, and the myriad uncertainties of their own private and public existence must inevitably rise in protest. That is just what is happening in America. Frustration breeds anger, and anger has increasingly become a feature of our national life. Even people on the streets and in stores seem more easily provoked and more sullen. The most widespread reaction is a demand for change, coupled with an increasing dislike and contempt for those responsible for the present. Few people can be expected to have any clear idea of the direction that change should take. The problems are too far-reaching and profound. So they look for leadership. And precisely at this point in our history we lack the necessary leadership.

For a while, in the early nineteen-sixties, it seemed as if President Kennedy were moving toward new responses as the old dogmas of the Cold War and of New Deal economics gradually lost ground. Oswald prevented us from ever knowing how far and in what direction that movement would have continued. The assassin's bullet unlocked chaos, and thus his act became the most important historical event of our time. In the beginning of the Johnson Administration, it seemed as if this barely articulated movement would continue, but then the poison of Vietnam paralyzed act and attitude. Of course, the war cannot bear the responsibility for all our other ills. It has contributed to them by draining off resources and energies, and, most of all, by blunting our sense of moral purpose. But to a large extent it has only catalyzed an awareness of more profound problems and intensified a protest that reaches far beyond Vietnam. We can almost say of ourselves what Lord Radcliffe said of the Athens of Plato: "Failure abroad had led to failure of spirit at home and a democracy, so recently united, self-confident, and proud of its leaders, had turned to a rout of little men more anxious to blame others than to take responsibility upon themselves."

There is no more foreboding fact than the absence of leadership that combines insight and forcefulness. A people increasingly beset by restless discontent and uncertainty need leaders who can point out to them that exit from their malaise. Much of our present uneasiness has specific causes: the war in Vietnam and racial strife. However, much of it flows from the deeper causes I have discussed, and even the widespread discontent with the war and with Negroes and hippies is enormously magnified by broader dislocations. These objects of passion serve as a necessary focus for the general unhappiness, just as a man troubled by the general failure of his ambitions might turn on his family or his coworkers or his neighbor. The aimless and chaotic nature of the present unrest has profound political consequences, for it is basically non-ideological; it does not respond to traditional notions of right and left. It is often oblivious of the shibboleths and dogmas that encrust politicians who came to maturity in an earlier era. Thus, Eugene McCarthy called for the recognition of Red China, attacked the military establishment, and promised to fire J. Edgar Hoover without causing a discernible ripple of adverse reaction in his moderate, suburban constituency. Still, many who favored him voted for Richard Nixon, or even for George Wallace.

Even more dramatically, many of the lower-income whites who voted for Robert Kennedy in the Indiana primary and would have supported him for President voted for George Wallace. Yet one was the black man's champion and the other is his enemy, and race is supposed to be the most important issue in Lake County. The fact is that the search for leadership is not motivated by a desire to move to the right or the left, to the extent that those terms are relevant at all. It is manifesting itself as a demand for men who offer a sense of direction and purpose, who appear to possess guiding values and a philosophical insight into the nature of our problems. The majority of people have little interest in the customary catalogue of programs and promises. Indeed, they no longer believe in them. They do want someone who seems to know why we are in trouble and where we should go. This explains a large part of George Wallace's appeal. He analyzed issues with a simple clarity and proposed answers that were certain. In this respect, he was a leader. The one overwhelming consensus is in rejection of the present, and that was the decisive asset of Mr. Nixon's candidacy. In fact, many people are prepared to rebel against the entire system that has brought us to our present state of affairs. Part of McCarthy's appeal and much of Wallace's lay in the fact that these men appeared to stand outside the system. They did not talk in the increasingly hollow and banal rhetoric of most politicians. They spoke with candor, discussed new issues, offered fresh approaches. In different ways, each of them defied the traditional party structure, ignored the customary political rites, and incurred the hostility of party regulars. In McCarthy's case, his manner and language, although often abstract, conveyed a hope of beneficial change. Robert Kennedy's strength also derived not from his specific programs but from his manner, which radiated a passionate commitment to change. For the United States is prepared to move, and rather rapidly, either to the right or to the left. Or, in terms better suited to our time, it is prepared to move either toward repression or toward liberation. Tragically, both the leaders who promised most forcefully to take us toward liberation were removed—one by a bullet and the other by the Democratic Party. Now the President-elect, unless he is to prove only a transitional figure, will be compelled to initiate a process of serious change.

This is because you cannot simply soothe the discontent of today with traditional remedies. It is not only that many problems—the black ghettos, for example—will require immense efforts toward solution but that the forces that disrupt the mental peace of the more affluent have deep roots in our institutional structure and our historical circumstances. Race and Vietnam contribute, but we see a similar unrest all across the affluent West, in countries neither at war nor in the midst of racial conflict. In outlining some of the more subtle causes, I compared our present condition to that of the eighteen-fifties. The United States was then turning away from expansionist goals and responsibilities; the conquest of the continent was complete, and, for almost the first time in our history, we had no significant external ambitions or threats. In our time, we are similarly turning away from Cold War globalism, and, if we are lucky, Vietnam may prove the last convulsive gasp of that policy. In any event, we are now looking to ourselves more intently than before. Far more important in the eighteen-fifties was that, underlying all the crises and the violent turmoil, a new industrial age was making its glacial advance on the values of an earlier period, uprooting fixed ways of life, traditional institutions, and customary expectations. America was never to be the same again—a change that was not caused by the Civil War, but, rather, was undoubtedly productive of the rigidity of leadership and the human uncertainty that led to that war. In our time, also, a new type of society is tearing into the now settled patterns of the industrial age. It has never been given a name, for that is the historian's job. However, economic and population growth and changing technology and beliefs are creating a different kind of world, whether it is called the computer age, the atomic age, the media age, or simply the post-industrial age. This is a dislocation of a kind that is common to all periods of history but that happens only at long intervals in the life of a particular society.

It is a rhetorical cliché to point out that our world has grown small. That is obviously true in a technical sense. We can travel rapidly and communicate instantly. It is also true in terms of the concerns of foreign policy, although much of our feeling that we must necessarily be affected by events in every corner of every continent is surely a product of the simple fact that we know what is happening there, rather than of any ideological preconception or any concrete national interest. Yet for the individual the opposite is true. Our world is too big—too crowded, too abstract, too remote. Everywhere we go, the crowd of strangers goes with us, clogging our streets and our parks. Cities spread, computers perform their mysteries, world leaders cast their shadows and disappear. The comforting walls that set off a host of little worlds have been broken open, exposing to us a limitless and kaleidoscopic vista—one that is reflected in our fragmentary and borderless art and in the world of drugs. How many of us in turning inward to escape or make sense of a turbulent environment simply recreate external disorder, almost as if our time were now beyond intellectual grasp? That feeling in itself contributes to powerlessness. For understanding is a form of control, if often illusory, and when we cannot understand how things work or why they happen—whether laws of nature or the television pictures that are corrupting us—we feel helpless. Perhaps one can no longer understand the world—only experience it. If that is true, politics can offer no real answer. And we must also face the possibility that there are too many people—that only through organization, and its counterpart, coercion, can we maintain civilized order among so vast a throng.

Such philosophical reflections, however, are irrelevant to politics, which must assume that problems can be dealt with, and also, in our own national context, that individual liberty can be maintained. If the forces feeding discontent are as profound and powerful as I have suggested, then political thinking and, ultimately, national policy must move toward an entirely new dimension. The last time the American establishment thought seriously about national goals was during the late Eisenhower and early Kennedy years. The formulations from this period of the more enlightened and liberal politicians are already out of date. A strong domestic defense establishment, economic growth, NATO, and so on, though they are still with

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us, barely touch the principal sources of our dissatisfaction. Other goals of that very recent time—such as the frantic desire to measure every national program, from education to overseas propaganda, in terms of competition with the Russians—are now irrelevant, and some are forgotten. Yet almost all our political leaders seem rooted in the old rhetoric, even if it is clothed in new facts and circumstances, and thus have lost their hold on the popular sensibilities.

The material out of which relevant national objectives can be shaped is at hand in the work of some social critics and a few economists, and even in the insights of a few of the more sensitive politicians. In the process, we must focus not only on solving "problems" as defined in the usual sense—education, pollution, and the rest—but also on the ways in which we solve them. This is a familiar idea within a democratic tradition that has, for example, valued many individual liberties above the alluring, if often illusory, efficiency of coercive techniques.

We have always placed certain abstract values—those which cannot be measured or weighed—above economic, logical, or physically tangible goals. Confronted with the overwhelming and uncertain complexities of modern life, and informed by a greatly increased awareness of our limited ability to predict or control the forces loosed by our obsessive industry and invention, we must add to the list of such values. They have traditionally included not only the rights mentioned in the Bill of Rights and allied civil liberties but equality of opportunity, the freedom to develop individual talent, and, more recently, freedom from starvation and destitution. And all these, imperfectly realized though they may be, still exert a powerful hold on our national thinking and shape our political rhetoric and policy. I have no wish to coin a new set of slogans, but certainly the individual must also have the freedom to share in those public decisions which affect his private life beyond merely casting a vote in periodic elections. This does not mean a plebiscite on every problem but, rather, a distinct prejudice in favor of community and neighborhood control. We should also be guided by a desire to preserve freedom from isolation, which means, at least, that environmental decisions should be shaped to re-create the possibilities of community and neighborhood life. It is equally important that the individual be given freedom to participate in the important enterprises of our society, from working in the underdeveloped world to improving the life of the ghettos. If citizens are to find a purpose beyond their daily lives, it will come from having a personal share in important public causes, and the causes must be large and worthy enough to tap moral will and energy. Only in this way can we combat the increasing isolation and remoteness that are eroding the moral drive of our society.

Much of this resolves itself into a widening of one of the oldest staples of political language: freedom of choice. For all the talk about our permissive society, that freedom has steadily narrowed. In fact, much of the release of inhibitions on private behavior is surely a reaction to the confinements imposed by our ideology and social structure. (Successful revolutions tend to be puritanical.) When a young man sees no alternative to spending his youth in a classroom and his manhood in a modern suburb, he may want to assert himself by growing a beard. Conversely, the students who turned out to work for McCarthy cut their hair and shaved not because of adult dictates but through self-organization and self-discipline. They were involved in something more important than this kind of assertion. These are trivial things, but they are tokens of the fact that much frantic liberation of private behavior is a futile effort to alter or escape the hardening mold that envelops social man. We virtually demand, for example, that a young man go to college, and beyond, if he is to have a job that uses his abilities. At one time, a boy could go to sea or go West or start working in a factory and still aspire to success in a wide range of demanding tasks. The fact is that a lot of young men would develop more fully outside the regular educational system. The answer is not simply providing more and better schools but making alternative institutions, training, and experience available, and making them acceptable to those who guard the gates to achievement. Similarly, by huddling industry, commerce, and even intellectual life together in great urban areas we have seriously limited the kinds of places in which a man can live. Much of this is a product of the obsessive urge toward system and order, and of the fact that as systems grow larger they swiftly outpace the individual imagination or intelligence and assume a conforming life of their own. It is almost as if our society were afflicted with some kind of compulsive neatness, which it equated with efficiency or high purpose.

The fact is that organizational neatness and central control not only limit human scope but are often inefficient. Government programs break down or prove inadequate not merely because they are badly conceived but because the problems they seek to deal with are far too large for the limited abilities of a few administrators. Even a genuine philosopher-king equipped by I.B.M. could not hope to deal with the varied complexities of dozens of American cities. Central direction is inefficient in a more profound way, too. Given human nature in the context of our society, such oppressive structures are bound to breed discontent. This discontent necessarily impairs our ability to solve problems and maintain traditional values. Restless and unhappy people cannot easily be persuaded to join in enterprises of high purpose, especially those involving sacrifice.

Unless we are to move toward repression, the political platform of the future must contain words still alien to serious public dialogue—words such as "community," "power," and "purpose." This does not mean we will no longer worry about matters like economic policy and defense. For large elements of our population, economic questions are still critical, although they are increasingly fused with other desires. However, since poverty or a low standard of living is not the root of much of our unhappiness, wealth and its distribution do not point the way toward a solution. Words like "community," "power," and "purpose" seem rather abstract and vague, but then so do more traditional goals, such as "liberty" and "opportunity." And, like these more familiar terms, they can be given concrete content, yielding specific and tangible programs. Effective government action toward these ends will respond to the demands of the subject matter, and not to any master plan for their attainment, just as devotion to liberty does not tell you what kind of speech can be restricted or whether the State Department can limit travel to Cuba. Without trying to anticipate a report by a future Presidential task force, I would like to discuss some specific examples, simply to show that they do exist.

Many of the programs designed to re-create community will concern the physical environment, although the power to act as a community and the consequent sense of shared purpose are also critical. This will require that we concentrate not on the quantity of construction but on assembling the components of daily living within an area that a man can comprehend and easily traverse. Along with housing should go hospitals and government services, recreation and meeting centers, parks, and, to the extent that this is possible, places of work. This does not mean breaking up our cities but restoring the concept of neighborhood under modern conditions—a place where a man can live with other men. Some of this is happening by itself under pressures of growth, as shopping centers move to the suburbs and industry seeks sites outside the city. This beginning can proliferate and expand through programs ranging from tax incentives for businesses resettling in residential areas to the construction of new satellite cities. Much can be done, for example, simply by changing and enforcing zoning ordinances, building codes, and tax laws, without a cent of public expenditure. There is a lot more to community than this. Its roots go into the powerful cementing emotions of pride, belonging, friendship, and shared concern, yet these, in turn, depend on the physical possibilities. Not only is it within our power to create those possibilities but it is probably a more practical course than our present unthinking and hopelessly scattered mixture of government programs and private enterprise.

Increasing the individual's power over the conditions of his life involves the blended methods of transferring authority, creating it where it does not exist, and lessening the coercive weight of the state. At other times, I have discussed the need for decentralizing the operations of government—allowing communities, private groups, cities, and states to make public decisions that are now vested in the central government. Although the Constitution contains a prescriptive mandate for a federal system, the actual distribution of authority and responsibility has been worked out over two centuries and is constantly changing. Today, for example, the federal government exerts a power over the economy that would have been inconceivable only a few decades ago. Decentralization is another remodelling of the federal system, and to achieve it will require a patient pragmatism. The state may be the logical unit for dealing with river pollution, the metropolitan area for transportation programs, the neighborhood for schools and even post offices. The general guide should be to transfer power to the smallest unit consistent with the scale of the problem. Many conservatives have welcomed the idea of decentralization, hearing in it comforting echoes of old battle cries about states' rights. They are mistaken, for decentralization, if it is to work, will require even larger public programs and even more money for public needs. Otherwise, the momentum on which local interest and involvement depend will be lost. Nor does decentralization mean the absence of rigorous national standards for the use of national revenues. For example, money given for education must in fact be used for education open to all. Such standards are necessary to protect citizens against unresponsive government, and local government against the pressures of private interests. Of course, even with decentralization, most people will not actually make decisions. Still, those who do not make them will be within reach of their fellow-residents of the community, and thus will be far more familiar and readily accessible than federal officials. This, in itself, will yield at least the potential of influence and effective protest, which may be as close as we can come to the ideal of the town meetings.

Power is conferred in other ways: by a government that feels compelled to explain its policies and intentions with candor, that seeks the counsel of informed private groups and citizens, and that adheres to an honorable observance of the separation of powers. It will also be yielded by increased citizen control over the private institutions and processes that often determine the quality of our private lives. It is incredible, for example, that private builders, acting out of purely economic considerations, should be allowed to determine the shape of our urban environment—that individuals unresponsive to the public will should decide how the public will live. In addition, the expanding machinery of secret police, investigation, bugging, and wiretapping must be halted and dismantled. Fear and suspicion are the most paralyzing agents of all, and the most likely to provoke unrest.

The use of power is also an expression of purpose. All acts have their intention. But you can share in purpose without sharing in power. As a member of a society, the individual's pride and sense of well-being are inevitably enhanced or diminished by the purpose of his nation—what it stands for and where it is going. If money and power, self-indulgence and self-protection are the goals of our society, they will become the goals of its citizens, with damaging consequences. Nothing would do more for our national health than a feeling that we were engaged in enterprises touched with some kind of nobility and grandeur. It is this feeling that enriches the life of social man. Even the most pessimistic and critical literature written in other countries during their periods of greatness is infused with a sense of pride in the nation, despite doubts about, or even fierce opposition to, its contemporary acts. This sense of a noble destiny infused our country from the beginning, and in terms of our potential not only as a home for freedom and opportunity but as a guiding force in world affairs. Jefferson looked upon the United States as an example that would undermine despotism and monarchy; some of our other early leaders took a more direct hand by helping South American revolutionaries. This does not mean we must succumb to the naive belief that it is possible to create a Great Society or a New Deal-style democracy among the varied cultures of the world, or that we should actively intervene to impose values bred of the American experience. However, our wealth and military power give us an unavoidable weight in world affairs. Therefore, it is unnecessary to decide the critical questions surrounding the wisdom of intervention in order to recognize that our acts are important to others. For example, when a military dictatorship takes over in an allied country, we can recognize it or not, suspend aid or continue it, continue preferential trading or interrupt it.

There is no way to avoid decision, since failure to act will have its own meaning. The issue is whether we base our policies on unthinking reflex and an immediate mixture of attitudes and interests or whether our acts are consistent with a long-range purpose. We may decide to adopt a less active and ambitious foreign policy, but we cannot do without any policy at all. And a foreign policy actively devoted to social justice, increased liberty, and the institutionalization of peace on a worldwide scale can enlist the best impulses of the American people. Such a policy often collides with the thinking of global "realists," who led us into Santo Domingo and Vietnam; who failed to maintain a constructive common purpose among the Atlantic nations while contriving such monstrosities as the Multilateral Force; who allowed the United Nations to become trivialized; who supported Batista and ended up with Castro; and who have been unable to bring about the control of nuclear arms, which is clearly in the interests of both great powers. In fact, "realistic" policy now seems to have become no policy at all, aside from maintaining the territorial status quo with the Soviet Union and China, and hoping that Israel will survive. It is a policy virtually without long-range goals or any clear perception of the social and political forces at work on other continents, and—what is more dangerous—without any guiding concept of the kind of world community in which we will be safest and most comfortable. This is the ultimate romanticism of the ostrich.

Without elaborating particular issues, and while recognizing the need for protection against force, we can assert that the most powerful global social force is the drive for recognition and fulfillment of popular needs and desires. This is a force fully consistent with our national values, and, therefore, one that we should support. This is what President Kennedy was trying to accomplish when, for example, he refused recognition to military takeovers in Peru and Honduras. It was believed not that our disapproval would change governments but that it would strengthen forces that, in the long run, might build a stronger and more congenial hemispheric community. This policy was later dropped in favor of dealing with the "fact" of military rule, which meant ignoring the first principle of good politics: Don't spend yourself on those who have nowhere else to go. We elected to play it safe even though we were already safe. This change in policy helps illuminate the truth that the basic obstacle to a foreign policy shaped by long-range purposes and resting on national values is not malevolence or a hidden imperialism, but timidity or lack of confidence. It is far easier to move from crisis to crisis than to act when events do not demand action. For decision and action create responsibility, and only men with some confidence in their own perception and judgment are willing to take such responsibility. Because our professional foreign-policy structure has been designed to discourage, and even to punish, those who disrupt the illusion of tranquility, only a President can compel a different course. Yet such inaction is fraught with danger. Many of our recent crises can be traced to a failure of consistent purpose during periods of relative calm. By allowing our relations with Arab leaders to deteriorate, we forfeited whatever influence we might have had to prevent war in the Middle East. In Santo Domingo, we failed in our responsibility to help improve the economic and social welfare of a people whose dictator we had helped remove. And if the siren announcing Armageddon ever sounds, it will probably interrupt some official as he explains to a crowded room why an arms-control agreement is too risky this year.

A foreign policy founded on traditional American values not only is wise but is essential to our domestic well-being, since shared purpose is the only enduring cement of national unity. In it lies our only hope of finding a moral equivalent of war—or, in this case, a partial alternative to domestic unrest and division. Of course, there is much within our own borders to capture the imagination and inspire worthy effort, but only for some, and, even then, probably not on a sufficiently large or lasting scale. We are so significant a nation that the nature of our role in world affairs must pervade every man's sense of himself as a citizen. John Kennedy's appeals to greatness and sacrifice evoked so strong a response not because they were expressions of a self-deceptive idealism but because they led toward the only realistic path for maintaining individual pride.

There are, of course, grave problems that do not fit easily into the rubric of power and purpose. One can add little to the interminable discussion of the race problem except to observe that politically there is no black problem at all—only a white problem. We can easily command the resources to meet the immediate needs and demands of black Americans. But we cannot do this until white Americans are persuaded of their responsibility to act. That will require more than public education and Presidential speeches. Unless we move to remedy the afflictions and grievances of white Americans, they will never consent to a concentrated effort in the ghettos. This is particularly true of the lower-income whites, who feel trapped in a relatively shabby material existence and a scorned social position. (A Chicago policeman said, pointing to the hippies in Grant Park, "I had to work for a living, and so did my mother, and look at those kids. They do nothing and they got an education." Then he joined the charge.) It is little wonder that this group turns its wrath impartially on Negroes and college students—a perfect combination for the Wallace appeal. Its members feel scorned by the upper middle class, and, at the same time, they are deeply envious. Meanwhile, the Negro is a constant object of national discussion and attention, and a recipient of special programs. Racial feelings are very resistant, but many obstacles would fall before a national policy directed at enriching the life of *all* our citizens. Without it, the barriers will continue to rise.

Another problem specific to our age is the incursion of a large military establishment into public life. This is not because generals are especially power-hungry or malevolent but because size and importance, especially when they are touched with permanence, necessarily bring power. Public men from Jefferson to Eisenhower have warned us about the perils of a large standing military. And now we have one. Nothing better illuminates the hazards of the systematic and efficient mind than the experience of the last several years. Robert McNamara not only enlarged our armed forces but rationalized them. Over the resistance of officers with little imagination, he unified the operations of the services, eliminated many old rivalries, and instituted the deceptive techniques of modern computer management. As a result, the military has more influence on public policy than ever before in our history. The power that was once held in check by rivalries and folk wisdom is now exerted as a single, fused force on the civilian economy and its decision-makers. Independent-minded and free-wheeling officers were moved into the background, lest they publicly challenge civilian leaders. The result was a group of limited and conforming men at the top who could envisage no solution to any problem other than the accretion and use of military strength. The trouble with yes-men is that they are likely to say yes to anything. The trouble with limited men is that they are likely to lack the imagination to see their limitations, or even to disbelieve their computers. And this is the first group of generals to come to leadership during our reign as a great military power. The Eisenhowers and MacArthurs and Ridgways, in their early days, always had to contend with severely limited resources, and therefore had to consider what they could do only with allies and what they could not do at all. The new group is accustomed to ever-increasing largesse and to having the power to bring about unlimited destruction at the touch of a button. The monstrous system created during the McNamara regime now has a life of its own. Civilians will make the ultimate policy judgments, but the sheer size and momentum of our military structure, the enormous investment it represents, and the needs of the industries dependent on it inevitably affect national decisions.

Thus, we continue to build new weapons and new systems constructed on the basis of the most rational considerations of cost efficiency but without any rational relationship to national security. Even McNamara himself was finally trapped when he was compelled, against his own judgment, to go ahead with an anti-ballistic-missile system. Yet the "Whiz Kids" laid the groundwork. Moreover, the very importance of our military machine means that generals no longer sit outside the door of our highest council ready to respond to technical questions. Rather, they share in policy discussions for which they have no qualification or experience. In doing so, they breach the oldest and most rigorous ethic of the American soldier. The Joint Chiefs of Staff advised that the Bay of Pigs might work, even though any hope of success obviously depended on the degree of political unrest within Cuba. More disastrously, we depend heavily on military men to tell us what

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it might take to "win" in Vietnam, though such calculations should have been based on cultural, political, and human factors as well. Of course, civilian officials should not have listened. Yet it is very hard to avoid attributing some wisdom to those who control the enormous power that has occupied such a large part of the American consciousness in recent years, and who, moreover, can speak with precision of their capacities in so uncertain and chaotic a world. The temptation to heed those with answers is strong, and can subtly infect the most skeptical of minds.

The hazards of a large standing military ramify into many areas. It represents a constituency against arms control, not because generals want war or oppose disarmament on principle but because their necessary professional caution demands that they overestimate every advantage of a potential opponent and underestimate their own capacities. In narrowly professional terms, it is inevitable to estimate that any agreement is risky, even if the only reason for doing so is an assumption that the other parties to it would not agree unless agreeing gave them an edge. Also, the availability of force is a constant temptation to use it. Part of the reason we sent the Marines into the Dominican Republic was that we had the capacity for moving large numbers of combat troops with great speed. The buildup of our conventional forces and their increased mobility—which came into being for reasons involving the Soviet Union, many of which are now irrelevant—have made it more likely that we will use force. In view of our nuclear deterrent and our capacity for rapid mobilization, recent history lends strength to the belief that it may be riskier to have such forces than to go without. Here again, however, we have a conclusion that depends on admitting the human weaknesses of policymakers—a calculation that, because of its vagueness, cannot be used by rational-system builders. Thus, we can consider discarding the wisdom of our history because it can't be fed into the computers.

We cannot yet escape the need for military forces, but it will require leadership and authority of the most determined and enlightened kind to keep those forces in rational relationship to our need while we work toward arms control, spurred by the urgent awareness that men cannot be trusted with the power to destroy themselves. And that effort is obstructed not simply by cautious policymakers but also by a deeply troubling, elusive, and ambiguous phenomenon—the fear of nuclear weapons. Any observer must be struck by the difficulty of stimulating public support for arms control, or even of provoking widespread public discussion of nuclear weapons. One could attribute this to an indifference bred of acceptance if it were not for the force of the reaction that seems to await any political figure who touches the nuclear nerve. The day Curtis LeMay verbally toyed with nuclear possibiltiies, George Wallace's fortunes began to wane. Nixon's speech advocating nuclear superiority was certainly among the factors precipitating his near-fatal decline. Goldwater had to spend his entire 1964 campaign explaining that he would not drop atomic bombs. When President Kennedy advocated fallout shelters, he set off a popular reaction that had every Democratic leader on the phone to the White House and that ultimately caused cancellation of the program—and he was greatly surprised at the enthusiasm evoked by mention of the test-ban treaty during his 1963 trip through the Western states. Perhaps we can understand these reactions by recalling the late nineteen-forties and the early fifties, when the horrors of nuclear holocaust were a pervasive topic. Almost everyone must at least once have been struck with sudden apprehension at the sound of an airplane, or gone to sleep with the thought that all could be over before morning. One of the young girls who worked for McCarthy during his campaign told an interviewer of the air-raid drills in her grammar school, and how for a while she was afraid every time she heard a plane. Thus, the atomic age has been a personal emotional experience for many Americans, and even, perhaps, for most. After a while, such feelings are put away or repressed, but they are never eliminated. They lie under the surface of reason and memory, evoking hostility toward any who may touch them. Although such fears help keep the peace, they are also a barrier to the reminder implicit in mobilizing public support for arms control. However, despite the seeming lack of concern, any political leader can be sure that real achievement in reducing danger will be rewarded by warm and grateful relief.

The agency through which we can hope to formulate new policies is that strange American contraption the political party. My own repository of hopes for change is the Democratic Party, for the Republicans seem unlikely to discard their historical role as defenders of things as they are. Since Nixon's victory, political men have begun to discuss the future of the Democratic Party. Such discussion must come to grips with one essential fact: There is no Democratic Party. There is the party of Daley in Illinois and the party of the county leaders in New York. There is the fragile alliance of liberals and leaders in California, and there is Kennedy in Massachusetts. In the South, there is almost nothing left at all. It is a truism to state that American political parties are not ideological in nature, since they embrace many diverse groups. Still, in the past most elements of the Democratic Party agreed on certain broad goals and assumptions. There was, with some dissent, general agreement on the economic goals of the New Deal. It was broadly assumed that the Democratic Party represented the disadvantaged and the poor against the great interests, and that it stood for alliance and tolerance in world affairs. There was, in other words, a base of generally accepted belief and emotional attitude. That this has largely dissolved becomes clear when we compare the parties of Daley, Meany, McCarthy, and Kennedy. The cause of the dissolution is that the issues of the past thirty years have lost their vitality. The consequence is that the Democratic Party is little more than an institutional mechanism through which individuals hope to acquire public office. If the Democratic Party has a future, it will come not by raising more money or by hiring better advertising agencies but by developing a purpose and a program. I have outlined some of the possible elements of purpose and policy in support of which it might be possible to create a new, progressive coalition to replace the alliance of minorities, labor, and the South which has now fragmented and dissolved. The South has left; labor no longer exists as a coherent electoral force having divided into upper and lower middle class; and the minorities are often at each other's throat. A new coalition will have to be made up of the populations of the inner cities, including some lower-income whites, and of the new suburbs inhabited by those who work in offices, electronics factories, and so on. This is the coalition that both Kennedy and McCarthy were trying to build, with McCarthy moving inward from the suburbs and Kennedy outward from the inner city. Neither quite got across the bridge, but the fact that their divergent constituencies responded to men who stood for enlightened and progressive change is evidence that the possibilities of coalition are there. However, the issues that will unite these groups are not only traditional economic concerns—although there are specific economic problems that must be met—but issues of the type I have set forth. For example, both in the ghettos and in the suburbs there is a desire for increased control and power over local affairs and public policy. If I am right in the belief that such desires respond to deeply felt national needs, then failure to move in this direction will leave public-spirited men with no alternative but to try to form a new party to combat the forces of repression.

Finally, a few words of unsolicited advice to the next President. Since we need fundamental changes in public policy, it would be a serious mistake to begin the work of the next Administration in the traditional way: preparing budgets and policies for programs neatly tailored to old categories such as health, housing, and conservation. For the assumption of fundamental change is that the old categories and ways of looking at problems are no longer valid and that the structure of government itself is the treshold barrier to new approaches and policies. The powers of the Department of Housing and Urban Development, for example, are fashioned and limited in such a way that the Department cannot hope to deal with the problems of the city, however vigorous its leadership. The first task of a new Administration should be to construct institutions with authority and jurisdiction adapted to the policies they are to administer, and to concern itself with reallocating responsibility within the federal system. The secret of Roosevelt's success was his willingness to ignore or dismantle existing structures and to set up new ones, shaped to his purposes. Freud said that "anatomy is destiny." In government, structure is policy. If the existing structure of government is accepted, then serious change rapidly becomes impossible as bureaucracies, administrators, and ongoing programs begin to generate their inevitable and almost irresistible drive for survival. It is important to make structural changes early, and not only because a President is far more likely to have the necessary power at the beginning of his administration. The appointment of Cabinet officers, administrators, and even task forces immediately creates powerful vested interests. When a man becomes the chief of a large department, he assumes a new constituency of workers and bureaus, authority and appropriations. His natural urge, reinforced by the need to keep the loyalty of his subordinates, is to maintain his domain relatively intact and to minimize disruption and controversy. Thus, the Department of Labor under President Johnson fought against the poverty program, with some success, simply because it felt that it was the proper repository of such an effort. Examples could be multiplied. It would be a great mistake to misjudge the rapidity with which new men develop loyalties to old patterns, or the ability of an established bureaucracy to frustrate the most determined of Presidential designs. That is why the fundamentals of strucure must be determined before operations begin if there is to be a serious and effective effort to chart new directions for public policy.

This is little more than counsel to "think big," not in terms of huge expenditures or sweeping new programs but in terms of the hardest kind of innovation: liberating the public imagination from old categories, concepts, and structures. Our present inclination to look upon every national ill as a subject for federal action within the framework of existing departments is like trying to devise a way to go to the moon by putting a man in an automobile. We need not only new institutions but a fresh sense of which matters are appropriate to public action, and of where, within the federal system, responsibility and power should be vested.

Beyond such concrete and practical acts, there is a need to explore the deeper causes of our discontent. Again, as in the eighteen-fifties, we can sense that we are at the beginning of a new age—or, rather, a new way of living—which is forcing its values and demands on a society not equipped to cope with them. This kind of dislocation, this gap between realities and custom, is characteristic of revolutionary historical periods. To pursue this analogy, the insulation and barrenness of the modern suburb are counterparts of the misery that enveloped the mid-nineteenth-century factory, and Mayor Daley is as one with the Southern agrarian in defending a system that history will find not to have been an unmixed evil. Without judging the efforts of men like Marshall McLuhan to abstract a single, seminal cause from the complexities of social change, we can agree with many that the ascendancy of technology is a principal feature of modern society. To that we must add growth, both of population and of our physical artifacts, such as houses, factories, and roads. The problem, however, is not technological but ideological. We are threatened not by our creations but by our beliefs. In another place, I have written, "All nations . . . are governed on the basis of ideas and values . . . which are not derived either from the necessities of nature or the command of God. If a man snatches his hand from a hot stove, that is not ideological. If he then decrees there shall be no more hot stoves in order to prevent burning, he has imposed an ideology (and one wholly alien to our own)." There is, for example, nothing in the development of the automobile which makes the clogging of our cities and the poisoning of our air logically inevitable. It is simply that we have preferred these consequences—perhaps without anticipating them—to restrictions on the use of automobiles.

No one has more bluntly stated the inward passion of the time than Lewis Strauss, who summed up the faith of two centuries when he was asked if nuclear physics might not have overstepped itself. "No," he answered. "I would not wipe out any part of it, not the bomb nor any other part of it, if I could. I believe everything man discovers, however he discovers it, is welcome and good for his future. In me this is the sort of belief that people go to the stake for." This is not a reasoned formula but an affirmation of an ideological belief verging on the mystical. Guided by such a belief, our society has developed virtually no mechanism for weighing technological change against the social consequences and enforcing its judgment. Only the great religious institutions engage in a similar process, and then, as in the case of Pope Paul and the pill, they are condemned because the values they seek to defend have lost their hold on men. This is not the place to pursue such philosophical abstractions. Yet they are at the heart of the problem. In political terms, we are barred from much effective action because we have not regarded human values—except for those related to survival, civil liberty, and prosperity—as appropriate objects of public protection. This reluctance to allow government to become concerned with the quality of individual life has its historical roots in a healthy fear of the state and a desire to insure secular liberty. It now works against us, having been outdistanced by our material circumstances. Thus, traditional principles of private enterprise join with modern construction technology to create suburban blight. But there is no inherent reason a builder should not be under as much compulsion to provide open spaces, parks, and community centers as he is to provide safe wiring and sound structures. We can also maintain that clear air and freedom of movement are as important to us as the economic advantages of urban concentration. On a broader scale, we need to reexamine all our institutions in order to determine whether what they do *for* people is worth what they do *to* them. This is not an easy job, especially since we must often match abstract or felt values against the formulations of logic and numbers. How, for example, does one explain an instinctive revulsion against the idea of a national computer center to store all the available information about every citizen, except to say that neatness and system and organization can be oppressive in themselves, and to draw upon our experience of human weakness to assert that increasing the capacity for control will increase the likelihood of control?

This kind of ideological reformation will not be easy for a people as little inclined to theory as our own. It will come, if it does come, in the context of relieving particular afflictions. Still, there is no other way that we can guide ourselves between the twin perils of uncontrollable turbulence and repression. We will be strengthened by the fact that such change corresponds to deeply felt human wants, many of which are manifesting themselves in our present disorders.

"WELL DONE"—PEARL HARBOR NAVAL SHIPYARD

Mr. FONG. Mr. President, after fire and explosions rocked the aircraft carrier U.S.S. *Enterprise* during flight operations in Hawaiian waters last January 14, causing 28 deaths and many injuries, Pearl Harbor Naval Shipyard was assigned its biggest repair job since World War II.

It is gratifying to be able to report that the shipyard has not only completed its task but completed it well ahead of schedule.

As a result the *Enterprise* was returned to service within 7 weeks—an accomplishment which has earned well-deserved praise for the shipyard and all personnel connected with the repair job.

The Shipyard Log, published at the Pearl Harbor Naval Shipyard, has printed in its March 7, 1969, issue an article and messages of "well done" from Adm. T. H. Moorer, Chief of Naval Operations, and Adm. John J. Hyland, commander in chief, Pacific Fleet.

I wish to add my personal commendation for the outstanding accomplishment. Pearl Harbor Naval Shipyard has again lived up to its reputation as a most efficient, dependable, and strategically important naval establishment.

I ask unanimous consent to have the article and messages printed in the RECORD.

There being no objection, the article and messages were ordered to be printed in the RECORD, as follows:

[From "Shipyard Log" Mar. 7, 1969]

"WELL DONE"—U.S.S. "ENTERPRISE" BEGAN SEA TRIALS ON WEDNESDAY

We did it.

Every Shipyarder was entitled to throw his chest out with pride . . . and at the same time . . . to heave a sigh of relief on Wednesday morning, as the U.S.S. *Enterprise* moved away from the 1010 dock for her sea trials.

Despite the first estimates that the repairs on the *Enterprise* would take upwards of three months; and in spite of our revised estimates that the work would take ten weeks, the repairs were completed only six and a half weeks after we started the job.

Each of us has every reason to feel proud of our Shipyard's accomplishment.

Top credit, of course, goes to the men on the waterfront, who cheerfully worked 12 hours a day, seven days a week, to get the work done. Each of them earned praise for their spirit, initiative and craftsmanship.

Despite the long hours and the pressure of the work, Shipyarders aboard the *Enterprise* found time to work safely. The accident rate was 75 per cent lower than the Yard's overall rate.

Laurels should also go to members of all the Shipyard's departments—Design, Supply, Q&RA—who supported the workmen aboard the ship.

We didn't do the work singlehanded, however. Our achievement required the support of the entire Naval Ship Systems Command. Material had to be ordered and expedited, manpower loaned, design work provided.

Enterprise today has steel in her hull that was still iron ore on the day of the fire. It took almost the entire Navy industrial establishment, the United States Steel Company, and a huge assist from the Air Force, to get it here.

At one time or another, 101 workmen from the Puget Sound Naval Shipyard were employed on the *Enterprise*, as well as 45 from Hunters Point, 25 from Long Beach, 30 from Boston and six from the Public Works Center here.

A special tip-of-the-hat is due the ship's company. Without their whole-hearted assistance, the job could have never been done as rapidly.

There will be many more surface ships and submarines to repair and send back to the Fleet. But, no matter what the extent of the jobs the Shipyard is assigned in the future, for years there'll be men to boast, "I worked on the *Enterprise*."

"WELL DONE" CNO MESSAGE

The repair of *Enterprise*, returning her to service in only seven weeks—well before the original estimated date, is an accomplishment which is a source of great pride. This happy result could not have occurred without the wholehearted cooperation of our great Navy team, and I wish to particularly commend the Pearl Harbor Naval Shipyard and *Enterprise*. I also fully appreciate the efforts of the Commander in Chief Pacific Fleet, the Chief of Naval Material, the Commander Naval Ship Systems Command and all those subordinate echelons who contributed to this outstanding accomplishment. Well done to all.

T. H. MOORER,
Admiral, U.S. Navy.

CINCPACFLT MESSAGE

It was with great personal pleasure that I observed *Enterprise* depart Pearl Harbor. The successful and rapid repairs to this valuable ship were the result of a great team effort by Pearl Harbor Naval Shipyard and the *Enterprise* crew backed up by outstanding support from the material commands. I share the pride expressed by CNO and convey my own well done to all who contributed to this outstanding accomplishment.

Adm. JOHN J. HYLAND.

SCHOOL DESEGREGATION

Mr. MONDALE. Mr. President, I recently read a lengthy interview with Secretary Finch, on the Department of Health, Education, and Welfare, published in the U.S. News & World Report, and came away confused about a program which I have made a studied effort to understand. After rereading the interview, I frankly still believe I understand the title VI program and how the court decisions relate to it. But I seriously question whether Secretary Finch was fully informed when he granted the interview.

A few days ago, I placed in the RECORD

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an editorial from the Atlanta Constitution and expressed my hope that the recent comments by the Secretary and the President could be interpreted to mean that there would be no further vacillation or indecision in the administration of the title VI school desegregation program. The U.S. News interview has again raised serious questions in my mind about this administration's commitment to the title VI program.

The tone of this interview is very defensive—almost as if the Secretary has been handed a program in which he has very little enthusiasm but which he will reluctantly administer because he is forced to do so by acts of Congress and decisions of the courts. One would like to believe that the Secretary of Health, Education, and Welfare would enthusiastically embrace this program, which, after all, is designed to help assure equality of educational opportunity for all American youngsters.

Any program devised by man can stand improvement, and I am sure that this one is no exception. But I question whether it is helpful for Secretary Finch to deprecate the conscientious efforts of those who worked in the title VI program before his arrival with statements that they have not been concerned about education. I am getting a little tired of his comments about "pushing additional buttons," the "chemistry" of each community, the "meat axes," the "sledge hammers" and all the rest.

I wish the Secretary would recognize—if he has not—the fact that black children are being cheated of their right to an equal education and focus upon this national disgrace instead of apologizing for why he must administer the title VI program. It is, after all, almost 15 years since the Supreme Court ruled that the dual, racially segregated school system is unconstitutional. And it's almost 5 years since the adoption of title VI as part of the Civil Rights Act declaring that Federal funds should not be used to support programs or activities which discriminate on the basis of race, color, or national origin.

Secretary Finch's predecessors—whether he recognizes it or not—have constructed a solid foundation upon which we should now be building in order to improve the title VI compliance program. The Secretary can count upon my support to help in bringing about improvements to hasten the day that equality of educational opportunity is a reality for all American youngsters. But, by the same token, he can count upon my opposition if he insists in dealing in cliches and failing to recognize the real issues in his discussions of this very important civil rights compliance program.

ADJOURNMENT UNTIL MONDAY, MARCH 17, 1969

Mr. BYRD of West Virginia. Mr. President, I move, in accordance with the previous order, that the Senate stand in adjournment until 12 noon on Monday next.

The motion was agreed to; and (at 5 o'clock and 20 minutes p.m.) the Senate adjourned until Monday, March 17, 1969, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate March 13 (legislative day of March 7), 1969:

DEPARTMENT OF LABOR

Lawrence H. Silberman, of Hawaii, to be solicitor for the Department of Labor.

U.S. INFORMATION AGENCY

Henry Loomis, of Virginia, to be Deputy Director of the U.S. Information Agency.

DEPARTMENT OF COMMERCE

Larry A. Jobe, of Illinois, to be an Assistant Secretary of Commerce.

Myron Tribus, of New Hampshire, to be an Assistant Secretary of Commerce.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

William Hill Brown III, of Pennsylvania, to be a member of the Equal Employment Opportunity Commission for the term expiring July 1, 1973, to which office he was appointed during the last recess of the Senate.

U.S. ATTORNEYS

William F. Clayton, of South Dakota, to be U.S. attorney for the district of South Dakota for the term of 4 years, vice Harold C. Doyle.

George W. F. Cook, of Vermont, to be U.S. attorney for the district of Vermont for the term of 4 years, vice Joseph F. Radigan.

James L. Treece, of Colorado, to be U.S. attorney for the district of Colorado, for the term of 4 years, vice Lawrence M. Henry.

Harold O. Bullis, of North Dakota, to be U.S. attorney for the district of North Dakota for the term of 4 years, vice John O. Garaas.

Daniel Bartlett, Jr., of Missouri, to be U.S. attorney for the eastern district of Missouri for the term of 4 years, vice Veryl L. Riddle.

Richard Van Thomas, of Wyoming, to be U.S. attorney for the district of Wyoming for the term of 4 years, vice Robert N. Chaffin.

Victor R. Ortega, of New Mexico, to be U.S. attorney for the district of New Mexico for the term of 4 years, vice John F. Quinn, Jr.

Herbert F. Travers, Jr., of Massachusetts, to be U.S. attorney for the district of Massachusetts for the term of 4 years, vice Paul F. Markham.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 13 (legislative day of March 7), 1969:

DEPARTMENT OF STATE

Walter H. Annenberg, of Pennsylvania, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Great Britain.

Jacob D. Beam, of New Jersey, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Union of Soviet Socialist Republics.

John S. D. Eisenhower, of Pennsylvania, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Belgium.

INTERNATIONAL MONETARY FUND, INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT, AND INTER-AMERICAN DEVELOPMENT BANK

David M. Kennedy, of Illinois, to be U.S. Governor of the International Monetary Fund for a term of 5 years, U.S. Governor of the International Bank for Reconstruction and Development for a term of 5 years, and a Governor of the Inter-American Development Bank for a term of 5 years and until his successor has been appointed.

ASIAN DEVELOPMENT BANK

David M. Kennedy, of Illinois, to be U.S. Governor of the Asian Development Bank.

DEPARTMENT OF TRANSPORTATION

James D. Braman, of Washington, to be an Assistant Secretary of Transportation.

Paul W. Cherington, of Massachusetts, to be an Assistant Secretary of Transportation.

Secor D. Browne, of Massachusetts, to be an Assistant Secretary of Transportation.

DEPARTMENT OF COMMERCE

Kenneth N. Davis, Jr., of New York, to be an Assistant Secretary of Commerce.

James T. Lynn, of Ohio, to be General Counsel of the Department of Commerce.

Andrew E. Gibson, of New Jersey, to be Maritime Administrator, Department of Commerce.

INTERSTATE COMMERCE COMMISSION

Donald L. Jackson, of California, to be an Interstate Commerce Commissioner for the remainder of the term expiring December 31, 1973.

OFFICE OF EMERGENCY PREPAREDNESS

James D. O'Connell, of California, to be an Assistant Director of the Office of Emergency Preparedness.

U.S. TRAVEL SERVICE

C. Langhorne Washburn, of the District of Columbia, to be Director of the U.S. Travel Service.

CORPORATION FOR PUBLIC BROADCASTING

Albert L. Cole, of Connecticut, to be a member of the board of directors of the Corporation for Public Broadcasting for the remainder of the term expiring March 26, 1974.

DEPARTMENT OF TRANSPORTATION

James M. Beggs, of Maryland, to be Under Secretary of Transportation.

FEDERAL HOME LOAN BANK BOARD

Preston Martin, of California, to be a member of the Federal Home Loan Bank for the remainder of the term expiring June 30, 1970.

DIPLOMATIC AND FOREIGN SERVICE

The nominations beginning Lloyd C. Burnett, to be a consular officer and secretary, and ending Robert B. Bannerman, to be a consular officer, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on March 6, 1969; and

The nominations beginning Alfred L. Atherton, Jr., to be a Foreign Service officer of class 1, and ending Joseph L. Romanelli, to be a Foreign Service officer of class 6 and consular officer, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on January 9, 1969; and

The nominations beginning Gilbert F. Austin, to be a Foreign Service information officer of class 1, and ending Mary C. Smith, to be a Foreign Service information officer of class 6, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on January 9, 1969; and

The nominations beginning John E. McGowan, to be a Foreign Service information officer of class 1, a consular officer and a secretary, and ending Jean Elizabeth Mammen, to be a Foreign Service information officer of class 6, a consular officer and a secretary, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on January 19, 1969.

ENVIRONMENTAL SCIENCE SERVICES ADMINISTRATION

The nominations beginning Eugene A. Taylor, to be captain, and ending Newell W. Wright, to be ensign, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on March 10, 1969.

HOUSE OF REPRESENTATIVES—*Thursday, March 13, 1969*

The House met at 12 o'clock noon.

Rabbi J. Harold Romirowsky, Oxford Circle Jewish Community Center, Philadelphia, Pa., offered the following prayer:

Heavenly Father, Thou hast crowned man with the capacity to choose between good and evil; teach us to recognize each as we meet it. Thou hast placed man above all the other creatures in Thy plan; enlighten us that we may act in a way which is worthy of that exalted position. Thou hast endowed our beloved land with an abundance elsewhere unknown; teach us to share it and thus acknowledge that it is not because of our wisdom that we possess so much, but because of Thy great goodness. Thou hast granted the inhabitants of this land—those who occupy the high offices—great power to determine the destiny of others; inspire them to be mindful in this season of freedom that they are godlike not in power and knowledge, but that they are in Thine image only when they try to emulate Thy graciousness, goodness, and loving-kindness for all whom Thou hast created. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Leonard, one of his secretaries.

TRIBUTE TO RABBI J. HAROLD ROMIROWSKY

(Mr. EILBERG asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EILBERG. Mr. Speaker, I listened with pride and admiration to the opening prayer of my friend and constituent, Rabbi J. Harold Romirowsky.

My admiration for this man of faith is inspired by his deeds as well as by his words. For if we are to know a man by his good works, this distinguished Philadelphia rabbi should be celebrated, his achievements trumpeted.

Here is a man born to a family of the Jewish faith—his great-grandfather and grandfather were distinguished rabbis in Chicago. He has combined this tradition of scholarship and faith with that ancient, yet modern, commitment to service.

He came to Philadelphia 15 years ago as rabbi of the Oxford Circle Jewish Community Center. In his tenure, that congregation in my district of northeast Philadelphia, has grown to 1,000 families and now is among the largest in my city.

Once in our city, this distinguished rabbi plunged into community life. The organizations, both religious and secular, he has served are countless. Currently he is president of the Philadelphia branch of the Rabbinical Assembly.

In our community he has spearheaded the ecumenical movement toward better understanding between Christians and Jews. For his work with Philadelphia's Northeast Council of Synagogues and Churches, he and a Methodist colleague, were honored throughout the State of Pennsylvania.

And in these baffling times when so many of our most talented, promising youth are in open revolt, this great rabbi's work with the young deserves mention.

His youth program at Oxford Circle has been honored seven times by the national Jewish community.

By ancient Jewish tradition, a rabbi is considered blessed if one of his students follows his example and seeks a career in the rabbinate. Not one, but five of the rabbi's former students were so inspired by his example that they are now studying for the rabbinate.

And indeed, a sixth, his oldest son, Mitchell, is studying to follow in his father's footsteps.

Most importantly, Rabbi Romirowsky is a man of great compassion who understands the problems of those in need.

He and his lovely wife, Blanche, who is with us in the gallery today, worked long and diligently to pioneer the teaching of Torah to blind boys so that they could be bar mitzvahed. His wife, whose five brothers also are rabbis, has continued this work, teaching the blind both Hebrew and English by Braille.

I am delighted that Rabbi Romirowsky could be with us today and I commend to my colleagues his continued good works and his continuing inspiration.

GIVEAWAYS DO NOT SOLVE INTERNATIONAL PROBLEMS

(Mr. PASSMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PASSMAN. Mr. Speaker, the record certainly supports the fact that the legislative and the executive branches of our Government have become obsessed with the idea that we must give away the wealth of America to foreign nations to secure their friendship. It matters not too much, it would appear, whether these foreign nations operate under dictatorships or outright socialistic or semicommunistic forms of government, the aid continues to pour into their coffers.

For instance, Brazil, which the AID pointed out as a democratic showplace, proud of its fusion of the races, has slipped out of the ranks of the democracies. It is now a dictatorship. Very recently, this new dictatorship recessed the congress for an indefinite period and arrested several congressmen who would not go along with the new regime. Individual political rights were swept out of existence. Literally hundreds of critics of the current dictatorship were thrown into jails, their crime and their only crime being opposition to the regime—not subversion or sabotage.

Mr. Speaker, Brazil has been the recipient of over $2.5 billion of U.S. aid. After the present government of Brazil imposed extremely severe restrictions on the rights of individuals, our Government suspended aid to that country. We waited for certain reforms which did not come, so unless the Congress promptly protests, our State Department will again start pouring aid into Brazil. This obviously will convince other nations that they can topple democracies, destroy individual rights, and set up as bad a form of government as can be created by the mind of man and still get our aid.

Why, Mr. Speaker, do we not come to our senses before we find ourselves bankrupt without a friend left on the face of the earth?

TRANSFERRING AUTHORITY OF SPEAKER TO RECOGNIZE MOTIONS TO SUSPEND THE RULES FROM MARCH 17 TO MARCH 18

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the authority for the Speaker to recognize for motions to suspend the rules in order on Monday, March 17, 1969, under clause 1, rule XXVII, be transferred to Tuesday, March 18, 1969.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. GROSS. Mr. Speaker, reserving the right to object, may I ask the gentleman what is the necessity for this request?

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GROSS. Yes. Of course.

Mr. ALBERT. Monday is St. Patrick's Day and, of course, there are appropriate celebrations in many districts.

We would like to accommodate those Members who would like to attend St. Patrick's Day functions. We do not have any substantial business scheduled for Tuesday. As a matter of fact, I do not believe we have any bills that will be brought up under the Private Calendar although Tuesday is Private Calendar day and is the only business scheduled for that day.

Mr. BURKE of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Massachusetts.

Mr. BURKE of Massachusetts. I would also like to inform the gentleman from Iowa that March 17 is also Evacuation Day, a holiday in Suffolk County and the city of Boston.

Mr. GROSS. What are they going to evacuate?

Mr. BURKE of Massachusetts. If the gentleman will yield further, that was the day on which the British evacuated Boston. It was one of the first victories by our colonial forces. It is a very memorable day in the hearts and minds of the people of Boston. In fact it is a dual holiday. I do not know which has preference, but I have an idea that St. Patrick's Day has preference. George Washington, who led the troops up to Dorchester

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heights on that historic occasion issued orders that the password for the day was "Patrick."

Mr. GROSS. Does the gentleman think that this evacuation can take place in one day? Perhaps, we ought to go over until Wednesday.

Mr. BURKE of Massachusetts. It is my opinion that we would be using good judgment if we allowed all of this business to go over until Tuesday, and I am sure all the Members will be back Tuesday ready to work.

Mr. GROSS. I would like to ask the distinguished majority leader how many bills there are to be considered under suspension of the rules?

Mr. ALBERT. Mr. Speaker, if the gentleman will yield further, there are five.

Mr. GROSS. I am not trying to get the schedule for next week.

Mr. ALBERT. We have notice of five suspensions.

Mr. GROSS. Five suspensions.

Mr. ALBERT. The gentleman is correct.

Mr. GROSS. These would come up, then, on Tuesday rather than on Monday.

Mr. ALBERT. That is correct.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

FIRST ANNUAL PLAN FOR U.S. PARTICIPATION IN THE WORLD WEATHER PROGRAM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Interstate and Foreign Commerce:

To the Congress of the United States:

I am pleased to transmit to you, in accordance with Senate Concurrent Resolution 67 of the 90th Congress, the first annual plan for United States participation in the World Weather Program. This document describes the long-range goals of the World Weather Program and the activities in support of that program which have been planned by eight Federal agencies for Fiscal Year 1970. The budget figures shown in this report are consistent with those which appeared in the budget submitted to the Congress on January 15, 1969.

I commend this report to you and hope you will give it your careful attention, for it describes activities which can contribute in important ways to the quality of American life. The World Weather Program promises, for example, to produce earlier and more accurate weather forecasts than we now receive. It is also exploring the feasibility of large-scale weather modifications. Because so much of our social and economic life is significantly influenced by weather conditions, it is important that we encourage those advances in weather prediction and control which our scientists now foresee.

This project, and our role in it, also have great political significance. For the World Weather Program, growing out of United Nations initiatives in the early 1960's, has developed into a most impressive example of international cooperation. On a scale never attempted until this decade, scientists and governments in many countries are joining hands across national boundaries to serve the entire human community. Their example should be instructive for all of us as we pursue lasting peace and order for our world.

This report "talks about the weather," but it demonstrates that we can do far more about our weather than merely talk about it. I believe that the plans for American participation which are outlined here reflect the sense of both the Congress and the Executive Branch of our government that the United States should give its full support to the World Weather Program.

RICHARD NIXON.

THE WHITE HOUSE, *March 13, 1969.*

LEGISLATIVE PROGRAM

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GERALD R. FORD. Mr. Speaker, I have asked for this time for the purpose of inquiring of the distinguished majority leader the program for next week.

Mr. ALBERT. Mr. Speaker, will the distinguished minority leader yield?

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, in response to the inquiry of the gentleman from Michigan the program for next week is as follows:

Monday is Consent Calendar day.

Tuesday is Private Calendar day, and under the unanimous-consent agreement heretofore reached, there are five suspensions scheduled for consideration on Tuesday next, which are as follows:

S. 1058, to extend the period within which the President may transmit to the Congress plans for reorganization of agencies of the executive branch of the Government;

H.R. 7206, salary adjustment for the Vice President and certain officers of Congress;

H.R. 2669, to amend the War Claims Act of 1948 with respect to claims of certain nonprofit organizations;

H.R. 2171, relating to national observances and holidays; and

H.R. 8438, to extend the time for filing final reports under the Correctional Rehabilitation Study Act of 1965 until July 31, 1969.

Wednesday and the balance of the week, H.R. 8508, to establish limitation on national debt, subject to a rule being granted; and H.R. 515, to amend the National School Lunch Act and the Child Nutrition Act of 1966, subject to a rule being granted.

Any further program, of course, may be announced later.

Mr. GROSS. Mr. Speaker, would the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I thank the gentleman for yielding, and if I may have the attention of the distinguished majority leader, I would ask: Do I understand that no rule has been granted on the increase in the debt ceiling?

Mr. ALBERT. The gentleman is correct.

Mr. GROSS. Would it not be possible to bring that bill up under suspension on Tuesday? The Senate might very well whip that half-billion-dollar foreign handout bill, passed yesterday with the unwise approval of the House, through to final passage. Without an increase in the debt ceiling there might be no way the $480 million could be expended.

Mr. ALBERT. Mr. Speaker, if the gentleman from Michigan will yield, I believe that is a question, if the gentleman from Iowa will bear with me, that should be addressed to the Chair, because a question of recognition for suspension purposes rests exclusively in the discretion of the Speaker.

Mr. GROSS. In that way it would not necessitate getting a rule. This bill has been available for some time.

Mr. ALBERT. The gentleman is right, and the gentleman is making a worthy observation.

The SPEAKER. The time of the gentleman from Michigan has expired.

ADJOURNMENT TO MONDAY, MARCH 17, 1969

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

CALENDAR WEDNESDAY BUSINESS DISPENSED WITH ON WEDNESDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that any business in order under the Calendar Wednesday rule may be dispensed with on Wednesday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

TRIBUTE TO BOSTON UNIVERSITY

(Mr. McCORMACK (at the request of Mr. ALBERT) was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous material.)

Mr. McCORMACK. Mr. Speaker, on this occasion honoring the one hundredth anniversary of Boston University, I would like to express my deepest admiration for the grand traditions and splendid purposes of the school, and extend congratulations to everyone connected with it. Of all the institutions of Greater Boston, none can be said to have effected a more positive influence or es-

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tablished a finer reputation, over the past 100 years.

Founded as a theological seminary, May 26, 1869, with the object of promoting virtue, piety, and learning in the useful and liberal arts and sciences, the university has benefited the city of Boston and the Commonwealth of Massachusetts to a most remarkable degree.

Constructed in the general vicinity of several expensive private colleges, Boston University was designed to serve the interests of the people-at-large, rich and poor alike. In keeping with Massachusetts tradition, extending back to the first schools ever established in the land, at Plymouth Colony, the founders of the university were determined to assure equal educational opportunities to everybody, regardless of economic standing.

As education has progressed over the years, so has the university curriculum, and as the student body has increased, rendering the job of teaching more difficult, so the staff has increased in competence, to meet the educational crises of the hour.

Composed today of 16 schools and colleges, open to men and women of every race, color, and creed, Boston University is surely an enduring monument to the wisdom and the purpose of its founders.

AUTHORIZING THE COMMITTEE ON BANKING AND CURRENCY TO CONDUCT AN INVESTIGATION AND STUDY OF PRICES OF LUMBER AND PLYWOOD

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 306 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 306

Resolved, That the Committee on Banking and Currency, acting as a whole or by subcommittee, is authorized and requested to conduct a full and complete investigation and study of the high price of lumber and plywood.

For the purpose of carrying out this resolution the committee or subcommittee is authorized to sit and act during the present Congress at such times and places within the United States, including any Commonwealth or possession thereof, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary; except that neither the committee nor any subcommittee thereof may sit while the House is meeting unless special leave to sit shall have been obtained from the House. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated him, and may be served by any person designated by such chairman or member.

The committee shall report to the House on or before November 1, 1969, the results of its investigation and study, together with such recommendations as it deems advisable. Any such report which is made when the House is not in session shall be filed with the Clerk of the House.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from California (Mr. SMITH) and, pending that, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 306, as indicated by the reading of the Clerk, is making a request to the Committee on Banking and Currency for a complete investigation and study of lumber and plywood prices quoted in this country.

This is a very serious problem that has concerned all Americans in the last year or two.

I would like at this time, Mr. Speaker, to commend my good friend and colleague, the gentleman from Nebraska (Mr. MARTIN), for his interest and concern in this matter and I might say many others who have for the past year or two been very greatly concerned about what is happening in the whole area of lumber prices.

The U.S. Government is deeply involved in a housing program to meet the needs of many Americans who certainly are in need of improved living conditions and improved housing.

We find ourselves on the one hand attempting to construct low- and moderate-income housing to meet these needs, while on the other hand, we see the ever-escalating prices of most building due to the price of lumber. For example, during the past 18 months we have seen as much as a 200- to 300-percent increase in lumber of the type used in the framing of ordinary housing, and almost a doubling of the prices of plywood in the past year or 18 months.

Mr. Speaker, this resolution does make a request of the Banking and Currency Committee which has jurisdiction over housing to make a complete and thorough study of this problem. We would hope that this can be accomplished soon.

Mr. Speaker, I urge the adoption of this resolution and reserve the balance of my time.

The SPEAKER. The Chair recognizes the gentleman from California (Mr. SMITH).

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, I concur completely in the remarks made by the distinguished gentleman from California (Mr. SISK) and I associate myself with his comments.

From the volume of mail and telegrams and phone calls, the people in my office recently have indicated that the cost of lumber has gone up so much that housing starts are not starting, or are stopping to some extent, and that the additional cost in building homes has gone up to a point where it is creating a very serious situation because of the logs being shipped out and the shortage of lumber.

The other day in the Committee on Rules when this was heard, the distinguished chairman of the Committee on Banking and Currency, the gentleman from Texas (Mr. PATMAN), was there as well as the distinguished ranking minority leader, the gentleman from New Jersey (Mr. WIDNALL), in presenting the IDA matter and this was brought to their attention.

My understanding was that they understood it and they had jurisdiction to do this under the Import-Export Act and would proceed in that regard; and that they had no objection to the resolution being passed today.

Mr. Speaker, I would like at this time to yield 5 minutes to the gentleman from Nebraska (Mr. MARTIN) who brought this matter originally to our attention.

Mr. MARTIN. Mr. Speaker, on February 24 I made some remarks on the floor of the House calling the attention of the Members to the dramatic increase that has occurred in the cost of lumber over the last 15 months.

On the following day, I introduced a resolution—the same as the resolution that we have before us at the present time.

I would like again to call to the attion of the Members that this increase in the cost of lumber and plywood has been greatly in excess of 100 percent over the last 15 months, but that the largest percentage of that increase has occurred in the last 120 days.

For instance, in the case of dimension lumber—2 by 4's, 2 by 6's, and so forth, in November 1967 it was approximately $70 per thousand feet at the mill. Today the price is $140 per thousand feet.

In regard to plywood, in November 1967, one-quarter-inch AD, it cost approximately $57 per thousand feet f.o.b. the mill. Today that plywood is $144 per thousand feet.

You can see the tremendous increase that has occurred in the plywood market.

What are the reasons for this? Well, it is the old law of supply and demand—too much demand and not enough supply.

Let me bo back to one of the basic reasons that are given by the manufacturers for this increase. Last year we exported from the United States to Japan 2½ billion feet of logs. The manufacturers say that this is one of the primary reasons for the rapid increase in the cost of lumber.

Let us analyze that—and I got these figures from our Forestry Service, which controls Federal timber in the United States, only a few days ago. Of that 2½ billion feet of logs that were exported last year to Japan from the United States, over two-thirds of those logs came from private timber holdings. Some of our largest mills and manufacturers in the Northwest control millions of acres of timber that they have owned for many years at a cost of from $5 to $10 per acre—not per thousand, but per acre. Evidently they can make more money through a capital gains tax by exporting the logs, and over two-thirds of the 2½ billion feet of the exported logs has come from private timber holdings rather than from the Federal forests.

In the foreign aid bill which Congress passed last year and which is currently the law, the export of logs from Federal timber holdings is restricted to 350 million feet per year. But again I wish to call your attention to the fact that this is only from Federal timber holdings. That action will result in a reduction in the export of logs from this country. But the biggest violators, and the ones that are causing the most trouble, are the privately owned mills in the Northwest

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who own timber and who are exporting logs.

The manufacturers also want to increase the allowable cut from the National Forest Service. The National Forest Service has done a tremendously fine job in trying to maintain a perpetual yield of timber for years and years to come. They tell me that this can be increased somewhat, a very small percentage, but it is not going to immediately alleviate the situation that exists.

Another reason for the increase in the last 120 days is the bad weather—the snows that the Northwest has experienced. This we have had before. I am very happy that this resolution was approved by the Rules Committee and that the distinguished chairman of the Banking and Currency Committee, the gentleman from Texas (Mr. PATMAN), is going to proceed immediately with hearings on this vital problem concerning this essential product in home construction.

You will recall that the steel industry increased prices from 5 to 6 percent over the last few years, and the pressure of the Office of the Presidency of the United States forced a rollback in those increases in steel prices, which were at a maximum of 6 percent, and here we have an increase of over 100 percent, and so far nothing has been done.

Mr. WAGGONNER. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I am glad to yield to the gentleman from Louisiana.

Mr. WAGGONNER. I thank the gentleman for yielding. I have no quarrel in any way with the resolution. I think the study needs to be conducted. But in a technical way, is the resolution necessary? Could its purpose not be accomplished within the framework of the present committee's jurisdiction?

Mr. MARTIN. That is correct. The present committee has jurisdiction to proceed with hearings in this area. But I think because of the seriousness of the situation it is well to call to the attention of the Members of the House what is going on in the lumber industry today.

Mr. WAGGONNER. I thank the gentleman.

Mr. MARTIN. Mr. Speaker, in conclusion I would like to point out that according to a report made by the Securities and Exchange Commission, the average net profits of the lumber manufacturers for the first three quarters of 1968 increased 97.9 percent. In view of the fact that the rapid increase in lumber and plywood has occurred in the last 120 days, if present prices continue throughout the year, their earnings should be up several hundred percent for 1969.

In the present situation, the lumber manufacturers have lost all sense of responsibility and ethical behavior. Lumber and plywood are today being sold on the auction block to the highest bidder.

This situation, Mr. Speaker, calls for immediate action because of the grave situation which currently exists. I trust that the extensive hearings of the Banking and Currency Committee will bring about a reduction in the price of lumber and a return to sanity in this industry.

Mr. SISK. Mr. Speaker, I yield 10 minutes to the gentleman from Texas (Mr. PATMAN).

(Mr. PATMAN asked and was given permission to revise and extend his remarks and include extraneous matter.)

Mr. PATMAN. Mr. Speaker, the gentleman from Nebraska (Mr. MARTIN) is to be commended for bringing to the attention of this body and joining in the concern that the House Committee on Banking and Currency has had over the fantastic increases in lumber prices which are so seriously and adversely affecting housing construction in the United States.

In fact, at the first meeting of our committee, soon after January 3, one of the first discussions that came up was the question of increased prices and costs affecting the housing industry.

We have a commitment over the next 10 years of constructing 26 million houses. That cannot be done unless we do something about the increases in the cost of construction and financing housing. I am pleased to know of the interest and the support of the gentleman from Nebraska (Mr. MARTIN), and also the Rules Committee that reported this resolution.

The Committee on Banking and Currency is aware of this, and—as I have publicly indicated—will begin immediately to investigate the reasons why these fantastic price increases have occurred. In fact, our committee announced the day before yesterday, on the 11th, that we were commencing then to begin this investigation. We had our staff working on it. We did not announce the date, but I can say now it is contemplated we will start public hearings on Monday, March 24. In view of the urgency of this situation, we feel it is justified to have the first hearing on that Monday.

Our investigation, however, will go beyond the matter of the skyrocketing lumber prices, important though this particular subject is. The Congress has, at least since 1949, promised the American people that we would pursue a policy to assure a decent home for every American. Rather than meeting this objective, we seem to continually be falling further and further behind. Just last year the Banking and Currency Committee brought to this floor and Congress enacted the Housing and Urban Development Act of 1968, which calls for the construction over a 10-year period of 26 million housing units. This objective must be met or again we will be charged with making great pious, but platitudinous, statements which we cannot fulfill. I have challenged the administration and the Congress with the responsibility of getting to the bottom of why our housing goals in the past have not been met and with providing the necessary solution to this dilemma.

To indicate the importance of this subject, it is my intention to hold these hearings before the full Committee on Banking and Currency. I recognize the emergency situation for the homebuilding industry as a result of the tremendous increase in lumber costs that have occurred in recent years and months. Of course, when I say "lumber," that means plywood and other wood that goes into housing. However, I want to state that the Banking and Currency Committee inquiry will be broadened into a detailed analysis of all of the factors that have given rise to the rapidly increasing price of homes. I have contacted a number of members of the House Banking and Currency Committee and I am convinced there is a general consensus within the committee that we must eliminate whatever the factors are that price housing out of the range of millions of Americans through such things as rising interest rates and skyrocketing construction costs. I know this subject has strong bipartisan support within our committee and this body.

It is our intention to begin these hearings, as I said, starting a week from Monday, March 24. The committee will welcome all witnesses who can shed light on this subject, and I trust that the esteemed gentleman from Nebraska, who is so knowledgeable on the subject of lumber and lumber prices, will be our first leadoff witness. Again, I reiterate that I welcome the support of Members of this body in this undertaking.

Mr. Speaker, I shall read a telegram that I received on this subject, which is dated yesterday, March 12, 1969:

RED BLUFF, CALIF.,
March 12, 1969.

HON. WRIGHT PATMAN,
Chairman of House Banking Committee,
House of Representatives,
Washington, D.C.:

Read where your committee is about to investigate lumber prices. We are vitally concerned both as producers and sellers of lumber products as well as being a large consumer of lumber products. We feel your committee should start with some of the past and present practices of the forest service. In the last ten years these practices have driven a large number of producers to the walls. Now that there is a heavy demand for finished lumber production the productive capacity is not available. Some relief could be accomplished by making more timber available. Failures of the forest service:

1. Failure to make available year after year the allowed allotments from national forests.
2. Past exporting of logs to Japan.
3. Placing too much land into non-economic wilderness areas.

The above three practices are major causes for the wild bidding on government stumpage and resulting high lumber prices.

4. Changes in policy of payment bonds for forest service sales—particularly hard on small and medium size operators. One of our subsidiaries, Commander Box & Lumber Co., headquartered in Texarkana, Texas, employing several hundred "hard core" employees, is among the many suppliers of government containers that is suffering from the high prices of lumber. It is the largest supplier of ammunition boxes in the country. Although Commander Industries, Inc., principal supplier of Commander Box & Lumber Co. has absorbed a thirty-percent increase in lumber prices during the last sixty days, our subsidiary is presently losing money on contracts accepted before last November.

Future bids for government contracts will have to reflect recent lumber increases—if we are unsuccessful in future bids our Texarkana and Marshall plants may have to be closed. If we can provide you any information that can be of use to your committee we would be happy to oblige.

W. D. SCHAWB,
President, Commander Industries, Inc.

Mr. Speaker, I hope this resolution will be adopted by a unanimous vote. It is very important. We must do something about this urgent problem as quickly as possible.

Mr. MARTIN. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I am glad to yield to the gentleman from Nebraska.

Mr. MARTIN. I should like to commend the distinguished chairman of the Banking and Currency Committee for this prompt action in holding these hearings. I want to assure him it will be a pleasure for me to testify before the committee as he has indicated.

Mr. PATMAN. I thank the gentleman very much.

Mr. MONAGAN. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I am glad to yield to the gentleman from Connecticut.

Mr. MONAGAN. I also want to commend the gentleman from Texas for this proposal.

I do not have any final conclusion myself as to what the issues are in this case finally, but I do know that there are complaints from my own district about the tremendous increase in the prices of lumber to the consumer and to the middleman. Therefore, I think this is very evidently in the public interest.

Mr. PATMAN. I thank the gentleman.

Mr. SMITH of California. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. WIDNALL).

Mr. WIDNALL. Mr. Speaker, I am very, very pleased that the distinguished chairman of our Banking and Currency Committee has announced that we will promptly go into hearings with respect to this serious problem. It speaks well for what has been presented by our colleague, the distinguished Congressman from Nebraska (Mr. MARTIN), in pressing for a resolution to investigate the recent marked price changes in the lumber industry.

I had urged that our Subcommittee on Housing conduct such an investigation, and had been promised action by the subcommittee; now, I am especially pleased that the chairman of the full committee has stated that he will schedule the hearings before the full committee so that each Member can benefit by the testimony which will be received.

This is a crucial time for the American homebuilding industry. Congress last year called for the construction and renovation of 26 million units in the next decade. This is a goal which will be difficult to reach, but it can be reached. However, it can be reached only if we do not have such problems as sky-high lumber prices.

The homebuilders are worried. Those who are planning for a development of housing cannot plan, because from day to day the costs are skyrocketing. There are no firm prices.

The homebuyer is scared off from buying by finding that a house which last year would have cost him $20,000 is now $22,000 or $23,000, and the upping of the price of $2,000 or $3,000 per house is largely because of these escalating costs.

The prices of many basic building materials—including furring strips and plywood—have jumped as much as 100 to 200 percent in the past 18 months. Estimates for housing starts for 1969 run as high as 1.65 million, compared to 1.5 million in 1968. Housing demands are certain to continue to increase. But in the face of rising lumber prices, housing starts may well be down because of the substantial increase in homebuilding costs.

The housing industry uses 40 percent of the softwood lumber produced in this country. We must look very closely at the relationship between rising lumber costs and rising housing costs. The inflation we are now experiencing has had a substantial effect on the housing industry, but the lumber price increases are well beyond what might be caused by inflation.

It is high time we found out the facts and learned exactly who is responsible. We should find out whether the industry itself is responsible, whether the demand is greater than the supply, whether there has been some conspiracy in connection with the price changes and the effect of major export of logs. A broad-scale inquiry is fully warranted on the basis of information that has come to my own office. I have received many letters and telephone calls and visits from interested people. This is something that warrants the attention of the American people. I am sure the way it is now being laid out, with a full-scale committee inquiry, we can get at the bottom of it and make positive recommendations. I urge the adoption of this resolution.

AMENDMENT OFFERED BY MR. SISK

Mr. SISK. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SISK: On page 2, line 6, after "designated" insert the word "by".

The amendment was agreed to.

Mr. SISK. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

TO CREATE A SELECT COMMITTEE TO REGULATE PARKING ON THE HOUSE SIDE OF THE CAPITOL

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 282 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 282

Resolved, That (a) there is hereby created a select committee to be composed of three Members of the House of Representatives to be appointed by the Speaker, one of whom shall be designated as chairman. Any vacany occurring in the membership of the committee shall be filled in the same manner in which the original appointment was made.

(b) The said committee is hereby authorized to exercise direction over the Sergeant at Arms of the House of Representatives in the assignment of space for outdoor parking of automobiles in squares 639, south of 635, and 692, located adjacent to the House Office Buildings, and for all other outdoor parking of automobiles on the House side of the United States Capitol Grounds.

SEC. 2. The House Office Building Commission, in carrying out the duties imposed upon the Commission by the Acts of March 4, 1907 (40 U.S.C. 175), May 28, 1908 (40 U.S.C. 183 and 184), and April 22, 1955 (40 U.S.C. 175), is hereby authorized to delegate so much of such duties as pertain to the direction and supervision of the Architect of the Capitol in the assignment of space for parking of automobiles in the garages in the Rayburn House Office Building, the Cannon House Office Building, and the two underground garages in squares 637 and 691, located adjacent to the House Office Buildings, and the issuance of regulations governing such assignments, to the select committee herein created.

The SPEAKER. The gentleman from California is recognized for 1 hour.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from California (Mr. SMITH).

Pending that, Mr. Speaker, I think the reading of the resolution shows it to be self-explanatory. I have no requests for time and yield back the balance of my time.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, the resolution speaks for itself. I would like to commend the gentleman from California (Mr. SISK) for taking on and handling this difficult job of assigning parking spaces to the Members and their staffs.

I urge the adoption of the resolution and yield back the balance of my time.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

APPOINTMENT AS MEMBERS OF SELECT COMMITTEE TO REGULATE PARKING

The SPEAKER. Pursuant to the provisions of House Resolution 282, 91st Congress, the Chair appoints as members of the Select Committee To Regulate Parking on the House side of the Capitol the following Members of the House: the gentleman from California, Mr. SISK, chairman; the gentleman from Ohio, Mr. HAYS, and the gentleman from Iowa, Mr. GROSS.

AUTHORIZING COMMITTEE ON POST OFFICE AND CIVIL SERVICE TO CONDUCT STUDIES AND INVESTIGATIONS WITHIN ITS JURISDICTION

Mr. MATSUNAGA. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 268 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 268

Resolved, That, effective from January 3, 1969, the Committee on Post Office and Civil Service, acting as a whole or by subcommittee, is authorized to conduct full and complete studies and investigation in connection with all matters coming within the jurisdiction of the committee, including, but not limited to, the following matters:

(1) Personnel requirements and manpower utilization, the United States Civil Service Commission, and the Federal civil service generally.

(2) The classification of all mail, postal rates, fees, and size and weight of all classes of mail.

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(3) Compensation and other emoluments of Federal civil officers and employees.

(4) The administration of the civil service retirement, insurance, and health benefits programs.

(5) The administration, management, and operation of the Post Office Department, mailability of articles and printed matter, including, among other things, the mailing of obscene matter and unsolicited articles.

(6) The purchase, lease, rental, use, and modernization of land, buildings, vehicles, and equipment for the postal field service, including research, development, and engineering programs related thereto.

(7) The activities of the Bureau of the Census, National Archives and Records Service, and the collection, reporting, and data processing activities of the Government generally.

(8) The classification of Federal civilian positions, including, among others, General Schedule positicns subject to chapter 51, of title 5, United States Code, and postal field service positions subject to chapter 45, of title 39, United States Code.

The committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House.

The committee shall report to the House (or to the Clerk of the House if the House is not in session), at such time or times during the present Congress as it deems appropriate, the results of its investigations and studies, together with such recommendations as it deems advisable.

For the purpose of carrying out this resolution the committee, or any subcommittee thereof authorized to do so by the committee, is authorized to sit and act during the present Congress at such times and places within the United States, whether the House has recessed, or has adjourned, to hold such hearings, and to require by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as it deems necessary. Subpenas may be issued over the signature of the chairman or, in his absence, the vice chairman of the committee or any member of the committee designated by such chairman or, in his absence, the vice chairman and may be served by any person designated by such chairman, or vice chairman, or member.

Funds authorized are for expenses incurred in the committee's activities within the United States; and notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States in foreign countries shall not be made available to the Committee on Post Office and Civil Service for expenses of its members or other members or employees traveling abroad.

Mr. MATSUNAGA (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the Record.

The SPEAKER pro tempore (Mr. Patten). Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, I yield 30 minutes to the distinguished gentleman from California (Mr. Smith) and, pending that, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 268 provides the regular authorization for investigative power which is necessary for the normal operation of the Committee on Post Office and Civil Service. The resolution authorizes the Committee to sit and act within the United States only. It is identical to resolutions which have been adopted in the past and was reported by the Committee on Rules without amendments.

Mr. Speaker, I urge the adoption of House Resolution 268 in order that the Committee on Post Office and Civil Service will have authority to conduct investigations and studies of matters within its jurisdiction, and funds may be made available to it.

Mr. SMITH of California. Mr. Speaker, I concur in the statements which have been made by the distinguished gentleman from Hawaii with reference to this resolution. The resolution is identical to the resolution as in years past, and I urge its adoption.

Mr. MATSUNAGA. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE COMMITTEE ON GOVERNMENT OPERATIONS TO CONDUCT STUDIES AND INVESTIGATIONS

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 213 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 213

Resolved, That the Committee on Government Operations is authorized to conduct full and complete studies and investigations with respect to matters within its jurisdiction, and for the purpose of carrying out this resolution the committee, or any subcommittee thereof, is authorized to sit during the present Congress at such times and places either within or without the United States, whether or not the House is in session, has recessed, or has adjourned, and to hold such hearings and take such other actions as are authorized under rule XI(8)(d) of the Rules of the House of Representatives relating to the Committee on Government Operations.

Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Government Operations of the House of Representatives and employees engaged in carrying out their official duties under section 190d of title 2, United States Code: *Provided*, That (1) no member or employee of said committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88–633, approved October 7, 1964; (2) no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; and (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

Each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the cost of such transportation, and the identification of the agency. All such individual reports shall be filed by the chairman of the Committee on House Administration and shall be open to public inspection.

With the following committee amendment:

On page 3, line 2, after the word "agency.", insert the following language: "Amounts of per diem shall not be furnished for a period of time in any country if per diem has been furnished for the same period of time in any other country, irrespective of differences in time zones."

The committee amendment was agreed to.

The SPEAKER pro tempore (Mr. Patten). The gentleman from Missouri is recognized for 1 hour.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from California (Mr. Smith) and, pending that, I yield myself such time as I may consume.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BOLLING. I am delighted to yield to the gentleman from Iowa.

Mr. GROSS. I thank the gentleman for yielding, and I would merely ask the gentleman from Missouri if he would like to correct the wrong spelling of the word "carrying" in line 4 on the first page of the resolution.

Mr. BOLLING. I would say to the gentleman from Iowa that there are two typographical errors. The gentleman from Iowa is calling my attention to an error appearing at what portion of the resolution?

Mr. GROSS. In line 4 of the first page of the resolution, the word "carrying."

Mr. BOLLING. The gentleman is correct. There is an error in the spelling of the word "carrying" on line 4 of the first page of the resolution, and there is an error in the spelling of the word "time" appearing in the committee amendment, on page 3, line 5, of the resolution.

Mr. Speaker, I ask unanimous consent to correct the spelling of the word "carrying" in line 4 on page 1 of the resolution, and the spelling of the word "time" in line 5 on page 3 of the resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. BOLLING. I thank the gentleman.

Mr. GROSS. Mr. Speaker, would the gentleman yield further?

Mr. BOLLING. Certainly, I will yield further to the gentleman.

Mr. GROSS. Mr. Speaker, I would ask the gentleman from Missouri if we have been giving the Committee on Government Operations the authority, by virtue of similar resolutions in the past, to sit at any time the House may be in session?

Mr. BOLLING. Yes; the committee already has the authority, I believe it is one of the few committees that has that authority, but this is to sit any time outside, where they do not have the authority to do so that is needed.

This resolution is for some trip.

Mr. GROSS. I thank the gentleman.

Mr. BOLLING. Mr. Speaker, the gentleman from Missouri would like to explain a special provision in this resolution that is contained in the committee amendment. The gentleman from Missouri (Mr. HALL) has been interested for some time in seeing to it that Members only receive 1 day of per diem for 1 day of absence from this country.

Despite the fact that we have received assurances from the new chairman of the Committee on Accounts, the gentleman from Ohio (Mr. HAYS), that that is surely going to be the practice, in the Committee on House Administration there has been some doubt as to whether that has always been the practice, and we thought that in the Committee on Rules it would be nice to make sure that that barn door was double-locked, so we included it as an amendment, which has been adopted already, this provision which makes it impossible—regardless of what happens from this day forth, at least as far as this committee is concerned—that it makes it impossible under any circumstances for a Member to draw double per diem for any one 24-hour period of absence from this country.

Now, I have been assured, insofar as it affects any other committee, that that same practice will be followed by the Committee on House Administration, so I believe that the door of the barn is now double-locked, and I believe the horse is still in the barn.

Mr. GROSS. Mr. Speaker, if the gentleman will yield further, I believe this is a wise provision that the committee has put in the bill.

Mr. BOLLING. I thank the gentleman.

Mr. HOLIFIELD. Mr. Speaker, will the gentleman yield?

Mr. BOLLING. I am happy to yield to the gentleman from California.

Mr. HOLIFIELD. I thank the gentleman for yielding.

I merely want to say that I believe this is a wise and just provision. I notice that the gentleman said that such a provision would now be required by the Committee on House Administration in the future. Does that mean, then, that in future rules the gentleman will also include this provision?

Mr. BOLLING. The gentleman is absolutely correct. There is no intention to particularly designate the Committee on Government Operations, as far as I am concerned. It will be a part of the requirement of the Committee on Rules for any committee to include this provision.

Mr. HOLIFIELD. That is a very satisfactory answer. I believe the amendment is a just amendment. I just wanted to be sure, because while I do not personally know of any case where this has occurred in the past in the House Committee on Government Operations, it is entirely possible that it has, and if it has I want it stopped for the future.

Mr. BOLLING. Mr. Speaker, I now yield 30 minutes to the gentleman from California (Mr. SMITH).

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume. I simply want to say that I concur in the remarks made by the distinguished gentleman from Missouri (Mr. BOLLING), and I urge the adoption of this resolution.

Mr. BOLLING. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

NIXON'S ADMINISTRATION—THE FIRST 50 DAYS

(Mr. WYMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. WYMAN. Mr. Speaker, just over 7 short weeks ago, Richard M. Nixon was inaugurated President of the United States and his administration was born. In the days that have passed since that historic day, much has transpired to give all Americans cause for a sense of pride that they have selected as their Chief Executive a man fully competent in every respect to deal with the monumental tasks and problems with which this country and the world are faced.

Through the medium of his press conferences he has shown not only a keen awareness of a wide range of situations and problems, both foreign and domestic, but also by his articulate responses to questions of the press, that, although he is staffing an administration with the highest caliber individuals available, he is not leaving any one particular area of concern entirely to someone else. Rather, he has done his homework and is as fully knowledgeable of these problems as is possible.

In the area of foreign affairs, his trip through Western Europe was, in a sense, triumphant, and he has indicated a very real ability to negotiate in this area. Certainly it is no mean task to be able to get along with President de Gaulle, but President Nixon not only "got along" but their parting was on an unusually friendly basis. This is bound to result in better United States/French relations than have been the case in a long, long time.

On the domestic front, he has met several situations head-on and not attempted to delay or circumvent any. His reaction to campus disorders was both swift and comforting to those of us who have long held that these situations must be dealt with firmly—and fairly. His decision on the much talked about Sentinel anti-ballistic-missile system is expected within the next 24 hours, and although many have speculated that he will try to avoid this question, I do not believe this to be the case and that he will take his stand now and not later, no matter what the uproar may be.

In short, Mr. Speaker, we are truly blessed in having a President, at long last, who is a leader, in every sense of the word. We are blessed in having a President who is probably the best qualified individual to have held that office in two generations or more.

There has been some criticism of a few of the high-level appointments that have been made to date, but this is just another indication that President Nixon holds the best interests of his country first, and he is trying to staff his administration with the best qualified men and women, regardless of political affiliation.

This administration has lived but 50 days. But if these first 50 days are an indication of the kind of administration to which this Nation can look forward for the next 3½ or 7½ years, then when the time comes for Dick Nixon to turn over the reins of Government to the next in line, this country and this world should truly be a better place for all to live.

AMERICAN LEGION SALUTE

(Mr. ROBERTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. ROBERTS. Mr. Speaker, on Saturday the American Legion will officially celebrate the 50th anniversary of its founding March 15, 1919, in Paris, France. I would like to salute this organization for its half century of service to the entire country.

The American Legion is known all over the world for its many programs benefiting both the youth of the country and returning war veterans.

I am very proud to have the first American Legion post of the 666 posts in Texas, and one of the first in the Nation, in the Fourth Congressional District. Post 1 in Commerce, Tex., was founded on July 1, 1919.

The American Legion deserves special commendation for its golden anniversary gift to the Nation, the permanent lighting at the Tomb of the Unknowns in Arlington National Cemetery.

This morning the Honorable William C. Doyle, national commander of the American Legion, testified before the Committee on Veterans' Affairs. I am pleased to include his remarks.

STATEMENT OF WILLIAM C. DOYLE, NATIONAL COMMANDER, THE AMERICAN LEGION, BEFORE THE COMMITTEE ON VETERANS AFFAIRS, HOUSE OF REPRESENTATIVES, THURSDAY, MARCH 13, 1969

Mr. Chairman and Members of the Committee, at the onset may I express our appreciation to you, Mr. Chairman, and to this Committee, for receiving us so graciously. We know that the many problems of our Nation and of the world are most demanding of your limited time. In addition, we are indebted to the Honorable Wilbur D. Mills, Chairman of the Committee on Ways and Means of the House of Representatives, for authorizing the use of this room for this gathering.

It is with a mixture of pride, pleasure and humility that I appear this morning before this distinguished Committee. I take pride in holding the high office of National Commander of The American Legion, the largest veterans organization in the United States. It gives me much pleasure to have the opportunity to appear before such an outstanding group of legislators. And I am humble as I contemplate the fact that in a sense I appear here as spokesman for many thousands of brave men and women who have sacrificed much in the service of their country and who cannot be here to speak in their own behalf. In the remarks that I shall make to the Committee today I shall be ever mindful of the responsibility that is placed on me as I attempt to speak in the interest of those veterans and their dependents who must look to their government in their time of need, just as the government looked to them in its hour of need.

This week The American Legion is conducting, in the Capital City, its ninth annual Washington Conference. This event in-

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cludes our 46th annual National Rehabilitation Conference. Several thousand Legionnaires are gathered here to carry on the business of our great organization.

There is, however, an unusual significance to this particular Washington Conference. It is one of the highlights of the commemoration of our Golden Anniversary.

Fifty years ago, on November 11, 1918, the guns fell silent on the Western Front and the men of the AEF climbed out of the muddy trenches of Northern France and began to reflect on what would happen to them when they returned home.

I would remind you gentlemen that there was at that time no House Committee on Veterans Affairs as we know it today. There was no particular group of Congressmen concerning themselves with the welfare of the returning serviceman. There was no Veterans Administration. There were no veterans hospitals. There was no broad program of benefits awaiting the return of those men of the AEF. That all of these things exist today is the result of the concern of the Congress of the United States for the Nation's veterans, and, in measurable degree, it is the result, too, of the interest and the activity of The American Legion.

In mid-March of 1919 a group of officers and men of the AEF gathered in Paris, and decided that the men who had fought and won the war to end all wars should form a veterans association upon their return home. Those same men, with representatives of their comrades who had served in the States and elsewhere in the world, met in St. Louis, Missouri, in May of 1919 and finalized plans for their organization. At that time they chose to call themselves The American Legion.

The new organization held its first National Convention in Minneapolis, Minnesota, in November of 1919. At that convention the new Legionnaires concerned themselves primarily with the welfare of their sick and disabled fellow veterans. It is a matter of history that as the Legionnaire delegates were meeting in Minneapolis, four of their fellow members were shot to death by radicals while marching in an Armistice Day parade in Centralia, Washington. It is safe to say that the Legion's unrelenting opposition to Communism and all forms of radicalism extends through the years until today from that tragic moment in Centralia—known in the annals of The American Legion as the Centralia Massacre.

To characterize The American Legion's continuing intense interest in the rehabilitation of the sick and disabled veteran, I would like to pause just long enough to read to you distinguished gentlemen an excerpt from the report of the Committee on Rehabilitation to the Third Annual National Convention of the Legion in Kansas City, Missouri, in 1921. Speaking of the war disabled, the Committee said this: "While others may tire of the burden imposed by the care of these men, and popular interest grow cold, The American Legion must never permit its interest to diminish or its energies in their behalf to flag until to the last one has been brought all the resources that modern science can provide for the cure and (relief) of the diseases from which they suffer. However The American Legion might succeed in other activities, it will fail if it does not continue to discharge its obligation to these comrades." Gentlemen of the Committee, those same sentiments accurately express today the sense of obligation of The American Legion toward all of the veterans of America's wars.

I believe it is worthwhile to note here that while the Legion this year celebrates the Golden Anniversary of its founding, it will also commemorate in 1969 the 25th Anniversary of the enactment of Public Law 78–346, the G.I. Bill of Rights. It is most appropriate that I should mention this fact before this Committee.

The first draft of the G.I. Bill was prepared by The American Legion and submitted to Congress in January of 1944, at the height of World War II. This draft was studied and amended in Congress, passed unanimously, and sent to President Franklin Delano Roosevelt, who signed it into law on June 22, 1944.

There is no question now that the G.I. Bill was the most significant single piece of veterans legislation ever adopted by any nation. Because of it, literally millions of American veterans are today better educated, better housed, and are enjoying a better economic life than could possibly have been the case without it.

The American Legion is proud to have been associated with the Congress in the development of this landmark legislation.

In addition to our observances here this week, other major commemorative activities this year will take place also in St. Louis in May, at our 51st National Convention in Atlanta, Georgia, in August, and finally in Minneapolis on Veterans Day.

I would like all of you distinguished gentlemen to know that as one of its most important actions of this Golden Year, the Legion has appointed a Task Force for the Future, which will make its final report to the National Convention in Atlanta in August. The responsibility of this Task Force is to draft a set of guidelines for the Legion as we launch our second half-century. It is our intent to so direct our efforts that our organization will make an important contribution to the welfare of our beloved country during the years that lie ahead. The American Legion will remain steadfast to its first charge, the care of our country's veterans, but we are evaluating all of our programs of service to make them more effective in keeping with the times.

On Saturday of this week it will give us great pleasure to entertain the Members of the 91st Congress at dinner at the Sheraton Park Hotel. There you will not only receive our salute, but you will also have what we hope will be a welcome opportunity to visit with those Legionnaires from your own home districts who are here to attend our Washington Conference. We hope that it will be a pleasant evening for all of you.

There is one unusual feature about the activities planned for Saturday evening. At that time we will turn on, by remote control, a lighting system for the Tomb of America's Unknown Soldiers at Arlington National Cemetery. You may be aware of the fact that among the many beautiful monuments that grace the Capital City, the Tomb of the Unknowns is one that has never been lighted. The lighting system for it has been the Gift to the Nation of The American Legion in commemoration of its Golden Anniversary. It is our hope and intention that the lighting of the Tomb will help serve as a reminder to all Americans who see it of the price that has been paid by thousands of young Americans to preserve Freedom, Justice and Democracy for our people and our Nation, and for other free peoples.

Mr. BIAGGI. Mr. Speaker, this year marks the 50th anniversary of the American Legion, an organization of patriotic veterans who believe in freedom through strength and preparedness. Born out of war's tragedy, the Legion seeks to investigate the causes of war and apply the results of its study intelligently toward the preservation of peace.

The men of the American Legion do not stop here, however. Beyond this are their objectives of community improvement, individual betterment, and the promotion of American principles and ideals.

It struggles for their attainment during war and peace, in good times and bad. And it will fight on. In a day when the minds of men have been subjected to worldwide tragedy and doubt, when suffering is on every side, the American Legion stands solidly for our country and its democratic system of government. It believes the American dream to be coming to fruition.

Legionnaires are proud that every one of the Legion's members served in this country's Armed Forces. Many of its members have shed their blood and performed heroic acts. Men of the American Legion know what sacrifice means.

After 50 years of service, the American Legion's work has only begun. Before it lie tremendous unsolved problems—at home and abroad—and the greatest of these is securing peace.

Who is better fitted to work for this ideal than those who have given most to win it? The answer is obvious—Legionnaires.

I congratulate the American Legion on 50 years of accomplishment. May it see 50 more years of glorious service to America.

Mr. McKNEALLY. Mr. Speaker, 50 years ago this month, a group of soldiers sat down in Paris to form an organization dedicated to the ideals of God and country. Fifty years have past since the historic meeting in Paris. They are 50 years of extraordinary accomplishment in behalf of the men who bore the heat of the battle, their widows, and their orphans.

As much as we may honor the Legion and what it has accomplished in behalf of the rehabilitation of the disabled, we must honor it equally for its promotion of Americanism and patriotism, and all those ideals which have resulted in America's extraordinary rise to greatness. It is particularly important that we fasten on this part of the Legion's record because we live in a day when those ideals are not only derided, but they are betrayed by a modern caterwauling ruck of malcontents whose intent and purpose it is to destroy all that the Legion has striven for.

All hail to the American Legion. May its services be appreciated by our country and may its philosophy always be pleasing to God.

Mr. HAGAN. Mr. Speaker, I am proud to add my own congratulations on the occasion of the 50th anniversary of the American Legion.

This is indeed an outstanding occasion for never before in the history of man has such an organization of war veterans been banded together for such noble purposes, as those set forth in the preamble to the American Legion constitution.

In fact, Mr. Speaker, only once before in the history of our Nation, at the time of the drafting of the Declaration of Independence, had men of such keen insight into human nature, such a grasp of the future course of history and with such a feeling for their fellowman come together for a common purpose.

Seldom, in the course of history, has one organization exemplified such patriotic fervor.

May the American Legion enjoy many more decades of success in all its work and continue in its growth in strength and in effective service to our country.

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Mr. ROTH. Mr. Speaker, I would like at this time to salute and congratulate the American Legion on the 50th anniversary of its founding. As a member of Laurence Roberts Post No. 21, in Wilmington, Del., and as a friend of a distinguished former Delawarean who is a founding father of the American Legion, national executive committeeman Thomas W. Miller, I have long been familiar with the outstanding work of the American Legion on behalf of our Nation and its citizens.

The American Legion is fundamentally a patriotic organization, dedicated and devoted to advancing the ideals of America—justice, freedom, democracy, and loyalty—and to exalting, under the motto "For God and Country," the sacredness of human personality and the inestimable gift of American citizenship. Founded in Paris on March 15, 1919, by 1,000 representatives of the American Expeditionary Force, the American Legion currently has more than 2.6 million members—veterans of four wars: World Wars I and II, Korean and Vietnam conflicts—in some 16,000 posts in the United States and abroad. Bound together in comradeship and service, Legionnaires—"Veterans as Citizens"—actively devote their efforts to four major programs: Americanism, child welfare, rehabilitation, and national security. In addition to working for handicapped veterans, their widows and orphans, an emphasis is placed on citizenship development of youth, with over 5 million participating each year in such programs as Boys State, Legion baseball, and a national oratorical contest.

The work of the American Legion during its first 50 years is a source of inspiration to all Americans and we are all more comforted in the knowledge that we may look forward to many more years of Legion service to community, State, and Nation.

Mr. ZWACH. Mr. Speaker, I would like to join with my colleagues today in paying a salute to the American Legion on its 50th anniversary. While I would prefer not to have had those terrible conditions in our world that served as the birthplace of our greatest veterans organizations, still I am very proud of the value that this organization and membership have been to this Nation over the past 50 years.

Our hats are tipped in sincere reverence to the good influence that this group, representative of 26 million veterans in the United States, has had in developing and maintaining a strong, healthy respect for our Nation and for the cornerstones upon which our democracy was founded.

My best wishes to the officers and members of the American Legion on their 50th anniversary.

Mr. MILLER of Ohio. Mr. Speaker, I am proud to pay tribute to the American Legion on its golden anniversary.

From its modest organizational meetings in Paris in the aftermath of World War I, the Legion membership rolls have expanded to include the names of over 2,700,000 worthy American veterans including the President of the United States, 30 State Governors, 66 U.S. Senators, and 252 U.S. Representatives. Additionally almost 1,000,000 women belong to the American Legion Auxiliary.

As the leading guardian of veterans' rights and interests, the Legion deserves full credit for its role in formulating the Serviceman's Readjustment Act for the returning servicemen of World War II and for extending its provisions to cover those who have defended our country in Korea and Vietnam. More than 11 million veterans have availed themselves of educational and training benefits under the GI bill and nearly 6 million have purchased homes under its guarantees. Additional uncounted millions of veterans have received employment counseling business loan assistance, and medical treatment under this and related statutes.

Advocacy of a fuller recognition of our Nation's obligations to servicemen, past and present, is only a part of the Legion's purpose. Its efforts in the area of youth activities are perhaps even more deserving of commendation by the Congress. Boys State and Nation, Girls State and Nation, national high school oratorical contests, Boy Scout troops, and the American Legion baseball programs are all extremely successful and vital motivators of young men and women. In an age when much of the emerging generation wants to revolt against the American system, the Legion encourages active participation in our great democratic processes. The future of a nation will be determined by the deeds, attitudes and moral standards of its youth. As it enters its second half-century, the American Legion is hard at work building a finer and freer United States of America.

Mr. ROONEY of New York. Mr. Speaker, 50 years ago a thousand or so members of the American Expeditionary Force sharing an ideal met in Paris and formed what is now the American Legion. Today more than 2½ million Americans belong to the Legion and the ideal—Americanism—is as strong as it was on March 15, 1919. It would be more than slightly ridiculous to note that things have changed greatly over those 50 years but they have indeed and thus it is more remarkable, I think, that the Legion has been able to hang onto its prime goals of Americanism, rehabilitation, child welfare, and national security. In those 50 years the Legion has grown to more than 2½ million members and we now have more than 20 million living veterans and three additional wars. In addition, we have weathered all kinds of internal strife including, but certainly not limited to, times of economic depression and threats by foreign "isms." Mr. Speaker, I join with my colleagues in saluting the American Legion, its members and, more importantly, their work. The activity of the Legion is very much a part of the strength of this country.

GENERAL LEAVE TO EXTEND

Mr. ROBERTS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on this subject.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

PARIS PEACE TALKS

(Mr. FISH asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. FISH. Mr. Speaker, the Vietnam war concerns us all. Many of us, I know, were hopeful that the Paris peace talks would begin by this time to mark out a road toward peace. In Paris we are negotiating in good faith, yet the war goes on and peace seems as distant today as it did prior to the halt of the bombing and the start of the negotiations. The tragedy of this situation is underscored by rising casualty rates as Vietcong and North Vietnamese main force units continue their winter offensive. Yet even as casualties rise a clear-cut definition of this war, or our purposes for being in this war, that has served to divide our country, fill our youth with unrest, exacerbate our social ills and drain our needed resources, seems as far away as ever.

A leading newspaper in my district, the Kingston Daily Freeman, Kingston, N.Y., has taken note of the intransigence of Hanoi and the disquiet that pervades our Nation. In a front page editorial that appeared in the issue of March 12, it addresses itself to these problems. This editorial suggests the possibility of a nationwide referendum on whether this country should prosecute this war to win, or to pull out our forces and neglect our commitments. With this suggestion they seem to be asking a question that is basic to the issue: Can we fight and die for peace when our adversary fights to win? I submit the full text of the editorial:

THE KINGSTON DAILY FREEMAN EDITORIAL

President Nixon apparently is finding himself as much impaled upon the horns of the Vietnam War dilemma as was Lyndon Johnson, his predecessor. This nation has stopped the bombing; we are searching for peace in Paris; and we have not unduly escalated ground action in South Vietnam.

Yet, the Viet Cong and North Vietnamese are turning the Paris Peace Table into an obstacle course and, at the same time, conducting the third phase of yet another winter offensive, sending the G.I. death toll soaring once again.

MOTIVES

The motives are fairly obvious. Delay, stall, attack are the orders—all designed to keep the allies off balance so that the American public will tire of the commitment and carnage and move for a peace, even at the expense of the South Vietnamese.

In short, the North is still shooting for complete victory—both politically and militarily, and obviously does not intend to alter any of its tactics until these ends are achieved.

This is Nixon's dilemma, and notwithstanding campaign promises the enormous problem is still here. The war goes on, boys are dying, billions of dollars are being spent that could be better used at home, and no end in sight, except capitulation to the Viet Cong and North Vietnamese.

Washington is fractionalized between the doves and the hawks, and Nixon will be unable to satisfy either. Nor will any solution appease all of our diverse elements in this country.

COURSE OF ACTION

But a dilemma must be faced and a course of action undertaken—if for no other rea-

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son than to escape from an untenable situation.

Therefore, we suggest the President take steps to prepare a national referendum. Let the people decide whether we should go all-out to win this war or pull out of our commitments. Obviously, the hope of a middle ground of a negotiated peace is evaporating and one course of action or another, must be undertaken before the United States is bled to death in Southeast Asia.

ON MUTUAL FUND BILL

(Mr. STUCKEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. STUCKEY. Mr. Speaker, I have introduced today a bill to provide a much larger measure of consumer and investor protection for shareholders in investment companies—mutual funds—while at the same time preserving the principles of free enterprise and corporate democracy. During hearings on investment company legislation before the House Subcommittee on Commerce and Finance in the 90th Congress, I became greatly concerned with some policy aspects of the proposals being made by the Securities and Exchange Commission.

The truth-in-mutual-funds law enacted by Congress in 1940—the Investment Company Act—like the other Federal securities laws, embodies the principle of "full disclosure" as the main bulwark of investor and consumer protection in the field of mutual funds. It has worked well. Today there are about 5 million mutual fund shareholders, and these companies have assets of over $53 billion at present. This has made investment in American industry available to millions of low and middle income citizens who could not otherwise afford professional management of investments on an individual basis. Most of these persons would not have been invited to participate in the ownership of our Nation's productive capacity but for the affirmative efforts of mutual fund salesmen seeking out prospects and selling them on the advantages of investing and saving.

In legislation last year the SEC proposed to change the basic assumption of corporate democracy that each shareholder buys into a company voluntarily and can sell his shares at any time he does not like the company or its management, but that while he is a shareholder, a majority of the shareholders and the directors they elect each year will run the company.

Under the SEC proposals, which have been introduced in the Senate again in the 91st Congress—S. 34 and S. 296—the SEC and the judicial courts would be empowered to substitute their judgment for that of the shareholders and elected directors on such matters as management compensation and sales commissions. This would do violence to the constitutional right of the majority shareholders to run the company they own, and let the minority shareholders or the SEC and courts make the most important decisions a company makes; i.e., management and sales compensation. This idea would also encourage "strike" suits and shareholder litigation by minority stockholders, harassing the management and diverting them from their day-to-day responsibilities. Since last year, I have learned from the SEC and other sources that the wave of such lawsuits during the 1950's and 1960's was actually instigated by former SEC personnel, and that most of it today is controlled by the same basic group of lawyers. I think this is wrong.

Under present law, mutual fund shareholders are provided complete information about each fund in a prospectus approved by the SEC as to full disclosure, by four quarterly reports and an annual report filed with the SEC and various State agencies by an SEC approved proxy statement before each shareholders meeting, by the requirement that management and sales compensation must be approved annually by a majority of the shareholders or the directors, including a majority of the unaffiliated directors, and if this is not enough the SEC has ample authority now to require more disclosure.

Last year, there were many good features of the SEC's proposals, which I have included in my bill. These will update the Investment Company Act of 1940, and will tighten up some loose areas where disclosure could be more complete and managerial responsibility more distinctly defined.

My bill includes some 35 proposals which the SEC and the industry have agreed will strengthen the mutual fund industry. However, the main differences between the SEC proposals and mine are as follows:

First. Annual approval of management and distribution agreements—including compensation—by all the unaffiliated or independent directors and two-thirds of the shareholders will raise a conclusive presumption that the agreements are fair and equitable.

Second. The SEC will be required to follow the procedures of the Administrative Procedure Act in allowing an opportunity to comply before enjoining officers and directors from alleged violations of the law.

Third. Present and former SEC personnel will be included along with lawyers and accountants as "interested persons" for purposes of conflicts of interest, and former SEC personnel will be barred for 3 years from bringing shareholder lawsuits against mutual funds.

Fourth. Front-end load contractual plans will be continued, but with an absolute or hardship right of refund for investors.

I am convinced that the professional management and diversified holdings of mutual funds are extremely important to the economic welfare of our Nation. I believe in strong SEC oversight in the form of constant review of prospectuses and reports and proxy statements to insure full and understandable disclosure. Wherever dishonesty appears, the SEC has broad authority and a duty to move at once, the same as it does in other securities situations. However, I do not think the SEC is moving in the right direction when it proposes to deprive majority shareholders of the right to decide what their managers and salesmen should be paid. While securities are a "special" kind of consumer goods—one share of stock looks like another, good or bad—full disclosure insures that the quality of management and the method of operation of each registered company can be known to every investor before he buys a share. If he is not provided with a prospectus and full disclosure, present law gives him a right to sue and have his money returned with interest. There are also serious criminal penalties. And, if the SEC needs more authority to insure fuller disclosure, I will support such legislation. However, I will oppose in every way I can the theory that a Federal agency should substitute its judgment for that of the shareholders, and the board of directors in a competitive industry which is not a public utility. If SEC determination of management and salesmens' compensation is right for mutual funds, then it is right for the steel industry, the automobile industry, the electronics industry, and for every publicly owned company. A shareholder in Xerox or Chrysler Motor Corp. is no different from a mutual fund shareholder. If we need such Federal control for one, why not the others, or is it just a matter of time? I ask other Members of Congress to give thoughtful consideration to this problem. It is a matter about which reasonable men can differ. I think it is too important to our gross national product to slip by unnoticed or misunderstood. I believe in mutual funds and I believe their continued soundness depends on adequate management and sales compensation. I believe in corporate democracy just as I believe in political democracy. I am against government dictatorship in either area. Overregulation by Federal authorities in the mutual fund industry can destroy the industry and defeat investor protection. My bill will strengthen the industry and the shareholders both in terms of protection and their right to run the business they own.

GONZALEZ RESOLUTION OPENS INQUIRY INTO LAND GRANTS IN THE SOUTHWEST

(Mr. GONZALEZ asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. GONZALEZ. Mr. Speaker, I am today introducing a House resolution to create a special committee of inquiry into the validity of the succession of ownership to the original Spanish land grants in the Southwest.

The question of the validity of claims pressed under the Spanish land grants is a burning issue in some portions of Texas, New Mexico, and Colorado. It is not hard to see why it is an emotional issue to some Americans of Spanish surname. Consider how title to some of the land grants were transferred:

The ancient Spanish land grants were made by the King of Spain and largely administered through Mexico City. When Anglo American settlers began to outnumber the Spanish descendants in the Southwest, some highly devious means were employed to get title to the land. A territorial sheriff might assign a tax that the grant holder knew nothing about, sell the land for taxes to a waiting Anglo and then confiscate the land.

It is galling to the descendants of the original grant holders to dwell upon ancient injustices or alleged injustices of this type. This descendant could well be saying to himself, "My grandfather was a relative to the original grant holder, who was robbed of his heritage by greedy gringos. I should be the owner of that land, and the ancestor of the Anglo should be in my lowly position."

The number of Americans who hold the view that the descendants of the land-grant holders should be reinstated as titleholders, or be compensated is high, surprisingly high to some. The Alianza Federal de Mercedes, with Mr. Reis Lopez Tijerina as its president, claims to have 8,000 members. Ancient wrongs over the land grant, fanned by consistent discrimination and degradation by the Anglo establishment, has produced a volatile segment of the movement for civil rights among Americans of Spanish surname, Mexican-Americans, Indo-Hispanos or whatever label is preferred.

I believe that a report of a special House investigating commission into these claims could go a long way toward establishing their validity. It would help eliminate the possibility that unscrupulous persons would exploit the undereducated American of Spanish surname in the Southwest by falsely promising to gain land for him, or prove that he was a descendant of the Spanish grant holder. It would go a long way in directing a segment of the civil rights movement among Americans of Spanish surname toward realistic goals.

The inquiry committee would have broad powers, for the issues are complex. The lands in Texas, for example, were under five different sovereign governments before joining the United States. How far do the jurisdictions of existing courts go in this regard? The 1848 Treaty of Guadalupe-Hidalgo between the United States and Mexico as negotiated possibly reinforced the Spanish land grants. But the Senate possibly struck out the important section. But the formal protocols to the treaty possibly reinstated the reinforcement. The issues, to repeat, are complex.

The special inquiry committee is required to reports its recommendations to the House within 1 year. This report would draw upon hearings, investigations, and studies by authorities in the diplomatic, legal, and political disciplines involved. Its findings might on the one hand, in certain instances, resolve the validity of present ownership. Its findings, on the other hand, may point the way to restitution of ownership in connection with certain grants. But in any event, the report would have great influence in putting the validity of the claims in their proper perspective. The questions of the Spanish land grants in the Southwest is an extremely muddled one, and must not be allowed to be exploited to the detriment of the limited means of the American of Spanish surname, nor to the weakening of his continuing struggle for equality under the law.

THE LATE HONORABLE FRANK BOYKIN

The SPEAKER pro tempore (Mr. PATTEN). Under a previous order of the House, the gentleman from Alabama (Mr. ANDREWS) is recognized for 60 minutes.

Mr. ANDREWS of Alabama. Mr. Speaker, as dean of the Alabama delegation it becomes my sad duty to inform the House that last Tuesday night, in the city of Washington, the time of our former colleague, Frank Boykin, expired.

During my 25 years of service in this House, I have never known a more colorful character than Frank Boykin. I have never known a man who had more friends among his colleagues—genuine friends—than did Frank Boykin. His heart was as big as all outdoors. He loved people. He loved his Nation, and he dearly loved his native State of Alabama. I know of no man who worked harder in the Congress of the United States for his home State than he did, and monuments to his works can be found all over our great State. Frank Boykin was an indefatigable worker, arriving in his office most every morning by 6 o'clock.

Frank Boykin was elected to the 74th Congress at a special election held on July 30, 1935, to fill the vacancy caused by the resignation of the Honorable John McDuffie. He became dean of the Alabama delegation at the convening of the 82d Congress. He was a self-educated man, having completed only the fourth grade of elementary school and stood as a symbol of our early heritage—maybe not born in exactly a log cabin but coming out of the same type circumstances to rise financially and politically in our Nation.

His slogan, "Everything's Made for Love," became so well known that it was synonymous with his name. His hunting lodge entertained the dignitaries of Washington and the world and his friends in Alabama.

Many a luncheon of the Alabama delegation was entertained and surprised by his companions and his wit. There was never a dull moment when Frank Boykin was at the table. He was an unfailing fountain of good cheer, optimism, and sunny outlook, and he had the rare gift of being able to lift the spirits of anyone who encountered him even briefly. His passage through the halls of the Capitol left smiles in his wake.

I still hold a strong mental picture of March 20, 1944, when I arrived in Washington as the newly elected Representative in the Congress of the United States from the old Third District of Alabama. The first man I met at the Washington Hotel was Frank Boykin. From that time on Frank Boykin has been by friend—I loved him.

To his lovely wife Ocllo, who is one of the most charming women I have ever known, and his wonderful daughter, Frances, and sons: Bob, Dick, and Jack, I extend my deepest personal condolences.

And so, Mr. Speaker, though the time of Frank Boykin has expired, the memory of him in the minds and hearts of those who were fortunate enough to serve with him in this body will never expire.

Mr. EDWARDS of Alabama. Mr. Speaker, will the gentleman yield?

Mr. ANDREWS of Alabama. I yield to my colleague from Alabama, who is the able successor to Frank Boykin.

Mr. EDWARDS of Alabama. I thank the gentleman for yielding.

Mr. Speaker, we all mourn the passing of our former colleague and my predecessor, the Honorable Frank W. Boykin. "Mr. Frank," as he was known throughout the First District of Alabama, was 84 years old.

Frank Boykin served the First District of Alabama for 28 years from July 1935 to January 1963. He was known far and wide for his slogan, "Everything is made for love," and I think this was rather typical of his life. He had a genuine liking for people that was highly contagious. It was said of him that when he walked into a room it was like a thousand butterflies let loose. His warmth of spirit was deep and real. He liked everybody; he enjoyed people; he was in a sense a legend. There are many stories told about Frank Boykin, told and retold and perhaps becoming better with each telling. But the one I remember the best is the one that is told about the time the shots were fired from the gallery down onto the floor of the House, wounding several members. Legend would have it that Frank was seen running up the center aisle and out the door. Someone called out, "Hey, Frank, where you going?" "To get my gun," he replied. "Where is it," he was asked. "In Mobile, Ala."

Frank Boykin had little formal education, but he made up for this with great drive, determination, hard work, and perseverance. He was an extraordinary and gifted man whose influence was felt throughout this Nation.

Mrs. Edwards joins me in extending our deepest sympathy to Mrs. Boykin and the entire family.

Mr. RIVERS. Mr. Speaker, will the gentleman yield?

Mr. ANDREWS of Alabama. I yield to the distinguished gentleman from South Carolina, who was a friend of Frank Boykin.

Mr. RIVERS. I thank the gentleman for yielding.

Mr. Speaker, Frank Boykin has passed away. Like you and others of his devoted friends, of whom there are legion, we shall miss him and we shall miss his generous, warm-hearted, and exuberant nature.

The void he leaves in these hallowed halls cannot and will not ever be filled. Those of us who were lucky enough to have known this man, to have associated with him, to have lived with him, to have shared his enthusiasm, his magnificent and generous ideals, are fortunate indeed.

Frank Boykin's life epitomizes the Horatio Alger legend of "rags to riches." His was success through endless, tireless, indefatigable, and payless work and drudgery. Frank's career began in his beloved Southland, his beloved Alabama, a section torn, riven, and ravaged by poverty—the inevitable aftermath of war and of reconstruction.

Frank Boykin was a wealthy man—wealth he created and earned by his in-

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domitable spirit and energy. He loved everybody. His trademark was love; the most priceless word, the Bible tells us, known to man. He was loved by everyone. I have known no man who more fully lived and loved life. His legacies and his charities dot the landscape of his native State like the soft, friendly, and sparkling dew. The memory of his good works will be an everlasting monument to industry, kindness, dedication, and love.

His affectionate and beloved family and the devotion of his wife of 50 years, the gracious and lovely Ocllo Gunn Boykin, portray the sterling caliber of this kind man.

Fate did not give this man a formal education. It was not his fortune to spend many years in school. He educated himself. Frank Boykin was a genius. A college or university education would have made him a scholar; then surely he would have become a literary prodigy. He would have ranked with the giants in this field like the immortal lines ~~of~~ Oliver Wendell Holmes in his "~~C~~hambered Nautilus." He could have written

Build thee more stately mansions, O my soul,
As the swift seasons roll!
Leave thy low-vaulted past!
Let each new temple, nobler than the last,
Shut thee from heaven with a dome more vast,
Till thou at length art free,
Leaving thine outgrown shell by life's unresting sea!

Had he written his own epitaph, I think it would have been that of Thomas Gray who said:

Here rests his head upon the lap of earth,
A youth to fortune and to fame unknown;
Fair Science frown'd not on his humble birth,
And Melancholy mark'd him for her own.

Large was his bounty, and his soul sincere;
Heaven did a recompense as largely send:
He gave to misery all he had, a tear;
He gained from heaven ('twas all he wished) a friend.

No farther seek his merits to disclose,
Or draw his frailties from their dread abode,
(There they alike in trembling hope repose),
The bosom of his Father and his God.

Frank Boykin sought humility. He never sought fame. He was an humble man. He wanted to die with his boots on. He did not want to linger with a long and lasting sickness. In the words of John G. Neihardt's immortal poem:

Let me live out my years in heat of blood;
Let me die drunken with the dreamer's wine!
Let me not see this soul-house built of mud
Go toppling to the dust—a vacant shrine.

Let me go quickly, like a candle light
Snuffed out just at the heyday of its glow.
Give me high noon—and let it then be night!
Thus would I go.

And grant that when I face the grisly Thing,
My song may trumpet down the gray Perhaps.
O Let me be a tune-swept fiddle string
That feels the Master Melody—and snaps!

Frank Boykin's life was full. It was too full for sound and foam. As Tennyson said in "Crossing the Bar":

But such a tide as moving seems asleep,
Too full for sound and foam,
When that which drew from out the boundless deep
Turns again home.

At last he is at home, at last he is at rest, but we will miss him. He gave far more to this world than he ever took in riches from it. I have known no man in my lifetime who has done more for his fellow man.

Mr. ANDREWS of Alabama. Mr. Speaker, I thank the gentleman from South Carolina.

I yield now to my friend, the gentleman from Florida (Mr. SIKES), a great personal and valued friend of Frank Boykin.

Mr. SIKES. Mr. Speaker, a former colleague with a great heart and a genuine love for his fellow man has been taken from us. There have been but few who in a lifetime have inspired greater warmth of friendship in others than did Frank W. Boykin—or who was a better friend than he. His record in Congress was one of the longest in the history of Alabama, and that kind of confidence on the part of his people demonstrated their love and appreciation for Frank and their confidence in his work. His was a great record of accomplishment. Because of his efforts, industry flourished throughout the area of Mobile—a great airbase was built there, and the Port of Mobile was greatly expanded. He was a self-made man—a leader recognized nationally for his competence. Other industrialists had confidence in his recommendations and in his leadership. All of this helped to create in Frank Boykin a legend during his lifetime and to build a monument of good deeds to live beyond him.

I have been one of those privileged to know Frank and his beloved wife, Ocllo, best. Mrs. Sikes and I have enjoyed their company and that of their family on many occasions. We have shared their warm hospitality. We know what wonderful friends the Boykins are and we feel more keenly than most the great loss and the pain of separation which all who loved Frank Boykin must bear.

No man could stand higher in his patriotism and his love for our country than did Frank Boykin. He believed in America and the American ideal. He worked and fought for it during his lifetime. Yet, although he gained fame and fortune, he shared time and again the fruits of his own labor with others less fortunate. His deeds of kindness and charity were legend, and wherever Frank Boykin walked, there are those who can attest to the good qualities he possessed and to his generosity.

We can almost say that, in the death of Frank Boykin, we are witnessing the end of an era. Certainly we can say that he was a lovable, kindly individual who stood high in the thoughts of everyone who knew him. There are no others quite like him. I doubt that Frank Boykin ever knew a person he did not like or that he ever carried a grudge, so filled was he with the joy of living and the spirit of brotherhood. He was built in the mold of greatness and he filled it throughout his life. Mrs. Sikes and I mourn the passing of a warm friend, a great and good man. Our very deepest sympathies are with Ocllo, his beloved helpmate of many years; with Bob and Jack and Dick, his sons; and with Frances, his daughter; and with all their loved ones.

Mr. ANDREWS of Alabama. I thank the gentleman from Florida.

Mr. Speaker, I yield to my friend from Louisiana.

Mr. PASSMAN. Mr. Speaker, I thank the distinguished dean of the Alabama delegation for yielding to me on this occasion.

Mr. Speaker, so many wonderful things have been written and said about our former beloved colleague, Frank Boykin, that it would be presumptuous of me to try to add anything significant to those true and wonderful tributes already paid to my departed friend.

Frank Boykin was a good and kind man; a man with a big heart. He loved his friends and always had a kind word for them and a most gracious greeting for everyone he met. This great American was indeed charitable in every sense—good to his family, to his friends, and to every church and organization that had for its purpose to preserve those things that made America so great, free, and strong.

If I could add anything to what has already been said, it would be simply that history will be kind to Frank Boykin, and the many thousands who read the history of Frank Boykin will indeed know that this world is a better place in which to live for Frank Boykin's having lived in it.

Mr. Speaker, I want to extend my deepest sympathy to the family of Frank Boykin. My prayers are that our Heavenly Father will watch over and protect them.

Mr. ANDREWS of Alabama. I thank the gentleman.

Mr. Speaker, I yield to the gentleman from Georgia.

Mr. LANDRUM. Mr. Speaker, one of the earliest recollections I have of coming to Washington, D.C., and meeting and knowing distinguished Members from all over the United States in this body is in the person of Frank Boykin.

My first recollection is of his enthusiastic representation of a fine young man who also came to Congress that year from Alabama, Mr. Armistead Selden. We all recall, I am sure with great amusement, Frank's introduction of Armistead to this body.

On another occasion I recall, in the early days here, Mrs. Landrum and I had the opportunity to go to some social affair, where a lot of older people, important people in Washington, were gathered. Neither of us knew much about Washington and how to get around and what was taking place. Congressman Frank Boykin and his lovely, charming wife, Mrs. Boykin, just sort of took us over for the evening. I believe I have never had a person whom I have not known before make my evening as com-

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fortable, make my family feel as welcome, as he made us feel that night. And when we departed I thought, "Well, this is about all that we will see of these people," and to my amazement he provided a cab and saw that it carried us to our residence.

All of this is recited in order to show that when we talk of Frank Boykin's love for his friends and for people in general we talk of something real. As our friend, Congressman Sikes, has just said, I doubt if Frank ever met anybody he did not like. I never saw a man with more enthusiasm for life or a more real desire to help people than Frank Boykin.

Now, Mr. Speaker, if I may be allowed one additional indulgence of a personal nature with regard to my experiences with this man, I would place it on a little different plane from that of the social level which I have just mentioned. When we were struggling with a very important piece of legislation affecting the whole of this United States in 1959, I had never thought of Mr. Boykin as a person with any particular skill at legislation. I knew of his enthusiasm, of course, about which I have just talked, but suddenly I found that Frank was called in to the meetings and that his counsel and support were sought in order to put over this important piece of legislation. I saw there a man who took up the telephone and called all over these United States contacting people in all stations of life and imploring them to get behind a piece of legislation that was going to be good for America. He showed me then that he not only had a great capacity for friendship to man, that he not only loved to see his fellow man and his friends comfortable and happy, but also that he had a deep interest in, as well as a discernment for, things that are good for this Nation, and that he was willing to exercise his great prestige and his wide knowledge of people in order to see that this view prevailed.

Mr. Speaker, I am a happier man and one of broader experience than I would have been if I had not had the privilege of knowing Frank Boykin. My life has been enriched by this friendship that I have been allowed to enjoy with him.

Mr. Speaker, on behalf of Mrs. Landrum and myself, I wish to extend to Mrs. Boykin and her family our genuine sympathy in this moment of bereavement.

Mr. ANDREWS of Alabama. Mr. Speaker, I thank the gentleman, and now I yield to my colleague from Alabama (Mr. Jones).

Mr. JONES of Alabama. Mr. Speaker, I, too, wish to pay tribute to the memory of the Honorable Frank W. Boykin, who was a Member of this Chamber for nearly two decades and a half.

There is not a Member of this House who served with Frank Boykin who did not know and appreciate his open and friendly manner.

His slogan, "Everything is made for love," was truly his hallmark.

He was always active and full of spirit even in his later years, when most men would have been content to relax and take life easy.

Frank Boykin was well known for his interest in the economic development and growth of the State and district he represented.

He was always seeking ways to bring new industry and public improvement to his people. His great efforts were fruitful in many, many instances.

As a member of the House Public Works Committee, he was especially interested in the proper development of our Nation's water resources.

He had visions of full utilization of our great streams and water resources. His vision included thriving industry, busy commerce, and adequate recreational facilities throughout the waterways of our country.

Frank Boykin was a hard worker all his life. Through his own efforts and hard labor he accumulated sizable investments in real estate, farming, timber, and naval stores before being elected to the 75th Congress in 1935.

He was well known for his great love of the outdoors and enjoyed treating his friends to the great hunting and fishing which abounded in the south Alabama area he represented.

For many years he was dean of the Alabama delegation in the House.

His passing is a great loss to his family and many friends throughout the country. I wish to extend to his wife and family my sincere expressions of sympathy on this occasion.

Mr. ANDREWS of Alabama. I thank the distinguished gentleman.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. ANDREWS of Alabama. I yield to the distinguished gentleman from Florida, an oldtime friend of Frank Boykin.

Mr. HALEY. Mr. Speaker, it is always a sad occasion to rise and join our colleagues in paying our last respects to a good friend and a former colleague. This is especially true today as we eulogize one of the most colorful gentlemen ever to sit in the U.S. House of Representatives, the late Frank William Boykin.

During the years he was privileged to serve in this House of Representatives, he represented well the people of his congressional district and his native State of Alabama.

None who knew him could ever forget his warm nature, his good cheer, and great affection for his fellow man. Perhaps if more people practiced the "love" Frank Boykin proclaimed, this world would truly be a better place. He had a kind and generous spirit. He was one of the most well-liked men to serve in the Congress. Certainly he was deeply missed by many of us when he left our ranks. He was a warm friend and I am saddened by his passing.

To Mrs. Boykin, their daughter and their sons, Mrs. Haley and I express our deepest sympathy and kindest regards.

Mr. ANDREWS of Alabama. I thank the gentleman.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. ANDREWS of Alabama. I yield to the distinguished gentleman from Colorado, an oldtime friend of Frank Boykin.

Mr. ROGERS of Colorado. Mr. Speaker, I join with the rest of our colleagues in expressing our sympathy to Mrs. Boykin and the Boykin family in the passing of an outstanding legislator.

It had been my privilege to serve with Frank Boykin for a number of years. While we did not always agree on the bills that may have been presented, the fact remained that you could always talk to Frank, and Frank always understood. He voted his convictions, and at the same time did not hold it against others who may have disagreed with him.

It was my pleasure throughout the years I served with him to learn to know and love him.

Frank Boykin served his Nation, State, and district well. He made friends everywhere he went. We will all miss his smiling face.

Mr. Speaker, I express my deepest sympathy to Mrs. Boykin and the Boykin family.

Mr. ANDREWS of Alabama. I thank the distinguished gentleman from Colorado.

Mr. DICKINSON. Mr. Speaker, will the gentleman yield?

Mr. ANDREWS of Alabama. I yield to the distinguished gentleman from Alabama.

Mr. DICKINSON. Mr. Speaker, I appreciate the distinguished gentleman from Alabama (Mr. Andrews) yielding to me at this time because I would like to add my voice to those who have preceded me here in the well in tribute to the late Frank Boykin.

Mr. Speaker, we have all been saddened at news of the death of former Congressman Frank Boykin who, for almost 28 years, represented Alabama's First Congressional District. He was a living legend in politics and business in the State of Alabama, and his passing will leave a void in both.

It is very seldom that anyone like Frank Boykin appears on the American political scene. What Member of the Congress has never heard of his personal motto by which he lived—"everything is made for love"? Few Members of this body represent their constituents with the dedication that Frank Boykin gave to the First District of Alabama, and few men elected to public office have the legion of friends that he had. His presence in the Congress enriched the lives of all who knew him, and added many pages to the folklore of the House.

Frank Boykin, a man of considerable wealth, walked with the mighty, but he never forgot the common man. No problem was too small to receive his undivided attention, and anyone who met him for the first time felt that he had been Frank Boykin's friend all of his life.

Mr. Speaker, Frank Boykin's untimely death is a sad occasion for our State and Nation, for no man had more love for his country and his fellow men. Alabama will mourn his passing and I extend my deepest sympathy to his wife and his family in this hour of bereavement.

Mr. ANDREWS of Alabama. Mr. Speaker, I thank the gentleman.

I now yield to our distinguished majority leader, the gentleman from Oklahoma (Mr. Albert).

Mr. ALBERT. Mr. Speaker, I cannot begin to express the sorrow which I felt

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when I learned yesterday morning that Frank Boykin had died. He was one of the most lovable human beings that God ever created. When the Lord made him, he broke the mold; there was none other like him.

To Frank Boykin, "Everything was made for love." This was not just a slogan; it was Frank to the core. Frank Boykin loved his friends as much as any man who ever lived. He was the most hospitable person I ever knew. His heart was as big as the world.

Frank loved to be with his friends. He loved to entertain them. He enjoyed having them down to his lodge in Alabama to hunt with him and to partake of his unmatched hospitality. I am thankful that I have had the opportunity to share in that hospitality. I am thankful that he numbered me among his friends.

People are good folks when children love them. My own little 14-year-old son knew and loved "Uncle Frank" as he called him. He hunted with him and enjoyed his gracious hospitality and friendship. I doubt that anyone outside of Frank's family was more deeply touched than my son when he learned that "Uncle Frank" was gone.

Frank Boykin served here with us a long time. He served with great distinction. He served his constituents with great ability. He gave to his work the energy that only he possessed. He was a remarkable man. He was a self-made man, highly successful in business as well as in public service. He lived the full life. I know that God has taken him to his side. Frank has earned a place of rest.

Frank was a devoted husband and father. To Mrs. Boykin and their fine sons and daughter and all their loved ones, I extend my heartfelt sympathy.

Mr. ANDREWS of Alabama. I thank the gentleman.

Mr. Speaker, I will now yield to the gentleman from Mississippi (Mr. MONTGOMERY).

Mr. MONTGOMERY. Mr. Speaker, Frank Boykin will be sorely missed by those of us who were privileged to know him. He was a man who made friends easily, and his friendships were lasting.

It was my pleasure to meet and become acquainted with Frank Boykin and his fine family a number of years ago. He often included visits in neighboring Mississippi during his frequent return trips back home to Alabama, and he had many friends in my State.

I extend my heartfelt sympathy to Frank's wife, his sons, and his daughter.

Mr. ANDREWS of Alabama. I thank the gentleman.

I now yield to my colleague from Alabama (Mr. NICHOLS).

Mr. NICHOLS. Mr. Speaker, it is with deep regret that I rise to join other Members of my Alabama delegation and House colleagues in paying my respects to the memory of Frank Boykin from Mobile, Ala.

Mr. Speaker, indeed a mighty oak has fallen. Contributions which Frank Boykin left to our native State of Alabama are legendary. For more than a quarter of a century he worked long, hard, and tirelessly, giving liberally of his time, efforts, and substance to the people of his congressional district.

Frank Boykin was a friend to the little man throughout his district and they loved him for it. He knew and loved people from all walks of life—from the high and mighty right down to the pulpwood cutter and the small farmers and the men who built the railroads throughout our State. He will be missed by his thousands of friends in my State and throughout the country.

Only a few days ago, Mr. Speaker, I wrote Mr. Frank a note to tell him how pleased I was to learn that a pacemaker had been devised to assist him in his heart operations and I hoped he would soon be out and back with us at our annual weekly luncheons of the Alabama delegation which he enjoyed so much.

I received only yesterday a courteous note from Mr. Boykin acknowledging my note and saying that he was improving. I must assume, Mr. Speaker, that this was written only a few hours perhaps before his untimely death.

It was my privilege to enjoy on several occasions his famous hospitality at his hunting lodge at McIntosh, Ala. Frank was a gracious host and the greatest storyteller I ever knew. Certainly the words of the poet are in order, who so correctly stated:

> The lives of great men all remind us
> We, too, can make our lives sublime
> And at parting leave behind us
> Footprints on the sands of time.

Mr. Speaker, Frank Boykin left many footprints — large footprints — indelibly stamped on the hearts and on the lives of those of us who knew him and who called him friend.

Mr. Speaker, I wish to express my heartfelt sympathy at Mr. Boykin's passing and to Mrs. Boykin and to her sons, Jack Boykin, Bob Boykin, and Dick Boykin and daughter, Mrs. Frances Boykin Smith, all of Mobile, Ala.

Mr. ANDREWS of Alabama. Mr. Speaker, I yield to my colleague, the gentleman from Alabama (Mr. BUCHANAN).

Mr. BUCHANAN. I thank the distinguished dean of the Alabama delegation and join with him and with my other colleagues from Alabama in this tribute to a colorful and beloved Alabama legislator who was a legend in his own time. Frank Boykin will be greatly missed by the people of our State and by many of our colleagues who served with him in this body.

I would like to join in extending my heartfelt sympathy to his family at his passing. All Alabama shares their loss.

Mr. ANDREWS of Alabama. Mr. Speaker, I yield to the gentleman from Mississippi (Mr. GRIFFIN).

Mr. GRIFFIN. Mr. Speaker, it was my good fortune to know Frank Boykin and his warm and colorful personality that left an impression on all who knew him.

He was a dedicated public servant, faithful to his country and to his friends.

Mr. Boykin's personal and legislative achievements are well known and his passing is a keen loss to his community, to his State and to this Nation.

Mr. Speaker, I extend my sympathy to his family.

Mr. ANDREWS of Alabama. Mr. Speaker, I yield to my colleague, the gentleman from Alabama (Mr. BEVILL).

Mr. BEVILL. Mr. Speaker, the recent death of former Congressman Frank Boykin has brought to an end a notable career of public service.

Congressman Boykin distinguished himself in the Congress as a dedicated, hard-working public servant with a vigor and determination that will be hard to match. Congressman Boykin strongly supported measures in the Congress which would bring more new industries to Alabama and increase and expand the industries already located in our State.

Indeed, agriculturally, industrially and commercially, the First District of Alabama showed a real development and growth during the time that Congressman Boykin represented that district.

Mr. Speaker, the former Congressman from Mobile was well known for his habit of arising early each day and spending long hours in his Capitol Hill office. This habit, coupled with his unbounded energy, enabled Congressman Boykin to accomplish much during his years in the U.S. House of Representatives.

A public servant for many years; a man devoted to his country, Congressman Boykin's voice was a positive influence in every area of governmental affairs he served.

Mr. Speaker, Congressman Boykin exhibited a pride in the accomplishments he made on behalf of his constituents.

It is with a great deal of respect and sadness that I join in paying this final tribute to former Congressman Frank Boykin.

Mr. ANDREWS of Alabama. Mr. Speaker, I yield to my colleague, the gentleman from Alabama (Mr. FLOWERS).

Mr. FLOWERS. Mr. Speaker, I thank my distinguished dean for yielding.

Mr. Speaker, I did not know Frank Boykin well, but the legend that he was in his own lifetime I did know well. From this legend I learned that he was a warm and personable man—a man with a deep concern for all people. Certainly along with all else, he had great pride in his native land.

That legend also tells me that no mortal ever had a greater capacity for love of his fellow man.

One of the counties in my district was part of Congressman Boykin's district during his service here. After redistricting in Alabama, Marengo County and others became a part of the Fifth Congressional District of Alabama, which I now have the privilege of representing.

I want to extend my deep sympathy to the Boykin family, and further I would extend the sympathy of those citizens of Marengo County who loved him so well and whom he represented in such a fine way here in the Congress.

Mr. McCORMACK. Mr. Speaker, I should like on this occasion to say a few words in behalf of the late Honorable Frank W. Boykin, of Alabama, for many years a Member of the House of Representatives, and a man of remarkable attainments in many fields.

As a close personal friend of Frank Boykin, I am especially grieved by his demise, and as an admirer of his political ability and accomplishments I can only say that the State of Alabama and the country itself have good reason for mourning the departure of this extraordinary man.

His battlecry was "Everything is made

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for love," by which he meant that everything—personal and political activities alike—should be guided by a sense of personal affection for all mankind. And in all his endeavors Frank Boykin lived up to this slogan, beyond question.

Born and reared in the State of Alabama, he held a strong, impassioned love for the State and the people there, and for this reason, perhaps, was accorded the assistance of friend and neighbor in all his undertaking, big and small. He was perhaps the most well-liked man of my acquaintance.

Educated in the public schools of Alabama, Frank Boykin acquired an interest in the world of business and industry early in life, and determined to become a businessman. Seldom has a youthful decision of this kind been acted upon with such resounding success, almost from the start. By the age of 12 he had risen from the lowly position of water boy for a railroad construction crew to the lofty status of a train dispatcher and conductor. At the age of 15 he was manager of the railroad commissary. At 18 he was the owner of a sawmill set up to cut railroad ties. Then he built a store and got married to the lovely Miss Ocllo Gunn, of Thomasville, Ala., and from that point on there was no stopping him.

As a businessman Frank Boykin became identified not only with railroads, but also real estate, farming, livestock, timber, lumber, naval stores, and mineral resources. During World War I he served as an official in shipbuilding companies responsible for the production of a majority of all ships produced on the gulf coast. As an outstanding patriot, he also was president of the Loyalty League of Alabama, Mississippi, and Louisiana.

By 1934 Frank Boykin was one of the wealthiest and most successful businessmen in the gulf coast area, and his views on many subjects were matters of importance to all who knew him.

Accordingly, he was nominated for Congress by the Democratic Party to take the place of a departed Member, and subsequently was elected. Reelected repeatedly, over the next 26 years, he became, at the outset of the 82d Congress, dean of the Alabama delegation, in which capacity he distinguished himself on every possible occasion.

Upon retiring from the House, in 1962, Frank Boykin returned home to Mobile, Ala., which had proclaimed a "Frank Boykin Day," climaxed by a great dinner in his honor, attended by more than 500 persons. On that occasion, a Mobile Citizens' Award was presented, together with a scroll signed by more than 2,000 residents of the city, declaring their appreciation for a job well done.

It was a great pleasure and a considerable honor to have had the friendship of this fine American leader, Frank W. Boykin. His departure will be mourned by thousands who loved and respected him for many worthy reasons.

Mr. MAHON. Mr. Speaker, Frank Boykin began his service in Congress in 1935. He was one of the 100 new Members, including me, who came to the House that year. He served 28 years in this great institution.

Frank Boykin was a man who made friends easily.

He was a man of goodwill.

He was a man who was well liked by his colleagues.

He had a very fine family.

Mr. Speaker, others have spoken at some length about our late colleague.

Mr. Speaker, I wish to extend my sympathy and all good wishes to Mrs. Boykin and others of the family at this time of great sadness.

Mr. PATMAN. Mr. Speaker, the Honorable Frank Boykin, of Alabama, was a man whom even his political opponents respected and liked. In all his 84 years of vibrant living, he never lost a friend—and while he was often on the side of the underdog and, for this reason may have lost a battle here and there, his affable acquiescence and inability to hold grudges earned for him the particular regard and affection of all his colleagues. I served with Frank Boykin here in this House in 14 consecutive Congresses and knew him well. He was a staunch and loyal friend, he was deeply devoted to the people he represented, and he was fiercely proud of the history of his State and his beloved Southland. His wide-ranging experience in commercial merchandising, and farming practices was a constant and valued source of practical knowledge which made his legislative advice much sought after as a guarantee of commonsense and workability.

To those who did not know him, the age of 84 may seem a goodly measure beyond the Biblical expectation of three score and ten, but those who were privileged to savor the Frank Boykin charisma feel the deep loss anew with each lingering hour that is now bereft of his heart-warming and sustaining presence.

Mr. Speaker, I join with my colleagues on both sides of the aisle in expressing to his devoted and beloved wife and family my deep and sincere sympathy at this time of great sorrow.

Mr. FLOOD. Mr. Speaker, it is with deep sadness that we record today the passing of our very good friend and former colleague from Alabama, the Honorable Frank Boykin.

In all his actions he moved with such ease and courtesy that it may be said without exaggeration that wherever he moved he seemed to radiate vitality and friendship. Frank Boykin truly loved people and they in turn loved him. The world could surely use more Frank Boykins.

It was my good fortune to know Frank for a period of many years. In fact, we were cousins as both of us are related to the Flood family of Virginia. During the years we both served in the House it was my privilege to have a close association with Frank both in our official capacities and in our social activities. I had great affection and admiration for him and now that he is gone I shall miss him very much.

His life comprised a period of many years and produced a performance which I might say genuinely has been by his toil and stimulated by his love for his State and Nation—a record that won for him the great commendation and respect of all our people.

Frank Boykin was a great humanist and his humane feelings for his fellow man could not be exceeded. He labored tirelessly during the years of his distinguished public service for the betterment of human relations and for the advancement and improvement of human standards, for the elevation of the lot of the average citizen.

Mrs. Flood joins me in extending our deepest regrets to Mrs. Boykin during this period of her great loss and sorrow.

Mr. KIRWAN. Mr. Speaker, I join with my colleagues in the House of Representatives in paying tribute to my dear friend and former colleague, the Honorable Frank Boykin, of Alabama.

We served many years together in the Congress. He was always affable, happy, and full of life. He was a gentleman, a splendid American, and a dedicated public servant.

To his good wife and family I extend the deepest sympathy of Mrs. Kirwan and myself, in these sad and troubled hours.

Mr. DORN. Mr. Speaker, the Southland, when our late colleague Frank Boykin was born, was a land of poverty and limited opportunity. The aftermath of the great War between the States was an era of hard times, little education, and virtually no opportunity to advance. Frank Boykin was born and grew up in that environment. He licked adversity with determination, courage, and foresight. He was one of the forerunners of the dynamic progressive New South. Going to work at the age of 8, he rose to be one of the South's great builders and distinguished public officials.

Frank Boykin was a humanitarian. He had compassion in his heart for all of his people, regardless of their station in life. He served them here in the Congress for 28 years faithfully and devotedly. He was much esteemed by his colleagues for his sense of humor and his loyalty to his friends.

It was my great honor to serve on the Veterans' Affairs Committee with Frank Boykin. For many years he sat next to me on our great committee. The veterans of the United States have had no greater champion. He actively supported every piece of legislation to benefit the veteran, his widow, and orphans. He constantly fought to improve veterans hospitalization, improve GI education benefits, and improve the lot of widows of all of our wars.

Frank Boykin was a man of great character and integrity. He loved the traditions not only of the Southland, but the traditions and ideals which made our country great. He literally grew up on the rough American frontier and reached the heights politically and financially. He spent much of his life doing good and helping others He was my warm personal friend. Mrs. Dorn and my family join me in our prayers and most heartfelt sympathy to Mrs. Boykin and her wonderful and accomplished family.

Mr. EVINS of Tennessee. Mr. Speaker, permit me to take this means of joining with my colleagues from Alabama and others in paying a brief but sincere tribute to the memory of our late friend and colleague, Frank W. Boykin, of Alabama.

Frank Boykin served his district, State, and Nation for many years with distinction—he worked long and hard to assist the people of his beloved district and State.

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Frank Boykin was a delightful and genial gentleman possessed of a warm and outgoing personality. He was good natured, much beloved by his friends and colleagues and was dean of the Alabama delegation.

I want to extend to Mrs. Boykin and other members of the family this expression of my deepest and most sincere sympathy in their loss and bereavement.

Mr. ASPINALL. Mr. Speaker, I am pleased to join with my good friends from Alabama in paying tribute to the life work and memory of our recently departed colleague and friend, Frank W. Boykin.

It was my privilege and pleasure to have known former Congressman Boykin favorably for many years. I always enjoyed visiting with him. His was a rare personality which not only produced a friendly relationship with his colleagues, but also a lasting respect for his unique capabilities and accomplishments.

One of the highest tributes that anyone can pay in the memory of one of his associates is to say that he was an understanding friend. I know that my colleagues will join me in this evaluation of our departed colleague.

Mr. ROONEY of New York. Mr. Speaker, for 27 years the Honorable Frank W. Boykin represented the people of Alabama here in the House of Representatives and for many of those years I was privileged to know him and serve with him. He was a warm, human, and very real person and always a gentleman. To his wife and family I extend my deepest sympathy in their sad hours.

Mr. ANDREWS of Alabama. Mr. Speaker, in conclusion I would like to say that the younger Members of the House who did not know Frank Boykin missed a great experience. He was the most unique character I have ever known. He was the most colorful Member of this House that I have known in a quarter of a century. They lost the pattern when they made Frank Boykin, and to have known him and to have enjoyed his friendship was a great experience in my life.

Tomorrow afternoon he will be laid to rest in the native soil of his beloved Mobile, Ala., after a long voyage of public service in which he was devoted to his Nation, his State, and his people.

GENERAL LEAVE TO EXTEND

Mr. ANDREWS of Alabama. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of my special order.

The SPEAKER pro tempore (Mr Patten). Is there objection to the request of the gentleman from Alabama?

There was no objection.

PROPOSED EXTENSION OF THE FEDERAL HAZARDOUS SUBSTANCES ACT TO CHILDREN'S TOYS

The SPEAKER pro tempore (Mr. Patten). Under previous order of the House, the gentleman from New York (Mr. Farbstein) is recognized for 15 minutes.

Mr. FARBSTEIN. Mr. Speaker, I am today joining many of my colleagues in introducing legislation to extend the Federal Hazardous Substances Act to children's toys which present electrical, mechanical or thermal hazards.

The Federal Hazardous Substance Act which currently covers only chemical, flammable, pressurization, and radiation hazards, gives the Secretary of Health, Education, and Welfare the power to require warning labels and, in extreme cases, to ban interstate commerce of toys and other articles which present serious health and safety hazards to the user. Through this act, many unsafe toys have been labeled as hazardous, thus warning parents, or they have been removed from the market totally.

The recent hearings by the National Commission on Product Safety has demonstrated that a high accident rate exists among young children playing with certain commonly sold toys. Many of these toys have serious health and safety hazards such as sharp edges, open electrical connections or easily dislodged small pieces of metal which can and do cause serious injury and even death to young children.

The fact that children are blinded, maimed or even killed, suggests that something is wrong with current product safety legislation. Tragedies like the strangulation death of a 1-year-old child by the ribs of his crib are unfortunately all too common.

At the very least, the Federal Hazardous Substance Act must be extended to include all types of hazards that can be posed by toys to young children, and this would mean extension of the act to include electrical, mechanical and thermal hazards.

The scope of this problem is well illustrated in a recent article on electric toys in Consumer Reports. The problems discussed by the article are currently not covered by the Hazardous Substance Act. Under unanimous consent I include this article at this point:

Electric Toys

As the Christmas holidays approach, adults across the land brace themselves against the annual escalation of the toy manufacturers' sales pitches. Subjected to a steady barrage of hard-sell advertising and to the resulting pressure from their children, many parents opt for peace at any price—and buy.

Some parents may not understand the appeal of one group of today's best-selling toys: miniature replicas of things adults consider meant for use rather than for fun. A parent may well wonder if such realistic toys as, for example, a vacuum cleaner inhibit a child's imagination. Dr. Abraham Blau, director of the child psychiatry division of New York City's Mount Sinai Hospital, told CU that one important purpose of play is to help the child acquire skills that he has observed in adults. Toys that stimulate everyday adult implements, then, can encourage such development; they need not inhibit the imagination, which can be exercised in other kinds of play.

Most of the 42 electric toys we tested are realistic ones. All plug into an electric outlet; one sewing machine, however, also runs on batteries. The wall outlet, of course, can represent danger. But since electricity is a fact of life, children should be taught the cautions necessary in using it safely. It's up to parents to decide when their child has learned them well enough to use electrical appliances, including plug-in toys.

Our first concern was to learn whether the toys themselves are electrically safe and reasonably free of fire, burn and other hazards. Beyond that, we examined them for sturdiness of construction and adequacy of manufacturers' instructions. And we tested them to see just what they would and wouldn't do.

Of the 42 toys we tested, 10—sad to say—are Not Acceptable from a safety standpoint. That such toys should be put on the market seems to us inexcusable. (Commendably, though, one manufacturer—Deluxe Topper Corp.—provides with its toys a safety flange on the cord plug, designed to help keep small fingers from coming into contact with the prongs while the toy is being plugged or unplugged. It's a feature CU would like to see used more extensively.)

But even the reasonably safe toys have shortcomings. A child who expected them to perform as their grown-up counterparts do might be disappointed. Some require a supply of special materials—cake mixes for baking, for example, or plastic for molding—that may be difficult or even almost impossible to come by after the original supply is gone. You may have to wait some time for such supplies if they're on special order. Some of the toys will require close adult supervision. Some involve a fairly stiff cleanup session. And some are quite expensive.

If you decide to buy any of these plug-in toys, remember that this issue went to press before many of the 1968 Christmas lines were available. CU suggests that you take a good look at this year's toy market before you buy. In any event, the prices given here, except those for catalog models and a few list-price toys, are merely approximations of prices or price ranges that shoppers are likely to encounter.

You may be better off buying in a store than by mail. With toys that don't have too many parts or packaging that's too complex, you can check for missing or defective parts and for proper operation, even if it makes you unpopular with the sales personnel. That may spare your child a good deal of frustration on Christmas morning and you a tedious exchange trip. Be sure you have any needed light bulb for a toy that requires one; not all manufacturers include them.

CU cannot say that any particular Acceptable toy is "better" than any other Acceptable toy because one child's hit may be another's flop. Therefore, we've listed the toys according to type, and alphabetically within types. All the Acceptable toys come with cords that should be long enough for play purposes. Except as noted, dimensions given for some of the larger toys are in order of height, width and depth.

The listings, and brief descriptions of each type of toy follows:

TOWARD SAFER PRODUCTS

Almost one-quarter of the plug-in toys tested for the accompanying report were judged Not Acceptable because CU considered them unsafe. Toys, of course, are not the only unsafe products let loose on the public, and Congress has created a National Commission on Product Safety to study the broad problem of product safety and to recommend protective measures. CU is compiling for the commission a list of products that we have rated Not Acceptable for reasons of safety. To make the list more comprehensive, we urge you to write to the National Commission on Product Safety, 1016 16th St., N.W., Washington, D.C., 20036, about any recent experiences you may have had with unsafe products, and to send a copy of your letter to the Technical Director, Consumers Union, Mount Vernon, N.Y., 10550. If possible, identify the product by brand and model number.

OVENS, GRILLS, AND CORN POPPERS

It would hardly be possible to make a cooking toy that didn't present some possibility of burn hazards. So any of the Acceptable toys in this group should be given to a child only if he can be counted on tr

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exercise proper caution in its use. Moreover, you should be prepared to furnish some supervision over cooking and cleanup.

Beyond the hazards and inconveniences inherent in all cooking toys, we found enough avoidable safety flaws to consider eight of the 14 we tested as Not Acceptable. Among the ovens, the *Easy Bake* has sharp metal edges at the opening where the child takes out the cake pans and puts in the optional corn-popping accessory; that model would have been Not Acceptable anyhow because the baking pans jammed in the oven frustratingly. The *Empire* was so designed that it became very hot at the sides, where a child might not expect it to be hot, and extremely hot on the shelf—much hotter, even, than the shelves of your regular oven are likely to get.

The cord-strain relief in the *Suzy Homemaker* grill failed a standard test in three successive samples because the toy's metal base was not strong enough. The strain relief device itself was of a most effective design. But when we pulled the cord, the base gave way, so that the device came right out.

Most of the ovens baked a decent cake. Some come with a large number of accessories, and all cook small quantities of such packaged mixes as cake and cookies. Since the quantities have to be quite small, it's hard to know how much regular package mix to use or how to divide it, so the ovens come with small packages of their own.

When we put food on the toy grills after preheating them, the temperature dropped rapidly. If your child is to cook on one of these grills at all, CU recommends using very small, thin pieces of food—hamburger patties no more than one-quarter of an inch thick, for example—and putting the food in the center of the grill, where it's likely to be hottest.

Five corn poppers—the *Chilton*, the three *Empires* and the *Mirro*—were judged Not Acceptable because of shock hazard. Like any food-making toy, they must be cleaned. Even if you didn't immerse them (and you certainly should not), you might want to wash the bowl and wipe off the outside with a wet cloth or sponge. With each of those five models, water could then easily enter the popper and make the whole unit live. The shock hazard would remain until the unit dried out, which could take hours, or even a day or more. Once plugged in, the popper would dry rapidly, but it could be a dangerous shock hazard until it did. Even without the shock hazard, the *Mirro* popper would be Not Acceptable. Parts of the outside became so hot that crumpled paper and cotton fabric in contact with the *Mirro's* bottom glowed and charred.

The one Acceptable corn popper, the *Junior Chef*, pops a tablespoonful of corn at a time. The popped corn comes out smaller than regular popcorn, but it's not bad. To keep from scorching the corn or damaging the plastic parts of the popper, the child should put the corn in the storage section as soon as it's finished popping.

Ovens acceptable

Junior Chef Deluxe Magic-Cool Oven 6927 (Argo Industries Corp., Jackson Heights, N.Y.), $16 to $20. 10x12x6 in. Food is pushed into oven on a shelf and removed by tilting shelf so that food slides down into storage section below. That arrangement helps protect against a burn but makes oven difficult to clean; many screws and oven back must be removed, and even then access is inconvenient and sharp edges are exposed.

Suzy Homemaker 2001 (Deluxe Topper Corp., Elizabeth, N.J.), approx. $14. 19x12½x11 in. Heated by 2 100-watt bulbs (not supplied). Made relatively large cakes; pan is 4¾ in. in dia., 1 in. deep. Oven door locked automatically as oven became hot and unlocked only when oven had cooled down; this unit is thus judged safer than most, but the wait of about 25 min. after the oven is disconnected could prove very frustrating to an impatient child. Controls on backsplash can divert some oven heat to top burners, but warming effect was judged too slight to be of practical use. Plug has safety flange (see story). Heating bulbs also serve as signal light.

Suzy Homemaker 2018 (Deluxe Topper Corp.), approx. $10. 14x9⅜x7¾ in. Essentially, a smaller version of *Suzy Homemaker 2001*, preceding; heated by 1 100-watt bulb (not supplied); pan is 3½ in. in dia., ⅞ in. deep.

Not acceptable

Easy-Bake Oven 1600 (Kenner Prod. Co., Cincinnati), approx. $16. Judged Not Acceptable because of very sharp metal edges at opening and because baking pans tended to jam in oven.

Empire Little Lady Oven 226 (The Metal Ware Corp., Two Rivers, Wis.), $10.95. Judged Not Acceptable because of excessively high temperatures on sides (200° F), on top (300° and higher) and on shelf (660°).

Grills acceptable

Big Burger Grill 1400 (Kenner Prod. Co.), approx. $14. 8x13¼x8 in. Heated by 1 50-watt bulb (not supplied). Has 4¾x4¾-in. grilling pan, removable for cleaning or for bulb replacement. Plastic cover helped prevent spattering and shields user from heated surface; most be held open; can be removed (requires removal of 4 screws) if it becomes necessary to clean inside of grill. Grease cup, effective only if grilling pan was properly positioned. Heating bulb also serves as signal light.

Empire Electric Dogger Junior 382 (The Metal Ware Corp.), $6.49. 7¾ in. in dia., 8½ in. high. Grilling area relatively large, but areas near edges were cooler than center of grill and thus slower in cooking. Has hood over rear half, but tended to spatter grease at front and lacked provision for grease disposal.

Not acceptable

Suzy Homemaker Super Grill 2017 (Deluxe Topper Corp.), approx. $7. Judged Not Acceptable because, on each of three samples, strain relief failed standard test. Type of strain-relief device used is usually very effective, but adjacent metal deformed sufficiently for device to be pulled out of unit.

Corn poppers acceptable

Junior Chef "See It Pop Popper" 6970 (Argo Industries Corp.), $6 to $7. 12⅝x6½x7½ in. Heated by 1 100-watt bulb (not supplied) in a cramped space; replacement may be inconvenient.

Not acceptable

The following models were judged Not Acceptable because, during cleaning with a wet cloth or sponge, water entered heater housing and created a shock hazard.

Chilton Corn Popper 280 (Aluminum Specialty Co., Manitowoc, Wis.), $7 to $10. Carton was marked *3770;* a second sample of the same unit was marked *281* and came in a carton marked *3760*.

Empire "See-Em-Pop" 370 (The Metal Ware Corp.), $11.95.

Empire "See-Em-Pop" 372 (The Metal Ware Corp.), $9.95.

Empire "See-Em-Pop" 374 (The Metal Ware Corp.), $6.49.

Mirro Miniature Electric Corn Popper T-3350 (Mirro Aluminum Prod. Co., Manitowoc, Wis.), approx. $4. In addition to shock hazard, this model developed temperatures that made crumpled paper or cotton fabric in contact with the bottom glow and char. Also available as *Model T-3360*, $4.50, including 4 small metal bowls.

IRONS

All the electric irons got slightly warm but not warm enough to burn anything, including skin. The other side of that coin is, of course, that they don't iron. All have "controls" and other features as noted, but none of those work—except the *Suzy Homemaker's* spray, which dampens the article that the iron then cannot iron dry.

Acceptable

Little Mary Proctor Toy Hand Iron 1225 (Western Stamping Corp., Jackson, Mich.), approx. $2. Fabric dial with movable pointer, steam selector and steam vents in soleplate.

Little Mary Proctor Toy Hand Iron 1240 (Western Stamping Corp.), approx. $3. Essentially similar to *Little Mary Proctor 1225*, preceding, except cord has antikink device.

Little Mary Proctor Toy Ironing Set 1120 (Western Stamping Corp.), approx. $7. Essentially similar to *Little Mary Proctor 1225*, above, except includes adjustable ironing board, pad and cover, apron, clothesline and clothespins.

Sears Cat. No. 1079 (Sears, Roebuck), $3.22 plus shipping. Fabric dial with no action and 3 unmarked pushbuttons.

Suzy Homemaker 2002 (Deluxe Topper Corp.), approx. $3. Fabric dial with movable pointer. Sprays water. Small lamp heats iron and serves as signal light; iron must be disassembled to replace bulb (Phillips screwdriver required). Unstable on heel rest. Plug has safety flange (see story).

Wolverine Toy Hand Iron 318 (Wolverine Toy Co., N.Y.C.), $3. Dial with steam-and-spray selector, movable pointer and pushbutton; and steam vents in soleplate.

FOOD MIXER

Our tests showed this food mixer to be innocuous enough; its two soft plastic beaters would seem to pose no hazard to small fingers. But the toy doesn't have much muscle, either. It could froth up milk with malt or other powders or with syrups. It made a half-hearted stab at cake mixes, but the batter was usually lumpy and the beaters tended to stall, even with a small amount. The beaters have metal shafts that are likely to rust, especially since a child might not be too careful to dry them thoroughly.

Acceptable

Junior Chef Real Electric Mixer 6910 (Argo Industries Corp.), $10 to $13.

VACUUM CLEANERS

When CU rates grown-up vacuum cleaners, we often do a little mild finger-shaking when one model or another seems to us excessively noisy. Ironically enough, we have to say that these toy machines are too quiet; we think their noise level just wouldn't satisfy a child who wants a good measure of realism (although the adult satisfaction index may be quite high). As with noise, so with performance; the models we tested aren't going to offer any competition to your regular vacuum cleaner. They did manage to develop enough suction to pick up some dust and loose litter from hard-surfaced floors, but on rugs—forget it.

Both are designed as uprights, and both have an on-off switch and a light. (The lights, however, don't illuminate the floor as such lights on regular machines do.) None has a hook for the cord when the machine isn't being used.

Acceptable

Real Electric 7111 (Argo Industries Corp.), $16 to $20. No revolving brush. Small, washable dust bag, 12-ft. cord. Light replacement, somewhat inconvenient; involves removing 8 screws with wrench.

Wards Signature Cat. No. 32627 (Montgomery Ward), $14.95 plus shipping. Essentially similar to *Real Electric 7111*, preceding.

PROJECTORS

Three of the four projectors we tested show special slides for children; the fourth, the *Brumberger*, is an opaque projector that can throw images of drawings and photographs and even of small objects such as coins. The slide projectors work well and should make a satisfactory toy for many children; their special slides are very easy to use, and they are mounted on strips or circular cards, often in a natural story-telling sequence.

All the slide projectors seemed safe enough for children to use, although some surface of the *View-Master 100* got quite hot. In fact its top grille reached more than 250°F. But the projector can be operated easily without touching the grille. To replace a burned-out bulb you have to disassemble any of the slide projectors to some extent. That makes them less convenient but safer than the opaque projector. The opaque projector's bulb is accessible without disassembly, but the electrical contacts in the bulb sockets are all too accessible. We therefore strongly recommend that you not give the *Brumberger* projector to a young child.

Picture quality with the toy slide projectors was satisfactory. If not as uniformly sharp as you'd expect with a standard projector. The projectors were certainly bright enough for a small screen; the *View-Master 100* gave the brightest picture by far.

The manufacturer recommends a projection distance of about four feet for the *Tru-Vue*, whose white-surfaced storage carton doubles as a screen measuring about 11 by 14 inches. Without such a carton, any of the others will require some sort of a screen (a light-colored wall might do). Recommended projection distance for the *View-Master 100* is a good 12 feet (giving a 30-inch picture); a shorter projection distance, of course, results in a smaller picture. The *View-Master 30* wasn't bright enough at the 10½-foot projection distance suggested by the manufacturer unless the room was well darkened; it did better at a shorter distance. All the slide projectors focus with a draw tube, and it will come away in your hand if you draw it too far (it's easy to replace). The *Tru-Vue* has no provision for adjusting picture height.

Slides for the *View-Masters* are mounted on a disk that fits into a slot in the projector; you press a lever to change frames. The *True-Vue* shows slides in strips; you crank them with a small hand wheel. The *Tru-Vue* strips may slip occasionally, but it's easy to move them on by hand. All three slide projectors will show only their own special slides.

Seven-scene disks for the *View-Masters* cost $1.25 for three, and a seven-scene strip for the *Tru-Vue* sells at 20¢. With a *View-Master* your child has a choice of more than 800 slide cards, mostly scenic but including some children's subjects. The *Tru-Vue* has only 150-odd; about half are scenic and the other half show cartoon favorites. The *View-Master* disks actually carry 14 transparencies, but half duplicate the scenes in the other half. They're mounted in pairs to create a stereoscopic effect in the manufacturer's stereoscopic viewers, which we didn't test.

CU urges parents who buy a projector to pick up a couple of extra bulbs when they buy. All the toy slide projectors take standard projector bulbs. But your local store may not stock the one you want, so you may have trouble getting it on short notice.

The *Brumberger*, the opaque projector, was a thorough disappointment, even as a toy. Its picture was dimmer than those of any of the slide projectors. We could brighten the picture by shortening the projection distance, but we couldn't focus at less than about 40 inches, which gave an image about 12 inches square. At that size, the picture was just about bright enough when the room was well darkened. But it wasn't sharp; details were lost or blurred. Though it's poor as a projector, CU believes children might use it for making enlarged tracings.

The *Brumberger* was also less convenient to operate than the slide projectors. You have to lift the unit by its handle, then slide the item to be projected underneath it. And there's no provision for adjusting the height of the projected image.

Slide projectors acceptable

True-Vue "Project-a-Pix" Theatre (GAF Corp., NYC), $11.95. Includes projector *TV–1*, 10 slide cards and box that can be used as a screen. 5½x3¾x6¾ in. No provision for adjust picture height.

View-Master 100 Watt Deluxe (GAF Corp.), $17.50. 5¼x6¾x7½ in.

View-Master 30 Watt Standard (GAF Corp.), $8.95. 5¼x6¾x7½ in. Also available, under model name *View-Master Walt Disney Cartoon Theater*, as *Wards Cat. No. 3837*, $9.49 plus shipping, including 10 slide cards and box that can be used as a screen.

Opaque projector acceptable

Brumberger Project-O-Scope (Brumberger, NYC), $6 to $8. 8x4¾x12 in. Uses regular 60-watt bulk. No provision for adjusting picture height. Not recommended for young children because bulb socket is easily accessible.

SEWING MACHINES

All the machines operate at a single speed, and most use a single thread and make a chain stitch only. The *Singer* makes a lock stitch. For that reason, and because of its bobbin winder and use of two threads, we'd suggest you consider the *Singer* if you want to provide a more realistic introduction to sewing. But the *Singer*, when operated on house current (for which you need to buy an adapter), might be a little too fast for some children to control—at least at first. However, it's designed to be used with four D-size batteries as well, and runs at a somewhat slower speed that way. CU feels that beginners should start out using batteries, then perhaps graduate to plug-in. The batteries should last for about 12 to 20 hours, assuming the toy were used daily for two hours at a stretch.

All the models are designed like portables, and all except the *Sewmaster* have a carrying handle and a cover that latches to the base. They all stitched satisfactorily for a toy and have adjustable thread tension. Some have built-in lamps, and most have a foot switch that we preferred to the hand switch of the *Sewmaster* and the *Singer*.

Considering that all these machines have a moving needle, we judged them reasonably free from serious hazard when used according to instructions. But in one sample of the *Sewmaster* it was possible to set the needle too far into the holder. That left enough room for a child's finger to get between the presser foot and the needle when the needle holder was at its highest position. The machine won't sew properly with the needle so set, but your child could puncture her finger before she found that out. If you're considering the *Sewmaster*, we suggest you check to make sure your particular machine can't be set that way.

Acceptable

Penneys Electric Sewing Machine Cat. No. 9833 (J. C. Penney), $16.44 plus shipping. Adjustable thread tension. Very little clearance between point of needle at its highest position and presser foot, but presser foot can be loosened and turned away or removed with an ordinary screwdriver (to prevent possibility of nicking edge of finger child should be cautioned against operating machine without presser foot properly in place). Light illuminates sewing area but is on only while machine is running.

Sears Sister Cat. No. 1201 (Sears, Roebuck), $19.88 plus shipping. Adjustable thread tension. Very little clearance between point of needle at its highest position and presser foot; since presser foot cannot be removed, either, this model was judged safest of all those tested. Light illuminates sewing area. Has storage drawer, accessible only when end of machine is lifted.

Sewmaster 947E (Kay and Ee Corp. of America, NYC), $21. No cover. Adjustable thread tension. Switch on machine judged less convenient than foot switch on most other models. Presser foot can be loosened and turned away or removed with an ordinary screwdriver (to prevent possibility of nicking finger, child should be cautioned against operating machine without presser foot properly in place). Only model tested that did not stitch properly with needle in highest position, so several installation tries may be necessary before machine will work satisfactorily. In one of CU's samples, needle could be inserted to far into holder, leaving room to put a finger between needle in its highest position and presser foot; buyer should check individual sample against that deficiency.

Singer Little Touch and Sew 67A3 (The Singer Co., NYC), $16.95. Operates on 4 D-size batteries or, with optional a-c adapter ($3), on house current. Only model tested that makes lock stitch rather than chain stitch. Adjustable upper-thread tension. Built-in bobbin winder. Switch on machine judged less convenient than foot switch on most other models. Clearance between point of needle at its highest position and presser foot greater than with most others (about ⅛ in.); although presser foot cannot be removed, it is possible for edge of child's finger to be nicked by needle while sewing.

Wards Signature Junior Electric Sewing Machine Cat. No. 32295 (Montgomery Ward), $16.99 plus shipping. Adjustable thread tension. Very little clearance between point of needle at its highest position and presser foot, but presser foot can be loosened and turned away or removed with an ordinary screwdriver (to prevent possibility of nicking finger, child should be cautioned against operating machine without presser foot properly in place). Light illuminates sewing area but is on only while machine is running.

TOYS FOR MELTING AND MOLDING

All the toys in this group heat a material, and most provide molds for shaping it into various forms. Like the cooking toys, all present some degree of burn hazard and will require some adult supervision during use and cleanup. In most cases the toys became hot only in areas the child would expect to be hot and would naturally avoid. But the two *Rapco Metal Casting Sets* generated extremely high temperatures on surfaces a child might be likely to touch; we judged them Not Acceptable. The *Rapco 6710* also presented a potentially lethal shock hazard; CU has already published a Once Over (Consumer Reports, October 1968) warning about it.

One toy makes crayons; another melts crayons to make paints. With some of the toys you can make plastic figures—of insects or flowers, for example. The *Incredible Edibles* is a kind of cooking toy. It makes candy figures of fish and snakes; the candy was pretty blah in our opinion.

With all these toys there is a chance of spilling the melted material and causing some damage. Melted crayon wax, for example, can stain some floors and fabrics, and if it doesn't stain, it's a mess to clean. With any of these melting toys, always use a precautionary carpeting of newspapers to cover floor or table.

The *Crayon Factory*, a fairly expensive toy, came with a coloring book, "Presidents of the United States," which turned out to include a set of advertisements for Mr. Peanut and for Planters products. We have not been able to fathom the connection between Mr. Peanut and the American Presidency, but there is obviously a connection between Mr. Peanut and Emenee Industries, Inc., the manufacturer of the toy.

The cost of some of the materials can run pretty high. A *Super Thingmaker* figure may range from 7¢ to 35¢. And the *Incredible Edibles* candy costs us from 10¢ to 16¢ for two or three pieces.

Acceptable

Crayon Factory 4080 (Emenee Industries, Inc., NYC), $6 to $7. Makes crayons by melting crayon wax over a 40-watt bulb and shaping melted wax in molds. Wax melted at around 150° F but could reach about 200° if left on stove. Melted wax can stain some floors and fabrics and, in any event, is usually difficult to remove. Proper mixing of basic colored waxes will produce a wide range of colors, but crayons will cost considerably more (at least 4¢ each) than those commonly available in stores.

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Incredible Edibles 4550 (Mattel, Inc., Hawthorne, Calif.), approx. $12. Makes edible candy figures by heating a liquid mix (which becomes somewhat rubbery) in molds on stove. Stove reached about 320°F; molds reached 200° and higher and must be handled with handle provided. Edible figures (fish, snakes, turtles, etc.) judged rather tasteless. Tubes containing mix must be cut with large opening so that squeezing them does not burst tube seam and cause mix to stain clothing. Material cost CU $1.25 per 2 fl. oz., or 10 to 16¢ for 2 or 3 figures (but material cost will vary from store to store).

Melt-Art A080 (Creative Playthings, Inc., Princeton, N.J.), $5.50. Makes paints by melting crayons in palette of containers, each for a different color; paints are applied with cotton swabs. Palette reached about 225°F at edges and 385° at center; melted wax reached about 250°. Melted wax can stain some floors and fabrics and, in any event, is usually difficult to remove.

Rings 'N Things 2100 (Deluxe Topper Corp.), $10 to $11. Makes plastic figures by heating liquid plastic in a mold. Heater 550°F in recess where hold is placed and up to 200° on other surfaces; mold reacher 385° and must be handled with handles provided. Mold supplied made 1 large and 11 smaller butterflies, at total material cost of about 25¢. (Mold kits for making other figures, approx. $4.) Figures can be decorated with spangles that adhered poorly with cement supplied, tending to slide about and fall off. Plug has safety flange (see story). Plastic spilled on rugs or fabrics should be cleaned off immediately to help prevent staining.

Super Thingmaker 4512 (Mattel, Inc.), approx. $15. Makes plastic figures by heating liquid plastic in a mold. Heater reached 440° F in recess where mold is placed and up to 160° on other surfaces; molds reached 360° and must be handled with tongs provided. Molds supplied made insects, flowers, and such items as "Creeple People" and "giant teeth." Material cost 7¢ to 35¢ per figure. Plastic spilled on rugs or fabrics should be cleaned off immediately to help prevent staining.

Strange Change Toy 4581 (Mattel, Inc.), approx. $12. Makes plastic figures by heating plastic tablets in a chamber and causing them to expand; figures can be reheated and compressed back into tablet form. Some interior surfaces of chamber reached about 325° F; figures reached about 200° and must be handled with tongs provided. Figures may char if left in chamber too long.

Vac-U-Form 422 (Mattel, Inc.), available at *Sears Cat. No. 2261*, $11.88 plus shipping. Makes plastic objects, some of which are components and can be assembled to make small model cars, boats, etc., by heating plastic cards in a frame and shaping them to a mold by vacuum, created by a hand-operated pump. Heater reached 460° F in recess where card is placed and up to 170° on other surfaces. Pumping force up to 20 to 25 lb. required, so parental assistance may be necessary. Some judgment necessary to determine when plastic is ready for molding; underheated plastic will not mold properly, and overheated plastic may start to melt.

Not acceptable

Rapco Metal Casting Set 6710 (Rappaport Bros., Inc., Chicago), $10. Judged Not Acceptable because of potentially lethal shock hazard found in both samples tested and because of very high temperatures reached on some surfaces (see Once Over warning in October issue).

Rapco Metal Casting Set 5710 (Rappaport Bros., Inc.), $10. Judged Not Acceptable because of very high temperatures reached on some surfaces (see Once Over warning in October issue).

SHOP TOOL

The *Real Power Shop* consists of components that can be assembled to make a drill press, a jigsaw, a disk sander or a lathe and can be used with small pieces of such soft woods as balsam and pine. It's not bad, considering that it's a toy, but don't expect much in the way of versatility, speed or accuracy. Further, you should count on being around for help; on CU's sample one of the parts required adult strength to tighten (and, even after tightening, was still loose at one side, decreasing accuracy). Although the *Real Power Shop* is certainly a lot safer than adult shop tools, some parts are sharp and pointed and some turn rapidly.

Acceptable

Real Power Shop 4401 (Mattel, Inc.), approx. $20.

RENEGOTIATION BOARD

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio (Mr. FEIGHAN) is recognized for 10 minutes.

Mr. FEIGHAN. Mr. Speaker, last year I joined my distinguished colleague, the gentleman from Texas (Mr. GONZALEZ), in introducing legislation to strengthen the Renegotiation Board. Although the Congress approved an extension of the Board until June 30, 1971, it failed to act on the other provisions in the legislation designed to expand the Board's power in recovering excessive profits realized by Government contractors.

Created by Congress in 1951, the Renegotiation Board is responsible for reviewing certain Government contracts to determine whether or not there are any excessive profits. If such a determination is made, the Board is empowered to seek restitution on behalf of the Government. Although the Defense Department and the National Aeronautic and Space Administration constitute the largest areas of Government procurement, the Board also has jurisdiction over contracts negotiated with the Maritime Administration, the Federal Maritime Board, the Federal Aviation Administration, the Atomic Energy Commission, and the General Services Administration. The latter manages all Government property, constructs Federal buildings and is responsible for procurement of all Government supplies.

Since its inauguration in 1951, the Board has recovered close to $1 billion for the Government. Considering that the Board's annual operating costs have averaged about $2.5 million a year during this time, I would say that its record is quite impressive. The fact remains, however, that because of its staff of only 196 and its current operating level of only $3 million, the Board is limited in just how much it can accomplish. It is estimated that this year will see a backlog of over 1,200 cases awaiting final determination.

In view of the rising defense and space expenditures, it is appalling that the Board is virtually prevented from investigating certain contracts because of administrative barriers.

At the time of the Korean war in 1953, the Board had over 700 employees and operated on a budget over $5 million. Yet, 2 years ago defense contract awards directly related to the Vietnam conflict, at $44.6 billion, surpassed the highest level of awards for South Korea. It is imperative that the Board be enabled to conduct effectively investigations into all phases of Government procurement under its jurisdiction. Because of the tremendous annual defense budget, however, this area is certainly important and in need of prompt resolution.

My colleagues and my constituents have heard countless stories of incredible profiteering in these times of crisis by Government contractors at our expenses. In the last fiscal year alone, the Board saved the Government and the taxpayers over $23 million.

It is obvious that meaningful action is necessary, and for this reason, I am joining my distinguished colleagues, the gentleman from Texas (Mr. GONZALEZ) and the gentleman from California (Mr. BROWN), in sponsoring legislation to strengthen the Renegotiation Board. This bill will establish the Board's permanency and thus not make it susceptible to continued renewal every few years. This feature is essential for many investigatory agencies dealing with large companies, great amounts of money, and the commensurate political pressure.

The bill will empower the Board to review Government contracts over $250,000, the figure originally named when the Board was created. Currently, the Board may review only those contracts in excess of $1,000,000. This provision will expand considerably the number of contracts under the Board's jurisdiction.

Further, the bill will repeal certain exemptions that allow many contractors to evade the scrutiny of the Board.

It is my hope that with such a great degree of national support demonstrated for the Board in the past, my colleagues will join with me in working for prompt action on this proposal.

CONGRESSMAN HALPERN INTRODUCES BILL TO PROVIDE $5,000 TAX EXEMPTION ON RETIREMENT PAY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York (Mr. HALPERN) is recognized for 5 minutes.

Mr. HALPERN. Mr. Speaker, it is extremely difficult for our older people, whose only income is their retirement pay, to try to make ends meet in these days of rising prices. Many of them are no longer able to work to earn extra money, and unexpected expenses hit them particularly hard.

Very often they find that, after working all those years, the income they thought they would have to keep them comfortable and allow them a few pleasures has been reduced by inflation to a bare subsistence.

There is, presently, a provision in the Internal Revenue Code exempting from taxation whatever percentage of retirement pay the employee may have contributed to his pension plan while he worked. One of the purposes of this exemption is to prevent double taxation, since the employee, while he worked, paid tax on the full sum of his paycheck, before deductions were made for pension contributions.

Nonetheless, this provision is clearly inadequate to offset the inflation pinch on retired people living on fixed incomes.

This is because, in many cases, the bulk—if not all—of retirement fund reserves come from the employer, and these

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funds are completely taxable when received by the retiree. Government employees, whose pension plans generally require employee contribution, tend to be the exception rather than the rule. The net effect is that many retirees from private industry cannot take advantage of the existing exemption.

Therefore, I am introducing today a bill that would exempt from the Federal income tax the first $5,000 of retirement pay, whether the employee had contributed or not. My bill would retain the employee contribution exemption, so that if a retiree's pension exceeded $5,000, he could still exempt from the excess whatever percentage he had contributed, and thus avoid double taxation on that portion.

For example, a retiree receiving $5,200 contributed entirely by his employer, would pay tax on $200. A person receiving $5,200 based on 50–50 contribution between himself and his employer would get the first $5,000 tax exempt, and pay tax only on that 50 percent of the remainder contributed by his employer. In other words, only $100 would be taxable.

I should point out that $5,000 is not an unreasonable figure for tax exemption, whatever the type of pension plan. Most pensions pay considerably less. But even assuming a pension of $5,000, I think everyone here would agree that when a person has worked all his life, and has acquired a home and family, and has developed a pattern of living commensurate with his earnings as a productive members of society, and has assumed the normal—and often very substantial—obligations concomitant with his progress through life, that $5,000 does not go very far these days.

The people who would benefit from this legislation are not looking for a handout. They have worked steadily and faithfully for many years, or they would not be receiving pensions and annuities. They have helped to build society, and they have taken the trouble to make provision for themselves in later years. They certainly deserve to have some protection against the inflation that is cruelly diluting their only sustenance.

I urge every Member of the House to give this measure his full support.

THE CHALLENGE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from West Virginia (Mr. STAGGERS) is recognized for 5 minutes.

Mr. STAGGERS. Mr. Speaker, this is an age in which the bright light of publicity is focused on every manifestation of human perversity. The news media reach out with sensitive fingers to find and gather in instances of misconduct and parade them before the fascinated gaze of the world. Television in particular apparently aspires to be "the long historian of the country's woes."

It is impossible, perhaps, to compare the quantity and the quality of the greed and the vice and the violence of our day with that of previous periods. Sin is no recent discovery. The ancient inhabitants of Sodom and Gomorrah may well have been qualified to give us moderns some elementary instruction on the subject. None the less, the evil which we see and hear and speak threatens to destroy us, as it did those wicked cities.

In a more austere period than ours is, swift retribution put some check on deviations from the path of moral and social and economic rectitude. Starvation and ruthless war and stern governments acted as strong deterrents to open violation of acceptable standards of behavior. But today we bask in a genial atmosphere of abundance and ease and toleration. It is not entirely a novel situation. The history of past ages is filled with instances. And Goldsmith wrote:

"Ill fares the land, to hastening ills a prey,
Where wealth accumulates, and men decay;"

While Cardinal Newman echoed:

"Who lets his feelings run
In soft luxurious flow,
Shrinks when hard service must be done,
And faints at every woe."

The onward advance of civilization seemed assured by our control over nature made possible through scientific progress, as well as by the spread of social understanding. Never through all time have the wants of man come so near to the possibility of widespread satisfaction as in our age. And yet we are in real danger of throwing away our bright prospects for the future, and even of losing our hard-won gains. The situation contradicts itself. It is a kind of incredible suicide.

Fortunately there is a growing awareness of the end to which our follies are leading us. Public opinion is focusing attention on the more dangerous evils.

One of them is an inflationary spiral that may be already out of control. Both Congress and the administration have called for restraint on price and wage increases. In the face of that, the new year has opened with an untimely pay increase for the upper levels of Federal officials and employees. A number of Members of Congress, including myself, vigorously opposed the increase. The matter was not permitted to come to a vote in the House. The raise was the work of a special commission, and was not approved by Congress.

Wages in industry are commonly tied today to the cost of living. When the cost of living goes up, labor contracts generally call for an automatic increase in pay. When industrial pay goes up, workers in nonindustrial occupations demand similar treatment. This means all the workers in personal services, in business offices, and among government employees. And this in fact was the basis for increase for Members of Congress and other Federal officials, however ill timed.

Increased wages means increased costs of production, and hence increased prices. In recent years, the increased productivity of labor has more than balanced price increases. The modern workman gets far more goods and services for his wages than his predecessor did. People in general are "better off" than they ever were. It is true that some classes of people suffer. Inflation erodes the value of money and eats away at savings.

Last fall's election gave us a Government pledged to stop inflation, or at least to slow it down, before it got out of control. Specific plans to accomplish that desirable purpose are cautious and hesitant. A period of inflation always means an expanding economy and full employment. It is admitted by responsible people in both the political and economic worlds that any strong brake on inflation is going to mean more people out of work. The problem is to put on enough brakes to slow down rising prices without producing an economic skid into a depression. More people fear a depression than those who worry about inflation, for obvious reasons.

An evil associated with the price rise is the concomitant hike in taxes. It can hardly be expected that increased costs in the industrial world will not be matched by increased costs in the services rendered by government. People demand more and better schools, more and better roads, better health care, better everything, as each new year begins. And governments search frantically for tax sources to pay for what the people demand. Whatever tax form or tax increase they come up with produces a howl of anguish.

There is a feeling that people would not complain seriously about taxation if they were convinced that taxation is fair and equitable. A generally accepted principle of just taxation is that it should be graduated to the ability to pay. The principle is violated by almost every form of modern taxation. Retail sales taxes, for instance, fall with equal burden on poor and rich alike, in proportion to their purchases. Strangely enough, however, the sales tax does not seem to arouse opposition on that score, and it is becoming an important source of revenue.

Income taxes, on the other hand, meet heavy criticism. They provide the largest part of Federal revenue, and an increasing part of State revenue. They are assessed and collected in a manner that is obvious to every taxpayer. While they appear to have been graduated to various levels of income, it is widely believed that they are heaviest on those least able to pay.

Considering the rate at which income taxes must be set, a family on a bare subsistence level of income cannot afford to pay any income tax. A number of us in Congress have urged an increase in personal exemptions from $600 to at least $1,200. Sentiment for such an increase seems to be growing. At the same time, Congress is giving serious consideration this year to tax reform, and the exemption rate should be one of the items.

Another complaint about income taxes, and a proper one, is that so much income escapes taxation altogether. Loopholes, both legal and extralegal, are numerous and readily available to those with perhaps the greatest ability to pay. The closing of those loopholes should have high priority in this session of Congress. It is widely believed that if all incomes were taxed evenly and fairly at prevailing rates, the Federal Government would have adequate revenue for its needs.

Some comment on a third evil, perhaps the one that contributes most to popular fear and frustration, is necessary. Violence against the person, against property, against society itself, has become the red mark of the age. In its various manifestations, as crime, as mass protests, as seizure of institutions and property in general, it can no longer be ignored. The permissiveness of an affluent society is inclined to attribute most of it to the exuberance of youth or to the reasonable and excusable behavior of underprivileged elements in our society. Some of us have, from the beginning, found in it the undercover operations of agents, whether domestic or foreign, determined to wreck this Nation and turn it over to unacceptable ideologies. Even our schools have become affected with the violence movement, and demonstrated that it is not a constructive idea, but an idea dedicated to anarchy.

The various resources of our society available to combat disorder are at last moving into action. We cannot afford to allow such disruption to continue. The Congress, I feel, is prepared to produce any needed legislation that is appropriate. The police power of this Nation, however, has been a function of the State and local governments. We have always feared a national police as an instrument of tyranny and oppression. The States and localities should move firmly and speedily to enforce local law. At the same time, the Federal Government should make plain its assurance of support and assistance wherever and whenever needed.

This Nation today is charged with responsibility for an unprecedented number of troubles, both at home and abroad. Many of these problems have settled down on us because people all over the world have expected too much from our demonstrated ability to deal with the world of production and exploitation. The responsible head of a great financial institution, in a recent speech, reminded us that:

> Strong and powerful as we are, we cannot do everything at once without courting disaster. Specifically, we cannot fight what has become a major war, serve as the world's banker, rebuild our cities, cure environmental problems, render massive aid to foreign nations, dramatically upgrade the quality of our education, increase welfare programs, and solve the racial problem all at once. Strong as our economy is, it simply is not that strong. And if we are not to face an additional crisis of shattered expectations, we need a public facing up to this from our Government, and a clear statement of national priorities.

Yes, not only a public facing up to the realization that time is needed to accomplish any great task, but also a private individual facing up to that fact. As individuals, we have lately become too prone to evade responsibility, to decline to get involved, to turn our jobs as citizens, as parents, as keepers of our own households, over to society as a whole. Let the Government, the schools, the church do it. In this situation, we must return to the principle that the society cannot rise above the level of the individual member of it. Among us today there are wrongs to be righted, there are injustices to be brought into balance, there are loads to be lifted, there are tasks to be undertaken, there are characters to be ennobled. The challenge comes to the individual. What the individual does will determine the direction of the future. He who responds to the need may do so in full assurance that "every struggle lessens human woe."

The call for personal commitment to a stable and orderly society is urgent. The time is now. The challenge comes right down to the individual man and woman. No one of us can longer afford to stand by in apathetic indifference.

CONGRESSIONAL REORGANIZATION AND REFORM

(Mr. STEIGER of Wisconsin asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEIGER of Wisconsin. Mr. Speaker, the momentum of the effort to pass congressional reform legislation is building rapidly, a fact demonstrated by the introduction today of the fourth copy of the proposed Legislative Reorganization Act of 1969.

The new bill, which is exactly the same as H.R. 6278, H.R. 7371, and H.R. 7372, carries the names of 23 additional cosponsors and brings the total number of cosponsors to 75. In addition, I am confident that more of our colleagues will cosponsor this bill in the near future.

Legislative reorganization began as a bipartisan effort with the Joint Committee on the Organization of Congress in 1965 and it will have to remain a bipartisan effort if we are going to pass a constructive piece of legislation in the 91st Congress. That is why I was pleased to receive today a letter from six of my colleagues on the other side of the aisle announcing their intention to introduce a very similar bill on congressional reform.

In their letter Representatives THOMAS REES, WILLIAM HATHAWAY, ANDREW JACOBS, WILLIAM HUNGATE, BROCK ADAMS, and LEE HAMILTON state that it is their belief "that the function of the legislative branch has been eroded these past years and that we must create for ourselves better and more modern methods to adequately deal with the executive branch."

They also believe that legislative reorganization will "strengthen the hand of the individual Member of Congress and of Congress as a whole."

I agree wholeheartedly with their conclusions and wish them well in their effort to attract additional cosponsors.

The more Members of Congress who are willing to identify themselves with the need to modernize Congress as an institution, the stronger the outlook becomes for passing legislation during this session.

TRIBUTE TO HAWAII ON 10TH ANNIVERSARY

(Mr. HANLEY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HANLEY. Mr. Speaker, 10 years ago yesterday, the U.S. House of Representatives formally approved an act providing for the admission of the territory of Hawaii into the Union as a sovereign State. I want to take a few minutes today to offer my heartiest congratulations to our fellow citizens from Hawaii as they pass this momentous milestone.

With the formal admission of Hawaii into the Union, we successfully merged many of the great and profound cultures of the East with those of the West. But in a real sense, Mr. Speaker, we merely extended the broad range of the melting pot we call the United States.

The citizens of Hawaii have responded to their admission by consistently sending the highest quality of Representatives to Washington. Specifically, I feel they have been blessed with the dedicated and competent service of our two colleagues, SPARK MATSUNAGA and PATSY MINK.

Mr. Speaker, we are proud to honor the great State of Hawaii on her 10th anniversary and we are happy to have the pleasure of saying congratulations to her citizens.

TRIBUTE TO MICHAEL JASINSKI

(Mr. HANLEY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HANLEY. Mr. Speaker, last week I had the pleasure of attending the annual Veterans of Foreign Wars congressional dinner here in Washington. Aside from the normally enjoyable time this event brings with it, I had the additional honor and pleasure of becoming acquainted with an outstanding young man from my district, Michael Jasinski.

Mike composed and delivered the winning speech from New York in the VFW's nationwide Voice of Democracy contest and came to Washington with the other State winners to compete in the national finals.

My purpose today, Mr. Speaker, is rather simple. With all the disturbance and confusion being raised throughout the country these days by a handful of dissident youths, it is refreshing to meet and come to know a bright, talented and dedicated young man such as Mike Jasinski. Mike personifies the overwhelming majority of our American youth who want to build for the future, who have faith in the institutions and ideals of their Nation, and who have the will to confront problems with an air of determination.

Mr. Speaker, I want to pay tribute to Mike Jasinski today, and to tell him and the millions of other responsible youths throughout this country that we are proud of them, that we are confident they will take their places as responsible citizens and that despite the naysayers and the pessimists, the future does hold great promise for those who are willing to work.

CHAIRMAN WRIGHT PATMAN GUEST ON TELEVISION SHOW "SPEAKING FREELY"

(Mr. HANLEY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HANLEY. Mr. Speaker, recently Edwin Newman, the celebrated NBC newsman, interviewed for his television show "Speaking Freely" our esteemed and honorable chairman of the House Committee on Banking and Currency, WRIGHT PATMAN of Texas. This hour-long television show appeared in New

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York City on March 2, 1969, and subsequently will appear throughout the country on various television stations and networks.

The subject matter covered by Chairman PATMAN included the role played by foundations in our economy, tax loopholes, monetary policy, and our Federal Reserve System.

No one in the history of the Congress of the United States has had, or has more knowledge of these subjects and the ability to articulate them than our esteemed chairman. I understand that the mail response on this interview is truly fantastic. I ask unanimous consent that a transcript of this monumental television occurrence appear at this point in the RECORD, so that all Members of the Congress and the American people at large may have the opportunity to read and understand these subjects as expressed by a great American and protector of the public interest.

"SPEAKING FREELY"

(By the WNBC–TV Community Affairs Department)

Guest: Representative WRIGHT PATMAN, a Democratic Congressman from Texas.

Host: Edwin Newman, NBC News.

Mr. NEWMAN. Hello, I'm Edwin Newman. "Speaking Freely" today is Representative Wright Patman, Democrat of Texas, who's the chairman of the House Committee on Banking and Currency, chairman of the Joint House-Senate Committee on Defense Production, vice chairman of the Joint House-Senate Economic Committee, ranking member of the House Committee on Small Business. After that list it's hardly necessary to say that Mr. Patman is one of the most important men in Congress, especially on economic and financial matters. On which matters he is, by the way, something of a rebel. He is serving his 21st term in the House, and in that body he is the third man in seniority.

Mr. Patman, you've been in the news most recently—you have been most in the news most recently for some of the things you've been saying about tax-exempt foundations. Now, you don't go so far as to say these foundations are an evil, but you certainly have made it plain that you think they're out of control so far as the national interest is concerned.

Mr. PATMAN. Well, Mr. Newman, keep this in mind, I'm talking about privately controlled foundations. I'm not talking about the foundations that really use their money for charitable purposes, as they should. I'm talking really about the abuses, and the privately controlled foundations you'll find most of the abuses. You know, I started to do something about them 30 years ago. And I got on other things and got off, and only got back about 7 years ago.

You know, it's been said that there's nothing so powerful as an idea whose time has come. Well, 30 years ago it was important, then 7 years ago it was important. And since then we've been building up sentiment. But now, I believe the time has come. People don't want to tolerate these privileges and opportunities that are abused like the tax-exempt, privately controlled foundations are abusing.

Mr. NEWMAN. Would you give some examples of some of these foundations?

Mr. PATMAN. Yes. There are a lot of them. You see, there are places in this country where families have foundations. I know one large city that a large part of that city—an important official in the attorney general's office told me that—she happened to be a lady, a deputy, attorney general, in a very important state—she said in her area she didn't know of a single family that didn't have a foundation; that way they'd educate their children, they'd get a lot of things done without taxes.

Now that's going on all over the country. Not just the big people always, some of the little people have gotten into it too. And I'm in favor if you're going to have the big people doing it, let the little people do it too.

Mr. NEWMAN. But your view is that neither should be allowed to do it.

Mr. PATMAN. That's right. Not to abuse it.

Mr. NEWMAN. Are you going to tell us which city this is, Mr. Patman?

Mr. PATMAN. No, sir; I wouldn't like to do that.

Mr. NEWMAN. Well, you say that families, ordinary families, more or less ordinary families but obviously with some money——

Mr. PATMAN. That's right. Like, you know, doctors and lawyers and professional people that have large incomes usually.

Mr. NEWMAN. And they set up family foundations.

Mr. PATMAN. Foundations. In one case in the Middle West they would have meetings to educate people how they could avoid taxes, but make it very plain it's legal to avoid taxes and it's right. You're not supposed to pay more taxes than you should under law. But to evade taxes is quite different. So they'd put out the word that at a certain time they were going to have a meeting.

Mr. NEWMAN. This was a foundation that did this?

Mr. PATMAN. The foundation. And they had a foundation there, and they would invite people if they wanted—people who were qualified and had the money—to join in an effort like that. And they'd have a large group, and they'd educate them as to how they could do these things. "So now for $10,500 we will organize a foundation for each one of you. You belong to our foundation, and we have all the lawyers and the technicians and the experts, and we will organize one for you. And if you take our guidance and legal judgment and do what we say, you'll not have to pay any taxes while you're living, and your family will not have to pay an inheritance tax when you die." And of course it was kind of easy for people who had the money, affluent people, to pull out $10,500 and give it to them. They raised millions of dollars that way. That's a case where the family was organizing.

Mr. NEWMAN. Is that foundation still in existence?

Mr. PATMAN. It is, so far as I know. Now we, of course, have been pursuing them. We were after them with sharp sticks a long time.

Mr. NEWMAN. You going to give us the name of that organization?

Mr. PATMAN. Oh yes, The Americans Building Constitutionally, in Chicago, Illinois, operating principally on the West Coast, and of course in the Middle West.

Mr. NEWMAN. But of course the public is mainly familiar with the really big foundations, the names they hear Ford, Rockefeller, Carnegie and so on.

Mr. PATMAN. And so on.

Mr. NEWMAN. Do you find that they abuse the privileges Congress has granted them also?

Mr. PATMAN. Some of them do. Now Carnegie, I guess between the three that you mentioned, would be the cleanest of the three. The Ford Foundation I think is the most vulnerable one. It has 3½ billion dollars in assets, and no liabilities—pretty good shape. And of course the Rockefeller Foundation is not just one, it's 13. I heard it said around Houston—they've become pretty rich down there on oil and defense plants and things like that, and one part of Houston where the people are so affluent that even their animals, their dogs and fleas and insects and everything else are affluent—and it's said that in that part of town that every flea has his own dog. And so it looks like that every important Rockefeller has his own foundation, and they're doing pretty well with them.

Mr. NEWMAN. Congressman, do you object to the size of foundations?

Mr. PATMAN. No, I don't object to the size of them, but why should anybody be exempt from paying their fair share of the taxes? And most of these privately controlled foundations, I think, are organized for that purpose. They have the right of succession. If a trustee or director dies, they can fill his place with somebody that they want. It's in perpetuity. It was never intended—it is repulsive to our form of government.

Now it used to be, in Europe, but even in Europe they've gotten away with it. And over here we would never have had anything like that. It came about rather accidentally.

Mr. NEWMAN. But your objection to—you object to families retaining their direction over a foundation after its original establishment?

Mr. PATMAN. Well, I wouldn't have any privately controlled foundations. I would encourage genuine foundations for charity, and religion, and good purposes like that. But I wouldn't have any like the privately controlled foundations operate. I'd have a limitation on them, say 20 or 25 years then they're liquidated, they're through.

Mr. NEWMAN. Why do you recommend that, sir?

Mr. PATMAN. Well, that's been done before, you know. And why should anybody have tax exemption in perpetuity? Number one, why should they have it at all? But if they can give a good reason for having it, there should be a limitation on it. They shouldn't have it in perpetuity.

Mr. NEWMAN. May I ask you, Mr. Patman, to give, if you would, some examples of the kind of activities that foundations engage in that you think they should not engage in.

Mr. PATMAN. Well, number one, they take their money and invest it in the stock market. They buy up businesses with it. They go in competition with people who are paying taxes and helping to support their government. It's unfair to the honest, sincere, patriotic person. He's having to pay all the taxes for his government, defend his country in time of war, and help build it in time of peace. Here's a foundation over here with a lot of money, in competition with him, paying no taxes at all. It's just not right, it's wrong.

Mr. NEWMAN. But let us assume that foundations exist and let us assume that they even paid some taxes—you propose that they pay 20%, a tax 20%.

Mr. PATMAN. That's on gross, too, you know.

Mr. NEWMAN. I thought it was on their investment income that you proposed.

Mr. PATMAN. Well yes, but that also includes capital gains like it is now. They don't even pay, they don't even account for capital gains. That's theirs. They just put it in their pockets. They don't even account for it. And this would maybe be 20% on capital gains. And that would run into some money. And furthermore, we'd make them pay out at the end of every year, what they had left, for charity. Like it is now, they're not doing it.

Mr. NEWMAN. What are the activities that they engage in, apart from these financial activities—what activities do they subsidize, what activities do they support that you think they should not be allowed to do? Or to put it the other way, what should they be allowed to do?

Mr. PATMAN. Well, number one, why should they be allowed to do these things at all? You see, they have a right under the law that's now written to operate as a tax-exempt organization if they use the money for certain definite, distinct purposes. But they don't stop there. One lawyer wrote his client and said, "You ought to consider a foundation, it's a good way to take care of your poor kinfolks, you put them on the foundation payroll." You see, there's no limit to what they can do with this money. It's not adequately supervised at all. Not properly

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supervised. They're just almost footloose and fancy-free. They're getting by with murder, so to speak.

Mr. Newman. Well, I suppose what I'm doing here perhaps is distorting the picture a bit because as you say there are thousands of foundations—20,000, 30,000, something of that sort.

Mr. Patman. Well, for 7 years I've been trying to get the number. I asked Mr. Dillon, Secretary of the Treasury, in 1964; he is a witness for my committee; I said, "Mr. Dillon, as Secretary of the Treasury you're over the Internal Revenue Service. How many privately controlled foundations are there in this country?" He talked to everybody around him and said, "I just don't know. We just don't know." And that was the truth. They dont keep any account of these things. It's the loosest kind of bookkeeping and accounting in the world. And I asked him to get it up for me, he said he would. He was in office 3 or 4 years after that but he didn't get it up, he never did get it up.

Mr. Fowler came before my committee last year, and I said, "Mr. Fowler, how many private controlled tax-exempt foundations are there in this country?" "25,000." Just like that, so he's evidently known about this colloquy. And I said, "That's wonderful, do you have them with you?" "Oh no—we don't have them." "Can you get them for me? Can you send them up tomorrow?" "Oh no, we'll have to get them out of the papers and the records and everything." I said, "Will you do it soon?" Oh yes, I definitely will get it soon. It was nearly two years before we got them, and when we got them. And when we got them it was 30,262. So that one we were studying had just been 596, and we know there are tens of billions of dollars in them.

Mr. Newman. But take the biggest of them, take the Ford, which is set at 3½ billion dollars. Does it do anything with its money, leaving aside its financial operations or its investment operations—does it do anything with—

Mr. Patman. They invest their money just like a private investor invests, and pay no taxes on what they earn.

Mr. Newman. But the actual awards they make, and the grants they make, and the loans they make—are there any of those that you object to?

Mr. Patman. Why, certainly, they are spending all kinds of money for office expenses—that's particularly true as to the Rockefeller Foundation. And they spend a large part of their money, most of it, abroad—they don't spend it in this country. And looks to me like it's really repulsive, to think about giving people the opportunity of keeping their money rather than paying taxes on it, and then that kept money by reason of the gratitude of our own government, you might say—they go abroad and spend their money. And they do that without reference to the balance of payments on our country, without any consideration of our country. And they don't have to make any reports, and no audits.

Mr. Newman. But do they not say—are they not engaging in the good purposes that you mentioned a moment ago?

Mr. Patman. Sure, they say that. But the amount spent for the good purposes is pretty small.

Mr. Newman. Well, what about some of the actual activities that say the Ford Foundation engages in, which have to do, for example, with raising the status of Negro Americans?

Mr. Patman. Well, you don't have to guess what they're doing, you see it in the newspapers every day. And some of the things they do I'm sure will be good. But some of the things—they just don't fit into charity. They just don't do that. They do some pretty terrible things, and we don't know everything they do. When we dig into them, we find out some of the things. But it's awfully hard to find out.

Mr. Newman. What I'm really asking you, I suppose, is are there any particular grants or awards or activities by any of the big foundations that you feel are particularly outrageous?

Mr. Patman. Well, there are a lot of them, but I'm not going to discuss them, because it's a matter of opinion, you know, and that's not what I'm after—any particular one, anyway. I have no personal feelings about these things at all. It's the public interest that I feel like that I'm representing. I just don't believe in—people taking advantage of their government and their citizens and paying no taxes, and getting the benefit of everything that their government does.

Mr. Newman. So you would, in any case, supervise the foundations much more closely.

Mr. Patman. Directly, supervise them more closely.

Mr. Newman. How would you do it, sir? What sort of—

Mr. Patman. Well, just to have the IRS—the IRS is a fine organization to supervise—

Mr. Newman. The Internal Revenue Service.

Mr. Patman. Internal Revenue Service. They don't do it. And when you just insist on telling me—when I insist on why they don't do it, they say, "Well, you just don't get much money out of them. And we go and pursue these people where there's more money and we use our money for enforcement better that way." But they overlook the fact that there is a lot of money in it, if they'd pursue them. Why, we've already shown where $29 million was not paid, and they've collected some of it, that's $29 million. And they're going to collect the rest. And there are tens of millions of dollars other than will come through by reason of this disclosure that we have made—just our little group. It's easy to find if they'll go to work on it.

Mr. Newman. Mr. Patman, are you very troubled by loopholes in the tax laws, apart from what you consider to be the obvious overlooking of the tax-exempt foundations? Do you think that the loopholes are as bad as they're often said to be?

Mr. Patman. And probably worse. There are a lot of loopholes in the tax laws. And they should be stopped. We should plug them. And I hope that the Committee—and I'm really thrilled over Mr. Mills' start on this investigation. But I hope when he finds something that's obviously bad, I hope he presents a bill right away, and gets it through. I'm apprehensive if they let them just pile up and try to get up an omnibus bill right on the last, that it wouldn't have a reasonable chance of passing. Because an omnibus bill—every member of Congress would have some reason to vote against it, and it might result in its defeat. But if you put every one of these on its merits before the House, in one bill, as they come up, I think we'd have a wonderful opportunity of passing them.

Mr. Newman. Mr. Patman, the last Secretary of the Treasury under President Johnson, Joseph Barr, said he had a feeling that there was a taxpayers' revolt in the air, partly because a lot of people with large incomes, even hundreds of thousands of dollars, in some cases millions, were not paying taxes at all. Do you think that——

Mr. Patman. He made that statement before me as chairman of the Joint Economic Committee, his last appearance up there. And I think his statement required courage on his part, and I think he gave us information that should make us aware of what's going on. People are getting disgusted. And one of the things, is tax exemptions—they don't like that. There's a groundswell of opposition all over this nation today—and we can pass a bill if we keep on pushing it.

Mr. Newman. What about the tax-exempt bonds, municipal bonds, that kind of thing?

Mr. Patman. Well I have a—I don't want to be in a position of being against local communities on their schoolhouses and roads, I'm all for it. But the tax exemption doesn't belong there. That costs the federal government a lot of money, because there's no taxes. Now I propose that there's a little difference in there in what they have to pay on a tax-exempt bond and what would not be a tax-exempt bond. It's not very large. I'd be in favor of the federal government subsidizing that little part and then making them taxable. Then the government would collect ten to one to what it was out, and it would be fair to everybody.

Mr. Newman. Would people buy municipal bonds if they were not tax-exempt?

Mr. Patman. Yes they would. They'd be in competition for the bonds, you know. They'd be in competition to other bonds and they'd buy them just the same as they do now.

Mr. Newman. Of course the most celebrated loophole, the one that is usually described that way, with the greatest vehemence, is the depletion allowance given, for example, to oil wells and that kind of thing.

Mr. Patman. That's right. It could very well be looked into, too. Now there's some depletion allowance that's due; I don't know whether 27½% on oil is too much or not. If it is, it ought to be reduced. If it's not enough, it ought to be raised. But the most unfair thing on depletion allowance is on oil—is allowing people from the United States, and big companies in particular, to get depletion allowance on oil in foreign countries. Why should we give credit for depletion in a foreign country? That's going on and amounts to billions of dollars every year. There's your real loophole?

Mr. Newman. What is the theory behind exempting oil deposits overseas?

Mr. Patman. Well there's no theory that I know of—no logical theory. It just happens to come in in the contact with the government, dealing with the government on taxes and so forth. But they have been getting credit for depletion allowance in foreign countries. Now, that doesn't make any kind of sense: common, book, or horse. None.

Mr. Newman. Well, why isn't the argument that the expenses of exploration, for example, are just as great overseas——

Mr. Patman. Well, you could probably make a case for that. But I'm talking about depletion allowance. That's depleting the capital in a country. And why should we be concerned about depleting the capital in Iran or Iraq, or Mexico, or any other country?

Mr. Newman. Well I suppose the argument is that the oil companies, the American oil companies that get the benefit of this depletion allowance are in themselves national assets and that by getting the oil for lower taxes, we save oil in this country.

Mr. Patman. I bet there are times when Ed Newman pays more taxes than some of the biggest oil companies.

Mr. Newman. I wish I could say—I'm impressed.

Mr. Patman. Because they have plenty of gimmicks and loopholes.

Mr. Newman. Yes. Is that the biggest of them, do you think, the depletion allowance?

Mr. Patman. That's one of them. I don't know how much it would—you see, there are lots of them, over a hundred commodities that have depletion allowance; oil just happens to be one.

Mr. Newman. Mr. Patman, you feel that the tax system is weighted really against the little man, and you think that the whole American economy—a good part of it is rather weighted against the little man. How did all this come about?

Mr. Patman. Well, it came about by just seeing injustices of people not getting a square deal, and a few people getting great privileges and lucrative privileges, and abusing the rest of them with it.

Mr. Newman. If it is as lopsided as you say it is, how did it get to be that lopsided?

Mr. Patman. Well, just because—like here in Congress, it's an easy matter to let things

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go, like all these loopholes, and for a member not to say anything about it. He's in politics, he's got to be elected. Now, he's an honest member. I've served with 3000 members of Congress; you couldn't serve with finer and more honorable, more honest people, than those people I've served with, they were wonderful. But at the same time, no one member wants to step on the toes of a big man, because that big man can really cause him trouble—cause him opposition, maybe defeat. He can't come back at him—maybe you don't have the information and knowledge to come back at him. But you know, that lets them go ahead and get bigger and bigger. And the little man, of course he's not given too much attention always, and that's the reason I've been on the side of the little man and the handicapped person and the underdog. Because the big man doesn't need me. He's got his own lawyers, he's got his own experts, he's got his own lobbyists. I'd be in his way. So somebody should be sort of an offset to that great advantage, and I feel that I'm that offset. I'm not representing just any particular group, I'm representing the public interest.

Now I know some of them call me a Populist—which I feel very complimented about, I feel like it's a great compliment. You know the Populists—they believed in equal rights to all, special privileges to none, they didn't believe in any of these special benefits. And you've heard of Republicans going to the penitentiary and Democrats going to the penitentiary, but you haven't heard of a Populist going to the penitentiary.

Mr. NEWMAN. Do you ever feel, Mr. Patman, that this fight you're waging is a losing fight? You're a celebrated opponent of bigness per se; you're, as you say, a Populist, you're an anti-monopolist. You were opposed to chain stores. You're fighting the Federal Reserve Board. You're against what you consider to be excessive concentration in industry—a subject I hope we'll get to shortly. But on all these things, don't you feel that you're losing ground rather than gaining?

Mr. PATMAN. I felt that way until recently. Now I've been fighting this a long time. But recently there's a groundswell of feeling in this country against these lucrative franchises and these special privileges that are not justified, that are being abused. Now the bankers generally are good people; they're just as good as any other class or group. But in among the bankers you find some that's greedy and, you know, kind of anxious to get ahead themselves without reference to the public interest. And some of those bankers are big bankers, and they get into positions of importance. And they can throw their weight around. And they have done that until they have gotten charge of the most important part of this government—the monetary part. They fix interest rates, and supply money. The bankers run that.

Now they talk about the Federal Reserve. The Federal Reserve under Woodrow Wilson was 12 banks, to help out each one of the 12 regions when they needed it with government credit. But very soon—after Mellon was made Secretary of the Treasury under Harding, he commenced by guidance and direction and by consent making them a central bank, and putting it right back into the New York bank. And that's where it's been ever since. He did that through administration, on the theory that you can make a good law out of a bad law by proper administration, and you can make a bad law out of a good law by administration—which Mellon did. He changed that thing entirely. But the bankers got charge then; they've been in charge ever since. And they're the ones that's caused all this high interest. And our nation cannot survive, my dear friend, and have to pay the high rates of interest that are in sight for us and are existing right now with the huge private debts and public debts.

For interest, we are paying about $16 billion a year just interest on our national debt. If we had the interest rate that we had for 14 years, before the Republicans came in 1953, we'd be paying $8 billion. So that's doubling the payment of interest on just one item, the national debt—$8 billion, that's a tremendous amount of money!

Mr. NEWMAN. Can we talk about the Federal Reserve Board, the Federal Reserve System? Certainly—I guess the thing you're really best known for is what I—perhaps you will allow me to call, your war with the Federal Reserve Board, in particular with its chairman, William McChesney Martin. I think perhaps this has to be broken into parts. One part is, what should interest rates be. And the other part is, should the Federal Reserve Board be independent to the extent that it is of the executive and the legislative branches of the government? Could we take that second one first?

Mr. PATMAN. Independent?

Mr. NEWMAN. Yes.

Mr. PATMAN. Why certainly, that's one I'd love to take. Now remember this, my dear sir. When the Federal Reserve Act was passed under Woodrow Wilson, he had very definite convictions. He wanted to help all the people, he didn't want it used for speculation and to let a few people get the advantage of all the rest and soon own all the property of the country. He didn't want it that way at all. And he was against a central bank. So when it passed, why it was a good law, fine law. But that was in 1913, just a couple days before Christmas, it actually passed Congress. And the President signed it. But then, it was not put into effect until 1914 and 1915. But then, when Harding was elected—1920, and 1921—he came into power on February 4th at that time, you know the Federal Reserve hadn't gotten started, hadn't gotten off the ground so to speak. And Mellon got ahold of it—

Mr. NEWMAN. This is Andrew Mellon.

Mr. PATMAN. Andrew W. Mellon—he was appointed Secretary of the Treasury, which is the biggest Cabinet position, it's equal to all the rest of them in importance. And he was a big banker, one of the biggest in the nation. He was big in all corporate enterprises of every kind. And so, the law is that a Secretary of the Treasury can't own interest in banking—because obviously that would give him a great advantage over the people. They could fix the interest rates, you know, at the connivance of the Secretary of the Treasury and make the people pay through the nose at all times. So Mr. Mellon was hard on the people. He kept the veterans of World War I from getting adjusted pay that they were entitled to. And he kept the poor people down, no aid for any relief of any kind. No aid for the poor, nothing. He was against all those things. And I had a feeling that we ought to do something about that. I wanted to get the veterans paid, those 3½ million veterans, get that $1015 each that Congress has confessed was due them for adjusted pay. They only got $21 a month. And they had to pay $6½ for insurance, had to pay their own laundry bills. If they made an allotment to a wife or a child, they had nothing left.

Mr. NEWMAN. $21 a month was a private's pay, was it, in World War I?

Mr. PATMAN. That's right. And I've seen them—you always had to go by, you know, with your hat in your hand, to rake off what you had left. I've seen companies go by and half of them wouldn't rake off anything, wouldn't have anything left. So Congress wanted to adjust the pay of these soldiers, of these veterans. And it did. And I wanted to get that through, and we had support all over the nation for it. But Mr. Mellon stopped it. And finally it got to the point where we had to get rid of Mr. Mellon. And on January 6th, 1932, I got on the floor of the House and I said on my own responsibility, "As a member of this Congress, I impeach Andrew W. Mellon for crimes and misdemeanors, as follows." Well, it shocked the Republicans, they didn't realize what was going on. And they didn't make a motion to send it to the Committee right then, they cut me off, I couldn't debate it. But I got started and then when they made a point of order, the speaker had to overrule them because I'd gotten started and I had an hour's time. Went into it. They referred it to the Committee on Judiciary, they had a two-week hearing, I was on one side of the table, Mr. Mellon and his 13 lawyers on the other side before the Judiciary Committee. I spent two weeks making a case, then it was time for Mr. Mellon to testify. The chairman says, 11:30 in the morning, "We'll adjourn until 1:30 this afternoon." During that time, the newspapers came out like they used to with big boxcar headlines: "Mellon Resigns, Appointed to the Court of St. James." Well of course the committee met and says, "Well, it looks like it's a moot question. Why should we go ahead with this? LaGuardia of New York insisted that we should—he was on the committee. Brining of Tennessee that was later governor said, "Go ahead, ought to be impeached, Patman's made a case." But they decided, "Well he's not only out of office, he's out of the country." But the truth is—"And it's a moot question." But the truth is, Mr. Hoover did a very courageous thing from his standpoint, he accepted a resignation that was never tendered. Mr. Mellon didn't want to resign. He resisted it, he wanted to stay there. I'd proven he was in the banking business, antagonistic and everything else; there's no doubt they'd have impeached him, no question on earth about it. And they knew that, and they wanted to get rid of him, because the campaign was coming on.

Mr. NEWMAN. So they made him ambassador of London.

Mr. PATMAN. 1932, they made him ambassador of the court of St. James. And so, when he was taking the oath down at the Treasury Department, as ambassador to go to St. James, an AP man was right next to him, he was just talking a little bit, Mr. Mellon told him, who later told me; he said, "Now remember, young fellow, this is not a marriage ceremony we're going to, this is a divorce." And that's the truth, they were getting rid of him, and had to because the campaign was coming on. See, that was the early part of 1932, and they couldn't afford to have Mellon exposed there and impeached, which he would have been.

Mr. NEWMAN. Well now, you say it was Secretary Mellon who changed the Federal Reserve System.

Mr. PATMAN. That's right; it was.

Mr. NEWMAN. But if he was out in 1932, how did it remain changed? Why was it never brought back?

Mr. PATMAN. No, they just—well, bankers were in charge of it. Now you take the Bank of New York——

Mr. NEWMAN. Federal Reserve Bank of New York?

Mr. PATMAN. Federal Reserve Bank of New York. There are 9 directors there, every one—6 of them, two-thirds of them, selected by the banks themselves, and a third of them by the big banks. And the other three are public members appointed by the Board of Governors of the Federal Reserve System. But they must appoint people with tested banking experience—which means they must be bankers too. So you've got 108 directors, 12 districts, 9 to each district, and so they're all bankers. And the president now, like Mr. Hayes in New York—he gets about $75,000 a year or more I guess, now, and he represents the biggest banks up there. And the big banks naturally expect him to carry out their will. And I believe he does. It's that way—all these presidents of banks are representing the biggest bank there, because they are the ones who have the most influence.

Mr. NEWMAN. Who should run the Federal Reserve System, Mr. Patman?

Mr. PATMAN. Somebody that's charged with a public duty. Now, the President has overall supervision of the Federal Reserve if he'd exercise it. You know—don't you think it would be ridiculous to say that fellows should be elected by an industry? When they brought that up with Woodrow Wilson, and they wanted to talk to him about putting bankers on all these boards, because the bankers knew so much, Carter Glass got them an appointment down there at the White House. They marched in with Carter Glass and started off saying, "Now Mr. President, what we want to talk to you about, we believe under this Federal Reserve Act, although we can't get it like we want it, that the bankers who know more about money"—of course that's not true, they don't know anything about the science of money; they know how to make loans and collect it back at big interest, but they know nothing about the science of money—"that we feel like we know more about the science of money and we ought to be on these boards to administer the law." And Mr. Wilson said, "Which one of you gentlemen would recommend that I appoint presidents of railroads as members of the Interstate Commerce Commission, having charge of fixing railroad fares and freight rates on the railroads?"—looked at all of them, they looked at one another. And Carter Glass told this himself, he says they began to talk about the weather, and finally they got out, and they never did answer Mr. Wilson.

Mr. Newman. Carter Glass was then Senator from Virginia.

Mr. Patman. Sure he was, yes. You know, the selfish interest people—people who have a selfish interest, they should be the last ones to be appointed to administer a law.

Mr. Newman. Well, should the Federal Reserve System be independent—be independent at all?

Mr. Patman. It is independent, now.

Mr. Newman. Should it be?

Mr. Patman. Independent now. But, you see, they were never recognized independent, until last few years. You know, there's nothing in the Federal Reserve Act that says that they're not independent, but everything that they are independent. And there's no reason for them to be any other way. Do you mean to say that people in New York, that are elected by the bankers, should be told what I have to say about protecting the people I represent? And other members of the House and Senate—that we have no power over fixing interest rates, they have seized that power? That's the reason we're paying 9 and 10 percent in some cases now. A rate against conscience. It's extortion, it's highway robbery. Because the people who are elected to do a job in Washington have no power over it, they let the bankers take it over.

Mr. Newman. But you say it is within the power of the President of the United States to exercise control of the Federal Reserve System.

Mr. Patman. Over the veto power. You know, the Constitution's very plain, that the law should be passed by Congress, the House and the Senate; approved by the President; if he vetoes it, ⅔rds vote would of course do it. And the President of the United States shall execute the laws that are passed. It couldn't be plainer than that. It couldn't be plainer. And so that's the law of the land, that's the Constitution. But this special interest has seized that power. Now here's the way they did it. In 1951, they claim there's an accord, you know, to have interest rates higher. We'd had interest rates 2½% on long-term government bonds, for 14, for 15 years, and it was the rate during a time when there was bad times in this country, millions of people unemployed, millions of people in breadlines, sometimes. Then we had high inflationary conditions in the war, preparing for war, shooting on the battlefield $250 million worth of ammunition a day. Everything that would cause wild, ruinous inflation. But we didn't have it during those 14 years, why? We had a Federal Reserve Board that worked with the President in the public interest, kept interest rates down, we had no problem. Now a high national debt can be an advantage on interest rates. If your national debt is high, the government in fixing the interest rate on a national debt fixes all other interest rates too. If they want to fix it low, like they did for 14 years, then it'll be low. So it's a great advantage in many ways. One time Mike Monroney, on our committee, back years ago, Senator from Oklahoma, he said, "Mr. Eckles,"—he was chairman then—"do you mean to say that you could if you wanted to fix an interest rate on long-term government securities of 2.06, and keep it there?" He says, "Keep it there indefinitely." There's no doubt about it, the Federal Reserve can fix it like it wants to fix it. Because when they fix it on long-term government bonds, it's so dominant that it will fix it clear across the board.

Mr. Newman. Mr. Patman, the argument is made now that there must be high interest rates, otherwise inflation will——

Mr. Patman. I know, that's a ridiculous argument. It's a ridiculous—it's just like saying that you ought to put out a fire with gasoline. Whenever you raise interest rates, you increase the price of everything. Increased prices—that's the cause of inflation So you're causing inflation. Now, Mr. Martin—I have no personal feelings against Mr. Martin or anybody in the Federal Reserve System. I'm not just fighting somebody, I'm fighting for what I believe is the interest of the public in this country. But now, Mr. Martin's always saying this: "You got to raise interest rates." He's been doing that for 15 years, and the interest rate's been going higher all the time. All the time. They come out like you got to have high interest rates to keep down inflation, he's been fighting inflation every year since he's been there. And the truth is, he's caused the people of this country to pay $14 billion a year, every year he's been there, more than they should have paid in interest. Now whenever you take that out of the livings of all the people, the millions of families in this country, make them pay it on extra interest, that's hurting the country. So William McChesney Martin has hurt this country more than any living man in the history of the United States government. And he's still hurting this country—on that fallacious theory that you've got to have high interest in order to keep down inflation. There are known methods of keeping down inflation, Mr. Newman. We know what we can do to stop inflation. There's no doubt about it, it's been proven. But there's no known way to stop depressions when they start. We're on the verge of a depression. We ought to get away from that. We don't want to get near a depression. We'll go back to sheriff sales and we'll go back to bankruptcies, go back to starvation and hunger and breadlines and everything that goes with it. We don't want that.

Now inflation, all in the world you got to do if you want to stop it, if you sincerely want to stop it, number one step would hurt the big bankers a little bit, it would hurt their profits. Well, they have a lot of profits, why shouldn't they be hurt a little bit to save the country? If you raise the reserve requirements of banks, that'll retard inflation right quick. Instead of permitting the banks to manufacture money on their books, as they are now, ten dollars to every one on demand deposit, or up to $33 to every one on time deposit, just say that hereafter you can only exercise that privilege to the amount of 50%—why, you'd stop your deflation right quick.

Mr. Newman. Stop the inflation.

Mr. Patman. Stop the inflation right quick.

Mr. Newman. You'd do it by controlling the supply of money, and credit.

Mr. Patman. By the supply of money, and credit, that's exactly right. That's a good way to do it. And furthermore, if you get into ruinous inflation, something really bad and it's desperate, there's a way to stop that, too. You can levy taxes, and siphon off the excess purchasing power, and pay it on the national debt. You see, that'll serve two good purposes. You'll get that too much money chasing too few goods, you'll take a lot of that money out, and remove the pressure there. You pay it on the debt and save the big interest on the debt that we're paying today. That'll absolutely stop inflation. And they know it. But it takes a little profit out of the banks, they don't want to do that. They're protecting the banks.

Have you ever heard of a problem, a major problem, where the public interest involved on one side and the big banks on the other side? That they've ever taken the side of the people on it? I never have, I sure would like to know one.

Mr. Newman. Mr. Patman, you have written about an organization in the United States government called the Federal Open Market Committee.

Mr. Patman. That's right.

Mr. Newman. And you have said, in large part the Federal Open Market Committee determines whether our country will have high levels of economic activity and full employment or whether we will be plunged into a recession or a prolonged economic depression. Now the Federal Open Market Committee is not a government agency that is very much in the headlines, to say the least. I don't suppose that one percent of the people in this country know what it is—and I'm not sure many reporters know what it is, but I better not speak autobiographically. What is the Federal Open Market Committee and why do you think it's so important?

Mr. Patman. It's the most important committee in the world. They operate secretly down here at the Federal Reserve Board. They have a meeting about every two or three weeks.

Mr. Newman. Who are members of it?

Mr. Patman. The Federal Reserve Board is composed of 7 members who are supposed to represent the public. And then who else walks in? First the 7 members of Federal Reserve Board, next the 5 presidents from the Federal Reserve banks—5 out of 12 are selected to serve. The New York man serves all the time, he doesn't have to alternate with anybody else. And you have a vote there of 7 members of the board, and those 5 private—you know, they're privately interested, they represent the bankers. What chance have the people got in a case like that? Just one or two change, you know. They'd always lose. And consequently we have always lost.

Now this Federal Open Market Committee—you know at first they'd have to go before Congress for it to get appropriations to run the Federal Reserve System. If they did, they'd have to answer questions, like all other agencies have to answer to get money. But they wanted to get away from that. So they devised a rather clever scheme. They said, "Well, we have the power of taking Federal Reserve notes"—that's our actual currency, money that's printed over here at Bureau of Engraving and Printing, that dollar bill, $10 bill, $20 bill, $50 bill and $100 and so forth, "we'll just take that and buy some government bonds and we'll keep the bonds, and when it gets interest on the bonds it will pay expenses with it." It was very clear, very understandable. So they bought a million dollars worth of bonds using this currency; in other words, trading one form of government obligation, that's money, for a form of obligation that bears interest and will be due in the future. So they did that, and they had several million dollars of them finally, and then they had enough money to pay their expenses so they didn't have to go to Congress. And then they kept on accumulating that, for that same purpose. And now do you know how much money they've got in that fund? $53 billion! Now that's been—every one of those bonds have been paid for once. Who's my authority for that? William McChesney Martin. I'd ask him a number of times on these things. And he's admitted that they've been paid for once, with Federal Reserve notes. One form of government obligation for another. You can't—there's no doubt about it. And there's $53 billion of padded national debt, that's inflationary, that's caused a lot of inflation. Now if they'd been as honest as the deacons in a church when they had paid a bond issue—in the church they always have a bond-burning, they're proud of that. If the Federal Reserve were compelled to have a bond-burning, we'd have a national debt $253 billion less. And we'd save $3 billion a year interest. Now it's just that simple. And nobody can dispute it. But you can hardly get people to believe that. They would say—I'm sure they would say—"Why, I don't believe that Congress would let anything like that happen." Well, it is happening, right here in broad daylight. So nobody can dispute it.

Mr. NEWMAN. Should the Federal Reserve System have to come to Congress for money?

Mr. PATMAN. Why, certainly they should. How can you run a country if you're going to let the money people take it over. And the people who are elected by the people to represent them have no power.

Mr. NEWMAN. When the Federal Open Market Committee meets then—it's part of the Federal Reserve operation which is run on this money that you've explained—what does the Open Market Committee do that so affects economic activity and employment?

Mr. PATMAN. Well, interest rates, regulation too, and everything that goes with fixing those interest rates. They can do that, they can fix interest rates any way they want to. They have got what you might call special dealers within the Federal Reserve Bank in New York, that are representing the Federal Reserve to fix the market on bonds, which of course fixes interest rates.

Mr. NEWMAN. They buy and sell.

Mr. PATMAN. That's right, buy and sell. They have a toll gate—you go in to sell your bonds, they get a commission from it. And when the bond goes out, they get a commission on that. They've got a sure way of making all kinds of money right quick. But the main thing is, it's such a burden on the people to have to pay these extortionist, unreasonable, robbery rates. It's terrible. It ought not to be allowed.

Mr. NEWMAN. And nobody, in your view, who should, controls the Federal Open Market Committee.

Mr. PATMAN. Nobody controls it. In fact, they claim they're only answerable to God. Nobody—they even say that, I can show you publication, where they say that nobody has any power over them. Now that's a bad weakness in our government. I mean of course it's not in the government, it's the administration of the governmental affairs. They don't have any right to do all these things, but they seized this power just like Castro seized Cuba. They just took it over without firing a shot.

Mr. NEWMAN. Mr. Patman, you claim also in connection with membership in the Federal Reserve Board, Federal Reserve System, and in the Treasury Department, that there exists a conflict of interests which is, in your view, not sufficiently appreciated or understood.

Mr. PATMAN. That's right. You want me to briefly discuss that?

Mr. NEWMAN. I wish you would, sir.

Mr. PATMAN. Now, Mr. Mellon—he was the conflict of interest the worst of any in the world, except we've almost got a replay of the same thing. This outfit that's going in there now in the Treasury, just about as bad as Mellon. And you take, for instance, they had one of the biggest bankers in the United States, he's a good man I'm sure, and I'm sure he's a good banker—and he has been appointed Secretary of the Treasury, and you know the law says, just like it did in Mellon's time, that you can't be a Secretary of the Treasury if you're interested in business, you know, to the extent that it might interfere with your independent judgment. Well of course, being in the banking business, especially big banking, why, it would naturally interfere with your independent judgment. You know, Mr. Roosevelt got rid of that by appointing people to the Federal Reserve, and the Interstate Commerce Commission, Federal Communications Commission, and others that could have a rusty ax to grind—he appointed people who were knowledgeable not in the biggest business in the country, not in the businesses big enough to kind of control the banks, but would have knowledge to do the work. A lot of them were college professors. They were excellent. A lot of people in this country can do just as good a job or better than any big bank, so you don't have to go to the big bankers, to have these people.

Mr. NEWMAN. Do you object to David Kennedy as Secretary?

Mr. PATMAN. Well, David Kennedy, he has 38,000 shares in one of the biggest banks—the 8th biggest bank in the nation. And he's bound to be pretty well interested in banking, he's spent his life in it. And he ought to—if he wanted to be Secretary of the Treasury, ought to have got rid of his stock. That's what they're supposed to do, but they don't do that. They put it in the private—he puts it in a private trust. We don't know what the private trust provides. You know darn well he can revoke it any time he wants to. It's nothing, absolutely—he still owns that interest in the banking business. Therefore he's not qualified. And I predict that Mr. Nixon will not forever keep him in that—he can't afford to do it, he's too vulnerable. You know, too many things can happen that will fall right back on the President. He's the number one man. Then Charlie Walker, he's been the lobbyist for the biggest lobby in the United States, and the most selfish, greedy and devastating lobby, the big banker's lobby—he's been in charge of it. When he came here—there's a certain number of lobbyists in charge of it—now during his time it increased 600%, they're spending millions of dollars.

Mr. NEWMAN. Mr. Walker is now Undersecretary——

Mr. PATMAN. He's the next one, he's Undersecretary. And then the next one is Paul Boker, he's the former vice president, came out of the Chase National Bank, you know that's David Rockefeller's bank. He came out of that to come down here and be Assistant Secretary of the Treasury. And then James Smith, he's a Special Assistant, and he's the one that worked with Walker for a number of years. And Robert Mayo, he's the Director of the Bureau of the Budget—he was vice president of the Continental Illinois Bank, where Mr. Kennedy came from. So you couldn't have a combination that is more dedicated to the banking business, including high interest—because every one of these people were high interest people, every one of them. And whenever you give bankers an opportunity to keep raising the rates, why shouldn't they do it? Because they are the ones that get the money—you are the one that pays it.

Mr. NEWMAN. Do you not, in the final analysis, Mr. Patman, have to rely on the honesty of the people who are appointed to government positions, whatever their background?

Mr. PATMAN. Why, of course, that enters into it in a big way, and should. But whenever they have a background of high interest, high interest all the time—and you know that—why should you put them in a position to serve their own interest, and hurt the public.

Mr. NEWMAN. You're saying that, as a practical matter, almost any banker you can think of is going to be a high interest man?

Mr. PATMAN. Most of them are, but there's some of them that would have independent judgments. But the ones in charge of the banking organizations would be very much on the spot if they attempted to go just a little bit on the low interest side. You never hear of bankers talking about low interest. They'll say, "I'm for low interest" but they never do anything to bring it about. And we are paying interest against conscience right now, it's a terrible thing.

Mr. NEWMAN. You don't think it's necessary to have a banker in charge of the Treasury?

Mr. PATMAN. Why, of course not. We ought to have anybody else but a banker.

Mr. NEWMAN. Well, how long is it since—was Fred Vinson the last non-banker?

Mr. PATMAN. He was the last non-banker, and a good Secretary of the Treasury. There are lots of good——

Mr. NEWMAN. That was under Mr. Truman.

Mr. PATMAN. That was under Mr. Truman, that's correct You know, right now we have over $100 billion, I forget the exact amount, in fact I haven't looked at it lately, on consumer goods—I mean installment sales. Well now, the difference between say $6 billion on real good interest rates and $12 billion now or twice as much, would hurt a lot of poor folks. And it would mean a lot of them couldn't pay their installment debts. A lot of them would have to go into bankruptcy. They'd have to deprive their children of schooling, and proper diets, and proper food and proper shelter, housing. All because of high interest. High interest is doing more damage to this country than any other one thing. And a few—not all bankers, but a few greedy bankers at the top—are causing the damage.

Mr. NEWMAN. Mr. Patman, Franklin Roosevelt when he was President used to speak about economic royalists, turning the moneychangers out of the temple—and that is rather the way you look at——

Mr. PATMAN. Why sure, and they ought to be turned out right now. Instead of turning them out, they're bringing more into the temple. And they're worse ones.

Mr. NEWMAN. Well, we only have about two minutes left, and I don't suppose I should really in that time be raising the question of banks going into non-banking operations. But I know that that's a lot of discussion.

Mr. PATMAN. Well, that's a one-bank holding company. That's where they're taking advantage of the people again.

Mr. NEWMAN. What is a one-bank holding company?

Mr. PATMAN. One-bank holding company—of course they were exempt from holding company requirements and supervision. They had to be two banks or more. Now, we exempted them in 1956, in fact, just one bank didn't make any difference. But we were wrong.

Mr. NEWMAN. Could one bank have a number of branches?

Mr. PATMAN. Oh, one of them had 199 branches, but that doesn't make any difference. But the one-bank holding company was a mistake we made. Now we got to correct that.

Mr. NEWMAN. A lot of banks have gone into non-banking activities, through this holding company operation.

Mr. PATMAN. Why sure, in competition with their own customers. You take people in the travel business. They do business with banks. And they have their deposits there. Now then, a bank, they have a travel agency with competition with their customers. Who do you think that they would befriend in the event a credit problem should arise? Would they prefer their own travel agency, or would they prefer the one run by an individual? You know what they'd do. And they're going into every line of business you know, they're closing the doors of opportunity. They're not doing the right thing, they're doing the wrong thing. We got to get them back and make them do the right thing.

Mr. NEWMAN. Have you ever received an

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award, a declaration of any kind from a bankers' group, Mr. Patman?

Mr. PATMAN. Yes I have, from the small bankers. I have—the small bankers generally, and the middle-sized banks, are for what I'm doing. But the big bankers, they hate it. I don't blame them.

Mr. NEWMAN. Thank you very much, sir. Wright Patman, Congressman from Texas, chairman of the House Banking and Currency Committee, has been "Speaking Freely." This is Edwin Newman, NBC News.

THE LUMBER PRICE CRISIS

(Mr. HANLEY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HANLEY. Mr. Speaker, in recognition of the extremely serious condition resulting from the exorbitant increase in the cost of lumber, I am pleased to note the activity of Chairman WRIGHT PATMAN, of the Banking and Currency Committee, which hopefully will lead to the solution of the lumber cost problem. In support of his efforts and the necessity for this action, I submit the attached correspondence:

HOUSE OF REPRESENTATIVES,
Washington, D.C. March 12, 1969.

Hon. WRIGHT PATMAN,
Chairman, Banking and Currency Committee, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: A number of my constituents, most notably, the members of the Homebuilders Association of Central New York, have expressed their grave concern over the greatly increased costs of softwood lumber.

The situation is very serious in the Central New York area as evidenced by the enclosed letter and memo which I received from the Homebuilders Association President, Kenneth Smith. I would appreciate your personal attention and that of our Committee to this problem, inasmuch as it directly relates to the achievement of our national housing goals.

With best wishes, I am
Sincerely yours,
JAMES M. HANLEY,
Member of Congress.

HOME BUILDERS ASSOCIATION OF CENTRAL NEW YORK, INC.,
Syracuse, N.Y., February 17, 1969.

Hon. JAMES M. HANLEY,
House of Representatives,
Washington, D.C.

DEAR JIM: The enclosed "memo" from Wickes Lumber Company, one of our large local suppliers, is the most recent manifestation of the lumber price crisis in this area.

As you can see, the seriousness of this problem increases daily and it is now virtually impossible to predict project costs on a day to day basis, let alone into the future.

Your continued support and that of your colleagues in the House and Senate is urgently needed to prevent a crippling blow to the Homebuilding industry and is vital to even a token implementation of the Housing Act of 1968.

West best personal regards, I am
Sincerely,
KENNETH W. SMITH,
President.

MEMORANDUM OF FEBRUARY 7, 1969

To: Manager, all sales centers except home supply.
From: John O'Connor.
Subject: West coast lumber products.

Due to heavy snow and sub-zero temperatures, we have had increases on West Coast Lumber of $15 to $20 per thousand in the past 10 days.

It would be easy to discount this week's surge as panic buying, but all indications point toward a record scarcity of stock through spring with prices substantially higher than at present.

If you are contemplating any large jobs on a protected price basis, I hasten to warn you we have no idea where prices will be or whether or not we will be able to purchase our normal needs over the next 60 to 90 days.

Price will be of lesser importance than availability until the present situation corrects itself!

Species and grade substitution will be most prevalent under current conditions; please be aware of this situation when quoting prices.

You can expect to be receiving substantial price increases on all West Coast Lumber within the next week or two.

Our ability to replace lumber is limited, please be careful!

We will keep you informed of any significant market changes.

JOHN O'CONNOR,
Merchandising Manager,
Lumber Products.

SELECTIVE SERVICE REFORMS

(Mr. GILBERT asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. GILBERT. Mr. Speaker, I have cosponsored H.R. 7784, a bill to enact substantial reforms in the Selective Service System.

It is rather widely agreed that reform in this system is long overdue. The system is not fair and it is not serving the national interest. I was disappointed that Congress did not enact a reform measure last year, but this is better than last year's bill, I think, and I would urge its serious consideration.

There is no question, Mr. Speaker, that the current system discriminates against the poor and against others in our society. This reform is designed to eliminate that discrimination. It proposes to take 19-year-olds first and to choose them by a random selection process.

The random selection plan would create a prime selection group from which inductees would be selected. The group would be created in order of priority: first, 19-year-olds not deferred or exempt; second, former deferees between the ages of 19 and 35; third, registrants 20 to 26 not deferred or exempt. This selection plan would give a registrant the choice of going into the prime selection group upon graduation from high school or the option of waiting until his graduation from college or postgraduate school. Those attending junior college or vocational courses would be given identical treatment. It permits students to postpone their exposure to the draft during the course of bona fide study, but it does not permit this postponement to become a permanent exemption.

Mr. Speaker, the bill I have cosponsored corrects a number of injustices and errors in the administration of our draft laws. It guarantees to all registrants the right of counsel in appearing before draft boards. Additionally, those who claim indigency are assured of free counsel. As added protection, the bill specifically bars any local board from utilizing the draft as a means of punishing draft opponents or any other persons by limiting draft delinquency to acts relating to the registrant's own individual status.

The bill prohibits discrimination of any kind in the make-up of any selective service panels which determine an individual's draft status. It establishes eight regional offices of the Selective Service System to supervise administration of the laws. In this way, I think, the worst of the inequities will be banished. It calls for a public study of all aspects of a volunteer army, and for a study of the ramifications of granting amnesty to those young men who fled the country rather than face the draft.

Mr. Speaker, I am enthusiastic about the bill I have cosponsored, both because it gets down to the fundamentals of the problem and because it is comprehensive enough to close loopholes and correct minor inequities in the present law. We have delayed a decision in this matter for too long, and must avoid it no longer.

GILBERT BILL TO ESTABLISH DEPARTMENT OF PEACE

(Mr. GILBERT asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. GILBERT. Mr. Speaker, I have introduced, as a cosponsor, a bill to establish a Department of Peace as a Cabinet-level agency of the Federal Government.

This bill, Mr. Speaker, has been much misunderstood. I must confess that I had to give it much thought myself before I was convinced of its wisdom. But these are fresh times, with new problems, and I believe it is incumbent on all of us to reconsider all of the ideas which have become part of our conventional thinking. I reflected a great deal on the proposal that a Department of Peace be established, Mr. Speaker, and I am now unequivocal in my support of it.

Let me make the analogy with the proposal to establish a Department of Consumer Affairs, of which I am also a cosponsor. In the past, we in Government more or less accepted as truth the notion that the public interest is the sum total of all private interests. Thus we have looked out for the consumer by assigning the interests of farmers to the Agriculture Department, of business to the Commerce Department, of labor to the Labor Department. But, recently, we have come to learn that the interests of the consumer—even if he happens also to be a farmer or a businessman or a union member—is not protected by the agencies in existence. Perhaps consumer problems fall in the spaces between them, but whatever the explanation, it has become clear to me that we need an agency whose sole responsibility is to look out for the consumer's well-being.

Similarly, I suspect that peace has also fallen into the spaces between agencies. The Defense Department is preoccupied with the military security of the Nation. The State Department concerns itself with our diplomatic crises. None of the various other agencies involved in international problems can compete with these super-departments, both of which see their role as that of adversary toward an essentially hostile world.

We need a Department of Peace to

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bring fresh thinking to a long-range need. This Department would not normally be concerned with periodic eruptions, diplomatic or military. Its constituency would be peace, as a condition of the national self-interest. It would not be in conflict with any other agency, except insofar as all agencies compete to bring good ideas and perceptions to the attention of the President. In this sense, it would be a member of the adversary system within the government, fighting for the cause of peace. There is now no such spokesman for peace, and we need one desperately.

Mr. Speaker, I will not go into the detail that has been presented in this legislation for organizing the Department of Peace. My cosponsors have supplied that detail. But I will say that I know of no better means for improving the prospects for peace, as a long-term global condition, than to establish a Secretary of Peace and a department under him to stand up for the cause. If my colleagues will, as I did, give this new idea the kind of objective consideration I believe it requires, I think they will come to agree that such a Department would be a genuine asset to our Government and, more important, a source of real hope for peace in the world.

ESTABLISHING A JOINT COMMITTEE ON SOCIAL WELFARE

(Mr. OTTINGER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. OTTINGER. Mr. Speaker, among the major issues with which Congress and the administration must come to grips this year is the costly and demeaning welfare system.

To give this issue the consideration it demands, there should be established a joint committee of the Congress, charged with responsibility for assessing all public welfare programs and recommending legislative and administrative action. I am introducing today a concurrent resolution establishing such a committee.

Under this resolution, the Joint Committee on Social Welfare would be composed of seven Members of the Senate appointed by the President of the Senate, and seven Members of the House, appointed by the Speaker.

The committee would be responsible for undertaking a study and investigation of all public welfare in order to determine—

The extent of coverage of, the effectiveness of, and the problems arising in connection with such programs;

The recommended level of assistance appropriate for each class of welfare recipient;

The amount of Federal participation in each such program;

The desirability and the nature of the incorporation of work incentives as a condition of assistance under such programs;

The need for and the nature of earnings limitations as a condition for the termination of such assistance;

The degree to which the program of aid to families with dependent children is meeting the needs for which it was designed;

The efficacy of residence and other requirements for eligibility for assistance under any public welfare program;

The fairness and effectiveness of the methods of determining eligibility for such assistance;

The feasibility and desirability of uniform standards for public assistance programs;

The feasibility of a Federal system of income supplementation;

The costs of and the administrative problems related to any recommendations concerning such programs, particularly with respect to any proposed income supplementation program; and

Other ways in which such programs may be strengthened and improved.

The committee would make interim reports as well as a final report not later than December 31, 1970.

As I stated in the House last August, there really is nothing good to be said about the welfare system in the United States today. Its costs—in the neighborhood of $9 billion today—are far out of proportion to its accomplishments. It has served to perpetuate dependency and frustration among low-income Americans and has been guilty of unbelievable administrative inefficiency.

I am convinced that the present system of public welfare must be replaced. Those who can work should be required to do so. The private sector should be involved as much as possible in job recruitment, training, and placement efforts. For those private enterprise cannot absorb, the Government should become an employer of last resort.

The enormous adminstrative costs of payments to those truly unemployable should be eliminated by a computerized system of direct lump sum payments, with incentives for those who can find work. National standards should be adopted to stop the migration of the rural poor to our overburdended cities, and I have introduced legislation to accomplish this.

Day care must be provided to enable mothers to work and to help break the cycle of poverty among their children. Training and placement must be expanded to help get the aged and the handicapped off relief rolls.

These are the basic elements I believe are essential to a program to replace welfare. Other proposals should be considered as well, and I urge my colleagues to support this resolution establishing a Joint Committee on Social Welfare so that we can get on with the task ahead of us.

SOME REFLECTIONS ON THE PROBLEMS OF OUR TIME—PART II—THE GREAT ABM DEBATE

(Mr. BROWN of California asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BROWN of California. Mr. Speaker, during the past few weeks there has arisen a crescendo of debate over the question of deploying an ABM system within the United States. As with the case of the Vietnam war, the debate did not achieve momentum when the ABM system was first initiated or authorized, for these events occurred at a considerable time in the past. It achieved momentum only when effects of past decisions began to have impact on individual citizens on a large scale; specifically, when the process of selecting sites near several of our largest cities brought to millions of people the image of nuclear-tipped missiles in their backyards.

Having participated in this debate at considerable length on the floor of the House, and at gatherings throughout the country, I have become keenly aware that beneath the surface of the sea of debate lies an iceberg of issues far more significant than those points which project above the surface. Because it is anticipated that President Nixon will announce a position on this matter shortly—possibly tomorrow—I think it appropriate to comment on some of the underlying issues, continuing the effort I initiated several weeks ago aimed at stimulating thought about basic problems facing our country.

The primary motivations underlying pressures by the military and its corporate and political allies for an ABM deployment include the following:

First, deployment of the ABM is useful in maintaining credibility of overwhelming American power to China, which has a small nuclear force in process of development, and other nations which may achieve such a force within the next generation. This credibility is not a matter of defense, but instead relates to our continuing ability to use conventional power to achieve goals in other parts of the world, escalating the use of that power as felt necessary, without undue fear of nuclear retaliation from nations with primitive nuclear forces. I will develop this point further.

Second, deployment of ABM provides a continuing urgent demand for a larger share of U.S. resources by the military-industrial-political complex. Essentially, this reflects an intrinsic characteristic of any large power system to seek to expand its power. Such expansion creates more jobs and more income, whether for union members, corporation executives, or generals, and it is invariably regarded as an important value. Since these demands also subtract resources from domestic programs—many of which are frequently looked upon with disfavor as being "socialistic" in their effect, at least by some ABM supporters—ABM spending has a double value.

Third, ABM deployment might actually provide protection to some U.S. targets against primitive and limited nuclear attack. This is the most dubious and least important aspect of deployment, although it receives the largest amount of debate. To the military the question of whether the system will actually perform its mission is not of primary importance. ABM serves its purpose if it is thought by our enemies that it possibly may work. Upgrading the system to correct deficiencies will surely provide an almost inexhaustible demand for additional resources.

Fourth, deployment of an ABM system encourages continuing anxiety by citizens about possible nuclear attack, a factor helpful in maintaining the kind of cold war attitudes so profitable to the

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military-industrial-political complex. Such anxiety inhibits any possible major shift in policies leading to more peaceful coexistence.

With these motivations held in mind, let us now look more closely at the total ABM deployment question.

The thin ABM system was initially touted by Secretary McNamara, when he reluctantly approved it in 1967, as a defense against a possible Communist Chinese nuclear missile attack threat in the 1970's. This convenient rationalization fits in with current conventional wisdom which regards the Chinese as an aggressive and irrational power with a paranoid hatred of the United States, of a country aching to destroy us.

This has been the U.S. line now for 20 years, ever since Mao Tse-tung defeated Chiang Kai-shek. Prior to that, the Chinese, including Mao Tse-tung, had been respected allies in the fight against Japanese aggression, noted for good judgment and reasonableness.

It is important that we analyze this China threat rationalization for the thin ABM, not only to observe its weaknesses but also to observe its underlying political, strategic and ideological basis for projecting the so-called defensive system by supporters in the Pentagon, the defense contractors and the Congress over many years. If we can understand the underlying basis of their support, it will help us to understand that the ABM system fight is only a skirmish in a much larger war.

It should be obvious that if the Pentagon argues that the Chinese attack threat is real, that massive deterrent power will be of no avail, and that the thin ABM system is the proper response, then there can be no argument simultaneously that the threat of the United States deploying its thin ABM system is useful or necessary to produce negotiations with the Russians for reduction in nuclear missiles. If the Sentinel system is a real answer to a real threat from the Chinese in the 1970's, then it would be a betrayal of American security to use it as a bargaining counter with the Russians—by offering not to deploy it if the Russians will make similar concessions. Yet, this argument is advanced by ABM supporters.

It is likewise obvious that to argue for a thin ABM system requires the Pentagon to deny the effectiveness of our nuclear deterrent against the Chinese in the 1970's. If the deterrent—the knowledge that their country would be completely destroyed if they attacked us—would not deter China in the 1970's, the question naturally arises as to how the Pentagon could argue that the same deterrent threat was necessary and successful in stopping Russian aggression against us in the 1950's and 1960's. It likewise raises the question as to why deterrent threat would be successful again against the Chinese in the 1980's and 1990's, when we recognize that the ABM, thin or thick, would not avail us against any attack capacity they may be expected to have by them.

Every knowledgeable analyst, from the former Secretaries of Defense on down, has agreed that even a "thick" ABM system—at $40 to $100 billion—could not protect the United States against an attack which the U.S.S.R. could mount with its current missile force of around 1,500 missiles. Undoubtedly the Chinese can achieve this level of missile strength within 10 or 15 years. But we are told today by the Pentagon that the Chinese might attack us when they have only a few dozen missiles in the mid-1970's, which a "thin" ABM system could possibly intercept, but that they would not attack when they have 1,000 or 2,000 missiles, because our deterrent strength would again be persuasive.

We occasionally hear yet another argument for the "thin" ABM system. If one is not receptive to arguments that ABM provides a temporary defense against the "irrational" Chinese—or be a useful counter in negotiations with the Russians for nuclear arms reduction—one is asked to buy ABM as insurance against an "accidental" or "stray" ICBM originating in any other country. We are asked if it is not better to spend a few billion to prevent a nuclear accident than to have a major city destroyed, possibly triggering an unwanted nuclear exchange. This becomes a very appealing approach which often moves humanitarian instincts of even misguided liberals.

I do not have access to the infinite array of esoteric data which would allow me to calculate precisely the probability of a nuclear accident in today's world. I can only assume that commonsense still applies to this problem. If so, the probability of a nuclear accident will increase proportionately with the number of nuclear missiles deployed, or at an even greater rate, as the human and technological system of control becomes larger and more complex.

Since the "thin" ABM system requires deployment of more than a thousand nuclear missiles in the United States, under control of an unimaginably complex radar and computer system, "insurance" against an accident will greatly increase the chances of an accident within our own system.

Coupled with this is the universally agreed upon fact that the certain antidote to any ABM system, thin or thick, is deployment of a corresponding number of offensive missiles by the enemy. These can be emplaced much more cheaply than any ABM system, since offensive missiles do not require complex radars which account for two-thirds of the ABM costs. The inevitable result of the deployment of any ABM system by us is, therefore, the deployment by the enemy—any and all of them—of the additional number of offensive missiles which can be calculated will overcome an opposing ABM system. And since the enemy, military calculate just like our military, they throw in an extra margin for contingencies, since costs are so small compared to our defensive costs.

Thus, the net effect of our deployment of a "thin" ABM system, with another 1,000 nuclear missiles, is at least a three- to fourfold increase in the total global number of missiles emplaced during this particular spiral of the nuclear arms race. Our "accident insurance" then becomes, in effect, an "accident guarantee." While we have absolutely no way of knowing for sure that the ABM system would limit the damage resulting from an accident, we can be quite confident that it will increase the probability of an accident by at least one order of magnitude. Again it is difficult to see how a reasonable person, even in the Pentagon, can advance this "insurance" argument as anything more than a screen for their real purposes.

While almost any reasonable person will reject the public rationale given for the "thin" ABM system, it is obvious that there must be motivations of considerable substance behind the massive efforts put forth in its behalf, as I indicated initially. I should like to set out in more detail what are, in my opinion, some of these less frequently discussed reasons.

The military has been actively engaged in an ABM program for nearly 15 years. Estimates of the amount already spent range from $4 to $15 billion over that period—depending upon how much of variously named R. & D. efforts are included. Proposals to actually deploy an ABM system have been uniformly rejected by Presidents, from Eisenhower's rejection of the Nike-Zeus deployment in 1959, down to Johnson in late 1967.

Reasoning was generally the same; the system was not proven workable; it would be made obsolete by advancing technology before it was operational; it would escalate the nuclear arms race.

The military, and their allies in the Congress, fought with grim determination for construction authority and funds. Congress actually appropriated moneys for ABM system construction for several years, but Secretary McNamara refused to spend it. In 1967 the Republican National Committee prepared a policy paper on the ABM, which appeared to lay the groundwork for a 1968 election attack on President Johnson for allowing an ABM gap with the Russians to develop. President Johnson, then still a potential candidate for reelection in 1968, did not wish to give the Republicans an issue to attack him with—as Kennedy attacked Nixon with the missile gap issue in 1960—and apparently ordered McNamara to proceed with the thin ABM system as a compromise, but one which would nullify the ABM gap issue if used by the Republican candidate. So, the immediate cause of the present ABM situation is political expediency generated by threats and fears of the 1968 campaign.

Recognition of this element of political blackmail still does not answer questions as to why the Pentagon—the Joint Chiefs of Staff—and a majority of the Congress have fought so diligently for deployment of the ABM system—over the objections of the President and Secretary of Defense, until 1967, and a minority in Congress. If we can come to understand this, we can begin to see the true dimensions of this problem. It is my own belief that the reasons behind the tenacious fight for the ABM are deeply ingrained in the Weltanschauung of the dominant forces in the current American military, political, and economic power structure.

Much as I regret to say so, I believe that the majority of the American people, at their present level of understanding of the realities of the world, probably would follow the leadership of these dominant forces. Hence, the problem is one of convincing the American electorate of the falsity of the doctrine which now dominates our course.

I take it as fact that the chief proponents of the "thin" ABM system deployment are in actuality working for deployment of a "thick" system. This was their original objective, which they were willing to compromise, as long as the compromise "thin" system is a building block in the larger system. This is a simple matter of recognizing current fiscal and political realities. A $6 billion system is easier to sell than a $60 billion system. It is only a minor disadvantage to become involved in certain logical inconsistencies in justifying the "thin" system and denying interest in the "thick" system. By the time the "thin" system is deployed—around 1975—it will be possible to advance more carefully honed arguments for the "thick" system, and within a political and financial setting which, it is hoped, will provide greater chances for success.

This is by no means dishonesty. This is political realism, a trait with which all Congressmen, and most generals, are quite liberally gifted. All of the protagonists of the ABM system are honest, dedicated, patriotic men, whether they be in the Pentagon, the Congress, or the great corporations which will build the system.

The leaders of this great political-military-industrial complex firmly believe that the American way of life is the best, the greatest, ever developed by the human race. They equate greatness and goodness with power. They believe, as an article of divine faith, that anything which increases American military power is good. While they will generally admit, intellectually, to the relevance of other values than military and economic power, they act on the solid pragmatic basis that might makes right. Those of a different view are regarded as unrealistic, soft-headed or subversive.

As the holders of power in this "greatest of all human societies," they look upon other systems as envious competitors or as mortal enemies. Russia and China fall in the latter category. Hope springs eternal in the power-brokers breasts that America can ultimately achieve a decisive superiority of power over both of these countries so that adversaries will be unable to present any credible obstacle to the spread of the American system throughout the world. The more generous-minded may concede the right of the Russians and Chinese to organize the life of their own countries as they see fit, but they see the rest of the world as an American vineyard, waiting to be plucked of its fruits.

The ABM is seen to these leaders not as a necessary defense against the destruction of our country, but as a demonstration of our power to remain invulnerable to any offense regardless of what we do to provoke that offense in any other part of the world. Because, up to now, we have felt invulnerable to any Chinese threat against the continental United States, we have felt safe in deploying our military forces in massive array all around her borders, a situation we would not tolerate if reversed. Thus we have made clients out of most Asian states.

There is no real element of protecting America against aggression in this vast outpouring of support for the ABM. It is, however, a very real drive to maintain America safe from any threat as it pursues the course that devotion to power compels the Nation to take in the world.

Let me cite some very possible examples in scenario form of how this works. We are, or have been, faced with the constant possibility of confrontation with Chinese armies. In the event of a U.S. invasion of North Vietnam—a very real possibility not too long ago—a renewal of hostilities in Korea—we were close to it over the *Pueblo* seizure—or a Red Chinese effort to regain Formosa, we would undoubtedly be involved with the Chinese. Assume that such a development occurs 4 or 5 years from now. Faced with overwhelming numerical superiority, our military would propose using tactical nuclear weapons. The Chinese, now having a nuclear arsenal, would make clear their willingness to retaliate with their short-range missiles. We would, of course, then have to be prepared to destroy major Chinese population centers with nuclear weapons. The Chinese would have 20 to 30 workable ICBM's and would threaten to destroy New York, Chicago, and Los Angeles if any of their cities are hit. This stops the United States cold, because the total value of everything in China is less than the value of New York, Chicago, and Los Angeles.

However, if we have deployed an ABM system to protect cities, this would be the trump card. Even if it would not work, the Chinese could not be sure and hence—according to Pentagon wargamesmen—would not take a long chance on trading Peking for New York—and not getting New York. The real concern of the general's and their allies is not that the Chinese would make an unprovoked, irrational attack, but that they would very rationally calculate that we would never trade New York for Peking, and hence that we would never force a confrontation with the Chinese which could escalate to that level of a trade. Our power to enforce American will around China's borders is vastly reduced if our willingness to escalate to nuclear weapons is no longer credible. An ABM deployment, at least to the generals, continues for a few years longer our ability to maintain the "frontiers of freedom" on the Asian mainland.

Such Pentagon logic can, of course, be generalized to all other countries and all parts of the world. Many emerging countries may soon have a handful of ICBM's. Some, or most of them, may be unfriendly. Egypt, Indonesia, Pakistan, South Africa, Argentina are possible potential examples. Governments change rapidly in the developing world, and tensions between poor and rich nations are on the rise. In this situation a poor nation with the power to deliver one nuclear warhead on New York has tremendous bargaining power in any dispute with rich nations. The advantage of being poor is that your entire country is not worth New York. And we know it. And they know that we know it.

Small, unfriendly countries are not going to try to blackmail the United States into surrendering. At least, I do not think so. Most of them should appreciate the difficulties involved in managing large colonies, since they already have been part of a colonial system. Therefore, they will be reluctant to take on the responsibility of managing the United States. But they will tend to become much more resistant to United States domination of their policies, their resources, their capital, and their culture. Since the United States has acted, in its relations with the rest of the world, as if superior force were the only value, few of these countries will be reluctant to make use of the advantage that a nuclear weapon, combined with poverty, gives them in their dealings with the United States.

The real purpose of the ABM, thin or thick, is to extend for a few more years the illusion of the generals and their friends that the power of the Pentagon can enforce the U.S. policies around the world. That power is aimed today at China and tomorrow at any and all other nations with an embryonic nuclear force. But such power is not credible against the U.S.S.R. and, hence, American posture toward the Soviet is now one of negotiation and noninterference within accepted spheres of influence.

It is not even necessary that the ABM system work for its supporters to favor it. The fact that it is very expensive—in addition to adding to the power of the Pentagon over the allocation of U.S. resources—also makes those against whom it is supposed to function think that it probably will work. Most poor countries have great respect for expensive U.S. technology. The probability that the system might work is really all that enters into the strategic calculations of military minds on both sides. The situation parallels the strategic deterrence theory of our offensive missiles. If we should ever have to use a missile, the system would have failed.

From the U.S. military standpoint, the imperfection of the Sentinel system has certain real advantages. Having spent the money for deployment, there is a natural commitment seen to continual upgrading. There is always a new generation of missiles to replace old ones, more sophisticated radars to be deployed, new cities or other targets to be protected. A world in which war is obsolete, with an ABM system which will never be used and, yet, must always be improved, is the answer to a general's prayer.

The emotions and the illogic generated by the ABM system debate arises ultimately because behind arguments on each side there are diametrically opposed and frequently subconscious concepts of America's role in the world. To ABM proponents, "defending America" is synonymous with extending America's military power. America's free-enterprise capitalist economy and America's technological culture around the world, and minimizing U.S. internal changes in the organization of political and economic power. To ABM opponents, "defending America" means preventing invasion by a foreign power, reducing military presence around the world, tolerating widely

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divergent political, economic and cultural systems, and making substantial and even radical changes within our own political, economic, and cultural systems. These two contrasting views clash on a wide variety of issues, involving both foreign and domestic policy. Essentially, this collision of opinions is the major struggle occurring in the politics of the United States today. Hence, the importance of the ABM issue as a test of the direction our country will follow.

It appears that President Nixon, being a prudent man, may attempt to compromise the difficult issues at stake in this conflict over the deployment of an ABM system. One such compromise would be to make a decision to deploy the system only around our Minuteman missile sites, leaving the cities alone for the present. This would reduce the urban objections, which are emotionally based and hard to deal with, and could slightly reduce the immediate cost.

Such a compromise is utterly without merit and should be rejected by the public and the Congress out-of-hand. Minuteman installations were designed to survive a U.S.S.R. first strike and still deliver "unacceptable" damage to their population. The sites require no additional protection to do this. No conceivable Chinese attack could possibly affect retaliatory capacity.

Thus, such a compromise denies the original rationalization of a system to protect against China, motivates the Russians to an even greater expansion of offensive missiles to maintain retaliatory balance, and provides not even a pretense of protecting the civilian population. Yet out of such insanity are great political compromises made.

The issue cannot be compromised. It must be won. It will be won if the American people will inform themselves and act.

SOUTH CAROLINA TEACHER OF THE YEAR

(Mr. DORN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DORN. Mr. Speaker, Mrs. Agnes Hildebrand Wilson, of the Lincoln High School in Sumter, is South Carolina's Teacher of the Year. Mrs. Wilson is a resident of the district of our beloved, able, and distinguished colleague, TOM GETTYS.

Mrs. Wilson is a great lady who is dedicated and devoted to the cause of education. She is an outstanding and accomplished educator of whom we are extremely proud.

Mrs. Wilson, when presented the award at the annual banquet of the South Carolina Association of School Boards, delivered a superb address which I commend to my colleagues in the Congress and to the American people, as follows:

ADDRESS BY MRS. AGNES WILSON

Mr. Toastmaster, Congressman and Mrs. Dorn, Lieutenant Governor and Mrs. West, other distinguished legislators, Members of the South Carolina Association of School Boards, Visiting Friends:

How does one find an adequate medium of expression with which to give voice to a feeling of gratitude which is so profound as to be almost overwhelming! Gratitude for the distinct privilege and signal honor of representing my fellow educators as Teacher of the Year for South Carolina. And it *is* a distinct privilege; it *is* a signal honor, the magnitude of which does not escape me even for a single moment . . . Gratitude for the heartwarming response and moral support which have come from my colleagues in education and from fellow citizens in all walks of life from all over this state and nation. The many telegrams, telephone calls, hearty hand clasps and other expressions which are my daily fare are indicative of the basic goodness of the people of this my native state and for their concern for the education of its people.

The news media have been most kind. Reporters from the two Carolinas have found their way to my school and home. You may be interested to know that the United States Office of Information Services sent a photographer to follow the South Carolina Teacher of the Year through a typical school day. The documentary thus assembled is to be distributed for overseas consumption. I cannot fully express the gratification which was mine to have a part in the telling of a story that is Good News about education in South Carolina. So often news that is negative makes the headlines. It is time that we turned the other side of the coin and accentuated that which is positive.

This, I find, is a busy existence with the filling of engagements and the making of appearances all over. So many invitations are extended! And we try to fill as many of them as is humanly possible, knowing full well that every time we do, we are promoting the cause of education. In extending these invitations the people of the state are saying that they want their teachers to become involved in the affairs of the community. They are further giving recognition of the fact that underlying all that makes for growth and development in our commonwealth is education.

Someone asked me recently how it felt to be Teacher of the Year for South Carolina. I replied that the situation completely defies description. That perhaps for the rest of my life I shall be searching for an apt description . . . trying to explain how exhilarating joy and subject humility can at once completely fill the human breast.

It is wonderful to be one of the five national finalists in the Teacher of the Year program, but I felt completely fulfilled in my role of South Carolina's Teacher. I am loyal to my native state. My family, for generations has contributed to advancement and to the development of its citizenry.

Therefore, I have a definite stake in its past, in its present, and by God's grace, in its future.

It is so good to be here sharing the enlightening experiences the annual convention of the South Carolina Association of School Boards. Please accept my sincere thanks for the invitation to attend and for every gracious word and act here accorded me. You are to be commended for the growth which is evidenced by the various reports. For the forward look indicated by your reaching out to include in your membership those who are responsible for higher education. We yearn for the time when educational planning, from kindergarten to university will present a unified, correlated whole. And in this, you are imminently leading the way. On behalf of the teachers of our state, let me say a hearty "Thank you" for the legislative program which you have adopted and for the able support which you are giving to our day by day efforts—both as a state body and as local school boards in our several communities.

Especially do I want to thank those who prepared the program for arranging that my school district superintendent, Dr. L. Currie McArthur should present me for these remarks. Whatever might have been mine by way of success as a teacher in the Sumter City Schools is due, in large measure to him. He is the kind of administrator who supports, undergirds, and encourages teachers to grow. He invites innovation and creativity in the classroom when he is convinced that the procedure is sound. He is blessed with unique preceptive insight into the needs of persons and groups. For these reasons his name is synonymous with progress throughout South Carolina and in the nation.

Some years ago, before the Audio-Lingual approach to language teaching was an accepted technique, I decided to experiment a bit by way of enlivening my classroom work. While in the midst of a rather voluble session, seated in the middle of the room beside a tape recorder with the students gathered around me having the time of their lives, I was astonished to observe that Dr. McArthur was quietly observing from the door. Although dubious as to the kind of impression this was making upon him, I decided that we might as well continue since we had been discovered. Some little time later, I was called into the office of my principal. I waited to hear the worse. To my surprise, he informed me that the superintendent, having observed our efforts earlier in the day, had called to inquire as to whether I could get along with a half language laboratory until sufficient money could be found for the installation of a complete facility. Our local school board, unquestionably the best in the state, makes it possible for him to so undergird and support us in our work with the young people of our community.

Very recently, I came upon an explanation of the teacher's role which so gripped my attention that it has dominated my thinking ever since. Said the writer, "A teacher's role is to open the way for the imprisoned splendor which reposed in each individual, to escape and find expression."

This says, then, that it is for us, in our dealings with our students, never to lose sight of the fact that hidden splendor is THERE. Very often the child himself may be unaware of it and in his every action, seem to deny its existence. But like the patient prospector, the teacher, firmly but gently works away at the dross until the glimmer of pure gold eventually rewards his efforts.

Did you see the television version of the Helen Keller-Ann Sullivan story recently? Recall the climactic moment when the dark shutters of Helen's mind were released and the light of knowledge flooded her intellect, radiating through her entire being. Remember how she became another person entirely and how, even though mute, through eloquent motion and gesture she proclaimed to all around her, "Now I know . . . I know . . ."

This had been a favorite story of mine ever since my early childhood. Even before I could read, my mother told us the story of Helen Keller and her marvelous young teacher whose patient persistence was to make her immortal. In spite of my familiarity with the events, I sat misty-eyed before the television set the other night as I mused:

"Is this not, after all, the nature of the day to day efforts of every teacher who is sincere about his task? Our problems are not so dramatic nor our results so spectacular. But slowly, sometimes very slowly, almost imperceptibly, the hidden splendor of our precious charges emerges as we guide, encourage, cajole and sometimes almost drive them to their best achievement.

Being a teacher of French in a school in which we have a four year sequence, it is sometimes my good fortune to follow a youngster from the ninth grade through the twelfth. What a reward to see the slow, fidgety or recalcitrant child grow into poised and secure young adulthood!

And having revealed his hidden splendor, we must show him how to reach for the stars. This is where the element of inspiration which is so much a part of teaching, must come into the picture. We cannot follow our boys and girls into adulthood, nor would we if we could. Therefore, we must,

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while we have the chance, help them to see that education is a lifelong process which is merely begun in school. That to live is to learn and to learn is to live. That he who allows his mind to become closed and his ideas to calcify is almost worse than dead. Our job is to teach them to reach and to somehow, make them want to keep on reaching. This is the job of education in the 60's, the 70's and all the time thereafter.

"TITLE I, ELEMENTARY AND SECONDARY EDUCATION ACT: A REVIEW AND A FORWARD LOOK, 1969"—FOURTH ANNUAL REPORT OF THE NATIONAL ADVISORY COUNCIL ON THE EDUCATION OF DISADVANTAGED CHILDREN

(Mr. BRADEMAS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BRADEMAS. Mr. Speaker, the House Committee on Education and Labor is presently considering legislation to extend the life of the historic Elementary and Secondary Education Act.

In the 1967 Amendments to the ESEA, Congress asked for a report from the National Advisory Council on the Education of Disadvantaged Children on the operation of title I of the act, the title which is aimed at improving educational opportunities of educationally deprived children, and on other compensatory education programs.

A few weeks ago, the Council issued its fourth annual report, which is a review of title I of the Elementary and Secondary Education Act, together with a series of recommendations for improving this program and generally improving the education of disadvantaged children in the United States.

Mr. Speaker, I insert at this point in the RECORD a fact sheet summarizing the principal findings of the Council, followed by the letter of transmittal and the first four chapters of the report.

I here note that subsequent chapters and appendices discuss several successful programs in educating disadvantaged children, provide some comparisons of successful and unsuccessful programs, and describe some committee case studies on the impact of title I on non-public-school children.

The material follows:

NATIONAL ADVISORY COUNCIL ON THE EDUCATION OF DISADVANTAGED CHILDREN, 4TH ANNUAL REPORT, JANUARY 27, 1969—FACT SHEET

To the new President and a new Congress, the Council expressed the following concerns about Title I of ESEA:

Level of Funding. Cutbacks in funding combined with the increasing cost of education have resulted in an estimated *$400 million less for disadvantaged pupils* in local schools this year than was available in the first year of the program. The Council urges that the gap be closed between the current one billion dollar apropriation and the $2.7 billion authorization.

Continuation of Title I. Urges that Title I be continued substantially as now written and funds for disadvantaged not be turned over to states for distribution at their discretion.

The Council also urges *long-term legislative authority* in Title I; the adoption of *high quailty programs* while maintaining local control of the schools; *concentration of funds* on a limited number of pupils; *community and parental involvement* in Title I; and imaginative and *firm leadership in school desegregation*.

RECENT STUDIES

Foundation for Success in Compensatory Education Programs. The Council summarizes 21 compensatory education programs of proven success and isolates components distinguishing successful programs from unsuccessful ones.

Participation of Nonpublic School Children in Title I Programs. The Council reports that State laws, poor cooperation on the part of public school officials, and reticence or apathy among nonpublic officials, are depriving some nonpublic school children of Title I benefits.

Health Programs. Finds that 80% of Title I programs now include a health component, in some cases providing children with medical and dental care for the first time in their lives.

OVERALL EVALUATION OF TITLE I

The Council states that "limited evaluations of Title I programs . . . have prevented any overall statistical evaluation of the first years of Title I on a nationwide basis." Urges dissemination and replication of those programs proven successful.

NATIONAL ADVISORY COUNCIL ON THE EDUCATION OF DISADVANTAGED CHILDREN

Washington, D.C., January 27, 1969.

The PRESIDENT,
The White House,
Washington, D.C.
Hon. SPIRO T. AGNEW,
President of the Senate,
Washington, D.C.
Hon. JOHN W. MCCORMACK,
Speaker of the House of Representatives,
Washington, D.C.

SIRS: I am pleased to transmit to you the Annual Report of the National Advisory Council on the Education of Disadvantaged Children. This is the 4th Annual Report, and the 6th Report in all, submitted by the Council since its creation in 1965.

In the present Report, the Council responds to the Congressional request, contained in the 1967 Amendments to the Elementary and Secondary Education Act, that successful Title I and other compensatory education programs be identified. In addition, the Council reports here the results of its study of the involvement of nonpublic school children in Title I, and of its study of the impact of Title I on the health needs of disadvantaged children. Finally, inasmuch as this Report is submitted to a new President and a new Congress, the Council has summarized its major continuing concerns about Title I and the education of disadvantaged children in our land.

Respectfully yours,

O. MEREDITH WILSON.

TITLE I, ELEMENTARY AND SECONDARY EDUCATION ACT: A REVIEW AND A FORWARD LOOK, 1969—FOURTH ANNUAL REPORT, THE NATIONAL ADVISORY COUNCIL ON THE EDUCATION OF DISADVANTAGED CHILDREN

I: TITLE I AND THE NATIONAL ADVISORY COUNCIL—A REVIEW AND FORWARD LOOK

In both the financial and political senses, Title I of the Elementary and Secondary Act of 1965 (ESEA) represents a tiny part of the awesome responsibilities facing the new President and a new Congress. It accounts for only $1 billion of a $185 billion budget, and constitutes only one component of the hundreds of laws which the Administration must supervise.

Comparatively modest as the financing and scope of Title I are, however, we believe that this single piece of legislation overshadows all other federal aid-to-education laws in importance, for it strikes one of the earliest and potentially most effective blows at the self-perpetuating cycle of poverty in the United States: poor family-poor education-poor job-poor family. Last year, it touched the lives of 9 million American children. Thus Title I continues to represent an enormous amount of hope for those of our youngsters who are held back in their learning efforts by poverty and its attendant deprivations—social, cultural, and physical. As we observed in our first report to the President on March 31, 1966, ". . . unless the children of our land can be freed from the chains of disadvantage which bind them to a life of hopelessness and misery, battles may be won in the War on Poverty, but final defeat will be inevitable."

ESEA was passed on April 11, 1965. Funds were first made available to local school systems on September 23, 1965, after the 1965-66 school year had already begun. Hence this report follows only the second full year of operation of Title I, even though the program is in its fourth fiscal year as the federal government reckons the legislative calendar.

The same law that created Title I created the National Advisory Council on the Education of Disadvantaged Children, directing it to review the administration and operation of Title I "including its effectiveness in improving the educational attainment of educationally deprived children." In our five earlier reports to the President and the Congress, we have attempted to assess—as private citizens with no personal stake in the law other than social and moral concern—the impact and deficiencies of Title I as well as those of compensatory education generally. And as a new Administration and a new Congress begin, we believe it important not only to present our latest findings, but also to review some of our continuing concerns about Title I and the factors that prevent it from realizing all the promise its framers envisioned.

Some of our earlier observations about deficiencies in the law or its administration have led to remedial action by the Congress or Executive branch; others still require attention. We summarize those concerns under ten headings—three having to do with studies recently completed under the auspices of the National Advisory Council, and seven with matters which were raised in the past but continue to concern us now.

Recent studies

Evaluation

It has long been clear that the mere addition of people, equipment, and special services does not by itself constitute compensatory education; success in making up for the educational deprivation which stems from poverty requires a strategy for blending these resources in an integrated program that strikes at both roots and consequences of disadvantage.

The details of this strategy, however, have by no means been clear. For one thing, we still have not had sufficient experience with Title I, or compensatory education programs generally, to be able to fully and fairly evaluate their potential. For another, the limited evaluations of Title I programs, together with the wide variation in content and quality of data submitted to the Office of Education, have prevented any overall statistical evaluation of the first years of Title I on a nationwide basis. In turn, lack of data that is at once widely comprehensive and genuinely comparable has made identification of the components of successful compensatory programs most difficult.

What is clear is that among the thousands of different programs and approaches labeled as compensatory education, some efforts are paying off and others are not. Some of these programs can be evaluated in terms of positive, easily identifiable changes such as improvement in reading scores; in this report the Council identifies a number of such programs which have been proven successful by such measurements.

Yet reading scores are not the only criteria for measuring the effectiveness of a Title I program. They do not, for example, offer any

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index to the value of providing a far-sighted child with glasses, or of feeding a hungry child, or of changing a youngster's attitudes toward school from suspicion and hostility to pleasure and interest. It may be, indeed, that favorable attitudes toward schooling constitute much of the "head start" which a youngster from an advantaged home takes to the classroom with him, and which the disadvantaged boy or girl typically lacks.

The Council believes, in sum, that educators must refine their methods of measuring "success" and must at the same time identify, disseminate and replicate programs that have been demonstrated successful by present evaluation techniques. Only in this way can we hope to improve the overall quality of the Title I effort.

This report presents the results of two studies conducted by the American Institutes of Research into a) successful Title I programs, and b) the components that distinguish successful programs from unsuccessful ones.

As a result of these studies the Council recommends that:

1. The U.S. Office of Education should augment its ongoing Title I information process by engaging in a special effort to disseminate examples of demonstrably successful compensatory education programs—such as those in Part V of this report—to be used as touchstones for other programs.
2. The Office of Education should explore both administrative and legislative means of rewarding well-designed, successful programs and providing incentives for their expansion and implementation by other schools.
3. The Office of Education and state departments of education should cooperate in establishing Title I spending priorities which reflect examples of proven success or suggested failure.
4. The Office of Education and state departments of education should cooperate in developing criteria for more uniform, comparable evaluation data than are now submitted by local Title I programs so that more informed judgments can be made about which programs are working and which are not.
5. Professional educators and social scientists should intensify review of current achievement tests to further reduce "culturebound" components that are biased against the disadvantaged child and conceal indications of his true, latent ability.
6. These professional should also move beyond purely cognitive achievements tests and into other realms—self-concept, creativity, motivation, behavior—where compensatory education may have equally important long-range results.

Participation of Nonpublic Schoolchildren

ESEA requires that compensatory education programs be established for disadvantaged children in nonpublic schools to the extent consistent with the number of such children. There is cause to question whether, in fact, the number of parochial and other nonpublic schoolchildren participating in Title I projects is consistent with their number. If not, the next essential question is: why?

The Council has sponsored a detailed study of the participation of nonpublic schoolchildren in Title I and reports its findings in Part III of this report. *Those findings lead us to these recommendations:*

1. The Office of Education should designate a single, visibly placed official to monitor all aspects of Title I participation by nonpublic schoolchildren.
2. The state departments of education and affected public and nonpublic school systems should also designate a person with the time and resources to oversee the participation of nonpublic schoolchildren in local Title I programs and to provide liaison between public and nonpublic school officials.
3. The Office of Education should continue to urge the involvement of nonpublic school officials in the planning and evaluation of local Title I programs.
4. The U.S. Office of Education should publish *in one document* all the regulations concerning the participation of nonpublic schoolchildren in Title I programs and should disseminate this document to *local* Title I coordinators in addition to state education officials.
5. Model program examples of successful participation of nonpublic school pupils should be widely disseminated.
6. The Office of Education should review the methods for identifying eligible children and for establishing project areas to prevent the disproportionate exclusion of disadvantaged, nonpublic school children whose attendance-zones do not coincide with those used by public schools.
7. Where services to children justify it, there should be an increase in shared time programs.

Health Services

The provisions of Title I were purposely broad, allowing local education officials to use Federal funds for virtually any service that would reduce disadvantage. Where health needs are not otherwise being fully met, and where educators realize the crucial connection between good health and ability to learn, Title I funds have played an increasingly important role. Today they provide disadvantaged children valuable health services such as physical checkups, nutritional programs, the provision of eyeglasses, and even major medical and dental care; a Council study of 60 Title I programs suggests that, in contrast with a much smaller percentage in the first year of the program, 80 percent of local projects now include a health component. Generally, health services account for 5 to 20 percent of local Title I expenditures. Title I has especially helped to meet the need for early detection of health defects, and to a lesser extent has helped to provide correction of such defects. *In some instances, Title I has given children from poor families medical or dental treatment for the first time in their lives.*

The Council can but endorse this use of Title I funds. Still, because Title I funds are so limited the Council feels it important for local officials to develop a keen sense of priorities in allocating funds designated primarily for educational purposes.

Our detailed views on health expenditures are expressed in Part IV of this report; *at this point, we summarize our recommendations:*

1. The Office of Education should call the attention of state and local Title I personnel to the full range of possibilities for using Title I funds to diagnose and treat health disorders.
2. Meanwhile, Title I planners at the state and local levels should be encouraged to investigate the availability of health services from sources other than Title I, so that the provision of necessary health services for disadvantaged children will not unnecessarily diminish the already slender resources available for compensatory education.
3. Title I planners should focus their funds on those whose needs are greatest.
4. Professionals in health and education including Title I planners, at national, state, and local levels should investigate the use of para-professionals for tasks which, while related to health care, do not require professional qualifications.

Continuing concerns

Continuation of Title I

One of the issues regularly arising from ESEA has been that of preserving the separate titles in this legislation. Earnest and conscientious arguments have been advanced to support a policy of "bloc" grants to the states, leaving to them all decisions regarding the allocation of these supplementary federal funds.

The Council has considered these arguments carefully over the three years of its existence and has stated its position on this subject in earlier reports. After carefully reexamining the present situation, the Council still believes that the continuing high urgency of devoting "more than equal" attention to the education of disadvantaged children calls for *unrelenting and specific* investment of federal funds.

In effect, Title I now operates as a kind of "bloc-grant" to the states, with the funds being spent in any way the state approves as long as they are spent on the disadvantaged. But the Council believes that any change that would further shift the responsibility to the states for distributing education funds would—in many states and possibly in all—diminish the impact of this necessary investment in the education of disadvantaged children.

The Council's position is not based on preconceived theories but on hard data which show that state distribution of funds rarely, if ever, favors those sections of the state with the greatest concentration and number of educationally deprived children—the central cities. Despite a declining tax base and a high rate of effort, in 1962 central cities received $40 less in state aid per pupil than their suburbs, even though the suburbs were spending $145 more per pupil than the central cities.[1] More recent data suggest that this trend is continuing. For example, central cities in New York's six metropolitan areas received an average of $100 less per pupil in state aid during 1966–67 than did the county or counties in each area.

It is possible that at some time in the future, federal funds for elementary and secondary education will be sufficient to support a wider range of efforts, aimed at more varied needs. For the present, however, the Council believes that Title I funds are now aimed at the single, highest priority educational target—concentrations of disadvantaged children—and that it would be unwise to permit any diminution of effort through the relaxation of Congressional direction.

The Council recommends, therefore, that Title I of ESEA be continued substantially as now written.

Level of Funding

The Council is distressed at what appears to be a weakening federal commitment to the education of disadvantaged children. This is best evidenced by the $68 million cutback in funding of Title I from $1.191 billion last school year to $1.123 billion this school year.

This cutback, combined with the continuing increase in the cost of education, results in an estimated $400 million less for disadavntaged pupils in local schools this year than was available in the first year of the program.

We are deluding ourselves if we think we can make an impact on education of the disadvantaged without providing the necessary resources. To meet rising school costs by decreasing Title I appropriations speaks poorly for a nation which has generally prided itself on the quality of its schools and has specifically promised to rescue the unfortunate few whom traditional education and present educational resources have failed to propel into America's mainstream.

A noted educator's recent statement of the issue coincides with, and cogently summarizes the Council's view:

"It may be argued that simply more resources will not solve the educational problems. . . . There is much uncertainty about how educational disadvantage can be overcome. One thing, however, is clear. It cannot be done cheaply. . . . To substitute educational experimentation and innovation for increased resources is to sentence those experiments and innovations to failure."[2]

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[1] Carnegie Quarterly, Vol. XIV, No. 4, Fall, 1966.

The Council, therefore, recommends that the Executive and Legislative branches move as quickly as possible to close the gap between the Title I appropriation and the authorization of $2.7 billion.

Continuity of Effort

Like the other parts of the Elementary and Secondary Education Act, Title I has been almost continually before the Congress for refinement and renewal. Uncertainty about the program and its funding has hurt the effectiveness of Title I, especially since the first two appropriations came after the school year had already begun, and school administrators had already assigned their personnel to other duties. Doubt about the continuing availability of funds inevitably results in a lower-grade staff for Title I projects (some administrators have declared that they would not assign their best teachers to "a program that may go bust any time"), a preponderance of single-purpose programs not integrated with the regular school curriculum, and a minimum of basic changes or improvements in the total curriculum for disadvantaged children.

We observe that the Morrill Land-Grant Act has been in operation for 106 years, and that state universities have received annual appropriations under it ever since. That Act was the result of a great national need; the needs reflected in Title I are certainly as pressing and possibly more basic than those of our higher educational institutions. We must have the courage to recognize that a successful attack on poverty through improving the education of poor children will be measured in decades, not Congressional sessions.

Because of the damage done Title I by annual uncertainty among school officials, we recommend consideration of long-term legislative authority so that educators can plan for the unremitting effort that Title I must receive if it is to fully succeed.

Quality Control and Local Control

Though funded by the federal government, Title I projects are designed by local school systems and approved by state departments of education. It is not the prerogative of the U.S. Office of Education to pass on each project.

Title I is, as the Council has often noted, a highly decentralized program; thus it is not surprising that the educational value of Title I projects differs widely. Some are imaginative, well thought-out, and demonstrably successful; other projects exemplify a tendency simply to do more of the same, to enlarge equipment inventories or reduce class size by insignificant numbers. In the face of such varying results, the U.S. Office of Education—recognizing the importance of respecting local autonomy and leaving final approval to the states—has found no way except through the issuance of basic criteria and through exhortation to try to ensure sound projects or to secure revision of projects of low quality. Unhappily, even the basic federal criteria are sometimes misperceived or ignored at the state and local level.

The members of the Council do not in the least question the principle of local control; they believe, moreover, that the freedom for initiative given local school districts by Title I is a powerful force for improving education through programs tailored to the individual needs of individual communities. The American taxpayers, however, have a right to demand that the revenues they provide are spent wisely, and American children have a right in social justice to the maximum benefit available to them from limited funds.

Hence the Council recommends 1) that the U.S. Office of Education fully utilize its existing authority to establish basic criteria for ensuring high quality programs; 2) that USOE work with the state departments of education to improve the monitoring of programs and ensure, by withholding funds if necessary, that the basic criteria are being followed at the local level; and 3) that the legislation be examined to see whether amendments are required to strengthen the basic criteria authority.

Diffusion Versus Concentration

Disadvantaged children invariably suffer from a number of forms of deprivation, not just one; they do not need new textbooks *or* medical care *or* adequate nutrition *or* a reduction in class size, but *all these and other educational remedies together*. Success with these children, in sum, requires *a concentration of services on a limited number of children*.

Owing partly to political pressure and partly to a normal human desire to do *something* for as many children as possible, many school administrators have spread their limited funds over very large groups; the average Title I expenditure per child during 1965–66 and 1966–67 was $96 and $99 respectively—hardly enough to make a significant difference. In consequence, while the young beneficiaries might have a hot lunch for the first time, all their other handicaps go untouched, and Title I funds—while spent for entirely worthy purposes—have simply failed to achieve the overall purpose of the legislation.

The Council again calls for adherence to the principle of concentrating funds where the need is greatest so that a limited number of dollars can have genuine impact rather than being dissipated in laudable but inconclusive efforts.

We further recommend that the Office of Education assist the states in gaining compliance from local school districts with the regulations and guidelines on concentration of resources.

Parental and Community Involvement

No school or program can by itself hope to overcome the manifold effects of disadvantage. A youngster spends at most six hours a day in school; the rest of his waking hours are learning hours, too, and compensatory education cannot outweigh the influences of the home and the neighborhood on a child.

This means that if Title I is to be successful, it must be part of an alliance between parents, community residents, and educators. Parents must understand what the school is trying to achieve, so that they can extend the effects of compensatory education by encouraging learning at home. Other local adults can frequently supplement project funds with their own resources of interest, inventiveness, and special ability. Parental and community involvement represent a way of harnessing the voluntary spirit—which has always been a remarkable feature of American life—to expand the benefits of limited Title I funds.

We commend the Office of Education's recently issued policy guidelines suggesting the establishment of local advisory committees to enable parents and other citizens of the local community to become involved in the planning, operation, and appraisal of compensatory education programs. We further urge state education agencies to encourage and assist local school districts in implementing the principle of parent and community involvement in Title I programs.

Compensation and Desegregation

In various sections of the country, the Council has noted a tendency by some school administrators to view Title I as an alternative to school desegregation. This tendency is not always motivated by racial bias or bad faith, but may result from genuine puzzlement; as the Council noted in its 1968 annual report, *"the obstacles to desegregation have been so discouraging* that some community leaders are now coming to rely almost solely on compensatory education to save the educational lives of children in impoverished ghettoes."

The "obstacles to desegregation" remain as discouraging today as they were 12 months ago, and we can offer no quick solutions to a problem which has baffled wiser men. Indeed, as with many difficult tasks facing the nation, we might well abandon any search for quick solutions and simply accept the fact that desegregating our society will be a tedious, painful, and most demanding job for at least a decade to come.

But with specific reference to the schools, we can only state again that school desegregation appears to have a genuine educational value of its own by giving disadvantaged, minority children the benefit of intellectual and social stimulation from more fortunate classmates. Though not conclusive, the evidence we have—particularly the massive *Equality of Educational Opportunity* survey, popularly called "The Coleman Report"—indicates that a proper degree of school integration aids the learning of socioeconomically deprived children *without diminishing the achievement of socioeconomically advantaged children*.

The Council recognizes the complexity of the task, including the difficulties in various localities of carrying out the Supreme Court's mandate to desegregate the schools. We believe that solid progress toward a just society was made by the outgoing Administration and recognize that this progress was achieved only at the expense of social conflict and national anguish. *We can only urge the new Administration to offer, on the one hand, a fresh, imaginative leadership in school desegregation and, on the other, to refuse to back down on this nation's sometimes agonizing but ever-necessary commitment to equality of opportunity.*

In particular, we reiterate our conviction that school desegregation and compensatory education are not an either-or propoposition, but are mutually complementary actions which can lose much of their effectiveness in isolation from each other. And this, in turn, leads to our single program recommendation:

That federal, state and local officials exercise their responsibility to prevent Title I from being used as a negative incentive—one that prolongs segregation—by ensuring that disadvantaged children retain their Title I benefits when transferred to schools whose student populations consist of socioeconomically advantaged children.

Conclusion

These ten topics do not complete the list of problems which the Council has identified since its first report was issued in March 1966. Many other matters—early childhood education, for example, and summer programs—are of great importance to the success of Title I. The subjects outlined above, however, seem to us to deserve the early attention of a new Administration and a new Congress as they review accomplishments and needs, and move to establish new priorities for government and society as the effort to meet those needs goes forward.

II. FOUNDATIONS FOR SUCCESS IN COMPENSATORY EDUCATION PROGRAMS

Though both compensatory education programs and the concept of "compensation" itself pre-date federal initiatives in this field, it was Title I which first gave such programs national visibility. Moreover, Title I added an important dimension to earlier state and local programs in that it required evaluation; those who framed the law insisted that an effort be made—usually by the local directors of Title I programs—to measure the results of this novel federal expenditure.

Critics of early reports on compensatory programs, whether federally funded or not, suggested that many of the "benefits" claimed—new equipment, for example, or

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[2] Alan K. Campbell, "Matching Resources To Need," a paper presented at the Semiannual Meeting at the Comimttee for Economic Development, Nov. 14, 1968, p. 13.

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slightly smaller classes—related more to teacher pleasure than to pupil gain. In some cases, reports which claimed significant pupil achievement soon after a program was established had to be modified later, after more time had elapsed. The "self-analyses" of Title I and other compensatory programs sometimes demonstrated more wishful thinking than hard evaluation.

Though Title I evaluations are becoming more sophisticated and helpful each year, the results of the testing effort remain mixed to date. Different evaluators have pronounced the same program both successful and unsuccessful. It was against this background of scattered testing and often confusing results that Congress, in its January 2, 1968 amendments to the ESEA, requested the National Advisory Council to report a year later on programs which hold "the highest promise of raising the educational attainment of these educationally deprived children."

The Council has attempted to meet this request in two ways:

First, by presenting in the Special Supplement (Part V) to this report summaries of 21 compensatory programs which have produced significant pupil achievement gains in language or numerical skills.

Second, by trying to discern those components which distinguish successful and unsuccessful programs.

The 21 programs described in the Special Supplement (Part V) were identified by the American Institutes of Research under a contract with the U.S. Office of Education's Office of Program Planning and Evaluation and under the cognizance of the National Advisory Council. AIR compared the successful and unsuccessful programs under a second, separate contract with the National Council alone.

Because educators and testers frequently disagree on the criteria for a successful program and about what "significant improvement" means, it is important to state here the definitions and criteria used by AIR:

1. Only compensatory programs whose directors had *measured* achievement *through standardized tests* were included in the AIR report. Ratings, classroom grades, and even special tests prepared by teachers were considered too unreliable and subject to bias by program personnel to provide an accurate index to achievement gains.

2. An improvement in achievement scores was not considered sufficient by itself to identify a "successful program." The achieved gain *had to exceed* that made by a control group over a comparable period of time, or that to be expected on the basis of normative data, and had to be statistically significant.

3. The terms "successful" and "unsuccessful" have a highly restricted meaning as used in this report; they denote only programs *which produced pupil gains in language or number skills*. If, for example, a program succeeded in improving pupil attitudes but failed in the formal, "cognitive" or academic area during the period observed, it was considered unsuccessful.

4. "Language skills" meant achievement in such areas as reading, speaking fluency and word recognition; "number skills" usually implied arithmetic and, in some cases, mathematics.

Methods, procedures, and limitations

Since judging a given compensatory program to be a success or failure is as delicate a process for the evaluator as it is painful for the director whose program is being evaluated, some additional observations about AIR's study must in justice be offered here.

In selecting the 21 programs described under the original USOE contract, the American Institutes of Research screened 1,000 compensatory programs, collected detailed data on 400, and actually visited 98. Of the 400, about 100—in addition to the 21 successful programs—were considered suitable for the second, National Advisory Council study. Of that 100, in turn, 25 yielded sufficient data for AIR to describe them as "unsuccessful" by the definition given above.

The next problem in distinguishing the factors that made some programs successful and others not was to match the successful and unsuccessful programs by objectives and age of pupils. Simply put, this was a matter of ensuring that apples were not compared with oranges. In matching two programs, AIR did not require that the objectives be identical in content or level of specificity; AIR and the National Council believed that a similarity in major purpose—improving reading skill, for example—would permit a valid comparison. Analogously, though it was clearly improper to compare a secondary school program with one aimed at preschool pupils, it seemed reasonable to match a program for first-graders with one for third-graders.

Program data for the comparisons were collected under four headings: (1) program objectives; (2) students served; (3) cognitive achievement gains; and (4) program components.

Under "objectives," the analysts described briefly what the experimenters in each program intended their students to achieve. The actual process, treatment or method was at this stage considered of secondary importance. If, for example, one program used dramatization to help children read while another used teaching machines for the same purpose, the goal was specified under this heading and the respective method treated elsewhere.

Under "students served," the analysts described as comprehensively as possible the ethnic backgrounds, socioeconomic status, and numbers of students involved, as well as any special criteria used to select students for each program. Many programs operated for more than a year, serving successive groups of students. To take this changing population into account, the analysts specified the group to which each evaluation referred, and sometimes based an evaluation of success or failure on a single year's operations.

Under "cognitive achievement gains," the analysts considered only those indicated by standardized tests, as mentioned above

Finally, the "program components" refer to distinctive teaching methods, health or educational services, and other elements that made up an individual program and gave it its character.

As a result of this matching process, the AIR had to eliminate two of the 21 successful programs for comparison purposes simply because no comparable, "unsuccessful" program could be found. In the end, nine successful programs were compared with two unsuccessful programs each, and nine more successful programs compared with one unsuccessful counterpart each.

The subjective element

Having defined their special meanings and procedures as carefully as possibly, AIR research analysts (and the National Advisory Council) recognize the essentially judgmental aspect of any appraisal such as this report offers. They acknowledge that biases or special perspectives developed over a period of time—mainly in connection with related studies—may have influenced their analysis of the data in question.

The data themselves, being stated as facts and figures, have every appearance of objectivity; nevertheless, placing these data in the appropriate category required subjective judgment on occasion, for some categories were more susceptible to bias or special interpretation than others.

The program component "team teaching," for instance, might be defined broadly to include any attempt by two or more teachers to share the instruction of their classes; on the other hand, it can be validly restricted to programs in which a proper team was established, regular meetings of the team held, and the duties of each member of the team clearly defined. Though the analysts preferred the latter, accurate definition, the data sometimes demanded a definition more like the first.

Also, the data alone were not always adequate for drawing conclusions from comparisons. The analysts were dealing with probabilities rather than certainties, and often had to choose the most likely explanation of a given result rather than being able to fix on a certain scientifically proven cause. *Hence, the suggestions offered here as to the foundations for success in educating disadvantaged children represent reasonable, analytical judgments rather than irrefutable demonstrations.*

The programs described in the Special Supplement do not, of course, represent the universe of successful compensatory programs. The U.S. Office of Education estimates that there are about 20,000 Title I programs now in operation; in addition, there are many more compensatory programs funded by sources other than Title I. Because of the Council's time and resource limitations, AIR could examine only a small portion of the total; those described in the Special Supplement do, however, seem to represent accurately the kinds of programs which have been demonstrably successful.

Results and comments

Appendix A of this report illustrates one of the comparisons that AIR made between "successful" and "unsuccessful" programs. The suggestions that follow—concerning those elements of compensatory education programs most likely to produce significant gains in pupil achievement—are drawn from the entire series of 18 comparisons. Of the 18, 4 were at the pre-school level, 10 at the elementary, and 4 at the secondary.

From the pre-school comparisons, it is fairly clear that:

A program of less than two months' duration has little value at all;

Teacher training is essential; and

Objectives must be clearly defined in advance.

The successful pre-school programs all had certain features in common: careful planning, including the definition of academic (cognitive) objectives; teacher training (usually including frequent reviews of the program); and much use of small groups. Materials were selected carefully for their relevance to program objectives. Two programs stressed diagnosis of individual pupils' needs, three limited their curriculum and methods strictly to what was needed to achieve the objectives and meet the needs, and one removed competing stimuli from the classroom. Parental involvement featured as important in only one of the successful programs. *To summarize the comparisons, success in pre-school programs seemed to be founded upon:*

Careful planning, including statement of objectives;

Teacher training in the methods of the programs;

Small groups and a high degree of individualization; and

Instruction and materials closely relevant to the objectives.

At the elementary level, ten comparisons were drawn. *Instruction irrelevant to the stated objectives of the programs seemed to be the most frequent reason for failure at this level.* No success factor was common to all ten of the comparisons, but *academic objectives clearly stated* and *active parental involvement* seemed to be most important, followed by a high intensity of treatment (that is, pupils were given many hours in the program), an emphasis on directly attacking pupils' problems, and the use of reading specialists, small groups and individual tutoring. Also important at this level were teacher training and the supervision and training provided for aides. While the patterns are not so marked, it seems that success in compensatory programs at the elementary level largely depends upon:

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Academic objectives clearly stated;

Active parental involvement, particularly as motivators;

Individual attention for pupils' learning problems; and

High intensity of treatment.

In the four secondary school comparisons, the concomitants of failure were fairly obvious: programs failed because they were too "diluted," had very loosely structured objectives, or too wide a range of goals. An academic emphasis was missing from several of the unsuccessful secondary programs. Those that succeeded all had clearly stated academic objectives, often based on individual diagnosis, and incorporated tightly controlled teaching linked to these objectives; small group work was important in two. Successful programs at the secondary level seem to be founded upon:

Academic objectives clearly stated;

Individualization of instruction; and

Directly relevant instruction.

Far from being dramatic, the results of this study are perhaps not even surprising. In general, the factors consistently identified with successful compensatory education programs and consistently lacking in "unsuccessful" programs might have been advanced on the basis of theories of good management or common sense. But the results are nonetheless of real importance in two directions:

On the negative side: The analysis repeatedly showed that real compensatory education does not result from the mere addition of personnel, or equipment, or special services. Any of these elements *can* contribute to success *if* they are carefully integrated into a well-planned program and made relevant to the program's objectives.

On the positive side: The first requirement in planning programs to overcome learning retardation is to establish clear goals, specific academic objectives; the second is to concentrate attention and resources on those objectives.

The latter result has implications that should be raised: It is largely on the basis that private enterprise would operate education programs by relating methods to goals that the recommendation is made with increasing frequency to "farm out" compensatory education programs to business firms. The merits of such proposals are considerable, but there is no reason why schools cannot identify targets and marshal resources with equally successful results—if they understand the needs and procedures and have the will.

It must be stressed again, however, that the AIR comparisons termed "successful" only those programs which emphasize cognitive gains. And this point leads to a question which the Council believes is both relevant and important: Should programs for the education of disadvantaged children focus *only* on cognitive gain? Will an enhanced ability in reading and numbers suffice to enable the children of the poor to break the cycle of disadvantage in which they are caught up? Improving cognitive ability is crucial and perhaps—given the continuing limitation on resources—deserves the highest priority among all those needs which the Council and others have identified as attaching to disadvantaged children. But the goal of cognitive achievement—which seems clearly discrete because it is easily comprehensible—probably will not itself be reached if other needs (such as the health needs elaborated upon elsewhere in this report) are completely ignored.

Recommendations

The Council recommends that:

1. *The Office of Education should engage in a special effort to disseminate examples of demonstrably successful compensatory education programs—such as those presented with this report—to be used as touchstones for other programs.* (The recent OE publication, Profiles in Quality Education, is an excellent, though long overdue, example of the kind of dissemination activity which needs to be expanded by the Office.) We also urge state and local Title I planners working on continuing programs or new ones to consult with those whose programs have been judged successful, and to examine similar programs whether they are deemed successful or unsuccessful.

2. *The Office of Education should explore both administrative and legislative means of providing rewards for well-designated, successful programs and incentives for the expansion of such high quality programs.* In this connection, the Office should work with the states to secure their help in establishing ing Title I program priorities which take into account examples of proven success or suggested failure.

3. *The Office of Education, in cooperation with the states, should develop criteria to ensure that the evaluation data submitted be more uniform and comparable than is currently the case.* Such criteria would foster more informed judgments, based on comparable and comprehensive information, about the success or failure of education programs for the disadvantaged and about the measurements used to reach these judgments.

4. *Professional educators and social scientists should intensify their review of achievement tests currently in use so as to further reduce any components which might be biased against the child of disadvantaged background and hence conceal indications of true, latent ability.* We further urge these professionals to move beyond cognitive achievement tests and into other realms—self-concept, creativity, motivation, behavior—where compensatory education programs may have equally important long-range results.

III. THE PARTICIPATION OF NONPUBLIC SCHOOL CHILDREN IN TITLE I

Apart from providing the first major federal assistance to public schools in our country, the Elementary and Secondary Education Act of 1965 (ESEA) had added significance in that its Title I offered public aid to disadvantaged children whether they were enrolled in public schools, in private schools, or in no school at all. The public-private controversy attracted considerable attention during Congressional debate on the bill, and practical as well as constitutional questions were raised. But the need was great and obvious, the means were deemed appropriate, and Congress voted for the plan by a strong majority.

The concept of using federal funds to attack educational handicaps of disadvantaged children, whether in public or nonpublic schools, has gained increasingly widespread and solid support since Title I first went into operation. Although ESEA has been amended in 1965, 1966, and 1967, the desire of Congress to help disadvantaged nonpublic school children has remained firm.

Both major political parties have backed the 1965 Congressional vote. The 1968 Democratic platform supported Title I, obviously including the feature of aid to disadvantaged public and nonpublic school children. The Republican platform was quite specific in its endorsement of the concept, urging "the states to present plans for federal assistance which would include state distribution of such aid to nonpublic school children and include nonpublic school representatives in the planning process."[3]

Still, the issue and the practice involved remain delicate matters. Though the constitutionality of Title I is periodically challenged, two other concerns are more commonly raised:

First, has Title I, in reaching out to poor children in private parochial schools, been administered consistent with the limitations of the law?

Second, is Congressional intent being frustrated by state and local practices and attitudes so that disadvantaged children in some nonpublic schools are denied help to which they are entitled?

The Council has recognized both concerns. Its first annual report to the President in March 1966 stated that it was necessary "to emphasize the need for most careful attention to the administration of the act in order to protect against violation of our constitutional safeguards, and to insure that needy children in private and parochial schools will receive all the services to which they are now entitled by law."

Discrete studies relating to one or the other of these issues have been undertaken. A study conducted for the Senate Committee on Labor and Public Welfare, and directed by a group of researchers at Boston College, looked at Title I programs in thirty small and large communities.[4] It concluded that participation of private school children varied from location to location, that there was considerable private school dissatisfaction with the level of participation, and that this dissatisfaction was warranted. The study was conducted during the first year of Title I and does not reflect the many changes which have occurred since that time. Nor did it attempt to discover whether the programs it viewed in operation conformed to Office of Education guidelines. It is, however, the only wide-scale examination of this aspect of Title I attempted before the present study.

Professor George R. LaNoue of Columbia University, who has written strong commentaries on the church-state issue for both the Civil Liberties Union and the National Council of Churches, recently conducted a study of nonpublic school participation in New Jersey.[5] On the basis of his interpretation of Supreme Court precedents in the church-state area, Professor LaNoue concluded that a number of local Title I programs in New Jersey include some practices of questionable constitutionality. (Specifically, he detailed the use of equipment and personnel on private premises which he believes to run counter to constitutional propriety and legislative intent.)

Though others have written about one or another aspect of disadvantaged nonpublic school children and public funds, no one has to date provided an overall picture of this aspect of Title I.

The difficulties of providing such an overview are readily apparent. An exhaustive study would require enormous resources—resources of a magnitude not available to this Council. But after three years of Title I's effective existence, the Council believes that broad patterns of operation, and effects of and influences on operations, can be discerned and interpreted. Hence the Council has attempted to study, with the help of a special researcher,[6] the participation of nonpublic school children in Title I programs. Our wish was to identify and report broad patterns and practices at the federal, state, and local level. The Council did not instruct its staff to spend their major efforts in ferreting out possible individual misuses of public funds, but did instruct them to be alert to questionable practices, and to the way these practices were handled by responsible officials.

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[3] Republican Platform 1968, p. 9. The statement continues: "Where state conditions prevent use of funds for non-public school children, a public agency should be designated to administer federal funds."

[4] "Program Participation of Nonpublic School Children," 90th Congress, 1st Session, December, 1967, U.S. Government Printing Office.

[5] "Church-State Problems in New Jersey: The Implementation of Title I (ESEA) in Sixty Cities," *Rutgers Law Review,* Winter Issue, 1968.

[6] Henry S. Lufler, Jr., a graduate of Wesleyan University and currently a Ph. D. candidate in political science at the University of Wisconsin. Mr. Lufler, with other members of the Council staff, spent the summer of 1968 working on this study under Council direction.

The Council's report has three facets:

1. *At the federal level*: A review of Office of Education guidelines and procedures governing the participation of private school children, including OE monitoring of such participation; also, a review of statistical information indicatng trends in nonpublic school pupil participation nationwide.

2. *At the state level*: Consideration of the effects of state laws and constitutions, and of the attitudes of state and local educational agencies, on nonpublic school pupil participation in Title I.

3. *At the local level:* A look at Title I programs in 17 cities, particularly the extent to which nonpublic school children are participating—the kinds of programs they are joining, the location of the programs, and the opportunity they are given to participate.

The Council wished to help provide, in short, a clearer perspective of the actual situation and to suggest ways by which the goals of the framers of Title I could better be accomplished.

Federal guidelines

A number of U.S. Office of Education guidelines refer to the participation of nonpublic school children in Title I programs. These guidelines, or criteria for local programs appear in several sources, including the *Federal Register*, Title I Program Guides issued by the Commissioner of Education, and memoranda sent to Title I Coordinators by the Director of the Division of Compensatory Education of the Office of Education. *No single document presents all current regulations.*

Many of the original 1965 guidelines are still applicable, though some have been changed in content or emphasis. Several pertain to the participation of nonpublic school children in Title I programs and to the role of nonpublic school officials in planning and evaluating programs.

Participation of nonpublic schoolchildren

The original provisions of Title I indicate that nonpublic school children must participate but do not clearly spell out the nature of the participation, saying only that:

"To the extent consistent with the number of educationally deprived children in the school district of the local educational agency who are enrolled in private elementary and secondary schools, the local educational agency must make provision for including special educational services and arrangements (such as dual enrollment, educational radio and television, and mobile educational services and equipment) in which such children can participate.[7]

Almost two years later, the Office of Education, reacting to indications that private school children were not fully participating under the law, clarified the meaning of law and ordered that nonpublic school children "be provided genuine opportunities to participate" in Title I programs.[8] And on March 18, 1968, the guidelines were made more explicit when Commissioner Howe informed the chief state school officers that it was necessary that "the needs of all (both public and nonpublic) school children in the eligible low-income areas" be assessed to guarantee "genuine opportunities" and that the nonpublic school children must receive services that are "comparable in scope and quality to those provided to meet the high priority needs of public school children."

Planning and nonpublic school officials

Title I of ESEA does not mention nonpublic school officials. Nor do the original 1965 guidelines insist that nonpublic school officials be involved in the planning of Title I programs. The Office of Education *suggested* only that they be consulted by the public school official applying for funds. The February 1967 regulations went a step further and *required* consultation, stating programs for nonpublic school children shall be determined "after consultation with persons knowledgeable of the needs of these private school children." The March 1968 guideline from the Commissioner was even more explicit requiring the assessment of the needs of private school children to be carried out "in consultation with private school authorities" and this consultation must "provide the basis for" selecting the private school children to participate and determining the special services for them.

Evaluation

Title I requires annual evaluation of programs to measure their effectiveness. The initial Office of Education guidelines concerning the evaluation of programs involving nonpublic school children indicated only that they be included. And it was not until the March 1968 guideline that the participation of private school officials in the formulation of evaluation procedures was called for. A later memorandum, dated August 8, 1968, from the Director of the Division of Compensatory Education stated that the same nonpublic school officials involved in planning should be consulted concerning evaluation. (It is distressing to note that at the same time the Office of Education was urging local school districts to increase nonpublic school participation in evaluation, its recently completed major nationwide sample evaluation survey did not include nonpublic school children. The Council urges the inclusion of nonpublic school children in any further evaluation.)

These OE directives indicate that the evaluation of nonpublic school participation has only recently been made more rigorous. The specific requirements remained unchanged until 1968, so we do not yet know how these changes will affect the participation of nonpublic school officials in the evaluation process.

The guidelines and this report

The study on which this report is based was undertaken in the summer and fall of 1968, before the most recent guidelines went into effect. Those issued in 1965 would be in force for the 1966–67 programs discussed in this report; those issued in 1966 and early 1967 would apply to 1967–68 programs.

An additional memorandum was issued on February 14, 1966, entitled "Involvement of Private School Students in Title I ESEA Projects." Since this memo was received by state Title I coordinators before any of the programs we studied were started, its contents are worth reviewing. The memorandum expressed the concern of the Office of Education about the "rather minimal involvement of private school students" and urged action to change the situation.

It was against the background of these particular guidelines that case studies of operating Title I programs were conducted.

The States

Title I gives considerable powers to state departments of education. Community project plans or program evaluations are approved at the state level and transmitted to Washington. Federal funds and regulations reach local communities through the state agencies.

Various states treat nonpublic involvement in Title I in different ways. Some emphasize Washington's desire that disadvantaged private and parochial school children be fully involved in Title I. New York and California have issued guidelines on the participation of these children which combine state suggestions with the federal directives. Connecticut has a special employee whose job it is to ensure equitable participation by nonpublic school children in Title I programs. Pennsylvania requires additional evidence, beyond that suggested by federal regulations, that nonpublic officials have been involved in the planning and evaluation of Title I programs. State evaluation forms vary considerably, some asking communities to provide detailed descriptions of their attempts to seek out disadvantaged nonpublic school children and others scarcely mentioning them.

Some states do not emphasize the Office of Education guidelines on nonpublic participation. Our researcher noted North Dakota, Illinois, and Massachusetts as examples of this group and offered other examples of state management of the public-private issue:

North Dakota's 1967 annual report states that "The public schools generally had established priority needs beforehand and the nonpublic schools then cooperated as much as they desired in the program as established." By contrast, even the first procedure suggested by the Office of Education would, if followed, involve consultations with appropriate nonpublic school officials in the course of the development of Title I programs.

In Missouri it is illegal for public school personnel to provide services in nonpublic schools, thus preventing instructors from offering remedial assistance to children at this location. Missouri also requires childern to remain in one school for six continous hours on a school day, thus preventing dual enrollment programs.

In Oklahoma, while no public school personnel can visit private schools under any circumstance, nonpublic school children can visit public schools to participate in programs so long as transportation is provided by the private schools.

New York's Attorney General found that his state's restrictive "Blaine Amendment," which prohibits any aid to nonpublic schools, need not apply to Title I since the program was totally federally funded. He reasoned that so long as Title I funds were kept separate from state and local monies, no violation occurred. Participation of private school children in New York has been relatively high.

Obviously some state laws serve to reduce the participation of disadvantaged nonpublic school children. Some officials, notably in New York, seek ways to avoid this consequence. Other officials in other states are unable or unwilling to seek such interpretations or changes in the law.

Patterns of community implementation

The patterns of practice summarized here are those of 17 communities.[9] Visits of several days each were made to five cities where public and private school leaders were interviewed, and specific programs observed and discussed with project leaders. To collect information in cities not visited, telephone interviews were conducted with local public officials and private school administrators. Prior to all visits and interviews a detailed examination was made of the official Title I evaluation reports for all the communities, and discussions were held with Office of Education officials and others familiar with the communities under study.

The reasons for selecting the 17 test cities were as follows: First, three appeared to have either markedly high or markedly low levels of nonpublic participation according to Office of Education figures. Second, all were known to have large numbers of disadvantaged nonpublic school children. Third, three cities were recommended by the heads of educa-

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[7] P.L. 89–10, Sec. 205(a)(2).

[8] *Federal Register*, Feb. 9, 1967, p. 2747.

[9] (1) Pittsburgh, Pennsylvania, (2) Washington, D.C., (3) a large Mid-Western city, (4) a large Eastern city, (5) a small Eastern city (site visits), (6) St. Louis, (7) Kansas City, Missouri, (8) Bismarck and (9) Belcourt, North Dakota, (10) Columbus, Ohio, (11) New Haven, Connecticut, (12) Madison and (13) Milwaukee, Wisconsin, (14) East St. Louis, Illinois, (15) San Francisco, California, (16) New Orleans, Louisiana, (17) Charleston, South Carolina.

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tional groups either because of cordial public-nonpublic school relations, or because of suggested hostility. The rest were selected because they appeared to be relatively "typical" according to Office of Education evaluations and a stratified random mail survey of school superintendents.

Detailed case studies of four of the five cities visited during the summer of 1968 are presented in Appendix B. In the same series are summary commentaries on three other communities: Washington, one of the cities visited, whose situation is special because, among other things, it is the location of the U.S. Office of Education; New York City, whose uniqueness lies in the huge size of its public school system, in the number and variety of its nonpublic schools, as well as in a host of problems which, if not intrinsically unlike those of other cities, are not comparable because of the differences in magnitude; and Bismarck, North Dakota, which in some components seems to typify a number of other community situations found in the course of the present study.

With one exception the Council has not identified the communities which served as case studies. We have not done so for several reasons. First, ESEA has encouraged basic changes in a number of areas which this Council endorses but which are difficult to effect quickly and completely on the local level. More specifically, even in those instances where the intent of Congress to help nonpublic school children is not being fully realized, the shortcomings seem to result more from communications problems and other practical difficulties (though none of them seem insurmountable, given awareness and will) rather than from plain bad faith. Further, the purpose of this report is not to identify culprits but to shed light and suggest improvements.

The exception to the rule of nonidentification is the case study of "City D"—Pittsburgh. We identify Pittsburgh because it seems to have done a model job with Title I. Admittedly, Pittsburgh has certain advantages. All the Catholic elementary and secondary schools in Pittsburgh, for example, come under the jurisdiction of the Catholic School Office, a well organized and highly centralized agency. In any case, the principal reason for Pittsburgh's success with this aspect of Title I lies in regular, cordial, and open communication between public and nonpublic school officials.

Implementation of Title I in Pittsburgh follows closely the letter and spirit of the law. While services are provided for eligible nonpublic school children under the direction of pubic school officials, nonpublic school officials are given the opportunity for regularly contributing to the planning and evaluation stages. The disadvantaged child in Pittsburgh receives help regardless of the school he attends and that is the intent of Title I.

Varying degress of participation by disadvantaged nonpublic school children were found in the other Title I cities studied. A few cities carefully provided such children genuine and equitable opportunities; most offered participation only in scattered programs at the convenience of public school Title I administrators. There was no indication that either the number or percentage of nonpublic school children was increasing from previous years.

These findings for the 17 cities studied during the 1967–68 school year must be read in light of the figures for nonpublic school children participation available for the preceding two years on a nationwide basis. The following are Office of Education figures:

ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965, PUBLIC LAW 89–10 TITLE I, ASSISTANCE FOR EDUCATIONALLY DEPRIVED CHILDREN

TABLE 1.—NUMBER OF PARTICIPATING CHILDREN, BY PUBLIC AND NONPUBLIC SCHOOL ENROLLMENT, FISCAL YEARS 1966 AND 1967

Children enrolled in—	Fiscal year 1966		Fiscal year 1967	
	Number (thousands)	Percent	Number (thousands)	Percent
Total	8,299.9	100.0	9,046.2	100.0
Public schools	[1] 7,773.3	93.7	[2] 8,580.1	94.8
Nonpublic schools	526.6	6.3	466.1	5.2

[1] Includes children not enrolled in any school such as dropouts.

[2] Includes children not enrolled in any school and children in institutions for the neglected and delinquent.

TABLE 2.—EXPENDITURES FOR INSTRUCTION AND SERVICE ACTIVITIES, BY PUBLIC AND NONPUBLIC SCHOOL CHILDREN PARTICIPATING, FISCAL YEARS 1966 AND 1967

Children enrolled in—	Fiscal year 1966			Fiscal year 1967		
	Total			Total		
	Amount (thousands)	Percent	Per pupil	Amount (thousands)	Percent	Per pupil
Total	$778,113	100.0	$94	$883,928	100.0	$98
Public schools	747,842	96.1	98	848,832	96.0	100
Nonpublic schools	30,271	3.9	57	35,096	4.0	75

Such figures must be read with caution, for several reasons. First, the Office of Education suggests that in the first year of Title I, local education agencies across the country were uncertain about both eligibility criteria and reporting requirements, and consequently counted more public and nonpublic school children as participants than ought to have been included. Second, a major statistical error in reporting the number of nonpublic school participants during the first year exaggerated their participation by 40,000. Third, the number or percentage of disadvantaged children in private schools does not approach the number, or percentage, of disadvantaged children in the public schools of our country. Fourth, figures for the 1967–68 school year are still not available. Finally, even if the number of participating nonpublic school chidren is less the second year, the estimated Title I per pupil expenditure rose from $96 to $99 for public school children, for the years 1966 and 1967, while they rose from $58 to $76 per child for nonpublic school children, and the total expenditure for nonpublic school children rose almost $5 million.

On the other side, the first thing to be said is that the per pupil expenditures still differ significantly between public and nonpublic school children. Second, the extent of nonpublic school children's participation in Title I may in a sense be exaggerated even by those figures cited, for private school children often participate in programs only a few hours each month, and in programs not designed for their special needs, while public school children participate for larger portions of the school day and month. Next, in the 17 cities studied there was no indication that the quantity or quality of services for nonpublic school children was improving. Hence, if available information does not constitute incontrovertible evidence of inadequate participation of nonpublic school children, they nevertheless offer circumstantial evidence of considerable weight.

Planning and evaluating local title I programs

In the cities studies, local Title I planning rarely involves active participation by nonpublic school officials, despite Office of Education guidelines. Most cities merely present final plans for Title I programs to nonpublic school officials for their information, if they do that much.

Whether or not programs designed for project areas make provision for eligible nonpublic school children depends on the knowledge and sensitivity of public school Title I officials. Typically selected on the basis of census tract and public welfare data, project areas chosen may not include within them the nonpublic schools with the largest numbers of disadvantaged children. Once low income neighborhoods are identified, boundaries are fixed around them to match public school boundaries, and private school children residing within them or "in reasonably coterminous areas" may be considered for participation.

Perhaps it is not unreasonable to assume that nonpublic schools serving the same disadvantaged neighborhoods as public schools have comparable percentages of disadvantaged children. But since public and nonpublic school boundaries are not usually the same, project area boundaries and the inclusion or exclusion of children in nonpublic schools are not matters that should be decided according to inflexible rules. They probably would not be if nonpublic school officials were included in Title I program planning.

Similarly, the pattern of Title I evaluations shows them to be the exclusive product of Title I officials. This practice makes it even more difficult to ascertain whether nonpublic participation is justified or unjustified in particular cases. But when the absence of any local nonpublic participation is explained in official evaluation reports as simply the result of "lack of parental interest"—a frequent explanation—one wonders if there are not more complicated reasons. Again, if nonpublic school officials were given some voice in evaluating those programs for which their disadvantaged pupils are eligible in principle, such explanations would occasion less doubt.

The role of nonpublic school officials

If low participation by nonpublic school children in many Title I programs can be ascribed in part to the attitudes and practices of public school officials, including Title I personnel, the fact that this pattern is not changing significantly is attributable in considerable part to organizational problems of nonpublic schools, especially Catholic schools.[10] In many cities there is no effective central organization capable of representing the total parochial school network. Elementary and secondary schools often report to separate ecclesiastical orders rather than a single diocesan school office. The result is that a coordinated assessment of needs within the system is lacking, as is the simple ability to speak with one voice in communicating such needs to those whose job it is to consider them in planning Title I programs.

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[10] Although private schools operating under a variety of auspices were considered in connection with this study, Catholic parochial schools are by far the most numerous of all nonpublic schools on a national basis. Catholic school children constitute over 85 percent of all private school children in this country.

Other reasons for the low involvement of nonpublic school children in Title I services include disinterest and particularly reticence on the part of nonpublic school officials. While voicing private complaints about the dispersal of Title I funds and unilateral establishment of programs, parochial school officials admitted they had not expressed their concerns directly to local Title I or other public school officials for fear of "jeopardizing cordial relations" or of seeming ungrateful for that bit of Title I help their needy pupils had been given—usually in the form of equipment loans.

The convictions of nonpublic school officials are not necessarily the best guide to the Title I eligibility of the disadvantaged children they represent, for those convictions may be misplaced. For example, some of the nonpublic school officials interviewed, unhappy at the relatively low level of participation by disadvantaged pupils enrolled in their schools, spoke repeatedly of not receiving their "fair share" of the city's Title I funds; occasionally they mentioned a "fair share" percentage coinciding with the percentage of nonpublic school children in the city. Of course, the law intends no such "sharing" or division of funds. Further, the number of disadvantaged nonpublic school children was not proportionate to the number of disadvantaged public school children in any city in the present study. The phrase "fair share" as used above may be convenient shorthand, but such usage is inconsistent with the intent of the law.

The problem, once again, is primarily one of clear guidance from the top to the bottom—from the Office of Education through the states to local Title I officials—and communication between school officials public and nonpublic, who have the final power to achieve or deny the legislative intent that disadvantaged children will be served by Title I regardless of where they go to school.

The monitoring system

The Council wished to present, in this report, broad patterns and practices related to nonpublic school children's participation in Title I. Thus, as stated earlier, the Council did not instruct its staff to spend its major efforts in searching out possible violations, but rather to be alert to improper practies in the course of their broader study. In fact, no obvious violations were uncovered in the site visits, and no questionable practices were discerned in the course of the extensive conversations with public and nonpublic school officials in the other communities surveyed.

We do not suggest that no violations have occurred. Others have claimed to document violations; indeed, given the fact of very wide dissemination of and essentially local control over Title I funds, plus the vague guidelines and ambiguous legislative intent as to specific usages, it is almost inconceivable that misuse has not sometimes occurred. Still, if the dozens of public and nonpublic school officials interviewed in the course of the Council's study were not always completely clear about Congressional intent and the implications of federal guidelines, all of those questioned evidenced clear understanding that, for example, equipment loans to nonpublic schools are to be loans and not gifts, with the title and ultimate control remaining with public school authorities. Further, the practices observed conformed with the understandings expressed.

The point, however, is that the Council's focus has mainly been on how the use of Title I funds involving nonpublic school children has been monitored, and on how alleged violations are handled.

Violations

Generally, complaints to the Office of Education in Washington either suggest that disadvantaged nonpublic school children are not fully participating in Title I programs or that Title I funds in programs involving these pupils are being misused. In either case, the OE directs the complaints to the state Title I office which is required to submit to the federal office a statement of disposition. Generally the state Title I office passes the complaint to the local Title I coordinator for investigation.

All known complaints to Washington during 1967 and 1968 were examined for this study. They were surprisingly few. Several complaints which the Council knew had been sent were sought out by the staff and, in each case, the Office of Education appears to have forwarded them to the state asking that they be investigated. Reports were eventually returned from the local level to the state and finally to the federal government.

Office of Education files contain 38 letters concerning private school children and Title I received in the last two years. These included: 25 complaints about inadequate participation by nonpublic school children in Title I; 3 complaints alleging improper use of Title I funds; 8 requests for clarification of requirements; and 2 letters from nonpublic school officials expressing gratification for Title I aid.

In one instance involving a dispute between public and nonpublic school officials in New Orleans, federal officials were sent to mediate. However, Office of Education officials report that funds have never been cut off to local programs as the result of such inquiries and no court cases have ever been brought by those disappointed in this complaint procedure. Regardless of the official receiving the letter—Congressmen, the Commissioner, and the President among others—the procedure followed in answering was the same.

If alleged violations of Title I language, or of Office of Education guidelines interpreting that language, are fewer than might have been imagined, and seem to be handled fairly and consistently according to an established routine, the monitoring function of the Office of Education in this regard appears, nevertheless, to need strengthening. This is so for several reasons. First, some states have not developed any written guidelines or established any formal mechanisms for monitoring appropriate use of Title I funds with regard to nonpublic school children, leaving the burden for such monitoring on the U.S. Office of Education. Second, the Office of Education's procedure of referring complaints back to the state and local levels where they originated, without specific guidance and suggestions, potentially has the effect of allowing an official who has himself been a participant in the alleged infraction also to act as judge of the propriety of the practice.

Further, when serious charges of misuses of Title I funds are made in public forums, whether or not such charges are simultaneously formally presented to the Office of Education, informed judgment must be made as to whether the practices in question are in conformity with the law. The state education agency bears primary responsibility for investigating such matters, and for reporting their investigations and their disposition of the questions to the Office of Education. But the Office of Education has the responsibility to review such cases and, presumably, to take any necessary corrective action, including making recommendations to the state agency or even the withholding of funds, to correct misuses of Title I. In short, more than routine handling of more serious charges is to be expected at all levels, with persistent follow-through by the Office of Education. Whether the Office is sufficiently equipped for such follow-through is unclear from the examples—which include both frivolous and serious allegations—on record to date.

Summary of findings and recommendations

Following initial reluctance on the part of the Office of Education to interpret the basic legislative requirement on non-public school children participation in Title I, OE has attempted to strengthen the regulations and guidelines after it appeared that nonpublic school children participation was "rather minimal." Yet in spite of the stricter guidelines from the Office of Education, most of the cities studied show varying degrees of cooperation in involving nonpublic school officials in planning Title I programs; more often than not they offer nonpublic school children participation only in scattered programs at the convenience of public school Title I administrators.

The case studies and additional reports presented in connection with this report suggest several reasons for the limited participation:

Nonpublic school officials are rarely included as active consultants in Title I planning and evaluation despite federal guidelines and despite the contribution they might make in strengthening their city's overall program.

Reticence or lack of interest is displayed on the part of many nonpublic officials in participation under Title I.

Public school officials are sometimes prejudiced against participation by nonpublic school children, basing their opposition on personal opinions about the constitutionality of the Act.

A number of state constitutions, laws, and attitudes seriously hamper the provision of genuine and equitable treatment for disadvantaged nonpublic school children.

The frequent absence of a single spokesman for local nonpublic school systems considerably complicates cooperation and consultation with public school systems.

Office of Education guidelines calling attention to low nonpublic participation and urging additional efforts to involve these children are usually directed to state Title I officials and are not available from any one source.

There is insufficient follow-through at the federal level on implementation of guidelines and on monitoring of private school children participation.

Title I project areas are not established with nonpublic schools in mind; generally coordinators assume (often incorrectly) that nonpublic schools located near Title I public schools enroll the same percentage of disadvantaged children. Little effort is made to locate disadvantaged nonpublic school children.

Based on these findings the Council offers the following suggestions and recommendations:

1. *We suggest that the Commissioner of Education designate a special, visibly placed official to monitor all aspects of the participation of nonpublic school children.* This official would also supervise the circulation of guidelines recommended below, and keep tabs on complaints and questions. We have suggested that the greatest single need in the operation of this aspect of Title I is for regular, open, informed communication; and we believe that the example should be set at the top.

2. *We recommend to the states that they designate, in their departments of education, a liaison officer between public and nonpublic school officials,* overseeing the participation of nonpublic school children at the local level. Such an individual would remain in close contact with the official serving that function in the Office of Education in Washington. *Similarly, we recommend to local public and nonpublic school officials that they designate an individual with sufficient time and resources to act as a liaison on Title I participation.*

3. *We encourage the Office of Education and the states to continue to urge the in-*

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volvement of nonpublic school officials in the planning and evaluation of Title I at the local level. This effort could be given emphasis by providing space on planning and evaluation forms not only for the signature of nonpublic school officials but also for their comments on various aspects of the Title I program. Similarly, the comments of public school officials on the problems they have encountered in encouraging nonpublic participation should be invited.

4. *We recommend that the Office of Education put into one updated document regulations and requirements on the participating of nonpupblic school children in the variousaspects of the Title I program.* These guides should be published with clear annotations and should include a section on the several state laws which affect nonpublic participation in Title I. This booklet should contain all existing rules and requirements on the participation of nonpublic school children in Title I and show how these rules might apply in individual states; it should be made available for the widest possible circulation, especially at the local level.

5. *We recommend that the Office of Education disseminate examples of programs of successful participation of nonpublic school pupils.*

6. Having observed certain weaknesses in the present mode of deciding which children in which areas are eligible for Title I programs, *we urge that the Office of Education and the states review the means of identifying eligible children and particularly of establishing target areas.* It may be that amendments to the law are required to insure that the nonpublic school children are included in Title I programs regardless of the locations of their schools. On the other hand, it is not inconceivable that present arrangements are as practicable as can be developed as nationwide standards. However, because it seems clear that automatic delineation of target areas includes some children who are not so greatly disadvantaged and excludes some who are, the present approach needs to be reviewed and reconsidered.

7. *Where services to children justify it, there should be an increase in shared time programs,* joining public and nonpublic school children in common learning experiences. Such mingling is a positive intent of Title I. Yet few localities include shared time in Title I planning. It should be encouraged by disseminating reports of successful programs which incorporate shared time.

IV. HEALTH AND LEARNING: TITLE I'S IMPACT AND STILL UNMET NEEDS

The compelling reason for enactment of Title I of the Elementary and Secondary Education Act of 1965 was, in the words of the accompanying House Committee report, the "close relationship between conditions of poverty and lack of educational development and poor academic performance." All too often one of the key factors in that relationship is poor health.

As he goes off to school for the first time, a child may carry with him the legacy of an illiterate family—he may be ignorant of the alphabet and unable to recognize words. Or he may be retarded in learning to read for a simpler but equally disadvantageous reason: bad eyesight. He cannot see well and his poor vision has never been detected.

It is difficult for the teacher to reach boys and girls in class who have no motivation to learn; who feel that school is a burden, or at best a diversion, or that in any case it is irrelevant to life as they know it. But it is just as hard for the teacher to involve in a learning process the boy or girl who suffers from bad hearing, or an emotional disorder, or an empty stomach.

The obvious connection between a child's health and his ability to learn was recognized by the Congressional authors of Title I who specified "school health, psychiatric and psychological services" as a proper program for educationally disadvantaged children under the legislation. Similarly the National Advisory Council, from the first months of its existence, has been concerned about poor health as a barrier to learning and interested in the impact Title I might have on this problem.

The Council first surveyed the variety and quality of Title I projects across the country in the summer of 1966. One finding was that provision for meeting health needs was not consistently included in the design or implementation of programs for educating the disadvantaged. In a subsequent survey by approximately 60 consultant-observers who visited 86 school districts in 43 states in the fall of 1966 and the winter of 1967, the Council made a detailed inquiry into use of Title I funds for health-oriented programs. The study revealed that: 1) poor children have more severe health problems than their advantaged counterparts and suffer greater educational disadvantage as a result of physical disability than was commonly realized even in education circles; 2) resources available to meet health needs in poverty areas were often inadequate; 3) local education agencies and officials were not always aware that Title I funds could be used for health services; but that 4) in some instances Title I funds apparently made possible health services which might not have been provided otherwise and which seemed important in overcoming or reducing health barriers.

In light of these findings, the Council decided that a more concentrated study was required to determine precisely how great were the health needs of disadvantaged children and how much Title I funds were helping to meet them. At our behest, Dunlap and Associates conducted the study in the spring of 1968. The contract specified a follow-up review of 50 Title I programs which had been examined earlier by our consultant-observers; in fact, the present study included a review of 60 programs, including visits to 14. Council staff members accompanied Dunlap researchers on a number of site visits and were also involved in the design and review stages of the project.

In general, the Dunlap study confirms the Council's earlier assessment. Health needs of poor children are a severe and continuing problem. The educational progress of too many disadvantaged youths is impeded by defective eyesight, bad teeth, and other physical and emotional disorders. However, except in the area of psychological disorders, progress does seem to have been made in the last several years in the *detection* of health problems, and Title I has quite clearly played a part in that progress in the areas surveyed. *Treatment,* unfortunately, does not always follow detection, especially where resources for treatment are lacking or inaccessible. In fact in some of the localities visited, child health problems were detected, diagnosed, and treated only because Title I provided the necessary money for the work.

Approximately 80 percent of the school systems contacted during the recent survey have expanded and improved health services with Title I funds. *In some instances, Title I has given children from poor families medical treatment for the first time in their lives.* Our sampling suggests that eligible school districts are spending in the range of 5 to 20 percent of their Title I funds for health services, including the provision of food.

Typical services include general physical and specialized examinations and tests, inoculations and immunizations, and the provision of certain basic remedial devices such as glasses and hearing aids. Often the money is used to hire school nurses. In some cases these elementary services have been provided for the first time under Title I, ostensibly because no money had been available for them before. In other cases Title I funds merely expanded existing services. (In the latter cases, while the Council understands that local conditions must determine priorities, we wonder whether instead of merely adding to an examination and inoculation schedule, school systems ought not to use the health portion of their Title I budgets for treatment of the more serious problems that have already been detected.) Title I health programs have provided prescription drugs, psychological counseling, psychiatric care, dental treatment, and surgery.

It is sad that the dearth of health care resources and facilities for the poor of some locales forces the use of federal education funds for physical examinations and other elementary health services. We wish it were not so, especially in view of the limited annual appropriation Title I unfortunately continues to receive. If the need were not so basic and so clear, we would rather see Title I funds spent on efforts more directly educational than feeding hungry children. But under the circumstances we cannot quarrel with this use of Title I funds. Given the fact that "there is an undisruptable association of increased morbidity and mortality with poverty," [11] and the fact that poor health can prevent a child from learning, we are happy that federal resources are being made increasingly available, even if in a piecemeal way, to break the cycle of poor home-poor health-poor education.

Title I and food

Against this background, we note that in a number of the school systems surveyed the largest expenditure of Title I "health" funds was for free lunches. Hunger and malnutrition have only recently been dramatized—if not "discovered"—as a major national health problem though, in fact, the need is one of long standing. Belated or otherwise, there is now a keen concern that a nation such as ours, with general prosperity and abundant food, should permit a number of its citizens to suffer from malnutrition, and some of them to go about hungry.

As detailed in a June, 1968 report of the U.S. House Committee on Education and Labor, federal food service programs have been greatly expanded in the 1960's particularly those providing free breakfasts and lunches to disadvantaged children. But as the Committee also pointed out; "More than 4½ million needy children ages 5 through 17 are not receiving free or reduced price lunches. More than 6,600 schools in economically needy areas are without food services." [12] Rectifying this situation requires awareness, purposefulness, adequate resources, and the cooperation of governmental units and private groups at all levels. The federal government must continue to take the lead in developing policies and programs if hunger and malnutrition are to disappear in America. Until that happy day we cannot but approve the use of Title I funds to help nourish the children of the poor when no other resources are available.

Health personnel

One of the least surprising findings of our survey is the continuing shortage of medical and paramedical personnel, not only in school systems but in communities at large. Several programs reported that funds available to hire health personnel went unspent because there were no qualified applicants. This shortage, coupled with the consistent efforts by school systems using their Title I "health" funds to try to secure such personnel, raises an important point. School nurses, for example, often provide only health screening, referral, and record-keeping services (rather than preliminary diagnosis or treatment). Can some of these jobs be performed with less elaborate and less formal training? Under some Title I programs, the nursing staffs are all college-trained and Public Health Service-qualified. Other programs have similarly qualified nurses in charge, but their health support personnel include practical nurses, medical technicians, and "health aides."

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[11] "Delivery of Health Services to the Poor," December, 1967, Report of a Program Analysis Group of the U.S. Department of Health, Education and Welfare and published under the auspices of the Assistant Secretary of HEW (Planning and Evaluation).

[12] House Report No. 1590, 90th Congress, 2nd Session (U.S. House Committee on Education and Labor; accompanying H.R. 17873, June 26, 1968, p. 2.)

It seems especially important to consider this question in connection with a Title I study because Title I has increased the demands for medical services. By expanding health screening and examination programs, Title I has produced a significant increase in referrals to public health clinics in a number of localities. As Title I funded programs increase the likelihood of detection and treatment of health defects, the legislation expands awareness of the professional health personnel shortage and may even contribute to the shortage itself. Since this situation seems destined to continue for some years to come,[13] it would seem sensible to reexamine the functions of school health personnel and reassign those that can appropriately and competently be performed by others.

Coordinating title I and other resources

There is obvious need for improved coordination between school health programs and the aggregate health resources of the community—medical personnel, public health clinics, welfare agencies, privately sponsored health support services—a need that has grown greater as federally sponsored programs such as Head Start and Neighborhood Health Centers have augmented more traditional resources. At the present time interaction and coordination usually occur only on the chance knowledge of a given individual, such as the school health nurse, of all available resources.

The alert school nurse will check to see if a child in need of medical attention has a "health services enrollment card" authorized by a non-Title I medical or social welfare program. If he has, she knows she can send him to a physician for immediate treatment. If he hasn't, she may then resort to Title I funds, preferring not to do so if immediate treatment is required because it often takes longer to work out arrangements for payment, hence for treatment, under Title I procedures. If local civic organizations provide services for disadvantaged children, as they often so helpfully do, these services (typically the fitting of eyeglasses or hearing aids) tend to be "saved" for children of poor families in schools not eligible for Title I.

Detecting health needs and following through

Title I coordinators in most programs surveyed are not sure which local programs offer health services for children or how much money is available. The coordinators generally assume that teachers, principals, nurses, and counselors take care of coordinating the use of such services. It is true that the latter are generally more aware but, again, their knowledge seems to be chance matter. A better means of coordination is clearly needed if we are to close the gap between the detection of health defects, a practice in which schools are becoming increasingly proficient, and the essential follow-up to such detection. Though schools are a natural instrument for screening child health needs and even preventing illness, school officials no doubt ask themselves how far their responsibilities extend and at what point other community institutions or services should step in. However responsibility is apportioned, the schools must make sure that the ball is not dropped midway between detection and correction.

One barrier to successful follow-up underscored by our consultants is transportation. A simple matter for most of us, transportation can be frustrating and costly for residents of a black inner-city ghetto or an isolated rural community. School health programs which showed consistent patterns of follow-through—and a high level of success in correcting child health defects—usually were (1) willing to spend Title I funds to transport children and sometimes parents to the required services, and (2) willing to pay the costs of treatment, if no other resources were available.

Although in health, as in other areas, Title I programs seem to be involving parents to a greater degree, the trend is not as clear in those programs surveyed as the Council would wish. Still, Title I health programs seem to have reinforced the follow-up activities of principals, teachers, and school nurses; in some cases they have brought health aides and community representatives into the effort to make sure that once a child's health problem is identified, someone contacts his parents and, perhaps by staying involved, makes sure that something is done about the problem. The examples of success in remedying health defects offered by a number of school health officials most often included the element of personal contact with the child's family by the school nurse, health aide, or other school personnel. Such examples stand in contrast to another pattern of situations where a child's problem was detected but nobody was sure afterwards whether he ever got proper treatment. All of which suggests once more the vital need for direct and personal lines of communication between school and parent.

Summing up: Health needs in title I schools

Most Title I programs surveyed now have adequate screening and referral facilities and a number have developed satisfactory follow-up procedures. As is the case with other schools throughout the country, few Title I schools have directly connected treatment facilities although one or two health clinics have been acquired with Title I funds. The emphasis in most Title I programs remains on screening and referral. Once these first steps have been taken, obtaining treatment often becomes a major problem. Public health clinics are sometimes overtaxed because of the increased number of referrals and a child's parents may fail to seek treatment for a detected problem, often because they can't. *Clearly the present need is to combine the emphasis on diagnosis with an emphasis on treatment.*

The most frequently mentioned and observed needs in the area of treatment and correction are dental treatment, fitting hearing aids, and surgical correction of internal or external defects. Tooth problems are extremely common among disadvantaged children; because of this prevalence and a shortage of dentists, it is often months after the detection of defects before actual dental appointments. Hearing aids are an unmet need because they are expensive. Their provision is one of the services civic organizations often perform. *But if hearing aids—or eyeglasses or surgical treatment—are not provided, it is generally because school personnel are unaware that Title I funds can be used to supply them* and, therefore, have not requested such funds as specific line items in their Title I proposals.

In almost every program mental health is a major difficulty. It is difficult to find qualified nurses, and even more difficult to hire psychiatrists, psychologists, psychiatric social workers, and counselors. Consequently many school systems are forced to refer severe cases of behavior disorder to school counselors who are overloaded with work and unqualified in any case to provide the needed therapy. Although several programs provide subcontract funds for such services, they are usually totally inadequate to the magnitude of the mental health problems.

Mental problems of disadvantaged school children can be overdramatized. Obviously not every child who fails to conform to a given teacher's expectations of proper classroom behavior needs psychiatric care. But mental health problems, like afflictions of the body, are not uncommon among the very poor. And while other health needs—such as dental treatment—were mentioned with comparable frequency, the greater menace of mental problems seems obvious: *A behavior disorder is likely to be much more dysfunctional than a bad tooth. It is this important implication, as well as the frequency of the reported need, that makes the mental health of disadvantaged children rank high in any order of unmet needs.*

Two more needs require reemphasis: First, the lack of convenient clinical facilities in city ghetto or isolated rural community makes transportation a key link between detection and treatment. Where transportation has not been given adequate attention those responsible for Title I programs have not realized that Title I funds can be expended to transport children—and even their parents—to the appropriate facility.

Second, the pattern of arrangements under which the health needs of Title I school children seem to be most successfully met, compared with those arrangements which trail off into uncertainty, remind us of the need for the involvement of parents—both in connection with their children's particular problems and in a more general health education effort.

The Council's suggestions and recommendations

The demands made on Title I have been very great and varied, determined according to locally set priorities. Because good health is crucial to the learning process and because health needs often are of high priority, Title I can help to meet those needs. But with so many needs, and such limited funds available under Title I, a strain inevitably exists between health services components and (more directly) educational components of Title I plans for local school districts.

Among the more obvious and more important ways to begin to resolve this dilemma are (1) for Congress to follow the original plan and begin to increase appropriations for Title I; and (2) for new ground rules to be devised which will make more certain that those in greatest need get the most help. The Council would support both steps.

Meanwhile, other steps are in order. *Local level planning* is necessary to ensure that the various federally funded programs providing health services are interacting efficiently and to maximum advantage and that they are complementing traditional community services. More comprehensive studies of needs and resources—in which Title I personnel ought to take part—could lead to more effective health programs. (For example, under Title XIX of the Social Security Act of 1965, some of the $2 billion provided might be tapped by local communities to reinforce efforts to meet health problems.)

At the national level, professional health personnel and government officials must become better and more constantly informed about local services and facilities so that these can be included in national planning. We must be sure that national efforts are not predicated on the assumption that no services exist locally, for despite some unfortunate patterns of poor local services this Council has found and noted, our impression is that the general picture of health service provision is slowly improving.

Just as evaluation is supposed to be an integral part of Title I education projects, so *Title I health programs ought to have meaningful evaluation components built in from the start*. The importance of direct communication with parents in getting children's health defects corrected suggests the poten-

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[13] See, for example, the report, *Health Manpower: Perspective 1967*, Public Health Service Publication No. 1667, Government Printing Office, Washington, D.C., 1967; esp. pp. 9–11.

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tial value of health evaluation sections or subcommittees of local Title I evaluation committees composed of parents as well as professionals, nonprofessional health aides, and teachers. Goals and needs of existing programs might be reevaluated and priorities reconsidered by such committees. And their actions could be documented and transmitted to the state and national levels for inclusion in overall planning and evaluation efforts and transmittal to other Title I programs.

If better planning of health programs is in order at the state, local, and national levels, so without question is better communication. *Title I health program planners should be conscious of patterns and priorities of the health needs of the children of the community and know all potential resources which might help meet them.* They should also make sure that all those who work in Title I schools know these things. The dedicated people working with disadvantaged children across the nation are sometimes hampered either by not having a full picture of the range of needs of the disadvantaged or by not being certain as to how to apply the resources of Title I, together with others, in fulfilling those needs. *Stronger and more regular communications systems serving all those involved in Title I efforts in common geographical areas—states, regions, or metropolitan areas—seem to be needed.*

Finally, we recommend that Congress, the Department of Health, Education, and Welfare, professional associations in the medical and health fields, plus Title I personnel at all levels, begin to explore with others the question of how communities might overcome, or at least mitigate, the shortages of medical personnel. That problem exists in a majority of communities across the nation and, according to all estimates, will continue to be acute for the foreseeable future. The essential question is whether there are persons, apart from those traditionally qualified, who might perform needed functions.

Teacher Corpsmen have helped dramatically in supplementing the efforts of regular teachers, of whom there never seem to be enough. Returning Peace Corps volunteers and military veterans have taken up teaching posts in inner-city schools; they have not only filled apparently unfillable vacancies but have brought unsurpassed energy, concern, and sensitivity to their tasks. Could not well-trained, practically experienced para-medical personnel—such as medical corpsmen returning from the military—serve disadvantaged communities in important ways and so reduce a variety of burdens now carried by short-handed doctors and nurses? The role and functions of such persons would have to be defined very carefully as have those of school "health aides." The need is great and the resource seems to be appropriate if it can be tapped since the challenge of helping lift up the children of the poor is as important as any this nation faces. New approaches to meet it, we believe, must be explored.

Indeed, the latter suggestion relates to the central purpose of this review by the National Advisory Council. For though we have called attention to Title I's actual and potential impact on the health needs of disadvantaged children, our main purpose has been to illuminate those needs and to emphasize our conviction that they are of urgent importance, now and for the future.

OFFICE OF COAL RESEARCH SHOULD UNDERTAKE SUGGESTED EDUCATIONAL PROGRAM

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, I have on previous occasions addressed this body concerning an educational program for the Nation's coal industry. I have recently sent a letter to the Interior Secretary asking that the Department increase its request for funds in fiscal year 1970 for the Office of Coal Research to undertake such an educational program.

I point out in my letter that the AEC, which produces only a tiny fraction of the energy needs of this Nation of ours, is supporting at the taxpayers' expense an extravagant $16 million training and education program to tell the story of atomic energy.

It is high time, Mr. Speaker, for the coal industry to get a fair shake, and I have requested the Secretary of the Interior to formulate an educational program for coal with adequate funding in fiscal year 1970.

A copy of my letter to the Secretary follows:

HOUSE OF REPRESENTATIVES,
Washington, D.C., March 12, 1969.

Hon. WALTER J. HICKEL,
Secretary, U.S. Department of the Interior, Washington, D.C.

DEAR MR. SECRETARY: Early in February, in a speech before my colleagues in the House of Representatives, I recommended that the Office of Coal Research undertake an "educational program designed to portray the importance of coal to the nation's economy and security . . ."

I ask now that the Department of the Interior revise its Fiscal Year 1970 budget request for the Office of Coal Research for appropriate monies to implement such an educational program.

As stated in the Department's request for Fiscal Year 1970 funds, "The Office of Coal Research is responsible for developing the full potentiality and versatility of coal as the nation's largest energy resource to the maximum benefit of the United States." How can such development come about without the coal industry attracting new miners, new coal technicians, and new coal managers? And how can this, the most basic of all American industries, attract such people if the coal industry story is not told to the American public?

We have an example of how an industry story can be told in the operation of the Atomic Energy Commission. The American taxpayer is asked this year to underwrite the "training, education, and information" efforts of the AEC to the tune of $16 million. That is $3 million more than is requested for the total operation of the Office of Coal Research. The AEC does not have to justify its budget request on the basis of productivity, for if it did, one could say with complete justification: never has so much been spent for the production of so little. Any standard of comparison—energy requirements, energy production, energy potential, persons employed, capital investment—would show that our first line of energy defense is provided by the American coal industry.

With this in mind, it seems eminently desirable to expand the operation of the Office of Coal Research to include public education about our nation's number one energy source. I do not propose that OCR's educational program must be as extravagant as those offered by the AEC, however, I would expect the Interior Department to propose a realistic and forward-looking program for expanding the nation's awareness and knowledge of its coal industry.

I must agree with the Central Pennsylvania Coal Producer's Association which questioned the wisdom of allowing the AEC to continue to unfairly undercut the coal industry with taxpayer money. Mr. R. B. Hutchinson, President of the Association, in a letter to me dated January 16th said:

"As you know, the electric utilities constitute the coal industry's chief market, and we look to increasing sales to them for the very survival of the industry. Necessarily, since atomic energy is our major competitor in the utilities field, we cannot permit them unfair advantage and hope to survive . . .

"The coal industry cannot afford to sponsor an educational program on the scale conducted by the AEC with taxpayers' funds. Yet, we are being grievously damaged. Since the coal industry's success is the lifeblood of our district, we earnestly implore your help in stopping this misuse of taxpayers' funds, and resultant damage to the coal industry (particularly, in its backyard) or in the alternative, the appropriation of equal funds for the furtherance of the coal industry through a similar national program."

Mr. Hutchinson puts his finger on the heart of the matter: AEC produces very little in the way of energy, yet is supported to the hilt by the government at the expense of the coal industry, by the U.S. taxpayer. The coal industry is the major producer of energy, is not supported by a government-sponsored, taxpayer-supported, public relations program. It's time the situation was either reversed or equalized.

In another recent communication, the College of Earth and Mineral Sciences at the Pennsylvania State University has added its endorsement to the educational program idea for the coal industry and offered to assist in the formulation of an educational program.

Taking a page from the coal industry's government-financed competition, the AEC, you might be interested in their description of some of the services they provide throughout the nation on behalf of atomic energy. The same kind of services could and should be part of an OCR education program.

In a letter to me announcing that a "lecture demonstration" would be in Pennsylvania's 22nd Congressional District recently, Mr. Edward J. Brunenkant, AEC's Director of the Division of Technical Information succinctly described their activities as follows:

"The Atomic Energy Commission has for several years sponsored lecture demonstration programs to acquaint secondary school students and their teachers with the basic principles and the peaceful applications of nuclear energy. In this activity, AEC-trained lecturers provide a basic introduction to the subject at student assemblies, utilizing colorful demonstration equipment. At most schools they meet also with selected science classes to help the teachers familiarize their students with specific aspects of nuclear science."

More detailed information on the AEC's activities in this field are documented in past year hearings on authorization and appropriation requests, but the above gives a brief and complete indication of the magnitude of the competition the coal industry faces in telling its story.

And, lest we forget, the AEC is requesting $16 million this year to carry out and expand this program, while nothing has been requested on behalf of the 120,000 coal miners, and the uncalculable thousands of persons in coal management and in coal-supporting services industries, to tell the coal story.

I believe, Mr. Secretary, that it is high time for the American people to learn about the essential job that our nation's coal industry is performing. The young people that must become tomorrow's miners and managers must be made aware that there is a challenging future in the coal industry. A realistically-funded educational program under the auspices of the Office of Coal Research is the answer.

Sincerely,

JOHN P. SAYLOR,
Member of Congress.

ANTI-BALLISTIC-MISSILE SYSTEM

(Mrs. MINK asked and was given permission to extend her remarks at this point in the RECORD and to include extraneous matter.)

Mrs. MINK. Mr. Speaker, as a contribution to this Government's present consideration of an anti-ballistic-missile system, I wish to insert into the RECORD of today the views of 15 professors in the Department of Physics and Astronomy at the University of Hawaii. The letter was addressed to both of Hawaii's U.S. Senators, and copies sent to our two Members of the House.

In the cover letter to me, one of the 15 professors, Dr. V. J. Stenger, had this to say:

> On the matter of the ABM we feel that as physicists we have a certain professional competence. After all, the problem of destroying an offensive missile is a problem of physics, and even though we do not have access to classified research on the subject, the laws of physics must be obeyed. We are convinced that the ABM system, thin or thick, *simply will not work.* I can personally speak from some specialized knowledge on the problem since I was involved in interceptor weapons system analysis for three years at Hughes Aircraft Company. There I was concerned with the problem of destroying a B-70 type bomber with the F108. The problem was very difficult but still possible. As you know, B70's were never made an offensive weapon for the very reason that they were vulnerable while the ballistic missile was impossible to stop.
>
> As citizens with no particular competence on political questions, we all feel very strongly that the ABM is the place to draw the line on the ever spiraling military budget. We feel that our survival as a nation will be threatened rather than made more secure by this weapon.

Mr. Speaker, the 15 learned men who signed this letter make a most persuasive case against deployment of this ABM system. I hope their letter will help this House to understand the case against its deployment.

Here are the views of the 15 professors as set forth in their letter:

> UNIVERSITY OF HAWAII, DEPARTMENT OF PHYSICS AND ASTRONOMY,
> *March 3, 1969.*
>
> Senator HIRAM FONG,
> Senator DANIEL K. INOUYE,
> *U.S. Senate, Washington, D.C.*
>
> DEAR SENATORS FONG AND INOUYE: Our government is presently reviewing its plans for the deployment of an anti-ballistic missile (ABM) system, and further argument undoubtedly will be made in the House and the Senate concerning this matter. We are convinced that the deployment of an ABM system would be a grave mistake either as a "thin" system for defense against the Chinese or as part of a more extensive system designed to withstand any form of nuclear attack. We would like you to consider the following arguments on which our case is based.
>
> 1. The so-called "thin" system was originally approved by Congress to provide a defense in the 1970's against a light attack by a relatively small nuclear power such as China might be at that time. We do not believe that the proposed system could provide us with this defense. It is relatively easy for the attacker to build penetration aids to fool the defense system. Such aids include multiple warheads, decoys, clouds of metal wire (chaff) to fog the defense's radar, etc. These and other methods are discussed in an article by H. A. Bethe and R. L. Garwin in Scientific American of March 1968. It would be quite feasible and relatively inexpensive for the Chinese who are developing their offensive ICBM system at this time to incorporate such penetration aids into their system, and surely they would do so, knowing as they do the nature of the defense system they must overcome. For although it is conceivable (barely) that they might be sufficiently unreasonable to attack us with ICBM's (in spite of the full knowledge that we could and would eliminate them as a viable country if they did) it is inconceivable that they would do so without taking the relatively simple and inexpensive steps necessary to make sure such an attack would be effective.
>
> 2. Another argument put forward by proponents of a thin ABM system is that it would provide protection against the accidental firing of an ICBM by the Russians. It is argued that $5 to $10 billion is a relatively small price to pay for such protection. Those who argue in this way overlook one very important point. If the United States deploys an ABM system, then the Russians, or for that matter any other nation which considers us a threat, must modify their offensive missiles so as to give them a good chance of penetrating our defense. As we have said, such modifications are relatively easy. The technical advantage is always with the attacker. When such modifications were made (and they would undoubtedly proceed in parallel with our deployment of an ABM system) we would have to contend with the accidental launching of a missile equipped with multiple warheads, decoys, chaff, or whatever it takes to penetrate our ABM system. Thus in the end our cities would not be significantly better protected than they are at present.
>
> It is important to note that the likelihood of an accidental launch by the Russians due to technical malfunction is comparable to the likelihood of an accidental explosion of one of our own missiles. Thus by surrounding our cities with nuclear tipped ABM's we are, if anything, increasing the probability of technical accident, either due to one of our own missiles or due to one of theirs.
>
> Presumably, the chance of an accident on our part is very small. However, the damage it could cause is so great that we would have to consider ourselves in very great danger to want to take such a risk, particularly with a system that is not likely to be effective against the danger for which it is designed.
>
> 3. A third argument that we have heard in defense of an ABM system is that it would improve our over-all defense posture. This argument is put forward by those who see the thin system as the forerunner of a more extensive system costing many tens of billions of dollars. The trouble with this argument is that the cost of constructing any ABM system is very great compared to the cost a potential enemy must incur to redesign his offensive system to penetrate our defenses. Thus building an ABM system is a very inefficient way of improving our defense posture. It is too easily rendered useless by improvements in offensive weapons. Thus extensive expenditures by both sides lead to no relative improvement in either's position. Our country can ill afford to waste even $5–10 billion on a thin system, let alone $50–100 billion on the thick system which would be likely to follow.
>
> 4. In addition to these arguments, we have great doubts, of a purely technical nature, about the performance of any ABM system. It seems unlikely that a system of this complexity, if ever called upon, will perform with any high degree of success. The technical demands on a defensive system are much greater than those on an offensive or retaliatory system such as we have at present. Moreover, the necessary testing of the proposed system under *realistic* conditions seems impossible and therefore we have very grave doubts about its successful performance.
>
> We hope you are in agreement with us on these matters. We would appreciate any opportunity to discuss this further with you at your convenience. If we can be of any service to you in this matter we would be glad to cooperate.
>
> Signed by the following members of the Physics and Astronomy Department faculty, University of Hawaii.
>
> V. J. Stenger, Associate Professor; David Cline, Visiting Associate Professor; H. V. Neher, Visiting Professor; Richard J. Wolff, Assistant Professor; B. L. Henke, Professor; John R. Holmes, Professor/Chairman; Kenichi Watanabe, Senior Professor; San Fu Tuan, Professor; Peter N. Dobson, Jr., Assistant Professor; Ann M. Boesgaard, Assistant Professor; Ramon D. Wolstencroft, Associate Professor; William W. Sinton, Professor/Astrophysicist; J. B. Zirker, Professor; Frank Q. Orrall, Professor/Astrophysicist; Michael W. Peters, Assistant Professor.

COOPERATION WITH THE UNITED KINGDOM IN THE FIELD OF NUCLEAR PROPULSION ON NUCLEAR SUBMARINES

(Mr. ANDERSON of Illinois asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ANDERSON of Illinois. Mr. Speaker, Congressman CHET HOLIFIELD, chairman of the Joint Committee on Atomic Energy, on the day before yesterday in a statement on the House floor, placed all of the particulars in the RECORD concerning a proposed amendment to the agreement with the United Kingdom for mutual defense in the field of atomic energy.

I support the amendment with the assurances the committee received from the executive branch concerning the use of the enriched uranium which would be transferred under the amendment explained by the chairman of the Joint Committee yesterday.

In the course of JCAE discussions with the executive branch on the subject of this agreement, a number of related issues came to light which caused concern to the committee in terms of U.S. security and political interests. Although the committee is not opposed to the provision of the requested materials to the United Kingdom, committee members were reluctant to approve the proposed revision to the 1958 agreement without further assurance that such action would not be adverse to broader U.S. interests.

Some of these issues did not come to the attention of the committee until a final hearing on March 10. Accordingly it was not possible for the executive branch to resolve them with the British Government by today, when the legally specified period of congressional consideration expires. Committee approval is, therefore, based on an understanding with the responsible executive agencies that the outstanding issues will be resolved before the revised agreement for cooperation is implemented.

Since the position of the committee is contingent upon the satisfactory resolution of these questions, I expect that the executive branch will consult with the

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British Government at an early date, with a view to providing the committee with the necessary assurances.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Feighan, for 10 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. Halpern (at the request of Mr. Miller of Ohio), for 5 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. Staggers (at the request of Mr. Flowers), today, for 5 minutes; to revise and extend his remarks and to include extraneous matter.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. Joelson.
Mr. Kluczynski.
Mr. Gross.

(The following Members (at the request of Mr. Miller of Ohio) and to include extraneous matter:)

Mr. Steiger of Wisconsin in two instances.
Mr. McClure.
Mr. Bob Wilson.
Mr. Zwach.
Mr. Rumsfeld.
Mr. Whalen.
Mr. Ashbrook.
Mr. Conte.
Mr. Wyman.
Mr. Cleveland in two instances.
Mr. McEwen.
Mr. Hastings.
Mr. Nelsen.
Mr. Hansen of Idaho.
Mr. Brotzman.
Mr. Anderson of Illinois.
Mr. Watson.
Mr. Derwinski in two instances.
Mr. Bow in two instances.
Mr. Gude.

(The following Members (at the request of Mr. Flowers) and to include extraneous matter:)

Mr. Dent.
Mr. Eilberg.
Mr. Annunzio.
Mr. Biaggi in two instances.
Mr. William D. Ford in two instances.
Mr. Addabbo in three instances.
Mr. Natcher.
Mr. Matsunaga.
Mr. Hanna in two instances.
Mr. Podell in two instances.
Mr. Brown of California.
Mr. Gonzalez in three instances.
Mr. Rarick in four instances.
Mr. Wolff in three instances.
Mr. Pickle in three instances.
Mr. Fraser.
Mr. Daniels of New Jersey.
Mr. Moorhead in two instances.
Mr. Feighan in four instances.
Mr. Zablocki in two instances.
Mr. Edmondson in two instances.
Mr. Diggs.
Mr. Farbstein in two instances.
Mrs. Griffiths.

ADJOURNMENT

Mr. FLOWERS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 38 minutes p.m.), under its previous order, the House adjourned until Monday, March 17, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

580. A letter from the Secretary of the Army, transmitting the annual report of the U.S. Soldiers' Home for fiscal year 1968 and the report of the annual general inspection of the home for 1968, pursuant to the provisions of 24 U.S.C. 59, 60; to the Committee on Armed Services.

581. A letter from the Secretary of Commerce, transmitting the 1968 Annual Report of the Maritime Administration; to the Committee on Merchant Marine and Fisheries.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PERKINS: Committee on Education and Labor. H.R. 8438. A bill to extend the time for filing final reports under the Correctional Rehabilitation Study Act of 1965 until July 31, 1969 (Rept. No. 91–77). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. Disposal of rights in Indian tribal lands without tribal consent (Rept. No. 91–78). Referred to the Committee of the Whole House on the State of the Union.

Federal air pollution research and development; an interim report on sulfur oxides pollution abatement research and development (Rept. No. 91–79). Referred to the Committee of the Whole House on the State of the Union.

Pursuant to an order of the House, March 12, 1969, the following report was filed March 13, 1969. S. 1058. An act to extend the period within which the President may transmit to the Congress plans for reorganization of agencies of the executive branch of the Government (Rept. No. 91–80). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADAMS:

H.R. 8915. A bill to establish an urban mass transportation trust fund, and for other purposes; to the Committee on Banking and Currency.

By Mr. ADDABBO:

H.R. 8916. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ANDERSON of California:

H.R. 8917. A bill to abolish the Commission on Executive, Legislative, and Judicial Salaries established by section 225 of the Federal Salary Act of 1967, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ASHLEY:

H.R. 8918. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. BEALL of Maryland:

H.R. 8919. A bill to amend title IV, section 401, of the Older Americans Act of 1965 to provide for demonstration grants to nonprofit organizations assembled to find employment for older Americans; to the Committee on Education and Labor.

By Mr. BINGHAM:

H.R. 8920. A bill to prohibit federally insured banks from making unsolicited commitments to extend credit, and for other purposes; to the Committee on Banking and Currency.

By Mr. BOW:

H.R. 8921. A bill to provide for the establishment of an additional national cemetery to supplement Arlington National Cemetery; to the Committee on Veterans' Affairs.

By Mr. BROWN of California:

H.R. 8922. A bill to amend section 8341 of title 5, United States Code, to provide annuities for surviving spouses without deduction from a retired employee or Member's annuity, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BROWN of California (for himself, Mr. Hawkins, Mr. Rees, and Mr. Roybal):

H.R. 8923. A bill to establish the U.S. section of the United States-Mexico Commission for Border Development and Friendship, and for other purposes; to the Committee on Foreign Affairs.

By Mr. BROYHILL of Virginia:

H.R. 8924. A bill to amend subchapter III of chapter 83 of title 5, United States Code, relating to civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BURTON of California:

H.R. 8925. A bill to provide that nonprofit hospitals shall be subject to the National Labor Relations Act; to the Committee on Education and Labor.

By Mr. CLEVELAND:

H.R. 8926. A bill to amend title XVIII of the Social Security Act to provide that payment may be made under the hospital insurance program for emergency inpatient hospital services furnished in Canada or Mexico regardless of where the emergency occurred; to the Committee on Ways and Means.

By Mr. COLLINS:

H.R. 8927. A bill to amend the Internal Revenue Code of 1954 to provide for a liberalized child-care deduction as a trade or business expense; to the Committee on Ways and Means.

By Mr. CORMAN:

H.R. 8928. A bill to amend the Small Business Act; to the Committee on Banking and Currency.

H.R. 8929. A bill to provide that the nuclear accelerator to be constructed at Weston, Ill., shall be named the "Enrico Fermi Nuclear Accelerator" in memory of the late Dr. Enrico Fermi; to the Joint Committee on Atomic Energy.

By Mr. EDWARDS of Alabama:

H.R. 8930. A bill to amend title 28 of the United States Code to provide that any judge or justice of the United States appointed to hold office during good behavior shall retire from regular active service upon attaining the age of 70 years; to the Committee on the Judiciary.

H.R. 8931. A bill to provide for the investigative detention and search of persons suspected of involvement in, or knowledge of, Federal crimes; to the Committee on the Judiciary.

H.R. 8932. A bill to amend section 2312 of title 18, United States Code, to permit a person enforcing that section to stop a motor vehicle to inspect the serial number of its body and motor if he has reason to suspect that the motor vehicle has been stolen; to the Committee on the Judiciary.

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H.R. 8933. A bill to provide that the lock and dam referred to as the "Jackson lock and dam" on the Tombigbee River, Ala., shall hereafter be known as the Coffeeville lock and dam; to the Committee on Public Works.

H.R. 8934. A bill to amend title XVIII of the Social Security Act to provide coverage under the supplementary medical insurance program for the cost of services furnished by privately practicing anesthetists; to the Committee on Ways and Means.

By Mr. EDWARDS of California:

H.R. 8935. A bill to improve and increase postsecondary educational opportunities throughout the Nation by providing assistance to the States for the development and construction of comprehensive community colleges; to the Committee on Education and Labor.

By Mr. EVANS of Colorado (for himself and Mr. Matsunaga):

H.R. 8936. A bill to incorporate the U.S. Submarine Veterans of World War II; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 8937. A bill to permit officers and employees of the Federal Government to elect coverage under the old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

By Mr. FEIGHAN:

H.R. 8938. A bill to amend the Renegotiation Act of 1951, and for other purposes; to the Committee on Ways and Means.

By Mr. FOREMAN:

H.R. 8939. A bill to temporarily suspend the recent increases in fees for grazing of livestock on public lands; to the Committee on Interior and Insular Affairs.

By Mr. FULTON of Pennsylvania:

H.R. 8940. A bill to amend the National School Lunch Act and the Child Nutrition Act of 1966 to clarify responsibilities related to providing free and reduced-price meals and preventing discrimination against children to revise program matching requirements, to strengthen the nutrition training and education benefits of the programs, and otherwise to strengthen the food service programs for children in schools and service institutions; to the Committee on Education and Labor.

By Mr. FULTON of Tennessee:

H.R. 8941. A bill providing for Federal railroad safety; to the Committee on Interstate and Foreign Commerce.

H.R. 8942. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

H.R. 8943. A bill to provide for the exclusion of sick-pay benefits from gross income of employees until such time as they are not expected to work because, for example, they have reached the age for compulsory retirement, and for other purposes; to the Committee on Ways and Means.

By Mr. FUQUA:

H.R. 8944. A bill to prohibit the dissemination through interstate commerce or the mails of materials harmful to persons under the age of 18 years, and to restrict the exhibition of movies or other presentations harmful to such persons; to the Committee on the Judiciary.

By Mr. GONZALEZ:

H.R. 8945. A bill to amend titles 10 and 37, United States Code, to provide career incentives for certain professionally trained officers of the Armed Forces; to the Committee on Armed Services.

H.R. 8946. A bill to amend title 37, United States Code, to provide for the procurement and retention of judge advocates and law specialist officers for the Armed Forces; to the Committee on Armed Services.

By Mr. HALPERN:

H.R. 8947. A bill to amend the Internal Revenue Code of 1954 to provide a basic $5,000 exemption from income tax for amounts received as annuities, pensions, or other retirement benefits; to the Committee on Ways and Means.

By Mr. HANNA:

H.R. 8948. A bill to establish the Interagency Committee on Mexican-American Affairs, and for other purposes; to the Committee on Foreign Affairs.

By Mr. HATHAWAY:

H.R. 8949. A bill to amend chapter 55 of title 10 of the United States Code to extend to mentally retarded or physically handicapped dependents of certain members and former members of the uniformed services the special care now provided to similarly afflicted dependents of members on active duty; to the Committee on Armed Services.

H.R. 8950. A bill to provide that the nuclear accelerator to be constructed at Weston, Ill., shall be named the "Enrico Fermi Nuclear Accelerator" in memory of the late Dr. Enrico Fermi; to the Joint Committee on Atomic Energy.

By Mr. JOELSON:

H.R. 8951. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. KYL (for himself, Mr. Gross, Mr. Schwengel, and Mr. Mayne):

H.R. 8952. A bill to amend the Internal Revenue Code of 1954 to limit losses allowable with respect to farming operations which are incurred by taxpayers whose principal business activity is not farming; to the Committee on Ways and Means.

By Mr. LEGGETT:

H.R. 8953. A bill to authorize funds for the development of flood protection in the vicinity of Fairfield, Calif.; to the Committee on Public Works.

H.R. 8954. A bill to authorize funds for the development of flood protection in the Jack and Simmerly Sloughs area, California; to the Committee on Public Works.

By Mr. LONG of Maryland (for himself, Mr. Moorhead, Mr. Ryan, and Mr. St Germain):

H.R. 8955. A bill to authorize the reduction or elimination of the hazards of public rail-highway grade crossings along the high-speed rail line between Washington, D.C., and Boston, Mass.; to the Committee on Public Works.

By Mr. LOWENSTEIN:

H.R. 8956. A bill to establish a National Economic Conversion Commission, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. McCARTHY:

H.R. 8957. A bill to authorize the Secretary of Transportation to establish safety standards, rules, and regulations for railroad equipment, trackage, facilities, and operations, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. McCLURE:

H.R. 8958. A bill to provide for the investigative detention and search of persons suspected of involvement in, or knowledge of, Federal crimes; to the Commitee on the Judiciary.

H.R. 8959. A bill to amend section 2312 of title 18, United States Code, to permit a person enforcing that section to stop a motor vehicle to inspect the serial number of its body and motor if he has reason to suspect that the motor vehicle has been stolen; to the Committee on the Judiciary.

H.R. 8960. A bill to amend title 28 of the United States Code to provide that any judge or justice of the United States appointed to hold office during good behavior shall retire from regular active service upon attaining the age of 70 years; to the Committee on the Judiciary.

H.R. 8961. A bill to amend the Internal Revenue Code of 1954 to provide that a portion of the salary of a full-time policeman or other State or local law enforcement officer shall not be subject to the income tax; to the Committee on Ways and Means.

By Mr. MOORHEAD:

H.R. 8962. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. MORGAN:

H.R. 8963. A bill to establish a pilot program making housing loans available to veterans of service in the Armed Forces of the United States who are residing abroad; to the Committee on Foreign Affairs.

H.R. 8964. A bill to establish a pilot program under which the Administrator of Veterans' Affairs shall make direct housing loans available to certain veterans residing abroad; to the Committee on Veterans' Affairs.

By Mr. NIX:

H.R. 8965. A bill to authorize repatriation of Americans of African descent and the furnishing of development aid to Africa, and for other purposes; to the Committee on Foreign Affairs.

By Mr. O'KONSKI:

H.R. 8966. A bill to declare that certain federally owned land is held by the United States in trust for the Lac du Flambeau Band of Lake Superior Chippewa Indians; to the Committee on Interior and Insular Affairs.

By Mr. O'NEAL of Georgia:

H.R. 8967. A bill to amend title 18, United States Code, to prohibit the mailing of obscene matter to minors, and for other purposes; to the Committee on the Judiciary.

By Mr. PICKLE:

H.R. 8968. A bill to facilitate equipment interchange between and among the several modes of transportation; to the Committee on Interstate and Foreign Commerce.

By Mr. POLLOCK:

H.R. 8969. A bill to amend title 37, United States Code, to provide for the procurement and retention of judge advocates and law specialist officers for the Armed Forces; to the Committee on Armed Services.

By Mr. RIEGLE (for himself and Mr. Matsunaga):

H.R. 8970. A bill to amend chapter 55 of title 10 of the United States Code to extend to mentally retarded or physically handicapped dependents of certain members and former members of the uniformed services the special care now provided to similarly afflicted dependents of members on active duty; to the Committee on Armed Services.

By Mr. ROUDEBUSH:

H.R. 8971. A bill to amend title 18, United States Code, to prohibit the mailing of obscene matter to minors, and for other purposes; to the Committee on the Judiciary.

H.R. 8972. A bill to amend title II of the Social Security Act to increase to $3,000 the annual amount individuals are permitted to earn without suffering deductions from the insurance benefits payable to them under such title; to the Committee on Ways and Means.

By Mr. RUMSFELD (for himself, Mr. Beall of Maryland, Mr. Brotzman, Mr. Brown of Michigan, Mr. Buchanan, Mrs. Dwyer, Mr. Edwards of Alabama, Mr. Findley, Mr. Frey, Mr. Hansen of Idaho, Mr. Hosmer, Mr. Kyl, Mr. Lujan, Mr. McCloskey, Mr. Mosher, Mr. Nelsen, Mr. Riegle, Mr. Stanton, Mr. Steiger of Arizona, Mr. Thompson of Georgia, Mr. Vander Jagt, Mr. Weicker, Mr. Wold, and Mr. Wyatt):

H.R. 8973. A bill to improve the operation of the legislative branch of the Federal Government, and for other purposes; to the Committee on Rules.

By Mr. ST GERMAIN:

H.R. 8974. A bill to amend the Tariff Schedules of the United States with respect to the tariff classification of braided rugs composed of tubular braids with a core; to the Committee on Ways and Means.

By Mr. ST. ONGE:

H.R. 8975. A bill to amend title II of the Social Security Act to permit States, under Federal-State agreements, to provide for coverage for hospital insurance benefits for the aged for certain State and local employees whose services are not otherwise covered by the insurance system established by such title; to the Committee on Ways and Means.

By Mr. SCHADEBERG:

H.R. 8976. A bill to prohibit the use of Federal funds for sex education in elementary and secondary schools; to the Committee on Education and Labor.

By Mr. STAGGERS:

H.R. 8977. A bill to prohibit certain weather modification activities over land areas of the United States; to the Committee on Interstate and Foreign Commerce.

H.R. 8978. A bill to amend the Public Health Service Act to support research and training in diseases of the digestive tract, including the liver and pancreas, and diseases of nutrition, and aid the States in the development of community programs for the control of these diseases, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 8979. A bill to increase the personal income tax exemption (including the exemptions for dependents and the additional exemptions for old age and blindness) to $1,200 for 1969 and succeeding years; to the Committee on Ways and Means.

By Mr. STUCKEY:

H.R. 8980. A bill to amend the Investment Company Act of 1940 and the Investment Advisers Act of 1940 to define the equitable standards governing relationships between investment companies and their investment advisers and principal underwriters, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. TALCOTT:

H.R. 8981. A bill to amend the Internal Revenue Code of 1954 to extend the head-of-household benefits to unremarried widows and widowers, and individuals who have attained age 35 and who have never been married or who have been separated or divorced for 1 year or more, who maintain their own households; to the Committee on Ways and Means.

By Mr. THOMSON of Wisconsin:

H.R. 8982. A bill to amend the Internal Revenue Code of 1954 so as to limit the amount of deductions attributable to the business of farming which may be used to offset nonfarm income; to the Committee on Ways and Means.

H.R. 8983. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on whole skins of mink; to the Committee on Ways and Means.

By Mr. VANIK:

H.R. 8984. A bill to provide that the park referred to as the "Piscataway Park" on the Potomac River, Md., shall hereafter be known as the Frances Payne Bolton Park; to the Committee on Interior and Insular Affairs.

By Mr. WAGGONNER:

H.R. 8985. A bill to abolish the Commission on Executive, Legislative, and Judicial Salaries established by section 225 of the Federal Salary Act of 1967, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WALDIE:

H.R. 8986. A bill to provide for the establishment of the Eugene O'Neill National Historic Site and the Las Trampas Ridge National Park; to the Committee on Interior and Insular Affairs.

By Mr. WATTS:

H.R. 8987. A bill to confirm the purpose of the accelerated depreciation provisions of the Internal Revenue Code, and to avoid loss to the Federal revenues in the case of regulated taxpayers through the application of these provisions contrary to the intent of Congress; to the Committee on Ways and Means.

By Mr. WHALEN:

H.R. 8988. A bill to amend title 37, United States Code, to provide for the procurement and retention of judge advocates and law specialist officers for the Armed Forces; to the Committee on Armed Services.

By Mr. BOB WILSON:

H.R. 8989. A bill to amend section 901 of title 38 of the United States Code to require the Administrator of Veterans' Affairs to provide two sizes of flags for burial purposes and to permit next of kin of deceased veterans to select the size desired; to the Committee on Veterans' Affairs.

By Mr. CABELL:

H.J. Res. 547. Joint resolution proposing an amendment to the Constitution of the United States requiring the advice and consent of the House of Representatives in the making of treaties; to the Committee on the Judiciary.

By Mr. COWGER:

H.J. Res. 548. Joint resolution proposing an amendment to the Constitution of the United States providing for representation in the Congress for the District constituting the seat of Government of the United States; to the Committee on the Judiciary.

By Mr. HAYS:

H.J. Res. 549. Joint resolution proposing an amendment to the Constitution of the United States requiring the advice and consent of the House of Representatives in the making of treaties; to the Committee on the Judiciary.

By Mr. MINSHALL:

H.J. Res. 550. Joint resolution proposing an amendment to the Constitution of the United States providing that citizens of the United States shall be entitled to vote for President and Vice President without regard to excessive residence and physical presence requirements; to the Committee on the Judiciary.

By Mr. NIX:

H.J. Res. 551. Joint resolution proposing an amendment to the Constitution of the United States requiring the advice and consent of the House of Representatives in the making of treaties; to the Committee on the Judiciary.

By Mr. OTTINGER:

H. Con. Res. 168. Concurrent resolution establishing a Joint Committee on Social Welfare; to the Committee on Rules.

By Mr. DORN (for himself, Mr. RIVERS, Mr. GETTYS, Mr. MCMILLAN, Mr. WATSON, and Mr. MANN):

H. Res. 317. Resolution endorsing the efforts of the South Carolina Jaycees; to the Committee on Education and Labor.

By Mr. GONZALEZ:

H. Res. 318. Resolution creating a special committee to conduct an investigation and study into the legal, political, and diplomatic status of lands which were the subject of grants from the King of Spain and from the Government of Mexico prior to the acquisition of the American Southwest as a result of the Treaty of Guadalupe-Hidalgo concluding the Mexican-American War in 1848; to the Committee on Rules.

By Mr. LOWENSTEIN:

H. Res. 319. Resolution, U.S. aid for Iraqi Jews; to the Committee on Foreign Affairs.

By Mr. STAGGERS:

H. Res. 320. Resolution providing funds for the Committee on Interstate and Foreign Commerce; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

54. By the SPEAKER. Memorial of the Legislature of the State of South Dakota, relative to the conservation and development of soil, water, and all related natural resources; to the Committee on Agriculture.

55. Also, memorial of the Legislature of the State of Arizona, relative to studying the feasibility of acquiring riparian rights for the piping and pumping of water from the Gulf of California to Arizona for irrigation purposes; to the Committee on Foreign Affairs.

56. Also, memorial of the Legislature of the State of Arizona, relative to granting Federal lands for schools; to the Committee on Interior and Insular Affairs.

57. Also, memorial of the Legislature of the State of Idaho, relative to water rights; to the Committee on Interior and Insular Affairs.

58. Also, memorial of the Legislature of the State of South Dakota, relative to a users' tax on airport facilities for the development of a program relating to the needs of the air transportation system; to the Committee on Interstate and Foreign Commerce.

59. Also, memorial of the Legislature of the State of South Dakota, relative to equipping planes with a locator beacon for rescue purposes; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 8990. A bill for the relief of Francesca and Lucia Palminteri; to the Committee on the Judiciary.

By Mr. ANNUNZIO:

H.R. 8991. A bill for the relief of Leopoldo DiTrapani; to the Committee on the Judiciary.

By Mrs. CHISHOLM:

H.R. 8992. A bill for the relief of Rita Vitale; to the Committee on the Judiciary.

By Mrs. DWYER:

H.R. 8993. A bill for the relief of Miss Milagros L. Lim; to the Committee on the Judiciary.

By Mr. FALLON:

H.R. 8994. A bill for the relief of Adolfo Q. Bengzon and his wife, Honorata Bengzon; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 8995. A bill for the relief of Silvestre Bommarito; to the Committee on the Judiciary.

By Mr. KEITH:

H.R. 8996. A bill for the relief of Fakhrol Zaman Askarpour-Hamadani; to the Committee on the Judiciary.

By Mrs. MINK:

H.R. 8997. A bill for the relief of Sixto C. Baco; to the Committee on the Judiciary.

By Mr. NIX:

H.R. 8998. A bill for the relief of Zalmai Sayyad Ameeriar and his wife, Ayesha Zalmai Ameeriar; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 8999. A bill for the relief of Umberto Anania; to the Committee on the Judiciary.

H.R. 9000. A bill for the relief of Corazon A. de la Merced; to the Committee on the Judiciary.

By Mr. ST. ONGE:

H.R. 9001. A bill for the relief of William Patrick Magee; to the Committee on the Judiciary.

By Mr. SCHEUER:

H.R. 9002. A bill for the relief of Floridalma Hernandez; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

78. By the SPEAKER: Petition of the Mariana Islands District Legislature, relative to a unified territorial civil service plan for employees of the Trust Territory of the Pa-

cific Islands; to the Committee on Interior and Insular Affairs.

79. Also, petition of Clarence Martion, Sr., Washington, D.C., relative to redress of grievances; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

LEADER OF THE OPPOSITION: AN AMERICAN LACUNA—ARTICLE BY DAVID FROMKIN

HON. ALAN CRANSTON

OF CALIFORNIA

IN THE SENATE OF THE UNITED STATES

Thursday, March 13, 1969

Mr. CRANSTON. Mr. President, Mr. David Fromkin has written an interesting article entitled "Leader of the Opposition: An American Lacuna," which was published in Interplay magazine for February 1969. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LEADER OF THE OPPOSITION: AN AMERICAN LACUNA

(By David Fromkin)

(NOTE.—David Fromkin is an international lawyer with offices in London, New York and Chicago. He has served from time to time as an advisor to Vice President Hubert Humphrey.)

"Only in America . . .," the familiar phrase begins, but in this case it must read: "Only in America or, if you used a different set of numbers, in Gaullist France." For in no other Western democracy could the candidate of 31,770,231 voters receive supreme power while the candidate of 31,270,533 voters receives no power at all. In theory, the elected President represents all of us. But in years like 1960 and 1968 he really represents less than half the electorate, and the other 30-plus million voters have no one to speak for them in the high places of government: their leader vanishes. For another four years, half the nation has no voice.

The British, in the course of a long constitutional development, have created a role for the leader of the defeated party, a position in which he, too, can contribute on a continuing basis to the thinking and leadership of his country and the shaping of its policies. We, on the other hand, have no use for such a leader. In the United States he raises funds to make up the campaign deficit; then, more often than not, we send him home.

Quite apart from its unfairness—that one man passes into the pages of history and the other out, by the margin of one-half of one percent—ours is a wasteful system. To the extent that our parties fulfill the obligation to nominate their best men for national office, we are wasting the judgment, talent, knowledge and experience that the candidates of the losing party can contribute to public life. Among my personal examples are Wendell Willkie and Adlai Stevenson; everyone will, of course, have his own.

The defeated candidate who decides to resist the tendency of the system—who decides that, even without another political position such as Senator or Governor, he will remain in public life—must support himself and his staff by private means. He goes to a private foundation. He administers a university. He heads a large corporation. He joins a law firm. Whichever alternative he chooses, he is retained by some private interest. His political program must take account of the needs and desires of his employers, clients or donors. His future political availability is limited by the "conflict of interest": was there a single freewheeling client of his law firm who was not dredged up against Richard Nixon in the campaign? The viciousness is in the system itself. We force the leader of the losing party to serve private interests when we should be requiring him to serve the public interest.

The chief defect of the way in which we treat the losing candidate, however, lies in its effect upon the victorious candidate. Ours is the only country in the Anglo-Saxon world whose Head of Government is not checked, balanced and limited by an adversary, a Leader of the Opposition, with whom he is locked in continuous public debate. One reason is that our Head of Government is also Head of State. As the symbol of the nation as a whole, he is to that extent lifted above the leader of the opposite party. This only makes matters worse, for it cloaks him in an immunity that he should not have. The important things the President does nowadays are the life-and-death things done as leader of party and government, the very areas in which he should face constant challenge. In comparison, ceremonial functions of the presidency matter relatively little, although their existence adds to the aura and influence of the office of the presidency and can be misused.

The excessive growth of executive power has been observed throughout the world and almost universally deplored. One need not go so far as de Riencourt in *The Coming Caesars* to view with apprehension the growing accumulation of overwhelming power in the hands of one man. There is no one to question the President of the United States, except the newspapermen who do so at his pleasure. He does not submit to congressional inquiry. He may subtly commit us to foreign or domestic conflicts, without our being aware until they and their consequences are upon us. He dominates the media of communications. When he chooses to argue his case to the people, there is no one to argue the case against him: no one equally known, with equal access to communications facilities, with equal prestige, whose job and interest it is to clarify the choices before us, uncover the commitments in process of being made, expose the shortcomings of the President's program, and propose better alternatives.

A GAP IN THE SYSTEM

In the American system of government, there is a gaping hole where there ought to be a Leader of the Opposition.

The congressional leadership of the opposition party cannot fill the need; indeed, it misleads the electorate if it attempts to do so, because the alternative to the President was and will be the nominee of the party in Convention, which often has a different viewpoint from the party in Congress. Moreover, few congressional leaders have the motive or desire to challenge the President, or the national prestige to do so. Nor have they the appropriate status: the adversary of the Minority Leader of the Senate is the Majority Leader of the Senate, not the President. Most important, the congressional leadership does not dominate the news media, as the President does, and cannot argue the case against him to the people. The congressional leadership can neither question nor debate with the President.

On an *ad hoc* basis, as titular head of the Democratic party, Hubert Humphrey apparently hopes to supply some of the needed opposition leadership in the four years to come. As his friend and his countryman, I wish him well. But he cannot supply for himself what the law of the land withholds from him: public recognition, public funds, and a public role. Above all, he cannot compel the President (as the British system compels the Prime Minister) to answer his questions in open debate.

Three steps are necessary in order to fill the gap.

The first necessity is legislation defining the position of Leader of the Opposition (perhaps: "that losing candidate for the Presidency who receives the highest number of popular votes"), providing for his replacement upon death or disability, and establishing appropriate pay and allowances.

Analagous British legislation was enacted 32 years ago. As a Member of Parliament, the Opposition's Leader already received a parliamentary salary. In 1937, the position of Leader of the Opposition was constitutionally recognized for the first time and, for the first time, the Leader of the Opposition was given a salary as such. ("He had supported the constitution in 1936. In return the constitution formally recognized him." A. J. P. Taylor in *English History 1914–1945*.)

The salary might perhaps be equivalent to the salary of a US Senator. In addition, there would be the expenses of a staff, for without one no political figure can play a major public role. A minimum effective political staff is comprised of: an administrative assistant; a press secretary; a researcher and a speechwriter; and a chief advance man. Also, there would be office rental, secretarial and other clerical expenses.

The second necessity is a forum. Today this means, in effect, frequent access to prime television time. Appropriate legislation should provide for this.

The third and final necessity is an opportunity to publicly question and debate with the President on a regular basis. It is no objection to say we do not have a parliamentary framework for such debate, as do the British. Even in Britain the effective confrontation now occurs on television. The position of the Leader of the Opposition, which developed as a function of the parliamentary system, has transcended that system in this respect.

Therefore legislation enabling—and eventually, a constitutional amendment requiring—a mutual questioning and debate between President and Leader of the Opposition, on television, would round out the new public position of Leader of the Opposition. (Lest this be misunderstood as an anti-Nixon proposal, the amendment would be effective commencing with the next President, not with him.) Perhaps once a year, in early January, the two leaders would question and debate with one another before the assembled nation, clarifying in all due solemnity the state of the nation and the choices before us.

Clearly there are aspects of the British system that we cannot copy. Our Leader of the Opposition is not always, nor necessarily ever, the alternative Head of Government. He need not be, in order to fulfill his most significant function. In Britain there is a dialogue at the pinnacle of power. In America there is only a monologue; this is what should and can be changed. This would enable us to form wiser judgments on public matters, and to bring into play the full range of our private and public institutions (most especially, the Congress) to influence executive decisions conformable to the will and desire of the people as a whole.

The means of accomplishing this would be the means we have used, and used successfully, before. For instance, our solution to the many problems of the securities markets was called the "Truth-in-Securities" Bill, requiring full public disclosure of all pertinent data concerning securities issues, as well as extensive exposition and clarification of the risks inherent in investing in them. Similarly the proposals above might be termed the "Truth-in-Politics" Bill, the idea being to

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more fully inform the public of the nature and risks of political decisions that are (or are not) being made.

The mechanism is the basic one of Anglo-American jurisprudence: the adversary system. Centuries of experience have taught us that the best way to uncover the truth is to empower a man with a strong personal motive—an adversary—to cross-examine, by right of law. That is why the British have found some counterpoise to an overly-powerful chief executive in an adversary leader, entitled to question him, equally equipped to appeal to the mass of the people, able to uncover the truth where hidden, and with an interest in doing so.

PHILOSOPHICAL FOUNDATIONS

Indeed, the philosophy from which this proposal springs—the proposal to establish a Leader of the Opposition—is the philosophy of the authors of the Constitution of the United States, which in turn derived from the British Constitution as interpreted by Montesquieu (*The Federalist,* No. 47). The authors of the Constitution regarded the accumulation of all powers in one set of hands as tyranny (*Ibid.*), which we in the United States would prevent ". . . by so contriving the interior structure of the government as that its several constituent parts may, by their mutual relations, be the means of keeping each other in their proper places" (*The Federalist,* No. 51). Following Montesquieu, who wrote that ". . . power should be a check to power" (*The Spirit of Laws,* Book 11, Chapter 6), they believed that "Ambition must be made to counteract ambition. The interest of the man must be connected with the constitutional rights of the place" (*The Federalist,* No. 51).

Why, then, did they fail to create a constitutional place for one whose interests counterbalanced those of the head of the executive department? They created checks and balances everywhere else, playing off the states against the federal government, the branches (executive, legislative and judicial) against one another, and, within the legislative branch, House against Senate. Of course, they knew that in the ancient world a double (which is to say, divided) executive had frequently been tried and found wanting, and that Montesquieu had written that "Two kings were tolerable nowhere but at Sparta" (*The Spirit of Laws,* Book II, Chapter 6), but there were balancing mechanisms and methods that could have been employed other than direct division of the executive power.

The answer is that they believed that power threatened to accumulate only in the legislative, not the executive, branch. They believed that ". . . tendency of republican governments is to an aggrandizement of the legislative at the expense of other departments" (*The Federalist,* No. 49). Their solution was to divide the legislative into rival bodies, House and Senate (*The Federalist,* No. 51). Indeed—and it is amusing to read this after all that has in fact happened—so acute an observer as Tocqueville felt that "The Americans have not been able to counteract the tendency which legislative assemblies have to get possession of the government" (*Democracy in America,* Volume I, Chapter 8).

Had it struck the authors of the Constitution that the executive might come to dominate the government, they would surely have established a counter-executive. Indeed, they very nearly did so anyway. As originally adopted, the Constitution provided that the candidate receiving the second largest number of electoral votes for the office of President (in 1968, for example, Hubert Humphrey) would become Vice President. This would have given the President's chief political rival and adversary the second position in the executive branch of the government. The Constitution was in this respect frustrated by the unforeseen organization of political parties, and was amended.

In the light of history and the unexpected growth of executive power, adoption of the proposal to establish a Leader of the Opposition would complete and perfect our constitutional system of government as originally contemplated by its authors.

I would place the President and his policies in perspective.

It would more fully inform the Congress of the President's plans and porcedures, enabling it to better perform its constitutional function as a balance to the executive department.

It would more fully inform all of us as citizens and enable us to make our views known at the time decisions are actually being made, rather than later, when it is too late to change them.

It would enable us to better judge and evaluate the Leader of the Opposition and decide whether he deserved a second nomination, for he would have to come out in the open and would have to formulate constructive alternatives. He would tell us at each stage what he would do as President. His role could not be a simply negative one, nor could he wait for four years to then mouth a policy based on hindsight.

It would lead to a more responsible congressional opposition, because the congressional leaders of his party would inevitably be influenced by the Opposition Leader in this respect.

Best of all, it would convert the electoral process into what Adlai Stevenson, following Jefferson, hoped it would become: an educational process. Hopefully, through it, we would become better citizens and make wiser decisions. Continuous dialogue, continuous clarification, continuous information and exchange of ideas would bring us closer to realizing the goals of those who wrote our Constitution.

The time has come to fill the Constitutional void with a Leader of the Opposition.

DR. EDUARDO C. MONDLANE

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. RARICK. Mr. Speaker, the controversial activities of Dr. Eduardo C. Mondlane and his revolutionary liberation front, Frelimo, in Africa are in direct contradiction to his angelic public image fabricated in the United States.

So that our colleagues may have more information upon which to base their conclusions, I place the article, "Black Foreign Legion," by Robert Carl Cohen, from the December issue of Saga, a February AP release from Dar-es-Salaam, clippings from the Washington Post religion section dated February 8, 1969, and the Washington Daily News in the RECORD at this point:

[From Saga magazine, December 1969]

BLACK FOREIGN LEGION

(By Robert Carl Cohen)

"Reports have reached our offices that an international fighting force of blacks is being created in East Africa." These were the words I struggled to hear over the deafening din of jet engines as I prepared to blast off from Kennedy Airport. The telephone voice continued: "You are to verify these reports and bring back whatever information is available."

A *Black Foreign Legion,* the idea itself was fascinating. As the intercontinental jet hurled itself into the night sky over New York and headed for Europe, I knew that this would be a wild assignment.

After a half-day layover in Rome, which permitted a shower, change of clothes, and short stroll down the Via Veneto, I was back in the air. Finally, after short stops in Athens and Nairobi, I reached my destination of Dar es Salaam, the capital city of Tanzania, on the East Coast of Africa a few hundred miles south of the Equator. It was July 4, and I half expected a fireworks show at the U.S. Embassy. But, fireworks are banned here in "The Haven of Peace," which is what Dar es Salaam means in Arabic, the authorities apparently fearing that anything which might be misinterpreted as weapon firing could touch off something really big.

Checking in at the Hilton-like Kilimanjaro Hotel, I began to search for leads. In the five weeks which followed I uncovered information which reinforced what had been reaching our offices in New York. Due to the extremely sensitive situation, it would be irresponsible for me to reveal my sources of information. The report which follows, startling and controversial though it may be, has been verified as thoroughly as is possible.

Here then is the story which I gathered after hours of private conversations with informed individuals, careful study of publications and declarations by the various organizations and governments involved; and, perhaps most important of all, firsthand observations in Dar es Salaam and significant locations in the Tanzanian countryside.

The arming and training of black guerrillas is under the overall direction of the Liberation Committee of the Organization of African Unity (O.A.U.). The O.A.U. includes Algeria, Congo-Kinshasa, Ethiopia, Guinea, Nigeria, Senegal, Somalia, Tanzania, Egypt, Uganda and Zambia, Dar es Salaam, the best deep-water harbor in East Africa, is both the headquarters for the Liberation Committee, and the port through which an increasing flow of armaments, primarily from China and Russia, is pouring into the battle zones. The major targets of the black guerrillas are the governments of Angola, Rhodesia, South Africa and Mozambique: *White Africa.*

Each member state of the O.A.U. is supposed to contribute a percentage of its national budget to that organization's efforts to overthrow the all-white regimes which still control large parts of the African Continent. These funds, which presently amount to only about $2½ million per year, are used to finance such organizations as FRELIMO, MPLA, ZAPU, SWAPO, PAIGC and the ANC. Additional funds estimated at about $4 million reach these organizations each year without going through the O.A.U. as various major powers from both East and West try to gain influence by directly aiding one or the other of the groups of "freedom fighters." Most successful to date of all groups is FRELIMO, the Mozambique Liberation Front, headed by Dr. Eduardo C. Mondlane, its 48-year-old founder-President.

FRELIMO's first significant military venture was the infiltration of about 250 guerrillas, trained in Russia, Algeria and Cuba, into the northern areas of the Portuguese colony of Mozambique in 1964. Despite heavy losses, estimated at over 3,000 guerrillas dead against only 700 Portuguese killed in four years of fighting, the areas of Mozambique under FRELIMO control have been greatly enlarged. Even conservative estimates place the number of armed and uniformed FRELIMO supporters now active in Mozambique at over 10,000. The degree of control which Mondlane's Black liberation group exercises, despite being faced by 50,000 Portuguese troops armed with tanks, jets and heavy artillery, was demonstrated by their recently convening a Party Congress *inside* their "liberated areas." Dr. Mondlane, a former lecturer at U.S. universities, used a clever ruse in holding this Congress in Gyosa Province. It was announced that the meeting would take place a week later than it actually did, so, the Portuguese were getting set to stop the delegates from entering Mozambique when, in fact, they had already crossed over the border! The ruse almost ended in disaster for FRELIMO, however, when a press dispatch about the conference was inadvertently given out in Dar es Salaam three days *before* all the leaders had left Mozambique.

Dr. Mondlane's wife, Janet, is a light-skinned American woman, whom he met and married while teaching in the U.S. She runs a most unusual school in Dar es Salaam. Known as the *Mozambique Institute,* this institution offers scholarships and training to refugees from Mozambique. Theoretically, graduates of the Mozambique Institute whose achievements are high enough will be sent on to universities in other nations; the purpose being to create a cadre of black civil servants and administrators which will take over when the Portuguese are thrown out of Mozambique. Since there are over 30,000 Mozambiqueian refugees in Tanzania, the Institute has no trouble finding volunteer students. The vast majority of the Institute's 400 or more graduates, however, have been sent back home as guerrilla fighters for FRELIMO. To date only a token handful have been allowed to go on to higher education.

One of FRELIMO's major problems is the high rate of defection from its ranks. Some students drop out of the Institute, others disappear in transit between the Institute and the training camps in Southern Tanzania, still more vanish into the bush once sent across the border to fight in Mozambique. Despite all this, FRELIMO's ranks continue to grow, and the areas under their control are being steadily enlarged. Another major stumbling block to Mondlane's attempt to overthrow the white regime in Mozambique is the failure of FRELIMO to enlist the local population in their cause in large enough numbers to produce a real civil uprising. Very little advance propaganda and organizational work was done before combat began in 1964, the guerrillas apparently taking it for granted that the natives would rise up instinctively and join them. Now the policy of the Liberation Committee has become more realistic, and more and more of its energies are being invested in trying to sway the local people. Radio propaganda is being beamed from transmitters in Tanzania in 12 languages, aimed at encouraging revolt against the governments of Mozambique, Angola, Rhodesia and South Africa.

At cocktail parties and embassy receptions in Dar es Salaam, I found myself in situations which make the average spy film seem like a kindergarten vaudeville. Since Julius Nyerere, the President of Tanzania, has declared that his country is completely neutral, and favors neither East nor West, the usual reception crowd is a mixture of Red Chinese, Frenchmen, Russians, Americans, Italians, Cubans, Israelis, Danes, Dutchmen, and both East and West Germans not to forget the dozens of African nations, and everybody else who is trying to get a toehold in East Africa. I was immediately spotted and found myself having to tell one curious diplomat after another that I was just a U.S. tourist on vacation. It seemed like every other cat that sidled up to me was convinced that I was there for something other than sightseeing, and proceeded to whisper to me "Did you know that Phil Potter is the man (CIA)?" Or "Had you seen the Chinese tanks out on the road to Silver Sands?" And so on. One recurrent bit of "inside dope" was that FRELIMO was actually being supported by the U.S., and that Mondlane's wife had run to Phil Potter at the U.S. Embassy for shelter when a battle for power hit black liberation headquarters in May 1968.

Checking revealed that an important U.S. foundation actually does help support Mondlane's *Mozambique Institute*. If the U.S. Government is assisting FRELIMO, it is probably doing so to hedge its bets in Mozambique against the future of U.S. investments in an area about the size of Texas, with tremendous untapped natural resources. Mondlane is also the type of person that the U.S. would like to see as a leader of Mozambique, rather than some of FRELIMO's other leaders, who are known to be members of the Communist Party.

The weird situation of having U.S. taxpayers' money going to aid FRELIMO in its attempt to liberate Mozambique from Portuguese rule, while the U.S. simultaneously gives foreign aid to Portugal, is not unusual in this part of the world. Things get even more complicated when you discover that FRELIMO, like most of the black guerrilla organizations operating here, gets much of its arms from Red China, including the latest rapid-fire infantry weapons, mortars, and land mines.

The Portuguese, as part of NATO, send their troops to Mozambique with made-in-U.S.A. jets and tanks, where they find themselves in combat with blacks, organized partially with U.S. funds and firing Chinese Communist weapons!

Probing deeper yet, I uncovered the fact that West Germany is also supplying arms to the Portuguese troops, although there is an attempt to cover this up by having the weapons manufactured in plants located in Spain or Portugal.

Dr. Mondlane presented the argument at a conference in Dar es Salaam that West German counterinsurgency experts, presumably old-Nazi types who had fought against Russian and Yugoslav partisans in WW II, were actually training Portuguese in anti-guerrilla tactics. Mondlane declared "In short, we are fighting Portugal and all her NATO allies." Officers from South Africa's apartheid regime are also known to be supporting the Portuguese in Mozambique.

Not only are the activities of FRELIMO in Mozambique the most characteristic example of what is developing throughout Africa, its fighting style is also typical of what one can expect to find spreading through Rhodesia, South Africa and other areas in the future. In order to counter the overwhelming superiority in firepower and mobility of the Portuguese troops, FRELIMO operates almost exclusively by night or in bad weather. The training camps in Southern Tanzania are widely separated and security is tight. The usual camp consists of a few native huts hidden as much as is possible under trees and other natural cover to avoid detection from the air. The guerrilla trainees are indoctrinated in the use of small arms and land mines for about two months before being given a thorough political orientation, usually along the lines of black nationalism and socialist ownership of industry.

Once infiltrated across the border into Portuguese-ruled territory, the nationalists specialize in mining roads, bridges and tunnels. When the situation is in their favor, they ambush small supply columns and overrun undermanned outposts. In all their activities they try to follow Mao Tse-tung's advice to "swim in the ocean of the friendly people and be as invisible as a fish." And, in a more developed manner than some of the other guerrilla groups in Africa, they also have a program of setting up their own civil administration and schools in the areas coming under their control. Dr. Mondlane has stated that it is of no use to clear Mozambique of the Portuguese if all that remains afterwards are ruins and disorganization.

Mondlane doesn't seem to believe that a complete military victory over the Portuguese is possible, and talks about fighting for another 15 or 20 years. His highest hope is for an Algerian-type of settlement where control of the government of Mozambique will be turned over to the black majority, but the lives and property of the resident white minority will be protected.

Tanzania's support of groups like FRELIMO, by providing its territory for training camps and staging grounds for sallies over the border into Mozambique, has brought some Portuguese retaliation. Portuguese patrol boats cruise near the Tanzanian ports to intercept any waterborne aid to the guerrillas. The Tanzanian authorities claim there has been bombardment of villages on their side of the border by the Portuguese. And the Tanzanians have massed Chinese-made, radar-controlled antiaircraft batteries along their southern border to try and shoot down Portuguese planes, which they claim are being used to spy on training camps inside Tanzania.

The question of high altitude photo reconnaissance by the white regimes of Mozambique and Rhodesia against black guerrilla training centers in Tanzania and Zambia has become an intriguing international issue. The British built Canberra jet is being used as a sort of "poorman's U-2" out of Rhodesian airfields. Despite the notion, common in the U.S. that most of Africa is inpenetrable jungle, the reality is that most of Tanzania and Zambia is fairly open country. Using the latest type infra-red cameras, the Rhodesian Canberras have brought back photos of high resolution which are very useful in spotting both training sites and the movement of small groups of men near the battle areas. To counter this, President Kuanda of Zambia went to London and told British Prime Minister Harold Wilson that his country had to have high altitude anti-aircraft missiles as soon as they could be supplied. When Kuanda made it clear to Wilson that Zambia was ready to go anywhere, meaning even to the Russians or Chinese, to get guided missiles for use against the Rhodesian aerial intruders, Britain hurriedly agreed to supply them herself.

The near future will certainly witness made-in-Britain missiles rocketing upwards from Zambian soil to shoot down made-in-Britain Canberra jets piloted by trained-in-Britain white Rhodesian pilots.

And who will loan Zambia the $15 million for the British missiles? Italy, who has just built a 1,000-mile oil pipeline from Dar es Salaam into Zambia to supply that country with petroleum products? Red China, who is planning to build a half-billion dollar railroad from Dar es Salaam over the mountains into Zambia, and thus establish her influence deep inside Africa? Or will it be the U.S., a major buyer of Zambian copper being shipped out via the port of Dar es Salaam, and who is planning to enlarge the road from the East Coast into Zambia to offset the propaganda effect of the Chinese rail project? The more you find out about what's happening here the battier you get.

The major group operating in Rhodesia is the ZAPU, the Zimbabwe African People's Union. ZAPU's forces are trained in camps located both within Rhodesia and in neighboring Zambia, and have begun actions centered in the Zambezi Valley. The largest number of guerrillas engaged in battle to date was a group of 100 men discovered by the Rhodesian security forces at a camp just inside the borders of that all-white state in March 1968. Both sides suffered casualties in the Zambezi Valley clashes. There is a mutual tendency to avoid taking prisoners although 32 Africans alleged to be terrorists are on trial in the Salisbury, Rhodesia High Court on charges which carry a mandatory death sentence.

Britain's willingness to supply Zambia with anticraft missiles for use against Rhodesian jets is based in part on her animosity towards the Ian Smith group, which seized control in Salisbury and declared Rhodesian independence from England in 1965. Despite economic and trade sanctions taken against the Smith regime, which refuses to give the blacks, who constitute the majority of Rhodesia's inhabitants, a meaningful voice in the government Britain has so far hesitated to send in its own troops to enforce its insistence on a one-man-one-vote electoral procedure in its former colony. What the British fear is that, disillusioned with peaceful coexistence in which white minorities with superior armaments seize power, as in Rhodesia, black Africa will turn to the Communists for modern arms with which to throw all whites out of Africa.

It was an Eton-educated expert on the Rhodesian situation, in fact, who confided to me what may well have already taken place by the time this is read. Between gin and tonics at a whites-only, private club in the suburbs of Dar es Salaam, still in existence despite all such places being forbidden by Tanzanian law, I got the story of the plans being discussed for terrorizing the white settlers of Rhodesia through a wave of calculated bloodletting unseen in Africa since the days of the Mau Mau. Thirty groups of six guerrillas each, are to be formed by ZAPU and ANC, African National Congress, cadres. Each group will be assigned to a particular white farm in Rhodesia, but none of the groups will know the targets or plans of any of the others. At a given command, all 30 groups will attack, killing every white man, woman and child found on each of their target farms. Even with some of the assault groups being intercepted by Rhodesian security forces, losing their way, defecting, or otherwise failing to accomplish their missions, the wave of fear that would sweep the white farm owners would be overwhelming.

After regrouping, the assault parties would repeat this pure terror tactic again and again, striking without warning at new areas each time. The end result hoped for by the proponents of this idea would be to frighten the whites into abandoning their properties in the outlying areas, and fleeing into the cities and towns of Rhodesia. The countryside forces, who could then set up their own local government, tax the natives, and prepare for Viet Cong type attacks on the isolated towns.

Atrocities are not to be limited to the black side in Rhodesia, however, for Ian Smith's white regime is already engaged in such tactics as wholesale destruction of black villages whose inhabitants are deemed untrustworthy. Counterfeit ZAPU or ANC guerrillas have been created by the Rhodesian security forces. Using blacks loyal to the white regime, they send two or three men into a village who, posing as "freedom fighters," arrive complete with Chinese or Russian made machine guns and revolutionary pamphlets. They ask the village elders for food and shelter for the night, and if the security police are not informed by the villagers within 24 hours of their presence, the police then go in and burn the village to the ground to teach the natives not to shelter guerrillas.

Even though these tactics are apparently effective in frightening large numbers of natives, there are those who feel that their long-term effect is exactly the opposite of what is desired. While a wattle hut may not seem like much to a white trooper who sleeps in a steel and concrete barrack and flits about the countryside in a helicopter, for the natives it represents everything they have in the world. After someone burns your house down, and marches your father, brother or uncle away for interrogation because they gave a drink of water to a stranger, it isn't a far step until you are ready to become a guerrilla yourself. So the very tactics used to try and destroy the natives' desire to aid the black guerrillas seem in the long run, to create even more of a guerrilla threat than now exists.

Besides the forces of FRELIMO, ZAPU and the ANC, there are the South West African People's Organization (SWAPO), the African Party for the Independence of (Portuguese) Guinea and the Cape Verde Islands (PAIGC), and others such as Holden Roberto's Popular Movement for the Liberation of Angola (MPLA) and the strife-torn Pan Africanist Congress of South Africa (PAC).

The PAC, indcidentally, was declared responsible by South Africa for a recent wave of sabotage. At one time said to be largely Red Chinese financed and supported, the PAC presently is being criticized for being infiltrated by the CIA.

The reactions of the white-ruled states in Africa to the challenge of these guerrillas have varied. South Africa has already felt threatened enough by the propaganda broadcasts issuing from Radio Tanzania to set up expensive jamming installations. Unprecedented antiguerrilla maneuvers involving 5,000 soldiers, or almost one-third of South Africa's 17,000 man regular army, took place in late August 1968.

South African police units have been sent to help the Smith regime in Rhodesia, and have already suffered dead and wounded. Most disturbing of all is the apparent inability of the Portuguese Army to eliminate the black guerrillas. If the black nationalists are victorious in both Angola, which lies on Africa's West Coast, and Mozambique, stretching down the East Coast, Rhodesia and South Africa will find themselves cut off and facing attack along almost 2,000 miles of sparsely defended frontier.

Massive purchases of modern weapons by both the South African and Rhodesian regimes, give them an enormous advantage over the relatively lightly armed black nationalists, for the moment. But staring the white regime in the face is the example of Portugal, which, with 120,000 men fighting to defend its African colonies, has now been forced to extend its draft to four years duty, *and is spending over 50 percent of its national budget on fighting the guerrillas.* If the insurgency in their areas reaches anywhere near the levels it has reached in Angola and Mozambique, the Salisbury and Johannesburg regimes will be forced to draft both teenagers and women, and seriously burden themselves with armaments expenditures.

The black guerrilla movements constantly refer to the example of South Vietnam to argue the case for their inevitable victory. They refer to figures which they claim originated in the files of the Pentagon, and which they say show that in contrast to the cost to the U.S. of $30 billion in 1968, the NFL, National Liberation Front, of South Vietnam is spending only $40 million. Most important of all, they say that this Pentagon survey shows that the Viet Cong collect over 80 percent of their total budget from the South Vietnamese peasants and workers themselves. They also refer to the Algerian War, where 500,000 French troops couldn't eliminate 20,000 FLN guerrillas, and France was finally forced into granting Algeria its independence. It is by increasing the cost of maintaining white rule over the next five or ten years, that by some sort of blitzkrieg victory, that the black nationalists hope to break the grip of the Portuguese, Rhodesian and South African regimes.

The current Sino-Soviet conflict also has affected the African guerrilla movements. To counter the growing influence of Russia in Algeria, Egypt and the northern areas of the continent, the Chinese are spending larger and larger sums in eastern and southern Africa. Tanzania is considered to be the most Chinese-oriented of all African nations. The conduct of the Chinese here has been very discreet. They recently built the largest textile mill in Africa near Dar es Salaam, and have supplied the Tanzanians with everything from patrol boats to medium tanks for their new army. The desire to be unobtrusive has led the Chinese to try and pull out even the small number of civilian and military experts sent into Tanzania as soon as their educational missions are accomplished, so that no one will be able to say that they have come to stay along with their weapons and machinery. This tendency has gone overboard in some cases, to the degree that the Tanzanians have actually had to plead with the Red Chinese to let their instructors remain in the country. This policy on the part of the Chinese has won them friends among the highly independent-minded black nationalists.

The Chinese appeal to the black Africans also uses the line that "we are both men of color, despised by the whites." They point to Russia's attempts to play down "wars of national liberation" as demonstrating that it is only they, the Chinese, who are the true friends of the oppressed blacks. With growing Egyptian dependence on Russia, and with increasing Chinese aid and influence in Africa below the Equator, the future may well see the continent divided in a struggle between Northern pro-Soviet and Southern pro-Chinese factions. Such recent events as the Soviet disapproval of the late Che Guevara's operations in Bolivia, and the Russian invasion of Czechoslovakia, have helped the Chinese in their claims to be the only nation that the African blacks can depend upon for both aid and noninterference.

So this is the picture, in an Africa torn by conflict from East to West and North to South, with over 2,000,000 refugees wandering about in search of food and shelter, with its 350 million inhabitants just beginning to become independent, with growing organizations of guerrillas attacking the remaining white regimes of Rhodesia, Angola, Mozambique, South Africa and other areas. But is this what the reports called a "Black Foreign Legion"? Not in the same sense that the famous French Foreign Legion was an organization which accepted anyone, no matter what his background or politics were, so long as he would obey orders without hesitations, and fight to the death to defend France's colonial interests throughout the world. The African Liberation Committee's member groups are not unified into a single fighting force, but divided into guerrilla movements interested chiefly in their own particular areas. The idea of a Mozambique-born Makonde tribesman, trained by FRELIMO, being sent to fight 1000 miles away in a Bantu tribal area of South Africa is a bit far-fetched *at the moment*. The only international aspect of the African Liberation Committee right now, is its financing. No coordinated military operations have taken place among FRELIMO, ZAPU, MPLA and other groups to date.

It is the governments of South Africa and Rhodesia whose armed forces are trying to enlist legionnaire-types from all over the world, mercenaries with allegiance to no one but themselves, who will kill anyone so long as they are paid enough. The FRELIMO, ZAPA and other groups consist almost exclusively of natives of the countries in which the fighting is taking place. Attempts to send in troops from other countries to fight with them have, in fact, ended in disaster. A recent expedition of Cuban guerrilla experts into the Congo ended in their being wiped out. "In an Africa where tribal groups strongly resent strangers, black or white alike, entering their areas, the chances of an international army of "Black Foreign Legionnaires" being effective are very slim. Neither Russia nor China appear to be planning to send significant numbers of men into the African battle areas. They are depending on exports of money and guns to gain influence for them. Cuban exiles have been sent into the Congo by the CIA to pilot light bombers and transport planes, and Belgian, French and other mercenaries have also led black troops in ground actions there. The real fighting, however, only comes after black units have been formed, *and the future will certainly see larger and larger battles with increasingly better organized black troops.*

The building of a black army, rather than guerrilla forces, is also underway in Tan-

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zania. About 5,000 soldiers are currently being trained by, of all things, an elite group of Canadian military experts! When President Nyerere of Tanzania announced that he would accept either Swedish or Canadian instructors for his army, and, if he got neither, would look to the socialist nations for help, the Canadian government stumbled over itself in rushing to accept. The Swedes having declined to send in instructors, informed opinion has it that Washington, London and Bonn hurriedly came up with the money to pay for the Canadian experts, rather than run the risk of Yugoslav or Chinese cadre training the Tanzanian forces. These Canadians are to be seen both in Dar es Salaam and in the Tanzanian countryside, trying to indoctrinate the blacks in the latest infantry, artillery and airforce tactics. Furthermore, *many of the weapons which they use, come from Red China!*

Mr. Rashidi Kawawa, the Second Vice-President, announced to the Tanzanian Parliament that they would also form a modern airforce during 1968–69. As of the moment there is only an Air Wing of the Tanzanian Army, which has 27 pilots and 168 technicians, with seven more pilots being trained in Canada. Details of the new Air Force are still secret, but it is presumed that it will include both jet interceptors and medium-range jet bombers. The potential enemy against who it might be used is the Portuguese regime in Mozambique. *Bidding is probably already underway between East and West to see whose aircraft the Tanzanians will use.*

With Tanzania acting as the keystone of the Liberation Committee's activities, it is highly probable that the military training being given to the Tanzanian Army by the Canadians will soon filter down to the guerrilla training camps in the hinterland. Actions will eventually take place involving guerrilla forces trained by Tanzanians, who were themselves trained by Canadians, fighting white Rhodesian and Portuguese and South African troops. Since Canada and Portugal are both NATO members, it appears that the West is caught in a web of contradictions—both economic and political. These contradictions are a sign that the West is keenly aware of a need for new policies toward emerging black Africa. And if the West has any tendency to forget the new facts of African life, there are always sharp reminders.

The arrival in Dar es Salaam of Robert Franklin Williams, a U.S. citizen who has been living in exile in Havana and Peking since 1961 is especially significant. Williams is notorious in the U.S. for his predictions as early as 1961 of wide scale riots and arson within the black ghettos of the U.S. Williams, a Marine Corps and U.S. Army vet who organized 300 of his neighbors in Monroe, N.C., into a self-defense guard back in 1957, is the leading advocate of guerrilla warfare by black nationalists in the U.S. and is the head of the Revolutionary Action Movement (R.A.M.). His presence in Tanzania, ostensibly as a tourist, is part of a growing effort by radical blacks in the U.S. to try and establish links and exchange information with their counterparts in Africa.

In May 1968 a conference of black power groups in Detroit voted to form the Republic of New Africa consisting of the states of Alabama, South Carolina, Georgia, Mississippi, and Louisiana. They elected "Brother Rob," as Robert Franklin Williams is known in the movement, first President of this new state that they insist will be created "by whatever means necessary." In an exclusive interview in Dar es Salaam, Brother Rob told me something which had a chilling ring of truth to it. He said that although nothing definite had been decided upon as yet, Africans had already asked him if it would be possible to have Afro-Americans with recent military experience come over to help them in their guerrilla activities.

The Africans, Williams said, are very conscious of their young people not being familiar with guns, as are most Americans. While not ready to accept any volunteers as yet, Williams was told that they are trying to work it out so Afro-American vets can come to Africa to either join with them, or a least act as instructors. The African Liberation Committee people do feel a close kinship with the U.S. black power movement.

In conclusion, it is this writer's opinion that things are going to get far, far worse in Africa—*and soon*. The whites in control of Mozambique, Angola, Rhodesia and South Africa show no signs of being willing to give the black majorities a voice in their governments. The African Liberation Committee, on the other hand, despite internal problems and the mixed loyalties created by the Sino-Soviet dispute, shows no sign of giving up its efforts to support black nationalist guerrillas.

Most whites I interviewed seemed fatalistic about a coming "bloodbath" in South Africa, and I saw little to detract from this eventuality.

BOMB KILLS MONDLANE OF MOZAMBIQUE

DAR-ES-SALAAM, TANZANIA.—Dr. Edwardo Chivambo Mondlane, 49-year-old president of The Mozambique Liberation Front which is trying to wrest Mozambique from Portuguese rule, was killed yesterday by an assassin's bomb, Front sources said. He was rated one of Africa's top revolutionary leaders.

Mondlane, a 6-footer who was graduated from Harvard and once taught anthropology at Syracuse University in New York State, had turned the Front from a tribal group into the most effective guerrilla outfit fighting the Portuguese.

His white American wife, Janet, was reported in Sweden.

Mondlane was killed at a luxurious beach house outside Dar-es-Salaam and only a few hundred yards from the residence of President Julius Nyerere, Front sources said.

The house is owned by Betty King, 36, formerly of Cleveland, Ohio, who is director of a Tanzanian gem company.

Miss King had left the house and apparently during the hour or so before Mondlane's arrival the assassin planted the bomb under a chair.

Army experts established that the time bomb which killed Mondlane consisted of several sticks of dynamite. The blast blew out windows, splintered furniture and cracked walls of the room.

Dozens of Mozambicans were rounded up for questioning.

Mondlane, who was a native of Mozambique, joined the Front in 1963 and quickly turned it into a fighting unit. But of late it had been torn by internal troubles.

Last May he told a reporter, "I may be killed any day—but there will be victory."

The Front has about 8,000 fighting men in the northern provinces of Mozambique holding down a Portuguese army many times larger.

Mondlane, whose grip on the Front had been absolute for four years after he organized it, ran into internal trouble 18 months ago.

A dissident group challenged the Front's leadership and, when promised elections did not take place last year, stormed the movement's headquarters in Dar-es-Salaam, occupying it for several hours before Tanzanian police stepped in in the fight for possession of the headquarters one Front official was killed.

At subsequent reconciliation talks Mondlane agreed on party elections and in mid-1968 they were held in northern Mozambique. Mondlane stayed on as president but his executive committee was considerably enlarged, bringing in some of his critics within the movement.

Party dissidents were critical of Mondlane's white wife on racial grounds and decried his lavish scale of living in a luxurious suburban, air-conditioned villa.

Janet Mondlane was the director of the Front's Mozambique Institute which taught Mozambican refugees social sciences.

Mondlane traveled extensively overseas raising money for the war. He found much support in Scandinavia.

Troops for his fighting units were trained mainly in Tanzania but officers have also been trained in Algeria, Cuba and locally by Red Chinese who also have supplied most of the arms.

[From the Washington Post, Feb. 8, 1969]

CLERICS LAUD MURDERED AFRICAN LEADER

NEW YORK.—A United Methodist mission executive expressed concern here that the murder of Dr. Eduardo Chivambo Mondlane, president of the anti-Portuguese Mozambique Liberation Front, might shatter the unity of the liberation movement.

However, Dr. Hugh Nordby, executive secretary for Central and Southern Africa of the United Methodist Board of Missions, said he did not believe the determination of the Africans in the white minority controlled countries to achieve their goals would be effected.

Dr. Mondlane, a Presbyterian layman, was killed in Dar-es-Salaam, Tanzania, by a bomb placed under his chair. Once described as Portugal's "most wanted" man, Dr. Mondlane returned to Africa from the United States in 1963 to found the liberation front, known as Frelimo, a merger of several nationalist groups. Armed struggle to end Portuguese rule in Mozambique began a year later.

The Mozambique Institute, Frelimo's education center in Tanzania, founded by Dr. Mondlane, receives funds from the United Methodist Board of Missions but Dr. Nordby stressed that the Board has never given money to military operations of the front. He said the military activities "have been kept completely separate from the Mozambique Institute." Agencies of other churches also contribute to the Institute through the World Council of Churches.

"As a leader and a symbol of unity for independence," said Dr. Nordby, Dr. Mondlane "fulfilled the same role as Dr. Martin Luther King, Jr., except that he was not an advocate of nonviolence."

Although Dr. Mondlane believed that the only answer to white violence in Africa was black violence, continued Dr. Nordby, "he was not a typical militant leader; he was much more a statesman and politician."

According to Dr. Nordby, the Lisbon government, which claims that the guerrilla movements in its colonies are Communist-inspired, were particularly upset with Dr. Mondlane because it was difficult to label him a Communist.

Dr. Mondlane was a speaker at various church assemblies including the 1966 Conference on Church and Society sponsored by the World Council of Churches in Geneva.

The movements for self-determination in countries of Southern Africa controlled by white minorities have been supported by the United Methodist Board of Missions and the Council for Christian Social Action of the United Church of Christ.

Tributes to Dr. Mondlane were also paid here by the Rev. Dr. Eugene Carson Blake, general secretary of the World Council of Churches, and two other WCC officials.

Dr. Blake said, "Christians everywhere have suffered a great loss . . . once more a leader seeking justice for his people has been struck down by violence from a source unknown but clearly representative of those who would prevent justice for his people."

Dr. Eugene Smith, general secretary of the U.S. Conference of the WCC, compared the death of the African leader to the murder of Dr. Martin Luther King.

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"Here were two Christians deeply committed to freedom and to justice with a profound sense of human values," Dr. Smith said. "Living in danger they were unafraid. Suffering injustice, they were above bitterness. Living in racial hostilities, they were too great to be hostile. Living amid confusion, they had a vision which offered light and hope."

The Rev. Paul Abrecht, executive secretary of the WCC Department on Church and Society, called Dr. Mondlane a man whose devotion to the cause of freedom for his people was as steadfast as his role was unassuming and patient.

[From the Washington Daily News,
Mar. 10, 1969]

SPOTLIGHT ON AFRICA

(By Whitney Young)

With foreign affairs very much in the news these days, what with President Nixon's trip to Europe, Middle East tensions, Paris peace talks and yet another Berlin crisis, about the only part of the world that hasn't had its share of headlines is Africa. It would be a serious mistake for the Administration not to reconsider America's role there.

As the ancestral homeland of more than a tenth of our population, Africa claims great interest and affection among large numbers of Americans. Many of us are as concerned about racist police-state actions in South Africa as we are about totalitarian actions in Europe.

America depends on Africa for much of its raw materials and resources. More and more, it becomes apparent that it is in our national interest for self-determination and prosperity to thrive on the African continent.

Our moral standing in the eyes of the world goes down every time we vote with South Africa in the UN or back a repressive colonial regime.

The real trouble spot today is the southern part of the continent—ruled by breakaway British colonists (Rhodesia), South Africans whose leadership was in sympathy with Hitler, and the Portuguese (Angola, Mozambigue), whose overlordship of the remnants of a once-great empire compensate them for present second-class status.

Unless change comes to this troubled area, change that brings power to the black majorities, I don't see how bloodshed can be averted. Unless the United States supports democratic black leadership in these areas, takeover by Chinese and Russian-supported extremists is possible.

A case in point is the recent assassination of Dr. Euduardo C. Mondlane, leader of the Liberation Front of Mozambique rebels. He was an anthropologist who once taught in the United States. I knew him well; he was a humane man who loved his country and who was dedicated to winning independence for his people.

He returned to Africa to lead the fight for independence. Since democratic opposition was not allowed, he had to resort to guerrilla tactics. He and his cause were never backed by this government, for fear of harming relations with Portugal. Yet he was just the kind of man we should be supporting. Now, with Dr. Mondlane removed from the scene, it is possible that the liberation movement will deteriorate into a struggle for power between Russian and Chinese-influenced factions.

I'd like to see us take a more aggressive position of support for African freedom movements. It makes no sense for an American that was born in revolution to ignore the plight of the black majority in South Africa. Nor should we support the one-tenth of Rhodesians who happen to be white in their dictatorship over the nine-tenths of their countrymen who happen to be black.

Stepped-up aid to the poor nations of Black Africa is also needed. Relief for starving Biafra should be a priority item here. Other countries, including small ones like Israel, give technical and economic assistance to Africa far out of proportion to their size or their wealth. We should stop dragging our feet and pitch in too.

[From the Baltimore (Md.) Sun, Nov. 24,
1967]

PORTUGAL, BLACK AFRICA WAGE ENDURANCE WAR—LISBON STRIVING TO MAINTAIN PRESENCE DATING TO 1489

(By Joseph R. L. Sterne)

LOURENCO MARQUES MOZAMBIQUE, November 23.—The war between Portuguese forces and black African guerrilla fighters in northern Mozambique has entered its fourth year with every prospect of being an endurance contest.

It does not appear to be a struggle that will be decided by sporadic clashes, still less by the conflicting casualty figures and propaganda put out by either side.

Rather, it is shaping up more and more as a matter of staying power, with the ultimate outcome closely linked to the black-white racial confrontation in southern Africa.

The Portuguese living in this elongated slice of southeast Africa are trying to maintain a presence that they trace back to the arrival of the explorer Pero da Covilha in 1489.

DEVELOPING RESOURCES

As part of this intense effort, they are developing resources although stranded in a backwash of colonial neglect and are striving to turn tens of thousands of Africans into "black Portuguese"—a goal long cherished but poorly implemented.

Equally important, the war-caused insecurity of the local white population has extinguished the kind of breaking from Portugal talk heard five years ago.

The chief concern here now is Portugal's willingness to keep making the human and economic sacrifices demanded by three simultaneous guerrilla wars in Africa.

So long as the aging Dr. Salazar remains in power, there is little likelihood of weakening resolution in Lisbon. But the eternal Portuguese political question is "After Salazar, what?"

As a form of insurance the Portuguese in Mozambique are moving closer to South Africa despite their traditional dislike for the Northern European stock who hold power there.

Considerable comfort is derived among Portuguese from the thought that the Transvaal will not want its chief port, Lourenco Marques, to fall within the orbit of hostile black nationalism.

If the war from the Portuguese side thus seems both uncertain and open-ended, it does not differ materially from the valuation authorities here make of their enemy's position.

CONVINCED OF HEADWAY

On the military side, the high command is convinced it is making headway through counter-insurgency and psychological techniques specially designed for the war in northern Mozambique.

Nevertheless, the military's attitude toward the long haul is cautious, sober and highly sensitive to the potential for big power involvement in Africa's struggles.

Much is made of the belief here that the Frente de Liberatcao de Mocambique (FRELIMO), with headquarters in Dar es Salaam, Tanzania, is currently drawing support from the United States, the Soviet Union and Communist China.

According to the Portuguese, this is how the unlikely tripod works:

Dr. Eduardo Mondlane, a former professor at Syracuse University, was installed as FRELIMO president to secure support from private American organizations—particularly the Ford Foundation, the American Committee for Africa and the World Council Churches (with its large element of American Protestantism). Americans allegedly provide money, clothes and food for FRELIMO.

NO. 2 MAN

Uria Simango is No. 2 man in FRELIMO. He is described here as Peking's man in the organization and as such, by Portuguese definition, a man interested solely in promoting African chaos. China is considered the source of rifles, submachine guns and other comparatively sophisticated weaponry in the hands of the guerrillas.

Marcelino dos Santos, the third man in the FRELIMO hierarchy, is regarded here as an agent for the Kremlin. Through him, the guerrillas are thought to obtain explosives, land mines and other implements for hit-and-run war.

BUILT-IN INSTABILITY

It is a source of concern here that FRELIMO enjoys not only a broad spectrum of big-power support but a dominant position in the Mozambique insurgency that is not duplicated in the badly fractured black nationalist efforts against Angola and Portuguese Guinea.

But by the same token, Portuguese officials are heartened by what they feel is the built-in instability within FRELIMO's organization.

The emergence in Zambia of a rival group, the Mozambique Revolutionary Committee (COREMO) is not unwelcome even though it has caused some trouble in the Zambezi River country near Tete.

COREMO, it is noted, is a product of tribal rivalries plus breakaway elements taking the most extremist pro-Peking line.

From its inception, the Mozambique rebellion has been largely the handiwork of one tribe, and the Portuguese want to keep it that way.

HIT AT FOUR POINTS

The chief insurgents, as seen from Lourenco Marques, are the hardy, mountain-dwelling, clannish Maconde tribe inhabiting rough country on both sides of the Mozambique-Tanzania border near the lower stretches of the Rovuma River.

Small bands of Maconde working under the aegis of the largely tribal Mozambique African National Union (MANU) hit at 4 points in the sparsely-populated north in August 1964.

Portuguese troops put their clamps on the more western incursions but trouble remained in the Maconde heartland—the Mueda Plateau—in the northeastern corner of Mozambique.

In September and October 1964, the war took on larger dimensions than the Portuguese—despite the lessons of Angola—had anticipated.

SPREADS WEST

Under FRELIMO leadership that was more national in character than the MANU operation. Maconde tribesmen attacked garrisons and towns as far south as the Montepuez River, 80 miles below the border.

By November and December, 1964, the rebellion had spread west to invest Niassa province near Vila Cabral. In that case, the fighting was conducted by Nyanga tribesmen, many of whom live in neighboring Malawai.

The Portuguese struck back with no-quarter tactics designed to recover the initiative. In the process, thousands of Africans fled their home territory to seek sanctuary in Tanzania, where twelve military training camps are said to be located.

In 1965, the war was characterized by hit-and-run ambushes, land mines, a build-up of Portuguese forces and conscription here in Mozambique.

But by 1966, the Portuguese defense became more calculated.

Two to 300 consolidated villages, called aldeamentos, were organized throughout the northern section of the country.

MANY LURED AWAY

The Portuguese claim to have lured more than 200,000 Africans hostile to the Maconde into these villages by offering them more than they ever had before—health clinics, schools, water supplies, churches, seed and agricultural assistance.

Less warlike tribes (particularly the Macuas) thus allowed the Portuguese to promote tribal rivalries into what FRELIMO had launched as a black nationalist struggle against white domination.

With the wars in Angola and Guinea competing for manpower, the military commanders here never got the forces they desired.

HELP LIMITED

To augment a regular army unofficially estimated at 40,000 men, the Portuguese built up and this year began to rely upon white-led black militia units operating from the consolidated villages.

Taking lessons from what they consider American mistakes in Vietnam, the Portuguese limited the amount of help regular forces would give villages.

This made villagers defend themselves, and in the process they "compromised" themselves to such an extent that they could expect little mercy from black nationalist guerrillas—especially Macondes.

The Portuguese, short of manpower themselves, not only armed villagers to defend themselves; they also formed an "intervention militia" to foray from villages in search of invading soldiers.

Regular Army units, as a result, are concentrating on keeping roads clear, attacking big enemy concentrations and helping villagers in real trouble.

DEFECTIONS REPORTED

Portuguese authorities claim they are making progress and assert they even are starting to draw defectors from the Maconde tribe itself.

There is, however, no attempt to portray the war as nearing an end.

The guerrilla training camps in Tanzania are considered inviolate from attack because of the international uproar such an action would provoke.

And the Portuguese believe that at any one time some 3,000 guerrilla fighters are in training or in readiness in these camps, ready to augment at least an equal number of FRELIMO troops operating in the mountains and ravines and forests of Mozambique.

FRELIMO still commands the loyalty of at least half the 80,000 Maconde tribesmen living in Mozambique, it is conceded, and the black nationalist movement still has strength around Vila Cabral near Malawi and Tete near Zambia.

Thus, the immediate outlook for the Mozambique war is for a stalemate of an active and bloody variety.

[From the New York Times, Feb. 12, 1967]

U.S. SELF-DETERMINATION POLICY CRITICIZED BY MOZAMBIQUE REBEL

A Mozambique rebel leader criticized the United States Government last week, saying that it had retreated from its commitment to the principle of self-determination for Portuguese African possessions.

The rebel leader, Eduardo Mondlane, who is Chairman of the Front for the Liberation of Mozambique, said in an interview here that since 1961, when the United States supported a United Nations Security Council resolution that urged independence for Portuguese colonies in Africa, Washington has offered little encouragement to anti-Portuguese nationalist movements.

In effect, Dr. Mondlane said, the Administration "supports Portugal in its refusal to have the future of Mozambique settled by discussions at the U.N."

Dr. Mondlane cited a recent suggestion by Arthur J. Goldberg, the United States chief delegate to the United Nations, as "proof of how far Washington has departed from its earlier position."

TALK SUGGESTED

Mr. Goldberg, in a speech in Washington last week before the American Negro Leadership Conference on Africa, called on Portugal to begin talks with Africans in Angola and Mozambique on the basis of "recognition of the principle of self-determination."

Mr. Goldberg said such talks could lead to the emergence of Angola and Mozambique as sovereign independent states, to their free association with an independent state or to their integration with an independent state.

"Our movement seeks total independence for the whole of Mozambique and rejects any type of commonwealth or partition status," Dr. Mondlane said.

Dr. Mondlane, who holds a doctorate from Northwestern University, gave up a post as assistant professor of cultural anthropology at Syracuse University in 1963 to return to Mozambique to lead the liberation front. He is in the United States to visit officials of the private foundations and humanitarian groups that support the Mozambique Institute, a secondary school in Dar es Salaam, Tanzania, for young refugees from the Portuguese colony.

STRUGGLE AGAINST SYSTEM

Dr. Mondlane described the conflict in Mozambique as a struggle against a political system, not against the Portuguese.

The liberation front, he said, began its resistance in September, 1964, with 250 men organized into small guerrilla bands. Now the movement says it has more than 7,000 men fighting in the northern third of the country against an estimated total of 60,000 Portuguese troops.

The liberation front's forces have been taught guerrilla tactics by cadres trained in Algeria, the United Arab Republic, North Vietnam and China. Its arms are supplied by the Organization for African Unity, the Soviet Union, Communist China, Czechoslovakia and several other Communist countries.

Dr. Mondlane said that, despite the Communist aid it had received, his movement was based not on ideology but on the struggle for freedom against colonialism.

AMERICAN LEGION 50TH ANNIVERSARY

HON. J. CALEB BOGGS

OF DELAWARE

IN THE SENATE OF THE UNITED STATES

Thursday, March 13, 1969

Mr. BOGGS. Mr. President, this month the American Legion is celebrating its 50th anniversary. This great organization has enjoyed a half century of service to the Nation.

It is with a great sense of personal pride that I join in tribute to the American Legion. Since 1946, I have been a member of Laurence Roberts Post No. 21 in Wilmington, Del. I am proud to be a part of an organization which has done so much for the community, the State, and the Nation.

I take special pride in the significant role that one Delaware native has assumed in the founding and development of this patriotic group. Coincidentally, this great Legionnaire was in my office yesterday. Col. Thomas W. Miller today is the only active Legionnaire of those who charted the direction of this organization at its founding.

On March 15, 1919, what has evolved into the American Legion had its first meeting in Paris. The second and final general meeting of what is now known as the Paris Caucus, was held on March 17. The chairman of the session was Colonel Miller, now a resident of Nevada. Colonel Miller has remained in the forefront of the distinguished Legion activities over the past half century and his fellow members have appropriately honored him. Last year, they bestowed the honorary title of past national commander upon him, even though he never served in that post.

The American Legion has grown rapidly in numbers. It is recorded that at the first meeting 463 persons were present. Eight months later there were 70,000 paid members. Today the ranks have swollen to almost 3 million.

The Legionnaires, who once served their country in the military, have continued their service to fellow citizens through their participation in the many active programs of the American Legion. This group has helped people of all ages, all races, all colors. They have had a substantial impact upon youth through the years. Through sponsorship of Boy Scouts and athletic and citizenship programs, the American Legion has succeeded in strengthening the character of America's youth.

This demonstration of concern for our Nation, our society, and our future places the American Legion and its members in the highest esteem of Americans in all walks of life.

I wish to commend the American Legion on the occasion of its 50th anniversary, and I am confident that this impressive record that has been compiled in the past half century will be overshadowed by the endeavors of the Legion in its next 50 years. I wish them well.

THE 24TH ANNIVERSARY OF THE FUTURE HOMEMAKERS OF AMERICA

HON. WILLIAM H. NATCHER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. NATCHER. Mr. Speaker, I hope I will be forgiven if my remarks today appear to some to be biased. That they are, I freely admit, without blush or hesitation. As an honorary member of the Future Homemakers of America it would become me more, I know, to be more restrained in my praise of this organization, but as FHA national week nears, I find this not only difficult—I find it impossible.

I am far too proud of my honorary membership and of the 600,000 girls who are active in chapters across our country to be modest about the Future Homemakers.

In the 24 years of their existence, the Future Homemakers have established themselves as a vital and integral part of America's youth community. The Future Homemakers of America was founded in 1945 and, in the words of the

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song, 1945 was "a very good year." This organization was born into a climate that nourished anew the importance and meaning of family life, for in that year, the year of 1945, America's men—her husbands, fathers, sons, and brothers—were returning from World War II, and her heart and eyes were focused upon her families.

Now, 24 years later, with the added advancement of this age, our family patterns have changed. Through the media of transportation, education, and entertainment, the interests of our families have broadened. As products of this age, and as today's young women, the Future Homemakers of America, are not resistant to change. They welcome, I am sure, the idea of a pushbutton kitchen or any innovation that would add to the quality of our daily lives but they are, I am equally as sure, determined that the family home shall not diminish in its importance or lose its place as the principal source of our trust and inspiration.

These young people know that they are the future of their country. They know that the homes of the future will be their homes and the responsibilities of the future will be their responsibilities. The FHA program, with its many facets, is designed to prepare youth for this future. The program is youth directed. FHA members themselves decide upon their goals and select their projects and activities. They do a creditable job.

The Future Homemakers of America have contributed so much to our society. The most important contribution perhaps has been to assure us, the adults of America, that youth does know, that youth does care, and that youth can act in a positive and constructive manner. When we deplore the actions of the younger generation we are deploring a mere 3 to 5 percent of our young people. The majority of our young citizens are good citizens who are concerned about their country and who want only the best for America and her families.

Certainly the Future Homemakers of America care. I know that they do for concern and consideration is part of their creed.

This, then, is their 24th year. What they have contributed over this period is but a preview of what they will give us in the future. It is an honor for me to be a part of this program and my privilege to salute them today in the presence of my distinguished colleagues.

BIG SPRING, TEX., AGRICULTURAL EXPERIMENT STATION PRAISED BY BIG SPRING HERALD

HON. RALPH YARBOROUGH

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Thursday, March 13, 1969

Mr. YARBOROUGH. Mr. President, all too frequently we hear complaints about the shortcomings and inefficiencies of Federal officials. For this reason, I am always delighted to hear from one of my constituents who wishes to praise some of the Federal Government's employees.

Recently I received a letter from Mr. Tex Rogers, farm editor of the Big Spring Herald, of Big Spring, Tex. Mr. Rogers had a great deal of praise for the U.S. Agricultural Experiment Station in Big Spring, Tex. He also expressed his hope that the station will be able to expand its programs during the coming year. He endorsed an article published in the Big Spring Herald of February 23, 1969. I ask unanimous consent that this article, entitled "Research Is Proven Effort But More Funds Are Needed," be printed in the Extensions of Remarks today.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FIELD AND RANGE: RESEARCH IS PROVEN EFFORT BUT MORE FUNDS ARE NEEDED

(By Tex Rogers)

Each year research in agriculture becomes more important, both to the farmer and consumer.

As the population continues its yearly increase, more people must be fed by fewer farmers on less land. These same farmers are required to produce more crops while facing continued increases in prices for equipment and labor, which eventually get back to the consumer.

Agricultural research during the past 25 years has vaulted to a vast network of centers throughout the nation which devote man hours and money to studying everything from weeds to wind erosion. Most studies benefit both rural and urban dwellers.

The Big Spring Experiment Station is a part of the nationwide effort in agricultural research. It has made its contributions, but Dr. Bill Fryrear, head of the station, thinks that more progress could be made if more funds were available.

There are approximately 40 million acres of sandy soils in the southern plains, representing some of the most productive land in the Great Plains. Moisture conservation and wind erosion control are major problems in managing and conserving these soils.

The Big Spring station is the only field station in the southern plains which the Soil Conservation Service, Agricultural Research Service, and the U.S. Department of Agriculture has for soil and water conservation research of sandy soils.

Also, it is strategically located for research on conservation problems in four land resource areas, Southern High Plains; Rolling Red Plains, Southern Desertic Basins, Plains and Mountains; and Edwards Plateau. Sandy soils extend into nearly all of the Panhandle of Texas and into the Rio Grande Valley, plus large parts of the Oklahoma Panhandle, southern Kansas, southwestern Kansas, eastern New Mexico and eastern Colorado.

Fryrear notes that the Big Spring station is now confined to a limited area in serving the southern plains, mainly because of a lack of funds. If the center had funds to study sandy soils comprehensively, it would be a regional station for all states where that variety of soil is found.

The station's budget for the past 10 years has been $66,400 per year, Fryrear said. But after salaries, equipment and maintenance funds are spent, the station has only about $10,000 on which to operate.

Despite the shortage of operating capital, Fryrear and his assistants, Dr. Paul Koshe and Jim Stubbendeik, continue to work.

Progress has been made in research at the station, and a more recent study was done on the use of gin trash over soil. This practice is now being used by many Plains farmers.

"We could consider the use of petroleum products as a mulch to stabilize the soil from wind erosion and study the effect of petroleum derivatives in reducing evaporation," he said. "Evaporation of water from the soil is of great concern. In 1958 we found that a bale of cotton could be produced with only four inches of water, if the water was not evaporated off the soil."

Studies in grasses and crops systems could also be made to discover what species of plants use more moisture during various seasons, he said.

Air pollution here could be cause for another study, he said, in connection with the moving of herbicides and insecticides through the air.

"There was a heavy dust storm here in 1965 in which dust particles containing chemicals were deposited in Cincinnnati, Ohio," he said. "Those people there were concerned about the dust and chemicals, and we should be, too."

Fryrear said that work is under way at the station to coat the soil with carbon black and other petroleum chemicals to see if cotton and other crops would germinate and sprout earlier.

"If the chemicals could help get the crop up faster, by keeping the ground warm, the plants could get water faster during the rainy season, and would be up in time so that insects couldn't damage them," he said.

Fryrear said that for the Big Spring station to be turned into a regional research center, about $450,000 per year would be needed. That kind of budget would be enough to employ at least 20 professional people and to carry on experiments year around. Studies could be conducted in areas of soil, water, grass and insects.

Hearings are coming up in March in Congress to decide what research stations and programs will receive funds. Several Texans will help decide the fate of the Big Spring Experiment Station and whether it remains in its same program or expands.

EQUIPMENT INTERCHANGE ACT

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. PICKLE. Mr. Speaker, today I am reintroducing a bill I sponsored last year known as the Equipment Interchange Act.

In broadest terms, the purpose of this act is to promote and improve the legal and administrative arrangements concerning containerization freight shipments using more than one mode of transportation.

The purpose of the proposed Equipment Interchange Act of 1969 is to permit carriers of different classes to enter into agreements with each other to establish uniform bases for the interchange between such carriers of units of transportation equipment, be they highway trailers, containers, or some other freight carrying vehicle.

While carriers of particular modes of transportation; for example, motor carriers, presently have approved agreements covering the interchange of equipment between themselves, the existing regulatory statutes preclude the making of such agreements between carriers subject to different statutes. That is to say, railroads, motor carriers, and water carriers subject to the Interstate Commerce Act may presently enter into equipment interchange agreements, subject to the approval of the Interstate Commerce Commission. But such carriers may not enter into agreements for the interchange of equipment with water carriers subject to the Federal Maritime Acts or air carriers because any joint action to establish uniform rates of compensation for equipment used in interchange service could be construed as a violation of the antitrust law.

Each of the three regulatory statutes involved contain provisions for the submission of cooperative agreements to the respective agencies and for antitrust exemption of such agreements if approved by those agencies. With the possible exception of the Civil Aeronautics Board, it is clear that the agencies do not presently have authority to grant antitrust exemption to agreements involving carriers not subject to the regulation of the particular agency. The proposed legislation would remove this barrier to voluntary agreements between carriers of different classes by authorizing them to enter into equipment interchange agreements subject to the approval of a joint board composed of one member each from the Civil Aeronautics Board, the Federal Maritime Commission, and the Interstate Commerce Commission. As with the present regulatory statutes, approval by the joint board would exempt actions taken pursuant to an agreement from the antitrust laws.

Nothing contained in the proposed legislation shall be construed to affect the authority or powers otherwise conferred upon the Interstate Commerce Commission, the Civil Aeronautics Board, or the Federal Maritime Commission.

Mr. Speaker, as you may recall, the Department of Transportation last year requested legislation which included a provision reaching toward the same goal sought in the Equipment Interchange Act. I would note that while there were then some differences in approach, the general purposes sought here have been supported by the DOT.

I am advised that DOT again this year is considering a proposal such as this, and I am hopeful that we might reach a consensus and obtain hearing of these approaches. I feel something must be done to provide the first step for facing squarely the containerization problem. The bill I am introducing today provides this first step and I feel it will go a long way to bring our freight and transportation laws in line with modern technology.

IF SWAHILI, WHY NOT GAELIC?

HON. H. R. GROSS

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. GROSS. Mr. Speaker, in the following letter a citizen of Virginia sets forth a proposal that deserves further consideration:

IF SWAHILI, WHY NOT GAELIC?

SIR: I am a WASP (White Anglo-Saxon Protestant)—a member of the so-called bulwark of American society. My family, originally of Scottish descent, has been living in America for approximately three hundred years. Because of this, we feel that many WASP families in the United States are suffering from a lack of identity. So, following the example of similar movements, we advocate the following:

Gaelic shall be offered as an elective course in all public high schools. All college students shall be given the opportunity to major in this language. Students taking part in this course shall be able to control the hiring and firing of their teachers. Possession of all facilities used to teach this subject shall be given to the students.

All Americans who are of Scottish descent shall be referred to as "Scottish-Americans."

Robert Bruce's birthday shall be proclaimed as a national holiday.

Bagpipe music shall be given equal time with all other kinds of music at all public and government ceremonies.

Scottish cultural centers shall be established throughout the United States in an effort to help us preserve our heritage.

My organization will support other groups with similar demands in return for their support of my objectives.

JOHN GRIMSLEY.

FAIRFAX, VA.

SENATOR SCHWEIKER URGES ELECTORAL REFORM

HON. RICHARD S. SCHWEIKER

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Thursday, March 13, 1969

Mr. SCHWEIKER. Mr. President, yesterday I testified before the Subcommittee on Constitutional Amendments of the Committee on the Judiciary in favor of electoral reform and in favor of the proposal of the Senator from Indiana (Mr. BAYH) for the direct popular election of the President and Vice President.

I ask unanimous consent that my views on this important subject be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

SENATOR SCHWEIKER URGES ELECTORAL REFORM

Mr. Chairman and Members of the Committee: It is a real privilege for me to have this opportunity to appear before you today, and to present some of my views on electoral reform. Your committee has performed outstanding work in this area of electoral reform, and your Chairman is one of the leaders in the field.

You have already heard at great length from many experts on the legal merits of the various electoral reform proposals, and have heard detailed explanations of voting patterns and election statistics.

I have come not as an expert but as an elected official who followed this issue during the last number of years as a Congressman, who studied the need for reform, and who made this a major campaign theme last Fall, to emphasize the need for reform of our presidential election system.

I have also come to give my strong support for recommendation by this committee, and for adoption by the Senate, of the proposal for the direct popular election method. I concur with your chairman's ideas on this subject, and I am privileged to be a cosponsor of S.J. Res. 1.

The first point I want to make is the absolute necessity for enacting some form of electoral reform.

We first of all must eliminate once and for all the faithless elector possibility, dramatized vividly last Fall when a North Carolina elector voted independently for George Wallace, even though his state went for Richard Nixon.

Last Fall's election also dramatized the tinder box of Constitutional problems provided by the current system for a runoff election in the House. The one vote per state plan is totally outdated. The potential for "deal-making" by a minor, or even major, party, is frightening.

There is another consideration, however, which I think is very important. During my Senate campaign last year, I talked with people in cities, in small towns, in suburbs, and in rural communities, and I discovered in all these different areas a common disenchantment with the effectiveness of their government, and a general loss of confidence in the responsiveness of their leaders. Our people no longer feel that our electoral system represents them. We must correct this.

The second point I want to make is that the best way to make the necessary reforms, the best way to restore this confidence in our governmental system by the American people, is to amend the Constitution by abolishing the electoral college and substituting a direct popular election plan.

First of all, we have a national President, who represents all Americans, and who makes decisions which affect all Americans, and therefore we should have a national popular vote choosing who this President shall be.

The Electoral College made sense when it was created, when communications were inadequate and travel almost impossible. But today, when our technological advances have rendered these problems a thing of the past, we no longer have any need for the electoral college system of representative voting for the election of the President.

A second consideration is that with a direct election plan, with a run-off election between the top two candidates, if no one receives 40% of the vote, we can eliminate the possibility of a candidate winning the election, but losing the Presidency. There is no reason to perpetuate the chance that a minority candidate can be elected. We should not continue this system.

I have already touched upon a third consideration: the need to increase the sense of participation in our electoral process on the part of the electorate at large. The direct popular election is the best method to accomplish this, to equalize the vote of individuals, and to balance the collective weight of each state to its proper proportion with respect to the entire nation's vote turnout.

Let me briefly review some of the criticisms of the direct election system.

Many argue that the direct election system will give greater incentive to splinter parties, and weaken the two-party system. I believe, to the contrary, that the two party system will be stronger under the direct election plan. Rather than being able to obtain a single state's entire block of electoral votes, or throw an election into the House, as under the present system, the most a third party can do is to prevent one major party from getting better than 40% majority, and force a run-off between the two major parties. There will be no deals possible with the direct election plan.

Many argue that the small states will never approve the direct election plan, assuring the plans defeat, because they are more strongly represented in the Electoral College than they would be under direct popular voting. To counter this argument, I would like to cite the mathematical analysis prepared by John E. Banzhaf, III.

His analysis shows that it is the individual voter from a large state who actually has more influence on the ultimate election result than the individual voter in a small state. For while the voter in Alaska has more influence over who will win Alaska's electoral votes than the individual New York State voter has to determine the New York electoral winner, this is really not the crucial issue.

Nationally speaking, that New York voter is a key to 43 electoral votes, while the Alaska voter is at the control of only 3 electoral votes. This is the way that small states should be looking at the electoral college system, and if they do, they should conclude that their much-talked-about "advan-

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tage" under the existing system is more illusion than reality. A small state really has nothing to lose under the direct popular vote plan. If any states lose anything, it will be the large states, who will no longer be so earnestly courted by candidates as rich prize. A single vote cast in a large state will be of no more weight to a candidate than a vote cast in a small state.

Many also argue that we should not tinker with the Constitution. I do not believe we are doing this. Reform of the Electoral College has been advocated for decades. Proposals have been well studied, and the issues have been well documented. Senate and House Hearings have been regularly held after every Presidential election. Any tinkering we are doing is with a rusty, antiquated system that should have been discarded long ago.

In conclusion I feel that now is the time to act on these proposals. The problems and issues we face in the 1970's are more critical than ever before in our history. Correspondingly, the need for a more responsive Presidential election system will be greater than ever before.

I also feel that we should adopt what we feel is the best system. I advocate a complete change of the Electoral College, and not just the long-needed reforms of Electoral College procedures. These proposals are worthy ones, but if we are going to make our system more responsive to the people, let's do the complete job.

Thank you very much for allowing me to appear before you and present my views on this vital subject.

"SCIENCE, POLICY, AND CONGRESS," BY RICHARD A. CARPENTER

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a pleasure to call the attention of Congress and the American people to the excellent article, "Science, Policy, and Congress," by Richard A. Carpenter which appears in the winter edition of the Midwest Research Quarterly. Richard Carpenter is a senior specialist in science and technology in the Science Policy Research Division of the Library of Congress.

For his competence, efficiency, and fine cooperation, Dick Carpenter is well known by the members of the Committee on Science and Astronautics. I am glad to insert his well-written article in the RECORD:

SCIENCE, POLICY, AND CONGRESS

(By Richard A. Carpenter)

The United States Congress is an integrating institution. It arrives at a collective decision only after considering many aspects of the issue and after reconciling often conflicting desires of society. The social, legal, economic, institutional and political values are as old as Congress itself. These areas of knowledge are well represented by congressmen whose personal experience, training, and specialization bring an up-to-date familiarity with information sources and expertise. On the other hand, science and technology are relatively new ingredients to be incorporated into the complex of the legislative process. In fact, few scientists and engineers are elected as senators or representatives. And the number is not likely to increase. For these reasons, the needed technical facts, theories, and informed opinions must—for the most part—enter the legislative debates and committee considerations via an information transfer process from the scientific community.

Within the last decade, a new relationship has emerged: Technical knowledge is vital to political power and society goals. In the October 1968 *Bulletin of the Atomic Scientists,* Don K. Price, dean of the John Fitzgerald Kennedy School of Government, explains it this way: "The first is that science and scientists have come to be more than merely instrumental forces to help carry out purposes that have been predetermined by others—either by the traditional custodians of religious values, or by the will of the electorate. They have become a powerful influence in altering values and guiding the purposes of national policy. The second is that science can no longer stand apart in complete independence from the flux of political controversy, and thus appear as a clearly objective source of truth. For when research must be supported by government grants, science itself becomes a part of the political system."

At present, the federal government expenditures for research and development are undergoing a close reexamination. Any remaining awe of science or fascination with technology has been replaced with a requirement for relevance of research results to pressing social problems and an insistence that programs meet time and budget schedules.

THE NEED FOR INFORMATION

At the same time, there is a frank demand from legislators (reflecting the concerns of their constituents) that technology serve society and not merely its own momentum. The nation seems suspicious that federal funds may be used for stunts or science for the sake of science. Also, the demands of national security, world leadership, and crises in the natural and social environments can be met, in part, by providing new options through expanded research and development. The management of science resources, without stifling creativity and innovation, is the crux of many national science policy issues. Congressmen must gain a better understanding of ways science and technology work so they can make decisions on the expenditure of public funds for these purposes. The current situation is a radical change from that of a few years ago.

During the pre-Sputnik decade, legislators were under no compulsion to debate or defend science and technology in the public political arena. Little money was involved, and basic research was supported on the faith that the data would eventually be useful. Development funding was, more often than not, associated with the fear that national security would be jeopardized if the capabilities of atomic weapons were not exploited.

The space age opened with a political judgment to dedicate the U.S. program to peaceful purposes. The public interest in science increased rapidly and brought a literacy to the electorate which had not been present. Federal funding for research and development jumped from $3 billion in 1955 to $8 billion in 1960.[1]

Other goals and missions of government were seen to require technology for their accomplishment. The "social overhead" problems of environmental pollution, transportation, urban development, and the like justified their own R & D expenditures. The nondefense portion of total federal R & D obligations increased from 19 percent in 1960 to 50 percent in 1965 where it has remained.[2]

Thus three significant changes occurred to make the understanding of science and technology important to members of Congress: Public debate and commentary were required; large public funding was involved; and a variety of national objectives depended on research and development results. Management of these growing federal expenditures required policy planning. The Congress determined to become a full partner with the executive branch in initiating and elaborating science policy.

NATURE OF THE INFORMATION

A useful partition of this general subject is to consider policy for science as opposed to science for policy. Policy for science pertains to federal programs that insure the health of U.S. science; i.e., fundamental research, science education, manpower, research facilities, science information, and so forth. The National Science Foundation and the basic research projects sponsored by mission-oriented agencies are the means of carrying out policy for science. Although perhaps only 10 percent of the total funding is in this area, it is a major concern because the national technological capability ultimately depends on a strong and sustained scientific effort.

The second aspect of science policy is the ways in which research and development support other policies. In a highly technical civilization, virtually every agency mission is assisted by some technical input. The dollars available to accomplish a given mission are limited and so the R & D request must compete with operational and other budget requirements on a cost-effectiveness basis. Only if R & D can contribute to the mission will it be supported; there is no R & D "pie" to be split up among agencies.

In these two areas of science policy, the Congress seeks information for management decision rather than the details of project engineering. The legislative process encounters science and technology issues in all three of its major functions. First, authorization is the genesis of federal programs. Some departments and agencies which are major R & D performers have annual authorization—e.g., the National Aeronautics and Space Administration and the National Science Foundation. Others, for example, like the National Bureau of Standards and the National Institutes of Health, operate under continuing authorization. Next, the appropriations committees consider the budget requests of the administration as modified by the authorizing committees. Finally the overview role of the Congress monitors the programs to make certain their intent is carried out.

The needed information is in terms of alternatives: What is technically possible? What breakthroughs are needed? Costs? Schedules? The criteria for choice used by the executive branch agencies must be examined. In the past few years, a concern has grown over the consequences of applied technology—side effects which may be difficult to forecast or anticipate.

The Congress certainly does not lack for information. The openness of the legislative process provides a great variety and number of channels for facts and opinions. The federal agencies advocate and defend their programs in hearings, briefings, and continual liaison with the members and committees directly concerned. The Office of Science and Technology in the Executive Office of the President was established by reorganization to coordinate executive branch R & D and to report to the Congress on science policy matters.

Industries and trade organizations often present testimony at hearings and carry on extensive information and lobbying activities when legislation or government programs particularly affect their interests. Constituents and local businesses make specific inquiries to their representatives and carry opinions on R & D matters which have obvious political impact.

Universities and nonprofit institutions provide data and interpretive studies in the normal course of their activities. Where the support of science is concerned, these groups

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pursue their own proposals which may be in concert or conflict with agency activities Many sources, to some degree, have axes to grind when they appear before a committee or volunteer information to members.

The National Academies of Sciences and Engineering is a congressionally chartered group which, along with their National Research Council, can undertake contract studies for both the executive and legislative branches. A broad interdisciplinary overview on matters affecting the health of science and engineering is obtained. The professional technical society is another source of digested and interpreted information which has been identified as potentially useful but has not yet contributed directly to any appreciable extent.

MECHANISMS FOR COMMUNICATION

As the need for science advice has become recognized, the legislators have erected a variety of information gathering devices of their own. Some members even have personal science advisory committees. The political parties, too, have organized scientists and engineers to assist them. Also professional staffs of committees have been reinforced with persons of mature technical experience. Hearings and briefings are arranged to present a variety of viewpoints. Ad hoc advisory panels are assembled to deal with a particular subject or to provide general advice.

In 1963 and 1964, a number of studies and proposals was made relating to science advice for the Congress. The Subcommittee on Science Research and Development of the House Committee on Science and Astronautics (chaired by Mr. Daddario) held hearings and issued a report, "Scientific-Technical Advice for Congress: Needs and Resources."[3] [4] Bills to create a congressional Office of Science and Technology were introduced in both Houses in the 88th Congress, (S 2036 and HR 8066). Another bill, HR 6866, (88th Congress, 1st session) sought to establish a small science advisory staff in each house.[5] The House Select Committee on Government Research conducted extensive studies on the methods by which Congress could improve its handling of federal science affairs.[6] Senator Clinton P. Anderson reviewed the difficulties of setting up a body of highly trained technicians solely responsible to Congress in an article in *Science* magazine.[7]

The conclusion of these deliberations was that a bridge between the Congress and the scientific community was preferable to an "in house" cadre of practicing scientists and engineers. The breadth of legislative problems and the rapid change of specific interests militated against retaining subject matter specialists as advisers. Instead, the need was correctly deducted for a new function to excise the scientific questions from legislative issues, to search the literature and minds of the scientific community for relevant answers, and to interpret and distill the pertinent information for easy use by the legislators.

LEGISLATIVE REFERENCE SERVICE

The means of establishing the function was found close at hand. The Legislative Reference Service is a 53-year-old organization within the Library of Congress. It is divided into 10 divisions which provide research and information on all areas of knowledge related to legislation. The staff numbers over 300 persons ranging from senior scholars to clerks who retrieve factual data. The specialists are thoroughly qualified and recognized in their academic areas, and more importantly they are skilled at interpreting and communicating technical information to the Congress. LRS works only for the members and their committees and staffs. Projects are performed on a confidential basis and usually the resulting contributions in printed form are anonymous as to origin. Partisan political influences are carefully avoided under the direction of the Joint Committee on the Library.

Into this existing organizational framework, the Congress introduced eight new positions by appropriation action for fiscal year 1965, "to meet the increasing requests for service in the scientific and technological specialties." These positions were augmented with existing funds and organized as the Science Policy Research Division in October of 1964.

The objective of the division is an increased understanding by the members of Congress of the workings of science and engineering. Although advice is often used in describing the function, it is not an entirely accurate word. The analysis and interpretation of the technical content of public policy issues are usually done in a "pro and con" form. Scholarship, or completeness of research, and objectivity, or the absence of advocacy, are the criteria of performance.

Science Policy Research Division is a bridge to a diversity and plurality of information and opinion. It is not a primary source of knowledge. Nevertheless, the way in which the gathered facts are presented to the legislator often does impart a summary judgment, a responsibility which is carefully recognized and accepted. Quality control is assured by an internal review by other researchers as well as frequent consultation with outside authorities.

THE TECHNICAL SOCIETY

Professional technical societies can be a most valuable source of advice and information for the Congress. In contrast to the other sources, the broad membership allows professional, rather than employment related views, to come to the surface. Their tax exempt status need not be jeopardized nor are they required to register as lobbyists.[8] The simple conditions are that the congressional liaison must not be a major portion of their activities and that the Congress has invited their testimony. Such conditions are easily met by professional societies since education and science are their main pursuits, and a standing invitation to communicate with the Congress has been issued repeatedly by many members of both Houses.

The technical societies are not expected to present a consensus view on issues—which might engender internal strife. Rather, they should provide a forum for discussion of science policy issues, just as they have historically for the presentation of research results. The policy discussions, with the participation of society leaders, would provide interpretations and viewpoints of great usefulness to the Congress. Such a forum would be relatively balanced as to vested interests from the primary employment of participants. Without reaching a consensus, or putting the matter to a vote, the science policy forum would reveal the pros and cons of an issue in a unique way. This is a new responsibility for professional societies. It is well worth adding to the traditional functions of publication, national meetings, and education.

The implementation of an effective liaison, however, appears to be much more difficult than the recognition of the opportunity. It is quite a departure from the comfortable and secure tradition of providing a forum on specialized knowledge. Many organizations still resist extension of their activities to the economic and social position of their memberships. But just as there is no longer an ivory tower for the individual scientist, these organizations must accept a new role of constructive participation channels for their members and as a public service resource for governmental bodies. The benefits to the professional, in learning the practical politics of research support and working in the resource allocation process, are also a major reason for developing this relationship.

One should carefully note that the issues to be addressed are those of the technical community and not the gamut of public affairs. Reluctance of researchers to talk about science policy may be related to the lamentable performance of some colleagues in other national affairs debates. A technical education confers no particular advantage in matters of ethics or politics. On the other hand, science policy decisions must not lack the full input of competent advice from scientists and engineers.

SOME CURRENT ACTIVITIES

The American Physical Society recently rejected a constitutional amendment which would have allowed society referendum voting on "any matter of concern." Opponents feared that issues such as Viet Nam would tear the organization apart. Charles Price, the founder and chairman of the American Chemical Society's Committee on Chemistry and Public Affairs, says: "It seems to me that a scientific society, which the American Chemical Society is, really needs to stick to issues in which a fairly significant component of science know-how is involved."

The American Association for the Advancement of Science, the closest approximation to a council of technical societies, is wrestling with the ecological effects of defoliation in Viet Nam. Here, the problem is to pursue a valid science policy issue (whether military advantages are offset by long-term environmental damage) without allowing the assessment to deteriorate into the emotional political argument associated with that conflict.

The American Institute of Chemical Engineers is considering a policy statement proposed by its Government Programs Advisory Committee "to provide technical and professional assistance to the government in areas requiring chemical engineering knowledge, so that the laws and regulations adopted take full cognizance of and are in keeping with the pertinent technical facts."

The Iowa Section of the American Society of Civil Engineers expressed its opposition to the recently defeated bill which would have authorized wider trucks with increased allowable axle weights. The Ecological Society of America has formed a vigorous Committee on Public Affairs which represents a place that policy-makers can come to for competent ecological advice. They have provided several witnesses before public hearings of congressional committees.

The American Institute of Aeronautics and Astronautics has watched the aerospace budget wax and wane with little input from this 30,000 member organization. In the October 1968 issue of *Astronautics and Aeronautics*, the beginnings of a clamor for participation in policy planning are discussed. Dr. Glen P. Wilson of the staff of the Senate Aeronautical and Space Sciences Committee points out that "the Congress is a living breathing human group that operates something like a vast and complicated moment equation. A given amount of pressure at a given point will cause the center of gravity to shift . . . Congress cannot respond to a stimulus it has not received, although the lack of a particular stimulus will enable all other stimuli to have proportionally greater effect."

This is the most important reason for bringing the full weight of technical thought into the legislative process. Other forces, vested interests, viewpoints, needs, and demands are vigorously represented in planning, directing, allocating, and setting priorities for national programs. If science and engineering are not fairly and competently promoted, government support will decline and the benefits of R & D will not become available.

Usually, the relationship between research funding and eventual practical return on this investment isn't obvious or short term. An element of faith is necessary, and faith, as a rationale for disbursing tax revenue, is a fragile vessel on political seas. Professionals

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who are most familiar with the time-tested sequence of research-development-application must take the initiative to illustrate. document, and convince decision makers of the value of their work. This is an honorable, forthright responsibility for the technical professional in a civilization which is based on knowledge and use of natural science principles. The professional technical societies offer a mechanism for the justification of federal support which is free from the direct payroll relationships of other congressional information sources.

The indicated liaison can take many forms and will require ingenuity to exploit fully. There will be legal, financial, and logistical problems for the societies as various opportunities for policy participation are explored. But the stage is set. The Congress is receptive. The emerging social overhead problems can be served by relevant research. The Science Policy Research Division and congressional committee staffs are in operation as communication channels.

Dr. Eric A. Walker, president of the National Academy of Engineering, says: "Engineers have a deep seated yearning to be professionals, yet somehow or other, they aren't quite willing to take the steps that will really give them professional status . . . When they meet in small groups, they complain about their status, they complain about their public image, and they confess that they are not carrying their share of the load as public servants."

The participation in a congressional information and advisory function via the established societies would seem to be an important and significant step toward individual recognition as professionals.

FOOTNOTES

[1] Federal Funds for Research, Development, and other Scientific Activities, Vol. XVI, NSF 67–19, National Science Foundation, 1967, p. 2.

[2] *Ibid.*, p. 3.

[3] "Scientific-Technical Advice for Congress—Needs and Services," Committee on Science and Astronautics, U.S. House of Representatives, August 10, 1964, p. 63.

[4] "Government and Science," Hearings before the Subcommittee on Science Research and Development of the Committee on Science and Astronautics, 88th Congress, 1st session, October 15–November 20, 1963.

[5] Hearings before the Subcommittee on Accounts of the Committee on House Administration, on HR 6866 and HR 8066, 88th Congress, 1st session, December 4, 1963.

[6] Study Number X—Part II, Staff Résumé of the Activities of the Select Committee on Government Research, U.S. House of Representatives, February 18, 1965.

[7] "Science Advice for Congress," *Science*, April 3, 1963, pp. 29–32.

[8] "Scientific-Technical Advice for Congress—Needs and Services," *Op. cit.*

LEGISLATION TO CORRECT ONE OF THE INEQUITIES OF THE SOCIAL SECURITY SYSTEM

HON. LEONARD FARBSTEIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. FARBSTEIN. Mr. Speaker, I have today introduced legislation to correct one of the greatest inequities of the social security system—the exclusion of Federal employees from coverage under old-age, survivors, and disability insurance protection.

My bill would permit Federal employees to elect coverage under the insurance program established by title II of the Social Security Act. They would have the choice as to whether they would come under the social security system in addition to their civil service retirement coverage. New employees would have 2 years from the date of their employment within which to file a certificate indicating their desire for such coverage. Existing employees would likewise have 2 years to make such election. The employer—in this case, the Federal agency—would pay the employee tax.

Federal employees make up the largest group of employees in the United States. I can see no reason why they should be excluded from coverage under title II of the Social Security Act. This matter has been under consideration by boards, bureaus, committees, and commissions, both in and out of the Congress for more than two decades. I think it is time to take affirmative action.

"THE PRIVATE INTEREST AND THE PUBLIC PURPOSE—THE REASON WHY"—ADDRESS BY BLAKE T. NEWTON, JR.

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Thursday, March 13, 1969

Mr. SCOTT. Mr. President, we have heard much recently about the need for the private sector of our country to become involved with the great and pressing issues of the day. Mr. Blake T. Newton, Jr., president of the Institute of Life Insurance, recently addressed himself to this very problem. Mr. Newton's remarks before the Wilner Award Luncheon in Washington, D.C., entitled "The Private Interest and the Public Purpose—The Reason Why," show a unique insight into some of the major problems confronting the Nation. I commend this outstanding address to Senators and ask unanimous consent that it be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE PRIVATE INTEREST AND THE PUBLIC PURPOSE—THE REASON WHY

(Speech by Blake T. Newton, Jr., president, Institute of Life Insurance, at Wilner Award Luncheon, Washington, D.C., January 23, 1969)

Sixteen months ago the life insurance business committed itself to a program of capital investment in the core areas of our cities. The aim was to focus the investment function of our business upon those areas of our society that urgently required investments—the decaying and strife-prone inner city, where capital was in short supply and where the normal tendency of investment was frustrated by high risk, indifferent return and one thing more: the tradition among business people that it was difficult, if not impossible, to justify in competitive terms.

Specifically, the Joint Urban Problems Committee of two major trade associations of our business—the American Life Convention and the Life Insurance Association of America—agreed that as a business we would pledge $1 billion to engage those needs of the troubled urban environment which might yield to economic solutions.

It was wholly proper that we should do this, and we sought at the time to make it clear that our primary concerns were business concerns.

Much of the investment of our business is located in cities. If the ability of our cities to survive and to progress as the gathering places of human and economic enterprise is threatened, then clearly our business is threatened.

Most of our policyholders live or work in cities. If the quality of their lives and the tranquility of their existence are in danger, then we are in danger, and it clearly is our concern.

It must be conceded, of course, that these are not concerns that are ordinarily attributed to business by those more accustomed to thinking exclusively in terms of the profit motive. But our careful enunciation of why we are involved and our constant repetition of these reasons have brought about, I believe, a larger result than we anticipated.

Gradually as our program took shape, as money was committed, as brick and mortar results began to rise, we began to recognize that this amorphous concept called "the business interest" was being cast in larger scale than had ever seriously been offered for public exhibit.

I must emphasize at this stage that we in the life insurance business were not moving in lonely and splendid isolation. Other areas of the business community also saw the issues that had been raised by our urban problems as business issues. They also looked to their resources and skills and they engaged the problems they felt competent to deal with.

I could spend the better part of the time you have allotted me today describing some of the responses business has made in the past year alone, but I am sure you have read of them yourselves.

What is important is that they all served to reinforce this larger concept of the business interest.

There were other responses too that not only strengthened the concept, but animated it and gave it momentum.

There was, for example, the reaction of government on both the local and national level. It wasn't so much that they looked upon our works and saw that they were good. But rather that they looked with new eyes—as we did—upon the immensity of the problem our society faced and saw that our resources of capital and diversity were needed, and they could properly be brought to bear.

In addition there was the response of those who were more intimately concerned with the problems of poverty and urban environment: those who lived there and those who served there in many roles. They were wary as people should be whose expectations had been too often dashed. But they were welcoming, too, and hopeful, and willing to accept our sincerity as it was established.

The net effect of all this is that business is engaged now in areas that were formerly considered to be the domain of government, of the social worker, of organized charity, of education. It is known to be engaged, and it is accepted, generally, that it is engaged because it is in the business interest.

Thus the larger concept of the business interest is no longer tentative. And I think at this point it should be stated clearly and without pretension:

The private sector of our national economy has recognized that business is affected by disruption and decay and disaffection both in the near and the long term. But this represents only the practical aspect of our concern. It is the thin end of the entering wedge of our involvement.

Deeper into the twin crises of poverty and environment, we have—like all good wedges—widened our perspective and we have come to realize that the very quality of our lives and the principles on which we have based nearly 200 years of national conduct are at stake.

The gaps between what we the majority of our people have achieved, and what the minority have not, are glaring, inexcusable and inescapable.

A lifetime of experience with the potentially fatal dangers of war and potentially disastrous ones of practical economics, has taught us also to recognize real danger when we see it. And we do see it.

For if it should come to pass that after all the effort of our history the opportunities of a free society cannot be extended freely to all of our citizens in all places, then they cannot with freedom be secured for any of our citizens—anywhere. The choice is between a free society and a society in which we suffer either violence or suppression.

And so, we hard-headed businessmen have discovered with some surprise and no little chagrin that we are back to the very fundamentals for which an anguished group of American colonials pledged their lives, their fortunes and their sacred honor.

We are, moreover, as private and corporate citizens, engaged in facing again, the basic challenge that Hamilton posed in the first number of the Federalist:

"To decide by conduct and example the important question whether societies of men are really capable or not of establishing good government form reflection and choice; or whether they are forever destined to depend for their political constitutions on accident and force."

How, you may wonder, in the midst of our affluence, at the height of our strength, have we come to such a juncture?

It may be of some use to us at this point to go back briefly over our recent economic, political and social history, to trace out the paths along which we have all careered—business, government, and the society we both serve—to arrive all together full tilt at one of those rare intersections where common destinies are decided.

The president of Cornell University, Dr. James Perkins, pointed out recently that this nation since World War II has acted under two principal stimuli: the need to prevent another catastrophic war, and the need to prevent another major economic collapse. Our foreign and our domestic policies were largely in the hands of those who had undergone the ordeals of the 30s with its depression, and the 40s, with its World War. It was natural that they should conduct national policy in such a way to prevent the recurrence of the two disasters in our recent national experience, and it would have been tragic if they had not.

They were objectives upon which the entire nation could agree; they were difficult objectives and they posed fearsome threats at every step of their accomplishment.

But today, after nearly 25 years of living with the threat of a nuclear war, we seem to have pushed back the doomsday clock. Moreover, by the beginning of the 1960s, the fear of a major economic collapse had subsided. A partnership of business and government, in agreement on a policy of full employment, had begun to produce the affluent society.

At this point, Dr. Perkins points out, the national consensus about our priorities began to erode, and part of our society began to look for new goals.

In short, our world-wide political objectives were weathering well, and our social and economic objectives—born in the New Deal of the Depression—were not only achieved, but in many cases surpassed.

We began to turn inward and discovered that in our overriding quantitative concerns of preventing war and depression we had overlooked the qualitative—or in Dr. Perkins' phrase, we had "bruised" the quality of our lives. We had moreover swept again beneath the national rug the continually neglected problems of race and poverty.

They surfaced even as we were feasting upon our victories.

Like unwelcomed guests, justice and equality of opportunity appeared in rags and demanded their rightful place at the table.

Granted, this is an oversimple view. But we are not ever able to envison solutions, without first simplifying the problems and for this reason the view is useful to our perspective.

Let me now complicate the perspective—it wouldn't, after all, be real if it were thoroughly understood.

Former Presidential Aide Horace Busby, in a speech to the International City Managers' Association, recently added a valuable commentary. In his view, the wild water we are running is not caused by the surface violence we see about us, it is the result of the underlying velocity, the sheer speed of our progress.

Our problem is not the symptom of disorder, but the disease of disarray, brought about by the high-velocity, high-intensity momentum that has wrought more change in half a decade than other societies will experience in half a century.

Let me quote for you Mr. Busby's vision of where we stand as a result of our achievements:

"Not merely the America of the 1930s is gone," he says, "Even the America of the 1950s has been swept away. In a literal sense this is a new America. Sometime soon, before the decade ends, half of all the Americans who have ever lived will be alive: all that has been done before will need—already needs—doing again.

"In the America of today," he points out, "our institutions are new. Our roles, relationships and experiences are new—new, tentative and insecure. If there is to be a purposeful governable society, we have a need to come together. Yet we have all but lost communications among ourselves. . . . Even the language is disintegrating: it has different meanings, city-to-city, neighborhood-to neighborhood. The same is true for our values—and for authority. Not only government, but churches, universities, employers, labor leaders, commentators, certainly parents, are suffering credibility gaps—not because the character of the people has declined, but more because their knowledge has so increased."

Then Mr. Busby concludes, "As a nation, as a people, we are at a time of beginning again."

The danger, as he sees it, is not division, but disruption, and he draws a parallel between our times and the supercharged, hyper-emotional years that immediately preceded our Civil War.

It is a truly frightening vision and whether or not we concur fully, it is hard to deny the velocity and volatility in our society which supports Mr. Busby's view. Nor can we deny the accomplishments which have preceded it, nor the competence and cooperation we will need to cope with the symptoms as well as the causes of what has wrongly been called "a national malaise."

I do not for a moment believe that we are a sick people.

Confused? Undoubtedly. Confused, not however by weakness, but by strength. We have learned how to win the means, and we must turn ourselves now to winning the ends. In short, what it was that we as a nation started out to do in the first place: "To secure the blessings of liberty for ourselves and our posterity."

Let me, for a moment, return to my original metaphor and then we'll get down to practical cases.

It should be pointed out that while all of our national interests—political, economic and social—have rushed together as it were at an intersection, they did not collide head-on. There's been a kind of three-way sideswipe. We are all shaken, to be sure, and we are surely all confused. But essentially, we are not damaged—yet.

If we can keep our heads and restrain the natural, but unreasoning instinct to look for a scapegoat, we can sort it out and we can go forward again, better for the experience. We'll have acquired a decent respect for our neighboring interests and, just as importantly, a warier eye out for future accidents.

Now let's talk briefly again about our business community, its very proper involvement with basic national purposes, and the dangers this involvement poses to us as businessmen.

We are the last of the three grand divisions of society to become so openly involved, and as such we are vulnerable to criticism. We are vulnerable, first, because business has always been vulnerable. It's practically an American custom to attack big business; certainly it is a literary tradition and our literature forms many of our public attitudes. We are vulnerable, secondly, because of our potentiality for success. Our involvement has raised new hopes and new expectations. If we fail, and withdraw, we will have merely deepened the crisis, exacerbated our disorders, and very possibly opened the door for radical changes in our system.

Yet we will falter. We will stumble many times in many places before we begin to succeed and it is crucial that we understand this. But if we do not withdraw, if we maintain the new lines of communication we are building between business and government, and between business and the society, we can weather our small failures, learn from them and continue.

Fundamental to such a course of action is some initial introspection, not only on the part of business, but on the part of everyone concerned: those in government, those in the ghettos of the land, and those on the sidelines, both fans and critics.

This nation of ours has become so used to success, and it has been so richly endowed with the ingredients of success that it has become a convention to believe that if we truly want something to occur, then by Godfrey, occur it will. To be blunt, we have an almost fatal disposition to believe in our infallibility, once we set our courses of action.

In explaining this wonder to ourselves, and to account for our many failures, we have developed what Professor Eric Berne would describe as a game that we play. There are good guys and there are bad guys. When we achieve something, the good guys have prevailed. When we have failed, the bad guys are to blame. As we have grown more sophisticated, we have admitted to the game in-between guys, who are neither good nor bad. They are the majority, but the game is the same. When we win, the fellows in the white hats have convinced the in-betweens to adopt a proper course of action. When we've failed, the villains have somehow managed to mislead us all against better advice.

It would be only an amusing pastime were it not for the fact that we play for keeps. When a national policy falters, a traitor is surely involved and we begin to hunt for him. When a relationship breaks up—as between one group of interests and another—saboteurs have been at work. When violence erupts, conspirators are at the bottom of it. The whole game is reinforced by the occasional discovery of a real traitor, a real saboteur, and true conspiracy. But the plain fact is that most of our problems involve no traitor—no conspirator, but are simply the result of common accidents and mischances of everyday events.

Now we are faced with one of the biggest accidents of our history, and true to our code of infallibility, we are spending too much time hunting down the devils who have

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brought it all about. Certainly there were devils and conspirators who initiated and supported the inequalities that have surfaced in our society. And there have also been saboteurs that prevented redress. But they are irrelevant. The fundamental stakes for which we risked extinction at our founding are now involved, and we cannot afford our little game. All of us and all of our interests, if they are to come together, must come to grips with the realities of our imperfect humanity.

It was in this spirit of self-knowledge that we fixed our original intentions and our original national purposes. Our constitution and our laws, checking the tendency toward bestiality, balancing our selfish interests, guarding against the undue concentrations of power and privilege, testify to our founders' willingness to concede that human beings were lamentably human—and fallible.

As we go about the tasks we have set ourselves, can we concede less?

Closer to home, we in the life insurance business have recognized that we have embarked on a challenging course. If this partnership of purpose we are trying to forge is to have the hope of success, the challenge to our institution is specific:

That challenge is not to find the words that will encompass our intentions; we have stated them clearly, I think, and credibly. Our challenge is to convince the audiences we are reaching out for that our intentions are genuine, and to convince them so thoroughly that the bond of mutual trust we build will survive our mutual fallibilities.

For when we falter, or fall short of society's expectations, we will have done so out of the same half-selfish, but basically genuine humanity that led us to join in a communion of purpose with society in the first place.

But mere recognition of our flawed humanity will not protect the private sector from just criticism if we ultimately fail in what we have only begun to do.

The brutal truth is that we cannot afford to fail. William F. Haddad, New York civic leader, sought to make this clear to me in a conversation last month.

He observed that everyone who has tried to solve these problems of poverty and environment has lost his credibility. Government has lost it; the intellectual community and the liberal establishment who have so long championed these causes have lost it; the educational establishment has lost it.

"Business," Mr. Haddad said, "is the only area that still has some credibility left."

If Mr. Haddad is right, and I suspect that he is, then we dare not squander the belief in our ability to achieve results. And the only way to preserve it is to make good our efforts.

It is crucial at this point that we all understand what we are trying to do and why we are trying to do it. Stated very simply, businessmen have come to recognize that it is the vital interest of business to direct a substantial share of its resources—both human and material—to the economic and social redress of the people our society has passed by. It is vitally in our interest because if it is not done, then our free economic system of self-government and the principles which give that system life, may not survive our own lifetime. As I said before, we will either suppress the just aspirations of the disadvantaged and lose our fundamental principles of freedom, justice and equality, or we will reanimate those principles by living up to them.

There is no third choice.

Many people and many areas of society have tried to do this very thing in the past, and we have all had plenty of time to reflect on why they have so far failed. Certainly it is not a lack of dedication. The energies of too many good people have been devoted to this effort for too long to sustain such a view. We would, moreover, be making a terrible mistake if we were to assume that past failures are simply the result of mismanagement and that businessmen have some special magic in their methods. The problem goes much deeper than methods.

It is this: We have within us in equal measures the seeds of both success and failure. The devils we have sought to blame for our defeats are part of our individual natures, for the fundamental essence of the humanity which we seek to order, is a duality of evil and good. Human progress can be measured by the number of times the higher elements of our nature have prevailed over the base and mean within us.

In order to progress again, and give effect again, to the high aspirations and noble principles we all subscribe to, we are simply going to have to subordinate our self-interests to the higher interests we hold in common with society. If we are really agreed that those aspirations and principles are worth saving, our better natures must prevail.

We did this in the chaos that followed the American Revolution, and we founded the Republic. We did this again in World War II and saved it.

Having saved it, and strengthened it, we find ourselves called upon to rise to an historic occasion that is no less perilous for all its sublety and complexity.

What the business community is demanding of itself as an institution, and demanding of us as businessmen, is nothing more than constancy in our dedication to the higher national and social interest—and nothing less than a constant recognition that selfish and personal interests can defeat us.

In other words, we are all the sons of Adam, flawed as he was flawed. I believe these flaws have produced our crisis; but, recognizing them, we can take heart that we will successfully surmount that crisis.

FLAGS FOR VETERAN'S CASKET

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. BOB WILSON. Mr. Speaker, I am today introducing legislation to amend title 38 of the United States Code to provide the next of kin of deceased veterans a choice in the size flag provided for the casket.

Mrs. Dorothy Goodbody, a friend and constituent from San Diego, wrote me recently pointing out that presently the Veterans' Administration may provide only a 4½- by 7-foot flag. In discussions with veterans' widows, however, she discovered that, after the funeral, these flags are often packed away for years and never used again because they are too big and cumbersome to display at home on flag holidays. Mrs. Goodbody found that many widows would have much preferred a smaller 3- by 5-foot flag suitable for flying on patriotic occasions.

I was particularly impressed by this idea and think it has considerable merit. In these days of student disorders, which have included acts of desecrating our flag, the display of our national standard by patriotic Americans is especially important. What could be a more fitting tribute to the departed veteran than the display of his flag on July 4, Memorial Day, Veterans Day, and other important occasions. For this reason, I feel that the surviving family should be allowed a choice in the type flag provided for the veteran's casket. Many will still prefer the large-size flag required to fully cover the coffin, but I believe that many others will choose the smaller, display-size flag instead. This choice of two sizes could be accomplished by a simple change in the burial flag application form and would involve only nominal expense to the Government. It would, however, provide the veteran's survivors with a personal remembrance of his service to his country and a tribute to the cause for which he fought.

I sincerely hope that favorable consideration will be given to this legislation.

IDAHO TOWN REDUCES RATE OF VANDALISM

HON. ORVAL HANSEN

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. HANSEN of Idaho. Mr. Speaker, I am happy to call to your attention and to the attention of my colleagues in the House of Representatives an imaginative plan to reduce the loss in the public schools resulting from vandalism. The plan was proposed by a group of high school students at Salmon, Idaho.

The students suggested that a sum of $500 be set aside to pay for repairs to broken windows in the school with any amount that is left over to be used by the student body to purchase a gift for the school system. This self-policing system, with the active support and cooperation of the entire student body, has resulted in a dramatic reduction in loss from broken windows. Before the plan was adopted, the annual cost to repair broken windows was about $2,000. This year's bill is about $30, most of which is a result of windows broken by accident.

Credit for the remarkable success of this plan belongs to Tom Tingle, principal of the Salmon High School, Robert Banks, superintendent of schools, Scott Zeigler, president of the Salmon High School student body and to other members of the faculty and student body of the Salmon High School. Theirs is a creative and constructive response to a problem that confronts every school in the Nation.

Mr. Speaker, because other schools across the country may wish to adopt a similar plan to deal with the problem of vandalism, I include as a part of my remarks a recent news item from the Washington Post describing the success at Salmon, Idaho:

IDAHO TOWN REDUCES RATE OF VANDALISM

SALMON, IDAHO.—Vandalism, once an expensive headache for the schools of this small central Idaho town, is a rarity these days. Officials give the credit to students and a $500 promise.

Last school year, more than $2000 worth of windows were broken in the Salmon school system. This year, Principal Tom Tingle says the total is about $30 and most of that has been accidental.

"I don't know just what has happened," Tingle said, "but the plan has worked."

The plan was offered by a group of students. They told Tingle if the school board would set aside $500 to cover window breakage and let the student body have whatever was left to buy a gift for the school system, they thought a self-policing plan would work.

"This is proof that the students can police themselves," said Superintendent Robert Banks.

The plan was discussed at lengtn by school officials, parent-teacher officers and many of Salmon's 3000 residents before it was presented to the school board.

Now it looks as if the school system will save a lot of money and the school may wind up with a present. Banks is delighted at the turn of events.

"With school financing such a problem," he said, "We just hated to see all that money going down the drain."

Scott Zeigler, president of the Salmon High student body, said the program has helped bring the faculty and students closer.

"This is something the kids got interested in," he said. "Last year there was a bunch in school who just seemed to want to wreck things. We seem to have that solved this year."

As for the gift, Zeigler says the students haven't decided what to do with the money yet.

A CONSUMER CREDIT CODE FOR LENDERS

HON. WRIGHT PATMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 12, 1969

Mr. PATMAN. Mr. Speaker, Consumers Union, one of the most authoritative and prestigious consumer organizations, has lent its voice to the mounting criticism of the proposed Uniform Consumer Credit Code. This code, financed over 90 percent by the credit industry, is currently the subject of a quick-sale campaign in most of our State legislatures. In fact, it is a calculated effort to strike at the vitals of the consumer awareness of the American people.

Consumers Union in an article entitled "A Consumer Credit Code for Lenders" appearing in the March 1969 issue of Consumer Reports, declares in emphatic terms:

> We don't think any state, no matter how bad its existing credit laws, should adopt the Uniform Consumer Credit Code without extensive amendments in favor of consumers.

Such "extensive amendments in favor of consumers" are virtually impossible. This code is being sold to the State legislatures as a package deal. Its supporters, as part of their invidious scheme, claim that any amendment will destroy a carefully wrought compromise and will negate the uniformity the code is purportedly designed to bring about. The attitude of the code's supporters leaves well-meaning citizens and State legislatures no alternative but rejection.

The Consumer Reports' article points out that the code does contain provisions which no consumer supporter could oppose. However, when these "sugar coatings" are considered against the multitude of anticonsumer weapons expressly preserved in the code and other practices which the code, by its silence, perpetuates.

Specifically the article criticizes the extraordinarily exorbitant interest rates in many cases as high as 36 percent, permitted in the code ignoring solid experience showing that maximum interest rates become the norm except in the single area of auto dealer financing.

The code's supporters claim that they outlaw the pernicious use of the holder-in-due-course doctrine. Consumers Union's legal consultants say that despite the beneficial appearances, the code's holder-in-due-course provisions are nothing more than a sham.

The code also expressly preserves wage garnishment. Considering the untold trouble and hardships visited upon workers by wage garnishment, the article concludes that "the only cure is to outlaw all consumer credit garnishments."

The code does nothing about the practices of forced entry into a debtor's house to repossess goods. The code preserves deficiency judgments in automobile financing which has been the subject of more sharpshooting and unscrupulous practice than any other consumer abuse. The code continues the dishonest home improvement racket by sanctioning real estate as security for home improvement debts of $1,000 or more.

Perhaps the article's most poignant observations relate to the negative philosophy behind the code.

Consumers Union is to be commended for its well-reasoned article which is inserted in the RECORD at this point:

A CONSUMER CREDIT CODE FOR LENDERS

(NOTE.—The reform of archaic state credit laws is long overdue. But a new uniform credit code being presented to state legislatures offers precious little in the way of relief for borrowers. Indeed, it looks more like a handout to those who sell debt.)

The casual buy-now-pay-later tone of the American marketplace touches the lives not only of those who habitually use credit but also of those who cling tenaciously to old-fashioned cash buying. Lately, everyone has suffered the inflationary effects of what may well be an overdose of consumer credit. Despite such anti-inflationary strategems as a 10 per cent increase in income-tax withholdings, and despite the highest interest rates in history, installment credit contracts continue to finance vast amounts of buying. In the second half of 1968, consumers were plunging deeper into debt at the unprecedented rate of $800 million to $900 million per month.

Besides contributing to inflation, easy credit and its fellow-traveler, harsh collection methods, have lately fanned the fires of discontent in the city slums. During the 1967 riots in the black ghetto of Boston's Roxbury district, a furniture store was one of the first businesses put to the torch. According to officials of the National Association for the Advancement of Colored People, the store's exorbitant credit charges were "one of the causes of the riot and burning." The trade paper *Home Furnishings Daily* warned its readers that Negro resentment against unfair merchandising practices might spark similar riots in other cities. The paper was right. The U.S. Riot Commission Report of 1968, recounting the causes of disorders, said its investigators heard grievances of Negro consumers against unfair commercial practices in 11 of 20 cities studied.

Much has been said of the way consumer credit accelerates economic growth and provides the material comforts of an affluent society. Less is said of the hardships it has caused. Overcommitments to credit merchants burden uncounted families in every income bracket. By the mid-1960s—20 years into the post-World War II consumer credit boom—one family out of two was paying off installment debts, not counting home mortgages; one family out of four had committed one-third of its income to such debt payments, and one family out of 10 had committed 40 per cent or more of its income. In the first eight years of the present decade, personal bankruptcies nearly doubled. In those eight years, one million consumers, under unbearable pressure from creditors, went broke.

ACTION AND REACTION

Excessive credit commitments and overreaching by credit sellers and collectors must be dealt with as a serious national problem. On that point all responsible observers, including those in the credit industry, can and do agree. The problems are indeed being dealt with this year at the national and state levels.

Leading the way is a magnificent piece of legal reform, the Federal Consumer Credit Protection Act. Beginning July 1, its Truth-in-Lending provisions will require all lending institutions and credit merchants to give consumers the facts they need in order to shop intelligently for credit (see page 386 of the 1969 Buying Guide Issue.)

With passage of the Consumer Credit Protection Act, Congress for the first time established some nationwide peacetime rules of behavior for lenders and some rights for borrowers. Beyond its demands for full disclosure, the act sets an upper limit on the percentage of a wage earner's paycheck that a creditor may seize through garnishment proceedings. For the first time, too, a Federal law gives you three days to change your mind about going through with a credit contract that takes your residence as security.

Thus, Congress has entered what previously was a private preserve of the state legislatures. Contracts between borrowers and lenders have traditionally been governed by business laws at the state level. Those laws were meant to cover relationships between businessmen, who can hold up their ends of a bargain. The same credit laws have come to govern "bargaining" between consumers and lenders. But that's usually no bargaining at all—only a take-it-or-leave-it deal based on a contract drawn up by the creditor's lawyers in terms and with implications that borrowers can only dimly grasp.

An elaborate web of hundreds of state retail installment sales laws and consumer loan laws has been spun during this century, ostensibly to right the balance. However, creditors themselves designed the web, and consumers are the flies. A generation born after World War II and now forming families and households will be signing loan forms and credit sale papers by the millions in the next several years. They sorely need the protection of a more realistic set of laws—laws that may have to be imposed by Federal rather than state government. The Consumer Credit Protection Act opens the door in that direction.

INDUSTRY'S WEDGE

Ironically, the credit industry has discovered in that new Federal law an excuse for pressuring state legislatures to pass in great haste the industry's latest version of a reform law. It seems that many existing state credit laws will need amending to avoid conflicts with the Federal law. Added legislative incentive comes from a states-rights section of the Federal law; it says that states that pass their own Truth-in-Lending laws may obtain exemptions from the Federal one.

The credit industry's new reform law is called the Uniform Consumer Credit Code (UCCC). The code was promulgated at the annual meeting last year of the National Conference of Commissioners on Uniform State Laws, a nongovernment organization closely related to the American Bar Association. Seldom in the checkered annals of state

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legislation has so complicated a bill been offered in the name of consumer protection.

The 127-page statute was drafted with the help of a panel of distinguished university professors of law, economics and sociology working with funds supplied mainly by the credit industry. Consumers are presumably expected to support enactment of the UCCC in the belief that it was written in their interest. As a UCCC committee staff member wrote in the *Harvard Business Review*.

Most segments of the industry appreciate the advantages of uniformity and of outlawing undesirable credit practices that are used by a minority but reflect unfavorably on the majority. Responsible consumer groups similarly recognize that the code provides a much better balance between debtors' and creditors' rights than exists in current statutes.

It is true that some responsible consumer spokesmen have, despite misgivings, endorsed the UCCC, among them the White House consumer agencies of former President Johnson. But CU and its legal consultants can find little to cheer about. *We don't think any state, no matter how bad its existing credit laws, should adopt the UCCC without extensive amendments in favor of consumers.*

The UCCC's benefits to the credit industry are plain enough:

It opens the door to anyone who wants to go into the money-lending business. No license would be required unless interest rates charged were higher than 18 per cent, and no limit would be placed on the number of above-18 per cent lenders. Retailers could sell on credit, as they do now, at high legal interest rates without need of a license—and thus without fear of losing it for misbehavior.

It standardizes credit forms. Big loan companies and store chains would be able to replace scores of different credit applications, contracts and disclosure forms with one standard form. Standardization would make life simpler for consumers, too, if the contracts and forms were fair and easy to understand. But, as we will show, they could be quite unfair.

It offers an escape from Federal enforcement of the Truth-in-Lending Act. The UCCC was designed to qualify states for exemption. From the credit industry viewpoint, most state administrators are easier to live with than those in Washington. From the consumer's-eye view, state regulation of such related industries as banking and insurance is generally inadequate.

RAISING THE ROOF ON INTEREST

But the part of the UCCC best calculated to appeal to lenders is its maximum interest rates. They would exceed top rates now in effect in such industrial states as New York, Illinois and California, where credit selling abounds. Under the UCCC, maximum installment rates would be set at 36 per cent per year on the first $300, 21 per cent on the portion of a debt from $300 to $1000, and 15 per cent on any portion above that.

The UCCC would also open the way for big boosts in interest on revolving charge accounts. The usual maximums now are 18 per cent (1½ per cent per month) on the first $500 and 12 per cent (1 per cent per month) on anything above that. The new ceiling would be 24 per cent and 18 per cent on store charge accounts and 36 per cent on bank credit cards and check-credit plans. And as is now the case, interest could be charged on the balance due at the *beginning* of the billing period—before your payments and returns were deducted.

Illustrations of the extra finance charges people might have to pay in states adopting the UCCC appear in the following table. The figures are based on data supplied by a government credit official in Massachusetts, and the comparisons are made with that state's present maximum rates, which are typical of those in industrial states. Note the possible increase in the cost of a one-year installment loan or purchase involving $1000 of initial credit. It could cost you $15 more than it does now at a licensed loan company and as much as $78 more at a new-car salesroom. Although new-car dealers might seldom avail themselves of the top rate, other lenders probably would, according to the state official.

That prediction is supported by some findings about what happened to interest rates early in 1967, when Massachusetts became the first state to require disclosure of true annual interest rates on consumer credit. All stores and credit institutions had to switch over to new contract forms and rate tables. A survey published by the Federal Reserve Bank of Boston reported that "The tendency for the maximum to become the norm was reinforced by the use of the new annual rate tables. These are prepared by commercial publishers and most orders were for maximum rate schedules, except for auto dealer financing."

TAKING THE LID OFF INTEREST COSTS

As if maximum finance charges under present state laws weren't high enough, the Uniform Consumer Credit Code (UCCC) would frequently raise them considerably higher. Here are some comparisons between maximum charges and rates allowed in Massachusetts and the amounts consumers might pay if Massachusetts enacted the Code. Maximum rates in Massachusetts are typical of those in populous states. Credit life insurance and other charges could add significantly to the figures shown.

[Example: $1,000 of credit, plus interest, repaid in 12 equal monthly installments]

Credit plan	Maximum annual interest rate (percent)		Maximum finance charge		Increase under UCCC	
	Massachusetts	UCCC	Massachusetts	UCCC	Amount	Percent
Licensed small loan	25.5	28	$143	$158	$15	11
Loan to pay insurance premium	25.5	28	143	158	15	11
Unlicensed small loan	12.0	18	66	100	34	51
2d mortgage [1]	18.0	28	100	158	58	58
Appliances, installment purchase [2]	16.0	28	90	158	68	75
New car, installment purchase [3]	14.5	28	80	158	78	97

[1] For comparison only, since the smallest 2d mortgage loan permitted in Massachusetts is $1,500.

[2] Or any other goods and services except a car.

[3] Of the examples shown here, new car credit is the only one in which prevailing rates usually are lower than the maximum.

You may well ask why the Uniform Consumer Credit Code seeks to raise maximum rates. To make credit easier to get? Hardly. As already noted, installment debt has been expanding at a record pace under the present rate ceilings.

The Truth-in-Lending Act, by requiring disclosure of the true annual interest rate, has the potential for sharpening price competition among lenders and credit retailers. If that happens, there may in theory be no need for rate ceilings at all. There was strong sentiment in that direction among the UCCC authors. They finally decided that it would be politically unwise to remove all ceilings.

But it will take some time for consumers to learn how to shop for credit since, after all, they have never before had the chance to learn. The competitive fruits of Truth-in-Lending will not ripen overnight. For many consumers, no amount of Truth-in-Lending would bring down credit costs. They are the poor, the uneducated, students, newly married couples and borrowers who are already overcommitted. It is an axiom that people who need credit the most are likely to pay the most for it.

Not only do the poor pay more for money, they are also caught in the net of neighborhood credit monopolies. To tighten a lucrative hold on their customers, many stores and loan companies refuse to trade information with credit bureaus. Consequently, many low-income consumers who have never missed a payment to the local furniture store or loan shop nevertheless cannot get credit elsewhere.

Raising the interest-rate ceilings may therefore be something less than satisfactory from either a political or an economic standpoint. One who thinks so is George Brunn, a municipal court judge in Berkeley, Calif., and a CU board member. He wrote to the UCCC sponsors: "To give persons a right to charge 36%, plus interest* (or finance charge), shocks at least my conscience and I do not believe that I am unduly sensitive."

WHO TAKES WHAT RISK?

The credit industry takes the position that the interest rates it must charge are determined, not by good conscience and morality, but by the degree of risk to which a lender's money is exposed. People with uncertain employment, low income or nonexistent credit records are poorer-than-average risks. A maximum rate of 36 per cent interest, so the argument goes, is necessary for the sake of consumers who might otherwise not be able to get credit anywhere except from loan sharks.

Merchants and lenders who choose not to exchange information with credit bureaus do not fit very well that image of a prudent taker-of-risks who judiciously weighs each borrower's worthiness. But the image is distorted anyway. That web of state laws previously mentioned, and not the lender's good judgments, is what secures many credit risks. The law in almost all states takes the plain and moral view that debtors must pay, and it backs its brand of morality with the authority of constables and courts.

Most consumer credit contracts do not result from a meeting of minds between equally well informed parties. Armies of door-to-door salesmen, car dealers and retailers are truly merchants of debt. Their goods and services are bait for the credit hook. Their sales pitch is tailored to lull the customer into total unawareness of the obligations that will flow with the ink in his signature. The special committee that drew up the Uniform Consumer Credit Code wondered, at the start of its task, whether the legal remedies given to creditors in the age before widespread consumer credit were quite fair now that "buying on time is becoming the norm and the consumer credit transaction is casual and commonplace." Judging by the results of their work, they never quite made up their mind.

The UCCC does deprive creditors of two utterly inequitable tricks of their trade. First, it outlaws confessions of judgment. A confession of judgment is a contract clause, legally acceptable in most states, in which a debtor, in effect, pleads guilty in advance to nonpayment. It's a handy item for the creditor to have when he wants a court to declare a debtor in default or to repossess collateral. Further, he can use the court's machinery to collect without giving the debtor his day in court. Second, the UCCC bans wage assignments, in which debtor assigns to lender the right to take his wages without a court order for garnishment.

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*The "plus" in the judge's remarks refers to the fact that in some cases the UCCC ceilings would permit up to 39 per cent interest. Tacked onto that would be credit life insurance premiums and possibly a few ill-defined credit fees.

The UCCC leaves the rest of the creditor's collection methods largely intact. Three case studies taken from recent Senate hearings on credit practices in the District of Columbia illustrate some abusive practices and how they are treated in the code.

HOLDER IN DUE COURSE

A woman responded to a radio commercial for a 10-day-free-trial offer on a television set. When a salesman came with the set, he said she would have to pay $25 "tax" and sign a "delivery receipt." She paid and signed. The price of the set was said to be $195, but in less than 10 days a finance company sent a book of 24 monthly payment slips totaling $330. The TV set broke down after one year. The woman, finding that she had already paid $190 and suspecting the set was second-hand, stopped making payments. A court summons followed. The woman requested a hearing. She was never called to court, but some months later the finance company garnisheed her wages. As a consequence, her employer said she would probably be fired.

Though misled by a commercial and guiled by a salesman, the woman had no right, under the law, to stop paying. She was a victim of the holder-in-due-course doctrine. Finance companies and banks make a business of buying negotiable sales contracts. Unless you can prove that they had reason to know a contract was fraudulently obtained, holders-in-due-course are viewed by the law as innocent parties entitled to be paid. Courts do not ordinarily question the validity of credit contracts. They routinely process thousands of default judgments and garnishments each day under the holder-in-due-course doctrine.

The UCCC should have banished the holder-in-due-course doctrine from all consumer credit transactions. Indeed, it appears at first reading to do that, but CU's legal consultants say the banishment is a sham, and the doctrine would live on virtually unimparied. For one thing, it is banned only in sales contracts, not in consumer loans; the seller may get around the ban simply enough by wearing two hats, a salesman's and a loan company's; and stores would be free to open their own loan departments. Secondly, the finance companies that bought installment contracts would be able to force payment even though the law said such contracts were not negotiable. You'd have to take up your case against the store or sales firm, and the UCCC does little to encourage attorneys to represent you. In fact, it gives the consumer no right to sue, only to defend himself against a suit for default judgment. And his only reward for a successful defense would be a release from any further payments; he would get no refund.

Finally, the UCCC gives state legislatures the option of preserving the equivalent of holder-in-due-course doctrine for credit sales, provided the consumer doesn't raise a complaint with the finance company within three months.

In short, under UCCC the woman swindled on her television set purchase would very likely have been in the same predicament. And she was probably a victim of other bad credit practices as well.

For instance, her employer received a court order for wage garnishment even though she never had her day in court. In some states, debt collectors can obtain a garnishment without first winning a judgment against the debtor. The UCCC would stop that, theoretically. But in reality most judgments are handed down automatically, because the debtor fails to appear in court. One reason many people fail to appear is that the process server threw away the court notice instead of delivering it. That's called "sewer service," and it is a serious problem in New York City and elsewhere. The UCCC makes no attempt to protect consumers from sewer service.

Many times, too, people who do receive notice to appear in court fail to show up because they would lose a day's wages. The UCCC could have helped them by authorizing judges to award damages for such losses. But it does not.

A truly enlightened consumer credit code would banish wage garnishment altogether. Instead, the UCCC sets about the same garnishment limit as will go into effect on July 1, 1970, under the Consumer Credit Protection Act—25 per cent of a debtor's take-home pay. Several state laws with 10 or 15 per cent limits would be weakened by passage of the UCCC in its present form, as would Texas and Pennsylvania laws prohibiting garnishments entirely.

Garnishments often lead to loss of jobs and thence to personal bankruptcy. Creditors as well as debtors are hurt by the sequence. Under UCCC, therefore, the woman with the television set could not legally be fired for receiving a wage garnishment. The trouble is, many employers resent the extra payroll expenses of processing wage garnishments. They can find other reasons for firing. The only cure is to outlaw all consumer credit garnishments.

THE REPOSSESSED

In a second case study of overreaching credit practices, an elderly woman had paid $35 a month for three years—more than $1200—on a bed, a chair and a television set. With a fairly large balance still due, she begged the store to lower the size of her payments because of a family medical emergency. The store was unsympathetic and warned her that it would repossess everything if she didn't keep making full payments. As good as its word, the store several times sent men for the furniture; but when the woman saw the truck outside she refused to open her door. One day, seeing no truck, she answered a knock on her door. A man burst in and braced the door open for his helper. Together, they hauled away the bed, the chair and the TV. A neighborhood legal assistance worker later found the woman sleeping on the floor. Meantime, the store continued billing her for the unpaid balance on the furniture it had repossessed.

Forced entry for purposes of repossessing goods on grounds of default is an everyday occurrence. State laws against it have so far proved futile. The authors of the UCCC have made no attempt to deal with the problem directly. At most, a state consumer credit administrator might be able to issue a cease-and-desist order against firms that repeatedly seized goods against the wishes of the debtor. Even that remedy is not spelled out, however.

Aside from the strong-arm stuff used against the old woman, the furniture company resorted to a nasty kind of "add-on" contract. In such a contract, payments are assigned proportionally to several items financed, and none is considered paid for until all are. The UCCC would put an end to that trick by requiring assignment of payments to one thing at a time. (Congress, rather than the code authors, deserve thanks for that rule; it is derived from the Truth-in-Lending Act.)

But can a creditor take back his goods and still demand payment of the balance due? Under present laws, he is supposed to sell the repossessed goods first and credit the amount realized to the balance due. In most states, he may then get a deficiency judgment for the rest, plus expenses of repossession and sale. Unscrupulous businesses have been able to milk that process for rich profits, as in the case of the following racket, described in the 1968 annual report of the Consumer Frauds Unit of the U.S. Attorney for the Southern District of New York:

> Investigations have disclosed a pattern of sales of certain used cars at many times their original cost, followed by a cycle of repossession, repurchase of the car at a low price at auction, and further resale at many times that price to new customers. . . . The inquiry indicated that in certain cases some used car dealers know in advance that there will be a complaint regarding each and every automobile sold and that many customers will give up the car and default because they feel it cannot be made to work.

Under UCCC, sellers of cars or anything else priced over $1000 could continue to repossess and also get deficiency judgments. They would have to be satisfied with repossession alone on less expensive goods. But they would be allowed to keep all the proceeds of resale, even if, as was very likely true in the old woman's case, resale brought in more than the balance due. A fair credit law would, in our judgment, give creditors the alternatives of either repossession or a court judgment against a defaulting debtor, but not both. Such a law would insist further on a fair and open sale of any repossessed goods; it would give the defaulted debtor a refund if the repossessed goods sold for more than the unpaid balance due on them.

LAND GRABBING

The last case history is that of a home owner and his troubles with one of those home-improvement salesmen whose practice is to follow, buzzard-like, on the heels of city building inspectors. The victim, who owned his house for 20 years, fell for the salesman's line and signed up for $3000 worth of repairs. He signed a number of mysterious papers, one of which was a deed of trust putting up his property as security. Later, a bank sent him a payment schedule totaling $5250.

Finally realizing his mistake, he decided not to go through with the deal. But although no work was ever done on his house, the bank threatened to foreclose. Furthermore, the homeowner learned that a neighbor had lost her house under similar circumstances. He therefore borrowed $400 to make up back payments. He wound up paying more than $100 a month for nothing.

No one knows how many houses have been lost to the home-improvement racket, with its redoubtable sellers of aluminum siding, patios, water softener, furnaces, central vacuum-cleaning systems, intercoms and anything else attachable to a house.

The number is certainly large. For according to the executive vice president of a finance company specializing in home improvement "paper," his firm usually has an inventory of about 300 houses throughout the country as a result of quitclaims and foreclosures. He estimated a foreclosure rate of 1 to 2 per cent.

The UCCC would perpetuate the whole reprehensible process. It specifically sanctions taking real estate as security for home-improvement debts of $1000 or more.

MISSING: THE RIGHT PHILOSOPHY

In far more ways than can be recited here (see box on page 125, not printed in RECORD), the Uniform Consumers Credit Code seems dedicated to perpetuating current unhealthy practices. This influence of the credit industry comes through in section after section.

Missing, in letter and spirit, is a proper legislative regard for economic incentives. If deprived of most of the forces of law now operating for him, the lender would truly have to rely on his prudent judgment. And the borrower would have to protect his reputation as a reliable risk. The proposition was well stated a few years ago by some experts on consumer credit:

> More and more in our modern society credit is essential for the wage earner to obtain his share of goods and services. Credit

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grantors, relying on credit information, can refuse credit to debtors who have not paid their debts. The emergence of electronic data processing equipment makes it even more likely that in the future rather complete information will be available to an inquiring credit grantor. The . . . debtor's fear of getting a bad credit rating may be one of the strongest collection remedies the creditor has—far surpassing his ability to deduct a few dollars from his debtor's paycheck. . . . A lack of self-restraint, coupled with aggressive selling by credit grantors . . . has led many to buy more than they can afford. . . . It may be that one answer is to force creditors to exercise self-restraint in the granting of credit.

Those words come not from outsiders—they come from a staff memorandum to the drafters of the Uniform Consumer Credit Code. As long ago as 1965, the code-drafting committee reported, "Our present thinking is that harsh collection laws may result in damage not only to debtors but also to the consumer credit industry and to society as a whole."

Perhaps if those same men were allowed to return to their task, unhindered this time by pressure from the credit industry, they would draft a law in harmony with their own thinking.

It might prove a very good law indeed.

SOURCES OF FURTHER INFORMATION

Leaders of consumer groups, public-interest lawyers and private citizens wishing to speak out on the Uniform Consumer Credit Code when it comes before their state legislatures will need much more detailed information than can be fitted into one magazine article.

A useful package of source materials and articles pro and con, called "A Critique of the Uniform Consumer Credit Code," has been made available. It consists of 300 pages of consumer-oriented commentary, plus copies of the UCCC; the Federal Consumer Credit Protection Act, including the Truth-in-Lending Act and its regulations; "Legislative Controls as a Response to Consumer-Credit Problems," by Barbara Curran, a noted student of state credit laws; and, in limited numbers, the March 1968 issue of the *Columbia Law Review*, 132 pages of which were devoted to the UCCC. The package is being offered for $15 by the Consumer Research Foundation, Box 9034, Berkeley, Calif. 94709.

Also available in at least limited quantities is a close analysis of the UCCC prepared by the Consumer Affairs Advisory Council of New York City. Write to the Department of Consumer Affairs of the City of New York, 80 Lafayette St., New York, N.Y. 10013.

For copies of the UCCC itself and a summary booklet, write to its sponsor, the National Conference of Commissioners on Uniform State Laws, 1155 East 60th Street, Chicago, Ill. 60637.

Meanwhile, a task force of lawyers is preparing a critique under sponsorship of the Consumer Federation of America; furthermore, a thoroughly amended and consumer-oriented version of the UCCC (by Professor William F. Willier of the Boston College Law School) has been prepared for the Massachusetts Consumers' Council but has not yet been published. When and if those and other items become available, information on how to obtain them will be published in Consumer Reports.

CONGRESSMAN'S VACATION

HON. ROBERT C. McEWEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. McEWEN. Mr. Speaker, I would like to share with my colleagues a letter written by a woman who understands the Congressman's life better than anyone else in the world—his wife. The February 27, 1969, issue of the Washington Post, carried a letter to the editor written by Gretchen Quie, wife of the distinguished Representative from Minnesota, ALBERT H. QUIE. Because her words so adequately describe what so many congressional wives feel, I am pleased to share them with you:

CONGRESSMAN'S "VACATION"

A UPI article in the *Washington Post* of Feb. 17 stated that Congress has returned "fresh from ten days of vacation." This implies to many people a trip to a Southern clime or just lolling around the house. My husband is a Congressman from a Northern state where the snow is four feet deep. He spent the ten-day "recess," as it is correctly named, with his constituents and I would wager a greater majority of the Congress follows this pattern rather than what the press would gleefully like to imply. While gone from Washington Feb. 6 to 16 he traveled 600 miles around his 12-county district, driving a rented or borrowed car himself. He held office hours in five locations for people who have problems with the Government. He made at least 15 speeches to service clubs, political meetings, high schools and farm groups.

Certainly the UPI is not so naive as to think that the only "work" a Representative does is in Washington. His work in his district with constituents is quite as important as that of legislating here.

In days of yesteryear the Congress met for about five months. This is no longer true; they meet for the greater part of 10 months a year. That means that if they are going to keep in touch with their district they must make the recesses count, and most of them do. The recesses at Lincoln's Birthday, Easter, Fourth of July, etc., are generally not a vacation time.

GRETCHEN QUIE.

SILVER SPRING.

SILVER AND GOLD IN THE FUTURE

HON. JAMES A. McCLURE

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. McCLURE. Mr. Speaker, last month Phil Lindstrom of the Hecla Mining Co. delivered an important speech to the Canadian Institute of Mining and Metallurgy. Although he spoke in Vancouver, his message was clearly earmarked for Washington.

Mr. Lindstrom makes quite a devastating analysis of gold and silver policy. For instance, he recalls that Mexico made a profit of $40 million on silver purchased from the United States to mint an Olympic commemorative medal and says:

> The U.S. Treasury would do well to reserve silver and sell it at $3.38 per ounce in the Kennedy half dollar instead of current sales in a restricted market at about $1.80 per ounce.
>
> By reserving silver salvaged from 90% silver coins for minting of the half dollars, an additional profit of $1.58 per ounce on 191 million ounces would total about $302 million.

Think of it. Mexico—one of the world's leading silver producing countries—made $40 million from our silver at the same time that the Treasury itself was selling the metal domestically at below-market prices.

Now the Government's silver stocks are beginning to dwindle. Evaporate might be a better word. Looking at the Treasury's prediction on how much longer it can maintain the weekly GSA sales made in September and comparing it with a similar prediction in January, you will find that 7 months of sales have vanished into the air. By now, several more months of predicted sales may have disappeared as well.

Once the silver market is out from under Treasury influence, the gap between supply and demand will close, as Mr. Lindstrom predicts. It may well be a violent time for the market.

How much better if the weekly silver sales were to be gradually phased out to ensure that the transition is an orderly one.

How much better if some of this silver were to be put back for future governmental needs.

How much better it would be if the United States made the big profit from its silver holdings rather than letting a few preferred customers do so.

There is still time for the Treasury Department to get silver policy back on the right track. A good way to start would be to make Phil Lindstrom's speech required reading down there. In the hope that someone in the Department reads the CONGRESSIONAL RECORD, I herewith insert Mr. Lindstrom's speech in its entirety:

SILVER AND GOLD IN THE FUTURE

(Delivered by Philip Lindstrom of Hecla Mining Co., February 13, 1969, before the Canadian Institute of Mining and Metallurgy at Vancouver, B.C.)

Mr. Chairman, members of the CIM, and guests: Greetings from Idaho! Our state is known as the land of the potato and I have noted that the menus in Montreal feature Idaho potatoes.

However, we produce silver even more significantly. About half of the U.S. production comes from the Coeur d'Alene Mining District in North Idaho where the veins persist to unusual depths.

Mr. Fred Stephens, when asking me to speak here, questioned the subject-title. He said, "Shouldn't you mention gold first?" I said that silver came first in the song of Idaho. Here are the first four lines:

"And here we have Idaho,
winning her way to fame;
Silver and gold in the sunlight blaze,
and romane lies in her name."

Furthermore, 59% of my company's 1968 sales income from metals in concentrates was from silver, and only 11% came from gold.

These precious metals, which have caught the minds of men as money for over 6,000 years, still stand as a store of value and a means of its exchange. In other words, gold and silver are real money of intrinsic value and independent of promises as is authoritarian or fiat money.

GOLD RELATED TO SILVER

First, let me discuss gold because silver is related to it in so many ways. The traditional 16-to-1 value ratio varies, and is currently 21 to 1 with gold selling at $42 per ounce and silver selling at about $2 per ounce.

Values are always relative and money is related to gold such as the U.S. dollar which is worth 1/35 troy ounce of fine gold.

On an avoirdupois pound basis, $42 gold is worth $612 and $2 silver is worth $29.17.

A change in the price of either metal will eventually affect the price of the other metal. Remember this when you are considering the future. For instance, the world treasuries were selling gold recently for $35, which is a bargain price. What else can you buy at a 1934 depression price?

THE FREE WORLD MONETARY SYSTEM

The foundations for the present world monetary system were established by the United Nations Monetary and Financial Conference at Bretton Woods, New Hampshire, in July 1944. The cornerstone was, and still is, gold.

The final settlement of our credit system depends on gold.

Why are the news media giving so much attention to the gold and monetary situation? Because the major reserve currencies are in a period of crisis. There has been a loss of confidence which can only be restored when a nation balances its budget, pays its debts, and maintains a favorable trade balance.

Starting with the 14% devaluation of the pound from $2.80 to $2.40 in November, 1967, we have gone from crisis to crisis. If 1969 is similar to 1968, and the real inventory of U.S. gold reaches 4 to 5 billion dollars, there may be no alternative but to stop the run on the bank.

The word treasury has a high meaning—a place where value is stored. The two noble metals are precious and rare and have a rightful place in a treasury. Those in trust have seen fit to sell, at low prices, the U.S. Treasury's assets.

I would not condemn those from abroad who place a call on U.S. gold and silver. After all, who printed and gave them the paper promise? Something of value was usually gained in exchange.

If President Nixon does not take fundamental economic action, including revaluation of gold, we will find the rest of the world doing it for the U.S.A.

The revaluation of gold is now occurring under the two-tier system which was set up last March when the gold pool ceased. The free market gold price since has increased about 20%, while monetary gold remains at $35 per fine troy ounce.

If the fiscal and other changes introduced by Germany and France two months ago are inadequate, a substantial franc devaluation will likely result, bringing pressure on sterling and the dollar.

Only a little more time was bought by the two-tier system. Even though South Africa has a recent unfavorable trade balance, the gold in its hands represents good bonding or borrowing power.

In such times, a world banker sleeps better with gold in his vaults rather than paper.

The rapid international movement of money can make any currency vulnerable.

The foreign purchase of $7.7 billion of U.S. securities in U.S. markets last year can just as quickly be sold and result in a very unfavorable balance of payments.

GOLD IN THE FUTURE

The future, of course, will relate to supply, demand and price. Let us review a few of the factors and perhaps you will reach the same conclusion on gold that I do.

We had forewarning of today's tight gold situation when, starting in 1965, no gold entered the banking system. All 41 million ounces of gold mined in each of the last 4 years in the Free World went into private holdings. Russia last sold 16 million ounces of gold to the world in 1965.

GOLD PRODUCTION—1968

Estimated world gold production in 1968, including about 6.1 million ounces in communist countries, was about 46.5 million ounces. South African production was 31.2 million ounces, Canada produced 2.5 million ounces, 1.5 million ounces were mined in the United States and 5.2 million ounces were mined elsewhere.

GOLD CONSUMPTION IN THE FREE WORLD

Net consumption in industry and the arts in 1967 was 17 million ounces or 41% of production. There has been a 12% compound growth, or a doubling, from the 8.5 million ounces used in 1961.

Total non-monetary absorption was almost 82 million ounces or about double the 43 million ounces that were absorbed outside of the Free World's banking systems in 1966.

TOTAL WORLD STOCKS—1968 YEAR-END

To put the gold picture in perspective, it may be helpful to remember that U.S. government reserves at 1968 year-end were 296 million ounces of which about 132 million ounces are obligated or on call as ounces of metal.

Other known Free World government reserves were 930 million ounces. If coins in use and hoarded, amounting to 2,770 million ounces, are added, we have a total Free World stock of 4,000 million ounces.

GOLD AND MONETARY HIGHLIGHTS IN 1968

(See Chart No. 1, London Gold Price by Mocatta & Goldsmid Ltd.) [Not printed in RECORD.]

(1) The heavy gold loss during the last two months of 1967, following the devaluation of the sterling on November 18, caused President Johnson to announce, on January 1, 1968, a five-point plan to reduce the U.S. balance of payments deficit.

(2) The 25% gold cover was barely removed by a slim-margin House vote on February 21 of 199 to 190 and by a Senate vote on March 14 of 39 to 37. The debate covered more than 100 pages in the "CONGRESSIONAL RECORD".

(3) Private demand for gold on the London market exceeded all records and reached a peak on March 14 at which time gold pool sales ceased. An estimated $3.5 billion passed into private hands in the previous 18 months.

A big day for gold was March 15, 1968 when the London gold market closed for two weeks. The gold price increased on the following Monday, March 18, under the two-tier system. The U.S. Treasury allowed domestic producers and licensed consumers to seek their own gold market. Treasury announced that U.S. gold transactions would be only with the six central banks. The free price of gold increased to $45 and backed off to $38 by the end of March.

(4) Labor strikes and student unrest in France during May changed the status of the franc from one of the strongest currencies in Europe to one of the weakest. The French Government re-imposed exchange control regulations which caused a higher-priced French gold market that exists to this day.

Considerable concern by French citizens developed about devaluation of the franc and because the French market was insulated from the world market, the gold could not be supplied freely to nervous holders of francs. Therefore, the French gold price went up in classical manner.

World concern developed over a French devaluation and damage to the whole international monetary system resulted and a $1.5 billion credit was extended to France by other nations.

(5) The Russian invasion of Czechoslovakia in August caused a gold price rise from about $39 to $40.

(6) The coming annual meeting of the International Monetary Fund in September and increased discussion of gold in the financial press helped cause a 50-cent gold price increase. This was followed by a $1.50 drop to $39 in October.

(7) The third major monetary crisis of 1968 occurred in November when there was a massive flow of capital from France to West Germany. The people determined that the French franc was overvalued in world markets and the Deutsche Mark was undervalued.

The foreign exchange markets were closed from November 20 to 22 while the Finance Ministers of the Group of Ten held an emergency meeting in Bonn.

President de Gaulle would not devalue and West Germany would not revalue the official parity. The United Kingdom and France announced austerity measures, while West Germany agreed to tax exporters and subsidize imports.

(8) In December, the future Secretary of the Treasury, David Kennedy, said in complete honesty, and with refreshing candor, that he wanted "to keep all the options open in regard to gold." Later, when in office, he said, "We won't seek an answer to our problems by a change in the monetary price of gold. We see no need or reason for such action."

President Nixon, in a perfectly honest and open statement, said that he sees no need to change the price of gold. He, too, still has every option open.

U.S. TREASURY GOLD STOCKS

The latest week reported was $10.367 billion as compared to $11.954 billion a year ago. This $1.6 billion or 13% loss in one year may be compared to an average loss of $1 billion per year for the last 12 years. U.S. gold stocks were at a peak of $24.7 billion on September 21, 1949 or about 75% of the Free World total.

Douglas Johnston, when speaking in Spokane at the Northwest Mining Association meeting last December, said that $4.6 billion of the 10.4 billion Treasury gold was obligated to cover Roosa Bonds, gold borrowed from the International Monetary Fund, and other foreign currency loans for ounces of metal. Therefore, the net gold holding of the U.S. Treasury is about $5.8 billion.

Another run on gold like the one following October, 1967, which continued into 1968, may cause a revaluation of gold in relation to world currencies. U.S. holdings dropped $1.36 billion in the first 2½ months of 1968.

After another similar run or two, Treasury may stop selling gold just as was done when massive runs were made on silver in May 1967.

SOUTH AFRICAN GOLD

South African 1968 production of 31.2 million ounces was 67% of total world production.

Total foreign exchange and gold in South Africa's reserve banks was $1.24 billion at the beginning of 1968 as compared to about $450 million in June, 1967.

South Africa can borrow or issue gold bonds if gold accumulates. They may sell gold into another run and thus trim the losses of gold from the monetary system.

FORECAST FOR GOLD

Demand will continue for gold. The trend for increasing price is up. Fluctuations will come with balance of payment problems, the rate money is printed, and the resulting confidence in currency, South African and Russian sales, and increasing monetization of gold by individuals.

Special drawing rights are only a supplement to existing reserve assets. Gold will continue to play a major role in the international monetary system.

My prognosis is more of the same series of monetary crises, a break in the two-tier system, and a price of $70 or more.

SILVER: A DUAL PURPOSE METAL

Now, let's turn to silver whose future, too, depends on supply, demand and price. Economics will prevail even though affected by politics.

Can you think of another metal other than silver where about twice as much is being used as is mined?

Not only is silver peerless for many uses, but people are increasing their inventory for several reasons. While governments are demonetizing silver, the people are effectively monetizing it.

I need not mention the outstanding tech-

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nical qualities of silver to the engineers and geologists here.

TREASURY SILVER SUPPLY

The biggest single supplier of hoarded silver is again the U.S. Treasury. On January 24, 1969, a Treasury Department spokesman said that there is sufficient bullion and pre-1965 90% silver coins on hand to continue selling silver at 2 million ounces per week for 22 months, indicating 191 million ounces available.

This latest estimate is 7 months sooner than the Treasury estimate made on September 9, 1968. During the last 6 months of 1968, a *net* 30.2 million ounces of silver in 90%-silver pre-1965 dimes and quarters were released to the public by Treasury and the Federal Reserve Banks.

SILVER MONEY

Monetary use is diminishing but perhaps more nations will perceive the importance of providing money of intrinsic value.

Last year, Mexico minted 30 million 25-peso Olympic commemorative 720-fine coins, each containing ½ ounce of silver, and the coin is equivalent to $2.00 U.S. Therefore, Mexico effectively monetized silver at $4.00 and made a profit of $40 million on silver purchased from the U.S.A. at $1.29 per ounce!

The U.S. Treasury would do well to reserve silver and sell it at $3.38 per ounce in the Kennedy half dollar instead of current sales in a restricted market at about $1.80 per ounce.

By reserving silver salvaged from 90% silver coins for minting of the half dollars, an additional profit of $1.58 per ounce on 191 million ounces would total about $302 million. If the people want this beautiful coin, as they have so demonstrated, why shouldn't they have it? I can think of no broader benefit and appropriate use. If the half dollar was made of base metal instead of silver, of course it would not have such beauty and would not sell in large quantity!

SILVER SUPPLY FROM THE FAR EAST

No one knows how much and at what price silver will be forthcoming from India and the Orient. During the first 11 months of 1968, 40 million ounces of smuggled unrefined silver was shipped from Dubai in the Arabian Trucial States to the United Kingdom.

The people of the Far East were willing to sell about 64 million ounces of silver through illegal channels last year. They traded their silver for gold. They may not be sophisticated enough to understand paper money. If you want a jolt—try passing a Canadian paper dollar to a shopkeeper in India! The outflow of silver from India will decrease as the price of gold rises.

Another consideration is the artistic, sentimental and religious value of silver articles in India and elsewhere. In our country, a $10 sterling teaspoon contains about $2.00 worth of silver. Therefore, do not consider such articles as a silver source. The silver contained in articles of personal value will not be released readily. Variables such as the price of gold and the magnitude of the monsoons are also factors.

SILVER COIN SALVAGE

Silver coins will be a very significant source of silver, but the people are rapidly collecting them. They will not release the silver as readily as will governments. The 12 billion silver coins in the U.S.A. represent only 60 coins per person and many of these will not be available at double and triple the current silver price.

NEW SILVER FROM MINES

Total 1968 Free World new production was about 238 million ounces, which if compared to 40.4 million ounces of Free World gold production, indicates that silver is 6 times as abundant as gold and should be worth about one-sixth of $42 or $7 per ounce. There is a fallacy in this reasoning, but I can dream!

The average $2.14 price in 1968 has not been enough for mine production to close the supply-demand gap because the supply from the U.S. Treasury, India and elsewhere has been adequate.

Graph No. 2, furnished by Mocatta & Goldsmid, shows the London Bullion Merchant price in pence, which is the same as U.S. cents per fine ounce. You will note the downtrending silver price since August in contrast to the Graph No. 1 showing a rising gold price where supply was restricted.

There will be plenty of silver to supply industrial and monetary needs if the price is adequate.

Over ⅔ of the world's silver is mined as a by-product of copper, lead and zinc mining, so production is inelastic. Most silver deposits are shallow. The deep silver veins of the Coeur d'Alenes in Idaho are matched nowhere else in the world.

Much higher prices will be required to increase enough exploration effort, and even then there will be no assurance of discovery sufficient to meet the demand. The easy-to-find deposits have been mined. The rapid increase in mining costs will force a higher silver price after the weak silver owners are separated from their holdings.

As the price increases, mass mining of low-grade deposits will be possible, such as at ASARCO's properties in California and Arizona.

Many mines will produce less silver per year at higher prices because lower-grade ore will be mined and the life of the mine will be extended for more recovery and greater profit.

SILVER DEMAND

According to the U.S. Bureau of Mines, 1968 consumption as published by Handy & Harman was as follows:

Use	Ounces (millions)	Percent of total
Photography	42	29
Electrical and electronic products	33	23
Sterling ware	26	18
Brazing alloys	16	11
Electroplated ware	15	10
Jewelry	4	3
Miscellaneous	9	6
Total	145	100

The value of silver is about 1½ to 3% of the cost of movie film. You can see that this use is inelastic or little affected by price. Likewise, such small quantities are used in many electrical applications that price is a small percentage of the total cost.

As the price increases, silver will be allocated to the best monetary and industrial uses.

Silver is the poor man's metal and is an alternative for the Americans and British who are forbidden to hold gold except in unusual forms. Silver's small bulk and buryability allows it to be secreted beyond the eyes of those who tax and confiscate wealth, whether it be by theft, deflation or inflation.

Developing technology is expanding silver's use but higher prices will force use of alternatives.

CONCLUSION

When the silver market is freed by cessation of Treasury sales, price will be the relentless disciplinarian and referee between supply and demand.

The crux of the situation is the fact that *both* mining supply and industrial demand, in large degree, are inelastic or little effected by price change.

We can expect to see a rising trend in the silver price with considerable volatility until the gap between supply and demand is eliminated. When gold rises to $70 or more, $5 silver will not be an unreasonable price based on historical ratios.

THE 75TH ANNIVERSARY OF THE BELLE VISTA UNITED METHODIST CHURCH OF CLIFTON, N.J.

HON. CHARLES S. JOELSON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. JOELSON. Mr. Speaker, in these days of rapid change for the sake of change itself, it is gratifying to know that there are still Americans who are eager to maintain meaningful traditions. I am pleased to insert an article from the Paterson News of March 4, 1969, concerning the 75th anniversary of the Belle Vista United Methodist Church of Clifton, N.J.

I congratulate all those connected with the Belle Vista United Methodist Church, and hope that they will continue to derive inspiration from it for many years to come.

The article follows:

THE BELLE VISTA UNITED METHODIST CHURCH CELEBRATES 75TH ANNIVERSARY

(By Nell Kanzaki)

CLIFTON.—The Belle Vista United Methodist Church will mark its 75th anniversary on March 18. In celebration of the occasion a month-long program is planned, including a special service on Sunday, March 16, at 11 a.m.

The Rev. Milton B. Coleman, pastor, will lead the worship service at which many old members will be honored. The Methodist Youth Fellowship will be in charge of a social hour following the service.

Other anniversary events will include a family movie night this Saturday sponsored by the Women's Society of Christian Service; Mission program and hymn sing on Friday, March 14; a memory night on Saturday, March 22, sponsored by the Adult Fellowship; and climaxed by a buffet supper in Mountainside Inn on Thursday, March 27.

Special guests will include two former pastors, the Rev. Forest M. Fuess, 1940–1944, present pastor of Westwood United Methodist Church and a former district superintendent, the Rev. Dean A. Lanning, 1956–1960, present pastor of the Mountain View United Methodist Church, Wayne, and the present district superintendent, the Rev. Julius Brasher.

According to church records Albion Place 75 years ago was "an isolated farm community with no public transportation and no churches." The only regular religious services were Sunday School classes conducted in the local school house, under the sponsorship of the Presbyterian Board of Paterson.

In 1893, John W. Barrett, with the support of the Rev. R. K. Boyd, then pastor of Simpson Methodist Church, Paterson, gathered a group of persons interested in forming a church and elected its first trustees. After much planning the church was incorporated the following year on March 18. A church building was constructed the same way, with a locomotive bell donated by the Lackawanna Railroad for a church bell. Mr. Boyd became its first pastor. Forty members were on the church roll at the end of the first year.

OLDEST MEMBER

Mrs. Charles Seabert, oldest living member of the church, was a Sunday School pupil at the time of the groundbreaking. Daughter of Mr. Barrett, she served as organist from 1908 to 1948. Mrs. Seabert, now 94, is a resident of a Parsippany nursing home.

The origin of the church's name is related by Dr. George Watson, pastor from 1901-1903, as follows:

"When Mr. Barrett called at Lambert Castle to ask for financial support for the church, he found Catholina Lambert perplexed as to whether he should help this church or respond to other appeals. He finally asked his wife to decide.

"Mrs. Lambert, a practical and wise woman, promptly answered with the familiar saying, "First come, first served," whereupon Lambert wrote out a check for $250 and presented it to Mr. Barrett.

"Since Mrs. Lambert had so decisively influenced her husband in giving such a substantial aid to the church, the trustees suggested that her name, Belle, be included in the name of the new church.

"No one knows who suggested the name 'Belle Vista,' but Belle, as every girl who bears that name knows means beautiful, and "vista," a word of Italian origin, means view.

BEAUTIFUL VIEW

"So the little church built on the side of Garret Mountain was soon to be known as 'the church with the beautiful view.' "

Mr. and Mrs. John Alt of 12 Mount Washington Drive, who will mark their 60th wedding anniversary on May 12, were the first couple to be married in the church in 1909. As a member of the Ladies Aid Society, the forerunner of the present WSCS, Mrs. Alt did much to assist with the church suppers which helped to pay off the church mortgage.

Electric lights were installed in the church in 1915 and a parsonage was added in 1924 "an incentive for the young student pastor, the Rev. George Kirk, who was planning to marry, to remain longer."

During the growth of the church the Young Adult and Adult Fellowships were organized, as well as youth groups, including Boy and Girl Scout troops.

Church expansion again took place in 1963 when ground-breaking was held for a new educational building. The $60,000 addition which serves as a Sunday School and Fellowship Hall was completed in May 1964.

Committee members for the anniversary celebration include Mrs. Arthur Smith, chairman, assisted by Michael Bychek, Ray Farley, John Murdock, Mrs. Ellen Cluff, Miss Mary Ann Knotts, Mrs. John Lengler and Mrs. Myrtle Petty.

LEGISLATIVE REORGANIZATION ACT SHOULD BE ENACTED

HON. DONALD G. BROTZMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. BROTZMAN. Mr. Speaker, I am today joining in introduction of the Legislative Reorganization Act of 1969.

Last year I supported an earlier draft of the bill which is being introduced in this body today, and my conviction remains unabated that the Congress is, if anything, taking serious note of the need for multiple reforms at least a decade late.

I am not in complete agreement with the total package included in this bill, which initially was introduced in the 91st Congress by our distinguished colleague from Illinois (Mr. RUMSFELD). I will express my reservations herein. But I want to go on record as stating that this bill should—as a duty to the American people—be brought up for hearings as soon as possible.

Furthermore, I believe that a somewhat modified version should be enacted before this 91st Congress is concluded.

What we will be doing, Mr. Speaker, is simply updating the structure and procedures of this body to a level commensurate with our responsibilities as delineated by the Constitution.

Over the past few decades the executive branch of the Federal Government has encroached upon the historic powers of the legislative branch—powers which, in my opinion, were vested with Congress as a necessary part of the checks and balances which keep this great Government in the service of its people—and not the people in the service of the Government.

And in all candor, Mr. Speaker, this has occurred primarily because we have failed to keep pace with changing times. It is well and good to criticize the executive branch for its ever-expanding powers, but on the other hand I believe it can be demonstrated that, in many instances, it is a case of one branch of the Federal Government simply occupying a vacuum created by the failure of another branch to modernize itself.

I might add that it is evident that the American people do not hold Congress in particularly high esteem. And I believe that, to a large measure, this loss of prestige is attributable to the same fact: that we have not kept our House in good repair. The people who as a body have an uncanny sixth sense about what their Government is and is not doing, have made judgments about the role of Congress in a modern society, and those judgments have been unfavorable more often than not.

Passage of the Legislative Reorganization Act of 1969 will go a long way toward restoring the esteem of the American people. More importantly, it will enable us to do a better job for the Nation.

As I indicated earlier, there are several points—in the act as now constituted—all of them relatively minor—which I believe need to be examined particularly carefully during hearings and debate.

First, I am not sure that the establishment of an Office of Placement and Office Management, as provided for under title IV of the proposed act, is fully justified. While Members would not be obligated to avail themselves of the services of this Office, nonetheless I consider it likely that this Office would grow increasingly more expensive and bureaucratic.

Second, I would regard removal of service academy appointments totally from the province of Congress as unwise. Personally, I handle my nominations on a merit system, but I also believe that the subjective judgments which I make along the way result in a greater percentage of career officers than would be the case in a national merit system, as proposed in title IV.

And third, while I am in accord with the provisions for mantaining a tighter control over the activities of lobbyists, I disagree with the transfer of administration of the Lobbying Act from the Clerk of the House and the Secretary of the Senate to the Comptroller General. I take the position that the General Accounting Office should continue to be the watchdog of Congress—and such administrative functions would represent not only a possible but a probable conflict with the auditing functions of the GAO.

However, as I indicated earlier, my reservations are few in number in the total context of this act. Hence, I am proud to join as a sponsor.

AMERICAN LEGION—HISTORY COMES FULL CYCLE

HON. W. C. (DAN) DANIEL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. DANIEL of Virginia. Mr. Speaker, It was my honor to represent the American Legion as national commander in 1956–57. I am proud of the contribution made by this organization to a better America.

John Edgar Hoover said that had it not been for the American Legion, subversive forces from within would have destroyed this country while the flower of her youth was fighting for its preservation on foreign battlefields.

I am proud of the system of Veterans' Administration hospitals that ring our land for which the Legion takes a great deal of credit. I am proud of our sponsorship of the GI bill of rights, a law which has done more to encourage home building, to stimulate interest in education and educational training than all other laws combined ever passed by the Congress.

I am proud that we have unremittingly supported and defended that immortal document known as the Constitution—the greatest document ever devised by man for the governing of himself—along with its bill of rights which builds fences around individual liberties that governments may wish to take away.

I am proud of our youth programs designed to instill into our leaders of tomorrow a sense of appreciation of the rich heritage that they enjoy under our representative form of government.

I am proud that we have consistently remained public enemies No. 1 on the list of the Kremlin because of our relentless fight against atheistic communism and, yes, that we are sponsoring a religious interest program designed to bring all of our people closer to the Creator who has blessed us so bountifully.

Mr. Speaker, I insert an article honoring the American Legion on its 50th anniversary written by Mr. Hallis Hull:

FIFTIETH ANNIVERSARY OF THE AMERICAN LEGION

(By Hallis Hull)

In this golden anniversary year for The American Legion, history has come full cycle for the world's largest veterans organization.

When the officers and men of World War I while still in uniform gathered in Paris, France, to form the Legion, one of the major problems was how the returning veteran was to be reassimilated into civilian life.

Now a half-century later this same problem is still a major concern of the Legion and it is working with and for a new generation of veterans.

Currently approximately 70,000 veterans of the Vietnam war are melting back into civilian life each month. This is a considerable number but not a large enough number to have the massive impact on society as the four-million-plus of World War I and the 12-million of World War II.

But the Legion feels that it is most impor-

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tant that these men and women of this new generation of veterans are properly adjusted and brought again into the main stream of our society.

To insure a smooth transition to civilian life and to offer some well-deserved public recognition to these new veterans, the Legion is involved in a nationwide program of contact and service with these former servicemen.

Names and addresses of returning veterans are provided by the Veterans Administration. They are processed by computer at Legion National Headquarters and sent to the appropriate officers of Legion Posts, districts and departments across the country.

Local Legionnaires are asked to immediately contact recent separatees, to welcome them home and to offer them whatever help that is needed in their readjustment to civilian life.

Veterans' rehabilitation has been a foundation stone of The American Legion. Here this well-known and well-organized rehabilitation effort from the national to the local level comes into full play. The local Post service officer is a key factor in the effort.

The Legion's rehabilitation help in the local community may take many forms, and can include help with getting the new veteran medical attention, help with getting into school or help with getting a job.

To give impetus and strength to this humane effort, the Legion National Organization has given special up-to-the-minute training to a group of Legion professional staff members. They are now working with Legion volunteers in various sections of the country to make this effort count strongly for the benefit of the new veteran and our society.

Important as this new veterans' rehabilitation program is, it is not the only major effort in which The American Legion finds itself deeply involved and committed on this 50th anniversary year.

In the great tradition of volunteer organizations and their work for bettering our nation and society, the Legion makes its strength and organizational know-how felt in another area important to America. This is service to youth.

The American Legion Baseball Program is well known as having been the training ground for such greats of the game as Yogi Berra, Stan Musial, Jackie Robinson and Ted Williams.

But even more important, is the continuing good for America that comes from this program aimed at producing and training sound American manhood through learning the rules of good sportsmanship and citizenship in a competitive sports program. When "play ball!" is sounded this spring, a quarter-million boys playing on some 4,000 certified teams will vie for the honor of playing in The American Legion World Series.

Before totaling the Legion's work with youth, add to the effort such programs as Boys State and Boys Nation, where young high schoolers learn the elements of government by actual participation in its functions. Here they also learn the responsibilities as well as the rights that come to citizens in a government of law within a free society.

The Legion also is active in youth work through such other programs as the National High School Oratorical Contest, Boy Scouting and its uniformed groups. In the latter activity, an estimated half-million boys and girls are culturally involved by the Legion in bands and drum corps.

The Legion during this golden anniversary expects to rack up another record year of expenditures on behalf of the nation's children and youth.

Expenditures being made by the Legion, its Auxiliary and the Eight and Forty for child welfare work for the year ending next May 31 are expected to exceed the previous year's total of more than $9.5-million. With last year's record figure, the Legion and affiliated organizations have expended a total of more than $230-million on behalf of the nation's children and youth during the organization's history.

The silver anniversary of the enactment of the G.I. Bill of Rights will be marked by the nation next June 22. How the Legion conceived and fought for this landmark legislation is almost a legend. It set off a revolution in education. It prepared this nation in an educational way for the demanding technological era into which it has moved. This legislation was another lesson in the wisdom of America investing in people and becoming a greater society as a result.

While the G.I. Bill stands on a high peak among accomplishments, the day-to-day work and efforts of this organization in the area of education must not be overlooked. With the National Education Association, the National Congress of Parents and Teachers and the U.S. Office of Education, The American Legion sponsors the annual observance of American Education Week to focus attention on and gain support for the nation's schools.

But what of the Legion itself, its growth and its future role of service to our nation and society?

The history of the United States' expanding world commitments since 1917 is reflected in the growth of the Legion. The founders at that initial Paris meeting had no idea that when the golden anniversary rolled around that the Legion would be anything more than an organization of veterans from the First World War.

But since then the Legion has found it necessary to ask Congress to amend its federal charter to admit the veterans of three later wars to membership. In every case, eligibility has been limited to those who have had active, honorable service during an actual period of hostilities.

The latest generation of veterans eligible for and joining the Legion in increasing numbers are those who have served during the current Vietnam war. This eligibility period began with the action at the Gulf of Tonkin on Aug. 5, 1964.

The new Vietnam war veteran is finding the Legion a worthy vehicle through which to find expression in civic service. On this 50th anniversary year, the Legion is expected to achieve the fifth straight year of membership growth. The organzation appears to be pushing in the direction of the 2.7-million member mark.

While it can look back on a proud record of service in many important and vital areas to the nation, The American Legion at this moment in its history is not content to rest on its past achievements.

A special Task Force for the Future has already been at work for more than a year drawing up guidelines for future Legion programs and projects. The Task Force's report is due to be presented at the Legion's 51st Annual National Convention to be held in Atlanta, Ga., Aug. 22–28.

In short, The American Legion has its sights focused on the future and an even greater role of service to the community and nation in its second half-century.

TRIBUTE TO MAURITIUS

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. DIGGS. Mr. Speaker, as chairman of the House Foreign Affairs Subcommittee on Africa, I wish to pay tribute to the island country of Mauritius which, on March 12, celebrated its first anniversary of independence and entry into the family of nations. Under the distinguished leadership of its Prime Minister, Sir Seewoosagur Ramgoolam, a friend of the United States who has visited our country several times, Mauritius has already in its first year shown its devotion to the cause of international cooperation and peace among nations.

Mauritius, which bears a remarkable physical resemblance to the beautiful islands composing our own State of Hawaii, is known as the "Star and the Key of the Indian Ocean." In sailing days it was an important stop for ships making the long and hazardous journey around the Cape of Good Hope to the fabled East, and it remains today an important shelter for the large numbers of vessels plying the same vital waterways in the interests of closer international development through international trade.

Despite its far location and tropical island atmosphere, Mauritius is a thriving young nation with an important sugar industry. Its people have come from literally all quarters of the globe and though all are now Mauritians, they have kept the best of the legacies left them by their ancestors who arrived on their island from Africa, Asia, and Europe. Our common wish is for increased prosperity and progress for the new Mauritian nation.

TRIBUTE TO JOHN W. "DOC" RUST, MAYOR OF WILLOW SPRINGS, ILL.

HON. JOHN C. KLUCZYNSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. KLUCZYNSKI. Mr. Speaker, one of the most colorful and beloved public personalities in my area was taken from us recently. He was a truly free spirit in politics, a man who believed in, practiced, and defended individual independence. The tribute paid him by Lyn Daunoras and printed in the Enterprise Midweek Family magazine on February 26 last is a warm memorial to a man who served his people well, and I include it here not only to join in the tribute but also because I think the story of his life can remind each of us that loyalty to people and principle is the essential element without which we cannot hope to succeed.

The tribute follows:

JOHN W. "DOC" RUST, POPULAR MAYOR OF WILLOW SPRINGS DIES

(By Lyn Daunoras)

"Doc" Rust is dead.

On the eve of his greatest triumph when he was nominated for his tenth term as mayor of Willow Springs and there was no opposition party slated against him, the colorful, flamboyant, western-type leader of this small, peaceful community, died as he wanted to die—with his boots on.

He's dead.

It seems inconceivable to imagine Willow Springs without him. A man of paradoxes, he could swing from the salty language of a seaman to the sophisticated phrases of Shakespeare or the Bible with equal aplomb.

This was his beloved village, where he had been born and lived all his life. He knew every nook and cranny from the time he was toddling about, following his father, Dr. John W. Rust, on his rounds of sparse homesteads while the latter was country doctor

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in the area. It was this habit of being with his father that earned John R. Rust Jr. the nickname he cherished, "Doc."

He didn't follow his father in the medical field, but he did follow him in politics. After the senior Rust died in office, "Doc" took over the reins in 1935 for a two-year term as mayor. Since then, he served eight full four-year terms.

But not without a fight. The only noise in this quiet, tranquil town was produced by the roar of the wounded lamb as he took on his foes, one by one, election year by election year.

They came and went—young men, educated men, well qualified men. But if they had defeated "Doc," he would have died of a broken heart long before 1969.

Invariably, it was the men he had helped the most on their way up who hurt him in the end. A man of average build, he had a heart the size of Texas and all gold. He was a push-over for anyone with a sob story. He wanted to help, and he did the best he could. But sometimes the best was not good enough for some.

This was his town, his love. The people were his family. Married twice, he had no children, so he adopted everyone in Willow Springs as his official family. He was the last of his kind—a gentle breeze with the whiplash of a whirlwind; a colorful soul who never failed to perk up an ordinary day.

And he's gone. Unbelievable. The streets of Willow Springs will be lonely without the slouching "Doc", replete in his plaid shirt, cowboy tie and 10-gallon hat. It will be a silent town without his booming "Hiya!"

But somewhere "Doc" is enjoying a laugh. Somewhere he knows that only death could remove him from the town he loved and served for so many years. His many opponents could never do it. Four years ago, it looked bleak for "Doc." He had two parties against him, with two slates of candidates going all out in an effort to leave his administration in shambles. And he lived to laugh at them as he continued for his ninth term.

This year they hadn't planned to try again. They knew when they were whipped. They acknowledged that "Doc" was for the people and the people knew it. Only when he was flat on his bed this weeekend did the others sense this was finally their chance to "beat him"—and they hurried to file their candidacy.

He had the last laugh on others, too. There has been the daily press whose blase reporters would visit Willow Springs and be horrified at one little tavern which they said had to go. "Doc" would chuckle quietly.

"Why? This same press keeps saying people have no rights anymore. So, hasn't a man, more than 21, got the right to do what he pleases on a night out?" he would ask.

And the tavern, which had been there for a number of years, remained, in spite of the BGA, the daily press and other "big" people. "Doc" didn't flinch; in fact, he would work that much harder. He always said ridicule didn't hurt him but he wore a Pagliacci facade. It did hurt, but he was able to assuage his wound through the votes of confidence given him by the people who meant the most to him. It remains a fact that Rust himself was never defeated and when he ran, his whole ticket won, but his ticket did lose in off-year elections when his name was missing from the ballot.

And now his voice has been stilled at last, by the only one who could possibly silence him—the One who gave him the voice and boxed it in a mighty body. The oak tree has been felled.

"Doc"—so restless that he could never sit down at a banquet table and relax. "Doc"—so energetic that even a major illness could not keep the iron warrior off the campaign trail. His one concern was that he might have a lingering illness. "I couldn't stand that. I don't ever want to be helpless," he said. He needn't have worried. Someone up there heard him and his was a mercifully quick death. He collapsed on Saturday night and died on Monday, Feb. 10th.

"He's gone and no longer will we look up and see him stride into a room, booming, "Hiya, doozy-bella" (his pet name for this reporter).

His last cheery note came Jan. 10th. It read merely: "Lyn—Forgot? Guess not! Happy New Year." One month to the day his restless spirit found a home. We'll miss him.

But more than that. Willow Springs will miss him.

FEDERAL COURT UPHOLDS CONGRESSIONAL POLICY AGAINST SEX DISCRIMINATION

HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mrs. GRIFFITHS. Mr. Speaker, a few days ago, the U.S. Court of Appeals for the Fifth Circuit strongly affirmed the congressional policy against sex discrimination. In *Weeks* v. *Southern Bell Telephone & Telegraph Company* (No. 25725, March 4, 1969), the court ruled that title VII of the Civil Rights Act of 1964 cannot be evaded by employers under the guise of protecting women from having occasionally to handle a 34-pound fire extinguisher in the event of a fire. The court ruled that employers who seek to exclude women from jobs on the grounds that part of the work may be "strenuous" have the burden of proving by facts not by speculation that "all or substantially all women would be unable to perform safely and efficiently the duties of the job involved." The court emphasized that a speculative emergency cannot be used "as a smoke screen by any employer bent on discriminating against women." The Weeks decision by the Fifth Circuit Court of Appeals marks a significant milestone on the road toward providing equality of opportunity for women in employment. I believe that this decision will be of interest to all Members of the Congress and the general public, and I therefore include the text of the decision, at this point, in the Record:

[In the United States Court of Appeals for the Fifth Circuit, No. 25725]

Mrs. Lorena W. Weeks, Appellant-Appellee, *v.* Southern Bell Telephone & Telegraph Company, Appellee-Appellant (and Reverse Title)

(Appeals from the United States District Court for the Southern District of Georgia, March 4, 1969.)

Before Wisdom and Ainsworth, Circuit Judges, and Johnson, District Judge.

Johnson, District Judge: This appeal and cross-appeal present important unsettled questions concerning the proper interpretation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. Sec. 2000e. Mrs. Lorena W. Weeks brought this suit against her employer, Southern Bell Telephone & Telegraph Company (hereinafter Southern Bell) pursuant to 42 U.S.C. Sec. 2000e-5(e). Mrs. Weeks, an employee of the Company for 19 years, claims that the Company's refusal to consider her application for the position of switchman constituted discrimination based solely on sex, in violation of 42 U.S.C. Sec. 2000e-2. She prayed that she be awarded the position and damages and that Southern Bell be permanently enjoined from such unlawful employment practices.

The record reveals that Mrs. Weeks submitted her bid for the job of switchman on March 17, 1966. On April 18, 1966, the Company returned her bid with a letter advising her that it had decided not to assign women to the switchman's job. On June 2, 1966, Mrs. Weeks filed a written but unsworn charge with the Equal Employment Opportunity Commission (hereinafter the Commission). A representative of the Commission secured a sworn charge from Mrs. Weeks on July 30, 1966. After investigation of the facts and analysis of the duties of the position of switchman, the Commission decided that there was reasonable cause to believe that the Company had violated the Act. Mrs. Weeks was informed on April 19, 1967, that conciliation efforts with Southern Bell had failed and that she had 30 days within which to file suit. As authorized by Section 2000e-5(e) of the Act, the District Court relieved Mrs. Weeks of the payment of costs and appointed counsel for her. Counsel filed suit on her behalf on May 18, 1967.

I

The Company moved to dismiss or in the alternative for summary judgment on the theory that since the alleged unlawful practice occurred on April 18, 1966, and a sworn charge was not filed with the Commission until July 30, 1966, the requirements of Section 2000–5(a) and (d)[1] that the sworn charge be filed within 90 days had not been met and the District Court lacked jurisdiction. The contention that the District Court's overruling of this motion was error is the basis for the Company's cross-appeal.

The District Court, in effect, sustained the validity of a Commission regulation which permits amendments to the charge more than 90 days after the unlawful practice, in this case on July 30, 1966, 29 C.F.R. 1601.11(b) provides:

"Notwithstanding the provisions of paragraph (a) of this section, a charge is deemed filed when the Commission receives from the person aggrieved a written statement sufficiently precise to identify the parties and to describe generally the action or practices complained of. A charge may be amended to cure technical defects or omissions, including failure to swear to the charge, or to clarify and amplify allegations made therein, and such amendments relate back to the original filing date."

The Commission has filed a brief amicus curiae urging that we sustain the regulation and affirm the District Court's holding on this point.

The only case supporting the Company's contention, *Choate v. Caterpillar Tractor Co.*, 274 F. Supp. 776 (S.D. Ill. 1967), has since been overruled by the Court of Appeals for the Seventh Circuit. In a strongly-worded opinion, Judge Swygert held:

"We are of the view that the district court was in error in holding that its jurisdiction to entertain the suit depended upon whether the charge of discrimination filed with the Commission was under oath. Basic to our view is the fact that the 'under oath' requirement relates to the administrative procedures which are conducted by the Commission and which precede any court action. The statute gives the Commission no enforcement powers through the adjudicatory process. It allows the Commission only to investigate charges and attempt to gain compliance by informal methods of conference, conciliation, and persuasion. Enforcement of the rights of aggrieved parties resides exclusively in the federal courts. When the statute is thus considered, it is clearer that the requirement for verification of charges lodged with the Commission relates solely to the administrative rather than to the judicial features of the statute. We believe that the provision is directory and technical rather than mandatory and substantive."

We agree with the Seventh Circuit and with the Commission that a complaint in

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Footnotes at end of article.

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writing timely received may be amended after the 90-day period so as to meet the requirements of 42 U.S.C. Sec. 2000e–5(a).[2]

What Chief Judge Brown, speaking for this circuit, expressed in a similar context seems relevant here:

"The legislative history is silent on the requisites of the charge. This is not unusual since the charge is the catalyst which starts the informal conciliation proceedings of EEOC. It is in keeping with the purpose of the Act to keep the procedures for initiating an action simple. . . . For a lay initiated proceeding it would be out of keeping with the Act to import common-law pleading niceties to this 'charge' or in turn to hog-tie the subsequent lawsuit to any such concepts. All that is required is that it give sufficient information to enable EEOC to see what the grievance is all about." *Jenkins v. United Gas Corp.*, 400 F.2d, 28, 30 n.3 (5th Cir. 1968).

Finally, while we think it is clear that the purpose of certain of the procedural requirements of Section 2000e–5 is to protect employers from unfounded charges and harassment, it is equally clear that the employer here was in no way bothered or prejudiced by the unsworn charge and that the employer did receive the protection envisaged by Congress. In its amicus brief the Commission makes clear that under its procedures unsworn charges are not served upon respondents and that the investigation does not commence until a sworn charge is served. On this question, the District Court is affirmed.

II

Turning to the merits we observe that there is no dispute that Mrs. Weeks was denied the switchman's job because she was a woman, not because she lacked any qualifications as an individual. The job was awarded to the only other bidder for the job, a man who had less seniority than Mrs. Weeks. Under the terms of the contract between Mrs. Weeks' Union and Southern Bell, the senior bidder is to be awarded the job if other qualifications are met. Southern Bell, in effect, admits a prima facie violation of Section 703(a) of the Civil Rights Act of 1964, 42 U.S.C. Sec. 2000e–2(a), which provides in pertinent part:

"(a) Employer practices: It shall be an unlawful employment practice for an employer—(1) to fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's . . . sex . . .; or

"(2) to limit, segregate, or classify his employees in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual's . . . sex, ..."

Southern Bell's answer, however, asserts by way of affirmative defense that the switchman's position fits within the exception to the general prohibition of discrimination against women set forth in Section 703(e)(1), 42 U.S.S. Sec. 2000e-2(e)(1), which provides in pertinent part:

"(e) Notwithstanding any other provision of this subchapter, (1) it shall not be an unlawful employment practice for an employer to hire and employ employees, . . . on the basis of his . . . sex, . . . in those certain instances where . . . sex, . . . is a *bona fide occupational qualification* reasonably necessary to the normal operation of that particular business or enterprise. . . ." (Emphasis added.)

The job description of the post of switchman reads as follows:

"Engaged in the maintenance and operation of dial central office equipment, test, power, frame, switch, and other telephone equipment, including the locating and correcting of faults; making adjustments, additions, repairs, and replacements, performing routine operation tests, etc., and working with test-desk, field, and other forces connected with central office work. Also operates and maintains, including adjusting and making repairs to or replacement of, air conditioning equipment, and performing other work as assigned in accordance with local circumstances and the current needs of the business."

We think it is clear that the burden of proof must be on Southern Bell to demonstrate that this position fits within the "bona fide ocupational qualification" exception. The legislative history indicates that this exception was intended to be narrowly construed.[3] This is also the construction put on the exception by the Equal Employment Opportunity Commission.[4] Finally, when dealing with a humanitarian remedial statute which serves an important public purpose, it has been the practice to cast the burden of providing an exception to the general policy of the statute upon the person claiming it. *Phillips Co. v. Wailing,* 324 U.S. 490, 493 (1942).

The more important question that must be decided here, however, is the extent of the showing required to satisfy that burden. In the court below, Southern Bell contended that a bona fide occupational qualification was created whenever reasonable state protective legislation prevented women from occupying certain positions. Southern Bell relied upon Rule 59, promulgated by the Georgia Commissioner of Labor pursuant to Section 54–122(d) of the Georgia Code, which provides:

"*Lifting*. For women and minors, not over 30 pounds. Less depending on physical condition of women or minors. Minor as used here means anyone under 18 years of age, male or female."

The Commission has recognized that reasonable state protective legislation may constitute a bona fide occupational qualification. Thus, Section 1604.1(3) of the Commission's guidelines provides:

"The Commission does not believe that Congress intended to disturb such laws and regulations which are intended to, and have the effect of, protecting women against exploitation and hazard. Accordingly, the Commission will consider qualifications set by such state laws or regulations to be bona fide occupational qualifications, and thus not in conflict with Title VII . . . so, for example, restrictions on lifting will be honored except where the limit is set at an unreasonably low level which could not endanger women."

Mrs. Weeks does not dispute on appeal that the position of switchman occasionally requires lifting of weights in excess of 30 pounds. She has consistently contended that the Georgia limit is unreasonably low and that the Georgia Commissioner of Labor's Rule 59 does not have the intent or effect of protecting women from hazard. She also contends that the rule is arbitrary in violation of the equal protection clause of the Fourteenth Amendment and that it is contrary to Title VII and thus in violation of the supremacy clause, article 6, clause 2 of the Constitution. In this regard, it may be noted that a United States District Court has recently held that provisions of the California Labor Code restricting lifting by women to weights of 25 pounds and under is a restriction set at an unreasonably low level within the meaning of the Commission's guidelines and that even if 25 pounds did not constitute an unreasonably low level within the meaning of those guidelines, such restrictions are still contrary to Title VII of the Civil Rights Act and must yield. *Rosenfeld v. Southern Pacific Co.,* 59 CCH Lab. Cas., para. 9172, Civil No. 67–1377–F (C.D. Cal. Nov. 22, 1968). In that case the Commission appeared as amicus curiae and urged the result reached by the District Court on the basis that there was an irreconcilable conflict between federal and state law which required invalidation of the state law under the supremacy clause.

We need not decide the reasonableness or the constitutionality of Rule 59, however, because effective August 27, 1968, Georgia repealed Ruple 59. In its place, the Georgia Commissioner of Labor has promulgated a rule which reads:

"Manual loads limited. Weights of loads which are lifted or carried manually shall be limited so as to avoid strains or undue fatigue."

The decision to repeal the specific weight limit seems to have been at least partially motivated by, and is in conformity with, the recommendations of the Task Force on Labor Standards of the Citizens' Advisory Council on the Status of Women. The President's Commission pointed out:

"Restrictions that set fixed maximum limits upon weights women are allowed to lift do not take account of individual differences, are sometimes unrealistic, and always rigid. They should be replaced by flexible regulations applicable to both men and women and set by appropriate regulatory bodies."

Because the new, flexible rule does not in terms necessarily prevent all women from performing the duties of switchman, the issue of protective state legislation disappears from the case. We are left with the question whether Southern Bell, as a private employer, has satisfied its burden of proving that the particular requirements of the job of switchman justify excluding women from consideration.

In ruling for Southern Bell, the District Court relied primarily on the effect of Rule 59. It did, however, make some additional findings of fact which Southern Bell contends are sufficient to satisfy its burden:

"At the trial of the case, the evidence established that a switchman is required to routinely and regularly lift items of equipment weighing in excess of thirty (30) pounds. . . . Additionally, the evidence established that there is other strenuous activity involved in this job. . . .

"The evidence established that a switchman is subject to call out 24 hours a day and is, in fact, called out at all hours and is sometimes required to work alone during late night hours, including the period from midnight to 6 a.m. In the event of an emergency or equipment failure, the switchman would be required to lift items of equipment weighing well in excess of thirty (30) pounds."

Southern Bell puts principal reliance on the fact that the District Court found the job to be "strenuous." That finding is extremely vague. We note, moreover, that Southern Bell introduced no evidence that the duties of a switchman were so strenuous that all, or substantially all, women would be unable to perform them. Nor did the District Court make a finding on this more concrete and meaningful statement of the issue. The Commission in its investigation, on the other hand, rejected Southern Bell's contention "that the switchman job at this location requires weight lifting or strenuous exertion which could not be performed by females." In addition, Mrs. Weeks produced testimony to the effect that she was capable of performing the job, that a woman in New York had been hired as a switchman and that seven others were performing the job of frameman, the duties of which were essentially indistinguishable from those of a switchman.

In examining the record carefully to interpret the finding that the duties of a switchman were "strenuous," we have observed that although Southern Bell attempted to connect a switchman's duties with various pieces of heavy equipment, only a 31-pound item called a "relay timing test set" was used "regularly and routinely" by a switchman. The testimony at trial and the Commission's investigation reveal that in actually using the set the normally accepted practice is to place the test set on the floor or on a rolling stepladder and that very little

Footnotes at end of article.

lifting of it was required. Thus, while there would be a basis for finding that a switchman's job would require lifting technically in excess of a 30-pound weight limitation, the infrequency of the required lifting would permit quibbling over just how "strenuous" the job is. But we do not believe courts need engage in this sort of quibbling. Labeling a job "strenuous" simply does not meet the burden of proving that the job is within the bona fide occupational qualification exception.

Southern Bell also may be taken as contending that it has simply applied its own 30-pound weight limitation and that a reasonable privately-imposed weight limitation fits within the exception. In this contention, Southern Bell relies heavily on the broad construction of the exception adopted in *Bowe* v. *Colgate-Palmolive Co.*, 282 F. Supp. 332 (S.D. Ind. 1967). In holding a privately-imposed 35-pound weight limitation within the exception, Judge Steckler stated:

"Generally recognized physical capabilities and physical limitations of the sexes may be made the basis for occupational qualifications in generic terms." 272 F. Supp. at 365.

As indicated above, the Commission appeared in *Rosenfeld* v. *Southern Pacific Co., supra*, to urge that the California weight limitation legislation be struck down. In so doing, the Commission successfully contended that this broad construction of the bona fide occupational qualification exception should not be followed. The Commission's amicus brief there stated that it has consistently interpreted its regulations as being incompatible with the idea that privately-imposed weight limitations for women are within the bona fide occupational qualification exception. It has taken that position on a case involving a 35-pound weight limit. The Commission relied upon its guidelines found in 29 C.F.R. Sec. 1601.1(a):

"(1) The Commission will find that the following situations do not warrant the application of the bona fide occupational qualification exception: (i) the refusal to hire a woman because of her sex, based on assumptions of the comparative employment characteristics of women in general. . . . (ii) the refusal to hire an individual based on stereotyped characterizations of the sexes. . . . The principle of nondiscrimination requirse that individuals be considered on the basis of individual capacities and not on the basis of any characteristics generally attributed to the group."

These guidelines are, of course, entitled to considerable weight. As the Supreme Court said in *Udall* v. *Tallman*, 380 U.S. 116 (1965):

"When faced with a problem of statutory construction, this Court shows great deference to the interpretation given the statute by the officers or agency charged with its administration. To sustain the Commission's application of this statutory term, we need not find that its construction is the only reasonable one or even that it is the result we would have reached had the question arisen in the first instance in judicial proceedings . . . Particularly is this respect due when the administrative practice at stake involves a contemporaneous construction of a statute by the men charged with the responsibility of setting its machinery in motion; of making the parts work efficiently and smoothly, while they are yet untried and new."

See also *United States* v. *Jefferson County Board of Education*, 372 F. 2d 836, 847, (5th Cir. 1966), *cert. denied sub nom, Caddo Parish School Board* v. *United States*, 389 U.S. 840.

We agree with the Commission that the broad construction of the bona fide occupational qualification in *Bowe* v. *Colgate-Palmolive Co., supra*, is inconsistent with the purpose of the Act—providing a foundation in law for the principle of nondiscrimination.[5] Construed that broadly, the exception will swallow the rule. We conclude that the principle of nondiscrimination requires that we hold that in order to rely on the bona fide occupational qualification exception an employer has the burden of proving that he had reasonable cause to believe, that is, a factual basis for believing, that all or substantially all women would be unable to perform safely and efficiently the duties of the job involved.

Southern Bell has clearly not met that burden here. They introduced no evidence concerning the lifting abilities of women. Rather, they would have us "assume," on the basis of a "stereotyped characterization" that few or no women can safely lift 30 pounds, while all men are treated as if they can. While one might accept, *arguendo*, that men are stronger on the average than women, it is not clear that any conclusions about relative lifting ability would follow. This is because it can be argued tenably that technique is as important as strength in determining lifting ability. Technique is hardly a function of sex. What does seem clear is that using these class stereotypes denies desirable positions to a great many women perfectly capable of performing the duties involved.

Southern Bell's remaining contentions do not seem to be advanced with great seriousness. The emergency work which a switchman allegedly must perform consists primarily in the handling of a 34-pound extinguisher in the event of fire. A speculative emergency like that could be used as a smoke screen by any employer bent on discriminating against women. It does seem that switchmen are occasionally subject to late hour call-outs. Of course, the record also reveals that other women employees are subject to call after midnight in emergencies. Moreover, Title VII rejects just this type of romantic paternalism as unduly Victorian and instead vests individual women with the power to decide whether or not to take on unromantic tasks. Men have always had the right to determine whether the incremental increase in remuneration for strenuous, dangerous, obnoxious, boring or unromantic tasks is worth the candle. The promise of Title VII is that women are now to be on equal footing. We cannot conclude that by including the bona fide occupational qualification exception Congress intended to renege on that promise.

Having concluded that Southern Bell has not satisfied its burden of proving that the job of switchman is within the bona fide occupational qualification exception, we must reverse the District Court on this issue and hold that Southern Bell has violated 42 U.S.C. Sec. 2000e-2(a). This case is remanded to the District Court for determination of appropriate relief under the provisions of 42 U.S.C. Sec. 2000e-5(g).

Affirmed in part; Revised and Remanded in part.

FOOTNOTES

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[1] Section 2000e-5 provides in pertinent part:

"(a) Whenever it is charged in writing under oath by a person claiming to be aggrieved. . . . that an employer, employment agency, or labor organization has engaged in an unlawful employment practice, the Commission shall furnish such employer, employment agency, or labor organization . . . with a copy of such charge and shall make an investigation of such charge, provided that such charge shall not be made public by the Commission. . . ."

"(d) A charge under subsection (a) of this section shall be filed within 90 days after the alleged unlawful employment practice occurred. . . ."

[2] District courts in this circuit have recently come to the same conclusion. See *Georgia Power Co.* v. *EEOC*, 58 CCH Lab. Cas., para. 9149, 69 L.R.R.M. 2017 (N.D. Ga. 1968); *Russell* v. *Alpha Portland Cement Co.*, 58 CCH Lab. Cas., para. 9151, 69 L.R.R.M. 2256 (N.D. Ala. 1968). In the *Georgia Power Co.* case Judge Smith observed that "there is longstanding authority, both state and federal, to the effect that verification is an amendable defect, even for technical common-law pleadings, much less a citizen-drawn statement of grievance."

[3] For an interpretative memorandum by Senators Clark and Chase, floor managers of the bill, suggesting that Section 703(e)(1) creates a "limited exception," see 110 Cong. Rec. 7213 (1964). *See also* H.R. Rep. No. 914, 88th Cong., 1st Sess. (1963).

[4] 29 C.F.R. Sec. 1604.1(a) (1968).

[5] Our disagreement with that broad construction does not necessarily imply that we disagree with the result reached there. It should be noted that the Court there made specific findings that:

"It was not and is not practical or pragmatically possible for Colgate, in the operation of its plant, to assess the physical abilities and capabilities of each female who might seek a particular job as a unique individual with the strength and stamina below average or above average. . . ." *Bowe* v. *Colgate-Palmolive Co., supra*, at 357.

This finding was based on the "highly refined, bizarre, and extraordinarily complex system of seniority and job assignment in effect at the plant." *Id.* at 356. It may be that where an employer sustains its burden in demonstrating that it is impossible or highly impractical to deal with women on an individualized basis, it may apply a reasonable general rule. No such showing was made here; it seems plain that it could not be.

CRIME AND RECIDIVISM IN NEW YORK

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. PODELL. Mr. Speaker, recent studies by the New York City Police Department of the criminal background of persons arrested during 1968 in that city for murder and nonnegligent manslaughter fully demonstrate the dimensions of the problems faced by law-enforcement officers.

These studies show a marked and tragic increase in the number of arrests for those crimes of youngsters under the age of 16 and of those between the ages of 16 through 20.

Complaints of murder and nonnegligent manslaughter in New York City increased 21.3 percent in 1968 over 1967, from 745 complaints in 1967 to 904 complaints in 1968. Arrests for murder in New York City increased 28.5 percent in 1968 over 1967, with the largest increase amounting to 35 percent in the under 16 age category, and the second largest increase amounting to 29.7 percent in the 16 through 20 age group. Following are the arrest statistics:

Age groups	Arrest, 1968	Murder, 1967	Numerical increase	Percent increase
Under 16	27	20	7	35.0
16 through 20	192	148	44	29.7
21 and over	700	547	153	28.0
Total	919	715	204	28.

5

A recidivism study of persons arrested for the crime of murder during the first 10 months of 1968 showed that of 885 persons over 16 for this crime, 563 or 63.4 percent had been previously arrested, amounting to almost two out of every three arrested for murder and nonnegligent manslaughter.

XUM

The past record of these 563 recidivists shows a significant volume of past experience with serious criminal conduct. Highlights among these are the following:

First. Of them, 390 or 69.3 percent, more than two out of three, had been previously arrested for one of the violent crimes of murder, forcible rape, robbery or felonious assault.

Second. A total of 17 persons or 3 percent had previously been arrested for homicide. Significantly enough, there seems to be a high correlation in the ratio of persons arrested a second time for a second homicide offense. A study in 1965 showed that 2 percent of those arrested that year for homicide had been previously arrested for homicide.

Third. A total of 271 persons or 46.1 percent had been previously arrested for felonious assault.

Fourth. A total of 82 persons or 14.6 percent had been previously arrested two or more times for felonious assault.

Fifth. A total 22 persons had been arrested four or more times for felonious assault.

These grim statistics clearly indicate that many persons of violent habit and temper are freely roaming our streets, striking terror at the hearts of our people. Obviously, more needs to be known about the reasons for release from custody of these recidivists. However, the accumulated experience of those best informed about law-enforcement problems points to the long lag in time between arrest and conviction and the failure of our penal institutions to do a decent job on rehabilitation.

Crime will not be reduced until the pace of judicial process is speeded up. Crime will not be reduced until the deterrent value of swift punishment is achieved. Nor will crime be reduced until our penal institutions concentrate on rehabilitative procedures instead of letting them remain as institutions where the inmates learn how to succeed in crime without really trying.

FEED BIAFRA

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. BIAGGI. Mr. Speaker, while we helplessly view the massive starvation of the innocent civilians of Biafra, a special pang of remorse rises up within us as we suspect that from our position of abundance and wealth it is within our power to avert this tragedy. So far the United States has donated $31.4 million worth of material and financial assistance to the international relief force serving Nigeria and Biafra. More, however, must be done. Relief workers predict that the coming months in Biafra will bring an increasing rate of starvation. Yet the scale of the present international relief effort so far has not even been able to meet completely the present needs.

Admittedly, political obstacles have been created which make the operation of a truly effective relief effort very difficult. The United States cannot and should not intervene in the political aspects of this conflict. Therefore, within the limitations imposed upon us we must make every effort to follow all the courses of action open to us. If the relief forces need additional airfields and the Biafrans will provide us with the land, as they have offered to do, we should construct the needed landing facilities. If more and larger relief planes are required, we should provide the planes. It is difficult to reconcile our position as the world's wealthiest and most advanced technological society with any other course of action. We cannot do less than the most we can do.

One group of experts has estimated that at least 1.5 million Biafrans have died of starvation in the last 12 months. Statistics are really superfluous for it is not difficult to recognize the fact that whatever the exact toll it is too high to be acceptable in the modern world. John Donne once said "any man's death diminishes me, because I am involved in mankind." The fact that the man is a Biafran or American should make no difference.

THE MYOPIA OF LOWER FARM PRICES

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. ZWACH. Mr. Speaker, I am inserting a radio statement by the Farmers Union Grain Terminal Association regarding the consequences of continuation of economic thought that the answer to present low farm income is to lower farm prices. I believe this article is worth reading by my colleagues:

> The drive for cheaper and cheaper farm production continues. It doesn't seem to be some kind of an evil—master-minded plot, but rather a sort of economic astigmatism compounded by severe near-sightedness. This appears to develop into a kind of tunnel vision. As a result, the only cure for our farm ills that can be seen by those afflicted souls is lower product prices to farmers. Their prescription is bigger and bigger doses of lower farm prices.
>
> An editorial in one of the city newspapers here informs us that "well-informed farmers know that high price supports restrict foreign sales. . . . The country needs to move toward a more market-oriented agriculture. . . . That won't be accomplished by increasing support prices and imposing acreage restrictions."
>
> Well, quite an argument can be built that way for making corn and wheat and soybeans so cheap no foreign country could pass up the bargain, no matter how little it needed the commodities. But that's not the way it works at all. With the wheat price support now way down to $1.25 a bushel, this country has some wonderful bargains on the shelf. And that's just where many of them are remaining—on the shelf. Our exports aren't doing very well. It seems that countries that don't need wheat won't buy it, no matter how cheap it is. That pretty well blows up the bargain argument.
>
> There is, as you know, a fat international argument over trade, and the gradual movement toward freer trade that has been fostered by progressive nations over the past 30 years or so is in trouble. More and more nations are tending to put restrictions on imports to keep out the competition, and subsidies on exports to undersell the other guy. The Russians, for example, pour cut-price sunflower oil into world markets, making it difficult for us to sell our soybean oil, which is by no means expensive.
>
> The export market undoubtedly is very important to our U.S. farmers, but there is a limit to how cheaply they can be asked to produce just to make the U.S. balance of payments look better at Fort Knox. Other industries won't even listen to that cut-price nonsense. The new oil industry up in Alaska, for example, sends its crude down here to the "lower 48" because the administered price here is twice the price the Japanese will pay.
>
> The exporting of farm production is very important to the nation, too. Three of the crops produced here in the Midwest—wheat, soybeans and feed grains—account for more than half of all U.S. agricultural exports. All farm exports total up to between $6 and $7 billion a year, and without them the U.S. balance of trade would look pretty sick.
>
> In 1967 Midwest farmers produced about 55 percent of the wheat, 75 percent of the soybeans, and 80 percent of the feed grains that were exported to other countries.
>
> That's a nice piece of business for everybody concerned—farmers, shippers, processors, handlers, brokers, and the paper work crews. But there are some problems, and we seriously doubt that the solution to them is forcing ever-lower prices on the original producer—the farmer.

WHEN IS POLITICS NOT POLITICS?

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. WILLIAM D. FORD. Mr. Speaker, when is politics politics, and when is politics not politics? The answer seems to depend upon one's definition of the word politics, and it is beginning to appear that my definition does not coincide with that of the administration and the Post Office Department.

We were informed with great fanfare and publicity last month that "politics" was to be taken out of postmaster appointments. Vacancies, we were told, were to be filled on a nonpolitical, nonpartisan merit basis, with the only criteria to be ability and experience.

The Nation's news media responded with enthusiasm. It was to be the end of the spoils system in the Post Office Department, the end of a tradition begun by Benjamin Franklin nearly two centuries ago, the opening of a new era in which political favoritism would give way to efficiency, capability, and merit.

It sounded good. For a few days, I was impressed. I hoped that we really were about to embark on a new era of progress in the Post Office Department.

But then the clouds began to gather, and dim the bright vista that had been opened before us.

The Postmaster General, in a nationally televised interview, announced that all existing eligibility lists for postmaster vacancies, were to be canceled. The reason? Because Republicans had been reluctant to participate in civil service examinations which had established the registers. Accordingly, the Civil Service Commission was to spend more time and money to give new examinations and create new registers, so that deserving Republicans would have a chance to put in their bids for the postmaster jobs. This is not politics?

Then came the real disillusionment. Postal inspectors walked unannounced into selected post offices throughout the country, and informed the acting postmasters that they were fired, immediately and without notice. The reason? Not because they were inefficient or incapable, but apparently because their political preference was Democratic. This is not politics?

There were outcries of indignation throughout the country. News media which had hailed the original announcement began to express skepticism. Members of Congress besieged the Postmaster General's office with protests. The administration responded nobly. Acting postmasters were still to be removed without reason, but henceforth they would be given a week's notice. Postal inspectors or seconds-in-command were put in charge of post offices until the new registers could be created and permanent postmasters appointed. This is not politics?

I went back and reread the grandiose announcements about taking politics out of postmaster appointments. A careful analysis revealed that there was really no change. The U.S. Civil Service Commission, now safely under control of a Republican majority, would still adjudge postmaster applicants, and still select the "top" three, from whom the choice would be made. And the final selection would be made by the Postmaster General, a political appointee of the President. This is not politics?

To paraphrase the oft-quoted Bard of Avon, "That which we call politics by any other name would still be politics."

IT ALL DEPENDS ON WHOSE OX IS IN THE WHITE HOUSE—A SPECIAL DEMOCRATIC STUDY GROUP VOTING STUDY ON PROPOSALS TO INCREASE THE DEBT LIMIT

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. FRASER. Mr. Speaker, in recent years the proposals to raise the national debt limit have been treated more and more as a political issue. The decision to treat these bills as partisan measures was made by Republicans who, for all practical purposes, withdrew their support in 1961 when the new Democratic administration took over.

The Eisenhower administration asked for, and received, approval of one permanent and seven temporary increases in the debt ceiling. Each time these bills were handled by Democratic Congresses, they were passed with margins of at least 2 to 1.

In the nine debt limit increases since 1963, however, Republicans have provided only 12 votes on final passage rollcalls.

An analysis of the 20 votes on passage of debt limit increase bills in the House in the last two administrations has been prepared by the Democratic Study Group. I recommend that the text of this study, entitled "It All Depends on Whose Ox Is in the White House," be included at this point in the RECORD:

IT ALL DEPENDS ON WHOSE OX IS IN THE WHITE HOUSE—A SPECIAL DSG VOTING STUDY ON PROPOSALS TO INCREASE THE DEBT LIMIT

In the last two administrations there have been 20 votes on proposals to increase the temporary or permanent debt limit.

Analysis of these votes would seem to indicate that the general Republican attitude toward increasing the debt limit depends primarily on whether the President requesting the increase is a Republican or a Democrat. This theory is based on the fact that House Republicans overwhelmingly supported debt limit increases requested by President Eisenhower and overwhelmingly opposed increases requested by President Kennedy and Johnson.

For example, on each of the six debt increase roll calls during the Eisenhower years, an average of 43 Republicans voted No while 123 voted Yes.

On the 12 votes during the Kennedy-Johnson years, on the other hand, an average of 147 Republicans voted No on each roll call while only 10 voted Yes. On four of the 12 votes not a single Republican voted Yes.

Democrats have been somewhat more consistent and less partisan. On each of the six votes during the Eisenhower years, an average of 64 Democrats voted No while an average of 144 voted Yes. And on the 12 votes during the Kennedy-Johnson years, an average of 32 Democrats voted No while an average of 206 voted Yes.

A complete listing and breakdown of all 19 votes is attached!

DEBT LIMIT VOTING PATTERNS

Bill	Year	Vote	Republicans		Democrats	
			For	Against	For	Against
H.R. 6672	1953	239 to 158 [1]	169	33	69	125
H.R. 6672	1954	193 to 31	(2)	(2)	(2)	(2)
H.R. 6692	1955	267 to 56	133	13	134	43
H.R. 11740	1956	Voice				
H.R. 9955	1958	328 to 71	142	42	186	29
H.R. 13580	1958	286 to 109	120	65	166	44
H.R. 7749	1959	256 to 117	88	48	168	69
H.R. 12381	1960	223 to 134 [3]	83	60	140	74
H.R. 2244	1961	231 to 148	40	113	191	35
H.R. 10050	1962	251 to 144	60	98	191	46
H.R. 11990	1962	211 to 192	9	153	202	39
H.R. 6009	1963	213 to 204	1	172	212	32
H.R. 7824	1963	221 to 175	2	158	219	17
H.R. 8969	1963	187 to 179	0	147	187	32
H.R. 11375	1964	203 to 182	0	154	203	28
H.R. 8464	1965	229 to 165	6	122	223	43
H.R. 15202	1966	199 to 165	1	121	198	44
H.R. 4573	1967	215 to 199	2	173	213	26
H.R. 10328	1967	197 to 211 [4]	0	176	211	21
H.R. 10867	1967	217 to 196	0	176	217	20

[1] Included 1 Independent Member.

[2] This was a standing vote.

[3] Bill included extension of certain taxes.

[4] Bill defeated on floor.

OKLAHOMA'S GREEN COUNTRY WINS PRAISE IN ORBIT

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. EDMONDSON. Mr. Speaker, I have spoken here previously to tell my colleagues of the outstanding "green country" tourism campaign conducted by Oklahoma Northeast, Inc., a 19-county organization representing northeastern Oklahoma.

It was my privilege to attend the organizational meeting of Oklahoma Northeast, Inc., in Bartlesville in 1965, and I have worked closely with this fine group since then. The people of northeastern Oklahoma take great pride in their region, and rightly so.

Oklahoma's Orbit, the Sunday magazine of the Daily Oklahoman in Oklahoma City recently featured the green country in two pages of story and pictures, and I would like to have this article appear in the RECORD. I only regret that the beautiful color pictures of the beautiful azaleas in Muskogee's Honor Heights Park, the Talimena Skyline Drive, and the Tsa-La-Gi Cherokee Indian village cannot appear here. If they could, I can guarantee that northeastern Oklahoma would have a record group of vacationing congressional families this summer.

GREEN COUNTRY

You could spend all your weekends for the next hundred years or so looking at Oklahoma's Green Country.

You could throw in your vacation time, work hard at the job, and still there'd be new places to see. And places you wanted to see again.

Green Country is 19 counties in northeastern Oklahoma, starting with Osage County on the west and swinging east and south as far as Le Flore County.

That area was designated Green Country, most appropriately, in August of 1965 when some of the state's leading businessmen got together at Bartlesville and formed Oklahoma Northeast, Inc.

Their goal was to promote tourism and industrial development in the 19 counties.

They started a campaign to tell people in Oklahoma and surrounding states what they had to offer. They told their story through lobby displays in hotels, motels, restaurants and tourist centers, offering free tour guides of Green Country.

By the time the project was three years old, it had exceeded all expectations. James C. Leake, Muskogee, president of Oklahoma Northeast, was able to report that during the 1968 tourist season the 19 counties had more than doubled their goal of attracting an additional one million tourist greenbacks to Green Country.

What are the attractions? Even the most avid Green Country fans didn't know how much they had to offer until they got their heads together.

You might start with the 35 man-made lakes, as big or as small as you like, which offer fishing, boating, swimming, float trips, water-skiing, scuba diving, camping.

If you're planning an overnight trip, you're never very far from one of the state's comfortable lodges in Green Country. If you want to rough it, there are camping grounds at nine state parks in the area.

You can rent a saddle horse, shoot a round of golf or brush up on your tennis game at state lodges and parks. You can swim or sun yourself. You can navigate a big boat or a small one.

Hunters find game plentiful all over the area when nature paints Green Country in new seasonal colors for the fall and winter.

Or maybe, for a couple of trips, you'd rather just look.

Man and nature team up to make the flower gardens in Muskogee's Honor Heights Park one of the most beautiful sights in this part of the country.

Talimena Skyline Highway, the beautiful new drive from Talihina into Arkansas, is rated one of the most scenic in the nation. In fact there are countless places in Green Country where rugged hills, clear streams and thick timber add up to breathtaking panoramas.

And on a day's trip you can see everything from a rare Chinese Jade to a live buffalo in Green Country.

There great cultural museums contain articles which compare with things you'd expect to find in the Louvre or the Smithsonian. Tulsa's Philbrook Art Center and Gilcrease Institute and Bartlesville's Woolaroc Museum are well-known all over the country.

Woolaroc is part lodge, part museum and a lot more. You drive through the gate and for a couple of miles you go through country that looks just the way it did when the first white man saw it. The only difference is that now you see buffalo, elk, deer, Brahmas, longhorns and other animals.

Inside the museum are enough wonders to keep you coming back time after time.

The Will Rogers Museum at Claremore has long been one of the nation's top tourist attractions. Of especial interest to Oklahomans are the Pawnee Bill Museum at Pawnee and the Tom Mix Museum in Dewey.

You might want to plan a trip to include the Kerr Museum at Poteau. And while you're in the area don't forget to see the Heavener runestone.

You'll be fascinated by the Phillips Petroleum Exhibit Hall in Bartlesville. And drop by the city park on the Caney River to look at the Nellie Johnstone, the state's first commercial oil well.

A tour of Picher's underground Vanpool Lead and Zinc Mine shows you ore specimens of all shapes and sizes.

From there you could go by the Afton Buffalo Ranch and then on to Tahlequah and Tsa-La-Gi, the authentic living recreation of an 18th century Cherokee village in the Carolinas.

The Five Tribes Museum, housed in the Union Agency at Muskogee, is devoted to the five tribes which maintained separate governments in eastern Oklahoma before Statehood. The Osage Tribal Museum at Pawhuska is the only one in the world owned exclusively by an Indian tribe.

And when you've seen all those things, you're just getting started on the exploration of Green Country. You can see as much on any trip as your time will allow, and come away with a list of places you still want to see.

THE DEBT LIMIT AND THE REPUBLICAN DOUBLE STANDARD

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. EILBERG. Mr. Speaker, all men of principle abhor the double standard whenever or wherever it is applied.

Among Richard M. Nixon's first pleas to Republican partisans here in Congress is a request to return to their double standard and vote an increase in the national debt limit.

While, Mr. Nixon was frustrated somewhat in his original request, my distinguished colleague from Arkansas, Chairman MILLS, has acceded to the demands of the public interest and will present next week a bill to increase the debt ceiling.

It must be pointed out that Mr. MILLS' proposal is certainly more reasonable than the one requested by the President and, for this, all Americans should applaud the good sense of the gentleman from Arkansas.

The Republican leadership, of course, will try to convince its members that they must and should vote for this proposal.

I would be amused to hear how this argument will reconcile the record.

In 12 votes on similar measures taken since 1961, our Repulican colleagues have voted resoundingly against increasing the debt limit.

They also have waxed eloquently in support of their frequently obstructionist views. It should be remembered that two Democrats, John Fitzgerald Kennedy and Lyndon Baines Johnson, occupied the White House during that time.

This is particularly noteworthy when we consider the Republican voting pattern on similar requests between 1953 and 1960. In six recorded votes during that period on the same issue, our Republican colleagues voted for increasing the debt ceiling.

In this period of course, the President, Gen. Dwight David Eisenhower, was of their own party.

The pressures on the Treasury have consistently mounted, but the Republicans have always voted a strictly party line, camouflaging this narrow partisan approach in cynical illusions to good government, and fiscal responsibility.

I say simply they have employed the double standard.

Is raising the debt ceiling better public policy and more necessary when a Republican is in the White House than when a Democrat calls 1600 Pennsylvania Avenue home?

Of course not. It is simply a case once again of that consistent Republican voting patterns which places partisanship above public interest.

For the RECORD, I submit a brief chronology of recent voting patterns on the debt limit and a document, "Voices from the Past." These are, of course, Republican voices:

DEBT LIMIT VOTING PATTERNS

Bill	Year	Vote	Republicans For	Republicans Against	Democrats For	Democrats Against
H.R. 6672	1953	[1] 239–158	169	33	69	125
H.R. 6672	1954	193–31	(2)	(2)	(2)	(2)
H.R. 6692	1955	267–56	133	13	134	43
H.R. 11740	1956	Voice				
H.R. 9955	1958	328–71	042	42	186	29
H.R. 13580	1958	286–109	120	65	166	44
H.R. 7749	1959	256–117	88	48	168	69
H.R. 12381	1960	[3] 223–134	83	60	140	74
H.R. 2244	1961	231–148	40	113	191	35
H.R. 10050	1962	251–144	60	98	191	46
H.R. 11990	1962	211–192	9	153	202	39
H.R. 6009	1963	213–204	1	172	212	32
H.R. 7824	1963	221–175	2	158	219	17
H.R. 8969	1963	187–179	0	147	187	32
H.R. 11375	1964	203–182	0	154	203	28
H.R. 8464	1965	229–165	6	122	223	43
H.R. 15202	1966	199–165	1	121	198	44
H.R. 4573	1967	215–199	2	173	213	26
H.R. 10328	1967	[4] 197–211	0	176	211	21
H.R. 10867	1967	217–196	0	176	217	20

[1] Included 1 Independent Member.

[2] This was a standing vote.

[3] Bill included extension of certain taxes.

[4] Bill defeated on floor.

VOICES FROM THE PAST

Representative JOHN BYRNES of Wisconsin in floor debate on June 18, 1964: "Frankly, Mr. Chairman, I cannot vote and will not vote to give my approval to these debt ceiling increases in order to continue the spending programs that are contemplated. I believe some brakes should be put on. In my opinion this is the only brake I have at my disposal. We should either use the ceiling in a meaningful way or the majority on the committee might just as well be honest with the Congress and with the public and say, 'We are reporting out a bill repealing the debt ceiling legislation.' That would be the honest thing to do, unless you are going to use it to exert some pressure on spending. But what kind of restraint is it if you give them everything they want for spending and in addition a $3 billion cushion in case they have incorrectly estimated their needs and then another $4 billion in the banks?"

Representative JOEL T. BROYHILL of Virginia in floor debate on June 18, 1964: "I cannot assume the responsibility for these reckless policies. My position has always been that in times of prosperity we should live within our revenues. I ask that my colleagues join with me in sending this bill back to committee. It is past time that we faced the issue squarely and put a halt to further deficits. It is obvious that the amount asked for refutes the false claims of economy being made by this administration. If these claims have any substance, the Congress would not have to increase the debt ceiling . . ."

Representative William H. Harsha of Ohio in floor debate on June 9, 1964: "This administration is shoveling out federal money so fast it has run out of debt limit again. Since no one is raising the roof about it, the President wants to raise the ceiling, but it should not be called a ceiling, it is a fiscal hole he is digging and he wants to excavate more to put the Nation deeper in debt. We have again reached the time of year when the piper must be paid."

Representative H. Allen Smith of California in floor debate on June 8, 1966: "Raising the debt limit, in my opinion, could be prevented if the President and the Congress would exercise greater restraint in their fiscal spending policies . . . Why does this debt limit have to go up at this particular time? The Government today has more money to play with than ever before. This year the Government will have the biggest tax take in our history."

Representative Clarence J. Brown of Ohio in floor debate on June 18, 1964: "Personally, I am opposed to increasing the national debt limit at this time, or at any other time, unless there is a grave and a great national emergency that would require such action in order to preserve our own security and our own way of life."

Representative Thomas B. Curtis of Missouri in floor debate on June 18, 1964: "It is perfectly logical for Republicans, of course, to resist the expenditure policies of this administration, as we tried to under the Kennedy administration. This is a basic issue for the people to decide. I wish my colleagues on the Democratic side of the aisle would face it forthrightly. Their economic philosophy is to spend and finance it through deficits. The President does not submit a balanced budget to the Congress and has no intention of submitting a balanced budget in the foreseeable future. What we Republicans are fighting for and what we regard as fiscal responsibility is balancing the budget."

Representative Bruce Alger of Texas in floor debate on June 18, 1964: "As a choice, of course, I would point out that Republicans have disapproved of an increase in the debt ceiling, and it is because they believe there can be control in the rate of expenditures even as we are deciding where to reduce the total expenditure itself. We who are not responsible for this deficit financing believe that where it is legitimately and consistently possible, the debt ceiling increase can be opposed without being irresponsible."

Representative Harold R. Collier of Illinois in debate on June 18, 1964: "If we vote to give the administration the debt limit increase it requests today, we are merely approving the continuation of fiscal conduct which can only lead to disaster. There are those of us who consistently practice economy in government through voting against programs which may be politically expedient but which we cannot afford if we are ever to emerge from the mire of indebtedness which we are merely passing on to the next generation as a rather sad heritage."

Representative John P. Saylor of Pennsylvania in floor debate on June 8, 1966: "Sometime in the future, if the cost of defending this country against Communist aggression becomes much more expensive than is currently estimated by the administration, there may be justification for increasing the debt limit. At the moment the request for further depreciation of the dollar cannot be defended, for cutbacks in bureaucratic extravagance would more than account for budget deficiencies. With sound fiscal policies it would in fact be possible to reduce the debt and thus fulfill an obligation not only to today's taxpayers, but to future generations which will incur the unpleasant consequences of the present administration's wasteful policies."

Representative William G. Bray of Indiana in floor debate on June 8, 1966: "I have opposed these temporary debt limit increases in the past and I am opposed to this one, not solely because of the amount of increase granted, nor of the rising cost of financing the public debt, but because congressional approval will, as the minority report on the bill points out, imply approval of the administration's fiscal policies."

Representative Paul A. Fino of New York in floor debate on February 8, 1967: "I rise in opposition to any further extension of the national debt ceiling. I do not think any member can deny that our government is spending too much as it is. This is not the year for a huge debt ceiling hike and a stiff tax increase. This is not the year to raise the bridge—if anything, this is the year to lower the water. In short, let us cut spending and let us stop raising the taxes of this generation and generations yet unborn."

Representative Henry Schadeberg of Wisconsin in floor debate on February 8, 1966: "I believe we have a responsibility to our people back home to take the necessary measures now that will force us and the administration to live within our income. I am aware that the need for the increase in the debt limit is due to the fact that the money has already been spent. Perhaps the present critical need for available money on the part of the Government needs to be dramatized so that we in Congress will be lulled out of our complacency about fiscal matters and the American people can see for themselves what is troubling our economy. My vote against the debt limit increase is one which is based on the firm conviction that the only way we can bring the wayward spenders into line is to cut off the source of supply of their funds and refuse them the right to squander today the wealth of tomorrow's generation in order that they may selfishly live high off the hog."

Representative John T. Myers of Indiana in floor debate on February 8, 1967: "There are those who have called us irresponsible for opposing the administration proposal to hike the federal debt limit from $330 billion to $336 billion. It is my opinion our position is rather one of responsibility. Why even go through the motion of having a debt limitation if we are not going to observe it and raise it whenever it is politically expedient."

Representative Louis C. Wyman of New Hampshire in floor debate on February 8, 1967: "Mr. Chairman, I cannot vote to increase the debt limit and keep faith with the people in my district who sent me to this 90th Congress. My constituents want the continuous overspending of the federal government brought to a stop. I pledged to do this. A vote to increase the debt limit is a license to continue federal overspending. It would be a breach of commitment to my constituents."

Representative Donald Riegle, Jr., of Michigan in floor debate on February 8, 1967: "The easiest thing for the government to do is to go into debt. For as long as the government can go deeper and deeper into debt—the more it can spend and spend and spend, then the more it can, in turn, expand the grasp of the federal government and its influence and control over the individual citizen. And that has been the pattern—borrow, borrow, borrow; spend, spend, spend—and let the country sink deeper and deeper and deeper into debt. I believe this country is already too deeply in debt."

Representative Joe Skubitz of Kansas in floor debate on February 8, 1967: "I am fully aware of the problems which might result should the Congress refuse to increase the debt ceiling. But I know of no other way to sound the warning, to impress upon the spenders that we go this far and no further. There is virtue in a balanced budget and a limit to what we can afford. These principles are not so outmoded as to be ignored in our Great Society. The time has come when those who believe in a sound fiscal policy must vote against any proposal to increase the debt limit."

Representative H. R. Gross of Iowa in floor debate on June 7, 1967: "We here today are trying to eat filet mignon steaks on a hamburger income. We are not skating on good solid financial ice in this country—we are just walking in the water with our skates on and a hell of a lot of people do not seem to know it. I am opposed to this enormous debt increase."

Representative George Bush of Texas in floor debate on June 21, 1967: "I said last time—and I say again today—that before accepting a deficit of this magnitude, before being willing to risk the consequences of such a deficit, we had better tell the Administration again to take another look at their figures and come back to Congress with some constructive proposal for reducing the amount of the deficit. Rejection of the bill before you is our only hope."

Representative Mark Andrews of North Dakota in floor debate on June 21, 1967: "There is no excuse, except in time of national emergency declared so by Congress, for a country to engage in deficit financing."

Representative Fred Schwengel of Iowa in floor debate on June 21, 1967: "I shall again, as I have always in the past, vote against raising the debt limit. We must find ways and means to pay the bills that we pass on here in Congress other than what we have been doing presently, that is to raise the debt limit."

Representative David T. Martin of Nebraska in floor debate on June 7, 1967: "This (debt interest) is the second largest item in our budget, next to the appropriations for the military. It seems to be the policy of the Great Society to go deeper and deeper into debt, saddling the burden of this debt and the increased interest charges on our children, our grandchildren, and future generations."

BANKING AND CURRENCY COMMITTEE HEARINGS ANNOUNCED ON REGULATION OF ONE BANK HOLDING COMPANIES

HON. WRIGHT PATMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. PATMAN. Mr. Speaker, on April 1, 1969, the Banking and Currency Committee will begin hearings on one of the most important matters confronting our economy today—the need to regulate the dramatic growth of one bank holding companies.

Through loopholes in the Bank Holding Company Act of 1956, commercial banks have been moving rapidly into nonbanking activities throughout the Nation. I will not take the time today to enumerate the many problems connected with this aspect of the overall growth of conglomerates in our economy. I, as well as others, have expressed concern over this problem, and the hearings, which will be held on H.R. 6778 and other related bills, will carefully examine this issue and how it should be solved.

At this point I would just like to say that any parties interested in testifying before the House Banking and Currency Committee on the one bank holding company issue should contact the committee either in writing or by calling the committee office on 225-4247 to express their desire to be heard.

THE ONE REAL QUESTION

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. DERWINSKI. Mr. Speaker, as the Communists escalate their terrorist attacks against civilian population centers in South Vietnam, it is obvious that a full reappraisal of the limitations which face our military take place.

We must ask at which point should policies be changed to give our servicemen maximum security and to what conditions could protection develop that would produce the absolute minimum U.S. casualties.

The Chicago Tribune, in a very provocative lead editorial March 10, raises the basic question of Vietnam policy. The editorial follows:

THE ONE REAL QUESTION

On Friday we devoted two whole pages to an account of a series of conferences in the late and early spring of last year in Washington. These were concerned with the formulation of further policy to be pursued in Viet Nam, where for years the United States had been entangled in a hard battle to resist the communist formula to achieve piecemeal conquest thru so-called "wars of national liberation," employing creeping aggression, subversion, insurgency, and terror.

President Johnson at the time was meditating some statement to the public. First indications were that he would deliver a "hawkish" speech and assent to the recommendation of the military for a further large commitment of troops. In the end he announced the suspension of bombing above the 20th parallel, sparing the cities and 90 per cent of the population of enemy North Viet Nam, as well as ports, industrial complexes, air fields, and dikes without which that country's agriculture would be doomed.

He coupled this concession—represented as an invitation to the other side to negotiate a finish to the war—with the surprise statement that, in order to demonstrate sincerity and place himself politically above the battle, he would not seek or accept nomination for another term as President.

The story of this succession of frenzied meetings to iron out a policy is that characteristic of almost all councils of state. The participants talked about everything but the one real issue—whether the people of the United States any longer have the stomach to fight a war.

It was obvious that the people were deeply divided. This division had inescapable political effects. Sen. Eugene McCarthy, a "dove," had already captured the New Hampshire Democratic primary. Sen. Robert F. Kennedy, with a quick switch of feathers, was also coming out as a dove and joining the primary contests. The Wisconsin primary was on April 2, and the assumption of Johnson's counselors was that the speech was to help him in that contest. But then, in his speech the night of March 31, Johnson unexpectedly vacated the field.

The conferees never got around to discussing whether we were in the right war, in the right place, at the right time. They never discussed the strategic implications if the United States were to withdraw from the battle and leave the field to the enemy. They never undertook to answer the contention of the proponents of open or camouflaged surrender that their country was convicted of "immorality" for resisting communist conquest thru a process of nibbling, first here, then there.

They did not even support President Johnson's defense of Viet Nam in his state of the Union message of 1965: "We are there, first, because a friendly nation has asked us to help against communist aggression. . . . Second, our own security is tied to the peace of Asia. Twice in one generation we have had to fight against aggression in the far east. To ignore aggression now would only increase the danger of a larger war."

The White House counselors avoided all these things. They sought only to formulate a course which was supposed to disclose our reasonableness and yearning for peace, but which certainly also constituted an admission that we had no intention of being united in a tough determination to win the war. The formula, in short, was designed as much to appease our home-grown Communists, pacifists, draft card burners, and the student left as it was to reassure Ho Chi Minh.

Of course, the enemy didn't have to be told twice. It had before it a confession of America's irresolution and wavering purpose. So if we wanted to go to the conference table, why not oblige? They would keep fighting the war while talking thru a meaningless marathon, while we would stay our arm and waltz in the combat clinches.

The result is what could have been foreseen. A year later the war is as far from being resolved as ever, and a new President shows every indication of being clasped in a bankrupt policy. The intended armistice by stalemate in Korea more than 15 years ago showed the United Staates had abandoned its historic record of engaging in wars to win them. Viet Nam is just more of the same.

Will we, in the end, simply let Viet Nam go? What do we let go next? Will we simply confess that as a nation we are the gutless wonders or paper tigers that the Red Chinese call us? Where, then, will we make a stand? Who would join us as an ally?

These questions are not yet settled, but there is an unhappy likelihood that they will be settled before it is all over, for the very fact that the White House council dodged the central question went far toward the admission that, as a people, we are not prepared to match the disciplined Communists in resolution, in tenacity, in patience, in sacrifice, and yes, in that dedication to a national cause which used to be known as patriotism.

PRESIDENT NIXON ENDS POLITICAL PATRONAGE IN POST OFFICE DEPARTMENT

HON. DONALD RUMSFELD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. RUMSFELD. Mr. Speaker, after years of complaints about postal misdeliveries, nondeliveries, delays and backups, President Nixon has seized the initiative in moving the Post Office Department toward a higher level of professionalism.

By his prompt action to remove the selection of postmasters and rural carriers from the political patronage system, the President has demonstrated clearly that he intends to create a postal system capable of meeting the demands of our growing population.

The patronage system, as the President pointed out in his message to Congress on February 25, has become an anachronism the Nation can no longer afford. Often it has resulted in the appointment of men unacquainted with postal systems. Even more incredible, major post offices with receipts in the tens of millions of dollars have operated for long periods without postmasters.

The morale problem in the postal service has become serious. Because of this unacceptable situation, broad support has developed both in Congress and across the Nation for a nonpolitical postal service. In the last Congress, a legislative reorganization bill which contained a section eliminating the patronage system passed the Senate by a vote of 75 to 9. A similar bill for consideration in this Congress already has more than 70 cosponsors in the House of Representatives.

The President's decision and legislation to support this move toward a more businesslike operation are excellent initial steps toward an improved postal service. More comprehensive legislation on postal reform will be necessary if further deterioration in the postal service is to be curbed and reversed.

Placing the selection of postmasters on a merit basis points the way toward a complete restructuring of the Nation's postal operations. It was a decision that properly came early in the life of the Nixon administration, and one that came none too soon.

ACADEMIC SURVIVAL

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. DORN. Mr. Speaker, the greatest threat to academic freedom, and indeed academic survival, is the anarchist, the lawless, the rioter, and the arsonist on the American campus. His objective is the utter destruction of American education. The anarchist in the academic community is the greatest single threat to our Nation today.

I commend the following outstanding and superb letter of the Reverend Theodore M. Hesburgh, president of the University of Notre Dame, to the attention of the Congress and free people the world over:

UNIVERSITY OF NOTRE DAME,
Notre Dame, Ind., February 17, 1969.

DEAR NOTRE DAME FACULTY AND STUDENTS: This letter has been on my mind for weeks. It is both time and overtime that it be written. I have outlined the core of it to the Student Life Council, have discussed the text with the Chairman of the Board of Trustees, the Vice Presidents Council, all the Deans of the University, and the Chairmen of the Faculty Senate and the Student Life Council. This letter does not relate directly to what happened here last weekend, although those events made it seem even more necessary to get this letter written. I have tried to write calmly, in the wee hours of the morning when at last there is quiet and pause for reflection.

My hope is that these ideas will have deep personal resonances in our own community, although the central problem they address exists everywhere in the university world today and, by instant communication, feeds upon itself. It is not enough to label it the alienation of youth from our society. God knows there is enough and more than enough in our often non-glorious civilization to be alienated from, be you young, middle-aged, or old.

The central problem to me is what we do about it and in what manner, if we are interested in healing rather than destroying our world. Youth especially has much to offer—idealism, generosity, dedication, and service. The last thing a shaken society needs is more shaking. The last thing a noisy, turbulent, and disintegrating community needs is more noise, turbulence, and disintegration. Understanding and analysis of social ills cannot be conducted in a boiler factory. Compassion has a quiet way of service. Complicated social mechanisms, out-of-joint, are not adjusted with sledge hammers.

The university cannot cure all our ills today, but it can make a valiant beginning by bringing all its intellectual and moral powers to bear upon them: all the idealism and generosity of its young people, all the wisdom and intelligence of its oldsters, all the expertise and competence of those who are in their middle years. But it must do all this as a university does, within its proper style and capability, no longer an ivory tower, but not the Red Cross either.

Now to the heart of my message. You recall my letter of November 25, 1968. It was written after an incident, or happening if you will. It seemed best to me at the time not to waste time in personal recriminations or heavy-handed discipline, but to profit from the occasion to invite this whole University community, especially its central Councils of faculty, administration, and students, to declare themselves and to state their convictions regarding protests that were peaceful and those that threatened the life of the community by disrupting the normal operations of the University and infringing upon the rights of others.

I now have statements from the Academic Council, the Faculty Senate, the Student Life Council, some College Councils, and the Alumni Board, and a whole spate of letters from individual faculty members and a few students. Some of these are enclosed in this letter. In general, the reaction was practically unanimous that this community recognizes the validity of protest in our day—sometimes even the necessity—regarding the current burning issues of our society: war and peace, especially Vietnam; civil rights, especially of minority groups; the stance of the University vis-a-vis moral issues of great public concern; the operation of the University as university. There was also practical unanimity that the University could not continue to exist as an open society, dedicated to the discussion of all issues of importance, if protests were of such a nature that the normal operations of the University were in any way impeded, or if the rights of any members of this community were abrogated, peacefully or non-peacefully. I believe that I now have a clear mandate from this University community to see that: 1) our lines of communication between all segments of the community are kept as open as possible, with all legitimate means of communicating dissent assured, expanded, and protected; 2) civility and rationality are maintained as the most reasonable means of dissent within the academic community; and 3) violation of other's rights or obstruction of the life of the University are outlawed as illegitimate means of dissent in this kind of open society. Violence was especially deplored as a violation of everything that the University community stands for.

Now comes my duty of stating, clearly and unequivocally, what happens if. I'll try to make it as simple as possible to avoid misunderstanding by anyone. May I begin by saying that all of this is hypothetical and I personally hope it never happens here at Notre Dame. But, if it does, anyone or any group that substitutes force for rational persuasion, be it violent or non-violent, will be given fifteen minutes of meditation to cease and desist. They will be told that they are, by their actions, going counter to the overwhelming conviction of this community as to what is proper here. If they do not within that time period cease and desist, they will be asked for their identity cards. Those who produce these will be suspended from this community as not understanding what this community is. Those who do not have or will not produce identity cards will be assumed not to be members of the community and will be charged with trespassing and disturbing the peace on private property and treated accordingly by the law. The judgment regarding the impeding of normal University operations or the violation of the rights of other members of the community will be made by the Dean of Students. Recourse for certification of this fact for students so accused is to the tripartite Disciplinary Board established by the Student Life Council. Faculty members have recourse to the procedures outlined in the Faculty Manual. Judgment of the matter will be delivered within five days following the fact, for justice deferred is justice denied to all concerned.

After notification of suspension, or trespass in the case of non-community members, if there is not then within five minutes a movement to cease and desist, students will be notified of expulsion from this community and the law will deal with them as non-students.

Lest there be any possible misunderstanding, it should be noted that law enforcement in this procedure is not directed at students. They receive academic sanctions in the second instance of recalcitrance and, only after three clear opportunities to remain in student status, if they still insist on resisting the will of the community, are they then expelled and become non-students to be treated as other non-students, or outsiders.

There seems to be a current myth that university members are not responsible to the law, and that somehow the law is the enemy, particularly those who society has constituted to uphold and enforce the law. I would like to insist here that all of us are responsible to the duly constituted laws of this University community and to all of the laws of the land. There is no other guarantee of civilization versus the jungle or mob rule, here or elsewhere.

If someone invades your home, do you dialogue with him or call the law? Without the law, the university is a sitting duck for any small group from outside or inside that wishes to destroy it, to incapacitate it, to terrorize it at whim. The argument goes—or has gone—invoke the law and you lose the university community. My only response is that without the law you may well lose the university—and beyond that—the larger society that supports it and that is most deeply wounded when law is no longer respected, bringing an end of everyone's most cherished rights.

I have studied at some length the new politics of confrontation. The rhythm is simple: (1) find a cause, any cause, silly or not; (2) in the name of the cause, get a few determined people to abuse the rights and privileges of the community so as to force a confrontation at any cost of boorishness or incivility; (3) once this has occurred, justified or not, orderly or not, yell police brutality—if it does not happen, provoke it by foul language, physical abuse, whatever, and then count on a larger measure of sympathy from the up-to-now apathetic or passive members of the community. Then call for amnesty, the head of the president on a platter, the complete submission to any and all demands. One beleaguered president has said that these people want to be martyrs thrown to toothless lions. He added, "Who wants to dialogue when they are going for the jugular vein?"

So it has gone, and it is generally well orchestrated. Again, my only question: must it be so? Must universities be subjected, willy-nilly, to such intimidation and victimization whatever their good will in the matter? Somewhere a stand must be made.

I only ask that when the stand is made necessary by those who would destroy the community and all its basic yearning for great and calm educational opportunity, let them carry the blame and the penalty. No one wants the forces of law on this or any other campus, but if some necessitate it, as a last and dismal alternative to anarchy and mob tyranny, let them shoulder the blame instead of receiving the sympathy of a community they would hold at bay. The only alternative I can imagine is turning the majority of the community loose on them, and then you have two mobs. I know of no one who would opt for this alternative—always lurking in the wings. We can have a thousand resolutions as to what kind of a society we want, but when lawlessness is afoot, and all authority is flouted, faculty, administration, and student, then we invoke the normal societal forces of law or we allow the university to die beneath our hapless and hopeless gaze. I have no intention of presiding over such a spectacle: too many people have given too much of themselves and their lives to this University to let this happen here. Without being melodramatic, if this conviction makes this my last will and testament to Notre Dame, so be it.

May I now say in all sincerity that I never want to see any student expelled from this community because, in many ways, this is always an educative failure. Even so, I must likewise be committed to the survival of the University community as one of man's best hopes in these troubled times. I know of no other way of insuring both ends than to say of every member of this community, faculty and students, that we are all ready and prepared and anxious to respond to every intellectual and moral concern in the world today, in every way proper to the University. At the same time, we cannot allow a small minority to impose their will on the majority who have spoken regarding the University's style of life; we cannot allow a few to substitute force of any kind for persuasion to accept their personal idea of what is right or proper. We only insist on the rights of all, minority and majority, the climate of civility and rationality, and a preponderant moral abhorence of violence or inhuman forms of persuasion that violate our style of life and the nature of the University. It is, unfortunately, possible to cut oneself off from this community, even though the vast majority of our members would regret seeing it happen. However, should this occur, the community as a whole has indicated that it will vote and stand for the maintenance of this community's deepest values, since this is the price we all pay for the survival of the University community in the face of anyone and everyone who would destroy or denature it today, for whatever purposes.

May I now confess that since last November I have been bombarded mightily by the hawks and the doves—almost equally. I have resisted both and continue to recognize the right to protest—through every legitimate channel—and to resist as well those who would unthinkingly trifle with the survival of the University as one of the few open societies left to mankind today. There is no divine assurance that the University will survive as we have known and cherished it—but we do commit ourselves to make the effort and count on this community, in this place, to uphold the efforts that you have inspired by your clear expression of com-

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munity concern. Thanks to all who have declared themselves, even to those who have slightly disagreed, but are substantially concerned as well.

As long as the great majority of this community is concerned and involved in maintaining what it believes deeply to be its identity and commitment, no force within it, however determined or organized, can really destroy it. If any community as a whole does not believe this, or is not committed to it, it does not deserve to survive and it probably will not. I hope we will. To this, I commit myself with the presumption that the great majority of you are with me in this concern and commitment.

I truly believe that we are about to witness a revulsion on the part of legislatures, state and national, benefactors, parents, alumni, and the general public for much that is happening in higher education today. If I read the signs of the times correctly, this may well lead to a suppression of the liberty and autonomy that are the lifeblood of a university community. It may well lead to a rebirth of fascism, unless we ourselves are ready to take a stand for what is right for us. History is not consoling in this regard. We rule ourselves or others rule us, in a way that destroys the university as we have known and loved it.

Devotedly yours in Notre Dame,
REV. THEODORE M. HESBURGH, *C.S.C.*
President.

WHO DEFENDS THE UNIVERSITY?

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, in recent weeks we have seen a welcome development on a number of our university campuses as faculty and administrators have taken it upon themselves to oppose violence in the academic community. Father Hesburgh of Notre Dame and 100 faculty members at Columbia have stated unequivocally the obligation of the university to defend itself against student disruption.

Unfortunately this commitment to academic freedom may come too late for some of the Nation's leading universities. Failure on the part of a university to accept the responsibility of keeping its own house in order can only lead to a decline in its status as an educational institution. A number of campuses, as a result of their past history of disorder and violence, are finding it difficult to attract and retain quality personnel. It is to be hoped that additional members of the academic community will follow the lead of Father Hesburgh and the Columbia faculty.

I include editorials of March 12, from the New York Times and the Washington Evening Star at this point as part of a continuing effort to bring to the attention of my colleagues materials relating to campus disturbances:

[From the New York Times, Mar. 12, 1969]

WHO DEFENDS THE UNIVERSITY?

The warning by a hundred members of the Columbia faculty that it is the university's own obligation to defend itself against student disruption comes at a critical moment in the history of the American campus.

The crisis is nationwide. It stems from the adoption of terroristic methods as a substitute for rationality in the pursuit of greater student power. At Rutgers University vandals sprayed academic buildings with noxious liquids, forcing the abandonment of most instruction. At Pomona College in California a staff member was severely injured by a bomb placed in a mail depository.

Cornell's president, James Perkins, was physically pulled off a platform during a campus discussion. At San Francisco State College, a student who apparently was in the process of placing a home-made explosive device was blinded and otherwise horribly maimed. On scores of other campuses the avoidance of serious injury has been a matter of luck rather than restraint by the dissidents.

The inevitable reaction to the escalating violence is an intensifying threat by Federal and state authorities to move in on the disciplinary authority that should be—but rarely is—exercised by the academic community itself. The imminence of such intervention is reflected in Justice Department notice that professional agitators are touring the campuses to incite discord and must be stopped by Federal prosecution.

These charges parallel Mayor Lindsay's complaint that outside forces are responsible for much of the upset in city schools, but there is one significant difference. The maintenance of order in the elementary and high schools is clearly a local police function when teachers cannot maintain control. But it would be a confession of intellectual bankruptcy for the nation's colleges and universities to have to acknowledge the necessity for surrendering their independence to police patrols or "law and order" vigilante groups.

The Columbia faculty group recognizes what an academic tragedy such an acknowledgment would be, just as did the Rev. Theodore M. Hesburgh, president of the University of Notre Dame, in his earlier warning that public revulsion against the inability of universities to police themselves might bring "a rebirth of Fascism."

Among the proudest elements in the academic tradition is its devotion to nonviolence, to the substitution of reasoned argument for blind passion. The abandonment of that tradition by a small but imperious segment of academia and the tendency of a far larger segment to condone or explain away the attendant excesses as a temporary therapeutic phase menace the survival of academic freedom and the capacity for internal reform.

The Columbia group rightly warns that it is up to the academic community to "demonstrate the will to act." The extent of that demonstration on campuses everywhere will provide an important measure of the universities' ability to insure their survival in freedom.

[From the Washington (D.C.) Evening Star, Mar. 12, 1969]

EXODUS AT BERKELEY

It is not a pleasant thing to contemplate what may be the death agony of a great university, but that is what seems to be happening at the University of California at Berkeley. After years, now, of student revolt on an apparently endless series of issues, distinguished teachers and scholars are giving up and heading for the schools back east not plagued with anything like the mania that has afflicted Berkeley.

Throughout all the bitter demonstrations, much has been made of the rights of the student dissidents to freedom of speech—including such "symbolic" speech as barricading buildings. Less attention, or none, has been paid to the rights of others affected by the dissidents.

Teachers interested in teaching, scholars interested in study, students interested in learning, do not, as a rule, demonstrate, seize buildings and issue manifestos. But eventually they get the idea that their particular interests are better pursued elsewhere. That is what is happening at Berkeley. Many of the university's prize faculty members are now installed along the east coast.

One attraction here, of course, is the community of scholarship that has existed since Harvard and William and Mary were founded. But another is the sheer burden of the leftist student movement in California. "I got to spending half my time on judicial and faculty committees," says Dr. Mason Haire, a former Berkeley psychologist now at M.I.T.

At Berkeley and at nearby San Francisco State College the militants may possibly find that they have won, but that the thing they fought over has been destroyed by their own actions.

VOICES FROM THE REPUBLICAN PAST, OR, WHERE ARE THEY NOW?

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. BRADEMAS. Mr. Speaker, next week the House of Representatives is scheduled to vote on a bill to raise the ceiling on the national debt. I have found in conversation with colleagues in the House, both Democrats and Republicans, many questions with respect to the priorities of President Nixon's administration in spending additional funds.

So far we have heard very little from the White House with respect to any aspect of the President's spending program or, indeed, any other program.

During the period of the last 8 years of Democratic administrations, our Republican colleagues have, quite properly, as have Democrats, made persistent inquiries into the fiscal and other decisions made by the executive branch of Government. We can, I am sure, assume that our Republican colleagues will, as will we on our side of the aisle, wish to ask the officials of President Nixon's administration the same kinds of questions with respect to such matters as the national debt, the economy, and spending priorities.

Mr. Speaker, I think it enlightening in this respect—and in view of the forthcoming vote on the bill to raise the national debt limit—to take a look at recent discussions in the House on earlier debt limit bills. These discussions demonstrate the kinds of questions that our Republican colleagues put to Democratic administrations and which now become equally relevant when a Republican administration is in office.

I, therefore, include in the RECORD several excerpts from statements in the House of Representatives by Republican Members of Congress on earlier bills to increase the ceiling on the national debt. My distinguished colleague, the gentleman from Minnesota (Mr. FRASER), is today inserting in the Extensions of Remarks of the RECORD the pattern of rollcall votes by Republican and Democratic Members of the House on debt limit increases in the last 16 years.

With regard to the first of the following statements, Mr. Speaker, I note with interest that it was made by our distinguished colleague, the gentleman from Wisconsin (Mr. BYRNES), who 5 years ago was strongly opposed to a bill to increase the debt ceiling. I note with some interest, therefore, that he is listed as the cosponsor of H.R. 8508, the bill to increase the debt limit, on which the House is to vote next week.

Mr. Speaker, following are the statements of the Republican Congressmen:

VOICES FROM THE REPUBLICAN PAST, OR, WHERE ARE THEY NOW?

Rep. John Byrnes of Wisconsin in floor debate on June 18, 1964: "Frankly, Mr. Chairman, I cannot vote and will not vote to give my approval to these debt ceiling increases in order to continue the spending programs that are contemplated. I believe some brakes should be put on. In my opinion this is the only brake I have at my disposal. We should either use the ceiling in a meaningful way or the majority on the committee might just as well be honest with the Congress and with the public and say, 'We are reporting out a bill repealing the debt ceiling legislation.' That would be the honest thing to do, unless you are going to use it to exert some pressure on spending. But what kind of restraint is it if you give them everything they want for spending and in addition a $3 billion cushion in case they have incorrectly estimated their needs and then another $4 billion in the banks?"

Rep. Joel T. Broyhill of Virginia in floor debate on June 18, 1964: "I cannot assume the responsibility for these reckless policies. My position has always been that in times of prosperity we should live within our revenues. I ask that my colleagues join with me in sending this bill back to committee. It is past time that we faced the issue squarely and put a halt to further deficits. It is obvious that the amount asked for refutes the false claims of economy being made by this administration. If these claims have any substance, the Congress would not have to increase the debt ceiling . . ."

Rep. William H. Harsha of Ohio in floor debate on June 9, 1964: "This administration is shoveling out federal money so fast it has run out of debt limit again. Since no one is raising the roof about it, the President wants to raise the ceiling, but it should not be called a ceiling, it is a fiscal hole he is digging and he wants to excavate more to put the Nation deeper in debt. We have again reached the time of year when the piper must be paid."

Rep. H. Allen Smith of California in floor debate on June 8, 1966: "Raising the debt limit, in my opinion, could be prevented if the President and the Congress would exercise greater restraint in their fiscal spending policies . . . Why does this debt limit have to go up at this particular time? The Government today has more money to play with than ever before. This year the Government will have the biggest tax take in our history."

Rep. Clarence J. Brown, Jr. of Ohio in floor debate on June 18, 1964: "Personally, I am opposed to increasing the national debt limit at this time, or at any other time, unless there is a grave and a great national emergency that would require such action in order to preserve our own security and our own way of life."

Rep. Thomas B. Curtis of Missouri in floor debate on June 18, 1964: "It is perfectly logical for Republicans, of course, to resist the expenditure policies of this administration, as we tried to under the Kennedy administration. This is a basic issue for the people to decide. I wish my colleagues on the Democratic side of the aisle would face it forthrightly. Their economic philosophy is to spend and finance it through deficits. The President does not submit a balanced budget to the Congress and has no intention of submitting a balanced budget in the foreseeable future. What we Republicans are fighting for and what we regard as fiscal responsibility is balancing the budget."

Rep. Bruce Alger of Texas in floor debate on June 18, 1964: "As a choice, of course, I would point out that Republicans have disapproved of an increase in the debt ceiling, and it is because they believe there can be control in the rate of expenditures even as we are deciding where to reduce the total expenditure itself. We who are not responsible for this deficit financing believe that where it is legitimately and consistently possible, the debt ceiling increase can be opposed without being irresponsible."

Rep. Harold R. Collier of Illinois in debate on June 18, 1964: "If we vote to give the administration the debt limit increase it requests today, we are merely approving the continuation of fiscal conduct which can only lead to disaster. There are those of us who consistently practice economy in government through voting against programs which may be politically expedient but which we cannot afford if we are ever to emerge from the mire of indebtedness which we are merely passing on to the next generation as a rather sad heritage."

Rep. John P. Saylor of Pennsylvania, in floor debate on June 8, 1966: "Sometime in the future, if the cost of defending this country against Communist agression becomes much more expensive than is currently estimated by the administration, there may be justification for increasing the debt limit. At the moment the request for further depreciation of the dollar cannot be defended, for cutbacks in bureaucratic extravagance would more than account for budget deficiencies. With sound fiscal policies it would in fact be possible to reduce the debt and thus fulfill an obligation not only to today's taxpayers, but to future generations which will incur the unpleasant consequences of the present administration's wasteful policies."

Rep. William G. Bray of Indiana, in floor debate on June 8, 1966: "I have opposed these temporary debt limit increases in the past and I am opposed to this one, not solely because of the amount of increase granted, nor of the rising cost of financing the public debt, but because congressional approval will, as the minority report on the bill points out, imply approval of the administration's fiscal policies."

Rep. Paul A. Fino of New York, in floor debate on February 8, 1967: "I rise in opposition to any further extension of the national debt ceiling. I do not think any member can deny that our government is spending too much as it is. This is not the year for a huge debt ceiling hike and a stiff tax increase. This is not the year to raise the bridge—if anything, this is the year to lower the water. In short, let us cut spending and let us stop raising the taxes of this generation and generations yet unborn."

Rep. Henry Schadeberg of Wisconsin, in floor debate on February 8, 1966: "I believe we have a responsibility to our people back home to take the necessary measures now that will force us and the administration to live within our income. I am aware that the need for the increase in the debt limit is due to the fact that the money has already been spent. Perhaps the present critical need for available money on the part of the Government needs to be dramatized so that we in Congress will be lulled out of our complacency about fiscal matters and the American people can see for themselves what is troubling our economy. My vote against the debt limit increase is one which is based on the firm conviction that the only way we can bring the wayward spenders into line is to cut off the source of supply of their funds and refuse them the right to squander today the wealth of tomorrow's generation in order that they may selfishly live high off the hog."

Rep. John T. Myers of Indiana in floor debate on February 8, 1967: "There are those who have called us irresponsible for opposing the administration proposal to hike the federal debt limit from $330 billion to $336 billion. It is my opinion our position is rather one of responsibility. Why even go through the motion of having a debt limitation if we are not going to observe it and raise it whenever it is politically expedient."

Rep. Louis C. Wyman of New Hampshire in floor debate on February 8, 1967: "Mr. Chairman, I cannot vote to increase the debt limit and keep faith with the people in my district who sent me to this 90th Congress. My constituents want the continuous overspending of the federal government brought to a stop. I pledged to do this. A vote to increase the debt limit is a license to continue federal overspending. It would be a breach of commitment to my constituents."

Rep. Donald Riegle Jr. of Michigan in floor debate on February 8, 1967: "The easiest thing for the government to do is to go into debt. For as long as the government can go deeper and deeper into debt—the more it can spend and spend and spend, then the more it can, in turn, expand the grasp of the federal government and its influence and control over the individual citizen. And that has been the pattern—borrow, borrow, borrow; spend, spend, spend—and let the country sink deeper and deeper and deeper into debt. I believe this country is already too deeply in debt."

Rep. Joe Skubitz of Kansas in floor debate on February 8, 1967: "I am fully aware of the problems which might result should the Congress refuse to increase the debt ceiling. But I know of no other way to sound the warning, to impress upon the spenders that we go this far and no further. There is virtue in a balanced budget and a limit to what we can afford. These principles are not so outmoded as to be ignored in our Great Society. The time has come when those who believe in a sound fiscal policy must vote against any proposal to increase the debt limit."

Rep. H. R. Gross of Iowa in floor debate on June 7, 1967: "We here today are trying to eat filet mignon steaks on a hamburger income. We are not skating on good solid financial ice in this country—we are just walking in the water with our skates on and a hell of a lot of people do not seem to know it. I am opposed to this enormous debt increase."

Rep. George Bush of Texas in floor debate on June 21, 1967: "I said last time—and I say again today—that before accepting a deficit of this magnitude, before being willing to risk the consequences of such a deficit, we had better tell the Administration again to take another look at their figures and come back to Congress with some constructive proposal for reducing the amount of the deficit. Rejection of the bill before you is our only hope."

Rep. Mark Andrews of North Dakota in floor debate on June 21, 1967: "There is no excuse, except in time of national emergency declared so by Congress, for a country to engage in deficit financing."

Rep. Fred Schwengel of Iowa in floor debate on June 21, 1967: "I shall again, as I have always in the past, vote against raising the debt limit. We must find ways and means to pay the bills that we pass on here in Congress other than what we have been doing presently, that is to raise the debt limit."

Rep. David T. Martin of Nebraska in floor debate on June 7, 1967: "This (debt interest) is the second largest item in our budget, next to the appropriations for the military. It seems to be the policy of the Great Society to go deeper and deeper into debt, saddling the burden of this debt and the increased interest charges on our children, our grandchildren, and future generations."

PROGRESS IN RACIAL UNDERSTANDING THROUGH SCIENCE

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. RARICK. Mr. Speaker, Dr. Arthur R. Jensen, professor of educational psy-

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chology and a research psychologist at the Institute of Human Learning—a research agency of the University of California at Berkeley—author in the field of psychology and vice president of the American Educational Research Association, has released a scholarly study, "How Much Can We Boost IQ and Scholastic Achievement?" published by the Harvard Educational Review, winter 1969, No. 1, volume 39.

Dr. Jensen's thorough study into the taboo subject of heredity and environment is must reading for all serious students seeking positive answers to what is wrong in our domestic policies in the U.S. today.

For sure, Dr. Jensen's conclusions emphasize the need for reform in teaching techniques as well as an overall reevaluation of our domestic policies under the present forced social justice theories of the egalitarians.

"Compensatory" education now costing taxpayers hundreds of millions of dollars is founded on false promises and is doomed to failure as long as it pursues old approaches stressing "cognitive" learning.

Dr. Jensen's tests also dismiss the environmental excuses heretofore promoted by Myrdal and others of the human experimenters who blame intellectual inadequacies on poverty and similar socioeconomic rationalizations.

Now that the taboo has been lifted so that heredity and genetics have been properly restored as a legitimate study in behaviorial science we can hope for additional research from other learned sources to aid in freeing mankind from the scourge of darkness that has descended upon our land.

Brown against Topeka is now discredited, truth and justice demand a new trial.

Mr. Speaker, I include reports from the U.S. News & World Report, Arizona Republic, Jackson Daily News, and Joseph Alsop's gasping and wistful dissent, as follows:

[From U.S. News & World Report]

Can Negroes Learn the Way Whites Do? Findings of a Top Authority

(Note.—Are all men created equal in ability to learn the same thing the same way? A noted professor of educational psychology—Dr. Arthur R. Jensen of the University of California—has reopened an old controversy by offering new arguments on that question. His study, entitled "How Much Can We Boost I.Q. and Scholastic Achievement?" has just been published by the "Harvard Educational Review." It brings into issue some of the fundamental teaching methods used in racially mixed schools. The main points of his article are given below, as well as the reaction of other prominent authorities to his conclusions.)

Shock waves are rolling through the U.S. educational community over a frank and startling reappraisal of differences in classroom performance between whites and Negroes.

In a lengthy article, taking up most of the winter issue of the "Harvard Educational Review," one of the nation's leading educational psychologists, Dr. Arthur R. Jensen of the University of California at Berkeley, presents these major findings:

Negro scores averaging about 15 points below the white average on I.Q. tests must be taken seriously as evidence of genetic differences between the two races in learning patterns.

Research suggests that such a difference would tend to work against Negroes and against the "disadvantaged" generally when it comes to "cognitive" learning—abstract reasoning—which forms the basis for intelligence measurements and for the higher mental skills.

Conversely, Negroes and other "disadvantaged" children tend to do well in tasks involving rote learning—memorizing mainly through repetition—and some other skills, and these aptitudes can be used to help raise their scholastic achievement and job potential.

Unfortunately, big programs of "compensatory" education, now costing taxpayers hundreds of millions of dollars a year, are doomed to failure as long as they pursue old approaches stressing "cognitive" learning.

The Berkeley psychologist, who also is vice president of the American Educational Research Association, stressed his view that "the full range of human talents is represented in all the major races of man and in all socioeconomic levels." He added, however, that research clearly shows differing patterns of average intellectual skills among the races.

GENETIC FACTORS IGNORED

Dr. Jensen acknowledged that far more research is needed to define the extent and nature of these differences, because "the possible importance of genetic factors . . . has been greatly ignored, almost to the point of being a tabooed subject." He strongly attacked the domination of educational theory by "environmentalists," who argue that all children except a rare few come equipped with the same learning mechanisms, and that differences in I.Q. scores are the result of social, economic, emotional and other pressures.

Cited by Dr. Jensen was the then U.S. Commissioner of Education, Francis Keppel, who proclaimed a few years ago that children "all have similar potential at birth—the differences occur thereafter."

There is now a growing realization among scholars in this field that discrepancies in performance "cannot be completely or directly attributed to discrimination or inequalities in education," Dr. Jensen said.

A REAPPRAISAL

Pointing to many admissions of failure in huge "compensatory" education programs for the poor, he asked:

"What has gone wrong? In other fields, when bridges do not stand, when aircraft do not fly, when machines do not work, when treatments do not cure . . . one begins to question the basic assumptions, principles, theories, and hypotheses that guide one's efforts. Is it time to follow suit in education?"

A fresh look at the whole problem of inequalities in the classroom, the Berkeley educator said, must begin with a re-examination of what "intelligence" really is. He stressed that the term "intelligence" is generally used by psychologists to apply to only a small part of the total range of mental ability, which also includes such qualities as acuteness of perception, motor behavior and memorizing skills.

As developed over the years, he said, the "intelligence test" is a sampling of abilities, oriented toward the middle-class child, by which testers can forecast likely performance in school and in occupational status and job capacities—not precisely, but within a small margin of error.

The crucial ability in this sampling is "cognitive" or "conceptual" learning—the capacity for abstract reasoning and problem-solving through classifying of similarities and dissimilarities. As observed by Dr. Jensen, it is this quality that has generated the world's great discoveries. It is this that enables children to proceed from rote learning to reasoning for themselves.

For most children, Dr. Jensen has found, this reasoning capacity begins to take hold in the first or second grade. But it does so at a varying pace and to varying degrees—and it is this variation that accounts in large measure for the differences in I.Q. test scores in any sampling of children.

RAISING INTELLIGENCE

Can intelligence centering on the "cognitive" factor be raised as much as environmentalists claim?

Dr. Jensen's reply is No. His article took up at length many tests of children whose origins and upbringing were thought to offer some clues on this issue.

Of especial interest were studies of identical twins—those who develop from a single fertilized ovum and therefore have identical genetic endowment. These studies, Dr. Jensen said, showed that such twins, even if reared apart in dissimilar environments, still tend to develop I.Q.'s almost as similar as those of identical twins reared together.

Furthermore, he cited research indicating that children adopted shortly after birth are far more similar in I.Q. to their natural parents than to their adoptive parents.

Such studies, Dr. Jensen said, make it clear that "brain mechanisms which are involved in learning are genetically conditioned just as are other structures and functions of the organism." Altogether, his summation of studies on individual differences in I.Q. concluded that heredity accounts on the average for about 80 per cent of those individual variations, as against only 20 per cent resulting from environmental influences.

ENVIRONMENTAL INFLUENCES

Contrarily, he did find much evidence that environment can play an important role in modifying actual performance in the classroom or on the job, without much changing I.Q. itself. Studies of twins, he said, suggested that individual differences in scholastic performance are determined only about half as much by heredity as are I.Q. variations.

This means, said Dr. Jensen, that "many other traits, habits, attitudes and values enter into a child's performance in school besides just his intelligence, and these noncognitive factors are largely environmentally determined, mainly through influence within the child's family." I.Q. gains were described as being significant only when youngsters are removed from extreme, often bizarre, isolation and deprivation. Dr. Jensen found that the "disadvantaged" child often makes initial gain after a change for the better in environment, but then regresses toward his parents' level.

As an instance, he referred to a Milwaukee study last year of 586 children of 88 low-income Negro mothers living in a slum neighborhood which had only 5 per cent of the city's school population—but one third of the retarded children, defined as those with I.Q.'s of under 75. Of the 88 mothers, this study found, 45.4 per cent were below 80 in I.Q. Children of the low-I.Q. mothers suffered a systematic decline in intelligence testing, and in first grade accounted for four fifths of the children with under-80 I.Q.'s in the total sampling.

This study and others were seen as underlining the influence of genetic factors in the relationship of I.Q. showings to social and economic status. Similarly, Dr. Jensen said, heredity probably plays some role in the heavy representation of Negroes in America's lower socioeconomic groups.

HEREDITY FINDINGS

After looking over the accumulated research on this subject, Dr. Jensen summed up the major findings as follows:

Negroes, on the average, test about 15 I.Q. points below the white average. This discrepancy is about the same in school achievement rather consistently in Grades 1 through 12.

One study found that I.Q.'s below 75 have a much higher incidence among Negroes than among whites at every socioeconomic level. In the two highest of these levels, the Negro incidence was more than 13 times as high as for whites—an important statistic, Dr. Jensen said, because "if environmental factors were mainly responsible for producing such differences, one should expect a lesser Negro-white discrepancy at the upper [socioeconomic] levels."

A 1967 survey of Negro and white children in a California school district found that Negroes lagged only 3.9 points in the lowest socioeconomic category—but the gap widened to 15.5 points in comparing white and Negro children from professional and managerial families.

Over all, Dr. Jensen said, one summation of the total literature on this subject up to 1965 found that in studies with subjects grouped by class, the upperstatus Negro children averaged 2.6 points below the low-status whites. The author of this summary, Dr. Audrey M. Shuey, wrote:

"It seems improbable that upper and middle-class colored children would have no more culture opportunities provided them than white children of the lower and lowest class."

To buttress his argument that genetics—not environment—plays the major role in Negro I.Q. scores, Dr. Jensen mentioned the American Indians as actually being the most "disadvantaged" of racial groups included in the Coleman Report of the U.S. Department of Health, Education, and Welfare in 1966. In almost every way, this report found, the environmental rating of Indians is as far below the Negro average as the Negro average is below that of whites.

Despite this, in scores on both ability and achievement tests, it was discovered that Indians averaged six to eight points above Negroes.

USES OF TESTS

Intelligence tests, Dr. Jensen said, satisfactorily measure intelligence as defined by the psychologists in line with "objective reality"—the educational and occupational demands of modern society. Even so, he believes, the findings open up many questions about the course that U.S. education should take in times ahead.

Mentioned in some detail were child-development tests that placed Negro infants considerably ahead of whites in motor skills and noncognitive abilities. One study found 60 per cent of Negro infants—compared with 30 per cent for white infants—doing well between the ages of 9 and 12 months in walking and "pat-a-cake" muscular co-ordination. Even in nonmotor items, Negro infants up to six months of age in the poorest section of Durham, N.C., scored six to eight points above white norms.

In still another study, Dr. Jensen told of repeatedly showing and naming to children about 20 unrelated but familiar objects, after which the youngsters were told to recall as many of the items as possible, in any order that came to mind.

Repeated testing, said the University of California psychologist, revealed that lower and middle-class children did about equally well, though their I.Q.'s differed by 15 to 20 points.

The I.Q. differential, however, became clear when 20 familiar objects again were presented in a random order—but the objects this time could be grouped into conceptual categories such as food, furniture and clothing.

White children, in this test, tended to recall the items in "clusters" corresponding to the common categories. Negro children displayed significantly less of this conceptual clustering. Even though they recognized the concepts, the Negro children did not appear to respond as instinctively as white children did, Dr. Jensen said.

DIFFERENT REQUIREMENTS

A deficiency in conceptual ability, Dr. Jensen added, need not have the importance currently attached to it as the ultimate yardstick of fitness to play a productive role in modern society. Job descriptions, he suggested, should be reviewed to see whether the educational and mental-test requirements that now bar many "disadvantaged" persons are necessary.

Also recommended were smaller, more intensive and more carefully focused programs of "compensatory" education than those tried so far. Massive experiments such as New York City's "Higher Horizons" program were seen as disappointments because they tended merely to offer bigger doses of generalized "cognitive" learning. Dr. Jensen said such efforts should use as their basis instead the "associative" learning skills possessed by many poor children.

TIMETABLE OF LEARNING

Some basic skills can be acquired by rote learning at an early age, Dr. Jensen said—and ways should be found to transfer such memorized learning in a lasting way to the later stages of learning. He gave this explanation:

"Too often, if a child does not learn the school subject matter when taught in a way that depends largely on being average or above average on general intelligence, he does not learn at all, so that we find high-school students who have failed to learn basic skills which they could easily have learned many years earlier by means that do not depend much on general intelligence. . . . If a child cannot show that he 'understands' the meaning of 1 plus 1 equals 2 in some abstract, verbal, cognitive sense, he is in effect not allowed to go on to learn 2 plus 2 equals 4. I am reasonably convinced that all the basic scholastic skills can be learned by children with normal associative learning ability, provided the instructional techniques do not make general intelligence the *sine qua non* of being able to learn."

As one example of what can be done, he told of a preschool program at the University of Illinois which centered sharply on specific skills—language, reading and arithmetic—considered essential in developing the cognitive process. A high degree of pupil attention and participation was stressed in the experiment, along with emphatic repetition. In general, the Illinois experiment put less stock on I.Q. gains than in scholastic performance. The result, Dr. Jensen said, was that achievement levels of the "disadvantaged" youngsters compared favorably with those of children whose I.Q.'s ranged 10 to 20 points higher.

OPPOSED TO SEGREGATION

Dr. Jensen made it clear that he is opposed to racial segregation. He said: "All persons must be regarded on the basis of their individual qualities and merits, and all social, educational and economic institutions must have built into them the mechanisms for insuring and maximizing the treatment of persons according to their individual behavior." While the article in the "Harvard Educational Review" did not specify how this could be accomplished in classrooms, Dr. Jensen on other occasions has mentioned such methods as small groupings of children and the use of computer-assisted teaching which could enable each child to learn through his own pattern of mental skills.

Required more than anything else, Dr. Jensen suggested, is for educational theorists to abandon "doctrinaire attitudes" on questions related to racial inequalities, and to undertake scientific inquiry—with "no holds barred." He concluded:

"Diversity rather than uniformity of approaches and aims would seem to be the key to making education rewarding for children of different patterns of ability. The reality of individual differences thus need not mean educational rewards for some children and frustration and defeat for others."

IN RESPONSE TO DR. JENSEN

Controversy already is developing among scholars over Dr. Arthur R. Jensen's views on the role of heredity in human intelligence and in racial differences in I.Q.

Early responses suggest that Dr. Jensen will get a measure of support for his criticism of extreme "environmentalists" who discount heredity almost entirely. Also being voiced is agreement that remedial or "compensatory" education for poor children has been "oversold."

Some qualifications

This support for Dr. Jensen, however, is qualified in most cases—sometimes heavily—by questioning of his research and some of his conclusions. That is the picture that emerges from comments of authorities invited by the "Harvard Educational Review" to reply to Dr. Jensen.

A geneticist, Dr. James F. Crow of the University of Wisconsin, found himself "in substantial agreement" with Dr. Jensen's conclusions.

"Races are characterized by different gene frequencies, and there is no reason to think that genes for behavioral traits are different in this regard," Dr. Crow said. He added, however, that "this is not to say that the magnitude and direction of genetic racial differences is predictable."

Dr. Crow referred to a study quoted by Dr. Jensen which showed that American Indians did better than Negroes in intelligence testing, despite a lower socioeconomic status. Dr. Crow said of this example: "It can be argued that being white or being black in our society changes one or more aspects of the environment so importantly as to account for the difference."

Dr. Carl Bereiter, a former University of Illinois psychologist now with the Ontario Institute for Studies in Education in Toronto, agreed that the heritability of intelligence is "unquestionably high." He did not comment specifically on the racial issue, but suggested that the Berkeley psychologist may have underestimated I.Q. gains that might result from properly designed and administered "compensatory" education.

Overstatements

Another psychologist, Dr. Lee J. Cronbach of Stanford University, said:

"Dr. Jensen has girded himself for a holy war against 'environmentalists,' and his zeal leads him into overstatements and misstatements. The genetic populations that we call races no doubt have different distributions of whatever genes influence the psychological processes. We are in no position to guess, however, which pools are inferior."

Current experiments, Dr. Cronbach continued, suggest that the lower-class children who have trouble in the "conceptual clustering" test mentioned in Dr. Jensen's article can overcome their initial weaknesses after getting simple instruction.

Also, he said, "The influence of environment on a trait with high heritability is dramatically apparent to the American Fulbrighter of average height who finds large numbers of today's Japanese youth towering over him." On an intellectual level, he said, mental tests in most cultures show generation-to-generation gains attributable to environment.

Infant intelligence

Along somewhat similar lines, Dr. J. McV. Hunt, University of Illinois psychologist, held that Dr. Jensen had overlooked much research, especially among infants, which suggested that circumstances can aid development of intelligence skills. Dr. Hunt said:

"He emphasizes quite heavily the temporary nature in many instances of I.Q. improvement, but neglects the possibility emerging in recent research that intelligence gains can become permanent when used as a base for further development in the individual child's conceptual skills."

This authority added:

cated presentation I've ever seen of the

"Dr. Jensen has given the most sophisti-

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standard argument for heredity as a primary factor in human intelligence. He says many worthwhile things, but some of his argument is misleading. I'm willing to see more research on heredity, but I would hope that his emphasis on heredity and on what he calls the 'failure' of compensatory education won't weaken support for research and development of better programs of this sort."

[From the Arizona Republic, Feb. 5, 1969]

Race Opinions Ostracize Pair

(By Holmes Alexander)

Washington, D.C.—It used to be literally worth a man's life, in the days of Copernicus, to express belief in the solar system, and today it's worth a man's political career in Britain and his social status in America to contend that there is any difference except color between the races.

Enoch Powell, the lynx-eyed Tory MP, who wants to limit Afro-Asian immigration into his country, gets much the same treatment for his opinion's sake that Carleton Putnam, author of Race and Reason, was meted out on the western shores of the Atlantic.

Both men, known to me but not to one another, are eminent scholars in the precise meaning of that loosely-used word.

In 1967, Powell wiped up the floor with ex-Sen. Paul Douglas at George Washington University in a debate on socialism. The Britisher is a man whom it's safer to denounce than to argue with.

Carleton Putnam, a lanky Yankee of urbane mien, author of a Scribners-published Theodore Roosevelt biography until ostracism chopped off the final volumes, asks only that the scientists quit their book-burning and acknowledge the mental inequalities of men.

When I last talked with Putnam, a Senate subcommittee was investigating malnutrition (called "hunger" in campaign rhetoric), and I brought up the natural question. Why is it always the Negroes who seem to go short of food, jobs, education and the other good things of American prosperity? Is it because as this subcommittee was knocking itself out to prove, the Negroes suffered from the white man's injustice?

"The black race, and every other race," said Putnam, "has been unjustly treated at times, and we should eradicate unfairness wherever it's discovered. But injustice is not a fundamental cause of poverty. If we could remove every vestige of injustice tomorrow, there would still be poverty in a free society. The basic cause of poverty is the variability of capacity among individuals, groups and races. The modern Axis (a black-white minority) has kept on telling this lie about injustice-causes-poverty."

It's not a "good" lie, then, like some of our many cheerful myths in religion and folklore?

"Its a bad lie," Putnam said. "Bad for the Negro because it gives him a grievance against the whites. And bad for the whites because it gives them guilt. The guilt feeling, causing so many of our leaders to fawn over the poor, has bred contempt for their elders on the part of the college generation."

You can't talk that way in our English-speaking democracies without being punished for it. When Enoch Powell cuts loose with a statement about the "alien intrusion of colored immigrants into "England's green and pleasant land," he wins support from Opinion Research Center polls (82 per cent of British white adults agree with him), but he catches hell in his party and in the press.

A reputable U.S. news agency recently sent out a London-dated news story on Powell, which screeched like a witch-hunter. The supposedly objective reporter (or his editors at home) said that "sadly" the British people thought Powell to be correct. The story went on to name-drop such incendiary words as Hitler, Joe McCarthy and "extremism." It ended on the far out prophesy that Powell was "waiting for the day" when "the climate is right" for unspeakable racial atrocities.

[From the Jackson (Miss.) Daily News, Feb. 17, 1969]

Warfare in Classrooms May Revive Putnam Idea

Do you recall when concerted efforts were made to instill a bit of common sense into national thinking on the racial turmoil? One of the tools distributed by concerned individuals and organizations was the Carleton Putnam book and pamphlets on "Race and Reason."

But the nation was so swallowed up in emotionalism over alleged racial incidents in the South until only a bare minimum of persons associated with the national news media would touch Mr. Putnam's thoughts with a 70-foot pole, but crusading "war" correspondents decended upon Dixie in droves to stir emotions to the point that some thought a new civil war against the South might be in the offing.

Things have changed. All the souped up theories of race-mixing have resulted in the threat of domestic war in Northern cities.

There is renewed interest in the thinking expressed a decade ago by Mr. Putnam and a handful of others.

Few things could be more significant than remarks of Dr. Arthur R. Jensen at an educational symposium in Los Angeles a few days ago. It was a symposium held in connection with the annual convention of the American Educational Reasearch Association.

"It is reasonable hypothesis," the educational expert continued, "that hereditary factors as well as environmental factors play a part in this difference. The bulk of the evidence is that three-fourths of the variability of intelligence is accounted for by genetic factors in our present society.

"By not recognizing these differences," Dr. Jensen concluded, "we run the risk of failing to develop the various capabilities of all our people."

Not to dwell on the fact that it sometimes takes science a long time to catch up with common sense, we are reminded that five years ago the Federal court in Jackson officially recognized, though it seemed powerless to act upon, certain of those racial differences which are so well known to white and black folks alike, and are indeed what make them interesting to each other. The late Judge Sidney C. Mize, in the case of "Darrell Kenyatta Evers, et al. vs. Jackson Municipal Separate School District et al.," stated in his opinion of July 6, 1964:

"The Court concludes that white and Negro pupils of public school age have substantially different educational aptitudes and learning patterns which are innate in character and do not arise out of economic or social circumstance and which cannot therefore be changed or overcome by intermixed schooling or other change of condition or environment within the powers of this Court to decree. The Court finds such differences to be racial traits so directly related to the learning process as to reasonably require separate forms of instruction in separate schools if equal educational opportunity is to be made available to the children of both races."

Judge Mize concluded by urging—"a complete reconsideration of the decision in the 'Brown' case," i.e., the "Black Monday" decision of the Warren Court in 1954, on which subsequent moves of the Federal government to force school integration have been based. The Mississippi jurist was at one, as far as the merits of racially separate education are concerned, with Federal Judge Frank M. Scarlett of the Southern District of Georgia, who in the "Stell" case of 1963 had ordered separate schooling to be maintained in Savannah and Chatham County, Georgia, but had been overruled by the Fifth Circuit Court of Appeals. Both Judge Scarlett and Judge Mize had heard extended and uncontradicted testimony by duly qualified scientific experts, notably including Dr. Henry E. Garrett, former President of the American Psychological Association, and Professor Emeritus of Psychology at Columbia University.

Waiving discussion of the rather obvious fact that the Federal courts really have no business administering schools at all, it is clear enough that in the long run the courts will have to rule on educational matters along lines which educational experts indicate. That is why the report of Dr. Jensen's research is so important. It is perhaps the beginning of a thorough reconsideration of the operation of genetic differences in society, as urged since October 1967 by Nobel Prize-winning physicist Dr. William B. Shockley of Stanford University.

With President Nixon reversing himself from unreserved campaign statement on easing Federal pressure on classroom activities across the nation and with Health, Education, and Welfare commissar Finch going full speed on using Federal funds to whip educators in line in behalf of forced race-mixing in the schools, utter chaos is sure to follow.

Somewhere, sometime somebody will have to face up to this issue which the late Judge Mize said: "Cries out to be heard."

[From the Washington (D.C.) Post, Mar. 13, 1969]

Dissent Is Registered to Report on Negro Intelligence Levels

(By Joseph Alsop)

The unspeakable has been spoken. The unmentionable has been mentioned. And this reporter would like to enter a qualified but vigorous dissent.

Arthur R. Jensen, professor of educational psychology at Berkeley and vice president of the American Educational Research Association, is the man who has mentioned the unmentionable. In a formidable paper in the Harvard Educational Review, he has said that human intelligence depends far more upon heredity than upon environment.

Thus he has frontally attacked the general belief that the ghetto environment is the sole cause of the poor performance of the children in the ghetto schools. Nor has he stopped here.

He has gone on to say, with a vast mass of figures seeming to prove his claim, that on average, the IQs of black Americans are about 15 points lower than the IQs of white Americans. In part, this is merely an assertion that on average, unsuccessful Americans are less intelligent than successful Americans.

In other words, children of white families of low social-economic status have substantially lower average IQs than children from white families of higher stature, as is also true of black children of different backgrounds. Yet Dr. Jensen insists that even after making allowance for this poor-rich differential there is also a clearly detectable racial difference.

For example, he points to comparative figures obtained by Prof. Rick Heber of the University of Wisconsin on percentages of children with IQs below 75 (or near to mental retardation) in white and black families at five levels of social-economic status. At the highest status level, there was already a difference, though a trifling difference, between the whites and the blacks.

But at level two, the low-IQ children were only 0.8 per cent of the white sample, against 14.5 per cent of the black sample. And this divergence was found all down the line, so that in the lowest level group, there were 7.8 per cent of low-IQ children among the whites, against 42.9 per cent of low-IQ black children.

This makes grim reading, unless someone can disprove Dr. Jensen, Dr. Heber, and all the other factual data Dr. Jensen quotes. It must above all be noted, of course, that Dr. Jensen is dealing in percentages.

Hence his figures also mean that there are great numbers of very able, indeed brilliant black Americans, far above the white average and fully as intelligent as the very ablest whites. Otherwise, this gap between black and white average IQs would be much greater.

Yet there is no use being mealy-mouthed about it. Dr. Jensen is really saying that in addition to the handicaps wickedly imposed by prejudice and discrimination, the average black American begins the race of life with a detectable genetic handicap. And for the unduly large group of black Americans with IQs below 75, this handicap is grave enough to constitute a really massive problem in a high-technical society.

If Dr. Jensen's data cannot be successfully challenged (which seems unlikely), what then is one to say about his thesis? The first thing to say is that Dr. Jensen has failed to stress the crucial genetic role of both culture and history. This means, quite simply, that any human breeding population's culture and history can greatly influence the group's heredity, by biasing the selective process in one direction or the other.

Thus, both Chinese and Jewish cultures and histories have in different ways biased selection in favor of intelligence, and Chinese and Jewish children have substantially higher average IQs than non-Jewish white children. The same, one may be sure, is true of Biafra's wretched Ibos. Ibo culture has always placed an enormous premium on achievement and on status. Selection has therefore favored high achievers. Hence the Ibos have regularly and quite vastly outperformed other Nigerians; and this is the real root of the Biafran tragedy.

Viewed in this light, Dr. Jensen's findings only underline the solemn duty of the white majority to aid the black minority to escape from exclusion into equal opportunity. For slavery, discrimination and injustice have been the history of America's black minority, by no fault of theirs; and these experiences, too, have mainly shaped their culture—not without having an effect, one may be sure, on all the data Dr. Jensen has collected.

Yet the central fault of Dr. Jensen's remarkable, deeply disturbing paper is something else again. Quite simply, it is the bland dismissal of the only lever we can use, to enable the black minority to compete on equal terms with all other Americans. But Dr. Jensen's treatment of "compensatory education" must be examined in a second report.

A MONTGOMERY COUNTY MAN ELECTED PRESIDENT OF THE MARYLAND STATE ELECTION OFFICIALS ASSOCIATION

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. GUDE. Mr. Speaker, in recent months there has been increasing public and official interest in needed reforms in the election processes at all levels—and by the administration specifically in the area of electoral reform. Both political parties have listed this an area of special attention.

In my own State, the Maryland State Election Officials Association has done yeoman work during the last few years advising the Maryland General Assembly on election law reforms. In addition it provides assistance to individual counties in new techniques in office management and in the general area of the conduct of elections. In the few years since the association was founded in 1963 it has been of great service to the lawmakers and the people of Maryland. The organization consists of election board members, chief clerks, board of registry members and board attorneys from the election board of Maryland's 23 counties and the city of Baltimore.

It is with a great deal of pleasure that I learned that this group at their annual convention in Baltimore on February 20, 1969, chose as their president a very distinguished citizen of Montgomery County, Frederick A. Shand, chairman of the Montgomery County Board of Election Supervisors. Mr. Shand has served the people of Montgomery County with great distinction and I have every confidence that he will serve the State election officials with the same degree of devotion.

Mr. Speaker, I would like to express my congratulations to Mr. Shand and the other officers chosen to serve with him, Gerald F. Devlin, of Prince Georges County, who was elected vice president, Paul Hishmeh, of Wicomico County, who was reelected treasurer and Mrs. Margaret Addison, of Charles County, the new secretary.

SLOVAK INDEPENDENCE DAY

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. STOKES. Mr. Speaker, on behalf of the Slovak people living in their own country under the rule of the Soviet Union and those who escaped to this country, I ask that March 14, 1969, be recognized as "Slovak Independence Day."

Thirty years ago today the courageous Slovaks founded the free and independent Republic of Slovakia after enduring more than a thousand years of foreign rule, but their hope of freedom was short lived and their independence was almost illusionary. At first they were subject to Nazi rule, until April 1945 when United States and Russian troops liberated the Slovaks and made them part of Czechoslovakia as they had been before their independence as a Nazi-sponsored state. In February 1948, the Bohemians and Slovaks of Czechoslovakia were taken over as a Russian satellite. It was in this capacity that they functioned until last August when Russia moved in troops to crush the reform movement under Premier Alexander Dubcek. All the world was shocked and dismayed to learn of the Soviet Union's brutal crime against self-determination.

I urge all Americans to take a few minutes of their time today to imagine what it is like to live under the tyrannies of both naziism and Soviet communism, and to have your independence snatched away each time you think it is just secured. This is what the courageous Slovaks have had to face over and over.

Of course, many Slovakian people escaped to find freedom and opportunity in the United States, and as citizens they have contributed immeasurably to the religious, cultural, educational, industrial, and civic growth and betterment of our cities. But finding freedom in someone else's homeland is not quite the same as finding it in your own homeland.

Maybe in our thoughts today we should also remind ourselves to show our sympathy to the Slovaks by understanding and bolstering their hopes for a rebirth of freedom in their homeland.

Thus, in the best of American traditions—to recognize the independence of other nations—I ask that March 14, 1969, be recognized as "Slovak Independence Day," to stress the urgency of the situation of the Slovakian people and to honor the Slovakian people for their courage and forbearance.

CIVIL SERVICE RETIREMENT SYSTEM

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. BROYHILL of Virginia. Mr. Speaker, I rise to endorse with all the vigor at my command and to urge upon my congressional colleagues the earliest consideration and passage of H.R. 770, introduced on the first day of this Congress by the distinguished gentleman from New Jersey (Mr. DANIELS), for himself and several of our colleagues.

Mr. Speaker, every Member is knowledgeable of the urgent need to improve the financing and funding practices of the civil service retirement system and to also make significant and needed improvements in the benefit structure of the Federal retirement laws. To add to my verbal support of this legislation, I have today submitted a companion bill to H.R. 770, in the hope that other Members will join me in reaffirming the decision of the House last year in again passing this bill.

For years the Congress has had the specter of bankruptcy of the civil service retirement fund looming over the horizon. It is time that the method of financing this fund be overhauled. We must assure every employee entering the Government's service today that payments to retirees of the future will be guaranteed. Mr. Speaker, this is not a guarantee we can make to him today. This fund is currently over $55 billion in the red. This bill will correct the problem and put the affairs of this fund in order. Again I strongly urge quick action on this measure.

Mr. Speaker, this bill is also urgently needed to improve the benefits to annuitants under the civil service retirement system. The reduction of the period determining average salary for annuity computation purposes from the highest 5 years to the highest 3 years as provided in this bill is completely justified and long overdue. Also desirable is the change in the computation on the basis of "basic pay" to include overtime pay, differentials, and premium pay. Moreover, there is no sane reason for requiring our Federal employees to surrender their unused sick leave upon retirement. This bill will correct this by creating a system for crediting unused sick leave to the total service of the employee. Finally, there is included a provision for the continuation or restoration of a survivor annuity when the survivor is remarried on or after July 18, 1966. This latter feature corrects a bothersome inequity in the present retirement law.

Mr. Speaker, I urge my colleagues to join me in seeking early adoption of this legislation.

CONCURRENT RESOLUTION OF THE LEGISLATURE OF THE STATE OF NEW YORK

HON. JAMES F. HASTINGS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. HASTINGS. Mr. Speaker, I am pleased today to call to the attention of all Members of Congress the below concurrent resolution of the Legislature of the State of New York. It is my hope that the resolution as introduced by Mr. Adams, of the New York State Senate, and Mr. Emery, of the assembly, will draw attention to what I feel is one of the most glaring of today's social problems:

CONCURRENT RESOLUTION

Concurrent resolution of the Legislature of the State of New York, memorializing Congress to enact legislation to create a minimum standard for public assistance in all States which provide an adequate level for the maintenance of health and decency and which cannot be altered or reduced by the introduction or application of minimum payment levels, or other percentage deductions or other devices which impose a limit below the national standard amount of assistance which eligible families may receive; to provide that assistance to the aged, disabled, and the blind be fully funded and administered by the Social Security Administration of tha Department of Health, Education, and Welfare; to establish a comprehensive, nation-wide program of public assistance based upon the simple criterion of need, replacing arbitrary, inequitable and inefficient categories of assistance presently in effect; creating a simple and uniform formula to determine federal reimbursement for public assistance, other than aid to the aged, disabled, and blind, which will provide for equitable and reasonable fiscal efforts among the states and will not penalize those states which maintain and provide more adequate and comprehensive assistance level; to provide block grants to states for the purpose of establishing research projects to increase effectiveness, efficiency and economy in the administration of public welfare, commensurate in size and scope with the national investment in the assistance program and to establish demonstration projects in each of the States for restructuring the public welfare system through meaningful and effective separation of income maintenance responsibilities from the delivery of social services

Whereas, It has been recognized that the foremost domestic crisis facing the people of this nation is poverty; and

Whereas, Public welfare is the only governmental vehicle primarily designated to assure the provision of guarantee against poverty and social deprivation, and to insure the basic essentials of living to individuals and families who are in need; and

Whereas, Rapid urbanization and advancing technology have markedly affected the dimensions of public welfare in this country to the point that individual states are no longer in a position to control or ameliorate the causes of rising welfare rolls nor are they fiscally able to support an adequate system of income maintenance for those who require assistance; and

Whereas, The present Federal system of administering public welfare, based on the restrictive categorical programs and inequitable reimbursement rates to the states, tends to ignore our national commitment to provide an adequate standard of living for all citizens irrespective of their place of residence; and

Whereas, It is the judgment of this Legislature that efforts should be made to correct the injustices imposed upon the people and the inequities imposed upon the states referred to herein; now, therefore, be it

Resolved (if the Assembly concur), That the Congress of the United States be and it hereby is memorialized to enact legislation creating a minimum standard for public assistance in all states which provides an adequate level for the maintenance of health and decency, and which cannot be altered or reduced by the introduction or application of maximum payment levels, percentage reductions, or other devices which impose a limit below the national standard amount of assistance which eligible families may receive; and be it further

Resolved (if the Assembly concur), That the Congress of the United States be, and it hereby is, memorialized to enact legislation providing that assistance to the aged, blind and disabled be fully funded and administered by the Social Security Administration of the Department of Health, Education, and Welfare; and be it further

Resolved (if the Assembly concur), That the Congress of the United States be, and it hereby is, memorialized to enact legislation to establish a comprehensive, nation-wide program of public assistance based upon the simple criterion of need, replacing arbitrary, inequitable and inefficient categories of assistance presently in effect; and be it further

Resolved (if the Assembly concur), That the Congress of the United States be memorialized to enact legislation creating a simple and universal formula to determine Federal reimbursement for public assistance, other than aid to the aged, blind and disabled, which will promote equitable and reasonable fiscal efforts among the states and will not penalize those states which maintain and provide more adequate and comprehensive assistance levels; and be it further

Resolved (if the Assembly concur), That the Congress of the United States be memorialized to enact legislation to provide block grants in aid to states for the purpose of establishing research projects to increase effectiveness, efficiency and economy in the administration of public welfare, commensurate in size and scope with the national investment in the assistance programs; and be it further

Resolved (if the Assembly concur), That the Congress of the United States be memorialized to enact legislation for the establishment of demonstration projects in each of the states for restructuring the public welfare system through meaningful and effective separation of income maintenance responsibilities from the delivery of social services.

AGGRESSIVE APPROACH TO AGGRESSION

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. ASHBROOK. Mr. Speaker, one possibly simple explanation why the nations of the U.N. have not risen up in protest against the Soviet aggression against Czechoslovakia last August is that the world body cannot come up with a definition for aggression. Believe it or not, the boys at the U.N. have been trying since 1951 to come up with a definition for aggression. Shortly after the North Koreans launched their aggression from the north against South Korea, the diplomats at the United Nations went to work on this monumental task. Speaking of "aggression from the north," this is the exact title of a report put out by the State Department several years ago describing North Vietnam's aggression against South Vietnam. Yet, according to William Fulton in the Chicago Tribune of March 13, 1969, John Lawrence Hargrove of the U.S. delegation declared that he doubted the wisdom and utility of trying to define aggression. Perhaps if Castro's troops were to land on the Florida coast, our people at the U.N. might possibly come up with a definition of aggression.

With apologies for using so profusely this term which has yet to be defined, I ask that the column, "U.N. Still Labors on Definition of Aggression," by columnist William Fulton in the Chicago Tribune of March 13, 1969, be inserted in the RECORD at this point:

REPORT FROM THE UNITED NATIONS: U.N. STILL LABORS ON DEFINITION OF AGGRESSION

(By William Fulton)

NEW YORK, March 12.—What is left unsaid is highly more important than what is said in the wordy debate now going on in a special United Nations committee charged with writing a formal definition of "aggression."

Such a dialog would ordinarily generate considerable heat over the rape of Czechoslovakia or American intervention in Viet Nam, but so far there has not been even a whisper about these sore points.

Western diplomats revealed there was tacit agreement between Washington and Moscow to lay off controversy while the new Nixon administration is settling on policy over Viet Nam talks in Paris, missiles, arms limitation, Middle East, and possible summit meetings.

So amid this unusually tranquil atmosphere in the U. N., the Soviet delegation has introduced a resolution stating that "armed aggression [direct or indirect] is the use by a state of armed force against another state contrary to the purposes, principles and provisions of the charter of the U. N."

RUSS GIVE THEMSELVES AN OUT

This would be a perfect blueprint for the invasion of Czechoslovakia but the Soviet delegation added an escape clause reading:

"The use of force by a state to encroach upon the social and political achievements of the peoples of other states is incompatible with the principle of peaceful coexistence of states with different social systems."

This, of course, means that it was perfectly all right for Soviet planes and tanks to move into Prague, Czechoslovakia, because they, according to the latest Communist nomenclature, were bound in a "socialist commonwealth," or the same social system.

Responding for the United States, John Lawrence Hargrove avoided any reference to the Czech tragedy. His address was pitched on a high international legalistic level. He told the 35-nation committee his government doubted the wisdom and utility of trying to define aggression.

Last fall in the committee debate Sen. John Sherman Cooper [R., Ky.] charged that the doctrine of "socialist commonwealth" to justify the aggression was a "monstrous regression, an open assertion that the sovereign equality of states and the rest of the U. N. charter and international law may be discarded when they run afoul" of Soviet imperialism.

A Russian delegate retorted that the American representative was "stoking up the spirit of the cold war" and that "no one will ever be permitted to wrest even one link from the chain of the socialist commonwealth."

SOVIET STAND UNCHANGED SINCE 1933

A half dozen U. N. committees have been wrestling with the definition since 1951. Before that the old league of Nations toyed with a definition during discussions of the treaty of mutual assistance.

Then, in the second year of the disarmament conference of 54 states in 1933, that wily old fox, Foreign Affairs Commissar Maxim Maximovich Litvinov, rose to state Russia's position. He proposed a definition of aggression buttressed by regional security systems.

Today's Soviet proposal is a direct steal from Litvinov. For a regional security system, read "socialist commonwealth," including a reluctant Czechoslovakia.

HALT ABM DEPLOYMENT

HON. HASTINGS KEITH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. KEITH. Mr. Speaker, before the antiballistic missile was a subject of popular debate, the Standard-Times of New Bedford, Mass., was alert to the important public policy questions associated with the development of this weapons system. Assistant to the editor, Everett Allen, devoted much of his time and effort several years ago to a thoughtful analysis of this missile and its implications for defense policy in the years ahead. Last month Mr. Allen wrote another series of articles, reprinted in this journal by Senator KENNEDY on February 19, detailing "The Case Against ABM." A thoughtful and objective study, it detailed the arguments against deployment at this time.

Now, as the President is about to make his decision on the future of the ABM, I believe it worthwhile to bring to the attention of the Members an editorial published as a conclusion to Mr. Allen's articles by the Standard-Times, urging return of this weapon to the research and development stage. We in Congress will ultimately have to make a crucial decision on the funding of the ABM program and it is essential that we have all viewpoints expressed. Therefore I include this editorial at this point in the RECORD:

HALT ABM DEPLOYMENT

Today's Standard-Times article on the anti-ballistic missile is the last in a series designed to present to the public "The Case Against ABM."

Based on the facts and informed opinions presented in this series. The Standard-Times believes that the United States government, which has suspended ABM deployment pending high-level review, should not continue building the antimissile system at this time for the following reasons:

There is serious question whether such a complicated system will work at all, and it will never be feasible to test the full system against a satisfactory simulation of a real attack.

The U.S. history of failures in far less complicated weapon systems leads many experts to believe that the probability of a catastrophic failure of Sentinel, or any other ABM system, is high.

There is sound reason to believe that the Chinese Communists, against whom the government says this ABM system is being deployed, will find it practical and possible to develop penetration aids that could defeat the system, and equally sound reason to doubt that they would ever attack the U.S.A. in the first place.

Evidence suggests that those who claim damage-denial, or some protection capability for Sentinel are assuming a level of effectiveness for this weapon so extraordinary as to be improbable.

The government's expressed reason for building the system is unconvincing. If we need it to protect the public from a Chinese threat, why then, are we willing, or even able, to stop building it if the Russians indicate they will not build an ABM defense?

Congress, as an increasing number of its members now concede, approved deployment funds without obtaining full information on the ABM, and without allowing sufficient time for debate on the matter. It was an ill-considered decision, hastily taken.

In view of the fact that building an ABM system will cost billions better spent for offensive weapons or our many domestic needs;

That it will very likely stimulate the Russians to overreact by building more weapons that can kill more Americans in the event of war, thereby making us less safe than we were before our ABM;

That the Russians themselves appear to doubt the effectiveness of this weapon, even though they traditionally emphasize defensive arms systems more than we . . .

Let us halt the building of the ABM, and put it back in the research and development stage where it belongs.

NEED FOR SAFER RAILROADS

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. McCARTHY. Mr. Speaker, today I am reintroducing my comprehensive railroad safety bill. It is designed to reduce the danger of train accidents to the public and to railway workers. Along with a number of my colleagues, I introduced a similar bill during the last session of Congress. Unfortunately, those bills were not acted on before Congress adjourned. In the interval railroad safety has not improved—it has become worse. Railroad accidents are now averaging 500 a month, compared with a rate of 450 a month in the previous year. During the last 7 years the railroad accident rate has increased by about 75 percent. This rise—in contrast to improving safety records in many other fields—is testimony to the failure of those laws now governing railroad safety. I urge both bodies of the Congress to place this bill high on the list of priorities for action in this session. Anything less would be a disservice to the public and the railway worker.

There is a clear need for new legislation to cover the causes of train accidents. Investigation by the Brotherhood of Railroad Trainmen shows that in 1965 only 414 out of 5,967 train accidents were the causes of the accidents caused by railroad equipment subject to Federal safety inspection. Only 6.9 percent of the accidents that occurred were subject to possible prevention by Federal inspection. The other 93.1 percent of the accidents were caused by equipment or other factors that were not covered by Federal safety regulations.

Railroad accidents, as statistics, do not attract the attention they deserve. Although many accidents do not result in injury to workers or the public, many do. Total casualties to railroad employees on duty have risen almost consistently each year since 1961. In 1966, 159 railroad workers were killed. In the same year, 18,195 were injured. In 1967, 166 trainmen were killed; 17,529 were injured. And this occurs when, we are told, our railroads are being modernized.

Railroad accidents affect the public directly. In the village of Sloan, a suburb of Buffalo, a train was derailed in the Penn Central Frontier Yards adjoining the village and 10,000 gallons of styrene poured into the local sewer system. Local authorities acted quickly and evacuated some of the homes in Sloan to protect residents from danger. Fortunately, no one was injured in this accident. But other communities have not fared so well. Only recently in Crete, Nebr., a small town of 3,000, eight people were killed when some tank cars of anhydrous ammonia exploded after being derailed. Many more people were injured and Crete was evacuated to prevent further casualties. If this were an unusual occurrence there would be less cause for alarm. But unfortunately it happens frequently.

On January 25, 1969, in Laurel, Miss., a string of railroad tank cars carrying butane gas under pressure exploded, injuring 19 people, flattening 40 homes and rocking the Laurel's 27,000 residents. A similar derailment occurred at Battelle, Ala., on January 12, 1969. And another took place in Springville, Ala., on January 15, 1969. And these are only examples.

In another case 38 freight cars of a Seaboard Coastline train, 25 of them loaded with ammunition, were derailed near Clarkton, N.C. Although no one was injured in this wreck it points up a serious problem, the possibility that lethal chemical agents, such as nerve gas, might be spilled while being transported by railroad car. If gas cylinders had been punctured in a wreck near a town or city, large numbers of the population might be killed. Although this is an issue that deserves treatment by itself, it is related to railroad safety.

John H. Reed, of the National Transportation Safety Board, warned last week that derailments were increasing at a rapid rate, up 85.7 percent from 1961.

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This may well be a comment on our failure to insist on safety standards for train roadbeds. I was informed only recently that one railroad was actually using wornout railway ties for track maintenance—turning them over so that the good side showed. If this is a common practice, it is no wonder that the accident rate is increasing.

The legislation that I am introducing today would give the Secretary of Transportation the broad authority needed to set standards for construction, use, design of tracks, locomotives, rolling stock, and facilities. It would also give him authority to require testing and inspection. This is in contrast to his current lack of jurisdiction over the design, construction, inspection, or maintenance of track, roadway, or bridges.

In my view, it is clear that comprehensive safety regulations for our railroads are needed. They must be established on a systems basis, that is, they must cover all aspects of railroading. This bill will make that regulation possible.

I urge early hearings on this bill by the House Interstate and Foreign Commerce Committee and prompt action by the House. Such action is long overdue.

A BILL TO ESTABLISH THE INTERAGENCY COMMITTEE ON MEXICAN-AMERICAN AFFAIRS

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. HANNA. Mr. Speaker, today I introduce a bill to establish a permanent Interagency Committee on Mexican-American Affairs. It would continue and expand the current program of the Cabinet Committee of the same name created by the President in 1967, but which is scheduled to expire in June 1969.

Approximately 10 million Spanish-speaking Americans from Mexico, Central and South America, Puerto Rico, and Spain live in the United States. These citizens, constituting the second largest minority group in the Nation, have common traditions, language, and problems that place them at a severe disadvantage when applying for jobs, attempting to further their education, and trying to adjust to the American way of life. As a group, the Spanish-speaking Americans have been excluded from the mainstream of life in the United States. In the five Southwestern States where the majority of this group is located, Mexican-Americans from ages 14 and over have completed only 8.1 years of formal education, compared with 12 years for Anglo-Americans of the same age group. The dropout rate for these children is more than twice the national average. This lack of formal education is reflected in high unemployment rates. Mexican-Americans in barrios—ghettos—had an unemployment rate of 8 to 13 percent in 1966. The national average for the same year was 4 percent. Family income is low. Approximately 50 percent of the Spanish-speaking families in our country earn incomes below the $3,000 poverty level. Housing conditions for Mexican-Americans are much poorer than for the Nation as a whole.

The Interagency Committee for Mexican-American Affairs, created by the President in 1967, has contributed to the upgrading of life for minority group members. The Committee, composed of the Secretaries of Labor; Health, Education, and Welfare; Agriculture; Housing and Urban Development; the Director of the Office of Economic Opportunity, and chaired by the Commissioner of the Equal Employment Opportunity Commission, is responsible for assuring that Federal programs are reaching Mexican-Americans and are providing the assistance they need. The Committee has the additional responsibility of determining what new programs are necessary to handle problems unique to the Mexican-American population.

During the year and a half of its existence, the Interagency Committee has realized major accomplishments in serving as a liaison between Federal administrative departments and the Spanish-speaking community. Its activities focused on four areas: guiding members of the minority group to sources of Federal assistance, and helping the Government respond to the special needs of Mexican-Americans; conducting research and acting as a research clearinghouse for Mexican-American problems; placing Mexican-Americans in jobs; and supplying public information to members of the Spanish-speaking community to alert them to Federal assistance programs.

The achievements of the Interagency Committee are impressive. Through its efforts, 18,000 Mexican-Americans were enrolled in the institutional manpower development and training programs; Federal employment of Mexican-Americans increased by 41 percent in the Southwest from June 1965, to November 1967; the number of Mexican-Americans in the Southwest earning more than $11,000 annually doubled during this period; research and demonstration programs for preschool and elementary students of multilingual and multicultural backgrounds were conducted by HEW; and Federal funds for education were made available to the Spanish-speaking population. A migrant compensatory education project for three States was established to provide basic and remedial education, occupational training, vocational rehabilitation, health and food services, and economic support to 1,000 migrant youths and their families. Housing improvement projects were initiated. The Santa Clara County, Calif., Housing Authority, in conjunction with the California Better Housing for Mexican-Americans Committee began planning a public housing project for 450 families and 250 elderly Mexican-Americans. The East Los Angeles Improvement Council received $1,850,000 for the construction of 300 low rent and rent supplement housing units for the elderly, 50 percent of whom are Mexican-Americans.

The tremendous accomplishments of the Interagency Committee emphasize the need to continue the program on a permanent basis. The bill I have introduced will achieve this goal. The Interagency Committee would not be concerned with funding programs, but would continue to serve as an information clearinghouse. It would integrate and coordinate Federal programs. Possible committee activities would include sponsoring conferences on employment, housing, education, and other problems of Mexican-Americans; researching and analyzing community needs and developing remedial proposals; gathering and disseminating information to Federal departments. The Committee would also be authorized to establish an employment aid service and encourage the participation of private industry. It would take action to assure that members of this minority group are not excluded from meaningful, productive jobs because of inadequate skills or discrimination. The Committee would not duplicate the work of existing Government departments and agencies, but would synthesize and enlarge their efforts to reach the Mexican-American community.

The need for a committee to represent the position of our Nation's second largest minority group is evident. We must extend assistance to our Spanish-speaking citizens before a crisis develops. I hope Congress will act promptly on this matter.

COUNTRYSIDE DEVELOPMENT, IMPORTS BILLS INTRODUCED

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. NELSEN. Mr. Speaker, I have joined in sponsoring two bills designed to galvanize Federal reactions to rural farm and business problems. One of my bills would spur faster curbs on price-depressing imports by empowering either House or Senate Agriculture Committee to trigger Tariff Commission investigations. Under this bill, any five Governors could also trigger a Tariff Commission inquiry, which is generally required before unreasonable agricultural imports can be blocked.

The other bill would establish a Countryside Development Commission with a broad mandate to recommend ways to utilize total rural resources and governments to build the good life outside cities. The 24-man Commission, chartered for 2 years, would be appointed by the President from nominees selected by Governors located within farm credit districts.

Mr. Speaker, these bills represent two needed steps for improved rural conditions. The lack of approaches presently available to check devastating agricultural imports needs a remedy. We feel that broadening the base from which formal imports restrictions may be launched is both sound and practical.

In a broader sense, our measure establishing a Countryside Development Commission holds out the prospect of better ways to effectively help the totality that is rural America. It includes all the land, water and people outside the standard metropolitan statistical areas defined by the Bureau of the Budget. It includes some 60 million people, a majority of U.S. small businessmen, more than 3 million farmers and 16,000 cities, towns, and communities under 15,000 population.

INTERVIEW OF THE HONORABLE ROBERT H. FINCH, SECRETARY OF HEALTH, EDUCATION, AND WELFARE BY CONGRESSMAN JOHN BRADEMAS, OF INDIANA, MARCH 14, 1969

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. BRADEMAS. Mr. Speaker, I insert at this point in the RECORD the transcript of a television interview that I conducted with the Secretary of Health, Education, and Welfare, the Honorable Robert H. Finch, concerning some of the important programs within his area of responsibility.

The interview will be shown on television stations in Indiana on Friday, March 14, 1969. The transcript follows:

INTERVIEW OF THE HONORABLE ROBERT H. FINCH, SECRETARY OF HEALTH, EDUCATION, AND WELFARE BY CONGRESSMAN JOHN BRADEMAS, OF INDIANA, MARCH 14, 1969

Mr. BRADEMAS. One of the most widely praised appointments of President Nixon in his new cabinet is that of Robert Finch, the Lieutenant Governor of California, to serve as President Nixon's new Secretary of Health, Education and Welfare, and I am very pleased here today to have Secretary Finch with me to talk about some of the issues that his vast department will be handling.

Mr. Secretary, could you give us some idea of President Nixon's priorities in the field of education?

Secretary FINCH. Oh, I think he realizes, as do most of your colleagues on your committee, John, that our great thrust now must be in the elementary and secondary levels, but as a kind of mechanism to pick up the slippage between high school and college education, we're going to put a great emphasis on the community college, so-called, and we haven't yet worked out all the problems there because we have financing disparities between the various states, but that will have a high priority.

Mr. BRADEMAS. You speak of the financing disparities between the states and of some of the President's priorities in education at the Federal level. I, for one, think we are going to have to have more Federal dollars in our school systems.

Secretary FINCH. The large metropolitan districts especially.

Mr. BRADEMAS. But what about the role of the states? Shouldn't the states do more? What comments do you have from your experiences as a state leader?

Secretary FINCH. Well, you've got some states that have really extended themselves right up to the limit. I would include Maryland in this category, California, and some other states, and I think that whatever criteria we evolve as we write the legislation should give a premium to those states who made that extra effort to help particularly the metropolitan areas.

Mr. BRADEMAS. I noticed that one of the recommendations, at least reported in the press, of your education team is that of an urban education act. Do you think that's on the horizon?

Secretary FINCH. Yes. How much it involves a restructuring of legislative authority on the books that we haven't even funded or implemented and how much new legislation is required is one of the things we are grappling with now and one of the things we'll be discussing in your committee.

Mr. BRADEMAS. Let me ask you another question that touches on schools. Some of us had a clear impression from the campaign of Mr. Nixon last fall that if he were elected, he might go rather slow with respect to the enforcing of the Civil Rights Act in the field of school desegregation. Do you have any comment on policy there?

Secretary FINCH. No. There has been no change as far as the basic concept is concerned. The 1964 Civil Rights Act is on the books. Our problem again is the monitoring of the plans that have been submitted on a national basis and as you know, the primary thrust has been to the South in the clear cut cases where we had dual systems. Now we've got, I think, to massage those guidelines so that they can provide the same kind of impact and achieve the purpose that Congress had in mind in the metropolitan areas again where you have de facto segregation.

Mr. BRADEMAS. So that means you'll be working in the North as well as in the South?

Secretary FINCH. And in the West.

Mr. BRADEMAS. And in the West. Do I also understand you're likely to be giving more attention to providing some technical assistance to school systems that want to move in that direction?

Secretary FINCH. Yes, as a matter of fact, I think part of the problem is that in many of our compliance cases, we have not had sufficient emphasis on technical assistance. Our agents have gone in, our compliance agents so-called, and pounded the desk and said, "well, we want a plan by 1970," and some of these districts with very limited resources simply can't move that fast. And they need technical help and so we're this summer going to be training another 2,500 people with this kind of expertise.

Mr. BRADEMAS. Let me turn to another subject that's also very controversial, namely, welfare. Nobody seems to be very happy about the welfare program, and I believe you suggested, Bob, that you would like to see some national welfare standards established. Could you tell us what you feel about that?

Secretary FINCH. Well, I simply feel very strongly that you can't continue to have this enormous disparity between the more affluent states and the less affluent states, chiefly in the South, because obviously you are affecting how people move and why they move and the migration factor, and what we are trying to do now is to prepare legislation which might strike a brokerage or mean factor, say at a $40 level, which would somehow bring some of the Southern States up without letting them get off the hook all together. At the same time, help the states that have really tried to meet their obligations by diverting funds—this is the kind of revenue sharing approach where they are up to the $80 level and they could divert those funds to education or to welfare or to whatever other criteria their state legislators want to apply.

Mr. BRADEMAS. One last brief question, Bob, and that has to do with the study you have proposed be made of the possible impact of television and violence on children and other young people.

Secretary FINCH. Well, our problem is to pick the panelists, the people who are to be on the panel, because this is a very subjective and qualitative kind of decision, and I must say that we are trying to reach out into various disciplines and get a balanced viewpoint on this and we will come in, I hope, within six months with a committee headed by the Surgeon General with a report on this matter.

Mr. BRADEMAS. Thank you very much. We've been having a discussion of some of the important issues within the area of his responsibility of one of President Nixon's most important Cabinet Advisors, the New Secretary of Health, Education and Welfare, Robert Finch. Thank you very much.

NEWSDAY BLASTS SENTINEL DEPLOYMENT

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. BROWN of California. Mr. Speaker, opposition to the controversial Sentinel ABM system continues to gain in both size and stature. Forces lining up against ABM range from angry suburbanites to the scores of Senators and Representatives from all across the country.

Now, another noted voice is heard. On Monday, March 10, Newsday—which is published by one of President Johnson's closest former advisers, Bill D. Moyers—offered a scathing attack on the prospect of further Sentinel deployment. The editorial, entitled "Calling a Halt," follows:

CALLING A HALT

If those usually well-informed Washington speculators are correct, President Nixon already has decided to resume emplacement of the Sentinel antimissile missile system. Sentinel sites will apparently be moved away from the cities, as a concession to those whose nerves are frayed by the prospect of an H-bomb across the back fence. But emplacement, it is reliably reported, will go forward.

We hope the observers are wrong. The overwhelming weight of evidence is that the Sentinel is one of the great boondoggles of American history, an adventure in saber-rattling that would drain billions out of the public treasury while worsening the already dim prospect for arms control and peace.

Some of the nation's most eminent scientists question whether Sentinel will work if it is ever needed. Up to 1967, when Sentinel was approved, science advisers to Presidents Eisenhower, Kennedy and Johnson had opposed antimissile systems, as had three consecutive research and development directors for the Defense Department. Scores of the nation's most thoughtful men believe that building Sentinel will merely increase the possibility that it will have to be used; in other words, that it increases the danger that the U.S. and the Soviet Union will come to a nuclear Armageddon.

LAUNCHED WITH MISGIVINGS

Robert S. McNamara, the former secretary of defense, took a similar position when he announced plans to go ahead with Sentinel in the fall of 1967. McNamara offered a $5 billion plan for a "thin" system. Seldom, if ever, has a scheme to use up so much tax money been unveiled with such evident misgiving and hesitation.

McNamara explained that it would be "insane and suicidal" for the Chinese to attack the U.S. with missiles, and China in fact had been "cautious to avoid any action that might end in a nuclear clash with the U.S." But, McNamara added, because "one can con-

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ceive" of a Chinese miscalculation of enormous magnitude, there were "marginal grounds" for concluding that a "thin" system was a prudent U.S. investment. He warned, too, that expanding the "thin" system would escalate the arms race without increasing national security.

After Sentinel deployment had been started, with the acquisition of 16 sites, the Pentagon and its apologists quit arguing for an anti-Chinese system and began urging an infinitely more expensive anti-Soviet system which could cost $400 billion. The estimate is from Sen. Stuart Symington, a former Air Force secretary. He got it out of a Brookings Institution report that the Pentagon itself has cited in giving cost figures on other military items.

Few Americans blinked an eye at the cost, but thousands across the country kicked up a fuss about living next door to a hydrogen bomb. They got little satisfaction from the Pentagon; no sensible reason for placing the missiles so close to the cities is available to the layman.

NEW ARGUMENTS OFFERED

As the public outcry gained in volume, Sentinel defenders offered a new argument: that a go-ahead for the system would force the Russians into meaningful talks on arms control. The most charitable appraisal of this assumption is that it must stem from a fundamental misunderstanding of human nature. It comes out of the same Pentagon thinking that produced the proposition that bombing North Vietnam would shorten the Vietnam war by weakening the will to resist. It holds no better promise of being proved true.

If Washington's rumor mills are correct, and the President is determined to go ahead with the Sentinel, it will be up to Congress to say no. Either House can spike the project by refusing to fund it. Unless we are to suffer another escalation of the arms race, this is exactly what Congress should do.

THE AMERICAN TAXPAYER: A MODERN-DAY ATLAS

HON. J. HERBERT BURKE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. BURKE of Florida. Mr. Speaker, the American taxpayer today can be likened to a modern-day Atlas, who must carry a backbreaking taxload on his shoulders.

Certainly some relief to the taxpayer is deserving, and at long last Congress is focusing attention on the great need for tax reform. I am pleased to join with a good number of my colleagues in the House of Representatives in cosponsoring legislation which I am hopeful is a step in the right direction. The bill I am cosponsoring would raise the present $600 tax exemption for each dependent to $1,200.

In view of the skyrocketing cost of living caused by inflation that continues to rob the taxpayer, the present law which only allows $600 for each dependent is completely unrealistic. The need for this exemption increase is not only apparent, it is essential.

Although the concept of an exemption was not intended to represent the actual sum involved in supporting a member of the family, nevertheless, its purpose must bear some realistic approach if it is to serve its purpose. This increase will be some help in easing the economic burden and afford some measure of relief.

Let us face it, how much more can the American taxpayer be expected to carry? He has the weight of the world already on his shoulders, but certainly he should have at least one straw removed before the taxload truly breaks his back.

MORE ON U.S. PAY INCREASES

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. DANIELS of New Jersey. Mr. Speaker, the Washington Evening Star contains a most interesting article by Miss Sylvia Porter which is worthy of the attention of all Members of the House and all persons who read this RECORD.

Mr. Speaker, having received permission, I insert it at this point in the RECORD.

The article follows:

YOUR MONEY'S WORTH: MORE ON U.S. PAY INCREASES

(By Sylvia Porter)

In the spring of 1967, when a presidential study panel paved the way for higher salaries for federal officials, the salary of a top civil service career worker (GS 18) was $25,890 to $31,760. The pay of heads of federal bureaus was $26,000 and the pay of an assistant secretary was $27,000. The pay of an undersecretary was $28,500 and of an agency head $30,000.

We were heading into an anomalous situation in which civil service workers would either be paid more than their superiors or in which they would be barred from getting raises under the 1962 Salary Reform Act.

This, the committee agreed, would be "intolerable"—and having decided that, all we had to decide was the size of the raises to suggest for the federal executives.

The committee did not doubt the prestige and power inherent in these "visible" posts nor did we question the "desire felt by many Americans to render public service."

We noted that we did not know the names of most of the men and women just below the top whose contribution to the government was crucial. The odds were against these people being wealthy and the likelihood was that for most, adequate compensation was essential. To quote from the report which was not officially released:

"The positions are of topmost importance—of such importance that the nation cannot afford to have them filled by people with less than outstanding ability."

And as we debated at that time the proper salary levels, we had studies before us showing the gaps between the federal pay scale and commerce and industry.

Lesser posts in state and local governments were paying $35,000 and up; salaries of $35,000 and up to $90,000 were not uncommon in tax-exempt foundations. As for private industry, we found: The secretary of the Treasury was receiving less than half as much as the heads of some banks; the secretary of Defense was getting less than the heads of defense contracting firms. And so it went . . .

Thus, we came to the pay raises for the few hundred men in executive posts—and from there, we had to go to adjustments in legislative and judiciary salaries to bring the compensation of these men and women up to date, to help them meet the costs of living and to minimize their need for seeking other means to augment their incomes.

Whether the precise figures were correct or not, the direction in which we moved was right. And by recommending the establishment of machinery which will adjust these pay scales at least every four years in the future, we made sure this sort of thing will not occur again.

These are the words with which the panel closed the report and asked President Johnson to discharge us:

"The quality of our Government is a direct function of the abilities and characteristics of its top executives. To be pennywise in the salary treatment of these executives is neither good business nor good government."

WHO WOULD BOYCOTT THE STAFF OF LIFE—THE TABLE-GRAPE BOYCOTTERS

HON. BURT L. TALCOTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. TALCOTT. Mr. Speaker, what if there was a dispute in the wheatfields of Kansas or Nebraska exactly like the table-grape controversy in California. The California grape picker earns more money per hour than the wheatfield laborer, but that is of little matter.

Would the shaggy students and fuzzy-thinking clergy demonstrate and picket the grocery stores to force the proprietors to discontinue the sale of bread?

The answer is clear. If they can be successful in boycotting grapes, they could and would boycott bread, even though it were the staff of someone else's life.

Mr. Speaker, this thought was clearly shown by a neutral in the California table-grape controversy—the National Association of Food Chains. One of their recent advertisements on this subject ought to be mandatory reading for every foodstore customer in the United States.

Second, boycotts are illegal and immoral for the reason so plainly suggested by the following advertisement. Under unanimous consent I include a copy of the advertisement:

TABLE GRAPES ARE NOT EXACTLY THE STAFF OF LIFE, BUT IF THEY WERE, SOME CITIES WOULD HAVE NO BREAD

(Some thoughts and comments on grape boycotts.)

Most people could live perfectly satisfactory lives if grapes disappeared from supermarket shelves; they are not exactly the staff of life. But most people also want the right to decide for themselves what to buy and feed their families.

Today there are those who would make the supermarket industry decide a labor/management dispute between some grape growers and a group of farm workers.

As a result, demands—often by well-meaning people but frequently accompanied by threats of violence—have been made all across the country that supermarket managers become the judge and jury in the dispute.

How? By demanding that supermarkets refuse to carry California table grapes until the dispute is settled to the satisfaction of one group of workers.

A midwestern city is an example of what can happen. Until recently the boycott against grapes had gotten only lukewarm public support, but then a local politician stepped in and the play got a little rough. He started to apply pressure—implications that food chains would face tough sledding in the state capital if they didn't give in—and his demands were met. Over the weekend, grapes disappeared from the stores of this city's seven largest food chains.

In a way, the people of that city were lucky, though. The target could have been bread, or milk, or beef. And maybe some day it will be.

We don't think it's in the public interest to have supermarket operators settling social and economic issues to which they are not parties. If you agree, we hope you'll tell your readers so.

HERMAN V. VON HOLT OF HAWAII ENDS DISTINGUISHED BANKING CAREER

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. MATSUNAGA. Mr. Speaker, I wish to pay tribute to a distinguished citizen of the 50th State, Mr. Herman V. von Holt, whose retirement on the last day of February brought to an end a brilliant banking career.

Mr. Von Holt, who was chairman of the board of the First Hawaiian Bank when he retired, first became associated in 1926 with First National Bank, as it was then called. In addition to his role of leadership in the business community during an era of our State's most dynamic growth, he also found time to devote his considerable energies to community service. Mr. Von Holt served most ably as chairman of the city and county recreational commission and as a member of the city and county parks board. His deep interest in athletics is reflected by his work in the mid-1930s' as a member and then chairman of the Territorial Boxing Commission.

For more than two decades Mr. Von Holt was treasurer and vestryman of St. Andrew's Cathedral Parish, and since 1931 he has been secretary and chairman of the investment committee of the Protestant Episcopal church of Hawaii.

Herman V. von Holt was educated in the classic Hawaiian pattern for success. He attended Punahou School and graduated from an Ivy League college in 1916. It was at Yale that he achieved All-American fame as a member of the water polo team, of which he was captain during his senior year.

Following his graduation from Yale, Mr. V. von Holt joined the Audit Co., of Hawaii, only to have his budding business career interrupted by service in the Army as a second lieutenant during World War I.

Steeped in the banking tradition, Mr. Von Holt soon followed in the footsteps of his father, who served as vice president of the First National Bank.

I know that my colleagues would wish to join me in extending aloha and best wishes to Mr. Von Holt upon his retirement. I sure that they will find of interest the article entitled "Von Holt Ends Era as Banker," from the February 28, 1969, edition of the Honolulu Advertiser. I therefore submit the article for inclusion in the CONGRESSIONAL RECORD, as follows:

VON HOLT ENDS ERA AS BANKER

Herman V. von Holt will bring to an end more than four decades as a director of the First Hawaiian Bank today.

He has been chairman of the board for the past two years, culminating a career with the bank that began in 1926.

Von Holt's retirement will become official when the annual shareholders' meeting is held today.

FAMILY HISTORY

Cecil Brown, Von Holt's great uncle, was senator and minister of finance in the days of the monarchy. Brown became associated with First National Bank, later merged into Bishop & Co. in 1878, and was named president in 1900.

Von Holt's father served as a vice president of First National.

Herman von Holt was born in 1894, attended Punahou School, and was graduated from Yale in 1916.

He starred on the Yale water polo team, was named All-American each year, and was captain of the team as a senior.

He also played on the Yale baseball and football teams, wrestled and rowed in the Yale crew.

ENTERED BUSINESS

After graduation in 1916 Von Holt spent a year with the Audit Co. of Hawaii, and returned to the company for some three years after serving as an Army second lieutenant during World War I.

In 1922, Von Holt became executive secretary for the James Campbell Estate, a position he held until 1951.

He also is a trustee of the S. M. Damon Estate.

Von Holt was chairman of the City and County Recreation Commission in the 1930s, and later was a member of the City and County Parks Board.

He was a member of the Territory Boxing Commission in the years 1929–1936, and was chairman 1932–36. He also served on the Honolulu Realty Board.

For more than 20 years he was treasurer and vestryman of St. Andrew's Cathedral Parish, and since 1931 has been secretary and chairman of the investment committee of the Protestant Episcopal Church of Hawaii.

THE AMERICAN LEGION'S FIRST 50 YEARS

HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. COLLIER. Mr. Speaker, the American Legion is this year observing its golden anniversary. It was on March 15, 1919, only a few months after the end of World War I, that this great organization of veterans came into being.

The American Legion and I grew up together. I was born a little over 3 years before it was established, so I am well acquainted with its enviable record of service to God and country.

As the Legion approaches its 50th anniversary, it can look back on a long and useful life in which wars have been mere interruptions. Like Cincinnatus of old, the Legionnaire returns to the plow—or machine, desk, store, or other post of duty—as soon as the fighting stops.

When he resumes his place in society, he does not cease to serve his country. No one realizes more than the ex-serviceman that there is more involved in serving one's country than fighting wars That the veterans of our wars have continued to do their bit in peacetime can be proved by a recital of the American Legion's manifold activities during the years since the armistice silenced the guns on the western front.

Among these activities have been promotion of the study of the Constitution and the Bill of Rights and the sponsorship of Boys' State and Boys' Nation; sponsorship of over 3,000 Boy Scout troops and organization of baseball leagues in which over 400,000 boys are players; building of community houses, swimming pools, playgrounds, and parks; furnishing ambulances and special equipment for the treatment of such diseases as infantile paralysis; promoting education in public safety; combating unemployment and helping to keep schools in operation during times of economic depression; as well as assisting those veterans who are forced to spend weary years in hospitals and making easier the lot of the widows and orphans of those who have responded to the final rollcall.

While you are all familiar with these constructive accomplishments, I cannot refrain from reciting them, representing as they do a wholesome contrast to the irresponsible performances of many who cloak their anarchistic activities with the Bill of Rights. While the American Legion and other veterans' organizations, churches, civic groups, and similar associations of men and women and boys and girls try to preserve our Nation, to solve its problems, and to make it an even better land in which to live, other groups are doing all they can to destroy our Nation, create new difficulties, and bring about chaos. Split personalities preach anarchy while simultaneously screaming for bigger and bigger Government handouts.

Mr. Speaker, I am confident that the American Legion will be around long after the forces of revolution and anarchy have exhausted themselves in their futile efforts to destroy our Nation. May their second half century be as constructive and as worthy of emulation as the first 50 years have been.

PLAIN TALK FROM LTV

HON. HASTINGS KEITH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. KEITH. Mr. Speaker, today's papers had much to say about the matter of conglomerates and the stories were for the most part pretty rough on this fact of economic life.

While I am for the most part concerned with the long-range social and economic implications of conglomerates, I recognize that there are two sides to this question.

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Yesterday, I appeared before the Ways and Means Committee, which held hearings on the question of conglomerates and expressed my concern with this phenomenon.

And yesterday, also, the Wall Street Journal had a two page ad outlining one conglomerate's point of view as it pertains to this situation. It occurs to me that we in Congress might further our understanding of this whole question by taking note of its contents. Accordingly I place their statement in the RECORD:

AN OPEN LETTER TO OUR SHAREHOLDERS—PLAIN TALK FROM LTV

To Our Shareholders:

Two weeks ago in response to an announcement by Congressman Emanuel Celler, Chairman of the House Judiciary Committee, that the Antitrust Subcommittee would investigate "conglomerate mergers," your company stated publicly, "In view of the recent barrage of uninformed and irresponsible statements directed at diversified companies which have caused distress and harm to LTV's thousands of stockholders, to our 128,000 employees and to the communities in which our nine publicly held companies are based, Ling-Temco-Vought, Inc., welcomes the proposed investigation of conglomerate mergers by a House of Representatives Subcommittee as a forward step that should clear the air, clarify whatever issues may be involved, and replace vague, generalized mis-statements with facts. We think that an authoritative and responsible legislative group should undertake to shed light on so-called conglomerate mergers."

Subsequently, and prior to any authoritative investigation or hearing, the incredible barrage of uninformed and irresponsible statements by men in high office accelerated. As the management of LTV we have a basic responsibility to speak out now about this because it has affected your investments. Furthermore, the investments of hundreds of thousands of other individuals, who are shareholders of other so-called conglomerates, were similarly affected.

In effect, there is an anti-conglomerate campaign under way that indiscriminately condemns everyone connected in any way with the companies identified as conglomerates, hurting shareholders, employees, managements, and the communities in which these companies operate. It appears to be largely a publicity campaign based on innuendo and guilt-by-association psychology. Apparently, the conglomerates are deemed to be guilty of unspecified violations in advance of any sort of objective, responsible hearing.

Whatever the sponsorship, motivation, and ultimate goals of this campaign may be, the result to date has been a damaging erosion of shareholder values.

While recognizing that we have no bureaucratic immunity and that speaking out may make us the target for additional harassment, our sense of responsibility and our instinct for fair play nonethless compel us to present LTV's position in this matter.

We cannot and do not claim to be the spokesman for the companies currently identified as conglomerates, but we can speak for LTV, a diversified multi-industry company that is prominently identified as a conglomerate.

In our view, the conglomerate movement of the past few years has made many positive, pro-competitive contributions to the American economy, and it is incredible that this bolstering of the American enterprise system can be so little appreciated that a campaign could be launched to hurt so many individuals.

The last week of February, 1969, was a period of disaster for hundreds of thousands of investors, primarily because a few men in responsible positions made public statements which were disseminated widely.

Climaxing many months of intensive anti-conglomerate publicity, the events of that week included: The appearance before a House of Representatives Subcommittee of Judge Hamer H. Budge, new chairman of the Securities and Exchange Commission. His testimony created such headlines as "Tax Laws May Be Spurring Take-Overs, New SEC Chief Tells House Subcommittee" (*The Wall Street Journal*). Judge Budge earlier was reported to be highly critical of conglomerates, but he made no specific charges and named no specific companies. Press reports said he called up specters of the Depression and the holding companies of the '20s, which are totally unrelated to today's multi-market companies.

Robert W. Haack, President of the New York Stock Exchange, was quoted by a reporter as saying that "The Big Board is considering the possibility of delisting two conglomerates." That damaging statement devalued the securities of every company generally identified as a conglomerate. The last day of February, 1969, was indeed a Black Friday for shareholders of these companies who suffered a reduction of hundreds of millions of dollars in the value of their investments.

Before the end of that Friday, Richard W. McLaren, the new head of the Justice Department's antitrust division, told the press he was going to bring antitrust suits against some unnamed conglomerates for unspecified reasons. According to *The New York Times*, "He gave no hint concerning which particular mergers might be under scrutiny, nor did he indicate whether the department would go after mergers already consummated or merely attempt to prevent some future action." Thus, the cloak of uncertainty and suspicion was cast over all of the so-called conglomerates.

Earlier in February, Congressman Wilbur Mills, Chairman of the House Ways and Means Committee, introduced a bill that was said to be designed to deprive conglomerates of tax benefits in using debt to finance acquisitions.

We assume that Chairman Mills, in his usual thorough manner, will look into the economics of the conglomerate movement. Again, we cannot be certain exactly what he and his committee will find in the cases of the other conglomerates, but we believe he will be interested to learn that LTV's financial analysts have determined that our acquisition transactions in the past four years—involving cash, equity securities, and debentures—have generated an estimated $350 million in additional taxable income that otherwise would not have been generated. We believe his investigation will find that many conglomerate mergers create additional and continuing annual taxable income in the form of increased dividends and interest payments. In addition, some of these mergers have resulted in the repatriation of millions of Eurodollars, which has had a beneficial effect on the balance-of-payments.

It is past time, in our view, that an objective investigation into this whole situation be undertaken.

We also recognize that some proposed legislation designed to control the conglomerates, advanced without benefit of prior study, could have implications and effects more far-reaching than currently anticipated. Some appear to be sweeping, oversimplified remedies to problems that may not exist. Nonetheless we believe that hearings will provide the only objective forums at which the implications and effects can be examined rationally.

We are eager to present the facts so far as LTV is concerned. We have cooperated, and will continue to cooperate, with every responsible Government representative who has contacted us in regard to these hearings.

We would welcome an expression of your views through letters to your Congressman and your Senators and to the opinion leaders of your community. If you need additional copies of our statement, we will be happy to send them to you.

Your attention is directed to the other data appearing on these pages with respect to putting the conglomerate syndrome into perspective and presenting LTV's record and response vis-a-vis the generalized criticisms often expressed of conglomerates.

JAMES J. LING,
Chairman of the Board and Chief Executive Officer.
CLYDE SKEEN,
President.

MARCH 10, 1969.

PUTTING THE CONGLOMERATE SYNDROME INTO PERSPECTIVE

The conglomerates are not a new industry.

All highly diversified companies—including such blue chip *Fortune* 500 names as Westinghouse, RCA, Ford, General Electric, and General Motors, each with proven records of excellent management—are not known as conglomerates, although they are multi-market, multi-industry enterprises that have long done an outstanding job of serving the public interest and their shareholders.

Two ideas expressed in the current criticism of conglomerates are not compatible, i.e., the claim that conglomerates pose the danger of concentrations of economic and political power vs. the notion that conglomerates have weak financial structures and poor management whose disintegration will cause economic chaos.

LTV is not a raider. LTV is not a liquidator. LTV has devoted a lot of time and energy to studying and developing techniques for managing highly diversified enterprises.

These facts are among those LTV considers most significant in discussions of the current business phenomenon known as "the conglomerates." It is a difficult subject to discuss because, despite a considerable volume of examination and exposition, there is little agreement on how to define or describe a conglomerate. LTV cannot claim to be the spokesman for all of the companies presently considered in a general sense to be conglomerates, but LTV can speak for itself as a diversified multi-industry company that is prominently identified as a conglomerate. LTV has prepared the following "Scorecard" to amass the principal conglomerate criticisms, as vague and generalized as they may be. Alongside each criticism we have set forth candidly and sincerely LTV's record and response as seen by its management.

Individuality is a paramount trait of each of the companies generally referred to as conglomerates. There are no consistent standards by which the conglomerates can be individually measured, analyzed and/or compared to each other. The characteristics that are most often considered to be common to the conglomerates are really intangibles: diversification by markets or industries, rapid growth, and acquisitiveness.

Diversification, as pointed out at the outset of this discussion, is certainly not limited to conglomerates. Diversification, to provide stability and protection against the cyclical interruptions of growth that almost all industries or markets encounter, has been a desired goal of business from the beginning.

Some time ago, the management of LTV decided that the most viable approach to building shareholder values would be to seek as much diversification as possible as rapidly as possible, within the framework of sound business practice. In 1964, when 90% of LTV's business was committed to the military and space agencies and when most experts were predicting a dramatic cutback in this type of business, the Government encouraged LTV and other highly defense-oriented companies to seek diversification.

Rapid growth certainly is not limited to the conglomerates; many dynamic companies with restricted market areas grow rapidly. As a matter of percentages, smaller companies generally grow faster than large companies. Certainly, many of the companies that are identified as conglomerates have not grown as rapidly as some restricted-market companies or smaller companies.

Acquisitiveness is not solely a characteristic of conglomerates either, for every type of company in every type of industry participated in establishing 1968's record of 4,462 mergers and acquisitions.

(Most of 1968's mergers and acquisitions were reported to be "conglomerate," but that does not mean that one of the so-called conglomerates was engaged in the transaction. Any merger or acquisition which cannot be defined technically as "horizontal" or "vertical" must be defined in technical terms as "conglomerate." A "conglomerate" acquisition or merger does not automatically make the surviving company one of the so-called conglomerates. All "conglomerate" acquisitions or mergers, in the technical sense, are not initiated by the so-called conglomerate companies.)

The companies that are generally known as conglomerates are, in fact, highly individualistic. Not one of them, to the best knowledge of the management of LTV, has ever said that it wants to be known as a conglomerate. That is because the faddish use of the label as a superficial substitute for a more meaningful definition implies that there are a group of companies that share a list of common characteristics. There is no characteristic that actually is common to all of the conglomerates. Their structures, organizations, operations, capabilities, managements, financial relationships, reputations and personalities vary just about as widely as is possible. So do their attitudes, opinions, concepts, philosophies, strategies, tactics, and goals—at least as much as these characteristics vary among all corporations. The conglomerates demonstrate even greater differences in size and scope, in geography, in history.

The wide differences among conglomerates make the criticisms, all of which have been generalized and unspecific, especially unacceptable. The criticism that conglomerates threaten to become the dominant factor in the American economy, for example, must negate the criticism that conglomerates do not have good management and will fall by the wayside when the first severe economic testing comes along. In logic, one could be true, but not the other; in fact, both have to be major exaggerations, if not completely false.

The management of a conglomerate must produce results just as the management of any other company must produce results. Much recent criticism has been based on conglomerate use of debentures and warrants; in the instances in which such securities are used, the penalty for bad management is exactly the same as in any other instance of bad management; the rewards for good management also should be the same. No amount of legislation can guarantee good management.

If conglomerates are any kind of threat to the economy, it would be possible to define the threat in standard antitrust language. No such definition has been offered. There is only one true symptom of monopoly: the lack or lessening of competition. LTV can testify that there is plenty of competition in each of the industries in which it is engaged. Unfair competition can be expressed in many different ways, but to the best of the knowledge of LTV's management, there has been no specific claim of unfair competition involving the conglomerates which cannot be remedied within the framework of existing antitrust legislation.

Actually, the conglomerates admittedly may disturb the status quo. However, LTV's acquisition policy has been to seek out quality companies which are well managed in their fields, to make fair offers which will not be opposed by existing management—men of integrity and honor—and to continue doing business in this field in much the same way that the acquired company used to achieve success. On the other hand, there have been a number of instances of economic concentration for years, with a handful of companies dominating an industry. The most positive evidence of the pro-competitive nature of the conglomerates is the highly active fear of the ineffective management of some of these companies that they will be the next takeover target of one of the conglomerates.

If, as they say, the worth of a man (or a company) may be measured by his enemies, then that is another measure of the great value the conglomerates have to the American economy.

THE SCORECARD

Generalized criticisms often expressed of conglomerates

1. Existing laws are inadequate to control conglomerates. Special new legislation is needed to prevent the conglomerates from "taking over the world."

LTV's Record and Response

LTV knows of no specific case of any alleged abuse by any conglomerate that could not be corrected by existing legislation—as several government spokesmen, including Richard W. McLaren, new chief of the antitrust section of the Justice Department, have pointed out.

2. Operating results and financial performance are disguised. Companies acquired by conglomerates generally disappear from a financial reporting standpoint; their operating results are consolidated under a corporate umbrella, losses are concealed, and there is no way to measure performance.

LTV's Record and Response

LTV has been referred to by *Fortune* magazine as the most visible large company in the United States. LTV's operations are conducted through publicly owned subsidiary companies. With each subsidiary's securities listed on a major stock exchange, each is subject to SEC, stock exchange and other regulations. Each publishes annual and quarterly reports, proxy statements and all other required information.

3. These companies that have grown so rapidly are just "houses of cards." In event of severe recession or depression such companies would collapse, with the weaker operating units pulling the strong down with them.

The LTV subsidiary companies have no financial or operating interdependence. Each company has its own separate and independent credit lines and investment community support. The operating results of one LTV subsidiary do not affect the results of any other subsidiary. The operating results of one subsidiary affect the consolidated results of the parent-operating company only incrementally.

4. Conglomerates are too complicated to manage. "It's difficult enough to manage one company in one industry; how can conglomerates manage a number of disparate companies in diverse markets?"

LTV's Record and Response

LTV combines subsidiary executive teams, led by highly motivated, modern entrepreneurs (each of whom has an equity stake in his company and is publicly accountable and responsible for his company's performance, progress, and growth and is a specialist in his own line of business) with entrepreneurial corporate expertise to provide each company stronger, more sophisticated management.

5. Conglomerates use unusual accounting practices to make profits appear higher than they actually are.

LTV's Record and Response

LTV is essentially made up of publicly held operating subsidiaries. The results of operations of each of these stand alone and are certified as to the fairness of presentation in accordance with generally accepted accounting principles by one of the leading national independent accounting firms. LTV's consolidated earnings as reported are, therefore, the result of 15 individual audits, with a further opinion as to the fairness of presentation of the overall results by one of these independent certified public accounting firms.

6. Conglomerates use questionable accounting methods. For example, they make particular use of "pooling of interests," an accounting technique that is misleading and has been criticized by some analysts.

LTV's Record and Response

"Pooling" has been a generally accepted accounting principle of the American Institute of Certified Public Accountants since September, 1950. In fact, it is mandatory where the circumstances call for it. In any event, LTV's major acquisitions have largely been accomplished on a "purchase" basis and "pooling" has been used only as required.

7. Motivation for a conglomerate's growth appears to be nothing more than a desire to achieve bigness.

LTV's Record and Response

In 1964 when more than 90% of LTV's business was done with the military and space agencies, LTV and other major defense-oriented companies were urged by the Government to diversify. LTV's management had already decided that the Company would never be dependent upon any one product, any one market, or any one technology to sustain its growth and progress. Thus, it deliberately seeks diversification to build in protection and stability against periodic economic upheavals and cyclical trends. This diversification, we believe, also benefits the communities in which LTV operates.

8. Conglomerates can grow only by acquisition.

LTV's Record and Response

LTV stresses internal growth. A majority of the LTV companies have sustained internal growth records in excess of their competitor companies over a period of years. LTV subsidiary companies invest heavily in research and development and in new facilities. LTV emphasizes innovation in the creation of new enterprises. All of this demonstrates LTV's emphasis on internal growth.

9. Conglomerates are predatory and are disruptive in their acquisitions. Some are nothing more than "raiders" who discharge management and many employees of acquired companies and shut down certain operations.

LTV's Record and Response

LTV seeks and retains good management in the companies it acquires. Total employment has increased. LTV has never shut down a plant of an acquired company. In fact, LTV subsidiary companies, with parent-operating company support, have invested more than $250 million in new plants and equipment in the past three years.

10. Tender offers are unfair and unethical.

LTV's Record and Response

Due to the fairness of the offers that LTV has made (demonstrated by the fact that in response to LTV's offers holders of the common stock tendered more than 80% of the outstanding shares of the former Wilson & Co. and more than 90% of the outstanding shares of both Greatamerica and Jones &

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Laughlin Steel), the managements of the companies that LTV has acquired have put shareholder considerations first and chosen not to oppose the acquisitions. Furthermore, LTV has an outstanding record of retaining management following acquisitions.

11. Conglomerates take special advantage of current tax laws in making acquisitions.

LTV's Record and Response

As a result of the premiums LTV has always paid in its acquisitions, substantial additional taxable income has been generated. For example, it is estimated that, in the offers for Wilson, Greatamerica and Jones & Laughlin, at least $350 million in taxable income has been created. Finally, LTV also made a substantial positive contribution to the balance-of-payments by repatriating more than $130 million in Eurodollars to finance acquisitions.

12. Conglomerates are guilty of wide-scale reciprocity. Through their diverse operations, conglomerates engage in Inter-company and other transactions that are unfair competition and improperly influence prices.

LTV's Record and Response

LTV's total 1968 inter-company sales were less than 1% of total consolidated sales. The LTV subsidiary companies, being publicly held, must deal with each other in the same "arm's length" procedures that all publicly owned companies use in similar transactions.

13. The earnings of certain operations can be used to make another operation dominant in its market. The resources of a conglomerate can be focused on making one operation dominant in its market at the expense of other competitors.

LTV's Record and Response

Both LTV's organizational structure of publicly owned subsidiaries and management policies eliminate any possibility of building one subsidiary at the expense of the others. The entrepreneurial management of each LTV subsidiary company would strongly resist such a course.

14. Conglomerate movement leads to a concentration of economic power and possible unfair advantages over competition.

LTV's Record and Response

Economic power measured in terms of net worth or total assets employed is far less for any of the so-called major conglomerates than for many of the largest U.S. corporations in Fortune Magazine's annual list of June 15, 1968. Considering all U.S. corporations—industrial, financial, utilities, etc.—a company the average size of four of the largest so-called conglomerates, ITT, Litton, Gulf & Western and LTV, would rank 108th in assets and 118th in net worth. Even the averages of the two largest companies considered to be conglomerates rank 58th and 41st in terms of assets and net worth. The four largest industrial corporations in the country have eight times the combined assets and 13 times the net worth of the four largest companies considered to be conglomerates.

If there is any "unfair" advantage accruing to an LTV subsidiary company, with assistance by the parent-operating company, it is superior over-all management—and that is the heart of the free enterprise system and should not be penalized or unfairly legislated against.

15. Conglomerates lack social conscience and evade social responsibility.

LTV's Record and Response

LTV's primary responsibility is to return a profit for its shareholders, but we believe and act on the principle that the profit motive is not in conflict—and is, in fact, entirely harmonious—with a social conscience. LTV is a recognized leader in employing hard core groups, minorities, and the handicapped. LTV companies and their executive leaders are encouraged to be active in their communities and in support of worthy civic, social, charitable, and educational endeavors.

Companies acquired by LTV have generally performed better since their acquisition, thereby paying more taxes, providing more jobs, and thus making larger contributions to their respective communities.

NATION'S WELFARE SYSTEM REVIEWED

HON. CHARLES W. WHALEN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. WHALEN. Mr. Speaker, last month there appeared in the St. Louis Post-Dispatch a series of articles reviewing this Nation's welfare system by one of the newspaper's Washington correspondents, David B. Bowes.

I was particularly impressed with the depth of Mr. Bowes' analysis of the problems which presently confront the system and his discussions of the numerous alternatives and reforms which have been espoused in recent years.

Mr. Speaker, I insert the entire series of articles in the RECORD. It is my hope that Mr. Bowes' efforts, coupled with the draft of a negative income tax bill, which I and my distinguished colleague, the gentleman from Michigan (Mr. CONYERS), placed in the RECORD earlier this week, will stimulate this body to take the lead in seeking solutions now to the welfare problems.

The series of articles follows:

[From the St. Louis (Mo.) Post-Dispatch, Feb. 23, 1969]

DISILLUSIONMENT SURROUNDS NATION'S WELFARE SYSTEM

(By David B. Bowes)

"These are the unhappy persons Who in the great lottery of life have drawn a blank." (Thomas Robert Malthus.)

WASHINGTON, February 22.—From eighteenth century England the brooding Malthus described what the lottery had in store today for Mrs. Mabel Thomas, who exists near the United States Capitol.

Mrs. Thomas, born into a large, black family in the Deep South 33 years ago, awoke again this morning to cope with life so shattered and confusing as to seem practically irredeemable.

As one of 8,500,000 Americans on relief, Mrs. Thomas figures in an increasingly momentous debate over the scope of welfare and, in the opinion of nearly everyone, its failure to help recipients return to the nation's mainstream.

As one of 5,600,000 citizens receiving aid for the benefit of dependent children, Mabel Thomas—"They never call you missus at the welfare office," she said—is at the center of the growing welfare storm.

So many people, from so many walks of life, are disillusioned or bitter about the system that one hardly knows where to begin. Consider Mrs. Thomas: One of America's daughters. Sovereign citizen.

"Everybody give us a hard way to go," said Mrs. Thomas.

Acknowledging frankly her own indiscretions, she is convinced that public officials are working on behalf of "everybody" to keep her and her illegitimate children poor.

Mrs. Thomas was "educated" in segregated and inferior schools in South Carolina and the District of Columbia. She has been separated since 1960 from her husband and the three children she bore him.

Since then she has had a girl, now 6 years old, and twin boys, 3, "out of wedlock." Their fathers are heavy drinkers and often in jail, Mrs. Thomas said. She is glad that they never come around her slum neighborhood.

"I wanted to give the babies my own last name so that they wouldn't grow up confused," she said, "but the judge give me a hard way to go."

Fearing robbers and violent junkies looking for money to buy narcotics, Mrs. Thomas said that she dreaded each knock at the door of the dreary two-bedroom apartment she rents for $61 a month.

The "blue book" rules for welfare recipients point out that the United States Supreme Court—in effect, another neighbor of Mrs. Thomas—has outlawed searches for the "man in the house" whose presence would lead to cancellation of welfare checks.

Mrs. Thomas, who receives $179 a month for herself and her children, insists that an investigator by any other name is still an investigator. She believes also that the Electoral College somehow conspired to deny Hubert H. Humphrey the presidency and that "Nixon is against us."

Informed that President Richard M. Nixon's Administration is concerned about the wide disparities in state levels of Aid to Families With Dependent Children, Mrs. Thomas replies that she always knew he would take away some money.

She pays $52 a month for food stamps worth $84 at stores within walking distance that were not burned out in the riots last April. Welfare does not begin to cover the needs of her children passing through their formative preschool years.

A hospital provides orthopedic shoes for the foot conditions that they were born with. But Mrs. Thomas seldom has carfare for visits to the crowded clinic. She refers vaguely to kinfolk somewhere near. Apparently they cannot help.

"I don't want to be on welfare all my life," she said, looking you in the eye for the first time.

She has undergone surgery for breast cancer, however, and cannot do "heavy work" even if adequate day care were available for the children.

The old television set, which many affluent suburbanites believe that she should not own, is Mrs. Thomas' only window to the world. Year after year it shows her the material comforts of those who "give us a hard way to go."

The cost of supporting Mrs. Thomas and others who drew blanks in the lottery of contemporary American life is gigantic. Aggregate welfare costs at federal, state and local levels have risen from 52 to 112 billion dollars in the last eight years.

Divided into categories of old age assistance, aid to the blind, aid to the disabled and AFDC, the recipients often do not match such neat definitions. Whatever their race, these factory rejects of industrialized society bear the mark of every unsolved economic, social and moral problem.

New York City is large enough to be a special case. But it does dramatize the growth of a system whose chief aim, in theory at least, used to be to put itself out of business.

One out of every 11 persons in the New York metropolitan area is on relief. Last August alone, city officials accepted 50,000 persons for the welfare rolls—half of them children. Surveys indicate the numbers are increasing even faster in four suburban counties surrounding New York City.

Often overlooked in the shadow of looming urban statistics are growing numbers of rural welfare poor—many of them rural only until the prospect of higher payments in the cities lures them away from familiar countryside.

To some extent, the growth of the welfare population reflects the political indebted-

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ness of city administrations to black votes. What few middleclass Americans realize, however, is how many benefits assured by law are never delivered because of insufficient funding.

Welfare rights groups are publicizing these gaps and protesting about them. Court challenges against eligibility and residence rules, spurred by antipoverty legal services, are pending in several states.

Should these suits be won by the militant poor, some observers predict, it would cost state governments as much as $200,000,000 more than they are now paying. Other challenges focus on the illegal backlogging of applicants in several cities, including St. Louis.

The welfare system, stripped of its rhetoric of hope, has been condemned by such diverse groups as the President's Advisory Commission on Civil Disorders, a liberal Republican body called the Ripon Society, numerous government panels, conservative business magazines, politicians of both parties and professionals who dispense welfare.

Not all critics would subscribe to each of the following points offered by James M. Lyday, economist with the Office of Economic Opportunity, but most of them do:

Welfare encourages idleness by reducing benefits, dollar for dollar, among recipients who do manage to obtain some work. Lyday notes this is "the same as taxing their income at 100 per cent and we don't even tax millionaires that high."

There are no national standards to determine who is and who is not eligible for welfare. Nor are there standards to fix the support responsibilities of relatives, or the length of residence necessary before migrants and new arrivals can draw public assistance.

Welfare payments are highest in the North, where the Southern poor are congregating. The average family of four under AFDC receives $400 a year in Mississippi. In New York and New Jersey the average is $2700.

The administrative emphasis is on running the lives of recipients.

In the name of preventing the misdirection of a single tax dollar, social workers spend up to 90 per cent of their time "snooping" on their alienated clients. The few unemployed men in New York who get on the rolls are eligible for 45 razor blades a year. Professional caseworkers count them.

Despite the public's insistence on helping only the "deserving" poor, low-income families struggling to get by on the earnings of an unskilled, underemployed male are usually not eligible. Up to three fourths of the poor are excluded from welfare.

Nearly 50 per cent of the welfare mothers questioned in a federal survey said that they could not afford to give their children milk at times. Furniture, bedding, eyeglasses and school clothes were other items they said that they needed.

Lyday and others contend that the largest welfare category, AFDC, tends to destroy rather than stabilize families. Harold Watts, director of the University of Wisconsin's Institute for Research on Poverty, deplores the fact that a father can best serve his family by deserting it.

Adds Mrs. Ellen Winston from her experience as United States commissioner of welfare, "Actually, we know that most of these mothers in AFDC families do a good job. Otherwise, they would not be able to eke out a daily living . . . If we would extend and improve our public assistance payments so that there was simply enough money, we would reduce greatly the number of families which need some other type of special public help."

Meanwhile, Congress, while now allowing welfare clients to keep a small part of each dollar they might earn, continues to stress restrictions. If put into effect, pending limits on AFDC could deny federal help to perhaps 100,000 children in New York alone.

Lisle C. Carter, Jr., former assistant secretary of Health, Education, and Welfare, put the problem in stark perspective last year when he told a congressional panel:

"Data have been projected by HEW that show increases (in the need for AFDC) and show the likelihood of excess children over those that can be supported federally. One gets to using language that sounds Orwellian or Swiftian in talking about this."

Firm in the belief that welfare has been a massive failure, many economists and social workers privately welcome any effort to make the system as expensive as possible. They want the nation to think about several alternatives that, despite controversy, are moving inexorably to center stage.

[From the St. Louis (Mo.) Post-Dispatch, Feb. 24, 1969]

NEGATIVE INCOME TAX AS WELFARE SUBSTITUTE

(By David B. Bowes)

WASHINGTON, February 24.—Milton Friedman, the conservative who wants to make poor people less poor by giving them cash, is the Johnny Appleseed of economics.

"The more I think about it," said Friedman, a stubby professor with a smile like sunshine, "the more I'm convinced the role of intellectuals is to leave alternatives lying about to be noticed when a crisis comes."

There is usually some bickering about who planted a seed that grows to bloom into an important discovery. Like poliomyelitis vaccine, the steam engine and the Peace Corps, the proposal known as negative income tax was not sown from a single gunnysack.

However, there seems to be agreement among liberal and conservative proponents of the concept. If one omits Edward Bellamy, a utopian author who died in 1898, Friedman has the strongest claim on this plan to replace what he calls the ragbag of categorical aid.

The negative income tax is one of two principal substitutes being considered for the largely discredited welfare system. It is a form of income supplement. The other contender is the social dividend method—the so-called "children's allowance" or "family allowance," for example. More than 50 countries have it.

Removal of any distinction between the able-bodied poor and those who cannot work because of dependency or disability is at the heart of these departures from traditional welfare, said Christopher Green in a report to the Brookings Institution:

"This difference is reinforced by the proposed use of income and family size as the only criteria for determining the amount of the payment from the government.

"The social dividend method aims at closing the whole poverty gap by guaranteeing a basic income floor for all citizens, not just the poor. The more modest negative rates method attempts only to narrow the poverty gap, and is restricted to families or persons with incomes below specified break-even levels. . . ."

Basic objectives of any plan, in the opinion of thoughtful critics of welfare, should be coverage of all the poor, adjustments to family size as well as income, promotion of work incentives, and freedom from stigma and unnecessary investigations.

To get back to Friedman, this former adviser to Barry M. Goldwater is having a circus watching his "liberal friends" cultivate the negative income tax he planted in the 1940s.

He discussed the phenomenon—and warned against variations that would supplement rather than replace welfare—in a conversation in the Tudor Gothic precincts of the University of Chicago Faculty Club.

"Will the negative income tax be adopted as a package? Oh, I doubt it," said the cheerful professor, scribbling on his place mat for a Post-Dispatch reporter.

"But Congress now allows recipients to keep a small portion of earnings. That's part of it!

"National standards for minimum payments and eligibility seem to be coming along. That's part of it!

"Abolish categories of aid? That would be another part!

"So the substance of negative income tax is creeping in. Welfare is de facto guaranteed annual income. Now we must increase independence and reduce bureaucracy."

Under current income tax laws, a family of four has exemptions plus standard deductions equal to $3000. If earnings match this figure, the family has a "break-even income" and pays no tax.

If family income is $4000 it pays taxes. Most Americans do that at this time of year. Under negative taxation, if family income is only $2000, the family would be entitled to receive a fraction of its unused exemptions and deductions in the form of cash from the government.

The key to encouraging work incentive is to keep a sufficient difference between break-even income and minimum guaranteed income, Friedman believes.

He would set the national minimum at $1500, relatively low but higher than welfare payments in many states. New York, California and others with high costs could enact negative state and local income taxes to cover their larger burden of welfare poor.

Such a comprehensive plan might cost more, initially, but Friedman predicts that the guaranteed minimum and graduated subsidy would induce free men to become payers of positive taxes. He estimates annual cost at 9 billion dollars.

"It would be far better to give the indigent money and let them spend it according to their own values," he says, to the consternation of many conservatives. "They do now, and not all the red tape in Washington will keep them from finding ways of doing so."

Friedman, who seems to thrive in the role of loner, disagrees with 1200 economists on 143 campuses who indorsed last year a national system of guaranteed income. They recommended a minimum of $3400—the so-called poverty line. Can the nation afford that? Would incentives operate? He says no.

Among the more prominent advocates on the liberal side who have proposed variations on the basic concept of negative taxation are James Tobin, professor of economics at Yale, and Paul A. Samuelson, head of the economics department at the Massachusetts Institute of Technology.

Parting company with economists altogether are the sociologists, social workers, some liberal politicians and—before a desk in the White House inhibited his public comments—Daniel P. Moynihan. They favor the children's allowance.

Mitchell I. Ginsberg, former New York City commissioner of welfare, acknowledged that a children's allowance would go to some persons not drawing welfare at present.

"I consider that an advantage," said Ginsburg, "because it is unquestionably true that there are many families eligible for welfare or just above the welfare level who feel left out of things . . ."

He pointed out in testimony here that it would ease the financial strain on young families and would be simpler to administer because it would go to all. It would eliminate the "disincentive" problem and the means test as well, he said.

"Anybody with any experience with the means test knows that it has never been administered in any way except a way that is mean."

The United States is the only western nation that has never paid this supplement to all dependent children. Canada has provided such a flexible allowance for more than 20 years. Among the plan's advantages are flexibility to match family sizes, simple and direct administration, and a focus on children as recipients whether they are rich or poor.

Some critics contend that such a payment would be an incentive to have large families. Proponents point to the expense of preparing the young, in any stable family situation, for the rigors of a changing job market.

The Kerner Commission on Civil Disorders called for national standards of "income supplementation" because "our present system . . . is designed to save money instead of people, and tragically ends up doing neither.

Abolition of the "obsolete, punitive, ineffective and bankrupt" welfare system is an aim of the National Urban League. The league favors a minimum income system costing up to 30 billion dollars a year. Existing aid costs 5.5 billions.

The liberal Republican Ripon Society sees a negative income tax as "the fairest and most efficient way to accelerate the natural processes through which the American economy eliminates poverty . . ."

One measure of how significant the whole debate has become is a President's Commission on Income Maintenance Programs. Former President Lyndon B. Johnson created it, giving his blue ribbon panel until next January to recommend something.

More significant still was a symposium on the topic at the United States Chamber of Commerce. This bastion of conservatism sponsored full discussion of methods from the Elizabethan poor laws that have been preserved as holy writ.

Perhaps only the dispensers of welfare know how holy these public laws remain.

[From the St. Louis (Mo.) Post-Dispatch, Feb. 25, 1969]

WELFARE HAMPERED BY RULES

(By David B. Bowes)

WASHINGTON, February 25.—"What the Department of Welfare can do is what the community allows it to do," says Esther Lazarus, in retrospect.

Miss Lazarus, soon to retire after 30 years in social work and welfare management, is director of social services in Baltimore. When St. Louisans visit her city they experience an instant sense of having been there before.

Miss Lazarus and other administrators interviewed by the Post-Dispatch view growing pressure for changes in public aid with mixed emotions. Change is essential, all agree, but they think their system was denied a chance to succeed, and they resent it.

As public employees, they believe strongly that unwarranted or fraudulent use of tax funds must be prevented. As middle-class professionals, they believe that a double standard in America has branded welfare chiseling a crime and income tax chiseling a game.

Sometimes welfare workers decline to administer laws to the letter. Watching rural-dominated state legislatures consistently appropriate less money than is needed, they see that action as a mandate to interpret welfare policy according to their own ideas.

James R. Dumpson, dean of Fordham University's School of Social Service, has described how welfare viewed as charity becomes a judgment by the caseworker. Thus illegitimate children suffer the legacy of inherited poverty because their mothers' moral standards do not match the caseworker's personal code.

Yet concerned social workers are torn between "showing the way" out of poverty by imposing middle class standards, and acknowledging that no other recipients of federal assistance are under surveillance like the poor.

None of the 1700 employees of the Baltimore Department of Social Services (half of them deal with public assistance) get paychecks printed a separate color. Until last year that city's welfare recipients did.

Elsewhere, social workers expressed no professional pride in patrolling for fathers and other men in the houses of welfare recipients in the days before the Supreme Court ruling that banned those searches.

"We weren't catching any between 10 p.m. and midnight," one salaried investigator confided to a reporter, "so we started checking about 2 o'clock in the morning and caught a few of them."

The pattern of urban migration has left its mark on the weathered and dirty countenance of cities, like scars and life lines on a human hand. The neighborhood of Baltimore's Welfare Department chronicles the coming and the going.

Across Greenmount Avenue, in a crowded hillside cemetery, sleep the white immigrants who made Baltimore what it used to be. They are guarded by marble angels and likely assured of perpetual care by descendants in the suburbs.

Crisp. Montague. Cabell. Fuller. Hintze. McDougall. Hunter. Biedenkopf. Poultney.

In the dreary lobby of the department sit the relative newcomers to the area. A sea of black faces confronts the visitors. Two children hand you supermarket flyers. Women turn again to stare at the wall. Men stand in twos and threes and the sound is of silence.

"I want to get rid of public assistance," says Miss Lazarus, in her spacious office on an upper floor, "but society refuses to supplement the earnings of the underemployed. That—not AFDC—is what breaks up families."

A Maryland law requiring one year of residence before drawing welfare was suspended by court injunction. Even before that, she said, there was not enough money to go around.

Shelter is basic, but payment levels are by definition unrealistic.

Baltimore recipients get $35 a month for shelter for a family of four. Surveys indicate that more than half of them pay larger amounts, some up to $90 a month, for slum dwellings.

Welfare schedules allow such families $16 a month for gas and electricity. But the shelter allotment is so small that heating bills for windy quarters can run $60 a month when the hazardous space heaters go full blast.

"They get $5 a month for social activity," Miss Lazarus went on, "but there is always an uproar when they have television. It used to be radio."

Miss Lazarus cited the cost of administration as a financial drain under categorical aid—the distribution of funds under a variety of categories. It can run to half the total cost, she said. The state and federal governments joust back and forth to see which will pay it.

"The trouble with categorical aid," she said, "is that you must prove a need to be on it." Then you must fit an exact category or the city and state can't get federal reimbursement.

"There are terrific pressures to get a needy but otherwise not eligible person into a category somehow, as soon as possible."

Miss Lazarus and others believe "a simple statement of need" would be a constructive step. It might not save money, but she mentions a reason seldom considered:

"There are no programs to help poor white families without interviewing and the stigma of coming down here. Many whites who need help won't sit in our waiting room with blacks." And the blacks resent the interviewing and other procedures just as much as the whites.

The outgoing administration of Lyndon B. Johnson ordered states to test, in selected areas, a plan to put relief applicants on welfare rolls without detailed investigations.

That order, in which the new Secretary of Health, Education, and Welfare, Robert H. Finch, concurred, was diluted from the original proposal made by Finch's predecessor, Wilbur J. Cohen. It could be implemented everywhere next year, with spot checks for fraud.

What remains to be seen is how simple a statement of need is forthcoming. It was learned that in several cities the "simple statement" threatens to run more than 10 pages. Only a graduated income supplement for every poor person can cut the paperwork, some critics say.

Nobody expects to pay a woman $5 a day any more to cook or clean house. But what about the complaint that able-bodied persons won't even work for $10 a day when welfare is available?

Replies Miss Lazarus:

"If you pay $10 a day you have a right to expect more than if you paid only $5. But housekeeping in a modern home with appliances has become a skilled occupation.

"Aside from thinking housework demeaning, most of these women just do not have the training. I can say unequivocally that women would much rather work than be on welfare, but as of now that does not include housework."

Morris Hursh, speaking as Commissioner of Public Welfare for Minnesota, defended the welfare system before a congressional committee last year. But he said it would be as good as an income supplement only if it met "the objectives for which it was established."

Hursh, who wants the Federal Government to pay assistance grants in full and abolish residence requirements, contended that administration often is "grudging, restrictive and punitive."

Of social counseling, another factor in the debate, Hursh said:

"A poor family should not be compelled to have its lives run by a social worker just because it needs financial aid. At the same time, there should be some agency to which they can turn for social service when they need it."

Hursh saw this availability of help as the "legitimate role of the public welfare agency." Significant numbers of social workers now subscribe to that view.

Daniel Thursz, dean of the School of Social Workers, University of Maryland, testified that "we were wrong" in supporting the 1962 public welfare amendments that called for rehabilitative services for AFDC families.

In brief, social workers now see much of what the community has let them do as a way to keep costs down while hoping they were mending lives with rations of sympathy.

Many have understandable pride in professional services delivered. Yet as one told a reporter, "You can give all the service in the world, but then you hand them the same old $35 and nothing has really changed."

So the 50,000-member National Association of Social Workers believes, as spokesman Thursz put it, "the guaranteed income is a necessity in an era of cybernation." Thursz would have every citizen learn the "new realities" of the joint impact of automation and computers.

The client group itself has changed. "They're more demanding now," says Miss Lazarus, "and I think that's right."

[From the St. Louis (Mo.) Post-Dispatch, Feb. 26, 1969]

ORGANIZING THE POOR TO GET FULL BENEFITS

(By David B. Bowes)

WASHINGTON, February 26.—Hell hath no fury like a welfare lady who has seen the manuals she isn't supposed to see and knows the state is cutting corners at her expense.

From the black ghettos and Spanish-speaking barrios of the land, embattled welfare recipients—spearheaded by George A. Wiley and these angry women—are moving to upend the system by demanding every cent promised under public assistance laws.

Wiley, a Cornell PhD who taught university-level chemistry and rose to the second echelon in CORE, is in the argot of the late

'60s, both black and beautiful. Tall and soft-spoken, he and his shrill shock troops offer quite a change of pace.

As executive director of the National Welfare Rights Organization, Wiley has built this movement from one store-front in New York City to a casual but militant alliance of 250 groups of poor people in 100 cities from coast to coast.

Last weekend NWRO made its first foray into the Deep South with a conference at Jackson, Miss. From a mimeograph endlessly turning at headquarters here came word of war declared on "Southern welfare policies that have led to widespread hunger and malnutrition."

The style of Wiley and the crusading women should be considered in perspective. Like the big newspapers of an earlier era, they cast their message in hyperbole, the better to reach uneducated persons who need truth to set themselves free.

Otherwise sympathetic whites may wonder at pronouncements that NWRO will celebrate National Get It week or the "public enemy" notices that feature a mug shot of Chairman Wilbur D. Mills of the House Ways and Means Committee, stating he is "wanted for conspiracy to starve children, destroy families, force women into slavery and exploit poor people."

It takes audacity and imagination, as Madison Avenue knows, to penetrate the ghettos, where even the Census Bureau is not sure how many persons are drifting through life.

And it takes television.

So the welfare mothers and children have been getting on newsfilm that comes over the tube into slum dwellings. In addition to sorties from Resurrection City, they have tried en masse to sell their blood. (They fail because of poor diet and iron deficiency.)

"We generally pack a little lunch," said Mrs. Beulah Sanders, who ran for New York State Senator on the Mother Power ticket. "If the (welfare) administrator doesn't give satisfaction, we settle down to spend the night."

The result of this strategy is that people who have always been eligible for welfare are signing up. Many already on the rolls are demanding benefits that the welfare office never mentioned because it could not pay for: telephones, Boy Scout uniforms as well as school clothes, the American way of life.

Wiley, wearing a turtleneck and the NWRO medallion, chatted when sitting at his desk in the bay window of a once-fashionable brownstone.

"Welfare will continue to be a battleground of nationwide tension and conflict," Wiley predicted, "if adequate grants and a just distribution are not provided."

Wiley's most immediate aim is to head off Gov. Nelson A. Rockefeller's proposed cutbacks in the burgeoning welfare budget of New York. For the long run, he thinks the Federal Government should assure each family of four $4400 a year.

Rockefeller has proposed to the Urban Affairs Council that the Federal Government use 25 per cent of the growth of federal revenues to get uniform welfare standards, leading to eventual takeover of the system.

The Nixon Administration's reaction was that standards should be uniform, but health and education need the same emphasis as welfare. State and local governments should share responsibility for the welfare burden, Rockefeller was reportedly told.

Wiley objects to "selective enforcement" of laws to the detriment of poor people who cannot afford lawyers. Antipoverty grants for legal services are making some inroads. NWRO organizers, aided by frustrated caseworkers, now cite chapter and verse from the closely held welfare manuals.

The welfare recipients come on like gangbusters. Wiley has a softer sell. He tailors his message to fit the target and has therefore "accepted the President's challenge to 'lower our voices' and work together to solve the problems which face us."

NWRO's executive board and its national co-ordinating committee, on which Mrs. Mary Coyle of St. Louis serves, has expressed interest in income supplement alternatives. However, they oppose any national minimum sufficient in Alabama but too small in the North.

In meetings and in statements, Wiley has asked the Nixon Administration to work for repeal of the 1967 Social Security amendments.

The law drafted by Mills allowed a 33 per cent earning incentive, but in other provisions put an arbitrary ceiling on AFDC rolls and authorized states to decide which mothers should go to work or lose AFDC payments.

That legislation, in which Congress dropped the massive problem of day care centers into the laps of the states, sparked Mother power more than anything else.

Wiley's emphasis on national standards is widely supported by studies of how poor people, on and off welfare, get along state by state.

In the Brooking's Institution's "agenda for the nation," James L. Sundquist pointed out that only 22 states have taken advantage of the 1961 federal legislation that made families of unemployed parents eligible for AFDC.

Citing disclosure of malnutrition in southern states, Sundquist challenged the traditional argument for local administration of public assistance. He said that the committee of neighbors might be the best informed, but it might also be the least sympathetic.

"The most direct way to assure that national welfare policies are carried into effect," he said, "would be for the Federal Government simply to assume full financial and administrative authority, as (former) HEW Secretary Wilbur Cohen and (then) Maryland Gov. Spiro T. Agnew, among others, have suggested.

"This would be a form of block federal grant to the states and localities, because they would be relieved of some 3 billions in annual expenditures for public assistance."

"Meanwhile, NWRO is telling its membership about the "permanent welfare system" it says is enjoyed by oil men with depletion allowances; Senator James O. Eastland (Dem.), Mississippi, who got $157,930 in 1967 for not planting cotton, and suburbanites with federally supported freeways.

At a recent meeting of the District of Columbia storefront chapter of NWRO, 20 welfare recipients and a reporter learned these additional items:

Washington requires all states to:

Accept an AFDC application from anyone, write within 30 days to tell how much they can pay or why not, make payments within 30 days to every eligible family, and give anyone who asks for it a fair hearing.

Under so-called fair hearing procedures, someone from the state welfare agency who was not concerned in the original decision must restudy the case. If cancellation of benefits is at issue, payments continue until the hearing.

Mrs. Etta Horn, an NWRO vice president, and Leonard C. Ball, local co-ordinator, reported that they were working to get 58 such appeals heard at one time so to please get your neighbors ready. "We'll picket and anything else you ladies would like to do," promised Ball.

A subsidiary of NWRO called National Self-Help is to participate in a $434,930 Department of Labor effort to provide welfare clients with data about work incentive programs.

But if the honeymoon ever ends, Wiley knows how to raise his voice. On his bookshelf, nestled between the spiral bindings of poverty studies, are two red bullhorns.

[From the St. Louis (Mo.) Post-Dispatch, Feb. 27, 1969]

GUARANTEED INCOME FOR POOR DIFFICULT TO SELL TO PUBLIC

(By David B. Bowes)

WASHINGTON, February 27.—Some of Richard M. Nixon's closest advisers, sensing that the Democrats could not abandon their welfare policies, urged him to campaign for guaranteed annual income.

The candidate listened carefully, pondered the strategy and timing, then backed off.

Now that he lives in the White House, Mr. Nixon is again being asked to consider an alternative to welfare payments by categories of need. Next to ending the war, some advisers contend, no single step could lower more voices and help to ease so many problems.

But only if the war is scaled down can America afford to pay what most students of welfare insist is needed to break the cycle of poverty. Available evidence suggests that President Nixon will indirectly encourage Congress to debate this sensitive topic. Knowing the public is between commitments—against welfare but not yet in favor of anything else—he will let the Capitol dome attract the political lightning.

Mr. Nixon's men will concentrate, meanwhile, on getting acceptance for uniform national welfare standards. There is trouble enough in that. It means antagonizing the low-paying southern states. Yet unless the migration into northern cities is slowed, it is argued here, only limited success is assured for job training and related programs.

The trick is not so much to reverse last June's Gallup Poll, in which 78 per cent supported guaranteed jobs and only 36 per cent approved some form of guaranteed income. It is to prove that minimum income is becoming a prerequisite to stable employment.

At issue also is the new President's credibility. As the Republican Co-ordinating Committee put it in a preplatform tract:

"Today's poverty can and must be remedied . . . but to remedy today's poverty requires using the techniques of science more than those of Madison Avenue. The sham rhetoric of the poverty war and such sloganeering as 'End Poverty by 1967,' is to be deplored."

Among the key Administration officials cautiously circling the wreckage of the welfare system are Robert H. Finch, Secretary of Health, Education and Welfare, and Daniel P. Moynihan, assistant to the President for urban affairs.

Finch, regarded as an effective administrator and astute politician, speaks of the "brokerage aspect" of his job. He stresses that "mandated programs" approved by Congress are the stuff of HEW's mission. The former lieutenant governor of California apparently differs with Moynihan on the funding responsibilities of the states.

Finch would "broker the differences" while each level of government enjoys the "agony and ecstacy" of grappling with the welfare problems. Moynihan, for his part, drops such teasers as "Cold Cash: It's a surprisingly good cure for a lot of social ills."

Moynihan, a liberal scholar who is politically knowledgeable, peers into the past and the future for ideas. What influence these ideas will have on Mr. Nixon's policies remains to be seen. Moynihan's stock is very high with some party professionals; others wonder what he is up to.

At ease with contradiction in a contradictory world, Moynihan and his utterances on welfare offer no distinct clues on his private recommendations to the President. He has long advocated federal family allowances (for minimum incomes and social unity) instead of categorical aid. Now he argues "The great enemy of progress is the single solution."

Moynihan told a welfare conference in 1967 that Aid to Dependent Children was the

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critical category, that reorganization of the system was unlikely and that any proposed improvement would cost more for a while.

"The problem of the poor is that they are excluded from the larger society because they do not have the income to sustain an 'average' life," he said. "There will be no end of this until the incomes of the poor are brought up to average levels."

Moynihan has conceded on several occasions that the concept of family allotments is not yet marketable to middle class voters. It is seen by many as a handout incentive for blacks to have more children, he said.

As serious as the welfare problem is becoming, the atmosphere at HEW betrays not the slightest hint of locomotion for its own sake. The leaves of the lush philodendrons in Finch's anteroom have been individually polished. New policies are being formed in similarly methodical fashion.

Finch himself sets the pace. Rejecting any trend toward what he calls "the Department of the Dole," he is fond of observing that popular government "goes forward on the largely unstated agreement to abide by decisions made by popular vote."

Divining that decision—as to welfare—will be one of his tasks as he moves to improve the system within the constraints of the budget. He said in a recent television appearance that he doubted a guaranteed income was the right way to proceed.

He is not one who believes that the Federal Government should pay for the whole system in the vague hope that maybe the states and local districts will divert funds to constructive, related pursuits.

Finch envisages a federal floor under welfare. Disparities between payments in agricultural and industrial states must be reduced, he says, to stop the flow of the untrained poor to crowded cities. He concurred in a step by his predecessor to test "statements of need" as substitutes for detailed investigations of eligibility.

Budget reviews are under way. Task forces are scrutinizing available money. One study group estimated that a federal floor to narrow the disparity between payments by states to clients would cost at least 1.4 billion dollars a year.

Joining Administration figures from HEW and the White House in an "overview" group to assess task force results is Richard Nathan, now of the Bureau of the Budget. Nathan was a Brookings Institution economist who did staff work for the Kerner Commission. That panel called for reforms and income supplements.

Despite the belief of at least one key official that welfare has been "studied to death," the studies continue. And the uncharted realm of income experimentation will be explored before new directions are indorsed.

Moynihan, in his hard-cover critique of the Johnson Administration's antipoverty efforts, stressed the need for separating fact-finding from political tub-thumping.

No research so potentially momentous could be conducted more quietly than the project to test the impact of a negative income tax on the lives of about 1000 male-headed families in New Jersey.

Even the Office of Economic Opportunity—never noted for modesty or patience—has lowered its voice.

"In truth," says an OEO description of the venture, "very little is known about how people will alter their behavior in response to changes in their income and tax burden . . .

"The controversy cannot be decided by disputation. Only through such experiments can these arguments be resolved. OEO is trying to assist that process."

OEO is keeping itself at arm's length. The agency's initial contract went to Harold Watts, Robert J. Lampman and other respected academicians at the University of Wisconsin's Institute for Research on Poverty. The project is being monitored and analyzed by Mathematica, Inc., a think tank in Princeton, N.J.

When in full swing, the project will give selected families cash supplements that decline as other income rises. Recipients are guaranteed a minimum income, but will always be better off if they work. A control group of unaided families has been designated for contrast.

Test families may leave their cities and the state itself. They keep getting the bimonthly payments. Migration in search of work should be at least as free as migration in search of welfare. Neither the families nor their names are available to news media.

The project was designed to continue three years. Funds were not sufficient to start a similar test among the rural poor, but one is planned. Fatherless families on ADC already get welfare. Some economists hope HEW will devise ways to measure their response to real work incentives.

The AFL–CIO went on record this week against either the negative income tax or the family allowance. Organized labor wants policies of full employment, which clash with Mr. Nixon's strategy for reducing inflationary pressure.

Such positions pro or con by special interest groups are what count on Capitol Hill.

[From the St. Louis (Mo.) Post-Dispatch, Feb. 28, 1969]

MONEY VERSUS MORALITY: GROWING INTEREST IN NEGATIVE INCOME TAX

(By David B. Bowes)

WASHINGTON, February 28.—Congress, weighing morality in one hand and money in the other, is being drawn against its better judgment into the welfare controversy.

"Public assistance introduces problems of race, sex, religion and family relationships," says Gilbert Y. Steiner. "It is hard to think of four other areas most American politicians would rather avoid."

Steiner, a political scientist with the Brookings Institution, made the point in a book describing the "social insecurity" of the poor under 30 years of "automated" welfare. Just enough money was thrown at the problem, at regular intervals, he said, to avoid debate.

Steiner stands by that assessment today. "I think it is still true," he told a reporter. "But now race, sex, religion and family are hang-ups because Congress does not know how to debate the demands for change."

The transformation of welfare from a system of special categories, administered by professionals, to a politically potent issue increased public knowledge and concern. So did sharp increases in the cost of the Aid to Families with Dependent Children segment. Then along came the more conservative political leaders, telling white suburbs what many wanted to hear.

This brought liberals of both parties to the barricades, some to defend the system and others to urge improvements. The academic community began to explain negative income taxes, family allowances and similar output from campus thinkers.

Congressional reaction was twofold.

There were efforts late in 1967 to legislate the sort of uplift and progress that some earlier laws calling for more social counseling had failed to produce. Most of the new restrictions are still pending. They are targets of considerable indignation.

In addition, there was evidence of growing interest in at least considering a whole new tack. Representative Charles W. Whalen, Jr. (Rep.), Ohio, proposed gradual implementation of a negative income tax. He said it would be a supplement "no more dangerous than the graduated federal income tax which has been in effect since 1913."

Whalen, a former economics professor, is drafting an updated version of his bill. It is a joint effort with Representative John J. Conyers Jr., a Democrat from Detroit. Whalen rates the prospects for passage as very slim for now, if for no other reason than the costs of the Vietnam War. The budget remains tight.

The most modest other proposals would cost about 4 billion dollars more than the welfare system. They would exclude more than half the nation's low-income and no-income citizens. Social dividend plans such as the family allowance could cost 30 billions more, although payments to middle class families would be at least partly retrieved through the graduated income tax.

Roughly estimated, the cost of the most inclusive plans being proposed to the Nixon Administration about matches the annual cost of United States involvement in Southeast Asia.

Senator Joseph M. Montoya (Dem.), New Mexico, and several colleagues have introduced a bill that would direct the Secretary of Health, Education and Welfare to conduct experiments with earnings incentives.

Montoya said it would be a "guarantee of annual income" to persons willing to work. They would draw welfare payments and keep all earnings for a total annual income of $3800 for a family of four. States would not be allowed to lower their aid.

Former Representative Thomas B. Curtis (Rep.), Missouri, probably expressed the sentiments of many members of Congress when, last June, he opposed any proposal that broke "the link between income and work." Curtis called for abolition of aid categories, but he stressed social counseling and job training as foundations of "guaranteed opportunity."

"Each (income maintenance proposal) would enshrine in law the concept that society owes every citizen a living regardless of his willingness or ability to work," Curtis said.

"The lazy and shiftless would benefit as much as the deserving. In my view, the guaranteed income approach would create deep divisions in society; it would tend to perpetuate poverty and might even worsen it by its impact on economic growth."

Curtis said that "to really eliminate poverty we must be concerned with much more than providing income." Work incentives aside, that put Curtis 180 degrees out of phase with most economists.

The Post-Dispatch was told that Curtis's opposition to a negative tax plan had been instrumental in canceling an attempt by GOP leaders in Congress to attack Democratic welfare policies with a specific program a year ago.

Wisconsin's Melvin R. Laird, then chairman of the House Republican Conference, privately expressed interest in negative taxation and Daniel P. Moynihan's ideas several times in recent years.

Laird, a close adviser to Richard M. Nixon, hoped the candidate would adopt guaranteed income as a campaign issue. Laird planned to submit related legislation with the full approval of House minority leader Gerald R. Ford.

As far back as autumn of 1967, this newspaper quoted top Republicans in Congress as saying, "The party plans to concentrate on better-known issues for now, but GOP presidential candidate would be free to inject the negative income tax into a campaign."

With efforts for a strong presidential race gearing up, Curtis was approached for his support, it was learned. He was the ranking Republican member of the Ways and Means Committee and thus influential on such matters both in party ranks and with conservative Democrats.

When Curtis refused to support the venture, House Republican leadership dropped it for lack of a united front. Laird's bill never went into the hopper. Laird and Moynihan—

political opposites—both landed key positions in the Nixon Administration.

"If only Laird were still in the House," mourned one proponent of guaranteed income. As Secretary of Defense, Laird apparently has moved far afield from welfare policy.

Other observers question how significant Curtis's decision was in terms of Mr. Nixon's 1968 strategy. Mr. Nixon is believed to have trimmed his sails to please a conservative-minded electorate. Then, too, he needed campaign funds from contributors who might take a dim view of cash for the poor.

Congress's most exhaustive look at income maintenance to date was arranged last year by the Joint Economic Subcommittee on Fiscal Policy.

Representative Martha W. Griffiths (Dem.), Michigan, is chairman of the panel and a critic of existing welfare policies.

The complexity of the issue was dramatized on the fourth of nine days of hearings. Mrs. Griffiths, contending that a federal project to test incentives should include welfare mothers, asked why 18-year-olds with illegitimate children should not work.

James N. Morgan, an economist with the University of Michigan's Survey Research Center, replied that society "has never had the courage to suggest that if children are not being properly reared they ought to be separated from their parents."

The exchange, condensed somewhat, continues:

"Mrs. Griffiths. I agree, but orphanages were tried at one time and people did not like the idea. It seems the next way out is saying that woman herself must go to work . . .

"Morgan. But you have to do something for the children.

"Mrs. Griffiths. But you are calling the children into being by a child allowance.

"Morgan. I think there is some doubt about this.

"Mrs. Griffiths. This is one of the biggest criticisms that comes to me out of the public schools of Michigan. When a child graduates from an innercity school, the boy has no way of making a living, but there is certainly a way for a girl to get an assured income . . .

"Morgan. But you still have to do something with her children.

"Mrs. Griffiths. There is a sort of middle-class theory that women do not work. I assure you that women work.

"Morgan. I do not question that women work. . . . You have already said we have no institutional devices for taking care of them. Day care is extremely expensive. It has never been shown to be all that much better training than the mother's. The mother has then been used as a cheap source of taking care of her own children. I happen to think this may be a big mistake, that maybe we should rethink the whole issue of how we are going to take care of these children. Once we settle that, then you can raise the issue of what we are going to do about the mother. . . .

"Mrs. Griffiths. But it seems to me one of the things you can do is not put it on a child basis, but give it (welfare assistance) to anybody below a certain age, man or woman.

"Morgan. No matter what you call it, the result is the same, if you insist on taking care of these children, unless you are going to pay somebody else.

"Mrs. Griffiths. Perhaps if you give her the income without the children, you do not call the additional children into being.

"Morgan. You cannot give a woman with no children the same guaranteed income you give a woman with four children.

"Mrs. Griffiths. What you are now saying (is) you do not get anything unless you have a child. We are really subsidizing bastardy. . . . Actually, this is true.

"Morgan. I am an economist, but I really do not believe economic motivation works this simply. . . .

"Mrs. Griffiths. I am a politician and the criticism that you get on the whole scheme is that this is what we are doing.

"Morgan. Why don't you legalize abortion in the first place?

"Mrs. Griffiths. No, you do not have to do it that way. The negative income tax system to me is much more appealing than a child allowance system."

Reappraisal of Welfare System Underlined by Moral Teachings

(By David B. Bowes)

Washington, March 1.—"He who does not work shall not eat," said Capt. John Smith to the Jamestown settlers.

More than two centuries later William Lawrence, the Episcopal bishop of Massachusetts, informed his flock, Godliness is in league with riches."

And a poet named Angela Morgan extolled:

"Work!
Thank God for the swing of it,
For the clamoring, hammering ring of it;
Passion of labor daily hurled
On the mighty anvils of the world . . .
Thank God for a world where none may shirk.
Thank God for the splendor of work."

Now that arable frontier land has vanished, and industrial cities are crammed with unskilled poor, and housewives with Yellow Pages let their fingers do the walking, such comments sound embarrassing or repugnant or at least dated to modern reformers.

These reformers think those ideas stand out like tintypes in the age of the instant snapshot. But the religious, ethical and moral teachings that inspired such injunctions run deep in the American character today.

Nowhere is this more evident than in the nation's reappraisal of the welfare failure and what to do next. When the debaters have concluded, says the Rev. Philip Wogaman of Wesley Theological Seminary here, the house divides according to each person's decision as to whether it is moral to give people an income they have not "worked" for.

The Rev. Dr. Wogaman is associate professor of Christian Social Ethics at the Methodist seminary and author of a book called "Guaranteed Annual Income: The Moral Issues."

In an interview, the Rev. Dr. Wogaman discussed the so-called Protestant work ethic in the larger context of Hebrew-Christian tradition.

"This tradition," he said, "has had such an enormous influence in the shaping of our civilization that even avowed atheists and 'post-Christians' tend to assume its humanistic values."

The Rev. Dr. Wogaman thinks that all Americans—perplexed about controversial alternatives to welfare—should better understand why they believe that prosperous people deserve nothing, if nothing is generally what they earn.

A German sociologist, Max Weber, originated the phrase "Protestant ethic" a half-century ago when studying the relationship between church and teachings and the development of European and American capitalism.

Weber, identifying attitudes common to sacred and secular life in the sixteenth century Switzerland of John Calvin, stressed a positive view of work and condemnation of idleness, and the belief that man should glorify God rather than seek wealth for its own sake.

Although Calvin did not define "productive" in the economic sense alone, that translation prevailed when the industrial and commercial revolutions came to Europe, said the Rev. Dr. Wogaman.

In Calvin's day, the pursuit of material gain was not divorced from other aspects of an individual's life. Calvin himself, a religious reformer, was identified with textile ventures and the start of the watchmaking industry.

"Captialism could assume a community context in the small and sheltered city of Geneva," the Rev. Dr. Wogaman observed.

Considerable ambiguity crept in, however, when this combination of sweat, thrift and the Almighty moved outside the confining valleys of the Swiss Alps. The Rev. Dr. Wogaman points out that by Benjamin Franklin's time the touchstone phrases of capitalism were already largely secularized:

"To waste a shilling becomes a moral offense, and to pass an hour in idleness is gross dissipation."

In America, the Rev. Dr. Wogaman continued, the ambiguity became more striking. Church affiliation has soared from a surprisingly low 10 percent in Colonial days. Yet the money-making side of life seldom dovetails with religion any more, in the opinion of many social commentators.

Organized religion, having found that fewer capitalists are coming to seek moral guidance, is turning in some areas to "worker-priests" whose amorphous parishes are the business offices and shopping centers of the nation.

An important additional factor, the Rev. Dr. Wogaman said, is the strong feeling of "mutual assistance" that pervades American life. Rugged individualism in earlier days was tempered with a community spirit that was reflected in barn raisings and the various ways in which pioneers ranks to face adversity.

The proliferation of charitable organizations today is one manifestation of this trait, some observers have said. But in the Rev. Dr. Wogaman's view, the nation always has hewed to private forms of giving. Thus, the goals remain subjective, he said, and there is the possibility of manipulation.

"The warm glow of Christian charity can lead to feelings of superiority," he observed. "It is but a short step from this to the view that the poor may, after all, deserve their poverty."

Against this historical backdrop, the Rev. Dr. Wogaman sees many Americans as having an "honest disagreement" on alternatives to welfare, taking a second look at which poor are "deserving" and having a deep concern about how to pay for whatever they decide to do.

Noting that the Protestant ethic may have evolved as a distortion of both ethics and Protestantism, he considers it a half-truth.

"The true half is the importance of work in human fulfillment," he said. "The false half is the subordination of man to work and, worse yet, the attempt to establish whether or not people are deserving of what God has already given them."

Quoting Biblical chapter and verse, the Rev. Dr. Wogaman acknowledges a moral case against guaranteed income. He likewise develops an argument of Christian support for it.

His conclusion is that, morally speaking, the basic material conditions of human life must be considered the social right of every man. This was the declared position of the National Council of Churches and the National Conference of Catholic Charities in congressional hearings last year.

Are the jobless and unskilled poor considered more deserving than they used to be? The Rev. Dr. Wogaman believes that they are. In lectures and debates around the country he has found citizens "more receptive to at least learning about guaranteed income than many political experts may realize."

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The debate here may warm up sooner than expected. A 10-year antipoverty program costing 3 billion dollars has been prepared by economist Leon Keyserling for the District of Columbia city government. Keyserling calls for a guaranteed annual income for persons unable to work and "genuine" full employment for those who can.

As to cost, the Rev. Dr. Wogaman predicts that the nation eventually will decide to pay for the most efficient system possible. The few polls that have been published suggest that the poor—black and white alike—approve of guaranteed minimum income. Whites tend to become opposed to it as their own income rises.

Much confusion exists on the cost of welfare itself, not to mention alternatives. Like beauty, welfare is in the eye of the beholder. A maze of government programs, some more efficient than others, have been justified as part of a national web of public funding to the old, young, ill, disadvantaged and groups that have strong lobbies.

Milton Friedman, a conservative economist, has estimated that—excluding entirely veterans benefits and educational expenditures—federal, state and local governments are spending more than 50 billion dollars a year. Other estimates, which include the above-omitted categories, run as high as 112 billion dollars.

The Rev. Dr. Wogaman doubts whether churches will be in the forefront of welfare reform. He suspects that, as in the case of civil rights, they will "destroy the conscience of the opposition."

Although most opposition to negative taxation and the like comes from conservative ranks, at least one vocal critic best can be described as a leader of the Work Is Dead school of socioeconomic theory.

"Some form of national payments system is coming—that's no longer at issue," said Robert Theobald.

Theobald, who was born in England and now works the audacious fringes of economic authorship as a United States citizen, wants to break the "pathological desire to toil" of Americans.

Theobald believes that cybernation (automated machinery bossed by computers) destroys old jobs much faster than it creates new ones. He believes that any guarantee of employment "leads us back to slavery," whereas negative taxation perpetuates "dead-end incentives to work."

How to afford plans: more limited than his own? Theobald's reply:

"We were told in the early 1960s that we could not afford the guaranteed income. Then the Vietnam war came along and we could afford 30 billion for this purpose. The money is there for things we decide to do."

Questions are raised about the danger of negative taxation fostering political irresponsibility and that minimum income could be continually hiked to attract votes. That is happening now says advocates of change. Without the labyrinth of aid categories they believe that welfare would be cheaper and easier to monitor.

The family allowance proposal remains a target for something less than thoughtful criticism.

As Daniel P. Moynihan, now White House adviser on urban affairs, remarked in 1967:

"Persons who would never dream of having another baby, in order to get hold of an additional $8 or $12 a month, instantly conclude that out of depravity, cupidity, ignorance or whatever, the poor would automatically do so."

Thus, the Urban Coalition and Urban America, Inc., felt compelled to state this week, in an annual no-progress report, that welfare remains "the major growth industry" of slums. The report was at variance with earlier word that alabaster cities gleam, undimmed by human tears.

The 50TH ANNIVERSARY OF THE FOUNDING OF THE AMERICAN LEGION

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. ANNUNZIO. Mr. Speaker, Saturday, March 15, marks the 50th anniversary of the founding of the American Legion.

"For God and Country" has been the motto of the American Legion for 50 years and during this span of time the patriotic men and women of the Legion have labored for the cause of free government, for the protection of the rights of American citizens, and for the spiritual strength of America.

As the Congressman for the Seventh Illinois District, I am proud that the great State of Illinois has contributed four outstanding men who have lead the American Legion as national commanders. They are: Howard P. Savage from 1926 to 1927, Edward A. Hayes from 1933 to 1934, John Stelle from 1945 to 1946, and my good friend, John S. Gleason, Jr., from 1957 to 1958.

Mr. Gleason, known fondly by his friends as "Jack," has ably served not only as national commander of the American Legion, but as Administrator of Veterans' Affairs during the administrations of the late President John F. Kennedy, and former President Lyndon B. Johnson. His many contributions to the veterans of America shall always be remembered by our veterans and by the American people who are grateful for his service and his dedication to our country.

During half a century of service the Legion has demonstrated time and again its faith in freedom, its belief in our country, and its adherence to the democratic ideals of our Founding Fathers and our constitutional principles of government.

The American Legion is the largest of our veterans organizations with almost 3 million members. Its members have always worked hard to achieve the worthy objectives of veterans benefits, rehabilitation programs, and educational programs for youth such as Boys State and Nation, Girls State and Nation, and the National High School Oratorical Contest. Young Americans who have participated in these programs have learned that every individual in our free society has duties and responsibilities, as well as rights and privileges.

I am happy to congratulate the American Legion on the occasion of its 50th anniversary and to wish the Legionnaires Godspeed in their worthy endeavors. I know that under the leadership of the newly elected national commander, William C. Doyle, the American Legion will continue its steadfast and patriotic service to our Nation.

Mr. Speaker, on the occasion of the Legion's 50th anniversary, I would like to include in the RECORD an article from the March issue of the American Legion magazine about the Paris caucus in 1919 which turned out to be the first meeting of the American Legion. The article follows:

THE PARIS CAUCUS: MARCH 15, 16, AND 17, 1919

Exactly 50 years ago this March 15, what turned out to be the first meeting of The American Legion was held in the American Club, 4 Rue Gabriel, Paris, France.

Present were a number of WW1 officers and enlisted men then on active duty overseas, four months and four days after the Armistice of Nov. 11, 1918.

Nobody today knows how many people were present. One vote was recorded on that Saturday, March 15, 1919, as "279 to 72 with many not voting," so there were "many" more than 351 in the hall then. The names of 463 are preserved, but others came and went without registering. It is known that many who were not registered among the 463 were there, for they served on committees. For instance, the late J. Monroe Johnson, of South Carolina, served on several committees but wasn't registered. He was for many years later a prominent national official, one of Harry Truman's political stalwarts in the Democratic party, and a tower of strength in the Legion (where he always removed his political cap and donated abounding good humor, priceless wisdom and impartial influence).

Lt. Col. Theodore Roosevelt, Jr.,[1] son of the 26th President of the United States, had joined with 19 other officers to call the Paris meeting for the purpose of forming a veterans' organization. They connived (chiefly by getting dubious orders written) to bring into Paris officers and enlisted men from as many different military units then in France as they could.

The U.S. high command didn't authorize the meeting. In fact it had to look the other way, because one of the ground rules of that first Legion meeting was most unmilitary. As men from brigadier general to private walked into the hall they shed their rank and debated as equals. (Few if any of the officers were Regulars. Like the enlisted men present the officers were already viewing themselves as civilians-soon-to-be.)

The enlisted men weren't the only ones to enjoy the "no rank here" rule and to abuse it with occasional snide remarks about officers. Even a major would now and then say something on the floor about colonels that he wouldn't repeat outside. Thus, in the second meeting, two days later, the 36th Division's Major Maurice K. Gordon (now a Madisonville, Kentucky, lawyer in his 90's), moved to adopt the name "American Legion." His chief reason was that it was the fifth and last choice of a committee named by "the brass" to recommend a name. Major Gordon's logic was so delightful that the name "American Legion" carried unanimously. When pleasingly plump Sgt. Alexander Woollcott, of later literary fame, objected to the name "American Legion" someone else called called him a "fat medico" and he subsided.

But if the delegates had such fun and sport with one another, they were deadly serious about forming a veterans organization that would (1) continue in peace the comradeship that war had thrown them into, and (2) continue in peace the sense of service and dedication to America that in war had led them to offer their lives for their country.

They were determined *not* to create another Grand Army of the Republic or United Confederate Veterans, both of which got into partisan politics after the Civil War.

In this aim, Teddy Roosevelt, Jr. (a leading young Republican) and Bennett Champ Clark (a leading young Democrat from Mis-

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[1] He died of a heart attack as a Brigadier General on the Normandy beachhead one war later.

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souri, later to serve long in the Senate and spearhead the WW2 GI Bill) joined hands together in a non-partisan gesture as early leaders of the embryo Legion.

The March 15 meeting in Paris took much time to do little business. The secretary, the late Major Eric Fisher Wood, of Pennsylvania, took the chair because Roosevelt had already been returned to the States by the Army.

Wood (whose son, Eric, Jr. was to become one of the legendary heroes of the Battle of the Bulge in WW2, fighting on alone to his death when his regiment was overwhelmed and surrendered) explained for what purpose the members of the caucus had been called through the efforts of Roosevelt and his 19 officer friends. That took a long time, as few there yet knew what was up.

Then Bennett Clark took the chair, Wood reverted to secretary, and Captain Ogden Mills moved that committees be named to draw up and submit plans for (1) permanent organization, (2) a constitution, (3) a name, and (4) a later convention in the States in 1919. Mills, scion of a wealthy New York family and later U.S. Secretary of the Treasury, also helped finance the Legion in its difficult formative months in 1919.

With the naming of committees, the March 15 meeting adjourned shortly before 6 p.m. It had been a long day.

On Sunday, March 16, the committees deliberated and prepared their reports, and there was no general meeting.

The second, and final, general meeting of the Paris Caucus assembled in the Cirque de Paris, an amusement hall that had been taken over by the Y.M.C.A., at 9:25 a.m., Monday, March 17, 1919. The only known existing photo of the Paris Caucus, which is shown here, is of that March 17 meeting, Bennett Clark called the meeting to order, but as he had to leave on military business the chair was taken by Lt. Col. Thomas W. Miller, then of Delaware and the 79th Division. Of all of those with leading roles at Paris, only Miller is still an active national Legion official 50 years later. He is the National Executive Committeeman for Nevada. In 1968 he became the sixth of the Legion's early founders to be voted the honorary title of Past National Commander, never having been National Commander.

A five-man delegation was sent to wait on President Woodrow Wilson and invite him to the caucus. Wilson was then in Paris for the peace conference. The five-man committee included three brigadier generals, a sergeant and a private. The last two—who worked on the Army newspaper *Stars and Stripes* in Paris—were Private Harold W. Ross and Sergeant John T. Winterich. Both were later editors of the American Legion's magazine, and Ross left it to found, publish and edit the New Yorker magazine until his death. They returned from their mission empty-handed. Wilson would not see them, and writer Laurence Stallings later complained of something aloof in Wilson's character which led him never to visit any of the battlefields or establish any personal rapport with the WWI Doughboys.

Down through the years, many Legion founders have lodged one complaint about Eric Wood (who was also named an honorary Past National Commander before his death). As secretary, they said, he didn't record half of the salty stuff that was said on the floor on March 17. Perhaps Wood is to be commended for exercising a little judicious censorship in his minutes. There was intense suspicion that the 20 officers under Roosevelt who'd called the meeting had something up their sleeves. From what has come down in history by word of mouth, these suspicions were often expressed in plain language.

Even the Chief of Chaplains of the AEF, Bishop Charles Brent, came to the Cirque de Paris brooding with suspicion. He was already forming a veterans organization called Comrades in Service. But when, on March 17, the caucus approved a preamble not unlike the present Legion preamble, Bishop Brent seconded the motion, said he'd been afraid that an organization without purpose was being formed, and on the spot threw Comrades in Service into the Legion.

Though far from perfect, the reports of the four committees that had worked on Sunday are remarkable for how much they conceived in one day's work that was right, and endured.

The present structure of the Legion, with state, territorial and overseas Departments, all enjoying a large degree of self-rule, was fairly spelled out by the 13-man Committee on Constitution. It included Tom Miller, Ross, Winterich and others who for years continued to give the Legion a large degree of leadership. Among the 13 were Lemuel Bolles (later National Adjutant), Milton Foreman of Chicago (also later made an honorary Past National Commander) and Frank A. White, later Treasurer of the United States.

Foreman, a wealthy lawyer (born during the Civil War and a Spanish war veteran), was the "father" of the Illinois Legion. He personally saw to it that no Illinois delegate lacked funds to attend the first national convention in Minneapolis the following November. Without personal contributions to the Legion in 1919 by such men of means as Roosevelt, Foreman, Franklin D'Olier, Mills and others, the Legion might have died, or become an ex-officer's organization. The enlisted men were turned out of the Army with little money in their pockets and often jobless. They hardly had the means to see the Legion through its expensive first year.

The Committee on Constitution in Paris wrote a preamble in one day's work which, though it differed from the final preamble, contained four of the fundamental statements that still endure (see p. 20).

No clear history exists that explains in detail how the Legion became semimilitary in its trappings and titles. The view of Legionnaires from the start was that the Legion is a civilian organization. Military sounding titles and uniforms were not conceived in Paris. The Committee on Constitution proposed that the officers be a president, vice-presidents, a secretary, a treasurer and a board of directors. The substitution of commanders, vice-commanders, adjutants, finance officers and judge advocates came later. The next caucus, in St. Louis in May, drafted a much more detailed proposed constitution, but strangely made no suggestion for national officers at all.

Sometime between May and November, the idea of military sounding titles came into being. The familiar commanders, vice-commanders, etc., were written into the *official* constitution at the first national convention in November without debate or anything on the written record to explain the switch from "president" to "commander." One permanent effect of that change has been that many outsiders have ever since supposed the Legion to be quasi-military—a sort of *bund* to its enemies, and a loyal, reserve militia to its friends. The military titles and uniforms obscure the fact that there are only blanks in the ceremonial rifles, and that the Legion's main concern is with selfless and responsible American citizenship and service.

The delegates at Paris completely, and wisely, reversed the majority report of the Committee on Convention, headed by Col. J. H. Graham. The majority report called for selecting representatives to a later convention in the States on the basis of military units. It offered a complex plan whereby delegates should be chosen from battalions, divisions, corps, armies and supply units, etc. The same Major Gordon who sold the name "American Legion" because it was the last choice of the leadership, resisted the majority Convention report by writing a minority report. He urged that another meeting be held in the States to bring off a convention, and that representation be based on the "place of residence," not military units. This tallied closely with the report of the Committee on Permanent Organization, chaired by the same William J. (Wild Bill) Donovan who headed our "cloak-and-dagger" O.S.S. in WW2. Donovan's committee urged that at Paris an Executive Committee be named to go back home and organize locally, then have another caucus with a broader base. It agreed with Gordon's warning not to try to settle too many matters until a more representative meeting could be held. This sat very well with the more suspicious members of the Paris Caucus. The upshot was that in Paris both the Convention and Permanent Organization reports were scrapped. A special committee was given a few hours of recess to bring in a new report. Its report was adopted. The heart of it was that an Executive Committee be named, made up of men from every state. Its members should get local organization going all over the country to supplement work Roosevelt was already doing in the States. Then, in six weeks, a much larger meeting should be held in the States to iron out the problems of calling an official convention, and to make more considered suggestions for permanent organization.

Six weeks still seems pretty ambitious as a target date to have been set in Paris, but the St. Louis caucus was actually held only seven weeks later. By then there were Legion units formed or forming all over the country.

If anything is more remarkable than the speed with which the Legion leaped from a groping idea in Paris to a nationwide body in being, it is the enormous amount of ground covered in three days in Paris by a large, unwieldy and sometimes contentious group. The organizational skill of the Legion's founders, as put into practice, may have no parallel in American history. Eight months after Paris, at the time of the first national convention, the Legion had roots all over the country with nearly 700,000 paid up members.

PORNOGRAPHY: ARE THE BARRIERS FALLING?

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. ZABLOCKI. Mr. Speaker, the value of freedom of speech and expression cannot be questioned. It is an inherent characteristic of a democratic society. As many before me have said, a free society cannot function without it.

On the other hand, we must realize that freedom brings with it responsibility. The two are inseparable. Freedom of speech means that it must be responsible speech, and we must be held accountable by society for our speech.

Perhaps this is the crux of the question. Man is a social being; he lives in relation to others. If man lived unto himself in a vacuum who but he is to say what action or expression is wrong? In society, however, we must realize that our actions have effect upon others, and this must determine what is right and

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what is wrong. To say otherwise is to say that there is no wrong.

Freedom of speech then is not so sacred that we can say that it is more important to preserve it than to preserve society. To say that it is more important to protect the artist's right of expression than to protect society from the effects of his expression is absurd. The two must be taken and weighed against one another, and a reasonable middle ground achieved.

The recent trend, both in court decisions and subsequently in the media, has been toward the extreme of upholding the right of the individual above that of society. Recent films, and most recently, the Swedish film "I Am Curious—Yellow," have gone further and further in the portrayal of sex on the screen.

We, the legislative representatives of this society, must ask ourselves where it is all to end. Our Supreme Court Justices must ask themselves how far they have gone in allowing society's rights to be negated by the right of the individual.

We, and they, must ask ourselves this question, and we must answer it soon.

A balance must be reached. It must be remembered that responsibility to the community is at the heart of every one of the rights preserved by the Constitution.

It is indeed difficult to balance freedom with responsibility, but that balance is what keeps us from total anarchy or the totalitarian state.

An article on this problem, "The Barriers Fall: As Censorship Relaxes, Debate Grows on Impact of New Permissiveness," appeared in the March 10 edition of the Wall Street Journal. Mr. Alan Adelson, the author, does an excellent job of presenting the two sides of the pornography debate.

In his article, Mr. Adelson plants himself in the middle of the debate and listens to both sides. He demonstrates the growing momentum of permissiveness in the media, and he points out the forces behind this momentum.

He does not answer the question of how to reach that balance or where exactly it should be sought. That was not his purpose. I recommend this article to the attention of my colleagues because it will hopefully bring them to a deeper understanding of the problem and thus better enable them to decide for themselves where the proper balance is.

The article follows:

The Barriers Fall: As Censorship Relaxes, Debate Grows on Impact of New Permissiveness—Effect of Erotica on Human Behavior Studied—Expert Sees Shock Value Waning—Will Puritanism Come Back?

(By Alan Adelson)

New York.—The Swedish film "I Am Curious—Yellow" was banned altogether in Norway and, for a while, Belgium. It was censored in France and Germany and will be cut for showing in England.

Only in Denmark, Sweden—and the U.S., beginning today—is it being shown uncut.

The 120 minutes of screening time depict the hero and heroine in abundant nudity, various scenes of intercourse (including one in the crook of a tree) and more exotic sexual play. It has a dream sequence in which the heroine castrates her lover. There also is a good bit of ponderous political debate.

The U.S. Customs Office sought to prevent the film's entry into this country, and a jury found it obscene in a New York Federal Court. A Court of Appeals reluctantly concluded that it couldn't be banned, however, relying on guidelines of Supreme Court decisions.

The Appeals Court voted two to one to release the film uncut, saying, "The sexual content of the film is presented with greater explicitness than has been seen in any other film produced for general viewing." Judge Henry J. Friendly was explicit too in saying that he was reluctantly concurring "with no little distaste."

FOR AND AGAINST

Some viewers may be pleased, others perplexed or angered, but the showing of "I am Curious—Yellow" seems to qualify as a significant event. Those who tilt against all forms of censorship see it as marking the emergence of the U.S. as a leader in free speech and expression. To quite another group, the film is the final confirmation of a disaster they have long seen brewing. The growing permissiveness of American society, they maintain, has finally reached total depravity.

For or against, it is difficult to argue with one observation: The barriers are coming down. In the off-Broadway play entitled "Dionysus in '69," five nude men and four naked girls celebrate a Greek rite by slithering over one another and romping through the audience. Last week a New York City producer announced plans for a play to include on-stage intercourse. Philip Roth's steamy novel "Portnoy's Complaint" has climbed rapidly to the top of best-seller lists (the author says the book is a deliberate effort to elevate obscenity "to the level of a subject" for serious art).

And as the barriers fall, the debate over what the relaxation means, how far it should go and why it is happening is intensifying. Father John Culkin, an ardent student of Marshall McLuhan and director of the Center for Communication at New York's respected Fordham University, sees the anticensorship explosion as rooted in American Puritanism.

SHAKEDOWN CRUISE

"We're reaping a reaction to the very repressive atmosphere we've maintained in our families, churches and schools," Father Culkin says. "Calvin and those creeps left us very uptight. We weren't allowed to have bodies. And what we're going through now is a shakedown cruise exploring a new morality."

The cause of such rapid change, says Father Culkin, echoing Mr. McLuhan, is the growth of the electronic media. Years ago, he says, it took half a century for styles and mores to change significantly, because information spread so slowly. Now the latest vogue from the miniskirt to accounts of the off-beat lives of the "swingers" is flashed across the nation by television.

But if the media seems to reflect a new sexuality, Americans actually aren't changing their mores radically, according to Paul Gebhard, director of the Institute for Sex Research (formerly the Kinsey Institute). However, Mr. Gebhard says his interviewers have found a striking readiness to tolerate discussion and airing of the so-called revolution.

"Where there has been a revolution is in censorship," he says. "The trend toward liberalization of what's allowed in the media has been going on since World War I." Mr. Gebhard points out that court decisions have accelerated the trend in the past decade. The underground market in erotic books has nearly dissappeared, he says.

The legal transformation of dirty books into "literature" was lamented ironically in an article by Jerome H. Doolittle in Esquire magazine. Mr. Doolittle watched his once-cherished collection of taboo books smuggled from France appear in book stores volume by volume. "Fanny Hill" and the Henry Miller and William Burroughs books went fairly well.

VANISHING TREASURES

"My only remaining comfort was the thought that I was still the only kid on the block to own such hard-core items as 'The Roman Orgy,' 'The Pleasure Thieves' and 'House of Joy,' " Mr. Doolittle wrote. But then came "The Olympia Reader," a massive collection of stories that contained his own favorites of many other erotic tales.

Mr. Doolittle was encountering what one student of censorship and the court calls "the grapes of Roth." The Supreme Court in 1957 upheld the obscenity conviction of Samuel Roth, a New York book dealer. In doing so, the court laid down what have come to be the boundaries within which publishers and film makers can operate.

The Roth case, and later decisions that made slight clarifications, established that obscenity could be proved only if ". . . to the average person, applying contemporary community standards, the dominant theme of the material taken as a whole appeals to prurient interest" and the work is found to be "utterly without redeeming social importance."

The Appeals judges cleared "I Am Curious—Yellow" because it included serious social and political themes. The vagueness of just what constitutes "redeeming social importance" has produced many successful legal defenses of books and films which somewhere concern themselves with matters other than sex.

"As long as children are excluded from access, we can win with almost anything now," says Richard Gallin, the New York attorney who negotiated "I Am Curious—Yellow" past the Customs Office. Ephraim London, an attorney who has won six such cases in appeals to the Supreme Court, says only a movie "with out-and-out intercourse and no pretense of having any social value" is in peril before the courts now.

Barney Rosset, president of Grove Press, which is distributing "I Am Curious—Yellow" in the U.S., believes sex has its own redeeming social importance. "After all, if it weren't for sex, we'd depopulate the entire human race," he says. Mr. Rosset, in fact, argues, "There's no such thing as pornography. Things can be erotic, and they can be good or bad (in quality), but I just don't believe in censorship."

The argument over what is pornographic, or "prurient," has been raging for decades. For D. H. Lawrence, author of "Lady Chatterley's Lover," pornography was not vivid sexual description but "the attempt to insult sex, to do dirt on it." That he said, was "unpardonable" and cause for censorship.

Mr. Rosset finds prurient interest in the TV commercial where a Scandinavian girl, pitching for Noxema, purrs, "Take it off, take it all off." Declares Mr. Rosset, "She's saying, 'Hurry up and shave with this stuff so we can go to bed.' And no one says they can't keep running that ad all the time." He groups such appeals with the dirty postcards and traveling salesmen's jokes that D. H. Lawrence found offensive. However, Mr. Rosset wouldn't censor the commercial—or anything else.

CONVINCING POINT

Lawyer London recalls his first censorship case. A state prosecutor wanted to proscribe the film "The Bicycle Thief" because it depicted a little boy urinating. "I made it very clear that the whole state would be thrown into scandal if they insisted that the sight of this lad urinating aroused their purient interests," he says, "That was all it took."

"No girl was ever ruined by a book," said Jimmy Walker, the free-wheeling mayor of New York City during the Roaring Twenties. But the advocates of censorship don't agree.

XUM

Father Morton Hill, a New York priest who went on a hunger strike several years ago in connection with his campaign to clean up magazine stands, says erotic literature "incites to violence, drug usage, promiscuity and perversion."

Rabbi Julius G. Neumann, chairman of the organization called Morality in Media (which is still fighting the showing of "I Am Curious—Yellow"), says the new era of permissiveness is breaking every barrier of decency. "It's eating away at the moral fiber of America," Rabbi Neumann says.

Actually, there has been little research into the effect of erotic material on its consumers. The Institute for Sex Research challenges the assumption that the circulation of pornography inevitably leads to an increase in sex crimes. On the contrary, interviewers found that persons classified as potential sex offenders are less responsive to erotica than a normal "control" group. The prospective rapists, voyeurists and exhibitionists didn't have the patience to plod through make-believe sexual experiences.

WOMEN AND MEN

In a 1953 study on comparative sexual behavior in men and women, Kinsey researchers found that men were more stimulated than women by "hard-core" pornography. But women were at least as responsive as men to the more artistic type of sexual material now current in films and books.

Only 32% of women studied were stimulated by "raw" pictures of sexual acts, compared with 77% of the men. But 48% of the women responded to erotic scenes in films, compared with 36% of the men, and 60% of the females found erotic passages in novels stimulating, against 59% of the men.

Mr. Gebhard, the director of the Institute for Sex Research, speculates that current liberalizing trends might be making both men and women more equal now in response to erotica. And he says that the "bombardment with sexual stimulus" that now is commonplace may be conditioning consumers to take erotica for granted. "I think a young man now is no more aroused by a pretty girl in a miniskirt than my grandfather was by the sight of a well-turned ankle," he says.

Dr. William Masters, co-author of "Human Sexual Response," says he hasn't found any great influence of pornography on people's lives. Ned Polsky, a sociologist at the Stony Brook campus of the State University of New York, goes so far as to maintain that pornography has a positive role as a "safety valve," allowing the indulgence of antisocial sex desires without damage to the family structure.

THE YOUTH WAVE

Several theoreticians find a relationship between falling censorship barriers and the widening "generation gap." John Gagnon, also a Stony Brook sociologist, says that some young people use sex as an instrument of rebellion against a wide variety of social institutions. He finds particularly relevant a scene in "I Am Curious—Yellow" in which the young couple make love on a balustrade in front of the royal palace in Stockholm.

Fordham's Father Culkin says young people are exposed to all the problems of the world through their exposure to increasingly candid films, television shows and publications. Thus, he says, they find that such sins as unmarried sex, stealing and lying "just don't account for all our problems—they say, 'Well, what about war? And then they write their own moral codes.

To be sure, not all bans have been dropped. Last week Boston authorities halted showings of the movie "The Killing of Sister George." A similar raid was made on a New York City theater showing "Muthers." A district attorney charged that this film depicted "masterbation, lesbianism, incest, sodomy and perversion."

Some observers suspect that Puritanism may reassert itself. Margaret Mead, the anthropologist, insists that Puritanism never really vanished. "All this business about clothes on and clothes off is really the same thing," she says. "It's only the older folks, the Puritans, who get excited about this sort of thing and get kicks out of it."

THE UNITED STATES AND THE PHILIPPINES

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a pleasure to call to the attention of the Congress and the American people the fine statement presented as the final report of the meetings of the American Assembly in Pittsburgh on November 7, 8, and 9, 1968, on the topic "The United States and the Philippines."

I congratulate these good citizens on their civic and patriotic interest in our U.S. foreign policy.

The report follows:

REPORT OF THE AMERICAN ASSEMBLY IN PITTSBURGH, NOVEMBER 7, 8, 9, 1968: THE UNITED STATES AND THE PHILIPPINES

At the close of their discussions, the participants in the American Assembly in Pittsburgh on the United States and the Philippines reviewed as a group the following statement. Although there was general agreement on the final report, it is not the practice of The American Assembly for participants to affix their signatures, and it should not be assumed that every participant necessarily subscribes to every conclusion or recommendation.

Wm. Walter Phelps, Jr., President, World Affairs Council of Pittsburgh:

"On November 7, 8, 9, 1968, 63 residents of Pittsburgh and surrounding areas met under the auspices of the American Assembly, Columbia University and the World Affairs Council of Pittsburgh at the University of Pittsburgh for an American Assembly Program in Pittsburgh on the United States and the Philippines.

"Co-Chairmen of the Pittsburgh Assembly were Dean Donald C. Stone, Graduate School of Public and International Affairs, University of Pittsburgh and Dr. John C. Warner, President Emeritus, Carnegie-Mellon University. Arrangements were the responsibility of Dr. Robert H. Baillie, Director of Commonwealth Relations, University of Pittsburgh. The Assembly was opened by a talk by President Clifford C. Nelson of the American Assembly of New York. Principal addresses were delivered by Dr. John C. Warner, President Emeritus, Carnegie-Mellon University; The Honorable G. McMurtie-Godley, Deputy Assistant Secretary of State for the Bureau of East Asian and Pacific Affairs; Dr. William E. Stevenson, President, Aspen Institute for Humanistic Studies and His Excellency Salvador P. Lopez, the Philippine Ambassador to the United States. Discussion leaders were Mr. Joseph Meledin, Employee Communications Manager, Fisher Scientific Company, Mr. Thomas A. Huff, YMCA Director, Carnegie-Mellon University and Mr. Harry W. Peterson, Project Manager-Philippines, Koppers Company, Inc. The Rapporteurs were Mrs. Donald C. Stone; Mrs. Richard E. James and Mrs. Milnor Roberts. Mr. Ralph N. Greenberg, Project Coordinator, United States Steel Corporation, served as Chairman of the Drafting Committee and Editor of the Final Report. Ambassador Max W. Bishop, Executive Director of the World Affairs Council of Pittsburgh was Chairman of the Plenary Session.

"As non-partisan educational institutions neither The American Assembly, the University of Pittsburgh and the World Affairs Council of Pittsburgh do not take a stand on the views expressed nor do they necessarily subscribe to the recommendations resulting from the Assembly."

INTRODUCTION

Based upon mutuality of interest (principally military and economic), for more than four decades prior to Philippine Independence in 1946, the United States and the Philippines maintained a close and "special" relationship, albeit colonial. This relationship has continued in the years subsequent to Independence; but has been accompanied by a lessening degree of comfort for the Filipinos who now find themselves beset by conflicting motivations. The Filipino's recognition of his country's need for continuation of United States economic and military assistance is offset by an understandable national pride and desire to exercise and demonstrate the full range of attributes of national independence. To the latter feeling is added the rancor caused by many irritations to Filipino sensibilities deriving from the American presence at United States military bases, and the frustraton of an as yet unfulfilled search for a national identity for his vibrant young country, ethnically and geographically Asian, but with political and cultural ties to the West.

The normal independent actions of the Republic of the Philippines have been regarded recently by its Asian neighbors as being merely extensions of United States foreign policy. It is not surprising that the young Republic, having had a similar background and experience in the transition from colonial society to independent nation, and in subsequent political growth, should find itself aligned with the United States in matters of foreign policy and approach to world problems. Nor should it be surprising that the course of the Philippines may, at times, diverge significantly from that of the United States.

The Laurel-Langley Agreement, concluded between the United States and the Philippines in 1954 and under which "special" trade and economic concessions are granted, is due to expire in 1974. A debilitating or perhaps even a devastating effect on the expanding Philippine economy well might ensue if this agreement, which has been instrumental in fostering that expansion, is neither extended nor adequately replaced.

Recognizing that relatively little time remains to determine courses of action convenient both to the Philippines and the United States, and further recognizing that early determination of these courses will lessen the cruciality of the atmosphere in which future decisions will be made, this American Assembly in Pittsburgh addresses itself to these and related questions and states the following:

FOREIGN POLICY PROBLEMS

The Philippines and the United States have much in common and today are mutually interested in seeing stability maintained in Southeast Asia in general. Both countries are particularly interested in the successful political and economic growth of the Philippines. Differences in viewpoints between the two countries are recognized to exist; but these are felt to be reconcilable through objective evaluation of the role which each partner must play in future relationships, and through sympathetic understanding of the needs and goals of each by the other.

In order that the Republic of the Phillippines establish its own national identity, the

XUM

United States should encourage its effort, offering advice and assistance only when so requested by the Philippines. We hope that, consistent with that identity, the Philippines will preserve and strengthen good and useful portions of its Western heritage, such as its democratic political system, its fervent interest in a far-reaching educational system, and the cultural, social, and economic gains which have been made during the years of close and friendly ties with the United States.

Regionalism in Southeast Asia is a logical development in which the Republic of the Philippines might take a leading role as an independent nation, and its participation should be encouraged. If assistance of the United States were requested, we should be prepared to use our resources on an equitable basis, for the benefit of the peoples of all countries concerned, in the areas of economic development, education, mutual defense, and cultural enrichment. The United States must recognize that the Philippines' independence of Western influence might have to be even more clearly demonstrated before the Philippines assumes such a leadership role.

Philippine support of United States' foreign policies in relation to other nations, and especially in regard to Communist countries, is gratifying to the United States. However, we recognize, without question, the sovereign rights of all independent nations to determine and implement their own foreign policies in all matters.

MUTUAL SECURITY

We do not foresee immediate external dangers threatening the security of the Philippines, and we feel that the current policies *vis a vis* both countries are sound ones. If Filipino armed forces are strengthened, we can proportionately decrease our presence in the Philippines. We are concerned, however, that an internal security threat exists, and recognize that the Filipino army must continue to be prepared to cope with this threat.

While the viability of the Southeast Asian Treaty Organization's pact has not been fully tested and determined, we believe that the pact should be strengthened and supported by all member nations, and that present membership should be evaluated and possibly extended. Added to the mutual security aspect, we see in SEATO a unifying force offering opportunities for the Asian member nations to accomplish cultural, agricultural, and economic inter-changes, and to develop mutual respect for each other.

We believe it vital that the United States continuously re-examine its military establishments in the Philippines to assure that they remain in line with the defense requirements of the situation, and to the end that these establishments be neither larger nor more numerous than absolutely necessary to the role of the United States in the common defense of the SEATO nations. Considerations should be given to expanding Filipino civil jurisdiction over military personnel on their soil.

ECONOMIC COLLABORATION AND DEVELOPMENT

While we recognize the Laurel-Langley Agreement's essentiality to the Philippines' economic stability, any subsequent agreements must recognize that capital will be drawn where it is welcomed, and where the returns are commensurate with the risks involved. The air of uncertainty surrounding a requirement for 60/40 per cent Philippine-to-foreign ownership proportion, and concern over the lack of guarantees against economic uncertainties deriving from possible governmental action will probably prove to be disadvantageous to the Philippine economy.

We feel that it is in the mutual interest of both the United States and the Philippines to work toward a non-preferential trade relationship in the long run, and suggest that a gradual phase-out period is the wisest course.

Inflexible laws or attitudes in regard to foreign capital will not result in strengthening and stabilizing the Philippine economy, nor will they make it competitive in the world market.

We believe that external assistance for some time will be necessary for the economic and social development of the Philippines. We recommend that the United States continue to provide assistance through the United States Agency for International Development, through multi-lateral agencies, such as the International Bank for Reconstruction and Development, the World Health Organization and the Asian Development Bank, and through voluntary organizations. We urge that, whatever the instruments, maximum use be made of United States private agencies and enterprise working in direct relationship with agencies and groups in the Philippines to encourage self-help.

INFORMATIONAL AND CULTURAL

The Peace Corps has been productive in many areas including health and sanitation and the teaching fields, particularly at the college and high school levels. We would encourage continuation and expansion of the program to include the development of cooperatives and trade schools, and other activities involving the people-to-people approach.

We suggest increased activity by private agencies such as Planned Parenthood International in population control programs, and the opening of clinics for the distribution of population control information. We would hope that the Philippines Government would in this regard request assistance of the United States Government, whose policy is to provide such assistance only when requested. We urge continued medical research into cheaper and more effective methods of population control.

Current channels of communication between the two peoples are not now adequate and must be improved, particularly in the fields of cultural exchanges, and news reporting to the United States.

CONCLUSION

We are sympathetic to Philippine aims and aspirations in pursuing their goals of national independence and an increased Asian identity. The warm ties of affection of many years' standing are an undeniable bridge over which our two nations may continue to meet in trust and cooperation to our mutual benefit.

As two sovereign, independent nations, we must each guard what we believe to be our own national interests which may, from time to time, seem to be in conflict.

We believe that dialogues at appropriate levels may have a beneficial effect on resolving differences which arise, but it is through our well-reasoned and effective action that we will demonstrate the spirit of empathy and generosity that has marked and will continue to mark the friendly and respectful relations between the Philippines and the United States.

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SDS ASSAULT ON LABOR

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. RARICK. Mr. Speaker, reports now indicate a concerted effort is underway to unite the professional students from the campus riots with the organized labor movement in a continued timetable to terrorize and disrupt our society.

The escalation of bloodshed, riots, sabotage, and anarchy by design continues—soon even our national leaders will not be able to ignore or mitigate the war at home in our cities and on our campuses.

How bad does it need become before we act?

I ask that a report by Victor Riesel and an article by Robert Dudnick from the Marxist Guardian for March 8, 1969, follow:

[From Human Events, Mar. 8, 1969]

STUDENT REBELS SET TO DISRUPT NATION'S BIG INDUSTRIAL PLANTS

Youth power apparently is finding the world of the campus too confining. The youthful lions of the SDS, the Black Panthers, and an assorted alliance of self-styled revolutionists are moving their direct action over into the less esoteric world of work—onto the picket lines, into the giant plants of the industrial belts, and even into big union headquarters.

From Long Beach and Los Angeles, Calif., to the "rag jungle" of New York's skyscraper garment area, extremists have taken time out from upending their university grounds to stir upheavals on picket lines. And where they've found no picket lines, they've invented them.

Shots have been fired. Police have been attacked. Blazes have been started in Detroit auto factories. At least one Chrysler plant labor relations representative has been stabbed.

In January, SDS activists from local campuses fanned Oil, Chemical and Atomic Workers picket lines. Plant personnel were hit. Fuel trucks were shot at, cops were jumped. The SDS slogan, obviously worked up from pads belonging to the Maoist Progressive Labor faction, said, in effect, the hell with the picket lines captains, we are starting a student alliance with the working class.

Not all SDS is united on this activist working class ideological coalition. But there are enough extremists to whip up and man the new movement within the movement.

In the Detroit area, which I just toured, the student support springs mainly from Wayne State University. There the militants are really up tight and turned on. Their publication, the "South End," recently was characterized by the university president as "disturbingly reminiscent of Hitler Germany." Some of the extremists talk of the truth and accurate reporting as fairy tale stuff of the Establishment.

Local 961, which has jurisdiction over the plant. Local union leaders, not wishing any disturbance, let the movement people sit in.

Two weeks after the wildcat strike on February 10, ELRUM's operators picketed Solidarity House, the big union's national headquarters in Detroit. Again, Black Panthers were reported on the picket lines.

Finally they were admitted and conferred with Shelton Tappes, one of the UAW Fair Labor Practices Department staff. Some of the talk was rough and unprintable, even by today's uptight standards.

Actually, there's no dealing with the RUM crowd. It won't have it. Though over 60 per cent of one plant is manned by black workers, RUM asks for more and then curtly demands full managerial control.

One of the city's most respected leaders simply gave up any attempt at mediating the Panther-protected bands' alleged grievances.

"It's futile," he told a caller. "Those young people of DRUM say democracy doesn't work and they'll physically destroy the existing establishment. Obviously that unprogrammed so-called revolutionary action is moving from the colleges into the industrial field.

"We've had fires and stabbings in the plant, where thousands of workers are being trained. We do our best to upgrade, to train foremen and move as swiftly as we can in a modern industry. But nothing helps. It's those university fellows over at Wayne State here—and you'll see it flare around the nation."

Grimly he suggested that soon SDS will be known as Shut Down the Shops. It could well be. Those chaps always seek new horizons. And who can deny that picketing was their best course at college?

[From Guardian, Mar. 8, 1969]

BLACK STORM RAGES IN AUTO PLANT

(By Robert Dudnick, Guardian staff correspondent)

"The change we speak of is nothing more than taking the ownership of the means of production out of the hands of a few who don't work and putting it into the hands of the workers who do all the back-breaking work that makes the nigger-hater in this country rich." Dodge Revolutionary Movement.

DETROIT.—A specter haunts Detroit that tomorrow will haunt the nation. It is the specter of black revolution in basic industry—the unity of national struggle and class struggle. A week of investigation here indicates that the Detroit black workers movement is the most important revolutionary action in the country.

All the elements are here. The vanguard is here. The workers are here. The guts of monopoly capitalism's production are here. And the conditions are worsening in Detroit's auto plants.

The League of Revolutionary Black Workers operate from an office at 9049 Oakland in one of the city's black ghettos. It is made up of three black worker organizations—the Dodge Revolutionary Union Movement (DRUM), the Ford Revolutionary Union Movement (FRUM) and the Eldon Ave. Revolutionary Movement (ELRUM), at Chrysler Corp's only gear and axle plant. Joining it soon will be JARUM, the Jefferson Ave. Revolutionary Union Movement, at another Chrysler plant.

Since DRUM started at Dodge Main in Hamtramck, a suburb surrounded by Detroit, the movement has caught fire to the extent that the league plans to organize black workers wherever they are—not only in Detroit and not only in auto.

But the black insurgency would have a tremendous effect even if it were limited to this city's auto plants. If they can be shut down, steel, rubber and glass will totter, too. And there is enough black muscle here to shut them down tight.

Those in the driver's seat of the multibillion dollar auto industry are worried. The United Auto Workers union, run by Walter Reuther from the sleek Solidarity House here, is also worried. Both have tried to buy off the workers.

"We have also been informed by a reliable source that the company (Ford) has instructed some union officials (of UAW Local 600) to kill one of our people as an example and they have promised that the Dearborn police will not even arrest them," Mike Hamlin of the league's central committee said.

Two factors appear to have led to the black labor insurgency. One is the general black liberation movement, which has increased its pace and deepened its analysis since the old civil rights movement. The other is DRUM, FRUM and ELRUM's ability to link that struggle to immediate conditions facing black auto workers.

PRAYER MEETINGS

At Ford's Rouge complex in suburban Dearborn, a town even worse than Dodge's Hamtramck, there is particular concern about the engine plant, where some of the hardest work is done. Before FRUM, conditions were so bad that some workers who are part-time preachers were holding prayer meetings during breaks with company consent. One assembly line is supposed to have a maximum production of 136 units an hour. But it often runs at as much as 172 units an hour. Even the lower figure is considered dangerous to health and safety.

The UAW, born of violence and militancy in the 1930s, finally organized Ford in 1942, the last major auto producer to sign a union contract. Since then, it has done nothing for the black worker. In the Ford engine plant, for example, few grievances are filed for black workers. The contract says union shop stewards are supposed to work the line four hours a shift and attend to union business the other four hours. But in return for not filing grievances, the company allows them "to spend the entire eight hours doing nothing," a FRUM spokesman said.

Meanwhile, conditions at Dodge Main had led to five wildcat strikes before some young blacks helped lead a walkout on May 2, 1968. Although Detroit's black revolutionaries had always had a working-class outlook, they had not had much success until that month.

Vanguard elements were grouped around the Inner City Voice, which started publication in September 1967 after the city's black rebellion as the successor to the Black Vanguard, which ceased in 1964. The tiny Voice group had a long history in the black struggle and was able to mobilize its base around the paper.

THE ORIGINAL NINE

Nine assembly line workers came to the Voice group in 1968 and began working with a staff member who was fired from an auto plant for participating in a wildcat. They developed a revolutionary analysis and began publishing the DRUM newsletter.

At first the newsletter was written entirely by the workers, exposing conditions in the plant. But because, as one of the Voice staff members put it, "you can't build movements on exposes," the Voice group began "integrating ourselves with the workers" and writing political articles for the newsletter. Blacks from the streets and the Voice group distributed the newsletter at the plant, leading the company to charge that the Northern-style cotton choppers were being stirred up by "outside agitators."

"By the eighth week of the newsletter," Hamlin recalled, "the plant was in an uproar." Black workers were sceaming for a strike and DRUM membership was growing. "The company began to walk softly and the union was in chaos," he said.

The leadership agreed with the demand to strike and Dodge Main was hit on July 8, 1968. The nine workers and the Voice staff mobilized militant community elements and manned picket lines, with the in-plant leadership talking to workers 100 yards from the picketers. Had they been any closer at that stage, they would have been fired.

The picketers stopped only black workers—about 70% of the workforce—and the wildcat was a "tremendous success," closing the plant Friday and Monday (weekends are not worked). This was possible because nearly all black workers stayed out.

"We were learning," Hamlin said. "We struck because the workers demanded a strike," but did not continue past the two days because DRUM did not have the organization to run a protracted strike. The strike was seen as a test of what DRUM could do.

A surge of membership hit DRUM after the walkout—from Dodge Main and other plants as well. The organization went into a "very serious" effort to tighten structure while increasing organizing activities.

Meanwhile, DRUM began to move on the UAW another way—in Local 3 elections. Although DRUM considers itself an independent black workers organization, not an old-fashioned caucus, it tries to keep its tactics supple to fit the situation. DRUM entered union politics to demonstrate its power and raise consciousness.

DRUM candidate Ron March led in the preliminary election for trustee, winning 653 votes to 521 for Joe Elliot, a white man backed by the Local 3 leadership. But even this was in doubt—DRUM charges many votes were stolen from March.

Cars with March posters were ticketed and delayed on election day by Hamtramck police. Cops swept through bars near the union hall, beating black workers. White workers and cars bearing other posters were not harassed.

About 50 black workers went to the Local 3 union hall to talk it over. The police, led by UAW official "Cannonball" Selpski, invaded the hall and maced the workers. They also used ax handles.

March lost the Oct. 3, 1968, runoff by what Local 3 claimed was about 700 votes. Local 3 has 10,000 members, of which 60% are black. But the local managed to mobilize more than 1300 white retirees, who are allowed to vote in UAW elections even though they no longer work.

From the beginning, DRUM had included workers at the allied Huber Ave. Foundry because they also belong to Local 3. Workers from other plants also attended DRUM meetings. "We took plants as workers came to us," Hamlin said, and workers at several area plants are beginning to organize against the auto industry's Big Three.

FRUM started when Ford workers who had been attending DRUM meetings came out with their own newsletter. The situation there was more difficult, however, because Dearborn is a company town. Ford even owns the highway into the plant. The factory is hardly as accessible as Dodge Main. "The few copies that were able to be distributed promoted an immediate and vicious reaction by the plant and the union," a central committee member said. Aside from the kill-and-go-free deal, one FRUM organizer was challenged to a duel and some UAW shop stewards have taken to waving guns in work areas.

ELRUM, the next unit, was started by one man. "We began with this one fellow," Hamlin said, "and we started publishing a newsletter at the plant. The response was the same; as a matter of fact, the response was even greater than at Dodge."

Some problems developed in ELRUM—the workers did not at first have the theoretical background of the DRUM leadership and their tactics showed it. Furthermore, ELRUM grew too fast for the structure to keep pace. But conditions were bad enough so that ELRUM had to take a revolutionary line.

Things came to a head about two months ago, when, during the eighth week of the ELRUM newsletter, 300 black workers descended on UAW Local 961 and demanded to be heard. The local's president tried to fob them off, but the workers presented a list of demands anyway.

The local adjourned its regular executive board meeting and the bureaucrats, with the 300 workers, went into a general meeting which lasted long enough for those on the afternoon shift to miss starting time.

When they returned to work the next day, 66 of the 300 were disciplined immediately and more were hit later. The discipline ranged from five days to a month off. The workers struck, using the same tactics that had been employed at Dodge. "The plant was stopped cold, meaning that if we had shut it down for a couple of days, Chrysler would have had to start shutting down plants all across the country," Hamlin said. Chrysler has no other gear and axle plant. "It was just one day to let Chrysler feel the impact of the workers' strength."

"Chrysler moved immediately. They discharged 26 workers. Now, mind you, none of the workers at Eldon manned any pickets," Hamlin said—the support cadre did that. Among those fired were four workers with at least 20 years of seniority each.

Workers, joined by black and white radicals, resumed picketing at Solidarity House. Chrysler headquarters in Highland Park also has been picketed.

Additionally, a national boycott of all Chrysler products is being mapped so that by 1970 anyone who drives a new Chrysler Corp. car through any black ghetto "will be placing himself in grave danger." Hamlin predicts that 90% of Detroit's black people will support the boycott.

SURPLUS VALUE

Most intensive organizing has been at Dodge and the company has threatened to move the plant—built in 1924—from Hamtramck. "Wherever they build these plants," Hamlin said, "the nature of the work is such that black people will be required to do that work because the white people will not do the hard-ass work." Besides, he added, it is more profitable to use cheap labor than to automate because there is more surplus value extracted from live labor than from a machine at this point.

The league is an unbrella group for DRUM, FRUM, ELRUM and JARUM. It does not dictate policy to any of them (or to its high school affiliate, Black Student Voice), but provides a broad framework in which they can operate.

The league's central committee handles technical assistance and resembles a working general staff. Within each revolutionary union movement, however, there is a structure which covers everything from the department to the overall plant. Constituent organizations are represented by the central committee, the members of which are responsible for specific areas—editorial, treasury, intelligence and security, internal education and so on.

The leadership plays down personalities, learning from the experience of some other black organizations. Central committee members teach each other whatever particular skills they may have to develop leadership depth.

What makes it all go, however, is the base. "DRUM has no intention of abandoning the man on the line," central committee member John Watson said, "because the man on the line *is* DRUM: the man on the line is the basic unit of DRUM."

ABM FOLLY

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 1969

Mr. DORN. Mr. Speaker, a thin ABM system around the United States would be utter folly, comparable to building a barbed wire fence around our country to keep out enemy forces.

Mr. Speaker, if we are going to spend billions on ABM, why not put ABM in areas to intercept missiles when they are launched rather than when they begin to fall—on us? If these things really work, why not put them on barges and ships around potential enemies rather than around ourselves?

Mr. Speaker, the following is from an address I made before the House of Representatives on March 9, 1967:

ADDRESS BY WILLIAM JENNINGS BRYAN DORN ON ABM SYSTEM

Mr. Speaker, such a purely defensive missile system would create a defense complex in the minds of our people, which is the first step toward defeat and destruction.

Centuries ago England made her decision to use her science and technology for offense. She built a navy that controlled the seven seas of the world for generations and even centuries. A small island with several million people—through the British Navy—influenced for good the destiny of the entire world. British art, culture, standards of living, Christianity, and representative government were spread throughout the world. If England had refused to use her science and technology, but had instead built a wall around her borders and manned it with artillery, England would not have survived and the United States as a great Nation would not be here today.

My colleagues, I cannot recall any truly great nation or great civilization in the history of the world who built an impregnable defense. France placed her hope and her destiny in a Maginot line which was crushed in a matter of hours by the offensive might of Germany—parachute troops, panzer divisions, and dive bombers. Herman Goering, commander of the German Air Force, proudly proclaimed and boasted that no bomb would ever fall on Germany. They had an antiaircraft defense that could not be pierced. Germany was virtually destroyed by American and British airpower raining death from the skies.

The military history of our own Nation points to near tragedy. We courtmartialed Billy Mitchell because he warned the American people about airpower. When Hitler started to build panzer divisions and fleets of bombers, many of our leaders did not believe a bomb could sink a battleship. Our men were still being trained in horse cavalry, and tanks could be seen few places other than in museums. If Japan, at the time of Pearl Harbor, had had the same industrial potential as the United States, we would have lost that war in 10 minutes. We must not make that mistake again.

Greece and Rome developed offensive instrumentalities of war as the best method of defense. Alexander conquered the world with the Greek Phalanx. The Roman Legion protected for hundreds of years Rome, the eternal city, and the Italian peninsula by offensive tactics and operations in foreign lands.

The great wall of China has been pierced many times by invaders and conquerors.

Mr. Speaker, I sincerely believe that not only the best way but the least expensive way to protect all of the American cities—not just a few cities—would be to develop spacecraft and further refine our capabilities to destroy, on a moment's notice, any potential enemy anywhere in the world. A deterrent force is our only real security. It is too late when the bombs and missiles begin to fall.

An attack base on the moon or in space will provide more security for all of us than a missile system on the ground around 25 or 50 cities. Stations or bases in space that can control the weather and currents of the sea might well deter a madman dictator and provide peace for the entire world. Spacecraft capable of raining atomic warheads from 50,000 miles in space could be an instrumentality of peace for all mankind. Manned bombers and fighters, highly trained pilots, control of the seas, and a highly trained, skilled, mobile, and modern army, and Marine Corps ready to be rushed anywhere in the world where they might be needed—these are the elements of a sound defense.

HOUSE OF REPRESENTATIVES—*Monday, March 17, 1969*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Give ear, O Lord, unto my prayer; and attend to the voice of my supplications.—Psalm 86: 6.

Bless us this day, our Father, with a fresh realization of Thy presence, and strengthen us to face our tasks with faith and with fortitude. As we meet at the beginning of another week, gird our lives that they may be armored with all Christ-like graces in the fight to set men free. Grant us wisdom, grant us courage, that we fail not man nor Thee.

Help us to keep our minds clear, our hearts clean, and our spirits confident. May we live so honestly and so hopefully that no disputes may discourage us, no failure cause us to falter, and no falsehood make us false to ourselves, to others, or to Thee.

Give to us Thy love and in all the changes of this life upon earth; keep us loyal and loving unto the very end. Then open wide to us the gates of life eternal, through Him who lives forever. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, March 13, 1969, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1081. An act to provide for the striking of medals in honor of the dedication of the Winston Churchill Memorial and Library.

THE LATE HONORABLE HENRY O. TALLE

(Mr. GROSS asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. GROSS. Mr. Speaker, it is with great regret that I inform the House today of the death of a former Member, the Honorable Henry O. Talle, who served with distinction from Iowa's Second Congressional District for 20 years.

Mr. Talle, who was 77 years old, died last Friday in a Washington, D.C., hospital after suffering a stroke.

During his long service in Congress, from 1938 to 1958, Mr. Talle became the ranking Republican member of the Banking and Currency Committee, the Joint Economic Committee, and the Joint Committee on Defense Production. He was also the ranking Republican on the House District Committee.

An avowed conservative, he led or participated in many efforts to reduce Federal spending. He was for 18 years a professor of economics on the faculty of Luther College at Decorah, Iowa. Failing in his bid for reelection in 1958, Mr. Talle then served for a year as assistant administrator for program policy with the Housing and Home Finance Agency.

He is survived by his wife, Gladyce, three daughters, a stepdaughter, a sister, two brothers, 15 grandchildren, and one great-grandchild.

Funeral services for our former colleague will be held at 2 o'clock tomorrow afternoon in the chapel at Fort Myer and burial will be in Arlington National Cemetery.

Mrs. Gross and I extend our heartfelt sympathy to Mrs. Talle and members of the family.

Mr. SCHWENGEL. Mr. Speaker, will the gentleman from Iowa yield?

Mr. GROSS. I am glad to yield to the gentleman from Iowa.

Mr. SCHWENGEL. Mr. Speaker, I join the gentleman from Iowa (Mr. GROSS) in paying tribute to a great former Member of this House. I had known Mr. Talle by reputation long before he came to Congress, and then, of course, when he came to Congress he made quite a reputation as a Member of this House. All who served with him know of his great capacity, ability, and dedication to public service.

It has been indicated Mr. Talle was an important member of the Banking and Currency Committee and the House District Committee. It can be said without question he was one of the most outstanding members of the Banking and Currency Committee. He, probably more than any other member, came prepared to serve in this area because he was a professor of economics in a college in Decorah, Iowa. His guiding hand, his knowledge, his insight and his studious evaluation of all the factors made him a very valued member of that committee and of the Congress. Members of the committee who served with him better than I can testify to this, or better yet, the record of Congress speaks for this and confirms the fact.

Mr. Talle was not only a very able legislator, he was an excellent representative of his people. He never faltered in his attention to his constituents, especially with farm problems and besides, he held himself out with justification as one who was interested in people and who held the rights of people uppermost in his mind. He was vitally interested in international affairs and took advantage of the opportunity to travel and learn and here, as in the committee he served, he made significant contributions in word and deed. He had a mental capacity to understand the other man's viewpoint and show proper respect and appreciation for the problems of foreign nations and their people. In this, he had the good fortune of having the concern and advice of his good wife, Gladyce, who is a very charming lady and has proved through the years to be a fine asset to his interests and to his needs and desires.

There is no tribute that speaks more eloquently or adequately of a man than to say he will be missed. In the case of Henry O. Talle it is especially significant because he will be missed by so many who loved him, respected him, and admired him.

The sympathy of both Mrs. Schwengel and I goes out, indeed, to his wife, who survives him, his daughters and in-laws and their children and his stepdaughter.

Mr. GERALD R. FORD. Mr. Speaker, will the distinguished gentleman from Iowa yield to me?

Mr. GROSS. I am glad to yield to the gentleman from Michigan (Mr. GERALD R. FORD), the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Speaker, I appreciate the gentleman from Iowa yielding to me.

For 10 years I had the privilege of serving with Henry Talle. He was a gentleman of the highest order. Mr. Talle was a man of complete and total integrity. He was quiet but effective. He worked at the job and produced results. He was a person who had the respect and admiration of Members on both sides of the aisle. He was a person whom everyone liked because of his fine qualities.

I join with the gentleman from Iowa in extending to his wife and to his family our heartfelt condolences and deep sympathy on his passing.

Mr. GROSS. Mr. Speaker, I thank the distinguished minority leader.

Mr. ALBERT. Mr. Speaker, will the distinguished gentleman from Iowa yield?

Mr. GROSS. I am glad to yield to our distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I join the gentleman from Iowa and the distinguished minority leader in what they have said about our former colleague. He was a quiet, effective, and very able Member of the House. His contributions were certainly enormous.

I also join my friends in extending to his widow and his family my deepest condolences.

Mr. GROSS. Mr. Speaker, I thank the distinguished majority leader.

Mr. SCHERLE. Mr. Speaker, I wish to join with the dean of the Iowa delegation, the gentleman from Iowa (Mr. GROSS), in expressing condolences to the family of former Iowa Congressman Henry O. Talle, who died last Friday.

Hon. Henry O. Talle, who represented northeast Iowa, served in the House of Representatives before I became a Member. Thus I did not know him personally; however, all Iowa knew of his reputation for promoting the conservative cause for good government in this country. The 20 years of service for Iowa and America by Mr. Talle will stand as a fitting memorial.

GENERAL LEAVE TO EXTEND

Mr. GROSS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the late Henry O. Talle.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

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THE INTERNATIONAL ORDER OF DEMOLAY

(Mr. MAHON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MAHON. Mr. Speaker, I rise to salute an outstanding organization of young men which this year celebrates its 50th anniversary—the International Order of DeMolay. This week has been designated as "DeMolay Week."

The International Order of DeMolay was founded in 1919 by nine teenage boys and one young adult. The adult, Mr. Frank S. Land, had the vision and the motivation to capitalize in this special way on the desirability for young men to "belong" to an organization of their own that had meaning and purpose.

Since that time, nearly 3,000,000 youths have taken upon themselves solemn vows of the highest order of honor, integrity, and citizenship. Seven cardinal virtues are extolled: Reverence of God; love of parents; patriotism and respect for law and order; fidelity; comradeship; courtesy; and cleanliness. At the present time, there are 166,000 active DeMolay in over 2,500 chapters in 11 countries and territories. The Order of DeMolay is sponsored by the Masonic fraternity, but membership is not restricted to sons or relatives of Masons. Membership is open to any young man of age 14 to 21 who is of good character, believes in God, and is properly recommended.

DeMolays have risen to positions of respect and leadership in virtually every honorable calling. Many have become leaders in Government, business, industry, the military, the entertainment world, as well as distinguished members of the clergy.

The world has a desperate need for stability and purpose. Mr. Speaker, I hope this fine order of young men continues to grow in influence for good.

Mr. Speaker, I am pleased to state that within the district which I have the honor to represent, there are five DeMolay chapters: At Andrews, Tex., the Virgil Lasater chapter; at Brownfield, the Wayland-Parker chapter; at Lamesa, the Vernon W. Bryant chapter; at Lubbock, the E. Y. Lee chapter; and the Midland chapter.

I wish to take special note of their efforts toward self-improvement and promotion of community welfare through good citizenship.

SEIZURE OF AMERICAN FISHING VESSELS

(Mr. CARTER asked and was given permission to address the House for 1 minute.)

Mr. CARTER. Mr. Speaker, since 1961, 74 American fishing vessels have been seized off the coast of Chile, Peru, and Ecuador. On occasion these attacks have been made by ships loaned by the United States to these countries.

Our shipping interests have been fined $675,000. Until June 30, 1968, we had given foreign aid to Peru in the amount of $476,000,000.

It reminds me, Mr. Speaker, of the little ditty which goes:

> If you were a horsefly and I an old gray mare,
> I would stand and let you bite me and I
> would never raise a hair.

That is exactly how we are doing now toward Peru.

> All they want is all we've got and then some
> All they want is all we have got and more.

The taxpayers of America are already burdened and are no longer willing to give aid to countries such as Peru which bites the hand that feeds it.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the bill on the Consent Calendar.

AMENDING THE ACT OF NOVEMBER 8, 1966

The Clerk called the bill (H.R. 4297) to amend the act of November 8, 1966.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. JOHNSON of Pennsylvania. Mr. Speaker, reserving the right to object, I would like to interrogate one of the chief sponsors of this bill.

Mr. KASTENMEIER. Mr. Speaker, if the gentleman will yield, I shall respond to the gentleman's questions.

Mr. JOHNSON of Pennsylvania. The first question in which I am interested and one in which I am sure other Members are interested, is with reference to the progress that is being made by this Commission on Reform of Federal Criminal Laws. Just what progress has been made?

Mr. KASTENMEIER. Mr. Speaker, if the gentleman from Pennsylvania will yield on that point, the Commission has had a slow start. I might tell my friend that it was not until 1967 that it was well organized, almost a year after its inception. But at the present time it is going at its fastest rate of speed. There have been meetings of the Commission, and the advisory committee of 12 almost once a month. It hopes, as a matter of fact, to be through with the tentative final draft of the entire comprehensive revision of the criminal laws of the United States sometime late this spring, which is only a little behind schedule as contemplated at least originally in 1966. May I assure my friend, the gentleman from Pennsylvania, that the Commission has made enormous progress.

Mr. JOHNSON of Pennsylvania. Based upon some of the preliminary reports that have been issued, does the gentleman feel as a result of the work of this Commission that there has been any attempt of the Commission to correct a number of the decisions of the Supreme Court which have been rendered in the last 10 years, decisions which have literally shocked the conscience of the people of this Nation in the field of criminal law?

Mr. KASTENMEIER. Mr. Speaker, if the gentleman will yield further, I might say that the decisions of the Supreme Court entered into the consideration of language of some of the proposed sections of the code.

It is a factor in the total overall review of what the language should be. I cannot tell the gentleman that we are in essence attempting to overrule the Court in any sense, particularly, but I must say that the work of the Commission will be a well-rounded work reflecting a number of points of view including those perhaps adverse to the Court as well as perhaps some that might favor some decisions the Court has made.

It will reflect the consensus and it will in the final analysis, I can assure the gentleman, come before the Congress to be debated and presumably to be accepted by the House, and by the other body as well. I believe that might be the appropriate time for us to look more thoroughly into the effects of it, particularly as to the decisions of the Supreme Court.

Mr. JOHNSON of Pennsylvania. Another question, Mr. Speaker. A great amount of turmoil exists in this Nation of ours by reason of people crossing State lines for the purpose of inciting riots and committing other crimes, and that body of the law seems to be wholly inadequate.

Would the gentleman say that this Commission is addressing itself to this phase of the new criminal laws that are needed?

Mr. KASTENMEIER. Mr. Speaker, if the gentleman will yield further, I can assure the gentleman that we are looking into that question also.

We had a recent conference of the Commission devoted to a very great extent to riots. I cannot prejudge the work of the Commission in terms of reporting to you at this time, but the same concern that the gentleman or any other Member would have was also expressed to the Commission, and I would say that we trust that the law in this regard will, as finally reconstituted and reformed, meet the approval of the Congress.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Pennsylvania. I yield to the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Mr. Speaker, I thank the gentleman for yielding.

On the subject of law and order and the courts, Chief Justice Warren went out of his way over the last weekend to assail Congress and lay on its doorstep the failure to clear the court dockets and reestablish law and order in the country.

He was particularly irked because his personal request for a messenger for the law library was rejected, and because another request for an additional law clerk for each Justice was refused.

Said Warren:

> In the last three years, because number of cases has increased so much, we wanted to add one law clerk for each justice.
>
> You would think from the congressional reaction that we were just dipping our hands in the Treasury.

Well, what reason would Congress have to think otherwise? If the Justices of the Supreme Court would stop taking vacations of 5 months each year, do less mountain climbing, and stop traipsing around over the world at Government

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expense as some of them do, including Warren, they could get their work done with the present personnel.

Moreover, in the light of some of Warren's decisions, it takes more than an ordinary amount of gall for him to attempt to blame Congress for the breakdown of law and order.

I thank the gentleman for yielding.

Mr. KASTENMEIER. Mr. Speaker, will the gentleman yield on that point?

Mr. JOHNSON of Pennsylvania. I yield to the gentleman from Wisconsin.

Mr. KASTENMEIER. Mr. Speaker, I thank the gentleman for yielding.

Of course, I read the same comments. However, let me say to the gentleman from Iowa that the work of the Commission does not go to administration of the courts, or some of the other points brought up by the Chief Justice, but other committees of the Congress are more directly concerned with the administration of the courts, including the Supreme Court, and can answer to that question.

The Commission goes merely to a review of the body of the law itself under which the people of this country will be seeking justice in the years to come, and may also hopefully serve as a model for the other criminal code systems in the country, particularly the State codes, with reference to their criminal laws in future years, and it is that test which it must meet when we come before Congress again with our proposed code.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, another question:

Has the committee investigated and looked into this request for $350,000 of additional money? Is this due to present salary increases, or just why do they need this additional $350,000?

Mr. KASTENMEIER. As I suggested at the outset, the Commission itself was delayed many, many months in its inception and in being organized and, in fact, even as to the entire Commission being appointed, sometime in 1967.

So while there is nearly a year's delay, this to a very great extent could have and does cause us to come back for a year's extension and for additional funds.

There are two other factors, I think that go to the dollar cost aspect of the Commission. One is, certainly, inflation, and the increased salaries, as are reflected not only throughout the Federal Establishment but the entire salary picture throughout the United States.

Second, the fact that the Commission in its last year's operation will incur sizable expenses for disseminating printed material throughout the country. Over $50,000 alone will be required to print these exhaustive reports with the tentative final copies going to law-enforcement officials and other authorities throughout the country in hope that the final concluding form of it will be as reflective as possible and will find as broad support as possible throughout the country.

This additional year's salaries, and costs of operation generally as well as the special printing costs referred to have caused us, reluctantly, but nonetheless require us to come here today and ask for an additional $350,000.

Mr. POFF. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Pennsylvania. I yield to the gentleman from Virginia.

Mr. POFF. Mr. Speaker, I urge the enactment of H.R. 4297, which would amend the act of November 8, 1966, establishing the National Commission on Reform of Federal Criminal Laws. H.R. 4297 would extend for 1 year, from November 8, 1969, until November 8, 1970, the time within which the Commission must submit its final report and would increase from $500,000 to $850,000 the amount authorized to be appropriated for the operation of the Commission.

The Commission was established to formulate and recommend legislation to improve the Federal system of criminal justice and to revise the criminal laws of the United States.

The Commission consists of three Members of the Senate appointed by the President of the Senate, three Members of the House appointed by the Speaker, three members appointed by the President, one of whom shall be Chairman, and three members of the Federal judiciary appointed by the Chief Justice. I have had the privilege of serving as Vice Chairman of the Commission. My distinguished colleagues, the gentleman from Wisconsin (Mr. KASTENMEIER) and the gentleman from California (Mr. EDWARDS) are also members of the Commission.

There are several reasons why the proposed legislation should be enacted. The Commission was delayed for almost a year in getting started, some of its members not having been appointed until the spring of 1967 and the recruitment of its staff having been completed only in the fall of that year. Nevertheless, the Commission submitted an interim report as required by law on November 8, 1968. The Commission plans to publish a tentative draft of the new Criminal Code this spring and proposes to give it wide circulation for critical analysis. An additional year is required to enable the Commission to consider the comments that are expected to be submitted. The added funds proposed to be authorized are required to enable the Commission to maintain its staff and to meet the cost of printing the tentative draft and final report. Estimated expenditures for printing alone are $51,000 for fiscal 1970.

Mr. Speaker, H.R. 4297 should be adopted to enable the Commission to compete its work and to present to the President and the Congress a document which reflects the best thinking in the Nation on the statutory statement of the Federal criminal law.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I withdraw my reservation of objection.

Mr. ASPINALL. Mr. Speaker, further reserving the right to object, and I shall not object, one of the most important procedures that the House follows in considering legislation is known as the Consent Calendar operation. Mr. Speaker, I have been a member of the objectors for 20 years and am now starting on my 21st year. It is under this procedure that most of the acts of Congress which become public laws are considered by the House of Representatives.

It has been the practice heretofore of the official objectors for Consent Calendar committees—the majority members and the minority members—to agree upon rules of procedure at the beginning of a session. I would suggest, to the new Members especially, that they read the statement regarding these rules of procedure, which has the approval of and bears the initials of all the members of the Consent Calendar committees, three members of the majority and three members of the minority.

The statement is as follows:

STATEMENT OF RULES OF OPERATION OF THE OFFICIAL OBJECTORS FOR THE CONSENT CALENDAR

On February 18, the majority and minority floor leaders appointed their respective members of the official objectors committees, the gentleman from Oklahoma, Mr. Albert, appointed three members of his party and the gentleman from Michigan, Mr. Gerald R. Ford, appointed three members of his party. The objectors committees are unofficial committees of the House of Representatives, existing at the request and at the pleasure of the respective floor leaders of the two parties who, in order to facilitate the proper screening of legislation which may be placed on the Consent Calendar, designate Members of each side of the aisle charged with the specific responsibility of seeing to it that legislation passing by such procedure is in the interest of good government. The rule which is applicable to Consent Calendar procedure is Clause 4 of Rule XIII, found in Section 746 of the rules of the House of Representatives. The operation of such procedure is described in Cannon's Procedures in the House of Representatives.

For several sessions now objectors on both sides of the aisle have followed certain rules for consideration of Consent Calendar bills which they have made known to the Members at the beginning of a session. These rules are not publicized at this time to establish hard-and-fast procedures but rather to advise the Members of the House as to the manner in which the committee plans to operate throughout the 91st Congress.

The members of the committee feel that generally no legislation should pass by unanimous consent which involves an aggregate expenditure of more than $1 million; second, that no bill which changes national policy or international policy should be permitted to pass on the Consent Calendar but rather should be afforded the opportunity of open and extended debate; third, that any bill which appears on the Consent Calendar, even though it does not change national or international policy, or does not call for an expediture of more than $1 million, should not be approved without the membership being fully informed of its contents, providing it is a measure that would apply to the districts of a majority of the Members of the House of Representatives, in which case the minimum amount of consideration that should be given such a bill would be clearance by the leadership of both parties before being brought before the House on the Consent Calendar.

It has been the policy of the objectors on the Consent Calendar heretofore to put such a bill over without prejudice one or more times to give an opportunity to the Members to become fully informed as to the contents of such a bill, and the Consent Calendar objectors for the 91st Congress wish to follow like procedure; fourth, that if a bill has been placed on the Consent Calendar and the members of the committee having jurisdiction over the legislation show that it has not been cleared by the Bureau of the Budget, by the respective Department af-
ports from the committee or from the De-
fected by such legislation, or that such re-

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partment show that the legislation is not in accord with the President's program, it should not pass on the Consent Calendar but that the chairman of the House committee having jurisdiction over the legislation, should either call it up under suspension of the rules with the permission of the Speaker or should go to the Rules Committee for a rule for such legislation. While the members of the objectors' committees feel that a report from the Bureau of the Budget is necessary before a bill should be placed upon the Consent Calendar, they do not wish to take the position that the report from the Bureau of the Budget must necessarily show the approval of such legislation by the Bureau. However, if such approval is not shown, then in the consideration of the legislation, even if considered on the Consent Calendar, the chairman reporting the bill, or the sponsor of the bill, should be willing to accept the responsibility of stating to the Members the action of the Bureau of the Budget and the reasons for such action.

The members of the Consent Calendar objectors' committee also feel it fair to state to the membership that it is not their purpose to obstruct legislation or to object to bills or pass them over without prejudice because of any personal objection to said bill or bills by any one member or all of the members of the Consent Calendar objectors' committee, but rather that their real purpose, in addition to expediting legislation, is to protect the membership against having bills passed by unanimous consent which, in the opinion of the objectors, any Member of the House might have objection to.

The members of the Consent Calendar objectors' committee earnestly request that the chairman of the standing committee of the House having the responsibility for bringing legislation before the House take into consideration the contents of this statement before placing bills on the Consent Calendar. While it is not absolutely necessary that the sponsors of bills appearing on the Consent Calendar contact the various members of the Consent Calendar objectors' committee, nevertheless, in the interest of saving time and avoiding the possibility of having bills laid over unnecessarily, it is good practice to do so; and the objectors welcome the continuance of the procedure of getting in touch with them at least 24 hours before the legislation is called up under the regular Consent Calendar procedure. In many instances such thoughtfulness on the part of the sponsors will clear away questions which the objectors have and consequently will make for the expeditious handling of legislation.

Wayne N. Aspinall,
Edward P. Boland,
John J. McFall,
Majority Objectors.
Thomas M. Pelly,
Durward G. Hall,
Albert W. Johnson,
Minority Objectors.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I am glad to yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I want to compliment the distinguished gentleman from Colorado on the statement he has just made and associate myself with it.

Speaking for the minority Members of the House of Representatives, these are important procedures and I think the distinguished gentleman would agree with me by and large it is at times misconstrued and is perhaps always unfortunate—because the Consent Calendar objectors are not objectors at all and they are never obstructionists, as the gentleman so succinctly puts forth in his statement wherein he sets forth the categories on which the objectors are agreed as to procedure.

Indeed, rather than being obstructionists, they oftentimes expedite the business of the House by doing their homework in advance in order that the business of the House might be expedited.

I wonder if the gentleman does not agree that the people who function under this criteria and these rules as so-called objectors are not obstructionists but in fact do do their homework sometimes laboriously and for long hours and prescience in order to know whether to object—or put over in order that the sponsor of the bill may have adequate time to discuss it with the so-called official objectors, to expedite the business of the House.

Mr. ASPINALL. Mr. Speaker, I agree wholeheartedly with what my colleague from Missouri has just stated to the House. These objector procedures are not designed to take from the various Members the responsibility which belongs to Members who are sponsoring pieces of legislation. Bill sponsors should go to the members of the objectors committee as well as to all other Members of the House who might be interested, in order to bring the matter before the House at the proper time so that we can expedite the calendar.

Mr. HALL. Mr. Speaker, I thank the gentleman for yielding. I associate myself with his statement and with his intent, and commend him for his leadership through 21 years.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 4297

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8 of the Act of November 8, 1966 (80 Stat. 1516) is amended by striking out "within three years after the date of this Act" and inserting in lieu thereof "within four years after the date of this Act".

Sec. 2. Section 10 of such Act is amended by striking out "not to exceed a total of $500,000" and inserting in lieu thereof "not to exceed a total of $850,000".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TAX REFORM

(Mr. ROBERTS asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. ROBERTS. Mr. Speaker, with the Ways and Means Committee hearings being conducted on a tax system overhaul, the attention of the entire Nation seems to be focused on this issue. Scores of newspaper stories and magazine articles dealing with tax reforms have appeared in recent weeks. Often these reports of tax irregularities are misleading.

I want to share with my colleagues a letter I received from one of my constituents, Mr. William E. McReynolds. The letter was directed to the associate editor of Newsweek magazine, Tom Nicholson, and was written in rebuttal to one of these misleading articles printed by the magazine entitled "How To Make Millions and Not Pay a Cent."

Mr. McReynolds' letter is both timely and informative and does much to debunk some of the myths about the tax system which are perpetrated by many such misleading articles.

The letter follows:

Longview, Tex.,
February 21, 1969.

Mr. Tom Nicholson,
Associate Editor, Newsweek Magazine,
New York, N.Y.

Dear Mr. Nicholson: You do millions of readers, and I think the country at large, a serious disservice with such inaccurate and misleading reporting as that characterized by your essay entitled "How To Make Millions and Not Pay a Cent" on page 69 of the February 24th issue of Newsweek.

The article is inaccurate in that its reports that a high bracket taxpayer can "buy a herd of breeding cattle, for instance, and immediately deduct his total outlay plus most of his anticipated expenses over the next year." Not so. The tax law allows a high (or low) bracket taxpayer who buys a herd of breeding cattle to take depreciation deductions for that part of the year in which he held the herd and for the remainder of the time that he holds it, but not in an amount that will exceed the salvage value (and in many cases this would be the market value) of the herd. Thus, your reporter was completely in error. A taxpayer may not deduct the cost of the breeding herd, except in the year of sale, but must capitalize the cost of that breeding herd and may take reasonable depreciation deductions.

Your article is also extremely misleading in Case 1, Taxpayer "A".

In the instance you give of a taxpayer who makes a charitable contribution of some 5.1 million dollars under the unlimited charitable contribution provisions of Code Section 170, you might at least have told your readers of the stringent conditions under which this type of situation may apply. In order to qualify for the unlimited charitable contribution deduction provided by Code Section 170 a taxpayer must meet the following requirements:

The sum of the taxpayer's charitable contributions plus his Federal income taxes paid for eight of the ten years preceding the taxable year in which the transaction takes place, must exceed *ninety per cent of his taxable income.* In each of those eight qualifying years the taxpayer's charitable contribution deduction would be limited to either 20 or 30% of his adjusted gross income, thus, he would necessarily have paid in a considerable amount of income taxes during those eight qualifying years. Thus, it is not quite the loophole that you seem to imply in your Case 1 of Taxpayer "A". In my view, and this was apparently also the view of Congress when they enacted the statute, a taxpayer who makes charitable gifts and pays Federal Income Taxes in excess of ninety per cent of his taxable income for eight of ten consecutive years, is entitled to some kind of tax relief in the year that he gives an unlimited charitable contribution.

Another issue which has been the whipping boy for millions of tax reformers—so called—for many years, is the depletion allowance, which you refer to as a loophole which allows a taxpayer to "freely pocket 27½% of his total take from gas and oil wells before even thinking about calculating his tax". As all knowledgeable people know, an oil and gas operator seldom, if ever, is allowed to deplete his income at the rate of 27½% because of the limitation provisions of that particular code section. Code Section 613 provides that depletion allowance for any single property may not exceed 50% of the net income from that property. Because of this, limitation it is doubtful that the depletion allowances as a whole throughout the industry exceed 10 or 15% of the total gross income from gas and oil.

Thus, your statement gives a very misleading impression to the average citizen who is unacquainted with the actual provisions of Code Section 613. Furthermore, you mislead by failing to report fully on the depletion provisions of the income tax law.

For example, it would have been helpful to your readers if you had told them that there are at least 43 other minerals that qualify for a depletion allowance of 23%, including everything from asbestos to zircon as well as titanium and vanadium. I have always felt that a cleverly disguised half-truth is a great deal more harmful and vicious than an outright falsehood.

I certainly do not believe, nor do I mean to imply, that our federal income tax law is perfect and not in need of any kind of modification. On the contrary, there are many areas that need to be updated and revised for the benefit of the country as a whole.

But if you begin to attack such basic provisions of our tax laws as the Captial Gains Tax and the Depletion Allowance, you begin to tinker with some very important machinery basic to the economics of our country. You ignore the fact that huge capital gains deals almost invariably involve tremendous numbers of jobs for people whose wages, of course, create taxable income, and the people who create these transactions are energetic, ingenious and ambitious people who by taking tremendous risks do obtain for themselves what some might call favorable tax treatment. In the process, however, they create an enormous amount of economic activity that benefits many people, and so for this reason I favor extreme caution in tinkering with the basic rules and provisions of our federal income tax law. For example, to outlaw tax exempt interest on municipal and state bonds would be to invariably increase the cost of operation of those municipalities, schools, and state governmental agencies involved. Would this be a true tax reform? Not in my view. You are simply shifting the burden from the Federal Government to the States and the Municipalities and to the cost of education of our children. Would outlawing the depletion allowance, or even seriously reducing it, be in the interest of our nation? I think not. Certainly not if it would put our major operating oil companies in an unfavorable position with companies of other nations in the world. Furthermore, it would result in higher prices for gasoline and other petroleum products, many of which are basic to our entire economy. I am not in favor of any adjustment in the depletion allowance as it affects oil and gas properties.

I trust, and I have every confidence in believing, that Chairman Mills of the Ways and Means Committee of the House, his Committee Members, and the members of Congress will be a great deal more objective and honest in their approach to tax reform than that typified by your article.

This kind of reporting, Mr. Nicholson, does no one any good and it does a great deal of harm. Coming as it does on top of a lot of other inaccurate, misleading and wholly false reporting that we have seen recently in local newspapers and on television it is not a credit to the great American institution of Free Press. The readers of Newsweek deserve better at the hands of its editors.

Sincerely yours,

William E. McReynolds.

CHANGE DEFINITION OF "AMMUNITION" UNDER GUN CONTROL ACT

(Mr. KLEPPE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KLEPPE. Mr. Speaker, I have today introduced, for reference to the appropriate committee, a bill to change the definition of "ammunition" under the Gun Control Act of 1968.

This bill is being introduced to correct what I consider to be a clear case of bureaucratic excess. I think the intent of Congress under the Gun Control Act of 1968—insofar as the purchase of long-gun ammunition is concerned—was misconstrued by the Treasury Department under the Johnson administration.

The Gun Control Act of 1968, in section 922(b)(5), clearly states that the one selling or delivering any firearm or ammunition must note the name, age, and place of residence of the person making the purchase.

However, in addition to that, the Treasury regulations issued under the Johnson administration require, first, the date; second, manufacturer; third, caliber, gage, or type of component; fourth, quantity; and fifth, mode of identification.

I have received numerous complaints from citizens in my district in North Dakota about these regulations as they relate to rifle and shotgun ammunition. It does not make sense to require the sportsman in North Dakota to register himself every time he wants to buy a box of shells.

The legislation would correct the regulations as they apply to the most commonly used "hunters" ammunition by changing the definition of ammunition.

The present definition is as follows:

> The term "ammunition" means ammunition or cartridge cases, primers, bullets, or propellent powder designed for use in any firearm.

The new definition under the legislation I am introducing is:

> The term "ammunition" shall include only ammunition for a destructive device and pistol or revolver ammunition. It shall not include shotgun shells, metallic ammunition suitable for use only in rifles, or any .22 caliber rimfire ammunition.

This substitute language is that of the Senate Judiciary Committee Report No. 1501, dated September 6, 1968, and I think there are now clear-cut reasons why the language should be reverted to.

The tight restrictions placed upon the American sportsman by the last administration are unfair, unnecessary and a needless burden. I do not believe that persons buying rifle, shotgun, and .22-caliber rimfire ammunition should be subject to registration—in fact, if not in name. It was not the intent of Congress to burden the hunter and sportsman as the present Treasury regulations are doing. We should act swiftly to correct this bureaucratic excess.

EDUCATION FOR AGRICULTURAL DEVELOPMENT — THE KANSAS STATE UNIVERSITY EXPERIENCE

(Mr. MIZE asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. MIZE. Mr. Speaker, earlier this year I made reference to the Kansas State University project for agricultural development at Andhra Veterinary College, Andhra Pradesh, India.

The Kansas State experience will be heartwarming information for all Members of Congress. I, therefore, insert in the Record an article by Warren L. Prawl, staff member of the Office of International Agricultural Programs, Kansas State University. The article, which recently appeared in the Agency for International Development publication, War on Hunger, is based upon Mr. Prawl's experience as a member of the KSU team in India.

The article follows:

Education for Agricultural Development

(By Warren L. Prawl)

(Note.—Warren L. Prawl, a staff member of the Office of International Agricultural Programs, Kansas State University, was a member of the KSU team in Andhra Pradesh from 1962 to 1966. The KSU team is financed by the Agency for International Development.)

Education and training for scientific agriculture are time consuming and expensive. It must be acknowledged, however, that these are foundation stones on which production increases can be built. Even though such efforts require great investments in resources and time, dividends accrue indefinitely after the initial educational task has been completed.

Practical training, sometimes called "learning on the job," is not a new concept in education. This is the way sons of farmers have learned the agricultural "trade" since man began to domesticate wild animals and cultivate crops. In today's world of scientific agriculture, there is a vast amount of knowledge to be learned and applied. Accordingly, some educators say that students of agriculture do not have time to study and learn both theory and application while pursuing their theoretical academic training. Application and practice are therefore often slighted. Agricultural educators around the world err when they accept this argument. In many developing areas of the world students in agricultural and veterinary colleges come from the urban areas. They lack opportunities to observe and learn agriculture through the apprenticeship method from their fathers before going to college. And, when they are at college, often little thought and even less effort is devoted to the problem of providing these students, many of whom serve as extension agents after graduation, with the necessary skills to demonstrate the methods and techniques of modern agriculture to their farmer clientele.

Educators, of course, have long realized the value of on-the-job-learning—the need for correlating curriculum with productive activity and of the need to provide students with skills useful in their chosen vocation. This report illustrates how some of the deficiencies in an agricultural education project were overcome. It should be of interest to others who are concerned with this problem.

EARN WHILE YOU LEARN

In South India a unique "Earn While You Learn" student activity was started in 1964 on a pilot basis at the Andhra Veterinary College located in Tirupati, Andhra Pradesh. Poultry was selected as the enterprise best suited for this project for several reasons. Poultry requires a low-capital investment with quick-returns. Eggs are an excellent source of protein (diets in India are very low in protein and the average consumption of eggs in the State of Andhra Pradesh was only seven to nine eggs per capita in 1963). Poultry farming does not require a large land area. It would provide opportunities for con-

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ducting applied research on various aspects of poultry husbandry. Furthermore, an accurate and complete record of a large scale poultry operation would be available for use in the extension program in the area.

As the name implies, the activity was designed to teach veterinary students the practical aspects of poultry management. At the same time, the students could earn money to defray some of the expenses of their college education. The project would add to the production of eggs and meat in the area. This type of project would counter the criticism that too much emphasis was being placed on theoretical classroom teaching at the expense of practical training experiences. It must be admitted that this criticism was justified for many students come from the city or urban areas, not from the farm. A large percentage of the graduates enter government service as extension officers where theory must be applied to everyday situations. In the past they have not been competent to teach and demonstrate theory adequately.

ORIGINATED WITH AID

The original idea for such an "Earn While You Learn" project was suggested in early October 1963, by a poultry advisor serving with the Agency for International Development in New Delhi. The idea incubated rapidly in the mind of the author, who was serving as extension advisor with the Kansas State University field team in Hyderabad, Andhra Pradesh, at the time. Enthusiasm and support of Indian colleagues and administrators developed rapidly. A proposal was immediately formulated and forwarded to AID/New Delhi requesting that a grant of rupees 50,000 ($10,500) be allocated from U.S.-owned rupees for an "Earn While You Learn" demonstration project. The project was to be directed jointly by the author and Indian colleagues.

A rapid series of actions followed which testified to the imagination, interest and enthusiasm generated by the project proposal. In less than two months, AID, the Director of Animal Husbandry of the State and the State Ministry of Food and Agriculture had reviewed and approved the activity—a remarkable feat! This is an outstanding example of effective coordination and cooperation of a United States government agency, a United States educational institution, a state government department and an Indian educational institution.

The author and his Indian counterpart supervised the project as co-leaders. The students participating in the project elected officers from among their group to provide student leadership. The student treasurer had the responsibility for keeping all project accounts.

It was anticipated that 30 third-year students would volunteer for the project. The plan was to divide these 30 into 10 student groups and provide each group with a house, an initial stock of chicks, feed and equipment. (A flock of 100 adult layers is considered minimum for an economically viable operation under Indian farm conditions). All materials were provided in kind, not cash. Nearly 50 students volunteered for the project but space and finances were not sufficient to accommodate such a large group. Forty students were finally selected on the basis of interest, enthusiasm, need for financial assistance, maturity and academic records.

TEN HOUSES BUILT

As noted earlier, AID provided a grant of 50,000 rupees for the project. The College agreed to provide sufficient land to accommodate the buildings, technical guidance by the staff in all phases of the project, a free supply of electricity and water, meat processing and storage facilities, assistance and facilities for marketing meat and eggs, and the use of feed grinding equipment.

Ten houses were constructed in January and February 1964. Brooders were constructed by a local contractor for Rs. 40 ($8.50) each. Special feeders were designed and made locally at a cost of only Rs. 3.50 ($.75) each. A one-ton air conditioner for the egg cooling room was purchased and installed for Rs. 3,000 ($630). Actual expenditures for this first group are shown in Table I, below.

TABLE I—*Expenditures for first "earn while you learn" poultry project*

Item	*Cost in rupees**
Ten houses	13, 784
7,500 day-old chicks	10, 216
Equipment	9,055
Feed mixing and storage building including egg cooling room	5, 750
Feed	9, 422
Wiring for electricity	1, 540
Miscellaneous expenses	142
Total	49, 909

* Rs.4.75 equivalent to 1 U.S. dollar.

There are two veterinary colleges in the State of Andhra Pradesh, one at Tirupati and one at Hyderabad. Those persons connected with the original project felt the same opportunity should be provided students of the College of Veterinary Science, Hyderabad. Appropriate actions to accomplish this were soon initiated.

There were severe space limitations at Hyderabad so a project only half the size of that at Tirupati could be operated. A plan and a request for a grant of Rs. 22,000 ($4,632.) was forwarded to AID officials in New Delhi. The plan was immediately accepted and the grant approved. Only 20 students could be accommodated in the Hyderabad project. Three houses were constructed, chicks were purchased and in February 1965, the project was inaugurated.

PROJECTS ARE SELF-PERPETUATING

Dr. Balakrishna Reddy, co-leader of the Andhra Veterinary College project at Tirupati and Dr. C. V. Reddy at Hyderabad were project co-leaders. N. V. Ramana Rao and V. Appa Rao also served as co-leaders at Tirupati. As personnel were promoted or transferred, other Indian colleagues became involved in the project. When the author completed his Hyderabad assignment, Dr. Earl Moore, another KSU advisor, became project co-leader.

These projects have enjoyed remarkable success and have earned the respect of educators throughout India. The projects are self-perpetuating for each student returns to the project an amount equivalent to the cost of the chicks, feed, supplies and a pro-rated amount of the miscellaneous expenses. Interest is collected as is a depreciation charge for the buildings. These loans are paid into a "revolving loan fund." Loans have averaged nearly Rs. 700 per student. Following this procedure the projects can continue indefinitely.

The Indian press has reported on the progress and results of the projects continuously since their inception. One news story caption read "Excellent Teaching Laboratory" and quoted one college principal as saying, "The project will be an excellent teaching laboratory and an extension of the classroom." Another headline noted "Students Raise Poultry to Learn and Earn."

The results in terms of student involvement, eggs produced and profits distributed are shown in Table II. By the end of March 1968, seven projects had been completed, five at Tirupati and four at Hyderabad. Project life is 14–15 months. In this five-year period, more than one and one-half million eggs have been sold and approximately ten tons of meat. The Tirupati group has raised 500–700 broilers each year in addition to the laying project. Gross receipts have exceeded Rs. 400,000. The net profit distributed to students was Rs. 83,623. for an average of Rs. 489. to each of the 171 students completing the project. Earnings meet approximately half the students' college expenses for a year.

TABLE II.—5-YEAR "EARN WHILE YOU LEARN" PRODUCTION RESULTS

Year and location	Students completing project	Eggs produced	Rupees		
			Gross receipts	Net profit	Profit per student
Tirupati:					
1964–65	40	318, 679	91, 332	9, 298	225
1965–66	22	245, 998	52, 862	15, 873	708
1966–67	32	239, 590	64, 845	19, 911	622
1967–68	26	229, 161	71, 279	9, 579	368
Subtotal	120	1, 033, 428	280, 318	54, 661	
Hyderabad:					
1965–66	18	189, 505	[1]44, 500	10, 924	611
1966–67	19	216, 489	58, 940	8, 801	458
1967–68	14	136, 164	34, 378	9, 237	703
Subtotal	51	542, 158	137, 718	29, 034	
Grand total	171	1, 575, 586	418, 036	83, 623	[2]489

[1] Estimate. [2] Average.

In 1965, another "Earn While You Learn" project was initiated. This was a pork production project started at the Andhra Veterinary College, Tirupati. AID again made a small rupee grant available. The author served as co-leader of this project with Dr. P. V. Narayana Rao. Twenty students take part in this project each year. Each student is assigned three weanling pigs. Feed, pigs, equipment and supplies are provided. Students provide management for the project and slaughter the animals. Nearly 150 animals have been finished in this project with more than 25,000 pounds of meat sold to the public.

Students are not the only benefactors from these projects. Consumers reap at least three benefits. They are assured a *constant supply* of a *quality product* at a *reasonable price*. These conditions do not always exist in the developing countries.

It is obvious that these "Earn While You Learn" student projects could not have succeeded without the support of a large number of individuals and institutions. Students provided the enthusiasm, time and labor; project leaders supplied initiative, counsel and guidance; college principals cooperated fully by making space and facilities available; staff provided the technical knowledge and skills, and the Agency for International Development supplied the initial capital. It is equally obvious that all involved derived some benefit from the activities.

As noted earlier, the concept of "learning on the job" has been used in education for centuries. The opportunity for incorporating this concept into 20th century educational programs still remains. It is the hope of the author that others will view this case study as a challenge to their imagination and ingenuity.

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ANTI-BALLISTIC-MISSILE SYSTEM

(Mrs. MINK asked and was given permission to address the House for 1 minute, to revise and extend her remarks, and to include extraneous matter.)

Mrs. MINK. Mr. Speaker, I wish to place in the Record of today the views of the Honolulu City Council on the matter of the anti-ballistic-missile system as expressed in their Resolution 89 which I include.

As you know, the city of Honolulu was one of those chosen as an ABM site when the ABM was considered necessary for the protection of our population. Many of the cities involved rebelled against the installation of nuclear sites nearby, and the Honolulu City Council also gives that as a reason for its opposition, but that is only one of their many reasons. Their other reasons for opposition are as valid now as they were before the President changed the concept and purpose of ABM and moved it away from the cities.

The council is opposed to the ABM because of their own prudent vision and human compassion, because of their desire to see a diminution of the arms race, and because of the system's cost and questionable value.

Mr. Speaker, I submit Resolution 89 of the City Council of Honolulu:

Resolution 89

Whereas, our Nation's leaders are considering the manufacture and nation-wide deployment of the nuclear armed sentinel anti-ballistic missile system at a cost of untold billions of dollars; and

Whereas, prudent vision and a sense of human compassion in the use of our resources demand that we apply such funds instead to solutions to the crises of urban America and the plight of the poor and underprivileged of the Nation and the world; and

Whereas, a preponderance of the Nation's leading scientists question the defensive or deterrent value of such anti-ballistic missile system; and

Whereas, the continued existence of humanity depends upon a diminution of the arms race and not an ever-escalating proliferation of nuclear weapons; and

Whereas, deployment and operation of said anti-ballistic missile system would surely create unknown hazard to the lives of the people of the City and County of Honolulu and to this State; and

Whereas, a majority of the congressional delegation of the State of Hawaii has expressed clear and unequivocal opposition to the manufacture and deployment of the nuclear armed sentinel anti-ballistic missile system: Now, therefore, be it

Resolved by the Council of the City and County of Honolulu, That this Council supports the position taken by Senator Daniel K. Inouye, Congresswoman Patsy T. Mink and Congressman Spark M. Matsunaga in opposition to the sentinel anti-ballistic missile system; and be it further

Resolved, That the Clerk be, and she is, hereby directed to transmit copies of this Resolution to the Honorable Richard M. Nixon, President of the United States, the Honorable Spiro Agnew, Vice-President of the United States, the Honorable John McCormack, Speaker of the United States House of Representatives, the Honorable Melvin Laird, Secretary of Defense, the Honorable Hiram Fong, Senator, the Honorable Daniel Inouye, Senator, the Honorable Spark Matsunaga, Representative, and the Honorable Patsy Mink, Representative.

REVIEW OF GAS-GERM WARFARE POLICIES NEEDED

(Mr. HECHLER of West Virginia asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. HECHLER of West Virginia. Mr. Speaker, American policies in the field of chemical and biological warfare, a matter of concern to every citizen, has recently been brought to the attention of the Congress. An accident at Skull Valley, Utah, use of mustard gas in Yemen, questionable U.S. policy in using incapacitating gases and defoliants in Vietnam, have all shown the need for thorough review of our policies and practices.

Recently, at the request of the gentleman from New York (Mr. McCarthy), the U.S. Army presented a briefing on their chemical and biological warfare programs. This briefing, however, raised more questions than it answered. In response to a question about the safeguards used in transporting lethal chemical agents, the U.S. Army assured the members present that guards accompanied shipments of this material. Subsequently, a television crew in Denver photographed an unguarded open railroad car holding a dozen or more large containers marked "lethal gas." There was no guard present. The Skull Valley incident and the frightening situation in Denver show that our safeguards are by no means perfect. In fact, chemical and biological weapons may constitute more of a danger to the American public than nuclear warheads.

Mr. McCarthy has addressed to Secretary Laird and other department heads a series of questions that cover in depth the public policy aspects of our chemical and biological warfare programs. The answers to these questions are essential to an intelligent evaluation of our activities in these fields by both Congress and the public. I look forward to reading the replies.

The public concern about our policies in these two fields is evidenced by the widespread comment that the briefing received. It showed that, in contrast to an almost overabundant supply of information about weapon systems such as the antiballistic missile, the public knows too little about chemical and biological warfare. Without this information, we cannot either initiate or defend a worthwhile U.S. policy.

I place an editorial appearing in the Buffalo Courier-Express of Tuesday, March 11, commenting on initiatives in the field of biological warfare, in the Record for the information of my colleagues. I further want to commend Mr. McCarthy for his action, for bringing this topic up for public discussion.

The editorial follows:

Horrors Seen in Biological Warfare

At a time when arms-control advocates are putting emphasis on the horrible destructiveness of nuclear weapons, it appears that they have been overlooking or ignoring an even more horrendous method of mass destruction—biological and chemical warfare. Terrifying as an atomic holocaust may be, the existing threat that entire countries may be wiped out through the sinister use of chemical or biological agents is unthinkable—unthinkable, that is, to the average citizen.

However, the power of these scientific weapons is not being overlooked or ignored by the military establishment in the United States or in the Soviet Union. Testimony given at a Senate-House briefing by Defense Department officials the other day revealed that the United States has an overabundance of chemicals which could be used on enemy forces and conceivably on civilian populations. But despite the magnitude of the U.S. chemical-biological weapon arsenal, Russia's is even bigger, the experts testified. They recommend that U.S. supplies be increased.

The fact that such arms exist in two of the world's most powerful countries is sound reason for apprehension in other nations around the world. Britain proposed the banning of production and use of these weapons at the Geneva disarmament talks last summer, but the proposal was opposed by both the United States and Russia for various reasons, probably based on the restraining threat they posed to each other.

However, it seems that nations truly concerned with world peace and the preservation of the human race would willingly renounce the production and use of such horrible weapons. Britain most certainly would be acting in the interest of mankind if she brought the matter up for discussion again and insisted that favorable action be taken on it. There is no room for barbarism, no matter how scientific it may be.

CONGRESSMAN HORTON SALUTES BISHOP KEARNEY'S AMBASSADORS OF GOOD WILL

(Mr. HORTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. HORTON. Mr. Speaker, before the House gets down to its legislative business for this St. Patrick's Day, I want to share with my colleagues a wonderful honor which has come to my home community of Rochester, N.Y.

Last week, I received a letter from the Reverend Brother John Heathwood, of Bishop Kearney High School in Rochester. His letter best expresses the special excitement which pervades the city and his school on this St. Patrick's Day. He writes:

> For the past two years, the Bishop Kearney High School Marching Band has led the St. Patrick's Day Parade up Fifth Avenue in New York City. In the reviewing stand last March 17th, Mr. Maurice Dunne, an Irish official, turned to Governor Rockefeller and said, "I want that band to march in Dublin next year."

That, Mr. Speaker, was the beginning of a communitywide effort which has brought the famed Bishop Kearney High School Band to Dublin to lead today's St. Patrick's Day Parade.

The liftoff of a chartered DC–8 jet from the Syracuse, N.Y., airport last Friday afternoon, began the climax of a yearlong effort to make possible the journey of the Bishop Kearney Marching Kings to Ireland. Student projects and donations from many supporters of the school raised the $43,000 necessary to make this dream trip a reality for the 90-member Marching Kings Band, the 12-member color guard, and the 10-member team of majorettes.

These 112 young men and women, and the eight administrative personnel from

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Bishop Kearney who was accompanying them, are not only representing their school and the Catholic Diocese of Rochester, but they are ambassadors of good will for city, the State of New York, and the entire United States.

Their trip, to honor Ireland's patron saint, will bring to the people of Dublin and all of Ireland the greetings of Irish Americans, and those Americans who join their Irish brothers 1 day each year for the "wearin' of the green."

In an era when our front pages are filled with accounts of violence, dissent, and destruction caused by a few students at American public and private institutions of learning, I should like to share with my colleagues a proud description of the students and accomplishments of this Rochester Catholic school, named for the retired Bishop of Rochester, the Most Reverend James E. Kearney.

Bishop Kearney High School, founded in 1961 by the Most Reverend James E. Kearney, retired bishop of Rochester, accepted its first class in the fall of 1962. Since that time the school has compiled an enviable record. Its students have consistently lived up to the school motto "Fac Omnia Bene"—Do All Things Well. Bishop Kearney students have been in the forefront of regents scholarship winners year after year. The senior classes have year after year had a record of more than 90-percent acceptance in college with well over 50 percent of that number receiving full or partial scholarship awards to the college of their choice.

Bishop Kearney students have always been active in the field of community service. The action group, for example, does tutorial work in the inner city schools. At the moment the students are conducting a drive for the benefit of Project Hope.

In the field of music Bishop Kearney High School has an outstanding record. Each spring since 1964 the school has produced a major musical including such productions as "Oklahoma," "West Side Story," "Brigadoon," and this year "Kismet." The band, founded in 1965 by the present director, Mr. Raymond J. Shahin, has for 2 years led the St. Patrick's Day Parade in New York City.

It was this honor which lead to the present honor of being invited to participate in the parade in Dublin, Ireland. The band members are representative of the entire student body in that their enthusiasm, loyalty, and citizenship is typical of these qualities which you will find in each and every student at Bishop Kearney High School. These young men and women will be worthy representatives of their school and country next week in Ireland.

The school is staffed by the Irish Christian Brothers, the School Sisters of Notre Dame, and 65 lay teachers. The student body at the present time numbers nearly 1,600, making Bishop Kearney the largest private high school in the area.

Representing this fine school in Dublin today are the following members of the Marching Kings Band, the color guard, and majorettes. I am proud that the American flag carried by the color guard in the Dublin parade is one that flew over this building, our U.S. Capitol, which I presented to the school last week specifically for this purpose. The list referred to follows:

Bishop James E. Kearney High School Marching Kings Band

Mary Ann Aiello, Peter Alano, Greg Andrews, Mary Bailey, Charles Bayer, Diane Balgiorno, Carol Bianchi, Mike Bianchi, Mike Born, Ellen Bossert, Andy Calabrese, Robin Camardo, Rosalee Campione, Jane Caufield, Mario Ceramo, Margo Ciak, Jim Clements, Pat Conlon, George Conte, Gail Correnti, Martha Correnti, Steve Coulombe, Steven Cushman.

Gary DeBurgomaster, Jim DiTucci, Maureen Doohna, Rick Duncan, Greg Enos, Tom Erb, Jim Erbelding, Gerry Farraenola, Mary Jo Frumusa, Peg Gelante, Joe Galante, Joanne Guarnero, Mike Hauck, Jean Haughout, Charles Hauser, Jeanne Hauser, Richard Iacona, Robert Kaesser, Art Kaegan, Joe Keown.

Kathy Kilmen, Barb Klos, John Koetter, Jan Koetter, Ed Kraseski, MariFran Kraseski, Mary Kraus, Rick Krause, Marilyn Krowl, Greg Lettau, John Lunk, Teri McLaughlin, Richard Mahany, Marg Marcille, Mike Mueller, Bark Neary, Chris Oldenburg, Ann Page, Dave Pell, Sue Potter, John Rafalak, Louis Rotondo.

Jim Scarpulla, Pat Scarpulla, Gail Schlemitz, Elaine Schmidt, Barb Schreiber, Fred Schubert, Jim Scott, Ray Shaheen, John Shepard, Brian Smith, Gil Smith, Doug Smitz, Anne Stevens, Mike Thomas, Barb Trybulski, Anne Valinus, Bill Valinus, John Vogt, Robert Walsh, Jim Cauley, Pat Amberg, Tom McLaughlin, Pat Krowl, Bill Trybulski, Tom Walsh, Dave Mueller.

Color guard: Marge Cramer, Linda Floralda, Sue Boss, Sharyn Christo, Debbi Husted, Annette Ceramo, Chris Patti, Carol Morrissette, Peggy Sloane, Janet Burgo, Anita D'Ambrosia, Pat Travis.

Majorettes: Lena Marino, Cathy Seitz, Joanne Spiegel, Cathy Irwin, Debbie Portanova, Sue Frostbauer, Sue Larzelere, Jean Winnick, Beth Sanger, Judy Napier.

These administrative personnel accompanied the band to the Dublin parade:

Raymond J. Shahin, director of music; Miss Doris Britt, director of majorettes; Miss Sally Morrissette, director of color guard; Mr. Andrew W. Korts, moderator, Kings Band; Mrs. Dolores Clements, moderator, Kings color guard; Sr. M. Loreen SND, moderator, Kings majorettes; Rev. Brother Heathwood, publicity chairman; Rev. Brother Collins, business manager.

This past Saturday, as an example of the communitywide tribute this band has attracted, the Rochester Times-Union published an editorial salute to the student president of the Marching Kings, Douglas Smits.

Smits, who was instrumental in efforts to make the trip possible, is at this hour, with other members of the Marching Kings, performing during half-time of the Irish "World Series," the all-Ireland hurling match played today before 50,000 people. In addition to the parade and the half-time show, the band will view a play at the Abbey Theater and will then tour Wicklow, Waterford, Callan, and Kilkenny, Ireland. They will be treated tonight to a medieval banquet at Bunratty Castle in Limerick. Tomorrow, a special reception is planned for the Marching Kings by the lord mayor of Dublin. Upon landing in Ireland, the band received a cabled message of congratulations from President Nixon.

In closing, Mr. Speaker, I would like to share with our colleagues the text of the Times-Union's editorial salute to the band and to President Douglas Smits, written by Phil Currie. Although brief, it relates the very great effort that was exerted by the band, the student body, and the whole community in order to bring this honor to our city and our country.

It follows:

Times-Union Salutes Douglas Smits

(By Phil Currie)

Bishop Kearney High School Band will march in the St. Patrick's Day Parade Monday—in Dublin, Ireland.

It's a great honor for the school. But as band president Douglas Smits will tell you, getting there was no easy matter.

The trip came up last year after the band performed so well in the New York City St. Patrick's Day parade that an Irish government official issued the Dublin invitation.

"When we first heard about it, we were real excited," says Smits. "But about halfway to the trip deadline, some of the enthusiasm died. It looked like money would be a big problem."

"That was the rub, all right. The Kearney kids needed $43,000 to get the 96 band members, majorettes, color guard and chaperons to Ireland. That's where Smits, a 17-year-old drummer, and many others came in.

"With parental help, they launched a breath-taking series of paper drives (one every two weeks for several months) and bake sales. They sold tickets to a smorgasbord dinner and carted in hundreds of items for a country auction.

They even took inventory for a discount store. And when they climbed on the airplane for Dublin yesterday, they were assured the bills would be paid.

As band president, Doug Smits was in the midst of all those projects, joining with Director Ray Shahin to coordinate work of members and parents. He and his colleagues also put in a heavy practice schedule to perfect the band's modern sound and marching skill.

The young bandsman, a senior, was band secretary last year. He is a member of the National Honor Society, a measure of his scholastic achievement.

The son of Mr. and Mrs. Charles F. Smits of 4475 Culver Roard, Irondequoit, Douglas is not the only musically inclined member of his family. His mother and two sisters play the piano and his father—while not a musician—is an artist.

SOCIAL SECURITY JUSTICE FOR MARRIED WORKING PEOPLE

(Mr. PATTEN asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. PATTEN. Mr. Speaker, based on some information furnished to me by the Social Security Administration, I estimate that about 7 million people are paid about $2 billion a year less than they deserve because of the way social security benefits are computed when both a husband and a wife work. In order to correct this situation, I introduced, on February 6, H.R. 6500, a bill which would permit a working couple to add together their social security earnings if it would give them a higher monthly payment. In addition, where the combined earnings of the couple exceed the maximum earnings that one person can have, additional benefits, based on the higher earnings, would be payable.

This legislation is comparable to my bill in the 90th Congress, H.R. 17532, which generated a substantial number of inquiries from other Members of Congress which resulted from a newspaper column by Helen Bottel in behalf of King Features Syndicate that appeared throughout the country and accordingly in many of my colleagues congressional districts. Some of the newspapers that the column appeared in are the Augusta, Maine, Kennebec Journal; Charleston, W. Va., Mail; Chicago American; Eugene, Oreg., Register Guard; Fort Worth Star Telegram; Greenville, S.C., Piedmont; Monroe, Mich., News; Montgomery, Ala., Journal; Newark Star Ledger; New Brunswick, N.J., Home News; Pueblo, Colo., Chieftain; Seattle Post Intelligencer; Toledo Blade; Wheeling News Register; Worcester, Mass., Telegram; and Ypsilanti, Mich., Press.

One of the columns written by Helen Bottel follows:

HELEN HELP US: CONGRESSMAN NOW KNOWS WOMEN'S POWER

(By Helen Bottel)

"'Working Wife's' letter which appeared in your column May 1 only echoes what I and many other working wives have been complaining about for years.

"Note from H: I'll repeat the complaint for those who came in late: The law now says that when a working wife and her husband retire, she may either have approximately one-half of his Social Security pension—the amount to which she is entitled as a wife—or her own pension, as a worker, whichever is greater. But she always forfeits one to take the other. Too often this means the wife donates all, or a major part of her 'withholding' to the Government.

"Though we don't begrudge the dependent wife's allotment, we maintain we are penalized under the present Social Security Act for being married working women.

"We're tired of paying many hundreds of dollars into Social Security, then, because we're married, forfeiting our insurance.

"I wrote to my congressman as you suggested, Helen. I hope many others did too—and that something will be done."

—Another one of "Us."

DEAR "US": They did. And it has.

Because of your combined efforts, a new bill is before Congress.

I'm happy to print a letter from the Honorable Edward J. Patten, Representative, 15th District, New Jersey. It proves again that when women pull together, we make things happen.

"DEAR MRS. BOTTEL: As a result of the column which you wrote in the Star Ledger, Newark, N.J., entitled 'Working Wives Want Their Benefits,' a number of women had written to me relative to introducing a bill in the Congress to correct this inequity. Enclosed herewith is a copy of the bill which I introduced in the House on May 27 and a copy of my statement that appeared in The Congressional Record.

"You have indeed performed a public service by getting these women united in their quest for equal rights. Sincerely, Edward J. Patten, Congress of the United States, House of Representatives, Washington, D.C."

So there it is, W.W.'s—a bill designed especially for wives who work. Whether or not Congress acts favorably on such an amendment to the Social Security Law is largely up to you. Write two letters today—before you forget—urging consideration of H.R. 17532, now before the ways and means committee, which will help correct the inequity in the Social Security Act, as concerns employed married women. Send one letter to the Congressman from your local district and the other to the Honorable Edward J. Patten, House of Representatives, Washington, D.C., 20515.

Mr. Speaker, due to the substantial amount of mail which I have received from throughout the country during the 90th Congress in support of this legislation, I thought I would seek out the support of my colleagues in the House for cosponsorship of this legislation in the 91st Congress. I started out by obtaining a bill number that is indirectly related to this bill, namely, H.R. 6500. A list of the Members of the House of Representatives who have advised me of their desire to cosponsor H.R. 6500 in the 91st Congress follows:

COSPONSORS OF H.R. 6500

Mr. Addabbo of New York.
Mr. Ashley of Ohio.
Mr. Bevill of Alabama.
Mr. Blanton of Tennessee.
Mr. George Brown of California.
Mr. Button of New York.
Mr. Byrne of Pennsylvania.
Mr. Carey of New York.
Mr. Carter of Kentucky.
Mr. Conyers of Michigan.
Mr. Dickinson of Alabama.
Mr. Donohue of Massachusetts.
Mr. Duncan of Tennessee.
Mr. Don Edwards of California.
Mr. Eilberg of Pennsylvania.
Mr. Eshleman of Pennsylvania.
Mr. Fisher of Texas.
Mr. Friedel of Maryland.
Mr. Gibbons of Florida.
Mr. Halpern of New York.
Mr. Hays of Ohio.
Mr. Ken Hechler of West Virginia.
Mr. Harold Johnson of California.
Mr. Kyros of Maine.
Mr. McKneally of New York.
Mr. Matsunaga of Hawaii.
Mr. Minish of New Jersey.
Mr. Minshall of Ohio.
Mr. Moorhead of Pennsylvania.
Mr. Moss of California.
Mr. John Murphy of New York.
Mr. Nix of Pennsylvania.
Mr. Perkins of Kentucky.
Mr. Podell of New York.
Mr. Randall of Missouri.
Mr. Rarick of Louisiana.
Mr. Rosenthal of New York.
Mr. St. Onge of Connecticut.
Mr. Sandman of New Jersey.
Mr. Sikes of Florida.
Mr. Sisk of California.
Mr. White of Texas.

Mr. Speaker, the present problem is an accidental result of a change in the law that came about not long after the original Social Security Act was enacted. The original 1935 act provided for the payment of retirement benefits only, there were no dependents or survivor's benefits. However, before any monthly benefits were paid, the law was changed in 1939 so as to provide dependent's and survivor's benefits. In this way, it was thought that meaningful income protection could be provided at a reasonable cost to single workers, to married workers and their wives and their families. In general this system has worked out fairly well. But, as more and more married women have worked and earned significant retirement benefits in their own right, the shortcomings of the present system in providing some married couples with a meaningful return for their social security taxes has become apparent.

As long ago as 1963, the social security problems of working women were recognized by The President's Commission on the Status of Women. In a report to the Commission, its Committee on Social Insurance and Taxes said:

> In many cases a married woman who is potentially eligible for benefits on both her husband's and her own earnings feels that she receives little or no return from her contributions to the progr..m. If she had not worked and made contributions to the program, she nevertheless would get a wife's or widow's benefit based on her husband's earnings, and it might be as high as the benefit she gets as a result of her own work, or higher. Basically, the feelings of married working women that they do not get enough of a return for their contributions arises from such situations.

This situation is bad enough but there is an even worse situation in which a husband and a working wife can pay the same amount in social security taxes as a husband whose wife never worked and get less benefits than the couple where the wife never worked. For example, the benefit paid to a person with average monthly earnings of $200 is $101.60; thus when the husband and wife both have average earnings of $200, the total monthly payment is $203.20. On the other hand, the monthly benefit payable to a man with average monthly earnings of $400 is $153.60 and his wife who has never worked can be paid an additional benefit equal to one-half of that amount—$76.80—making a total monthly payment to the couple $230.40, or $27.20 a month more than is paid when the same amount was earned equally by a husband and his wife.

Mr. Speaker, H.R. 6500 is intended to correct these situations which come about because of the way social security benefits are computed. When a husband and wife both have earnings covered under the social security program, the husband is paid a retirement benefit based on his own earnings; if the wife has worked long enough to be entitled to a benefit based on her own earnings she is, in effect, paid the higher of the wife's benefit based on her husband's earnings or the retirement benefit based on her own earnings.

Mr. Speaker, I have had a table prepared which shows additional examples of how the present law works to pay more in benefits if the wife has not worked than if she has. I insert the table in the RECORD at this point in my remarks:

TABLE I.—HUSBAND'S AND WIFE'S SOCIAL SECURITY BENEFITS UNDER PRESENT LAW

Average monthly earnings [1]	Total monthly benefits for couple: If husband and wife have equal earnings [1]	Total monthly benefits for couple: If benefit is based on husband's earnings [2]
$50	$110.00	$82.50
$100	110.00	107.30
$200	143.00	152.40
$300	176.80	190.70
$400	203.20	230.40
$500	230.00	266.30
$600	254.20	306.00
$650	268.60	[3] 323.00
$800	307.20	
$1,000	355.00	
$1,200	408.00	
$1,300	436.00	

[1] Earnings of husband and wife are each equal to one-half of the amounts shown in first column.

[2] Husband's earnings are equal to amounts shown in first column.

[3] Maximum amount payable under present law is based on average monthly earnings of $650. Husband's benefit is $218 and wife's benefit is limited to $105 when one-half of the husband's benefit exceeds amount.

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To eliminate this situation H.R. 6500 would provide that, for the purpose of computing the benefits paid to a husband and his wife, their earnings may be combined if the total payments to the couple would be increased. In order to qualify for this computation, the husband and wife must be living together or, if they are not, both the husband and wife must agree to have their benefits combined under the alternative procedure. If the husband's and the wife's earnings are combined, a benefit would be computed, as it is under present law, on the basis of average earnings up to the maximum amount, currently $450, that could be credited to a single person who retires in the same year that the couple's benefit is computed.

If the couple's combined earnings exceed the highest amount of earnings that a single person could have, a special rule would apply to those earnings above the single person maximum and up to twice that amount. In that case an additional amount equal to 28.43 percent of the excess would be computed and added to the amount described earlier. The reason for using the 28.43 percent factor is to be found in the present formula for determining social security benefits. Although benefits under the present law are determined by a table in the law, the table is based on the following formula: 71.16 percent of the first $110 of average monthly earnings, plus 25.88 percent of the next $290, plus 24.18 percent of the next $150, plus 28.43 percent of the last $100. Since 28.43 percent is the factor used in present law at the top of the formula, it seems logical to extend it to the amount of combined average earnings in excess of the amounts used in computations under the present law.

Under any new alternative computation, the benefit paid to a husband and his wife would be 75 percent, each, of the benefit computed in the way I have outlined. Because the benefit paid to a wife is 50 percent of the amount paid to her husband, the alternative benefit computation guarantees that when a husband and his wife both work, they will be paid an amount which is at least equal to the amount which would have been paid to them had the husband's earnings been equal to the combined earnings. Also, where the husband and wife have worked and paid social security taxes which are in excess of the maximum amount that could have been paid by an individual retiring in the same year, the couple will get an additional amount related to the additional earnings.

Mr. Speaker, I have had four additional tables prepared which compare the social security benefits payable to a married couple under present law and under H.R. 6500. I will include the tables in the RECORD immediately following the conclusion of my remarks.

Table II shows how the provisions of H.R. 6500 would be applied to the benefits of a husband and wife and contrasts the benefits paid to a husband and wife under present law and under H.R. 6500. In making this table, it was assumed that the husband and wife both retire at age 65 in 1969 and that their average monthly earnings are equal. In every case, except where the minimum benefit provisions of present law apply, the benefits under H.R. 6500 are greater than those paid under present law. At the lower earnings levels, the increased payment would be the smallest, and at the highest level, it would be the largest.

Table III, also, is based on the assumption that the husband and wife retire at age 65 in 1969. However, the husband is assumed to have the maximum possible earnings, $450, while the wife's average earnings vary from $25 to $450. Here too, the total payments to the couple under H.R. 6500 are shown to be higher than under present law in every case in which the wife has any earnings. Where the wife has no earnings, the total payment is the same under both present law and under H.R. 6500. It is worth noting that under present law the wife's earnings have no effect on the total payment to the couple until the benefit paid on her own earnings exceeds the wife's benefit paid on the husband's earnings. Where the husband has average earnings of $450, this point is not reached until the wife's average earnings are $151 a month. At this level, the benefit based on her own earnings is $89.50 a month, $2 a month more than the wife's benefit based on the husband's earnings.

In this connection I might point out that in 1969, a woman who works and earns $150 a month pays social security taxes of $86.40 a year and her employer pays an equal amount. And, for these taxes they get nothing, if the husband happens to have paid the highest possible amount in social security taxes.

As bad as the situation is under present law, it will gradually grow worse until in 2006, when creditable earnings will have grown so that average monthly earnings can be as much as $650, a woman whose husband has maximum possible earnings will need average earnings of at least $212 a month before the couple will get any increased benefits because of her work. Then the increase would be 20 cents a month. If her average earnings are only $210 a month, the couple will get nothing for the extra social security taxes paid on her earnings. And, under the present law the tax paid by the wife on $210 a month will rise from the present $120.96 a year to $172.68 starting in 1987; the employer will, of course, pay an equal amount.

Tables IV and V are similar to tables II and III except that they illustrate the effects of H.R. 6500 in the year 2008, the first year in which a man retiring at age 65 can receive the highest benefits contemplated by the present law.

Mr. Speaker, I feel that justice and equity call for a change in the social security laws along the lines proposed in H.R. 6500. If we are going to require married working women to pay the same social security taxes as a single or married man, and that is what we require, then we should also guarantee them some return for their taxes. I find the situation I have outlined intolerable. Therefore, I urge the Committee on Ways and Means to look carefully at H.R. 6500 when next they consider social security legislation. And, I hope that the next social security bill to come to the floor contains a provision based on H.R. 6500.

TABLE II.—HUSBAND'S AND WIFE'S SOCIAL SECURITY BENEFITS UNDER PRESENT LAW AND UNDER H.R. 6500

Average monthly earnings of husband and wife, each [2]	Total monthly benefit for couple [1]	
	Present law	H.R. 6500
$25	$11.00	$110.00
$50	110.00	110.00
$100	143.00	152.40
$150	176.80	190.80
$200	203.20	230.40
$225 [3]	215.40	247.60
$250	230.00	268.80
$300	254.20	311.60
$350	280.80	354.20
$400	307.20	396.80
$450	330.00	439.00

[1] Assumes that husband reaches age 65 in 1970; the highest possible average monthly earnings for such a man is $450.

[2] The combined earnings of the couple are twice the amounts shown.

[3] Highest amount to which regular computation applies. Above this amount the 24.18 percent factor is used.

TABLE III.—HUSBAND'S AND WIFE'S SOCIAL SECURITY BENEFITS UNDER PRESENT LAW AND UNDER H.R. 6500 WHERE HUSBAND HAS AVERAGE MONTHLY EARNINGS OF $450,[1] AT VARIOUS LEVELS OF WIFE'S EARNINGS

Average monthly earnings of wife	Total monthly benefit for couple	
	Present law	H.R. 6500
	$247.50	$247.50
$25	247.50	258.20
$50	247.50	269.00
$100	247.50	290.20
$150	253.40	311.60
$200	266.60	332.80
$250	280.00	353.20
$300	292.10	375.60
$350	305.40	396.80
$400	318.60	418.20
$450	330.00	439.60

[1] Maximum average possible for a man who retires at age 65 in 1970.

TABLE IV.—HUSBAND'S AND WIFE'S SOCIAL SECURITY BENEFITS UNDER PRESENT LAW AND H.R. 6500

Average monthly earnings of husband and wife, each [3]	Total monthly benefit for couple [1]	
	Present law	H.R. 6500
$25	$110.00	$110.00
$50	110.00	110.00
$100	143.00	152.40
$150	176.80	190.80
$200	203.20	230.40
$250	230.00	266.40
$300	254.20	306.00
$325	268.60	327.00
$350	280.80	348.40
$400	307.20	391.00
$450	330.00	433.80
$500	355.00	476.40
$600	408.00	561.60
$650	436.00	604.20

[1] Assumes that husband reaches age 65 in 2006, the first year in which average monthly earnings of $650 is possible for a man retiring at age 65.

[2] The combined earnings of the couple are twice the amounts shown.

TABLE V.—HUSBAND'S AND WIFE'S SOCIAL SECURITY BENEFITS UNDER PRESENT LAW AND UNDER H.R. 6500 WHERE HUSBAND HAS AVERAGE MONTHLY EARNINGS OF $650,[1] AT VARIOUS LEVELS OF WIFE'S EARNINGS

Average monthly earnings of wife	Total monthly benefit for couple	
	Present law	H.R. 6500
	$323.00	$323.00
$25	327.00	337.80
$50	327.00	348.40
$100	327.00	369.80
$150	327.00	391.00
$200	327.00	412.40
$250	333.00	433.80
$300	345.10	455.00
$350	358.40	476.70
$400	371.60	497.60
$450	383.00	519.00
$500	395.50	540.40
$600	422.00	583.00
$650	436.00	604.20

[1] Maximum amount possible under present law. This amount will not be payable to a man who retires at age 65 until the year 2006.

[2] The present law limits the wife's benefit to a maximum of $105. Thus, the husband's benefit is $218 and the wife's $105 rather than $109.

THE NATIONAL PREMIER OF "THE GOVERNMENT STORY"

The SPEAKER. Under previous order of the House, the gentleman from California (Mr. HOLIFIELD) is recognized for 60 minutes.

Mr. HOLIFIELD. Mr. Speaker, it is my pleasure to request this special order today so that Members of this body could recognize the completion and national premier of the "The Government Story," a series of 40 half hours of television programs on the operation of the three branches of the Federal Government. This series has been produced by Group W—Westinghouse Broadcasting Co. in cooperation with the Operation Government Committee, of which my wife has been an active member over the past 3 years.

The following people have been active members of the Operation Government Committee: Mrs. Carl Albert, Mrs. William H. Ayres, Mrs. Jonathan B. Bingham, Mrs. Hugo Black, Mrs. Hale Boggs, Mrs. John W. Byrnes, Mrs. Edmond Campbell, Honorable EDITH GREEN, Mrs. Fred R. Harris, Mrs. Chet Holifield, Mrs. Hubert H. Humphrey, Mrs. Warren G. Magnuson, Honorable CATHERINE MAY, Mrs. Henry S. Reuss, Mrs. John J. Rhodes, Mrs. Stewart L. Udall.

Other members of the Operation Government Committee include: Dr. Stephen Horn, now dean of graduate studies at American University in Washington. Dr. Horn is the host and senior consultant of "The Government Story." His background is a unique mixture of practical politics and scholarship. Administrative assistant to Secretary of Labor James P. Mitchell and legislative assistant to former Senator Thomas H. Kuchel from my State of California, Dr. Horn was one of the first 10 fellows of the John F. Kennedy Institute of Politics at Harvard and is the author of "The Cabinet and Congress."

Mark E. Talisman, administrative assistant to Congressman CHARLES A. VANIK, was instrumental in the formation of the committee. He conceived and outlined the original proposal to utilize television in achieving the aims of the committee. He has served as project director of the Operation Government Committee.

A team of eminent political scientists served as consultants: D. B. Hardeman, professor of political science, Trinity College; Hugh LeBlanc, professor of political science, George Washington University; Howard Pennyman, professor of political science, Georgetown University; and William Prendergast of the Republican conference.

In addition, Randall B. Ripley, of the Brookings Institution, was consultant on Congress, and his colleague, Mr. Horn, senior consultant for the series.

The entire project was under the supervision of Richard M. Pack, Group W senior vice president, programing and production.

In the more than 2 years of preparation, according to Mr. Pack, over 85,000 feet of film were shot and more than 100,000 feet of film researched. Major sites for on-location filming were the Capitol, the Supreme Court, and Mount Vernon. Attracted by the bipartisan effort to relate the story of their Government to all Americans, the noted actor E. G. Marshall who long starred in the series "The Defenders," and Paul Long, television announcer, enlisted as off-camera narrators.

As work on the project progressed, the programs evolved into a total of 20 segments on Congress, 15 on the Presidency, and five on the Federal courts. An accompanying release details the complete list of programs by title and content.

Executive producer of "The Government Story" is Michael Sklar, winner of the George Foster Peabody Award, and producer of the "Conquest" series and of Intertel—International Television Federation—productions.

The producer is Alfred R. Kelman, who was responsible for the production, for WBZ-TV, Boston, of a documentary on playwright Eugene O'Neill which won an Academy Award nomination.

David J. Weiss, Vivian Moss, and Tom Johnson are the associate producers, and Charles Hollyday and Jerry Lee the studio directors.

The programs were taped in the studios of Group W stations KDKA-TV, Pittsburgh, and WJZ-TV, Baltimore.

Mr. VANIK. Mr. Speaker, I am pleased to announce to the House that the 40 half hours of television programs called "The Government Story," which has been produced by Operation Government Committee and the Westinghouse Broadcasting Co., will be premiered in the caucus room of the Cannon Office Building tomorrow evening, March 18, at 5 p.m. One of the half hours will be screened for the assembled guests, including all of the Members of the House and the Senate, the Supreme Court, and the Cabinet. There will then be a presentation of the films to the Speaker of the House and distinguished minority leader for presentation to the Library of Congress. It is my sincere hope that the Members and their wives will join us in this important event.

As most Members undoubtedly know already, the Operation Government Committee is composed of Members' wives, wives of Justices of the Supreme Court, and the President's Cabinet. They have been meeting for over 3 years planning and helping to execute these 40 half hours of television on the workings of the Federal Government's three branches, now known as "The Government Story." This series has taken the cooperation and assistance of almost everyone in both sides of the Capitol.

For my part, I have been very close to the series since Mrs. Vanik has served as cochairwoman, along with Betty Ford, the wife of the minority leader, for these past 3 years. My administrative assistant, Mark Talisman, started this whole project, and got our wives involved and has continued to serve as the project director. I am proud of these people. They have completed the most accurate and useful series on the various aspects of legislative process that we know of. I am anxious that the country be able to benefit from this first hand account of this great story.

One of the unique aspects of this project is that the people who tell this complicated story of legislative process are the Members of Congress themselves. The Westinghouse people have creatively edited these interviews and Dr. Steve Horn, now dean of graduate studies at American University, moderates the series. The Library of Congress, the Archives, the Smithsonian, the National Geographic, and so many other organizations cooperated fully to make this mammoth task a great deal easier.

The officers and staff of the House and the Senate were unstinting in their time and efforts on behalf of this series and without their cooperation it would not have been possible.

Special mention must be made of the commitment made by Westinghouse Broadcasting Co., to see that this series was properly produced. Don McGannon, Dick Pack, and Joseph Bandino have never failed to supply the leadership and commitment which this series demanded. There were many times when they could have cut corners and done less than what was needed, but they never did. Now they, too, will be able to claim the fruits of their labor because so many millions of Americans will better understand their Government and the way it operates.

For the interest of the Members here and of the public I wish to insert at this point in the RECORD, the listing of the titles and description of each of the 40 half hours of programs which will be screened in this country beginning in the next few weeks. The titles and descriptions of each program are as follows:

"THE GOVERNMENT STORY"

(A group W television series)

PROGRAM SEQUENCE AND BRIEF SYNOPSES OF CONTENT

Congressional group—20 programs

1. "Of the People"

A profile of the U.S. Congress . . . how it began and how it works today. How Congress shares power with the President, and a look at the Senators and Representatives in the performance of their duties. Comments on the nature of representative government by leaders of the past and present.

Historical sequences with pictures and music telling the story of the Constitutional Convention of 1787 and the First Congress of 1789.

Host: Stephen Horn.

Historical Narrator: E. G. Marshall.

Guests (in order of appearance): Sen. Bourke Hickenlooper, House Majority Leader Carl Albert, Rep. Melvin Laird, Rep. Charles Vanik, Rep. James Scheuer, Sen. Mike Monroney, Vice President Hubert Humphrey, House Speaker John McCormack, House Majority Whip Hale Boggs, House Minority Leader Gerald Ford, House Minority Whip Leslie Arends, Sen. Russell Long, Sen. Everett Dirksen, Rep. Philip Landrum, Rep. Thomas Ashley.

2. "The Chief Legislator"

How the President works with Congress. . . . Conflict and cooperation between the Legislative and Executive branches of government. . . . A closer look at the concept of "shared powers."

Some questions discussed and dramatized with motion pictures and photos: has Congress abdicated its legislative responsibilities? Has the Presidency overstepped its rightful powers in domestic and foreign policy?

A picture-history of changing relationships between Congress and the President over the decades. A profile of the varying styles of

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some modern Presidents in attempting to get Congress to adopt their legislative programs.

Host: Stephen Horn.

Historical Narrator: Paul Long.

Guests (in order of appearance): Sen. Frank Church, Rep. Thomas Ashley, Sen. Everett Dirksen, Sen. Peter Dominick, W. Averell Harriman.

3. "The Honorable Gentlemen"

A group portrait of the 100 members of the Senate and the 435 members of the House. A closer look at the theory and practice of political representation. The similarities and differences between "representation" in the Senate and the House. How various senators and Representatives see their roles.

A picture story with music dramatizing the conflicts over representation and centralized government among the nation's leaders when the United States was first formed.

Host: Stephen Horn

Historical Narrator: E. G. Marshall

Guests (in order of appearance): Sen. Joseph Clark, Rep. James Scheuer, Rep. Richard Bolling, Rep. Ken Hechler, Rep. Charles Goodell, Rep. Jamie Whitten, Sen. Wallace Bennett, Sen. Abraham Ribicoff, Sen. J. W. Fulbright.

4. "A Question of Reflection"

How campaigning for election and reelection affects the working Congress. An examination of such questions as: Is the high cost of election campaigns undemocratic, and what should be done about it? Does the 2-year term of Representatives make them less effective members of Congress than Senators, who enjoy 6-year terms? How does campaigning affect the members' legislative activities?

Incumbents and challengers, their problems and strategies.

A picture story with music showing how campaigning for Congress has changed since the early days of the Republic.

Host: Stephen Horn

Historical Narrator: E. G. Marshall

Guests: Ex-Sen. Paul Douglas, Rep. James Scheuer, Rep. William Ayres, Rep. John Brademas, Rep. Ken Hechler, Rep. Henry Reuss, Rep. John Schmidhauser.

5. "The First Term"

The excitement and frustrations of the freshmen congressmen and senators in confronting their new jobs. A look at the seniority system in the Senate and House. Problems of the new members in settling in Washington, learning the ropes on Capitol Hill, and first steps toward becoming effective legislators. Some advantages the freshman senator enjoys over the first term Representative.

Host: Stephen Horn

Guests: Rep. Robert Mathias, Rep. Margaret Heckler, Sen. Edward Brooke, Sen. Mark Hatfield.

6. "The Man Behind the Gavel"

A profile of the Speaker of the House of Representatives. Why he is the second most powerful elected official in the United States. Motion pictures showing the election of Speaker John McCormack, and a discussion by him of the Speaker's duties and responsibilities.

A picture story with music showing how the office of Speaker has changed over the decades under the influence of powerful men and great events. The story of Speaker Sam Rayburn.

Host: Stephen Horn.

Historical Narrator: E. G. Marshall.

Guests: Speaker John McCormack, Rep. Emanuel Celler, D. B. Hardeman.

7. "The Battle of the Bills"

The leaders of the House . . . the field generals of party conflict in the House of Representatives. Describes how the Party Leaders operate to persuade their party members to vote with the party. A look at party organization among the Democrats and Republicans . . . some differences and similarities. The question of Party discipline. Some important differences between the parties in the Senate and the House. The role of the party leaders when they and the President belong to the same party, and the role of the opposition.

A picture story with music showing the violence and lack of party discipline in the House of Representatives during the 19th century . . . how the House came to be dominated by powerful Speakers, and the revolt of 1910. The organization of the House today.

Host: Stephen Horn.

Historical Narrator: E. G. Marshall.

Guests: House Majority Leader Carl Albert, House Minority Leader Gerald Ford, House Majority Whip Hale Boggs, House Minority Whip Leslie Arends.

8. "The Drift of Power"

The men who lead the Senate. A comparison of leadership in the Senate and House, and why Senate leadership is noticeably weaker. Problems of party discipline in the Senate. How some leaders, Lyndon Johnson in particular, have transformed weak organizational power into great strength.

A picture story with music showing the fluctuations of power and party organization in the Senate in the 19th and 20th centuries, how it evolved to the state of today.

Host: Stephen Horn.

Historical Narrator: E. G. Marshall.

Guests: Sen. Mike Mansfield, Sen. Russell Long, Rep. Carl Albert, Sen. Everett Dirksen, Rep. Leslie Arends, Sen. Thomas Kuchel, Robert Novak, Ex-Sen. Paul Douglas.

9. "The Law Machine"

How Congress considers and passes laws. Differences between the Senate and the House. The steps a bill must pass through to become law, starting with hearings in both Senate and House, party conflict in committee and in floor debate, reconciliation of House and Senate versions. The problems and strategies of leadership in steering a bill through Congress. The effect of individual personalities on the passage of legislation.

A pictorial history in pictures showing some of the great debaters on the floor of Congress during the 18th and 19th centuries.

Host: Stephen Horn.

Historical Narrator: Paul Long.

Guests: Rep. Wilbur Mills, Rep. Philip Landrum, Rep. John Byrnes, Rep. Charles Vanik, Rep. Thomas Ashley, Rep. Carl Albert, Rep. Hale Boggs, Rep. Melvin Laird, Sen. Mark Hatfield, Sen. Fred Harris, Sen. Russell Long, Sen. Thomas Kuchel.

10. "The Right Hand of Congress"

The thousands of anonymous congressional assistants and staff members on Capitol Hill. Differences between Committee Staff members and personal staff members of Senators and Representatives.

A group portrait of the various kinds of dedicated, enthusiastic and knowledgeable people, ranging from clerks to technical experts, who do the enormous amount of spade work demanded by members of Congress and Congressional committees. Motion pictures showing these people at work on Capitol Hill. Interviews in which they discuss their jobs.

Host: Stephen Horn.

Guests: Stewart French, Gerald Grinstein, Baily Guard, Fishbait Miller, Mark Talisman, Dan O'Neil, Carl Marcy, Sen. Mike Monroney, Rep. Charles Vanik, Sen. William Proxmire.

11. "The Trip to the Top"

How seniority leads to power and affects the working Congress.

How seniority is obtained, differences between Senate and House. How seniority may be employed to affect the fate of legislation. Seniority in the committees and its effect on democracy. Some revolts against the seniority system, including the revolt within the powerful Rules Committee of the House.

A discussion of seniority, pro and con by leading members of Congress.

A group portrait of the all-powerful but not-well-known senior committee members and chairmen.

A short history of the seniority system in pictures.

Host: Stephen Horn.

Historical Narrator: Paul Long.

Guests: Sen. Mike Monroney, Rep. Wright Patman, Sen. William Proxmire, Sen. Joseph Clark, Speaker John McCormack, Rep. Richard Bolling, Rep. Thomas Ashley, Rep. Carl Albert, Rep. Chet Holifield, Rep. Margaret Heckler.

12. "The Ways and the Means"

How Congress raises the revenues to run the federal government.

The unique power of the House to control the federal purse-strings; why the Constitution gave that power to the House. The role of the Senate in money-raising. A close look at the Ways and Means Committee of the House, a key committee of the House of Representatives. An examination of the committee members and why the committee commands such high prestige. A short history of the great confrontation between Committee Chairman Wilbur Mills and President Johnson over the Tax Bill of 1967.

A picture history of the changing structure of federal taxation from the first days of the nation down to the present.

Host: Stephen Horn.

Historical Narrator: Paul Long.

Guests: Rep. Wilbur Mills, Rep. Charles Vanik, Rep. Henry Reuss, Rep. John Byrnes, Sen. Fred Harris.

13. "Watchdogs of the Treasury"

A profile of the House Appropriations Committee, which plays a decisive role in determining how Congress will spend more than 150 billion dollars yearly.

From the Post Office to the Space Program to the defense effort, every dollar authorized to be spent by Congress must go through the appropriation process; the Appropriations Committees of the House and Senate decide how many dollars shall be spent where, on what, and under what conditions.

An examination of the budgeting process. . . . The differences in power and prestige between the House and Senate committees . . . the process of compromise . . . the political importance of appropriations . . . appropriations as a potential source of conflict between the President and Congress.

A picture gallery of the key men of the appropriations committees who are automatically among the most powerful men in Congress.

Host: Stephen Horn.

Guests: Rep. Melvin Laird, Budget Dir. Charles Schultze, Rep. Jamie Whitten, Sen. William Proxmire.

14. "The Right To Lobby"

How Congressional lobbyists try to influence legislation.

Defines what is a lobby and who is a lobbyist . . . Answers such questions as: Is lobbying ethical . . . do lobbies serve a legitimate function in Congress . . . how do lobbies operate . . . are they effective in influencing legislation?

A motion picture profile of trade union lobbyist Evelyn Dubrow at work on Capitol Hill.

A picture history of lobbying, past and present.

Host: Stephen Horn.

Historical Narrator: Paul Long.

Guests: Rep. John Byrnes, Rep. Joseph Resnick, Rep. Ogden Reid, Rep. Leonor Sullivan, Rep. Wright Patman, Sen. Fred Harris, Sen. Joseph Clark.

15. "The Search"

How Congress employs hearings and investigations in the legislative process.

Differences between "hearings" and "investigations". The uses of both by Congress for gathering information. So-called good and bad hearings and investigations. The use of investigations as a publicity tool, and as an aid to legislation.

A picture history of congressional hearings, starting with the first in the time of President George Washington.

Host: Stephen Horn.

Historical Narrtaor: Paul Long.

Guests: Sen. Abraham Ribicoff, Sen. Philip Hart, Sen. Karl Mundt, Jerome Alderman.

16. "The Friendly Rivals"

Friction and cooperation between Congress, the President's cabinet, and the federal Civil Service.

The growth of the so-called federal bureaucracy over the past century . . . the real meaning of bureaucracy as the work force of government . . . the development of that work force from a "spoils system" to civil service status. . . . The problem of Congress in dealing effectively with the huge, complicated and well organized Executive branch. . . . The question of divided loyalties within the Executive Branch, which often has stronger links to Congress than it has to the President. Congressional reaction to the bureaucracy.

Host: Stephen Horn.

Guests: Sen. Thruston Morton, Sen. Abraham Ribicoff, Sen. Winston Prouty, Sen. Fred Harris, Rep. Chet Holifield, Rep. Melvin Laird, Rep. Philip Landrum, Postmaster General Lawrence O'Brien, Budget Director Charles Schultze.

17. "The Conscience of Government—Congress and the Nation's Social Welfare"

The development of social programs as a federal government responsibility. . . . Some alternative views of the government's role in human welfare programs. . . . A comparison of social programs under Democratic and Republican Congresses and Presidents. . . . Social programs and the politics of Congress. . . . Lobbying and social welfare.

A picture history of Congressional social welfare action, beginning with the first years of the Nation, going on to the Reconstruction Period after the Civil War, to the present.

Host: Stephen Horn.

Historical Narrator: Paul Long.

Guests: Rep. Charles Vanik, Rep. Richard Bolling, Rep. Melvin Laird, Sen. Abraham Ribicoff.

18. "Invitation to Conflict"

How Congress participates with the President in shaping foreign policy.

Conflict between President and Congress in the conduct of U.S. foreign policy. . . . The powers of the Senate under the Constitution. . . . The powers of the House implied in its constitutional right to control the purse strings. . . . Some unresolved questions: Has the power of the President over the conduct of foreign policy increased unduly in the past few decades. . . . How could Congress recapture its lost initiative. . . . Should it do so?

The Vietnam war as a specific example of conflict between the President and the Senate Foreign Relations Committee.

A picture history of struggle between the President and Congress over the conduct of foreign policy from the early days of the nation down to the present.

Host: Stephen Horn.

Historical Narrator: E. G. Marshall.

Guests: Sen. Frank Church, Sen. Peter Dominick, W. Averell Harriman.

19. "The Folks Back Home"

The dependence of Senators and Representatives on their constituents, and the various ways in which the members of Congress give service to them.

The wide range of interpretations which the members of Congress place on the word representation. Congress is a "court of last appeal" for the citizen in his dealings with the federal government. The amount of time given over by Senators and Representatives to this kind of constituent service. The problem of responsivity to constituent opinion. The problem of constituent pressures on Members of the House due to their 2-year term.

Host: Stephen Horn.

Guests: Sen. Bourke Hickenlooper, Sen. Jacob Javits, Sen. Joseph Clark, Sen. Wallace Bennett, Sen. Abraham Ribicoff, Sen. W. J. Fulbright, Rep. James Scheuer, Rep. Henry Reuss, Rep. Charles Vanik, Rep. Chet Holifield, Rep. Thomas Ashley, Rep. Margaret Heckler.

20. "The New Look"

Change and reform to modernize Congress.

The charge that Congress has become the weak link in our national government because of the rapid and huge development of the Executive branch. An examination of such questions as: Why has Congress lost its legislative initiative to the President, and what could be done to restore it . . . the problems of party responsibility. . . . Would a change in the seniority system strengthen Congress. . . . The problem of election campaign contributions. . . . The overall problem of Congressional ethics and conflicts of interest. . . . The need of Congressional reorganization and the use of electronic computer systems to give Congress quick access to the mass of information it must have in order to function effectively.

Host: Stephen Horn.

Guests: Sen. Karl Mundt, Sen. William Proxmire, Rep. Jack Brooks, Rep. James Cleveland.

Presidency group—15 programs

21. "Road to the White House," part 1

How candidates for the office of President of the United States are created and developed. The obstacle course which must be successfully negotiated if a presidential aspirant is to become a legitimate candidate. When, actually, is the candidate's "hat thrown into the ring"? The role of the State Primaries. . . . problems of "going the primary route". The role of the State Party leaders, what they look for in a candidate. Various strategies employed by candidates at the national nominating conventions.

Historical motion pictures illustrating such points; with: Pres. Dwight D. Eisenhower, Pres. John F. Kennedy, Vice Pres. Richard Nixon, Vice Pres. Hubert Humphrey, Adlai Stevenson, Sen. Robert Taft.

Host: Stephen Horn.

22. "Road to the White House," part 2

A closeup look at the nominating conventions, and the rocky road that leads from the conventions to the White House.

How the candidate projects the image of a "winner". . . . Some problems of the party leaders and rank-and-file. . . . The importance of of a first-ballot victory. . . . The role of the "favorite son" candidates. . . . Some victorious convention maneuvers, particularly the Eisenhower strategy of 1952 and the Kennedy strategy of 1960. The difference between pre-convention campaigning and post-convention campaigning. The high costs of the second campaign for the presidency. . . . Some campaign strategies. . . . The problems of the electoral college.

Historical motion pictures; with: Pres. Dwight D. Eisenhower, Pres. John F. Kennedy, Pres. Harry S. Truman, Sen. Barry Goldwater.

Host: Stephen Horn.

23. "The Transfer of Power"

How the office of the President of the United States changes hands and the problems involved.

The importance of a smooth transition for the new President and the nation. The interegnum, how it used to be bridged, and how it is bridged today. The problem of maintaining continuity of leadership, particularly in the field of foreign policy. How the new President prepares himself for his huge task. The role of the outgoing president. The role of presidential staff in easing the transition.

The new President's staffing problems . . . formulating his program . . . taking hold of the reins of leadership in domestic and foreign policy.

With historical motion pictures and photos of past presidential transitions; and guests: Pres. Harry S. Truman, Pres. John F. Kennedy, Pres. Lyndon B. Johnson, Pres. Assist. Bryce Harolw, Pres. Assist. Douglas Cater.

Host: Stephen Horn.

24. "Organization at the Top"

The key men who help the President run the nation.

The Vice President: prestige without power. . . . The changing role of the Vice President. . . . The President's cabinet: its uses and weaknesses as an effective administrative tool. Presidential "balancing" in the creation of cabinets. . . . The creation and growth in importance of the White House Office.

The importance of White House organization to keep pace with the growing power of the President.

A picture history and motion pictures showing the changing role of the Vice President, cabinet, and the men closest to the President; with: Pres. John F. Kennedy, Vice Pres. Richard Nixon, Vice Pres. Hubert Humphrey, Pres. Assist. Bryce Harlow, Pres. Assist. Joseph Califano.

Host: Stephen Horn.

25. "The Right Hand of the President"

The President's personal White House Staff.

The creation, growth, and duties of the White House Staff. Some differences between the President's personal staff and other assistants and advisers. Conflict and cooperation between the White House Staff and the Cabinet. How different Presidents have organized their staffs, and why. The White House staff and Congress. Powers and limitations of the President's staff.

A picture history and motion pictures showing how various Presidents have chosen and organized their staffs and the reasons for the differences; with: Franklin D. Roosevelt, Dwight D. Eisenhower, Lyndon B. Johnson, Harry S. Truman, John F. Kennedy, and members of various Presidential staffs.

Host: Stephen Horn.

26. "The Lonely Office"

The wide range of jobs, duties and responsibilities that we call the Presidency.

How and why the office of President is the biggest and loneliest job in the world. Why decision-making responsibility in every area of national life falls ultimately on the President. Various examples illustrating the President's duties. An examination of the growth of the Presidency, and of the question: Is the Office too big for any one Man?

Historical photos and motion pictures showing the growth of the Presidency and changes in the office; with: Dwight D. Eisenhower, John F. Kennedy, Harry S. Truman, Lyndon B. Johnson, Lawrence O'Brien, Everett Dirksen, Peter Dominick, Frank Church, Fred Harris, Thomas Ashley, Carl Albert, Chet Holifield.

Host: Stephen Horn.

27. "The President's Program"

How the President plans ahead, using the resources of national government to overcome national problems.

How and why the Executive Branch spends about 180 billion dollars annually. How presidential programs began, and reached their present great scope. The President's State of the Union Address and the Executive Budget as reflections of his program. How the President chooses between various programs. The political and personal factors which affect his choice.

Motion picture films on presidential programs; with: Presidents Dwight D. Eisenhower, John F. Kennedy, Lyndon B. Johnson, Rep. Carl Albert, Sen. Everett Dirksen, Presidential Assistants Bryce Harlow, Joseph Califano, and others.

Host: Stephen Horn.

28. "The Presidential Persuaders"

How the President leads and lobbies Congress to get his program enacted into law.

The frictions between the parties and within the parties which affect the President's program. The President's lobbyists who specialize in persuading the members of Congress on behalf of the President and his program. Direct and indirect pressures on Congress the use of Presidential "arm-bending" and other less obvious techniques. The problem of party discipline.

Host: Stephen Horn.

Guests: Presidential Assistants Bryce Harlow and Joseph California.

29. "The Political Executives"

How the President's top advisers (excluding the Cabinet) do their jobs.

Why the top executives around the President are "political". Where they come from, and where they go when the President leaves office. Problems of recruting suitable people. The pressures on, and sometimes divided loyalties of, the men who represent the President in his dealings with Congress and the federal departments.

Host: Stephen Horn.

Guests: Roger Jones, Special Assistant to the Director of the Budget, Robert C. Wood, Undersecretary of the Department of Health, Education and Welfare, Bryce Harlow, White House Assistant.

30. "The Civil Servants"

The two and a half million employees of the federal government who work in the Executive Branch.

How the federal civil service evolved from the spoils system of the 19 century. The true meaning of the so-called bureaucracy. The President's problems in obtaining cooperation for his programs from the civil service. Political pressures on the civil service from the upper echelons of the Executive Branch, Congress, and various private professional groups.

Host: Stephen Horn.

Guests: Roger Jones, Special Assistant to the Director of the Bureau of the Budget, Richard Murphy, Assistant Postmaster General.

31. "The View From Mount Vernon"

How the Presidency has changed and grown in power since the days of George Washington.

Videotaped at President Washington's home at Mt. Vernon, Va.

A discussion with Dr. Samuel Beer of Harvard University of the great changes which have taken place in the Presidency, and the great Presidents of history who brought about those changes.

How Presidents conceived of the executive power in the early days of the nation compared with contemporary views. A discussion of the party system then and now.

Host: Stephen Horn.

Guest: Samuel Beer.

32. "The Buck Stops Here"

The office of President as a center of national decision-making.

The President's ever-explosive environment. Why the President cannot avoid the final responsibility for decisions. The President's sources of advice in reaching decisions. How Presidents of the past reached decisions. Some methods by which modern Presidents reach major policy decisions. President Kennedy's process of decision-making in the Cuban Missile Crisis analyzed in detail.

With a picture history of the Cuban Missile Crisis and motion picture film, with Presidents Dwight D. Eisenhower, Harry S. Truman, and John F. Kennedy.

Guests: Rep. Chet Holified, Presidential Assistants Bryce Harlow and Joseph Califano.

Host: Stephen Horn.

33. "President, Press, and Public"

How the President communicates with the public through the press and broadcast media.

The critical importance of modern communications to the President in his role as national leader. Interactions between press and President. An examination of such questions as the credibility gap, the white lie, and managed news. How various modern presidents have dealt with the communications media.

A picture history of Presidential relations with the press and public from the time of Washington down to the present, with Presidents Franklin D. Roosevelt, Harry S. Truman, John F. Kennedy.

Guests: Charles Bartlett, Douglas Cater.

Host: Stephen Horn.

34. "The Regulators"

How the President deals with the so-called "fourth branch of federal government", the federal regulatory agencies.

The peculiar role of the "independent" regulatory agencies, created by Congress but staffed by the President. Why these agencies were created. How independent are they? A look at their function as intermediaries between the federal government and private industry.

A picture history of the creation of the first great agency, the Interstate Commerce Commission and the development of the seven major commissions and agencies which followed.

Guests: Presidential assistants Bryce Harlow and Joseph Califano.

Host: Stephen Horn.

35. "The Federal Partners"

How the federal government cooperates with State and Local government in making a wide range of services and benefits available to the people.

The enormous scope of federal programs and how they are administered at the Federal, State and local levels. Some questions: Is administration of such programs too centralized in Washington? How can decentralization be accomplished effectively? Are the States and cities adequately prepared to play a larger role? What the federal government can do to solve the urban crisis.

Videotaped on the steps of the Capitol at Washington, D.C.

Guests: Sen. Edmund Muskie, Mayor Ralph Kelley of Chattanooga, Tenn.; Philip Maher of the Institute for State Planning.

Host: Stephen Horn.

Federal courts group—five programs

36. "The Justice Machine"

A profile of the Federal Court System.

The position of the federal courts in our three branches of government with shared powers. The organization of the federal courts into District, Appellate, and Supreme Courts. The relationship of the federal courts to State courts, jurisdiction of each.

Some problems of the federal courts, such as overcrowded dockets. The concept of "judicial review" which gives the Supreme Court powers which in many ways equal that of the Congress and the Executive Branch.

Historical motion picture films of key cases in the history of the Supreme Court, and a picture story of the crucial Marbury Case of the early 19th century which produced the concept of judicial review.

Host: Stephen Horn.

Guest: Ernest C Friesen, Administrator of the Federal Courts.

37. "The Check That Balances"

The role of the Supreme Court in defining the legality of actions by Congress and/or the President and the Executive Branch.

Judicial review in practice . . . some key cases. The constitutional bases of the Supreme Court's actions. Arguments pro and anti. An examination of the charge that recent Supreme Court rulings on civil rights and matters involving civil liberties invade the province of Congress. Did the Warren Court overstep its constitutional powers?

A picture history of the Supreme Court over the decades, featuring landmark decisions by the Court, with motion pictures and photos.

Host: Stephen Horn.

Guests: Sen. Sam Ervin and Justice J. Skelly Wright of the U.S. Court of Appeals.

38. "Framework of Freedom"

The Supreme Court and the first ten amendments to the U.S. Constitution.

A closer look at the Bill of Rights and how its provisions have been implemented by Supreme Court decisions. How Supreme Court interpretations of the Bill of Rights have varied from time to time due to various pressures and circumstances. How modern advances in technology have threatened personal rights, and how the Supreme Court has acted to redress the situation. An examination of the use of the 5th Amendment and other constitutional rights by those presumed to be lawbreakers.

With motion pictures of the Billie Sol Estes case, the Dr. Sheppard case, the Senate Racketeering Investigation, with Dr. Martin Luther King, Sen. John McClelland, Sen. Robert Kennedy, Pres. Dwight D. Eisenhower.

39. "Men of Justice"

How the Supreme Court Justices reach their decisions.

The human aspects of the Supreme Court. A view of the Justices as men with individual personalities and prejudices, rather than as impersonal units of an institution. The problems faced by the Justices of squaring their personal feelings with the requirements of the "law". An examination of such questions as "fact" and "what the constitution means". How the previous experiences of the Justices affect their decisions. Justices and politics. How the Justices deliberate and exchange views. The problem of secrecy.

Videotaped on the steps of the Supreme Court building. With a picture profile of the outstanding Justices of the Court.

Host: Stephen Horn.

Guests: Bennett Boskey and Eugene Grossman, members of the Supreme Court Bar.

40. "Supreme Court and Society"

The effect of Supreme Court decisions on the quality of American life.

The Supreme Court as a policy-making body, directly affecting the legal, social and political realities of the nation. Some key cases, from the Dred Scott decision of 1857, down to the obscenity cases of the 1960's. The Court as a leader for social liberalism. Divisions within the Court, and some reasons why the Court is rarely unanimous, and often reverses itself. An examination of the question of whether the Court, an appointed body and therefor not democratically chosen, should have the right to decide matters of broad national policy.

With motion picture film and historical photographs.

Host: Stephen Horn.

Guest: Justice J. Skelly Wright of the U.S. Court of Appeals.

Mr. McCORMACK. Mr. Speaker, I wish to add my congratulations to ladies of the Operation Government Committee and the Westinghouse Broadcasting Co. upon the completion of 40 half hour tele-

vision programs known as "The Government Story."

It is a deep source of pride to me to have had a small part in helping this historic series on the operation of the three branches of the Government come to this final day when they are ready to be screened on stations throughout the country.

As many of the Members here know, the Operation Government Committee is composed of wives of Members of this body and of the Senate. There are also wives of members of the Supreme Court and the Cabinet. These women are assisted in their work of helping their husbands tell "The Government Story" by Mark Talisman, administrative assistant to our colleague, CHARLES VANIK, of Ohio. It was Mark who came to me over 3 years ago and asked for some help to get such a series started so that families around the country could better understand the workings of their Federal Government.

Mrs. Vanik and Mrs. Ford, the wife of my distinguished colleague, GERALD FORD, the minority leader, have led these wonderful, hard-working women in opening the doors of the Congress to the careful and talented work of the Westinghouse creative staff. It has taken over 3 years of hard work to complete these programs. There are 22 programs on the Congress and the balance on the executive and judicial branches. Soon, everyone in the country will be able to see these programs at a convenient evening hour and schools will have available versions for their educational television system and 16 millimeter projection. Teachers' guides will also be available at a later date.

It should be noted that under the leadership of Mr. Donald McGannon, chairman of the board of Group W, Westinghouse Broadcasting Co., which operates WBZ Radio and Television in my congressional district, this company has made a great commitment both financially and time and talentwise, to see this great project through. It is no small task for a profitmaking company to produce such an extensive series and then make it available to other stations free of charge and for there to be no commercial sponsorship during the showing of any of the series.

Westinghouse Broadcasting Co., its leader, Mr. McGannon, Mr. Richard Pack, executive vice president, whose commitment to this project has been unstinting, and the Westinghouse Washington office who has been liaison officer, are all to be commended for their willingness to provide the American people with this great learning opportunity to know more about their Federal Government.

Again, I wish to extend my thanks and congratulations to the women of the Operation Government Committee and to Westinghouse Broadcasting Co. for their dedication in seeing this great project to its completion. I am delighted to have played a part in it.

Mr. ALBERT. Mr. Speaker, I am pleased to join with my colleagues in calling attention to the national premiere of the extensive series of television programs on the Federal Government known as "The Government Story." This 40 half hour series is unprecedented. This is the first time that such an extensive educational program has been written with the general public in mind. The Members of the Congress, the Senate, the Supreme Court, and the executive branch have been able to sit in informal conversation and be interviewed. These programs are not lectures, but utilize the very newest techniques of graphics and cinematography so that the important story of the Federal Government will be interesting and lively.

The women of this Operation Government Committee worked hard with the Westinghouse Broadcasting staff to assure that the series would be available for family viewing as well as classroom use. Within the next few weeks, television channels throughout the country will start screening these programs on a weekly basis at near prime-time hours so that the whole family can enjoy these fine programs.

Areas of the country served by educational television networks will also have tapes of the series available for use in the classroom. For those areas where educational television is not now available will have the use of 16 millimeter film.

Mrs. Albert and I have enjoyed helping in this important project and look forward to the national premiere tomorrow evening, March 18, in the caucus room of the Cannon Office Building. I am sure the people of my congressional district will benefit greatly from this series. Westinghouse and the ladies committee are to be highly commended for their splendid work. I certainly am grateful for their commitment.

Mr. GERALD R. FORD. Mr. Speaker, it has been a very long and arduous task to come to this day when the completion of "The Government Story" can finally be announced. I suppose I should be especially pleased, since my wife, Betty, has spent so much time on this vital project as cochairman, along with Betty Vanik, the wife of my distinguished Ohio colleague, CHARLES A. VANIK.

These ladies of the Operation Government Committee have done miracles in their work in helping Westinghouse Broadcasting Co. accomplish, among members of both parties, what so many of us seek in regular legislative endeavors.

The bipartisanship and good will which the Members of this House and the other body have shown in cooperating in this series promise to make it among the most candid and useful educational programs on how the Federal legislative process really works.

I wish to add my thanks and congratulations to Don McGannon, Dick Pack, and all of the Westinghouse staff for their farsightedness in supporting this vital project. Without their cooperation and assistance this serious matter could not have been produced. While they probably did not realize fully what they were getting into when this series started over 3 years ago, I could have warned them how tenacious our wives would be when they pursued goals in which they firmly believed. It is obvious on this day of the national premiere of these 40 half hours of television programing that they have succeeded—and the Westinghouse Broadcasting Co. is still in business. The Nation is the better for the cooperation and work of these two groups.

I commend to the attention of this body that a national premiere of the series will be held in the caucus room of the Cannon Office Building tomorrow evening, March 18, at 5 p.m. when a copy of the series will be presented to us for the Library of Congress. I do hope that you and your wives will attend this important event.

Mr. BOGGS. Mr. Speaker, after many years of diligent work, the Operation Government Committee, of which my wife is a member, and the Westinghouse Broadcasting Co. will see their work come to fruition in the national premiere of "The Government Story."

I have been particularly interested in the production of such a series because I know first-hand the increased interest our constituents have in the operation of the Federal Government. I have been closely associated with the development of this series. We all have tried our best to assure that the fairest and most complete story of the Government's work could be told. From what I can determine, the excellent, talented staff of Westinghouse has done a magnificent job and has, indeed, accomplished this great task.

Westinghouse Broadcasting and our ladies are to be congratulated for their steadfastness in the face of some technical difficulties. The enormity of the task which they faced over 3 years ago would have been sufficient to stop a group with lesser determination.

Now that the series is to begin its screening around the country, everyone will be able to see the fruits of all of this labor. I am sure there will be general agreement that the story has been well and fairly told. It is my hope that a skillfully edited version of about a half-hour in duration will soon be made available for showing to tour groups who come to the Capitol. It is so difficult for anyone to understand the complexity of the Federal legislative process. This series and a shorter version for use in the Capitol will go a long way in helping to develop better understanding of our system of government.

I wish to extend my personal congratulations to the ladies of the Operation Government Committee, to Don McGannon of Group W, and all of his staff including Dick Pack who followed this production so closely. Also a word of thanks to Mark Talisman who thought up this series and served as project director. I, too, look forward to the premiere tomorrow evening.

Mr. BYRNES of Wisconsin. Mr. Speaker, I am delighted to join with my colleagues in recognizing the national premiere of "The Government Story." Mrs. Byrnes joined many others in working hard to help Westinghouse Broadcasting Co. produce this monumental series of 40 half hours of television on the nature of the work of the Federal Government.

Every Member of this body and in Federal service has seen the need for this kind of series—but few have been willing to take up such an extensive task.

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It was because of the perspicacity of the women on the Operation Government Committee and the extensive commitment of Group W that a beginning was made over 3 years ago. I know first-hand that my wife has attended dozens of Operation Government Committee meetings during which the series was planned with Westinghouse.

Tomorrow evening, March 18, at 5 p.m. the fruits of all of their labor will be viewed by a distinguished audience of Government officials. I am sure that this series will be warmly received and have great success throughout the country.

My heartiest congratulations to the executives and staff of Westinghouse Broadcasting Co. and to the dedicated women on the Operation Government Committee for all of their work. They have done a great service for the country in bringing this series to completion.

Mr. RHODES. Mr. Speaker, I am pleased to add my word of praise for Operation Government—the Westinghouse series on the workings of the Federal Government. This product of active bipartisanship is to be highly commended.

I have watched as this series developed over these past 3 years. It is amazing to see how complicated it is to produce such a lengthy series. It is not simply enough to write the scripts and film them being read. Interviews had to be set up with numerous Members of the House and the Senate which took a great deal of staff work.

Permission had to be sought to film in various parts of the Capitol Building and other Government buildings. Scripts had to be reviewed over and over for accuracy and interest. Cooperation from various Government offices was essential if this series was to be interesting and lively.

As will be seen tomorrow evening, at the first public viewing, the series is not only lively and interesting, it is highly educational. When several of the half hours were screened last year, everyone in the audience, from 11 years of age to senior citizens, came away with a greater understanding of the Federal Government than they had had before.

My congratulations to the ladies of the Operation Government Committee and Don McGannon and his staff at Westinghouse for their great work. Their reward will be a better informed, more alert citizenry who will undoubtedly understand their Federal Government a great deal better.

Mrs. MAY. Mr. Speaker, we are all so very proud to arrive at this day when we can say the 40 half-hour television programs which our committee, Operation Government Committee, has worked on so hard, are finally ready for public viewing. I am proud to have been a member of this committee which was conceived over 3 years ago to help the American public better understand the workings of their Federal Government.

We have come a very long way from the first days of this project. It has been so obvious to many of us that there are some misunderstandings about the ways in which the legislative process works. It is not possible for a visiting constituent to learn very much about this complicated process with a short visit to the Capitol. Therefore, it has been the hope of us members of the Operation Government Committee to help television tell this exciting story in depth so that the whole family can better know the detailed story which should be told.

There are 40 half hours of television viewing. It is my understanding that the first 22 programs on the Congress will be shown in over 15 major TV markets around the country starting within the next month. WTOP in the Washington, D.C., area will be screening these programs very shortly.

At the specific request of the Operation Government Committee, Westinghouse has offered these films as long as there will be no commercial sponsorship. At a later time educational and 16-millimeter versions will also be circulated so that the series can be used in classroom instruction.

I wish to extend my personal thanks to the chairman of the board of Westinghouse Broadcasting, Mr. McGannon, and to Dick Pack, the senior vice president, who have backed this great effort the limit to assure accuracy, the very best and most dedicated staff and every possible facility to assure the most historic and useful film which is available on "The Government Story." I wish also to thank the project director of our committee, Mark Talisman, for all of his efforts in conceiving of this project and seeing it through with us.

Betty Vanik and Betty Ford deserve special mention for they are the women who kept this project vital and pushed and prodded when doors needed opening and things had to be expedited.

It is my sincere hope that everyone will get to see the product of all of the labors of our committee and Group W. It is my feeling that there will be a better, clearer understanding of the operation of the system on the Federal Government as a result of this series.

Mr. AYRES. Mr. Speaker, after a great deal of work, the Operation Government Committee and Group W, Westinghouse Broadcasting Co., have announced that their splendid "Government Story" series will soon be aired.

As a member of the Education and Labor Committee of the House, I have been particularly interested in seeing this monumental undertaking develop. My wife has been a very active member of the Operation Government Committee and I had an opportunity to be interviewed for one of the shows. The high degree of professionality of the staff and the creativity which obviously went into the writing and the editing of the shows is a great credit to the members of the Westinghouse staff and to the hardworking Operation Government Committee who continually sought to maintain very high production standards.

I am convinced from seeing this program develop that commercial television has a great, creative role to play in education. It had been the intention of the Operation Government Committee not to restrict this great endeavor solely to educational television channels. In this way the whole family could enjoy this highly informative series at a convenient evening hour. The series can thus also be used by teachers during the normal course of school curriculum on the Government or political science.

Special attention was also paid to the fact that there are areas in the country where educational television systems have not yet been installed. In these areas, a 16-mm. version will be offered at a later date. Teachers' manuals and accompanying guides will also be made available so that the classroom instruction can be of the highest order.

In my judgment, a great deal can be learned from this successful series by other television companies, some of whom have unsuccessfully tried to accomplish this great task, and by program developers who wish to teach the complicated but fascinating story of the three branches of the Federal Government. The Group W, Westinghouse staff including their dedicated chairman, Don McGannon, and senior vice president, Dick Pack, and the Operation Government Committee which worked so hard to see the highest quality series produced. They have succeeded admirably. I commend the series to the Members of this body and to the national television viewing audience.

Mr. REUSS. Mr. Speaker, along with my colleagues I, too, wish to congratulate the women of the Operation Government Committee and the staff of the Group W, Westinghouse Broadcasting Co., who have worked so hard in the past 3 years to see this great project through.

As can be seen from the topics covered in each of the 40 half hours of television, it will be possible for the first time in the history of television and the Congress to get a comprehensive in-depth view of the operation of the legislative process. The committee system of legislature is examined in a two-part series, along with an intensive view of the offices of both the House and the Senate.

The Office of the Presidency and the work of the executive branch are also scrutinized at length. However, it has been the consistent goal of this series to allow the people who work within each of the branches to tell the story of their work from their point of view. Extensive use was then made of the vast archives and files of the Smithsonian, the Archives, and the Library of Congress to illustrate the topics under discussion.

Dr. Steven Horn, who has had extensive experience on Capitol Hill and is now deal of graduate studies at American University, does a masterful job of moderating the whole series.

The series was conceived by Mark Talisman, administrative assistant to my colleague, CHARLES VANIK, of Ohio, over 5 years ago to answer the crying need for educational material on how the Federal Government works. He has since served as project director of the Operation Government Committee composed of the wives of Members of the House, Senate, Cabinet, and Supreme Court.

I hope that this series will enjoy extensive distribution throughout the country. It will help to engender a greater understanding of how our federal system works.

GENERAL LEAVE TO EXTEND

Mr. FLOWERS. Mr. Speaker, I ask unanimous consent that all Members may be permitted to revise and extend their remarks on the subject matter of the special order granted today to the gentleman from California (Mr. HOLIFIELD).

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

RELIGIOUS TOLERANCE IN NORTHERN IRELAND

The SPEAKER. Under previous order of the House, the gentleman from New York (Mr. HALPERN) is recognized for 5 minutes.

Mr. HALPERN. Mr. Speaker, I can think of no more fitting time than today—St. Patrick's Day—to lay the foundation for lasting peace and religious tolerance in northern Ireland.

Recent developments have highlighted a situation that has been allowed to fester for far too long; in northern Ireland, one-fourth of the population is deprived of voting, housing, and job rights—simply because they are poor and Catholic.

Under northern Ireland's archaic election laws, only owners of property can vote, unmarried adult children living at home cannot vote, and property owners are given votes according to the size and value of their land.

Because of these 19th-century laws and ruthless gerrymandering, the Unionist Party, predominantly Protestant, holds 60 percent of the seats in the Londonderry City Council, even though the Nationalists, mostly Catholics, comprise two-thirds of the population.

The "proper" party affiliation is also an important qualification in obtaining housing and jobs.

And, as though that were not enough, northern Ireland has a special powers act which permits the home minister to order the arrest and imprisonment of citizens without charge or trial.

Mr. Speaker, I am today introducing two resolutions which I hope will alleviate some of these injustices. The first would call upon the President to act through our U.S. representative to the United Nations Commission on Human Rights, and to protest against religious discrimination in northern Ireland .

I believe that the government of northern Ireland has violated many of the provisions of the United Nations Universal Declaration of Human Rights.

The resolution would, further, ask Congress to express its sense that our Government strongly condemn the injustices in northern Ireland.

The second resolution would call for a plebiscite under United Nations auspices, through which all the people of Ireland—north and south—would have the opportunity to express their will for union.

We condemn discrimination in Mississippi and Rhodesia, and we should just as strongly condemn discrimination and class separation in northern Ireland.

Mr. Speaker, it is time that we in the free world spoke out.

And what could be a more appropriate time than today—in the true spirit of St. Patrick's Day.

MIZE SPONSORS LEGISLATION TO PROVIDE MORE EFFECTIVE LAW ENFORCEMENT

(Mr. MIZE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MIZE. Mr. Speaker, I have joined the distinguished gentleman from Illinois (Mr. RAILSBACK) and other colleagues in sponsoring legislation which will permit more effective law enforcement in the United States.

Criminal activity has increased dramatically. Competent police officers and administrators are staggering under the floodtide of criminality especially in our urban centers. The legislation which I will discuss today would materially assist police in the discharge of their difficult duties.

Police officers, in the line of duty, must be accorded clear authority to prevent crime, as well as apprehend those who have violated the law. Two bills which I cosponsor advance this proposition. The first, H.R. 7506, is commonly referred to as the Federal "stop-and-frisk" law.

STOP AND FRISK

On the street, officers often observe suspicious conduct. In order to prevent imminent criminal activity, Federal officers and District of Columbia policemen should have the clear statutory authority to detain suspects for a reasonable period of time. Detention of this sort, prior to the decision to arrest, is called investigative detention. Further, officers should have the clear statutory authority to insure their physical safety from attack by the detainee. An officer can reasonably accomplish this by patting down the exterior of a suspect's clothing, using a technique commonly called the "frisk."

H.R. 7506 specifically defines police latitude in the difficult moments of investigative detention; it also places strict limits on duration and permissible police conduct throughout detention.

This legislation would permit an officer to detain any person whom he reasonably suspects is committing, has committed, or is about to commit a crime. I emphasize that the detention must be reasonably necessary to determine the lawfulness of the suspect's conduct. The detention will not normally exceed 30 minutes.

Clearly an officer must have the power to protect his person from attack during investigative detention. Protection is provided by the bill, for the officer is granted the authority to frisk the suspect for weapons—and for weapons only.

In the course of a limited search for weapons, an officer will sometimes discover contraband materials, such as burglar tools, narcotics, and concealed guns. H.R. 7506 provides that contraband discovered in a reasonable search for weapons is admissible as evidence in criminal prosecution for possession of contraband.

Each Member of Congress, as he reviews the Federal "stop-and-frisk" proposal, should determine to his satisfaction the constitutionality of the bill. The fourth amendment provides:

> The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated.

If "stop and frisk" violates the fourth amendment guarantees, it of course should not become law.

Mr. Speaker, after careful review, I am confident that this proposition does not infringe upon the rights of individuals. Recent decisions of the Supreme Court have convinced me that "stop and frisk," as embodied in this legislation, does not constitute an unreasonable search. These same decisions have convinced me that certain seizures of contraband are also not unreasonable, and should be permitted to be entered as evidence against the detainee.

In Terry against Ohio, decided on June 10, 1968, the Supreme Court upheld the conviction of an individual who was stopped by an experienced police officer. The officer was convinced, based upon his 39 years on the force, that the defendant was "casing" a store for a holdup. He "frisked" the suspect, and found a firearm concealed on his person. The defendant was convicted of carrying a concealed weapon. The Court held that the search and seizure was not unreasonable, for the officer was acting as a reasonable officer should act in preventing crime. The discovery of contraband was incident to a search which was necessarily performed for the protection of the officer's safety.

In Terry, the Court balanced the interests of society against the interests of the detainee, and concluded that society had a strong interest in the prevention of crime. The temporary investigative detention, and the subsequent search of the suspect's person for weapons, did not constitute an unreasonable violation of his person.

Thus the courts, in case law, have developed the theory that society has the right to those protections which "stop-and-frisk" procedures clearly provide.

Mr. Justice Harlan in his concurring opinion in Sibron against New York, spoke on the admissibility of contraband uncovered in the course of a search for weapons, saying:

> The frisk made incident to that stop was a limited one, which turned up burglars' tools. Although the frisk is constitutionally permitted only in order to protect the officer, if it is lawful the State is of course entitled to the use of any other contraband that appears.

Mr. Speaker, I am confident that the language of Terry and Sibron will convince even the most ardent civil libertarian that the legislation which I advocate is constitutional under current interpretation. It might be noted that the Supreme Court declined to pass on the constitutionality of the New York State "stop-and-frisk" law in the Sibron decision.

I have high hopes that a Federal "stop-and-frisk" law can be passed for the benefit of Federal and District of Columbia officers. This legislation can then serve as a model for State legislatures in concurrent efforts to control serious crime in America.

AUTO INSPECTION

Mr. Speaker, I have also cosponsored legislation which would permit police officers, while enforcing the provisions of the so-called Dyer Act, 18 U.S.C. 3212, to inspect automobile identification num-

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bers. This inspection must be based upon the reasonable belief that the vehicle has been stolen and transported interstate.

This bill, H.R. 7505, codifies existing case law in much the same manner as does the "stop-and-frisk" proposal. It would permit officers to effectively determine whether an auto has been stolen without resorting to the cumbersome procedure of a search warrant. It would have a positive effect in apprehending those suspected of auto theft, and perhaps reduce the theft rate—currently a national scandal.

FBI uniform crime reports for 1968 indicate an increase in auto theft of 18 percent over 1967. There is no question that police must be given clear authority to counter this disgraceful increase.

The needs of society must be balanced against the minor irritation which a motorist suffers when an officer lifts his hood to inspect his motor number or opens his car door to inspect his automobile body number. Such a search could not be considered unreasonable and therefore should be permissible under the fourth amendment.

CRIME RATE MUST BE COUNTERED

Mr. Speaker, these proposals have been carefully drafted to avoid conflict with the Bill of Rights. The Congress must move to counter the crime wave which has characterized urban life in recent years. This epidemic of crime can be countered, with resolute legislative action.

The Supreme Court has already clearly spoken on the vital interests of society and determined that police officers have the right to conduct reasonable searches for weapons and make reasonable detentions of suspects for investigation. The Congress should not shrink from its responsibility in this difficult area of law enforcement. Congress should enact laws which will codify and clarify proper police procedure whenever possible.

I urge all Members to give serious, thoughtful consideration to the two proposals which I advocate today. In view of the sharp increase in crime, early action on these bills is most appropriate.

A PEOPLE-ORIENTED FARM PROGRAM

(Mr. FINDLEY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous material.)

Mr. FINDLEY. Mr. Speaker, today I have introduced a bill—H.R. 9009—which I consider to be a comprehensive program to strengthen marketplace income for farmers, reduce the influence of Government in the management decisions of farmers, and provide financial assistance to farmers who need skills training and other forms of assistance in order to develop off-farm income.

The emphasis of my bill is Government action to assist farmers in their adjustment as people to changing technology, in contrast to present farm programs which deal almost exclusively with Government action to adjust commodity supplies.

AN EXCITING NEW NATIONWIDE ENERGY COMPANY—AT THE EXPENSE OF THE AMERICAN TAXPAYING PUBLIC

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. PODELL. Mr. Speaker, during the first week of March, I took issue with the decision of the Department of Justice which in effect allows the largest merger in oil industry history to take place—that between Atlantic Richfield and Sinclair Oil Corp. Merger of these two companies, 10th and 11th largest in America, will create our country's sixth largest oil corporation. At that time I pointed out that already a policy of favoritism to major corporate interests at expense of the public was emerging. Nor have I changed that opinion.

In delving further into the oil industry's labyrinth, I make further astounding discoveries. In the case of this merger, they are especially thought-provoking—worthy of passing on to this body and our public at large.

On Thursday, March 6, 1969, there appeared a full-page ad in the New York Times, paid for by the Atlantic Richfield Oil Co. I take the beginning words of my presentation from its headline—in part. This exciting new nationwide energy company proclaims its new growth and presence in altruistic terms that would make a Salvation Army lass consider herself selfish. An energy-hungry world is about to be wondrously served by this new colossus of oil. An average reader would commence to salivate in anticipation of anticipated bargains, which are implied by the lush metaphors and dripping adjectives in the advertisement.

There is no mention of oil pollution, such as despoils the California coast right now. Nor is there mention of the economic hammerlock oil companies have upon American consumers or the manner in which they seek to keep out cheaper fuel, such as has been suggested in the form of a free import zone and refinery at Machiasport in Maine. No mention is made of false, misleading games utilized by oil companies, which cheat consumers. All that is presented to us is an image of public service. A 27½-percent oil depletion allowance? Never heard of it.

How about letting taxpayers in on a little more information about this merger, which Mr. Nixon's Department of Justice has so kindly given a green light to. Let us glance momentarily at the Atlantic Richfield Oil Co. and Sinclair Oil Co. from a taxpayers standpoint.

Every taxpayer in the United States paid more in Federal tax than Atlantic Oil did in the early and middle 1960's. This company could and did earn $105,299,000 net income before tax in 1965. It did not pay a single dollar in Federal taxes during that year. Now that is really public service.

In 1964, Sinclair Oil Co. earned $66,440,000 in net income before taxes. They did even better. Taxpayers of the United States paid them $3,119,000 for making that amount of money. Match that kind of altruism.

In 1964, Richfield Oil Co. earned $26,255,000 in net income before Federal taxes. Taxpayers of the United States paid them $629,000 for being so successful. Has such unselfishness been seen before? Surely we should present these companies' official with appropriate rewards.

Mr. Speaker, I am certain we now have on our national scene "an exciting new nationwide energy company." They aim to be first in war and first in peace. Certainly they are already close to being first in the pockets of most of their countrymen. Certainly they have cast covetous eyes upon such potentially productive areas as the Kenai Moose Range in Alaska. Certainly they will attempt to get rights to drill there, so they may earn more money in profits and pay less taxes.

The oil industry is a fourth level of government now. Such actions as the one taken by the Department of Justice in allowing merging of Sinclair and Atlantic-Richfield only enlarges their scope and opportunities for tightening the economic stranglehold they already have on America's windpipe.

But we shall fight back. We shall give them the struggle of their profit-loaded, tax-evading lives; the Justice Department notwithstanding.

OIL INDUSTRY ARROGANCE RAISES CONSUMER PRICES AND COST OF LIVING

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. PODELL. Mr. Speaker, there are times when I must admire the oil industry for its nerve. Their audacity leaves me breathless. Robbing the Federal Treasury of billions through the oil depletion allowance, they simultaneously ridicule the intelligence of our average motorist with games and promotions which are questionable. Blithely polluting coastal lands of our west coast with absolute impunity, they maintain costs of fuel and energy deliberately high, depriving consumers of any fair treatment in prices demanded for oil and oil products. Bulging with profit, the oil companies placidly contemplate an outraged, frustrated nation. And how do they respond to our pleas and questions?

Now oil companies have raised gasoline prices. This is going to cost the average American consumer $800 million a year. That is inflation. This is why it is harder and harder for working people to make ends meet. And remember that oil companies have that delectable 27½-percent oil depletion allowance with which to help write off their excessive profits. Only the consumer suffers. Only the struggling taxpayer hurts.

Texaco started matters off, raising prices it pays for crude oil. But Texaco happens to produce most of the crude oil it refines. So we can determine that Texaco simply instructed Texaco to raise its prices to itself. This justifies an even greater depletion allowance than Texaco now receives. It may interest millions of Americans to know during this period of toting up income taxes, that

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this company paid out a mere 1.9 percent of its net income in taxes in 1967. I wonder how that will rest with the average struggling wage earner in this Nation?

It also may interest American consumers to know that the oil industry has been preventing cheaper foreign oil from entering American markets. This is perhaps why most oil companies are fighting the Machiasport proposal and all other proposed "free trade zones."

The oil import program, according to the Interior Department, costs the taxpayers and consumers between $2 and $4 billion yearly. Again the gas price hike claims our attention. America's oil refining industry has the lowest per unit labor cost of any major industry. Texaco itself stated in its 1968 annual report that the wholesale gasoline market is stable. In 1968, Texaco's after-tax profits increased by 10.8 percent to $835,500,000—highest profit level Texaco has ever recorded.

Mr. Speaker, the rest of the industry slavishly followed Texaco's lead. I can only gaze in astonishment at such profitable acrobatics at the expense of those who require oil and gas daily. Truly, those old robber barons of the gilded age would doff their hats in mute admiration of the ability oil companies have to stifle Congress, prevent Federal action and throttle the taxpayer while rifling his wallet.

These gasoline price raises must be rolled back. But a further note should and must be sounded. There is going to be a reckoning between the Federal Government and the oil industry, and it cannot be long delayed. Their gravy train must and will be derailed. Our public interest demands it.

ST. PATRICK'S DAY

(Mr. McCORMACK (at the request of Mr. ALBERT) was granted permission to extend his remarks at this point in the RECORD.)

Mr. McCORMACK. Mr. Speaker, St. Patrick's Day is properly a time for celebration. It is a day to remember the contributions of the Irish people to the world, as well as to commemorate the whole of Irish history—fraught as it is with tragedy and oppression, determination and ultimate triumph.

Ireland's place in European civilization, as well as in American history, is broad and colorful. For Ireland has produced more than her share of patriots and soldiers, poets and dramatists, saints and scholars, and sturdy immigrants to the New World.

Irish patriotism is world famous. In the 16th century, for example, the leadership of Hugh O'Neill and Hugh O'Donnell against English tyranny stands as a brilliant testimony to Irish pride. That their efforts met with defeat at the Battle of Kinsale, in 1601, does not diminish the service they performed in keeping alive the spirit of Irish nationality—which finally prevailed three centuries later.

Irish history subsequent to the defeat at Kinsale is one of the darkest periods in Celtic annals, although, even in despair, the Irish proved their worth by their perseverance, their refusal to be annihilated. "Cromwell's Curse," the oppression of Ireland under Oliver Cromwell in the 17th century, was neither forgotten nor forgiven in Ireland. During this period over 30,000 soldiers were forced into exile and thousands of commoners were sent into virtual slavery in the West Indies.

The removal of Cromwell's regime led only, in the long run, to the Irish defeat at the Battle of the Boyne, in 1690—but yet again, the Irish refused to accept defeat. Penal laws were passed which virtually destroyed Catholic landowners. In 1719 the Declaratory Act finally obliterated what little substance of Irish legislative influence that remained. The lowest point had been reached.

The repeal of the Declaratory Act in 1782 marked a turning point, and despite the perfidious Act of Union, in 1800, Ireland's consciousness as a nation had been aroused: the history of the 19th century is one of continual patriotic opposition to foreign domination, culminating in the establishment of the Irish Free State in 1922, which in turn led to full independence—creation of the Republic of Ireland—in 1939. With that act nearly 1,200 years of foreign invasion and oppression came to an end.

We cannot, in surveying Ireland's political history, fail to mention the names of the great patriots of the 19th and early 20th centuries—Charles Stewart Parnell, Michael Davitt, and Eamon de Valera, to name but three. Their service to the Irish nation is invaluable and never to be forgotten.

But the Irish determination to be free is supplemented by a poetic and literary tradition that is one of the finest and most glorious in Europe—and one which did much to keep alive the spirit of Irish nationhood during the dark centuries of despair. The Irish literary tradition of greatness can be said to have begun in the 17th century—when the need to forge a common Irish identity was especially great. This literary efflorescence attained international recognition in the 18th century, in the works of playwrights like Oliver Goldsmith and Richard Brinsley Sheridan. The world still remembers the poignant, yet penetrating, lament of Goldsmith over the condition of the Irish peasant:

> Ill fares the land, to hastening ills prey.
> Where wealth accumulates, and men decay.

And yet, this note of sadness finds, more than a century later, harmonious resolution in the peaceful verse of William Butler Yeats, which augured better times to come—a resolution of comfort and pride in the Irish landscape, soon again to be placed in the hands of its own people:

> I will arise and go now, and go to Innisfree . . .
> And I shall have some peace there . . .
> I hear it in the deep heart's core.

Jonathan Swift, who wrote "Gulliver's Travels," was Irish; as was Richard Steele, editor of the Tatler, and Lawrence Sterne, creator of Tristram Shandy. But perhaps the most Irish of all Irish writers was Thomas Moore, regarded for a century as Ireland's national poet. In his lyrical verse he embodied as no one else the Irish love of music, the sense of poetic imagination which characterizes the Irish spirit. It was he who wrote of Tara's halls, of the mute harp, of the "pulse of the patriot, soldier, or lover." It was he who, more than any other poet, kept alive the ancient Celtic imagination which can turn hardship into endurance, and which glories in the wearing of the green.

But finally, and, in the long run, most importantly, the Irish spirit of religious devotion has been manifest throughout Ireland's history—and is most aptly symbolized in Ireland's first saint, for whom this day is named. The Irish devotion to the Church is so well known that it bears no repetition here; but in conclusion, I would like to say that there is no more apt symbol of Ireland, of her people and her culture, than that brave and hardy soul, St. Patrick, who set out across the Irish Sea with no more than a burning conviction and an unshakable faith, and whose zeal was rewarded, it may be said without too much exaggeration, with that extraordinary synthesis we know as Ireland.

That synthesis extended itself in the 1800's as a gigantic wave of immigrants to America; and the Irish are today so integral a part of America that all of New York and Boston turn out every year for their St. Patrick's Day parades. In 1960, of course, Americans elected a man of Irish ancestry to the Presidency—a man whose memory inspires us all as Americans and as men. Today is Ireland's day. Let us mark it with reverence and with joy.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. HOLIFIELD (at the request of Mr. ALBERT), for 60 minutes, today; to revise and extend his remarks and to include extraneous material.

(The following Members (at the request of Mr. FOREMAN) to revise and extend their remarks and to include extraneous matter:)

Mr. FINDLEY, for 1 hour, on March 20.

Mr. HALPERN, for 5 minutes, today.

Mr. HALPERN, for 5 minutes, on March 18.

Mr. LOWENSTEIN (at the request of Mr. FLOWERS), for 60 minutes, on March 26; to revise and extend his remarks and to include extraneous matter.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. FOREMAN) and to include extraneous matter:)

Mr. ZWACH in two instances.
Mr. FINDLEY in two instances.
Mr. BURKE of Florida.
Mr. MORTON.
Mr. CONTE in two instances.
Mr. WEICKER.
Mr. BROYHILL of Virginia.
Mr. QUILLEN in four instances.

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Mr. ROBISON.
Mr. ASHBROOK in two instances.
Mr. MIZE.
Mrs. REID of Illinois.
Mr. CRAMER.
Mr. SCHADEBERG.
Mr. MICHEL in two instances.
Mr. STEIGER of Wisconsin.
Mr. GUDE.

(The following Members (at the request of Mr. FLOWERS) and to include extraneous matter:)

Mr. PATMAN.
Mr. SHIPLEY.
Mr. HANNA in five instances.
Mr. EVINS of Tennessee.
Mr. CHARLES H. WILSON.
Mr. WILLIAM D. FORD in two instances.
Mr. BARRETT.
Mr. TUNNEY.
Mr. RARICK in four instances.
Mr. FRASER.
Mr. EILBERG.
Mr. GONZALEZ in three instances.
Mr. GAYDOS in three instances.
Mr. MINISH.
Mr. PODELL in three instances.
Mr. MURPHY of New York.
Mr. BINGHAM in three instances.
Mr. VANIK in two instances.
Mr. DENT.
Mr. BROWN of California in two instances.
Mr. BOLAND in two instances.
Mr. DORN in two instances.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1081. An act to provide for the striking of medals of honor of the dedication of the Winston Churchill Memorial and Library; to the Committee on Banking and Currency.

ADJOURNMENT

Mr. FLOWERS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 30 minutes p.m.), the House adjourned until tomorrow, Tuesday, March 18, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

582. A letter from the Administrator, Foreign Agricultural Service, U.S. Department of Agriculture, transmitting a report of agreements signed under Public Law 480 in January and February 1969 for use of foreign currencies, pursuant to the provisions of Public Law 85–128; to the Committee on Agriculture.

583. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations, transmitting notification of the location, nature, and estimated cost of certain additional facilities projects proposed to be undertaken for the Air Force Reserve, pursuant to the provisions of 10 U.S.C. 2233a(1); to the Committee on Armed Services.

584. A letter from the Secretary, Export-Import Bank of the United States, transmitting a report on the amount of Export-Import Bank insurance and guarantees issued in January 1969 in connection with U.S. exports to Yugoslavia, pursuant to the Export-Import Bank Act of 1945, as amended, and the applicable Presidential determination; to the Committee on Foreign Affairs.

585. A letter from the Comptroller General of the United States, transmitting a comparison of taxes in the District of Columbia with those of its environs and other metropolitan areas; to the Committee on Government Operations.

586. A letter from the Governor of the Canal Zone and President, Panama Canal Company, transmitting a report of disposal of foreign excess property by the Panama Canal Company and the Canal Zone Government for calendar year 1968, pursuant to the provisions of section 404(d) of the Federal Property and Administrative Services Act of 1949 (63 Stat. 398); to the Committee on Government Operations.

587. A letter from the Chairman, Indian Claims Commission, transmitting a report that proceedings have been finally concluded with respect to docket Nos. 22–E and 22–F, the Yavapai and the groups and bands thereof, ex rel. Calloway Bonnaha, Harry Jones, Fred Beauty, and Warren Gazzam; the Yavapai-Apache Indian Community; the Fort McDowell Mohave-Apache *Community, Plaintiffs* v. *The United States of America, Defendants*, pursuant to the provisions of section 21 of the Indian Claims Commission Act of August 13, 1946, as amended (60 Stat. 1055; 25 U.S.C. 70t); to the Committee on Interior and Insular Affairs.

588. A letter from the Secretary of Commerce transmitting copies of the first annual plan for U.S. participation in the world weather program; to the Committee on Interstate and Foreign Commerce.

589. A letter from the Chairman, National Commission on Reform of Federal Criminal Laws, transmitting the second interim report of the Commission, including a recommendation concerning immunity laws; to the Committee on the Judiciary.

590. A letter from the Comptroller General of the United States, transmitting a report on management of equipment by the Atomic Energy Commission; to the Joint Committee on Atomic Energy.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calender, as follows:

Mr. PERKINS: Committee on Education and Labor. H.R. 515. A bill to amend the National School Lunch Act and the Child Nutrition Act of 1966 to clarify responsibilities related to providing free and reduced-price meals and preventing discrimination against children, to revise program matching requirements, to strengthen the nutrition training and education benefits of the programs, and otherwise to strengthen the food service programs for children in schools and service institutions, with amendment (Rept. No. 91–81). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BEVILL (for himself, Mr. ANDREWS of Alabama, Mr. BUCHANAN, Mr. DICKINSON, Mr. EDWARDS of Alabama, Mr. FLOWERS, Mr. JONES of Alabama, and Mr. NICHOLS):

H.R. 9003. A bill to amend title II of the Social Security Act to provide disability insurance benefits thereunder for any individual who is blind and has at least six quarters of coverage, and for other purposes; to the Committee on Ways and Means.

By Mr. BIAGGI:

H.R. 9004. A bill for the relief of certain distressed aliens; to the Committee on the Judiciary.

By Mr. BOLAND:

H.R. 9005. A bill to amend the Internal Revenue Code of 1954 so as to allow a deduction for certain amounts paid by a taxpayer for tuition and fees in providing a higher education for himself, his spouse, and his dependents; to the Committee on Ways and Means.

H.R. 9006. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. BROYHILL of Virginia:

H.R. 9007. A bill to designate the bridge authorized by the act of October 4, 1966, as the "Light Horse Harry Lee Bridge"; to the Committee on the District of Columbia.

By Mr. CEDERBERG:

H.R. 9008. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. FINDLEY:

H.R. 9009. A bill to adjust agricultural production, to provide a transitional program for farmers, and for other purposes; to the Committee on Agriculture.

By Mr. CELLER:

H.R. 9010. A bill to incorporate College Benefit System of America; to the Committee on the Judiciary.

By Mr. CORMAN:

H.R. 9011. A bill to authorize the support of Casa Loma College, a vocational college of applied science and arts, to stimulate its development and operation, to further define its corporate powers and provide such support as necessary to fulfill its purposes of providing vocational education and manpower training programs within a 4-year collegiate institution in such a way as to preserve human dignity and worth of the socially, economically, and culturally deprived; to the Committee on Education and Labor.

H.R. 9012. A bill to amend title 38 of the United States Code to provide a paraplegia rehabilitation allowance of $100 per month for veterans of World War I, World War II, the Korean or Vietnam conflict; to the Committee on Veterans' Affairs.

By Mr. CUNNINGHAM:

H.R. 9013. A bill to abolish the Commission on Executive, Legislative, and Judicial Salaries; to the Committee on Post Office and Civil Service.

H.R. 9014. A bill to expedite the interstate planning and coordination of a continuous Lewis and Clark Trail Highway; to the Committee on Public Works.

H.R. 9015. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. DIGGS:

H.R. 9016. A bill authorizing the President of the United States to present a gold medal to the widow of Martin Luther King, Jr., and for other purposes; to the Committee on Banking and Currency.

H.R. 9017. A bill to permit the District of Columbia Council to make rules and regulations under the Alcoholic Beverage Control Act, and for other purposes; to the Committee on the District of Columbia.

H.R. 9018. A bill to regulate the business of debt adjusting in the District of Columbia other than as an incident to the practice of law; to the Committee on the District of Columbia.

H.R. 9019. A bill to amend the National Labor Relations Act to secure to physically handicapped workers employed in sheltered workshops the right to organize and bargain collectively, and for other purposes; to the Committee on Education and Labor.

H.R. 9020. A bill to guarantee productive employment opportunities for those who are unemployed or underemployed; to the Committee on Education and Labor.

H.R. 9021. A bill to amend the Economic Opportunity Act of 1964 to provide for family planning programs; to the Committee on Education and Labor.

H.R. 9022. A bill to provide for certain reorganizations in the Department of State and the Department of Health, Education, and Welfare, and for other purposes; to the Committee on Government Operations.

H.R. 9023. A bill to provide for the disclosure of certain information relating to certain public opinion polls; to the Committee on House Administration.

H.R. 9024. A bill to provide for a Federal Athletic Commission to regulate organized sports when and to the extent that such regulation is in the public interest; to the Committee on Interstate and Foreign Commerce.

H.R. 9025. A bill to amend title 18, United States Code, to provide penalties for the use of certain devices upon individuals in the exercise of their rights under the Constitution of the United States, and for other purposes; to the Committee on the Judiciary.

H.R. 9026. A bill to amend the rules pertaining to the display and use of the flag of the United States by requiring the display thereof whenever the flag of a State, or of a political subdivision thereof, or the flag or pennant of a society is displayed; to the Committee on the Judiciary.

H.R. 9027. A bill to abolish the death penalty under all laws of the United States, and authorize the imposition of life imprisonment in lieu thereof, and for other purposes; to the Committee on the Judiciary.

H.R. 9028. A bill to protect civil rights by providing criminal and civil remedies for unlawful official violence, and for other purposes; to the Committee on the Judiciary.

H.R. 9029. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 9030. A bill to amend the act of March 3, 1905, relating to the dumping of certain materials into the navigable waters of the United States; to the Committee on Public Works.

H.R. 9031. A bill to encourage and assist private enterprise to provide adequate housing in urban poverty areas for low-income and lower-middle-income persons; to the Committee on Ways and Means.

H.R. 9032. A bill to amend the Internal Revenue Code of 1954 to extend the head-of-household benefits to all unremarried widows and widowers and to all individuals who have attained age 35 and who have never been married or who have been separated or divorced for 1 year or more; to the Committee on Ways and Means.

H.R. 9033. A bill to provide incentives for the creation by private industry of additional employment opportunities for residents of urban poverty areas; to the Committee on Ways and Means.

H.R. 9034. A bill to amend title IV of the Social Security Act to improve the program of aid to families with dependent children, and for other purposes; to the Committee on Ways and Means.

H.R. 9035. A bill to amend title II of Public Law 874, 81st Congress, to provide that payments received thereunder shall be disregarded for certain public assistance purposes; to the Committee on Ways and Means.

H.R. 9036. A bill to amend title II of the Social Security Act to provide that a survivor beneficiary shall not lose his or her entitlement to benefits by reason of a marriage or remarriage which occurs after he or she attains age 62; to the Committee on Ways and Means.

H.R. 9037. A bill to amend the Social Security Act so as to revise certain provisions thereof relating to public assistance which were enacted or amended by the Social Security Amendments of 1967; to the Committee on Ways and Means.

H.R. 9038. A bill to amend the public assistance provisions of the Social Security Act to assure all recipients of such assistance (in conjunction with recent social security benefit increases) an average increase of $7.50 in the total amount of their income from such assistance and other sources; to the Committee on Ways and Means.

By Mr. ERLENBORN:

H.R. 9039. A bill to amend title 37, United States Code, to provide for the procurement and retention of judge advocates and law specialist officers for the Armed Forces; to the Committee on Armed Services.

By Mr. FARBSTEIN:

H.R. 9040. A bill to amend the Federal Hazardous Substance Act to protect children from toys and other articles intended for use by children which are hazardous due to the presence of electrical, mechanical, or thermal hazards, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FASCELL:

H.R. 9041. A bill to amend subchapter II of chapter 83 of title 5, United States Code, relating to civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WILLIAM D. FORD:

H.R. 9042. A bill to amend the Internal Revenue Code to designate the home of a State legislator for income tax purposes; to the Committee on Ways and Means.

By Mr. FOREMAN:

H.R. 9043. A bill to change the definition of ammunition for purposes of chapter 44 of title 18 of the United States Code; to the Committee on the Judiciary.

By Mr. FREY:

H.R. 9044. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. FULTON of Pennsylvania:

H.R. 9045. A bill to amend the Civil Service Retirement Act, as amended, to provide that accumulated sick leave be credited to the retirement fund or that the individual be reimbursed; to the Committee on Post Office and Civil Service.

H.R. 9046. A bill to amend the Internal Revenue Code of 1954 to restore the provisions permitting the deduction, without regard to the 3- and 1-percent floors, of medical expenses incurred for the care of individuals 65 years of age and over; to the Committee on Ways and Means.

By Mr. GAYDOS:

H.R. 9047. A bill for the elimination of health dangers to coal miners resulting from the inhalation of coal dust; to the Committee on Education and Labor.

H.R. 9048. A bill to improve the safety conditions of persons working in the coal mining industry of the United States; to the Committee on Education and Labor.

H.R. 9049. A bill to provide that the nuclear accelerator to be constructed at Weston, Ill., shall be named the "Enrico Fermi Nuclear Accelerator" in memory of the late Dr. Enrico Fermi; to the Joint Committee on Atomic Energy.

By Mr. GUDE:

H.R. 9050. A bill to prevent the importation of endangered species of fish or wildlife into the United States, to prevent the interstate shipment of reptiles, amphibians, and other wildlife taken contrary to State law, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. HELSTOSKI:

H.R. 9051. A bill to provide that the nuclear accelerator to be constructed at Weston, Ill., shall be named the "Enrico Fermi Nuclear Accelerator" in memory of the late Dr. Enrico Fermi; to the Joint Committee on Atomic Energy.

By Mr. HICKS:

H.R. 9052. A bill to amend section 716 of title 10, United States Code, to authorize the interservice transfers of officers of the Coast Guard; to the Committee on Armed Services.

By Mr. HULL:

H.R. 9053. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. JOELSON:

H.R. 9054. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. KLEPPE:

H.R. 9055. A bill to provide for a study of the need for regulation of weather modification activities, the extent of coordination and the appropriate responsibility for operations in the field of weather modification, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 9056. A bill to change the definition of ammunition for purposes of chapter 44 of title 18 of the United States Code; to the Committee on the Judiciary.

By Mr. McCLURE:

H.R. 9057. A bill to amend title 18, United States Code, to prohibit the mailing of obscene matter to minors, and for other purposes; to the Committee on the Judiciary.

By Mr. McKNEALLY:

H.R. 9058. A bill to amend title 37, United States Code, to provide for the procurement and retention of judge advocates and law specialist officers for the Armed Forces; to the Committee on Armed Services.

H.R. 9059. A bill to amend the Immigration and Nationality Act to make additional immigrant visas available for immigrants from certain foreign countries, and for other purposes; to the Committee on the Judiciary.

By Mr. MACDONALD of Massachusetts:

H.R. 9060. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mrs. MINK:

H.R. 9061. A bill to extend the coverage of the Automobile Information Disclosure Act to Guam; to the Committee on Interstate and Foreign Commerce.

H.R. 9062. A bill to amend the Internal Revenue Code of 1954 to permit the deduction of rent paid by tenants in Government-assisted low- or moderate-income housing, to permit the deduction of expenses incurred by a student at a college, university, or vocational school, and to increase personal exemptions from $600 to $1,000; to the Committee on Ways and Means.

By Mr. PATTEN (for himself, Mr. Addabbo, Mr. Ashley, Mr. Bevill, Mr. Blanton, Mr. Brown of California, Mr. Button, Mr. Byrne of Pennsylvania, Mr. Carey, Mr. Carter, Mr. Conyers, Mr. Dickinson, Mr. Donohue, Mr. Duncan, Mr. Edwards of California, Mr. Eilberg, Mr. Eshleman, Mr. Fisher, Mr. Friedel, Mr. Gibbons, Mr. Halpern, Mr. Hays, Mr. Hechler of West Virginia, Mr. Johnson of California, and Mr. Kyros):

H.R. 9063. A bill to amend title II of the Social Security Act to permit the payment of benefits to a married couple on their

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combined earnings record where that method of computation produces a higher combined benefit; to the Committee on Ways and Means.

By Mr. PATTEN (for himself, Mr. McKneally, Mr. Matsunaga, Mr. Minish, Mr. Minshall, Mr. Moorhead, Mr. Moss, Mr. Murphy of New York, Mr. Nix, Mr. Perkins, Mr. Podell, Mr. Randall, Mr. Rarick, Mr. Rosenthal, Mr. St. Onge, Mr. Sandman, Mr. Sikes, Mr. Sisk, and Mr. White):

H.R. 9064. A bill to amend title II of the Social Security Act to permit the payment of benefits to a married couple on their combined earnings record where that method of computation produces a higher combined benefit; to the Committee on Ways and Means.

By Mr. PERKINS (for himself, Mr. Dent, Mr. Daniels of New Jersey, Mr. Brademas, Mr. O'Hara, Mr. Carey, Mr. Hathaway, Mrs. Mink, Mr. Scheuer, Mr. Meeds, Mr. Gaydos, Mr. Stokes, Mr. Clay, Mr. Ayres, Mr. Reid of New York, Mr. Eshleman, and Mr. Steiger of Wisconsin):

H.R. 9065. A bill to provide for special programs for children with learning disabilities; to the Committee on Education and Labor.

By Mr. PHILBIN:

H.R. 9066. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

H.R. 9067. A bill to amend the Internal Revenue Code of 1954 to extend the head-of-household benefits to unremarried widows and widowers, and individuals who have attained age 35 and who have never been married or who have been separated or divorced for 3 years or more, who maintain their own households; to the Committee on Ways and Means.

By Mr. QUILLEN:

H.R. 9068. A bill to rescind the pay increases for Members of Congress and other Federal officials pursuant to Presidential recommendation to Congress in the budget for the 1970 fiscal year, to abolish the quadrennial Commission on Executive, Legislative, and Judicial Salaries, and for other purposes; to the Committee on Post Office and Civil Service.

By Mrs. REID of Illinois:

H.R. 9069. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

H.R. 9070. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

By Mr. ROGERS of Florida:

H.R. 9071. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. ROGERS of Florida (by request):

H.R. 9072. A bill to amend the Interstate Commerce Act with respect to recovery of a reasonable attorney's fee in case of successful maintenance of an action for recovery of damages sustained in transportation of property; to the Committee on Interstate and Foreign Commerce.

By Mr. SCHERLE:

H.R. 9073. A bill to restrict imports of milk and dairy products; to the Committee on Ways and Means.

H.R. 9074. A bill to revise the quota-control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

By Mr. SCHWENGEL:

H.R. 9075. A bill to amend title 37, United States Code, to provide for the procurement and retention of judge advocates and law specialist officers for the Armed Forces; to the Committee on Armed Services.

By Mr. TALCOTT:

H.R. 9076. A bill to amend title 10 of the United States Code to establish an equitable survivors' annuity plan for the uniformed services; to the Committee on Armed Services.

H.R. 9077. A bill to impose import limitations on prepared or preserved strawberries; to the Committee on Ways and Means.

By Mr. VANDER JAGT:

H.R. 9078. A bill to provide that, for purposes of the Internal Revenue Code of 1954, individuals who were illegally detained during 1968 by the Democratic People's Republic of Korea shall be treated as serving in a combat zone; to the Committee on Ways and Means.

By Mr. WATSON:

H.R. 9079. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 9080. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. WATTS:

H.R. 9081. A bill to amend section 809(c)(1) of the Internal Revenue Code of 1954 to treat retrospective rate credits as return premiums; to the Committee on Ways and Means.

By Mr. WHALEN:

H.R. 9082. A bill to amend the Immigration and Nationality Act to make additional immigrant visas available for immigrants from certain foreign countries, and for other purposes; to the Committee on the Judiciary.

By Mr. WHALLEY:

H.R. 9083. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on whole skins of mink; to the Committee on Ways and Means.

By Mr. WYLIE (for himself and Mr. Hunt):

H.R. 9084. A bill to amend the Railroad Retirement Act of 1937 to provide for cost-of-living increases in the annuities and pensions (and lump-sum payments) which are payable thereunder; to the Committee on Interstate and Foreign Commerce.

H.R. 9085. A bill to amend title 38 of the United States Code to provide for cost-of-living increases in compensation, dependency, and indemnity compensation, and pension payments; to the Committee on Veterans' Affairs.

H.R. 9086. A bill to amend title II of the Social Security Act to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Ways and Means.

By Mr. CORMAN:

H.J. Res. 552. Joint resolution authorizing the President to proclaim the period April 21 through April 26, 1969, as "Schoolbus Safety Week"; to the Committee on the Judiciary.

By Mr. DIGGS:

H.J. Res. 553. Joint resolution proposing an amendment to the Constitution of the United States to prohibit States from imposing the death penalty; to the Committee on the Judiciary.

By Mr. HALPERN:

H.J. Res. 554. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. JACOBS:

H.J. Res. 555. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

By Mr. MIZE:

H.J. Res. 556. Joint resolution in honor of Amelia Earhart and Joan Merriam Smith; to the Committee on the Judiciary.

By Mr. NICHOLS:

H.J. Res. 557. Joint resolution proposing an amendment to the Constitution of the United States to require the concurrence of not less than two-thirds of the Supreme Court for the purpose of deciding whether an act of Congress or an act of a State legislature is unconstitutional; to the Committee on the Judiciary.

H.J. Res. 558. Joint resolution proposing an amendment to the Constitution of the United States to provide that appointments of Judges to the Supreme Court and judges to all other Federal courts, as established under section 1 of article III, be reconfirmed every 6 years by the Senate and to require 5 years' prior judicial experience as a qualification for appointment to said offices; to the Committee on the Judiciary.

By Mr. TEAGUE of Texas:

H.J. Res. 559. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. ADAIR:

H. Con. Res. 169. Concurrent resolution expressing the sense of the Congress relating to the furnishing of relief assistance to persons affected by the Nigerian civil war; to the Committee on Foreign Affairs.

By Mr. BOLAND:

H. Con. Res. 170. Concurrent resolution expressing the sense of the Congress with respect to reduced air fares for children, youth, and members of the Armed Forces of the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. DIGGS:

H. Con. Res. 171. Concurrent resolution expressing the sense of Congress that the United States should have one uniform, nationwide, fire-reporting telephone number and one uniform, nationwide, police-reporting telephone number; to the Committee on Interstate and Foreign Commerce.

By Mr. HALPERN:

H. Con. Res. 172. Concurrent resolution expressing the sense of the Congress with respect to religious discrimination in Northern Ireland; to the Committee on Foreign Affairs.

By Mr. DIGGS:

H. Res. 321. Resolution concerning Rhodesia; to the Committee on Foreign Affairs.

H. Res. 322. Resolution authorizing Members of the House of Representatives to employ during each summer one student congressional intern; to the Committee on House Administration.

By Mr. HALPERN:

H. Res. 323. Resolution expressing the sense of the House of Representatives that the people of all Ireland should have an opportunity to express their will for union by an election under the auspices of a United Nations Commission; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

60. By the SPEAKER: Memorial of the House of Representatives of the State of Montana, relative to Federal inspection of meat; to the Committee on Agriculture.

61. Also, memorial of the Legislature of the State of Rhode Island and Providence Plantations, relative to Northern Ireland; to the Committee on Foreign Affairs.

62. Also, memorial of the Legislature of the Virgin Islands, relative to revising certain provisions of the Revised Organic Act of the Virgin Islands to lower the voting age; to the Committee on Interior and Insular Affairs.

63. Also, memorial of the Legislature of the State of South Dakota, relative to use of the waters of the Upper Missouri River Basin in the upper Great Plains States before diversion of such water to other States; to the Committee on Interior and Insular Affairs.

64. Also, memorial of the House of Representatives of the State of Montana, relative to repeal of the Gun Control Act of 1968; to the Committee on the Judiciary.

65. Also, memorial of the House of Representatives of the State of Montana, relative to naming the body of water created by the Corps of Engineers dam on the Kootenai River near Libby, Mont., "Koocanusa Lake"; to the Committee on Public Works.

66. Also, memorial of the Senate of the State of Montana, relative to naming the body of water created by the Corps of Engineers dam on the Kootenai River near Libby, Mont., "Koocanusa Lake"; to the Committee on Public Works.

67. Also, memorial of the Legislature of the State of South Dakota, relative to the rights of the State of South Dakota to Missouri River Basin water; to the Committee on Public Works.

68. Also, memorial of the Legislature of the State of South Dakota, relative to review and authorization of a bank stabilization and navigation project on the Missouri River between Sioux City, Iowa, and Gavins Point Dam in South Dakota and Nebraska; to the Committee on Public Works.

69. Also, memorial of the Senate of the State of Montana, relative to elimination of the freeze in aid to families with dependent children under the Social Security Act; to the Committee on Ways and Means.

70. Also, memorial of the Senate of the State of Montana, relative to imports of meat; to the Committee on Ways and Means.

71. Also, a memorial of the Senate of the State of Oklahoma, relative to uniformity in unemployment compensation benefits and rates and workmen's compensation benefits and rates; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BELCHER:

H.R. 9087. A bill to authorize the Secretary of the Interior to convey certain mineral interests of the United States in certain lands located in Wagoner County, Okla., to I. Earl Nutter; to the Committee on Interior and Insular Affairs.

By Mr. DONOHUE:

H.R. 9088. A bill for the relief of Clifford L. Petty; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 9089. A bill for the relief of Maria Drag; to the Committee on the Judiciary.

H.R. 9090. A bill for the relief of Giacomo Fragale; to the Committee on the Judiciary.

H.R. 9091. A bill for the relief of Antonio Benanti; to the Committee on the Judiciary.

By Mr. KEITH:

H.R. 9092. A bill for the relief of Thomas J. Condon; to the Committee on the Judiciary.

By Mr. STEIGER of Arizona:

H.R. 9093. A bill for the relief of Milovan Radanovich; to the Committee on the Judiciary.

By Mr. MICHEL:

H. Res. 324. Resolution to provide for sending the bill, H.R. 8568, with accompanying papers, to the Chief Commissioner of the Court of Claims; to the Committee on the Judiciary.

PETITIONS, ETC

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

80. By the SPEAKER: Petition of the City Council, city and County of Honolulu, Hawaii, relative to the Sentinel antiballistic missile system; to the Committee on Armed Services.

81. Also, petition of Bennie Lee Scott, Jackson, Mich., relative to redress of grievances; to the Committee on the Judiciary.

SENATE—*Monday, March 17, 1969*

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Mighty God, Lord of the nations, we thank Thee for this Nation which Thou hast given us, for it is Thine and not our own. Help us ever to cherish all that is holiest in tradition and to welcome all that is healthiest in innovation. Enable us to commit our times to Thy providence. Grant to us Thy wisdom and strength for daily duties in this place that we may serve Thee with clear minds and warm hearts and new insights for the world's needs. Amid the din of many voices grant us the grace to pause and to hear Thy still small voice. As we seek to do the right wilt Thou first make plain what is right.

Through Jesus Christ our Lord. Amen.

MESSAGE FROM THE PRESIDENT RECEIVED DURING ADJOURNMENT

Under authority of the order of the Senate of March 13, 1969, the Secretary of the Senate, on March 14, 1969, received a message in writing from the President of the United States submitting two nominations, which were referred to the appropriate committees.

(For nominations received on March 14, 1969, see the end of proceedings of today, March 17, 1969.)

THE JOURNAL

Mr. KENNEDY. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, March 13, 1969, be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

WAIVER OF CALL OF THE CALENDAR

Mr. KENNEDY. Mr. President, I ask unanimous consent that the call of the legislative calendar, under rule VIII, be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. KENNEDY. Mr. President, I ask unanimous consent that the statements in relation to the transaction of routine morning business be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Senate go into executive session to consider all the nominations on the Executive Calendar.

There being no objection, the Senate proceeded to the consideration of executive business.

The VICE PRESIDENT. The nominations on the Executive Calendar will be stated.

FARMERS HOME ADMINISTRATION

The bill clerk read the nomination of James V. Smith, of Oklahoma, to be Administrator of the Farmers Home Administration.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

URBAN MASS TRANSPORTATION ADMINISTRATION

The bill clerk read the nomination of Carlos C. Villarreal, of California, to be Urban Mass Transportation Administrator.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

EXPORT-IMPORT BANK OF THE UNITED STATES

The bill clerk read the nomination of Henry Kearns, of California, to be President of the Export-Import Bank of the United States.

Mr. PROXMIRE. Mr. President, in connection with this nomination, I am very concerned about what to me is about as conspicuous a conflict of interest as I have seen since I came to the Senate, and for this reason I will vote against this nomination.

The VICE PRESIDENT. The question is, Will the Senate advise and consent to the nomination of Henry Kearns, of California, to be President of the Export-Import Bank of the United States? [Putting the question.]

The nomination was confirmed.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

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The VICE PRESIDENT. Without objection, it is so ordered.

Mr. PROXMIRE subsequently said: Mr. President, earlier today, the Senate confirmed the nomination of Henry Kearns, of California, to be President of the Export-Import Bank of the United States.

I voted against Mr. Kearns when he came before the Committee on Banking and Currency, and I voted against him on the floor of the Senate today. I was only able to make a brief statement with regard to Mr. Kearns, because, frankly, I was completely surprised that his nomination would be taken up today. I did not realize it was going to be moved as fast as it was.

Mr. Kearns is a very amiable man, a friendly, attractive man, and a man of ability; but I do think he demonstrates what is as conspicuous a conflict of interest as any I have seen. This is the reason: Mr. Kearns has more than half of his net worth tied up in an investment that he has in the Siam Kraft Paper Co. in Bangkok. This company has not yet begun operations, but it has received a $14 million loan from the Export-Import Bank. Mr. Kearns, incidentally, owns 8 percent of the company's stock, which is a substantial amount of stock in that company.

It is perfectly obvious that the health—in fact, the survival—of that company is going to depend to a great extent on whether or not the Export-Import Bank will continue that loan, on whether or not perhaps they can get the loan renewed, and on the relationship between this company, in which Mr. Kearns is a principal investor and one of the important founders, and the Export-Import Bank.

It is true Mr. Kearns made a real effort to sell his stock at the suggestion of Senators on the Banking Committee. He went to a number of investment banking houses, but due to the fact that this company has no real operating experience and no profit and loss statement, it is impossible to sell the stock without a loss which would be too large for him to accept.

He said that rather than take the loss he would not accept the appointment to the Export-Import Bank. It is also true that Mr. Kearns stipulated that any decision with respect to this loan will be made not by him but by subordinates in the Export-Import Bank, by the Vice President and other top officers of the Export-Import Bank. However, the fact is that they will know that a principal owner in that company is the boss, the Chairman of the Export-Import Bank.

Mr. President, I am deeply concerned with this matter in terms of precedent for any future Presidential appointee who comes before the Senate for confirmation. Wherever there is a conflict of interest brought about by an appointee to high office having this kind of governmental power over his own investments, the Kearns precedent will haunt us.

All of us I think recognize that Mr. Kearns is a man of integrity. There has been full disclosure. However, it seems to me that disclosure and reliance on expected and hoped-for integrity are not enough. There are hundreds of able people who would make fine administrators of the Export-Import Bank.

I regret very much, in view of the fact that he was unable to sell his stock, that Mr. Kearns did not withdraw and permit President Nixon to name another head of the Bank because this is a very unfortunate and dangerous precedent.

Mr. President, I take the time of the Senate to speak on this matter because it is important that the Senate be placed on notice of the relationship of the Export-Import Bank, headed by Mr. Kearns and the Siam Paper Co. of Bangkok in which the same Mr. Kearns has a very substantial investment.

LEGISLATIVE SESSION

Mr. KENNEDY. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

THE CALENDAR

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the measures on the calendar.

The VICE PRESIDENT. Without objections, it is so ordered.

PARAPLEGIC VETERANS HOUSING PROGRAM

The bill (S. 408) to modify eligibility requirements governing the grant of assistance in acquiring specially adapted housing to include loss or loss of use of a lower extremity and other service-connected neurological or orthopedic disability which impairs locomotion to the extent that a wheelchair is regularly required was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 408

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 801 of title 38, United States Code, is amended by substituting a comma and the word "or" for the semicolon at the end of clause numbered (2) and adding "(3) due to the loss of use of one lower extremity together with residuals of organic disease or injury which so affect the functions of balance or propulsion as to preclude locomotion without resort to a wheelchair,".

Mr. DIRKSEN. Mr. President, if the distinguished acting majority leader will yield, I wonder whether a statement can be printed in the Record in connection with S. 408. I note that it was reported by the Committee on Banking and Currency, and probably an excerpt from the report can be printed in the Record.

Mr. KENNEDY. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91–94), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

EXPLANATION OF THE BILL

The purpose of this bill is to expand the paraplegic veterans housing program—the program which provides for a grant of up to $10,000 for severely disabled veterans in acquiring specially equipped homes made necessary because of their peculiar difficulties.

Existing law (38 U.S.C. 801–805) authorizes monetary assistance to severely disabled veterans in acquiring homes equipped with special facilities made necessary because of the nature of the disabilities. Veterans are eligible for the assistance if they have a compensable permanent and total service-connected disability (1) due to the loss or loss of use of both lower extremities such as to preclude locomotion without the aid of braces, crutches, canes, or a wheel chair; or (2) which involves blindness in both eyes having only light perception plus loss or loss of use of one lower extremity.

The assistance furnished consists of payment of 50 percent of the total cost to the eligible veteran of a home having special fixtures or movable facilities "made necessary by the nature of the veteran's disability." The grant may not exceed $10,000, however, and there is no distinction between disabilities incurred in wartime and peacetime service.

The Veterans' Administration has encountered cases in which the current criterion of the loss or loss of use of both lower extremities is not met but in which the veteran has permanent residuals of orthopedic or neurological disease or injury which so affect the functions of balance or propulsion as to confine him to, and preclude locomotion without resort to, a wheelchair. The bill, S. 408, would modify the governing eligibility criteria so as to extend this program to such veterans. It would not encompass veterans who are, as a precautionary measure, temporarily confined to a wheel chair.

The original law (Public Law 702, 80th Cong.) provided these grants for veterans entitled to compensation for permanent and total disability due to spinalcord disease or injury with paralysis of the legs and lower part of the body. These were veterans with the most readily apparent need for specially equipped homes, being paralyzed from the waist down and severely handicapped in their movements and the use of ordinary facilities. Their condition was generally such as to require the use of a wheelchair. Ramps, special bathroom equipment, extra large rooms, exercising facilities, and other devices are essential for many of them to live comfortably outside of a hospital.

Experience later showed that some other conditions presented a strong need for special housing, though not involving disablement of the lower part of the body to the extent required in the first law. This problem was carefully considered in the 81st Congress with the result that the law was amended to cover loss or loss of use of both lower extremities resulting from amputation, ankylosis, progressive muscular dystrophies, or paralysis of both lower extremities, precluding movement without the aid of appliances. This expanded coverage, with limitation to loss or loss of use of both lower extremities, was enacted as Public Law 286, 81st Congress, September 7, 1949.

In 1959, Public Law 86–239 departed from the requirement of loss or loss of use of both lower limbs. It brought into the program veterans who sustained a loss or loss of use of one lower extremity in addition to blindness in both eyes, having only light perception. In addition, it deleted the reference to "amputation, anklyosis, progressive muscular dystrophies, or paralysis of both lower extremities" and thereby brought within the program's purview a small group of veterans whose loss of use of both lower extremities was from other causes.

The amendment proposed by S. 408 would render eligible for the specially adapted housing assistance a small number of veterans who, while they have not suffered the

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loss or loss of use of both lower extremities, are confined to a wheelchair and can therefore present a strong need for special housing. The following are examples of the cases that the proposal would render eligible:

(1) The loss or loss of use of one lower and two upper extremities with residuals of a neurological disease or cerebral accident resulting in loss of balance and confinement to a wheelchair on a regular basis.

(2) The loss or loss of use of one lower extremity and one upper extremity on the same side at a level or with other orthopedic or neurological disease precluding locomotion with prosthesis or crutches and resulting in confinement to a wheelchair.

While exact figures as to the cost of the amendment to the paraplegic program by S. 408 cannot be precisely stated, the Veterans' Administration estimates costs as follows:

Fiscal year	Cases affected	Annual cost
1970	75	$750,000
1971	5	50,000
1972	5	50,000
1973	5	50,000
1974	5	50,000

Source: Veterans' Administration.

The first year fiscal cost is, of course, high in relation to subsequent fiscal years because of the number of veterans who would be able to take advantage of the program immediately upon enactment.

The Veterans' Administration recommended amending the paraplegic program as is provided in S. 408.

The committee believes that the amendment to the paraplegic program provided by S. 408 is beneficial and recommends favorable action by the Senate.

THE 100TH ANNIVERSARY OF FOUNDING OF THE AMERICAN FISHERIES SOCIETY

The bill (S. 1130) to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the American Fisheries Society was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in commemoration of the one hundredth anniversary of the founding of the American Fisheries Society on December 20, 1870, the Secretary of the Treasury is authorized and directed to strike and furnish to the American Fisheries Society not more than one hundred thousand medals with suitable emblems, devices, and inscriptions to be determined by the American Fisheries Society subject to the approval of the Secretary of the Treasury. The medals shall be made and delivered at such times as may be required by the American Fisheries Society in quantities of not less than two thousand, but no medals shall be made after December 31, 1970. The medals shall be considered to be national medals within the meaning of section 3551 of the Revised Statutes (31 U.S.C. 368).

Sec. 2. The Secretary of the Treasury shall cause such medals to be struck and furnished at not less than the estimated cost of manufacture, including labor, materials, dies, use of machinery, and overhead expenses, and security satisfactory to the Director of the Mint shall be furnished to indemnify the United States for the full payment of such costs.

Sec. 3. The medals authorized to be issued pursuant to this Act shall be of such size or sizes and of such various metals as shall be determined by the Secretary of the Treasury in consultation with the American Fisheries Society.

Mr. KENNEDY. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91–96), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

GENERAL STATEMENT

This bill provides for the striking of medals in commemoration of the 100th anniversary of the founding of the American Fisheries Society on December 20, 1870.

The Secretary of the Treasury is authorized and directed to strike and furnish to the American Fisheries Society not more than 100,000 medals with suitable emblems, devices, and inscriptions to be determined by the American Fisheries Society subject to the approval of the Secretary of the Treasury. The medals are to be produced and furnished at no cost to the United States. No medals shall be made after December 31, 1970.

The Secretary of the Treasury shall cause such medals to be struck and furnished at not less than the estimated cost of manufacture, including labor, materials, dies, and other expenses. Security satisfactory to the Director of the mint shall be furnished to indemnify the United States for the full payment of such costs.

The medals authorized to be issued shall be of such size or sizes and of such various metals as shall be determined by the Secretary of the Treasury in consultation with the American Fisheries Society.

A REVIEW OF THE AMERICAN FISHERIES SOCIETY—100 YEARS OF SERVICE: 1870–1970

From the day of founding, members of the American Fisheries Society have played key roles in the formulation of policy in the field of fisheries, Federal, State, provincial and even worldwide. Among the early leaders of the society were U.S. fish commissioners, biologists in the Departments of Interior and Agriculture, as well as technical employees of State and game fish commissions, and in our neighboring country of Canada in like manner. As early as 1872, the Congress of the United States recognized a petition by the society and appropriated $15,000 for assistance in stocking the greater rivers and lakes of the United States with useful food fishes, on the ground that whatever the several States might be willing to do for themselves respectively, they were not ready to enter upon any measures, the benefit of which would inure partially, or perhaps exclusively, to the citizens of other States.

Over the years influence of its members has been demonstrated in international fisheries decisions, both freshwater and marine. While negotiating treaties and agreements with foreign countries, prominent members of the society have served on international commissions and advisory bodies in discussions on fisheries problems relating to tuna, haddock, halibut, billfishes, and many other species in both the Atlantic Ocean and the Pacific Ocean. By holding national and international scientific meetings annually to report on findings of research and management studies, and then publishing these results in the society publication, the Transactions, the field of fisheries has kept the public and scientists worldwide abreast of developments. The Transactions is in its 98th volume, and now appears as a quarterly journal.

Growth of the membership of the American Fisheries Society has doubled in recent years. There are now over 5,000 members, including fishery scientists and laymen interested in fisheries; representing United States, Canada and more than 60 countries throughout the world. The society holds four regional annual meetings, including the adjacent Canadian Provinces, where local fisheries research studies are reported. There are 20 chapters of the society across the United States which also meet annually. The society is a nonprofit scientific body financed mainly from membership dues.

The American Fisheries Society is an affiliate of the American Association for the Advancement of Science, is an adherrent member of the American Institute of Biological Sciences, and holds membership in the Natural Resources Council of America, the Watershed Congress, and assists the Boy Scouts of America and others in conservation of fisheries matters.

The society publishes a career guide for young people who may wish to study the prospects of entering the fish conservation field. This is "Fisheries as a Profession," of which approximately 40,000 copies are distributed annually to individuals, high school guidance counselors, and others in the United States and Canada and elsewhere. Other significant publications are: "A List of Common and Scientific Names of Fishes From the United States and Canada," a bimonthly newsletter, several symposia publications including those on "Estuaries," "Water Quality" and "Fish Diseases." The American Fisheries Society publishes an English edition of the Russian fisheries journal "Problems of Ichthyology" for use in libraries of governmental and scholastic institutions.

The society maintains a national office in Washington, D.C., administered by an executive secretary. This office acts as a clearinghouse for the field of fisheries and is helpful to the lay public, as well as scientists and the Congress.

The "North American Fish Policy" is a publication issued by the American Fisheries Society for the purpose of spelling out the best information possible on the management and conservation of fisheries, freshwater or marine. The society has been the leader in developing policy along such lines for over 75 years. Qualified fishery scientists are registered through the society by a certification procedure established in recent years. Over 200 fishery biologists of the society are fellows of the American Association for the Advancement of Science. The society supports the National Academy of Science-National Research Council by having a representative serve in this organization.

During the centennial celebration year (1970) the society will publish a 400-page book on the history of fisheries in North America. Also, the names of fishes book will be revised and updated. During 1969 the society will publish a symposium text on "Fish Diseases" which will contain approximately 600 pages and will be the first such publication produced in America. The society will return to New York City where it was formed in 1870 to celebrate its centennial meeting at the Waldorf Astoria Hotel on September 13–16, 1970. The meeting will be held in conjunction with the 60th annual conference of the International Association of Game, Fish and Conservation Commissioners which is scheduled for September 16–18, 1970. At this meeting not only will a highly important scientific program be held, but leading fishery and aquatic scientists throughout the world will participate. Research vessels in fisheries will be brought to New York for the occasion.

The American Fisheries Society is the first organization serving the field of natural resources in North America to celebrate a centennial.

THE 50TH ANNIVERSARY OF THE AMERICAN LEGION

Mr. DIRKSEN. Mr. President, at this period, March 13, 14, 15, 16—and it could have been March 17—50 years ago, a caucus met in Paris. Col. Theodore

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Roosevelt, son of the distinguished former President of the United States, was one of those present, as was Bennett "Champ" Clark, of Missouri, who at a later date graced this body as a Senator from Missouri.

They met in Paris for the purpose of bringing together an organization that would sanctify the comradeship that had developed in the course of the First World War. A second meeting was held at St. Louis, 60 days later. At that time they adopted a constitution, elected officers, and then proceeded to energize this organization to where it is today.

Tragically, Colonel Roosevelt died of a heart attack a year later in the Normandy sector.

But a U.S. charter was granted to the American Legion, and in the first year they achieved a membership of 648,000 persons. Today it is a diffused organization. It has posts in every section of the world.

I have attended Legion meetings in Mexico City; in Athens, Greece; in Paris, France; and in places all over this country. So there are 16,200 posts, having a membership of 2,600,000.

The members come from all walks of life—business, labor, agriculture, professional—you name it, and they are members of the Legion. The Legion embraces, also, the President, Cabinet members, I think 30 of the Governors of the 50 States, well over 200 or 250 Members of the House of Representatives, and I fancy nearly one-half of the Senate.

It operates through its posts, through the county organizations, through the district organizations, which are coextensive with our congressional districts, through the departments of each State, and then through the national headquarters at Indianapolis, where there is a staff of 300. The Legion's budget is approximately $7 million a year.

Throughout the country, they have allied themselves with sound causes, and they have made a tremendous contribution to the well-being of the country. Their first objective, of course, always has been to serve the members of the American Legion who may have been disabled or wounded, and of course there are many. The same care and the same solicitude are now bestowed upon those who are fighting the Nation's battles in Vietnam.

The American Legion always has been identified with the matter of national security and national defense and has been stout and vigorous in asserting itself to make sure that the country is adequately defended.

One other activity that has been diffused over the entire country and that has served a half million youngsters is American Legion junior baseball. I believe the Legion also serves some 4,000 Boy Scout troops. Then, of course, community activity in the community where the post is located is a large part of the American Legion's service.

So I think it appropriate at this time that we commemorate the American Legion for its deeds good and well done on its 50th anniversary. It is a farflung organization, with more than 2½ million active members who are prepared at any time to come to the call of the country, whatever the need may be.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MANSFIELD. Mr. President, I wish to join the distinguished minority leader in the remarks which he has just made. I also wish to express the personal satisfaction the joint leadership, the Senator from Illinois and I, experienced last Wednesday when we had the opportunity to submit a resolution commemorating the 50th anniversary of the American Legion. That resolution, of course, was agreed to unanimously by the Senate.

As one who has been a member of the American Legion since shortly after its founding in Paris—I belong to posts in Butte and Missoula—I can attest to the work done by the American Legion. I join the Senator from Illinois in expressing to the organization best wishes on a job well done and good luck in the years ahead.

Mr. DIRKSEN. I thank the majority leader for his kind remarks.

Mr. President, in connection with this matter I ask unanimous consent to have printed in the RECORD a statement which contains in greater detail activities of the American Legion.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

From the moment of that now-historic gathering of men of the AEF in Paris in March of 1919, from which The American Legion was founded, there began an almost over-night change in the course of American History.

Born of the chance remark of a convalescing soldier to his commanding officer, the idea to form an organization for mutual assistance of veteran to veteran later instilled in millions of Americans a sense of obligation to community, state and nation.

Never before in the history of man had war veterans banded together for such a noble purpose: "Service to God and Country." Only once before in the history of our nation, at the time of the drafting of the Declaration of Independence, had men of such keen insight into human nature, such a grasp of the future course of history, and with such a feeling for their fellowmen, come together for a common purpose.

The First World War brought them together: Theodore Roosevelt, Jr., Thomas Miller, Eric Fisher Wood, Bennett Champ Clark, Hamilton Fish and the other great men who were truly among the first in modern American history to "sacrifice their all" to preserve the peace and freedom of the Western World.

Seldom, in the court of history, has one organization so influenced the shape of human events—and the world may never again be the heir to deeds such as those of the Legion during the past half-century.

The American Legion was conceived at a caucus March 15–17, 1919, in Paris, France, by members of the AEF. Two months later, at St. Louis, Missouri, another caucus adopted a tentative constitution.

Lt. Col. Theodore Roosevelt, Jr., son of President Theodore Roosevelt, is credited with being the "Father of The American Legion." A World War II Brigadier General, Roosevelt died of a heart attack at the front in Normandy.

The American Legion was chartered by an Act of Congress on September 16, 1919, and before the year ended, membership reached 648,000, heralding 50 years of steady growth and public service.

Members come from all walks of life. They include industrialists, publishers, movie stars, leading sports personalities, political leaders, attorneys, doctors, farmers, mechanics and clerks.

"In the Legion we bridge all racial and religious differences and cross all economic and social barriers," William C. Doyle of Vineland, New Jersey, National Commander said. "Our men and women members simply want to make our war service and sacrifices count for something positive for America."

This year The American Legion celebrates the 50th year of its founding. It is a milestone which recalls vivid memories of service and self-sacrifice to the 1,700,000 remaining World War I veterans, and is an observance of some magnitude for all American Legionnaires, most of whom will never again be privileged to take part in so historic an event.

Spanning the period of September 1968, to November 1969, the Legion's 50th Birthday observance brings to mind the robust days of the organization's infancy, when the passing of the word, "The Legion's in town" brought a new sense of patriotic pride and comradeship to young and old alike.

From its inception, The American Legion has been known for its spirit; for its sense of fairness to all men; for its ability to accomplish whatever job that needs done—and do it properly and efficiently.

There is perhaps no other institution in America that is so well known locally by name by so many as The American Legion. This public awareness of The American Legion rests largely on its local reputation.

But, when it comes to knowing about the sum total of the doings and acomplishments of more than 16,250 such hometown posts, it is an altogether different story. It then becomes a case of an organization about which so little is known by so many as to its nationwide character and accomplishments.

As a nationwide organization, The American Legion is truly a giant group. It is the largest veteran organization in the world. Its membership today is more than the enrollment of all other veteran groups combined. It is in truth, a king-sized organization, with a king-sized strength, king-sized program activities, king-sized resources and king-sized accomplishments.

With some 16,250 community posts, The American Legion can truly say today that there is scarcely a whistle-stop in the United States in which it isn't represented. Go where you will—East, West, North or South—and you will find that the typical American community has its functioning American Legion Posts.

You will find too, especially in the smaller cities and towns, that the local American Legion Post is the community center of patriotic, civic and in most cases, its social activities.

It is from these deep grass roots in the community life of the nation, that The American Legion draws its immeasurable strength, vigor and public support. The people of these communities know of The American Legion's good local works and they stand behind it. Nobody knows this better than the members of the Congress!

The membership of The American Legion is drawn from all walks of American life with such effectiveness that when it comes to getting a job done in any field of its endeavors, it can command the services, the talents and the energies of the recognized top leaders in that field.

The American Legion is well represented in high places in federal and state government with an impressive list of Legionnaire office holders headed by President Richard M. Nixon.

Thirty of the fifty governors are veterans of wartime service with the U.S. Armed Forces and all 30 of those who are eligible for American Legion membership are members.

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Vice President Spiro Agnew and at least three members of the Nixon administration cabinet are members of the Legion, while information on three other members of the new cabinet still is incomplete.

Heavy majorities of both houses of the U.S. Congress are also members of the Legion. Nearly completed survey of members of the first session of the 91st Congress (five members had not responded at this writing) showed that 66 of the 100 Senators and 252 of the 435 members of the House are Legionnaires.

The American Legion has a women's Auxiliary of nearly 1 million members in more than 13,000 community units.

The National Organization of The American Legion is a big business operation. It has a current annual budget of over $7 million dollars. It employs a full-time staff of more than 300 persons at its three principal national offices in Indianapolis, Washington, D.C., and New York City. On this staff are alert specialists in law, medicine, rehabilitation claims, housing, employment, government insurance, hospitalization, Americanism, youth-training, national security, child welfare, community services and public relations.

The combined financial assets of The American Legion including the national, state and post levels are today estimated at well over $300,000,000. Legionnaires since 1919 have paid in more than $230,000,000 in national dues alone. These have established the financial stability of the National Organization.

The American Legion Magazine with an average monthly circulation of approximately 2,600,000 is today among the nation's top publications. It is first in size in the men's field. There are more than 2,000 department, district, country and post publications within The American Legion. Their editors have their own national organization known as The American Legion Press Association or ALPA for short. All this American Legion Press is served from National Headquarters in Indianapolis with a free weekly syndicated news service. A picture mat service is also provided.

In its committee structure that blankets the United States, The American Legion has 12 basic national commissions. Operating under these commissions are 29 national boards and committees. This structure is paralleled on every state front and carried down through district and county echelons to the community post levels. This provides a chain of command through which The American Legion can—and does—muster all its huge task forces to any given objective.

The American Legion places a high premium on patriotic service in the military forces in time of war. This is a special obligation of American citizenship imposed on the nation's youth—an obligation that demands special and hazardous service, that calls upon the individual to accept the sacrifices of health, career, education, financial loss, and life itself, if necessary, to protect and preserve our way of life. Nowhere else on the American scene is the individual called upon to make such a sacrifice.

Playing a significant role in the American Legion's planning for the future is the Vietnam War Vet and the number of Viet Vets who have joined the ranks of the Legion total more than 150,000.

He's "Our Kind of Guy," the Legion says and recently launched an intensive service program to increase the effectiveness of Legion service contacts to assist this new generation of war veterans to readjust to civilian life.

Working with the guideline, "Service first, membership second," is a "flying task force" of 25 field representatives and membership consultants who represent 15 geographical areas throughout the United States.

This task force is supplied by the Veterans Administration with the names and addresses of an estimated 70,000 men and women discharged each month from the armed forces. In turn, the special group trains Department (state Service Officers and local Post Adjutants in the methods of contacting and aiding recently-discharged veterans.

Field representatives supply whatever assistance is needed by Departments, Districts and posts of The American Legion in assisting Viet Vets to make an orderly and productive transition into the mainstream of American life.

Legion National Commander Doyle said, "The American Legion has an obligation to the returning Vietnam War veteran.

"The future of our nation rests, in great part, with this new generation of war veteran," who, Doyle cited as "belonging to a 'new breed.' "

"He (the Viet Vet) is better educated than were his predecessors in World War II and Korea and he takes a greater interest in national and international affairs," Doyle added.

That the Legion has been and remains both vibrant and stable is attested to by its many accomplishments down through the years: Establishment of a Veterans Administration; aid to the sick and handicapped (whether veteran-connected or not); programs for the protection and well-being of the nation's children; advanced education and training for America's war veterans, under the Legion-sponsored and supported GI Bill of Rights.

After twenty-five years, the GI Bill has gained rightful recognition as one of the most forward-looking pieces of educational legislation ever enacted.

These are but a few of the services rendered the American public by The American Legion in its 50 proud years of history.

Add to these the Legion's role as "watchdog" of our nation's security; its many programs which seek to instill in all Americans a spirit of 100 percent Americanism, through a love and respect for country, and its many character-building services for our youth, and you begin to get a feeling of the strength from which flows The American Legion force for good.

The youth-training programs of The American Legion under the direction of its National Americanism Commission cannot be matched by any other organization in their dimensions. They are a direct American Legion contribution to the building of future good citizenship.

More than 15,000,000 boys under 17 years of age have now graduated from American Legion Junior Baseball, the greatest organized teen-age boys' sports program in the nation. It is designed to indoctrinate the junior players with the qualities of good sportsmanship, respect for rules and appreciation of the value of teamwork.

More than 1,600,000 youths have graduated into good citizenship from the 4,000 Boy Scout Troops sponsored by American Legion Posts. The American Legion is today one of the leading sponsors of the Boy Scout movement.

More than 500,000 high school juniors have learned about the obligations and responsibilities of citizenship and the functions of self-government through the annual American Legion Boys State and Boys Nation programs. In this activity the youths organize and operate a mythical state and a mythical national government to learn by doing what the functions of government are and what the roles of good citizens are in maintaining good government.

The American Legion has made a massive contribution in developing champions and defenders of the U.S. Constitution and Bill of Rights. More than 5,500,000 boys and girls have participated in the annual national high school oratorical contests of the American Legion. Some 355,000 students participate annually in this nationwide competition in which they are required to prepare original orations on some phases of the Constitution and Bill of Rights.

For the past 50 years, the American Legion *has* made its influence felt on the American scene as a force for good; a force for the betterment of not only the veteran population but for every man, woman and child.

The Legion has a proud heritage and one which is being preserved by continuing and expanding upon the good works on which the reputation of the organization is based.

American Legion Posts throughout the nation are preeminent in the field of community services. There are thousands of hometowns which are better places in which to live today because American Legion Posts undertook the leadership in needed community improvements.

The men who compose. the American Legion today have dedicated themselves to a far-reaching program of assistance in the search for real solutions to the problems of our nation's society.

These men are helping to draw the initial blueprint which future generations of American Legionnaires can follow in striving to attain a better society for posterity.

This is a real challenge, and one which is being met by Legionnaires at all levels, who are rolling up their sleeves and getting down to work at the community level by helping initiate projects which are constructive and which will bear fruit.

During its first half-century of existence, The American Legion has maintained a young, vibrant outlook on the major problems with which our nation has been confronted. The Legion has played a major role in helping solve many of these problems.

Of its past accomplishments, the Legion is justifiably proud. This pride is not of a boastful nature; rather, it is born of a record of offering a helping hand to those in need of assistance.

With the belief that The American Legion can make its presence felt across this nation by tackling the problems facing Americans at the local level (education; civil disobedience and the attendant breakdown of law and order; the "permissive" atmosphere which is threatening to destroy our nation's youth), a "task force for the future" was formed early in 1968.

The Legion's awareness of the need to continue to provide effective service to God and country is evident in the move which led to the naming of the task force—a seven-member group charged with the responsibility of studying the existing programs of the Legion and establishing guidelines for the years ahead.

A review of American Legion programs in the light of modern day social, economic and political problems, with projections into the future based on past experience and present knowledge, should provide the Legion with a blueprint for tomorrow, a star by which to chart our course to new heights of service.

The American Legion prides itself in never having failed America when the chips were down and is taking the occasion of its golden anniversary observance to pledge anew that as long as the need for the Legion's services exists, The American Legion stands ready to serve.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. SCOTT. Mr. President, I wish to join in the statements made by the distinguished minority leader and the distinguished majority leader.

As a member of the Henry H. Houston Post of American Legion in Philadelphia, I share the pride in the 50th anniversary of this great organization. I was a very pleased recipient of one of the 50th anniversary plaques.

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I wish for them continued success in their many and varied civic endeavors.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

Report of U.S. Soldiers' Home

A letter from the Secretary of the Army, transmitting, pursuant to law, a report of the annual general inspection of the U.S. Soldiers' Home for fiscal year 1968 (with an accompanying report); to the Committee on Armed Services.

Proposed Additional Facilities Projects, Air Force Reserve

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations) transmitting, pursuant to law, the location, nature, and estimated cost of certain additional facilities projects proposed to be undertaken for the Air Force Reserve; to the Committee on Armed Services.

Report of Export-Import Bank of the United States

A letter from the Secretary, Export-Import Bank of the United States, reporting, pursuant to law, the amount of Export-Import Bank insurance and guarantees issued in January 1969 in connection with U.S. exports to Yugoslavia; to the Committee on Banking and Currency.

Nomination of John A. Nevius

A letter from the Commissioner, Executive Office, Government of the District of Columbia, transmitting the nomination of John A. Nevius for appointment as a member of the Board of Directors of the District of Columbia Redevelopment Land Agency (with an accompanying paper; to the Committee on the District of Columbia.

Report of the Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on comparison of taxes in the District of Columbia with those of its environs and other metropolitan areas, dated March 14, 1969 (with an accompanying report); to the Committee on Government Operations.

Report of Atomic Energy Commission

A letter from the General Manager, U.S. Atomic Energy Commission, reporting, pursuant to law, on modification of contracts to facilitate the national defense; to the Committee on the Judiciary.

Third-Preference and Sixth-Preference Classifications for Certain Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

Report of the National Commission on Reform of Federal Criminal Laws

A letter from the chairman, the National Commission on Reform of Federal Criminal Laws, transmitting, pursuant to law, a report of the Commission on proposed immunity provisions, dated November 18, 1968 (with an accompanying report); to the Committee on the Judiciary.

Temporary Admission into the United States of Certain Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered, granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

Minutes of the Meeting of the Board of Regents, Smithsonian Institution

A letter from the Secretary, Smithsonian Institution, transmitting for the information of the Senate, the minutes of the meeting of the Board of Regents held on January 15, 1969; (with an accompanying paper); to the Committee on Rules and Administration.

Report of the Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on management of equipment by the Atomic Energy Commission, dated March 14, 1969 (with an accompanying report); to the Joint Committee on Atomic Energy.

Disposition of Executive Papers

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest and requesting action looking to their disposition (with accompanying papers); to a Joint Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. McGee and Mr. Fong members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution adopted by the city council, city and county of Honolulu, Hawaii, remonstrating against the Sentinel Antiballistic-missile system; to the Committee on Armed Services.

A resolution of the House of Representatives of the State of Rhode Island; to the Committee on Foreign Relations:

"H. Res. H1569

"Resolved that this house of Representatives memoralizes Congress to instruct the United States Ambassador to the United Nations of the urgency in using the influence of his office in any capacity that it is possible in order to avoid a useless and bloody revolution in Northern Ireland. Since the Constitution of Northern Ireland gives the British Government in London the right to intervene directly if it becomes necessary to do so, Congress should advise our Ambassador to make it clearly known to the British Ambassador that the United States Government favors immediate British intervention in this crisis before the hate mongers and the bigots are allowed to create a situation where prejudice rules and blood flows. Let this resolution sound forth loudly and clearly so that all concerned parties will know that the Government of the United States has not and will not ignore the seriousness of this situation but will work with every means allowed in international law to forestall a bloody confrontation between the forces of hate and prejudice as exemplified by the extremists who shout 'No Popery,' and the moderate civil rights reformists as exemplified by Terence O'Neill the present Prime Minister.

"Further let it be resolved that this house of Representatives unequivocally voices contempt for the bigotry and prejudice that at the present time makes 30% of the population of Northern Ireland suffer outlandish and outrageous economic ana social discrimination.

"And finally let it be resolved that this house of representatives not only supports but emphatically encourages Mr. O'Neill to pursue his moderate course in attempting to achieve basic human rights and dignity for all the peoples of Northern Ireland. This House of Representatives will not be a silent partner to the bigotted Hitlerite tactics of the Paisleyites, but in the tradition that has made this an Honorable House will speak out bravely by this resolution so that all the world will know that the Elected Representatives of the State of Rhode Island are truly concerned as regards the cause of Justice and Righteousness in Northern Ireland.

"Upon passage of this resolution the Secretary of State is authorized to forward immediately exact copies of said resolution to both Branches of Congress and to the United States Ambassador to the United Nations.

"Primo Iacobucci,
"First Deputy Secretary of State."

A resolution of the senate of the State of Montana; to the Committee on Public Works:

"S. Res. 23

"A resolution of the Senate of the State of Montana requesting Congress to name the body of water created by the Corps of Engineers dam on the Kootenai River near Libby, Mont., 'Koocanusa Lake'

"Whereas, the Corps of Engineers is nearing completion of the Libby Dam on the Kootenai River; and

"Whereas, Libby Dam is the result of extensive negotiations with Canada and the United States of America; and

"Whereas, when Libby Dam is completed, the lake created will extend into Canada more than forty (40) miles; and

"Whereas, the lake created by Libby Dam will benefit greatly both the United States and Canada.

"Now, therefore, be it resolved by the Senate of the State of Montana:

"That the United States Congress is urged to name the lake created by the construction of Libby Dam, 'Koocanusa,' which is a combination of the words, Canada, Kootenai, and United States of America, which will represent the spirit of cooperation in the development of our natural resources between two great nations of Canada and the United States of America.

"Be it further resolved, That that Secretary of the Senate of the state of Montana send a copy of this resolution to each member of Montana' Congressional Delegation, to the President of the United States Senate, and the Speaker of the United States House of Representatives.

"I hereby certify that the within Resolution was adopted by the Senate of the Forty-first Legislative Assembly of the state of Montana on the 5th day of March, 1969.

"Walter H. Marshall,
"Secretary of the Senate.
"Thomas Judge,
"President of the Senate."

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of a nomination was submitted:

By Mr. ANDERSON, from the Committee on Aeronautical and Space Sciences:

Thomas O. Paine, of California, to be Administrator of the National Aeronautics and Space Administration.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. DIRKSEN:

S. 1564. A bill to amend the Internal Revenue Code of 1954 to restore to individuals who have attained the age of 65 the right to deduct all expenses for their medical care, and for other purposes; to the Committee on Finance.

S. 1565. A bill to amend the provisions of title 5, United States Code, relating to administrative procedure and judicial review;

S. 1566. A bill to amend section 2 of the act of February 11, 1903, relating to appeals in certain antitrust actions, and for other purposes;

S. 1567. A bill to amend section 9 of the Administrative Procedure Act of June 11, 1946 (60 Stat. 238), to clarify and protect the right of the public to fair and impartial agency practices, and for other purposes;

S. 1568. A bill to amend the act entitled "An act to provide for the registration and protection of trademarks used in commerce, to carry out the provisions of international conventions, and for other purposes"; approved July 5, 1946, as amended; and

S. 1569. A bill for the promotion of the progress of the useful arts by the general revision of the patent laws, title 35 of the United States Code, and for other purposes; to the Committee on the Judiciary.

By Mr. SCOTT:

S. 1570. A bill for the relief of Antonetta Cella; to the Committee on the Judiciary.

By Mr. BAYH:

S. 1571. A bill to incorporate the Gold Star Wives of America; to the Committee on the Judiciary.

(See the remarks of Mr. Bayh when he introduced the above bill, which appear under a separate heading.)

By Mr. ANDERSON (for himself and Mr. Montoya):

S. 1572. A bill to amend the Federal Airport Act so as to make the provisions of such act applicable to Indian tribes; to the Committee on Commerce.

By Mr. HART:

S. 1573. A bill for the relief of Karl Dobrowsky and his wife, Brigitte Dobrowsky; to the Committee on the Judiciary.

S. 1574. A bill to authorize a program of demonstration projects in preschool education; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Hart when he introduced the second above bill, which appear under a separate heading.)

By Mr. HART (for himself, Mr. Magnuson, and Mr. Moss):

S. 1575. A bill to regulate trade in drugs and devices by prohibiting the dispensing of drugs or devices by medical practitioners and their participation in profits from the dispensing of such products, except under certain circumstances, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. Hart when he introduced the above bill, which appear under a separate heading.)

By Mr. EASTLAND:

S. 1576. A bill for the relief of Kwan Wo; and

S. 1577. A bill for the relief of Kwan Pakhunt; to the Committee on the Judiciary.

By Mr. BAKER:

S. 1578. A bill for the relief of Henry B. Rodrigues; to the Committee on the Judiciary.

By Mr. ALLEN:

S.J. Res. 80. Joint resolution proposing an amendment to the Constitution of the United States relating to power reserved to the several States; to the Committee on the Judiciary.

(See the remarks of Mr. Allen when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. GOLDWATER (for himself, Mr. Dole, Mr. Dominick, Mr. Goodell, Mr. Fannin, Mr. Fong, Mr. Magnuson, Mr. Murphy, Mr. Pearson, Mr. Randolph, and Mr. Thurmond):

S.J. Res. 81. Joint resolution in honor of Amelia Earhart and Joan Merriam Smith; to the Committee on the Judiciary.

(See the remarks of Mr. Goldwater when he introduced the above joint resolution, which appear under a separate heading.)

S. 1571—INTRODUCTION OF A BILL TO INCORPORATE THE GOLD STAR WIVES OF AMERICA

Mr. BAYH. Mr. President, I introduce, for appropriate reference, a bill to incorporate the Gold Star Wives of America. This organization, which now holds a charter issued by the State of New York, is a national organization established by the widows of members of the Armed Forces who died while in the active service of their country. The Gold Star Wives of America, which has been in existence for a number of years, is a growing, active group which in February 1969, had members in every State except one and had active chapters in 17 States. Its total membership is comprised of 1,500 women, a number which its officers expect to increase at a steady pace in the future.

The objects and purposes of the Gold Star Wives of America are most commendable. In addition to honoring the memory of loved ones who paid the supreme sacrifice while serving in the Armed Forces of the United States, it is committed to assisting their widows and children, both materially and spiritually. One of its stated goals, for example, is to "provide the benefits of a happy, healthful, and wholesome life to minor children of persons who died in the service of our country." Another aim is to "promote activities and interests designed to foster among its members the proper mental attitude to face the future with courage." Direct aid to widows and children of former servicemen is likewise an obligation which this organization has assumed. I am pleased to note also that the Gold Star Wives of America have dedicated themselves to the noble cause of safeguarding and transmitting to posterity "the principles of justice, freedom, and democracy for which members of our armed services fought and died," and that they have pledged themselves to "assist in upholding the Constitution and laws of the United States of America, and to inculcate a sense of individual obligation to the community, State, and Nation."

Mr. President, I know of no other group more deserving of national incorporation than the Gold Star Wives of America. Its membership is composed of women who have experienced the great anguish of losing their husbands because of active duty with the military forces of the United States. They have a common bond of grief that few of us can fully comprehend, and which none of us can forget. Their objectives are both praiseworthy and significant; what more valuable contribution to society can be made than to bolster the fortitude and uplift the spirits, as well as to aid materially, the widows and children of those who paid the supreme sacrifice in the interest of their fellow citizens? Similar to the noteworthy accomplishments made by our various veterans' and adjunct organizations which have been granted national charters, the Gold Star Wives of America has a role to play that is nationwide in scope and is worthy of national recognition.

I have been informed by Mrs. Geraldine B. Chittick, who is the national president of Gold Star Wives of America and who is one of my constituents from Frankfort, Ind., that the goals of this organization could be better and more easily attained if it were incorporated at the national level. The scope of its membership and business now transcends any one State or group of States. Its stated purposes and activities extend to the widows and children of servicemen killed in action who live in every section of the country. Its officers and board members reside in such scattered States, among others, as Massachusetts, Colorado, Minnesota, Georgia, Louisiana, New Jersey, Arkansas, and Indiana. In every sense of the term and in all aspects of its operations this is truly a national organization dedicated to significant national purposes. Therefore, Mr. President, I strongly urge that prompt consideration be given to the adoption of this bill for incorporation of the Gold Star Wives of America in order that it could have the national stature and corporate structure so essential to implement achievement of its very desirable purposes.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1571) to incorporate the Gold Star Wives of America, introduced by Mr. Bayh, was received, read twice by its title, and referred to the Committee on the Judiciary.

S. 1574—INTRODUCTION OF PRESCHOOL EDUCATION ACT OF 1969

Mr. HART. Mr. President, on May 27, 1968, I introduced a bill (S. 3546) to authorize a program of demonstration projects in preschool education. This bill was referred to the Senate Committee on Labor and Public Welfare, and no action was taken on it.

I now reintroduce this same legislation, more convinced even than before that the idea has merit.

In the intervening months, testimony presented to the Senate Select Committee on Nutrition and Human Needs—as well as other material that has come my way—indicates that a child's years prior to the age of 5 may well be decisive in the physical and intellectual formation of the individual. Therefore, I believe we should move at once to determine whether public education should be expanded to include 3-, 4-, and 5-year-olds.

There is increasing evidence that we are ignoring the critical years of child development, the years when children are most receptive to learning and most responsive to intellectual growth.

Modern research indicates that as much intellectual growth takes place in the first 4 years of life as in the next 13—yet less than half of America's children go to kindergarten.

If the educators are right—and I do not doubt them—we are seriously handicapping our children by not offering good preschool training.

Under the legislation I am offering, pilot programs in preschool education would be conducted in representative urban and rural areas of the Nation.

Borrowing the concept of the educational park—already in use at the high school level, half day programs could be offered on a voluntary basis to all preschool-age children within a reasonable distance from the project site.

An educational park is actually a consolidated educational center which is both pleasing to the eye and efficient. Within a few acres it could offer the student all the resources that education can muster—libraries, auditorium, well-equipped laboratories and the latest audio-visual equipment.

We already know that beginning training earlier adds to the likelihood of success. But there is another benefit that deserves some attention.

It seems to me that the preschool educational park would be the best and most natural place to start developing a society where each man can be judged "on the content of his character and not the color of his skin."

Because a 3-year-old has not had time to become prejudiced, he would be free to cultivate respect from others, and at the same time, develop respect for those with whom he comes in contact.

My bill specifies no program of instruction nor does it name a price tag.

The Nation's bookkeepers would be so preoccupied with the figure that they would fail to take a look at the product being offered.

At this point, it is the idea that is important and I would prefer to let the committee decide its worth at the time the bill comes up.

This is not the sort of proposal that can be expected to win congressional approval in the next few months, but I am convinced that it is an idea whose time will come in a nation where education is of swiftly increasing importance.

Mr. President, I ask unanimous consent that the text of the bill be inserted in the RECORD at this point, together with an editorial from the Asheville, N.C. Times of May 29, 1968, which discusses this proposed legislation.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and editorial will be printed in the RECORD.

The bill (S. 1574) to authorize a program of demonstration projects in preschool education, introduced by Mr. HART, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 1574

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Preschool Education Act of 1969".

AUTHORIZATION OF DEMONSTRATION PROJECTS

SEC. 2. For the purpose of determining the advisability of promoting preschool education as part of the public school education program throughout the Nation the Commissioner of Education is authorized to arrange, through grants or contracts, with State or local educational agencies for not to exceed demonstrated projects in preschool education. Such projects—

(1) shall be carried out both in representative urban and rural areas of the Nation;

(2) shall be of such size, and carried out in such location and manner, as to provide an opportunity for enrollment in one center to all or substantially all preschool age children in the area of the local educational agency where the project is being carried out;

(3) shall be carried out in such manner as to determine—

(A) the age when such education should begin;

(B) the scope of such education; and

(C) such other matters as the Commissioner deems appropriate;

(4) may include contracts or other arrangements with institutions of higher education or other nonprofit organizations to participate in such project; and

(5) shall provide for the payment by the Commissioner of not to exceed per centum of the cost thereof.

REPORT

SEC. 3. The Commissioner shall make an annual report to the President and the Congress of the results of the program authorized in this Act. The Commissioner shall also include in such report his recommendations for amendments to this Act and for additional Federal programs to encourage and improve preschool education in the United States.

AUTHORIZATION

SEC. 4. There is authorized to be appropriated for the purpose of this Act not to exceed $ for the fiscal year ending June 30, 1970, and $ for each fiscal year thereafter.

The editorial, presented by Mr. HART, is as follows:

PRESCHOOL FOR ALL CHILDREN

Senator Philip A. Hart, Michigan Democrat, knows this isn't the year but he still plans to introduce his bill giving pre-school education to youngsters three to five years old. He points out that for more than half of the children in the United States, there is no form of kindergarten. North Carolina is one of the states that has no pre-school training except for the comparatively small number of children who benefit from Head Start.

Hart puts no price tag on his scheme, but the cost is bound to be big. The rewards would be big too, though. As Hart says, psychologists hold that as much intellectual growth takes place in a child before the age of four as in the next 13 years of his life. Also, racial antagonisms aren't formed yet, giving a chance to inculcate tolerance while the job is still easy.

The success of Head Start in boosting learning readiness in pre-school children has been well demonstrated by now. Making these advantages available to all youngsters is the logical next step. The sooner a child is involved in the learning process, the more likely he is to acquire good school attitudes and the less likely he is to become a dropout.

Senator Hart is right in seeing little hope for the adoption of his program at this session of Congress. Some day, though, the war in Vietnam will be over and it will be possible to take care of necessary domestic needs. Preschool education for all children should rank high in the priorities.

S. 1575—INTRODUCTION OF THE REGULATION OF TRADE IN DRUGS ACT OF 1969

Mr. HART. Mr. President, 5 years ago the Senate Antitrust and Monopoly Subcommittee took its first step down the long road of trying to protect patients from doctor-merchants.

These are doctors who do not restrict their income to charges for professional services but abuse the power of the prescription to significantly increase their income.

In other words, as a doctor they decide what products a patient should buy. Then, as a merchant they turn around and tell the patient where he will buy them and how much he will pay.

Too often, as four volumes of hearings affirm, this not only leads to the patient paying more, but sometimes it results in more prescriptions than medically required.

As the hearings have spelled out, doctor-merchants have several possibilities when they seek mercantile profits.

Some buy into relatively small drug manufacturing or repackaging companies—with the intent of prescribing those certain brands. Others own pharmacies, hire a pharmacist, and steer their patients to the store. Others establish pharmacies and rent them out to pharmacists on percentage leases, far out of line with normal business practices.

Others simply hire a girl in a white dress to dispense the medication in the doctor's office.

As I said, 5 years of work and two other proposed bills have gone into this effort. But, the situation is worse today than when we started.

Despite the publicity of our hearings—and the ethical ban of the American Medical Association—the number of doctor-owned drug companies and the number of percentage-lease drug stores has increased.

And, with the blessing of the Department of Health, Education, and Welfare, apparently, the number of doctors who are in the drug business on the side in their offices has also increased.

Under the first regulations issued by HEW for Federal payments for drugs dispensed under medicaid, doctors would have been paid only if there was no community pharmacy available to supply the drugs.

However, last year, HEW reversed itself and now pays doctors for any medication or devices they supply medicaid patients. The magnitude of the impact of that decision can be estimated through some figures developed by the State of Maryland. In one case, in particular, a doctor was paid almost $20,000 for drugs last year—more than for professional services to medicaid patients.

In light of evidence in our record of unnecessary prescriptions written when the doctor stood to profit and of evidence of higher prices charged by doctors, I think the taxpayers justifiably could feel cheated by HEW's new method of doing business.

The subcommittee's work in this area has not been a total loss.

Many more Americans should live this year because we uncovered the dangers of unlicensed medical laboratory technicians and diet pills.

Those revelations resulted in legislation requiring medical technicians be licensed and in the Food and Drug Administration moving to get at least some dangerous combinations of drugs off the market.

Basically these combinations were of thyroid and digitalis. The FDA also has prohibited manufacturers from labeling thyroid or digitalis for weight control. These actions were prompted after the subcommittee—with no in-depth investigation—uncovered more than 60 deaths allegedly caused by diet pills sold by doctors.

Unfortunately, the fact that manufacturers no longer may publicize these two drugs as effective for weight control will not stop doctors from selling them to their patients. Nor will this limited action prevent thousands of overweight patients annually being sold medication which experts testified are dangerous. In fact, the testimony was that insofar as such "rainbow pills" are weight-reducers it is because they make the patient ill. Being ill is one way to lose pounds—but even doctor-induced sickness is not a safe way to reduce.

It is fitting that the first steps taken as a result of our investigation were to protect the health of Americans. But doctor-merchants are in some cases still jeopardizing patients' health and far more frequently they are jeopardizing the economic health of both patients and independent businessmen.

Therefore, I see a great need for the bill I introduce today which would prohibit a doctor from merchandising products he prescribes—except under some circumstances.

This is the third version I have proposed. Its title is the Regulation of Trade in Drugs Act of 1969. And I am delighted that the distinguished chairman of the Commerce Committee (Mr. MAGNUSON of Washington), and the able Senator from Utah (Mr. MOSS), have joined in sponsoring the bill. Like all others it strives to allow doctor-dispensing of drugs and devices when actually in the best interests of the patients. But, it seeks to forbid doctor-profiteering.

Basically a doctor would dispense drugs and devices only—

First. In emergencies.

Second. In one-dose units.

Third. If there is no community pharmacy within 10 miles of the doctor's office.

Fourth. If it is occasional dispensing and not part of his usual course of doing business.

The last provision would allow a doctor to supply drugs to patients who otherwise could not afford them. It would cover the giving of samples to patients to test their reaction to various medications.

The bill would outlaw doctor ownership of pharmacies and drug companies. It would prohibit percentage leases for pharmacies.

Ownership of stock in a publicly traded drug company would not be in violation of the provisions of the bills.

This bill also would overturn the current HEW regulations which allow taxpayer funds to be paid to doctor-merchants who sell drugs.

Mr. President, I know full well the demands made upon the time of my colleagues in the Congress. Dozens of issues of overwhelming import are put before us almost daily.

Even knowing that, I plead for careful attention to this one. For I am convinced that once the full impact of the harm doctor-merchants do to their patients and to independent businessmen attempting to serve consumers in the drug field is understood, this bill will be passed.

Mr. President, for Senator MAGNUSON, Senator Moss, and myself, I send the bill to the desk for referral to the appropriate committee.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1575) to regulate trade in drugs and devices by prohibiting the dispensing of drugs or devices by medical practitioners and their participation in profits from the dispensing of such products, except under certain circumstances, and for other purposes, introduced by Mr. HART (for himself, Mr. MAGNUSON, and Mr. MOSS), was received, read twice by its title, and referred to the Committee on Commerce.

SENATE JOINT RESOLUTION 81—INTRODUCTION OF A JOINT RESOLUTION IN HONOR OF AMELIA EARHART AND JOAN MERRIAM SMITH

Mr. GOLDWATER. Mr. President, I have the pleasure of introducing today for myself and several other Senators a joint resolution to provide official national recognition of the achievements of two of America's greatest women pilots, Amelia Earhart and Joan Merriam Smith.

I am sure we all remember the feats and records established by these courageous women. Miss Earhart, who was born of the same generation as Charles Lindbergh, became the first woman to match Lindy's classic feat of flying the Atlantic solo. In 1928, only a year after Lindbergh had achieved his record, Miss Earhart, flying with two others, became the first woman transatlantic flier. Then, in 1932, exactly 5 years after Lindbergh had pointed the way, Amelia Earhart established a world record by becoming the first woman to fly the Atlantic alone. Of course, Miss Earhart achieved many additional flying "firsts" and was the winner of aviation's highest award, the Harmon International Aviation Trophy, on three separate occasions.

The final adventure of this great heroine has become a legend. Flying the roughest route conceivable in the days of no aids or maps, Amelia Earhart and her navigator Fred Noonan disappeared outside New Guinea while attempting a round-the-world trip. The mystery concerning her last flight still persists. But we all know that the trip planned by her was charted as a complete world route, staying as close to the equator as airfields would permit, and intended to cross a distance of 27,000 miles.

This goal, the last dream of Amelia Earhart, was not to be fulfilled until this decade. On March 17, 1964, exactly 27 years to the day after Miss Earhart lifted off from Oakland on her world attempt, Joan Merriam Smith taxied her Piper Apache onto the same takeoff point and began a flight no other woman had attempted except one. Born within a year of the tragic disappearance of Amelia Earhart, Joan Merriam had dreamed from early childhood of flying alone around the world and following the same route planned by Miss Earhart. And so she began the flight, both to fulfill her own ambition and to complete the goal inspired by Amelia Earhart.

Her trip took 57 days from March 17 to May 12. Forty-five percent of her trip was over areas having no air traffic and few radio aids. Many times she had to forecast her own weather. At the end, Joan Merriam Smith succeeded in achieving one of the most remarkable records in aviation. She was not only the first solo pilot, man or woman, to circumnavigate the globe, but she had made the longest solo flight in history. In all, her trip established six world records.

Mr. President, the basis for this joint resolution is clear. These distinguished American women have earned the fullest recognition that Congress can offer. The American people, and particularly the youth of today, need the inspiration which the spirit and bravery of these great ladies can give. The deeds and courage of these two women stand out as shining examples of the kind of service and dedication which individuals can render in the cause of their country. Mr. President, I hope the Senate will take early and favorable action on this resolution.

I ask unanimous consent that the text of the joint resolution which I am introducing be printed in the RECORD to be followed with certain recent memorials made by State and local governments in honor of Amelia Earhart and Joan Merriam Smith.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution and memorials will be printed in the RECORD.

The joint resolution (S.J. Res. 81) in honor of Amelia Earhart and Joan Merriam Smith, introduced by Mr. GOLDWATER (for himself and other Senators), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S.J. RES. 81

Whereas the Congress of the United States wishes to officially recognize the historic aviation achievements of two late patriotic American aviatrixes, Amelia Earhart and Joan Merriam Smith; and

Whereas Amelia Earhart (1897–1937) was America's first and greatest aviatrix, who holds record flights as the first person to fly from Hawaii to the United States mainland, to fly the Atlantic Ocean twice, and to fly nonstop from Mexico City to Newark, New Jersey, and as the first woman to fly the Atlantic Ocean solo, to fly both ways across the United States, and to be awarded the Distinguished Flying Cross by the Congress; and

Whereas, in 1932, 1933, and 1934, Amelia Earhart was the winner of the Harmon International Aviation Trophy, which is aviation's highest award; and

Whereas during the period March 17 to May 12, 1964, Joan Merriam Smith (1936–1965) flew the 1937 Earhart Equator route and thereby became the first woman to fly solo around the world; and

Whereas Joan Merriam Smith was awarded the 1965 Harmon International Aviation Trophy posthumously for this historic first flight: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and directed to issue annually a proclamation designating the 12th day of May in each year as "Amelia Earhart-Joan Merriam Smith Aviation Day", in honor of these two American aviatrixes.

XUM

SEC. 2. In recognition of the aviation achievements for the United States by Amelia Earhart who blazed the frontier of aviation for all women and all Americans and by Joan Merriam Smith who dreamed of, lived for, and fulfilled the achievement of flying solo the uncompleted 1937 Earhart Equator route, the Congress recommends the names of both aviatrixes to the President for consideration of the awarding of the Presidential Medal of Freedom, posthumously, as provided under Executive Order 9586 of July 6, 1945, as amended (5 U.S.C. 4504 nt.) or of such other appropriate award as the President may authorize.

SEC. 3. The Postmaster General is authorized and directed to give consideration to the issuance of a special series of airmail stamps commemorating Joan Merriam Smith's world flight and honoring the Civil Air Patrol, of which she was a cadet member. Such stamp shall be first issued on May 12 in as early a year as practicable in such denomination and design, and for such period, as the Postmaster General may prescribe.

The memorials, presented by Mr. GOLDWATER, are as follows:

THE STATE OF MARYLAND, EXECUTIVE DEPARTMENT: GOVERNOR'S PROCLAMATION

AMELIA EARHART-JOAN MERRIAM AVIATION DAY MAY 12, 1968

Whereas Amelia Earhart was America's first and greatest aviatrix whose record flights include the first flight from Hawaii to the United States Mainland; a nonstop flight from Mexico City to Newark, New Jersey; and the first woman to fly both ways across the United States; and

Whereas Joan Merriam, who flew the 1937 Earhart Equator route to become the first person to fly solo around the world at the Equator, also holds the distinction as the first woman to fly a twin engine plane around the world which awarded her the 1965 Harmon International Aviation Trophy;

Now, therefore, I, SPIRO T. AGNEW, Governor of the State of Maryland, do hereby proclaim May 12, 1968, as Amelia Earhart-Joan Merriam Aviation Day in Maryland, in recognition of the aviation achievements for the United States by these two great American women who blazed the frontier of aviation for all women.

Given Under My Hand and the Great Seal of the State of Maryland, in the City of Annapolis, this 7th Day of May, in the Year of Our Lord, One Thousand Nine Hundred Sixty-Eight.

By the Governor:

SPIRO T. AGNEW,
C. STANLEY BLAIR,
Secretary of State.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PROCLAMATION: AMELIA EARHART-JOAN MERRIAM AVIATION DAY

(By John H. Chafee, Governor)

Amelia Earhart and Joan Merriam are two of the most distinguished aviatrixes in American Aviation history.

These two women were recipients of numerous awards for their courageous solo flights around the world, their varied aviation achievements and their invaluable contribution not only to aviation but to the United States. They stand symbolic of the great but unheralded accomplishments of the many women in American aviation.

In honor of these two patriotic American Aero Pioneers and the accomplishments of all women in Aviation, past and present, now, therefore, do I, John H. Chafee, Governor of the State of Rhode Island and Providence Plantations, proclaim Sunday, May 12, 1968, as Amelia Earhart-Joan Merriam Aviation Day.

In testimony whereof, I have hereunto set my hand and caused the seal of the State to be affixed this twenty-third day of April, in the year of Our Lord, one thousand nine hundred and sixty-eight and of Independence the one hundred and ninety-third.

JOHN H. CHAFEE,
Governor.

OFFICE OF THE MAYOR,
Oakland, Calif., Apr. 29, 1968.

To: THE CITIZENS OF OAKLAND.

Greetings: Because of Oakland's historic affiliation with early flights and developments of the aviation industry, our City is proud to acclaim persons who establish flying records.

Amelia Earhart was America's first and greatest aviatrix, and Joan Merriam was the first person to fly solo around the world at the Equator. Miss Merriam completed the 1937 Earhart route for an historic aviation first, and was awarded the 1965 Harmon Aviation Trophy.

Therefore, as Mayor of the City of Oakland and in behalf of its administration, I hereby proclaim May 12, 1968, as "Amelia Earhart-Joan Merriam Aviation Day" in Oakland, in honor and memory of these two courageous American aero pioneers, and urge all our citizens to recognize their fine contribution to aviation progress.

Sincerely,

JOHN H. READING,
Mayor.

OFFICE OF THE MAYOR, CITY HALL, LONG BEACH, CALIF.

PROCLAMATION

Whereas Amelia Earhart (1897–1937) was America's first and greatest aviatrix, whose record flights include: The first person to fly from Hawaii to the United States Mainland; to fly the Atlantic Ocean twice; to fly nonstop from Mexico City to Newark, New Jersey; the first woman to fly the Atlantic Ocean solo; to fly both ways across the United States; to be awarded the Distinguished Flying Cross by the Congress in 1932, and the winner of the Harmon International Aviation Trophy in 1932, 1933, 1934, which is aviation's highest award; and

Whereas Joan Merriam Smith (1937–1965) who, during the period of March 17–May 12, 1964, flew the 1937 Earhart Equator Route and became the first person to fly solo around the world at the Equator; the first woman to fly a twin-engine plane around the world, and for this historic first flight was awarded the 1965 Harmon International Aviation Trophy posthumously; and

Whereas in recognition of the aviation achievements for the United States by Amelia Earhart, who blazed the frontier of aviation for all women and all Americans, and Joan Merriam Smith, who dreamed of, lived for, and fulfilled the achievement of flying solo the uncompleted 1937 Earhart Equator route in 1964, it has been proposed that the names of both aviatrixes be recommended by the Congress to the President of the United States for consideration of the awarding of the Presidential Medal of Freedom, posthumously, or other appropriate award as the President may authorize; and

Whereas it has further been proposed that the Postmaster General be authorized to give consideration to the issuance of a commemorative airmail stamp in honor of Joan Merriam's world flight, with the suggested stamp theme of "World Friendship, via Aviation";

Now, therefore, I, Edwin W. Wade, Mayor of the City of Long Beach, with the unanimous consent of the City Council, do hereby proclaim Sunday, May 12, 1968, as Amelia Earhart-Joan Merriam Aviation Day in honor of these two late patriotic American aviatrixes.

EDWIN W. WADE,
Mayor.

ADDITIONAL COSPONSOR OF BILL AND JOINT RESOLUTIONS

Mr. CURTIS. Mr. President, I ask unanimous consent, at its next printing, the name of the senior Senator from Colorado (Mr. ALLOTT) be added as a cosponsor of the bill (S. 1538) to abolish the Commission on Executive, Legislative, and Judicial Salaries.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the senior Senator from West Virginia (Mr. RANDOLPH), I ask unanimous consent that, at its next printing, the names of the Senator from Alabama (Mr. SPARKMAN), the Senator from Connecticut (Mr. RIBICOFF), the Senator from Hawaii (Mr. INOUYE), the senior Senator from Indiana (Mr. HARTKE), the junior Senator from Indiana (Mr. BAYH), the Senator from Iowa (Mr. HUGHES), the Senator from Michigan (Mr. HART), the Senator from Minnesota (Mr. MONDALE), the Senator from Montana (Mr. METCALF), the Senator from New Jersey (Mr. CASE), the Senator from Oregon (Mr. HATFIELD), the Senator from Washington (Mr. JACKSON), the Senator from Wisconsin (Mr. PROXMIRE), and the Senator from Wyoming (Mr. McGEE), be added at cosponsors of the joint resolution (S.J. Res. 7) proposing an amendment to the Constitution of the United States extending the right to vote to citizens 18 years of age or older.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that, at the next printing of my resolution (S.J. Res. 18) on a constitutional amendment to the Constitution, relating to choosing a President when the choice devolves upon the House of Representatives, the name of the Senator from North Carolina (Mr. ERVIN) be added as a cosponsor.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the senior Senator from West Virginia, (Mr. RANDOLPH), I ask unanimous consent that, at its next printing, the name of the Senator from Indiana (Mr. HARTKE) be added as a cosponsor of the joint resolution (S.J. Res. 74) providing for the designation of the first full calendar week in May of each year as "National Employ the Older Worker Week."

The VICE PRESIDENT. Without objection, it is so ordered.

ARCHES AND CAPITOL REEF NATIONAL PARKS—AMENDMENTS (AMENDMENTS NOS. 6 AND 7)

Mr. BENNETT. Mr. President, on January 17. 1969. I once again introduced my bills establishing national parks out of three present Utah National Monuments—Cedar Breaks, Capitol Reef, and Arches.

At that time I stated:

> Under my bills as currently written, I do not propose any acreage increase for any of the three areas. However, after proper hearings both in Washington and in Utah, it could be determined that some increases are justified.
>
> It is my hope that under the new Nixon Administration and new Interior Department, we will be able to gain favorable reports on these proposals which I first introduced July 11, 1961.

However, just 90 minutes before he left office, former President Johnson signed the orders authorizing the expansion of Arches and Capitol Reef Monuments. By the sweep of a pen the President withdrew some 264,000 acres of land in Utah and put them under jurisdiction of the National Park Service. This means that no further use of the lands can be made by farmers, ranchers, or anyone wanting to merely use the water facilities on the land. In effect, it cut off mining rights, grazing lands, or the use of communication systems. This was done without prior consultation with Congress, without consultation or discussion with the State officials, without hearing any interested groups.

Since this land grab by the Johnson administration, my colleague, Representative Laurence Burton, and I have made an extensive tour of the areas that would be affected in Utah and have met with the interested citizens. The reaction of these citizens was overwhelmingly against any extension of the boundaries.

Since my return from Utah I have talked to the Senate Interior Committee staff and the Legislative Counsel about my bills to make Arches and Capitol Reef national parks. In order to remove any doubt about the boundaries, they felt it would be advisable to amend the bills to indicate that the monuments would be established as parks to the extent of their acreage and boundaries as of January 1, 1969.

I therefore submit an amendment (No. 6), intended to be proposed by me to my bill (S. 399) to establish Capitol Reef National Monument as Capitol Reef National Park; and amendment (No. 7), intended to be proposed by me to S. 400, to establish Arches National Monument as Arches National Park.

The VICE PRESIDENT. The amendments will be received, printed, and referred to the Committee on Interior and Insular Affairs.

Mr. BENNETT. Mr. President, as one who has advocated national park status for these magnificent areas for a number of years, I would like to stress that under my bills there would be no expansion of boundaries, taking in vast new areas of land. The great majority of Utahans objected strenuously to this arbitrary and unilateral action by the former President. Congress has the right to reset these boundaries, and I urge the Senate Interior Committee to exercise this right and to conduct field hearings on my bills at the earliest opportunity.

UNITED STATES AND HAWAII'S ROLE IN THE PACIFIC

Mr. SCOTT. Mr. President, a few weeks ago my good friend and distinguished colleague, the senior Senator from Hawaii (Mr. Fong), delivered a very timely, thought-provoking address on the United States and Hawaii's role in the Pacific, with particular emphasis on the post-Vietnam war era.

Because he himself is a man of the Pacific, born and raised in the mid-Pacific State of Hawaii, Senator Fong's comments are particularly noteworthy.

Senator Fong knows this vast region well. He properly reminds us that the United States is a two-ocean Nation. His thesis is that, if after Vietnam, Americans desire peace in the Asia-Pacific area, we are going to have to work hard for peace, not isolate ourselves from half of the world.

So that other Senators and readers of the Congressional Record may have the benefit of his views, I ask unanimous consent that the text of his speech be printed in the Record at this point.

There being no objection, the speech was ordered to be printed in the Record, as follows:

United States and Hawaii's Role in the Pacific

(By U.S. Senator Hiram L. Fong, Hawaii Manufacturers Association, Vth Industrial Week Conference, Honolulu International Center, Honolulu, Hawaii, February 20, 1969)

It is a pleasure to be here today to participate in your Vth Industrial Week Conference, which has the very timely topic "Hawaii's Role in the Pacific?"

Before offering some comments on your central theme, may I first take this opportunity to congratulate the Hawaii Manufacturers Association for your efforts to develop and expand manufacturing in Hawaii. The growth of manufacturing in Hawaii since statehood has been particularly impressive and has contributed substantially to Hawaii's economic health and prosperity. It is difficult to overemphasize the importance and impact of diversifying Hawaii's economy as you have done.

Last year, according to preliminary figures, manufacturing totaled $684 million in value, including processing of sugar and pineapple. The agriculture industry might dispute counting sugar and pineapple because this relegates agriculture to fourth-place income-producer for Hawaii. The tourist industry might also object, for this puts them in third position with $500 million—behind defense spending of almost $610 million.

But no matter how we figure, it is plain that manufacturing in Hawaii is on the rise—and I am convinced it will keep on rising in the foreseeable future.

The Good Book counsels that all things come to those who wait. As practical businessmen, we know we cannot just sit and wait for markets and opportunities to come to us. We must follow another Biblical maxim: The Lord helps those who help themselves.

So it is commendable that your Association had the foresight to assign members to explore the essential factors affecting Hawaii's future economic role in the Asia-Pacific Hemisphere.

Hawaii businessmen are going to have to be energetic and aggressive if they are to expand their markets in Asia and the Pacific. We are up against some high-grade competition from Europe, Japan, and elsewhere, whose businessmen and traders are already established in Asian and Pacific markets.

We dare not delude ourselves that, just because *we* regard Hawaii as the hub of the Pacific, others will think so, too, and act accordingly.

It is not my purpose to analyze how Hawaii can "sell" itself or to delve into such things as potential markets, demand and supply, manufacturing techniques, sales management, trade and business restrictions and all the other factors that enter the picture. Your own experts can counsel you on these things.

My remarks will deal with the broad framework of my topic, "The U.S. and Hawaii's Role in the Pacific."

This assumes our Nation and our State *will* have a role.

I am in full accord with that assumption.

Unlike the neo-isolationists, I believe U.S. involvement in the Asia-Pacific Hemisphere is inescapable.

By involvement, I do not mean war.

I pray Vietnam will be the last war!

Three major wars involving U.S. forces in 25 years are three too many wars!

The question after Vietnam is: Will America have a better chance for peace if we work for it in the vast Asia-Pacific area or if we withdraw all U.S. presence or interest there?

More and more today we hear cries that, once the Vietnam war is over, America should pull out and stay out of that area. We are told America has few ties that bind us with the peoples of Asia, that we have no business exercising leadership there, that we are already overburdened with worldwide responsibilities, and anyway Asia is a remote and alien world apart from ours.

My friends, there is a law of science known to every school child: Nature abhors a vacuum.

There is a similar law in government: Politics abhors a vacuum. When one power departs, another moves in to fill the vacancy.

In Asia and the Pacific, France has almost entirely closed out her sphere of influence. Britain has been steadily withdrawing from east of the Suez and is scheduled to leave Singapore and Malaysia by 1971, just two years from now.

If America abandons her Far East security bases after Vietnam, pulls the fleet back to Hawaii or the West Coast, abandons efforts for peaceful trade, commerce and cooperation, leaving a vacuum in Asia and the Pacific, the next question is: Who will fill that vacuum?

Who will give the emerging nations of Asia and the Pacific a helping hand to bring them into the mainstream of the Twentieth Century?

There is a tendency among many Americans to think of U.S. involvement in Asia and the Pacific as only our armed forces in Vietnam. Actually, our Nation has been deeply involved in Asia and the Pacific from the early days of our Republic. Our involvement has taken many forms.

As long ago as 1784, soon after the American colonies won independence from Britain, Yankee clipper ships visited the port of Canton, China, for the first time. In 1820, New England missionaries settled here in our mid-Pacific Hawaiian Islands. A decade later, the U.S. concluded a trade treaty with Siam, and eleven years later gained trade rights with China.

Our Nation became a Pacific power just before the Civil War, when Commodore Perry opened Japan to the outside world. At the turn of the century, America acquired the Philippines from Spain, Hawaii by annexation, and Alaska by purchase from Russia.

Years of trade and commerce with Asian lands, our governance of the Philippines, World War II in the Pacific, the U.S. occupation of Japan, and the war in Korea further enmeshed America's destiny with Asia. Vietnam is the latest chapter in a U.S. saga that dates back two centuries.

Today, U.S. ties in Asia are not just war-related. America has many other ties in Asia and the Pacific. We carry on extensive trade and commerce with a number of countries in that region. Americans visit many of these countries, and we try to attract their citizens to visit our shores. We are engaged in projects to improve the health of Asian and Pacific peoples, to improve their agriculture so they can better feed their people, and to provide education for the young people. We assist in economic development projects. We have cultural, technical, and educational exchanges.

We have defense outposts scattered in the Pacific and our military shield protects millions upon millions of people. Our Seventh

Fleet patrols international waters and keeps the high seas open to shipping.

Our very presence has a salutary effect. Proximity of U.S. naval units encouraged Indonesia to overthrow the Communist attempt to take over that vast land and her 113 million people. Thailand has been strengthened in its effort to combat guerrilla warfare. Malaysia, too, has been encouraged by America's determination to keep trade and communications lanes open.

Our presence and our stand against armed aggression are giving Asian nations the time they so desperately need to strengthen their economies, modernize their systems of government, effect badly needed reforms, and build their national identity and independence.

There is so much to do in Asia and the Pacific of mutual benefit that I envision our ties will be *strengthened*, not weakened, in the years to come!

America is anchored in the Pacific, close to Asia, and our future policy cannot overlook this!

Just think! The U.S. border is within two miles of Asia, now that Alaska is a State. Our boundaries in the mid-Pacific are 2500 miles closer to the Far East than the mainland West Coast, because of Hawaii's statehood.

To abandon Asia and the Pacific would be to abandon our westernmost States—and this is unthinkable!

So as we look at the U.S. and Hawaii's role in Asia and the Pacific, we do it against a background of geographical facts and long U.S. history in the area.

In the future, our priority effort, of course, is peace in Vietnam. What the final terms will be and when peace will come no one knows. Until these become clear, it is difficult to make accurate assessment of the full impact of the war's end. But through the cloudy crystal ball, some things appear fairly clear.

With the advent of peace in Asia, nations will devote attention to building their economies and improving the lot of their millions of citizens. More than one and one-half billion people—more than half of the entire world population—live in Asia. Across the broad sweep of this fantastic area, they are demanding a better life, from the ultra primitive regions to the highly modern urban areas.

For centuries most Asians have endured a lifetime of abject poverty and misery. But a new day is dawning for them. They know it, and their leaders know it—and they are trying to do something about it. They see the modern success stories of Japan, Taiwan, South Korea, the Philippines, Malaysia, Hong Kong, and Singapore—and they know it can be done—in Asia by Asians, with some outside help.

Many of the least-developed countries face a lack of capital and know-how to develop their resources and diversify their economy, over and above the ever-present problem of increasing food supplies. They face enormous tasks of promoting economic growth in basic industries, while at the same time trying to satisfy pent-up consumer demands. Many nations will need a mix of industry that will earn foreign exchange and industry that will supply domestic needs.

More highly developed countries face different economic problems, such as finding new markets for their projects and providing employment for their people.

Everywhere there is a weariness and impatience with the waste and tragedy of war. People long for an end to the shooting and for the opportunity to engage in peaceful pursuits. In countries that have experienced war and civil strife, the people yearn for peace and for the return home of their menfolk.

With peace, most manpower tied to war will be released. American GIs will be heading home—and what a joyful day that will be! Hawaii's 25th Division and Marine Brigade at Kaneohe are likely to resume their stations in Hawaii. Still a question mark is whether peacetime U.S. forces will be assigned to Vietnam for a transition period. We just don't know.

The peace agreement may prohibit this. And South Vietnamese forces may be strong enough by the time peace comes that no outside troops will be needed, although an international force may be needed to enforce the peace terms along South Vietnam's borders and the DMZ.

Undoubtedly, the entire question of America's military presence in Asia and the Pacific will be reviewed in the context of the peace agreement. Vital policy questions will face us. Where and how will our peacetime military forces be deployed? What about our overseas bases? If we turn Okinawa over to Japan and our bases there and in Japan close down, what steps do we take to fill the security gap? Suppose the Philippines decide not to extend leases on our Subic Bay base and Clark Field? Will replacements be found for bases on our Pacific defense perimeter? Or, will the U.S. shield be drawn back to Guam, Midway, Hawaii, and the West Coast?

Technological developments—like the Poseidon missile and the C–5A troop transport aircraft—may eventually lessen reliance on far-out bases. Again, because Hawaii is U.S. soil and in the mid-Pacific, we may play a vital role in the improved airlift-sealift now being worked on and perhaps be involved in converting Polaris submarines to use the Poseidon. Military space weaponry may also in time reduce reliance on overseas bases in Asia and the Pacific. Hawaii's space tracking operations might then be assigned a new mission, related to defense.

If our defense perimeter *is* pulled back from the Far East, it is possible that Hawaii will become even more important as a defense center than it is now. So while Vietnam-generated defense spending in Hawaii is expected to decline with peace, a pullback from the Far East could beef up Hawaii's role and result in compensating defense expenditures in the Islands.

For the foreseeable future, Hawaii can expect to continue as the hub of America's defense structure in the Pacific. Our role may change, but Hawaii will continue to be a key to defense strategy in this Hemisphere.

With peace in Vietnam, it is reasonable to foresee the United States will take part in rebuilding the war-shattered South and putting her on her feet economically as she was a few years ago. You will recall that, following World War II, we helped to rebuild Japan and to guide her people in establishing a thriving democratic government. We did the same for South Korea, and these two nations are now shining examples not only of the energy and resourcefulness of the Japanese and Korean people, but also of the effectiveness of U.S. postwar policy in Japan and South Korea.

Last year, Japan became the third major industrial power in the world, surpassed by only the United States and the Soviet Union. South Korea is a sturdy country, making substantial economic strides, far beyond what the pessimists in America predicted. With help, South Vietnam can recover, too.

It is also anticipated the United States will extend a helping hand, bilaterally or multilaterally, to other developing countries in Asia willing to help themselves. In the future, however, whatever U.S. aid is extended is likely to be far more selective than in the past, far more practical, far more constructive.

With all of the urgent domestic needs we have in America, public sentiment will not tolerate the lavish foreign aid give-aways of the 1950's and early 1960's, where at one time more than 100 countries—almost all nations of the world—were receiving U.S. military or economic aid, or both.

Former President Johnson's committee to study the impact of peace estimated a cessation of war in Vietnam would release $22 billion. The mood of the American people today is that these funds should be applied to remedying the urgent domestic needs of our cities and poor rural areas, to improving education, to cleaning up our dirty air and dirty water, to solving our transportation mess, and to giving a tax break to the American taxpayers. Outright grants to foreign countries will decline sharply in favor of loans, and even loans will be lean.

The aftermath of war has always caused economic dislocation. So we can anticipate postwar adjustments here in the U.S. and in Asia. Aside from this transition period, most observers look to increased economic activity in Asia and the Pacific after the Vietnam war ends. In fact, following President Johnson's announcement of the bombing halt, prices on all major stock exchanges in Asia rose sharply. Businessmen and stockholders there apparently believe peace will bring stability and better business to the region.

In the rehabilitation and rebuilding process, managerial and consultant services are bound to be in demand in the Far East. This can be the forerunner to intensified business, commercial, and construction activities in Asia and the Pacific. U.S. firms should be alert to opportunities that open.

We can also look forward to an increase in trade and commerce with our Asian and Pacific neighbors, provided these countries, and ours, do not erect a host of protective trade barriers and restrictions.

Another proviso, crucial to economic development and expanded commerce, is that the Asian nations must not discourage foreign investment. Without foreign capital and investment, many Asian countries simply will not be able to develop their economies. They are too poor and their needs are too great. Encouragement of foreign capital investment under fair terms and with guarantees against expropriation is a "must" for many Asian countries. Let us hope their leaders have the wisdom to perceive this. Otherwise, the lagging countries of Asia will not reap the benefits that loom so promising on their horizon after centuries of economic stagnation and deprivation.

Peace will undoubtedly generate a surge in tourism and travel, which should help to offset the expected decline in military R & R as our defense forces phase out of Vietnam.

The current scramble for Pacific air routes and the flurry of hotel and resort investment in Asia and the Pacific attest to a widespread conviction that this Hemisphere is on the verge of an international travel boom.

In today's race between food supply and the population explosion in much of Asia, America is already beginning to play a twofold role. One, we are supporting those seeking to control the birth rate. Two, we are helping Asian lands increase their food supplies.

With the advent of miracle rice, many nations of Asia now see for the first time a ray of hope that some day they will obtain enough food for their people. This will require major investments in irrigation works, fertilizer and pesticide plants, and storage and distribution facilities. But the hope is there, where before there was no hope. In this headlong race between food and people, America will do its part to solve the scourge of hunger.

Despite our best efforts and despite our best intentions, however, there will persist problems in Asia and the Pacific that defy ready solution. We do not have absolute control, nor even in many cases nominal control over events in Asia and the Pacific. Everything will not go according to our plans and our wishes. The best we can hope for is to be able to influence or bend the course of events away from war toward peace and progress.

A big enigma in the future is Mainland China. How long will her leaders take to perceive the folly of their self-imposed isolation? When will her government permit resumption of normal relations in trade, commerce, communications, and travel with the rest of the world? When will Mainland China's leaders permit their 750 million people to enter into the family of nations, to become a peaceful member of the Pacific community? Only Peking knows the answers, and Peking is not talking at the moment.

Obviously, what Mainland China does in the future will impact upon Asia and the Pacific. In the absence of any signs that her leaders are charting a course away from isolationism, we can only assume China will continue in the foreseeable future as a closed society.

And now, where will Hawaii fit into the future picture of Asia and the Pacific?

I have already stated Hawaii will undoubtedly continue as the hub of America's defense structure in the Pacific possibly with an even larger peacetime role than before Vietnam.

In the field of subtropical agriculture, Hawaii has a reservoir of experienced, talented specialists whose expertise would be most valuable to Asian countries with similar climate.

Our growing oceonography program could also serve to help others learn to develop the resources of the seas.

In education, also, we have many excellent educators and administrators who can render fine service in helping establish and modernize school systems at elementary, high school, and college level.

In the health field, Hawaii has outstanding doctors, nurses, and other private and public health personnel. Their skills and knowledge could help wipe out diseases that plague the people. In India, the once-dreaded malaria has been almost completely wiped out.

In finance and insurance, Hawaii has a great number of talented and successful people who can share their experience and know-how with other Asian peoples.

In business and manufacturing, Hawaii has many top-notch entrepreneurs and innovators. Although our Islands are poor in mineral resources and raw material for heavy industry and although Hawaii for years appears destined to remain a rural, agricultural economy, manufacturing has steadily increased in importance because of the ingenuity, imagination, courage, and farsightedness of go-getters like all of you in this audience. You have assessed Hawaii's needs and figured out how to satisfy those needs, and even many times created goods for export.

Those of you who have seen opportunity for industry in Hawaii could well serve, not just as suppliers for Asia and Pacific nations but as consultants in lands where opportunities remain undiscovered. In turn, Hawaii could be a test market for Asian goods destined for U.S. markets and U.S. goods aimed at Asian markets.

More and more Hawaii enterprises such as banks, business, manufacturing, transportation, may find it profitable to them and useful to Asians to establish branches in some of these nations.

Hawaii has institutions as well as people who play a vital role in Asia and the Pacific. The East-West Center, the University of Hawaii, our Foreign Trade Zone, the Hawaii International Services Agency, your own Hawaii Manufacturers Association are examples.

Hawaii will be further equipped for a greater role in development of Asia and the Pacific as we vigorously pursue research and development in the growing and vital communications, space, biomedicine, oceanographic, and other fields.

To play the greatest possible role in Asia and the Pacific, for which Hawaii is uniquely qualified and to become in reality the "crossroads of the Pacific," Hawaii must broaden its horizons far beyond the borders of our State. Concerned up to now with our internal affairs and having attained solid success as a State, we of Hawaii must now look outward from our shores to find new opportunities for our people and to foster new friendly links with our neighbors in Asia and the Pacific.

Hawaii must assert far more leadership in matters Asian and Pacific!

We must become the spokesman for rational, far-seeing, peace-promoting policies in this crucial area of the world. We must exert far greater efforts to make sure Hawaii's counsel on Asian affairs is heard—and heeded—in the rest of our Nation.

We cannot sit quietly by while highly vocal, influential Americans preach the gospel of isolationism from Asia and the Pacific. We dare not permit the "Eastern establishment", so heavily oriented toward Europe, to dominate or neglect U.S. policy toward Asia and the Pacific.

Hawaii is a "natural" for leadership in the Pacific. After 10 years of statehood, Hawaii unquestionably has acquired new stature and now has pipelines into the real power structures of American government—Congress and the White House.

We of Hawaii, who patiently lobbied long and hard—and successfully—for statehood should assume responsibility now for lobbying for a positive policy for peace and progress in Asia.

With Richard Nixon in the White House, I believe we in Hawaii can make our voices heard as never before.

There are those—including a well-known officeholder in Hawaii—who predict President Nixon will disengage the United States from Asia and the Pacific, turn his back on this vast and vital area, and concentrate on Europe.

And when these political prognosticators allege President Nixon will turn his eyes away from Asia, they would have you believe he will turn his eyes away from Hawaii!

Nonsense!

No President, Republican or Democrat, could ignore the Asia-Pacific arena, even if he wanted to!

America is bounded by two oceans—the Pacific as well as the Atlantic—and this reality of geography can no more be ignored than the reality that the earth orbits the sun.

President Nixon will give intense attention to the Asia-Pacific arena, not only because the facts of life force any President to do so, but also because he has long known that, if there is to be peace in this half of the world, America as a Pacific nation is going to have to do her part to work for peace, just as America had to work for a peaceful Atlantic community after World War II.

Without question, President Nixon's overriding priority is to end the Vietnam war so that American boys will no longer be engaged in a shooting war and so the immense drain on our resources will stop.

But this does not mean President Nixon will thereafter ignore our Asian and Pacific neighbors—nor that he will ignore Hawaii.

As a matter of fact, at a recent news conference President Nixon was asked whether his re-emphasis on Europe would mean a lessening of interest in Asia. The President replied: "I think you could best describe me as not being a 'half-worlder,' with my eyes looking only to Europe or only to Asia, but one who sees the whole world. We live in one world and we must go forward together in this whole world."

Richard Nixon is a longtime student of history. He knows our country has been drawn into three major wars in Asia in less than 25 years. He knows that America cannot insure future peace by retreating to Fortress America, saying "A pox on all of Asia and the Pacific," as the new isolationists would have us do.

A little more than a year ago, Mr. Nixon published an article entitled "Asia After Vietnam." Let me quote a few statements.

"The United States is a Pacific power. Europe has been withdrawing the remnants of empire, but the United States, with its coast reaching in an arc from Mexico to the Bering Straits, is one anchor of a vast Pacific community. Both our interests and our ideas propel us westward across the Pacific, not as conquerors but as partners, linked by the sea not only with those oriental nations on Asia's Pacific Littoral but at the same time with occidental Australia and New Zealand, and with the island nations between."

Mr. Nixon also said, and I quote:

"Weary with war, disheartened with allies, disillusioned with aid, dismayed at domestic crises, many Americans are heeding the call of the new isolationism. And they are not alone; there is a tendency in the whole Western world to turn inward, to become parochial and isolationist—dangerously so.

"But there can be neither peace nor security a generation hence unless we recognize now the massiveness of the forces at work in Asia, where more than half the world's people live and where the greatest explosive potential is lodged. * * *

"Without turning our backs on Europe, we have now to reach out westward to the East, and to fashion the sinews of a Pacific community."

My friends, a man with such deep understanding will not turn his eyes from Asia and the Pacific. Make no mistake about that!

I believe we can rely on President Nixon to forge a new role for America in Asia and the Pacific—a role keyed to realities . . . a role not of paternalism or Big Brotherism, but a role of helpful neighbor . . . a role of peaceful Pacific partnership so as to spare America further agony of war and bloodshed—and hopefully in the process to spare the nations of that area also from the tragedy and waste of war.

I believe Hawaii will play an increasingly larger role in building a thriving, peaceful Pacific community. I am very hopeful the Nixon Administration will call upon Hawaii's people to use their special talents, their special skills, and their warm aloha to assist in this challenging task.

In his Inaugural Address, President Nixon asked the American people to "join in a high adventure—one as rich as humanity itself and exciting as the times we live in."

Building a Pacific community, wherein each man retains his identity, maintains his dignity, nurtures hope for a better life and helps bring it about is a "high adventure" indeed—and one we in Hawaii willingly join.

For our Nation's goals in Asia are our goals worldwide: self-determination and territorial integrity for nations large and small; opportunity for economic advancement, a better life, hope for the future for mankind; peace and justice for all, Asian as well as non-Asian.

As businessmen and as citizens, you have a deep and personal concern with Asia and the Pacific, for what happens here can mean peace or war, progress or stagnation. You, the American businessmen are among the most effective ambassadors of good will and international concord. You are the architects of a higher standard of living. You are craftsmen who can teach nations how to care for their people.

Particularly because you are citizens of Hawaii, your role takes on new meaning and special emphasis. Working through your business, with your government, and as individuals, you can help not only in the growth of Hawaii and our Nation but also in the advancement—even the survival—of millions of Asian and Pacific peoples who look desperately to us for help and guidance down the road to dignity, freedom, and a better life.

Thank you and aloha.

ORDER OF BUSINESS

The VICE PRESIDENT. Is there further morning business?

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may proceed for 6 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

OPPOSITION TO ENACTMENT OF 10-PERCENT FEDERAL SURTAX

Mr. PROXMIRE. Mr. President, I rise to announce that I flatly oppose the reenactment of the 10-percent Federal surtax scheduled to expire June 30. Instead of relying on the surtax, the Congress can and should cut Federal spending by at least $15 billion with the military taking $10 billion or more of the reduction and the balance from space and public works.

The 10-percent surtax has been a complete failure. It was passed to slow inflation, to reduce interest rates and to improve our international trade balance.

It has not only failed to achieve any of these objectives; but the inflationary outlook is actually worse now than it was last July 1 when the surtax went into effect.

The result: The consumer is now required to endure a sharper rise in the cost of living together with higher taxes.

Wholesale prices and manufacturing prices have risen more sharply in recent weeks than they have in years—and these are the retail prices of the future.

Since July 1, interest rates have not only risen more rapidly than prior to the passage of the surtax, their rates of increase has accelerated and gained special momentum in recent months.

The period since the surtax went into effect on July 1 has seen the first actual deficit in years in our merchandise trade balance, the cornerstone of our balance of payments.

And latest indications are that the economy is likely to go on its inflationary binge indefinitely with unemployment continuing at its 15-year low and business plans for investing in plant and equipment at a highly inflationary 14-percent increase for the rest of 1969.

Certainly this is going to be a tough economic policy to reverse. Virtually the entire economic fraternity, as well as most of business, joined the Johnson administration last year in calling for a surtax.

The support for the surtax as the cornerstone of antiinflation economic policy was as impressive as it was wrong.

But the President and the Congress can act to correct this massive error. It is likely that the surtax, if continued, might eventually slow inflation and reduce interest rates. But the name of the inflation game is time.

And there is a swifter and surer way for Government to act. Here is why Congress should rely on spending cuts as our antiinflation medicine:

First. Testimony before our Joint Economic Committee indicated that the tax increase—dollar for dollar—has only 75 percent of the inflation-slowing effect of expenditure reduction. And the expenditure reduction route is far prompter.

Second. Recent years have seen enormous increases in spending, much of it unjustified and with no priorities established by the Congress.

Military spending can be reduced $10 billion without endangering our combat effectiveness.

Space spending should be reduced by $1 to $2 billion now that we will have achieved in 1969 our established objective in space.

We should cut or postpone public works spending of $3 to $4 billion of the $10 billion proposed.

Third. The American taxpayer has been surfeited with tax increases in the past year or so. Local property taxes have been climaxing sharply. In at least 38 of the 50 States, sales or incomes taxes will increase this year to the highest levels on record. The social security tax has just been increased and is now becoming seriously burdensome.

Perhaps most important of all—

Fourth. The achievement of a $15-billion Federal spending cut this year would be the clearest kind of notice that this Government is determined to pay the price required to stop inflation.

It is the psychological expectation by consumers and especially business that prices are sure to be higher—and much higher 2 or 3 years from now—which is causing unjustified and unparalleled investment in plant and equipment which, in turn, is a prime inflationary problem right now.

SUBCOMMITTEE MEETING DURING SENATE SESSION

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Subcommittee on Intergovernmental Relations of the Committee on Government Operations be permitted to meet during the session of the Senate today.

The VICE PRESIDENT. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. KENNEDY. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the role.

The assistant legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. McGOVERN. Mr. President, I ask unanimous consent that I may be permitted to proceed for 20 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

VIETNAM: 1969

Mr. McGOVERN. Mr. President, although I sympathize with President Nixon as he grapples with the complexities of Vietnam and the defense of our country, I was deeply disappointed by the course charted at his historic press conference last Friday. His statements advocating the deployment of an anti-ballistic-missile system and his flat rejection of American troop reductions in Vietnam indicate that military considerations are dominating this administration as they came to dominate the previous one after 1964.

During the 8 years since former President Eisenhower warned of the mounting influence of the "military-industrial complex," military spending has doubled from approximately $40 billion annually to approximately $80 billion. Now we are told that we need a new anti-ballistic-missile system costing untold billions of dollars.

During the 5 years since former President Kennedy warned that in the last analysis the Vietnamese war was "their war," that "they are the ones who must win or lose it," American troops in Vietnam have mushroomed from 20,000 to 550,000. Now we are told that the enemy is still so strong that there must be no reductions of American forces and that we must keep up our offensive military efforts.

Just as military demands have claimed a steadily increasing share of our resources here at home, so have military considerations largely guided our policy in Southeast Asia. It is an open question whether we have paid a greater price for the militarization of our domestic economy and society, or the militarization of our foreign policy as applied to the complex struggle of the Vietnamese people.

I am increasingly concerned over our continuing failure to reverse the policy of military attrition and moral disaster in Vietnam.

For 4 long years, this policy has been the transcendent issue of our national politics. It has been a relentless challenge to the collective conscience of our people; and it has tested our vision and wisdom as well as our capacity to admit error and to build from disaster the foundations for more enlightened judgments in the future.

For 4 years I have viewed our deepening involvement in the bloody jungles of Southeast Asia with a troubled mind and a heavy heart. Now after all the political upheaval of 1968, after repeated indications that most of our citizens regret and deplore our involvement in this cruel and futile venture, I find it intolerable that we should still be pursuing the same tragic course with the same tragic results.

It is nearly a year since President Johnson announced the first steps to negotiate an end to the war. It was a year ago almost to the day that the voters of New Hampshire gave us the first clear manifestation that the American conscience and will were shocked and disgusted by the war. In the following months, millions of Americans committed their greatest efforts to bringing about an end to that conflict and a change in the policy which had conceived and nourished such a terrible venture.

Today, the killing continues. American battle casualties have exceeded 200,000.

The toll of American lives lost will shortly pass 33,000. Since March 1968—since the dramatic speech by President Johnson urging a prompt settlement of the war—11,600 American lives have been lost on the battlefield. Another 1,800 of our men have been killed in battle-zone accidents and support operations. In the last 11 months, 37,000 American soldiers have been seriously wounded in combat; an almost equal number have sustained injuries which did not demand hospital confinement.

Mr. President, I believe that the American people had every hope and expectation that the Paris talks would bring a military disengagement; that we would minimize clashes with the enemy and seek to hold down the loss of life on both sides while the Paris discussions were pending.

And yet, in defiance of all the dictates of commonsense and respect for human life, we have pursued the opposite course. We invoked the old, disingenuous slogan, claiming the need to "negotiate from strength," and launched a so-called accelerated pacification campaign designed to keep constant, intensive military pressure on the enemy.

While the North Vietnamese responded to our bombing halt by withdrawing 22 full regiments from South Vietnam, we were preparing a great extension of our own offensive operations in the south. Air, marine, and ground engagements increased in number and intensity. In a 3-month period this winter, after the bombing halt in early November, the total number of battalion-size operations undertaken by South Vietnamese and American troops has climbed from 820 to 1,077. For the first time, American ground troops were admittedly extending combat operations over the border into Laos. Marine units have engaged in what their commanders publicly describe as the largest amphibious operation since the end of World War II. For several months our military commanders have been boasting publicly that they had the enemy on the run and near collapse.

Let us be honest about the present military activities in South Vietnam. Are the current attacks by the Vietcong in the south a calculated offensive ordered by Hanoi, and designed to trigger a general escalation of hostilities by all combatants? Or is this Vietcong drive a response to our own offensives over the last 5 months—a response determined more by our own aggressive combat operations than by any design of Hanoi's?

Now, Mr. President, with the new "Tet Offensive" underway, the Joint Chiefs, the Secretary of Defense, the Commander in Chief himself are talking once again of the need to devise an "appriate military response" to the enemy drive. But who is responding to whom?

At his news conference last week, the President claimed that any current escalation in Vietnam was the responsibility of our adversaries. I deplore the bloody attacks of the enemy on our installations and on the cities of South Vietnam. No American can view those attacks with anything but deep regret. But the President's assignment of blame for the escalation of the war is too one sided.

Is the Vietcong responsible for stepped-up American pacification operations over the last 6 months?

For the great increase in battalion operations?

For the intensive bombing sorties in the South?

Is the Vietcong responsible for all the delays in Paris?

Are the Vietcong responsible for our failure to admit to ourselves and to impress on our allies what we all know in our hearts—that there must be a share of power and responsibility for the National Liberation Front in any postwar government?

Are the Vietcong truly responsible for the massive American involvement in an historic civil war, 10,000 miles from our shores?

Are the Vietcong responsible for our blind determination to follow failure down the road to disaster—until today, when we talk once again of enemy offensives, appropriate responses, new escalations—as though the terrible losses of 4 years had taught us nothing; as if the proven way of failure was the only course open to us?

These threats of a new escalation are accompanied by the familiar claims of impending military success. We hear that the war is going well; the enemy is tiring; if only we persist in the present course there will be victory.

But if the administration is truly flirting with plans to pursue the military effort toward some undefinable and, I think, unachievable victory, then it is setting a disaster course for our country and for the cause of peace. The new Commander in Chief must grasp what his predecessor learned to his sorrow—that in any continuance of the war in Vietnam lies the seed of national tragedy and the certainty of personal political disaster.

It has been the terrible, relentless logic of Vietnam that new talk of victory brings new escalation of military commitments and new casualties. What seems attainable in the private councils of the Pentagon has proven always more costly, in the swamps and jungles of Southeast Asia.

There is one consistent characteristic about our military strategists on Vietnam during recent years—they have always been wrong. The time is long overdue for us to cease listening to their narrow and badly conceived counsel that has cost us so heavily in blood and treasure.

The war in Vietnam must be ended. In lives lost and self-esteem forfeited, in investments diverted and opportunities missed, it has been the most costly national experience in modern times. Tragically, it has been also the most unnecessary, and the most unwarranted.

Mr. President, in August 1968 before the national platform committee of my party, and again on December 17, 1968, I publicly proposed that we begin negotiations by bringing half of our troops home, while consolidating the others around our most easily defended installations at a time when we had 200,000 troops in Vietnam. This was the strategy which General Gavin told us would have enabled us to defend ourselves and provide areas of safety for those Vietnamese concerned about their safety without any additional increase in manpower. But it is the attempt to carry on offensive purposes in all parts of South Vietnam which has resulted in the building up of troops and the consequent stepping up of casualties.

That is a strategy designed to reduce clashes with the enemy and thus to reduce the loss of life on both sides. It is the strategy we ought to be pursuing today—accompanied by an all-out effort to get the negotiations moving in Paris—both privately and at the conference room. I was encouraged by the President's indication on Friday that, at long last, private discussions are getting underway. Early in February of this year, I spoke to the clergy and laymen concerned about Vietnam. As I had on so many occasions before, I talked of the need to end the war and end it quickly—if we were to reverse the tide of neglect and decay at home. I expressed my belief then and I repeat it today—our present military strategy is killing young Americans and wasting billions of dollars in efforts that have no real relevance either to the diplomacy of Paris or the politics of Saigon.

Two weeks ago I appeared before the Action Conference on National Priorities and urged that we quit worrying so much about saving face and begin instead to save lives. I noted on that occasion that "while we gather in this comfortable room, young Americans are still dying half a world away, undernourished guerrilla fighters still huddle in their caves—and they are human beings, too—and tunnels and spill their blood in countless rice paddies; 3 million Vietnamese refugees still languish in miserable camps—homeless, neglected, and despondent."

Now, Mr. President, the accelerating casualty rate, the increase in battalion-size operations—which has been dramatic and unprecedented—the sustained pace of U.S. air sorties over South Vietnam, all belie the evident fact that the war has been escalating, on the ground and in the air, throughout South Vietnam.

And what these actions say, more loudly than any words or proposals, is that our policy has not yet changed: that we are still committed to the preservation of the current regime in Saigon by means of American blood and military power. We are trying to win, on the battlefield and in Paris, what the Saigon government long ago lost beyond all recall: the allegiance of its own people and the control of its own land.

The Saigon regime we are still fighting to preserve is the same government whose corruption and ineptitude and intolerance of dissent have always in the past thrown away the gains bought so dearly by American lives. If we have learned anything from all the sacrifice and suffering, all the trial and effort, it is that such a government is beyond our ca-

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pacity to save because it does not have the capacity or the desire to save itself.

The Saigon regime was not worth the first 20,000 American lives spent in the desperate pursuit of victory. It was not worth the 10,000 who have died since the Paris conference began. It is not worth the 360 who died last week, or the 453 who died the week before, or the hundreds who will die this week, or the hundreds who will lose their lives in the next week's futile engagements. It is not worth one more American soldier or pilot dying next week or next month or any month in the future.

There is no more time for "considering military options," no more time for "improving the bargaining position." In the name of decency and commonsense, there must be no further continuation of the present war policy, however, disguised in rhetoric or more hollow predictions of victory yet to come.

Two weeks ago, President Nixon spoke on his belief that "the American people will support a President if they are told by the President why we are there, what our objectives are, what the cost will be, and what the alternatives would be if we took another course of action."

I believe that we are in Vietnam because, having intervened in a tragic error, we followed failure inexorably down the road to catastrophe—and because our Government has not yet marshaled the moral courage to genuinely reverse our course.

I believe the only acceptable objective now is an immediate end to the killing.

I believe that the terrible costs of pursuing this war long ago surpassed any benefit that can be obtained from continuing our present course.

The only alternative to an immediate change in policy is more war, more senseless bloodshed, and a revival of the divisions and disorders that went so far toward tearing our country apart over these last recent years.

At this important crossroads for our Nation, I would hope that America could reap the bright promise of the President's inaugural address; and that in the spirit of that excellent speech, Mr. Nixon will reject the counsels of war and move to end the killing, and turn American energies back to the solution of our own problems and the search for a more decent world.

ORDER OF BUSINESS

The PRESIDING OFFICER (Mr. EAGLETON in the chair). Is there further morning business?

Mr. ALLEN. Mr. President, I ask unanimous consent that I may be allowed to proceed for 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE JOINT RESOLUTION 80—INTRODUCTION OF A JOINT RESOLUTION RELATING TO POWER RESERVED TO THE SEVERAL STATES

Mr. ALLEN. Mr. President, I introduce for appropriate reference a joint resolution which proposes an amendment to the Constitution to clarify rights and powers reserved in the States and in the people under the ninth and 10th amendments to the Federal Constitution.

The amendment to be submitted to the States for ratification is quite simple:

> SECTION 1. Each state shall have the sole and exclusive jurisdiction of the organization and administration of all public schools and public school systems within the state. The courts of each state shall have exclusive jurisdiction to determine all rights, privileges, and immunities of citizens of the state with respect to public schools and public school systems within the state. No officer or court of the United States shall have the power to impair or infringe any rights herein specifically reserved to the states.

This amendment would do nothing more or less than to make it explicit in the fundamental law that the power to operate, manage and control local public schools is one appropriate for exercise only under powers reserved to the States and to the people under the provision of article IX and X of the amendments.

The proposed amendment does not challenge the right of Congress to appropriate funds for public education. It merely prevents the use of that power in derogation of reserved powers in the States. Consequently, it would prevent the delegation by Congress of power to the executive to accomplish by indirection that which Congress cannot accomplish directly. More specifically, the executive could no longer act as judge of its own powers in the area of public education as it does now.

The proposed amendment would not deprive any person of any right, privilege, or immunity under the law of the Constitution or any valid law or regulation promulgated by State or Federal authority. Instead, all questions of right would finally be determined in the courts of the separate States where "rights" to public education are created.

The amendment would give meaning and vitality in the field of public education to the provision which the Founding Fathers were careful to include in the Bill of Rights that the "powers not delegated to the United States by the Constitution nor prohibited by it to the States are reserved to the States, or to the people."

The Constitution does not delegate to the U.S. Government nor prohibit to the States the power to administer and control education in local public schools. It has been almost universally held that the people retained the right to exercise control over their public school systems through the instrumentalities of their State and local governments.

The principle has been enunciated time and again on no less than 12 occasions since 1889 in the admission of new States to the Union. The admission acts of the following States grant exclusive control and authority over the public school systems to these States: North Dakota, South Dakota, Montana, Washington, Idaho, Wyoming, Utah, Oklahoma, New Mexico, Arizona, Alaska, and Hawaii.

As recently as 1958 the 85th Congress provided in the Alaska Statehood Act that—

> The schools and colleges provided for in this Act shall forever remain under the exclusive control of the State or its governmental subdivisions.

As recently as the 86th Congress it was provided in the Hawaii Statehood Act that Hawaii schools "shall forever remain under the exclusive control of the said State."

In addition, Congress has time and again affirmed the principle of the local nature of public schools and provided for their control on the local level. For example, the National Defense Education Act contains the following specific language and declaration—

> The Congress reaffirms the principle and declares that the States and local communities have and must retain control over and primary responsibility for public education. . . .

Similar expressions may be found in numerous Federal aid to education statutes.

The local nature of school financing and management is exemplified in the fact that a vast majority of all public school revenue and practically all capital outlay funds for public school facilities are raised on the State and local levels. It is only reasonable and fair and right that State and local officials continue to exercise authority commensurate with their responsibilities in the area of public education.

In this resolution we ask only for an affirmation of the principle of local control of public education as provided in the basic document of our Government, the Constitution of the United States.

Let us settle once and for all that neither the Supreme Court nor any other branch of Federal Government has constitutional authority to take control from State and local communities.

Let us reaffirm as a part of the Constitution itself the inalienable right of our citizens through their State and local governments to control their own schools.

By thus preserving this principle we shall greatly strengthen our America and we shall help build an impregnable bastion of human liberty for an enlightened and free people.

If we were to judge from past statements of individual Members of Congress and by the language of various statutes authorizing Federal aid to education, we could reasonably conclude that the proposed amendment would be welcomed. For example:

As late as 1963 Commissioner of Education, Dr. Sterling McMurrin said:

> I do not believe that giving more Federal funds to public schools will lead to Federal control of public education, for the simple reason that no one wants it. The educators don't want it, the taxpayers don't want it, and quite certainly the people in government don't want it. . . .

The above statement was quoted, with approval, by the distinguished Senator from Minnesota, the Honorable EUGENE J. MCCARTHY, in his book, "A Liberal Answer to the Conservative Challenge."

Naturally, if it is true, as contended, that the executive is not interested in controlling public education—to say nothing of interferring in the administration of local public schools, then we can conceive of no reasonable objection to this amendment which would merely preclude the possibility of future interference by the executive.

From the standpoint of the Federal judiciary, we do not believe that a majority of Federal judges are so distrustful of their colleagues on State benches as to oppose the traditional exercise of power in State courts to determine constitutional and statutory rights of citizens as they relate to public school education. If the Federal judiciary does object to the amendment on the ground of mistrust, then the issue is political. As a political issue it is beyond the competence of the Federal judiciary and one which properly can be determined only by Congress or the people.

Despite frequent disclaimers by Congress; despite denials by the Federal executive that they do not want to or intend to regulate and control local public schools; and despite similar disclaimers by the Federal judiciary—the facts speak otherwise. Federal Government, through the instrumentalities of the executive and judicial branches, has assumed plenary powers over public schools and are regulating and supervising the administration of local public schools throughout this Nation. That is a fact.

It is a devastating commentary on our times, and an indictment of trends in our Nation, that this fact is disputed in the face of overwhelming evidence to the contrary. The Federal Government is not only interferring in the administration of public schools but is actually dictating policy and actually supervising the administration of local public schools in infinite detail, and it is doing so pursuant to Federal policy and intent.

The executive has promulgated 30-, 40-, and 50-page guidelines. These so-called guidelines regulate every aspect of public school administration. They lay down absolute conditions with respect to recruitment, employment, training, compensation, assignment, promotion, demotion of schoolteachers. They prescribe absolute conditions relating to pupil assignment, pupil transfers, busing, and school attendance boundary lines. They assert power to regulate the location of new schools. They assert a power to overrule the will of the people, elected public officials, and even prevent the expenditure of proceeds from publicly approved bond issues for new construction and renovation of existing schools. They regulate extracurricular activities of pupils and parents, they assert a supervisory power over curriculums, textbooks, courses of study, and methods of instruction and a virtual veto power over expenditures of all school funds.

Federal district courts have gone to even greater extremes. Federal courts have compelled closing of neighborhood schools throughout this Nation—some $15,000,000 worth in Alabama alone; they have enjoined the expenditure of publicly approved bond issues for improvement and renovation of schools. They have asserted a power to override the judgment of parents and elected public officials. They set aside solemn acts of State legislatures addressed to matters of health, safety, morals, and welfare of schoolchildren. They have enjoined the highest constitutional officers of State government and other elected public officials each of whom is charged by the obligation of a solumn oath to exerise their judgment free of coercion in matters involving the best interest of children, parents, and communities.

In addition, Federal district courts have perverted the judicial process of injunction. It is used today as mandamus to compel public officials to act contrary to State and local laws and contrary to their conscience, and contrary to their best judgment respecting the best interest, safety, and welfare of children under their care.

Nor is that all. Federal district courts have legitimized actions which offend all rational concepts of due process of law. They have sanctioned the use of pencil and paper regulations having force and effect of law, as well as law by memorandum, law by telephone, and oral law handed down by Federal agents. Federal courts authorize swarms of Federal agents to go about States threatening, bullying, and intimidating local public officials as a means of implementing executive edicts.

Furthermore, Federal district courts incorporate voluminous administrative rules and regulations in injunctions and decrees and compel obedience by threats of fine and imprisonment for civil contempt without benefit of trial by jury. Mind you, this is the constant threat and coercive power used to control decisions of elected public officials on questions relating to safety and welfare of schoolchildren.

Federal district courts have sanctioned the basic premise of the inquisition. They authorize deprivation of innocent schoolchildren, the aged, the sick, the blind, the handicapped, of funds and services to which they are otherwise entitled. Such deprivations are authorized without benefit of a hearing or even an opportunity of those deprived to object or protest on grounds of human compassion or law or reason.

Both the executive and Federal judiciary contend that a hearing provided for boards and commissions and those who administer Federal education programs and not the individual victims who suffer the loss is right, and just, and all that is required by law.

This is a monstrous departure from due process. Compare this barbaric treatment with that accorded common criminals. Criminals are entitled to counsel, at public expense if necessary, to protect their rights. Rightfully so. But not innocent schoolchildren, parents, or local school boards. No funds are budgeted for school boards or parents of children to enable them to protest abuses of power by the Federal executive. These must accept without recourse any rule or regulation handed down to them by strangers to the community. The only alternative is to file an action in a Federal district court, to amend, modify, or repeal an offensive regulation. But, in the absence of funds this recourse is meaningless. They are at the mercy of Federal officials.

And what of the rights of children who suffer the loss of lunches? What of the rights of parents who object to unreasonable regulations relating to busing of their children? What can be done to alleviate the dangers to which these children are unnecessarily exposed? Under the present system there is no recourse. This we are told is "due process."

There is no point in belaboring the obvious. It is a fact that both the Federal executive and the Federal judiciary are regulating the administration of public schools throughout this Nation. We reject the contention that these regulations are justified on grounds related to equal protection. The issue is not regional or sectional. It is a national issue with dangerous consequences. For, the power to control public schools has been centralized in Federal Government pursuant to deliberate design to nationalize public education. Do you doubt it?

Daniel P. Moynihan has spoken with approval of the achievement on the Federal level of "nationalization of public policy that has accompanied the achievement of a generally national society." With respect to nationalization of education he has said that the process is not yet complete but seems well underway. He observes further, "in this sense we have centralized decisionmaking within a Federal structure" and thereby reduced pressures to change the Federal structure itself.

Dr. Ronald Campbell, a noted educator, has been more explicit in identifying aspects of nationalization. He sees national policies established, "at the Federal level with important roles played by the courts, the Congress, and the Executive offices of the President. All policy questions regarding education seem to be shaped within the context of general government."

The degree of arrogance bred by nationalization of education is illustrated by Dr. Harold Howe who has angrily condemned local control in these words:

> Local school districts must not sit on their hands and then bellow about having the reins of educational policy yanked from their fingers.

A reasonable estimate of executive intentions, as they relate to nationalization of education, may be fairly summarized as follows: It is an intent to establish Federal education policies at the national level; to initiate and implement revolutionary national school programs; to effect drastic changes of public education policies throughout the Nation; to secure discretionary powers on the Federal level to enable planners to control curricula, teaching methods, teacher training, teacher tenure, and qualifications and certification of teachers; to draw school district boundaries, consign children to federally controlled schools and otherwise establish local policies with respect to programs and priorities in all public schools in the United States.

In addition, it is an intention to establish vast regional school districts, characterized by school parks of 40- to 50-acres, and most significantly to establish "special education governments." This last movement is well underway.

This brief summary of Federal intent is a matter of record. Agents and agencies of Federal Government now assert the power to implement these goals. But even these goals are merely the part of

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the nationalization iceberg presented to public view.

In this connection we submit that the power delegated by Congress to the executive to accomplish these intentions poses a many-sided threat to our federal system of government.

One aspect of that threat is in its contribution to an ever-expanding Federal bureaucracy, about which Peter F. Drucker has warned:

> Modern government has become ungovernable. There is no government today that can still claim control of its bureaucracy and of its various agencies. Government agencies are all becoming autonomous, ends in themselves, and directed by their own desire for power, their own narrow vision rather than by national policy.
>
> This is a threat to the basic capacity of government to give direction and leadership. Increasingly, policy is pragmatic and execution is governed by the inertia of the large bureaucratic empires rather than policy.

The above point can be illustrated by what has happened to "policy" announced by Congress in relation to Federal aid to education. The Senate will recall that it was the expressed intention of Congress that the executive should not be empowered to compel busing of schoolchildren. This surely was a limitation on power delegated. How faithfully has this limitation been observed? Local public schools are now ordered closed by the executive under alleged authority of Congress and children are bused all over counties and cities. Thus the intention of Congress not to require "busing" is circumvented by the exercise of a more drastic power in the executive to close schools. Did Congress intend to give power to the executive to compel closing schools?

Furthermore, it was the intention of Congress that innocent children and others entitled by law to benefits provided by Congress should not be deprived without due process of law. Yet, hearings are provided only for administrators of programs—not those who actually suffer the loss of funds and services. Public school districts and administrators do not eat school lunches. They are not the beneficiaries of innumerable Federal-aid programs. The actions of the executive in this regard is obviously a devious and dangerous departure from due process of law and a gross abuse of delegated powers.

But aside from ethical and humanitarian considerations, Federal intervention in the administration of local public schools points up the disparity between the apparent power of Congress to establish policy and the actual lack of control over policy when unlimited discretionary powers are delegated to the executive. It has been said that the trend in this direction may represent the greatest crisis of Federal Government today.

Proliferation of Federal administrative agencies involved in local education is bound to undermine congressional policy: In the words of Peter Drucker:

> No sooner are they called into being that they become ends in themselves, acquire their own constituency as well as a vested right to grants from the Treasury, continuing support by the taxpayer, and immunity to political direction. No sooner, in other words, are they born then they defy public will and public policy.

The abortive experiment in nationalization of education is a classic example. It has yielded nothing but bungling, waste, and hardships, loss of public confidence, good will, and public support.

A few of hundreds of examples could be cited in support of this last conclusion. A few will suffice. A judgment on bureaucratic ineptitude in one area of nationalization of education has been expressed by Prof. Edmund Gordon. Writing in the winter 1966–67, issue of College Board Review, he observed:

> For all their variety the programs have generally suffered from one fundamental difficulty: They are based on sentiment rather than on facts.

In addition it is openly admitted that programs were designed in the face of overwhelming evidence that they could not produce what their sponsors promised, and such evidence continues to pour in.

Roger A. Freeman writing in the National Review cites these facts for consideration:

> The Associated Press conducted a nationwide survey of the program results in May and found that both critics and supporters now agree that it is not working. "It is a monumental flop," and the outbreak of recent riots speak louder than anything I can say about the total collapse of the program.

The Assistant U.S. Commissioner of Education, Joseph Fronkin, has stated:

> We still have little evidence that the problem is being licked; in fact, we may be even falling behind.

And Alice M. Rivlin, Assistant Secretary for Program Analysis at HEW, has said:

> I think we have found the task is much tougher than we thought at the start. When we began, we really didn't know how to go about it. We still don't. . . .

And what can Congress do about it? What will Congress do about it? One answer, and the wrong one, is shown by a survey which reveals the continuing proliferation of bureaucratic agencies and programs which continue to be added by Congress. Let us take a look.

James Reston in the New York Times, November 23, 1966, cited the fact that there were then 170 different Federal-aid programs on the books, financed by over 400 separate appropriations and administered by 21 Federal departments and agencies, aided by 150 Washington bureaus and over 400 regional offices. One congressional session alone passed on three health programs, 17 new educational programs, 15 new economic development programs, 12 new programs for the cities, 17 new resources development programs, and four new manpower training programs, each with its own administrative machinery.

Under these circumstances we cannot but concur in the observation of Peter Drucker that the best we can get from government in the welfare state is competent mediocrity but more often—not even that. We get incompetence such as would not be tolerated in private industry. The more we expand, the less capable routine mediocrity becomes. What does this hard judgment mean for the future of public education? We had better not try to duck this question, because chaos in education is inevitable unless changes are made. Let me show why this is so.

The powers of State and Federal Governments are distributed, allocated, and balanced on the basis of a logical proposition that there are separate and distinct functions of government.

It is axiomatic that powers of government follow responsibilities of government which identify function. No power is delegated under the Constitution independently of the logical function of the agency to which the power is delegated. If the agency has no responsibility in a particular area of public concern, it has no power in that area.

This is a fundamental limitation upon the powers of governments. It stands to reason that Congress, the Federal executive, and the Federal judiciary have no competence, no rightful responsibility, and therefore no power to regulate and supervise administration of local public schools. On the contrary, it is the responsibility of State and local governments. Power follows that responsibility, and logically that power was reserved in the States.

We have departed from this rational principle of limitation. In this connection the well-known student of government, Montesquieu said:

> When once the principles of government have been corrupted, the very best laws become bad and turn against the state; but when the principles are sound, even bad laws have the same effect as good; the force of principle draws everything to it.

The essence of Republican government is in limitations placed upon powers of government. Its integrity is measured by faithful adherence to such limitations by agents and agencies of government. Federal intervention in the operation of public schools is a gross usurpation of powers and violates the integrity of Republican government.

And what is to be done? Again let us return to Montesquieu who suggested:

> When once a Republic is corrupted, there is no possibility of remedying any of the growing evils but by removing the corruption and restoring its lost principles: Every other correction is either useless, or a new evil.

The proposed amendment will restore control of public schools to the States and local communities. It will remove a corruption and restore our Nation to its lost principles.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 80) proposing an amendment to the Constitution of the United States relating to power reserved to the several States, introduced by Mr. ALLEN, was received, read twice by its title, and referred to the Committee on the Judiciary.

WE AMERICANS MUST WITHDRAW OUR ARMED FORCES FROM VIETNAM

Mr. YOUNG of Ohio. Mr. President, the most recent outrage perpetrated by the Saigon militarist regime of Thieu and

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Ky was the trial and sentencing by a Ky judge of the venerable Thich Thien Minh, one of the topmost Buddhist monks. His alleged offense: "harboring rebels opposing the Saigon government and concealing illegal documents." His sentence: 10 years at hard labor. This on top of imprisonment for some months before any charges were filed against him. This, despite the plea of our Ambassador "to exercise prudence and leniency."

The persecution of a venerated Buddhist leader further inflames the civil war in South Vietnam. Thieu and Ky are Catholics. Twenty percent of the population of South Vietnam is Roman Catholic. Buddhists claim at least 70 percent of the population. The Saigon government police raided the Buddhist youth center, a college dormitory, last February. The president of the college is the venerable Thien Minh. Police claim to have found a revolver, explosives, and Communist books or documents in the school.

His trial took but a few hours. All other Buddhists arrested at the same time, including two students who were sentenced to 15 years at hard labor, were summarily tried before the same judges and sentenced after a few hours trial. The chief offense of the Buddhist monk, Thien Minh, was that he stated Ky did not want peace in Vietnam, but wanted the fighting to continue to enable him to stay in power.

It is evident that the major stumbling block against achieving an armistice and a ceasefire in Paris is the Saigon government itself. It is a militarist regime. Its leaders were generals who fought with the French against the forces of national liberation during the fighting that continued from 1946 to May 1954. They were born in North Vietnam. Both Ky and Thieu were born in Hanoi. This regime lacks the support of more than two-thirds of the civilians in South Vietnam. It has no political base, nor strength whatever. At most but 20 to 30 percent of the citizens of South Vietnam have supported this regime from the start. Most of those who favor the Thieu-Ky dictatorship are officers and soldiers of the South Vietnam Army.

If the truth were known, or admitted, the facts are that President Johnson at a conference with Ky and Thieu at Guam in 1967 insisted that Generals Thieu and Ky run for President and Vice President of South Vietnam. They are our puppets. They were scheming to run against each other for President. It is said that President Johnson, in rough, blunt Texas language to both, said "Your only chance to win is to have one military ticket with both of you as candidates, one for President and one for Vice President. Opposing each other, a civilian would win." They barely won at that, obtaining only 34 percent of the total vote. Our President meddled into the internal affairs of South Vietnam and had the effrontery to term it a nation of the free world. So, Americans created an unpopular militarist Saigon regime whose leaders know they will be out of office within hours following a ceasefire and an armistice.

Therefore, they are now complaining about a VC offensive against Saigon, when for many months we Americans have been maintaining without cessation a search and destroy offensive in South Vietnam. In fact, Gen. Creighton Abrams at the time President Johnson ordered a bombing halt of North Vietnam was directly ordered to continue "all-out pressure on the enemy." General Abrams has meticulously followed these instructions. For 4 months U.S. forces in South Vietnam have conducted a major offensive against the VC. During that time the VC and particularly the regiments from North Vietnam have been on the defensive. For the most part, the North Vietnamese forces in fact have been and are in their rear bases in Cambodia and Laos. General Abrams and his forces have been successful to some extent in broadening the areas of South Vietnam under allied control.

From November 1968 to January 1969 the number of allied battalion-sized operations in South Vietnam increased more than one-third from 800 to 1,077. Of these, 919 were South Vietnamese, 84 American and 74 combined. During this period the North Vietnamese pulled all but three of their 25 regiments in the northern sections of South Vietnam back north across the demilitarized zone. This made it possible for more than a full division of American troops to join in maximum military pressure in the more southerly areas of South Vietnam as a means of maintaining morale there and hoping to encourage the Saigon regime to participate more earnestly in the Paris peace talks.

Former Ambassador Averell Harriman has stated that the present Vietcong offensive is "essentially a response to our actions rather than a deliberate, reckless attempt to dictate the peace terms or torpedo the talks."

Mr. President, our administration cannot continue to press the fighting with increased vigor and at the same time charge that the Vietcong and North Vietnamese are acting in bad faith and breaking their word when they are firing rockets at targets in areas occupied by American forces and soldiers of the Saigon regime.

That the Vietcong would fire mortar shells in Saigon, Hue, and other cities was a logical response to the attacks made upon them. This problem is now in the hands of President Nixon as Commander in Chief of our Armed Forces. Does he propose to continue to seek military victory in Vietnam? If so, with more than half a million American fighting men in that little country, the price would probably be a continuation of losing 400 American lives in combat each week. Unfortunately, the end might not be this or even next year. Ky desires us to fight to the last American.

The challenge confronting President Nixon in the current Vietcong offensive is to resist the tendency of the Johnson administration and the generals of the Joint Chiefs of Staff to escalate the war with each new challenge from the Vietcong. The sudden doubling of our casualties in South Vietnam is a bitter indication of the high price of this ugly war. We have been caught in a civil war raging for years between the forces of the National Liberation Front, or Vietcong, and the militarists of the Saigon regime headed by Ky and Thieu. It makes clearer than ever the need for ending it as soon as possible. That goal will not be reached by further self-defeating responses caused by frustration and anger.

The Nixon administration will need to keep its head. Any reckless threat to resume bombing of the north would easily precipitate an escalation more frightening than any in the past—and harder to stop. Let us hope that President Nixon and his advisers will have the resolution and patience to see the present crisis through without any rash response.

It is definite and clear that a military victory is an impossibility for both sides. The only hope is for all parties involved in this miserable civil war to make a greater effort to move the peace talks in Paris off dead center and to negotiate an armistice and ceasefire and to continue diplomatic talks now going on. Anything either side does to retard the progress of those negotiations simply condemns more American lives and more treasure to destruction in the bottomless pit that is the Vietnam war.

We should withdraw without further delay 50,000 to 100,000 American soldiers from South Vietnam in the same manner we sent them there—by ships and airplanes. The huge number of our men remaining should then be placed on the defensive in areas such as Saigon, Hue, Da Nang, Cam Ranh Bay and some other coastal bases. They would have ample protection with their own fire power and with the umbrella of our Air Force and the tremendous fire power of the 7th Fleet and its planes. Then, in effect, there would be a de facto withdrawal of American forces, and results from Paris should be accelerated. Also, secret diplomatic negotiations that we feel certain have been proceeding for some months are much more likely to bear fruit and bring about a ceasefire and an armistice very soon thereafter.

Mr. President, the Saigon militarist regime is incapable of making peace. The reason: Thieu and Ky have a vital interest in continuing the war and the bloodletting. Their political and probably even their physical lives depend upon it.

When the civil war in South Vietnam is brought to an end Thieu and Ky will rendezvous with their unlisted, but well larded by corruption, bank accounts in Hong Kong and Switzerland. They will get our fast when American GI's no longer sustain them in power in Saigon, and then no doubt leisurely join the colony of other ex-dictators on the French Riviera and Swiss Alps.

HUMAN RIGHTS CANNOT BE TAKEN FOR GRANTED

Mr. PROXMIRE. Mr. President, upon his return from Europe President Nixon expressed the view that the prosperity he saw there made it very, very clear that we had been justified in providing aid to European nations directly after the Second World War. For it was through our aid, together with a mas-

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sive effort by the people of Europe, that this very prosperity came about.

However, we should be as generous with our spiritual support for Europe and other people as we have been with our material support. Because of the atrocities committed by the Third Reich against the Jewish people before and during the Second World War, the United Nations has since acknowledged the sanctity of the international commitment for the safety of ethnic, racial, and religious groups by adopting a convention outlawing genocide. That was largely because of the effort of former President Harry Truman and the United States.

Yet in the 20 years since this treaty was submitted to the Senate we have failed to join the overwhelming majority of nations in ratifying this treaty. Thus, although we have been most generous with our dollars in this case we have been miserly indeed with our spiritual capital—with the leadership that our Nation had displayed so prominently since our forefathers first declared that "all men are created equal and endowed by their Creator with certain inalienable rights."

It is past time for the Senate to reassert the leadership of the United States in the realm of human rights and freedoms by ratifying not only the genocide convention but the other human rights conventions that have been pending before the Senate for far too long.

CLEM ZABLOCKI RECEIVES WELL-DESERVED PRAISE FROM MILWAUKEE JOURNAL

Mr. PROXMIRE. Mr. President, Milwaukee's own Clem Zablocki, who has represented his district in the House of Representatives for over 20 years, recently was the subject of a fine editorial in the Milwaukee Journal. As the Journal article points out, Clem has done a superlative job for his constituents, but he has also earned the respect of Presidents, top diplomats, and high officials in this country and abroad. He is the ranking member of the House Foreign Affairs Committee and has been notable for his shrewd, tough-minded judgments on international matters.

We all know how difficult it is to combine the scope of an expert in foreign affairs with sensitivity and concern over a constituent's social security payments or veteran's pension. Yet this is exactly what Clem Zablocki has done and continues to do. I ask unanimous consent that the Journal editorial, which points this out so well, be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

About Clem Zablocki

What makes a good congressman? In today's Picture Journal Don Oleson writes about Clement J. Zablocki, Democrat from Milwaukee's 4th congressional district. It is good reading and accompanying pictures reinforce the story.

Clem Zablocki has served almost three decades as a legislator, state and national. For 20 years his south side constituents have been sending him to Washington—with such strong support that when he doesn't get over 70% of the vote he worries.

It is a matter of pride to longtime friends that "this church organist" has done so well. But that misses the point. Zablocki has gone far because he is intelligent, works hard, usually rejects "exercises in futility," knows the ropes.

Zablocki knows his constituents and their needs and works constantly for them. He is a wise politician. He is something of an expert in foreign affairs, too. He knows and has known presidents, top diplomats, high officials in this country and abroad. They respect him and his position and abilities. He is a kielbasa man, but a caviar man, too. He is worth reading about.

MILWAUKEE SCHOOL SYSTEM—JOB CORPS COOPERATIVE PROGRAM MAY SET FUTURE PATTERNS

Mr. PROXMIRE. Mr. President, the Forest Service and the Office of Economic Opportunity recently joined with the Milwaukee public schools to initiate a unique pilot program to salvage young lives. Under the terms of an agreement signed on January 30 of this year the Forest Service has agreed to provide up to 50 spaces at its Blackwell and Clam Lake conservation centers for youth recruited from the Milwaukee school system. These young men will be identified through a counseling program as not fully benefiting from their enrollment in the system. They will then be referred by the system to a youth opportunity center in Milwaukee for screening and recruitment by the Office of Economic Opportunity in conjunction with the youth opportunity center.

This program exemplifies the type of cooperation between national and local government that is simply essential if this Nation is to combat effectively the many problems spawned by poverty, ignorance, and disease. It uses skills that the local schools are best equipped to provide—the identification and counseling of young people in the community who need to escape from an environment of broken homes and grinding poverty to a milieu where they can be trained to become wage earners rather than tax eaters. It also combines the talents of the Office of Economic Opportunity and the Forest Service in making sure that those chosen are equipped to benefit from their chance and that they are given the best possible education and work experience.

I know that many other communities will follow closely the Milwaukee experiment to see if it can be applied to their problems. I believe that it has tremendous potential. So that Senators can be better informed on the basis of the program I ask unanimous consent that a press release and information sheet on the program as well as an article that recently appeared in the Milwaukee Journal be inserted in the Record at this point.

There being no objection, the material was ordered to be printed in the Record, as follows:

Information on Cooperative Agreement: Forest Service-OEO-Milwaukee Schools

Who.—Dr. Richard Gousha, Milwaukee, Superintendent of Schools, Mr. Alan Beale, Chicago, Regional Administrator OEO; Mr. George S. James, Milwaukee, Regional Forester, Eastern Region FS.

What.—This is an agreement entered into by the Milwaukee School System, the Office of Economic Opportunity, and the Eastern Region of the Forest Service/U.S. Department of Agriculture. The Forest Service operates the Blackwell and Clam Lake Job Corps Civilian Conservation Centers in Wisconsin, which provide intensive programs of education, vocational training, and work experience in a residential situation for disadvantaged male youth. The OEO is responsible for the recruitment, screening and assignment of enrollees to these Centers in conjunction with the Youth Opportunity Center in Milwaukee. The Milwaukee Public Schools are in a position to identify numerous youth who are not fully benefiting from their enrollment in the Milwaukee Public School System, but who would benefit from participation in the Civilian Conservation Center program. The Forest Service agrees to allot up to fifty (50) spaces at both Blackwell and Clam Lake Centers for youths (enrollees) from the Milwaukee area. These young men will enter the Job Corps training program in conformance with Wisconsin employment and school enrollment laws, and coordination with Malwaukee Public School's procedures. The OEO agrees to reimburse the Milwaukee Public Schools for the expenses incurred by their coordinator to be hired specifically for this job of counseling and recommending youths for the program. These youths will be referred to the Youth Opportunity Center, 710 North Sixth Street, Milwaukee, for interview and possible recruitment.

When.—The formal agreement will be signed at 3:00 PM Thursday, January 30, 1969. The program will take effect immediately upon signing the agreement.

Where.—The agreement will be signed by the above principles in the Office of the Regional Forester, eighth floor of the Clark Building, 633 W. Wisconsin Avenue, Milwaukee.

Why.—There are many school dropouts or near dropouts who can be given a second chance to acquire the education and training they need to become productive citizens in today's complex world. The Civilian Conservation Centers being run by the Forest Service has now had nearly four years of experience in salvaging such youths. The combination of work-study experience in the Center programs, in combination with residence with good counseling, proper medical care and adequate food and living facilities, and also vocational training by skilled instructors, is now a proven way of helping these young men who are not able to make out as well as society demands in the public school system. Many of the youths come from broken homes, or poverty backgrounds, and badly need the help this program can offer them. Too many of them have not known about the program. The coordinator in the Milwaukee schools will give them the counseling about the program they have not had, this is a pilot program, and if successful could become national in scope, with other school systems doing as Milwaukee has determined to do.

Regional Office Forest Service-U.S. Department of Agriculture, Milwaukee, Wis.

An agreement was signed in the office of Regional Forester George S. James today between the Forest Service of the U.S. Department of Agriculture, the Milwaukee Public Schools, and the Office of Economic Opportunity. It is a compact to salvage school dropouts or those about to drop out. It is designed to give these youths a good second chance to acquire the basic knowledge and skills they need to better survive in today's complex world.

Dr. Richard Gousha, Superintendent of

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Milwaukee Public Schools, Emery Biro, Regional Job Corps Administrator, OEO, Great Lakes Regional Office and Regional Forester James were the principals signing the formal agreement. The signing took place at 3:00 PM at the Milwaukee headquarters of the Forest Service.

Under the terms of the agreement, the Forest Service agrees to allot up to fifty spaces at both Blackwell and Clam Lake Civilian Conservation Centers, located on the Chequamegon and Nicolet National Forests in northern Wisconsin. At these two Centers the youths recruited for the program will go through the Job Corps training, which consists of intensive programs of education, vocational training, and work experience in a residential situation. At the Centers they will also be provided adequate medical attention, wholesome food, and good living quarters with other youths of similar background and age (from 16 to 21). The Forest Service has had nearly four years of experience in operating these Job Corps Civilian Conservation Centers, and have suceeded in salvaging many young men, who might otherwise have failed to meet society's demands as productive citizens.

The Office of Economic Opportunity (OEO) agrees as its part of the compact to reimburse the Milwaukee Public Schools for the expenses incurred by their supervisor, who will be hired specifically to counsel youths in the school system about the opportunities in the Job Corps program. Those young men eligible will be referred to the Youth Opportunity Center in Milwaukee for possible recruitment.

The Milwaukee Public Schools agree to identify youth in the 16–18 age group under their jurisdiction, for subsequent screening and enrollment in Blackwell or Clam Lake Job Corps Civilian Conservation Centers. The schools agree to provide approximately 50 male youths for Blackwell by April 1, 1969, with a lesser number for Clam Lake. Referrals should begin immediately upon signing of the agreement.

Speaking for himself, as well as Regional Administrator of OEO, Alan Beals, Regional Forester James said: "We are particularly pleased to have a man of Dr. Richard Gousha's stature to enter into this agreement with us. In the several years he has been Superintendent of Milwaukee Public Schools, he has shown compassion for the type of young men we want to recruit into this vital program. He is an educator well respected by his peers around the country. We are sure that other school administrators will want to do as he has done, seeing in the Job Corps program an opportunity to salvage those young men in the school systems, who might otherwise be lost. Nothing could be more vital than this."

MILWAUKEE JOB CORPS PROGRAM NOW LINKED WITH CITY SCHOOLS

Educators and conservationists will be watching a new phase of the job corps program, made official the other day by the signing of an agreement by the federal forest service, the Milwaukee public school system and the office of economic opportunity.

The forest service agreed to allot up to 50 spaces at its Blackwell and Clam Lake conservation centers in northern Wisconsin to accommodate youths "not now fully benefiting from their enrollment in the Milwaukee public school system."

The youths will be recruited through their schools and referred to the Youth Opportunity Center. They will be removed from the temptations of truancy and street problems, and the influence of a bad home life. Attendance, of course, will be 100% in their new surroundings.

The youths will go through academic and vocational training and work experience, along the lines of work-study programs with Milwaukee industry. They will be put into small classes and will study at their own rates, repeating where necessary. Main emphasis will be on reading and mathematics. They will receive school credit for work completed, making this a sort of extension of the Milwaukee school system. The program is aimed at dropouts and near dropouts. They will get adequate medical attention, wholesome food and good living quarters.

The two conservation centers already have racked up admirable records in salvaging young men. In about four years of operation, they have trained some 3,000, of whom 90% were high school dropouts with third grade reading levels, and 60% were from broken homes.

If the pilot program lives up to hopes for it, it could become national in scope.

THE TAXPAYERS REVOLT

Mr. PROXMIRE. Mr. President, from time to time we receive in our mail an especially poignant or refreshing letter. At times, even when critical, they may yet express the essential mood of the country.

Last week I received such a letter from the editor of the Cambridge News, a weekly newspaper in Cambridge, Wis. The editor, Mr. G. W. Crump also sent one of his recent editorials.

From what I see and hear from my weekly trips in Wisconsin, the letter and editorial represent the fundamental sentiment of the people in my State. The ordinary citizen is being hit very, very hard by increases in local property taxes to pay for schools, and teachers' salaries, and public facilities. He is being asked to sacrifice a great deal for his community and his country.

At the same time he sees big increases in industrial wages and corporate prices and profits. If he lives in the rural area or in the smaller towns serving them, he knows that farm prices and farm income have fallen very far behind.

On top of this he knows of a dozen examples of obvious Government waste or misplaced spending priorities. Chief among these are the pay increases only recently voted for the President, the Cabinet, Congress, and the senior civil servants, which I opposed and fought against.

Our forgotten average citizen is willing to make sacrifices if he feels others are also making them. But when millionaires pay no taxes on huge income; when Congress votes itself a 40-percent pay raise; when the Pentagon and defense industries show little or no concern for wasteful practices and generate huge surpluses and cost overruns; he finds it most difficult to make what to him are huge sacrifices when others not only fail to make them but give every appearance of benefiting from what he has done.

When, in addition to all of this, the Federal surtax is extended and price rises continue, he developes a smarting sense of injustice.

Frankly, Mr. President, I agree with him.

I ask unanimous consent that both the editorial from the Cambridge News and the letter to me from the editor, Mr. Crump, be printed in the RECORD in order that we may all get some better sense of the essential feeling in the country.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE CAMBRIDGE NEWS,
Cambridge, Wis., March 8, 1969.

Senator WILLIAM PROXMIRE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR: On March 6th, the editor received an important letter from you which, because of its contents created considerable interest in this community. According to the information contained in this release, your office sent a questionnaire to 100,000 people in this state. More than 11,000 people responded. The replies revealed the following facts:

These people voted 24 to 1 in favor of cutting or holding the line on governmental spending.

They opposed the proposed renewal of the surtax 2 to 1. (The editor believes it would have been 25 to 1 in this community.)

And then, in the all important statement made in your speech on the senate floor you said: "The message I read in the results of the latest constituents poll is that the long talked about tax payers revolt is upon us. It is here! The Congress and the administration can ignore it only at their own peril."

In the light of these sensational findings and your speech and the directive you have received from the tax payers in your state how can you and the other governmental workers justify a 41% increase in salary without putting up a powerful attempt to defeat this legislation?

The writer is informed you voted against this increase; but haven't your constituents a right to expect more than just a negative vote—and is it not fair that you should fight to repeal this vote?

On February 13th, this paper ran a message on this increase and a protest on this increase. About 70 people responded by filling out the protest petition. Why weren't there more? And this you people in Washington should worry about!

Because they believe that nothing short of an open tax revolt will get results. Person after person told the editor: "If I thought it would have done any good I would have signed. But nothing will change these spenders down there." You were right in your statement Senator, people are fed up with the waste, stupidity and manner that our tax dollars are being wasted.

In the face of the terrific cost of the war in Vietnam, the poverty program, the rebuilding of our cities, foreign aid and the stupid blundering and waste in government of all kinds—in face of all that how can you and your associates possibly justify this increase?

You are one of the Senators who put up a good fight for the repeal of the 10% surtax and Wisconsin people applauded your attempt. But you know and we know that this increase took just about one-half of the money raised by this increase. Don't you see, our people are disgusted, discouraged and disappointed in our representatives because there is not more serious attempts to remove this tax.

The editor wonders how familiar you are with the financial and tax problems of rural and small village Wisconsin? Do you know for instance what education is doing to our taxes. We invite you to consider a few of the details.

During the past decade, the instructional cost of our community school (950 children) went up from $104,000 to $414,000 in 1968. And today we are told by the educational leaders of our state that our teachers are underpaid and immediate raises are due if we are to compete for the better teachers now moving on to the larger communities.

Every department of our school—Administration, Transportation, Maintenance, etc.—

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is asking for more money and the costs are up from about 300% to 375% in this period.

In order to meet the educational needs of our children, this school district is building a million dollar school this year and the taxpayers shudder to think of the cost of this additional facility. Add to this a new program in our state of vocational education—and financed again by the assessment on property owners.

And then consider the increased cost of village, county, township, state, and federal governments and you will understand why our people are about to refuse to accept a greater tax burden.

You as our senator have delivered some fine talks about inflation—and you should.

But we know and you know that the union workers and the big business interests in this country can and will meet these inflatinonary costs by increased wages and added prices on goods manufactured and sold.

But not so communities like ours.

There are too many people living in small villages and rural areas who are retired and depend on small pensions and social security for their living. Another serious matter bothers. We are a rural community and depend on the prosperity and farm prices for our income.

And no one need to tell this to a Wisconsin senator so familiar with farm income, rising costs and lowering net profit on our farms. The small farmer so important to our continued prosperity is disappearing as is the small farm dairy industry. The writer worked for 12 years as publicity director of the Wisconsin State Department of Agriculture, the State Fair and the Dairy promotion program of the state. The decline in farm profits is frightening when it means so much to our small communities.

Now getting back to this salary increase. Did you not sign an implied contract on the amount of money you were to be paid during your term in office? We know you put up a fine struggle to be elected at the salary you knew you were to get.

Senator, no one knows better than you do the effect this salary hike has on inflation. The working man in the powerful unions, the big businessmen are saying: "Those birds got theirs—why shouldn't I get mine?"

You have called this the most dangerous trend in modern history. And you must know what it is doing to small town America.

The Milwaukee Sentinel published an editorial in which they said that there was a possibility that this raise was illegal. Couldn't you try to prove this? The attitude of some of your fellow Senators is known: Senator Dirksen is quoted as saying—"Let 'em holler—we're men enough to take it."

This is too long a letter and probably a busy senator will never see it. But honestly, you and your fellow legislators better listen. In the Good Book Solomon sang: "For the needy shall not always be forgotten. The expectations of the poor shall not perish forever."

We will be delighted to publish your reply—and please senator give us some hope that something is being done to check this salary hike and the impossible tax burden these small town and rural folks are being asked to carry.

You must know that this letter is being written by the editor and contains some poor typing. We are sorry that there are no secretaries in the small newspapers of Wisconsin.

Yours very truly,

G. W. Crump.

Disgusted With Taxes?—Then Sign and Return Petition Printed Below

We honestly believe that 95% of the American tax payers are bitterly opposed to the whooping and sickening pay raises the selfish politicians in Washington voted themselves last week.

We further believe that these Washington money hungry lawmakers know that the American people are against this and they are deliberately and selfishly disregarding their wishes when they make this steal.

Certainly these political connivers must know that these outrageous pay hikes are going to cost the tax payers directly and indirectly billions of dollars in additional taxes and could well deal a fatal blow to their feeble attempt to check and control inflation.

What a sad and miserable example they have set for big union labor seeking inflationary wage demands. What an argument they have presented to big business to up prices and profits. This program of "I'm going to get mine and to hell with the tax payer" was never more perfectly demonstrated.

What can a small weekly paper and an unimportant editor do about this? Maybe nothing but burn inside and find new names to call these political hypocrites.

It has ever been thus. The people who pay the tax burdens have never been able to do anything about these injustices. Helplessly, they watch these wastes and stupidities. Yet according to the constitution and the preachments made by these same politicians during election time, all power comes from common man.

Now if the majority of the readers of the News who in their financial agony of trying to keep their heads above the threatening waters of mounting inflation and high taxes would sign these petitions, we not only could encourage other papers to secure signatures but could send these petitions to the men in Washintgoin who engineered this steal.

Maybe the forgotten man of the rural area the small town—the so called "little fellow"—the gent who makes the terrific sacrifices to meet this impossible tax bill could tell their servants in Washington "where the bear went through the buckwheat" and this clever steal could still be stopped.

What is the financial situation in our state and nation? These politicians are in a horrible mess. They have a costly war to fight, countless numbers of poverty and crime committees to finance, they have inflation making the service of state and federal governments more costly, and finally the costs of education have soared to almost impossible heights.

Honestly, if you will sign the below petition in sufficient numbers; if this fight could be taken up in other communities by other papers, maybe something could be done. So please do your duty as an overtaxed citizen and express your concern at such an unfair and dangerous raise in salaries.

PETITION

As an overburdened tax payer, worried about mounting taxes and dangerous inflation—

As an American citizen disgusted, disappointed and disillusioned at this unwarranted and selfish pay raise recently voted by the Washington politicians, we demand that this deliberate steal of tax dollars be stopped.

You must know how utterly opposed to this action the majority of the voters in your district are and hence we have a right to expect you to start at once to secure its repeal.

Both of us also know that this big wage increase will encourage inflation and result in higher union wages and bigger business profits.

We will appreciate knowing what action you are taking to carry out the wishes of the voters of your district.

Name --

City ------------------------ State ----------

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE 50TH ANNIVERSARY OF AMERICAN LEGION

Mr. BYRD of West Virginia. Mr. President, in these days when many of our institutions and traditions are being questioned, it gives me great pleasure and reassurance to note the 50th anniversary of a great organization that has served our Nation with dedication and devotion. I refer to the golden anniversary of the American Legion. It was 50 years ago, on March 15, 1919, that Americans serving in France met in Paris to found the American Legion.

On November 11, 1919, the first anniversary of the armistice that ended World War I, the Legion stepped off in parade down a snowy street in Minneapolis. At the same time, Legion groups were holding Armistice Day parades in cities and towns all over America. In Centralia, Wash., as Legionnaires marched down Main Street, shots rang out. Four Legionnaires fell mortally wounded, ambushed by members of the IWW. In the history of the American Legion this tragic event has since been referred to as the Centralia massacre.

Perhaps it can be fairly said that the American Legion's unalterable opposition to communism, socialism, and all forms of radicalism stems partly from the time of the Centralia massacre. Through the years since 1919, the Legion has been the implacable foe of the international Communist conspiracy. During the 1930's and the 1940's, when it became fashionable in some quarters to look upon communism as just another form of political ideology, the Legion consistently warned the American people that Communists had only one ultimate goal, and that was the overthrow of our American form of Government, preferably by force and violence. The American Legion has never been deluded by the shifting policies of the Kremlin, designed to lull Americans into a sense of security. And as events have unfolded through the years, the Legion has been shown to be correct. Communism, either the foreign or domestic brand, cannot be trusted.

Whether in the rice paddies of Vietnam or in public places and on the campuses here in our country, the Communists are conspirators whose goal is revolution leading to the downfall of the capitalist free enterprise system upon which the American Nation has been built.

I am glad that there is an American Legion which will continue to remind Americans of their priceless heritage and to oppose those foreign and domestic enemies who threaten the future security of our Nation. As long as there are organizations like the American Legion, we can be confident that freedom will be preserved.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 4 AND S. 335 OFFER PROTECTION TO ENDANGERED SPECIES OF NATIVE FISH AND WILDLIFE

Mr. YARBOROUGH. Mr. President, the Secretary of the Interior, Walter J. Hickel, has recently published a list of endangered species of native fish and wildlife. I should like to point out that the Texas Red Wolf and the American Ivory-billed Woodpecker, both found to exist in the Big Thicket area of southeast Texas, are on this list. There are some who believe they might already be extinct.

My bill, S. 4, to establish a Big Thicket National Park of not less than 100,000 acres, would provide protection for these and other species native to that area of Texas.

The American alligator is also on this list. Widespread illegal poaching and continued destruction of habitat areas have placed this once common creature in danger of extinction. My bill, S. 335, to prevent the importation of endangered species or parts thereof into the United States; and, to prohibit the interstate shipment of any domestic species taken contrary to State law, will offer protection to the American alligator, as well as numerous other species threatened with extinction.

Mr. President, I am hopeful that the Senate will soon take action on these bills as part of an overall effort to preserve our environment and protect the rapidly vanishing species of fish and wildlife from eventual extinction.

I ask unanimous consent that the list of endangered species of native fish and wildlife, issued by the Secretary of the Interior, be printed in the RECORD. Tragically, it is three pages long. There are so many species which are on the verge of becoming extinct in this country, including mammals, birds, reptiles, amphibians, and fish.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

ENDANGERED SPECIES OF NATIVE FISH AND WILDLIFE

In accordance with Section 1(c) of the Endangered Species Preservation Act of October 15, 1966 [80 Stat. 926; 16 U.S.C. 668 aa(c)], I find, after consulting with the States, interested organizations, and individual scientists, that the following listed native fish and wildlife are threatened with extinction:

MAMMALS

Indiana Bat (*Myotis sodalis*).

Delmarva Peninsula Fox Squirrel (*Sciurus niger cinereus*).

Utah Prairie Dog (*Cynomys parvidens*).

Eastern Timber Wolf (*Canis lupus lycaon*).

Texas Red Wolf (*Canis rufus rufus*).

San Joaquin Kit Fox (*Vulpes macrotis mutica*).

Black-footed Ferret (*Mustela nigripes*).

Florida Panther (*Felis concolor coryi*).

Caribbean Monk Seal (*Monachus tropicalis*).

Guadalupe Fur Seal (*Arctocephalus philippi townsendi*).

Florida Manatee or Florida Sea Cow (*Trichesus manatus latirostris*).

Key Deer (*Odocoileus virginianus clavium*).

Columbia White-tailed Deer (*Odocoileus virginianus leucurus*).

Sonoran Pronghorn (*Antilocapra americana sonoriensis*).

BIRDS

Hawaiian Dark-rumped Petrel (*Pterodroma phaeopygia sandwichensis*).

California Least Tern (*Sterna albifrons browni*).

Hawaiian Goose (Nene) (*Branta sandvicensis*).

Aleutian Canada Goose (*Branta canadensis leucopareia*).

Tule White-fronted Goose (*Anser albifrons gambelli*).

Laysan Duck (*Anas laysanensis*).

Hawaiian Duck (or Koloa) (*Anas wyvilliana*).

Mexican Duck (*Anas diazi*).

California Condor (*Gymnogyps californianus*).

Florida Everglade Kite (Florida Snail Kite) (*Rostrhamus sociabilis plumbeus*).

Hawaiian Hawk (or Io) (*Buteo solitarius*).

Southern Bald Eagle (*Haliaeetus l. leucocephalus*).

American Peregrine Falcon (*Falco peregrinus anatum*)

Attwater's Greater Prairie Chicken (*Tympanuchus cupido attwateri*).

Masked Bobwhite (*Colinus virginianus ridgwayi*).

Whooping Crane (*Grus Americana*).

Yuma Clapper Rail (*Rallus longirostris yumanensis*).

Light-footed Clapper Rail (*Rallus longirostris levipes*).

Hawaiian Gallinule (*Gallinula chloropus sandvicensis*).

Hawaiian Coot (*Fulica americana alai*).

Eskimo Curlew (*Numenius borealis*).

Hawaiian Stilt (*Himantopus himantopus knudseni*).

Puerto Rican Plain Pigeon (*Columba inornata wetmorei*).

Puerto Rican Parrot (*Amazona vittata*).

American Ivory-billed Woodpecker (*Campephilus p. principalis*).

Northern Red-cockaded Woodpecker (*Dendrocopus b. borealis*).

Southern Red-cockaded Woodpecker (*Dendrocopus borealis hylonomus*).

Hawaiian Crow (or Alala) (*Corvus tropicus*).

Small Kauai Thrush (Puaiohi) (*Phaeornia palmeri*).

Nihoa Millerbird (*Acrocephalus kingi*).

Kauai Oo (or Oo Aa) (*Moho braccatus*).

Crested Honeycreeper (or Akohekohe) *Palmeria dolei*).

Molokai Creeper (or Kakawahie) (*Loxops maculata flammea*).

Akiapolaau (*Hemignathus wilsoni*).

Kauai Akialoa (*Hemignathus procerus*).

Kauai Nukupuu (*Hemignathus lucidus hanapepe*).

Maui Nukupuu (*Hemignathus lucidus affinis*).

Laysan Finch (*Psittirostra c. cantans*).

Nihoa Finch (*Psittirostra cantans ultima*).

Ou (*Psittirostra psittacea*).

Palila (*Psittirostra bailleui*).

Maui Parrotbill (*Pseudonestor xanthophrys*).

Bachman's Warbler (*Vermivora bachmanii*).

Kirtland's Warbler (*Dendroica kirtlandii*).

Dusky Seaside Sparrow (*Ammospiza nigrescens*).

Cape Sable Sparrow (*Ammospiza mirabilis*).

REPTILES AND AMPHIBIANS

American Alligator (*Alligator mississippiensis*).

Blunt-nosed Leopard Lizard (*Crotaphytus wislizenii silus*).

San Francisco Garter Snake (*Thamnophis sirtalis tetrataenia*).

Puerto Rican Boa (*Epicrates inornatus*).

Santa Cruz Long-toed Salamander (*Ambystoma macrodactylum croceum*).

Texas Blind Salamander (*Typhlomolge rathbuni*).

Black Toad, Inyo County Toad (*Bufa exsul*).

Houston Toad (*Bufo houstonensis*).

FISHES

Shortnose Sturgeon (*Acipenser brevirostrum*).

Longjaw Cisco (*Coregonus alpenae*).

Piute Cutthroat Trout (*Salmo clarki seleniris*).

Greenback Cutthroat Trout (*Salmo clarki stomias*).

Montana Westslope Cutthroat Trout (*Salmo clarki*).

Gila Trout (*Salmo gilae*).

Arizona (Apache) Trout (*Salmo* sp.)

Desert Dace (*Eremichthys acros*).

Humpback Chub (*Gila cypha*).

Moapa Dace (*Moapa coriacea*).

Colorado River Squawfish (*Ptychocheilus lucius*).

Cui-ui (*Chasmistes cujus*).

Devils Hole Pupfish (*Cyprinodon diabolis*).

Comanche Springs Pupfish (*Cyprinodon elegans*).

Owens River Pupfish (*Cyprinodon radiosus*).

Pahrump Killifish (*Empetrichythys latos*).

Big Bend Gambusia (*Gambusia gaigei*).

Clear Creek Gambusia (*Gambusia heterochir*).

Gila Topminnow (*Poeciliopsis occidentalis*).

Maryland Darter (*Etheostoma sellare*).

Blue Pike (*Stizostedion vitreum glaucum*).

WALTER J. HICKEL,
Secretary of the Interior.

SECRETARY HICKEL'S "WAR ON ALLIGATOR POACHERS" EMPHASIZES NEED FOR PASSAGE OF S. 335, ENDANGERED SPECIES BILL

Mr. YARBOROUGH. Mr. President, Secretary of the Interior Walter J. Hickel has declared war on the poachers who slaughter alligators in the Everglades National Park and reap fancy prices for these illegally taken hides by selling them to northern markets. For several days last week, Secretary Hickel visited the Everglades to learn of the extent of gator poaching first hand. He has pledged to enforce the Florida law against gator killing and to stop the illegal traffic in hides that is threatening the American alligator with extinction.

Mr. President, I commend Secretary Hickel on his firm stand in this conservation area. I am also pleased to note that the Department of the Interior is supporting the passage of endangered species legislation, such as my bill, S. 335, now pending before the Senate.

In recent days, both Secretary Hickel and Gov. Claude Kirk, of Florida, have emphasized the plight of the American alligator, and have publicly declared their intentions to preserve this unique

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species. My bill, S. 335, to prevent the importation of endangered species of fish and wildlife, and to prohibit the interstate shipment of our domestic species—including the American alligator—taken contrary to State law, will be an effective way to stop this widespread illegal poaching. I hope that the Senate soon will take action on my bill, and that this valuable protective legislation will be written into law.

Mr. President, I ask unanimous consent that an article from the Sunday, March 9, 1969, edition of the New York Times entitled, "Hickel Will Oppose Alligator Killings," and an editorial from the Tuesday, March 11, 1969, edition of the Washington Post entitled "Saving the Everglade Gators," be printed in the Record.

There being no objection, the article and editorial were ordered to be printed in the Record, as follows:

[From the New York Times, Mar. 9, 1969]

Hickel Will Oppose Alligator Killings

(By William M. Blair)

Washington, March 8.—An Alaskan set out today to save alligators.

Secretary of the Interior Walter J. Hickel, in a surprise action, announced that "we are declaring war" on poachers who slaughter alligators in the Everglades National Park and reap fancy prices for illicit hides that go into womens handbags, shoes and other ornaments.

The former Governor of Alaska, who has been criticized by conservationists as more attuned to business interests than to the preservation of natural values, backed up his words with Federal funds.

He said that the drive against poaching would cost about $100,000 this year. This money will have to "come out of other essential services throughout the national park system," he said.

WILL FOLLOW UP ORDER

"Lack of funds already is causing a deep cut in park services throughout the country and this additional drain will hurt badly," he said. "But our nation will be hurt even more if we do not act now to save irreplaceable wildlife."

Mr. Hickel said that to assure that his orders were carried out he would fly to Florida next week for an on-the-spot investigation. A transfer of National Park Service personnel to create a ranger force to stamp out poaching has already begun.

State and Federal efforts have long been under way, with little effect, to save the alligator, a 200-million-year-old survivor of the age of reptiles. The alligator once numbered in the millions in this country, but the estimated population now is 20,000.

Poachers, working in the trackless Glades by day and night, sell the hides for as much as $6 to $7 a foot to illicit buyers who smuggle them to New York.

The buyers command factory prices of $20 to $30 a foot. A finished pair of women's or men's shoes brings $70 or more. A suitcase may cost as high as $1,000.

Florida law for poaching and other violations related to the killing of alligators could bring fines of up to $10,000 and imprisonment up to 10 years or both.

The Administration is backing a bill aimed at protecting endangered wildlife. A similar bill failed last year after last-minute opposition from the fur and leather industries.

FOREIGN BACKING SOUGHT

The bill would assist states in fighting illegal traffic in protected animals put into interstate or foreign commerce, prohibit the importation of wild animals threatened with extinction and authorize the Secretary of the Interior to acquire private lands within any boundaries of a national preserve for the purpose of protecting endangered species.

Representatives of furriers, tanners and unions associated with the industries generally endorsed the new bill but some sought assurances that the United States would lead in getting major countries to adopt a uniform approach to endangered species.

The Secretary, it was learned, may follow up his drive on the slaughter of the vanishing gators with another effort to save the musk oxen in his own state.

It was understood he was considering issuing orders against the hunting of the musk ox on Nunivak Island National Wildlife Range, 18 miles off the Alaska coast in the Bering Sea.

As Governor of Alaska last year, he vetoed a bill by the Legislature that would have permitted hunting of the docile animal. The State House of Representatives recently approved a second bill for hunting of the musk ox.

Mr. Hickel has said that the rare animal could mean a new industry in the Arctic country. Its fine wool fleece sells for about $50 a pound.

Mr. Hickel also said that he had instructed the Park Service to begin "recruiting long-time residents" of the Everglades area to be trained as a "conservation posse" to reinforce the park rangers.

"We are looking for men who know the 'glades' like they know themselves," he said. "We want men who have lived in the swamps, who love wildlife and who will dedicate themselves to preserving the alligator."

Four rangers in the Everglades National Park are being relieved of all other duties and assigned to alligator protection, he said. Their former duties will be taken over by rangers transferred from other parks, including Great Smoky Mountains and Shenandoah National Parks and the Blue Ridge Parkway.

Three former Everglades rangers are being returned from Cape Hatteras National Park, Vicksburg National Military Park and Natchez Trace Parkway.

[From the Washington Post, Mar. 11, 1969]

Saving the Everglades Gators

Secretary Hickel's "declaration of war" against the poachers who are slaughtering alligators in the Everglades National Park is a salutary straw in the wind. When the former Governor of Alaska was under fire in connection with his confirmation hearing, he promised the Senate Interior Committee that he would give vigorous attention to the conservation problems of the entire country. His interest in gators at the southern tip of mainland U.S.A. does suggest a Nation-wide concept of his job.

The Secretary has acted none too soon. For some years the snatching of alligators right out of a national park has amounted to a scandal against conservation. The Everglades is an enormous wilderness which is extremely difficult to police. It will not be easy for even specially trained park rangers to drive out the thieves who are killing alligators and smuggling their hides to shoe and bag industries in New York. But this despicable traffic will have to be halted if a disappearing species so characteristic of the southern Florida swamps is to survive.

The fight should not be left solely to the rangers. An Administration bill before Congress would help the states protect their wildlife against illicit interstate traffic and enable the Secretary of the Interior to set up additional safeguards for species in danger of extinction. The protection of wildlife is a vital part of the broader movement to retain an environment conducive to human survival. It merits thoughtful consideration on Capitol Hill.

Mr. YARBOROUGH. Mr. President, let me point out that if my bill S. 335—which is basically the same as my bill introduced at the last session of Congress which came out of the Commerce Committee onto the floor of the Senate during the closing days of the session, too late to be passed—can be passed this session, it will furnish the needed protection.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE GOVERNMENT STORY

Mr. MANSFIELD. Mr. President, it is my pleasure to note the national premiere on Tuesday March 18 at 5 p.m. of the "Government Story," a series of 40 half-hour television programs on the operation of three branches of the Federal Government. I have watched this series during its production over the past 3 years. I was pleased to have been interviewed on my view of nature of the work of the U.S. Senate. This has been a magnificent undertaking that has needed to be done for a long period of time.

It is my sincere hope that everyone in the country will have an opportunity to view these programs. Anyone who does see this series will better understand the ways in which the three branches of our Government work to do the business of the country. The uniqueness of this series is that Members of this body and the other body were willing and happy to tell the story of legislative process firsthand. The Library of Congress, the Smithsonian, and the Archives as well as the National Geographic cooperated fully to provide the graphic material and research facilities to make this series accurate and interesting to the eye.

I wish to extend my congratulations and thanks to group W, Westinghouse Broadcasting Co. and the members of the Operation Government Committee for their splendid work. It is fine that Westinghouse Broadcasting Co.'s chairman, Donald McGannon, and his fine staff have done a great public service in sponsoring this extensive series. The ladies of the Operation Government Committee have spent their time well, over the past 3 years in seeing this project to fruition.

THE PLIGHT OF THE MEXICAN TOMATO INDUSTRY

Mr. GOLDWATER. Mr. President, for the past 6 weeks I have sounded, I am sure, like the proverbial "voice crying in the wilderness" in my attempts to bring some official attention to the plight of the American housewife and the Mexican tomato industry.

I have repeatedly complained about, first, the Johnson administration's ill-advised, 11th-hour order placing an embargo on the importation of medium-sized tomatoes from Mexico, and, second, the Nixon administration's acceptance of that damaging order.

Mr. President, this ridiculous restriction has been in effect long enough to place a genuine hardship on the American consumer in a way that is now drawing editorial attention from eastern newspapers.

On Thursday of last week, for example, the Washington Evening Star attacked the Agriculture Department order as "rank discrimination" and concluded:

> Something has to be done and the best thing to do is for the Agriculture Department to rescind its new regulation so that the housewives can once again pay less for tastier tomatoes.

In another editorial last week, the Wall Street Journal—which has investigated the entire Mexican tomato problem with great thoroughness—said this about the Agriculture Department's embargo:

> So the restrictions peril moves toward freer trade, irritate friendly neighboring nations, penalize U.S. consumers and may even be self defeating for U.S. growers. We'd say that makes them look about as appealing as, say a rotten tomato.

Mr. President, I believe the conclusions reached by these newspapers are entirely correct. It is long past time for the Department of Agriculture to end this discrimination. I again call upon the Republican administration to right a grievous wrong and end this restriction to the freer trade concept advocated by President Nixon.

I ask unanimous consent that the Washington Star and Wall Street Journal editorials be printed in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Star, Mar. 13, 1969]

MEXICAN TOMATOES

What is good for the Florida tomato grower is not necessarily good for the American consumer and the Mexican tomato industry. That is the moral to be drawn from the current flap over the new Department of Agriculture regulations setting minimum sizes for all tomatoes sold in the United States.

The department adopted these regulations in January at the urging of the Florida Tomato Committee, a grower group. The regulations provide that vine-ripened tomatoes must be more than two and 17/32 inches in diameter as compared to two and 9/32 inches required for the so-called mature green tomatoes that ripen after they are picked. This is clearly rank discrimination, for about 90 percent of Mexican tomatoes ripen on the vine while only 15 percent of our home-grown tomatoes have that same flavor-building experience. As the vine-ripened tomato is much tastier, the American consumer is hurt in two ways. He has to pay more for less tasty tomatoes.

The Mexicans, according to the Wall Street Journal, are incensed about these new regulations. Ambassador Hugo Margain has filed a formal protest at the State Department. And the Mexican press has savagely attacked this protectionist policy. For instance, one cartoon depicts a large Uncle Sam stabbing a small Mexican farmer in the back.

For their part, many tomato connoisseurs in this country are passing up the mature green tomatoes available at their supermarkets and are instead opting for tomato-less salads.

Something has to be done, and the best thing to do is for the Agriculture Department to rescind its new regulations so that housewives can once again pay less for tastier tomatoes.

[From the Wall Street Journal, Mar 14, 1969]

TOMATOES AND TRADE

American businessmen complain, quite justifiably, of the nontariff trade barriers that other nations erect against U.S. goods. The U.S. will have a better chance to reduce such obstacles, however, if it stops putting up its own.

In January, for example, the Agriculture Department imposed minimum-size restrictions on all tomatoes sold in the U.S. Mature green tomatoes, those that ripen after picking, have to be at least two and $\frac{9}{32}$ inches in diameter, while vine-ripened tomatoes must measure at least two and $\frac{17}{32}$ inches in diameter.

The average consumer is likely to consider such rules pretty silly; because tomatoes are sold by the pound, not the dozen, a difference of $\frac{1}{32}$ inch or so is of little concern. But he may figure the restrictions are fair enough since they apply across the board to all tomatoes.

Actually, though, the rules discriminate against tomatoes grown in Mexico and in favor of those produced in Florida, the other major source of winter tomatoes for the U.S. market. For one thing, they are more lenient on green tomatoes, which make up most of Florida's crop and very little of Mexico's output. Mexican growers say the restrictions may bar as much as half of their crop from the American market.

One result is soaring prices for consumers. Winter tomatoes, already viewed as a luxury by many housewives, are rapidy becoming even more so—a trend that could mean smaller sales for growers in Florida as well as Mexico. The tomato rules, moreover, are another step toward worsening already shaky relations between the U.S. and Latin America.

So the restrictions peril moves toward freer trade, irritate friendly neighboring nations, penalize U.S. consumers and may even be self-defeating for U.S. growers. We'd say that makes them look about as appealing as, say, a rotten tomato.

DISCRIMINATORY EMPLOYMENT POLICIES OF SOUTHERN TEXTILE MILLS

Mr. HART. Mr. President, I hope all Members of Congress have had an opportunity to read the lead editorial in last Thursday's Washington Post, under the headline "The Pentagon Dispenses Southern Comfort." The editorial analyzes what it calls "one of the more mystifying episodes of the past several weeks"—the circumstances surrounding the recent award of contracts to three southern textile firms whose employment policies had been found to be discriminatory.

No one is challenging the commitment to equal opportunity of the Deputy Secretary of Defense, who has received assurances that the three companies will take steps to bring themselves into compliance with the requirements of the Executive order on contract compliance. The assurances received by Secretary Packard were not in writing, however, and only he and the contractors apparently are aware of the steps which will be taken.

This procedure is not only inconsistent with the requirements of the Executive order but it also puts all parties in an awkward position. The sooner the details of the agreements are reduced to writing, the better. I join the Washington Post in urging that the details of the agreements be made public without further undue delay so that those of us with an interest in the Federal Government's contract compliance program will have an opportunity to make our own judgments about the adequacy of the assurances provided by the three textile contractors.

Mr. President, I think it appropriate at this time to give credit to the distinguished junior Senator from Minnesota (Mr. MONDALE) for the excellent work he has done in calling to public attention a number of important questions about the procedures followed in awarding the contracts to the three textile firms. Without his persistence in this matter, the public would know considerably less than it does about the circumstances of the contract awards.

Mr. President, for the benefit of Members of Congress and other readers of the CONGRESSIONAL RECORD who may have missed the Post editorial, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE PENTAGON DISPENSES SOUTHERN COMFORT

One of the more mystifying episodes of the past several weeks has concerned a verbal agreement reached between the Deputy Secretary of Defense, David Packard, and the representatives of three Southern textile firms—J. P. Stevens, Burlington Mills and Dan River Mills. The employment policies of all three firms had been under investigation and review by the Pentagon and the Office of Federal Contract Compliance for over a year owing to well substantiated charges that they were racially discriminatory; and all three firms had been so unyielding to Government efforts to bring them anywhere near compliance with the guidelines for Federal contractors that neither the Pentagon's own investigators nor the OFCC would recommend that contracts with them be approved.

Early in February, however, Mr. Packard awarded the three offending firms $9.4 million in Federal contracts, asserting that he had received assurances that they would put "affirmative action plans" into practice. Ordinarily, and by provision of an Executive Order, such assurances would have been put in writing. However, no one but Mr. Packard and the textile firms' representatives seems to know of what these assurances or "plans" consist. They were not committed to paper or shared with officials at the OFCC or elsewhere in the Department of Labor who were involved in the cases and who have a clear responsibility for the outcome. Indeed, more than a month after the contracts have been awarded and despite the OFCC's effort to find out more about them, the most that could be learned was that the firms had assured Mr. Packard that they would try to meet the Government's standards.

There are a couple of things that ought to be said by way of providing some background and perspective on all this. One is that Mr. Packard's own reputation in this field appears to be good, as is that of the firms for which he was responsible in private life. The other is that contract cut-off or denial has been anything but standard operating procedure in these tangled matters—the custom has been to threaten it or to delay the award until the Government's racial requirements were met. But when you have said this, you have pretty well exhausted what assurance or extenuation is to be found in Mr. Packard's odd act.

XUM

The dangers inherent in what he has done are more readily apparent. The Southern textile cases had been building for a long time. They were ripening for a big decision and had acquired the status of test cases, being widely watched in the South and elsewhere for evidence of Washington's seriousness on the question of contract compliance. Now whatever meaning they had in that regard has been spent. Moreover, weak as the Government apparatus for assuring compliance had been, there is little question that it has been drastically further weakened by the exclusion of the OFCC—presumably the maker and judge of compliance policy—from the deliberations between Mr. Packard and the spokesmen for the mills.

Finally, there is the matter of example and direction. In the South, and especially in the areas of greatest recalcitrance, Federal guidelines and official statements about them are read with excruciating, comma-picking care, there is a kind of stock market effect at work, whereby the most minute evidence of loss of resolve in Washington is registered at once in declining cooperation on the part of those companies or school districts or local governments still holding out. Reportedly, right on the heels of Mr. Packard's decision, inquiries did start coming in—from other Government agencies as well as from private concerns—as to whether this did not mean new and relaxed procedures were now in effect.

By May 1, the Southern textile firms in question will be obliged to issue a quarterly report on their progress in meeting Government requirements. Customarily, the Pentagon would issue instructions as to what it wished answered in that report. This routine procedure offers an opportunity to retrieve the situation somewhat: a public and specific list of what the Federal Government expects to hear about in that report would have the effect, retroactively to be sure, of establishing the compliance terms the mills are expected to meet. Nor would it be a bad idea to issue such a public declaration before the end of March, since additional contracts are scheduled for award by then and some are expected to go to the same three firms. The Administration, via the Pentagon and the Labor Department, should be trying to strengthen the compliance program, not weaken it. They will have the most cause for regret if they open a Pandora's box of resistance and regression.

ESTONIA MARKS 51ST ANNIVERSARY OF INDEPENDENCE

Mr. SAXBE. Mr. President, Americans of Estonian descent recently celebrated the 51st Anniversary of independence of the Republic of Estonia.

Following the outbreak of World War II Estonia and the other Baltic States, Latvia and Lithuania, were victimized by the totalitarianism of Soviet Russia and Nazi Germany. These countries were forcibly incorporated into the U.S.S.R. The Soviet Union's assault against its Baltic neighbors was the inception of the Communist thrust into free Europe. This aggression marked the beginning of today's international tension and the Russian threat to the free world.

Estonia, and other nations behind the Iron Curtain, continue to wage a valiant struggle for liberty against the Communist oppressor. This fight for freedom must not go without notice.

Estonians who fled this tyranny, their descendants, and all freedom-loving Americans must join together to lend support to the rightful aspirations of captive Estonians. With this support and the continuing efforts of all the members of the free world we hope Estonia will soon be free of the bonds of her conquerors and return to her people the basic freedoms of all independent free nations.

Mr. President, we must not rest until Estonia and all other people under Communist domination are again free to exercise their right of self-determination.

TRIBUTE TO THE AMERICAN LEGION ON ITS 50TH ANNIVERSARY

Mr. FONG. Mr. President, it was most fitting that the Senate last week adopted Senate Resolution 163 marking the 50th anniversary of the founding of the American Legion.

I wish to add my personal tribute on this occasion to the great national organization the American Legion has become since its inception. From a few hundred members at its first meeting on March 15, 1919, in Paris, the American Legion has grown to a membership of more than 2,600,000. The members come from the ranks of veterans of four great conflicts—World War I, World War II, the Korean war and now the Vietnam war—veterans who have served their country loyally and courageously in war and peace.

We who serve in Congress know of the notable legislative activities of the American Legion in support of veterans' benefits of many kinds. We also recognize the direct service the American Legion provides veterans and their families who have sacrificed so much for their country. In close partnership, the American Legion Auxiliary has rendered excellent cooperation and service through the years.

As a Legionnaire, like so many others of my colleagues in Congress, I salute and congratulate the American Legion on this memorable golden anniversary.

A SPECIAL TRIBUTE AND THANKS TO ROBERT RAND OF THE FEDERAL HOME LOAN BANK BOARD

Mr. BENNETT. Mr. President, Robert L. Rand has resigned as a member and Acting Chairman of the Federal Home Loan Bank Board, effective March 15. Mr. Rand is a Californian and a Republican who was appointed to the Board on September 9, 1966, by President Johnson, whose nomination was unanimously confirmed by the Senate on September 14 of that year, and took his oath of office on October 10, 1966, for the remainder of a 4-year term ending June 30, 1970.

Mr. Rand's resignation is a loss to the Federal Home Loan Bank Board, the executive branch of the Federal Government, and, more particularly, to the savings and loan business.

I came to know and respect him during his service in Washington. His appearances before the Committee on Banking and Currency and other committees of the Senate and House of Representatives were marked by candor, helpfulness, and demonstrations of his wide knowledge of the savings and loan business.

Mr. Rand was the first representative of the savings and loan industry to serve on the Federal Home Loan Bank Board in many years. He was an admirable choice. At the time of his appointment to the Board, he was a senior vice president of the Fidelity Federal Savings and Loan Association of Glendale, Calif. During his 20 years with that institution, he was responsible for developing and administering its loan program aggregating about a billion dollars.

He was a member of the Legislative Committee of the California Savings and Loan League and chairman of its Lending Procedures Committee. He served his home city of Glendale as a member of the planning commission and is a former president of the Glendale Chamber of Commerce.

Before joining the savings and loan industry, Mr. Rand was in the banking business, interrupted by service in the U.S. Army during World War II. Mr. Rand entered the Army as a private and left it as a major in the Infantry, having served in the Philippines, Okinawa, and Korea.

On numerous occasions since Mr. Rand became a member of the Federal Home Loan Bank Board, members of the savings and loan industry have informed me of their high regard for him, both as a leader in their business and personally. On many occasions, similar sentiments have been expressed to me by my banking committee colleagues on both sides of the aisle and by other Members of this and the other body who have come to know him.

I regret to see him leave the Federal Home Loan Bank Board and I can only hope that his successor can in some measure, bring to the Board the qualities, the high purpose, and the spirit of public service that Mr. Rand did.

I wish to convey to Mr. Rand my sincere best wishes.

REGULATION OF INSURANCE

Mr. HRUSKA. Mr. President, last month the American Society of Insurance Management held its annual conference. One of the matters discussed was the access of corporate insurance buyers to the unlicensed insurance markets.

I ask unanimous consent that an account of the statement on this subject made by ASIM's legislative counsel, Mr. James E. Bailey, as printed in the February 19, 1969, Journal of Commerce, be printed in the RECORD.

The article will be of interest to those involved with this area, and I offer it with that in mind.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RISK MANAGERS PUSH FOR INDUSTRIAL EXEMPTION IN ALIEN INSURERS BILL

The American Society of Insurance Management is waging an all-out fight to preserve the corporate insurance buyers' right of access to the unlicensed (unauthorized, unadmitted) insurance markets.

This right, according to the ASIM, is under the most severe threat in the form of the introduction of bills in various states which are patterned after the Wisconsin law on the subject of unauthorized insurance.

The battle, according to James E. Bailey, legislative counsel of the ASIM, stems from the interested parties' several positions that often are in conflict.

In a statement released here during the ASIM's annual conference, Mr. Bailey added:

"Very generally stated these are:

"(1) The very real need on the part of business and industry for those historically reliable insurance markets, Lloyd's and English companies, which, as you know are unlicensed (unauthorized, nonadmitted) in most of the U.S.;

"(2) The desire of the states to protect the public from unscrupulous and incompetent insurance companies, associations and agents;

"(3) The desire of the American insurance agents and companies to protect their competitive insurance sales positions from encroachment by unlicensed insurers (including Lloyd's)."

Historically, U.S. business and industry has always needed Lloyd's and other reliable unlicensed insurers. Most of us have been able to deal fairly well through the surplus lines channels in the past. However, of late, the problem has intensified because of the untimely combination of a severely tightened world insurance market and a rush by many of the states to protect their citizens from insurance racketeers and incompetents.

"WISCONSIN IN STYLE

"Wisconsin style unauthorized insurance laws (styled after a 1961 Wisconsin statute) seems originally to have been designed to protect the public primarily against unlicensed mail-order insurance companies and other types of insurance organizations not conducting their insurance business in a manner that safely and fairly serves the citizens of the state. Unfortunately, most of the Wisconsin type unauthorized insurance bills (unauthorized insurance) which have been introduced in 1967, 1968 and 1969 have included a definition of transacting or doing an insurance business that has the net effect of severely hindering our access to any authorized or unlicensed insurance market, be it a reliable or unreliable one.

"It should be stated here that the position of corporate insurance men has been to support legislation that strives to eliminate or control the unreliable elements. On the other hand, when the house must be burned down to get at a few rats in the basement (the house being an access channel to a great business and industrial insurance market), or when our only key to that house can be had only from a surplus line or reinsurance arrangement which adds greatly to our cost, then we must either oppose the legislation or seek an extension that will allow us to deal freely with those unauthorized insurers we need so much. (The same ones, by the way, that most of these laws, while making it illegal for the giant insured corporation to do so, allow a licensed insurance company to negotiate its reinsurance with.)

"Further, we believe that such legislation, enacted in addition to existing statutes, makes it impossible for underwriters such as Lloyd's to act lawfully within those states. The problem is that insurer reserves and other solvency requirements are set up for corporations; Lloyd's is not a corporation and cannot comply with most statutory requirements in this regard. Lloyd's has other and more elaborate safeguards to assure payment of claims including more than a half-billion dollars in funds in the United States.

POTENTIAL SEEN

"The Wisconsin type insurance legislation has a potential, which we heartily support, of accomplishing much good in behalf of the unsophisticated insurance buyer: but also an equal potential for creating extraordinary hardship for many of the states' business and industrial insureds by unnecessarily, and perhaps unintentionally, interfering with or even prohibiting the placement of needed insurance.

"It would seem that many state insurance commissioners think of the citizenry their office was created to protect solely in terms of the general public whose ignorance of insurance matters is admittedly vast and needs constant attention. We business and industrial citizens think the commissioner has an equal duty to be certain that regulatory power sought to protect one class of insureds does nothing to handicap another class of insureds. In supporting this kind of legislation we think that many of the state insurance departments just haven't done their homework on these corporate insurance matters. They differ greatly from the personal and commercial lines of insurance used by the general public. The business and industrial insureds need access to insurance markets responsive to the extraordinary requirements of American industry.

"The current severe insurance capacity limitations naturally result in underwriters being more selective, declining the less desirable risks for the more attractive lower hazard risks, and raising prices generally. Under these conditions this is certainly not a time for sponsoring statutory impediments to free access to all insurance markets. What may be protection for the uninformed public is actually an intolerable burden for the experienced insurance manager.

"Because the Wisconsin type legislation deals with regulation of insurers on so broad a basis as to include all, and exclude none, as it should, the exemption asked for a class of insureds may at first seem to be unfair discrimination. In actuality, however, no particular class or type of insurer is segregated for special treatment, but that merely one class of beneficiary of the legislation are exempted from what becomes a very dubious benefit when examined in the light of their special problems. We seek no favor; only the avoidance of a benefit we can ill afford."

THOMAS MASARYK: FATHER OF CZECHOSLOVAKIA

Mr. HRUSKA. Mr. President, March 7 was a date that held deep meaning not only for people of Czech and Slovak ancestry, but for all people dedicated to freedom and democracy. That day was the 119th anniversary of the birth of Thomas Masaryk, the first President of the Czechoslovak Republic in 1918, and an outstanding European statesman. He guided his country through its first 17 years of democracy, until he resigned in 1935.

Czechoslovakia suffered two tragic blows when Thomas Masaryk died in 1937, and shortly thereafter when Hitler's troops occupied their land.

Communist occupation of Czechoslovakia after World War II dealt a blow to Czech aspirations of a return to democracy.

A new spirit emanated in Czechoslovakia in 1968, however, and most of 1968 witnessed preparations for celebration of the 50th anniversary of their independence as a republic.

It was a matter of pride that the people of Czechoslovakia were allowed to honor once again the two Masaryks: "Taticek" Thomas Masaryk, father of his country, and his talented son, Jan, Foreign Minister after his father's death and during the time of the Communist takeover. Both were great men in the annals of freedom and humanity; both were truly "champions of liberty." In the past summer, shrubs outlined with flowers were planted about their graves to spell out the presidential motto "Pravda Vitezi"—"Truth Prevails."

For a long time such extension of recognition had been denied. The Novotny regime had long sought to erase from the nation's history and memory the lives and the doings of these and other true patriots.

In the midst of the preparations for the anniversary celebration, came, on August 20, 1968, the heavy military seizure and occupation of the country by the Soviet bloc forces.

Despite the cruel and oppressive occupation of Czechoslovakia, contrary to all standards of international law, and shocking to our sense of justice and national self-determination, we know that the spirit of liberty so well taught by Thomas and Jan Masaryk still lives in that country.

The calm courage of the Czechs and Slovaks in the face of occupation, and their unity of opposition, has confounded their occupiers, caused repercussions throughout the world, and brought denunciation of Soviet tyranny from many nations, including such Communist countries as Yugoslavia, Rumania, and Albania.

Let us note and remember the birthday of Thomas Masaryk and in his honor help keep alive the spirit of freedom and the desire for liberty and democracy of Czechoslovaks which, though restrained by tyranny, so eloquently flowered last year in Czechoslovakia.

SENATOR HARRY F. BYRD, JR., ASSIGNED TO COMMITTEE ON FINANCE

Mr. ERVIN. Mr. President, I am pleased to ask unanimous consent to have printed in the RECORD recent editorial notices from the Nation's press that reflect favorably on the distinguished senior Senator from Virginia, the Honorable HARRY F. BYRD, JR.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Nashville (Tenn.) Banner, Jan. 18, 1969]

ON FINANCE COMMITTEE: BYRD APPOINTMENT WILL AID NEEDED FISCAL REFORM

To cost-conscious, tax-conscious citizens the nation over—irrespective of political preference—it is good news that Sen. Harry F. Byrd, Jr., Virginia Democrat, has won assignment to the Senate Finance Committee. That is like firming up the lock on the Treasury door— against debilitating leakage.

[From the Troy (N.Y.) Record, Feb. 6, 1969]

WE MUDDLE THROUGH

The *Pueblo* probe grows "curioser and curioser."

Sen. Harry F. Byrd, Jr. of Virginia has told the Senate that information concerning the *Pueblo* has disappeared from the permanent files of the Senate Armed Services Committee.

A year ago the Senate committee was questioning Robert S. McNamara, Secretary of Defense, on the capture of the *Pueblo*. Senator Byrd asked the secretary to comment on the statement of a high Japanese official that U.S. aircraft based in Japan could not have been sent to the aid of the *Pueblo* without the consent of the Japanese government. The Secretary of Defense replied.

XUM

Senator Byrd says that he put ten questions to Mr. McNamara "and that one of the ten including the reply has been entirely scissored out of the report by the Department of Defense."

The senator also said that the clerk of the Senate Armed Services Committee told him that this was the first time in 22 years that material has been deleted by scissors from a permanent committee report. If portions of testimony are to be kept secret they are marked in red but the report remains, always, as a permanent record.

"The Secretary's reply to an apparently significant and vital question is written on air," Senator Byrd remarked.

There are wheels within wheels in the *Pueblo* investigation. There are mysteries within mysteries.

ST. PATRICK'S DAY

Mr. MURPHY. Today, Mr. President, we in this Nation are all Irish, regardless of whether we trace our ancestry to the banks of the Rhine or the Arno or the Jordan or the Shannon.

The reason for this remarkable solidarity among so many citizens of diverse backgrounds is not hard to find, for it is based on the recognition of the fact that it is the spirit of the Irish, more than that of any other country, which we find reflected in the principles on which our Nation has grown.

This is not to detract in any way whatsoever from the many other great lands whose men and women have brought us those ancient traditions and skills without which we could never have attained our present standard of civilization.

But when the mixture of vital ingredients which make up America is examined, the soul, we find, is unmistakably Irish.

Let us analyze this for a moment by considering just a few of those characteristics of spirit which are shared by the Emerald Isle and our own Land of the Free.

First, of course, there is that inborn sense of personal integrity which is the legacy of every Irishman and American alike—the God-given instinct which tells us that there is something more important than fame, and it is honor; and that there is something more important than wealth, and it is honesty; and that there is even something more important than good health, itself, and it is self-esteem.

Then, too, there is within that spirit which is common to our lands a deep patriotism, but more than this, it is a patriotism which is to be proclaimed proudly, accompanied by blares of trumpets and ruffles of drums, to all lands.

It is a patriotism which is neither too sophisticated to shed tears nor too fainthearted to shed blood.

It is a flag-waving, parading, Saint Patrick's Day kind of patriotism, which combines unrestrained emotion and deep dedication.

It is the kind of patriotism which the purveyors of alien philosophies among us try by ridicule and innuendo to stifle and to kill.

It is, if you will, the Irish-American brand of patriotism exemplified in such an inspiring manner by the five Sullivan brothers who enlisted in the Navy on the same date during World War II with the stipulation that they remain together—and who were killed as they had fought—together—when the cruiser *Juneau*, on which they were serving, was sunk.

Combined with this patriotism, of course, is a deep faith in God.

I use the word "combined" advisedly, for the patriotism of which I speak and the religious convictions of which I speak are inseparable, regardless of court decisions or the efforts of those misguided individuals who fail to see that our traditional severance of church and state is strictly a legal distinction, not a philosophical one.

In fact, I sometimes wonder what our Founding Fathers, who placed religious principles above all else, would think if they read some of the forced explanations we hear from certain groups as to why we must not acknowledge our Almighty Father in our classrooms, mention His name on our coins, or affirm in our pledge to the flag that our country is, indeed, a Nation "under God."

In my mind, there is no doubt about what they would think, and therefore I offer today the example of their combined patriotism and religious fervor as being worthy of the emulation of every one of us.

This is our generation, our year, and our day, and the challenges we face in applying our legacy of love of God and love of country to the problems of the 20th century demand men as stalwart, men as dedicated, and men as destined for immortality as those who shed their blood at Bunker Hill, Meuse-Argonne, or Iwo Jima.

Having presented these observations, I can only add the wish that you, my colleagues, renew with me today our pledge that the Irish-American traditions so important to the younger days of our Nation shall remain our guidelines and inspiration through these years of increasing maturity.

Perhaps, then, we Irishmen, who traditionally have been accused of starting fights, can lead the way to the just, lasting peace which we and all mankind so fervently seek.

OIL IMPORT PROGRAM

Mr. GRAVEL. Mr. President, I wish to compliment the distinguished Senator from Louisiana (Mr. LONG), on his most recent analysis of the proposed Machiasport project. He has so carefully detailed for us the adverse, if not disastrous implications of a foreign trade zone at Machiasport, that it would be almost impossible to amplify or supplement the irrefutable case he has made.

To give to Occidental Petroleum Co. the kind of windfall it seeks at the expense of the rest of the oil industry, the national security, and the oil import program would be in my judgment a tragic error. I have a great deal of sympathy for the plight of the New England consumer, but Senator LONG's analysis has demonstrated that far from lowering fuel prices for New England, the free trade zone may have precisely the opposite effect.

At any rate it should be borne in mind that even if the result would be beneficial to the New England consumer we simply cannot afford as a matter of policy to confer special benefits on one section of the country at the expense of the Nation as a whole.

Senator LONG has quite correctly pointed his finger at one of the most unfortunate effects of such a foreign trade zone with its enormous quota for finished products; namely, that it will sharply inhibit the future exploitation of oil resources in certain parts of the United States, notably the Southwest and the Far West.

As an Alaskan I feel this concern acutely; there must continue to be incentives for the exploitation of new oil resources and this can only be the case if we preserve a competitive and viable domestic oil market.

The New England footwear, shipbuilding, and textile industries cannot successfully withstand foreign competition from countries whose labor and production costs are a mere fraction of ours. The case for the oil industry, in withstanding the proposed free trade zone at Machiasport, is parallel, and in fact, because of the implications for our foreign policy and national security, all the more compelling.

I sincerely hope that the foreign trade zone will not be granted, or, if it is, that the allotted quota for the domestic sale of finished products will be substantially lower than the proposed 100,000 barrels a day. In any event, the burden of proof in changing the status quo, which is the mandatory oil import program, must rest squarely on the shoulders of the Occidental Petroleum Co. when it makes its case before the Board.

Mr. President, in these modern times, we cannot tolerate the balkanization of our domestic economy nor a wholesale surrender of our national security to the political whims of oil potentates in Africa or the Middle East. On that account I expect that the Foreign Trade Zone Board will see the unassailable wisdom of Senator LONG's argument.

THE HAZARDOUS OCCUPATION OF COAL MINING

Mr. SAXBE. Mr. President, I am convinced by testimony recently heard by the Subcommittee on Labor of the Committee on Labor and Welfare, of which I am a member, that the mining of coal as is now being conducted in this country is an extremely hazardous occupation. I am further of the opinion that were all the safety and health provisions of the pending bills enacted, a great deal of risk would remain for the men who go into mines.

Coal is a vital element of our national industrial complex. I need not enumerate the ways that coal contributes to our economy. Suffice it to say that it is our most important and valuable mineral. We must have coal. How then can we utilize this product without endangering the lives of men? I suggest that we should look outside the conventional methods and strike out in a new, untried, even revolutionary direction.

What are the principal dangers to men when working underground? They are cave-in, water, dust pollution, and explosion. The first two are mechanical and physical and can be best controlled by adequate safety laws and frequent inspections to insure compliance. The last two I believe can be best controlled by having the miner work in a completely controlled environment.

How do we handle man's survival in a completely hostile environment? We put our astronauts and aquanauts in space suits and diving gear. They breathe pure air, their bodily responses are closely monitored. Are not our miners entitled to an equal amount of concern? Their environment at work will not kill them instantly as in outer space or underwater work; but their environment can kill them just as surely.

I know there are those who will dismiss out of hand the proposal that a miner work in a space suit. This Buck Rogers idea will no doubt provide considerable amusement around the mine and in the board rooms of coal corporations. But I believe that some day coal will be safely mined in this manner.

There are other advantages. A mine could be completely sealed, filled with an inert gas such as helium, and a few pounds of pressure maintained. This would retard the invasion of water. Without oxygen, there could be no oxidation, which causes water pollution. The valuable methane gas, now lost, could be recovered:

Of course, the obvious and immediate benefit would be complete relief from air pollution and resulting "black lung" and complete removal of explosion danger, since the inert, pressurized gas would not support even the weakest explosion.

Eliminating temperature changes and maintaining a constant temperature inside the mine would prevent cracking and other physical damage that changing temperatures would cause.

Mechanical problems of maintaining a sealed mine would be substantial. It would indeed be awkward for a machine operator to spend his day in something resembling a space suit. But I submit that this might be the most workable solution if we are earnest in our desire to prevent prolonged misery and death of the men who work underground in search of our most precious mineral. I understand that at least one coal company has discussed what I am proposing today, and contemplates further research.

But I know of no present experiments in this type of mining. I firmly believe that the miners, the companies, and the Government should work together for such a model unit. To proceed with dispatch is not only desirable. It is a necessity.

THE GOVERNMENT STORY

Mr. McINTYRE. Mr. President, after 3 years of very hard work, group W, Westinghouse Broadcasting Co. in cooperation with the Operation Government Committee, of which Mrs. McIntyre is a member, will premiere their 40 one-half hour television programs tomorrow evening. This monumental series was said to be impossible to complete when it was first proposed over 4 years ago.

Many other companies turned this project down. But the ladies of the Operation Government Committee continued to seek sponsorship, and Westinghouse Broadcasting, and their chairman, Donald McGannon took the challenge which was offered and now the series is complete.

The program will be shown on commercial television channels around the country, without cost, and with no commercial sponsorship. The whole family will be able to view the programs at convenient evening hours. Educational channels and classroom film versions will also be offered. A classroom manual for teachers will be available so that teachers can make the greatest use of this important and highly educational series.

My congratulations to the ladies of the Operation Government Committee and to the staff and executives of group W, Westinghouse Broadcasting Co. for their steadfastness in pursuing this great project to this day of national premiere.

THE ARMY ABM CONSPIRACY

Mr. BURDICK. Mr. President, one of North Dakota's leading dailies, the Bismarck Tribune, recently editorialized on "The Army ABM Conspiracy." The editorial was especially shocked with the Army's involvement "in an apparent conspirary with defense contractors to propagandize in behalf of the Sentinel anti-ballistic-missile program." The article concluded:

> The biggest mistake we could make now would be to spend billions for a system that won't be effective when needed, if needed, while at the same time lulling the citizenry into a confidence that they have a protection against nuclear bombs which they don't really have.

Mr. President, so the Sentinel publicists may know better the nature of the probable opposition, I ask unanimous consent that the March 12 editorial from the Bismarck Tribune be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

The Army ABM Conspiracy

> That President Eisenhower knew whereof he spoke when he warned Americans to keep an eye on the industrial-military complex is becoming more apparent all the time.
>
> One of the latest pieces of evidence came in the revelation that the Department of the Army involved itself in an apparent conspiracy with defense contractors to propagandize in behalf of the Sentinel anti-ballistic-missile program.
>
> Secretary of the Army Stanley R. Resor's cute hand was caught in this operation, in which the Army planned to conspire with defense contractors to "plant" articles favorable to the Sentinel system in the nation's press.
>
> Builders of the AMB system are interested in the billions of dollars in contracts it represents. To get these billions, they can spend vast sums to convince the taxpaying public that the Sentinel system will be worthwhile. Generals interested in bigger and more expensive weapons systems cooperate by conducting "information programs" which really are propaganda campaigns.
>
> This newspaper long ago suggested that the limited ABM system the Defense Department wants would be of doubtful value, a judgment based upon that of recognized experts in the field. The contention is that it would represent a back-breaking cost to the taxpayer and still provide little or no protection against missile attack.
>
> This viewpoint has been gathering supporters recently, and now a substantial number of United States senators have indicated they are opposed to funding the Sentinel program. President Nixon has been listening and is expected now to plump for a considerably smaller deployment of anti-ballistic missiles than originally planned.
>
> Certainly we'll be billions ahead if we build a smaller system than the one President Johnson and Secretary McNamara had in mind, but whatever billions we do spend are still apt to be money thrown to the winds.
>
> What this country ought to do is continue to carry on the development work and research which might some day produce a dependable defense against enemy missiles. The biggest mistake we could make now would be to spend billions for a system that won't be effective when needed, if needed, while at the same time lulling the citizenry into a confidence that they have a protection against nuclear bombs which they don't really have.

RECOMPUTATION BILL, S. 364

Mr. MURPHY. Mr. President, I am pleased to again coauthor with Senator Tower legislation to equalize the retirement pay of retired military men of equal rank or grade and years of service. This bill is designed to assure that this Nation will honor its commitments to retired military personnel.

The legislation would correct an inequity which has existed since 1958. Prior to that year, the computation of the retired pay of retired military personnel was based on the pay schedules of the Active Forces. This means that whenever the pay of active duty servicemen is increased, the pay of retired personnel, with few exceptions, would be recomputed on the basis of the new active duty salary schedule for the grade in which the retiree was serving at the time of his retirement.

Mr. President, in 1958, the law was changed, overturning the long-standing policy of our Federal Government, to provide for increases in retired pay only when the cost of living increases by 3 percent. This 1958 action not only overturned traditional policy, but also represented a breach of duty by our Government to the many military people who served so long and so faithfully to our country.

Mr. President, the retired pay of our older retirees, we are told, has dropped more than 30 percent behind younger men. Rising prices have further aggravated an already bad situation. I certainly was pleased that President Nixon during the last campaign indicated support for this effort to end this inequity.

There has been a great deal of interest recently throughout the Nation in an all-vounteer army. President Nixon has urged the Defense Department to make an in-depth study of its feasibility. Bills have been introduced in the Congress. Certainly our chances of providing for a professional army will not be helped if the word goes out that the Government will not honor its commitments to its career military men upon their retirement. Yet, that is precisely what we have done here. This inequity has now been frozen into law for over a decade.

The enactment, Mr. President, of the

XUM

Tower-Murphy recomputation measure will repeal this law and thus do away with this inequity. I strongly urge congressional action on this important bill this year.

THE IMPACT EDUCATIONAL PROGRAM

Mr. GRAVEL. Mr. President, the reinstatement of several hundred million dollars to the impact educational program of the Nation is a question which may soon face this Congress, when we receive the new administration's budget.

My particular concern for these funds revolves around the fact that several schools in federally impacted areas in Alaska will have funds cut in half under the proposed reductions. As a result, worthy educational programs established under this program will be eliminated.

This is true of every State in the Nation. The cuts average 40 percent or more in most of the States.

Each year since this program was begun, there has been a severe administration cutback in the funds, and each year, thanks to the tenacity and zeal of many Senators present, the funds have been restored, and the programs were not threatened. I want to add my voice and vote to theirs this year.

I protest the annual threat, or veiled threat, under which the Federal-impact educational appropriation has suffered. This has created severe budgetary problems in itself, since administrators in schools all over the Nation plan their budgets at the very moment Congress is faced with this threat. This is a situation which will in the long run affect nothing but the quality of education. And we cannot afford a deterioration of our efforts there.

Mr. President, to illustrate the threat posed to school administrations by these proposed cuts, I offer for the RECORD under unanimous consent, the following letter from the Fairbanks North Star Borough School District, which touches upon the very point I am making here today.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FAIRBANKS NORTH STAR
BOROUGH SCHOOL DISTRICT,
Fairbanks, Alaska, March 14, 1969.

Hon. MIKE GRAVEL,
U.S. Senate,
Washington, D.C.

DEAR SENATOR GRAVEL: Information received by this School District indicates that the new Administration will support the stand of the past Administration, urging a $332 million cutback in funds for the Public Law 874 program for the fiscal year 1970. It is evident that the survival of the program is at stake. The continuation of this program is vital to the basic educational program in Alaska as well as many other states which are dependent upon this revenue in order to continue an educational program which meets the needs of a progressive society. Continuation of the Section (b) support as it presently is contained in the law is especially vital to the independent school districts of Alaska, as their entitlements are almost fully dependent upon children in this classification. Any change in the law therefore, which affects this Section will have a drastic effect upon the finances of the Fairbanks North Star Borough School District.

The effects of the proposed amendments on our School District, based on the current year's P.L. 874 count are as follows:

1. Require school districts to absorb the cost of education equal to 6 percent of enrollment for sec. 3(b) children	$\frac{148}{2}\times\$390=\$28,860$
2. Reduce the rate of payment to 25 percent for sec. 3(b) children where the related Federal property is in another school district (present rate of payment 50 percent)	$\frac{1,662}{4}\times\$390=\$162,045$
3. Eliminate one-half State and National average per pupil payment rates for both sec. 3(a) and 3(b)	(1)
4. Eliminate from the definition of Federal property those properties which are outleased by the Federal Government and on which taxes are paid (Alaska Railroad leases)	$\frac{178}{2}\times\$390=\$34,710$
Total loss in Public Law 874 income to the district	$225,615
Reduced by	−39,000
Total loss in Public Law 874 revenue	186,615

[1] No effect on our district.

This would reduce our P.L. 874 income from our estimate of $478,126 to $291,511. Regardless of the fact that one-half of this loss in income is off-set by an increase in the state Foundation Program income under the present formula, this is still Federal income lost to the State of Alaska.

There is contained in the proposed amendment a provision that no school district shall suffer more than a 25% reduction in the first year, which would reduce our reduction in 1970 to $119,532. However, in future years we would suffer a loss of $186,615 on the basis of our current year's count in all future years.

There seems to be an ever increasing effort by the Department of Health, Education & Welfare to eliminate 3(b) provisions from Public Law 874. This provision is a temporary law and is renewed every other year or every three years and each time that it comes up for renewal it has received increased opposition, both from the Department and the Administration. It is urged that you make every effort to support Public Law 874 in its present form and obtain sufficient funding to pay full entitlements to all districts and obtain passage of legislation to make the 3(b) Section of the law a permanent provision.

If this School District can be of any service to you in providing information or testifying in support of this legislation, we would be happy to assist you. I would appreciate information on progress of this legislation.

Respectfully,

W. W. VANCE,
Business Manager.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

INTERPRETATION OF NUCLEAR NONPROLIFERATION TREATY—REFERRAL OF RESOLUTION TO COMMITTEE

The PRESIDING OFFICER. The Chair lays before the Senate the resolution (S. Res. 164), which comes over under the rule.

The clerk will state the resolution by title.

The ASSISTANT LEGISLATIVE CLERK. A resolution (S. Res. 164) relating to interpretation of Nuclear Nonproliferation Treaty.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the resolution be referred to the Committee on Foreign Relations. I do so with the approval of the joint leadership, the author of the resolution, and the chairman and ranking minority member of the Foreign Relations Committee.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

ORDER FOR ADJOURNMENT TO THURSDAY

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, when the Senate completes its business today, it stand in adjournment until 12 o'clock noon on Thursday.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT TO THURSDAY, MARCH 20, 1969

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 12 o'clock noon on Thursday.

The motion was agreed to; and (at 1 o'clock and 31 minutes p.m.) the Senate adjourned until Thursday, March 20, 1969, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate March 14, 1969, under authority of the order of March 13, 1969:

DEPARTMENT OF LABOR

Arthur Fletcher, of Washington, to be an Assistant Secretary of Labor.

DEPARTMENT OF STATE

Marshall Green, of the District of Columbia, a Foreign Service officer of the class of career minister, to be an Assistant Secretary of State.

Executive nominations received by the Senate March 17, 1969:

DISTRICT OF COLUMBIA REDEVELOPMENT LAND AGENCY

John A. Nevius, for appointment as a member of the Board of Directors of the District of Columbia Redevelopment Land Agency for a term of 5 years, effective on and after March 4, 1969, pursuant to the provisions of section 4(a) of Public Law 592, 79th Congress, approved August 2, 1946, as amended.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 17, 1969:

FARMERS HOME ADMINISTRATION

James V. Smith, of Oklahoma, to be Administrator of the Farmers Home Administration.

URBAN MASS TRANSPORTATION ADMINISTRATION

Carlos C. Villarreal, of California, to be Urban Mass Transportation Administrator.

EXPORT-IMPORT BANK OF THE UNITED STATES

Henry Kearns, of California, to be President of the Export-Import Bank of the United States.

EXTENSIONS OF REMARKS

A DEBT TO THE IRISH AMERICANS

HON. LOWELL P. WEICKER, JR.

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. WEICKER. Mr. Speaker, yesterday I had the honor of attending the annual communion breakfast of the John F. Kennedy Division of the Ancient Order of Hibernians in Bridgeport, Conn. This is the largest division of the Ancient Order of Hibernians in the United States. While I was in the company of these fine gentlemen of Irish lineage, I thought about the contributions that the Irish immigrants and their descendants have made to America's greatness.

As a tribute to this proud people on this St. Patrick's Day let me recall some of the history of the Irish American.

From the earliest days of the Colonies, the prospect of adventure and the love of liberty have lured many of the Irish immigrants across the ocean.

In 1737 there were enough Irish in Boston to stage a St. Patrick's Day celebration. In New York the records show a similar celebration in 1762.

In the early days, thousands of Irish unable to raise the price of their passage had come by signing themselves into bonded servitude. Others who had been exiled in Cromwell's time to the West Indies, escaped from the sugar plantations to settle in Virginia and the Carolinas.

Typical of the Irish landholders who sold their estates and came to America, were the Carrolls of Maryland who produced a signer of the Declaration of Independence and the first Catholic bishop of the United States.

The muster rolls of the Continental Army read like an Irish history. Of the 25,000 force, 4,000 bore Irish names. They played leadership roles and it is noted that Commodore John Barry is considered the father of the American Navy.

In 1845 a mysterious blight spread through the potato fields, turning the Emerald Isle into a nation of sickly brown fields. After 4 years of crop failures the proud Irish had been reduced to homeless wanderers striving to sustain life.

When word spread throughout the world funds were raised, including $1 million in America, to help this starving nation. When the ships arrived in Waterford and Cork, thousands of families lined the wharves to beg for a chance to flee the sickly land.

Between 1845 and 1850, nearly 800,000 hungry refugees reached our ports and were welcomed.

By 1860 more than a million more had arrived. Thus, in a 15-year span, the United States had received more immigrants than the world had sent here since we had won independence.

The influx could not have come at a better time. Here was a new nation with bold plans. Mills were springing up; railroads were being built; the mighty muscle of the Irish immigrant built the East's mighty industrial machine.

Today Irish Americans number more than 30 million. They have an honored place in American life as scholars, statesmen, schoolteachers, scientists, authors, actors, surgeons, and athletes.

Today, Americans of Irish descent still maintain their old affection for the land of their forefathers. But they are Americans and their hearts as well as their homes are in America.

Therefore, I urge the Congress to show the same hospitality that the Irish Americans of Bridgeport's John F. Kennedy Division of the Ancient Order of Hibernians showed me, and once again throw open our doors to welcome Irish immigrants.

Will we be ungrateful for the many contributions that the Irish American has made to our country by denying future Irish immigrants entry to our shores? I hope the Congress will strive to correct the injustices of the 1965 Immigration Act.

JOE PATERNO

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Monday, March 17, 1969

Mr. SCOTT. Mr. President, Pennsylvania is extremely proud of Joe Paterno, Penn State University's great football coach. Because of his great coaching, Penn State's Nittany Lions were undefeated last season and ended the season by winning the Orange Bowl game on New Year's Day. All fans of college football in Pennsylvania were relieved when Joe Paterno turned down a professional coaching job with the Pittsburgh Steelers and elected to remain at his post at Penn State. I ask unanimous consent that an editorial about Joe Paterno, which appeared in the Centre Daily Times of State College, Pa., on January 10, 1969, be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE BEST TEACHING

People familiar with Joe Paterno's background remember quite well that he came to Penn State 19 years ago as an assistant to Rip Engle "for a little while" before going on to law school.

He's been chided regularly since. And, because he was a literature major at Brown, he's gotten some conversation, too, about how he missed his calling—that he should have entered the language field.

Now, if you've taken the trouble to read his most eloquent statement explaining why he rejected an offer to coach pro football and why he decided to stay at Penn State, you'll recognize why either the law or languages are the poorer because Joe elected to stay with football.

The statement is well worth repeating here. It could be taken as a guidepost to explain what college football—and its role in higher education—really is.

He said his decision was based on many factors . . . "my genuine love for a great University and the community in which we live; the relationship of a college coach with fine young men at such a vital stage of their lives; my personal goal of giving Penn State the best of big-time football within the framework of sound academic and financial policies and my deep belief that football can and should be fun and make a strong contribution to higher education.

"To leave Penn State at this time would be to leave with the feeling of a job undone and a great challenge unfulfilled. And, most important, I have too strong a feeling of obligation and friendship to the outstanding players on our squad and to the loyal friends, coaches, University officials and colleagues who have contributed so much to our success."

That's it. Brief. To the point. Touching at all the bases and the basics.

And it tells in a mighty few well-chosen words why so many people went through a period of pleading, "Don't go, Joe."

The statement does something else, too.

More than one observer wondered, all during the go-to-Pittsburgh rumor stage, how a campus and a community could get so worked up. A few cynics voiced a common question—why wouldn't the possibility of an outstanding professor or administrator leaving for another position arouse the same feelings, bringing on "Don't Go" signs in the library, at the residence halls and in Recreation Building?

The answer, of course, is that, at the moment, football is king. But as Mr. Paterno's statement makes so clear and as President Eric A. Walker and other college and university leaders have said so often:

Some of the best teaching is taking place on the football field.

And that, in essence, is the significance of Joe Paterno's decision to continue at the University. First law, then languages and literatures, and now the Steelers are the losers.

STATEMENT OF CONGRESSMAN JOHN BRADEMAS, MARCH 13, 1969, PUBLIC HEARING ON NATIONAL ASSESSMENT OF EDUCATION, EDUCATION COMMISSION OF THE STATES, ARLINGTON, VA.

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. BRADEMAS. Mr. Speaker, this week Gov. Robert E. McNair, chairman of the steering committee of the Education Commission of the States, and other members of the committee, held a meeting at Arlington, Va., for the purpose of discussing the project for national assessment of education.

Under unanimous consent, I insert at this point in the RECORD the text of the statement which I submitted at the hearing:

Statement of Congressman John Brademas, March 13, 1969, Public Hearing on National Assessment of Education, Education Commission of the States, Arlington, Va.

Governor McNair and members of the Steering Committee of the Education Commission of the States, I am very pleased to be afforded this opportunity to make a brief statement at your public hearing on the National Assessment of Education project.

As a member for over ten years of that Committee of the U.S. House of Representatives with principal responsibility for education legislation, the House Committee on Education and Labor, I am most encouraged to observe the interest of the Education Commission of the States in assessing and evaluating American education.

SUPPORTS THE NATIONAL ASSESSMENT PROJECT

I strongly support the National Assessment of Education project and I am gratified to learn that your Commission is now considering assuming overall management and administration of the project. Let me here say that I hope very much that your Commission will decide to do so.

In the first place, the kind of assessment which the project seeks to achieve is not one which is appropriate for the Federal government to undertake. In the second place, assumption of this responsibility by this Commission would assure a nationwide base of support for the enterprise.

I am aware, as you are, that some segments of the education community have in the past opposed the project, citing supposed threats of "Federal control" and "nationally standardized curricula."

Many of these apprehensions have now disappeared with increased understanding of the purpose of the program but assumption of responsibility for administering the National Assessment of Education project by the Education Commission of the States would be of still further value in this respect.

Governor McNair, allow me to say to you as the distinguished chairman of the Commission, and to your other distinguished colleagues on the Commission, that I applaud your taking the time to consider the appropriate role of your Commission in this significant nationwide effort.

Let me also, Mr. Chairman, here recall what Francis Keppel, the very able former U.S. Commissioner of Education and one of the early advocates of the assessment project, said in an address to the Council of Chief State School Officers in 1965, "The American people today expect more of American education than ever before. At such a time, isn't it clear to all of us as educators that what we don't know can hurt us."

Mr. Keppel observed that the Office of Education can tell us "all sorts of things about education: how many teachers we have, how many school children, how many school buildings, and possibly even whether they are painted or not. But we do not know, nor can we report, on how much our children really know; the subjects in which they are strong or weak; the relation between income levels and learning, or age and learning, or a host of other matters.

To begin to fill these gaps in our knowledge about the schools, Mr. Kappel encouraged the Carnegie Corporation and the Fund for the Advancement of Education to establish a national assessment project. I shall not here attempt to review the history of this project or to explain the procedures which will guide the national assessment; there are experts here today who can do this far better than I. I am particularly pleased to note that the new U.S. Assistant Secretary of Health, Education, and Welfare and Commissioner of Education, James E. Allen, Jr., serves as Vice-Chairman of the Commission. Mr. Allen's wide experience will be invaluable in achieving the principal purposes of national assessment.

THE PURPOSES OF NATIONAL ASSESSMENT

I would like, rather, to review with you the purposes of national assessment. Early in its planning, The Committee on Assessing the Progress of Education stated that the principal purposes were two: (1) to give the nation a better picture of the strengths and weaknesses of the educational system, thus providing a "more accurate guide than we currently possess for allocation of public and private funds, where they are needed, what they achieve . . ."; and (2) to provide information for research on educational problems which cannot now be undertaken because of the lack of data.

These purposes may seem more relevant when related to the current hearings before the Education and Labor Committee of the House of Representatives. Even today the Committee is considering the extension of the Elementary and Secondary Education Act of 1965 and the 1967 Amendments. In view of the Federal support of elementary and secondary education (over $5.4 billion appropriated since the passage of ESEA in 1965), Congressmen want to know whether Federal tax dollars are actually helping children to succeed in school. Indeed, when the former Secretary of Health, Education, and Welfare, Wilbur Cohen, gave his final testimony before the Committee, he stressed the need for a National Assessment of Education on grounds that he, or future Secretaries, could hardly make wise recommendations to the Congressional committee authorizing billions of Federal funds for education without having criteria to give Congress as to what the taxpayers were getting for their money.

THE NEED FOR EVALUATION

Earlier this week, the new Secretary of Health, Education, and Welfare, Robert H. Finch, testified before our Committee and strongly stressed the need for evaluation of education programs:

"I would also like to emphasize at the outset that evaluation is a necessary foundation for effective implementation and judicious modification of our existing programs. At this point, evaluation is probably more important than the addition of new laws to an already extensive list of educational statutes.

"Evaluation will provide the information we require to strengthen weak programs, fully support effective programs, and drop those which simply are not fulfilling the objectives intended by the Congress when the programs were originally enacted."

Whether we speak in terms of "assessment" or "evaluation", there is clearly an urgent need for the National Assessment of Education program. While national assessment may not achieve everything its proponents hope, "the project does represent," as Dean Theodore Sizer of the Harvard Graduate School of Education has said, "a start; on finding out how and what schools produce."

Mr. Chairman, I want also to take a moment to observe that we should all recognize that national assessment is simply a beginning in this total process of evaluation. The promise of national assessment, however, is that it will at least enable us to start the job of accumulating the information about our schools that we sorely need. Indeed, the Commission of the States may determine to broaden the program or amend it as assessment gets underway and the results are understood and discussed by those who have the responsibility for shaping and implementing education policies across the country.

In conclusion, I would like to thank the Commission for this opportunity to express my concern about the need for evaluation of our schools, and, particularly my support of the National Assessment project. I am most encouraged that the members of the Commission of the States are giving serious consideration to assuming responsibility for guiding the future of an enterprise of such great significance for American education.

ROLE OF THE WILDLIFE SOCIETY

HON. WENDELL WYATT

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. WYATT. Mr. Speaker, the Wildlife Society is a nonprofit organization devoted to developing sound wildlife management. In recent years Americans have come to realize the importance of preserving our wildlife and, indeed, all our natural resources. This attitude of planning now so that future generations may enjoy the same benefits as we presently do is a worthy goal, fostered by the Wildlife Society.

Dr. Thomas Scott, head of the Department of Fisheries and Wildlife at Oregon State University, is one of our Nation's outstanding conservationists. His leadership has given Oregon State one of the outstanding departments in this field in the Nation.

As the immediate past president of the Wildlife Society, Dr. Scott, recently gave me a brochure setting out the goals of the society. I would like to present that material here for the benefit of my colleagues in the Congress:

The Role of the Wildlife Society

The Wildlife Society is a professionally oriented, international organization dedicated to the sound management and preservation of the wildlife resources of the world. Its primary scientific discipline is ecology. Its principal areas of activity are: (a) development of wildlife research and management along sound biological lines; (b) establishment of professional solidarity and maintenance of high professional standards among its members; (c) promotion of the professional interests of its members; and (d) publication to effect these ends.

The interests of the Society embrace all facets of human endeavor which potentially affect populations of wild animals and their natural environments. The Society recognizes that man shares equally with other organisms a total dependency upon the environment. It is the Society's firm belief that wildlife, in its myriad forms, is basic to the sustainment of a human culture which provides quality living and variety of experience.

The Society has a primary interest in, and accepts responsibilty for, promoting high professional standards of training and performance for those entering the profession of wildlife ecology in any of its subdivisions, including administration, management, research, public relations, law enforcement, and education. The Society recognizes a responsibility for maintaining an open forum for discussion and debate of controversial issues involving the use and abuse of our natural resources.

The purposes of the Society are served through chapter, sectional, national, and international meetings which the Society sponsors in whole or in part; and by publication of The Journal of Wildlife Management, The Wildlife Society News, and Wildlife Monographs. The purposes of the Society are further served by position statements prepared in response to problem situations that exist or which develop in the field of resource and environment management.

The Society recognizes outstanding achievements and distinguished service in the wildlife field by conferring awards and by election to *Honorary Member* status. The Society's principal awards, bestowed annually, include the *Leopold Medal* in recognition of distinguished service; the *Terrestrial Publications Award* and the *Fisheries Publication Award* each in recognition of outstanding scientific contributions to a body of literature on the subject; and the *Group Achievement Award* in recognition of major accomplishment in conservation by private groups and organizations.

WILDLIFE AND HUMAN POPULATIONS

Preservation and intelligent management of the world's wildlife resources are greatly imperiled by the burgeoning growth of the human population. The cumulative effects of human population growth upon the ecology of the world are inadequately appreciated by most people. Perpetuation of the quality and quantity of all renewable resources, including wildlife, can be assured only when human populations are adjusted to the earth's capacity for sustaining a culture that provides quality living, variety of experience, and maximum opportunity for self-expression. The intelligent management of the world ecosystem must consider not only the physical requirement of man but also his moral, mental, and social needs and values.

The tremendous increase in the world's population demands that production of food and other human necessities continue to receive top priority. Wildlife management, by providing elements of human nutrition, either directly or indirectly, has the potential for becoming increasingly important. In some areas of the world, wildlife in its several forms, terrestrial and aquatic, vertebrate and invertebrate, directly offers the most feasible source, ecologically and economically, for certain of man's nutrients. In other areas, wildlife can be produced in conjunction with, and as a supplement to crops of domesticated plants and animals. The total production of food, as well as the other forms of land use, can be fostered by creating an awareness among agriculturists, foresters, engineers, architects, and the general public, of the mutual dependencies of all organisms, and by stimulating an appreciation of the long-term values of wildlife to man.

Therefore, it is the policy of The Wildlife Society to: Carry out its own program and activity support and influence any other programs which seek to:

1. Encourage man's understanding of human ecology and the realization that man shares with all other biological organisms a dependence upon the environment, such dependence being as real and complete for humans as it is for other organisms.

2. Develop an ethic that permits man to appreciate, value, enjoy, and conserve plant and animal communities as integral parts of his environment.

3. Minimize, within the context of human needs, all types of contamination and mass alteration of the environment by human populations.

4. Foster the concept that the human population *can* and *must* be maintained, by all civilized and peaceful means, within the limits of the world's resource base in order to fulfill man's spiritual as well as physical needs.

5. Allocate space of sufficient quality and quantity to sustain wildlife populations that will satisfy the basic needs of significant segments of the human population and enrich the world.

ENVIRONMENTAL POLLUTION

Each species creates changes in the environment. Most change is normal, and plants and animals have evolved mechanisms for dealing with normal changes in our ecosystem. Man, the dominant species, will continue to alter the environment, but except for the potential use of man's intelligence, evolution has no mechanism for coping with the rapid changes caused by the pollutants of historical man. Thus, one of the urgent biological and philosophical questions is: How much change in the environment is in man's best interest?

Pollution is environmental change, caused by man, which violates his best interest. It represents changes in the concentrations of chemical and physical factors which directly affect the success of organisms and thus alters the normal functioning of an ecosystem.

Man has the ability to assess the past and to plan for the future. There is little doubt that man can survive in environments we shudder to imagine, but the mere survival of man as a species is an insufficient goal because man's human qualities subsist and thrive upon a diverse, emotionally fulfilling environment, not a merely biologically sufficient one. This means that achieving control of environmental pollution is one of the most critical problems facing man today.

Thus, man must address himself to the problems of human ecology, and must nurture an environment wherein he can develop his unique and still vastly unexplored gifts as a species.

Therefore, it is the policy of The Wildlife Society to:

1. Encourage appreciation of the importance to man of an environment that is aesthetically, physiologically, socially, and ecologically in his highest interest.

2. Encourage the search for comprehension of the environmental requirements and interspecific relations of all organisms and biological communities of the earth and of man's dependent relationships within these communities.

3. Encourage the search for ways of controlling environmental pollution and reclaiming our degraded resources.

4. Encourage the adoption of programs which seek to remove, reduce, minimize, and prevent environmental pollution of all kinds.

5. Encourage in the planning of man's activities the utilization of all available knowledge of the earth, its organisms and biological communities, and of man, his societies and technologies, so that his environment may be not only biologically sufficient but rich in conceptual, social, biological, and physical diversity and beauty.

6. Encourage the development of social systems and technologies that tend to maintain and develop the diversity and beauty of man's environment and to refine and stabilize his adaptation within the ecosystems of the earth.

7. Encourage, and provide leadership in, the dissemination of information pertinent to the dangers and adverse effects of all forms of pollution.

INTRODUCTION AND IMPORTATION OF EXOTIC ANIMAL SPECIES

History reveals that the introduction of exotic animal species into new ecosystems has often been more detrimental than beneficial. Conservation agencies form the principal trust for safeguarding all natural resources. It is their responsibility to endeavor to insure that the introduction of any exotic animal species be beneficial. This responsibility relates not only to the protection of human health and livelihood, but also to the maintenance of ecological integrity.

Therefore, it is the policy of The Wildlife Society to:

1. Support the introduction of exotic animal species only after competent scientists have demonstrated that:

(a) the exotic can potentially satisfy a specific recreational or biological need in its new environment;

(b) the exotic is ecologically suitable for introduction into its new environment after its biology, and the biology of all closely related forms, have been investigated in their endemic ranges;

(c) the exotic will not occupy a habitat that is occupied by a native species or by a previously introduced and acceptable exotic species;

(d) the exotic will neither engender deleterious effects among desirable animal species (native or other desirable exotics) nor cause any deterioration of the ecological complex;

(e) the exotic (or its subsequent management) will not in any way jeopardize the welfare of populations of rare or endangered native species of plants or animals; and

(f) the exotic has satisfied all appropriate quarantine requirements upon entry.

2. Urge that no state, provincial, or national agency shall introduce, or permit to be introduced, any exotic species into any area within its jurisdiction unless such species can be contained exclusively within that jurisdiction, or unless adjoining jurisdictions, into which the species could spread, have sanctioned the introduction officially.

3. Exclude from the provisions of this policy the importation of exotic species by officially recognized scientific and educational organizations, or the interinstitutional exchange of such species, provided that the exotics are maintained in captivity at all times.

CONSERVATION EDUCATION

Worldwide education of young people and adults concerning the facts and principles relating to conservation of natural resources is a proper concern of The Wildlife Society. The Society recognizes that the ultimate fate of natural resources and of the people dependent upon them rests with the decisions made by citizens acting individually and collectively in democratic societies and, to varying degrees, by leaders in all forms of government. An ecologically informed, literate, decision-making citizenry must exist to assure the wisest possible use of all resources. The Society believes that each conservation agency has the responsibility of effectively informing its citizenry of all policies and programs relating to natural resource management.

Therefore, it is the policy of The Wildlife Society to:

1. Encourage and assist educational efforts to disseminate knowledge of the facts and principles underlying wise use of wildlife and other natural resources through meaningful programs of conservation education for all ages in all lands and at all levels of education, and through various media of communications.

2. Encourage individual members and all organized bodies of the Society to assist in and to otherwise promote conservation education.

3. Encourage each conservation agency responsible for a large region to develop a strong coordinated I and E program whose technicians must be an integral part of the management team; the Society believes that a high quality periodical publication is an essential part of this I and E program.

REGULATIONS AND WILDLIFE LAW ENFORCEMENT

Wildlife management may logically be separated into two basic functions: habitat management and harvest management. A major element in harvest management is "people management" and one cornerstone of people management is a sound system of laws and law enforcement. The Society recognizes that, in the future, more people will have to share less wildlife in less wildlife habitat. Thus, it will become increasingly more critical to formulate and enforce regulations governing the use of our natural resources on the basis of sound ecological principles. To be effective, all regulations must be biologically sound, minimal in number, easily understood by the public, generally acceptable, well publicized, and objectively enforced. Because effective law enforcement is based on the willing compliance of a majority of the people, it is essential that the public be made aware, and kept aware, not only of wildlife laws and enforcement policies but also of the ecological basis and necessity for those laws and policies.

Therefore, it is the policy of The Wildlife Society to:

1. Encourage wildlife management agencies to recognize the dependent relationships between law enforcement and the wildlife management process.

2. Encourage formal training in enforcement techniques and theory for management personnel and formal training in ecology and wildlife management for enforcement personnel.

3. Encourage colleges to include appropriate

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courses in law enforcement in their wildlife curricula.

4. Encourage conservation agencies to require an appropriate college or university degree as a minimum qualification for employment as an enforcement officer.

5. Encourage enforcement officers to participate in wildlife management programs.

6. Encourage wildlife management personnel to participate in the development of laws and enforcement policies.

7. Promote programs, particularly in-service training programs, which lead to better understanding and closer working relationships among all wildlife personnel.

8. Encourage public relations and public information programs by wildlife agencies which effectively integrate the concepts of wildlife ecology and management with those of law enforcement.

9. Take definite steps to encourage enforcement personnel in the wildlife field to participate fully in the activities of The Wildlife Society.

ANIMAL CONTROL

The Wildlife Society has long recognized that control of animals to minimize damage caused by animal populations is an essential element in a sound program of wildlife management. Many species may in certain circumstances cause significant damage to surrounding resources including other wildlife species, or to forest and agricultural crops or livestock, or may endanger public health or safety. Although such activity is often due to an excess population of the species, it also may result from complex programs of ecological competition or interaction.

Control of wildlife damage, which often means control of population numbers, is complicated by divergent social views of the problem. A growing segment of the public sees the positive values of wildlife populations and questions the necessity of some control programs. Resource managers, including the operators of land-based industries, may see the economic and ecologic damages and the desirability of preventing them. A policy of animal damage control must take full account of these points of view, both of which represent valid social interests.

Both professional and public attitudes toward animal control have become more realistic in recent years. However, more information is needed on animal damage and on alternate measures of prevention and control, together with a wider exchange of such information among wildlife managers and the public.

Therefore, it is the policy of The Wildlife Society to:

1. Recognize that wild animals may have both negative and positive social and economic values and certain species may damage human interests, other wildlife, or their habitats, necessitating prevention or control of such damage as an integral part of wildlife management.

2. Encourage the use of techniques known to be of value in counteracting damage situations, including (a) exclusion or mechanical protection; (b) use of repellent chemicals or devices; (c) environmental or biological control of the offending population; (d) reduction of the number of offending individuals or local population through transfer or lethal control.

3. Encourage that lethal control, where employed, be related to social and economic benefits and be the minimum necessary to bring damage within tolerable limits.

4. Encourage control methods as efficient, safe, economical, humane, and selective as possible.

5. Encourage continuing research in animal ecology and in methods of damage prevention and control in order to determine when and how much control is necessary and to develop optimum methods for its accomplishment.

6. Encourage that animal control programs be thoroughly planned, justified, carried out and evaluated on the basis of total social benefits.

PERSISTING INSECTICIDES

The Wildlife Society has viewed with deep interest the mounting scientific evidence on the presence of chlorinated hydrocarbon insecticides in rainfall on two continents, the transoceanic movement of DDE, a metabolite of DDT, from one continent to another, the universal pollution of the world's environments by DDE, the progressive concentration of this compound in the successive layers of food-chains and food-webs in ecosystem after ecosystem, and the ability of the chlorinated hydrocarbons to induce the production of liver enzymes that breakdown sex hormones in the mammalian and avian body.

The Wildlife Society has further noted with grave concern the published reports on the unprecedented population crashes of peregrine falcons in the United States and western Europe, bald eagles along the shores of the Great Lakes and the Atlantic Coast, ospreys in our Northeast, sparrow-hawks in England, golden-eagles in Scotland, and peregrines in western Europe, the consistent reproductive failures of these species as a result of a decrease in the thickness of their egg-shells, the repeated, statistical significant association of shell changes with levels of DDE in various species of birds, and the high levels of DDE not only in the fat of raptorial and fish-eating birds but also in oceanic species that have no direct contact with areas of insecticide usage.

The Society acknowledges the enormous contribution that DDT and chemically related insecticides have made to public health and agriculture. It is aware that DDT has been used to reduce the incidence of 27 diseases, that it has saved perhaps 10 million lives and eliminated perhaps 200 million illnesses in the human population. It is also aware that DDT has been steadily building up resistant-insect populations in many regions while unwarrantably disrupting crop ecosystems in others. It is further aware that entomologists have repeatedly been able to use substitute compounds effectively when resistant strains of insects have developed.

The Wildlife Society observes that the insidious effects of DDT and its metabolite DDE are being first determined by ecologists working with conspicuous species of birdlife. As the evidence of DDE-produced steroid disease as a widespread phenomenon continues to mount, the Society sees no reason to doubt that many less conspicuous species will be found to be similarly affected.

The Society is glad to note statistics on decreasing use of DDT in the United States, but it is appalled by the continued export of this insecticide by American companies, particularly those involved in programs of aid to developing nations by the United States which will have a destructive impact not only on the faunas of other countries but also a continuing effect on our own wildlife as DDE continues to circulate in the world's atmosphere. The Society is concerned by the build-up of DDE in certain lakes, and it regards the DDE contamination of our great ocean systems as deserving immediate research on the significance of high residue levels that are now being reported in fish and in plankton-feeding birdlife.

The Wildlife Society does not believe that a miracle chemical deserves continued use when it or its breakdown product do not remain at the point of application, when it can and does travel to the ends of the earth, when—after 25 years of use—its practical half life as a biologically active compound cannot be measured, and when it is known to be wiping out a spectacular species of birdlife such as the peregrine falcon in a region as large as the United States. DDT is a chemical of extinction. Its manufacture, sale, and use should be stopped at once.

The Wildlife Society suggests that where the use of pesticides is needed that only those which are rapidly degradable and which have metabolites of little biological significance should be used.

RESOLUTION OF MISSOURI OIL JOBBERS ASSOCIATION

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. CONTE. Mr. Speaker, last year the House Select Committee on Small Business on which I serve held an investigation concerning the use of games for promotion in the gasoline industry.

We discovered many problems with these games and, at present, the Federal Trade Commission is in the process of promulgating rules to meet the abuses we found.

I would like to take this opportunity to introduce into the Record a resolution adopted at the recent convention of the Missouri Oil Jobbers Association, which expresses its viewpoint concerning the use of gasoline games:

Resolutions Adopted at Convention of Missouri Oil Jobbers Association, Jefferson City, Mo.

Whereas, several major integrated oil companies have adopted giveaway games as a practice in competing for relative market positions, and,

Whereas, the games are actually financed by the dealer at the rate of two cents for each game piece, and by the jobber at the rate of an additional cent for each game piece, plus a pro-rated charge to some jobbers to help the major companies pay for advertising the game, plus the indirect extra bookkeeping, and handling costs to the dealers and jobbers, and,

Whereas, the gasoline games are severely damaging the good images built locally by the dealers and jobbers, as evidenced by the many customer letters of complaint being sent into newspapers and the Federal Trade Commission, plus the multitude of verbal complaints to many dealers and jobbers, and,

Whereas, such games have through current daily news items been linked to gasoline marketing with such names as "fraudulent", "dishonest," "gambling," and several others, and,

Whereas, the dealers and jobbers individually are helpless to defend themselves if refusing to participate in these games, not necessarily from a legal standpoint, but most certainly from a practical standpoint, which his supplier connects his particular brand name to a professionally-built, public-arousing and confusing game advertising program.

Now, therefore, be it resolved on this 10th day of February, 1969 that the Missouri Oil Jobbers Association, publicly condemn such games as an undesirable marketing practice, asking for their immediate discontinuance; but, if they are continued, then all costs of the game pieces, all advertising and all other costs shall be paid for by the major suppliers who feel the necessity for promoting such games, and,

Be it further resolved, that copies of this resolution be forwarded to all members of Congress from Missouri, all oil trade publications, Missouri publications, Federal Trade Commission and appropriate executive agencies.

Adopted this 10th day of February, 1969.

FIGURES BELIE TALK OF CITIES' TAILSPIN

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. MICHEL. Mr. Speaker, it is almost impossible these days to read a newspaper or magazine that does not include several stories and reports on how bad conditions are in our cities around the country. A good many of these are couched in the most pessimistic language and hold out little hope that anything can ever be done to solve these problems.

I believe it is possible to acknowledge the magnitude of the problem without becoming overpowered with a helpless feeling and perhaps if more attention were given to advances which have been made it might provide encouragement to those less hearty souls who are inclined to paint such a gloomy picture.

In that regard, an article by Mr. Herman P. Miller, Chief, Population Division of the Census Bureau and an adjunct professor of economics at Temple University, from the Sunday, March 16, 1969, edition of the Washington Post will be of interest, and I place it in the RECORD at this point:

FIGURES BELIE TALK OF CITIES' TAILSPIN

(By Herman P. Miller)

Cities are people. When sticks and stones wear out, they can be replaced. With enough money, the air and water can be cleaned up and even the highways may be unclogged. But when the quality of the people begins to decline, a city may be entering a tailspin from which it may never emerge.

There is widespread belief that this may be happening today in many American cities. It is often stated, frequently by knowledgeable sources, that our cities are being taken over by the poor, the uneducated and the unskilled. But the facts do not support this kind of a loose characterization of the social and economic changes that have taken place in the cities in recent years.

There has been deterioration in family structure, an adverse change in age composition and several other demographic changes that spell trouble. There is also evidence that, in the face of overall general improvement, conditions are growing worse in the poorest slums. But there are also brighter sides that have been either ignored or over looked in the general gloom. Some of the new evidence also casts a somewhat different light on the reasons for the financial plight of the cities.

DECREASING POVERTY

First, let us examine what some of the pundits are now saying about the cities. Take the recent report of the National Advisory Commission on Civil Disorders which concluded that "as Negroes succeed whites in our largest cities, the proportion of low-income residents in those cities will probably increase." The fact is that during the past eight years, the Negro population in our largest cities has increased but poverty has decreased substantially.

In much the same vein, Prof. Eli Ginzberg and his associates at Columbia University published a book last year that states that "over the years, the middle class has tended to migrate to suburbs, leaving the city largely to the poorer classes." There has been a large migration of the middle class to the suburbs, but the poor are not taking over the cities. Since under the Government's definition of poverty based on an income of $3,300 for a nonfarm family of four, poor people today make up only one-seventh of the city population, it is difficult to see on what basis such a sweeping generalization can be supported.

Finally, there is the recent statement of Prof. John Kain, eminent Harvard authority on transportation and other urban problems, that "in recent years the young, employed, well-to-do and white moved to suburban areas, leaving behind the aged, the unemployed, the poor and the Negro." The fact is that the aged have not increased significantly as a proportion of the city population; poverty has dropped rather sharply; the well-to-do have increased as a proportion of the total; unemployment is considerably lower than it was in 1960; the occupational distribution is unchanged; and educational attainment has risen sharply.

A recent report published by the Census Bureau shows some of the trends in social and economic conditions in cities during the past eight years. This report presents some important facts regarding changes in racial composition, age distribution, family structure, income, employment, education and poverty. It shows the good and the bad. We might start with an examination of the facts and then turn to the policy implications.

Based on the evidence of the first half of this decade, it appeared the cities were experiencing a slight growth in total population, with the Negroes gradually replacing the whites.

Between 1960 and 1966, the cities were growing by about one-quarter of a million people per year. The white population in central cities dropped by an average of about 140,000 per year, whereas the blacks increased by about 370,000 per year. In 1960, one out of every six residents of central cities was black; by 1966, this proportion rose to one out of five.

During the past two years, however, there has been a distinct change. The city population has dropped by nearly 400,000 per year. The net movement of whites out of the central cities rose sharply, to nearly 500,000 per year, and black migration into those cities has dropped to 110,000 per year. In other words, whites appear to be leaving the cities far more rapidly than ever before and blacks are replacing them at a far slower rate than at any time in the past 20 years.

Why the change? The truth is we don't know, nor can we even say whether the figures represent more than a temporary aberration in long-term trends. The general decline in birth rates and a reduction of migration out of the rural South account for part of the change. The increased movement of whites away from the central cities and the slowdown of the black population increase may also be a reaction to the riots of the past few years.

The figures on income distribution show that there has been some widening of the income gap between cities and the suburbs during the past eight years, but the differences are not striking and the general level of income has risen in both the cities and suburbs.

In the very largest metropolitan areas—those of one million population or more—median family income rose during the past eight years by 13 per cent in the central cities and by 20 per cent in the suburban ring. The relative gains in these cities were greater for blacks than for whites. The poverty rate dropped from 13 per cent to 10 per cent, and the proportion of families with incomes over $15,000 rose from 8 per cent to 13 per cent.

The picture is essentially the same for smaller central cities of metropolitan areas. (The effects of inflation are taken into account throughout this article by measuring changes in dollars of constant value.)

The allegation that central city residents are not as well educated as they once were is also not supported by the facts. Focusing on people aged 25–29, those who have generally completed their education during the past decade, we find that in 1960, only 62 per cent in the central city had a high school diploma. By 1968, the proportion rose to 73 per cent.

The proportion of college graduates in the central city also rose from 13 per cent to 15 per cent.

Blacks in the central city had far sharper gains in educational attainment than did whites. In 1960, only 43 per cent of the young black men and women in central cities were high school graduates; this proportion now stands at 61 per cent.

The Census figures measure only years of school completed, not academic achievement. Nevertheless the very fact that the school dropout rate has dropped sharply and more city youths are getting high school diplomas is an important achievement that could provide significant economic benefits, for mere possession of a diploma may open opportunities for employment.

Prof. Ginzberg, in his book "Manpower Strategy for the Metropolis," places great emphasis on the deterioration of the occupational structure in the cities. He says, "The shift from manufacturing to service jobs in metropolitan employment has resulted in the availability of a large number of low-paying dead-end and intermittent work opportunities for the poorly educated and trained." As a result, he concludes, "one of the challenges facing the metropolis is to improve its overall job structure so that only a small minority must hold these jobs."

This description of the changing job structure in metropolitan areas does not apply at all to the central cities during the past eight years. Among women, there has been virtually no change in the occupational distribution of employed workers; among men, there was a slight increase in the proportion employed in white collar and managerial jobs, offset by a corresponding drop in the proportion employed as clerical workers. There was no significant change in the proportions employed in the other occupations.

Negro men in central cities have had only a slight upgrading in employment, the improvement for Negro women, however, has been most dramatic. The proportion employed as domestics dropped from 34 percent in 1960 to 20 per cent in 1968; the proportion employed as clerical and sales workers rose from 13 per cent to 23 per cent during the same period.

SERIOUS DETERIORATION

The facts cited above focus on the progress that has been made. There has been deterioration as well, some of it of a very serious nature.

Of major significance is the sharp drop in the white adult population in central cities, most of whom are productive workers, and the sharp increase in the number of black teen-agers and black families headed by women, many of whom end up on relief rolls.

During the past eight years, there was a 60 per cent increase in the number of black youths aged 16 to 19 and a similar increase in the proportion of black families headed by women. At present, 1.2 million black low-income youths (three-fourths of all black children in city families with income under $4000) are living in fatherless homes.

The figures suggests that although there has been an overall drop in poverty in the cities, today's poor are more likely to be dependent poor on relief rolls rather than working class poor.

Another important fact that shows up in the statistics is that the gains of the past eight years have not been evenly distributed.

The figures that we have for the very poorest areas in Cleveland and Los Angeles, places like Hough and Watts, show that poverty in these places has increased, average family income has not risen and unemployment rates have remained very high.

This deterioration may reflect the migration of the more successful families from the slums, leaving behind widows, deserted wives and children, the aged and uneducated—those least able to cope with their social and economic problems. But there is much more than a statistical problem involved.

A large proportion of families in places like Watts and Hough derive their income from welfare payments and similar sources which do not keep pace with the general rise in wages, thereby causing them to fall farther and farther behind the rest of the population. Since rents in these areas are probably lower than elsewhere in the city, they probably get more than their share of untrained migrants from the South and others likely to have low incomes.

For a variety of reasons, therefore, it appears that despite the general improvement in economic conditions in central cities during the past decade, conditions in the very worst neighborhoods have deteriorated and those places have served as a focal point for riots.

The financial problems of the cities can now be seen in somewhat better perspective.

The increase in the size of the dependent population, as well as the higher standards of public service that are demanded generally, accounts for much of the rise in expenditures for welfare, education, police protection and other public services.

But that is not the full story. Another important aspect is the loss of people generally, rather than replacement of the middle class by the poor.

During the past eight years, the population in central cities did not change significantly, whereas the suburban population rose by 15 million. Since the volume of business generally depends on the size of the population, there has been a great movement of retail trade to suburban shopping areas.

Manufacturing establishments have also found it advantageous to leave the city and most of the new home construction in recent years has been in the suburbs.

As a result, an important part of the city tax base has been eroded. Even if city residents had the same income distribution as suburbanites, the city coffers would be in trouble.

A WIDENING GAP

The recent changes in population growth and racial composition of cities could have serious implications if they continue in the future. If the accelerated movement of whites out of the cities continues and is accompanied by a drop in the rate of immigration of blacks, the cities will experience a slight decline in population and there will be further erosion of the tax base in the face of an ever increasing demand for services.

There will probably also be a further widening of the income gap between the cities and suburbs, since the more successful families are the ones most likely to leave.

Whether or not the blacks will continue to increase as a proportion of the total city population will depend on relative changes in both groups. About one out of every five central city residents is now black, the same proportion as in 1966.

The black concentration in the cities may not increase much in the future, particularly if blacks continue to make the gains in education, employment and income recorded during the past few years. At present, one-fifth of the black families in large cities have incomes over $10,000. As this proportion grows, the increase in buying power will give blacks a greater choice in where to live, particularly if open housing becomes more widespread.

With the growth of a black middle class of major proportions, we may find that more blacks as well as whites will shun the cities until they provide more of the kind of life people want to live.

AMERICAN VETERANS COMMITTEE'S LEGISLATIVE PROGRAM

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. BINGHAM. Mr. Speaker, last September I placed in the RECORD the national affairs statement of principles adopted by the American Veterans Committee, an excellent discussion of the most important domestic issues.

Now, the committee has adopted a legislative program which includes thoughtful proposals in the areas of civil rights, elimination of poverty, the preservation and/or restoration of a livable environment, and citizen participation. For the benefit of my colleagues and other readers of the RECORD, I am pleased to insert at this point the text of the legislative program:

STATEMENT AND LEGISLATIVE PROGRAM OF THE AMERICAN VETERANS COMMITTEE TO THE MEMBERS OF THE 91ST CONGRESS

The task facing the American people and its elected representatives in the 91st Congress is:

To reaffirm in all its actions our American belief in democratic values; in government by, of and for the people; and in individual freedom;

To reject violence, racism and totalitarianism;

To prove by its actions that our democratic institutions and processes of government are effective instruments of social change in coping with the domestic problems that face our nation and imperil its unity.

These problems are:

(1) overcoming racism and religious and ethnic prejudices in all their forms and in all areas of American life.

(2) uprooting poverty and its stunting effect on American life.

(3) improving the physical environment in which we live and the public services which we need.

(4) enabling minority groups (Negroes, Spanish-Americans, Indians) to assume an equal and active role in all phases of public life, and devising new ways to insure effective participation in government by all citizens at all levels.

But we also face problems abroad. The most critical of these is the fighting in Vietnam, which we must honorably end. We have urged in the past and urge again a multilateral cease-fire and a political settlement on the basis of full self-determination of their future by all the people of South Vietnam. Such a settlement can be followed by a withdrawal of American, North Vietnamese and other foreign troops from South Vietnam. We expect that new steps will be initiated toward these goals and urge Congress to support them fully.

But regardless of whether an early end to the fighting in Vietnam or at least a de-escalation of its costs is attained, we must dedicate ourselves to dealing with the great domestic problems outlined above. Congress, as one of the principal voices of the people, must recognize without ambiguity the fact that the racist attitudes of most of the white majority of our people and of its institutions are the root cause of the discrimination, exploitation and injustices suffered by Negroes and members of other minority groups, as the Kerner Report so well pointed out. Congress must, therefore, visibly demonstrate its steadfast determination to uproot discrimination in the United States—in the minds of our people, in the administration of our government, and in our public and private institutions and enterprises.

Congress must within its constitutional powers satisfy the insistent demand of all segments of the American people to an active and influential voice and effective participation in guiding our nation, and this insistent and just demand cannot be denied.

In issuing this call for action we are aware of the fact that helpful legislation in the areas of our major concerns has been passed by recent Congresses and that many of the members of the 91st Congress participated in enactment of such legislation. Action by the 91st Congress means, therefore, in substantial part, insuring that the recently passed laws are fully enforced to ensure to all citizens their rights thereunder, that adequate funds be raised from federal taxes, and that necessary funds and personnel are provided to this end. But the 91st Congress must also stake out new frontiers and find better solutions to the problems which confront the American people.

To achieve these goals, at least in part, during the coming Congress, we offer the following programs:

A. CIVIL RIGHTS

1. Extension of the 1965 Voting Rights Act, which expires in 1970, at the earliest possible moment so as to insure continued guaranties of voting rights for minority group voters.

2. Adequate appropriations and staffing for the vigorous and strict enforcement of existing federal anti-discrimination laws, executive orders and regulations. This applies to the U.S. Civil Rights and Equal Employment Opportunity Commissions, the Department of Justice and to all other Federal agencies with Ttile VI contract compliance responsibility. We oppose the transfer of enforcement functions in the field of education from the Department of HEW to the Department of Justice which would signify abandonment of administrative sanctions and adjustments which have proved effective in this area.

3. Adoption of realistic financial contract sanctions, in addition to contract cancellation, agaist violators of laws, executive orders and regulations prohibiting employment discrimination by government contractors and their sub-contractors. Congress should investigate the effectiveness of the equal employment opportunity programs, especially in defense contracting.

4. Elimination of remaining areas of discrimination in federal employment by providing through statute for realistic relief in the form of compensatory back-pay and promotion for federal and District of Columbia employees who have been the subject of discrimination in hiring, promotion or job assignment.

5. Expansion of fair housing legislation, including effective sanctions against all those who in any way, directly or indirectly, participate in the maintenance of housing discrimination, whether as financial agencies, real estate developers, builders, owners, sellers, landlords or their agents. It is imperative that victims of discrimination in housing actually receive the housing which has been denied them.

6. Outlawing discriminatory practices in the empanelling of juries under state laws.

B. ELIMINATION OF POVERTY

1. Strengthening of OEO as an independent agency, focusing on anti-poverty programs

with the maximum feasible participation of the poor, adequately staffed and funded.

2. Continuance, expansion and full appropriations up to authorized amounts for job training programs, adult education and special educational programs for disadvantaged children. Job training programs must be oriented toward available jobs and skills needed in a modern technological society and provide general education, where needed, as the basis for the acquisition of greater skills. Such programs must also provide opportunity for the acquisition of business and managerial skills.

3. Financial and technical assistance to members of minority groups in establishing new independent businesses or expanding existing enterprises, including authority for government agencies to accept greater risks than those which private financial institutions and insurance companies will accept. The main emphasis in helping minority group entrepreneurs must be on direct Federal Government loans, rather than on guaranties to private lenders.

4. A humanely administered welfare system which must include (a) national eligibility and benefits standards, (b) a decent minimum standard of living for those unable to work for age, health or family reasons, (c) administrative procedures and practices which clearly set forth the rights and obligations of welfare recipients and which simplify the determination of eligibility and other adjudications or appeals. Welfare recipients should be permitted to retain minor assets, such as insurance payments for injuries or property damage, and to retain at least a portion of the wages which they are able to earn. Work incentive programs should be expanded but participation should be strictly voluntary.

5. Free food stamps should be issued to all needy persons unable to pay for them. The Department of Agriculture should be required to institute food stamp programs in counties not yet covered and to start food stamp and food donation programs even if local officials refuse to apply.

6. Funds must be appropriated by Congress to build all public housing authorized in past legislation and not yet built. Public housing must be upgraded technically and esthetically and unit cost limitations raised to realistic levels. To avoid ghettoizing the poor in public housing, rents should be adjusted upward so that working Americans of varied incomes may benefit from public housing facilities. Novel housing and urban improvement programs, such as repair of existing housing, assistance toward homeownership and rent subsidies, should be adequately funded so as to permit these programs to proceed effectively. Congress must assist in the modernization of the housing industry and of building codes so that housing costs can be reduced and kept within bounds.

7. Health care must be further improved and expanded to enable all citizens regardless of age to receive all medical and dental services which they may need. Congress should institute a full-scale investigation into all aspects of medical care with a view to its improvement and the reduction of its cost.

8. The Fair Labor Standards and National Labor Relations Acts should be extended to cover all employees subject to federal jurisdiction without any exception. Even recent amendments to the Fair Labor Standards Act have left numerous workers without coverage and with a poverty level of earnings. The minimum wage level should be further raised so that those remunerated at that rate, can earn wages above the poverty level.

9. The work of Congress, recently begun, in protecting the consumer against fraud, overreaching in terms of prices and installment financing, substandard or unsafe goods, etc. must be continued and expanded. Extreme watchfulness will be required to ferret out new practices replacing those banned by newly enacted laws.

10. Important as all these programs are, they cannot be expected by themselves quickly to end poverty and unemployment or underemployment and to counteract the effects of continued technological progress on employment. All of these programs must be buttressed by the obligation of the Federal Government to act as the "Employer of Last Resort" and to provide permanent and useful employment for those whom private enterprises cannot train for or provide with such employment.

C. THE PRESERVATION AND/OR RESTORATION OF A LIVABLE ENVIRONMENT

1. Expanded anti-pollution legislation to force those whose activities have polluted or continue to pollute air, water and land, to take promptly the steps necessary to end the harm which they inflict on our environment. Emphasis must be on speedy action for near-term results and the creation of production facilities for anti-pollution equipment of all types on a far larger scale than presently in existence. Congressional pressure on the automotive and oil industries must be maintained to bring about the production of cheaper and better anti-pollution devices for motor vehicles and of motor and heating fuels with less pollutants.

2. Reconstruction of city cores to create recreational, cultural and other public facilities for the preservation of the amenities of urban life. Such reconstruction must simultaneously, if not first, provide housing and business quarters for those displaced at reasonable rentals.

3. Revitalization of local public transport as a public service to attract maximum public use.

4. Expansion and preservation of national parks and other public recreational, forest and wilderness areas for public enjoyment and a healthful natural environment.

D. CITIZEN PARTICIPATION

1. Abandonment of the Electoral College system in presidential elections and the election of the President by a nationwide majority of the American voters. Any such plan must safeguard the integrity of the vote count, provide uniform residential and minimum age qualification for the right to vote, and prevent vote fraud.

2. Expansion of the right of the citizen to be heard and to participate effectively in the planning of public projects which concern him, such as anti-poverty programs, housing, urban renewal, model cities, highway construction and transportation and local health care projects. Provisions for public hearings prior to and after final preparation of plans in these fields should be uniformly adopted along the lines of those now proposed by the Department of Transportation.

3. Lowering of the voting age in all federal elections.

4. Equitable distribution of the burden of military service. The obligation of the citizen to support his country by performing military service should not be treated as a "punishment" imposed on those whose conduct affronts the susceptibilities of the Selective Service or local draft boards.

THE NEED FOR A NATIONAL POLICY ON URBAN GROWTH

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. MOORHEAD. Mr. Speaker, on Monday, March 10, 1969, our distinguished colleague the gentleman from Ohio, THOMAS L. ASHLEY, addressed the National Housing Conference on "The Need for a National Policy on Urban Growth."

Because of the desperate need to rationally coordinate the sprawling growth of our Nation's cities, I am inserting Mr. ASHLEY's speech in the RECORD for the benefit of my colleagues.

The gentleman from Ohio observes that the cities of the United States at once present us with the greatest potential and greatest dilemma of our age.

To properly provide urban residents with the necessary institutions of government, education, recreation, transportation, and business is a tremendous challenge.

Only by a careful analysis of the overall impact of our burgeoning population and technology on city life will we be able to make the cities of the future enjoyable flourishing places to live. The alternative can be seen in the headlines of today's newspapers.

Mr. ASHLEY, who has served so effectively in this House for 14 years, is aware that dissatisfaction and discontent among the minority groups, and those in the majority as well, have made some parts of urban America a battleground, with all of the ills, fears, threats, and trouble that a chaotic, close-quartered living breeds.

Adequate housing and pleasant community living are within the realm of this Nation to provide a majority of its citizens.

An acknowledged expert in the housing field, due to his many years on the Housing Subcommittee of the Banking and Currency Committee, Mr. ASHLEY, in his speech, reminds us that it is our responsibility as lawmakers and the elected representatives of our neighbors to develop the coordinated policy that will make urban life attractive and desirable, not an existence to be shunned for the lessening safety of the suburbs.

His address follows:

THE NEED FOR A NATIONAL POLICY ON URBAN GROWTH

(Remarks by the Honorable THOMAS LUDLOW ASHLEY, National Housing Conference 38th Annual Convention, March 10, 1969)

Thank you very much, Mr. Chairman. I'm grateful for this opportunity to talk to the National Housing Conference and to share the platform with my distinguished colleague and good friend, BILL WIDNALL, from New Jersey; one of America's outstanding city officials, Mayor Washington; and with Leon Wiener, a nationally known home builder who has had the respect of Congress and the executive branch for many years.

I want to talk a few minutes this morning about the need for a national policy on urban growth.

In the first annual report on national housing goals, submitted to Congress this past January pursuant to the provisions of the Housing and Urban Development Act of 1968, President Johnson outlined a plan for the construction or rehabilitation of 26 million housing units in the next decade, a task which he referred to as "a firm national commitment." The report also identified potential problems that may be faced in achieving this goal; specifically, the sensitivity of residential building to credit conditions and the long-run need for adequate labor, land, and materials to maintain an increased level of construction.

In my view this is anything but a realistic appraisal of the fundamental problems we face if our national housing goals are to be met in a rational manner. The real difficulties, I believe, are the result of certain trends

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of haphazard urban growth that have crystallized in recent years. For example:

Our largest metropolitan areas have experienced the most rapid population growth in the period 1960–65, with most of it occurring in suburban and outlying areas—not in central cities.

In terms of industrial and commercial expansion, business more and more is seeking location sites in these same suburban and fringe jurisdictions.

Smaller cities and villages outside the metropolitan areas have had much slower rates of growth and many are completely circumvented by the course of economic development.

With reference to rural America, its population has remained nearly static since 1950 but its farming sector has dropped significantly.

Regarding black America, the majority now resides in core cities; yet a sizable minority (approximately 45 percent) still lives and labors in the countryside.

In terms of public expenditures, our larger cities tend to spend more per capita as their population size increases and private citizens in urban areas must pay more to maintain a moderate standard of living than people elsewhere.

Regarding the form of urbanization, most of the recent pattern of suburban development—with but few exceptions—leads to "sprawl" with an accompanying destructive, disorderly, and costly use of land.

In terms of the future, present projections indicate that our population will increase by about 73 percent by the year 2000 (something over 100 million) with 19 out of every 20 Americans being urban dwellers.

These trends and this projection demonstrate to me that all levels of government—and especially the Federal Government—must focus on developing concerted means of redirecting and reshaping the existing urbanization process.

If the Nation chooses to ignore the problem of sprawl and accept the past pattern of urban development as good enough for the future, the consequences will be catastrophic and the catastrophy will fall equally on the suburbs and the inner cities, and on rural America as well. Unfortunately, what is absent from the President's report on national housing goals is any recognition that quality of development is as important as quantity.

But there are other reasons which underscore the urgent need for developing a national urban growth policy. The population imbalance between urban and rural America necessitates it. The fiscal and public services imbalance between our core cities, small cities, rural communities, and countryside, on the one hand, and suburban America on the other, requires it. The uncoordinated and frequently negative impact of existing governmental programs at all levels, which have helped mold the existing patterns of urban growth, figures in its establishment. The high cost of public and private consumption in our larger urban areas makes this new approach necessary. The very real social and emotional costs of high density, ghetto life demand it, as do such environmental hazards as dirty air, impure water, noise, and traffic snarls. And certainly the helter skelter gobbling up of land on the suburban fringe prompts a more rational strategy or urban growth than we have known in the past.

Putting the proposition differently, it is clear that the task of providing decent shelter for every American family, and for the millions of new family units that are formed each year, will require a three-pronged attack: on the inner city, where physical, social, and economic problems become more acute each year despite the proliferation of Federal assistance programs; on single-class suburbia, where too often the pressures of necessity and expediency have ruled, where too often promoter development has taken place on an unplanned, ad hoc basis and where artificial barriers have prompted inequality of housing, education, and job opportunities; and, thirdly, on the development of new and expanding communities that will offer a well-planned, comprehensive living environment and in the process relieve the inner city density sufficiently to allow major rebuilding and rehabilitation programs that will be responsive to the physical, social and economic needs of our central cities.

These strategies, as I say, may be clear but in the absence of a coherent, comprehensive policy on urban growth, the only alternative is to proceed on the basis of uncertain and usually faulty assumptions, inadequate planning, and on a spectrum of overlapping and often conflicting federal programs which together do little more than to assure perpetuation of past growth patterns which have spawned the very problems we're now trying to solve.

If we want a frightening glimpse of America the beautiful ten years from now, let me direct your attention again to the first annual report on national housing goals and the section which addresses itself to the availability of building sites. We are told that "the estimated 20 million unassisted units required over the next ten years generally will be built in the suburbs, outside the central cities where the availability of sites is not an acute problem."

If we know anything from past experience, it's that a major distinguishing feature of sprawl is the leap-frogging, discontinuous nature of much of current suburban growth. Areas are bypassed for a variety of reasons including unavailability of large enough plots or tracts with clear title, spiraling land costs, and inaccessibility to transportation.

My argument is not against suburban growth but rather against the identifiable disadvantages that we know result from disorderly sprawl. Public facilities are more costly because roads, utility trunk lines, and other facilities have to be extended over longer distances and in patterns which are not necessarily the most economical. A too widely dispersed pattern of development increases the cost of commuting and this is a particular burden for low-income workers especially when inflated values preempt land for higher cost housing. The esthetic impact of sprawl may be said to be largely a reflection of personal taste but certainly strip commercial developments with their billboards, neon signs, and used car lots and the neglected, bypassed tracts of land are characteristics of suburban sprawl with which we are all familiar.

In brief, I think the report is optimistic with respect to the availability of building sites outside the central cities, but my real concern is that 20 million unassisted units are being programmed for the suburbs in the absence of the kind of coherent approach to urban growth that is within our grasp.

This same void is apparent in the section of the report that talks about site availability inside our central cities. Here we are told that of the remaining 6 million units that are to be made available in the next decade, 2 million "will be obtained through rehabilitation of existing units and thus there will not be any land requirements for that activity." Sites for the remainder, we are told, will come from "large amounts of bypassed undeveloped acreage in inner cities and from land generated by urban renewal activity.

If these projections don't provide a light at the end of the tunnel or otherwise convince the less affluent in our society that we are working toward social and economic integration, they may be heartened by the announcement that "a development which promises to provide some multi-family sites for low- and moderate-income housing is the use of air rights platforms over highways." If nothing else, this proposal appears to bear out the promise stated earlier that "improvements in transportation facilities will link new houses with new and existing jobs."

I'm also very much concerned over the further assumption contained in the report that "the new communities program, authorized by the Housing and Urban Development Act of 1968, will also help to provide sites serving production goals of the 10-year program." I'm not at all sure that is so but, again, my real hang-up is over the fact that there has been very little legislation, State or Federal, enacted specifically to deal with the unique features of new community development and that no nationwide planning has been done to develop a new community policy in the United States. The National Resources Planning Board undertook preliminary studies in the 1930's which included consideration of planned communities, but the board went out of existence before there was an opportunity to go beyond the exploratory stage. Although a number of planned new communities have been built, until recently there were no State, area-wide, or regional plans which gave consideration to a new community approach and attempted to identify appropriate locations for such large-scale developments.

Unless we are to foster the same sprawl that has resulted from unplanned suburban growth, new and expanding communities must be the product of a planning process which relates the new community development to area-wide, regional, and national urban development plans and objectives. The continuous planning process required permits adjustments between the actual rate of growth of a new community and job opportunities within or near the community and the need for public facilities, transportation, public services, and commercial and retail establishments.

I don't think it's necessarily wrong or a mistake to proceed with new communities at this time but I do think that we must recognize that we are doing so in the absence of any kind of a coherent, comprehensive approach. John Garvey, deputy executive director of the National League of Cities, recently listed some basic issues involved in the consideration of a U.S. position on new and expanded towns, among which were the following:

1. The extent to which the Nation can develop and give priority to the policies, the funding and the administration of a dynamic and a balanced plan of urbanization, meeting its new and its expanded growth needs and its renewal needs as well.

2. Within the plan, the extent to which we are prepared to define specific local, regional, State, and National governmental and private enterprise opportunities and responsibilities, and to establish appropriate objectives, strategies, and guidelines for all.

3. The extent to which we are prepared to structure our country's pattern of urbanization, industrialization, and rural migration.

4. The extent to which we are agreed that such urban growth include social and economic opportunity for the underprivileged, the minorities and the people in the low- and moderate-income brackets.

5. The extent to which we are prepared to exercise more public ownership of land in urban and in urbanizing areas, thereby retaining for the general public benefit, increments in land values, and holding down the costs of land for essential purposes.

6. The extent to which we are prepared to industrialize our building industry and to modernize our building codes and ordinances, thereby holding down costs of housing construction.

These are issues or questions which to date have gone largely unanswered. Together they underscore my basic thesis, which is that if the Nation is ever to have a meaningful, politically relevant policy on future urbanization, immediate attention must be focused by the White House and Congress—

On the various factors that condition urban growth;

On the consequences of continuing with the present developmental pattern;

On the pros and cons of the various alternatives that might be adopted to redirect this development; and

On the steps that will be necessary to bring into being a policy process that will help achieve a more balanced future urban growth—a more balanced development in rural and urban America.

SEX: AN INTRAMURAL SPORT, MAYBE?

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. RARICK. Mr. Speaker, our colleagues will have a chance to hear the cries of disbelief from the mothers and dads of little children since sex education is now going to be a part of the classroom curriculum in nearby Montgomery County, Md.

Mr. "Tar" Paulin, a local newspaper editor, in reporting on the educational curriculum, concludes his column with this expression of revulsion:

> The ultimate we presume will be the day when intercourse becomes an intramural sport.

I include Mr. Paulin's editorial from the March 12, 1969, Bethesda-Chevy Chase Advertiser, of Rockville, Md., in the Record, as follows:

An Intramural Sport, Maybe?

(By Leo "Tar" Paulin)

In 1964 Dr. Mary S. Calderone formed an organization called SIECUS (Sex Information and Education Council of the United States). SIECUS is the most influential organization promoting sex education programs in schools today.

Dr. Calderone, a contributor to the National Education Association Journal, is a frequent visitor to the educational factories. According to Dr. Gordon V. Drake, of Christian Crusade, she addressed 320 boys at Blair Academy in New Jersey. She asked, "What is sex for?" She answered her own question. "It's for fun . . . for wonderful sensation . . . Sex is not something you turn off like a faucet. If you do, it's unhealthy."

She continued: "We need new values to establish when and how we should have sexual experiences. Nobody's standing on a platform giving answers. You are beyond your parents. But you can't just move economically or educationally. You must move sexually as well."

In 1969 many of the darlings at Vassar are demanding the privilege of entertaining men overnight in their rooms. Could the Vassar journey into licentiousness be the result of SIECUS's efforts?

One of SIECUS's founders and most influential Board members is Dr. Isadore Rubin. He is also editor of "Sexology" magazine. The sworn testimony of an undercover operative for the New York Police Department identified Isadore Rubin in 1955 as a member of the Communist Party. After his dismissal as a teacher by the New York Board of Education in 1951 for refusing to declare whether the New York City Teachers Union—which was expelled from the AFL–CIO because it was found to be Communist-controlled.

"Sexology" is a slick smut magazine replete with pictured and written erotica. Some of its "informative" articles are: Alcohol Can Solve Sex Problems, Group Sex Orgies, My Wife Knows I'm Homosexual, and Gangs that Hunt Down "Queers." Several of the magazine's editors, those who write the "enlightening" prose just listed are also editors of most of the sex courses in schools. Among these editors is one Dr. Lester Kirkendall, who believes that any absolute moral standard is absolutely unthinkable. But that is not all; he says: "A tremendous feeling of national unity, a sense of closeness, goodwill, and harmony may result from fearing another nation or from the efforts of trying to destroy another nation. Such unity," he concludes, "is immoral."

The reasoning, or more properly the excuse, for sex education in schools is to teach children the reproductive system because the parents are not qualified or are reluctant to do so.

I think it is proper for all of us to ask, "Is sex education in schools necessary?" To hear the educators justify their position, anyone over 35 years old must wonder how he ever came into the world since his parents were deprived of sex education in schools.

Sex education is part of the curriculum in the secondary schools in Montgomery County. Within the next few weeks it will become part of the curriculum in the following elementary schools: Rock Creek Forest, Whittier Woods, Gaithersburg, Aspen Hill, Meadow Hall, Oakland Terrace, Colesville, Forest Grove, Farmland, Montrose, Bel Pre. Eventually sex instruction will be extended to all elementary schools in the County starting at kindergarten level.

The new program was revealed by Dr. Robert E. Schneider, supervisor of health education and services for county schools, who is in charge of the project, at a meeting held at the Board of Education Monday, to which parents of children in the affected schools were invited last week. For specific details, they will have to go to the libraries of the schools involved, where copies of the complete program will be on file, and they can get replies to any questions from the individual school principals.

Dr. Schneider said the program will be similar to classes now taught junior high school students and reduced to the elementary grade level because of an apparent need resulting from the failure of many families to give their children essential information at home, coupled with a 1966 act by the legislature requiring that sex and family life be taught in elementary as well as junior high schools, leaving such instructions "incumbent on all schools."

As of now, Schneider said, the classes will stick to simple facts that will be treated as family material. In response to a question, he said, "we won't even discuss premarital relations until such time as the Board of Education itself takes a position."

Schneider said he, himself, doesn't condone premarital sex and, with regard to future planning, "We will hold to this position until we feel that our society has changed its position."

Aside from the questionable use of our tax dollar to teach sex to kindergarten kids, is there any real need for sex education at any school level? Is this not still the prerogative of the parent? There is nothing very mysterious about the biological aspects of sex; it comes as naturally to male and female as breathing, loving, hating, laughing, crying or any other human emotion.

There is a strong suspicion that the SIECUS crowd is more concerned with the destruction of moral standards than it is the education of the child.

Most certainly there is more promiscuity among young people today than at any time in modern history, and there is, by far, a greater number of illegitimate births among school girls than during any previous period in our history. The ultimate, we presume, will be the day when intercourse will become an intramural sport.

FRONT-PAGE STORIES THAT MISSED THE FRONT PAGES

HON. ALLARD K. LOWENSTEIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. LOWENSTEIN. Mr. Speaker, one test of the quality of a society is who it jails for political activities and what those political activities are.

Mr. James Wechsler, one of America's outstanding journalists, reported on two situations in successive columns in this week's New York Post. These situations will cause many devoted Americans concern and anguish. That concern will be especially sharp for those of us, Mr. Speaker, who count Mr. David Hawk and Mr. Truong Dinh Dzu as friends. For these are men whose lives have touched thousands and whose suffering will therefore be shared by thousands.

David Hawk's dilemma has been similar to that of a great many other young Americans faced with the prospect of being drafted into a war they believe to be morally and politically indefensible. Truong Dinh Dzu, runner-up for President of South Vietnam in the 1967 elections, has already spent long months in prison for advocating negotiations with the Vietcong—an offense which would seem relatively minor compared to that committed by this Government and by his own Government, which are in fact even now presumably conducting such negotiations, not merely advocating them.

It is hard to think of any habit more useful to the public and less likely to bring recognition to a journalist than Mr. Wechsler's habit of bringing to the attention of the people front-page stories which have somehow missed the front pages. These columns of James Wechsler speak for themselves, and put us all once again greatly in his debt:

Dangerous Man

(By James A. Wechsler)

For an hour yesterday David Truong and I talked about a letter he had received from his father, a leader of the peace movement in Vietnam who has been imprisoned by the Thieu-Ky regime. We discussed at length the question of whether I should publish his father's letter. It is too easy to make journalistic decisions that may involve one man's life or death. But at the end of our meeting, we agreed that the desperate effort of the Thieu-Ky regime to pretend that it is the voice of South Vietnam was so outrageous that the statement of the man who stood up against that cabal in the Vietnamese election should be placed on the record. And I hope that the following words from Truong Dinh Dzu to his son will be heard around the world.

"My Dear David: Today is the fourth of the first month of the Vietnamese calendar of the New Year of the Cock. It is your year, as you were born on Sept. 2, 1945. It will also be our year, the year of success for the group for peace in Vietnam.

"I am feeling well, although the detention and the constant surveillance are quite hard for my nerves. Without any pressure from Nixon, I don't think I and other well-known non-Communists will ever be released. I am doing my best not to break down. There are terrible moments where I feel I am crecking. A delegation of deputies from the Assembly recently visited the island, and I promised

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the major of the place that I would not try to meet them. However, my guardian had clamped with lumber every door and window of the little shack for two days and there wasn't any food coming in. After the delegation left, then I was let out. I felt like hitting the guardian.

"Despite all this, I believe that the Americans must give some justification to their people about continuing this war. With the new communique of Hanoi and the NLF about a peace cabinet for Saigon, Nixon and Lodge will eventually have to concede on that point if they want to end the war. Otherwise, there are good prospects that it will not be over by 1972.

"On the other hand, the new government must include those renowned nationalists who can deal with the NLF and Hanoi because they have the potential to organize the existing religious groups in South Vietnam and because they hold high prestige with the people. From now until late May '69, events will lead to my release, and by July it is possible that a new cabinet will take shape in Saigon.

"I hope you will handle this letter with care because if the Saigon regime finds out that this is for release to the U.S., Saigon might not allow mother to visit me once a month and put tighter restrictions on our family. On the other hand, you must tell the people back there that the war is far from over. The Presidential campaign might be over, but not Vietnam. So there is need for further effort. At the present rate, we all might have to face 1972 with a bigger Vietnam.

"To a New Year of success for all of us, of happiness and peace for our country."

Now let there be only this footnote: If the consequence of the publication of this column is some form of Thieu-Ky revenge against the man whose words are quoted here, I am confident there will be an explosive expression of the American sense of justice and decency. And if something goes wrong, there will be one newspaperman watching.

ANOTHER CASUALTY

(By James A. Wechsler)

The U.S. will shortly claim another prisoner in the Vietnam war. Unhappily he—like numerous other captives—is a young, idealistic American. He is 25-year-old David Hawk, who surrendered to federal authorities on Monday in the chapel of Union Theological Seminary after participating in a peaceful "sanctuary of conscience" to dramatize his refusal to serve in the Army.

I talked with him yesterday and throughout the conversation there recurred the thought: how many of our most thoughtful decent young men will be behind bars—or finding refuge in Canada or other places—when this ghastly war is finally ended?

It is painful to emphasize that Hawk has all the surface attributes of a healthy, respectable American youth who might be serenely serving as a corporate executive and playing golf at a suburban country club.

But too much of comfortable America still envisages our young anti-warriors as eccentric malcontents; so one must contest the stereotype by pointing out again that the crisis of conscience stirred by the Vietnam war has hit so many conservative homes, such as the one in which David Hawk was reared.

It will surely spread with new intensity if the war drags on.

He was born in Allentown, Pa., in 1943. His father is a salesman for a small electronics firm, his mother a registered nurse. They have voted Democratic only once in their lives—the year was 1964. They are deeply committed members of the Evangelical Congregational Church, a group strongly influenced by the preaching of Billy Graham. They could not hide their shock when David told them that he was "becoming a criminal"—that is, a draft-resister. But after many long, sometimes tortured conservations they affirmed their respect for his fidelity to conviction and have said so in public; it is the continuing miracle of America that such adjustments occur.

David Hawk attended public school in Allentown and went from there to the campus of Cornell. He achieved certain renown as a diver on the swimming team (All-American in his sophomore year). He was a popular figure among his classmates.

He was a serious (and witty) student, enrolled in Cornell's labor relations school and majoring in sociology and economics. Then the civil rights movement "captured my imagination"; by the end of his junior year he was spending his summer on the frontlines in Mississippi.

After commencement in 1965, he enrolled at Union Theological. He had been strongly influenced by reading Reinhold Niebuhr and others associated with the Seminary; his preoccupation was "applied ethics."

In the two-year interval at Union one thing led to another. He became actively involved in the anti-war activity being organized among student body leaders and college editors, and was designated for the post of "Vietnam Draft Director" by the National Student Assn.

But it was his simultaneous effort as a youth worker with the Methodist church's Greene Av. project in the Bedford-Stuyvesant area that decisively shaped his critical decision.

"I saw all these poor kids, mostly black, not able to go to college and being snapped up by the draft, though few of them had any desire to go," he recalled yesterday.

"It forced me to think about who was being drafted while people like myself, with educational deferments, had the luxury of protest and dissent. Those kids had less of an investment in this country than we do—but they were going and we weren't. I had to show where I stood."

So, in October, 1967, he dutifully informed his draft board that he had abandoned his studies (he was then working full-time in the "dump-Johnson" movement).

"I suppose I could have lied and claimed I was a conscientious objector to all war and maybe that would have been the end of it," he said quietly.

"But the truth is that I know I would have been willing to fight in World War II and I said so."

The price of truth—when his local draft board needed to—another quota—was the induction order he has now challenged. He displays no symptoms of either panic or martyrdom about the prospect of jail. What perhaps accentuates the tragedy is that he is so plainly a warm, rational, honorable human being, playing no devious ideological game.

The brutal paradox is inescapable. Hawk fought his battle within the framework of "the system;" was a steadfast supporter of Eugene McCarthy, who along with Sens. George McGovern and Mark Hatfield have sent him messages of support. Lyndon B. Johnson stepped down; the bombing halt was decreed.

By any sane standard the country is in debt to such young men who helped to stem the draft toward total disaster in Vietnam, and did so with due respect for the democratic process, and refused to use subterfuge for draft evasion. Now he is headed for jail. Can there be any clearer incitement to riot?

The Justice Dept. is now reported planning a crackdown on traveling agitators who inflame campus rebellion. But the symbolism of David Hawk's case is far more inflammatory than any leftist leaflet.

STATEMENT OF REPRESENTATIVE JOEL T. BROYHILL OF VIRGINIA IN SUPPORT OF HIS BILL TO DESIGNATE THE BRIDGE AUTHORIZED BY AN ACT OF OCTOBER 4, 1966, AS THE "LIGHT HORSE HARRY LEE" BRIDGE

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. BROYHILL of Virginia. Mr. Speaker, seldom does a Member of Congress have the honor of presenting a bill to provide for the living memory of one of America's truly outstanding heroes. Today I urge upon my colleagues the earliest consideration and prompt passage of a bill I am introducing to designate the bridge now under construction over the Potomac, between the Rochambeau Memorial and George Mason Memorial Bridges, authorized by the act of October 4, 1966, as the "Light Horse Harry Lee" Bridge.

Mr. Speaker, it is befitting that the Congress and the Nation remember Henry Lee, better known in American history as "Light Horse Harry" Lee, soldier and statesman, by this memorial. I should like to recount to the House some of "Light Horse Harry" Lee's exploits from a biography by Thomas Boyd and also the account of Henry Lee, from the Dictionary of American Biographers, volume II.

Henry Lee, 1756–1818, was an outstanding student, brilliant soldier—leader and strategist—prominent statesman in Virginia, and national affairs, orator with facile pen and a devoted family man. He was a brother of Richard Bland and Charles Lee, born at "Leesylvania," near Dumfries, Prince William County, Va., the son of Henry Lee.

Entering Princeton—then College of New Jersey—at age of 14, he attained a high academic standing. A visitor to the college during Lee's freshman year predicted that he would become "one of the first fellows in this country." He graduated from the college in 1773, at the age of 17, and was preparing to go to England to study law when the American Revolution changed his plans and his career.

Henry Lee's military career began in 1776 at age 20 as captain of a company of Virginia Light Dragoons—hence his subsequent nickname "Light Horse Harry." The next year he and his light horse became a part of Washington's army which was "weak with horse," remaining there until late 1780. He was then assigned to the campaign in the South serving under General Greene until the end of the war.

In the North, Lee and his "legion" became the eyes and ears of Washington's army, fulfilling brilliantly and effectively continuous scouting and harassing missions. He was commended by the Continental Congress for fighting off an attacking force of 200 British on his own headquarters held by himself and seven men. He declined to serve on Washington's staff, though he would have been promoted from captain to lieutenant colonel, preferring field duty. As a result of his intelligence reports, Washington recalled Gen. "Mad" Anthony Wayne from leave to attack and capture a garrison of several hundred men at Stony Point on the Hudson. This fort captured earlier from the Continentals had been heavily fortified and considered unassailable by Washington until with information gathered by Major Lee, including use of a spy as directed by Washington, it was decided to make the attempt. Lee was "one of the officers who showed the way down the hill, over the flooded marsh and up the steep rocky side of the British stronghold from which an American flag soon floated." This was July 15, 1779.

In August 1779, Lee, with several hundred foot soldiers, captured the British garrison of 160 men at Paulus Hook—now in Jersey City—for which he was awarded a gold medal specially struck for that purpose by the Continental Congress—the only gold medal awarded by Congress to an officer below the rank of general. This expedition carried out under a plan, finally approved by General Washington, involved a total march of 44 miles round trip in 21 hours while exposed to possible enemy attack and with no time out for food. The march was through one entire night and most of the next August day traversing mountains, swamps, deep morasses, and across a river that had to be bridged. Lee labored against severe odds, some of which operated unexpectedly against him.

In late 1780 Lieutenant Colonel Lee led his "Lee's Legion" into the Carolinas to continue a fast-striking, hard-fighting expedition of 280 cavalrymen and infantrymen to protect Gen. Nathaniel Greene's troops against Britain's renowned Lt. Col. Banastre Tarleton serving with Lord Cornwallis. Lee, finding it "repugnant" for a light corps to operate "with even a single wagon" returned all of his baggage train to General Greene's camp. After a series of winter expeditions in close cooperation between Lee, General Marion—the "Swamp Fox"—and others, Cornwallis found that he had a determined and effective enemy.

On March 31, 1781, Lee attended a meeting of General Greene and other officers at which Lee offered a plan of attack on British forts in South Carolina, breaking British control of that State except in Charleston. His overall plan and military reasoning behind it was accepted by General Greene and after much hard marching, severe but short clashes, most of South Carolina was freed from British control while, as Lee predicted, Cornwallis moved into Virginia. This campaign was characterized by forced marches—100 miles in 3 days in one instance—ingenuity and sagacity.

The oft-repeated forced marches and rides followed closely by battle with victory in nearly every instance attested to Lee's ability as a tactician, a strategist, and one who inspired his Legion to almost superhuman physical effort. Finally, it was his good fortune to be present at the seige of Yorktown and to witness the surrender of Cornwallis on October 19, 1781.

Lee now came to the conclusion that the war was over and resigned his commission. A hero, one of the most notable Virginia soldiers, he won the hand of his cousin, Matilda Lee, heiress of "Stratford," whom he married early in 1782. He had several children, one of whom was Henry Lee—1787–1837.

As great as his military accomplishments, Lee served with distinction his State and country during the formative years of our Nation, 1785 to 1812. Turning to politics, he entered the Virginia house of delegates in 1785, and in the same year was sent to the Continental Congress, where he served, with one brief interruption, until 1788. He was an active member of the Virginia convention that ratified the U.S. Constitution in 1788 and voted for that measure.

Lee's strong support of the proposed Constitution prior to and at the Virginia Convention helped win ratification by the rather close vote of 89 to 79 against the opposition of Patrick Henry, James Monroe, Richard Henry Lee, George Mason, and other men of great stature. In that battle of intellectual giants, he pleaded with eloquence and zeal for adoption of the new Constitution. Lee was the first to reply to a long speech by Patrick Henry. His eloquence had to be good at such a moment. It is generally agreed that had Virginia declined to adopt the Constitution, New York would have followed, and this would have spelled failure to replace the Articles of Confederation. After Virginia's favorable vote, New York followed with a 30-to-27 vote.

In 1790, after the death of his first wife, Lee thought of going to France for military service, as he was still young and still enamored of war. He gave up this plan in order to marry, on June 18, 1793, a second wife, Anne Hill Carter, of "Shirley." The fifth child of this marriage was Robert E. Lee.

From 1792 to 1795 he served as Governor of Virginia. While still Governor, in 1794, he was chosen by Washington to command the Army assembled to put down the Whiskey Rebellion in Pennsylvania. Lee managed to quell this uprising without the loss of life, and enhanced his prestige. In 1799, he entered Congress. The resolutions offered by John Marshall on the death of Washington were drawn by Lee and contained the description of Washington as "first in war, first in peace, and first in the hearts of his countrymen." Lee repeated the phrase in his memorial oration in Philadelphia on December 26, 1799.

In 1812, Lee opposed war with England, believing that diplomacy could rectify mutual problems. A young editor, Alexander Hanson, published the Federal Republican in Baltimore. He strongly opposed the Madison administration war policy. Lee, while in Baltimore, visited Mr. Hanson, who was the son of an old friend of his. A mob attacked the Hanson house, and in the riot of two consecutive nights, the attackers killed one Federalist and left others for dead, including General Lee, whose death was reported in the press. He was so badly injured that he was speechless for 11 days. It was primarily to recover from such a terrible beating that General Lee went to the West Indies, hoping for a cure. It was all in vain. Warned that death was approaching, he set sail for home but his strength gave out on the way. He was set ashore at Cumberland Island, Ga., and was tenderly cared for by the daughter of his old commander, General Greene. There he died and was buried. In 1913, his remains were transferred to the Lee chapel of Washington and Lee University at Lexington, Va.

In summary, Henry "Light Horse Harry" Lee was not only one of the first but one of the best of American cavalry soldiers. This soldierly quality enabled him to assist greatly by fete of arms in the establishment of this country's independence from England. He also aided materially as a statesman in establishing our present form of government. He commanded the troops that put down without bloodshed the first major internal threat to these United States, but lost heavily in personal popularity in so doing. And finally, he literally died in a personal quest to prevent the War of 1812 with England.

Having been born and reared a few miles below Alexandria, and later as a Member of Congress residing in Alexandria, he was closely associated with the area to be served by this new bridge across the Potomac River.

Mr. Speaker, it is important that the name designated for this new bridge carry out the traditions earlier established by Congress. Earlier this body designated the companion bridges over the Potomac after famous men who had contributed greatly to the founding of our country, General Rochambeau, who commanded the forces of France that came to the aid of the Continental Army, and George Mason of Virginia, who contributed so greatly to our Bill of Rights and in the formation of our Government. By naming this new bridge the "Light Horse Harry Lee Bridge," the Congress will be continuing this fine established tradition. I again respectfully urge upon my colleagues enactment of this legislation to honor a great American.

HOUSE COMMITTEE ON BANKING AND CURRENCY SUBCOMMITTEE APPOINTMENTS

HON. WRIGHT PATMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. PATMAN. Mr. Speaker, as chairman of the House Committee on Banking and Currency, I have the honor to announce the following appointments to the standing subcommittees of your House Committee on Banking and Currency:

SUBCOMMITTEE APPOINTMENTS

DOMESTIC FINANCE

Wright Patman, Tex. Chairman.
Joseph G. Minish, N.J.
Richard T. Hanna, Calif.
Tom S. Gettys, S.C.
Frank Annunzio, Ill.
Thomas M. Rees, Calif.

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Nick Galifianakis, N.C.
James M. Hanley, N.Y.
William B. Widnall, N.J.
W. E. (Bill) Brock, Tenn.
Benjamin B. Blackburn, Ga.
Chester L. Mize, Kans.
Chalmers P. Wylie, Ohio.

SMALL BUSINESS

Wright Patman, Tex., Chairman.
William A. Barrett, Pa.
Leonor K. Sullivan, Mo.
Tom S. Gettys, S.C.
Tom Bevill, Ala.
Charles H. Griffin, Miss.
Frank J. Brasco, N.Y.
Bill Chappell, Jr., Fla.
J. William Stanton, Ohio.
Del Clawson, Calif.
Lawrence G. Williams, Pa.
Chalmers P. Wylie, Ohio.
Benjamin B. Blackburn, Ga.
Margaret M. Heckler, Mass.

HOUSING

William A. Barrett, Pa., Chairman.
Leonor K. Sullivan, Mo.
Thomas L. Ashley, Ohio.
William S. Moorhead, Pa.
Robert G. Stephens, Jr., Ga.
Fernand J. St Germain, R.I.
Henry B. Gonzalez, Tex.
Henry S. Reuss, Wis.
William B. Widnall, N.J.
Florence P. Dwyer, N.J.
Del Clawson, Calif.
Garry Brown, Mich.
Seymour Halpern, N.Y.
J. Glenn Beall, Jr., Md.

CONSUMER AFFAIRS

Leonor K. Sullivan, Mo., Chairman.
Robert G. Stephens, Jr., Ga.
Henry B. Gonzalez, Tex.
Joseph G. Minish, N.J.
Richard T. Hanna, Calif.
Frank Annunzio, Ill.
James M. Hanley, N.Y.
Bill Chappell, Jr., Fla.
Florence P. Dwyer, N.J.
Chalmers P. Wylie, Ohio.
Lawrence G. Williams, Pa.
Garry Brown, Mich.
Margaret M. Heckler, Mass.
William O. Cowger, Ky.

INTERNATIONAL FINANCE

Henry S. Reuss, Wis., Chairman.
Thomas L. Ashley, Ohio.
William S. Moorhead, Pa.
Henry B. Gonzalez, Tex.
Richard T. Hanna, Calif.
Thomas M. Rees, Calif.
James M. Hanley, N.Y.
Frank J. Brasco, N.Y.
Seymour Halpern, N.Y.
William B. Widnall, N.J.
Albert W. Johnson, Pa.
J. William Stanton, Ohio.
Chester L. Mize, Kans.
W. E. (Bill) Brock, Tenn.

INTERNATIONAL TRADE

Thomas L. Ashley, Ohio, Chairman.
Robert G. Stephens, Jr., Ga.
Fernand J. St Germain, R.I.
Tom S. Gettys, S.C.
Thomas M. Rees, Calif.
Tom Bevill, Ala.
Nick Galifianakis, N.C.
Seymour Halpern, N.Y.
Charles H. Griffin, Miss.
Chester L. Mize, Kans.
Benjamin B. Blackburn, Ga.
Garry Brown, Mich.
Albert W. Johnson, Pa.
William O. Cowger, Ky.

BANK SUPERVISION AND INSURANCE

William S. Moorhead, Pa., Chairman.
Fernand J. St Germain, R.I.
Joseph G. Minish, N.J.
Frank Annunzio, Ill.
Tom Bevill, Ala.
Nick Galifianakis, N.C.
Charles H. Griffin, Miss.
Frank J. Brasco, N.J.
W. E. (Bill) Brock, Tenn.
Del Clawson, Calif.
Albert W. Johnson, Pa.
Lawrence G. Williams, Pa.
Chalmers P. Wylie, Ohio.
Margaret M. Heckler, Mass.

PARITY REPORT FOR FEBRUARY 1969

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. ZWACH. Mr. Speaker, a new record high was reached in overall farm costs for the month just completed. This index figure is 3.65 times as high as the index base of 1910–14, and is 16 points higher than just a year ago. This is another example of the staggering load that we are reaping from unwise Federal spending and deficit financing programs over the past decade. Prices that farmers received did go up on meat animals during this same time, and is largely responsible for the 1-percent increase in the parity ratio for agriculture this past month.

Listed below are parity percentage levels for January and February for some of our major crops.

Commodity	January 1969	February 1969
Cotton	41	42
Wheat	47	48
Corn	65	65
Peanuts	74	74
Butterfat	74	75
Milk	83	83
Wool	44	43
Barley	65	66
Flax	67	68
Oats	69	70
Sorghum	64	65
Soybeans	70	70
Beef	78	80
Chicken	67	69
Eggs	83	76
Hogs	74	78
Lamb	85	89
Turkey	65	62
Average	72	73

THE TEKTITE I PROJECT

HON. GEORGE E. SHIPLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. SHIPLEY. Mr. Speaker, 3 weeks ago, on February 15, 1969, at 1152 hours, e.s.t., four brave scientists from the Department of Interior entered the waters of Great Lameshur Bay, St. John Island, in the U.S. Virgin Islands. For 60 continuous days these pioneers of the last frontier will live and work beneath the surface in a four-chambered habitat designed by the missile and space division of the General Electric Co. headquartered in Valley Forge, Pa. Behaviorists and biomedical experts from the Department of the Navy and the National Aeronautics and Space Administration will monitor the movements and even the dreams of these daring Americans.

The Tektite I Project, named after a mineral originating in space and found on earth and symbolizing the project's multidisciplines, has three primary missions or programs. These are a biomedical program, a behavioral program, and a marine sciences program. The goals of these three programs range from gaining knowledge valuable to Navy missions to long-range space missions to learning how to harvest the oceans' riches.

Tektite I is a prime example of economy and teamwork which in less than a year and a half brought together four divergent agencies—three Federal and one private industry—to begin, on schedule, a project which will have great impact on our Nation's progress in the oceans. The Navy, NASA, Department of Interior, and General Electric Co. are all equal sponsors.

The four scientists, who are aquanauts merely as a means to an end—exploring the oceans—are Richard A. Waller, oceanographer; Conrad V. W. Mahnken, oceanographer; Dr. H. Edward Clifton, geologist; and John G. Van Derwalker, biologist. In the early days of their quest for knowledge, these Americans have already found and met the perils of the ocean. They have had to battle a moray eel which was blocking the entrance into their habitat, and they were trapped beneath the surface as a severe thunderstorm ravaged the islands above them. In the coming weeks, they will set a new record for duration in living and working in a saturated condition. For the 60 days, they will be subjected to pressures on their bodies equaling two and a half atmospheres. Little is yet known of what this could mean to the human body.

All Americans, indeed the people of the world, will follow with interest and pride these four intrepid scientists. We will anxiously await the results of their 60-day mission with an eye to preparing for future missions so that one day soon we will be able to use the oceans to help fill the empty stomachs of starving people throughout the world.

COLUMNIST DAVID LAWRENCE VIEWS COURT RULING ON NEWSPAPERS AS LEADING TO MORE MONOPOLY

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. EVINS of Tennessee. Mr. Speaker, I was recently pleased to join with others in introducing and sponsoring H.R. 279, a bill to allow two newspapers operating under joint arrangement to be treated as a single entity under antitrust laws.

The purpose of this bill is to give to newspapers who have combined their printing and other mechanical facilities equal treatment with one-owner newspaper cities where both newspapers have been merged under single ownership with a single editorial policy. In other words, the purpose of this bill is to assure two editorial voices and to afford the same rights and privileges to two owners who wish to preserve separate, independent editorial voices available to single owners who have acquired two newspapers in the same city.

This bill is especially important in view of the fact that the Supreme Court has recently made an adverse ruling which will tend to wipe out the two-newspapers arrangement with joint mechanical agreements.

In this connection, I place in the RECORD herewith a column from the Nashville Banner, written by Mr. David Lawrence, which outlines the impact of the Supreme Court ruling.

The column follows:

COURT'S NEWSPAPER RULING LEADS TO A TOTAL MONOPOLY

(By David Lawrence)

WASHINGTON.—The Supreme Court of the United States has just proclaimed a novel doctrine—that two competing businesses cannot merge unless one is on the verge of bankruptcy and cannot find some other purchaser. What the court has unwittingly recommended is a means of awarding the stronger business an eventual monopoly.

The case in point arose in Tucson, Ariz., where one newspaper was making about $25,000 a year, and the other was losing about the same amount. An agreement was reached which provided that each paper would retain its owns news and editorial departments as well as its corporate identity, but the production and distribution equipment were to be combined, and the circulation and advertising departments operated jointly.

This arrangement has been in effect since March 1940, and the venture proved profitable to both papers. In 1965, the owners of one paper purchased the other, but continued separate news and editorial departments for each.

Now the Supreme Court calls the combination "an unreasonable restraint of trade" and declares that there was no real proof that in 1940 one of the papers was "on the verge of going out of business." The new decision is important, because there are at least 44 newspapers in 22 cities which have entered into similar arrangements during the last 25 years.

What the Supreme Court overlooked is the nature of the competition faced even by a single newspaper in a community today. It may not have a rival in printed form within the same city, but it has newspapers coming by airplane and bus into its territory from cities not far away. Likewise, television and radio cover the area, and a daily newspaper has plenty of competition from the "commercials" used by advertisers on local broadcasting stations.

In 1920, there were 2,042 daily newspapers in the United States. This total, according to the latest figures, has declined to 1,749. There are only 327 morning papers and 1,438 evening papers, and 16 of these are "all day" newspapers.

Many a large city has only a morning paper and an evening paper, whereas even 20 years ago, when the population of the United States much much smaller, they had several. New York City, for instance, has gone from 10 dailies to only three. Boston had seven papers, and now has four. Los Angeles today has two dailies—half of the number it once had.

What most people do not realize is that newspapers cannot survive on the income obtained only from the subscribers or purchasers at the newsstands. Advertising revenue is essential to meet expenses and furnish a profit. Competition from other media, such as radio, television, magazines and outside newspapers in the same area, has severely cut down opportunities for the small dailies to stay in business, particularly when payrolls, equipment and other costs continue to rise.

The merging on the production and business side has saved many a community newspaper. In most cases where a morning and evening newspaper are published by the same ownership, editorial pages are independent of each other.

What is not perceived by the Supreme Court is that when two newspapers combine some of their operations, they have not by any means stifled all competition in the community. They have merely devised a way of meeting the heavy competition they face from other sources.

Meanwhile, national labor unions, operating as a monopoly with apparent immunity from antitrust laws, impose wage scales all over the country which have brought about the downfall of a number of newspapers over the last several years.

Unless Congress passes a pending bill which would permit two daily newspapers to enter into joint operations when one could not otherwise survive, many of these publications will go out of business. This writer, on June 1, 1964, in discussing a similar antitrust case filed by the Department of Justice at that time against a combination of two newspaper enterprises, wrote:

"Under the oldest concept of property rights, it has never been held that an owner should be forced to go to the borderline of bankruptcy before he can sell a deteriorating asset to a competitor. The Department of Justice evidently thinks otherwise and that antitrust laws may be used to bring about a form of commercial suicide."

ORDERLY AND RATIONAL PROGRESS AT GEORGETOWN: THE IDEOLOGICAL GAP NARROWS

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. CHARLES H. WILSON. Mr. Speaker, the Nation has been made very much aware in recent months of the numerous disorders and violent disruptions which have plagued many of the campuses of our institutions of higher learning, as militant groups of students have sought to impose immediately various kinds of drastic changes in the structure, curriculums, and administration of these institutions. What is not generally known, however, is that in some colleges and universities equally important changes are being brought about by an intense but quiet expression of student activism which, because of its orderly, rational, and patient character, lacks the dramatic quality to be considered newsworthy. Thus, only a few days ago, the students of Georgetown University's Edmund A. Walsh School of Foreign Service won a significant victory in their 2-year campaign to bring about important reforms in the basic structure and functioning of that world-famous institution. This student achievement at Georgetown appropriately coincides with the celebration of the foreign service school's 50th anniversary, and the university newspaper, the Hoya, in its March 13 issue, has described, in its editorial of that day, the significance of this achievement, not only to the Georgetown community but to universities throughout the Nation. Under unanimous consent, I include their editorial in the Extensions of Remarks:

THE SFS VICTORY

The results of the proceedings which took place last Saturday in the Hall of Nations will not make natoin-wide headlines, nor merit extensive coverage by the broadcasting media, but they are nevertheless a victory of the greatest dimensions for Georgetown students in general and School of Foreign Service students in particular. This victory is truly unique when one considers the means to which students on other campuses have resorted in order to make known their demands. The recent incidents at American University and the continuing controversy at Howard are prime examples.

The movement for a core faculty with a separate budget for the Edmund A. Walsh School of Foreign Service had been debated for two years prior to passage. Since the first proposal for such a structure was made in The Hoya by Dr. Walter I. Giles, patience and persistence have characterized the movement, both when defeat seemed imminent and passage assured. Victories were few at the outset, but the students, led by the untiring examples of Dr. Giles, Dr. Quigley, and more recently Dean Mann, never gave up.

Indeed, it may be stated that Georgetown has not seen such a display of activism and unity on the part of her students in a long while. When faced with the question of the future of their school's existence in the year of the fiftieth anniversary of its founding, the students responded to the challenge with a vigorous intensity that surprised everyone but themselves. They presented their case not with violent protest, but with intelligible communication. By their actions and words, they did not widen the ideological gap with the opposition, but in fact narrowed it, to the point where some of the proposal's earliest critics voted in favor of final analysis.

The students of the School of Foreign Service may well be proud of the method by which their victory was achieved. But the entire Georgetown community should be proud, too. Georgetown has presented an example of student power to which universities throughout the nation would do well to subscribe.—R. H.

SUPPORT OF LEGISLATION TO PERMIT TAX CREDITS FOR HIGHER EDUCATION EXPENSES AND TAX DEDUCTION ALLOWANCES FOR TEACHERS

HON. CHARLOTTE T. REID

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mrs. REID of Illinois. Mr. Speaker, our tax laws have been used in a variety of ways to help and encourage the business community, but there is no business that is more important than the education of our young people.

Today, I am again introducing two bills which I sponsored in the 90th Congress to further education. The first would allow a tax credit for higher education expenses such as tuition, fees, books, supplies, and equipment. The second would amend the Internal Revenue Code to permit teachers to deduct expenses, including the cost of certain travel, incurred in pursuing courses for academic credit and degrees at institutions of higher learning.

We all know how the cost of a college education has risen in recent years and

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will probably continue to rise in the future. It is our responsibility as Members of Congress to devise a solution to this cost problem which will benefit both moderate- and low-income families and students, and we must also preserve the diversity of higher education by assisting all of our institutions. At the same time, we must accomplish these goals with the least amount of governmental interference in our educational system.

While this tax credit provision admittedly is not a cure-all, it will provide relief for strained family budgets and allow for the continued independence and diversity of our institutions of higher education. It would be my hope that the provision in the bill which allows the tax credit to anyone who pays the expenses of a college student regardless of the relationship between the two individuals would lead to increased private scholarship assistance to low-income students. This would be in line with President Nixon's efforts to involve voluntary citizen participation in meeting America's needs.

All Members of Congress are aware of the outstanding job being done by the teachers of our Nation. Furthermore, they are doing a better job every year, as can be shown by the success the United States has had in meeting the educational challenges and demands of our times. To be able to meet these challenges, however, teachers must continually return to colleges and universties to study new developments in their fields of academic endeavor and in educational devices and methodolgy. Continuing teacher education is an absolute prerequisite for those who wish to become principals, superintendents, or other administrators. But beyond this, teachers are in increasing numbers, having to continue their education merely to retain their present status.

The purpose of the second bill I am introducing today is to provide by statute the tax deductions which are allowed teachers for educational expenses. While Internal Revenue Service rulings and regulations on this question are subject to change on very short notice, teachers must plan their return to colleges and universities many months in advance. It is for this reason that I am sponsoring specific legislation to provide for such deductions.

SOME THINGS TO KEEP IN MIND ABOUT THE NAVY'S COURT OF INQUIRY ON THE "PUEBLO" INCIDENT

HON. CHESTER L. MIZE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. MIZE. Mr. Speaker, because some aspects of the Navy's court of inquiry on the *Pueblo* incident have been misinterpreted, I feel that it is fair to examine an explanation of what a court of inquiry is and why one was convened for the *Pueblo* incident. Such an explanation has been provided by Adm. Thomas H. Moorer, U.S. Navy, Chief of Naval Operations and president of the Naval Institute, in an address to the members of the American Bar Foundation on January 25, 1969.

These remarks were later circulated as a memorandum to the members of the Naval Institute. I have seen a copy of this memorandum and feel that its publication in the CONGRESSIONAL RECORD will help clear the air of some of the misunderstandings and misinterpretations.

Under leave to extend my remarks, I insert the memorandum at this point in the RECORD:

MEMORANDUM TO MEMBERS OF THE NAVAL INSTITUTE

You, as lawyers, will understand why I, as Chief of Naval Operations, and thus in the reviewing chain of command, cannot make comments on the substantive aspects of testimony given during the Inquiry. I will be ready to do this at the appropriate time.

I can, however, put the nature of the Inquiry in proper perspective and, hopefully, reassure the American people that the Court of Inquiry is being conducted in a straightforward, legal and objective manner.

First: What is a Court of Inquiry? It is a fact-finding body—that and nothing more. It is not a court-martial. Witnesses at a Court of Inquiry are *not* on trial. A Court of Inquiry cannot even prefer charges. It simply records the facts and makes recommendations to the convening authority—in this case the Commander-in-Chief of The Pacific Fleet. These recommendations may cover such things as operational procedures, material improvements, communications, training of personnel, international law—and many other subjects—and; if warranted, the recommendation for further legal proceedings.

Next: Why are we having of Court of Inquiry? A ship has been lost. We always have a Court of Inquiry when this happens—whatever the cause.

Particular emphasis is being placed on protecting the rights of the individuals, and on lessons learned. These lessons will be of great assistance in the future.

When the Inquiry opened its initial session, the first witness was Commander Bucher. He was given the legally required advice concerning his rights as a party to the Inquiry. Counsel for the court made it clear that Commander Bucher was not at that time suspected of having committed any offense under the Uniform Code of Military Justice.

Later, when Commander Bucher, in his testimony, indicated that the North Koreans had bordered his ship, the counsel for the court—as required by the law you know so well—told Commander Bucher it was possible that he had violated U.S. Navy Regulations, Article 0730 which reads: "The commanding offcer shall not permit his command to be searched by any person representing a foreign state nor permit any of the personnel under his command to be removed from the command by such persons, so long as he has the power to resist." He explained to Commander Bucher his right to testify no further and gave him the routine, required warning that, if he did so, the information could be used against him later.

Since this simple act of legal procedure—basic to our legal system—caused so much controversy, was so misinterpreted and has caused so many to prejudge the outcome of this Inquiry, let me emphasize three points:

First: Such a warning was not unexpected by Commander Bucher or his counsel—here are the words of Commander Bucher's counsel addressed to the counsel for the court: "We have discussed this matter with Commander Bucher in some detail. As you know, we had some preliminary conversations with you before this Court of Inquiry convened as to the procedures that would be followed and the manner by which Commander Bucher's story and the story of the USS *Pueblo* could be presented to this Court. *We obviously anticipated the situation that we find ourselves in at the present moment*. We have discussed this in detail with Commander Bucher. In view of your warning, Comander Bucher persists in his desire to fully and completely tell this Court of Inquiry the details of the 23rd of January and the event subsequent thereto. Based on that, Commander Bucher, with the Court's permission, requests that he be permitted to testify, and complete this phase of the story. Commander Bucher, am I correctly reciting your wishes in this matter? And do I correctly recite that you have been adequately and fully apprised of all your legal rights which include the right to remain silent on this portion?" Commander Bucher answered in the affirmative.

Second: I would like to emphasize that a Court of Inquiry must begin with a blank record. Newspaper accounts, rumors, secondhand reports or prejudgments cannot be considered. The official record of the *Pueblo's* capture and the treatment of her crew must come from testimony and evidence presented to this Court of Inquiry. For the Court, what has appeared and will appear in public accounts simply does not exist.

Third: Whether the Navy—or anyone in the Navy—was pleased or displeased with Commander Bucher's testimony could have nothing whatever to do with that warning. I realize I am "preaching to the choir" when I tell you that. However, the requirement to warn Commander Bucher is obviously not so well understood by some.

Ladies and Gentlemen—I am deeply troubled—that what was a routine and totally correct legal procedure has been widely misinterpreted.

As Chief of Naval Operations—I intend to ensure—and the Court itself will ensure—that Commander Bucher's rights—as well as all others appearing before the Court—are fully protected. Possibly there will be similar warnings concerning self-incrimination as additional witnesses testify. The point to keep in mind is that the Navy is searching for facts—not scapegoats. We are doing so—within limits imposed by national security—in open hearings, because I believe that this is the way the American people would want it done. And we are taking well-tested and legally prescribed steps to protect the rights of all concerned.

I earnestly request you, who are so well-qualified, to assist me in explaining the legal aspects of the *Pueblo* Inquiry to the American people. And, I earnestly request the American people to be patient, not to prejudge, and to have full trust and confidence that the procedures used in developing the facts surrounding the piracy against the *Pueblo* are being carried out by experienced men of great integrity who have only the welfare of our country at heart.

MAKE PUNISHMENT FIT CRIME

HON. HENRY C. SCHADEBERG

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. SCHADEBERG. Mr. Speaker, the Janesville Gazette in my district is one of the finest newspapers in the country. Robert W. Bliss is the knowledgeable publisher of the Janesville Gazette. He has written a challenging and provocative editorial on the Vietnam war which I submit to my colleagues in the House.

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It is directed to the President of the United States. It should be read by every Member of Congress as well.

The editorial follows:

MAKE PUNISHMENT FIT CRIME

The Vietnam War forced Lyndon Johnson to abandon any plans he might have had for another term as President, and now that same issue stares Richard Nixon squarely in the face. And events in recent weeks have sharply reduced his maneuvering room.

The Paris peace talks drag interminably on, with progress measured in millimeters. While the talk continues, Americans are being killed and the Viet Cong and North Vietnamese are strengthening their position.

President Johnson reached an "understanding" with the North Vietnamese last November. Under its terms, the United States would stop bombing North Vietnam if the Communists would not shell population centers in South Vietnam.

That understanding has been violated at least four times by the Communists. Saigon was hit by enemy rockets yesterday, with 25 civilians killed and 70 wounded. The attack came hard on the heels of Nixon's statement that the United States "will not tolerate a continuation of this kind of attack without some response that will be appropriate."

The latest attack put the next move up to Nixon, but he apparently will not make it until Secretary of Defense Melvin Laird returns next week from Vietnam. Whatever decision he makes will be an agonizing one.

Nixon could resume full scale bombing of North Vietnam, which would be nothing more than continuation of Johnson's discredited war policy. We bombed North Vietnam for more than three years with little effect on the enemy's fighting effectiveness. Even the Joint Chiefs of Staff, when asked by former Defense Secretary Clark Clifford last year what effect the bombing had, replied "Not much."

North Vietnam would gain more politically than it would lose militarily from resumed full-scale bombing. The bombing of the north was the single greatest factor that turned world opinion against the United States in this seemingly endless conflict.

But if Nixon does nothing about the recent Communist attacks, the enemy is likely to escalate them to gain a better bargaining position in Paris as well as a better military position in Vietnam. Doing nothing also would undercut Nixon's largely conservative support at home.

One thing Nixon has on his side is the fact that the United States has demonstrated a sincere desire for peace. We have not violated the "understanding." The Communists have.

Clearly Nixon must make some response, but the punishment should fit the crime.

What seems to be indicated here is a clear message to North Vietnam that their next attack will result in a bombing mission against a military concentration in North Vietnam. One attack, one bombing mission.

This limited response will demonstrate that we seek no wider war, and at the same time will serve notice on the Communists that we do not intend to negotiate under the gun.

RECENT PAY RAISES UNETHICAL

HON. J. HERBERT BURKE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. BURKE of Florida. Mr. Speaker, although I agree with the comments which my colleague, the gentleman from Kentucky (Mr. CARTER), made on the House floor on Monday, March 10, and join in his sentiments, nevertheless, I feel that if the recent pay increase is as he says unconstitutional, then a court suit would be sufficient to determine the validity of the law granting the raise. I believe, however, we should be justifiably sure and for this reason I have introduced legislation that would repeal the pay raise granted to Congress, the judiciary, and other Federal officials.

I, like many of my colleagues, had strong objection to the manner by which these pay raises came about, since I felt that in these trying times when inflation threatens the very economic foundation of our Nation, our right to enact pay raise legislation should have been debated and passed by the vote of the Members rather than by the back-door method that was used.

Some of us through our vote in Congress have consistently exercised restraint and responsibility when voting on important fiscal matters. The fact that we were denied the opportunity to directly oppose the pay increase is in sharp conflict with our past efforts to be sure to help bring our financial picture into sharper focus through our vote.

I am not a rich man and could use the increase, but I did not think that we had the moral or ethical right to take the method that the Congress did in arriving at the figure recommended by the select Commission.

More importantly, the method by which the pay increase was implemented raises a far more serious question of what is right and what is wrong—particularly in these times when inflation is literally robbing millions of people of any hope for their economic future.

It is my hope that through passage of this legislation Congress will repeal the pay raise. In this way, it can later bring the case for the raise to the floor for debate and grant to each of us the right to vote as we should, either for or against.

IN SEARCH OF A FUTURE

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. FRASER. Mr. Speaker, on March 4, 1969, students and professors in colleges and universities throughout the nation took time to reflect upon, to question, and to protest the misuse of science for military ends. When one pauses to consider the fact that defense now absorbs 60 percent of our national budget, and about 12 percent of the gross national product, and that the United States and Russia between them have nuclear stockpiles which allow for approximately 15 tons of TNT for every man, woman, and child on earth, the significance of this day take on tragic proportions.

Dr. George Wald, the 1968 Nobel Prize winner in physiology and medicine, addressed a crowd of 1,200 on that day at the Massachusetts Institute of Technology. Participants there in the March 4 Movement were disturbed at the lack of focus in the day's numerous panel discussions and speeches; Dr. Wald provided that focus.

In what the Boston Globe said "may be the most important speech of our time," Dr. Wald discusses some of the most immediate issues facing our country today—the conflict in Vietnam, the draft, the ABM system, the crisis in our educational system, nuclear stockpiling, and the increasing size of the military-industrial complex.

This is the profound, moving testimony of a man deeply troubled by the incongruities of life today. But, these are also the words of a man truly aware of mankind's potential for good—of man's ability to create one world, a world for all men.

I commend this speech to my colleagues, and I include it in the RECORD with the sincere hope that Dr. Wald's thought will help us all to become more completely committed to the idea that "our business is with life, not death." The speech follows:

A GENERATION IN SEARCH OF A FUTURE

(By Dr. George Wald)

All of you know that in the last couple of years there has been student unrest breaking at times into violence in many parts of the world: in England, Germany, Italy, Spain, Mexico and needless to say, in many parts of this country. There has been a great deal of discussion as to what it all means. Perfectly clearly it means something different in Mexico from what it does in France, and something different in France from what it does in Tokyo, and something different in Tokyo from what it does in this country. Yet unless we are to assume that students have gone crazy all over the world, or that they have just decided that it's the thing to do, there must be some common meaning.

I don't need to go so far afield to look for that meaning. I am a teacher, and at Harvard, I have a class of about 350 students—men and women—most of them freshmen and sophomores. Over these past few years I have felt increasingly that something is terribly wrong—and this year ever so much more than last. Something has gone sour, in teaching and in learning. It's almost as though there were a widespread feeling that education has become irrelevant.

A lecture is much more of a dialogue than many of you probably appreciate. As you lecture, you keep watching the faces; and information keeps coming back to you all the time. I began to feel, particularly this year, that I was missing much of what was coming back. I tried asking the students, but they didn't or couldn't help me very much.

But I think I know what's the matter, even a little better than they do. I think that this whole generation of students is beset with a profound uneasiness. I don't think that they have yet quite defined its source. I think I understand the reasons for their uneasiness even better than they do. What is more, I share their uneasiness.

What's bothering those students? Some of them tell you it's the Vietnam War. I think the Vietnam War is the most shameful episode in the whole of American history. The concept of War Crimes is an American invention. We've committed many War Crimes in Vietnam; but I'll tell you something interesting about that. We were committing War Crimes in World War II, even before Nuremburg trials were held and the principle of war crimes started. The saturation bombing of German cities was a War Crime and if we had lost the war, some of our leaders might have had to answer for it.

I've gone through all of that history lately, and I find that there's a gimmick in it. It

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isn't written out, but I think we established it by precedent. That gimmick is that if one can allege that one is repelling or retaliating for an aggression—after that everything goes. And you see we are living in a world in which all wars are wars of defense. All War Departments are now Defense Departments. This is all part of the double talk of our time. The aggressor is always on the other side. And I suppose this is why our ex-Secretary of State, Dean Rusk—a man in whom repetition takes the place of reason, and stubbornness takes the place of character—went to such pains to insist, as he still insists, that in Vietnam we are repelling an aggression. And if that's what we are doing—so runs the doctrine—anything goes. If the concept of war crimes is ever to mean anything, they will have to be defined as categories of acts, regardless of provocation. But that isn't so now.

I think we've lost that war, as a lot of other people think, too. The Vietnamese have a secret weapon. Its their willingness to die, beyond our willingness to kill. In effect they've been saying, you can kill us, but you'll have to kill a lot of us, you may have to kill all of us. And thank heavens, we are not yet ready to do that.

Yet we have come a long way—far enough to sicken many Americans, far enough even to sicken our fighting men. Far enough so that our national symbols have gone sour. How many of you can sing about "the rockets' red glare, bombs bursting in air" without thinking, those are our bombs and our rockets bursting over South Vietnamese villages? When those words were written, we were a people struggling for freedom against oppression. Now we are supporting real or thinly disguised military dictatorships all over the world, helping them to control and repress peoples all over the world, helping them to control and repress peoples struggling for their freedom.

But that Vietnam War, shameful and terrible as it is, seems to me only an immediate incident in a much larger and more stubborn situation.

Part of my trouble with students is that almost all the students I teach were born since World War II. Just after World War II, a series of new and abnormal procedures came into American life. We regarded them at the time as temporary aberrations. We thought we would get back to normal American life some day. But those procedures have stayed with us now for more than 20 years, and those students of mine have never known anything else. They think those things are normal. They think we've always had a Pentagon, that we have always had a big army, and that we always had a draft. But those are all new things in American life; and I think that they are incompatible with what America meant before.

How many of you realize that just before World War II the entire American army including the Air Force numbered 139,000 men? Then World War II started, but we weren't yet in it; and seeing that there was great trouble in the world, we doubled this army to 268,000 men. Then in World War II it got to be 8 million. And then World War II came to an end, and we prepared to go back to a peacetime army somewhat as the American army had always been before. And indeed in 1950—you think about 1950, our international commitments, the Cold War, the Truman Doctrine, and all the rest of it—in 1950 we got down to 600,000 men

Now we have 3.5 million men under arms: about 600,000 in Vietnam, about 300,000 more in "support areas" elsewhere in the Pacific, about 250,000 in Germany. And there are a lot at home. Some months ago we were told that 300,000 National Guardsmen and 200,000 reservists had been specially trained for riot duty in the cities.

I say the Vietnam War is just an immediate incident, because so long as we keep that big army, it will always find things to do. If the Vietnam War stopped tomorrow, with that big a military establishment, the chances are that we would be in another such adventure abroad or at home before you knew it.

As for the draft: Don't reform the draft—get rid of it.

A peacetime draft is the most un-American thing I know. All the time I was growing up I was told about oppressive Central European countries and Russia, where young men were forced into the army; and I was told what they did about it. They chopped off a finger, or shot off a couple of toes; or better still, if they could manage it, they came to this country. And we understood that, and sympathized, and were glad to welcome them.

Now by present estimates four to six thousand Americans of draft age have left this country for Canada, another two or three thousand have gone to Europe, and it looks as though many more are preparing to emigrate.

A few months ago I received a letter from the Harvard Alumni Bulletin posing a series of questions that students might ask a professor involving what to do about the draft. I was asked to write what I would tell those students. All I had to say to those students was this: If any of them had decided to evade the draft and asked my help, I would help him in any way I could. I would feel as I suppose members of the underground railway felt in pre-Civil War days, helping runaway slaves to get to Canada. It wasn't altogether a popular position then; but what do you think of it now?

A bill to stop the draft was recently introduced in the Senate (S. 503), sponsored by a group of senators that ran the gamut from McGovern and Hatfield to Barry Goldwater. I hope it goes through; but any time I find that Barry Goldwater and I are in agreement, that makes one take another look.

And indeed there are choices in getting rid of the draft. I think that when we get rid of the draft, we must also cut back the size of the armed forces. It seems to me that in peacetime a total of one million men is surely enough. If there is an argument for American military forces of more than one million men in peacetime, I should like to hear that argument debated.

There is another thing being said closely connected with this: that to keep an adequate volunteer army, one would have to raise the pay considerably. That's said so positively and often that people believe it. I don't think it is true.

The great bulk of our present armed forces are genuine volunteers. Among first-term enlistments, 49 percent are true volunteers. Another 30 percent are so-called "reluctant volunteers," persons who volunteer under pressure of the draft. Only 21 percent are draftees. All re-enlistments, of course, are true volunteers.

So the great majority of our present armed forces are true volunteers. Whole services are composed entirely of volunteers: the Air Force for example, the Submarine Service, the Marines. That seems like proof to me that present pay rates are adequate. One must add that an Act of Congress in 1967 raised the base pay throughout the services in three installments, the third installment still to come, on April 1, 1969. So it is hard to understand why we are being told that to maintain adequate armed services on a volunteer basis will require large increases in pay; they will cost an extra $17 billion per year. It seems plain to me that we can get all the armed forces we need as volunteers, and at present rates of pay.

But there is something ever so much bigger and more important than the draft. The bigger thing, of course, is what ex-President Eisenhower warned us of, calling it the military-industrial complex. I am sad to say that we must begin to think of it now as the military-industrial-labor union complex. What happened under the plea of the Cold War was not alone that we built up the first big peacetime army in our history, but we institutionalized it. We built, I suppose, the biggest government building in our history to run it, and we institutionalized it.

I don't think we can live with the present military establishment and its $80–100 billion a year budget, and keep America anything like we have known it in the past. It is corrupting the life of the whole country. It is buying up everything in sight: industries, banks, investors, universities; and lately it seems also to have bought up the labor unions.

The Defense Department is always broke; but some of the things they do with that $80 billion a year would make Buck Rogers envious. For example: The Rocky Mountain Arsenal on the outskirts of Denver was manufacturing a deadly nerve poison on such a scale that there was a problem of waste disposal. Nothing daunted, they dug a tunnel two miles deep under Denver, into which they have injected so much poisoned water that beginning a couple of years ago Denver began to experience a series of earth tremors of increasing severity. Now there is a grave fear of a major earthquake. An interesting debate is in progress as to whether Denver will be safer if that lake of poisoned water is removed or left in place. (N.Y. Times, July 4, 1968; Science, Sept. 27, 1968).

Perhaps you have read also of those 6000 sheep that suddenly died in Skull Valley, Utah, killed by another nerve poison—a strange and, I believe, still unexplained accident, since the nearest testing seems to have been 30 miles away.

As for Vietnam, the expenditure of fire power has been frightening. Some of you may still remember Khe Sanh, a hamlet just south of the Demilitarized Zone, where a force of U.S. Marines was beleaguered for a time. During that period we dropped on the perimeter of Khe Sanh more explosives than fell on Japan throughout World War II, and more than fell on the whole of Europe during the years 1942 and 1943.

One of the officers there was quoted as having said afterward, "It looks like the world caught smallpox and died." (N.Y. Times, Mar. 28, 1968).

The only point of government is to safeguard and foster life. Our government has become preoccupied with death, with the business of killing and being killed. So-called Defense now absorbs 60 percent of the national budget, and about 12 percent of the Gross National Product.

A lively debate is beginning again on whether or not we should deploy antiballistic missiles, the ABM. I don't have to talk about them, everyone else here is doing that. But I should like to mention a curious circumstance. In September, 1967, or about 1½ years ago, we had a meeting of M.I.T. and Harvard people, including experts on these matters, to talk about whether anything could be done to block the Sentinel System, the deployment of ABM's. Everyone present thought them undesirable; but a few of the most knowledgeable persons took what seemed to be the practical view, "Why fight about a dead issue? It has been decided, the funds have been appropriated. Let's go on from there."

Well, fortunately, it's not a dead issue.

An ABM is a nuclear weapon. It takes a nuclear weapon to stop a nuclear weapon. And our concern must be with the whole issue of nuclear weapons.

There is an entire semantics ready to deal with the sort of thing I am about to say. It involves such phrases as "those are the facts of life." No—these are the facts of death. I don't accept them, and I advise you not to accept them. We are under repeated pressures to accept things that are

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presented to us as settled—decisions that have been made. Always there is the thought: let's go on from there! But this time we don't see how to go on. We will have to stick with those issues.

We are told that the United States and Russia between them have by now stockpiles in nuclear weapons approximately the explosive power of 15 tons of TNT for every man, woman and child on earth. And now it is suggested that we must make more. All very regrettable, of course; but those are "the facts of life." We really would like to disarm; but our new Secretary of Defense has made the ingenious proposal that one must be practical. Now is the time to greatly increase our nuclear armaments so that we can disarm from a position of strength.

I think all of you know there is no adequate defense against massive nuclear attack. It is both easier and cheaper to circumvent any known nuclear defense system than to provide it. It's all pretty crazy. At the very moment we talk of deploying ABM's, we are also building the MIRV, the weapon to circumvent ABM's.

So far as I know, with everything working as well as can be hoped and all foreseeable precautions taken, the most conservative estimates of Americans killed in a major nuclear attack run to about 50 millions. We have become callous to gruesome statistics and this seems at first to be only another gruesome statistic. You think, Bang!—and next morning, if you're still there, you read in the newspapers that 50 million people were killed.

But that isn't the way it happens. When we killed close to 200,000 people with those first little, old-fashioned uranium bombs that we dropped on Hiroshima and Nagasaki, about the same number of persons was maimed, blinded, burned, poisoned and otherwise doomed. A lot of them took a long time to die.

That's the way it would be. Not a bang, and a certain number of corpses to bury; but a nation filled with millions of helpless, maimed, tortured and doomed survivors huddled with their families in shelters, with guns ready to fight off their neighbors, trying to get some uncontaminated food and water.

A few months ago Sen. Richard Russell of Georgia ended a speech in the Senate with the words: "If we have to start over again with another Adam and Eve, I want them to be Americans; and I want them on this continent and not in Europe." That was a United States senator holding a patriotic speech. Well, here is a Nobel Laureate who thinks that those words are criminally insane. (Prolonged applause.)

How real is the threat of full scale nuclear war? I have my own very inexpert idea, but realizing how little I know and fearful that I may be a little paranoid on this subject, I take every opportunity to ask reputed experts. I asked that question of a very distinguished professor of government at Harvard about a month ago. I asked him what sort of odds he would lay on the possibility of full-scale nuclear war within the foreseeable future. "Oh," he said comfortably, "I think I can give you a pretty good answer to that question. I estimate the probability of full-scale nuclear war, provided that the situation remains about as it is now, at 2 percent per year." Anybody can do the simple calculation that shows that 2 percent per year means that the chance of having that full-scale nuclear war by 1990 is about one in three, and by 2000 it is about 50-50.

I think I know what is bothering the students. I think that what we are up against is a generation that is by no means sure that it has a future.

I am growing old, and my future so to speak is already behind me. But there are those students of mine who are in my mind always; there are my children, two of them now 7 and 9, whose future is infinitely more precious to me than my own. So it isn't just their generation; it's mine too. We're all in it together.

Are we to have a chance to live? We don't ask for prosperity, or security; only for a reasonable chance to live, to work out our destiny in peace and decency. Not to go down in history as the apocalyptic generation.

And it isn't only nuclear war. Another overwhelming threat is in the population explosion. That has not yet even begun to come under control. There is every indication that the world population will double before the year 2000; and there is a widespread expectation of famine on an unprecedented scale in many parts of the world. The experts tend to differ only in their estimates of when those famines will begin. Some think by 1980, others think they can be staved off until 1990, very few expect that they will not occur by the year 2000.

That is the problem. Unless we can be surer than we now are that this generation has a future, nothing else matters. It's not good enough to give it tender loving care, to supply it with breakfast foods, to buy it expensive educations. Those things don't mean anything unless this generation has a future. And we're not sure that it does.

I don't think that there are problems of youth, or student problems. All the real problems I know are grown-up problems.

Perhaps you will think me altogether absurd, or "academic", or hopelessly innocent—that is, until you think of the alternatives—if I say as I do to you now: we have to get rid of those nuclear weapons. There is nothing worth having that can be obtained by nuclear war: nothing material or ideological, no tradition that it can defend. It is utterly self-defeating. Those atom bombs represent an unusable weapon. The only use for an atom bomb is to keep somebody else from using it. It can give us no protection, but only the doubtful satisfaction of retaliation. Nuclear weapons offer us nothing but a balance of terror; and a balance of terror is still terror.

We have to get rid of those atomic weapons, here and everywhere. We cannot live with them.

I think we've reached a point of great decision, not just for our nation, not only for all humanity, but for life upon the Earth. I tell my students, with a feeling of pride that I hope they will share, that the carbon, nitrogen and oxygen that makes up 99 percent of our living substance, were cooked in the deep interiors of earlier generations of dying stars. Gathered up from the ends of the universe, over billions of years, eventually they came to form in part the substance of our sun, its planets and ourselves. Three billion years ago life arose upon the Earth. It is the only life in the solar system. Many a star has since been born and died.

About two million years ago, man appeared. He has become the dominant species on the Earth. All other living things, animal and plant, live by his sufferance. He is the custodian of life on Earth, and in the solar system. It's a big responsibility. The thought that we're in competition with Russians or with Chinese is all a mistake, and trivial. We are one species, with a world to win. There's life all over this universe, but the only life in the solar system is on Earth; and in the whole universe, we are the only men.

Our business is with life, not death. Our challenge is to give what account we can of what becomes of life in the solar system, this corner of the universe that is our home and, most of all, what becomes of men—all men of all nations, colors and creeds. It has become one world, a world for all men. It is only such a world that now can offer us life and the chance to go on.

FINDS SUBJECT IN OBITUARY

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. WILLIAM D. FORD. Mr. Speaker, Mrs. Anthony Pitrone, of Dearborn Heights in my congressional district, has recently had a biography published. It is the story of the late Frances Reed Elliott Davis, the first Negro nurse in the American Red Cross.

Mrs. Pitrone's biography is entitled "Trailblazer," and is a most excellent work. It was reviewed recently in the Dearborn Heights Leader by Mrs. Bernadette Plunkett, and under unanimous consent I include Mrs. Plunkett's article in the RECORD:

HEIGHTS WOMAN'S BOOK PUBLISHED: FINDS SUBJECT IN OBITUARY

(By Bernadette Plunkett)

We couldn't put it down . . . not even for a few minutes.

From the back stoop near the sweet scented magnolias of North Carolina, through the grimy smoky city of furnaces where closely packed frame houses clung to sides of steep Pennsylvania hills, to the cold and cheerless winters facing jobless residents of Inkster (Michigan) in the early 1930's . . . we followed Frances Reed Elliott (later Mrs. William A. Davis) through the 186 pages of Trailblazer in one day.

We shared the loneliness of an orphaned quadroon as she was shifted from one guardian to another.

We admired her for the manner in which she both met challenges among the Negroes, and broke down racial barriers among the white . . . with unflagging persistence and quiet dignity.

We cried, we grimaced, we smiled and sighed as Mrs. Davis lent her skill and strength wherever and whenever help was needed . . . in national crises like the two World Wars, the Spanish influenza epidemic of 1918, the Depression . . . and in more ordinary circumstances like a friend's illness, the birth of a baby, a friend's death.

Dearborn Heights' own Jean Pitrone has written a truly moving story of a dedicated and remarkable woman who not only persuaded many Negroes to better their conditions and pursue an education, but also influenced prominent people like the late Eleanor Roosevelt and Henry Ford in helping the people of her race.

Unfortunately for Jean, she never had the opportunity to meet Mrs. Davis personally. She found her subject in an obituary column.

A prolific writer whose articles have been published in a variety of magazines, Jean had wanted to do a biography for years. "I was always searching," Jean told us. "Biographies had already been done on all the well-known people I could care to write about. I realized I had to find someone relatively unknown, but who had led a fascinating life," she explained.

A 1965 obituary carried the name of Frances Reed Elliott (Mrs. William A.) Davis. "When I read that Mrs. Davis had received an honor from the American Red Cross, I thought I might have a subject. Upon visiting the Red Cross office in Detroit, and talking to the people there, I was convinced," said Jean.

"Mrs. Davis had been the first Negro nurse to be officially enrolled in the American Red Cross," she explained.

Jean spent hours listening to tapes of Mrs. Davis' reminiscences. "They were an immense help," Jean said, "but there were gaping holes I had to fill."

She wrote countless letters, made visits south and to Washington, D.C. to familiarize herself with the local color of the places where Mrs. Davis had lived and to talk with people who had known her.

She steeped herself in nursing, reading everything she could on visiting nurses, Negro nursing, and nursing in general. Jean also read many books on the history of Detroit and other cities in which her subject had lived.

The local history is especially interesting . . . the soup, rice and beef stew Inkster residents lined up to get from the commissary Henry Ford set up at the request of Mrs. Davis . . . the pre-school nursery at Carver School . . . the reference to Robichaud High School . . . and the names of piano students of Mr. Davis.

And all this adds up to a most absorbing biography which is especially timely. The more interesting feature is that Jean Pitrone had the foresight to begin writing it over three years ago . . . before the current interest in Negro history.

An autograph reception honoring the late Mrs. Davis and the first edition publication of her biography, Trailblazer, is being hosted today by the Southeastern Michigan Chapter of the American Red Cross. Jean Maddern Pitrone ~~will~~ personally autograph copies of her book.

(Published by Harcourt, Brace & World, Inc. March 6, the book sells for $4.25. It will also be available at the Dearborn Heights public library soon.)

Jean Maddern always fancied herself as a writer. A child of the depression years, her parents managed to provide a musical education for her. But even with piano, organ, and vocal lessons as an absorbing hobby, Jean wrote plays for the neighborhood children which they "produced." Her poems were published in her Ishpeming (in Michigan's upper peninsula) High School annual.

Writing was pushed aside for awhile after her marriage to Anthony Pitrone and the subsequent birth of five children. But midst her daily concern with babies and diapers, Jean was determined to make a serious attempt at writing again. Even with the addition of four more children to the Pitrone family, Jean began writing articles and was successful in having many of them published.

With the children ranging in age from six to 26, this is the first year Mrs. Pitrone has not had a youngster underfoot. And never having been able to adhere to a writing schedule, Jean is able to lose herself in an article in front of the television, as long as things are running relatively smoothly in the household.

She has already completed another biography. It is the story of Father Colombo, missionary to Burma, whom she compares to Dr. Tom Dooley and Dr. Schwietzer.

A staff speaker for Oakland University's Writer's Conference, Jean has also taught an adult education course in magazine article writing. She is a guest member of the creative writing group of the American Association of University Women, a member of Detroit Women Writers and the Women's National Book Association and presently is serving as an editorial associate for Writer's Digest Magazine.

INCREASE THE AMOUNT OF OUTSIDE EARNINGS PERMITTED UNDER SOCIAL SECURITY

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. ROGERS of Florida. Mr. Speaker, I am today introducing legislation which would permit those on social security to earn more money without suffering a reduction in present benefits.

This is the same bill that I introduced in the 90th Congress, and while I was pleased that the 90th Congress was able to raise the outside earnings limitation from $1,500 to $1,680, I feel that this ceiling should be raised further.

The bill that I am introducing would permit a person who is presently receiving social security benefits to earn $2,500 without suffering a loss of present benefits.

In 1968 alone, inflation cut almost 5 percent out of the value of the dollar, and those hardest hit by this drastic increase are retirees and other senior citizens on fixed incomes. The real tragedy is that most of these individuals are mentally and physically capable of gainful employment but do not wish to suffer a loss in social security benefits which they built up during their younger working years.

I believe that our society and indeed, the business community and economy of this Nation could greatly benefit from the energies, talents, and knowledge of many of our retirees, but existing law penalizes them when they seek to offer their abilities to the Nation.

I am hopeful that the House Ways and Means Committee can consider this legislation at the earliest possible date.

CAMPUS DISORDERS

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. MICHEL. Mr. Speaker, the serious problem of campus disorders is still very much in the news and over the past year I have addressed myself to this situation both here on the floor of the House and in public meetings as well. In addition, I have inserted in the RECORD from time to time articles and editorials addressed to the problem. In keeping with that practice, I include the following in the RECORD at this point:

First. An editorial from the Peoria Journal Star, March 10, 1969, "Bradley University Statement Sound";

Second. An address by Dr. David D. Henry, president, University of Illinois, "Something Old, Something New, on the University as a Creative or Innovative Force in Society"; and

Third. An article from the March 9, 1969, edition to the Chicago Tribune reporting the views of Prof. Charles V. Hamilton, of Roosevelt University in Chicago.

The material referred to follows:

[From the Peoria (Ill.) Journal Star, Mar. 10, 1969]

BRADLEY UNIVERSITY STATEMENT SOUND

Bradley's statement of principles is balanced and sound. It is neither a white nor a black orientation.

It recognizes a fundamental problem which the recent Irish-American funsters overlooked, and yet by their very antics emphasized. What made the Irish-American satire a comic performance was the obvious fact that these "Irish-Americans" don't need the things they demanded. The demands were not only not serious, but absurd because no such need exists. Hence, satire!

Yet, there was a time when there was an intense "revival" of Gaelic, a mystic philosophic reverence for a glorious old "pastoral paradise" which was a mythical Irish past, glorification of a handful of second-rate and obscure patriotic Irish "poets" and artists, and militant "Fenian" societies.

(For a time many of the truly great Irish men of letters, etc., were regarded as the Irish equivalent of "Uncle Toms.")

The Irish have outgrown those obvious feelings of a once intense need for special identity, and acquired confidence in their individual identities as persons independent of such artificial window-dressing.

EFFECTIVE EDUCATION

The fact that this was now a joke to them only underlines the obvious truth that they have a confident and comfortable place in society that the Black Students Alliance people do not share. It only cries out the louder that there is an empty space for the Black students that desperately needs filling.

Filling it is not the business of Bradley university, nor does Bradley have the resources for such a task—but, insofar as it relates to making the university's educational task effective for Americans regardless of race, the university does have some responsibility in the matter.

The statement faces that fact, and recognizes where the line of responsibility begins and ends calmly, carefully, and with great balance and judgment.

At the same time, with an example of activity or a tactic that steps out of the bounds of tolerability, the university has made it clear that complementing its efforts to do its appropriate share to make educational opportunities fit the different situations, violations of civil rights will not be tolerated.

It is tragic when in the confusion of these problems the sacred and fundamental civil rights of any student, white or black, is arrogantly abused or ignored—and that struggle must go forward on behalf of the black student. It has not been fully accomplished yet.

It is certainly unfortunate when the struggle is diverted and confused by any incident which makes it necessary to protect the civil rights of white students.

Such actions are a self-indulgence that injures the causes the Black Student Alliance has embraced by violating the very principle on which their claims must stand, and by confusing the issues and the merits of their case.

Fortunately, Bradley university has not let itself be confused, and the administration has laid out the problem, its proper aims and capacities, and the inescapable rules by which the school must operate on these matters if it is to be a workable and responsible academic institution.

The statement of principles was unruffled, balanced, and sound.

It will have to be implemented with conviction whichever way the ball bounces, regardless of race, of course.

SOMETHING OLD, SOMETHING NEW ON THE UNIVERSITY AS A CREATIVE OR INNOVATIVE FORCE IN SOCIETY

(Address by David D. Henry, president, University of Illinois, Charter Day Convocation, Southern Illinois University, Carbondale, March 9, 1969)

A birthday celebration is a happy event for all involved. In reminiscence, trials and tribulations of the past diminish in force, successes become symbols of the future, and life's faith and purpose are renewed in the good will of family and friends.

It is in this mood that we assemble today to "pay our respects" to Southern Illinois

University at the opening of its observance of its centenary and to bring greetings, good wishes and congratulations to its faculty, students, alumni, officers and trustees. Officially, I can speak only for the University of Illinois, but as colleague and friend, I know that our sentiments are those of the institutions of higher education generally and of the citizens of Illinois.

The record of growth of this institution from uncertain beginnings to distinguished maturity, from many moments of crisis to achievements of enormous usefulness to state and nation, from periods of discouragement to the confidence of wide appreciation and recognition in the higher education community—could not have been specifically foretold. Now, we may look back and say that it could not have been otherwise. The University's destiny was determined by the social need for the people who have been graduated, for the services provided, by the ideas produced, and by the leadership which matched plans with those needs.

It is a reflection of the continuing determination of the University to look ahead—often eloquently expressed by President Morris, and reinforced by his colleagues in administration, by the faculty and the trustees—that the theme for the Centennial celebration has been defined as "The University as a Creative or Innovative Force in Society."

This subject will be treated fully and from many aspects in the period ahead. I am relieved in my assignment as first speaker in the series not to have to do any more than define our terms and describe the setting. This I shall try to do under the subtitle, "Something Old, Something New."

That the university is a creative and innovative force in society has been and is still a widely accepted belief. Dissent on the general point comes chiefly from the highly vocal but relatively small number of revolutionaries and nihilists who would destroy the present social structure totally, including the university.

At the same time, the question as to whether or not the university is sufficiently creative and innovative is now debated more thoughtfully and critically than in any previous generation. It is timely, therefore, that this question be considered in all of its facets and implications.

The subject is timely not only because people are talking about it; to fulfill public expectations and its own potential for service to society, in planning the future, higher education needs more than expressions of faith and fragmentary illustrations from past and present performance. Sustained and systematic measurement of the creative and innovative contributions of the university has been comprehensively undertaken in but a few instances. Consequently, what evolves from discussions and studies sponsored in the Centennial program of Southern Illinois University may have an important bearing on the future course of higher education generally.

The present role of the university has had both poetic and philosophical exposition and for most of us, this has been enough to reinforce what we have been doing and to provide a platform for the work that we conceive needs to be done.

The current faith in higher education was explicitly stated by President Lyndon Johnson in his 1968 educational message to the Congress: ". . . For now we call upon higher education to play a new and more ambitious role in our social progress, our economic development, our efforts to help other countries.

"We depend upon the universities—their training, research and extension services—for the knowledge which undergirds agricultural and industrial production.

"Increasingly, we look to higher education to provide the key to better employment opportunities and a more rewarding life for our citizens.

"As never before, we look to the colleges and universities—to their faculties, laboratories, research institutes and study centers—for help with every problem in our society and with the efforts we are making toward peace in the world."

President Johnson here stated the case for the university as an agent in social progress. He also reflected the view of professional economists who regard the education of students, and the discovery of knowledge and its application through public service, as an investment, not an expense. It follows that the state or nation that will not make this investment will lose ground in the struggle for human and social advancement, whether the objective be an enlightened, humane citizenry, economic stability, or effective self-government.

Beyond social progress and economic benefits, a third element in the public faith in the university as a creative and innovative force lies in what higher education means in the development of individual talents. The search to know is more compelling than the search for food or for life itself. Each of us has witnessed the examples to support the point that education has been and continues to be the chief means of social mobility in a democratic society; and most of us believe that such mobility is more precious to the stability of American life today than ever before. It is the quality which holds us together, and it must be preserved with even wider application than has been true in the past. Democracy cannot promise that there will be no economic or cultural dividing lines among people. It does promise that every one should have the chance to develop to the fullest his capability to cross those lines.

The recently published report of the Carnegie Commission on Higher Education, entitled "Quality and Equality: New Levels of Federal Responsibility for Higher Education," outlines the national expectations in the following assertions:

"More and more Americans, with aspirations for a better life, assume the necessity of a college education.

"Equality of opportunity through education, including higher education, is beginning to appear as a realistic goal for the less privileged young members of our society.

"The economy is dependent upon basic research and advancing technology, and upon the higher skills needed to make that technology effective, to assure national economic growth and well-being.

"More managers, teachers, and professionals of all sorts are required to serve our complex society. More health personnel are essential to staff the fastest-growing segment of the national endeavor.

"The cultural contributions of higher education take on wider dimensions as rising levels of education and growing affluence and leisure make possible greater concern with the quality of life in the United States.

"Above all, the nation and the world depend crucially upon rigorous and creative ideas for the solution to profoundly complex issues."[1]

The remainder of the Report supports the approach previously suggested—continuing evaluation is a necessity in planning and reviewing priorities for future development in order to sustain the continuing viability of the system.

For example, a new priority for an old idea has been suggested by recent debate. The voices of youth tell us that there is a strong desire not only for education for a job, not only preparation for professional and vocational competence but for freedom to live by values which go beyond materialistic goals. That this aspiration is not a new one, people over thirty may attest; and the barriers to individual freedom to set and live by goals of one's own choosing in our present world are often more imaginary than real. But surely the university community must be visibly aligned with and sympathetic to encouraging improvement in human relationships and opportunities for personal fulfillment as well as preparing workers for the pragmatic work of the world. Injustices manifested in racism, black and white, ethnic discrimination and failures in human relationships should be areas of particular concern to scholars, teachers and students.

"Enhancing the quality of life" is a phrase often used to encompass these concerns. To be meaningful, however, one must go beyond such abstractions and general goals, beyond confrontation and political campaign rhetoric, and deal with specific problems. Some of these were identified by the House of Representatives Subcommittee on Science Development in 1966: protecting the natural environment, providing new sources of energy, stimulating transportation innovations, diminishing urban congestion, enhancing adequate housing, improving food production and distribution, alleviation of crime, upgrading the quality of education, protecting the national health.[2]

Arraying the tasks awaiting greater university involvement will not by itself be productive, however. Indeed, the university may become less effective, even damaged, unless its essential character is recognized and respected. Since the influence of the university is exercised chiefly through the individuals it serves, basic is the expectation that the individual student will grow in mental stature, in wisdom in human affairs, and in dedication to improvement of the conditions of life, presumably by rational means.

* * * * *

Happily, youthful criticism notwithstanding, we do not start work now. We merely advance it.

Let those who are under 30 remember that they are not the first idealists; that they are not the first missionaries in social service; that they are not the first to dream of improvements in our social structure. Indeed, it has been theirs to reap the harvest of others' efforts—notably the broad freedom from material concerns that enable many to pursue new social goals freely.

On this formal Contennial assembly, we may appropriately give recognition in particular to those on the long roll call of people associated with Southern Illinois University who gave beyond normal duty and expectations because they believed in educational opportunity for youth; who worked to enlarge the University's capabilities and to enhance its service because they believed that education generates the ways and means for the improvement of society and for individual growth; who believed in the life of the mind as essential to new ideas, new knowledge, and new ways to enrich and enhance the lives of people and to strengthen the structure and order for the achievement of these ends.

It is no accident that the university is a prime target for attack by revolutionaries and anarchists. By instinct or design they appreciate that of all the forces in con-

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[1] Carnegie Commission on Higher Education (A Special Report and Recommendations by the Commission, December, 1968), "Quality and Equality: New Levels of Federal Responsibility for Higher Education," McGraw-Hill Book Company, New York, 1968, p. 1.

[2] Don E. Kash, "Public Demands on the University: The Pattern of the Future" (prepared for the CIC Council on Economic Growth, Technology and Public Policy, August, 1967) (U.S. Congress, House Subcommittee on Science, Research, and development of the Committee on Science and Astronautics, *Inquiries, Legislation, Policy Studies Re: Science and Technology*, 2nd Progress Report, 89th Congress, 2nd Session, 1966, pp. 21–25).

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temporary society, what the university stands for and what it tries to do for the betterment of conditions of human life are vital resources in the continuing regeneration of our present social system. The university, while subject to critcism and improvement, remains productive in the advancement of society on all fronts; hence, in the minds of extremists of the political right or left, the university must be shackled or destroyed before society can be reordered by their standards.

The destructionists, of whatever persuasion, are a small group, however, and must be carefully differentiated from those who have sincere proposals to offer and protests to make. There is a wide difference between the critical idealist who seeks improvement and the revolutionary who would destroy before he would reconstruct, he knows not what.

And yet, even some of the non-violent critics of universities must be questioned on the propriety of their methods. Confrontation tactics, when peaceful and not in violation of rule or law, under the laws and traditions of our public life, must be tolerated but they need not be endorsed, approved, or encouraged as appropriate for an academic community. The concepts of "demands" and "ultimatums" belong to other arenas, not the academic.

It is an unhappy paradox that the institution which stands for reason and intellectual analysis in deliberative discussion as a basis for problem solving should be the scene of picket lines and assertive demonstrations, that the most vivid examples of anti-intellectualism in the United States should be on the university campuses. Slogans, placards and bull horns are not the appropriate instruments of intelligent decision making. The only power that should prevail in university life is the merit of an idea—an idea openly advanced and opened to free debate by all concerned.

Those of us who believe in the university as a creative and innovative force in society have confidence that whatever change is desirable in structure, mode of operation or in general objectives will come by the process which has sustained the university in its long history—namely, research, experimentation, rational analysis and thoughtful deliberation and discussion.

In stressing this point, students and citizens generally must perceive the uniqueness of the university as an organization. It is not a government, although it has regulations to govern its life. It is not a business corporation, although it must act like one in ordering some of its affairs. It is not a public agency for non-educational services, although it encourages humane services for its own and other people. It is not a city, with authority delegated from its residents, although the ideas of its constituencies must be evaluated. It is not a political instrument for social action although its members, as individuals, are free as citizens to be partisans if they choose.

Put positively, a university is a community where, to quote Masefield:

"Seekers and learners alike,
 Banded together in the search for knowledge,
 Will honor thought in all its finer ways,
 Will welcome thinkers . . .
 Will uphold ever the dignity of thought and learning
 And will exact standards in these things."

At the center of the articles of faith which bind us together in our work in an academic community is insistence upon reason, upon respect for the views of others and their right to express them, upon intellectual humility which acknowledges the vast world of learning which lies beyond our own personal mastery. I believe that the concept of the intellectual community will continue to determine the framework for decisions in university governance, and for the enforcement of existing laws and regulations until they are changed by established, orderly procedures.

In these remarks, I have identified the expectations for the university in meeting social and individual needs and suggested the nature of the university's most appropriate stance in meeting such current internal and external pressures.

While the map of university progress in the future is obscured by the climatic problems with which we must deal in our time, we may be reassured that what the university has to offer the people and communities, states and nation, is desperately needed.

Fundamental changes in American life have occurred and now constitute a new context for our work. Others are in the making. The tensions of war, race relations at home and the complex problems accompanying the rise of underdeveloped countries are but several of the items on the agenda for tomorrow which will affect our colleges and universities as well as all other aspects of American life.

The basic wants of our people, as in any country, developed or underdeveloped, have to do with food, housing, employment, health care, education and a satisfying social life. The elements in this list are easily identified, but supplying them equitably and adequately is exceedingly complex. Solutions to the problems involved will require a large input from university-trained people and from the scholars and investigators on the campuses of the nation. The tasks are awesome, and the stakes are high; hence, the challenge and the opportunities are the greater. Each of us as individuals and each college and university may be grateful to have a part in what another has called, "The Grandest of Enterprises."

[From the Chicago (Ill.) Tribune, Mar. 9, 1969]

COLLEGES THAT MEET DEMANDS BLINDLY HIT

Charles V. Hamilton, a Negro professor at Roosevelt university, yesterday criticized white university administrators who "blindly give in to the demands of black students just to keep them quiet."

Hamilton said he agrees with most black student demands. He said he believes most of them are legitimate.

"I am not hitting at the black students," said Hamilton, a leading exponent of black power. "I am hitting at whites who say 'let's just give them what they want.' These administrators are not doing any good for themselves, the blacks, or society."

CREATES PATERNALISM

"It is easy to say he [a Negro] has been oppressed for so long—like patting a child on the head just to keep him quiet."

He said these administrators are creating a "new kind of paternalism" and warned that they are creating "a new role—the black man's honky. We had the white man's nigger for years."

The demands of black students, Hamilton said, should bring about "an intellectual reexamination of the whole curriculum" of a university. The demands are "improving education for all—both black and white," he said.

"You can't raise the curriculum for blacks without looking at the whole picture."

MUST KNOW REASON

Administrators, he said, "must know why the demands are made. If they accept demands blindly without giving thought or examination, the whole purpose is lost. I'm not asking an administrator to give in to demands unless he studies them."

Hamilton is the chairman of Roosevelt's political science department. He co-authored the book, "Black Power," with Stokely Carmichael, the black militant.

"I want white people to protect their integrity," Hamilton said. "In these times when black people are clearly making demands to recognize their integrity, nothing is gained by having white Americans lose their integrity.

"I, as a black man, will have gained nothing if, in the process of asserting or discovering my identity, I have to subordinate or squelch another person's identity."

Hamilton said he is completing a book on the black student movement which will "amaze people." In researching the book, he has visited 79 colleges and universities and said he has found that "most white professors and some black professors do not know why students are making demands."

INSINCERE IN DEALINGS

He said many of these professors are "willing to succumb to anything without understanding it."

Many university administrators in Chicago are "insincere" in their dealings with black student demands, Hamilton said. He declined to name them, but he did praise the administration of Northwestern University for "understanding" the problems faced by black students.

When asked if some of the demands made by black students on various campuses were outlandish, Hamilton replied:

"Every social movement has its excesses. Each university has to determine excesses on the basis of negotiation. Each should not accept demands blindly."

PRESIDENT NIXON'S ABM DECISION

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. ROBISON. Mr. Speaker, I have been expressing my reservations over deployment of the Johnson-McNamara concept of an ABM system since October of 1967. Those reservations—and my consequent votes against deployment funds on several occasions—were based on my doubts about a city-oriented system's effectiveness at present, the prospect that such a system might become obsolete before its deployment could even be completed, and the possibility that Russia might consider our step in such a direction as being provocative enough to respond with a further escalation of the arms race that we, almost inevitably, might be compelled to follow.

President Nixon—to whom I personally presented my views on this complicated question last Tuesday night at the White House—has had to consider these objections along with all the other pros and cons involved in the growing national debate over an ABM system before announcing his decision on it last Friday noon.

Whether or not his decision was the right one remains to be seen—and, for the moment, I would like to reserve my option of supporting it or not.

It does seem clear that he has ordered a substantial modification of the original Johnson-McNamara plan and, so far so good, for that plan needed the kind of Presidential review it has been receiving and, in my judgment, substantial modification. The Nixon approach—which I am sure some see as a fence-straddling

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one, though I certainly do not—is to switch whatever protection an ABM umbrella could now provide from certain selected American cities to two of our numerous Minuteman sites; just two at the moment, with the first of those not expected to be completed before 1973—though more such sites could also be brought under such an umbrella if some sort of reliable arms-control agreement with the Russians cannot be worked out.

Prof. Hans A. Bethe, of Cornell University—a Nobel prize-winning physicist and an acknowledged expert in this difficult and uncertain field—commented on such a modified system in his testimony, a week ago last Wednesday, before the Disarmament Subcommittee of the Senate Foreign Relations Committee, and with respect to a Minuteman-oriented ABM system said:

> I am in favor of such a scheme.

Proceeding further, Dr. Bethe explained:

> My main reason is that such a deployment would *stabilize* the situation rather than the opposite. You are all familiar with the theory of the stable deterrent in which both the Soviet Union and the United States can absorb an initial attack by the other, and are still able to retaliate. Thereby the chance of such an initial attack is greatly diminished, certainly as long as neither party wishes to commit suicide. In this framework, and I do not know any reasonable substitute for this framework, it is *vital to preserve* our retaliatory capability. This *is* well assured at the present. *But* if the MIRV concept can be developed to its ultimate conclusion, and if the MIRV can be aimed with very great accuracy, our landbased missiles may some time in the future be in jeopardy. For such an eventuality, ABM defending our Minuteman silos would be a very *sensible countermove* . . . (though) it is not the only one possible.

It is with respect to whatever alternatives may exist to the President's modified plan that I wish to now direct my own study and why, until that study has been completed, I wish to temporarily reserve my own judgment on Mr. Nixon's decision.

As I see those alternatives—absent an arms-control agreement we can rely upon which is the best possible alternative—they include the possibility of further "hardening" of our ICBM sites, perhaps by the introduction of "super-hard" silos immune to even direct hits, switching our primary reliance from our land-based retaliatory ICBM's to our submarine-based missile force, and the like. They would also seem to include a reworking of the Sentinel-Sprint system from a city-oriented one to a simpler and possibly therefore cheaper Minuteman-oriented one.

For whatever it may be worth, I have continued to believe we had time to spare for such a further restudy of the whole ABM question and of the alternatives, if there are truly any, to the plan Mr. Nixon has now settled on; but, in view of the long leadtime required for putting any sort of plan into effect, this is a matter of judgment and I can well understand why the President has come down on the side of caution.

There remains the question of the effect of the Nixon decision on his—and our—hopes for productive arms talks with the Russians. It is almost useless to speculate about this, but I was glad to note—from the Senate hearings—that Dr. Bethe's views about the effect of such a modified system on the pending arms talks seem to agree with Mr. Nixon's for Dr. Bethe told the subcommittee:

> I would imagine that the Russians would feel much *less* threatened by such a (modified) system . . . (for) it would preserve our posture of assured destruction and deterrent and not add any element of damage limitation.

Of one thing I am sure—and that is that we should all be grateful to our President for the obviously careful, and one can imagine also prayerful, consideration he has given to this terribly complex and difficult question, and for his willingness to bare his own wrestling with it to the public so that it can try to understand the reasoning that lay behind, and therefore share in, his decision.

This, in all respects, is in full compliance with the concept of the "open-Presidency" that Mr. Nixon promised the American people, and is something that stands in sharp contrast to the attitudes and methods of the preceding administration.

Mr. Speaker, the foregoing remarks were prepared last Friday—for release at that time and for insertion in the RECORD today.

However, in yesterday's Washington Sunday Star, Dr. Bethe is described as stating that, though a system like that now planned by the President may be needed sometime in the future to defend our Minuteman force, and could do the job effectively, it is a mistake to deploy it now.

With respect to Dr. Bethe, the Star story included this paragraph:

> Protection of the Minuteman is sensible, it is stabilizing, he said. It is a good answer if the Soviets develop MIRV (multiple warheads), but they have only just started. There is no need to do this now.

This criticism of the President's timing caused me to go back and take another look at the transcript of Dr. Bethe's testimony before the Senate subcommittee, and therein I found him also saying:

> The Russians may be able to have enough MIRV's of enough accuracy to attack our Minutemen successfully. They do not now. It is not foreseeable when it will happen. It surely will not be next year. It probably will not be for quite a number of years. They need both the MIRV and the tremendous accuracy required to hit such a strong silo successfully before this is a real threat to our Minuteman system. If and when such a threat develops, then I think we should do something about it.

Well, now, Mr. Speaker, as against that opinion, we have to compare this flat statement in the President's formal announcement of his decision:

> The Soviet Union is continuing the deployment of very large missiles with warheads *capable of destroying* our hardened Minuteman forces.

And these sentences from the Secretary of Defense's "fact sheet" on the ABM problem as also released last Friday:

> The Soviet ICBM program has not levelled off as we had hoped. In fact, if anything, it has accelerated and they are continuing to deploy their big missiles. They *have also tested* Multiple Reentry Vehicles which deployed in large numbers and, coupled with greatly improved accuracy, could give them a potential for a first strike against Minuteman if we took no countermeasures.

Then, finally, there is also the President's explanation about deployment of the first ABM "safeguard" at a missile site taking until 1973 to complete, in the course of which we find him saying:

> Any further delay would set this date back by at least two years.

Apparently because of the loss of momentum the program might thereby suffer.

I suppose, then, the question involved here is when does a potential threat actually become a threat, and the answer—as I said earlier—is a matter of judgment with Mr. Nixon having come down on the side of caution, even though he carefully stated that—

> The program for fiscal year 1970 is the minimum necessary to maintain the security of our Nation.

Well, Mr. Speaker, who truly knows the nature and extent of that "minimum" step necessary to maintain our security? It is, at best, a debatable point and one can therefore assume that the debate will go on.

Meanwhile, let us keep our eye on the main chance in all this, which is that—for whatever their reasons—the Soviets may now be willing to work with us toward getting a workable, safe agreement to bring the arms race under control.

And let us give President Nixon our full and wholehearted support as he continues to move, as I believe he is, toward the day when such Soviet willingness can be fully explored and, hopefully, such an agreement consummated.

HUNGARIAN INDEPENDENCE DAY

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. STOKES. Mr. Speaker, Louis Kossuth once said:

> From Russia no sun will ever rise, there is sky and air and water there; but to find the sunlight where it most spreads and lightens the path of freedom, we must come to America; for it should be remembered, that the United States is west of Europe, it is east of Asia; and from this east, light may again dawn on that benighted region.

This statement was made more than a century ago by Louis Kossuth, who sought to raise a republic, where man would be free from tyranny and oppression, where religious and civil liberties would prevail, and the Christian morality was the true freedom of international justice.

The anniversary of Hungary's War for Independence of 1848 was commemorated all over America on Saturday, March 15, 1969, as Hungarian Independence Day. Accordingly, it was a fitting

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occasion for all of America to demonstrate sympathy and understanding of the aspirations of the Hungarian nation for freedom and independence, and to give recognition to the contributions of Hungarians, both in world history and to our own American heritage.

PRESIDENT NIXON RIGHT ON ABM DECISION

HON. LAURENCE J. BURTON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. BURTON of Utah. Mr. Speaker, I support the decision of President Nixon to move ahead with a modified antiballistic-missile system. My views are summed up in the statement I issued to the press on Friday last, the date of the President's announcement on this subject. At that time I said:

> I believe the President came up with about the best approach to the problem that could be made in view of current world problems. I'm not happy about having to build an ABM system. I'd much rather spend the money to develop water resources, or upgrade education, or make our streets safer, for example. But, with both the Russians and the Chinese continuing to move ahead with their own nuclear capabilities, I think we have no reasonable alternative but to construct the ABM system.

An interesting and incisive commentary on the President's decision was carried in an editorial in the March 15 issue of the Ogden Standard-Examiner. The editorial's message is one with which I agree, and I commend it to my colleagues for their consideration:

ABM Decision Bolsters Minuteman

President Richard M. Nixon's decision to press for construction of a "safeguard program" of anti-ballistic missiles underlines the importance placed on the Utah-made Minuteman missiles as the "bedrock" of U.S. defenses.

The new Republican President, after lengthy conferences with military and civilian leaders, told a Friday news conference that two ABM bases will be operational by 1973 if his recommendations are followed.

One would help guard the 200-missile Minuteman silo complex, America's first, around Malmstrom Air Force Base at Great Falls in north-central Montana.

The second would protect the nation's newest Minuteman base at Grand Forks, North Dakota, where 150 of the latest models of the Utah-built, solid-fuel intercontinental ballistic missiles are war-ready in their deep silos. The Nixon plan differs in several respects from the ABM program announced in October, 1967 by the Johnson administration.

President Johnson and his then-Secretary of Defense, Robert McNamara, proposed putting a "thin line" of Sentinel missiles around America's key cities.

This brought protests—ill-founded we believe—that such placement would endanger the cities by making them prime targets as well as being subject to damage should a nuclear warhead accidentally detonate.

Some of the most vigorous protests came from Salt Lake City, one of the Sentinel sites posed in the Johnson-McNamara program.

Mr. Nixon has taken this into consideration in ordering the initial ABM installations around the Montana and North Dakota Minuteman bases.

Both are located in areas where population density is comparatively sparse.

If the Nixon plan is followed, we agree that our land-based retaliatory forces—the Minuteman missiles—will be protected against what the President termed any possible "direct attack" by the Soviet Union, as well as against the nuclear weapons launched by Red China.

The Great Falls and Grand Forks Sentinel squadrons, by their strategic locations on the northern approaches to 48 of our states, should also be capable of blunting the damage that might be caused by accidental missile launches by either Russia or China.

President Nixon's "safeguard" ABM system is, we feel, a logical compromise between an elaborate antiballistic missile network and the current, unguarded, system of ICBM bases.

The "doves" will continue to maintain that any form of ABM network will jeopardize the possibility of long-range peace with the Soviet Union.

Russia will certainly issue statements following the same "soft" line and charging that the United States—only a few hours after approval by our Senate of the nuclear nonproliferation treatry—had escalated the arms race.

Such an attitude is typical of the Communists.

They already have an ABM network around their main cities and major missile bases, where the Russian version of the Minuteman is in place and readily capable of striking the heart of our nation.

So we can expect the USSR propaganda would favor keeping the United States ICBM network vulnerable to a missile attack.

The Reds always cry "do as we say, not as we do."

The $6.7 billion requested by President Nixon to construct the two Sentinel bases would, we believe, be a wise investment in security for our country.

A CRUCIAL STEP

HON. JOHN V. TUNNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. TUNNEY. Mr. Speaker, Americans must welcome last week's ratification of the Nuclear Nonproliferation Treaty by the Senate with relief and determination: relief that we have negotiated another step toward making the world a safer place, and determination to continue on this path of sanity.

We have already taken two earlier steps by agreeing to the limited test ban treaty and the ban on placing weapons of mass destruction in outer space. These set our course in the direction of peace, and last week—with ratification of this important new measure—we stayed on course.

With this treaty, we may hope to curb the proliferation of nuclear powers and slow down the multiplying dangers which are bound to occur if more and more states obtain nuclear weapons. No one pretends that this treaty will eliminate all of the dangers. It will not. It does cut down on the dangers, however.

By the terms of the treaty, signatories agree not to provide other countries with nuclear weapons, and not to assist them in developing their own. And signatory states that do not have nuclear weapons agree not to manufacture or acquire them. So far, 87 countries have signed the treaty.

It is, of course, extremely unfortunate that two nuclear powers, France and China, have not signed the treaty. But even without their signatures, the treaty has a very real value in pledging the nonnuclear signatories not to accept nuclear weapons from nuclear nations.

And this treaty is essential if we are going to avoid further instability and the risk of nuclear disaster in tomorrow's world. Without this treaty, it is estimated that a dozen more countries could be getting nuclear weapons within the next 2 years.

While we recognize that the agreement does not bring the millennium, it is a step away from the terror of Armageddon.

Mr. Speaker, it also is a positive step toward further understanding. One vital part of the treaty is article VI, which places the nuclear-weapon states under certain disarmament obligations. Article VI declares that:

> Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control.

Fortunately, this country's determination to lessen the dangers of a nuclear war on this planet were underscored by the Senate's overwhelming, bipartisan vote of ratification. The vote of 83 to 15 was taken after a long debate.

A few Senators were afraid the treaty would commit us to defend every other country in the world. This was shown to be groundless. The treaty carries no provision of this sort, and the Senate has assurances from both the present and the former Secretaries of State that no interpretation of this kind can be made. Dean Rusk told the Senate Foreign Relations Committee last year that "as a matter of law and as a matter of policy," no further commitments had been assumed by the United States. He said:

> We have made it very clear in this matter. We are not directly or indirectly making ourselves a bilateral ally with every non-nuclear state.

A few Senators were afraid that the safeguards were meaningless, but they were satisfactorily answered on this score. Administration officials appearing before the Foreign Relations Committee were unanimous in their approval of the treaty's safeguards arrangements.

Dr. Glenn T. Seaborg, chairman of the Atomic Energy Commission, said that the International Atomic Energy Agency now has a suitable safeguards system. He said the IAEA had shown that "the techniques of international inspection are feasible and effective." The United States has not undertaken any inspection obligations in the treaty itself; and in a separate declaration, it has agreed only to open its peaceful nuclear facilities to inspection—and to open them only to inspectors who are "acceptable and agreeable" to this country. It has already done this in some instances, and, according to Mr. Rusk:

> We have not detected any handicaps arising from these arrangements.

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The Joint Chiefs of Staff have unanimously recommended the treaty. Presidents Eisenhower, Kennedy, Johnson, and Nixon all supported the idea of a nonproliferation treaty. The Secretaries of State and the Secretaries of Defense under both President Nixon and President Johnson have all urged its ratification. They say the treaty does not threaten our national security—rather, it is a step in the interest of world security.

I know that the vast majority of Americans support their judgment. Now the vast majority of the Senate has given its approval and ratification.

Because of these circumstances, I was astonished that one of the Senators voting against the treaty was the senior Senator from California, Senator MURPHY. It was beyond comprehension why he should oppose this treaty, which represents a real, bipartisan effort to improve world safety. If we are going to start coping with the terrible possibilities of the nuclear weapons era, if we are going to reduce international tension—indeed, if we want to survive—we must face our responsibilities and take the required steps.

THE LUMBER PRICE CRISIS

HON. WENDELL WYATT

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. WYATT. Mr. Speaker, as we all know, there is and has been widespread dismay over the recent rise in lumber and plywood prices. The industry has been as disturbed over this problem as anyone. However, the cost of wood has not, by any means, been the sole factor in increasing the cost of homebuilding and construction.

Mr. Gerry Pratt, a widely respected and perceptive business editor writing for the Portland Oregonian, covered this subject with considerable insight and objectivity in his column of last Friday. I would like to present that column here as a matter of substantial interest to my colleagues in the Congress:

BUILDERS FIX CAUSE OF PRICE INCREASES

(By Gerry Pratt)

The front page story says: "White House, Congress to Investigate. Alarm Grows Over Soaring Lumber Costs." And the story out of the Associated Press in New York City adds with the full vigor of an expose:

"Soaring lumber prices, up 30 to 90 per cent in the past year alone and still climbing, are helping push the cost of houses to record levels and have prompted separate investigations by the White House and Congress."

This may sound like beating the broken drum out here, but the political appeal of "investigating" business when the news services are using terms such as "soaring costs" has all the magic of the Kennedys turning the Federal Bureau of Investigation loose on the steel industry executives and forcing the steel price rollbacks.

"The increase in lumber prices have been unconscionable," says Harvey Meyerhoff, a Baltimore home builder. He goes on in the story as saying a $30,000 to $31,000 house is now costing the home buyer $39,000 and the implication is that extra $9,000 has gone into the pockets of a lumber or plywood manufacturer.

Perhaps Harvey Meyerhoff doesn't know this, but a check of his books would reveal some of the facts.

HOME LUMBER NEEDS TALLIED

An average American house uses 10,000 square feet of plywood and about 10,000 feet of lumber. Sheathing plywood on a ⅜th basis was selling for $110 a thousand in 1955, that is 15 years ago. Today it is selling for $144 a thousand. On the basis of 10,000 square feet per house the increase cost in plywood over nearly 15 years is $400 per house. The increase cost in timber, the increase cost in manufacturing labor and in taxes and whatever else you want to name from insurance to cost of living during those 15 years is something else.

And lumber! In 1955 it was easy to find mills selling for around $100 per thousand. These same mills today are averaging $120 to $130 for every thousand board feet of production. So taking $130, that is $300 more per house for lumber or a total lumber and plywood price increase over 10 years of $700, give or take $50.

One year ago, the timber pinpointed for the increase in the AP story and protests by builders, lumber and plywood prices were just about the exact lowest point of the past decade.

WWPA CHIEF QUOTES FIGURES

Wendell Barnes, head of the Western Wood Products Association, quotes from what he says are Portland Home Builders figures in the current edition of Real Estate Trends magazine.

Using 1955 as an index of 100:

The price of cement in the average house has increased 98 per cent up through September of 1968. Lumber has increased 40 per cent (that was September and rising prices may have carried today to 50 or 60 per cent). Plumbing has increased 40 per cent; brick and plaster 40 per cent and labor, as a percentage of the cost of a house, has risen 96 per cent; overhead and profits up 20 per cent and land, more than 400 per cent, or an annual increase of 16 per cent a year in the price of a finished house.

As a per cent of total cost, cement was 4.1 per cent in 1955 and 5.7 in 1968; lumber was 9.9 per cent then and now is 10.6 per cent; brick and plaster unchanged; plumbing is up from 9.9 per cent to 10.1 per cent in 1968 and labor has gone from 14.9 per cent of the cost of a house to 19.8 per cent. The builders' overhead and profit, which may explain cries from the home-building industry, has decreased from 12.8 per cent in 1955 to 11.1 per cent today.

RISING COST CURBS WELCOMED

But even so, government seems set to get after the rising costs of wood products and even the wood manufacturers welcome this.

"What they could do constructively," Barnes says, "is repeal the Jones Act. This would enable us to use ships to get our products back there. It's cheaper.

"They could take a look at the government's own administrative policies, which they plan to do, the government's own buying. Or they could look at the morass the railroads are in."

Perhaps most likely and most successful Barnes suggests, would be a look at the possibility of increasing timber sales that have been prepared in the past and have not been offered, sales that have been stopped merely because some preservationists have asked to have them locked up.

Barnes and the timber industry are keenly aware today that America is rotting as much or more federal timber, locked into wilderness areas by wilderness legislation as the entire industry is cutting.

"Areas near roads would be offered for sale; or a supplemental appropriation for a crash road-building program; or better forestry practices which even the Forest Service admits would allow them to increase the allowable cut by two thirds; or an increase in cut from 13 or 14 billion feet a year to 22 billion feet a year."

These are the "constructive" things the government could do. "There is no end to harmful things that could be done," Barnes admits. The distortion of the facts increases the possibility of those wrong moves.

ROONEY LAUDS NEW YORK CONSUMER AFFAIRS COMMISSIONER FOR FORCEFUL ASSAULT ON DECEPTIVE BUSINESS PRACTICES

HON. FRED B. ROONEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. ROONEY of Pennsylvania. Mr. Speaker, a former Miss America and well-known television personality recently was named Commissioner of Consumer Affairs for this Nation's largest city.

It was refreshing and reassuring to read in the New York Times this week of the intestinal fortitude evidenced by Mrs. Bess Myerson Grant, New York's new consumer affairs commissioner, when she addressed the Better Business Bureau of Greater New York.

New Yorkers must have been impressed by Mrs. Grant's "sock-it-to-'em" message for an audience of 200 businessmen.

She pulled no punches in urging the better business bureau to open its complaint files to public view to alert the public to those businesses which generate a high proportion of complaints.

And she laid it on the line, too, when she declared the American consumer is fed up "with industry self-policing plans that he feels are really self serving."

For several weeks, I have been seeking to draw the attention of my colleagues to a self-policing plan within the magazine sales industry and to focus attention on the fact that fraud and deception in magazine selling remains the rule rather than the exception despite creation of a voluntary industry code of ethical sales practices.

I commend Mrs. Grant for her straightforward approach to a most serious problem and include the New York Times report of her remarks in the RECORD:

CONSUMER CHIEF URGES PUBLICITY ON COMPLAINTS

(By Isadore Barmash)

Mrs. Bess Myerson Grant, the city's Consumer Affairs Commissioner, criticized her hosts yesterday at a luncheon in her honor by exhorting them to greater efforts to protect the "fed-up" consumer. The former Miss America, a television personality, told a luncheon of the Better Business Bureau of Greater New York at the Plaza Hotel that it should publicize the names of those stores that generate "an unusually high proportion of valid complaints." The closed files of the bureau, she said, should not be the "final resting place for records of deception."

She told the 200 businessmen present,

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many of them B.B.B. members, that the bureau "has not always looked on new consumer protection laws with a sympathetic eye. I understand their point—the good are sometimes hit by laws aimed at the bad. But now I want you to work with us to devise legislation that will hit only the target intended."

SOURCES OF DISMAY

The American consumer is "fed up," she said, with "endless payments for shoddy goods, with industry self-policing plans that he feels are really self-serving plans such as seals of approval which are based on advertising budgets rather than product quality, and with government officials for whom 'pass the buck' is a rule of life, and agencies that don't do their job."

Mrs. Myerson told her audience that "the explosive problem in our country and our city is, in my opinion, not black against white—rather it is the poor aroused against the rich because of the widening gulf between them resulting from this decade of prosperity and inflation."

She said that her office, now consisting of 350 persons after its integration with their city departments, would endeavor to see that the law would "penetrate the ghetto marketing system," would give a "fast and just" response to all consumers and make "consumer education a program and not just a slogan."

She asked the bureau to prepare an up-to-date code of unfair selling practices and to require members to pledge not to engage in them. The bureau should also require its members to agree to arbitrate consumer complaints, she said, and to establish "machinery for impartial third-party arbitration of minor buyer-seller disputes."

The bureau will soon begin a series of community seminars in Harlem and within a few weeks begin operating a mobile consumer information center, said William S. Renchard, chairman of the Chemical Bank and the bureau's chairman.

Preceding Mrs. Myerson's address, Mayor Lindsay, in a brief appearance, said that improving the consumer's plight was essentially a matter of "the art of communications." He added, "We should see to it there is the appearance of justice as well as the fact of justice."

ABM: WRONG DECISION

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. VANIK. I was deeply disappointed in President Nixon's decision of last Friday to support a modified sentinel ABM system. This decision is unwise as it was ill-timed. It completely smothered the hopes for a peaceful world which hinged on the Senate's action on the same day ratifying the Nuclear Nonproliferation Treaty.

A modified missile system suggests an impossible compromise. In this matter we cannot be half right. Half right is all wrong. There is little sense in defending a retaliatory weapon that expresses only revenge.

I oppose the deployment of the sentinel ABM system anywhere in the United States. My opposition is not softened by the suggestion that the ABM can be deployed for a solely defensive mission. Senator SYMINGTON, former Secretary of the Air Force, estimates that this system would cost hundreds of billions of dollars with a price tag that could reach $500 billion. There is little evidence to suggest that the system would provide any satisfactory degree of defense.

I believe in continued research and technology. I believe in the construction of prototypes, but I do not believe in the mass production of anything that has not been proven or which cannot provide a reasonable period of utility commensurate with our needs.

STOP THE NONSENSE ON CAMPUS

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. DORN. Mr. Speaker, I commend the following editorial which appeared in the Washington Post this morning to the attention of my colleagues and to educators throughout the Nation:

TIME TO STOP THE NONSENSE ON CAMPUS

The disgraceful episode at Georgetown University Thursday night, when a handful of young hoodlums, most of them with no connection with the University, refused to permit the Mayor of San Francisco to make a speech, is the logical outcome of the attitude that previously led to the seizure by students of offices and buildings at Howard University. It is an attitude, common these days among some students and nonstudents who like to foment trouble, that no one's rights matter but their own and that society must allow them to do their thing regardless of what it is or where they do it.

It is long past time for an end to this kind of nonsense. There is room on every college campus for dissent and for criticism of the status quo. A campus without those elements is likely to stagnate and deserves to die. But there is a place and a time for dissent and for demonstration and there are limits on protests, whether by faculty, students or nonstudents, that every university ought to enforce.

Two recent actions of the Supreme Court provide some guidance as to what those limits ought to be. A couple of weeks ago, the Court upheld the right of students to wear black armbands to class as a demonstration of their opposition to the war in Vietnam. This was a proper exercise of the right of free expression, the Justices said, and was protected by the Constitution against interference by school administrators. But the Court added that "conduct by the student, in class or out of it, which for any reason—whether it stems from time, place or type of behavior—materially disrupts classwork or involves substantial disorder or invasion of the rights of others is, of course, not immunized by the constitutional guaranty of freedom speech." As if to underline that sentence, the Court refused last Monday to review the expulsion of ten students from Bluefield State College in West Virginia for "riotous" behavior. Justice Fortas, speaking only for himself, pointed out the difference. These ten students, he said, were "engaged in an aggressive and violent demonstration, and not in peaceful, nondisruptive expression."

That is precisely the distinction that needs to be drawn in all campus protests. Students must be free to air their complaints and grievances, real or imaginary, in meetings, speeches, handbills, newspapers, conferences, and any other form of nonviolent persuasion including noncoercive picket lines. But they ought not to be free to disrupt classes, destroy property, deprive others of the right to speak, bar anyone from going into or out of a building, or interfere with the normal functioning of any part of a university's activities.

Merely saying that such a distinction ought to exist is quite a different thing from establishing it on campuses as different as Howard and Harvard, Georgetown and Berkeley. The primary burden, of course, for putting an end to the current nonsense is on those who administer colleges, who teach in them, and who attend them. About the last thing any university wants to do is to call in the police. If student groups, aided by campus police, can organize themselves sufficiently to cope with disruptions, so much the better. But, if they cannot, the formal power of society, in the form of the police, must be called upon to maintain order.

Father Hesburgh's formula for handling disorders at Notre Dame is still a good one. He has warned students that anyone disrupting a university activity will be given 15 minutes to think about it, then suspended if he continues to disrupt, and then expelled if he persists; nonstudents participating in disorders are to be arrested. But it takes more than an *ipse dixit* to establish such a policy. To make it stick, administrators must have done their homework—unifying behind them the great mass of faculty members and students who are interested in learning even while reforming the universities and making clear to all students what the penalties for riotous behavior are to be.

There are two great dangers in the current wave of unrest on the campuses. The first is that if disorder continues unchecked some great educational institutions will be destroyed. The second is that a wave of repression, aimed not at confining protest to its proper scope but at eliminating it, will follow. One of the major causative factors of the current problem is that many colleges refused for too long to listen when student and faculty members were protesting quietly. The affair at Columbia University a year ago demonstrated, much too well, that violence could produce changes that peaceful dissent had failed to produce. Thus a wave of repression unaccompanied by needed reforms will lead eventually only to greater trouble.

The Gallup Poll noted last week that campus disorders have replaced the Vietnam War as the No. 1 topic of serious discussion in homes across the country. When you add to this ferment the rumblings from state legislatures, alumni groups, and moderate students the message should be clear enough not only to those who would rather disrupt and destroy than learn and reform but to those who administer the institutions of higher education as well.

THE AMERICAN LEGION'S 50TH ANNIVERSARY

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. MURPHY of New York. Mr. Speaker, it is indeed appropriate that the House and the Senate have passed resolutions commending the American Legion on its 50th anniversary. The American Legion was conceived at a caucus March 15–17, 1919, in Paris, France by members of the AEF. From its inception, the American Legion has been known for its spirit; for its sense of fairness to all men; for its ability to accomplish whatever job needs done. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following article honoring the American Legion written by Mr. Hallis Hull:

Fiftieth Anniversary of the American Legion

(By Hallis Hull)

In this golden anniversary year for The American Legion, history has come full cycle for the world's largest veterans organization.

When the officers and men of World War I while still in uniform gathered in Paris, France, to form the Legion, one of the major problems was how the returning veteran was to be reassimilated into civilian life.

Now a half-century later this same problem is still a major concern of the Legion and it is working with and for a new generation of veterans.

Currently approximately 70,000 veterans of the Vietnam war are melting back into civilian life each month. This is a considerable number but not a large enough number to have the massive impact on society as the four-million-plus of World War I and the 12-million of World War II.

But the Legion feels that it is most important that these men and women of this new generation of veterans are properly adjusted and brought again into the main stream of our society.

To insure a smooth transition to civilian life and to offer some well-deserved public recognition to these new veterans, the Legion is involved in a nationwide program of contact and service with these former servicemen.

Names and addresses of returning veterans are provided by the Veterans Administration. They are processed by computer at Legion National Headquarters and sent to the appropriate officers of Legion Posts, districts and departments across the country.

Local Legionnaires are asked to immediately contact recent separatees, to welcome them home and to offer them whatever help that is needed in their readjustment to civilian life.

Veterans' rehabilitation has been a foundation stone of The American Legion. Here this well-known and well-organized rehabilitation effort from the national to the local level comes into full play. The local Post service officer is a key factor in the effort.

The Legion's rehabilitation help in the local community may take many forms, and can include help with setting the new veterans medical attention, help with getting into school or help with getting a job.

To give impetus and strength to this humane effort, the Legion National Organization has given special up-to-the-minute training to a group of Legion professional staff members. They are now working with Legion volunteers in various sections of the country to make this effort count stronglv for the benefit of the new veteran and our society.

Important as this new veterans' rehabilitation program is, it is not the only major effort in which The American Legion finds itself deeply involved and committed on this 50th anniversary year.

In the great tradition of volunteer organizations and their work for bettering our nation and society, the Legion makes its strength and organizational know-how felt in another area important to America. This is service to youth.

The American Legion Baseball Program is well known as having been the training ground for such greats of the game as Yogi Berra, Stan Musial, Jackie Robinson and Ted Williams.

But even more important is the continuing good for America that comes from this program aimed at producing and training sound American manhood through learning the rules of good sportsmanship and citizenship in a competitive sports program. When "play ball!" is sounded this spring a quarter-million boys playing on some 4,000 certified teams will vie for the honor of playing in The American Legion World Series.

Before totaling the Legion's work with youth, and to the effort such programs are Boys State and Boys Nation, where young high schoolers learn the elements of government by actual participation in its functions. Here they also learn the responsibilities as well as the rights that come to citizens in a government of law within a free society.

The Legion also is active in youth work through such other programs as the National High School Oratorical Contest. Boy Scouting and its uniformed groups. In the latter activity, an estimated half-million boys and girls are culturally involved by the Legion in bands and drum corps.

The Legion during this golden anniversary expects to rack up another record year of expenditures on behalf of the nation's children and youth.

Expenditures being made by the Legion, its Auxiliary and the Eight and Forty for child welfare work for the year ending next May 31 are expected to exceed the previous year's total of more than $9.5-million. With last year's record figure, the Legion and affiliated organizations have expended a total of more than $230-million on behalf of the nation's children and youth during the organization's history.

The silver anniversary of the enactment of the G.I. Bill of Rights will be marked by the nation next June 22. How the Legion conceived and fought for this landmark legislation is almost a legend. It set off a revolution in education. It prepared this nation in an educational way for the demanding technological era into which it has moved. This legislation was another lesson in the wisdom of America investing in people and becoming a greater society as a result.

While the G.I. Bill stands on a high peak among accomplishments, the day-to-day work and efforts of this organization in the area of education must not be overlooked. With the National Education Association, the National Congress of Parents and Teachers and the U.S. Office of Education, The American Legion sponsors the annual observance of American Education Week to focus attention on and gain support for the nation's schools.

But what of the Legion itself, its growth and its future role of service to our nation and society?

The history of the United States' expanding world commitments since 1917 is reflected in the growth of the Legion. The founders at that initial Paris meeting had no idea that when the golden anniversary rolled around that the Legion would be anything more than an organization of veterans from the First World War.

But since then the Legion has found it necessary to ask Congress to amend its federal charter to admit the veterans of three later wars to membership. In every case, eligibility has been limited to those who have had active, honorable service during an actual period of hostilities.

The latest generation of veterans eligible for and joining the Legion in increasing numbers are those who have served during the current Vietnam war. This eligibility period began with the action at the Gulf of Tonkin on Aug. 5, 1964.

The new Vietnam war veteran is finding the Legion a worthy vehicle through which to find expression in civic service. On this 50th anniversary year, the Legion is expected to achieve the fifth straight year of membership growth. The organization appears to be pushing in the direction of the 2.7-million member mark.

While it can look back on a proud record of service in many important and vital areas to the nation, The American Legion at this moment in its history is not content to rest on its past achievements.

A special Task Force for the Future has already been at work for more than a year drawing up guidelines for future Legion programs and projects. The Task Force's report is due to be presented at the Legion's 51st Annual National Convention to be held in Atlanta, Ga., Aug. 22–28.

In short, The American Legion has its sights focused on the future and an even greater role of service to the community and nation in its second half-century.

BOY SCOUTS SAY THANKS FOR AFL–CIO AID

HON. WILLIAM A. BARRETT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. BARRETT. Mr. Speaker, the trade unions and their members have long given generous support and cooperation to the Boy Scouts of America. The Scouts recently thanked the labor movement in a very special way, with a "Report to the Nation" and presentation of a commemorative paperweight. I include a story of this event, which appeared recently in the AFL–CIO News, in the CONGRESSIONAL RECORD so that all may be aware of the efforts of the unions to improve the living conditions of the people of this great country of ours:

Top Boy Scouts Say Thanks for AFL–CIO Aid

Outstanding representatives of Boy Scouting in America met around one table as guests of the AFL–CIO when 15 "Report to the Nation" Scouts and Explorers wound up a week-long tour of Washington with a lively dinner-discussion led by AFL–CIO Vice Pres. Joseph Keenan.

Keenan, who is secretary of the Intl. Brotherhood of Electrical Workers, was on hand to accept, on behalf of Pres. George Meany and the AFL–CIO, the Scouts' presentation "report" and commemorative paperweight.

In making the presentation, Eagle Scout Randolph A. Roth of Lafayette, Calif., cited "all the work the AFL–CIO has done to help boys everywhere."

William Moody, administrator of the Maritime Trades Dept., and Leo Perlis, director of AFL–CIO Community Services Activities, helped Keenan field informed questions by the Scouts on many phases of national economic life—from guaranteed jobs to Medicare and a reduction of the voting age to 18.

"We're the people's lobby," said Keenan, speaking of the AFL–CIO role in the community. "Our only purpose is to help our fellow men; our special interest is the people who are unfortunate."

Keenan summed up by urging the Scouts to "give us a chance as you go through life. Check the record—don't let others influence you. You'll see that the AFL–CIO has been in the vanguard of the fight to get social security, widows pensions, good schools and, most recently, legislation providing 10 million low-cost housing units for the inner city—a bill passed with labor's backing, but which must now be funded by the Appropriations Committee."

Labors forces must now be trained on the same target as the Boy Scouts' Boypower '76 Project—the ghetto, Keenan observed.

Decent housing and jobs are labor's aim, he noted, while the Scouts are directing their energies toward reaching a "representative" third of all U.S. boys by 1976—which means a much increased membership coming from the urban inner cities.

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THE ARTS GO BEGGING

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, in the months ahead the Congress will again be considering the authorization for the National Foundation on the Arts and Humanities.

In the March 22, 1969, New Republic, the former editor in chief of that magazine, Michael Straight, discusses the role of the Arts and Humanities Foundation. His is a candid and forthright assessment which is worthy of the attention of the Members of Congress.

As the author of the amendment which was adopted by the House to preclude individual grants I, for one, am grateful to Mr. Straight for his willingness to face this question.

At this point I want to include the text of the article, "The Arts Go Begging," for the information and consideration of my colleagues:

THE ARTS GO BEGGING

(By Michael Straight)

Our national priorities are set forth in the federal budget, which, in 1968, included these sums: $80 billion for national defense; $43 billion for health and welfare; $5 billion for space exploration; $4 billion for roads; $7 million for the arts.

Support for the arts is a smaller item in our budget than the economic aid to Costa Rica, smaller than one minor grant made by the National Science Foundation to the Polytechnic Institute of Brooklyn. It amounted to four cents in every $1,000 of government expenditures last year; now it is down to less than three cents.

This cut in the arts budget will scarcely bring the federal budget into balance. Nor does it mean the arts are not hungry. Their need is "desperate," according to the Chairman of the National Council on the Arts. The Ford Foundation, whose annual grants to the arts exceed those of the US Government, agrees. Its latest Report is entitled "The Economic Crisis in the Arts." Why, if their need is "desperate," are the arts starved? Eleven years ago, when the Soviet government launched its first Sputnik, science rose sharply in the national priority scale. Federal grants to universities for education and research in science soared to $1.4 billion in 1963 and to $3 billion in 1966.

Five years ago, the arts appeared to be on the verge of a similar upgrading. A Rockefeller Panel had reported that the arts belonged, "not at the periphery of society, but at the center." The President and the press applauded this view. The National Council on the Arts was created in the expectation that its growth would follow the course of the National Science Foundation, which now distributes $500 million in fellowships a year. The expectation has not been realized. One reason for that was Lyndon Johnson. He was led to believe he might cap the cultural legacy of the Kennedy Administration with his White House Festival on the Arts. It was a fiasco. It left Mr. Johnson with the searing conviction that artists were his enemies. He made no serious effort from from then on to promote the arts. When his own creation, the National Council on the Arts, was placed before the Congress last year, not one of the President's men was present to defend it. The result was catastrophic. By a vote of 261 to 130, the arts program was cut from a requested $32 million to $4 million for 1969.

The simplest way to explain this setback is to say that Mr. Johnson and the Congress lacked appreciation for the arts. Further reflection suggests an unpalatable alternative—that Congress has not supported the arts program because the program itself has never been thought through.

The President and the Congress agreed, five years ago, that the arts should have public support. But how much support should be given, and in what way? Should the program concentrate upon the performing arts, whose problems, due to rising costs, were most acute? Or should equal emphasis be given to the fine arts, to landscape architecture and other related endeavors? Should federal aid go to individuals or only to institutions? Should it be a long term program, to raise the general level of culture awareness? Or should it set out instead to rescue orchestras, repertory companies and dance groups from foundering? These were among the many basic questions to be answered. They were scarcely raised. When President Johnson called in the members of the newly-created National Council on the Arts, in March 1965, he told them that he expected action with a minimum of discussion. Dutifully, the Council met, and in one, brief session, adopted 30 resolutions, recommendations and principles. It then moved on, in its first formal meeting, to spend its funds.

In making its grants, the Council under the leadership of its Chairman Roger Stevens, was bold and innovative. It backed controversial and experimental enterprises. It reached out far beyond the performing arts. It established new theater companies in Los Angeles, Providence, New Orleans. It saved important companies, such as the American Ballet Theater, from dissolution. At the same time, it set up barriers to its own development by spending public funds in ways to which the Congress was bound to object. And, on February 27, 1968, the Congress did object, in a session that made many Broadway scripts seem dull.

It is easy to laugh at the mixed metaphors of the Congressmen and to feel a fine anger at the injustice of their attacks on "culture." It is more useful to see what they had in mind, since Congressional approval is essential to public support for the arts.

The National Council was sharply criticized in the Congress for authorizing grants unrelated to its main purpose of promoting the arts. "The point is," said Representative William Scherle (R., Iowa), "when Congress appropriates funds, for a specific purpose, it is not making out a blank check. . . ." He cited three grants: $10,000 to the Research and Design Institute of Providence to study road signs; $10,000 to a Citizens Action Conference, convened to consider a park on the Delaware River; and $850,000 to Wesbeth, a low-cost housing development for artists, now under construction in New York City. The first and second of these are very small; the third is very exciting. But their size and their value are not in dispute. Mr. Scherle's argument is simply that these projects are the proper concern of other departments of government and not of the National Council on the Arts.

A fourth project challenged by the Congress was the grant of $200,000 to the Theater Development Fund, which subsidizes plays that might otherwise fail, by purchasing tickets in bulk and reselling them at less than cost. "Why," asked Mr. Scherle, "should we subsidize . . . with tax dollars, a play which the public would not support?" His question is a fair one; for the United States Government is not well suited to intervene in the commercial theater as a backer of particular plays. A sounder role, for government, is to build an audience for good theater, throughout the nation, by improving the teaching of theater and the exposure to theater in our schools. If our government can do that, then the producers of good plays will take care of themselves.

Last year, the National Council gave Distinguished Service Awards of $10,000 apiece to five poets and literary critics. It explained that "although all were acclaimed as 'giants,' . . . none had received the full recognition, either financially or publicly due him." Rep. Albert Quie (R., Minn.) challenged awards, for which the government asks nothing in return. I think he was right to do so. Even in the depths of the depression, President Roosevelt did not hand out public funds in this manner. He put artists to work for their government *as artists;* he paid them for their work. And that working relationship, well rooted in our tradition, led to a memorable epoch in the arts.

From the time of its first meeting, the Council has insisted that grants to individuals are an essential element in its program. Among its earliest grants were: $372,000 to 50 novelists, poets, painters, sculptors and composers to take leaves-of-absence from teaching; $77,000 in graduation awards to 77 students, "to enrich their cultural experience"; $205,000 to 22 writers, to write books.

These expenditures led the House of Representatives to vote to deny the Council the right to make any grants to individuals. That decision did not become law, however, and the Council continued to make substantial grants to individuals and reiterate its conviction that these grants are of primary importance. Thus the continuing opposition of the Congress is made certain; and for no compelling reason. On this issue, the Congress may well be right. The Ford Foundation tried out a program of grants to individual artists; it proved to be too hard to administer, and it has been cut back. The British Arts Council attempted a similar program; it has caused intense bitterness among artists who sought and failed to get support. In the physical sciences, individual fellowships in large numbers are given out by our government. But, there are many important distinctions to be made between the physical sciences and the arts. The biologist, probing into the causes of cancer, may be every man's benefactor. The artist has a different role. In a time of rebellion and violence, the arts may be violent and rebellious. A Le Roi Jones, a Norman Mailer, can hardly be a protege of government, if his main purpose is to shock, to offend.

At present, as McNeil Lowry of the Ford Foundation notes, the arts are suffering on two counts. Expectations were raised, and with them costs, in the belief that increased support would be forthcoming. It has failed to materialize, and now, many art institutions are confronted with unmanageable deficits. A number of symphony orchestras will be broken up in the next two years; dozens of theater and dance companies will be disbanded. In the midst of this turmoil, President Nixon decided, last week, not to reappoint Roger Stevens as Chairman of the Arts Council. Mr. Stevens who gained many friends during his term in office, suspects that he is lucky to be leaving while he is still ahead.

FULL INVESTIGATION OF KING ASSASSINATION ASKED BY CONGRESSMAN KOCH

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1969

Mr. KOCH. Mr. Speaker, I am writing to the Justice Department today to request a full investigation of the assassination of Martin Luther King, Jr. I submit my letter for insertion in the CONGRESSIONAL RECORD for the reading of

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my colleagues; upon receiving a response from the Department, I will report immediately its contents to this House.

My letter addressed to Attorney General John N. Mitchell follows:

MARCH 17, 1969.

Hon. JOHN N. MITCHELL,
Attorney General, Justice Department,
Washington, D.C.

DEAR MR. MITCHELL: I am sure that you have been receiving a great deal of mail with respect to the James Earl Ray trial and its abrupt conclusion. Mail from my constituents indicates a wide concern that Mr. Ray's entering a plea of guilty will shut off any further inquiry of the many troublesome factors in the case.

Indeed, just today the New York Times reported that Judge W. Preston Battle maintains that the full truth about James Earl Ray and the assassination of Dr. Martin Luther King, Jr. is not known. The Judge pointed out that there has been much speculation on what happened, but little has been made based on fact and evidence. Judge Battle has said that he would "like the full proof." And it is without question that the American people want "full proof" and an investigation and airing on what happened. This is especially necessary in light of Mr. Ray's refusal on March 10th, the day he was sentenced, to state categorically that there was no conspiracy; indeed, his ambiguous statement leaves us with the implication that there was in fact a conspiracy.

Therefore, I call on the Justice Department, with the resources of the FBI at its disposal, to initiate a full inquiry on this matter and determine to the best of the Department's ability what happened and whether there was a conspiracy. I would urge that the hearings be public so that none would have reason to fear that vital information is being suppressed. The circumstances surrounding the death of this second martyr within the last six years cannot remain clouded with the public believing that a conspiracy of silence is being permitted to prevail.

I should appreciate your letting me know promptly what your plans are in this matter. I must tell you that if you indicate a lack of interest in pursuing a public inquiry, I will feel it incumbent upon me to ask for a congressional investigation to examine all the circumstances surrounding this national tragedy. A simple statement that the FBI has the case open will not suffice those of us who believe a full inquiry requires a public hearing.

Sincerely,

EDWARD I. KOCH.

"VOLUNTARY QUOTAS" NOT THE ANSWER

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. FINDLEY. Mr. Speaker, Mr. Bunroku Yoshino, Minister of the Embassy of Japan, recently addressed the Agricultural Council of California on the subject of U.S. agricultural trade in the Pacific area. The necessity for liberalization of agricultural trade policies and the fallacies surrounding the concept of voluntary import quotas were among two of the main points in his speech.

Because of the timeliness of his statement, I insert it in the RECORD at this point:

REMARKS BY MR. BUNROKU YOSHINO, MINISTER, EMBASSY OF JAPAN, BEFORE THE AGRICULTURAL COUNCIL OF CALIFORNIA, SACRAMENTO, CALIF., MARCH 4, 1969

It is indeed an honor to appear on your program and speak to you today on a subject of vital importance to all of us—the potential for agriculture in Pacific area trade.

As a diplomat assigned twice to Washington, D.C., I have had several occasions to fly over the State of California. But this is the first time I have had the opportunity for a real visit in the Golden State. California is known to us as a state with a rapid growth rate comparable to that of my own country.

We have many things in common and that makes me feel at home here. Indeed, Wakamatsu, a short distance from here, founded as a center of Japanese immigration, will be holding its centenary celebration in June. I, as a national of those immigrants' mother country, should like to pay homage to these people, whose contribution to the vitality of this state has enriched both our countries.

This prosperous atmosphere on the West Coast, and especially in the State of California is the basis for my reflections on the potential of trade in the Pacific Basin.

The two-way trade between the United States and Japan has continued its unparalleled growth, with your sales to us exceeding 3.5 billion dollars and our exports to you slightly over 4 billion dollars in 1968. As a result of the uninterrupted period of fast growth in the American economy, Japan in recent years has reversed the traditional trade balance and enjoyed a surplus.

But it is becoming increasingly apparent that trade in the Pacific Basin cannot be viewed in a bilateral context. As an illustration, we all recognize that American investment is developing resources in Australia that are used to fuel the industries in Japan that supply American consumers with products made on American machinery by Japanese workmen who feast on American agricultural products.

Let us focus on the agricultural sector of this trade. The volume and growth of this trade is determined by U.S. supplies and sales efforts, by changes in Japan's own agriculture sector, and by the trade policies pursued by both our countries.

You men, as leading agriculturalists, can be proud of your growth record. In fact, many of your nation's statesmen cite the great record of agricultural exports as one of your proudest national accomplishments.

While your agricultural sales to Japan in 1968 were down slightly from the prior year, they were the second highest on record, totaling approximately 900 million dollars. I know we all share the belief that sales will turn upward again.

I believe it significant to note that these sales to Japan are equivalent to 32 percent of all U.S. exports to my country.

Corn and soybeans showed substantial gains. Wheat, grain, and sorghums, and raw cotton fell off somewhat.

One of the many interesting things I have discovered about the United States is the pride in which you hold your communities and your states. That is why I am sure you are well aware that California is the nation's leading exporter to Japan. Indeed, I was impressed to learn that eight out of the top ten agricultural income-producing counties in the whole United States are located here in California

I think it is particularly significant that a major share of the cotton exported to Japan comes from California. It is one of California's major exports, returning some 65 million dollars and ranks third in the State's foreign sales after fruits and vegetables at 114 million dollars and rice at 67 million dollars.

This performance has been supported by a strong sales effort, including the continued visitation to Japan of U.S. technical trade missions in the agricultural field. Certainly, the increased competitiveness of the world cash markets is a signal for all sellers to be keenly aware of the influence of quality, grade, dependability of supply and delivery, and the many other factors which lead to satisfaction and trade growth between buyer and seller.

Your sales efforts, of course, must take account of the fundamental nature of Japan's agricultural sector, and the Government policies and technological changes that affect that sector. A similar broad view was taken by the Commodity Price Stabilization Promotion Council in its recent report to the Prime Minister in reference to measures my Government should take to stabilize domestic food prices and to increase productivity of Japanese agriculture and fisheries. The central theme of the Council's report is that Japanese agriculture, production, and trade policy must reflect consumer interest as well as the interest of the farmer.

This report was made in the context of a rapidly changing situation in Japan. The average Japanese urban household spent 38 percent of its monthly income for food in 1966. While this was an improvement of 10 percent compared with a decade earlier, I believe you can see the great opportunity for further development when you compare this with the 18 percent spent for food by the average wage earner here in the United States.

We are most pleased at the tremendous improvement in the quality of the Japanese diet. Even so, the major portion of Japanese food is of vegetable origin with animal foodstuffs accounting for a small percentage of the calorie intake. While intake of meat has increased nearly four-fold in the last two decades, our per capita supply of meat is still only about one-thirteenth of that in the United States. During the same period, our increase in consumption of eggs has been six-fold; milk and dairy products, ten-fold; citrus fruits and tomatoes, four-fold; and that of other fruits, more than double.

Consequently, you can quickly see how the logistics of the Japanese market provide excellent opportunities for increasing the sales of agricultural products from the United States and from California in particular.

All these developments must take place within the context of Government policy in both the United States and Japan. The report to the Prime Minister I referred to a moment ago pointed out that the liberalization of agriculture import policy could be an impulse toward improving both the efficiency and total production of Japanese agriculture. Food imports not only help stabilize prices by easing supply-demand pressures, but also tend to increase domestic efficiency.

Japan has, in fact, liberalized more than 90 percent of its trade; and we have strongly supported tariff cutting negotiations under the General Agreement on Tariffs and Trade. Nonetheless, we still have over 100 items on the so-called residual import restriction list, which is the source of a growing controversy not only among our trading partners but in Japan as well.

Many of the items on the list are unimportant to you but there are others such as fresh grapefruits and oranages, and lemon juice and tomato juice and beans. These are of immediate interest to you and you deserve my candidate appraisal of the situation.

Why, you must ask, in the face of the obvious benefits of liberalization, is Japan still hesitating to open up her markets to these relatively few imports? The answer would involve the whole long history of Japan's economic development, a success story in hindsight, but by no means an easy and comfortable process along the way.

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In short, this past development was accomplished mainly through Government control and leadership, and, in spite of having started late in industrialization, in spite of a shortage of capital and technical know-how, and in spite of tremendous efforts lost or wasted in war and defeat. Thus, the tight-knit control and leadership, the isolation from the prosperous markets of Europe and America, the access only to surrounding markets less developed than our own, and most importantly, the belief that a policy succesful in the past was adequate for the future—all these contributed to a psychology of protectionism in Japan.

With the emergence of Japan as the third largest industrial power, this psychology has been eroded but not completely displaced. Given the vested interests and involved relations of agribusiness and industry, politics and bureaucracy, it will take more time for Japan to fully and effectively embrace the dictates of liberal trade throughout our economy.

But we shall accomplish this, and the only question is one of timing.

For industralization and urbanization are proceeding at a ruthless speed in Japan. More and more labor forces are being drawn to industrial centers and more and more farm population is attracted to urban life. This is a familiar phenomenon for you. For us, when combined with the rising standard of living of all our people, it cannot help but immensely increase our requirements for agricultural products from abroad. Therefore, it is quite reasonable to believe that Japan will pursue a liberal policy that will enhance our already favorable market for your agricultural supplies.

I hope I am wrong but I do not believe we can see such an optimistic direction in U.S. trade policy. In returning to this country after two years' absence, I was surprised and disappointed by the rash of import restriction bills being presented to the Congress. Limitations, in one form or another, are being sought on virtually all major Japanese exports to this country.

Bills are even being introduced in Congress to further cut back steel imports, even though the Japanese and European steel industries already agreed to substantial cutbacks under severe pressure from protectionist interests. Elaborate reasons were put forth to justify the limitations in what was characterized as the "special" steel situation.

But no sooner was the ink dry on that "voluntary" agreement than your Government announced the intention of seeking another so-called "voluntary" agreement, this time in textiles.

Let me make it quite clear that we do not automatically and without any examination condemn any and every suggestion for orderly adjustment in international trade. And it is not solely from the viewpoint of Japan's export interests that we find the plea for additional protection for textile and apparel to be completely unjustified.

An exhaustive and comprehensive report by the U.S. Tariff Commission, released last year, concluded that the U.S. textile and apparel industries "enjoyed a period of unparalleled growth since the early 1960's." To bring that up to date, the U.S. textile industry's sales increased by 11 percent and its profits by 45 percent for the first three quarters of 1968 compared to the same period in 1967. Similarly, the apparel industry's sales were up 10 percent and profits 28 percent.

A point that must be clearly understood, I believe, is that the so-called "voluntary" agreements are burdened with the same liabilities as mandatory quotas. And this is true with respects to both the exporting country and the importing country. For example, is consumer choice limited any less or price competition weakened any less because imports are excluded from your market by "voluntary" rather than mandatory agreements? In short, we must not let these semantics blind us to the equally bad effects of quotas, however imposed.

Of particular importance to those of you here are the effects of U.S. restrictions on trade policy in Japan. I said earlier that there is no question that we will achieve liberalization on items of interest to you: the only question is one of timing.

The position of these in Japanese Government and industry who wish the liberalization to be sooner rather than later is undercut by protectionism in the United States. I am sure that you can understand this just as we recognize that restrictions in Japan are used as an excuse by those seeking protection in the United States.

Therefore, it is evident that for us to achieve growth in agricultural trade in the Pacific area, it will be necessary to work together to maintain and expand liberal trade policies in the area.

In this context, you and your fellow agricultural leaders throughout the United States have a great responsibility for you have considerable influence upon the course of events in this country.

Last October, I had the opportunity of addressing the National Association of State Departments of Agriculture at its annual meeting in Sun Valley, Idaho. I had the pleasure of meeting there your distinguished Director of Agriculture, Richard Lyng, who you have contributed to the National Government where, as Assistant Secretary of Agriculture, he will be directing efforts to tasks of not only commercial value but also great humanitarian significance.

During that Sun Valley meeting, I closed my remarks by thanking directly "those United States agricultural interests that have worked so hard to prevent the imposition of arbitrary restrictions on our trade." I would like again to extend my thanks to those here today and to those organizations that work so hard for the growth of trade.

This is a time of difficulty in trade policy. Let us approach this time with foresight, so that in the years ahead, we will look back and see how our steadfast adherence to the policies of growth was after all the wisest course for those on both sides of the Pacific to follow.

I thank you.

CHICKEN IN HOT DOGS

HON. ROGERS C. B. MORTON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. MORTON. Mr. Speaker, recently I inserted remarks by Mr. Frank Frazier, executive vice president of the National Broiler Council, into the Congressional Record. His remarks dealt with a problem I am extremely interested in, the limitation of the future market for frankfurters containing poultry meat. In the Evening Star of March 13, James J. Kilpatrick discussed this problem. I think his article is worthy of the attention of my colleagues:

"Chicken Frank" Pulverizes Seller's Freedom.

(By James J. Kilpatrick)

Consider the humble hot dog. Consider the salad tomato. And let us reflect, if you please, upon the problems that arise when self-interest, operating in the name of the law, intrudes upon a free market.

The venerable weenie, as every housewife knows, comes in three varieties: **"All beef,"** "all meat," and simply "frankfurters." American poultry producers have no interest in the "all beef" variety, but they have a hungry concern for the other two. They would like very much to be able freely to sell left-over parts of a chicken, just as left-over parts of a sheep or a pig are sold, to be ground up for the sausage that makes up a hot dog.

Now, you might imagine, in a free society, that this modest desire would present no formidable problems. After all, poultry is "meat," and if the customers don't object, what's wrong with putting pure and edible chicken in a hot dog?

Nothing is that simple anymore. Congress enacted a Wholesome Meat Act in 1967, and then enacted a Wholesome Poultry Products Act in 1968. The natural process of reproduction began to function: Laws breed rules and regulations. Along came a regulation laying down new labeling requirements for the hot dog. Henceforth, chicken could not be routinely listed in the smalltype description of ingredients, along with pork, mutton, and goat meat. If chicken were used, the name of the product itself would have to be changed, to "Frank-Chicken Added," or to "Chicken Franks."

Other regulations also were proposed. One rule would limit the amount of chicken in a weenie to 25 percent; no such limitation would be placed on other meats. Another rule would require that chicken used in an "all meat" frankfurter would have to combine white and dark meat in natural proportions. Still a third proposal would demand that chicken be described as "comminuted" chicken.

The effect, if not the purpose, of these several regulations is to make it difficult for the chicken men to muscle into the hot dog market. The effect is also to cramp the natural competitive flow of free products in a free economy. So much for chickens.

The story on tomatoes follows the same pattern. In recent years, a considerable tomato-growing industry has developed in Mexico. The United States, as part of its good neighbor policy, has assisted in the program; and the Mexicans, for their part, have responded by purchasing millions of dollars in processing machinery from the U.S. So far, so good.

But one of the notable features of fruit and vegetable marketing is that federal law permits farmer-producer committees effectively to regulate their own business. It is a beautiful system. No other industry has anything quite like it. If a committee decides that only tomatoes of a certain size shall be sold, such a recommendation routinely is translated into an order from the secretary of agriculture. Presto! The market is so regulated, and the gimmick is this: Requirements imposed upon domestic producers apply to imported products also.

Thus it was that the Florida Tomato Committee, fearful of sharp competition this winter from south of the border, asked and obtained a decree in January from then-Agriculture Secretary Freeman to this effect: Vine-ripened tomatoes smaller in diameter than 2 17-32 inches shall not be sold. Neither shall green tomatoes smaller than 2 9-32 inches be marketed. The effect is to bar 30 percent of the Mexican crop from American tables.

The political and economic pressures that produced these laws, rules and regulations now are producing other pressures. President Nixon is hearing from Sen. Goldwater, in behalf of the Mexican tomato growers. He also is hearing from Sens. Holland and Gurney, in behalf of the Florida interests. The National Broiler Council is squawking to Secretary Hardin about the "Chicken Frank" dilemma.

The prospect is for revised regulations that may soothe the ruffled poultrymen. The tomato problem ripens slowly. Meanwhile, let philosophers contemplate the problems of a society that measures its comminuted freedoms by the thirty-second of an inch.

OUR IMPORT SITUATION WITH MEXICO

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. DENT. Mr. Speaker, following is a speech I recently delivered to the Pennsylvania farmers regarding our import situation with Mexico. I commend it to my colleagues for their attention:

The Mexican tomato crisis, caused by Florida tomato growers who are attempting to save the American Market for domestic growers, is just one crack in the shakey wall built by the free traders.

In separating fact from fiction, in my view, Fiction is the belief that the world trade is a weapon of peace and prosperity, a builder of good relationships between nations, and an economic boom for trading nations. The Facts are: trade has in the past, and will in the future, cause the greatest disruption of international friendships and good will in the history of our Nation. The Mexican situation, simply put, was caused by the Mexicans taking too much of the American market, thus causing serious disruption in the American tomato industry.

Mexican tomatoes are produced under different economic situations than those produced in the United States. Taxes and tax reporting are two different things in these two countries. Profit margins and labor wages, of course, bear little resemblance to the American standards, and while they sell their tomatoes much cheaper, their profits are much greater.

A bitter denunciation from the Mexican press and government officials, and their degrading cartoons of Uncle Sam as a greedy butcher stabbing the poor Mexicans, is in keeping with the attitudes that will be displayed even more vehemently by Japan, Germany, and other nations when we are forced, by economic pressures of unemployment, to close our market place to their goods.

We never seem to understand that a child that has never been given candy doesn't miss it, but once a child has been given candy, try to take it away from him.

Over the past thirty years or more, especially the last ten, we have closed our eyes to the advanced industrial posture of foreign countries. We have completely underestimated the foreign producers of agricultural, consumer, and sophisticated goods. We have allowed them a free reign, and, in fact, encouraged them to enter into the American market without regard to job dislocations, or American market stability. They are becoming a growing menace to our well-being.

We have encouraged our own industries to set up shop in foreign countries and send back to the United States products for distribution in the American market place.

We have spent billions of dollars in unsound trade agreements and outright gifts trying to build up what we thought would be sound friendships based upon some kind of mutual good will. I would suggest that anybody interested pick up a Mexican paper of this month's vintage, and then tell me how much good will we have built in Mexico—even though we have given away a great share of our watermelon, cantaloupe, tomato and even sugar market to the Mexicans. They have, at the same time, put more restrictions on our American-made goods going over their border.

The attitude of the Mexicans is typical. Inevitably, we must someday close off the textile, shoe, steel, rubber goods, electronic devices, and radio imports. In fact, we must tell the world that we too must have jobs in order to have money to buy in the market place, whether or not it is our goods we are buying. The source of the purchase is still the American payroll, and when the day comes that we cannot meet that requirement, the whole world will find out that we cannot sustain the world by American purchases.

While the Mexicans are talking about an item that apparently gives little concern to the government officials. I believe it points to a real threat to our government's well-being.

We are begging the exporters to cut down on their steel and textile shipments to keep Congress asleep, for if Congress ever really awakens the whole illusion that our jobs are safe will go down the drain. Then the whole world will be shaken by the severity of the legislative enactments on world trade, which are such to come.

The Mexicans use cartoons showing "Big Uncle Sam stabbing the poor little Mexican farmer in the back." They show Uncle Sam as the Big Yankee pushing his poor little neighbors around.

The U.S. tomato growers just cannot compete price-wise with Mexican labor and taxes. Either we give up our tomato crops and packing industry or we give our growers protection price-wise.

The large chains are agitating the housewives by publicly blaming high prices on the U.S. growers. They fail to explain that when the Mexican workers displace U.S. workers, the heavy relief and public welfare load finds its way into the pockets of the same housewives who are asked to pay prices that will pay our workers' wages just as the tomato workers have to pay the high prices for the city workers' products unless they, too, buy foreign products.

If the tomato worker buys foreign cars and the auto worker buys Mexican tomatoes, who buys the American higher priced goods? When the wife of a $3 to $5 an hour city worker complains about paying prices to sustain a 65¢ to $1.15 per hour farm worker, it is about time somebody calls a spade a spade in our false-fronted trade economy.

All over the world, countries are erecting non-tariff barriers to keep products out of their markets, especially the trickle of products that slipped in after the so-called "great success of the Kennedy Round of Tariff Reductions". Even the United States with its back to the wall is using the false "voluntary agreements" to keep Congress from passing necessary legislation to save U.S. jobs in our high labor content industries.

European and Japanese traders are not fools. They will play ball voluntarily as they have in the past (especially in 1960 and '61), and as soon as Congress gets out of the way, they will pour goods into the U.S. so fast we will wonder what hit us.

The Mexicans who are saying that 15,000 tomato workers are out of work because of our partial embargo on certain sized tomatoes, never talk about the thousands of U.S. workers thrown out of work in the fields, packing houses, container and transport industries by the heavy take-over of our cantaloupes, watermelon, early tomatoes, and citrus fruit markets by import products.

Nor does our government inform our people of the Mexican laws and tariff regulations against U.S. cars and all other U.S. made industrial and consumer goods.

My Committee has had under study for over a year and one-half the Mexican Proneff territory agreements between our country and Mexico, which allows not only thousands of Mexican Green Card holders to invade the U.S., Rio Grande, and Southern California, areas, but also to wean away U.S. industry into an eleven mile wide strip along the Mexican side of the Rio Grande, and all of Mexican Baja, California, with low-waged labor, tariff-free exports and imports, and tax considerations that have attracted electrical and other production facilities costing thousands of U.S. jobs and tax dollars.

The only restrictions are:

1. No products in the Proneff areas can be sold in Mexico. (So we have to buy Mexican-made U.S. products produced out of the minimum wage law.)
2. The U.S. firms must hire Mexican labor.

In that instance, many U.S. corporations that clamor for U.S. funds to train workers go into Mexico, hire field hands and peasant workers, give them a quick on-the-job training for a few weeks, and lo and behold, they have production workers as good as any. Some industries have charged the U.S. Government millions of dollars to train for the same type of jobs in the U.S.

The lesson of Mexican tomatoes will not be enough to awaken our government. It will take more. Even the growth of the Japanese auto industry and its phenomenal increase in the share of the U.S. market of foreign car sales, plus its take-over of the U.S. motorcycle and transistor business will not awaken us. But! when our markets dry up or are depreciated substantially, we will wake up.

The screaming, parading, effigy-burning Japanese, Chinese (Hong Kong), European Common Marketeers, and other poachers on our consumer preserve will make such a howl that the American government will shake and rock.

You cannot fool with economics. There are only so many dollars for goods and services, and if we ship the dollars overseas, the market dries up for the Mexicans, the Japanese, the Chinese, and—yes, for the United States.

ST. PATRICK'S DAY

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. MINISH. Mr. Speaker, today we all delight in joining with Irishmen in our own country and the world over in celebrating the great holiday in honor of St. Patrick, Ireland's patron saint and apostle.

We would all do well on this day to remember St. Patrick's life. A Roman Briton by birth, Patrick was brought to Ireland during the fifth century as a prisoner of Irish pirates. Eventually he escaped, returned to Gaul to study for the priesthood, and then journeyed back to Erin to bring Christianity to that land. Patrick stood first for Christian piety and humility. In a quiet, yet forceful and determined manner, he converted thousands of Irishmen, from one end of the Emerald Isle to the other, to faith in God and love of their fellow men. His tremendous impact upon Ireland and indeed upon all the world is clearly shown in the numerous joyful observances and celebrations which are taking place today more than 15 centuries after his death.

On St. Patrick's Day men of good will everywhere are cheerfully welcomed to the family of the Irish. A little of that warm, romantic spirit, along with an abundance of good humor, so characteristic of the Irish, marks all men, of whatever nationality, who choose to honor the name of St. Patrick and the land that he loved. In the words of a famous Irish blessing:

> May the road rise with you, and may the wind be always at your back, and may God always hold you in the hollow of his hand.

Erin go bragh.

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MAN AND HIS ENVIRONMENT

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. HANNA. Mr. Speaker, the recent disaster off the coast of Santa Barbara, Calif., reiterates the urgent need for Americans to develop a more concerned, conscientious attitude toward our natural and manmade environment. As we all know, California experienced a blowout from an offshore oil drilling which resulted in an oil slick covering 50 square miles of sea and damaged beaches, wildlife, and property. Pollution of our air, land and water resources is reaching crisis proportions.

The U.S. Public Health Service reports that over 133 million tons of pollution enter our air annually. This aerial garbage causes property damages amounting to $13 billion annually, or $65 for each American. Included in the $13 billion figure is a $500 million annual loss to agriculture. Examples of air pollution damage are numerous. Ozone emitted from motor vehicles damages pine forests; fluorides used in industrial processes injure livestock and damage crops, fruit trees and flowers. Homes exposed to large amounts of aerial pollutants need painting frequently. Health effects of air pollution give cause for serious concern. Dirty air exacerbates bronchitis, emphysema, bronchial asthma, lung cancer, and other respiratory illnesses.

We pollute our land by destroying natural resources and by creating unsightly scenes, such as the auto graveyards found along many highways. This pollution is caused, in part, by our affluence. Our wealth has permitted the consumption of more goods and services. As we consume more, we generate more waste products to dispose of. Americans generate 15,000,000 tons of scrap iron and steel annually, one-third of which is in the form of derelict autos. Each year Americans dispose of 48,000,000 cans and 26,000,000 bottles and jars. Some of these materials decompose over a period of time. Others however, especially plastics, will not decompose in millions of years, according to scientists.

The amount of refuse our society generates staggers the imagination. Each American generates personal refuse of 4.5 pounds every day. One and a half pounds of that amount consists of food wastes; the remaining 3 pounds is trash. This 4.5 pound figure is expected to triple by 1980. Each year, $2.8 billion is spent by private and public garbage and refuse collection efforts.

Only recently have some cities adopted satisfactory methods of disposing of municipal refuse. Only recently has the municipal dump disappeared from our landscape in favor of the more satisfactory disposal methods—sanitary landfill, incineration, and, in some places, composting. Disposal of industrial and commercial wastes continues to be a problem in some areas.

Pollution of our Nation's lakes, rivers, streams, and other waterways is commonplace. The incidents at *Torrey Canyon* and Santa Barbara emphasize that even our ocean waters and adjacent beaches are not immune to contamination. Municipalities contribute to the problem by dumping untreated sewage in rivers—often in the very rivers from which their drinking water supply is extracted. Industy adds to the problem, also.

Efforts to combat pollution are being made. But we still need to be reminded of the severity of destroying our resources. I would like to bring to the attention of my colleagues two recent articles which I believe clarify the pollution problem and indicate methods of developing proper attitudes toward our natural environment. Mr. Speaker, with your permission, I submit these two articles for inclusion in the RERORD:

[Reprinted from the Science Teacher, January 1969]

THE FUTURE OF MAN'S ENVIRONMENT [1]

(By Robert W. Lamson, staff assistant, Office of the Assistant Secretary for Water Quality and Research, Department of the Interior)

In thinking about and acting to influence man's future environment, we must consider many factors—the physical, biological, and social; the "man-made" as well as the "natural." Man's future environment will include the human populations, the cities and institutions which man has created, as well as the physical, chemical, and non-human biological systems—the oceans, continents, river basins, and the populations of various species of plants, fish, insects, birds, and animals upon which man depends for his survival and well-being.

If we wish to protect and improve the social, physical, and biological aspects of our environment, we must attempt to answer and act upon the answers to the following three critical questions:

What are the trends which are helping to modify or create the natural and man-made environments which man will inhabit during the next half century?

What is the possible range of these alternative future environments?

What might be done to influence these trends so as to shape the future in desired directions?

This article discusses these questions, specifically as they concern the United States.

TRENDS AND CONDITIONS CONFRONTING THE UNITED STATES

Important trends which will affect man's future environment include population growth and distribution, resource supply and use, output of wastes, and growth and use of technological and organizational power.

Population growth and distribution. The current world population of about 3.5 billion could double and reach 7 billion or more by the year 2000 if current trends continue. Projected United States population for the year 2015 ranges between 325 and 483 million. In just 50 years, the nation's population could grow by 125 to 280 million over today's population of about 200 million.

Throughout the world, people have been moving from rural areas to more densely populated urban areas, and in the United States, a very large percentage of the growing population lives and is projected to live on a very small percentage of the land.

Supply and use resources. The United States contains a supply of renewable and non-renewable natural resources which is not unlimited, which can be depleted, but which can also be expanded and upgraded through application of scientific research, and used more efficiently through better management.

Use of many resources in the United States is projected to increase even more rapidly than population, due to increased per capita demand for resources caused by increased industrialization and use of technology, urbanization, rising levels of income and individual expectations, increased leisure, and outdoor recreation. Increasing demand for resources sometimes involves a requirement for higher quality resources, for instance, water.

Output of wastes. Output of wastes—solid, liquid, and gaseous—is increasing for the nation and per capita, thereby intensifying the threat of pollution to our air, land, and water. Sources of pollution include cities, industries, farms, heat from power generation, automobiles, recreation, mining, boating, and commercial shipping. The types, sources, and amounts of wastes will tend to increase with the growth of population, industry, and use of technology and resources. Many types of wastes are also projected to increase more rapidly than will population.

The factors which help to increase demands for resources, for clean water, pure air, and unlittered land, also help to increase the output of wastes, thereby making demands more difficult to satisfy. While we have placed increasing demands upon the environment, we have also increased our dumping of wastes into it.

Although we may not be in immediate danger of exhausting our supply of many types of resources, we are in danger, because of declining quality, of jeopardizing our usable supply.

Growth of technological and organizational power. By applying our knowledge and experience to solve practical problems, we are increasing our technological and organizational ability to:

1. Push back many of the constraints of nature, of distance, time and disease, and of our formerly low capacity to manipulate the environment;
2. Shape and create widespread, intense, and long-lasting changes in the natural environment; some of these changes could be irreversible and adverse to man's long-term survival, health, and well-being;
3. Create "artificial" or man-made environments (for instance, cities and manned satellites), and to live in new environments (under the ocean and on the moon);
4. Perceive, predict, and monitor as well as to control, influence, or manage environmental changes, for example, via new techniques (systems analysis), tools (microscopes, telescopes, satellites, and computers), laws (domestic rules as well as international agreements concerning conservation, use of resources, and technology), and institutions (river basin commissions);
5. Increase rapidly the production of food and energy, transform raw materials into finished products through industrial processes, and transport people, goods, energy, and information.

Changing proportion of "natural" and "man-made" aspects of the environment. As a result of population growth and of using our increased technological and organizational power, more and more of man's environment is becoming man-affected or man-made, except where special provision has been made to keep the influence of man and his machines at a minimum (for example, in wilderness areas and natural areas created to provide a base line for ecological studies).

The primary threats to man's physical and psychic survival, to his health and well-being, now increasingly stem from his own creations, from the environments which he has created or altered, from the natural forces which he has harnessed, and from the institutions, techniques, and tools which he has invented in order to remove the constraints of space, time, and low capacity to manipulate the environment.

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[1] This article represents only the views of the author and not those of the Department of the Interior.

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Man no longer has the margin for error which space, time, and his relative lack of power once provided for his ecological mistakes.

He must, therefore, take care, in his relation to the environment and in his actions to shape it, that he does not make himself and his society more vulnerable to sabotage, disruption, and disaster—for example, if a small element of the system which he designs does not perform perfectly, if his shaping of the environments should have adverse effects, or if disturbances in the environment, such as floods, earthquakes, and hurricanes, should affect the areas in which he has settled.

We have had some sharp, recent experience with systems which created potentially disastrous effects when a small part of the system failed—for instance, the Northeast power failure and the Torrey Canyon tanker disaster.

In attempting to use our power to influence the environment, we should design for a range of contingencies—for the optimist when all works well and for the pessimist when much goes wrong. The test of our technical creations is not how well they perform when all parts work as designed, but how well the system runs and how widespread the damage is when a part of the system fails.

Since the environment influences man himself, and since man has increased power to influence his environment, man is, in many ways, through intent as well as inadvertence, and perhaps in ways he does not understand, increasingly influencing his own genetic, physical, and psychological nature—and that of his children—through the environments which he creates.

Because man's increased power to manipulate the environment has created a total environment which is increasingly man-made and in which man's margin for error is reduced, his only protection now is knowledge and wisdom in using his technological and organizational power. Man's ability to create adverse effects may be greater than his ability to perceive, judge, prevent, and control them. As a result of his inability to control wisely the purposes to which he puts his power, man may find that he is creating effects in his "natural" and "man-made" environments, as well as in himself, which he cannot control and which are adverse and irreversible.

RANGE OF ALTERNATIVE FUTURE ENVIRONMENTS

In attempting to look at the "natural" as well as the "man-made" aspects of man's future environment, one can project a number of possible alternatives, ranging from optimistic to pessimistic.

The many elements which will make up man's future environment vary with respect to: (1) probability of occurrence; from impossible to inevitable or zero to 100 percent; (2) popularity, or the extent to which the event is desired by the public or by specific groups, today or in the future; and (3) desirability.

The actual future environment which man will inhabit depends upon the nature and unfolding of the various trends which are helping to shape the environment and upon man's actions to influence these trends.

The crucial problem in looking at the future is to decide what is desirable among the range of possible future events and then to work for it, taking into consideration the probability that the future event will occur, the difficulty and costs of bringing it about, and the consequences of not doing so.

Within the range of possible future social and ecological environments, many pessimistic possibilities could be realized in the absence of adequate policies to prevent their occurrence.

For example, problems of external defense, international order, and war could become worse, with general nuclear war one pessimistic possibility for rapidly decimating our population, and, at the same time severely damaging our natural environment and our cities.

Large-scale loss of life due to ecological and technological disasters is not impossible, particularly if large and densely concentrated populations depend upon an ecology and large-scale systems of technology and organization which are highly vulnerable to disruption, breakdown, and misuse.

In the absence of adequate policies to protect against such natural hazards as storms, earthquakes, and floods, larger numbers of people could become vulnerable to disaster.

Other possible adverse effects of misusing our technological power have been mentioned, for example, global ecological imbalances and more intense and widespread disasters caused by:

1. Environmental pollution which upsets the chemical-thermal balance of the earth's atmosphere because of increased burning of fossil fuels, pollution of the upper atmosphere, and impairment of the cycle by which the carbon-oxygen balance in the atmosphere is maintained, through photosynthesis, by plants on land and in the ocean.

2. Soil depletion and increased salinity of the soil.

3. Poorly planned, large-scale, environmental engineering projects which trigger world-wide ecological effects—rapid or slow—which are adverse to man and irreversible.

Increasing pressures to mass produce and construct, in a short time, large numbers of new buildings and housing units could cause a decline in diversity, quality, and choice in our cities. Without proper protection, the quality of the countryside, also, could continue to deteriorate because of junkyards, billboards, power lines, overenriched lakes ruined by algae growth fed by wastes from cities and farms, polluted streams, and erosion of hillsides and of the many new inadequately protected construction sites.

The cumulative and mutually reinforcing effects of many environmental changes on the ecology and on man's physical and psychic health are potentially dangerous but not well known.

For example, we do not know enough about the long-term ecological, somatic, and genetic effects of various chemicals used in fertilizers, pesticides, and herbicides; of such environmental contaminants as radioactive wastes and lead; of the concentration of various poisons through the food chain, or of their cumulative and interactive effects. Nevertheless, the outpouring of toxic materials into the environment is already great and increasing.

Even though the nation's economy, our gross national product, and our per capita income will continue to grow, individual standards of living could decline because of inadequate policies and programs to protect the environment. Since the social, physical, and biological aspects of man's environment interact, deterioration of the nonhuman environment could help to create economic and social decline.

Moreover, failure on the social and political level could, in turn, contribute to deterioration of our physical and biological surroundings. For example, the educational system could fail to transmit to succeeding generations the cultural values which underlie the nation's political system as well as the attitudes and skills essential to maintaining environmental quality.

Internal order as well as ecological balance and environmental quality could break down or become more difficult to maintain. Or, their maintenance could be based more and more on "external controls" and repressive measures, on the threat of punishment and constriction of freedom.

Man's actions to avert the various environmental threats which now confront him will help to determine whether or not his future environment will be one in which he can thrive as well as exist.

Depending on his actions to prevent the occurrence of future pessimistic possibilities, and to realize optimistic ones, man could enjoy more widespread and heightened values of, for example: natural beauty, clean air, water, and unlittered land; cities which are beautiful, exciting, and a joy to live in; rising levels of living; tranquillity and silence; privacy as well as sociability; diversity, individuality, and choice; justice and security; political freedom, the opportunity to influence and participate in the decisions which affect his welfare and that of his children; democratic, representative government; and the opportunity to develop his personality to the maximum extent.

We must remember that the optimistic projections will not automatically come about without human effort. Nor will we prevent the pessimistic projections from coming true if we do not work at it. In fact, projections can become self-denying or self-fulfilling prophecies, depending upon their effect on human attitudes, effort, and will.

When people view any particular future alternative as necessarily inevitable, such an attitude tends to generate self-fulfilling or self-denying prophecies, depending on whether we see the inevitable as optimistic or pessimistic. For example, a pessimistic projection which is viewed as inevitable can become a self-confirming prophecy through reducing any effort to prevent its occurrence, thereby increasing the probability that it will come true. An optimistic projection which is viewed as inevitable can become a self-denying prophecy through reducing the effort devoted to bringing it about, thereby reducing the probability of its coming true.

On the other hand, if the future is regarded as open and subject, to some extent, to human manipulation, then this will tend to leave room for the creative exercise of human wisdom, will, and effort.

CONTROL OR INFLUENCE OF TRENDS

Having outlined some of the important trends confronting the United States, and a range of alternative environmental outcomes associated with these trends, the question arises: Should we attempt to "adjust" to the trends, or to "influence" and "control" them, or both?

Assuming that "adjustment," by itself, is not an adequate guide if we wish to promote economic growth, individual well-being, and environmental quality, we then need to consider what can be done to "control"—or at least to "influence" the various trends which will affect man's future environment. What can be done to make more probable the optimistic rather than the pessimistic projections?

Technological and organizational power. It is crucial that we control the uses of our increasing technological and organizational power to affect our environment since to date, we have used this growing power in an unbalanced way:

To limit deaths, but not, at the same time and in the same degree, to limit births. As a result, no matter how efficient the technology, skill, and organization devoted to producing, expanding, and making more efficient use of resources, population now outpaces production in many parts of the world, with tragic results.

To use, destroy, and deplete resources for immediate benefit, without sufficient regard for the resource needs of future generations and without providing adequate knowledge and skills to compensate for the depletion.

To pollute our land, air, and water, but not to prevent pollution, clean it up where it occurs, and restore the damaged environment.

To promote economic and population growth, but not to protect and promote environmental quality.

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To create and apply new knowledge and powerful technologies without, at the same time, acting to prevent and limit the damaging side effects of using this knowledge and technology.

There is a need now to restore the balance in our use of science and technology—in our attitudes, laws, and institutions. For science and engineering, by themselves, cannot save us from our lack of wisdom and vision in using science and in managing our technological power.

Additional technological power and efficiency, applied in the same manner that we have applied them in the past to our environment and to the forces of nature, will not necessarily save us from our lack of balance and wisdom in using that power.

We need, therefore, to perceive, predict, evaluate, influence, and control the effects of using our technological and organizational power so that the optimistic rather than the pessimistic possibilities will come to pass.

To carry out the research, planning, and operational programs to perform these activities, we need to create the necessary laws and institutions, in government, at the federal, state, and local levels, as well as in the private sector, in universities and industry.

We need to use our technological power in such a way as to affect the trends which, if unchecked, would realize the pessimistic possibilities. In other words, we need to influence population growth and distribution, the supply of and demand for resources and services, and the output of wastes.

Population growth and distribution. Problems of population increase as well as density could seriously jeopardize the ability of this and other nations to meet, concomitantly, their national goals for security, economic growth, welfare and well-being, resources, conservation, and environmental quality.

There is, therefore, a need to develop a population policy based on analysis to determine:

1. What, if various alternative projections for future population growth and distribution were to come true, the effects would be on the success and costs of our policies:

A. *To supply and conserve resources* (land, water, air, food, minerals, energy, timber, wildlife, wilderness, outdoor recreation and park areas, open spaces, natural beauty, silence, etc.)

B. *To provide services* (transportation, health, welfare, housing, sanitation, education, etc.); and

C. At the same time, *to protect and promote environmental quality;* that is, to prevent further pollution of our land, air, and water, to clean up what pollution remains, to restore the damaged environment, to rebuild our deteriorated cities and to create new ones;

D. To solve these problems within the existing framework of government and political and personal values (to protect and strengthen freedom of choice and representative, popular government and to limit the extent of intrusion of government into the personal lives of citizens).

2. Which, if any, of the various alternative projections for future population growth and distribution we should regard as goals for population policy, and the costs and benefits of achieving each; and

3. How, by what methods, we could achieve each goal. Programs for action to influence population growth rates and distribution could be based on such analyses.

Alternative goals for population growth might include, for example: (1) to insure that all American families will have access to information and services that will enable them to plan the number and spacing of their children, and thereby, to insure that any future American child will be a "wanted child"; (2) to achieve population growth in the United States which would increase more rapidly or more slowly than is projected; and (3) to stabilize United States (and world) population at less than its present size, or double its present size, or greater by a factor of 2.5, 3, or 4. Here, the question arises: At what level and when should this stabilization occur—in 40, 60, 75, 100, or 200 years?

Supply and use of resources and services. To help satisfy the increasing demands for resources, there is a need to increase the available supply, through research and exploration programs, and to make more efficient use of the existing supply through improved conservation, management, and pricing.

Moreover, if our aim is to increase individual well-being and standards of living, access to resources and services, as well as to promote overall economic growth, then the question arises whether we should attempt to limit the rate at which demand grows as well as to "satisfy" increasing demands for resources and services. This would require us to limit the rate at which population grows and puts pressure on our not unlimited ability to provide resources and services.

Control of waste output. If we are to protect the environment adequately, we must bring under control and manage the wastes of our society which threaten to poison and bury us and to destroy the ecological systems upon which we depend. We must, therefore, prevent, limit, manage, and control waste and pollution at each step in the process by which our economy and industry transform energy and materials, from raw materials through to finished products, to ultimate use and disposal.

This requires us to create more efficient and less wasteful industrial and economic processes, and to provide for use, reuse, recovery, and recycling of the waste products—solid, liquid, and gaseous—which are generated at each stage in our economic system.

PERSONAL AND POLITICAL VALUES AND CONTROL OF TRENDS

To control and influence the trends outlined above requires "management" and control of people and institutions as well as of the environment. What is the relation between: (1) "management" of the environment and of the "trends" which will affect the environment, and (2) personal and political values?

"Environmental management" involves the monitoring and manipulation of physical chemical, and non-human biological systems—the oceans, river basins, watersheds, airsheds, industrial, agricultural, and municipal wastes, and populations of various species of fish, birds, animals, insects, and plants.

But such objects are only part of the environmental quality problem. Human persons, their attitudes, ideologies, practices, social systems, and institutions are also part of the problem of maintaining environmental quality. They must also be part of the cure.

If more "efficient environmental management" involves human persons, attitudes, and institutions, then what are the implications of "efficient environmental management" for such values as freedom, privacy, autonomy of personality, dispersal of power and pluralism (particularly under conditions of rapidly increasing population), industrialization, urbanization, and use of technological power to manipulate the environment?

How can the United States promote environmental quality, and, at the same time, protect and promote various important personal and political values under conditions in which an additional 100 million people are projected to be added to the United States population in a short 30 years?

If the United States is to control the effects of its citizens' actions on the environment, and at the same time, to protect their personal and political values, there will be a need to rely, to a large extent, on internal psychological controls—rather than on the external threat of law or punishment. And, if such internal controls are to be used with a rapidly expanding population, then great reliance must be placed on education for conservation and environmental quality—at each stage of a person's life—in the home, through school, and in other areas of activity.

The need to promote and to reconcile "environmental quality and "environmental management" with such values as freedom, privacy, and autonomy of personality, dispersal of power, and pluralism is one which places a critical responsibility on the educational system in general, and on the teachers of science in particular.

CONCLUSION

Our current environmental crisis is due to man's misuse of power—to one-sided use of his capacity to control the forces of nature and to his lack of understanding of himself and his lack of wisdom in using his power.

Much remains to be done for environmental quality—in many areas—in terms of attitudes and education, laws and institutions, research, planning, and operational programs.

Science teachers who convey the attitudes and skills needed to protect and promote environmental quality are on the forefront of man's effort to restore balance and harmony—within himself, within nature, and between himself and nature.

We must restore wisdom and balance in our actions, in the use of our power, and in nature. Time is short. Much of our damage to the environment is irreversible; what we destroy cannot be restored and is lost forever.

The accelerating damage which we do to nature and to ourselves will not wait for us to catch up, nor will it wait while we refine our understanding of this damage.

We must learn, and science teachers must help future generations to learn, to restore the balance:

Between our power and our wisdom in using that power

Between our power to create and our power to destroy and distrupt

Between our efforts to prevent injury and our efforts to heal the damaged environment

Between our efforts to understand environmental problems and our actions to prevent and correct these problems

Our power has exceeded our wisdom.

Our power to destroy the environment has surpassed our power to correct the damage, to conserve and create.

Our efforts to prevent have lagged behind our efforts to cure.

Our cures have been too little and too late.

And, we have often allowed the quest for more perfect knowledge to deflect us from acting now with what knowledge we have.

[Reprinted from the Los Angeles Times, Feb. 2, 1969]

POLLUTION ON LAND, BY SEA, AND IN THE AIR: MAN MUST DEVELOP NEW RESPECT FOR HIS WORLD—ENVIRONMENTAL CHANGE CAUSED BY OUR MISUSE OF TECHNOLOGY

(By Irving S. Bengelsdorf)

The handwriting is on the wall. And the message is clear. Either man controls his exploding population, his crowding into cities, and his industrial activities, or he faces disaster through his pollution and manipulation of our planetary environment.

It is the only environment we have.

More people in more cities demand more technology to provide more food, more water, more shelter, more transportation, more manufactured goods, more electricity, more services. All these activities give rise to pollution.

It is becoming more and more evident that modern technology—as used by society—permits us to change our environment on a vast global, national, statewide or local scale. And we often do not know the long-range consequences of such environmental changes.

In symposium after symposium at the 135th annual meeting of the American Assn. for the Advancement of Science, recently held in Dallas, scientists repeatedly warned of impending danger as we continue to pollute the air above us, the seas around us, and the land beneath us.

Consider air pollution. The burning of fuels—wood, coal, oil, gasoline or natural gas—in homes, automobiles and factories gives rise to a horrendous aerial garbage of sulfur oxides, carbon oxides, nitrogen oxides, hydrocarbons and lead.

POLLUTION CAN CHANGE HEAT OF ATMOSPHERE

These aerial pollutants can change the heat-content of the atmosphere, can kill trees, crops and flowers, can irritate eyes, noses and throats, can aggravate emphysema, place a stress on heart function and may contribute to lung cancer.

Or, consider the contamination of water. Sewage, detergents, pesticides, waste chemicals, and waste heat dumped into rivers, lakes and estuaries—and dams built or new waterways constructed—can change sparkling rivers into dirty, fetid streams, clear blue lakes into turbid pea-soup green bodies of water, and ocean coastlines once teeming with diverse plants and animals into submarine desert devoid of life.

Finfish and shellfish are killed or driven elsewhere. The catch of blue pike in Lake Erie dropped from 6.9 million pounds in 1956 to less than 200 pounds in 1963.

Land pollution boggles the mind. In our affluent, expanding urban population, each American, every day, must get rid of about five pounds of refuse—paper, grass and brush cuttings, garbage, ashes, metal, glass and ceramics. This amounts to about 1,800 pounds per person per year or 360 billion pounds of solid wastes annually for the country!

Where to put it? Paper cartons deteriorate with time and steel cans eventually rust away. But aluminum cans are longer-lived and plastic containers are nearly eternal in the pollution of our landscape. The number of cans, bottles, jars, bottle caps, and miscellaneous containers increases as the population increases.

As Dr. Roger Revelle, director of the Center for Population Studies, Harvard University, said, "What this country needs is a beer can that either we or the bacteria can eat."

Man-made pollution has three characteristics:

1—Pollution respects no political boundaries. There is no ordinance the city of Pasadena can pass that will prevent smog, generated in Los Angeles by automobiles driving in from Santa Monica, San Pedro or Van Nuys, from irritating the eyes of its residents.

Pollution even crosses international boundaries. Since the turn of the century, rain in Western Europe has become more and more acidic. The smokestacks of ever more coal-burning European factories belch ever-increasing amounts of sulfur dioxide into the air.

Sulfur dioxide slowly changes into sulfuric acid which then dissolves in raindrops and falls to earth. And sulfuric acid is not only corrosive, but by its chemical action it also can release toxic mercury compounds—used by farmers to protect seeds after planting—into nearby lakes.

Mercury in lakes means mercury in fish—and dead birds that eat the fish. Dr. Bengt Lundholm of the Swedish Natural Science Research Council pointed out that it now is forbidden to catch fish in many lakes in Sweden. For the fish are loaded with deadly mercury compounds.

What recourse does Sweden have if rain containing sulfuric acid, generated by a factory in northern Germany or elsewhere, drifts over and affects the fishing in Swedish lakes?

2—Pollution often arises from intentions that are good—to improve health, to increase food and fiber production, to make transportation more convenient, etc. The intentions are good; the results are potentially harmful.

USE OF POTENT INSECTICIDE HAS WORLDWIDE EFFECTS

When a swamp in Ceylon is sprayed with DDT to eliminate mosquitos that carry malaria, or a field in California's Central Valley is dusted with DDT to eliminate insect pests, we somehow affect the amount of DDT stored within the livers of snowy owls in the Arctic, penguins in the Antarctic and people everywhere.

There are more than 20 tons of DDT "on the hoof" in this country, "walking around" stored within the fatty tissues of 200 million Americans.

Dr. John L. Buckley of the U.S. Office of Science and Technology points out that about one-half of the pesticides that are sprayed end up in areas for which they were not intended and affect plants and animals that were not the original target. He estimates that there now are about 300 million to 500 million pounds of DDT "floating around" in our planetary biosphere.

3—Pollution problems are created by society's misuse of technology. Pollution problems are not technological, but social.

Attempts to eliminate pollution run counter to economic, institutional and political interests. It is for these reasons that there is no indication that we have either the will or the social organization to solve any of the problems of pollution.

For even when scientists or engineers identify the source of pollution and indicate what should be done, there is no guarantee that society will do anything about it.

Cigaret smoking and smog in Los Angeles are prime examples of personal and community pollution difficult to solve because of the tobacco, automobile and automobile-related industries. What is good for the manufacturer of a product may not be good for that product's consumer or user. If invented today, cigarets would not be approved by the Food and Drug Administration.

We shall make little progress as long as committees appointed to study pollution and other social problems always contain some members from the very industries or institutions that are responsible for the pollution or problem.

The difficulty is that we cannot put price tags on pollution. How much it is worth to look through nonsmarting eyes and see the San Gabriel Mountains or Santa Catalina Island from downtown Los Angeles? How much is a redwood tree worth? And how much can we charge pesticide users and manufacturers for a dead bald eagle—particularly if it were the last bald eagle on earth?

This is our hangup. As Dr. Revelle added, "In this country, we are accustomed to solve problems by economic considerations. Yet, pollution problems cannot be solved on economic terms."

What to do? The National Commission on Urban Problems, headed by former Sen. Paul H. Douglas (D-Ill.), stated, "The commission firmly believes that, no matter what else the nation attempts to do to improve its cities, America will surely fail to build a good urban society unless we begin to have a new respect—reverence is not too strong a word—for the natural environment that surrounds us."

And what should be the role of scientists and engineers? Dr. Gordon J. F. MacDonald, professor of physics and vice chancellor at UC Santa Barbara, told the AAAS meeting, "Up to now, science and technology have been used to increase wealth. We now have to use science and technology to preserve our environment."

Scientists and engineers must realize that their intensive research and development labors in the last few decades have not only changed society. They also have changed science and engineering.

With the global environment rapidly deteriorating, it sounds hollow for the scientist to insist that his only mission is to pursue truth in the cloistered laboratory, or for the engineer to proclaim his development of ever more improved means to ever more unimproved ends.

In his AAAS presidential address, Dr. Don K. Price, dean of the John Fitzgerald Kennedy School of Government at Harvard, concluded, "In an era which is beginning to be alert to the threats posed by modern technology to the human environment, the role of science in politics is no longer merely to destroy the irrational and superstitious beliefs which were once the foundation of oppressive authority.

"It is, rather, to help clarify our public values, define our policy options, and assist responsible political leaders in the guidance and control of the powerful forces which have been let loose on this troubled planet."

Society may not listen to the scientist or the engineer, but our environmental peril is too great for either to remain quiet. Books on automobile safety should be written by automotive engineers, not by lawyers.

Rachel Carson was wrong. It is not the spring that is silent. It is the scientists and engineers—the one element in our society that really knows what is happening in the pollution of our environment. The silence from our universities has been deafening.

HECHLER'S BRIDGE

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. FINDLEY. Mr. Speaker, in this era when most columnists delight in anything that makes Congress look stodgy, selfish, spendthrift, corrupt, archaic, or just plain foolish, it is refreshing—especially to those of us who labor in the congressional vineyards—to see in print a highly complimentary column about one of our colleagues.

The March 17 issue of Newsweek published the following comment about KEN HECHLER, of West Virginia, describing his exceptional background in scholarship and war history, and the determined battle he is now making for mine safety improvements. Here is the text as written by Kenneth Crawford:

HECHLER'S BRIDGE

(By Kenneth Crawford)

Rep. Ken Hechler of West Virginia is many things to many people. To admirers of war literature, he is the author of "The Bridge at Remagen," an epic of the crossing of the Rhine in the second world war by a company of courageous Americans. To high-school and college students in his district, he is living proof of the efficacy of youth power. To coal-mine operators, he is a parvenu nuisance and to the United Mine Workers, a "fink." To the widows and families of miners lost in the latest West Virginia disaster, he is friend and benefactor.

Whatever else he may be, Hechler is an extraordinary congressman. Born in then

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rural Long Island, N.Y., graduated by Swarthmore and awarded a Ph.D. by Columbia, commissioned a major in the historical section of the U.S. Army after enlisting as a private and serving in armored units, teacher of political science at Columbia, Princeton and finally at Marshall University at Huntington, W. Va., aide to Adlai Stevenson and Harry Truman, in-and-out Washington bureaucrat, Hechler finally decided in 1958, after only about a year's residence in Huntington, to try for election to the 86th Congress on the Democratic ticket.

He was as unlikely a West Virginia politician as the state had ever experienced. Being a bachelor and a newcomer, he had no family or kin to commend him to a notoriously clannish constituency. What he had was enthusiastic support from high-school and college students attracted by his political theories. They showed what dedicated young amateurs could do for a candidate years before their potential was discovered by Eugene McCarthy. Hechler also had a war book, which he distributed in lieu of campaign literature, with or without autograph. The novelty of an author running for Congress somehow intrigued West Virginia farmers and workers.

VALOR

"The Bridge at Remagen," which has been made into a movie for release in July, is almost as well read as the Bible in the Fourth District of West Virginia. If it has never appeared on best-seller lists elsewhere, the explanation may be that war heroes are out of fashion. The first American soldiers to cross the bridge, knowing as they did that it was mined and that they would in all probability go up with it, were indeed heroic.

Why it didn't blow—why the German sappers bungled—is Hechler's story, meticulously documented and sensitively told, with sympathy for foe as well as pride in valorous friend.

Hechler is now engaged in a different kind of war requiring a different kind of valor. At stake is the future safety of the 42,000 men who mine coal in West Virginia, about half of them now on strike, and of other thousands who dig in other states. This time it is not easy to distinguish friend from enemy. The United Mine Workers and Tony Boyle, its president, have the same professed objectives as Hechler but they are his most vindictive opponents. The Mine Workers Journal not only calls Hechler a fink but in a recent issue published a set of cynical campaign aphorisms and falsely attributed them to him.

FIGHT

Hostilities have been intense since the Farmington disaster last November in which 78 lives were lost. Of the several bills to tighten safety regulations and impose better health standards so far introduced in Congress, among them one sponsored by the Nixon Administration, another by UMW, Hechler's is the most stringent. It would punish miners as well as managers for violation of safety rules, a provision that outrages Boyle. It would forbid a coal-dust density of more than 3 milligrams a cubic meter, a provision called impossible by the operators and now impractical by government experts. Hechler also wants the Bureau of Mines, which is responsible for enforcement, moved out of Interior into the Labor Department.

While Congress ponders safety and health legislation, the West Virginia Legislature is locked in a fight over compensation for victims of black-lung and other occupational diseases afflicting coal miners.

Facing a mined political bridge, apparently outflanked and outgunned, a quiet, 54-year-old loner would seem to be no match for the combined forces of the tough coal industry. Yet if Congress passes a law it will owe something to Hechler's guts. The Farmington widows who recently visited Washington petitioned for as strong a law as Hechler demands and they were effective. Their expenses were probably paid out of the proceeds of a book sale to the movies. The professor has his own ways.

EDMUND L. GOODWIN AND JOSEPH V. KLUBERT RECEIVE COVETED SAMUEL H. DEUTSCH AWARD FROM THE JOINT VETERANS' COMMISSION OF CUYAHOGA COUNTY

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. FEIGHAN. Mr. Speaker, the Joint Veterans' Commission of Cuyahoga County which is comprised of the United Spanish War Veterans, Army and Navy Union, Jewish War Veterans, Polish Legion of American Veterans, Catholic War Veterans, Marine Corps League, Military Order of the Purple Heart, and the Legion of Valor marked its 44th anniversary on Monday, February 3, 1969, at the annual installation and awards dinner which was attended by more than 350 veteran and civic leaders.

The commission's achievements during the last 44 years in the advancement of veterans, patriotic and civic affairs in our community are reflections of the caliber of its membership and of its officers.

Each year at the installation and awards dinner, the commission bestows the coveted Samuel H. Deutsch Memorial Award to the outstanding veteran of the year. The Samuel H. Deutsch Memorial Award is given by the family of Rudolph Deutsch, a longtime Cleveland jeweler, in honor of Samuel Deutsch, past president of the Joint Veterans' Commission.

Selection of the outstanding veteran of the year follows a careful screening of all veterans who are active in veteran organizations throughout the county.

This year two veterans were selected by the commission to receive the Deutsch Memorial Award. The men honored as "Outstanding Veterans of 1968" were Mr. Edmund L. Goodwin, veteran of the U.S. Navy and Mr. Joseph V. Klubert, of the U.S. Army.

Ed Goodwin has been active in local veterans affairs for more than 20 years. He rose through the ranks of the Polish Legion of American Veterans, serving as treasurer, president; district, county, and State commander of the Legion.

Joe Klubert has been equally active in local veterans affairs for many years, and is presently the national third vice commander of the Catholic War Veterans.

Mr. Speaker, both these men have spent thousands of hours developing programs for veteran organizations, participating in local civic events, and providing recreation and entertainment for hospitalized veterans; and are fittingly honored for their dedicated service.

An equally significant part of the banquet was the installation of the officers for the forthcoming year. The officers were installed this year by the Honorable Felix T. Matia, judge common pleas court of Cuyahoga County. They are:

President, the Honorable Harry Jaffe, judge of the common pleas court of Cuyahoga County; of the Jewish War Veterans.

First vice president, Anthony Palaibis of the Catholic War Veterans.

Second vice president, E. L. Goodwin, Polish Legion of American Veterans.

Secretary and treasurer, Chester J. Koch, of the Army and Navy Union; Cleveland's coordinator for patriotic activities. Mr. Koch is serving his 30th year in this capacity.

Recording secretary, Arthur Pink of the Marine Corps League.

Chaplain, George Weinberg of the Jewish War Veterans.

Cochaplain, Leo Zingale of the Legion of Valor.

CRISIS IN PERU

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. ROSENTHAL. Mr. Speaker, on February 26, 1969, I introduced an amendment to the Foreign Assistance Act to make the Hickenlooper amendment subject to the judgment of the President. At present the law requires the mandatory suspension of aid to any country which expropriates American property and does not take steps within 6 months to pay for it. The President's hands are tied.

Such a cutoff in aid to Peru is now scheduled for April 9. If aid is suspended, the Peruvian Government has threatened to retaliate by seizing a large American copper company. Other Latin American countries have indicated they will support Peru if we suspend that country's aid. Without defending the conduct of the Peruvian Government, it is clear that we face an extremely serious downward spiral in our Latin American relations if the Hickenlooper amendment should be invoked.

What is needed, I believe, is for the President, charged by the Constitution with the responsibility for our foreign policy execution, to have the flexibility he needs in negotiations with Peru. My amendment does not condone expropriation without compensation nor does it judge the merits of this case which involved the property of a Standard Oil subsidiary with a very dubious record in Peru.

Since the introduction of my amendment, I have had many letters from Latin America, including several from AID officials about what aid suspension will mean. I include below one impressive letter from an AID official, whose name I have deleted since his views may not coincide with those of his agency, who tells how important his AID program is to Peru's agricultural development and how this value will end if aid is suspended:

North Carolina State University
Mission to Peru,
Lima, Peru, February 28, 1969.

Hon. Benjamin S. Rosenthal,
Representative from the State of New York, House of Representatives, Washington, D.C.

Dear Mr. Rosenthal: I was glad to read in the Thursday, 27 February *El Comercio* of Lima, Peru, a short article describing your proposal to give President Nixon authority to postpone invocation of the Hickenlooper amendment in the case of Peru. I hope that your recommendation will be accepted and will allow time for reason to prevail, in a situation that is complex and a bit tense at the moment.

I work in a group of people who are assigned to the Ministry of Agriculture and to the principal agricultural college of the country under an A.I.D. contract carried by North Carolina State University. This program is in its fifteenth year. It is regarded as a model for this kind of contractual relationship.

The contract has weathered a Republican and two Democratic Administrations in the United States and a military and two democratic governments in Peru, to find itself threatened with dissolution by differences that may intervene between our present Republican Administration and Peru's present military junta. Yet everywhere in the United States and in Peru there is respect and friendship for the program in which I work. The A.I.D. plan of action and budget for 1969 fiscal year has been approved by the present Peruvian Minister of Agriculture and by A.I.D.-Peru, and the part concerned with North Carolina State University has University approval.

This program provides for technical assistance in the development of Peru's most important Agricultural College—Agrarian University of La Molena—and in the development of the research and extension establishment of the Ministry of Agriculture. Aside from providing an academic advisor for the University and a research advisor for the Ministry the program of technical assistance includes five commodity-oriented projects—potatoes, rice, beans and oil crops, livestock and forages, and fruit. The practical objective is to increase production for internal consumption.

These projects are staffed with about two dozen competent specialists and an additional component of short-term consultants. Some 40 to 45 Peruvians are in the United States on study assignments.

The two institutions which this program is committed to help in their development are in acute financial crisis, due to the monetary difficulties of the country. Although our own ability to be effective was diminished last year by this problem, our presence helped them weather the storm and we made some progress. The financial problems are expected to continue another year and our withdrawal of support would add greatly to the accumulated difficulties.

Perhaps this brief statement will help you to convince your colleagues that hasty retribution for unfortunate attitudes, by way of the invocation of the Hickenlooper Amendment can destroy some long-term programs designed to help Peru build its necessary institutions to the point of self-sufficiency. I personally can see no gain to our country in hurrying into a drastic action of this sort.

The present problem in Peru seems to me symptomatic of a long-term deficiency in the understanding of the State Department and perhaps also that of the Congress about the role of technical assistance in our foreign aid programs.

Perhaps Senator Fulbright is correct in his assertion that we can only expect to avoid the consequences of arrogance on our own part and misunderstanding on the part of underdeveloped nations by routing our technical assistance support via the United Nations, the OAS and similar international agencies.

I would hope, however, that a considerable amount of our technical assistance support could be offered bilaterally in such a way as to protect it from the vagaries of temporary international tensions.

Sincerely yours,

——— ———.

KNOCK OFF THE VIOLENCE ON CAMPUS

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 1969

Mr. WYMAN. Mr. Speaker, the lead editorial in today's Washington Post indicates that even the Post feels it is time to cut out the violence and illegality in student protests on campus. This is encouraging to see because, of course, while there is every right to lawful protest, to free speech, and handbills, to orderly meetings and discussion, there is no right to trespass upon the president's office, to block traffic in the streets or to interfere with the rights of other students to go to class and get an education.

In connection with the Post's editorial, it is of interest that in a last week's edition of the same paper appeared an interesting letter signed by Thomas W. Spaulding of Washington, D.C., describing how Robert E. Lee handled the problem at Washington and Lee University 100 years or so ago. I am inserting both articles in the Record at this point because of their undeniable relevance to a very serious problem facing the country at this hour:

Time To Stop the Nonsense on Campus

The disgraceful episode at Georgetown University Thursday night, when a handful of young hoodlums, most of them with no connection with the University, refused to permit the Mayor of San Francisco to make a speech, is the logical outcome of the attitude that previously led to the seizure by students of offices and buildings at Howard University. It is an attitude, common these days among some students and nonstudents who like to foment trouble, that no one's rights matter but their own and that society must allow them to do their thing regardless of what it is or where they do it.

It is long past time for an end to this kind of nonsense. There is room on every college campus for dissent and for criticism of the status quo. A campus without those elements is likely to stagnate and deserves to die. But there is a place and a time for dissent and for demonstration and there are limits on protests, whether by faculty, students or nonstudents, that every university ought to enforce.

Two recent actions of the Supreme Court provide some guidance as to what those limits ought to be. A couple of weeks ago, the Court upheld the right of students to wear black armbands to class as a demonstration of their opposition to the war in Vietnam. This was a proper exercise of the right of free expression, the Justices said, and was protected by the Constitution against interference by school administrators. But the Court added that "conduct by the student, in class or out of it, which for any reason—whether it stems from time, place or type of behavior—materially disrupts classwork or involves substantial disorder or invasion of the rights of other is, of course, not immunized by the constitutional guaranty of freedom of speech." As if to underline that sentence, the Court refused last Monday to review the expulsion of ten students from Bluefield State College in West Virginia for "riotous" behavior. Justice Fortas, speaking only for himself, pointed out the difference. These ten students, he said, were "engaged in an aggressive and violent demonstration, and not in peaceful, nondisruptive expression."

That is precisely the distinction that needs to be drawn in all campus protests. Students must be free to air their complaints and grievances, real or imaginary, in meetings, speeches, handbills, newspapers, conferences, and any other form of nonviolent persuasion including noncoercive picket lines. But they ought not to be free to disrupt classes, destroy property, deprive others of the right to speak, bar anyone from going into or out of a building, or interfere with the normal functioning of any part of a university's activities.

Merely saying that such a distinction ought to exist is quite a different thing from establishing it on campuses as different as Howard and Harvard, Georgetown and Berkeley. The primary burden, of course, for putting an end to the current nonsense is on those who administer colleges, who teach in them, and who attend them. About the last thing any university wants to do is to call in the police. If student groups, aided by campus police, can organize themselves sufficiently to cope with disruptions, so much the better. But, if they cannot, the formal power of society, in the form of the police, must be called upon to maintain order.

Father Hesburgh's formula for handling disorders at Notre Dame is still a good one. He has warned students that anyone disrupting a university activity will be given 15 minutes to think about it, then suspended if he continues to disrupt, and then expelled if he persists; nonstudents participating in disorders are to be arrested. But it takes more than an *ipse dixit* to establish such a policy. To make it stick, administrators must have done their homework—unifying behind them the great mass of faculty members and students who are interested in learning even while reforming the universities and making clear to all students what the penalties for riotous behavior are to be.

There are two great dangers in the current wave of unrest on the campuses. The first is that if disorder continues unchecked some great educational institutions will be destroyed. The second is that a wave of repression, aimed not at confining protest to its proper scope but at eliminating it, will follow. One of the major causative factors of the current problem is that many colleges refused for too long to listen when student and faculty members were protesting quietly. The affair at Columbia University a year ago demonstrated, much too well, that violence could produce changes that peaceful dissent had failed to produce. Thus a wave of repression unaccompanied by needed reforms will lead eventually only to greater trouble.

The Gallup Poll noted last week that campus disorders have replaced the Vietnam War as the No. 1 topic of serious discussion in homes across the country. When you add to this ferment the rumblings from state legislatures, alumni groups, and moderate students the message should be clear enough not only to those who would rather disrupt and destroy than learn and reform but to those who administer the institutions of higher education as well.

Earlier Campus Protest

In view of present widespread student strikes it may be worth while to examine historical examples. One, a century ago, occurred at what is now Washington and Lee University. It had been the custom to give one week's vacation at Christmas, but the

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newly elected president reduced this to one day. First reaction was an appeal to students to boycott classes in Christmas week. Second reaction was an official notice: "Any student who signs this pledge will be expelled. If every student signs this, then I will lock the college door and put the key in my pocket." Signed, Robert E. Lee, President.

THOMAS W. SPAULDING.

WASHINGTON.

ATTORNEY GENERAL MITCHELL ADDRESSES FEDERAL BAR ASSOCIATION ON SUBJECT OF CRIME IN NATION'S CAPITAL

HON. WILLIAM C. CRAMER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. CRAMER. Mr. Speaker, on Monday, March 10, Attorney General John Mitchell addressed a Federal Bar Association luncheon in his honor at the National Press Club. My administrative assistant, Richard M. Haber, had the privilege of serving as chairman on this luncheon.

The excellent remarks of the Attorney General related to crime in Washington, D.C., and presented some of the administration's proposals to deal with this increasingly serious problem.

I believe the Attorney General's address presents a timely, well-reasoned approach to reducing crime, not only in Washington, but throughout the Nation as well and under unanimous consent I submit the full text of his remarks for inclusion in the CONGRESSIONAL RECORD, as follows:

ADDRESS BY ATTORNEY GENERAL JOHN N. MITCHELL BEFORE THE FEDERAL BAR ASSOCIATION AT THE NATIONAL PRESS CLUB, WASHINGTON, D.C., MARCH 10, 1969

INTRODUCTION

I am pleased to make these remarks before the Federal Bar Association. I understand that you represent, through your 14,000 members, the federal career lawyer and lawyer alumni of federal legal service. I am pleased to be a part of this outstanding group.

The greatest asset of our federal government is the tremendous reservoir of talent of its dedicated employees. Their expertise is unequalled by any organization in the world. Career federal attorneys are an invaluable part of this asset, and this Administration will be utilizing your talents to the fullest extent possible. As new ideas develop for the most effective administration of our laws, there may be some changes in policy-making legal positions. But I can assure you that we will not be making any changes which would depreciate or detract from the fine legal profession we have developed in the Justice Department.

In your membership information brochure of the Federal Bar Association there is this quotation of President Theodore Roosevelt:

"Every man owes some of his time to the up-building of the profession to which he belongs."

I agree with this sentiment, and believe it should also apply to those members of the legal profession who serve the federal government. Federal lawyers have a meaningful opportunity to contribute to their profession, and to their own individual professional development, through the activities of the Federal Bar Association. The maintenance of high standards for government attorneys and the sponsorship of continuing legal education have been hallmarks of the Association for nearly half a century.

Among your Associations' many outstanding accomplishments, I would like to mention with approval the Bill of Rights Project of your Council of Younger Lawyers. I understand that 75,000 copies of your Bill of Rights handbook and a teachers' guide have been distributed since the project started four years ago; and that during this school year 200 members of your Association will spend a full day in sixteen District of Columbia high schools focusing on better understanding of our Nation's greatest heritage—the law. Projects like this add immeasurably to the betterment of our society.

THE PRESIDENT'S CRIME MESSAGE—COMMITMENT TO OBTAIN NECESSARY FUNDS

My theme today is the problem of crime in the City of Washington—a topic about which you have heard a great deal. I hope that the mere frequency of its mention does not in any way decrease your commitment to the necessity of a solution.

As you know, on January 31, President Nixon proposed some solutions to the crime problem in the District of Columbia. It is a landmark proposal for this city, and, if I had the time, I would comment at length on every detail.

It is of course tailored to the particular problems of Washington.

But the District of Columbia crime control program—both in its philosophical approach and in some of its specific recommendations—has a national significance far broader than the federal city lines laid out by Congress. Perhaps the overriding significance of the President's message is a firm underlying commitment that this Administration will do everything in its power to obtain all the money necessary to implement our proposals.

We are tired—and we think that the nation is tired—of being promised grand schemes without the concurring commitment to adequately finance them.

Therefore, our first efforts have been directed to securing adequate budgets for all components of the criminal justice processes mentioned by the President.

As you read this morning, supplemental budget requests for crime control for possibly as much as $15 million dollars for fiscal 1969 and revised 1970 have been drawn up. Later in my remarks, I will mention some of the financial components.

Some cynics have said that much of the President's crime control message is based on old ideas. I say to those cynics that we have a new idea—implementation not promises.

STATE-CITY COOPERATION

Another aspect of national importance in the District of Columbia crime message is cooperation. While we have repeatedly said that crime is a local matter, we are also aware that, in relation to Washington, the federal government cannot overlook its share of responsibilities for the conditions of life in this city.

For as the federal government has marshaled its resources to help the federal city, so the states must marshal their resources to concentrate on their urban centers.

You know the basic problem. Today, 70 per cent of our nation's population lives in metropolitan areas. This high concentration of money and people has led to a concentration of social and economic problems.

There are, according to the Bureau of the Census, 228 standard metropolitan areas. Almost all of them are starved for money and other aids, some of which could be supplied by the state governments.

All too often, needed cooperation and help has stumbled on political rivalries and bureaucratic parochialism which divide the urban centers and the state governments.

While I understand the basis for much city-state government rivalry, political parochialism must be put aside in the name of our citizens who live in our cities.

We cannot afford to wait any longer. We have not waited in Washington. The Mayor, the City Council and the federal government are working together on the District of Columbia crime control program in a way which should be a model guide for cities and states.

We are most optimistic today that crime here will be substantially reduced because the channels of communication, cooperation and help have been opened. The Mayor is now considering the establishment of a District of Columbia Crime Control Council which will assure continued cooperation based on some federal representation.

We urge that similar councils be established in the states. Specifically, we urge the creation of effective State Law Enforcement Coordinating Councils which must have substantial representation from the metropolitan areas.

These state councils should draw up master plans for crime control. Under the Law Enforcement Assistance Administration Act, these councils will have the final word on the distribution of about $250 million in fiscal 1970 in block grants to the states.

URBAN-SUBURBAN COOPERATION

But the problem of cooperation and help is not merely one of city-state relations. It is also one of urban-suburban coordination. The suburban areas are, in many parts of our nation, larger than the cities they surround.

While the Washington metropolitan area will soon be about 3 million persons, barely 800 thousand live in the city itself.

The District of Columbia crime program envisions regional coordination through the Metropolitan Washington Council of Governments. This Council has representation from the city and all the surrounding areas in Maryland and Virginia; and we understand, that it is now drawing up meaningful anti-crime plans.

For example, the Council of Governments has already consulted with the Department of Justice to coordinate planning for any possible civil disorders in the metropolitan area.

We strongly support projects of this nature as the only effective solution to metropolitan crime. In reality there is no such thing as urban crime and suburban crime.

For as the residents in the metropolitan area flow from the city to the suburbs and back again without regard to geographical boundaries, so crime flows with them. Here, as in other cities, the ghetto auto thief peddles his goods in the suburban auto shop. The suburban bank robber strikes at the Washington financial institution. Illegal narcotics flow from the core city to the suburbs and the illegal money for the sales flows back to the city.

The problem is similar in Chicago, Los Angeles, and other metropolitan centers. It is a plain fact that those who have fled the inner-cities have not escaped crime. The juvenile crime rate in the suburbs is rising as fast as the juvenile crime rate in the cities and some predict that the suburban juvenile rate will even grow faster.

Under the circumstances, the only effective solution is metropolitan crime control coordinating councils to pool resources, to coordinate planning and to select common priorities for joint action.

The smug suburbanite who remains unwilling to help the core city solve its crime problem will soon find the problem on his own doorstep. The ghetto leader who rejects offers of cooperation and guidance—because these offers conflict with his ideas of separatism—may soon find that crime has left him with nothing separate to protect.

THE POLICE

One of the specific proposals in the District of Columbia crime message was a program to increase the size and efficiency of the police. Our preliminary study in the Department of Justice indicates that for fiscal 1969 and 1970 alone we may ask as much as $4.4 million in added funds for the police department. While some of the money is slated to fill 1,000 additional police positions, the majority of the funds will be used for educational, scientific and other supporting services. Here too, President Nixon has offered a guide for the nation.

There is no question that effective law enforcement depends upon an adequately staffed, well-supported police department. The policeman is the first-line of defense. It is he who must chase the teenage gang into dark alleys. It is he who must handle incidents which could touch off racial disorders. It is he who must adjust instantly to cope with a family dispute or a fleeing bandit.

While our police face increasing crime, the nation frequently has been less than willing to help them. In many cities the policeman is underpaid and undertrained. He is deprived of sufficient supporting services to do the kind of job we expect in our complex and sophisticated society. He has been denied the educational and scientific tools he needs on the frontline.

For example, while we insist that physicians have 5,000 hours of training before they prescribe even an aspirin tablet, we are willing, in some cities, to send a young, untrained patrolman into a racially tense neighborhood where his actions could lead to death and destruction.

Even though Watts, Detroit and Newark were touched off by police—ghetto confrontations, many cities still have no community relations programs or, at best offer pro forma shams. It is not enough to lecture a policeman for an hour or so on racial relations and then expect him to have sufficient knowledge to handle the multiplicity of problems which he may face in a racially tense neighborhood.

It is not enough for a few minority leaders to visit a precinct house to learn about police problems and then to expect that an entire minority neighborhood will be more cooperative to law enforcement.

One tragic result in those cities which have no intensive police community relations programs is a serious corrosion of confidence between the police and the community. The police, with much justification, believe that City Hall politics and not justice will determine whether they receive governmental support in a controversial situation. The community, with some justification, believes that the police may ignore or attempt to evade regulations.

The solution is not for the police to seek refuge behind a small pro-police establishment; nor for political leaders to undermine the police under pressure from large numbers of voters.

While we welcome the new dignity of many ghetto residents, this dignity should not be established by derrogating the dignity of law enforcement; nor should the police defend their own position by derrogating the dignity of residents in high crime areas.

Well planned community relations programs—with in-depth analysis of ghetto problems, with broad personal contact between police and ghetto residents, with frank discussion and understanding, are absolute requirements but this type of program costs money. The President and the Mayor are committed to obtaining this money and we urge other urban communities to follow our example.

COURTS, PROSECUTORS AND DEFENSE COUNSEL

As you well know, however, law enforcement is not merely a police matter. Efficient police work is of little value if the administration of justice is not just and prompt.

If our courts are slow, the guilty proudly walk the streets month after month, flouting their contempt for the law. Thus, I believe that President Nixon's policy for the District of Columbia—in asking for more judges and for a reorganization of the court system—should be a guide for other over-crowded urban court jurisdictions.

But more judges alone are not enough. What is also required is long hours on the bench, efficient scheduling of cases, the utilization of every modern management aid and a very serious reexamination of how our judicial system is going to accommodate the proliferation of motions, hearings and post conviction remedies within the framework of our Constitution.

During recent years, backlog and delay in our courts have grown to unprecedented proportions. In the District of Columbia, the time between indictment and trial has more than doubled in the past 5 years. In fiscal 1963 the time between indictment and disposition was a median of 3.6 months. Now it is approaching 10 months. In the same period, the backlog of pending cases has nearly trebled. Preliminary figures for the first half of fiscal year 1969 show a 46 per cent increase in indictments in the United States District Court and a decrease in dispositions.

But the President's message also recognizes that justice is a tri-parte procedure in our adversary system. Not only do we need more judges, but we need more prosecutors and more defense counsel.

From our supplemental appropriation for fiscal 1969 we shall request 20 more Assistant U.S. Attorneys for the District of Columbia and in 1970 we may ask for about $900 thousand for 20 more Assistant U.S. Attorneys, as well as investigators and supporting personnel to prosecute suspected criminals.

Also, the President has pledged to support the Legal Aid Agency's 1970 budget request for $700 thousand to increase its staff by more than one-third. In addition we will support the Bail Agency request of $150 thousand to provide first-class investigation of persons who come before the courts for release, and in addition we are considering another $250,000 appropriation to provide first-class legal representation for indigents.

I believe that prosecutors should not be so over-worked that the guilty go free. I believe that defense counsel should not be over-worked so that the innocent are convicted.

I am sure that our proposals for the courts, for the prosecutors and for defense counsel will insure the type of equal justice we need and I hope it will be a model for other cities.

NARCOTICS CONTROL

One last word on another aspect of the President's message which should be of significance to the nation and that is on narcotics. We recognize that the control of narcotics and drug abuse is virtually a prerequisite to the reduction of crime.

In order to stop the flow of narcotics, we have already substantially increased the personnel in Washington through the Bureau of Narcotics and Dangerous Drugs. A crucial part of this program will be to concentrate on long-term deep agents who can work their way into the narcotics distribution syndicate and can identify the major sources of supply.

Too often in the past, narcotics control has consisted primarily of arresting street addicts who sell a minimal amount of heroin to maintain their daily habits. While street addiction is a problem which our increased personnel will work on, our real emphasis will be the wholesaler.

We also will have operational by April 1 a narcotics testing laboratory. It will be available to all the local governments in the Washington metropolitan area.

Our preliminary survey shows that we will support a supplementary request for about $1.6 million for juvenile facilities, narcotics treatment facilities and narcotics prevention program in the health and welfare departments of Washington.

In addition, we expect that some of the $4.4 million which I mentioned previously as a supplementary request for the District Police Department will be earmarked for an increase in narcotics forces in the Metropolitan Police.

I hope that other cities and states will follow our attempt to crush narcotics addiction by a fundamental attack utilizing education, scientific coordination, intelligent law enforcement and first-class rehabilitation.

CONCLUSION

What I have talked about today are just parts of the District of Columbia crime control program—the necessity for adequate funding of all plans; the necessity of city-state cooperation and urban-suburban cooperation; the necessity of a well-staffed and well-trained police force with special emphasis on police-community relations; the necessity of an efficient court system supplemented by adequate prosecutors and defense counsel and the necessity of an effective narcotics control program.

On behalf of President Nixon, I ask you to familiarize yourselves with the District of Columbia crime control program and some of its important philosophical and pragmatic suggestions. We hope we will have your support and involvement to make Washington a model for the rest of the nation.

ITALIAN GENIUS PRESERVES IRREPLACEABLE ART

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. PODELL. Mr. Speaker, while the rest of the world tears itself apart for money, military victories, political gains, and territory, the Italian people for the past 2½ years have successfully applied technology in order to save an irreplaceable portion of not only their own history, but that of Western civilization. After the ruinous flood of November 4, 1966, in Florence, Italy, numerous frescos were found to be in danger of being ruined. Mainly located in basements, the floodwaters drenched the plaster walls they were painted on. Salt in the plaster began ruining them. A major effort, aided by concerned Americans, was launched by Italian experts, utilizing a 300-year-old method invented by an Italian.

The effort has been in the main successful, as recent reports and exhibits have shown. This is one bright spot in the name of civilization in a too-often dreary world picture.

The Italian sense of artistry showed clearly through in this major effort. It not only was their desire to preserve their own works of art, but they also sought to share this beauty and treasure with the rest of the world. Such frescos were originally done as contracts to cover walls. As the work proceeded, the artistic merit shone through. Rough working sketches used by the artists under the frescos often showed the real feelings and expression of the artist. So much of this 15th century Renaissance art was the Italian artist showing the beauty of man and life. These Italians brought man up from hell and down to earth through their art work. It was an affirmation of their love of life.

Italians have given to Western civilization the seed of creativity in art which has blossomed out ever since. This spark still glows in the hearts of the Italian people now. Their successful rescue of frescos in Florence is evidence of this.

This world, rushing headlong along a road to nowhere might pause for just a moment to pay tribute and show appreciation to the people of Italy who have rendered such a service to all men, and succeeding generations as well.

HIS EXCELLENCY ABBA EBAN COMMENTS ON THE MIDDLE EAST

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a pleasure to include in the CONGRESSIONAL RECORD the highlights of the remarks made by His Excellency Abba Eban, Minister for Foreign Affairs of the nation of Israel, at the National Press Club luncheon on Friday, 14 March 1969.

The highlight of Mr. Eban's remarks follow:

HIGHLIGHTS OF HIS REMARKS BY HIS EXCELLENCY ABBA EBAN

"The Arab States and Israel must look more and more towards each other for what they want—and less and less towards the external forces which have traditionally shaped the destiny of our region. The Middle East has passed once and for all into the epoch of sovereignty. Its progress will be commanded, not by external pressures, but by internal impulses.

"Peace in the Middle East cannot be imposed from outside: it can only grow out of the agreement and sovereign consent of its governments. If this principle is respected and defended against encroachment, then 1969 could still be a year remembered for the patient but active exploration of peace."

Mr. Eban said that Israel's policy was firmly and irrevocably rooted in four central principles:

1. There can be no movement from the cease-fire situation except to peace—in its full potential and juridicial sense.

2. The peace must have treaty form so as directly to engage the interest and honor of the Arab States and Israel. The disastrous collapse of the "hopes and expectations" with which we were satisfied in 1957 teaches us to insist on the contractual principle today.

3. There must be an opportunity to negotiate secure and agreed boundaries since it would be suicidal for Israel to return to the fragile armistice lines which were never recognized as political boundaries. On the other hand, the cease-fire lines are not agreed boundaries.

4. There must be an integral peace not a piecemeal or phased process. In other words: it is only when agreement is concluded that implementation can begin.

Mr. Eban said that these principles are firmly grounded in international and especially in American policy as expressed since 1967. "The Soviet and French proposals are not consistent with them; they look backward to a shattered past instead of forward to a brighter and more stable future."

Mr. Eban made these further comments on various aspects of the Middle Eastern problem:

The Cease-fire: Today's tensions must be viewed with concern, but not with panic. They have been kept and can be kept within a local and limited framework. There is no danger to world peace. Impatience is the worst enemy of peace. No Middle Eastern State and no Great Power has the combined will or capacity to generalize the conflict. But there should not be a passive mood. We should explore the peace prospect actively and constantly, making full use of the Jarring Mission which has now resumed its activity. This activity would lose its purpose if it were obscured by a pluralism of initiatives outside the region, at U.N. Headquarters or elsewhere.

The Open Frontier: We should aspire in the relations between Israel and Jordan, and in the life of the Palestine Arabs, to a community relationship as in Western Europe, with a free commune of men, goods and ideas across a newly established political boundary. My peace-plan of October 8, 1968, is the central document on which Israel's policy is based.

Four Power Guarantees: This concept is full of complexities, some of them dangerous. We should not seek to globalize the conflict by making every small frontier incident into a Berlin Wall, with all mankind trembling. Local agreement is more vital than international involvement. Moreover, there are amongst the Great Powers those whose unbalanced attitude rules them out as possible guarantors. A government which refused to respect and understand Israel's evident peril in May–June 1967 could never be trusted to recognize any Israel peril or grievance in the future.

ST. PATRICK'S DAY, 1969

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. BOLAND. Mr. Speaker, the patron and apostle of Ireland, the beloved St. Patrick, died over 15 centuries ago, but his day is celebrated with devotion and enthusiasm the world over by the Irish and their friends. The life of St. Patrick and his words and heroic spirit are as inspirational today as they were in the days of his mission.

It was no easy and peaceful world that St. Patrick grew up in. Captured by piratical raiders in his boyhood, he served long years in slavery in Ireland, before escaping to Brittany. It was when he had arrived home in Britain that he had a dream that determined his vocation. He dreamed that the Irish called to him: "We beseech thee, holy youth, to come and walk once more among us."

We do not know where St. Patrick received his ecclesiastical training; only that he was eventually consecrated a bishop and appointed to the Irish mission. There he was determined to convert the island's people to Christianity. It was no easy task, and out of this experience, and out of his prayers and meditations, St. Patrick developed a combination of apparently contradictory qualities. He was both a peaceful and a courageous man; a humble man who braved the anger of kings. He devoted his energies to the liberation and the protection of the enslaved, but loved as well their oppressors, knowing that their injustice and violence was harmful to their souls. St. Patrick has been admired through the long centuries for his patience, love, tolerance, and sense of justice.

In this violent and chaotic world, we can learn much from the example of St. Patrick. He is a fitting symbol of the qualities needed today and for all time to meet the trials of a harsh world. He is a reminder of our need for steadfast faith in times of desperation. On this feast day of St. Patrick, I salute the patron saint of Ireland and all those who are Irish.

PICKING UP THE PIECES

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. ASHBROOK. Mr. Speaker, perhaps we will never know the extent to which this Nation has been stymied in its programs of defense preparedness since early in the 1960's. The policy of parity pursued by the Department of Defense in recent years, whereby we sought to reduce our military capabilities to reach a par with the Communist countries has left its effect on our present defense setup. It was argued that if the two major powers, the United Staets and the U.S.S.R., could reach parity in the armaments race, there would automatically ensue a condition of stalemate which would lead to world peace. Considering the Soviets' 50-year history of aggression, this argument insults the intelligence of a high school student, yet this hogwash was given credence in our highest official circles.

In addition, Mr. McNamara's widely touted cost-effectiveness program placed a priority on frugality at the expense of our national welfare, though it is still hard to explain the adamant pursuit of the TFX dream in the face of the loss of millions of dollars and persistent opposition. Speaking of cost effectiveness—"defectiveness" might be a more appropriate word—since January 1967, a total of 14 planes, which are the product of the TFX program, have crashed at a loss of approximately $6 million per plane.

Too numerous to be cited here are the many objections raised in various quarters in opposition to the Defense Department's ineptness in recent years. The Chicago Tribune of July 22, 1968, quoted Air Force Chief of Staff Gen. John P. McConnell as calling it imperative that the United States move as fast as possible to develop a new FX jet fighter to counter the growing Soviet air threat.

Also on July 22, the New York Times reported that Chief of Naval Operations Adm. Thomas H. Moorer attacked the Defense Department's decision to reduce the number of Navy carrier air wings from 15 to 12 by mid-1971. Admiral Moorer warned the Navy would find it "very difficult" to meet its operational requirements in the event of another war on the scale of the Vietnam conflict.

The Associated Press of September 19, 1968, reported that Congressman GLENN CUNNINGHAM asked the President to review some of the proposed disbanding of the Strategic Air Command's manned bomber program. Congressman Cunningham was quoted as saying:

> Based on Senate and House investigations, there is increasing concern on Capitol Hill about the state of readiness of U.S. defenses.

Early this year, the chairman of the House Armed Services Committee, Congressman L. Mendel Rivers, commented on the preparedness of the Atlantic, Mediterranean, and Pacific Fleets:

> The exact status is classified, but let me tell you that our recent examinations of the readiness of our Atlantic Fleet and our Mediterranean Fleet is shocking. Nor do we have any cause to be satisfied with the readiness of our Pacific Fleet.

With the invasion of Czechoslovakia by the Soviets still but a matter of months in the past, there is no excuse for not realizing the urgency of keeping our defense capabilities in a condition of readiness. Jerry Greene, the wide-ranging reporter for the New York Daily News, provided extensive information on our defense posture in a lengthy article appearing in the Sunday, March 16, issue of the News. After reading Mr. Greene's review, one can more readily appreciate the monumental tasks ahead of us, although we can be thankful that the blundering policies which have characterized the Defense Department in the past have, hopefully, departed with the policymaking dabblers in defense mythology.

I include the article, "U.S. Defenses Wearing Thin," by Jerry Greene in the March 16 issue of the New York Daily News in the Record at this point:

U.S. Defenses Wearing Thin

(By Jerry Greene)

The bottom is rusting out of the United States Navy. The Army's jeeps and trucks are falling apart; its great new tank has bugs and won't be coming along soon. The nation's hottest fighter aircraft was designed in 1955; Russia has at least three faster models.

Despite the vast number of billions poured into the Pentagon, the U.S. has been fighting the Vietnam war on a shoestring and not doing much else toward national security in endless critical areas.

When the war ends, the armed forces are going to come home with a lot of junk. The shopping list for replacements and improvements is enormous; the cost is astronomical and will continue to rise year by year.

Opponents of ABM deployment, crying out against great expenditures as well as "immorality," missed their best argument: priorities. The simple fact is that the armed forces, if they are to be capable of affording protection, or fulfilling commitments, are in desperate need of refurbishing. Filling the gaps created by war demands, replacement of arms and equipment with modern products of the technological revolution—items that would be needed for any early larger conflict—will cost almost endless billions.

The Nixon administration, and certainly Defense Secretary Melvin R. Laird, a veteran of the House Appropriations Committee's military subcommittee which has probed these affairs, are fully aware of the requirements. The choices will be hard—and Laird will have to begin making them on Wednesday when, as secretary, he begins presentation of the Nixon defense budget to the committees of Congress.

Chairman L. Mendel Rivers (D-S.C.) of the House Armed Services Committee served notice of the forthcoming demands, and the pressing needs, on the first day of the new session of Congress, when he introduced a bill authorizing $3.8 billion in new ship construction for the 1970 fiscal year. The 1969 shipbuilding bill was $1.3 billion.

In an angry speech accompanying his bill, Rivers told the House: "The exact status is classified, but let me tell you that our recent examinations of the readiness of our Atlantic Fleet and our Mediterranean Fleet is shocking. Nor do we have any cause to be satisfied with the readiness of our Pacific Fleet. The basic cause is overaged ships, which have not been able to get the necessary upkeep and maintenance."

Rivers said some of the ships on Southeast Asia duty are so old that when they are returned for overhaul, sandblasters clearing away barnacles "sometimes go right through the hull." The Navy welds a plate over the hole and sends the ship back to battle.

A tabulation at the Navy Department shows that 58% of the nation's warships are more than 20 years old, qualifying for classification as obsolescent.

The reports of the top brass at the Pentagon remain calm and confident. The Joint Chiefs of Staff have repeatedly told Congress that, at least for the moment, the nation is secure.

Retiring Defense Secretary Clark M. Clifford, in his final posture statement released in January, said: "I am pleased to be able to report that the military posture of the U.S. remains strong; our national security is not in jeopardy from any adversary."

Some well-informed members of Congress have disputed and will dispute this optimism, but few would discount the feeling of security against a massive Russian attack, at least for the moment.

This, of course, is because of the strength of the strategic nuclear forces, a bright spot in the defensive posture. There are other bright spots as well. The U.S. has more, and more powerful, forces in the 6th Fleet in the Mediterranean than does Russia, for example.

But optimism is dulled when the nuts and bolts are counted and the obvious weaknesses are revealed—weaknesses that call for costly replacements and the renovations. Charles W. Corddry, veteran military correspondent writing in the March issue of Navy, reported: "It was necessary to strip frontline aircraft from the 6th Fleet to meet the needs of the task force off Vietnam . . . Specifically, the A–6, the Navy's only all-weather attack aircraft and a most admirable performer in the war. Most of the time, Task Force 77 (off Vietnam) had but two 12-plane squadrons on the line, even after the 6th Fleet's single squadron was shifted."

Adm. Thomas H. Moorer, chief of naval operations, testifying last month in connection with the Rivers shipbuilding bill, told a House subcommittee: "The ship assets that we have today to offset our future needs are eroding at a rate much greater than the influx of new ships which have been funded."

What Moorer had to say in broad terms about his Navy is generally true of the other services. There has been ample supply for Vietnam—but at the expense of forces elsewhere.

That, apart from an ABM system, is the multibillion-dollar rub.

Reserve organizations have been stripped of much usable material—guns, jeeps, trucks, aircraft—for Viet war service. Testimony of the Pentagon chiefs for a couple of years has been filled with references to plans for replacing National Guard and reserves stocks with better stuff, once the Viet shooting is over. But this "better" equipment will be leftovers from combat dumps—and the regular forces will have to have something new and more costly.

Production lines have been rolling these last four years, but not for stockpiling. The U.S. has lost 2,593 fixed-wing aircraft in Vietnam and 2,409 helicopters. What has been built and bought has had an instant-replacement requirement.

The shortages, the lag in acquisition of the newest and best, or sometimes only the adequate arms and equipment, are most dramatic in the Air Force and the Navy. But the Army has ample reason for worry. There isn't much glamor about a wornout jeep, or truck, or armored personnel carrier. Congress won't get very much excited over inadequate communications gear. But perhaps a reasonable picture of the problems confronting the ordinary foot soldier can be found in a field survey of four Army and two Marine divisions in the U.S., completed less than a year ago by the Senate preparedness subcommittee headed by Sen. John C. Stennis (D-Miss.)

The subcommittee staff inspected the 2d Armored and 1st Armored Divisions, the 5th Infantry Division (mechanized), the 82d Airborne Division, and the 2d and 5th Marine Divisions.

Excerpts from the heavily censored subcommittee report:

2d Armored Division—". . . Shortages existed in rotary wing aircraft, radios, radars, switchboard equipment, generators, tracked and wheeled vehicles, engineer equipment and other items . . . because of the personnel shortages, and a consequent reduction in the personnel available in the combat and combat arms support squads, crews, sections and platoons to man and maintain the combat equipment, it has been determined to place a [deleted] quantity of the division's tracked and wheeled vehicles into administrative storage."

1st Armored Division—". . . Significant shortages existed in helicopters, cargo carriers, generators, radar sets, radio sets, portable flame throwers, water tank trailers, electronic test sets, water purification equipment, and other items."

5th Infantry Division—". . . The division has significant qualities of over-age and over-mileage tracked and wheeled vehicles, namely 2½-ton and 5-ton trucks, M-113 armored personnel carriers, and the 105-mm. self-propelled howitzer . . . The division transferred two important types of equipment overseas; namely [deleted] of its 54 portable flame throwers and [deleted] of its 72 81-mm. mortars . . ."

82d Airborne Division—"With the exception of the shortage in helicopters, the division is combat-ready in terms of equipment. In fact, the commanding general described the division's logistic condition as excellent except for helicopters."

Like the 82d Airborne, the Marine divisions were reasonably well equipped (the 2d Marine Division still possesses significant quantities of various types of equipment which are over-age). The problems of these three crack units were in properly trained personnel, but that didn't seem to worry anybody unduly.

What is significant, to borrow a word from the subcommittee, is the finding of similar "significant" shortages and quantities in what the American public has been led to believe was the backbone of the strategic reserve within the U.S.

The question of turnover in personnel is an issue unto itself, and is linked with the deployment of troops to Vietnam. This hits each of the services, with problem areas from clerk to pilot. We'll stick to hardware for this survey. But it must be noted that pay and allowances, the subsistence of enlisted personnel, takes a whopping $23 billion out of the $80 billion-plus-defense budget.

Like that of the sister services, the Army's dilemma rests not alone on lack of funds and quibbling over design, but on the inevitable slippages when a weapon or a vehicle doesn't turn out to be quite as good in production as on the drawing board.

The Army's prime weapon, the rifle, is a case in point. The M–14 is used in Europe, the M–16 in Vietnam, and the ordnance peo-

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ple are still trying to turn out a wholly new design. If somebody could make up his mind and settle on a weapon as generally satisfactory to us as the Soviet assault rifle seems to be to the Russians and the North Vietnamese, there might be a saving, and a catch-up in supply.

The Army tried to put a new turret and a new gun on the M-60 tank, ran into what Clifford reported were "new technical problems," and is returning to the turret with a 105-mm. gun. As for the new main battle tank, MBT-70, which the U.S. has been building for years with West Germany and which was supposed to be the hottest piece of armor in the free world, Clifford said sadly:

"The main battle tank program continues to present development problems, making it impossible at this time to fix an initial procurement date."

Such troubles in weapons, and what are now called weapons systems because they are so complicated, are not unexpected in ordnance development. But the normal difficulties, or normal abnormalities, are not the principal causes of the shortages and the over-age and over-mileage matters which bedevil the generals and the admirals trying to keep our forces in fighting trim.

There wasn't enough money available for guns needed in combat, nor for butter for the home folks who have their urgent and demanding needs.

It is in the Navy and the Air Force that the glaring examples of genuine shortfall are to be found, glaring because weapons like an ICBM or a nuclear-powered aircraft carrier cost staggering amounts of money to build or to replace.

The Navy seems to have settled on a "peacetime" requirement for 15 attack carriers—because of the Viet war, one antisubmarine carrier was temporarily added for attack duty. Thus, for fiscal 1970, the force will be: One nuclear-powered carrier, the big Enterprise, pride of the fleet, newly rehabilitated after the disastrous fire off Hawaii; eight conventionally powered Forrestal class carriers, including the new John F. Kennedy; three Midway class carriers, and three Hancock class carriers.

The Hancock (Essex) class is of World War II vintage. The Navy expects to have four nuclear-powered carriers by fiscal 1976 and is building toward that goal.

But Clifford's comment on what goes with the other aging ships is worth noting: "Last year we planned to start the modernization of the Franklin D. Roosevelt in fiscal 1970. However, the modernization of her sister ship, the Midway, is taking so much longer and is costing so much more than originally estimated [24 months and $88 million vs. 48 months and $178 million] that we have now decided not to modernize the Roosevelt."

Inflation has hit the military departments more tellingly than perhaps any other area in government, and has cost an estimated $16 billion in the last eight or nine years. Clifford made this clear in discussing a requirement for 239 escort ships for the late 1970s.

A shipbuilding program of 68 new ships was worked out to meet the goal. Clifford said that "in the intervening year the cost [68 new ships] . . . has risen from about $3 billion to around $5 billion . . . We will have to retain in the force 17 more of the older escorts than we had previously planned."

The Navy has a new fighter plane coming along in five or six years, the F-14. This was approved after the sailors succeeded in dropping the Navy version of the exceedingly controversial F-111 (the old TFX).

The F-14 is intended to be the successor to the F-4, which in its various versions is the top American fighter plane in service today, used freely by both the Navy and the Air Force. The F-4 is our best, with a speed of mach 2.2, or about 1,500 m.p.h. It has proved superior to the vaunted Mig-21 in combat.

Unfortunately, the Russians have six new types, three of them coming into service, which are even faster than the F-14 will be and of very high performance. These are the Foxbat, Nato code name for a new Mig with mach 2.8 speed, the Flagon, and the Flogger.

Adm. Moorer told the Stennis subcommittee a few months ago: "Worldwide, the U.S. and her allies have numerical parity in tactical aircraft with the Communist nations today in terms of the active inventory of aircraft in tactical units . . . [deleted] there is ample evidence of improving Soviet quality . . .

"Replacement of our aircraft has been essentially on an attrition basis. To help meet our tactical requirements [deleted] older Navy tactical air types of aircraft have been removed from storage and returned to service to fill shortages and supplement our training command to increase the pilot training rate. Thus, with large numbers of older aircraft entering our active inventory, a degree of obsolescence has been introduced into our tactical force."

The Navy took 408 older aircraft out of storage to fill the gap of war requirements, fitting out a total of 14 squadrons in the Atlantic Fleet and 15 in the Pacific Fleet with planes that would be of questionable worth if employed against an enemy with modern airpower.

The Navy's money problems have run right down the line from the Enterprise to the Pueblo, whose inadequacies for its task have been well publicized. When the question of sealift is concerned, the optimist faces a nightmare.

Clifford told Congress that the most demanding contingency, short of all-out unclear war, is a major simultaneous conflict in Europe and Asia.

"Our existing Defense Department-controlled inter-theater sealift force is completely inadequate, both quantitatively and qualitatively, and cannot meet this requirement," Clifford said. "It consists of 15 Victory ships, six aircraft ferries which are old, converted cargo ships, and two roll-on/roll-off ships, one constructed in 1958 and the other in 1966. In addition, we have three Victory ships and one new, privately owned roll-on/roll-off ship . . . on long-term charter . . ."

The Navy and the Air Force overlap in the composition of the strategic nuclear forces, the strongest element of the U.S. protective shield and that which receives the most tender, loving care in terms of money and choice manpower. Yet this total force, in numbers, is substantially below the size that some of the strategists feel should be provided for assured safety. The strategic forces are regarded strictly as a deterrent.

As Clifford described them: "Our calculations indicate that the U.S. strategic forces programmed over the next few years, even against the highest threat projected in the national intelligence estimate, would be able to destroy in a second strike [a launching after Russia had hit first] more than two-fifths of the Soviet population and about three-quarters of their industrial capacity."

The U.S. has 1,054 ICBMs on launchers, 1,000 of them the fast-firing Minuteman and the others the heavy-load Titans; and 656 Polaris submarine missiles, along with 646 intercontinental bombers, the hoary B-52s and a handful of the newer B-58s.

For comparison, Russia has 900 ICBMs, 45 submarine missiles, and 150 intercontinental bombers.

But the U.S. has available 4,200 warheads, compared to an estimated 1,200 for the Russians.

Polaris is going to become Poseidon in substantial quantities. The Poseidon is a much larger missile, requiring a refitting of the submarine. It will carry the "multiple" warheads, which can hit several targets with individually-aimed hydrogen explosive packages. The Navy plans to convert 31 Polaris submarines to Poseidon; Congress gave the money for two conversions in 1968, but cut back the cash for a requested six in the 1969 budget to only two. The Navy will try for six more Poseidons in 1970.

The Air Force is having a painful time with the Defense Department and with Congress in trying to get a bomber to succeed the old B-52, and to get anybody interested in approving plans for a new air-superiority fighter plane. The airmen dream of AMSA, a new bomber, and an F-15, in the same area of performance as the Navy's F-14, but not much has come of the visions thus far except funds for planning and research and small amounts of development.

Sen. Stuart Symington (D-Mo.), first secretary of the Air Force, was appalled recently at the revelation that the Air Force now plans—because it has nothing else—to keep some of the B-52s in operation until 1978. At that time the B-52 will be about 30 years old, still lumbering along at about 600 m.p.h. among, or behind, aircraft flying more than three times as fast.

For years, the Air Force has been doggedly seeking approval of the AMSA—advanced manned strategic aircraft—as a successor to the B-52, insisting that for best protection in the way of a deterrent the U.S. needed a mixture of intercontinental bombers and missiles. Former Defense Secretary Robert McNamara couldn't see the need. Funds for research and long-range development seeped out grudgingly, and it now appears that maybe—and this is a very big maybe—a new administration and Congress may go along with AMSA. But it won't be soon in coming.

Whatever plans the Air Force had for newer planes were disrupted by the TFX (now F-111) fiasco. The Air Force is going to get a flock of the very expensive F-111 aircraft, described by some who have flown it as a splendid plane. But it is no replacement for the B-52; it won't do as an air superiority fighter. It is expected to be fine for what the military calls "deep interdiction" roles.

Out of necessity, the Air Force had to adopt and adapt the Navy's F-4 fighter as both fighter and fighter-bomber because there wasn't anything else around that could touch it. The Air Force is planning an F-15, a hotter new plane than the Navy's forthcoming F-14, but there is no guarantee that this fighter will be finally approved, or produced if it is approved.

The big wheel in air strikes against North Vietnam was the F-105 fighter-bomber—an aircraft which previously had a dubious reputation and which has been out of production for years. But it proved one of the best aircraft bought by the Air Force in a long, long while. The National Guard will get what's left of the F-105s when their combat day in Vietnam is done.

These accounts of sorrow and sadness among the armed services over unmet requirements are high-spot examples: A full record would fill an encyclopedia. There is in the record a sorry tale of misjudgment, miscalculation and waste, some of which appears inevitable when dealing in new and exotic weapons. There is also a record of brilliant successes, contributing to national security for a full generation.

There are estimates that from $20 billion to $80 billion may now be needed for the catch-up job in military hardware. And that sort of cash isn't in sight for the armed services, not even in Fort Knox.

ZANZIBAR—AID EGG

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. RARICK. Mr. Speaker, in South Vietnam, our boys who are lucky dodge Communist bullets while in Zanzibar,

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U.S. parents spend their tax money through AID for a $1.25 million college.

Is this a prestige project, courtesy of our World Bank representatives, to impress the local natives who may not yet be Communist that we support tyranny in their land?

And that, for the orphans of the free people of overrun Zanzibar we have subsidized the Communist regime so that their children may be indoctrinated in Communist loyalty in a nice shiny school building courtesy the U.S. taxpayers.

To help acquaint some of our colleagues as to the poor management and the misuse of taxpayers funds by AID the "Communist fighting" wing of the State Department, I place a report from Zanzibar by Anthony Astrachan which appeared on March 17 in a local paper at this point in the RECORD:

UNITED STATES-ZANZIBAR PROJECT BESET BY PROBLEMS

(By Anthony Astrachan)

ZANZIBAR.—A newly built technical college on this pretty but bedeviled island illustrates two problems that plague American aid projects throughout Africa.

The $1.25-million college was set up for political reasons; that is, to make the American presence felt in revolutionary Zanzibar. East Germans and Chinese Communists are predominant among this island's advisers.

It seems to be succeeding from that point of view. The college was a feature of the Jan. 12 Revolution Day tour of the island, and on weekends numbers of Zanzibaris drive the five miles from town to see the attractive buildings and their impressive equipment.

The first problem is that the college is too impressive. "It's a bit too large, a bit rich, a bit overequipped," admits Carlos Nelson, the U.S. Agency for International Development director for Tanzania, who inherited the project. "But it's not a bad project. It should be viable."

Other Americans doubt its viability. For instance, it has eight South Bend precision toolroom lathes and no one in Zanzibar is qualified to teach their use. Even if a teacher is found, he will be training skilled lathe operators for an economy that has perhaps a dozen light-industry factories. They produce things like soap, coconut oil and shoes.

Many were set up by Chinese and other advisers who will discourage the employment of the "American" technical college.

The second problem is that, like most AID projects, the equipment came from American shippers who know and care little about African needs. Some manufacturers failed to meet specifications and most failed to pack their shipments properly.

It is also a question whether American equipment is of any use at all on an island where everything is British, Swedish, Japanese or Communist. Replacement parts will be difficult to get. and it is a rare student in a place like Zanzibar who can switch from one model of equipment to another without making expensive mistakes.

Drill presses arrived here with 60-cycle electrical motors instead of the 50 cycles specified and shop benches came with plates for holding sheetmetal tools that were not wanted.

The waterproof packing specified was inadequate in many cases, causing unsightliness, shortening the life of equipment and rendering useless collet chucks for the lathes that have rust inside the bore.

At least, one AID veterans observed, nothing happened here as agonizing as the time in Addis Ababa when Ethiopian laborers faced the problem of getting a $30,000 printing press off a truck. They just shoved it off.

But enough has happened to make some people—including Ray Allen, the California Polytechnic contract specialist who is trying to get the school in the best possible shape before it opens—feel that only an optimist would predict a happy ending for Zanzibar Technical College.

HON. RICHARD ICHORD ADDRESSES THE ASSOCIATION OF MILITARY COLLEGES AND SCHOOLS UPON THEIR 55TH ANNIVERSARY

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. TEAGUE of Texas. Mr. Speaker, recently the Association of Military Colleges and Schools celebrated their 55th anniversary of dedicated service in the interest of national defense and the preservation of the principles on which this country was founded. Two of the members of this association are located within my congressional district, Texas A. & M. University and Allen Military Academy.

In view of the apparent increase in dissent throughout this country to our position in Vietnam and to our Selective Service System, it was only natural for this association to select one of our colleagues to deliver the main address, the Honorable Richard ICHORD of Missouri, chairman of the House Committee on Internal Security. His address follows:

ADDRESS OF CONGRESSMAN RICHARD H. ICHORD, CHAIRMAN, HOUSE COMMITTEE ON INTERNAL SECURITY, BEFORE THE ASSOCIATION OF MILITARY COLLEGES AND SCHOOLS OF THE UNITED STATES, FORT MONROE, VA., MARCH 10, 1969

It is a great honor for me to address educators who, in these days, are making a unique and most valuable contribution to the security of the United States by instructing the youth of America in the Military Sciences, as well as the traditional academic subjects designed for their intellectual, cultural, and spiritual development.

Because of our mutual interest in the security of our Nation, I shall address myself to that subject this evening as Military Academy educators have a very special interest in the external aspect of our country's security—the threat to the United States posed by outside aggressors. Due to my Committee assignments in the House, I am involved in both aspects of security—the external side of it through my work on the Armed Services Committee, and the internal aspect, as Chairman of the House Committee on Internal Security.

First, a few words about external security, an area in which the problems—and the seriousness of them—are obvious. Last year, our government spent approximately $79 billion dollars on the military phase of our external security—the recruiting, training, equipping and maintenance of our Armed Forces. This was about 40% of our total budget.

When we add to that figure the cost of running the Voice of America, the USIA, the CIA and also the State Department, it is apparent that external defense constitutes the major part of our budget, and we are spending far more on it than any one of us would wish we had to spend.

Why are we spending such enormous sums in this manner? And why have we been doing so during the 24 years since World War II ended? Certainly, Sweden is not a threat to this country. Neither is Burma, South Africa, Equador, Belgium, England, France, or any combination of these or similar nations.

The one and only reason is the threat to this country posed by the aggressive nature of certain communist powers.

Fifty-two years ago, a relative handful of communists destroyed the first democratic government Russia had ever known and took over that country. This was communism's first seizure of any national government. Territory controlled by communism was limited to the traditional Russian borders from 1917 to 1940 when the Soviet Union occupied Latvia, Estonia and Lithuania and, against the will of their people, incorporated them into the USSR.

In the intervening 30 years, communism has expanded its power through various forms of aggression until it now controls almost one-third of the world's population and occupies about one-fourth of the earth's surface. In addition, as we can see from the reading of our daily newspapers, it is expanding its sphere of influence into Asia, Africa, the Middle East and Latin America.

This is a tremendous accomplishment for a relatively small group of people. After over fifty years of communist rule in the Soviet Union, there are only about 13 million Communist Party members in the nation—approximately 5% of the total population.

In Red China, with an estimated population of 760 million, there are, after 20 years of communist rule, only 17 million Communist Party members—a little over 2% of the population.

In all countries under communist control, we find, on the average, Party members total only about 4% of the population.

These figures demonstrate a very important point: namely, the communist movement, which claims to be *for* the people and *of* the people, is actually a para-elite or "snob-type" movement, with only a carefully elected minority being granted the privilege of joining its ranks.

With what we have learned from the many thousands of escapees from communism during the past 25 years, and coupled with the lesson of Czechoslovakia and of Hungary in 1956, it also means that communist parties are no more than political machines designed for the seizure and maintenance of power by any and all means.

We are the mightiest nation on earth. Few would challenge this. For this reason, no communist power has ever dared to attack this country or formally declare war on it. Yet, in the last 20 years, 86,000 American servicemen have died in combat with the troops of communist forces.

Despite 86,000 men killed and countless more wounded, the naive in our society believed "with that horrible monster Stalin dead," things would change. They assured us communism was mellowing.

But now, Stalin is being resurrected and I, for one, find it rather difficult to interpret events in Vietnam or what we saw recently in Czechoslovakia as "mellowing." The present Soviet leadership's treatment of the freedom-loving people of Czechoslovakia is as cynically rutheless and brutal as Khrushchev's slaughter of the Hungarians in 1956, as Stalin's take over of the east European satellites in the 40's.

By these despotic actions—their actions *today*—communist leaders in all parts of the world, from Castro to Mao, to the men in the Kremlin, make clear the need for us to give prime attention to problems of our external security. Can we be too alert, too wary, too well prepared? Personally, I believe we could have more effectively spent the money we have spent, but we must continue to work toward a strong and even stronger national defense posture.

And what about our internal security?

Here we have a different and a somewhat more complicated, though, of course, not

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so serious problem—even though it is certainly one we cannot take lightly.

A major part of the problem here is also created by communism—specifically by individuals and groups within our borders who are actually agents of Moscow, of Peking or of Castro. The problem they present is increased today by the emergence of the so-called New Left, considered a more or less indigenous radical, partly revolutionary movement, controlled neither by Moscow nor Peking but purportedly infiltrated to a considerable degree by their agents.

Further complicating our problem is the rise of other ultra-militant groups which advocate force and violence and which, in some cases, are actually instructing and training their members in the tactics of guerrilla warfare with the proclaimed intent of inflicting on this Nation a new form of guerrilla operations—guerrilla warfare conducted within our major cities rather than in the countryside. These are the groups that have actively planned and participated in the violence that is now tearing apart some of our major universities, and in acts of sabotage carried out against draft boards, ROTC and National Guard installations, induction centers and other facilities associated with our defense effort.

Dealing with our internal enemies is more complicated than dealing with potential external aggressors, because these internal enemies, for the most part, are citizens of the United States and as such, under our Constitution, enjoy each and every right, privilege, liberty and protection you and I enjoy. It is easy to play the part of a daring Che Guevara in the United States when you are guaranteed all the protections of the Constitution afforded to a citizen in times of peace.

In my opinion, the three greatest civilizations in the recorded history of man are the Greek, Roman and the American civilizations. Each of these civilizations has one common attribute. All three received their initial impetus from the strength of a republic. The Greek civilization had the republic in the Greek city-state of Athens. Rome formed its republic and spread its rule all over the civilized world. The American Republic, begun inauspiciously by thirteen small colonies on the Atlantic Seaboard, have grown mightily into 50 states, comprising a great nation, reaching to the top of the North American continent with Alaska and extending far into the Pacific with the island State of Hawaii.

I submit the historians must include the American civilization in the top three, not only because it has brought more people greater freedom and more material comforts than any other country in history, but also because it has welded together the peoples of many nations, many tongues and many races into one incomparable people. This miraculous accomplishment, of itself, should be sufficient to assign it top-rank, and I am confident the American civilization will not fall in our lifetime nor even in the immediate centuries ahead. But the lessons of history are plain. Both the Roman civilization and the Greek civilization endured for several centuries after the republics ceased to exist. This civilization, no doubt, will continue many years after the "republic" or "representative" democracy, if you prefer that term, has ceased to exist.

History reveals to those who dare to look that republics do not have the habit of lasting too long. Indeed, at this point in history which happens to embrace our lives, we are severely challenged to defend, preserve and bequeath a system that is not archaic but just as viable as the day it was created 180 years ago.

Unfortunately, we have witnessed in the last few years the emergence of developments and tendencies which, all too often in the past, have paved the way for the rule of tyrants. I speak primarily of the so-called New Left, most of whom do not appear to be communist even though they welcome communists as members of their group and do not hesitate to work with them for what they consider mutually desired objectives. Those who may be well-intentioned among this group, and those who are more tolerant of such activity than I, have forgotten that every society demands some kind of order. Discipline is a concomitant of freedom. Without discipline there can be no freedom. Our choice is one of democratic order or some kind of totalitarian order. The action of these groups has brought about the inevitable reaction. Measures are being proposed and, unless conditions abate, many will probably be adopted that will curtail the freedom of those who realize that whatever change is desirable must be brought about through the democratic process.

One of the problems confronting the new Committee on Internal Security is to find the way to improve our legal machinery under the Constitution, in order to cope with new forms of warfare and subversion developed and perfected by the enemies of our free system of government in recent years. This problem has surfaced with explosive force during the fighting of the undeclared war in Vietnam. At what point does legitimate dissent end and criminal activity begin? Much of the activity going on today, almost any student of the law would have to admit, would in a period of declared war be treason. At the Chicago hearings I chaired as a Member of a subcommittee of the House Committee on Un-American Activities, this problem was graphically illustrated by the testimony of one David Dellinger, who appears to be the "father confessor" of many young radicals and whom I have described as, at least, enunciating in his testimony during the Chicago hearings a philosophy which appears to be a combination of communism, anarchism, nihilism, pacifism and American constitutional law.

He brands this society a corrupt, imperialistic society.

He hates the free enterprise system.

He does not advocate, yet he condones, violence.

He makes no effort to impose peaceful demonstration tactics upon his followers.

He meets with, and reports to, the enemy about the activities of the National Mobilization Committee against the War in Vietnam.

He holds that the first amendment to the Constitution guaranteeing freedom of assembly gives him the absolute right to demonstrate against the war in Vietnam. He feels it is a paramount right and not subject to restriction by the Chicago authorities.

He advocates, generally but not specifically, desertion and disaffection on the part of the military. This is the "American constitutional law" aspect of his philosophy. He knows well how far freedom of speech extends.

Likewise, he generally advocates—but again not specifically—the violation of selective service legislation. A very complicated philosophy and course of action, indeed!

To work toward a solution of this problem, three years ago I conceived the idea of establishing the House Committee on Internal Security to which I was immediately named Chairman after the House adopted my resolution by an overwhelming vote of 306 to 80. Many are still arguing whether I changed the name of the House Committee on Un-American Activities with a clarified mandate or whether I established a new committee. This, of course, is merely an argument over semantics. Likewise, semantic is the argument of whether the Committee on Internal Security has increased or diminished powers. This depends upon one's definition of the vague and ambiguous term, "un-American". In any even, my resolution created a permanent legislative and investigative committee with limited jurisdiction in the very important area of criminal subversion; and despite what you have read in a few of the nation's newspapers, the investigative mandate is clear and unambiguous. The investigative jurisdiction is not even remotely contained in the words "communist and subversive" as stated recently in a blantantly erroneous editorial of the *Washington Post*.

The House Committee on Internal Security does have the power to investigate criminal subversion which is defined. It does have the power to advise the House of the nature and the extent of such activities so that the House and the Senate can legislate within this very important field and still preserve the constitutional liberties which have been the bulwark of this nation.

A little over one hundred years ago it was said:

"Our popular government has often been called an experiment. Two points in it our people have already settled—the successful *establishing* and the successful *administering* of it. One still remains—the successful *maintenance* against a formidable internal attempt to overthrow it."

What Abraham Lincoln said then I would repeat today. I want the House Committee on Internal Security to serve in an important way toward the successful *maintenance* of the great American experiment.

The House Committee on Internal Security is not concerned with change, as such, for I recognize that change is inherent in our system of government as envisaged by one of our nation's early leaders, Thomas Jefferson, our third President:

"Laws and institutions must go hand in hand with the progress of the human mind. As that becomes more developed, more enlightened, as new discoveries are made, new truths disclosed, and manners and opinions change with the change of circumstances, institutions must advance also and keep pace with the times."

The committee is concerned with the activities of those who would undermine our system of government or attempt to bring about change by unlawful means outside the democratic process.

The security of the United States, in the final analysis, does not depend on military appropriations. It does not depend on the CIA, FBI, the Voice of America, USIA, the Department of State, the Congress or any of its committees or the President. It does not rest on the size of our Armed Forces. We can maintain the largest military machine in the history of civilization and still lose everything.

Our security rests ultimately in the minds and hearts of the people of this country—young and old. It rests in their devotion to our Nation and its principles and institutions—their love of them, their appreciation of them, in terms as simple as I can say it—their patriotism!

As far as I am concerned, there is far too much defaming of America. I read this blackening of America in newspapers and magazines. I hear it on radio. I see and hear it on TV. With such pervasiveness, how can we honestly expect our youth to love this country, to be devoted to it, to be willing to die for it, if necessary. It is high time that more people speak out less about what is bad and more about what is good in America. We do not seriously claim our country is perfect. We have our ills and deficiencies—serious ills and deficiencies—but still we know—and I must reiterate—our nation has given more people greater freedom and more material comforts than any other country in the history of man. During my 8 years in Congress, I have received scores of requests to assist people abroad to enter this country and thousands and thousands have come into this so-called "sick society" during that period. But I have not received a single request to assist any person to leave this nation. This would perhaps be a much more worthy foundation program than some we have recently read about in the newspapers.

So let us have a little more objective talking, teaching, preaching and writing about our country. It is not necessary to cover up the faults and inequities in our society, but let us be fair about them and tell all that is good along with the bad.

Let us work together to build a stronger and better America to the end that our children and their children will be proud to inherit a nation that is truly a bastion of freedom, the hope of mankind and the paragon of free and democratic governments.

CRASH LOCATOR BEACONS

HON. CLARENCE E. MILLER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. MILLER of Ohio. Mr. Speaker, I offer my support to the bill introduced by my colleague, Mr. Ottinger—H.R. 8804—which will direct the Federal Aviation Administration to require crash locator beacons on all civil aircraft in the United States.

The Armed Forces have successfully utilized radio beacons to find downed aircraft and their crews since World War II. Rescue helicopters have been guided to pilots who were forced to parachute into the jungles of North Vietnam sometimes in less than an hour after their ejection from the disabled craft. The immense value of these devices is clear both to the saved pilots and to those who conduct the search and rescue missions over enemy territory.

It is important to emphasize that many commercial produced crash locator systems have been developed, tested, and are currently available to the aviation industry. Aircraft owners have been reluctant to install and use these devices for two reasons: The cost involved is substantial, and there is no assurance that an emergency signal will be picked up since monitoring equipment is also not in general use.

The cost of installing beacon locator systems should be weighed against the costs of search effort expended and lives lost because crashes were not found quickly or were not found at all. The prices presently cited for the beacons—$80 to $750—could no doubt be greatly reduced if manufacturers were to begin large-scale production in response to a directive for required usage.

Mr. Ottinger's bill will compel commercial air carriers to operate monitoring receivers on all of their flights. Most areas of the United States would therefore be periodically monitored. Air Force and Civil Air Patrol rescue planes could cover more remote regions when an aircraft is actually reported missing. Authoritative industry sources estimate the cost of an installed monitoring unit to be about $400. Thus the entire U.S. fleet of 2,500 commercial aircraft could be equipped for $1,000,000. There is ample precedent for requiring the airlines to carry listening devices. International maritime law has long required most commercial sea vessels to constantly monitor an international distress frequency.

With the technology available today there should be no excuses for failure to locate an air crash in a short period of time. Yet during the period 1961–67, 52 aircraft were reported missing in the continental United States and were never found.

The case for universal use of crash locator beacons is overwhelming. I ask the Congress to promptly enact this much-needed legislation.

LEGISLATION TO IMPROVE THE FUNDING AND BENEFITS OF THE CIVIL SERVICE RETIREMENT SYSTEM

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. FASCELL. Mr. Speaker, it gives me a great deal of pleasure to introduce today legislation to improve the funding and benefits of the civil service retirement system.

My bill is identical to legislation—H.R. 770—which has already been introduced in this session by my esteemed colleague, Mr. Daniels of New Jersey, and other cosponsors. Similar legislation was passed by the House during the last Congress but, unfortunately, it died elsewhere in our legislative system.

This bill is even more needed and justified today than it was when we passed it before. Its major purpose is to improve the financing and funding processes of the civil service retirement system, so as to maintain confidence in the soundness of the retirement fund and to assure that the necessary money is available when needed to pay the annuities of Government retirees and survivor annuitants in full and on time. In line with this, title I contains six specific provisions to strengthen the fund.

One objective of this legislation is to increase employee and agency contributions to 7 percent from the present 6½ percent, effective in January 1970. While this step alone would contribute much to the system's fiscal soundness, the bill also provides that future unfunded obligations may be met by appropriations.

Among the improved benefits provided in the bill are these:

Inclusion of compensation for overtime, differential, premium pay, and so forth, for retirement contributions and computation purposes.

Modification of the average salary computation period from a high-5 to a high-3 period. This goal is highly regarded by many employees and employee organizations.

A system of granting retirement service credit for unused sick leave.

Addition of another 1 percent to all future cost-of-living percentage adjustments.

Continues or restores the survivor annuity of a spouse, who after attaining age 60, remarries on or after July 18, 1966.

The funding and benefit provisions of this bill are highly deserving improvements in the civil service retirement system, and should be enacted by the Congress as soon as possible.

It is time that we provide equitable benefits for our loyal employees who have made a career of serving the people. I think that the provision allowing the highest 3 years of pay to be used as the base for computing retirement pay is especially deserving. During this period of rapid price escalation, those whose pay has finally been increased to a point comparable to private industry pay should not be penalized by using a 5-year base period. This long a period overlooks the rapidly changing nature of the Government pay structure and our recent efforts to upgrade Federal employee salary levels.

It will do little good for thousands of valuable Government employees if we raise their pay briefly before retirement, then compute their retirement income based on 5 years of previous inequitably low salaries. Justice demands that we at least reduce the computation period to 3 years so that the pay increases which we found necessary are taken into better account.

Since the House has previously passed this highly deserving legislation, there should be little standing in the way of even faster approval in this session. I hope Congress will meet its responsibility to all Government employees by acting swiftly to write these improved civil service retirement benefits into law.

POPULATION POLICY: A TIME FOR ACTION

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. BROWN of California. Mr. Speaker, too often these days it seems we here in Congress overconcentrate on certain topical issues while seemingly ignoring significant and far-reaching areas of concern.

A good example is that of President Johnson's Advisory Committee on Population and Family Planning. The Committee, established in mid-1968 and chaired by Health, Education, and Welfare Secretary Wilbur Cohen and John D. Rockefeller III, undertook a thorough analysis of ongoing population policies and programs and reported back to the President with a series of major recommendations.

Much valuable time and effort by some of the top experts in the Nation went into those recommendations, yet there has been no indication that anyone plans to do anything at this point but talk about it.

My concern with the problems of world population explosion is not new; during both the 89th and 90th Congresses I sponsored legislation asking for the creation of Assistant Secretaries in the Departments of State and Health, Education, and Welfare for Population Pro-

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grams and Policies. The bill also asked for a White House Population Conference, a proposal met by administrative action when President Johnson established the Advisory Committee.

Today I am introducing three bills which mark the beginning of a new drive for broadened Government participation in population and family planning services and research efforts. Each bill is based upon a recommendation of the President's Committee, and I plan to add other bills, if needed, to further implement the Committee's objectives when the administration's own stance in this area becomes known.

The first bill calls for a Commission on Population. The 15-member Commission would report in 2 years its findings in these fields:

First. Social and economic consequences of population trends in the United States;

Second. Major trends in world population growth as they relate to U.S. policies and programs;

Third. Research needs, resources, and progress in the field of population and family planning;

Fourth. Consequences of alternative population policies;

Fifth. The need of the American people to recognize the relationship between population trends and the quality of life; and

Sixth. A review of the extent to which recommendations of the President's Committee have been carried out.

The second bill proposes that the Secretary of Health, Education, and Welfare set up a National Institute for Population Research within the Public Health Service. Such an Institute would serve the need for a concentrated—yet broad-based—research program in population policy.

The Institute would conduct and support research and training in population matters such as the physiology of human reproduction, the development and evaluation of means of fertility regulation, and the causes and consequences of population change.

Already, valuable population policy research efforts are being done by many institutions. These endeavors should be further encouraged. In order to supplement current programs and to provide for expanded research, the third bill asks for construction grants to be made for population research centers.

Greater supplies of trained personnel will be needed as research programs and service programs are expanded, and all of these contingencies are foreseen by these proposals. Basic support in large part would continue to stem from the research institutions, and increased assistance would flow from the new National Institute for Population Research.

A number of other recommendations were made by the President's Committee which do not require legislative action, and I would certainly urge that these be carried out. In addition, I favor substantial increases in funding for family planning services as proposed in the Committee report, but I am waiting to see what action the Nixon administration takes before I make additional proposals.

At this point, initial signs are optimistic. Secretary Finch deserves praise for his recent move to supplement funds for the Child Health Institute family planning program, but even at an expanded level current needs far outweigh available supplies, and I hope that even more additional resources can be found for this vital program.

Other nonlegislative recommendations of the President's Committee also should be implemented. I urge that these steps be taken as soon as possible:

First. The Department of Health, Education, and Welfare and the Office of Economic Opportunity develop specific 5-year plans for population and family planning programs;

Second. The Office of Education provide significant assistance to appropriate education agencies in the development of materials on population and family life;

Third. International programs be expanded as rapidly as funds can be properly allocated and effectively utilized by recipient countries and agencies; and

Fourth. Experienced specialists from other countries should be invited to serve on advisory groups for both domestic and international programs.

To go along with the three bills derived from the President's Committee report, I am also introducing a proposal providing for congressional review concerning policies and goals of the entire National Institutes of Health. I feel it imperative that Congress have on hand annual compilations showing the thrust and effectiveness of health programs in all areas—from population control to geriatric care.

Effective population control will be a crucial factor in the drive to halt poverty and blight. But controls on further growth have little effect on persons already in need. The blunt fact is that hunger exists for too many citizens in this richest of all countries; the blunt fact is that Americans spend more on pet food than on food stamps for the poor.

It is a terrible enigma to be able to fly men past and around the moon, yet have millions starving and undernourished; we can spend millions to burn villages, but how much do we spend to eradicate hunger?

Hunger, like population, too often gets shunted aside for more immediate mundane issues. But these are real problems, calling for immediate action. And so, in an effort to achieve such action, I am today introducing two bills which would act as a significant first step in a war on hunger. One bill, to establish a Commission on Hunger, was sponsored last Congress by a broad range of Members and again deserves consideration. The other, the Human Nutrition Act of 1969, provides for a coordinated program to improve nutrition levels through creation of an Assistant Secretary of Agriculture for Human Nutrition and by an Advisory Council on Human Nutrition.

The future of humanity is largely dictated by the size of humanity itself. Hunger looms as a key problem not only from differences in income levels, but also because of the rapidly expanding demands for resources created by a spiraling population. As living standards rise, and the death rate falls because of improved health standards, the population squeeze will grow even tighter. The time for planning and research is now, and a viable program has been laid out by the President's Committee. I commend the Committee, its members and its staff for providing an excellent and important contribution in this important area.

Mr. Speaker, because I believe that the President's Committee on Population and Family Planning has made such an outstanding presentation I am including the report in the RECORD at this point. I would also like to insert a letter from Planned Parenthood World Population endorsing the President's Committee recommendations, a resolution passed in January by the Planned Parenthood Executive Committee, an editorial from the January 27, 1969, New Yok Times, three articles from the Los Angeles Times on matters of population and hunger, and an article from the Agency for International Development's population program assistance handbook for September 1968 which deals with worldwide aspects of the population problem.

The insertions follow:

POPULATION AND FAMILY PLANNING: THE TRANSITION FROM CONCERN TO ACTION

(Report of the President's Committee on Population and Family Planning, November 1968)

PROPOSALS FOR IMMEDIATE CONSIDERATION

The world's population problems must be high on the world's agenda. In the more developed nations, present rates of population growth cannot continue indefinitely without causing serious social and environmental problems. The rapid growth rates of the developing nations are a threat to their own plans for economic and social progress, on which the peace of the world may well depend. In both, the level of information and understanding must be improved. In both, the very quality of life is at stake.

No simple program will resolve the world's population problems: They demand a variety of actions on a sustained basis by governments, private organizations, and individuals. This report recommends a broad range of actions by the Government of the United States to resolve pressing problems and to establish sound, long-range policies. Present problems are so urgent, however, that the Committee has selected from the full report the following key proposals, recommended for immediate consideration.

As its first responsibility, the Committee considered domestic programs in population and family planning intended primarily to further the health and welfare of the American people. The Committee is convinced, moreover, that sound domestic programs will increase our experience and knowledge, and in consequence will make our participation in international programs more useful and valued. The Committee, therefore, recommends:

1. That the Federal Government rapidly expand family planning programs to make information and services available by 1973 on a voluntary basis to all American women who want but cannot afford them.

This policy will require an increase in the Federal appropriation for domestic family planning services, to be provided on a strictly voluntary basis, from $30 million in the fiscal year 1969 to $150 million in 1973. This is a small price to pay for providing help to an estimated five million women now de-

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prived by poverty and ignorance of the opportunity to plan their families effectively.

2. That the Department of Health, Education, and Welfare and the Office of Economic Opportunity develop specific five-year plans for their population and family planning programs.

The task to be done is so complex that a detailed, long-range plan is essential for translating policy into day-to-day operations. A prospectus for such a plan is presented in the full report.

3. That the Office of Education provide significant assistance to appropriate education agencies in the development of materials on population and family life.

All levels of the educational system stand in need of materials and curricula on the causes and consequences of population change, so that the American people can confront population issues intelligently. Also needed are curricula on family life so that personal decisions about marriage and parenthood can be made responsibly and with adequate information. Federal assistance for local educational programs in these fields should be expanded rapidly to at least $8 million annually.

Beyond this nation's domestic needs, the United States shares with other nations a concern about the world's population problems. Increasing numbers of countries, caught in the crisis of rapid population growth, recognize that their aspirations for a better life may be frustrated without effective population and family planning programs. Assisting such programs is now an integral part of our national commitment to help the developing countries. The Committee therefore recommends:

4. That the United States continue to expand its programs of international assistance in population and family planning as rapidly as funds can be properly allocated by the U.S. and effectively utilized by recipient countries and agencies.

Reducing population growth is not a substitute for economic development. And yet in most of the developing countries, a decline in birth rates is necessary if they are to satisfy the reasonable aspirations of their people. Programs in population should continue to have high priority and increasing support as part of general assistance to social and economic development. It is clear now that our expenditures for assistance in this field should grow substantially in the next three to five years; however, the amount and allocation of increase should depend on a continuing review of our efforts in this field and the scale and effectiveness of programs undertaken by the developing countries.

5. That experienced specialists from other countries be invited to serve on advisory groups for both our domestic and international programs.

The American contribution to population programs abroad can only be a small part of their total costs, so it must be allocated through a carefully considered set of priorities to maximize long-term effects. This allocation will be more effective if the Federal Government seeks the advice of experts from other countries, some of which have more experience with large-scale family planning programs than our own country. Americans have served on such advisory groups for other countries; we should seek in return the benefit of similar advice for both our domestic and international programs.

Additional research and a greater supply of trained personnel are essential for both domestic and foreign programs. Larger research programs, especially when combined with the recommended expansion of service programs, will create a demand for qualified personnel and for programs to train them. The Committee therefore recommends:

6. That the newly established Center for Population Research accelerate the Federal Government's research and training programs in both the biological and social sciences and that within two years the Center be expanded into a National Institute for Population Research, established by act of Congress.

The expanded program of biomedical and social science research and training in population supported by the National Institute of Child Health and Human Development and coordinated by its Center for Population Research should rise to $30 million in the fiscal year 1970 and to $100 million in 1971. This level of funding will enable the Center to launch needed programs on improved methods of contraception, basic research on the physiology of reproduction and social science research integral to population problems. The Center should become the focal point within the government for information about population research and training, whether domestic or foreign.

Planning should begin now to bring about its transformation into a separate National Institute for Population Research within the next two years.

7. That the Federal Government provide basic support for population studies centers.

Priority should be given to basic support for existing population centers primarily in universities to carry out research and training programs in the biomedical, health and social sciences. Support should also be given to the establishment of additional university centers. Such support will attract scientists, teachers and administrators by assuring them of career opportunities. Basic support for existing and additional centers, including construction, is estimated at an average annual cost of $40 million.

Making family planning available and effective is a principal aim of the actions recommended for immediate consideration, but family planning is only one of the important influences on population change. Population trends are influenced profoundly by many other things—for example, by tax policies, participation of women in the labor force, job and housing opportunities, population mobility, and marriage rates. Unfortunately, both knowledge and public information about population trends and policies are limited. The present report, completed in four months, should be supplemented by a more thorough review. The Committee therefore recommends:

8. That Congress authorize and the President appoint a Commission on Population.

Such a Commission should make the American public aware of the economic, educational and social impact of population trends. It should analyze the consequences of alternative U.S. policies in the light of this country's determination to enhance the quality of American life. It should evaluate the progress of this nation's programs and review the extent to which the recommendations of this Committee have been implemented. The Commission could have a major impact in highlighting for the American people the urgency and importance of the population problem.

These proposals have been selected by the Committee as deserving of special emphasis. They are taken from the full report, which follows.

THE PROBLEM

On Human Rights Day, December 11, 1967, Secretary General U Thant of the United Nations made public a "World Leaders Declaration on Population." This document was signed by the heads of thirty nations including the President of the United States. Among its principles were these:

"The population problem must be recognized as a principal element in long-range national planning if governments are to achieve their economic goals and fulfill the aspirations of their people.

"The great majority of parents desire to have the knowledge and means to plan their families; the opportunity to decide the number and spacing of children is a basic human right."

Support for these statements by national leaders through the United Nations reveals the increasing concern about population problems throughout the world and a growing determination to do something about them.

Rapid population growth is a direct result of man's enhanced ability at death control. Modern medicine and improved nutrition have cut death rates throughout the world, thus upsetting the traditional balance between births and deaths and producing rates of population growth unprecedented in the history of man. If present growth rates remain unchecked, the present world population of 3½ billion will double to seven billion by the end of the century.

More than 80 per cent of this increase will occur in the developing nations. With growth rates averaging 2½ per cent per year, the developing nations are suffering an acute imbalance between births and deaths, and throughout much of Asia, Africa and Latin America, successful efforts at economic development find their gains diluted by ever-increasing numbers of people. Most of the additional population will, therefore, come into the world with limited prospects of adequate food, shelter, education and employment.

In the industrialized nations, declines in death rates have been followed by declines in birth rates. In the United States, the resulting rate of natural population increase has been about one per cent per year. This rate of growth cannot be maintained indefinitely. Eventually, it will mean severe social and economic dislocations. At present, however, America faces a difficulty of another kind. Some members of our society, most of them poor, are unable to limit their families to the number of children they want. Consequently, they have more children than they desire and these children are too often condemned to perpetuate the poverty of their parents. Domestic programs should make family planning available on a voluntary basis, to all our citizens.

The population problem is serious enough simply from the standpoint of assuring a reasonably adequate supply of food for the anticipated increase in numbers. But it is far deeper than that, since it affects health and nutrition, literacy and education, productive employment and living standards. In essence, it is concerned not with the quantity of human life but with its quality.

At the same time, solving the population problem will not solve everything. Reducing excessive rates of population growth will speed development in the poorer nations. But reductions in birth rates must be accompanied by positive programs of economic development.

Accordingly, this Committee faced the question: What population and family planning policies ought the United State to adopt in its long-range efforts to improve the quality of life for its own citizens and to contribute to the improvement of life in the developing nations?

Since the President's State of the Union Message of 1965, the Federal Government has shown a sharply increased awareness of the nature and magnitude of population problems as they affect both the United States and the world. This report, requested by the President, is one indication of that new awareness and proposes establishing mechanisms through which the government can review existing policies and develop programs as the needs demand.

OUR DOMESTIC RESPONSIBILITIES

This section outlines the role of the Federal Government in achieving a society in which all parents can have the number of children they want when they want them. For the majority of the American people, this goal will be attained by research programs yielding superior contraceptive methods and increased knowledge about human reproduction, by training programs for physicians and other family planning professionals, and by programs of public education.

For the one-fifth of Americans who are poor or nearly poor, however, these programs will not be enough. The current availability of family planning is of little help to those who cannot afford the services, who do not know that they are available, or who live where medical services are scarce.

The lack of family planning services among the poor is not a problem confined to one race, nor is it confined to the urban areas; in fact, two-thirds of the nation's poor are white, and only one-third live in central city slums. Neither is the problem confined to certain geographic areas; the people needing services live in all sections of the country.

Moreover, the poor are precisely those for whom a lack of family planning services is most disastrous. While surveys indicate that poor people want no more children than those who are not poor, they have in fact many more children. Excessive fertility can drive a family into poverty as well as reduce its chances of escaping it. The frequency of maternal deaths, the level of infant mortality, and the number of children who are chronically handicapped are all markedly greater among the poor than in the rest of the population. One of the most effective measures that could be taken to lower mortality and morbidity rates among mothers and children would be to help the poor to have the number of children they desire.

It is estimated that five million American women want family planning services but cannot get them because they cannot afford them or have no ready access to them. Basic legislation already exists, but modifications to provide adequate authorizations and appropriations will be needed. Under present legislation, the Department of Health, Education, and Welfare and the Office of Economic Opportunity have programs to bring family planning services to the poor. Such programs and private efforts now reach about one million needy women. In view of the scarcity of health resources in poor neighborhoods, services needed to reach an estimated five million women will require dedicated effort and careful planning. The Committee therefore recommends: That the Federal Government rapidly expand family planning programs to make information and services available by 1973 on a voluntary basis to all American women who want but cannot afford them.

An outline of a long-range plan to create adequate service structures, developed with DHEW specifically in mind, appears in the last section of this report.

Three different types of federally-assisted programs now provide family planning services primarily to the poor:

1. Project grants of the Children's Bureau of DHEW and of the Community Action Program of OEO can be used to establish or expand family planning services.

2. Formula grants to States for comprehensive health services and maternal and child health can be used to support family planning. In order to receive a maternal and child health grant a State must provide family planning services and make them available statewide by 1975.

3. Cash assistance is provided by States to families with dependent children, with the Federal Government sharing in the costs. Recent Federal legislation requires that each State offer family planning services to the recipients of such assistance. (The acceptance of services is voluntary and not a condition of welfare payments.) Under Medicaid, the Federal Government also shares with the States the cost of paying the medical bills of the poor.

In order to fit these programs into a sustained plan to make family planning services available, two apparently conflicting objectives must be reconciled. The basic thrust of recent Federal policy emphasizes the importance of a comprehensive approach to health care, making specialized health services a part of general health services. The fragmenting of health services into a host of special programs tends to reduce the quantity and quality of the general health care. Medical and allied health resources are scarce in poor neighborhoods. Relying solely on the development of comprehensive medical care for the poor, however, might seriously delay the provision of family planning services.

Our consluion is that specialized family planning services should be provided now, and that later, as comprehensive medical services become available, family planning projects can be absorbed into the broader health systems. The Committee therefore recommends: That Federal programs for the delivery of family planning services be developed in phases, moving from initial provision through specialized programs to eventual incorporation into comprehensive health services.

Under such an approach, project grants, as the first phase, would provide the means of introducing family planning services speedily into areas of poverty.

In the next phase, the ultimate objectives of the program would be attained. This would mean establishing opportunities for the poor and near poor to avail themselves of family planning services offered them as part of comprehensive medical services.

To the extent that family planning services are made available to the poor through publicly supported institutions—whether they are hospitals, health departments, other health centers or family planning clinics—those services will usually be located in areas where the poor live. But their use need not be limited exclusively to the poor. Other people whose incomes are above the level of poverty and deprivation that qualifies them for Medicaid will find the services convenient and should have access to them. The proposals that have been outlined will encourage a wider use of the institutions offering family planning services. Individuals will be charged the cost of services, paying it out of their own pockets or through public financing, depending on their income level. The poor will not use one set of institutions and their neighbors another.

At the community level, the provision of modern family planning services for approximately five million women will require the active participation of private physicians, hospitals, health departments, voluntary agencies, anti-poverty programs and welfare departments. A uniform delivery pattern applicable in all communities does not now exist, nor would such uniformity be desirable.

In this light, the different programs launched in the last few years by DHEW and OEO should be viewed as complementary. DHEW fund for family planning services are channeled primarily through medical institutions and official health agencies, while OEO projects are initiated by community action agencies and are usually neighborhood-based. Other Federal departments such as Housing and Urban Development, Agriculture, Defense, and Interior are in a position to serve special groups and several have begun to do so.

So that the Congress will more easily understand the particular rules of each agency and can satisfy itself that unnecessary duplication of effort is not present, the Committee recommends: That in presenting to the Congress their separate budgets for family planning services, DHEW and OEO each make its own presentation in the context of an overall Federal budget for such services.

Current estimates put the annual cost to the Federal Government of providing family planning services at an average of $30 per woman, with considerable variation depending on individual circumstances. To reach five million women would accordingly require $150 million a year in Federal support. Changes in cost estimates, including those resulting from program experience, can be reflected in future budget requests, but increases of $30 million annually for the next few years can be put to high priority use regardless of later variations in unit costs. In any case, costs are low compared to health and social benefits. The Committee therefore recommends: That Federal appropriations for domestic family planning services be steadily increased from the present $30 million in fiscal 1969 to $60 million in 1970, and thence by $30 million increments to a total of $150 million in 1973. In the immediate future, the largest share of the increases should be concentrated in the project grant programs of DHEW and OEO.

Education and information

The domestic programs outlined above have dealt with family planning services and not with other aspects of the population field. This seems appropriate because our government has a policy for providing family planning services to those who want them. The Committee recommends studies and discussion as a basis for increasing public understanding of the effect of population trends.

Support for enlightened population policy and the attainment of its goals require that information about population matters, including family planning and responsible parenthood, be incorporated into the system of education. Of particular importance is the inclusion of population and family planning materials into the curricula of medical and professional schools for the training of such related personnel as nurses, social workers, psychologists, home economists, and educators. Support should be given to a stronger emphasis on population studies in the social science departments of colleges and universities.

The attention the schools are now giving to population matters, particularly sex education, has been largely stimulated by voluntary agencies and private foundations. The effort should now receive increased support from the Federal Government. The Office of Education should be directed to expand both its own effort in this area and its grant support for the preparation of educational materials in population dynamics and family life education. The Committee therefore recommends: That the Office of Education provide significant assistance to appropriate education agencies in the development of materials on population and family life.

Our estimate is that this program should be funded at about $5 million per year for innovations in the public schools, $2 million for special education projects in the first year, and about $1 million for fellowships for teacher training in population studies and family planning in the first year.

The public discussion that will lead toward a national consensus on the policy implications of population growth for the family, the social structure, and the economic stability of the nation must be carried on as widely as possible. In view of the proper limitations on governmental intervention in this regard, private organizations should continue to have a fundamental responsibility in encouraging this discussion; but it is important that such efforts expand as governmental support for family planning programs expands. The Committee therefore recommends: That private organizations and the mass media expand their efforts in promoting public understanding of the population situation and of the effects of population trends upon family life, educational and occupational opportunities, maternal and child health, and the general quality of life.

A public consensus in support of enlightened policies rests on sound information about population change and its consequences for all sectors of the American people. Different audiences should be reached and informed: officials in national, State and local government; scientists, writers and educators; members of the health and social welfare professions; the lay public including such diverse groups as the urban, rural, middle class, poor, youth, parents, especially women in the childbearing ages, and special interest groups such as the business community, PTA, industry, labor, and religious groups.

OUR INTERNATIONAL RESPONSIBILITIES

A number of countries have recently adopted official policies or programs designed to make family planning services available as health measures or to decrease their rates of population growth or both. The policies and programs differ widely. In some countries, policy statements are unaccompanied by programs; elsewhere, programs are operating without official policy statements. Yet in all the developing world, perhaps two thirds of the people live in countries where programs have been started or policies announced.

In many countries, family planning is gaining support as a means of improving the health and welfare of families. More and more countries are also explicitly recognizing that their plans for economic and social progress are being jeopardized by high rates of population growth. In terms of the recency of the effort, the progress is impressive. However, given the magnitude of the problem and the objectives set by many countries, the scale of the effort is grossly inadequate.

While a great deal can and should be done now with the personnel and knowledge already available, this is a new field in which it is essential to build a sound base for larger efforts in the coming years. Population problems will almost certainly be of urgent concern to the world beyond the end of this century. Every delay now will increase the difficulties of future generations.

Policy

The policy of the United States for international assistance in this field is based on the fact that excessive rates of population growth impede economic and social progress and on the principle that effective access to family planning information and service should be universally available.

The United States should encourage all nations to consider the impact of population factors on their development programs and to undertake action appropriate to their own situations. At the same time, this nation should not require any particular population policy as a condition of economic or other aid. The United States should continue, through appropriate public and private agencies, to be ready on request to assist any country to develop or strengthen population policies and programs based on respect for individual conscience and choice. Such assistance should be available even to those countries not presently receiving U.S. foreign assistance funds.

Program development in the international field

The Federal Government already recognizes that programs in the population field merit high priority as an integral part of general developmental assistance while acknowledging that reduction of population growth is not a substitute for other developmental assistance or progress. Excessive population growth retards general development; the converse is also true, that progress in social and economic development tends to accelerate the adoption of family planning and to speed a reduction in the birth rate.

The United States should continue to provide assistance to other countries, at their request, to help them develop and implement their own population and family planning programs. Funds appropriated for this purpose should be increased as rapidly as they can be properly allocated by the U.S. and effectively used by the recipients. Countries requesting such aid should have plans for population programs to which they are prepared to give strong support, including the commitment of local resources and personnel. The United States, on its side, must assign qualified personnel to review the requests for aid and to provide technical assistance for the resulting programs as appropriate. In view of the urgency of the problem, enough is known now to justify support for large-scale family planning programs. With no more than existing methods and knowledge, millions of couples around the world who want to limit the number of their children can be helped to do so. The Committee therefore recommends: That the United States continue to expand its programs of international assistance in population and family planning as rapidly as funds can be properly allocated by the U.S. and effectively utilized by recipient countries and agencies.

Where maternal and child health services are weak or nonexistent, family planning programs can be carried out independently and at the same time provide an important avenue through which such services can be established or strengthened. Available evidence indicates that the shorter the time since the last birth, the more interested couples are in family planning. A recent birth reminds parents of their continuing fecundity and the problems they may encounter in caring adequately for their growing families as well as the question of birth spacing. The initial success of international postpartum family planning programs illustrates how limited resources can make a significant difference. Since family planning is welcomed in the early post-partum period, special efforts should be made to reach women at delivery and shortly thereafter. Therefore the Committee recommends: That in establishing pricrities for its international assistance programs in population, the United States should relate family planning to maternal and child health programs wherever appropriate but also recognize that family planning efforts can be successfully conducted in their own right.

While continuing to work now with the best communications techniques presently available, government leaders and professional specialists must plan for the decades ahead. New means of communications already in use on an international basis offer possibilities for bringing information on family planning and population matters to hundreds of millions of persons now deprived of it. The Committee therefore recommends: That consideration be given to appropriate communications techniques, including television and other mass media, as possible methods for breaking through the barriers of illiteracy and misinformation.

Administrative problems appear to be a particular source of difficulty for many of the large-scale family planning programs now in operation in the developing world. A system of program evaluation is needed to bring together information about a variety of approaches. From an operating point of view, for example, questions remain unanswered about the various methods of providing family planning services in hospitals as compared with other locations, of working through governmental as compared with private organizations, of providing information through mass media as compared with personal contact or combinations of these approaches. Trials of alternative methods should be considered to determine which will be most effective.

In a number of countries, there appear to be adequate personnel and other resources to carry out programs on which there is an evident consensus. Yet the programs are not carried out effectively. It might be that even if the programs were properly implemented, they would find little acceptance, but that question cannot be settled without a vigorous effort to undertake what is specified in the program. Until more is done in some places to carry out planned programs, it will be difficult to decide how much family planning can do and how much depends on going beyond present programs to change the social environment in which family decisions are made. The Committee therefore recommends: That special attention be given to research, developmental and operational projects on the administrative aspects of family planning programs.

Administration and funding of international assistance

The United States should encourage more active participation of United Nations organizations and other similar groups interested in international development in the population field and should make available adequate financial support for their programs. Several of the United Nations organizations have new policies supporting activities in population, but their actual involvement in action programs or in closely related research remains minimal. Declarations of support for enlightened family planning and population policies are important, but action is also required.

In addition to cooperation with official multilateral agencies, Federal assistance programs should, whenever feasible, utilize the private foundations, universities and other non-governmental agencies that are already providing technical assistance in population studies or family planning services in other countries. The Committee therefore recommends: That where appropriate, U.S. assistance in population matters should continue to be channeled through qualified non-governmental organizations and multilateral agencies.

In a field as complex as population, the funding of assistance programs on a one-year basis, especially when actual appropriations are made after the beginning of that year, compounds the difficulties in planning and administering programs that must be developed on a large-term basis. The Committee therefore recommends: That international assistance programs should be funded for periods of at least two years and projected for at least five years.

The State Department and the Agency for International Development have both expressed an interest in having the assistance of an advisory committee from outside the Government. In the short run, such a committee could help overcome the lack of qualified personnel to appraise programs in this rapidly expanding field and in addition could serve to informally review overall efforts where experienced personnel are in short supply. The Committee therefore recommends: That an advisory committee of experts from outside the Government should be appointed to meet at regular intervals with governmental officials concerned with population programs to review and advise on major policies and programs.

It would be to our national advantage to have foreign specialists in population and family planning provide this country with the kind of informed and objective reviews that have been received by other countries. Americans have served usefully on such missions. The United States should seek to receive reciprocal benefits by drawing on the experience of experts from nations with large-scale family planning programs. The specialists who would be invited to review our population programs, both domestic and foreign, should be suggested by one or more of the agencies that already have international experience in the field. The use of such specialists will make clear to the world this nation's recognition that population problems are a matter of international concern. The Committee therefore recommends: That experienced specialists from other countries be invited to serve on advisory groups for both our domestic and international programs.

Even with the wider international effort proposed in this report, programs of international assistance in population by the United States will never provide more than a small part of the total resources that will be committed to the solution of the population problems of the developing world. It is therefore of the greatest importance that American assistance be allocated in accordance with a carefully considered set of priorities and that these priorities be regularly reviewed. This country's contribution should be particularly designed to help other nations or multilateral programs in areas where limited but concentrated support can make a "breakthrough" difference. The observations of the recommended advisory groups would be especially helpful in this difficult task.

International aspects of research

An anticipated increase in nationwide family planning programs in the coming decades will require advances in knowledge, continuing research, and the training of qualified personnel. The next section of this report is concerned with the details of training and research requirements for both domestic and international programs. Special attention is directed to the fact that differences among countries require that each receives individual consideration. Differences also provide an opportunity for the kind of comparative research that is possible only on an international basis although the results should prove of benefit to each nation.

Research to develop more effective contraceptive methods, as recommended later in the report, is immediately important for the welfare of American families, but it has added significance in the developing countries as well as long-range benefits for the whole world. Particularly in the developing countries, improved contraceptives will make it easier for married couples who want to plan their families to do so. It is important in every country that there should be a choice among a number of safe and acceptable methods to suit individual preferences and beliefs. It is additionally important in countries with poor health and communications facilities that the methods should be cheap, simple, and long-lasting, and should require minimal medical supervision. Direct benefits to our own citizens amply justify greatly increased expenditures for research on such contraceptive methods and on the basic physiology of reproduction. The fact that such research will benefit most of the world's population provides heightened justification with regard to our obligations of conscience and our concern for world peace.

DESIGNS FOR RESEARCH AND TRAINING

Population research and training involve the social and behavioral, biological and medical sciences, as well as health education, communications and public health administration; and population issues deal with the interactions between population change and a wide sweep of fundamental human concerns, including economic development as well as esthetic, educational, ethical and religious factors.

The nature of population research

Research in the field of population involves both the biomedical and social sciences.

On the biomedical side, research is directed to the study of reproduction and to the development and evaluation of means of fertility regulation. It extends also to investigations into the biological, medical and genetic implications of the regulation of reproductive rates and of specific methods of fertility control.

Research on new contraceptives must be aimed at the development of an array of methods suited to a variety of conditions and preferences. Methods should be developed for use by men and women of various age groups. They must be safe, effective, inexpensive, simple to administer and distribute, and easy to use. Contraceptive methodology has made great advances in recent years, but even the best new methods have some problems connected with their use.

Three recent developments in contraceptive technology—the intramuscular injection of progestin, the use of microdoses of progestin on a daily oral basis, and the subdermal insertion of a plastic capsule containing progestin—have reached the stage of clinical testing and may well lead to new methods for general use within two or three years. Investigations have started following other leads. In seeking solutions to population problems, it is essential that all leads toward improved contraceptive methods be identified and pursued without delay.

The urgency of population problems, however, must not act to confine biomedical research in this field to contraceptive development projects. Fundamental research is, after all, the prior condition of all applied technology. Basic studies of reproductive processes, grossly neglected in the past, must go forward in both human beings and laboratory animals in order to expand the information base from which new methods of fertility regulation can be expected to emerge. Also needed are long-range studies of the effects of changes in family planning practices on the genetic structure and demographic characteristics of societies.

Biomedical research is international in character; it involves foundations and international organizations as well as the scientific and medical personnel of other countries. Federal activities in population research should complement the work of private agencies and industrial firms, and should acknowledge the international nature of the problem by supporting the work of qualified scientists from many countries. Research should take into account the distinctive health conditions affecting contraception in different parts of the world and be carried out on a comparative worldwide basis.

On the side of the social sciences also, increased effort should be directed to both basic and applied research. The immediacy of some population problems demands at the same time that certain social and demographic studies be undertaken without delay. More detailed information on the health and reproductive behavior of the American people is urgently needed. A better understanding should be acquired of the factors that make for changes in the U.S. birth rate. Additional information about other countries will enable the United States to reach a better understanding of its own population characteristics as well as assist more effectively in the worldwide effort to reduce excessive rates of population growth.

Answers to some questions would lead to the improvement of family planning programs. How and to what extent do family planning programs affect fertility, birth control practices and population growth rates? To what extent do specific programs effect changes in specific modes of behavior? What social conditions also effect these changes? What is the evidence that effects attributed to programs are not the result of other social changes going on at the same time?

In the development of long-range population policy, the consideration of alternative policies and their consequences is a first step, and such consideration should accordingly be encouraged. Circumstances affecting fertility are of immediate concern in view of the central role of fertility in population change. However, the way a population grows, changes and comes to be distributed in a country is affected also by other factors, such as migration and mortality. Population research should be broad enough to encompass all such factors. It should not be limited to studies of fertility.

In the widest sense, there is a demographic component in all social problems. It is thus difficult to set forth priorities that would limit the Committee's recommendations to something less than support for the whole range of social science. Much more demographic research and training are clearly needed, but the relative importance of different aspects of the field is a problem to which the Center for Population Research should give early attention. In view of identified needs in the biomedical and social sciences, the Committee recommends: That the newly established Center for Population Research accelerate the Federal Government's poplation research and training programs in both the biological and social sciences and that within two years the Center be expanded into a National Institute for Population Research, established by act of Congress.

In its present form or as its proposed successor Institute, the Center should serve as the Government's central clearing house of information on population research and training, whether domestic or foreign.

Operational research in family planning

Three factors are involved in family planning programs: people who want to regulate their fertility, a means of regulating fertility, and the organization to bring one to the other. The third factor, organization, is now a major problem in family planning efforts throughout the world.

Most foreign programs have included family planning within general health services without evaluating alternative operational structures. In these large, often nationwide programs, questions involving separate family planning services, the effectiveness of mobile units, the training of paramedical personnel to supplement scarce medical professionals, the results of concentrating effort on high-parity or low-parity mothers, the incidence of abortion and its demographic and social significance—none of these has been adequately studied.

Within the United States, the single purpose family planning clinic emerged historically to provide family planning services to those of the poor who could not otherwise get them. Now, while municipal and voluntary hospitals as well as State and county health departments are moving in the direction of family planning, an opportunity exists to make such services an integral part of comprehensive, high-quality health care. The role of hospitals and medical schools in providing community outreach programs has been recognized for other health needs and should be extended to include family planning.

Research in the operational aspects of family planning programs is a necessary part of the responsibility of those Federal agencies supporting such operations both here and abroad. As an integral part of their work in this field, the Department of Health, Education, and Welfare, the Office of Economic Opportunity and the Agency for International Development should support studies of alternative administrative arrangements for providing services, of the effectiveness of new methods of contraception, of the extent to which the programs are utilized and their impact on ultimate objectives. Less than $1.5 million was allocated for such studies in 1968, and no significant increase appears possible in 1969. In the international sphere, AID allocated relatively modest sums to operational research despite its vital importance to the success of national family planning programs in the developing world. The Committee therefore recommends: That Federal agencies involved in family planning services support operational research at a level adequate to evaluate their programs and make him more effective.

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Immediate training needs

A large increase in training programs will be needed to provide qualified personnel for new and expanding programs in population. To meet immediate needs for trained personnel, operating agencies man make interim arrangements with existing resources. While this interim training is under way, a comprehensive survey should be commissioned to project in detail the personnel and training needs of domestic and international programs. This survey should estimate the numbers and types of people who will be needed; it should indicate the institutions at home and abroad that can conduct training programs, and it should state what these programs will cost the Government and other organizations.

Essential projections of training needs do not now exist. The need for them is pressing The Committee therefore recommends: That an appropriate agency be asked to undertake without delay a comprehensive survey of manpower and training requirements for both domestic and international population and family planning programs.

Immediate requirements for training family planning personnel can be met by operating agencies using presently available funds. The Committee therefore further recommends: That operating agencies use existing authority to train physicians, nurses, social workers, statisticians and other professionals needed immediately in both domestic family planning programs and foreign assistance efforts.

In the international field, special emphasis should be given to building a base of trained persons who can initiate and conduct programs of research, training and service. Countries with extensive experience in population and family planning work should be encouraged to provide training opportunities for nationals of other countries and to assist countries with limited experience in developing their own training programs. Existing institutions abroad should be used whenever possible, and relationships of exchange and collaboration should be developed among foreign and American institutions.

A Federal program of research in population

The Federal Government has made a start in organizing programs of research in population subjects and in the training of specialists to conduct the research. The scale of the present effort, however, is far too small when weighed against our national and international goals.

In only the past few years, Federal expenditures for population research have gone from close to nothing to the current level of $18.25 million. The largest funding source in the Federal program is The National Institute of Child Health and Human Development. The President requested $12 million for this agency's population program in fiscal 1969; Congress appropriated $9.63 million. This meant that the resources available to the major Federal agency in the field are little larger in fiscal 1969 than they were in 1968. In view of cost increases, its current budget is in fact regressive at a time when population research should be a national priority and excellent research proposals are not being funded. More than half of the research grants and research training grants approved by the NICHD Council have either not been funded at all or have had to accept budgetary restrictions. The Institute's research support of outstanding foreign scientists has been virtually eliminated.

The Center for Population Studies should take advantage of every opportunity, foreign and domestic, to support research leading to improved contraceptive technology and to a broader understanding of reproductive biology. Funds sufficient for this purpose should be made available by Congress. Foreign assistance funds should also be used, as appropriate, to support research activities as a means of providing important assistance to overseas programs. The contraceptive technology available is a major factor in the success or failure of most family planning programs.

Most of the Federal support for population research now goes to the biological sciences with almost none directed toward operational research and very little to the social sciences. Some support for population research by social scientists is contained in the programs of the National Institute of Mental Health, other institutes within the National Institutes of Health, the National Science Foundation, and—for projects with international scope—the Agency for International Development. The NICHD's Center for Population Research plans to initiate in 1969 a contract research program in the social sciences amounting to $750,000. A major expansion is needed in support of social science studies of population, including fertility, population growth and distribution, and population policies.

The development of improved contraceptive methods is an example of the kind of vitally important task to which contract funds should be devoted. The Center for Population Research has already established a coordinated contract research program in contraceptive development. The level of funding for this activity is at present, however, so far short of what is needed that the program's chances for success are jeopardized. The Committee therefore recommends: That the Center for Population Research be given sufficient funds to set up and sustain a contract research program in contraceptive development that will assure a concentration of attention in this area by the world's most qualified scientists.

The Center should lend additional support to the development of improved methods of contraception by means of research grants. The Center's program of grants should be expanded to provide adequate support for other essential kinds of population research. Additional grant support should be forthcoming from operating agencies. The Committee therefore further recommends: That the Federal Government increase its research grants in popultaion to provide a high level of support for programs in the physiology of reproduction, in continuing studies of existing methods of contraception, in the development of new contraceptive methods, in problems of effective field utilization and in population aspects of the social sciences.

Although the Center should serve as the principal instrument for the Federal Government's support of research in population, certain specialized research tasks in the broad field will have to be undertaken by other Federal agencies. The suggestion has been made that AID should support population research when it contributes to international assistance programs. Another recommendation proposes that operating agencies conduct operational research. Additional important areas exist in both the biomedical and social sciences in which Federal research related to population must be conducted elsewhere than in the Center for Population Research.

Both hormonal and intrauterine contraception, as well as most foreseeable new methods, require medical participation and supervision. Hormonal contraception in particular has given rise to a unique situation in which large numbers of healthy women have become continuous users of pharmaceutical products that are likely to have general physiological effects. In foreign family planning programs, national medical authorities will provide guidance for the medical management of contraception in the light of local conditions. Within the United States, the use of contraceptive drugs and devices in family planning programs must be accompanied by the medical safeguards that the Food and Drug Administration determines are necessary. It is essential that contraceptive drugs and devices be subjected to exhaustive studies of their safety. The Committee therefore recommends: That the Food and Drug Administration be provided with sufficient funds to assure that adequate surveillance be maintained on approved contraceptive drugs and products under investigation including long-term monitoring studies that would reveal direct effects that may develop after a period of latency.

Demographic studies indicate that the death rate in the United States is at present both low and stable. The national rate of growth as well as the age structure of the U.S. population is therefore largely determined by variations in the birth rate. In the last three decades, the birth rate of the United States has moved from a low in the Great depression through an unexpected high generally referred to as the "baby boom," and into a new decline toward even lower levels. Many expect the birth rate to rise again as the large number of "baby boom" babies become parents, as they are just now beginning to do—but such a prediction contains many uncertainties. To improve our understanding of the factors that determine birth rates, a continuing national survey of family growth characteristics should be a part of the Federal data collection system. Such a survey would provide a regular flow of information on changes in our reproductive norms, on the effectiveness with which parents control the number and spacing of their children, on the incidence of induced abortion, and in general on a variety of social and economic factors influencing patterns of childbearing.

A plan has already been developed for a continuing survey of this type to be conducted by the National Center for Health Statistics. Appropriations are needed to implement the plan. The Committee therefore recommends: That the National Center for Health Statistics be given funds to establish a continuing survey of family growth in the United States in order to determine trends in childbearing patterns and factors affecting the American birth rate.

In addition to supporting meritorious research proposals through grants and contracts, the Center for Population Research should contribute to the support of institutions capable of carrying out programs of population research involving a number of disciplines. University centers vary in the extent to which they devote themselves to the biomedical, public health and social science aspects of population research. Whatever their emphasis, however, the required resources are concentrated in universities, and without the further development of such centers, the recommended research and training activities will be severely handicapped. Existing population studies centers do not have assurance of support at even their present levels of activity. It is thus important that the Federal Government contribute both to the core support of present centers and to their expansion. Maximizing their activities would require annual expenditures of $20 million with wide variations from center to center depending on how much of the work is devoted to the more expensive natural sciences.

The Federal Government should also provide funds for the establishment of new centers of population research and training for research, preferably in universities that can show a nucleus of qualified personnel on which to build.

Because of intense competition for limited funds appropriated for research facilities, legislative authority should be sought to speed the development of population research centers. Special legislation should make funds available on a three-to-one matching basis for construction costs. An estimated $5 million would be required to build each new center with an annual average of $1 million needed for core support. Additional support for centers would be supplied through such traditional mechanisms as grants and contracts for research and training. A total authorization of $100 million would be required for the construction of ten new population studies centers including their core support for five years. When the costs of providing construction and basic support to existing population studies centers is added to this, a total of $200 million in Federal funds would be needed for center programs over a five-year period beginning in fiscal 1970. The Committee therefore recommends: That the Federal Government provide basic support for population studies centers.

In accordance with the previous recommendations, the National Institute of Child Health and Human Development will undertake three major activities coordinated by its Center for Population Research. It will administer a program of research through contracts. It will support additional studies through research grants. It will finance the proposed program of population studies centers primarily in universities. These three activities, conducted at a level commensurate with present needs, will require budgetary support at much higher levels. The Committee therefore recommends: That the expanded program of biomedical and social science research and training in population supported by the National Institute of Child Health and Human Development and coordinated by its Center for Population Research rise to $30 million in the fiscal year 1970 and to $100 million in 1971.

NEW DIRECTIONS IN POLICY AND PROGRAM PLANNING

Recommendations for actions that will advance this nation's domestic and international programs in population and family planning have been outlined in the preceding sections of the report.

Although a principal aim of the actions recommended in this report is to make family planning services more effective and widely available to all who want them, such services are only one of the important factors that influence population trends. Among the many other factors that exert profound influence on population trends are tax policies, participation of women in the labor force, job and housing opportunities, population mobility, age at marriage and marriage rates. The present report should be supplemented by a more thorough study, undertaken over a longer period of time, of alternative policies designed to meet the whole range of factors influencing population change. The Committee therefore recommends: That Congress authorize and the President appoint a Commission on Population.

This Commission should:

(a) Assess the social and economic consequences of population trends in the United States;

(b) Examine the major trends in world population growth as they relate to U.S. policies and programs;

(c) Evaluate research needs, resources and progress in the field of population and family planning;

(d) Consider the consequences of alternative population policies;

(e) Bring to the attention of the American people the relationship of population trends to the quality of life;

(f) Review the extent to which the recommendations of the President's Committee on Population and Family Planning have been carried out.

The Commission should be authorized by Congress and appointed by the President as soon as possible with instructions to report to the President and the nation by the end of 1970.

The Office of the President has a unique responsibility and opportunity to focus attention on population and family planning matters, and to encourage public understanding of them. Because of their importance, these programs must receive continuing attention at the highest level of Government. The Committee therefore recommends: That the President designate one of his special assistants to take particular cognizance of population and family planning matters.

As population programs develop they will impinge on bureaus and offices not directly engaged in the field. Therefore, it is essential that all Government agencies have access to expert information on the subject. Most of all, it is important that the President have immediately available the latest findings in the field. The Committee therefore recommends: That the President instruct the Director of the Office of Science and Technology to appoint at least one person to his staff with special competence in the biomedical and social science aspects of population.

To reach the long-term public objectives of the Federal Government in population and family planning, careful program planning and analysis will be required in each Federal agency with major responsibilities in the field. Designing, financing and implementing the population and family planning activities of the Department of Health Education, and Welfare is especially difficult because of the many tasks and operating organizations involved. Long-range problems require long-term plans to meet them. A specific five-year program plan should help insure that departmental policy continuously guides the operating units and coordinates diverse activities. A similar five-year plan should be developed by the Office of Economic Opportunity in close collaboration with DHEW. The Committee therefore recommends: That the Department of Health, Education, and Welfare and the Office of Economic Opportunity develop specific five-year plans for their population and family planning programs.

The means for developing a five-year plan in population and family planning in DHEW is outlined here.

SUGGESTED OUTLINE OF PLAN FOR DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

(The following plan reflects current organizational structure.)

1. By May 31, 1969, develop a time-phased five-year operating plan, including.

Programs to provide family planning services to the poor and near poor;

Research programs;

Training of medical, social welfare, and allied personnel, including the incorporation of family planning materials in the curricula of medical and other related professional schools;

Public education.

(a) The plan should include: specific, time-phased objectives in terms of unwanted births prevented, number of people served, number of institutions served, and other relevant data; assignment of specific goals to each pertinent DHEW agency, including an explicit statement of goals vis-a-vis State health agencies; the role of project grants, formula grants, Medicaid, and cash assistance; costs and personnel requirements; legislative and organizational changes needed.

(b) The plan should be developed by the Office of Deputy Assistant Secretary for Population and Family Planning in cooperation with operating agencies, and with the Office of the Assistant Secretary for Program Evaluation.

(c) The plan is to be reviewed, and approved (with modifications, if necessary) by the Secretary.

(d) The approval plan should then provide explicit guidance for each operating agency: In making up annual budgets; in drawing up a detailed operating plan for its own activities in the field of family planning—to be reviewed by the Office of the Deputy Assistant Secretary for Population and Family Planning and approved by the Secretary.

(e) Each year the five-year plan will be updated and one more year added.

(f) After the first year, each operating agency must submit an "accomplishment report" explicitly comparing actual results for the prior year with plan objectives.

2. By May, 1970, the five-year plan (i.e., in this case the updated five-year plan) should be developed for each DHEW region.

The initial submissions will be developed in each region by a small professional family planning staff reporting to the DHEW regional director.

Regional family planning staffs will also be responsible for plan execution.

3. By February 1, 1969, a specific three-year training program in family planning will be developed for DHEW personnel in the various operating bureaus:

The training program will be developed by the Office of the Assistant Secretary for Administration in cooperation with the Office of the Deputy Assistant Secretary for Population and Family Planning.

4. By May 1, 1969, an explicit time-phased multi-year plan (including objectives, costs and personnel requirements) should be developed to evaluate the relative effectiveness of various approaches to the delivery of family planning services, including a program for experimental projects to gain more operational knowledge.

The evaluation plan should be drawn up by the Office of the Assistant Secretary for Program Evaluation in consultation with the Deputy Assistant Secretary for Population and Family Planning.

The evaluation plan should give guidance to operating agencies on how to structure the "accomplishment reports" called for above.

5. By May 1, 1969, a time-phased specific plan should be ready for collecting the demographic and operational data needed to draw up the basic plans and to evaluate results.

Particular attention should be given to collecting operating information on formula programs run by the States.

Data collection, analysis and publication plans should be developed by the Office of the Deputy Assistant Secretary for Population and Family Planning.

Although the five-year basic operating plan will be substantially changed and revised as time goes by, the plan is useful as a tactical mechanism: to force *decisions* on budget, personnel, and operations in accordance with top-level DHEW policy; to provide a means to check *results* against *promises;* to provide a meaningful *power center* at the regional level; to bring the Office of the Deputy Assistant Secretary for Population and Family Planning to bear directly on the *decision process;* to provide a mechanism by which *evaluation results* can help shape program decisions.

This outline for a basic five-year operating plan for a domestic program is presented in detail as a model suitable for other agencies. Such long-range planning is more difficult in the field of international assistance programs since these depend in part on policies and actions of other governments and multilateral agencies. However, the Committee believes that it is possible to develop longer-range plans than those now developed even for our international assistance programs. Population problems are of a long-term character and they are unlikely to be resolved successfully by programs, plans and appropriations that have a horizon of only one year.

Since the population and family planning programs of the Federal Government are becoming so diverse—covering research, training and service activities, domestic and international, carried on by many operating units—a comprehensive statement of the scope of those activities should be readily available. Without such a statement showing activities in prior years and amounts proposed for the new budget, neither the Congress, nor outside observers, nor indeed officials of the executive branch, can evaluate the adequacy of and trends in Federal resources supporting population and family planning programs. This summary statement should classify Federal programs in meaningful categories such as research, training, and service activities, and provide both budgetary information and operating data on research accomplishments, the number of individuals served, people trained and other relevant data. The Committee therefore recommends: That a special analysis of Federal population and family planning programs be published as part of the annual budget document.

In accordance with its mandate from the President, the Committee has centered its attention on the Federal Government and its role in the broad effort to resolve population problems. The new organizational forms proposed for governmental activity will supplement rather than replace the important private organizations already at work in the field. Some of this report's recommendations have as their purpose a strengthening of private agencies while linking their work to essential governmental activity. The past work of private agencies in fields related to population and family planning has laid a foundation on which extensive governmental activity can be constructed. Without the continued growth and cooperation of private agencies, the much larger governmental programs recommended for the future could be carried out only with great difficulty and at much greater cost. A continuing partnership is essential between the Government and other concerned organizations.

Three Presidents have demonstrated an increasing awareness of the nature and importance of the population problem. The present administration has already started the transition from concern to action with a number of measures including the establishment of a Federal population research center, the expansion of domestic family planning programs, and the launching of international assistance programs in population.

The importance of these measures must not be underrated, and yet they are not enough. The Federal Government must undertake a much larger effort if this nation hopes to play its proper role in attaining a better life for its people and for the citizens of the developing nations. In working to avert a population crisis, this nation will at the same time help strengthen the voluntary exercise of a basic human right, the right of parents to have the number of children they want, when they want them.

The Mandate to the President's Committee on Population and Family Planning

I am appointing a Committee of distinguished citizens and Government officials to make a careful review of Federal policies and programs in relation to worldwide and domestic needs.

I am asking the Committee

To determine ways of providing the American people with meaningful information about population change and assuring that its significance will be understood by the rising generation.

To define the Federal Government's direct role in research and training in population matters including the physiology of human reproduction, in fertility control and the development of new contraceptives, and the Government's role in supporting such research and training in private institutions at home and overseas.

To define the responsibility of the Federal Government, in cooperation with State, community, and private agencies in assuring that all families have access to information and services that will enable them to plan the number and spacing of their children.

To suggest actions which the United States should take in concert with other countries and with international organizations to help the developing countries of the world to understand and to deal effectively with their high rate of population growth.

I am asking the Committee to provide me with an estimate of the costs of an effective five-year program plan in research, training and services.

The Committee may establish working groups of government and non-government experts to study technical, economic or social aspects of the population problem.

I am asking the Committee to report to me within 120 days.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *July 16, 1968*.

The President's Committee on Population and Family Planning

Honorable Wilbur J. Cohen, *chairman*, Secretary of Health, Education, and Welfare.

Mr. John D. Rockefeller, 3rd, *Co-Chairman*, Chairman of the Board of Trustees, The Population Council.

Leona Baumgartner, M.D., School of Medicine, Harvard University.

Ivan L. Bennett, Jr., M.D., Deputy Director, Office of Science and Technology.

Mr. Philander P. Claxton, Jr., Special Assistant to the Secretary for Population Matters, Department of State.

Lloyd Elan, M.D., President, Meharry Medical College.

Joseph English, M.D., Assistant Director for Health Affairs, Office of Economic Opportunity.

Dr. Ronald Freedman, Director, Population Studies Center, University of Michigan.

Hon. William S. Gaud, Administrator, Agency for International Development.

Dr. Oscar Harkavy, Program Officer in Charge, Population Office, Ford Foundation.

Philip R. Lee, M.D., Assistant Secretary for Health and Scientific Affairs, Department of Health, Education, and Welfare.

Gary D. London, M.D., Director, Family Planning Programs, Office of Economic Opportunity.

Mrs. Katherine B. Ottinger, Deputy Assistant Secretary for Population and Family Planning, Department of Health, Education, and Welfare.

Dr. Charles Schultze, Senior Fellow, Brookings Institution.

Dr. Sheldon J. Segal, Director, Biomedical Division, The Population Council.

James A. Shannon, M.D., Assistant to the President, National Academy of Sciences.

Mr. Paul H. Todd, Jr., Chief Executive Officer, Planned Parenthood-World Population.

Andre Hellegers, M.D., Professor, Obstetrics and Gynecology, School of Medicine, Georgetown University.

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Mr. Theodore D. Woolsey, Director, National Center for Health Statistics, Department of Health, Education, and Welfare.

PLANNED PARENTHOOD
WORLD POPULATION,
New York, N.Y., February 5, 1969.

Representative GEORGE E. BROWN, Jr.,
House Office Building,
Washington, D.C.

DEAR REPRESENTATIVE BROWN: We urge your support for the very important recommendations made last month by the President's Committee on Population and Family Planning.

This group, headed by John D. Rockefeller 3rd and former Secretary of Health, Education, and Welfare Wilbur Cohen, spent several months investigating the role our nation must play to help solve the population problem. Their report calls for the achievement of a "society in which all parents can have the number of children they want, when they want them."

The Committee recognizes the crucial role this new freedom of choice to delay, space, and limit pregnancies can have on the economic, physical, and mental health of our low-income families. Indeed, this freedom of choice is considered by researchers to be among the most cost-effective means of providing upward mobility out of poverty, as well as of reducing this nation's appallingly high infant mortality rate.

The Committee believes it entirely feasible to provide voluntary family planning services by 1973 to the roughly five million poor American woman who do not now have access to them. This will require that the momentum achieved in the last several years to expand available services be accelerated to encompass an additional million patients annually. For each million women served, it is estimated that at least 100,000 unwanted

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pregnancies will be prevented each year, not including those terminated by self-induced or criminal abortions, or miscarriages due to poor health of the mother.

The Committee also considered appropriate actions our government might take to help cope with the world population explosion, particularly as it stifles even the most heroic attempts to achieve economic and social stability and prevent world-wide famine. The Committee recommended increases in appropriations to assist, on request, foreign nations to expand their family planning programs. Of equal significance, the Committee recommended rapid expansion of research programs to discover more effective, more easily used, and more acceptable contraceptives and to increase our understanding of population problems. Such research will, of course, not only benefit the poor, but all individuals in our society. It is shameful that our present clear public support of such research is limited to about $10 million provided by the National Institute of Child Health and Human Development.

The Committee called for immediate Federal action to achieve these goals. The first steps are:

1. Fiscal 1970 appropriations of at least $30 million for Children's Bureau family planning project grants, primarily channeled through medical institutions and health agencies, and $30 million for the Office of Economic Opportunity's neighborhood based family planning programs.

2. Fiscal 1970 appropriations of $30 million to expand the current very modest research program of the Center for Population Research of the National Institute of Child Health and Human Development.

3. Expansion of international assistance programs in population and family planning beginning with an increase in foreign assistance appropriations for this purpose of $75–100 million in Fiscal 1970.

The cost of these programs is small when compared to the effect of unlimited population growth on the health and welfare of the American people and the prospects for world peace and economic stability. We ask your support for the expanded program and funding levels proposed by the Committee.

For your information, we are enclosing a copy of a resolution adopted by the Executive Committee of Planned Parenthood-World Population on this important matter, and a recent editorial on this subject from The New York Times.

Sincerely yours,

Jerome H. Holland, Ph. D.,
Chairman.
Joseph D. Beasley, M.D.,
Chairman, Executive Committee.

PLANNED PARENTHOOD-WORLD POPULATION: RESOLUTION ADOPTED BY THE EXECUTIVE COMMITTEE, JANUARY 16, 1969

We endorse the recommendations of the President's Committee on Population and Family Planning as a comprehensive statement of steps America must take now if it is to use its resources effectively to help solve one of the world's most pressing problems.

The President's Committee outlines the role of the United States Government in achieving a "society in which all parents can have the number of children they want, when they want them." It calls for assignment of the highest priority to efforts necessary to accomplish this goal which is vital to the health and welfare of the American people and the attainment of world peace. The incoming Administration and Congress should move rapidly to implement the Committee's recommendations for considerably expanded programs of domestic family planning services, international assistance and biological and social research.

Within the United States, it is completely feasible to achieve the goals projected by the Committee that "the Federal Government rapidly expand family planning programs to make information and services available by 1973 on a voluntary basis to all women who want them but cannot afford them."

The Committee recommended that funds available for family planning service be increased to $150 million by 1973—which would require that the FY 1970 budget include:

(1) An appropriation of not less than $30 million allocated for Department of Health, Education and Welfare (Children's Bureau) family planning project grants, primarily channeled through medical institutions and official health agencies;

(2) An appropriation of not less than $30 million allocated for the neighborhood-based and oriented family planning programs of the Office of Economic Opportunity (which the Committee properly recognized as complementary to the Children's Bureau program); and

(3) Broadened coverage under the Medicaid program to include all fertile women who are poor but not eligible for public assistance.

The President's Committee recognized that an accelerated research program in biological and social sciences is essential both for the required expansion of services at home and assistance to programs abroad. As an immediate step, they urged that $30 million be appropriated to expand the very modest research program of the Center for Population Research of the National Institute of Child Health and Human Development. This is the minimum appropriation consistent with the Committee's call for "a high level of support for programs in the physiology of reproduction, in continuing studies of existing methods of contraception, in the development of new contraceptive methods, in problems of effective field utilization and in population aspects of the social sciences." An immediate increase of our research effort in this field is mandatory if each family, living in various conditions, cultures, and personal settings, is to have effective means to exercise free choice in family size and child spacing.

Finally, we concur in the Committee's recommendation that, "the United States continue to expand its programs of international assistance in population and family planning" through the foreign aid program, non-governmental organizations and international agencies. This expansion, so crucial to the improvement of the quality of life for billions of our fellow-men, will require increased support through the foreign assistance appropriations to a level of $75–$100,000,000 in FY 1970.

[From the New York Times, Jan. 27, 1969]

FUNDS FOR FAMILY PLANNING

Among the legacies left for the Nixon Administration by President Johnson was a White House report calling for multiple increases in Federal expenditures for family planning at home and abroad.

The Committee on Population and Family Planning recommended that funds to provide family planning services for all who want them in the United States be increased from the current $30 million a year to $150 million by 1973; that funds for population research be expanded from $30 million to $100 million by 1971, and that foreign aid for family planning be increased as rapidly as it can effectively be used.

In releasing the report, Mr. Johnson said population control is second only to peace among the critical issues facing the world. But the former President's farewell budget does not reflect this sense of urgency, nor does it follow the recommendations of his own committee. It provides only token increases for domestic family planning, is seriously deficient in funds for research and offers no increase in aid for family planning overseas.

The Nixon Administration must do better—for its own sake and the world's. Unless the present explosive rate of population growth is checked—the population of the United States has increased by more than 20 million and that of the world by more than 500 million in the eight years since the last Republican Administration—the quality of life in this country and life itself in many foreign lands will be seriously threatened.

[From the Los Angeles Times, Feb. 19, 1969]

POPULATION DENSITY, PERSONAL OUTLOOK—THERE'S A CONNECTION

(By Irving S. Bengelsdorf, Ph. D.)

Look at a map of Los Angeles. The east-to-west distance between Western and Vermont avenues and the north-to-south distance between Wilshire and Pico boulevards is one mile.

Thus, the square-shaped area bounded by Wilshire Blvd. on the north, Vermont Ave. on the east, Pico Blvd. on the south and Western Ave. on the west represents an area of one square mile.

The number of people that live in a square mile is called the population density. In America, about AD 1500, before the white man arrived, the native Indian population density was about ⅓ person per square mile (p.p.s.m.). But by 1960, the population density of America had risen to about 50 p.p.s.m.

This is an average figure for the entire nation. The population density of an average "central city" within a metropolitan area can go up to about 8,000 p.p.s.m. A city such as Chicago has a population density of 17,000 p.p.s.m., while New York City reaches a population density of 25,000 p.p.s.m. And the island of Manhattan within New York City hits a population density of 75,000 p.p.s.m.

Thus, a person walking through a square mile of Chicago could make 16,999 possible contacts with other people, while a person in Manhattan walking through the same area potentially can make contacts with 74,999 other people! And these people may be of different culture, language, religion, value system, behavior and race.

Or, as Dr. Philip M. Hauser of the University of Chicago, in his presidential address to the 63rd annual meetings of the American Sociological Assn. put it, "The potential number of contacts, when considered as a measure of potential human interaction, provides a basis for understanding the difference that city living makes."

Thus, population density could affect one's outlook on life. Dr. Hauser adds, "In contemporary society, the approach to the solution of our problems, whether on the international or on the national front, is characteristically split in two, reflecting deep ideological cleavage. It is my contention that the conservative and liberal reflect the ideology of the social conditions in which they were reared or to which they were exposed.

"It is not an accident, for example, that Sen. Barry Goldwater comes from a state which as recently as 1940 had a population density about the same as that of the United States in 1790—4.4 p.p.s.m., and only 6.6 in 1950 and 11.5 in 1960. Nor is it a mere coincidence that Sen. Jacob Javits, in contrast, comes from a state with population densities of 281 in 1940, 309 in 1950, and 350 in 1960."

The word "anachronism" refers to something that is out of place with respect to a specific time. It would be an anachronism if an actor in a Shakespearean play were to look at a wristwatch to tell the time.

Dr. Hauser says, "Contemporary society can be best understood . . . as an anachronistic society. Throughout the millenia of the historical era, society, at any instant in time, is made up of layers of culture which, like geological strata, reflect the passage and deposits of time.

"Confusion and disorder, or chaos, may be viewed in large part as the result of the dissonance and discord among the various

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cultural strata, each of which tends to persist beyond the physical and social conditions which generated it."

But if each society has been anachronistic with respect to the society that preceded it, then our present society should be different only in degree and not in kind. But Dr. Hauser feels it is different in kind. He explains:

"Contemporary society, as the most recent, contains the greatest number of cultural layers, and, therefore, the greatest potential for confusion and disorder. These cultural layers are much more diverse than those in predecessor societies and, therefore, more dissonant. And, unlike any predecessor, contemporary society contains the means of its own destruction . . . the explosive power of thermonuclear fusion."

He adds, "Contemporary society, unlike any predecessor, possesses the knowledge . . . that affords some hope for the dissipation of confusion and the restoration of order before the advent of collective suicide."

But, Dr. Hauser concludes, "It is a moot question, however, as to whether society yet possesses the will and the organization to utilize available (social sciences) knowledge to his end."

[From the Los Angeles Times, Feb. 7, 1969]

FAMILY PLANNING CLINIC AIDS IMPOVERISHED AREA

The place looks kind of old. But for the women who go there it offers a new future and just maybe a chance to step out of the poverty pocket or at least eliminate some of its crushing blows.

It is the newly opened, freshly funded Family Planning Clinic at Harbor General Hospital.

Funded by the Federal Office of Economic Opportunity, it is operated by the Los Angeles Regional Family Planning Council, which runs several other clinics in the Los Angeles area.

And to its doors come women of all ages, usually in their late 20s or early 30s, a cultural mix of brown, black and white. Many have as many as seven or eight children, all looking for the same thing, knowledge and help.

Many are desperate. Take the case of Rosa, a Mexican-American, mother of eight, who didn't know there was such a thing as family planning. On learning she was pregnant for the ninth time, she resorted to a $350 abortion she could ill afford under primitive medical conditions. Then she ended up in a county hospital when complications set in.

Or the case of Norma, a Negro from Compton with five children who experienced complications from a birth control pill. Not knowing where to go for help, she ended up alone and bleeding all night in an emergency room because she couldn't reach a doctor for medical care and advice.

At the Family Planning Clinic, the only prerequisite is that the service is limited to people who can't afford a private physician.

Otherwise, the most complete care of its type for any free clinic in Southern California is provided.

The clinic operates 65 hours a week, making its services available to almost any woman under any special circumstances.

Hours are 9 a.m. to 9 p.m. Mondays through Fridays and 10 a.m. to 3 p.m. on Saturdays.

No appointment is necessary, there are no lengthy waits, no tedious financial screenings.

Instead they accept a statement of need. Then the patient is whisked into a pleasant decorated pale blue consulting room, where all methods of contraception—intra-uterine devices ("the loop"), the pill, foam, diaphragms, etc.—are explained by a doctor or nurse.

The woman and her husband are then free to make their choice. If it is for a vasectomy or tuballigation, the case is referred to the hospital, thus giving a full range of care.

In addition, women are given a gynecological examination and a complete cancer screening—breast check, pap smear and culposcopy, a visual scan with a microscope of the cervex and vaginal areas to check for cell changes. If a cell looks bad, they do an instant biopsy.

CONTINUING CARE

And the care is continuing—revisits, consultations to see how the birth control device is working, pelvic examinations a minimum of once a year by a team of doctors headed by Dr. Daniel R. Mishell, head of the hospital's Ob-Gyn department, and including Drs. Duane E. Townsend, Sidney Wechsler and Jim Gardner.

For its task, the hospital is well located, placed in the middle of some of the worst poverty areas in the Southland—parts of Harbor City, Wilmington, Lawndale, Lomita, Compton, Carson and Artesia.

Many of the residents have less than eighth-grade educations.

The facts speak for themselves.

Fact: Nine out of 10 poor women in Los Angeles had no access to birth control services until very recently.

Fact: Women in poverty have between two and seven or more children.

Fact: Educated middle-class women want and bear between two and four children.

Fact: The local infant mortality rate is as low as 10 per 1,000 in wealthier sections of the city. It is as high as 38 per 1,000 in extreme poverty pockets. The highest acceptable rate determined by the World Health Organization is 17 per 1,000.

Until now, the alternatives for expectant mothers from these areas have been limited. The abortion rates are alarmingly high. One out of five pregnancies, with the poor hazarding poor health care and high costs, is aborted.

MORE CLINICS

A partial answer is the founding of family planning clinics (more will open under the auspices of the Los Angeles Regional Family Planning Council), offering efficient, hygienic and total health service to a portion of the population long neglected.

The problems underlying such an undertaking are enormous. But the clinic hopes to overcome them in part through the services of Peggy Golden, educator and social worker.

She is dedicated to her cause and believes that, next to the issue of peace, overpopulation is the most significant problem of our time.

She goes to schools, to community agencies, to welfare agencies, to poverty agencies, the Neighborhood Youth Corps, the Department of Public Social Service—anyone and everyone directly connected to poverty—to tell about their service.

She also works with six specially trained women—two from Compton, two from the Long Beach Pact, two from the Parent Child Center in Harbor City—who go into neighborhoods and explain birth control.

EX-PROBATION OFFICER

She comes by her interest not only as the wife of an assistant dean of the UCLA School of Medicine, Dr. Joshua Golden, but as a former probation officer for Los Angeles and San Bernardino counties.

"That's when I saw firsthand what happens to children people don't want," she said.

"People in poverty are rightly incensed because they are weak and voiceless and feel they are being singled out because other people don't control their progeny.

"This is exactly what we're trying not to do. We're trying to offer them a complete medical service they've previously had no access to. We try to do everything for these women.

"They have to have faith they won't be harmed, or embarassed or that their fertility won't be interferred with.

"Many women don't know they have certain medical problems," she adds. "You live with a great deal more disease if you live in poverty.

"But when people are in stress, it doesn't matter what their ideologies are, they want the help."

Slowly and uncertainly women began to trickle into the clinic after it opened Nov. 4. Since then, the caseloads have doubled to 40 or more patients a week. But the facilities can service 10 times that many. That is the clinic's goal.

[From the Los Angeles Times, Feb. 6, 1969]

U.S. COURT TO HEAR CONSTITUTIONAL PLEA ON RIGHT TO FOOD

(By Harry Bernstein)

The federal courts have agreed for the first time to decide whether Americans have a constitutional right not to go hungry.

"The decision could well become a major force for the abolition of hunger in the United States," said Robert L. Gnaizda. He is deputy director of the federally financed California Rural Legal Assistance which brought the test case on behalf of a farm worker.

CRLA want the federal courts to require all counties to use federal food programs to help the needy, saying it is wrong to deprive some poor people of federal help just because their own county government doesn't approve of such help.

A total of 480 counties around the country have refused to take part in the federal food programs.

Beyond this, CRLA wants the courts to rule that all citizens have a constitutional right to an adequate diet and that the government must provide the food for those who cannot get it on their own.

MOTION TO DISMISS REJECTED

A three-judge federal court Wednesday refused a U.S. Department of Agriculture motion to get the whole case thrown out of court.

Instead, the judges convening in San Francisco agreed to keep in effect a temporary order which affects only California so far and also to let the broader legal attack on hunger now proceed.

The temporary order issued Dec. 31 by U.S. Judge Stanley A. Weigel was itself a unique document in U.S. history:

The court told the Department of Agriculture to put a federal food program into all California counties, regardless of the opposition of some reluctant boards of supervisors, and to do it "in the shortest time feasible."

In its "findings of fact," the court said all of the 16 California counties which refused to take the federal food program had "substantial amounts of hunger."

Those entitled to such help would "suffer immediate and irreparable harm unless the government moved in quickly," the court held.

Ten of the 16 reluctant California counties have now agreed to try to work out a food-for-the-poor program in line with the court order, but six others are still refusing to pay any costs connected with distribution.

The six are Glenn, Nevada, Placer, Sierra, Mono and Calaveras.

Those counties which have decided to go along included Orange, San Bernardino, Fresno, Riverside and Imperial.

Several reasons have been given by counties around the country for not accepting the federal food programs.

But the two key reasons have been a claim that there is no poverty in the counties and that they oppose the concept of federal help to the poor.

Federal officials say they want the food programs to be accepted in all parts of the country.

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But government attorneys are arguing that the courts cannot order the secretary of agriculture to put the program into effect in all counties because some counties will not pay their food distribution costs.

And if the federal government pays such costs, as directed in the temporary court order, this in effect penalizes those counties which want the programs and pay their own distribution costs.

BASIC QUESTION

The government also is contesting the basic question of whether Americans have a constitutional right not to go hungry.

The Department of Agriculture estimates it could end hunger in America with about $1 billion more a year than the government now spends.

While there is speculation that the Nixon Administration may try to step up food programs to do just that, CRLA wants to achieve the same goal through the courts, and do it quicker and make it permanent.

Last Nov. 19, a series of 23 lawsuits were filed around the country aimed at forcing all counties to accept the food programs and to establish a constitutional right not to go hungry.

But only in California was there a move to get immediate court relief with a temporary court order, pending a final decision on the issues.

So far, the Department of Agriculture attorneys are insisting that the primary purpose of the federal food assistance programs is to help farmers take care of their surplus foods, and only incidentally are the poor supposed to be helped.

CRLA's Gnaizda said the basic argument being used in the court on the constitutional question of hunger is the same as that used by the U.S. Supreme Court in 1954 when it ruled that public school segregation was illegal.

CHANCE OF SUCCESS

The court then said "it is doubtful that any child may reasonably be expected to succeed in life if he is denied an opportunity to an education . . ."

Gnaizda said the same logic about the right to an education applies to persons denied an adequate diet, since those who are hungry "are deprived of normal brain development, as attested by U.S. government studies repeatedly."

The argument would extend, however, only to "such fundamental rights as food and education," Gnaizda said when asked where such claimed rights would end.

Gnaizda said one of the "most infuriating aspects of the entire case is that while people are still going hungry . . . the Department of Agriculture continues to return millions of dollars to the Treasury each year from unused food help programs."

For the past year alone, about $227 million is being returned to the Treasury "even though government attorneys are willing to stipulate that there is real hunger which could be ended by using such funds," he complained.

There are three basic food programs involved in the case:

1—The largest is the school-lunch program, which last year cost $550 million, but which CRLA claims helped primarily middle-income and high-income families, not the poor.

This money, CRLA contends, is usually used to lower the cost of school lunches for everyone in the school, not just to pay the costs for poor children.

2—The food stamp program, used in about 1,500 counties by 2.7 million people, amounts to a discount on food.

Needy people are sold stamps which can be used in any food market. The very poor get the highest return on their investment. But on the average, a needy family that buys $1 worth of food stamps can get $1.40 worth of food in a market.

3—The free food-distribution program is used in about 1,100 counties around the country by about 3 million people. While this is food given without cost to the poor, it is limited to those items which farmers are trying to get rid of. And it costs more money to administer because actual food is distributed, not food stamps which can be used in regular markets.

Gnaizda said that California government officials have been "completely cooperative" in trying to get these programs in all counties of the state.

But "so far the opposite has been true of U.S. government officials, both under former Secretary of Agriculture Orville Freeman and, now, under the new secretary, Clifford Hardin."

California Deputy Atty. Gen. Richard L. Mayers charged in a sworn affidavit the U.S. Department of Agriculture has been "wholly frustrating and interfering with the ability of the state" to comply with the court order to put the food programs into effect quickly.

[From Population Program Assistance, September 1968, Agency for International Development]

POPULATION GROWTH: A WORLDWIDE PROBLEM

The problem of population growth is worldwide in character, scope, and effects. World population is increasing by some two percent each year—over 60 millions annually—with both the rate and numbers of gain rising year by year. This increase is at a pace never before known.

It is already posing numerous problems for many countries, developed and less developed—creating present and future difficulties for all regions and nations. In the shorter run, these difficulties have immediate and urgent meaning for the developing countries of the world where rates of population increase are greatest and population pressure upon resources is most acute. In the longer view, however, they bear directly upon family and individual levels of living everywhere, the peace and progress of humanity, and the stability of free institutions.

If the present two percent rate of increase continues, world population—now nearly 3.5 billions—would double in the next 35 years or by about the year 2000. This would mean that, in half a lifetime, more people would be added to earth's total than in all the ages since man's creation.

The worldwide average population growth rate of 2 percent per year obscures significant differences in the growth rate between the more developed countries, as a group, and the less developed countries of the world. The former, on the average, show a population growth rate of about 1.1 percent per year, and the latter about 2.5 percent. In many of the less developed countries the rate of growth ranges from 2.5 to 3.8 percent per year—rates which if continued will double their populations in 20–30 years. Two-thirds of the world's population live in the less developed countries of the world. Mortality rates in most of these countries will probably continue to decline in the years ahead. In the absence of widespread adoption of family planning they face the prospect of further increases in their already high rates of population growth.

Where would the developing countries find the resources to maintain the population increase that present population growth rates will produce in a few years? What of their hopes for economic progress and better standards of living for their peoples?

If their populations continue to grow at present rates, enormous increases in food supplies, jobs, housing, education, health facilities, roads, communications and public services as a whole would be required within a phenomenally short period just to maintain existing living conditions.

An excessive rate of population increase is in itself an impediment to development. The experience of numerous less developed nations has underlined this. Even in the face of concerted programs of economic development standards of living may stagnate or retrogress if population grows too rapidly.

There is growing recognition of the problems associated with too rapid rates of population growth. The World Leaders' Declaration on Population made in 1966 to the United Nations has been signed by 30 heads of state for as many countries. The United States in its foreign ecomonic assistance program has assigned the highest priority, along with measures to expand food production, to assistance in curbing population growth by means of voluntary family planning.

In the developing countries themselves, there is a growing awareness of the need for, and increasing support being given to, family planning programs.

AMELIA EARHART AND JOAN MERRIAM SMITH: GREAT WOMEN AVIATORS

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. FASCELL. Mr. Speaker, I congratulate my colleagues today on introduction of legislation to designate the 12th day of May, each year, as "Amelia Earhart-Joan Merriam Aviation Day," in order to recognize the historic aviation achievements of these late patriotic American aviatrixes.

Amelia Earhart—1897 to 1937—was America's first and greatest aviatrix. Her record flights include: The first person to fly from Hawaii to the U.S. mainland; to fly the Atlantic Ocean twice; to fly nonstop from Mexico City to Newark, N.J.; and the first woman to fly the Atlantic solo; to fly both ways across the United States; to be awarded the Distinguished Flying Cross by Congress—in 1932—and the winner of the Harmon International Aviation Trophy in 1932, 1933, and 1934, which is aviation's highest award. Her last great effort was an epic 27,000-mile round-the-world flight at the equator—a flight which was never completed. The world was shocked and saddened by her still unexplained disappearance.

Born in Miami, Fla., within a year of Amelia Earhart's tragic death, Joan Merriam Smith developed an early interest in aviation, and later made it her ambition to fly the equatorial route around the world which her illustrious predecessor had attempted so bravely. She soloed at 16, obtained commercial license and instructor and instrument ratings at 17 to 18, and became the first woman to obtain an airline transport rating at age 23.

On March 17, 1964, 27 years to the day after Amelia Earhart took off from Oakland, Calif., on her ill-fated flight, Joan Merriam Smith taxied her small airplane onto the same runway to begin her effort to fly around the world. During March 17–May 12, 1964, a period of 57.5 days, she flew 27,750 miles as close as possible to the equator, and on completing the journey became the first solo pilot, man or woman, to circumnavigate the globe at the equator. In recognition of this historic achievement, she was awarded the

1965 Harmon International Aviation Trophy posthumously. She was killed in a California aircraft accident on February 17, 1965, only 5 weeks after the airplane in which she had circled the world was destroyed in a forced landing caused by an electrical fire.

Because of the significant contributions of these two American aviatrixes in the field of aviation, it is fitting that the Congress recommend to the President their names for consideration for awarding them the Presidential Medal of Freedom, posthumously, or other appropriate award, as the President may authorize. I trust that legislation to this effect will receive full consideration in the current Congress and win approval so that the Nation may pay final tribute to the illustrious achievements of Amelia Earhart and her disciple, Joan Merriam Smith.

A SWEDISH DILEMMATICIAN—GUNNAR MYRDAL

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. RARICK. Mr. Speaker, Karl Gunnar Myrdal, the Swedish economist who has done more to disrupt the people of the United States, as well as his own country, is not only scientifically discredited, he is personally disoriented as he views a world in chaos as it complies with his personal theories.

The present era is truly a "Myrdal dilemma," courtesy of a three-quarter million dollar tax-free grant by Carnegie Corp.

On a subject out of his field, Myrdal qualified himself as an "expert" on the strength of a single tour through the country. Myrdal's theories, accepted by the U.S. Supreme Court as findings of fact, have proved a greater threat to the human race than the atomic bomb. Even Myrdal now has afterthoughts and acknowledges he is "not presenting a view that is absolutely right."

The Supreme Court, so eager to make Brown against Topeka "the law of the land," must be aware that Myrdal's antiquated and irrelevant writings are not in keeping with the development of advanced knowledge in social, political and cultural progress, and must take judicial cognizance of the need to grant a new trial.

Mr. Speaker, I place "What Is the Answer?" by Henry E. Garrett, Ph. D., excerpts of a New York Times Book Review on "An American Dilemma," and a new story from the New York Times of October 4, 1967, at this point in the RECORD:

WHAT IS THE ANSWER?

(By Henry E. Garrett, Ph. D., professor emeritus, psychology, Columbia University, past president, American Psychological Association)

Question. Dr. Garrett, I keep seeing the name, Gunnar Myrdal, in relation to racial integration. I must have missed something along the way. Who is (or was) he?

Answer. Gunnar Myrdal is a Swedish social philosopher who was mainly responsible for the calamitous decision on school desegregation in 1954. Myrdal, 10 years before, had written a book he called *An American Dilemma*. That book set the stage for the 1954 decision; the Supreme Court cited in its decision. In 1968, in a lecture given before New York City University, Myrdal admitted he may not have been right. He said, last year: "Twenty-five years ago, I was an expert on the Negro problem in America . . . In the present situation I am not an expert. I'm not presenting a view that I feel is absolutely right." Myrdal said that he thought "black capitalism" as proposed by Nixon "solves very little." Myrdal also felt, he said, that black history is largely black mythology. Unfortunately, whatever Myrdal's changed views, the court decision still governs American racial policy.

[From the New York Times' Book Review Section, Apr. 21, 1963]

A BOOK THAT CHANGED AMERICAN LIFE: A REVISIT TO A CLASSIC WORK ON U.S. NEGROES REMINDS US OF PROGRESS MADE AND YET TO COME

"An American Dilemma." The Negro problem and Modern Democracy, By Gunnar Myrdal with the assistance of Richard Sterner and Arnold Rose.

(By Oscar Handlin)

Few serious students of American society have been more widely read than Gunnar Mydral's social-science classic, "An American Dilemma." Its analysis of the Negro problem in the United States has been a magnet to scholars and a catalyst to political groups. Its recommendations have helped shape the strategy of every organization interested in legislation and in judicial interpretations. It was cited in the Supreme Court decision of 1954 that ended segregation in the public schools and killed the doctrine of separate but equal.

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The book is peculiarly a foundation product. Its subject was not formulated by the author as an outgrowth of his previous research, but was suggested to him by a great scholarly organization. And much of the excellence of the result was due to the sense of purpose and the awareness of the immediate issues that animated the work.

* * * * *

Newton D. Baker, the son of a Confederate officer and formerly Secretary of War and Mayor of Cleveland, in 1937 proposed to the Carnegie Corporation, on the board of which he sat, that it undertake a comprehensive survey of the question. The suggestion elicited the support of Frederick P. Keppel, president of the corporation, who became the major force in planning the project and pushing it through to completion.

It was not altogether surprising that the corporation should seek a foreigner to conduct the study. The trustees of the Rosenwald Foundation a few years earlier had called upon a Dutch expert on Indonesia for a similar assignment. It was difficult then to imagine that any American could free himself sufficiently from passion to treat the problem of color with objectivity.

Mr. Keppel therefore sought an uncommitted European, native of a country with no history of imperialism or of domestic race problems. He was fortunate to pick upon Gunnar Myrdal, a Swedish economist in the prime of life who had achieved wide scholarly recognition for his technical studies, but who had no previous involvement with the problems of the Negro or, for that matter, with those of the United States.

Myrdal set to work on the subject in 1938 and a year later had mapped out a plan of investigation. The project he outlined called for a succession of research memoranda (some of which were later published) to be prepared independently by a team of scholars and ultimately to be integrated into a single work. The outbreak of war in Europe called Myrdal back to his own country, but the work on the research memoranda went on in his absence. Myrdal returned to the United States in March, 1941, and, with the assistance of George Sterner and Arnold Rose, spent almost two years preparing the synthesis which was published as "An America Dilemma."

The support of the Carnegie Corporation and the talents of the author contributed significantly to the success of the enterprise. Keppel had a genuine understanding of the needs of the scholar and Myrdal brought to his task a keen, reflective mind, sensitive powers of observation, and skill as an organizer. Furthermore, he and the foundation had no intention of relying upon the efforts of a single investigator; and the development of the social sciences by 1938 made available to them a corps of skilled collaborators.

In that respect the times were propitious; American graduate schools since the First World War had produced a generation of able sociologists, economists and anthropologists, while the competition for talent had not yet become as severe as it would with the proliferation of projects after 1945. In any case, Myrdal was able to attract as advisers or as participants almost all the important younger figures in American social science. Samuel A. Stouffer, Ralph Bunche, Melville Herskovits, Otto Klineberg, Louis Wirth, Allison Davis and Franklin Frazier were among those who took a hand in the work.

[From the New York Times, Oct. 4, 1967]

KARL GUNNAR MYRDAL: PROPHET OF RACE CRISIS

As a rather lonely explorer of the American dilemmas of poverty amid great wealth and discrimination against Negroes, Karl Gunnar Myrdal looked ahead 23 years ago and predicted this country's racial crisis in terms that today are common language among sociologists. Yesterday the Swedish social philosopher addressed himself to the same subject and warned that if poverty is attacked as a problem for Negroes alone, the United States will risk racism comparable to South Africa's. Such a sharp conclusion came as no surprise from a man who has spent the better part of his 69 years telling the world what is wrong with it.

Dr. Myrdal has not spared his own country from his penchant for the intellectual irritant. In Sweden's small, homogeneous society, he has provoked more indignation, admiration, criticism and enthusiasm than perhaps any other Swede in his lifetime.

He has also been catholic in his influence, and many things at home bear his name: the Myrdal sofa (a very broad one); the Myrdal house (a tenement house for families with many children); Myrdal cycles (for two or three); and Myrdal (couples living together without marriage).

* * * * *

He wrote that the whole system of segregation and discrimination was designed to prevent the eventual inbreeding of the races. He rejected a vague concept of a self-propelled gradualism, and concluded that the problems of American Negroes would eventually be solved through Government intervention, a rise in productivity and the efforts of the Negroes themselves.

* * * * *

Dr. Myrdal is 6 feet tall and has greenish eyes and light hair speckled with grey. He speaks English with a slight accent. He never uses his first name, Karl.

He was born Dec. 6, 1898, in Gustaf Parish, Dalecarlia, Sweden. At 21 he entered the University of Stockholm, where he studied law.

In 1927 he received his doctorate in economics and was appointed an instructor in political economy at the university. At 34 he was named to the Lars Hierta Chair of Political Economy and Public Finance.

A ROCKEFELLER FELLOWSHIP

He toured the United States on a Rockefeller Fellowship, and after completing his study of the American Negro returned to Sweden as Minister of Commerce.

In 1947, he was appointed secretary general of the Economic Council for Europe and spent the next 10 years in Geneva doing economic research.

Among his many works is one on which Dr. Myrdal collaborated with his wife, the former Alva Reimers, a writer and lecturer in sociology. Their study of Sweden's declining birth rate, "Crisis in the Population Question," became the blueprint for many reforms.

The Myrdals were married in 1924 and had three children, Jan, Sissela and Kaj. They live in Sweden.

As a member of the Social Democratic party, Dr. Myrdal served in the Swedish Senate in 1936–38 and was known as a biting debater who presented his own ideas without caring whether they crossed party lines.

One time, summing up his philosophy, he said, "Private business can't—or doesn't—plan and invest for the whole economy. The Government can and should. Rationally induced change, and planning of it, are the dynamics of a properly functioning democracy."

STUDENT MAJORITY SPEAKS OUT

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. ASHBROOK. Mr. Speaker, one common feature to be found in most of the disruptions on campus is the small number of instigators responsible for the disturbances in educational institutions throughout the Nation. Heretofore, most of the students sincerely seeking an education were content to stand by and let the militants fight it out with the administration. Perhaps encouraged by statements such as those by President Nixon, the Justice Department, Father Hesburgh of Notre Dame, and Governor Reagan and Dr. Hayakawa in California, student groups in various areas are making their voices heard in defense of orderly educational processes.

In the March 18 issue of the National Review Bulletin, M. Stanton Evans, the perceptive author and editor, lists for our consideration a number of movements which seemingly are catching fire throughout the land. Apparently, young people on campus who are serious about educating themselves are getting fed up with the disruptive antics of extremist elements and their phony arguments and justifications for fomenting disorder.

This is certainly an encouraging development to be fostered and helped along by concerned students in every section of the country. Widespread disenchantment on the part of student majorities, plus a fair but forceful execution of laws and regulations by national and local officials could be the one-two punch relegating campus disorders to the album of distasteful memories.

I include the above-mentioned column by Mr. Stanton Evans in the RECORD at this point:

STUDENT MAJORITY SPEAKS OUT

Newest phenomenon on the youth scene is an extensive backlash against the activities of New Leftists intent on disrupting campus procedure. Major headlines have been devoted to the pronouncements of Father Theodore Hesburgh of Notre Dame and the continued efforts of Gov. Ronald Reagan of California to put the brakes on radical youth activity. Both have drawn plaudits for taking a firm stand against the "confrontation" politics of Students for a Democratic Society and other groups determined to bring American education to a standstill.

Less publicized but even more significant is the spreading revulsion of many undergraduates against radical tactics and the demand from young people themselves that New Left excesses be brought to a halt. On one campus after another, conservative-to-moderate student forces are being mobilized to counteract the pressure from the Left. SDS and other such groups have set out to "radicalize" student opinion, but in the main may be pushing it to the Right rather than the Left.

Premier example of this development was the founding at Wichita University of an organization called SPASM—the Society for the Prevention of Asinine Student Movements. The first activity of SPASM was a "milk-in" at Wichita State, to protest a previous beer drink-in staged by undergraduates who wanted beer on campus. SPASM promoters said they were staging a protest against protests.

At Michigan State University, a petition drive was launched to allow students to condemn "intimidation, violence and disruption" on the campus. Organizer Peter W. Hens said the petition campaign was started because it was "ridiculous" that a small group could impede the work of a university with some 37,000 students. According to the Associated Press, the drive has secured some 10,000 signatures.

The petition circulated at the East Lansing institutions states that "it is the aim of the undersigned students and faculty at MSU to seek the welfare of all the students while preserving the dignity of the university. This can never be accomplished in an atmosphere of intimidation, violence and disruption which is being fostered by irresponsible people."

Down the road at Purdue, ROTC students conducted a blood drive as a counter-protest against the Left. Allen Force, president of the "Semper Fidelis Society" which sponsored the drive, says that "the average student doesn't dare to get up and speak against [left-wing] activists. This blood drive gives this student an opportunity to say what he believes without any particular talent for rhetoric." An earlier effort by conservative students at Purdue secured 6,000 signatures on a petition for open recruiting at the West Lafayette campus.

At the University of Tennessee, a new group has been formed called the "Majority Coalition," in opposition to student government members battling the school administration. Student government spokesmen had unleashed a blast at the school authorities when they said, an agreement on women's dorm hours had been violated. The Majority Coalition did not necessarily disagree with the no-hours effort, but strongly disapproved the rhetoric used in "censuring' college officials.

According to Majority Coalition chairman Jim Duncan, "our group is composed of concerned students who wish to demonstrate support for the UT administration in its efforts to maintain a truly free academic environment on the campus. The small minority of students who have been extremely critical of the administration lately is definitely not representative of the student body as a whole. Most UT students are proud of their school and do not support efforts to tear it down."

Instances of countervailing action by conservative-to-moderate undergraduates have surfaced on other campuses as well. The original "Majority Coalition" was established at Columbia University, and a successor to that group is still functioning there under the name of Students for Columbia. Also active at Morningside Heights is the Committee for a Free Campus. These groups recently staged a counter-demonstration against SDS and are reportedly working with anti-New Left groups on other campuses in the area.

Like activities are reported at campuses in every section of the country. At troubled San Francisco State, there is a Committee for an Academic Environment, which has gathered some 2,300 petition signatures against disruptive tactics. At Wisconsin, Stanford, and the University of Texas, there have been counter-movements spearheaded by Young Americans for Freedom. On many Big Ten and Southern campuses there are concerted campaigns by conservative students to dislodge left-liberal spokesmen from positions of leverage in student government.

Most unusual of all, there has even been a drive by faculty members to oppose disruption of schools, Prof. Sidney Hook of New York University has announced formation of the Organization of University Centers for Rational Alternatives. Hook says the group his some 400 faculty participants at 36 universities—including San Francisco State president S. I. Hayakawa. Hook asserts that "there's a danger to academic freedom when you substitute the methods of violence for free inquiry." He speaks for an increasing number of people in the academy.

A MIGHTY BUILDER

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. CONTE. Mr. Speaker, on previous occasions I have spoken of the many contributions to education made by Dr. Frank L. Boyden. As headmaster of Deerfield Academy, Dr. Boyden built his school into one of the finest educational institutions in this country. In addition, Dr. Boyden gave unstintingly of his time and effort as the chairman of the University of Massachusetts board of trustees.

His resignation from the chairmanship, although understandable, is a singular loss to the university and the Commonwealth of Massachusetts. I would like at this time to insert the following editorial, from the Greenfield Recorder, which aptly recognizes Dr. Boyden's many accomplishments on behalf of his fellow man:

[From the Greenfield Recorder, Feb. 3, 1969]

A MIGHTY BUILDER

Dr. Frank L. Boyden's decision to step down from the chairmanship of University of Massachusetts board of trustees must be accepted with regret and understanding.

Second only to his record of educational leadership at Deerfield Academy is his service to the Commonwealth as a trustee of its university. For more than 30 years he has been both a working member and a professional advisor.

Although a building on the Amherst campus bears his name, the finest memorial to Dr. Boyden is the individual attainments of thousands of students whose lives were touched by him—even though indirectly. His service as a trustee has involved two generations of UMass youth and his impact will be felt far into the 21st Century.

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Perhaps the most lasting contribution Dr. Boyden has made as a trustee and as chairman has been his simplicity. Varied and complex problems have faced the university board over the past three decades. But the majority have faded before the direct, down-to-earth approach of the Deerfield headmaster. He has proved to campus intellectual and Beacon Hill politician alike that common sense and plain talk are an unbeatable combination.

It is pleasant to note that Dr. Boyden is continuing on the board. Although he is nearing 90, he still possesses a knowledge of education that is beyond price. His age may be a handicap in handling the demanding duties of chairman but it is an asset in its wealth of practical educational experience.

The name of Boyden is synonymous with Deerfield, of course. But to thousands of Massachusetts alumni and alumnae it is also to be forever associated with the Amherst campus and the halls of the statehouse. No man has contributed more to the growth of the university and to its administrative and intellectual independence.

For a person of small stature, Frank L. Boyden has cast as impressive reflection on the waters of Campus Pond.

CEREMONY MARKS ISSUANCE OF 50TH ANNIVERSARY COMMEMORATIVE STAMP OF AMERICAN LEGION

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. DULSKI. Mr. Speaker, the American Legion marked its golden anniversary on Saturday, March 15, and the occasion was fittingly observed by a first-day-of-issue ceremony for the American Legion commemorative postage stamp.

Postmaster General Winton M. Blount was the principal speaker and presented the beautiful albums prepared especially for the occasion.

The Legion's national adjutant, William F. Hauck, who presided at the ceremony, offered the official welcome to the largely attended affair and introduced the guests.

The formal response was made by the national commander, William C. Doyle, who is doing an excellent job in leading this great veterans' organization.

There were a number of dignitaries on the dais including Rev. C. J. Olander, national chaplain; Chairman Albert V. LaBiche, and Vice Chairman Donald E. Johnson, of the Legion's 50th anniversary committee; Mrs. Arthur B. Hanell, national president of the American Legion Auxiliary; Mrs. Walter H. Glynn, chairman of the Legion Auxiliary's 50th anniversary committee; James M. Henderson, special assistant to the Postmaster General for public information; and Robert Hallock of Newton, Conn., designer of the Legion's commemorative stamp.

Among those present in the audience were the New York State Commander, Michael J. Kogutek of Lackawanna, N.Y., and the Erie County Commander, Joseph Herberger, of Buffalo.

There were several members present from my own Legion Post, Adam Plewacki Post No. 799 in Buffalo, N.Y., including Dr. Matt A. Gajewski, president of the Adam Plewacki Post Stamp Society, and several fellow stamp enthusiasts. This is the largest stamp club in the American Legion.

I would like to commend Dr. Gajewski for the important role he played last year in helping to bring into fruition Public Law 90–353. He was a key advocate in behalf of my bill, H.R. 15972, to permit the reproduction of U.S. postage stamps in color.

Following is the text of the very appropriate remarks of Postmaster General Blount:

REMARKS BY POSTMASTER GENERAL AT LEGION STAMP CEREMONY

I am delighted to be able to share this important ceremony with you today.

The dedication of a new commemorative stamp is an important occasion because it enables the nation to honor American individuals and institutions that have made important contributions to the development of the nation.

The stamp we dedicate today commemorates the 50th anniversary of the founding of the American Legion, an institution that has played a unique and historic role in national affairs.

Over the last half century, the country has suffered through four major armed conflicts. The American Legion emerged to give voice to the needs of the millions of men who fought in those wars.

The activities of the Legion have expanded beyond direct concern with veterans affairs to an involvement in many areas of our national life, including child welfare, community development, education, youth activities, the preservation of Americanism, and national security.

It is an organization through which veterans, as citizens, can work to build a better America.

This is the theme of our American Legion stamp. The design is adapted from the Great Seal of the United States, and shows that part of the eagle which clutches an olive branch, symbolic in this case of the peacetime activities of veterans. Printed on the stamp are these words: "American Legion . . . 50 years . . . Veterans as Citizens."

Veterans as citizens have been a force for good in our society reflecting the peacetime equivalent of that patriotism which compels a man to risk his life in defense of freedom. The same patriotism and love of country which carry men courageously to the battlefield also make them valuable citizens.

The Legion has long believed that man who fights for his country on the battlefield will want to struggle to build his country in peacetime. He has earned for himself an important stake in the destiny of his nation.

For the veteran, when he returns from the front, finds many battles still to be won—battles against apathy, forgetfulness of ideals and purposes, the deterioration of our moral and physical strengths, the abuses of freedom. There are campaigns to be waged for better neighborhoods, healthier communities, quality schools, and effective government.

And he faces the struggle that never seems to end, the struggle for peace. This has been a continuing concern of the Legion. Down through the years, it has consistently advocated military preparedness, without losing sight of the fact that we must work just as diligently to strengthen our ability to wage peace.

In his inaugural address, President Nixon said:

"After a period of confrontation, we are entering an era of negotiation. Let all nations know that during this Administration our lines of communications will be open."

Like the stamp we dedicate today, this Administration will focus on the olive branch. Veterans, perhaps more than others, realize the vital importance of the peace initiative and of the skills which the President brings to this effort. At the same time, we also have the assurance—evident in yesterday's decision on the ABM—that the nation's military might will not be neglected.

The American Legion is like so many great American institutions which grow in response to a particular need, and in serving that need, serve the entire nation as well.

Following World War I, thousands returned from Europe disabled, in one way or another, by that war. They returned to a society unprepared to assist them in their great need of rehabilitation and readjustment, and indeed, a society largely unaware these needs existed.

The Legion, after its formation in Paris by officers and men of the American Army, championed the plight of these heroes of the nation and succeeded in gaining just compensation for them.

The Legion is largely responsible for the structure of state and federal veterans' legislation today. It had an important role in the creation of the Veterans' Administration, in the system of 165 veterans' hospitals throughout the nation, and has been a major factor in almost every piece of veterans' legislation passed in the last 50 years.

It was the motivating force behind the passage in 1944 of the GI Bill of Rights. More than 11 million men were educated or trained under the provisions of this Act, and some 7 million borrowed money for homes and businesses. We can only imagine the extent of the impact of this measure on the nation's development over the past two decades, but certainly it has been a considerable factor in the growth of the economy, not to mention the untold benefits for individuals and their families.

The extent of the Legion's involvement in child welfare is such that it is responsible for helping raise the standards, through federal and state legislation, of juvenile court procedure, child adoptions, and guardianship, and the rights of children in general.

Legion posts are particularly active in community and youth activities, sponsoring baseball teams, Boy Scout troops, high school oratorical contests, Boys' State programs, and various community patriotic, education and charity programs.

On this 50th anniversary, we can salute the American Legion for attaining most of its objectives in the field of veterans' benefits. The United States has the highest standard of veterans' benefits in the world. Yet, there is perhaps a greater need for the Legion's service today than ever before.

Because of its broad involvement in many areas of our national life, because it has shaped for itself a role in solving modern problems, and because it brings together like-minded men for service to their country, the Legion faces challenges it will not exhaust in the next half century.

President Nixon has said we are approaching the limits of what government can do alone.

"Our greatest need now," he said, "is to reach beyond government, to enlist the legions of the concerned and committed."

One need not hold high office to be concerned and committed. Nor is it necessary to do great things. In the gathering bigness of things, we often lose sight of the fact there is something each of us can do. Each must labor to perform those daily, often unnoticed often thankless tasks which build and hold together a nation.

Or as the President said: ". . . We need the energies of our people—enlisted not only in grand enterprises, but more importantly in those small, splendid efforts that make headlines in the neighborhood newspaper instead of the national journal.

I am convinced the action is going to be

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at the community level in the coming years. There is a new awareness of needs of the communities. Great national problems are reflected, in one way or another, in every smaller city across the nation. Some communities are exploding with tension and discontent. Others have a quiet, desperate need for attention. Community efforts, guided by the personal touch of concerned and committed Americans, often meet a need in a way that is impossible for the sweeping, national program.

The voluntary efforts of organizations like the American Legion promise more than all the grand programs we can devise. I urge you to continue your commitment to our nation's communities.

It seems to me very appropriate that the Post Office cite veterans through a commemorative stamp. The military and the Post Office have traditionally had strong ties. The Department has devoted much time and effort to improving mail service to our fighting men. And this is important. General Eisenhower is said to have considered the mail as vital to his armies as an additional division of troops.

We will be endeavoring, in the coming months and years, to improve not only military mail service, but mail service for the entire nation. The Post Office is in serious need of better efficiency and performance. I believe the American people want better mail service and are willing to support the necessary steps to achieve it. Those of you who are veterans can particularly appreciate the importance of making these improvements.

My friends, I am certain all Americans join with me in saluting the impact which veterans as citizens have had on this nation, and the important and historic role which the American Legion has played in promoting that citizenship. This stamp will serve to remind us we are twice indebted to our veterans—for service abroad and at home.

The chairman of the ceremony also called upon me for a few brief remarks. Following is my text:

REMARKS BY CONGRESSMAN DULSKI AT LEGION STAMP CEREMONY

Mr. Chairman, Commander Doyle, Mr. Postmaster General, and friends: This is a golden occasion for the American Legion, and I am grateful that our Post Office Department is recognizing it with the issuance of a special commemorative stamp.

It is an honor and a pleasure for me to be with you today. I am very proud of my membership in one of your larger posts, the Adam Plewacki Post #799 in Buffalo, New York, which also has one of the largest stamp clubs in the American Legion.

The American Legion has compiled an illustrious record of dedication and service to our country since those days when it was formed in Paris after World War I.

Its focus has been on patriotism—about which all of us should be more concerned than we are.

Along this line, the design of the commemorative stamp is most appropriate. It involves an adaptation by Artist Robert Hallock of a portion of the Great Seal of the United States, showing the American Eagle clutching an olive branch—the heraldic symbol of peace.

The Legion also has been concerned, as we all should be, with the need to maintain law and order. The continuation of our way of life—as a free nation and as a leader in the effort to bring about world peace—this is very much dependent upon our ability to maintain law and order within our own boundaries.

It is not simply a matter of personal safety on our streets and in our homes and in our business establishments, but it also is a matter of peaceful existence in our public places, in particular in our schools and colleges. No one argues with the right to dissent, so long as it doesn't infringe upon the rights of others.

It was four wars and a half century ago that the American Legion was founded in Paris.

Throughout its history, its major concern has been the aiding of veterans as they return to civilian life. This is a great service and one for which the Legion is well organized.

Besides its fundamental concern with the returning veteran, the Legion also gives great attention to programs for our young people. It is this work for which, it seems to me, the Legion warrants the accolade: "50 years young."

Each year, more than 750,000 young men from around the country participate in Legion-sponsored programs. These include: Boys State and Boys Nation, American Legion baseball, the National Oratorical Contest, Boy Scouting and Boys Clubs.

The cornerstone of all of these programs is the recognition given to the ideal of human values and the dignity and worth of the individual.

It is a great honor for me to be here on this memorable occasion, for the American Legion and for its millions of members.

The commemorative stamp which is being presented to the public for the first time today, is one of the more impressive stamps which has been issued by the Post Office Department, and I want to commend the Department and the designer.

NEW YORKERS AGAINST ABM

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. BINGHAM. Mr. Speaker, I very much regret that President Nixon has decided to proceed with deployment of an ABM system. I will have more to say on the subject at a later date. Meanwhile, I would like to call the attention of my colleagues to a resolution adopted on March 8 at the founding meeting of the Ad Hoc Committee of New Yorkers Against ABM, a group of community leaders in the New York area which I took the lead in convening. This resolution, which was sent that same day to President Nixon, reflects the concerns of millions of Americans and therefore deserves our careful consideration. The text is as follows:

NEW YORKERS AGAINST ABM

DEAR MR. PRESIDENT: As concerned leaders and members of the New York community, we have today met together to reaffirm our opposition to deployment of an anti-ballistic missile system. To this end, we have adopted the following resolution, and urge that you give it the urgent consideration which this vital subject so fully deserves:

Whereas leading spokesmen of the American scientific community have testified that the presently-conceived Sentinel ABM system will be largely ineffectual and will be obsolescent or obsolete before it is deployed; and

Whereas deployment of an ABM system at this time will have a serious destabilizing effect on the current balance of strategic arms between this country and the Soviet Union, thus jeopardizing the prospects for successful negotiations on the limitation of offensive and defensive missiles; and

Whereas such deployment would contravene the spirit, and perhaps the letter, of Article VI of the Non-Proliferation Treaty; and

Whereas the costs of an ABM system have been variously estimated from $5 billion to $10 billion for a "thin" shield and from $40 billion to $400 billion for a "thick" shield; and

Whereas an expenditure of this magnitude can only be made at the expense of other critical national priorities, such as the eradication of hunger in America, the assurance of a decent home to every American, the improvement of our educational system, the guarantee of full and equal opportunity to every citizen, and the defense of our environment against pollution;

Now, therefore, be it resolved,

That the undersigned firmly oppose deployment at this time of an anti-ballistic missile system, whether located in close proximity to urban areas or deployed for protection of offensive missile installations, and urge that the President halt the acquisition of sites and procurement of components for such a system, thus permitting the resources otherwise destined for this purpose to be reallocated to programs of human betterment for the American people and for the world.

AD HOC COMMITTEE OF NEW YORKERS AGAINST ABM

Jonathan B. Bingham, Roswell Gilpatric, Ogden Reid, Stephen Smith, Stanley Steingut, Eleanor Clark French, O. Edmund Clubb, Sarah Kovner, William Vanden Heuvel.

Members of the following organizations have endorsed this resolution:

Americans for Democratic Action—New York Branch; Ansonia Independent Democratic Club; Bay Ridge Independent Democrats, Benjamin Franklin Reform Democratic Club, Bolivar-Douglas Democratic Club, Bronx-Pelham Reform Democratic Club, Brookhaven Reform Democrats, Episcopal Peace Fellowship, FDR-Woodrow Wilson Reform Democratic Club, Lenox Hill Democratic Club, Lexington Democratic Club.

McManus Democratic Club, Murray Hill Democratic Club, New Chelsea Reform Democratic Club, New Democratic Coalition, Park East Reform Democratic Club, Park River Democratic Club, Park Lincoln Free Democrats, Park Slope Democrats, Renaissance Republican Organization, Riverside Democratic Club.

Roosevelt Kingsborough Independent Democrats, Rutgers New Frontier Democrats, SANE, St. George's Church, Universities Committee on the Problems of War and Peace, U.S. Youth Council, Village Independent Democrats, West Brooklyn Independent Democrats, West Side Progressive Forum, Women Strike for Peace, Women's City Club of New York.

ATTAINMENT OF PEACE WITHIN SECURE BOUNDARIES IS ISRAEL'S FIRM RESOLVE

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a pleasure to call to the attention of the U.S. Congress and the American people the following interview with the Foreign Minister of Israel, His Excellency Abba Eban, by Alfred Friendly of the Washington Post, Thursday, March 6, 1969.

The interview follows:

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Text of Interview With Israel's Foreign Minister Eban

Question. The Arab states insist that Israel has never stated that it accepts the Security Council resolution of Nov. 22, 1967, or would implement it. Is this true?

Answer. We've made so many statements on the acceptance of the resolutions as the framework of a negotiated settlement that we can't even attach seriousness to any Arab assertions to the contrary. On Oct. 8, I myself said in the U.N. General Assembly: "Israel accepts the Security Council resolution . . . and declares its readiness to negotiate agreements on all matters mentioned therein."

That is the cabinet position. Now the Arab states have reservations about our use of the word "agreement." The word "agreement" is in the resolution. It is the very essence of our position.

That peace must grow from agreements in the Middle East, not from settlements dictated outside it. There are no Security Council resolutions calling for any action except on the basis of agreement.

Question. Have you ever declared that your implementation of the resolution would entail the withdrawal of Israeli troops to new borders? The Arabs claim you refuse to say so.

Answer. I was asked that by Ambassador Jarring in a memorandum presented by the United Arab Republic (Egypt). I gave him a clear answer, namely that in a peace agreement we would replace the cease-fire lines by secure and agreed boundaries and that the disposition of troops would then be made in accordance with the new boundaries.

It is ludicrous to say that Israel and an Arab state would agree to negotiated and recognized boundaries and then would restation their troops in places where they were not entitled to be under the agreement.

The trouble is that the Arab states ask for withdrawal without peace or the establishment of new boundaries.

Question. Why has Israel not made public in more specific terms the new territorial arrangements it envisions?

Answer. Here we're in a quandary. When we make our ideas public it increases the complexities. We make certain proposals and the Arab states look at them, recoil and say they cannot negotiate on them. I think it is much better to say officially that at the negotiating table the whole problem of boundaries and territories is open for agreement. The territorial question is open for free discussion, anyone can make any proposals he likes for negotiation.

When I go to my colleagues to discuss possible terms, they say "Have you got an Arab government that is willing in principle to talk peace? If not, why should we fight among ourselves about something hypothetical."

If I came one day and said, "Gentlemen, Arab government XYZ says it wants peace and would like to explore its conditions, then we would have to cross the Rubicon. We would have to give our negotiators concrete positions, determining what things are indispensable for us and on which matters they can be flexible.

The Arab states have never put us in the position of having to work out a detailed range of contingent positions.

They will not negotiate directly, they will not negotiate indirectly—as Nasser told *The New York Times* the other day—they will not negotiate orally, they will not negotiate with Jarring or without him. They will not even negotiate by correspondence course.

That's where the frustration lies. Unless they negotiate with us they will never know and we ourselves will never know the true limits of our flexibility and of theirs.

Question. You have said that details of a peace agreement are secondary to the principal objective, the sine qua non: an end to the long Arab campaign for the extinction of the State of Israel. Do you believe that the Arab states are, as they claim, sincerely renouncing that goal by accepting the Security Council resolution?

Answer. The policy of the UAR must be interpreted in accordance with the statements of its leaders and from communications to us by Ambassador Jarring. These are quite consistent: There isn't any distinction between them. They present the following picture:

They want us to withdraw in the first stage to the June 4, 1967 boundaries—what we call our nightmare map. They want us to reconstruct our own peril and put us back into the straitjacket. But this is only stage one.

Stage two is that the Arab armies would follow our retreat. Notice that in the Soviet Union's dialogue with the United States, the principle of demilitarization in Sinai is dropped: Arab troops move into to wherever Israeli troops move out. The June 4 powder keg is reconstructed.

Then the blockade is re-established. Freedom of passage in the Suez is made contingent on settlement of the refugee problem, which is at the very best a matter of years—I hope not decades.

The same is true about passage through the Straits of Tiran, the issue that exploded into the June war.

The UAR tells us that they would oppose any permanent arrangement not contingent on their consent. The Sword of Damocles would be put back into place. The May 23, 1967, crisis could be recreated whenever the UAR decided to do so.

Thereafter, the Palestine problem, as they call it, would have to be settled by allowing all the refugees back into what remained of Israel after its withdrawal. Enough Arabs must be introduced to convert Israel into something that is not Israel.

Then, Nasser says, he would make peace with the Israel that it then would have become, namely another Arab state.

This is so clear, so repeatedly stated, that to assume that Nasser wants peace with Israel as a sovereign Jewish state in its own national personality is utterly frivolous.

In fact, in the last few days, the governments which are in closest contact with us have told us very frankly that they do not now believe that the UAR is ready for a peace with us on terms that Israel would accept or that friendly governments would advise us to accept.

At the most, Nasser would accept a Jewish community in an Arab state, or perhaps a sort of Lebanon. But the idea that Israel is an independent nation with roots in the Middle East, no less deep and much older than Arab roots is foreign to Nasser's thinking.

Our case is that Israel is part of the Middle East past and the Middle East present and the Middle East future. This is something that he has never grasped.

I think that this is the real essence of the conflict—that Arab intellectual and political leaders have never really solved the mystery of Israel's deep and authentic roots in the Middle East past and destiny.

Question. Is the same unwillingness that you assert on the part of Egypt to make peace true with respect to Jordan?

Answer. The situation is different, in the psychological sense. There are Palestinian and Jordanian leaders who say frankly that they would have preferred Israel not to exist but that its existence is an inexorable fact.

If Nasser can allow himself to dream, however vainly, of a military victory as a final solution, the Jordanians cannot possibly have any such illusions.

The question is whether there is in Jordan a sovereign capacity to negotiate. The question marks are whether Jordan can negotiate without a green light, or even an amber light, from Cairo; whether the green or amber light exists; whether it could explore a settlement with us under the pressure of the terrorist organizations; whether the presence of Iraqi troops in Jordan exercises an inhibiting effect.

But the issue is not dead. What I have in mind is an integral solution solving the problems of Israel, Jordan and the Palestinian Arabs by establishing an open boundary on the community model familiar in Western Europe, as for example Benelux.

We must look for a way of living together without a million Arabs being forced into an unwanted allegiance.

Question. How can there be the "real peace," the sincere willingness of Arabs to live in peace with Israel, unless the refugee problem is solved? Have you a proposal for its solution?

Answer. I used to think that a solution of the refugee problem would bring about peace. It is my conviction now that the exact opposite is true, that only peace can bring about a solution of the refugee problem.

So long as the Arab states do not want peace, they will not want a solution of the refugee problem.

The Security Council resolution is the first international recognition of the fact that the refugee solution can only come as a part of an integral peace solution. The problem was caused by war; it can only be solved by peace.

Nevertheless we did make a proposal, to which the press has given insufficient attention, that ahead of any question of peace or boundaries or recognition, we should have an international conference to charter a five-year plan for the solution of the refugee problem with the participation of Middle Eastern states, of governments which help to support the refugees and the U.N. specialized agencies. I should be anxious to know what is wrong with that suggestion. In proposing in New York in October to try to reach an agreement on each of the eight or nine subjects in the Security Council resolution, of which the refugees is one, I said it made no matter to me which was discussed first.

I said let's begin with navigation, or the refugee problem, or boundaries, or take them up simultaneously with subcommittees to discuss each of them.

UAR Foreign Minister Riad's answer was to book passage back to Cairo because any response to this would have involved him in a dialogue with us. The peace idea was becoming too concrete for his liking. The proposal for a refugee conference was rejected rather nervously by him, because it is not easy to explain to world opinion that it should be rejected by anyone who cares anything for the refugees.

Question. But have you stated, even in principle, what Israel is prepared to do to solve that enormous problem?

Answer. We are on our guard against any manner of thinking that makes the refugee problem an exclusive Israeli responsibility. Israel simply cannot solve the problem; it can make a contribution to its solution. I don't believe the states of the Middle East can solve it alone. It has to be solved regionally and internationally. That is why we must create a regional and international framework for the refugee discussion. But when I say that peace could solve it, I mean that the psychology of peace would open up possibilities which we cannot envisage in a condition of war.

That's what I think the Arab governments don't understand. The key to the Israeli attitude lies in their hands. The moment they negotiate with us, they unlock in the Israeli mind all kinds of impulses which have been held back.

Question. In the absence of progress towards a settlement, will the Palestine liberation movement grow and capture the imagination of the Arab peoples, to the point that a political settlement becomes impossible.

Answer. These groups are a burden on our security in some places, but in my mind they are still marginal and not central.

Arab governments established these organizations. Without Arab governments they would have neither weapons nor support. The mastery still belongs to the Arab governments. If Nasser or King Hussein decided to negotiate peace, I believe these movements would dwindle at the negotiating stage and fade away at the settlement stage.

Question. They have not become Frankenstein's monster, more powerful than their creator?

Answer. I think the governments still retain executive control. The Fatah is simply a convenience for Arab governments which do not want to fight with their regular armies and yet do not want a period of tranquillity leading to peace.

Question. Israel is accused of asking for a degree of security that no other country enjoys; that you refuse to gamble on the possible turning of your adversaries' minds towards a peaceful outcome.

Answer. On the contrary, I would settle for the kind of security which every other country has. I would take any sovereign country in the world and ask what are its relationships with its neighbors in a state of peace. I would shut my eyes, pick one, and settle for that.

Question. How will the Israeli government changes affect the relationship between hawks and doves? Where do you stand personally in that division?

Answer. The ornithological definition is not useful. The hawk-dove phrase has done more to confuse public thinking on international problems than any other semantic device.

We are all hawks only in our ambition to make Israel really secure, and most of us are doves in our ardent desire for peace. My colleague (Defence Minister Moshe) Dayan is called a hawk but it was he who told your people on television that he "would give up a lot of territory for peace" with Egypt or Jordan. That sounds dovish to me.

Mrs. Meir, who I hope will lead the next cabinet, has said that she opposed the extreme slogan of "no surrender of territory" and that if our boundaries are to be agreed boundaries they cannot be the present ones, but that only a peace negotiation can make the discussion real.

So there is a national consensus which I have been expressing all these months.

SHALL WE CONTINUE TO REPAIR, OR BUILD A NEW HOUSE?

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. BROWN of California. Mr. Speaker, in law-enforcement efforts, as well as in almost every other aspect of today's world, we must make certain that improvements which we might plan really would contribute toward the favorable end result which we might have in mind.

Police Chief Everett F. Holladay, Monterey Park, Calif., Police Department, is one of those farsighted individuals who has this capacity to look beyond the first step. He has an excellent background in police work and in accomplishments to his credit, and is fast earning the respect of law enforcement people throughout the Nation.

A recent article featured in Police, November–December 1968, which describes itself as a "journal covering the professional interests of all law enforcement personnel," was written by Chief Holladay and deals with the need for enlightened attitudes toward change in police procedures.

I am quite pleased that Everett Holladay heads one of the police departments in my congressional districts and can report that the city of Monterey Park knows that they have one of the finest small city enforcement agencies on the west coast—thanks to Chief Holladay.

The article follows:

SHALL WE CONTINUE TO REPAIR, OR BUILD A NEW HOUSE?

(Editorial feature by E. F. Holladay)

(EDITOR'S NOTE.—We have invited a number of different individuals representing different areas of opinion and geography, to prepare editorials of their own subject selection and representing their own opinions rather than, necessarily, that of Police.

(This editorial has been submitted by Chief Holladay who has been in the field of law enforcement for twenty-five years. He served with the Pomona Police Department from 1943 to 1962 during which time he rose through the ranks to the position of Assistant Chief. He was appointed Police Chief of the city of Monterey Park on August 1, 1962.

(While at Pomona, Chief Holladay attended the Delinquency Control Institute at the University of Southern California and, in 1951, organized Pomona's first Juvenile Bureau. He is an alumnus of the USC School of Public Administration where he occasionally guest lectures. He is the Secretary-Treasurer of the California Police Chiefs Association.

(Having taught Juvenile Court Law and Procedure at Mount San Antonio and Chaffey Junior Colleges, Chief Holladay has always been a strong advocate of crime prevention. One of his first acts upon becoming administrative head of the Monterey Park Police was to initiate "Operation Identification," a project to reduce burglary and theft whereby the citizen etches his driver's license number on his personal property as positive evidence of ownership, traceable by law enforcement agencies. Later, the program, P.A.C.E., (Public Anti-Crime Effort) was developed and implemented involving active participation of the citizens of Monterey Park in the prevention of crime.

(It is the opinion of the Editorial staff of Police that in a free society it is desirable to have these different points of view and recommendations, and we encourage others to submit similar editorial comment.)

Ted and Mary Jones were respected citizens who lived comfortably in their farmhouse on the outskirts of Centerville. Ted was one of the first to buy a tractor and get rid of the walking plow. When rural electricity became available, he had the necessary lines run down to the house from the highway and bought Mary a new refrigerator to replace the old ice box. Ted, Jr., had gone through the local high school and on to A & M College. On occasion when he wanted to apply some of the college-learned theories in the operation of the farm, he found Dad opposing on the basis of impracticality. However, these arguments generally resulted in the young man's persuasion leading to the adoption of the innovation. Yes, in retrospect, Ted and Mary felt quite proud of their modernization.

During this period, something was happening to Centerville: urbanization. Although the Jones had heard some talk about it, they weren't too concerned until a subdivider offered them more money than they could afford to turn down for their "south 40."

Later, when the newcomers began to occupy the many homes that dotted the hillsides where the Jones' cattle had formerly pastured, the change that had taken place became vividly personal when complaints were launched against them for the offensive odor of their pigpens and against the noises of the rooster crowing at daylight. After much discussion, they reluctantly disposed of the hogs and finally gave up the chickens out of deference to their new neighbors. But these sacrifices were not made easily and some ill will was created as a result.

Later on they were sadly surprised to find that the general location of their farmhouse had been rezoned R–1 and they were now subject to a revolutionary and shocking number of requirements, all designed to make their living more enjoyable!

The plumbing inspector prescribed the work to be completed to provide for the sanitation of the family; the electrical inspector prescribed the increased-capacity type service which meant tearing out a portion of the old system and installing the new. And the crowning blow came when a new street was surveyed in front of the house and they were informed that, to conform with the setback regulations, the front room would have to be removed and relocated on another side of their home.

Ted and Mary sat down and reflected on all the changes they had experienced during the past several years, and realized that most of these had not been of their own choosing; and yet, realistically, the end result had improved some aspects of their living conditions. And so Ted asked, "Should we continue to repair and remodel to meet these requirements, or should we build a new house?" The family resolved to build a house which would not only include all of the modern code requirements but would be designed to foresee similar changes of the future so that its architecture and serviceability would reflect their own desires and personalities for many years to come without the necessity of intervention by outsiders.

Has the family of law enforcement arrived at a similar point of decision? It would seem so. Since World War II we have continued to improve techniques, procedures, policies, and personnel. Yet our record of accomplishment seems sadly lacking.

During this 25-year war on crime, though we have fought gallantly, we have been criticized, cajoled, cramped and constrained while the weight of the advantage continues toward the lawless element as crime rates soar.

Social changes accompanying urbanization of our exploding population have daily represented new challenges. As we struggle to meet these required adjustments, the periodic visits of the inspectors—(the Supreme Court by decision)—invariably prescribe additional limitation of our traditional methods by what would appear to us to be an insatiable desire on the part of the court to insulate the criminal at the expense of the protection of society.

Shall we continue to commiserate our wounds, making our required changes with a disgruntled attitude toward our position? Or, shall we use our wits and, as the wise man, turn the situation to our own advantage? Shall we continue to repair? Or, shall we build a new house?

Thinking only of the present, it obviously would be easier to continue the repair in an attempt to maintain compliance with requirements. This course would offer no relief, however, from the frustrations of having other people telling us what to do.

On the shoulders of law enforcement today rests the greatest responsibility in the history of its existence, and from the aspect of sensitivity, perhaps the greatest immediate responsibility of any single profession. If we are to wear this proudly, we must be the architects of our own destiny. We must not choose to simply adjust to the requirements of the day. Like the farmer, we must study every possibility of change likely to be required of us in the future and set our course in areas to produce greatest support and least legal criticism. This would mean research in far greater depth than that to

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which we are accustomed. It would mean a re-examination of our role in the total spectrum of the administration of criminal justice, and an intensified study of forces of support which are presently available to us.

A limited assessment of our present position would indicate that our two most obvious pursuits should be in the technological and sociological fields. As never before, the attention of society is currently focused on our needs and the dilemma of our position. Never before has the technical scientist been so willing to provide answers if we will specifically describe our problems. Never before has the citizen been so willing to get behind the man behind the badge, not just with empty lip service but by actually adjusting or changing his personal habits in a manner designed to frustrate the criminal.

Recently legislation to appropriate funds for our use is unprecedented. This money should not be looked upon with fear of upstream government control. Rather, our legislators should be approached as "financial partners" to whom we submit *our* architectural renderings as a normal prerequisite to securing the loan to build.

As we enjoy our brief moment in the spotlight of Shakespeare's stage, let us direct our attention to recognizing the overwhelming potential of imagination and creativity represented in our ranks. Let us reflect upon our traditions with a question as to present-day usefulness, and let us properly utilize the support available to us. In so doing, we will build our new house with pride, and, in fact, we will play the lead role in a historical chapter during which both the rise and the fall of crime are duly recorded.

CRIME REPORT—A RECORD OF EXTREME LIBERALISM

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. RARICK. Mr. Speaker, the Washington Daily News publishes a crime clock which lists the "reported crimes in Washington, D.C."

Day by day the understanding observer can determine the great cost in life and property that liberalism has cost the American people in their Nation's Capital.

Compare, for example, crime in the entire African nation of Rhodesia with a population of 4,510,000 to Washington, D.C., with 809,000; Rhodesia having 50 times as many people as the District of Columbia.

[From the Manchester (N.H.) Union Leader, Feb. 18, 1969]

Below is a comparison in the crime rates of Washington and anti-Communist Rhodesia.

Washington, D.C. (Population 809,000—July 1967)

Murders (+35 percent)	178
Forcible rape (+79 percent)	172
Robbery (+152 percent)	5,795
Aggravated assault (+20 percent)	3,143
Burglary (+65 percent)	14,702

Source, FBI.

Rhodesia (Population 4,510,000—July 1967)

Murders (−6 percent)	157
Forcible rape (−70 percent)	62
Robbery (−52 percent)	20
Aggravated assault (−31 percent)	55
Burglary (−62 percent)	240

Source, Attorney General's Office.

Until we stop allowing criminal actions to be encouraged with excuses of "the roots of crime," we can expect the District of Columbia crime rate to continue to soar.

Mr. Speaker, I submit news articles for inclusion in the RECORD as follows:

[From the Washington Daily News, Mar 15, 1969]

THE WASHINGTON DAILY NEWS TALLY: CRIME CLOCK

Here is The Washington Daily News tally of robberies and crimes of violence—many of them accomplished with guns—reported in the District of Columbia in the 24-hour period ending at 8 a.m. today.

1:20 p.m.: Two Negro gunmen walked into the Little Tavern, 1251 New York-av ne, and took a total of $93 from manager Thomas Simmons, 36, white and customer Freddie Spence.

3 p.m.: Max White, 60, white, owner of the White Market, 910 13th-st ne, said two Negro gunmen came into his store and shot a special police officer, Cejec Jackson, 22, Negro, in the right leg. He was taken to D.C. General Hospital and is now in serious condition.

3:55 p.m.: Miles Gibbons, 45, white, a school teacher was walking near 17th and East Capitol-st when a Negro gunman demanded his wallet. When the gunmen looked in the wallet and saw that it was empty he gave it back to Mr. Gibbons.

4.35 p.m.: William Bradley, 40, Negro, was in his beet truck near 10th and Hamlin-st ne when two Negro men jumped into the truck and took his wallet containing $27 at gunpoint.

5:35 p.m.: Melvin Fox, 18, Negro, of Southeast, said he was at 11th and W Streets nw, when two Negro gunmen took an unknown amount of money from him.

7 p.m.: Darrell Banks, 15, Negro, was in the alley near his Northeast home when a Negro youth took $20.

8 p.m.: Paul J. Kindhl, 33, white, was in the lobby of his Northwest apartment when two Negro men took $2 from him at gunpoint.

8:30 p.m.: Warren Dillon, 26, Negro, manager of a Grand Union food store, 5010 First-st nw, said four Negro bandits, two of them armed, took an undetermined amount of cash from the store and from three employes. One bandit struck the store security guard, Emory Keyser, in the head with a shotgun butt.

9:15 p.m.: George Moyers, 41, white, of Grotoes, Md., was robbed of $52 at gunpoint, while he was at 4230 South Capitol-st, by a lone Negro bandit, carrying a revolver.

10 p.m.: Randolph Washington, 42, Negro, of Northwest, was held up by a lone Negro gunman at 1122 H-st ne. The bandit got $29.

10:20 p.m.: Willie Felder, 12, Negro, was collecting for his paper route near 57th Place and Banks-st ne, when a Negro man grabbed him and took an unknown amount of money.

10:25 p.m.: Carol Silva, 23, Negro, of Northwest, lost an unknown amount of cash to a Negro bandit at 14th and Tuckerman streets nw.

11:45 p.m.: Donald C. Schreiber, 23, white, of Williamsburg, was in the hallway of 2225 N-st nw, when he was shot in the chest by one Negro gunman, during an apparent robbery attempt. He was pronounced dead at D.C. General Hospital.

12:10 a.m.: Steven R. Fahner, 19, Norman Sellers, 18, and Ernest Cook, 19, all white, U.S. Marines from Alexandria were robbed at gunpoint of $100 and their watches in front of 1220 N-st nw by three Negro men.

12:45 a.m.: James Edelin, 48, Negro said five Negro men took $68 from him while he was walking near 55th and Dix streets ne.

3:50 a.m.: Charles Turner, 34, Negro, night manager of the Esso Service Center at One Florida-ave ne. said a Negro man carrying two guns took an undetermined amount of money.

[From the Washington Evening Star, Mar. 15, 1969]

PREGNANT WOMAN LEAVING CIRCUS BEATEN AND RAPED

A Capitol Hill housewife who took her 2-year-old boy to the circus was raped early last night after leaving the Washington Coliseum. She is five months pregnant.

Police said that after the woman put her son in her car, which was parked between 5th and 6th near L Street NE, she was grabbed by a man who demanded money.

She told him she didn't have any money and he hit her on the face with either a stick or black jack, police said. People who passed by as the two were struggling didn't try to help, she told police.

The man forced the woman into her car with the child, sat beside her and forced her to drive to an alley nearby where he raped her. He then forced her to drive to another alley where he attacked her again.

The woman, who is white was treated at D.C. General Hospital and released. The child was not harmed. The attacker was described to police as a Negro.

[From the Washington (D.C.) Evening Star, Mar. 15, 1969]

MAN LURED INTO BUILDING AND SLAIN

A 22-year-old man who police said stopped with his date to help a man in apparent trouble was later slain by him.

He was the 56th homicide victim this year in the city.

According to police, Donald Schreiber, 22, of the 2200 block of Hall Place NW, was walking his date home from a movie around midnight when they encountered a man at 25th and M Streets NW. The man was bent over and appeared to be either intoxicated or sick. The man asked for help, police recounted.

When the couple said they would help, he mumbled and gestured in the direction he wanted to go, police said.

They accompanied him, and were joined on the way by a second man who appeared to know the first.

Arriving at a building in the 2200 block of N Street NW, they went to the second floor where the man "recovered" and produced a pistol in an apparent holdup attempt, police said.

Before any robbery could occur, police said, he fired the gun at Schreiber's chest and both men fled. The girl, who then notified police, was unharmed. Schreiber was pronounced dead at D.C. General Hospital.

Police described the man with the gun as a Negro, 25 to 30 years old, 5 feet 6 inches tall, of slight build and neatly dressed. His companion was also described as a Negro.

Schreiber was white, as is the girl.

[From the Washington (D.C.) Evening Star, Mar. 13, 1969]

MICROBIOLOGIST IS SHOT, BEATEN BY YOUTH IN NORTHWEST

A 62-year-old microbiologist at Walter Reed Army Institute of Research was beaten and shot on the street near his home at 810 Tuckerman St. NW last night in an unexplained attack by a teen-aged youth, police reported.

Harry Gelsing was reported in serious condition at Washington Hospital Center today.

Police said he was walking on Tuckerman street across the street from his home when a car pulled up and stopped. A teen-aged boy got out and began to berate and curse Gelsing for no apparent reason, they said.

The youth then struck at Gelsing and a struggle ensued. Going from one side of the street to the other. Gelsing was knocked down, beaten and kicked, according to the account.

The youth then backed away, pointed a gun at his victim and pulled the trigger. The gun misfired, but the youth fired again, this time hitting Gelsing in the shoulder, police said.

The attacker then jumped into the car and drove away. Police said that at no time during the attack did he ever mention anything about wanting money.

A neighbor said today that Gelsing is single, has lived at the Tuckerman street address for some time and is a "very fine man." The neighbor said he knew of "no reason at all" why Gelsing should have been attacked.

An office associate declared he "doesn't have an enemy in the world," and described him as a quiet but friendly man.

Gelsing is a theater-goer, and it was believed he may have been going home from a performance when he was attacked about 11:15 p.m.

Police issued a lookout for a Negro about 15 or 16 years old, 5 feet 3 inches to 5 feet 7 inches tall, wearing a light-colored trench coat, who was in a light green or light blue automobile.

[From the Washington (D.C.) Evening Star, Mar. 15, 1969]

Guard Is Injured, Food Store Robbed by Four Bandits

A Grand Union food store at 5010 1st Street NW was robbed of an undetermined amount of money and a store guard was struck on the head with a shotgun and disarmed last night by four holdup men, police reported.

According to police, two men entered the store about 8:30 p.m., one pointed a revolver at manager Warren Dillon, 26, and ordered him to the front office and took money. Another struck the guard, Emory Keyser, on the left side of the head with a shotgun and took the revolver from his holster, police said.

Two other men entered, taking money from cashiers Beverly A. Fox, 33, and Earnest Manifee, 32, in brown paper bags, police said. The bandits left by the front door.

Keyser was treated at Washington Hospital Center for a head injury, reported not to be serious.

[From the Washington (D.C.) Evening Star, Mar. 15, 1969]

Negro, White Injured in Alexandria Incidents

A 15-year-old Negro and a 56-year-old white man were injured early today in two assault cases with racial overtones, Alexandria police reported. They said the incidents appeared unrelated.

The teen-ager was critically wounded by a knife-wielding assailant in a fight among seven Negroes and three white men at King and West Streets, shortly after midnight, police said.

According to police, the men started fighting after remarks were exchanged among some women of both races. Police said two white women were fighting on the street when the Negro women approached them and the remarks followed.

The youngster, who was later injured and six companions became involved when the three white men lunged at the Negro women, police added. The brawl stopped when the 15-year-old fell to the ground with a knife wound across the abdomen.

Investigators said the knife apparently was wielded by a young man about 6 feet 3 inches tall, with blonde hair, wearing a blue sweatshirt with writing in a circle on the front.

The wounded youngster underwent emergency surgery at 6 a.m. today and was reported in critical condition at Alexandria Hospital.

In the meantime, police reported, Claude Lawson, 56, was assaulted by five or six Negro youths in the 100 block of S. Alfred Street about 12:30 a.m.

According to police, the tip of his nose was cut off when an assailant struck him in the face with a bottle. Doctors at Alexandria Hospital later sewed the tissue back in an attempt to save it, police added. Lawson was reported in fairly good condition.

[From the Washington (D.C.) Evening Star, Mar. 15, 1969]

District of Columbia Council Will Review Tear Gas Use

The new District City Council chairman, Gilbert Hahn Jr., said yesterday that the council will consider a recommendation that new guidelines be established for the use of tear gas by city police.

Yesterday, the District Human Relations Commission asked that guidelines be studied by the council after concluding that tear gas fired at a gunman Feb. 21 should not have been used because it started a fire in the house in the 1400 block of Madison Street NW where the gunman was.

Police Chief John B. Layton last night issued a statement citing what he felt were good and bad aspects of the report and stating:

"I also deplore criticism by the commission of our use of tear gas during the Madison Street incident. In the case of a barricaded subject, tear gas has proven to be the only effective, nonfatal, relatively safe method of apprehending a criminal.

"In my judgment, the circumstances of this incident do not justify the call for a public hearing by the city council to review the professional judgments made by police officials during the emergency."

REPORTING CRIME IN THE DISTRICT OF COLUMBIA

HON. WENDELL WYATT

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1969

Mr. WYATT. Mr. Speaker, the crime explosion in this Nation in recent years has grown to the proportions of a major crisis. This new administration has declared one of its main objectives to be the war on crime.

The District of Columbia, in particular, has been pointed out as an area in which the Federal Government has a more direct role to play in the fight against lawlessness. Crime in the District of Columbia has gotten well out of hand. The Nixon administration has moved quickly and positively to bolster local police efforts in combating this menace.

A Washington, D.C., resident, Mrs. Barbara C. Cummings, has presented what, I believe, to be a salient point in regard to the war on crime. She has questioned the attitude of the news media, newspapers in particular, in their reporting of lawlessness.

Mrs. Cummings has noted the high priority given the reporting of individual crimes, especially the more violent ones. She further notes the lack of follow-up in the news media when these criminals are eventually caught and convicted.

As she notes, it could be that this one-sided manner of reporting leads potential criminals to believe that crime does pay. In emphasizing the crime and ignoring the police and court action potential criminals may be led to the belief that no one is getting caught.

Mrs. Cummings wrote a letter to the editor of the Washington Post setting forth her views on this matter. The letter was not published.

I feel her analysis warrants a larger audience, especially in the Congress, which is charged with the welfare of residents of the District of Columbia. Here, then, is her letter, just as it was forwarded to the Post:

WASHINGTON, D. C.,
January 31, 1969.

Mr. PHILLIP L. GEYELIN,
Editorial Page Editor,
The Washington Post,
Washington, D.C.

DEAR MR. GEYELIN: With D.C. crime curbs at the top of today's priority list, may I suggest that the news media—newspapers, radio, TV—examine their own responsibilities in reporting crime and its effect upon the lawbreaker and would-be lawbreaker. We are bombarded daily with accounts of the more spectacular robberies involving substantial sums of money, often enlivened by a bit of humor to please the reading, listening, or viewing audiences; we can only hope there were some convictions for previous crimes.

Much has been made by the news media of the credibility gap between the government and the press. There now seems to be a crime-reporting credibility gap between the news media and the public, for the impression gleaned from the crime news is that few, if any, apprehensions and convictions are made. How does the reader, listener, or viewer react to this kind of reporting? Does he begin to wonder whether, if it is that easy to commit an armed robbery, snatch a purse, pilfer from a store or his employer without fear of punishment, he too might profit? Are more teen-agers encouraged to try their luck in the easy-money racket? Are repeaters also encouraged to take another fling with a gun?

News stories continue to report on improving ways to combat crime, including speedier trials, more judges, more policemen, etc., all very salutary, but with few results. For a time The Washington Post was showing a simple listing of convictions in extra-small print buried where few could find it; but even that seems to have disappeared. In the newspaper field, for example, the January 29 Washington Post carried a front page article, a lead editorial, and a column by Evans and Novak on the President's plans to combat crime. It also carried such items as: (1) "Robberies Doubled in Late 1968" (front page) with statistics for December 1965 through 1968—but no apprehensions or convictions for those periods. (2) "D.C. Bandit Gets Total of 50 Years" (p. C1)—the only conviction that day? (3) A conservative four robberies and an attempted rape (p. C6) by various culprits, all of whom "ran away" or "fled." (4) Fifteen arrests in a narcotics raid (p. A16). The TV and radio newscasts also carried similar reports, but to my knowledge did not include the only conviction reported in your paper.

So I was surprised to read on page A6 (in the lower left-hand corner) of the January 30 Post, in the item on crimes while on bail, that "only 65.1 per cent of the persons indicted for robbery in fiscal 1967 were ultimately convicted. . . ." I was surprised because I was under the impression, along with a great many others, that very few persons are apprehended, and of those, a very, very small percentage convicted; hence, I was actually comforted by the 65.1%.

I suggest that a newsworthy crime summary be devised as a public service for use on TV, radio, and in all local newspapers, just as market reports and sports events are summarized, focusing attention not just on the crimes of a particular day, but the convictions for past crimes of other months or

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years, with a more comprehensive summary at regular intervals, perhaps with cumulative totals and percentages.

The crime-credibility gap could thus be closed by a responsible mass news media thinking in terms of the psychological impact of its reporting on those who would try for easy money and on those who would be reassured that convictions are in fact being handed down by the courts.

Sincerely yours,

Mrs. Barbara B. Cummings.

HOUSE OF REPRESENTATIVES—*Tuesday, March 18, 1969*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

They that wait upon the Lord shall renew their strength; they shall walk and not faint.—Isaiah 40: 31.

Eternal God and Father of us all, as we live through the hours of this day may we be humble in spirit, helpful in attitude, faithful in service, and fruitful in all good works.

Deliver us from worries that wear us out, from resentments that tear us down, and from frustrations that weaken our morale. Help us to realize that though life may have for us many difficulties and some disagreements, we must not allow difficulties to become too discouraging, nor permit disagreements to make us too disagreeable, and certainly never allow them to weaken our faith or lower our ideals.

Grant wisdom and courage to our President, our Speaker, all Members of Congress, and those who work diligently with them as they set themselves to solve the problems that confront our Nation in these trying times.

Together may all of us walk in Thy way and not faint.

In the Master's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 408. An act to modify eligibility requirements governing the grant of assistance in acquiring specially adapted housing to include loss or loss of use of a lower extremity and other service-connected neurological or orthopedic disability which impairs locomotion to the extent that a wheelchair is regularly required; and

S. 1130. An act to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the American Fisheries Society.

The message also announced that the Presiding Officer of the Senate, pursuant to Public Law 115, 78th Congress, entitled "An act to provide for the disposal of certain records of the U.S. Government," appointed Mr. McGee and Mr. Fong members of the Joint Select Committee on the part of the Senate for the Disposition of Executive Papers referred to in the report of the Archivist of the United States numbered 69–4.

LOGJAM ON FLOOD CONTROL PROJECTS SHOULD BE BROKEN

(Mr. EDMONDSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EDMONDSON. Mr. Speaker, this morning Members of the Oklahoma delegation, through arrangements by our distinguished majority leader, met with some of the soil conservation leaders of our State who are seriously concerned about the continued logjam that exists on small projects.

Thousands of Oklahomans have been deeply distressed by this longstanding logjam that arises through a disagreement between several committees of the Congress and the Congress itself on the one hand and the previous administration on the other. Continuation of this disagreement delays some of the most vitally needed flood control work in the United States. Some of our most serious flood damage is suffered upstream and on these watersheds.

I hope we can have speedy attention to this problem in the new administration and a breaking of this logjam that is affecting adversely so many communities and areas of the country.

Mr. GERALD R. FORD. Mr. Speaker, will the distinguished gentleman yield?

Mr. EDMONDSON. I am glad to yield to the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Speaker, I think it is regrettable that we have had this dispute. I do not challenge the good faith of either the previous administration or the respective committees in the House and Senate. It was a legitimate, honest difference of opinion. However, I hope for the benefit of the country the new administration and the respective committees can find an answer so that we can proceed with this highly important watershed program.

Mr. EDMONDSON. I thank the gentleman very much.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. EDMONDSON. I am glad to yield to the distinguishd majority leader.

Mr. ALBERT. Mr. Speaker, I associate myself with the remarks of my colleague. He has performed a service to the country in bringing this matter to the attention of the House.

Mr. EDMONDSON. I thank the gentleman from Oklahoma.

H.R. 8699, FOR BENEFIT OF AIR FORCE OFFICERS WHO FOR TECHNICAL REASONS WERE UNJUSTLY DENIED PROMOTIONS WHEN RECALLED TO ACTIVE DUTY

(Mr. FISHER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FISHER. Mr. Speaker, on March 11, I introduced H.R. 8699, a private bill, on behalf of 25 Air Force Reserve officers, to correct an obvious injustice to them for having been denied promotions because of being recalled to active duty in January of last year.

Solely because of an archaic quirk in the statutes governing the promotion of Reserve officers, these men—fully qualified and duly recommended for promotion—were denied their promotions because they belonged to units mobilized for the *Pueblo* crisis. On the other hand, their contemporaries who were not recalled, did receive the same promotions the recalled men would have received had they not been recalled.

This bill, if enacted, will empower and enjoin the Secretary of the Air Force to grant these men the promotions they justly deserve.

The measure will benefit a number of my constituents. Other deserving officers have, at the request of their respective Representatives in the House, been included. Except for the House rule which does not permit cosponsorship of private bills, these Members would be listed as coauthors.

These Members who in behalf of their officer constituents have joined me in sponsoring this legislation are as follows: Representatives Adams, Don H. Clausen, Cohelan, Davis of Georgia, Gubser, Hansen of Washington, Mailliard, McCloskey, McKneally, Moss, and Waldie.

Incidentally, I have also introduced a bill (H.R. 8650) which would amend the present law and prevent a recurrence of these unfortunate injustices in the future.

INCREASED FEDERAL INCOME TAX EXEMPTION

(Mr. STEED asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. STEED. Mr. Speaker, I am today introducing a bill that would increase the personal Federal income tax exemption from $600 to $1,200.

This figure has remained unchanged since 1948, for 21 years. During that period inflation and rising costs have reduced it to only token relief for the taxpayer. Even before World War II, with the cost of living many times less than now, the figure was $750.

The bill would apply to exemptions for the taxpayer, spouse, and dependents, as well as the additional exemptions for old age and blindness.

Chairman Mills and the Ways and Means Committee are conducting an intensive review of the entire tax structure, and I hope that this will result in substantial improvements. I believe that a realistic increase in the personal exemption should be included in any tax reform measure eventually enacted.

Loss of revenue to the Government would be relatively small and can be recouped by economy and by revisions to correct other inequities in the tax structure.

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The average small- and middle-income taxpayer is bearing more than his share of the burden. This is one of a number of changes needed to remedy this situation.

BILLS TO NAME THE MISSISSIPPI RIVER BRIDGE AT DYERSBURG IN HONOR OF THE LATE REPRESENTATIVE EVERETT OF TENNESSEE

(Mr. KUYKENDALL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KUYKENDALL. Mr. Speaker, immediately upon the death of Congressman Robert A. Everett, Senator HOWARD BAKER introduced a bill in the Senate and I introduced a bill in the House to name the Mississippi River bridge at Dyersburg for Congressman Everett.

The bill introduced by Senator BAKER was passed almost immediately by a unanimous voice vote. But for reasons unknown to me the bill is having some difficulty passing the House of Representatives even though both the majority and the minority leaders of the Public Works Committee are openly dedicated to its passage.

Many people for many years took an active part in promoting and working for this bridge, but it all came to naught until the effective work of Congressman Everett—almost singlehandedly—persuaded enough people to support the effort to make it a reality.

Mr. Speaker, I sincerely hope the Public Works Committee will soon report out Senate bill 769 to name the Mississippi River bridge after our beloved friend, Fats Everett. The reason for passing the Senate bill is that in the interest of having this much deserved honor given to Fats Everett's memory as soon as possible, I shall ask that my bill be vacated and that the bill that has already passed the Senate be reported out.

SMALL BUSINESS ADMINISTRATION LOAN TO PROMINENT NEW YORK AREA LOAN SHARK AND MEMBER OF MAFIA'S COSA NOSTRA

(Mr. GROSS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GROSS. Mr. Speaker, the Small Business Administration has not exactly been noted in the past few years for caution when it comes to handing out the public's money, but a case has now come to light which boggles the mind.

I am referring to the loan of nearly a half million dollars to companies controlled by a man who is identified as a prominent New York area loan shark and a member of the Mafia's Cosa Nostra.

I am told that this man—John Masieello—is so well known as a member of the underworld that he has been under the closest scrutiny of the Justice Department. He has been, I am informed, convicted of smuggling.

What have we come to when an agency of the Federal Government is spewing out the taxpayers' hard-earned money to a smuggler and a loan shark?

What possible excuse can there be for this type of behavior by the high public officials who approved the loan of this money?

I am today asking Attorney General Mitchell to conduct a full and complete investigation of this unbelievable case.

I have watched for far too long the Small Business Administration throwing money down the drain without the slightest concern from whence it came or to whom it belonged. It has got to stop and right now, and I intend to do everything in my power to see that it does stop.

DISPENSING WITH PRIVATE CALENDAR TODAY

The SPEAKER. This is the call of the Private Calendar.

The Chair now recognizes the gentleman from Massachusetts (Mr. BOLAND).

Mr. BOLAND. Mr. Speaker, since today is the first day that bills on the Private Calendar have been eligible for consideration, I take this time to advise Members of the policy agreed upon by both the majority and the minority official objectors for the Private Calendar with respect to the consideration of bills on the Private Calendar. The official objectors have agreed that during the 91st Congress they will consider only those bills which have been on the Private Calendar for a period of 7 calendar days, excluding the day the bills are reported and the day the calendar is called. This reaffirms a policy initially adopted by the official objectors on June 3, 1958. The policy will be strictly observed except during the closing days of each session when House rules are suspended.

Mr. Speaker, in light of this agreement I ask unanimous consent that the call of the Private Calendar in order today be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

EXTENSION OF EXECUTIVE REORGANIZATION AUTHORITY

Mr. BLATNIK. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1058) to extend the period within which the President may transmit to the Congress plans for reorganization of agencies of the executive branch of the Government.

The Clerk read as follows:

S. 1058

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 905(b), title 5, United States Code, is amended by striking out "December 31, 1968", and inserting in lieu thereof "April 1, 1971".

The SPEAKER. Is a second demanded?

Mr. ERLENBORN. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

CALL OF THE HOUSE

Mr. HALL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The gentleman from Missouri makes the point of order that a quorum is not present, and evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 22]

Annunzio
Arends
Bates
Belcher
Bell, Calif.
Blackburn
Brock
Brown, Mich.
Carey
Clark
Colmer
Davis, Ga.
Eckhardt
Edwards, La.
Fallon
Flynt
Ford,
  William D.
Gallagher
Giaimo
Gray
Griffiths
Hanna
Hansen, Idaho
Harsha
Hays
Hébert
Hungate
Jacobs
Kyl
Leggett
Lloyd
Long, La.
Long, Md.
Lowenstein
Lukens
McEwen
McFall
McKneally
Mathias
Morse
Murphy, N.Y.
O'Konski
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Patman
Powell
Riegle
Rivers
Ronan
Rooney, N.Y.
Ruppe
St. Onge
Sandman
Scheuer
Scott
Slack
Smith, Iowa
Stephens
Stuckey
Teague, Calif.
Teague, Tex.
Tunney
Vander Jagt
Widnall
Williams

The SPEAKER pro tempore. (Mr. ALBERT). On this rollcall 364 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PERMISSION FOR COMMITTEE ON RULES TO FILE CERTAIN REPORTS

Mr. COLMER. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

THE LATE HONORABLE HENRY O. TALLE

(Mr. CULVER asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. CULVER. Mr. Speaker, I rise to join my colleagues in the House in paying tribute to the gentleman who, for 20 years, represented the Second Congressional District of Iowa, Congressman Henry O. Talle.

In addition to his service to the country as ranking minority member of the House Banking and Currency Committee, the House District Committee, the Joint Economic Committee, and the Joint Committee on Defense Production, the people of northeast Iowa will remember him for his work for the district, and particularly his leadership in establishing Effigy Mounds National Monument and rerouting the Upper Iowa River to lessen flood dangers.

During the time he served on the faculty of Luther College in Decorah, and later as a Member of Congress, Henry O. Talle had an important impact on maintaining and strengthening higher education in northeast Iowa.

Mr. Talle has set a high standard of service and commitment for those who

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have succeeded him, and all of us in northeast Iowa are indebted to him for his contributions as our representative.

Mrs. Culver and I extend our deepest sympathy to Mrs. Talle and the members of the family.

COMMENDATION ON THE ABM PROGRAM

(Mr. WAGGONNER asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. WAGGONNER. Mr. Speaker, I would like to commend the President for taking steps in providing for the defense of the United States with an anti-ballistic-missile program. My only reservation is that I wish he had asked for a larger or "thicker" system, but I do not, of course, have access to the facts and the figures which are available to him which guided his decision.

I do not doubt the sincerity of the President's statement that he regards the security of the Nation to be the gravest responsibility which he bears. Nothing could surpass that duty in my mind. And to those in this or the other body who, for one reason or another, oppose this thin ABM system or advocate that we have no defense at all, I can only say they are taking upon themselves a burden I would not want on my shoulders. If they are right and we never have a need for this defense system, perhaps time will hold them guiltless. But if the dread day ever comes when millions of lives could have been saved but for their opposition to this system, the judgment upon them will be more than anyone could bear.

If any error is to be committed, pray God we err on the side of more protection for the Nation than we might need, rather than too little.

TRANSFER OF SPECIAL ORDER

Mr. BIAGGI. Mr. Speaker, I ask unanimous consent that the special order granted to the gentleman from New York (Mr. LOWENSTEIN) for 1 hour on March 26 be transferred to March 25.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from New York?

There was no objection.

EXTENSION OF EXECUTIVE REORGANIZATION AUTHORITY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Minnesota (Mr. BLATNIK).

Mr. BLATNIK. Mr. Speaker, S. 1058 will extend the authority granted the President under the Reorganization Act of 1949 to submit reorganization plans to the Congress. Such plans go into effect within 60 days unless either the House or the Senate passes a resolution of disapproval. This authority, in one form or another, has been given to Presidents since 1932. The 1949 act, which expired on December 31, 1968, was recommended to Congress by the first Hoover Commission on Organization of the Executive Branch. The premise underlying this act seems to be based on the historical fact that Congress has had great difficulty in reaching agreement on forms of organization for the executive branch and its many departments and agencies under the normal legislative procedures. The President, therefore, was given the right to develop reorganization plans designed to produce greater efficiency and more effective administration and submit those plans to Congress. The Congress had the affirmative responsibility of accepting or rejecting these proposals.

Under the rules of the House, reorganization plans are referred to the Committee on Government Operations for study and recommendation to the House. If a disapproval resolution is filed, that committee is given 10 days in which to act upon the resolution and return it to the House or be subject to a motion to discharge. As a longtime member of that committee and now chairman of the subcommittee which considers reorganization plans, I think I can fairly say that under the leadership of the chairman and ranking majority member, Mr. HOLIFIELD, the committee has fully met its responsibilities in handling these plans. We not only make a careful scrutiny of each plan, including hearings in which all sides may present their opinions, but we have made a special point of soliciting the views of the chairmen and members of the great standing committees of this House when departments and agencies under their jurisdiction may be affected. Since 1949, 85 reorganization plans have been transmitted to the Congress; 65 of these became effective. Congress exercised its prerogative on the other 20 to disapprove them.

In 1968, on the express recommendation of President Johnson, we approved an extension of the act for 2 years but the Senate did not act. On January 30 of this year, President Nixon, in a special message to Congress, asked that the law be extended. The Senate acted first and our committee now recommends that the House concur and provide to President Nixon the same authority which his predecessors, Presidents Truman, Eisenhower, Kennedy, and Johnson have had.

The measure before you extends the law for only 2 years, until April 1, 1971. During that period we can evaluate the proposals made by the President and determine if the act should be further extended.

It is often said that somehow Congress is giving up legislative power to the Executive under the Reorganization Act. I disagree. Congress is merely placing upon the Executive the responsibility for taking the initiative in proposing to Congress improvements in organizational arrangements that will help our Government to work better for all of the people. If Congress favors the proposal, it will permit it to go into effect. If Congress does not approve the proposal, it may defeat it by voting on a disapproval resolution.

The safeguards involved are powerful. A reorganization plan can be defeated by a simple majority vote of either House. A disapproval resolution cannot be bottled up in committee because the rules of the House provide for a vote to discharge the committee after 10 days as a highly privileged matter. I have no fear that the Members of this body will fail to be alert when reorganizations of a controversial nature come before us.

I am sure that the Members of this House will overwhelmingly pass this bill so that effective organization and reorganization of the executive branch can be obtained.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BLATNIK. I yield to the gentleman from Iowa.

Mr. GROSS. I thank the gentleman for yielding. I am curious to know why a reorganization recommendation from the executive branch of the Government should carry a 60-day effective clause when the unconscionable Pay Act, which was also a delegation of congressional authority—and illegal in my opinion—contained a provision for only 30 days. Why 60 days in this instance and 30 days in the other instance, if I may ask the gentleman?

Mr. BLATNIK. I am not in a position to answer that question as to why 30 days was sufficient or insufficient in the other instance. But in this instance, 60 days has been the time provided from the very beginning of this procedure, certainly since 1949—in the past 20 years—and it has proven to be an ample length of time. There has been no request either to shorten or extend that time. So for that reason we are continuing the same period of time—60 days.

Mr. GROSS. If the gentleman will yield further, I should like to ask the gentleman if in 1949 there was a 90-day provision?

Mr. BLATNIK. I should like to call upon the gentleman from California to explain that. I do not recall under what circumstances it was reduced to 60 days. Would the gentleman from California be able to shed some light on that point?

Mr. HOLIFIELD. I am sorry. I did not hear the statement of the gentleman from Iowa.

Mr. GROSS. I was inquiring as to why there is a 60-day effective provision in the bill we are considering when the unconscionable pay bill contained a 30-day provision?

Mr. HOLIFIELD. The gentleman brings in a different piece of legislation, which, of course, this committee has no control over. The time traditionally has been 60 days, and I believe that is ample time to give the committee and the Congress opportunity to study these bills. On a number of occasions a group of reorganization plans has been sent to the Congress by the executive branch within the period of just a few days. I have tried to discourage that practice so that we could have more time to consider the plans. I have been partly successful in that endeavor. However, I do think that 60 days is a reasonable time for a plan to arrive before the Congress and give all the committees that are involved and the individual Members of Congress a chance to study it. I see no reason to change the time to 30 days or to 90 days.

Mr. GROSS. Of course, the original promoters of this delegation of power idea specified 90 days.

Mr. HOLIFIELD. The gentleman from

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Iowa must be going back a long way to find 90 days.

Mr. GROSS. It was 1949, I am told.

Mr. HOLIFIELD. My memory does not serve me in just that way in that respect. My memory is it was, in 1949, 60 days.

Mr. GROSS. I am told it was 90 days at that time.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. BLATNIK. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I appreciate the statement of the gentleman in the well, and the chairman of the Subcommittee on Government Operations that handles the reorganization plans.

I view this additional request with mixed emotions as a Member who, for the past 3 years, has served with five other Members of this body on the Joint Committee on the Reorganization of the Congress and the related agencies, and that would certainly include the executive branch. I can well realize that a new administration would need this authority to correct some errors or deviations from its way of thinking as to the administration of the executive branch, and certainly I would want my President to have that.

I am concerned, however, particularly about the delegation of congressional and legislative authority to the executive branch. I think the argument that we are having more and more agencies formed in the administration, is proof positive that we of the legislative branch need to exercise more and more control.

But, be that as it may, I want again to compliment the gentleman in the well for the committee and subcommittee report, particularly for including the action of the House committee in the past 8 years in chart form on pages 3 and 4.

It is hereby that my question for information derives. I notice that in the early years the House's actions are accounted for, action was taken on almost every reorganization plan that was submitted to the Congress, either positively or by indirect action. I appreciated the statement that the gentleman made about the function of his subcommittee and the days allotted by the parent committee for action on the reorganization plan; but, going into 1965, according to the chart of the gentleman's own committee, through 1968, as I interpret it, no action was taken in the great majority of reorganization plans. Indeed, the last three reorganization plans out of four, in 1968 had no action taken, thereby allowing the reorganization plan to go into effect without a report, without a study, and without debate, either under the suspension of the rules or any other way.

Would the gentleman in his experience and wisdom say that having relegated our authority to the executive branch to reorganize itself—and I know the backing of the Hoover Commission, and so forth—there is more of a threat to let this reorganization of the executive branch occur as a matter of comity to the coequal branch, without us taking necessary action or debating it either pro or con on the floor of the House?

Mr. BLATNIK. There is nothing that prevents any Member from introducing, and any Member has the right to introduce a resolution of disapproval which automatically requires action within 10 days.

Any person will have full opportunity to be heard before the committee, and there can be full debate in the House.

Mr. HALL. Mr. Speaker, if the gentleman will yield further, I agree with the gentleman, and I know the rules of procedure of this body well enough to understand—in fact, I have introduced such resolutions. But the fact remains that if the committee in its wisdom, as a subdelegated part of this body as a whole, deems not to bring it back on this floor, or if, indeed, the leadership, with a positive report of the committee, deems it advisable not to schedule the matter then the Congress as a collection of 435 individually elected legislators has delegated to the committee or subcommittee this prerogative, which, in turn, can delegate the power of the Congress to the executive branch. Is that not true?

Mr. BLATNIK. No, that is not true.

We do not regard this as delegating any powers of this body of the Government to the executive branch.

So a failure to act is a decision by this body and it thereby permits the reorganization plan to go into effect automatically at the end of 60 days. We do not either willfully, or through inadvertence, transfer any of our authority or responsibilities at all. The power either to act or not to act is within our rights, prerogatives, and privileges.

Mr. HALL. I appreciate the gentleman's statement. I believe the committee actually functions in this manner, particularly the gentleman's subcommittee. However, I would like to ask the mirror-image question or corollary question: Could any one elected representative bring such action in defiance of an executive reorganization against the will of the subcommittee or the leadership?

Mr. BLATNIK. Yes. My understanding is that any Member can call the matter to the floor, so it is a matter of the highest privilege. There are no parliamentary rules or rules of order against it or any impediments or obstacles whatsoever. One individual, be he the sole objector, still has the right to call the matter up before the full body of the House.

Mr. HALL. I thank the gentleman for the legislative record and his explanation.

Mr. BLATNIK. Mr. Speaker, I urge the adoption of this measure.

Mr. ERLENBORN. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I rise in support of S. 1058, the bill to extend the executive reorganization authority. I think the gentleman from Minnesota (Mr. BLATNIK), the chairman of my subcommittee, has ably explained this bill and some of its history.

As he mentioned, in the last Congress the House did act to pass a bill to extend the reorganization authority before it expired. Due to inaction, that legislation died in the other body. Contrary to the inaction of the last session of Congress, the other body has acted promptly this year and has passed the bill now before us.

In the bill that was passed last year by this House there were two amendments incorporated which were offered by me in the subcommittee. Again, in legislation I introduced this year, I offered the same amendments. I have been convinced from our hearings and representations made to me by the Bureau of the Budget that the substance of the amendments I had offered will be incorporated in messages from the President transmitting reorganization plans in the future. There will be some arguments made here today, I know, as they were made in our full committee, that there should be additional limitations placed on the President's power to reorganize and to exempt independent regulatory agencies from this reorganization power. In anticipation of these arguments, I would like to point out that since 1949 when the basic legislation we are now extending was adopted, there has been no such limitation on the President's authority. As a matter of fact, in the 1949 legislation, when it was being debated and before it was adopted, this question was very thoroughly debated. The Hoover Commission and Mr. Hoover himself, both of them, made it very clear that they did not think it would be advisable to exclude regulatory agencies from the President's reorganization powers. So we have a clear legislative history opposed to the type of amendment that the opponents of this bill would like to offer to this bill.

I would also suggest that since 1949, as far as I can find from my research, no one has offered such amendments. This authority has been extended every 2 years and sometimes for a period of 3 years since 1949 without this sort of limitation being suggested.

Mr. Speaker, at the present time the President does not have authority to transmit plans. The basic legislation is still on the books. The President still has the obligation under this legislation to make studies and to make with recommendations. But his authority to transmit plans has expired. This legislation would accomplish the extension once again of the President's authority to transmit plans.

The gentleman from Missouri (Mr. HALL) raised some questions about whether individuals could bring objections to these plans out onto the floor.

I would point out to the distinguished gentleman from Missouri (Mr. HALL), as the gentleman may know, but I would point out to the gentleman the fact that whether or not a resolution of disapproval is filed, it has been and will continue to be the policy of our subcommittee and the policy of our full Committee on Government Operations to hold thorough hearings on the President's reorganization plans. We have done this in the past, even though a resolution of disapproval had not been offered, and these plans do get attention even though a resolution of disapproval has not been offered to the plan. Likewise, a resolution of disapproval can be brought out onto the floor and as was appropriately answered by the gentleman from Minnesota (Mr. BLATNIK), if any individual wants to file a resolution of disapproval, and appear before our subcommittee then we shall always see to it that the resolution of disapproval is brought out onto the floor.

But, even if we did not act, the individual who has filed a resolution of disapproval has the absolute right to have his resolution brought out as a matter of the highest priority here onto the floor of the House even though he could not get a hearing before our subcommittee or before the full committee, although I am confident such hearing would be granted upon request.

Mr. Speaker, several basic changes have been made in our Reorganization Act since 1949, some to liberalize the procedures whereby a plan of reorganization may be disapproved.

The SPEAKER pro tempore (Mr. Mills). The time of the gentleman from Illinois has expired.

Mr. ERLENBORN. Mr. Speaker, I yield myself 1 additional minute.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ERLENBORN. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. I thank the gentleman from Illinois for yielding.

The gentleman gives us the assurance that these reorganization plans and recommendations will come to the floor of the House for consideration. We had that assurance in 1967 when the delegation of power went to the President of the United States to recommend salaries for Members of Congress, and the House finally brought that procedure. We were assured then that the House would have an opportunity to work its will. It did not have such opportunity.

I hope the gentleman's assurance in this instance means more than it did in that instance.

Mr. ERLENBORN. I thank the gentleman from Iowa for his remarks. I take no credit or blame for what the gentleman talks about, but I will say that since I have been a Member of this body and so long as I continue to be a member of the Committee on Government Operations, we have fulfilled and I am confident will continue to fulfill our full obligation to hold hearings on every plan which is offered whether a resolution of disapproval has been introduced or not. Every Member has a right to introduce such a resolution. This is a matter of substantive law and it is a matter of record that our committee has fulfilled its obligations in all instances in this regard.

The SPEAKER pro tempore. The time of the gentleman from Illinois has again expired.

Mr. BLATNIK. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. Moss).

Mr. ERLENBORN. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. Moss).

Mr. MOSS. Mr. Speaker, I step into this well today exactly even for the first time in 16 years because in 16 years the strongest argument I have heard advanced for the granting of reorganization authority was that the previous administration had it. So, I have now voted 8 years to give it to Republican Presidents and 8 years to give it to Democratic Presidents. So, while I am even, I want to urge the House to recapture its role as a positive force in legislating.

I believe this is what we are sent here to do, and I believe honestly that we have the capacity to do that job if we but have the will to try.

Reorganization plans in the early days of the Hoover Commission were well conceived following very careful study, and the overwhelming majority of them had my enthusiastic support, but far too many of them in recent years have not been well conceived, and have not had that same degree of impartial study.

I believe the Congress needs to learn how to do the job of studying impartially the function of the executive branches of the Government, and to be able to modify the proposals which are sent down in Presidential messages, but a reorganization plan once submitted cannot be changed; it must be voted up or down. Remember that all we retain for ourselves as Members of Congress is a veto power. That is not the role envisioned for the legislative body of this Nation. That is not the responsibility we seek from our voters when we come here to Washington, and it is not the responsibility we represent ourselves as having when we sit on committees to hear testimony. There is a flexibility in bona fide legislating. There is a point of proper consensus where the possible can be done, and usually that consensus represents the degree of compromise which has been the characteristic strain of strength in this democracy of ours.

I have voted in the past for this procedure, and I have not done so in a partisan sense, but I emphasize again that I did it for the best argument that I ever heard, that someone else had had the authority and only now, 16 years later, can I step into this well and say to all of you that I have been totally impartial, I have given 8 years to the Republicans, and I have given 8 years to the Democrats, and I have regretted in each instance doing so.

Now, I do not want to have this legislative authority left in the hands of the Executive, and I do not want a dilution of our responsibilities. I would like to see us embark on the road of recapturing the dignity and the stature which we as Members of the principal legislative body of this Nation are supposed to possess.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. ERLENBORN. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, the gentleman from California (Mr. Moss) just made an impassioned plea outlining how he feels about this legislation. For the benefit of the gentleman from California, and other Members in the Chamber, I would like to read an excerpt from the Congressional Record of 1963 of statements made by the same gentleman from California. He said:

> Mr. Chairman, I voted for the extension of this authority in 1953, 1955, 1957, and 1961. I did not support its extension in 1959.

Then after some other intervening comments, he continued:

> I watched rather carefully the way the Congress handled the controversial reorganization plans sent it in 1961. I saw no evidence there of abandonment of our responsibility in the field of legislation. I saw no power given the President which restricted our right or our opportunity to act and act decisively. We rejected plans, we permitted some to become operative and in at least one notable instance we substituted amendment of statute for the adoption of the plan itself. I think it demonstrated that the dangers, the fears many of us envisioned as flowing from this authority were mere bogeymen, that we did not have to be frightened of any usurpation on the part of the Executive of the prerogatives of the Congress.

The SPEAKER. The time of the gentleman from Illinois (Mr. Erlenborn) has expired.

Mr. MOSS. Mr. Speaker, in view of the fact the gentleman from Illinois has mentioned the gentleman from California, will he yield me one-half minute?

Mr. ERLENBORN. Mr. Speaker, I yield myself 1 additional minute and now yield to the gentleman from California (Mr. Moss).

Mr. MOSS. Mr. Speaker, let me say that consistency is certainly the pride of very small minds. I am not at all embarrassed in saying that studying the reorganization plans of the last few years has reinforced the position I took in 1959. I do not think we have accepted the affirmative role of the legislative body and I think a recitation of the number that became effective without any action at all is perhaps the strongest argument in support of that contention.

Mr. ERLENBORN. Mr. Speaker, in the time remaining of my 1 minute, let me point out here that what the gentleman from California has said about there not being any action at all is incorrect because we have always held hearings on these plans.

Now, Mr. Speaker, I yield 5 minutes to the gentleman from Michigan (Mr. Dingell).

Mr. DINGELL. Mr. Speaker, I would like to thank my good friend for his gracious courtesy in yielding to me at this time.

Mr. Speaker, I rise with some regret. I have before me here a document, "The Elephant's Roar." Its editor or publisher is Mr. John F. Saterlee. The address of this publication is 836 National Press Building, Washington, D.C.

It is entitled "A Gazette for Republican Leaders." In that a very prominent Republican lady, Mrs. Phyllis Schlafly writes on pages 2 and 3 a very lengthy statement and the title is "Patronage Is the Name of the Game."

While my colleagues have traditionally supported the idea that the President should be allowed to reorganize the Government agencies within certain limitation and within controls imposed by the Congress. But I think this is a most interesting document and I believe it sets out the understanding of some knowledgeable and authoritative and influential members of the Republican Party as to the purposes behind this reorganization.

The opening portion of this is a very lengthy complaint about the very great shortage of patronage jobs that exist.

Prominent among those complaints is the statement:

> President Nixon can fill only 1,500 to 3,000 Federal jobs—the rest of the Federal employees are locked in by the Civil Service.

I do not want my colleagues at the end of the 2 years, when the expiration of this program is at an end, to say that they were not fully warned. This is, according to Mrs. Schlafly's understanding, the basis for a great Republican patronage grab.

I believe there is abundant warning here for all who will heed. I believe those who are interested in the civil service and interested in the integrity of the civil service should feel great concern from this publication.

I will now quote directly from the article—and I say that at the appropriate time, I will ask unanimous consent to insert the whole of this remarkable document into the RECORD so that the Federal service and the people of this Nation can understand some of the warnings that have been placed before us by Mrs. Schlafly.

> Use the technique called "reorganization" in order to bring Republicans into the Federal Government at every echelon. This is perfectly legal and ethical administrative device for outmaneuvering Civil Service in order to fire Democrats and hire Republicans. The President can abolish agencies, bureaus, divisions and job—and then create new ones. He can make up different titles for the same old jobs so they are available for new personnel.
>
> After all, isn't that what the American people voted for last November 5? Civil Service should *not*—

And the word "not" is italicized to make it clear that this is one of the major points with which Mrs. Schlafly is concerned—and the article continues:

> should not be permitted to stand in a way of the policy changes for which we voted so decisively.
>
> The technique of "reorganization"—

And the word "reorganization" is in quotes—

> requires a few smart and skillful lower-echelon employees to do the necessary detail work. If the Kennedy and Johnson administrations could find such employees, there is no reason why the Nixon administration cannot do it, too. It is simply a matter of having the will to do it.
>
> The Democrats used this political tool with consummate skill in order to pack the government with liberal Democrats. If the Republicans fail to use this tool, no one will thank them for their gentlemanliness.

A word to the wise should be sufficient. The article referred to follows:

PATRONAGE IS THE NAME OF THE GAME

(By Phyllis Schlafly)

Ever since Richard Nixon won the Presidency in November 1968, the press has been filled with variations on this principal theme: *President Nixon can fill only 1,500 to 3,000 Federal jobs—the rest of the Federal employees are locked in by Civil Service.*

This claim is preposterous, and Republicans at every level should call the bluff of the Democrats and the liberals who are trying to put it over. The American people voted for a change in November 1968. There is no way that the wishes of the majority of Americans can be fulfilled if President Nixon can replace only 3,000 employees out of 3,000,000—leaving 2,997,000 holdovers from previous administration.

On Inauguration Day, *The New York Times* stated on the front page: 'Mr. Nixon will be leading barely 100 associates into top jobs in a Government of more than three million employees. They will be guided for months by Democratic holdovers, even in policy posts, and they will have to master a bureaucracy that has been trained and nourished by Democrats in all but eight of the last 36 years."

Republicans should not permit the Nixon Administration to be straitjacketed by the retention of 99.9% holdovers from the LBJ Administration.

It is wishful thinking to hope that the election of a new President and his appointment of an outstanding Cabinet will in itself bring about the change in policies which the voters want. Policies are made by the thousands of middle-echelon bureaucrats who give the advice, determine what information is sent to their superiors, draft the "working" papers, prepare the "options," "interpret" the regulations, and summarize the "intelligence."

Immediately after the Nixon victory, the Federal payrollers began building bureaucratic barricades to perpetuate themselves in power. They moved into high gear to hire Democrats for every available position. Jobs which had been vacant for months or even years were hurriedly filled in the weeks between the election and the Inauguration in order to blanket additional Democrats into Civil Service. Many others were transferred from political jobs to permanent jobs just prior to January 20.

Meanwhile, the Federal bureaucrats are adopting the attitude that four years of Nixon are merely an interlude to be endured. The word is being spread in Washington that nothing should be done to reinstate Otto Otepka to his post in the State Department because this would be "bad public relations" for the Nixon Administration. This is untrue. Everyone who knows anything about the case knows that Otepka was framed. Unless justice is given to Otepka, morale among the many good Federal employees will disintegrate.

THE DEMOCRAT RECORD

The Democrats have never permitted Civil Service to impede their political objectives. Presidents Roosevelt, Truman, Kennedy and Johnson ruthlessly got rid of Republican holdovers—Civil Service to the contrary notwithstanding—and used every possible tactic to put Democrats on the payroll and keep them there. No holds were barred in their purge of Republicans and payroll padding with Democrats.

Franklin Roosevelt set the precedent in the Commerce Department in the early days of the New Deal. Under "emergency" powers, he fired several hundred holdovers from the Hoover Administration and put a freeze on all new hirings. Then he established the NRA in the same buidling—with all new personnel. Where did the new employees come from? They were hired through the employment office of the Democratic National Committee—*not* transferred from the Commerce Department or other Federal bureaus. Two years later when the NRA was declared unconstitutional, all the NRA employees were hired directly into the Commerce Department and blanketed into Civil Service.

When President Truman wanted to load his friends in the Pendergast machine onto the Federal payroll, he peremptorily closed some agency offices and then reopened them in Kansas City. This shook many employees off the Federal payroll, and opened up plenty of Government jobs to take care of the politicians who elected him.

After Kennedy became President, he abolished the entire Federal agency dispensing foreign aid, thus eliminating all the Eisenhower appointees. Kennedy then immediately created a new foreign aid agency under a new name—and hired a new staff of all Kennedy supporters.

These are just samples of the way Roosevelt, Truman, Kennedy and Johnson used the tool of Federal patronage skillfully and ruthlessly in order (1) to carry out the liberal policies of the New Deal, Fair Deal, New Frontier, and Great Society, (2) to build a political machine in order to reelect themselves, and (3) to enjoy the power of spending Federal billions down to the letting of the last small contract.

THE EISENHOWER MISTAKE

Now let us contrast the patronage policy of the Eisenhower Administration. If the election of Dwight Eisenhower in 1952 meant anything at all, it meant a mandate to clean out the State Department. The State Department was the focal point of the entire campaign: all Republican orators inveighed against the stalemate war in Korea, Communists in Government, and the State Department sellout of China. The 1952 Republican Party Platform promised:

"We shall eliminate from the State Department and from every Federal office, all, wherever they may be found, who share responsibility for the needless predicaments and perils in which we find ourselves. We shall also sever from the public payroll the hoards of loafers, incompetents and unnecessary employees who clutter the administration of our foreign affairs."

It is a blot on the Republican record that this promise was never kept. Only a handful of top jobs were changed. The State Department which lost China, and announced that South Korea was outside the U.S. "defense perimeter," remained virtually intact.

The few Republicans who did receive high appointments were told they could not even hire a secretary of their own choosing, but had to continue with the holdover from the Truman Administration. As the Republican Party faithful became impatient with the lack of available patronage and with the lack of meaningful policy changes, they were forever frustrated by this stock reply from Republican Senators, Congressmen, and other high officials:

"Nearly all Federal jobs are under Civil Service and President Eisenhower can appoint only a few thousand jobs at the top. There is nothing we can legally do to dismiss Democrats and hire Republicans." Apparently Eisenhower and most top Republican officials believed this because it was the policy of the Eisenhower Administration.

This policy was wrong because it meant that the Eisenhower Administration could not give the American people the policy changes they voted for in 1952. With the same crew manning the Eisenhower ship, as the French say, "the more things change, the more they remain the same." The American people were entitled to receive the change for which they voted. Civil Service has some merit, but it should not be allowed to frustrate the constitutional wishes of the American people.

The bitter harvest of this failure to clean out the State Department was Castro. Our Ambassador appointed by Eisenhower, Earl E. T. Smith, was never deceived by Castro. Ambassador Smith sent back accurate reports that Castro was a Communist and should not be aided by the United States. But these reports came into the hands of a Truman holdover named William Wieland who pigeonholed them. Wieland knew that Castro was a Communist but never passed this information to his superiors.

The assistance that the State Department gave to Castro is the worst blot on the hundred-year record of the Republican Party—and it could have been so easily avoided if the Eisenhower Administration had used Federal patronage with the same skill displayed by Roosevelt, Truman, Kennedy and Johnson.

This failure to use Federal patronage is also probably the principal reason why, in every subsequent year of the Eisenhower

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Administration, the Republican Party steadily lost ground and more of its candidates were defeated.

DOING THE "IMPOSSIBLE"

Unfortunately, there is now a defeatist attitude among many Republican Congressmen and Party officials about large-scale patronage to be dispensed by the Nixon Administration. Whereas Democratic Congressmen are consistently vocal and aggressive in putting their constituents on the Federal payroll, Republican Congressmen are often reticent and resigned to refusal.

This is wrong. There should be thousands of Republicans flooding into Federal office from every State in the Union—especially from the states which contributed substantially to Nixon's victory. This is the only way we can secure the change for which the American people voted.

Don't let your Senator or Congressman tell you that it can't be done—tell him to find a way to do it. The great Seabee slogan of World War II was: "The difficult we do immediately, the impossible takes a little longer." Roosevelt, Truman, Kennedy and Johnson did it. Patronage is the name of the game and, if Republicans do not use it skillfully as the Democrats do, Republicans are not going to win future elections.

Here are three principal ways that the new Republican Administration can proceed in order to bring about the change the people voted for.

1. Abolish the unnecessary jobs and cull out the employees who are not doing anything. Under Kennedy and Johnson, 619,397 civilian employees were added to the Federal payroll—most of them unnecessary.

The Federal Government is loaded with thousands of extra employees who walk up and down corridors with little to do. They fill the cafeterias for coffee breaks at 10, 11, 3 and 4 o'clock. There are so many of these political hangers-on in nearly every agency that they are known in Washington as the "corridor corps." They write memos to one another and do "busy" work in order to camouflage the fact that they are really just holding political jobs—playing a cat and mouse game to see if the new Republican Administration has the nerve to fire them.

The elimination of this payroll padding would be a fulfillment of Republican campaign promises and a service to the overburdened American taxpayers. The financial saving would be the least important benefit. Far more significant would be the substantive changes from the disastrous LBJ policies and the improved morale of the many dedicated employees who work hard and really earn their salaries.

2. Use the technique called "reorganization" in order to bring Republicans into the Federal Government at every echelon. This is a perfectly legal and ethical administrative device for outmaneuvering Civil Service in order to fire Democrats and hire Republicans. The President can abolish agencies, bureaus, divisions and job—and then create new ones. He can make up different titles for the same old jobs so they are available for new personnel.

After all, isn't that what the American people voted for *last November 5?* Civil Service should *not* be permitted to stand in the way of the policy changes for which we voted so decisively.

The technique of "reorganization" requires a few smart and skillful lower-echelon employees to do the necessary detail work. If the Kennedy and Johnson Administrations could find such employees, there is no reason why the Nixon Administration cannot do it, *too*. It is simply a matter of having the will to do it.

The Democrats used this political tool with consummate skill in order to pack the Government with liberal Democrats. If Republicans fail to use this tool, no one will thank them for their gentlemanliness. The verdict at the polls will be that Republicans just don't know how to run with the ball after it is handed to them.

3. Eliminate all the "consultants" on the Government payrolls. There are thousands of so-called "consultants" who work varying amounts of time for various Federal agencies at a *per diem* of $75 to $100. One of Kennedy's first acts after becoming President was to send all the consultants then on the payroll a cordial soft-soap letter thanking them profusely for all their past services, and informing them that the new Administration was eliminating all consultants and therefore would have no further need of their services. A couple of months later, Kennedy hired all new consultants of his own choosing.

The new Republican Administration not only *can*—but *should*—do likewise if we are to have real policy changes in Government.

YOUR PART IN THE TASK

Every Republican Governor, Senator, Congressman, National Committeeman, National Committeewoman, State Chairman should already be pushing hard to get his or her Republican constituents on the Federal payroll. They should reject the nonsense that there are only some 3,000 Federal jobs to be filled. There are hundreds of thousands of jobs which must be turned over to Republicans if we are to accomplish policy changes.

The new Republican Administration is already feeling the pressure from the holdovers who want to remain. We must see to it that the new Republican Administration feels a greater pressure from Republicans for patronage so that it will be compelled to find the skillful experts in "reorganization" who can do the "impossible."

Some 30,000 Republicans jammed into Washington to celebrate President Nixon's Inauguration. If every one of these people were hired to replace Democrats, this would be only one percent of the three million Federal employees. This would only be a healthy start on the turning over of Federal jobs.

Every State should keep a scorecard on Federal appointments. Make sure that conservatives get their fair share of appointments. Make sure that women get their fair share of appointments. Above all, make sure that Republicans are appointed. Until every State has received appointments in the thousands, it is not possible to have any significant change in policies. Just as precinct workers often rate their county chairman by the number of jobs he can get for his county. State Party officials can also be rated on how many Federal jobs they secure for their constituents.

Among the most active of Republican workers are the volunteers who labor—not for a job or political favor—but simply because they want their children to grow up in a free and independent America. These volunteers must realize the importance of patronage to the achievement of their idealistic objectives. It is the lifeblood of politics because it means money, power, influence, and votes. If patronage is not properly used for the objectives of good government, it will surely be used very powerfully against us. President Nixon must have the help of employees who believe in good government—*not* be handcuffed by the architects of the mess we are in.

Mr. ERLENBORN. Mr. Speaker, I yield 1 minute to the gentlewoman from New Jersey (Mrs. DWYER).

Mrs. DWYER. Mr. Speaker, I rise in support of the pending legislation. The legislation, S. 1058, which we are considering today is identical to my bill H.R. 6963 which was introduced on the same day and would extend the reorganization provisions of title 5, United States Code, until April 1, 1971.

I support this legislation because it is directed at what I consider the most demanding of the multitude of domestic problems facing the President and the Congress—the need for efficient and effective organization and administration of the Federal Government.

Government is close to becoming unmanageable and unless we take action, is in serious danger of bogging down, just from the sheer number, weight, and complexity of its activities, and this at the very time when there are numerous needs to be met.

The provisions of the Reorganization Act of 1949, now codified in title 5, United States Code, sections 901–913, have been used to good effect by Presidents Truman, Eisenhower, Kennedy, and Johnson. But no President has needed it more than President Nixon—both to give direction to the biggest, most sprawling bureaucracy in history and to implement plans to which he has already given closer study than any incoming President. The fact that his first legislative request to Congress was for extension of the authority to submit reorganization plans indicates the importance he attaches to the structure and organization of Federal departments and agencies as a factor in getting first-class performance from Government.

This reorganization authority is a procedural tool that must be accompanied by a comprehensive review of the executive branch—a review of the type accomplished by the first and second Hoover Commissions. There is a need for a complete—not just piecemeal—overhaul of the Government's organization to cope with the vast changes in problems and programs. Many of us have introduced legislation to accomplish this—in this Congress, in the 90th, and the 89th. Now, at long last, we may soon begin hearings on this matter. But, comprehensive review and reorganization of the executive branch is only one point in the legislative program that I have frequently urged upon this body.

The program which I have sometimes called my "More for Your Money" program, also includes use of up-to-date systems management techniques, a continuing system of Federal program evaluation, legislation to permit Congress to shift funds from low-priority to high-priority programs, and legislation to enable the President to coordinate the far-flung bureaucracies handling urban programs and to establish consistent and effective policy direction.

Immediate attention must be given to the unwieldy and inefficient structure and procedures of Government. There must be a hard concerted effort—and not only to gain economy and efficiency but to give Government the ability to meet priority needs and thus restore the quality of urban life.

At this point, Mr. Speaker, I would like to include, as a part of my remarks, an excerpt from a front-page editorial by Donald Canty, editor of that excellent bimonthly, City, published by Urban America.

[Excerpt from front-page editorial, City, February 1969, vol. 3, No. 1]

The twisted pipeline that carries federal money from Washington to the cities is, by

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all indications, receiving major early attention from the new Administration. The catch-phrase is the "delivery system"; the goal, as Secretary Finch puts it elsewhere in this issue, to deliver "more bang for the buck" through systemic reform. It is a praiseworthy goal, just so it is defined in terms of results as well as efficiency. The delivery system has been clogged by waste and red tape, but its major failing has been unresponsiveness to program objectives, particularly as they involve the urban poor and minorities. There has developed "a steadily widening gap between accepted public purposes or goals and the operational capabilities of public agencies," that unusual California businessman Victor Palmieri wrote after summer of 1967. "It is one thing to certify a few city blocks for demolition and rebuilding. It is quite another to merge physical and human renewal—through specialized education, job training, health services, counseling, and recreation—and to attempt to regenerate not simply a place, but a community. . . . Our new aspirations carry with them a demand for competence—for institutional copesmanship, if you will—that is greater in orders of magnitude than we now command."

Mr. ERLENBORN. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. Brown).

Mr. BROWN of Ohio. Mr. Speaker, as the original introducer of H.R. 407 on the first day of the 91st Congress, the legislation we are discussing today, I rise in support of this bill. After 8 years of the administration of the executive branch of the Government by one party, it seems to me only appropriate and desirable that a new President representing a different party have the opportunity and the power to initiate the organization plans for the executive branch of the Government. The 2-year extension of this power, which I think it should be limited to whenever it is granted to the president, is appropriate because this is the length of time for which the American people elect a Congress. While this legislation does represent some change of the traditional balances between the legislative and the executive branches of the Government with reference to the organization of legislation, in the executive reorganization authority the prerogatives of the Congress are protected because the Congress maintains a veto power over the Presidential authority thus granted. And the built-in limitation of a 2-year authority for this reverse legislative procedure enables the Congress to review its judgment in this matter in a relatively short time—a time during which the people can also review the Congress for taking this action.

Mr. ERLENBORN. Mr. Speaker, I yield such time as he may consume to the gentleman from California.

The SPEAKER. The gentleman from Illinois has 4 minutes remaining.

Mr. HOLIFIELD. Mr. Speaker, the question before this House today, I think, is a question of equity and fairness. I am not going to take up the time of the House by answering the arguments that have been put forth in the well of the House against this plan. I am just going to say this, that under five Presidents—and I hope under six—I have supported the reorganization plans. During the regime of President Roosevelt they were sent up under the War Powers Act, and I believe from President Truman on until the end of President Johnson's term they were sent up under the Reorganization Act. We have given all of these Presidents the right to reorganize the departments of the Government within certain bounds.

They are sharply circumscribed, as we may see if we look at the printing of the bill itself in the back of the report. It can only come up under certain conditions and can only do certain things.

The housekeeping function of the executive branch is a very complicated matter. The people in charge of those departments really know whether they need to change things around or not.

But there is one thing I want to make very clear. In voting for the various extensions of the Reorganization Act, I have maintained my independence to vote for or against the plans that come up to the Congress. I have voted against plans and I have voted for plans. I intend to keep that same objectivity as far as I am concerned in regard to the plans that will come up. I intend to look at them on their own merits. If I decide that they are not meritorious, then I intend to oppose them. If I decide they are meritorious and along the lines of increasing economy and efficiency of the Government, I will support them in the future as I have in the past, regardless of the person occuping the Presidency.

This is a matter of judgment. Other Members will have their own evaluation and they can do likewise.

But this much I also want to say, that as a matter of policy this committee has held hearings on every plan and made the reports available to the Members of Congress. We have rigorously followed the rules of the Reorganization Act.

At any time that we do not voluntarily hold these hearings, any individual Member can introduce a resolution of disapproval, and it is mandatory that we hold hearings within 10 days and either report the disapproving resolution favorably or unfavorably to the House.

If the committee does not do that, any Member of this House can rightly, under a point of high privilege, demand immediate consideration of the disapproving resolution.

So the function of the Congress is adequately protected in every way by the Reorganization Act. It will be so in this instance. We will look at the plans sent up, but we will exercise in our committee the collective judgment as to whether they are good or bad. We will bring them to the floor of the House at the proper time, and every Member of the House can either verify the recommendation of the committee or reject the recommendation of the committee.

I say that is retaining in the Congress the right to legislate. The only thing we give to the President under this Reorganization Act is the right to send up a plan and the right to be assured that it will be heard by the committee and will be reported to the Congress and will be acted upon by the House in the manner the House desires. That is the difference between a plan and the ordinary legislative process. We retain the power to disapprove or to approve Presidential reorganization plans.

The SPEAKER. All the time of the gentleman from Illinois has expired.

The gentleman from Minnesota has 3 minutes remaining.

Mr. BLATNIK. Mr. Speaker, I yield 3 additional minutes to the gentleman from California.

The SPEAKER. The Chair recognizes the gentleman from California (Mr. Holifield).

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I appreciate the gentleman from California yielding. I just want to make a point of legislative record.

In the report it says:

> The Congress, of course, has made and will make selected changes in the organization of the executive branch; . . .

Is there anything in section 905(b), title 5, United States Code, or in this amendment we have before us, that would preclude this body or the Congress from making additional changes in the organization of the executive branch?

Mr. HOLIFIELD. There is no impingement upon the jurisdictional prerogatives of any committee in the House. Any plan that is accepted in this House can be nullified by the congressional committee of jurisdiction which has legislative oversight over the particular matter in that plan. So the right of the committees of jurisdictional legislation is retained. They can come forward and nullify if they do not like that and if the Congress so wills. So we are not impinging upon the right of regular form of legislation of any committee in the House.

Mr. HALL. Mr. Speaker, I think the gentleman has answered my question, but could he say affirmatively or negatively that the Congress still can work its will in regard to executive changes, over and above that which is now in the statute or the bill which we are acting on today?

Mr. HOLIFIELD. My answer is in the affirmative. I think I understand the gentleman.

Mr. Speaker, I ask that the House support this Reorganization Act and give to our present President the same prerogatives, privileges, and powers that we have given to previous Presidents.

Mr. BROYHILL of Virginia. Mr. Speaker, I rise in opposition to S. 1058. I do so not because I oppose any reorganizational proposals this administration may be contemplating. On the contrary, I am anxious to see the executive branch of our Government streamlined and the many overlapping functions of the various departments and agencies consolidated for more efficient and economical operation.

However, the question before us today is not whether or not the executive branch should be organized. It is whether or not the Congress should continue to abdicate the authority vested in it by article I of the Constitution of the United States because we are too busy to do the job entrusted to us.

Mr. Speaker, a reorganization plan when presented under this act must be voted either up or down. We have no opportunity to amend or alter it. We must, in order to approve it, merely do nothing; in order to disapprove it, vote a disapproval resolution thus defeating the entire plan. We must act or not act, without open hearings at which proponents and opponents of various parts of the plan can be heard; we must act, or not act, without benefit of open debate and without benefit of the advice of our colleagues who, by their assignment to the committee which would normally handle the affairs of a given department or agency, have become something of authorities on those agencies. We must act, in effect, in a vacuum, or we must abdicate our right to act to a group of planners within the executive branch far removed from the American people. This is not the way to legislate, Mr. Speaker. This is not what the American people elected us to do. We fail to fulfill our obligation to them if we do not, after due deliberation, hearings, and consideration, act to effect any necessary changes in the functions and responsibilities of their Government.

Mr. Speaker, the most recent striking example of the irreparable damage which can be done to a branch of the Government under this act was the reorganization plan 2 years ago which replaced a three-man commissioner system of government, which unquestionably did need some streamlining, with a single Commissioner, called "the Mayor" just as soon as the disapproval resolution failed in the House, and a nine-member City Council.

The result has been chaos. For more than a year now the so-called Mayor and Council have fought over jurisdictional authority and have failed miserably to either effectively reorganize the District or, for that matter, to maintain law and order in the city. The government created under that reorganization plan has proven utterly incapable of administering an effective police force; permits itself to be constantly harassed and obviously intimidated by a rising chorus of voices from the city's lunatic fringe; and is unable to guarantee protection for life or property of decent, law-abiding citizens and visitors to the Nation's Capital.

Mr. Speaker, the large majority of District of Columbia Committee members, who by virtue of serving on the committee had become familiar with the District Code and the organizational structure and problems in the District, tried to point out the flaws in the plan which we knew then would lead inevitably to the chaos which has resulted. We had a plan under consideration in the District Committee, formulated after a lengthy study of the District government by an expert on governmental organization. But our protests against the administration's package plan were shouted down by those who charged us with obstructionism and delay. The plan went into effect in 1967, and as we are debating here today we are being threatened with a repetition of the April 1968 riots unless businesses in the District of Columbia close to commemorate the death of Dr. Martin Luther King.

Again I say, Mr. Speaker, I do not oppose any efforts to streamline the functions of the executive branch. I believe consolidation and reorganization are essential to economy in government and must be a major consideration of this Congress. But I am convinced that Congress, not the executive branch, should do the job. We should receive and actively solicit suggestions from the executive branch. We should receive and actively solicit suggestions and advice from the American people who are served by the executive branch. Then we, the Congress, elected by the people, should consider the suggestions and advice we have received, should consider and deliberate the suggestions and advice we receive from those of our colleagues who are most familiar with the agency being reorganized, then act to effect the reorganization which in our considered opinion is best for the American people.

Mr. Speaker, we, not the executive branch, have been charged with this responsibility. We should act now to reassume it on behalf of the American people who elected us.

Mr. **BINGHAM**. Mr. Speaker, I shall vote "no" on the motion to suspend the rules and pass the bill, S. 1058. I shall do so in spite of the fact that I support the bill in general terms. Moreover, I have not taken a position for or against the amendment to the bill proposed by the gentleman from California (Mr. Moss) and supported by the gentleman from Massachusetts (Mr. MACDONALD) which would have excluded from the reorganization powers of the President the so-called independent regulatory agencies.

My negative vote reflects my view that, on a matter of this importance, it is a mistake not to give the House the opportunity to debate and vote up or down a major amendment suggested by two distinguished members of the committee. I believe this bill should have been brought to the floor under a rule which would have permitted adequate consideration of the amendment. Accordingly, my negative vote should be construed not as a vote against the bill as such, but as a vote against the motion to suspend the rules.

Mr. **FASCELL**. Mr. Speaker, I rise today as cosponsor of the bill now being considered, S. 1058, a proposal to extend for 2 years the authority of the President to reorganize the departments and agencies of the Federal Government.

President Nixon has asked Congress for power to manage his own executive household. This power was first granted by the Congress in 1932 to President Hoover, and has been granted to each succeeding President since that time. I believe our new President should not be denied full authority and responsibility for executive management and to further streamline the Government.

As the House Members know, the Reorganization Act of 1949 gives the President authority to submit plans to Congress to modernize our Government. The act and this proposal, were recommended by the Hoover Commission, appointed to study means of improving Government efficiency.

Under this act, the President is required periodically to examine the functions of all executive agencies to determine what changes are necessary. The plans for the changes are then submitted to Congress.

Reorganization plans submitted to the Congress automatically become effective in 60 days unless vetoed by either the House or the Senate. Since 1949 Congress has vetoed 22 of the 83 reorganization plans submitted.

This system has given the President the latitude to put his own house in order while at the same time retaining for the Congress an effective means to exercise its will on proposed reorganization.

The authority expired on December 31, 1968. The Senate has already acted to renew the Reorganization Act, and it is up to us to concur in this much-needed objective by approving legislation to extend the authority.

Mr. **BLATNIK**. Mr. Speaker, we have no further requests for time on this side.

The **SPEAKER**. The question is on the motion of the gentleman from Minnesota that the House suspend the rules and pass the bill S. 1058.

The question was taken; and the Speaker announced that two-thirds had voted in favor thereof.

Mr. **MOSS**. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The **SPEAKER**. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 335, nays 44, not voting 51, as follows:

[Roll No. 23]

YEAS—335

Abbitt
Adair
Adams
Addabbo
Albert
Alexander
Anderson,
  Calif.
Anderson, Ill.
Anderson,
  Tenn.
Andrews,
  N. Dak.
Ashley
Aspinall
Ayres
Barrett
Beall, Md.
Belcher
Bennett
Berry
Biaggi
Biester
Blanton
Blatnik
Boggs
Boland
Bolling
Bow
Brademas
Brasco
Bray
Brock
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Ohio
Broyhill, N.C.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton, Calif.
Burton, Utah
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Cabell
Caffery
Cahill
Camp
Carter
Casey
Cederberg
Celler
Chamberlain
Clancy
Clark
Clausen,
  Don H.
Clawson, Del
Cleveland
Cohelan
Collier
Collins
Colmer
Conable
Conte
Corbett
Coughlin
Cowger
Cramer
Culver
Cunningham
Daniels, N.J.
Davis, Wis.
Dawson
de la Garza
Delaney
Dellenback
Denney
Dennis
Dent
Derwinski
Devine
Dickinson
Diggs
Donohue
Dorn
Downing
Dulski
Duncan
Dwyer
Edmondson
Edwards, Ala.
Edwards, La.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Fallon
Farbstein
Fascell
Feighan
Findley
Fish
Fisher
Flood
Foley
Ford, Gerald R.
Foreman
Fountain
Fraser
Frelinghuysen
Frey
Friedel
Fulton, Pa.
Galifianakis
Gallagher
Garmatz
Gaydos
Gibbons
Gilbert
Gonzalez
Goodling
Green, Oreg.
Green, Pa.
Grover
Gubser
Gude
Halpern
Hamilton
Hammer-
  schmidt
Hanley
Hansen, Wash.
Harvey
Hastings
Hathaway
Hawkins
Hechler, W. Va.
Heckler, Mass.
Helstoski

Henderson
Hicks
Hogan
Holifield
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Hutchinson
Ichord
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Karth
Kastenmeier
Kazen
Kee
Keith
King
Kleppe
Kluczynski
Koch
Kuykendall
Kyros
Landgrebe
Landrum
Langen
Latta
Leggett
Lennon
Lipscomb
Long, Md.
Lujan
McCarthy
McClory
McCloskey
McClure
McCulloch
McDade
McDonald, Mich.
McFall
McMillan
MacGregor
Madden
Mahon
Mailliard
Mann
Marsh
Martin
Matsunaga
May
Mayne
Meeds
Meskill
Michel
Mikva
Miller, Calif.
Miller, Ohio
Mills
Minish
Mink
Minshall
Mize
Mizell
Mollohan
Monagan
Moorhead
Morgan
Morton
Mosher
Murphy, Ill.
Myers
Natcher
Nedzi
Nelsen
O'Hara
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Podell
Poff
Pollock
Preyer, N.C.
Price, Ill.
Price, Tex.
Pryor, Ark.
Pucinski
Purcell
Quie
Quillen
Railsback
Randall
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Reuss
Rhodes
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roudebush
Roybal
Rumsfeld
Ruppe
Ruth
St Germain
Sandman
Saylor
Schadeberg
Scherle
Schneebeli
Schwengel
Scott
Sebelius
Shipley
Shriver
Sikes
Sisk
Skubitz
Smith, Calif.
Smith, N.Y.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stratton
Stubblefield
Sullivan
Symington
Taft
Talcott
Taylor
Teague, Calif.
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Udall
Ullman
Utt
Van Deerlin
Vanik
Vigorito
Waggonner
Wampler
Watkins
Watson
Watts
Weicker
Whalen
Whalley
White
Whitehurst
Widnall
Wiggins
Wilson, Bob
Winn
Wold
Wright
Wyatt
Wydler
Wylie
Wyman
Yates
Yatron
Young
Zablocki
Zion
Zwach

NAYS—44

Abernethy
Andrews, Ala.
Ashbrook
Baring
Bevill
Bingham
Brinkley
Broyhill, Va.
Chappell
Chisholm
Clay
Conyers
Daniel, Va.
Davis, Ga.
Dingell
Dowdy
Edwards, Calif.
Flowers
Ford, William D.
Fuqua
Gettys
Griffin
Gross
Hagan
Haley
Hall
Hays
Macdonald, Mass.
Montgomery
Moss
Nichols
Nix
Olsen
Ottinger
Passman
Poage
Rarick
Ryan
Satterfield
Stokes
Waldie
Whitten
Wilson, Charles H.
Wolff

NOT VOTING—51

Annunzio
Arends
Bates
Bell, Calif.
Betts
Blackburn
Brown, Mich.
Carey
Corman
Daddario
Eckhardt
Evins, Tenn.
Flynt
Fulton, Tenn.
Giaimo
Gray
Griffiths
Hanna
Hansen, Idaho
Harsha
Hébert
Jacobs
Kirwan
Kyl
Lloyd
Long, La.
Lowenstein
Lukens
McEwen
McKneally
Mathias
Morse
Murphy, N.Y.
O'Konski
O'Neal, Ga.
O'Neill, Mass.
Patman
Powell
Riegle
Rivers
Ronan
St. Onge
Scheuer
Slack
Smith, Iowa
Stephens
Stuckey
Teague, Tex.
Tunney
Vander Jagt
Williams

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

Mr. Annunzio with Mr. Bell of California.
Mr. Hébert with Mr. Arends.
Mr. O'Neill of Massachusetts with Mr. Bates.
Mr. Carey with Mr. Betts.
Mr. Scheuer with Mr. Riegle.
Mr. Gray with Mr. Williams.
Mr. Giaimo with Mr. McEwen.
Mr. Evins of Tennessee with Mr. Harsha.
Mr. Daddario with Mr. Brown of Michigan.
Mr. Kirwan with Mr. McKneally.
Mr. Teague of Texas with Mr. Kyl.
Mr. Lowenstein with Mr. O'Konski.
Mr. Murphy of New York with Mr. Mathias.
Mr. O'Neal of Georgia with Mr. Vander Jagt.
Mr. Ronan with Mr. Hansen of Idaho.
Mr. St. Onge with Mr. Lloyd.
Mr. Rivers with Mr. Lukens.
Mr. Stephens with Mr. Blackburn.
Mrs. Griffiths with Mr. Morse.
Mr. Fulton of Tennessee with Mr. Hanna.
Mr. Slack with Mr. Stuckey.
Mr. Eckhardt with Mr. Jacobs.
Mr. Long of Louisiana with Mr. Flynt.
Mr. Tunney with Mr. Powell.

Mr. MATSUNAGA changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. FASCELL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER pro tempore (Mr. MILLS). Is there objection to the request of the gentleman from Florida?

There was no objection.

SALARY ADJUSTMENT FOR VICE PRESIDENT AND CERTAIN OFFICERS OF CONGRESS

Mr. DULSKI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 7206) to adjust the salaries of the Vice President of the United States and certain officers of the Congress.

The Clerk read as follows:

H.R. 7206

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 104 of title 3, United States Code, relating to the per annum rate of salary of the Vice President of the United States, is amended to read as follows:

"§ 104. Salary of the Vice President

"The per annum rate of salary of the Vice President of the United States shall be $62,500, to be paid monthly.".

SEC. 2. (a) The second sentence of section 601(a) of the Legislative Reorganization Act of 1946, as amended (2 U.S.C. 31), relating to the compensation of the Speaker of the House of Representatives, is amended by striking out "$43,000" and inserting in lieu thereof "$62,500".

(b) The third sentence of section 601(a) of the Legislative Reorganization Act of 1946, as amended (2 U.S.C. 31), relating to the compensation of the majority leader and the minority leader of the Senate and the majority leader and the minority leader of the House of Representatives, is amended—

(1) by striking out "$35,000" and inserting in lieu thereof "$55,000";

(2) by inserting "the President pro tempore of the Senate," immediately following "compensation of"; and

(3) by inserting a comma immediately following "minority leader of the Senate".

SEC. 3. The amendments made by this Act shall become effective on March 1, 1969.

The SPEAKER pro tempore. Is a second demanded?

Mr. GROSS. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from New York (Mr. DULSKI) will be recognized.

Mr. DULSKI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the purpose of H.R. 7206 is to reestablish proper relationships between the salary rates of the Vice President and the leadership of the two Houses of Congress, on both sides of the aisle, and the salary rates of Federal judges and executives.

The salary rates for the Vice President and the Speaker of the House were fixed at $43,000 per annum by Public Law 88–426. That act set the salary of the Chief Justice of the Supreme Court at $40,000, compared to $43,000 which had been approved by the House but was reduced by the other body.

The salary rates for the majority and minority leaders of the House and the Senate were equated, at $35,000 per annum, to the salary rates for Cabinet officers by Public Law 89–301.

Section 225 of Public Law 90–206 created the Commission on Executive, Legislative, and Judicial Salaries, to review salary rates for top officials in all three branches of the Government once every fourth year and propose needed adjustments in such salaries to the President.

However, there is no provision, in Public Law 90–206 or any other statute, for similar adjustments in the salary rates of the Vice President and members of the leadership of the Senate and the House of Representatives.

Thus, the seven officials whose rates are adjusted by H.R. 7206 were not included in the Presidential recommendations for adjustments in the salaries of all other top officials in all three branches of the Government.

Accordingly, positive legislative action by the Congress is necessary to adjust the salary rates of these officials in proper relationship to the salaries of the judicial and executive branch officials whose salary rates were adjusted March 1, 1969, pursuant to section 225 of Public Law 90–206.

The salary rate for the Chief Justice of the Supreme Court was increased to $62,500 under Public Law 206. Comparable adjustments—to $62,500 per annum—are necessary in the salary rates of the Vice President and the Speaker of the House of Representatives, and will be made by H.R. 7206.

The salary rates for Cabinet officers were increased March 1, 1969, from $35,000 to $60,000. Upward adjustments to $55,000 are made by H.R. 7206 in the salary rates of the majority and minority leaders of both the Senate and the House, in a modification of the congressional policy embodied in Public Law 89-301.

This bill also places the salary rate of the President pro tempore of the Senate at $55,000 per annum, consistent with the rates provided for the majority and minority leaders of both Houses.

It is to be noted that the salary rates provided by H.R. 7206 were specifically recommended to the Congress in a special message, submitted by the Chairman of the Civil Service Commission on January 17, 1969, at the direction of former President Johnson.

These salary rates also are strongly endorsed by the present administration as "consistent with its objectives," in a letter to the Committee on Post Office and Civil Service from the Bureau of the Budget dated February 24, 1969.

Suitable budgetary provisions have been made for the cost of the proposed salary adjustments.

Mr. Speaker, prompt enactment of this bill is essential to the maintenance of a proper relationship between the salaries of congressional officials and the salaries of executives and judges for whom adjustments have already become effective.

I strongly recommend approval of H.R. 7206.

Mr. GROSS. Mr. Speaker, in order to give the proponents of this legislation their day in the sun, I yield now 5 minutes to the gentleman from Illinois (Mr. DERWINSKI).

Mr. DERWINSKI. Mr. Speaker, I appreciate the distinguished gentleman from Iowa (Mr. GROSS) giving me the time to speak for a position that he opposes. Understand further that the gentleman from Arizona (Mr. UDALL) will also speak in favor of this bill. He is the logical spokesman for the measure, being the author of the section in the 1967 legislation through which President Johnson made his recommendations for the congressional salary increase.

Let me underscore the fact that this is a bipartisan measure having been advocated by the Johnson administration and endorsed by the Nixon administration.

Mr. Speaker, the legislation under consideration, H.R. 7206, is necessary to maintain the traditional relationship between the salaries for the officers covered in this bill and those for whom adjustments were made in the President's budget. The procedures of the Federal Salary Act of 1967 authorizing adjustments for the rates of pay for Members of Congress and the top officers of the executive and judicial branches of the Government do not apply to the seven officers covered in this bill. Therefore, it is necessary for Congress to take positive action to adjust these salaries.

The officers to which this legislation applies are the Vice President, the Speaker of the House, the majority and minority leaders of the House and Senate and the President pro tempore of the Senate. Since the beginning of our Government the Speaker of the House has traditionally and deservedly received a compensation above that set for Members of Congress. The salary proposed in H.R. 7206 of $62,500 per annum maintains the relationship which has existed in recognition of the duties of this office.

The pay of the Vice President traditionally has been equal to that of the Speaker of the House and the legislation which we have under consideration would carry forth that tradition.

The pay of the majority and minority leaders of the two Houses was increased by a separate statute in 1965 and this legislation maintains the relationship between the salaries of these officers and other Members of the Congress which has existed since that time.

The Bureau of the Budget under the present administration recommends favorable consideration of this legislation which in its words "would be consistent with the administration's objectives."

Mr. Speaker, I urge the prompt approval of this legislation which will place in balance the rates of compensation of these seven officers commensurate with the increases for Members of Congress and top executive and judicial branch officers which became effective March 1, 1969.

Mr. Speaker, we recall that the gentleman from Arizona (Mr. UDALL) just several weeks ago aspired to the position of Speaker but ran into difficulty and was somewhat frustrated politically. However, the gentleman very properly appears on the floor of the House today to ask that the Speaker be properly compensated.

It is my belief that party leaders in both the House and the Senate deserve the same consideration.

Mr. UDALL. Mr. Speaker, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman from Arizona.

Mr. UDALL. Will the gentleman halt these personal references to me until I have an opportunity to be heard? It does please me that the noble and learned gentleman from Illinois has seen fit to come down in support of this badly needed and responsible legislation. I am proud that the gentleman has done this. I just hope he will not reopen any of these old wounds because it hurts me.

Mr. DERWINSKI. I believe, though, in the interest of our understanding the background of this bill, that this point was necessary. We are aware of the fact that unless this bill is passed the Justices of the Supreme Court will receive more compensation than the seven legislative leaders covered by this bill. Certainly that would be inconsistent with the importance of the legislative branch of the Government.

But also having studied this bill carefully in committee, and it did pass by a vote of 21 to 3, if I recall correctly, I believe it shows an awareness on the part of all of the Members of the necessary practicality of this bill.

I do believe that the report by our chairman and the other arguments that will be made in favor of the bill clearly point out the validity of this measure. I hope the House will in calm, sober, objective judgment give this measure the two-thirds vote of approval.

Mr. Speaker, I yield back the balance of my time.

Mr. GROSS. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, my young friend, the gentleman from Illinois (Mr. DERWINSKI), said he had a chance to study this bill carefully in committee. If he did, he is the only one in the committee who did have such an opportunity, on the minority side, at least.

Does the gentleman from Illinois wish me to yield?

Mr. DERWINSKI. Yes, I do wish the gentleman would yield at that point.

Mr. GROSS. Very well. I yield to the gentleman from Illinois.

Mr. DERWINSKI. Mr. Speaker, in reply to the inquiry of the gentleman from Iowa, I would say that I thought we had a full session. The gentleman from Iowa knows that some bills were even zoomed through faster than this one, so I thought this was fair enough time.

Mr. GROSS. I do not remember any bills that have rolled through faster than this did, or had any less discussion on the part of the committee.

As a matter of fact, the membership should know that there was never a hearing by the Committee on Post Office and Civil Service on the Presidential recommendation for the outrageous salary increases for Members of Congress, the judiciary, and executive officials, that was slipped through the back door as a Valentine's Day greeting for those who were on vacation. There never were any hearings to establish justification, if any, for that outlay of $25,000,000 for increased salaries for those in the top brackets and no justification has been established for the pay increases provided in this bill. It went in and out of the committee in nothing flat.

Careful consideration? What kind of careful consideration?

This, I say to you, will be the only opportunity you will have to vote on the record on the unconscionable pay increase that was bestowed upon you by the President, the pay increase that was greased and slipped through the back door. I emphasize that this will be your only opportunity to vote on this whole ball of wax and I trust you will go on the record.

What is proposed in this bill? It increases the Vice President's and the Speaker's pay from $43,000 a year to $62,500 a year; the majority and minority leaders of the other body by $20,000 each per year, the minority and majority leaders of the House by $20,000.

Not bad. Not bad at all. Incidentally, $20,000 will buy a lot of beans for the leader who said he needed an increase to buy them.

In addition, the majority and minority leaders of the House and Senate already have annual expense allowances of $3,000 each—unless it has been increased, when I was looking the other way. The Speaker of the House, as I understand it, has a $10,000-a-year expense allowance—and all of them have Government-supplied Cadillacs and drivers to go with them.

I do not have anything against the leaders, but the Kappel Commission recommended that the historical differential between the Members and the leadership should be $5,000. For some reason the

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lately departed-to-Texas President of the United States, Lyndon Johnson, recommended $20,000 for them—or a $12,500 differential.

Have the Members on both sides of the aisle—the common garden variety, everyday Members—become so recalcitrant that the leaders need or feel they deserve a $12,500 differential to lead them?

We were never permitted in the committee to go into any of these questions. We could hold no hearings or summon any witnesses from the Kappel Commission or from the executive branch of Government to tell us just how they arrived at their conclusions as our presidentially anointed benefactors.

I voted against the preceding reorganization bill. I am sick and tired of turning over to the executive branch of Government the responsibilities that Members ought to assume and that you were elected to discharge in the House of Representatives.

It is another and unholy delegation of power to the executive branch of the Government to fix congressional salaries, and I can tell you that the taxpayers of this country are vitally interested in what goes on here today.

Let me warn you here and now that a continuation of this sort of operation, coupled with a continuation of borrowing, spending, and inflation, will promote a taxpayers' revolt one of these days. For it was said in the scriptures:

> And the tax collectors of Pharaoh overrun the land like lice.

Yes, it was a sad precedent that was set in the first instance when it was delegated to the executive branch of the Government to fix congressional and other salaries, and then when it was slipped through the House of Representatives while the Members were on vacation.

Mr. Speaker, it is time for an accounting to the people.

We ought to have something better to offer them and ourselves than a bill that was passed out of the committee without any hearings and without any justification on the part of anyone.

I ask you today to vote against the approval of this bill.

Mr. DULSKI. Mr. Speaker, I yield 5 minutes to the gentleman from Arizona (Mr. UDALL).

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Ohio.

Mr. HAYS. Mr. Speaker, I listened with a great deal of interest to the speech of the gentleman from Iowa. I got a few letters about the pay increase generated by some publicity that the gentleman got and some letters quoting him. I called up my good friend, the gentleman from Iowa (Mr. GROSS) and asked him if he was going to, in view of the uproar he made about the pay increase—if he was going to take it and he assured me that he was. I told him then and I will repeat it here that he reminds me a little of what Frederick the Great said about Maria Teresa of Austria, during the partition of Poland—"She weeps, but she takes her share."

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Iowa.

Mr. GROSS. Was that one of the queens the gentleman met on one of his numerous foreign junkets?

Mr. HAYS. Mr. Speaker, will the gentleman from Arizona yield further?

Mr. UDALL. I yield further to the gentleman from Ohio for a friendly response.

Mr. HAYS. The gentleman from Iowa told me the other day, much to my surprise, that he was in Europe some years ago, and I think she died about the time he was over there.

Mr. UDALL. Mr. Speaker, I have enjoyed this friendly colloquy and I hope the Members will forgive me while I would like to make a few remarks about this legislation before us. The total cost of the package of legislation before us today is $144,000. That is the total cost of the increases that are involved. I would suspect that with typical tax brackets, 40 percent of that amount will be turned back in additional income taxes, so we are talking about a real expenditure here today, and a great drain on the taxpayers of some perhaps $90,000 a year.

Let me get clear a couple of things that this legislation does not do, a couple of things that have nothing to do with it. This legislation has nothing whatever to do with the Doorkeeper, the Sergeant at Arms, or the Clerk of the House. It involves only seven officials: the Vice President, the Speaker, the majority leaders of the House and Senate, the minority leaders of the House and the Senate, and the President pro tempore of the Senate. These are the only officials that are involved. It would raise the salary of the Vice President from $43,000 to $62,500, and the same for the Speaker. The majority and minority leaders would be raised from $35,000 in each instance to $55,000. The President pro tempore would be raised to the same figure of $55,000.

If you vote against this bill, you do not cast any protest against the fixing of salaries by Commission, to which the gentleman from Iowa referred. You do not cast any protest or vote against the new salary of Congressmen. These are established and are now in effect. You do not protest the salaries of the Chief Justice or the members of the Cabinet. You are voting specifically on seven salaries. The fact is that the report of the Commission has taken effect. The new salaries are in effect, and the one question posed by this legislation is whether you want to penalize, to single out of the whole top echelon of the Federal Establishment a few people in the House and the Senate leaderships and say they will not get the comparable increases that other people have received. You are going to single out and demean our own branch of the Government. By voting "no" you vote that it is proper for the Chief Justice, a man that the gentleman from Iowa praises so frequently, to have $62,500, but we are not going to let the Speaker of the House of Representatives in our own branch of the Government have any increase. That is what you say when you vote "No." You are saying, when you vote "No," it is fine for the Speaker of the House to get $17,000 less than some of these Justices that the gentleman refers to that climb mountains and have 5 months off a year. You will say, "It is fine for the Vice President of the United States or the Speaker of the House to get $17,000 less than the Justices of the Supreme Court." And that is what would happen if you should defeat this bill.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Iowa.

Mr. GROSS. Would it not be a wise course to pursue, in view of the fact that some legislation can be whipped through committee and through the House in a matter of hours—would it not be well to start in right now by voting this bill down, rescind the Pay Act, and start all over again by providing the Members of the Congress and the executive branch of the Government something approaching a cost-of-living increase? Would not that be the decent thing to do in behalf of the taxpayers of this country?

Mr. UDALL. I will tell you in all frankness that I recommended to our former President before he departed for Johnson City, Tex., a couple of months ago, a sum less than $42,500, the increase that finally came out. It was just a little higher than I would like to have seen it. But the fact is that these new raises are in effect, and I do not think the gentleman can really tell me that there is any real hope that they are going to be rescinded. If a majority of the House and Senate want to rescind them, want to pass legislation to do so, let us pass it, and in the same legislation we can undo the increases given in this legislation to the Speaker of the House, the President pro tempore of the Senate, and the top officers of the legislative branch of the Government.

The SPEAKER pro tempore (Mr. MILLS). The time of the gentleman from Arizona has expired.

Mr. DULSKI. Mr. Speaker, I yield the the gentleman from Arizona 3 additional minutes.

The SPEAKER pro tempore. The gentleman from Arizona is recognized.

Mr. UDALL. Mr. Speaker, until such time as we do rescind these other raises for judges and Cabinet members and others members of the upper echelon of the Government, I believe it would be demeaning to the legislative branch to say our top officials, who have such heavy responsibility, should not share in the general overall increase.

Mr. PASSMAN. Mr. Speaker, will the gentleman yield for a question, maybe I should say for clarification on one point of the bill before the committee:

Mr. UDALL. I yield to the gentleman from Louisiana.

Mr. PASSMAN. Mr. Speaker, the bill under consideration includes an increase for the majority and minority leaders of the House. The pay increase for Members that became effective March 1, only 18 days ago, increased the salaries of the majority and minority leaders of the House by $12,500 annually. Now, under this bill, we are increasing the salaries of the majority and minority leaders of the

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House by an additional $7,500 annually even before they receive their first check on the $12,500 increase of 18 days ago. Is that no correct?

Mr. UDALL. They now receive $35,000 based on a 1965 act of Congress.

Mr. PASSMAN. Then, of course, this is another salary increase before they started receiving checks for their last salary increase 18 days ago. Is that not correct?

Mr. UDALL. If the gentleman wants to look at it in that way.

Mr. PASSMAN. It is a fact they received an increase then, and now they will be receiving this increase.

Mr. UDALL. The majority and minority leaders of this House as such have had no increase at all.

Mr. PASSMAN. I believe I have stated the facts as they are.

Mr. UDALL. As Members of Congress.

Mr. PASSMAN. They would have to be Members of Congress to get the increase, so it is really two increases in 1 month, which amounts to a $20,000 annual increase. I am very fond of both of these distinguished Members, but there is such a thing as carrying salary increases too far, and we may have already passed that point. We will not know for sure until next year. At least, I have made my position known.

Mr. UDALL. I do not look at it in that way. I can understand how the gentleman can, if he wishes to.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, would the gentleman say that the proper way would be to rescind this raise for Members of Congress?

Mr. UDALL. Yes.

Mr. HALL. Mr. Speaker, does the gentleman think there is any possibility of such action in view of the will of the House at this time?

Mr. UDALL. Mr. Speaker, I just told the gentleman from Iowa I do not think it is likely. If you see the sun coming up in the west tomorrow morning, you might rush down here and try to undo these raises. But I think it is not likely, and in view of that, it would be unfair to the leaders of the legislative branch and would downgrade our own House not to pass this.

Mr. HALL. Mr. Speaker, if the gentleman will yield further, I am especially glad the gentleman from Arizona used the parable of the sun rising in the west. Does the gentleman not think it likely as a follow-on or fall-out of our pay raise, that there will be pay increases for House employees who were not included in this bill, such as the Doorkeeper and the Postmaster, for example? Does the gentleman not think that also is just about as inevitable as the sun rising in the east in the morning, as a follow-on?

Mr. UDALL. No, indeed. I happen to feel as an individual—and I had nothing to do with this—that the raises for some of the officers of the House were a little higher than they should have been. They used to be $2,000 behind the Congressmen when we were at $22,500, and because of the compression at that point, somebody got the idea they should be still $2,000 behind when we got a more adequate salary for Members of Congress. I would like to see them at a lower figure than the $40,000 that was fixed. But the act has already been done.

Mr. HALL. Mr. Speaker, as a guardian and architect of the pay raises, the gentleman's statement is appreciated.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I voted against delegating power to the executive branch of the Government to fix salaries of Members of Congress. With the gentleman's not inconsiderable talents, would the gentleman not agree a bill could be brought out to take care of that situation immediately?

Mr. UDALL. I can tell the gentleman I detect very little enthusiasm among my beloved colleagues for legislation to undo these recently enacted pay raises. If I felt it were the will of the majority of our colleagues—and I always follow the wishes of my colleagues—I would move to do it forthwith. However, I have to tell the gentleman I detect very little enthusiasm for action to undo what has been done.

The **SPEAKER** pro tempore. Does the gentleman from Iowa desire to use additional time?

Mr. GROSS. Not at this time, Mr. Speaker.

The **SPEAKER** pro tempore. Does the gentleman from New York desire to use additional time?

Mr. DULSKI. Not at this particular time, Mr. Speaker.

Mr. ZWACH. Mr. Speaker, there can be no doubt in anyone's mind of the increased responsibilities and workload on our leadership on both sides of the aisle. There is no doubt that we benefit as well as the Nation from the manner and ability that these gentlemen exercise in the leadership roles that they occupy in our legislative functions. However, I cannot support any salary increase proposal that is tied to the first horrendous mistake that this body made in raising congressional salaries by 41 percent earlier this year.

Never have I seen such a disservice to the very base or function of the task to which we were elected, that of representing the interests and needs of those citizens who elected us to this position. For every one person who will agree to increasing the daily cost of being represented in the greatest spending organization in the world by an additional 3 cents per year, I have over a hundred who resent it, or who are now demanding equal adjustments in their benefits. I would have much preferred that this salary situation had been referred back to committee and that a much more sane, reasonable recommendation could then be presented to us. As that alternative seems to be impossible, I am therefore compelled to oppose H.R. 7206.

While there is no question in my mind that Members are worth their salaries, I do question any salary increases until we get our house in order. We should set a good example, not a bad one.

Mr. DELLENBACK. Mr. Speaker, I am deeply disturbed that the leadership of this House has to date refused to permit a record vote on the question of the propriety and timeliness of a substantial salary increase for Members of the Congress. I have felt and continue to feel that the recent very substantial increase in our salaries was neither proper nor timely. At the very least, we should have been permitted to face the issue directly in open recorded vote. Had we been, I would have voted "No."

I supported the recent salary increase for the President of the United States. If the issue of the proposed salary increase for the Vice President of the United States were before us today by itself, I would support it. But it is not before us as a separate issue. It is unfortunately intertwined with proposed increases in the salaries of our legislative leaders.

Until we have had the opportunity to settle in open recorded vote the issue of any salary increase at this time for the full membership of the Congress, we should not approve this proposed increase in salaries for our legislative leaders. High as in my personal regard and respect for the abilities and merit of each of the legislative leaders who would be affected by this proposed increase, the issue is not really one of their ability or merit. The issue is one of principle as to the propriety and timeliness of any further increase whatsoever in legislative salaries.

On that issue, in full consistency with my expressed prior stand in this field, I shall vote "No."

Mr. BENNETT. Mr. Speaker, Congress should use the bill before us today to reject congressional salary raises and other raises for the higher paid positions in Government this year. In my opinion amendment of the bill before us would be a logical method of accomplishing that objective. In view of the heavy taxes that the people of this country are being required to pay and the urgent needs of the Government at this time I feel that all such raises underway for this year should be rejected.

Mr. CONABLE. Mr. Speaker, in voting against this bill for leadership pay increases, I want to make it clear that I do not do so out of lack of respect—even admiration—for the persons who will be benefited by the bill. My opposition to the earlier bill for other high Government officials, including Congressmen, led me to urge in every way possible that we should have the opportunity to vote on that pattern-setting measure. If that opportunity had not been frustrated by the leadership, the consistency of my action today would be apparent and this statement would not be necessary. Our respect for the leaders of Congress of both parties should not be permitted to negate our responsibiilty to set a national salary pattern that will be in the national interest. We are not committed by our earlier mistakes or the general excellence of our leadership to compound the weakness of Congress's hand in dealing with the runaway inflation that is now one of our gravest national problems.

Mr. FISHER. Mr. Speaker, it is a bit embarrassing to oppose a raise in the salaries of the Speaker of the House, the Vice President, along with the majority

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leader and the minority leader of this body. My opposition is certainly unrelated to the quality and capacity of these distinguished officials.

As I see it, the Congress should set an example of restraint and moderation in the expenditure of Federal funds at a time when we are faced with another of a long series of annual deficits in the operation of the Government. While the total cost of these increases is hardly discernible in terms of the total budget, I fear the psychological effect throughout the Government and in the private sector cannot be discounted.

Already there has been a substantial increase in salaries for Members of the Congress, the Supreme Court, and others—which I opposed—and these examples have already stimulated demands for wage increases in and out of the Government, according to press reports.

It is true, of course, that much of these increases will be returned to the Government in increased taxes caused by the increases. But that fact does not diminish the psychological effect.

It would seem to me that pay increases, if any, should take into account the budget deficit problem with which the Congress is confronted.

CALL OF THE HOUSE

Mr. WAGGONNER. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. UDALL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 24]

Anderson, Tenn.
Annunzio
Arends
Baring
Bates
Bell, Calif.
Blackburn
Brown, Mich.
Chisholm
Clay
Conyers
Culver
Daddario
Diggs
Eckhardt
Evins, Tenn.
Flynt
Foley
Giaimo
Gray
Griffiths
Hanna
Hansen, Idaho
Harsha
Hawkins
Hébert
Kyl
Lloyd
Long, La.
Lowenstein
Lukens
McClory
McEwen
McKneally
Mathias
Miller, Calif.
Morse
Murphy, N.Y.
Nix
O'Konski
O'Neal, Ga.
Ottinger
Patman
Pike
Powell
Purcell
Riegle
Rivers
Ronan
Rooney, Pa.
Rosenthal
St. Onge
Scheuer
Slack
Smith, Iowa
Springer
Steed
Stephens
Stokes
Stuckey
Teague, Tex.
Tunney
Vander Jagt
Whitten
Williams

The SPEAKER pro tempore. On this rollcall 365 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

SALARY ADJUSTMENT FOR VICE PRESIDENT AND CERTAIN OTHER OFFICERS OF CONGRESS

The SPEAKER pro tempore. The question is on the motion of the gentleman from New York (Mr. Dulski) that the House suspend the rules and pass the bill H.R. 7206.

The question was taken; and on a division (demanded by Mr. Gross) there were—ayes 181, noes 64.

Mr. GROSS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

So (two-thirds having voted in favor thereof), the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. DULSKI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER pro tempore. (Mr. Mills). Is there objection to the request of the gentleman from New York?

There was no objection.

AMENDING SECTION 213(a) OF THE WAR CLAIMS ACT OF 1948 WITH RESPECT TO CLAIMS OF NONPROFIT ORGANIZATIONS AND OF INDIVIDUALS

Mr. STAGGERS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2669) to amend section 213(a) of the War Claims Act of 1948 with respect to claims of certain nonprofit organizations, as amended.

The Clerk read as follows:

H.R. 2669

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 213(a) of the War Claims Act of 1948 (50 App. U.S.C. 20171(a)) is amended as follows:

(1) Paragraph (1) is amended to read as follows:

"(1) Payment in full of awards made pursuant to section 202(d)(1) and (2), and thereafter of any award made pursuant to section 202(a) to any claimant (A) certified to the Commission by the Small Business Administration as having been, on the date of loss, damage, or destruction, a small business concern within the meaning now set forth in the Small Business Act, as amended, or (B) determined by the Commission to have been, on the date of loss, damage, or destruction, a nonprofit organization operated exclusively for the promotion of social welfare, religious, charitable, or educational purposes.".

(2) Redesignate paragraph (3) as paragraph (4) and, immediately after paragraph (2), insert the following new paragraph:

"(3) Thereafter, payments from time to time on account of the other awards made to individuals pursuant to section 202 and not compensated in full under paragraph (1) or (2) of this subsection in an amount which shall be the same for each award or in the amount of the award, whichever is less.".

(b) The Foreign Claims Settlement Commission is authorized to recertify to the Secretary of the Treasury each award which has been certified before the date of enactment of this Act pursuant to title II of the War Claims Act of 1948, as added by the Act of October 22, 1962 (76 Stat. 1107), but which as of the date of enactment of this Act has not been paid in full, in such manner as it may determine to be required to give effect to the amendment is made by this Act to the same extent and with the same effect as if such amendments had taken effect on October 22, 1962.

The SPEAKER pro tempore. Is a second demanded?

Mr. GROSS. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. STAGGERS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this bill provides for readjustment of the priorities governing payments of war claims arising out of World War II, so as to provide first priority in payment out of funds hereafter available to nonprofit organizations operated exclusively for the promotion of social welfare, religious, charitable, or educational purposes; with second priority in payment of claims of individuals.

No appropriations are involved in this legislation, since all payments on account of war claims are made from the proceeds to the United States of German and Japanese properties in the United States which were vested by the Federal Government during World War II.

Approximately $62 million is presently being held by the Department of Justice as a reserve in case of adverse judgments against the United States in litigation involving properties vested during World War II. Upon the conclusion of that litigation, whatever sums are not necessary to satisfy judgments will be turned over to the war claims fund for distribution to claimants who have already received awards which have not as yet been paid in full. Although no one is certain how much will be transferred to the war claims fund out of this $62 million, it has been estimated that as much as $26 million may be transferred in the future, and possibly more, although conceivably it could be less. The claims involved in this bill total approximately $19 million. There are $9 million in unsatisfied awards of the nonprofit organizations which are given first priority under this legislation, and approximately $10 million is involved in claims of individuals.

Mr. Speaker, in the original War Claims Act of 1948, the Congress provided for payment in full of claims of religious organizations which suffered property damage in the Philippine Islands during World War II. When amendments were considered to this act in 1962, a number of additional categories of claims were authorized, in conformity generally with recommendations made by the administration. As passed by the House, the bill provided that in payment of these claims first priority would be given to claims for disability and death; second priority to claims allowed in the amount of $10,000 and below, and finally, all claims in amounts exceeding $10,000. The bill was amended by the other body to provide that claims of small business concerns would be granted the same priority in payment as was the case with respect to claims for disability or death.

This amendment was agreed to in conference, and at present all claims for disability or death, all claims of small businesses, and all claims allowed for

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$10,000 or less have been paid in full. All other claims have been paid in the amount of $10,000 plus 61.3 percent of the amount awarded in excess of $10,000.

This bill provides for the nonprofit charitable and religious organizations the same priority in payments to be made out of funds hereafter available as was provided for small business concerns by the 1962 amendments. Second priority is provided for payment to individuals, with whatever remaining balances are turned over to the war claims fund being available for payment to corporations which have not heretofore received payment as small business concerns.

At the time the 1962 legislation was considered, it was anticipated that there would be sufficient funds available for the payment of all awards made under the legislation; therefore, the question of priorities was not considered as important as might otherwise have been the case. Subsequently it developed that there was not as large an amount realized from proceeds of the sale of vested assets as had been anticipated so that it has not proved possible for all claims allowed to be paid in full. It is now apparent that there will remain some portion of claims unpaid. Therefore, the question of priorities now assumes an importance which was not the case in 1962, so that the committee has agreed to move the nonprofit religious and educational organizations and individual claimants ahead of the large corporations. This approach is felt to be justified at this time, because in every instance the large corporations received tax benefits, either under domestic laws, or under foreign laws for the losses involved in this legislation.

Hearings were held before the Subcommittee on Commerce and Finance, and no witnesses appeared at the hearings in opposition to the legislation. The bill was considered by the full committee in executive sessions last week, and was reported to the House unanimously. We recommend its adoption by the House.

With this preliminary explanation, Mr. Speaker, I would call upon the subcommittee chairman, the gentleman from California (Mr. Moss), who held the hearings, to give further explanation of the bill and what it does at this time.

I will therefore yield the gentleman from California such time as he may consume.

Mr. MOSS. Mr. Speaker, I thank the gentleman for yielding.

The objective here is to treat with the greatest degree of equality the religious and nonprofit charity groups who sustained substantial losses as a result of World War II.

There has been accumulated in the Department of Justice approximately $62 million-odd as a contingency against any court awards on this fund. It is felt that there will be at least $20 million available for further distribution and the distribution envisioned here for the claims of religious and charitable groups would roughly approximate $9 million plus maybe $300,000 or $400,000. The balance would be available, then, to take care of further individual claims.

I might point out that during the course of the years intervening since the war that we have paid small business claims completely, and we have paid significantly on the large corporate claims, but the one group that has been denied what I regard as elementary justice is the group composed of the religious and the nonprofit organizations who suffered losses during the war.

These funds are not appropriated funds. They are funds accumulated as a result of the sale of assets seized by the United States, and retained as a result of the treaty agreements terminating hostilities at the end of World War II.

Mr. Speaker, I would strongly urge that the House adopt this legislation.

The SPEAKER pro tempore. The gentleman from Iowa (Mr. GROSS) is now recognized.

Mr. KEITH. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Massachusetts (Mr. KEITH).

Mr. KEITH. Mr. Speaker, I appreciate the gentleman from Iowa yielding.

The committee, both minority and majority in the hearings, felt that it was proven to us satisfactorily that the greatest equity could be done to all potential recipients of international war claims settlements by adopting the amendments contained in this act. The International War Claims Settlement Commission did object to the bill on the grounds that it would deny equal treatment to all recipients, or all potential recipients.

We felt that the corporations that were the ones which appeared to be treated less favorably than the others had been pretty well taken care of by reason of the tax writeoff they had for losers incurred and we thought, as was made clear by the majority subcommittee chairman, that in equity the religious organizations which stood to benefit here were entitled to the across-the-board equal treatment that the bill provides.

For this reason the minority joined with the majority in reporting this bill out unanimously.

Mr. GROSS. Mr. Speaker, I yield 5 minutes to the gentleman from Missouri (Mr. HALL).

Mr. HALL. Mr. Speaker, I appreciate the gentleman from Iowa yielding to me.

Mr. Speaker, I very well recall the 1962 amendments to the War Claims Commission.

I have some questions that I would like to ask of the authors or proponents of this bill.

First of all, is there any proposed list of the recipients of this largess that we propose to vote by amendment, and which will make an exception to do that which the War Claims Commission itself mitigates against and deposes against in the committee report?

I would like to hear some of the names of the nontaxpaying institutions or others that might be the recipients of this legislatively enforced special handling by the War Claims Commission.

Mr. STAGGERS. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman from West Virginia.

Mr. STAGGERS. I would like to reply to the gentleman from Missouri that in fact there is a list on page 35 of the hearings. There are 33 of them listed. Four of them have already been paid in full and it leaves 29 of these organizations to be paid.

Mr. HALL. Can the gentleman just give me a sample reading of his list there, for the benefit of the Members of the House, to determine the type of individuals or organizations that are involved?

Mr. STAGGERS. Yes, I will give them. But I might just say this first as to the history of the legislation—all of the religious organizations—the Jewish, the Catholic and Protestant groups came together in favor of the bill and asked for a hearing on this.

I will just name some—the Seventh-day Adventists, the Young Men's Christian Association, the Oriental Missionary Society, the United Board for Christian Higher Education in Asia, the Presbyterian Church in the United States, the Assembly of God, and others that are known throughout the United States.

Mr. HALL. Are they practically all religious organizations?

Mr. STAGGERS. Yes, they are.

Mr. HALL. Are there any Buddhists? Inasmuch as this is to be paid by the vested funds—of the orientals that were retained at the time of World War II—are there any claims by Buddhists or any other oriental or religious organizations?

Mr. STAGGERS. No—they are all Christian or Jewish.

Mr. HALL. I thank the gentleman. I think that makes that clear.

I would like to ask another question.

Mr. KEITH. Mr. Speaker, will the gentleman yield?

Mr. HALL. I am very glad to yield to my colleague, the gentleman from Massachusetts.

Mr. KEITH. Mr. Speaker, the chairman inadvertently overlooked the fact that even in the ecumenical society of today, the B'nai B'rith is not yet classified as Christian and they stand to gain here.

Mr. HALL. He said "Jewish."

Mr. KEITH. Oh, he did? I beg your pardon. I was involved in a discussion with counsel and I did not hear that.

Then there is also the Oriental Missionary Society.

Mr. HALL. What is the gentleman's concept of the Oriental Missionary Society? Were they missionaries from the Orient to us at the time these funds were vested? Or is it an organization within the United States that is going to evangelize the orientals?

Mr. MOSS. Mr. Speaker, will the gentleman yield?

Mr. HALL. I am glad to yield to the gentleman.

Mr. MOSS. I believe the Oriental Missionary Society was a group committed to the exploration of our religious ideals.

Mr. HALL. That is the Judaeo-Christian ideals—to other lands around the world?

Mr. MOSS. That is correct.

Mr. HALL. Maybe we have just learned that these nontaxpaying entities are out of date, as we have tried around the world to force our ideas of religion on other free and sovereign nations.

But I want to get on with my questioning, and I appreciate the gentleman

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trying to help me. On page 3, paragraph 3, in parenthesis it says that—

> (3) Thereafter, payments from time to time on account of the dollar awards made to individuals pursuant to section 202 and not compensated in full under paragraph (1) or (2) of this subsection in an amount which shall be the same for each award or in the amount of the award, whichever is—

What individuals might receive the benefit of this special handling of the War Claims Commission, and are they taxpaying individuals?

Mr. STAGGERS. There are 886 listed. To my knowledge, all of them would be taxpayers, and they are those whose property was destroyed who would come under this provision. I might add that a little over $10 million is involved in unpaid balances on these claims.

Mr. HALL. $10 million for individuals?

Mr. STAGGERS. That is correct.

Mr. HALL. In addition to the theological groups?

Mr. STAGGERS. There is $9 million in that category, making a total of $19 million.

Mr. HALL. This would still leave an adequate amount in trust with the Department of Justice to meet any future claims, including those of the U.S. Government, which has just been two-thirds paid, if I understand the committee report correctly?

Mr. STAGGERS. $62 million is being held out by the Department of Justice, and they anticipate that as much as $26 million could be paid into this fund to help pay the claims. That is more or less. It could be more than that in time to come.

Mr. HALL. I thank the gentleman. Now, just why should organizations or individuals who do not pay taxes, have preferential treatment under the War Claims Act, in the opinion of the distinguished gentleman from West Virginia, or anyone who would like to answer the question?

Mr. STAGGERS. We would be doing only what has been done in the United States through the years and is a matter of record. We have just followed past precedents in this case. All of these have to be nationals of the United States in order to receive the payment.

Mr. MOSS. Mr. Speaker, will the gentleman yield further?

Mr. HALL. I yield to the gentleman from California.

Mr. MOSS. I believe a review of the act will show that we provided for a 100-percent payment to religious institutions in the Philippines that suffered comparable losses, and in extending this to other areas and utilizing the funds for the very diverse group of organizations listed on page 35 of the report, we are but extending the equity we gave in the instance of the Philippine claims.

My purpose is merely to point out that the precedent is very strong and very much in point that we have by prior action of the Congress favored a total reimbursement for damages in a specific part of the world. This bill applies to the general claims occurring throughout the entire area of hostilities during World War II.

Mr. HALL. I am conscious of that and, of course, I want it thoroughly understood that I am not against religion or its organizations, but chary with our funds, tax or vested; the gentleman means claims that were approved by the War Claims Commission and that were bona fide in their concept.

Mr. MOSS. That is correct, and the same test will be applied in relation to the claims that are listed on page 35 of the hearings.

Mr. HALL. I believe the gentleman did mean hearings instead of the report?

Mr. MOSS. That is correct.

Mr. HALL. Is it true or is it not true that this legislation, if passed here today, has by some prior arrangements, been well lubricated so it will pass through the other body and become in fact legislation forthwith?

Mr. STAGGERS. Speaking as chairman of the full committee, I have no knowledge of any contact having been made with the other body in any way. We have taken it up as a matter of course.

One of the reasons it was taken up this early was that last year I had assured these religious groups that if in the course of business we could get to this legislation, we would do it, but towards the end of the session there were so many other pieces of legislation that came up which took the attention of the committee, that we could not do it. So this year they asked us if we could take the bill up, and I said we would do it at the earliest possible time. That is the status of the matter. There has been no contact with the Senate in any way. We hope, if it passes here, it will merit the attention of the other body.

Mr. HALL. Mr. Speaker, I thank the gentleman from West Virginia for that very forthright statement.

May I ask, is there anything in this legislation or in the history that precedes it or in tradition, that would require the taxpayers to make up the funds now held in trust as a vested deposit with the Department of Justice at the time of the war?

Mr. STAGGERS. I can assure the gentleman from Missouri this is not so. There is no precedent for it whatever.

Mr. HALL. Mr. Speaker, I thank the gentleman from West Virginia.

The SPEAKER pro tempore. Does the gentleman from West Virginia desire to use additional time?

Mr. STAGGERS. No, Mr. Speaker.

The SPEAKER pro tempore. Does the gentleman from Iowa wish to use additional time?

Mr. GROSS. No, Mr. Speaker.

The SPEAKER pro tempore. The question is on the motion of the gentleman from West Virginia (Mr. STAGGERS) that the House suspend the rules and pass the bill H.R. 2669, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: "A bill to amend section 213(a) of the War Claims Act of 1948 with respect to claims of certain nonprofit organizations and certain claims of individuals."

A motion to reconsider was laid on the table.

COMMISSION ON NATIONAL OBSERVANCES AND HOLIDAYS

Mr. ROGERS of Colorado. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2171) relating to national observances and holidays, and for other purposes.

The Clerk read as follows:

H.R. 2171

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is hereby established a Commission on National Observances and Holidays (hereinafter in this Act referred to as the "Commission") which shall be composed of the Archivist of the United States, the Librarian of Congress, and the Secretary of the Smithsonian Institution.

(b) The Archivist of the United States shall serve as the first Chairman of the Commission for a period of one year beginning on the date of the enactment of this Act, and at the completion of his term the chairmanship shall rotate annually in the following order: the Librarian of Congress, the Secretary of the Smithsonian Institution, and the Archivist of the United States. When the chairmanship becomes vacant the chairmanship shall rotate to the person next in line of succession, except that the successor shall serve his regular term after serving the remainder of the term of his predecessor. The members of the Commission shall receive no compensation for their services as such.

(c) Two members shall constitute a quorum. A vacancy in the Commission shall not impair the right of the remaining members to exercise all the powers of the Commission.

SEC. 2. Subject to the civil service laws and the Classification Act of 1949, the Commission is authorized to appoint and fix the compensation of not more than two employees of the Commission.

SEC. 3. (a) Any proposal calling for a national observance shall be submitted to the Commission, in such form and containing such information, as the Commission may prescribe. The Commission shall report to the President with respect to any proposal for a national observance which, in the opinion of the Commission, is of national significance. Such report shall include such recommendations as the Commission may deem appropriate and administrative actions as in its judgment are necessary to carry out its recommendations. The Commission shall not recommend any proposal for a national observance honoring a fraternal, political, or religious organization, or a commercial enterprise or product.

(b) In carrying out the purposes of this Act the Commission, or any member thereof, may hold such hearing and sit and act at such times and places, and take such testimony as the Commission or such member may deem advisable.

(c) The Commission is authorized to secure from any executive department, agency, or other instrumentality of the United States information and advice with respect to any proposal submitted to the Commission under subsection (a); and such department, agency, or instrumentality is authorized and directed to furnish such advice and information directly to the Commission, upon request made by the Chairman.

SEC. 4. The Commission is authorized to prescribe such rules and regulations as it shall deem necessary to carry out the provisions of this Act.

SEC. 5. There are hereby authorized to be appropriated such sums as are necessary to carry out the provisions of this Act.

The SPEAKER pro tempore. Is a second demanded?

Mr. WIGGINS. Mr. Speaker, I demand a second.

Mr. HALL. Mr. Speaker, a parliamentary inquiry. Is the gentleman opposed to the bill?

Mr. WIGGINS. Mr. Speaker, I withdraw my demand for a second.

Mr. HALL. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from Colorado (Mr. ROGERS) will be recognized for 20 minutes, and the gentleman from Missouri (Mr. HALL) will be recognized for 20 minutes.

The Chair recognizes the gentleman from Colorado (Mr. ROGERS).

Mr. ROGERS of Colorado. Mr. Speaker, H.R. 2171 establishes a Commission on National Observances and Holidays. The primary duty of this Commission shall be to report and recommend to the President those observances which it finds to be of national significance and which, in its opinion, warrant Federal recognition.

The Commission would be composed of the Archivist of the United States, the Librarian of Congress, and the Secretary of the Smithsonian Institution. The members of the Commission would receive no compensation for their services, as such, and the Commission would be authorized to appoint no more than two employees. The Commission is expected to respond to requests by committees of Congress for its views on legislative proposals in this area.

Enactment of H.R. 2171, of course, will not preclude the Congress from subsequent enactment of legislation to commemorate national observances and holidays.

H.R. 2171 does not deal with the matter of legal public holidays which are established in title 5, United States Code, section 6103. Legal public holidays have a particular significance: Federal employees are paid for these holidays, and they are observed by banks, State governments, and also they are incorporated in various labor agreements. H.R. 2171 is concerned only with national observances that are proclaimed in honor of particular groups or events that are of national significance, such as Flag Day, Mother's Day, Law Day, Gold Star Mother's Day, et cetera.

H.R. 2171 specifically prohibits the Commission from recommending any proposal for a national observance which honors a fraternal, political, or religious organization, or commercial enterprise or product. These guidelines reflect the standards generally observed by the Committee on the Judiciary.

Legislative consideration of bills that authorize and request Presidential proclamations is not only a burden upon the Congress acting as a whole, but also a burden upon individual Congressmen. In the 88th Congress some 260 holiday and celebration bills were introduced in the House of Representatives. In the 89th Congress the number was approximately 445. In the 90th Congress, 502 such bills were introduced, 17 of which were enacted into law.

The printing of these bills upon introduction, the printing of the public law, if enacted, the time spent in their consideration in committee and on the floor of the House all lead to considerable cost to the Government. In addition to direct financial cost to the taxpayer, however, this legislation imposes additional pressures on Members of Congress since it is often difficult to justify enacting one bill calling for a Presidential proclamation and not taking favorable action on another.

The Bureau of the Budget has expressed its deep concern with the proliferation of statutory requests calling for the issuance of Presidential proclamations, recognizing particular events or holidays. A portion of a letter from the Bureau of the Budget to the chairman of the House Committee on the Judiciary, dated April 21, 1966, reads as follows:

> We are concerned about the proliferation of statutes which request the issuance of Presidential proclamations calling for the recognition of particular events or groups. At the present time, between 30 and 40 proclamations, some based on statutory authorizations and others on longstanding precedent, are issued annually to provide for special observances. In addition, about 10 events are observed annually by virtue of proclamations issued at some time in the past.
>
> We believe that the increasing number of such observances could detract from the desired effect of a Presidential proclamation, and we question whether the practice should be extended further. We believe it would be preferable to limit issuance of Presidential proclamations to observances which are clearly of major national importance.

The committee is persuaded that the establishment of a Commission on National Observances and Holidays composed of three officials whose area of expertise singularly qualifies them to assess the national significance and cultural importance of proposed Presidential proclamations represents an effective and appropriate response to a growing legislative burden. A measure identical to H.R. 2171 passed the House in the 89th Congress on October 3, 1966, and in the 90th Congress on March 20, 1967, by a vote of 313 ayes, 35 nays.

Mr. WAGGONNER. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Colorado. Yes, I yield to the gentleman from Louisiana.

Mr. WAGGONNER. As I understand the gentleman's explanation of the bill it provides for the establishment of a Commission which will have the authority to recommend to the President of the United States what it believes to be in the national interest in the way of national holidays or national observances; is that correct?

Mr. ROGERS of Colorado. That is correct; it does not cover the question of national legal public holidays. I believe we have, heretofore, enacted such legislation in the Congress of the United States.

There are two objectives of this bill. If as an individual one of your constituents should come to you and say that they want you to introduce a certain bill relating to an observance which may be peculiar to one part of the country and not applicable to the entire country, you would have the privilege of requiring this Commission to determine the merits of the resolution and whether or not they should recommend it to the President.

Further, I wish to point out the fact that the President has that authority at the present time. There are a number of permanent proclamations which he issues.

Mr. WAGGONNER. Let me ask the gentleman this question: Under the authority of this legislation could the President, on the recommendation of the Commission, by proclamation or by Executive order permanently designate a special observance which has to do with the remembrance of an individual's birthday?

Mr. ROGERS of Colorado. Well, the President can do that now.

Mr. WAGGONNER. The answer is either "Yes" or "No."

Mr. ROGERS of Colorado. Well, I direct the gentleman's attention to that provision in the bill.

Mr. WAGGONNER. In other words, the gentleman does not know?

Mr. ROGERS of Colorado. Wait a minute. Just wait until I answer the gentleman's question.

Mr. WAGGONNER. The answer is a simple "Yes" or "No."

Mr. ROGERS of Colorado. I direct your attention to page 3 of the report.

Mr. WAGGONNER. I have it in my hand.

Mr. ROGERS of Colorado. All right. There are the number of proclamations which are permanent special observances which the President has issued.

Mr. WAGGONNER. There appears Thomas Jefferson's birthday on the bottom of the list on April 13, the date of the observance of his birthday.

Mr. ROGERS of Colorado. Yes. That was by a joint resolution of the Congress. If he wants to do so, the President has a right to issue proclamations. Ordinarily, however, he restrains himself until he has an expression from the Congress in connection with them.

Mr. WAGGONNER. I thought that was the purpose of this legislation, to remove Congress itself from the picture and to give this responsibility to a commission.

Mr. ROGERS of Colorado. No. I think I did not make it clear to the gentleman.

Mr. WAGGONNER. The gentleman seldom does.

Mr. ROGERS of Colorado. This legislation does not take from Congress any authority it may have. It recognizes the possibility of cutting down expenses. If you have a special event or special proclamation that you feel should be enacted, as I pointed out a moment ago, this could be sent to the Commission without the necessity of your introducing a bill. But if you have introduced a bill, in the wisdom and judgment of the Committee on the Judiciary, we could then send it to the Commissioner to make a study and make a recommendation as to whether or not it should be sent to the President. Congress would still have the right to proceed with the introduction of a special resolution and to handle it independently.

Mr. WAGGONNER. If the gentleman will yield further——

Mr. ROGERS of Colorado. Yes, I yield further to the gentleman from Louisiana.

Mr. WAGGONNER. Whether Congress acts and makes a recomendation or not, is it not the prerogative of the President under the provisions of this proposal, if recommended by the Commission, to issue a national, a permanent proclamation in observance of let us say the remembrance of the birthday of a controversial person?

Mr. ROGERS of Colorado. The bill does not do that. The President has that power now.

Mr. WAGGONNER. Could it do that if enacted? Could it be done under the bill?

Mr. ROGERS of Colorado. It is not the objective and purpose of this legislation to do that.

Mr. WAGGONNER. The gentleman is saying it cannot be done?

Mr. ROGERS of Colorado. That is right. This bill does not do that.

Mr. WAGGONNER. I think the gentleman had better read his bill.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the distinguished chairman of the full Committee on the Judiciary, the gentleman from New York (Mr. CELLER).

Mr. CELLER. I think the President could do that with or without this legislation. The President could do that even now. He could issue a proclamation without this legislation proclaiming a birthday whether it be the birthday of Thomas Jefferson, Booker T. Washington, or Martin Luther King.

Mr. WAGGONNER. If the gentleman will yield further, this will make it a little bit easier, will it not?

Mr. ROGERS of Colorado. I do not know that it would.

Mr. WAGGONNER. Well, the gentleman said that was the purpose of the bill.

Mr. CELLER. Mr. Speaker, will the gentleman yield further?

Mr. ROGERS of Colorado. I yield further to the gentleman from New York.

Mr. CELLER. This legislation is like what is now done with stamps. At the present time there is a Commission that determines what stamps shall be issued, whether a stamp shall be issued, to commemorate a certain event or whether a stamp shall be issued to memorialize a certain individual.

So what we have done with stamps we seek now to do with holidays and proclamations.

For example, we have so many of these bills coming before us. I, as chairman, have the job every single day to pass upon a multitude of these bills. I am in the way of being bewitched, bothered, and bewildered. I do not know what to do with them all: whether I should consider them, whether I should sit on them, whether I should refer them. I do not know how important they are. Sometimes I may be doing justice to the author of the bill and sometimes I may not be doing justice.

To give you an example of the range of these bills, here are some of the bills that have been offered before our committee:

Welling Water Week.
Traveler Day.
Tax Freedom Day.
Spring Garden Planting Week.
Ski Week.
Powder Puff Derby Day.
National Clown Week.
National Better Recordkeeping Week.
Municipal Clerk Week.
Gladiolus Month.
Firemen's Day.
Electric Car Day.
Coin Week.
Credit Week.
Coal Week.
Circle K. Week.
Choir recognition.
Bible Translation Day.
Armenian Martyrs Day.
Arthritis Week.
Arteriosclerosis Week.
Asthma Day.
American Indian Day.
The Airmail Golden Anniversary.
Adult Education Week.

Now, frankly, if you were in my position what would you do with all those bills? I do not know.

Mr. GROSS. If the gentleman will yield, Mr. Speaker, I would not waste 5 minutes on most of them.

Mr. CELLER. Yes, but I am afraid in that way you would incur the ill will and the enmity of a great many of the Members. You just cannot do this in this House of Representatives because there is an esprit de corps that you must recognize. You cannot trod roughshod on the sensibilities of other Members, and I will not do that.

Mr. GROSS. Is the gentleman going to report all of them out?

Mr. CELLER. I cannot report them all out. All I want to do, I want to separate the wheat from the chaff. I want to separate the curd from the cheese.

Mr. GROSS. In other words, pass the buck to somebody else?

Mr. CELLER. I want the Commission, the Archivist, the Librarian of Congress, and the Secretary of the Smithsonian on the Commission to tell us what we should do on these matters.

Mr. GROSS. In other words, pass the buck to somebody else, as they just did with the pay bill increase?

Mr. CELLER. It is not passing the buck at all, it is to get advice and counsel. It is what we do and have been doing for years and years with reference to stamps. We want that to be done with reference to these holidays. We do not abdicate anything. A Member can still offer a bill commemorating this man's birth by proclamation by the President. We do not give away any power. We do not abdicate anything. We simply set up this Commission so that it can be a great help to us. That is all we do in this bill.

Mr. WAGGONNER. Mr. Speaker, would the gentleman yield for one more question?

Mr. ROGERS of Colorado. Yes; I will yield to the gentleman from Louisiana.

Mr. WAGGONNER. Am I correct in assuming from the answers the gentleman from Colorado has given me, ambiguous as they are, that the President at the recommendation of the Commission can issue a proclamation to order the observance of almost anything they so desire?

Mr. ROGERS of Colorado. He can do that now.

The SPEAKER pro tempore. The gentleman from Missouri (Mr. HALL) is recognized.

Mr. HALL. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I unintentionally assumed the second on this particular bill because I am opposed to the bill, and because I studied it on the Consent Calendar yesterday, where it was listed but not eligible. I am allergic to another commission which regulates the power of Congress, to a commission or to a study group, which delegates to the executive branch, as I would be allergic to celebrating asthma week, emphysema, or halitosis week.

I realize that in the past year we have celebrated some of "those weeks," although the bills themselves, acting under the full voice and cover of the Congress, turned out better than we had hoped.

I take the floor at this time to point out that there is a difference between the establishment of a memorial stamp and this commission that would or would not recommend certain days directly to the President and not make such recommendations back to the Congress—if I can read the language of the bill at all.

First of all, the establishment of stamps to commemorate any occasion, person, individual event or day work, within the executive branch of the Post Office Department and is duly set up and it has been long established. There is precedent, tradition, and historical concept for this.

The ulterior aim may be exactly the same; namely, to take the responsibility off the back of a collection of individuals. But I do believe that we are delegating our authority.

I would like to ask one particular question. We passed last year a uniform holiday law. What relation is there to that action and to the action that is proposed here on Union Calendar No. 19, H.R. 2171 today?

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. HALL. I am glad to yield to the gentleman, the proponent and floor manager of the bill.

Mr. ROGERS of Colorado. We passed the holiday bill last year, but what we are dealing with here is these memorials, and that is the distinction.

Mr. HALL. What does the gentleman say we are doing here?

Mr. ROGERS of Colorado. This is giving us an opportunity—at least we have a list here of 88 memorials of these things introduced in this Congress.

This would give us an opportunity to refer to this committee for them to make a study to determine whether or not any of them have any merit and to make their recommendation to the President and if we want to consider them in the future and pass them, we can do so.

Mr. HALL. Mr. Speaker, I appreciate the gentleman's answer and, in fact, I appreciate the way the bill is drawn and I compliment the gentleman and his subcommittee and the committee, on those whom they have chosen to serve on the committee, without additional

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pay. But this is an open-ended bill and there is no estimate of the cost for the per diem, and so forth, allowed under the the civil service rule for the limited number of employees.

It does not take long to act on the gentleman's oft-proposed and separate resolutions. In fact, they are almost 100 percent accepted by unanimous consent. Others should never be considered. I think the gentleman would agree with me that most pass with a minimum of floor work, when he brings them out of his committee.

Obviously, the committee has hearings on these many and sometimes farfetched requests. Is that not the duty of the gentleman's subcommittee and the elected legislators of the people under our representative system of government?

Mr. ROGERS of Colorado. Yes, it is, under the rules of the House and under the setup—we are authorized, when it is referred to the Committee on the Judiciary. The chairman may, in his wisdom, never assign it to my subcommittee—but again he may. But if he does—and as I outline here—I have 88 now in my hand and we figure if we got somebody who would kindly take a look at it, it would relieve our burden and we would not have to hire staff members.

Mr. HALL. Part of the authority of the Congress would be further diluted and passed on to the executive branch directly by the separate Commission?

Mr. ROGERS of Colorado. No, I disagree with the gentleman that it dilutes any authority of the Congress in any manner whatsoever.

Mr. HALL. The recommendations of this Commission, the gentleman will surely admit, would not come back to the Congress or be referred to the Speaker's desk and to the committee or a subcommittee thereof. The recommendations would go directly to the President and the President could then as now, introduce either a proclamation for a permanently designated special day of observation, or a proclamation to be issued annually by the President—if I interpret the gentleman's bill correctly. I thought the gentleman admitted in prior colloquy that it was a direct act or recommendation of the Commission; is that not so?

Mr. ROGERS of Colorado. The gentleman is correct, it would not come back to the Congress of the United States.

Mr. HALL. Then I certainly believe we are subdelegating our authority and, indeed, our responsibility.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman from Illinois.

Mr. PUCINSKI. Much has been said about a private Commission on Stamps. The lack of aesthetic or artistic values in many of our stamps is a good example, and I think that is the best argument in the world for killing this bill.

Mr. PICKLE. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman from Texas.

Mr. PICKLE. I appreciate the gentleman yielding. I wish to ask a question of a Member on either side of the aisle. When the bill was being considered in committee, was any distinction made in the discussion between that which is observance and that which is holiday?

Mr. ROGERS of Colorado. Of course, legal holidays are one thing. The others depend upon various things, such as the 88 analyzed or at least mentioned here. We were trying to limit it to proclamations and designations and not increase the number that are now authorized.

Mr. PICKLE. I notice in the report many observances are now listed, and also listed are the number and kind of requests that have already been made this year. I can understand that it might be the intent to set up a commission that would be able to give some consideration to the evaluation of the various types of observances. But when it gets to the establishment of a holiday, it seems to me that it would be well for the Congress to leave the clear intent that when it is a matter of establishing a national holiday, that would be something that would be presented to the Congress. It would be my feeling that if we would eliminate the words "and Holidays" in the present measure, this would come near expressing the intent of the Congress. We cannot amend the bill at the present time, but it might be well to consider not approving this bill at this time in order to provide an opportunity for the Members of the House, when the bill is not under suspension, at least to consider the elimination of the words "and Holidays." It seems to me that that would be the clear intent of what we are trying to establish.

Mr. ROGERS of Colorado. It takes an act of Congress, as I view it here, or a proclamation of the President to determine a holiday, and I do not think the Judiciary Committee is going to refer to the commission the question of the establishment of a holiday. We may say to them that they may make a study of it. But the question of the enactment comes back to the Congress.

Mr. HALL. Mr. Speaker, I urge that this bill, which cannot be amended under suspension of our Rules, be defeated out of hand today and thereby remanded to the Committee on the Judiciary.

Mr. Speaker, I yield 5 minutes to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, this proposed Commission is another chapter in the seemingly endless effort to pass the buck, create useless entities with high sounding names and worthless purposes and, in general, establish somebody else in a position where he or she can feed at the public trough.

One of the things wrong with this country today is the fantastic proliferation of boards, commissions, and committees whose chief purpose seems to be to provide a forum where members can gather, look at each other and discuss the weather.

I have here, Mr. Speaker, from the Library of Congress, a partial compilation of the boards, committees, commissions, councils and task forces created just since 1965 to advise the President, Congress, and executive agencies.

This volume is 218 pages long and was obsolete before it came off the press. And it is only a partial listing of existing advisory groups.

Let me cite some examples of what it contains.

Have you, for instance, ever heard of the vital services performed by the Advisory Commission on Parcel Distribution Services? It had five distinguished members—of course, all members of these outfits are always "distinguished"—but it never did a thing.

How about the Advisory Committee on Federal Buildings in the National Capital Region, established in 1966? This report says "no reports have been issued, nor are any anticipated." That is about par for the course.

Then there is the Advisory Committee on Library Research and Training Projects. It was formed in 1965 and has not issued a report. But, of course, it was not required to.

The Advisory Council on Quality Teacher Preparation was authorized in 1965, but failed to file a report.

The National Advisory Commission on Libraries was established in 1966 and was required to submit a report no later than 1 year after its first meeting. Two years later nobody had been able to find one.

The National Advisory Committee on International Studies was created in 1966 but 2 years later no members had been named.

The National Commission on Product Safety was authorized in 1967 but had neither staff or office as of last June.

The National Medical Review Committee was established in 1965, but never had any members.

The President's Advisory Council on Cost Reduction was established in 1967, but quite obviously never did anything.

Here is another library committee—the President's Committee on Libraries—which should not be confused with the Advisory Committee on Library Research and Training Projects, or the National Advisory Commission on Libraries. The President's Committee reportedly was holding up its report until it got a look at the National Commission's report. This is known as the Alphonse-Gaston syndrome.

There was something called the Task Force on Educational Television in the Less-Developed Countries, created by the President in 1966. The compiler of this report discovered that Leonard Marks, then director of the U.S. Information Agency, was to have been chairman and states that "repeated but unsuccessful attempts to obtain more information concerning the task force" were made.

There are many, many other boards, commissions, committees and task forces lying around, Mr. Speaker, that were not covered by this report.

For instance, it did not go into the vital work of the International Committee on International Athletics, or the Advisory Committee on the Arts, or the Tortugas Shrimp Commission, the Inter-American Tropical Tuna Commission, the International Pacific Halibut Commission, the International Boundary Commission, United States and Canada; or the California Debris Commission.

Now we have this proposed Commission on National Observances and Holidays.

The people of this country need an-

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other advisory commission about as much as Members of Congress need another pay increase. And it might be well to remember that the pay increase was recommended by none other than the Commission on Executive, Legislative, and Judicial Salaries.

Incidentally, right here and now would be a good place to remind the gentleman from New York (Mr. CELLER) and the gentleman from Colorado (Mr. ROGERS) and others that they just got a nice fat pay increase, and yet they want to shift to somebody else their responsibilities and burdens. I say to them that under the circumstances it is time to accept the responsibilities.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. GROSS. Mr. Speaker, I am pleased to yield to the gentleman from Florida.

Mr. HALEY. Mr. Speaker, I wonder if the distinguished gentleman from Iowa could tell us approximately what these so-called commissions and advisory groups, and so forth, have cost the American taxpayers?

Mr. GROSS. Mr. Speaker, I regret this volume from the Library of Congress does not show all the costs.

Mr. HALEY. It would run into thousands of dollars, would it not?

Mr. GROSS. Of course. Into the hundreds of thousands of dollars.

The SPEAKER pro tempore. The time of the gentleman from Iowa has expired.

Mr. HALL. Mr. Speaker, how much time have we remaining?

The SPEAKER pro tempore. The gentleman has 7 minutes.

Mr. HALL. Mr. Speaker, I yield 2 additional minutes to the gentleman from Iowa.

Mr. WATSON. Mr. Speaker, will the genteman yield?

Mr. GROSS. I yield to the gentleman from South Carolina.

Mr. WATSON. Mr. Speaker, I certainly appreciate the information which was given to us by the gentleman from Iowa. This is typical of the manner in which the gentleman does his homework.

I wonder if the gentleman would not agree that it might be advisable to establish one further advisory committee, and that is the advisory committee to advise the Congress as to which advisory committees are not advising.

Mr. GROSS. The gentleman from South Carolina makes an excellent suggestion.

Mr. HALL. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. WIGGINS).

Mr. WIGGINS. Mr. Speaker, I would like to advise Members particularly on this side of the aisle about the history of this bill. This has been before the Congress in prior years, in the 89th Congress and in the 90th Congress, and now we have it again. Last year the bill passed this body by a vote of 313 to 35. I wish to emphasize also that in committee this bill received, save one vote, the unanimous support of all Members on both sides of the aisle.

This has not been a controversial bill up to now.

Mr. Speaker, I would like to emphasize what this bill does do and what is does not do. First of all, it does not confer upon a commission any power at all other than to recommend. It does not detract one iota from the power of Congress. Nor does it detract one iota from the power of the President. The President has now, without any further legislation whatsoever, the power to issue proclamations, and he does so frequently. Then, of course, Congress has the power to pass resolutions proclaiming commemorative days. This merely provides to the Congress and the President a source of information, much as the Bureau of the Budget, for example, submits a report on proposals for the purpose of advising the Congress. So this commission, too, is created for the purpose of advising the President on the propriety of the many proposals submitted to him.

I ask you all to distinguish this case from that of, let us say, the case of a reorganization plan submitted to Congress or the case of the salary commission. In each case, the recommendations of the commission have the force of law unless vetoed by the Congress. A proper argument of delegation of authority can be made in those cases, but no such argument can properly be made in this case, for the recommendations of the Commission have no authority whatsoever. They are merely recommendations. The President may adopt or reject the recommendations; or the Congress may choose to adopt the recommendation and pass a resolution.

Mr. HALL. Mr. Speaker, will the gentleman yield on that point?

Mr. WIGGINS. Yes. I will be pleased to yield.

Mr. HALL. Does the distinguished gentleman handling this for the subcommittee on the minority side intend to state forthrightly or even by inference to negate and gainsay the admission on the part of those handling the bill for the majority, that this Commission would make recommendations directly to the President and that they would not come back to the Congress or the subcommittee?

Mr. WIGGINS. I do not deny the accuracy of that statement. However, I am quite confident the report of the Commission would be available to the Congress upon request.

Mr. HALL. If the gentleman will yield further—and I will certainly see that he has all of the time he needs—I just want this clarified, because I do not see how we can stand up here and say we are not yielding the power and prerogatives and indeed the responsibility of the Congress on the one hand, and then turn around and say that the function of this advisory committee we are establishing will not even come back to the Congress but rather go directly to the Chief of the executive branch for implementation.

Mr. WIGGINS. I am sure the gentleman recognizes that Congress may, if it wishes, pass a resolution even though a report may be pending before this Commission and even though no report is ever submitted to it. We are not delegating one iota of our authority to the Commission. The authority remains with us. But what we are seeking is additional information to put the 500-odd requests in their proper perspective.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HALL. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. WIGGINS. Mr. Speaker, I would like to continue briefly on the subject of money.

It has been alleged that this Commission would add to the great burden of paying for other commissions in being. By the precise terms of this legislation, members of the Commission are not authorized to receive one penny of additional compensation. However, they are permitted to employ a staff of no more than two members, which provision is written into the legislation. They can employ two secretaries. I think that the observation in the report that the cost of this bill is minimal is very clear and should not be a matter for consideration here.

Finally, Mr. Speaker, some confusion has become apparent on the subject of holidays versus commemorative days. A holiday in the parlance of our committee is a day on which Federal employees are not required to work and a holiday is created by Federal statute. That will continue to be the law. The Monday holiday bill has nothing at all to do with this legislation. This bill deals only with commemorative days, not legal holidays on which employees of the Federal Government are permitted a day off.

Mr. Speaker, the cost of the legislation is minimal but the anticipated savings should be substantial and the proposed legislation is much needed.

The Commission would consider all proposals calling for national observances and holidays including those referred to it by committees of Congress and would recommend to the President those observances which it finds to be of national significance and which warrant Federal recognition. The Commission would be composed of the Archivist of the United States, the Librarian of Congress, and the Secretary of the Smithsonian Institution. The members of the Commission would receive no compensation for their services to the Commission, and the Commission would be authorized to appoint no more than two employees.

Consideration of bills that request Presidential proclamations regarding holidays is not only a burden upon the Congress but on individual Congressmen as well. In the 90th Congress, 502 holiday bills were introduced in the House, of which only 17 were enacted into law. The printing of these bills and the time spent in their consideration in committee and on the floor of the House resulted in considerable cost and tied down a considerable portion of the time of Congressmen which could have been better utilized in consideration of more substantive legislation. In addition, this legislation imposes pressures on Members of Congress since it is often difficult to justify enacting one bill calling for a Presidential proclamation and not taking favorable action on another.

There is the further problem that there have simply been too many proclamations in the past. I believe that it would be preferable to limit issuance of Pres-

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idential proclamations to observances which are clearly of major national importance. The three members of the proposed Commission possess an expertise which makes them singularly qualified to assess the national significance and cultural importance of proposed Presidential proclamations.

Mr. Speaker, H.R. 2171 is an effective response to a growing legislative burden, and I therefore urge that it be enacted into law.

Mr. PEPPER. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the gentleman from Florida for a question.

Mr. PEPPER. Mr. Speaker, I wish to thank the able gentleman from Colorado for yielding to me at this point. I want to ask one question for the purpose of clarifying the intent of the resolution. In a case where the Congress itself through legislative enactment has already provided for the observance nationally of a day or a week, would this proposed legislation, if enacted, carry the provision to change the date of a previously established holiday or day of observance under a previous act of Congress or would that same kind of proposal have to be referred to the Commission?

Mr. ROGERS of Colorado. No, it would not.

Mr. SISK. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the gentleman from California.

Mr. SISK. Mr. Speaker, I regret that I did not hear the earlier discussion with reference to this and this matter may have already been discussed that I want to raise. But is it suggested or did the committee have in mind that this Commission would be hereby created to have anything to do with, for example, the planning for and recommendation for the planning for the 200th birthday of this Nation in 1976? Was this in anywise considered as part of the duties of this Commission?

Mr. ROGERS of Colorado. No, it was not. Of course, we could have them to make some investigation for us, but I understand we already have that event provided for.

Mr. SISK. Mr. Speaker, if the gentleman will yield further, the Commission has already been created to plan the 1976 observance?

Mr. ROGERS of Colorado. That is right.

Mr. SISK. I thank the gentleman.

The SPEAKER pro tempore (Mr. MILLS). The question is on the motion of the gentleman from Colorado (Mr. ROGERS) that the House suspend the rules and pass the bill H.R. 2171.

The question was taken and the Speaker pro tempore announced that the "noes" appeared to have it.

Mr. ROGERS of Colorado. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 164, nays 213, not voting 53, as follows:

[Roll No. 25]

YEAS—164

Addabbo
Albert
Anderson, Calif.
Ashley
Aspinall
Barrett
Biester
Bingham
Boland
Brademas
Brasco
Brock
Brooks
Broomfield
Burke, Mass.
Burton, Calif.
Bush
Button
Byrne, Pa.
Carey
Celler
Chamberlain
Clark
Clay
Cohelan
Conte
Conyers
Corbett
Corman
Coughlin
Culver
Daniels, N.J.
Dawson
Delaney
Dennis
Dent
Diggs
Donohue
Dowdy
Downing
Dulski
Edwards, Calif.
Eilberg
Evans, Colo.
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Fish
Flood
Ford, Gerald R.
Ford, William D.
Fraser
Frelinghuysen
Friedel
Gallagher
Garmatz
Gaydos
Gilbert
Gonzalez
Green, Pa.
Gude
Halpern
Hamilton
Hanley
Hansen, Wash.
Harvey
Hathaway
Hawkins
Heckler, Mass.
Hicks
Holifield
Horton
Hosmer
Howard
Hungate
Jacobs
Jarman
Johnson, Calif.
Karth
Kastenmeier
Kee
Kluczynski
Koch
Kyros
Leggett
Lowenstein
Lujan
McCarthy
McClory
McCloskey
McCulloch
McDade
McDonald, Mich.
McFall
Macdonald, Mass.
MacGregor
Madden
Mailliard
Mann
Matsunaga
Meeds
Meskill
Michel
Mills
Minish
Mink
Monagan
Moorhead
Morgan
Morton
Murphy, Ill.
Nedzi
Nix
O'Hara
Olsen
O'Neill, Mass.
Ottinger
Patten
Pepper
Philbin
Pike
Podell
Preyer, N.C.
Price, Ill.
Pryor, Ark.
Rees
Reid, N.Y.
Reifel
Reuss
Robison
Rodino
Rogers, Colo.
Rooney, Pa.
Rosenthal
Rostenkowski
Rumsfeld
Ruppe
Ryan
St Germain
Schwengel
Shipley
Sisk
Smith, N.Y.
Stafford
Stokes
Stratton
Sullivan
Symington
Talcott
Thompson, N.J.
Tiernan
Udall
Ullman
Van Deerlin
Vanik
Waldie
Whalen
Wiggins
Wilson, Charles H.
Wold
Wolff
Yatron

NAYS—213

Abbitt
Abernethy
Adair
Adams
Alexander
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Ashbrook
Ayres
Baring
Beall, Md.
Belcher
Bennett
Berry
Betts
Bevill
Biaggi
Blanton
Blatnik
Bolling
Bow
Bray
Brinkley
Brotzman
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burleson, Tex.
Burlison, Mo.
Burton, Utah
Byrnes, Wis.
Cabell
Caffery
Cahill
Camp
Carter
Casey
Cederberg
Chappell
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Collins
Colmer
Cowger
Cramer
Cunningham
Daniel, Va.
Davis, Wis.
de la Garza
Dellenback
Denney
Derwinski
Devine
Dickinson
Dingell
Dorn
Duncan
Dwyer
Edmondson
Edwards, Ala.
Edwards, La.
Erlenborn
Esch
Eshleman
Findley
Fisher
Flowers
Foreman
Fountain
Frey
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gettys
Gibbons
Goodling
Green, Oreg.
Griffin
Gross
Grover
Gubser
Hagan
Haley
Hall
Hammerschmidt
Hastings
Hays
Hechler, W. Va.
Helstoski
Henderson
Hogan
Hull
Hunt
Hutchinson
Ichord
Joelson
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Kazen
Keith
King
Kleppe
Kuykendall
Landgrebe
Landrum
Langen
Latta
Lennon
Lipscomb
Long, Md.
Lukens
McClure
McMillan
Mahon
Marsh
Martin
May
Mayne
Miller, Ohio
Minshall
Mize
Mizell
Mollohan
Montgomery
Mosher
Moss
Myers
Natcher
Nelsen
Nichols
Passman
Pelly
Perkins
Pettis
Pickle
Pirnie
Poage
Poff
Pollock
Price, Tex.
Pucinski
Purcell
Quie
Quillen
Railsback
Randall
Rarick
Reid, Ill.
Roberts
Rogers, Fla.
Rooney, N.Y.
Roth
Roudebush
Roybal
Ruth
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Schneebeli
Scott
Sebelius
Shriver
Sikes
Skubitz
Smith, Calif.
Snyder
Springer
Staggers
Stanton
Steed
Steiger, Wis.
Stubblefield
Taft
Taylor
Teague, Calif.
Thompson, Ga.
Thomson, Wis.
Utt
Vigorito
Waggonner
Wampler
Watkins
Watson
Watts
Weicker
Whalley
White
Whitehurst
Whitten
Widnall
Wilson, Bob
Winn
Wright
Wyatt
Wydler
Wylie
Wyman
Yates
Young
Zablocki
Zion

NOT VOTING—53

Annunzio
Arends
Bates
Bell, Calif.
Blackburn
Boggs
Brown, Calif.
Brown, Mich.
Chisholm
Conable
Daddario
Davis, Ga.
Eckhardt
Flynt
Foley
Giaimo
Gray
Griffiths
Hanna
Hansen, Idaho
Harsha
Hébert
Kirwan
Kyl
Lloyd
Long, La.
McEwen
McKneally
Mathias
Mikva
Miller, Calif.
Morse
Murphy, N.Y.
O'Konski
O'Neal, Ga.
Patman
Powell
Rhodes
Riegle
Rivers
Ronan
St. Onge
Scheuer
Slack
Smith, Iowa
Steiger, Ariz.
Stephens
Stuckey
Teague, Tex.
Tunney
Vander Jagt
Williams
Zwach

So (two-thirds not having voted in favor thereof) the motion was rejected.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Williams.
Mr. Annunzio with Mr. Harsha.
Mr. Scheuer with Mr. Bell of California.
Mr. Gray with Mr. Kyl.
Mr. Murphy of New York with Mr. Conable.
Mr. Ronan with Mr. Lloyd.
Mr. Hanna with Mr. Morse.
Mr. Kirwan with Mr. Bates.
Mr. Daddario with Mr. Brown of Michigan.
Mr. Giaimo with Mr. Riegle.
Mr. St. Onge with Mr. Rhodes.
Mr. Rivers with Mr. McKneally.
Mr. O'Neal of Georgia with Mr. Blackburn.
Mr. Miller of California with Mr. Mathias.
Mr. Teague of Texas with Mr. McEwen.
Mr. Boggs with Mr. Arends.
Mr. Smith of Iowa with Mr. Hansen of Idaho.
Mr. Brown of California with Mr. O'Konski.
Mr. Flynt with Mr. Steiger of Arizona.
Mr. Foley with Mr. Vander Jagt.
Mr. Davis of Georgia with Mr. Zwach.
Mr. Stephens with Mr. Tunney.
Mrs. Griffiths with Mr. Stuckey.
Mr. Pittman with Mr. Eckhardt.
Mr. Mikva with Mr. Long of Louisiana.
Mr. Powell with Mrs. Chisholm.

Messrs. JOELSON, BENNETT, FULTON of Pennsylvania, BERRY, KEITH, and ANDREWS of North Dakota changed their vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

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GENERAL LEAVE TO EXTEND

Mr. HALL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks on the bill (H.R. 2171) to establish the Commission on National Observances and Holidays.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

EXTENDING TIME FOR FILING FINAL REPORTS UNDER THE CORRECTIONAL REHABILITATION STUDY ACT OF 1965 UNTIL JULY 31, 1969

Mrs. GREEN of Oregon. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 8434) to extend the time for filing final reports under the Correctional Rehabilitation Study Act of 1965 until July 31, 1969.

The Clerk read as follows:

H.R. 8438

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the date by which the research and study initiated and the final report required by section 16(c) of the Vocational Rehabilitation Act (as in effect prior to July 7, 1968) must be completed shall be July 31, 1969.

The SPEAKER pro tempore (Mr. MILLS). Is a second demanded?

Mr. REID of New York. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Oregon (Mrs. GREEN).

Mrs. GREEN of Oregon. Mr. Speaker, it is the purpose of H.R. 8438 to extend for 4 months the time within which research and study initiated and the final report required by the Correctional Rehabilitation Study Act of 1965 must be completed. Under the 1965 act, the research and study was to be completed and the final report filed not later than 3 years after the date the study was inaugurated. The date for completion and filing of the report so set was March 31, 1969. H.R. 8438, reported from the Committee on Education and Labor, unanimously, proposes that the completion date be July 31, 1969.

The study called for by the Correctional Rehabilitation Study Act is being conducted by the Joint Commission on Correctional Manpower and Training, consisting of nearly a hundred national, international, and regional organizations and public agencies which have joined together to attack one of the serious social problems of our day: how to secure enough trained men and women to bring about the rehabilitation of offenders through our correctional systems and thus prevent further delinquency and crime.

During the past 3 years the Joint Commission has conducted extensive national surveys, sponsored a number of study seminars on problems deemed to be particularly pressing for correctional agencies and for the colleges and universities who prepare people for work in this field. It has also issued survey reports, consultants' papers, and seminar reports as they were completed. Over 60,000 copies of its publications were distributed in the period ending with December 31, 1968. Hundreds of requests for those publications are answered each week.

Information brought to the attention of the committee justifies in a number of ways the extension being proposed by H.R. 8438. A fire that destroyed Commission office files and working materials, and the death of a key employee of the Joint Commission are among a number of reasons why the additional 4-month period is needed to complete the study.

No additional funds are required by virtue of the proposed extension. Funds already appropriated and made available to the Joint Commission will be utilized to complete the final report during the additional 4-month period.

I hope the House will approve this request.

Mr. PERKINS. Mr. Speaker, H.R. 8438 comes before the House today with the unanimous approval of the Committee on Education and Labor. The gentlewoman from Oregon (Mrs. GREEN), original sponsor of the Correctional Rehabilitation Study Act of 1965, and principal sponsor of H.R. 8438, has commented in detail on the reasons and justifications for this noncontroversial piece of legislation. Therefore, I shall take only a few moments to indicate my support for the 4-month extension being proposed and my interest in the research and study supported by the 1965 act.

The testimony presented to the committee in 1965 showed that there was a consensus among the many organizations and persons active in the field of corrections that the first and most necessary step in a meaningful attack on crime and delinquency was a thorough and systematic survey and analysis of correctional manpower and training resources and needs. Recognizing the importance of such a step, Congress approved on a bipartisan basis the Correctional Rehabilitation Study Act which authorized the Vocational Rehabilitation Administration to make grants for a broad study of correctional manpower and training. The Joint Commission on Correctional Manpower and Training, incorporated in the District of Columbia, and composed of nearly a hundred national, international, and regional organizations and public agencies, is the sole grantee to carry out the research and study called for by the 1965 act. In addition to receiving Federal funds the Commission's work has also been supported through grants from private foundations, organizations, and individuals.

Since enactment of the 1965 act and funding of the Joint Commission, extensive national surveys and numerous study seminars have been sponsored, in addition to the ongoing research and study. A number of Joint Commission publications have already been made available, such as—

"Differences that Make the Difference," papers of a seminar on implications of cultural differences for corrections.

"Targets for Inservice Training," papers of a seminar on inservice training.

"Research in Correctional Rehabilitation," a report of a seminar on research in correctional rehabilitation.

"The Public Looks at Crime and Corrections," a report of a public opinion survey.

"The Future of the Juvenile Court: implications for Correctional Manpower and Training."

"Offenders as a Correctional Manpower Resource," papers of a seminar on the use of offenders in corrections.

"Criminology and Corrections Programs: A Study of the Issues."

Mr. Speaker, the 1965 act called for a final report 3 years after the research and study was undertaken—that is March 31, 1969. As the gentlewoman from Oregon (Mrs. GREEN) stated, the Joint Commission has been delayed in completing its work for very justifiable reasons. H.R. 8438 proposes that the Commission be allowed an additional 4 months to finish its work and make the final report. I wish to emphasize that no additional Federal funds are involved in this request. This proposal is without controversy, and I know of no objection to its enactment. I therefore recommend that the House take favorable action on H.R. 8438 today.

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. REID).

Mr. REID of New York. Mr. Speaker, the gentlewoman from Oregon has very correctly articulated the purpose of this bill. H.R. 8438 would extend the time for filing final reports under the Correctional Rehabilitation Study Act of 1965 until July 31 of this year.

It is very clear that this request for time is occasioned by the loss of key personnel and by fire destroying Commission files. The report itself certainly is a necessary study. I know of no objection on this side to the bill.

The SPEAKER pro tempore. The question is on the motion of the gentlewoman from Oregon (Mrs. GREEN) that the House suspend the rules and pass the bill H.R. 8438.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mrs. GREEN of Oregon. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

REPUBLICAN CONFERENCE

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute.)

Mr. GERALD R. FORD. Mr. Speaker,

I wish to advise Members on our side of the aisle that the conference which was scheduled for this afternoon following adjournment, or 30 minutes following adjournment, has been called off and will be held tomorrow morning at 10 a.m. in the Cannon Building caucus room.

I hope each and every Republican Member will be present.

MEET THE MEMBER—HON. ARNOLD OLSEN

(Mr. NIX asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. NIX. Mr. Speaker, one evening about a week ago I was listening to station WMAL here in the Nation's Capital and I heard a statement reviewing the fine work of our distinguished colleague from Montana, ARNOLD OLSEN. Representative OLSEN was being featured that evening on "Meet the Member," a WMAL program with commentator Joseph McCaffrey.

Mr. McCaffrey did an exemplary job of telling his listeners of the efforts ARNOLD OLSEN has put forward for the people of his First District of Montana and for people across the Nation. I asked Mr. McCaffrey for a copy of his script, and I include it at this time in the RECORD:

MEET THE MEMBER

(By Joseph McCaffrey, as broadcast over WMAL, Washington, March 6, 1969)

Because the Federal Government is the world's largest employer, the role of the House Post Office-Civil Service Committee is a highly important one. There are increasing problems involving government employees, not only those who work for the Post Office Department, but those who work for other departments and agencies. The Post Office Department itself is, and has been for a long time, a major problem.

The 91st Congress has before it a recommendation to turn the duties of the department over to a semi-autonomous body, much like the Tennessee Valley Authority. As a counter to this recommendation which was made by a presidential commission, the House committee has before it many other ideas for restructing the department.

As a member of the committee, and one of its most active members, Montana's Arnold Olsen will play a role in what decision is finally made in the effort to streamline the postal service.

Now serving his fifth term in the House, Olsen, an attorney, is regarded as an authority on federal employee affairs.

He has also made a study of what he has called "the paper jungle" of the Federal Government. The Olsen hearings into this man made jungle resulted in federal reorganization which saved the taxpayers millions of dollars.

As a member of the committee, Olsen has gone to bat frequently for both the Post Office and the federal employees. He has championed efforts to make the pay level of federal employees comparable with private industry. He favors legislation to establish a thirty-five hour work week, saying that the Federal Government should set an example as a progressive employer.

The son of pioneer immigrant Norwegian parents, Olsen began working at an early age in Butte as a newsboy and a grocery clerk. He worked his way through the Montana School of Mines in the machine shops and the compressor plants of the Butte copper mines.

After receiving his law degree from Montana State University in 1940, he set up his practice only to put aside the law books in 1942 for Navy duty. He served four years in the Navy, much of it in the Pacific, and when he left the service at the end of World War II, he held the rank of lieutenant.

Following the war he resumed his law practice and in 1948 he was elected Montana's youngest Attorney General at the age of 32. During the eight years he was in office he fought hard for new mine safety laws, improvements in the state custodial institutions and upgrading of standards and facilities in the state's educational system.

He won wide acclaim for his efforts to enforce Montana's gambling laws which resulted in the complete shut down of illicit gambling in the state. In 1956, after winning the Democratic nomination for governor, Olsen found himself up against the Eisenhower tide, although he lost the general election to the incumbent Republican governor, the margin was narrow.

In 1960 he was elected to the House of Representatives from Montana's First District. During the time he has been in Washington his watch word has been "progress", and his slogan has been, "Keep the First District First." In at least eight categories ranging from highway construction to Model Cities and airport construction, Olsen's district leads all other districts in the Continental United States.

Arnold Olsen produces as a Member of Congress.

CONGRESSMAN EVINS DESERVEDLY HONORED

(Mr. FULTON of Tennessee asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. FULTON of Tennessee. Mr. Speaker, last Thursday evening, March 13, the members of the Tennessee congressional delegation gave a reception in honor of our dean, one of the most outstanding, dedicated, and able Members of this or any Congress, the Honorable JOE L. EVINS.

In so doing we hoped that, in some small way, we could extend to JOE EVINS our great appreciation for the beneficial efforts which he has made in behalf of the people of his congressional district, the people of Tennessee, and the citizens of our Nation.

In his more than 22 years of service in the House of Representatives, he has justly earned the reputation of outstanding legislator and great American.

The occasion of last Thursday's event was noted editorially by both the Nashville Banner in an editorial entitled "Congratulations, Representative EVINS," and the Nashville Tennessean in an editorial entitled "Deserved Honor for Representative EVINS."

Mr. Speaker, I include these two editorials in the body of the RECORD at this point and commend them to the consideration of our colleagues:

[From the Nashville (Tenn.) Banner]

CONGRATULATIONS, REPRESENTATIVE EVINS

Led by the venerable and powerful Speaker of the House of Representatives, Rep. John McCormack of Massachusetts, Tennessee's congressional delegation and other prominent lawmakers and citizens turned out Thursday night to honor the dean of Tennessee congressmen, Rep. Joe L. Evins of Smithville.

Congressman Evins, who is celebrating his 23rd year as a member of the House, is chairman of the appropriations subcommittee that handles billions of dollars annually for independent federal agencies. His characteristically strong stewardship of that body was described by Rep. George Mahon of Texas as "spectacular."

Joining Speaker McCormack and Congressman Mahon in paying tribute to Tennessee's Fourth District representative were Secretary of Housing and Urban Development George Romney, Congressman and Mrs. Richard Fulton, House Majority Leader Carl Albert, House Majority Whip Hale Boggs, Senator and Mrs. Howard Baker, UT President Andrew Holt, and a number of representatives of veterans organizations and business leaders.

To that distinguished list of public servants and corporate officials must certainly be added the voice of Tennessee's gratified constituency. For 22 years, Congressman Evins has exemplified personal integrity and exhaustive analysis of crucial legislation. His quiet, unassuming attention to the nation's business has earned him the gratitude and praise of his colleagues and the admiration of his fellow Tennesseans.

The people of Tennessee join in congratulating Congressman Evins on a job well done.

[From the Nashville (Tenn.) Tennesseean]

DESERVED HONOR FOR REPRESENTATIVE EVINS

Congressman Joe L. Evins of Tennessee's Fourth District was honored as the dean of the Tennessee delegation at a reception at the International Club in Washington Thursday night. The reception was sponsored by members of the House from Tennessee.

Many top leaders in Congress and the administration turned out to pay their respects to the one-time lawyer from DeKalb County who has risen to become one of the nation's most powerful legislative leaders.

The guests included House Speaker John McCormack of Massachusetts, Secretary of Housing and Urban Development George Romney, Rep. Carl Albert of Oklahoma, House majority leader, many other political leaders, public officials and private citizens from Tennessee and other states.

Mr. Evins, who has served in the House since 1947, is a ranking member of the public works appropriations subcommittee which initiates money bills vital to Tennessee projects like TVA, the U.S. Engineers river developments, and others. He is also chairman of the House Small Business Committee, which is playing a growing role in this region's economic development.

His long seniority and the importance of the committees to which he has devoted his interest make Mr. Evins one of the most influential members of the Congress. The people of his district and the state join in paying the Congressman a deserved tribute.

ALLEVIATING PROBLEMS CAUSED BY RISING INFLATION

(Mr. FRIEDEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. FRIEDEL. Mr. Speaker, we are all aware of the ever rising inflation in our country and perhaps no one is more aware of it than our fixed, low- and middle-income families who have seen the size of their grocery bags dwindle and dwindle and who have seen the cost for their clothing and other necessities spiral upward while their incomes have remained relatively static. Those of us who have families are all too well aware that it particularly hurts people with children whose growing appetites and constant need for new clothing are ever increasing and those on fixed incomes such as retirees and the aged and infirmed who are in no position to increase their incomes to compensate for the inflation, but it really comes home to these people at income tax time when they see that their Government has graciously allowed them a $600 exemption for themselves and their dependents.

None of you, I am sure, will dispute me, when I say that this figure does not even approach reality when we try to compute the actual costs of feeding, clothing, housing, and educating our children. Nor is $600 any more realistic when applied in the cases of our aged and infirmed.

In a day when the poverty level has been more or less established at $3,000 in this country—another unrealistic figure by the way—a retiree with such an income would pay $213 and the 10-percent surcharge in Federal income taxes according to the 1968 tax tables. In order for him to pay no Federal taxes his gross income would have to be less than—imagine that—less than $1,600 per year. I ask you, could you live on less than $1,600 per year, pay rent, light, heat, and food bills, not to mention clothing, insurance, and other necessities.

Consequently, I have introduced three different pieces of legislation, and I have introduced these in preceding Congresses, to alleviate a bit of the hardships imposed upon a growing number of our citizens.

The bills are as follows:

H.R. 2759, to increase the personal tax exemptions of a taxpayer and dependents and the additional exemptions for old age and blindness from $600 to $1,000;

H.R. 6968, to amend title 11 of the Social Security Act to increase the amount of outside earnings to $2,400 permitted each year without any deductions from benefits; and

H.R. 6966, to amend the Railroad Retirement Act of 1937 to increase the amount of outside income which a survivor annuitant may earn without deductions from his or her annuity to $2,400 per year.

While I realize that this proposed legislation does not offer a final solution to the problems of our less affluent citizens it will grant them some small measure of relief until we, their Representatives, can find ways of dealing with the main problem of how to slow down and ultimately stop the spiraling inflation in our Nation which everyday eats into our bank accounts, insurance, and savings.

NEW AIR FORCE BOMBER

(Mr. KLEPPE asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. KLEPPE. Mr. Speaker, I enthusiastically support the decision of Defense Secretary Melvin R. Laird to move ahead on production of a new bomber for the Air Force. This will fill a serious gap in our total defense posture. I have in the past questioned the advisability of putting all of our eggs in one basket. A large number of ICBM's are in place in the State of North Dakota. Of three test launchings, there were three failures. I think that our missile system is more reliable than these tests would indicate, but I firmly believe that for the foreseeable future we need a modern bomber force backup.

Mr. Speaker, I include in my remarks the following news report from today's Washington Post:

Laird Plans To Revive Air Force Bomber

(By George C. Wilson)

Defense Secretary Melvin R. Laird is preparing to give the Air Force the new bomber it has wanted for years.

Pentagon sources said yesterday that only a last-minute hitch would keep the bomber—a stepchild in the McNamara era—from getting a big chunk of money in Laird's revision of the fiscal 1970 defense budget.

He is slated to detail those changes Wednesday in what Pentagon wags calls a "mini-posture" statement for Congress.

The idea is to go ahead full tilt with the bomber—known as advanced manned strategic aircraft, or AMSA—and make up for its cost elsewhere in the budget.

One program to be axed in this process is former Defense Secretary Robert S. McNamara's plane, the General Dynamics FB-111—the bomber version of the TFX.

From a policy standpoint, the imminent decision means that Laird believes the day of the manned strategic bomber is not over. McNamara's program called for making the B-52s last, using the bomber version of the TFX as a stop-gap and postponing any full-scale commitment to a new strategic bomber.

A lot of paper work has been done on AMSA, however. As now conceived, it would fly in at supersonic speeds at low altitudes to elude enemy defenses. Or it could launch missiles while far from the target.

Former Air Force Secretary Harold Brown had envisioned a gingerly approach to the new bomber—including an extraordinarily long competition between two airplane companies picked as finalists.

But Laird's plan accelerates the pace, calling for the bomber contract to be awadred before the end of the year. Almost $150 million is expected to be provided in the fiscal 1970 budget for the plane—compared to $77 million in new money in the inherited budget.

The plan to take money away from other programs to finance AMSA is further evidence that the Nixon Administration is trying to put its own mark on the 1970 military budget while asking for less than the $80 billion in new money requested by the Johnson Administration.

Cutting into the TFX program again may prompt Congress to go farther in this direction.

Aviation Week Magazine, which keeps tabs on the aerospace industry, said North American Rockwell, the firm which built the B-70, is a leading contender for the AMSA plum on the basis of designs submitted to the Air Force. Others in the race are a Boeing and General Dynamics.

JUSTICE DEPARTMENT REQUESTED TO MONITOR SPEECHES

(Mr. THOMPSON of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. THOMPSON of Georgia. Mr. Speaker, our colleague from the 18th District of New York with great fanfare has announced that he will be touring college campuses making a series of speeches which will apparently net him a very substantial sum of money. The announced purpose of the speeches, other than private personal monetary gain, is to promote student dissent and the candidacy of Ted Kennedy for President and Julian Bond for Vice President.

I do not know whether our colleague checked with Senator Kennedy or Mr. Bond, but it may well be that they will prefer not to have the Congressman's support.

However, I am greatly concerned about the role the Congressman is attempting to play in attempting to promote student dissent, particularly in view of the fact that there is a thin line between student dissent and student riots which we have seen erupt on the college campuses. I would much rather see a colleague attempt to build trust and confidence in America than attempt to lead an effort which all objective reasoning leads one to believe is designed purely for disruptive purposes.

Because of my concern that this attempt to create dissent may actually provoke riots, I have today written the Attorney General and requested that the speeches of the Congressman from the 18th District of New York be monitored by the Justice Department, and if it develops that there is an overt attempt through these speaking engagements to promote actual rioting and rioting does occur and the Congressman is traveling in interstate commerce, then I would request, if the evidence warrants, that the Justice Department bring action under the antiriot section of the crime bill passed by the 90th Congress.

I should also like to point out that in the past the Congressman from the 18th District of New York has attempted to claim congressional immunity when confronted with lawsuits. Of course, no immunity would be provided should he actually engage in attempting to promote riots. However, should he attempt to assert immunity in the event that charges are brought because of his action, it will be my purpose to introduce a resolution in the House, calling for the expulsion of the Congressman from the 18th District of New York in order that there will be no question but what he is subject to the same laws as every other American citizen.

PENTAGON DISPENSES SOUTHERN COMFORT

(Mr. HENDERSON asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. HENDERSON. Mr. Speaker, last Thursday the Washington Post carried an editorial entitled "The Pentagon Dispenses Southern Comfort."

In it, the Post criticizes action by Defense Secretary David Parker awarding Defense contracts to three large textile firms. They are: J. P. Stevens, Burlington Industires, and Dan River Mills.

Characteristically, the Post did not question the record of any of these fine firms in past contract work with the Defense Department or other agencies of the Government; their capacity and ability to perform, or the quality of the

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products they manufacture, or the likelihood that the Defense Department will get value received for each dollar spent.

Instead, the Post was highly critical of their employment policies and suggested that the contracts should have been withheld because "the employment policies of all three firms had been under investigation and review by the Pentagon and the Office of Federal Contract Compliance for over a year owing to well substantiated charges that they were racially discriminatory."

Two of these firms have plants in my district and one, the J. P. Stevens Co., has a plant in my hometown.

I have personal knowledge that the Stevens Co. has made immense strides in recent years, both in the percentage of Negroes employed and in the level of the jobs which they hold.

Burlington Industries has recently reported that in its southern plants Negro employment has increased from approximately 4 percent a few years ago to 14 percent and that in many plants it is substantially higher ranging from 20 percent to 50 percent.

The mere fact that these firms have most of their plants in the South, and that the South has a higher percentage of Negro population than the rest of the country would, in and of itself, make it likely that more charges of discrimination in employment would be made against their firms than would be the case of firms with plants in other areas of the Nation with a lower percentage of Negro population.

The Post obviously still supports the philosophy of the Reconstruction era—punish and penalize the South simply and solely because that is where most of the Negroes live. I would venture to say that these plants, in terms of gross numbers, employ far more Negroes than their counterparts located in other areas of the country, and the employee-management relationship between Negroes and whites is extremely good. The complaints referred to in the Washington Post editorial have arisen because certain persons who applied for nonexistent vacancies or for positions for which they obviously did not qualify have refused to accept the obvious and, egged on by militant "leaders" have charged discrimination which never existed.

It is, I think, highly significant that the Post editorial refers mainly to charges of discrimination; not to findings by any fair or impartial body or organization.

THE ODIOUS AFFAIR OF THE UNIVERSAL FIBERGLASS CORPORATION AND THE THREE-WHEEL MAIL TRUCKS

(Mr. HALL asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. HALL. Mr. Speaker, I would like to call attention to a story in yesterday's edition of the Washington Daily News which puts the spotlight back on the odious affair of the Universal Fiberglass Corp. and its unfulfilled contract to produce three-wheeled mail trucks for the Post Office Department.

For nearly a year we waited in vain for some action—any action—on this matter from the former Attorney General, Ramsey Clark.

Since everyone was well aware of the close involvement in this case of several cronies of former Vice President Hubert H. Humphrey, it was not really any surprise that Clark put the matter in the deep freeze.

But now, according to this story, we may see due to the persistence of our colleague the gentleman from Iowa (Mr. Gross), at long last, an investigation into this sordid mess. I hope so, especially since responsible postmasters tell me these "mailsters" are no good and dangerous.

I include the article for insertion in the Record at this point:

Those Undelivered Mail Trucks: Push H. H. H.-Aides Case

(By Dan Thomasson)

The Nixon administration has taken off the shelf an investigation of a Cleveland-owned Minnesota firm's handling of a $13.3 million Federal contract which two former aides to Hubert H. Humphrey allegedly helped arrange.

Rep. H. R. Gross, R-Iowa, said today he has been informed by Assistant Attorney General Will Wilson that the case involving the Universal Fiberglass Corp. of Two Harbors, Minn., a now defunct subsidiary of the Rand Development Corp. of Cleveland, is under "active investigation" by the FBI.

Mr. Wilson also said in a letter to Rep. Gross that a Federal grand jury has issued a subpoena ordering Universal Fiberglass to produce all of its records in connection with the contract. Under the contract, the Government made $2.1 million in progress payments for three-wheeled mail trucks that never were delivered.

In addition, Universal Fiberglass was the recipient of two Federal loans—from the Area Redevelopment Administration (ARA) and the Small Business Administration (SBA)—which helped it set up its plant in an abandoned railroad roundhouse in Two Harbors.

COMPANY INDICTED

The Rand Development Corp. was indicted last December on charges of stock manipulation and mail fraud in connection with development of a controversial cancer vaccine. It has pleaded not guilty in Federal court.

The decision to push the Universal Fiberglass investigation came late last month after Rep. Gross complained to Attorney General John Mitchell that the Johnson Administration had taken no action on a General Services Administration (GSA) report of a year ago citing evidence GSA said indicated possible criminal and civil fraud in the case.

The GSA report to the Justice Department was made by the agency's general counsel, Harry R. Van Cleve, last March 25—only two months after Rep. Gross attacked the contract on the House floor.

AIDED WITH CONTRACT

It was later disclosed that Neal D. Peterson, then an employe of the Senate Small Business Committee under Mr. Humphrey's sponsorship, helped Universal Fiberglass get a $400,000 ARA loan that led to the company's setting up shop in Minnesota.

Mr. Peterson is the brother of Roger Peterson, a Minneapolis attorney who was an attorney for Universal Fiberglass. Neal Peterson later left the Small Business Committee to join Mr. Humphrey's vice presidential staff.

The mail truck contract was awarded to Universal in 1965 after then-SBA Administrator Eugene B. Foley, also a protege and former aide to Mr. Humphrey, overrode objections from experts in his own agency and GSA and gave Universal a "certificate of competency."

In his report to the Justice Department last year, GSA counsel Van Cleve said his agency feels "that there is enough information available at present to form the basis of Federal investigation as to the matter."

"We are aware that the acts outlined herein may constitute criminal offenses as well as civil fraud," Mr. Van Cleve said.

GROSS' COMPLAINT

But Rep. Gross complained to Mr. Wilson that the department apparently felt it would be more prudent not to move against the Minnesota firm.

Mr. Van Cleve said GSA's investigation developed evidence of overcharging for materials, inclusion of ineligible overhead items in payment requests, and failure to carry out a guarantee on which an SBA loan was granted.

Mr. Van Cleve also informed Justice Department officials that the State of Minnesota had conducted its own investigation of the situation and collected information which "strongly supports" GSA's view of possible fraud.

SENTINEL OR SAFEGUARD: IT IS WRONG

(Mr. KOCH asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, President Nixon has made his first major decision and in an attempt to satisfy everyone, he has satisfied no one. Regardless of where the ABM system is deployed, the fact remains that according to leading scientists, the system simply does not work. A recent New York Times editorial has said the "project is as wasteful as the pyramids and not much more useful."

Unfortunately but true, the balance of terror remains the most effective defense for each of the countries armed with nuclear weapons. Each knows that any nuclear strike it triggers will bring immediate retaliation destroying its own land and people beyond repair. Regardless of the "defensive" nature of our ABM system, its construction will escalate the arms race with each nation being bent on ever increasing its offensive ballistic missile armory to overwhelm the defensive missiles. How alarming for the President to escalate the arms race on the very day that the Senate ratified the Nuclear Nonproliferation Treaty. Would it not have been more sensible for the President to withhold his decision on the ABM until there was some reasonable opportunity to see how the arms control talks were proceeding?

Now that our Nation recognizes on the front pages of its newspapers that millions of Americans go hungry every night and many of its children suffer from malnutrition, can we justify the initial expenditure of $7 billion—and ultimately many billions more dictated by rising costs and Pentagon practices—for an ineffective and provocative missile system. All this spending at a time when sufficient funds cannot be found to feed our hungry and save our cities from further decay is unconscionable.

It is not too late. Public pressure does count in this country. If the President were to receive millions of letters in opposition to his position and each Mem-

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ber of Congress and the Senate were to receive letters opposing any appropriation for such a system, we can still stop the deployment of this absurd and wasteful system. We must free ourselves and this Nation from the shackles of a cold war psychology that equates national security with more and more arms. Our domestic crisis requires us to make such an effort now.

THE ANTI-BALLISTIC-MISSILE SYSTEM

(Mrs. MINK asked and was given permission to address the House for 1 minute, to revise and extend her remarks, and to include extraneous matter.)

Mrs. MINK. Mr. Speaker, I wish to place in the RECORD of today two resolutions that have been introduced in the Hawaii State Legislature which is now in session in the city of Honolulu; Senate Concurrent Resolution 16 and House Resolution 24, both expressing opposition to the deployment of the anti-ballistic-missile system.

The Senate concurrent resolution respectfully petitions the President and the Congress to reverse the decision to deploy the ABM system and to locate any ABM sites in the State of Hawaii. The House resolution requests the Congress to stop further funds for the construction and land acquisition of ABM sites.

I should like to point out, Mr. Speaker, that the Senate resolution was cosponsored by 40 percent of the Members of the Senate; and the House resolution was cosponsored by more than 65 percent of the Members of the House.

The resolutions follow:

SENATE CONCURRENT RESOLUTION 16

Concurrent resolution petitioning the President and the Congress of the United States to reconsider the deployment of antiballistic missiles and the location of an anti-ballistic-missile system in the State of Hawaii

Whereas, the United States is devoted to furthering world peace, and to decreasing the tensions of the world's arms race, and to preventing nuclear weapons proliferation; and

Whereas, eminent nuclear physicists, including Noble prize winners, science advisers to Presidents Eisenhower, Kennedy and Johnson, and scientists who have been active in developing the Nation's weapons system, as well as personnel of the Department of Defense have stated that no anti-ballistic missile system can adequately protect a country from sophisticated nuclear attack and that the present United States superiority is a deterrent to both sophisticated and simple offensive nuclear threats; and

Whereas, hunger and disease are as great a danger to peace and internal security as hostile arms, and huge military expenditures for quickly obsolete weapons systems prevent the use of funds to alleviate poverty, thereby increasing world insecurity; and

Whereas, the orderly development of the State of Hawaii lies in its potential to create and expand understanding and trade among diverse cultures and peoples rather than its being an armed outpost of American power: Now, therefore, be it

Resolved by the Senate of the Fifth Legislature of the State of Hawaii, Regular Session of 1969, the House of Representatives concurring, That the President and the Congress of the United States be, and they are, respectfully petitioned to reverse the decision to deploy an anti-ballistic missile system and to locate a part of the system in the State of Hawaii; and, be it further

Resolved, That the President and the Congress of the United States be, and they are, respectfully requested to explore actively all possibilities which would lead to reduction of both offensive and defensive nuclear missile systems among nations, a nuclear nonproliferation treaty and gradual multilateral disarmament, and expanded non-military efforts to alleviate poverty and hunger at home and abroad; and, be it further

Resolved, That duly certified copies of this Concurrent Resolution be transmitted to the President of the Untied States, the President of the United States Senate Pro Tempore, the Speaker of the United States House of Representatives, the Secretary of the United States Department of Defense, Senator Hiram L. Fong, Senator Daniel K. Inouye, Representative Spark M. Matsunaga, and Representative Patsy T. Mink.

(Offered by Duke T. Kawasaki, Donald D. H. Ching, Stanley I. Hara, Donald S. Nishimura, Nadao Yoshinaga, Larry N. Kuriyama, Mamoru Yamasaki, Percy K. Mirikitani, John T. Ushijima, John C. Lanham.)

HOUSE RESOLUTION 24

Resolution requesting the President of the United States, the Secretary of Defense, the Speaker of the U.S. House of Representatives, the President of the U.S. Senate and the Hawaii congressional delegation to stop construction and land acquisition of an antiballistic-missile site on Oahu.

Whereas, Oahu is one of the first twenty-five sites selected for future anti-ballistic missile sites; and

Whereas, the establishment of an anti-ballistic missile system does not assure defense against nuclear warfare and instead tends to escalate the arms race without affording secure advantages; and

Whereas, the costs of such a system would be poured into a military and industrial complex at the expense of major programs needed to solve the major social and economic ills of the country which deserve immediate attention and action; and

Whereas, numerous scientists, legislators, and leaders in government have expressed reservations concerning the need and effectiveness of an anti-ballistic missile system and have expressed opposition to its establishment; Now, therefore, be it

Resolved by the House of Representatives of the Fifth Legislature of the State of Hawaii, Regular Session of 1969, That the Congress of the United States is hereby requested to stop further funds for the construction and land acquisition of anti-ballistic missile sites; and, be it further

Resolved, That duly certified copies of this Resolution be forwarded to the Honorable Richard M. Nixon, President of the United States, the Honorable Spiro Agnew, Vice-President of the United States, the Honorable John McCormack, Speaker of the United States House of Representatives, the Honorable Melvin Laird, Secretary of Defense, the Honorable Hiram Fong, Senator, the Honorable Daniel Inouye, Senator, the Honorable Spark Matsunaga, Representative, and the Honorable Patsy Mink, Representative.

(Offered by Peter S. Iha, Ernest N. Heen, Jr., Akoni Pule, Jack K. Suwa, Charles T. Ushijima, Yoshito Takamine, Richard S. H. Wong, Rudolph Pacarro, Ted T. Morioka, Hiroshi Kato, Emilio S. Alcon, Howard Y. Miyake, Kenneth K. L. Lee, George W. T. Loo, Clarence Y. Akizaki, Robert C. Oshiro, Robert S. Taira, Tadao Beppu, Stuart Ho, Robert Kimura, Richard A. Kawakami, Harold L. Duponte, Minoru Inaba, Stanley H. Roehrig, Henry T. Takitani, Anthony C. Baptiste, Jr., Pedro de la Cruz, Keo Nakama, Mitsuo Uechi, Barney B. Menor, James Y. Shigemura, Ronald Y. Kondo, Momi Y. Minn, Akira Sakima, Francis A. Wong.)

SMALL WATERSHED DEVELOPMENT PROGRAM

(Mr. QUIE asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. QUIE. Mr. Speaker, for 12 years between 1954 and 1966, one of the smoothest working agricultural and conservation programs of the Nation was the small watershed development program authorized by Public Law 83–566.

During that period, a total of 933 watershed work plants were processed under the law. Approval of only the House and Senate Agriculture and Public Works Committees, followed by lump sum appropriations, was necessary to launch these small but extremely vital projects.

The Soil Conservation Service worked efficiently with local sponsors in developing the work plans, providing technical assistance, and allocating resources to the projects.

This fine program came to a halt in 1966 when the Johnson administration interposed an objection to the requirement that project plans be approved only by congressional committees. For several months, no project plans were sent to Congress. A backlog of more than 50 developed. Congress declined to take action on legislation submitted by former President Johnson to amend Public Law 566 to provide for a waiting period.

In the 90th Congress, work plans were approved for 96 watershed projects. President Johnson gave instructions not to proceed with those projects and withheld appropriated funds for them.

So these 96 watershed projects, which have undergone long and arduous steps in their development, are just sitting in the Soil Conservation Service even though funding is available for them. Approximately 35 more are in the pipeline and are similarly stymied because of this jurisdictional dispute.

I for one applauded the words of presidential candidate Richard Nixon when he said at Des Moines, Iowa, on September 14, 1968, that his agriculture program would include "vigorous expansion of soil and water conservation programs, including resolution of the constitutional impediment raised by the administration against the successful small watershed program."

It is my understanding that this matter is under review at the White House right now. It would take only a simple go-ahead from President Nixon to get this program operative once again.

Right now vast areas of this Nation are buried in deep snow. They face dire flood threats from spring runoffs. How welcome would be the added storage and control measures offered by these small watersheds.

I hope President Nixon will not delay in announcing a reversal of the freeze that has been imposed upon the small watershed program for the past 3 years.

FEDERAL RETIREMENT BILLS

(Mr. HALPERN asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. HALPERN. Mr. Speaker, today I am introducing two bills designed to improve the annuity payments of Federal retirees and correct a manifest injustice as to these deserving former public servants.

The bills would achieve the same objective of legislation introduced earlier this session by the able, distinguished gentleman from Buffalo, N.Y., Mr. DULSKI, and I am pleased to associate myself with him in the effort to enact this worthy legislation.

In brief, Mr. Speaker, the first bill would provide substantial increases in the annuities of Federal retirees. In an inflationary economy, the standard of living of our Federal retirees suffers greatly unless reasonable provisions are made to raise their benefits in accord with the overall rising costs of living. Far too many of these civil servants have been forced to live on incomes below poverty levels. This cannot be allowed to continue.

The second bill would restore the full annuity to a retiree who had elected a reduced annuity in order to provide an allowance to his spouse, and had been predeceased by his marital partner. In addition, it permits the retiree, upon the death of his spouse, to name a second mate to a survivor annuity. Compelling a retiree to continue receiving a lower annuity after his spouse has died, while not even enabling him to name a new partner to receive the lost benefits, is an inequity so obvious it barely needs further explanation. The present law is unfair and should be amended.

I fervently hope that this legislation will win considerable support and will be recorded on the list of achievements of the 91st Congress.

THE AMERICAN LEGION

(Mr. ADAIR asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. ADAIR. Mr. Speaker, 50 years ago on March 17, 1919, a small group of battle-worn veterans of World War I concluded a 3-day meeting in Paris, France. Thus, was born the American Legion. Today, as the Legion celebrates its 50th birthday, I want to extend a warm and sincere word of congratulation to this splendid organization for 50 years of outstanding contributions to the Nation and its veterans.

Since its birth as a small obscure organization of war veterans, the American Legion has become an institution on the American scene. Now comprised of more than 2½ million veterans of our Nation's wars, the American Legion today represents a significant force in preserving the American way of life. An organization of war veterans, the American Legion, of course, has played a leading role in the development of the most generous veterans' benefit program enjoyed by the veterans of any Nation. A nationwide rehabilitation program has assisted thousands of veterans and survivors of deceased veterans in obtaining benefits to which they are entitled. Volunteers of the American Legion and its auxiliary give of their time daily in veterans hospitals across the Nation, providing comfort and cheer to hospitalized veterans.

Despite this commitment to the welfare of the Nation's veteran, the American Legion has channeled its energies into other areas of civic activity. Its many programs of community service have improved the social and economic life of local communities across the Nation. The American Legion programs on behalf of the youth of our Nation have fostered and encouraged in our young people a deep sense of patriotism and devotion to God and country. Programs such as boys state; boys nation; American Legion baseball; the oratorical contest and sponsorship of some 4,000 Boy Scout units, all enable the young people to develop to their fullest capacity the intellectual, moral, physical, and economic qualifications necessary for happy, useful living in a free society.

Always interested in preserving the security of the Nation, the American Legion has for half a century fought for and supported a strong national defense system as a deterrent to aggression.

Mr. Speaker, these are but a few of the programs that have made the American Legion a force for good in the United States. These are but a few shining examples of the outstanding programs that make me proud to salute the American Legion on its golden anniversary and to extend my commendations on its 50 years of achievement.

BIRTHDAY OF DR. MARTIN LUTHER KING, JR.—A NATIONAL HOLIDAY

(Mr. CONYERS asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. CONYERS. Mr. Speaker, I would like to speak again on behalf of the bill which I and 24 of my colleagues sponsored proposing that January 15, the birthday of Dr. Martin Luther King, Jr., be declared a legal holiday in his memory. The Washington Post, in an editorial on March 5, while in sympathy with such an observance, expressed preference for the proposal that January 15 merely be annually proclaimed a day of national observance, similar to Child Health Day, National Aviation Day, and Law Day, among others. In my judgment and in the judgments of the more than half million people who have corresponded with me, there is overwhelming enthusiasm for the idea of a national legal holiday as the most fitting tribute. Last year, I joined with several other colleagues in sponsoring legislation which was enacted and established Columbus Day a national legal holiday. The late Dr. King stood tall amidst all Americans and cast a long shadow across the world. Creating a holiday in his honor will not salve the loss to his family, friends, and America, but it will annually call to our minds and encourage us to seek the goals for which he gave his life.

I take this occasion to insert the well-reasoned response of my esteemed colleague, the Honorable ABNER J. MIKVA, of Illinois, to the Washington Post editorial:

[Letter to the editor of the Washington Post, March 15, 1969]

DAY FOR DR. KING

Your editorial of March 5 recognizes that some recognition of Dr. Martin Luther King's birthday is in order but disagrees with the proposal by Rep. John Conyers Jr., myself and 22 other Congressmen that Jan. 25 be made a national holiday.

The trouble with having the President declare Jan. 15 a day of national observance, rather than a legal holiday, is that such declarations have almost become commonplace. We have national days, weeks and months for almost everything conceivable. It is my feeling that Dr. King's birthday should not be "just another" day.

Declaring Dr. King's birthday a national legal holiday does not require comparing him to George Washington—the only other American whose birthday is now a legal holiday. Rather what are to be compared are the contributions of the two men in the historical contexts in which they lived. Martin Luther King Jr. has given America a vision—a dream as he called it—of what this Nation could be if the racial hatreds and recriminations of the past could be overcome. In his ability to convey this dream to millions of Americans—blacks and whites—Dr. King was unique. It is the uniqueness of this achievement which we seek to honor and memorialize in a Martin Luther King Jr. national holiday.

George Washington brought this country together after the revolution. Dr. King did not live long enough to see our togetherness but if it happens there is little doubt it will be because of his leadership.

ABNER J. MIKVA,
Member of Congress.

WASHINGTON.

ASSIST STUDENTS WORKING THEIR WAY THROUGH COLLEGE

(Mrs. GREEN of Oregon asked and was given permission to address the House for 1 minute and to revise and extend her remarks and include extraneous matter.)

Mrs. GREEN of Oregon. Mr. Speaker, it would sometime seem, if we read only the daily newspapers, that there are no students in classrooms these days. In fact, there is a definite impression abroad that they are all occupying buildings, marching in demonstrations, or storming public meetings.

That there are far too many whose primary energies are directed to just these activities is only too sadly true. But it is also true that those who capture the headlines are in a minority and that the vast majority of students enrolled in institutions of higher education are actually pursuing courses of study, and that not infrequently they are doing so under great personal strain.

Great notice has been given to those students whose energies have been directed toward the disruption of university life, but scant attention has been given to the students whose energies are solely directed toward their own educational achievement.

National attention has been arrested by the minority of students intent on violence and destruction on the campuses and in preaching reckless anarchy. Their actions should be resisted.

But the efforts by those many students who eagerly seek and who work hard for their education need assistance. There are many who have neither the interest in, nor the time for, violent

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demonstrations. This is true because they are busy nearly every waking hour of the day in a sometimes exhausting task that combines both work and study.

Often they are working to support themselves. Often they are working to ease the burden on their parents by contributing substantially or even wholly to their own education.

It is simply a matter of equity that recognition, encouragement, and support be given to these young people.

The bill I am introducing today will assist these students and will redress an imbalance in the Federal programs of student assistance.

The Congress has, generally, directed most of its student assistance programs to serve those who have no family resources that would meet normal college expenses. Through educational opportunity grants, work-study programs, and NDEA loans we have provided significant aid for needy students.

Students from middle-income families receive help, however, only through the guaranteed student loan program. There is no program to assist students who, instead of borrowing against future earnings, choose to meet college expenses in part or whole out of present earnings.

Many of our colleagues, Mr. Speaker, have introduced bills that would try to correct this imbalance by allowing the parents of students in college to claim a special educational expense deduction.

There are some 45 bills of this kind before this House at this time. Such legislation has in the past been rejected by the House and opposed by the Kennedy and Johnson administrations because the tax relief goes to the parents of all college students—rich and poor alike. Therefore, the cost to the Treasury becomes prohibitive.

My bill offers a reasonable compromise. It would limit aid to students who by the very fact of substantial self-earnings have demonstrated need, and the aid would go to the student himself rather than to the parents.

My bill will allow a college or university that has advanced money or allowed a credit on payment of tuition, fees, room and board to a student who is earning his way to be reimbursed in an amount not exceeding the tax on the earned income of the student and not less than $50, nor more than $600 or the amount of tuition, fees, room, and board which he has incurred.

Therefore, I recommend to the Members of the House for their consideration, this bill which will assist students who are working their way through college.

The bill follows:

H.R. 9170

A bill to assist students who, to attend college, are relying on their own wage-earning capacity rather than depending on others

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Higher Education Act of 1965 is amended by redesignating title XII as title XIII, by redesignating sections 1201 through 1210 as sections 1301 through 1310, respectively, by amending the cross reference to any such section to refer to that section as so redesignated, and by inserting immediately after title XI the following new title:

"TITLE XII—ASSISTANCE FOR SELF-SUPPORTING STUDENTS

"Program Authorization

"SEC. 1201. The Commissioner is authorized to formulate and carry out a program under which he will make payments, in advance or by way of reimbursement, to institutions of higher education which make payments to qualified students or grant credits toward their tuition, fees, board and room as provided in section 1202.

"Payments and Credits to Qualified Students; Cost Allowances

"SEC. 1202. To be eligible to receive a payment under section 1201 on account of a qualified student, an institution of higher education shall make a payment, or grant a credit toward tuition, fees, board and room to such student in an amount which does not exceed the tax imposed on him under subtitle (A) of the Internal Revenue Code of 1954 for such taxable year on account of his earned income (as defined in section 911(b) of such Code), except that (1) no such payment shall be made or credit granted for any fiscal year where the amount thereof is less than $50 and (2) in no case may such payment or credit, or the aggregate thereof where a student is provided a combination of payment and credit, exceed $600 or the reasonable and necessary expenses such as tuition, fees, board and room incurred by him on account of his attendance at such institution, whichever is lesser. The Commissioner shall pay a reasonable cost allowance to the institution of higher education to cover the cost of processing such payment or credit. For the purpose of this section the student shall not have received any part of such earned income from his parents or from a corporation owner or controlled by his parents.

"Qualified Students

"SEC. 1203. To be qualified for the benefits of section 1202, a student must be enrolled in and in good standing at an institution of higher education, and be carrying the normal full-time academic workload as determined by the institution.

"Authorization of Appropriations

"SEC. 1204. There are authorized to be appropriated such sums as may be necessary to carry out this title for the fiscal year ending June 30, 1970, and the succeeding fiscal year."

RYAN BILLS TO COMBAT LEAD POISONING AMONG CHILDREN

(Mr. RYAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. RYAN. Mr. Speaker, lead poisoning is a major disease affecting thousands of young children presently living in the slums of substandard housing in our urban centers. This problem had been largely ignored until the recent efforts of the New York Scientists' Committee for Public Information, the New York Citizens' Committee To End Lead Poisoning, and a number of community groups in Chicago and Baltimore began to publicize the extent of the disease and the damage it could produce. Reflecting on the severity of this problem, the New York Scientists' Committee has labeled lead poisoning the "silent epidemic."

The disease is most often caused in small children when they eat—as many do—bits of paint and plaster that peel and fall from the walls and ceilings in dilapidated housing. Although the more recent coats of paint in such apartments are usually lead free—in New York City lead-based apartment paint has been outlawed for some time—the lead content from paint applied in past years frequently comes to the surface when outer coats of paint peel off interior surfaces.

Today I am introducing two bills to provide Federal financial assistance to help communities to develop and carry out intensive local programs to eliminate lead poisoning: First, the detection and treatment of existing cases of lead poisoning; second, the elimination of lead-based paint from the interior surface of residential housing which is responsible for most lead poisoning.

Twenty million dollars would be authorized annually for a 3-year period. The first bill establishes a fund in the Department of Health, Education, and Welfare from which the Secretary may make grants to local governments to develop a program to identify and treat individuals afflicted by the disease. A local program would involve the public health officials of the locality and include—

First. Educational programs to communicate the existence of lead poisoning and the effects it can have on children to parents, teachers, and public health officials.

Second. Casefinding programs to locate the young people suffering from lead poisoning as soon as possible and to insure adequate treatment of those affected.

Third. Followup programs to make sure that those who have been identified as suffering from the disease do not return to an environment which will further aggravate their condition.

Fourth. Any other locally conceived programs which will reduce or eliminate lead poisoning.

The second bill is directed at the problem of slum housing itself and the need to eliminate the cause of lead poisoning—the peeling of lead-based paint. This legislation authorizes the Secretary of the Department of Housing and Urban Development to make grants to local governments to develop programs for the detection of the presence of lead-based paint and to require that owners and landlords remove it from interior surfaces.

The Secretaries of the Department of Health, Education, and Welfare, and the Department of Housing and Urban Development are required to coordinate with and seek the advice of the heads of other agencies whose concerns may overlap the problems of slum housing and public health.

The Lead-Based Paint Poisoning Elimination Act of 1969 authorizes $7.5 million annually for the 3 fiscal years of 1969, 1970, and 1971. In the case of the second bill, the Lead-Based Paint Elimination Act of 1969, which deals with the elimination of lead-based paints from inner city housing, $13.5 million is authorized annually for the fiscal years 1969, 1970, and 1971. This makes an annual total of $20 million.

Lead poisoning is a prevalent cause of ill health among numerous big city children.

The New York City Scientists' Committee for Public Information states:

> If infections are excluded, it is the most common childhood disease in the city of New York.

Recent studies in Cleveland, Chicago, and Baltimore revealed that 5 to 10 percent of the children tested had lead levels severe enough to qualify them as poisoned. By a simple calculation using population figures of the rundown housing in New York City alone, it has been estimated that 9,000 to 18,000 children have lead poisoning.

Yet, according to public health officials in New York City, that estimate is conservative. Dr. Joseph Cimino, medical director of the New York City Health Department's poison control center, has stated that there are 20,000 children in that city with undetected lead in their system at a potentially dangerous level and 5,000 others with undetected lead at an already dangerous level.

Moreover, in all our cities only a small percentage of the total of lead poisoning cases are ever reported. In New York City, for example, only 642 cases of lead poisoning were reported to the health department last year. The cases that are reported are usually those that are in the most advanced stages—those involving permanent mental retardation, cerebral palsy, and epilepsy. The primary reason for the low incidence of reported cases is that the early signs of lead poisoning are like the flu or other minor diseases, including loss of appetite, stomach pain, constipation, and crankiness and tend to be ignored by parents and doctors alike. Until health officials and parents are made aware of the existence and the dangers of this disease, and are constantly on the lookout for it, lead poisoning will continue to be a major menace to health.

The consequence of failing to identify lead poisoning at an early stage can be extremely serious. In the most severe cases death can result. The fatality rate for children who have been treated for acute lead encephalopathy is about 25 percent. In the last decade 138 children have died of lead poisoning in Chicago. From 1954 to 1964, 128 New York children were victims of the disease.

For many of those who survive, the outlook is not bright. In a Chicago study over one-third of the children treated for lead poisoning later developed some type of neurological disorder. Among those who initially presented encephalopathic symptoms in that study, 82 percent were left with some handicap; 54 percent have recurrent seizures; 38 percent were mentally retarded; 13 percent had cerebral palsy; and 6 percent were found to have optic atrophy. Other difficulties reported about these children include behavior problems, inadequate interpersonal relationships, and an inability to comprehend abstract concepts. Other studies have found impairment of intellectual ability in children who had lead poisoning.

The consequences of lead poisoning are of course most tragic for the children affected by this disease. But the larger society also must bear unnecessary costs that result from widespread lead poisoning, including wasted human resources.

To eliminate this problem, and the tragic effects it has for so many children, a national program is necessary to assist cities to develop programs for identifying and treating existing cases of lead poisoning and, more basically, to eliminate the lead-based paints from inner city housing. The two-pronged approach I have proposed today would achieve both of these goals.

CITIZEN PARTICIPATION IN THE WAR ON CRIME

(Mr. WATSON asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. WATSON. Mr. Speaker, today I am introducing a resolution which would authorize the President to issue a proclamation designating the period May 11 through May 17 of this year as "Help Your Police Fight Crime Week."

I am doing this in order to focus more attention this year on Police Law Week which is usually celebrated in mid-May.

Many of us have seen the bumper sticker with the slogan "Help Your Police Fight Crime." In fact, not a day passes that I fail to see this bumper sticker on at least one automobile in the District of Columbia. This laudable slogan is the official designation for a nonprofit, self-supporting cooperative founded here in Washington in 1967 by Mr. W. H. M. Stover and other District residents interested in curtailing the soaring crime wave in the Nation's Capital.

In just 18 short months, this organization has established beachheads in 28 States, and, to date, over 300,000 "Help Your Police Fight Crime" banners are in the process of distribution, and the goal for December 1969 is 3 million.

Mr. Speaker, it seems that everyone these days talks about crime, but the law-abiding American citizen is frustrated over the apparent lack of anything being done to curb the contagious growth of crime which in some areas of the country borders on total anarchy.

Well, in my judgment, the American people are tired of talk, commissions, and other shop-worn manifestations of this disease. The time for action is right now. The decline in respect for public authority and the rule of law must be reversed. Certainly, this can be brought about, but only as a joint undertaking between the citizen and the rightful authority.

"Help Your Police Fight Crime" is a psychological war on crime. It involves the citizen directly in an area in which his entire future depends—maintenance of law and order.

At no other time in the history of America has esteem for public authority been at such a low ebb. The most harassed and least supported public servants in today's society are our policemen and firemen. Yet, these officers represent the very thin curtain that separates free men from the tyranny that can only result when the purveyors of violence and lawlessness get an upper hand.

Police morale dwindles daily, especially in the District of Columbia, as a result of lack of public support and lack of support from the courts. There is absolutely no excuse for the incredible business of a judge allowing a criminal suspect to go free on a mere legal technicality. I had always believed that the law under the Bill of Rights was designed to protect the innocent. But, in many decisions these days, the innocent victim is left on his own while, to the detriment of law and order, the guilty can remain silent and—in all too many instances—go free without paying his debt to society.

Mr. Speaker, all of us must join the fight against crime by supporting our law enforcement officials. I firmly believe the administration and the Congress will support a resolution of the type I am introducing today. The President has stated most emphatically on a number of occasions that the American citizen has got to become involved in the war on crime.

THE MUTINY TRIAL AT THE PRESIDIO IN SAN FRANCISCO

The SPEAKER pro tempore (Mr. MILLS). Under previous order of the House, the gentleman from California (Mr. LEGGETT) is recognized for 60 minutes.

Mr. LEGGETT. Mr. Speaker, it is with considerable reluctance that I have taken a special order for this afternoon to discuss the mutiny trials which have been adjudicated and are in the process of trial at the Presidio in San Francisco.

There has been a considerable morale problem at the stockade in San Francisco for nearly a year involving one suicide, a revival, and a number of attempts apparently resulting from the mixing of psychiatric prisoners with others, overcrowding of cell space by as much as 30 percent and also a shortage of food rations.

The matter culminated last October when a young man by the name of Richard Bunch from Dayton, Ohio, a stockade prisoner doing cleanup at the nearby Letterman Hospital, incarcerated for AWOL, only awaiting a hearing, attempted to abscond from work detail and was shot and killed by the guard with a 12-gage shotgun at a distance witnesses have described as from 7 to 20 yards.

The next morning within the confines of the stockade, 27 young men in an effort to protest the stockade conditions and the shooting which they thought to be unnecessary, sat down in the grass and attempted to communicate their views to the provost marshal. Admittedly, this action was unlawful.

The episode was over in a little more than 30 minutes. The men were reconfined.

Three special investigating officers reviewed the case, two of whom with elaborate opinions expressed themselves that the 27 young men should be charged with willful disobedience—maximum sentence 6 months. A third officer recommended a charge of mutiny which carries the death sentence, though he did not ask for that penalty. Reviewing authority, Lieutenant General Larsen, sided with the minority investigating

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officer and all of the young men are currently being prosecuted for mutiny.

Four of the men have now been convicted with sentences of 16 years, 15 years, 14 years and 4 years at hard labor. Eighteen additional young men will come to trial in the next 2 weeks. One young man, Pvt. Edward O. Yost, my constituent, is a Purple Heart victim with distinguished service in Vietnam.

I believe the Army needs guidance to extricate itself from the current situation. When the Army admits there were 51,000 willful desertions in the Army last year and where the average offender receives no more than a 6-month sentence for such infraction, I do not believe we are in the right ballpark in charging mutiny. In 178 years of our existance as a nation I note the lawbooks record only four such cases prosecuted by the Army. The Army, though recognizing that it is not in their best interest to log-up several hundred years of time against the 27 men for the undeliberated action which took place in 30 minutes, appears to be powerless to recharge the young men for the appropriate crime.

As a result of the protest, the Army admittedly made several dozen improvements to procedures employed at the stockade, though, apparently, they were relatively powerless to take such action prior to the protest.

I plan to call the attention of the House to the referenced prosecutions with further particularity this afternoon. Congressman Cohelan has a similar special order to follow.

Mr. COHELAN. Mr. Speaker, will the gentleman yield?

Mr. LEGGETT. I yield to the gentleman from California.

Mr. COHELAN. I thank the gentleman for yielding, and I want especially to compliment the gentleman for bringing this matter to the attention of the House and to the country as well. In your initial remarks you made reference to the fact that the general courts-martial for four men have been completed and that there has been sentencing in each of these four cases. I think the gentleman only today has some new information which we ought to take account of before we conclude our special order this afternoon. I would merely like to say that not withstanding the action which you are prepared to announce, I still feel that the matter we are exploring is serious, and I will develop that point further as we go along this afternoon.

Mr. LEGGETT. Mr. Speaker, I thank the gentleman from California for his comment.

I will point up exactly what the current state of this record is in just a few minutes.

At the present time, a series of courts-martial are being conducted at the Presidio stockade in California. These trials have gained public notice for a number of reasons:

First, the number of defendants, 27; and second, the charge of mutiny.

That is the most serious charge the military can levy against a soldier. It can carry the death penalty.

Why is the public, why are individual Members of Congress, and why are congressional committees so excited and so incensed by these trials? It is because 27 of the young men are being subjected to a massive punishment—15 years at hard labor—for passively sitting down and resisting an order to get into formation last October. It was to protest the intolerable conditions at the stockade and the slaying of a prisoner by a guard 2 days before.

These alleged conditions at the stockade are not new. Almost a year ago the question of brutality at the stockade was raised. In March of 1968 the American Civil Liberties Union conducted a month-long investigation of conditions at the stockade and came to the conclusion that the prisoners had been subjected to threats of death by the guards and at least one prisoner had been severely beaten by guards, who also delayed his transfer to a hospital for treatment of the injuries.

Mr. Speaker, I insert at this point in the Record an article of January 3 from the Washington Post, the entire article.

Particularly I would like to emphasize the statement of Col. John C. Ford, Presidio Provost Marshal, which really is the cause of this whole problem. Admittedly you have a stockade that is overpopulated.

> Col. John C. Ford, Presidio Provost Marshal and top military policeman on the San Francisco post, flatly denies the charges.
>
> "These allegations are just the result of prisoners having it too easy," said Ford. "They have too much time to sit around and try to build up a case that they should be let out. None of these charges can be substantiated because they simply are not true."

It is because of this attempt to cover up by the Army that we have got these problems.

Mr. Speaker, I ask unanimous consent to include this article in the Record at the point I mentioned.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The editorial referred to follows:

[From the Washington Post, Jan. 3, 1969]

Twenty-seven GI Strikers Face Rare Mutiny Trial

(By Paul R. Jeschke)

San Francisco, January 2.—"Any person found guilty of attempted mutiny, mutiny, or sedition, or failure to suppress or report a mutiny or sedition, shall be punished by death or such other punishment as a court-martial may direct."

For 27 prisoners lodged in the stockade at the Presidio of San Francisco high on a bluff overlooking the Golden Gate Bridge, these terse words from the manual for courts-martial have taken on a grim reality.

Military authorities dusted off the infrequently used mutiny charge and accused the GIs of "refusing in concert with others to obey orders" during a sit-down strike to call attention to alleged inhumane conditions.

A preliminary hearing completed before the Christmas holidays recommended the soldiers be brought to trial. The report is before Lt. Gen. Stanley Larsen, Sixth Army Commander, who is almost certain to approve.

So far, however, the Army has proceeded cautiously. Civilian lawyers, they charge, are attempting to "turn this into some sort of anti-war circus."

The sitdown strike began Oct. 14 when the men refused to go on a regularly scheduled work detail accompanied by armed guards. They said they were protesting the fatal shooting, three days earlier, of Pvt. Richard Bunch, 19, Detroit, Mich., who was shot in the back while fleeing a work detail.

Attorney Terence Hallinan, who represents 17 of the alleged mutineers, claims Bunch was in "desperate need of psychiatric help" and actually told the guard he was going to try to escape "in hopes he would be shot."

Army authorities have refused all requests by newsmen to interview the prisoners. They have also denied permission to newsmen to visit the stockade, although such an inspection was permitted before the Bunch shooting.

Hallinan has collected 10 handwritten affidavits from prisoners. He says these prove the "so-called mutiny is nothing more than an attempt to force the military to rectify the intolerable and inhumane conditions at the stockade." The affidavits allege inadequate and unsanitary shower and toilet facilities, bad overcrowding and inadequate food and charge that guards encourage suicide attempts.

Col. John C. Ford, Presidio Provost Marshal and top military policeman on the San Francisco post, flatly denies the charges.

"These allegations are just the result of prisoners having it too easy," said Ford. "They have too much time to sit around and try to build up a case that they should be let out. None of these charges can be substantiated because they simply are not true."

Ford, who has operated army stockades at Ft. Ord, Calif., and Nuremberg, Germany, said the charges were an "unfortunate attempt to tie up officers and men that could be in Vietnam helping us end the war.

He said civilian attorneys are "trying to turn this into some sort of antiwar circus—charging in effect that these prisoners are being abused because they are opposed to the Vietnam war."

"The fact of the matter is," Ford said, "that these guys are in the stockade because they are bad actors—every one of them has gone AWOL not once or twice, but as many as half a dozen times, and it had nothing to do with the war.

"Five of these men have actually volunteered to go to Vietnam in order to get out of this mess, but we're not buying. And, of the whole group of prisoners, only one has even bothered to ask for conscientious objector status."

An affidavit filed by Pvt. John David Coup, one of the stockade prisoners, alleges there were 33 attempts at suicide during the past six months involving 21 GIs. These included, he said, wrist slashing, attempts at hanging, swallowing razor blades and drinking poisons.

Stephen R. Rowland, another prisoner, charged through Hallinan that on "at least three occasions men have cut their wrists and were put in the box (solitary confinement) overnight without treatment."

"Guards have offered razor blades to suicidal prisoners so they could try to take their life again," Rowland said, and "a man went into an epileptic fit and the guards kicked him."

Ford acknowledged "numerous" apparent suicide attempts at the facility. He said every case was examined by an Army doctor "and not one was classified as a suicide attempt. They were rather suicidal gestures—people scratching themselves with razor blades or drinking something or other, maybe shampoo, knowing full well they were not endangering their lives," he said.

"Some of these guys just wanted to go to the hospital in the middle of the night because it gave them a chance to try and escape," Ford said. "For many of the others, it's just an attempt to get sympathy and attention and perhaps to try to get out of the Army for psychiatric reasons."

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Ford specifically denied allegations of unsanitary conditions, overcrowding and poor food.

Mr. LEGGETT. Mr. Speaker, at this time I insert in the Record a press report from the San Francisco Chronicle, dated March 29, 1968, at least 6 months before the facts arose respecting the current mutiny, and it sets forth a condition in the stockade in San Francisco which I think is essential preliminary information for us to review:

BRUTALITY AT PRESIDIO CHARGED

(By Charles Howe)

Charges of brutality ranging from death threats to rubbing an inmate's face in his own excrement were leveled yesterday at military police at the Presidio's prisoner stockade.

The charges—plus a request for an immediate investigation—were made by Ernest Besig, executive director of the American Civil Liberties Union here.

They were based on a month-long investigation Besig and his assistants conducted and involve allegations of brutality against at least four inmates. Besig said three other inmates witnessed the acts and have given him their depositions.

In a letter to Lieutenant General Ben Harrell, Sixth Army Commander, Besig charged:

Private Robert S. Black Jr. of Concord, 21, was denied treatment for traumatic epilepsy suffered in Vietnam, and it was only "after Black went berserk and into convulsions and attacked another prisoner . . ." that he was admitted to Letterman Hospital.

That Private Herman L. Jones, 19, of Baltimore, Md., also a Vietnam veteran, was forced "to relieve himself on the floor; that a guard took a cloth and rubbed his face with urine and feces . . . badly beaten by guards . . . finally, he was hospitalized after eating paint off the wall."

Before guards allegedly beat Jones, other prisoners were taken away from the scene, given cigarettes and "when they returned, Jones was in a strait jacket in a corner."

An angry guard threatened "to blow Black's head off" with a 12 gauge riot gun and stockade officials deliberately delayed his transfer to the post hospital.

Presidio officials, aware of the charges by earlier communications not originating from Besig, said the allegations had been earlier investigated and found without merit.

Late yesterday Army spokesmen said they had not yet received Besig's letter.

"Any communication will naturally be considered and appropriate action will be taken," an officer said.

It was the second time in as many days that the stockade was a subject of controversy.

Private John D. Welty, 23, had been named as the stockade's "fasting-est prisoner" on Wednesday, after the Army disclosed he had been on a 31-day hunger strike.

Welty, who said he won't eat until he is discharged, has been fed by a tube for the past 16 days. No charges of brutality have been raised in his case.

The alleged acts of brutality towards Black and Jones took place during the latter part of February, Besig said. On February 28–29, Jones and Black were transferred to the psychiatric ward at Letterman Hospital for evaluation.

Jones, serving a six-month sentence for refusing to wear his uniform and disrespect to an officer, has since been transferred back to the stockade.

Black is still in the hospital, spokesmen said, and being evaluated for a possible medical discharge based upon his combat-connected head injury. He had been serving sentence on AWOL charges.

Neither Black nor Jones was immediately available for interview, Presidio spokesmen said.

Besig's letter to Harrell named two guards—one a sergeant—as being "particularly responsible" for various acts of alleged brutality committed over about a week-long period.

But Black's mother—who asked her name not be used—attempted to impugn her own son's credibility.

"His reputation for telling the truth hasn't been so good since he got back from overseas," she said in a telephone interview. "He had malaria and his stories are kind of mixed up."

Besig's letter also named two other incidents of alleged brutality he and his investigators have uncovered at the stockade, one involving a prisoner who was worked over when guards attempted to put him into solitary confinement.

"After carefully examining the matter," Besig's letter concluded, "I am persuaded that prisoners in the stockade have been subjected to abuse and mistreatment, but the exact extent of this I do not know.

Mr. Speaker, this 1968 investigation was merely the beginning of complaints about conditions in the Presidio stockade. Since that time there have been indications of one successful suicide—and a number of attempts apparently resulting from mixing psychiatric prisoners with others, and the overcrowding by as much as 30 percent, as well as shortages of food rations.

The matter culminated last October when a young man by the name of Richard Bunch from Dayton, Ohio, a stockade prisoner doing cleanup at the nearby Letterman Hospital, incarcerated for AWOL, and awaiting hearing, attempted to abscond from the work detail on which he was sent along with a group of prisoners. During the detail Bunch said he was considering walking away from the detail and asked what the guard intended to do about it. The guard was armed with a 12-gauge shotgun, loaded with No. 12 shot, alleged to be birdshot by the Army. Of course, that is the heaviest birdshot manufactured. The guard indicated to Bunch that he would be shot if the attempt was made.

Bunch walked a few steps and then began to trot. The guard leveled the shotgun and shot Bunch in the back at a distance of somewhere between 7 and 20 yards.

Mr. COHELAN. Mr. Speaker, will the gentleman yield?

Mr. LEGGETT. I yield to the gentleman from California (Mr. Cohelan).

Mr. COHELAN. Mr. Speaker, at this point, there has been some controversy over whether the guard issued a warning or whether he did not. It is my understanding there is conflict in the testimony. I wonder if the gentleman from California (Mr. Leggett) would be good enough to elaborate on that point.

Mr. LEGGETT. Mr. Speaker, that is exactly correct. There is conflict on that point. Witnesses have given various statements. One statement that I could put in the Record at this point is a statemen of Pvt. Linden Blake, who states simply:

On Friday, October 11, I was assigned to a work detail with Richard Bunch. We were to go to the supply company for the hospital and put together wall lockers. The boxes of parts (for the lockers) were on the sidewalk in front of the supply room, across the street from a barracks where we went to get a drink of water. There I first noticed Richard Bunch was bothering the guard, asking him questions such as "would you shoot me if I ran." As we went back out into the street to cross it I heard Bunch say something like "aim for my head," or "you'd better shoot to kill." I wasn't paying too close attention, as I had said something to Bunch like "don't bug him, he's got a gun," and I thought he was talking foolishly in the barracks. Bunch and the guard were in the middle of the street, two other members of the detail, Colip and Reims, were in the supply room, and I was on the sidewalk with my back to Bunch and the guard. I heard footsteps, and the click of the shotgun being cocked, and I turned to see the guard aim and fire, hitting Bunch in the small of the back. There was no command of "halt" given by the guard and Bunch was 25 to 30 feet from the guard when he was shot. There was one shot fired. After shooting Bunch, the guard whirled, pointed his gun at me and yelled "hit the ground, hit the ground or I'll shoot you too." Then he seemed to have flipped and said "I hit him right where I aimed, in the lower back," and then "Why did I do that? I didn't want to kill anybody. I should have let him go, I didn't want to kill anybody." There were only 4 other witnesses, two were on the detail who saw at least part of what happened—

I might say their statement was substantially the same as this statement of Mr. Blake—

and two others down the street worked at the Quartermaster laundry.

Mr. Speaker, I ask unanimous consent to submit the statement of Linden Blake at this point in the Record.

Mr. COHELAN. Mr. Speaker, will the gentleman yield?

Mr. LEGGETT. I am glad to yield to the gentleman.

Mr. COHELAN. If the gentleman will yield again, he is a distinguished member of the Committee on Armed Services. I cannot recall what the practices are in the various military services, but I now ask the gentleman, is this the standard practice as far as stockades are concerned in the various services? It seems to me I recall in the Air Force, for example, they have a minimum security arrangement and the overseers in the stockade in these minimum security areas do not carry guns. I do not know if you can comment on that.

Mr. LEGGETT. The gentleman is exactly correct as far as some of the various regulations applying to hypothetical situations are concerned. I would not want to apply the law as applied to the factual statement I just made, because we do not know whether those facts are for sure exactly as recorded there. There has been some conflict. The Army in an attempt to cover itself stated that three warning shots were fired, although to date I have not heard any witnesses testifying in any of the trials pending that any such warning shots were fired. The Army later admitted that none were fired but that the guard yelled at them to stop. A number of the prisoners, however, did not hear the shouts although they were within a few feet of the guard.

Mr. COHELAN. We want the record to be perfectly clear on this. It is very important, I believe, that the gentleman recite the details. My own information

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would go as follows: There were two witnesses who said that they heard something and heard the guard shout twice before shooting. Four other witnesses did not hear any warning shouted by the guard, according to the sworn testimony. Be that as it may, I think it points up the fact that we have to do something about this. This does not make sense. One thing that bothers me is that in a minimum security situation, I cannot understand why they used shotguns, and especially with such powerful ammunition. I am not a hunter. Even though I qualify to shoot one of those things with some proficiency, guns are just not my thing. I happen to know that you are interested in them and you are a hunter. Why would they have a bullet that big there? It is like using a dum-dum or some of those other things we talk so much about as being inhumane. Why would they do that?

Mr. LEGGETT. It seems to me very strange that we would have an armed guard for four young men who had not been to trial, that is, where their guilt or innocence had not been established. Of course, the House passed a very liberal bail policy bill in civil cases last year. Here were four young men who had not been convicted of anything and who were on a work detail. They sent them out on the hospital grounds with a 12-gage shotgun—not No. 7 shot which we use for pheasant or No. 6 shot which we use for duck but No. 4 shot where they can bring down a 30-pound goose, a Canadian honker, with one pellet.

And this is a kind of armament that they apparently feel they have to give to a guard on the hospital grounds watching a work detail. I am not even satisfied that this guard should have been armed. I am going to give additional data as I develop this case with reference to this particular facet of the matter.

Mr. COHELAN. Mr. Speaker, if the gentleman will yield further, I hope the gentleman will develop that with reference to all practices in the other services. It is my understanding—and in my opinion it is terribly important—that the other services, at least one other service, the Air Force within my information, does not handle this type of stockade situation in this fashion.

I thank the gentleman for yielding.

Mr. LEGGETT. I thank the gentleman for his comments.

In response to a large number of congressional inquiries the Army published a fact sheet outlining its view of the incident at the stockade. This fact sheet is of interest mainly for the omissions it contains and the evidence of bad arithmetic on the part of the officials.

A commission of clergy—the United Ministries in Higher Education, a group of Protestant denominations which minister to a number of Western universities—compared the official Army fact sheet version of the incident with the pretrial records and other entries in the stockade books.

The Army fact sheet states that the prisoner capacity of the fenced-in portion of the Presidio stockade is 103 men. The Army fact sheet further states as follows:

> A weekly check of the prisoner population for the same day of the week from 15 August 1968 to 31 January 1969 revealed that the population of the fenced in portion of the stockade exceeded 103 men on six occasions; these were: 5 September 1968, 105 men; 12 September 1968, 110 men; 19 September 1968, 108 men; 10 October 1968, 111 men; 16 January 1969, 112 men; and 30 January 1969, 111.

These figures simply are not accurate. They are contradicted by the confinement officer, Captain Lamont, as well as by the guards and prisoners on November 19. At the article 32 hearing, presided over by Capt. Howard McElhatten, Captain Lamont testified that for 52 days preceding the October 14 disturbance, the stockade prisoner population exceeded 103, which is the expanded capacity. According to Army regulations, a stockade can operate at emergency capacity for a maximum of 7 days. Captain Lamont recorded in his own handwriting the daily stockade population from August 1 to October 28. This handwritten record was obtained by one of the civilian defense attorneys at the article 32 hearing: September 5, 1968, 126; September 12, 1968, 126; September 10, 1968, 125; October 10, 1968, 130.

Further, Captain Lamont's record shows that on October 14, the date of the alleged mutiny, the stockade population was 140. On October 15 it reached 145 men. On the date of the second pretrial investigation, the stockade population was 120.

I think these are important matters to keep in mind. Not only does it bear upon the size of the stockade and the crowded conditions, but also bears upon the food.

Of the 14 days of 1968 during the second pretrial investigation Captain Lamont testified to a shortage of rations at the stockade. He stated that the stockade had rations for 104. You recall I said there were 140 men in this stockade for a number of days and for 58 days they were continuously in violation of the 103 limitation. The tension created by this overcrowding obviously was heightened by the shortage of rations.

The stockade cells were below standard and on this point I would cite the Army's record where they point up in their factsheet that the investigation revealed the segregation cells were smaller than the minimum measurements required by DOD directives. They were 5 feet wide by 6 feet 3 inches long and 8 feet high. The minimum measurements required by DOD directives are 6 feet wide by 8 feet long and 8 feet high. This violated both the height and the length regulations.

A waiver had been granted to allow the Presidio stockade to use these cells as an exception to the standard established. The investigation further reveals that in all other requirements the stockade meets the required standards set forth by the Department of Defense. The Inspector General, 6th U.S. Army, has also investigated the conditions at the stockade. This report is being forwarded to Department of the Army for review.

Now, the ministers also say some other things. There have been several investigations of the stockade both before and after the alleged mutiny. The general pattern is that prior to any formal tour or investigation the number of stockade prisoners is decreased. In January, General Westmoreland visited the Presidio. Several days prior to his arrival 40 prisoners were removed from the stockade. A similar lowering of the population occurred before the visit of a representative of Congressman WHALEN last October.

The Army has stated there is no evidence to indicate that Private Bunch was mentally disturbed. They said he was examined by a psychologist at the Presidio who reported this lack of evidence. Again it is strange that the Army would deny its own evidence. Last May Bunch's mother tried to have him admitted to a civilian hospital in Dayton, Ohio. She has a letter from a JAG officer at Fort Meade, promising that her son would receive psychiatric care, the psychiatrist who examined Bunch at Letterman Hospital—Presidio—filed a written report stating that Bunch was, among other things, a manic depressive. The Army as well as a Member of Congress has a copy of this psychiatric evaluation on file.

At this point I would like to put into the RECORD statements made by Bunch written on a pad in his cell the night before he was killed. The notes state:

> Very well, since they want me I'll do it.
>
> Well, if you are not going to give me love at least do me the favor of complete elimination. But one click and it's over.

On the second page:

> United States. I'll pay—save everyone else. I will be—I am the Don. I'm not giving up my cross if I have to work for it a thousand years.

I say that the Army was obligated by its regulations to conduct a continuous study with respect to the psychiatric capability of its inmates. They should have known the suicidal tendencies of this obviously psychotic young man.

Mr. COHELAN. Mr. Speaker, would the gentleman yield on that very point?

Mr. LEGGETT. I would be glad to yield.

Mr. COHELAN. Is it not the truth that it has been alleged that there have been other suicide attempts? I wonder if the gentleman could comment on that?

I have received a tremendous volume of mail on this subject, and many of the letters allude to the conditions in the stockade, and to the fact that among some of the men there are suicidal tendencies, and that there have been suicide attempts.

Mr. LEGGETT. That is my information also. I believe it grows out of the crowded conditions at the stockade.

As the gentleman knows, the Presidio in San Francisco was established in 1776. I presume it was established by the Mexicans at that time to protect some of the old missions. Subsequently the Army established facilities there in 1851. I believe we could therefore presume that it is rather an old facility. It is quaint, it is historic, it probably should be preserved. But I doubt that it should be used as a modern prison to support the 6th Army in San Francisco.

Mr. COHELAN. If the gentleman will yield further, I would like to add at this point that, as the gentleman well knows, we have one of the greatest teaching hos-

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pitals in the United States at the Presidio at San Francisco; namely, the U.S. Army hospital known as the Letterman Hospital. In addition to that, from my own period on the committee I know very well by its close affiliation with the University of California School of Medicine, which works with the 6th Army, that it has one of the best psychiatric programs in the military service that I have observed at the Letterman Hospital.

I find it strange that with all the brilliant work being done in their medical section that they cannot take account, what is going on down at the stockade, because it is all related to the morale of the troops.

Mr. LEGGETT. Exactly. Of course, the army knows about psychiatric segregation. In the manual for maintenance of prisoners and stockade confinees, they are to review the psychiatric situation on a continuous basis and train their personnel and this simply was not done in this case.

Mr. WALDIE. Mr. Speaker, will the gentleman yield?

Mr. LEGGETT. I yield to my colleague, the gentleman from California (Mr. WALDIE).

Mr. WALDIE. It would occur to me from what little information I have, the answer, involving one of the young men still awaiting trial who resides in my district, is that the psychiatric treatment that would have been required to have prevented the incidents that have occurred thus far should not have been directed at the young men that were kept in the stockade, but at the—perhaps the officers, and the people who were there to take care of them.

I particularly have reference to the young man who apparently shot this fellow in the back with a shotgun from 7 to 20 feet away.

Does the gentleman know what sort of training these guards are given; and from whence they are derived? Are they especially trained for this type of service or are they simply thrown into service without any training and without any indication of the nature of the charge or the duties that are facing them?

Mr. LEGGETT. Well, this is a very technical problem. The commitment of military prisoner's manual FM 19-60 sets forth a long and voluminous series of tests, training required, and standards for the operation of a jail.

I think that in California our correctional facilities are near the top in the country. I think it is common knowledge that you just cannot take a rank recruit and put a gun in his hands and say, "Take these men down to the hospital grounds and stand guard over them."

Mr. WALDIE. Was that the situation in the instant case?

Mr. LEGGETT. It appears that that is a lot like the instant situation. I see no evidence of training of this young guard.

I notice that the army admits that the guard never sighted in his weapon and did not know the limits of his weapon. Unfortunately, he had a weapon that continuously shot a little bit higher than where it was aimed. It is hard for me to believe that a shotgun would operate in this fashion, but apparently that was the situation that prevailed in this instance.

Mr. WALDIE. The only aberrational conduct that I have witnessed so far recited in the story and from my understanding of the events—with the exception of this disturbed individual who indicated he was going to run away—all the other aberrational conduct seemed to stem from people who had charge of that stockade and then later from those in whom was vested the duty of trying the soldier—that was sitting around for half an hour.

If the evidence is available and as accessible as readily as it is, it came to me there might be wisdom in having some of the people in charge of that stockade subjected to some examination to determine whether they are emotionally capable of what is essentially a very sensitive type of duty.

It would appear to me thus far that there is not much indication that such emotional stability as that existed.

Mr. LEGGETT. I thank the gentleman for his comment. I think there is something wrong with the management of this facility.

Mr. COHELAN. Mr. Speaker, will the gentleman yield?

Mr. LEGGETT. I yield to the gentleman.

Mr. COHELAN. Just to pursue that point for a moment—because in the course of my investigation on this subject, there have been allegations—and again I cannot prove the statement and I am very cautious about it—but in one of the allegations that was made, reads as follows—"there was evidence of some misconduct on the part of some of the guards in making threatening gestures toward the prisoners and using abusive language toward them."

Has this come to the gentleman's attention? Is it possible that this is something that went on as well—that there were guards goading the prisoners?

Mr. LEGGETT. The reason I tend to place some credibility in that statement is the fact that the press reported 6 months before a like incident and they talked about separate factual situations which had shades of abuse by the guards—where the guards or interns would use expressions like, "Sit down or I will blow your head off." Things of that nature—which are totally inconsistent with a well-managed prison or confinement facility.

I think we ought to get to the disobedience that occurred. We cited, of course, the problems at the facility. I think it might be well, having in mind the stockade conditions, to review the things that were improved by the Army's own admission, by the statement of the Provost Marshal, subsequent to the protest made by the young men.

The interior of the Presidio was repainted. An intercom system was installed. A perimeter fence was constructed around Building 1212 to provide recreational and exercise room. Perimeter lighting was installed. A new heating boiler was installed. A new medical treatment room was constructed. An additional building was constructed for administration. New locks were installed on all cellblocks. The mess hall seating capacity was increased from 40 to 50. Two new stoves were installed in the mess hall. A new soap dispenser was installed in the mess hall. A fire sprinkler system was installed. Broken windows and light bulbs were replaced. A hospital prison ward was constructed at Letterman General Hospital.

As far as personnel was concerned, they increased guard personnel from four to 12 per shift, and increased cooking personnel from five to eight. A major has been assigned as permanent adviser. They have increased finance and chaplain support.

Then there were these three very important matters: daily training has been initiated for all prisoners. The inference is that they did not have daily training prior to the protest. Weekly training has been initiated for all custodial personnel, and in line with the statement of the gentleman from Contra Costa County, I would say it is about time that they initiated this custodial personnel training. It is unfortunate that they did not accomplish it prior to the 12th or the 14th of October.

They have increased recreational supplies from those presently on hand, including two television sets. This is in a privileged communication, but those are the facts, and those are the reforms that were made.

Against that background and against the facts surrounding the death, what was the attitude of the Army prior to the mutiny? I think the statement published by General Larsen, is indicative. It states:

> The civilian lawyers are attempting to turn this into some sort of anti-war circus.

The effect an Army press release—made at or about the 12th of October, the day after the shooting, stated very clearly that the Army did not think that anything had been done wrong—there were no conditions in the stockade that needed any reformation. This is contrary to the statements that we have referred to by the Provost Marshal that were made subsequently. With that kind of background I think it was inevitable that the men in this stockade would erupt on the 14th of October.

As the first prisoner's name was called, 28 prisoners left the formation, walked away, sat down, and began singing and chanting, "We shall overcome," and "America the Beautiful." About 30 minutes transpired, and 25 military policemen entered the stockade and escorted the demonstrators from the scene. No force was required other than physically carrying some of the prisoners off.

Among the other things that they chanted, to quote Major Hummell was:

> We want elimination of all shotgun-type work details. We want complete psychological evaluations of all personnel who are allowed to work in the stockade. We want better sanitary conditions.

The prisoner also read a protest of the killing of Richard Bunch and the Army's verdict of justifiable homicide.

Mr. COHELAN. Mr. Speaker, will the gentleman yield?

Mr. LEGGETT. I yield to the gentleman from California (Mr. COHELAN).

Mr. COHELAN. Mr. Speaker, I wonder

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if the gentleman can tell us, in the course of this alleged "mutiny," was their any act of violence committed?

Mr. LEGGETT. No act of violence whatsoever.

Mr. COHELAN. Was there any destruction of property that we know of?

Mr. LEGGETT. None whatsoever.

Mr. COHELAN. So the thing called mutiny was a thing in which there was no violence and no destruction of property, but apparently there was some disobedience. Is that the understanding of the gentleman?

Mr. LEGGETT. Yes. There was an attempt to try to reform and reorganize the procedures which were in effect in the stockade, which I might say parenthetically obviously needed reformation.

Mr. COHELAN. The gentleman from California (Mr. LEGGETT) is a distinguished lawyer with trial experience, and I do not qualify in that department, but will the gentleman tell me, is this a case of willful disobedience or a case of mutiny? I do not understand things like "charges" and how the attorneys and district attorneys frame these things, or maybe that is a poor choice of words. How are they propounded or developed? What is it the lawyers do when they make these charges?

Mr. LEGGETT. I have never been in the position of an Army prosecutor—or persecutor—but apparently they have very wide latitude under Article 94 of the Criminal Code to develop a charge and to bring court-martial proceedings.

Obviously when one is on the front line and there is even a minor failure of subsidiary command to follow instructions, the Army needs a big clout in order to maintain discipline. If a commander says, "Charge up the hill," and it looks like one might be committing suicide, it is traditional in the Army that one does not argue with the commander but charges up the hill. They need that kind of clout in time of war.

But it is the same law under which they are prosecuting a sergeant for not following an order of the lieutenant in charging up the hill, that they are using here to charge these young men in California for protesting rather substantial irregularities in the prison stockade.

Mr. COHELAN. I want to make the record very clear. I do not approve of the behavior of the men in the stockade.

Mr. LEGGETT. I do not.

Mr. COHELAN. I am now asking the gentleman from California (Mr. LEGGETT) what was it they did wrong?

Mr. LEGGETT. I do not think these young men deserve a medal either. On the other hand, there are apparently a number of infractions simultaneously going on, and I am not so sure the young men sitting down involved the most serious. I believe maintenance of the stockade was perhaps the more culpable of the actions that here occurred.

It is my understanding that these factual situations were thoroughly investigated by the Department of the Army and particularly by Captain Millard and Captain Bradner. I want to put in the RECORD their recommendations, at a slightly later time, but their recommendations are in line with the innuendo of my colleague, wherein he cites the fact that technically it is possible this could be a mutiny, but only an insane paranoid commander would try to get the death sentence. Nobody here is trying to do that.

Mr. COHELAN. Mr. Speaker, if the gentleman will yield, the fact is that two of the pretrial investigators said the charges should be willful disobedience and that it did not have anything to do with mutiny. The third did not comment one way or the other, but recommended action under article 94.

Mr. LEGGETT. The majority recommended a charge of willful disobedience.

Mr. WALDIE. Mr. Speaker, will the gentleman yield?

Mr. LEGGETT. I yield to the gentleman from California (Mr. WALDIE).

Mr. WALDIE. Mr. Speaker, it does seem to me we should not fall into the error of trying to justify actions based on the conditions in the stockade. Investigation of those conditions, I think, should be made, but the conditions cannot justify what they did in confinement. While in confinement, that action takes on stature greater than the simple disobedience would be outside confinement.

That does not mean I concur in the charges brought against them nor the disposition of the charges. But I want to make clear my views that I do not concur, that I believe there was in any way justification or mitigation for what they did. What they did in terms of their confinement was wrong and should be punished. My question on this procedure stems from the way in which their court-martial has been held and the charges brought against them so far.

Then I have a further objection. The conditions of the stockade, as I understand them to be, would seem to me to warrant each question having a different type of handling and not necessarily attempting to connect them.

Mr. LOWENSTEIN. Mr. Speaker, will the gentleman yield?

Mr. LEGGETT. I am pleased to yield to the gentleman from New York.

Mr. LOWENSTEIN. I would like to know whether there is any information available on who reversed the recommendation of the hearing officers, Captain Millard and others, and for what reason. Is there any information on why higher military authority departed from their recommendation and decided to prosecute for mutiny?

Mr. LEGGETT. The records available, which the counsel for the defendants have, is totally devoid of, first, any reasons for the minority recommendation and, second, any reasons for the acceptance by higher command, assumedly the commander of the stockade, and I guess also the commander of the 6th Army, General Larsen.

Mr. LOWENSTEIN. Is there any indication that the Army is taking steps to see to it that conditions in stockades around the country like those we are discussing today are corrected? Surely such conditions cannot be condoned, and if such conditions are to continue must we not expect protests to continue as well? Is there any indication that the Army is taking any interest in this problem, and that it will move to investigate and correct such conditions with a speed and enthusiasm like that it has displayed in handling the Presidio protest? Do you know if anything is being done, in short, to correct violations of Army regulations by stockade commanders and other military officials, or is punishment being sought only for those who violated Army regulations to protest other, and precedent violations?

Mr. LEGGETT. I can say that I discussed this with General Westmoreland and with the General Counsel of the Army. In part this may be the problem of the Congress, because with our massive budgets, as you know, for the Vietnam war, where we had an $82 billion defense budget last year with half of it going for the Vietnam war, we have been relatively starved in our domestic military plant for funds for construction. I hope that we can have some kind of construction program to build back some of the facilities that we need in this particular stockade this year.

Mr. LOWENSTEIN. I assume that you are aware of the announcement by Senators GOODELL and CRANSTON, that they wish to proceed in the Senate with an investigation. Does the gentleman believe that we can be of assistance in a general investigation of conditions in stockades all over the country? How can we help prevent further situations and incidents that cause unjust and needless suffering, not just among men who protest conditions, but among all men obliged to do time in military prisons?

Mr. LEGGETT. My experience is that if authorities are going to neglect some part of their apparatus in some area, they are generally going to neglect their prison capability. This is true with respect to municipalities and counties and States, I have found. I have no reason to believe that the Army is not similarly postured. With the evidence that we have in this case concerning the utilization of a 100-year-old fort as a stockade, we should have some special interest in pursuing this matter, I believe, either in the military subcommittee of the Committee on Appropriations or in my House Armed Services Committee or in the Committee on Government Operations, which I know has made an investigation and which is concerned about things that occurred here.

Mr. LOWENSTEIN. I want to thank the distinguished gentleman from California for rendering a great service by bringing this matter directly to the attention of the House and for helping to bring it to the attention of the country. I hope we are helping the Army today to arrive at a clearer idea of what infractions of rules occurred in the Presidio than they seem to have arrived at heretofore. Mutiny, indeed. If this be mutiny, what is it to go a.w.o.l.? What would poor Captain Queeg have to say if all it takes to commit mutiny in the new Army is to sit down and stage an unauthorized sing-in? One need not condone stockade sing-alongs to doubt that they constitute a capital offense. I hope too that we can help the Army to arrive at punishments that more nearly fit crimes, as a general principle in the execution of military justice. It seems especially unfortunate when the Army behaves in a way that can only encourage doubt about the fairness of its enforcement of its own regulations.

There is a sense of outrage when ordinary citizens violate each other's rights or needlessly demean each other's humanity. This sense of outrage must be even greater when an instrument of Government demeans its own citizens. Men in service are citizens, men in stockades and prisons are human beings. We do ourselves harm as a people if we overlook or minimize miscarriages of justice because the victims themselves are disturbed people or have transgressed the law.

Mr. LEGGETT. I thank the gentleman from New York for his very valuable comments on this matter.

Mr. Speaker, at this point I would like to insert in the RECORD items 12, 13, and 14 of the Army's factsheet on the incident and ask unanimous consent to include those points so that they may appear in the RECORD at this point and which further particularize some of the activities on the part of the new personnel at the time this mutiny occurred.

The SPEAKER pro tempore (Mr. EDMONDSON). Without objection, it is so ordered.

There was no objection.

The material follows:

> 12. Instead of following the Army Regulation contained in the Standard Operating Procedure of the Stockade, which instructed him to first reason with the prisoners and then to use the minimum amount of force to resolve the situation, Capt. Lamont immediately began to read to them Article 94 of the UCMJ (the mutiny charge). When he was signaled that he could not be heard, he went outside the stockade compound to a near by M.P. car and used its loudspeaker. According to the prosecution, he also ordered the men to return to the stockade building. However, witnesses testify that Capt. Lamont did not identify himself while using the loudspeaker and that he was at least partially blocked from view by the car door. Further, a Dr. Salmon, a sound expert from Stanford Research Institute testified at the first trials that, in all probability, the prisoners could not hear Capt. Lamont even over the loudspeaker. Other witnesses testified that the static in the loudspeaker made it difficult to hear Capt. Lamont.
>
> 13. The Army's fact sheet on the incident also fails to mention that:
>
> (a) According to Capt. Lamont's own testimony, he had been notified by a stockade guard at 0530 on 14 October that there was possibility of a disturbance in the stockade that morning. He testified that at the time he went back to sleep and took no preventative measures to avoid any problems.
>
> (b) Capt. Lamont was called to the stockade at 0730 14 October. When asked by one of the attorneys at the first trial why he did not take steps that had less severe potential than reading the mutiny charge, he testified that his mind was fixed from the beginning on mutiny as the proper charges to make. His own statement is further substantiated by the fact that he arrived at the stockade with a photographer and fire engine.
>
> (c) When asked why he did not follow the Standard Operating Procedure manual directive that he attempt to reason with the group, he stated that he was not familiar with the directive. Given the fact that the group had called for him and had attempted to communicate their grievances, it seems fair to assume that an attempt on his part to reason with the men may have resolved the disturbance.
>
> 14. According to the Army's fact sheet, two of the three Art. 32 Investigating Officers, Capt. Richard Millard and Capt. James Brander, recommended against bringing the mutiny charge. Capt. Millard, in his official report stated that the facts of 14 October did not substantiate a charge of mutiny. Further, he said that in his opinion the case "had been built up out of all fair proportion." He recommended a special courts-martial with a maximum sentence of 6 months, stating that if such a punishment "were not adequate deterrent to such demonstrations, then the focus of the command should be on the conditions in the stockade which give rise to such disturbances." Capt. Millard reported that there was ample evidence to indicate that the conditions in the stockade were substandard.

Mr. LEGGETT. Mr. Speaker, the trials of four of the 27 men have now been completed. The first and second sentences were adjusted. Private Sood's sentence of 15 years was reduced to 7 years. Pvt. Roy Asczpish's was reduced to 16 years.

Mr. Speaker, I am very pleased to advise the House that a few hours ago the Army delivered to me a statement, which reads as follows:

> Knowing of your interest in the mutiny courts-martial trials being conducted at the Presidio of San Francisco, I would like to provide you with the following information.
>
> The Department of the Army announced today that the Judge Advocate General of the Army upon review of the complete trial record in the case of Private Nesery D. Sood, one of 27 soldiers charged with mutiny at the Presidio of San Francisco, reduced the sentence to 2 years confinement at hard labor. The Commanding General, Sixth United States Army, had previously reduced the sentence from 15 years to 7 years.
>
> The Judge Advocate General exercised clemency in this case through powers delegated to him by the Secretary of the Army under Title 10, United States Code, Section 874. Private Sood's case is the first of 27 mutiny cases to reach the appellate stage under established military appellate procedures. No change was made in that portion of his sentence which included dishonorable discharge and total forfeiture of pay.
>
> The case now goes automatically to a Department of the Army Board of Review for further review. This Board may set aside the findings of guilt, approve a finding of guilt of a less serious offense, or still further reduce the sentence. It cannot increase the severity of the punishment as reduced by The Judge Advocate General of the Army. Should the Board of Review affirm the conviction, Private Sood may petition the U.S. Court of Military Appeals, which is composed of three civilian judges, for further review of questions of law. Throughout the appellate review of the case of Private Sood has the right to retained counsel and, at government expense, appointed military counsel.
>
> Sincerely,
>
> Col. RAYMOND T. REID.

Mr. WALDIE. Mr. Speaker, will the gentleman yield further?

Mr. LEGGETT. I yield further to the gentleman from California.

Mr. WALDIE. I do not understand clemency that takes the form that you have just related.

Is there any description of what the commanding general found that moved him to such great compassion that he reduced the sentence from 16 years to only 7 years? What led him to take this action of clemency to strike 9 years off his sentence? Does he describe this in any written report?

Mr. LEGGETT. This is what we call the "blindman's buff" of military appeals and it is one of the problems of fixed sentences which you know we have gotten away from in most of the civilized courts of the country. We have come to a compassionate study of the problem through the use of sociologists, psychiatrists, and penologists to review these cases in the light of their expertise in these matters.

Mr. WALDIE. Is it just a reflection of this general's benevolent nature or is it a reflection that he disagreed with the trial or some presentation of facts, or is it just a demonstration of a generous heart that led him to reduce the sentence by 9 years? Does he say anything about that in a written report?

Mr. LEGGETT. There is no written report that accompanies this modification. Likewise there is no written report accompanying the JAG's determination to reduce it to 2 years, because, incidentally the decision is based on the disposition of comparable cases, though admittedly we have only had about four of these in the last 60 years.

Mr. WALDIE. The letter that the gentleman just read was from whom? Did the gentleman say?

Mr. LEGGETT. The letter was from the Army liaison, from Colonel Reid.

Mr. WALDIE. In that letter he stated that the reduction in sentence was an exercise of clemency, as I gather the term, an exercise of clemency, an exercise of compassion and mercy?

Mr. LEGGETT. That is what I understand.

Mr. WALDIE. So I presume that there was no error found in these trials, and that the general was demonstrating that he was a truly merciful individual, and he possessed compassion.

Mr. LEGGETT. That is what I understand.

Mr. WALDIE. I thank the gentleman.

Mr. LEGGETT. I thank the gentleman for his comments.

Mr. COHELAN. Mr. Speaker, if the gentleman will yield further, I would like to point out that 2-year clemency seems to me to be still rather harsh.

Mr. LEGGETT. I believe it is harsh by about four times what it should be.

Mr. COHELAN. That is right, and on this point we should stress again that while no one is approving the misconduct of these men, and I believe they should be punished, what seems to me to be relevant at this pont is how this sentence compares with sentences that customarily have been handed down in these types of cases. Two years sounds to me like a terribly rough rap.

Mr. LEGGETT. What I am concerned with is that, of the 51,000 young Americans who deserted from the Army in excess of 30 days, representing deliberate and premeditated withdrawal from duty, perhaps some of them in the line of action, the average time those men are getting is about 6 months confinement as compared to this case where we have a criminal prosecution—and I call it a persecution—they take on these young men for 30 minutes of remonstration, admittedly face to face with the commander, and then embark on a cam-

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paign to throw the book at them, and in fact they have.

I believe that the evidence in this case indicates very strongly that there has been passion, prejudice, anger, and all of the things that should be secularized from judicial administration.

Mr. LOWENSTEIN. Mr. Speaker, will the gentleman yield?

Mr. LEGGETT. I yield to the gentleman from New York.

Mr. LOWENSTEIN. I thank the gentleman for yielding.

I join my distinguished colleagues in reiterating that in no way do these comments question the right of the Army to make and enforce appropriate regulations, especially in a stockade among men already convicted of violating regulations. But I am very concerned about whether there is evidence that these men were charged with this extraordinary offense, considering what in fact it is that they did, and then given these extraordinary sentences—I am very anxious to know whether that has anything to do with the fact that they were alleged to be opposed to the policies of this Government with regard to the war in Vietnam.

What I am asking is whether political prejudice may be involved and whether one of the reasons for this handling of their cases might be a determination by the Army to crack down on antiwar behavior, to discriminate in the handling of military infractions on the basis of imputed or actual political motivations behind infractions?

Mr. LEGGETT. Again perhaps one could construe that these young men went a.w.o.l. and are in the brig in the first place for the reason that they had reservations about the war, particularly that is true of Private Yost.

Mr. LOWENSTEIN. A decorated veteran.

Mr. LEGGETT. A decorated veteran, and he had been in the war and in Vietnam. He has a Purple Heart, and he had done an excellent job in education. They named a school after him. He came back, and he got a little mixed up again, but again it was a minor infraction, not one to rate a capital offense. But I do not believe political activity of these men has any part of this, but I think the part that does may be the fact that demonstrations have been going on and are going on right now in California, such as that at San Francisco State, and at Berkeley, and possibly because the headquarters for the antiwar movements is in California. I believe in some way that it is shading the allegations made by the prosecutors in this case. They wanted to try to say indelibly that "When you put on a uniform you do not have the rights of ordinary people, you do not have any civil rights, you are totally dedicated, and you had better understand it, and we are going to use this as an example and as a deterrent to stop protests all over the country. It has not occurred, and we are not going to let it start."

Mr. LOWENSTEIN. If I may go a bit further, there is much that puzzles me about these cases. Several of these men had served in Vietnam, as I understand it, some with distinction. Yet the magnitude of their punishment is virtually without parallel. Now, why is this? Why were the hearing officers overruled? Was an "example" being set, and, if so, of what and to whom?

I do not believe there is even any clear evidence that these men intended to make a general antiwar protest when they sat down, unless singing "We Shall Overcome" makes the singing ipso facto more political and thus more criminal than it would otherwise have been. But then they also sang "America, the Beautiful." Surely this should have had some mitigational value, if these be new tests of how to apply regulations.

So I would like to find out if the fact that they sang a particular song, or engaged a particular attorney, or that their cases were taken up by particular groups of citizens changed the nature of their offense so enormously in the eyes of the military authorities that instead of being treated in the normal routine of military justice they became subject to special treatment based on a theory about their political attitudes.

I do not want to be unfair to the Army, but it seems to me these questions must be aired in these circumstances. I am curious about the gentleman's views on this aspect of the affair.

Mr. LEGGETT. I do not remember the name of the song or to determine the pigeonhole in which the army determined to pursue this case, but there are shades of something like that. But I am not prepared to make that determination at this point.

Mr. WALDIE. Mr. Speaker, will the gentleman yield?

Mr. LEGGETT. I yield to the gentleman.

Mr. WALDIE. I am confused as to a procedural point as to what occurred here.

Once the determination was made to charge these men with mutiny, if a guilty finding was made, was there any option as to a sentence of less than 16 years? Did the initial sentencing authority have any option to go down, for example, to 9 years or to 2 years in reviewing that charge?

Mr. LEGGETT. I understand that there was full plenary jurisdiction in the court-martial, but there was no flat minimum—except that it might be in excess of 6 months—but I am not acquainted exactly with the procedure.

Mr. WALDIE. This is certainly, at least thus far, a total repudiation of the original board in their original sentence. I mean the Army was seeking to make a point and it seems to me lost that point, even so far as the commanding generals, and certainly repudiated his original board of officers and their sentence and then further repudiated the sentence including the general when it went from 7 years, which was reduced to 2 years.

It seems to me to be a total repudiation of everyone who has made a determination in this case thus far and I would hope that this last determination will be further repudiated somewhere along the line.

Mr. LEGGETT. I think the gentleman's remarks are accurate and I would hope we would even have a further repudiation.

I would certainly hope that nobody takes any particular prejudicial offense at the remarks we are making here as concerned Americans on the floor of the House today.

I hate to intervene in any judicial case, which this is, but I do not think this is a closed case. I think we are here arguing this case and it is not a closed case. The Army is way off base in bringing a capital charge and bringing in a big sentence. They were pursuing this case in the wrong way and I certainly hope the appellate agencies will further reduce this and will look kindly toward a substantial reduction in the sentence below 2 years.

I would certainly hope that we have indelibly set a pattern in this Sood case that will be followed in other cases.

Mr. Speaker, I would like to put in the RECORD at this time items numbered 19 and 20 from the minister's statement, and I particularly refer to the resolution of the San Francisco Board of Supervisors protesting this action in San Francisco.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The matter referred to is as follows:

In particular, he noted that the DD 510 procedures for filing grievances was "shoddy and inefficient." Capt. James Bradner recommended a general courts-martial for willful disobedience. Both men pointed to the mitigating circumstances of the disturbance.

All three of these men had been previously recommended for administrative discharge by Army psychiatrists. This is also true of at least six others of the 27. Pvt. Richy Lee Dodd, for example, was recommended for immediate discharge by Army psychiatrists in June of 1968. In October 1968 he was still in the Presidio Stockade. No action had been taken on his case after 5 months. Many of these men have attempted suicide several times. Pvt. Louis Osczpinski slashed his wrist during his court-martial. Richy Dodd had slashed his wrists last summer. He was bandaged and returned to his cell. Whereupon, he hanged himself with his bandages. He was pronounced dead on arrival at Letterman hospital, but was revived. Despite these facts the Army insists that there have been no "serious suicide attempts in the stockade in the past months."

The mutiny charge, the convictions and sentences have aroused a great deal of protest in the Bay Area and around the country. Both the major San Francisco papers have editorialized against the sentences and the San Francisco Chronicle called the mutiny charge an over reaction. Eleven Northern California religious denomination leaders have called the charge "inhumane and intolerable." On February 24th a member of the San Francisco Board of Supervisors introduced a resolution in that body calling on the Army to drop the charges and reverse the convictions and requesting a congressional investigation into stockade conditions at the Presidio as they have existed over the past eight months.

Mr. LEGGETT. At this point, Mr. Speaker, I ask unanimous consent that the statement of the gentleman from Pennsylvania (Mr. MOORHEAD) be included in the RECORD at this point.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. MOORHEAD. Mr. Speaker, I would like to commend the gentleman from California for calling the attention of Congress to a situation at the Army's

Presidio stockade in San Francisco, where recently a number of the Army prisoners staged a sit-down strike protesting the shooting of a fellow prisoner and the deplorable conditions existing in the prison.

The evidence that I have accumulated to date leads me to believe that there is something quite wrong at the stockade and with the military's handling of the prisoner disturbance.

Currently the men who participated in the demonstration are being tried for "mutiny," a rather severe charge in light of the details both overt and extenuating.

Many of the men involved have a history of suicide attempts and other mental disorders.

Their tragic attempt to show their plight while in prison is being met with a very hostile and drastic overreaction by the Army authorities. Already, one of the 27 men involved, has been sentenced to 15 years hard labor, dishonorable discharge and forfeiture of all pay and allowances. Since his incarceration, his three children have been made wards of the court owing to his "neglect." Another of the soldiers on trial was given 4 years hard labor, dishonorable discharge and total forfeitures.

The other defendants are presently awaiting their turn at "Army justice."

Before this matter goes any further, I think the Congress should have full and complete information concerning the charges and trial. And the Army should show just cause why 27 men, who were already prisoners, men who were living in very questionable conditions, were charged with "mutiny."

Mr. LEGGETT. Mr. Speaker, I ask unanimous consent that at this point in the RECORD the statement of the gentleman from California (Mr. EDWARDS) may be inserted.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. EDWARDS of California. Mr. Speaker, the gentleman from California (Mr. LEGGETT) is to be complimented for arranging a discussion today of this important subject. The gentleman from California is one of our most knowledgeable members in the vital area of military affairs. We should listen with respect to his observations today.

Mr. Speaker, every year thousands of young men are conscripted, or enlisted in the Armed Forces of the United States for but one reason—to help protect the basic liberties guaranteed all Americans in the Constitution of the United States. The services, and the lives of these young men, and of the millions who have already served, have over the past 193 years kept this Nation free.

These men in protecting our liberties do not give up their own liberties, nor are they to be denied the equal protection of the laws guaranteed all Americans. For the military to abrogate these men's liberties is to deny the purpose for which the Armed Forces exist.

The recent courts-martial at the Presidio of San Francisco raise serious questions about the military's administration of justice and whether the Uniform Code of Military Justice is truly uniform, or whether it is selective.

These men now face mutiny charges for that which well may not be mutiny. The Webster definition of mutiny is:

> Revolt against and, often forcible resistance to constituted authority; especially rebellion of soldiers or sailors against their officers.

Mr. Speaker, there was certainly no force involved in the Presidio of San Francisco incident. Further, instead of a rebellion, it was an attempt to bring serious conditions and deficiencies to the notice of constituted authority—conditions and deficiencies which had already led to the death of one man. The Army itself now has corrected some of these deficiencies, but is continuing to court-martial the men involved in bringing those conditions to light.

I would quote the San Jose Mercury editorial of Monday, March 10, 1969, to show the concern in California and in my district over the treatment of these men:

> ARMY AMBUSHES ITSELF
>
> An American citizen does not waive his right to equal justice under the law when he dons the uniform of his country.
>
> He may be subject to different laws and regulations; certainly, he is subject to stricter discipline than that which he experiences in civilian life. But should he run afoul of the law of the military, he has a right to expect even-handed treatment.
>
> The United States Army, which has never been renowned for the astuteness of its public relations sense, is in the process of further damaging its image by applying far from even-handed justice on the two coasts of this nation. The contrast is appalling, and it is bound to produce repercussions in Washington.
>
> On the Pacific Coast, the Sixth Army is busily trying 27 Presidio of San Francisco stockade prisoners for mutiny. They refused to re-enter their prison barracks when ordered to do so by guards, staging a sit-down demonstration in the prison yard. The first convictions in this case carried hard-labor prison sentences ranging up to 16 years.
>
> On the Eastern Seaboard, at Fort Dix, N.J., to be precise, an Army deserter, who returned voluntarily from Sweden to face trial, was sentenced to four years at hard labor.
>
> This is no intent here to pass judgment on the sentence in the desertion case. The severity or leniency of it is beside the point. For the purposes of this problem (as the Army is fond of saying), the desertion sentence will be used simply as a benchmark against which to measure the reasonableness of the mutiny sentences.
>
> It is possible to argue, surely, that desertion is a more serious crime in the military frame of reference than failure to obey a lawful order, which is what the Army's Presidio "mutiny" amounted to in the last analysis.
>
> Has the Army, then, dispensed equal justice under law, when one group of soldiers is given sentences four times more severe than that meted out to another soldier convicted of a more serious charge?
>
> No doubt the Sixth Army sought to make an example of the Presidio "mutineers" in the hope of firming up discipline throughout the command. Also without doubt, the ham-handed way the Sixth Army went about the task is now in the process of boomeranging.
>
> Unit commanders will probably find it harder, not easier, to command trust and respect—not necessarily for themselves but for the Army as an institution. This is a serious national problem because the Army is so heavily dependent on draftees. If the citizen-soldiers who must, of necessity, make up the backbone of the nation's ground forces feel they will not be treated justly while serving their country, then the country is in trouble.
>
> If ranking Army officers are not sufficiently intelligent to realize this without civilian help, that help most assuredly will be provided—by the civilian Secretary of Defense, perhaps, or more likely, by the Congress.

Mr. Speaker, in conclusion I would commend Senators CHARLES F. GOODELL, Republican of New York, and ALAN CRANSTON, Democrat of California, for their call for an investigation of military prisons by the Senate Armed Forces Committee. Full congressional scrutiny is in order. A man in defending the rights to citizenship for all should not lose his basic rights of citizenship, nor be subject to cruel and unusual punishment.

(Mr. BROWN of California (at the request of Mr. LEGGETT) was given permission to extend his remarks at this point in the RECORD.)

Mr. BROWN of California. Mr. Speaker, four Army enlisted men, standing trial in San Francisco, received sentences recently averaging more than 12 years at hard labor for each of them. Eighteen more now await trial and can expect similar verdicts. The charge against them is mutiny.

Mutiny is a charge traditionally designed to deal with wholesale attempts—usually armed—aimed at overthrowing military authority. The term conjures pictures of hardened, desperate men turning weapons on their officers, then attempting to seize or subvert command. And it was for just such cases that the mutiny charge was designed.

In the Presidio stockade the hardened "mutineers" averaged less than 19 years of age. Several were, by the Army's own standards, emotionally unfit for service. All were in the stockade for being AWOL; they had run away from the Army because they were unable to cope with military life.

And what mortal blow did these hardened criminals strike at the authority of the U.S. Army? In the Presidio yard 27 young boys refused to answer rollcall and sat and sang some songs.

The episode lasted 30 minutes. The protest was over poor conditions, ill treatment and the shooting of another prisoner, Richard Bunch, the day before. There was no violence. The "mutineers" offered no resistance when taken back to their cells.

Mutiny may be punished by death.

It was the opinion of two of the three investigating officers that the mutiny charge could not be substantiated in law. In one investigator's words:

> There are three elements to the offense of mutiny, one of which is the intent to override lawful military authority. The element is absent in the present case.

I do not rise here today to argue law. Although the law could well be argued. Rather, I speak on fundamentals of our legal process—mercy and justice—principles which appear to be totally absent in the legal treatment the Army has accorded these young men.

It is absurd to try to picture this episode as a deliberate and coldly

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planned attempt to wrest control from the military authorities in charge of the stockade. Instead, it was an impromptu protest by helpless men denied any other avenue. It was a confused, ill conceived, almost pathetic, effort to present justifiable grievances and seek redress.

Can any of us seriously believe the implications of this affair were known to the participants? Is it not easy to envision the nightmare in which these boys found themselves? Their youthful show of opposition, as much a function of confusion as defiance, has caused reprisals on the part of the military far in excess of that actually warranted by the actions of these young men.

Why?

What will be the results of the severe sentences handed down by the military. After years in prison and the stigma of a dishonorable discharge following these young men, can we expect them to return to society as useful and productive citizens?

Years of prison will leave their mark. A relatively short sentence would suffice to deter similar demonstrations.

There is no justification for such extreme punishment. The claim is that these men are being made an example. Twelve years is not just an object lesson—it is a lifetime when spent in prison.

We do not need to stand idly by and feel we are helpless to prevent such an injustice. Civilian authority is still supreme in this Nation. We cannot allow the Army to sacrifice these men to the principle of discipline. We must insist that they be treated as men—not as equipment.

The military is a valuable tool of the Nation and should be operated to serve the Nation's welfare. Does it serve the Nation's best interests to destroy men in retribution for 30 minutes of nonviolent demonstration. Did they endanger the U.S. Army? If, indeed, the Army is that fragile, locking up this small group of young men will not save it.

I do not advocate that these boys be freed with no punishment whatsoever. I do not claim that they committed no offense. I only say that there must be justice and mercy in America as well as law—or everything we teach becomes a lie.

Mr. LEGGETT. Mr. Speaker, I have already stated that the Army claims the charge of mutiny was brought on the recommendation of a qualified board of investigators who weighed all the facts and reached logical decision. As the facts show however, of the three investigating officers only one recommended that the charge of mutiny be levied. The other two recommended lighter charges. Capt. Richard R. Millard issued the following report and recommendations for Pvt. Lawrence Zaino, one of the accused. The report is a cogent and articulate presentation of the facts at issue here:

Official Recommendation From Army Hearing Officer at Pre-Trial Investigation

This is an exact copy of his report for Pvt. Lawrence Zaino. Individual reports for others were almost verbatim. Copies of all reports available.

"The charge of mutiny under article 94 does not apply to the facts of 14 October 1968. There are 3 elements to the offense of mutiny, one of which is the intent to override lawful military authority. The element is absent in the present case.

"I find, however, there are facts sufficient to sustain a charge of willful disobedience under article 90 of the UCMJ, a lesser included offense of mutiny under Article 94.

In my opinion, this case has been built up out of all fair proportion. To charge Zaino and the others with mutiny, an offense which has its roots in the harsh admiralty laws of previous centuries, for demonstrating against the conditions which existed in the stockade, is, in my opinion, an overreaction by the Army and a misapplication of a statute which could lead to a further miscarriage of justice.

"Zaino and the others demonstrated in a manner contrary to military regulations and custom, and they refused to obey the lawful order of Captain Lamont to cease demonstrating and return to the stockade building. For this refusal to obey, I recommend that Private Lawrence J. Zaino be tried by Special Court-martial, or as an alternative that he be separated from the service with less than an honorable discharge under AR 635–212.

"The two basic reasons for the imposition of punishment are to deter crime and to rehabilitate offenders. In Zaino's case, it is very questionable whether any long term confinement is likely to be effective in rehabilitating him. I call your attention to the psychiatric evaluation (Incl. 31) prepared by Major Chamberlain at Letterman General Hospital on 18 November 1968. Dr. Chamberlain feels that Private Lawrence J. Zaino has a personality disorder which makes it highly unlikely that he will be able to adapt to the Army, and therefore recommends that he be separated from the Armed Services as expeditiously as possible under AR 635–212. As far as deterrent to crime is concerned, I feel that a six month sentence, which is the maximum a Special Court-martial could adjudge, is an adequate deterrent against demonstrations such as the one that occurred on 14 October 1968. If it is not adequate, then the focus of the command should be on those conditions which lead to such demonstrations, for in my opinion, one does not give up six months freedom to participate in a short demonstration unless the conditions leading to the demonstration are compelling.

"There is ample testimony in this case to show that the conditions in the stockade prior to 14 October were not up to the standards we should expect. Of special significance in this case is the fact that the DD 510 procedure for expressing grievances, as implemented prior to the demonstration on Monday the 14th of October, was shoddy and inefficient. Although the conditions at the post stockade were deficient, I do not believe that they were so terrible, or that the prisoners' opportunity to express themselves was so limited as to be a complete defense to a disobedience of orders. However, these factors should be considered as mitigating circumstances.

"Considering all the facts, including the nature of the disturbance, the conditions which existed in the stockade, the military service of the accused, the mental state and character behavior of the accused as described by Dr. Chamberlain, and the unlikelihood that punishment will have any rehabilitative effect, and the established policy that trial by General Court-martial will be resorted to only when the charges can be disposed of in no other manner consistent with military discipline, I recommend trial by Special court-martial, or as an alternative, separation under AR 635–212, which would be to the benefit of both the Army and the accused.

"Capt. Richard J. Millard,
"U.S. Army Quartermaster Corps,
"Presidio, San Francisco."

Mr. ASHLEY. Mr. Speaker, I am joining with several of my colleagues to express my deep concern for the 27 servicemen facing charges of mutiny in the Presidio stockade and for the inhumane conditions which exist there.

On October 11, 1969, according to the Army report I have received, Richard Bunch, a stockade prisoner assigned to a four-man work detail at the Presidio, attempted to escape. He was shot and killed by a guard. Three days later, 27 soldiers confined in the post stockade sought to protest the killing and alleged poor conditions at the facility by sitting down during their work detail for 30 minutes. The men were reconfined.

Three special investigating officers reviewed the case. Despite the recommendation of two of these officers that the 27 men should be charged with willful disobedience—which carries a maximum penalty sentence of 6 months, the commanding general of the facility followed the minority report and charged the men with mutiny. So far four of these men have been tried and sentenced to 16, 15, 14, and 4 years at hard labor.

It seems to me that these penalties are far out of line with the nature of the men's conduct. For example, the Army reports that last year 51,000 men willfully deserted and the average offender received no more than a 6-month sentence. Moreover, in the annals of our military lawbooks only one or two such mutiny cases have been prosecuted. Consequently, the charges against these 27 men seem patently unfair and raise serious questions as to the fairness of military justice. I do not debate the requirement to maintain strict discipline in our military branches but the punishment should fit the crime.

Serious questions have also been raised about conditions at the Presidio and other military stockades—overcrowded cell space, the mixing of psychiatric prisoners with others, a shortage of food rations, and so forth. These wretched conditions are certainly not unique to military prisons but at the Presidio they apparently have triggered an incident which has put the Army on the horns of a dilemma and resulted in the conviction of mutiny of at least four men.

I urge that we investigate these conditions at all military stockades and take whatever action is necessary to correct whatever deficiencies exist.

Mr. MIKVA. Mr. Speaker, my understanding of the Uniform Code of Military Justice, is that it was designed to guarantee to members of the military services the same constitutional rights that civilians enjoy consistent with the special demands of military life. The idea was that except in battlefield situations where discipline and duty demand a higher standard of obedience, the disciplinary and criminal sanctions imposed by military authorities must meet the same tests of procedural fairness and substantial justice as those imposed by civil authorities. The basic idea was reinforced only last year when Congress passed the Military Justice Act of 1968, Public Law 90–632.

The Presidio trials in San Francisco

have made a mockery of this concept of justice for members of the military services. It is evident to me, Mr. Speaker, that the men on trial there are being so severely punished not because of the seriousness of the offense they have committed, but because someone "upstairs" does not agree with their views or, to make a rather macabre pun, believes that in singing "We Shall Overcome" they were "out of tune" with the military view of soldierly conduct.

Mr. Speaker, I have no constituents involved in this tragic abuse of military authority, but this case has generated tremendous interest among my constituents. The obvious overreaction of military authorities to the relatively insignificant provocation by the 27 men on trial in San Francisco has truly touched the consciousness of Americans throughout the country. The sentences which have been handed down in those trials are not harsh—they are incredible. Fifteen years at hard labor for an insignificant half-hour on the grass. Mr. Speaker, I ask whether on any grounds such a disappropriate penalty can be justified.

As a lawyer I am conscious that it is not the place of Congress to interfere in a case which is now pending before military authorities. The case must be conducted in accordance with the procedures established by Congress in the UCMJ. But, Mr. Speaker, I do believe that in light of the harshness which the code evidently now permits, we are obligated to reexamine the UCMJ to insure once again fairness and substantial justice will be done in military trials. I would propose at least two areas in which such reexamination is in order.

In the first place, I believe we should consider whether it is not time to make the Staff Judge Advocate independent of the convening authority in determination of offenses for which the accused is to be prosecuted. In civilian life the prosecutor, corporation counsel, or, in the case of Federal crimes, the U.S. attorney, is independent of other civil authorities with responsibilities for maintaining law and order. I am not suggesting that the analogy between military and civilian life is perfect, but I believe that increased independence for the legal officials in the military system will help to guarantee fairer procedures in all courts-martial. My proposal is that the convening authority could never prosecute for an offense carrying a penalty more severe than the offense recommended by the Staff Judge Advocate. Appropriate safeguards to protect the independence of the State Judge Advocate would, of course, have to be included to make any such provision meaningful. A related suggestion might be to take away entirely the convening authority's power to review the court-martial's findings and sentence, and to vest this review authority entirely, as it now is partially, in a theoretically independent board of review.

The second area of the UCMJ which it seems to me we ought to review, Mr. Speaker, is subchapter X, the punitive articles. In rereading this subchapter, I was shocked by the loosely drawn, often overlapping offenses which are defined there. As an example, articles 90, 91, 92, and 94 all provide that failure or refusal to obey an order is an offense. The only requirement for such refusal to become "mutiny" under article 94 is that it be "in concert with any other person," and that it be "with intent to usurp or override lawful military authority." I submit, Mr. Speaker, that such language is so loosely drawn as to be virtually meaningless. Any refusal to obey a lawful military order could be interpreted as having been done "with intent to override lawful military authority." Perhaps this anomaly does not strike us as so serious until we look at the penalties provided for "mutiny" as opposed to other refusals to obey orders—the penalty can be death—as compared to 5 years at hard labor under article 90, and 2 years or less under the others. There is no question in my mind, Mr. Speaker, that these loosely drawn, vague, overlapping provisions must be reviewed with an eye to alining them with the minimal constitutional requirements for civilian law.

For those who feel that too much stir has been made about a single incident, the Presidio trials, may I remind the Congress that in 1967 the U.S. Court of Military Appeals considered a case in which it was alleged that the commanding general of Fort Leonard Wood, Mo., had discussed the sentences to be handed down by courts-martial convened by him in nearly 100 cases. If these nearly 100 cases along with events at the Presidio do not demonstrate the need for additional provisions in the UCMJ to insulate the military judicial process from command influence, then I submit that nothing ever will. The Congress cannot take action to influence directly the result of cases now under consideration in the military justice system. We can, however, and I argue we should, take action to insure that there is no repetition of these incidents in which command control overwhelms considerations of judicial fairness and substantial justice.

GENERAL LEAVE TO EXTEND

Mr. LEGGETT. Mr. Speaker, I ask unanimous consent that all Members, including my colleague from California (Mr. Moss), may have 5 legislative days in which to insert statements in the RECORD concerning these prosecutions, since they affect perhaps 27 congressional districts throughout the Nation.

The SPEAKER pro tempore (Mr. EDMONDSON). Is there objection to the request of the gentleman from California?

There was no objection.

THE CHARGE OF MUTINY AT THE PRESIDIO OF SAN FRANCISCO

The SPEAKER pro tempore (Mr. EDMONDSON). Under previous order of the House, the gentleman from California (Mr. COHELAN) is recognized for 60 minutes.

Mr. LEGGETT. Mr. Speaker, will the gentleman yield?

Mr. COHELAN. I yield to the gentleman from California (Mr. LEGGETT).

Mr. LEGGETT. Mr. Speaker, similar reports were issued for other men investigated by Captain Millard.

How can the Army claim that the charge of mutiny was levied after mature judgment when Captain Millard's report is so strikingly clear in its recommendations for lesser charges.

To summarize the factual situation, we find that for a lengthy period of time the Presidio stockade has been the subject of numerous complaints both as to the physical conditions of the plant and the treatment of prisoners by the personnel. Despite reports of one suicide and 33 attempted suicides the Army denied all reports categorically. Subsequently, the conditions which the Army denied in the first place were improved somewhat, although the Army now admits that the size of the segregation cells are still substandard, but are operational under a special waiver. On October 11, 1968, a prisoner was shot and killed by a guard while allegedly making an escape, although there is clear indication that this prisoner was mentally ill and the escape was actually a suicide attempt.

On October 14, 1968, a group of prisoners staged a sitdown to protest the stockade conditions as well as the shooting.

The confinement officer was aware of the pending sitdown prior to the action, but by his own admission took no preventative action, and when confronted with the actual disturbance, immediately threatened the prisoners with a mutiny charge—a charge he admits was planned in advance. The Army ordered an investigation of the incident by three officers. At the conclusion of the investigation the Army announced that in its mature judgment and after consideration of the investigative reports, a charge of mutiny was appropriate. In fact, two of the three investigating officers called for lesser charges.

I do not intend to retry this case on the floor today, but I do think that a brief exploration of prior mutiny trials would put the Presidio incident in clearer perspective.

A relatively recent case, *U.S.* v. *Woolbright*, 30 CMR 488 (1960) had a factual situation which was similar to the Presidio. Three prisoners on a work detail at a golf course refused to continue work for a short time and defied the orders of superior officers. They were charged with mutiny and convicted of the same by a courtmartial. The board of review reversed this decision, and the comments of this board are of great interest in the instant case:

> Mutiny requires that there must be a concerted effort by more than one person to entertain a deliberate purpose to usurp, subvert, or override superior military authority, or to eject such authority from office. Woolbright and his fellow defendants, in the words of the court "made no effort to seize, take over or usurp the powers, functions or authority of their guards, or of the officers present." The sole issue is whether they intended to override superior authority when they collectively refused to continue to perform their assigned task.

The facts in the Presidio case are similar with one major exception. All published reports indicate that the Presidio

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prisoners did not in any way intend to usurp authority. The Presidio incident was, in fact, a specific recognition of that authority. The prisoners merely wanted a chance to present their grievances to the officers they by their conduct recognized as being in authority. Yet article 94 of the Military Code of Justice, the mutiny article, is so broad that any action taken in concert by more than one person can be considered a mutiny.

I cannot present the full legal arguments at this time, but it is clear that the Army is operating under a statute which gives it considerable leeway in bringing the maximum charge against persons who engage in relatively harmless actions. This power must be exercised with discretion. There was no discretion exercised in the Presidio cases. The past history of the stockade, the reports of the investigating officers, the incredible ineptitude in the Army's presentation of its version of the facts, a version which time and time again has proved false, knowingly or otherwise, all point to the realization that the Army has forced itself into a corner and refuses to extricate itself. The reason given for the refusal of higher authorities to intervene is that time-worn excuse that such intervention would be in derogation of the chain of command. This is nonsense. The Army is perfectly capable of correcting such an abuse. The Army was aware of this miscarriage of justice from the very beginning. Congressman CLAUSEN spoke out immediately. Congressman Moss' subcommittee investigated the matter, I took the matter up with the authorities. The national press became concerned. There was plenty of time for the Army to stop this farce before it got out of hand. Now, because of their inaction the matter is out of hand and the high command is attempting to bury its head in the sand in order to save face.

The lives of 27 men are at stake, and I, for one, am not willing to sacrifice 27 young men to save the reputation of Army officer personnel.

Mr. Speaker, at this point in the RECORD I would like to include a statement from the case of United States against Woolbright, which is the second Woolbright case, reported in 12 U.S.C.M.A. 450, 31 CMR 46, page 39. In that case some young men were doing golf course duty and they thought it clearly was not right for enlisted men to be working on a golf course. They tried to charge these young men with mutiny, and the court in an opinion citing the factual situation in that case stated:

Excerpt From United States Versus Woolbright

Turning to the facts before us, and judging the record in light of its sufficiency in law to establish the offense charged, we are compelled to hold that the circumstances do not support the findings of guilty. In view of the Government's concession and the determination of the board of review, we do not concern ourselves with the events which transpired after the men were formed and marched away from the ninth green. The accused's conduct at the bunker reveals only that he threatened the guards collectively and defiantly lit a cigarette. Thereafter, he refused to obey Loriot's order to extinguish it and to return to work. That his insubordinate attitude may have led the other prisoners also to quit work and to commence smoking is unquestionably established. The record, however, indicates a sequence of separate disobediences by individual prisoners rather than concert of action and joint intent to usurp or override Loriot's authority. The accused's act may well have caused the others' resentment to boil over and erupt in the cloud of refusals to work which followed, but it does not appear that any two or more of the group were animated by a common purpose to set aside the authority placed over them. Accused did nothing after his initial outburst to incite the prisoners or to resist orders, and we find it quite significant that he made no attempt to exhort his fellows to join with him in his insubordination. In short, this transcript depicts no more than a series of actions by different persons totally lacking a common intent. Accordingly, we find the evidence insufficient to establish the "technical" mutiny which the Government claims to be supported by the record before us.

Mr. Speaker, at this point in the RECORD I insert an editorial from Life magazine by Barry Farrell entitled "The Case of Private Sood":

The Case of Private Sood

(By Barry Farrell)

Of all Private Nesrey Sood's many crimes against the people of the United States, sitting down and singing *We Shall Overcome* with 26 other prisoners in the stockade at the Presidio of San Francisco last October was clearly the most serious—a capital offense, in fact. Still, it did represent a psychological advance on Sood's part for which the Army might yet wish to salvage some slight credit. Dangerous, foolish act that it was, it was nevertheless the first halfway rational thing Sood had done in a long, long time.

Sood's first bad mistake was moving across town without reporting his new address to his draft board. As the father of three children, he assumed that the draft couldn't touch him, even after the delinquency notice arrived. Besides, Sood was convinced that in any kind of dealings with the authorities he would wind up getting ———, so he made it his policy to steer clear of even the most routine encounters. Sood read the notice and forgot about it.

When his induction papers came, Sood at last complained. At the draft board they told him to see the man at the induction center. At the induction center they told him to explain his case to the sergeant at Fort Ord. And at Fort Ord Sood got ——— in just the way he knew would happen. They swore him into the Army and sent him to basic training.

It was nearly two years later—and only after Sood had slugged a corporal, pushed a lieutenant, been caught with a bottle in his footlocker and spent all but a month of his Army career under some kind of confinement—that the Army decided to put an end to the farce of his service. Apart from being so dramatically unfit for Army life, the man was tormented by personal problems. Things were going bad with his wife, and at the helpless distance of his post in Alaska he was getting reports that the welfare authorities were moving in to take his children. At last his company commander put him in for discharge as a lost cause, and soon he was on a plane bound for Seattle with orders to report to Fort Lewis for mustering out.

Sood started hitchhiking toward the fort, but the first car to stop for him was heading all the way to Los Angeles and he couldn't resist the chance to go all the way home without stopping.

The MPs arrested Sood at his house three weeks later, but after the authorities at the Presidio learned of his pending discharge, they gave him another plane ticket to Seattle and warned him sharply not to miss the flight. But Sood got to drinking and fighting with his wife that night, and the next thing he knew the MPs were back with orders to bring him in. It was Oct. 12, the day of a massive peace parade in San Francisco—a peace parade for veterans and GIs. The MPs had to drive through streets crowded with demonstrators to get back to the post.

The booking sergeant at the stockade told Sood that he once had shot a Vietnamese woman in the stomach for no reason at all. The message was: I'm just that tough, you better believe it. Then Sood overheard some guards talking about killing a prisoner the day before—"bragging about it," as he later testified. The prisoner had been hit at ten paces or so with a 12-gauge shotgun when he attempted to escape from a work detail. Sood was terrified to hear this talk. These guards are out of their minds, he thought.

Inside the stockade, a solid white stucco building with a majestic view of the Golden Gate, Sood found 140 men were living in a space designed for 88. For the past week they had been sharing rations for only 115 men with their nine guards and three cooks, and only the night before they had rioted to protest the shooting. The dead man now seemed to have been everyone's favorite—Private Richard Bunch, 19, five foot four and 120 pounds, a formerly redhot soldier who had returned an apparent LSD casualty from a long AWOL spent wandering around the Haight-Ashbury in paratrooper boots. The prisoners were insisting that his escape attempt was actually a suicide committed with the help of the guard. They were demanding an investigation; they wanted to see the press.

Normally, Sood would have retreated into his sullen, unsophisticated paranoia, sensing that he was about to get screwed again. But when he woke up on the morning of Oct. 14, he had his mind made up to join the demonstration that Mather and Polowski and Dodd and some others had cooked up the day before. The idea was for everyone to answer "here" when the first man's name was called that morning, then all fall out together and stage a kind of sit-in until they could make their grievances known.

It was not until he made his fatal move away from ranks that Sood discovered how few the protesters were. The organizers had been promising 90%, but now some of them stood among the troops still in formation. The demonstrators sat down, linked arms and began to sing and shout for Captain Lamont, the stockade commander. Polowski was ready to read the list of grievances.

Captain Lamont first circled the group without speaking. A photographer followed him, taking pictures of the men from all sides. Then 40 MPs showed up, together with a fire truck, and Captain Lamont began reading Article 94, the mutiny law, over a loudspeaker. Sood, who had never seen the captain before and had his back turned during the reading, said he didn't hear the captain's order to return to the stockade. The grievances were never heard, and order was restored within an hour. Half the men walked back in and the others let themselves be carried by MPs. There was no injury to anyone and no property destroyed.

Mutiny charges were pressed against all the demonstrators, including many whose cases were far more sympathetic than Sood's. Private Yost had been wounded in Vietnam and went AWOL after seven months in the hospital only because his pay records had been lost and he was being dunned through the courts for his child-support payments. Private Gentile, also a Vietnam veteran, was completely out of control, and had slashed his wrist so badly that 54 stitches were required to close the wound. Among them, the demonstrators had accumulated 30 suicide attempts in the past six months.

Sood was the first among them to be tried and sentenced. He had two good lawyers assigned to him, but he gave very little

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to his own defense. Even before the court-martial started, he would fix them with a smile that made them feel absurdly naive: he was going to get screwed, he kept saying—no way out of it.

The Army's case was aimed directly at the Army's anxieties in the era of protest. What if these men were your troops, deserting in the face of the enemy, failing to respond to orders? The crisis of law and order cannot be allowed to infect command. The court found Sood guilty as charged, then deliberated for 35 minutes before deciding to give him 15 years at hard labor. The likelihood is that his sentence will be reduced, at least by half. Otherwise, Sood will be confined in Leavenworth prison until the winter of 1984.

Mr. Speaker, at this point in the RECORD I insert the unanimous recommendation of 45 members of the Law School faculty of Harvard University:

LAW SCHOOL OF HARVARD UNIVERSITY,
Cambridge, Mass., March 11, 1969.

Hon. ROBERT L. LEGGETT,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN LEGGETT: I am forwarding the enclosed copy of a petition sent to the Honorable Stanley R. Resor, Secretary of the Army, on behalf of forty-five members of the Harvard Law School faculty. Your consideration, as a member of the House Armed Services Committee, will be most appreciated by the signers.

Yours truly,
EDWARD F. SHERMAN.

As members of the legal community, we feel an obligation to express our concern over the court martial trials which are now being conducted at Fort Presidio, California. 27 soldiers, most of them under 21, are being tried on charges of mutiny for staging a brief sit-down strike at the Presidio Stockade on October 14, 1968. The soldiers linked arms, sang "America the Beautiful" and "We Shall Overcome" and presented three demands asking for elimination of shotgun-type work details, psychological evaluation of stockade personnel prior to assignment, and better sanitary facilities.

An investigating officer, appointed as required by the Uniform Code of Military Justice, described the stockade grievance procedures as "shoddy and inefficient" and recommended that the mutiny charges be dropped and the soldiers be tried by special court martial (the maximum punishment is 6 months) or administratively discharged. The Commander of the 6th Army, Lt. Gen. Stanley R. Larsen, disregarded the recommendation and referred all cases to a general court martial on charges of mutiny. Last week the first three soldiers tried were convicted and sentences of 15, 16 and 14 years were adjudged.

We believe that serious questions have been raised by these courts martial concerning the administration of criminal law in our armed forces and the capacity of the present military justice system to insure basic due process rights to members of the military.

First, it must be asked whether the use of the serious charge of mutiny is appropriate in cases such as these. A peaceful and passive sit-down strike by prisoners is sometimes the only method for dramatizing and expressing grievances, and such demonstrations have not usually resulted in prosecutions when they have taken place in civilian prisons. It has been alleged that conditions at the Presidio Stockade were unsatisfactory and that there were 33 attempts at suicide during the 6 months preceding the sit-down strike.

Second, it must be asked whether the intense command interest in prosecuting these soldiers for serious crimes and the unusually severe sentences indicate that the court martial proceedings did not result in a fair and impartial trial.

The Presidio courts martial do not do credit to the Army or the American judicial system. We urge the Army authorities to give consideration to stopping the courts martial of the remaining soldiers and remedying the sentences already imposed. We also ask that serious consideration be given by the Department of Defense, the departments of the services, and Congress as to what steps can be taken to prevent a recurrence in the future of this type of proceeding.

HARVARD LAW SCHOOL FACULTY SIGNERS

William D. Andrews, Paul M. Bator, Harold J. Berman, Derek C. Bok, Stephen G. Breyer, W. L. Bruce, David F. Cavers, J. H. Chadbourn, Abram Chayes, Jerome A. Cohen, Vern Countryman.

John P. Dawson, Alan M. Dershowitz, John M. Ferren, Richard H. Field, Theodore D. Frank, Paul A. Freund, Charles Fried, Elwood B. Hain, Jr., Livingston Hall, Tom Hervey, Louis L. Jaffe.

Charles H. Jones, Jr., Benjamin Kaplan, Andrew L. Kaufman, Friedrich Kubler, Kenneth Laurence, Joseph E. Leininger, Louis Loss, John H. Mansfield, Frank I. Michelman, Robert H. Mundheim, William E. Nelson. Charles R. Nesson.

Lloyd E. Ohlin, Oliver Oldman, Albert M. Sacks, Frank E. A. Sander, Edward F. Sherman, Russell A. Simpson, Alan A. Stone, S. E. Thorne, Donald F. Turner, James Vorenberg, Lloyd Weinreb.

Mr. Speaker, I include a statement by Gerald N. Hill, president of the California Democratic Council:

STATEMENT BY GERALD N. HILL, PRESIDENT OF THE CALIFORNIA DEMOCRATIC COUNCIL, IN REGARD TO PRESIDIO MUTINY TRIALS

The use of the unusual charge of Mutiny in the cases of the young enlisted men at the Presidio, and the sentences of four to 16 years of hard labor which have been meted out for protesting the conditions in the Presidio stockade, should be investigated by Congress and by the Department of Defense. This is essential to maintain civilian authority over the military when the Army is inflicting cruel and unusual punishment.

Charging men with Mutiny is reserved for aggravated cases involving wholesale attempts to overthrow military authority. It is completely wrong when the breach of discipline involves the simple act of failing to obey an order. This is obviously a case of intimidation by holding a possible death penalty over the heads of all enlisted men and handing out sentences which mean that these men will be middle-aged by the time they are returned to civilian life.

The men in question are all quite young—averaging 19 years old. Several have known histories of mental and emotional problems which have usually been untreated in the Army. Most of these boys were originally in the stockade for going AWOL because they were unable to cope with military life. To take from them the best years of their lives is rank injustice.

In two recent cases of actual Mutiny at other bases involving the use of armed force, the maximum sentence was two years. In the Presidio situation the soldiers charged failed to obey an order to disperse, while gathered together to sing songs as a protest to conditions in the stockade.

I am not personally informed as to the total conditions in the stockade, but it is undisputed that there are unlit isolation cells in which there is scarcely enough room for a man to lie down. These cells are without mattresses and without toilet facilities. There are many reports of cruelty and inattention to basic human needs of the soldiers awaiting summary Courts Martial. This warrants a full Congressional investigation. These young men are Americans, many of whom volunteered to serve their country, and no matter what discipline problems they may have created or their emotional inability to adjust to Army life, they are entitled to simple humane treatment.

Congress and the Defense Department should also investigate the psychiatric and psychological services available and actually rendered in the Armed Services so that those emotionally unfit for Army life can be weeded out without medieval punishment and returned to civilian life for appropriate medical treatment, or certified for treatment by the Armed Services doctors.

These cases may well become America's Dreyfus Case, unless prompt investigation is held. While the investigations are proceeding, all further trials for Mutiny at the Presidio should be suspended.

Mr. Speaker, I include in the RECORD at this point the statement of Capt. James Bander, also recommending a lesser charge of willful disobedience:

The charge of mutiny under article 94 does not apply to the facts of 14 October 1968. There are 3 elements to the offense of mutiny, one of which is the intent to override lawful military authority. This element is absent in the present case.

I find, however, there are facts sufficient to sustain a charge of willful disobedience under article 90 of the UCMJ, a lesser included offense of mutiny, under Article 94.

In my opinion, this case has been built up out of all fair proportion. To charge Yost and the others with mutiny, an offense which has its roots in the harsh admiralty laws of previous centuries, for demonstrating against conditions which existed in the stockade, is, in my opinion, a miscarriage of justice.

Yost and the others demonstrated in a manner contrary to military regulations and custom, and they refused to obey the lawful order of Captain Lamont to cease demonstrating and return to the stockade building. For this refusal to obey, I recommend that Private Edward O. Yost be tried by Special Court-martial.

One of the basic purposes of punishment is to deter crime. I feel that a six month sentence, which is the maximum a Special Court-martial could adjudge, is an adequate deterrent against demonstrations such as the one that occurred on 14 October 1968. If it is not adequate, then the focus of the command should be on those conditions which lead to such demonstrations, for in my opinion, one does not give up six months freedom to participate in a short demonstration unless the conditions leading to the demonstration are compelling.

There is ample testimony in this case to show that the conditions in the stockade prior to 14 October were not up to the standards we should expect. Of special significance in this case is the fact that the DD 510 procedure for expressing grievances, as implemented prior to the demonstration on Monday the 14th of October, was shoddy and inefficient. Although the conditions at the post stockade were deficient, I do not believe that they were so terrible, or that the prisoners' opportunity to express themselves were so limited as to be a complete defense to a disobedience of orders. However, these factors should be considered as mitigating circumstances.

Further, in mitigation, I call to your attention the fact that Private Edward O. Yost has served in Vietnam, where he suffered multiple wounds from a hostile booby trap, and was eventually evacuated to Letterman General Hospital. Prior to his injuries in Vietnam his military records indicate no misbehavior of any nature.

Considering all the facts, including the nature of the disturbance, the conditions which existed in the stockade, the military service of the accused, and the established policy

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that trial by General Court-martial will be resorted to only when the charges can be disposed of in no other manner consistent with military discipline, I recommend trial by Special Court-martial.

It is unfortunate that this report should have taken so long, and that the record we have of the proceedings is so poor. There is no substitute for a verbatim transcript of a judicial proceeding. I believe it is an essential right of an accused to have relevent testimony preserved accurately. Especially in a case such as this where the charges are so serious. It is unacceptable to me as an attorney to believe that the Army can not afford to preserve the record accurately.

An explanation of the time spent investigating the charges is attached, however I feel it my duty to call to your attention the fact that 3 weeks were required to have the transcript (sic) of the proceedings typed. During this period memories faded and it became impossible to reconstruct testimony which was not recorded, partially recorded or recorded inaccurately.

Mr. Speaker, at this point in the Record I insert a letter from the United Ministries in Higher Education of Northern California and Nevada dated January 9, 1969:

United Ministries in Higher Education of Northern California and Nevada,
San Francisco, Calif., January 9, 1969.

Hon. Robert L. Leggett,
House Office Building,
Washington, D.C.

Dear Congressman Leggett: I am writing on behalf of Roy Pulley and Edward Yost, residents of your congressional district; they are being held in the Stockade at the San Francisco Presidio, Sixth Army Headquarters. All indications from legal officers at the base are that the Army is preparing to give these men a general court martial on the charge of mutiny. This charge carries a possible maximum penalty of death, and could easily result in twenty year sentences for these men.

The basis for this charge is Pulley and Yost's participation in a sit-down protest at the Stockade on October 14th. They were among the twenty-seven men who protested the October 11th shotgun killing of a fellow prisoner known to be psychologically ill, and the inhumane conditions at the Presidio Stockade. The prior efforts of these men to go through regular channels had been systematically ignored; therefore, they used the means of a sit-down to have their grievances heard. While we may see a certain impropriety in their method of voicing their grievances and in their breaking of Army discipline, seen in the context of the shooting of their fellow prisoner, which the Army immediately declared to be justifiable homicide, the mutiny charge is extreme and unjustifiable.

General Stanley Larsen, Commanding Officer of the Sixth Army, the man who has ultimate responsibility for bringing the court martial charges, has refused to meet with concerned citizens, including such community leaders as Bishop Kilmer Meyers, Episcopal Bishop of California, Bishop Charles Golden, Methodist Bishop, and Mr. Josiah Beeman, legislative assistant to Congressman Philip Burton, to discuss the matter. A large number of community people are appalled at the Army's callous indifference to human needs in the Stockade and General Larsen's refusal to so much as discuss the situation.

I earnestly urge you to investigate the Sixth Army's conduct with regard to the Presidio Stockade in general and with regard to Pulley and Yost. The prospect of court martialing these men for mutiny because of their attempt to expose the unjustified killing of a psychologically ill 19 year old soldier and conditions in the Stockade is intolerable. These charges must be dropped and the Stockade conditions corrected. Please give this matter top priority.

Sincerely,

Rev. Alan Miller,
Regional Secretary, United Ministries in Higher Education.

Mr. Speaker, I include in the Record at this point the following letters:

A letter from Mrs. Homer Porter dated February 18.

A letter from Mrs. William J. Albers and others dated February 20.

A letter from Carmel L. Alhers and others dated February 20.

A letter from Lloyd M. Chandler dated February 18.

A letter from Frank Pecavich dated February 18 containing an editorial from the Sacramento Bee, pointing up that "Military Tribunal Justice is Harsh, Swift, Casual, Cruel."

A statement from William Holden dated January 31.

A letter from George Drake of the University of California at Davis, dated February 15.

A letter from Edmund B. Burke dated February 14.

A letter from David M. Kaplan, dated March 10, 1969.

A letter to General Westmoreland dated February 14.

A letter from Anna Lee Kirkland dated March 5.

A letter from Miss Alice M. Lenarz dated February 16:

February 18, 1969.

Dear Congressman Leggett: Are you aware what's happening at the Presidio in San Francisco. This has to be looked into and better be investigated in a hurry. Because the way it looks and sounds there just might be an army revolt and it's getting more serious. People are starting to take things in their own hands and you know what could lead to. The heat is on so bad right now that the Army is moving the trials to the desert down by Barstow. Really I am afraid just what might happen. But this Army does need look into its really a disgrace to the public and the service man. Really its worst then the Pueblo the Navy case. Because this happening right under our nose and it scare me. Because the military is getting too powerful and out of hand. I am opposed to do away with the draft because with a Volunteer Army it gives them to free hand. And what going on at Presidio under the draft. Just think what would happen under a Volunteer Army. Might end up like Greece under a military control. And what about the boy from Oregon with mental condition the Army wouldn't release him. Ask Senator Mark Hatfield who tried to get him release. Please look into this matter and conditions at the Presidio.

Yours Truly,

Mrs. Homer Porter.

Vacaville, Calif.,
February 20, 1969.

U.S. Congressman Robert Leggett,
Washington, D.C.

Sir: We are writing you this letter concerning the mutiny trial now in progress at the Presidio in San Francisco. This trial involves a young man who is a resident of our area. His name is Edward O. Yost of Elmira, California.

We are hoping that this letter will prompt you to look into the matter that is going on at the Presidio in San Francisco. This trial involves 27 young men, three of which have already received sentences of 14, 15, and 16 year prison terms.

Ed has fought for all of us in Viet Nam and was wounded in the front lines. He was returned to the States to receive treatment for injuries suffered from a land mine explosion, killing his buddy.

We believe that Ed, deserves more from us than a prison term, stripping him of all his youthful years. He gave up his job, his wife and family and was more than willing to do his share to fight on foreign soil for our country.

We wish to thank you for taking time to read our letter and please we would most certainly appreciate if you can and will help Edward O. Yost.

Very truly yours,

Mrs. Wm. J. Albers.
Mrs. Stanley Summitt.
Mr. William Albers.
Mr. Bill Albers, Jr.

Vacaville, Calif.,
February 20, 1969.

U.S. Congressman Robert Leggett,
Washington, D.C.

Sir: May we the undersigned respectfully request your attention in the matter of the Mutiny trial that is in progress at the Presidio in San Francisco. This involves a former Co-Worker of ours, Edward O. Yost of Elmira, California. We would like you to Help if you will and can.

Ed, has fought for us in Vietnam, and was wounded in the front lines. He was returned to the States and was receiving treatment at Letterman Hospital. We believe that the sentences that these boys are receiving, is certainly a miscarriage of justice.

A young man such as Ed that has fought on foreign soil surely deserves more from all of us than a prison sentence that will take away all of his youthful years. This young man has a job, a wife and family waiting for him, and we just had to write as private citizens to protest the action now going on at the Presidio in San Francisco.

We most certainly hope that this letter will prompt an investigation and special consideration on the part of our concern one, Edward O. Yost.

We know that you have hundreds of important matters that need attending too, but we most certainly believe that this matter should be looked into.

We will all appreciate any of your attention and help you can give this matter.

We remain,

Jim Chandler, Mac Chandler, Stanley Browning, Gene Rose, John Carlson, Carmel L. Alhers, Guy O. Blan, Marian W. Chandler.

Lloyd Chandler Furniture Co., Inc.,
Vacaville, Calif., February 18, 1969.

U.S. Congressman Robert L. Leggett,
Washington, D.C.

Sir: This letter has been prompted by my concern for a former employee, Edward O. Yost. Eddie is one of the enlisted men presently being tried for mutiny at the Presidio of San Francisco. I think very highly of Eddie. He was a very conscientious boy and popular with the men he worked with. He has a fine future as a carpet installer. In fact, his supervisor says he is an exceptionally skilled technician.

Eddie was stationed at the Presidio of San Francisco so that he could be treated at Letterman Hospital for wounds suffered in Vietnam. During this period he worked for me on a part time basis, I noticed he was under a strain. He did confide that he was financially pressed and that the Army had lost his pay records. He had not been paid for many months. I'm sure this is verifiable. It was only later that I found out he was AWOL. Although, I cannot condone his being AWOL under any circumstances his behavior was at least aggravated by the fact that he was not receiving any money from the military.

Mr. Leggett, please take the time to look

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into this matter. Ed Yost is not a traitor to his country. He is a patriot who made an unfortunate mistake. He served his country willingly in Vietnam and received a Purple Heart, as a result of front line combat. Eddie has a devoted wife waiting for him. Also, whenever he's able he has a steady and well paying job with my firm. If this boy receives a long prison term it would not only be a great tragedy for his family and friends but would be a colossal waste of life that would otherwise be positive and productive.

Yours very truly,

Lloyd M. Chandler.

Citrus Heights, Calif.,
February 18, 1969.

Mr. Leggett: I only wish to state that I agree completely with the attached editorial. I feel that the punishment was not in keeping with the crime.

As a member of the Armed Services Committee I hope you wil be able to do all that a civilian can do to see that real justice is afforded those unfortunate to be involved in a military court.

It is true that this kind of reprisal action by the military will only further alienate the "social protests" and the young.

Frank Pecavich.

Military Tribunal Justice Is Harsh, Swift, Casual, Cruel

In the case of Pvt. Nesrey Dean Sood accused of mutiny at the San Francisco Stockade, military "justice" was harsh, swift and almost casual, as it was for two other accused soldiers charged also with mutiny.

The specific crime was to participate in a stockade sit-down with 26 others and to sing "We Shall Overcome." Involved in the court-martial was the issue of an order for the men to return to work. There still is some question as to whether Sood heard the order.

In any event, it took the military court only 45 minutes to find Sood guilty and later to sentence him to 15 years at hard labor. Two others also received punitive sentences in court judgments returned two days later—one receiving a 14-year sentence and the other a 16-year sentence, both at hard labor.

Unless higher tribunals intercede, these sentences will stand.

Sood was not a model soldier. Indeed, last September when he was stationed in Alaska, his commanders recommended he be given an administrative discharge. This by every known bit of evidence would have been a sensible and human solution of Sood's problem.

If the military was out to prove it is undeterred by mercy or leniency, it has made its point and given social protesters another rallying point.

Sood went AWOL when returning to San Francisco to visit his children. In a letter he told the military authorities the Alameda County Probation Department set a hearing on the case of the children for last Jan. 28. This letter was delivered to the stockade on Jan. 22 but was not shown to Sood until Jan. 30.

Sood was drafted Jan. 24, 1967, when he was a father of a 2-year-old daughter and when his wife was pregnant. He now has lost custody of his children and is in the middle of divorce proceedings.

Sood's civil defense attorney, Paul Halvonik of the American Civil Liberties Union, said of the verdict:

"Military justice is to justice as military bands are to music."

In the military it is traditional that disobedience to an order or any display of dissent is sternly dealt with. Yet even here the dispensation of discipline is ideally supposed to be tempered with some degree of restraint in authority.

The military is the biggest, toughest kid on the block, so to speak, but it takes a lot of doing for any power to bring justice down permanently. And so, it may be decided upon appeal that even the military does the nation an injustice by cruel and unusual punishment.

January 31, 1969.

Congressman Leggett,
U.S. Congress,
Washington, D.C.

My Dear Sir: I am deeply, deeply disturbed about the terrible travesty of justice going on in the San Francisco Presidio mutiny trials. I am shocked and horrified at the stockade conditions that led to this mess.

I believe that you should demand a full investigation. I am beginning to believe what our young people have been saying right along: the leadership in this country is rotten at the core!

Very sincerely,

William Holden.

Davis, Calif.,
February 15, 1969.

Hon. Robert Leggett,
House Office Building,
Washington, D.C

Dear Sir: I am writing concerning an urgent matter that requires immediate action. On Thursday, February 13, Private Nesrey Sood was sentenced to 15 (fifteen) years at hard labor by an army court martial for mutiny. That man's offense, as you will know if you've been following the case, was refusing to go to work in the San Francisco Presidio Stockade for a period of one hour. The sit down strike in which he partook was in protest to the killing of another prisoner by a guard a day or two earlier.

Fifteen years! At hard labor. How much of your life will the next fifteen years be? How much were those between the ages of 26 and 41? The man's three children will be grown. He will be middle-aged and destroyed. All this for one hour's protest against what he and his fellow prisoners felt was a legalized murder. If this system is that sensitive to protest, then it must be a hell of a lot worse than I thought.

May I submit to you, sir, that refusing to cooperate is not the same as attempting to overthrow military authority. I submit to you that the United States cannot well afford such a flagrant disregard for justice in these tense times. I submit that, if this sentence goes unchallenged, the revolutionaries I have always rejected will be armed with an irrefutable argument.

I plead with you, Mr. Leggett, to initiate a Congressional investigation into this entire matter, and into the whole system of military justice, if necessary. I ask you to bring all the pressure possible to bear in order to halt the pending court martials of the other 26 prisoners involved and the execution of the sentence already given. I plead, but all that is human *demands*.

George Drake.

Clearlake Hills, Calif.,
February 14, 1969.

Commanding Officer,
The Presidio,
San Francisco, Calif.

Sir: Shades of Hitler! The "military mind's" idea of justice is completely alien to the very concept of democracy. *JUSTICE* is when the penalty is proportionate to the offense. Tyranny has the same stench whether from a dictator or the military.

I would suggest that all officers take a refresher course in American history—particularly the period between 1700–1800.

No wonder the military has always been anathema to the American citizen.

Yesterday's court martial penalty is outrageous and inhumane—and I hope it will not be accepted by the public without a fight.

Edmund B. Burke.

Davis, Calif.,
March 10, 1969.

Congressman Robert L. Leggett,
House Office Building,
Washington, D.C.

Dear Congressman Leggett: Recently three young men in the army were sentenced to approximately fifteen years at hard labor for the crime of mutiny. The mutiny apparently consisted of refusing to obey a direct order. The incident that precipitated the entire matter was the shooting of another soldier by a guard as he walked away from a work detail and the subsequent "mutiny" was a protest demonstration against this action.

It frightens me to think that in this land of liberty and justice for all, young men in uniform are subjected to the same treatment that I was taught as a youngster to associate with the Nazis and Communists. If we find that in order to protect ourselves we have to use instruments such as the army, and that such instruments contradict the whole premise of our social contract, then I suggest we reexamine either our premises (which I think will not be found to be wanting), to our way of implementing them.

On March 18th sixteen more soldiers will go to trial for the same offense as the first three men. I ask that you look into this urgent matter personally by contacting Gen. Stanley Larsen, 6th Army Commanding Officer, Presidio, San Francisco, and try to get the charges diminished or if conceivably possible dismissed and in addition get the sentences of the other three men reviewed.

Respectfully yours,

David M. Kaplan.

February 14, 1969.

Gen. William Westmoreland,
Chief of Staff,
The Pentagon,
Washington, D.C.

Dear General Westmoreland: I am concerned that a criminal prosecution of a large number of young people in your Presidio stockade in San Francisco is out of hand and may become further aggravated.

According to the fact sheet presented by your Office of Legislative Liaison to my office apparently a young, clownish soldier on work detail was shot in the back and killed at a distance of 62½ feet when he broke and ran in front of a guard. The young soldier, Private Bunch, was being confined for the very nominal reason of having been AWOL. The guard apparently did not know the limits of his weapon, a twelve gauge shotgun loaded with heavy No. 4 shot. The guard had apparently been pre-alerted to the prank.

On this state of this record, apparently a number of prisoners in the stockade walked away from formation, sat down and began singing and chanting as is indicated in the report. On the basis of the record, two out of three investigating officers recommended that the disobedient persons be tried for unlawful disobedience. A third investigating officer recommended a general court martial under a charge of mutiny which carries a possible death sentence.

Apparently supervisory authorities recommended that the minority report of the investigating team be accepted and a mutiny trial will unnecessarily take place in San Francisco in the next few days. Admittedly, there will be no request for the death penalty. It is my understanding that one of the defendants was convicted yesterday on a mutiny charge with penalty assessed at 15 years at hard labor.

It seems to me utterly ridiculous that Army regulations can be administered in such an inflexible fashion as is indicated. I would think that a trial of this nature would result in Army embarrassment, ridicule and severe loss of stature in the West. I would think that you should recognize and set a policy that a severe mistake has occurred, that a young man's life was unnecessarily taken, and that protesting soldiers should be admonished for disobedience at most.

One No. 4 shot pellet from a twelve-gauge shotgun I find quite adequate to kill a thirty pound Canadian honker. I would think that a human would be no less vulnerable.

Your urgent review of this matter would be earnestly appreciated.

Very sincerely,

ROBERT L. LEGGETT,
Member of Congress.

SEATTLE, WASH.,
March 5, 1969.

Re Day of Court-Martials of 5 more of the "27" Day of World Prayer.

DEAR MR. LEGGETT: Michael Marino of Vacaville, California is one of the twenty-seven men being held at the Presidio under charges of mutiny. He is a member of your constituency and, due to the very limited publicity about "the twenty-seven," I am concerned lest you remain unaware of and untroubled by the affair.

The public outrage is growing against the arbitrariness and cold ruthlessness of the military, as exemplified in the outright persecution of the twenty-seven men since the murder of Private Richard Bunch on October 11, 1968. We civilians informed of these events cannot stand for the harsh incarceration of men who acted in measured, rational ways according to their conscience. They had such respect for the opinions of others and confidence that people would respond (if informed) and seek the right ways to oppose and end such evils. They did all they could to contact the news media and all friends outside the military. The result was a stiffening of the military's already vengeful attitude.

Only the Congress has complete control over the military—supposedly—and aside from the President. We therefore urge you to press for a full congressional investigation of the events that have taken place at the Presidio. We urge you to press for the protection of the individual's civil rights, even *in* uniform. And above all we ask you to question the state of this country when men of conscience are oppressed by flagrant and capricious misuse of authority.

Please inform me of actions you will be taking in response to this crisis.

Sincerely,

ANNA LEE KIRKLAND.

DAVIS, CALIF.,
February 16, 1969.

Representative ROBERT L. LEGGETT,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN LEGGETT: I am writing to ask you to do whatever possible to aid the twenty-seven young Navy men being sentenced to years of hard labor for "mutiny" in San Francisco. Not only should something be done to alleviate the harsh sentences they are receiving, but conditions in the stockade should also be investigated.

I am also writing to the General Court Martial Review Board in Washington and to Congressman Leggett.

The military courts supposedly act in the name of the citizens of the United States. I don't believe we have a right to remain silent while this kind of "justice" is meted out.

Sincerely,

ALICE M. LENARZ.

Mr. Speaker, I also insert at this point an analysis of the factual situation herein concerned, prepared by "The Committee for the 27," with headquarters at 1029 Vermont Avenue, room 200, Washington, D.C. They have a particularly fine analysis and commentary:

THE PRESIDIO MUTINY TRIALS

CHRONOLOGY OF THE "27"

October 11, 1968: Pvt. Richard Bunch was killed at the San Francisco Presidio with a 12-gauge shotgun by an unidentified guard. Bunch was a 5'4'' 19-yr.-old inmate of the Presidio Stockade who had shown definite signs of psychological disturbance. His fellow prisoners and the guards knew of his terrifying nightmares and his obsessive dialogs with himself. He had visited his mother in Dayton while AWOL last spring, and had told her that he had died twice, been reincarnated as a warlock, and had walked through walls to visit her. She tried at that time to get him admitted to a civilian hospial for psychiatric care, as she told the public in a press conference in San Francisco on October 30th. But the hospital only turned Richard over to M.P.'s. She finally received a letter from an Adjutant at Fort Meade promising psychological care for her son. (The official later denied sending this letter, and when informed that Mrs. Bunch still had it, dismissed it as a mere "form letter.") At the San Francisco Presidio, Richard was examined by Army psychiatrists and declared among other things a manic depressive. (As of January, the Department of the Army was denying that there was evidence that Bunch was psychologically disturbed; yet the Army as well as a member of Congress from Richard's home state has a copy of this report from the Presidio Letterman General Hospital). After Bunch's death, his fellow prisoners and the guards found suicide notes written by Bunch, saying: "One click and its over . . . all right America I'll pay . . . If you can't give me love, at least do me the favor of complete annihilation." (These notes, authenticated by guards and prisoners, are in the possession of one of the civilian defense attorneys.) On October 11, he obeyed a suicidal impulse to run from a guard, was shot in the back without the benefit of an order to halt and in the presence of other guards who could have stopped him, and died on the way to Letterman Hospital. Three other prisoners were on the work detail with Bunch, and testify to the manner of his death. (The sworn testimony of Linden Blake is attached.)

That evening there was a disturbance in the stockade as Bunch's death became known to his fellow inmates. Shortly after the killing the Army declared it to be "justifiable homicide."

October 12, 1968: The G.I. and Veterans' March for Peace was held in San Francisco in the late morning and early afternoon.

Captain Lamont, officer in charge of the stockade (he is 25 years old), after conferring with Colonel Ford, Provost-Marshal of the Presidio, read to all the assembled prisoners article 94 of the Uniform Code of Military Justice, the section covering mutiny. Lamont's explanation of his action was that he felt that the disturbance in the stockade the night before could possibly grow into mutinous action.

Several prisoners filled out Army DD 510 forms (standard forms for requests and communication with superiors) to request press interviews to counter the Army version of justifiable homicide and to protest stockade conditions. These were subsequently denied.

October 14, 1968: The stockade prisoners were assembled for roll call and work detail assignments at 7:30 a.m. When the name of the first man in the group was called out, they all answered "Here" and walked over to a grassy corner in the stockade enclosure. They began to sing "We Shall Overcome" and "America the Beautiful." When they were confronted by a sergeant they asked to see Capt. Lamont. When he arrived, one of the men, Walter Palowski, rose and read to him an improvised "510" form listing grievances, including the killing of Richard Bunch, and making several requests: the elimination of shotgun-type work details, psychological evaluation of stockade personnel, and better sanitary conditions. Lamont walked away, refusing to listen. He did not follow the stockade Standard Operating Procedure requiring that he first reason with prisoners, and then use only the minimum necessary means to correct a disorderly situation; he admitted later that he had not even read the Procedure. The prisoners resumed their singing. Lamont attempted to read article 94 to the men, but he could not be heard above the singing and general noise in the yard. He went to an M.P. car outside the stockade gate and used its loudspeaker to order the men to return to the stockade building, and he read article 94 again. Witnesses at the pre-trial hearings testified that he could not be clearly heard because of static in the loudspeaker, that he was partly hidden by the door of the vehicle, and that he did not identify himself when he ordered the men to return to the building. Capt. Lamont testified that he had been called at 5:30 a.m. about a possible disturbance that morning, but merely went back to sleep. When he arrived later to deal with the sitters-down, he brought many M.P.'s, an Army photographer (whose pictures are attached) and fire equipment. He ordered water thrown on the demonstrators, but the men with the fire equipment refused to do so. The Army admits that the demonstration was entirely non-violent, and that the men offered no resistance to being carried back into the building. The entire event took about an hour.

October 17, 1968: The standard "510" forms requesting press interviews were passed on from Col. McMahon, Commanding Officer of the Presidio, to Lt. Gen. Larsen, Commanding Officer of the Sixth Army, with a negative recommendation and the comment that "they would get enough press at their courts-martial." The inevitability of court-martial for the men was indicated by this command attitude prevailing before preliminary hearings and pre-trial investigation. General Larsen denied the requests on November 7th.

October 22, 1968: Capt. Robert L. Paine, commanding officer of the Special Processing Detachment (part of the disciplinary structure of the Presidio), who conducted the preliminary investigation of the mutiny charge, gave his recommendation to the base legal office that court-martial charges for mutiny be preferred. The base legal office prepared the mutiny charges the next day.

November 5, 1968: The article 32 pre-trial investigation of the charges began. Hearing Officer for the first six was Capt. Richard J. Millard.

November 13–26, 1968: Hearings were held for the remaining 21, in groups of 18 & 3.

November 18, 1968: Five of the first six to receive article 32 hearings underwent psychiatric examination by Army psychiatrists, who recommended discharge under Army Regulation 635–212 for four of the five.

December 7, 1968: Capt. Millard made his official recommendation to Gen. Larsen. He found that "the charge of mutiny under article 94 does not apply to the facts of 14 October 1968"; that the necessary element of "intent to override lawful military authority" was "absent in the present case"; that the case had "been built up out of all fair proportion"; that the charge was an "overreaction by the Army" and a "misapplication of a statute which could lead to a further miscarriage of justice." He found that there was "ample testimony in this case to show that the conditions in the stockade prior to 14 October were not up to the standards we should expect. Of special significance in this case is the fact that the DD 510 procedure for expressing grievances, as implemented prior to the demonstration on Monday the 14th of October, was shoddy and inefficient." He recommended that there be only a special court-martial at most (if a given prisoner were not discharged for psychiatric reasons) on a lesser charge of willful disobedience. If the six-month maximum a special court can give were not sufficient, then "the focus of the command should be on those conditions which lead to such demonstrations, for in my opinion, one does not give up six months freedom to participate in a short demonstration unless the conditions leading to the demonstration are compelling." Capt. Millard recommended against General Court-martial for mutiny, as did another of the hearing officers. (A copy of Capt. Millard's report for Pvt. Lawrence J. Zaino is attached.)

January 16, 1969: The Army announced that the first six men, whose hearings had been conducted by Capt. Millard, would stand General Court-martial for Mutiny on January 28th. No reason was given for the rejection of Millard's recommendations.

January 17, 1969: Federal Judge Stanley Weigel issued a "show cause" order to the military authorities of the Presidio as a result of a petition from Attorney Terrence Hallinan, to show why confinement at the Stockade was not "cruel and inhuman punishment" and therefore unconstitutional.

January 28, 1969: Court-martial proceedings against the first six began. All six cases were eventually recessed to later dates.

February 6, 1969: Pvt. Nesrey Sood underwent General Court-martial for mutiny. Nesrey Sood is a 25-year-old native of Oakland, California, who was married and had three children before he was drafted for neglecting to keep his draft board properly informed of his whereabouts. He served in Vietnam, and was eventually granted an administrative discharge. On the way to pick it up he went AWOL to see about his children, who were being neglected. Shortly before his court-martial for mutiny, a certified letter arrived for him at the stockade, and was signed for by stockade personnel. The letter was from the Alameda County Superior Court (Oakland) informing him that his children had been taken into custody by the court because of neglect and that there would be a hearing on the disposition of the case and provision for the children, to take place on January 28th. If he wished to express his will concerning the children he was to be present at the hearing on the 28th or send an attorney to represent himself. . . . The letter was not given to Pvt. Sood until January 30th, two days after the hearing and eight days after it arrived.

February 23, 1969: Pvt. Nesery Sood was convicted of mutiny, and sentenced to 15 years at hard labor, dishonorable discharge, and forfeiture of all pay and allowances.

February 14, 1969: The Courts-martial for two to the first six resumed: Pvt. Lawrence Reidel and Louis Osczpinski. A sound expert, Dr. Salmon of the Stanford Research Institute and a graduate of M.I.T., testified that it was "highly improbable" that the demonstrators of October 14, 1968 could have heard the readings and orders of Capt. Lamont, even when he used the loudspeaker . . . During noon recess Osczpinski slashed his wrists; he was bandaged at the hospital and returned to the courtroom . . . Both young men were convicted of mutiny. Osczpinski was sentenced to 16 years at hard labor, and Reidel to 14. Both were sentenced to dishonorable discharge and forfeiture of all pay and allowances . . . Army psychiatrists had testified that both Reidel and Ocszpinski had severe psychiatric disorders and should be given administrative discharges; yet no provision was made for psychiatric care in the sentencing.

February 17, 1969: Pvts. Sood, Osczpinski and Reidel were shipped to Fort Leavenworth, Kansas, to begin serving their sentences.

Court-martial began for Pvt. John Colip. On the motion of the defense a change of venue was granted. Army officials chose the Sixth Army's Fort Erwin, California, where the trial resumed on February 24th.

February 28, 1969: John Colip was convicted of mutiny and sentenced to four years at hard labor, dishonorable discharge, and total forfeitures.

(Colip's considerably shorter sentence might be correctly understood in the light of rumors at the stockade that if the 15 prisoners whose trials are set for March 18, and whose attorney is Terence Hallinan, would drop him as their attorney, they too would only receive four years.)

March 5, 1969: The courts-martial of Pvts. Dodd, Yost, Zaino, Murphy, Hayes, and Swanson began. The trials are currently (March 8) in the stage of interrogations and motions. Certain indications of command influence have been revealed by the defense: military defense attorneys Capts. Yearl and Sullivan made public a letter from Col. Garnett of the base legal office forbidding them to discuss the case with the press. They considered such a letter an affront to their character and professional integrity. They also revealed that they had been contacted by phone by a Major Jenkins who identified himself as a friend of Mendel Rivers and of Lt. Gen Stanley Larsen, C.O. of the Sixth Army, and who said that Gen. Larsen wanted to get off the hook on the trials, had received poor advice, and wanted to negotiate with the lawyers. Yearl and Sullivan told Col. Garnett of the call, and he called a meeting of all the military lawyers—prosecution and defense—involved in the case, and said he would hold an investigation of Major Jenkins and his role. The meeting was held February 9th, but as of March 6th, and after several requests to Col. Garnett for the results of the investigation, the two lawyers had heard nothing further. They therefore issued a statement including a letter they had written to General Larsen by way of Col. Garnett demanding the results of the investigation of the person and role of Jenkins. They attempted to have the law officer, Colonel Lee, rule on it; when he said he could not become involved with a "fictitious major," Capt. Sullivan offered Jenkins' address and telephone number. Col. Garnett had admitted to Yearl and Sullivan that there was such a major. The Army has now admitted that Major Jenkins did contact Gen. Larsen on the 6th of February but denies that anyone has been authorized to make deals in the case. It had previously denied that Jenkins had been a contact for Larsen. Attorney Lowe, defending Private Yost, indicated that if Larsen is attempting to make deals with the defense, he wanted change of venue not just away from the Presidio, but out of the control of the Sixth Army altogether.

During the trial Private Yost suffered the indignity of having his Purple Heart (he is a veteran of Vietnam) and other medals ripped from his uniform by a guard on the order of the prosecution. The guard said that Yost wasn't fit to wear them. On the complaint of the defense, and over the objection of the prosecution, Law Officer Lee ordered the medals returned.

Speaking for all seven attorneys for the six accused, Captain Fahy asked the Law Officer to intervene to stop the "pattern of harassment" just as they had asked previously of Gen. Larsen. They asked Col. Lee to order Gen. Larsen to stop the harassment of their clients. They submitted five affidavits indicating that their clients were subject to immediate harassment for cooperating with their attorneys, and were becoming afraid to do so. Atty. Howard DeNike submitted that his client, Ricky Dodd, had recently been beaten up in the stockade; and Atty. Lowe that his client, Pvt. Marino, had been struck by a sergeant.

March 18, 1969: The courts-martial for the remaining 15 defendants begin, with Atty. Terence Hallinan as civilian counsel.

OFFICIAL RECOMMENDATION FROM ARMY HEARING OFFICER AT PRETRIAL INVESTIGATION

(NOTE.—This is an exact copy of Capt. Richard J. Millard's report for Pvt. Lawrence Zaino. His reports for the others were almost verbatim, and copies are available.)

The charge of mutiny under Article 94 does not apply to the facts of 14 October 1968. There are three elements to the offense of mutiny, one of which is the intent to override lawful military authority. The element is absent in the present case.

I find, however, there are facts sufficient to sustain a charge of willful disobedience under article 90 of the UCMJ, a lesser included offense of mutiny under Article 94.

In my opinion, this case has been built up out of all fair proportion. To charge Zaino and the others with mutiny, an offense which has its roots in the harsh admiralty laws of previous centuries, for demonstrating against the conditions which existed in the stockade, is, in my opinion, an overreaction by the Army and a misapplication of a statute which could lead to a further miscarriage of justice.

Zaino and the others demonstrated in a manner contrary to military regulations and custom, and they refused to obey the lawful order of Captain Lamont to cease demonstrating and return to the stockade building. For this refusal to obey, I recommend that Private Lawrence J. Zaino be tried by Special Court-martial, or as an alternative that he be separated from the service with less than an honorable discharge under AR 635212.

The two basic reasons for the imposition of punishment are to deter crime and to rehabilitate offenders. In Zaino's case, it is very questionable whether any long term confinement is likely to be effective in rehabilitating him. I call your attention to the psychiatric evaluation (Incl. 31) prepared by Major Chamberlain at Letterman General Hospital on 18 November 1968. Dr. Chamberlain feels that Private Lawrence J. Zaino has a personality disorder which makes it highly unlikely that we will be able to adapt to the Army, and therefore recommends that he be separated from the Armed Services as expeditiously as possible under AR 635–212. As far as deterrent to crime is concerned, I feel that a six month sentence, which is the maximum a Special Court-martial could adjudge, is an adequate deterrent against demonstrations such as the one that occurred on 14 October 1968. If it is not adequate, then the focus of the command should be on those conditions which lead to such demonstrations, for in my opinion, one does not give up six months freedom to participate in a short demonstration unless the conditions leading to the demonstration are compelling.

There is ample testimony in this case to show that the conditions in the stockade prior to 14 October were not up to the standards we should expect. Of special significance in this case is the fact that the DD 510 procedure for expressing grievances, as implemented prior to the demonstration on Monday the 14th of October, was shoddy and inefficient. Although the conditions at the post stockade were deficient, I do not believe that they were so terrible, or that the prisoners' opportunity to express themselves was so limited as to be a complete defense to a disobedience of orders. However, these factors should be considered as mitigating circumstances.

Considering all the facts, including the nature of the disturbance, the conditions which existed in the stockade, the military service of the accused, the mental state and character behavior of the accused as described by Dr. Chamberlain, and the unlikelihood that punishment will have any rehabilitative effect, and the established policy that trial by General Court-martial will be resorted to only when the charges can be disposed of in no other manner consistent with military discipline, I recommend trial by Special Court-martial, or as an alternative, separation under AR 635–212, which would be to the benefit of both the Army and the accused.

Remarks

It is unfortunate that this report should have taken so long, and that the record we

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have of the proceedings is so poor. There is no substitute for a verbatim transcript of a judicial proceeding. I believe it is an essential right of an accused to have relevant testimony preserved accurately. Especially in a case such as this where the charges are so serious. It is unacceptable to me as an attorney to believe that the Army cannot afford to preserve the record accurately.

An explanation of the time spent investigating the charges is attached, however I feel it is my duty to call your attention to the fact that three weeks were required to have the trascript (sic) of the proceeding typed. During this period memories faded and it became impossible to reconstruct testimony which was not recorded, partially recorded or recorded inaccurately.

Capt. RICHARD J. MILLARD,
U.S. Army Quartermaster Corps.
PRESIDIO, SAN FRANCISCO.

(This report, together with similar ones for the other six men involved in the first investigative hearing, was forwarded from Capt. Millard to Col. McMahon, Post Commander, Col. James Garnett, Sixth Army legal office, and Lt. Gen. Stanley Larsen, Commanding General of the Sixth Army, along with copies of the psychiatric reports on each man. Each of the three rejected Millard's report and recommended General Court-martial for mutiny. None stated his reasons for this rejection.)

REMARKS ON THE DEPARTMENT OF THE ARMY FACT SHEET REGARDING THE MUTINY TRIALS AND STOCKADE CONDITIONS AT THE PRESIDIO OF SAN FRANCISCO

At the end of January, 1969, the Department of the Army, in response to inquiries from Congressmen and Senators issued a fact sheet on the killing of Pvt. Richard Bunch and the subsequent alleged mutiny at the Presidio Stockade. Several Congressmen have returned this fact sheet to inquiring citizens, some with the note that the Army's reply is self-explanatory. It is our contention that this reply is neither self-explanatory nor completely accurate. This contention is based on evidence contained in the Army's own records and first-hand evidence of both the personnel and prisoners of the Presidio Stockade.

1. The Army fact sheet states that the prisoner capacity of the fenced-in portion of the Presidio Stockade is 103 men. The Army fact sheet states:

"A weekly check of the prisoner population for the same day of the week from 15 August 1968 to 31 January 1969 revealed that the population of the fenced in portion of the stockade exceeded 103 men on 6 occasions; these were:

"Sept. 5, 1968	105
Sept. 12, 1968	110
Sept. 19, 1968	108
Oct. 10, 1968	111
Jan. 16, 1969	112
Jan. 30, 1969	111"

These figures simply are not accurate. They are contradicted by the confinement officer, Capt. Lamont, as well as by the guards and prisoners on November 19. At the Article 32 hearing, presided over by Capt. Howard McElhatten, Capt. Lamont testified that for 54 days preceding the 14 October disturbance, the stockade prisoner population exceeded 103, which is the expanded capacity. According to Army regulations, a stockade can operate at emergency capacity for a maximum of 7 days. Lamont recorded in his own handwriting the daily stockade population from 1 August to 28 October. This handwritten record was obtained by one of the civilian defense attorneys at the Article 32 hearings:

Sept. 5, 1968	126
Sept. 12, 1968	126
Sept. 10, 1968	125
Oct. 10, 1968	130

Further, Capt. Lamont's record shows that on 14 October, the date of the alleged mutiny, the Stockade population was 140. On 15 October it reached 145 men. On the date of the second pre-trial investigation, the Stockade population was 120. The complete record of Stockade population between 1 August and 28 October 1968, as listed by Capt. Lamont, is available. We have no way to determine where the Department of the Army obtained its figures. We know that these figures are contradicted by the testimony of Capt. Lamont and other people in the Stockade.

2. On 14 Nov. 1968, during the second pretrial investigation, Capt. Lamont testified to the shortage of rations in the Stockade. He stated that for two weeks prior to 14 October, the Stockade had been drawing rations for 104 men, despite the fact that the Prisoner population in the Stockade averaged 128 men, and reached as high as 140 men on 14 October. The tension created by overcrowded conditions is obviously heightened by short rations.

3. The Army fact sheet admits that the segregation cells are smaller than the size permitted by DOD directive.

4. There have been several investigations of the Stockade both before and after the alleged mutiny. The general pattern is that previous to any formal tour or investigation, the number of the Stockade prisoners is decreased. In January, Gen. Westmoreland visited the Presidio. Several days prior to his arrival 40 prisoners were removed from the Stockade. A similar lowering of population occurred before the visit of a representative of Congressman Whalen (R., Dayton).

5. The Army has stated that there is no evidence to indicate that Pvt. Bunch was mentally disturbed. They state that he was examined by a psychologist at the Presidio who reported this lack of evidence. Again, it is strange that the Army would deny its own evidence. Besides the fact that last May Bunch's mother tried to have him admitted to a civilian hospital in Dayton, Ohio, and that she has a letter from a JAG officer at Ft. Meade promising that her son would receive psychiatric care, the psychiatrist who examined Bunch at Letterman Hospital (Presidio) filed a written report stating that Bunch was, among other things, a manic depressive. The Army as well as a member of Congress has a copy of this psychiatric evaluation on file. Furthermore, several of Bunch's fellow Stockade inmates have testified that they felt him to be severely disturbed. In Bunch's cell after his death, several hand scrawled notes were discovered indicating his disturbed mental state and suicidal tendencies. The notes were brought out of the Stockade by a guard and given to an attorney, Mr. Terrence Hallinan. The guard and the prisoners saw those notes and will testify to their authenticity.

6. There were three other prisoners on the work detail the morning of October 11th who witnessed the killing of Richard Bunch. These three were in the immediate proximity of Bunch and the guard; further down the street there were three other witnesses (according to the Army fact sheet). Two of the prisoners on the detail state that they heard Bunch ask the guard if he would shoot him if he tried to escape. The guard answered he would have to try in order to find out. The Army fact sheet confirms this dialogue and indicates that "the guard believed Bunch was joking." Pvt. Linden Blake, a member of the work detail, testified that he told Bunch to stop "bugging" the guard. Moments after the dialogue between Bunch and the guard, Bunch began to run down the street. Pvt. Blake, in sworn testimony, stated he heard the click of the guard's shotgun and turned to see him fire the gun, hitting Bunch in the back. (Pvt. Linden gave sworn statement under penalty of perjury in U.S. Federal Court, San Francisco, case no. 50565, as to what happened. His testimony is attached.)

7. Of the six witnesses referred to in the Army fact sheet, four testified that they did not hear the guard call "halt" even once before shooting Bunch; three of these witnesses were in immediate proximity to the guard and they heard and saw only the shooting. The two who said they heard the order to halt were further down the street. The three closest witnesses testified that Bunch was shot at a range of 25 to 35 feet; the Army report says it was a range of 62½ feet. Either estimate may be true. Neither estimate changes the substance of the act.

8. On October 12th a so-called "G.I. and Veterans' Peace March" was held in San Francisco. Personnel at the Presidio were restricted to base that day. Capt. Lamont testified at the Article 32 hearing that on October 12, he read Article 94 of the UCMJ, the mutiny charge, to all the prisoners in the Stockade; he testified that the reason for doing this was "shock value," as he suspected there might be some disturbances in the stockade because of the killing of Bunch.

9. There is basic agreement on what transpired on October 14th. As the Army fact sheet outlines: "At 0730, 14 October 1968, a work formation was assembled at the stockade. When the first prisoner's name was called, 28 prisoners left the formation, walked away, sat down and began singing and chanting . . ." About forty minutes later "twenty-five military policemen entered the stockade and escorted the demonstrators from the scene. No force was required other than physically carrying some of the prisoners off."

10. The Army has made much of the fact that two of the prisoners involved in the demonstration have testified in such a way as to damage the case of the rest.

a. Pvt. Peters left the group when Capt. Lamont arrived. The Army reports him as saying that he heard that the action constituted a mutiny. However, Pvt. Peters went AWOL the next day and he has not returned to custody to date.

b. Pvt. Swanson states "he wanted to leave the sit-down but was forced to remain by the other members of the group." In viewing the video tape and pictures taken by Army photographers of the demonstration, it seems unlikely that he could have been forced to remain in the group.

11. Among other things the prisoners chanted, they called for (Capt.) Lamont and Major Homel (the Post Judge Advocate). When Capt. Lamont arrived, one of the prisoners arose and attempted to read him a list of grievances. According to Capt. Lamont's testimony (on Feb. 3, 1969) the demands were:

"We want elimination of all shotgun type work details."

"We want complete psychological evaluations of all personnel before they are allowed to work in the Stockade."

"We want better sanitary conditions."

The prisoner also read a protest of the killing of Richard Bunch and the Army's verdict of justifiable homicide.

12. Instead of following the Army Regulation contained in the Standard Operating Procedure of the Stockade, which instructed him to first reason with the prisoners and then to use the minimum amount of force to resolve the situation, Capt. Lamont immediately began to read them Article 94 of the UCMJ (the mutiny charge). When he was signaled that he could not be heard, he went outside the stockade compound to a nearby M.P. car and used its loudspeaker. According to the prosecution, he also ordered the men to return to the stockade building. However, witnesses testify that Capt. Lamont did not identify himself while using the loudspeaker and that he was at least partially blocked from view by the car door. Further, a Dr. Salomon, a sound expert

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from Stanford Research Institute, testified at the first trials that, in all probability, the prisoners could not hear Capt. Lamont even over the loudspeaker. Other witnesses testified that the static in the loudspeaker made it difficult to hear Capt. Lamont.

13. The Army's fact sheet on the incident also fails to mention that:

a. According to Capt. Lamont's own testimony, he had been notified by a stockade guard at 0530 on 14 October that there was possibility of a disturbance in the stockade that morning. He testified that at the time he went back to sleep and took no preventative measures to avoid any problems.

b. Capt. Lamont was called to the stockade at 0730 14 October. When asked by one of the attorneys at the first trial why he did not take steps that had less severe potential than reading the mutiny charge, he testified that his mind was fixed from the beginning on mutiny as the proper charge to make. His own statement is further substantiated by the fact that he arrived at the stockade with a photographer and fire engine.

c. When asked why he did not follow the Standard Operating Procedure manual directive that he attempt to reason with the group, he stated that he was not familiar with the directive. Given the fact that the group had called for him and had attempted to communicate their grievances, it seems fair to assume that an attempt on his part to reason with the men may have resolved the disturbance.

14. According to the Army's fact sheet, two of the three Article 32 Investigating Officers, Capt. Richard Millard and Capt. James Brander, recommended against bringing the mutiny charge. Capt. Millard, in his official report stated that the facts of 14 October did not support the mutiny charge. Further, he said that in his opinion the case had "been built up out of all fair proportion." He recommended a Special Court-martial with a maximum sentence of 6 months, stating that if such a punishment "were not adequate deterrent to such demonstrations, then the focus of the command should be on the conditions in the stockade which gave rise to such disturbances." Capt. Millard reported that there was ample evidence to indicate that the conditions in the stockade were substandard. In particular, he noted that the DD 510 procedure for filing grievances was "shoddy and inefficient." Capt. James Brander recommended a general court-martial for willful disobedience. Both men pointed to the mitigating circumstances of the disturbance.

15. The Army fact sheet states that the decision to proceed with the mutiny charge was based on complete investigation, allied papers and intermediate commanders' recommendations. It is difficult to understand what this more complete information would be, as the hearing officers reviewed all of the available evidence. Defense attorneys have alleged that, in fact, the Sixth Army Judge Advocate, Col. James Garnett, prejudiced the decision by the manner in which he presented his recommendations to Lt. Gen. Larsen.

16. Based on testimony from all the civilian attorneys involved in the case and reports from the 27 men themselves, it is not accurate to give the impression that one or a group of civilian attorneys were backing the sit-down. It was common knowledge that there are over 100 civilian attorneys in the Bay Area who have agreed to handle military cases free of charge. This fact seems to have bothered military authorities at the Presidio for some time. Last summer, one of these attorneys made public a letter from the Commanding Officer of the Presidio in which he called the group of attorneys "unethical."

17. The Army fact sheet mentions a December 1968, motion in the Federal District Court in San Francisco by Mr. Terrence Hallinan for a writ of habeas corpus and mandamus and injunctive relief to be granted regarding stockade conditions. It notes that his motion was denied by Judge Wiegel on the grounds that he had not exhausted all military channels. It does not mention that after the same motion was denied by the Court of Military Appeals, Judge Wiegel accepted Mr. Hallinan's motion into consideration and on January 16, 1969 issued a show cause order to the Sixth Army why Mr. Hallinan's motion should not be allowed.

Mr. Speaker, I include at this point articles from the San Francisco Chronicle, dated February 18, 1969:

Excessive Zeal in Mutiny Cases

There is understandable public concern over the severity of the sentences in the first courts-marital of the Presidio "mutineers," the young GI stockade prisoners who staged a singing, sit-down protest at the Presidio last October. The sentences of three men thus far tried average 15 years and give good indication of what other defendants can reasonably expect.

These are, of course, extremely harsh penalties to be visited upon young men who mistakenly thought that the form of civilian protest could be transferred to military life, and military guard house life at that. Most of the defendants were either being held for trial for being absent without leave or had been found guilty of this transgression. Their cases have found sympathetic and militant support from those who oppose the Vietnam war, which has tended to color the emotions involved.

We do not question the authority of the armed forces to punish those guilty of mutiny with severity, for it is the highest of crimes which persons subject to military law can commit, taking its place alongside treason, sedition or murder. It can be a capital offense under the Uniform Code of Military Justice. Any organization which exists by virtue of discipline and obedience must regard its breach seriously.

However, in the Presidio demonstration—for it was nothing more than that—we must agree with the findings of Army Captain Richard J. Millard, a member of the California bar who investigated the cases and recommended how they should be handled. A charge of mutiny, he wrote, "has in its roots the harsh admiralty laws of previous centuries." He urged that the 27 accused be tried not by general court martial, but by special courts which have authority to impose only a maximum term of six months. Millard did not believe that a mutiny had occurred but said that there was certainly "willful disobedience of an order," a much lesser offense.

In pursuing mutiny prosecutions, we believe the officers responsible have acted to create a cause celebre. It is virtually a certainty that the long prison terms will be ameliorated by the review process. In the meantime, all that will have been accomplished is to portray the Army as an institution anxious to administer punishment with excessive zeal. This is hardly the idea that those responsible for the trials wanted to convey to the public.

On Officers and Army Discipline

(By Royce Brier)

Casual students of our history know more about the military attitude toward discipline from the Civil War, than from any other war.

They know this because Ida M. Tarbell in her Life of Lincoln included an appendix listing some 500 cases where the President suspended death sentences imposed by courts martial. This intercession was by telegrams directed to district commanders.

Most of them deal with sleeping sentries and deserters, and there are few mutiny cases, though several occurred. In one big one in Tennessee a whole brigade went on a rampage and burned the camp of another brigade. The aftermath of this event is not readily available.

Lincoln was explicit he would not countenance execution of buck privates while "wily" civilian obstructors of recruiting were winning short sentences from military commissions. This "wily" outside influence on soldiers charged with military offenses could well establish a precedent for more modern circumstances of military discipline.

Last October a prisoner at the Presidio was shot and killed, allegedly while attempting escape from a work gang. In protest 27 other prisoners staged a sit-down, called mutiny.

The first of the accused was tried by a court martial consisting of two colonels and four lieutenant colonels. He is N. D. Sood, 25, of Oakland. He is married and has three children.

Sood has a considerable army record of clashes with his superiors. He is an impassive young man and appears to be mentally normal, which is not the case with some of his colleagues in the sit-down. After five days of hearing, he was convicted and sentenced to 15 years at hard labor.

The record indicates Sood, just prior to the October incident, was under emotional stress over domestic difficulty involving divorce and custody of his children.

It is rare that an army officer reaching a colonelcy is not held in a mold regarding discipline, especially touching refusal to obey orders or any conspiracy thereof. This mold was set in our beginnings (which derived from British army practice), and is conspicuous in army thinking at West Point.

The uses of army punishment as a deterrent, or example, to prevent a breakdown of discipline, is a commonplace part of the mold. Further, court martial officers are conscious the accused often wins modification of sentence on appeal, if not executive clemency from the President, and so tend to stiff sentences to offset it.

It is doubtful if the severity of Sood's sentence is in the best interest of the United States, whatever other interests are involved. He is manifestly not good soldier material, and in fact was about to be mustered out before the Presidio trouble.

This sentence should be diminished to reasonable proportions, by the President if by no one else. You cannot disregard defiance in an army and keep a good army. But neither can you impose Draconian punishment and keep a good army, despite fixed military theory.

Mr. Speaker, I include at this point an article entitled "Chronology of Presidio Stockade 'Mutiny'," by Gene Castellano Florida:

Chronology of Presidio Stockade "Mutiny"

(By Gene Castellano Florida)

Louis Osczepinski is not a household name but the Army's court martial of him and 26 other soldiers for alleged mutiny has become a matter of national significance.

Three of the 27 prisoners in the Presidio stockade who staged a sit-down strike last October in protest over the killing of another prisoner and alleged unsanitary conditions there have been convicted.

Osczepinski, a Florida resident, is one of them.

Here is a chronological record of the events leading up to and since the "mutiny" as compiled from the dispatches of United Press International and information furnished The Times Herald-Record by Brian Drolet of the National Committee for the Defense of Military Prisoners, San Francisco.

May, 1968: Pvt. Richard Bunch, 19, was AWOL and his mother tried to have him admitted to a Dayton, Ohio, hospital for psychiatric observation. The hospital notified military authorities and Bunch was picked up.

His mother reportedly has a letter in her possession promising Bunch would receive psychiatric care.

An Army psychiatrist from Letterman General Hospital, San Francisco, who examined the 5 foot 4, 120-pound soldier found he was a "manic depressive."

Oct. 11: According to the testimony of Pvt. Linden Blake in the Federal District Court of Northern California on Nov. 22: "I first noticed Richard Bunch was bothering the guard asking him questions such as 'Would you shoot me if I ran?' As we went back into the street to cross it I heard Bunch say something like, 'Aim for my head,' or 'You'd better shoot to kill.'

". . . Bunch and the guard were in the middle of the street, two other members of the detail, Colip (next to come to trial) and Reims, were in the supply room, and I was on the sidewalk with my back to Bunch and the guard.

"I heard footsteps, and the click of the shotgun being cocked, and I turned to see the guard aim and fire, hitting Bunch in the small of the back."

Blake testified that no command of "halt" was given and that Bunch was about 25 to 30 feet from the guard when he was shot.

Hours after the killing, the army issued a verdict of "justifiable homicide" although it promised further investigation.

That evening there was a small riot in the stockade, presumably in protest of the shooting.

Oct. 12: The GI and Veterans' March for Peace was held in San Francisco. (This is part of evidence the Army contends showed the trials were being turned into "some sort of anti-war circus.")

Oct. 14: At 7:30 a.m. 27 of the men assembled for a work detail broke ranks, walked to a spot on the grass, and sat down. They sang "We Shall Overcome" and "America, The Beautiful," and asked the sergeant in charge to summon the Presidio commander, Capt. Robert S. Lamont.

When he arrived (with a photographer and a firetruck), Pvt. Walter Polowski read a list of grievances including the killing of Bunch and shotgun-carrying by guards. Capt. Lamont used the loudspeaker system of a military police car to read the charge of mutiny to the 27.

(Testimony at Osczepinski's court martial revealed the captain's voice could not be heard clearly.)

Nov. 5, and 13–26: Article 32 (mutiny) hearings for the 27 were held.

Nov. 18: Osczepinski and four others underwent psychiatric examination. Maj. T. J. Chamberlain, who evaluated Osczepinski, recommended he "be separated from the Army under AR 635–212" (be given an administrative discharge).

Dec. 7: Hearing officer Capt. Richard J. Millard officially recommended to Gen. Stanley Larsen, Sixth Army commander that the first six prisoners (including Osczepinski) not be tried for mutiny, on the grounds that the facts of the Oct. 14 incident did not support the charge.

Jan. 16: The Army officially announced it would bring the first six alleged mutineers to trial at a general court martial.

Jan. 28: Court martial proceedings against the six were begun, four were granted continuances. Attorneys for Lawrence Reidel of Crescent City, Calif., and Osczepinski began their cases.

Feb. 5: The trials of Osczepinski and Reidel were ordered recessed until a medical board could determine their mental condition.

Feb. 6: Pvt. Nesrey Sood stood trial for mutiny.

Feb. 13: Sood was convicted of mutiny and sentenced to 15 years at hard labor, forfeiture of all pay and allowances, and a dishonorable discharge.

Feb. 14: Adjudged sane, Osczepinski's court martial resumed. During a recess, he slashed his wrists.

Feb. 15: After only 55 minutes of deliberation, the court martial board convicted the two privates of mutiny, sentenced Osczepinski to 16 years at hard labor and Reidel to 14, and ordered them dishonorably discharged with loss of pay.

Oszcepinski was given the longer sentence because he reportedly had been convicted twice of being AWOL.

Feb. 17: Reidel, Osczepinski, and Sood were shipped to Fort Leavenworth, Kan., to begin serving their sentences.

Two Warwick veterans of the Vietnam war, David O'dell and Donald Puff, presented a petition requesting a new trial on a lesser charge and a reduction in sentence to the Warwick and Florida American Legion Post. No action was taken.

Feb. 20: Petitions were reportedly circulating throughout Orange County protesting Osczepinski's conviction and sentence. O'dell and Puff had gathered 200 signers in two days.

Warwick Legion Commander Aaron Hasbrouck submitted the Warwick men's request to a meeting of county Legion officers. It was left up to members' discretion whether to sign.

Feb. 24: Sens. Jacob K. Javits and Charles E. Goodell and Rep. Martin B. McKneally, R–27, called for detailed reports from Army Secretary Stanley Resor on the "very severe" sentence awarded Osczepinski.

I include now an article from the San Francisco Chronicle dated March 8, entitled " 'Harassment' at Presidio":

"HARASSMENT" AT PRESIDIO

(By George Murphy)

Defense attorneys for six Presidio GI's charged with mutiny told a court-martial there yesterday their clients are undergoing a "pattern of harassment" at the Presidio stockade.

"If our clients aid us in their defense, they are subject to immediate reprisals," Captain Thomas Fay, one of the military defense attorneys, told the law officer, Colonel John G. Lee.

Fay noted that on Wednesday the defense had asked Lee to order harassment at the stockade to stop, and Lee had said the proper authority to issue such an order was the Sixth Army commander, Lieutenant General Stanley Larsen.

"We sent affidavits to General Larsen, showing the pattern of harassment of our clients, but we have received no reply, and the action continues," Fay said.

Fay then introduced five affidavits claiming brutal treatment into the record and Lee said he would forward them to the commanding general.

The prosecutor, Captain John F. Novinger, objected that the affidavits did not have to go into the record and asked:

"Is the defense doing this just for the benefit of the press?"

Civilian attorney David Lowe said the only reason for the affidavits being recorded was "to make sure that any reviewing board or court, far from this time and place, can get a full record of what happened at the Presidio."

Lowe later said that not only the six GIs on trial now, but 14 others awaiting trial are being harassed at the stockade.

He said that one of those awaiting trial, Private Richard Moreno, "didn't make a square corner when he marched at the stockade at noon today and a sergeant hit him with his fist, in front of five of these boys on trial."

Novinger said an investigation of the charges originally made on Wednesday "is now under way."

By the time Lee adjourned the court yesterday afternoon, the seven defense attorneys had concluded their tedious, repetitive and at times ludicrous examination of the nine-officer court-martial.

During the questioning, two of the officers said they were surprised at the length of sentences given convicted mutineers in earlier trials. The sentences ranged from 4 to 16 years.

Colonel Leonard R. Daens said he was "surprised at the severity" of the prison terms, and Lieutenant Colonel Robert B. Campbell said: "Anytime you get a man getting 14 years, that's a stiff sentence."

When the trial resumes Monday, Lee will hear arguments from the defense, which wants a change of venue from the Presidio.

The defense contends that because of the atmosphere and demonstrations in the Bay Area favoring the GIs, there is a "military backlash" which could hurt the defendants.

In the first trials of three defendants, held at the Presidio, the sentences were 14, 15 and 16 years. In the last trial, held at Fort Irwin in the Mojave Desert, the defendant got four years.

I include now an article from the San Francisco Examiner dated February 20 on "Uneven Justice," and an article from the Examiner, dated March 8, "Harassing in Mutiny Case Cited":

[From the San Francisco Examiner, Feb. 20, 1969]

UNEVEN JUSTICE

(By Dick Nolan)

Recent events at the Presidio suggest rather glumly to me that my own inky trade has been much remiss in ferreting out the facts in military courts martial.

Struck by the severity of sentences passed upon three young military offenders (14, 15, 16 years at hard labor), I turned to the archives to see what other military courts had done—just for comparison.

Crime and punishment, and the contrast between law and justice, has been one of my hobbies for years. I have a bulging file on the subject. It is fascinating, in a horrid kind of way, to see whom society punishes for what, and how severely.

It is also encouraging, on days when the journalist glooms darkly on a wasted life, to find scraps of evidence that the difference between justice and tyranny very often depends on how much gets printed in a given case. Nice to reflect that we serve an occasionally useful purpose, and that our world would, on the whole, be worse off without us.

But any time I tend to take too much satisfaction ("find a desideratum and meet it") the crime & punishment file can always produce an item to bring me down again.

In the present doings, a brief clipping datelined May 8, 1966: a crackdown on black marketing, currency manipulation, profiteering and other enterprising crimes in Saigon.

Astonishing! Our report (and with all those reporters in Vietnam) said "a couple of dozen" Americans, some soldiers and some civilians, had been "punished."

The names of the offenders were not divulged. Nor did the Pentagon permit issuance of any information on the punishments, although it was disclosed that "at least some" of the soldiers had been sentenced by court martial!!

End of dispatch. End of information. And for all my researches can turn up, end of inquiry.

Question, in the context of the Presidio sentencings: How seriously did the Army take the Saigon pilfering, black marketing, and so forth and so on? Did it find any of these offenders quite as guilty as the three young trouble-makers who took part in a stockade sit-in demonstration at the Presidio? Did anybody get 15 years at hard labor?

Proceed now, for comparison's sake, to the November, 1966, court martial of a Navy Captain, Archie Kuntze, widely known as "the American Mayor of Saigon" because he was in command of the enormous supply-support facility there, including a PX that grossed $2 million a month.

A court martial cleared Kuntze of 18 charges growing out of his administration of the supply operation. It convicted him of three charges, all having to do with his close and (the Navy said) scandalous connection with a young Chinese girl who shared his quarters.

Thus, in the full glare of press attention, the Kuntze Case melted down to mild hanky-panky. The defendant was reprimanded, and bumped downward on the promotion list.

If the court had been inclined to severity (keeping now the Presidio court in mind) Kuntze could have been given two years and eight months at hard labor, with loss of pay and allowances, and could have been sacked without a pension.

If this had happened there would have been shrieks and screams. Just as there are shrieks and screams now as a result of the Presidio courts martial. It's just that the volume levels from various sectors of the community would be different.

Now the Army is about to whisk the remaining defendants in the Presidio sit-in "mutiny" off to a desert post God forgot we had. There, it might be presumed, the Army will deal with these rascals in its own way and in relative privacy.

But I don't think so. My ink-stained trade is often lazy, often sloppy, and lately has been showing signs it has forgotten the questions. But we can still find the desert, all right, and our way to the courtroom.

[From the San Francisco Examiner, Mar. 8, 1969]

HARASSING IN MUTINY CASE CITED—STILL NO REPLY ON "MAJOR X"

(By Will Stevens)

The mutiny court martial of six young soldiers will resume Monday at the Presidio with defense counsel pursuing motions for a change of venue as well as dismissal of the charges.

The nine-officer court martial board, however, will not return until Wednesday, pending the ruling of the presiding law officer, Col. John G. Lee, on the motions.

Meanwhile, through Col. Lee, defense counsel sent a request to Lt. Gen. Stanley Larsen, commanding general of the Sixth Army, requesting him to halt what the defense asserted was "harrassment" of the six accused in the Presidio stockade.

MAJOR X

At the same time, the defense was still awaiting a reply—affirmative or negative—from Gen. Larsen on their request that the defense be supplied with investigative reports on "Major X," who has become a mystery figure in the current court martial.

"Major X," who said he was acting for General Larsen, called two military defense counsel on Feb. 9—Captains Emmit Yeary and Brendan Sullivan at their homes—and told them Larsen "wants to get off the hook."

An Army investigation was launched, but the results have not been given to defense attorneys, despite their "repeated" requests.

CHALLENGES

Intensive questioning of a non-officer court martial board—after the manner of a jury being chosen in civilian courts—was completed yesterday, with no challenges by either the government or the defense.

Challenges—if any—will be made on Wednesday.

At one point during the questioning, Lt. Col. Robert B. Campell, a top intelligence officer at Fort Lewis, Wash., replied to a question by defense counsel Capt. Joseph Coate, representing Pvt. Ricky Dodd:

"I do not believe that these men (the six accused soldiers currently on trial) have anything to do with these anti-war groups that have been demonstrating."

It was Col. Campbell who also observed that "anytime a man gets 14 years—that's an awful stiff sentence."

SENTENCES

Although their names were not mentioned in open court, he was referring to the sentences meted out in earlier court martials to Pvts. Nesrey Sood, who received a 15-year sentence at hard labor; Larry Reidel, who was given 14 years, and Louis Osczepinski, who was sentenced to 16 years at hard labor.

By contrast, another of the accused mutineers, Pvt. John Colip, tried at Fort Irwin in the Mojave Desert, was sentenced to four years. Colip was defended by civilian attorney Ron Sypnicki of Sacramento.

Another of the court martial board members, Lt. Col. Leonard R. Daens, testified under questioning by Sullivan that "I was surprised at the earlier sentences . . . the guy who got four years (Colip) got off pretty lucky."

Mr. Speaker, I insert now an article from the San Francisco Chronicle, dated March 13, entitled "Senators' Call for Probe Cheers Mutiny Defense":

SENATORS' CALL FOR PROBE CHEERS MUTINY DEFENSE

(By George Murphy)

Yesterday was a bad day here only for the defense in the mutiny court-martial of five Presidio GIs.

In short order, the defense got turned down on requests to:

Have the trial moved out of the Sixth Army area.

Have the charges dismissed because "military due process" was not followed.

Have the flamboyant San Francisco attorney Mel Belli appear as an "expert on trial tactics."

But in Washington, things were happening that made the defense happy.

SECURITY

U.S. Senators Alan Cranston (Dem.-Calif.) and Charles E. Goodell (Rep.-N.Y.) called for a Senate investigation of the nation's military prisons as a result of what they termed the disclosure of "deplorable" conditions at the Presidio stockade. (See page one.)

Presidio M.P.'s yesterday enforced stricter trial security measures than have been seen at previous courts-martial. Photographers were told they could not come within 25 feet of the six defendants; newsmen could talk to civilian defense counsel only outside the court-martial building, not inside, as in the past.

Military defense attorney Captain Emmit Yeary claimed yesterday that "this case has been riddled by neglect, inadvertence, and in some cases sheer incompetence; charges were brought against the 27 stockade prisoners who staged a sit-down demonstration last October 14.

PROCEDURES

He said that usual procedures for bringing charges were bypassed in order that the mutiny accusations could be lodged.

"Let's go outside the Sixth Army area," he pleaded, "where we can get a fair and impartial hearing. This procedure at the Presidio violates fundamental fairness."

Prosecutor Captain John F. Novinger replied that Yeary's charges are "the wildest conjecture on the slimmest of evidence."

EXCEPTION

His co-counsel, Captain Dean Flippo, said "I must take exception to terms such as 'command incompetence' as used by the defense. There is no evidence to show this."

Law Officer (Judge) Col. John G. Lee denied Yeary's motion for dismissal of the charges, saying "I cannot find any lack of military due process," and also said moving the trial out of the Sixth Army area was not within his purview, and thus denied that motion.

Captain Brendan Sullivan, another defense attorney, asked if he could bring Belli in to testify on Friday on a motion to sever the cases.

"He will testify on the impossibility of getting a fair defense when there are six attorneys and five defendants."

RESPONSE

Lee responded: "While I personally would love to hear Mr. Belli testify, I cannot allow it, and the motion is denied."

Another military attorney, Captain Thomas Fay, asked that the defense be allowed to see the letters concerning the mutiny sent to Sixth Army commander, Lieutenant General Stanley Larsen.

Novinger said "These letters run the gamut, and I would not object if they are kept private and not released to the public."

Lee said the defense can look at the letters, and if they find that there is something in there they want to put into evidence, he will rule on it at the proper time.

The trial will be in recess until tomorrow because one of the civilian attorneys, David Lowe, of Vacaville, was called away to represent a civilian defendant in a Yolo County narcotics case.

Mr. Speaker, I insert an article dated March 8, entitled "'Harassment' at Presidio," which is from the San Francisco Chronicle:

"HARASSMENT" AT PRESIDIO

(By George Murphy)

Defense attorneys for six Presidio GI's charged with mutiny told a court-martial there yesterday their clients are undergoing a "pattern of harassment" at the Presidio stockade.

"If our clients aid us in their defense, they are subject to immediate reprisals," Captain Thomas Fay, one of the military defense attorneys, told the law officer, Colonel John G. Lee

Fay noted that on Wednesday the defense has asked Lee to order harassment at the stockade to stop, and Lee had said the proper authority to issue such an order was the Sixth Army commander, Lieutenant General Stanley Larsen.

"We sent affidavits to General Larsen, showing the pattern of harassment of our clients, but we have received no reply, and the action continues," Fay said.

Fay then introduced five affidavits claiming brutal treatment into the record and Lee said he would forward them to the commanding general.

The prosecutor, Captain John F. Novinger, objected that the affidavits did not have to go into the record and asked:

"Is the defense doing this just for the benefit of the press?"

Civilian attorney David Lowe said the only reason for the affidavits being recorded was "to make sure that any reviewing board or court, far from this time and place, can get a full record of what happened at the Presidio."

Lowe later said that not only the six GIs on trial now, but 14 others awaiting trial are being harassed at the stockade.

He said that one of those awaiting trial, Private Richard Moreno, "didn't make a square corner when he marched at the stockade at noon today and a sergeant hit him with his fist, in front of five of these boys on trial."

Novinger said an investigation of the charges originally made on Wednesday "is now under way."

By the time Lee adjourned the court yesterday afternoon, the seven defense attorneys had concluded their tedious, repetitive and at times ludicrous examination of the nine-officer court-martial.

XUM

During the questioning, two of the officers said they were surprised at the length of sentences given convicted mutineers in earlier trials. The sentences ranged from 4 to 16 years.

Colonel Leonard R. Daens said he was "surprised at the severity" of the prison terms, and Lieutenant Colonel Robert B. Campbell said: "Anytime you get a man getting 14 years, that's a stiff sentence."

When the trial resumes Monday, Lee will hear arguments from the defense, which wants a change of venue from the Presidio.

The defense contends that because of the atmosphere and demonstrations in the Bay Area favoring the GIs, there is a "military backlash" which could hurt the defendants.

In the first trials of three defendants, held at the Presidio, the sentences were 14, 15 and 16 years. In the last compared trial, held at Fort Irwin in the Mojave Desert, the defendant got four years.

Mr. Speaker, I include now an article, dated March 11, 1969, from the San Francisco Examiner, entitled "Mutiny Trial Clampdown":

MUTINY TRIAL CLAMPDOWN

(By George McEvoy)

The long and sometimes heavy arm of military justice has clamped down on the mutiny trial of 27 soldiers at the Presidio.

The purpose is to forbid any further talk of a mysterious "Major Jenkins" who supposedly contacted defense attorneys in the case and said that "General Larsen wants to get off the hook."

The mysterious Major Jenkins claimed by phone, according to several defense attorneys, that he was an old buddy of Lt. Gen. Stanley R. Larsen, that he served with him in the 82d Airborne Division years ago.

DENIES LINK

Lt. Gen. Larsen has denied even hearing of any Major Jenkins, but has never been called upon to affirm or deny such a fact in court.

Yesterday, David Lowe—an attorney from Vacaville—asked that the Presidio court summon Gen. Larsen and Col. James Garnett, staff Judge Advocate for the Sixth Army at the Presidio—and ask them just who and what Major Jenkins is, but the Army ruled otherwise.

The legal officer at the court martial of the six soldiers now on trial—a Mississippian named Col. John G. Lee—ordered the court cleared of spectators and newsmen.

Then, after more than an hour's deliberation, Lee ruled that Gen. Larsen's testimony and Col. Garnett's testimony would not be relevant to the trial.

CLOSED ISSUE

Furthermore, Lee said that the issue of Major Jenkins was closed and that it no longer could be discussed at the trial of the six men before him.

Lowe said later that it probably could be brought up again if new evidence was offered, but he did not seem too confident of that.

All day long at the Presidio yesterday, the accent was on brevity, a la Army, as the law officer kept urging defense counsels to "get to the point" and "let's cut out this nonsense." On at least two occasions, Lee even coached witnesses.

The argument centered about two points, one being the right of a change of venue, the other being the right to a speedy trial, which defense attorneys maintain their clients have not been given because their alleged offense took place last Oct. 14.

A REMINDER

Lee, however, seemed to wave away these factors as he insisted that the attorneys "get to the point."

When one military police officer could not remember the date when he reported the offense to higher authorities, Lee told him the date.

When Capt. Brendan Sullivan, a military attorney appearing for the defense, tried to cross-examine the witness of another defense lawyer, Lee told him he could not, because the witness was appearing for the same venue issue.

Sullivan finally obtained permission to question the man on that issue and immediately went into what sounded for all the world like a cross-examination.

Mr. Speaker, I insert here an article dated March 12, from the San Francisco Examiner, entitled "Presidio GI Wins Separate Trial":

PRESIDIO GI WINS SEPARATE TRIAL

(By George McEvoy)

The trial of six Presidio GIs on mutiny charges has become the trial of only five soldiers. Private Lawrence Ziano has been granted a separate court martial in order to undergo psychiatric examination.

Ziano's attorney—Joseph Manzella—opened court proceedings yesterday morning by saying his client had gone into convulsions the evening before, trying to hurl a chair at MPs in the Presidio court room and later acting berserk in his cell at Treasure Island.

Ziano and the other five are among 27 GIs accused of mutiny in the Presidio stockade Oct. 14. Four men already have been convicted and sentenced. The first man got 16 years at hard labor, the next two got 15 and 14 years respectively, and the fourth man, Private John Colip—who obtained a change of venue to Fort Irwin in Death Valley—got a relatively light four years.

Ziano was taken to Letterman General Hospital and treated. He appeared in court yesterday heavily under the influence of tranquilizers.

MENTAL TEST

The Law Officer—Col. John G. Lee—who acts as a judge at courts martial, ordered that Ziano be granted a severance (separate) trial and that he be given a "complete and thorough psychiatric examination." Lee also ordered that Ziano be kept in a hospital room, rather than a jail, "if a room is available."

Ziano then left the courtroom under guard and was taken back to Treasure Island to be processed out and to be sent to Letterman Hospital.

There should be a room for him in the prison ward, since another soldier, also one of the 27 charged with mutiny, escaped from Letterman two weeks ago by sawing through his bars.

In other action yesterday, Col. Lee turned down a request by defense attorneys that all charges be dropped against the six defendants because they had not been granted a speedy trial.

DILIGENCE

The six—as with the others in the group of 27—have been in the stockade or in Treasure Island's brig since at least October 14.

After arguments by both sides, Col. Lee ruled that the Army showed reasonable diligence in pursuing the case, and he also quoted the U.S. Supreme Court and the Army's Court of Military Appeals as stating that the right to a speedy trial shall not be used as a means to escape justice.

Some of the legal arguments got hot yesterday, especially between military counsels Capts. Emmitt Yeary and Brendan Sullivan and Col. Lee.

At one point, Lee refused to allow Sullivan—a sensitive but pugnacious attorney—some questioning of an MP officer put on the stand by Yeary. Sullivan objected vigorously and Lee snapped back: "I don't want to argue with you, Captain."

A 19-GUN SALUTE

During the morning session, a 19-gun salute boomed out over the base and reverberated through the tiny courtroom. The Australian Armed Forces Chief of Staff, Sir John Wilton, had arrived on the base.

At the sound of the first cannonade, Lee turned to the spectators and quipped: "Heck, are they blowing up the stockade?"

One of the defense counsels—David Lowe of Vacaville—was called away on another case, a non-military one. For that reason, the arguments for change of venue will not be heard until Friday when he returns. In the meantime, the Army proceedings will concern arguments on due process of law and other matters.

It is believed that the case of the five GI's will be moved to Fort Lewis, Wash., on Monday.

FIREWORKS

But at the Presidio, another aspect of the same mutiny case will then begin—perhaps the most active part of the entire series of courts martial.

San Francisco's controversial attorney Terence Hallinan will then begin defending the remaining 14 soldiers accused of taking part in the mutiny—and he promises fireworks.

Among the charges Hallinan may bring is one that several of the soldiers involved enlisted in the Army after being given their choice of serving in the Army or going to Modesto State Hospital because of crimes they had committed.

Mr. Speaker, I insert here an article dated March 12 from the San Francisco Chronicle entitled "In Mutiny Trial—A Sanity Probe":

IN MUTINY TRIAL—A SANITY PROBE

(By George Murphy)

One of six Presidio GIs on trial for mutiny was taken to Letterman General Hospital last night after his attorney said he is "paranoid and suicidal."

Private Lawrence Zaino, 20, of Toledo, Ohio, had his court-martial proceeding severed from that of his five co-defendants and will go to trial later, perhaps, if a sanity board determines he can help his lawyer in his own defense.

Civilian attorney Joseph Manzella told Law Officer John G. Lee that the young soldier "went into convulsions" Monday night after the court-martial recessed shortly before 6 p.m.

"He was sitting in his chair, shaking, and he kept saying 'It's true what I said, it's true what I said about the brig, but they don't believe me. I'm sorry for what I did.

TRUE

"'But they don't believe me. But it's true'."

Manzella had maintained that Zaino, who was being held at the Treasure Island brig, had been subject to harassment and physical beatings. He said that Zaino was being kept at Treasure Island because "they have better facilities there to prevent his committing suicide."

The attorney said that on Monday evening when two MPs came to handcuff Zaino, he "tried to pick up a chair and hit them with it, but he was shaking so much that he couldn't lift it."

SANITY

Colonel Lee said that he had observed Zaino during the first five days of the court martial and decided on his own that the intense, chain smoking private should be given a sanity hearing.

At midday, San Francisco attorney Terence Hallinan, who is to represent 14 of the alleged mutineers in a trial beginning next Tuesday, visited the Presidio to talk to his clients in the stockade.

Hallinan told newsmen he had received a telegram from Senator Charles Goodell, New

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York Republican, "asking me for full information on the case."

Mr. Speaker, I insert now an article dated February 21, from the San Francisco Chronicle, entitled "New Data in Mutiny Case."

SECRECY EASED: NEW DATA IN MUTINY CASE

(By George Murphy)

The Army yesterday lifted a corner of the veil of secrecy it had thrown over the October 11 shooting of a Presidio stockade soldier which brought about an alleged mutiny by 27 other prisoners three days later.

For the first time, attorneys for one of the defendants, Private John Colip, 20, of Sacramento, were allowed to read the Army's Criminal Investigation Division report on the fatal shooting of Private Richard Bunch.

The report included the statement by the guard who shot Bunch, but the court-martial law officer (judge), Lieutenant Colonel Richard Snyder, warned the attorneys they could reveal the name of the guard to no one.

Snyder, who himself received two threatening letters yesterday morning, commented:

"Knowing the conditions in this area, if the guard's name were to be made public, and he lived in this area, he would be subjected to harassment, and (such information) could possibly endanger his life."

Colip's civilian attorney, Ron Sypnicki, of Sacramento, after reading the CID report, asked that the guard and five others who gave statements be ordered to testify at the court-martial when it resumes Monday at Fort Irwin, in the Mojave Desert.

Without their testimony, Sypnicki said: "I am foreclosed from showing the court (the legal arguments yesterday were held outside the presence of the courtmartial board) that the guard shot this boy, in front of Colip who was a prisoner on the same work detail, and that another guard turned to the guard who did the shooting and said: 'I wish I'd shot him, so I could get a transfer closer home.' "

The guard who fired the fatal blast of double-O buckshot has been transferred to an undisclosed post, in keeping with Army practice.

Snyder took Sypnicki's motion under submission, but not before the attorney drew the judge's attention to the autopsy report on Bunch, saying:

"Look at the areas where the deceased was wounded—in the heart, lungs, spleen and kidney—multiple wounds in these areas.

"Our contention will be that with a demonstration we can show that the shot wasn't aimed low."

The Army has said that Bunch was killed when he attempted to escape from a work detail. Guards are under instruction to shoot for the legs of prisoners, if shooting is necessary.

The Presidio 27, who on October 14 staged a sit-down demonstration in the stockade courtyard and for a time refused orders to go back to their barracks, said they were demonstrating to bring to the attention of superior officers their demands that shotgun guards be given psychiatric testing.

"They were not," Sypnicki said, "attempting to override military authority (the definition of mutiny under the Uniform Code of Military Justice authorized by Congress)." Colip's military counsel, Captain Emmit Yeary, said "This whole incident has been swept under the carpet."

Yeary, in arguing that "highly unusual procedures" had been used in handling the alleged mutineers, referred to another of his clients, Private Nesrey Sood. Sood was the first to be convicted and was sentenced to 15 years at hard labor.

"Sood was shipped out of here (to the U.S. Army Disciplinary Barracks, Fort Leavenworth, Kan.) just one or two days after the sentence. This was on the orders of the Provost Marshal-General in Washington, and, to my knowledge it's the first time such a thing has happened.'

Mr. Speaker, I insert now an article from the New York Times, dated February 4, "Mutiny Trial Is Told of Sitdown by GI Prisoners."

MUTINY TRIAL IS TOLD OF SITDOWN BY GI PRISONERS

(By Wallace Turner)

SAN FRANCISCO, February 3.—The commander of the stockade at the Presidio, an Army post here, testified at a court-martial today that he was astounded when a prisoner rose from a ring of singing, chanting sitdown protesters to begin to read a list of demands.

Capt. Robert S. Lamont, the stockade confinement officer, was asked on cross-examination why he had not begun to talk or to negotiate with Pvt. Walter R. Polowski.

"At that time and in those circumstances, I thought it would have been more like making concessions than negotiating," he replied.

Private Polowski's demands concerned conditions in the stockade.

Captain Lamont was a prosecution witness in the court-martial of Pvts. Louis S. Osczepinski, 21 years old, of Florida, N.Y., and Lawrence W. Reidel, 20, of Medford, Ore.

They are the first two to come to trial of 27 stockade prisoners accused of mutinous conduct in the sitdown protest last Oct. 14, three days after a guard killed a prisoner who ran from a work detail.

Seven officers are hearing the case in the general court-martial. The first testimony was presented today against the two privates, whose cases are the first ready for trial.

One pillar of the defense case, as indicated in questioning today and in arguments on motions last week, will be that the Army commander overreacted to the protest because of pressure from antiwar demonstrations in this area, particularly at the gates of the Presidio.

Captain Lamont was asked why he considered only mutiny charges, rather than lesser offenses such as willful refusal to obey an order, when he dealt with the sitdown. He agreed that his mind was fixed from the beginning on mutiny as the proper charge to make.

The Army prosecutor, Capt. John F. Novinger, said in an opening statement today that his case would show a "nonviolent mutiny."

Sgt. Terry Raines, who assigns work details at the stockade, testified that about 90 of the 120 prisoners in the stockade were lined up for work detail assignments at 7:30 A.M. on Oct. 14 when 25 to 30 broke ranks.

"They sat down in a circle, linked their arms and sang and chanted," Sergeant Raines said.

The chants were "We want Lamont," "We want Ford" and "We want Hallinan." Lieut. Col. John Ford is the post provost marshal, or chief police officer. Terrence Hallinan, a young militant antiwar lawyer, represents 17 of the sitdown demonstrators.

When Captain Lamont arrived at the stockade at about 7:40 A.M. he picked up a copy of the Uniform Code of Military Justice and went out to the demonstrators to read the mutiny article. At that point Private Polowski stood up.

Captain Lamont said the prisoner read these demands:

"We want elimination of all shotgun-type work details.

"We want a complete psychological evaluation of all personnel before they are allowed to work in the stockade.

"We want better santiary facilities."

Captain Lamont testified that he then began to read the mutiny article, and he and the prisoner sought to override each other's voices.

CALLS IN M.P.'S

When the demonstrators began to chant in a way that made him believe they were trying to keep from hearing the reading of the mutiny article, Captain Lamont said, he had a car with a loudspeaker pulled up and he read the article to the prisoners.

He summoned 40 military policemen for a show of strength, he said, and called up the post fire truck.

Three times he ordered the demonstrators back into the stockade building, and when they refused, he said, he asked firemen to turn water on them but the firemen would not. Then he sent the platoon of military policemen into the fenced area where the demonstrators sat.

The prisoners would not walk to the stockade and were carried, he said.

There was no violence, he said on cross-examination.

"But I did not know if they intended to be violent," he added.

He was asked if he felt he had complied with a regulation that called for an attempt by an officer to reason with a soldier who has refused to obey an order. He said he believed he had complied with it.

Mr. FOREMAN. Mr. Speaker, will the gentleman yield for a brief parliamentary inquiry?

Mr. COHELAN. I yield to the gentleman from New Mexico.

Mr. FOREMAN. Mr. Speaker, I wonder if there is any limitation as to the number of insertions allowed to be placed in the RECORD?

The SPEAKER pro tempore (Mr. EDMONDSON). The Chair will state he does not think there is any limitation as long as there is unanimous consent. The gentleman is at leave to object.

Mr. LEGGETT. Mr. Speaker, if I may continue, I would like to go now into another matter.

Now that we are appraised of the facts in the Presidio case, it would be informative to compare the procedures used at the Presidio with the standard procedures found in the Army Field Manual entitled "Confinement of Military Prisoners." This is the operating manual for the operation of a stockade under Army jurisdiction. Chapter 1, section 1. No. 2—emphasis will be placed on correction and rehabilitation rather than on punitive measures. No. 3—there must be a comprehensive rehabilitation program to prepare these prisoners for successful return to honorable military duty or return to civilian life as more useful citizens.

Have we seen any evidence of such rehabilitative procedures at the Presidio? The attitude of the Army during this whole episode has been one of a strictly punitive nature from the time the original complaints started up to the very present. This is in total derogation of the operating procedures set out in the manual.

Section III subsection f: The installation commander should be furnished qualified personnel to assist in resolving installation confinement problems.

I am advised that the Provost Marshal's statement after the fact stated there was only one man trained in military confinement prior to the time we sent a congressional committee out there to investigate.

The Army admits that very few of the

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personnel have an MOS necessary to the performance of stockade duty.

Subsection 11: The Provost Marshal is to accomplish at least once each month a detailed inspection of all installation confinement activities.

Their inspection reports should be forwarded to the installation commander and should include recommendations and/or actions taken to correct all deficiencies and irregularities.

Of course, this record is devoid of any action like that. Latrines and facilities in this very old stockade were running over. The inmates were complaining. They were up in arms about it.

The Army at first denied completely that there were any problems with the facilities at the Presidio. When improvements were finally made, they were made long after the irregularities came to light. Certainly not within the 1-month period specified in the manual.

Then we have that long elaboration of conditions which were in fact improved subsequent to the time when the prisoner complained.

Chapter 3, section 37, on training states the specialized nature of duty at stockades requires that assigned or attached personnel be specially trained in the custody, control, and correctional treatment of prisoners and that a continuing program of education should be established. There is no indication—absolutely none—that any continuing education of personnel has been established, that is, until we sent out a congressional committee. In fact, there are reports from the guards that they were not even adequately trained in the first place in the use of the shotgun, which is the most basic training weapon.

Chapter 5, section 2, on custody grades. Custody grades are grades in which prisoners are classified. The degree of custodial supervision required for each grade are as follows:

First. Minimum custody. I say these men, if they were not insane, were in minimum custody, and if they were insane, they had no business being there. They are considered to be fully dependable so as to require little custodial supervision and should be employed or trained outside the stockade in groups of six under the supervision of unarmed guards. That is the rule which is contained in chapter 5, section 2, in the field manual 19–60.

Most of the 27 men in question here were confined for AWOL offenses and under minimum custody, and they were not to be escorted by armed guards.

In the section on the use of force the manual states that when it becomes necessary to use force, it should be exercised according to priorities of force and limited strictly to that degree deemed reasonable and necessary under the particular circumstances.

The manual has six degrees of force which are listed in descending order. The use of firearms is listed as the last and most desperate means to stop an infraction. I refer to page 53 of the manual where it states:

> 1. Use physical restraint. 2. Show of force. 3. Riot control formations. 4. High pressure water. 5. Riot control agents. 6. Firearms.

The use of firearms is listed as the last and most desperate means to stop an infraction.

In the Presidio case the guard used his shotgun first, without any training or presighting the weapon or attempts at restraint.

The manual further outlines in detail the methods for use of a firearm and notes that it should be used when there is no other means of prevention of the attempt to escape. When this situation arises the guard first alerts other personel by blowing a whistle or sounding an alarm. Then he calls in a loud voice for the prisoner to halt. If he does fire, the guard is to fire only and I repeat only when the prisoner has freed himself of all barriers or confinement and then not try to kill him. In this case Bunch was 20 to 60 feet away and had not left the confinement area. The guard used the weapon as a first rather than as a last resort. He did not attempt to use other restraints. His warning shouts were not audible to other prisoners standing around. He acted in a manner completely in opposition to the manual of procedure and to the other safeguards which should be used. It is becoming increasingly clear that the personnel in this stockade should be cited for illegal action and not the prisoners.

I would refer here also to page 28, AR 633–5 and 633–6 which particularize the use of force at Army confinement facilities. The manual is very clear on how to handle demonstrations. This is not an unusual thing. It happens all the time. You try to reason with the prisoners. These regulations set forth the methods for countering demonstrations. The manual stresses preventive action. In other words, it states that the leaders are to be segregated from the others and the personnel are to be dispersed, and so forth. In the Presidio case the confinement officer admitted at the pretrial hearing that he was aware of the pending demonstration the night before but did nothing to prevent it. He was aware of the ringleaders but yet took no preventive action. Yet, he admitted his plan of action was that they would be charged with mutiny. I would call this entrapment. Yet the confinement officer at the stockade, the officer immediately in charge of the prisoners, probably let the demonstration get out of hand. He probably, and with prior consideration, refused to follow the standard operating procedures so as to inflame the situation, he probably guided the situation so as to create an incident and to permit it to get out of control. This is an example of the most dangerous and most deplorable conduct on the part of the U.S. Army that I have ever had the misfortune to observe.

Again, I must say that the wrong persons are on trial in this case.

Mr. Speaker, to sum it up, we find that almost every action taken during and before the Presidio demonstration was completely at odds with the standard operating procedures.

I would like to ask to be included in the RECORD at this point a portion of Army regulation 633–5, a nonclassified document, particularly section VI, dealing with use of force at Army confinement facilities which appears on pages 28 and 29.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The material follows:

SECTION VI. USE OF FORCE AT ARMY CONFINEMENT FACILITIES

45. General. The instructions in this paragraph reflect the policy concerning the use of force at Army confinement facilities and will be incorporated in appropriate orders, plans, and instructions at all Army confinement facilities. In any situation, only such force will be employed as is reasonably necessary under all attendant circumstances.

a. No person will lay hands on a prisoner except in self-defense, to prevent an escape, to prevent injury to persons or property, or to quell a disturbance. In controlling or moving an unruly prisoner, sufficient custodial personnel should be used to preclude the necessity for striking or inflicting bodily injury on the prisoner.

b. In the event of an attempted group or mass breakout from a confinement facility, a riot, or other general disorder, it will be made evident to the prisoners concerned that authority prevails, that order will be restored, and that means are available to restore it by the vigorous application of force, if necessary. If the situation permits, an attempt will be made to reason with the prisoners engaged in any disorder prior to the application of any force. This is not to be interpreted as requiring bargaining with or making concessions to prisoners while in a state of revolt.

If reasoning fails, or if the existing situation does not permit reasoning, a direct order will be given the prisoners to terminate the disorder. This order should not be given until it can be enforced effectively by application of such priorities of force as the situation may require.

c. When it becomes necessary to use force, it should be exercised according to priorities of force and limited strictly to that degree deemed reasonable and necessary under the particular circumstances. When firepower is utilized, the aim should be to disable rather than to kill. The application of any or all of the priorities of force listed below, or the application of a higher numbered priority without first employing a lower numbered one, will depend upon and be consistent with the situation encountered during any particular disorder. Priorities of force are:

(1) Show of force.

(2) Use of high pressure water and/or riot control agent (CS) (normally not to be used to secure control of an individual prisoner). Use of riot control agent (CN) is authorized until supplies are exhausted.

(3) Use of physical force, other than weapons fire (riot control formations are not considered feasible within confinement facilities; however, suitable adaptations may be utilized).

(4) Fire by selected marksmen.

(5) Use of full firepower.

d. Appropriate commanders will take necessary action to incorporate in appropriate plans, orders, and instructions their specifically designated representative(s) authorized to direct the use of firearms in the event of a riot or other disturbance.

e. An incident which involves the taking of hostages and/or demands for concessions does not preclude the application of force. However, such incidents will be reported immediately to the appropriate commander and, if the situation permits, prior to the application of any force.

46. Use of firearms at confinement facilities. Instructions in this paragraph reflect policy concerning the use of weapons to prevent an escape from a confinement facility. These instructions will be incorporated in

the guard orders at all Army confinement facilities, particularly those orders pertaining to perimeter and tower guards:

a. Each perimeter and tower guard will be provided with a whistle (M-1 Thunderer) or such other means of alarm as may be suitable.

b. The use of firearms to prevent an escape is justified only when there is no other reasonable means to prevent escape.

c. In the event a prisoner attempts to escape from the confines of the facility, the guard will take action in accordance with the following priorities:

(1) Alert other guard personnel of the attempted escape by blowing three short blasts upon his whistle or by sounding such other alarm signal as is suitable.

(2) In a loud voice, twice call upon the prisoner to halt.

(3) Fire upon the prisoner only at such time as he has freed himself of all barriers of the confinement facility and is continuing his attempt to escape.

(*a*) Location of barriers will be determined by the physical arrangement of each confinement facility. Normally this will include barriers such as fences or walls enclosing athletic, drill, and recreational areas, unoccupied prisoner housing areas, and areas in which administrative buildings are located.

(*b*) A guard will not fire upon an escapee if his fire will endanger the lives of innocent bystanders.

(*c*) When necessary to fire the guard will direct shots at the prisoner which are aimed to disable rather than to kill.

47. Use of firearms on employment details. Instructions for the use of firearms by guards on employment details are generally the same as those for the use of firearms at the confinement facility proper. Caution and good judgment control the use of firearms in preventing the escape of prisoners.

a. Firing on a prisoner to prevent his escape is justifiable only as a last resort.

b. If a prisoner attempts to escape, the guard calls "HALT!" If the prisoner fails to halt after the call is repeated once, and if there is no other effective means by which to prevent the escape, the guard fires on the prisoner to disable rather than to kill him.

Mr. LEGGETT. I would ask additionally that portions of FM 19–60, the Department of the Army Field Manual, Confinement of Military Prisoners, be included in the RECORD at this point, particularly section 2 on page 15 dealing with personnel pointing up the training that stockade personnel are to receive, through page 17.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The material follows:

SECTION II. PERSONNEL

33. General

The assignment of personnel to duty at stockades is in accordance with TOE 19–316D, TOE 19–500D, TOE 29–500D, tables of distribution, and/or Department of the Army manpower authorization criteria. TOE 19–500D, which is a cellular-type TOE, has provisions for various sizes and types of stockade teams although it does not provide for Mess Teams or Automotive Maintenance Teams. These may be obtained from TOE 29–500. TOE 19–500 may be used to supplement other TOE units when required.

a. Personnel assigned or attached to a stockade come into close contact with prisoners who may be emotionally unstable; therefore, individuals selected for this type of duty should be mature, stable, and experienced in leadership and discipline.

b. Circumstances at stockades may require that some personnel be attached for duty. In this event, they should be attached for a minimum of 1 month. These personnel are normally used as tower or prisoner guards. They must be trained in their basic weapon. In addition, they must have received familiarization training with the weapons which they will use while on this duty.

34. Confinement Personnel

The following confinement personnel, as prescribed by AR 210–181, are included within the assigned strength of each stockade:

a. Officers of the Military Police Corps as confinement officer and assistant confinement officer.

b. A provost sergeant.

c. Guard supervisors.

d. Assistant guard supervisors.

e. Guard commanders for each guard relief.

f. Cell block and compound guards.

g. Turnkeys and gate guards.

h. Administrative, mess, training, and supply personnel.

35. Responsibilities of Key Personnel

a. Confinement Officer. The confinement officer is responsible for the administration and operation of the stockade and the confinement aspects of the hospitalized prisoners wards. His major responsibilities include, but are not limited to—

(1) Command of personnel assigned or detailed to the stockade during their duty hours.

(2) Custody, control, administration, and correctional treatment of prisoners.

(3) Safeguarding and disposition of prisoners' personal property and funds.

(4) Providing for the employment and training of prisoners.

(5) Providing for the training of personnel assigned or attached to the stockade.

(6) Coordination and liaison with unit commanders to obtain their assistance in the rehabilitation and training of prisoners who may be returned to duty.

(7) Coordination, liaison, and mutual assistance to command staff members relative to the installation confinement program.

b. Assistant Confinement Officer. The assistant confinement officer is normally responsible for the operation of the custodial and correctional treatment branches of the stockade. He also acts as the confinement officer in the latter's absence.

c. Provost Sergeant. The provost sergeant is the senior noncommissioned officer assigned to a stockade. He assists the confinement officer in the administration and operation of the stockade, particularly in the—

(1) General supervision of assigned or detailed enlisted personnel.

(2) Administration of the stockade and enforcement of pertinent regulations.

(3) General supervision of prisoner employment assignments.

(4) Reporting of incidents which affect the custody or morale of prisoners.

(5) Daily checking of control measures within the stockade and hospitalized prisoners ward.

36. Criteria for Selection of Enlisted Personnel

a. Criteria which personnel assigned for duty to a stockade must meet in Military Occupational Specialties 951, Military Policeman and 952, Confinement Supervisor are prescribed in AR 611–201. It is desirable that detailed personnel meet these criteria whenever possible.

b. It is desirable that personnel have 2 years of active duty prior to assignment, or have police or confinement experience from a civilian occupation held prior to military service.

37. Training

a. The specialized nature of duty at stockades requires that assigned or attached personnel be specially trained in the custody, control, and correctional treatment of prisoners. Each member of the stockade staff should be fully trained in his own job and trained as an understudy in other key positions. Further, he should understand the philosophy of confinement and his responsibilities in implementing it. Selected personnel should be sent to service and/or civilian schools to further their knowledge of confinement operations.

b. A formal, continual training program should be established for assigned personnel. A suggested training schedule is attached as appendix IV.

c. Personnel assigned and/or detailed to guard duties at a stockade should receive special training in accordance with paragraph 37*b*, AR 210–181. Where appropriate such training should be developed in order to enable guard personnel to better understand human behavior.

d. Training programs must be progressive in order to satisfy the requirements of confinement personnel based on their experience, position, and rank or grade. They must utilize a multi-disciplinary approach, or one which treats subjects from all or several of the disciplines or study areas concerning them, e.g. a study of human behavior should include, as a minimum, the effects of biological, psychological, and sociological factors on its development. A study of prisoner programs should include discussions of prisoners' interests and abilities, and institutional needs and capabilities versus an ideal program. The mental hygiene consultation service, the chaplain, the education division, and other staff agencies may be requested to provide assistance in the planning, preparation, and administration of this training.

e. Commanders responsible for the operation of confinement facilities will insure that assigned and detailed personnel are properly trained to perform their duties. Confinement officers and provost marshals should continually strive to develop expertise through on-the-job supervision and recommendations to appropriate commanders.

38. Confinement Specialist Career Program

The Military Police Confinement Specialist Career Program permits qualified, selected enlisted personnel to advance from grade E–3 to grade E–9 through a progression of on-the-job and service or civilian school training and experience. In this program, selected individuals who have demonstrated the desire and the aptitude for this type of work are assigned to duties in which their skills and experience can be utilized to the best advantage of the service.

Mr. LEGGETT. Also, Mr. Speaker, I ask unanimous consent to include in the RECORD section X of the manual.

The SPEAKER pro tempore. Without objection it is so ordered.

There was no objection.

The material follows:

SECTION X. EMERGENCY PLANS

106. General

a. The confinement officer, in cooperation with the provost marshal and other staff officers, prepares and maintains emergency plans for the apprehension of escaped prisoners, fire prevention and evacuation, and quelling riots and disorders. These plans should be reviewed periodically to insure complete coverage and up-to-date information.

b. He should anticipate emergency situations, such as those discussed in this section, by thorough prior planning and coordination, including preparation of appropriate procedures to be followed, assignment of job positions, training of personnel, and rehearsals to insure the adequate and timely implementation of emergency plans.

c. It is essential that the installation provost marshal and military police units support the stockade in implementing these plans.

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107. Apprehension Plan

a. General. Escapes may occur at any stockade through deficiencies in physical facilities, personnel, or both. However, they can be prevented in most instances through the training of custodial and guard personnel and continual review of physical facilities and restraints. An understanding of the more common motivations for escape aids confinement personnel in recognizing symptoms of these factors and taking preventative action. Some of these motivations are—

(1) *Bad news from home.* Death or illness of close relatives and financial difficulties are frequently motives for escape. Bad news is often noted during the inspection of mail; it should be referred promptly to the confinement officer.

(2) *Harassment by guards.* Even with the careful selection of custodial and guard personnel, a guard might be guilty of deliberately or unconsciously harassing a prisoner by taunting, insulting speech or actions, or causing unnecessary actions by prisoners. This motive can be prevented or alleviated by careful supervision of personnel who come into close contact with prisoners.

(3) *Release anxiety.* This occurs occasionally just before the expiration of a prisoner's sentence to confinement. Symptoms of this state of mind are nervousness, irritability, frequent questions about release, and moodiness. This motive can be alleviated through counseling and prerelease interviews.

(4) *Satisfaction of physical urges.* Prisoners who are addicted to narcotics, who are chronic alcoholics, or who possess abnormal sexual urges may experience physical or psychological reactions shortly after their confinement. This may be a motive for escape. Report nervousness, irritability, or symptoms of narcotic or alcoholic withdrawal to the confinement officer. Frequently, medical treatment is required to alleviate the condition.

b. Preparation and Coordination. The apprehension plan should be fully coordinated with all units and agencies concerned, including coordinated training of personnel and periodic tests of the effectiveness of the plan. As a minimum, the following provisions are included in the plan:

(1) Maintaining a map of the installation which reflects the provisions of the apprehension plan.

(2) Securing the remaining prisoners.

(3) Notifying the confinement officer, the installation provost marshal, and other personnel designated in the plan.

(4) Posting guards at critical points along probable escape routes outside the stockade.

(5) When escape has been effected through damage to buildings or fences, securing the avenues of escape until the necessary repairs have been accomplished.

(6) Taking a roll call of prisoners to determine the identity of the escaped prisoner.

(7) Planning for pursuit, including search parties and areas of search.

(8) Obtaining from the personal property of the escapee and the stockade files information and photographs which might aid in apprehension.

(9) Coordinating with the installation provost marshal to expedite execution of the plan and notification of civil authorities.

(10) Investigating the escape to determine the person responsible for the escape and the means of escape.

Mr. LEGGETT. I would ask also that section 111 with respect to demonstrations be included in the RECORD at this point and I would ask next that section 114, be included in the RECORD at this point.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The material follows:

SECTION XI. TYPES AND CONTROL OF DISTURBANCES

111. Types of Disturbances

a. Disorders. Disorders may be unorganized or organized. They do not possess the violent nature of riots; if they are not controlled promptly, however, they may develop into riots either through leadership and organization or by a natural development through group hysteria.

(1) *Unorganized.* Unorganized disorders are characterized as being spontaneous in nature. They begin as the result of actions of an individual or for the reasons listed for unorganized riots (*b* (1) below). Their prompt control is essential.

(2) *Organized.*

(*a*) *Demonstrations.* Demonstrations are the actions of a group of persons whose behavior, while not violent, is in conflict with persons in authority. They are characterized by unruliness and vocal expressiveness without violence. Demonstrations are organized to express dissatisfaction with food, clothing, living conditions, treatment, or other conditions.

(*b*) *Refusals to work or to eat.* Prisoners collectively or individually may refuse to work or to eat as a means of harassing stockade personnel or in an attempt to gain concessions. The prompt isolation of participants from the main prisoner body and the segregation of these individuals from their ringleaders usually control this type of disorder.

(*c*) *Work slowdown.* Prisoners may deliberately slow down their work to delay the completion of employment projects or to harass stockade personnel. Disorders of this type can be controlled in the same manner as outlined in (*b*) above.

(*d*) *Damage or destruction of property.* Prisoners frequently damage or destroy property to harass stockade personnel or to impede or prevent normal operations. Identification, isolation, and segregation of personnel involved usually control this type of disorder.

b. Riots. Riots may be unorganized or organized.

(1) *Unorganized.* Unorganized riots are characterized at their inception as being spontaneous in nature. They may begin as a holiday celebration, a group singing, or other type of gathering which might lead to group hysteria. Under determined leadership, the pattern of such a disturbance may be changed to that of an organized riot.

(2) *Organized.* Military prisoners can readily form themselves into quasi-military groups. These groups are capable of developing plans and tactics for organized riots and disorders. Organized riots are usually instigated for the following purposes:

(*a*) *Escape.* A riot may be organized either as a diversion for an escape attempt by selected individuals or small groups or for a mass escape attempt. Rapid isolation of the scene of the disturbance precludes such attempt to a large degree.

(*b*) *Grievance protests.* Grievance protests may be organized as riots. Under normal circumstances a riot for this purpose is not of an extremely violent nature initially; however, it becomes violent as the leaders attempt to exploit any success of the riot or weaknesses of the stockade.

114. Use of Force

When it becomes necessary to use force, it should be exercised according to priorities of force and limited strictly to that degree deemed reasonable and necessary under the particular circumstances. The application of any or all of the priorities of force, or the application of a higher priority of force without first employing a lower priority, depends upon the situation encountered during a particular disorder.

a. General. Specific instruction on use of force should be incorporated in appropriate orders and plans at the confinement facility. In applying any measure of force, only that degree of force deemed necessary under all attendant circumstances may be used.

b. Measures for Use of Force. The following measures may be applied in controlling prisoners. They will be applied in whatever order is appropriate to the situation which requires their use:

(1) Physical restraint.

(2) Show of force.

(3) Riot control formations.

(4) High pressure water.

(5) Riot control agents.

(6) Firearms.

c. Physical Restraint. The restraint of a prisoner by a laying on of hands will be utilized only in self defense, to prevent an escape, to prevent an injury to persons or property, or to quell a disturbance. In controlling or moving an unruly prisoner, sufficient custodial personnel must be used to preclude the necessity for striking or inflicting bodily injury on the prisoner.

d. Show of Force. A show of force consists of demonstrating to personnel engaged in a riot or general disorder the personnel, equipment, and facilities that are available for use in quelling the riot or disorder. It emphasizes to participants in the riot or disorder that authority prevails, that means are available to restore order by the vigorous application of force, and that order *will* be restored.

(1) This force consists of sufficient personnel and equipment to apply the measures of force required by the situation.

(2) If the commander decides that the riot or disorder has not reached the state of overt violence whereby lives and the security of the facility are in danger, he attempts to reason with ringleaders of the riot or disorder prior to the further application of force.

(*a*) He informs them of the forces, equipment, and facilities available to re-establish control and of the futility of continuing the riot or disorder. (This is not to be interpreted as condoning bargaining or making concessions.)

(*b*) If this fails, he issues an order to personnel engaged in the riot or disorder to terminate their actions.

(*c*) If the actions listed in (*a*) and (*b*) above fail to achieve the desired results, or if it is deemed impossible to reason with ringleaders or personnel involved in the riot or disorder, he immediately applies stronger measures of force.

e. Employment of Riot Control Formations. Riot control formations should be used to disperse and segregate personnel involved in a riot or disorder in order to regain complete control of the situation.

(1) The riot control formations and tactics outlined in FM 19–15 may be used as a basis for composing formations suitable for use in the individual confinement facility. The basic principles and techniques for employment of these formations remain the same. Their strength and configuration will be dependent upon the size, location, and design of the facility.

(2) In preparing emergency plans, each responsible officer should determine those formations he requires. They should be rehearsed as often as practicable (par. 109).

f. Use of Water. Water from firehose may be effective in moving groups on a narrow front, such as a cell block passage or a narrow area between buildings. It may be used to force a group to abandon an open area such as a recreation yard, if used in cooler months of the year, when the discomfort of drenching is magnified by low temperatures.

(1) Water under high pressure must be used with caution because it can damage sensitive portions of the body such as eyes and ears.

(2) When employing water in flat trajectory, its full force should be directed toward the lower torso and legs of participants in the riot or disorder.

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(3) To provide protection of equipment and personnel being used to re-establish control, water under high pressure should only be used against participants in a riot or disorder in conjunction with riot control formations.

(4) When the confinement facility does not have high pressure water facilities and/or equipment available to it, arrangements should be made with the installation engineer officer for use of such equipment when required. Arrangements should include qualified operators. These plans should be included in the emergency control plan (par. 109).

g. Employment of Riot Control Agents. Riot control agents are used only on the authority of the installation commander or his representative. A copy of orders designating a representative should be included in the emergency control plans (par. 109). Riot control agents, like water, should be used in conjunction with riot control formations (*f*(3) above).

h. Use of Firearms.

(1) *To prevent escapes.* The following concerns the use of firearms to prevent an escape from a confinement facility and should be incorporated in guard orders, particularly those of perimeter and tower guards. The use of firearms to prevent an escape is justified only when there is no other reasonable means to prevent the escape. If a prisoner attempts to escape from the confines of the facility, the guard detecting the attempt acts according to the following priorities:

(*a*) He alerts other guard personnel of the attempted escape by blowing three short blasts on his whistle or by sounding other appropriate alarm signals.

(*b*) In a loud voice, he calls twice for the prisoner to halt.

(*c*) He fires only when the prisoner has freed himself of all barriers of the confinement facility and is continuing his attempt to escape. The guard aims to disable rather than to kill the prisoner.

(2) *On employment details.* Instructions for the use of firearms by guards on employment details are generally the same as those for the use of firearms at the confinement facility proper. Caution and good judgment control the use of firearms in preventing the escape of prisoners.

(*a*) Firing on a prisoner to prevent his escape is justifiable only as a last resort.

(*b*) If a prisoner attempts to escape, the guard calls "HALT!" If the prisoner fails to halt after the call is repeated once, and if there is no other effective means by which to prevent the escape, the guard fires on the prisoner to disable rather than to kill him.

(3) *To control riots or other general disorders with selected marksmen or full firepower.* Fire by selected marksmen or full firepower is used only on the order of the installations commander or his representative. A copy of orders designating representatives should be included in the emergency control plan (par. 109). Firepower will be used only as a last resort in accordance with AR 210–175. An individual using firepower runs the risk of committing a homicide in violation of the Uniform Code of Military Justice (see par. 197b, Manual for Courts-Martial, United States, 1951). When firepower is used the aim will be to disable and not to kill.

(*a*) *Use of firepower by selected marksmen.* Use selected marksmen to fire only on groups and individuals in a riot or other general disorder who are committing acts which endanger the lives of other prisoners or personnel being used to quell the riot or disorder, or against prisoners who are attempting to take advantage of the situation to escape.

(*b*) *Use of full firepower.* If the responsible officer determines that the riot or disorder has progressed to the point where the lives of the security force and the security of the stockade are seriously endangered and all other means of control have been ineffective, he may utilize the full firepower of the security force as directed by the installation commander or his representative. When firepower is used, the aim will be to disable and not to kill.

Mr. VAN DEERLIN. Mr. Speaker, the case against the Army in its handling of the Presidio mutiny trials has been summed up best by one of the Army's own officers, Capt. Richard J. Millard.

In his pretrial investigation report, Captain Millard found that the Army had overreacted in bringing mutiny charges against the six suspects whose depositions he took. The element of "intent to override military authority," necessary to sustain such charges, was simply not present, the captain said.

In view of the Army's capricious handling of the charges against these 27 men, the angry public reaction could hardly be much of a surprise to the Pentagon's top legal officers.

One has only to recall names like Sacco and Vanzetti, or the Scottsboro boys, to realize how quickly a nation's conscience can be aroused by injustice of this sort.

Fortunately, the Army now seems to be feeling the heat of public indignation, and some of the incredible penalties meted out to these young men are being reduced.

Perhaps all these young men will eventually be treated in accordance with the traditional principles of Anglo-Saxon law. But until they are, serious questions about the quality of military justice are going to remain unanswered.

Mr. BURTON of California. Mr. Speaker, for the past 5 months I have watched closely, and with increasing concern, the handling of the trials of 27 young men charged with mutiny at the Presidio of San Francisco stockade.

On October 11, 1968, Pvt. Richard Bunch was killed in that stockade. On October 14, 27 of his fellow prisoners protested and sat down during a rollcall to call attention to the problems which exist at that stockade. My office has been represented at the pretrial investigation which resulted in a recommendation by Capt. Richard J. Millard, which states in part:

> This case has been built up out of all fair proportion. To charge Zaino and the others with mutiny, an offense which has its roots in the harsh admiralty laws of previous centuries, for demonstrating against the conditions which existed in the stockade is, in my opinion, an overreaction by the Army and a misapplication of a statute which could lead to a further miscarriage of justice.
>
> There is ample testimony in this case to show that the conditions in the stockade prior to 14 October were not up to standards we should expect. Of special significance in this case is the fact that the DD510 procedure for expressing grievances, as implemented prior to the demonstration on Monday the 14th of October, was shoddy and inefficient.

In spite of this recommendation, 6th Army Headquarters decided to press ahead with general court-martial proceedings and charged these men with the most harsh charge of mutiny. The first trials were held resulting in convictions and imposition of sentences up to 15 years at hard labor.

My district office attempted to discuss this matter with General Larsen at the Presidio—to no avail.

I have expressed my concern to Secretary Resor and to Secretary of Defense Laird. Just yesterday, I received a response to my letter to Secretary Laird which concluded by saying in part:

> If at a later time, upon careful review of all the facts and circumstances of the cases, the Secretary concludes that any of the sentences are excessive in relation to the offense committed, he is prepared to exercise his power of clemency.
>
> I appreciate your concern that the sentences in the first three cases to reach decision appeared excessive in relation to the nature of the offense as reported in the press and elsewhere. It is perhaps significant that the fourth trial, which was transferred to Fort Irwin, resulted in a much lower sentence of four years. I hope that this development, together with the information contained in this letter, will allay some of your concern.

I have learned that the Department of the Army only today reduced the sentence of Pvt. Nesery Sood to 2 years at hard labor. This is a beginning. It is a indication that the injustice of the situation is being recognized.

As the cases of those already tried and convicted move through the automatic appeal process, it is hoped that there will be a realization that these men have been improperly charged. The appeal procedure permits a finding of guilt of a less serious offense.

It is equally true of the charges against those who still must stand trial. The charge of mutiny simply is improper by any reasonable standard and should be altered to a lesser charge more related to the action taken by these 27 men.

My concern at this point in time, Mr. Speaker, is the well-being of the 27 men charged with mutiny. There are broader questions involved, certainly. The situation which existed at the stockade of the Presidio of San Francisco and which led up to these events must be investigated and certainly correction is in order.

The very broad question of procedure under military justice is also certainly of concern. But, I reiterate, my prime concern at this point in time is the well-being of these 27 young men. That they are now being faced with the charge of mutiny and the imposition of excessively stern sentences is unthinkable and, I believe, overreaction to the situation on the part of those most directly involved at 6th Army Headquarters.

I am encouraged by the response to my letter to Secretary Laird expressing a willingness to exercise the power of clemency, if it is concluded that the sentences are excessive in relation to the offenses committed.

I am relieved by the first reduction of sentence under appeal.

I am deeply concerned that the 27 young men, all of whom were in the stockade because they could not cope with the situations in which they found themselves within the Army, for a variety of reasons, do not have their problems compounded, their personal lives ruined, in a ceaseless round of attempting to fix accountability and justify decisions already made.

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I seek justice for these 27 young men. Their case points up many broader issues, but they cannot be permitted to be the victims while these issues are debated. Justice will be best served by the expeditious resolution of the cases of these 27 men and I most certainly believe a reduction in the charges which face them and the sentences which have been imposed, is most necessary. It is, after justice has been accomplished for these 27 men, that the broader questions of conditions of our stockades and military prisons and whether justice can, in fact, be achieved under the Uniform Code of Military Justice must be fully reviewed and considered.

Mr. DON H. CLAUSEN. Mr. Speaker, it is a sad day for me and a sad day for America when we in the Congress must concern ourselves with basic justice in the U.S. Armed Forces. That, however, is the case with 27 soldiers at the Presidio of San Francisco in California who have been charged with and are now being tried for mutiny.

Therefore, it is with regret and great reluctance on my part that I must address myself today to the need for a comprehensive congressional investigation of the facts and circumstances that led up to the decision to try these men for mutiny.

I say this because I feel the Congress must become aware and concerned whenever it becomes apparent that certain individuals within our military services are attempting to decide for themselves or their subordinates what constitutes justice.

I hasten to point out at the outset, however, that what one general does or what 27 prisoners in an Army stockade do, is not necessarily indicative or reflective of the fine record and proud heritage of the U.S. Army. As individuals, however, such people can and do set in motion those events that shape the future, and it is for this reason that I rise today to add my voice to what is already being called a miscarriage of justice at the Presidio of San Francisco.

As a former naval officer and longstanding member of numerous veterans organizations, I am acutely aware that there are, and of necessity must be, inherent differences between civil and military justice. I further acknowledge that good order and discipline must be preserved in our military service units, and I would never knowingly undermine the authority and prerogatives a commander must have to maintain a high degree of discipline spirit within his organization.

By the same token, however, there are human and constitutional limits on how far anyone can go in trying to make an example out of an American citizen. The days of "decimation" in the military have long passed and the military knows this full well. In addition, our generals and admirals have long known that they cannot be indifferent to human needs or the basic tenets of justice and fairplay on which this country was founded.

An individual wearing the uniform of the United States does not give up any of the basic rights of American citizenship—he merely assumes some added responsibilities and hardships other citizens do not necessarily share. And, carrying this a step further, a soldier confined to a military stockade is still an American citizen entitled to full protection and equal justice under the law.

Having said that, consider these facts. On October 14, 1968, a group of soldiers already in confinement at the Presidio of San Francisco stockade staged a sitdown protest. They sang songs, chanted slogans, and refused to go back to work when directed by competent authority.

From the evidence presented, they were unarmed and at no time used force or threatened violence in any way.

The entire demonstration lasted approximately 30 minutes at which time it was broken up by a group of military policemen smaller in number than the protesters.

Now, Mr. Speaker, these are the essential facts as to what took place on October 14, 1968.

Does this sound like a mutiny? From what you have heard, can you possibly imagine that such an offense would warrant or merit 15 years at hard labor and a dishonorable discharge from the service?

Without a doubt, the crime of mutiny is difficult for many of us, even those of us who are veterans, to place in proper perspective. The reasons for this, no doubt, are that, first, mutiny is almost exclusively a military crime; second, it is extremely rare in American military history; and third, in most people's minds, it normally connotes the use of force or threat of violence; however, this is not necessarily essential to substantiate a charge of mutiny.

What is essential to substantiate such a charge, however, is an element of proof that, I submit, does not exist in this case and the basic reason I believe an injustice is being done to 27 military prisoners at the Presidio of San Francisco. Article 94 of the Uniform Code of Military Justice defines a mutineer in these words: "Any person subject to this code who with intent to usurp or override lawful military authority," and so forth.

Mr. Speaker, I have studied this case as closely as anyone can from the information that has been made available and I have yet to detect any evidence that there was "intent to override" military control of either the stockade or the Presidio of San Francisco.

Thus, the question has been raised as to why these men were charged with mutiny. That question, Mr. Speaker, becomes terribly important when you consider that the charge of mutiny, potentially, is punishable by death. And, while we are assured the death penalty is not at issue here, I find this a rather specious argument for not speaking out against what I believe will prove to be a very dangerous precedent if left unchallenged.

Some have raised the question of congressional restraint so as not to interfere with due process of law or further imperil the 27 men involved. Others have said that the sentences will undoubtedly be reduced when reviewed anyway, so why get involved in the question of judicial wisdom?

My answer to that question is this. On February 25 of this year, I wrote the Secretary of the Army asking that the court-martials be halted until he, the Secretary, could conduct an on-the-spot investigation of the facts and circumstances leading up to the decision to charge these men with mutiny. My purpose in doing this, is so that the American people and we in the Congress can get at least a few of the pertinent questions answered that are clouding this entire case, such as:

First. Was the demonstration at the Presidio stockade on October 14, 1968, a spontaneous protest by a group of mistreated prisoners—or was it planned, organized, and directed from outside the walls of the stockade and outside the confines of the Presidio itself?

Second. Was the October 14 demonstration in protest to conditions at the stockade, the shooting of a fellow prisoner, the war in Vietnam—or all of these things?

Third. Did San Francisco attorney Terrence Hallinan, as alleged, enter the stockade in the guise of a clergyman prior to the disturbance on October 14 and prior to the shooting of Richard Bunch? Did he, in fact, propose to one or more of the prisoners that, if they staged such a protest, he would see they received free legal representation?

Fourth. What validity is there to charges that stockade conditions included overcrowding, lack of food, inadequate medical care, mixing of psychiatric patients, numerous suicide attempts, brutal treatment, and poorly trained guards? And, if valid, what, if any, recourse was available to or sought by the prisoners to gain redress of these grievances prior to October 14?

Fifth. Is it true that some among the 27 who have been charged with mutiny, actually attempted to leave the demonstration once they learned what they were being charged with, but were prevented from doing so by a few hard-core demonstration leaders?

Sixth. Is it true, as reported, that the 27 charged with mutiny are now undergoing a systematic pattern of harassment at the Presidio stockade?

Seventh. Is it true that General Larsen, commanding general of the 6th Army, is using a "mysterious Major X" to bargain with the counsels concerned in an attempt to "get the general off the hook"?

Mr. Speaker, these and other charges surrounding this alleged mutiny should be thoroughly investigated before one more soldier is court-martialed under this unrealistic, unfair, and inappropriate charge.

Public indignation is growing over this travesty of justice and, as a result, I have no recourse but to join those who are calling today for an exhaustive investigation of this entire episode by the Congress.

In summary, let me make one point as clear as I possibly can. These 27 men charged with mutiny are by no means innocent of wrong-doing. Even some of the parents of the accused men who have written me readily acknowledge this fact. That is not the question here at all. The question is, as I see it, Should we in America remain silent when citizens of

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this country fail to receive equal justice under the law, whether it be military or civil law?

In recent weeks, I have received many letters from concerned, responsible people who are just plain shocked that Americans can be charged with an offense calling for the death penalty on merits such as are evident here. I have heard from servicemen who tell me that they were planning on making the service a career until this incident arose, and I have heard from Army officers on active duty and from retired veterans of many wars who are frank to admit that this is going too far.

Certainly, discipline is important in the military—it is not only important, it is absolutely vital. But, you do not achieve discipline through injustice or respect for the military authority by making examples out of people, especially when the stakes are as high as they are in this case.

During the last fiscal year, enough American servicemen went absent without leave to man 10 combat divisions with 15,000 men each. During that same period, desertions reached 53,357—an increase of 10,000 within a year.

I think it is time the Congress concern itself with this question and, in my judgment, we should begin with the so-called mutiny at the Presidio of San Francisco.

Mr. KOCH. Mr. Speaker, ever since the tragic series of incidents began at the Presidio in San Francisco last fall, much public attention has been focused on the deplorable conditions existing in military stockades and the treatment and well-being of its prisoners. These facts have been well-documented by many of my colleagues in both the House and the Senate. I am here today to voice my deep concern and shock with the facts which have come to light.

At the Presidio, there have been descriptions by both the guards and the prisoners of overcrowded and unsanitary conditions. Accompanying this have been charges of insufficient food for and mistreatment of the prisoners—especially those in the segregation areas of the stockade.

There has been inadequate attention to the mental hygiene of the prisoners, and psychiatric care has been less than satisfactory.

There are strong indications of insufficient training for the stockade personnel who are in charge of the prisoners. The circumstances surrounding the shooting of Richard Bunch pose the question: Is there a need to have armed guards for these military prisoners, the majority of whom are in the stockade for offenses no greater than a.w.o.l.? Why, too, are these guards armed with shotguns, even though they have been trained only for rifles? Have they been suitably trained and conditioned to the special needs of such prisoners—many of whom are in need of some kind of psychiatric care? The high rate of alleged suicide attempts at the Presidio, well-documented by the Army, strongly suggests the lack of proper mental hygiene programs for the prisoners.

How widespread are these conditions? Even if they are partially true, I find the situation totally unacceptable. The facts cry out for an impartial investigation by an appropriate committee of this Congress.

I have been disturbed and outraged by the severity of the charges against those 27 prisoners at the Presidio who were peacefully protesting, on the stockade grounds, against intolerable conditions such as I have indicated above. To bring charges of mutiny—which can even carry the death penalty—is an insult to our sense of social justice. I have sent an inquiry to Secretary of the Army, Stanley Resor, asking that he furnish me with a detailed reply to allegations that the charge of mutiny was unfounded and that a lesser charge would have sufficed.

Mrs. MINK. Mr. Speaker, I wish to join my distinguished colleague from California (Mr. LEGGETT) in expressing my grave concern over the plight of the 27 prisoners at the Presidio who were charged with mutiny, some of whom were tried and sentenced to serve 15 years at hard labor. While I am also gratified to learn that the Judge Advocate General of the Army has reduced the sentence in the case of Private Sood from 15 years to 2 years, I believe that this entire situation should be thoroughly investigated by an appropriate committee of the House.

One of the 27, Pvt. Linden Blake, age 20 years, is of particular concern to me as his mother is a resident of my State of Hawaii. I agree with Capt. Richard J. Millard's recommendation that the charge of mutiny was ill-founded and not based upon the facts in the case.

I believe that the House should read carefully the information that has just been supplied us by Congressman LEGGETT, and in furtherance of his efforts to provide this House with pertinent information, I include the following public letter sent to me by Mrs. June Blake, the mother of Linden Blake, at this point in the RECORD:

FEBRUARY 20, 1969.

To the MOTHER OF A SON:

He may be just a few weeks old, and you're still in that absorbed state that involves the "Wish to Hell he'd sleep through the night" stage, while at the same time you can wake to full painful alertness if he so much as lets out with a whinney in his sleep.

Or maybe that's all a dim memory and you're enjoying the classic prerogatives attached to enjoying your son's son. Better read on—I'm going to talk about MY son in a minute, and he has a brilliant, gallant, eighty year old grandmother of his own. What's happening to my son isn't just my own problem. If it were, I'd shoulder it privately and *you* wouldn't know about it.

I have many friends and acquaintances who are mothers of sons, both here and where you are. At the present time I'm living on one of the heavenly outer islands of Hawaii, which is just about as different from the other 49 states as you can get. Brown eyes and brown skins are big here, but Aloha means love, warmth and active kindness and a lot of other intangibles. Last week I attended a luau in honor of Benjamin Pali's first birthday. His mother got some help fixing the poi and lomi salmon from the five older children, but it was a labor of love on her part. At the hotel where I work I lunch every day with my fellow employees—I'm the only haole; my luncheon compañeros are mostly of Japanese descent (give or take a little.) The people may be different from you, but the conversation isn't—it generally boils down to about the same kind you have with the girls in your apartment building or your neighbors at Leisure World. Your children (or grandchildren), unspoken love for them and the necessity for principles they eventually have to be strong enough to handle.

And, Philip Wylie notwithstanding, most of the mothers of sons whose paths have crossed mine were all too aware that a man must have his own strengths and that when the time comes, what he carries inside him, his inner conviction that what is right is right, carries him over that invisible line into good manhood. Isn't that the way you feel?

And so did I. I raised three fine children on Dr. Spock and doing what comes naturally when you feel love and compassion and are sickened by cruelty and hatred. As I look back, I guess you could sum it up in a theme that ran like a ribbon through those funny, awful, wonderful years. "*You* know the difference between what's right and wrong; inside of you you *know*, kid! And, if it's good and right for you—use your courage. The only thing that's separating you from this houseful of beloved pets is what you carry up there in your head. Man's inhumanity to man is wrong. To hate and kill is wrong."

Maybe I sound like a Senior Hippy, now that I look back on it. But isn't this just about what you've been earnestly trying to instill into *your* children? ("I don't care if Linda's mother *does* let her stay out all night—you know the difference between what's right and wrong! Or "You don't take the car without asking just because the keys are in it—You know what's right and wrong!)

Sound familiar? Women's magazines and series of newspaper articles by learned savants all earnestly impart the same message "Teach your children love and kindness, and to control their destructive aggressions."

Well, to all this I'm sorely tempted to say ———, or whatever passes as the polite equivalent for it in your world. Because at this moment I'm split by a schism that is tearing me up. Because I tried to impart to my loved son the meaning of the word "Principle," he is at the moment spending the twentieth year of his life in a military prison, with the hopeless prospect of another 15 years or so there. At the age of 35 maybe he has a chance, permanently warped in mind and spirit, of re-emerging into a world with his beautiful youth gone forever, a useless wreck inflicted on a country and family that betrayed him by handing him a bunch of keys to life that didn't fit the lock.

Lindy was drafted when he was 19 years old, since he wasn't enrolled full-time in college, and, as far as I could see, was spending most of his time growing from 5′6′′ to 6′4′′. I know for sure he isn't stupid; ever since the first I.Q. tests were bounced around in the Los Angeles City School System, I would be called into the Principal's office and solemnly informed that "This son of yours has a rather superb mental capacity—We wondered if you were aware of his potentials?" I assured them each time that I would do everything in my power to see that he ultimately went to Cal Tech or whatever—so—I guess that his superb mental capacity must have been resting on its laurels while his bone structure caught up. (Sound familiar? Surely, all you mothers of busy grown-up sons couldn't have been so fortunate as to have escaped this hair-tearing period. As a matter of fact, when I look back on my own 18th and 19th year, I don't see how my parents survived the ordeal. Surely—surely—all of you didn't produce paragons of studious virtue who plunged head-long into pre-dental or whatever!)

At any rate, drafted he was, and his uneasy conscience was already kicking up. At this

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point the Army decided to make him a baker. This drew whoops of laughter from his siblings, but I sighed with relief. Lindy wasn't trying to avoid serving his draft-time, his only mental stipulation was that he simply could not kill another human being.

Now, I'm going to have to state what I know to be fact, and what I've heard second-hand.

Fact: Upon graduation from baking school he was given a three-week leave, and ordered, at the end of that time, to proceed to Vietnam via Oakland. He was also told verbally, that since the Army needed combat soldiers more than bakers, he could draw his own conclusions.

All right, now, mothers of sons—How do you handle this one? I didn't necessarily have to agree with his principles, but *they were his!* He came to me and we talked through the night. Do I suddenly tell him, after nineteen years of inculcating into his naturally gentle nature the fact that when he felt something was right for him he should summon the strength and courage to handle it—that this was nothing but inspirational moonshine?

Do I say "Split to Canada, Lindy, spend the rest of your life a hunted man forever, never able to return to your loved mountains and home?"

Do I say "Take a chance, Lindy, follow those orders and go to Vietnam; lots of things can be done obliquely, don't butt your head against a brick wall! Maybe you can con your way into a soft back-of-the-lines position and make some personal loot on the black market!"

Or do I say "Get in there and kill those yellow bastards, kid! You don't believe in it, but forget all that stuff—that was kid crap. Of course, you may be maimed or killed--but you're a Soldier, Man—Show it! It's only murder if you kill a fellow American in a fit of passion or anger—Not those faceless men, women and children on the other side of the world!"

Fact: Lindy spent two days of painful self-examination, wandering through his loved Santa Monica Mountains, where he'd spent a wonderful boyhood watching trap-door spiders and deer drinking from the creeks. He finally came back to me like a little boy who couldn't handle any more, and asked me to drive him to the airport and get him on the plane to Oakland. It was an experience in wordless control on both our parts I hope I never have to face again.

Fact (Verified by communication from the U.S. Army): When he arrived there he requested many times to be given a Conscientious Objector's application and each time was refused because he did not belong to a specific religious organization. He disobeyed embarkation orders, and was placed in the now infamous Stockade in the Presidio of San Francisco, to await trial for disobeying orders.

Second Hand: When a fellow-prisoner, a young, mentally deranged boy committed suicide by asking the guard to shoot him as he tried to escape, my son was an eye-witness to the episode, and participated in what the Army chooses to call "Mutiny", and what the attorney who is trying to assist the unfortunate "Mutineers" terms a sit-down strike. Unfortunately, the Army has decided to make this group an example for other military dissenters.

Fact: I know nothing about the sincerity or mental condition of the other boys into whose lot my son has been thrown, except that the intolerable conditions under which they are existing can bring forth nothing but heartfelt pity for them all.

I know my son—And at a time when the new President of the United States is calling for an end of the Draft itself, he faces an irrevocable blight on his life.

So, I say to you, mothers of boys—Is it worth it? Is the matter of survival more important in the hypocritical world we seem to be living in today, than the teachings of a religion that seems to be outmoded in this sad era for Mankind?

If I were doing it over, would it be better to say in effect—"Look out for yourself, Kid, do what you have to do to get where you want to go in this jungle—just be cunning and don't get caught!"

Where do you stand?

JUNE BLAKE.

Mr. RYAN. Mr. Speaker, I commend the gentleman from California (Mr. LEGGETT) for taking this time so Members can express their concern over the mutiny trials now in progress at the Presidio Army base in San Francisco.

In order to ascertain the facts surrounding these trials, and to solicit the Army's motives in charging the 27 young men involved with mutiny, I wrote to the Department of the Army asking for information on the Presidio incident and the subsequent trials. The Army answered my inquiry by providing a fact sheet on the facts of the incident sparking the mutiny charges and the subsequent investigation and prosecution of the matter by the Army. The information provided in that fact sheet and the extreme severity of the sentences imposed prompted me to urge Secretary of the Army Stanley Resor to make a careful review of the situation at the Presidio to determine whether or not these men were being subjected to cruel and unusual punishment.

I urged this action upon the Secretary of the Army for several reasons. First, on the basis of the facts supplied to me by the Army, the incident in question—which was by the Army's own admission a peaceful, 30-minute sit-down designed to call attention to conditions of overcrowding and undernutrition in the stockade—does not appear to warrant the charges of mutiny. Admittedly, by Army regulations, their action was unlawful. But the nature of their protest action, and the fact of the considerable evidence of deteriorating morale at the stockade over several months—including the suicide and several other attempts—raises serious questions about the charges.

Second, two of the three investigating officers in this case themselves recommended a reduction of charges against the accused men.

One of the two investigating officers whose recommendation was rejected, Capt. Richard N. Millard, recommended additionally that four of the six prisoners subject to his investigation be administratively discharged on the basis of psychiatric examination. The third officer recommended that the accused prisoners be charged with mutiny, an offense for which the maximum punishment is death. He did not ask for the death penalty, however.

The recommendation of the two officers that the accused men be tried for willful disobedience were rejected by the reviewing officer, Lt. Gen. Stanley Larsen, commander of the 6th Army. He approved, instead, the single recommendation for charges of mutiny and referred the case for a court-martial. General Larsen's decision to press on with mutiny charges—in spite of the evidence offered by Captain Millard that at least four prisoners were in need of psychiatric care—seems more stringent than the facts of the case warrant. The fact that the 27 protestors offered no resistance and, moreover, that the incident ended after less than 30 minutes of singing and chanting, hardly justifies the invocation of charges so severe that they carry a maximum penalty of death.

Third, the sentences which have been meted out to those soldiers who have already been tried are unduly harsh. Four of the men charged with mutiny already have been given sentences ranging from 4 to 16 years at hard labor, and 18 additional men will come to trial within the next 2 weeks. These sentences are particularly harsh in view of the Army's admission that there have been 51,000 willful desertions from the Army in the past year alone, and that the average offender has received no more than a 6-month sentence for this infraction. In his testimony before the House Armed Services Committee last week, Gen. William Westmoreland, Chief of Staff of the Army, stated that he felt desertion was a more serious infraction than the sit-down carried out by the 27 accused men at the Presidio. If the opinion the Chief of Staff of the Army is not shared by the lower echelon officers responsible for charging mutiny, perhaps the Army needs to overhaul its command system as well as its punishment schedule.

Mr. Speaker, I urge the Secretary of the Army thoroughly to reexamine the facts of this case with an eye toward determining whether or not these men have been subjected to cruel and unusual punishment.

If the reviewing officer had not referred these cases for trial as noncapital, these men might be on trial for their lives. The fact that military law has some purposes which go beyond the function of our normal civilian legal processes should not be allowed to justfy unusually harsh punishments in the name of "discipline" or "order." Existing tensions in the Army would be far more speedily resolved if the Army investigated stockade conditions such as those which have sparked the Presidio demonstration, rather than prosecuting for mutiny the 27 young men who brought these conditions to public attention.

Mr. COHELAN. Mr. Speaker, I want to thank the gentleman for the brilliant statement that he has made and commend him for the time that he has taken to apply his very substantial legal talents to the research of this problem.

Mr. Speaker, Congressman LEGGETT and I have taken this special order to bring to the attention of the House several serious questions of military justice and the management of military prisons.

On October 11, 1968, a prisoner on a work detail from the San Francisco Presidio stockade was killed by a shotgun blast fired by a guard as the prisoner allegedly attempted to flee.

On October 14, 1968, 27 prisoners at the Presidio stockade staged a sit-down demonstration to present a list of grievances and to request an explanation of the killing of one of their fellows. These

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27 men have now been charged with mutiny. Four of the men have thus far stood trial. All have been convicted. Their sentences range from 4 to 16 years. These men are now assigned to the Fort Leavenworth Federal Penitentiary.

These very serious events have brought to light a host of questions regarding the management of military prisons and the administration of military justice.

I would like today to take just a few moments to raise what I believe to be the most serious of these questions.

First, there is the important question as to whether a sitdown demonstration staged in a stockade to dramatize grievances can fairly be deemed to constitute a mutiny. Attendant to this question is whether, in the exercise of good judgment, one would find it appropriate to bring mutiny charges for this conduct if, in fact, it could be deemed a mutiny.

It should be remembered that mutiny is the highest offense known to military law. It should also be remembered that mutiny traditionally implies the intent to override military authority, while in demonstrating to present a list of grievances there is an explicit recognition of the authority of the military to bring about the correction of those grievances.

Moreover, it should be remembered that these men were incarcerated in a stockade. They did not try to escape. They did not try to take over the operation of the stockade. They did not try to apprehend or interfere with any of their captors. At worst, their conduct was to willfully disobey in order to dramatize the severity of their complaints.

The maximum penalty for willful disobedience of an order is 6 months. But the maximum penalty for mutiny is death. And in the present cases, sentences of 14, 15 and 16 years imprisonment have been meted out.

To give you some idea of how extreme these sentences are, you should keep in mind that the average sentence given to the 51,000 deserters from the Army last year was only 6 months. You should also know that men who refuse induction into the armed services receive sentences averaging 2 years, and that even those in the service who refuse to go to Vietnam receive only 2-year terms on the average.

Demonstrators in campus or civil rights activities have usually received even lesser sentences.

Thus there is a clear disparity between the severity of the penalties imposed in these cases and the penalties regularly imposed for similar or even more serious behavior.

I, for one, believe that these long sentences are simply unconscionable. In my view they must be reduced substantially, and I have personally and in writing expressed this view to the Secretary of the Army.

I will at the close of my remarks insert in the RECORD a copy of that letter.

This matter would be serious enough if it constituted merely the misapplication of mutiny charges and inordinate sentences. But these items are by no means all there is to this case.

One must ask whether it is a wise policy to arm prison guards with shotguns, especially when those guards have not been trained in the operation of such deadly weapons.

One must ask whether it is proper to use deadly force to stop a fleeing prisoner when the offense for which he was confined was itself not a capital offense, and when the fleeing prisoner is unarmed.

One must ask whether it is wise to have prison guards who are not trained as correctional specialists, and whether if they are trained, that training is adequate.

One must ask, too, whether when a prisoner is killed by a guard, wise judgment would not require that all the prisoners be fully informed of the circumstances of the killing so that wild and unfounded rumors could not pervade and poison the prison atmosphere.

Moving to the conditions at the stockade, the trials of these men brought forward sworn testimony of most unsatisfactory conditions.

One man testified under oath:

> I have seen toilets backed up and human excrement floating in the shower area.

The captain in charge of the stockade testified under oath:

> Standard capacity of the stockade is 88. On 1 August the population was 105 and on 14 October the population was 140. It is a generally increasing trend with some exceptions. When we reach Emergency capacity within seven days we are supposed to take action to reduce the population. Prior to 14 October it sounds reasonable that we were in Emergency capacity for 56 days.

A sergeant from the military police at the stockade testified that on October 14 rations were drawn for 104 men. Yet on that day there were 140 men in the stockade by the captain's figures. Moreover, the guards, eight or nine of them, were fed out of the rations drawn for the prisoners. Thus at least 148 men were being fed on rations for 104 men. This would seem to be undeniable evidence of inadequate food supply.

Thus the trials disclosed sworn evidence of extreme and prolonged overcrowding, unsanitary conditions, and insufficient food. These are matters which must be corrected.

The Army has responded to many Members of Congress by providing copies of a so-called fact sheet on the Presidio situation. Yet even in these statements the Army does not deny that the stockade was severely overcrowded, or that inadequate numbers of rations were drawn, or that the conditions were unsanitary. The Army merely states that overcrowding has now been reduced, that high calorie meals were served and that on the average over a full month period an adequate number of meals were drawn, and that some of the prisoners were responsible for the unsanitary conditions.

In sum, it seems that there can be no denying the bad conditions which existed at the stockade at the Presidio.

In addition to these physical evidences of unsatisfactory conditions, there are several instances of poor operational conditions.

Only one trained correctional specialist was assigned to the stockade, even though three such specialists were required by Army directives. The officer in charge of the stockade was a 25-year-old young man who had no correctional training of any kind. There was no psychological testing of guards to assure that they were fit for the type of sensitive work to which they were assigned.

These deficiencies in trained stockade personnel resulted in less than optimal programs of recreation, rehabilitation, and correction. In fact, for a time there was no outside recreational facility for the prisoners, and indoor recreation too was extremely limited.

These personnel training deficiencies also resulted in contact between prisoners with more or less serious psychological disturbances and guards who were not capable of dealing with these aberrations constructively.

Further still, the personnel in charge of the stockade had no effective grievance procedure in operation. This fact more than any other is probably responsible for the demonstration.

After all, if the prisoners had no effective way to make their complaints known, it is only reasonable to assume that the complaints would fester internally until, unmitigated by correction, they exploded in some concerted act like a protest demonstration.

I have tried in these few minutes to paint a broad sketch of the conditions in the Presidio stockade—overcrowded, underfed, unclean, with time on their hands, with no grievance procedure, with untrained and insensitive management personnel—it seems to me to be no little wonder that the prisoners staged a demonstration.

I think that we should try to learn from this demonstration and take this opportunity to investigate stockade conditions throughout the country in order that we might make the necessary improvements.

In particular, I think we should have the appropriate committees of the House look into the adequacy of the physical conditions in our military prisons—including the age and size of facilities, the adequacy of recreational facilities, the sufficiency of food, the condition and sanitation of latrine and shower facilities. I also think the appropriate committees should investigate the policies which presently govern stockade management—especially those concerning the arming of guards and the use of weapons, the training of stockade personnel, the provision of regular grievance procedures, the emphasis on rehabilitation of prisoners, and the adequacy of psychiatric care for prisoners.

These are serious and general problems—ones which demand our attention and concern. However, I would not want our more general concern to diminish the attention we give to the excessive penal sanctions meted out against those 27 young men who are charged with mutiny because they dramatized these grave conditions.

Our first priority should be to do whatever we can to bring home to the appropriate Army officials the gravity we attach to the case of these 27 men. Their treatment has been unfair. Their sentences are overlong. The Army, which already has trouble in recruiting officer

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personnel and in maintaining wide public respect for its judicial proceedings, has exposed itself to vigorous public indignation. Only by relieving the sentences of these young men can these inequities be rectified and public respect restored.

Our second priority should then be to learn the lesson these young men have brought to public attention; namely, our military prisons demand thorough congressional scrutiny.

Mr. Speaker, I ask unanimous consent to insert at this point in the RECORD a letter directed by me and several other Members of the Congress to the Honorable Stanley Resor, Secretary of the Army, on this particular subject matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The material referred to follows:

HOUSE OF REPRESENTATIVES,
Washington, D.C., February 18, 1969.

Hon. STANLEY RESOR,
Secretary of the Army,
Washington, D.C.

DEAR MR. SECRETARY: On October 11, 1968 an Army private interned at the San Francisco Presidio stockade was shot and killed while running from a guard. Three days later, 27 other prisoners in the stockade staged a sit down demonstration to present a list of grievances including explanation of the killing, fears of stockade guards, stockade conditions and racial discrimination. The demonstration consisted of standing aside from formation, sitting on the ground, singing "We Shall Overcome," "America the Beautiful" and other songs, chanting for the presence of the commanding officer, the press and others, and presenting a list of grievances. The officer in charge apparently listened to the list of grievances, but did not reply to them. When the prisoners continued their demonstration, the officer responded by reading the Mutiny Act, first in person and then over a loud-speaker. Finally the demonstrating prisoners were carried off the field and incarcerated.

As a result of these actions, three young men have been convicted of mutiny and sentenced to terms averaging 15 years at hard labor. Twenty-four other men still await their day before the courts martial on the same charges.

We recognize that sound management requires strict discipline in any military force. We recognize, too, that lack of discipline among prisoners may be more difficult to deter if serious penalties are not administered for lack of discipline.

Yet, however mindful we are of the demands of military discipline and the adherence to military law, we are not convinced that the interests of justice, fairness or public respect for military proceedings are served by the prosecutions, convictions and lengthy sentences for mutiny in these cases.

The armed services have, in recent years, experienced numerous incidents of protest demonstrations. To our knowledge, none of these have resulted in mutiny convictions. Moreover, we note that servicemen who have committed clearly more heinous acts than engaging in a sitdown strike have been committed to much less severe penalties. Moreover, it is not clear that grievance demonstrations constitute the serious effort to over ride military authority which is traditionally associated with mutiny.

These prisoners are young men. Some of them are old enough to fight for their country, but not yet old enough to vote. To sentence them to internment for the next fifteen years is to deprive them of their most productive years. Some of these men have wives and families, and again the deprivation is severe. Some of these men have histories of psychological problems. Some have tried to commit suicide. Some have admitted to a great deal of confusion in connection with their participation in the demonstration. Almost all have described the fears and high tensions that existed in the stockade after the killing of a fellow prisoner without a complete explanation to the stockade population. The sworn testimony taken in the course of the proceedings shows there was at least some basis in fact for their grievance claims, although it is understood that some of the unsatisfactory conditions were only temporary and that others were caused by certain of the prisoners. In short, a nonviolent sit down demonstration to present grievances conducted by young and sometimes troubled prisoners in a stockade where tensions ran high after a killing of one of their fellows would, in fairness, not seem to merit charges of the very highest military crime.

One further point influences our view. It is extremely important that the public trust and respect military judicial proceedings. If these proceedings are not respected, they will be regarded as kangaroo courts and will bring ridicule and embarrassment to the armed services. In an age when non-violent demonstrations are rather commonplace public suspicion is aroused by charges of mutiny and the imposition of fifteen year sentences for conduct that would normally be expected to meet with relatively mild retribution. This suspicion is reinforced when the first military officer to review the case notes that several participants have psychological problems and suggests that discipline consist of less than honorable discharge or a special court martial, and this officer is overruled and mutiny charges are brought before a general court martial. Public confidence is further depreciated when the interests of groups supporting the prisoners are allowed to pervade the proceedings. This public confidence is also eroded when officers make statements linking the demonstrators to anti-Vietnam war sentiments and publicly criticize civilian counsel retained to defend the demonstrators.

In sum, Mr. Secretary, we believe that mutiny charges are inappropriate in these cases and that 14–16 year sentences under these circumstances are inordinately long.

Accordingly, we ask you to remit these sentences and to reconsider the mutiny charges proferred against those demonstrators who have yet to go before their courts martial.

Your prompt and personal attention to this serious matter is appreciated.

Sincerely yours,
JEFFERY COHELAN,
Member of Congress.

(This letter was also signed by Congressmen DON EDWARDS, JEROME WALDIE, and PHILLIP BURTON).

Mr. COHELAN. Mr. Speaker, with great thanks I yield back the balance of my time.

LONG ISLAND CONGRESSMEN INTRODUCE NATIONAL CEMETERY SYSTEM AND BURIAL ALLOWANCES BILLS

The SPEAKER pro tempore (Mr. EDMONDSON). Under previous order of the House, the gentleman from New York (Mr. HALPERN) is recognized for 5 minutes.

Mr. HALPERN. Mr. Speaker, today three of my able and distinguished colleagues from Queens, Mr. ADDABBO, Mr. DELANEY, and Mr. ROSENTHAL, have joined with me to cosponsor legislation which would go a long way toward insuring for our veterans the dignity they so richly deserve when they are laid to rest.

The first bill provides for the establishment of a national cemetery system under the Veterans' Administration. This system is urgently required in view of the haphazard, unplanned establishment and expansion of our national cemeteries which has resulted in an ever-increasing shortage of burial sites for those who have earned the privilege of interment in these cemeteries.

The warnings are clear as to the seriousness of the problem. An order limiting burials in historic Arlington National Cemetery recently pointed to the need for congressional action.

Another prime example of this heightening crisis is Pinelawn National Cemetery on Long Island. When Pinelawn was established in 1937 it was estimated that this would provide gravesites for veterans until 1975.

In recent years, however, it has become apparent that this projection was far too optimistic, and current estimates indicate that the closeout date is almost upon us. Without expansion, Pinelawn is not likely to serve 1970.

Thousands of acres of Government-owned land is available on Long Island for the expansion of Pinelawn. The time to plan such expansion is now, not on the eve of another crisis.

And there are many other national cemeteries throughout the Nation whose future should be outlined in a well-defined plan, also.

Our bill is designed to resolve the heightening national cemetery crisis by eliminating the present outdated system of divided and overlapping jurisdictions and by providing the means to expand existing sites and create additional ones.

This measure would transfer to the Administrator of Veterans' Affairs jurisdiction over existing national cemeteries presently parceled out to three other agencies.

Further, the bill would direct the Administrator of Veterans' Affairs to plan a system of national cemeteries and to create additional ones so that the capacity and distribution of national cemetery sites shall at all times be sufficient to assure burial in the national cemetery for those who so desire.

The second bill introduced today is a measure to boost the present $250 burial allowance for veterans to $400. The high cost of dying, which eventually every family must sadly face, must be recognized by the Government. The present figure is far from realistic and should be increased.

The bill further provides that the burial allowance not be denied to any veteran because of the existence of other burial or death benefits public or private. The hard-pressed family should not be so penalized.

Passage of both these bills is vital if we are to be able to continue to properly pay tribute to the men who fight for the honor and freedom of our country.

THE ABM DEBATE

The SPEAKER pro tempore (Mr. EDMONDSON). Under previous order of the House, the gentleman from Wisconsin (Mr. REUSS) is recognized for 10 minutes.

Mr. REUSS. Mr. Speaker, the debate on the ABM has just begun. In the March 22, 1969, issue of the New Republic, Prof. Robert Rothstein of the Johns Hopkins University suggests that ABM proponents may be seeking to escape a central dilemma and restraint of our time—the lack of an acceptable defense against nuclear attack, and thereby to restore options for action available to our military in the pre-nuclear age. He also suggests that the ABM is the latest example of our propensity to seek technological solutions to difficult political problems. But as he points out—

> The confidence and sense of security necessary to maintain the international system in a state of reasonable stability cannot be achieved by weapons developments in and of themselves.

I commend this thoughtful article, the first of two on the ABM by Professor Rothstein, to my colleagues. The text of the article follows:

REFLECTIONS ON THE ABM DECISION

(By Robert Rothstein)

The argument on ABM over the past ten months represents one of the few occasions in the postwar years when informed public discussions may have significantly affected the outcome of a national security policy decision. As of this writing, the President's decision has not been made public. The odds are about even, however, between delaying for a year, or proceeding some way along to one or another version of a "thin" deployment.

I suppose it is something of a small victory that proponents of the ABM have been forced to scale down their demands. Still, it may be a transitory victory, for the latest, more modest Pentagon proposals are pale reflections of what many ABM advocates really have in mind. In fact, the Sentinel system (Spartan and Sprint missiles with attendant radars) was not even designed to be used in the fashion implicit in the particular kind of limited deployment that Secretary of Defense Laird has been advocating.

Irrespective of the details of Mr. Nixon's decision, it is important to understand the underlying themes of the debate, for the issue of missile defense is going to be with us for the foreseeable future. On defense policy, involving as it does technical and secret matters, our political system can be manipulated by highly committed groups within the bureaucracy who push their points of view beyond the possibility of compromise. ABM shows this. So does the history of the plan for a multilateral nuclear force (MLF). Other elements of the bureaucracy may oppose the committed group, but they are frequently united only in opposition to it, and not in support of a reasonable alternative. Public opponents tend to be one argument behind official proponents, as the latter take advantage of their control of sources of information. The opposition's only real chance of success is to raise sufficient hue and cry so that the President withdraws a policy for which no real consensus can be formed. President Johnson did that with the MLF.

The military, defense contractors and some technical experts in the national security field, plus a number of Congressmen, have been the leading advocates behind the current ABM proposals. Some of their ostensible arguments will be discussed in what follows; a parallel effort will be made, however, to understand the reasons for their attachment to the ABM.

When we think about the revolutionary impact of nuclear weapons, we usually think about their terrifying capacity for destruction. Yet for the military, something else may be more important: *there has been no acceptable defense against nuclear attack.* Whatever our military leaders might promise about our capacity to inflict damage on the Soviet Union, they could not (at least after 1954) promise simultaneously to protect the United States from grievous retaliation. Deterrence, therefore, has had to take precedence over defense. Rather than concentrating on building forces primarily designed to fight (and "win") a major war, we have had to concentrate on building a force designed to influence the other side's willingness to go to war at all.

The military has not found it easy adjusting to this new state of affairs. They have traditionally been trained to concentrate on matching or exceeding the capabilities of any potential enemy, and to leave estimates of his intentions (or attempts to influence them) to others. Moreover, the military's primary role has always been protection of the homeland, as well as the creation of a force capable of "winning" any conflict at an acceptable level of cost. Insofar as possible, they seek to achieve their goals by "seizing the initiative," avoiding situations in which we are "bled to death" by the apparently inexhaustible "cannon fodder" of the enemy. These notions are wholly out of joint with a world in which strategic weapons are built *not to be used but to be manipulated,* in which both sides play an elaborate and dangerous charade, in which the notion of "winning" has been supplanted by notions of "parity" or "sufficiency," in which the aims of each side are themselves ambiguous. In such circumstances one can understand the frustration of the military men, especially those old enough to have been educated before these propositions became part of the conventional wisdom. (I am using the term "military" as a convenient shorthand: there are some military men who do not fit the mold I have fashioned, and there are many civilians who do—especially when they are appointed to Congressional committees dealing with military affairs.)

Both the military and their critics agree that nuclear war is possible, although the military would undoubtedly rate that possibility much higher. They disagree in their reaction to that possibility. For the military, if war is possible, it is criminal not to buy all the defense one can get in order to limit its worst effects. For many civilian critics, the possibility that war will come has led, conversely, to a concern with influencing the intentions of the enemy, so that he will remain deterred. One does not, from this point of view, buy defensive systems which can upset stability and which, in any case, are only marginally effective. If war is a possibility, an ABM *might* save lives (whether it will in fact do so depends on whether arms levels have gone up to enable each side to overwhelm the other's ABM); but installation of an ABM, without prior agreement on an arms freeze, might also destabilize the strategic balance and lead to ever higher levels of "assured destruction." The same proposition—war is possible—produces very different practical decisions, depending on whether your intellectual frame of reference leads you to a bias in favor of either deterrence or defense.

Underlying all of this is, I believe, a strong psychological reaction on the part of the military. If the ABM works, or if we believe it works, it has the potential of restoring to the military some of the autonomy and independence they have lost. A *successful* ABM implies a wholly new ball game, because the danger of a destructive attack on the United States would have been at least sharply reduced. It would also give us greater freedom in handling future Koreas (or Vietnams or Berlins?): one need not be overly concerned about the dangers of escalation. If the notion of "winning" cannot be revived, in the case of a major nuclear war, we at least wouldn't have to accept any more local humiliations. Thus, the ABM is important to the military not only because of its presumed capacity to limit damage in the event of an attack or an accident; it is also critical in terms of its ability to influence the initiation of offensive actions by our forces (both nuclear and conventional). Put another way, the Joint Chiefs of Staff, prime advocates of a "thick" ABM system, believe that it would "continue the Cuba power environment in the world." In their view, our strategic nuclear superiority has allowed us to exploit our tactical superiority. If that superiority were in doubt or diluted by fears of "having an arm torn off" in a nuclear exchange, we could be hamstrung on a local level.

Contemplate, for example, a situation in which Chinese troops swept into India, and we attempted to slow them up by threatening or initiating retaliation against Chinese nuclear installations. Our ABM could then be a very significant factor, assuming that some remnants of the Chinese nuclear force survived our attack. Admittedly, it is difficult to imagine the Chinese creating a situation in which such action on our part looked reasonable to us. Nevertheless, some of our military are discussing "scenarios" such as this, for they are preoccupied with the specter of Chinese aggressions that we are unable to deter because we fear Chinese nuclear strikes against us.

A defensive system, in sum, is especially attractive to a group whose traditional role has been fundamentally altered not just by nuclear weapons, but by the fact that we could stop an attack only by threatening an even larger one. The similarity here to the debate several years ago on civil defense seems to me to reinforce the argument. Again, on an objective level, the struggle concerned estimates of the likelihood of war and about the effect of various civil defensce measures on our ability to either deter or defend against a Soviet attack. But on another level, the argument was about the possibility of *using* our weapons *if* our population was protected.

Whether its proponents really believe in the virtues of ABM deployment on the basis of a considered strategic judgment, or whether it represents, as I think, a kind of reflex judgment on the potential of the ABM for restoring a more traditional strategic environment, the military and some technocrats believe there are technological solutions to strategic problems. (As a subsidiary theme, one might also note a certain fascination with what Oppenheimer, in reference to building the hydrogen bomb, called the "technically sweet," that is, a kind of aesthetic pressure to develop the most advanced tools merely because one is able to do so.) Ultimately, however, there are only political solutions to the problems created by nuclear weapons. The confidence and sense of security necessary to maintain the international system in a state of reasonable stability cannot be achieved by weapons developments in and of themselves. This is especially true when there is no sure and safe way to eliminate the possibility (some would say probability) that the next round of technology will undermine the stability of the preceding one. The fear and uncretainty engendered by knowledge of this prospect can only be controlled by agreements outside of it, not by manipulation of developments within it.

Our propensity to seek technological solutions to difficult political problems is well-known. The strategy of massive retaliation, the emphasis on "more bang for the buck," on regaining the initiative by retaliating when we chose and on substituting nuclear

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technology for ground forces—all these are illustrative. The popularity a decade ago of the concept of limited nuclear war is another illustration; it ran afoul of our allies' understandably negative reactions, as well as the fact that the Soviets also had tactical nuclear weapons. An excessively technological orientation tends to concentrate attention too narrowly on ways and means and to obscure more important questions of purpose and intent. In the ABM debate, we can see the dialectic at work in the Defense Department's reaction to the outburst of criticism against its decision; it has tried to obscure the issue by suggesting that all will be well if only the sites for the missiles are redeployed away from urban areas (or at least urban areas that protest volubly enough).

One might argue that in the last analysis debates about military hardware are not really very significant, that what counts is not force structures and the like but rather the intentions and intelligence of the statesmen of the great powers: if they are willing to accept restraints on their behavior and to assess their responsibilities at least in part in reference to a general concern for stability, then war is unlikely. I find this point of view only partially tenable, for the characteristics of the available military systems surely condition the nature of decisions taken. The impact of mobilization schedules on the outbreak of World War I is a case in point. And the Cuban missile crisis ought to limit optimism about the willingness of reasonable men to seriously contemplate nuclear war—and in somewhat dubious circumstances.

I would also feel more confident about the argument that it is intention and will which are decisive, if it were not for the nature of the present leadership of the Defense Department. Anyone who takes the trouble to read the writings of Mr. Laird and Assistant Secretary of Defense G. Warren Nutter on these matters is bound to come away troubled. The Duke of Wellington's comment as he looked over his troops before the battle of Waterloo comes to mind: "I don't know whether they scare the enemy, but by God, they scare me."

THE RELATION OF OUR TEXTILE INDUSTRY TO EUROPEAN COMMON MARKET'S TRADE POLICIES

(Mr. FISHER asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. FISHER. Mr. Speaker, recently, my distinguished colleague, the gentleman from Illinois (Mr. FINDLEY), drew the attention of the House to the European Common Market's plan to levy prohibitive consumption taxes on vegetable oils, oil seeds, cake, and meal. These taxes would drastically reduce U.S. soybean exports and impose economic hardships on many American farm communities. As I myself represent an agricultural region, I understand very well the gentleman's apprehensions and join him in urging our Government to take action to prevent this injustice. But I cannot join him in his subsequent effort to marry the soybean tax problem and textile trade policy. I believe him to be seriously misinformed in this respect as well as in regard to the condition of our textile industry, which provides virtually the sole market for American wool growers.

It cannot be argued that U.S. efforts to secure reasonable textile trade controls have induced or will significantly strengthen the EEC's determination to protect its agricultural sector. As is common knowledge, the EEC has never embraced free trade in agricultural imports competitive with the produce of its own farms and it is not about to do so now On the contrary, a highly protective trade policy with regard to agricultural products is considered to be crucial to the EEC's political survival, as the French have made very clear on numerous occasions. The EEC agricultural ministers have been discussing vegetable oil taxes for some time and for the same reasons that lay behind their earlier discussions regarding the fate of American poultry exports to Europe. U.S. textile trade policy has had absolutely nothing to do with these discussions and doubtless will have little influence over their outcome. I see little to be gained, therefore, by suggesting that the fate of U.S. agricultural exports to Europe hangs on the question of textile trade policy.

The gentleman quoted with approval a New York Times editorial which presented essentially the same argument in regard to Japan. The United States, according to the Times, should not seek a reasonable textile agreement with the Japanese because this would strengthen protectionist sentiment in Japan.

Mr. Speaker, this had to be written with tongue in cheek because it would be difficult to find any major non-Communist trading country that is more protectionist than Japan already is. Japan imports raw materials, foods, and technology from us because these items are not available at home, not because she is committed in any sense to free trade. It is ironic in this connection that the same newspaper reported some weeks ago the return of yet another disappointed and frustrated American trade mission sent by the President to negotiate freer trade relations with the Japanese. This mission was offered meaningless concessions on commodities the Japanese do not consume in significant volume but otherwise returned empty-handed. And Japan has consistently enjoyed the highest economic growth rate in the world since the mid-1950s.

I think it relevant at this point to note that Japan has accepted extremely restrictive quota agreements with the EEC nations, especially in textiles, largely because the market which interests her most is ours. Perhaps some reasonable controls over textile imports by country of origin would induce the Japanese to bargain more vigorously with other countries so that the United States would not have to continue absorbing a grossly disproportionate share of her textile exports.

Turning now to the condition of the American textile industry, I want also to discuss the matter of textile industry profits. The American Importers Association, as quoted by the gentleman from Illinois, compares the level of textile industry profits in two widely separated base years, notes that total profits doubled between them and concludes that the industry is therefore in good shape. No mention is made of the fact that 1961 was a bad year for textile mill products while 1968 was a year of feverish prosperity and inflation in the U.S. economy.

In other words, the Importers chose base years which, while comforting to their argument, are not economically comparable. Profits might very well have tripled between these base years without generating any useful information at all about the condition of the industry in 1968 and, what is more important, its prospects for the future. The same is true of the 1967–68 profit comparison made by the Importers Association, since 1967 was also a bad textile year.

Furthermore, the level of profits in a given industry does not mean very much unless it is related to the volume of investment involved and to the performance of profits in other industries. Since 1961 the textile industry has invested enormous sums of capital in new equipment in a vain effort to keep up with rising labor costs and growing imports of cheap-labor textiles. Consequently, the industry's rate of return on equity has shown little improvement since 1961 notwithstanding the increase in total profits to which the Importers Association refers. The fact is that the textile mill products industry in 1968 ranked below all other major U.S. manufacturing industries in respect to the rates of return on both sales and equity. This is very significant since textiles must, in the long run, compete with all other industries for capital and other resources. The usefulness of random statements about the level of profits in widely separated base years is further reduced by the impact of inflation. Who would argue, for example, that $10 million worth of 1968 profits would purchase as much in new equipment and new jobs as it would have purchased in 1961?

Mr. Speaker, we hear demands on all sides that policymakers in education, military affairs and foreign relations discard their adherence to sweeping generalities in the light of the changed conditions in which we live today. Pragmatic policy responses to these problems are said to be essential under today's conditions. I submit that the same thing is true in regard to the formulation of textile trade policy. The United States cannot afford, I submit, to be the only major industrial Nation which does not care what happens to its great industries and their workers.

COMPREHENSIVE HEALTH PLANNING

(Mr. BLANTON asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BLANTON. Mr. Speaker, recently our colleague, the gentleman from Tennessee's Fifth District, RICHARD FULTON, was cosponsor, along with the Nashville Area Chamber of Commerce and the Tennessee Department of Public Health, of a statewide conference on comprehensive health planning.

The conference was considered by those who attended to be an outstanding success and was a significant first step in Tennessee's efforts to make meaningful the comprehensive health planning programs which have been passed by the Congress through the Partnership for Health Act and subsequent amendments which, as a member of the House

Committee on Interstate and Foreign Commerce, I was privileged to have the opportunity to participate in writing.

Shortly after the Nashville conference, Congressman Fulton was invited to give the principal address at the first annual meeting of the American Academy of State Directors of Comprehensive Health Planning, which was held on March 6 here at the Washington Hilton Hotel.

In his address, Congressman Fulton pointed out the opportunities which lie ahead in the area of comprehensive health planning and the work which must be done to make these opportunities a reality.

Mr. Speaker, under unanimous consent, I include a copy of Mr. Fulton's remarks in the Record at this point and commend it to our colleagues for their consideration:

Comprehensive Health Planning: The Congress as a Partner

(Address by Hon. Richard Fulton)

Dr. Cashman, Mr. Boyd, distinguished guests, with my responsibilities in the Congress as a member of the Ways and Means Committee to attend the current hearings on tax reform and the demands on my time back home to contribute to and participate in last week's conference on comprehensive health planning, I was forced to ask for a little assistance in the initial drafting of my address this evening.

Overall, the first draft was a good one, and I want to commend those who contributed to it . . . without mentioning any names because I don't want them to be given too much credit if you receive my remarks favorably. Conversely, should you take exception to or in some way be offended by what I will say, then I certainly wouldn't want them singled out for blame and reprisal:

As I said, the first draft was a good one. I made relatively few changes except for the first page, and those changes were not really substantive. They simply involved the eradication of some rather terrible jokes which were intended to put you at ease. After reading them, I was more concerned that they would frighten you away.

* * * * *

I am particularly pleased to be with you tonight because you are the people who, by your responsiveness to that task ahead, are going to determine whether or not this concept of comprehensive planning is going to become a viable reality. You have a responsibility to do this.

If you will, and I am certain you have, commit yourself to the task, it will be done.

The Congress also has a commitment to your job. This can be found in Public Law 89–749. The legislation passed in 1966 which established comphehensive health planning. It is my strong feeling that in making the partnership for health an instrument of national policy, the Congress and the President set in motion one of the finest programs yet devised for improving the level of individual and community health throughout our Nation.

The Congress also incurred a continuing responsibility toward this program. Such legislation is not a single-shot approach and the evidence of this was the enactment, in 1967, of the partnership for health amendments. The United States Congress, therefore, is committed and is your partner in this effort.

But legislation without implementation is like a verbal contract, not worth the paper it's written on, with respect to the implementation of this legislation, the work already done at the state and community levels is little short of fantastic.

Within the short space of some eight months after Federal funding had become available, every state and territory had moved. Sixty-nine area wide agencies had been funded. Advisory groups and boards were organizing and, of greater importance, were beginning to move toward the essence of implementation of substantive planning.

Some highly significant facts have begun to emerge from this activity. In the first place, the partnership for health is not, in law or in fact, a Federal program. Rather, it is a people-directed program. It embodies, as its basic tenets, the root values which we, as Americans, have so long esteemed.

Some of these can be identified as "self-determination," "cooperation," "coordination," and "motivation to action, to help ourselves by helping our communities."

This program is, in the truest sense, an effort on the part of the Federal Congress to reinvest in the States and communities that spirit of community action which is vital to the presentation of our governmental and societal structure.

Perhaps the more correct term is "retention", retention of responsibilities, of prerogatives, of opportunities.

The role of the Federal Government is to stimulate State community action and provide dollar support to States and communities to assist them in planning for their own health needs.

But this takes support of the people.

In the case of the partnership for health, the people have responded, with the result that the program has received an overwhelming public mandate. Oh, this is not to say that everyone involved or affected is enthusiastic in his support.

There are still those who, to use the old cliche, "View with alarm." There are still those who see this program as a threat to their personal or professional security.

This is unfortunate because it impedes the progress of the program.

It was my pleasure, a week ago today, to see this new program in action in my own State of Tennessee. The occasion was a statewide conference on the partnership for health, co-sponsored by the Nashville area chamber of commerce, the Tennessee Office of Comprehensive Health Planning, and myself.

Some 700 community leaders throughout Tennessee attended the conference which was directed toward producing specific activities, at the community level, which would support comprehensive health planning in Tennessee.

Despite an intensive and almost exhaustive conference agenda which extended from 8:45 in the morning to ten o'clock last Thursday night, the ideas expressed, the suggestions discussed, and the specific recommendations submitted were of high quality.

It was a fascinating experience to observe the extent to which the people of one State, Tennessee, subscribed to the goals and objectives of the partnership for health . . . and exhibited their determination to make it work.

I am confident that the recommendations submitted will be carried out.

I am well familiar of the leadership in Tennessee which has brought the program to its present level of implementation with the very capable staff direction of Dr. Homer Hopkins, the executive director of the Tennessee Comprehensive Health Planning.

But staff cannot accomplish that which only people can make happen. The extent to which health service providers and consumers in Tennessee have begun communicating and cooperating with each other toward the goal of improving individual and community health can only be described with superlatives.

I recall vividly some of the remarks made by the conferees in the afternoon workshop sessions, and I would like to repeat just a few. They included such statements as, "This program has been a long-time coming, but it is the only thing that will do the job . . ." "This program has got to work, and we have got to make it work . . ." "The key words in this program are 'communications,' 'coordination,' and 'cooperation'."

It was, and is, a most rewarding experience for a legislator at the Federal level who voted for and supports the partnership for health.

Because what is happening in Tennessee is taking place in the other States and communities which have joined as partners, have made their commitments, and are now going about the difficult business of comprehensive health planning within their States and communities.

You, as staff directors, as community leaders, as Federal agency employees of the executive branch, each of you has a compelling responsibility.

Each of you, in a very real sense, is a member of this new and growing partnership. Our responsibility is to the people.

The establishment of the new American Academy of State Directors of Comprehensive Health Planning is a forward step of vital importance.

Through your new association, communications linkage can be established and maintained to work toward the objective of providing information, as professionals, of the latest developments in your important field.

This, in turn, activates greater coordination and cooperation on all fronts and at all levels, including the Federal legislative level.

I think we will see, as your new association develops, a manifestation of the old axiom, "The whole is greater than the sum of the parts."

Because you represent a broad constituency of State and community leaders who, in turn, are the representatives of the national constituency: more than 200-million Americans.

You are the doers, and you must, in turn, become the communicators.

Because it is to you, the representatives of the people of your States and communities, that we in the Congress must turn for information and guidance in shaping future legislation which affects your program.

I am looking forward to working with your chairman, Jack Boyd, and with other representatives of the academy.

It would be less than realistic to assume that no further legislative action by the Congress is required.

The program is too dynamic. If it is to realize its potential, the Congress must discharge its responsibility as a partner at the federal level.

I believe I speak for the majority of my colleagues when I say that we will be responsive to your reasoned recommendations.

This, then, is the role and the responsibility of Congress as a partner. Each of us has a commitment, an involvement, and a very definite responsibility to make this thing work.

I view this responsibility as an opportunity, an opportunity to better serve people in my job as an elected official.

From meeting some of you, from having talked to Dr. John Cashman and staff members of the division of comprehensive health planning in Bethesda, and from having participated in the Tennessee conference. I have a strong conviction that mine is a shared feeling: That others view the partnership for health as an opportunity to serve.

As Dr. Cashman said in his keynote address at the conference in Nashville last week, "the stakes are high, but no higher than they have been. The time? Perhaps later than it should be. The opportunities? Unlimited, if we are to think in terms of that which we can do. The rewards? Ill-defined, as yet, but we must, if we are to move forward, motivate ourselves to strive toward the goal.

"And that goal, I would remind you, is

this: The highest level of health attainable for every person."

Stimulated with a charge such as this from a man of such conviction and determination as Dr. Cashman, we will, I think, get on with the job.

And we will, I think, do that job well.

LEGISLATION FOR GREATER FLEXIBILITY IN IMMIGRATION

(Mr. CELLER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. CELLER. Mr. Speaker, I have today introduced a comprehensive immigration bill to establish rational new preference categories by which immigrants can seek admission to the United States.

Experience has demonstrated that existing preferences of the Immigration and Nationality Act are out of balance with our avowed immigration policy of reuniting families and offering preference to skilled aliens who have much to offer the United States. Moreover, countries of Western Europe—Ireland, for example—have been denied an equitable opportunity to send immigrants to the United States. The Irish will procure decided relief.

This will, in seeking the necessary revisions, move toward a greater flexibility in our immigration law. We, in our tradition, must make it possible for those who cannot come to the bosom of a family or within a preference; that is, the young, the brave, who follow a star, to come to enrich our culture as many did before. These from Ireland, England, Italy, the Scandinavian countries have much to give, and we have much to receive.

My proposal will relieve the mounting pressure for immigration reform by wiping out the long waiting list for relative preference visas, and, with a new preference system, all intending immigrants will henceforth be able to compete for visas on a fair and reasonable basis.

A drop down of visa numbers from one preference to another will eliminate wasted visas and will insure a full utilization of visa numbers and the availability of visas for young new-seed immigrants who seek an opportunity to come to our great country. More than 60,000 visa numbers, it is estimated, will drop down to ease immigration opportunities for persons unable to secure visas.

The new immigrant provisions are complemented by changes in the nonpreference categories to authorize the admission of fiancées of U.S. citizens and permanent resident aliens, the admission of skilled temporary workers whose services it has been determined are urgently needed to fill employment gaps, and by objective refugee provisions.

Specifically the bill provides:

First. Admission outside of quotas for brothers and sisters of U.S. citizens who are beneficiaries of petitions filed prior to January 1, 1969.

Second. Immediate relative status—nonquota—for unmarried sons and daughters of U.S. citizens.

Third. Immediate admission for children accompanying their parents who are beneficiaries of a petition filed by a U.S. citizen son or daughter. Under existing law such children are classified as brothers and sisters under the fifth preference and in many instances have a long wait for a visa and are not able to accompany their parents.

Fourth. New preferences:

First preference status for married sons and daughters of U.S. citizens and spouses, unmarried children of permanent resident aliens, which preference will receive 25 percent of the overall ceiling of 170,000;

Second preference status for the highly skilled and professional will receive 25 percent of the numbers plus unused numbers of the first preference;

Third preference status for skilled laborers for which a shortage of employable and willing persons exists in the United States will receive 25 percent of the numbers plus any unused numbers of the first and second preference; and

Fourth preference status for aliens principally engaged in religious duties, aliens who will not seek employment in the United States, and investors, which preference will receive 15 percent plus any unused numbers from the first, second, and third preferences.

Unused numbers: 10 percent of the total or 17,000, plus unused numbers from the first, second, third, and fourth preferences, will be available to nonpreference qualified immigrants in the chronological order in which they qualify. There is a proviso within this group that 25 percent of the numbers available for nonpreference immigration shall be available to qualified immigrants who are under 25 years of age. The labor certification provision will not be applicable to this latter category.

Fifth. Labor certification procedures are simplified. Labor certification will no longer be necessary for a professional or a very highly skilled alien. The skilled alien will be able to file his own petition in an occupational category and will no longer have to have a specific job offer.

Sixth. The new refugee section will authorize the Attorney General to parole refugees who have fled from communism, from persecution or fear of persecution, or who have been uprooted by natural calamities or military operations. This new section has a built-in provision for retroactive adjustment of status after the refugee has been in the United States for 2 years. The existing law has proved to be inadequate in that refugees are now counted against a country's quota. This provision will meet emergency situations and will not cause any intending immigrant to have to wait because a number had to be used for a refugee.

LEGISLATION MAKING JUDICIAL RETIREMENT MANDATORY AT AGE 70

(Mr. MIZE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MIZE. Mr. Speaker, I have cosponsored legislation which would establish mandatory retirement at age 70 for Federal judges. This proposal would insure, as much as humanly possible, a vigorous and decisive Federal judiciary throughout the United States.

Article III, section 1, of the Constitution creates the U.S. Supreme Court, and further charges the Congress with the duty of creating "such inferior courts as Congress may from time to time ordain and establish."

In carrying out these responsibilities, Congress has enacted legislation providing that no person may serve as chief judge of the circuit court after attaining the age of 70 years. This provision became effective on August 6, 1958.

In passing this judgment, Congress reasoned that the circuit courts would be better served by younger, more energetic men as chief judges. The bill which I advocate today, H.R. 7507, would extend that same reasoning to the entire Federal bench of the lower courts. It would require all Federal judges to retire from full time, fully active status upon attainment of the age of 70 years.

FOUR POINTS OF AMPLIFICATION

Mr. Speaker, in supporting H.R. 7507, I wish to make four points clear:

First. In order to be entirely fair, mandatory retirement provisions will not apply to those judges currently serving the Federal courts. This bill applies only to those judges appointed subsequent to its enactment.

Second. In my judgment, this proposal should not apply to the Justices of the U.S. Supreme Court. That Court was specifically established by the language of the Constitution. The doctrine of separation of powers is so essential to our liberties and system of government that mandatory retirement provisions applying to the Supreme Court can be properly implemented only by constitutional amendment.

Third. This proposal complements existing procedures and statute law. Retired judges will continue to serve on a limited basis, just as do those judges who voluntarily retire today. Retired judges will retain the emoluments of office and will serve in semiactive capacities. They will continue to hear cases as their health and strength permit.

Title 28, United States Code, section 371(b), provides:

> Any justice or judge of the United States appointed to hold office during good behavior may retain his office but retire from active service after attaining the age of 70 years and after serving at least ten years continuously or otherwise, he shall, during the remainder of his lifetime, continue to receive the salary of the office. The President shall appoint, by and with the advice and consent of the Senate, a successor to a justice or judge who retires.

In *Booth* v. *United States,* 291 U.S. 339 (1934), the Supreme Court, in discussing this provision, states:

> By retiring pursuant to the statute a judge does not relinquish his office. The language is that he may retire from regular active service. The purpose is, however, that he shall continue, so far as his age and his health permit, to perform judicial service, and it is common knowledge that retired judges have, in fact, discharged a large measure of the duties which would be incumbent on them, if still in regular active service. He does not surrender his commission, but continues to act under it. He loses his seniority

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in office, but that fact, in itself, attests that he remains in office.

Fourth. Finally, this proposed legislation will serve to increase the capacity of the courts to try the ever-increasing number of cases which come before them. In addition to having younger men on the bench, the courts will have the services of the retired judges, who will work at their best speed.

Clearly, one of the greatest difficulties in the law today is the great delay of justice in too many cases. Defendants whose trials are delayed for months cannot provide the type of vigorous defense which clearer memories insure. Prosecutors are hampered by the same timelag. By enacting this legislation, we will permit the courts to accomplish more. Their work will improve both quantitatively and qualitatively.

I urge all of my colleagues to favorably consider H.R. 7507, a bill to make mandatory the retirement of Federal judges at age 70.

RESOLUTION IN HONOR OF AMELIA EARHART AND JOAN MERRIAM SMITH

(Mr. MIZE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MIZE. Mr. Speaker, I am the sponsor of a joint resolution in honor of Amelia Earhart and Joan Merriam Smith, two of America's most distinguished aviatrixes.

These gallant ladies, through personal achievement in the air, brought great credit to their country and new prestige for the fairer sex. Their individual accomplishments are an important part of the heritage which has led to American excellence in the air and in space. It is proper that the Congress recognize the courage and contribution which marked these two most remarkable careers.

The challenge which they saw as their own is really the challenge of free men and women everywhere: to achieve, through indomitable will and individual initiative, the seemingly impossible goal.

As with all great spirits, Miss Earhart and Mrs. Smith did not rest upon the laurels of their successes. They continued to seek new horizons—the quest, sadly, cost them their lives. The legacy which they left behind enhances the dignity of every human being, for clearly their efforts—though intensely personal—were undertaken on behalf of all of us for all time.

AMELIA EARHART

Mr. Speaker, Amelia Earhart was born in Atchison, Kans., my hometown. She was the first woman to fly the Atlantic Ocean solo, accomplishing this feat in May 1932. She was blown off course on this flight and was forced to land on a field in Ireland. Amelia descended from her plane and announced, "I'm from America." An Irish farmer responding to her question as to where she was, announced, "You're in Gallagher's cow pasture."

She went on to Paris to receive the French Legion of Honor. Later, back in the United States, President Hoover presented her with the Geographic Society's gold medal, which had never before been awarded to a woman.

She later became the first person to fly from Hawaii to the U.S. mainland, the first to fly the Atlantic twice, and the first to fly nonstop from Mexico City to Newark, N.J., considered most difficult in those early days of aviation.

She lost her life in 1937 attempting to complete an around the world flight at the equator. She died attempting to locate Howland Island, a dot in the vast reaches of the Pacific Ocean. The world mourned her untimely passing, for she epitomized the courage of a new breed of emancipated woman from an emancipated Nation.

JOAN MERRIAM SMITH

Joan Merriam Smith's lifelong ambition was to accomplish the equatorial flight which cost Miss Earhart her life. She finally succeeded in May 1964, and became the first person to fly round the world solo. She landed her rapidly deteriorating light plane at Oakland, Calif., after a journey of over 27,000 miles. Mrs. Smith was killed a short time later when the wing of a rented aircraft failed in flight. She crashed into a mountainside in California. For her gallant flight around the world she was awarded the 1965 Harmon International Aviation Trophy posthumously.

Mr. Speaker, the resolution which I sponsor would officially recognize the historic aviation achievements of Mrs. Smith and Miss Earhart. It would authorize the Postmaster General to give due consideration to the issuance of a stamp in honor of Mrs. Smith and the Civil Air Patrol-U.S. Air Force Auxiliary of which she had been a cadet member. It would further recommend to the President the names of both aviatrixes for consideration of the awarding of the Presidential Medal of Freedom posthumously. It would further decree that the 12th of May, each year, be designated as Amelia Earhart-Joan Merriam Smith Aviation Day in honor of their memory.

Mr. Speaker, I should like to close this statement with a poem which Amelia Earhart, a citizen of Kansas and the world, wrote for us all. It reflects her most personal thoughts on courage, a commodity which she and Mrs. Smith lacked not at all:

COURAGE

(By Amelia Earhart)

Courage is the price that Life exacts for granting peace.
The soul that knows it not
Knows no release from little things:
Knows not the livid loneliness of fear,
Nor mountain heights where bitter joy can hear
The sound of wings.

How can life grant us boon of living, compensate
For dull gray ugliness and pregnant hate
Unless we dare
The soul's dominion? Each time we make a choice, we pay
With courage to behold the resistless day.
And count it fair.

Mr. Speaker, I urge all Members to give favorable consideration to this joint resolution.

WIDOW'S EQUITY BILL

(Mr. TALCOTT asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. TALCOTT. Mr. Speaker, I have introduced H.R. 9076, a bill which would establish an equitable survivor's annuity plan for active and retired members of the armed services. This measure would replace the present unjust annuity option, and will provide for surviving spouses at a level equal to that available for civil service retirees.

We honor the men in the armed services with words of gratitude for a job well done, but too often do not put this gratitude into meaningful effect. Here is an opportunity to establish an annuity program which would relieve the serviceman's worries about an adequate standard of living for his surviving spouse and would offer another incentive to the young man who is contemplating a military career. There is no reason why the retired civil servant should be able to participate in a sound annuity program, while his military counterpart cannot do the same.

The present annuity system, established in 1953 by the passage of Public Law 83–239, the Uniformed Services Contingency Act, and known as the retired serviceman's family protection plan—RSFPP—has been amended again and again, but it remains an ineffective and complex measure. On the ultimate test of acceptability—the degree of voluntary participation—the RSFPP has been a failure. Only some 15 percent of eligible persons have joined the plan, while over 90 percent of our civil servants have enrolled in their annuity program.

There are other advantages to my bill over the present RSFPP. These include Government participation in the cost of the program, simplified administrative procedure, and additional provisions by which an unmarried retiree could provide an annuity to a specified person having an insurable interest in the retiree. This all adds up to bringing the serviceman up to a retirement level now enjoyed by civilian employees—certainly a desirable result.

Mr. Speaker, I urge my colleagues to support this needed legislation.

PUERTO RICO'S GOVERNOR SPEAKS OUT

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, it gives me a great deal of pleasure to bring to the attention of this body an interview-article by the Honorable Luis A. Ferré, the new Governor of the Commonwealth of Puerto Rico.

His views appeared in the March 17 issue of U.S. News & World Report; it is a forthright and realistic statement by a man, who I am proud to call a friend, on the issues that face the Commonwealth at the beginning of his term of office.

Governor Ferré is one of the most dedicated public servants I have had the honor to know. Over the years I have had

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many opportunities to see this man in action; whether in victory or defeat, his words and deeds have been those of one committed first and foremost to the best interests of his beloved Puerto Rico.

Many commentators of the American political scene have unfortunately forgotten about the most amazing of political comebacks of the 1968 electoral season with their concentration on President Nixon's successful campaign for the White House.

Governor Ferré had been defeated four times for Governor of the Commonwealth of Puerto Rico before his 1968 election triumph. But he never bowed as a gallant fighter for Puerto Rico, nor dampened his inspiration, nor created any bitterness with his fellow citizens. His campaign for the governorship was devoid of the "class hatred" struggles of so many other campaigns and the result has been an entirely new and healthier atmosphere in Puerto Rico about the government, the economy, and the future.

Mr. Ferré makes a number of points which should be studied by the Members of the House and the Senate, particularly those dealing with Castroism, but I want to quote one portion of his remarks dealing with a subject dear to my heart—statehood for Puerto Rico. The Governor says:

> Statehood is the ultimate achievement of all U.S. citizens. You can't be a full-fledged citizen without the rights that go with statehood.
>
> We would vote in elections for President of the United States—something we cannot do now. We would elect two members of the Senate and about six members of the House of Representatives. The young Puerto Ricans who serve in the U.S. Armed Forces would feel they are serving at their own wish because they had a hand in electing the Members of Congress who voted on the draft and defense matters. That is very important.

Mr. Speaker, I could not agree more, nor have I heard the case for Puerto Rican statehood stated better or more succinctly. I include the interview referred to above to immediately follow my remarks in the Record:

Puerto Rico—Will It Be the 51st State?

(Interview With the Commonwealth's Governor)

(Now Puerto Rico has a new Governor, Luis A. Ferré, who wants to make the island into the 51st State. The change would have a major impact on U.S. relations with Latin America and on huge American investments in Puerto Rican business. When might statehood come? What would it accomplish? These are some questions Governor Ferré answers in this exclusive interview, held in the conference room of "U.S. News & World Report." He also suggests a new U.S. policy for dealing with Castro's Cuba.)

Question. Governor Ferré, is Puerto Rico moving toward full statehood, like Alaska and Hawaii?

Answer. I have always been for statehood. The commission that was set up back in 1962 to study the status of the island said we will be able to assume the responsibilities of statehood, without harm to our economy, by 1980. And that is my position.

We should have another plebiscite, such as the one held in July, 1967.

At that time a majority voted for Puerto Rico to continue as a commonwealth instead of a State. But the vote for statehood was 39 per cent—the largest ever.

I think another vote should be taken before our regular election in 1972. To my mind, two thirds of the voters would have to be for statehood before Congress would act. Once the matter is put up to the members of Congress, with a showing that a clear majority of Puerto Ricans want statehood, I'm sure the attitude will be receptive.

Question. What's the point in statehood? Hasn't it been argued that you would lose some of the advantages you have as a Commonwealth?

Answer. Statehood is the ultimate achievement of all U.S. citizens. You can't be a full-fledged citizen without the rights that go with statehood.

We would vote in elections for President of the United States—something we cannot do now. We would elect two members of the Senate and about six members of the House of Representatives. The young Puerto Ricans who serve in the U.S. armed forces would feel they are serving at their own wish because they had a hand in electing the members of Congress who voted on the draft and defense matters. That is very important.

There are other things that might be better from our point of view. Take old-age assistance, for example. We can't get in Puerto Rico the full amount that all States get on medicaid.

I must say that, in general, there has been a kind and generous attitude toward us in Congress. But I don't think we should be dependent on the generosity of Congress. We should have the rights that other citizens have.

Also, our becoming a State will give us a dignity and equality in developing a better understanding with South America. I think there is a feeling that maybe the Latin Americans have a special friend in Puerto Rico.

This feeling may even be permeating Cuba. If so, this will be better for us than any armed intervention in Cuba.

Question. Speaking of that, how do you think the U.S. should handle Castro and the Communists down there?

Answer. We have to take a more active part in trying to help the Cubans get out of the mess they're in. We are too passive about the situation.

I don't means that we should go in militarily. But the time is getting ripe for some kind of move to help the Cubans rid themselves of Castro.

It might help to resume relations with the Castro Government on the theory that when we have more-normal relations with Cuba we will be in a better position to assist the Cuban people.

Question. Help them how—through trade and economic contacts?

Answer. That might help. We need to support those in Cuba who are not sold on Castro. If those people keep leaving, there will be nothing left but indoctrinated Cubans. Somehow, we should make it possible for anti-Castro people to stay in Cuba, and for the refugees to go back so they can work things out for themselves.

People are getting tired of Castro. He has built up a system that is oppressive, and the people resent it. I know that from hearing from those who come out. How long Castro remains in power depends on how soon somebody there can offer the Cubans an alternative.

Question. To get back to your own program, Governor, what will happen to manufacturing in Puerto Rico if you become a State, and your companies are subject to the federal income tax—from which they are now exempt?

Answer. A transition agreement could be incorporated into the statehood law. It might, for example, provide for the federal income tax to be applied gradually—say, 10 per cent the first year, 20 per cent the next year, and so on.

Of course, at some point there would have to be the same federal taxes in Puerto Rico as in all other States. But Congress has never admitted a State without taking steps to assure that there would be no damage to its economic structure. You know, special considerations were involved in the admission of Hawaii and Alaska.

The important thing is to bring in industries that are suited to Puerto Rico, and are sound.

Tax exemption does not make an industry sound. If you don't make a profit, tax exemptions don't do you any good. There is no sense in attracting marginal industries to Puerto Rico.

There have been some industries on the island that shut down and left as soon as their exemption from the Puerto Rican income tax expired. You see, the exemption from the Commonwealth tax lasts 10 years in some cases, 17 years in others. After that, an industry still is not subject to the federal income tax, but it has to start paying our local income tax. Now, these industries that leave as soon as the tax exemption ends are not really the kind of industry we like to get.

We are now getting a different type—a type that takes a long-range view of its investment in Puerto Rico.

Alcoa, for example, is considering a new investment in Puerto Rico. General Motors has been approached. We have General Electric and the Radio Corporation of America doing a number of things. Air Products & Chemicals is planning to build a large industrial-gas facility on the island. Oil refining and petrochemicals are expanding rapidly. We are considering opening up copper mining. Fish canning is developing quite substantially.

Question. Are you dependent on outside capital?

Answer. About a third of the money for new industries is generated in Puerto Rico. That means two thirds comes in from the mainland.

Question. Are you going to revise your tax incentives to try to attract long-range investment from the mainland?

Answer. We will have a complete revaluation of our tax-exemption program to see how it can be improved.

We feel there must be more participation by industry in meeting social responsibilities on the island. For example, I have just proposed that incoming industries be required to pay the federal minimum wage in exchange for tax exemptions. I think private industry should be required by law to pay regular Christmas bonuses.

The way many companies operate today, they do not participate enough in helping to solve our social problems. That is not a sound situation—and it is not good for the industries themselves.

There are many ways in which private companies can make a contribution in place of paying taxes—by supporting projects to prevent pollution, by training workers, giving endowments to schools and universities, and so on. We feel there should be more of this sort of thing.

MAKING CLIMATE PAY OFF

Question. Are you sure you still will be able to attract capital if Puerto Rico becomes subject to the federal income tax, and wages rise close to the level of those on the mainland?

Answer. Very much so, because we have one natural resource that we are going to develop fully—climate. Puerto Rico has a tremendous attraction to tourists. With these new jumbo jets on the way, we are going to have large numbers of tourists from Europe.

We have only developed a little bit of Puerto Rico around San Juan for the tourists. But we intend to develop the rest of the island, which has miles and miles of beautiful beaches. We are going to develop hotels

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with lower rates, so that tourists who don't have much money to spend can enjoy a vacation in Puerto Rico.

Income from tourism was around 250 million dollars last year. We figure it can go up to a billion, maybe 2 billion. That, of course, would create a larger local market and a broader base for industry.

We are considering that Puerto Rico may be a base for companies aiming at the South American market. Companies should think of setting up plants in Puerto Rico instead of Europe because of the balance-of-payments problem.

Question. Have you got enough jobs for everybody?

Answer. We still have 13 per cent of our labor force unemployed. We have a good pool of labor, but it has to be trained. We are developing a massive program of education in vocational and technical fields. We are counting on the help of industry in developing these things.

Another thing we are trying to do is to improve our agriculture, which is in very bad shape. You see, the government let agriculture go to pieces in Puerto Rico while it was building up industry. Take sugar, for example. We have a quota of 1.3 million tons of sugar, but we only produced 600,000 tons last year.

Question. Do you have the climate and soil to grow more of your own food on the island?

Answer. Definitely. We have plenty of rain, although it is not properly distributed. We have to find some way to move water from one side of the island to the other. Studies on this are under way.

Also, we should have better experimental stations and more technical help for the farmers. And we need to raise the wages of farm workers from the present 50 or 55 cents an hour to a $1 an hour. The present wages are too low, considering what the cost of living is now. We need to get the pay up so we won't have so many poor people flooding into the cities from the rural areas. This is one of the things that keep our unemployment at a high level.

CASTRO AGENTS: CONTAINED

Question. Haven't you had some firebombings and "New Left" troubles in Puerto Rico? Mightn't that frighten away industry?

Answer. These bombings are a part of the Castroite attempts to upset the government, to upset the investment climate, try to scare the insurance companies. But they haven't served their purpose. Our police are quite capable of containing these Castro agents. A few have infiltrated, but they don't get anywhere.

We had a little superficial trouble at the University of Puerto Rico, but we haven't had any riots. I don't think we have to worry much about the leftists, or about Castro. Castro doesn't fool the people of Puerto Rico.

Question. What would you say will be the chief difference between your administration and your predecessor's?

Answer. Three things, mainly:

First, I don't believe in creating class hatred. The outgoing government came to power on the basis of social tensions—attacking the "sugar barons," the rich people, and so on.

Second, we don't want any more government by crisis. We are establishing an advisory commission to develop long-range programs and to recommend task forces to deal with special problems—in agriculture, education, health, taxes, and so on. We will be able to look at our problems scientifically, with the most up-to-date methods. The commission, for example, will have two codirectors—a professor from the Massachusetts Institute of Technology and a professor from the University of Puerto Rico.

Finally, we will develop a feedback system for getting the reaction of the public to our proposals. I plan to utilize television as a medium to keep in constant touch with the people. We are going to make a film to explain the plan for a copper-mining industry, to give the public, over television, all the facts about this controversial project. It will be a kind of "fireside moving picture," in place of the "fireside chat." People will know what we plan to do, and I will have their reaction right away through the feedback system.

Up to now we have only had a one-party system in Puerto Rico. Fortunately, that's all over. Now we have the two-party system, and it's going to operate very well.

AS APRIL 15 APPROACHES

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, one of the extra added burdens carried by the American taxpayer is his occasional necessity to borrow money to pay his obligations to the Government. In effect, Mr. Speaker, because of interest payments, another tax. And this year the load is tripled because of the surtax.

Some banking institutions are advertising their services to the taxpayer and I agree with the editorial in the March 14, Wall Street Journal, that finds such advertisement "distasteful." But considering the load we put on the taxpayer, what alternative does he have? Is it not time we lightened the load on the average American taxpayer? If we did, I believe he could meet his obligations without incurring another tax. I have asked to have the Journal article follow my remarks:

TAX FOR NOTHING

The ad depicts "The April 15th Nightmare": The frazzled taxpayer menaced by the monstrous shapes of City Taxes (red), State Taxes (yellow), and Federal Taxes (green). The message: Instead of getting the dreads, get an income-tax loan from Such-and-Such Bank.

The circumstances the ad reflects are pretty distasteful all around—not new, of course, just getting steadily worse.

We wish that banks did not feel impelled to encourage people to go into debt to pay their taxes, but the sad part obviously is that so many people have to do just that. At all levels of government the tax-takers are taxing ferociously and desperately seeking more They can't seem to get enough for their multifarious undertakings, including a great deal of wasteful and unnecessary activity.

With population and the welfare rolls—and practically everything else—growing, it looks like still stiffer levies in the years ahead. At what point does the load become too big for incentive and vigorous economic activity to be sustained?

Oh well, let's not get the blues as we get on with the returns. Happy Taxgiving Day, everyone.

AMERICAN LEGION IS 50 YEARS OLD

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, the American Legion was 50 years old last Saturday and it is appropriate that I pause a moment to pay tribute to an organization that has been one of the outstanding driving forces behind legislative efforts on behalf of those who have fought and died for our country.

As a member of the House Veterans' Affairs Committee for 14 years, I can truly attest to the ability and dedication of my fellow Legionnaires who over the years have unselfishly contributed their time and talents to improving the veteran's status.

I salute an important organization, and wish it well on the beginning of its next 50 years.

TAX REDRESS FOR "PUEBLO" CREW

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, I congratulate my colleague from the State of Washington (Mrs. MAY) for her compassion and foresight regarding the plight of the *Pueblo* crewmen. I concur with her comments that the treatment accorded these men by the IRS would be a grave injustice. Congress has a responsibility to correct it.

I am pleased to add my name to the list of Members in both Houses who seek redress for the member of the *Pueblo* crew from my district and his shipmates.

TRIBUTE TO ROGER L. STEVENS

(Mr. THOMPSON of New Jersey asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. THOMPSON of New Jersey. Mr. Speaker, with the departure of Roger L. Stevens from his position as chairman of the National Endowment for the Arts, the Nation has lost an able public servant, and the arts have lost an effective spokesman in the Federal Government.

As an author of the 1965 legislation establishing the National Endowment for the Arts, I recall vividly the skepticism of many about the wisdom of establishing a Federal agency to support the arts. Some expressed the fear that Federal support would entail Federal control; others alleged that Federal support would result in subsidizing mediocrity; some were dubious whether a Federal agency could venture into the delicate and sensitive area of the arts without creating other kinds of unwanted problems. In addition to these special problems, the Endowment also faced the normal problems which any agency faces in its first years of existence—attracting staff, organizing its operations, and beginning its work.

The Nation and the arts were fortunate that in this situation, where strong leadership was needed, Roger Stevens accepted the position as the Chairman of the National Endowment for the Arts. From his background in business and in the theater, Mr. Stevens brought to his job great energy, enthusiasm, vision, and persuasive skill. But most important, he brought the leadership which the job required. He gathered an exceptionally talented staff, and began to work.

Because of other pressures on the Federal budget, the Foundation was never

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able to receive funding adequate to the needs it was asked to meet. But even with the stringent budgetary limitations, Mr. Stevens was able to undertake exciting initiatives in supporting the arts. He quickly became the leading spokesman in Government for the arts, and he reminded us frequently that a Nation which neglects the quality of its cultural life can never be truly civilized. Music, the theater, the dance, painting, literature—all areas of art felt the impact of the new Endowment for the Arts.

Mr. Stevens was insistent in his belief that although the Federal Government must assume responsibility for supporting the arts, our States, our local communities, and our private sector also have a critical responsibility. He acted upon this belief. Under his stewardship, the Endowment for the Arts achieved great success in stimulating interest in the arts in our States and communities. The Endowment was able to generate substantial private contributions to match the Federal money appropriations, its resources were skillfully used as seed money to help worthy projects get started.

During hearings before the Special Subcommittee on Labor, Mr. Stevens explained his goals this way:

> We must assist both the producers as well as the consumers of art. We must make it possible for those who wish to make careers in the arts to pursue such a career. . . . We must also make the arts available to audiences throughout the country, not merely in our highly developed metropolitan areas.

The activity of the Endowment in its first 3 years served to advance these goals admirably.

In my judgment, Roger Stevens' leadership was instrumental in the auspicious beginning made by the National Endowment in carrying out its congressional mandate. Mr. Stevens discharged his responsibilities in Government in the same distinguished manner which marked his earlier career in private life: with imagination, vigor, integrity, and success. I am confident that all of my colleagues who had the privilege of working with Mr. Stevens share my great respect for his ability and achievement, and join me in wishing him well in his future undertakings.

I wish to insert a recent editorial from the Washington Post on Mr. Stevens' departure:

ROGER STEVENS DOFFS ONE HAT

The National Council on the Arts, which is the Federal Government's three-year-old experiment in direct financing of the creative arts, could not have had a more effective first chairman than Roger L. Stevens. As a successful businessman who himself had met many a payroll, he was just the man to assure a wary Congress that spending for "culture" was sound. His entrepreneurial talents led him to make skillful use of Federal funds as a lever for prying open other sources of support for the arts, public (among the states) and private. His taste, at once intelligent and catholic, kept conservatives and avant garde alike from abusing his administration of the $6-million-a-year Arts fund. Mr. Stevens, who remains as chairman of the Kennedy Center, has a comprehensive view of the financial problems of the arts and it is characteristic that as he leaves the Council he should plan to set up a private foundation to do similar work.

Mr. Stevens's accession to the Arts Council chairmanship was a result of his standing as a Democratic Party fundraiser; his departure is a result of the Republican Party's assumption of power. Some of his admirers, who are not necessarily political partisans, now wonder whether the Republicans can match him. The answer must be yes. There are surely a good number of qualified Republicans. As Mr. Stevens has noted, Republicans dominate the ranks of the country's artistic patrons. They obviously have as much interest as anyone else in furthering the Federal role in advancing national cultural excellence.

THE FISCAL SHOE PINCHES THE REPUBLICAN FOOT

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PODELL. Mr. Speaker, it is my understanding that our Republican brethren have a panting desire to raise our national debt limit. I must profess astonishment at this upcoming exercise in financial acrobatics the administration proposes to engage in.

Previously, when Democratic administrations asked for such leeway from Congress, the air was rent by shouts of fiscal outrage and warnings of impending economic collapse if we dared perpetrate such an atrocity upon mankind, apple pie, and the Treasury. Puerile cliches and thumping non sequiturs flew through the congressional air from self-appointed guardians of our public purse. But now the shoe ever so tightly pinches the Republican foot. It is their turn to seek to raise the debt limit. Loudly they proclaim its essentiality if the Republic is to be saved from the infidel. Any who oppose them in their avowed course will undoubtedly be called enemy aliens who are subverting the state, who should forthwith be deported.

Past administrations have patiently sought to explain social needs which required such debt limit raises. I pant for enlightenment from the oracles of the Nixon administration.

I come into town to buy an occasional gold brick or two, and will listen with fascination to their reasoning. Will Mr. Nixon give as his reason the need for still more weapons? An ABM system to protect the ABM system? More tanks that will not function? More planes that will not fly? More useless ABM missiles? More timesheets for lawyers at the Department of Justice? More cash for Marshall Ky's Paris cocktail parties?

Will we be convinced? Shall the mice save the drowning cat? Let us tune in tomorrow to hear the case presented by guardians of fiscal responsibility and a balanced budget.

BILLIONS FOR THE CANNON KINGS, BUT NOT ONE CENT FOR HUMANITY

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PODELL. Mr. Speaker, in recent weeks the cannon kings of America have emerged victorious in their efforts to gain more billions from the Government, always at the expense of the people. Further, they have not only evaded responsibility for past nonperformance in military procurement, but have even been given more money for unworkable projects.

The proposed main battle tank of the Army has become a gigantic cropper, producing a few useless prototypes after 8 years and between $1 and $2 billion spent. Staggering sums have gone down the drain with the Navy version of the TFX. Next we have the momentous decision by President Nixon to continue with a "limited" ABM system, which gives the cannon kings a blank check on the Treasury.

What about the people? What about the poor? What about those who hunger amidst plenty? What about the slums? What about pollution? What about housing? What about transit? What about hospitals and education?

Billions for the cannon kings, but how much to rebuild our cities? Billions for defense, but how much to rebuild the lives of millions of Americans caught in the slum trap? Billions for defense, but how much for migrant workers who feed us? Billions for obsolete, ineffective defense systems, but how much for 19 million hungry Americans to ease their pain, suffering, and wretched squalor?

A society is known by its priorities. What comes first, guns or butter? Do people have first call on resources and wealth of society, or do its munitions makers and military people?

Unrestrained military power leads to despotism. Are we embarking on that shadowy road leading to enshrinement of unlimited military influence in our society?

Shall we deprive the dispossessed of hope and their portion of our American dream? Let those who enshrine Mars, god of war, know that the grapes of wrath have not yielded all their bitter vintage.

AN ABM DEFENSE AGAINST CHINA? WHAT ABOUT THE NEW MENACE FROM MONACO, SAN MARINO, ANDORRA, AND LICHTENSTEIN?

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PODELL. Mr. Speaker, the cannon kings have sold us a useless ABM system. Their foot is now in the door. With this blank check on the Treasury, they will proceed to perpetrate the potentially largest military boondoggle in history upon us. All in the name of defending us against the menace posed by Red China.

I am astounded that they have not recognized the immense peril America faces from another quarter. Lurking deep in the mountain ranges of Europe is a growing, sinister menace to America.

A consortium of ministates, composed of Monaco, San Marino, Andorra, and Lichtenstein have merged their resources and come up with a new, infinitely deadly type of bow and arrow. Armed with such a terrifying weapon, which even now is almost a mass production,

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hordes of invaders from these ministates are preparing to crash over our borders in an irresistible tide. Armed to the teeth in this manner, they pose a threat which immediately must be countered. A super ABM, TFX, MBT, M–16 or something-or-other must be designed, created, and mass produced to protect us. This is a job for the Pentagon and the cannon kings. Hang the expense is our cry, which industry will joyfully echo, having long ago mastered the art of murdering dollar estimates.

Delay could be fatal. Armed with this terrible new weapon, we might be taken unaware and defenseless, at the mercy of their frightening war machine.

Our quick reaction will make these potential aggressors hesitate before attempting aggression. Even the warmongering admirals of the Navy of Monaco and the generals who command the vast land legions of Lichtenstein will pause if we act fast. Our swift reaction would give us added power at the negotiating table with them. Knowing we were working on and installing a weapons system to counter their new bow and arrow would place an ace up America's sleeve.

Before challenging the logic regarding a potential invasion of America by these peaceful ministates, examine the peculiar reasoning applied to the ABM. Useless against existing sophisticated missile technology, it lacks scientific plausibility. In short, a senseless, futile program that will milk taxpayers like so many dairy cows.

Building a defense system against the armed forces of these small states is as bereft of sense as the decision to build a "limited" ABM system.

FREEDOM IS NOT FREE—CAN WE ACCEPT THIS CHALLENGE OF FREEDOM?

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, we are very proud of what the Veterans of Foreign Wars have done, not only in war but in the interest of our country in days of peace. The patriotic contributions of this great organization are almost innumerable. One of VFW's magnificent programs is the program entitled "The Voice of Democracy Awards." This program encourages high school students in the various districts of VFW to write essays on a patriotic subject. Recently I had the immense pleasure of attending a Voice of Democracy Awards banquet at Hialeah in my congressional district in which the Veterans of Foreign Wars of the Fifth District of Florida honored the three top seniors of this Voice of Democracy Contest in the Fifth VFW District. The chairman of this program who put on this great awards banquet was a distinguished member of Veterans of Foreign Wars, a great and dedicated American and my longtime friend, George Prim, of Opa Locka, Fla. I was inspired to hear the young lady who won first place in this Fifth VFW District contest, Miss Annetta Patrice Koonce, age 15, from the 11th grade of Miami-Carol City Senior High School, deliver her eloquent essay. Miss Koonce showed a mastery of her subject and delivered her essay with moving sincerity and conviction. She is a fine example of America's youth and she exhibited the sort of love for her country which members of VFW have exhibited in their gallant service and which we hope will be the sentiment in all the hearts of our younger generation.

Mr. Speaker, I include Miss Koonce's essay entitled "Freedom Is Not Free—Can We Accept This Challenge of Freedom?" in the Congressional Record following my remarks and I highly commend it not only to my colleagues but especially to the youth of America.

Second place in this essay contest was won by Miss Pamela Hess, age 15, 11th grade of the Convent of Sacred Heart-Carroulton.

Third place in the contest was won by Mr. Fred Williams, age 18, from Miami Northwestern Senior High School.

The speech follows:

Freedom Is Not Free—Can We Accept This Challenge of Freedom?

(By Annetta Patrice Koonce, of Carol City, Fla.)

The price of freedom. The most challenging issue to our present day society. Are we willing and able to accept this challenge? We know our freedom was conceived by the blood of our founding fathers, and wrought by the hand of strife. It is *this* freedom which they have so revered for us, that calls us to a challenge so greatly. It is by their blood, and their lives, that we live in a Democratic Society today. The challenge we face is our Democratic Society itself.

America was conceived as a free nation. And as it exists today, it is literally in the same state. But the challenge presented to us is to defend this freedom. Are we willing to walk head high into the face of dangers threatening our freedom, to take the good with the bad, the bitter with the sweet? This is our challenge. This is the challenge to our freedom.

Columbus triggered the birth of a new and powerful nation. A nation which has grown more and more powerful in the ensuing years. Today, it stands at it's pinnacle of world domination. It's success in erasing hunger, ignorance, and disease shall not be excelled in history. It's contributions to mankind constitutes staggering and determined achievements, it's record is one of ceaseless, driving progress which has helped run the entire gamut of human relations and human accomplishments.

Yes, this is America. A nation conceived in liberty and dedicated to the proposition that all men are created equal.

This is America a free nation.

I've stated previously that our Democratic Society itself presents the greatest challenge to us. But why and how? To say the least, it's a challenge because freedom is not free. But how could this be a challenge. It challenges us to rebuke suppréscious and restraining forces. It challenges us to fight sometimes unknown dangers to insure the security, freedom, and well being of the generations to come.

What shall our course of action be? Shall we stand by and weep as the coward, as our freedoms melt away? Or shall we rise up and fight in the name of our families, our generations to come, and God the Father Almighty? Shall we fight personal fear to fight for our freedom? Shall we insure for the coming generations that they shall never see the stars and stripes fall to the ground, and the flag of suppression and restraint flourish over our nation?

Your challenge, and everyone elses is: What shall we do? This is the challenge as presented to every man, woman, and child living in a Democratic Society.

Tomorrow, science will have moved forward yet one more step, and there will be no repeal from the judgment which will then be pronounced upon our nation. The judgment to no longer remain free.

Not all your tears, not all your suffering! not all your victories on land or sea can move back the finger of fate. "The hand having writ, moves on". (Charles Dickens.)

We live in a lactic world of change. Our generation has gone from radio to television, from an earth-bound race to one which men orbit the globe, from bombs that could destroy a block, to bombs that could destroy mankind.

The fact exemplified here, is that time is running out on each and every one of us. From the very start our freedom has sounded a clarion call, a call which we must obey. In fact our freedom is the existing proof of the sacrifices made by one generation to the next.

What shall we leave as our legacy to the future? We all know changes of great magnitude such as of previous times are taking place in the American Economy today; and they are having a forceful impact upon the life of every person, organization, and institution, in this country.

Our Legacy to the future should be a state of ultimate Democratic Rule. The accomplishment of such is not even close to being easy. But the concerted efforts of Americans shall help keep us one step ahead of restraints two.

As the Red queen in Alice in Wonder Land said "Now you must run twice as fast to stand still".

This is our duty and our obligation to the future, we must run and work twice as fast to stand still as a free nation.

Sponsored by Veterans of Foreign Wars and Auxiliary Post 8119, Miami, Florida.

THE CARE PROGRAM IN THE DOMINICAN REPUBLIC

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, we all know that the CARE program has done much to lighten the burden of need and hunger among the people of the world. Recently I had an opportunity through the kindness of Wallace J. Campbell, president of the Foundation for Cooperative Housing in Washington, D.C., of seeing and learning something of what is being done in the Dominican Republic through the CARE program. This program has meant much to many in this great Latin American republic and I think my colleagues and those who read this Record will be pleased to see even a brief summary of CARE's record of achievement there.

Much more remains to be done for I saw appealing need in many children in my visit to the Dominican Republic. I hope therefore that America will further open its heart to CARE and through CARE to many more people who can share in the care of America.

Mr. Speaker, I ask that a summary of this organization in the Dominican Republic be included following my remarks:

The CARE Program in the Dominican Republic

During my recent visit to the Dominican Republic to participate in the VII Inter-American Savings and Loan Conference I had the pleasure of becoming acquainted with some of the very important and exciting activities of the CARE organization in that country. I have seen programs of the Cooperative for American Relief Everywhere (CARE) in various Latin American countries and other parts of the world and feel the efforts which these private relief institutions are making, represent significant contributions towards alleviating much of the misery in the less developed countries.

In the case of Dominican Republic, I learned that major emphasis is being placed upon the school feeding program which began in 1962 with 100,000 students and now provides nourishment for 400,000 Dominican students. This represents about 75% of the children that attend elementary schools, and statistics show that thanks to the program, enrollment has increased from 30% to 40%. All of this is carried out in cooperation with the School Feeding Department of the Ministry of Education. During only the scholastic year 1968–1969, 22 million pounds of food were used in this dramatic and far-reaching program.

In its maternal and child feeding program, the local CARE organization, in cooperation with the World Health Organization (WHO), the Pan American Health Organization (PAHO) and the Ministry of Public Health, are providing milk through the Food for Peace Program to 40,000 expectant and nursing mothers. This integrated program embraces educational classes for mothers, physical examinations for children, along with investigations of the participants by qualified social workers.

A signal program of which I would particularly like to take note here is the "self-help program" of this organization. I was interested to learn that during the past several years, 36 schools had been constructed by CARE assistance through donations from the American people. This is not a give away program! But rather, it uses the proven self-help approach in which members of the community are closely involved in providing raw materials and sweat equity. Most of the construction, I learned, was supervised by our Peace Corps Volunteers or employees from the Dominican Office of Community Development.

In another area, the school garden program was called to my attention. It is complementary to the CARE school feeding effort and is administered together with the Department of Education and the 4-H Clubs and includes the provision of agricultural implements and new varieties of seeds for school and community gardens. CARE also brings potable water to rural communities by providing manual water pumps which have been installed in many rural villages on the island.

CARE/MEDICO is an exciting example of what the medical fraternity can bring to the less priviledged countries of the world. The main objective of the MEDICO program in the Dominican Republic is to create facilities equipped with specialized personnel which can serve as a basis for a national training program for Dominican medical teams, technicians and nurses in the fields of orthopedics, neurology, therapy, post-operative care and hospitals administration. Continuously rotating teams of orthopedic specialists make visits for one entire month to assist and advise in the running of the new Orthopedics program established at the Jose Maria Cabral y Baez in Santiago.

I would like to conclude by stating that the efforts which are being made by this private, international welfare and economic development organization represent a very important complementary effort to our entire international assistance programs. In many ways it can be more effective than governmental aid in that it carries out its programs through the time proven people-to-people approach.

MARKETING EXCELLENCE OVER THE GLOBE

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, you know we are all delighted to see those deserving of honor honored and particularly when they are our esteemed friends. I was, therefore, very happy to see that the American Hotel Journal of December 1968 carried on its front cover the photograph of Leonard Hicks, chairman of the board of the Leonard Hicks organization and made Mr. Hicks the subject of its lead article under the heading, "Leonard Hicks, Chairman of the Organization Whose Name Stands for Marketing Excellence All Over the Globe." Leonard Hicks' father, Leonard Hicks, Sr., became my devoted friend in the late 1930's and remained a cherished friend until his recent death. Leonard Hicks, Sr. had an illustrious name in the hotel and motel business of America and the world. He was once president of the American Hotel & Motel Association. He was a great civic leader in Chicago and later when he came to reside in Florida. On my office wall at home is a photograph of Leonard Hicks, Sr., with others and me and President Truman at Key West in 1948.

Leonard Hicks, who I am proud to say lives in my congressional district, as a great motel and hotel man has established and developed the Leonard Hicks organization which is one of the world's largest hotel representing firms with offices in many parts of the world.

This article in the American Hotel Journal explains how Leonard Hicks has been able to develop this great organization. It tells the story of the distinguished and dedicated man which is Leonard Hicks. It also reveals his deep humanitarian interest and his sincere dedication to the cause of his fellow man.

This was deserved praise for Mr. Hicks whose friendship I am proud to enjoy. His life, I think, is an exemplary one, and what he is and has been will be an inspiration to many other young American men to make their own dreams come true. I am very much pleased, therefore, Mr. Speaker, to present this outstanding article in the American Hotel Journal for inclusion in the CONGRESSIONAL RECORD after my remarks, and I commend it as another fine example of an eminent American business career to my colleagues and my fellow countrymen:

LEONARD HICKS, CHAIRMAN OF THE ORGANIZATION WHOSE NAME STANDS FOR MARKETING EXCELLENCE ALL OVER THE GLOBE

In many cases an organization is the lengthened shadow of one man, the Chief Executive, whose abilities are reflected by his organization.

Leonard Hicks is clearly an original; a man who occupies a unique place in hotel sales management. For a quarter of a century he has been a prominent leader, author and editor on hotel marketing, offering sound judgment in an era that has seen a new field born and lifted to the pinnacle of importance in the hotel industry.

The Leonard Hicks Organization is one of the world's largest hotel representation firms. In 1967 they booked $66,956,551 worth of business into client accounts. In 1968 they will easily exceed that total.

The Hicks group consists of fifteen corporations with eleven luxurious branch offices stretching from Honolulu to London. Six affiliated offices are located in the Pacific. This covers seventeen cities in eight countries on four continents; area coverage encompasses another hundred major cities in the U.S., U.K. and Canada.

Leonard Hicks has a home in Miami and apartments in Chicago, New York, Washington and Bahamas. He is fascinated by the world of travel. The world is his hobby and he has traveled 2,300,000 miles of it.

It is no great secret that the Leonard Hicks organization is one of the more spectacular success stories of recent years but Hicks is unemotional about his success. He is grateful but not overawed about it. He learned his trade well and did well by it. He was National President of the Hotel Sales Management Association as the same his father, the late Leonard Hicks Senior, was President of the American Hotel and Motel Association. He is a third generation hotelman but the first to enter the field of Sales and Marketing. He started the representation firm in 1945.

Leonard Hicks Senior was one of the most popular hotelmen of his era. He was a man who genuinely liked everybody and was liked by all.

The younger Hicks is cast from a different mold. He has a long and frequently unforgiving memory. He likes professionals and his dedication to perfection is often less than diplomatic. He has no compunction in sweeping out of the way people who refuse to improve. In his organization he makes the final decisions for the tangible present and the less certain future. He refuses to fit into a social mold. He isn't anti-social but he hates to waste time—particularly on trivia and people who dwell in detail on the irrelevant. (In his spare time he has written five books, donating the copyright of each to the Hotel Sales Management Association.) "You apply your time according to your priorities," he said. "No matter how well you are organized, there just isn't enough time to do all of the things you want to accomplish."

Hicks has developed sight reading to the point where he can cover a tremendous amount of reading matter in a relatively short period of time. He is a perfectionist, possessing enormous concentration. He is a secure person, neither moody nor tempermental. He is a happy person, leading a relatively quiet existence divided between work and family. He doesn't consider long hours a sacrifice (to his family perhaps)—to himself, not at all.

A vigorous, energetic individual with a zest for life and competition, Hicks was an outstanding athlete at one time, holding championships in boxing, golf, handball, track, tennis, bowling and swimming. He is a strong believer in physical fitness, swims 100 laps of his pool each morning and gets a light workout, steambath and massage every evening after work. All Hicks executive personnel are encouraged to belong to athletic clubs with the company picking up the tab. "A corporation," says Hicks, "is a living organism. It keeps changing all the time. Therefore a good deal of time is not only spent on new developments, but on manpower. The better condition that manpower is in, the better results you can expect."

The Hicks home (besides a swimming pool and steam room) has its own barber shop where the same barber has been cutting Leonard's hair for the past ten years. He explains the reason for this innovation this way. "The barber stops by on his way home so think of the time I save. His shop is a good 45 minutes from my office whereas my home is right on his way home."

Leonard's wife, Dorothy, is an accomplished portrait artist who studies every year in Italy (generally at the same time he visits each of his offices and many of his accounts.) She has a studio at home and has had showings both in Chicago and Miami.

Having no children of their own, they recently adopted fifteen orphans, each from a different country where they will remain until their education is completed. "Then we can probably find a spot for them in our various offices around the world, if the work is to their liking," explained Hicks. "In many of the countries they come from where poverty is severe and their chances to earn a decent living are slim. We hope to give them a dream—and hope—in the future. With proper education they can turn these dreams into realities and their desires into solid achievement. The answer lies in their own personal motivation. All we can supply is the opportunity."

Hicks' first real estate deal in the islands turned out to be a bonanza. He paid $2.80 an acre for land in one of the islands on which acreage has increased ranging from $750.00 to $40,000.00 an acre. The deal included several miles of land. While Hicks is a man of wealth in the broadest sense of the word, he feels that real success is meassured in accomplishment. "The joy of doing a job well is what really counts in any walk of life," says Hicks. "I am an emotionally happy man. . . . that is what counts."

He recently added a theatre to his enlarged Miami office where sound color films and slides can be shown to travel agents to orient them in behalf of the Hicks represented properties.

The Hicks group has just acquired an interest in one of the larger data processing systems in Florida with IBM 360–40. "We are merging computerization into our organization slowly," said Hicks. "It can only do what we tell it and at this time we have not been able to tell it a better or more accurate system than we are now using. A lot of data processing companies and transportation groups are releasing claims and counterclaims that this system or that one will solve *all* problems for *everyone*. We have seen most of these systems demonstrated. Some are good domestically but leave much to be desired for overseas use. We cannot recommend any of these systems at this time. Computerization has a lot of possibilities in our industry but most of it is still in the future. In the meantime, it serves no purpose to plunge into it unless it can actually improve on your current system. In most cases, as in ours, it cannot at this moment."

In the fall of 1967 the Hicks group established its own management company, affiliating on certain projects with the International Hotel Management Company headed by C. deWitt Coffman. Ray Watson, former General Manager of Chicago's Ambassador East and West, has joined the Hicks management division in the capacity of Vice President.

Hicks believes the greatest satisfaction in business is working with the people who made it what it is. "We started from nothing and built it up over the years—and had a good time doing it."

Hicks gives a lot of credit to his Executives and personnel. Joe Daniels in Chicago (President) has devoted his entire career to the field of representation and has been with the organization 19 years. Bill Keenan (Senior Vice President) in New York took over what Hicks terms was an "unsatisfactory" office and "made it one of our best."

Other corporate officers include Dan Botkiss (Vice President) Washington office, Art Erwin (Vice President) Chicago office, Dick Paltenghi (Vice President) San Francisco, Wynne Boll (Treasurer) Chicago, Luella Kimball (Coordinator) Miami, Rick Rickard (Asst. Vice President) Miami, and John Miller (Asst. Vice President) Honolulu.

In other executive positions are Bill Batey, Sales Manager, Chicago and Jim Harre, Sales Manager in New York. Henry Ross is Manager of the London Office.

The Hicks organization puts the emphasis where it belongs—on people. They provide an atmosphere in their offices where personnel can develop to their fullest potential.

Employee benefits are a part of the basic function. Hospitalization plans have been in effect for years. A Profit Sharing Plan last year paid eligible employees 8% of their yearly salary. This year a Cost of Living Bonus plan has been added.

"Transportation will continue to shrink the world," says Hicks. "The impact of such transportation on selling, in terms of territorial coverage, regional management and the alignment of sales forces, will be unequaled in the history of business. If you look at the Dun and Bradstreet failure record you will find that inadequate sales account for about 40% of yearly business failures. Sales education has become a life-long necessity. The process of learning is not easy. It takes time, determination, and a sincere desire to acquire knowledge, plus the willingness to work for it. Training should not be designed merely to train a salesman, but to improve his ability to sell."

Hicks feels that the sales and marketing business is both satisfying and rewarding. "Representation and Management are people-oriented functions. Therefore, we need to build successful personal relationships with clients in order to establish teamwork that is essential to successful marketing."

Critical of himself, he also requires maximum effort from all who work with him. "People who work hard find us as loyal to them as they are to us. People who don't carry their weight create a distracting influence and we have no room for them. Our organization didn't get where it is by accepting an 'average' performance. 'Average' people have contributed nothing to our success in the past and could contribute even less to our future. We want people with ambition," says Hicks.

And always accompanying him, wherever he goes, is the maxim passed on to him by his father . . . "Success is a journey, not a destination."

NIXON SHOWED HIS WISDOM

(Mr. RHODES asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RHODES. Mr. Speaker, that the President of the United States offered an acceptable solution to one of the major problems of his administration is borne out by the favorable press reaction on his decision concerning the deployment of the antiballistic missile. There is no doubt that this was a difficult decision to reach since there are always many sides to a matter which concerns the people of so large a part of the world. Again, however, the President showed his wisdom and mental honesty in facing up to the problem and taking the action he felt to be in the best interest of the security of our Nation.

The following comments from the press throughout the United States are proof of the acceptance and appreciation generally manifested for his forthright decision.

[From the Washington (D.C.) Evening Star, Mar. 15, 1969]

NIXON PUTS SAFETY OF UNITED STATES FIRST

(By Gould Lincoln)

President Nixon has boldly told the world and the peace-at-any-price people in this country he puts the safety of the United States first. At the same time he insisted this is a move for peace—for without our safety there will be no peace.

His decision to go ahead with the deployment of an ABM system, known as the Sentinel, with important changes, announced at yesterday's press conference, he described as a protection of our nuclear deterrent. As such it is designed to prevent, not encourage, war. It will help preserve the peace.

He admitted frankly that the ABM deployment faces a hard fight in Congress—particularly in the Senate. But he expects to win the fight after the issue has been thoroughly debated.

And so Nixon has come to grips firmly with his first major problem in foreign policy. In addition, he showed himself determined to deal equally firmly with the Vietnam war, now being escalated by the Communists of the North and the Viet Cong, Hanoi's front in the South. He told the press that his practice is not to repeat a warning. His warning delivered a week ago was he would take "appropriate" steps. What action he will take in response to the present Communist offensive he declined to reveal at this time, and if he retaliates he will do so without announcing his move in advance. He still believes the Paris talks will be effective and produce peace in the end.

He announced he proposed to deploy the Sentinel ABM not around our cities, as provided in the Lyndon Johnson proposal enacted by Congress last year, but in country areas; that it will be a "phased" system rather than a fixed one, subject to annual review, designed particularly as a defense against a possible Chinese Communist attack during the next ten years, but having its implications for the Russian Communists, too.

In a measure, Nixon has departed from precedent, for the history of the United States since World War I and the days of Woodrow Wilson has been a series of magnificent gestures for world peace. Wilson's League of Nations, though rejected, by a group of hard-nosed members of the Senate, was the first.

In every instance real peace has been blocked by Fascists, Communists, and whatever, down to the present day. This, however, has not prevented America's search for the most elusive bird in the world—the bird of peace.

President Harding, who followed Wilson in the White House, called the Washington Arms Conference, designed to put an end to wars through the limitation of naval armaments. The strong nations of the world were urged to limit or do away with those naval vessels used for offensive war.

No one who was present at the opening of the Washington Arms Conference will ever forget the moment when Secretary of State Charles Evans Hughes announced the intention of the United States to do away with and to halt building the greatest and most powerful Navy the world had ever seen, as its earnest of peaceful intentions. It was indeed, a magnificent gesture—but doomed in the end to failure. Calvin Coolidge and his Secretary of State, Frank B. Kellogg, did their best too for peaceful international agreements.

Although the German Kaiser passed out of the picture and a National Socialist republic was set up in Germany, the war hounds came to the front again when Adolph Hitler grasped power, overthrowing the government and setting the Germans on another effort to conquer the world. The great depression hit the world, including the United States, and we had other things to think of besides world peace.

We were rudely jolted, along with the rest of the world, when Hitler finally made his move and with air power, panzer divisions and submarines overran Belgium and France and struck terribly at Great Britain.

Franklin D. Roosevelt at Yalta made his plans for peace after war, conceding much to Stalin at that conference and to the Russians when he held back and permitted them to take Berlin.

Harry S. Truman hosted the United Nations conference in San Francisco where the charter was written which was to establish world peace. He later sponsored the Marshall plan under which we poured out billions of dollars to permit the warring nations, both friend and foe to rebuild. And to prevent a third world war Truman refused to let our air forces bomb the Chinese Communists and their supplies beyond the Yalu River in the Korean war.

Gen. Eisenhower was a persistent searcher for peace— and he kept it. He held back, however, from rooting out Castro in Cuba allowing the Communists a foothold in the Western Hemisphere. John F. Kennedy followed suit. Lyndon Johnson sought peace in Vietnam always, although building up our forces there, even to the extent of withdrawing from the presidential race in 1968.

[From the New York Daily News, Mar. 15, 1969]

Nixon Backs the Sentinel

At a news conference in Washington yesterday, Richard M. Nixon made by far the most momentous announcement he has yet made as President of the United States.

Mr. Nixon said he had decided, after due deliberation and consultation, that the U.S.A. must have an array of Sentinel antiballistic missiles, deployed by 1973.

Object: To defend certain Minuteman missile sites and our bomber bases and command and control authorities against nuclear assaults by Red China and/or Soviet Russia.

The new President made this decision in defiance of the Kremlin's loud objections, the caterwauling of U.S. "liberals," and the squawks of atomic scientists who are wizards in their own field but children as regards politics and military matters.

We are delighted, reassured and greatly encouraged by this courageous Nixon decision.

Sentinel is not 100% insurance against casualties in a nuclear showdown. But it is the best thing of the kind in sight just now, and it most likely can be improved as time goes by.

Too, this decision is in line with one of Mr. Nixon's more important campaign promises.

The promise, we mean, that sure, he would discuss matters with Soviet Russia if elected, but only from positions of strength, not of weakness.

This Sentinel decision should show the Kremlin's two-headed dictatorship that the new U.S. President is not going to be intimidated or hornswoggled by Communists or, presumably, anybody else. Even Peking should get this message, dumb and doddering through Chairman Mao Tse-tung seems to be nowadays.

Altogether, we think yesterday was a great and memorable day in U.S. history.

It remains to be seen whether majorities in both Houses of Congress will have the shortsighted, unpatriotic gall to throw any monkey wrenches, financial or otherwise, into the President's Sentinel plans.

Such a thing seems almost unimaginable, but we shall see.

[From the Washington (D.C.) Daily News, Mar. 15, 1969]

Nixon's First Big One and He Didn't Muff It

(By Jerry Greene)

WASHINGTON, March 14.—Had there been any lingering doubt from Pocatello to Peking that President Nixon was a take-charge guy, he dumped it at the White House today in a manner as significant as his antiballistic missile decision itself.

The President was cool, confident and crisp. He walked into the East Room with a slight, friendly smile for acquaintances. Then, in his fourth press conference, standing easily before a microphone, hands clasped before him, his face turned serious.

"I am announcing a decision," the President said. And he continued: "I have concluded . . . I ruled them out . . . I have made the decision . . . It will be my policy as President to issue a warning only once . . ."

This was Nixon's first big one and he didn't muff it. Nor was he pressured into hasty action. He waited until he thought the time was right and he came through with positive pronouncement.

He accepted the challenge pitched at him by the same bloc of Senate liberals, largely but not entirely Democrats, that helped drive Lyndon Johnson out of office. The lines are now drawn.

REALLY NO ROOM FOR SERIOUS ARGUMENT

Nixon didn't raise his voice. He didn't resort to histrionics. He made an occasional quick gesture with his hands as he sought to explain in matter-of-fact terms that what added up to the first major decision of his presidency was something so logical there wasn't really any room left for serious argument.

This was a carefully prepared show, with the same attention to groundwork detail that characterized the Nixon campaign and his operations thus far in the White House—with time out for normal human error, such as the short-lived appointment of Willie Mae Rogers, the Good Housekeeping lady.

The President, using no notes, did not follow the three-page text of his decision statement. He had no need to. His outline of reasoning left no important point untouched and the much shorter oral version gained in impact and emphasis.

Comparatively few questions were asked about ABM deployment, for the President's explanation covered the field. In response to a few probes, Nixon exhibited acquaintance with technical matters, and he tossed in quite casually what doubtless had been until that moment a highly classified piece of information. This was that by our count, Russia has 67 antiballistic missile sites dug in around Moscow. The actual number had not been disclosed previously.

What was impressive about this Nixon performance was his grave but far from funereal dignity, his quiet attitude of assurance and determination.

UNDERCUTS OPPOSITION IN ASSORTED DIRECTIONS

Nixon, of course, did not expect to wipe out opposition to the ABM or to his decision, particularly in the Senate. He was mindful of the frenzied, televised pressure built to a peak in the early days of this week by hearings before Sen. Albert Gore (D-Tenn.) and his Foreign Relations subcommittee. He conceded that he expected "very spirited debate" over the issue when the Senate gets around to voting on authorization and appropriations for the ABM.

But an examination of his statement reveals quite clearly that Nixon was adroit in the preparation, that he undercut the opposition neatly in assorted directions.

For the sincere doubter of the ABM, Nixon had the assurance that "this decision has not been an easy one." He did not give the objectors a rude brushoff, although there has been scant question about his intentions from the outset.

For the worried city-dwellers who wanted no nuclear warheads stored nearby, he lifted the dread and moved the missiles to isolated areas.

For the fearful, the President had evidence that he did not intend to leave this nation "naked" under the threat of missile attack from either Red China or Russia.

For the peace-seekers, professional and genuine alike, Nixon had the pledge of strong efforts toward disarmament talks with Russia for a continual review of the decision, for flexibility.

The President's conciliatory tone toward the Kremlin, his firm insistence that he intended no provocation, gave additional weight to his posture of reasonableness.

SOMETHING THERE FOR EVERYBODY

By reducing the program planned by the outgoing Johnson Administration, Nixon cut back on this element of Pentagon spending by nearly $900 million next year, a move certain to gain some support from senators largely concerned by armament costs.

Thus there was a little bit here for almost everybody, and ample flexibility to swing a number of wavering votes in Congress.

The Senate anti bloc, of course, won't let up. Gore and his televised subcommittee can be expected to hammer away, seeking to build more pressure and beat the ABM appropriation. But these people will know they have been in a battle with a take-charge guy when the final vote is taken. And Nixon has a pretty fair platform on which to make his case. He laid it out this morning: "It is the responsibility of the President of the United States, above all other responsibilities, to think first of the security of the United States."

On that stand, he'll win his case.

[From the Nashville (Tenn.) Banner, Mar. 15, 1969]

Nixon Puts Security First in ABM Decision

"The gravest responsibility I bear as President of the United States is for the security of the nation." That realization wasn't merely stated by President Nixon in yesterday's press conference; it was demonstrated in the decision disclosed, for deployment of a modified anti-ballistic missile system—a safeguard program geared to defense needs discerned by informed assessment.

This is the most important decision he has made since his inauguration: and reason supports it, in contradiction of the head-in-sand dissenters who choose to discard defensive preparedness and rely instead on the flimsy premise of Soviet mutual disarmament gestures.

This is no step-up of the arms race.

President Nixon does not spurn negotiated agreements looking—in fact or in theory—to enforceable covenants if and when. He urged ratification of the nuclear non-proliferation treaty, approved by the Senate Thursday; but he is well aware of nuclear hazard which mischance, or enemy miscalculation could trigger—or which unpreparedness in this ABM category would invite. And he does not choose to expose his nation to that muliplied risk by prolonging the Pollyanna gamble.

As a realist—fully posted on the Communist policy record—he knows the score on perfidy in that quarter. It is no secret that in the past 25 years, of 52 major agreements reached with the Russians, the Soviet has broken 50. And reason just naturally balks at taking such covenants—however ceremoniously drawn and sealed—at face value. While negotiating and extending opportunities for good faith, intelligence dictates keeping the guard up.

The modified ABM system prescribed has been designed so that its defensive intent is unmistakable. That was definitely recognized by the Soviet prior to the President's announcement of yesterday; for he had communicated the intent, and the official response there was that it was not considered an escalation of the arms race, but purely a defense mechanism. It is equally clear that Mr. Nixon does not propose to disregard the threat from across the Pacific, implicit to growing nuclear capability on the part of Red China.

As a matter of fact, Soviet Russia herself is sensitive to danger from the latter—and has cited it in justification of the increasing ABM deployment around Moscow.

It would be doubly absurd, and tragically if not fatally blind, on America's part to ignore the double dose of recognized dangers from both directions.

As Democratic Sen. Henry Jackson, of Washington, observed in backing the Nixon program, Russian authorities have spelled out the view that its equivalent as deployed on Soviet soil is not an offensive weapon. Further, that the USSR has acknowledged the Red Chinese threat, with explanations that it would require these installations even if U.S.-Soviet differences were totally resolved.

It is significant that both this leading Senate Democratic liberal, and the liberal Republican Whip, Sen. Hugh Scott, of Pennsylvania, have endorsed the anti-ballistic missile program yesterday presented. It is no surprise that Republican Senator Percy, and fellow doves on the other side of the aisle, are wildly shooting at it. What these don't know about basic security policies—outside the self-induced trance-line of wishful thinking—would fill all the Congressional Records the Government Printing Office could publish.

The program spelled out yesterday relates to deterrence of aggression. Instead of attempting to ring American cities with these devices, the President has moved for protection of land-based retaliatory forces against a direct attack by the Soviet Union.

Simultaneously the program would defend the American people against the kind of nuclear attack which Red China is likely to be able to mount within a decade; and protect against the possibility of accidental attack from any source.

As he emphasized, the best way to save these lives is by intelligent security steps to prevent war. The system proposed is for that deterrence— by assuring a surviving, retaliatory striking power.

The deployment will cost money, though less than the amount itemized for it in the Johnson budget for the ABM "thin line" proposed by that administration.

America cannot afford to spend less than it takes to reasonably assure national survival: and until such time as the Communist threat is deterred by Free World preparedness, this program must continue.

President Nixon has laid the facts of the case squarely on the line, for the nation and the world to see. With his decision no reasoning mind can disagree.

[From the Philadelphia (Pa.) Inquirer, Mar. 15, 1969]

SAFEGUARD PROGRAM FOR ABM

In any discussion for or against the proposed antiballistic missile system, national security has to be the paramount issue. It is on the basis of that security that President Nixon has made his decision to go ahead with a modified and flexible ABM program.

His decision, arrived at only after the most searching examination of all options open to him, from massive and ever-increasing deployment of antimissile sites to abandonment of the whole defensive program as worthless, was not an easy one, as he told the members of the press at his televised news conference on Friday.

But the decision was his to make, and he would not submit to the easy "out" of delaying action one way or the other, for further "research," leading to postponed deployments of a year or more—which could prove to be too late.

What President Nixon proposes is a "safeguard" system which is intended to guard against any Communist Chinese nuclear attack that can be foreseen over the next 10 years. The changed Sentinel program would primarily assure the security of the nation's missile and bomber forces and would provide protection against any irrational or accidental attack of less than massive magnitude from Soviet Russia.

The first two ABM sites are scheduled to be in North Dakota and Montana to protect Minutemen missile bases. The Nixon proposal will require a budget of about $800 million originally, compared with the $1.8 billion the Johnson Administration's would have initially cost. Ultimate expenditure is expected to reach about $6 billion to $7 billion, as more sites are added.

Opposition to any ABM system has already been widespread and vociferous, and the President looks for a close vote on his proposal in Congress. But he presented his case well at the news conference, and his conviction, earnestly expressed, that "this system is the best we can provide for our nation's security," is bound to have great weight, in Congress and out.

[From the Indianapolis (Ind.) Star, Mar. 15, 1969]

COMMENTS ON SURVIVAL: DECISION TO USE ABM IN DEFENSE CALLED PATRIOTIC

(By Michael Padev)

WASHINGTON.—President Nixon made a courageous and patriotic decision yesterday—to build a modified defensive ABM system, subject to periodic changes, in accordance with new world developments.

The decision was courageous because it ran contrary to the very active opposition of so-called "scientific" opinion on the subject.

For many weeks now, many prominent United States scientists, generally associated with liberal and left-wing U.S. political circles, had maintained that the U.S. ABM system was not necessary for U.S. defenses, and that its build-up would harm meaningful disarmament negotiations between the U.S. and Russia.

Before going any further on this issue let us see what the ABM problem is all about.

ABM stands for anti-ballistic-missiles.

These are the missiles which the U.S. defense establishment would fire against any possible enemy missile attack. The ABM missile would intercept the enemy missile and would destroy it in mid-air, before the enemy missile is able to inflict massive damage and destruction to American targets.

The Johnson administration had adopted a so-called "thin" ABM system of defense. This included several anti-missile defense systems, situated near major American cities.

President Nixon has reversed this decision. American cities, Mr. Nixon said yesterday, cannot be adequately defended against a first strike by a possible Communist aggressor.

For this reason Mr. Nixon will locate the U.S. ABM defenses near the American counter-attack missile installations. This is the U.S. defense system which would be activated as retaliation in case a Communist enemy would attack the U.S. with atomic weapons.

President Nixon's policy to defend the American retaliatory system makes real sense.

This is the best way to guarantee future peace. From now on, any Communist enemy would know that even if it attacks America in a surprise first strike, it would face instant destruction. This is, indeed, a real deterrent to any Communist atomic attack.

President Nixon cannot possibly abandon the U.S. ABM system altogether, as some of his left-wing and "liberal" critics would like him to do, because this would give Soviet Russia and her Communist allies a great advantage in the international diplomatic game.

On the other hand, no one—not even Soviet Russia—can possibly say that the American ABM defense methods, recommended by President Nixon, are "aggressive" or "provocative." They are, in fact, purely defensive—they aim to protect the U.S. retaliatory capabilities. They would not be put into effect unless the U.S. is attacked by enemy atomic missiles.

Clearly, as President of the United States, Mr. Nixon has performed his patriotic duty—he has made certain that the U.S. would be able to defend itself, in case of sudden and unprovoked nuclear aggression.

Moreover, President Nixon explained that there was nothing "final" in his present decision. The ABM system will be reviewed regularly—perhaps every six months or so. If the international situation gets better, the system will be changed, according to circumstances.

[From the Cleveland (Ohio) Plain Dealer, Mar. 15, 1969]

NIXON'S CASE FOR A MODIFIED ABM

President Richard M. Nixon's decision in favor of a modified antiballistic missile system was difficult to make and probably will result in vigorous congressional debate but it is based on three acceptable selling points:

It stresses the defensive objective of the system which is designed to deter outside aggression.

It is realistic, facing squarely the unhappy but hard fact that it would be impossible to protect all or any large cities completely in case of enemy attack.

It attempts, by compromise, to avert an out-and-out battle with the Senate group which regards the antiballistic missile project as too expensive, too ineffective and too provocative.

The choice puts the accent on defense. Mr. Nixon would modify the Sentinel ABM system proposed by President Johnson's administration and concentrate on protecting, first, the United States missile and bomber force from a quick knockout. Initial defensive installations reportedly would be in Montana and North Dakota.

Admittedly, the decision was in the damned-if-you-do and damned-if-you-don't category, even though it is classified as a minimum program geared for 1973 operation and subject to change. However, the President heard all sides and all shades of political, scientific and military opinion before making up his mind. It cannot be said he wasn't well informed or did not avail himself of all knowledge on the subject.

In announcing his decision to advocate spending between $6 and $7 billion for antiballistic missile deployment, Mr. Nixon made it plain he is counting on the Soviet Union to recognize the defensive nature of ABM and not to consider it a reason for increasing its own arsenal of weapons. He admitted this is in the nature of a calculated risk taken "in the interest of peace throughout the world."

Red China, he said, is a potential military threat to world peace which keeps the U.S. and the Soviet Union wary.

He was candid in saying that although "every instinct motivates me to provide the American people with complete protection against a major nuclear attack, it is not now within our power to do so." This is patently true. A massive city defense system would have to be perfect to be effective in cutting civilian losses significantly in case of nuclear attack. The President's best advice was to push for a missile defense that would do the basic job of protecting this nation's retaliatory power against sneak attack.

Any armament decision today is perilous but choices must be made. A president cannot duck them. The President, in the case of ABM, made a reasonable conclusion.

[From the Cleveland (Ohio) Press, Mar. 15, 1969]

PRUDENT CHOICE ON ABM

President Nixon's decision to proceed with an Anti-Ballistic Missile system is a historic event. The ABM issue involves so many complicated and controversial technical, stra-

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tegic, financial and even moral implications that they could not possibly be covered in his accompanying statement or a 30-minute news conference given to other subjects as well.

So, a great debate will follow. Conducted on a high plane, it can answer some unanswered questions, fill in some gaps of knowledge and make the final congressional disposition of the President's proposal solidly based.

As Mr. Nixon said, his uppermost aim is to assure the security of the United States against nuclear threats now seen and those not yet real, but possible. He made a point of seeking to avoid a provocation toward our fellow super power, Russia. He advocated an initially limited ABM deployment, not a grand one, and he pledged to proceed by stages determined by annual review. He obviously considered all the options and, with his aides, is prepared to advocate and defend his case.

The debate probably will not be just about the ABM at 12 missile sites by 1975 or a six to seven-billion-dollar outlay. It will involve such matters as competition among rival politicians and, deeper than that, widespread public concerns about the overhanging threats of nuclear war, rising military spending, ever-increasing taxes, the needs of our cities, domestic problems and national security. In short, it will be an emotion-heated debate about the state of the nation and of the world, as well as a discussion about a particular weapon.

The starting point ought to be the question: How well will the ABM work? The testimony of many scientists is that it will work against an accidental or small and simple nuclear attack. There are doubts whether any present ABM system can handle an enemy barrage of missiles massively complicated by decoys, balloons, radar-confusing "chaff", electronic countermeasures and nuclear blast "blackout." To date, the Pentagon has said these "penetration aids" in U.S. hands can overwhelm Russia's ABM system around Moscow.

As a defense against Communist China, President Nixon's "safeguard system" presumes Peking will achieve and consider using a limited force of unsophisticated intercontinental ballistic missiles This is possible, though such an attack would result in history's first national suicide.

As a defense against a single missile accidental attack, the ABM most probably would be welcome insurance. The question is: Would it be worth the cost, not only in money, but in the probability, based on the past history of the nuclear arms race, of another spiral of other monsters?

It is the possibility of this sort of thing that shocks us into recognition of the horrendous posture the human race, ourselves included, has twisted itself into. In advocating an ABM system President Nixon is acting in good conscience. He is not rattling rockets. But we still have the question: Will it work? Do we need it? Is this the way up and out of the nuclear pit, or does it get us all in deeper?

On balance of evidence now before us, the President's course is as prudent a choice as he could take.

[From the Cincinnati (Ohio) Enquirer, Mar. 15, 1969]

PRESIDENT NIXON CASTS HIS DIE

President Nixon, in our judgment, would have been remiss in his constitutional mandate to safeguard the nation's security had he taken any position less decisive than the one he enunciated yesterday afternoon on the future of the Sentinel antiballistic-missile system.

The President had been under heavy pressure from both sides in the long-standing and continuing debate about the nation's defenses against either calculated or accidental enemy attack.

On the one hand, there has been the military opinion—subscribed to by part of the scientific community—that the United States can ill afford not to proceed to match or to surpass the kind of missile defenses the Soviet Union has already been deploying around some of its major cities.

On the other hand, there has been the view—subscribed to by another part of the scientific community along with the doves in and out of Congress—that to flash a green light on the Sentinel system would be to intensify the arms race with the Soviet Union.

There has been conflicting testimony, in addition, on the efficacy of the system (although the Russians appear to have no doubts about the usefulness of their counterpart to the Sentinel) and about its ultimate cost.

The course to which Mr. Nixon proposes to commit the nation differs in important ways from the program reluctantly launched by the Johnson administration at a time when Congress was, in general, clamoring for swifter and more decisive action.

For one thing, the Nixon administration proposes that the deployment of the Sentinel system remain unmistakably defensive in character. This means that it should not be interpreted by the Russians as an escalation in the arms race.

For another, Mr. Nixon promises to review the Sentinel system annually—taking into account the diplomatic climate, the system's cost and whatever technological developments seem relevant.

If Mr. Nixon had bowed to mounting pressure in Congress for scrapping the Sentinel system, he would have been discarding in advance the trump cards he might have taken into any future negotiations with the Soviet Union on the whole range of missile armaments.

We have been unable to understand the reasoning of the Sentinel's congressional critics who have maintained that for the United States to attempt to duplicate a system the Russians are already deploying would be to arouse Russian suspicions and render any attempts at arms-control negotiations futile.

It remains far from certain, of course, whether Mr. Nixon can win enough congressional support to translate his recommendations into reality.

One estimate early in the week was that the largest single part of Senate opinion was as yet undecided on the Sentinel. It presumably will be to this segment of the Senate—said to embrace as many as 40 lawmakers—to whom the President must direct his appeal. The prospect that he can persuade the all-out doves is all but hopeless.

[From the Akron (Ohio) Beacon Journal, Mar. 15, 1969]

NIXON'S "LITTLE ABM" HAS WINNER SIGNS

(By Saul Friedman)

WASHINGTON.—Once again, President Nixon is carrying water—or in this case anti-ballistic missiles (ABM)—on both shoulders.

But in his attempts to head down the middle of the ABM controversy, the President may have given his critics, especially Democrats, their first real reason to fight with the new administration. In short, the honeymoon may be at an end.

Yet a strong argument can be made that his plan for the deployment of the ABM, has given much more to the opponents of the missile system than to its supporters. For that reason it now has a better chance for approval in Congress.

At his Friday press conference, the President said he thought his plan would pass after a close vote. There were signs he may be correct.

Not only did Nixon withdraw the missiles from the cities, at least for the present, he also backed off even further from the original Johnson Administration deployment plan.

Here is what Nixon gave the ABM doves:

He rejected a "thick" or "thin" system to protect the cities, thus deflating criticism that it would not work, that it would be too costly, and that it would upset the strategic balance between the U.S. and the Soviet Union and begin a new round in the arms race.

He cut deployment of the ABM back from 15 sites in the Johnson Administration plan, to just two sites.

The primary purpose of Nixon's plan is to protect American Intercontinental Ballistic Missile (ICBM) sites, rather than cities. This would protect the U.S. ability to retaliate, or give a better "second strike." The Nixon plan strengthens the U.S. "deterrent," and may stabilize rather than upset the arms balance.

Finally, Nixon has reduced by nearly $1 billion the Defense Department appropriations request for work on the ABM next year. The amount requested for the Johnson proposal was $1.8 billion.

Nevertheless the hawks were more satisfied than the doves, because they too got some significant concessions.

Most important, if Nixon's plan is approved, the ABM foot will be through the door. Citing the beginning of other weapons systems which have grown like topsy, ABM critics expect that once started, the system will be unstoppable and will expand into a $100 billion giant.

[From the National Observer, Mar. 17, 1969]

THE VERDICT ON ABM

The president's decision on missile defenses must be viewed in psychological as well as military terms. As such, the decision made good sense, and could ultimately do much to slow down the arms race.

The most vocal critics of the decision won't see it that way. They will see it simply as a triumph of the "military-industrial complex" over those who would strive for arms-limitation agreements with the Soviet Union. But any talk of conferring with the Russians about arms or anything else requires a good measure of guesswork about what the Russians really intend. So any decision on an antiballistic-missile (ABM) system—even a decision to defer a decision—would be a gamble. Mr. Nixon has made the best gamble.

First of all, Mr. Nixon's decision is less likely to provoke the Soviets than would be a decision to push ahead with the Sentinel system. A decision to protect the cities, if that were truly possible, could be interpreted by the Russians as a way to blunt a Soviet retaliatory attack against the American population after a U.S. first strike.

Mr. Nixon's decision also recognizes a brutal but apparently unavoidable fact. It is now not possible to provide adequate protection for the American population against Soviet missiles. The best defense, the President has concluded, remains the nation's second-strike capability—the ability of this country to inflict unacceptable losses on the Soviet Union, or any other nation, should that nation decide to launch nuclear missiles against the United States.

The United States and Russia each have the capability to destroy each other many times over. This raises a good question: Is a defense system really necessary to protect American offensive missiles, or aren't there already enough—or soon to be enough—land-based and seaborne missiles available to survive any first strike by Russia or anybody else?

A SOVIET TEMPTATION?

Perhaps there are. But the arms race being what it is, the Soviet Union might easily be tempted to increase its offensive arsenal even more, with the goal of developing an attack that could destroy much of the American offensive arsenal. A defense system to protect U.S. long-range missiles could discourage such a step-up in arms competition.

The Nixon decision also means that the United States will go into any arms talks with Russia having made a determination to employ a missile defense. This certainly gives this country a better bargaining position than it would have had had Mr. Nixon decided against any deployment or decided to delay a decision on deployment. A decision to delay would leave great doubt in Soviet minds about American intentions.

Mr. Nixon's decision has left the next move in the quest for weapons control up to the Russians. His statement last week was conciliatory, and left plenty of openings for the Soviets if they truly wish to slow down or stop the arms race.

[From the Youngstown (Ohio) Vindicator, Mar. 15, 1969]

Mr. Nixon's Modified ABM

From the viewpoint of winning friends and influencing people it would have made little or—no difference whether President Nixon had said either Yes or No to the anti-ballistic missile system.

President Nixon didn't quibble in making known his views yesterday on the ABM system. He could have done nothing at all or he could have placed the responsibility in other hands. It is to his credit that he chose to make the decision himself even though it probably will not prove popular with the anti-ABM scientists and others who have offered negative opinions in the last few weeks.

Since taking office, President Nixon has avoided sharp controversy but neither he nor anyone else can expect this kind of political dream world to continue indefinitely.

Mr. Nixon obviously has not made his decision on the basis of snap judgment. He has taken into account virtually every viewpoint, consulted advocates both for and against and has weighed the costs and the political consequences. He could have ended the suspense and turned the responsibility over to someone else. But he didn't. He chose to make it a "command" decision. He didn't really have to make a decision now because it could be a year or more before a single missile could be produced and deployed.

The President now is on record as advocating a "substantially modified" anti-ballistic missile system, unmistakably defensive: To protect U.S. land-based retaliatory forces against direct attack; to defend the American people against any nuclear attack by either the Soviet Union or the Communist Chinese; and to safeguard against any accidental missile firings from any source. The cost would be $6 billion to $7 billion.

Unless all signs fail, the President will face heated criticism from the so-called peace groups and particularly those liberals forming around the peace movement to make war on other weapons systems and the Pentagon budget in particular. They undoubtedly will challenge both the Pentagon and the para-military industry, hoping at the same time to embarrass the Nixon administration and lay the ground-work for a liberal and Democratic comeback in 1972. In other words, they will strive to make political hay while the sun shines.

The matter of domestic needs will be emphasized and no one is more aware of such needs than Mr. Nixon and undoubtedly he has weighed the ABM against all other national needs, at home and abroad.

In his news conference yesterday, Mr. Nixon said, "I am deeply sympathetic with the concerns of private citizens and members of Congress that we do only that which is necessary for our national security. This is why I am recommending a minimum program for our security. It is my duty as President to make certain that we do no less."

It would be foolhardy to place dependence on treaties or negotiations with the Soviet Union, or the Red Chinese for that matter. Treaties or agreements, where vital issues are concerned, mean nothing to the rulers in the Kremlin who respect power above principle.

Mr. Nixon, whatever either his friends or foes decide to say about his decision, has done what he believes is best for the American people and he has acted without undue concern for Soviet reaction and with minimum regard for political effect.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. O'Neal of Georgia (at the request of Mr. Albert), for an indefinite period, on account of illness.

Mr. Vander Jagt (at the request of Mr. Gerald R. Ford), on account of illness.

Mr. Morse (at the request of Mr. Gerald R. Ford), for March 18 and 19, on account of official business.

Mr. Hanna (at the request of Mr. Waggonner), for today and tomorrow, March 19, on account of official business.

Mr. McKneally (at the request of Mr. Gerald R. Ford), for today, on account of official business.

Mr. Arends (at the request of Mr. Gerald R. Ford), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. Leggett) and to revise and extend their remarks and include extraneous matter:)

Mr. Reuss, for 10 minutes, today.

Mr. Feighan, for 30 minutes, on March 19.

Mr. Matsunaga, for 10 minutes, on March 19.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. Edmondson in two instances.

Mr. Dingell, to include extraneous matter in his remarks on H.R. 7206.

Mr. Perkins (at the request of Mrs. Green of Oregon) to extend his remarks following hers on H.R. 8438.

(The following Members (at the request of Mr. Foreman) and to include extraneous matter:)

Mr. Pettis in two instances.
Mr. Bell of California.
Mr. Findley.
Mr. Broyhill of Virginia in two instances.
Mr. Wyatt in five instances.
Mr. Gude in two instances.
Mr. Hosmer in three instances.
Mr. Zwach in two instances.
Mr. Teague of California.
Mr. Ashbrook in two instances.
Mr. Bob Wilson.
Mr. Blackburn in five instances.
Mr. Coughlin in two instances.
Mr. Wyman in three instances.
Mr. Shriver.
Mr. Miller of Ohio in two instances.
Mr. Ruth in five instances.
Mr. Nelsen.
Mr. Derwinski in two instances.
Mr. Burton of Utah in 10 instances.
Mr. Steiger of Arizona in two instances.
Mr. Reid of New York.
Mr. Lipscomb.
Mr. Watson.
Mr. Roth in five instances.
Mr. Morse.
Mr. Keith in five instances.
Mr. Conable.

(The following Members (at the request of Mr. Leggett) and to include extraneous matter:)

Mr. Downing.
Mr. William D. Ford.
Mr. Burton of California in two instances.
Mr. O'Hara in three instances.
Mr. Reuss.
Mr. Biaggi in two instances.
Mr. Fisher in three instances.
Mr. Bolling.
Mr. Jacobs in two instances.
Mr. Boland in two instances.
Mr. Ottinger in two instances.
Mr. Gonzalez in three instances.
Mr. Roybal in six instances.
Mr. Kastenmeier.
Mr. Nix in two instances.
Mr. Dingell.
Mr. Feighan in four instances.
Mr. Fascell in three instances.
Mr. Fulton of Tennessee in two instances.
Mr. Albert.
Mr. Ashley.
Mr. Blatnik.
Mr. Rarick in three instances.
Mr. Mikva in two instances.
Mr. Adams.
Mr. Nichols.
Mr. Corman.
Mr. Edwards of California.
Mr. Daniels of New Jersey.
Mr. Cohelan in three instances.
Mr. Helstoski in two instances.
Mr. Fallon in two instances.
Mr. Dulski in four instances.
Mr. Nedzi in two instances.
Mr. Vanik in two instances.
Mr. Moorhead in two instances.
Mr. Rooney of Pennsylvania in two instances.
Mr. Brademas in six instances.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 408. An act to modify eligibility requirements governing the grant of assistance in acquiring specially adapted housing to include loss or loss of use of a lower extremity and other service-connected neurological or orthopedic disability which impairs locomotion to the extent that a wheelchair is regularly required; to the Committee on Veterans' Affairs.

S. 1130. An act to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the American Fisheries Society; to the Committee on Banking and Currency.

ADJOURNMENT

Mr. LEGGETT. Mr. Speaker, I move that the House do now adjourn.

XUM

The motion was agreed to; accordingly (at 6 o'clock and 21 minutes p.m.), the House adjourned until tomorrow, Wednesday, March 19, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

591. A letter from the Comptroller General of the United States, transmitting a report on policies and procedures used in disposal of U.S. military property in France, Department of Defense; to the Committee on Government Operations.

592. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report that the appropriation to the Department of Transportation for "National Transportation Safety Board: Salaries and expenses," for the fiscal year 1969, has been reapportioned on a basis which indicates the necessity for a further supplemental estimate of appropriation because of circumstances constituting an emergency involving the safety of human life and the protection of property, pursuant to the provisions of subsection (e)(1) of section 3679 of the Revised Statutes, as amended; to the Committee on Appropriations.

593. A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to amend title 37, United States Code, to provide special pay to naval officers, qualified in submarines, who have the current technical qualification for duty in connection with supervision, operation, and maintenance of naval nuclear propulsion plants, who agree to remain in active submarine service for one period of 4 years beyond any other obligated active service, and for other purposes; to the Committee on Armed Services.

594. A letter from the Secretary of the Army and the Secretary of Agriculture, transmitting notice of the intention of the Department of the Army and the Department of Agriculture to interchange jurisdiction of civil works and national forest lands, pursuant to the provisions of 16 U.S.C. 505a and 505b; to the Committee on Agriculture.

595. A letter from the Comptroller General of the United States, transmitting a report on a review of economic opportunity programs, made pursuant to title II of the 1967 amendments to the Economic Opportunity Act of 1964; to the Committee on Education and Labor.

596. A letter from the Acting Director, Congressional Liaison, Agency for International Development, Department of State, transmitting a report of claims settled by the Agency during the period January 1, 1968, to December 31, 1968, pursuant to the provisions of section 3(e) of the Military Personnel and Civilian Employees' Claims Act of 1964; to the Committee on the Judiciary.

597. A letter from the Administrator, General Services Administration, transmitting prospectuses proposing construction or alteration of public buildings at various locations, pursuant to the provisions of section 7a of the Public Buildings Act of 1959 (73 Stat. 480), as amended; to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SISK: Committee on Rules. House Resolution 325. Resolution providing for the consideration of H.R. 8508, a bill to increase the public debt limit set forth in section 21 of the Second Liberty Bond Act (Rept. No. 91–100). Referred to the House Calendar.

Mr. POAGE: Committee on Agriculture. H.R. 7. A bill to amend the Rural Electrification Act of 1936, as amended, to provide an additional source of financing for the rural telephone program, and for other purposes, with amendment (Rept. No. 91–101). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FEIGHAN: Committee on the Judiciary. S. 165. An act for the relief of Basil Rowland Duncan (Rept. No. 91–82). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 586. An act for the relief of Nguyen Van Hue (Rept. No. 91–83). Referred to the Committee of the Whole House.

Mr. RODINO: Committee on the Judiciary. H.R. 1437. A bill for the relief of Cosmina Ruggiero, with amendment (Rept. No. 91–84). Referred to the Committee of the Whole House.

Mr. CAHILL: Committee on the Judiciary. H.R. 1708. A bill for the relief of Ai Bok Chun, with amendment (Rept. No. 91–85). Referred to the Committee of the Whole House.

Mr. DENNIS: Committee on the Judiciary. H.R. 1939. A bill for the relief of Mrs. Marjorie J. Hottenroth, with amendment (Rept. No. 91–86). Referred to the Committee of the Whole House.

Mr. CAHILL: Committee on the Judiciary. H.R. 1960. A bill for the relief of Mario Santos Gomes (Rept. No. 91–87). Referred to the Committee of the Whole House.

Mr. DOWDY: Committee on the Judiciary. H.R. 2315. A bill for the relief of Josefina Policar Abutan Fuliar (Rept. No. 91–88). Referred to the Committee of the Whole House.

Mr. EILBERG: Committee on the Judiciary. H.R. 2948. A bill for the relief of Maria Prescilla Caramanzana (Rept. No. 91–89). Referred to the Committee of the Whole House.

Mr. MESKILL: Committee on the Judiciary. H.R. 3144. A bill for the relief of Sung Nan Lee, with amendment (Rept. No. 91–90). Referred to the Committee of the Whole House.

Mr. DENNIS: Committee on the Judiciary. H.R. 3212. A bill for the relief of Lee Ok Ja, with amendment (Rept. No. 91–91). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H.R. 3464. A bill for the relief of Maria Balluardo Frasca (Rept. No. 91–92). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H.R. 3539. A bill for the relief of Dr. Angela Zabarte Fandino (Rept. No. 91–93). Referred to the Committee of the Whole House.

Mr. DOWDY: Committee on the Judiciary. H.R. 3548. A bill for the relief of Dr. Roberto de la Caridad Miquel, with amendment (Rept. No. 91–94). Referred to the Committee of the Whole House.

Mr. RODINO: Committee on the Judiciary: H.R. 4064. A bill for the relief of Ana Mae Yap-Diangco, with amendment (Rept. No. 91–95). Referred to the Committee of the Whole House.

Mr. EILBERG: Committee on the Judiciary. H.R. 5072. A bill for the relief of Demetroula Georgiades, with amendment (Rept. No. 91–96). Referred to the Committee of the Whole Houes.

Mr. CAHILL: Committee on the Judiciary. H.R. 5402. A bill for the relief of Zumrut Sooley (Rept. No. 91–97). Referred to the Committee of the Whole House.

Mr. DOWDY: Committee on the Judiciary. H.R. 6161. A bill for the relief of Christopher Sloane (Bosmos), with amendment (Rept. No. 91–98). Referred to the Committee of the Whole House.

Mr. MESKILL: Committee on the Judiciary. H.R. 6896. A bill for the relief of Dr. Olga Concepcion Perez de Lanio (Rept. No. 91–99). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREWS of North Dakota:

H.R. 9094. A bill to amend the Internal Revenue Code of 1954 to allow a 30-percent credit against the individual income tax for amounts paid for tuition, fees, or services to certain public and private institutions of higher education or for occupational training or retraining; to the Committee on Ways and Means.

H.R. 9095. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. BARING:

H.R. 9096. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. BERRY:

H.R. 9097. A bill to provide for the establishment of a national cemetery near the Fort Randall Dam, S. Dak.; to the Committee on Veterans' Affairs.

By Mr. BIAGGI:

H.R. 9098. A bill to establish a Federal Motor Vehicle Insurance Guarantee Corporation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BLATNIK:

H.R. 9099. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. BRASCO:

H.R. 9100. A bill to provide for a coordinated program to improve the level of human nutrition in the United States, and for other purposes; to the Committee on Agriculture.

H.R. 9101. A bill to amend the Federal Property and Administrative Services Act of 1949, as amended, to provide for the assignment of surplus real property to executive agencies for disposal, and for other purposes; to the Committee on Government Operations.

H.R. 9102. A bill to establish a Department of Peace, and for other purposes; to the Committee on Government Operations.

H.R. 9103. A bill to provide that the nuclear accelerator to be constructed at Weston, Ill., shall be named the "Enrico Fermi Nuclear Accelerator" in memory of the late Dr. Enrico Fermi; to the Joint Committee on Atomic Energy.

By Mr. BROWN of California:

H.R. 9104. A bill to provide for a coordinated program to improve the level of human nutrition in the United States, and for other purposes; to the Committee on Agriculture.

H.R. 9105. A bill to establish a Commission on Hunger; to the Committee on Education and Labor.

H.R. 9106. A bill to amend the Public Health Service Act so as to require that an annual report be made to the Congress concerning the policies and goals of the National Institutes of Health; to the Committee on Interstate and Foreign Commerce.

H.R. 9107. A bill to establish a Commission on Population; to the Committee on Interstate and Foreign Commerce.

H.R. 9108. A bill to amend the Public Health Service Act to provide a program of grants for the construction of population research centers; to the Committee on Interstate and Foreign Commerce.

H.R. 9109. A bill to amend the Public Health Service Act to provide for the establishment of a National Institute for Population Research; to the Committee on Interstate and Foreign Commerce.

By Mr. BROYHILL of Virginia:

H.R. 9110. A bill to authorize the District of Columbia Council to investigate and regulate the use of plastic bags by drycleaning and laundry establishments in the District of Columbia; to the Committee on the District of Columbia.

By Mr. BURLISON of Missouri:

H.R. 9111. A bill to provide for the establishment of a national cemetery in southeastern Missouri; to the Committee on Veterans' Affairs.

By Mr. CELLER:

H.R. 9112. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. COLLIER:

H.R. 9113. A bill to provide that, for purposes of the Internal Revenue Code of 1954, individuals who were illegally detained during 1968 by the Democratic People's Republic of Korea shall be treated as serving in a combat zone; to the Committee on Ways and Means.

H.R. 9114. A bill to provide for an exclusion from gross income in the case of compensation for members of the crew of the U.S.S. *Pueblo;* to the Committee on Ways and Means.

By Mr. CORBETT (for himself, Mr. Gerald R. Ford, Mr. Cunningham, Mr. Button, Mr. McClure, Mr. Meskill, and Mr. Hogan):

H.R. 9115. A bill to provide that appointments and promotions in the Post Office Department and postal field services be made on the basis of merit and fitness; to the Committee on Post Office and Civil Service.

By Mr. CORMAN:

H.R. 9116. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. DERWINSKI:

H.R. 9117. A bill to provide for the withdrawal of second- and third-class mailing permits of mail users who have used these permits systematically in the mailing of obscene, sadistic, lewd, or pandering mail matter, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DULSKI:

H.R. 9118. A bill to provide for orderly trade in iron ore, iron and steel mill products; to the Committee on Ways and Means.

By Mr. EDWARDS of California:

H.R. 9119. A bill to amend the Federal Aviation Act of 1958 in order to establish certain requirements with respect to air traffic controllers; to the Committee on Interstate and Foreign Commerce.

By Mr. EVANS of Colorado:

H.R. 9120. A bill to change the definition of ammunition for purposes of chapter 44 of title 18 of the United States Code; to the Committee on the Judiciary.

By Mr. FULTON of Tennessee:

H.R. 9121. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HALPERN:

H.R. 9122. A bill to provide increases in certain annuities payable from the civil service retirement and disability fund; to the Committee on Post Office and Civil Service.

H.R. 9123. A bill to amend chapter 83, title 5, United States Code, to eliminate the reduction in the annuities of employees or Members who elected reduced annuities in order to provide a survivor annuity if predeceased by the person named as survivor and permit a retired employee or Member to designate a new spouse as survivor if predeceased by the person named as survivor at the time of retirement; to the Committee on Post Office and Civil Service.

By Mr. HALPERN (for himself, Mr. Addabbo, Mr. Delaney, and Mr. Rosenthal):

H.R. 9124. A bill to amend title 38, United States Code, to increase the amount on burial and funeral expenses; to the Committee on Veterans' Affairs.

By Mr. HELSTOSKI (by request):

H.R. 9125. A bill to modify the reporting requirement and establish additional income exclusions relating to pension for veterans and their widows, to liberalize the bar to payment of benefits to remarried widows of veterans, to liberalize the oath requirement for hospitalization of veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. JACOBS:

H.R. 9126. A bill to abolish the death penalty under all laws of the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. KARTH:

H.R. 9127. A bill to change the definition of ammunition for purposes of chapter 44 of title 18 of the United States Code; to the Committee on the Judiciary.

H.R. 9128. A bill to extend benefits under section 8191 of title 5, United States Code, to law enforcement officers and firemen not employed by the United States who are killed or totally disabled in the line of duty; to the Committee on the Judiciary.

By Mr. McCLURE:

H.R. 9129. A bill to amend chapter 44 of title 18, United States Code, to exempt ammunition in certain cases from Federal regulation under the Gun Control Act of 1968; to the Committee on the Judiciary.

H.R. 9130. A bill to repeal the Gun Control Act of 1968; to the Committee on the Judiciary.

By Mrs. MAY:

H.R. 9131. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MOLLOHAN:

H.R. 9132. A bill to prevent vessels built or rebuilt outside the United States or documented under foreign registry from carrying cargoes restricted to vessels of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. MURPHY of New York:

H.R. 9133. A bill to provide supplemental appropriations to fully fund programs to build 300,000 units of low- and moderate-income housing for the fiscal year 1969, and for other purposes, including jobs in housing; to the Committee on Appropriations.

By Mr. NIX:

H.R. 9134. A bill to increase the maximum rate of per diem allowance for employees of the Government traveling on official business, and for other purposes; to the Committee on Government Operations.

H.R. 9135. A bill to provide an equitable system for fixing and adjusting the rates of compensation of wage board employees; to the Committee on Post Office and Civil Service.

H.R. 9136. A bill to extend Federal group life and health insurance benefits to Federal employees in the Canal Zone who are not citizens of the United States, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 9137. A bill to correct an inequity in the application of automatic retirement annuity adjustments for certain congressional employees and Members of Congress; to the Committee on Post Office and Civil Service.

By Mr. OLSEN:

H.R. 9138. A bill to set aside certain lands in Montana for the Indians of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Mont.; to the Committee on Interior and Insular Affairs.

By Mr. PHILBIN:

H.R. 9139. A bill to make certain additional uninsured individuals eligible for hospital insurance benefits; to the Committee on Ways and Means.

By Mr. PIRNIE:

H.R. 9140. A bill to amend chapter 55 of title 10 of the United States Code, to extend to mentally retarded or physically handicapped dependents of certain members and former members of the uniformed services the special care now provided to similarly afflicted dependents of members on active duty; to the Committee on Armed Services.

H.R. 9141. A bill to provide that the nuclear accelerator to be constructed at Weston, Ill., shall be named the "Enrico Fermi Nuclear Accelerator" in memory of the late Dr. Enrico Fermi; to the Joint Committee on Atomic Energy.

By Mr. ROGERS of Colorado:

H.R. 9142. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. ROYBAL:

H.R. 9143. A bill to amend the Urban Mass Transportation Act of 1964, and for other purposes; to the Committee on Banking and Currency.

H.R. 9144. A bill to amend the National Labor Relations Act, as amended, to amend the definition of "employee" to include certain agricultural employees, and to permit certain provisions in agreements between agricultural employers and employees; to the Committee on Education and Labor.

By Mr. SAYLOR:

H.R. 9145. A bill to provide for an exclusion from gross income in the case of compensation for members of the crew of the U.S.S. *Pueblo*; to the Committee on Ways and Means.

By Mr. SHRIVER (for himself and Mr. Stafford):

H.R. 9146. A bill to provide for an exclusion from gross income in the case of compensation for members of the crew of the U.S.S. *Pueblo*; to the Committee on Ways and Means.

By Mr. STEED:

H.R. 9147. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. THOMPSON of Georgia:

H.R. 9148. A bill to amend title II of the Social Security Act to provide that an individual's benefits shall not be subject to deductions on account of outside earnings after the beginning of the year in which he (or the primary beneficiary) attains age 65; to the Committee on Ways and Means.

H.R. 9149. A bill to amend title II of the Social Security Act to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Ways and Means

By Mr. THOMSON of Wisconsin:

H.R. 9150. A bill to enable consumers to protect themselves against arbitrary, erroneous, and malicious credit information; to the Committee on Banking and Currency.

By Mr. TIERNAN:

H.R. 9151. A bill to amend title 37, United States Code, to provide for the procurement and retention of judge advocates and law specialist officers for the Armed Forces; to the Committee on Armed Services.

H.R. 9152. A bill to amend chapter 89 of title 5, United States Code, relating to enrollment charges for Federal employees' health benefits; to the Committee on Post Office and Civil Service.

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By Mr. WHALLEY:

H.R. 9153. A bill to require the Secretary of Commerce either to give the State of Pennsylvania alternative mileage on the Interstate System or to pay the Federal share of the Pennsylvania Turnpike; to the Committee on Public Works.

By Mr. WHITEHURST (for himself, Mr. Broyhill of Virginia, and Mr. Carter):

H.R. 9154. A bill to amend section 401(c) of the Internal Revenue Code of 1954 with respect to certain service performed by ministers; to the Committee on Ways and Means.

By Mr. ZWACH:

H.R. 9155. A bill to revise the quota-control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

By Mr. ADAIR:

H.R. 9156. A bill to amend the Internal Revenue Code of 1954 to exclude from gross income amounts received under insurance contracts for increased living expenses necessitated by damage to, or destruction of, an individual's residence; to the Committee on Ways and Means.

By Mr. ADAMS (for himself and Mr. Pelly) (by request):

H.R. 9157. A bill for the relief of King County, Wash.; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 9158. A bill to protect the public health from the misuse of dangerous drugs and to assist law enforcement activities in the identification of dangerous drugs by amending the Federal Food, Drug, and Cosmetic Act with respect to the coloring and marking of stimulant, depressant, and narcotic drugs; to the Committee on Interstate and Foreign Commerce.

By Mr. BURKE of Massachusetts (for himself, Mr. Annunzio, Mr. Corman, and Mr. O'Neill of Massachusetts):

H.R. 9159. A bill to provide for the establishment of a program under which tickets to professional, semiprofessional, and amateur baseball, football, basketball, hockey, and soccer games will be furnished at no cost by local police officers and firemen to individuals under the age of 19, particularly such individuals who are economically underprivileged; to the Committee on Interior and Insular Affairs.

By Mr. BYRNE of Pennsylvania:

H.R. 9160. A bill to authorize reimbursement to the States for certain toll highways, bridges, and tunnels on the Interstate System, and for other purposes; to the Committee on Public Works.

H.R. 9161. A bill to amend title II of the Social Security Act to provide that no reduction shall be made in old-age insurance benefit amounts to which a woman is entitled if she has 120 quarters of coverage; to the Committee on Ways and Means.

By Mr. CULVER:

H.R. 9162. A bill to require the Secretary of Agriculture and the Director of the Bureau of the Budget to make separate accounting of funds requested for the Department of Agriculture for programs and activities that primarily stabilize farm income and those that primarily benefit consumers, businessmen, and the general public, and for other purposes; to the Committee on Agriculture.

By Mr. DAVIS of Georgia:

H.R. 9163. A bill to authorize the disposal of certain real property in the Chickamauga and Chattanooga National Military Park, Ga., under the Federal Property and Administrative Services Act of 1949; to the Committee on Interior and Insular Affairs.

H.R. 9164. A bill to require the conveyance of all right, title, and interest of the United States in and to certain real property in the State of Georgia in order to remove a limitation on the use of such property; to the Committee on Interior and Insular Affairs.

H.R. 9165. A bill to amend title 18, United States Code, to prohibit the mailing of obscene matter to minors, and for other purposes; to the Committee on the Judiciary.

By Mr. DOWNING:

H.R. 9166. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mrs. DWYER:

H.R. 9167. A bill to provide temporary authority to expedite the processing of project applications drawing upon more than one Federal assistance program, and for other purposes; to the Committee on Government Operations.

By Mr. FULTON of Pennsylvania:

H.R. 9168. A bill to authorize the Federal Railroad Administrator to set certain standards for the comfort, safety, and convenience of railroad passengers; to the Committee on Interstate and Foreign Commerce.

By Mr. GIBBONS:

H.R. 9169. A bill to amend title II of the Social Security Act to eliminate the 6-month waiting period for disability insurance benefits in cases of blindness or loss of limb and in certain other cases where the severity of the impairment is immediately determinable; to the Committee on Ways and Means.

By Mrs. GREEN of Oregon (for herself, Mr. Perkins, Mr. Ayres, Mr. Quie, Mr. Carey, Mr. Daniels of New Jersey, Mr. Dellenback, Mr. Dent, Mr. Erlenborn, Mr. Esch, Mr. Meeds, Mr. Pucinski, Mr. Scherle, and Mr. Steiger of Wisconsin):

H.R. 9170. A bill to assist students who, to attend college, are relying on their own wage-earning capacity rather than depending on others; to the Committee on Education and Labor.

By Mr. GREEN of Pennsylvania:

H.R. 9171. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. HALPERN (for himself, Mr. Addabbo, Mr. Delaney, and Mr. Rosenthal):

H.R. 9172. A bill to amend title 38 of the United States Code in order to establish in the Veterans' Administration a national cemetery system consisting of all cemeteries of the United States in which veterans of any war or conflict or of service in the Armed Forces are or may be buried, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HAWKINS:

H.R. 9173. A bill to provide for special programs for children with learning disabilities; to the Committee on Education and Labor.

By Mrs. HECKLER of Massachusetts:

H.R. 9174. A bill to amend the Maritime Academy Act of 1958 to require repayment of amounts paid for the training of merchant marine officers who do not serve in the merchant marine or Armed Forces; to the Committee on Merchant Marine and Fisheries.

By Mr. McCLORY:

H.R. 9175. A bill to amend the Federal Aviation Act of 1958 to authorize reduced-rate transportation for certain additional persons on a space-available basis; to the Committee on Interstate and Foreign Commerce.

H.R. 9176. A bill to amend title 18 and title 28 of the United States Code with respect to the trial and review of criminal actions involving obscenity, and for other purposes; to the Committee on the Judiciary.

H.R. 9177. A bill to amend the definition of "period of war" for purposes of chapter II of title 38 of the United States Code; to the Committee on Veterans' Affairs.

H.R. 9178. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. McMILLAN (by request):

H.R. 9179. A bill to amend the act, entitled "An act to regulate the hours of employment and safeguard the health of females employed in the District of Columbia," approved February 24, 1914; to the Committee on the District of Columbia.

H.R. 9180. A bill to amend the act, entitled: "An act to regulate the employment of minors in the District of Columbia," approved May 29, 1928; to the Committee on the District of Columbia.

H.R. 9181. A bill to regulate the practice of psychology in the District of Columbia; to the Committee on the District of Columbia.

By Mrs. MAY:

H.R. 9182. A bill to amend the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, and for other purposes; to the Committee on Agriculture.

By Mr. O'HARA:

H.R. 9183. A bill to amend the Tariff Schedules of the United States to provide that imported articles which are exported and thereafter reimported to the United States for failure to meet sample or specifications shall, in certain instances, be entered free of duty upon such reimportation; to the Committee on Ways and Means.

By Mr. O'NEILL of Massachusetts:

H.R. 9184. A bill to require that impact-resistant eyeglasses be issued under the medical program for members of the uniformed services on active duty; to the Committee on Armed Services.

H.R. 9185. A bill to prohibit the sale or importation of eyeglass frames or sunglasses made of cellulose nitrate or other flammable materials; to the Committee on Ways and Means.

By Mr. PIRNIE:

H.R. 9186. A bill to provide for an exclusion from gross income in the case of compensation for members of the crew of the U.S.S. *Pueblo;* to the Committee on Ways and Means.

By Mr. QUIE:

H.R. 9187. A bill to provide for special programs for children with learning disabilities; to the Committee on Education and Labor.

H.R. 9188. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. RAILSBACK (for himself and Mr. Schwengel):

H.R. 9189. A bill to regulate speed of vessels on the Mississippi River; to the Committee on Merchant Marine and Fisheries.

H.R. 9190. A bill to authorize lowering of pools on the Mississippi River to prevent flooding; to the Committee on Public Works.

By Mr. RYAN:

H.R. 9191. A bill to provide Federal financial assistance to help cities and communities of the United States to develop and carry out intensive local programs to detect and treat incidents of lead-based paint poisoning; to the Committee on Interstate and Foreign Commerce.

H.R. 9192. A bill to provide Federal financial assistance to help cities and communities of the United States to develop and carry out intensive local programs to eliminate the causes of lead-based paint poisoning; to the Committee on Banking and Currency.

By Mr. SCHERLE:

H.R. 9193. A bill prohibiting lithographing or engraving on envelopes sold by the Post Office Department, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GREEN of Pennsylvania:

H.R. 9194. A bill to provide that office, industrial, or household appliances and equipment be conspicuously marked to show the foreign country of origin, and for other purposes; to the Committee on Ways and Means.

By Mr. MADDEN:

H.R. 9195. A bill to amend the Internal Revenue Code of 1954 to raise needed additional revenues by tax reform; to the Committee on Ways and Means.

By Mr. QUILLEN:

H.R. 9196. A bill to restrict imports of meat and meat products into the United States; to the Committee on Ways and Means.

By Mr. ADAIR:

H.J. Res. 560. Joint resolution proposing an amendment to the Constitution of the United States requiring the advice and consent of the House of Representatives in the making of treaties; to the Committee on the Judiciary.

By Mr. BYRNE of Pennsylvania:

H.J. Res. 561. Joint resolution proposing an amendment to the Constitution of the United States requiring the advice and consent of the House of Representatives in the making of treaties; to the Committee on the Judiciary.

By Mr. LIPSCOMB:

H. J. Res. 562. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. OLSEN:

H.J. Res. 563. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. WATSON:

H.J. Res. 564. Joint resolution authorizing the President to proclaim the period May 11 through May 17, 1969, as "Help Your Police Fight Crime Week"; to the Committee on the Judiciary.

By Mr. WHALLEY:

H.J. Res. 565. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. FULTON of Pennsylvania:

H. Res. 326. Resolution expressing the sense of the House that certain social security and railroad retirement benefits shall not be made subject to Federal income taxes; to the Committee on Ways and Means.

By Mr. McMILLAN:

H. Res. 327. Resolution endorsing the efforts of the South Carolina Jaycees; to the Committee on Education and Labor.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

72. By Mr. OLSEN: Resolution of the Senate of the State of Montana, asking the Montana congressional delegation to request the U.S. Department of Agriculture to review the marketing of Montana wheat and to reactivate the National Loan Rate Study Committee to evaluate changes which would provide equitable loan rates for Montana wheat; to the Committee on Agriculture.

73. Also, resolution of the Senate of the State of Montana, urging that the cars and rolling stock of all carriers serving Montana be immediately returned to the Montana area so said cars can be available to transport to market the products of Montana farms, forest products, and other industries; to the Committee on Interstate and Foreign Commerce.

74. Also, resolution by the House of Representatives of the State of Montana, urging Congress to repeal the Gun Control Act of 1968; to the Committee on the Judiciary.

75. Also, resolution of the Senate of the State of Montana, requesting Congress to name the body of water created by the Corps of Engineers dam on the Kootenai River near Libby, Mont., "Koocanusa Lake"; to the Committee on Public Works.

76. Also, resolution of the Senate of the State of Montana, urging that the Meat Import Act of 1964 be amended so that it will modify the harmful effects of excessive meat imports on domestic cattle prices; to the Committee on Ways and Means.

77. Also, resolution of the Senate of the State of Montana, urging elimination of the aid to families with dependent children freeze in the Social Security Act; to the Committee on Ways and Means.

78. By the SPEAKER: Memorial of the Legislature of the State of South Dakota, relative to the Consolidation of Federal Assistance Program Act; to the Committee on Government Operations.

79. Also, memorial of the Legislature of the State of Utah, relative to the proliferation of Federal power; to the Committee on Government Operations.

80. Also, memorial of the Legislature of the State of South Dakota, relative to the abolition of zones within the national freight classification system and the elimination of the practice of permitting motor carriers in adding arbitrary charges on less-than-truckload traffic to smaller communities in South Dakota; to the Committee on Interstate and Foreign Commerce.

81. Also, memorial of the Legislature of the State of North Dakota, relative to Federal participation in welfare payments to nonresidents within the State of North Dakota; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLANTON:

H.R. 9197. A bill for the relief of Dr. Antonio Matias Rubio; to the Committee on the Judiciary.

By Mr. BROWN of California:

H.R. 9198. A bill for the relief of Alireza Soltani; to the Committee on the Judiciary.

By Mr. BURTON of California:

H.R. 9199. A bill for the relief of Madhavbhai Chhitabhai Patel; to the Committee on the Judiciary.

By Mr. BYRNE of Pennsylvania:

H.R. 9200. A bill for the relief of Tadeusz Kasimierz Wojnar; to the Committee on the Judiciary.

By Mr. FALLON:

H.R. 9201. A bill for the relief of M. Concepcion Agito Abrahan; to the Committee on the Judiciary.

H.R. 9202. A bill for the relief of Teodoro R. Carangal and his wife, Rita L. Carangal; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 9203. A bill for the relief of Wilford Leonard Harrison; to the Committee on the Judiciary.

By Mr. KOCH:

H.R. 9204. A bill for the relief of Overseas Barters, Inc.; to the Committee on the Judiciary.

By Mr. McMILLAN:

H.R. 9205. A bill for the relief of Kamal Sedky Basily; to the Committee on the Judiciary.

H.R. 9206. A bill for the relief of Markos N. M. Nomikos; to the Committee on the Judiciary.

By Mr. MACGREGOR:

H.R. 9207. A bill for the relief of Arturo M. Santos; to the Committee on the Judiciary.

By Mr. MARSH:

H.R. 9208. A bill to confer jurisdiction on the Court of Claims to entertain, hear, and enter judgment on the claim of Robert Alexander; to the Committee on the Judiciary.

By Mr. MIKVA:

H.R. 9209. A bill for the relief of Panagiotes Stathopoulos; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 9210. A bill for the relief of Elena I. Manzanera; to the Committee on the Judiciary.

By Mr. O'HARA:

H.R. 9211. A bill for the relief of Amprobe Instrument Division of Soss Manufacturing Co.; to the Committee on the Judiciary.

By Mr. PODELL:

H.R. 9212. A bill for the relief of Paolo Vitale; to the Committee on the Judiciary.

By Mr. TALCOTT:

H.R. 9213. A bill for the relief of Simeon Agapito Alejon; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

EXECUTIVE REORGANIZATION AUTHORITY ESSENTIAL TO GOOD GOVERNMENT

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. FASCELL. Mr. Speaker, I rise today as cosponsor of the bill now being considered, S. 1058, a proposal to extend for 2 years the authority of the President to reorganize the departments and agencies of the Federal Government.

President Nixon has asked Congress for power to manage his own executive household. This power was first granted by the Congress in 1932 to President Hoover, and has been granted to each succeeding President since that time. I believe our new President should not be denied full authority and responsibility for executive management and to further streamline the Government.

As the House Members know, the Reorganization Act of 1949 gives the President authority to submit plans to Congress to modernize our Government. The act and this proposal, were recommended by the Hoover Commission, appointed to study means of improving Government efficiency.

Under this act, the President is required periodically to examine the functions of all executive agencies to determine what changes are necessary. The plans for the changes are then submitted to Congress.

Reorganization plans submitted to the Congress automatically become effective in 60 days unless vetoed by either the House or the Senate. Since 1949 Congress has vetoed 22 of the 83 reorganization plans submitted.

This system has given the President the latitude to put his own house in order while at the same time retaining for the Congress an effective means to exercise its will on proposed reorganization.

The authority expired on December 31, 1968. The Senate has already acted to

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renew the Reorganization Act, and it is up to us to concur in this much-needed objective by approving legislation to extend the authority.

FIRST LT. JAMES A. GARDNER, U.S. ARMY

HON. RICHARD FULTON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. FULTON of Tennessee. Mr. Speaker, on March 8, 1969, the Greater Dyersburg-Dyer County Chamber of Commerce and the people of Dyer County, Tenn., met to pay honor to Lt. James A. Gardner, who posthumously was awarded the Congressional Medal of Honor by President Lyndon B. Johnson. The ceremony was also dedicated to all the servicemen of this country who have given their lives in defense of our freedom.

I had been asked to attend the occasion but was unable to. However, Mr. Bob Espey, the executive manager of the Greater Dyersburg-Dyer County Chamber of Commerce, forwarded me a copy of the citation which President Johnson posthumously awarded to Lieutenant Gardner for "conspicuous gallantry and intrepidity in action at the risk of his life above and beyond the call of duty."

I ask unanimous consent to have this citation printed in the Record at this point and would like to take this opportunity to pay my tribute to Lieutenant Gardner and his family and to the families of all those Medal of Honor winners who have lost their lives, as well as the recipients of the medal who received them personally from the President.

The citation follows:

> The President of the United States of America, authorized by Act of Congress, March 3, 1863, has awarded in the name of The Congress the Medal of Honor, posthumously, to First Lieutenant James A. Gardner, United States Army, for conspicuous gallantry and intrepidity in action at the risk of his life above and beyond the call of duty.
>
> On 7 February 1966 Lieutenant Gardner's platoon was advancing to relieve a company of the 1st Battalion (Airborne), 327 Infantry, that had been pinned down for several hours by a numerically superior enemy force in the village of My Canh, Vietnam. The enemy occupied a series of strongly fortified bunker positions which were mutually supporting and expertly concealed. Approaches to the position were well covered by an integrated pattern of fires including automatic weapons, machine guns and mortars. Air strikes and artillery placed on the fortifications had little effect. Lieutenant Gardner's platoon was to relieve the friendly company by encircling and destroying the enemy force. Even as it moved to begin the attack, the platoon was under heavy enemy fire. During the attack, the enemy fire intensified. Leading the assault and disregarding his own safety, Lieutenant Gardner charged through a withering hail of fire across an open rice paddy. On reaching the first bunker he destroyed it with a grenade and without hesitation dashed to the second bunker and eliminated it by tossing a grenade inside. Then, crawling swiftly along the dike of a rice paddy, he reached the third bunker. Before he could arm a grenade, the enemy gunner leaped forth, firing at him. Lieutenant Gardner instantly returned the fire and killed the enemy gunner at a distance of six feet. Following the seizure of the main enemy position, he reorganized the platoon to continue the attack. Advancing to the new assault position, the platoon was pinned down by an enemy machine gun emplaced in a fortified bunker. Lieutenant Gardner immediately collected seven grenades and charged the enemy position, firing his rifle as he advanced to neutralize the defenders. He dropped a grenade into the bunker and vaulted beyond. As the bunker blew up, he came under fire again. Rolling into a ditch to gain cover, he moved toward the new source of fire. Nearing the position, he leaped from the ditch and advanced with a grenade in one hand and firing his rifle with the other. He was gravely wounded just before he reached the bunker, but with a last valiant effort he staggered forward and destroyed the bunker and its defenders with a grenade. Although he fell dead on the rim of the bunker, his extraordinary actions so inspired the men of his platoon that they resumed the attack and completely routed the enemy. Lieutenant Gardner's conspicuous gallantry and intrepidity, above and beyond the call of duty, were in the highest traditions of the United States Army.
>
> Lyndon B. Johnson.

MAYOR LEO J. ALVELAIS, OF UNION CITY, CALIF.

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. EDWARDS of California. Mr. Speaker, a most significant event will take place on Saturday evening, April 5, 1969, when leading citizens from southern Alameda County, Calif., gather at a dinner honoring Hon. Leo J. Alvelais, mayor of Union City.

As the Congressman representing this benign and fertile area, I am making a special trip to California to be present at this joyous affair. It will be a unique celebration because Mayor Leo Alvelais is a remarkable human being as well as an outstanding community leader.

My friend, Mayor Leo J. Alvelais was born January 31, 1918, in Chihuahua, Mexico. His formal education was in Spanish. With a strong desire to provide better educational opportunities for his children, he left his native country, moved to California in the early 1940's accompanied by his wife Emilia and their three small children, Leo Jr., Louis Raul, and Emilia Esther. Leo and his family located in Oakland in 1943 where he became involved in the war effort, working in various shipyards in the East Bay. Two more children were born after Leo arrived in California; Michael in 1946, and Robert in 1959.

At the time of his arrival in the United States, Leo Alvelais could not speak a word of English. Today he speaks, reads and writes fluent English although never formally schooled in the English language.

The Alvelais family moved to Union City in 1958 and since that time he has been very active in all phases of community and civic affairs. Leo was elected to the city council of Union City in April 1966 for a 4-year term. He was selected as Union City mayor in April 1968 and his term ends in April 1969, while his term as a city councilman will end in April 1970. In addition to his busy schedule as a city official, Leo has been involved in many other community activities.

He is currently a member of the board of directors of the Southern Alameda County Economic Opportunity Agency which administers the antipoverty program in the area comprised of Union City, Fremont, Newark, San Leandro, Hayward, Pleasanton, Livermore and certain unincorporated territory of southern Alameda County.

Leo is also past member of the board of directors of the Legal Assistance Center which provides legal counsel to low-income persons who otherwise could not afford such service. In addition, Leo is involved in several other civic organizations, among them as president of the Latin American Club of Union City, treasurer of Centro Socio Mexicano of Union City, public relations officer of the Union City Taxpayer's League, member of the Commission Honorifica Mexicana of Union City, member of the Union City chapter of the Mexican-American Political Association—MAPA—delegate member of the California State Central Committee, past member of Advisory Committee on Mexican Affairs to the State department of employment, and member of the Union City Improvement Association.

During Leo Alvelais' term as mayor several major steps were taken by his office. A model cities application was submitted to the Federal Government which, although not yet approved, is an ambitious and comprehensive step toward planning and implementing solutions for many of the problems facing Union City. Mayor Alvelais has initiated a mayor's "Stamp Out Unemployment Crusade" in Union City which has developed into an intensive employment drive in cooperation with the National Alliance of Businessmen—NAB—the State department of employment, Economic Opportunity Agency, and others. Union City received national publicity as the first city in the Nation to formally endorse and cooperate in new ways with NAB in their program to place unemployed persons in private industry.

A Mexican plaza project for the Decoto area has long been a prime program for the mayor to provide a recreational and cultural gathering place to enhance the Mexican heritage of Union City. An open space acquisition and development grant for a Mexican plaza was recently filed with the Federal Government and the city has received authorization to proceed with the project.

The improvement of the Alvarado area has also been a chief concern of Leo's and as mayor he reaffirmed to the county board of supervisors the city's desire to receive top priority for flood control and drainage improvements in Alvarado. Appearing before the board of supervisors, Leo was successful in obtaining a commitment that Alvarado would be considered first for improvements when adequate funds accrue to the flood control district budget.

Another phase of Alvarado improvement began while Leo was mayor and will involve the possible establishment of special assessment districts in Alvarado to provide curb, gutter, sidewalk, street and other improvements as well as the possibility of a neighborhood development program—NDP—which would be a major step, funded primarily by the Federal Government, to redesign, upgrade and significantly improve a major portion of the Alvarado area while still retaining its essential character and appeal.

Mayor Alvelais has also been active in BARTD affairs including support of recent sales tax measure necessary for financing BARTD completion, execution of the Union City BARTD station agreement and development of the central business district which will adjoin the BARTD line and station in Union City.

Vitally concerned with the needs of the people, Mayor Alvelais was instrumental in the city's entry into the section 23 leased housing program whereby Union City became the first city in Alameda County to join with the Alameda County Housing Authority to improve and provide local housing under which privately-owned dwellings will be leased to occupants with low incomes who otherwise could not afford such housing. Leo was also instrumental in spearheading a sound and acceptable recomposition of the governmental portion of the board of directors of the Southern Alameda County Economic Opportunity Agency.

In addition to his extensive activities as a city official, community leader, and member of civic organizations, Mayor Alvelais manages to find time for full-time employment as the head of the printing department of Fruitvale Canning Co. in Oakland. His energy, devotion to the community and interest in local affairs are unlimited. Both his accomplishments as mayor and his involvement in many community groups and organizations are reflections of his high motivation and continuing devotion to his community.

Mr. Speaker, I am glad to have this opportunity to share with my colleagues in the U.S. Congress these significant facts about a talented and energetic American, Leo J. Alvelais, who, to paraphrase President Kennedy, asks not what his country can do for him, but what he can do for his country.

TRIBUTE TO THE HONORABLE SAMUEL N. FRIEDEL, OF MARYLAND

HON. GEORGE H. FALLON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. FALLON. Mr. Speaker, on February 25, a dinner honoring our distinguished colleague, the gentleman from Maryland, Samuel N. Friedel, was given in Baltimore. Over 650 people, representative of Baltimore's finest citizenry, attended.

The proceeds from the dinner went toward the building of a new religious school.

Rabbi Shusterman made some very fine remarks on this special occasion when he paid tribute to Sam.

It is a distinct honor and privilege to submit to my colleagues in the House, the remarks of Rabbi Shusterman. Needless to say, I agree with the Rabbi's comments 100 percent.

TRIBUTE TO SAMUEL N. FRIEDEL

This banquet, like love, is a many splendored thing. If we had decided only to hold our usual donor dinner to raise sufficient funds for the needs of our own brotherhood program we would say "dayaynu—it is enough for us." The cause or the end justifies the means. If this were only a gathering to stimulate further interest in the vital building program of the congregation, again we would conclude "dayaynu." But think of these important causes and add the extra sparkle of friendship for gratitude to and admiration of our fellow-member and congressman Samuel N. Friedel—and we proclaim in the words of the Passover ritual, "How much the more are we to be thankful for this hour and this experience."

I am by no means a newcomer to Baltimore. Here I have spent the past 27½ years of my life. These, by every possible calculation and appraisal, are the best years of life—Yet when I first met Sam Friedel he already was active in public service, having served in the House of Delegates and the City Council. We saw him progress from local to national involvement. We watched him advance in seniority in the Congress and—as the years flew by—to receive the repeated endorsement of his constituency. He has the knack of making friends and keeping them. Success has not spoiled our distinguished honoree. It is impossible for me to describe all the circumstances under which Sam Friedel and I have worked together, have taken counsel with each other. These range all the way from the sad moments of the death of his mother and brother—to Bar Mitzvahs and Confirmations in his family—from his arranging for an invitation to me to deliver the invocation in the House of Representatives—to my repeated requests that he help us obtain a national figure as speaker for one of our gatherings. He never says "no" to any legitimate request and always extends the hand of helpfulness.

Sam is blessed with two amazing qualities. One is the universality of friendship. He is a Democrat who can boast of Republican friends who trust him and a Jew who is blessed with hosts of Christian well-wishers who respect him. To him labels and color are purely incidental and not of the essence of manhood. He also is a doer rather than a talker. Sam's strong point is not oratory but hard work. We never think of him as the maker of mere campaign promises that remain unfulfilled after the election. He asks for the confidence and endorsement of his constituency on his record. It it is the record of a consistent liberal whom even the most cautious conservative would not call "wild-eyed." He is a prudent man who understands the lingo of both the pragmatic politician and the egg-head. That is why we, his fellow-members of Har Sinai in the company of so many friends from other synagogues and churches, rejoice in the privilege of honoring him tonight.

At this high moment in our proceedings I will not encroach upon other speakers by thanking you who made this evening possible or by expounding on the specific brotherhood needs and aspirations of Har Sinai. Needless to say my personal gratitude is beyond expression. Let me add only a word or two about the new building program. Congressman Friedel was kind enough to ask that as much of the proceeds as possible be earmarked for the new educational and administrative wings we are adding to our temple complex. These are sorely needed to make the Har Sinai of tomorrow an institution more worthy of the challenge of the American Jewish future. We will see to it that something significant is named after Sam so that future generations will understand how proud we are that this man lived and served his city, State and Nation in these trying times.

None of us can tell how long life will last, although we pray for Sam and Regina as we do for ourselves—until one hundred and twenty years give or take a few either way. I want to be remembered for many things I have loved and prized and among these is the privilege of having led the congregation from Bolton Street to the suburbs and of finishing the job, of completing the structures, of seeing our dreams fully realized. I want to provide the next generation with even finer opportunities and facilities than my predecessors left for me. Men like Sam Friedel and scores of others have given this ambition, this dream, this aspiration new meaning and are trying to make it come true. Because of people like you I hope soon to be given the sacred privilege of dedicating the buildings we need to complete this task and to say with the prophet Malachi, "The glory of this latter house shall be greater than that of the former, saith the Lord of hosts, and in this place will I give peace, saith the Lord."

Rabbi Abraham Shusterman.

CRIME IN WASHINGTON UP ALMOST 44 PERCENT

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. ROGERS of Florida. Mr. Speaker, new crime statistics for the District of Columbia indicate January 1969 crime increased 43.9 percent over the same month last year.

Specifically, murder showed a 100-percent increase, rape 64.3 percent, robbery 101.4 percent, burglary 44.1 percent. Only aggravated assault showed a decrease, less than 2 percent.

Apparently these statistics, or the raw material from which they were compiled, led to the decision by Chief Layton and Mayor Washington to place an additional 175 policemen on duty during February. I have previously commended that action.

Congressional committee action on the crime crisis appears to be stalled. The chairmen of the House District of Columbia Committee and the House Judiciary Committee have still not moved any of the legislation pending before them. In the Senate, where hearings have been held, it is reported that no further action will be taken until the President sends up his own plan. Most citizens applauded the statements made by the President regarding his plans for the city of Washington to meet the crime crisis, but the specific legislative pro-

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posals to carry out those plans have yet to be received on the Hill.

Every month that goes by without action results in new statistical proof of the scope and seriousness of the problem. There can be no excuse for further delay, either on the part of congressional committees or the White House.

THE FORGOTTEN AMERICAN: AN APACHE YOUTH'S VIEW

HON. SAM STEIGER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. STEIGER of Arizona. Mr. Speaker, Miss Brenda Lavendar, a White Mountain Apache, wrote the thoughtful and pertinent article printed below. The valid points she makes are ones that all Americans would do well to heed:

The Forgotten American

(By Brenda Lavendar)

(Editor's Note.—This article is being reprinted from the Talon, the student newspaper at Alchesay High School in Whiteriver. Miss Lavendar, a Junior, is on the Honor Roll with an "A" average. She is active in School activities and is secretary of the Luther League at the Whiteriver Lutheran Church. Her desire . . . to get a good education and thus be able to help her people.)

Apache—this was once a word which less than a century ago made a white person shiver with fear and brought visions of cunning, strength, and bravery to the mind. Nowadays what would an outsider, or even an insider think of, once he encounters the word, Apache? More than likely, he would think of one drunken—dumb Indian.

Of course we are improving our way of life, progressing and meeting the standards of the rapidly advancing world around us; but there still remains the bad qualities which we possess and almost always, they are the ones by which we are judged.

We are an intelligent group of people, very capable of opening the doors to opportunity, success, and happiness; but the sad thing is that we do not realize these things. A few of us may, but a majority do not. What we need is unity. We may have great leaders among our midst, but every single one of us have to pitch in our two cents in order to make something out of ourselves, not only as individuals but also as a tribe.

More than often, we tend to shake loose the pressure of responsibility. When a situation arises which requires assistance of a person as an individual or as part of a group, he is prone to say, "Let them do what needs to be done. I'm living a good enough life right now. If things get worse I can always depend on welfare and relief, and another thing, I have lots of relatives. They will help me out."

This is the attitude most of us are likely to have. We have no sense of duty. In order to keep up with the world we must learn to do things for ourselves. We must learn to cope with our problems, and try to solve them, rather than tossing them aside hoping the other person will solve it in time.

We Indians in America are often referred to as the forgotten American; but I sometimes wonder, are we really forgotten? Think of the many wonderful opportunities waiting right under our noses, and we don't have to pay a red cent to achieve them. Think of the many progams by which the government and various other organizations, have brought food, clothing and education to our homeland. If we can't provide such opportunities for ourselves, the least we can do is to make use of them while they are within reach. Who knows? Tomorrow they may be gone.

Are we the forgotten Americans? It is we ourselves who must determine whether we will be a people who will keep up with the pace of the world, or lag behind and gradually become, the forgotten Americans.

BEN NATHANSON CELEBRATES 30TH ANNIVERSARY OF A NEWSPAPER

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. O'HARA. Mr. Speaker, 30 years ago a young man, using an automobile for an office, established a small newspaper in suburban Detroit which he called the East Jefferson Shopper.

Last week that man, Ben Nathanson, celebrated the 30th anniversary of the founding of that newspaper.

He did it by marking the completion of a splendid new building to house all his newspapers.

That small, one-man operation of 30 years ago has now grown into a large and complex publishing enterprise. In this new building, located in East Detroit, Nathanson will centralize the operations of Michigan's largest group of weekly suburban community newspapers.

While Ben Nathanson's newspapers have been growing both in size and number, he has not sacrificed quality. They are among the finest community newspapers in the Nation. It is worth noting too that Ben's weekly column has been honored by the Michigan Press Association.

Mr. Speaker, I want to congratulate Ben Nathanson for his success of the past 30 years and wish him continued success in his new publishing plant.

I insert the news story "New Facility Designed To Improve Service," and Ben Nathanson's column "Slants on the News, 30 Years of Service," in the Record:

New Facility Designed To Improve Service

East Side Newspapers will join the Community News in their new central office building, 17401 E. Ten Mile, East Detroit, Saturday, completing an expansion program which began with the opening of the building in January.

Since that time, the New Ten Mile headquarters has housed the editorial and circulation departments of the Macomb County Community News editions. Advertising and business department personnel servicing Community News accounts will make the move along with East Side Newspapers.

The move, announced by president and general manager Ben Nathanson, will be made without any disruption of service. The office will continue to be open for business during the regular hours of 9 a.m. to 5:30 p.m. on week days and 9 a.m. to 1 p.m. on Saturdays. It is located on Ten Mile at Macomb, between Kelly and Gratiot. The Community News telephone number, 772–3700, will remain the same.

East Side Newspapers, which publishes the East Side Shopper, East Side Booster and East Side Express in Detroit, Harper Woods Community News and Grosse Pointe Press, will retain a branch office at its former headquarters, 16300 Harper in Detroit. It will continue to be staffed by editorial, circulation and want ad departments

The new office will make possible the uniting for the first time under one roof the operations of Michigan's largest group of weekly suburban community newspapers. In addition to the five East Side Newspapers, the group publishes Macomb County editions of the Community News in Mount Clemens, East Detroit, Roseville, Fraser, St. Clair Shores, Clinton Township, Warren and Center Line. Total weekly circulation average is 150,000.

In addition, Nathanson publishes the Northwest Detroiter, Southfield Record and Oak Park News with headquarters at 17311 W. Seven Mile. These three Northwest Detroit suburban editions with a combined weekly average circulation of 40,000 are composed at the new Ten Mile headquarters.

Since 1965, the Harper office has served as the headquarters for the two-county, 13-edition East Side Newspapers/Community News group while a branch Macomb office was maintained, first at 21850 Gratiot and then at 14614 E. Nine Mile, prior to the January move into the new building.

Now for the first time the group will be housed in a building specifically designed and built for its publishing operations.

In making the announcement, Nathanson emphasized that "the flexibility and updating of our facilities will allow us to keep pace with the growth of our Macomb County suburban editions and the progress of our Detroit and Wayne County editions we have experienced in the past five years."

Nucleus of the group was the East Side Shopper, started by Nathanson in 1939 as the East Jefferson Shopper.

The Macomb County editions of the Community News were taken into the group in 1962 and expanded in 1964. The Northwest editions were purchased in April, 1968.

The modern 12,000 square-foot carpeted facility on Ten Mile includes news room and general office space, executive offices, conference room, lunch room, dark room, circulation library, storage area and utility room in addition to the type-setting and composition departments.

As soon as weather permits, the 77-car parking area will be paved and the area landscaped.

Thirty Years of Publishing: Slants on the News

(By Ben Nathanson, president and publisher)

Almost 30 years to the day it is since I ventured into the business of publishing a community newspaper in Detroit. It was March in 1939 when the East Jefferson Shopper (later the East Side Shopper) came into being.

My office for almost two years was my 1937 Chevrolet, and the wonderful Kilcoyne family who lived at 739 Manistique permitted me to use their address as a mailing location. The paper's first business location was at 1039 Eastlawn, then to Jefferson and Coplin, Jefferson at Philip, Mack at Alter road, and in 1965 we moved to Harper and Three Mile drive which has been the headquarters for our East Side Newspaper/Community News groups ever since.

Branch offices since 1965 (now closed) were operated from Gratiot and 8½ Mile road and Nine Mile road near Hayes. Our newest Northwest Suburban Newspaper group has editorial and business offices at 17311 West Seven Mile road near Southfield. The Northwest Detroiter, Oak Park News, Huntington Woods News and Southfield Record are published weekly from that office.

THE LONG SEARCH

Next week the business headquarters of our East Side/Community News groups will be transferred to our new 12,000 square foot modern building at 17401 East Ten Mile near Gratiot in East Detroit. The digging, assembling and construction has been under way for about a year, and a year prior to digging the first shovel of dirt, I searched (with the help of many real estate experts) to find a land site large enough and geographically suitable so that we could house most of our East Side employees under one roof and efficiently service our subscribers and advertisers from somewhere near the center of our circulation area.

The daily newspaper strike, construction strike, telephone strike, Edison strike—and there must have been some other strikes—all contributed to the delay, a most frustrating experience.

Now, at long last, members of my very patient staff are about to see another dream come true in our growth pattern. A new era of public service and self-fulfillment is about to begin, and I don't mind admitting that the prospects for future growth are even more exciting than they were when I was driving by 1937 Chevy.

A LOYAL TEAM

In those days I was pretty much all alone. Today I am blessed with a fine, loyal team of employees, almost 100 strong, plus almost 1,000 carrier boys who help deliver our nine basic newspapers and 15 editions to almost 200,000 families every week in the tri-county area in and around Detroit and 17 suburbs.

Our present Harper-Three Mile drive building will continue to be utilized (as a branch office) for the convenience of patrons in eastern Wayne County who desire to deliver news items in person or pay bills personally to our classified advertising or circulation departments. Service personnel will be stationed at the Harper branch as a public convenience daily from 9 a.m. to 5:30 p.m. and Saturday from 9 a.m. to 1 p.m. for an indefinite period.

A double telephone switchboard with 26 incoming lines has been installed at the new headquarters building on Ten Mile road to handle the anticipated increase in phone communications created by the consolidation of the majority of our staff involved with East Side and Community News editions. Free parking areas to accommodate 77 cars adjacent to our new building on our two-acres of land has been provided for customers and employees.

UTMOST IN COMFORT

Seven heating and air-conditioning zones have been installed in our new facility which is designed to offer the very best comfort for employees and the public. When it is officially completed in the next few months, our central office building will be carpeted throughout the interior and asphalted everywhere in the 47,000 square feet of parking area. Special outside lighting will brighten the exterior.

Our huge exterior sign was created not only to identify our location, but also to offer passing traffic the correct time via a revolving clock. Beneath the time piece the sign resembles a theatre marqee so that it may be used to publicize special attractions, important community affairs and other observances. We plan to make our sign available to service groups and municipal governments served by our newspapers. Advance reservations will be cleared by our public service department.

Requests for display space also will be honored on a limited time basis to groups who want to utilize our large lobby area inside the new central building. Preference will be given to organizations that do not have their own facility in which to exhibit non-profit projects and programs near and dear to their hearts.

HAPPY COLLECTORS

Two years ago when I started to search for an existing building large enough to house our East Side staff and also centrally located in terms of our total circulation coverage, I discovered how impractical it was. Therefore, I was obliged to buy land, and fortunately I was able to find a suitable site not too far from Detroit proper, which has been our base of operations for so long. The two acres I found on Ten Mile and Macomb street is the very last two lots available on Ten Mile in East Detroit. The City of Roseville begins, in fact, on the east side of Macomb street. Furthermore, the northern portion of our land (63 feet) is in Roseville. Thus, we are tax payers now in three cities: Detroit, East Detroit and Roseville. There's nothing like making three tax collectors happy instead of only one!

Although the need for centralizing our location in terms of our southern Macomb County and eastern Wayne County interests are concerned has been pressing for some time now, I feel it is very important, too, for our newspapers to be identified and located in Detroit proper which explains our retention of branches at Harper and also at West Seven Mile.

At least the current move, I trust, will provide us with adequate means to serve our various constituencies in the manner to which they are entitled. In the past, our phenomenal growth and lack of foresight into the future created problems which in effect made our facilities too small almost the very day we moved into them. Enough is enough already!

PROTEST THE CLOSING OF THE ST. CLAIR COUNTY TRAINING SCHOOL

HON. BILL NICHOLS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. NICHOLS. Mr. Speaker, I recently placed in the RECORD a number of letters from students and parents whose school, the St. Clair County Training School, is being closed by order of a Federal judge. These students and their parents do not want their school closed, and have made every effort to get this idea across to those who have made this decision. I have received another letter from the student council of the school, and I submit this letter for inclusion in the CONGRESSIONAL RECORD, as follows:

PELL CITY, ALA.,
February 14, 1969.

Hon. BILL NICHOLS,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. NICHOLS: We, the student body at the St. Clair County Training School, are soliciting your assistance in helping to maintain the present status of our school, Grades 1–12. Many of us who had our beginning at the County Training School would like for it to be the school that we could refer to as "our dear Alma Mater." We, the Elementary, Junior and Senior High School students have anticipated being the potential graduates of this school.

Another one of our basic concerns is that we would like to maintain our high school so there might be one predominantly all Negro school in St. Clair County. We feel that we have an outstanding school, for there are many former students who have pursued higher goals in life and have been very successful. Every effort is being done by our qualified principal and staff in providing knowledge and skills that will help us to become useful and productive members of our society.

The school being accredited by the State Department and one of the few schools accredited by the Southern Association of Secondary Schools and Colleges is a remarkable accomplishment for us. Taking the High School Department away will destroy these accomplishments that we have diligently toiled to obtain.

We are seeking your help as our Congressman to render your service and efforts in helping us to maintain our school.

Very truly yours,

ALICE GAMBLE,
President of Student Council.
PEGGIE FORMAN,
Secretary.
MARGRETTA TINSLEY,
Student Council Adviser.

THE 50TH ANNIVERSARY OF THE LEAGUE OF WOMEN VOTERS OF MONTGOMERY COUNTY, MD.

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. GUDE. Mr. Speaker, Sunday's Washington Post "Potomac" magazine carried an excellent feature article by Julius Duscha highlighting the history of the League of Women Voters. His historical résumé commemorates the 50th anniversary of the league in Montgomery County, Md.

In preparing his article, Mr. Duscha was told that he could never understand the league until he had seen one of its unit meetings. This admonition led to what he described as his very conspicuous presence in a family-room full of women, when he attended a recent unit meeting of the Montgomery County, Md., League of Women Voters.

I have shared this reporter's experience, both as a State senator and a Member of Congress, in meeting on numerous occasions with units of the county league. On each of these occasions, I have been presented with comprehensive, well-defined positions taken by the league which demonstrates their thorough research and systematic analysis on matters of public concern. I have likewise been impressed by the personal depth of understanding which these ladies have evidenced in their visits to my congressional office, and the subsequent resolve to act on the basis of their findings. Their research is diligently pursued; their interests are broadly conceived; and their participation is zealously lived.

As the league enters this period of national recognition on its 50th year, I would like to commend to my colleagues a brief history of the League of Women Voters of Montgomery County, Md. It was prepared and provided by the Marie Bennett Memorial Library of the Montgomery league, and it confirms the things I have been saying:

EXPERIMENT IN PEACEFUL AGITATION

Members of the League of Women Voters of Montgomery County, Maryland, have been practicing participatory democracy for half a century. March, 1969 marks the beginning of their fiftieth year. Their record is a graphic reflection of the principle that informed, determined and organized citizens can profoundly influence the performance of their government.

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They began in 1920 under the leadership of a handful of veterans from the woman suffrage movement. Their first president was Mrs. Lavinia Hauke Engle. Her father was a Quarter lawyer who had handled several prominent cases involving the rights of women. Shortly after the Civil War he had sponsored the first woman attorney to be admitted to practice before the United States Supreme Court, Miss Belva Lockwood. Mrs. Engle's daughter, also named Lavinia, was Field Secretary of the National American Woman Suffrage Association until 1920 when she became Executive Secretary of the League of Women Voters of Maryland. Miss Engle is still active in the Montgomery County League. Also among the early leaders was Mrs. Eugene Stevens of Bethesda, who later served as president of the local chapter.

It is helpful to recall the political climate into which the League of Women Voters of Montgomery County was born. In many respects, Montgomery County in 1920 represented Maryland in miniature, even as Maryland has been called the United States in miniature. The county's location between coastal plain and mountains, between north and south, astride Braddock's Road to Cumberland and the west, between the port of Baltimore and areas whose commerce it served, and adjacent to the nation's capital, brought together within the county attitudes and passions from all over the nation. These often enriched and sometimes divided the populace.

Most of the county was rather typical of rural, agricultural America, but the rapidly growing population close to the District of Columbia was overwhelmingly made up of urban-oriented business and professional people and government workers. The county contained active supporters of women's rights and their opponents. There were advocates of Negro rights and their opponents. There was then, as now, an uncommon diversity in the ethnic and religious backgrounds of the population.

In 1919 female suffrage had been one of the more heated issues in the local elections. While party platforms and statewide candidates discussed the issue in terms of state's rights, candidates for local office reflected a strong local southern influence with reference to the numbers of Negro women in the state and declarations of support for suffrage for white women only. Thus the notion of women engaging in politics at this time not only provoked wrath among opponents of female suffrage, but also involved the racial issue. The Maryland League of Women Voters had Negro members from its very beginning, and included them in their luncheon meetings in Baltimore hotels which were otherwise segregated.

In those days, women's activities beyond the home, were limited mainly to the various ladies aid societies and women's clubs, the Daughters of the American Revolution and the Daughters of the Confederacy. For the reform minded, there were the Women's Christian Temperance Union, which met quite regularly, and the Anti-Saloon League. Many business interests were uneasy. Not surprisingly, the liquor interests felt, with some justification, that women had had a lot to do with the prohibition movement which convinced them that women were not to be trusted with the vote. Thus a certain audacity and courage was required to begin the work of the League of Women Voters in Montgomery County in 1920.

The Montgomery League, functioning as a component of the Maryland League, contributed to the nationwide effort to teach women how to use the vote and to improve conditions in their community by conducting local citizenship schools, get-out-the-vote drives, and studies of county government. They urged their representatives in Congress and the General Assembly to support legislation in the fields of education, health, legal status of women, and child welfare, to name a few.

From this tiny beginning was to grow the third largest local League in the country, ranked behind only New York City and Los Angeles. For nearly two decades, however, they continued as a small, informally organized group of less than 100. Some of their leaders during the thirties were: Mrs. Herman Wilson, Mrs. Gilbert Grosvenor, Mrs. V. L. Ellicott (daughter-in-law of Mrs. Charles Ellicott of Baltimore, president of the Maryland League its first eighteen years), Mrs. Walter Perry, Mrs. Mordecai Ezekial, Mrs. Raymond Clapper and Mrs. John C. Livingston. They prodded local officials and examined government functions first hand, sometimes asking embarrassing questions. Their findings were reported back to their members, to the press and to anyone who would listen. Slowly the masculine hostility and suspicion receded as their reputation for careful, objective work took root.

The local group seems to have been somewhat insulated from the more devastating effects of the depression; nevertheless, the late thirties did mark the beginning of a surge of growth and activity. In 1938, the League took its first step in what was to become a ten-year successful campaign to do nothing less than to revolutionize the county's government. That effort is still remembered as a classic episode in the League's history.

The headlines of the times testify to the League's participation in this campaign, but are no measure of the scope of that participation. First, the League endorsed the County Civic Federation's call to the County Commissioners for a professional study of the local government. The League had just completed a two-year study of its own which had convinced its members that major changes were in order. When the Commissioners yielded to this request, the League was one of the groups which urged them to accept the offer of the Brookings Institution to make the study for a nominal charge. Careful review of the Brookings Report in 1941 prompted the League to call for a charter providing for local self-government under a council-manager system with a merit system for county employees.

The League's organizational ability was put to work, sometimes independently, sometimes through the Montgomery County Charter Committee. Members gathered signatures. They manned the Speakers' bureau. They produced fliers and booklets and distributed them. A five "man" Charter Board was elected, consisting of four men and a past president of the League. The whole League was galvanized into action. The opposition was entrenched and formidable. The charter which the Board drafted in 1943 was narrowly defeated in the 1944 election, but a new campaign was begun immediately. The same difficult process was essentially repeated and produced the charter that was adopted in 1948. Another former League president was elected to serve on the first County Council

The League truly came of age during this long fight. Its membership doubled and then redoubled. Its place in county affairs was now firmly established. The emphasis in its program shifted beyond the confines of more traditional feminine interests in welfare, education and health toward broader questions of public policy such as planning and zoning, constitutional reform, civil rights, and international political and economic relations. It accelerated its metamorphosis from a feminist organization into one which by the early sixties could adopt the slogan "one man, one vote" without a second thought. Its internal organization had been restructured from the national board down to the neighborhood units.

Broad membership participation was built into the structure. Every member had a responsibility to help to choose items for study, to inform herself and to help to make policy decisions. The organization precluded the reliance on a few experts to study problems and boards of directors to establish policy. The new structure sacrified the capacity for quick action in order to gain a capacity for more effective action. This practice is sometimes infuriating to groups urging the League to dash off and right whichever wrong is troubling them most at the moment. They find is difficult to understand that the effectiveness which they admire is the result of painstaking concentration on carefully selected items.

The methods of operation developed and refined during the charter fight were applied to a series of other local causes. Since an essential element in these methods includes working with other groups wherever possible, the League certainly can not claim sole credit for all the reforms which it sponsored. However, many League objectives have been realized, including (1) a county library system, (2) a merit system for county employees (with a League member on the first Personnel Board), (3) a county operated junior college, (4) an elected school board, (5) transition to integrated schools without the necessity for local court action, (6) more local control over state established bi-county agencies for planning, parks, water and sanitation, and (7) a strong local open housing ordinance.

Its work has helped to achieve many triumphs in the continuous effort for better land use planning, excellence and efficiency in the public schools, a rapid rail transit system, fair and adequate housing for all citizens, responsive and responsible county government, better park and recreation services, and conservation of water resources. While pushing for these measures on the local level, it has maintained an active participation in national, state and metropolitan area programs on matters pertaining to foreign policy, human and natural resources, fair representation, fiscal reform, state constitution and so on.

"God forgives, man forgets, but a woman remembers forever," quoted one candidate at a League candidates meeting in Montgomery County over twenty-five years ago. So that all citizens, not just women, may know a candidate's position before an election, and not let him forget it afterward, the League has always maintained an extensive voters' service program. Before each election it publishes a Voters' Guide which includes a list of polling places, an objective analysis of each referendum question, and information supplied by the candidates about their background and their stands on key issues. It conducts candidates meetings which regularly offer the public a view of candidates from all parties and factions on a neutral platform. It makes information on registration and voting available through flyers, public media and a telephone service at its office.

Between elections, the League publishes booklets such as its "Know Your County," which has been used as a text by the public schools, "Equality of Opportunity," and "Housing in Montgomery County." It maintains a speakers bureau, sends observers to meetings of public bodies, and conducts "go-see trips" to County Council sessions, the State House, the U.S. Capitol and the United Nations in New York.

A steady stream of League graduates has flowed into party politics and public office. They have taken positions in the Maryland Senate, the House of Delegates, the Circuit Court, the County Council, the Board of Education, the Constitutional Convention, and innumerable other boards, commissions, and committees and operating level positions in government and politics.

Presidents of the League of Women Voters of Montgomery County since 1940 have been the following: Mrs. G. Minier Hostetler, Mrs.

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PGad Bryan Morehouse, Mrs. Dean Dinwoodey, Mrs. Durward V. Sandifer, Mrs. Frank R. Garfield, Mrs. Ralph E. Himstead, Mrs. James R. Hemingway, Mrs. James V. Bennett, Mrs. Thomas Lee Smith, Mrs. Elizabeth Rohr, Mrs. Thomas G. Casey, Mrs. William A. Schell, Mrs. Mayhew Derryberry, Mrs. William N. Garrott, and Mrs. Alan Y. Cole.

In a few words, what does it all mean? What is the essence of "the League" in Montgomery County? The League of Women Voters is a nonpartisan organization whose purpose is to promote political responsibility through informed and active citizen participation in government. It believes in the democratic principles and individual liberties established in the Constitution of the United States. It takes action on governmental measures and policies in the public interest. It does not support or oppose any political party or candidate. Membership is open to anyone who subscribes to its purpose and policy. Voting members must be women citizens of voting age.

Applications of these principles means that League members are encouraged to become involved in the party of their choice, but that those who hold leadership positions or represent the League before the public may not participate in partisan affairs. It means that within the League, allegiance to democratic principles is almost spiritual in nature. Those with treasured myths about women's organizations should take note. Young radicals revolting against the notion that "the clothes makes the man" should take note. Among League members, the clothes do not make the woman, nor does the accent, nor ancestors, nor income, nor creed, nor academic attainment. There is an incredible disinterest in anything about one except for what she has done in the League—lately. Here is a mechanism whereby unbelievably diverse personalities work harmoniously toward common interests. One might call it a laboratory in participatory politics.

Does forty-nine years of experimentation justify its continued existence? At least twelve hundred women in Montgomery County would answer, "Yes!" They believe that the ever increasing complexity of life in general and government in particular make it ever more vital for individual citizens to have a program which offers systematic analysis and action on matters of broad public policy. This challenge they take as their assignment from society for the next fifty years.

JAMES K. NORTHAM

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. JACOBS. Mr. Speaker, I request permission to insert the following editorial from the Indianapolis Star, published on March 12, 1969.

This tribute is too eloquent to be expanded. On the other hand, Mr. Speaker, Jim Northam was a warm, good friend to my father and me. And, along with the rest of our fellow Hoosiers, we are diminished by his loss.

JAMES K. NORTHAM

James K. Northam served the legal profession, his state and his country with acuity and insight born of study, experience, knowledge and reflection about people and the things they live by. He was scholarly, observant and individualistic, a witty analyst of human events, a keen student of world affairs, a man with a sense of history and style.

His tragic death by fire is a deeply felt loss to his many friends and acquaintances. Our profound sympathy goes to his family.

"LOVE THY NEIGHBOR"

HON. JERRY L. PETTIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. PETTIS. Mr. Speaker, during a time of major disaster in the 33d Congressional District of California, when floods virtually wiped out whole communities, it occurred to me that my colleagues might like to see the kind of people-to-people programs that developed out of nowhere. It is this kind of "Love Thy Neighbor" attitude which solves problems quickly and efficiently.

The following is a copy of a bulletin which I took from a bulletin board in a residential area which suffered more than $1 million in home loss alone during the flood:

MARCH 7, 1969.

To: Dunlap Acres Residents.

From: Joe Mulder, Yucaipa Valley Park and Recreation District, Volunteer Director, 13th Street and Avenue E, Dunlap Command Post, Telephone 797–8882.

HI NEIGHBOR: I'm happy to have time to stop and jot a few lines for your information on the progress of the clean up and digging in your neighborhood. Progress looks good.

Owners of flood damaged properties which have not been re-appraised should notify the county assessor's office "as quickly as possible" in order to obtain assessment reductions for 1969.

Please check with me before hiring heavy equipment to make sure the price is fair.

Now, I'd like to thank my volunteer staff—Bob Mulder, who has been working side by side with me and the Red Cross volunteers, Barbara De Roo, Joyce Nehlsen, Natalie Sanchez and Inga Wilkes. Barbara, Joyce and Natalie came to us from Redlands and Inga is your own neighbor from 15th Street. I'm sure you know these gals by now. You can recognize them by their Red Cross arm bands.

It would have been impossible to have made the progress that we have without the help of the Marines—many of those boys have served one or more tours of duty in Vietnam. Thank you for your neighborliness to our Marine helpers—1st Plt, B Co, Hq. Btry, 5th F.A. Gr Marine Corps Base, 29 Palms, Calif. 92278. That's the address in case you want to thank them personally. Now that the danger to life and limb is over the Marines must return to military duty.

Rev. T. White of the Free Methodist Church has been so kind as to let the Command Post be headquartered in his office. We do thank him. There are so many people to thank for their time, talent and donations I don't know where to start. We will list our friends on another bulletin.

We do have large amounts of clothing, bedding, household items which your friends have donated to us for your use. Please come and get these things as we need the space for more donations that have already been offered. These items are stored at the Southern Baptist Church on 15th St. and Avenue E, the Free Methodist Church on 13th St. and Ave. E, and also the Yucaipa Valley Welfare on Avenue B west of California Street. There is no charge.

Ruth Tator and Stephanie Stephens, Red Cross Case workers are stationed at the Southern Baptist Church, Ave. E & 15th from 10 a.m. to 3 p.m. to help flood victims that are destitute. We thank Rev. Fike for the use of his church.

Well, it's back to work and thanks to the Yucaipa Valley Presbyterian Church for getting this bulletin out.

MEAT IMPORTS

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. ZWACH. Mr. Speaker, at the present time, meat imports coming into the United States are supposedly controlled by Public Law 88–482, passed by Congress in 1964. This law has been very inadequate. Today meat imports are coming in over, under, through, and around this so-called meat import control law. The so-called yardstick known as the adjusted base quota provides only the minimum of protection on the quantity of fresh or chilled beef that is imported, and none at all on the preserved or canned beef. I am therefore introducing a bill which I believe will be of material assistance as a warranty to our economically oppressed rural citizens by strengthening the act of 1964 and to broaden the species and kinds of meat which can come under import quotas.

My bill maintains the same adjusted base quota of 725,400,000 pounds of meat. But my legislation would include under this 725.4 million pounds, fresh, chilled, or frozen meat of lambs; fresh, chilled or frozen meat of swine; all beef and pork sausages, whether or not in airtight containers; prepared or preserved pork; and lastly, prepared or preserved beef and veal. These items are added to those few which are now included under Public Law 88–482, namely fresh, chilled or frozen meat of cattle, goats, and sheep.

Although the policy of Congress as stated in the law, specified the quantities of beef, veal, and certain mutton products which may be imported, no statutory provision exists to check such imports unless the Secretary of Agriculture estimates, in advance, that the volume is likely to exceed the adjusted base quota by 10 percent. This language has made it possible for an extra 10 percent of foreign meats to come in the United States, above the quota.

My bill would eliminate these additional imports and would forbid importation of the specified meats above the 725.4-million pound total. It would not be necessary for the Secretary to make any estimates before these imports could be checked. By this bill, the quota would be imposed by the law itself, and would not be dependent upon the Secretary's estimate.

This proposal would also require that no more than one-fourth of the products imported each year would be allowed on the market during any one calendar quarter. This would protect against flooding the domestic market during any particular period of time. Finally, my bill provides that offshore purchases of meat by the Defense Department for the use of our troops at home or abroad shall be

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charged against the quota applicable to such meat.

Meat imports into the United States had a value of $763 million in the calendar year of 1968, representing a 15-percent increase over the previous year. A total of 1,128,000,000 pounds of beef and veal were imported in 1968, with a value of $485 million. In 1967, this figure was 979 million pounds and had a value of $404 million. Increases were noted in all three categories of fresh, chilled, and frozen beef, both in volume and in value.

In the area of pork, $169 million were imported in 1968 as compared to $157 million in 1967; fresh lamb doubled from $4 million to $8 million; and fresh mutton also increased in value of imports from $14.1 million to $15.5 million. The average value per pound of imported beef was 42 cents while canned pork, usually as shoulders or canned hams were imported at 75 cents per pound.

The U.S. Department of Agriculture reports that a total of 613.9 million pounds of meat subject to the narrow limitations of Public Law 88-482 entered the United States in 1965. This figure grew to 823.4 million pounds in 1966, 894.9 million pounds in 1967; and to a whopping 1,001 million pounds last year. All without once having to implement quotas as all of these totals were well within the annual 10 percent guaranteed growth as defined in the present inept law.

I sincerely hope that this Congress will permit hearings on the need for amending the present law so that we may have an opportunity to bring some limited protection to a very vital segment of our society, that of the rural food producer.

MISS ALICE M. ISELY

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. SHRIVER. Mr. Speaker, Miss Alice M. Isely, of Wichita, Kans., who was a highly respected teacher and librarian for many years, passed away last week. She was 103 years old.

About a year ago I visited with Miss Isely in her home. She was interested and concerned in the work of the Congress. She had written to me many times in recent years expressing her views on legislation and other matters affecting our country. Miss Isely was a dedicated American citizen, and I might add, she was proud of her republicanism.

She had served as librarian at Fairmount College in Wichita for 33 years. Born in St. Joseph, Mo., Miss Isely helped organize Sunday school classes for the Congregational Church in Utah and Colorado. After 12 years in that area, she went to New England where she was a teacher, speaker, and assistant to Congregational ministers.

Miss Isely was librarian at Fairmount and the University of Wichita from 1911 to 1935.

The Isely family has contributed much to the history of Kansas. Her brother, Bliss Isely, was the author of Kansas history textbooks, and a sister, Mrs. Lydia Wellman, was the mother of authors Paul and Manley Wade Wellman.

Alice Isely will be missed by all of us who knew her.

HUMANITARIAN WAITRESS

HON. CARL ALBERT

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. ALBERT. Mr. Speaker, one of my constituents and longtime friends, Miss Virgie White, of Kingston, Okla., was recently honored as winner of the 1968 Lake Texoma Association Humanitarian Award for her devotion to the lake and the people who live around it. An interesting article describing Miss White and her work appeared in Oklahoma's Orbit, the Sunday magazine section of the Daily Oklahoman which is published in Oklahoma City, Okla., on March 2, 1969.

The article was written by Mr. Vernon B. Snell and reads as follows:

HUMANITARIAN WAITRESS

(By Vernon B. Snell)

There are more facets to Virgie White's unselfish life than there are catfish in Catfish Bay.

Miss White is the popular Kingston waitress who received a check for $1,000 recently as the winner of the 1968 Lake Texoma Association's Humanitarian Award for her devotion to the lake and the people who live in Texomaland.

Compliments paid to the sprightly little Lake Texoma Lodge waitress at the awards ceremony and since would fill a book. They already have filled a scrapbook compiled for her by friends, and she has enough letters, cards, telegrams and citations left over to fill another big one.

Carl Albert of McAlester, house majority leader in the U.S. Congress, wrote to the Lake Texoma Association about the award.

"You can't be around Virgie but a few minutes without her saying something good about Lake Texoma," he said.

Such letters came from the rich and the poor. They came from Lt. Gov. George Nigh, from former Gov. Raymond Gary, from Gladys Erickson of the Chicago American and from a man named V. G. Olson of Pecan Gap, Texas, who has been taking his family to Lake Texoma since 1945.

Mrs. Boyce Harkey, wife of the lodge manager, introduced Virgie at the awards dinner, held at the swank Tanglewood Hills Country Club on the Texas side of Lake Texoma.

"Many persons have diverse abilities," she said, "but few as many as Virgie White. Who else can wait on 50 persons efficiently, making all of them feel they are receiving her special attention? Write a newspaper column? Be a politician? Converse with persons from all walks of life? Be a lover of nature and animals and still have time to promote the interests of youth?

"The dedication Virgie has displayed through the years is rare, and what she has done has not been for her betterment financially or otherwise. If she had a million dollars she'd give every dime of it away. Her greatest attribute is self-confidence."

Virgie White is a one-woman humane society. She's always finding a dog by the side of the road, abandoned or injured by a car, and taking him to a Durant veterinarian for repairs. When the dog is able to travel, there's another pet in the White household.

She has four dogs right now, and not long ago she was giving a home to seven, along with six cats.

Virgie White was born four miles south of where Texoma Lodge is today. She isn't about to say when. Her father was Joe White, a farmer who was part Cherokee Indian.

She and her two sisters walked two miles to school at Woodville, a community which was moved to higher ground when Lake Texoma was built. Virgie finished high school there.

"No family was poorer than we were," says Virgie, who remembers that she and her sisters used to go fishing with their father instead of attending parties.

"We didn't have party clothes in those days. We were poor, but we didn't know it."

How does she come to know so many people? "I've always wanted to know what made them tick. So I've tried to find out."

One of her pet projects is the Kingston Youth and Civic Club. She gave the club the land on which its building now stands. Actually, the club paid her for the lot, but she turned the money back into the building fund.

Miss White is leader of the Happy Hour Blue Birds, and has been since 1961. She helped organize the Camp Fire Girls and the Little League baseball team at Kingston. "I help with the kids" is the way she describes her baseball activities. Among other things she goes to all practice sessions and helps transport the boys to game in the Madill league.

Virgie is a little dynamo who goes to bed at midnight, gets up at 5 a.m. and is on the go all the time. She has never been seriously ill in her life.

She has no intention of retiring. "I intend to work until the day I die . . . I do."

H.R. 9157—A BILL FOR THE RELIEF OF KING COUNTY, WASH.

HON. BROCK ADAMS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. ADAMS. Mr. Speaker, I am today introducing, with my colleague, Mr. PELLY, of Washington, a bill—H.R. 9157—for the relief of King County, Wash.

This bill is introduced by request. A copy of the letter requesting the introduction of this bill is included with these remarks:

KING COUNTY COMMISSIONERS,
Seattle, Wash., February 3, 1969.

Re King County's Request for Private Legislation, Federal Aviation Administration Matter.

Hon. BROCK ADAMS,
U.S. Representative, House Office Building, Washington, D.C.

DEAR CONGRESSMAN ADAMS: The undersigned request your support in seeking the passage of private legislation, which in effect would relieve King County of its obligation to return to the Federal Aviation Administration $158,301.83, said sum being principal and interest on a grant-in-aid default.

May we clarify that this is not an indebtedness in the way of an assessment against the

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Boeing Company, but rather it is pre-paid rent at a fixed annual rate of $25,000 on Boeing's leased premises at Boeing Field.

As has been pointed out by the Acting Airport Manager John Tobin, King County is embarking on a vigorous campaign to upgrade the facility to make it a safer and more efficient operation and a source of pride to the community. This $25,000 will necessarily reduce the Airport Fund accordingly, and could seriously curtail these improvements. These monies are desperately needed, as King County Airport will not receive Federal Air Airport Program (F.A.A.P.) grants in 1969.

Thank you again for your interest. Any efforts made by you on behalf of Kings County are very much appreciated.

Very truly yours,
BOARD OF COUNTY COMMISSIONERS,
KING COUNTY, WASH.,
JOHN T. O'BRIEN, *Chairman.*
ED MUNRO, *Commissioner.*
JOHN D. SPELLMAN, *Commissioner.*

FIVE FOOD CHAINS IN ATLANTA HALT SALE OF GRAPES

HON. PHILLIP BURTON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. BURTON of California. Mr. Speaker, five major food chains in Atlanta recently halted sales of California table grapes in response to the national boycott farmworkers are sustaining against growers who stubbornly refuse to sit down at the bargaining table with their union, the United Farm Workers Organizing Committee, AFL–CIO. Similar response to the boycott in cities across the country is strong evidence that by and large, Americans believe that farmworkers should have the same rights and protections under the law to form unions that workers in most other industries have. The action of the Atlanta food chains is especially significant, for it was reportedly made in the face of a so-called "buy grapes" drive mounted by the John Birch Society and the National Right To Work Committee. In my opinion, that took a special kind of courage, and deserves wide recognition. Accordingly, I insert into the CONGRESSIONAL RECORD a story from the AFL–CIO News about it, as follows:

FIVE FOOD CHAINS IN ATLANTA HALT SALE OF GRAPES

ATLANTA.—Five big food store chains in Atlanta have discontinued the sale of California grapes at the urging of local clergymen and a citizens' committee set up to support the boycott campaign of the AFL–CIO Farm Workers Organizing Committee.

The food chains acted in defiance of a "buy grapes" counter-campaign led by the John Birch Society and the National Right to Work Committee.

Leading the grapes boycott drive were the Atlanta Committee to Support the California Farm Workers and the Concerned Clergy, made up of 50 local ministers, priests and rabbis. Their efforts led to halting of grapes sales by the A & P, Big Apple, Colonial, Kroger and Winn-Dixie stores.

Earlier, major chains in Chicago and Detroit announced they would no longer carry California grapes and mayors of Chicago and Philadelphia joined with the chief executives of other major cities in halting purchase of California grapes by city institutions.

The boycott, launched by the Farm Workers after California table grape growers refused to recognize the right of their workers to union representation, has the backing of the AFL–CIO Executive Council.

ROONEY ASKS MAGAZINE PUBLISHERS TO CURB SALESGIRLS PEDDLING SUBSCRIPTIONS TO VIETNAM VETERANS IN HAWAII

HON. FRED B. ROONEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. ROONEY of Pennsylvania. Mr. Speaker, I return to the subject of magazine subscription sales today to direct a personal appeal to the magazine publishing and subscription sales industries.

I have addressed my colleagues many times in recent weeks to call attention to deceptive and blatantly fraudulent practices which are used by companies engaged in the sale of magazine subscriptions.

Today, I publicly appeal to the integrity of the magazine publishers and the organizations which sell their product to immediately call off the vultures who are seeking out members of our Armed Forces serving in Vietnam as their prey.

A letter written by the mother of an American serviceman in Vietnam has just come to my attention. She explains that her son, upon his arrival in Hawaii on a brief rest and rehabilitation leave from the combat zone, was walking along a street away from the airport when two girls in a car pulled over to the curb and struck up a friendly conversation.

Understandably impressed by their sweet-talk, the young serviceman accepted their invitation to get in the car. Little did he expect that his first contact with American girls after duty in Vietnam would end with his being deceived into signing not one but two contracts for magazines, costing a total of $258.

These girls, who described themselves as exchange students from California who were earning points to win trips to Europe, secured the contracts on January 17, 1969, for an organization known as Publishers Continental Sales Corp., 2601 East Michigan Boulevard, Michigan City, Ind. 46360.

Mr. Speaker, I have written to the magazine sales company asking that it order its sales personnel to stop victimizing American combat veterans and refund to this serviceman $169 collected from him. I also have written to the Magazine Publishers Association to ask that the publishers themselves immediately take steps to stop this gutter type of sales activity.

As further evidence of the need for prompt and firm congressional action to clean up magazine sales practices, Mr. Speaker, I should like to insert in the RECORD the letter from this serviceman's mother to the editor of "Action! Express," public service feature of the Easton, Pa., Express newspaper:

MARCH 10, 1969.

ACTION EDITOR: Here is another gimmick those magazine houses are doing to the fellows in Services.

Recently my Son, who is serving in Viet-Nam took his R & R to Hawaii; he no sooner got off the airplane and was walking up the street away from the airport when two girls in a car pull along side him and asked him if he was new here. Of course he told them he was, then they told him to hop in the car and they started to tell him that they were Exchange students from Calif. and how they entered into a contest for a tour for their team to Rome, France and Spain. Each magazine they sold was worth so many votes for their team, they never told him the prices on the magazines and for how long the subscriptions were for until after he signed the paper. How rotten and how low can those magazine houses get. I'll pass the address of the magazine house to you.

Publisher's Continental Sales Corp.
2601 East Michigan Bvld.
Michigan City, Indiana, 46360

We wrote and told our son not to pay those people another red cent, being that he is not yet 21, the paper he sign were no good, because he was under age.

As I sit here and write this to you I can't but help wondering how many other fellows are being taken for a sucker ride by those magazine company.

I'm enclosing two photostat copies of the two bills I received in the mail, get a load of the number of issues they talk him into and the prices.

What should we do for our Son who is over in Viet-Nam? Here is hoping Action Express looks into this stinking mess.

I remain,
Mrs. G.,
R.D. No. 2, Kunkletown, Pa., 18058.

NEED TO CONTROL STEEL IMPORTS

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. DULSKI. Mr. Speaker, I am convinced that there is need for legislative action to provide for orderly trade in iron ore, iron, and steel mill products.

The need is evidenced by the clear danger to our steel industry and its half million steelworkers that exists from the dramatic and continual rise in steel imports.

Whereas the United States formerly was a net exporter of steel products, the situation was reversed in 1967. Indeed, last year our exports of steel products totaled only 2.2 million net tons while our imports had increased to 18 million tons. What is more, our exports mostly were Government financed.

Thus, last year we had a net deficit of nearly 16 million tons, representing about $1.5 billion. Translated into employment, this deficit represented 140,000 potential jobs in the U.S. steel industry, based upon each million tons representing jobs for about 7,700 persons.

I am in sympathy with the basic free trade policy for our country, but, at the same time, I believe it is essential for our own economy and for our own industry that we keep careful tab in specific areas should exceptions become necessary.

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There is clear need for an exception on steel.

Differing from legislation which I have introduced in the past, the bill which I am introducing today has no termination date. Instead, it provides that at the end of 5 years the Secretary of Commerce shall submit a comprehensive report to the Congress on the effect of the limitation on steel imports. At that time the Congress can decide whether any change in the rules is in order.

THE SLUM PREVENTION ACT OF 1969

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. MIKVA. Mr. Speaker, yesterday I testified before the Ways and Means Committee urging support for my bill, H.R. 8797, the Slum Prevention Act of 1969. As I told the committee, I believe that this proposal could become a major tool in the battle against slums in our large cities. I ask my colleagues to consider the proposal carefully and to support it when it comes before the House for consideration along with other tax reform proposals. I insert my statement at this point in the RECORD:

STATEMENT OF HONORABLE ABNER J. MIKVA, OF ILLINOIS, BEFORE THE HOUSE COMMITTEE ON WAYS AND MEANS, MARCH 17, 1969

Chairman Mills and other Members of the distinguished Committee on Ways and Means, it is my great pleasure to appear before you today to testify in support of H.R. 8797, the Slum Prevention Act of 1969. I have called my bill the Slum Prevention Act because I believe that this proposal could become a major tool in the battle against slums in our large cities. The proposal would cost the taxpayers no money (unless they were slum owners), and might even bring in some revenue to the Treasury—a feature which may make it unique among those that seek to remedy our urban ills. The proposal is to withdraw tax depreciation allowed under existing law from real property which fails to comply with the health and safety provisions of local housing and building codes. A complementary provision would disallow a capital loss write-off for abandonment of property which is in violation of such codes at the time it is abandoned. These two provisions could put the Federal income tax laws on the side of slum prevention instead of on the side of slum promotion.

Mr. Chairman, we do not allow a criminal depreciation on the gun he uses to break the law; to my mind there is no reason to allow depreciation to a slum landlord on his noncomplying slum property. The slumlord causes far more social harm than the common thief; but he has the law on his side when he files his income tax return. The owner of urban property which is in violation of local housing and building codes endangers the health and safety of not only the residents of that building, but of hundreds, perhaps thousands, of residents in neighboring buildings. For this reason it does not seem to me we can any longer afford to do without the powerful stimulus which depreciation withdrawal would provide to maintenance of urban property in compliance with local law.

The need for an approach to real estate depreciation allowances such as I propose, Mr. Chairman, can no longer be seriously questioned. In speaking of a special report to the National Commission on Urban Problems, of which he was chairman, former Senator Paul Douglas noted:

"Tax provisions not only provide little encouragement for repair but actually may tend to discourage improvements by investors. . . . As the Federal income tax is now constituted, the profitable course for real estate investors is to take accelerated depreciation after purchase, avoid repairs, and sell off their properties within a decade before their tax shelter fades. Continuity of ownership and sound maintenance are inhibited by opportunities for fast gains in this cycle of constant trading."

This conclusion is buttressed by the statements of many noted experts in the field of Federal treatment of real estate taxation. As one expert, cited in the report to the Commission on Urban problems, put it:

"Uncle Sam is a principal cause of the phenomenon known as the slumlord . . . no matter how many violations have been lodged, the slumlord may file his depreciation . . . even in an old-law tenement he may take it on an accelerated basis."

Certainly no one would argue that the Federal tax structure is *designed* to encourage speculation in slum property, but nevertheless that is its result. We must face up to the fact that the income tax laws are to a large extent responsible for the enormous profitability of speculation in substandard urban real estate. Thus, it is tax benefits which are *already* available to owners of substandard urban property which make it so highly profitable for them to continue to speculate—and to avoid maintaining their properties in accordance with even the minimum health and safety standards of local law. We must do something to put the tax laws on the side of urban residents and city governments rather than on the side of the slumlords.

This brings me to another important point about my proposal—it creates no special exemptions, gives no tax breaks, contributes to no tax shelter. Former Assistant Secretary of the Treasury Stanley Surrey often argued that it was not sound, as a matter of tax policy, to use the Federal income tax laws to accomplish other social or humanitarian goals—however worthy they may be. Such practice, he felt, often resulted in dislocations and inequities in the tax laws which far surpassed in seriousness the original problems sought to be solved. But Mr. Surrey never argued, Mr. Chairman, that the tax laws should *create* social problems. That is, in fact, what has happened with the depreciation allowances now available on substandard urban property. My bill would not *create* special tax categories to accomplish slum prevention, but would *deny* to owners of slum property a tax break which would otherwise be theirs. When the Federal government is bending every resource to solve the problems of decaying cities, I think we can do no less. It is time to write tax laws which help prevent slums rather than help promote them.

Some proposals have been made to withdraw only accelerated depreciation from urban property. The sponsors of such proposals say that this would slow down the turnover rate—a factor which contributes mightily to slum conditions. But this would still leave the Federal government in the position of subsidizing slum property owners. I maintain that we should withdraw *all* depreciation allowances from property which does not meet the minimum health and safety requirements of local law. It has been said that such a rule would put a powerful weapon in the hands of local code enforcement authorities. I say this is a weapon they should have had years ago. It might have helped them enforce health and safety provisions of their codes which under present circumstances are frequently completely ignored.

It is noteworthy, Mr. Chairman, that the only significant objections to proposals such as mine are to the administrative difficulties they present. I believe that by careful drafting, the use of legal "presumptions" where owners have been cited for violations within the taxable year, and development by the IRS of standard forms and procedures, all of these objections can be met. If we do not at least attempt to put this policy into effect, we are in the position of saying to urban residents throughout the nation, "Yes, we believe a policy change is necessary, but we just can't draft a bill to put it into effect." I don't believe the public will buy that argument, and I'm not sure that it should. For those on the Committee who are interested in some of the more interesting policy and technical problems which the bill raises, I have included a "technical appendix" to my remarks which discusses some of these problems in more detail.

Finally, Mr. Chairman, I should emphasize that I am not advancing the Slum Prevention Act as a panacea which will solve all the problems of slum housing and substandard urban property. As Senator Douglas observed: "Slum housing problems are too complex to be resolved solely or primarily by income tax changes." The point is that my proposal can help arrest the growth of the slum cancer. At that moment of truth when a property owner can still opt for property maintenance rather than property milking, he ought to know that the risks of milking include loss of a meaningful tax deduction. The decay of our inner-city areas is the most pressing domestic problem facing this nation. In my opinion we cannot afford *not* to effect this realignment of Federal tax law. I urge the Committee to include in its reform proposals to the House a provision such as I have advocated here today. It may well be the strongest possible action the Congress could take to show the cities that we do care. At the very least it will put the tax laws where they should be, on the side of slum prevention instead of slum promotion.

TECHNICAL APPENDIX TO STATEMENTS OF HON. ABNER J. MIKVA BEFORE THE HOUSE COMMITTEE ON WAYS AND MEANS, MARCH 17, 1969

Any attempt to amend the extremely complex Internal Revenue Code inevitably raises important and difficult problems of policy and drafting. The Slum Prevention Act is no exception. As with tax legislation in the past, some of these problems must be left to be worked out by the Internal Revenue Service in its regulations. Some of the most significant problems, however, have been solved by careful drafting and the use of legal "presumptions." This appendix discusses the solutions which were devised to carry out the policy of the Slum Prevention Act of 1969.

The first general rule of the Act is "No deduction shall be allowed [for depreciation] for a taxable year with respect to property which is noncomplying residential property at the close of the taxable year." The Act then proceeds to define "noncomplying residential property" and to describe the extent of the disallowance if property is found to be noncomplying.

The second general rule is that "No deduction shall be allowed [for a capital loss] by reason of the abandonment in a taxable year of property which is noncomplying residential property at the end of the taxable year." This rule would prevent recapture as a capital loss write-off of depreciation which was not taken at the time of the abandonment.

Property which had been cited more than 30 days before the close of the taxable year for a violation of health or safety provisions of a local housing or building code would be presumed to be "noncomplying." The taxpayer could rebut this presumption by satisfying the Secretary (1) that the violation did not exist at the time of the citation or had

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been corrected before the close of the taxable year, (2) that the building had been demolished since the end of the taxable year, or (3) that the owner was exercising due diligence either to correct the violation or demolish the building.

The depreciation withdrawal provision applies only to residential property, and only to residential property which is at least ten years old. This latter requirement was inserted in order to exempt buildings which contained structural defects at the time they were built. It was felt that it would not be fair to hold a new owner responsible for these to the extent of forfeiting his depreciation deduction, although of course he would be responsible for repairing them under most local building codes. By the time a building is ten years old, most of the original structural defects will have been found and corrected.

The type of code, the violation of which will result in loss of depreciation allowance, is not limited—building codes, housing codes, electrical codes, plumbing codes, etc., are all included. Only those provisions, however, which affect health and safety will count for purposes of the Act. The taxpayer's determination that a violation for which he has been cited is not a "health and safety" violation will, of course, be reviewed by the IRS and will have to be acceptable to it. Ultimately it is foreseeable that local code enforcement authorities will probably begin to specify which provisions of their codes *they* feel affect health and safety. Thus it might happen that when a property owner receives notice of a violation from a local housing or building code enforcement agency, the notice would contain the statement "This violation affects health and safety within the meaning of the Internal Revenue Code " Such a determination by the local enforcement authority should carry great weight with the IRS when auditing the taxpayer's return.

It has been objected that the tax withdrawal proposal puts too big a club in the hands of local code inspectors. To some extent protection against abuse of their authority by inspectors is provided by the fact that the taxpayer may rebut the presumption against him by showing that no violation in fact existed. Another answer to this "crooked inspector" argument is that the tax laws ought not to be drafted on the assumption that local officials are corrupt or inefficient. To the extent that the Act puts into the hands of honest, overworked housing and building inspectors throughout our nation's cities an additional weapon to aid in securing compliance with often-ignored local codes, it probably should have been enacted long ago.

If a property owner lost depreciation on one piece of property, he would not necessarily lose his depreciation on all other property owned in the same city, or even the same block. Other property, even if next door, which has regularly been reported as separate property for the purposes of the depreciation allowance would be considered separate property for the purposes of depreciation withdrawal.

Finally, in order to make the depreciation denial sanction meaningful, the Act would require an adjustment to the property's "basis" *as if* all the depreciation otherwise allowable on the noncomplying property had been taken. Thus the basis of the noncomplying property would be adjusted just as if all the allowable depreciation had been taken, even though it was not taken because of the property's noncompliance. This safeguard is necessary in order to keep an owner whose property is perennially in noncompliance from gaining the advantage of depreciation by putting his property in compliance immediately before sale, and taking the unused depreciation in the form of a capital loss on sale.

THE AMERICAN LEGION'S 50TH ANNIVERSARY

HON. CHARLES M. TEAGUE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. TEAGUE of California. Mr. Speaker, just a few days ago, the American Legion celebrated its golden anniversary commemorating 50 years of dedicated service to the Nation and its veterans.

I want to extend my heartiest congratulations to this great organization on its 50th birthday.

Last Saturday night, together with scores of my colleagues in the House and Senate, I attended the Legion's birthday party in Washington, D.C. I witnessed another example of the American Legion's unselfish devotion to the memory of their fallen comrades. Reversing the traditional custom of receiving gifts on a birthday, the American Legion presented to the Nation its 50th anniversary gift—a system of permanent lighting at the Tomb of the Unknowns in Arlington National Cemetery. In an impressive ceremony in the ballroom of the Sheraton-Park Hotel in Washington, President Nixon flicked a remote control switch that illuminated the national shrine with the first permanent lighting system in its 50-year history.

Impressive though this ceremony was, it represented but the culmination of 50 years of impressive and dedicated service to the Nation by the American Legion.

Since that historic day of March 15, 1919, when a small group of less than 500 World War I veterans met in Paris, France, in what is now termed "The Paris Caucus," the American Legion has, on three occasions, opened its ranks to a new group of veterans which has served in the Armed Forces of our Nation during time of war or conflict. Today, its membership is made up of more than two and a half million veterans of World War I, World War II, the Korean conflict, and Vietnam.

During this 50-year span, the American Legion has compiled an impressive record of achievement. From the time of its founding, this organization has dedicated itself to the care of the war disabled and the widows and orphans of deceased veterans. The outstanding benefit program enjoyed by the Nation's veterans can be attributed in large measure to the legislative leadership and support of the American Legion over the years. A significant list of legislative milestones offers tangible evidence of the effectiveness of the American Legion's effort over the years. The establishment of the Veterans Bureau in 1921 and its successor, the Veterans' Administration in 1930; the World War Veterans Act of 1924; the first non-service-connected pension program for widows and orphans; the World War II GI bill and similar programs for veterans of more recent conflicts are but a few of the major pieces of legislation in which the American Legion played a leading role.

Not content with the passage of laws to protect veterans, the American Legion, in its formulative years, inaugurated a rehabilitation program designed to assist veterans and their dependents in obtaining the benefits to which they were entitled. Today, American Legion service officers at the post and department levels, and the Legion's expert staff at the national level are counseling thousands of veterans and their families concerning their rights and benefits, helping them file and process claims, gain admission to VA hospitals and assisting in many ways in guiding the destinies of the Nation's veteran population. No one contributed as much to the rehabilitation program as my friend and fellow Californian, Bob McCurdy.

Mr. Speaker, I salute the American Legion on 50 years of achievement. I am confident that its future will produce an equally impressive record of success.

BETH SHOLOM CONGREGATION MARKS 50TH ANNIVERSARY

HON. R. LAWRENCE COUGHLIN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. COUGHLIN. Mr. Speaker, it is an honor for me to note that the Beth Sholom Congregation of Elkins Park, Pa., will be celebrating its 50th anniversary with a special Sabbath morning service on Saturday, March 22, 1969.

In a time when the actions of small groups generating destructive influences in our Nation are rewarded with headlines and stories in major newspapers, I am proud to cite Beth Sholom Congregation as an outstanding example of a small group that has grown to exercise profound and constructive influences.

On March 22, 1919, 12 men joined together in a testament to their faith and signed a charter for Beth Sholom Congregation. In half a century, Beth Sholom Congregation has grown to a house of worship for more than 1,000 families.

Beth Sholom itself is unique among our thousands of synagogues in this country. The synagogue is the only one ever designed by Frank Lloyd Wright.

Nighttime travelers, passing through this heavily traveled area of Montgomery County, are inspired by the tower of light of this remarkable edifice.

To the congregation this tower represents Mount Sinai, source and base of religious law. Here is the meeting place of divinity and humanity, where is supported the sacred law, symbol of God's descending will.

To others, this tower of faith is a dramatic landmark symbolic of the religious freedom enjoyed by the Jewish people, yes, and by all people in Montgomery County and the United States of America.

I pay special tribute to Rabbi Emeritus Mortimer J. Cohen who led the congregation for 45 years, and to Rabbi

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Aaron Landes, and the officers and directors. Their dedicated work has greatly enriched the life of the congregation and has supplied a solid foundation upon which to build for the future.

In a time when our spiritual and moral values are challenged both from within and without this Nation, Beth Sholom's 50th anniversary provides proof of the sustenance of religious values in our life and the capacity for equipping families to cope with the trials of a world with God's compassion and understanding.

May the years to come bring continued success in the efforts of the Beth Sholom Congregation to meet the spiritual needs of man in our complex and demanding age.

AN EQUITABLE SYSTEM FOR FIXING AND ADJUSTING THE RATES OF COMPENSATION OF WAGE BOARD EMPLOYEES IS NEEDED

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. NIX. Mr. Speaker, I have today introduced a bill entitled the "Prevailing Wage Rate Determination Act of 1969," whose purpose is to provide an equitable system for fixing and adjusting the rates of compensation of wage board employees.

Because the number of wage board employees exceeds 765,000, this bill is of vital concern to one-fourth of all employees of the Federal Government. It directly affects their wages, their own individual rights and obligations as well as the rights and obligations of their union representatives who are bargaining for them and who represent them on the various wage board committees established by this bill.

Basically, my bill is intended to bring order and system out of the chaotic situation which now exists in the Federal Government's procedures for fixing the rates of pay of employees working under the so-called prevailing wage rate system. The information which I have been receiving for some time showed such a great discrepancy between rates of pay for wage board employees performing the identical functions and working in the same community that I found that the presumption of serious inequity and injustice could not be excluded.

This bill would reduce such a possibility of inequity.

While remedying abuses, the bill will preserve, nonetheless, the concept and procedures of the "prevailing wage" system. It thus is not a modification of the wage board system itself but simply a measure to eliminate injustice and inequity by providing new mechanisms to establish basic regulations, to conduct wage surveys, and to adjudicate or arbitrate differences.

The most important single improvement in my bill over the present arrangement is that it will give a statutory foundation to improved procedures for wage board rate determinations. The principal instrumentality provided by the bill to assure that such a policy is pursued is a newly created "standing committee" within the Civil Service Commission, to be known as the National Wage Policy Committee.

Composed of 11 members, the National Wage Policy Committee will have as its chairman a person who shall be from outside the Federal service and who shall be appointed directly by the President and shall hold no other office in the Federal service during his tenure as chairman.

To assure that the chairman is objective, my bill provides that he will serve exclusively at the pleasure of the President of the United States and that his compensation will be $75 for each day spent in the work of the Policy Committee.

In addition, the Policy Committee will have five Federal employee union representatives and five management representatives.

The Federal employee union representatives will be appointed as follows:

Two by the President of the AFL-CIO; and one each appointed respectively by the President of the Federal employee union representing the first largest, the second largest, and the third largest number of Federal employees subject to this act.

The five employer representatives shall be appointed to the National Wage Policy Committee as follows:

Two management representatives will be appointed by the Secretary of Defense, at least one of whom shall be appointed on a rotational basis for a period of 2 years from the Department of the Army, the Department of the Navy and the Department of the Air Force;

One management representative from the Veterans' Administration will be appointed by the Administrator of Veterans' Affairs;

One management representative from the Civil Service Commission will be appointed by the Chairman of the Civil Service Commission; and

One management representative will be appointed, on a rotational basis for a period of 2 years, by the Chairman of the Civil Service Commission from Federal agencies which are leading employers of employees subject to this act.

In addition to establishing the National Wage Policy Committee, my bill will require each Federal department or independent agency designated by the National Wage Policy Committee to establish an Agency Wage Committee, composed of five members. The role of the Agency Wage Committee will be to assure the implementation within the agency of the wage surveys through the functioning of the local wage survey committees.

A most important feature of my bill is the inclusion under its wage rate system of all employees who are now paid from so-called "nonappropriated funds." These employees will no longer be considered outsiders to the wage board, or prevailing wage rate, system. They will be assured equity and justice in the same manner as if they were receiving their pay from appropriated funds. Certainly, it is improper that an employee should receive less money for his work simply because his employer or manager draws his checks on a different bank account.

As with all legislation, I realize that this bill may emerge in somewhat different form when it is finally enacted. However, on the basis of my experience, I am sure that the final statute will not be very much different in its essentials than the bill which I introduced today.

PENTAGON PROCUREMENT: BILLION-DOLLAR GRAB BAG

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. GONZALEZ. Mr. Speaker, I commend to my colleagues an important study of defense procurement which has appeared in the Nation magazine for March 17. It is a fine primer on the policies, practices, and profits supporting our massive military-industrial complex.

Written by a former member of my staff, Mr. Richard F. Kaufman, the article's basic premise deserves to be underlined:

> The cumulative effect of Congressional reports of waste and mismanagement on defense contracts should be to shift the emphasis of future investigations. Although the difficult job of digging into programs and disclosing abuses in individual cases should continue, the central question today is no longer whether there are exorbitant profits, padded costs, poor performance, general mismanagement of procurement, and a swollen military budget. The central question from now on is, what can be done to change the procurement system so that the military-industrial complex will be brought under a social control.

Under unanimous consent, I am placing the full text of the article in the RECORD at this point:

PENTAGON PROCUREMENT: BILLION-DOLLAR GRAB BAG

(By Richard F. Kaufman)

(NOTE.—Mr. Kaufman is on the staff of the Subcommittee on Economy in Government, chaired by Senator WILLIAM PROXMIRE, which has been investigating profits and costs in defense procurement.)

WASHINGTON.—Two kinds of activities are paid for by military expenditures: the purchase of weapons, hardware and other goods; and the support of personnel, the operation and maintenance of bases, military construction and civil defense. Of last year's $79 billion Defense Department bill, $44 billion went for the former. (If military expenditures on programs outside the Pentagon were included, such as military assistance, space, atomic energy, Selective Service and veterans' assistance, the sum would be much higher.)

One of the most disturbing facts about the costs of procurement is that so much money is wasted on excessive profits and excessive costs, and is therefore unnecessary. No one knows how much waste there is, but reliable estimates run into billions a year. In 1964, the Senate Permanent Subcommittee on Investigations, looking into "Pyramiding Profits and Costs in the Missile Procurement Program," concluded that the contractors had taken excessive profits, that contract costs were inflated by high initial estimates, that missiles were being procured under an "archaic system," and that "much of the de-

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fense dollar is being improvidently spent." More recent investigations by other committees and the Government Accounting Office into the procurement of planes, ships, nuclear propulsion equipment, fuel, rifles, small tools, etc., and into the use of government-owned plants and equipment, demonstrate that the costs of procurement are much higher than they ought to be. The Pentagon could make do with considerably less money than it gets.

This conclusion can be reached without challenging the basic assumptions of military policy, and solely on the basis of proven inefficiency, waste and profiteering by contractors, particularly the major contractors, and mismanagement of the program by high officials in the Defense Department. A recent study by an official in the Bureau of the Budget, whose duties are to analyze costs of weapons, reveals that performance of complex electronic systems tends to be poor, that deliveries are late, costs two to three times higher than the original estimates, and profits inversely correlated with poor performance—that is, the most inefficient contractors earn the highest rewards. Last year the Subcommittee on Economy in Government of the Joint Economic Committee reported "loose and flagrantly negligent management practices in the Defense procurement program."

The cumulative effect of these and many other reports should be to shift the emphasis of future investigations. Although the difficult job of digging into programs and disclosing abuses in individual cases should continue, the central question today is no longer whether there are exorbitant profits, padded costs, poor performance, general mismanagement of procurement, and a swollen military budget. The central question from now on is, what can be done to change the procurement system so that the military-industrial complex will be brought under social control.

The chaos and waste in present procurement policy was at least implicitly recognized last year by the effort of the House Government Operations Committee to create a commission to study government procurement. The proposal will be revived in the new Congress. Assuming the commission is established, an early tip-off as to its intentions will be its make-up. If it is dominated by defense industry spokesmen, it will probably not differ significantly from the many "business advisory groups," such as the Industrial Advisory Council (formerly the Defense Industrial Advisory Council), which now monitor and influence procurement policy.

One way to economize would be to reform present policies by legislation. Profiteering is the most blatant aberration of faulty procurement. How high should defense profits be? Present policy, if you can call it that, is contained in a body of Defense Department regulations called the Weighted Guidelines. They are supposed to help compute the right profit for any negotiated contract by specifying percentage points for factors like contractor inputs, risk and record of performance. The points are totaled during contract negotiations to arrive at the profit rate. However, like many other procurement regulations, the guidelines have been heavily influenced, as to both wording and interpretation, by the defense industry. They give an appearance of systematic method, but are in fact so flexible that Pentagon officials can use them to arrive at a high profit rate even for contracts involving a minimum of capital investment (the buyer gladly supplies interest-free cash, land, buildings and production equipment) and little, if any, risk. Since the adoption of the Weighted Guidelines in 1964, profit rates have gone up by 25 per cent. Yet strong industry pressure is now being exerted to revise the guidelines upward.

Although most procurement is negotiated, the Pentagon awards some contracts through competitive bids, and a device for insuring high profits has evolved in this area as well. This is the "buy in—get well later" formula. A contractor bids for a weapons research and development contract below his (unrevealed) estimated costs, so as to make sure that he will win. Once he is in operation, his costs skyrocket, but the Pentagon finds that it must pay them, to "get him well." In addition to being reimbursed for the tardily revealed higher costs of R and D, the contractor has also laid a foundation on the basis of high costs, openly stated. Once the contractor has completed the preliminary work—which was all that the original contract contemplated—it is usually too late for the government to find another potential producer; it is "locked in" with the original contractor. Incentive contracting was developed under Secretary McNamara to discourage this practice. Studies show, however, that these and various other contractual devices create "reverse incentives," whereby the contractor is motivated artificially to inflate his cost base in order to earn larger profits.

Statutory limits on profit could help. They would differ from the Weighted Guidelines in being less susceptible to favoritism—at present, the larger contractors make the larger profits—and because they could not be changed by administrative decision. Congress would establish reasonable profit ceilings. Banks and railroads are limited in the interest and rates they may charge, and today's high defense profits are inexcusable.

However, profit limitations would be no cure-all. Of last year's $44 billion for military procurement, profits probably amounted to no more than $5 billion. And while profits as customarily reported on corporate books may be reduced, the result will not necessarily be to cut the total costs. Contractors can simply enlarge their cost base to increase contract prices and offset any reduction in profit rates. Padding expenses to hide profits is an old bookkeeping technique.

What really needs to be done is to control the gross cost to the government of military procurement. It is for this reason that Adm. H. G. Rickover so strongly advocates uniform accounting standards. One of the critical stages in the procurement process is the initial negotiation. At this point costs and profit rates are agreed upon, and the government is at a serious disadvantage unless it can obtain accurate estimates from the contractor. During the performance of the contract it also needs reliable cost data in order to act on requests for reimbursement, to know whether the costs are running higher than the original estimates, and to discover whether it is being overcharged. Rickover believes that until contractors are required to adhere to uniform standards for reporting costs and profits, the government will not have such information. He reports cases where contractors charged costs to government contracts which should have been charged to nongovernment, commercial work, and the Government Accounting Office has revealed similar situations. Rickover estimates that the imposition of uniform accounting standards alone would reduce procurement costs by more than $2 billion a year.

The absence of good cost data, aggravated by falsification in many cases, moved Congress in 1962 to enact the Truth in Negotiations Act. Without uniform accounting standards, this Act is largely ineffective, but thus far it hasn't mattered much because the Pentagon has failed to enforce its mild provisions. Briefly, the Act requires contractors to submit certified cost data for all negotiated contracts. However, there is a loophole in the Act, called the waiver provision, which is large enough for any weapons system to fall through. It allows the procurement officer to determine that there is adequate competition for a particular item. When this subjective judgment is made, the Act is waived and the contractor is not required to submit any cost data, even though in fact the contract has been negotiated. Needless to say, the waiver provision has been liberally applied. Closing this loophole and requiring strict enforcement of the Act would be a relatively simple gesture toward reform.

A second piece of legislation that needs to be rehabilitated is the Defense Production Act. This vestigial remnant of the Korean War controls provides that production for national defense be given preference over other business, but enforcement by the Department of Commerce is accomplished in the most timid fashion. A Commerce official testified before the House Banking and Currency Committee last year that legal action against a contractor to enforce a priority has not been taken since the Korean War, despite the fact that the Pentagon has asked the Commerce Department to issue directives against companies which have rejected assigned priorities. As a first step toward breathing some life into this Act, it ought to be moved out of the Commerce Department.

A third leaky bulwark against the excesses of military contractors is the Renegotiation Act. The speeches of Rep. Henry B. Gonzalez have made the limitations of this Act well known. It is badly riddled with loopholes, sharply limited in scope and jurisdiction, and the Renegotiation Board which enforces it is seriously understaffed. Only the personal intervention of Sen. William Proxmire with the Bureau of the Budget last year prevented further staff cuts. The purpose of the Act is to recapture excessive profits earned on military contracts, but present restrictions on the board keep recoveries well below the real level of profiteering. To bring the board close to its strength in the Korean War period, the "standard commercial article" exemption, by which some of the most profitable types of procurement are exempt from review, would have to be eliminated, and its staff increased from its present level of about 200 to at least the 1953 level of 742.

As for conflict of interest, there are hardly decent standards of regulation to revise. The heavy back-and-forth flow of procurement officials and weapons salesmen between the Pentagon and corporate duty is barely touched upon by laws or regulations. The laws that do exist apply mainly to military personnel, not to civilians, and are so narrowly interpreted that they have almost no effect.

The case of Maj. Gen. Nelson M. Lynde, Jr., retired from the US Army, and employed by Colt Industries, Inc., is instructive. It was investigated in 1967 by the Special Subcommittee on the M–16 Rifle Program, of the House Committee on Armed Services. From 1962 until February, 1964, General Lynde, as senior officer of the Army Weapons Command, was directly involved in the procurement of the M–16 rifle. In 1963 he personally approved the prices negotiated with Colt. Five months after retirement in 1964, he went to work for Colt. Responding to an inquiry from Lynde, the Army Adjutant General had advised that the conflict of interest law did not prohibit this employment, since his job description did not indicate that he would be selling anything to the government. Shortly after arriving at Colt, General Lynde requested of the Army copies of four classified documents, including at least one that concerned the M–16. In addition, according to the subcommittee report, Lynde was on the distribution list for many inter-company memoranda involving the M–16. As the subcommittee stated: "It is actions such as these that cause the American taxpayer to lose faith in the integrity of both military and civilian officials associated with the expenditure of millions of dollars yearly in the procurement of supplies and materiel to meet our military requirements." The subcommit-

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tee also noted with displeasure that Colt's profits on the M-16 were as high as 19.6 per cent for 1965, and that an examination of price proposals disclosed a lack of sufficient data to support cost estimates. Conflict of interest laws should be completely rewritten.

A radically different approach to procurement would be to return to the more traditional relationship of government and industry—to disengage the defense industry from government, and encourage greater competition among contractors. Disengagement would mean both less government regulations and less government support. Managerial controls now exercised by government, it is suggested, should be returned to the companies, and much red tape surrounding contracts eliminated. At the same time, subsidies such as interest-free government financing and government-owned plant and equipment should be withdrawn. Since these forms of aid favor the larger contractors, small business would become better able to compete.

Competition could also be encouraged directly by awarding development, production and follow-on contracts separately and competitively. Lock-ins and other monopoly situations could be avoided by parallel awards and second sources. That is, more than one contract could be awarded in the early stages of R and D and of production, before the government had settled on a single contractor for the major production work. And second sources would be kept alive by reserving to the government the right to distribute designs and production techniques developed by one contractor to any of the others during the life of the contract.

The hope is that restoration of competition will force contractors to fall back on their own resources. This, in turn, would reconstitute the self-regulating mechanism of free enterprise which, according to the theory of capitalism, is the best guarantor of innovation, efficiency and lower costs. Government regulation would thus be unnecessary. Unfortunately, while economists like Murray Weidenbaum at Washington University (St. Louis) advocate more capitalism as the solution to the rising costs of procurement, the large military contractors don't want it. Why face the discipline of efficient management and the risks of competition when billions of dollars of business can be generated through the art of government grantmanship?

Political pluralism, rather than economic pluralism, is another cure offered for the abuses of military contracting. H. L. Nieburg views the boundary between the Defense Department and defense contractors as permanently wiped out. Military contracting has created quasi-public utilities within the defense industry. Rather than emphasizing the government's access to information and regulatory controls, Nieburg would enhance what he terms the existing pluralism of institutions and relationships. He would encourage the conflict among government agencies and confrontation between constituencies with opposing stakes in contract programs. New institutional arrangements can act as countervailing forces against the pressures that inflate procurement costs. His suggestions include an Office of Contract Ombudsman, an intergovernmental body to collate national programming and budgeting plans, and creation of a new court, modeled after the Court of Customs, and Patent Appeals to test contract award decisions.

Basic changes of the procurement system itself can also be considered. In view of mounting costs, which many believe is making it impossible to solve our serious domestic problems, *reversing,* not merely halting, the government's capacity to manufacture for its own needs may become necessary. It would be no radical departure from the American experience. In the past, the government has produced everything from small arms to ordnance to ships. The great advances in nuclear energy were made in government laboratories.

When Admiral Rickover testified before the House Banking and Currency Committee last year, he suggested that those companies or their divisions whose business is almost exclusively with the government might be treated as public utilities. Such a step would be formal recognition of the fact that some contractors have a monopoly or near monopoly on certain kinds of military equipment. Instead of negotiating profit rates on the basis of total sales or costs, they would be granted a reasonable rate of return on their investment. In exchange, their books would be audited and their performance measured by a public body. This system is used in England, and a recent Rand Corporation study shows that average defense profit rates are generally much larger in the United States than in England. This is especially true of aircraft, aircraft engines and missiles, items on which we have suffered runaway price inflation over the past several years. When Rand compared rates of return on net assets for selected aerospace firms in the two countries, for the years 1956 through 1963, it found average profits for the U.S. firms to be 25.6 per cent, more than twice the level of the English firms.

Perhaps the greatest problem in the field of public affairs today is the reluctance of the average citizen to be critical of military assertions and military policy decisions. The reasons for this have little to do with the complexity of the subject, for military affairs are no more difficult to understand than any other subject. The concept of national security, which somehow is supposed to protect us from and at the same time see us through war, is veiled in secrecy, except on the most ceremonial occasions. Like some sacred cow, it has free run over our land and through our streets. The people are supposed to feed it and worship it, but not to study it.

Meantime, the vast majority of those who are expert in military affairs are either employed by or obligated to the military establishment. Despite a few notable exceptions, there is no tradition of independent military analysis in the academic or professional worlds. For the most part, those who do the analyses are those who benefit from the growth of military spending.

Military spending has proved to be a one-sided controversy, with the experts, professionals and counselors all arguing for expansion. An encouragement of military policy studies, apart from military circles of power and influence, can begin to correct this imbalance. Courses on military affairs, defense production, defense management, procurement, profiteering, the impact of military spending, to name a few, ought to be offered by every university, and not as part of ROTC or in conjunction with Defense Department grants. Departments and graduate schools for military policy studies ought to be established on many campuses, not to produce future military leaders but to train civilian military planners capable of criticizing budgets and policies, and of offering alternatives. Military research and analysis needs to be supported through nonprofit groups funded from nongovernment sources. But wresting the military budget from those who spend it will take an enormous amount of research and analysis, consideration of alternatives and argument, followed by political action. Military experts and industrial lobbyists will continue to work hard to insure that they hog more than their reasonable share—now, after Vietnam and into the foreseeable future.

THE RUSSIAN MERCHANT MARINE: A NEW COLD WAR DIMENSION

HON. THOMAS N. DOWNING

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. DOWNING. Mr. Speaker, in the February 28 edition of the Weekly Review, there appeared an excellent article on the new Russian merchant marine and the menace which it presents to the ocean trade of the West.

I think my colleagues interested in the promotion of our own obsolete merchant marine will find this article extremely interesting. I, therefore, by unanimous consent, insert it in the CONGRESSIONAL RECORD:

Although Russia's world-wide naval build-up is receiving close attention in the West, the Soviet bloc's equally spectacular expansion of its merchant marine is escaping notice. It merits watching, however, not only because Russia has deliberately set out to capture part of the West's ocean trade, but also because many of the Soviet merchant ships are equipped for naval reconnaissance and survey work as well as for various other military tasks.

The activities of the Soviet trawlers have already become notorious, but the truth is more serious than that. With the help of her merchant navy, Russia already has every route on every ocean under permanent surveillance, and in case of an emergency many of the ships are capabale of operations which can be a direct threat to western shipping.

ENORMOUS BUILDING CAPACITY

Russia's ship-building capacity is being rapidly increased, and it is supplemented by the production of the satellite countries. At the end of 1968, the Soviet merchant fleet had at its disposal 14,698,000 tons dwt. (U.K. approximately 20,000 tons), of which 1,049,000 tons were sailing under the East German flag, 1,700,000 under the Polish flag, 750,000 tons under the Bulgarian flag, and 467,000 tons under the Rumanian flag.

According to the Soviet Minister for the Merchant Marine, W. Bakejev, plans have been approved to expand this by 1970 to a total of 18,002,000 tons, to be followed by a steady growth to 20,000,000 tons of Russian ships (leaving aside what the satellites will contribute by then) in 1980. The combined total will by then probably exceed 30,000,000 tons.

SATELLITE SHIPS UNDER RUSSIAN ORDERS

It must also be stressed that the ships of the satellite states operate under Russian sailing orders, regardless of what flag they fly. For their own use the satellite countries have to depend largely on chartering western ships.

For example, although Poland's merchant navy comprised 220 ocean-going ships at the end of 1968 with a total deadweight of 1,539,000 tons, she had to spend more than $100 million on chartering western ships for her export trade, while her own ships were engaged on missions for Russia. In addition she spent $45 million on freightage for her exports carried in unchartered western ships.

In contrast to this, the last time Russian goods had to be carried in western ships was in 1964. Early in 1965, Bakejev was able to announce in Moscow:

"The USSR has achieved total economic and political independence in her ocean trade."

AUXILIARY NAVAL VESSELS

More than 80 per cent of the merchant fleet sailing under Russian orders consists

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of ships less than ten years old, and the main body comprises ships of between 13,000 and 50,000 tons. All the cargo ships are able to maintain speeds of more than 14 knots.

Current construction is concentrated on fully automatic ships of the *Novogorod* and *Tshapajev* classes, which are officially described as multi-purpose vessels.

There is much that is secret about these two classes of ships, but it can be taken for granted that they are equipped to serve as auxiliary naval vessels in case of need.

In addition, a new class of trawler has come into service which is also described as a multi-purpose vessel. But as Russia already has a surplus of trawlers, the new class has not so far been used for actual trawling. The first news of it was given in December, when it was announced that it had been tried successfully off the west coast of South America. What it was doing there is not known.

A SERIOUS ECONOMIC THREAT

Apart from security considerations, the Soviet merchant marine is developing into a serious economic threat to western shipping lines as it has started competing for west European cargoes at rates which must be totally uneconomic for Russia. One of the first bids was to enter the Australia-west Europe route, and by last December Russian ships were undercutting western shipping rates on this route by up to 50 per cent.

It has now entered the west European-Latin American route, offering rates up to 70 per cent below those which any western shipping line can offer.

By any yardstick these Russian ships must be operating at a heavy loss, and it must be assumed that they are doing so in consequence of deliberate Soviet policy.

LOW-RATE TANKER CHARTERS

Another new venture is the construction of a surplus tanker and ore-carrying fleet for the specific purpose of chartering the ships to western firms. It is expected that the charters will be offered at very low rates which will make refusal unattractive.

A bid is also soon to be made to enter the London-Yokohama trade. In this case, the Russian ships will use the Chukchen-East Siberian-Laptev-Kara-Barents seas route, cutting the distance from about 13,000 miles to about 8,000 miles and lopping up to a fortnight off the sailing time. This will offer serious competition.

The purpose of entering the western ocean trade on such an uneconomic basis seems clear. By getting the West to rely at least partly upon Russian shipping, western shipping interests are, of course, damaged, and in the event of an international crisis the sudden withdrawal of the Soviet merchant fleet would create a crippling ocean transport shortage for the West.

In fact, Russia has moved the cold war into a new dimension.

CONGRESSMAN DANIELS URGES ACTION TO AID IRISH IMMIGRATION

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. DANIELS of New Jersey. Mr. Speaker, Monday, March 17, we observed the feast of the patron saint of the Irish people, St. Patrick. Down through the years this great day has become a special day for all Americans, those of Irish descent and those who are not.

Mr. Speaker, it is appropriate on this day to observe the many contributions that have been made to this Nation by the sons and daughters of Erin. From Commodore Barry and Gen. John Sullivan, who helped achieve American independence during our struggle to free ourselves from British colonial rule to this very day, Irishmen and their descendants have been the first to spring to the defense of this Nation.

The Irish community has been outstanding in so many fields that it would take days to list the eminent Irishmen who have distinguished themselves in the arts, letters, in the theater, in government, at the bar and bench, and in dozens of other fields of endeavor.

Mr. Speaker, I hate to inject business into the proceedings today which are generally light in nature. On the other hand, I must state that it is singularly appropriate for us when we discuss the contributions made by emigrants from Ireland to consider a harsh immigration law which has stopped the flow of ambitious Irishmen and Irishwomen to these shores.

This year we have seen the number of immigrants from Eire drop to almost nothing. From July 1, 1968 to December 31, 1968 only 72 preference and nonpreference visas were issued in Dublin to Irish applicants. Compare this, if you will, to the 7,000 visas a year issued between the years 1956–65 to Irish immigrants.

Mr. Speaker, a great many Members are deeply disturbed by this situation and under the leadership of the gentleman from New York (Mr. RYAN) efforts are being made to correct our immigration law. On March 19, the gentleman from New York has obtained a special order. I hope many Members will join with us at that time.

SERVICE UNION JOB TRAINING PLAN EXTENDED

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. O'HARA. Mr. Speaker, I am convinced that most unemployed Americans are anxious to work and earn their own way. Unfortunately, a great many are unprepared for the jobs that are available.

The program for custodial jobs recently launched in Washington by the Service Employees International Union, AFL–CIO, is typical of the commendable interest that a number of unions throughout the country are now demonstrating in helping jobless workers help themselves.

Under unanimous consent, I now insert in the CONGRESSIONAL RECORD, an article about the SEIU's custodial job training effort, taken from a recent issue of the AFL–CIO News:

SERVICE UNION JOB TRAINING PLAN EXTENDED

A Service Employes program to train jobless workers in Washington for custodian jobs has proved so successful it is being extended for another year.

The program, jointly aided by the Labor Dept. and the Health, Education & Welfare Dept., will receive $292,986 in new federal funds to train and place 200 workers by April 1970. This will bring to 600 the number of persons receiving training under the program since 1967.

Trainees, nearly all Negroes, learn about cleaning mixtures, minor electrical repairs, rug and furniture shampooing, and a range of other subjects to equip them for employment. They also take remedial courses in reading, current events and simple arithmetic.

Michael J. Nash, director of the project, reported that nearly 90 percent of those who enroll complete the course.

Most of them previously had earned no more than $1.50 an hour when working. Project graduates, however, have been filling jobs at up to $2.50 an hour, with some starting at more than $3 an hour.

WILLIAM C. DAVIS' STATEMENT AT GRAZING FEE HIKE HEARINGS

HON. SAM STEIGER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. STEIGER of Arizona. Mr. Speaker, arbitrarily, the previous administration's Secretary of the Interior and Secretary of Agriculture, administratively increased the grazing fees on public lands. This was done without adequate consultation with those affected. This was done in spite of the fact that the Public Land Review Commission is still working on its report that would consider all the various factors involved.

Mr. William C. Davis, executive secretary of the Arizona Cattle Growers' Association recently testified before the House Interior and Insular Affairs Committee, which is holding hearings on these grazing fee increases.

The statement he submitted was very perceptive and should be considered thoughtfully by all Members of Congress.

The statement follows:

STATEMENT OF WILLIAM C. DAVIS, EXECUTIVE SECRETARY, ARIZONA CATTLE GROWER'S ASSOCIATION, PHOENIX, ARIZ., AT HEARINGS BEFORE THE HOUSE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS, MARCH 4 AND 5, 1969, GRAZING HEARINGS

Mr. Chairman and Members of the Committee: My name is William C. Davis. I am Executive Secretary of the Arizona Cattle Growers' Association. We have 1,636 members. The latest United States' Census shows 1,654 livestock operations in Arizona. There are 1,560 Bureau of Land Management and Forest Service leases and permits in Arizona, so it is easy to see that public land grazing is a vital part of the Arizona range livestock industry.

Ranchers, financial managers and knowledgeable citizens are gravely concerned over the recently announced increases in public land grazing fees; an increase based on neither law nor economics, but based rather on the fact that the United States has a near-monopoly and can thus dictate its own terms and let the devil take the hindmost.

The term "fair market value" has been coined for the first time in connection with grazing fees on public land. Because it is new in this instance we believe it should be more closely analyzed than it has been to date. In so doing two questions come immediately to mind: (1) What factors should be used to

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arrive at an ultimate "fair market value"?, and (2) Is it (fair market value) a yardstick that can be accurately applied to grazing fees?

In response to the first question I believe we have to decide what is being sold, and under what conditions. It is forage that is being sold, and the true value of forage depends upon its price in the market. In the case of grazing this means converting the price paid for grass into the price received for beef. Some recent studies in Arizona show that it would take only minor increases in the cost of production to make most ranches unprofitable.

One study[1] shows the cost of running one cow for one year on a typical Arizona ranch is $82.50 before making any interest payment on land investment. This typical ranch uses a combination of Bureau of Land Management, Forest Service and State lands. Profit or loss depends to a great degree on percentage of calf crop. Parenthetically, I should add that a high percentage of marketable calves is very difficult to attain in the public land areas of Arizona because of the roughness of the country, the comparatively low carrying capacity which means widespread cattle, and a high population of predators. Under last year's level, grazing fees amounted to 5.6 percent of the cost of running a cow. Under the announced increase, at the end of ten years, fees would escalate to about 16 percent of the cost.

A second study[2] contains a table of Arizona cattle ranch income summaries. Ranches range in size from 34 head to 700 head, located in six different productive type areas of the state for a total of 21 representative Arizona operations. Percent of return to capital and management on these ranches varies from negative on ten ranches to as high as 5.2 percent. The three ranches with the highest return were from the western desert in years when stocker steers were pastured; however, because of a lack of regular precipitation in this area it is possible to run steers only once every four years on the average. A weighted average return would be about 1.7 percent per year in the Western Desert. The average return on investment on just the eleven ranches which had a positive return is 1.36.

A third University of Arizona study[3] was conducted for our State Department of Property Valuation for property tax purposes. For this study a "synthetic" ranch of 450 animal units was created and placed in various areas of the state. Ranch size and cost of operation were developed for each location. Net profit from the 25 different models varied from $7.23 to $7.61 per animal unit. The state-wide average was $1.92 per animal unit. In this study they assumed no cash return to owner as one of the costs, but they did make a $4,800.00 per year allowance for a manager.

From these three studies, and others from around the country it can be seen that the actual market value of forage is very low. Nothing appears in the immediate or near future outlook on costs or prices that would materially increase that true value.

Other factors that were claimed to be used in arriving at a so-called fair market value were the supposed comparability and competitiveness between private and public grazing lands. To be truly competitive the supply and quality of each should be approximately equal. To be comparable the conditions of the lease should be approximately equal. In Arizona neither condition exists. In round figures we have 13 million acres of Bureau of Land Management land and 11 million acres of Forest land, as well as 9 million acres of State land, compared to an estimated 5 million acres of private range land—a ratio of more than 6 to 1. Much of the private land is irretrievably tied to public leases through commensurability requirements, further reducing the amount available for private leasing. Private land is generally of superior grazing quality, else it wouldn't have been homesteaded or otherwise acquired into private ownership. Conditions for a true supply and demand situation do not exist, unless monopolistically created.

In addition to the lack of a truly competitive situation we must also weigh into any fair market value appraisal the terms and conditions under which the forage is harvested. Just as a reminder I would like to point out some of the conditions of a public land grazing lease as compared with a normal private lease. First, of course, is the matter of multiple-use. In all the talk we have heard about "comparable lands", "realistic fees", "vested interests", etc., we seldom hear the one point that is a major key to the whole situation. That is "multiple-use". These lands are shared with a multitude of other users, both commercial and non-commercial. They are open to the public regardless of how much interference and damage is caused. They are open to everyone for every legal purpose—and often used for illegal ones. Grazing is an important one of the multiple uses, but only one of many. If you had an apartment house occupied by fifteen or twenty tenants would you ask one or two of them to pay the same price as they would if they had exclusive use of the building?

Another substantial difference between public and private leases is the commensurability requirement. A rancher must meet certain qualifications of ownership of base property. Even in Arizona where much of the land is on a year-long grazing rotation plan we still must meet commensurate property standards. Such conditions would seldom apply to a private lease.

The demands for rancher-financed improvements on public land have accelerated with the advent of management plans. Last week I talked with a rancher who has a Forest permit. He was given a plan which called for several improvements on his small allotment, to be financed 100 percent with his own funds because federal matching funds were not available. If he makes the improvements they immediately become the property of the federal government. If he does not conform he faces a very severe cut in preference numbers at best, or loss of his permit at worst.

Improvements today must be constructed in such a way as to enhance "public values". But as a matter of fact normal range management practices over the years have greatly enhanced the actual public values of public land; especially wild life values. Over a period of years stock numbers on public land have decreased. In Arizona, at least, the game population has been generally up—grammatically at times. The game trend is not completely unrelated to livestock management. Improvements for livestock have also benefitted game. Stock tanks, salt boxes, and feed bunkers installed by ranchers have also been used by game. Juniper control areas are favored by deer and hunters alike. Game not only uses public land and the rancher-financed improvements thereon, but also freely utilizes any and all of the forage and feed on private land in the area.

Arizona has very little live water. Rancher-developed springs, tanks, pipelines and water catchments have made usable vast areas of the state. Such watering places have been lifesavers for both men and animals in the arid country. Without the management and conservation practiced by ranchers, much of Arizona could very well become a biological desert, of little economic use, and of even less practical use for the public. Yes, public values should certainly receive more than passing credit when determining the level of grazing fees.

Testimony of other witnesses will cover the validity of including the cost of holding a permit as a legitimate and inseparable cost of doing business. I won't dwell at length on this point, but do wish to completely endorse the position taken by other livestock groups. Any analysis of the cost of operating any business must include the cost of money or the analysis will be incomplete and inaccurate. A cost item identical to the one disregarded by the government is built into the lease paid for private land—and private leases carry much weight in the governmental interpretation of what comprises cost, or fair market value.

The principle reason given for not including the annual interest on the permit value in the fee formula is that "to do so would recognize a proprietary interest in the public land"[4]. On this point I would like to raise a question and make an analogy. My question is, if the interest factor were used, what proprietary interest, or "right" would be created that doesn't already exist? A United States Department of Agriculture paper[5] states "The studies have confirmed that grazing permits have accrued a value that the private sector buys and sells and uses for collateral". So the fact of value is recognized; at issue is what should be the amount of value and who should hold it. Inclusion or deletion of one factor in a formula won't increase or decrease "rights", it just changes monetary value. Use of the interest factor wouldn't change any terms or conditions of a lease; it wouldn't allow a rancher to run more or less cattle; it wouldn't give him any more or fewer "rights" than he now has; it wouldn't give any more nor less access and use of the land to the hunter, fisherman, rockhound or general public. Let me ask the question again, this time in a little different way: By not using the interest factor, what proprietary interest or "right" does the rancher now have that will be taken away?

Now to the analogy I mentioned. In my home city of Phoenix are a large number of radio and T.V. stations. All are able to operate because they have a license or permit from the federal government. They have to abide by certain rules and regulations or the permit will be revoked. Under these rules they have put the permit to use and built operations of considerable value. The value will vary depending upon many things, capital inputs, goodwill, etc., but in any case the value is considerably higher than the fee charged for the license. Bearing in mind that the permit had no value until it was put to use, let's assume that the Federal Communications Commission decided to set an annual fee so it would return a fair market value to the government. After all, they could reason, T.V. Station XYZ, for instance, wouldn't be worth a couple million dollars if they didn't hold a government permit. Therefore, according to this logic, an "equitable" annual fee would be set at a level sufficiently high to capture for the government the market value of XYZ T.V., on the grounds that that value was created by virtue of the fact that the government issued the permit to broadcast! Change a few words to fit the grazing fee situation and you no longer have an analogy, but the actual case in point.

The complete economic impact of the grazing fee increase is difficult to assess. We know it would be extremely severe on the range livestock industry and local communities in the public land states. In Arizona, the out-of-pocket costs to ranchers would be just under $2 million annually. Using a conservative generator factor of 2, this would mean an additional loss of about $4 million to the local economy. But this kind of figuring is deceptive, because we can't determine the timetable upon which ranchers will be forced out of business. Some will go out as soon as the fees consume their profit margin. For those with the "average profit" of $1.92 per head that would happen the second year of the ten year plan. Others will

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Footnotes at end of speech.

stay longer, using savings or borrowing on appreciated land values as long as possible. But these courageous souls, too, will be forced out unless market prices improve far beyond any present optimistic forecast. We have heard much lately about people with large outside incomes investing in ranches to take advantage of tax write-offs. Such investors can soon have a hey-day if the grazing fee decision is not modified.

Many references have been made to the financial institutions and their concern in this matter. One lending agency not heard from, to my knowledge is the Farmers' Home Administration. The FHA has both farm ownership and operating loans which are certain to be affected. They also have furnished an unusually high percentage of the financing for many recently organized grazing associations. These associations are formed by a group of people who go together and purchase a comparatively large ranch, or combination of ranches. Usually there is a considerable amount of both federal and private land involved. Since the portion of the purchase price which is financed is very high, the annual payments are also very near the maximum ability of the ranch. And payment schedules were based on grazing fees as anticipated under the old formula. In addition to the very real likelihood that the association members will have to default and lose their investment, we also have to realize the federal government will, by foreclosing the mortgage, take over more of our already scarce private range land. It would be interesting to know how this federal agency, the FHA, views the fee increase. They have obviously been recognizing the permit value as loan collateral.

At the beginning I expressed the belief that an analysis of fair market value should be predicated on two questions, the first of which was: "What factors should be used to arrive at an ultimate fair market value." So far I have listed several factors I believe should be used in arriving at a fair market value for public forage rather than placing major reliance on going rates for private land. These include:

Value of forage in the market.
Low per unit livestock returns.
Lack of truly competitive conditions.
Lack of true comparability between public and private land.
Value of multiple-use.
Rancher financed management and conservation practices.
Cost of money as a legitimate cost of doing business.
"Rights" not a part of permit value.
Government interference in business.
Economic impact.
Loans put in jeopardy.

No doubt there are many more that could be listed. True, these are mostly "negative values", but any honest appraisal must include negative as well as positive values if we are looking for real market *value*, rather than trying to justify an arbitrarily set market *price*.

My second question was: "Is fair market value a yardstick that can be accurately applied to grazing fees"? The answer is probably "yes" *if* all values, both positive and negative, are given proper weight, and *if* the Congress of the United States amends the applicable laws to provide for such a yardstick. Perhaps the use of the fair market value yardstick is too cumbersome and too subject to a variety of interpretations to be dependable over a period of time.

Up to the present time two different systems have been used to set fees. Bureau of Land Management has used 150 percent of the price per pound of cattle. The Forest Service has used a system that recognizes the difference in quality of grazing between areas, and uses market price as an annual adjustment factor. Although the Bureau of Land Management formula is more simple and does recognize that the price of beef helps determine the value of forage, we feel the Forest Service method is more equitable. It stands to reason that there is an operating cost difference between running one cow on ten acres compared to ten cows on one acre.

This difference should be reflected in any fee schedule for public land grazing.

The Arizona Cattle Growers' Association is not opposed to a reasonable increase in fees; in fact, an increase was anticipated even under the old system. We do object not only to the amount of the new fees, but to the way it was imposed. We urged our people to cooperate in the survey and the statisticians received excellent response. Yet when we tried to obtain some of the raw data it wasn't available. We honestly expected all cost items to be used, but as you know, they were not. For a change of such magnitude the least that could have been done was to hold public hearings in the areas affected. Notwithstanding all those adverse items we have tried to evaluate the plus and minus of the increase. Admitting that we aren't the best qualified party to make a completely objective evaluation, the minus still seems to far outweigh the plus. Here is our evaluation:

PLUS SIDE

1. $18 million annual increase to federal treasury (assuming no rancher goes out of business), less deduction in Number 2, below.
2. $4.5 million to local state and county governments (25 percent fund), less administrative costs.
3. Satisfaction for those interests that want to see public land grazing terminated.

NEGATIVE SIDE

1. $18 million decrease in ranchers' net income, if full AUM use could be maintained.
2. $36 million negative impact on local communities.
3. Loss of up to $700 million in collateral base.
4. Outstanding debts on assets that no longer exist.
5. Difficulty in obtaining future mortgages.
6. Decline in rancher financed or cooperative improvements.
7. Need of federal government to bear the burden of Number 6 in some combination of:
   a. Increased appropriations for resource maintenance.
   b. Decreases in value of federal land due to deteriorating rangelands and watersheds.
   c. Decline in level of fees collected due to loss of capacity and use.
8. Need to increase expenditures on wildlife requirements.
9. Need for more urban employment for accelerated flow of agricultural owners and workers, perhaps a "second front" in the War on Poverty.
10. Up to $375 million loss in ranch assets.

I'm sure other persons could add several more items to each list. However, the negative so badly outweighs the plus that the need for review and change should be obvious. We respectfully urge this Committee to take the steps necessary to bring about such a change.

Mr. Chairman and Members of the Committee we commend you for calling this hearing on this most important matter. We appreciate the opportunity to have our views heard. Thank you.

FOOTNOTES

[1] "Ranch Costs" by Al Lane, Extension Livestock Specialist, University of Arizona, Tucson, Arizona, in "Arizona Cattlelog", January 1969.

[2] "Budgets for Livestock Ranches in Arizona and Other Western States", by Wm. E. Martin, Prof. of Agricultural Economics, University of Arizona.

[3] "Ranch Budgets for Tax Study", Dept of Ag Economics, Univ of Ariz, Aug 1965.

[4] Letter dated January 13, 1969, from Under Secretary of the Interior to Honorable Wayne N. Aspinall.

[5] "Studies, Alternatives and Recommendations on the Forest Service Grazing Fee Issue", submitted by U.S. Dept. of Agriculture, November 12, 1968.

VOTING IN THE HOUSE

HON. RICHARD BOLLING

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. BOLLING. Mr. Speaker, on March 10, 1969, there was released to the public a study made by the staff of the Democratic study group. I believe the study is useful and I commend it to all those concerned about the future of the Democratic Party in the House of Representatives and in the Nation:

VOTING IN THE HOUSE

INTRODUCTION

This is a two-part study of voting in the House of Representatives. Part I examines the voting patterns of Democrats associated with the Democratic Study Group as compared with non-DSG Democrats and Republicans. Part II examines the voting performance of Democratic committee and subcommittee chairmen.

The study is based primarily on 30 key votes during the 90th Congress. However, votes from the 89th Congress and studies of voting in several other Congresses are also considered. The 30 key 90th Congress votes (See Attachment No. 1) were selected to provide a representative picture of voting patterns based on the following four factors:

(1) *Liberal-Conservative Orientation:* The 30 votes include most of the major liberal-conservative tests of the 90th Congress.

(2) *Administration Support:* The Democratic Administration took a public position on all but four of the 30 issues.

(3) *Support of Democratic Party Principles:* Two-thirds of the 30 votes involved programs and policies advocated in the 1964 Democratic Party platform, and many of the remaining one-third involved traditional Democratic policies.

(4) *Party Unity:* On all but three of the 30 votes a majority of Democrats voted one way while a majority of Republicans voted the opposite way. The average vote saw two out of three Democrats voting one way and four out of five Republicans voting in opposition.

All four of the above factors were involved in at least 20 of the 30 votes, while three of the four factors were involved in virtually all 30 votes. Thus, findings in this study are expressed in terms of support for and opposition to the "national Democratic position" or "Democratic programs and policies."

SUMMARY OF FINDINGS

DSG Democrats voted 91% in *support* of Democratic programs and policies

Non-DSG Democrats nearly equalled Republicans in *opposing* Democratic programs—69% to 76%

Opposition of non-DSG Democrats was responsible for two-thirds of the 17 Democratic defeats on 30 key votes

Democratic committee and subcommittee chairmen alone were responsible for over half the 17 defeats

One of every three Democratic committee and subcommittee chairmen—42 of 114—voted more often *against* than in support of Democratic programs

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34 Democratic chairmen—including six full committee chairmen—exceeded the Republicans in their *opposition* to Democratic programs—92% to 76%

The other 72 Democratic chairmen voted 88% in *support* of Democratic programs

The number of Democrats voting more in *opposition* than support of Democratic programs has been steadily increasing over the past 16 years—from 0 in the 83rd Congress to 53 in the 90th Congress

PART I. DSG DEMOCRATS, NON-DSG DEMOCRATS, AND REPUBLICANS

Part I examines the voting impact of 145 Democrats associated with the Democratic Study Group compared with 102 non-DSG Democrats and 186 Republicans.

The study shows that DSG Democrats gave an exceptionally high and consistent level of support to Democratic programs and policies while non-DSG Democrats voted more in line with the Republicans in opposition to the Democratic Administration, Democratic Party Platform position, and the majority of their Democratic colleagues in the House.

Overall, DSG Democrats voted 91% in support of the national Democratic position on the 30 votes compared with only 31% for the non-DSG Democrats and 24% for the Republicans.

(Note: Vote percentages are based on the number of members voting on each issue. Voting participation was remarkably even. On the average, 91% of the DSG Democrats, 90% of the non-DSG Democrats, and 93% of the Republicans participated in each vote.)

On vital humanitarian and social issues such as hunger, poverty, education, civil rights and the urban crisis, DSG Democrats voted 96% in support of Democratic programs and policies compared with only 38% for non-DSG Democrats and 36% for Republicans. (A summary of DSG, non-DSG and GOP voting in specific subject areas is included at the end of this section.)

The national Democratic position prevailed on only 13 of the 30 votes studied—and on five of these votes the average margin of victory was *only 13 votes*. Thus, without the exceptionally high level of DSG support—which ranged from 90% to 100%—votes on such key issues as food stamps, rent supplements, school desegregation, free trade and foreign aid would have been lost.

On the other 17 votes, the national Democratic position was defeated—in most instances because of the voting alliance between non-DSG Democrats and Republicans. On these 17 votes, 76% of the non-DSG Democrats teamed up with 86% of the Republicans in opposition to the majority of Democratic members.

The non-DSG members included a total of 75 Democrats who voted against more often than in support of the national Democratic position on the 30 key votes in this survey.

All but two of these Democrats were conservative to ultra-conservative members from Southern and border states. Their opposition was directly responsible for two-thirds of the 17 Democratic defeats.

Following is a summary by subject area showing the pattern of voting support for national Democratic positions by DSG Democrats, non-DSG Democrats and Republicans (categories correspond to categories in Appendix No. 1 which describe the 30 votes individually):

[In percent]

Poverty and hunger (4 votes):	
DSG Democrats	98
Non-DSG Democrats	39
All Democrats	75
Republicans	23
Education (2 votes):	
DSG Democrats	95
Non-DSG Democrats	47
All Democrats	77
Republicans	39
Gun control & crime (3 votes):	
DSG Democrats	85
Non-DSG Democrats	17
All Democrats	58
Republicans	26
Federal expenditures (4 votes):	
DSG Democrats	86
Non-DSG Democrats	32
All Democrats	67
Republicans	8
Housing and urban affairs (6 votes):	
DSG Democrats	96
Non-DSG Democrats	44
All Democrats	76
Republicans	23
Civil rights (3 votes):	
DSG Democrats	94
Non-DSG Democrats	22
All Democrats	63
Republicans	57
Foreign aid (3 votes):	
DSG Democrats	91
Non-DSG Democrats	27
All Democrats	66
Republicans	20
Consumer protection (2 votes):	
DSG Democrats	91
Non-DSG Democrats	16
All Democrats	61
Republicans	7

MISCELLANEOUS (3 VOTES)

[In percent]

	DSG	Non-DSG	Democratic	GOP
Prevent cutoff of aid to student demonstrators	69	7	45	25
Reform of House rules	97	24	68	14
Public power	81	26	59	3

PART II. COMMITTEE AND SUBCOMMITTEE CHAIRMEN

Part II of this study examines the voting behavior of Democratic committee and subcommittee chairmen in the House of Representatives.

The role of committee and subcommittee chairmen is of special importance in analyzing House voting patterns. Not only are they recognized as leaders in the House and in their party, they are also the main beneficiaries of Democratic control since members of the Democratic majority, in effect, give them their chairmanships.

In addition, committee chairmen represent 45% of Democratic voting strength in the House, and how a chairman votes often influences the votes of other members—especially those who serve on his committee.

During the 90th Congress there were a total of 114 chairmen heading 21 standing (or full) committees and 141 subcommittees. (Several members chaired more than one subcommittee.)

As noted in Part I, a total of 75 Democrats voted more in opposition than support of Democratic programs and policies on the 30 votes in this study. And as might be expected, many of these Democrats were committee and subcommittee chairmen.

However, the degree and extent of opposition by Democratic committee chairmen appears to be far greater than is generally thought.

For example, analysis of the 30 votes in this survey shows that over half (42) of the Democrats who voted more in opposition than support of Democratic programs were committee and subcommittee chairmen.

As a group, these 42 Democratic chairmen voted an average of only 13% in support of Democratic programs and policies and 87% in opposition. This was almost exactly opposite the record of the other 72 Democratic chairmen who averaged 88% support and only 12% opposition.

The opposition votes of the 42 Democratic chairmen provided the margin of defeat on nine—or better than half—of the losses sustained by the Democratic majority. (Roll Call Nos. 6, 178, 239, 275, 277, 296, 336, 387, & 417.) On two other losses (Roll Call Nos. 227 & 319) these Democratic chairmen were responsible for 90% of the margin of defeat. Considering the tendency of many members to "vote with" their committee chairmen, these two Democratic defeats could also be attributed to the defection of the 42 "opposition chairmen."

Thus, on many of the most crucial votes of the 90th Congress, one-third of Democratic committee chairmen voted against the Democratic Administration, Democratic Party principles, and the majority of their Democratic colleagues—and were responsible for the defeat of many Democratic programs.

These 42 include eight of the 21 standing committee chairmen (Colmer, Mills, Ichord, Rivers, McMillan, Poage, Mahon, and Teague).

The degree and extent of their alienation from and opposition to Democratic programs, policies and principles can be seen in the fact that 34 of these 42 chairmen exceeded the average Republican in their opposition to the national Democratic position on the 30 votes in this study.

As a group, these 34 chairmen voted only 8% in support of the national Democratic position on the 30 votes surveyed while voting 92% in opposition. The overall Republican record—which two other Democratic chairmen equalled—was 24% support and 76% opposition.

The 34 included six committee chairmen (Colmer, Mills, Ichord, Rivers, McMillan, and Poage) whose average as a group was 12% support and 88% opposition.

Eight of the 34 chairmen (including one full committee chairmen, Colmer) voted 100% against national Democratic programs, policies and principles on these 30 key issues. Fourteen others voted more than 90% in opposition. (Attachment No. 2 contains a complete listing of the support and opposition scores of all Democratic committee and subcommittee chairmen.)

All but one (Baring of Nevada) of the 42 Democratic chairmen who voted more in opposition than support are from Southern and border states. However, analysis of their voting records would seem to indicate that the extreme opposition of these chairmen is not necessarily due to regional differences over race and civil rights, but involves instead a basic disagreement with Democratic programs, policies and principles in general.

This conclusion is supported by the voting records of the 42 Democratic chairmen on non-civil rights issues in the 89th Congress as well as the 90th. In the 89th Congress, for example, three out of four of the 42 chairmen voted against such basic Democratic programs as Medicare, aid to education, model cities, anti-poverty, rent supplements, distressed area aid for Appalachia, and minimum wage increases.

Analysis of Congressional Quarterly voting studies

To test the validity of these findings, several voting studies conducted by *Congressional Quarterly* were also analyzed.

For example, a recent CQ survey of the voting patterns of the 91st Congress committee (but not subcommittee) chairmen indicates that the six full committee chairmen who exceeded the GOP in opposition to Democratic programs and policies in the 30 key vote survey, had the highest levels of support for the conservative coalition in both the 89th and 90th Congresses.

This survey also shows that, with minor exceptions, these six chairmen (Colmer, Rivers, McMillan, Mills, Ichord and Poage) had the highest levels of opposition to the Democratic President during the two Congresses and the highest levels of opposition to federal action in meeting domestic needs

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and problems. (See *CQ Weekly Report*, No. 6, Feb. 7, 1969, p. 226.)

Another CQ study of the 90th Congress shows that 32 of the 34 chairmen who exceeded the Republicans in anti-Democratic votes supported the conservative coalition on *60% or more* of the votes studied. Half of these chairmen voted *80% or more* in support of the conservative coalition. (These 32 chairmen included five full committee chairmen: Colmer, McMillan, Rivers, Ichord, and Poage.) (*CQ Weekly Report*, No. 44, Nov. 1, 1968.)

Still another CQ survey shows that 25 of the 34 chairmen who had higher individual opposition scores than the GOP voted more in opposition than support on 40 foreign policy issues supported by the Administration during the 90th Congress. (This group included four full committee chairmen: Colmer, Ichord, McMillan and Rivers.) (*CQ Weekly Report*, No. 44, Nov. 1, 1968.)

Most revealing of all, however, are CQ's Party Unity-Party Opposition studies. For example, the 90th Congress survey indicates that 51 Democratic Congressmen voted against-more-than-with the majority of their party while two others voted against-as-often-as-with their Democratic colleagues on 171 votes during the 90th Congress. (*CQ Weekly Report*, No. 43, Oct. 25, 1968.)

All 53 of these members are among the 75 Democrats who voted more in opposition than support of the Democratic position on the 30 key votes.

The 53 voting more in opposition than support in the CQ study also include 30 committee and subcommittee chairmen—all of whom are among the 34 committee and subcommittee chairmen who exceeded the Republicans in their opposition to Democratic programs and policies in the 30 key vote survey. (See Appendix No. 2.)

The 53 include the entire Democratic delegations from North Carolina, South Carolina and Mississippi (18 members); 90% of the Alabama and Virginia delegations (9 members): 60% of the Florida, Georgia, Louisiana and Missouri delegations (19 members); 20% of the Texas delegation (4 members); and one member each from Arkansas, Oklahoma and Nevada.

On the average, these 53 Democrats voted in opposition to the majority of their colleagues on 58% of the 171 votes surveyed by CQ and in agreement with their fellow Democrats only 28% of the time.*

Analysis of previous CQ Party Unity studies shows that the number of members voting against-more-often-than-with the majority of their Democratic colleagues has been steadily increasing over the past 16 years and that the 90th Congress level is a record high.

Following is the record of the last eight Congresses showing the number and percentage of Democrats voting against-more-often-than-with the Democratic majority, and how many of them are committee chairmen:

DEMOCRATS VOTING AGAINST MORE THAN WITH THEIR PARTY

Congress	Number of Members	Percent of all House Democrats	Committee chairmen
83d (1953–54)	0	0	0
84th (1955–56)	4	2	2
85th (1957–68)	12	5	6
86th (1959–60)	18	6	10
87th (1961–62)	23	9	12
88th (1963–64)	29	11	15
89th (1965–66)	49	16	22
90th (1967–68)	53	21	30

Note: "Number of Members" includes both Members and chairmen. Also, figures in column "Percent of all House Democrats" are based on the actual number of Democrats in that particular Congress.

As the chart on the previous page indicates, committee and subcommittee chairmen have accounted for at least half of the total number of Democratic members who voted against-more-than-with the majority of their party in each Congress.

Comparison of the 30 key vote analysis and these CQ studies produces 30 committee and subcommittee chairmen who might be considered the hard core of opposition within Democratic ranks.

With minor variations, these 30 chairmen show up on virtually all indexes considered as voting more in opposition than support of Democratic programs, policies, principles and the majority of their Democratic colleagues. They are also among the 34 Democratic committee chairmen with higher opposition scores than the average Republican.

The 30 include five committee chairmen (Colmer, Poage, Ichord, Rivers and McMillan) and 25 subcommittee chairmen. (See Attachment No. 2. The 30 chairmen are those whose names are preceded by an asterisk, capitalized, and underlined.)

Finally, in assessing the significance of the findings in this study, it should be borne in mind that the disaffecting Democrats were not voting against extreme or radical proposals, but programs and policies which could be supported by Democratic chairmen representing a broad range of philosophical and political attitudes.

APPENDIX 1

LIST OF 30 VOTES USED IN DSG STUDY

Following is a list of the 30 key votes analyzed in this study:

Poverty and hunger (*four votes*)

(1) House Roll Call 128, June 8, 1967. Amendment to require states to pay 20% of costs of food stamp program. (Rejected: 173–191. Voting against: Dem, 77% DSG, 99%; Non-DSG, 40%. GOP 18%.

*(2) House Roll Call 387, Nov. 15, 1967. Motion to recommit Economic Opportunity Act Amendments with instructions to cut fiscal 1969 authorization from $2.1 billion to $1.6 billiion. (Accepted: 221–190. Voting against: Dem, 69%; DSG, 96%; Non-DSG, 29%; GOP 17%.)

(3) House Roll Call, June 26, 1968. Amendment to cut $100 million of OEO appropriations from the Labor, HEW, and related agencies appropriations bill. (Rejected: 181–220. Voting against: Dem, 68%; DSG, 94%; Non-DSG 26%; GOP, 37%.)

(4) House Roll Call 293, July 30, 1968. Amendment to provide authorization for appropriations as needed for food stamps for fiscal 1969–1972 rather than the proposed ceiling of $245 million for fiscal 1969. (Accepted: 227–172. Voting for: Dem, 85%; DSG, 100%; Non-DSG, 62%; GOP 19%.)

Housing and urban development (6 *votes*)

*(5) House Roll Call 178, July 20, 1967. Motion to provide for floor consideration of the Rat Control and Extermination Act. (Rejected: 176–207. Voting for: Dem, 72%; DSG, 97%; Non-DSG, 38%; GOP 12%).

* Votes preceded by an asterisk represented a defeat for the national Democratic position.

*(6) House Roll Call 336, Oct. 24, 1967. Motion to increase Model Cities funds from $237 million to $537 million. (Rejected: 156–241. Voting for: Dem, 63% DSG, 87%; Non-DSG, 25%; GOP 10%.)

(7) House Roll Call 343, Oct. 26, 1967. Motion to insist on $10 million in fiscal 1968 funds for rent supplements instead of $40 million requested by the President. (Rejected: 184–198. Voting against: Dem, 76%; DSG, 96%; Non-DSG, 47%; GOP 20%.)

(8) House Roll Call 122, May 8, 1968. Motion to limit fiscal 1969 expenditures for the Department of Housing and Independent agencies to $15.5 billion—a reduction of $7.3 million. (Rejected: 173–217. Voting against: Dem, 85%; DSG, 98%; Non-DSG, 71%; GOP, 19%.)

*(9) House Roll Call 239, July 10, 1968. Motion to delete grants to public housing authorities for tenant services and grants for interim assistance for blighted areas. (Adopted: 217–193. Voting against: Dem, 78%; DSG, 97%; Non-DSG, 33%; GOP, 15%.)

(10) House Roll Call 240, July 10, 1968. Final House passage of the HUD Act of 1968. (Passed: 295–114. Voting for: Dem, 79%; DSG, 100%; Non-DSG, 48%; GOP, 63%.)

Education (*two votes*)

(11) House Roll Call 104, May 24, 1967. Motion to recommit Elementary and Secondary Education Act for further hearings. (Rejected: 180–236. Voting against: Dem, 81%; DSG, 94%; Non-DSG, 59%; GOP, 25%.)

(12) House Roll Call 156, June 27, 1967. Motion to recommit Education Professions Development Act striking the Teacher Corps provisions. (Rejected: 146–257. Voting against: Dem, 72%; DSG, 96%; Non-DSG, 35%; GOP, 52%.)

Civil rights (*three votes*)

(13) House Roll Call 220, Aug. 16, 1967. Passage of bill providing protection against interference with persons exercising or attempting to exercise their civil rights. (Passed: 327–93. Voting for: Dem, 70%; DSG, 99%; Non-DSG, 30%; GOP, 86%.)

(14) House Roll Call 95, April 10, 1968. Resolution to permit acceptance without challenge of Senate-passed open housing and other amendments to the Civil Rights Bill. (Adopted: 229–195. Voting for: Dem, 63%; DSG, 92%; Non-DSG, 20%; GOP, 42%.)

(15) House Roll Call 368, Oct. 3, 1968. Motion that the House accept Senate provisions weakening two House-passed amendments that would have greatly restricted HEW in its enforcement of school desegregation. (Accepted: 167–156. Voting for: Dem, 56%; DSG, 90%; Non-DSG, 17%; GOP, 44%.)

Gun control and crime (*three votes*)

*(16) House Roll Call 200, Aug. 8, 1967. Amendment to replace categorical grants to local governments with grants to states for planning and improving law enforcement methods. (Accepted: 256–147. Voting against: Dem, 63%; DSG, 90%; Non-DSG, 24%; GOP, 2%.)

*(17) House Roll Call 275, July 24, 1968. Amendment to exempt shotgun, rifle, and .22 caliber rim-fire ammunition from ammunition sales restrictions. (Accepted: 218–205. Voting against: Dem, 57%; DSG, 83%; Non-DSG, 18%; GOP, 38%.)

*(18) House Roll Call 277, July 24, 1968. Amendment to permit the National Board for the Promotion of Rifle Practice to ship guns through the mail to clubs participating in the civilian markmanship program. (Accepted: 225–196. Voting against: Dem, 53%; DSG, 81% Non-DSG, 10%; GOP, 39%.)

Foreign aid (*three votes*)

(19) House Roll Call 374, Nov. 8, 1967. Motion to recommit the foreign aid authorization bill and remove the authority of the President to engage in the sale or purchase of defense equipment or services with nations trading with or shipping to North Vietnam. (Rejected: 196–200. Voting against: Dem, 73%; DSG, 97%; Non-DSG, 35%; GOP, 20%.)

(20) House Roll Call 375, Nov. 8, 1967. Adoption of conference report authorizing $2.7 billion in fiscal 1968 for foreign economic and military assistance programs. (Adopted: 205–187. Voting for: Dem, 69%; DSG, 94%; Non-DSG, 30%; GOP, 29%.)

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*CQ's individual ratings were based on all 171 votes regardless of whether or not members voted on each issue. Thus, percentages do not add up to 100% because many members did not vote on all issues.

* Votes preceded by an asterisk represented a defeat for the national Democratic position.

*(21) House Roll Call 267, July 18, 1968. Motion to recommit the foreign aid authorization bill with instructions to cut an additional $165 million, bringing the authorization to $1.9 billion—nearly $1 billion below the Administration request. (Adopted: 268–150. Voting against: Dem, 56%; DSG, 82%; Non-DSG, 17%; GOP, 11%.)

Federal expenditures (four votes)

*(22) House Roll Call 296, Oct. 4, 1967. Motion to delete a total of $20.7 million in appropriations for National Institutes of Health research and for education of the deaf. (Accepted: 226–174. Voting against: Dem, 69%; DSG, 91%; Non-DSG, 34%; GOP, 13%.)

*(23) House Roll Call 319, Oct. 18, 1967. Amendment to continuing appropriations bill ordering the President to reduce government expenditures in fiscal 1968 to $131.5 billion—$5 billion below the administrative budget—and to hold federal agencies to their fiscal 1967 spending levels. (Accepted: 238–164. Voting against: Dem, 69%; DSG, 82%; Non-DSG, 31%; GOP, 5%.)

*(24) House Roll Call 159, May 29, 1968. Motion to instruct House conferees on the Tax Surcharge bill to insist on limiting expenditure reductions to $4 billion rather than $6 billion. (Rejected: 137–259. Voting for: Dem, 59%; DSG, 81%; Non-DSG, 27%; GOP, 3%.)

*(25) House Roll Call 227, July 3, 1968. Amendment to deny all funds for highway beautification except $1.25 million for beautification study. (Accepted: 211–145. Voting against: Dem, 69%; DSG, 89%; Non-DSG, 35%; GOP, 9%.)

Consumer protection (two votes)

*(26) House Roll Call 417, Nov. 29, 1967. Motion to instruct House conferees to accept Senate amendments to Wholesome Meat Act which required intra-state meat plant operations to adhere to federal standards, and in some cases, to be inspected by federal officials. (Rejected: 166–207. Voting for: Dem, 66%; DSG, 95%; Non-DSG, 24%; GOP, 11%.)

*(27) House Roll Call 224, July 2, 1968. Motion to lessen the authority of the Secretary of Transportation to set safety standards for gas pipelines. (Accepted: 247–125. Voting against: Dem, 55%; DSG, 87%; Non-DSG, 9%; GOP, 4%.)

Miscellaneous (three votes)

*(28) House Roll Call 6, Jan. 10, 1967. Amendment to delete 21-day rule. (Accepted: 233–185. Voting against: Dem, 68%; DSG, 97%; Non-DSG, 24%; GOP, 14%.)

*(29) House Roll Call 195, June 19, 1968. Amendment to delete $671,000 in planning funds designated for the Dickey-Lincoln power project in the Public Works-Atomic Energy Commission appropriation for fiscal 1969. (Accepted: 266–132. Voting against: Dem, 59%; DSG, 81%; Non-DSG, 26%; GOP, 3%.)

*(30) House Roll Call 280, July 25, 1968. Amendment to Higher Education Amendments requiring colleges to deny federal funds to students who participate in campus disorders. (Accepted: 260–146. Voting against: Dem, 45%; DSG, 69%; Non-DSG, 7%; GOP, 25%.)

APPENDIX 2

SUPPORT AND OPPOSITION RATINGS OF COMMITTEE AND SUBCOMMITTEE CHAIRMEN, HOUSE OF REPRESENTATIVES, 90TH CONG.

(†) Dagger—A dagger in front of a chairman's name indicates chairmen who have higher opposition than support scores on both the 30 key vote index and the CQ index. (Equal scores are also included.)

(‡) Double dagger—A double dagger in front of a chairman's name indicates chairmen who have higher opposition than support scores on only 1 of the 2 indexes. (Equal scores are also included.)

(*) Asterisks—An asterisk in front of a chairman's name indicates that his level of opposition to the 30 votes in the 30 key vote index was higher than (or equal to) 76 percent—the overall level of Republican opposition.

(0) Numbers in parentheses—The number in parentheses following each chairman's name indicates the number of committees and/or subcommittees he chaired during the 90th Cong.

State	Chairman	30 key vote index		CQ party unity index	
		Support	Opposition	Support	Opposition
Alabama	†*Andrews (1)	0	100	21	66
	†*Selden (1)	11	89	29	54
	Jones (3)	53	47	67	18
Arizona	Udall (1)	97	3	81	5
Arkansas	†*Gathings (3)	0	100	25	72
	‡*Mills (1)	15	85	46	43
California	Brown (1)	92	8	49	11
	Holifield (1)	97	3	84	2
	Johnson (1)	87	13	90	6
	Miller (1)	96	4	67	2
	Moss (2)	100	0	75	3
	Sisk (1)	85	15	74	4
Colorado	Aspinall (1)	70	30	58	13
	Rogers (2)	83	17	78	11
Connecticut	Daddario (1)	97	3	79	4
	Monagan (1)	80	20	73	15
Florida	†*Bennett (1)	10	90	37	63
	†*Haley (2)	0	100	10	86
	†*Sikes (1)	18	82	46	42
	Fascell (2)	93	7	80	8
Georgia	‡*O'Neal (1)	3	97	29	62
	‡*Davis (1)	21	79	44	42
Illinois	Dawson (2)	100	0	68	1
	Gray (1)	79	21	71	10
	Kluczynski (1)	100	0	74	2
	O'Hara (1)	97	3	81	4
	Price (3)	100	0	93	2
	Pucinski (1)	93	7	74	12
Kentucky	‡ Natcher (1)	50	50	67	33
	‡ Stubblefield (1)	47	53	58	30
	Perkins (1)	80	20	89	11
Louisiana	†*Hébert (4)	20	80	19	25
	†*Passman (1)	10	90	32	51
	‡Willis (4)	35	65	22	11
Maryland	Fallon (1)	87	13	64	12
	Friedel (3)	100	0	93	4
	Garmatz (2)	97	3	82	8
Massachusetts	Boland (1)	97	3	82	5
	Macdonald (1)	90	10	61	9
	Philbin (1)	97	3	78	6
Michigan	Diggs (1)	100	0	57	3
	Dingell (1)	79	21	83	9
Minnesota	Blatnik (3)	96	4	81	5
	Karth (1)	93	7	78	8
Mississippi	†*Abernethy (2)	0	100	20	70
	†*Colmer (1)	0	100	17	71
	†*Whitten (1)	7	93	30	61
Missouri	†*Ichord (2)	15	85	35	53
	†*Jones (3)	6	94	23	39
	Sullivan (2)	93	7	77	7
Montana	Olsen (1)	89	11	73	6
Nevada	†*Baring (2)	4	96	17	65
New Jersey	Daniels (2)	100	0	93	4
	Thompson (1)	100	0	70	1
New York	Carey (1)	100	0	68	6
	Celler (2)	93	7	66	1
	Dulski (1)	90	10	88	6
New York—Continued	Farbstein (1)	100	0	75	4
	Hanley (1)	93	7	85	12
	Kelly (1)	90	10	82	5
	Pike (1)	75	25	67	27
	Resnick (1)	100	0	37	0
	Rooney (1)	100	0	82	2
	Stratton (1)	63	37	48	27
North Carolina	†*Fountain (2)	3	97	25	55
	†*Henderson (1)	7	93	32	59
	†*Lennon (2)	0	100	23	74
	†*Taylor (1)	13	87	30	64
	†*Whitener (1)	13	87	29	60
Ohio	Ashley (1)	100	0	68	5
	Feighan (1)	93	7	83	4
	Hays (3)	64	36	60	14
	Kirwan (1)	100	0	71	6
Oklahoma	†*Jarman (1)	0	100	27	69
	Edmondson (2)	70	30	80	14
	Steed (1)	55	45	66	26
Oregon	Green (1)	82	18	63	16
Pennsylvania	Barrett (1)	97	3	77	3
	Clark (1)	68	32	68	12
	Dent (1)	93	7	68	4
	Flood (1)	86	14	78	7
	Green (1)	100	0	87	2
	Holland (1)	100	0	(1)	(1)
	Moorhead (1)	97	3	79	6
	Morgan (2)	93	7	85	4
	Nix (1)	100	0	84	2
	Vigorito (1)	87	13	83	13
South Carolina	‡*Ashmore (2)	4	96	14	57
	‡*Dorn (1)	7	93	34	54
	‡*McMillan (2)	14	86	29	47
	‡*Rivers (2)	14	86	37	37
Tennessee	‡Everett (1)	30	70	45	30
	Evins (1)	52	48	46	13
Texas	‡*Burleson (1)	10	90	36	55
	‡*Dowdy (1)	3	97	23	67
	‡*Fisher (1)	3	97	22	56
	‡*Poage (2)	14	86	43	44
	†*Pool (1)	4	96	(2)	(2)
	†*Teague (3)	24	76	36	30
	†Purcell (1)	31	69	49	27
	†Mahon (2)	43	57	65	33
	Brooks (1)	83	17	85	6
	de la Garza (1)	57	43	61	25
	Patman (3)	83	17	64	9
	Wright (2)	65	35	68	12
Virginia	‡*Abbitt (1)	0	100	12	64
	‡*Downing (1)	21	79	47	47
	‡*Hardy (2)	24	76	43	35
Washington	Foley (1)	77	23	82	12
	Hansen (1)	90	10	78	3
West Virginia	Hechler (1)	97	3	88	12
	Staggers (2)	83	17	65	9
Wisconsin	Reuss (2)	100	0	85	5
	Zablocki (1)	90	10	82	9

[1] Representative Holland died during 1968 and was not included in the CQ study.

[2] Representative Pool died during 1968 and was not included in the CQ study.

Note: 30 key vote index—The 30 key vote index gives the percentage of votes on which the chairman supported the national Democratic position and the percentage of votes on which he voted in opposition. Votes on which the member was not recorded are not included. CQ index—The CQ index shows the percentage of 171 party unity rollcalls on which the chairman voted in agreement with the majority of his party and the percentage of which he voted in opposition to the majority. All votes are included, whether or not the member was recorded. Thus, a member's party unity support and opposition scores add up to 100 percent only if he voted yea or nay on all 171 rollcalls.

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AIC'S SUPER SATURDAY

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. BOLAND. Mr. Speaker, American International College of Springfield, Mass., this season fielded two of the most skilled and spirited sports teams in its history. The college's hockey team last Saturday edged Norwich University 7 to 6 to win the division II title of the Eastern Collegiate Athletic Conference. That same day AIC's basketball team won the National Collegiate Athletic Association's District I title by defeating Springfield College 91 to 68.

I would like to congratulate AIC's hockey coach, Bill Turner, its basketball coach, Bill Callahan, and their players for the truly remarkable performance they turned out this season.

The hockey team's 1968–69 season is over—the ECAC holds no national competition in hockey—but the basketball team now goes on to the NCAA national tournament in Evansville, Ind. I know my colleagues from New England join me in extending best wishes to the team for a successful tournament.

The Springfield, Mass., Union yesterday published a column outlining AIC's double victory in hockey and basketball last Saturday. With permission, Mr. Speaker, I put this article in the RECORD at this point:

AIC'S SUPER SATURDAY

A couple of old war horses who used to run the infield track on American International's baseball battlefield about a quarter-century ago won the daily double for their alma mater Saturday.

Forming what would be known in racing parlance as a "perfecta exacta" were coaches Bill Turner and Bill Callahan.

Turner started AIC's super Saturday by directing his precocious puck-chasers to a 7–6 victory over Norwich in the ECAC Division II finals at the Coliseum.

A few hours later, Callahan took the controls in Butova Gym and he pushed all the right buttons as his cagers crushed Springfield, 91–68, for the NCAA District 1 college division crown.

THOSE SKATERS CAN SCORE

Will there ever be a happier day in AIC athletic history than Saturday, March 8? It's most improbable.

Turner, a full-timer as placement director at AIC, couldn't be more pleased about his team's accomplishment. His boys may have defensive shortcomings, but they certainly know how to score. Lads like Gary Socha, Yves DeRome, Mike Egoroff and Dave Forbes are at their best when the puck is on their sticks.

The object of the game, after all, is to outscore your opponent. Turner's boys are well-schooled in this fundamental.

This is the end of the road for the hockey team, since there is no national competition in the college division. But the basketball team has bigger goals remaining.

Most observers, including the rival coaches, who saw AIC squash Springfield Saturday night are convinced that the Yellow Jackets could do some business in Evansville this time.

The members of the eight-team field supposedly are the best college division teams in the country. AIC's Wednesday afternoon opponent, San Francisco State, was rated highly in national polls.

A year ago, the Jackets were somewhat shaken before they even took the floor against Kentucky Wesleyan. Their trip to Evansville was delayed by storm conditions and the kids, most of whom had never been on an airplane before, didn't make the tourney scene until a few hours before gametime.

Adding to AIC's troubles was the injury to Henry Payne. The little playmaker fractured a bone in his hand in the regionals at Worcester and his trip to Indiana was as a spectator.

Despite the adversities, AIC made a respectable showing before bowing to the eventual national champions, 90–78.

CARTER FOOLS 'EM

The present AIC team is better equipped to do the job in Evansville. Bobby Rutherford, Al Bush and Curtis Mitchell are older, stronger and wiser. Greg Hill is one of the smoothest underneath operators Callahan has ever brought along. And Al Carter may not be the strongest big man around, but the 6–11 beanstalk never stops trying. His fine shooting touch has fooled a lot of people.

With speed as his major asset, Callahan has looked to his bench often. Rudy Wolters, Jim White, Cisco Maloney and Tom Doyle have all been big contributors.

After it was all over Saturday in Butova Gym, there was renewed controversy about the pairings. Many viewers felt that AIC and Assumption were the two best teams, and on the strength of what happened, those teams should have been battling for the title rather than meeting in the first round.

Springfield, however, certainly can't be discredited. The Chiefs made the selection committee look good with their spirited showing and conquest of Central Connecticut. Ed Bilik's boys did themselves proud.

And speaking of a golden Saturday for sports, all the success wasn't on the AIC campus. Springfield brought home New England crowns in swimming and wrestling, and a national title in women's gymnastics.

CONGRESSIONAL REFORM IMPORTANT

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. NELSEN. Mr. Speaker, congressional procedures, more appropriate to horse and buggy times than to the jet age, have fostered poor legislation, diminished the role of Congress as a coequal branch of Government, and interfered with the public's right to know.

For such reasons, I urge the prompt enactment of legislation which I am cosponsoring with many others to modernize legislative branch procedures and operations.

Passage of this legislative reform bill would greatly strengthen the voice of the minority party in writing the laws of the land, improve congressional budget and research functions, and give taxpayers a better idea of what their lawmakers are doing. It would provide better supervision of lobbying activities and tighten up congressional oversight of the activities of the executive branch. On balance, this bill to improve the internal functions of Congress is highly desirable.

Included among improvements the bill would require are:

Creation of new committee rules that would require the announcement of record votes, permit a majority to compel the filing of a report or bill, prohibit voting by proxies, and require that committee rules be printed at the beginning of each session;

Assurance to the minority party of proper committee staff, the right to file minority views on committee reports, equal time in debating conference reports, and the right to schedule witnesses during committee hearings;

Reform of each standing committee's oversight functions over the regulations, procedures, practices and policies of the Government relating to laws within that committee's jurisdiction; and

Strengthened congressional research and budgetary functions, including an upgraded legislative reference service, greater utilization of the General Accounting Office and procedures for stepping up appropriations processes.

FARMERS NOW OWN THEIR CREDIT BANKS

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. ZWACH. Mr. Speaker, a milestone of national significance was recently reached in the field of agricultural credit. This occasion was properly recorded in the Land O' Lakes News, and I am reproducing this article in my remarks to amplify the importance of this fruition of the congressional and industrial goals at the time that the original law went into effect in 1923. I believe this complete ownership and their repayment to the Federal Government of the money that was loaned to farm credit bank is a strong testimony of the determination and ability of rural people to keep their promises. The article follows:

FARMERS NOW OWN THEIR CREDIT BANKS

December 31, 1968 was a day of real significance for American agriculture, for on this day farmers and ranchers in North Dakota, Minnesota, Wisconsin and Michigan, through their Production Credit Associations, became the sole owners of the Federal Intermediate Credit Bank of St. Paul.

This announcement was made by Andrew Lampen, President of the Federal Intermediate Credit Bank of St. Paul. Production Credit Associations have concluded to take advantage of recently enacted laws authorizing them to retire the remaining $12.5 million of Government capital in the Credit Bank and become complete owners of the equity interests in the Bank.

Through national coordination, 453 PCAs will retire $126 million of Government capital remaining in the 12 intermediate credit banks.

"When the credit banks were established in 1923, Congress made no provision for the retirement of the Government-owned stock. In 1956 Congress provided a plan for PCAs to acquire capital stock in the banks and gradually retire the Government's investment. Subsequent legislation has speeded up this process," Lampen explained.

The credit banks provide loan funds to PCAs who in turn make loans to farmers and ranchers for operating and capital purposes. The banks obtain their loan funds by selling

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securities each month to investors in the nation's financial markets. This often has been called the bridge between Wall Street and the farmer.

"On a national basis farmers borrow nearly $6 billion a year from their 453 Production Credit Associations," Lampen stated. "Of this, over $700 million is provided by 52 associations served by the Credit Bank of St. Paul."

Lampen added that this is the last step taken by farmers and ranchers in paying back the capital originally invested by the Government in the three Farm Credit Banks of St. Paul; The Federal Land Bank, the St. Paul Bank for Cooperatives, and now the Federal Intermediate Credit Bank.

"A half century ago few people thought farmers could become their own bankers. This is a truly significant accomplishment. It is a tribute to the help of an understanding Government, service-minded management, the loyal support of 544,000 PCA farmer-members and the faith and determination of the nearly 2500 farmers that serve on the boards of directors of the associations," Lampen concluded.

PHIL HART: SENATE MAN

HON. LUCIEN N. NEDZI

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. NEDZI. Mr. Speaker, the leading political figure in the State of Michigan is our senior Senator, PHILIP A. HART. He is a marvelous human being and a man I am proud to call friend.

Senator PHILIP HART served his apprenticeship in Government in a quiet, effective manner. All who came in contact with him were impressed by his intelligence and decency. It is gratifying that in the foremost legislative arena in the world, these qualities have served him well. The people of our Nation are fortunate that circumstances and PHIL HART's special abilities have come together in such a way that he is now elevated to a position of national leadership.

The flavor of the man is captured in a recent article by the distinguished Washington correspondent of Knight newspapers, Saul Friedman. Under leave to extend my remarks in the RECORD, the article is set forth below:

ESTABLISHMENT REBEL: MICHIGAN'S SENATOR PHILIP HART—CAN MICHIGAN'S PHIL HART, AMERICAN SENATOR, REMAIN PURE—AND BE POWERFUL TOO?

(By Saul Friedman)

"It was on the dignity of the Senate that Augustus and his successors founded their new empire . . . In the administration of their own powers, they frequently consulted the great national council, and seemed to refer to its decision, the most important concerns of peace and war . . . Augustus was sensible that mankind is governed by names; nor was he deceived in his expectation that the Senate and the people would submit to slavery, provided they were respectfully assured that they still enjoyed their ancient freedom."

—*Gibbon's "Decline and Fall of the Roman Empire."* (*Emphasis in the original.*)

Lyndon B. Johnson, a latter day Augustus, gave Phil Hart his first lesson on how to enjoy being a United States Senator.

The lesson was administered in January, 1959, just after Hart came to the Senate. Hart still recalls the incident, perhaps because it was the first of the hundreds of little initiation rites for the new boys of the Club.

"It was the evening of the first roll call, which was to be a test of the leader's strength. But I didn't know it," Hart says. "You're always supposed to vote with the leader when he wants to adjourn out of trouble. I wasn't ready to quit, so I voted against the leader's motion to adjourn."

The next day, Johnson wandered over to Hart's little desk in the back of the Senate chamber, towered over him and drawled quietly: "Senator, let me tell you a little story. When Sam Rayburn first came to Congress, the Speaker told him: 'Young man, you vote against the leadership whenever your conscience or the interests of your state require it. But don't do it very often and don't do it on anything important.' "

Hart, a little shaken, told Johnson he understood. But he didn't really get the message, because he drew himself up and added politely: "Don't count on me."

The imperious Democratic leader walked off and we can only surmise that he probably wondered whether the quiet little man from Michigan was going to be another one of those do-good-but-accomplish-little liberals, or learn another Sam Rayburn dictum Johnson was fond of quoting: 'You got to go along before you can get along."

There are those in the Senate who never learned. And as majority leader, vice-president, and President, Johnson had little to do with them.

In 1957, for example, William Proxmire, a Democrat, was running in a Wisconsin special election for the Senate seat vacated by the death of Joseph R. McCarthy. Johnson was the most powerful figure in the party, then out of the White House, and he used his influence to funnel funds, some from the oil industry, into Proxmire's campaign. After Proxmire won, Johnson met him at the Washington airport, to give him a hero's welcome, and begin buttering him up.

Within a few weeks, Proxmire tried to start a rebellion against Johnson's leadership, and charged the Texan with being dictatorial, which he was. From that time on Johnson saw to it that Proxmire didn't get a thing in the Senate. He barred Proxmire from committees he wanted, even if it meant asking a senator with more seniority to move from one committee and onto the one Proxmire wanted. And Johnson always called Proxmire "Senator Pismire."

It was natural for Hart to have been a bit defiant. There was no love for Johnson among Michigan's Democrats. It may pain some of them to remember it now, but at the time they believed Johnson stood for all that was archaic and evil in the Democratic Party. But that was long ago, when they were the crusaders for what is now called New Politics.

Hart and the leaders of the party that elected him were devout liberals, and their political idols were G. Mennen Williams, Adlai Stevenson, Paul Douglas, of Illinois, and Hubert Humphrey, of Minnesota.

These were the kind of men who had guided Hart's views and his career. So it was to be expected that he should look to such liberals for leadership in the Senate.

But eventually Hart discovered, to his deep dismay, that most of these men, even a giant like Douglas, were frustrated and almost without effect in the Senate. The seniority system, the musty rules and traditions of the Senate got in their way. And the clique led by Johnson and the late Robert Kerr, of Oklahoma, was all-powerful.

What disturbed Hart most, however, was the inability of the liberals to put aside their fervent and often dogmatic idealism, and work with and within the system of the Senate—to change it, to become effective, to win even the smallest victories, and to serve their constituents.

This is what Johnson was talking about in that little lesson on the Senate floor. And although it took him a long time, he learned it.

A small incident in the fall of 1966 will illustrate how well Hart has learned the folkways and games of the Senate.

Sen. James O. Eastland, a Mississippi Democrat, and an archetype of the porcine, cigar-chomping southern racist, was running for reelection. As chairman of the Senate Judiciary Committee he was also in on the kill of the civil rights bill that year, for which Hart was floor manager.

A leader of Senate civil rights forces, Hart arose in the chamber one day to denounce Eastland as an obstructionist enemy of all civil rights legislation. Hart's language was unusually harsh.

It seemed a courageous thing for Hart to do, for Eastland was his chairman and a very influential member of the Senate. One of Eastland's allies, Sen. Sam J. Ervin, a North Carolina Democrat, arose to reply to Hart and defend his colleague from Mississippi.

But as Ervin began speaking, Eastland sidled up to him and whispered loudly: "Damn it Sam, sit down and shut up. You're ruining the whole thing."

Hart's speech, it turned out, had been written by Eastland's staff. It was to be circulated in Mississippi to help Eastland win against a Republican who charged he was too soft on the Negro issue.

Eastland and Hart still chuckle over the incident. And Ervin, because he was taken in by it, gets a belly laugh out of remembering it.

It also helped give him a fondness for Hart which is reserved for no other liberal northerner.

"There are few men in the Senate with whom I disagree more, or have greater affection for," Ervin said of Hart. "Some folks around here believe that if you entertain views hostile to their own, there must also be a personal hostility. Senator Hart is unfailingly a fine gentleman."

Ten or even five years ago, Hart would have thought such a charade repugnant and dishonest. Most of his old idols would never have taken part in it. And yet it was not dishonest.

He agreed with every word in the speech. Indeed Hart could not have made it on his own without expecting some kind of retribution from Eastland. It is rare for a senator to denounce another, much less his committee chairman. Eastland would probably have been elected without the speech, but as it was, Hart's favor made Eastland slightly beholden.

Two years later, under Hart's guidance, the civil rights bill passed, with a minimum of trouble from Eastland. And with Eastland's help Hart has had little difficulty getting federal judicial appointments in Michigan through his committee.

Just before the end of the 90th Congress, when Lyndon Johnson failed to get confirmation for his appointment of Justice Abe Fortas as Chief Justice, he told Hart he could have the nomination.

But there wasn't enough time left in the session and the idea died. Although the hostility towards Fortas' liberal views was high in the Senate and the Judiciary Committee, if there had been a couple of weeks left before adjournment, Hart's nomination could have been approved.

Eastland quietly told Hart he would not oppose him. And Ervin, a constitutional conservative, said later even he might have supported Hart despite their opposite views on recent decisions of the Supreme Court.

The nomination of Hart never came about, but it would have been ironic. Johnson, who once wondered if Hart would ever become his kind of senator, was ready to elevate him to the Supreme Court, partly out of gratitude for his fight in the Senate on Fortas' behalf. And Hart, who for years was miser-

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able in the Senate and dreamed of a Supreme Court nomination, discovered somewhat to his surprise that he didn't want to be on the court after all.

He understood his role in the Senate. He had become a member in good standing of its Establishment, the club within the club. For the first time he was happy at his work, and good at it.

Having discovered this and come to terms with himself and the "great national council" called the Senate, Hart is now reaching towards the height of his powers.

His Judiciary subcommittee on anti-trust and monopoly is one of the most important in the Senate, and Hart has become a spokesman for those who challenge corporate windmills. In separate stories in one magazine, Hart was quoted three times in a single issue as the Senate authority on the practices of big business.

Before Hart became chairman of his subcommittee, it was run by the late Estes Kefauver, of Tennessee, a flamboyant and gutsy fighter who was more suited to playing Don Quixote. He took on drug companies and crime syndicates in hand-to-hand combat that propelled him to prominence and a place on the 1956 Democratic ticket.

After Kefauver's death, his staff was so disappointed with Hart's gentle, judicial style, many called him "chicken Hart" and "faint Hart." Yet beneath Kefauver's bombast, there had not been much significant legislation. And Hart, like Kefauver, was confronted with a conservative majority on his subcommittee, which limited any liberal, trust-busting action.

Nevertheless, Hart was pushed forward with an impressive list of hearings which exposed seamy practices in big business. In the past couple of years the medical profession has begun to restrict the practice of physician-owned drug companies, because of an investigation by Hart. In an adroit maneuver, Hart took his truth-in-packaging bill out of the clutches of his hostile committee, and sent it to the more liberal Commerce Committee. It was approved and became law.

Two years ago the Louisville Courier Journal said in an editorial that Hart is "filling a void left by the death of Sen. Estes Kefauver and the defeat of Sen. Paul Douglas. He is emerging as a spokesman for the great, amorphous mass of consumers in this country, poking around in shadowy corners of the domestic scene for the enlightenment of the public. . . . He is a valuable man to have in the Senate."

In the next two years, partly because he must stand for reelection in 1970, Hart is stepping up the activity of his committee, venturing into areas where few have gone and survived politically.

Hart has already begun and will continue to look into the auto insurance and auto repair industries. He will also investigate the high cost of hospital care, the stranglehold that credit bureaus often have on consumers, the favoritism granted big corporations in defense procurement, monopolies in the newspaper and broadcasting industries, and the manner in which international oil cartels manipulate government, the market, and oil prices.

Hart is also a member of the Commerce Committee, and depending on the wishes of the chairman, Sen. Warren Magnuson, he may get to run a subcommittee which will have jurisdiction over air transportation. Magnuson offered Hart the consumer subcommittee, but he turned it down because it would merely duplicate what he is now doing.

In the Senate at large, Hart is the acknowledged expert and the prime mover of civil rights legislation. And more important he has become a force behind what Sen. Edward M. Kennedy, of Massachusetts, has called "the winds of change" that are now wafting through the Senate. When Kennedy sought counsel on whether to run for the Assistant Democratic Leader's post, he called Hart first, and he took his advice.

Hart was among the early opponents of the anti-ballistic missile system. And he was one of the early advocates of massive action to relieve hunger and malnutrition in the nation. In both these efforts, and others, Kennedy has joined Hart.

In the relationship of the two men, Hart has displayed no personal ambition, except to reform his party and the Senate the better to deal with the issues of the day. And towards this end he has supported and encouraged Kennedy. Thus, as Kennedy's star rises, so will Hart's.

This too has a potential for irony. Hart has almost always played a supporting role in his political lifetime, and even now he would refuse a formal Senate leadership post unless it was thrust upon him. Yet the ways of life, death and politics have put Hart in a position of leadership, however informal, and great influence. And he has survived or surpassed those he once followed and worshipped.

Stevenson and Kefauver are dead. Douglas and Humphrey are over the hill. And Soapy Williams, the man to whom Hart owes all he has, will soon be looking for a new future.

To be quite accurate, Hart's first political debt is to his wife, because she is rich. Mrs. Jane Hart, whose volatile temperament is a perfect foil for her husband's calm, is the daughter of the late Walter Briggs, a Detroit industrialist. Phil Hart says candidly that he could not have indulged himself in a political career if his wife's money was not available to keep up their homes, send their eight children to school, and pay some office and campaign expenses.

Born on Dec. 10, 1912, in Bryn Mawr, Pa., Hart was the son of a moderately well-to-do banker. He went to Georgetown University, in Washington, and while there roomed with Walter Briggs, Jr., and through him went to the University of Michigan law school and met his future wife when she was still a scrawny, tomboyish teenager.

By 1943, Hart had finished law school and had become a captain in the army. And in the women's page of a Detroit newspaper it was recorded that "Society reporters have been keeping a sharp eye on the romance of Phil and Jane ever since October, 1940 when Janey appeared at a banquet in honor of the Detroit Tigers (which her father owned) escorted by her young lawyer friend."

On June 10 of that year they were married. Among the guests were former Ohio Gov. James A. Cox, the Democratic presidential nominee in 1920, and A. Mitchell Palmer, who won spurious fame as attorney general after World War I, when he ordered the nation's first "Red hunt."

On D-Day, a year after the marriage, Hart was seriously wounded by a mortar shell on Utah Beach at Normandy. He went on to fight in the Battle of the Bulge, and came home with a Purple Heart, a couple of Bronze stars, and the French Croix de Guerre.

Hart, along with many veterans, returned to Michigan when a new political era was dawning.

He had long been interested in politics. His father, a friend of Woodrow Wilson, and the Democratic chairman of his county, had taken him to the 1924 party convention. But he had no idea he would run for office. A quiet, rather reflective and introverted man, Hart never believed he was suited to politics.

Politicians often like to say they were destined for office, and like any red-blooded American boy, set their minds to it while studying Plutarch by the light of a log fire. The truth is that politicians, like most men, simply find themselves surrounded by circumstance and become its victim or its beneficiary, depending on their luck, their support, their opponent, and their ability to make the most of opportunity.

In the late 1940s in Michigan, the industrial and political power of Detroit had matured. The United Auto Workers, having joined in the war effort was over its violent formative period, and had become generally respectable. The strapping new, and liberal guard of the labor movement, the idealism of many a returning veteran, the changing face of Michigan, and the vision of a few, young men were the ingredients for change in the Democratic Party.

Soapy Williams became the standard bearer, and Phil Hart, one of his University of Michigan classmates, became his sword carrier. The Harts were about the only Democrats in Bloomfield Hills.

But the irrepressible Janey remembers those days with starry-eyed nostalgia as they fought losing, uphill battles against the entrenched Oakland County Republicans. Phil Hart only remembers that they lost.

"I have never yenned for the time when we were going to lose by a half million votes," he says. "Back in those days it wasn't as exciting as it is now. I suppose it was fun then, not having any responsibility, having the ability to scream."

Besides battling Republicans, the young Turks among the Democrats also fought the American Federation of Labor and Teamster Control of the party, and the influence of communists in the labor movement and liberalism.

After Williams became governor, he appointed Hart Corporation and Securities Commissioner, and in that job he prepared to run for Secretary of State. He was trounced and Williams gave him work as director of the state Office of Price Stabilization. Unhappy in that job, Hart, during the last part of the Truman Administration, became U.S. District Attorney.

As part of his duties he prosecuted several Michigan communists under the Smith Act, and has regretted it ever since. When the liberals in Michigan and elsewhere, went on their own anti-communist hunt in the labor movement and other organizations, they unwittingly fed the fires of the McCarthyist monster they came to detest. Since those days, Hart has supported Supreme Court decisions knocking down those laws which he used against Communists in Michigan.

The Michigan battle against the AFL and the Teamsters came to a climax in 1954 when Hart, then legal advisor to Williams, announced he would run for lieutenant governor. Backed by the United Auto Workers, Hart ran in the primary against George Fitzgerald, attorney for the Teamsters and a former Democratic National Committeeman. It was a vicious campaign in which the Teamsters on occasion tried the use of a little muscle against Hart's supporters. But Hart won easily and went on to defeat his Republican opponent.

From then on, the political reporters referred to Hart as Williams' "heir-apparent." When Williams got tired of being governor, it was said, he would go on to bigger things and leave the statehouse to loyal ol' Phil.

Jane Hart, who never got on with Soapy's tempestuous wife, Nancy, chafed at seeing her husband wait at Williams' pleasure. But patient Phil said of Williams: "He and he alone set me on the road. He built the party. I'll wait."

Not only did he wait. He advised Williams to run for the Senate and from there make a bid to get on the national ticket in 1960 or later. But Williams was convinced that his national future would be brighter from a governor's office. He was thinking of the governors then powerful and prominent in party politics—Stevenson, for one. Someone showed Williams an analysis which concluded there was a better chance for national office as a senator than governor. But Williams thought otherwise and made the biggest mistake of his career. He chose to run again for governor

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and the way was clear for Hart to run for the Senate.

Hart easily defeated the incumbent, Charles Potter, and in running ahead of Soapy by 170,000 votes began leaving his old teacher behind. And like many a man who is big in his own state, as Hart headed for Washington he left naivete and political virginity behind.

On a night soon after his arrival in Washington, the Senate freshmen of the class of '58 gathered with their wives for dinner at the home of one of their number, Vance Hartke, of Indiana. He was a small town mayor who had come to the senate looking like an overly ambitious button-hook salesman.

During the evening Hartke expansively picked up the telephone and ordered the operator to get Lyndon Johnson at the LBJ Ranch.

"I've gathered the new boys here, Mr. Leader." he said, "because I thought you might want to say a few things to them."

Jane Hart recalls the incident: "One by one, like little boys, they trooped to the phone to say 'Yes, Mr. Leader, No, Mr. Leader, Of course, Mr. Leader.' It was disgusting. I kept hoping that Phil wouldn't go to the phone. But he did. And I chewed him out all the way home."

"All I can say in my defense," said Hart, "is that I was the last to go to the phone.

"I'm sure now it would have made no difference if I hadn't gone to the phone. But politicians are human, and people don't understand this. They are subject to the same pressures as anyone else, even more. But politicians too worry about their job, their bosses, their paycheck. So they go to the phone—to be safe."

Despite Hartke's fawning over Lyndon Johnson, and perhaps because of it, he has never been admitted into the inner circles of the Senate. Nor have many senators who are conscientious, make headlines, and get reelected.

"I don't know that there is any more of a club in the senate than in a local bar association," Hart said. "Some men, by virtue of their ability, their judgment, their trustworthiness, their personality, and the work they do draw more water than others. Some men simply have power because of the positions they hold.

"When a new man comes to the Senate it's like a new boy moving in on the block. He is tested in subtle ways to see what he has, to see if he'll lend a hand when he wants something."

Hartke became a hero to liberals when he broke with President Johnson over the Vietnam War. But fellow senators, including the liberals, knew that Hartke challenged the President out of personal pique and his inability to get Johnson's help in the Senate. Therefore Hartke's opposition to the Vietnam War carried little weight with his colleagues, and his manners offend them.

Similarly, Sen. Eugene J. McCarthy, one of Hart's closest friends in the Senate, could not impress his colleagues when he made his challenge against Johnson. Although he had come to the Senate under the sponsorship of its most influential leaders, during most of McCarthy's tenure he did little work and he wasn't there when embattled liberals needed another voice and another vote.

Although both are liberals, Hartke and McCarthy are at the opposite extremes of Senate style. One, Hartke, was too tight, too openly ambitious; the other, McCarthy, too laconic and indifferent.

It is true that neither had formal position in the Senate and therefore no power to admit them into the club. But this year Russell Long, of Louisiana, chairman of the Power Finance Committee, was defeated as assistant Democratic Leader and thus drummed out of the club. And Sen. Robert Byrd, of West Virginia, an ambitious little man who is majority secretary, seems destined always to carry the bats for the players.

"The way you vote or whether or not you are invincible at home doesn't have a lot to do with where you stand in the club," Hart said. "All I can say is that how much power and influence you wield around here depends on the judgments others make of you for intangible reasons."

For equally intangible reasons, those who are in the club seem to know it. And they operate with an easy self-assurance and a tacit understanding of all the unwritten rules of their league of gentlemen.

You can look down from the galleries to the rich maroon and white carpeted Senate chamber and pick out the club members by the way they saunter easily onto the floor, well-tanned, well-tailored, chatting casually with fellow senators. There are others, with papers and assistants and nervous impatience.

The members of the club frequently cross party lines in their relationships with each other, giving and taking on legislation, favors, tickets to inaugural balls, or the choice of office suites. At the beginning of each session of Congress the leaders will hold committee assignments in abeyance until after the rules and organizational fights, so that the choice of assignments can be used to keep a stubborn Senator in line.

Some members of the club will not allow themselves to be used to help defeat a colleague of the opposite party. Sen. Jacob Javits, of New York, is a Republican but he refused to campaign in Pennsylvania against Democrat Joseph Clark (who was defeated anyway). And two years before Hart helped Eastland out, Michigan Republicans invited Republican Thurston Morton, then Senator from Kentucky, to speak to their state convention. He learned, after accepting the invitation, that he was to help whip up enthusiasm to defeat Hart.

Morton tried to withdraw but couldn't. So he cleared his speech with Hart. He told the Republicans, in effect, that if they wanted to defeat Hart they would have to find a candidate of great integrity, honesty, experience, and ability. Hart had no difficulty getting reelected.

The conviviality of the club, the horse-trading, the seeming hypocritical politeness in debate, produce what is called an area of "enlightened self-interest." And on that bit of ground law is made.

But the pace of progress is painfully slow, and it sometimes seems like retrogression. And so there are critics of the Senate who say, with the support of convincing evidence, that it has become moribund.

Eugene McCarthy, who led a formidable assault on the creeping pragmatism of the political process, believes that it may be irrelevant and unable to cope with the revolutionary crises of the times. That is one reason for his indifference and for his decision to leave the Senate next year.

Hart has spent many hours debating with friends like McCarthy and Sen. Edmund Muskie, of Maine, and himself the worthiness of the Senate process and its snail's pace accomplishments. To wit: Hart may get a favor or two from Eastland, but the people of Mississippi still have him for a Senator.

"My great question is over whether we get taken in by confusing the time and effort and abuse in getting something done, and what gets done. We equate all the work we do with what is accomplished and what is accomplished seems small.

"You can surrender and say the hell with it. But I can't. Therefore you must convince yourself that that's the way history is made—with small accomplishments and much confusion. This is the way society functions, and so does the Senate. But it sure is a drag and depressing sometimes."

When he is not depressed, Hart can recall the voting rights and fair housing bills he helped shepherd into law.

"When I'm eighty years old, a lot of towns are going to be different because of those bills," says Hart.

And the Senate, he believes, is changing rapidly and reforming because of the early battles of men like Douglas, Kefauver, and Humphrey.

"No longer does a liberal have to be an idealistic, visionary, speech-a-day fighter who has to hope that long after he's gone he will have had some effect," Hart said. "Each decade needs a different kind of man, and today we are beginning to get those things men like Douglas wanted."

Thus Hart displays the reason for his calm patience: His implicit faith in the system, the process, the institution.

The United States Senate is only the second such experiment in all of history. The first was the Senate of Rome, organized 700 years before the birth of Christ.

It reached its greatest power during the time of the Roman Republic. But eventually it became bogged in a mire of its own making, dominated by tradition and cliques, preoccupied with games, unable to grapple with really basic issues, then at last supine beneath the Caesars' imperial ambitions.

The American Senate is of course different and more modern than its Roman ancestors. It may still use spittoons, straight pens, snuffboxes, and blotting sand. But the Senators don't wear togas anymore.

ACTION IN THE LUMBER PRICE CRISIS

HON. WENDELL WYATT

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. WYATT. Mr. Speaker, we who are concerned about the problems of the high cost of home building, and, in this connection, the high cost of lumber and plywood, recognize that these problems have many facets.

Clarence W. Richen, vice president of Crown Zellerbach Corp. for Northwest timber operations, is a very forward looking, experienced, and conscientious leader in the wood products business in the Northwest. He recently wrote me concerning the long-range needs of the forest survey, and also of that outstanding installation, the Forestry Science's Laboratory at Oregon State University, Corvallis, Oreg.

In connection with the latter operation, he has pointed out that plans for the development of phase II of this laboratory were completed by mid-year 1967. Nothing further has been done because Congress has failed to appropriate the money for this valuable tool in our continuous battle to insure that lumber and plywood supply is not outrun by demand. The funds for this phase are desperately needed, and should be appropriated this year.

We can make loud noises, deplore the situation, make speeches, and in many other ways show our concern for the high price of lumber and plywood, but here is one action which we can take, one which in the long run will be much more effective than critical statements or sympathetic understandings.

For the benefit of my colleagues who are genuinely interested in real, solid steps, looking toward providing adequate supplies of forest products, I herewith submit Mr. Richen's letter:

CROWN ZELLERBACH CORP.,
Portland, Oreg., March 7, 1969.
Hon. WENDELL WYATT,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN WYATT: Here in the Northwest the past year's startling upsurge in the price of timber has stimulated many forest owners—public and private, both large and small to seek opportunities for investing more of their funds in intensive timber growing. But before such venture capital can be attracted to tree farming in the large amounts required, forest owners must have far more specific information on the combination of techniques that will yield the best returns under their particular set of conditions.

All of this adds up to a very large series of tasks that forestry research simply has not come to grips with in a realistic way. Forestry researchers have been highly productive in developing the scientific basis for the technology we use today, in view of the fact that they are operating with a fraction of the funding and facilities required to make the progress so badly needed. But they must step up their output.

I know you are familiar with the 10-year National Plan for Forestry Research presented to the Congress a few years ago. I was on the National Forestry Advisory Committee at the time. This is a coordinated plan based on a careful analysis of the most important forestry problems in each region. It was prepared jointly by scientists and research administrators in the U.S. Forestry Service working with counterparts in the forestry research organizations of the Associate State Universities and Colleges. This plan has great merit—first, it coordinates efforts, and second, it has been just recently prepared. Unfortunately it is only about one-half activated.

For these reasons I was interested in reviewing provisions for research included in the budget recommendations for the U.S. Forest Service sent to the Congress earlier this year. For the entire United States, the budget for next fiscal year recommends a 3 percent increase in Forest Service research. Meanwhile the cost of doing research has increased a considerably greater amount as has also the need for the results of research.

I note several small but important increases are recommended for projects headquartered in the Pacific Northwest—Forest Survey at Portland, Oregon, Douglas-fir Silvaculture in Olympia, Washington, Forest Fire Research at Seattle, and Wildlife Habitat at La Grande, Oregon. I am asking your support of these items.

I ask your particular consideration of several research programs, headquartered in Oregon, that merit and need your help now.

The Forest Survey is an essential in any timbered region. This project, conducted by the U.S. Forest Service, is the only source of information on timber resources that covers all owners, both public and private, and shows the relationships between current timber volumes, growth, cut, timber mortality, and opportunities for expanding, or threats of a shrinking timber supply in or tributary to such geographic units as counties and states, as well as regions and the entire nation. It would be virtually impossible to plan and operate efficiently a continuing, complex timber industry today without the basic information and essential analyses supplied by the Forest Survey. The budget proposes an increase of $25,000 for the survey project based in Portland, Oregon, that serves the entire states of Washington, Oregon, California and Hawaii. Actually, an increase of $100,000 in this work is needed to produce the detail of information promptly enough to serve the needs of the rapidly developing timber industry and the communities dependent upon it.

Dedication of the new Range and Wildlife Habitat Laboratory at La Grande, Oregon last October filled an important gap in the forestry research facilities for the Pacific Northwest. The research headquartered there is working out the scientific basis for coordinating management of big-game ranges with timber production, grazing of cattle and sheep and watershed management on the 60 million acres of forest and related range lands in eastern Oregon and Washington. The deer and elk alone in this area furnish more than 2 million man-days of recreation hunting annually. I am pleased to learn that the budget for Fiscal Year 1970 proposes an increase of $89,000 to strengthen the La Grande project and for operating the new laboratory at a more efficient level. Wildlife habitat research got a late start in the Northwest, and this strengthening is much needed. I would also urge the Forest Service to extend wildlife and fish habitat research to the important watershed and timbershed lands west of the Cascade Mountains in Oregon and Washington as soon as possible.

I am particularly concerned at this time about one installation in the National Plan for Forest Research—the U.S. Forest Service Forestry Sciences Laboratory at Corvallis, Oregon. As I remember, you have visited this laboratory. Research at this laboratory is developing improved methods of controlling forest insects and diseases, which alone extract a toll of 7 billion board feet of timber annually from northwestern forests. Another project there is working out the essentials of watershed to minimize damaging siltation, flooding and landslides, while improving the quality and timing of water available for domestic, recreational and industrial use. Still others are working to increase future timber supplies by developing genetically superior trees; improving methods for regenerating, culturing and harvesting forest crops and determining the impacts of chemicals used in land management on the forest environment.

Staff members of my own Company and numerous others are cooperating actively in this work, seeking to speed progress in the development of further research results that all of us need so critically. But progress is retarded because the facilities at the Corvallis Laboratory are grossly inadequate and behind the schedule of development projected in the National Plan. As you know, the Congress provided funds to develop plans for Phase II of this laboratory in 1966—almost three years ago. The detailed plans were completed by mid-1967, but they have not been used because no funds have been appropriated for construction. I understand $2.7 million would be needed if funds were provided to start construction in 1969.

In view of our increasingly serious timber supply situation, and the communities, jobs and industry dependent thereon, I would urge that the Congress provide now for completing the Corvallis Laboratory and for operating the research projects headquartered there at full strength as soon as can now be arranged.

Many thanks to you for your thorough and knowledgeable consideration of the forestry problems and opportunities so important to our national and regional progress.

Cordially,

C. W. RICHEN,
Vice President,
Northwest Timber Operations.

REDUCED RATE AIRLINE FARES

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. WILLIAM D. FORD. Mr. Speaker, I have introduced H.R. 8284, a bill which authorizes air transportation at reduced rates for youths between the ages of 12 and 22, all persons who are over 65 years of age and military personnel who are traveling at their own expense in uniform of those services while on official leave, furlough, or pass.

This legislation has become necessary because of a case that is now pending before the Civil Aeronautics Board. Trailways Bus Co. brought the action, A CAB examiner hearing the case ruled on January 21 that special youth fares were unjustly discriminatory and should be canceled. American Airlines petitioned the decision and the ruling is now being reviewed by the CAB. If affirmed this decision will terminate present youth fares. Under the challenged youth fare system, which was established in 1966, children aged 12 through 21 are able to travel anywhere in the United States by plane on a standby basis, at a 50-percent reduction of fares except at peak traffic times and seasons. Other special rates are allowed for family reductions for husbands and wives or children traveling together.

Youth fare traffic increased from 2,100,100 passengers in 1966 to 5,760,000 in 1968. College students and vacationing families were the chief users of these special rates.

H.R. 8284 would remove the doubt that has been created by the CAB case and make it clear that the airlines may grant reduced rate transportation on a space available basis to military personnel, young people, and senior citizens. Such a provision now applies to ministers of religion. The three groups that this bill would extend coverage to have certain characteristics in common which make such coverage appropriate and desirable. They are all at reduced levels of wage earning capacity; they are all likely to be at rather extended distances from their families; and they are all likely to be traveling at their own expense—as opposed to businessmen who can deduct their travel expenses at income tax time. These three groups would be traveling on a standby basis and therefore not interrupting normal air traffic nor in any way inconviencing full fare passengers.

Specialized treatment of certain groups is not unheard of.

I am especially concerned about extending this coverage to our senior citizens. We are all aware of the special needs of youth and military personnel. Yet many find it far too easy to forget about our senior citizens and our very special obligations to them. An older person who, having worked for 30 to 50 years, retires to enjoy more leisure time often finds that, living on a fixed and considerably reduced income does not leave much room in their budget for

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air travel. Yet these are the very people who have the time and the greatest need to visit their children and grandchildren who are often located in distant States.

VIRGINIA SIANO HUMANITARIAN

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. BIAGGI. Mr. Speaker, I believe we all realize that drug addiction is one of the most insidious scourges of our time, competing as it does with the minds and bodies of our young people. It is a serious challenge which must be met not only by marshaling the efforts of the appropriate government agencies, but by enlisting the help of all of our citizens.

It is gratifying to know that in the Pelham Bay area of my district in the Bronx, there is a woman who, in her dedication to service to those who have become drug dependent, might well be an exemplar for this private help.

Mrs. Virginia Siano, of 1921 Hobart Avenue in the Bronx, has for years been a prime mover in the drive to educate drug addicts into an awareness of the need for new direction in their lives. A wife, a mother, and a grandmother, Mrs. Siano has worked tirelessly, on a volunteer basis, not only to reorient drug victims, but to raise funds for their physical rehabilitation.

This Sunday, March 23, at the Chateau Pelham in the Bronx, Mrs. Siano will sponsor her seventh annual fundraising dinner for the benefit of Synan, an organization devoted to bringing professional help to drug addicted youths. Over the years, she has raised many thousands of dollars for this worthy purpose, her only reward being the satisfaction that comes from seeing defeated human beings return to the full status of dignified and productive members of the community.

Mrs. Siano is endowed with a special gift of compassion, a real sense of duty to her fellow man, and an indomitable spirit of self-sacrifice. Through kindness and understanding, she has opened the door to life for so many, a door that for all practical purposes was forever locked. Her participation and commitment have been total, her success remarkable.

Typical of the indication of respect and affection in which Mrs. Siano is held is a comment from a former drug dependent youth whom she helped. He said, in the full gratitude of his heart:

> I sincerely hope that the good Lord or whoever it is who produces women like Mrs. Siano allows her many more good years on this earth, as there are all too few of her kind.

What a wonderful tribute for any human being.

Mr. Speaker, I am sure there are other Virginia Sianos in this world, rare as they may be, and in expressing our credit to her today, we recognize all those who helped find the way for others who have lost theirs.

LOU RAWLS

HON. ALPHONZO BELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. BELL of California. Mr. Speaker, in these times of turmoil both at home and throughout the world, I would like to take a few moments to call attention to someone who personifies the qualities in life which are too often lacking in our society today. I refer to a gentleman by the name of Lou Rawls. His is a name that is known and respected wherever the soulful music of America's heartland is played. His continued success lies not only in his talents as a performer, but also in his philosophy, and the consideration shown to those around him. Despite a hectic schedule which includes recording, night club, concert, television, and motion picture appearances, Lou Rawls always takes time to visit two high schools each month, at home or on the road, to encourage young Americans of all races and creeds to stay in school. Perhaps because of his own experience, Lou's primary interest is in the area of education. His pet slogan is, "It's easier to teach without hate rather than teach not to hate." He has appeared over the country with one message, "Stay in school."

Lou feels very strongly about the value of education and particularly about the absence of more factual material on black accomplishments and contributions to this country. Toward this end, he has started a project to introduce into the school curriculum factual material designed to bring about better understanding between all ethnic groups; it is his belief that better understanding will follow better awareness. Lou was born on the Southside of Chicago, Ill., deep within the ghetto binding black Americans. Lou's childhood was a struggle for survival within the ghetto, but at the early age of seven he began singing with the local church choir. After graduating from Dunbar High School, he joined the Pilgrim Travelers, a well-known male gospel group. He interrupted his singing to volunteer for the U.S. Army and spent 2 years with the 82d Airborne Division. After finishing his tour of duty, he began singing at local clubs in the Midwest area. In 1959, Lou moved to Los Angeles and began working in local clubs. However, it was not until 1967 that things really broke for Rawls and he was acclaimed by Billboard magazine as the No. 1 jazz vocalist; No. 2 rhythm and blues singer for albums; No. 4 best male vocalist for albums; and No. 86 for singles, which made him the winner of Billboard's Top Artist Award in the musical category.

In the highly competitive entertainment world, where stars rise and fall with remarkable speed, Lou Rawls continues to grow as a star of the first magnitude year after year. Today Lou Rawls is actually three people—businessman, entertainer, a devoted husband to his wife, Mrs. Lana Rawls and their two children, and most important of all an untiring soldier in behalf of furthering education for all mankind. It is indeed gratifying to pay tribute to this outstanding gentleman.

THE FIRST BREACH IN THE WALL

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. PODELL. Mr. Speaker, the textile industry in this Nation has been accused of dragging its feet on unionization and civil rights. Over the years, major legal struggles have developed over its resistance to 20th century attitudes regarding union activities and fair employment practices.

Gradually a case was being built up against this industry on several of these counts. Most of this momentum has gone by the boards as a result of Mr. Packard's decision to award major textile contracts for the Pentagon to three of the worst offenders.

Many Negro youngsters serving in the Armed Forces might take issue with his decision. Their uniform cloth will now be made by companies who have been accused of unfair employment practices and discriminatory promotion policies toward categories of workers.

Mr. Packard and the Defense Department have poked that first little hole in the wall. We are taking that first discouraging step backward, as those who have fought advances in human rights silently congratulate one another.

The Washington Post has been conducting a campaign aimed at delineating the dimensions of this sad progression of events. A recent editorial in that paper aptly capsulizes the present situation. I insert it here for the enlightenment of this body.

THE PENTAGON DISPENSES SOUTHERN COMFORT

One of the more mystifying episodes of the past several weeks has concerned a verbal agreement reached between the Deputy Secretary of Defense, David Packard, and the representatives of three Southern textile firms—J. P. Stevens, Burlington Mills and Dan River Mills. The employment policies of all three firms had been under investigation and review by the Pentagon and the Office of Federal Contract Compliance for over a year owing to well substantiated charges that they were racially discriminatory; and all three firms had been so unyielding to Government efforts to bring them anywhere near compliance with the guidelines for Federal contractors that neither the Pentagon's own investigators nor the OFCC would recommend that contracts with them be approved.

Early in February, however, Mr. Packard awarded the three offending firms $9.4 million in Federal contracts, asserting that he had received assurances that they would put "affirmative action plans" into practice. Ordinarily, and by provision of an Executive Order, such assurances would have been put in writing. However, no one but Mr. Packard and the textile firms' representatives seems to know of what these assurances or "plans" consist. They were not committed to paper or shared with officials at the OFCC or elsewhere in the Department of Labor who were involved in the cases and who have a clear responsibility for their outcome. Indeed, more than a month after the contracts have

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been awarded and despite the OFCC's effort to find out more about them, the most that could be learned was that the firms had assured Mr. Packard that they would try to meet the Government's standards.

There are a couple of things that ought to be said by way of providing some background and perspective on all this. One is that Mr. Packard's own reputation in this field appears to be good, as is that of the firms for which he was responsible in private life. The other is that contract cut-off or denial has been anything but standard operating procedure in these tangled matters—the custom has been to threaten it or to delay the award until the Government's racial requirements were met. But when you have said this, you have pretty well exhausted what assurance or extenuation is to be found in Mr. Packard's odd act.

The dangers inherent in what he has done are more readily apparent. The Southern textile cases had been building for a long time. They were ripening for a big decision and had acquired the status of test cases, being widely watched in the South and elsewhere for evidence of Washington's seriousness on the question of contract compliance. Now whatever meaning they had in that regard has been spent. Moreover, weak as the Government apparatus for assuring compliance had been, there is little question that it has been drastically further weakened by the exclusion of the OFCC—presumably the maker and judge of compliance policy—from the deliberations between Mr. Packard and the spokesmen for the mills.

Finally, there is the matter of example and direction. In the South, and especially in the areas of greatest recalcitrance, Federal guidelines and official statements about them are read with excruciating, comma-picking care, there is a kind of stock market effect at work, whereby the most minute evidence of loss of resolve in Washington is registered at once in declining cooperation on the part of those companies or school districts or local governments still holding out. Reportedly, right on the heels of Mr. Packard's decision, inquiries did start coming in—from other Government agencies as well as from private concerns—as to whether this did not mean new and relaxed procedures were now in effect.

By May 1, the Southern textile firms in question will be obliged to issue a quarterly report on their progress in meeting Government requirements. Customarily, the Pentagon would issue instructions as to what it wished answered in that report. This routine procedure offers an opportunity to retrieve the situaton somewhat; a public and specific list of what the Federal Government expects to hear about in that report would have the effect, retroactively to be sure, of establishing the compliance terms the mills are expected to meet. Nor would it be a bad idea to issue such a public declaration before the end of March, since additional contracts are scheduled for award by then and some are expected to go to the same three firms. The Administration, via the Pentagon and the Labor Department, should be trying to strengthen the compliance program, not weaken it. They will have the most cause for regret if they open a Pandora's box of resistance and regression.

ROGER L. STEVENS

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. BRADEMAS. Mr. Speaker, last week Roger L. Stevens departed from his position as Chairman of the National Endowment for the Arts. All who are concerned with the arts owe a special debt of gratitude to Mr. Stevens for his leadership during his 3 years as Chairman.

Because he was the first Chairman, Mr. Stevens had a unique opportunity to chart the future course of the Endowment's support for the arts. The tremendous enthusiasm for the Endowment from the artistic community is eloquent tribute to Mr. Steven's effective and creative leadership.

In an age of science and sophisticated technology, he recognized the importance of providing man with the opportunity to enjoy and appreciate the beautiful. Thus, the National Endowment for the Arts took giant steps in increasing the opportunities, for all Americans—in the cities, smaller communities, and the rural areas—to enjoy the arts.

I have been particularly impressed by the Endowment's emphasis on education in the arts. The Endowment has, in the past 3 years, initiated numerous programs to lift the quality of instruction in the arts. Grants to teaching artists have enabled poets, painters, sculptors, and composers to take a leave of absence from teaching to do creative work on their own. On returning to their teaching, they can offer their classes increased inspiration and enthusiasm for their subject. Tours by performing arts groups, assisted by grants from the Arts Endowment, have enabled countless young Americans to experience firsthand, plays, musical presentations, and art exhibits.

Mr. Speaker, I could mention many other instances of exciting projects supported by the National Endowment for the Arts. These examples would further support the conclusion that the Endowment, inspired and led by Roger Stevens, has made a significant beginning in carrying out the task which Congress has assigned to it. The contribution of Mr. Stevens to this auspicious beginning cannot be overstated.

Although Mr. Stevens will no longer serve in a Federal post, it is encouraging to know that he will continue his active interest in the arts through a new private foundation which will attempt to generate increased support for the arts from the private sector of our economy. I am sure that all of my colleagues join me in wishing Mr. Stevens gratitude for his contribution to the entire Nation and good luck in his future enterprises.

ARCHITECT-ENGINEER PUBLIC AFFAIRS CONFERENCE

HON. JOHN A. BLATNIK

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. BLATNIK. Mr. Speaker, the National Public Affairs Conference cosponsored by the American Institute of Architects and the Consulting Engineers Council of the United States, meets this Wednesday and Thursday here in Washington. This meeting of architects and engineers, two key elements in the redevelopment of our cities and the planning and reconstruction of such community facilities as mass transportation systems, sewage treatment plants, and water and sewer facilities, is unique in two ways: it demonstrates the new cooperative spirit between two traditionally rival groups—architects and engineers—and it points up the increasing interest and participation of both professional organizations in the operation of government.

Architects and engineers have for years regarded each other as professional rivals. This week's AIA-CEC conference illustrates the newly progressive relationship of U.S. architects and engineers whose traditional professional jealousy has been replaced by what is jointly proclaimed as "the design team concept." Working together, architects and engineers contribute collectively and equally to the creative process. The winner in this team endeavor is the Government and other clients who are the recipients of A/E cooperative services.

The Architect/Engineer Public Affairs Conference points up a second subtle change now occurring in architecture and engineering. For many years the legislative and political arenas have enjoyed only occasional participation by the design professions. Few architects or engineers have seen fit to seek office, engage in political campaigns, or present a concerted voice to State legislatures or to the U.S. Congress. However, this is no longer true. Today, more than 500 men and women, representing A/E firms responsible for planning many of this Nation's most magnificent public works projects, such as the Chesapeake Bay bridge-tunnel, Shea baseball-football stadium, the San Francisco Bay area rapid transit system, the Air Force Academy, and many many others, are gathered here in Washington to improve their knowledge of the legislative and executive operation of their Government.

Officers and committee chairmen are present from the 50 States. Their interest in public affairs includes self-education and, more, the determination to act—to meet those of us who represent them in the Congress and to discuss with us programs aimed at solving problems of housing, pollution, and transportation.

The American Institute of Architects and the Consulting Engineers Council of the United States deserve a warm commendation for their efforts in establishing productive cooperation between their two endeavors and for bringing these respected professions out of the world of computers and drafting boards and to this city. They bring us their advice and counsel; they come to share with us their ideas on solving our Nation's technical-sociological problems.

With these thoughts in mind, I wish to invite my colleagues to join in welcoming the members of the architectural and engineering professions to the Nation's Capitol and to wish them well in their Public Affairs Conference deliberations.

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OTTINGER OPPOSES DEBT LIMIT HIKE

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. OTTINGER. Mr. Speaker, Congress is again being asked to increase the permanent ceiling on the national debt—this time to $365 billion—and to increase the temporary debt ceiling to $377 billion through June 30, 1970.

This is the third time in 16 years Congress has been asked to raise the national debt limit. The Eisenhower administration twice requested a higher debt ceiling and the Johnson administration made one such request. Each request was accompanied by pious assurances that it would be the last time. Each increase in the debt ceiling served only to increase the inflationary pressures and the burden on the American taxpayers. One would think we had learned our lesson by now.

How can this administration and this Congress justify again raising the national debt limit. Can there be any doubt about the need for fiscal reform, instead of merely adding on to the unfair burdens created by topsy-turvy priorities in Government spending and a tax structure which has a loophole for every special interest?

Interest payments on the national debt now come to $16 billion, $12 billion more than we spend for education. In a very real way, we are mortgaging our future.

Since becoming a Member of this House, I have repeatedly expressed my concern over what I consider unsound fiscal policies. It is a tragic paradox that at a time of unprecedented national prosperity marked by a record gross national product and soaring corporate profits, low- and middle-income Americans are caught in a squeeze between higher taxes and higher prices. They are not participating to the extent they should in our overall economic growth and the fiscal policies of this Government are directly to blame.

I am particularly concerned about the plight of the retiree and others living on a fixed income, for they are most cruelly afflicted by fiscal mismanagement at the Federal and State levels.

For 4 years now, I have been calling for comprehensive tax reform and a total assessment of our national spending priorities. I have introduced specific legislation to accomplish these goals and am pleased that at least a first step has been taken by the initiation of tax reform hearings before the Committee on Ways and Means.

It appears that these hearings may take the remainder of the year and that no tax reform legislation will come up for action before 1970, at the earliest. But this is no excuse to delay reevaluating budget priorities—determining which programs and policies are in the national interest in light of economic conditions—and taking immediate steps to eliminate those found unnecessary and defer those found nonessential at this time.

The new administration inherited a proposed budget from its predecessor, but it need not adopt that proposal as its own. There is plenty of fat to trim: Farm subsidies, public works, the supersonic transport, highway construction are all ripe for either deferral or reduction, to say nothing of the Sentinel missile system. Let us not overlook the supposedly sacrosanct defense budget, from which about $10 billion in wasteful spending could be cut, according to an investigation conducted by Congressional Quarterly last year.

A vote to raise the debt limit can serve only to encourage this administration and this Congress to continue the discredited fiscal and monetary policies which brought our economy to the point of inflationary crisis. That is why I will vote against increasing the debt limit: to convince the administration that it must take a long, hard look at its budget and establish realistic priorities.

THE 50TH ANNIVERSARY OF THE AMERICAN LEGION

HON. WILLIAM V. ROTH, JR.

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. ROTH. Mr. Speaker, I would like at this time to salute and congratulate the American Legion on the 50th anniversary of its founding. As a member of Laurence Roberts Post No. 21, in Wilmington, Del., and as a friend of a distinguished Delawarean who is a founding father of the American Legion, National Executive Committeeman Thomas W. Miller, I have long been familiar with the outstanding work of the American Legion on behalf of our Nation and its citizens.

The American Legion is fundamentally a patriotic organization, dedicated and devoted to advancing the ideals of America—justice, freedom, democracy, and loyalty—and to exalting, under the motto "For God and Country," the sacredness of human personality and the inestimable gift of American citizenship. Founded in Paris on March 15, 1919, by 1,000 representatives of the American Expeditionary Force, the American Legion currently has more than 2.6 million members—veterans of four wars: World Wars I and II, Korean and Vietnam conflicts—in some 16,000 posts in the United States and abroad. Bound together in comradeship and service, Legionnaires—"Veterans as Citizens"—actively devote their efforts to four major programs: Americanism, child welfare, rehabilitation, and national security. In addition to working for handicapped veterans, their widows and orphans, an emphasis is placed on citizenship development of youth, with over 5 million participating each year, in such programs as Boys State, Legion baseball, and a national oratorical contest.

The work of the American Legion during its first 50 years is a source of inspiration to all Americans and we are all more comforted in the knowledge that we may look forward to many more years of Legion service to community, State, and Nation.

SOVIET NAVAL BUILDUP IN THE MEDITERRANEAN—PART 1

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. ASHBROOK. Mr. Speaker, in the CONGRESSIONAL RECORD of yesterday, March 17, there appears an extensive article by Jerry Greene of the New York Daily News reviewing the state of the overall military preparedness of the United States. In the article Chairman MENDEL RIVERS of the House Armed Services Committee observed that examinations of the readiness of the Atlantic and Mediterranean Fleets proved to be shocking.

By way of a timely and provocative contrast, the Chicago Tribune began a four-part series on the buildup of the Russian naval fleet in the Mediterranean Sea written by Michael McGuire of the Chicago Tribune Press Service. It stated in part:

> For many months, the Russians have had a well-trained fleet in this sea consisting of modern and highly efficient surface ships and submarines, some of which are capable of launching nuclear-tipped missiles.

Although we are assured that the American 6th Fleet or NATO naval forces could destroy the smaller Russian surface fleet quickly with Soviet submarines presenting more of a problem, the Soviet naval presence brings home to us quite forcefully the urgent necessity of keeping our Naval forces in combat readiness.

While some citizens may lament that defense expenditures are exorbitant, one cannot apply an ordinary economic rule-of-thumb when confronting the Soviet military juggernaut. Our Mediterranean Fleet provides both military protection and psychological reassurance to our allies whose assistance is necessary if the free nations are to preserve their liberties in the face of Communist worldwide designs.

I request that the article, "American 6th Fleet Keeps Eye on Russ Mediterranean Subs," by Michael McGuire and appearing in the Chicago Tribune of March 16, 1969, be inserted in the RECORD at this point.

The article follows:

AMERICAN 6TH FLEET KEEPS EYE ON RUSS MEDITERRANEAN SUBS

(By Michael McGuire)

(NOTE.—This is the first in a series of four articles on the buildup of the Russian naval fleet in the Mediterranean sea. The articles tell how the soviet presence is viewed by United States navy's famed 6th fleet and by senior naval officers assigned to the North Atlantic Treaty organization's southern Europe command headquarters in Naples, Italy.)

NAPLES, ITALY, March 15.—Underestimating Russia's decision to strengthen its naval presence in the Mediterranean sea would lead to grave consequences for the United

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States and her European allies, American naval authorities here say.

For many months, the Russians have had a well-trained fleet in this sea consisting of modern and highly efficient surface ships and submarines, some of which are capable of launching nuclear-tipped missiles. The soviet flotilla has been fulfilling a dual purpose mission of showing its nation's flag and keeping an eye on the United States' powerful 6th fleet and the navies of our North Atlantic Treaty organization allies.

Sixth fleet commanders and top-level American naval authorities attached to the NATO southern Europe command headquarters contend the soviet leaders are putting the Red fleet to work primarily as a political and psychological influence on the nations ringing the Mediterranean.

RUSSIAN SUBS ARE THREAT

Military analysts assert that the 6th fleet or NATO naval forces could destroy the smaller Russian surface fleet quickly, but might have problems dealing with the Russian submarines.

Many of the senior naval officers assigned to the 6th fleet and NATO said they fear that if American naval power is withdrawn from the Mediterranean, or if its strength is cut, the defensive backbone would be ripped from the southern flank of NATO's European defense structure. Such a move would leave the allied European nations highly vulnerable "and easy pickings for the Russians," they say.

Some of the senior American naval officers interviewed expressed concern over the American public's general "lack of knowledge" concerning the "important and essential" role played by the United States naval forces in the Mediterranean. They say they fear some Americans are under the "mistaken" impression that our European allies could stand alone against communism.

FEARS TAXPAYER PRESSURE

"I'm afraid that good, solid midwesterner—whose opinion is so important in forming our international policy—may start feeling our presence here is just another funnel thru which his tax dollars flow into a pool or waste," said one senior naval officer. "He may convince Congress that things have changed and the old need to defend Europe has diminished; that the time has come to tighten the budget belt and pull away.

Tho it would be a serious error to underestimate Russian presence some American naval leaders here said it would be an equal error to overestimate the present danger. The entry of one or two additional ships thru the Turkish Dardanelles or past Gibraltar [the only two entrances to the Mediterranean since the Suez canal was blocked] does not represent an immediate and direct military threat to the 6th fleet and NATO navies.

"I think the soviet leaders' intention in considerably strengthening their Mediterranean fleet is above all psychological and political in nature," said Vice Adm. David C. Richardson, 6th fleet commander. He was interviewed by The Tribune aboard his flagship, the U.S.S. Little Rock, anchored in the harbor at Gaeta, Italy.

CAN ACHIEVE SUCCESS

"There is no doubt that if they succeed in convincing certain countries that they have now succeeded in eliminating any chance of the United States coming to their aid in case of danger, they will have achieved a success of considerable importance," Richardson said.

Of the 35 Soviet military ships in the Mediterranean, American naval authorities are primarily concerned with the nine or so Russian submarines, at least two of which are nuclear powered.

The Russians constantly move their submarines and attempt to prove to themselves and to the Americans that, if war breaks out, they can strike the main units of the 6th fleet, and primarily the fleet's two attack aircraft carriers, and thereby destroy American striking power from the outset.

U.S. SURVEILLANCE LIMITED

The American aim is to keep constant track of the Soviet subs, altho a general shortage of anti-submarine warfare equipment currently limits surveillance of the Russian subs.

Sometimes, however, the Americans follow the submarines' movements, or suddenly swoop down on them when least expected. In this way the 6th fleet keeps its own defense plans at high level, and shows the Soviet military leaders the futility of their efforts.

"I don't think it (the Russian submarine presence in the Mediterranean) is a cause for alarm, but it is a cause for concern," said Adm. Horatio Rivero, commander of the NATO forces in southern Europe, which are assigned the defense of Italy, Greece, and Turkey.

NOT IGNORING FLEET

"I do not mean that we are in any way ignoring the Russian surface fleet, but the surface fleet can more easily be located and kept under surveillance than the submarines," said Rivero, 58, who played a key role in United States naval planning during the 1962 Cuban missile crisis.

Some American naval officers said it is impossible for the Americans and the NATO nations to maintain a thoro knowledge at all times of the whereabouts and activities of the Russian submarines. However, one officer said current surveillance facilities made available to American and NATO forces in the Mediterranean allow at least a 60 per cent capability of finding the Russian underwater craft when a concentrated effort is made. The 1,145,000 square miles of Mediterranean water stretch across the 2,000 miles between Gibraltar and Lebanon.

The navy men said that if the submarines came out of hiding to move into attack positions, they easily could be located and destroyed.

ROCKS PROVIDE COVER

Vessels of any kind easily can be spotted passing through the Dardanelles, but the rock-strewn waters around Gibraltar provide ideal cover for submarines to slip in and out through the strait at a depth of a few hundred yards.

Since Greece, Turkey, and Italy are peninsular nations, they would have to depend on receiving more than 90 per cent of their wartime supplies by sea, said a naval officer. Hence, high strategic value is placed on access to the Mediterranean by those nations, the United States, and Russia.

"If you didn't have any submarines to worry about in the Mediterranean, then the lines of communication [sea lanes] and shipping convoys [under threat of attack in war] would not require the kind of warship escort we now must provide, said Rivero in an interview in his Naples NATO headquarters.

APPROXIMATELY 50 SHIPS IN FLEET

Meeting the Russian naval threat is the 6th fleet force which normally consists of approximately 50 ships, 25,000 men, and 200 aircraft. The fleet consists of three main task forces.

The first of these is the attack carrier striking force, which consists of two aircraft carriers, two cruisers, and destroyers equipped with surface-to-air missiles, rocket-launched anti-submarine weapons, and drone anti-submarine helicopters.

Second is the amphibious task force, which consists of a squadron of amphibious attack transports, cargo ships, minesweepers, and a variety of amphibious assault craft. This force also includes a combat-ready battalion landing team of some 1,600 United States marines, reinforced with additional armor and artillery.

FLEET HAS FLOATING BASE

Third is the service force, which forms a floating base that enables the fleet to stay at sea for indefinite periods of time. This consists of auxiliary ships, including tankers, repair shops, and supply-provision ships. This force is a mobile grocery store, repair shop, hardware store, and fuel station.

The 6th fleet receives additional support from land-based aircraft used for scouting and anti-submarine operations, and also includes approximately four submarines used chiefly to provide training services to surface units. Adm. Richardson also exercises operational control over the fleet of Polaris ballistic missile submarines in the Mediterranean.

The presence of Russia warships in the Mediterranean dates back to the days following the close of World War II, when the 16 ships in the 6th fleet forces observed Russian submarine following them about.

INCREASED AFTER WAR

During the 1960s, the Russian warship fleet rose slowly and leaped sharply following the 1967 Arab-Israeli war.

The number of Russian ships operating in the Mediterranean varies according to activities of the 6th fleet and NATO sea forces and the state of political affairs. When the 6th fleet or NATO forces hold exercises, the number of Russian ships increases.

American naval officers here said the Soviets observe these NATO exercises closely. They said the Russians also increase their knowledge of seamanship by observing the methods used by American fighting ships to refuel and take on supplies while under way at high speeds.

REACH HIGH IN AUGUST

Following the Czechoslovakian crisis last August, the number of Russian ships rose to a high of about 60, including submarines. Over the fall and winter, the number decreased to about 30, and then slowly began rising to the present Red fleet strength.

Normally, one-half the Russian fleet consists of combat ships, the rest being a collection of logistic support ships and auxiliary ships.

Despite their confidence that the NATO forces could meet the Russian naval presence successfully in combat, naval authorities assert that a severe blow would be dealt to the overall NATO defense posture if the 6th fleet were withdrawn from the Mediterranean.

HOPES WON'T HAPPEN

"I hope that this will never come about, because the 6th fleet is not only our best important element of our naval power here, it also has a great importance to the defense of the countries in the area," said Rivero.

"It would reduce my capability very substantially, because the 6th fleet in addition to its role in a major war is really a mobile tactical air force," he said.

"This air force can be applied in any particular part of the region where it is needed most. In addition to that, it can provide mobile air support for our merchant shipping which may be attacked by air if the soviets succeed in establishing their presence in the southern part of the Mediterranean.

MAY BE NO SUBSTITUTE

"So the 6th fleet is a very versatile instrument, and without it, I would have to have some substitution. In some respects, there is no substitute because you are operating in areas quite a distance from land, and it is very difficult to provide the air power to maintain control of the air," Rivero said.

Rivero said the 6th fleet also plays an important role in the political and psychological game. It is a visible evidence of the interest the United States has in the countries in the Mediterranean.

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RADIO STATION WWDC APOLOGIZES TO CONGRESSMAN OLIN E. TEAGUE

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. TEAGUE of Texas. Mr. Speaker, under leave to extend my remarks in the RECORD, I wish to include copies of two radio editorials from radio station WWDC which I believe to be self-explanatory:

CONGRESSIONAL ETHICS AND CONGRESSMAN TEAGUE

Broadcast of this editorial by WWDC General Manager William S. Sanders was on February 12, 1969. We welcome comments.

Rarely have we seen such blatant and flagrant abuse of congressional power as has been used by Texas Representative Olin Teague. Congressman Teague has openly and shamely helped to blackmail the Maryland State Senate into reversing a vote.

The vote, as originally taken, would have required out-of-state congressmen to pay Maryland state income taxes. Suddenly, the issue was recalled for a new Senate vote, and during angry debate, Congressman Teague was quoted as planning to attempt to halt some three to four million dollars in federal aid to Maryland education if the measure was not reversed. The debate was heated, at times vicious. But the outcome was a reversal and out-of-state congressmen are now exempt from paying state income tax in Maryland. The reversal vote was thirty to ten, with many Senators saying that they were switching for one reason . . . fear of Congressional retaliation.

We feel that Congressman Teague is clearly in conflict of interest. He is currently fighting a Montgomery County lawsuit charging that he failed to pay two hundred dollars in County income taxes.

On this basis, WWDC calls for a Congressional probe into the ethics of Congressmen who have contributed to the obvious coercion of the Maryland State Senate against the best interests of the residents of the Free State.

Thank you for your interest.

APOLOGY TO CONGRESSMAN OLIN TEAGUE

Broadcast of this editorial by WWDC General Manager, William S. Sanders, was on March 6, 1969. We welcome comments.

On February 12th, WWDC broadcast an editorial concerning what we thought was a flagrant abuse of Congressional power by Texas Representative OLIN TEAGUE in his effort to continue the exemption of U.S. Congressmen from Maryland county taxes. We have received further information and we think this information deserves airing.

First of all, the issue of whether Congressman Teague should pay Montgomery County income tax revolves around a principle and is not a personal matter. In fact, the Congressman has offered to donate to charity or a PTA of the choice of Montgomery's County officials, the amount of the tax—about $200. The Congressman pointed out to us too, that when his children attended Montgomery County Schools, he was asked to sign a statement each year that permitted Montgomery County to receive money from the Federal Government as an impacted area. The Congressman further argues, logically we must admit, that if he can perhaps be called a "non-resident" for that purpose, and a "resident" for the purpose of buying auto tags, and an "inhabitant" of his home state for purposes of being a member of Congress, then the entire matter should be straightened out by the court.

WWDC, now feels that the Congressman's case is perhaps a compelling one. At least, it has a great deal of merit and should be seriously considered by our listeners. Congressman Teague's ethics, we are now furthermore convinced, cannot be questioned. Our apologies, therefore, to the Congressman for any implications concerning his conduct, and. . .

Thank you for your interest.

URBAN EXPERTS EXAMINE URBAN-RURAL AMERICA

HON. THOMAS L. ASHLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. ASHLEY. Mr. Speaker, of deep concern to all of us is the prospect of continued congestion in the Nation's large metropolitan areas and of unchecked economic decline in rural America. A report dealing with this matter in its many facets was published last fall by the Advisory Commission on Intergovernmental Relations. The Commission is a 26-member bipartisan body established by Federal law to maintain continuing review of the relations among Federal, State, and local governments as they seek to discharge their responsibilities to the American people. The members of the Commission are Governors, mayors, county officials, State legislators and Representatives of both Houses of Congress, the Federal executive branch, and the general public. The representatives of this body on the Commisison are the gentlewoman from New Jersey (Mrs. DWYER), the gentleman from North Carolina (Mr. FOUNTAIN), and the gentleman from Oregon (Mr. ULLMAN).

In its report entitled "Urban and Rural America: Policies for Future Growth" the Commission asserts that the current random shifts in population and economic development are producing a growing imbalance between people and opportunities. The Commission declares that a projection of its findings on urban and rural economic growth trends promises that:

A continued build-up in large urban centers and erosion in smaller rural areas will make public and private services more costly in both areas;

Increasing congestion may intensify social and psychological pressures on urban dwellers;

Present migration and population growth patterns, coupled with trends in industrial location, will generate an increasing geographic mismatch of jobs and jobseekers; and

Finally, continuation of the present course of urban growth in suburban areas foreshadows even more "sprawl"—accompanied by a disorderly and wasteful use of land.

The Commission recommends that the National and State Governments formulate policies to help regulate future growth in rural and urban areas and it makes specific proposals—some of them highly controversial—to restore equilibrium between the rapidly growing concentrated metropolitan belts and the rest of the countryside.

The Commission's report and its recommendations are receiving widespread attention. An article in the March 1969 issue of Public Management, the monthly magazine of the International City Managers' Association, contains a brief summary of the Commission's report and perceptive comments, pro and con, by three knowledgeable observers, Prof. Joseph F. Zimmerman, State University of New York at Albany; Mr. D. G. Weiford, secretary, Wisconsin State Department of Local Affairs and Development; and Mr. Charles T. Lanigan, director, New York State Office of Planning Coordination.

The article follows:

THREE URBAN EXPERTS EXAMINE URBAN-RURAL AMERICA

Urban and Rural America: Policies for Future Growth. Advisory Commission on Intergovernmental Relations, Washington, D.C. 20575. 1968. 186 pp. Single copies free on request to ACIR. Additional copies at $1.25 from Government Printing Office, Washington, D.C. 20402.

Major findings: Metropolitan areas . . . have experienced the nation's largest (population) growth. This has been due to the dramatic population increases in noncentral city jurisdictions. . . . The greatest proportionate increase occurred in "metropolitan remainders"—suburban areas outside incorporated places of 10,000 or more.

Urban areas of up to one million experiencing the highest growth rate generally were located in a geographic crescent running from Virginia through the Old South and the Southwest to the Pacific Coast.

Eighty per cent of the net migration into metropolitan areas was attributable to only nine such areas: Los Angeles-Orange County; New York-Northeastern New Jersey; San Francisco-Oakland-San Jose; Washington, D.C.; Philadelphia; Houston; Miami-Fort Lauderdale; San Bernardino-Riverside; and Dallas.

Improved economic opportunities prompt migration but mainly among the better educated and skilled. Blue collar workers, less skilled, many Negroes, and the aged for personal and various noneconomic reasons tend to resist the attraction of job opportunities elsewhere. The result: migration from depressed areas tends to deplete the most productive sector of its work force.

Urban-rural comparisons of population growth, educational and health facilities, housing, and income levels sugegst major disparities for every index, with rural America consistently in the disadvantaged position.

Within metropolitan areas another set of disparities emerges with central cities confronting much greater public finance—public service problems than suburbs and metropolitan remainders.

. . . economic grows of municipalities was most frequently related directly to rates of increase in the total population and inversely to rates of increase in the nonwhite proportion.

Increasing concentration of people in large urban centers will make public and private consumption more costly as a result of diseconomies of scale.

While the evidence is not conclusive, it may well be that increased size and congestion will also take a net social and psychological toll in urban living conditions.

The advantages of suburban and metropolitan remainders in attracting new industry will continue to widen the gap between the economies of central cities and their surrounding neighbors, deepening the problems of many central cities. A most serious aspect of these problems will be the growing inability of the central cities to provide jobs for their residents.

Continued migrtaion of the Negro population to central cities will add fuel to already incendiary conditions in central city ghettos.

At the same time, the nation's smaller

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urban places outside of metropolitan areas will be increasingly bypassed by the economic mainstream and will also find it difficult to offer enough jobs for all their residents.

RECOMMENDATION: IMPLEMENTING STATE POLICIES DEALING WITH URBAN GROWTH

The Commission believes that state governments have a role to play in influencing orderly urban growth. The following should be considered as useful approaches to the implementation of state policy regarding urban growth.

State assistance in making credit more readily available for business and industrial location in certain areas by establishing state and regional industrial credit agencies;

Placement of state and local procurement contracts and construction projects to foster urban growth in certain areas;

Assistance and guidance for urban growth through the establishment of state and state-chartered local land development agencies and state property tax deferral for new community development;

State regulation of development along highways and at interchanges where no effective local control exists;

Giving local governments the powers necessary to deal with urban growth by providing urban counties with appropriate governmental authority and organization, by encouraging county consolidation, and by granting municipalities authority to annex territory for new community development under certain conditions;

Authorizing localities to adopt new and strengthened land use and development ordinances and regulations such as official map, planned unit development, and unmapped or floating zone ordinances and dedication or cash payment-in-lieu requirements for parks and school sites.

RECOMMENDATION: A NATIONAL POLICY DEALING WITH PATTERNS OF URBAN GROWTH

To help assure the full and wise application of all governmental resources consonant with the economic and social health of both rural and urban areas and of the nation as a whole, the Commission recommends the development of a national policy incorporating social, economic, and other considerations to guide specific decisions at the national level which affect the patterns of urban growth.

The Commission recommends that the President and the Congress assign executive responsibility for this task to an appropriate executive agency. The Commission also recommends that the Congress provide within its standing committee structure a means to assure continuing systematic review and study of the progress toward such a national policy.

The Commission further recommends that the executive and legislative branches, in the formulation of the national policy, consult with and take into account the views of state and local governments.

Joseph F. Zimmerman, Professor of Political Science, State University of New York at Albany:

"Urban and Rural America: Policies for Future Growth thoroughly documents patterns of economic growth and urbanization and the problems currently faced by central cities, suburbia, and rural areas. Few will quarrel with the report's findings, but many of its recommendations illustrate that writing an acceptable diagnosis is easier than writing an acceptable prescription.

"This brief appraisal, of necessity, must be selective and will focus upon the Advisory Commission on Intergovernmental Relations' call for a national urban growth policy involving major federal-state manipulation of growth trends. The case made for an urban growth policy is a convincing one, but several 'possible components' of the policy suggested as 'useful approaches' are in need of careful rethinking.

"The ACIR states that it wishes to influence 'the movement of population and economic growth . . . so as to achieve generally a greater degree of population decentralization throughout the country.' Such a policy has been followed by a number of countries with little success.

"The Soviet Union has attempted to curb the growth of Moscow since 1931, yet the city has experienced the same rate of population growth as the New York City area. The Irish government has been unable to prevent the depopulation of rural areas and the continued rapid population increase in the Dublin area. And the British government's post war attempt to divert population and jobs to new towns and other parts of the country was unsuccessful in curbing population growth in the London area which had a rate of increase twice as large as the remainder of the country.

"ACIR correctly points out that governments currently are interfering with market forces, but such interference is not sufficient justification for massive interference—via tax incentives, below market rate loans, direct payments, and construction and procurement contracts—with the complex forces which determine patterns of growth. A policy of artificial promotion of growth in certain areas and limitation of growth in other areas can have adverse consequences for the United States. In fairness to the ACIR, it must be pointed out that the report summarizes the principal arguments against its suggested 'useful approaches.'

"A strong case is made for the use of various kinds of subsidies to induce industry to locate in areas which are declining economically or are not growing rapidly enough. Inherent in such a policy is the danger that it may develop into a 'pork barrel' approach similar to rivers and harbors projects.

"If subsidies have to be utilized to induce firms to locate where they otherwise would not locate, it is probable that subsidies would be needed to keep the firms operating in economically disadvantaged locations.

"In the long-run, economically depressed rural areas and labor surplus city neighborhoods would profit most from programs designed to make the areas more attractive to industry; programs that would provide excellent transportation facilities and utilities, suitable sites, and skilled labor. An inefficient transportation system, for example, raises the cost of production and places a region at a competitive disadvantage *vis-a-vis* other regions. By contrast, an efficient transportation system promotes the competitive position of a region's firms and acts as a magnet for new industry. The report unfortunately makes but few references to the transportation system, a dynamic force that heavily influences the rate and pattern of development of areas.

"Since World War II, the hard-core unemployment problem in central cities has among its root causes two opposing movements—the influx of a substantial number of unskilled persons to large cities and the exodus of many industrial firms from cities to suburbs. The problem has been further accentuated by automation which has reduced the demand for certain types of labor.

"The fact that there are 500,000 hard-core unemployed in central cities is paradoxical in that jobs commonly are available in suburbia. This situation has led several observers, including the ACIR, to recommend that industry be discouraged to construct new factories in the ghettoes, to take advantage of available labor, and cool the explosive nature of the unemployment problem.

"Realistically, profit-motivated industry cannot be expected to construct new factories in ghetto areas unless provided with major incentives. Suitable sites in these areas are scarce and attempts to assemble sites are fraught with danger.

"Obviously, it makes more economic sense in the short-run to transport employable persons from the ghettoes to jobs in suburbia. This is more easily accomplished and can be done in a short period of time compared with the time that would be involved in inducing industry to construct new factories in central cities.

"Urban problems are compounded by inconsistent federal programs which are, in part, a response to competing interest groups. The interstate highway program, for example, favors the private automobile and encourages metropolitan sprawl, and appears to conflict with the mass transportation program. And the insurance of home mortgages by the Federal Housing Administration and the Veterans Administration has promoted sprawl, weakened central cities, and made acute the transportation problems of metropolitan areas. Action should be taken, as urged by the ACIR, to coordinate the various federal programs which affect economic growth.

"In conclusion, the ACIR would be on safer ground if its recommendations were more modest and were restricted primarily to: (1) the elimination of inconsistent federal programs which work at cross-purposes with each other, (2) improvement of comprehensive planning to accommodate further urbanization, (3) promotion of policies designed to make economically depressed areas more attractive to industry without the use of subsidies, and (4) development of an inexpensive transportation system to move unemployed workers in central cities to and from jobs in suburbia."

RECOMMENDATION: REDIRECTION OF MULTI-STATE ECONOMIC PLANNING AND DEVELOPMENT AGENCIES

To facilitate the development and implementation of a national policy dealing with urban growth, the Commission recommends that the President and Congress reassess the policies and structures of the existing and proposed multi-state economic planning and development agencies as they affect the geographic distribution of economic and population growth. The Commission further recommends that such agencies be charged with taking national policies into account in the formulation of their regional programs and with developing regional components for the formulation of national policies and programs dealing with urban growth.

D. G. Weiford, Secretary, Department of Local Affairs and Development, State of Wisconsin:

"While reading the pages of *Policies for Future Growth* the thought stubbornly persisted that the situation is simply out of control. The message is plain and stark. In the face of a very real urban growth crisis it asserts that we are strangling ourselves with numerous uncoordinated public and private efforts which are doubly ineffective because few people have grasped either the immensity or severity of the problem.

"Yet the quality of life itself is in serious danger. Giant population clusters have already become unmanageable and future growth projections are little short of ominous. Jacksonian democracy is unsuited to meet the crisis and its application merely worsens conditions. Laissez-faire development practices, for example, once a substantial source of national power, have become a killer. Looking ahead even to a single generation the report implicitly concludes that the nation is on a collision course with a dark destiny.

"The proffered solution, like the problem, is a paradox. To provide decent housing, jobs, workable transportation, relief from onerous taxation, a healthy environment, and all of the other factors which are part of the American Dream, power inevitably must be shifted upward to the federal and to some extent to state government. In no other way can impending disaster be replaced with relative order. Failure to embark on wholly new dimensions of leadership and control by higher units of government is the equivalent of national chaos. This is the message of the report as I interpret it.

"In a precise textbook manner the story is unfolded. Disparity prevails everywhere. It

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prevails in the fiscal and social plight of the central cities. It prevails in the inability of lone units of local government to solve a host of worsening problems and a corollary disinclination of communities in the same metropolitan area to work together in meaningful ways. It prevails in the decline of rural income levels and needed governmental services. It prevails in those forces which unwittingly created the ghetto and work to maintain its existence. And if things are bad now, what will it be like in some 20 to 30 years when 'estimates indicate a national population increase of 73 per cent . . ., practically all of it urban?'

"In a democratic society, government usually reacts to crisis. Seldom can meaningful plans and expenditures be made for problems which loom somewhere in the future. As I read the report I remember thinking that its message was surely true but that, popularly speaking, it remains largely unrecognized. The typical man on the street does not yet see it as a problem of crisis proportions, and for that matter neither do most members of the state legislatures. This same lack of perspective is shared by many public officials including some municipal administrators. Indeed, the somewhat wicked thought occurred to me that there are quite a few city managers throughout the country who make a very good living representing communities which probably shouldn't even exist as separately organized entities.

"When seen in this light one cannot help but wonder at the desire—to say nothing of the ability—of governments voluntarily to undertake such adventuresome and uncharted missions as advocated in the report.

"Nevertheless the report stands on its own merits. It carefully details the nature of the problem and the inevitable consequences of inaction. It concludes that we must begin with the enunciation of national policy to redirect the forces of urban growth, including action programs to encourage the dispersal of population. It concludes, too, that a whole battery of bold new policies must be carried out by state action if success is to be achieved.

"Because of my position in state government I was inevitably drawn to those sections of the report dealing with 'the appropriate roles' of state and local governments. The recommendations for state action will undoubtedly attract critical fire. An article in the December, 1968, issue of *Nation's Cities* is a case in point. It bore the provocative title, 'What Role for States in Our Federal System?', but concluded that it was at best a minor one and urged Congress to resist arguments for more participation by state governments in the administration of new federal programs for urban America. A majority of the big city mayors support this negative view.

"The ACIR report, however, strikes a note of balance. Important elements of proposed national policy can be implemented only at the state level because inevitably 'the focus . . . shifts to the states.' A stern warning is issued if this responsibility is ignored as it admittedly has been so frequently in the past: '. . . inaction by the states may lead to such a degree of national dominance that the position of state government in the American federal system may be further eroded. The states need to act, rather than merely to react . . .'

"So the challenge is put forth: The states, working within the framework of national urban growth policies, must adopt and implement comprehensive urban growth policies of their own. There must be a strong state planning process as well as the designation of multi-county planning and development districts. Local government, particularly the county, must be strengthened, and areawide planning and functional agencies authorized. The further proliferation of separate governments in urban areas must be halted. State departments of local or community affairs should be established to provide technical assistance to local governments. Imaginative and positive land-use and development controls must be provided. Bold new concepts for encouraging population dispersal should be adopted and set in motion, including a strong leadership role in stimulating and guiding new community development.

"The question of course is whether the states will be able to muster the capacity to play such a key and positive role in coping with the complex problems of urban growth. To date the record has not been good and little evidence exists to indicate that a dramatic change is in the offing. The reapportionment of state legislatures over the country thus far seems to have done no more than exchange a predominantly rural view for an equally parochial suburban one.

"A few states have made notable strides toward achieving some of the action programs recommended in the report but in light of the enormity of the problem these efforts can only be regarded as embryonic. I therefore regretfully conclude that we have no alternative but to look to the federal government for strong leadership including incentives to goad the states into action. Otherwise it may be predicted that most of the states will continue to do little more than to act indecisively, or as the report puts it, to react rather than to exert bold leadership.

"The overriding value of *Policies for Future Growth* is that it indisputably makes its case and then draws a well-conceived and well-balanced action blueprint requiring for success the effective participation of all levels of government and the private sector. Its value to governmental leaders will be great."

RECOMMENDATION: STATE POLICY DEALING WITH URBAN GROWTH

To assure full and wise application of state governmental resources consonant with the economic and social health of both rural and urban areas in the state, the Commission recommends the development of state policy incorporating social, economic, and other considerations to guide specific decisions at the state level which affect the patterns of urban growth.

The implementing legislation should provide for (1) coordination by an appropriate state agency of state, multi-county, metropolitan, and local planning, and relating such planning to regional and national considerations; (2) conformity of programs and projects of state agencies to the state urbanization plan; and (3) formal review by an appropriate state agency for conformance with the state plan of metropolitan area and multi-county plans and of those local comprehensive plans, implementing ordinances, and projects having an impact outside the jurisdiction's borders.

The Commission further recommends that multi-county planning agencies be assigned responsibility to review applications for federal or state physical development project grants in nonmetropolitan as well as metropolitan areas.

The Commission also recommends that the state legislatures provide within their standing committee structure a means to assure continuing, systematic review and study of the progress toward a state policy dealing with urban growth.

Finally, the Commission recommends that the states give consideration both to the national policy and to the views of local governments in the formulation of state plans and policies dealing with urban growth.

RECOMMENDATION: POSSIBLE COMPONENTS OF A NATIONAL POLICY DEALING WITH URBAN GROWTH

The Commission is of the opinion that national governmental policy has a role to play in influencing the location of people and industry and the resulting patterns of urban growth. Some of these ways are of proven capability; others are untried. The following should be considered as useful approaches to the implementation of a national policy regarding urban growth:

Federal financial incentives, such as tax, loan, or direct payment arrangements for business and industrial locations in certain areas;

Placement of federal procurement contracts and construction projects to foster urban growth in certain areas;

Federal policies and programs to influence the mobility of people, to neutralize factors producing continued excessive population concentrations, and to encourage alternative location choices; such policies and programs might include, among others, resettlement allowances, augmented on-the-job training allowances, interarea job placement and information on a computerized basis, and the elimination or reduction in the "migrational pull" of interstate variations in public assistance eligibility and benefit standards;

Strengthening the existing voluntary federal-state programs of family planning information for low-income persons;

Federal involvement and assistance under certain conditions (such as assurances of an adequate range of housing) for large-scale urban and new community development.

Charles T. Lanigan, Director, State of New York Office of Planning Coordination:

"In this recently published report, the Advisory Commission on Intergovermental Relations presents a thoughtful inquiry into urban settlement and growth in the United States today. Nationwide population movement and trends, industrial growth location factors, shifts in personal income, and growing imbalances between governmental service delivery and social service needs are reviewed and analyzed.

"In light of this background, existing governmental policies affecting economic growth and urban settlement are discussed, and their noncoherence is especially noted. Growth patterns, including particularly the building of new communities and the impediments to their realization, are examined. Conclusions are drawn and suggested policies are put forth for consideration by federal, state, and local governments. Most significant of all, the need for a national policy to guide the location and the character of future urbanization is stated in clear, ringing terms.

"A national urban-rural development policy, in the words of ACIR's Assistant Director David B. Walker, requires a 'consideration of the dynamics of the economic process and its effect on urban-rural America; the need for job training, a national resettlement policy and uniformity in welfare programs; and evaluation of the existing and future role of state and local government.'

"Given a national policy, Governor Nelson A. Rockefeller said recently, each state in cooperation with local government should set goals for urban and rural areas and develop a comprehensive plan to achieve these goals. States also should make a careful assessment of projects and programs in relation to urban and rural growth and should amend or supplement these policies and actions to promote a rational pattern of settlement.

"As a director of a state planning agency I am particularly interested in ACIR's suggestions for better coordinated, more effective state policies to bring about a desired balance in urban-rural growth.

"First, states ACIR, there should be a statewide planning process sufficiently advanced to create a state growth and development policy. Physical, economic, and social considerations must be taken into account; the structure, form, and direction of growth determined; state agency policies and programs understood and adjusted in terms of their effect on settlement patterns; guidance for local, metropolitan, and regional plan-

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ning and development programs provided; and the interplay between local efforts and national regional policies enhanced.

"In New York State's publication, *Change/Challenge/Response,* released in 1964 and a successor document presently in preparation, we have set forth an urbanization policy in the form of a state development strategy. The purpose of this endeavor is first to project the kind and location of urban settlement that will improve the economic growth of the whole state and second to suggest the component functional and regional substrategies needed to effect this pattern of urbanization.

"We are convinced that numerous balances are required: in urbanization and open land retention; in physical, economic, and social factors; in transportation networks and public facility provision; etc.

"Our next steps will be to test this development strategy against regional development policies being prepared by the various regional planning agencies and against the plans and programs of state functional departments. The planning significance of New York's PPB system lies in the continuing interweave of state functional plans with overall statewide urbanization policy.

"To implement a state policy for urban-rural growth ACIR suggests that states consider the enactment of a number of programs and other legislative mechanisms. Among them: creating state and regional industrial credit facilities; authorizing locational preference in awarding public contracts; providing for the chartering of state and local land development agencies; authorizing property tax deferral for new community deveolpment; strengthening county government; permitting noncontiguous municipal annexations; and authorizing local governments to adopt more flexible and more effective land use and development controls.

"The extensive material in this report stimulates a lot of thinking about urban and rural development and indicates a number of areas for further exploration.

"We need, for example, to develop new measures of urban density, to better understand the effects and side effects of population intensity levels on the well-being of urban dwellers, and to provide for compensatory features and facilities.

"We need to evaluate the implications of a state urbanization policy that selects certain areas for either major growth or whole new community development in preference to others. How are such decisions justified? How are the questions of individual property and local government autonomy in relation to the general urbanization needs and the more inclusive authority of state government resolved?

"There is much work ahead for us to understand how new communities can be brought into being so as to contain a representative mix of metropolitan population and to offer families of all incomes and situations a real choice in where they shall live. The problem of land acquisition and financing must be dealt with; housing construction costs must be lowered on a large scale basis; and resettlement policies in the way of educational programs, job training opportunities, and encouragement must be instituted.

"We need to build governmental mechanisms—the state and local governments in joint effort—that will permit the creation of governmental units for new communities with sufficient capabilities to meet the needs of their ultimate population. In less formalized new community government situations we need to set the stage for the accommodation of local zoning ordinance and building code specifics with the overall proposals of land development corporations.

"The implementation of a statewide development plan for the settlement of the whole state requires the understanding and support of its citizens, who are citizens of localized urban and rural areas as well. From our various viewpoints we need most of all to understand the nature and dimensions of urban and rural problems, their interrelationships, corrective policies for each area, and their interrelationships. In publishing this report, ACIR has taken a major step to create this understanding."

HOSTILE SHORES MUST STILL BE TAKEN

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. BOB WILSON. Mr. Speaker, in a recent interview published in the Armed Forces Management magazine, Marine Corps Commandant Gen. Leonard H. Chapman presented some perceptive thoughts on the future role of our fighting marines. I am certain that his comments will be of interest to our colleagues and for their benefit I submit the following article for inclusion in the RECORD:

HOSTILE SHORES MUST STILL BE TAKEN—THE MARINE CORPS' AMPHIBIOUS ASSAULT ROLE HAS NOT DIMINISHED

(By Craig Powell, editor)

The next two years may be the most crucial in this one hundred years believes United States Marine Corps Commandant General Leonard H. Chapman. "The world is living in troubled and decisive times," he says. "The years 1969 and 1970 can well be the determinative years for the United States in the Twentieth Century. Thus, the decisions made in this time frame may well be the factors that will chart the course of U.S. national security affairs for many years to come."

The Marine Corps' 24th Commandant continued, "It is for this reason that we are doing the very best we can devise to insure that the United States Marines will always be able to carry out its part in the defense of the country."

It is an unfortunate fact of life that in any composite picture certain elements or portions of the composite can become blurred or out of focus. This is perhaps true of the composite profile of the Marine Corps, today. Not so much so to the initiated. But rather to those who view segments out of context with the whole.

HAS TIME OVERTAKEN?

Over the past two decades the accelerating pace of world affairs has been such that military forces, concepts, and tactics have been in a constant state of flux and evolution. It is not necessarily unusual then, that to a peripheral viewer it might distortedly appear that time has overtaken the requirement for a Marine Corps. The last such viewer of importance was President Harry S. Truman, who had to beat a hasty retreat.

Historically, Marines' duties have been amphibious in nature; providing landing forces, both sea and air. Their task, assault and secure the beachhead. Outwardly, during the Korean war and now in the conflict in Southeast Asia the Corps' operations have been tasked with fighting in a protracted situation, a type of conflict usually related to Army operations.

These factors, plus the Army's advanced techniques in helicopter operations have caused some to pose the question: "Is there a need for the Marine Corps in the future, or can its role now be filled by elements of the other services?"

To answer the questions and to clarify such misconceptions, AFM talked with Commandant Chapman who recently returned from a trip to Southeast Asia and asked him to address the subject as well as indicate the future of the Corps in the post-Vietnam world.

In no-nonsense Marine fashion, Chapman attacked the subject with a direct frontal assault. "First," he said, "it is true that in Vietnam today, we are on what can be termed a strategic defensive. This was the case at Khe Sanh and now in holding positions at the DMZ (Demilitarized Zone). However, let me point out that, the Marines are charged not only with maintaining landing forces but also with carrying out such other operations as may be directed by the President of the United States. The latter is what we are doing in Vietnam. And it is the restricted nature of that war, by national policy, that brings about the current situation."

The General went on to explain that at the same time strategic defensive positions are being maintained, the Marines are tactically on the offensive and have been since their commitment in March of 1965.

MARINES ON THE MOVE

In the I Corps area this is truer today than ever before. Across South Vietnam, Marine battalions are constantly on the move. Both day and night, in the jungles, in the mountains, and in the low-lands they are searching out the enemy. Airlifted by helicopter and utilizing supporting air and naval arms, this mobile concept is well in keeping with most typical Marine operations.

The main force units of the Viet Cong and the North Vietnamese regulars have been defeated and have mostly retreated to the sanctuary of Laos and North Vietnam. The weather is currently good, and the Marines have adequate forces to get away from fixed position to engage the enemy in ambushes, patrol confrontations, and cordon operations. He is even being hunted out within the Viet Cong infrastructure.

The Marine chief told AFM, "Our forces are highly mobile, hard hitting units. We are patrolling constantly and extensively, seeking the enemy; and when he is located, we have the mobility, firepower, and flexibility to be able to build on that contact and inflict high casualties upon him."

Further expanding, he pointed out that activities in Vietnam employ many of the features of the landing or amphibious type operations. "Our actions have often been spread out over a long beach line with Naval gun support and supply support. In like manner the air-support has been typical of that employed in a traditional Marine assault role just as helicopter support has been the same as in beachhead attacks.'

Illustrating the point further, Chapman stated that in Vietnam there have so far been some 62 battalion-size Special Landing Force amphibious operations. The most recent, *Bold Mariner,* a part of Operation Russell Beach, involved two Marine battalions and an Army brigade (approximately 8000 men). "All of these," he continued, "have encompassed the techniques and tactics standard in traditional Marine operations.

CLAIMS VALIDATED

"The Corps should be a force in readiness and I think we have clearly demonstrated that our claims to that effect have not been merely advertisement." In fact the Marines in Southeast Asia have never missed a deadline and have always landed on schedule fully combat ready. This has been true since the 9th Marine Expeditionary Brigade went ashore in March 1965 through the ultimate buildup to the current strength of two and one third Divisions and the equivalent two Air Wings. Even the 27th Marine Regimental Landing Team, which deployed to Vietnam during last year's TET offensive, moved out in 48 hours.

Maintains the top Marine, the Corps' charter mandates that it provide the capability to move anywhere in the world on a moment's notice. That includes the organiza-

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tion, the training, equipment, and logistics to enable it to do so. Chapman feels that the Marines can do so. Obviously, then, to assume that there has not been a role for the Corps in Vietnam is fatuous. To assume that there will be any diminution of that role in the post-Vietnam world would be more so.

PREDICTIONS ARE DIFFICULT

Trying to predict what contingencies may be over the horizon in that post-war arena necessitates a certain amount of "crystal balling." Still, a pragmatic appraisal of the future and the roles and missions of U.S. military forces that may be necessary is, perhaps, a little more exact science. Particularly when based on past history and a well of military experience.

Surveillants of the U.S. defense scene have noted a growing trend toward retrenchment; the advocacy of "rapid response" and "instant deployment." Under this strategy U.S. forces would be retained within the Continental United States, at the ready, with sufficient airlift and sealift necessary for "rapid response." Here again, the uninitiated might conclude that this discipline in itself equates to a lessening importance of the "landing force" role. Quite the contrary is true.

These same surveillants of the defense scene will, if they are doing their home work well, note that the U.S. has given up many of its advanced bases around the world subsequent to World War II and Korea. The nation is already down to only a portion of those hard-fought-for bases. Even today negotiations are imminent for the return of additional bases such as those in the Philippine Islands.

States Chapman, "It is obvious that we must increasingly rely on going back across the oceans; quite likely to land on a hostile shore against a determined enemy. And if that time comes there will be only one way to go ashore and the Marine/Navy team must execute those operations. In this light, the future holds not a lessening, but a growing requirement for amphibious or Marine type landing forces."

If then, the role of the Marine Corps in the future has not diminished, what changes in organization, equipment and tactical doctrine are in the offing to cope with the ship-to-shore-assault mission? Not a great deal believes the General. He envisions there will be an evolution. Today's organizational structure and training techniques will alter some as better methods of doing things are found. Too there will be some changes in tactics with the advent of new equipment and weapon systems.

"We are following all new weapon systems development to see how they may fit our needs," Chapman commented. "We would very much like to have a V/STOL or VTOL aircraft. There are many advantages for us in this type of plane."

Expanding, the Marine chief explained that there is always the necessity to get Marine air ashore as quickly as possible. Currently there is a reliance on a fixed base such as the SATS (Short Airfield for Tactical Support). The SATS is really a carrier deck ashore. It is a light, easily emplaceable, durable airfield matting with light catapult and arresting equipment. It also includes an Instrument Landing System (ILS) and Ground Control Approach (GCA). It does the job and is reliable. "We had one on hand in Vietnam and at Chu Lai it was expeditiously emplaced with the first aircraft landing and taking off on a combat mission on the 26th day," Chapman said. However, there are drawbacks to this system. It requires flat terrain and there is a commensurate concentration of aircraft and facilities which greatly increases its vulnerability to attack. "Thus," remarked Chapman, "the VTOL aircraft is attractive in that it can be dispersed, solving the concentration/vulnerability problem. They can also be operated off of small vessels."

The General also indicated that the Corps is looking approvingly at the British Hawker-Siddley *Harrier* which is now going in to the Royal Air Force active inventory. "It is the first V/STOL to have true operational capabilities and good ones. Frankly, we are most interested and are trying to get some as a start. I would like to believe that the Marines are the logical ones to receive the first of this type of aircraft. It seems to fit well to our role."

It is Chapman's opinion that there is no need to put a V/STOL or VTOL behind every bush. However, he thinks that the Marines should start in a small way to gain operational experience in this type of equipment. "We need to learn how to handle and fly this type of aircraft," he said. "We should determine the best methods of attack, formation flying and tactics in general. Actually our immediate requirement is for an operational test and evaluation program leading toward an eventual capability of three or four squadrons. But I think we should start soon and the *Harrier* certainly has merit and I am hopeful that we are successful in acquiring it."

In light of the increasing airmobile capabilities in the Army, AFM asked the Commandant about the helicopter in future Marine plans. The General was most directly candid, "Nothing could be more solid in our planning than our concept of 'vertical envelopment.' We have over the years been extending and elaborating on it. Now it is at full scale and the helicopter is almost as common as the jeep."

Reemphasizing the point, he told AFM that through the late 1940s the Corps went through laborious efforts involving the use of the then limited capability helicopters and landing teams to develop tactics, techniques and doctrine for their successful use. In 1950 when the Korean conflict started the Marines had the first operational helicopter squadron in combat. A parallel Navy program provided the flight decks for the follow on squadrons and this has grown to the full-fledged capability of today.

By way of example, Chapman cited 50,000 to 55,000 Marine helicopter sorties per month in Vietnam moving some 75,000 troops each week. "While a number of rotary wing aircraft have been lost in Vietnam, they are not as vulnerable as some people think. This is apparent when losses are compared to the magnitude of operations.

"The important lesson we have learned in Vietnam, in this area, is the need for more light helicopters. The large transport helicopters CH–46 and CH–53 are doing an excellent job. However, we need more gunships and utility type helicopters like the *Huey*."

AFM asked if the Marines had any interest in the Lockheed AH–56A *Cheyenne* (Advanced Aerial Fire Support System). "I don't think we would want it at this time," he answered, "but we are watching it. We prefer a mix of jets, Cobras (Huey gunship) and naval gunfire support. It better fits our requirements at this time."

In relation to advanced systems, the Commandant was also queried as to what relationship the new hovercraft, the C–5A *Galaxy*, and the programed Fast Deployment Logistics Ships (FDL), might have on future Marine operations.

"The hovercraft," he said, "has some attractive features. It enables one to move rapidly over certain types of terrain. At the same time it is an extremely complex piece of machinery and requires a considerable amount of power. Like other developments, we're keeping a close eye on it, though at this time we have no plans to acquire this type of vehicle for our inventory.

"As to the C–5A and the FDLs, this perhaps needs a little explanation. Future contingencies may require the capability to move across oceans and accomplish landing operations under fire. This, of course, is the responsibility of the Navy/Marine team. However, the supertransports and the Fast Deployment Ships do not actually figure into this type of action. They are more applicable when there is a need to move whole armies in what can best be described as an 'administrative landing.' However, there is a valid requirement for both types of operations and they are complementary to each other. Certainly, the C–5A and the FDLs will be an asset in the rapid development of large numbers of troops, but they are not really germane to the Marine role."

In wrapping up the discussion, Chapman noted that the Corps' immediate preoccupation is the continued support of the III Marine Amphibious Force in Vietnam. "Our secondary, yet equally important task," he continued, "is to keep our other Fleet Marine Forces in readiness. Within those we have three Marine Expeditionary Forces (MEF); one in the Eastern United States composed of the 2nd Marine Division and 2nd Marine Air Wing; one in the West, the 5th Marine Division and the 3rd Marine Air Wing; and one in reserve, the 4th Marine Division and 4th Marine Air Wing. The III MAF is in superb condition and uncommitted MEFs are in good shape to take on any commitment that may be made."

To Chapman the many facets of the composite are all clear. He leaves no doubt of his conviction that there is a very explicit role for the Corps in both today's military forces and in the nation's defense posture of the future.

Over the past 193 years the Corps has been prepared for, hardened and tempered in the crucible of war. In time the conflict in Vietnam will have passed and the men of the Corps will move out. But the role for the Marines as delineated in the "Key West Agreement" will remain. The planners must consider that sooner or later there will be a need to take a hostile shore. When that time comes the job will be done by the Navy/Marine team.

The Corps may in time vary its tactics and its equipment. But essentially, it will retain its role and its identity. Or as the 17th Commandant once said, "The only secret weapon developed by the Marine Corps is the Marine.

ELECTORAL ABDICATION

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. ULLMAN. Mr. Speaker, the New York Times printed an excellent editorial today criticizing the administration for its hesitancy to support the direct popular election of the President. I agree that we cannot ignore the steadily growing public opinion favoring this method, out of misplaced fear that such reform may not be ratified in the State legislatures.

The editorial follows:

ELECTORAL ABDICATION

In major political battles, as in major military ones, neutrality can often be an oblique way of taking sides. To refuse to come to the aid of a good proposition when its fate is in doubt to undermine its success. This is exactly what the Nixon Administration has done with regard to Electoral College reform.

Attorney General John N. Mitchell, testifying before the House Judiciary Committee, has reiterated what President Nixon had said earlier: The Administration favors direct, popular election of Presidents and Vice Presidents, but it will not urge Congressional approval of this reform because it does not think the plan could win ratification among the states. Instead, the Administration has offered its own reform proposal, a wholly inadequate substitute that spins a host of new complications of its own.

The reason for this posture is difficult to understand. Is the Administration too timid to make a fight for what it considers right? Or does it really oppose thoroughgoing electoral reform?

The view that the best possible reform is unattainable is a view contradicted by every available poll. A sampling of sentiment among state legislators showed overwhelming support for direct popular election of Presidents and Vice Presidents. As for the voters themselves, polls show as many as 80 per cent favoring direct election.

Perhaps still another poll of state legislators would give the Administration the courage of its convictions, if its convictions really support direct election. Senator Birch Bayh, long an advocate of electoral reform, plans to conduct such a poll.

But responsible political leadership should not depend on a wet finger windward or the results of the latest poll. By its own testimony the Administration favors direct election of Presidents and Vice Presidents. It ought to fight for this most basic of electoral reforms.

UTAH LEGISLATURE URGES LESS FEDERAL GOVERNMENT

HON. LAURENCE J. BURTON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. BURTON of Utah. Mr. Speaker, the Legislature of the State of Utah recently passed House Joint Resolution 12 entitled, "A joint resolution memorializing Congress to cease and desist the proliferation of Federal power." The resolution, I think, is representative of an ever-increasing attitude among citizens throughout the country, citizens who have a genuine and certainly not unwarranted concern for the preservation of a proper balance between National and State government operations. We in the Congress would do well to take to heart the message of this resolution, and dedicate more of our efforts to the strengthening of State and local governments, and less of them to adding to the powers and responsibilities of the already overlarge Federal Government. The resolution follows:

H.J. RES. 12

A joint resolution memorializing Congress to cease and desist the proliferation of Federal Power

Be it resolved by the Legislature of the State of Utah:

Whereas, the Congress of the United States continues to expand the proliferation of federal control over our cities, counties and states, and

Whereas, this proliferation of national government is contrary to the thinking of our founding fathers, contrary to the fundamental tenets of federalism, and

Whereas, if such proliferation does not cease, our federal system, which once manifested a delicate balance between federal and state powers, will become a giant state engulfing monster; Now, therefore, be it

Resolved by the 38th Legislature of the State of Utah, both houses concurring therein, That Congress be memorialized and respectfully requested to cease and desist from further encroachment on state and local powers reserved to the states under the Constitution of the United States; Be it

Resolved further, That Congress immediately consider systematic withdrawal of many of the non-productive and expensive federal agencies which result in unnecessary taxation imposed upon citizens of this and other states, and allow states to appraise their own social and economic needs and levy and collect taxes to provide for these indigenous problems; Be it

Resolved further, That the Secretary of State of Utah be, and he is hereby directed, to send copies of this resolution to the Senate and House of Representatives of the United States, to United States Representative Wilbur D. Mills, and to the Senators and Congressmen representing the State of Utah in Congress.

HAVEN J. BARLOW,
President of the Senate.
LONIE N. PACE,
Speaker of the House.

Received from the Governor, and filed in the office of the Secretary of State this 13th day of March, 1969.

CLYDE L. MILLER,
Secretary of State.

BOSS WHO DOESN'T WANT ADVICE KEEPING EXPERTS BUSY

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. GAYDOS. Mr. Speaker, lack of communication can often create seemingly insurmountable problems which reduce themselves to minimal proportions when lines of communication are opened up.

I call the attention of my colleagues and place in the RECORD a recent article from the Pittsburgh Press, which describes an interesting experiment on the subject, conducted at the U.S. Department of Commerce Field Office:

BOSS WHO DOESN'T WANT ADVICE KEEPING EXPERTS BUSY: PUTTING OUT OFFICE FIRES TAKING MORE TIME THAN EVER

(By William Allan)

More than 50 red-blooded American business types spent some 75 minutes trying to fashion toy towers out of paper, paper clips, soda straws and the like at the U.S. Department of Commerce Field Office here the other day.

They're not candidates for padded cells. They were taking part in a very interesting experiment in communications.

A team of five specialists from Arthur D. Little, the Cambridge, Mass., management consulting firm, set up the experiment because it constituted a challenge with unfamiliar materials.

"Technical knowhow, therefore, was of very little use," explains Arnold J. Judson, the chemical engineer member of the Little team.

He adds that communications constitute a very real problem in most firms. Research scientists don't talk to marketing people, production managers clam up when the finance section is represented and the president complains that no one understands what he's trying to do.

The fact that so many Pittsburgh business people showed up for an all-day conference on the subject is some proof that communications are a concern—although none of them probably would own up to the above description.

The fact there were in attendance some presidents of rather large corporations, plus some vice presidents of gigantic firms, indicates the concern is at the top.

Lewis E. Conman, director of the Commerce Field Office here, says the session was set up on request and that this was the first time the Little team worked with such a heterogeneous group.

He adds that industries report to him that the amount of management time wasted "putting out fires" is reaching staggering proportions.

Interestingly, Kenneth J. Beck, whose specialty is social problem solving, reports there oft times are more communications blocks in small firms because people are closer and have built up more walls than those in conglomerates.

Mr. Judson is specific to emphasize that there is no "formula" to solve the communication's problems of any firm and that when a team of experts attacks a problem in a firm, it expects to tangle with it for at least several months—and sometimes several years.

Typical problems include the boss who doesn't want any advice, the marketing department which stifles everything from the research people and the research people who look down their noses at the marketing people as "idiots."

Despite all you hear against "rule by committee," the Arthur D. Little people like it.

"Risks are involved and taking risks is easier for a team, because the risk is spread," explains Mr. Judson, "while the team also concentrates all the resources you have available."

Sometimes the resources come from without.

He told of a firm which came up with a terrific new food product which everyone thought was great, but which had a shelf life of only six weeks. While everyone in the firm was arguing among themselves, it was suggested that the distributor be involved (communications) and he volunteered the answer by speeding up his end of the deal.

Quite often communications are so poor the obvious is overlooked.

NEW DANGER IN THE MEDITERRANEAN

HON. ALBERT W. WATSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. WATSON. Mr. Speaker, the noted author and newspaperman, Anthony Harrigan, has written a very astute and highly analytical article for the March 10 issue of the American Security Council's Washington Report which dramatically points out the alarming shift of the balance of power in the Mediterranean toward the Soviet Union.

Because of the tense and vexing problem posed by the various conflicts in the Mediterranean area, I consider Mr. Harrigan's article especially timely, and I include it as a part of my remarks, as follows:

NEW DANGER IN THE MEDITERRANEAN

(By Anthony Harrigan)

The ugly riots that greeted President Nixon on his arrival in Rome last month are but one indication of deepening trouble throughout the Mediterranean world. In Italy, the Italian Communist Party (Partito Communista Italiano—PCI) is gaining strength through cooperation with the socialists. The Christian Democratic Party, which saved Italy from communism, is split into seven warring factions. The political climate in Italy is reflected in the recent announcement by Foreign Minister Pietro Nenni, a so-

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cialist in the coalition government, that Italy had decided to recognize Peking. Recognition of Hanoi may be forthcoming shortly.

PRESSURES ON ITALY

The threat to Italy as a free nation is not only internal. If Yugoslavia should be invaded by Soviet troops, as Czechoslovakia was invaded, Russian forces would be poised on Italy's northeastern frontier. With a Russian military presence on her land frontier, and with a Soviet naval presence in the Mediterranean, Italy would be placed in a nutcracker. It also should be realized that the Soviet fleet soon may spend more time in the Adriatic Sea—between Italy and Yugoslavia—as part of a pressure operation against those two South European countries. Nor can the Italians, any more than the Greeks, ignore the ominous military buildup in little Albania across the Adriatic. Earlier this winter, Albania announced a 40 per cent increase in defense expenditures. The money, derived from Communist China, will go for the construction of naval facilities and other military installations. In aiding Albania in this manner, the Chinese Communists have in mind establishing a military foothold in the Mediterranean. They understand the military and political potential in what Sir Winston Churchill called "the soft underbelly of Europe."

Meanwhile in Italy, the campaign against the NATO alliance is stepped up. Foreign Minister Nenni says that his country will support it only with reservations, meaning that the socialists in the coalition want to isolate Greece which is ruled by a military government.

Italy's continuing drift to the left causes some observers to believe that the time will come when Italy may have a government similar to the one now in power in Greece. The thinking is that Christian Democrats, because of their divisions, may be unable, at some point, to arrest a communist-socialist takeover of the government. If that happens, the Italian military may feel they have an obligation to the country and its traditions to intervene, at least temporarily, until communist pressure has eased. It would be a tragedy for the free world as much as for the Italian people if Italy, the ancestral home of the Western world order, were, after two decades of struggle, to succumb to communist domination. The U.S. public, certainly, should be aware of the dynamics involved in the Italian military situation and how these dynamics may possibly affect U.S. commitments to the defense of NATO's southern flank.

THE TEST CASE IN GREECE

A test case already has arisen in Greece. The military junta governs in Greece because of a leftward drift of the former parliamentary government of that country—of its leaders, not the Greek people. Again, the Greek military decided they had a responsibility to the Greek nation not to allow the national interests to be severely damaged by the misguided "neutralism" that was strong in the government before the coup. The Greek junta has been wise, however, to stress that the country continues to be a monarchy.

Observers in Athens believe that King Constantine will be permitted to return from exile before very long, though his real power will be reduced and he will be limited to ceremonial duties similar to those of the British monarch. For the United States, the emergence of the Greek military government has posed some vexing questions. The U.S. unquestionably prefers that parliamentary rule be restored as soon as possible. But the U.S. has properly refrained from trying to impose an American-type political solution on the Greeks. What is of central importance to the United States is that Greece not be handed over to the communists. As in the case of Italy, it would have been tragic if the last parliamentary government of Greece had discarded the country's links with NATO and thereby taken the first step in bowing to the Soviet Union's new might in the Mediterranean.

As a practical matter, the U.S. Sixth Fleet in the Mediterranean must have access to the territorial waters and air space of Greece. The Sixth Fleet, in order to carry out its deterrent duties and keep the peace, must be free to thread the maze of Greek islands in the Aegean and the Sea of Crete. U.S. planes must have permission to overfly these islands. The airfield on Crete, with its 9,000-foot runway, provides the planes of the Sixth Fleet with an important safety factor. In addition, the Crete field makes possible vital reconnaissance flights over the Eastern Mediterranean. The security of many NATO countries thus depends on continued use of Greek territories and installations.

NEGOTIATIONS WITH SPAIN

At the western end of the Mediterranean, concern is growing over Spain, which is not a member of NATO but which is vital to the alliance. Under a bilateral U.S.-Spanish treaty, currently in process of renegotiation, the United States bases Polaris submarines at Rota in the southern part of the country. The major air base at Torrejon, outside of Madrid, would be enormously important to the United States if a limited war broke out in the Mediterranean, requiring reinforcement of U.S. forces in the region. In the future, reconnaissance over the entire western Mediterranean and the increasingly dangerous northwestern zone of Africa will depend upon widened access to Spain's air facilities.

Observers of the Spanish scene are watching not simply the progress of the treaty negotiations, governing the four existing bases, but the situation inside Spain. General Franco, who has ruled the country since the 1930's, is now an old man whose health is reported to be worsening. The "state of exception" in force in Spain is widely interrupted as a prelude to an announcement governing the political succession in the country which officially is a monarchy. In the event of General Franco's death or incapacity, surviving communist and anarchist elements, which have been invoked in strikes and student protests in the last two years, might renew the terrible civil war that devastated Spain.

In view of this danger, it is believed that the Spanish armed forces would be the decisive element at a moment of political change—the first in more than 30 years. Informed students of the Spanish scene note the existence of Spain's crack armored division, the "Guadarrama No. 11," outside of Madrid. This division, commanded by General Tomas Garcia Rebull, recently executed seize and hold exercises in the capital city.

The NATO countries have a deep interest in the next generation of political leadership in Spain and in Spanish military and foreign policies of the 1970's. The existence of a powerful Algerian army and air force, outfitted with superior Soviet equipment and trained by Red Army advisers, is not only a grave threat to Spain but to the NATO countries. History-minded Europeans have not forgotten that Western civilization faced its greatest threat in the early medieval period when the Moors swarmed out of North Africa and seized Spain. In the 20th century, the Soviets—far removed from the Spanish scene—came close to turning Spain into their first satellite.

The Algerian threat might be manifested first against Spanish Sahara, a large, empty but highly strategic territory in Africa. If the Soviet Union were able to become politically and militarily entrenched elsewhere in West Africa, Spanish Sahara suddenly could assume tremendous importance to the United States as a site for airfields.

A SOVIET "MARE NOSTRUM"?

The long-range objective of the Soviet Union is to turn the Mediterranean into a closed sea, or a "sea of peace" as Soviet propagandists describe it. If Spain could be politically controlled, or successfully intimidated by Soviet-equipped forces in Algeria, Moscow would have an excellent chance of literally closing the Mediterranean to the passage of U.S. warships. In the Gulf of Finland, which lacks a narrow passage such as exists at Gibraltar, the Soviets already have enforced their closed sea doctrine.

As one looks around the Mediterranean, it is relatively simple to discern the Soviet grand strategy for this historic basin. The political and military squeeze is being applied by Moscow at all the key points.

First of all, a Soviet squadron has been successfully inserted into what has been virtually an American lake since the formation of the Sixth Fleet in the late 1940's. This Soviet fleet now operates from one end of the Med to the other, and is welcome in the major Arab ports. Large administrative and repair facilities are located at Alexandria in Egypt The Arab states, with the exception of Morocco, Tunisia and Libya, have been drawn into the Soviet orbit. The Soviet naval force also has engaged in some interesting political maneuvers, such as the anchoring of a Soviet warship off Sicily during a recent election—a show-the-Red flag mission that paid off for Sicilian communists. Leftist demonstrations in Istanbul have resulted in the cancellation of a U.S. Sixth Fleet visit to another Turkish port, and Turkey generally has shown increased fear of offending the Soviets. Internal pressures have been increased in Italy and Spain. In short, the Soviet strategy for the Mediterranean is working well. Whereas this was a secure area for the West not long ago, it is now a region that's "up for grabs."

The need now is for U.S. and NATO countermeasures against the Soviet Union and its client states along the southern littoral of the Mediterranean. From the strictly naval standpoint, it is essential that the U.S. Sixth Fleet be strengthened to provide adequate protection to friendly states that may be politically menaced or that may be subjected to attacks by Arab states under cover of Soviet rocket cruisers. The U.S. and the NATO alliance also must be alert to the danger that the Soviets may try to win the tiny island-country of Malta to their side and transform it into a communist air and naval base.

Ideally, Spain should be made a full-fledged member of NATO. This, more than any other action, would indicate to the Soviet Union the seriousness of the Atlantic countries in determining to check Russian aggression in the Mediterranean. If this course is not politically feasible at this time, the next more important action would be a considerable expansion of the U.S.-Spanish base agreements to provide for wider air coverage of the Western Mediterranean and, thereby, to acknowledge the threat from Africa that is a threat to the entire NATO alliance.

Because of shrewd political and military maneuvers, the balance of power in the Mediterranean has been shifting towards the Soviet Union. To restore the balance of power to the Western side, and to deny the Soviets further opportunities to extend their influence, the U.S. will have to augment its forces in the Mediterranean and give convincing expressions of solidarity with anti-communist forces in the NATO nations of southern Europe.

ST. PATRICK'S DAY, 1969

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. RODINO. Mr. Speaker, St. Patrick's Day is a joyful time for the

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Irish and for those of us who are privileged to join them in celebration of this wonderful occasion. For it commemorates the conversion of that mystic and beautiful island to the Catholic faith, as well as the introduction of Ireland to the mainstream of Western European civilization.

St. Patrick's Day is observed in the United States with great festivity. Irish Americans throughout the country devote March 17 to commemorating their ties to the homeland, while demonstrating their own particular vital quality of Americanism. Parades, the wearing of the green, merrymaking and celebrating—these are the essential ingredients of St. Patrick's Day throughout the land.

But, on a deeper level, St. Patrick's Day should remind every Irish American—and all Americans as well—of the singular contributions which the Irish people have made to that Western society of which their patron saint so long ago made them a part. Statesmen and poets, scholars and patriots—all have contributed in colorful fashion to the pageant of Irish history. Edumund Burke was born in Dublin; Oliver Goldsmith reminded the world of Irish suffering. Later, William Butler Yeats and Charles Parnell, in the struggle for Irish independence, contributed the Irish virtues of imagination and determination to Ireland's successful fight for freedom and self-expression.

These men and others, and indeed all Irishmen, are remembered on St. Patrick's Day. For the world would be poorer—as would the fabric of American life—without Ireland, the greenest of the Western isles.

NATIONAL HEALTH INSURANCE

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. DINGELL. Mr. Speaker, national health insurance—that is, comprehensive health and medical care for every American—has been a dream of many in this Congress for many years. Now, according to AFL–CIO Social Security Director Bert Seidman, there are clear signs that such a proposal has a much improved chance of adoption. In a Labor News Conference interview on the Mutual Broadcasting System, Mr. Seidman outlined what such a national health insurance plan should include. I think that many of our colleagues would find his views on this subject helpful, and, under unanimous consent, I place a transcript of the program, as well as an AFL–CIO press statement commentary thereon, in the RECORD, as follows:

Growing public and congressional support for national health insurance make the proposal more politically feasible this year than in recent years, the AFL–CIO's social insurance expert reported today in a Mutual Radio Network interview.

"People are becoming very much concerned about unmet health needs in this country," declared Bert Seidman, director of the AFL–CIO's Department of Social Security. He said that generally favorable experience of the Medicare program has demonstrated the effectiveness of meeting those needs "on a comprehensive basis."

The union spokesman cited a recent national Harris poll showing that 57 percent of those responding favored "a system of Medicare for everyone."

That is "essentially what national health insurance is," Seidman explained, and such strong support is particularly significant, since this has not been a "burning issue in Congress in recent years." The AFL–CIO produced public service program was broadcast Tuesday at 7:35 p.m. (EST).

Seidman stressed that a national health insurance program would make comprehensive health and medical care, including prevention, diagnosis, treatment and rehabilitation, available to all Americans, but would not prevent anyone from receiving care and treatment outside the system, if they so choose. He turned aside the suggestion that such a system would be a "poor care program."

"We would try to put in the incentives to make it a program of excellent medical care . . . for the entire population, as is now the case in many other countries," he asserted.

He said that there is wide misunderstanding about the amount of health insurance that people now have and what it covers. Although a "considerable portion of the population, perhaps as high as 70 or 80 percent, has coverage for hospitalization," only a much smaller proportion has covered for medical services other than surgical, he noted.

"In 1967, private health insurance in this country covered only about 22 percent of personal health care expenditures," he declared.

Reporters questioning Seidman were Judith Randal, medical editor of the Washington Evening Star, and Jerome Brazda, editor of Washington Report on Medicine and Health.

GROWING SUPPORT FOR NATIONAL HEALTH INSURANCE

Guest: Bert Seidman, Director, Social Security Department, AFL–CIO.

Reporters: Judith Randal, medical editor of the Washington Evening Star; Jerome Brazda, editor of Washington Report on Medicine and Health.

Moderator: Frank Harden.

HARDEN. Labor News Conference. Welcome to another edition of Labor News Conference, a public affairs program brought to you by the AFL–CIO. Labor News Conference brings together leading AFL–CIO representatives and ranking members of the press. Today's guest is Bert Seidman, director of the AFL–CIO's Department of Social Security.

The AFL–CIO has long sought the best medical care for all Americans that the wonders of modern medicine make possible. In an article published in the January issue of the American Federationist, the AFL–CIO's official monthly magazine, Mr. Seidman declared that the time has come for labor and other progressive groups to unite in a determined drive for medically advanced and economically sound national health insurance. Here to question Mr. Seidman about that proposal are Judith Randal, medical editor of the Washington Evening Star, and Jerome Brazda, editor of Washington Report on Medicine and Health. Your moderator, Frank Harden.

And now, Miss Randal, I believe you have the first question?

RANDAL. Mr. Seidman, what exactly do you and the AFL–CIO mean by a national health insurance system?

SEIDMAN. Miss Randal, we consider national health insurance to be a system whereby people pay in advance, through a governmental insurance system like Social Security, for the costs of their health care.

We think that this ought to be divided three ways, with the employee paying one-third, the employer one-third and the government one-third. And, incidentally, this is a system that many foreign countries have had for a long time.

RANDAL. You would vision this as voluntary or compulsory?

SEIDMAN. We think that in order for such a system to be effective, it should be a compulsory national health insurance system, just as Social Security and our other forms of social insurance are compulsory. In this way, all people would contribute. But, at the same time, all people would have the benefits of the system.

BRAZDA. Where do the existing health insurance companies—Blue Cross, Blue Shield and the many commercial companies—come in? Do you legislate them out of existence?

SEIDMAN. I wouldn't legislate them out of existence. It is at least possible that they might be able to provide some kind of complementary insurance, as they have for older people under the Medicare program. But I would think that most people would have most of their health care covered under the national health insurance system.

BRAZDA. This has been tried before—at least proposed before—has it not—the idea of national health insurance?

SEIDMAN. Yes, there have been bills in Congress for many years for national health insurance. During the Truman Administration, particularly, there were bills which were supported by the then AFL and the CIO, for setting up a national health insurance system. At that time, this effort was not altogether successful, but, instead, a conscious decision was made to try to get this kind of protection for the group that needed it the most—that is, the elderly. And, that is what we got under Medicare.

RANDAL. Do you envision that Medicare will become amalgamated with this? What would happen to Medicare?

SEIDMAN. I would expect that Medicare would become a part of the national health insurance system. As a matter of fact, you might say that national health insurance, in a certain sense, is Medicare for everyone.

It isn't just the elderly who have unmet health needs, and, it isn't just the elderly who have difficulty meeting the costs of their health care. There are many other people with the same problems. This is what national health insurance would do—it would cover everybody.

RANDAL. Now, since the advent of Medicare, we have had a very rapidly rising cost picture, where health care is concerned. Do you envision that you would have a "charge-what-the-traffic-will-bear" situation, as we now have with Medicare in open-end fee arrangement? What would be done to control this?

SEIDMAN. I would hope that if we set up a national health insurance system in this country, or, even under the present Medicare system, that we would begin to introduce controls on costs and incentives for efficiency and coordination that, up until now, we haven't had.

One reason we haven't had it is that the tail has been wagging the dog. In other words, people get the kind of medical care that they are able to pay for and sometimes this isn't the best medical care or the most efficient medical care. If all their health care needs could be met financially, then we could begin to put the system on a more rational basis.

BRAZDA. Under your idea, is everyone going to get the same sort of medical care—rich, poor, middle-income alike?

SEIDMAN. Under national health insurance, Mr. Brazda, everybody would have the same opportunities for health care.

When you say the same kind of health care, of course, that would be determined by their needs. A person who has a more acute illness will get a different type of health care than the person who is not quite so ill, or, depending upon the type of illness and so on.

But, everybody would have the same kind of across-the-board health care, ranging all

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the way from prevention, through diagnosis, and treatment, and rehabilitation, and so on. Now, if people wanted to get their health care outside the system, they would have every right to do so. It wouldn't require all doctors to have their entire practice within the national health insurance system.

That, also, has been the experience of other countries, by the way, that have national health insurance.

Brazda. If you have a national, compulsory health care-health insurance program, why would anyone go outside it? What could they get by going outside the system?

Seidman. The only answer that I can give you, Mr. Brazda, is that it may be a status symbol. You know, people who just want to go to the Park Avenue doctor and pay him more, so as to be able to say that they are paying more for their medical care than their neighbors are.

I can't think of any other reason, because, I think, people would be able to get good medical care under national health insurance.

Randal. This idea, of course, has been discussed for many years. What makes you think that it is now "an idea whose time has come?" Why is it politically feasible now, when it might not have been, say, a generation ago?

Seidman. One reason, Miss Randal, is that we have now tried it. And, while the AFL-CIO has some criticisms of the Medicare system, we do know that the elderly are getting much better care under Medicare than they have ever had before.

A second reason for this is that people are becoming very much concerned about unmet health needs in this country. Not just those of the poor, but the unmet health needs of a lot of other people, as well. People are looking for some way of dealing with this on a comprehensive basis. As a matter of fact, a poll taken not too long ago by the Louis Harris organization showed that when asked whether they thought there should be a system of Medicare for everyone—which is essentially what national health insurance is—that 57% of those who had an opinion favored this.

I think that's quite surprising, in view of the fact that, as you say, Miss Randal, this has not been a burning political issue in the Congress in recent years.

Brazda. You are talking, then about a "poor care" program, aren't you—medical care payment program for the poor? This is really what you are proposing in proposing a national health insurance program, isn't it?

Seidman. Not at all, Mr. Brazda—this is not a "poor care" program—quite the contrary.

We would try to put the incentives to make it a program of excellent medical care—and not just a program for the poor, either. It would be a program that would cover the entire population, as is now the case in many other countries.

Brazda. I have a good health insurance program through my employment and I expect that you do—most regularly-employed people now have health insurance of one sort or another. Are you going to do something better for these people, or, are you going to simply supplement health insurance to make sure that everyone has it?

Seidman. Well, in the first place, I think that there is often a very incorrect idea of the amount of health insurance that people do have and the coverage.

A considerable proportion of the population, perhaps as high as 70 or 80 percent, has coverage for hospitalization, but, the proportion of people covered for medical services other than surgical, is much smaller.

The fact is, and this may surprise some people, that in 1967, private health insurance in this country covered only about 22 percent of personal health care expenditures. The government, through various programs, including Medicare, accounted for about a third. But 44 percent of all personal health care expenditures came out of the pockets of the people who were sick.

So, we don't have the kind of broad health care coverage under the present hodgepodge of systems that we have. That's why we are for a national, across-the-board health insurance system.

Randal. Mr. Seidman, one of the things that opponents of compulsory health insurance system frequently cite is that we are woefully short of health manpower and facilities. What do you think could be done about this in the face of the institution of such an insurance program?

Seidman. I think one of the things that could be done is to improve the efficiency of the system.

We do have efficient health care for people who are in what's called prepaid group practice plans. These plans are not operated on the traditional solo practitioner basis—you know, the single family doctor system or the fee-for-service system. Instead, they are groups of doctors providing the whole range of medical services. People are in this system on what's called a capitation basis. That is, a person pays so much to the group that he belongs to, to cover all his medical services.

It has been found that this kind of approach to medical care provides a much more efficient system.

Fewer people go to the hospital, and hospital care is the most expensive kind of care. There is also a very great shortage of personnel for in-hospital care.

You even need fewer doctors under the group practice system, because there is a considerable emphasis on prevention that we don't have in our ordinary medical care.

These are the kinds of things that we think can be done under national health insurance.

Brazda. Speaking of doctors, Mr. Seidman—organized medicine, at least—which represents a good part of the doctors of this country fought Medicare with every resource at its command. How is organized medicine going to accept an idea of a national health insurance program with government backing?

Seidman. Frankly, Mr. Brazda, I don't think that the American Medical Association is going to join with the AFL–CIO in fighting for national health insurance.

They weren't with us in the fight for Medicare, but we won that one. At the time, the doctors said they would never participate in the Medicare program, and so on. Yet, almost all doctors are participating in the Medicare program.

We think the same thing would happen under national health insurance. We don't expect the American Medical Association to support this. But, we do expect many progressive doctors who don't see eye to eye with the AMA to support us. And, we do expect that if the Congress, as we hope it will, enacts national health insurance, the doctors will participate in it.

Randal. Speaking of prepaid group practice, Mr. Seidman, this is illegal in many states. What kind of incentives do you think could be offered to get state legislatures to move on this—state legislatures, which tend, perhaps more than the national legislature, to be influenced by the AMA?

Seidman. Well, I'm not a constitutional lawyer, Miss Randal, but I think that this can be done in one of two ways.

The hard way, of course, is to do it state-by-state. This is being done. That is, the repeal of laws which restrict or prohibit the development of prepaid group practice in a particular state.

The other way of doing it is to establish some kind of national standards which would, in effect, repeal these laws.

In any case, I think that we should do everything possible, both under our present arrangements and if we get national health insurance, to encourage the development of group practice. This is the efficient way of making medical care available to more people.

Brazda. Do you actually have a plan? Do you have a national health insurance plan—clauses, and phrases, and sub-clause, and so forth.

Seidman. If you mean, have we actually drawn up the bill that we will introduce in this session of Congress, the answer is, we have the general specifications for such a bill, but we haven't actually written any legislative language.

We would do that, of course, in cooperation with the Congressional sponsor of the legislation.

Brazda. Do you plan to do that in this session?

Seidman. We do hope that legislation for national health insurance will be introduced in this session of Congress, along the lines of what I suggested at the beginning of the program. This is, tri-partite financing by employers, employees and the government. We think, incidentally, that workers would be paying less for better medical care under such an arrangement than they are paying now for inferior medical care.

Brazda. Well, this is not the most liberal Congress we have had in some time, even though it is Democratically controlled. How do you assess the chances this year and next year, in the 91st Congress, for such an expensive program?

Seidman. Well, in the first place, I don't quite know what you mean by an expensive program. I think that what we have now is expensive. It is costly, inefficient medical care.

National health insurance, in the long run, would be much less expensive for the American people.

Of course, I can't predict what the Congress will do. I think that there is greater interest in national health insurance—some kind of system which would comprehensively cover the health needs of the American people—greater interest than there has been in a long time. This has been expressed by leading members of both political parties, and I think that there is a good chance for it.

At the same time, I think that we should also do everything possible to extend the present programs, until we can achieve national health insurance.

Randal. Mr. Seidman, you said earlier that the AFL–CIO has some criticisms of Medicare. I wonder, first of all, what they might be, and secondly, are you going to seek legislative remedies or are you going to let this drop, in the hope that you can get a national health insurance program launched?

Seidman. Our main criticism of the Medicare program is that there are not sufficient cost controls or enough encouragement for the development of quality in the program. We do favor doing what can be done under existing law. We think that more can be done to control physicians' fees and hospital charges. If necessary, we favor legislation to do this.

Bills have already been introduced which would have the effect of moderating physicians' charges under Medicare.

Randal. Do you think they have much chance of passage in this session of Congress?

Seidman. Whether those particular bills have a chance of passage or not, Miss Randal, I don't know.

But I do not think that many people feel that the increases that have occurred in medical expenses and medical costs are simply out of line. For example, there is a publication called Medical Economics, which goes to all doctors, and so far as I can tell, it is financed by the advertising of drugs and so on. That publication, which is not anti-physician or anti-AMA, said that for most doctors, expenses had risen only slightly or not at all, since the advent of Medicare, since there has also been an uptrend of pro-

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ductivity. Frequent or large fee increases during the past two or three years are hard to justify, except, of course, in cases where they were overdue.

They make it clear that the 14 percent increase of fees over the last two years and the 20 percent rise of doctors' net incomes—income after expenses—are simply not justified.

As far as hospital expenses are concerned, as you know, everybody has been talking about the increase in hospital workers' wages. We feel that increase was long overdue, but actually, the non-salary hospital expenses have been going up faster than wage and salary expenses.

Non-salary expenses have gone up 27 percent in two years, as compared with only 18 percent for wage and salary expenses. Now this is the sort of thing that we think needs control, to keep these expenses in line.

If it is going to take legislation, then this is what we need.

Brazda. Your tri-partite plan—financing plan—envisions the federal government, under Social Security, paying a third, the employer paying a third and the employee paying a third. What about those unemployed widows and so forth, where there is no employer-employee relationship? Who pays that two-thirds?

Seidman. Well, I would expect that under those circumstances, we would have the same situation we have under Medicare. The government would, as they say, buy into the program for people who are not employed, and can't afford to make the payments, and have no employer to make it for them.

Brazda. The federal government then would be paying the entire insurance for these people?

Seidman. For people who are unable to meet the costs and are not employed—yes, that would be the case. But this is true under the Medicaid program now, as well.

Brazda. What about people who are employed, but who are temporarily unemployed? Would it be part of their unemployment insurance that their health insurance would be fully continued until they became employed again?

Seidman. I think you would have some kind of arrangement whereby their health insurance would be continued under those circumstances. And, we do have this under private arrangements at the present time. I would see no difficulty in doing this.

But, the important thing is that national health insurance would cover all of the people with a full range of medical care. That's why the AFL–CIO feels that national health insurance is the way to deal with the health problems of the American people.

Harden. Thank you, Miss Randal, and thank you, gentlemen. Today's Labor News Conference guest was Bert Seidman, director of the AFL–CIO's Department of Social Security. Representing the press were Jerome Brazda, editor of Washington Report on Medicine and Health, and Judith Randal, medical editor of the Washington Evening Star. This is your moderator, Frank Harden, inviting you to listen again next. week. Labor News Conference is a public affairs production of the AFL–CIO, produced in cooperation with the Mutual Radio Network.

A FAIR PER DIEM ALLOWANCE FOR GOVERNMENT EMPLOYEES

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. NIX. Mr. Speaker, I have today introduced a bill which would increase the per diem allowance of Federal employees from the present figures of $16, $30, and $10 to a new set of figures of $25, $35, and $15.

The fact is that this country is subject to severe inflationary pressure. All of our costs are rising, including the cost of hotels and necessities that every traveler needs. We are now asking Federal employees to finance Government business out of their own pockets since per diem does not cover their travel expenses when they represent the Federal Government away from their own homes.

Simple justice requires that we act and act soon, this week or next, on per diem allowances that are now a joke. These allowances must be changed so that they pay for the necessary expenses of traveling Government employees.

HOWARD BERTSCH

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. ULLMAN. Mr. Speaker, too often these days the departure of a great and dedicated public servant goes unnoticed and unheralded. Such a departure occurred when Howard Bertsch resigned after 8 distinguished years as administrator of the Farmers Home Administration.

We in Oregon have long been proud of Howard Bertsch. Here is a man who devoted his entire adult life to the cause of small farmers and rural people—nearly 30 years.

He started his long career with the Federal Government with the old Resettlement Administration soon after graduating from Oregon State.

Working as he did in personal contact with the distressed and dispossessed farmers during the depression he developed a deep concern and a broad understanding of their problems and their needs. This experience also gave him new insight into the unshakable integrity, great will and ability of rural people to overcome adversity if only given the opportunity. These attitudes were to characterize his approach to his work and decisionmaking for the rest of his Government career.

He moved up steadily through the ranks of farm security and then the Farmers Home Administration. In 1949 he was put in charge of the agency's national farm ownership loans division.

In 1954 he went to Iran to serve as financial advisor to the development bank and the agricultural bank of Iran. For his work there, he was awarded "the Order of the Crown" by the Iranian Government.

In 1961, President John F. Kennedy called him back to the United States and appointed him as his Administrator of the Farmers Home Administration. Mr. Bertsch built a dedicated staff and a team that shared his concern for farm families, the rural poor and a desire to improve the rural communities. For his work that first year as Administrator he was awarded the highest honor the Department of Agriculture can bestow on any employee—the Distinguished Service Award.

Thus, there began in 1961 with the appointment of Mr. Bertsch a period of dramatic growth in services to rural people and a multiple increase in the agency's responsibilities.

The administration and Congress, concerned with rebuilding all of rural America to stem the flow of people to our cities, gave the agency a greatly expanded rural housing program, a series of rural community-building loan programs and credit tools to alleviate rural poverty.

In 8 years the credit assistance to farm families and rural communities—who were unable to obtain credit elsewhere—increased fivefold, from $300 million in 1960 to nearly $1.5 billion in 1968. In his final year as Administrator, Farmers Home Administration assistance was benefiting some 4.5 million rural people as compared to 900,000 in his first year on the job.

When he left office last month, the Farmers Home Administration was providing loan assistance to provide the equivalent of 50,000 new homes in rural areas to low and moderate income families. In his 8 years, the agency helped more than 3,000 rural communities to install water or sewer systems.

Mr. Bertsch had the satisfaction, as did the Nation, to see the impact of these programs on rural America. There is clear evidence that the exodus of rural people to our cities is slowing down and in some areas, rural population is increasing as business and enterprise are attracted to these communities who now have basic facilities and new homes.

The thrust and the momentum that Mr. Bartsch generated behind these programs to rebuild the countryside and improve the living environment of rural people will continue. This is the legacy this great and dedicated public servant has left to this Nation.

Mr. Speaker, I could not let the departure of this devoted and able man who gave a lifetime of service to rural people pass unnoticed and without a word of praise and appreciation for his contribution. Others of my colleagues who knew him and worked with him over these 8 years will, I am sure, join me in saying "well done and thank you, Mr. Bertsch."

CHEAP SHOE IMPORTS—ACTION NEEDED NOW

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. WYMAN. Mr. Speaker, New Hampshire, and indeed the whole of New England, is largely dependent upon the textile and footwear industry, the major employer of the area. The manufacture of footwear plays a vital role in our economy.

Recent statistics show that the importation of foreign shoes continues to threaten and may soon outdistance our own manufacture. Imports in 1968 came to almost 30 percent of our domestic production and if these imports continue to grow at the present rate, by 1975 we

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could easily have a situation where foreign manufacturers will produce over 50 percent of the footwear used in the United States. Some estimates go as high as 90 percent.

The following chart shows vividly the inroads being made in this important source of livelihood for the people of New Hampshire and other States:

SHOE IMPORTS—OTHER THAN RUBBER

Year	Pairs (in thousands)	Percent increase over previous year	Value (in thousands)	Percent increase over previous year
1963	62,820	14.1	$89,545	11.6
1964	75,372	20.0	103,674	15.8
1965	87,632	16.3	118,478	14.3
1966	96,135	19.7	153,569	29.6
1967	129,134	34.3	217,593	41.7
1968	175,438	35.9	328,543	51.0

Mr. Speaker, how long can an industry endure this gradual erosion? Since 1958 we have been told repeatedly that the trend against the country's export position was only temporary. More than 10 years later can it still be considered "temporary"? Something must be done and it must be done now.

In this connection, I urge action on a bill which I have cosponsored—H.R. 7696—to promote equitable competition in this field. I urge thoughtful and careful consideration of this legislation and support when it comes up for a vote.

A PEOPLE-ORIENTED FARM PROGRAM

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. FINDLEY. Mr. Speaker, today I have introduced a bill—H.R. 9009—which I consider to be a comprehensive program to strengthen marketplace income for farmers, reduce the influence of Government in the management decisions of farmers, and provide financial assistance to farmers who need skills training and other forms of assistance in order to develop off-farm income.

The emphasis of my bill is Government action to assist farmers in their adjustment as people to changing technology, in contrast to present farm programs which deal almost exclusively with Government action to adjust commodity supplies.

The principal provisions of the bill are:

First. The 5-year program begins January 1, 1971, and runs through December 31, 1975. It would amend the Food and Agriculture Act of 1965. The program provides for a 5-year transitional period during which acreage controls, base acreages, marketing quotas, processing taxes, and direct payments for wheat, feed grains, and cotton would be phased out.

Second. Limit the total funds that may be spent on all direct payments for wheat, feed grains, and cotton under the Food and Agriculture Act of 1965 to 80 percent of the amount spent on 1969 crops in 1971, 60 percent in 1972, 40 percent in 1973, and 20 percent in 1974.

Third. Reduce the cost of wheat certificates to processors to 80 percent of the 1969 level in 1971, 60 percent in 1972, 40 percent in 1973, and 20 percent in 1974.

Fourth. Effective with 1975 crops, discontinue all acreage allotments, base acreages, marketing quotas, processing taxes, and direct payments—annual land diversion, compensatory, and certificate—for wheat, feed grains, and cotton.

Fifth. Continue the cropland adjustment provisions of the act of 1965 with amendments: First, to require that programs be operated on a competitive bid basis with emphasis on whole farms; and, second, to direct the Secretary of Agriculture to retire at least 10 million acres per year in 1971, 1972, 1973, 1974, and 1975.

The Secretary would announce in advance the maximum acreage to be contracted for each year. If accepted bids do not exhaust this acreage, higher bidders could be offered the opportunity to negotiate contracts at the accepted bid level.

Provide that loan rates for wheat, feed grains, cotton, and soybeans, shall be set at not more than 85 percent of the previous 3-year average price, beginning with the 1971 crop year.

Prohibit the sale of CCC stocks at less than 150 percent of the current loan rate plus carrying charges, except when sales are offset by equivalent purchases in the open market.

In addition to and conditional on the adoption of the second, third, fourth, and fifth items: Authorize the Secretary of Agriculture to offer a special transitional program in 1971, 1972, 1973, 1974, and 1975, which would be open to any farmer who has had average gross annual sales of farm products of not more than $5,000 and off-farm income of not more than $2,000 per year for husband and wife for the immediately preceding 3 years. Such farmers would be eligible to receive one or more of the following:

First. Compensation for acreage allotments and base acreages surrendered to the Secretary for permanent cancellation. This would apply to all commodities having acreage allotments or acreages. Such compensation would be in addition to land retirement payments under the cropland adjustment program and would also be available to eligible farmers who wish to surrender their acreage allotments or base acreages without participating in the cropland adjustment program.

Second. Retraining grants of not to exceed $1,000.

Third. Adjustment assistance of not to exceed $2,500 per year for 2 years.

Fourth. Loans under existing credit programs further to facilitate the transition of eligible farmers to more gainful employment.

SNOOK WINS AGAIN

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. PICKLE. Mr. Speaker, Snook, Tex., is not just a little town with a pretty name—it is a legend. Snook, for the third time, is the home of the Texas class B championship basketball team. They won this title before in 1965 and again in 1966. They won it again this year at the Texas Interscholastic League Basketball tournament in Austin. They are due our heartiest congratulations.

I would venture to say that, in its league, Snook has won as many championships as any other town in Texas. I do not see how they keep on winning, but I am glad they do. It proves the boys have determination and strive hard to maintain their reputation. It proves also, that they are well coached. Jimmy Horn has taken his team to the finals five times in his successful career at Snook. He can take short boys and make them giants. The Snook Blue Jays gave up a height advantage of 1½ inches per man, but they have patented the delay game combined with a full court press.

The next time the nominees are considered for the Basketball Hall of Fame, Jimmy Horn should be in the running. I am honored to represent the people of Snook, and to point out to my colleagues that there really is such a place as Snook, and that it is a vibrant and successful little community in Burleson County.

DEVELOPING COLLEGES MAKE SENSE FOR DEVELOPING COUNTRIES

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. OTTINGER. Mr. Speaker, during the early days of the Peace Corps I was privileged to meet and work with Derek S. Singer, a dynamic and capable person who came to the corps from an outstanding career overseas with CARE and the International Cooperation Administration. He very ably served as Acting Director of Latin American Programs and as Chief of Programs for the East Coast of South America in Peace Corps-Washington and overseas as Peace Corps Director in Bolivia, Indonesia, and Tunisia.

Currently the director of the faculty development project of the American Association of Junior Colleges, Mr. Singer recently presented an incisive and challenging paper on the role of higher education in the world's developing nations and the important and meaningful contributions which can be made by 2-year colleges. The issues he has raised and the proposals made deserve our full and careful consideration.

I commend this paper to the attention of our colleagues and am pleased to insert it, herewith, for inclusion in the RECORD:

DEVELOPING COLLEGES MAKE SENSE FOR DEVELOPING COUNTRIES

(By Derek S. Singer)

I am convinced that the time has now come for many American junior community colleges to make plans to increase their involvement in international programs, particularly in the developing countries of Asia, Africa and Latin America. A greater commitment of time, energy and resources would pay big dividends both for the less-developed

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nations with which they can work as well as for many colleges.

Before joining the Association one year ago, I lived and worked abroad for 13 years, primarily in the less-developed countries. My assignments gave me the privilege of serving in posts as diverse as Bolivia, Colombia and Costa Rica; in Formosa (Taiwan), Japan and Indonesia; and in Tunisia and the Congo. In each case, I worked in jobs relating to economic, cultural and social development, usually in programs designed to accelerate the educational and manpower development processes of the "host country."

Positions which I held while assisting in the accomplishment of these goals included being a director of two CARE relief programs, a training officer for four AID (State Department) missions, and a Peace Corps director in three countries. In my judgment, all but one or two of the countries to which I was assigned needed and could support a modest national community junior college system, to supplement their predominantly European-oriented "white-collar" universities. In fact, at least two of them (Japan and Taiwan) already possess a national network of two-year post-secondary schools. Many other "developing countries" have also expressed recent interest to the Association in exploring for themselves the great potential of America's two-year college experience, and adapting its application to their own urgent, practical needs to provide trained manpower in development programs of national urgency.

Two such countries have already been mentioned. Some others which I know are seriously contemplating or actually experimenting with the flexible, pragmatic opportunities offered by community junior colleges include India, Ceylon, Chile, Brazil and Kenya. Several European countries also have pilot two-year colleges, particularly in specialized fields. Examples include hotel management (Germany), fashion technology (France), and distributive education (England). Such schools have often been developed with the cooperation of U.S. "sister" institutions. In addition, there are actually American-style AAJC member colleges in Switzerland, the Canal Zone, and Puerto Rico. In all probability, more of these programs are underway or being planned in still other countries, with particular stress on the technical and vocational fields in which trained manpower is in most acute demand, to match the pace of accelerating national development programs.

Today, volunteer assistance groups such as the Peace Corps, Papal Volunteers, and the Friends Service Committee, all provide paraprofessional personnel overseas on an interim basis. Working abroad with manpower supply groups such as these has indicated very clearly to me that the kind of young workers which they send often hold jobs which require the same kind of training and skills as are generally acquired by the graduates of many U.S. two-year colleges.

My own list of the "two-year college skills" most needed, and in shortest supply in the developing world, would include:

> Automobile mechanics, diesel mechanics, farm machinery management, machinery and equipment maintenance and repair, secretarial and business, data-processing, engineering technology, medical laboratory technology, physics and chemistry laboratory technicians, X-ray technology, fire science, recreation and physical education, elementary education, community service.

Considering the relatively modest level of technology and industrialization in most of the developing countries, many of the more specialized programs at U.S. two-year colleges are not suitable for Asia, Africa, and Latin America. However, the situation is one which changes and rapidly evolves: new skills not required today may be urgently needed tomorrow. The establishment of a modest, flexible but growth oriented comprehensive community junior college system in many of the newer countries overseas could well complement and facilitate the rapid modernization and growth which they so earnestly seek. Such a solid training infrastructure could prove invaluable to planners and programmers in many developing areas.

Beyond skills alone, introducing the "comprehensive" aspect of America's public community colleges could lend still another important dimension of the foreign two-year college movement. Enlightened leaders in many developing countries have come to realize that true "nation building" and country development programs must proceed hand-in-hand. The potential of community services, of adult education, and of the recreational, social and developmental "outreach" programs of U.S. community colleges can provide a unique and positive extra, to supplement the scholarly, research-oriented colleges and universities so typically found in many new nations. Even as they bravely strive to develop, grow and progress on many fronts at once, most of these states must also fight the ignorance, indifference, and inertia of a large proportion of their national population. To combat poverty, disease, and hunger effectively, such countries are discovering that they must first overcome the dead hand of the past. They must rid themselves of many inherited influences from a colonial history which gave them some benefits, but which most often discouraged initiative, cooperation, and our popular American spirit of working together as equals to tackle and solve common problems.

Although the community college approach could never solve all these problems, I believe that, wherever adopted, it could represent an important catalyst for civic pride and cooperation in many developing countries, where such national "rallying points" are in particularly short supply. Last year, Daly C. LaVergne, the director of AID's Office of International Training put the matter this way at AAJC's national convention in Boston.

The type of post-secondary educational institution most generally needed in the developing countries probably more nearly resembles the American junior and community college than the four-year college. In addition to the similarity of objectives (producing educated people who can immediately be absorbed by the critical skilled manpower needs of the wider community), the U.S. junior college and the developing country colleges face similar problems.

With all these advantages and benefits possible, why have there been so few opportunities for our community junior colleges to foster the growth of counterpart colleges abroad? Why have so few AAJC members been called upon to perform overseas, in contrast to the hundreds of American four-year colleges and universities which have enjoyed governmental contracts and foundation support for many years with technical assistance projects abroad?

Answers to these questions are neither simple nor easy to come by. Some of the reasons are historical. In its present form, the comprehensive community junior college has simply not been around as long as many of the better developed, many-sided university programs whose experience is now being tapped for the benefit of developing countries. Also, as mentioned earlier, an outdated, colonial-type attitude toward higher education has long been predominant in the majority of so-called new states. Thus national educational goals and attitudes favorable toward such practices as open-door admissions, extensive and continuing student personnel services, and a commitment to community outreach programs in general have been the exception, not the rule. It is only in very recent years that such historical biases as these have begun to change. Finally, perhaps, the U.S. two-year college movement and important sections of the developing world are ready to meet together on equal terms.

Another, more serious roadblock still remains. A number of AAJC member institutions have formally signified an interest and willingness to expand their world studies programs, to welcome foreign students on their campuses, and to work toward an overseas faculty exchange program. Some would also send modest-sized education advisory teams to the less-developed countries. A number of these junior and community colleges constitute the membership of the Association's Committee on International Education, which currently represents 8 member colleges (and others interested in overseas work). In addition to these schools, representatives from at least a dozen other two-year colleges have also indicated to AAJC an abiding interest in seeking help and advice to develop some kind of program with an overseas counterpart school or college. And yet, with rare exceptions, the problem of "image" and "academic standing" has blocked most efforts to reach a "take-off" point with such programs. In government-sponsored projects particularly, invidious and unfavorable comparisons with the supposedly-superior faculty, campus resources, and reputations of the "4/Us"—the four-year colleges and universities—have effectively prevented serious consideration of the community or junior colleges for AID or other government-sponsored education projects in the developing world.

Some noticeable recent evidence of this negative attitude can be found in an extensive AID report entitled *University Resources for International Development*. This study was prepared in 1968 for the Agency for International Development by the prestigious Academy for Educational Development in New York, and authored by Chester M. Alter, former Chancellor of the University of Denver.

It should be noted first that Dr. Alter's purpose was to compare and evaluate for AID the overseas performance record or "score" of several major categories of institutions of American higher education in carrying out AID contract programs abroad. There were nine classifications discussed, all subsumed under the general rubric of "universities." only six two-year colleges were selected for the survey sample, although three or four times that number were sampled in most of the other categories examined. Not one member of the Academy's twenty-man study team, nor of its ten-man advisory committee, was drawn from a junior or community college. The great majority were presidents, deans, directors and senior faculty members from four-year colleges and universities. A further analysis of the study group and its committee reveals that at least six members were either then or formerly employed by colleges and universities which currently or recently held AID-financed contracts abroad. Needless to say, the community junior colleges had no such connections on Dr. Alter's study group.

Turning to the study itself, its approach and methods seem quite straightforward. Basically, *University Resources for International Development* tries to analyze several "criteria for excellence," as described in another report prepared by John W. Gardner in 1964 entitled *AID and the Universities*. In this study, Mr. Gardner also used the word "universities" in the generic sense, and listed eight separate areas in which he advised AID to establish and monitor high performance standards by its overseas contractors. These criteria included:

> Institutional resources, caliber of faculty, interdisciplinary programs, research resources, administrative capability, overseas experience, quality of personnel, institutional commitment.

Considering both the historical limitations on community junior college involvement overseas (above), and the backgrounds of most of the survey members responsible for the study, its conclusions should probably surprise only the naive or the incorrigibly optimistic.

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By and large, the impression gained from Dr. Alter's conclusions neatly illustrate the old adage of damning with faint praise. Here and there his report to AID does say a few kind words about the contributions which two-year colleges might make to a few particular development projects abroad. However, typically and almost inevitably a big "but" accompanies nearly every such reference. Some modification, restriction or proviso virtually emasculates whatever slight praise the author may give to the two-year college. To illustrate, a few quotations follow from *University Resources*, together with my brief commentary on each:

Quotation 1: A high degree of interdisciplinary sophistication probably would not be found in the typical junior college. Naturally, there are individual exceptions . . . (but) for the purpose of marshaling enough over-all strength to warrant a total institutional contract, many junior colleges would be found lacking.

Comment: To view the bias in this section of the Alter Report ("Caliber of Faculty"), one only need take note of the large "straw man" which the authors jerry-rig here, only to topple over with the greatest of ease. Logically neither AID nor the developing countries it serves should be interested in generalizations about the "typical" junior college, nor whether "many" such colleges may or may not be lacking in over-all institutional strength. While such generalizations are dubious and unsupported in themselves, there is something even more important. Assertions of this type are irrelevant and quite useless to foreign policy-makers who must carefully assess whether a specific community or junior college is both competent and willing to help AID implement significant portions of its educational assistance programs in some of the less-developed countries.

Quotation 2: The usual expectations of the typical junior college would lead to the conclusion that this criterion (personnel quality) probably or even usually, would not be met adequately.

Comment: In general, the comments made about the first example pertain. In addition, the superficial, unsupported generalizations of the report are particularly evident here. *Whose* "usual expectations of the typical junior college," one could ask Dr. Alter, and by *which* standards of "personnel quality" does the staff and faculty of the junior community college fail to measure up? Define your terms, professor!

Quotation 3: (In discussing foreign programs) a typical comment from junior college administrators is: "Yes, we are interested, . . . but frankly we are so new, are growing so fast and we have so many things to do here that we just have not had time to develop overseas work." Such expressions are not at all exceptional and are without doubt logical and legitimate.

Comment: Once more, can words such as "typical" and "not exceptional" truthfully be applied, considering that the (supposed) attitudes of administrators at only six two-year colleges are cited? Even more dubious and suspect is the condescension implicit in the concluding comments in this, the report's final section, entitled "Institutional Commitment". One reads in the report, "As of the fall of 1966 there was only one junior college on AID's list of university contractors." Forty universities, colleges and consortia were surveyed in the Alter report alone which held AID contracts at that time for training, research or technical assistance abroad. It seems reasonable to conclude that such "institutional commitment" becomes much easier to discern when a school has already enjoyed the generous support of one or more government contracts!

Many more examples could be cited. All in all, I believe that the conclusions drawn and the inferences left by this AID report are frequently distorted, sometimes biased, and often consist of such unsupported allegations and meaningless generalizations as those that are quoted.

It is necessary to combat such distorted images of America's two-year colleges wherever that may be found. However, it is more important still to stress the positive, constructive potential of modern junior and community colleges for making creative and worthwhile contributions to the education and manpower development of the newer countries overseas. Everyone's time is wasted in contentious value judgments about which kind of institution has the "best" faculty, which has a greater institutional commitment, or which has a "superior administrative capability" to work effectively abroad.

In any case, the criteria devised by John Gardner for AID to measure the effectiveness of its overseas education contractors seem more applicable to help assess a different kind of performance. Quite possibly, a different kind of standard should be applied to the special contribution which the two-year colleges might make to foreign education assistance work. Writing in the Junior College *Journal* of May, 1958, Mr. Gardner made clear his conviction that excellence indeed could mean one thing for one group of schools, quite another for a different one. He wrote:

As things now stand the word excellence is all too often reserved for the dozen or so institutions which stand at the very zenith of our higher education in terms of faculty distinction, selectivity of students, and difficulty of curriculum. In these terms, it is simply impossible to speak of a junior college as excellent. Yet sensible men can easily conceive of excellence in a junior college.

The traditionalists might say "Of course! Let Princeton create a junior college and one would have an institution of unquestionable excellence!" That is correct, but it leads us down precisely the wrong path. If Princeton Junior College were excellent in the sense that Princeton University is excellent, it would not be excellent in the most important way that a junior college can and may be excellent. It would simply be a truncated version of Princeton. A comparably meaningless result might be achieved if General Motors tried to add to its line of low-priced cars by marketing the front end of a Cadillac!

Thinking back on my own years of service in the developing countries, I am certain that John Gardner's analogy was a perceptive and accurate one. Whether through government projects, by cooperation with foundation programs, alone or in consortia with universities, through exchanges with the small but growing group of "counterpart colleges" abroad, or in other ways, I am convinced that the particular excellence of our institutions can be focused with increasing effectiveness and growing results on programs of international studies, institutional service, and faculty enrichment. After all, the style, the motivation, and the goals of "democracy's colleges"—a uniquely American contribution to the world's educational growth and progress—do seem to fit the needs and aspirations of so many of today's developing countries. For many such nations, the community junior college may truly be a good idea whose time has come. One "old hand" at working to introduce the movement to such countries is Mr. William R. Kunsela, President of the State University of New York Agricultural and Technical College at Delhi. A few months ago, in a report to the AAJC Committee on International Education, Mr. Kunsela put the matter this way:

The fact that only a few of our institutions have had experience in developing countries should not be a deterrent, nor should it be interpreted as lacking interest.

The community college will be given the opportunity to apply its expertise on the international scene only at such time as the developing nations are encouraged to become familiar with and experiment with the community college as a solution to middle-level manpower needs, and to this manner of expanding educational opportunity.

The Association intends to do its best to provide such encouragement, to awaken an international interest in the two-year college, and to stimulate the kind of frank and informed questions and dialogue which can lay the ground work for expanding the movement wherever and whenever representatives from the new countries are ready to "talk shop". Perhaps Uncle Sam may also want to take another look one day soon at the exciting resources which America's two-year colleges could contribute to America's assistance programs abroad.

COMPLICATIONS OF DESEGREGATION

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. DERWINSKI. Mr. Speaker, a very frank, thoughtful column reflecting an objective grassroots commentary on complications of desegregation written by columnist Leonard Carriere was carried in the Thursday, March 13, Blue Island Sun-Standard.

The communities served by the Sun-Standard are encountering the typical complications of school integration problems. Mr. Carriere, an outstanding civic leader in his community, discusses the subject in a penetrating, thoughtful, and calm fashion:

COMPLICATIONS OF DESEGREGATION

(By Leonard Carriere)

Desegregation cases can get rather ridiculous when a mathematical formula is at the heart of the matter. Why otherwise intelligent people lose all sense of proportion when it comes to this area of thought I do not know. There must be something hypnotic in the magic numbers.

The U.S. Supreme Court has agreed to hear a case originating in the deep south from a school district that has a 60 per cent white and 40 per cent Negro student population. The problem does not arise over the mix of the students but rather over integrating the teaching staff. When the matter was heard in the Federal District Court having jurisdiction, there was a finding and an order that the teaching staff was to be integrated at 60 per cent white and 40 per cent Negro, or on a 3 to 2 basis. Without more, it is clear that the result was directly correlated to the racial proportion that prevailed in the district.

It did not rest there. The matter was taken up on appeal where it was reversed. Now the U.S. Supreme Court has agreed to look into the matter. What they will decide remains to be seen. It has some extremely interesting possibilities.

I cannot help but think in conjunction with these matters of the pledge of allegiance that the school children recite. In it, you will recall, there is a reference to "one nation, indivisible . . . with liberty and justice for all . . ." Now I ask, how indivisible is this nation that the Constitution seemingly requires a division based on racial proportions? How much justice is there when the prize goes not to the most capable but rather in accordance with someone's idea of a proper division? Where is the equality of opportunity, on either side, when it is necessary to make an allocation based simply on the fortuitous circumstances of the racial composition of a community? What has happened to the time-honored American doctrine that each of us stands on our merits irrespective

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of race, religion, national origin or political affiliation?

Like the French poet Villon, one might also ask, "But where are the snows of yesteryear?" Gone my friends to the place from whence they came! However, let us get back to our 3 to 2 school district.

Assume that this particular district requires a teaching staff of 100. Following the formula, it becomes necessary to hire 60 white teachers and 40 Negro teachers. If, from the number of applicants, it develops that you have hired the 100 most capable teachers on a 60–40 basis, everything is fine. Yet, this would at best be a strange and rare coincidence. Suppose you have 150 applicants, out of which there are 80 exceptionally well-qualified and capable white teachers but only 20 equally well-qualified and capable Negro teachers. You cannot hire the other 20 white teachers as common sense would dictate. There is the formula. The same is equally true where you have the reverse, or 80 exceptionally well-qualified Negro teachers but only 20 of their white counterparts. To keep the balance you would need to hire 40 second-rate white teachers when you have available to you 40 better teachers that you must turn away.

Somehow it just doesn't make good sense to go about fulfilling one of our most fundamental obligations in this fashion. The children deserve better, unless one were to reword the pledge of allegiance to read as follows—". . . to a nation infinitely divisible, as expediency may from time to time require—or as the population may from time to time change—with liberty and justice in accordance with the percentage I may from time to time bear to the whole—"

It isn't only the Danes whose nostrils are offended.

TUSCALOOSA

HON. WALTER FLOWERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. FLOWERS. Mr. Speaker, it is with much pride that I call the attention of this House to the particular significance of the year 1969 in our great State of Alabama. This year we celebrate the 150th anniversary of our State and my hometown—Tuscaloosa.

The name Tuskaloosa, has been given to a city, a county, and a river in Alabama. In the language of the Choctaw Indians, "Tuska" and "lusa" signifies "warrior" and "black." Tuskaloosa was the name of a giant Indian chieftan whose village and tribe suffered a cruel fate at the hands of DeSoto in 1540. The United States later allowed the Creek Indians to establish their Black Warrior town in the year 1809, but in 1813 it was burned to the ground following an Indian revolt. Following this defeat of the Creek Nation by Andrew Jackson, white settlers began to enter the area where explorers only had been before, and the first settler in the vicinity was Thomas York in 1816.

The town was incorporated on December 13, 1819, which was 1 day prior to the State of Alabama's entering the Union. Beginning in 1826 and for over 20 years. Tuskaloosa was the State capital of Alabama. That period witnessed the opening of the University of Alabama and the building of the capitol and more than 35 of Tuskaloosa's elaborate antebellum homes. Also, many industries such as foundries, cotton mills, and canneries began to locate along the banks of the Black Warrior River. From this early beginning, we have grown into a thriving community of over 75,000 people.

The University of Alabama was founded in our city in 1831 with an original student enrollment of 96 young men. The Tuscaloosa Female College and the Alabama Central Female College were later combined with our university which has grown to today's enrollment of over 20,000 students.

Historically, Tuscaloosa has been a center of educational opportunity, industrial development, economic progress, and wonderful living. We are proud of its heritage, enjoying the dynamic present and looking forward to a fantastic future.

Tuscaloosa celebrates its 150th birthday, April 19 through April 26, 1969. The citizens of our community, both young and old, as well as the many welcomed visitors who come, will share a wonderful fun-filled week of festivities, entertainment, historical pagentry and good old southern hospitality.

Mr. Speaker, with unanimous consent of this House, I spread upon the RECORD a schedule of events for our 150th anniversary celebration in the city of Tuscaloosa, together with the names of our citizens who are participating in the planning and organization of the celebration:

SESQUICENTENNIAL CELEBRATION COMMITTEE

General chairman: Tom Shurett.

Executive committee: Harlan Meredith, Charles Snyder, John Pradat.

Committee chairmen: C. J. "Cuz" Hartley, Mrs. William O'Conner, Lewis Manderson, Tom Moore, Bill Walker, Hilliard Fletcher, Van Brown.

Committee members: Tom Hester, Joe Colquitt, James Kincaid, Lane Hubbard, Teddy Neilson, Mrs. Rainey Collins, Mrs. Byron Morris, Dayton Hale, Wayne Norwood, Cary Findlay, Mrs. Jimmy Hinton, Lou Couto, Mrs. David Partlow, Mrs. Harry Pritchett, Jerry Belk, John Ross, James Doster, Jimmy Walker, Don Barnes.

Kelly Tucker, Mrs. Sam Phelps, Travis Partain, Gary Fitts, Lyman Mason, Russ Chappell, James Cowden, Jim Wilder, Bill McGuire, Don Mize, Mrs. Thad Matkin, John Cade, Norman Bassett, Marvin Harper, Rufus Bealle, Otis Walters.

SCHEDULE OF EVENTS

Saturday, April 19—Homecoming Day

The opening of all sustaining events, including Sesquicentennial Headquarters, Hospitality Center, exhibits and displays, historic sites, registration of dignitaries and former residents begins.

Opening Ceremonies at a central location by Sesquicentennial Officials.

Major Sesquicentennial Parade.

Annual Pilgrimmage of the Tuscaloosa Preservation Society.

Post-parade reception and luncheon by the Mayor.

Sesquicentennial Anniversary Cotillion, a grand and dignified Celebration event climaxing opening day.

Sunday, April 20—Religious Emphasis Day

Monday and Tuesday, April 21 and 22—University of Alabama Days

Annual festive days planned by the University with this year's events and activities programmed to the Tuscaloosa Sesquicentennial Celebration.

Wednesday, April 23—Business, Industry, Labor and Government Day

Special luncheon with the Greater Tuscaloosa Chamber of Commerce as host honoring Tuscaloosa's outstanding leadership in the above areas.

Open Homes Tour: Antebellum and more modern homes of Tuscaloosa which many are desirous of seeing are opened to the public.

Tours of industrial facilities planned.

Premiere performance of the historical spectacular, "The Black Warrior Saga" with a cast of over 500 utilizing the entire arena floor of the Memorial Coliseum portraying in drama, comedy and music the thrilling highlights of Tuscaloosa's 150th commemoration.

Coronation ceremony for Tuscaloosa Sesquicentennial Queen and her Royal Court of Honor.

Thursday, April 24—Ladies Day

"White Collar Girls" breakfast, featuring an old fashioned style show of what the working girls of yesteryear wore.

Ladies Club luncheon honoring outstanding club women leaders of civic projects. The speaker will be the Honorable Patricia Hitt, Assistant Secretary, Community and Field Service, Department of Health, Education and Welfare.

Friday, April 25—Salute to Youth Day

Saturday, April 26—Sesquicentennial Men's Day

Burial of the Sesquicentennial Time Capsule, containing many Sesquicentennial souvenirs, letters to future government leaders, pictorial material of Tuscaloosa today.

THE USELESS SAFEGUARD

HON. ROBERT W. KASTENMEIER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. KASTENMEIER. Mr. Speaker, the President's decision to go ahead with the ABM system was unwise. I have stated the reasons for my own objections on many occasions in the past. Of all the criticism of President Nixon's decision, the following New York Times' editorial stands out in its brief but lucid exposition of the inadequacy of the President's present position on the ABM:

THE USELESS SAFEGUARD

President Nixon has put the best possible packaging on a bad decision. It would have taken bold executive leadership to reverse the policy on the Sentinel antiballistic missile system which Mr. Nixon inherited from the Johnson Administration; to overrule Secretary of Defense Laird and the Pentagon planners, and to confront the military-minded Congressmen on Capitol Hill who automatically equate more weapons with more security.

Instead, the President offers the nation a delusive compromise. He has moved the proposed ABM sites away from the cities to make them less visible to justfiably angry taxpayers. He promises a saving of $1 billion in next year's budget, but the ephemeral nature of that saving is made plain by his own estimate that over the next several years the ABM system will cost $6 to $7 billion, or more than Sentinel would have in the Johnson version. Moreover, all experience with the spending habits of the Pentagon suggests that this project will wind up costing much more than any initial projection.

The President has placed his emphasis on protecting the nation's Minuteman missiles, which is technically feasible to some extent, as against the original impossible goal of providing realistic defense for the cities against a massive Soviet attack. But he has also retained the anti-Chinese orientation of Sentinel, claiming that the ABM system would defend the country against the Communist Chinese for the next ten years. It adds up to an unconvincing package.

To shift part of the ABM system into the role of protecting the American nuclear deterrent accents the most plausible—and least destabilizing—case for this project. But it is still a hollow case. The increased measure of protection is decidedly marginal. It is simply not a sensible way for this country to invest several billion dollars in this tense period of domestic crisis. The nation's awesome nuclear striking power affords all the protection that is needed. It is not necessary to add this Maginot Line in the sky when there are so many alternative uses for the money here at home.

As for the threat of the Chinese Communists, they have not shown themselves over the past twenty years to be more reckless than the Russians. What basis is there for believing that Peking will launch an attack on American cities with comparatively unsophisticated missiles and thereby foolishly risk a devastating American nuclear retaliation?

The best that can be said for this decision is that by moving the ABM sites away from the cities, the President has removed at least for the present the danger that Sentinel would actually be the beginning of a "thick" defensive system. The building of such a system would not only be fantastically expensive but might also make the Russian leaders genuinely fearful about United States intentions. But President Nixon could have disposed of this entire issue more effectively if he had called upon the Soviet Government to begin arms control talks now and announced that he would withhold a decision on the ABM system until he saw how those talks were progressing.

It is now up to the Senate to defend the national interest. The ABM system is a project as wasteful as the Pyramids and not much more useful. It is not necessary for a majority of the Senate to remain in bondage to the Pentagon pyramid-builders in order to show that they care about the defense of this country.

WOUNDS FATAL TO LINCOLN GI

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. GAYDOS. Mr. Speaker, Army Sp4c Lee D. Thomas, a brave young man from Lincoln, was recently killed serving his country in Vietnam.

I wish to honor his memory and commend his courage and valor, by placing in the RECORD the following article:

WOUNDS FATAL TO LINCOLN GI: SP4C LEE THOMAS KILLED IN VIETNAM

The combat death of a young Lincoln serviceman in Vietnam has been reported by the Department of Defense.

Army Spec. 4 Lee D. Thomas, 18, was killed Friday, according to a telegram received by his parents, Ronald and Celia Loop of 178C Port Vue Road.

The telegram said Spec. Thomas died as a result of wounds suffered when the military vehicle in which he was riding was ambushed.

Spec. Thomas entered the Army in July, 1967, and was assigned to Vietnam in October of last year. He had attended South Allegheny High School.

Funeral arrangements will be announced by the Jack L. Teichart Funeral Home, Duquesne, following return of the serviceman's body from Vietnam. Military services will be conducted.

NEWS CONFERENCE BY DEPUTY SECRETARY OF DEFENSE DAVID PACKARD

HON. GLENARD P. LIPSCOMB

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. LIPSCOMB. Mr. Speaker, Deputy Secretary of Defense, Mr. David Packard, has been supervising the Defense Department's review of the ballistic missile issues. On March 14, 1969, shortly after the conclusion of the conference at which President Nixon announced his decision on the ABM system of substantially modified design, Mr. Packard at the Pentagon presented an excellent briefing in which the system was described in more detail.

In order that all Members may have a readily available, more complete description of the system as presented by Mr. Packard, I include the text of his remarks at this point in the RECORD.

NEWS CONFERENCE BY DEPUTY SECRETARY OF DEFENSE DAVID PACKARD

Mr. PACKARD. Ladies and Gentlemen, I am pleased to have the opportunity to come before you today and give you the results of some of the things that we have been working very hard on, as you might expect, for the past few weeks.

Mr. Laird, Dr. Foster, the Service Secretaries, the Joint Chiefs of Staff and I have examined thoroughly the ballistic missile defense issues. We have examined the needs for such a defense, the objectives of the program, the technical feasibility and the various alternatives available. After this extensive review, we forwarded our conclusion and recommendations to the President. These views can be summarized as follows:

1. We have not recommended deployment of a defense of major cities against a massive attack, the kind the Soviets could launch, because it would not materially increase our security. We must deter such attacks with our retaliatory forces.

2. Protection against ballistic missiles can and should be made available to our land-based nuclear-war deterrent forces. Such added protection will help insure the survival of the American deterrent forces in the face of the still growing Soviet threat. We recommended that an ABM system be configured so that extra protection and warning will be given to missiles, bombers, and the national control center as the threat develops.

3. The people of our country can be protected effectively from a small missile attack, the kind the Chinese Communists will probably be able to launch sometime in the 1970s. We judge such a defense to be a prudent and practicable measure and recommended that it be deployed as the threat develops.

4. Locating sites away from major cities should make clear to the Soviet Union that the American defense is designed to preserve our deterrent—not to change the strategic balance. We recommended that the sites for ABM radars and missiles be determined by the needs of the defense and that they be moved away from cities to the extent practical.

5. A careful review of existing ballistic missile defense components convinces us that the program is sound and feasible technically. We so informed the President.

6. A phased installation of a ballistic missile defense will provide the option to meet the threats as they materialize. We recommended a specific deployment plan to meet this objective.

7. Such a deployment plan would provide for early shake-down of integrated operational components and offer the most economical deployment.

8. A decision to deploy such a defense and the pacing of the deployment is fully consistent with our national objective of meaningful agreements with the Soviet Union on the limitation of strategic offensive and defensive systems.

9. A rigorous research and development effort is needed to seek better ways to defend against enemy missiles. We recommended that these efforts be continued.

The Department of Defense sent the President its analysis of four basic possible resolutions of the ballistic missile defense issue. These options were:

1. A heavy defense designed to protect major cities against a massive attack.

2. The existing Sentinel.

3. Modifications of Sentinel that would improve planned protection of our deterrent forces as the threat materializes, protect our population against a small attack, and demonstrate clearly that we are not attempting a heavy defense of major cities.

4. Cancellation of Sentinel, continuing just research and development but with no real option to deploy a defense in the next two or three years, regardless of the threat that may develop.

The President, as you know, rejected a heavy city defense, rejected the option of no defense and approved the phased protection of our land-based forces and the light, overall protection of population. This deployment will permit a shift of radar and missile sites away from major cities.

Our budget-revision request to the Congress will reflect those Presidential decisions. Budget details will be announced when they have been submitted to the Congress. In general, I can say that the President's decision will permit us to reduce ballistic missile defense obligation in this fiscal year and the next by a total of $1 billion. Total investment costs of the fully deployed missile defense will be somewhat more than the Sentinel.

The net effect of the new decision is to establish a Modified Sentinel program which will enhance our ability to deter a massive attack and provide a capability to defend against a small attack. Thus, for an acceptable cost, we add significantly to the credibility of our deterrent posture and to the security of the American people.

The concepts involved in protection against missile attack are complex. They have raised many difficult questions during recent public discussion of the Sentinel system. In order to contribute to an informal discussion, I want to describe the Modified Sentinel, particularly its deployment sequence, and finally answer further questions that you might have.

In presenting a description of the system, I am very well aware that many of you have studied this issue over the last few weeks and know a good many of the details, but I would like to go through the whole system very quickly with you so that we have an understanding about the terms. Then we can get into any issues that are still troubling you in the question period.

Question. When did the system acquire that name, Mr. Packard?

Mr. FRYKLUND. We would appreciate it if you would hold off questions until we are through and everybody gets a shot at him.

Mr. PACKARD. I think it's helpful to talk about the concept of an area defense and the concept of a localized defense. The two work together in the system, but I think it's helpful in looking at it in these two different concepts.

In the area defense concept we have a Perimeter Acquisition Radar, which we call PAR, which has a long range; its range is limited by the horizon and it can see out far enough so that as an enemy target comes

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in, the PAR can pick up the target, acquire the threat; information is fed from the PAR back to a computer system located in the area, and the track of the incoming missile is predicted, and the possible point of impact, the probable point of impact, I should say, is provided by the PAR.

As the missile approaches more nearly the range of the Spartan missile, it is picked up by the missile site radar which then acquires the target, and also provides the guidance information for the Spartan to produce the intercept at a point high above the atmosphere and at a considerable distance away from the site of the radars, the missiles and the target.

I want to point out particularly that in the area defense configuration of the system, the operation of the system, the Spartan impacts the incoming weapon at a very high altitude.

There has been some talk about possible effects from the fact that this impact is with a nuclear warhead. I want to assure you that there are no significant effects on either people or property because this intercept is made at a very high altitude, above the atmosphere of the earth.

The terminal defense concept involves a capability which if for any reason, the area defense capability does not acquire the warhead, the warhead then is still within the range of the MSR radar, it comes down into the atmosphere and a very fast missile called the Sprint is sent, again guided by the missile site radar to a point of impact below the atmosphere.

I would like to go through the basic components of the system. Again I expect you have heard a good deal about these, but I wanted to go through them again for you.

The Perimeter Acquisition Radar, the PAR. It is a very large building. It is large because it needs a very large radar phase to provide the long range capability, the accuracy, and to be able to provide the information for the system to do the jobs that the system has to do.

It has a detection range of greater than 1,000 miles. It is in a building that is some 200 feet square and 130 feet high. It has an antenna diameter of 112 feet. Just as a matter of interest, this radar uses what we call a phased array principle. In order to provide the capability for this system, it has to be able not only to detect the enemy warhead out quite some distance, it has to be able to detect a number of them, if necessary, because we have to be prepared for a number of missiles coming in at the same time.

The radar provides for an electronically sweeped beam so that this beam can be swept across the sky very rapidly and a great deal of information can be acquired from this.

The concept you are familiar with is a bid disc that's moved around mechanically and would not be suitable at all for this sort of a system.

The PAR is in this development status. The components have been tested. Because it is a large installation it has been decided that the first radar would be assembled and tested at an operational site. I am confident that the technology involved in the PAR is well known and sufficiently reliable so that this proposed procedure is entirely appropriate.

The missile site radar is designed with the same general technical principles, the phased array principle, and has to do very much the same kind of a job that PAR does, except that it has a shorter range and provides to again pick up the position of the missile and also to guide the local Sprints and Spartans to the intercept point.

This has a detection range of several hundred miles. It is not quite as large as the PAR—120 feet by 120 feet. A good deal of it is placed below ground because it is desirable that it be hardened because it is located in the area where there might be targets.

The prototype unit of the missile site radar has been installed at the Kwajalein test area, and is undergoing tests out there to check out and work out its operational capability.

One of the things I might point out, you can see the picture indicates that the missile site radar has faces on two sides, it actually has faces on all four sides, and one of the changes we made in the system, which will come out later, is to add some additional faces to these radars.

The Spartan missile is the long range missile which is used with the area defense concept. As you can see, it is a rather large missile. It has a thermonuclear warhead. There have been flight tests in progress. Actually, successful flights have been accomplished in intercept. Additional work will be necessary for the warhead development. On this point, the question has been raised whether we are going to have to test these warheads in the atmosphere. The answer is we do not intend to do so. We can handle this with the present underground testing program.

The Sprint, as I said, is a very fast missile. It has to get off the ground and get up and intercept the incoming warhead when it is within the atmosphere. This is really a very tremendously impressive development. There have been successful flight tests and I have no doubt at all about the capability of this component of the system.

The area defense concept is provided by the Perimeter Acquisition Radar to intercept the warhead a long way out, the missile site radar to acquire it when it is within range, and to guide the Spartan or Sprint to the intercept point.

This shows you about the coverage that you get with the Spartan so-called area defense capability and this is a simulated location to give you some idea as to the approximate coverage you would get in the area defense concept with one missile installation. This doesn't represent a particular installation in our program.

In studying this problem, I've had the opportunity to go rather carefully through the technical capabilities of these components that I have described to you. There is one other component that is very important in the system and that is a large computer. Because the information from these two radars is fed into the computer, a good deal of calculations have to be made and the information sent back to the radar and the missile to provide guidance for the intercept.

The computer capability is extensive and is one of the things that provides a very impressive capability for the entire system. I have looked into that and looked into the things that the computer is expected to do. I am confident that we will be able to tie the system together effectively with the computer capability that is well within present technology, and I see no difficulty in being assured that this can and will be done.

In addition to looking at the capability of the system, to try and decide in our own minds whether this proposed system would indeed do the job that was suggested for it, or such other jobs as might be appropriate, we also felt it was desirable to go back and see if there have, in fact, been changes in the threat between the time the system deployment was proposed back in 1967 and the present time.

You will recall that when the present Sentinel deployment was proposed, it was said that the Chinese ICBM threat was imminent. It was thought that their ICBM capability might be approaching the test stage. It was also thought at that time that the Soviet ICBM effort was leveling off, or was expected to be leveled off.

It was also thought that we would have adequate warning for our bombers to get off in case they needed to be used. There have been some changes in the information we have and the way we see the threat between then and now. I would like to go through those with you on a specific basis.

The Chinese ICBM is still delayed, but we think it is still expected. They have, in fact, as you know, gone ahead with their thermo-nuclear warhead development. They have actually tested thermo-nuclear warheads of rather impressive size.

We know also that they have done more work in expanding their missile test facilities, so there is still a good deal of concern and, I think, agreement that the Chinese ICBM threat which was predicted in 1967 is still likely to come about sometime soon, and we still, therefore, believe that this should be taken into consideration in such deployment as we might propose.

One of the things that impressed me very much in the studies that I have made is that we have a good deal of evidence, I think quite hard evidence, that the Soviet ICBM deployment and development is continuing. It was this that caused us to take another hard look as to what we should do with this ABM capability.

We also know that the Soviets have been moving ahead with a rather active program in producing Polaris-type submarines. They are now in production. They are not yet deployed as far as we know. But this gives the Soviets the possibility of launching missiles from locations close to our shores, and we are very much concerned about this threat of reducing the ability of our bombing force to get off in case we need it.

I think there was some talk about the fractional orbit bombardment system at the time the previous decision was made. There has been some further work on that and it looks as though the Soviets may be planning to use this for some purpose.

Before I talk about the specific recommendations that we made, I would like to take a minute or two and give you a little outline as to the differences between the job of protecting our cities against a nuclear attack and the job of protecting our deterrent forces.

In the terms that you use in this business, cities are what you call soft weapons, they are easily destructed, easily destroyed and we get into the very important concept that you can use smaller weapons, a large number of smaller weapons is in fact just as effective against cities as a smaller number of large weapons.

Further, that it really does not take very many nuclear warheads to give an acceptable destruction to the cities. On the other hand, when you are trying to defend a single position, particularly a hard point, such as the Minuteman in a silo, this can be done more effectively with a larger weapon, and it requires more accuracy.

In a city defense, you don't really have to worry too much about your missile accuracy, but if the enemy develops or has large warheads which can be delivered very accurately, this poses a very serious threat against the Minuteman even in hardened silos, and the differences between the problem of trying to protect a city and trying to protect hardened Minuteman silos and other hardened positions is a significant factor in coming to the decisions and the recommendations we have made.

So we recommended, really, four different alternate deployments of the ABM capability. They are, of course, different gradations between these, but I think this gives a fairly effective range which enables a decision to be made.

We considered a thick anti-Soviet defense of our cities. We looked into this very carefully. As I have indicated to you, we rejected the thick anti-Soviet defense as not being a desirable thing to do at this time. We reviewed the original Sentinel, looked at its characteristics and considered the desirability of recommending simply that the President continue with the present Sentinel program.

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We considered some modifications to the Sentinel program, which I will describe in more detail to you in a moment, and we also considered the possibility that we should not have an ABM defense, or in that general range might simply fall back to a research and development program.

I am sure you heard the President's speech this morning and know the decision that he has made as a result of our recommendations. I think, then, it might be well for me to go through and give you a little more detail about the system that we have proposed to him and that he has recommended to proceed with.

This is the modified Sentinel program which we have recommended and which the President has decided to proceed with. I will point out first that this rejects the thick system. This rejects the concept that we try to defend our cities against a heavy Soviet attack.

We looked at the possibility, needless to say, if it were possible to completely defend our cities from a ballistic missile attack, a nuclear attack of any kind, it would be a very desirable thing for us to do, and if we felt that this could be done with present technology we would have certainly recommended this to the President, and I rather anticipate he would have considered it very carefully. But we do not believe this is the right way to go and I think the President outlined the reasons quite well this morning, as we outlined them to him.

The second and important factor in the modified Sentinel program that we have recommended is that this plan gives the President the opportunity to deploy the system as the threat develops.

Third, and, of course, essential in the consideration, is that the system we are recommending is designed to provide for increased protection of our deterrent forces. This, of course, is a very important factor. We have shifted the emphasis from the defense of our cities to the defense of our deterrent forces.

The system that we are recommending does provide, continues to provide, the area defense of our population against a light or an irrational attack, or against accidental launches.

The system that we are deploying provides about the same measure of area defense capability as the Sentinel system provided, but it did not provide a base on which you can build a thick system.

We have recommended that the national command authority be included in the protection. Here, of course, we are talking about providing this capability close to a city because the most important center of our national command authority is in the city of Washington, and if we are to provide adequate protection for the national command authority, it would be necessary to put the full system in the area of Washington.

The President is not recommending that as an initial step. This preserves the option for the President to curtail or re-orient the system if arms control agreements are reached.

Our recommendation included a recommendation to strengthen our R&D effort, or looking toward a providing for such improvements in the system that might be feasible, even though we propose to start some installations as quickly as we can.

The final deployment will not be achieved even on the first of the two systems we are recommending until several years later and we believe it is prudent to continue a strong research and development effort.

Because the deployment is going to be measured against the threat, this gives us an opportunity to incorporate such improvements as may be able to be achieved from this R&D effort as the deployment moves ahead.

And, of course, this recommendation we are making moves the sites away from major cities. Again I want to emphasize that at least in my studies and in the conclusions that I have come to in studying this matter, this is very important because this provides us with no base in the system we are recommending for the thick deployment for any base for going ahead with the thick system.

Now let me go through and give you a little more information as to specifically what we are recommending to do in the immediate future.

We are going to include in the FY 1969 budget revisions and the FY 1970 budget provision, obligational authority to start construction and procurement to be able to install sites in two Minuteman wings.

These will be up in the northern areas of the country and this program is planned to include two complete sytsems, including Perimeter Acquisition Radars, the missile site radars, the Sprints and Spartans.

One of the reasons we are doing this is because this is a complex system and we believe it is very important to move ahead and be able to have one completely operational site ready to work on the test and shakedown as early as possible.

In looking at this I have concluded that in a system like this you are not likely to have all of the problems worked out in the laboratory or in experimental work, and I therefore think it is very important that we proceed to have an actual operational site so we can put the radars and computers together and have the whole thing so that we can shake out the problems of adjustment, test and so forth, that are certain to be necessary in a complex system of this kind.

We are recommending also that we proceed with surveys, with site selection, and actually we are going to recommend that we go ahead and acquire all of the sites necessary for the deployment that may evolve if we follow this development and the President decides to go ahead.

We are recommending that because we hope to provide for the President, in recommending this option, the ability to move ahead more rapidly if he decides that is desirable. And in order to do that we have looked at two factors which we think might be significant in pacing the deployment, if he does decide to go ahead more rapidly.

One of them is this matter I have already mentioned, of getting a complete operational site so we can get on with the shakedown that is going to be necessary.

Second is to go ahead with the selection of the sites so that we can have all of the site available and not have delays that might be incurred in the site selection.

We are going to plan, as I've already indicated, to continue all necessary RDT&E. I might say when I talk about RDT&E there have been some suggestions that maybe we haven't looked at some of the other kinds of ABM systems that some of the Services are recommending. I assure you we have and we do indeed have some other development money to continue exploration of other kinds of ways of doing this job. But we conclude that this is the way to go ahead at this time.

The program we are recommending is going to include in the Fiscal Year '69 budget revision; and the Fiscal Year '70 budget revision which will enable us to move ahead on the installation at these two Minuteman sites and to acquire the sites necessary for the rest of the system.

The construction toward the deployment of other parts of the system or the whole system will be determined by considerations that may be made at a later date by the President.

These considerations will be determined by how the arms talks come along and how the threat develops. For example, if arms talks are not successful, and there is a continued increase in the USSR threat, we can move ahead with more protection for more of our Minutemen; we can go ahead and deploy on other sites, or we can go ahead with any combination of these as might be thought appropriate at the time.

If the developing Chinese threat actually develops, then we will have to consider the possibility of going ahead to provide the area protection, and we will have the sites available and we can move ahead on that program.

(Chart 12)

This shows a map giving the location of both the sites which we are proposing to begin with right away and what we see now as the deployment of the full system at such time as it may be appropriate to deploy the entire system.

Let me point out some of the changes that we have made from the Sentinel program as I go through the map. In the first place, we are locating these installations at or near Minuteman bases, and we will provide for the opportunity to do that at other Minuteman bases in addition to these two if we decide to go ahead.

We are recommending that the other sites be located so that they will be in the general area of our bomber bases or other facilities which we think are important.

They will not be located adjacent to cities unless we find some area where we can't get close enough to bomber bases without being close to some city. I don't think that is a very serious problem.

One of the things that has changed as I indicated is that the submarine launched missile threat from the Soviets is now in our view a serious one. This had made it necessary for us to add perimeter acquisition radar in the Southern California area and in the Florida area. It has also made it necessary for us to provide additional faces on these perimeter acquisition radar so that they can look out over the ocean areas where submarine deployments might be located; the same way on the East coast. We have, therefore, provided a more comprehensive look around the country with the perimeter acquisition radar.

We continue to maintain a strong picket line, you might say, of the sites across the northern boundary of the country. This is important because the threats from the land based forces of both the Soviet Union and the Chinese tend to come generally from this direction.

We have, as I have already told you, added complete look-around capability at all of the missile site radars. In the Sentinel deployment it was not considered necessary to provide for this threat coming from other directions, so we have added that capability.

These sites in almost all cases will have both perimeter acquisition radar, missile site radar, and both Sprints and Spartans. You can see the blue circle indicates the locations where we will have the perimeter acquisition radar, the five across the top of the country and the two down here (indicating) to provide this protection for submarine launched missiles. All of the sites will have missile site radar and they will also all have both kinds of missiles.

The Washington, D.C. location, as I have already indicated, is we think the important one, in terms of the command control capability.

So now, Ray. If I could have that next to the last chart again. Well let me just take one more minute and reemphasize again what we plan to do in the initial step. We plan to ask for construction money and money to proceed with the production of the components for the installation of two complete systems at the Malstrom Air Force Base and the Grand Forks Air Force Base.

These are Minuteman missile site locations. We plan to ask for funds to purchase sites at all of the points you see here on the map. Again, we think that is important so that if we do find the threat develops and it is necessary to proceed more rapidly, that will save us some time in ability to move ahead.

So, if I could go back and just summarize for you, the system that we are proposing, what we proposed in this plan to the President was the modified Sentinel, you might

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call it. It's important, I think, to emphasize that it's based on the concept which rejects the idea that we can protect our cities from a heavy Soviet attack and provides for a deployment on which it is not possible to build such a deployment. Yet, it gives us the capability of measuring the deployment as the threat develops.

It is concentrated largely on the protection of our deterrent forces, our land based deterrent forces. It provides for the defense of our population against the light or irrational attack from third country launches. It provides for protection of the national command authority. It provides protection from this submarine launched missile threat that we have described.

We plan in this program to strengthen our R and D effort. We believe this is the least that should be done at this time in order to provide the capability that this country needs to make sure that our nation will be safe.

Before I answer questions, we would like to show this very short film for you. Then I will be glad to come back and answer whatever questions you have.

This is the Kwajalein area here. Do we have a soundtrack with this or shall I be the soundtrack?

Mr. Frykland. Norm?

Question. Is this a PAR?

Mr. Packard. That is an MSR. I have not seen this. This is a test at Kwajalein where we are actually firing some missiles guided by MSR.

Question. Is that a Spartan?

Mr. Packard. That is a Spartan. There have been a number of successful intercepts with the Spartan. Not of course with a nuclear warhead on them.

That is a Sprint there.

That Sprint is really a tremendously impressive development.

Question. This is a slow motion film, isn't it?

Mr. Packard. Yes. It goes a lot faster than that.

Question. You had only one firing of the Spartan? Were there two firings of the Spartan?

Mr. Packard. There were two firings of the Spartan in that picture. There have been more than that. All right, we will have some questions now.

Question. Can the Spartan and the PAR handle the sophisticated decoy problems? If not, why are they necessary for missile base protection?

Mr. Packard. We have looked into that question rather carefully and the answer is that we believe that they can handle the penetration aid problem very well. I can't assure you that we can handle all possible aspects of it, but I am confident we can handle the penetration aid problem and I think our technology is good on that.

Question. That is in the face of the Presidential Science Advisor's recommendation or conclusion?

Mr. Packard. I have looked into this thing very carefully and I think in spite of the fact that there are some of our scientist friends around who think it can't—I have been working with scientists for a long time and I find they are not always in agreement with each other.

Question. Mr. Secretary, can you explain why the cost of your system is nearly a billion and a half more than the previous system yet it has possibly a half dozen complexes fewer?

Mr. Packard. In order to do the job that we believe needs to be done we found it necessary to provide additional capability in the system. I have already told you we have to put more faces on the PAR radar. We have to put in additional PAR and that is a fairly extensive installation. We've gone back and put in the missile site radar, the capability of looking all around. We have added some more Sprints in the plan, not a great many more. Also by providing the flexibility, we got a little cost when you put flexibility into a system. But in general we are providing additional capability for the money and we think it is the right way to go.

Question. What will this new budget figure be? I thought the President indicated that it would be half of a total figure now, but that this was $1.8 which would reduce it to almost a billion dollars.

Mr. Packard. The plan that we are proposing is a little complicated because it combines both the FY '69 budget and the FY '70 budget.

The reduction that will result from changes in both of these budget authorizations will be about $1 billion less than was in the previously proposed program.

Question. It is 1.8 plus another billion. That is what?

Mr. Packard. The round figures are there was a 1.9 in the '69 budget, 1.8 in the '70 budget, and these will be reduced. I don't remember the exact figure. We will get some reduction in '69 budget and some additional reduction in the '70 budget. So the two combines will be about a billion dollars less.

Question. Mr. Packard, would you tell us something about the so-called protection of the national command center or Washington, D.C.?

Mr. Packard. We think this is an important element in the program because the decision making process at the time any crisis might come about could be crucial. I think this simply says I certainly don't subscribe to a system that we can program a computer and put all the information in it and have it make the decisions. We have to preserve the ability for somebody to make the decision on these matters and we think the protection of the command capability is important. I can't assure you of the timing on this but we think this is a very important element in any system.

Question. Mr. Secretary, is the southern New England site the Sentinel site in Andover and Reading that you already own?

Mr. Packard. I don't know. I can't tell you exactly where those sites are. We are going to go out and reconsider all of the sites in terms of the new concept.

Question. Mr. Packard, I would like to follow up that one question. Don't you think you are going to get a political kick-back since Washington, D.C. is the only city in the country that is being protected?

Mr. Packard. I guess you can anticipate that as well as I.

Question. Mr. Secretary, can you break down the $6 to $7 as between production, construction and R and D?

Mr. Packard. I don't know that I have a complete breakdown on that. I think the best thing to do, if you would like to have that, we can get it for you.

Question. Can you tell us how many Spartan missiles and how many Sprint missiles in total would be in this?

Mr. Packard. Yes, I think so.

Mr. Frykland. No, you can't.

Mr. Packard. No, I can't. That is classified.

Question Can you tell us how many will be at each site?

Mr. Packard. No, we can't tell you that.

Question. Can you tell us when it was decided not to put the city of Washington into the initial program along with the two missile sites? When was it decided not to go ahead with that in the initial——

Mr. Packard. Let me go back and tell you why we decided to do what we decided to do.

In looking at this whole system, I was anxious that we move ahead with a complete system so we could put these components together, put them together with a computer and, as I have already indicated, do the check-out.

We didn't think it was appropriate to do that at Washington. We thought it would be desirable to do that at the Minuteman site where we could undertake some testing and do the things necessary to get the system checked out. So we selected these two initial sites really on that basis and I am convinced that by doing that, it is going to help our time scale so that if we do want to go ahead, this will help us do so.

Question. Are you going to go ahead with Washington no matter how the arms talks go?

Mr. Packard. That is a decision the President will have to make.

Question. Mr. Secretary, how much time is there for making a command decision on launching an anti-ballistic missile once an attack has been determined? Does this have to be done by a computer or is it actually done by authorities in Washington?

Mr. Packard. Well, this is not done by a computer. I can't describe to you the details of how the decision is made, but a decision has to be made. In fact, the system is designed so that it won't keep going unless somebody keeps telling it to go.

Question. How much time is involved?

Mr. Packard. Johnny? Twenty minutes?

Mr. Foster. It depends on the nature of the attack. For attacks from the Soviet Union it could be as long as 20 minutes. For attacks off of our coast, it would be only a few minutes.

Question. Mr. Packard, looking at 1973, if we drew foot prints on this current chart as they did on the Johnson proposal, would there really be very much difference between their extension into the 1973 period and your extension into it?

Mr. Packard. Do you mean if you look at the footprints of the area defense?

Question. That is right.

Mr. Packard. No.

Question. Is the only difference the priority to which we are now assigning the first two sites?

Mr. Packard. No. There is a very significant difference, I have already mentioned and that is, we have decided we cannot protect our cities and we do not provide a base for building up a thick system. The area defense will be very similar and provide complete coverage.

Question. Will it provide the same sort of area defense which was envisioned by Mr. McNamara in September 1967?

Mr. Packard. But only the area defense.

Question. Mr. Secretary, does that mean there will be as much life saving capability in this one against China as there was in the other one? Do the figures still hold?

Mr. Packard. I think the life saving capability will be comparable. You will recall that in the previous system, it was anticipated that in a given attack there might be 10 million lives lost without the system and maybe one million or none with the system. I must say I find it a little hard to consider these numbers very accurate. They are a little speculative. But the same area defense capability will be provided in this system. I think our capability is similar.

Question. I was wondering why you keep emphasizing that there is no city protection. Are you simply trying to tell us that this is not going to be expanded later to a thick system? Is that what you are trying to say to us?

Mr. Packard. Well, I am trying to tell you, I think, that with the present day technology, it is not possible to provide a complete defense of our cities. I think the President described it rather well this morning. If you want to completely protect the cities or to protect your cities in any useful way, you have to provide a high level of protection. You can't—preventing 50 percent of the missiles coming into your cities is absolutely useless, because they can completely destroy them.

Question. Was that not implicit in the original Sentinel?

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Mr. PACKARD. It may have been. I can't go back and determine the reasoning in the original Sentinel.

Question. Mr. Secretary, we are all aware that the Joint Chiefs of Staff are on record with Plan A and Plan B. Plan A was to protect 25 cities and Plan B was to protect 50 cities. So, doesn't your decision today represent a reversal of the Joint Chiefs of Staff?

Mr. PACKARD. The Joint Chiefs of Staff, as I indicated, concur in the recommendations to the President.

Question. Mr. Secretary, would you expand on the Presidential role in this? Does he actually push the button or isn't there enough time for him to act?

Mr. PACKARD. I think that's a matter that I am not privileged to talk about.

Question. Could you say that he will have a final say what goes into the computers or is there a way that he can approve of taking this action or launching them?

Mr. PACKARD. The President has to make the final decision as to when a nuclear attack is necessary, of any kind.

Question. Mr. Packard, to what extent is there any delay in the initial operating capability here as opposed to the Sentinel plan that you considered when you went into the review?

Mr. PACKARD. There will be some delay. If you look at the schedule that was in the original Sentinel plan when it was proposed a year ago you will find some figures of the estimated date of deployment.

Question. Could you mention those so that we will be able to compare?

Mr. PACKARD. It was 1963—We can get the figure for you if you wish. As a result of the decision that has gone along on the last few months, the fact of the hold up on sites and so forth, there has, in fact, been some delay put into the original Sentinel plan, so that if we went ahead with the original Sentinel plan today it would be delayed somewhat beyond, pushed somewhat beyond the dates that were predicted at the time it was authorized.

If we compare what we could do with the Sentinel today, with this present plan, we are somewhat in the neighborhood of one year further out, 9 months further out, and again I hesitate to be specific on this because after looking at it I concluded that one of the key factors is to get a system together and get all the shakedown done. I think that in fact will have some bearing on when it is actually deployed.

Question. Mr. Packard, it still is not clear whether or not you are foreclosing a thick system or not. You suggested in one place you were, but in the others you are going to acquire other sites and add sites to protect population if necessary. Does that not lead you to a thick system situation?

Mr. PACKARD. No. No, because in order to have a thick system you have to include Sprints close enough to the cities so that they can protect the cities.

We are not including that capability.

Question. Mr. Secretary, since we have oriented the system against Russia now as well as Red China in the original conception, I am at a disadvantage because I don't have hearings with me, but I believe that Dr. Foster has testified previously to Congress that for a little more money the Russian offense can always beat whatever amount of money we put in the defense and it is a losing battle, that the offense can always, by adding penetration aids, overpower the defense.

I would like to hear from Dr. Foster or you.

Mr. PACKARD. No, I believe I would prefer to answer that question. I've looked at that very carefully. The situation is that if you are trying to protect your cities, the Soviets can do this with a large number of small warheads, as I have already indicated. It does not take a very large warhead to inflict unacceptable damage on a soft target, like a city. Therefore, if you are deploying this in a way in which you protect your cities against a Soviet attack, if you get 90 percent of the missiles coming in, ten times more and you are right back where you were.

Question. I am talking about penetration aids outside the atmosphere where you don't have the atmosphere to discriminate them. You have to discriminate with your radar between 1000 decoys.

Mr. PACKARD. In any case, the arguments are that if you tried to deploy a system of this technology to protect against attacks on your cities, it is very difficult to do that.

But if you use this capability to protect your land based missiles, you do a very good job if you save only half of your missiles.

That is really the answer.

Question. Sir, could you tell us, please, taking into consideration what you have just said, could you please give us your hypothesis on what would be the number of lives saved, if any, in the Washington area which would be in the national command control?

Mr. PACKARD. Well I think I would rather not make estimates on that.

Question. Mr. Packard, how was the idea of the superhardening——

Question. We can't hear the question.

Mr. PACKARD. I will repeat it. The question is why wouldn't superhardening protect your Minuteman just as well as an active system?

I think it might be useful for me to go through the situation on that. You can harden your sites against a certain size warhead and indeed if the accuracy of the Soviet warheads is a small fraction of a mile, but they are very heavy warheads, if they get no closer, say, than a half mile, I can't give you these figures exactly, you have some protection.

But if they can find ways to further increase their accuracy, there is no extent of hardening that is possible to protect our missile sites. So the simple proposition is that if the Soviets were able to produce very accurate missiles, hardened sites would not provide protection. In that case, the active defense might turn out to be the only protection you had and that is one of the reasons why we think there is an important ingredient. There are all sorts of alternatives, but this provides added protection for our Minuteman capabilities.

Question. Mr. Secretary, in his discussion this morning the President said that the FY '70 defense budget submitted by President Johnson would be cut by $2.5 billion. What are the other areas besides ICBM?

Mr. PACKARD. I can't comment on the defense budget. It hasn't even gone through the Bureau of the Budget yet, and we have some other things. It is probably a little too early to predict exactly what the Budget's going to be.

Question. On the Sentinel thing, on your map of the modified Sentinel, you say in the corner that all sites have Sprint and Spartan coverage. How can you achieve this for the Florida-Georgia area, especially in the case of Sprints from sites in North Dakota?

Mr. PACKARD. You don't use your Sprints up in North Dakota to protect Georgia. You use the Sprints in Georgia to protect areas in Georgia.

Question. But it says all sites have Sprint and Spartan coverage?

Question. And you also said you have to get money to purchase the sites?

Mr. PACKARD. At every site we locate Sprint and Spartan missiles. Therefore, those Sprint and Spartan missiles protect the sites and the areas around them, the bomber bases or missile sites, or whatever they are. So every site has both Sprints and Spartans located on it.

Question. Mr. Secretary, do you think the Johnson Administration made a serious mistake placing the major emphasis on the people-saving capability of the Sentinel system rather than putting prime focus on the defense of military bases like you have?

Mr. PACKARD. I would not want to make a judgment on the Johnson Administration. As I pointed out, there have been changes in the threat. I think they did not feel at the time that the Soviets were going ahead with the deployment of their large warhead missiles. We know they are now. So there are some changes in the threat between the time the Johnson decision was made and the time we are making this recommendation. I think the recommendation we are making is appropriate in consideration of the threats we now see.

Question. Mr. Secretary, you said that it is not possible under the current state of the art to defend the cities. Is the research and development program of the Pentagon now going ahead to see if it is possible in the future to develop a system that could defend the cities?

Mr. PACKARD. Well, the research and development program of the Pentagon includes a very wide range of things, including research and development of other ways to protect the country against the threat of nuclear war.

We are hoping that possibly you can find such a capability, but I don't see that as being possible today in the present technology.

Question. In other words, it is not altogether impossible that ultimately we will have a thick system if you can find a way to do it?

Mr. PACKARD. When you are talking about scientific things, I hesitate to say anything is impossible. The next time you look at it, somebody has come up with a way of doing it. It is a very difficult job to be done because you have got to provide very good protection, if you want to protect your cities.

Question. Mr. Secretary, when could you get all these 12 into operation, if necessary?

Mr. PACKARD. The total deployment here will be a little bit after the mid 70's.

Question. Sir, on the blackout problem which has been raised by Dr. Bethe and others, what confidence do you have in the ability of the system to deal with an electronic blackout caused by nuclear explosions?

Mr. PACKARD. Needless to say I have looked at that problem. The explosion of a nuclear warhead high above the atmosphere generates a concentrated ionization that can interfere with the ability of radars for a short period of time. I have looked at that carefully, and I believe that for the use of the system to protect our Minuteman bases, with the deployment we have, we will be able to deal effectively with that blackout problem.

Question. Mr. Secretary, looking at this and the map that we used to have of the Sentinel system, I just can't imagine how your footprints are going to cover the whole country for area protection against the Chinese. Can you make circles with your finger or something?

Mr. PACKARD. There is a small protection down in the southwest part of the country where the overlap is going to be very, very light. You also have to remember that in drawing those circles you are talking about an 80 percent probability of kill or 50 percent. By having fewer sites the protection is a little bit lighter but it covers the whole country.

Question. Mr. Secretary, this morning in the President's statement, he said, in discussing the options open to him, that he had ruled out the course of increasing the number of sea and land based missiles and bombers.

Is the thinking in the Administration that there will be a freeze on bombers and missiles, sea and land based, similar to the freeze in the last Administration? And did the Joint Chiefs of Staff go along with the idea of limiting it at this time?

Mr. PACKARD. Again it is difficult for me to project what the last Administration's position and thinking was on it. But we have a very adequate deterrent capability right now. We have a good, strong land based missile force. We have a very capable Polaris system. We have a very capable manned bomber system. I think if we could have assurance that the Soviets would agree to something along the present level, this would provide a very stable situation. This program we have is designed not to enlarge the system but to protect the system.

Question. Where is the security gap then, sir?

Mr. PACKARD. I don't know. I haven't talked about that.

Question. Mr. Secretary, could I ask you a question? Is it safe to say that if Sentinel is ever actually used, you'd also want to clear the Minuteman? Therefore, when Sentinel was actually fired, the Minuteman would be cleared of the silos and we would take offensive action at the same time?

Mr. PACKARD. That is a decision that would have to be made depending on the circumstances. I think it is safe to say that in a nuclear situation you have to have control of both your offensive and defensive weapons. One of the things that is helpful to have the first installations at these Minuteman sites is so that we can work out those command control relationships that are going to be important.

Question. Is this to say, Mr. Secretary, that we are prepared to accept a small-scale nuclear strike without retaliation?

Mr. PACKARD. I can't answer that. That is not my decision.

The PRESS. Thank you.

BUCK JONES' COURAGE

HON. LAURENCE J. BURTON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. BURTON of Utah. Mr. Speaker, much has been said and written about the 60-year-old father of 11 who miraculously survived a mine cave-in at Lark, Utah, just a few miles from Salt Lake City. After spending 8 days surrounded by rock, some 300 feet below the surface of the earth and 20,000 feet into the tunnel, William Vernon Jones was rescued. The Christian Science Monitor on March 13, 1969, editorialized on the indomitable human spirit exemplified by this Utah coal miner. I commend it to the attention of my colleagues:

BUCK JONES' COURAGE

Perhaps the most remarkable thing about the rescue of William V. (Buck) Jones after 8 days trapped in a Utah mine was his strong spirit throughout the ordeal. For the first 3½ days he could communicate with no one. He was caught in a closet-sized space by a 25-foot thick slide at the end of a tunnel 4½ miles from the mine entrance.

"I'd never got out if the Lord hadn't had his arms around me," he explained when brought to the surface by his fellow miners.

His words echoed those of the Psalmist who also found real comfort and security in an awareness of God's nearness: "Whither shall I go from thy spirit? or whither shall I flee from thy presence? If I ascend up into heaven, thou are there: if I make my bed in hell, behold, thou are there. If I take the wings of the morning, and dwell in the uttermost parts of the sea; even there shall thy hand lead me, and thy right hand shall hold me."

There is always a widespread emotional involvement during the long days and hours of an uncertain rescue attempt. Many who followed the reports of the rescue mission were buoyed by the miner's calm and courage.

Utah Gov. Calvin Rampton put it best when he said, "It makes you proud of the resiliency of the human spirit."

Mr. Speaker, after spending a week in a Salt Lake City hospital, I am happy to report that Mr. Jones is back on his feet and reports that he wants to get back to work in the mines.

GENERAL CLARKE ADDRESSES ARKANSAS BASIN MEETING

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. EDMONDSON. Mr. Speaker, last weekend I had the privilege of attending the annual meeting of the Arkansas Basin Development Association in Tulsa, where the principal speaker was Maj. Gen. Frederick J. Clarke, deputy chief of the U.S. Army Engineers.

General's Clarke's speech on that occasion was a thoughtful, penetrating analysis of this Nation's efforts, achievements, and needs in the field of water resource development. I would like to have it appear in the RECORD, and I feel sure all the Members of this body will be as impressed as I am with the size of the job we have to do in this field and the vast benefits we will realize when the job is done.

The speech follows:

REMARKS BY MAJ. GEN. FREDERICK J. CLARKE, DEPUTY CHIEF OF ENGINEERS, U.S. ARMY, BEFORE THE ARKANSAS BASIN DEVELOPMENT ASSOCIATION, TULSA, OKLA., MARCH 14, 1969

It is good to have so warm a welcome back to your Valley. Although this is only my second visit with you, I have followed the progress of the Arkansas Basin project with close attention, and I assure you of my continued strong and constructive interest in the fulfillment of its great promise during the coming years. Considering the showing made so far, and projections for the future—and the sustained drive you are putting behind it—I feel sure that the project is going to be one of the outstanding success stories in the history of water resources development in this country.

The coming years of our national growth are sure to present challenges many haven't fully realized. The impact of population growth and resulting urban pressures and social problems are now beginning to be felt. Solutions have not yet materialized. These challenges have special relevance in the field of water resources conservation and management because the availability of adequate good water and related benefits will be fundamental to the acceptable accommodation of the 400 million Americans expected to be on our census rolls fifty years hence—twice the population of the United States today. Such tremendous increase in numbers could have disastrous consequences unless we think and plan wisely *now* along every line and in every part of our country to provide all the social benefits which can be derived from our water resources. This is essential if we are to meet the needs of all our citizens of tomorrow.

Almost three-quarters of our people live in large cities today, and every year millions more are pouring into them seeking jobs and advantages they cannot find elsewhere. Too often they cannot find what they seek in the city, and their frustration is one of the major causes of social unrest and upheaval. It is also becoming increasingly difficult in fast-growing metropolitan complexes to furnish many essential services, notably of concern to us to supply sufficient good water to meet basic requirements.

Substantial acceleration of water resources development on a regional basis is a must in most parts of our country if rapidly rising urban water demands are to be satisfied. But even more important in the long run, farsighted development programs can help to slow—perhaps, in time, even to reverse—the population drift toward the megalopoli we conceive today. Through such programs, meshed with the many others being undertaken at various levels of government to achieve social betterment, increased opportunities can be created for a fully satisfying life outside of present urban areas.

New vigor can be breathed into smaller towns and villages, and new self-sustaining communities can be created, affording young people a real chance to apply their initiative, energy, and enthusiasm to the building of successful careers in challenging but less crowded surroundings.

The Arkansas Basin project furnishes a fine example of what I'm talking about. It is already giving powerful impetus to the economic advancement of the Valley. When your new waterway becomes a going concern throughout its entire length—when the full range of benefits becomes available, the project will have a continually accelerating effect on the development of the entire basin. This new area of golden opportunity fostered by the expansion of basic and collateral industry, and by the growth of communities and the commercial enterprise necessary to support them, will provide social benefits far beyond the more narrowly defined benefit/cost ratios on which we justify projects today.

Senator Mundt stated recently in the Senate that: "Our failure to include among the benefits derived from projects many of the actual and potential benefits to be obtained from such improvements has tended to magnify our problems and to cause the rejection or delay of many projects of vast importance to America's future."

There is much apprehension that in many cases urgently needed development may be blocked, or at best severely restricted, by the new and considerably higher discount rate recently established by the Water Resources Council for the computation of benefits and costs. Continued use of the present criteria will make it more difficult to justify *all* the new development which will be necessary in the years ahead. But the retarding effect of the higher discount rate could be offset to a large degree by a broader approach to the identification and evaluation of the total benefits which water resources development provide.

I doubt that anyone could really believe that the benefit estimates used in the justification of any project truly reflect the *actual* value of its contribution to the national good. Up to now, projects have been justified largely on the basis of primary benefits creditable to the national account—generally such "hard" items as the savings that will be effected in transportation costs, the market value of power which will be produced, and the amount of structural flood damages which will be prevented.

What are considered *secondary* benefits—additional and real contributions to national development—have generally been ignored in the calculation. Nevertheless, these additional benefits sometimes in the long run make far more valuable contributions to national development and other objectives than the primary benefits.

Consider our waterways in this context. The primary commercial transportation and related benefits of a waterway are merely the seed from which tremendous economic values grow and multiply year after year.

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Just since 1952, the advantages waterways provide have attracted to their banks well over $133 billion worth of new industrial plant. Already you have announced plans for $400 million of new plants along the Arkansas. Part of the soaring payrolls, rising bank balances, broadening tax bases, and other results of such economic expansion surely should be given appropriate consideration in benefit/cost analysis as additional credits both to expanded national growth and regional development. Similarly, not only the market value of power but its effect in the building and strengthening of a regional economy should enter directly into b/c calculations. The real benefits of flood control are by no means limited to the prevention of calculable structural and similar damage, which is the practical basis for evaluation. For example, projects also prevent very serious economic losses such as those resulting from pay and production stoppages. But, above all, of course, they help to prevent great loss of life and tremendous human suffering, benefits which are not susceptible of measurement by any formula so far devised, but which ought to be taken into full and effective consideration. I might also point out that long experience has proved forecasts of the dollar value of flood damage prevention even under the primary benefit criteria are often far too conservative.

In many instances, as you know, the entire cost of a flood control project has been "recovered," so to speak, by its prevention of losses on a *single occasion*. Overall, our flood control program has prevented damages of more than $3.30 for every dollar invested in it.

The social benefits I referred to earlier—the contribution of water resources development to the relief of urban pressures through the dispersion of population and creation of new environments for a satisfying life outside the great cities—these certainly should have meaningful reflection in the justification of future projects wherever appropriate. So should contribution to the inspirational values associated with the conservation and enhancement of the natural environment. Only a part of the tremendous recreational potential of our projects can be included in the benefit/cost ratio under present authorities. All of it should be. Likewise, the value of the contributions of development to the enhancement of water quality should be adequately represented.

In the case of tangible secondary benefits such as industrial and related expansion, it is not too difficult to make tolerable forecasts. However, the evaluation of intangibles—the saving of life and the prevention of human suffering, the social benefits of population dispersal, the conservation of natural values, the enhancement of water quality—present a real challenge to the imagination and the vision of everybody concerned, for as yet we possess no yardsticks by which such benefits can be measured. But I am sure that if informed and capable people in all areas who are vitally interested in an ongoing program of water resources development, such as the members of this influential and farsighted Association, put forth their best efforts, we can come up with some workable answers.

Some more flexible device, one more responsive to growing and changing needs than the benefit/cost ratio as we know it today, is required to arrive at the true value of a project in the light of our overall national objectives.

The Arkansas Basin Project for many reasons is the best laboratory we have ever had for the clinical observation of a major project through all stages of its development and on through the years of the fulfillment of its purpose. We are going to learn many lessons from its performance which will be of immeasurable future value to our whole country in determining where we are going in the field of water resources development, and how we are going to get there. I don't need to urge you to do all you can to assure the fullest success of this project. However, I do ask that you insure a broad appreciation of the full range of social benefits which water resource development provides. It will help in meeting the challenge of the future.

Thank you.

A CASE AGAINST THE UNO

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. RARICK. Mr. Speaker, an ever-increasing number of people feel it is time for a walkout on that instrument of global subversion—the UNO. Korea, Vietnam, Czechoslovakia, Hungary, Tibet, Germany, Palestine, the Congo, Katanga, and a myriad of other reasons demand it.

A most interesting analytical comment on the U.N. appeared in the South Africa Observer for December 1968. I include this comment of Mr. S. E. D. Brown following my remarks:

INSTRUMENT OF GLOBAL SUBVERSION: TIME FOR SOUTH AFRICA TO WALK OUT OF UNITED NATIONS

The United Nations' vote on November 19 approving the text of the proposed international convention on war crimes and crimes against humanity—which blandly included the policy of apartheid in its category of crimes—was another example of the debased standards reached by this criminal and communist-orientated organisation.

This again raises the question: Does it serve any purpose for South Africa to continue its membership of this much-vaunted organisation of "international peace and security"?

Supporters of continued membership argue that it is in South Africa's interest to remain a member, because it affords our delegations the opportunity to reply to the attacks made on us. However, since the first session of the General Assembly in 1946 South Africa has been continually attacked, insulted and reviled. These attacks have been replied to and our policies have been explained, but our enemies have never taken any notice of our explanations.

In any case, during the past five sessions, the Black members have staged regular walkouts when the South African delegate has taken the rostrum.

FINANCIAL BURDEN

There is also the financial burden on South Africa. Over the past 22 years, this cost has amounted to approximately R14-million. Participation in the Korean War cost South Africa another R6-million, apart from the loss of life it entailed.

In view of these facts, in view of the actions of the organisation against Rhodesia and Portugal, and in view of its sustained hostility and threats against South Africa, it is our considered opinion that it serves no purpose whatever for South Africa to remain a member of this organisation.

REVOLUTIONARY GOALS

The tragic truth to be faced is that the United Nations today functions with an entire lack of system, rule and principle in giving its rulings; and its disregard of its own Charter to suit its subversive, revolutionary ends has become standard practice.

It is now wallowing in double-dealing, double-standards and blatant hypocrisy so deep, that the time has now come for South Africa and every other self-respecting nation—white, black, yellow or brown—to turn the searchlight on the organisation and on its origins, goals, and revolutionary activities.

CHRISTIANITY NOT MENTIONED

The United Nations was engendered by the American people and the West in an honest and fervent desire for universal peace. It was proclaimed from most pulpits as more or less of a going concern, and almost as a panacea for the reign of Godliness and Christian living.

Yet God and Christianity are not even mentioned in its Constitution!

This omission was not accidental. It was planned that way, to suit the atheists of Moscow and the traitors and enemies of Western civilisation.

GROSS DECEPTION

When the U.N. Charter was first presented to the nations of the world, great stress was laid upon Article 2, Sub-paragraph 7, which states:

"Nothing contained in the present charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the members to submit such matters to settlement under the present charter."

But this has proved to be a gross deception, as South Africa and other small countries have learned to their cost.

This fundamental provision in the Charter has been completely, constantly and deliberately ignored over the past 22 years; and every organisation commission, and covenant flowing out of the United Nations Charter has been for the sole purpose of intervening in matters which are essentially within the domestic jurisdiction of the member nations.

The U.N. Charter of 1968 is not the same Charter that was drafted in San Francisco in 1945, and it will continue to be amended, step by step, to conform finally with the hidden purposes and goals of the world planners and subverters.

COLLECTIVIST ONE-WORLD STATE

Regardless of its widely advertised objective of maintaining "international peace and security" by preventing wars, the goal of the U.N. is a one-world collectivist state.

But before this can be achieved it is necessary for people's minds to be conditioned to accept the new order which Julian Huxley described as *"a single world culture, with its own philosophy and background of ideas, and with its own broad purposes."*

In bringing about this new order it is necessary to destroy racial integrity and national sovereignties, and to advocate and promote widespread miscegenation. And in this, Unesco closely follows the Communist line.

This is the task assigned to Unesco, many of whose major recommendations will produce the very world order towards which every top Communist has been working since the days of Karl Marx.

BREAKING DOWN SOVEREIGNTY

This position was made clear at the first meeting of the U.S. Commission for Unesco on September 23, 1946, when William Benton stated: "*We are at the beginning of a long process of breaking down the walls of national sovereignty . . . It is in this process Unesco can be—and indeed must be—the pioneer . . .* "

This idea is carried a good deal further in Chapter VIII of "The Synthesis of the Communist Textbook on Psychopolitics" which states: "*If we could effectively kill the national pride and patriotism of just one generation we have won that country. Therefore there must be continual propaganda abroad to undermine the loyalty of the citizens in general and the teenager in particular.*"

In short, the function of Unesco is to condition the world to accept the total, planned world-society envisaged by the Fabians, Lenin, Trotsky and scores of other revolutionaries—a society in which the traditions, integrity, and sovereignties of all peoples will have been destroyed—together with the Western world as we know it.

And it is, therefore, nothing short of incredible that the good peoples of the Western world cannot see through the duplicity and criminal intrigue that permeates the U.N. Organisation and its special agency, Unesco.

PRINCIPAL ARCHITECTS

The "Chicago Tribune" gave a revealing clue to one of the principal architects of the United Nations. It wrote on July 11, 1945:

"Our government sent six men and a woman as delegates to the recent conference at San Francisco, but when members of the Foreign Relations Committee of the Senate want to find out what is in the treaty they don't ask the delegates. The questions are directed to Mr. Leo Pasvolsky, a Russian-born official in the State Department, who is the man who knows more about the document than anybody else.

"Mr. Stettinius headed the delegation, presided at a good many of the public sessions, and at all back-room conferences. The hearings in Washington started, appropriately enough, with a lengthy statement read by Mr. Stettinius, but apparently written by Mr. Pasvolsky. When the time came to ask questions Mr. Stettinius gracefully yielded the center of the stage to the same Mr. Pasvolsky, who knows all the answers.

"This is more than a little odd. Mr. Pasvolsky's expertism is said to result from the fact that he wrote the original draft of the treaty, but that was quite a long time ago and his work meanwhile has undergone considerable modification. Nobody has yet explained why the department entrusted the drafting of this document to a foreign-born functionary, whose training has been in economics rather than diplomacy. It is even more curious that the natives among our delegates, two of whom are members of the Senate committee, did not assert for themselves the right of interpretation.

"The diffidence—if that is the word for it—of Mr. Connally and Mr. Vandenberg, to say nothing of Mr. Stettinius and the rest, has given the country the impression that it is really Mr. Pasvolsky's treaty, not theirs; that he understands it and they don't; that men with a good deal of experience in foreign affairs who were themselves participants in the negotiations have only an incomplete grasp of the content and purpose of this intricate and difficult document. They were at San Francisco, it appears, to assist him rather than he to assist them.

"At any rate, as matters stand, it appears that this country is being asked to approve a treaty which only one man, and he foreign-born, fully understands."

Another principal architect of the United Nations was Alger Hiss—a man later unmasked as an undercover member of the active Soviet espionage ring in Washington.

Early in 1944 Alger Hiss made preliminary plans for setting up the U.N. Later he was appointed Director of the Office of Special Political Affairs in the U.S. State Department, with the specific task of handling all American relations with the U.N.

In September 1944 he was made Secretary of the Dumbarton Oaks Conference, where he had a shaping hand in drawing the first blueprints for the U.N. And in 1945 he reached the heights when he was made Secretary-General of the United Nations Conference in San Francisco. There he presided during the drafting of the United Nations Charter.

In 1950, however, after serving Communist Russia well for many years as an agent, he was convicted of perjury in connection with his espionage activities and sentenced to five years in the Lewisburg Federal Penitentiary.

GROMYKO, TOO

The presence of such Americans, and their unrevealed helpers, in top policy-making circles in San Francisco throws a revealing light on Soviet Russia's role in building the kind of U.N. that would best serve her subversive purposes.

And so it should come as no surprise to learn that another architect of the U.N. was none other than Mr. Gromyko who, during a press conference at the U.N. in August 1958, in answer to a leading question bearing on the U.N. Charter, boldly declared: *"Believe me, I sit here as one who helped to draft the U.N. Charter and I had a distinct part in drafting this part of the Charter with my own hands."*

And so, behind the idealistic phrases of the U.N. and its facade of "world peace", "human rights", "brotherhood" and "tolerance", we find that it is the enemies of peace and the perverters of human rights who have plotted an organisation conveniently designed to steal our liberties and to destroy our nations.

MOST IMPORTANT POST

One of the most important positions within the entire organisation—if not the most important—is that of the Under-Secretary General for Political and Security Council Affairs. This is a little-publicised office and even less is known about the man who holds the job.

This officer has three main areas of responsibility. They are: (1) Control of all military and police functions of U.N. peacekeeping forces; (2) Supervision of all disarmament moves on the part of member nations; and (3) Control of all atomic energy ultimately entrusted to the U.N. for peaceful and other purposes.

In view of the fact that these functions may one day constitute the ultimate power of life and death over every human being on the face of the earth, there would appear to be some minor justification for us to be more than passingly curious over who will wield this power.

Since the United Nations was created in 1945, there have been eight men appointed to the position. Eight out of eight appointed were Communists. The men were: Arkady Sobolev, U.S.S.R.; Konstantin Zinchenko, U.S.S.R.; Ilya Tchernychev, U.S.S.R.; Dragoslav Protich, U.S.S.R.; Anatoly F. Dobrynin, U.S.S.R.; Georgi Petrovich Arkadev, U.S.S.R.; Eugeny Dmiterievich Kiselev, U.S.S.R.; and Vladimir Pavlovich Suslov, U.S.S.R., who holds the office at present.

By secret agreement between the U.S. and the U.S.S.R., this important post will always be filled by a Communist!

CHRISTIAN APOLOGISTS

Many Christian apologists of the U.N. are ever ready to point to the positive Health, Welfare and Educational work of the U.N., and to all its campaigns against the drug traffic and the world-wide help given to refugees, and so on.

But do we require a dictatorial world instrument of government—which will clamp control on all citizens from the cradle to the grave and which will turn the world into one vast Collective—in order to carry on these humanitarian endeavours?

The U.N. cause is being promoted in America by one of the most aggressive and heavily financed power blocks that has ever shaken a club over the American people, the Western world and the Eastern world.

In this bloc is a cluster of professional public relations specialists who devote their full time to highly skillful U.N. publicity and lobbying work.

The same mentalities that put a new toothpaste on the market, the same men who advertise liver pills and scream into our minds the dictatorial orders that we must buy certain beers, certain cigarettes and certain patent medicines—this same clique of aggressive promoters who ram their merchandising schemes down the throats of an unsuspecting and uninformed public are propagandising the world that the U.N. is the "conscience of mankind" and that it can give the world a just and stable peace".

Winning this propaganda campaign is now a turnkey job, handled by professional promoters and advertising men with little regard for issues, principles or traditions. These builders of public opinion today are the same people who control films, newspapers and television, and who are, with few exceptions, all on the side of this internationalist, Communist conspiracy—the United Nations.

BLIND TO REALITIES

Many U.N. supporters and advocates of world government are not Communists. Many of them dislike Communism. Yet they seem blind to the certainty that the integrated world for which they are agitating would be no other than a Collectivist world. They seem endowed with a cut-out mechanism which prevents their visualising the kind of hell to which they seek to lead us.

They do not seem to realize—indeed, they seem to ignore the fact—that the U.N. Charter may be accurately described as a formulation of the Soviet totalitarian system, habituated to Western ways of thinking and modes of procedure—or to use the words of Prof. S. D. Madariaga, the internationally well-known Spanish Liberal, who has described the U.N. Charter as "*. . . in the main a translation of the Russian system into an international idiom and its adaptation to an international community . . . Uno bore upon its brow from the very beginning the mark of Moscow."*

Nor do these one-worlders seem to realise that they are helping to hand over the world to ruthless new masters, namely, to the Lords of Finance and Usury and to the Lords of Communism, both now firmly entrenched as the hierarchy of the U.N.

THREAT TO ALL HUMANITY

The great threat to free humanity is Communism in all it "liberal" and international disguises. It has infiltrated into all positions of public trust and responsibility throughout the Western world, the press, the schools and universities. With its Communist egalitarian basis it is set to destroy all concepts of race and nation.

There can, therefore, be no compromise with Communism. Yet, through the U.N., the Communists have so exploited the knaves and the fools among American and Western statesmen that they are making successful a complete act of treason against our traditions and the civilisation passed on to us in trust by our forebears.

We of the Western world desire peace. But we do not desire the peace of the slave. We know there is no freedom without sovereignty; that when peace comes to the world, as it will some day, it will come from the hearts of men and not from the forums of ambitious politicians. Security councils have never created security, and no organisation of nations ever remained united.

Ten thousand charters cannot alter these facts, and indeed, they suggest the answer. If we value our honour and our freedom, the U.N. as at present constituted must be destroyed.

MUST BE DESTROYED

The U.N. must be destroyed because of its origins. It was conceived and brought forth in an atmosphere of secrecy, deception and treason; and nurtured in an environment of hatred, corruption and greed.

It must be destroyed because it functions with an entire lack of system, rule and principle in giving its rulings. Its disregard of its Charter to suit its subversive revolutionary ends has become commonplace—and

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it perpetuates itself with double dealing, double standards, and blatant hypocrisy.

It must be destroyed because of its dishonourable record in Hungary, Tibet, Goa, Palestine, the Congo, Czechoslovakia and most other parts of the world. Its evil face—its real face—was clearly visible for all to see in its naked aggression in Katanga—and which is today leering at South Africa and Rhodesia.

It has rendered itself incapable of establishing peace—except the peace of the collectivist slave. And the sooner it is destroyed the better will be the prospects for real order, justice and peace in the world.

The first real step to world peace will only be taken when responsible nations walk out of the U.N.

That, clearly, is now South Africa's path of duty. Just as it is the duty of every self-respecting nation on earth.

EXCELLENT STATEMENT OF DR. CHRISTIAAN BARNARD

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a pleasure to call the attention of Congress and the American people to the excellent statement given by Dr. Christiaan Barnard, the world-famous heart surgeon, before the Committee on Science and Astronautics, Subcommittee on Space Sciences and Applications:

Mr. Chairman and members of the subcommittee, I appreciate very much your kindness in giving me this opportunity to address you.

Perhaps there are some here today who wonder why a heart surgeon would want to participate in bioscience research in the space program of the United States.

Let me hasten to explain that I regard the scientific exploitation of the circumstances offered by space flight as having great significance for the life sciences.

Technical capabilities—in any field—depend to a large extent on an understanding of basic mechanisms. Our techniques can go only as far as our knowledge and the limits of our imaginations will allow. For scientists, as for congressmen and others dedicated to seeking solutions to complex social problems, imagination and a willingness to rise to challenge are critical characteristics.

Today the study of biology in the space environment is one of man's greatest scientific challenges. We know that all living organisms were conceived and have carried out their entire existence within the narrow confines of a shallow layer in, on, or just below the earth's surface. Countless life cycles have ensued within the narrow boundaries of temperature, atmosphere, day-night cycle, and gravitational fields that exist on this surface. All of these are governed by an exquisitely organized system of control vested in the genetic apparatus of the cell. I shall divert briefly to consider the working of these mechanisms. The primary genetic material is a chemical substance known as deoxyribonucleic acid. Like all nucleic acids DNA consists of a long chain of sub-units called nucleotides. Each nucleotide in turn is made up of a molecule of phosphoric acid, a pentose sugar (deoxyribose) and a heterocyclic base.

There are 4 different nucleotides in DNA: They differ only in respect of their bases. The latter may be a purine—*adenine* or *guanine;* or a pyrimidine—*cytosine* or *thymine*.

In DNA, the nucleotides are linked up so that the backbone of the molecule consists of alternating sugar and phosphate groups. One of the purine or pyrimidine bases is attached, like a side chain, to each sugar group.

Each molecule of DNA is made up of two such polynucleotide chains. The two chains are wound round each other in the form of a helix, and they are linked to each other transversely by hydrogen bonds between pairs of bases.

A purine base is always linked with a pyrimidine. Thus adenine is always linked with thymine (A–T or T–A), while guanine is always linked with cytosine (G–C or C–G).

The DNA molecule can be likened to a spiral staircase, in which the bannisters consist of long sequences of sugar and phosphate groups while the base-pairs constitute the steps. This structure was worked out by Crick, Watson and Wilkins in 1953.

REPLICABILITY

During cell division, the two strands of the DNA molecule uncoil and separate at the hydrogen bonds, leaving the bases free. Each free base attracts its complementary nucleotide from the surroundings. The new nucleotide falls into place by linking transversely to its base partner by means of the hydrogen bond, and longitudinally to the other newly-attracted nucleotides through its phosphate group. In this way, the double helix of the DNA molecule is reconstituted.

EXPRESSIVITY

The vital genetic information which is stored in the DNA must be carefully protected. To achieve this, the DNA is kept secluded in the nucleus and a system of messengers is provided to carry the genetic information to the ribosomes of the ctyoplasm where the work of protein synthesis is carried out.

The messengers are molecules of a related nucleic acid—*ribonucleic acid* (RNA). This "messenger RNA" (mRNA) differs from DNA in consisting of just a single polynucleotide chain with the base uracil instead of thymine and with the sugar ribose instead of deoxyribose. The DNA provides the "master pattern" for the synthesis of mRNA molecules in which the sequence of bases is complementary to that in the parent DNA. Like DNA, mRNA is insoluble and has a very high molecular weight.

The *amino acids* are brought to the messenger RNA at the ribosomes by another kind of RNA called *"transfer RNA"*. Transfer RNA (tRNA) is a relatively small, soluble molecule consisting of a chain of about 70 nucleotide units. The short chain is bent double and twisted into a double helix. There is a specific tRNA for each of the 20 different kinds of amino acid. In addition, the structure of each tRNA molecule is adapted to link with specific sites along the messenger RNA. Thus, the tRNA molecules act as "adaptors" which "plug in" at the correct places along the messenger RNA molecule and ensure that their amino acid passengers are lined up in the correct order.

Having been lined up properly, the amino acids now break their link with their tRNA carrier and link up instead with their neighbouring amino acids to form *polypeptide chains* in accordance with the DNA instructions.

The polypeptides produced from the mRNA template make up the *enzymes*. The enzymes are responsible for all the physicochemical reactions necessary to convert the inert, raw materials of the environment into the cells, the tissues and the organs of the living body. Thus all the vital metabolic processes of the cell are controlled by the nuclear DNA, through a series of RNA intermediaries.

For centuries, biological scientists have studied the interaction of living organisms with the environment on earth, and this study continues. Now, we have been presented with a new set of circumstances under which to measure and study vital processes—the space environment.

The question may be asked, why man—particularly medical man—should be concerned with space when so many problems remain to be solved here on earth?

Basically, the answer is the same as that which led man earlier to explore unknown lands and uncharted seas. It is the inherent motivation for the quest of knowledge of the species; the compulsion to respond to the challenge.

While the origin of organized science is difficult to determine the curiosity of man is undoubtedly an inherent feature of his social evolution. This curiosity has produced a vast storehouse of biological and other knowledge to which scientists in this country and the world over continue to contribute. It would clearly be impractical to consider repeating in space all the experiments, in all the organisms, under all the conditions which have been studied on earth. Nor would such an approach be scientifically sound.

Because of the great expense of space experiments and the large commitments of resources and manpower, some system of assigning priorities to the problems which require answers is mandatory. The field is narrowed considerably by our present and foreseeable technological limitations. A large number of desirable avenues of exploration are unattainable.

Further guidance is supplied by the results of studies performed on earth using partial simulations of the space environment. In addition, biologists, by virtue of their experience and knowledge of experimental techniques can select with reasonable accuracy experiments with a high chance of yielding important results.

Finally, scientists have some preliminary data from the manned space program. The principal objectives of this program, however, have been to determine if man can survive and function in space for periods of time. They have not been designed primarily to answer relevant basic questions. This is borne out by what we have learned from the manned space program. Man can survive and function. He can command and maneuver the spacecraft, meet emergencies and even take over when there is a minor system failure. But despite the thousands of man-hours in space which have been accumulated, we have gathered very little systematic information about the biological effects of the space environment.

Medical scientists have learned that space flight may lead to impairment of the ability to maintain the upright position, a decrease in exercise tolerance, some loss of calcium from the skeleton, and changes in the body fluid compartments. (Incidentally, all these changes were predictable from earth studies of inactivity.) But as far as the vast amount of knowledge yet to be learned is concerned, we have barely scratched the surface.

We know nothing about some fundamental aspects of the biological effects of space flight.

We have little information on its effects on cell differentiation, growth, and metabolism—factors which are of critical importance to space survival for the longer missions contemplated for the future.

For example, a practical aspect of this fundamental question revolves around how an injury sustained by an astronaut would heal. Furthermore, cellular effects of the space environment may have important implications for a wide variety of diseases on earth.

A biosciences program, as I understand it, is a program conceived to seek knowledge the most rewarding way—by application of the scientific method. Experiments have been flown and others are about to be flown which have been carefully selected to extend

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man's knowledge of Biological phenomena. These experiments are based on years of investigation on earth and are designed to answer some fundamental questions regarding growth, development, and function of a wide variety of living organisms—plants and animals—in space. In this context, I would like to discuss some experiments which I have proposed in collaboration with Dr. N. C. Birkhead of the General Electric Company. I believe that if these experiments are carried out they will answer some fundamental questions bearing on cellular function as related to man's interaction with his environment. To illustrate this approach, I would like to describe briefly some proposed experiments and comment on their rationale.

It has been known for some time that gravity has an effect on the development of living organisms. This information deals primarily with the effects of increased gravity as produced by the use of the centrifuge. One would expect therefore that the opposite—that is zero gravity—would also have important effects on living organisms. Preliminary studies carried out in the three-day Biosatellite mission indicated that low gravity does affect cellular differentiation and growth. Because of the fundamental importance of this type of information to all living things, a series of experiments to relate these sub-cellular and cellular effects to DNA—mediated processes have great relevance to man's survival in any environment.

Firstly, we have evidence from the experiments with drosophila that the weightless environment will induce genetic changes. These indicate that the genetic apparatus as contained in DNA in the cell nucleus may be influenced adversely by removal from the earth's gravitational field. We should therefore attempt to estimate whether this influence can be extrapolated to more organized systems with more relevance to man. This we will attempt to do by studying the integrity of DNA synthesis in viruses, with single DNA molecules, and progressing to more complex systems such as human cells grown in tissue culture, and finally intact small animals.

Although these methods are not as sensitive as the complete animal and his genetic characteristics, they ought nevertheless, to give helpful quantitative data.

Secondly, it is of importance to know that man in space will react to environmental stimuli that call for the intervention of an intact genetic apparatus in an appropriate manner. If, for example, man were exposed to viral infection or to other stimuli while in a weightless environment, would he be able to respond in the proper way?

In order to examine these questions, we have proposed the following experimental program:

First, we shall attempt to ascertain what, if any, alterations in DNA synthesis are brought about by space flight.

Second, we shall relate these changes to a variety of stimuli that call for a reaction based upon an intact genetic apparatus.

Third, the functioning of the more complex mechanisms responsible for rejection of foreign tissue will be examined by noting the effects of weightlessness on the reaction to transplanted tissues.

The experiments we propose for the first and second phases will use the following basic design.

Radioactive precursors of DNA will be administered to the system at specified times before and after application of an appropriate stimulus. On recovery of the capsule the radioactivity of the DNA isolated from the system will give an accurate indication of DNA synthesis in space and the ability of the system to respond to the applied stimulus. Comparison with simultaneous earth controls will indicate whether the conditions of space flight have had an adverse effect.

Experiment No. 1: To investigate how gravity effects the reproduction of viruses. This will be done by measuring DNA synthesis in the virus using radio isotopes labeling. Herpes virus or adenovirus will be studied as they function in a tissue culture. They are both pathogenic for man.

Experiment No. 2: To determine the effect of gravity on the ability of human impyhocytes growing in tissue culture to synthesize DNA and to respond to an antigenic stimulus while in the weightless state. DNA synthesis in lymphocytes is measured by a multilabeling radio isotope technique The response of lymphocytes to an antigenic stimulus is one of the basic immunological responses.

Experiment No. 3: This experiment is similar to the previous one, except that it would be conducted using a whole animal. In addition, DNA synthesis in the various organs can be studied and the alteration of this by antigenic stimulation measured. If malignant (ascites tumor) cells are injected then the response of malignant cell-host reaction to gravity will be examined. As before, a multilabeling radio isotope technique is used.

Experiment No. 4: To determine the rate of DNA synthesis in orbit in a rapidly regenerating organ, the liver. The liver is caused to regenerate rapidly by the surgical removal of about two-thirds of its substance prior to the assessment. Again, a multilabeling radio isotope technique is utilized to determine DNA synthesis.

Experiment No 5: To study the effects of gravity on the host-graft cellular interaction. This will be done by transplanting one rat kidney into a unilaterally nephrectomized rat and observing the cellular response grossly and microscopically. A number of such animals will be studied so that chronological sequence of events can be dedetermined while its transplanted kidney is undergoing rejection.

Experiment No. 6: To study the effect of weightlessness on the circulation as maintained by a denervated heart. Any transplanted heart is also denervated, that is separated from direct nervous control and regulation. The response of the electrocardiogram, blood pressure, and blood flow will be determined at Ig, and in orbit; at rest and during exercise in order to determine the part played by the nervous system in these responses.

In summary, my hypothesis is this: Gravity has been shown to play a part in maintaining the genetic character of living cells. This genetic character is determined by coded information carried on long chains of desoxyribonucleic acid (or DNA) in the nucleus of cells. The immune response that is the key to safer replacement of diseased organs involves discrimination against living material bearing differing coded information.

If cells in weightlessness lose some of their discrimination in regard to their own character, it is possible that they will discriminate less sharply against cells from another organism. If so, can we then find ways to disturb the integrating influence of gravity on earth.

There is, of course, no certainty that a particular set of experiments will produce the answers we seek. However, it seems to me an urgent matter to build on the provocative findings of NASA's Biosatellite II program. And, in fact, with only limited modification, the spacecraft intended for the Biosatellite 21-day mission, could be used as the space laboratory for the experiments I have described.

There are no questions of greater importance in the life sciences than those bearing on the guidance system that governs all life processes. The American space program has produced some intriguing and virtually important new insights in this area. Yet they are merely clues to the solutions we seek and the answers we need.

As a scientist and as a physician, I ask that you assist us in our pursuits by assigning this program the high priority merited by its potential value to all mankind.

TWO GREAT PHILADELPHIANS AND A GREAT PEOPLE

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. EILBERG. Mr. Speaker, I would like to take this occasion to offer my salute to two great Philadelphians and a great people.

The first gentleman, James Crumlish, this week has received an honorary life membership in the National District Attorney's Association for his outstanding service.

There is indeed no one more deserving. Jim Crumlish served with distinction as district attorney of Philadelphia from 1961 to 1965.

In 1964–65, he was vice president of the national association which now honors him. His reputation as a public servant devoted to keeping the streets of Philadelphia free of crime is well known by his colleagues throughout the land.

This is indeed a worthy honor for a worthy gentleman.

The second gentleman I salute is the great police commissioner of my city, Frank L. Rizzo.

This Friday, Commissioner Rizzo will receive an official city citation from Mayor James H. J. Tate in recognition of again making Philadelphia the safest major city in the Nation during 1968.

The citation reads:

> Police Commissioner Frank L. Rizzo and the men and women of the Philadelphia Police Department, for the sixth straight year, have attained the lowest major crime rate of the ten largest cities in the Nation. This outstanding achievement attests to the magnificent leadership of Commissioner Rizzo and the dedicated performance of all the members of the Police Department.
>
> In addition to maintaining the lowest crime rate in 1968, the Police Department distinguished itself through its professional handling of potentially explosive situations throughout the year, and utilized the most modern equipment and techniques to provide safety and security to the lives and property of all citizens.
>
> Commissioner Rizzo and the Philadelphia Police Department are hereby officially commended in recognition of their dedication and devotion to public service and for the many personal sacrifices they have made on behalf of all Philadelphians.

I would like to add my second to that citation. I would also like to add my thanks and the thanks of my constituents for Frank Rizzo's extraordinary performance in perhaps the most difficult and sensitive area of big-city, public management today.

Big-city crime has become somewhat like the weather. We all talk about it, but frequently we find ourselves unable to do anything about it.

Mr. Rizzo is the exception. By his presence and performance he has made the

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Nation's fourth largest city its safest largest city and that is praiseworthy work indeed.

Finally, I would like to applaud all my Irish friends in Philadelphia, who once again staged a great parade in honor of St. Patrick. The parade marshal was our city's distinguished jurist, Judge Vincent J. Carroll and at his side marched our city's favorite son of Erin, Mayor James H. J. Tate.

Some other Philadelphians who deserve special mention for making observance of that special day always Kelly green and inspiring are the Very Reverend Monsignor James T. Dolan, pastor of the Cathedral of Sts. Peter and Paul; Michael J. Cavanaugh, president of the Commodore Barry Society; Sheriff William M. Lennox, president, and H. Benedict Ripkee, secretary of the Friendly Sons of St. Patrick; and Robert Clarke and Patrick J. Carr, editor and publisher respectively of the Irish American Herald.

My Irish friends, both in and out of public life, have long been a source of wonderment and delight to me. The reservoir of their charm and wit seems deeper than the Irish Sea. Perhaps this fable about the leprechaun is instructive.

Irish legend, or fact, has it that if you should be walking along a wooded path some moonlight night in spring and hear the faint tap-tapping of a tiny hammer, you might be lucky enough to catch a glimpse of an Irish leprechaun, the elfin shoemaker, whose roguish tricks are the delight of Irish storytelling.

It is told that the leprechaun has a pot of gold hidden somewhere, and he must give up his treasure to the one who catches him. But catching a leprechaun is a task as difficult as we Democrats sometimes find catching Republican votes.

The leprechaun is sly and any Irishman will tell you if you look away for an instant, the little fellow will escape into the forest.

Once a man compelled a leprechaun, I am told, into taking him to the very bush where the gold was buried. The man tied a red handkerchief to the bush in order to recognize the spot again and ran home for a shovel.

He was gone only 3 minutes, but when he returned to dig, there was a red handkerchief on every bush in the forest.

After that, the only appropriate exclamation is Erin go bragh.

JACKSONVILLE COIN CLUB ENDORSES H.R. 4312

HON. BENJAMIN B. BLACKBURN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. BLACKBURN. Mr. Speaker, on January 23 I introduced a bill, H.R. 4312, "to permit American citizens to hold gold when there is no requirement that gold reserves be held among currency not circulated and for other purposes."

As example of the widespread support H.R. 4312 is receiving, I include in the RECORD a letter I received from the Jacksonville Coin Club, Jacksonville, Fla. The letter follows:

JACKSONVILLE COIN CLUB,
Jacksonville, Fla., March 9, 1969.

Hon. BENJAMIN P. BLACKBURN,
House of Representatives,
Washington, D.C.:

Passed unanimously, in regular business session, endorsement of your House Bill H.R. 4312.

ALLEN K. OVERALL,
Secretary.

CONGLOMERATE MERGERS—A GROWING CAUSE FOR ALARM

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. RARICK. Mr. Speaker, the intrusion of big business into the mass communication field should be of major concern to all Americans.

Hundreds of daily newspapers have folded, and many others have been taken over by big business in unholy mergers.

This same trend has been evident in some areas of the broadcast field as big business creeps in.

An interesting appraisal of this matter appeared in the June 1968, issue of the Atlantic, written by Nicholas Johnson, a Commissioner with the Federal Communications Commission.

I include this article following my remarks:

THE MEDIA BARONS AND THE PUBLIC INTEREST: AN FCC COMMISSIONER'S WARNING

(By Nicholas Johnson)

Before I came to the Federal Communications Commission my concerns about the ownership of broadcasting and publishing in America were about like those of any other generally educated person.

Most television programming from the three networks struck me as bland at best. I had taken courses dealing with propaganda and "thought control," bemoaned (while being entertained by) *Time* magazine's "slanted" reporting, understood that Hearst had something to do with the Spanish-American War, and was impressed with President Eisenhower's concern about "the military-industrial complex." The changing ownership of the old-line book publishers and the disappearance of some of our major newspapers made me vaguely uneasy. I was philosophically wedded to the fundamental importance of "the marketplace of ideas" in a free society.

But I didn't take much time to be reflective about the current significance of such matters. It all seemed beyond my ability to influence in any meaningful way. Then, in July, 1966, I became a member of the FCC. Here my interest in the marketplace of ideas could no longer remain a casual article of personal faith. The commitment was an implicit part of the oath I took on assuming the office of commissioner, and, I quickly learned, an everyday responsibility.

Threats to the free exchange of information and opinion in this country can come from various sources, many of them outside the power of the FCC to affect. Publishers and reporters are not alike in their ability, education, tolerance of diversity, and sense of responsibility. The hidden or overt pressures of advertisers have long been with us.

But one aspect of the problem is clearly within the purview of the FCC—the impact of *ownership* upon the content of the mass media. It is also a part of the responsibility of the Antitrust Division of the Justice Department. It has been the subject of recent congressional hearings. There are a number of significant trends in the ownership of the media worth examining—local and regional monopolies, growing concentration of control of the most profitable and powerful television stations in the major markets, broadcasting-publishing combines, and so forth. But let's begin with a look at the significance of media ownership by "conglomerate corporations"—holding companies that own, in addition to publishing and broadcasting enterprises, other major industrial corporations.

During my first month at the FCC I studied the cases and attended the meetings, but purposefully did not participate in voting on any items. One of the agenda items at the July 20 commissioners' meeting proposed two draft letters addressed to the presidents of International Telephone and Telegraph and the American Broadcasting Company, ITT and ABC, Messrs. Harold Geneen and Leonard Goldenson. We were asking them to supply "a statement specifying in further detail the manner in which the financial resources of ITT will enable ABC to improve its program services and thereby better to serve the public interest." This friendly inquiry was my first introduction to the proposed ITT-ABC merger, and the Commissioner majority's attitudes about it. It was to be a case that would occupy much of my attention over the next few months.

There wasn't much discussion of the letters that morning, but I read carefully the separate statements filed with the letter by my two responsible and experienced colleagues, Commissioners Robert T. Bartley and Kenneth A. Cox.

Commissioner Bartley, a former broadcaster, wrote a long and thoughtful statement. He warned of "the probable far-reaching political, social and economic consequences for the public interest of the increasing control of broadcast facilities and broadcast service by large conglomerate corporations such as the applicants." Commissioner Cox, former lawyer, law professor, counsel to the Senate Commerce Committee, and chief of the FCC's Broadcast Bureau, characterized the proposed merger as "perhaps the most important in the agency's history." He said the issues were "so significant and far-reaching that we should proceed immediately to designate the matter for hearing."

Their concerns were well grounded in broadcasting's history, and in the national debate preceding the 1934 Communications Act we were appointed to enforce. Precisely what Congress intended the FCC to do was not specified at the time or since. But no one has ever doubted Congress' great concern lest the ownership of broadcasting properties be permitted to fall into a few hands or to assume monopoly proportions.

The 1934 Act was preceded by the 1927 Radio Act and a series of industry Radio Conferences in the early 1920s. The conferences were called by then Secretary of Commerce Herbert C. Hoover.

Hoover expressed concern lest control over broadcasting "come under the arbitrary power of any person or group of persons." During the congressional debates on the 1927 Act a leading congressman, noting that "publicity is the most powerful weapon that can be wielded in a republic," warned of the domination of broadcasting by "a single selfish group." Should that happen, he said, "then woe be to those who dare to differ with them." The requirement that licenses not be transferred without Commission approval was intended, according to a sponsoring senator, "to prevent the concentration of broad-

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cast facilities by a few." Thirty years later, in 1956, Senate Commerce Committee Chairman Warren G. Magnuson was still warning the Commission that it "should be on guard against the intrusion of big business and absentee ownership."

These concerns of Congress and my colleagues were to take on fuller meaning as the ITT-ABC case unfolded, a case which eventually turned into an FCC *cause célèbre*. It also demonstrated the enormity of the responsibility vested in this relatively small and little-known Commission, by virtue of its power to grant or withhold membership in the broadcast industry. On a personal level, the case shook into me the realization, for the first time in my life, of the dreadful significance of the ownership structure of the mass media in America.

THE ITT-ABC MERGER CASE

ITT is a sprawling international conglomerate of 433 separate boards of directors that derives about 60 percent of its income from its significant holdings in at least forty foreign countries. It is the ninth largest industrial corporation in the world in size of work force. In addition to its sale of electronic equipment to foreign governments, and operation of foreign countries' telephone systems, roughly half of its domestic income comes from U.S. Government defense and space contracts. But it is also in the business of consumer finance, life insurance, investment funds, small loan companies, car rentals (ITT Avis, Inc.), and book publishing.

This description of ITT's anatomy is taken (as is much of this ITT-ABC discussion) from opinions written by myself and Commissioners Bartley and Cox. We objected, vigorously, to the four-man majority's decision to approve the merger. So did some senators and congressmen, the Department of Justice, the Commission's own staff, a number of independent individuals and witnesses, and a belated but eventually insistent chorus of newspaper and magazine editorialists.

What did we find so ominous about the take-over of this radio and television network by a highly successful conglomerate organization?

In 1966, ABC owned 399 theaters in 34 states, 5 VHF television stations, 6 AM and 6 FM stations (all in the top 10 broadcasting markets), and, of course, one of the 3 major television networks and one of the 4 major radio networks in the world. Its 137 primary television network affiliates could reach 93 percent of the then 50 million television homes in the United States, and its radio network affiliates could reach 97 percent of the then 55 million homes with radio receivers. ABC had interests in, and affiliations with, stations in 25 other nations, known as the "Worldvision Group." These, together with ABC Films, made the parent corporation perhaps the world's largest distributor of filmed shows for theaters and television stations throughout this country and abroad. ABC was heavily involved in the record production and distribution business, and other subsidiaries published three farm papers.

The merger would have placed this accumulation of mass media, and one of the largest purveyors of news and opinion in America, under the control of one of the largest conglomerate corporations in the world. What's wrong with that? Potentially a number of things. For now, consider simply that the integrity of the news judgment of ABC might be affected by the economic interests of ITT—that ITT might simply view ABC's programming as a part of ITT's public relations, advertising, or political activities. This seemed to us a real threat in 1966, notwithstanding the character of the management of both companies, and their protestations that no possibility of abuse existed. By 1967 the potential threat had become reality.

ITT'S EMPIRE

ITT's continuing concern with political and economic developments in foreign countries as a result of its far-flung economic interests was fully documented in the hearing. It showed, as one might expect, ITT's recurrent concern with internal affairs in most major countries of the world, including rate problems, tax problems, and problems with nationalization and reimbursement, to say nothing of ordinary commercial dealing. Its involvement with the United States government, in addition to defense contracts, included the Agency for International Development's insurance of 5.8 percent of all ITT assets.

Testimony was offered on the fascinating story of intrigue surrounding "Operation Deep Freeze" (an underwater cable). It turned out that ITT officials, using high-level government contracts in England and Canada, had brought off a bit of profitable international diplomacy unknown to the United States State Department or the FCC, possibly in violation of law. Further inquiry revealed that officers and directors of ITT's subsidiaries included two members of the British House of Lords, one in the French National Assembly, a former premier of Belgium, and several ministers of foreign governments and officials of government-owned companies.

As it seemed to Commissioners Bartley and Cox and to me when we dissented from the Commission's approval of the merger in June, 1967, a company whose daily activities require it to manipulate governments at the highest levels would face unending temptation to manipulate ABC news. Any public official, or officer of a large corporation, is necessarily clearly concerned with the appearance of some news stories, the absence of others, and the tone and character of all affecting his personal interests. That's what public relations firms and press secretaries are all about. We concluded, "We simply cannot find that the public interest of the American citizenry is served by turning over a major network to an international enterprise whose fortunes are tied to its political relations with the foreign officials whose actions it will be called upon to interpret to the world."

Even the highest degree of subjective integrity on the part of chief ITT officials could not ensure integrity in ABC's operations. To do an honest and impartial job of reporting the news is difficult enough for the most independent and conscientious of newsmen. And ABC newsmen could not help knowing that ITT had sensitive business relations in various foreign countries and at the highest levels of our government, and that reporting on any number of industries and economic developments would touch the interests of ITT. The mere awareness of these interests would make it impossible for those news officials, no matter how conscientious, to report news and develop documentaries objectively, in the way that they would do if ABC remained unaffiliated with ITT. They would advance within the news organization, or be fired, or become officers of ABC—perhaps even of ITT—or not, and no newsman would be able to erase from his mind the idea that his chances of doing so might be affected by his treatment of issues on which ITT is sensitive.

Only last year CBS was reportedly involved, almost Hearst-like, in a nightmarish planned armed invasion of Haiti. It was an exclusive, and would have made a very dramatic start-to-finish documentary but for the inglorious end: U.S. Customs wouldn't let them leave the United States. Imagine ITT, with its extensive interests in the Caribbean, engaged in such undertakings.

The likelihood of at least some compromising of ABC's integrity seemed inherent in the structure of the proposed new organization. What were the *probabilities* that these potentials for abuse would be exercised? We were soon to see the answer in the bizarre proceedings right before our eyes.

During the April, 1967, hearings, while this very issue was being debated, the *Wall Street Journal* broke the story that ITT was going to extraordinary lengths to obtain favorable press coverage of this hearing. Eventually three reporters were summoned before the examiner to relate for the official record the incidents that were described in the *Journal's* exposé.

An AP and a UPI reporter testified to several phone calls to their homes by ITT public relations men, variously asking them to change their stories and make inquiries for ITT with regard to stories by other reporters, and to use their influence as members of the press to obtain for ITT confidential information from the Department of Justice regarding its intentions. Even more serious were several encounters between ITT officials and a New York *Times* reporter.

On one of these occasions ITT's senior vice president in charge of public relations went to the reporter's office. After criticizing her dispatches to the *Times* about the case in a tone which she described as "accusatory and certainly nasty," he asked whether she had been following the price of ABC and ITT stock. When she indicated that she had not, he asked if she didn't feel she had a "responsibility to the shareholders who might lose money as a result of what" she wrote. She replied, "My responsibility is to find out the truth and print it."

He then asked if she was aware that I (as an FCC Commissioner) was working with a prominent senator on legislation that would forbid any newspaper from owning any broadcast property. (The New York *Times* owns station WQXR in New York.) In point of fact, the senator and I had never met, let alone collaborated, as was subsequently made clear in public statements. But the ITT senior vice president according to the *Times* reporter felt that this false information was something she "ought to pass on to [her] . . . publisher before [she wrote] . . . anything further" about the case. The obvious implication of this remark she felt was that since the *Times* owns a radio station, it would want to consider its economic interests in deciding what to publish about broadcasting in its newspaper.

To me, this conduct, in which at least three ITT officials, including a senior vice president, were involved, was a deeply unsettling experience. It demonstrated an abrasive self-righteousness in dealing with the press, insensitivity to its independence and integrity, a willingness to spread false stories in furtherance of self-interest, contempt for government officials as well as the press, and an assumption that even as prestigious a news medium as the New York *Times* would, as a matter of course, want to present the news so as to serve best its own economic interests (as well as the economic interests of other large business corporations).

But for the brazen activities of ITT in this very proceeding, it would never have occurred to the three of us who dissented to suggest that the most probable threat to the integrity of ABC news could come from *overt* actions or written policy statements. After the hearing it was obvious that that was clearly possible. But even then we believe that the most substantial threat came from a far more subtle, almost unconscious, process: that the questionable story idea, or news coverage, would never even be proposed—whether for reasons of fear, insecurity, cynicism, realism, or unconscious avoidance.

CONCENTRATION OF CONTROL OVER THE MEDIA

Since the ITT-ABC case left the Commission I have not ceased to be troubled by the issues it raised—in many ways more serious and certainly more prevalent) for wholly domestic corporations. Eventually the merger

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was aborted by ITT on New Year's Day of this year, while the Justice Department's appeal of the Commission's action was pending before the U.S. Court of Appeals. However, I ponder what the consequences might have been if ITT's apparent cynicism toward journalistic integrity had actually been able to harness the enormous social and propaganda power of a national television network to the service of a politically sensitive corporate conglomerate. More important, I have become concerned about the extent to which such forces *already* play upon important media of mass communication. Perhaps such attitudes are masked by more finesse than that displayed in the ITT-ABC case. Perhaps they are even embedded in the kind of sincere good intentions which caused former Defense Secretary (and former General Motors president) Charles Wilson to equate the interests of his company with those of the country.

I do not believe that most owners and managers of the mass media in the United States lack a sense of responsibility or lack tolerance for a diversity of views. I do not believe there is a small group of men who gather for breakfast every morning and decide what they will make the American people believe that day. Emotion often outruns the evidence of those who argue a conspiracy theory of propagandists' manipulation of the masses.

On the other hand, one reason evidence is so hard to come by is that the media tend to give less publicity to their own abuses than, say, to those of politicians. The media operate as a check upon other institutional power centers in our country. There is, however, no check upon the media. Just as it is a mistake to overstate the existence and potential for abuse, so, in my judgment, is it a mistake to ignore the evidence that does exist.

In 1959, for example, it was reported that officials of the Trujillo regime in the Dominican Republic had paid $750,000 to officers of the Mutual Radio Network to gain favorable propaganda disguised as news. (Ownership of the Mutual Radio Network changed hands once again last year without any review whatsoever by the FCC of old or new owners. The FCC does not regulate networks, only stations, and Mutual owns none.) RCA was once charged with using an NBC station to serve unfairly its broader corporate interests, including the coverage of RCA activities as "news," when others did not. There was speculation that after RCA acquired Random House, considerable pressure was put on the book publishing house's president, Bennett Cerf, to cease his Sunday evening service as a panelist on CBS's *What's My Line?* The Commission has occasionally found that individual stations have violated the "fairness doctrine" in advocating causes serving the station's economic self-interest, such as pay television.

Virtually every issue of the *Columbia Journalism Review* reports instances of such abuses by the print media. It has described a railroad-owned newspaper that refused to report railroad wrecks, a newspaper in debt to the Teamsters Union which gave exceedingly favorable coverage to Jimmy Hoffa, the repeated influence of the DuPont interests in the editorial functions of the Wilmington papers which it owned, and Anaconda Copper's use of its company-owned newspapers to support political candidates favorable to the company.

Edward P. Morgan left ABC last year to become the commentator on the Ford Foundation-funded Public Broadcasting Laboratory. He has always been straightforward, and he used his final news broadcast to be reflective about broadcasting itself. "Let's face it," he said. "We in this trade use this power more frequently to fix a traffic ticket or get a ticket to a ballgame than to keep the doors of an open society open and swinging . . . The freest and most profitable press in the world, every major facet of it, not only ducks but pulls its punches to save a supermarket of commercialism or shield an ugly prejudice and is putting the life of the republic in jeopardy thereby."

Economic self-interest *does* influence the content of the media, and as the media tend to fall into the control of corporate conglomerates, the areas of information and opinion affecting those economic interests become dangerously wide-ranging. What *is* happening to the ownership of American media today? What dangers does it pose? Taking a look at the structure of the media in the United States, I am not put at ease by what I see.

Most American communities have far less "dissemination of information from diverse and antagonistic sources" (to quote a famous description by the Supreme Court of the basic aim of the First Amendment) than is available nationally. Of the 1500 cities with daily newspapers, 96 percent are served by single-owner monopolies. Outside the top 50 to 200 markets there is a substantial dropping off in the number of competing radio and television signals. The FCC prohibits a single owner from controlling two AM radio, or two television, stations with overlapping signals. But it has only recently expressed any concern over common ownership of an AM radio station and an FM radio station and a television station in the same market. Indeed, such ownership is the rule rather than the exception and probably exists in your community. Most stations are today acquired by purchase. And the FCC has, in part because of congressional pressure, rarely disapproved a purchase of a station by a newspaper.

There are few statewide or regional "monopolies"—although some situations come close. But in a majority of our states—the least populous—there are few enough newspapers and television stations to begin with, and they are usually under the control of a small group. And most politicians find today, as Congress warned in 1926, "woe be to those who dare to differ with them." Most of our politics is still state and local in scope. And increasingly, in many states and local communities, congressmen and state and local officials are compelled to regard that handful of media owners (many of whom are out-of-state), rather than the electorate itself, as their effective constituency. Moreover, many mass media owners have a significant impact in more than one state. One case that came before the FCC, for example, involved an owner with AM-FM-TV combinations in Las Vegas and Reno, Nevada, along with four newspapers in that state, seven newspapers in Oklahoma, and two stations and two newspapers in Arkansas. Another involved ownership of ten stations in North Carolina and adjoining southern Virginia. You may never have heard of these owners, but I imagine the elected officials of their states return their phone calls promptly.

NATIONAL POWER

The principal national sources of news are the wire services, AP and UPI, and the broadcast networks. Each of the wire services serves on the order of 1200 newspapers and 3000 radio and television stations. Most local newspapers and radio stations offer little more than wire service copy as far as national and international news is concerned. To that extent one can take little heart for "diversity" from the oft-proffered statistics on proliferating radio stations (now over 6000) and the remaining daily newspapers (1700). The networks, though themselves heavily reliant upon the wire services to find out what's worth filming, are another potent force.

The weekly newsmagazine field is dominated by *Time, Newsweek,* and *U.S. News.* (The first two also control substantial broadcast, newspaper, and book or publishing outlets. *Time* is also in movies (MGM) and is hungry for three or four newspapers.) Thus, even though there are thousands of general and specialized periodicals and program sources with significant national or regional impact, and certainly no "monopoly" exists, it is still possible for a single individual or corporation to have vast national influence.

What we sometimes fail to realize, moreover, is the political significance of the fact that we have become a nation of cities. Nearly half of the American people live in the six largest states: California, New York, Illinois, Pennsylvania, Texas, and Ohio. Those states, in turn, are substantially influenced (if not politically dominated) by their major population-industrial-financial-media centers, such as Los Angeles, New York City, Chicago, and Philadelphia—the nation's four largest metropolitan areas. Thus, to have a major newspaper or television station influence in *one* of these cities is to have significant national power. And the number of interests with influence in *more* than one of these markets is startling.

Most of the top fifty television markets (which serve approximately 75 percent of the nation's television homes) have three competing commercial VHF television stations. There are about 150 such VHF commercial stations in these markets. Less than 10 percent are today owned by entities that do not own other media interests. In 30 of the 50 markets at least one of the stations is owned by a major newspaper published in that market—a total of one third of these 150 stations. (In Dallas-Fort Worth *each* of the network affiliates is owned by a local newspaper, and the fourth, an unaffiliated station, is owned by Oklahoma newspapers.) Moreover, half of the newspaper-owned stations are controlled by seven groups—groups that also publish magazines as popular and diverse as *Time, Newsweek, Look, Parade, Harper's, TV Guide, Family Circle, Vogue, Good Housekeeping,* and *Popular Mechanics*. Twelve parties own more than one third of all the major-market stations.

In addition to the vast national impact of their affiliates the three television networks each own VHF stations in all of the top three top markets—New York, Los Angeles, and Chicago—and each has two more in other cities in the top ten. RKO and Metromedia each own stations in both New York City and Los Angeles. Metromedia also owns stations in Washington, D.C., and California's other major city, San Francisco—as well as Philadelphia, Baltimore, Cleveland, Kansas City, and Oakland. RKO also owns stations in Boston, San Francisco, Washington, Memphis, Hartford, and Windsor, Ontario—as well as the regional Yankee Network. Westinghouse owns stations in New York, Chicago, Philadelphia *and* Pittsburgh, Pennsylvania, Boston, San Francisco, Baltimore, and Fort Wayne. These are but a few examples of today's media barons.

There are many implications of their power. Groups of stations are able to bargain with networks, advertisers, and talent in ways that put lesser stations at substantial economic disadvantage. Group ownership means, by definition, that few stations in major markets will be locally owned. (The FCC recently approved the transfer of the last available station in San Francisco to the absentee ownership of Metromedia. The only commercial station locally owned today is controled by the San Francisco *Chronicle*.) But the basic point is simply that the national political power involved in ownership of a group of major VHF television stations in, say, New York, Los Angeles, Philadelphia, and Washington, D.C., is greater than a democracy should unthinkably repose in one man or corporation.

CONGLOMERATE CORPORATIONS

For a variety of reasons, an increasing number of communications media are turn-

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ing up on the organization charts of conglomerate companies. And the incredible profits generated by broadcast stations in the major markets (television broadcasters *average* a 90 to 100 percent return on tangible investment annually) have given FCC licensees, particularly owners of multiple television stations like the networks, Metromedia, Storer Broadcasting, and others, the extra capital with which to buy the New York Yankees (CBS), Random House (RCA), or Northeast Airlines (Storer). Established or up-and-coming conglomerates regard communications acquisitions as prestigious, profitable, and often a useful or even a necessary complement to present operations and projected exploitation of technological change.

The national problem of conglomerate ownership of communications media was well illustrated by the ITT–ABC case. But the conglomerate problem need not involve something as large as ITT–ABC or RCA–NBC. Among the national group owners of television stations are General Tire (RKO), Avco, Westinghouse, Rust Craft, Chris Craft, Kaiser, and Kerr-McGee. The problem of *local* conglomerates was forcefully posed for the FCC in another case earlier this year. Howard Hughes, through Hughes Tool Company, wanted to acquire one of Las Vegas' three major television stations. He had recently acquired $125 million worth of Las Vegas real estate, including hotels, gambling casinos, and an airport. These investments supplemented 27,000 acres previously acquired. The Commission majority blithely approved the television acquisition without a hearing, overlooking FCC precedents which suggested that a closer examination was in order. In each of these instances the potential threat is similar to that in the ITT–ABC case—that personal economic interests may dominate or bias otherwise independent media.

CONCENTRATION AND TECHNOLOGICAL CHANGE

The problem posed by conglomerate acquisitions of communications outlets is given a special but very important twist by the pendency of sweeping technological changes which have already begun to unsettle the structure of the industry.

President Johnson has appointed a distinguished task force to evaluate our national communications policy and chart a course for realization of these technological promises in a manner consistent with the public interest. But private interests have already begun to implement their own plans on how to deal with the revolution in communications technology.

General Sarnoff of RCA has hailed the appearance of "the knowledge industry"—corporate casserole dishes blending radio and television stations, networks, and programming; films movie houses and record companies; newspaper magazine and book publishing; advertising agencies; sports or other entertainment companies; and teaching machines and other profitable appurtenances of the $50 billion "education biz."

And everybody's in "cable television"—networks, book publishers, newspapers. Cable television is a system for building the best TV antenna in town and then wiring it into everybody's television set—for a fee. It improves signal quality and number of channels, and has proved popular. But the new technology is such that it has broadcasters and newspaper publishers worried. For the same cable that can bring off-the-air television into the home can also bring programming from the cable operator's studio, or an "electronic newspaper" printed in the home by a facsimile process. Books can be delivered (between libraries, or to the home) over "television" by using the station's signal during an invisible pause. So everybody's hedging their bets—including the telephone company. Indeed, about all the vested interests can agree upon is that none of them want us to have direct, satellite-to-home radio and television. But at this point it is not at all clear who will have his hand on the switch that controls what comes to the American people over their "telephone wire" a few years hence.

WHAT IS TO BE DONE?

It would be foolish to expect any extensive restructuring of the media in the United States, even if it were considered desirable. Technological change can bring change in structure, but it is as likely to be change to even greater concentration as to wider diversity. In the short run at least, economics seems to render essentially intractable such problems as local monopolies in daily newspapers, or the small number of outlets for national news through wire services, newsmagazines, and the television networks. Indeed, to a certain extent the very high technical quality of the performance rendered by these news-gathering organizations is aided by their concentration of resources into large units and the financial cushions of oligopoly profits.

Nevertheless, it seems clear to me that the risks of concentration are grave.

Chairman Philip Hart of the Senate Antitrust and Monopoly Subcommittee remarked by way of introduction to his antitrust subcommittee's recent hearings about the newspaper industry, "The products of newspapers, opinion and information, are essential to the kind of society that we undertake to make successful here." If we are serious about the kind of society we have undertaken, it is clear to me that we simply must not tolerate concentration of media ownership—except where concentration creates actual countervailing social benefits. These benefits cannot be merely speculative. They must be identifiable, demonstrable, and genuinely weighty enough to offset the dangers inherent in concentration.

This guideline is a simple prescription. The problem is to design and build machinery to fill it. And to keep the machinery from rusting and rotting. And to replace it when it becomes obsolete.

America does have available governmental machinery which is capable of scotching undue accumulations of power over the mass media, at least in theory and to some extent. The Department of Justice has authority under the antitrust laws to break up combinations which "restrain trade" or which "tend to lessen competition." These laws apply to the media as they do to any other industry.

But the antitrust laws simply do not get to where the problems are. They grant authority to block concentration only when it threatens *economic* competition in a particular economic *market*. Generally, in the case of the media, the relevant market is the market for advertising. Unfortunately, relatively vigorous advertising competition can be maintained in situations where competition in the marketplace of ideas is severely threatened. In such cases, the Justice Department has little inclination to act.

Look at the Chicago *Tribune's* recent purchase of that city's most popular and most successful FM radio station. The *Tribune* already controlled two Chicago newspapers, one (clear channel) AM radio station, and the city's only independent VHF television station. It controls numerous broadcast, CATV, and newspaper interests outside Chicago (in terms of circulation, the nation's largest newspaper chain). But, after an investigation, the Antitrust Division let this combination go through. The new FM may be a needless addition to the *Tribune's* already impressive battery of influential media; it could well produce an unsound level of concentration in the production and supply of what Chicagoans see, read, and hear about affairs in their community, in the nation, and in the world. But it did not threaten the level of competition for advertising money in any identifiable advertising market. So, it was felt, the acquisition was not the business of the Justice Department.

Only the FCC is directly empowered to keep media ownership patterns compatible with a democracy's need for diversified sources of opinion and information.

In earlier times, the Commission took this responsibility very seriously. In 1941, the FCC ordered NBC to divest itself of one of its two radio networks (which then became ABC), barring any single network from affiliating with more than one outlet in a given city. (The Commission has recently waived this prohibition for, ironically, ABC's four new national radio networks.) In 1941 the Commission also established its power to set absolute limits on the total number of broadcast licenses any individual may hold, and to limit the number of stations any individual can operate in a particular service area.

The American people are indebted to the much maligned FCC for establishing these rules. Imagine, for example, what the structure of political power in this country might look like if two or three companies owned substantially all of the broadcast media in our major cities.

But since the New Deal generation left the command posts of the FCC, this agency has lost much of its zeal for combating concentration. Atrophy has reached so advanced a state that the public has of late witnessed the bizarre spectacle of the Justice Department, with its relatively narrow mandate, intervening in FCC proceedings, such as ITT-ABC, to create court cases with names like *The United States vs. The FCC*.

This history is an unhappy one on the whole. It forces one to question whether government can ever realistically be expected to sustain a vigilant posture over an industry which controls the very access of government officials themselves to the electorate.

I fear that we have already reached the point in this country where the media, our greatest check on other accumulations of power, may themselves be beyond the reach of any other institution: the Congress, the President, or the Federal Communications Commission, not to mention governors, mayors, state legislators, and city councilmen. Congressional hearings are begun and then quietly dropped. Whenever the FCC stirs fitfully as if in wakefulness, the broadcasting industry scurries up the Hill for a congressional bludgeon. And the fact that roughly 60 percent of all campaign expenses go to radio and television time gives but a glimmer of the power of broadcasting in the lives of senators and congressmen.

However, the picture at this moment has its more hopeful aspect. There does seem to be an exceptional flurry of official concern. Even the FCC has its proposed rulemaking outstanding. The Department of Justice, having broken into the communications field via its dramatic intervention before the FCC in the ITT-ABC merger case, has also been pressing a campaign to force the dissolution of joint operating agreements between separately owned newspapers in individual cities, and opposed a recent application for broadcasting properties by newspaper interests in Beaumont, Texas. It has been scrutinizing cross-media combinations linking broadcasting, newspaper, and cable television outlets. On Capitol Hill, Senator Phil Hart's Antitrust and Monopoly Subcommittee and Chairman Harley Staggers' House Interstate and Foreign Commerce Committee have both summoned the Federal Communications Commission to appear before them in recent months, to acquaint the Commission with the committee's concern about FCC-approved increases in broadcast holdings by single individuals and companies, and about cross-ownership of newspapers, CATV systems, and broadcast stations. Representatives John Dingell, John Moss, and Richard Ottinger have introduced legisla-

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tion which would proscribe network ownership of any nonbroadcast interests. And as I previously mentioned, President Johnson has appointed a task force to undertake a comprehensive review of national communications policy.

Twenty years ago Robert M. Hutchins, then chancellor of the University of Chicago, was named chairman of the "Commission on Freedom of the Press." It produced a thoughtful report, full of recommendations largely applicable today—including "the establishment of a new and independent [nongovernmental] agency to appraise and report annually upon the performance of the press," and urged "that the members of the press engage in vigorous mutual criticism." Its proposals are once again being dusted off and reread.

What is needed now, more than anything else, is to keep this flurry of interest alive, and to channel it toward constructive reforms. What this means, in practical fact, is that concern for media concentration must find an institutional home.

The Department of Justice has already illustrated the value of participation by an external institution in FCC decision-making. The developing concept of a special consumers' representative offers a potentially broader base for similar action.

But the proper place to lodge continuing responsibility for promoting diversity in the mass media is neither the FCC nor the Justice Department nor a congressional committee. The initiative must come from private sources. But there are more adequately staffed and funded private organizations which could play a more effective role in policy formation than a single individual. Even the FCC, where the public interest gets entirely too little representation from private sources, has felt the impact of the United Church of Christ, with its interest in the influence of broadcasting on race relations and in the programming responsibility of licenses.

Ideally, however, the resources for a sustained attack on concentration might be centered in a single institution, equipped to look after this cause. The law schools and their law reviews, as an institution, have performed well in this way for the courts, but have virtually abdicated responsibility for the agencies.

Such an organization could devote itself to research as well as representation. For at present any public body like the FCC, which has to make determinations about acceptable levels of media concentration, has to do so largely on the basis of hunch. In addition, private interest in problems of concentration would encourage the Justice Department to sustain its present vigilance in this area. It could stimulate renewed vigilance on the part of the FCC, through participation in Commission proceedings. And it could consider whether new legislation might be appropriate to reach the problem of newspaper-magazine-book publishing combinations.

If changes are to be made (or now dormant standards are to be enforced) the most pressing political question is whether to apply the standards prospectively only, or to require divestiture. It is highly unlikely, to say the least, that legislation requiring massive divestiture of multiple station ownership, or newspaper ownership of stations, would ever pass through Congress. Given the number of station sales every year, however, even prospective standards could have some impact over ten years or so.

In general, I would urge the minimal standard that no accumulation of media should be permitted without a specific and convincing showing of a continuing countervailing social benefit. For no one has a higher calling in an increasingly complex free society bent on self-government than he who informs and moves the people. Personal prejudice, ignorance, social pressure, and advertiser pressure are in large measure inevitable. But a nation that has, in Learned Hand's phrase, "staked its all" upon the rational dialogue of an informed electorate simply cannot take any unnecessary risk of polluting the stream of information and opinion that sustains it. At the very least, the burden of proving the social utility of doing otherwise should be upon him who seeks the power and profit which will result.

Whatever may be the outcome, the wave of renewed interest in the impact of ownership on the role of the media in our society. is healthy. All will gain from intelligent inquiry by Congress, the Executive, the regulatory commissions—and especially the academic community, the American people generally, and the media themselves. For, as the Supreme Court has noted, nothing is more important in a free society than "the widest possible dissemination of information from diverse and antagonistic sources." And if we are unwilling to discuss *this* issue fully today we may find ourselves discussing none that matter very much tomorrow.

THE 100TH ANNIVERSARY OF THE CLEVELAND PUBLIC LIBRARY

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. VANIK. Mr. Speaker, as a former member of the Cleveland Library Board and a strong supporter of the Cleveland library system, I wish to call attention to the Congress of the celebration of the 100th anniversary of the Cleveland Public Library.

I wish to extend my heartiest congratulations to the staff of the library on their devotion and service to our library system. If these past hundred years are any indication, the next hundred years of service to our community by the Cleveland Public Library will be very exciting.

Mr. Hedley Donovan, the editor-in-chief of Time, Inc., delivered the principal address at the centennial dinner of the Cleveland Public Library on February 18, 1969, at the Hotel Sheraton-Cleveland before an audience of over 1,800 persons. The speech Mr. Donovan delivered presents an excellent review of world events. I commend it to the attention of my colleagues in the House. The speech is as follows:

CLEVELAND PUBLIC LIBRARY CENTENNIAL DINNER, FEBRUARY 19, 1969

(By Hedley Donovan)

I am very much complimented to have a part in this Centennial celebration.

In my business, on somewhat similar occasions, say a magazine is celebrating its fiftieth anniversary, one is never quite certain whether to say Many Happy Returns. When we send out letters soliciting subscriptions to our magazines and books—some of you may have received such a letter once or even twice—the number of orders, in relation to the total mailing, is called the Return, and the higher that percentage the happier we are. On the other hand, when it comes to newsstand sales, Returns are unsold copies; some of you, by passing a newsstand and thoughtlessly failing to buy one or more of the Time Inc. publications, may have contributed to a kind of Return we do not enjoy.

In the library business, however, I take it Returns are a completely good thing, always welcome, sometimes even stimulated by kindly reminder. So I can indeed wish this library Many Happy Returns, and I offer warmest congratulations to the staff, the trustees, the city officials and all the Cleveland citizens who have built this notable institution.

I was once briefly a Library Trustee myself, in a Long Island suburb. It was the first Board of Trustees of any kind that I had belonged to. Before joining, I had pictured the board meetings as cozy evenings where a few cultivated men and women sat around and talked about books. My fellow trustees were cultivated all right, and you know of course what we did talk about—money.

I believe I was asked here, however, not as a failed trustee, but because of a quite special bond between Time Incorporated and the City of Cleveland. This city was the headquarters of our company for two crucial years of its early life. It was the mid-1920's, that brash little sheet *Time* was just barely beginning to catch hold, and its young editors found all kinds of encouragement here in Cleveland, from readers who told them first hand they were doing a good job, from several advertisers, from a bank and a printer who were willing to bet the magazine might last. The encouragement went so far, in one case, that a very pretty Cleveland girl agreed to marry the young circulation manager of *Time*, Roy Larsen; Mr. Larsen is now chairman of our Executive Committee, and his very pretty wife Margot still thinks rather well of *Time*.

Henry Luce, after the Cleveland years of *Time*, always talked of this city as a second home town. I am sure that is one reason Time was proud to come here shortly after the war, and serve as co-sponsor, with the Cleveland Council on World Affairs, for a three-day public forum on U.S. foreign policy. In the years since those sessions in 1947, Cleveland and *Time* have both talked a good deal about U.S. foreign policy. I propose that this should also be our subject for the next few minutes.

There have been some changes in the roll-call of our biggest foreign policy problems:

How to de-escalate Viet Nam—22 years ago de-escalate was not even a word in our vocabulary, and neither was Viet Nam;

How to defuse the Middle East—22 years ago the Middle East was French and British responsibility, mainly British, and Israel was a name in the Bible;

How to negotiate a renewal of our defense treaty with Japan, which expires next year, and to smooth the way for that, should we give them back Okinawa?—which 22 years ago might not have been a very popular idea with various Americans who had just been to a good deal of trouble to take Okinawa;

How to revitalize NATO, or has it served its time?—and how to treat with the only World War II leader still in command, that great and maddening man Charles de Gaulle;

And speaking of the General, must we overhaul the whole international monetary mechanism?

And what can we do for the pitiful children of Biafra?

And how do we negotiate some nuclear arms limitation, or should we, with the Soviet Union—which about halfway through this 22 year period acquired the capability of killing half of us, more or less, on half an hour's notice—that was an option previous Americans never had to concede to a foreign government, although, to be sure, we can still kill Russians even more definitively, or as Winston Churchill once said, we can "make the rubble bounce."

And so on. You know the whole long list.

We look out on this world of 1969 as a deeply confused country. It is easy to say that it is the cruel question of Viet Nam that has got us so mixed up. Our public life has been dominated by Viet Nam ever since we began the bombing of the North four years ago this month, and then sent Marine combat units ashore at Danang in March '65. It is the longest war in American history, not the biggest but probably the most complicated, and surely the most divisive. Now, very slowly and very ambiguously, this strange war seems to be running down. No wonder we ache and grope.

But I believe the causes of our confusion go much deeper than Viet Nam. Indeed the Viet Nam experience—vivid as it has been, important as it has been—has in a sense masked a more fundamental change in the underpinnings of American foreign policy. That change, very simply, is the loss of a working consensus, for the first time in the lives of any of us in this room, as to what we think America means in the world and to the world.

Look back for a moment at two aspects of American history. One we know mainly from reading about it in books, the other we ourselves have lived.

For generations, as many volumes in your library confirm, we Americans believed we were God's elect. John Adams wrote that it was the design of Providence to use America for the "illumination" and "emancipation" of all mankind. Thomas Jefferson proposed that the Seal of the United States should show the children of Israel led by a pillar of light. The notion of America as the chosen people was one of his favorite themes; this very urbane man could say: "God led our forefathers as Israel of old." He called us "the world's best hope," and we hear echoes of that when Abraham Lincoln, amidst the anguish of the Civil War, called us "the last best hope of earth." And all the way to the 1890's, that great historian George Bancroft, trained at Harvard, Heidelberg and Gottingen, believed to the end of his long life (as another historian has written of him) that American history was really "the story of the wonder-working of the hand of God in the American forest." It is hard to imagine any Harvard Ph. D., or Yale or Stanford either, looking at it just that way today.

Yet well into the 20th century, the belief persisted. The debate over our entry into World War I, 1914 to 1917, can be read as a clash between men who believed it was enough for America simply to stand here in its goodness, as example and beacon, and more militant men who believed America must carry its truths across the oceans.

Somewhere after the first World War, we lost that serene confidence that God's hand was especially upon us; the war itself came to seem a mistake and a failure, something America had never felt about its other wars; it was generally a time of rising sophistication and cynicism; the traditional religious beliefs were weakening; the memories of the frontier were fast receding; increasingly large blocs of the American population lacked any ancestral share in the classic chapters of American history; for Americans who did still have faith in the God of their fathers it was hard to believe that the spreading of the urban industrial landscape could enjoy quite the same divine favor as the crossing of the Continental Divide.

And if anything of the old idea of the Chosen People had survived the 1920's, the Great Depression of the 1930's surely did not help it.

Now for a large, literate democratic society once to have held so strongly such a righteous and spacious view of itself, and then in a few years to lose it, should be a profoundly unsettling experience.

But we never really had the experience. For at just this moment Americans were confronted with Adolf Hitler.

Starting in the late 1930's, more and more of the most thoughtful people in America, in government, in the churches, in business and banking, in the universities, were increasingly preoccupied with the threat of totalitarianism in Europe and Asia. The very people who might have been most concerned with the loss of the old sense of the American mission, and most concerned to find a new one, were spared that search. The Nazis and the Japanese militarists did not require us to think about the uses of liberty, or about deep meanings of America. They required us to defend ourselves, and that was meaning enough.

If the defeat of the Axis Powers had led to a stable peace, the once-postponed search for the modern American mission might have started soon after the war. But Stalin, almost overnight, took the place of Tojo and Hitler. The Cold War was on. Once more we believed ourselves to be holding a world-wide line against tyranny. Once more we were relieved of asking ourselves what else is America all about. We fought a tough, costly war in Korea.

The Cold War eased some in 1953, after Stalin's death and after the Korean truce, and then it eased some more around 1963. The autumn before, the Soviets had started installing missiles in Cuba, the most blatant thrust they ever made outside their own sphere of influence, and John Kennedy very coolly stared them down and eased them out. By the summer of 1963, President Kennedy was making his highly conciliatory American University speech and laying the groundwork for the nuclear test ban treaty.

But once again, just as one set of foreign dangers seemed to be receding, still another crisis, perceived as a major danger to ourselves and our allies, came to dominate our thinking about foreign policy. This of course was Viet Nam.

Let us be a little optimistic and say that Viet Nam is somehow resolved by the end of this year. That will mean that we have gone through a thirty-five-year crisis—from the rearming of Nazi Germany, starting in 1935, through World War II, through Korea and the Cold War, through Viet Nam. It means that all Americans in their forties, fifties and sixties, most of the leadership generation, have spent most or all of their adult lives with a view of an embattled, endangered America.

What if, almost all of a sudden, there were no acute external danger?

Some of the young dissenters on our campuses might be unmoored if there were no Viet Nam, but so might many of their elders, and perhaps more seriously. You know some of the public-spirited lawyers and bankers of downtown Manhattan who have served both Democratic and Republican administrations through many of these days of danger; they have their counterparts in Cleveland and other cities; and then there are the industrialists, diplomats, military men, labor leaders, Congressmen, university and foundation officials—the Establishment if you like; even editors are sometimes mentioned. Mature and responsible men with a lifetime crisis-oriented view of American foreign policy might be suddenly disoriented.

Now there are skeptics who say it will never be allowed to happen. Old-fashioned Marxists, new-fashioned New Leftists, would argue that it was no coincidence that the Cold War came along just as World War II ended, or that Viet Nam came along just when the Cold War was letting up a bit. According to this view, if the American people are now sick of Viet Nam, something else will be cooked up, maybe the Middle East, because the American "military-industrial complex" needs its war orders, the universities need their Pentagon research contracts, the Colonels need their chance to make General, and so on. This is a kind of devil theory of American history, even more naive, and less attractive, than the God theory I spoke of earlier.

I am optimistic enough to think we may soon lack an external crisis, and we will then face a kind of internal crisis of the American spirit. Who is America; what are we all about?

There seems to be fairly widespread agreement on a few things that we are not. During last year's Presidential campaign, one sentiment regularly uttered by all candidates was: "We cannot be the world's policeman." Nixon said it, Humphrey said it, Rockefeller, McCarthy, everybody said it. I don't think I heard anybody advocate that we *should* be the world's policeman, and there were times when it seemed not too attractive even to be a policeman for New York or Chicago.

Senator McCarthy also cautioned us against trying to be the world's judge or the world's confessor. Senator Fulbright has warned us against "the arrogance of power." Objection noted.

Many people say "No More Viet Nams." In fact it is hard, even if you wanted to, to think up another situation very much like Viet Nam. But there are plenty of other voices, McGeorge Bundy for instance, warning us not to over-react to Viet Nam, not to retreat into isolationism, or neo-isolationism. Yet in the kind of world we live in today, isolationism in the sense of the 1920's or 1930's is utterly impossible; it becomes a meaningless thing to warn against. Fortress America, Fortress Cleveland—there are no such things anymore, and everybody knows it.

Indeed much of the old vocabulary for arguing about our role in the world has become obsolete. Balance of power, power vacuum, co-existence, confrontation—I'm afraid journalists no less than politicians keep using these tired old tags as a substitute for studying things as they really are. It is very hard work, of course, to figure out how things really are.

Cold War may not be a very useful expression anymore; nor is containment. I doubt if it clarifies our thinking to keep talking of "The Free World," embracing as it does so many kinds of societies and degrees of freedom, down to zero; nor does it help to call it "The Anti-Communist World," for not all of it is all that anti; we simply mean the non-communist world, and when we say that 118 countries belong to it, we haven't really said a great deal.

"The Communist World" is certainly not an entity either; there are now three big branches—Russian, Chinese, East European; and some sub-species—Yugoslav, Cuban, Viet Cong. We miss our old clear-cut enemies. Ho Chi Minh is not Hitler. I sat across a table from Kosygin one morning last winter and listened to a couple of hours of attacks on America, but it was all very calm and bureaucratic, like an argument with somebody from the Gas Company. The only mushroom clouds Americans remember are in photographs of our own explosions.

Then there are the tidy-minded people who try to lump together all the underdeveloped countries as "The Third World." I once heard some Indian journalists interviewing a group of Brazilian businessmen. I've had trouble ever since with the Third World concept.

The real world is fantastically diverse, and getting more so. We should rejoice in that and stop trying to fit it all into a few old and outdated boxes.

But this, of course, is part of our difficulty in defining America, for what we think *we* are is necessarily something we perceive in comparison with other nations. Once we defined ourselves essentially by contrast with the European monarchies, then as champion of democracy against the mid-twentieth century totalitarianisms. It gets harder to define America against all of today's rich variety of national societies, the many kinds of governments and political philosophies that abound in this world of 1969.

Nor is there any firm point of reference

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within our own domestic political dialogue. I do not know of anything that could be called a Republican view, or a Democratic view, of the American position in the world as of 1969. Surely one of the greatest accomplishments open to President Nixon would be to shape a modern concept, post Thomas Jefferson, post Hitler and Stalin, post Viet Nam, of America's place and purpose in the world.

To arrive at such a concept, there are, I think, four or five basic questions on which the President and the country must come to some agreed view:

1. *Do we have a moral obligation to share our wealth with other peoples?* I vote that we do. Our foreign aid programs are always being advocated as "enlightened self-interest." Congress and the public are told that the real purpose is to stop communism, etc. I think we can also afford to help other peoples simply because it's right.

2. *Do we ask that America be emulated?* Do we consider America still some kind of model? My own vote would be that our political system and our economic system are two of the greatest works of modern man. Let us continue to think of them that way, let us make them work even better. They will continue to exert great influence in many parts of the world, and we need never try to ram them down anybody's throat. We are not, however, an all-purpose example. We can hardly ask to be regarded as a model in the matter of racial justice. Almost equally shameful, in my view, is the abuse of our environment and our shoddy aesthetic standards. These uglinesses of the American spirit and landscape hurt us all over the world, and deservedly so.

3. *Are we still willing to fight?* When, where, for whom and what? You and I can list some places and governments we would not want America to fight for; I'm not sure we want President Nixon or Secretary Rogers to read off their list out loud. Are there still causes for which we should be ready to burn up most of the Northern Hemisphere? I think the nuclear deterrent does still deter; the assumption that there are situations in which we would use these weapons is still some assurance we will not have to use them. But this condition may not last much longer. We may be passing into a period where the technology is so volatile, and the missile and anti-missile production response and counter-response so relentless, that the weapons themselves are becoming, as the experts in this frightful subject put it, "destabilizing." So should we take a chance on some arms limitation agreement with the Russians, or should we take our chances with the arms? I myself vote for a try at the agreement. This delicate and dangerous decision is upon the Nixon Administration right now.

4. *As we move about the world, and act in the world, do we think of ourselves as the United States Government or as individual Americans?* My own belief is that we appear before the world far too often and too obtrusively as the U.S. Government. This is a paradox because here at home, we believe—or most of us do—that the American government is something much less than the American people, indeed that the chief aim of government is to help create conditions in which we as individuals can achieve our highest possibilities. The overseas expenditures, embassies, alliances of the U.S. Government seem to me less promising, for the long run, than the overseas activities of individual American students, doctors, businessmen, engineers, painters, basketball players. And our official policies should of course give full encouragement to the private foreign citizen for trade, travel, study in America. You have a lot of experience with this here in Cleveland. So when we ask what does America mean in the world, surely a part of the answer is that the Cleveland Orchestra is going to give concerts in Japan next year; and a Cleveland man named Jesse Owens has taught sprinting to youngsters in India; and Case Western Reserve has trained thousands of foreign teachers, doctors, engineers; and Republic Steel is digging iron ore in Liberia; and TRW is building the vehicles for the world's first commercial satellite network.

5. And finally, if we have become too tactful to call ourselves the last best hope on earth, and a little uncertain, in any case, whether we really are, and if we are no longer on 24-hour Red Alert in a permanent world crisis, *can we still find some way to invest America with a touch of the heroic?* Old-fashioned patriotism has been in a long decline; the very idea of country has been eroding, and not just because of Viet Nam. America as a way of thinking about things does not have the same force with our children that it had with us and our fathers. When I was growing up two or three states west of here, in Minnesota, I could hear the Great Northern whistles at night, the trains bound for immensely romantic American places—like Montana; I especially longed to see the Rocky Mountains. The other day I heard of a Connecticut school where the whole sixth grade is going to spend Easter vacation in Rome; not a fancy private country day school and not a Catholic parochial school either, just ordinary twelve-year-olds in a suburban public school. Now we all like the idea of our children moving with so much ease and freedom in this richly interesting world that spreads all around them, and as I was saying a moment ago, the individual American learning, working, traveling all over the world is surely a big part of what we want America to mean in the world. Yet we must recognize that this growing cosmopolitanism clashes with many of our older ideas of country. And patriotism, in spite of all the follies committed in its name, has been a powerful organizing principle in human affairs, certainly so in this country; it has gotten a lot of work done, and added an extra dimension, even a nobility, to many lives. I do not know that "mankind" or "humanity" are yet capable of evoking comparable efforts or loyalties or personal satisfactions. So the question remains: can we find contemporary and civilized ways to love America? I pray we can.

You will have noticed that I came here tonight with more questions than answers. I would plead, Mr. Chairman, that this is the spirit in which one approaches a library, and perhaps by extension, one can come with very large questions to the centennial of a very great library. For a great library keeps for us the highest values of the past, and holds for us at least a part of the knowledge that can unlock the doors of the future.

I thank you again for allowing me to join in this centennial. I wish for your city and its great cultural institutions a full share in working out for our time the meaning of the American community, among ourselves and amidst the nations.

STUDENT RIOTERS SHOULD LOSE U.S. AID

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. WYMAN. My Speaker, I am delighted to see the Nixon administration taking a firm approach in regard to the deliberate few who act to willfully disrupt campuses. This action is long overdue. Unfortunately the previous administration, although armed with a legislative enabling act by Congress, failed to do anything to end the nonsense taking place in the name of free speech at many of our colleges and universities beyond apologizing for "student misbehavior."

There can be no excuse for continuing to allow the hard-core anarchists to bring America's educational institutions to the brink of closure. This policy must end and I applaud executive action to implement the Cramer and Wyman amendments of the 90th Congress.

This leadership from the Nixon administration will materially help in dealing with campus disruptions. It also epitomizes the new direction of American domestic policy that the voters said they wanted on election day 1968.

SOVIET FISHING FLEET?

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. RARICK. Mr. Speaker, a Soviet navy of some 100 boats continues to poach the fishing grounds off our eastern coast from Long Island to Virginia.

The small mesh design of the fishing nets clearly indicate that the Soviet fishing fleet is exploiting the sea by taking every living creature in its path.

In fact, Soviet Life for March of 1969, a propaganda magazine published by the Soviet Embassy in Washington, claims that 7,100,000 tons of fish will be caught this year.

One thing is obvious, the Russians do not believe in conservation or any theory of perpetuation of natural resources.

Yet is the aim of this fishing expedition exclusively to exploit the world's richest fisheries or does it have additional objectives, such as compiling useful data for its ever-enlarging navy for future operations?

Mr. Speaker, a freedom rally was recently held in Atlantic City to protest the Soviet fishing fleet, led by Dr. Carl McIntire, of Cape May, N.J.

I insert a copy of the freedom rally advertisement from the Atlantic City Press of February 20 in the Record:

ATTEND THE FREEDOM RALLY SATURDAY, COLUMBUS PLAZA—ATLANTIC AND MISSOURI AVENUES—4 P.M.

(Note.—Soviet Life, March, 1969, published by the Soviet Embassy, Washington, D.C., as a slick propaganda feature, devoted six pages to fishing the Atlantic. It claims that 7,100,000 tons of fish will be caught this year, and that over the past ten years "new refrigerated trawlers capable of making autonomous voyages of several months' duration were added to the fishing fleet. Today we have scores of thousands of vessels of various types. We hold second place in the world for overall number and first place in the number of large refrigerated trawlers that process their entire catch abroad."

(This is what they are doing off the Atlantic Coast of the USA at the present moment.)

Saturday, February 22, at 4 p.m., protest Soviet fishing fleet. See net of Soviet fleet at Columbus Plaza, Atlantic and Missouri. Hear speaker: Dr. Carl McIntire.

The Soviet fishing fleet has been working off our eastern coast from Long Island to Virginia accompanied by two large refrigerator, mother ships. A treaty signed by the

State Department permits entrance within the twelve-mile limit for service operations in at least two places and the treaty obligates the United States in relation to this Soviet activity along our shores. Terms of the treaty commit the Russians to certain limitations upon fish and poundage on which there is no possible way to ascertain their adherence. The testimony, however, of local fishermen is that the Soviets move with such design that our boats must get out of their way, and fragments of nets caught by our boats reveal the small mesh with which they drag the sea gathering up not merely herring, which the United States Government approves of their taking, but everything in their path. So thorough is their consumption of their take that the seagulls seldom visit them. The design of this fishing expedition is far more than fish, but contributes to the over-all world-wide Communist designs against the free world.

The following quotations are taken from an official publication of the Committee on Armed Services, House of Representatives, 90th Congress, December 1968. "The Changing Strategic Balance, USSR-USA." The accompanying charts are photographically reproduced from this document. This study, prepared at the request of Chairman L. Mendel Rivers (D., S.C.), included such leaders as Admiral H. D. Felt, USN, Ret., chairman, Dr. Edward Teller, Dr. James D. Atkinson, Dr. Robert Morris, and some 18 others.

"For the first time in its history, the Soviet Union is developing an offensive maritime strategy and is seeking supremacy at sea.

"The naval forces now being created by the Soviet Union and the uses of sea power now being made by the U.S.S.R. are part of the overall Communist design of total victory in the struggle against the United States and other free world nations Even as the Soviets have developed massive ground and air forces and have armed themselves for warfare in space, they are striving to dominate the oceans.

"That played a significant role. In the Vietnam conflict, for example, 98 per cent of the war material transported to Vietnam has moved by ship under the protection of the U.S. Navy.

"The principal American aims in maintaining strong naval forces are: 1) protection of the territory and independence of the United States; 2) deterrence of World War III; 3) protection of the territory and independence of allied and friendly nations; 4) preservation of the vital overseas interests of the United States; and 5) maintenance of normal oceanic trade so that the United States and other peaceful states may receive and ship raw materials and finished goods.

"To accomplish these aims, the United States has maintained the largest navy in the world with powerful offensive and defensive capabilities in its surface, sub-surface and aerial forces.

"Because of the global commitments of the United States, the United States Navy has to be prepared for a great variety of naval contingencies, including amphibious operations, riverine warfare, anti-submarine warfare, protection of vital sea lanes, heavy air strikes against inland targets and strategic ballistic missile attacks against preassigned targets. Admiral Moorer has said in this connection that 'our weapon systems must be ready and reliable "scaled firepower" to guarantee the success of our strategies and tactics in every situation.'

"Marshal M. V. Zakharov, Soviet Chief of Staff, said in a press conference February 16, 1968: 'The time when Russia could be kept out of the world's oceans has gone forever. The imperialists can no longer have them to themselves. We shall sail all the world's seas; no force on earth can prevent us.'

"Shortly before his death in early 1967, Marshal Rodion Malinovsky, the Soviet Minister of Defense, placed sea power on a par with the U.S.S.R.'s missile command when he declared that in Soviet planning, 'First priority is being given to the strategic missile forces and atomic missile-launching submarines—forces which are the principal means of deterring the aggressor and decisively defeating him in war.'

"In the absence of a general war situation, Soviet naval forces have politico-military missions to perform, plus support of 'wars of liberation' and various interventionist operations. In general war, the Soviet warships undoubtedly would strike at free world sea-based power, at merchant shipping, and at bases, ports and coastal industrial centers in many parts of the world

"In determining the full dimensions of the U.S.S.R.'s oceanic objectives, it is not enough to consider the construction and deployment of warships.

"Behind the new Soviet sea power is an awareness that Communist domination of the globe can only be achieved by supremacy at all major points on the spectrum of conflict. The leadership of the U.S.S.R. is determined to obtain superiority over the United States and its allies under all combat conditions.

"The Soviets have acquired an oceanic vision. They know that the sea is the major artery giving life to the free world.

"Admiral Thomas H. Moorer, USN, Chief of Naval Operations, has said of Soviet Naval forces:

"'By any measuring stick, they (the Soviets) are today the second largest sea power in the world. In a mere 10 years, the Soviet Union with dedication of purpose, large outlays of funds, and with priorities equivalent to or even surpassing their space program, has transferred itself from a maritime nonentity to a major seapower.'

"In a recent statement, Admiral Gorshkov said:

"'Now we have an oceanic fleet that can challenge the enemy in the open seas of the world. Our navy must be able to destroy enemy targets on land. Inland targets are often more important than marine targets. For this purpose, the guided-missile equipped submarines and surface ships and rocket-equipped aircraft of naval aviation must be on constant alert in different parts of the globe.'

"At the same time that the Soviets are sailing into new waters and providing naval weapons to associated states, they are trying rough stuff in ship-handling in an effort to intimidate U.S. fleet commanders to pull-back their vessels. From the Mediterranean to the Sea of Japan, the Russians have engaged in obstructive maneuvers. They have cut into formations and steered on collision courses.

"This Soviet maritime version of its old tactics of aerial 'buzzing' has to be understood as part of the U.S.S.R.'s overall maritime strategy. The Soviets not only are building a giant merchant marine and creating a powerful navy, but they also want to induce in the mind of the West the idea that the U.S.S.R. is the boldest power on the high seas.

"The most successful example to date of 'psy' war at sea is North Korea's hijacking of the electronic intelligence-gathering ship PUEBLO in January, 1968. The units of North Korea's 'pinprick' navy, in effect acting as proxies of the Soviet Union, seized the lightly armed American vessel and thereby inflicted humiliation on the United States.

"The Soviet Union, with 27,000 miles of coastline, has elaborated the theory of closed seas and historic bays to deny the right of innocent passage of free world warships—in violation of the 1958 Geneva Convention of the Territorial Sea.

"It is true, of course, that no one ever owns an ocean; and only the Soviets, for all practical purposes, have closed a portion of a sea, as in the case of the Gulf of Finland.

"The Soviets have engaged in a crash program designed to give them supremacy in all areas of maritime power.

"The Soviets have a great advantage in the fact that all their ships at sea, nuclear submarines or ordinary fishing trawlers, are required to contribute to the country's overall oceanographic effort and operate under a centralized control. The aim of this effort extends from exploiting the richest fisheries of the world to gathering data useful for future naval operations."

Listen to Dr. McIntire on Station WLDB, 1490 kc. Atlantic City, 7:30 a.m.—12:30 Noon—4:05 p.m. Daily.

AID TO HIGHER EDUCATION

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. REID of New York. Mr. Speaker, on February 6, the gentleman from Indiana (Mr. BRADEMAS) and I introduced the Higher Education Bill of Rights and the Medical Education Bill of Rights. These two measures are based largely on the recommendations of the Carnegie Commission on Higher Education and seek to make it possible for all qualified high school graduates to go to college regardless of financial means.

The press, members of the academic community, and leaders in business and public service have responded with considerable enthusiasm to these proposals. We would like to share with the Members the support and sense of urgency that these concerned citizens have expressed to us.

Dr. Robert F. Goheen, president of Princeton University, made several particularly thoughtful comments:

> No less do I salute you for your concern for *both* middle class students and those from lower income families. Clearly, aid for the disadvantaged must be greatly increased, and with the Kerr Commission, I would give that highest priority. At the same time, it seems to me important to recognize the constraints that now also affect the middle income family with several children to see through college.
>
> Needless to say, in connection with aid to students, I also applaud your Bill's provisions for cost-of-education supplements to institutions. These seem to me essential if we are to insure and enhance the standards of colleges and universities.
>
> My purpose, however, has not been to comment on each part of your proposals, but rather simply to express strong endorsement of the total package, and appreciation to you for having put it before the Congress.

The president of Purdue University in Indiana, Dr. Frederick L. Hovde, commented that—

> Legislation which embodies some of the recommendations of the Kerr Commission report . . . is a tremendous contribution to the enormously important problem of how to support the development of post-high school educational efforts in this country that are unquestionably required on a vast scale.

Similarly, Dr. Nathan Pusey, president of Harvard University and a member of the Carnegie Commission, stated:

> Since I warmly endorsed the Carnegie Commission's report, I am naturally heartily in support of the proposed legislation, and I trust it will meet with a favorable response

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> from your colleagues. There are few matters more important to the nation's future than finding effective ways to finance the higher education of our young people, and I attach the highest importance to the adoption of these bills.

In addition, John H. Fischer, president of the Teachers College, Columbia University, has written:

> Your approach to the national problems of higher education is comprehensive and perceptive. The enactment of your program would substantially strengthen both our institutions and the opportunities of individual students.

Support also comes from the smaller private colleges, as is clear from the letter received from Wallace R. Klinger, acting president of Hartwick College in Oneonta, N.Y.:

> This is certainly a forward looking and progressive piece of legislation. There is no question but what the independent liberal arts colleges desperately need financial support from the federal government both directly and indirectly. Otherwise it will become necessary to increase tuition costs, to the point where only the privileged few will be able to afford the excellent education which such institutions provide.

The Very Rev. Charles J. Lavery, president of St. John Fisher College in Rochester, N.Y., expressed much the same sentiment:

> I can support very clearly the views expressed by you and only hope that efforts will be made wherein the private sector of private education may not only stay alive but perform its most necessary role these days.

The president of Kirkland College in Clinton, N.Y., Samuel F. Babbitt, writes:

> You are to be congratulated on this legislation. It continues in the implementation of commitments which this country has made over the past few years. Indeed, it simply represents an extension of principles which were adopted before this country even had a Congress to call its own. The success of this legislation will be the success of all areas of higher education.

Sister M. Xaveria, director of student financial aid at Marygrove College in Detroit states:

> Permit me to congratulate you for the fine step you have taken in introducing your Higher Education Bill of Rights. It is certainly a constructive step badly needed and will do a great amount of good.

A member of the Carnegie Commismission, Clifton W. Phalen, chairman of the executive committee of Marine Midland Banks, Inc., writes that he is "delighted that you have introduced such legislation and I am very much in accord with your objectives." Similarly, a member of the committee that prepared the Rivlin Report in the Department of HEW, William D. Carey of Arthur D. Little, Inc., stated that—

> You have performed a distinct public service in introducing bills to strengthen higher education. I feel certain that your action will stimulate useful debate and lead to constructive changes in our public policies.

Considerable support has also been expressed by medical education personnel. Typical of the reactions to the Medical Education Bill of Rights is that of Dr. LeRoy A. Pesch, dean of the school of medicine of the State University of New York at Buffalo:

> This critically important legislation has my wholehearted and enthusiastic support. Certainly our present crisis in health care can be resolved only through a combination of far-sighted legislative proposals coupled with responsible action by the medical and educational communities. Please let me know if there is anything I can do personally to aid in the support of this legislation.

Finally, Mr. Speaker, the New York Times of March 14 contained an editorial endorsing our bills which I would like to include in the Record at the conclusion of these remarks, along with a number of representative letters that Mr. Brademas and I have received.

Many of the educators and public officials we have corresponded with have made constructive suggestions for the improvement of this legislation. Our purpose in introducing these measures was to stimulate discussion and dialog between the university and governmental communities. It is our understanding that the bills are also under study in the executive branch. We very much hope that all those dedicated to the improvement of higher education in America will have the opportunity to make these views count and to appear as witnesses before the appropriate congressional committees. Mr. Speaker, we urge that hearings be scheduled by the Education and Labor Committee and the Committee on Interstate and Foreign Commerce at the earliest possible opportunity.

The material follows:

[From the New York Times, Mar. 14, 1969]

AID TO HIGHER EDUCATION

The Higher Education Bill of Rights, proposed late last year by a Carnegie Commission headed by Dr. Clark Kerr, has been translated into a detailed and workable proposal for Congressional action. Bipartisan sponsorship of the plan by Representatives Ogden Reid, Republican of New York, and John Brademas, Democrat of Indiana, underlines the widespread agreement among forward-looking legislators that the Federal Government must move decisively to remove the economic barriers that still keep great numbers of able young men and women from going to college.

Like the Kerr report the proposal merges aid to needy students with subsidy to the colleges which admit them, thus increasing the student's freedom to select his campus while putting a premium on institutional self-improvement to attract capable, subsidized students.

The cost of the proposed legislation is unquestionably great. It would start in 1971 with more than twice the present Federal outlay for higher education. But these appropriations would include start-up grants for 500 new public community colleges and fifty new four-year campuses in urban areas—clearly a priority response to the critical needs of the cities.

Equally important is a companion bill to expand the severely strained facilities of the nation's medical education apparatus and to provide grants for medical students from low-income families. The combination of a chronic backlog of unmet medical services and new demands resulting from Medicare makes speedy action on these proposals particularly urgent.

In an effort to avoid controversy, the higher education bill merely asks for continued study of the Kerr proposal for a self-sustaining national student loan bank. Such study should not, however, become an excuse for excessive delay in testing this device to increase even further the student's freedom of choice and his ability to finance his education at institutions of high prestige He would pledge repayment in accordance with future income.

Although President Nixon has ruled out hope for massive immediate aid to higher education, short-term budgetary limitations must not stand in the way of clearing the decks for action on these important proposals. The cost of continuing roadblocks to full educational opportunities is as high to the national welfare as it is to individual lives and careers.

Princeton University,
Princeton, N. J., February 14, 1969.
Hon. Ogden Reid,
House of Representatives, Cannon House Office Building, Washington, D.C.

Dear Mr. Reid: I have read the "Higher Education Bill of Rights" with considerable interest, and want to express my appreciation of this proposed legislation.

You have earned the thanks of the academic community and deserve those of the country at large for so clearly bringing to the attention of the Congress the concept that the improvement of higher education should be a principal national goal.

I particularly applaud the adoption of the general lines of the Kerr and Rivlin reports. [No less do I salute you for your concern for *both* middle class students and those from lower income families. Clearly, aid for the disadvantaged must be greatly increased, and with the Kerr Commission, I would give that highest priority. At the same time, it seems to me important to recognize the constraints that now also affect the middle income family with several children to see through college.

Needless to say, in connection with aid to students, I also applaud your Bill's provisions for cost-of-education supplements to institutions. These seem to me essential if we are to insure and enhance the standards of colleges and universities.

My purpose, however, has not been to comment on each part of your proposals, but rather simply to express strong endorsement of the total package, and appreciation to you for having put it before the Congress.

Harvard University,
Cambridge, Mass., February 21, 1969.
Hon. Ogden R. Reid,
House of Representatives,
Washington, D.C.

Dear Mr. Reid: You were thoughtful indeed to send me copies of the bills which you and Mr. Brademas are introducing, hopefully to put into effect the major recommendations of the Carnegie Commission. Since I warmly endorse the Carnegie Commission's report, I am naturally heartily in support of the proposed legislation, and I trust it will meet with a favorable response from your colleagues. There are few matters more important to the nation's future than finding effective ways to finance the higher education of our young people, and I attach the highest importance to the adoption of these bills.

Sincerely yours,
Nathan M. Pusey.

Teachers College,
Columbia University,
New York, N.Y., February 19, 1969.
Hon. Ogden R. Reid,
House of Representatives,
Washington, D.C.

Dear Mr. Reid: Thank you for sending me the copy of the "Higher Education Bill of Rights of 1969", which you and Representative Brademas have introduced. Your approach to the national problems of higher education is comprehensive and perceptive. The enactment of your program would substantially strengthen both our institutions and the opportunities of individual students.

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I shall want to support in every possible way efforts to assure passage of your program.

Sincerely yours,

John H. Fischer.

Hartwick College,
Oneonta, N.Y., February 19, 1969.
Hon. Ogden R. Reid,
House of Representatives,
Washington D.C.

Dear Sir: Thank you for your letter of February 11 with enclosures of the Bill you have introduced into Congress, the press release, and your floor statement.

This is certainly a forward looking and progressive piece of legislation. There is no question but what the independent liberal arts colleges desperately need financial support from the federal government both directly and indirectly. Otherwise it will become necessary to increase tuition costs, to the point where only the privileged few will be able to afford the excellent education which such institutions provide. I heartily endorse Sections 401, 402, 403, 404, 405, 406, 455, 456, 457, 409, and 441.

I trust that this legislation will receive favorable action from both houses of Congress.

Sincerely yours,

Wallace R. Klinger,
Acting President.

Purdue University,
Lafayette, Ind., February 7, 1969.
Hon. John Brademas,
House of Representatives,
Washington, D.C.

My Dear John: I was delighted to receive on my desk today from your office a copy of the release describing the "Higher Education Bill of Rights" which you have introduced in company with Ogden Reid (R.-N.Y.).

Once again you take the leadership in Congress in providing the necessary support by our Federal Government for all parts of our American educational enterprise.

I was truly pleased that you and Reid were the first to introduce legislation which embodies some of the recommendations of the Kerr Commission report, which, in my judgment, is a tremendous contribution to the enormously important problem of how to support the development of post-high school educational efforts in this country that are unquestionably required on a vast scale.

Please keep me informed about the progress of the bill. I'll be glad to do anything I can to help with our mutual friends in the Indiana delegation, as well as with their backers back home in Indiana.

Keep up your great work. I look forward to seeing you when our paths next cross.

Yours cordially,

Frederick L. Hovde,
President.

Yale University,
New Haven, Conn., February 13, 1969.
Congressman Ogden R. Reid,
House of Representatives,
Washington, D.C.

Dear Mr. Reid: I want to congratulate you and Representative Brademas for the superb job you have done in introducing your Bill on Higher Education. It is a very challenging Bil, and I am sure it will bring forth the support of many in the field of higher education when you hold your hearings. If I can be of any help at that time, please let me know. . . .

I should like to talk to you sometime about the best ways in which the academic community can help you muster support for the Bill.

Sincerely yours,

John Perry Miller,
Dean.

Marine Midland Banks, Inc.,
New York, N.Y., March 14, 1969.
Congressman Ogden R. Reid,
House of Representatives,
Washington, D.C.

Dear Congressman Reid: Thank you very much for sending me copies of the legislation implementing the recommendations of the Carnegie Commission.

I am delighted that you and Congressman John Brademas have introduced such legislation and am very much in accord with your objectives. In addition, let me congratulate you on the very fine editorial which appeared in this morning's New York Times relative to your efforts. All best wishes.

Sincerely yours.

C. W. Phalen.

The University of North Carolina,
Chapel Hill, February 19, 1969.
Congressman Ogden R. Reid,
House of Representatives,
Washington, D.C.

Dear Congressman Reid: Thank you very much for your thoughtful letter of February 14 and the enclosed news release relating to the legislation which you and Congressman Brademas have introduced.

I am confident that your action will produce widespread and meaningful discussion of the necessity for increased federal assistance to higher education.

As one member of the Carnegie Commission, let me express my appreciation for what you have done.

Cordially,

William Friday.

Marymount College,
Tarrytown, N.Y., February 18, 1969.
Hon. Ogden R. Reid,
House of Representatives,
Washington, D.C.

Dear Congressman Reid: On behalf of Marymount College I wish to congratulate you and Congressman Brademas on the "Higher Education Bill of Rights of 1969."

I have read the bill as well as your remarks upon its introduction on February sixth and I thoroughly agree that the improvement of higher education deserves high priority on the national agenda. The legislation you have introduced is comprehensive and drastically needed at the present time if we are to preserve a diversified system of higher education and provide equal access to the education of their choice for all Americans.

It is in the interest of all of those seeking post high school education that the substance of your proposal be accepted and written into law after what you have described as "thoughtful dialogue between the university and governmental communities."

With best wishes,

Sincerely,

Sister M. Brendan, R.S.H.M.

State University of New York,
February 28, 1969.
Hon. Ogden R. Reid,
House of Representatives,
Washington, D.C.

Dear Mr. Reid: We have reviewed your proposed legislation, the "Higher Education Bill of Rights of 1969" and the "Medical Education Bill of Rights 1969." We appreciate your concern and awareness of the need for expanded governmental support of medical and higher education.

The provision for additional scholarships for medical students who need financial assistance will enable many students to receive much needed aid. As you have so aptly stated, many of our middle-income families with several children, large medical expenses or other accumulated debts cannot afford to send their children through college.

Providing additional funds for institutional grants to schools of medicine will assist such schools in achieving and maintaining a high standard of academic excellence.

If this country is going to meet the present demand for physicians, and is to make meaningful plans for the future, adequate construction funds must be provided. New facilities are needed to accommodate the increased enrollment of students and the necessary growth in the biomedical and behavioral sciences.

The increase in the number of graduate fellowships under NDEA, the extension of the period during which a student may receive a fellowship, and the increase in the amount per fellowship student should result in more teachers for institutions of higher education.

We fully support your legislation and your efforts to make realistic provision for the educational future of our country.

Sincerely yours,

Joseph K. Hill,
President.

Hamilton College,
Clinton, N.Y., February 24, 1969.
Hon. Ogden R. Reid,
House Office Building,
Washington, D.C.

Dear Congressman Reid: I have read with care the text of the "Higher Education Bill of Rights of 1969" which you and Congressman John Brademas introduced on February 6, 1969. The Carnegie report summarizes very well many of the most crucial needs of higher education, and I am greatly encouraged that your bill would implement the central recommendation of that report. I hope very much that the Congress will enact the proposed legislation.

With best wishes,

Sincerely yours,

John W. Chandler.

Bloomfield College,
Bloomfield, N.J., March 3, 1969.
Hon. Ogden Reid,
House of Representatives,
Washington, D.C.

Dear Congressman Reid: Thank you for your meaningful response and for the enclosure of the copy of your remarks on the floor of the House concerning the extensive legislative proposal regarding higher education. Such material as this serves as incentive and inspiration to those of us on the "home front."

I assure you of my deepest appreciation in knowing that there are leaders such as you so concerned with such important matters.

Sincerely yours,

David O. Roberts,
Dean of Students.

Columbia University,
New York, N.Y., February 21, 1969.
Hon. Ogden Reid,
House of Representatives,
Washington, D.C.

Dear Ogden: I have read with great interest the news release on the higher education bill which you and Representative Brademas have introduced in the House. Needless to say, I approve heartily of your own aspiration reflected in the bill so usefully. If I can be helpful in any way in securing the passage of this legislation, you know that I would be pleased to do so. The constantly spiraling cost of higher education, combined with the added enrollment which we hope will continue to represent increasing democratization of opportunity in education, make mandatory a consideration of higher education as a priority demanding national view and national effort.

With best wishes,

Cordially,

Andrew W. Cordier,
Acting President.

OF MEN AND DUNES

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. O'HARA. Mr. Speaker, Sunday's edition of the New York Times carried an editorial endorsement for legislation to establish the Sleeping Bear Dunes National Lakeshore.

As my colleagues know, this is a matter in which I am deeply interested. I have become increasingly concerned that the threats to the Sleeping Bear Dunes area may overwhelm its great public values before Congress acts to establish the national lakeshore.

I am mindful of the sense of urgency in this project, conveyed to the subcommittee on national parks and recreation by National Park Service Director George Hartzog at hearings on my bill last July.

We are now awaiting the Nixon administration's views on the lakeshore legislation. It is my hope that we may have a prompt and favorable report from the Department of the Interior on the Sleeping Bear Dunes bill—H.R. 4287—and my further hope that the Congress will move quickly to enact this legislation. As the Times editorial says, action by Congress this year is imperative if Sleeping Bear is to be saved.

Under unanimous consent I submit the editorial "Of Men and Dunes" from the New York Times for inclusion in the CONGRESSIONAL RECORD, as follows:

OF MEN AND DUNES

Natural sand dunes, the unending masterwork of wind and water, are among nature's more fascinating and useful creations. To the human eye, their clean lines and fantastic and changing shapes are a delight. To shore birds and migratory birds, they nurture and protect life itself. Birds nest in the beachgrasses and depend for food on the salt ponds and fresh-water pools behind the dunes. To the sea and the lakes, dunes are nature's own barrier to the devastation effects of violent storms.

But something there is in many men that does not love a dune. The only wild, clear call that they hear at the edge of the sea is the screech of profit and the bulldozer's mournful crunch. The land speculator and the summer cottage builder, the highway contractor and the jetport planner, all these see only a beach to be leveled and subdivided into lots and paved with blacktop and sold for dollars.

In recent years, the struggle to save surviving sections of the nation's seashores and lakeshores has made progress. From Cape Cod and Fire Island to Texas' Padre Island and California's Point Reyes, some dunes have been saved by Federal law. But more remains to be done, and old battles have sometimes to be won a second and a third time.

The dunes created by Lake Michigan provided two such battlegrounds. The Indiana Dunes, just east of Chicago at the southern end of the lake, were rescued after a long fight between conservationists led by former Senator Paul H. Douglas and steel companies which wanted to build a deep water port. But the Chicago, South Shore and South Bend Railroad is now pressing the National Park Service for permission to construct a marshalling yard within the boundaries of the lakeshore.

Before this railroad issue is even settled, there is already talk in Indiana that a new jetport may be built immediately south of the national lakeshore. If the so-called Chesterton site is selected, jets would spew oil and fumes as well as roaring noise over the dunes.

Far to the north at the western edge of the State of Michigan, the lake has created the beautiful Sleeping Bear Dunes, so named because their profile from a distance resembles a great bear curled in sleep. Ten years ago the National Park Service identified these dunes as one of the dozen shoreline areas in the nation most worth saving. Michigan's Senators introduced a bill to protect them as a national lakeshore in 1959. The years have passed but the bill has not.

Intensive private development now menaces the viability of Sleeping Bear as a national lakeshore. Meanwhile, the cost to the Government of acquiring the land has risen by one-third. The bill has been reintroduced in both houses of Congress, but hearings have been delayed until the Nixon Administration makes its position known. It is imperative that legislative action be completed this year. Congress waits, but the grasping hands of the land speculators are busy. Soon the Sleeping Bear may not be sleeping but dead.

THE 118 PROGRAMS ADMINISTERED BY THE U.S. OFFICE OF EDUCATION

HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. COLLIER. Mr. Speaker, the U.S. Office of Education, a bureau of the Department of Health, Education, and Welfare, has just issued a list of 118 education programs which it administers. The total cost of these programs for fiscal 1969 will be approximately $4,301,083,505.

The bureau's list is entitled "Where the Money Is—American Education's Annual Guide to Office of Education Programs." It would have been a good idea to have added: "Where the Money Comes From," but I am sure that my constituents, who are struggling with their Federal income tax returns, already know. Many of them will agree with me that it is not good business to send $1.50 or more from Illinois to Washington, D.C., in order to get $1 back.

I have rearranged the programs by price tags, with the most expensive ones first. My listing follows:

[Figures in parentheses indicate estimated amounts or money carried over from prior years, rather than fiscal 1969 appropriations, as in all other programs]

Program	Purpose	Who may apply	Program level
Program for disadvantaged children	To meet special educational needs of educationally deprived children.	Local school districts	$1,078,000,000
School maintenance and operation	Aid school districts on which Federal activities or major disasters have placed a financial burden.	do	505,900,000
Vocational programs	Maintain, extend, and improve vocational education programs; develop programs in new occupations.	Public schools	255,377,455
Teacher training (vocational)	Improve qualifications of teachers, supervisors, and directors of vocational education programs.	Local school districts	(1)
Vocational teacher training grants	Improve qualifications of vocational education teachers	Teachers of vocational education subjects	(1)
Student loans	Provide for low-interest loans to college students	College students	190,000,000
Supplementary centers	Support supplementary educational centers and services	Local education agencies	164,876,000
Undergraduate and graduate facilities	Loans to construct or improve higher education facilities	Public and private nonprofit institutions, cooperative centers, boards of higher education.	150,000,000
College work-study	Provide part-time employment for postsecondary students	Colleges, universities, area vocational schools, proprietary schools.	146,050,000
Educational opportunity grants	Assist students of exceptional financial need to go to college	Institutions of higher education	133,786,000
Undergraduate facilities	Construct or improve undergraduate academic facilities	Colleges and universities	133,000,000
Occupational training and retraining	Provide training programs to equip persons for work in needed employment fields.	Local school authorities; public, private nonprofit	128,000,000
Do	Train unemployed and underemployed persons in all sections of the Nation.	Persons referred by State employment services	(2)
Community colleges, technical institutes	Construct or improve academic facilities	Public community colleges and technical institutes	83,000,000
Strengthening instruction in critical subjects in public schools.	Strengthen instruction in 10 critically important subjects	Local school districts	75,740,000
Public schools, construction	Aid school districts in providing minimum school facilities in federally impacted and disaster areas.	do	74,050,000
Graduate fellowships	Increase the number of well-qualified college teachers	Prospective college teachers working toward doctoral degrees.	70,000,000
Interest benefits for higher education loans	Provide interest benefits for student loans through commercial lenders.	Students in eligible institutions of higher and vocational education.	61,235,000
School library resources and instructional materials	Support provision of school library resources, textbooks, and other instructional materials.	Local education agencies	50,000,000
Educational personnel training programs	Improve qualifications of elementary and secondary education personnel.	Colleges and universities, State and local education agencies.	45,000,000
Training programs	Train and retrain educational personnel and teacher aids to strengthen personnel development from preschool through postsecondary vocational school.	Prospective and experienced education personnel	45,000,000
Program for special education of migratory children	To improve the education of children of migratory agricultural workers.	Local school districts	45,000,000
Educational personnel training programs	Train and retrain educational personnel and teacher aids to strengthen personnel development from preschool through postsecondary vocational school.	Prospective and experienced education personnel	45,000,000

See footnotes at end of table.

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[Figures in parentheses indicate estimated amounts or money carried over from prior years, rather than fiscal 1969 appropriations, as in all other programs]

Program	Purpose	Who may apply	Program level
Adult basic education	Provide literacy programs for adults	State education agencies	$45,000,000
Adult basic education teacher training grants	Improve qualifications of teachers of adult basic education courses.	Teachers and teacher trainers of adult basic education courses.	(3)
Education personnel fellowships	Improve the quality of education of experienced and prospective elementary and secondary personnel.	Institutions of higher education offering graduate programs for elementary and secondary education personnel.	35,000,000
Public library services	Extend and improve public library services	State library administrative agencies	35,000,000
Education personnel fellowships	Improve the quality of education of experienced and prospective elementary and secondary personnel.	Prospective and experienced educational personnel	35,000,000
Teacher training (handicapped)	Prepare and inform teachers and others who work in education of handicapped.	State education agencies, colleges and universities	30,250,000
Follow Through	Extend gains of deprived children who participated in Headstart or similar preschool experiences.	Local educational agencies nominated by State agencies in accordance with Office of Education and Office of Economic Opportunity criteria.	30,000,000
Strengthening developing institutions	Provide partial support for cooperative arrangements between developing and established institutions.	Accredited colleges and universities in existence at least 5 years.	30,000,000
National teaching fellowships	Augment the teaching resources of developing institutions	Developing institutions nominating prospective fellows from established institutions.	(4)
Do	do	Highly qualified graduate students or junior faculty members from established institutions.	(4)
Strengthening State education agencies	Improve leadership resources of State education agencies	State education agencies and combinations thereof	29,750,000
Programs for the handicapped in State-supported schools	Programs for children in State operated or supported schools for the handicapped.	State education agencies	29,700,000
Facilities for educational research	Construct and equip national and regional research facilities	Educational laboratories and research development centers.	(29,581,000)
Programs for the handicapped	Strengthen educational and related services for handicapped children.	State education agencies	29,250,000
Program for children in local and State operated institutions for the neglected and delinquent.	Improve the education of delinquent and neglected children in institutions.	State parent agencies, local school districts	27,000 000
Graduate facilities	Construct or improve graduate academic facilities	Public and private academic institutions, graduate center boards.	25,577,000
College library resources	Strengthen library resources of colleges and universities	Institutions of higher education and combinations thereof	25,000,000
Public libraries	Aid construction of public libraries	State library administrative agencies	24,099,000
Education laboratories	Provide for development and testing of educational innovations until ready for use in classroom.	Colleges, universities, agencies, and organizations	23,600,000
Teacher Corps	Strengthen educational opportunity for disadvantaged children; encourage colleges and universities in teacher preparation programs by attracting and training teacher-interns.[5]	State and local education agencies, colleges, and universities	20,900,000
Do	Strengthen education of disadvantaged children, encourage colleges and universities in teacher preparation programs by attracting and training teacher-interns.[6]	do	20,900,000
Guidance, counseling, and testing in public schools	Assist in establishing and maintaining guidance, counseling, and testing programs.	Public elementary and secondary schools, junior colleges, technical institutes.	17,000,000
Educational research (research, surveys, and evaluations)	Support research on the improvement of education at all levels and in all subject areas.	Colleges, universities, State education agencies, private or public groups, or individuals.	15,167,000
State plan to attract and qualify classroom personnel to meet critical shortages.	Provide State grants to help local communities attract and qualify persons to meet immediate critical shortages of classroom personnel.[5]	State education agencies	15,000,000
Do	do [6]	do	15,000,000
Endowment of colleges of agriculture and mechanic arts	Support instruction in agriculture and mechanic arts in the land-grant colleges.	The 69 land-grant colleges	14,550,000
Acquisition of undergraduate equipment	Improve instruction in selected subject areas	Colleges and universities	14,500,000
Vocational facilities	Construct vocational education facilities in Appalachian region.	State education agencies in Appalachian region	(14,000,000)
Vocational schools	Construct or improve area vocational education school facilities.	Public secondary and postsecondary schools providing education in 5 or more fields.	(7)
Handicapped research and demonstration	Promote research and demonstration on education of the handicapped.	State education agencies, local schoo. districts, nonprofit private organizations, public groups.	12,800,000
National Defense Education Act language and area centers	Support language and area centers at U.S. institutions of higher education.	Colleges, universities, consortiums of institutions of higher education.	12,700,000
Foreign language fellowships (excludes English, French, German, Italian, peninsular Spanish).	Assist in the training of teachers and other specialists in modern foreign languages and area studies.	Colleges and universities; NDEA language and area centers or institutions with intensive summer programs of language study; Cubans who became refugees after Jan. 1, 1959; public school systems; professional organizations; individuals.	(8)
Modern foreign language graduate fellowships for intensive summer language study and/or academic year.	Enable U.S. institutions to assist graduate students training to be teachers or other specialists in language-area studies.	Colleges and universities with language-area studies programs or summer programs of intensive study.	(9)
Modern foreign language undergraduate stipends (summer only).	Enable institutions to assist undergraduates' intensive study of a non-Western language (summer only).	NDEA language and area centers of institutions with intensive summer programs of language study.	(9)
Faculty development grants for academic year and summer in foreign language and area studies.	Strengthen and improve teaching of non-Western languages and related area studies.	Colleges and universities	(9)
Faculty development grants for summer seminars in language and area studies.	Enable U.S. institutions to develop new programs of foreign language and related area studies.	do	(9)
Vocational research	Support research, training, and pilot programs for special vocational needs.	State and local education agencies, colleges and universities, nonprofit organizations.	11,550,000
Special centers for research and development	Conduct research on the major problems of education	Colleges, universities, agencies, and organizations	10,800,000
Strengthening community service programs	Strengthen higher education capabilities in helping communities solve their problems.	Colleges and universities	9,500,000
Program for Indian children	To provide additional educational assistance to Indian children in federally operated schools.	Bureau of Indian Affairs schools	9,000,000
Educational research (demonstrations and development)	Support development and demonstration of educational materials, processes, and organizational arrangements at all levels.	Colleges, universities, State education agencies, private or public groups, or individuals.	8,500,000
Librarian training	Increase opportunities for training in librarianship	Colleges and universities	8,250,000
Librarian fellowships and traineeships	Increase opportunities throughout the Nation for training in librarianship.	Fellows and others undergoing training in librarianship and related fields.	(9)
Bilingual education	Develop and operate new programs to aid children aged 3 to 18 who have limited English-speaking ability and come from another language environment.	Local education agencies or institutions of higher education applying jointly with local education agencies.	7,500,000
Institutes, short-term training programs, and special projects.	Train teachers, administrators, and specialists serving or preparing to serve in higher education.	Colleges and universities	6,900,000
Fellowships for higher education personnel	Training persons to serve as teachers, administrators, or educational specialists in higher education.	Institutions of higher education with graduate programs	6,900,000
Researcher training grants	Improve qualifications of educational researchers	Present and prospective researchers in education	6,750,000
Researcher training	Develop and strengthen programs for training educational researchers.	State education agencies, institutions, and organizations	(10)
Teacher institutes	Improve ability of school personnel to deal with problems incident to school desegregation.	Colleges and universities	5,931,000
Dropout prevention	Develop and demonstrate educational practices which show promise of reducing the number of children not completing school.	Local school districts in low-income areas and with high percentages of dropouts.	5,000,000
Media services and captioned film loan program	Provide cultural and educational services to the handicapped through films and other media.	Groups of handicapped persons, nonhandicapped groups for training.	4,750,000
Media services and captioned films; loan program; training grants.	Improve quality of instruction available to deaf persons	Persons who will use captioned film equipment	(11)

See footnotes at end of table.

[Figures in parentheses indicate estimated amounts or money carried over from prior years, rather than fiscal 1969 appropriations, as in all other programs]

Program	Purpose	Who may apply	Program level
Higher educational guarantee reserve funds	Provide adequate loan reserves for higher and vocational educational student loans.	State or nonprofit private guarantee agencies	($4,700,000)
Educational media research and demonstration	Support research on educational uses of television, radio, motion pictures, and other media.	Colleges, universities, State education agencies, private or public groups, or individuals.	4,200,000
Educational television	Aid in acquisition and installation of transmitting and production equipment for educational television broadcasting.	Nonprofit agencies, public colleges, State television agencies, education agencies.	4,000,000
Facilities comprehensive planning	Help States plan higher education construction programs	State commissions that administer program	4,000,000
Talent search	Assist in identifying and encouraging promising students to complete high school and enter college.	Institutes of higher education, State and local education agencies, public and nonprofit organizations.	4,000,000
Educational opportunity grants	Assist students of exceptional financial need to go to college.	College students of exceptional financial need	(12)
Cuban student loans	Provide a loan fund to aid Cuban refugee students	Colleges and universities	(3,900,000)
College work-study	Provide part-time employment for postsecondary students	Postsecondary students	(13)
Desegregation assistance	Aid school boards in hiring advisers and training employees on problems incident to school desegregation.	School boards and other agencies responsible for public school operation.	3,319,000
Desegregation training grants	Improve ability of school personnel to deal with desegregation problems.	Teachers and other personnel of public schools	(14)
Education Resources Information Center (dissemination of research).	Provide for dissemination of research findings to the educational community.	Colleges, universities, State education agencies, private or public groups, or individuals.	3,100,000
Overseas opportunities for language training and area studies.	Promote development of international studies through grants to institutions for support of overseas projects by groups and individuals engaged in language and area studies or research.	Colleges, universities consortiums, local and State education agencies, nonprofit education organizations, institutions with graduate programs in language, area, or international studies.	3,000,000
Testing in nonpublic schools	Provide for aptitude-achievement testing of private school students.	Testing agencies	(15)
Consultant services of foreign curriculum specialists	Support visits by foreign consultants to improve and develop resources for foreign language and area studies.	Colleges, universities, consortiums, local and State education agencies, nonprofit education organizations.	(15)
Faculty research/study abroad	Enable U.S. institutions to support overseas research and study by individual faculty members or social studies supervisors; to improve curriculum or teacher competence in foreign language and area studies.	Graduate and undergraduate institutions, secondary school systems, nonprofit educational organizations.	(15)
Foreign studies extension (summer seminars abroad for teachers and students or curriculum development teams	Improve institutional programs in language-area studies by supporting group projects abroad.	Colleges and universities, State education agencies, nonprofit educational organizations	(15)
Faculty research/study abroad	Strengthen administration in State education agencies	State education agencies and combinations thereof	(15)
Fellowships for Ph. D. dissertation research abroad in modern foreign languages and area subjects (excludes English, French, German, Italian, peninsular Spanish)	Enable U.S. institutions to sponsor study abroad by advanced graduate students with a teaching goal.	Colleges and universities with graduate programs in language, area, or international studies	(15)
Faculty research/study	Improve leadership resources of State education agencies	State education agencies and combinations thereof	(15)
Foreign studies extension	Improve institutional programs in language-area studies by supporting group projects abroad.	Colleges and universities, State education agencies, nonprofit educational organizations.	(15)
Graduate fellowships for Ph. D. dissertation research overseas in modern foreign languages and area studies.	Strengthen education of disadvantaged children, encourage colleges and universities in teacher preparation programs by attracting and training teacher-interns.	State and local education agencies, colleges and universities.	(15)
State administration of Higher Education Facilities Act program.	Helps States administer programs under HEFA—Title I and Higher Education Act—Title VI-A.	State commissions that administer program	3,000,000
Civil defense education	Provide information on civil defense procedures to the public.	Chief State school officers or State agencies	3,000,000
Library research and demonstration	Support research and demonstrations on libraries and library personnel training.	Colleges, universities, agencies, and organizations	3,000,000
Foreign language and area research	Support research on improved instruction in modern foreign languages and materials development and area studies.	Colleges and universities, public school systems, professional organizations, individuals.	2,2,750,000
Interlibrary cooperation	Planning for establishment of cooperative networks of libraries.	State library administrative agencies	281,000
State institutional library services	Planning for improved institutional library services	do	2,094,000
Student loans—matching funds	Loans to colleges, universities, and vocational schools that cannot meet program's matching obligations.	Accredited educational institutions (including business schools and technical institutes).	2,000,000
Cuban student loans	Aid needy Cuban refugee college students to finance their education.	Cubans who became refugees after Jan. 1, 1959	(16)
State administration	Strengthen administraion in State education agencies	State education agencies	2,000,000
Media research (handicapped)	Promote better media services to handicapped persons	Groups of handicapped persons, nonhandicapped groups for training.	1,800,000
Technical assistance, training grants	Provide specialist training to foreign educators and strengthen education and economy in developing nations.	Foreign nationals from countries with which the United States has bilateral technical assistance agreements.	1,500,000
Library services to physically handicapped	Planning for improved library services to physically handicapped.	State library administrative agencies	1,334,000
Strengthening instruction in nonpublic schools	Loans to private schools to improve instruction in critical subjects.	Nonprofit private elementary and secondary schools	1,000,000
Preschool programs for handicapped children	Develop model preschool and early education programs for handicapped children.	Public agencies and private nonprofit agencies	1,000,000
Deaf-blind centers	To develop centers for children and parents	State education agencies, universities, medical centers, public or nonprofit agencies.	1,000,000
Foreign teacher development	Provide opportunity for foreign educators to observe U.S. methods, curriculum, organization (elementary and secondary).	Foreign educators (administrators, teacher trainers, education ministry officials).	900,000
Regional resource centers for improvement of education of handicapped children.	Develop centers for educationa. diagnosis of handicapped children.	Institutions of higher education, State and local education agencies, or combination within particular regions.	500,000
Physical education and recreation for the handicapped	Training professionals of physical education and recreation personnel for the handicapped.	Public and other nonprofit institutions of higher education.	300,000
Do	To do research in areas of physical education and recreation for handicapped children.	State or local education agencies, public or nonprofit private educational or research agencies and organizations.	300,000
Information and recruitment grants	Improve recruiting of educational personnel and dissemination of information on educational opportunities for handicapped.	Public or nonprofit agencies, organizations, private agencies.	250,000
Leadership and vocational training grants	Provide opportunities for Ryukyuans to observe and study in United States to improve education, economy.	Ryukyuan nationals selected by their government	170,000
Fulbright-Hays teacher exchange	Promote international understanding by exchange of teachers between United States and foreign nations.	Elementary and secondary teachers, college instructors, and assistant professors.	16,050
Total			4,301,083,505

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[1] Included under "Vocational programs."

[2] Included under "Occupational training and retraining, supra."

[3] Included under "Adult basic education."

[4] Included under "Strengthening developing institutions."

[5] For programs, instruction. and administration.

[6] For teacher and other professional training and student assistance.

[7] Included under "Vocational facilities."

[8] Included under "National Defense Education Act language and area centers."

[9] Included under "Librarian training."

[10] Included under "Researcher training grants."

[11] Included under "Media services and captioned film loan program."

[12] Included under "Talent search."

[13] Included under "Cuban student loans."

[14] Included under "Desegregation assistance."

[15] Included under "Overseas opportunities for language training and area studies."

[16] Included under "Student loans—matching funds."

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INFLUENTIAL UNTOUCHABLES—WHY?

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. RARICK. Mr. Speaker, people are continuing to doubt and ask why appeasers talk and dissenters protest and untouchables influence policy, all the while, American boys are dying by the hundreds each week in Vietnam.

Have American hearts been broken and American blood shed for politicians who are playing games or for the reason they have been told—to prevent the spread of communism? Pity the poor American boy who has given his life in vain and his family who will always miss him.

Why we have not been more successful at the peacetable and why—if we are not making progress—do we not reinstitute retaliatory measures against the escalated Communist moves in South Vietnam.

Perhaps some of the questions may be answered in the March 21 edition of the Herald of Freedom, printed by Mr. Frank Capell, Zarephath, N.J., which I place at this point in my remarks:

INFLUENTIAL UNTOUCHABLES

Pity the poor South Vietnamese—with friends like the Americans they don't need enemies. Henry Cabot Lodge, who presided over the liquidation of the Diem regime, is now "negotiating" in Paris and his place as Ambassador to South Vietnam has been taken by Ellsworth Bunker. These are the names in the news but behind the scenes, quietly taking care of the tedious details, are the usual "untouchables" whose names the American public seldom, if ever, hears. They are State Department security risks in the key areas of Saigon, Washington and Paris and their influence on the course of the war in Vietnam and the peace negotiations in Paris should not be underestimated.

Although a new man is taking over William Bundy's job as Assistant Secretary of State for Far Eastern Affairs, Bundy held that position from March 16, 1964 and our disastrous no-win policy in Vietnam has been the result. In fact he is credited with being the "stage manager" of the fall of the Diem regime. Bundy is the son-in-law of Dean Acheson and, like Acheson, was a good friend of Alger Hiss, whose brother Donald (an identified Communist) still works for Acheson's law firm of Covington and Burling in Washington, D.C. William Bundy was chairman of the Alger Hiss defense fund raising.

Assisting the U.S. Ambassador to Vietnam has been a former assistant of Mr. Bundy. Samuel David Berger is listed as Deputy Ambassador in Saigon as of September 1968. He had previously been Deputy Assistant Secretary of State for Far Eastern Affairs under Bundy. Berger belongs in the ranks of our "Untouchables" whose questionable activities and association seem only to result in more promotions.

Samuel David Berger was born in Gloversville, N.Y. on December 6, 1911, the son of Harry I. Berger and the former Bess Cohen. He received a Ph.B degree from the University of Wisconsin in 1933. He continued his studies at the University of Wisconsin from 1935 to 1938 and at the London School of Economics 1938–9, during which time he was a fellow of the Social Science Research Council. He also did some work during this period of time. From 1933 to 1934 he was a labor economist of the Civic Committee on Unemployment in Rochester, N.Y. He was a director of the Chicago Labor College from 1934 to 1935 and an instructor in Labor History at the Summer School for Workers in Industry at the University of Wisconsin from 1935 to 1938.

After attending the London School of Economics, Berger became head of the Research and Statistics Division of the National Refugee Service (1939-40) and then a labor economist in the Office of Production Management (1940-41). From 1941 to 1942 he was with the Federal Security Administration and from 1942 to 1944 was labor advisor to the Lend Lease Mission to Great Britain. Berger served in the Army as a Captain from 1944 to 1945 and from 1945 to 1950 he was First Secretary of the U.S. Embassy in London. From 1950 to 1951 he was on detail to the White House from the State Department and was an assistant to W. Averell Harriman who was a special adviser to the president at the time.

From 1951 to 1953 Berger was Special Assistant to the Director for Security. He then went to Tokyo, Japan as Counsellor of the American Embassy, remaining there until 1954 when he became Counsellor of the American Embassy in Wellington, New Zealand. From 1958 to 1961 he was Counsellor in Athens, Greece, and then was named U.S. Ambassador to South Korea (1961 to 1964). He served as Deputy Commandant of Foreign Affairs for the National War College beginning in 1964 and then on July 6, 1965 returned to the State Department as Deputy Assistant Secretary of State for Far Eastern Affairs under William P. Bundy.

Intelligence services have reported that Berger, while attending the University of Wisconsin, was known to maintain a close association with individuals who were identified Communists and with others who were outspoken Communist sympathizers. While at the University of Wisconsin he was given a fellowship by the Social Science Research Council for the purpose of doing graduate study at the London School of Economics, a Fabian Socialist-oriented college, and was reportedly a protege of Communist Harold Laski. Part of the fellowship program was a study of the socialist British Trade Union movement. The Social Science Research Council came in for severe criticism by the Reece Committee Investigating Tax Exempt Foundations. Among the recipients of their grants have been Ralph J. Bunche, John Kenneth Galbraith, Owen Lattimore, Philleo Nash, Walt W. Rostow, Paul Sweezy.

While stationed at the U.S. Embassy in Tokyo as Counsellor during 1953–4, Berger was reported as maintaining strong pro-Communist attitude. Confidential sources reported that over a period of years Berger has maintained close contact with a number of individuals with varying degrees of Communist connections—from Communist sympathizers to individuals under investigation for espionage.

Another important State Department untouchable shown by the State Department Biographic Register for July 1968 as being in Saigon is Thomas W. Ayers. He is listed as Assistant Chief of the Planning Division in Saigon as of January 29, 1967. Ayers was born September 10, 1922 in China of American parents, and received his early education there. He was a newspaper reporter in 1942 when he joined the U.S. Navy, serving overseas until 1945. He went to China as an observer for the UNRRA in 1946; was a newspaper correspondent in Nanking 1946–7, bureau manager 1947–8, world service editor in Manila 1948–49. He went back to college and obtained his MA at Harvard in 1951 and his Ph. D. in 1960. He was a lecturer in Chinese at the University of Michigan 1954–55 and entered government service as an intelligence research analyst, Department of State, December 19, 1955. He went with the U.S. Information Agency, July 30, 1961 and became a press news feature writer. February 17, 1964 he went to Hong Kong as information officer and January 29, 1967 went to Saigon as Asst. Chief of the Planning Division.

While in China Ayers was known to have had strong pro-Communist sympathies. He was a close contact and associate of Sylvia Campbell Powell who, together with her husband John, published the China Monthly Review. This publication was so anti-American that it was used by the Chinese Communists in brainwashing captured American prisoners during the Korean War. Ayers was also a close associate and contact of Richard M. Service and Edwin O. Reischauer, both of whom were serious security risks.

Ayers was one of the individuals that the late Scott McLeod reported as a security risk as far back as 1956. In spite of his pro-Chinese Communist sympathies, Ayers has been permitted to take an important position in South Vietnam where we are supposedly fighting the Communists of North Vietnam who have the support of the Chinese and Russian Communists.

Two area development officers listed in the Sept. 1968 Foreign Service list of the Dept. of State as connected with Civil Operations and Revolutionary Development Support (CORDS) in Saigon are Philip W. Manhard and Louis Wiesner, both of whom have bad backgrounds which have not mitigated against them in government service. Like Berger, Wiesner was a fellow of the Social Science Research Council.

Louis Arnold Wiesner was born in Port Huron, Mich. on April 14, 1916. He obtained his BA degree from Michigan State College in 1937, his MA from Harvard in 1938. From 1939 to 1942 he was an assistant and teaching fellow at Harvard; from 1942 to 1943 he was employed by the Council on Foreign Relations as a research secretary. He entered government service as a research analyst for the Office of Strategic Services (OSS) in 1943 and switched over to the State Department in August 1944 as a clerk in Berlin, Germany. In Nov. 1944 he was made foreign service auxiliary officer and assigned to the office of the U.S. political adviser on German Affairs at Supreme Headquarters of the Allied Expeditionary Forces in Germany. In October 1949 he returned to Washington and was assigned to the Bureau of German Affairs in the Office of German Political Affairs. In November 1954 he went to Ankara, Turkey as economic officer and in July 1959 was assigned as international relations officer in Washington, D.C. In February 1961 he went to Ottawa, Canada, as labor attache and in July 1967 was detached to the Agency for International Development (AID). Wiesner was married to Elizabeth Phenix in 1950.

Confidential intelligence sources have reported that Louis Arnold Wiesner was a regular reader of the Communist publications, the Daily Worker and New Masses, as well as the Young Worker. He was reported by confidential sources to have attended a number of Communist Party meetings and, while at college, was affiliated with the American Student Union which has been cited as Communist and subversive. He was known as an active supporter of the Young Communist League and, while in college, attempted to establish a Young Communist League chapter. During an interview, he admitted having joined the Socialist Party and further admitted that he had applied for membership in the Communist Party, USA, but claimed he had never been officially notified of his acceptance. Wiesner was reported as having been closely associated with a number of Communists over a period of years.

Philip Wallace Manhard was born in Massachusetts on November 13, 1921. He was graduated from the University of Southern California with a BA degree in 1943, served

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with the U.S. Navy from 1943 to 1944 and the U.S. Marines from 1944 to 1946. He worked overseas with a business machine firm and later with an oil company in China. He came into the State Department as a vice-consul on February 12, 1948 and served at various posts in China, Korea and Japan. He is believed to be an employee of the CIA in a special detail. He was assigned to the Bureau of Far Eastern Affairs in November 1964 and to the Saigon area development office in September 1967.

In 1947 intelligence services reported that Manhard was a close friend and contact of an individual named Ignacy Witczak who was known to the intelligence services as being a Soviet agent. He was reported on several occasions as having expressed views severely critical of the security section of the State Department in connection with the cases of John P. Davies and John C. Vincent. His pro-Chinese Communist views were such that they were repeatedly made the subject of intelligence reports.

Top man in Saigon of the thousands of government employees and hundreds of thouands of servicemen now in Vietnam is Ambassador Ellsworth Bunker. He was Ambassador to Argentina in 1951, Italy in 1952–53 and India 1956–61. He is a member of the Council on Foreign Relations and has been a trustee of the Vermont Council on World Affairs, Honorary President of the Foreign Policy Association and a trustee of "Experiment in International Living." He is a trustee of the (Marxist) New School for Social Research and was on the Board of Directors of the American-Russian Institute. This organization was also known as the American-Russian Institute for Cultural Relations with the Soviet Union and was cited as follows in the official Guide to Subversive Organizations:

"1. Cited as Communist (Attorney General Tom Clark, letter to Loyalty Review Board, released April 27, 1949.)

"2. Cited as "Communist-controlled" organization which was intimately linked with the Institute of Pacific Relations. (Senate Judiciary Committee, Senate Report 2050 on the Institute of Pacific Relations, July 2, 1952, pp. 73, 95, 145 and 146.)

"3. Cited as specializing in pro-Soviet propaganda. (Internal Security Subcommittee of the Senate Judiciary Committee, Handbook for Americans, S. Doc. 117, April 23, 1956, p. 91.)"

Back in headquarters in Washington we have had William Bundy as top man for Far Eastern Affairs since 1964. We have also had Sam Fishback and Evelyn Colbert. Mr. Fishback is employed in the State Department Bureau of Intelligence and Research in their Office of Research and Analysis for East Asia and the Pacific and has been working in Room 7418 in the Office of the Director. Confidential intelligence sources have reported that Sam Fishback, while in college, associated with Communists and Communist sympathizers. He was reported as having attended meetings of the American League against War and Fascism, cited as Communist and subversive. He also attended meetings and was active in the American Student Union, another organization which has been designated as Communist and subversive. Fishback was a dues-paying member of the Washington, D.C. branch of the Institute of Pacific Relations, which played such an important part in aiding the Communist takeover of China and which is listed as "a vehicle used by the Communists to orientate American far eastern policies toward Communist objectives," in the official Guide to Subversive Organizations.

Fishback was reported as having had to undergo extensive psychiatric treatment involving sexual disturbances. He was a close associate of Morris U. Schappes, now editor of the Communist publication, Jewish Currents. The State Department Bureau of Intelligence and Research obtains confidential information on the various areas of the world and policy is made on the basis of their advice and reports. Also working in connection with the same area of the world as Fishback is Mrs. Evelyn S. Colbert, who is Chief of the South East Asia Division. Mrs. Colbert was formerly a research analyst in the OSS and was also an accounting coordinator of International Intelligence Surveys. She was employed in the Intelligence Research Office of the Department of State and was coordinator of the International Intelligence Survey, Division of Research for the Far East, Department of State. Mrs. Colbert is one of the individuals who came into the State Department from other agencies in 1945, at the time tremendous numbers of security risks entered the Department of State. She has been reported as being a Communist sympathizer and a close friend and associate of individuals identified as pro-Soviets. Her husband was closely associated with Philip C. Jessup, and together they numbered among their friends individuals who were either Communist or strongly pro-Communist.

Then over in Paris we have the North Vietnamese, the National Liberation Front, the South Vietnamese and the Americans holding "peace talks." No open progress is being made but Henry Cabot Lodge, head of the American delegation, has indicated that we can hope for more progress and results from unofficial meetings than we can from the official ones. Able to mingle among the officials present will be two American government employees stationed regularly in Paris. They are Clifford Gross of the Paris visa office and James West, Information Officer on the International Staff of the Organization for Economic Cooperation and Development, in Paris on assignment from the U.S. State Department.

Clifford H. Gross was born in New York on December 16, 1924 and received his BA degree in 1948 from the City College of New York (CCNY). He obtained his MA and Russian Inst. certificate in 1951 from Columbia University. He had taught Russian and worked for the Post Office Department and the Bureau of Internal Revenue before becoming an intelligence research analyst for the Department of State in March 1952. He has been stationed in Frankfort, Vienna and Budapest and speaks Bulgarian, French, German, Hungarian and Russian.

Intelligence agencies reported that Clifford Gross was active in pro-Communist activities while in college. He was reported as active in the Henry Wallace for President Campaign under the auspices of the American Labor Party in a group called Students for Wallace. The Senate Internal Security Sub-Committee cited the American Labor Party as follows: "Communist dissimulation extends into the field of political parties forming political front organizations such as the * * * American Labor Party. The Communists are thus enabled to present their candidates for elective office under other than a straight Communist label."

Security investigations disclose that Clifford Gross had carried on correspondence with the Communist Party USA and with the Soviet Embassy. He was on the mailing list and a recipient of the USSR information bulletin, a propaganda magazine issued by the Soviet Embassy. Gross was known to maintain close association with Communists and Communist sympathizers over a long period of time, according to intelligence sources. He had been reported to the Secretary of State as a serious security risk but this only resulted in additional promotions.

One of the most interesting things about James West of the U.S. State Department is his wife, Mary McCarthy, who has recently been a visitor in Communist North Vietnam. According to his biography in the State Department Biographic Register, West was born Nov. 3, 1914 and graduated from Bowdoin College in 1936. He is next found as being in the U.S. Air Force (Major) from 1941 to 1947. Long lapses of time unaccounted for in biographies of State Department personnel are usually an indication that the individual is something more than meets the eye, often a CIA operative. West started his government career as assistant director of the Foreign Operations Administration in Paris and was transferred to the U.S. Information Agency in 1954. He received Polish language training and returned to the State Department as a political officer in Warsaw, Poland in June of 1959. He was in the Warsaw Embassy during the "Spy and Sex Scandals" which involved the stealing of U.S. codes, the compromising of personnel of the U.S. Embassy by female Communist intelligence agents—even the security officer and the Ambassador himself. Reports disclosed that U.S. Ambassador, Jacob Beam, maintained a mistress who was a long time Soviet intelligence agent and is now the alleged wife of the Polish Ambassador to the United States.

On April 15, 1961 James West was married to Mary McCarthy, author of many best-selling books. Their marriage took place in Paris shortly after Miss McCarthy's divorce from her previous (and third) husband in February 1961. West was still assigned to Warsaw but was transferred to Paris in April 1962 and the couple live in a cooperative apartment in the Montparnasse section of Paris. Current Biography, February 1969 carries a very comprehensive biography of Miss McCarthy from which we learn of her firm stand against the U.S. position in Vietnam. Much controversy has been stirred up by the publication of a series of essays by Miss McCarthy in two books, "Vietnam" (Harcourt 1967) and "Hanoi" (Harcourt 1968). Her biography stated:

"Strongly opposed to United States action in Vietnam, she frankly admitted that she went to South Vietnam in early 1966 'looking for material damaging to American interests' and had no trouble finding it. She later visited Hanoi, shortly before the United States restricted its bombing of North Vietnam."

Mary McCarthy was born in Seattle, Washington on June 21, 1912, the daughter of Roy Winfield McCarthy and the former Miss Therese Preston. She was the oldest of four children and the only girl. One of her brothers is Kevin McCarthy, the actor. Her paternal grandparents were former farm settlers of Irish descent who had made a fortune in the grain elevator business. Her maternal grandfather was Harold Preston, a prominent Seattle lawyer, and her grandmother "Gussie" was, according to Current Biography, "a lively Jewish beauty from San Francisco." At the age of eleven Mary went to live with this couple (her parents having died in the flu epidemic of 1918) and was given an expensive education. Shortly after joining this household she lost her Catholic faith, retaining from it only a love of Latin.

Her marriages were to Harold Johnsgrud, an actor (one week after her graduation from Vassar in 1933); Edmund Wilson, the well known writer and critic (February 1938); Bowden Broadwater, a writer and teacher, following her divorce from Wilson in 1946; and West following her divorce from Broadwater in 1961. Current Biography describes her associations and political philosophy:

"Through her professional associations Miss McCarthy came to know many prominent left-wing intellectuals in New York. She did not, however, take an active part in the radical movement, although she much admired Leon Trotsky." She has been quoted as stating: "I still believe in what I believed in then—I still believe in a kind of libertarian socialism, a decentralized socialism.

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But I don't see any possibility of achieving it." We don't either, as socialism and decentralization are direct opposites Socialism cannot be "achieved," it must be "imposed," requiring complete centralization. As the wife of a U.S. diplomat Miss McCarthy is in a position to spread her anti-American views in important places.

While appeasers talk and "dissenters" protest and untouchables influence policy, American boys are dying by the hundreds each week in Vietnam. Have American hearts been broken and American blood shed for politicians who are playing games or for the reason they have been told—to prevent the spread of Communism? Pity the poor American boy who has given his life in vain and his family who will always miss him.

HOUSE OF REPRESENTATIVES—*Wednesday, March 19, 1969*

The House met at 12 o'clock noon.

Rev. Father John F. O'Donoghue, secretary to His Eminence Patrick Cardinal O'Boyle, vice chancellor of the Archdiocese of Washington, offered the following prayer:

Almighty and Eternal God, You have created man in Your own image and likeness. You have endowed him with an intellect, whose object is truth and with a free will, whose object is good. You, who are the source of all law and authority, look down with favor on these lawgivers who represent Your people in civil society. Make them aware of their responsibilities to You and to all whom they serve. Do not allow human weakness to cause them to stray from seeking the good and the true in all their deliberations.

On those occasions, when their duty to You and to their constituents may appear as an austere and exacting master, and when they may be tempted to mitigate its stern commands by interpreting them in a manner better suited to their own desires, give them the generosity to obey its orders and to shoulder it without hesitation.

Make them aware that their love of duty is but one form of their love for You, and it is the best, since duty is the expression of Your will in our regard and we cannot better love You than by submitting ourselves entirely to Your holy will.

We ask You, Almighty God, to bless them and to give them the courage and the fortitude which the right exercise of their office requires so that they may better serve You and the people whom You have entrusted to their care. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

PERU SEIZES TWO MORE FISHING BOATS

(Mr. VAN DEERLIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VAN DEERLIN. Mr. Speaker, it is with deep regret that I must report the seizure by Peru this morning of two more U.S. fishing boats, the *San Juan* and the *Cape Ann*.

At last report, the vessels were being escorted to the Peruvian port of Talara. They were intercepted at a point 23 miles off the Peru coast—or 11 miles outside the generally recognized limit for territorial fishing rights.

It was barely a month ago—last February 14—that a Peruvian warship fired extensively on the same *San Juan*, causing major damages. In part, as a result of the public outrage over that unprovoked attack, Peru agreed to accept a special emissary of President Nixon for talks on this and other problems straining relations between the two countries.

The emissary, John Irwin, is in Peru today.

In view of his presence, at the invitation of the Peruvian Government, this morning's seizure can only be viewed as an act of complete cynicism by his Peruvian hosts.

Either that, or else President Velasco has simply lost all pretense of control over his own armed forces.

I have joined today with my colleagues, Congressman BOB WILSON and Senators ALAN CRANSTON and GEORGE MURPHY, in appealing to the President for "appropriate action" to halt these outrages.

Last month, I called on the President to assign military guards to U.S. fishing boats bound for the hostile waters off Central and South America.

I reasoned that the presence of such guards would serve as a powerful deterrent to would-be attackers. For they would then have to recognize that any action against our fishermen would also be an act of aggression against the United States itself. I believe the case for assigning such protection to our embattled fishing fleet is stronger than ever today.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. VAN DEERLIN. I yield to the gentlemen from Iowa.

Mr. GROSS. Mr. Speaker, would this not be a good time for President Nixon to recall the emissary that he has sent to Peru?

Mr. VAN DEERLIN. If I may answer the gentleman, I think it is always right to go on talking, but I think there are times when one has to act as well as talk.

PERU CONTINUES GUNBOAT DIPLOMACY BY SEIZING TWO AMERICAN VESSELS

(Mr. PELLY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PELLY. Mr. Speaker, it is with regret that I inform my colleagues that Peru this morning seized two more U.S. fishing boats and their crews. One of the vessels grabbed by a Peruvian gunboat, 23 miles northwest of the Point Sal today, was the *San Juan*, the same vessel which sustained $50,000 damage February 14 from an armed attack on the high seas by Peru.

The regret I expressed is twofold. One that no progress apparently is being made with Peru and, second, that this provocation should occur while Presidential Emissary John Irwin is in Peru attempting to reach a solution to the problem.

I fear the Peruvian conduct in this matter today indicates a lack of sincerity on their part to achieve negotiations aiming at ending these unlawful seizures.

I find this military action against Americans on the high seas this morning, at a time when our honest efforts at solution are being sought, an insult to our Emissary, to the American President, and to the American people.

Mr. Speaker, our State Department so far has not been able to achieve success with the Peruvians, and our American fishermen should not be expected to live constantly with these threats to their lives. I will be most anxious to receive a report from Mr. Irwin relative to today's armed seizure on his return to the United States.

SMALL BUSINESS ADMINISTRATION LENT MONEY TO MAFIA-CONTROLLED COMPANY

(Mr. GROSS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GROSS. Mr. Speaker, yesterday I called attention to the incredible fact that the Small Business Administration, under the Johnson administration, had been lending hundreds of thousands of dollars of the public's money to a company controlled by the Mafia.

The company is the ANR Leasing Corp., of New York City, which is controlled by Cosa Nostra member John Masiello, Sr., a well-known loan shark and, I am told, a convicted smuggler as well.

Another member of that firm is Thomas A. McKeever, who has a Federal and State criminal record as long as your arm.

A third official of the company is John Masiello, Jr., who also possesses a criminal record.

On yesterday, I requested Attorney General John Mitchell to initiate an immediate and full investigation of this company and the SBA's part in its financing.

Today, I wish to call attention to the fact that ANR Leasing Corp. has been doing business with yet another agency of the Federal Government.

They are in the business of leasing vehicles to the Post Office Department.

I regret to say that I have, so far, been unable to obtain the specifics of this lease arrangement from Post Office Department officials despite repeated calls from my office for it.

I can only say at this point, Mr. Speaker, that I find it sickening and almost unbelievable that the U.S. Government is leasing mail delivery vehicles from a firm controlled by the Mafia.

Any investigation of this firm's dealing with the United States must, of necessity, include this Post Office contract, and I urge in the strongest possible manner that the Attorney General give it his most prompt attention.

PERMISSION FOR SUBCOMMITTEE NO. 1 AND SUBCOMMITTEE NO. 3 OF COMMITTEE ON EDUCATION AND LABOR TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent for Subcommittee No. 1 of the Committee on Education and Labor and for Subcommittee No. 3 of the Committee on Education and Labor to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PERMISSION FOR COMMITTEE ON RULES TO FILE CERTAIN PRIVILEGED REPORTS

Mr. SISK. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

PUBLIC DEBT

Mr. SISK. Mr. Speaker, by direction of the Committe on Rules, I call up House Resolution 325 and ask for its immediate consideration.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 26]

Anderson, Tenn.
Annunzio
Ashley
Bates
Bell, Calif.
Blackburn
Burton, Utah
Carey
Celler
Clark
Collier
Cramer
Cunningham
Daddario
Davis, Ga.
Dingell
Eckhardt
Fallon
Ford, William D.
Fraser
Gallagher
Gettys
Giaimo
Gilbert
Gray
Gubser
Hanna
Hébert
Jonas
Kirwan
Langen
Lowenstein
McCarthy
McEwen
McMillan
Miller, Calif.
Morse
Murphy, N.Y.
O'Hara
O'Konski
O'Neal, Ga.
O'Neill, Mass.
Powell
Rivers
Ronan
Rooney, Pa.
St. Onge
Sandman
Scheuer
Schwengel
Smith, Iowa
Stephens
Teague, Calif.
Teague, Tex.
Tunney
Vander Jagt
Vanik
Williams
Wilson, Bob

The SPEAKER. On this rollcall 371 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PUBLIC DEBT

The SPEAKER. The gentleman from California (Mr. Sisk), has offered a resolution. The Clerk will read the resolution.

The Clerk read the resolution, as follows:

H. Res. 325

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8508) to increase the public debt limit set forth in section 21 of the Second Liberty Bond Act, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill and shall continue not to exceed four hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be considered as having been read for amendment. No amendment shall be in order to said bill except amendments offered by direction of the Committee on Ways and Means, and said amendments shall be in order, any rule of the House to the contrary notwithstanding. Amendments offered by direction of the Committee on Ways and Means may be offered to any section of the bill at the conclusion of the general debate, but said amendments shall not be subject to amendment. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from California (Mr. Sisk), is recognized for 1 hour.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from California (Mr. Smith) and pending that I yield myself 8 minutes.

Mr. Speaker, today we begin an annual, and sometimes a semiannual, ritual which the Congress for many, many years has been indulging in.

Let me say first, Mr. Speaker, that as the reading of the resolution indicated, it provides for a closed rule waiving all points of order, with 4 hours of general debate for the consideration of H.R. 8508, to increase the public debt limit set forth in section 21 of the Second Liberty Bond Act.

I know of no specific reason, I might say, for the waiver of points of order in this instance, but it is customarily done in the consideration of debt limit bills and was granted upon the request of the distinguished chairman of the Committee on Ways and Means (Mr. Mills) of Arkansas.

Under present law the debt limitation is $365 billion except that on the last day of each fiscal year the limitation reverts to $358 billion.

On June 30, 1969, with a $3 billion leeway for contingencies, the debt is expected to amount to approximately $358 billion and on June 30, 1970, to nearly $365 billion. On April 15, 1969, even without any allowance for contingencies, the debt is expected to exceed the present limitation unless the cash balance is reduced to less than $2 billion. In fiscal year 1970, with the $3 billion allowance for contingencies, the debt is expected to reach the level of $377 billion.

H.R. 8508 provides a permanent debt limitation of $365 billion effective on date of enactment. It also provides, for the period from date of enactment through June 30, 1970, for a temporary additional increase of $12 billion, providing for this period an overall limit of $377 billion. After June 30, 1970, the overall debt limitation will revert to $365 billion. The additional temporary allowance for the fiscal year 1970 is provided in recognition of the seasonal fluctuations in the level of the debt subject to limitation. The debt normally reaches a peak in the late spring and then recedes to a lower yearend level.

Mr. Speaker, the bill will be gone into and explained thoroughly during debate and I urge the adoption of House Resolution 325 in order that H.R. 8508 may be considered.

Mr. Speaker, I am looking forward with some anticipation to what I expect to see and observe here on this floor today. It has been interesting to read the Record for the past 15 years as to what has happened in connection with meeting what I believe to be are our responsibilities. Let me hasten to say that I respect every Member of Congress in his right to take any position that he desires and in his own conscience on legislation pending before the House. I know that in many instances Members of this House on both sides of the aisle have consistently and regularly voted against such legislation as is proposed here. On the other hand, I know there are those who have voted on both sides of the issue. This, again, of course, is a matter of their own choosing and one for which they themselves are responsible. Certainly, I do not charge any irresponsibility.

Let me say that to vote against this legislation today, as I understand and interpret the situation, would be to me the height of irresponsibility. This does not mean that those of us who may face this situation differently or interpret it differently from exactly the same light as I have are precluded from expressing their position and vote pro or con.

But, as I say, I anticipate with some interest what may happen here today in the light of the record of the votes by the two great political parties during the Eisenhower years, the Kennedy years, the Johnson years and now the Nixon years. So, it is with some anticipation that I look forward to what is going to happen today, because I am going to expect, and I am sure we can all here expect that the members of the President's party here on the floor today will meet their responsibility and will carry the ball for what the President has expressed as a need for this legislation. And, as I say, I am somewhat interested in the outcome. I certainly understand and sympathize with the embarrassing dilemma of my good friend Gerry Ford—and I do not see him on the floor at the moment, although he was here a little earlier—but I can well sympathize with the embarrassing dilemma in which he found himself yesterday with reference to having

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to have a bill of this type, based upon some of the votes over the years and particularly with reference to two votes that occurred last year in which my dear friends on the Republican side were in lock step against this particular kind and type of legislation.

Let me say to my friends on the Democratic side of the aisle that I think this legislation is necessary. I think the administration has made a good case. I think, certainly, because of my great respect and appreciation for the distinguished chairman of the Committee on Ways and Means and the members of that committee, a vote in favor of this legislation is the proper vote.

But I would urge my Democrat colleagues that in line with your actions throughout the Eisenhower days, the Kennedy days, the Johnson days, and now the Nixon days, that we go along and meet our responsibility to make it possible for the administration to pay its bills.

I know some of the Members may not have given it a great deal of thought, but, you see, the Republican Party has not won a campaign or election in this country in 40 years.

Now, I am merely quoting a rather distinguished Republican, and some comments he made not too long ago on the floor. 1928 was really the last time that the American people have really entrusted this Government to the Republican Party.

Now, why is it that throughout this 40-plus years that the American people have entrusted control of all or a part of our Government in the hands of the Democratic Party? I believe it is basically because we have met our responsibilities, because we have done the things that were necessary to be done when it became necessary in the best interests of national security and in the best interests of programs which we as Members of Congress have voted for.

And so today I say I would urge my friends on the Democrat side of the House to support this legislation because of the necessity of having the increased ceiling in order for proper debt management.

I for one have long advocated elimination of the debt ceiling.

The SPEAKER. The time of the gentleman has expired.

Mr. SISK. Mr. Speaker, I yield myself 2 additional minutes.

Mr. Speaker, I definitely believe, as I say, that sometimes this is truly an exercise in futility because in the final analysis we as Members of the Congress are responsible for our actions when we authorize programs and when we vote for appropriations to fund those programs. In the final analysis it is our responsibility, if we are going to restrain ourselves and retain any limitation, that is where the limitation should be placed. This whole business of artificial limitations really amounts to no more than an exercise which we go through annually, as I say, or semiannually, and I believe in some cases maybe three times in 1 year, to discuss some of the problems that exist.

So, Mr. Speaker, in conclusion I believe that the proper position for the House today is to support this extension. I am inclined to believe that we will be back next year doing exactly the same thing, because I might say as warning, that tomorrow, according to my understanding, we will be called upon to act upon a piece of legislation in which the new administration is proposing an increase of over $100 million in a present ongoing program. Frankly, I happen to be for that program, but I must say to the Members that I want it understood that as I and others attempt to share our responsibility in this area, and to try to go along and cooperate with the new administration, as I believe most of us have a desire to do, that I am going to expect sharing equally on both sides of the aisle.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SISK. I will be glad to yield to my friend from Iowa.

Mr. GROSS. Mr. Speaker, I thank the gentleman for yielding. I appreciate the statement made by the gentleman at the outset of his remarks when he said that he could see no good reason for a closed rule in considering this bill.

Why, then, is there a closed rule? Is it because it is fashionable to bring legislation of this type to the House floor under a closed rule under which the Members cannot work their will? Is that the point the gentleman is making?

Mr. SISK. Let me say to my good friend that I am inclined to believe perhaps he has put it rather well. It has been traditional, as I know my good friend from Iowa knows, for the Committee on Ways and Means to ask for closed rules, and in most cases waivers of points of order.

Now, there was some consideration given in the Committee on Rules to at least modify or to open up this rule to permit the offering of possibly one or two amendments.

But the final consensus of opinion of the Committee on Rules was to go along with the request of the Committee on Ways and Means for a closed rule.

Let me say to my good friend, and I am not going to make any firm commitment, but we are supposed to have a tax reform bill here one of these days. I may say that never in history have Americans been concerned about taxes and tax reform as they are today. So I am going to reserve at least for the present the position I may take on that particular legislation as regards a closed rule or an open rule.

I might say, while I go along with the committee, because I do have great respect for the gentleman from Arkansas, I wonder sometimes if this House might spend a couple of months this year debating and discussing in depth taxes and our present tax system. Maybe we would be better put to spend 2 months in that area than doing some other things that we may do otherwise.

Mr. ICHORD. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to the gentleman from Missouri.

Mr. ICHORD. I will say to the distinguished gentleman from California, I am one of those who voted on both sides of the question. I have voted against the increase in the debt limit as a matter of protest against the failure to balance the budget; at the same time I have recognized the financial chaos that could very well result if the Government were not able to meet its obligations as they become due. The place for action is on the appropriation bills themselves. This is why I have voted against many measures which I may have voted for if the money had been available. Every effort must be made to balance the budget, and this I have tried to do by my individual votes.

I recognize, as does the gentleman in the well, that not only the executive department must shoulder the responsibility, but also the Congress itself.

Of course, it is very difficult for a legislative body to resist additional spending because of failure to balance the budget and the pressure of high spending in recent years has come from the executive. Also, a legislative body is not economy minded by nature—such is not the nature of the beast.

I have decided this time to support the increase, but I want to serve notice that this is the last time I am voting for an increase in the debt ceiling unless emergency conditions do arise. We may have to experience a little chaos in order to avoid still greater chaos in the more distant future.

Mr. SISK. Let me say to my good friend, the gentleman from Missouri, I appreciate very much his statement and, as I say, I respect every Member's right to take his position and I understand the reasons. I think we have to consider these issues, but in the final analysis a case basically has been made when we look at the budget. I am inclined to think even if the present ceiling were projected of the apparently anticipated expenditures for 1970, we will be right back here next year on this same course of action. We will see what happens at that time.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER. The gentleman from California has consumed 13 minutes.

The Chair recognizes the gentleman from California (Mr. SMITH).

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, as stated by the distinguished gentleman from California (Mr. SISK), the pending resolution, House Resolution 325, does provide for 4 hours of general debate for the consideration of the bill (H.R. 8508) to increase the public debt ceiling. It is a closed rule and all points of order are waived.

The purpose of the bill is twofold: First, to increase the permanent debt ceiling to $365 billion, and, second, to permit a temporary additional increase of $12 billion—to a total of $377 billion—through June 30, 1970, the end of fiscal 1970.

The bill provides that the permanent ceiling be increased from $358 billion to $365 billion for this and future fiscal years. This figure does not make any allowances for increases in expenditures in fiscal 1970 above the budget submitted in January. Tight fiscal and monetary con-

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trol will have to be continually exercised. Current Treasury projections indicate that on or about April 15 the current ceiling will be exceeded unless the operating cash-on-hand balance of the Government is reduced below the $4 billion level which is deemed necessary and is the usual minimum.

In addition, a temporary 1-year debt limit is provided for the rest of this year and throughout fiscal 1970. This temporary figure is $377 billion or $12 billion over the permanent ceiling provided by the bill. The figure of $377 billion was reached based upon the most recent Treasury projections. To the projections was added a total of $3 billion for meeting contingency expenditures during the next fiscal year.

The gentleman from Ohio (Mr. VANIK) and the gentleman from Florida (Mr. GIBBONS) have filed supplemental views supporting the bill but opposing the continuation of the 10-percent surtax beyond June 30. They favor closing the tax loopholes which they believe will make up for the revenue lost by the lapsing of the surtax.

The administration supports the bill.

So far as the measure is concerned, personally—and speaking only for myself and not in any way attempting to influence any other Member—I well realize the Congress of the United States over the past several years has started new programs which have been costly and has expanded existing programs which have been costly. Accordingly, we are in an extremely difficult fiscal situation at the present time but, as I have said, speaking only for myself, I have never voted for any of these bills. I have not voted for the debt increase. I have not voted for foreign aid and many of the other measures, and I would consider myself personally irresponsible if I turned around now and voted for this, when I did not vote for the programs which placed us into the position in which we find ourselves.

However, Mr. Speaker, I do urge adoption of the rule. I reserve the balance of my time.

Mr. SISK. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts (Mr. McCORMACK) the distinguished Speaker of the House.

Mr. McCORMACK. Mr. Speaker, I have a letter from President Nixon which I shall read to the Members of the House. I know it will be of interest to all Members, and I hope it will be of particular interest to our Republican colleagues, in view of the rollcall history on legislation of this kind going back through quite a few years. The letter is dated March 17, 1969, and reads as follows:

DEAR MR. SPEAKER: In the interest of responsible management—

Get those words now—"responsible management"—

I am compelled to advise that prompt approval of the Ways and Means Committee's recommendation for a temporary increase of $12 billion in the debt ceiling is of the highest importance.

And mark the words "of the highest importance."

In light of the Budget submitted in January and according to latest estimates—and, of course, barring unforeseeable contingencies—the level of debt under the proposed temporary ceiling will be sufficient to meet financing needs for the remainder of this calendar year.

But present projections, as well as the proposed expiration of the temporary ceiling on June 30, 1970, make it clear that the question will have to be reconsidered next year, thus offering full opportunity for careful review of intervening budgetary and spending actions. It is plain that a temporary ceiling of $377 billion—$5 billion lower than my request under existing debt definitions—will impose great restraint in these areas on both the Congress and executive branch.

If the present ceiling of $365 billion were not raised we would be extremely hard pressed to meet the Government's obligations in April, and in the last quarter of this calendar year the projected resources, in the light of seasonal peaking of financial obligations, would be patently inadequate. Accordingly, I must respectfully solicit your assistance—

And, Mr. President, I am assisting you here now, and I am glad to assist the President of the United States—

I must respectfully solicit your assistance not only in obtaining approval of the temporary ceiling but also in doing so as promptly as possible.

Because of the importance and urgency of this matter, I am sending this same communication to the Republican leader, Congressman GERALD R. FORD.

With warm regard,

Sincerely,

RICHARD NIXON.

I think that letter provides plenty of justification. I am not going into a discussion of past votes. We have to look forward from today to tomorrow. There will be time for that.

We know the history and the record. But I respectfully submit to my friend from California and to others on the Republican side that we all constantly reconsider our views. We are always constantly undergoing reflection on our part. I know, speaking for myself, when in the past I have found that in good faith I have voted a certain way and then the following year or two I have had additional evidence which caused me to believe I would have voted the other way if I had that evidence, when the matter came up again I had the courage and the responsibility and I assumed the responsibility of changing my vote.

In my case, that has very rarely happened, because I have been pretty consistent throughout the years.

So if I might try to assist my Republican leader in getting votes on his side, I simply say to my Republican friends, this is now 1969, not 1968 or 1967. We will twit our friends about those years later on, as soon as justifiable.

The President of the United States has sent this letter to me and to my friend, the gentleman from Michigan (Mr. GERALD R. FORD). I always give full consideration to the views of the President of the United States, no matter what party he might be a member of.

I urge my side of the House to be consistent with our great record. Even during President Eisenhower's 8 years, the Democratic membership, whenever this question came up, overwhelmingly voted to increase the debt ceiling, and our voting record even during those years was much better than the voting record of my Republican friends, but during those years the Republican record was fairly satisfactory.

I am urging my Republican friends today to come back, to bring themselves back to the record of the Eisenhower days and be fairly satisfactory and give an overwhelming vote to this bill.

The SPEAKER pro tempore. The time of the gentleman from Massachusetts has expired.

Mr. SISK. Mr. Speaker, I yield 3 additional minutes to the gentleman from Massachusetts.

Mr. McCORMACK. Mr. Speaker, does the gentleman from Michigan wish me to yield?

Mr. GERALD R. FORD. Mr. Speaker, I would be grateful if the distinguished Speaker will yield.

Mr. McCORMACK. Mr. Speaker, I am happy to yield to the gentleman from Michigan, because I am doing everything I can to cooperate with my friend.

Mr. GERALD R. FORD. Mr. Speaker, as the Speaker has indicated, both he and I have received a communication from the President of the United States asking for our help in getting favorable consideration of this legislation this afternoon.

Before receiving this letter, I had indicated to the President that I intended to support it, and I have contacted the Republican Members on our side urging their favorable support for the Presidential request.

I think the President will be pleased with the Republican response on this very important matter. I think the Speaker will be pleasantly pleased as well.

Mr. McCORMACK. Mr. Speaker, may I also say I hope the country as well will be pleased, because we Democrats are pretty consistent. The gentleman from Michigan knows that.

Mr. GERALD R. FORD. Mr. Speaker, let me say I had some suspicion that perhaps some time during the discussion today the question might be raised—and the Speaker has not raised it—perhaps by some other Members on the other side about my attitude or voting pattern the last several years in reference to this matter of the debt limitation. Always liking to be armed with the facts, I had my staff check to see what the voting record had been in my case. I have in my hand the record of the votes taken early in the administration that followed President Eisenhower—votes on this same issue.

On June 26, 1961, and again on February 20, 1962, I supported a Democratic President who was faced with the same crisis that our new President is faced with at the present time. I voted to increase the debt limitation. I had no apologies at that time because the crisis was serious.

It is true that in subsequent years I did change.

Mr. McCORMACK. The gentleman strayed from the fold.

Mr. GERALD R. FORD. I did it for what I thought was good reason. During these last few years I voted against increases in the debt limitation for good reasons, as I saw the whole picture.

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I think the votes we had at that time, from 1962 on to the present, where some of us expressed our opposition to an increase in the debt limitation, were actually helpful in trying to make certain that we would achieve a fiscal responsibility that would be for the benefit of all Americans. The net result was, because of these votes and because of other actions, last spring the Congress did get together with the then President and we did take affirmative action to impose a spending limitation and to raise additional taxes. The consequence of that is that the United States today is infinitely stronger fiscally than it has been for a long time. It was a bipartisan effort, but it was apparently not sufficient to avoid the crisis that we have at the moment. For that reason I feel fully justified in supporting the President's request today for an increase in the debt limitation so that the United States can pay its bills and can avoid an economic and fiscal catastrophe. If we do not do it, I would fear the consequences.

The SPEAKER pro tempore. The time of the gentleman from Massachusetts has expired.

Mr. SISK. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Oklahoma, the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I am pleased that the Speaker yielded to me.

The distinguished minority leader has been quoted in certain press releases as having said that he has changed because, if I understood it right, he had more confidence in the fiscal responsibility of the White House. In fact, I think this is the exact quote as given:

> Republican reaction is different because of the fact that we now have faith in the administration concerning fiscal responsibility.

Were there any political implications at all in that statement, I would like to ask the distinguished minority leader?

Mr. GERALD R. FORD. Will the distinguished Speaker yield to me?

Mr. McCORMACK. I yield to the minority leader.

Mr. GERALD R. FORD. I do not think there were any political implications. I personally do, in good conscience, feel that the new administration will make a maximum effort in the area of fiscal responsibility. I will be sorely disappointed if they do not. Therefore, I am going to vote this way for the reason, among others, that I do not want this country to be faced with a catastrophe fiscally or a disaster economically. I will say to my distinguished friend from Oklahoma, the majority leader, and to the distinguished Speaker, that the President and I and those of us in the minority in this Chamber are grateful for their assistance on this very critical vote.

Mr. McCORMACK. One thing is certain. On June 30, unless we pass this bill, the debt ceiling will go back to the permanent debt ceiling of $358 billion. That, my friends, would be a catastrophe. Never mind our party affiliation. This would be a catastrophe for our country. We are elected by our constituents and we are elected to assume responsibility. This is one vote where I think the question of responsibility is uppermost, and I urge all of my colleagues, no matter how they may have voted in the past, to vote for the passage of this bill.

Mr. SISK. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. HOLIFIELD).

Mr. HOLIFIELD. I thank the gentleman for yielding this time to me.

Mr. Speaker, I have listened to the very statesmanlike speech of the distinguished Speaker of the House of Representatives and the distinguished minority leader, the gentleman from Michigan (Mr. GERALD R. FORD).

On at least two occasions recently I have risen above the level of partisanship and supported the President of the United States, Mr. Nixon. But I think we ought to be taking a little look at the record.

In the last 10 votes involving the increase of the debt limit the Republican side of the aisle contributed 21 affirmative votes, two votes in support of the issue for each time it has been voted upon. And, there are votes against the issue that run all the way from 122 to 176 in two instances, 154, 158, and 172 in one instance.

Now, Mr. Speaker, there are a lot of Members of my party on my side of the aisle who have been talking to me about this and have said, "Well, what are the Republicans going to do; are they going to rise above partisanship and become statesmen?"

Today I think they are going to be looking and watching the rollcall and checking it off. I would say in the best interest of the country I want to support my Speaker and I want to support the distinguished minority leader on this issue. I want to be consistent, because I have voted every time to raise the debt limit as a measure of my own responsibility, and I hope the response of my Republican friends will be on the side of rising to a position of statesmanship which will enable me to vote with them on this matter.

We are going to watch the vote on this matter, however.

Mr. SISK. Mr. Speaker, I yield 3 minutes to the distinguished chairman of the Committee on Rules, the gentleman from Mississippi (Mr. COLMER).

Mr. COLMER. Mr. Speaker, I too have listened here with great interest to this debate and particularly to the two leaders of our respective parties, as well as to my good friend, the gentleman from California (Mr. SISK).

We have heard a lot here about consistency and fiscal responsibility. If I had a little more time and were a little more capable, I would like to develop those two thoughts a little bit further. I do not have anything against anyone. I adopt the statement that was made here that I respect each man's right to vote as he sees fit as he approaches these developing problems.

But I want to repeat what I said in the well of this House on previous occasions and that is this: I am not nearly as concerned about the future of the Democratic Party or the Republican Party as I am about the future of the Communist Party or the "party of the man on the horse" that is going to take over this Government if we continue this reckless and irresponsible spending which results in the continuous increasing of our national debt and accelerates our travel down the ruinous path of inflation.

Mr. Speaker, we have a dollar today of 39 cents as compared with the dollar of 1939. The value of the dollar has gone down 13 cents in the last 4 years. Now, what does this mean? It means ruinous inflation, and I remind you—although I am not lecturing anyone—but I want to remind my friends that in addition to being consistent I want to do what is for the best interest of my country.

I voted against all of these debt increases on the theory that we had to slow down this landslide or else we were going to lose the cherished institutions of this Republic. On the other hand, I have voted for every tax bill that we have had since I have been here and against most of these well-intentioned programs that bring about this money crisis.

I wonder sometimes whether it would not be a good idea to let one of these financial crises that we constantly face develop and let the country itself realize that we cannot go on indefinitely with this depreciation of the value of our currency. Once the value of the credit and the faith of the United States is destroyed, then everything is destroyed. The wheels of industry stop, and everything is gone.

We are told that if we do not meet this crisis—and there will be another one along before too long—then everything will be in chaos. Well, as this humble person sees this thing, it might be better to let the country be shocked into a realization of the excessive burden that is being added each year on a so-called temporary basis rather than to wait until the complete faith and credit of the Government is gone, and when the Communists or the man on the horse move in.

So, Mr. Speaker, with all due deference to you, for whom I have a very high regard, and to my good friend from Michigan (Mr. FORD), and for the man who sits in the White House, I am going to be consistent, too, although I dislike very much to differ with you. I might add to my friend from Arkansas, the very able gentleman who is chairman of this powerful committee, I just wish that I could see it the same way he does, but I cannot.

My opposition in the past to most of the extreme, and extensive and expensive programs is consistent with this position today. After all, the time and place to be most effective is when each individual program is being debated and voted upon. It is not pleasant to fight some of the programs that are well motivated, but it is a fact of life that the Government cannot do everything for all of the people, all of the time.

Mr. Speaker. In conclusion, I wish to thank my colleague on the committee, the gentleman from California (Mr. SISK), for yielding this time to me. I debated with myself at some length whether I should attempt to again dis-

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cuss this important matter. I labor under no delusion that anything that I say here will bring about any material change in the picture. Politics being what it is, I know that the stage is all set to pass this bill. But, recognizing my responsibility as a Member of this body, I cannot refrain from again raising the storm signals of impending disaster unless the Congress and the country realize the true situation that confronts this cherished young republic.

The chart below illustrates just what I have been talking about:

Public debt at end of fiscal years 1930–68

[In millions of dollars]

1930	16, 185
1931	16, 801
1932	19, 487
1933	22, 539
1934	27, 734
1935	32, 824
1936	38, 497
1937	41, 089
1938	42, 018
1939	45, 890
1940	48, 497
1941	55, 332
1942	76, 991
1943	140, 796
1944	202, 626
1945	259, 115
1946	269, 898
1947	258, 376
1948	252, 366
1949	252, 798
1950	257, 377
1951	255, 251
1952	259, 151
1953	266, 123
1954	271, 341
1955	274, 418
1956	272, 825
1957	270, 634
1958	276, 444
1959	284, 817
1960	286, 471
1961	289, 211
1962	298, 645
1963	306, 466
1964	312, 526
1965	317, 364
1966	320, 369
1967	341, 309
1968	358, 000

Mr. SISK. Mr. Speaker, I have no further requests for time.

Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8508) to increase the public debt limit set forth in section 21 of the Second Liberty Bond Act.

The SPEAKER. The question is on the motion offered by the gentleman from Arkansas (Mr. MILLS).

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 8508, with Mr. FASCELL in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Arkansas (Mr. MILLS) will be recognized for 2 hours and the gentleman from Wisconsin (Mr. BYRNES) will be recognized for 2 hours.

The Chair recognizes the gentleman from Arkansas (Mr. MILLS).

Mr. MILLS. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, the gentleman from California in presenting the resolution making in order the consideration of this bill pointed out we are again going through the annual or semiannual process of considering a debt ceiling bill.

I believe this is the 16th or 17th such proposition that I have been called upon to sponsor as chairman of the Committee on Ways and Means in the period of time that I have been chairman of that committee.

I do not look forward to it. I do not relish it. I know that the membership of the House would hope, perhaps, that we could seek some better way to arrive at our decision as to the rate of spending within a fiscal year, than try to do it by reining in spending through the debt ceiling. I want to talk a little later on today about a way I think we can actually do what we want to do without trying to use the debt ceiling in this manner.

Briefly, the bill before us provides a permanent debt limitation of $365 billion but provides a temporary additional limitation of $12 billion that will expire on June 30, 1970. In other words, under this bill the aggregate debt limitation will be $377 billion until June 30, 1970, at which time the limitation will drop to $365 billion.

I will explain why we need this limitation in a few minutes, but first let me give you the figures applicable under present law so you can compare the present and proposed limitations. Under present law, for 364 days out of the year, the limitation is $365 billion—the same limitation which applies under this bill after June 30, 1970. On the one day of each year—namely, June 30—the present limitation is $358 billion.

One of the first questions which one is likely to ask is why is any debt limitation increase needed at all when we are operating under a balanced budget. The budget shows, for example, that we will have a surplus of almost $2.4 billion in the fiscal year 1969 and a surplus of slightly over $3.4 billion in the fiscal year 1970—the years in which the proposed debt limitation increase will be effective.

While it is perfectly true that the unified budget—which is the budget which everyone speaks about—is expected to be balanced for these 2 years, what we used to call the administrative budget, or what the budget document now calls the Federal funds, are not in balance for the fiscal years 1969 and 1970. The Federal fund budget is expected, according to the official budget estimates, to show a deficit of approximately $7 billion for the fiscal year 1969 and a deficit of $6.8 billion for the fiscal year 1970.

The reason the unified budget shows a surplus even though the Federal funds or administrative budget does not, is because the unified budget shows only the Government's transactions with the public. As a result, a surplus in the various trust funds—such as the old-age and survivors and disability insurance trust fund—offsets a deficit in the administrative budget, if it is large enough. The trust funds surplus in 1969 according to the budget document is estimated at $9.4 billion, and in the fiscal year 1970 it is estimated at $10.3 billion. It is these surpluses which, combined with the deficits in the administrative budget, result in the surpluses in the unified budget with which all of us are familiar. You will find this set forth on page 3 of the committee report.

The present public debt limitation—with the exception of certain agency debt—reflects the total debt of the Federal Government including both that held by the public and that held by the trust funds. As a result the deficits in the Federal funds, or administrative budget, makes it necessary for us to consider an increase in the debt limitation at this time.

Before we get down to the details of the proposed debt limitation, I would like to discuss briefly with you one other matter which I believe needs to be explained.

At the time the House acted on the conference report on the Revenue and Expenditure Control Act of 1968 last year, I said that if we passed that bill "There is every chance unless some unforeseen contingency develops that we will not have to tinker with the debt ceiling for the fiscal year 1969."

Yet here we are still in the fiscal year 1969—albeit relatively late in the fiscal year 1969—tinkering with the debt limitation. At the time of the passage of the Revenue and Expenditure Control Act of 1968, I thought that the additional revenue provided by that act, together with the $6 billion expenditure reduction required by it, would make any further adjustment in the debt limit unnecessary for this fiscal year.

The reason we are here today to consider the debt limit is because Congress provided additional exceptions to the $6 billion spending limit, which were not provided in that act. You can see this if you examine table 3 on page 7 of the committee report. This table shows that the expenditure programs subject to the $6 billion limit actually were decreased by $8.3 billion—well in excess of the requirement of that act.

What occurred, however, was that there were sizable increases in programs excepted from the $6 billion spending limit. These excepted expenditure programs were left out of the ceiling because it was felt that in the short run they could not be controlled. The Revenue and Expenditure Control Act contained four exceptions; one for Vietnam spending, one for interest, one for veterans' benefits and services, and one for the social security trust funds. As shown in table 3, the spending in these four categories of items increased $4.5 billion.

What occurred was that Congress, in subsequent actions, provided additional exceptions to the $6 billion spending limit for the TVA program financed from power proceeds, the Commodity Credit Corporation, the public assistance grants to States, and aid to schools in federally impacted areas. I am not quarreling with these actions but I am noting that Congress took these actions after we finished action on the Revenue and Expenditure Control Act and I made that statement.

These additional exceptions, as indicated in table 3, show further increases of $1.6 billion above the old budget level for these items. Were it not for these additional increases, it would not be necessary to ask for an increase before the beginning of the fiscal year 1970 on July 1, 1969.

I want to make it clear, however, that I view the $6 billion expenditure limit as a success. Without such a limit there would have been all of the uncontrollable increases which have occurred in excepted expenditure categories. At the same time, much of the $6 billion reduction would not have been made had there not been the review of programs and the impetus for finding items which could be cut. I have also been assured by the Budget Director that the $6 billion expenditure reductions will be complied with throughout the remainder of this year.

Unfortunately, however, the increased spending which occurred as a result of the exceptions made to the $6 billion limit will cause the cash balance in the Treasury to fall to a dangerously low level on April 15 of this year just before the income tax returns come in.

At that time if the $365 billion limitation still applied, the Treasury would have to reduce its cash balance to $1.8 billion. This is substantially below the safe working level of $4 billion which is generally assumed in debt limit considerations and even further below the $5.1 billion which was the average cash working balance in the Treasury last year. The situation may be even more perilous during the 2 or 3 days before April 15 when the debt tends to be even higher than these monthly midpoints.

Not only is a $1.8 billion cash balance inadequate for management purposes, but, more important, it makes no allowance for various contingencies which may arise. These include the slower collection of receipts than estimated and the spending of funds faster than anticipated.

During the first half of April of this year, if this ceiling is retained, we would be forcing the present Secretary of the Treasury into practices that were required back in the fall of 1957, during the period from October to December, I believe, when because of a downturn in business conditions our revenues fell off so greatly as almost to push our debt over the ceiling then applicable.

In fact, at that time the Secretary of the Treasury had to use indirect means of financing debt—at a cost to the Treasury of the United States in additional interest of approximately $18 million—because he could not issue securities in the ordinary, customary way as a part of the public debt. This is not the kind of strait jacket in which we should place the Secretary of the Treasury. It is for that reason that I am before you now, rather than at the end of the fiscal year, asking for an increase in the debt limitation.

The committee also thought that since we had to act on the debt limit for the remainder of this fiscal year, we might well look down the road just one more fiscal year to see what the requirements would be for fiscal 1970. This avoids the necessity of acting upon the measure here in the House in March and then having to come back in May or the early part of June and acting again. What we did was to develop in the committee the method of debt ceiling approach that we have used historically. We did not take on the new suggestions that came from the Secretary of the Treasury. We proceeded in the same identical way that we have ever since I have been on the committee. We look to the needs for the next fiscal year based on a $4 billion cash balance and allowing an additional $3 billion for contingencies.

In this connection it might be worthwhile for the Members to turn to table 2 shown on page 4 of the committee report. This table prepared by the Treasury Department indicates the minimum debt limitation believed to be required on the 15th day and the last day of each month in the current and coming fiscal years. We were informed this table is calculated on the basis of the administration's best estimates of budget receipts and expenditures for these years. It assumes a constant minimum operating cash balance of $4 billion which, as I said a few moments ago, is below the average cash balance we maintained last year of $5.1 billion. This table shows the debt limitation with and without a $3 billion contingency allowance.

A $3 billion contingency allowance has traditionally been provided because receipts and expenditures even with the best intentions in making estimates can vary appreciably from the budget figures. In part this may occur as a result of changes in business conditions. Military expenditures have also been a difficult item to forecast. I should also point out that the Budget Director in his appearance before your committee listed various expenditure items which he believes could well cause increases in the 1970 Federal funds deficit. He pointed out, for example, that $1.2 billion of expenditure increases above the budget level can be expected if congressional action is not taken on a series of items, such as the proposed increased postal rates. He also stated that interest costs may be higher than shown in the budget. In addition, there are $400 million of user charges reflected in the budget which if not enacted will result in a lowering of receipts by this amount.

All of these items taken together indicate that the $3 billion contingency allowance is conservative indeed. The last time we allowed $12 billion for contingencies because we thought that we could foresee that much in the way of contingencies. The Secretary of the Treasury asked us to allow him as much as $8 billion for contingencies, and we have cut that this time from $8 billion to $3 billion.

Let me go back now to table 2 on page 4 of the committee report. If you will look at the last line on that table—the figure for June 30, 1970—you will see that with a $3 billion contingency allowance, with present budget estimates of receipts and expenditures, and with a $4 billion cash balance, the debt on that date is expected to be $364.4 billion, or within less than a billion dollars of the debt limitation which your committee's bill makes applicable after the close of business on that day.

I believe this demonstrates fully the need for the permanent limitation of $365 billion which this bill provides.

Now let me go to the second issue; why we need a supplementary allowance of $12 billion, up to the end of the fiscal year 1970.

In recent years the House has become acquainted with the fact that we need a higher limit during the year than we do at the end of a year because of the difference in the revenue and expenditure patterns which occur during a fiscal year. Expenditures for the most part are spread relatively evenly throughout the entire year but receipts flow into the Treasury with periodic peaks, depending upon various tax collection dates.

Withheld income taxes flow in relatively evenly throughout the year but corporate income tax collections which are paid on a quarterly basis, and also declarations of individuals which are paid on a quarterly basis, result in periodic peaks throughout the year. The two biggest of all the peaks in collections, of course, occur shortly after the due date for corporate and individual income tax returns on March 15, and April 15, respectively.

All of this means that we tend to run a higher deficit throughout the first part of the year than the last part of the fiscal year. As a result debt requirements build up each year until about March 15 or April 15 and then fall off again. This explains why we need the additional $12 billion leeway during the fiscal year 1970 as well as before April 15 of the current fiscal year.

If you will again turn to table 2 on page 4 of the committee report, you will see that on March 15, 1970, it is estimated that the debt subject to limitation on that date will amount to $377 billion if a $3 billion contingency allowance is taken into account. This is exactly what the supplemental allowance would provide for the fiscal year 1970—and not $1 more. The peak on April 15 according to the estimates is only slightly less—$376.7 billion.

I do not see how, given the present budget, we can get by on anything less than this bill provides. It certainly is a tight limitation, and one which will require review of the budget again this next year after the new administration has had an opportunity to more thoroughly acquaint itself with budgetary matters.

I am sure some of my Republican colleagues on the floor of the House will echo the words I am saying now—that it is a tight ceiling. In fact, we may have drawn it too tight to enable the administration and the Secretary of the Treasury to have the flexibility for the fiscal year 1970 that it may need in that period. Only future events will tell us this.

I said earlier that there is a way—in my opinion an effective way—to restrict spending during the course of the

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fiscal year. I am not criticizing anyone as I make these statements. These are simply my own views as to what I think we can and should do. I have worked on it a long time and I have given a great deal of thought to this process that we now follow of ending a fiscal year with unspent obligational authority—at the end of fiscal 1969 this is expected to amount to $226 billion—which will be available for expenditure without any further action by Congress in the next and later years. Then, as in the 1970 budget presently being considered by the Congress, there are requests for $210 billion more in new obligational authority. That means a total of $436 billion of obligational authority is in the pipeline for ultimate expenditure if we follow these recommendations.

Where do we get the idea, then, that when we pass appropriation bills we are saying how much can be spent within a fiscal year? Actually we do not say anything of the kind. We make funds available in amounts much greater than there is any possibility of spending in a fiscal year, and the administration, operating usually through the Director of the Budget, will tell us, "Out of the largesse which the Congress has provided we are not going to spend $435 billion; instead we intend to spend $195 billion."

To me expenditure control is the function of the Congress of the United States. If we will attach in the Committee on Appropriations this second concept; namely, a figure representing out of the grant of authority contained in the bill what can be spent in a fiscal year, and not have to go to the shotgun approach that we used in the Revenue and Expenditure Control Act of 1968, then I think we will have accomplished what we want and what we have been striving for years to get—a tight ceiling on expenditures. But the debt ceiling will not do that.

Mr. ANDERSON of Illinois. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Illinois.

Mr. ANDERSON of Illinois. Mr. Chairman, I think the gentleman from Arkansas knows that I listened with great interest the other day when he engaged in conversation of this kind with the gentleman from Missouri (Mr. BOLLING). I drew from that conversation, as I do today from the remarks in this Chamber, that what is proposed is in effect that we have an expenditure ceiling item by item in each appropriation bill that passes this Congress.

Mr. MILLS. Yes; an expenditure ceiling, department by department.

Mr. ANDERSON of Illinois. Mr. Chairman, does the distinguished gentleman from Arkansas, with all his years of experience in the Congress, feel that the Congress is presently so organized and so equipped with staff and personnel and otherwise that we could really effectively at the present time discharge that kind of obligation?

Mr. MILLS. I do not know whether we are or not, but if we are not, we should be.

As you can see from what I have said I am concerned about the trend in spending. This budget we are working on provides for between $11 billion and $12 billion more spending than the budget says we will spend in the fiscal year 1969.

I am getting reports through the papers that it looks downtown like it is impossible to bring about much reduction—that actually it may be necessary to exceed that $11 or $12 billion increase.

Finally, a decision will have to be made somewhere in the Government as to whether or not the 10-percent surcharge has to be carried on for another 12 months beyond June 30—or some part of it.

If there were to be no reductions in the $195 billion, and the Ways and Means Committee were to be asked to continue the 10-percent surcharge—which will not amount to as much as the expenditure increase—would we not in effect be asked to continue the surcharge to meet the increased costs of Government between fiscal year 1969 and 1970—even though it would not be large enough to fully do the job?

The CHAIRMAN. The time of the gentleman has again expired.

Mr. MILLS. Mr. Chairman, I yield myself 5 additional minutes.

If this were to occur, I could not hold out the thought any longer to my own constituency that the 10-percent surcharge under those circumstances was temporary for a period of 1 or 2 years. I say this because once we get into that pattern, once we get into the pattern of not controlling expenditures, and they go higher and higher one fiscal year after another, then we can see that we will need to extend the surcharge on June 30, 1970, just as much as we are going to need to extend it on June 30, 1969. I would have a great problem, frankly, in bringing myself around to the sponsorship, as chairman of the committee with jurisdiction in this field, of a continuation of the surcharge if that is going to be the record and if that is the way it is going to be used.

I, too, am interested, as all of you are, in trying to get better control over expenditures. However, I want to repeat what I said earlier: You do not effectively control spending through a debt limit. You cannot control it through this device. We are now in the same type of situation as we would be in if we told the merchants downtown to entertain every requested expenditure and purchase that our wives wanted to make, but then when the monthly bills came in, and the goods were delivered, we found out that they had spent more in total than we thought they should have spent, so we would not issue the checks. It is just as simple as that.

I cannot for the life of me see how anyone can conceive, if he is aware of the situation, of allowing this great Government of ours to be placed in the position that during the early days of the depression some of our States were in; namely, not being able to meet its bills when they come due. Think of what word would go out, not only to our people but throughout the world. It would be said that this great demonstration in democracy and free enterprise has finally come to its knees and is broken. What Khrushchev and others had said years ago they would do to us would have been accomplished. Do we want any such message as this to go out to the world; namely, that this Government is so hog tied that it cannot pay its own bills when they come due?

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Iowa.

Mr. GROSS. Does not the gentleman think that some attention ought to be given the other 364 days of the year to what will happen on such a day as this unless there are drastic reductions in spending?

Mr. MILLS. Absolutely. That is true. There is no question about it. You start programs that cost money, and there are built-in increases in those programs. I have already suggested that there is a better way Congress can make its own determination about how much it wants spent out of what is in the pipeline.

Mr. GROSS. When Congress makes a determination that it is going to spend far beyond its means, it is bound to come to a day like this, is it not?

Mr. MILLS. You just cannot go on forever spending more than you take in. At some point in time your interest gets so heavy that it will place an undue burden on taxpayers. However, I do not think we have come to that point.

Mr. GROSS. Did we not have the assurance a year or 2 years ago, when the surtax was approved by the House——

Mr. MILLS. A year ago.

Mr. GROSS. Did we not have assurance at that time that an increase in the debt ceiling in 1969 would not be necessary?

Mr. MILLS. I said, "There is every chance unless some unforeseen contingency develops that we will not have to tinker with the debt ceiling for the fiscal year 1969." However, after the 1968 act was passed more exceptions were added to the $6 billion expenditure reduction. It is these extra exceptions which make action necessary now.

Mr. GROSS. Let me ask the gentleman this question: Has the gentleman seen any restraints thus far in this session of Congress with respect to spending?

Mr. MILLS. I do not want to be critical of the new administration.

Mr. GROSS. Neither do I, but I am asking the gentleman. Personally, I am unaware of any restraint.

Mr. MILLS. I always thought that any new President was entitled to a honeymoon of at least 90 days.

Mr. GROSS. Does that honeymoon include such measures as increasing the pumping out of additional money to a foreign aid handout agency to the extent of $480 million, or a $180 million increase?

Mr. MILLS. It depends upon how the President likes the marriage that he has with the Congress.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield such time as he may consume to the gentleman from Kansas (Mr. MIZE).

Mr. MIZE. Mr. Chairman, I urge all Members to give careful consideration to the proposition before us today.

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Under the unified budget concept adopted upon recommendation of a bipartisan Presidential Commission established early in 1967, the Federal Government will achieve a surplus during fiscal years 1969 and 1970. Borrowing from the public will decline, according to the best estimates before us today. The surtax has accomplished this much of its mission it now appears clear.

INCREASED DEBT IN TIMES OF SURPLUS?

Mr. Chairman, many Americans do not understand why the President has requested an increase in the public debt limit in a time of surplus. I think it is essential that the Congress provide a forum for better public understanding of this seeming paradox. The increase requested today is essential for two basic reasons.

First. No surplus would be achieved in fiscal year 1969, or in fiscal year 1970, without the major contribution of various trust funds held by the Federal Government. During fiscal year 1969, the trust fund surplus is projected to be nearly $9.4 billion. That surplus should increase to $10.3 billion for fiscal year 1970. Current law requires all trust fund surpluses to be invested—for the public good—in special issue Federal bonds

Mr. Chairman, in order for the Federal Government to borrow this surplus, as required by law, the public debt limit, as set by statute, must be increased before the end of the current fiscal year

I might also point out that the operations of the Federal Government would sustain a deficit of some $7 billion without the trust fund surplus, if old administrative budget procedures were still being followed.

Second. The Federal Government is currently dangerously close to the statutory limit for the public debt. Traditionally, between March 15 and April 15, Government borrowing is at a seasonal high-water mark. This temporary situation is annually relieved in mid-April by the income tax returns of millions of American taxpayers.

This year, seasonal demands threaten to exceed current borrowing limitations. We have come too close to the debt limit for prudent operation of the administrative machinery of government and the war in Vietnam. The debt, most regrettably, must be increased.

ADMINISTRATION DESERVES A CHANCE

Mr. Chairman, constitutional and statutory procedures in the United States provide that an incoming President should inherit the budgetary proposals of his predecessor for the following fiscal year. These procedures are proper, for clearly no President can be expected to prepare and recommend an entirely new and unique budget for his first full fiscal year in office in a matter of a few months.

Mr. Nixon has committed his administration to the cooling of inflationary pressures, reduced cost of government, and priorities in Federal spending. Throughout the Nation, most Americans have shown confidence in his leadership. and have every right to expect a critical redefinition of the role of government in American society. But these things take time.

Mr. Chairman, the new administration must have enough flexibility to establish its priorities in a careful, deliberate manner. To deny the President a statutory debt limit increase would be to deny him the time and the atmosphere for proper analysis and prudent action in fiscal reform.

The pressures of Vietnam are inherited pressures, but pressures nonetheless. The fiscal year 1970 budget projects Southeast Asia costs to approach $26 billion during that year. An arbitrary debt limit would force hasty reductions in domestic programs without time for study of the impact or it would improperly impair our effort to bring the war to an honorable conclusion. Both alternatives are intolerable.

Mr. Chairman, those of us who have voted against increases in the public debt limit in recent years have voted as a protest against the spending programs and priorities of an administration long in power—such a protest would be improper today, for the debt limit increase proposed today reflects conditions which were inevitable on Inauguration Day.

Hopefully, in years ahead, Government spending can be arrested to provide some relief to the American taxpayer without attendant disruption of essential foreign and domestic programs.

I urge all Members to vote in favor of the bill before this Chamber today.

I am changing my vote and I am going to support this legislation.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio (Mr. Latta).

Mr. LATTA. Mr. Chairman, first of all I would like to commend the gentleman from Arkansas, the chairman of the Committee on Ways and Means, for the statement he has made today, and the statement that he made yesterday before the Committee on Rules, when he was requesting a rule on the bill. He pointed out something to us that I want to point out to the Members of the House today. It is this. In the 1970 budget there are built-in increases—built-in increases—of between $7.5 billion and $10 billion over and above the 1969 budget. This is something that the Nixon administration has inherited from the 90th Congress, and from the outgoing Johnson administration.

Many of the Members realize they did not vote for many of the bills which caused these built-in increases, and this includes the gentleman in the well, but neither did the new administration. The new administration had absolutely nothing to do with these $7.5 billion to $10 billion worth of new costs included in the 1970 budget over the 1969 budget. Yet, it is only asking for an increase of $7 billion in the debt ceiling. By reason of this fact, and by reason of this fact alone, I feel compelled to support the administration in this initial request as it has not been in office long enough to do anything about these built-in increases which it has inherited.

In making this exception, let me be quick to point out that I am not changing my position on deficit financing as I believe we should certainly "pay as we go" in times of high prosperity.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield to the gentleman from Iowa (Mr. Gross), such time as he may consume.

Mr. GROSS. Mr. Chairman, I am laboring under no illusions about the fate of this bill. It will be approved by the House by an overwhelming margin. Many of those who have opposed increasing the debt ceiling in the past will yield to political expediency and wilt like lettuce under a July sun.

I have consistently opposed increasing debt ceilings for the reasons that there is no other way to protest the irresponsible spending programs that pile ever higher the staggering debt that is being passed on to the generations to come, and there is apparently no other way to point up the necessity for the financial restraints that are necessary if sanity is to be restored to the conduct of the fiscal affairs of the Federal Government.

Thus far, the new administration, I regret to say, has evidenced no restraint in the legislation that has come before the House. A few days ago there was a bill, supported by the administration, to increase the capital of the International Development Association which dispenses handouts to foreigners. That bill authorized an outlay of $480,000,000—an increase of $180,000,000 over the previous appropriation for the same purpose.

In the interests of restraint, President Nixon should have withdrawn President Johnson's recommendation to Congress for outrageous pay increases to Members of Congress, the judiciary, and the executive branch—pay increases that will cost a minimum of $25,000,000 and help accelerate the already spiraling inflation. Already the millions of Federal employees and military personnel, who will get pay increases on July 1, 1969, have noted the unconscionable increases given to top officials and employees and are demanding that their pay be increased far beyond previously planned levels. And the Federal surtax on the incomes of all citizens, enacted a year ago as a temporary measure to obviate the necessity for a debt ceiling increase in 1969, will be continued. Even with the $10,000,000,000 in annual additional revenue from this tax there is no contention that the budget will be balanced.

The gentleman from Mississippi (Mr. Colmer) properly points out that ruinous inflation has overtaken this Nation. He replies to those who say there will be a crisis unless the debt ceiling is increased by saying that perhaps this is the time for a showdown before the situation becomes any worse.

There is much substance to the statement of the gentleman from Mississippi for it is utterly meaningless to raise the debt ceiling in the absence of evidence that mindless spending is not to be halted.

I cannot conscientiously do anything but vote against the pending bill.

(Mr. COLLIER (at the request of Mr. Byrnes of Wisconsin) to extend his remarks at this point in the Record.)

Mr. COLLIER. Mr. Chairman, the measure before us, H.R. 8508, provides for a permanent ceiling for the national debt of $365,000,000,000, as well as additional temporary borrowing authority of $12,000,000,000. Such temporary au-

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thority would make the ceiling $377,000,000,000 for fiscal 1970. The permanent limit at present stands at $358,000,000,000, while the temporary ceiling permitted within each fiscal year is $365,000,000,000.

This legislation which was recommended unanimously by those of us who are privileged to serve on the Committee on Ways and Means, is sponsored by the distinguished chairman of that committee, the able gentleman from Arkansas (Mr. MILLS), and cosponsored by its distinguished ranking minority member, the able gentleman from Wisconsin (Mr. BYRNES).

In offering this bill, which would escalate the permanent ceiling by $7,000,000,000 and the temporary ceiling by $12,000,000,000, the committee is not abandoning fiscal responsibility—it is merely recognizing the fiscal facts of life. We must pay the bills of the Federal Government as they fall due. To blame the Committee on Ways and Means for the debt would be as ridiculous as it would be to blame the thermometer for the heat of August or the cold of January.

We are hoping and praying that the war in Vietnam will soon be over, but until it does end, it will continue to cost us over $2 billion per month. Even if it ended tomorrow, even if we were to abandon Southeast Asia to the forces of communism, we would still have to find the wherewithal for twice that amount of money allocated for military spending by the Department of Defense.

Despite the huge outlays that are required for the conflict in Vietnam and an adequate preparedness program for a world that is in constant turmoil and crisis, we could still have avoided an elevation of the debt ceiling if the budgets for the past few years had been balanced. At the end of fiscal 1960, the last year that the budget showed a surplus, the debt was $290,799,000,000. An unbroken series of eight deficits since then brought the debt to $369,724,000,000 last June 30.

Although President Johnson, in the budget that he submitted 6 days before he left office, optimistically predicted surpluses of $2,391,000,000 and $3,414,000,000 for the fiscal years 1969 and 1970, respectively, it will be very difficult for his successor, President Nixon, to achieve any sort of balance for either of those 2 years.

Mr. Johnson told the Congress, in his budget message:

> As a result of the unusually large increase in special Treasury issues to Government trust funds for investment of their surplus receipts in the latter half of the fiscal year, the direct Treasury debt will be relatively high, even though a budget surplus is in prospect and borrowing from the public will decline. It may be necessary, therefore, within the next few months, to revise the present debt limit. Even if this does not prove necessary at that time, the need for such action will, in all probability, arise next fall, when budget receipts will be seasonally low.

There is an urgent need for raising both the permanent and temporary debt ceilings, but Mr. Johnson did not tell the entire story. The need for new ceilings arises because of certain discrepancies that will be found between the rosy picture he painted and the dark realities that we might as well face now as later.

The budget for fiscal 1969, which will expire 109 days from now, will not have a surplus of $2,391,000,000, but a deficit of $6,962,000,000. This $9,353,000,000 discrepancy is due to the elimination of the trust funds' accumulated surplus of $9,353,000,000—$52,390,000,000 receipts less $43,037,000,000 expenditures.

These trust funds cannot be diverted to defray the Government's operating expenses. While they must be invested only in bonds of the U.S. Government, they cannot be commingled with other Government funds.

The budget for fiscal 1970, which will begin July 1, will not have a surplus of $3,414,000,000, as predicted by Mr. Johnson; instead it will show a deficit of $10,751,000,000. The main reason for the discrepancy of $14,165,000,000 is the inclusion of the $10,262,000,000 accumulated trust funds reserve—$58,693,000,000 receipts less $48,431,000,000 expenditures. This reserve is based upon the enactment of Mr. Johnson's request for a $1,700,000,000 increase in social security taxes, effective next January 1; such enactment may not be forthcoming.

The anticipated surplus is based in part upon a manipulation of $2,684,000,000 in the Commodity Credit Corporation account. Another $519,000,000 would be added to the red ink if Congress does not agree to President Johnson's request for an increase in first-class postage from 6 to 7 cents, effective July 1.

If we do not increase transportation user charges, another $400,000,000 will be added to the deficit. The remaining $300,000,000 discrepancy between make believe and reality would come about if Congress does not enact legislation that would advance payment of Federal unemployment taxes from annual to quarterly.

Mr. Chairman, my remarks regarding the budget for fiscal 1970 have been predicated upon the assumption that the 10-percent income surtax will be extended for another year. If Congress fails to extend it, in whole or in part—and we cannot assume that it will extend it—we will be in even more serious trouble financially.

No matter what we do regarding surtax extension, a refusal to raise the debt ceiling would be an act of fiscal irresponsibility. Even though I have, during my seven terms in this body, voted against the numerous spending proposals that have come before us, I still feel that the bills for profligate spending must be paid. We cannot shrug off responsibility for these debts, like the husband who runs an advertisement in the newspapers in which he disclaims responsibility for the bills that have been run up by a spendthrift wife. Even though many of those who voted for just about every spending measure that came up during the Kennedy and Johnson administrations are no longer among us, those of us who sit here today must pay for their prodigality, just as the ex-husband must pay alimony long after his former spouse has left his bed and board.

Mr. Nixon has been in office for less than two months, so it is obvious that he and his administration have had little time in which to go over the fine print in the budget. The new President can, of course, find plenty of places in which to economize before the time comes to submit the budget for fiscal 1971. Many economies can be put into effect through administrative action and I hope that the heads of the Departments and other agencies of the executive branch work as hard finding places to save money as their predecessors have done finding places to squander money.

By instituting all the economies possible, President Nixon can reduce unnecessary spending for the remaining 3 months of fiscal 1969 and all of fiscal 1970 and present a balanced budget for fiscal 1971, thus obviating the necessity for another escalation of the debt ceiling. He ought to use every possible weapon, a meat-ax on the wildest of the Great Society nightmares and a surgeon's knife on the programs that can be operated to advantage with fewer employees, more efficiency and less money.

While the executive branch can accomplish a great deal in the field of economy, we in the Congress can do even more. As the authorization and appropriation bills come before the various subcommittees and committees and eventually to the floor of the House, we can go over them with fine-tooth combs and search out places to save money. When programs that are about to expire come up for extension, we ought to ask ourselves, "Is this program really necessary? If it is necessary, can it be operated more efficiently and with less money at the State and local levels? If it is a proper responsibility of the National Government, can it get along without such huge authorizations and appropriations as it received in past years?"

If we are going to exercise prudence in fiscal matters, we must set up a schedule of priorities. Which programs are imperative, which can be deferred until the financial picture brightens, which can be shifted to other levels of government, which ought to be abandoned completely? The House of Representatives, where appropriation bills traditionally originate, has a unique opportunity to start the drive for economy.

We must get our fiscal house in order and bring inflation under control. We simply cannot permit the cost of living to increase by leaps and bounds year after year without having an inevitable day of reckoning. Inflation is hardest on the poor, for whom the demagogs save their bitterest tears.

A most effective battle in the war on poverty will be won if we curtail governmental extravagance, balance the budget, and prevent further inflation. We frequently hear it said that we cannot eliminate budgetary deficits without increasing unemployment. In response to that argument I will say that if we continue on our present course, with deficit piled upon deficit, with the cost-of-living increasing month after month, our economic house of cards will finally come tumbling down and the great depression of 1929 to 1940 will look like a picnic.

Mr. Chairman, if there were no other reason for exercising fiscal restraint, the

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interest on the public debt would be a sufficient reason for avoiding another hike in the debt ceiling later on. The following table shows how the annual bill for interest has doubled since fiscal 1959:

[In millions of dollars]

Fiscal year:	
1959	7,070
1960	8,299
1961	8,108
1962	8,321
1963	9,215
1964	9,810
1965	10,357
1966	11,285
1967	12,588
1968	13,744
1969 (estimated)	15,171
1970 (estimated)	15,958

If we were to exactly balance the budgets for the next 24 years, with neither surpluses nor deficits, and with no changes in interest rates, the interest for that period would total almost $383,000,000,000. This would be more than the proposed ceiling that we are considering today would permit—and we would still owe the debt.

We have, of course, no assurance that interest rates will remain constant, in fact, they will probably go up as time goes on if spending is not brought under control. With large portions of the debt falling due at frequent intervals, the Department of the Treasury will be forced to pay higher interest rates, especially for short-term borrowing.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield myself such time as I may consume.

The CHAIRMAN. The gentleman is recognized.

Mr. BYRNES of Wisconsin. Mr. Chairman, we have today before us an item that has been before us on all too many occasions.

It seems we face this distasteful task almost on an annual basis, if not on a biannual one. It is not pleasant for anyone, and I think the repetitious nature of this legislation should give us cause for concern as to what is happening in our expenditure levels and certainly every President, no matter of what party he might be, in these days must have to be concerned about that factor.

But let me add one other point. We have heard talk today of people who are going to do this to support the President. I do not look at this as a matter necessarily of supporting the President of the United States by what we do on this particular issue.

It seems to me it is in support of the country—that is paramount. Certainly, the Congress of the United States as a body has a great deal to do with what the levels of expenditures are from year to year. I am not, mind you, trying to absolve the executive branch from responsibility because they do have a great responsibility in the executive branch in what they propose and what they encourage and what they put pressure on the Congress to do by way of new programs and new expenditures.

I would share with my chairman his word of caution that we have to get spending under control because it is not under control as of today. There is no question about what this Congress has to do. It is not a matter that has to do with supporting the President, but rather it is a matter that has to do for the country in view of the fiscal situation that we face at this time.

Mr. Chairman, I could very well make the same statement that I made back in 1961 during the first increase in the debt ceiling under the then Kennedy administration; that is, on June 26, 1961. I said at that time:

> Mr. Chairman, this matter of the debt ceiling is becoming, I believe, an annual exercise in frustration. At this late date there is no alternative available except to grant a further increase in the temporary debt ceiling.

I supported that ceiling at that time.

I could repeat the remarks I made to the 87th Congress on February 20, 1962, during the early stages of the Kennedy administration, when I assured this House on that day that I would vote for the increase that had been reported by the committee.

Now I am not standing here before you suggesting that I have not voted against legislation that has been reported by the committee to increase the debt ceiling. Yes, I have opposed it. But I would never take a position that would put any administration or any Congress in a situation where it had to default on paying its bills. The issue always—and I think the chairman of the committee will bear me out—was not the question of whether the debt ceiling had to be increased, and not the question of whether we had to provide borrowing authority. The issue was that the amount granted by the committee in a particular instance was not conducive to expenditure control.

Mr. MILLS. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman.

Mr. MILLS. I would certainly like to confirm what the gentleman has said. We have worked together on the committee for many years and I do not recall that the gentleman ever said that the debt ceiling would not have to be increased. Generally, we got into discussion on what the figures should be.

Mr. BYRNES of Wisconsin. That is right. It was a matter of whether the leeway granted was too much and whether the debt ceiling should act as more of a restraint rather than the committee might have provided in the bill. I think that that probably really is the only issue that there should be today—if there is any issue at all.

So, Mr. Chairman, I would like to address myself just briefly to the question of how much leeway does the administration really have in the ceiling that is imposed by this legislation reported by the committee.

Mr. SCHWENGEL. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Iowa.

Mr. SCHWENGEL. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I say to my colleagues that I have listened with great and avid interest to the debate here, and I find myself in a difficult position. I have never voted for an increase in the debt ceiling. But the statement of the gentleman from Wisconsin and the statements of others on both sides of the aisle have been very persuasive. In the words of the old song, "I am almost persuaded."

Mr. BYRNES of Wisconsin. Give me a couple more minutes and perhaps I can persuade you.

Mr. SCHWENGEL. If I am persuaded, it will be because I will feel that now, more than at any other recent time, maybe we are acting more responsibly. I make that statement because I have assurances from downtown, the Chief Executive and prominent officials, which indicate that they are going to work harder for this proposition of setting priorities and finding better answers and solutions to problems.

Mr. Chairman, there are occasions when a Congressman is forced to be responsible because others have been irresponsible. Mr. Chairman, I repeat that never before in my political life have I cast a vote to increase the debt limit. My voting of previous occasions on the debt limit has been at a time when I felt we had an opportunity to set priorities to adopt programs that were more economical and/or to act upon the tax question so that we would have the additional revenue necessary to balance the budget. This time this is not the case. So, reluctantly, I will vote for the proposed debt increase.

Mr. Chairman, the proposal before us is a request for a temporary increase in the Federal debt ceiling. My vote for an increase of the debt limit is made reluctantly but with the assurance that this administration will be responsible and will set priorities and will deal with tax loopholes and inequities. If this does not prove to be the case, then in the future I shall again oppose debt ceiling increases. It is clear, of course, that the facts are and, this is a persuasive argument for any increase, that many important Government activities will be severely curtailed within a few weeks and before the President has a chance to make the changes needed to remain within the present ceiling on the Government debt.

Further, it should be noted that the present fiscal situation was not created by the present occupant of the White House. It was inherited from the previous administration, which in my opinion, did not exercise fiscal restraint.

It is only fair President Nixon will have and should have an opportunity to make further increases of the debt ceiling unnecessary. Further, we know that a reevaluation of the Federal budget is underway for the purpose of effecting significant economies. It is my hope that the reevaluation will provide substantial reduction in Federal spending.

One other point and problem, the resolution of which would aid greatly in obtaining a fiscal balance, is the Vietnam war. It has been costly—very costly—and, hopefully, this administration will be successful in resolving that—then the money going for that war can go for reduction of the debt and the needed programs; and so, Mr. Chairman, the end of the war, combined with meaningful tax reform, is necessary to make

our tax burdens more equitable. In addition, some fiscal restraint will help stem the tide of inflation.

Therefore, I will cast my vote today for an increase in the debt ceiling. It is the only reasonable alternative. President Nixon must have a chance to deal effectively with the problems surrounding our fiscal situation. To deny him the opportunity to do so would be the height of folly and would work against what we fought for during the campaign of 1968.

Mr. Chairman, it may serve the public interest to present the pros and cons of the debt limit. This is the result of special studies I have used to come to the conclusion I have reached on which I base my vote today.

THE PROS AND CONS OF DEBT LIMIT

Mr. Chairman, on June 24, 1966, President Johnson signed into law H.R. 15202, which had been passed by the Congress to raise the public debt limit to a level of $330 billion through fiscal year 1967. For the past decade "to raise or not to raise" the public debt limit has become an almost annually recurring problem confronting the Congress and the American people. This question generates much discussion each time it comes up for consideration. There have been four bills before the Congress to raise the public debt limit during the past two yaars.

For the first 128 years of our national existence, there was no statutory debt limit as such on the number of Federal securities that could be outstanding. There was, however, statutory authorization for each issue of securities. A statutory limitation on the amount of debt outstanding was started in 1917 when really large-scale borrowing became necessary in World War I. Borrowing since the first limitation was established has increased the debt by more than $300 billion—over 100 times its pre-1917 amount. Many upward adjustments of the debt limit have been made to accommodate or to control the World War II and postwar financing of the Federal Government.

In the light of these facts, is there justification for a national debt limit? Should the Congress establish a permanent debt limit and refuse to adjust it upward except in case of a national emergency? What would happen if Congress simply refused to raise the debt ceiling of the Federal debt? Does the debt ceiling exercise any influence on the level of the public debt? Is the raising of the debt ceiling a cause of an increase in the national debt or rather is it the effect of an increase? Some people have termed the public debt limit as a hallmark of fiscal integrity and the last hope for control of Federal expenditures. Others have gone to the opposite extreme and have dubbed it an invitation to costly and misleading fiscal maneuvers. Some contend that it is ineffectual as a limitation on the Federal debt and only serves to create inefficiency in management of the national debt.

DEFINITION AND HISTORY OF PUBLIC DEBT LIMIT

The public debt limit is a statutory ceiling or maximum limit established by legislation on the total amount of Federal Government securities that may be outstanding at any one time. The Constitution grants to the Congress the authority to control Federal indebtedness, to appropriate moneys and to provide for the collection of revenues. It provides that:

> The Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States.
>
> To borrow Money on the credit of the United States . . . (art. 1, sec. 8).
>
> No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of Receipts and Expenditures of all public Money shall be published from time to time . . . (art. 1, sec. 9).

Prior to World War I, the Congress took an active role in the management of the public debt by establishing the interest rates to be paid and specifying the type and often the maturity dates of Federal Government securities to be issued. However, due to the large-scale financing and the increasingly complex financial structure of the economy and, in general, to simplify matters, Congress enacted the Second Liberty Bond Act of 1917. This was the original legislative base of our present debt limit statutes. This law pulled together some of the unused borrowing authorities from previous acts and authorized the Treasury to issue bonds "not exceeding in the aggregate $7,538,945,460." In addition, Congress authorized the Treasury to issue certificates of indebtedness up to the amount of $4 billion at any one time.

During World War I, as Government expenditures exceeded Government revenues and substantial deficits were incurred, the Congress followed the simple procedure of amending the Second Liberty Bond Act whenever new debt authority was needed. This authorized the Treasury to issue whatever securities were deemed necessary to provide the funds to finance the war effort. Through this means the authorized debt limit increased with each amendment and the debt of the U.S. Government grew to $26.9 billion before the end of World War I. This amendment procedure has been followed ever since.

However, until 1941 the Congress authorized a public debt limit in various amounts specified for bonds, for bills, certificates, notes, and so forth. On February 19, 1941 the public debt limit authority was consolidated in one total figure for all types of Government securities outstanding. This was set at $65 billion. That has been the procedure followed since—to place a ceiling on all securities that may be outstanding at any given time. The public debt limit was raised to $300 billion on April 3, 1945. On June 26, 1946 it was decreased to $275 billion. This was considered a permanent debt ceiling. However, two upward adjustments have been made and the permanent debt limit now stands at $285 billion. Other increases in recent years have been termed "temporary" increases as they have been authorized for a specific period of time only. In fact, our present public debt limit is a $285 billion permanent ceiling plus a temporary additional limit of $45 billion for the fiscal year 1967. Thus, if no other action is taken, as of June 30, 1967, the public debt limit will drop from $330 billion to the permanent level of $285 billion. For a complete list of public debt limit legislation, see table below:

Public debt limit legislation, 1917–1966 [1]

Legislation and date approved:	*Millions*
Sept. 24, 1917:	
40 Stat. 288, sec. 1, authorized bonds in amount of	[2] $7,539
40 Stat. 290, sec. 5, authorized certificates outstanding revolving authority in the amount of	4,000
Apr. 4, 1918:	
40 Stat. 502, increased bond authority to	[2] 12,000
40 Stat. 504, increased authority for outstanding certificates to	8,000
July 9, 1918:	
40 Stat. 844, increased bond authority to	[2] 20,000
Mar. 3, 1919:	
40 Stat. 1311, increased authority for outstanding certificates to	10,000
40 Stat. 1309, authorized notes in the amount of	[2] 7,000
Nov. 23, 1921:	
42 Stat. 321, established revolving authority for notes and increased note authorization to	7,500
June 17, 1929:	
46 Stat. 19, authorized bills in lieu of certificates; no change in limitation for amount outstanding	10,000
Mar. 3, 1931:	
46 Stat. 1506, increased bond authority to	[2] 28,000
Jan. 30, 1934:	
48 Stat. 343, increased authority for notes outstanding to	10,000
Feb. 4, 1935:	
49 Stat. 20, established revolving authority on bonds and limited outstanding amount to	25,000
49 Stat. 21, consolidated authority for certification, bills, and notes for an aggregate amount outstanding of (49 Stat. 21, new sec. 22 added, authorization for U.S. savings bonds within authority of the bond limitation)	20,000
May 26, 1938:	
52 Stat. 447, consolidated authority for bonds, certificates, bills, and notes (outstanding bonds limited to $30,000,000,000) and authorized an aggregate total outstanding of	45,000
July 20, 1939:	
53 Stat. 1071, removed limitation of $30 billion on bonds without changing total authorized securities outstanding	45,000
June 25, 1940:	
54 Stat. 526, authorized issuance of federal securities, known as "National Defense Series," not to exceed $4,000,000,000	[3] 4,000
Feb. 19, 1941:	
55 Stat. 7, established limitation on the face amount of obligations outstanding at any one time. Separate authorization for $4,000,000,000 of national defense series obligations was eliminated	65,000
Mar. 28, 1942:	
56 Stat. 189, increased limitation to	125,000

Public debt limit legislation—Continued

Legislation and date approved:	*Millions*
Apr. 11, 1943:	
57 Stat. 63, increased limitation to	$210,000
June 9, 1944:	
58 Stat. 272, increased limitation to	260,000
Apr. 3, 1945:	
59 Stat. 47, increased limitation to	300,000
June 26, 1946:	
60 Stat. 316, decreased limitation to	275,000
Aug. 28, 1954:	
68 Stat. 895, effective Aug. 28, 1954, and ending June 30, 1955, temporarily increased limitation by $6 billion, to	281,000
June 30, 1955:	
69 Stat. 241, extended temporarily increased limitation of $6 billion to June 30, 1956 to	281,000
July 9, 1956:	
70 Stat. 519, temporarily increased limitation by $3 billion for period beginning July 1, 1956, and ending June 30, 1957 (effective July 1, 1957, temporary increase terminated and limitation reverted to permanent limit, under act of June 26, 1946, to $275 billion)	278,000
Feb. 26, 1958:	
72 Stat. 27, effective Feb. 26, 1958, and ending June 30, 1959, temporarily increased limitation by $5 billion to	280,000
Sept. 2, 1958:	
72 Stat. 1758, increased permanent limitation by $8 billion to $283 billion, which, with the temporary increase of Feb. 26, 1958, made total limitation	288,000
June 30, 1959:	
73 Stat. 156, increased permanent limitation by $2 billion to $285 billion, and authorized an additional temporary increase of $10 billion for period July 1, 1959 through June 30, 1960, for a total limitation of	295,000
June 30, 1960:	
74 Stat. 290, authorized temporary increase of $8 billion for period July 1, 1960 through June 30, 1961 for a total limitation of	293,000
June 30, 1961:	
75 Stat. 148, authorized temporary increase of $13 billion for period July 1, 1961 through June 30, 1962 for a total limitation of	298,000
Mar. 13, 1962:	
76 Stat. 23, authorized additional temporary increase of $2 billion for the period Mar. 13, 1962 through June 30, 1962 for a total limitation of	300,000
July 1, 1962:	
76 Stat. 124, as amended by 77 Stat. 50, approved total limitations as follows:	
Beginning July 1, 1962 and ending Mar. 31, 1963	308,000
Beginning Apr. 1, 1963 and ending May 28, 1963	305,000
Beginning May 29, 1963 and ending June 30, 1963	307,000
July 1, 1963:	
77 Stat. 50, approved a total limitation for the period of July 1, 1963, through Aug. 31, 1963, of	309,000
Sept. 1, 1963:	
77 Stat. 131, approved a total limitation for the period of Sept. 1, 1963 through Nov. 30, 1963, of	309,000
Nov. 26, 1963:	
77 Stat. 342, approved total limitations as follows:	
Beginning Dec. 1, 1963 and ing June 29, 1964	$315,000
For the day of June 30, 1964	309,000
June 29, 1964:	
Public Law 88–327 authorized a temporary increase of $39 billion for period June 30, 1964 through June 30, 1965, for a total limitation of	324,000
June 24, 1965:	
Public Law 89–49 authorized a temporary increase of $43 billion in the public debt limit from July 1, 1965 through June 30, 1966, for a total limitation of	328,000
June 24, 1966:	
Public Law 89–472 authorized a temporary increase of $45 billion in the public debt limit from July 1, 1966 through June 30, 1967, for a total limitation of	330,000

[1] Maximum amount authorized to be outstanding at any one time.

[2] Limitation on amount to be issued.

[3] Limitation on issues less retirements.

Therefore, Mr. Chairman, what started out as a simple measure to permit the Treasury the authority to borrow the sufficient funds necessary to meet expenditures authorized for the national security, defense, and other purposes of World War I, has now grown into a definite and well-entrenched part of our Federal fiscal system. It has become a rallying point for those who hope to restrain the growth of Government expenditures and the influence of the Federal Government over the private affairs of the people. It is regarded by some as virtually the law of the land that expresses the national devotion to the idea of thrift and to economical management of the fiscal affairs of the Federal Government. Others consider it wasteful and at the very least insist that it should be high enough to permit the most efficient management of the public debt.

TRENDS IN NATIONAL DEBT

Government spending and the level of the national debt are objects of the debt limit statute. Let us take a brief look at the historical pattern of the U.S. Federal Government debt.

Our Federal Government started off with a national debt of $78 million when it was formed in 1789. Primarily, these were unpaid costs of waging the Revolutionary War. Generally this debt was reduced on a very gradual basis to a point of $53 million by 1810. The War of 1812 led to another increase in our public debt. After that war the debt was gradually reduced until it reached the low point of $37,500 outstanding in 1835. Actually, the entire public debt was paid off, except for those securities which were not presented for payment, and there was a surplus of several million in the Treasury—much more than would have been needed to pay off all indebtedness. However, the financial panic of 1837 led to an increase in the public debt to more than $10 million by 1838. Thereafter, the debt increased to a level of $65 million by the beginning of the Civil War. The demands of the war caused Government expenditures to increase rapidly and the United States accumulated an outstanding debt of $2,756 million by 1866. After the Civil War, the Government followed a policy of gradually reducing the debt through surpluses in most of the years.

Debt reductions created economic problems; it reduced the national bank note circulation while many geographic areas were complaining of the scarcity of money. Proposals to reduce the Treasury surplus by lowering tariffs—the principal source of Federal revenue—induced protectionists to counter with demands for higher rates and to publicize the concept of permanent protection of American industry. By 1893 the debt was down to $961 million. It has never been that low since, the depression of the 1890's, which resulted in reduced Federal Government revenue plus the demands of the War with Spain, increased our national debt to nearly $1.5 billion. This was gradually reduced to $1.2 billion in 1915. However, with our entry into World War I Federal expenditures shot up rapidly and we proceeded to reach the level of $26.9 billion. After World War I, there was a sustained effort on the part of the Federal Government, especially under the leadership of Secretary of the Treasury Mellon, to reduce the national debt. In this period, income tax effective rates were reduced four times. There was a reduction in the national debt each year until 1930 when it reached a low point of $16.2 billion. However, since 1930 there has been an increase in the Federal debt at the fiscal yearend for every year except 1947, 1948, 1951, 1956, and 1957. Our present debt amounts to approximately $315 billion, the greatest portion of which resulted from the financial burden of World War II, during which time we spent more than $211 billion in excess of what we took in. Naturally, our public debt limit had to be raised substantially during this period. It went up from $45 billion at the beginning of 1941 to $300 billion by April 1945.

ARGUMENTS IN FAVOR OF A PUBLIC DEBT LIMIT

In view of the fact that since we have had the debt limit in operation our national debt has increased by one hundred times, the question naturally arises: Should we have a public debt ceiling or not? Does it serve a useful purpose? What are some of the arguments in favor of maintaining a statutory public debt limit?

Supporters of a public debt limit contend that Federal expenditures have become so large and the Government so complex that removing the debt limit would open the door to wasteful and nonessential expenditures. These people feel that maintaining a statutory debt limit is essential if we hope to maintain fiscal integrity of the Federal Government.

Some claim that Congress has lost much of its legal control over various types of Federal spending, and that annual control over expenditures is practically impossible. Appropriations carried over from 1 year to another give the executive department a wide latitude in expenditures. Under the present legislative procedure on appropriation bills Congress exercises relatively little control over annual expenditures. It acts only on new appropriations, a large part of which are for expenditures in future years. It cannot control expenditures from the balances remaining in prior years' appropriations. Using fiscal year 1963 as an example, our Government started the year with unexpended balances from prior years' appropriations of nearly $80 billion. During the year new obligational authority was granted amounting to more than $102 billion. This brought a total of funds or authority available for expenditures of approximately $182 billion. However, expenditures amounted to $92 billion. Thus, nearly $90 billion in unexpended balances was left to be carried over to future years. The supporters of the public debt limit contend that it restricts the administration to expenditures comparable in amount to those proposed in the budget and authorized by the Congress whereas appropriation acts do not effectively impose such restrictions on the total of expenditures.

Another method by which congressional control has been weakened is the procedure of giving Federal agencies the authority to spend what are called public debt receipts. This has been commonly referred to as backdoor financing. Under this arrangement an agency or program is authorized to finance itself by borrowing, sometimes from the public but more commonly from the Treasury. Thereby money can be obtained from the Treasury without reference to the Appropriations Committees, and the Appropriations Committees cannot develop a balanced program of spending authority.

It is also contended that due to the size and complexity of the Federal budget Congress does not consider the budget as a whole. Once the President's budget is submitted in January of each year, it is broken down into many appropriation requests and these individual bills are then considered separately over a period of many months by the different subcommittees of the House and Senate Appropritions Committees, before consideration by the respective Houses. Under this procedure there is no opportunity in Congress to consider all appropriation bills combined in terms of annual expenditures as opposed to the estimated revenues for the period. Yet such an overall view was the intent of the Budget and Accounting Act of 1921 requiring the Chief Executive to submit an annual budget.

The supporters of a public debt limit see as a basic problem the need for controlling Federal expenditure if we are to get relief from the high taxes of today and additionally if we are going to make any reduction in our national debt. The interest charges on the national debt for fiscal year 1964 amounted to $10,673,000,000. This was more than total Federal Government expenditures in any given year prior to 1941, with the exception of World War I fiscal years 1918 and 1919. It exceeded total Federal Government receipts for any year in our history prior to 1942.

In addition to using the public debt limit as a means of trying to force the executive branch of the Government to find places to cut out some spending for which funds have been appropriated by the Congress, the debt limit is considered to focus public attention on Government finances. It is thought of by some as a stoplight against further spending which is effective both with officeholders and with the public. This idea was expressed by former Secretary of the Treasury, George M. Humphrey, in hearings before the Senate Committee on Finance of the 85th Congress, first session. Mr. Humphrey said:

> I have fought to hold to the present debt ceiling because I think the restraint of the present debt ceiling gives to the Executive, to the Congress, to everyone concerned, is a wholesome thing to have and I think it is like breaking through a sound barrier. There is an explosion when you go through it and there ought to be one. It has weight with public sentiment and I think as a deterrent to spending over and above that amount so I am in favor of it.

An editorial in the Wall Street Journal of June 2, 1964, made the point that debate on the public debt limit focuses the public's attention on the Government's financial conditions, it said:

> BALLOONS
>
> Though Congress long has been carefully allowing the Administration to overspend its income, the law makers have usually fought tooth-and-nail over increases in the debt limit. That's a bit like forbidding a balloon to expand while you go on blowing it up.
>
> Nonetheless, we find it a little disheartening that no real opposition arose when the House Ways and Means Committee voted the other day to lift the Federal debt ceiling yet another $9 billion higher. An increase of that size is needed, the Treasury says in its traditional argument, to permit "flexibility" in its financing. And the committee gave in, apparently too tired of the subject to do otherwise.
>
> At least the erstwhile carping in Congress called public attention to loose fiscal living. It served as a reminder that the most flexible balloons develop weaknesses as they expand and, in fact, have even been known to break.

The supporters of the public debt limit consider it to be a deterrent to increased Federal spending. They argue that the national debt is already dangerously high and that any further increases will be harmful to the U.S. Government and to the American people. It is considered costly to the American people for, at the present rate, the interest charges on the national debt in 10 years would amount to well over $100 billion. The interest charge on the national debt is the second largest item of our Federal Government expenditures. It represents nearly 12 percent of the total expenditures of the Federal Government. It is surpassed only by defense expenditures. Many people contend that deficit financing by the Federal Government is one of the great factors supporting inflationary conditions and therefore that it has been the chief factor in reducing the value of the American currency since the 1930's. From 1939 to present the purchasing power of the dollar, based on the consumer price index has been reduced to approximately 44 cents, that is a 1964 dollar will purchase about the same as 44 cents in 1939. These people point out that public debt is not like private debt. If private debt is not paid it can be ended by liquidation. But if the public debt is not paid with taxes, liquidation takes the form of disastrous inflation or national repudiation. Either would be destructive of our form of government.

Even the stanchest supporters of a rigid public debt limit probably would not insist that the public debt ceiling should never be raised. In wartime or other periods of national emergency most, if not all, would agree that the Government may be forced to borrow to meet the demands placed upon it. They argue that such emergencies are rare, that all efforts to label each new spending program as such an emergency should be strenuously resisted, that we should so manage our national finances as to be able to meet any true emergencies that may arise.

In conclusion, the argument for a rigid public debt limit center on the theory that taxation is the focal point of fiscal discipline. These supporters of a tight public debt limit contend that financed through borrowing, the burden is shifted to the future and therefore the fact is not impressed on the public that government services can be provided only at a cost.

The argument continues that the public must decide whether it wants more Government services or not. If more services are desired, then the public must be willing to pay for them through increased taxation. Without this discipline, Congress and the administration may be tempted and influenced to undertake programs for which the public is not willing to pay. Therefore, if a rigid public debt ceiling were maintained, it would force the Congress, the administration, and the public more fully to evaluate all governmental programs. They would have to face the question: Is the program desirable in view of the increased taxes necessary to finance it?

SOME ARGUMENTS AGAINST A PUBLIC DEBT LIMIT

Many persons contend that the public debt limit serves little or no useful purpose. These critics contend that it does not effectively control expenditures, and that it hampers the Treasury management of the debt by forcing uneconomical financing procedures to be adopted when the public debt ceiling is pressing hard on the debt. Individuals opposed to the public debt limit point out that when the public debt limit statute was originated in 1917 we had a public debt of approximately $3 billion and established a public debt limit of $11 billion. Now, almost 47 years later, we have a public debt of over $315 billion and a public debt limit of $324 billion. The conclusion is apparent that the public debt limit does not hold down the public debt. The argument that the public debt limit holds down the public debt has been characterized as follows—"trying to stop the debt rise by holding down the legal ceiling seems about like trying to stop an elevator by grabbing the indicator arrow."

Those who are opposed to a rigid public debt limit contend either that there should be no debt limit at all, or, that the

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debt limit should at least be high enough to permit the Treasury adequate working room for the most effective management of the public debt.

The national debt includes a variety of evidences of debts, each maturing at a certain time. The Treasury is constantly refinancing the debt. The Treasury offers new securities for old ones as they come due or in advance of their maturity.

At present the Treasury automatically offers $2 billion or more of 3- to 6-months bills each week, about $2½ billion of 1-year bills once per quarter year, and in 6 months of 1964, sold $1 billion of notes for cash and exchanged $30.4 billion of notes and marketable bonds. In addition, savings bonds increased by $400 million, and nonmarketables special issues to Government trust fund, and so forth, increased by $3 billion.

When the debt is very near to the debt limit the refinancing and new financing of billions of dollars of Government debt is a very delicate and not infrequently a costly affair. The terms on the new securities must be so attractive as to make their sale a certainty. The Treasury cannot take chances on saving interest costs—it has to offer top prices. A tight debt limit does not permit the Treasury the leeway to await the most opportune moment in the finance market to sell Government securities.

Critics of a tight debt limit point out that the Congress passes on all obligations and expenditures of the Federal Government. Also, Congress establishes the tax rates and votes all laws affecting Federal revenues.

Under the established allocation of congressional committee jurisdictions, the committees which report tax laws for approval of the whole Congress also report debt limit legislation. The tax committee can in effect veto temporarily the work of the Appropriations Committees.

The debt limit acts less as a restraint on the growth of spending over the years than as an interference with spending during the course of a year. The debt fluctuates considerably during a year, even when it does not increase from year-end to yearend, because tax receipts are large in some months and small in others, resulting in seasonal deficits and surpluses. A tight debt limit thus forces the Government to adjust its spending not to the needs of authorized and funded programs, but to the accidents of the pattern of tax receipts. Changes in economic activity, producing unexpectedly large or unexpectedly small Federal revenues, intensify the problems of managing finances under a tight debt limit.

The opponents to a public debt limit stress that the executive branch of the Government spends what is authorized by Congress just as it collects what is authorized by Congress. Therefore, budgetary deficits or surpluses result from congressional action as modified by economic developments or by executive withholding of appropriated funds. Then, these opponents ask, what purposeful effect can debt limit legislation have on the control of expenditures and the level of the national debt?

It has been charged by some that the debt limit works against the purpose of controlling expenditures by permitting Congressmen to register their economy-mindedness through voting for a limit on the public debt and then voting for various spending proposals. The New York Times in an editorial on May 12, 1963, said:

> There is no need for a ceiling on the public debt if Congress practiced what it preaches. Without such a ceiling the Treasury could do a more effective and cheaper job of debt management. But in continuing to throw up a smoke screen Congressional economizers are indulging in hypocrisy. They are increasing the costs of government while diverting attention from their own failures to reduce spending.

Those who oppose a strict debt limit contend that if Congress passes on and authorizes the amount of expenditures through appropriations and also authorizes the taxes and revenues to be collected, the debt limit serves no useful purpose in the control of expenditures and the level of the national debt. This has given rise to the question: "How many times does Congress have to pass on the same thing?"

The position of those who oppose a strict public debt limit is that efforts of Congress in limiting expenditures must be primarily through the appropriation process. In this respect, the Secretary of the Treasury, C. Douglas Dillon, had this to say in testimony before the House Ways and Means Committee on raising the public debt limit:

> No one is more dedicated to responsible finance and strict expenditure control than I am. But effective control of federal spending cannot be achieved by restriction at the tag-end of the appropriations process when the bills come due and must be paid if the credit of the United States is to be maintained.
>
> The proper place to control expenditures is in the appropriations process and in the Federal agencies which spend the money.

A strict debt limit neither restricts the total of Federal expenditures other than through changing their timing within a year or causing a shift from one to another fiscal year; nor diminishes the economic impact of Federal spending. When the limit is tight, it is adjusted by legislation only after the stimulus of Government orders has sustained or expanded the productive activities of manufactures, trade, traffic, et cetera, and after it has been found that tax collections will not be sufficient, in the period when the bills come due, to meet the required expenditures. At that time, borrowing could be deflationary as taxes would have been. Federal borrowing to meet the obligations—the debts—of the Government to employees, suppliers, and holders of maturing securities, only offsets the economic stimulus—the potentially inflationary pressure—of the hiring, the contracts for goods, et cetera, by withdrawing enough from the money market to meet the deficiency in tax receipts.

If the Government is indebted for services rendered and commodities supplied, and such indebtedness exceeds currently available tax receipts, then there are but two alternatives available to the Government: First, remain in debt to the suppliers, et cetera; or second, pay those debts with money borrowed from businesses and individuals who are seeking to lend their money. A tight debt limit leads either to paying bills by borrowing through means that are not covered in the definitions of the debt that is subject to statutory limitation, or it will require making the Government suppliers, et cetera, act as its creditors after they have used their money in performing the productive functions which they contracted to undertake. The latter event imposes localized financial burdens that are injurious to productive enterprises; borrowing in the money market, on the other hand, would have secured funds from persons or institutions that offered them for Government use.

Critics of the public debt limit claim that a restrictive or unrealistically low debt ceiling leads to budgetary subterfuge. It is pointed out in this argument that in late 1953 and early 1954 in order to preclude exceeding the debt limit, the Federal Government borrowed funds through the Commodity Credit Corporation. These funds were not subject to the statutory debt limit and therefore were not covered by the Second Liberty Bond Act. They were obtained legally when needed; but they were costly. The funds borrowed through the Commodity Credit Corporation necessitated paying a higher interest rate than the Government would have had to pay through issuance of regular Treasury securities. A study published in 1959 by the Brookings Institution shows that the extra cost in this case ran to an estimated $10 million. Again, in October 1957 and early 1958 when the debt limit was too restrictive, the Federal National Mortgage Association sold some of its notes to provide money for the Federal Government. The effective interest paid on these notes was 4.87 percent compared to normal Treasury financing at that time of 3.91 percent. The additional interest cost resulting from the sale of these notes in October 1957 and January 1958 added an estimated $8.5 million extra interest charge to expenditures. In these two instances the unnecessary interest cost to the Federal Government amounted to more than $18.5 million which, of necessity, had to be added to the national debt when the debt ceiling was raised and these securities refinanced. On this additional debt the taxpayers must pay interest every year. Thus, the critics of the public debt limit contend this is the type of false economies that cannot be afforded if economical management of the Federal Government is a national goal.

Another charge of the critics of a tight public debt limit is that the debt ceiling can play havoc with carefully planned Government programs. They cite, for example, the curtailment of the defense program in the summer of 1957 when the administration decided to hold the public debt limit down. Therefore, it was the debt limit and not a change in defense strategy that brought about the arms "cutback and stretchout" at the very moment that the Russians launched their first sputnik.

An article in the Economist of October

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19, 1957, entitled "Up Against the Debt Ceiling," stated:

> A unique fiscal limitation, sneered at by economists and deplored by generals, is imposing a form of unilateral disarmament upon the United States. Unbelievable as it may seem, the single most important reason for the recent cutbacks in defense spending—which incidently reduced outlays on research just as the Soviet satellite began to whirl overhead—is the legal ceiling above which the national debt may not rise. The device appears to be peculiar to the United States; moreover, it actually has meaning.

The critics of the tight debt limit point to the reduced defense force in the 1957–58 period when the Army was reduced from 900,000 to 870,000 and the Marine Corps from 190,000 to 175,000, even though Congress had specifically approved appropriations to maintain the military strength at the higher figures. This reduction in force was necessary because the debt ceiling would not allow spending the money the Congress had appropriated to maintain the armed strength of the United States. In testimony before the House Committee on Armed Services, Assistant Secretary of Defense, W. J. McNeill, testified to the effect that plans had to be spread out so that the debt could remain within the limit. He stated that Congress had appropriated sufficient funds, but if they had been used quickly it would have forced Government over the debt limit.

There are many who charge that the Government's action at this time not only reduced the military strength of the United States but also contributed to economic recession. Mr. Alfred C. Neal, President of the Committee for Economic Development, on April 24, 1959, in an address to the Business Economists Conference, Graduate School of Business, University of Chicago, stated:

> The statutory limit on the size of the Federal debt is peculiarly unsuited to the performance of a stabilizing role by the Federal Government. To avoid violating the debt ceiling in a recession it would be necessary to reduce expenditures or raise taxes. Either step would tend to reduce income and employment and to make the deficit larger rather than smaller.

On June 28, 1958, Business Week stated in an editorial:

> In the next few weeks before Congress adjourns the administration will have to make its recommendations for raising the debt ceiling. As a matter of common sense it should ask for enough leeway to make sure that the ceiling will not act as a ruinous and arbitrary determinent of Government policies as it sometimes has in the past.
>
> In the second half of 1957 the debt ceiling forced the administration to cut back programs needed for long-term national security. And the resultant slash in defense expenditures was an important contributing cause of the recession.

Critics of the tight public debt limit point to the recession period of 1957–1958, when a tight debt limit was pressing hard on the debt, where Government expenditures were curtailed, where payments to some contractors were delayed, and military forces were reduced as forcing unwise governmental actions merely to stay within the public debt limit. They further contend that these actions contributed substantially to the largest budgetary deficit for any year in the peacetime history of our country, $12.4 billion for fiscal year 1959. Furthermore, these critics contend that these artificial efforts to economize create more waste and inefficiency and thus are more costly in the end. They claim that these economies usually result in crash programs in an effort to try to catch up and that these crash programs generally encompass more waste than a stable, well-planned, long-range program.

Another criticism of a tight, or overly restrictive debt limit is that it would force the Treasury to reduce its cash balance to such a low figure, in order to remain within the debt limit, that it would lead to the elimination of accounts in most of the more than 11,000 commercial banks where the Treasury now operates deposit accounts. This withdrawal of U.S. Government accounts in most of these commercial banks scattered throughout the country could be expected to have a serious impact on credit and in turn would effect business activity throughout the Nation.

Another criticism of a tight debt limit is that it would force the Treasury probably to reduce substantially the amount of weekly bills that are rolled-over that come up for refunding. This reduction and refinancing of short-term Treasury securities would in turn affect the short-term rate. This would result in substantial short-term investment funds flowing abroad where higher interest rates would be available. This would greatly add to and substantially aggravate our balance-of-payments problem and in turn would increase the drain on our gold reserves.

The critics of a tight public debt limit argue that it does not limit Government spending; at most, it only delays the expenditures and the net result would probably be increased spending. They contend that the time to determine whether or not money should be spent, whether or not a program is desirable, is at the time that it is considered and the time that the money is appropriated for it. They insist that the time to fully evaluate any program is when Congress authorizes the program and at the time funds are appropriated for it and not when the bills become due.

In conclusion, the opponents of a public debt limit argue that long-range programs decided upon by the Government should not be subject to the determination of whether or not it will force an adjustment in the public debt limit. The public debt limit does not in any way control the imbalance between expenditures and revenues of the Federal Government. Therefore, it cannot control the debt level. The debt is increased whenever expenditures exceed revenues and it can be reduced only when revenues are more than expenses. Thus, if Federal spending and the level of the national debt is to be properly controlled, it will come through full examination and evaluation of all appropriations and authorizations requested. The determination should be made then on whether or not a proposed program will benefit the country more than the costs it requires. Therefore, these critics contend that there should be no public debt limit or at the least that it should be sufficiently high to avoid forcing unwise and uneconomical decisions in the administration of our governmental affairs.

Mr. BYRNES of Wisconsin. I thank the gentleman. Even with the new authority provided in the legislation before us today, an authority which provides a permanent borrowing authority of $365 billion and a $12 billion temporary authority which expires a year from June 30, this administration and this Congress cannot go their merry way as far as spending plans are concerned. There must be a retrenchment by the executive department. There must be retrenchment exercised here in the Congress, because this is an extremely tight limitation that we put on their borrowing authority.

Mr. Chairman, one need only look at page 4 of the committee report to see the levels of potential borrowing and what the debt will be in the months ahead. You will see that not only do we have to provide more borrowing authority than presently exists, but we have to provide the authority granted by the bill reported out by the committee.

I would point out that the bill does provide for some contingencies, but the situations that are called contingencies I am afraid have already occurred. We had one yesterday which will remain unless the Congress reverses the action of one of our committees. My information is that the Education and Labor Committee turned down the provision in the budget which would have placed limitations and restraints on our expenditures in the field of education in impacted areas. That is one of the contingencies included in the borrowing level, that the reductions that were recommended by the Johnson administration would be carried through and thus reduce to some degree the demands on the expenditure side of our budget.

But if I read the newspaper correctly only yesterday or the day before, a committee of the Congress turned down that restraint. So some of the contingencies may have already occurred.

In this legislation we provide $3 billion for contingencies.

Let me call attention to the fact that the last time we had the legislation before the Congress, we had some very serious situations existing in the country that could not be judged completely by the administration, but we allowed them $12 billion in contingencies. Frankly, I thought that was too much. This year we are allowing $3 billion. Yet some of the very same factors that existed then exist today.

Let me point this up: We have used, as a general rule of thumb, very often in the committee the idea of $3 billion of contingencies. But when we had an administrative budget of $100 billion, that provided for a margin of error of about 3 percent plus or minus.

With an administrative budget of approximately $150 billion, that $3 billion contingency is providing for a margin of only 2 percent. So it is tighter today than

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it has ever been as far as what the committee has done in imposing a restraint on the operations of our fiscal affairs. So I cannot quarrel and I do not quarrel today with the latitude that is given.

I shall, Mr. Chairman, support this legislation and urge that all of my colleagues do likewise.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Iowa (Mr. Gross).

Mr. GROSS. Mr. Chairman, if the gentleman will permit me, I would like to ask the chairman of the committee a question. It has been impossible to get a vote on anything pertaining to pay increases, which, as the gentleman well knows, will cost the Federal Government approximately $25 million for the Members of Congress, the executive branch, and the judiciary alone. It is triggering much higher increase demands in other areas of the Government and in private employment throughout the country, and therefore contributing to inflation. Will it be possible here today to get a rollcall vote on this bill, so we may know who is doing what to who and why?

Mr. MILLS. Mr. Chairman, will the gentleman from Wisconsin yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Arkansas.

Mr. MILLS. Mr. Chairman, I will join my friend from Iowa in asking for a record vote.

Mr. GROSS. Mr. Chairman, I trust we will today have an opportunity to vote on the record on this issue. We never have had a chance on the other issue.

Mr. MILLS. Mr. Chairman, if the gentleman will yield further, before the gentleman from Wisconsin concludes his remarks, I think it would be well if he, too, would point out why, with a budget surplus as indicated in the budget both for 1969 and 1970 fiscal years, it is necessary to have a debt ceiling increase.

Mr. BYRNES of Wisconsin. Mr. Chairman, I would be glad to reiterate. Frankly, I was willing to let the record stand on the discussion of my chairman of the need for this bill and his support of it, because I think he did a masterful job. I do not feel I have added anything to this debate that he did not already cover.

There is a situation, however, where I think the country has been misled as to what our situation is in terms of our need to borrow money rather than to pay our bills through current income. That comes from the adoption last year of what we called the unified budget, which includes additions to the trust funds as an offset to the day-to-day obligations of the Government. Thus, so far as a unified budget is concerned, the Government as an entity, including the trust funds, is operating at a surplus.

According to the projections, the surplus for fiscal year 1969 will be $2,391,000,000. But we should look at the operations of the Government outside the trust funds, then we find the budget shows a deficit in fiscal year 1969 of $6,962,000,000.

The funds that are in those trust accounts are committed funds. The social security trust fund, for instance, provides a major amount of this surplus, and those funds are dedicated to the benefits of our older people, which will be growing in future years. Unless we accumulate that surplus today, we will have difficulty in meeting the needs of our older people. So that is not free money.

In fiscal 1970, excluding the trust funds, there is a deficit of $6.848 billion. These are the things that cause this borrowing. There is not a surplus as far as our borrowing needs are concerned.

Mr. MILLS. And that rounded out for 1969 is a deficit of about $7 billion, and that is the exact amount contained in this bill in the way of a permanent debt increase. We have done that historically in the past; have we not?

Mr. BYRNES of Wisconsin. We have.

Mr. BUSH. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Texas.

Mr. BUSH. I would like to identify myself with the remarks of our ranking minority member and those of the chairman of the committee on this issue. I hope in the future we can give some consideration to the concept that President Nixon sent up in his message in line with what the gentleman just said, because I think the public is confused about what is in the debt ceiling. I would like to see our committee and the Congress fully consider the concept, perhaps, of a two-tier system so that we could separate out the debt owed to the public. As I try to explain this to the people in my district it is very confusing when we have the trust funds considered in.

I support the gentleman's position and his comments. I will vote with him on it and only hope that he and our distinguished chairman could in the future perhaps come up with some two-tier system that would make this more comprehensible to the public.

I thank the gentleman for yielding.

Mr. BYRNES of Wisconsin. I thank the gentleman from Texas.

There is no question but what we have today confusion. Part of it is as a result of the shift in our regular budgetary process to the unified budget from the administrative budget. Also, in terms of what we are really talking about when we talk about where we borrow, how much we borrow, and from whom we borrow there is confusion.

I yield to the gentleman from Illinois (Mr. Anderson).

Mr. ANDERSON of Illinois. Mr. Chairman, I congratulate both the chairman of the committee, the gentleman from Arkansas (Mr. Mills), and the distinguished gentleman from Wisconsin in the well (Mr. Byrnes) for the statements that they have made.

I shall support H.R. 8508.

Mr. VANIK. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Ohio.

Mr. VANIK. In the discussion which just preceded the present one on the two-tier system, I would like to ask the gentleman the difference between the position that was taken in 1967 of including participation certificates in and the concept of the two-tier suggestion of excluding trust funds. What is the difference between them? There was a great effort to put participation certificates in. Now it is argued that we ought to take out the trust funds. I cannot reconcile those.

Mr. BYRNES of Wisconsin. I think there is a big difference between them. I do not know whether I want to get too far into this, because we may add more confusion to the situation. However, there is a big difference between the question of whether the sale of participation certificates reduces your debt and the question of whether you have a fundamental obligation in the trust fund and whether even the surpluses that go into the trust funds in any given year are already dedicated funds. The integrity of that trust fund, in my judgment, may be one of the problems that would result if we had pursued the new concept in terms of what we used as the debt limit, so we only considered the debt to be what we borrowed from the public. I think it only led to confusion until we can get the thing resolved and have something in the nature of a two-tier system such as suggested by the gentleman from Texas (Mr. Bush).

Mr. VANIK. They are both obligations of the Government, are they not, and should be listed as debts? I am quoting from the gentleman's own statement.

Mr. BYRNES of Wisconsin. I agree. There is no question about the trust fund. When we give a note to the trust fund, it is a debt that the general operations of the Government and the General Treasury owes to this trust fund. There is no question about that in my book. It is debt. It is internal debt, but it is still debt.

Mr. BOW. Mr. Chairman, I am pleased that the Ways and Means Committee has recommended an increase in the debt ceiling, and I urge favorable action by the House on H.R. 8508. We all know that the committee did not choose to follow the President's recommendation for change in definition of the Federal debt, but I think some further explanation of his proposal is in order at this time.

The President's recommendation was designed to bring the definition of debt which is subject to the statutory limit into consonance with the concept used in the unified budget and in Treasury reports. It was made on behalf of increased understanding and control of Federal borrowing requirements, and followed one of the basic suggestions of the bipartisan Commission on Budget Concepts appointed by former President Johnson in March 1967.

I served as a member of that Commission, along with other Members of Congress from both sides of the aisle, Secretary of the Treasury Henry H. Fowler, and other officials of the Johnson administration, and a number of our country's leading experts in the fields of finance and economics. The Chairman of the Commission was David M. Kennedy, at that time one of the Nation's prominent bankers, and now of course the esteemed Secretary of the Treasury.

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At the request of President Johnson, the Commission studied every aspect of the budget presentation to determine how such a complex and vital document could be made more understandable to the public, to Congress, and to the executive agencies.

The unified budget which the Commission recommended, and which was utilized starting with the current fiscal year, is generally recognized as the most important and helpful change in the method of budget presentation in nearly half a century. It encompasses a modern and progressive presentation, and it has eliminated the confusion and misunderstanding that formerly arose from the use of three conflicting and, in some respects, competing budgets.

Considering the benefits that have resulted from the adoption of the unified budget, it seems unfortunate to me that we have not taken another forward step suggested by the Commission—that of making the debt ceiling conform to the unified budget presentation.

In the unified budget, attention is focused on total receipts and expenditures of the Government, including receipts and expenditures of the social security and other Government trust funds. Consequently, surpluses or deficits in the budget reflect the results of revenue and expenditure transactions between the Federal Government and the public.

To conform with this unified budget concept—which focuses on transactions between the Federal Government and the public—President Nixon proposed, as did the Commission on Budget Concepts, that only those Federal obligations which are held by the public be included in the statutory limit on the public debt.

As one advantage of such a change, and an advantage which should be of particular concern to the Congress, let me quote briefly from the report of the Commission on Budget Concepts:

> A debt limit which is parallel in structure to the new concept of Federal securities held by the public will make it possible for the Secretary of the Treasury and the Budget Director to relate their Congressional debt limit testimony to the recommended concept of budget receipts, expenditures, and deficit much more understandably.

By adopting the unified budget concept as the definition of the debt ceiling—that is, by excluding from the ceiling Federal obligations held by the trust funds and Federal agencies, but including all Federal borrowing from the public—we undoubtedly would have a clearer picture of the impact of Government demands on our private financial markets.

Under this new concept and for the first time, all Treasury debt and all debt of agencies in which the Federal Government has an ownership interest would be included under the ceiling. Thus, borrowing by the Export-Import Bank, the Tennessee Valley Authority, and other agencies would be treated in the same manner as is direct Treasury borrowing from the public.

The inclusion of the trust funds in the present definition of the debt is the very reason why Congress again is faced with the need for increasing the debt limit, even though unified budget surpluses are expected this fiscal year and in fiscal 1970.

The trust funds are expected to have surpluses of more than $9 billion this fiscal year, and more than $10 billion next year, and by law these funds must be invested in Government securities. To meet this statutory requirement, the Treasury must issue special securities to the trust funds, and these securities count against the debt ceiling. The result is the paradoxical situation we find ourselves in today—the overall Federal budget is moving into surplus, but the debt ceiling must be raised to take care of additional trust fund investments.

I know that some Members of the Congress fear that exclusion of the trust fund investments from the debt ceiling might in some way prove harmful to the funds. They should have no misgivings on this point. The trust fund operations are well protected by basic laws covering their revenues, benefit payments, and investment, and we can be certain there could be no Executive action that would adversely affect their integrity unless Congress elects to change those basic laws.

In summary, Mr. Chairman, I urge enactment of H.R. 8508, but I do feel that if we are to continue to utilize the unified budget concept, and I hope we will, we should change the definition of the public debt so that it, too, would conform with the unified budget.

Mr. PATMAN. Mr. Chairman, we would not need to be here today talking about another increase in the debt ceiling if this Congress lived up to its responsibility to oversee the Federal Reserve System.

As this Congress knows, the Federal Reserve today holds in its Open Market Committee portfolio more than $52.1 billion in Government securities which have been paid for once. These bonds should be canceled and the U.S. Treasury should cease immediately paying interest on these securities.

And these bonds, which have been paid for, should then be subtracted from the national debt.

Mr. Chairman, there is absolutely no question that these bonds have been paid for in full, and in fact some have been paid for more than once.

For anyone who doubts this let me use Federal Reserve Board Chairman William McChesney Martin, himself, as the source. Here is what Mr. Martin told me in a hearing before the Banking and Currency Committee on July 6, 1965:

> Mr. MARTIN. The bonds were paid for in the normal course of business.
>
> The CHAIRMAN. That is right.
>
> Mr. MARTIN. And that is the only time they were paid for.
>
> The CHAIRMAN. Just like we pay debt with checks and credit.
>
> Mr. MARTIN. Exactly.
>
> The CHAIRMAN. In the normal course of business they were paid for once. You will admit that, will you not? They were paid for once and that is all?
>
> Mr. MARTIN. They were paid for once and that is all.
>
> The CHAIRMAN. That is right.

Mr. Martin's statement could not be more clear. He says the bonds have been paid for once. Surely the Congress does not need any more evidence that these bonds should be canceled and the Treasury relieved of its obligation to pay interest.

These $52.1 billion in bonds are in no sense liabilities of the American taxpayers simply because the Federal Reserve paid for them when they were purchased on the open market by issuing currency and bank reserves. When the Federal Reserve uses the Nation's money and credit to buy U.S. Government securities on the open market it retires them just as surely and just as legally as if the Treasury had bought them. Taxpayer liability ceases, and for all practical purposes, this is a fact recognized in law because the Fed annually must give the overwhelming bulk of the interest on the securities it holds to the Treasury. There is no point whatever therefore to including these securities in the national debt.

Moreover, to count them as debt gives the false impression that the Federal Reserve is independent of the Government. Not even William McChesney Martin has gone so far as to claim that. All he claims is that the Fed is independent within the Government. Well, if the Federal Reserve is part of the Government, and I hope everybody knows this, then whatever Government securities it holds just cannot be part of the national debt.

I recognize of course the need for the Federal Reserve to engage in open market sales from time to time. However, it need not hold debt to do this. We can give the Federal Reserve System the authority to buy and sell Government securities without its being the holder of record of any securities. The Fed can be empowered as the monetary agent of the Government to buy and sell Government securities consistent with the Federal Reserve Act and the Employment Act. There would be no constraint on the Fed's engaging in open market sales or purchases to control the money supply and interest rates.

When this subject is brought up, the Federal Reserve Chairman does everything possible to obscure the facts. He circles around and around the issue spreading as much of a smokescreen as possible. He knows that the facts, if ever fully understood by this Congress and the American people, would be a real shocker.

William McChesney Martin's desire to hang on to these bonds and to demand interest from the Treasury is quite simple. The bonds and the interest income are the life blood of the secret operations of the Federal Reserve and its Open Market Committee.

The truth is that the Federal Reserve demands and receives more than $2.2 billion in interest on these paid-up bonds from the U.S. Treasury each year. This is the secret of the Federal Reserve's ability to thumb its nose at the Congress.

Without this illegal income, the Federal Reserve would be in the same boat with every other major Federal agency. They would have to come to the U.S. Congress for appropriations. And should this happen, the members of the Appropriations Committee and the Members of Congress would have an opportunity—

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their first—to review the activities of the Federal Reserve and its expenditures.

This kind of public accountability, Mr. Martin wants to avoid at all costs.

The Congress has always taken the position that the regulatory agencies—such as the Federal Power Commission, the ICC, the FTC, the FCC—should come to Capitol Hill for their money. The Congress has rightly regarded this appropriations process as an opportunity to review these agencies as well as provide control over expenditure of public moneys.

Yet, Members of the Congress quake when anyone suggests that the granddaddy of all agencies—the Federal Reserve—be treated in the same manner.

The $2.2 billion income from these paid-up bonds gives the Federal Reserve an unlimited and unaudited budget to do with as it pleases.

The Treasury hands over a whopping check for $2.2 billion and the Federal Reserve goes on its merry way telling no one—not even a Government auditor—where it is spending the money.

In recent years, the Federal Reserve has been spending around a quarter of a billion dollars for various activities including its support of the bankers lobby. Yes, support of the bankers lobby.

ONE HUNDRED THOUSAND DOLLARS CONTRIBUTED TO BANKERS LOBBY

About $100,000 of the U.S. Treasury dole to the Federal Reserve—your money, the taxpayers' money—goes to pay dues to the American Bankers Association and various State and local bankers associations. These groups are nothing more than lobbying organizations—organizations that come right here to Congress and lobby us on monetary and banking policy.

The Federal Reserve System—a Federal agency—is a full-fledged, card-carrying member of the bankers lobby, courtesy of the U.S. taxpayers and thanks to the laxness of the Congress.

After the Federal Reserve gets through spending the money for what it pleases, the remainder is turned back to the Treasury at the end of the year. The fact is the money should never have left the Treasury in this form in the first place.

There is no accounting—in the true sense of the word—for the difference between the $2.2 billion paid out by the Treasury and the varying sums returned at the end of the year by the Federal Reserve.

There is absolutely no independent audit—no audit by the General Accounting Office of these funds. There is no audit of the Federal Open Market Committee in whose portfolio these $52.1 billion worth of bonds reside. We do not even know where these bonds are today—we are just told that they are in the portfolio.

There is no question that these bonds have been paid for and that they are no longer a bona fide debt of the U.S. Government. They should be subtracted from this whopping national debt.

The cancellation of these bonds—and their removal from the debt—would, of course, have the effect of bringing the Federal Reserve to the Congress for appropriations. Then the Congress would have some definite say about the activities of the Federal Reserve System. We would at least remove some of the banker dominance of the agency.

The entire structure of the Federal Reserve is designed to help the banks first and the public last. The Federal Open Market Committee—where these bonds reside—is probably one of this country's most vital and most important institutions. It sets interest rates and determines the supply of money. Yet is is virtually controlled lock, stock, and barrel by the banks. And its operations are supersecret—so secret that the Banking and Currency Committee has been unable to obtain current minutes of its meetings.

It is really amazing that we have such an institution at the nerve center of a democratic society. The Open Market Committee is composed of the seven members of the Federal Reserve Board and five of the 12 presidents of the Federal Reserve banks. In practice, however, all 12 presidents of the Federal Reserve banks participate in these secret Open Market Committee meetings. Here is where the banks move in—right to the center of our monetary policymaking.

Each of these 12 Federal Reserve bank presidents is selected by a nine-member board of directors. Six of these board members in each bank are selected directly from the commercial banking industry. The remaining three are required to be persons with "tested banking experience." The result is that the Federal Reserve banks—and in turn the Open Market Committee—are completely dominated by the commercial banking industry. In fact, a recent survey conducted by the Banking and Currency Committee revealed that 84 of the 108 directors are either now or have been directors, employees, or officers of commercial banks.

I have always felt that it was poor public policy to send the goose to guard the shelled corn. This applies to the Federal Reserve as well as any other Government agency.

With this kind of system prevailing, it is not surprising that our monetary policies have fallen into disrepute. It is simply absurd to think that the bankers are going to participate in the Open Market Committee and set policies against their own interests. This is just too much to expect of human beings.

Under this system, it is not surprising that we have the highest interest rates in the history of the Nation.

Everyone was shocked by the announcement 2 days ago that the prime interest rate was going up to 7½ percent—the highest ever recorded.

Mr. Chairman, we are a long way from the days when we were able to finance our Federal borrowings for interest rates of 2½ percent or less.

From 1939 to 1952, interest rates on securities issued by the Federal Government never exceeded 2½ percent. Needless to say, that was before Mr. Martin made his debute as Federal Reserve Chairman. Since that time, interest rates on Government securities have skyrocketed. Mr. Chairman, I place in the RECORD tables which detail these rates:

COMPARISON OF INTEREST RATES, 14-YEAR PERIOD FROM 1939 TO 1952, COMPARED WITH PERIOD UNDER WILLIAM MCCHESNEY MARTIN

I. Yields on long-term Government bonds 1939 to present

[Percent per annum]

Year:	Yield
1939	2.36
1940	2.21
1941	1.95
1942	2.46
1943	2.47
1944	2.48
1945	2.37
1946	2.19
1947	2.25
1948	2.44
1949	2.31
1950	2.32
1951	2.57
1952	2.68
Average for 14-year period (1939–52)	2.36
1953	2.94
1954	2.56
1955	2.84
1956	3.08
1957	3.47
1958	3.43
1959	4.08
1960	4.02
1961	3.90
1962	3.95
1963	4.00
1964	4.15
1965	4.12
1966	4.65
Average for 14-year period (1953–66)	3.65
1967	4.85
1968	5.26

II. Average annual yield on 91-day Treasury bills 1939 to present

Year:	Yield
1939	0.023
1940	.014
1941	.103
1942	.326
1943	.373
1944	.375
1945	.375
1946	.375
1947	.594
1948	1.040
1949	1.102
1950	1.218
1951	1.552
1952	1.765
Average yield (14-year period)	.645
1953	1.931
1954	.953
1955	1.763
1956	2.658
1957	3.267
1958	1.839
1959	3.405
1960	2.928
1961	2.378
1962	2.778
1963	3.157
1964	3.549
1965	3.954
1966	4.811
Average yield (14-year period)	2.797

Mr. Chairman, let us take the current prime rate of 7½ percent about which we have heard so much this week. Assume that this 7½ percent were to be applied across the board on the new debt ceiling proposed by President Nixon.

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This new debt ceiling, which we are voting on here today, is $377 billion. Calculated at a 7½-percent rate, the American taxpayer would be required to pay $28 billion in interest on the national debt each year.

Yet, if the Federal Reserve had kept interest rates at the 2½-percent rate prevailing under President Roosevelt and President Truman, the interest charge on this same amount of debt would be only $9 billion.

In other words, the policies of the Federal Reserve Board threaten to cost us an extra $18 billion in interest charges on this huge national debt each year.

Already, Mr. Chairman, the Nation's taxpayers, each year, are required to pay about double what they should really be charged for interest on the Federal debt. This year, we will pay more than $16 billion in interest on the debt and this is one of the largest single items in the Federal budget.

Mr. Chairman, I place in the RECORD a chart which shows the excess interest that has been paid on the private and public debt since Federal Reserve Board Chairman William McChesney Martin took over:

TABLE I.—NET PUBLIC AND PRIVATE DEBT, TOTAL INTEREST PAID, AND AVERAGE RATE OF INTEREST IN THE UNITED STATES, 1951–66

Year (1)	Total, debt (billions) (2)	Interest paid (billons) (3)	Computed average interest paid (3÷2) (4)	Interest costs figured at 1951 computed rate (5)
1951	$524.0	$17.8	3,307	$17.8
1952	555.2	19.7	3.546	18.9
1953	586.5	21.9	3.734	19.9
1954	612.0	23.7	3.873	20.8
1955	672.3	26.0	3.867	22.8
1956	707.5	29.8	4.212	24.0
1957	738.9	34.0	4.601	25.1
1958	782.6	36.0	4.600	26.6
1959	846.2	40.8	4.821	28.7
1960	800.2	45.7	5.134	30.2
1961	947.7	48.4	5.107	32.2
1962	1,019.3	53.4	5.328	34.6
1963	1,096.9	59.8	5.452	37.3
1964	1,174.3	66.5	5.663	39.9
1965	1,270.3	74.0	5.825	43.2
1966 (estimated)	1,348.3	82.7	6.044	46.5
Total [1]		680.2		468.8

[1] See the following table:

	Billions
Total col. 3	$680.2
Less total col. 5	—468.5
Excess cost	211.7

Source: Economic Report of the President, 1967.

This table plainly shows that William McChesney Martin has been the costliest public official of any government in the history of civilization.

For 17 long years, Mr. Martin has been fighting inflation. He has been able to see inflation where there was no inflation. He has seen the mirage of inflation when no one else was able to spot it.

As a result of these visions, Mr. Martin has developed an excuse to order higher and higher interest rates and higher and higher profits for the banking industry. For 17 years he has used this excuse and pushed higher interest onto the backs of the American people.

For 17 years, the policies of William McChesney Martin have been a failure—the biggest failure in our Government.

With this kind of record, it would seem that the Federal Reserve Chairman might seriously consider calling it quits.

For 17 years, WRIGHT PATMAN has opposed the policies of William McChesney Martin and the high interest rates he has imposed on our economy. For 17 years, I have insisted that the Martin logic of stopping inflation with high interest rates made as much sense as using gasoline to put out a fire.

The record is clear and I leave it to the American public to judge who has been right over this 17 years of higher and higher interest rates.

Mr. BROYHILL of Virginia. Mr. Chairman, I rise in support of H.R. 8508, a bill to raise the permanent debt ceiling from $358 billion to $365 billion and also to provide $12 billion additional borrowing authority on a temporary basis for fiscal 1970. I think the committee is to be commended for working out a bill which provides sufficient leeway to allow the Federal Government to meet its obligations as they accrue while at the same time providing a limitation sufficiently related to projections of Government finances to impose some fiscal discipline.

From the date of enactment of this bill, the permanent debt ceiling will be $365 billion; additionally, temporary borrowing authority of $12 billion will be available to the administration until June 30, 1970. During the period of time between enactment of this bill and the end of fiscal 1970, the debt ceiling will permit the administration to borrow up to $377 billion as has often been the practice in the past, this allows for a contingency of $3 billion and cash-on-hand of $4 billion. The public debt will approximate the $377 billion allowed by this bill on three different dates during fiscal year 1970—December 15, 1969, March 15, 1970, and April 15, 1970.

It is, therefore, clear that this bill provides no more than is necessary to enable the Government to manage its financial affairs and meet its commitments on a responsible basis. It is also clear that at the end of fiscal 1970, when the $12 billion temporary borrowing authority expires and the permanent level of $365 billion again applies, the administration will again have to come back to the Congress and give a full accounting of its fiscal stewardship to the Representatives of the people. This bill is a responsible effort to meet the needs of the administration while fulfilling the responsibilities of the Congress.

While this demonstrates that no one who is concerned about the integrity of Federal finances should vote against this bill, it is important to point out to the people why the debt limit has to be raised at this time. Many individuals have expressed concern about the anomaly of having to raise the debt limit at a time when the Federal budget is running a surplus. However, the surplus in the Federal budget only exists because of the new "unified" basis on which the Federal budget is based. The new "unified" budget concepts, recommended last year by a special Presidential Commission on the Budget, encompasses not only the old administrative budget accounting for receipts and disbursements from the general funds, but also includes receipts and disbursements from the trust fund.

In each of the fiscal years 1969 and 1970 there would be a deficit of nearly $7 billion computed on the old administrative budget concept. However, a surplus in the trust funds in excess of $9 billion in fiscal 1969 and $10 billion in fiscal 1970 more than offsets the administrative budget deficits, resulting in a surplus of $2.4 billion in fiscal 1969 and $3.4 billion in 1970 on a unified budget basis.

It is only when these trust funds—which can only be used for the specific purposes to which they are dedicated—are included that a surplus in the Federal budget results. However, the trust funds are separately accounted for, and any borrowings from the trust fund are subject to the debt limit in the same manner as Government borrowings from the general public.

The administration's original proposal recommended resolving this anomaly by excluding debt held by the trust funds from the debt limit. Under the administration's proposal, the debt subject to limitation would only have included debt held by the public. While it would have had the virtue of including some agency debt backed by the full faith and credit of the United States which is not now subject to the limit, the proposal would have given the administration far more leeway than I think it should have.

For example, the latest annual report of the trustees of the old-age, survivors and disability—OASDI—trust fund includes actuarial estimates indicating that accumulations in the fund will increase from around $29 billion in 1969 to over $64 billion in 1973. By law, surpluses in the trust fund can only be invested in U.S. Government obligations. If we exempted obligations held by the trust fund from the debt limit, the administration would have a growing reservoir of funds enabling it to rely on deficit financing in the future without coming to the Congress for authority. Any discipline now imposed through a debt limit would be nullified. I, therefore, opposed this recommendation for changing the definition of the debt subject to limitation.

Finally, Mr. Chairman, I should point out the bare bones increase in the debt limit we are providing is to finance a deficit resulting from the uncontrolled expenditure policies the Government embarked on during the last 8 years of Democratic administrations. The proposal submitted by President Johnson assumed that the debt limit would have to be increased. The new administration in the short time it has been in office, has been continuing a comprehensive review of government finances to determine where economy can be realized. However, the legacy of fiscal irresponsibility which they inherited from their Democratic predecessors has placed the new administration in an immediate financial bind. As the committee report demonstrates, the debt can be maintained at the present $365 billion level on April 15 only if operating cash balances are reduced to as low as $1.8 billion—less than half of the $4 billion level that is the usual minimum. It is, therefore, imperative, Mr. Chairman, that we take action on this bill in order to avoid a financial crunch that may impair the capacity of our Federal Government to manage its fiscal affairs on a responsible basis. I urge all my colleagues to join me in voting for this bill.

Mr. BARING. Mr. Chairman, I have continuously fought for an end to deficit financing by the Federal Government and led a drive to bring order and responsibility back into our Government's fiscal affairs. My attitude toward the public debt remains conservative to this day.

My attitude will remain the same as long as we continue to have the sustained long-run upward trend of the national debt. All indications, from studying the fiscal 1970 budget and the current fiscal year budget expenditures, point toward the continuation of deficit financing. With all due respects to President Nixon, I do not believe he will see any surplus at the end of either fiscal year I just mentioned.

We cannot achieve greater economy in Government if we do not oppose these increases in the national debt ceiling. I have endeavored for a number of years to secure the approval of Congress to propose to the States a constitutional amendment designed to put an end to deficit financing which leads this Nation to runaway spending. This would put the Federal Government on a pay-as-you-go basis. This would insure for the future a stable Federal Government with strong backing with a sound dollar and put an end to what I will term the hallucinations by some who would have us operate without sufficient financial backing. There certainly is not any further source of taxation by the Federal Government for added income as our citizens are overburdened now.

I quote from a previous statement I made in 1965:

> The great burden of our tax load is borne in the most part by young people trying to get started in life, by farmers, businessmen, and workers who are buying homes, educating children and trying to acquire the means for a better life for themselves and their families. They are the ones who are being dealt the greatest blow by run-away spending and the ever-mounting deficits year after year.

We must seek a balanced budget, payments on our national debt, and stop offsetting deficit spending, on paper, by so-called surpluses in the trust funds.

Finally, if President Nixon is going to be talking about surpluses in the budget at the end of the current and 1970 fiscal years, he had better stop talking about raising the public debt. Let us cut out foreign aid and bring America back to American principles. Mr. Speaker, and I would address this remark to the attention of President Nixon too, if we continue to subsidize everyone this would turn to socialism and, in turn, to communism. Supply and demand has worked for nearly 200 years. Our Founding Fathers never expected us to take care of the world and all its people. If there are any surpluses, let us put them as payments against the national debt.

Mr. MESKILL. Mr. Chairman, the President has asked Confress to take action to increase the ceiling on the national debt. As this is a vitally important issue affecting our national economy, I would like to take a moment to explain my position on this matter.

In the past, I have thought it wise to vote against increasing the national debt ceiling. In recent years our economy has been steadily expanding. In an expanding and overinflated economy continued deficit financing may be very dangerous to the foundation of the economy itself. More harm may be done to the economy and to our citizens by a high rate of inflation and the heavy burden of rising interest payments than the benefits that can be had from programs financed by borrowed money.

This year interest payments alone will take a $15 billion bite out of the budget. Only national defense and health and welfare expenditures exceed this portion of the budget paid out in interest on the debt. Who owns our debt and who receives interest on it? While some of it is held by the Government itself, the debt is largely held by investors and banks. One consequence of this is a redistribution of income which is not necessarily desirable in this instance. Taxes that are paid by the public as a whole are siphoned off from potential distribution to other programs to pay the interest on the national debt to the few who hold this debt. If we did not have to use these tax revenues for servicing the debt, we could allocate these revenues to more constructive and worthwhile programs.

Furthermore, deficit financing tends to increase the money supply in the economy. While this is not always dangerous, it is highly undesirable during a period of inflation such as we have today. Inflation and continued deficits also have an adverse effect on our balance-of-payments situation.

Inflation is the Nation's No. 1 problem at the moment. Much of the difficulty stems from the continuing war in Vietnam and the policies of the past administration which attempted to manage the economy and to provide both guns and butter. While I am concerned that we do everything possible to curb the inflation that has gotten out of hand, I can appreciate the situation the new President finds himself in, tied down as he is with the budget of the old administration. President Nixon has found himself tied into commitments of the Johnson administration that would be very difficult to break. A bridge or a highway that is only partially completed cannot be scrapped without a considerable loss to the taxpayer. I would be willing to say that the Nixon administration finds itself painted into a corner by the Johnson administration in a number of instances.

This is why I am supporting the President's request, although I do so reluctantly. I shall vote for the proposed increase in the national debt ceiling. The present permanent debt ceiling is $358 billion. The temporary ceiling is $365 billion. If we fail to raise the permanent ceiling to the proposed level of $365 billion, on June 30, the ceiling will revert back to the present limit. At the moment, our debt is in the neighborhood of $364 billion. If we do not raise the ceiling, we could face a drastic governmental crisis. Therefore, I have decided that it is in the best interests of the country to vote to raise the permanent debt limit to $365 billion and the temporary limit to $377 billion. We should not hamstring the new President before he has had a chance to establish a program of his own.

It is my fervent hope, however, that the President will make good his pledge to curb inflation through a tight control of Government expenditures. When we are fighting a war abroad, we will have to establish strict priorities here at home. We cannot afford to spend money on every worthy project at home at this time.

I will vote to raise the debt limit because it is the only way we can make it legally possible for our new President to meet the legal obligations incurred by the old administration.

Mr. ULLMAN. Mr. Chairman, the pending bill, H.R. 8508, will provide a permanent debt limitation of $365 billion. It also provides, for the period from date of enactment through June 30, 1970, a temporary additional increase of $12 billion, making a total overall limit of $377 billion for this period. After June 30, 1970, the debt limit will revert to $365 billion.

Mr. Chairman, we really have no choice but to approve this bill if we are to act responsibly and afford the Secretary of the Treasury the means whereby he can manage the Federal debt on a sound and sensible basis. In his testimony before the committee, Secretary Kennedy advised us that the Treasury Department has been operating very close to the present temporary ceiling of $365 billion. In this connection, the Secretary stated as follows:

> At the end of January and February, debt subject to the limit was within $3 to $3½ billion of the statutory ceiling and on individual days the leeway has been less than $1 billion. Assuming normal cash balances of $4 billion, our latest projects—while reflecting better-than-anticipated tax collections over the past month—still indicate financing needs that would bring us above the legal ceiling by minor amounts for 6 days in March and by substantial amounts for 7 days in April.

In view of the Secretary's testimony before the committee, it is a matter of necessity that we act favorably on the pending bill.

We can be sure that enactment of H.R. 8508 will still require a very tight rein on Federal expenditures. As a matter of fact, the debt ceiling in the bill will actually be some $5 billion less than President Nixon, in his message of February 24, requested the Congress to provide. He, in effect, asked for the equivalent of $382 billion, but H.R. 8508 provides an overall ceiling, that is a combined permanent and temporary ceiling, of $377 billion.

I believe this ceiling, though less than the President asked for, will be one within which the Secretary can operate and fol-

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low prudent debt-management practices. In this regard, the present Director of the Budget, Mr. Mayo, in his appearance before the Committee on Ways and Means, made it clear that there would be thorough reviews of the budget for this fiscal year and fiscal year 1970 with the objective of reducing expenditures further wherever possible.

Let me also say, Mr. Chairman, that the bill further commends itself to favorable consideration because the $12 billion temporary supplemental authority is just that—a temporary ceiling. It terminates on June 30, 1970, and the aggregate debt subject to limitation drops to the $365 billion level on that date. Prior to the June 30, 1970, expiration date, we shall have had an opportunity to again look into the situation and determine the progress that the new administration has made in controlling the Federal budget and shall then be in a position to gage our actions according to that performance. Let me say finally on this point, Mr. Chairman, that Budget Director Mayo has assured us that the expenditure reductions required by the Revenue and Expenditure Control Act of 1968 will be carried out.

Mr. Chairman, in approving H.R. 8508 we shall be acting in a responsible manner. The Government's obligations and bills have to be met and paid. Enactment of this measure will assure that this can be done for the balance of this fiscal year and the coming fiscal year. I urge its adoption by the House.

Mr. WOLFF. Mr. Chairman, we are engaged in the annual ritual of accepting from the administration proposals for increasing the limit on our national debt. This annual practice makes a mockery of fiscal and monetary planning and reflects the absence of thoroughgoing budgetary reviews.

Accordingly, it is my intention to vote against the excessive increase sought here today. My position is consistent with the position I held during the past Democratic administration and the change at the White House does not change my unhappiness with the executive branch's constant raising of the debt limit ceiling without meaningful examinations of cuts in Federal spending.

Mr. Chairman, we are told that the debt limit has to be increased to keep the Federal Government operating. Well, I reject this not too subtle coercion and suggest substantial, selective cuts in nonessential Federal spending. I will detail some of those cuts in a moment.

But first let me emphasize that one of the principle reasons I oppose this undue increase in the national debt limit is that it is fundamental to the problem of rapidly rising interest rates. The cost of credit is quickly becoming so high that the consumer will be forced out of the marketplace. This is a denial of the basis of entire credit system and the high, annual jumps in the debt limit aggravate the problem of high interest rates by forcing the Government into the marketplace to secure necessary credit.

The extreme increase sought in the debt limit also contributes to the entire problem of inflation—and this from an administration elected on a promise to fight inflation. As long as the Federal Government fails to put its fiscal house in order the entire national economic outlook will remain clouded.

It is noteworthy that the inflationary pressures of these excessive jumps in the national debt limit further complicate the interest rate problem I mentioned a moment ago, thus both directly and indirectly the proposal before us today will contribute to rising interest rates and thus to the serious effect excessive interest rates have on the economy.

I said a moment ago that there was ample room for cutting Federal spending in order to preclude this highhanded demand for a $17 billion increase in our debt limit.

Let me cite just a few examples:

Defense spending not essential to our national security continues unabated. The President's recent decision to proceed with a costly untried and untested ABM system is a perfect example of how the Defense Establishment finds ways to spend money to the disregard of our total national interests. Also, the Defense Department continues to spend hundreds of millions of dollars for a manned orbiting laboratory—MOL—that duplicates work already accomplished by our civilian space effort.

Every year we line the pockets of large, commercial farmers with approximately $4 billion in outmoded farm subsidies. These subsidies, originally designed for the small, family farmer, are instead going to companies and individuals who do not need the subsidies. And at a scandalously high cost to the taxpayer.

And as regularly as the Congress approves farm subsidies, it approves an equally expensive, equally unnecessary "pork barrel" public works package. Mr. Chairman, certainly there are necessary public works projects to be funded each year. But funding those projects should not have to include funding approximately $3 billion worth of projects designed to provide for political payoffs. The cost of these political machinations continues to be a shame on the Congress.

For all the foregoing reasons, Mr. Chairman, I feel it incumbent upon the House to reject today the proposed increase in the debt limit. It is time to strike a note for fiscal responsibility in Government; it is time to remember the forgotten taxpayer who must pay the cost of Washington's folly.

Mr. ANDERSON of Illinois. Mr. Chairman, I wish to congratulate both the chairman and ranking member of the Ways and Means Committee on their statements. I shall support this legislation.

In doing so, I am not adopting the philosophy of Artemus Ward:

> Let us all be happy and live within our means even if we have to borrow to do it.

As has been said on the floor already, this is an extremely tight debt ceiling because it is $5 billion less than the administration requested. It allows only $3 billion for contingencies as against $12 billion allowed for contingencies when an increase in the debt ceiling was last approved in 1967.

I will approve this increase because it is essential that the Federal Government be able to meet its current obligations, all of which have been incurred by a prior administration. I will also approve it because I have absolute confidence that the Nixon administration is going to very substantially reduce the budget estimates sent to Congress by the former President just before he left office. I am further confident that the new Nixon administration will cooperate with those of us in Congress who will seek to exercise control over expenditures so that the Government will be compelled to live within its means and avoid the expansionary and inflationary effect of a budget deficit in the coming fiscal year. This vote of approval is not the grant of any carte blanche authority to uncontrollable spending by the Nixon administration. It is an expression of confidence in their ability to set our fiscal house in order and to establish clear and definite spending priorities which will be consistent with the goals of a sound dollar and a healthy economy.

Mr. WILLIAM D. FORD. Mr. Chairman, on February 24, 1969, President Nixon sent a message to Congress requesting the establishment of a new debt definition that would include only Federal obligations held by the public. This new definition would have excluded trust funds, such as social security, which must be reinvested in Government bonds. In addition, the President proposed setting the new debt limit at $300 billion. Such a proposal would, in effect, have provided a $17 billion immediate and permanent increase in borrowing authority.

Under present definitions the temporary debt ceiling is $365 billion. Under current law, on June 30 of each year, it drops back to the permanent debt ceiling of $358 billion. The President's proposal would have had the effect of raising this permanent debt ceiling.

There was some criticism of the President's proposal. The argument was that the proposal gave the appearance of economy while really allowing an increase in debt.

On March 5, 1969, Secretary of the Treasury David M. Kennedy and Budget Director Robert P. Mayo, testified in support of the administration's proposal. Kennedy and Mayo noted that the debt ceiling under existing law must be raised even when the budget is in surplus because existing law counts Treasury securities held by social security and other trust funds, as a component in the debt level.

On March 6, 1969, the House Ways and Means Committee voted to reject the administration proposal to relax the basic ingredients for the debt ceiling. To get the same increase in debt ceiling as the President's proposal would have provided it would have been necessary under current definitions to raise the debt ceiling by $17 billion. The committee, however, voted to give the administration only a $12 billion increase in the tem-

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porary debt ceiling—in effect $5 billion less than the administration asked for.

In any consideration of this proposed $12 billion increase in temporary debt ceiling I think we should keep in mind that in the past our Republican colleagues have used the debt ceiling to embarrass Democrat administrations—forcing the President to return to Congress each year to ask that a temporary increase over the permanent debt ceiling be enacted. This annual pilgrimage was always made to the accompaniment of an orchestrated chorus of our Republican colleagues harmonizing beautifully to the theme of Democrat spendthriftiness, lack of concern for a balanced budget, and failure to understand the principles of good old-fashioned econony.

Since World War II there have been 19 record votes on proposals to increase either the temporary or permanent debt limit.

Analysis of these 19 votes would seem to indicate that the general Republican attitude toward increasing the debt limit depends primarily on whether the President requesting the increase is a Republican or a Democrat. This theory is based on the fact that House Republicans overwhelmingly supported debt limit increases requested by President Eisenhower and overwhelmingly opposed increases requested by Presidents Kennedy and Johnson.

For example, on each of the six debt increase rollcalls during the Eisenhower years, an average of 43 Republicans voted "No," while 123 voted "Yes."

On the 12 votes during the Kennedy-Johnson years, on the other hand, an average of 147 Republicans voted "No" on each rollcall while only 10 voted "Yes." On four of the 12 votes not a single Republican voted "Yes."

Democrats have been somewhat more consistent and less partisan. On each of the six votes during the Eisenhower years, an average of 64 Democrats voted "No," while an average of 144 voted "Yes." And on the 12 votes during the Kennedy-Johnson years, an average of 32 Democrats voted "No," while an average of 206 voted "Yes."

A complete listing and breakdown of all 19 votes follows:

DEBT LIMIT VOTING PATTERNS

Bill	Year	Vote	Republicans		Democrats	
			For	Against	For	Against
H.R. 6672	1953	[1] 239. 158	169	33	69	125
H.R. 6672	1954	[2] 193–31				
H.R. 6692	1955	267. 56	133	13	134	43
H.R. 11740	1956	Voice				
H.R. 9955	1958	328–71	142	42	186	29
H.R. 13580	1958	286–109	120	65	166	44
H.R. 7749	1959	256–117	88	48	168	69
H.R. 12381	1960	[3] 223–134	83	60	140	74
H.R. 2244	1961	231–148	40	113	191	35
H.R. 10050	1962	251–144	60	98	191	46
H.R. 11990	1962	211–192	9	153	202	39
H.R. 6009	1963	213–204	1	172	212	32
H.R. 7824	1963	221–175	2	158	219	17
H.R. 8969	1963	187–179	0	147	187	32
H.R. 11375	1964	203–182	0	154	203	28
H.R. 8464	1965	229–165	6	122	223	43
H.R. 15202	1966	199–165	1	121	198	44
H.R. 4573	1967	215–199	2	173	213	26
H.R. 10328	1967	[4] 197–211	0	176	211	21
H.R. 10867	1967	217–196	0	176	217	20

[1] Included 1 Independent Member.
[2] This was a standing vote.
[3] Bill included extension of certain taxes.
[4] Bill defeated on floor.

Statements made on the floor by my colleagues on the other side of the aisle further expand upon their disinclination to support proposals to raise the temporary or permanent debt ceiling when such a proposal is made by a Democratic administration.

Representative JOHN BYRNES, of Wisconsin, in floor debate on June 18, 1964:

> Frankly, Mr. Chairman, I cannot vote and will not vote to give my approval to these debt ceiling increases in order to continue the spending programs that are contemplated. I believe some brakes should be put on. In my opinion this is the only brake I have at my disposal. We should either use the ceiling in a meaningful way or the majority on the committee might just as well be honest with the Congress and with the public and say, "We are reporting out a bill repealing the debt ceiling legislation." That would be the honest thing to do, unless you are going to use it to exert some pressure on spending. But what kind of restraint is it if you give them everything they want for spending and in addition a $3 billion cushion in case they have incorrectly estimated their needs and then another $4 billion in the banks?

Representative JOEL T. BROYHILL, of Virginia, in floor debate on June 18, 1964:

> I cannot assume the responsibility for these reckless policies. My position has always been that in times of prosperity we should live within our revenues. I ask that my colleagues join with me in sending this bill back to committee. It is past time that we faced the issue squarely and put a halt to further deficits. It is obvious that the amount asked for refutes the false claims of economy being made by this administration. If these claims have any substance, the Congress would not have to increase the debt ceiling.

Representative WILLIAM H. HARSHA, of Ohio, in floor debate on June 9, 1964:

> This administration is shoveling out federal money so fast it has run out of debt limit again. Since no one is raising the roof about it, the President wants to raise the ceiling, but it should not be called a ceiling, it is a fiscal hole he is digging and he wants to excavate more to put the Nation deeper in debt. We have again reached the time of year when the piper must be paid.

Representative H. ALLEN SMITH, of California, in floor debate on June 8, 1966:

> Raising the debt limit, in my opinion, could be prevented if the President and the Congress would exercise greater restraint in their fiscal spending policies . . . Why does this debt limit have to go up at this particular time? The Government today has more money to play with than ever before. This year the Government will have the biggest tax take in our history.

Representative CLARENCE J. BROWN, JR., of Ohio, in floor on June 18, 1964:

> Personally, I am opposed to increasing the national debt limit at this time, or at any other time, unless there is a grave and a great national emergency that would require such action in order to preserve our own security and our own way of life.

Representative Thomas B. Curtis, of Missouri, in floor debate on June 18, 1964:

> It is perfectly logical for Republicans, of course, to resist the expenditure policies of this administration, as we tried to under the Kennedy administration. This is a basic issue for the people to decide. I wish my colleagues on the Democratic side of the aisle would face it forthrightly. Their economic philosophy is to spend and finance it through deficits. The President does not submit a balanced budget to the Congress and has no intention of submitting a balanced budget in the foreseeable future. What we Republicans are fighting for and what we regard as fiscal responsibility is balancing the budget.

Representative Bruce Alger, of Texas, in floor debate on June 18, 1964:

> As a choice, of course, I would point out that Republicans have disapproved of an increase in the debt ceiling, and it is because they believe there can be control in the rate of expenditures even as we are deciding where to reduce the total expenditure itself. We who are not responsible for this deficit financing believe that where it is legitimately and consistently possible, the debt ceiling increase can be opposed without being irresponsible.

Representative HAROLD R. COLLIER, of Illinois, in debate on June 18, 1964:

> If we vote to give the administration the debt limit increase it requests today, we are merely approving the continuation of fiscal conduct which can only lead to disaster. There are those of us who consistently practice economy in government through voting against programs which may be politically expedient but which we cannot afford if we are ever to emerge from the mire of indebtedness which we are merely passing on to the next generation as a rather sad heritage.

Representative JOHN P. SAYLOR, of Pennsylvania, in floor debate on June 8, 1966:

> Sometime in the future, if the cost of defending this country against Communist aggression becomes much more expensive than is currently estimated by the administration, there may be justification for increasing the debt limit. At the moment the request for further depreciation of the dollar cannot be defended, for cutbacks in bureaucratic extravagance would more than account for budget deficiencies. With sound fiscal policies it would in fact be possible to reduce the debt and thus fulfill an obligation not only to today's taxpayers, but to future generations which will incur the unpleasant consequences of the present administration's wasteful policies.

Representative WILLIAM G. BRAY, of Indiana, in floor debate on June 8, 1966:

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I have opposed these temporary debt limit increases in the past and I am opposed to this one, not solely because of the amount of increase granted, nor of the rising cost of financing the public debt, but because congressional approval will, as the minority report on the bill points out, imply approval of the administration's fiscal policies.

Representative Paul A. Fino, of New York, in floor debate on February 8, 1967:

I rise in opposition to any further extension of the national debt ceiling. I do not think any member can deny that our government is spending too much as it is. This is not the year for a huge debt ceiling hike and a stiff tax increase. This is not the year to raise the bridge—if anything, this is the year to lower the water. In short, let us cut spending and let us stop raising the taxes of this generation and generations yet unborn.

Representative Henry Schadeberg, of Wisconsin, in floor debate on February 8, 1966:

I believe we have a responsibility to our people back home to take the necessary measures now that will force us and the administration to live within our income. I am aware that the need for the increase in the debt limit is due to the fact that the money has already been spent. Perhaps the present critical need for available money on the part of the Government needs to be dramatized so that we in Congress will be lulled out of our complacency about fiscal matters and the American people can see for themselves what is troubling our economy. My vote against the debt limit increase is one which is based on the firm conviction that the only way we can bring the wayward spenders into line is to cut off the source of supply of their funds and refuse them the right to squander today the wealth of tomorrow's generation in order that they may selfishly live high off the hog.

Representative John T. Myers of Indiana, in floor debate on February 8, 1967:

There are those who have called us irresponsible for opposing the administration proposal to hike the federal debt limit from $330 billion to $336 billion. It is my opinion our position is rather one of responsibility. Why even go through the motion of having a debt limitation if we are not going to observe it and raise it whenever it is politically expedient.

Representative Louis C. Wyman, of New Hampshire, in floor debate on February 8, 1967:

Mr. Chairman, I cannot vote to increase the debt limit and keep faith with the people in my district who sent me to this 90th Congress. My constituents want the continuous overspending of the federal government brought to a stop. I pledged to do this. A vote to increase the debt limit is a license to continue federal overspending. It would be a breach of commitment to my constituents.

Representative Donald Riegle, Jr., of Michigan, in floor debate on February 8, 1967:

The easiest thing for the government to do is to go into debt. For as long as the government can go deeper and deeper into debt—the more it can spend and spend and spend, then the more it can, in turn, expand the grasp of the federal government and its influence and control over the individual citizen. And that has been the pattern—borrow, borrow, borrow; spend, spend, spend—and let the country sink deeper and deeper and deeper into debt. I believe this country is already too deeply in debt.

Representative Joe Skubitz, of Kansas, in floor debate on February 8, 1967:

I am fully aware of the problems which might result should the Congress refuse to increase the debt ceiling. But I know of no other way to sound the warning, to impress upon the spenders that we go this far and no further. There is virtue in a balanced budget and a limit to what we can afford. These principles are not so outmoded as to be ignored in our Great Society. The time has come when those who believe in a sound fiscal policy must vote against any proposal to increase the debt limit.

Representative H. R. Gross, of Iowa, in floor debate on June 7, 1967:

We here today are trying to eat filet mignon steaks on a hamburger income. We are not skating on good solid financial ice in this country—we are just walking in the water with our skates on and a hell of a lot of people do not seem to know it. I am opposed to this enormous debt increase.

Representative George Bush, of Texas, in floor debate on June 21, 1967:

I said last time—and I say again today—that before accepting a deficit of this magnitude, before being willing to risk the consequences of such a deficit, we had better tell the Administration again to take another look at their figures and come back to Congress with some constructive proposal for reducing the amount of the deficit. Rejection of the bill before you is our only hope.

Representative Mark Andrews, of North Dakota, in floor debate on June 21, 1967:

There is no excuse, except in time of national emergency declared so by Congress, for a country to engage in deficit financing.

Representative Fred Schwengel, of Iowa, in floor debate on June 21, 1967:

I shall again, as I have always in the past, vote against raising the debt limit. We must find ways and means to pay the bills that we pass on here in Congress other than what we have been doing presently, that is to raise the debt limit.

Representative David T. Martin, of Nebraska, in floor debate on June 7, 1967:

This (debt interest) is the second largest item in our budget, next to the appropriations for the military. It seems to be the policy of the Great Society to go deeper and deeper into debt, saddling the burden of this debt and the increased interest charges on our children, our grandchildren, and future generations.

For my own part, I, along with 22 of my Democratic colleagues, have sent a telegram to the President requesting that he clarify his position on tax reform prior to a vote on the debt ceiling. The text of this telegram read as follows:

March 7, 1969.

President Richard M. Nixon,
The White House,
Washington, D.C.

Dear Mr. President: The House will vote next week on the administration proposal to raise the ceiling on the national debt by another 12 billion dollars.

An important reason why the national debt is so high is that tax loopholes cheat the revenues of many billions of dollars annually.

We have introduced H.R. 5250 and subsequent identical bills designed to raise $9 billion in additional revenue by plugging loopholes such as the oil depletion allowance, multiple surtax exemptions for corporations, and the hobby farm loophole. The Ways and Means Committee formally requested the Treasury Department's views on H.R. 5250 on February 17.

It is very difficult to vote for a bill to increase the debt ceiling without knowing whether the administration will make a serious attempt to keep the national debt down by plugging tax loopholes.

Accordingly, we respectfully request that the administration make known its views on the 13 loopholes included in H.R. 5250 prior to the vote on the debt limit bill, so that we may be instructed by those views. Failing that, we certainly request that we be told when a statement of administration views on H.R. 5250 will be made.

Mr. REUSS. Mr. Chairman, if the loopholes in the Federal tax system had been plugged, it would not be necessary to raise the debt ceiling today.

In order to achieve meaningful tax reform, some 32 of us are sponsoring H.R. 5250, and identical bills, designed to raise $9 billion annually in additional revevenues by closing off 13 tax loopholes. The cosponsors include: Mr. Reuss, of Wisconsin; Mr. Meeds, of Washington; Mr. Rees, of California; Mr. William D. Ford, of Michigan; Mr. Moorhead, of Pennsylvania; Mr. Adams, of Washington; Mr. Bingham, of New York, Mr. Brown of California; Mr. Zablocki, of Wisconsin; Mr. Edwards of California; Mr. Gibbons, of Florida; Mr. Conyers, of Michigan; Mr. Long of Maryland; Mr. St. Onge, of Connecticut; Mr. Farbstein, of New York; Mr. Podell, of New York; Mr. Byrne of Pennsylvania; Mr. Thompson of New Jersey; Mr. Mikva, of Illinois; Mr. Eilberg, of Pennsylvania; Mr. Yatron, of Pennsylvania; Mr. Rosenthal, of New York; Mr. Vigorito, of Pennsylvania; Mr. Koch, of New York; Mr. Nedzi, of Michigan; Mr. Dingell, of Michigan; Mr. Macdonald, of Massachusetts; Mr. Blatnik, of Minnesota; Mr. Karth, of Minnesota; Mr. Roybal, of California; Mr. Brademas, of Indiana; and Mr. Madden, of Indiana.

H.R. 5250 would:

Cut the 27½ percent oil depletion allowance to 15 percent, with comparable cuts on other minerals.

Tax capital gains presently untaxed at death.

Repeal the 7-percent investment tax credit.

Eliminate unlimited charitable deductions.

Eliminate special tax treatment for stock options.

Eliminate the income tax exemption for the first $100 in dividend income.

Eliminate tax benefits derived from organizing multiple corporations from a single firm.

Remove the tax exemption on municipal industrial development bonds.

Provide a Federal interest subsidy to States and localities as a substitute for tax-exempt bonds.

Establish the same rate for gift and estate taxes by raising the gift tax rate 25 percent.

Eliminate payment of estate taxes by the redemption of Government bonds at par.

Limit hobby farmers' use of farm losses to offset other income.

Eliminate accelerated depreciation on speculative real estate.

On March 7, 1969, we sent the following telegram to President Nixon, requesting the administration's views on H.R. 5250, or at least an estimate of when the administration would be able to state its views on tax reform:

MARCH 7. 1969.

President RICHARD M. NIXON,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: The House will vote next week on the administration proposal to raise the ceiling on the national debt by another 12 billion dollars.

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It is very difficult to vote for a bill to increase the debt ceiling without knowing whether the administration will make a serious attempt to keep the national debt down by plugging tax loopholes.

Accordingly, we respectfully request that the administration make known its views on the 13 loopholes included in H.R. 5250 prior to the vote on the debt limit bill, so that we may be instructed by those views. Failing that, we certainly request that we be told when a statement of administration views on H.R. 5250 will be made.

(Signed by Representatives Henry S. Reuss, of Wisconsin; Lloyd Meeds, of Washington; Thomas Rees, of California; William Ford, of Michigan; Jonathan Bingham, of New York; George Brown, of California; Clement Zablocki, of Wisconsin; Don Edwards, of California; John Blatnik, of Minnesota; Joseph Karth, of Minnesota; Henry Helstoski, of New Jersey; John Conyers, of Michigan; Clarence Long, of Maryland; William St. Onge, of Connecticut; Leonard Farbstein, of New York; Bertram Podell, of New York; Frank Thompson, of New Jersey; Abner Mikva, of Illinois; Gus Yatron, of Pennsylvania; Benjamin Rosenthal, of New York; Joseph Vigorito, of Pennsylvania; Edward Koch, of New York; and Lucien Nedzi, of Michigan.)

The following reply has been received:

MARCH 11, 1969.

Hon. HENRY S. REUSS,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. REUSS: This acknowledges receipt of a book telegram sent by you and twenty-two other Members of the House of Representatives to the President requesting Administration views on H.R. 5250.

As you know, the Assistant Secretary of the Treasury for Tax Policy, Honorable Edwin S. Cohen, was confirmed by the Senate only last week and he has had insufficient time to study legislation pending before the Ways and Means Committee. However, needed reforms in the tax structure are under active review at the staff level within the Treasury Department, and it is anticipated that Administration representatives will be able to testify with respect to certain tax recommendations shortly after the Congress returns from its Easter recess.

I trust this information is helpful and know you appreciate the necessity for Mr. Cohen to participate in formulating Administration policy. I am sending similar letters to other signatories of the telegram.

Sincerely,

BRYCE N. HARLOW,
Assistant to the President.

I am gratified to learn that the administration anticipates that its representatives "will be able to testify with respect to certain tax recommendations shortly after the Congress returns from its Easter recess." Indeed, I hope that the administration position will be as close as possible to H.R. 5250, and its revenue-raising potential somewhere on the order of the $9 billion annually envisaged by H.R. 5250.

Under the circumstances, I believe the responsible course is to support the administration's current request to raise the debt ceiling.

Mr. RARICK. Mr. Chairman, by again seeking to increase our Nation's debt, are we not making a mockery of any reason for the existence of a debt ceiling?

The bill before us deals with much more than mere imaginary limitations—for our action today will affect every working American who pays taxes. To the taxpaying American, our efforts mean taking away hard-earned dollars—dollars that he wants to keep to spend for the benefit of himself and his family.

There are two immediate areas in which every Member of this House has received adequate mail to reflect that we are not fooling the people back home. We are not fooling them about the waste and misuse of funds in a mythical, so-called war on poverty. Neither are we kidding them about the windfall benefits given an ever-increasing tribe of tax-free foundations most of whom not only compete against the taxpayer in consumer goods but also in the money market.

No specialized education is required to figure out that our action today will not solve any problem. The cabdriver and the factory worker all know that we could solve our country's financial ills, if we really made up our minds that we wanted to—or if we had to.

Rather than attempting to justify an increase of the debt, we should be taking constructive action to demonstrate fiscal leadership by balancing the budget and removing the surtax. This can only be accomplished by closing tax loopholes and reducing waste and unnecessary spending.

Mr. Chairman, I heard the voice of the American people in the last election loud and clear. They sent us here to Congress to terminate—not to escalate this perennial fiscal "sleight of hand."

We have been told we cannot, in good conscience, deny this increase in deficit spending because the funds are necessary to cover the expenditures already authorized, and for which we have already obligated our taxpayers' dollars. Let us be honest with the people—the debt ceiling has been increased time and time again, promoted as temporary but only to end up becoming a permanent ceiling. It will be passed today, so why do we not be honest with ourselves and our constituents, and tell them that this House has no intention of protecting the taxpayers' hard-earned money from a greedy bureaucracy until the people demand commonsense in government.

Check one grocery shopper's comparison of food prices from 1965 to present:

	1965 or later		1969	
A. & P.:				
Lunch meat	4 6-oz. packages	$0.95	3 6-oz. packages	$0.95
Rib steak	1 pound	.75	1 pound	.99
White bread	2 1-lb. loaves	.39	2 1-lb. loaves	.59
Eggs	2 dozen	.81	1 dozen	.65
Ketchup	2 20-oz. jars	.39	2 16-oz jars	.79
Ice cream	½ gallon	.59	½ gallon	.73
Safeway:				
Bologna	1 pound	.49	1 pound	.79
Flour	5 pounds	.43	5 pounds	.59
Spaghetti	1 pound	.22	1 pound	.27
Butter	1 pound	.69	1 pound	.81
Bacon	1 pound	.89	1 pound	1.00
Apples	8 pounds	.69	8 pounds	.89
Face tissue	4 200-tissue boxes	.89	3 200-tissue boxes	.85
Giant:				
Canned tomatoes	6 1-lb. cans	.77	5 1-lb. cans	.95
Mayonnaise	1 quart jar	.69	1 quart jar	.79
Beef brisket	1 pound	.69	1 pound	.79
French fries	10 9-oz. packages	1.00	9 9-oz. packages	1.00
Potatoes	20 pounds	.69	20 pounds	.89

Mr. RANDALL. Mr. Chairman, it is with reluctance that I support H.R. 8508, which provides for an increase in the debt ceiling. Every time this unpleasant situation presents itself, we have to ask the question, How may we be spared this hard choice in the future? The answer lies in opposing any and every nonessential expenditure by whatever department and for whatever purpose. This involves constant scrutiny of the word "essential." Put differently, it requires refining the list of priorities and a constant effort to keep reviewing what constitutes the highest priorities among our Federal expenditures.

The members of the Ways and Means Committee have assured me this is a tight ceiling. It is one which allows no latitude or flexibilty. They tell me it is absolutely necessary if the Government is to meet its obligations in April of this year.

As we face this painful choice whether or not to support the new ceiling all of the old arguments are revived. The consideration of fiscal responsibility is still with us. This time there is a choice to be partisan and oppose the new administration, or on the other hand, give thought to what would happen to our country if it could not meet its obligations as they accrue.

For those who have supported every spending program there is no alternative but to vote for the means to pay those obligations. For those who have not supported all of the spending programs, and in this regard I will let my record speak for itself, there is no choice but to provide for the payment of the bills now that they come due. I have heard some Members state they will support the increase of the debt ceiling in this instance, but they will never support it again. In my opinion they are right but they should allow for the reservation or exception of a possible national emergency which no one can possibly foresee.

If we are to exercise fiscal responsibility, we must provide the means to pay the bills when they come due. As to the political aspects of this increase it is true that most of the present Members of Congress who belong to the party which now controls the White House have in former years been almost unanimous in opposition to increasing the debt ceiling except when their party occupied the White House in the 1950's. Now they are on the spot again. For my part, I cannot be partisan enough to oppose this debt increase simply because there is a new occupant in the White House. We should allow some time to see if the new occupant can control expenditures enough that a future increase will not be necessary. We are called upon today to see that the bills are paid. Unless we wish to see the wheels of our Government grind to a halt we must pass this bill. The time to stop spending is not when the bills come due but before the obligations are created.

Mr. LLOYD. Mr. Chairman, although I voted against any increase in the national debt ceiling during the last Congress, I feel that the current increase requested by the new administration is appropriate for a new President saddled with commitments, he has as yet had no opportunity to alter. In fiscal year 1967 and fiscal year 1968 when I voted against increases in the limit, the Nation was faced with $8.8 and $25.1 billion budget deficits while the previous administration made inadequate effort to bring the budget within manageable limits. Instead, expenditures were permitted to increase at a rate in excess of 15 percent per year. Furthermore, between fiscal year 1962 and fiscal year 1968 there were inflationary budget deficits aggregating more than $57 billion. In no year was there a budget surplus. As a direct consequence of these deficits, the national debt grew from $290 billion in December 1960 to $360 billion by the end of January 1969. Following measures aimed at expenditure reduction coupled with the surtax, the growth in Federal deficits during fiscal year 1969 has been stemmed. According to January budget estimates a small budget surplus is forecast for fiscal year 1969, and a slightly larger surplus of $3.4 billion is hoped for in fiscal year 1970.

However, considering the seasonal nature of Treasury receipts and the increase in national debt held by the social security trust funds, it is clear that the new administration cannot function within the limits of the present $365 billion ceiling. While the Nixon administration is currently studying ways of further reducing fiscal year 1970 expenditures below the $195.3 billion originally proposed by former President Johnson, there is little it can do between now and July 1 to reduce fiscal year 1969 expenditures incurred by the previous administration. In fact, Johnson's estimate of fiscal year 1969 outlays may even prove slightly low given that during recent months:

First. The interest rates which the Government must pay in order to finance the existing debt have been higher than anticipated;

Second. Some expenditure commitments have risen due to 1968's high increase in labor and material costs for programs such as highway construction;

Third. The recently settled dock strike which sharply reduced agricultural exports and boosted farm price support outlays as a result.

The new temporary ceiling of $377 billion, which will revert back to $365 billion on July 1, 1970, will place a very tight limit on Government financing and thereby encourage a restrictive expenditure policy. Moreover, this new ceiling will be reviewed closely by Congress in early 1970. By then the new administration will have had sufficient time to present its own legislative program in which vitally needed budgetary and expenditure reductions are expected to be of major significance.

Mr. SKUBITZ. Mr. Chairman, I have been a Member of this body since January 1963. In that time we have been called upon 10 different times to increase the permanent or temporary debt ceiling.

Some of us have consistently voted against the proposed increases, and I think rightly so. In my humble opinion the debt ceiling should always serve as a warning to the Congress and to the executive branch to stop, ponder, and reappraise our spending programs lest we do irreparable damage to our economic system. During a national emergency, it may become necessary to increase the debt, but in such instances there should be at least a degree of belt tightening on the home front. I regret to say that during the past 6 years this has not been true. We have seen scores of "half-baked" programs introduced and passed by the proponents of the Great Society experiment. We have given away money under our foreign aid program like it was going out of style. We poured money into the "moon shot" in such quantities that one would think our national existence depended upon beating the Russians to the moon. These are the things coupled with our unwillingness to raise taxes that have forced us to raise the debt ceiling. Some of us who have consistently voted against these expenditures, who believed in priority spending in order to escape the necessity of raising the debt ceiling felt justified in voting against the debt ceiling proposals.

Those of us who voted against the increase in the debt ceiling in the past have been accused of acting in an irresponsible manner. Those who do so today, will again be accused of acting irresponsible.

I submit that the irresponsible people are those who constantly recommend and support every program not only submitted by the executive branch—but also additional ones of their own.

For the first time, I shall vote to increase the debt limit—not because the present occupant of the White House is a Republican. I do so because I do not feel that he is responsible for the fiscal mess that confronts us today. He should not be made the "fall guy" for the indiscretions of past administrations. However, I serve warning now that unless the administration in the next 10 months moves forward with a sound fiscal program, unless it shows good faith in supporting reductions and of unnecessary or less essential programs, I shall not support legislation of this nature in the future.

Mr. BROWN of California. Mr. Chairman, memories fade quickly here in Congress especially in matters regarding Federal spending. Last year's expenditure controls indicated a mass displeasure with the seemingly endless climb in Government program costs.

But today, when we are dealing with spending controls under a different guise—that of a debt limit expansion—last year's policy appears forgotten.

It is quite inconsistent to favor stringent spending limits one year and then approve increases which weaken those limits in the next year, and I think we are deluding ourselves when we apply an altogether haphazard system of starts and stops in fiscal policy.

I oppose debt-limit expansion not because I am in favor of a decreased Federal role, but because I think that there are other alternatives open to us by which we can achieve the same results but at a much lower cost.

We must remember that each added dollar in the national debt today means that more than one marginal dollar must be paid in the future to account for the principal of the debt plus the interest rate. That is, if we increase the national debt $7 billion and go out and borrow the funds, we will have to pay off not only the $7 billion, but also—according to the interest rate at which we borrow—perhaps well over another billion of service charges. And each dollar allocated to debt payment means one less dollar for many priority programs.

Expenditure control—if applied fully through the legislative appropriations process and across-the-board—can be a valid means of keeping Federal spending within stated bounds. But, last year's controls were doomed from the start because they excluded too many areas where more than enough "fat" could have been trimmed; indeed, in practice the controls were more than effective in certain program categories—generally in programs dealing with education, poverty, urban blight, and the environment.

Rapid increases in Government spending rank as a key factor in the continued inflationary pressures we have felt since 1965. However, inflation also is caused by dislocations within the economy caused by the shape of spending as well as by its size. Undue demands on certain sectors of the economy are behind much recent inflation, and foremost of these distortions are those stemming from the high cost of our military adventures in Southeast Asia.

I believe in a positive fiscal policy, not

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in an ongoing ritual of extending the debt limit each time there is a spending squeeze. What is needed is a realistic revenue and expenditure program. Instead of automatically supporting any proposed increase in the debt ceiling limit, I favor a major tax reform effort coupled with severe budget slashes for the military, for military assistance programs, for the questionable supersonic transport, and for any other area in which benefits are extremely low compared to overall costs. It is for these reasons that I oppose the bill to extend the debt ceiling limit.

Mr. DERWINSKI. Mr. Chairman, it is with understandable reluctance that I vote for H.R. 8508, to establish a limitation on the national debt. I realize the Nixon administration has not yet had the time to make the necessary economies in Government that would have made an increase in the debt ceiling unnecessary. Following, as they have, the wildest spending administration in the history of the country it will naturally take time to restore some semblance of sanity to the administration of the Federal Government.

However, I for one serve notice that if the administration does not produce meaningful economies in all departments and agencies I will not vote for the next increase in the debt ceiling.

In my judgment there is not a single department or agency that is a "sacred cow." The Nixon administration must demonstrate strength and imagination in cleaning out the bureaucratic structure that contributes to the monstrous waste of public funds. Government bureaus and offices are overstaffed and the rate of productivity can be definitely improved.

The public expects the administration to cut Government spending and operate in a legitimate frugal manner. The Nixon administration can quite accurately place the need for this debt ceiling increase on the abuses of the Kennedy-Johnson era. If there is a next time to increase the debt ceiling the present administration would have to be held responsible.

GENERAL LEAVE

Mr. MILLS. Mr. Chairman, I ask unanimous consent that all Members desiring to do so may extend their remarks at this point in the RECORD upon the bill presently before the Committee.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MILLS. Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio (Mr. VANIK).

Mr. VANIK. Mr. Chairman, today, as a member of the Ways and Means Committee, I will support the new debt ceiling allowing the administration a reasonable degree of flexibility in handling its fiscal affairs. The proposed ceiling meets every explained contingent need of the Government. As I earlier stated in this House, my support for the proposed debt ceiling will not commit me to continue the 10-percent tax surcharge beyond June 30, 1969.

We have a mandate from the voters to bring about tax reform and tax relief. There are no early prospects for the wide-scale tax reform which we need. The termination of the surtax is the most expedient way to bring about some tax relief—the most certain way to bring about tax relief this year.

It is my judgment that the revenue loss occasioned by a termination of the surtax could be made up by the adoption of legislation already before the Congress to close the glaring loopholes which demoralize the integrity of our tax structure. Congress is more likely to adopt corrective legislation to close loopholes if there is a fiscal urgency to replace revenues lost by the termination of the surtax. A tax reform program should produce sufficient revenue to make up the revenue previously produced by the surtax.

The Ways and Means Committee wisely dropped the proposal in the administration's debt ceiling plan which would have excluded $82 billion of Government debt to the trust funds from the Federal debt and, thereby, make it appear that a $17 billion increase in the Federal debt ceiling looks like a reduction of the debt ceiling to $300 billion.

It is incredible that this trust fund proposal should have been made and supported by the same leaders who only 2 years ago insisted on including participation certificates in the debt structure. What a difference responsibility makes.

Congress must never sanction debt manipulation which would let the American people believe that the debt ceiling was being reduced to $300 billion when the proposal, in truth, is an increase in the debt ceiling to $382 billion. This kind of debt juggling would assault the fiscal integrity of the country.

The $82 billion debt to the trust funds is money which the Federal treasury owes these trust funds. It has to be paid back—every dollar of it. It represents the obligation of the Federal Treasury to pay back funds which were loaned to the Treasury by the social security fund, the highway trust fund, and the unemployment insurance fund.

If these trust funds were excluded from computation in the Federal debt ceiling, the critics of social security would then charge that there are no resources in the social security trust fund—that social security is a myth.

Congress must never let that happen. The integrity of the social security trust fund must be maintained from every standpoint.

As a matter of fact, it has now become important to further insure the integrity of the social security trust fund by including representative citizens as trustees. It is not in the best interest of the contributors that the trust fund should be principally administered by the Secretary of the Treasury, the Social Security Commissioner, and the Secretary of Health, Education, and Welfare. This is an administrative team.

Too often the social security trust fund has been used as an arm of fiscal policy. It is conceivable that such action may be inconsistent and, indeed, in conflict with the best needs of the trust.

The time is at hand for Congress to review the administration of the trust funds, to examine the integrity of the funds, and to determine whether they are being administered for the best interests of the beneficiaries.

Mr. MILLS. Mr. Chairman, I have no further request for time.

Mr. BYRNES of Wisconsin. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. Under the rule the bill is considered as having been read for amendment, but no amendments are in order except amendments offered by direction of the Committee on Ways and Means.

Are there any committee amendments?

Mr. MILLS. Mr. Chairman, there are no committee amendments.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. FASCELL, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 8508) to increase the public debt limit set forth in section 21 of the Second Liberty Bond Act, pursuant to House Resolution 325, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. SMITH of California. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. SMITH of California. I am opposed to the bill, Mr. Speaker.

The SPEAKER. The Clerk will report to recommit.

The Clerk read as follows:

Mr. SMITH of California moves to recommit the bill H.R. 8508 to the Committee on Ways and Means.

Mr. MILLS. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

Mr. MILLS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 313, nays 93, not voting 24, as follows:

[Roll No. 27]

YEAS—313

Adair
Adams
Addabbo
Albert
Alexander
Anderson, Ill.
Anderson, Tenn.
Andrews, N. Dak.
Arends
Ashley
Aspinall
Ayres
Barrett
Beall, Md.
Belcher
Bennett
Berry
Betts
Biester
Bingham
Blackburn
Blanton
Blatnik
Boggs
Boland
Bolling
Bow
Brademas
Brasco
Bray
Brock
Brooks
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton, Calif.

XUM

Burton, Utah
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Cahill
Camp
Carey
Carter
Casey
Cederberg
Celler
Chamberlain
Clark
Clausen, Don H.
Cohelan
Conable
Conte
Corbett
Corman
Coughlin
Cowger
Cramer
Culver
Daddario
Daniels, N.J.
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Delaney
Dellenback
Denney
Dennis
Dent
Derwinski
Dickinson
Dingell
Donohue
Dorn
Downing
Dulski
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, La.
Eilberg
Erlenborn
Esch
Evans, Colo.
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Findley
Fish
Fisher
Flood
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Fraser
Frelinghuysen
Frey
Friedel
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Garmatz
Gettys
Gibbons
Gilbert
Gonzalez
Green, Oreg.
Green, Pa.
Griffiths
Grover
Gubser
Gude
Halpern
Hamilton
Hammerschmidt
Hanley
Hansen, Idaho
Hansen, Wash.
Harvey
Hastings
Hathaway
Hawkins
Hechler, W. Va.
Heckler, Mass.
Helstoski
Hicks
Hogan
Horton
Hosmer
Howard
Hull
Hungate
Hutchinson
Ichord
Jacobs
Joelson
Johnson, Calif.
Johnson, Pa.
Karth
Kazen
Kee
Keith
Kirwan
Kleppe
Kluczynski
Koch
Kuykendall
Kyros
Landrum
Langen
Latta
Lipscomb
Lloyd
Long, Md.
Lukens
McCarthy
McClory
McCloskey
McCulloch
McDade
McDonald, Mich.
McFall
McKneally
McMillan
MacGregor
Madden
Mahon
Mailliard
Marsh
Mathias
Matsunaga
May
Mayne
Meeds
Meskill
Mikva
Mills
Minish
Mink
Minshall
Mize
Mizell
Mollohan
Monagan
Moorhead
Morgan
Morton
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Nedzi
Nelsen
Nix
O'Hara
O'Neill, Mass.
Patman
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Poage
Podell
Poff
Pollock
Preyer, N.C.
Price, Ill.
Price, Tex.
Pryor, Ark.
Pucinski
Purcell
Quie
Quillen
Railsback
Randall
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Reuss
Rhodes
Riegle
Rivers
Roberts
Robison
Rodino
Rogers, Colo.
Rooney, N.Y.
Rooney, Pa.
Rostenkowski
Roth
Roybal
Rumsfeld
Ruppe
Ryan
St Germain
Sandman
Schneebeli
Schwengel
Sebelius
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Iowa
Smith, N.Y.
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Wis.
Stratton
Stubblefield
Stuckey
Sullivan
Symington
Taft
Talcott
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Udall
Ullman
Utt
Van Deerlin
Vanik
Vigorito
Waldie
Watts
Weicker
Whalen
Whalley
White
Whitehurst
Widnall
Wiggins
Wilson, Bob
Wilson, Charles H.
Winn
Wold
Wright
Wyatt
Wydler
Wyman
Yates
Young
Zablocki
Zion

NAYS—93

Abbitt
Abernethy
Anderson, Calif.
Andrews, Ala.
Ashbrook
Baring
Bevill
Biaggi
Brinkley
Broyhill, N.C.
Cabell
Caffery
Chappell
Chisholm
Clancy
Clawson, Del
Clay
Cleveland
Collins
Colmer
Conyers
Cunningham
Daniel, Va.
Devine
Diggs
Dowdy
Duncan
Edwards, Calif.
Eshleman
Flowers
Foreman
Fountain
Fulton, Pa.
Gaydos
Goodling
Griffin
Gross
Hagan
Haley
Hall
Harsha
Hays
Henderson
Hunt
Jarman
Jonas
Jones, N.C.
Kastenmeier
King
Kyl
Landgrebe
Leggett
Lennon
Long, La.
Lowenstein
Lujan
McClure
Macdonald, Mass.
Mann
Martin
Michel
Miller, Ohio
Montgomery
Myers
Natcher
Nichols
Olsen
Ottinger
Passman
Rarick
Rogers, Fla.
Rosenthal
Roudebush
Ruth
Satterfield
Saylor
Schadeberg
Scherle
Scott
Smith, Calif.
Snyder
Steiger, Ariz.
Stokes
Taylor
Waggonner
Wampler
Watkins
Watson
Whitten
Wolff
Wylie
Yatron
Zwach

NOT VOTING—24

Annunzio
Bates
Bell, Calif.
Brown, Calif.
Collier
Giaimo
Gray
Hanna
Hébert
Holifield
Jones, Ala.
McEwen
Miller, Calif.
Morse
O'Konski
O'Neal, Ga.
Powell
Ronan
St. Onge
Scheuer
Stephens
Tunney
Vander Jagt
Williams

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert for, with Mr. Brown of California against.

Mr. Holifield for, with Mr. Powell against.

Mr. Morse for, with Mr. Williams against.

Mr. Annunzio for, with Mr. McEwen against.

Until further notice:

Mr. Miller of California with Mr. Bates.

Mr. Jones of Alabama with Mr. Vander Jagt.

Mr. O'Neal of Georgia with Mr. O'Konski.

Mr. Gray with Mr. Bell of California.

Mr. St. Onge with Mr. Collier.

Mr. Giaimo with Mr. Stephens.

Mr. Tunney with Mr. Scheuer.

Mr. Hanna with Mr. Ronan.

Mr. HULL and Mr. BOW changed their vote from "nay" to "yea."

Mr. CABELL changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. MILLS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to extend their remarks in the RECORD on the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO INCLUDE CHARTS AND TABLES

Mr. MILLS. Mr. Speaker, I ask unanimous consent that Members desiring to do so may be permitted to include extraneous material such as charts and tables together with their remarks, on the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE SST MENACE GROWS NEARER, LOUDER, AND MORE EXPENSIVE

(Mr. PODELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PODELL. Mr. Speaker, the British-French supersonic aircraft has been much in the news of late, as its testing moves ahead. Its noise level so far gives ample evidence that it could not operate within noise limits now in force at major American airports. Recently, the Department of Transportation indicated doubts as to whether the Concorde would be suitable for use in flying the Transatlantic route, ending in New York.

This handwriting on the wall contains an obvious message. Development of an American version of an SST is uncalled for, and Federal subsidies for such a project should cease forthwith. The Federal Government has yet to move in the direction of setting any standards to limit noise from supersonic craft, but this is no excuse for moving this threat to the end of our list of priorities.

Mr. Shaffer, the President's choice for head of the FAA, has told Congress he hopes for a go-ahead on an American SST. It is highly indicative that he is a vice president of TRW, Inc., a major areospace and automotive parts manufacturer. This gentleman will head the agency which must approve the airliner's design and certify its airworthiness. Under the supersonic program, prototype construction alone is expected to cost more than $1.4 billion, with Government picking up 90 percent of the cost.

There is a school of thought placing the SST in the same category with other major forward steps in technology which eventually benefited mankind significantly. I feel the SST does not deserve such inclusion. Its undiminishable roar and sonic boom reduces our quality of life more than it could ever enhance it. Tests of the Concorde have so far borne out this contention.

Shall man span continents with devastating speed so he may spend more time in traffic jams? Shall a privileged few leap vast distances while millions below suffer intolerable sonic booms, destroying tranquillity as well as property? I think not. It seems to me that it is time for President Nixon to reevaluate the worth of placing further Government subsidies into the SST.

DEDICATION OF FATHER GERALD DUGAN ACTIVITY CENTER, ST. FRANCIS PREPARATORY SCHOOL, SPRING GROVE, PA.

(Mr. GOODLING asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. GOODLING. Mr. Speaker, on March 1, 1969, the St. Francis Preparatory School of Spring Grove, Pa., dedicated its new Father Gerald Dugan Activity Center, a magnificent all-purpose structure costing in the vicinity of $1 million. A notable feature concerning this structure is that it was erected with no assistance from either the Federal or State Governments; hence, it stands not only as an institution of practical purpose but as a symbol of self-reliance.

During the pertinent dedicatory exercises, the Reverend Kevin Keelan, T.O.R., of the College of Steubenville—a college operated by the Third Order Franciscans—delivered an inspirational address predicated on the themes of love and peace. Because this splendid presentation has a particularly meaningful application to the events of today, I insert it into the CONGRESSIONAL RECORD and commend it to the attention of my colleagues.

The address follows:

ADDRESS OF REV. KEVIN KEELAN, T.O.R., ON THE OCCASION OF THE DEDICATION OF THE FATHER GERALD DUGAN ACTIVITY CENTER, ST. FRANCIS PREPARATORY SCHOOL, SPRING GROVE, PA., MARCH 1, 1969

Your Excellency Bishop Daley, Father Headmaster, brother priests and conferees of our beloved Third Order; dear Sisters, members of the faculty past and present of St. Francis, parents, alumni, and other benefactors of the Prep; members of the Dugan family and, especially, the young men, students, for whose primary benefit we gather today to dedicate the Father Gerald Dugan Activity Center: Peace!

It is significant that this dedication ceremony is consummated in the Divine Liturgy, concelebrated in unity with the Coadjutor Bishop of Harrisburg, where the modern era of the Prep has flourished under the personal and paternal interest of the universally respected and affectionately regarded Bishop Leach.

The concelebrants are offering the Mass of the Solemnity of our Seraphic Father Saint Francis, founder of our Order. The Entrance hymn, even slightly paraphrased, seems to capture the spirit of the occasion: "Let us all rejoice in the Lord as we celebrate the feast in honor of the sons and loyal followers of Blessed Francis. The angels rejoice in this solemnity and with us praise the Son of God.

The man of Assisi would be very much at home in our midst today. This "splendid creature of God" (Pius XI) was an almost perfect example of what each one of us should hope to be. It is not chance that determines that in every age certain souls are raised up beyond the accomplishments of ordinary men and whose acclaim is not restricted to their own generation. Francis is a man for every age, an outstanding religious leader—"a religious genius of the purest type." He attracts men of diverse background and character. The social and religious values he ennobled are of the greatest importance today. Men of charity and understanding, living according to the ideals of Francis of Assisi, could convert the world into a Christian society in which all men would live as brothers.

In dedicating a facility planned to satisfy the needs of an educational community, it is not unusual that our thoughts should turn to one whose life was dedicated to the entire community of God's people. By reflecting on his philosophy of life, our own lives are enriched.

In the Rule he left for his followers (1221), Francis expressed his philosophy of love and peace as follows:

"Wherever there is love and wisdom, there is neither fear nor ignorance. Wherever there is patience and humility, there is neither anger nor terror. Wherever there is joyous poverty, there is neither covetousness nor greed. Wherever there is peace and reflection, there is neither vexation nor indecision. Wherever there is fear of God in guarding one's tabernacle, there an enemy cannot enter. Wherever there is mercy and reasonable discernment, there is neither vanity nor stubbornness."

How brief a testimony of devotion; how concise an inspiration to fullness of life. What seems unique in his life, what appears unequaled in his example, is not so much the fascinating traits present in his personality nor the special simple way of life he espoused, rather it is the capacity to place all things in their proper perspective: he was able to comprehend the harmony which is present in the life of the Christian as he relates to the majesty of God, to nature and human beings.

What today may be considered late in life, at the age of 24, Francis found God through the voice from the Crucifix in San Damiano. His was not an easy discovery—it rarely is—but when he heard the voice he listened to what it said. And he was happy every subsequent day of his life.

I suggest that we must learn to listen. In his inaugural address, President Nixon spoke clearly to this point. The sounds of our civilization sometimes are so loud, so confused, so senseless, that we are utterly unable to grasp the meaning of what goes on about us. One can understand why the cries of the hungry and the naked are unheard. One can understand why the moans and the sighs and the terrifying groans of those who suffer injustice go unheard. The clamor of the "barbaric civilized" simply does not permit us to think.

Francis, before his conversion to an active life of labor for Christ, had a natural inclination toward frivolity and sinless fun. Once committed to his Lord, he began "to do his thing" in a most fervent manner and he learned that "wherever there is peace and reflection, there is neither vexation nor indecision."

This man was an activist. Sometimes—I suppose when we are most satisfied with what we are doing—we incline toward the proposition that involvement is a modern virtue. How ignorant we are of the lives of the Saints and especially the man from Assisi. Social welfare and regard for the rights and privileges of one's fellow man were cardinal precepts, not relegated to the Rule of life he recorded for his followers under Divine inspiration, but of his very manner of living. He literally imitated Christ. He knew he was a son of God and he acted like one. The love he bore for God reflected itself in the love and respect he possessed for his neighbor, who was his brother. Whether it be among the Saracens, or the people of the provinces of Europe or Italy to whom he preached the Kingdom of Heaven and its joy, Francis strove to rebuild God's family on the foundations of love, justice, self sacrifice and peace. His work and the effects of the labors of his followers, and his social message which they preach, is universally acclaimed. Failure must be attributed to the human imperfections of those who followed him, as well as the tendency in man to resist the teachings of the Gospel, especially when it involves self effacement and penance.

Francis guarded his own tabernacle, showed mercy and patience and humility, and, as a result, his love for God was rewarded. He was signed in his flesh by the very wounds of Christ; the painful Stigmata was a mark of identity with Christ.

The Sacred Scriptures were the daily bread of Francis. Among the lessons he learned were love of enemies, the glory of chastity and cleanness of heart, service to all God's children, the value of penance, love for the Church and Christ's Vicar, "respect for the clergy, not so much for themselves, especially if they are sinners, but rather for their rank and their offering of the Blessed Sacrament," devotion to God's mother, Mary, and her Son's cross.

He became a man of gratitude and confidence. So deep was his understanding of the value of things, that he left a literature profound in its appreciation of nature and its place in the economy of creation. He loved and enjoyed everything made by God for man's peace and happiness, whether animal or vegetable or mineral. The Universe—his brother the sun, the stars and the moon—was the subject of his famous Canticle: a song of praise to the Creator for His many benefactions.

Probably what is least understood in the life of Francis was his devotion to poverty. Voluntary abnegation or absolute poverty were as much misunderstood in his day as in our own. Admission to the fraternity was granted only after one had reconciled himself to his neighbors, returned any ill-gotten goods and paid all his debts and tithes. He found acceptable men who were free to assume "the life of poverty in imitation of Jesus Christ and His Blessed Mother."

His joy and enthusiasm for everything made him dependent on nothing. Casting aside the clothes which were from his father's modish shop and selling all the things he possessed, and providing for the needs of the impoverished were more than symbolic acts. In truth he wished to be considered as a herald of the Great King, devoid of any embellishments of the past. "He was not a deaf hearer of the Gospel." He understood Christ's words: "Preach the Kingdom of God, possess neither gold nor silver, nor money in your purse." Christ possessed nothing; neither would he. Poverty was the means of liberation from things which stood as an obstacle in the path to the Kingdom of Heaven.

Hopefully, it is in this Spirit of Francis that we dedicate today. First, a personal dedication to the virtues that will brighten our lives: love of neighbor and mutual assistance; sympathy and generosity toward those who are poor; humility, tolerance, good sense and courtesy; penance and self denial; and above all, inner joy and self improvement in Christ. Secondly, and flowing from this personal dedication, we salute a friar of our Order, Father Gerald Dugan, who, in his life, followed in the footsteps of Francis as a faithful son.

Father Gerald served the Prep for 16 years (1946–1961). His most important role was as an inspired teacher of literature and music. But his influence as Franciscan priest and teacher was not confined to the classroom. By his example, his counsel and advice, his ability to encourage those who demanded something more than the classroom developed, he was involved with scores of young men who needed him. He represented an era of scholarly teachers whose great demand for love of learning was tempered with devotion and affection for those entrusted to his care.

We have all but discarded the concept "in loco parentis" in modern education. It is replaced with a vague concept of "openness."

Our young people today are a remarkable and fine example to us and we must listen to them. One of the things they seem to be telling us, with violent insistence, is that the weakness of the culture and morality which we have transmitted can result in nothing less than the explosive demonstrations and infantile actions of a very small but significant portion of their peers.

We have managed to deprive these young men of stabile values and meaningful authoritative trust.

This educational community, comprised of young men, friars and lay faculty, parents and benefactors, attempts to grow on principles which are Franciscan in their Christian roots.

As everything of value demands disciplined attention—a mark of the life of men such as Fr. Gerald Dugan—we salute the efforts of everyone involved in the completion of this Activity Center. Everything enclosed within this facility; every moral, social and educational virtue inculcated in the training program of these young men, is dedicated to the hope that its graduates will be men of inspiration, men cast in the mold of Francis of Assisi.

Our prayer is the same as Francis': May the Lord bless and keep us. May He show His face to us and have mercy on us. May He turn His countenance to us and give us peace. Indeed, may the Lord bless us.

XUM

FEDERAL INCOME TAX EXEMPTIONS

(Mr. STAGGERS asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. STAGGERS. Mr. Speaker, a nation which is growing richer by the day, the income gap between the very poor and the moderately rich is growing wider by the hour. Every change in income, in the price of the necessities of life, and especially in the tax policies of national, State, and local governments works to the disadvantage of the very low income family. This legislative body fixes Federal income tax regulations, and it is high time we gave the poor families a break.

The plain fact is that millions of families in the richest country of the world cannot afford to pay any Federal income tax at all. This fact was realized in 1939, when the personal exemption was fixed at $600. In 1939 we were still in the great depression, and a family income of $1,200 did not represent the depths of poverty. Yet such a family was placed out of reach of the Federal tax collector.

Today, $1,200 will not buy the minimum quantity and quality of food and shelter. True, most incomes have increased, and today a $3,600 income will scarcely rate with the $1,200 income of 1939. Yet, that $3,600 family will almost certainly be required to pay an income tax.

We must restore the immunity of that 1939 exemption figure. My bill, H.R. 8979, would raise all allowable exemptions from $600 to $1,200. At that figure, probably most of the very low income families would escape Federal income taxation, as they are supposed to do. In that connection, I would point out that the exemption prior to 1939 varied from year to year between the figures $800 and $1,200. The 1939 revenue law lowered the exemption to $600 in anticipation of war needs. It was represented as a "temporary" measure. "Temporary" has lasted for far too long.

One reason for the delay in legislating against discrimination in respect to the very poor is that they are unorganized. They cannot bring the power of numbers into action. They have no professional voice to speak for them in the Congress, as the professions and industries and the organized labor bodies have.

In recent years a number of proposals have been made to raise the exemption figure. It is probable that few of the people who would have been affected by the change knew about it. They wrote no letters to their Congressmen, they put no notes of approval in the newspapers. All of us know that it requires strong public support to get legislation through Congress, even the most desirable legislation. In this session a number of measures similar to my own have been introduced. Those of us who are interested in the matter must keep up our support. It is our duty to act for those who cannot act for themselves. The country needs this reform in the tax laws, and it needs it now.

TRADING STAMPS

(Mr. WOLFF asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. WOLFF. Mr. Speaker, I am pleased to report that the S. & H. Trading Stamp Co. has finally acknowledged something I have been saying for 4 years: trading stamps add 2 percent to food costs and if the housewife could redeem her stamps for cash she would save the equivalent of a week's groceries every year.

Acknowledgment of this by the world's largest trading stamp company should, I trust, speed congressional action on the Wolff truth-in-trading-stamps bill designed to provide the consumer with the option of redeeming the stamps for cash.

I do not seek to do away with trading stamps, but when a trading stamp company such as S. & H. acknowledges that a family spending $40 a week for groceries accumulates $50 worth of trading stamps a year, then I say let that family have its $50 back in cash if it so chooses. To do anything less would be to shirk our responsibility.

Further substantiation of my figures vis-a-vis the cost of trading stamps has been provided by James A. Cullen, the president of a chain of grocery stores on Long Island. This chain, King Kullen, recently discontinued giving trading stamps to its customers. This decision by King Kullen is explained in the following article from the March 6 issue of the Long Island Press:

King Kullen Getting Rid of Stamps

King Kullen's Long Island supermarkets will stop issuing trading stamps on March 17 "and pass the savings along to customers in the form of lower prices," James A. Cullen, president, announced today.

A recent round of price raises brought about the change in store policy, Cullen said. In the past year, the consumer price index rose 5.3 per cent in Metropolitan New York.

"We want to help our customers wipe out a part of this increase," he said. "By eliminating stamps, the average family will receive about one week's groceries free each year." He also cited a recent survey of customers showing 18 per cent of all shoppers select a supermarket because of low grocery prices.

But before King Kullen stops issuing trading stamps, it will give its customers twice the usual amount of S & H Green Stamps with their purchases in the 10 days ending March 16.

"We don't want to disappoint anyone," Cullen explained. "We are giving our customers a chance to complete their stamps books."

King Kullen was the first Long Island supermarket to give trading stamps to customers, more than 14 years ago. It was the only supermarket on Long Island when it opened its first store in Jamaica in 1930.

Today, the company estimates it serves 15 per cent of all families who live in Queens, Nassau and Suffolk.

Still further evidence of the problems created by trading stamps has been research by Mr. Ed Wimmer, of the National Federation of Independent Business. I would like to include in the Record at this point part of a radio broadcast made last month by Mr. Wimmer:

Thank you, ladies and gentlemen.

Frank Weikel, whose column appears daily in the Cincinnati Enquirer, and who hasn't spared the trading stamp companies or gamemakers when he has taken a notion to criticize their operations, recently predicted that "Cincinnati and surrounding areas are about to become involved in a trading stamp war." Earlier, Mr. Weikel wrote that people who were playing the service station giveaways such as "Sunny Dollars," "Tigerino," "Deck O'Money," "Billfold Bingo," or "All Star Bingo," had as much chance of winning as "a guy swimming the English Channel with an anchor around his neck."

Trading stamps have been blasted by Betty Furness, Ralph Nader, boycotting housewives, Members of Congress, the Federal Trade Commission, oil company and chain store officials, judges, governors, economists, newspapers, and especially service station operators forced to handle them, but every year their hold on most trading areas of the country has been increased until hope for needed relief has all but vanished.

On June 26, 1968, the Federal Trade Commission issued a report on the Sperry & Hutchinson Company (S&H Green Stamps) in which S&H officials admitted that in the years 1914 to 1964, 156,000,000,000 stamps, which had been issued and sold to their customers, were not redeemed. FTC also noted that S&H maintained its stamps were being saved by "35,000,000 households in the U.S. alone, were being given out by 70,000 outlets, and were redeemed through catalogues (32,000,000 circulation) and 850 redemption centers."

According to FTC findings, S&H enjoys approximately 40% of trading stamp volume in this country, and in order to get rid of its exorbitant profits gleaned from victimized gasoline dealers and mesmerized housewives, the company bought the famed Bigelow-Sanford Rug Company, four department store chains, a bank with 33 branches, a temporary help enterprise, EDP business devoted to shipping and warehousing, incentive and employee motivation business, a parent company for a number of international stamp and incentive companies, and among other things, it is buying into the furniture business, admits to five warehouses big enough to lose the Yankee Stadium in each, and it runs three tax-free foundations.

Lester Wolff, Congressman from New York, a bombastic opponent of the trading stamp companies and gamesters, has charged that millions of dollars are held in banks and investment funds (to redeem stamps that aren't likely to ever appear), on which no income tax has been paid; which dollars have been invested to enrich the stamp companies while service station stamp givers have gone broke by the thousands, and while more and more stamps get stuffed into auto glove compartments, lost, or end up in waste cans.

If a trading stamp war breaks out in all its agony in the Greater Cincinnati area, it won't be anything new. We've had it in a milder form than most areas because of continuous opposition and cooperation of most independents, but it could still bring great harm to our city.

A few years ago, a stamp war (with games) broke out in Denver, Colorado, causing so much havoc that a movie was made entitled "The Denver Story." Giant Safeway Company used full-page ads to brand the stamps a "racket," but even Safeway finally succumbed.

Mother-A&P, a longtime holdout, whose president also called the plans a "racket" and a "drain on civilization," finally took on MacDonald Plaid Stamps which has hit the Greater Cincinnati market. Either A&P, MacDonald, or both, circulated hundreds of thousands of costly catalogs to the homes, and all three, Top Value, S&H, and Plaid,

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stepped up offers of 50 free stamps to thousands of extra stamps, in a wild scramble to hold customers or to take customers away from everybody they could. Within hours after A&P hit the local Cincinnati market with Plaid stamps, our office received the same run of complaints that the big oil companies had politely told their dealers to "put 'em in," and one Standard Oil dealer expressed a willingness to sign an affidavit while I was writing this broadcast. He said: "You know by the tone of their voice that you had better go along."

But, Mr. Speaker, all the facts that I can muster do not speak as loudly as the voice of a housewife who finds herself at the mercy of the trading stamp companies. I have received today a letter from a housewife, active in consumer affairs and a student of the problem, that I believe speaks for itself. I wish to conclude my remarks by including that letter in the Record at this point:

> Dear Congressman Wolff: As a housewife and mother I have admired your untiring efforts on behalf of consumers and their need to redeem their trading stamps for cash.
>
> In my need to purchase a new iron, a GE Spray, Steam/Dry Iron, I discovered that I would need 6¾ S & H Green Stamps Books. This would amount to a purchase price of $20.25, plus tax. However, I could purchase this same item at a local discount store for $16.99, plus 4% tax. This has worked quite a hardship on me as I really can't afford to spend $16.99 at the present time, and I don't have 6¾ books of stamps. If I could redeem, for cash, the 5 books that I do have I could realize approximately $13.50 to $15. This would allow me to purchase the iron I need at a lower price as I can make up a small difference in the price. However, to lay out $16.99 now is an impossibility for me.
>
> I noticed in the paper today that S & H has stated that they feel they add to my purchasing power. Because of the experience above, I feel that they have, in fact, taken away from my purchasing power. Right now, they took my money (the money I paid out to obtain the stamps) and now they are refusing me the use of that money. At times, I feel that stamp companies have more control over my purchasing power than I do.
>
> I commend your efforts on behalf of all consumers. As I understand it, you are only asking that the stamp companies give me a "Money-Back Guarantee" after I have purchased their product (stamps) which is no more than any reputable businessman is already doing.
>
> Your continued attention to this matter is greatly appreciated by all consumers.
>
> Respectfully,
>
> Mrs. Sacha K. Miller.

FLOWERS OF TEXAS

(Mr. de la GARZA asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. de la GARZA. Mr. Speaker, appropriately coincident with the coming of spring the Texas Highway Department has published a colorful folder entitled "Flowers of Texas," which depicts about 60 of the State's most beautiful flowers, trees and shrubs. The selection must have been difficult, since Texas produces more than 5,000 species of wild flowers.

I am informed by J. C. Dingwall, State highway engineer, that the folder has a double purpose: to eliminate any idea lingering in the minds of out-of-State residents that Texas is an arid wasteland and to add to the pleasure of both Texans and visitors by identifying some of the State's most common and colorful plants. The department anticipates that "Flowers of Texas" will be among the most popular of the more than 7 million pieces of literature it distributes every year.

Such popularity will be well deserved. The folder is an outstanding example of the printer's art.

Texas has more varieties of blossoming plants than any other State due to its size and the great diversity of its geography. Texas elevations range from sea levels to mountain peaks more than a mile high. Rainfall measures more than 56 inches annually in some areas of east Texas, and less than 8 inches in the Chihuahuan Desert of west Texas. In the north Texas Panhandle a weather station measures an average of 24 inches of snow each winter. But at the subtropical tip of Texas, the city of Brownsville—in the 15th Congressional District, which I have the honor of representing—no snowfall has ever been recorded since reporting began in the last century.

Flowers of every kind and color appear in these diverse settings. Orchids grow wild in the Big Thicket of east Texas. Across the State, prairie flowers can turn a featureless plain into a blanket of cover almost overnight. The State highway department, with more than 800,000 acres of highway right-of-way, cultivates plants and preserves wild flowers in a beautification program that began more than 30 years ago.

Mr. Speaker, the most beautiful flowers of all are found in the southern part of my congressional district. Here is what the State highway department folder says about this area:

> One of the most fabulous regions is the sub-tropical Lower Rio Grande Valley which includes the four southernmost counties of Texas. Although lavishly displaying blossoms during spring and summer, this is truly a year-round floral area. Feathery palms overhang the highways, and precise groves of citrus trees are always green. Yards and boulevards are festooned with bougainvillea. Gardens in December flame with giant poinsettias which grow as high has the roof eaves.

I cordially urge all Members of the House to come and see for themselves.

One of the cultivated flowers, as contrasted to wild flowers, featured in the folder published by the State highway department is the poinsettia. This glamorous plant, while not native to Texas, produces spectacular specimens during warm winter days in the miraculous Lower Rio Grande Valley in my congressional district. And, by no means incidentally, the national headquarters of the American Poinsettia Society is located in Mission, a flourishing city in the Rio Grande Valley.

I congratulate the Texas Highway Department for a good job well done in its publication of "Flowers of Texas."

PERSONAL EXPLANATION

Mr. MICHEL. Mr. Speaker, I regret that I was detained at the time of the capitulation of the vote. I had a live pair with the gentleman from Illinois (Mr. Collier) and I just want the Record to show that had he been here, I would have voted "present."

FAIR IMMIGRATION

The SPEAKER. Under previous order of the House, the gentleman from New York (Mr. Ryan) is recognized for 60 minutes.

(Mr. RYAN asked and was given permission to revise and extend his remarks and to include extraneous matter and certain tables.)

GENERAL LEAVE TO EXTEND REMARKS

Mr. RYAN. Mr. Speaker, in addition I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject of this special order.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RYAN. Mr. Speaker, March 17, the day before yesterday, was St. Patrick's Day and all of us were Irish, at least for that day. In New York City an unprecedented number of spectators—estimated at 1.5 million by parade chairman, Judge James T. Comerford—enjoyed the 207th St. Patrick's Day parade. As it proceeded up Fifth Avenue under the leadership of the grand marshall, Father John J. Barry, a banner was held aloft reading "Fair Immigration Laws for Ireland. Write your Congressman."

Until this year only one other message has been permitted on banners in the parade. Not inappropriately, that read "England Get Out of Ireland."

Mr. Speaker, the presence of the new sign in that parade should remind Members of Congress of the drastic decline of immigration from Ireland. New York Times reporter Maurice Carroll said in an article describing the parade which appeared on March 18 that the new immigration law "has cut the inflow to a trickle."

Almost 1 year ago, last April 10, I introduced legislation (H.R. 16593) in the 90th Congress to make additional visas available to nationals of those countries where the average immigration had sharply declined as a result of the 1965 Immigration and Nationality Act. Last year there were some 36 Members of Congress who either cosponsored that legislation or introduced identical bills. This year, on the opening day of Congress, I again introduced this legislation as H.R. 165. As of this time 62 Members of the House are either cosponsors of the bill, or its companion bills (H.R. 166, H.R. 3841, and H.R. 6540), or have introduced identical bills. A list of sponsors will be appended at the conclusion of my remarks.

On a number of occasions on the floor of the House I have pointed out the need for legislation. Yet despite the critical state of immigration from Ireland, the country hardest hit by the revised categories of the 1965 act, and the large number of cosponsors of this legislation, there has yet been no action by the Immigration and Nationality Subcommittee of the Committee on the Judiciary on this legislation.

Last July 3 a hearing was held, and

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Members of Congress and representatives of concerned groups voiced support for the bill. At that time John Collins, national chairman of the American Irish National Immigration Committee, urged its adoption. He said:

> We urgently request that you support and favorably report out of committee a bill sponsored by over 38 Congressmen.

This bill, H.R. 16593, is fair to all nationalities. We urge its adoption.

So far, Mr. Speaker, no action has been taken either in the last Congress or in this Congress. I have taken this special order so that Members on the floor today can make clear the need for action.

In 1965, when the new Immigration and Nationality Act was being considered in the Congress, the Department of State assured Congress that under its provisions Ireland would be able to qualify for approximately 5,200 places per year. If the State Department projections had been accurate, it would not be necessary to take remedial action at this late date. However, as immigration statistics for the past 3 years show, that simply has not been the case.

In the decade immediately preceding the adoption of the 1965 act approximately 7,000 Irish emigrated to America each year.

Although this average figure had declined somewhat by 1964, the steep decline in Irish immigration which immediately followed the enactment of the 1965 Immigration and Nationality Act is far below a fair level of immigration.

In fiscal year 1966, preference and nonpreference visas issued in Dublin—the only place in Ireland where visas are issued—totaled only 2,229. In fiscal year 1967, this number dropped to 1,860. In fiscal year 1968, the total was 2,376.

The Immigration and Nationality Act of 1965 went fully into effect on July 1, 1968, and from July 1 until December 31, the first half of fiscal year 1969, preference and nonpreference immigration from Ireland plunged. In July, no preference and nonpreference visas were issued to Irish applicants in Dublin. In August, three; in September, one; in October, 24; in November, 31; and in December, 12 were issued. From July 1 to December 31, 1968, only 72 preference and nonpreference visas were issued in Dublin to Irish nationals. Even if the categories of "immediate relative" and "special immigrant" are included, the total number of visas issued in Dublin was only 227.

Figures for the first 2 months in calendar year 1969 show no significant advances for Irish immigration. In January, 26 preference and nonpreference visas were issued in Dublin; in February, 20 such visas were approved.

That makes a total of 118 preference and nonpreference visas for the first 8 months of fiscal year 1969.

Again, even if the categories of "immediate relative" and "special immigrant" are added, only 303 total visas were issued from Dublin for the first 8 months of fiscal year 1969.

The statistics I have used refer to visas issued in Dublin because that is the place where Irish residents apply. Visas issued to Irish citizens residing outside of Ireland and adjustments of status are reflected in the tables which I will include at the conclusion of my remarks.

Irish immigration, in short, has declined over 70 percent from the average levels of the decade preceding the enactment of the Immigration and Nationality Act of 1965.

Mr. Speaker, this kind of decline cannot, in the interest of fairness and an equitable immigration policy, be allowed to continue. We must take immediate corrective action to rectify the situation that is responsible for this disproportionate reduction in immigration.

Let me turn now to a specific discussion of my bill, H.R. 165.

The bill which I have proposed, H.R. 165—and which 62 Members of Congress are now supporting—makes sure that no nation would suffer a severe reduction in its level of immigration to the United States as a result of the provisions of the Immigration and Nationality Act of 1965. The bill provides that a "floor" would be established for every nation, based on its average level of immigration to the United States during the decade prior to the enactment of the 1965 act that is during the years 1956 through 1965. The floor would in no way be based on the former quota, but only on the actual numbers which came in during these years. The bill provides a floor equivalent to 75 percent of the annual average level of immigration during the 1956–65 base period, or 10,000 individuals, whichever is less. To the extent that immigration falls below the floor for a given fiscal year, extra numbers of visa spaces—above and independent of the worldwide quota—would be provided the following year, so that total immigration reaches the established floor.

I wish to emphasize again that H.R. 165 is not in any way a return to the old national origins quota system—which quite properly was abolished in 1965.

Under the 1965 act, however, the immigration preferences are drawn in such a way that much of the potential immigration from several Western European countries cannot meet the qualifications of the various categories, particularly those involving labor certification. This is no more equitable than the national origins quota system, which screened out people from sections of the world such as Africa and Asia.

In the case of Ireland, which sent an average of 7,000 immigrants during the base period 1956–65, about 5,300 places, or 75 percent of the base period average, would be established as the "floor" for Irish immigration. No country whose immigration levels had improved as a result of the 1965 act would be adversely affected.

In addition to the system of preferences, the labor certificate requirement of section 212(a)(14) has had the effect of screening out potential new seed immigration. Therefore, H.R. 165 provides that the provisions of section 212(a)(14) of the Immigration and Nationality Act of 1965 shall not apply to immigrants entering under the category established by the bill.

Immigrants in the unskilled labor area traditionally have come to America to better their lives and in turn to better our Nation. An unskilled immigrant until December 1965, could enter the United States unless the Secretary of Labor refused to approve his entry into the United States and made a specific finding that there were sufficient workers available at the alien's proposed destination or that the wages and working conditions of workers in the United States would be adversely affected. Under the revised section 212(a)(14), a system which required the Secretary of Labor to demonstrate why an immigrant's petition for entry should not be approved was altered to place the burden on the immigrant to demonstrate why his petition for entry should be approved.

According to the Department of Labor, immigration accounts for about one-eighth of the annual additions to the total labor force. Moreover, more than 150,000 immigrants in the preference categories can enter the United States each year, free of any labor restrictions. Only the small remainder of immigrants in the third preference, sixth preference and nonpreference categories must comply with section 212(a)(14). The result is that new seed immigration is being eliminated.

By exempting intending immigrants who would be eligible under my bill from the labor certification requirement of section 212(a)(14), many more young immigrants would be able to take advantage of available visa spaces, permitting the continuance of new seed immigration from Ireland and other similarly affected countries.

The need for corrective action is apparent. H.R. 165 would effectively achieve that corrective action. The widespread support for this legislation evidenced by the fact that there are 62 cosponsors makes it also apparent that many Members of Congress are concerned that remedial action be taken before Irish immigration reaches even lower levels. This bill, by correcting the deficiencies in the present law, would insure continuance of new seed immigration, not only from Ireland, but from every other nation which has suffered a decline as a result of the 1965 act. It would equalize an immigration policy, the imbalances of which have produced the precipitous decline which I have explained.

Mr. Speaker, I urge that the Subcommittee on Immigration and Nationality of the Judiciary Committee give priority to this issue and take appropriate action to deal equitably, with the unanticipated effects of the 1965 act.

I include at this point in the Record the list of 62 Members of Congress who are sponsoring H.R. 165 and companion bills:

List of 62 Members of Congress Who Are Cosponsoring Bills H.R. 165, 166, 3841, and 6540 Introduced by William F. Ryan, of New York, or Who Have Introduced Identical Bills

Joseph P. Addabbo, of New York.
Frank Annunzio, of Illinois.
William A. Barrett, of Pennsylvania.
Mario Biaggi, of New York.
Jonathan B. Bingham, of New York.
Edward P. Boland, of Massachusetts.
Frank T. Bow, of Ohio.
Frank J. Brasco, of New York.

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James A. Burke, of Massachusetts.
Phillip Burton, of California.
Daniel E. Button, of New York.
James A. Byrne, of Pennsylvania.
Hugh L. Carey, of New York.
Dominick V. Daniels, of New Jersey.
James J. Delaney, of New York.
John H. Dent, of Pennsylvania.
Edward J. Derwinski, of Illinois.
Harold D. Donohue, of Massachusetts.
Thaddeus J. Dulski, of New York.
Leonard Farbstein, of New York.
Peter H. B. Frelinghuysen, of New Jersey.
Samuel N. Friedel, of Maryland.
James G. Fulton, of Pennsylvania.
Cornelius E. Gallagher, of New Jersey.
Robert N. Giaimo, of Connecticut.
Jacob H. Gilbert, of New York.
Henry B. Gonzalez, of Texas.
William J. Green, of Pennsylvania.
Seymour Halpern, of New York.
Margaret M. Heckler, of Massachusetts.
Charles S. Joelson, of New Jersey.
John C. Kluczynski, of Illinois.
Edward I. Koch, of New York.
Clarence D. Long, of Maryland.
Richard D. McCarthy, of New York.
Joseph M. McDade, of Pennsylvania.
Torbert H. Macdonald, of Massachusetts.
Thomas J. Meskill, of Connecticut.
Abner J. Mikva, of Illinois.
Joseph G. Minish, of New Jersey.
John M. Murphy, of New York.
William T. Murphy, of Illinois.
Robert N. C. Nix, of Pennsylvania.
Thomas P. O'Neill, of Massachusetts.
Richard L. Ottinger, of New York.
Edward J. Patten, of New Jersey.
Otis G. Pike, of New York.
Bertram L. Podell, of New York.
Adam C. Powell, of New York.
Roman C. Pucinski, of Illinois.
Ogden R. Reid, of New York.
Henry S. Reuss, of Wisconsin.
Benjamin S. Rosenthal, of New York.
William F. Ryan, of New York.
William J. Stanton, of Ohio.
Robert Taft, Jr., of Ohio.
Frank Thompson, Jr., of New Jersey.
Robert O. Tiernan, of Rhode Island.
Joseph P. Vigorito, of Pennsylvania.
Lester L. Wolff, of New York.
John W. Wydler, of New York.
Gus Yatron, of Pennsylvania.

Mr. Speaker, I include at this point in the RECORD a table prepared by the Department of State showing visas issued, conditional entries, and adjustments of status granted immigrants born in Ireland for fiscal years 1965, 1966, 1967, and 1968. It includes month-by-month statistics for Dublin for fiscal year 1968 and for fiscal year 1969 through February 1969:

VISAS ISSUED, CONDITIONAL ENTRIES, AND ADJUSTMENTS OF STATUS GRANTED IMMIGRANTS BORN IN IRELAND

Year and place issued	Preference							Nonpreference	Nonquota	Immediate relative	Special immigraht	Special legislation	Total
	1st	2d	3d	4th	5th	6th	7th						
Fiscal year 1965:													
Dublin			3	8				3,825	13				3,849
Elsewhere			1	3	(1)	(1)	(1)	1,481	44	(1)	(1)		1,529
Adjustments of status	1		1					183					185
Total	1		5	11				5,489	57				5,563
Fiscal year 1966 (July to November): [2]													
Dublin				11				1,781	4				1,796
Elsewhere				1	(1)	(1)	(1)	557	21	(1)	(1)		579
Adjustments of status								72					72
Subtotal (December to June)				12				2,410	25				2,447
Dublin	1	12	4		93			238		29	56		433
Elsewhere	1	6	1	1	44			142	(1)	48	20		263
Adjustments of status		1	1	1	21			21					45
Subtotal	2	19	6	2	158			401		77	76		741
Total													3,188
Fiscal year 1967:													
Dublin	7	52	3	2	333	6		1,222		124	111		1,860
Elsewhere		7		5	108	2		561	(1)	77	45		805
Adjustments of status		9		1	59	4		78					155
Total	7	68	3	8	500	12		1,861		201	156		2,816
Fiscal year 1968:													
Dublin	4	40			464	1		1,658		117	92		2,376
Elsewhere	1	16		5	178			897	(1)	94	52		1,243
Adjustments of status	1	14			106	1		175					297
Total	6	70		5	748	2		2,730		211	144		3,916

Year and place issued	Preference							Nonpreference	Immediate relative	Special immigrant	Special legislation	Total
	1st	2d	3d	4th	5th	6th	7th					
Fiscal year 1968:												
July:												
Dublin	1	2			15			127	12	4		161
Elsewhere					4			56	7	3		70
Total	1	2			19			183	19	7		231
August:												
Dublin		2			14			124	9	13		162
Elsewhere		1			10			56	10	4		81
Total		3			24			180	19	17		243
September:												
Dublin		1			28			121	6	11		167
Elsewhere		1			8			38	5	5		57
Total		2			36			159	11	16		224
October:												
Dublin		5			37			108	11	9		170
Elsewhere		2		1	14			59	8	1		85
Total		7		1	51			167	19	10		255
November:												
Dublin		7			20			81	7	7		122
Elsewhere					7			59	5	2		73
Total		7			27			140	12	9		195
December:												
Dublin	1	1			14			33	7	5		61
Elsewhere	1	2		3	6			66	14	7		99
Total	2	3		3	20			99	21	12		160

See footnotes at end of table.

VISAS ISSUED, CONDITIONAL ENTRIES, AND ADJUSTMENTS OF STATUS GRANTED IMMIGRANTS BORN IN IRELAND—Continued

Year and place issued	Preference 1st	2d	3d	4th	5th	6th	7th	Nonpreference	Nonquota	Immediate relative	Special immigrant	Special legislation	Total
Fiscal year 1968—Continued													
January:													
Dublin			3			32			99	14	11		159
Elsewhere			3			11			49	9	5		77
Total			6			43			148	23	16		236
February:													
Dublin						43			77	10	8		138
Elsewhere					1	6			64	4	1		76
Total					1	49			141	14	9		214
March:													
Dublin		1	4			39			62	12	4		122
Elsewhere			3			17			51	5	4		80
Total		1	7			56			113	17	8		202
April:													
Dublin			1			41			119	17	8		186
Elsewhere			2			29			57	10	3		101
Total			3			70			176	27	11		287
May:													
Dublin			3			46			230	5	4		288
Elsewhere			1			34			153	14	7		209
Total			4			80			383	19	11		497
June:													
Dublin		1	11			135	1		477	7	8		640
Elsewhere			1			32			189	3	10		235
Total		1	12			167	1		666	10	18		875
Total:													
Dublin		4	40			464	1		1,658	117	92		2,376
Elsewhere		1	16		5	178			897	94	52		1,243
Adjustments of status		1	14			106	1		175				297
Grand total		6	70		5	748	2		2,730	211	144		3,916
Fiscal year 1969:													
July:													
Dublin										10	13		23
Elsewhere			1			5				17	3		26
Total			1			5				27	16		49
August:													
Dublin		1	2							6	10		19
Elsewhere		1	2							10	5		18
Total		2	4							16	15		37
September:													30
Dublin		1	1							11	17		30
Elsewhere			11	1		8	2			7	1		
Total		1	12	1		8	2			18	18		60
October:													
Dublin			2			22				27	16		67
Elsewhere			7		2	46				9	5		69
Total			9		2	68				36	21		136
November:													
Dublin			4			27				13	19		63
Elsewhere			4			35	2			8	4		53
Total			8			62	2			21	23		116
December:													
Dublin		1	2			9				7	6		25
Elsewhere			6	1	1	30	13		8	16	2		77
Total		1	8	1	1	39	13		8	23	8		102
One-half year totals:													
Dublin		3	11			58				74	81		227
Elsewhere			17	2	3	62	5		5	67	20		181
Adjustments		1	14			62	12		3				92
Total		4	42	2	3	182	17		8	141	101		500

Year and place issued	Preferences 1st	2d	3d	4th	5th	6th	7th	Nonpreference	Immediate relative	Special immigrant	Total
Fiscal year 1969:											
January 1969		8			16	2			5	9	40
February 1969		3		1	8	8			9	7	36

[1] Not applicable.

[2] Prior to amendment of Oct. 3, 1965 (Public Law 89-236).

Mr. Speaker, I would like to insert a table compiled by the Department of Labor, Immigration Services, showing the distribution of aliens born in Ireland receiving either approval or disapproval for permanent jobs from the Labor Department for fiscal year 1968. Following the table is a list showing the total number of approved labor certification applications for Irish nationals for the period July 1, 1968–December 31, 1968:

DISTRIBUTION OF ALIENS BORN IN IRELAND RECEIVING EITHER APPROVAL OR DISAPPROVAL FOR PERMANENT JOBS FROM THE DEPARTMENT OF LABOR,[1] FISCAL YEAR 1968

Occupations	Aliens					
	Total		Approved		Disapproved	
	Number	Percent	Number	Percent	Number	Percent
Total	2,092	100.0	1,898	100.0	194	100.0
Professional, technical, and managerial	738	35.3	715	37.7	23	11.9
Nurses	275	13.1	275	14.5		
Teachers	83	4.0	74	3.9	9	4.7
Parish workers	69	3.3	69	3.6		
Engineers	68	3.3	66	3.5	2	1.0
Clergymen	41	2.0	41	2.2		
Physicians	19	.9	19	1.0		
Draftsmen	19	.9	19	1.0		
Chemists	14	.7	14	.7		
Accountants	11	.5	11	.6		
Other [2]	139	6.6	127	6.7	12	6.2
Clerical and sales	144	6.9	115	6.1	29	14.9
Secretaries and stenographers	80	3.8	78	4.1	2	1.0
Clerks	40	1.9	25	1.4	15	7.7
Other [2]	24	1.2	12	.6	12	6.2
Service	884	42.2	792	41.7	92	47.5
Domestic workers	764	36.5	699	36.8	65	33.6
Waitresses	20	1.0	17	.9	3	1.5
Nurses aides	35	1.7	31	1.6	4	2.1
Other [2]	65	3.0	45	2.4	20	10.3
Farming, fishing, and forestry [2]	5	.2	4	.2	1	.5
Processing [2]	8	.4	8	.4	0	0
Machine trades	153	7.3	131	6.9	22	11.3
Machinists	23	1.1	22	1.2	1	.5
Automobile mechanics	19	.9	19	1.0		
Millwrights	16.	.8	16	.8		
Cabinetmakers	16	.8	16	.8		
Other [2]	79	3.7	58	3.1	21	10.8
Benchwork [2]	20	1.0	17	.9	3	1.5
Structural work	122	5.8	102	5.4	20	10.3
Electrical repairmen	27	1.3	27	1.4		
Welders	21	1.0	18	.9	3	1.5
Other [2]	74	3.5	57	3.1	17	8.8
Miscellaneous	18	.9	14	.7	4	2.1
Compositors	10	.5	10	.5		
Other [2]	8	.4	4	.2	4	2.1

[1] Represents determinations made under sec. 212(a)(14) of the amended Immigration and Nationality Act of 1965.

[2] Separate occupations not shown because of the small number of individuals in each occupation.

Occupations:	
Professional, technical, and managerial	481
Clerical and sales	30
Service	80
Farming, fishing, and forestry	3
Processing	1
Machine trades	19
Bench work	4
Structural work	21
Miscellaneous	4
Total	643

Mr. Speaker, during the 3 years since the adoption of the Immigration and Nationality Act of 1965, I have had regular correspondence with the American Ambassador to Ireland regarding the issuance of immigration visas to Irish nationals. On May 18, 1967, I inserted in the CONGRESSIONAL RECORD, volume 113, part 10, pages 13166–13167, a letter from the Charge d'Affaires ad Interim, Robert P. Chalker, dated April 7, 1967, covering the period December 1, 1965 to March 31, 1967. On September 28, 1967, a letter dated September 12, 1967, from the Honorable Raymond R. Guest, American Ambassador to Ireland, covering the period April 1, 1967 to June 30, 1967, was inserted in the CONGRESSIONAL RECORD, volume 113, part 20, pages 27251–27252.

I include three subsequent letters:

The first, under date of February 8, 1968, from Ambassador Raymond R. Guest covering the period July 1, 1967 to December 31, 1967;

The second, under date of October 2, 1968, from Charge d' Affaires Robert P. Chalker, covering the period January 1, 1968, to September 30, 1968;

And finally, under date of January 16, 1969, Ambassador Leo Sheridan, has provided me with figures covering the period October 1, 1968, to December 31, 1968.

EMBASSY OF THE
UNITED STATES OF AMERICA,
Dublin, Ireland, February 8, 1968.

Hon. WILLIAM F. RYAN,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN RYAN: I refer to your letter of January 23, 1968, and to our interim reply of January 31, 1968, in regard to bringing up-to-date the statistics concerning Irish immigration furnished you in September 1967.

The statistics which you requested are as follows:

1. Question: All persons who have made an inquiry regarding immigration from Ireland to the United States.

Answer:

July 1967	329
August 1967	373
September 1967	328
October 1967	347
November 1967	288
December 1967	184
Total	1,849

2. Question: All persons for whom a petition or labor certification has been approved, or who have established their exemption from the provisions of Section 212(a)(14) of Immigration Act of 1965, i.e. applicants for immigrant visas.

Answer:

July 1967	211
August 1967	220
September 1967	171
October 1967	213
November 1967	181
December 1967	200
Total	1,196

3. Question: The number of immigrant visas issued, and refused to *Irish* applicants by each preference category, as well as immediate relatives and special immigrants.

Answer: See table 1 (enclosed).

4. Question: The occupations of applicants to whom immigrant visas were issued under the third, the sixth and the nonpreference categories; by category.

Answer: See table 2 (enclosed).

5. Question: The number of preliminary visa questionnaires which gave occupations listed in Schedule B of Title 29, Part 60, Section 60.2(a)(2), Subtitle A of the Code of Federal Regulations (CFR).

Answer:

July 1967	1
August 1967	--
September 1967	--
October 1967	1
November 1967	2
December 1967	1
Total	5

It is a pleasure to be of assistance to you in this matter.

Sincerely yours,

RAYMOND R. GUEST,
American Ambassador.

TABLE 1.—*Immigrant visas issued and refused at Dublin to Irish applicants (question No. 3)*

Classification	July 1–Dec. 31, 1967	
	Issued	Refused
Preference and nonpreference:		
1st	2	
2d	18	1
3d		
4th		
5th	128	29
6th		
Nonpreference	594	57
Total	742	87
Immediate relatives:		
IR–1	17	3
IR–2	13	1
IR–3		
IR–4	9	
IR–5	13	
Total	52	4
Special immigrants:		
SA–1		
SA–2		
SA–3		
SB–1	35	2
SD–1	14	
SD–2		
Total	49	2

Note: It should be noted that the majority of applicants, who are shown as having been refused visas, ultimately overcame the grounds of their ineligibility and were issued visas. For instance, an applicant who lacks a police certificate or sufficient evidence of support would be refused a visa. Upon receipt of the required documents, if satisfactory, the applicant would be eligible to receive a visa.

TABLE 2.—*Occupations of applicants issued immigrant visas from July 1, 1967, to December 31, 1967, to whom section 212(a) (14) is applicable* [1]

Occupation:	*Nonpreference*
Domestics	181
Nurses	67
Nuns	66
Priests	43
Teachers	16
Nurses aide	1
Children's nurse	1
Tutor-governess	1
Religious student	1

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Table 2.—*Occupations of applicants issued immigrant visas from July 1, 1967, to December 31, 1967 to whom section 212(a) (14) is applicable* [1]—Continued

Occupation:	*Nonpreference*
Mechanical engineers	8
Civil engineers	4
Electronic engineers	2
Electrical engineers	3
Chemical engineer	1
Aeronautical engineer	1
Engineer	1
Biochemists	3
Physiotherapists	3
Radiographer	1
Medical doctors	3
Research scientists	2
Research chemists	2
Research veterinarian	1
Chemists	2
University lecturers	2
University Professor	1
Barrister-at-law	1
Chartered accountant	1
Sociologist	1
Architect	1
Draughtsman	2
Accounting clerk	1
Communications assistant	1
Secretaries	11
Shorthand typists	5
Typists	3
Clerk	1
Key punch operator	1
Maintenance foreman	1
Factory manager	1
Hotel manager: steward	1
Assistant creamery manager	1
Cabinetmaker	1
Motor mechanics	3
Drivers	2
Electrician	1
Glazier	1
Handyman	1
Dipper	1
Panel beater	1
Knitting machine operator	1
Knitters	3
Sewing machinist	1
Hairdresser	1
Airline stewardesses	4
Airline instructor	1
Airline pilot	1
Airline official	1
Riding instructress	1
Waiters	2
Chefs	2
Butler	1
Housekeeper (hotel)	1
Professional football coach	1
Total	482

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[1] None listed under third and sixth preference categories.

EMBASSY OF THE UNITED STATES OF AMERICA,
Dublin, Ireland, October 2, 1968.

Hon. WILLIAM F. RYAN,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN RYAN: I refer to your letter dated September 16, 1968, and to our interim reply of September 26, 1968, with regard to bringing up-to-date the statistics concerning Irish immigration furnished to you in February, 1968.

The statistics which you requested are as follows:

1. Question: All persons who have made an inquiry regarding immigration from Ireland to the United States.

Answer:

January 1968	492
February 1968	560
March 1968	537
April 1968	502
May 1968	534
June 1968	193
Total	2,818

Answer:

July 1968	246
August 1968	208
September 1968	174

2. Question: All persons for whom a petition or labor certification has been approved, or who have established their exemption from the provisions of Section 212(a)(14) of the Immigration Act of 1965, i.e. applicants for immigrant visas.

Answer:

January 1968	213
February 1968	312
March 1968	319
April 1968	317
May 1968	367
June 1968	287
Total	1,815
July 1968	115
August 1968	135
September 1968	80

3. Question: The number of immigrant visas issued and refused to Irish applicants by each preference category, as well as Immediate Relatives and Special Immigrants.

Answer: See tables 1 and 2 (enclosed).

4. Question: The occupations of applicants to whom immigrant visas were issued under the third, sixth, and nonpreference categories, from January 1 to June 30, 1968.

Answer: See table 3 (enclosed). No visas were issued to Irish applicants under the third, sixth, or nonpreference categories during July, August or September, 1968.

5. Question: The number of preliminary visas questionnaries which gave occupations listed in Schedule B of Title 29, Part 60, Section 60.2(a)(2), Subtitle A of the Code of Federal Regulations.

Answer:

January 1968	3
February 1968	7
March 1968	2
April 1968	--
May 1968	3
June 1968	--
Total	15
July 1968	1
August 1968	--
September 1968	1

Please do not hesitate to let me know if we can be of further assistance to you.

Sincerely yours,
ROBERT P. CHALKER,
Charge d'Affaires ad interim.

TABLE 1.—NUMBER OF IMMIGRANT VISAS AND REFUSED IRISH APPLICANTS

Classification	January 1 to June 30, 1968	
	Issued	Refused
Preference and nonpreference:		
1st	2	
2d	22	2
3d		
4th		
5th	336	55
6th	1	
Nonpreference	1,064	96
Total	1,425	153
Immediate relatives:		
IR-1	26	7
IR-2	8	1
IR-3		
IR-4	7	
IR-5	24	4
Total	65	12
Special immigrants:		
SA-1		
SA-2		
SA-3	1	
SB-1	30	5
SD-1	12	1
SD-2		
Total	43	6

TABLE 2.—NUMBER OF IMMIGRANT VISAS ISSUED AND REFUSED TO IRISH APPLICANTS

Classification	July 1–Sept. 30, 1968	
	Issued	Refused
Preference and nonpreference:		
1st	2	
2d	3	
3d		
4th		
5th		
6th		
Nonpreference		
Total	5	
Immediate relatives:		
IR-1	17	2
IR-2	6	4
IR-3		
IR-4	1	
IR-5	3	1
Total	27	7
Special immigrants:		
SA-1		
SA-2		
SA-3		
SB-1	19	4
SD-1	21	
Total	40	4

Table 3.—*Occupations of applicants issued immigrant visas from January 1, 1968 to June 30, 1968, to whom section 212(a) (14) is applicable* [1]

Occupation:	*Nonpreference*
Nurse	292
Domestic	219
Priest	63
Nun	57
Religious student	15
Shorthand/typist	34
Secretary	25
Dictaphone typist	2
Medical doctor	22
Anaesthestist	1
Veterinary surgeon	2
Teacher	19
Electrical engineer	20
Mechanical engineer	9
Chemical engineer	5
Production engineer	2
Industrial engineer	1
Electronic engineer	1
Aeronautical engineer	2
Radio and TV engineer	1
Civil engineer	9
E.D.P. system engineer	1
Research chemist	8
Biochemist	6
Chemist (B. Sc.)	1
Radiographer	4
X-ray technician	1
University lecturer	2
University professor (Doctor of Medicine)	1
Physicist	2
Scientist	2
Research scientist	2
Agricultural scientist	1
Lawyer	1
Meteorologist	1
Physical therapist	1
Accountant	5
Architectural draftsman	1
Draftsman	1
Accounting clerk	3
Structural engineering assistant	1
Technician	1
Electronic technician (radio officer)	1
Scale mechanic	1
Mechanic	2
Machinist	3
Electrician	3
Plumber	1
Compositor	1
Fitter	2
French polisher	1
TV and radio repairman	2
Cabinet maker	2
Welder	5

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TABLE 3.—*Occupations of applicants issued immigrant visas from January 1, 1968 to June 30, 1968, to whom section 212(a) (14) is applicable* [1]—Continued

Occupation:	*Nonpreference*
Building maintenance man	1
Tool and die maker	1
Panel beater	1
Chef	4
Waitress	3
Waiter	1
Hotelier	1
Nurses aide	2
Governess	1
Chauffeur/gardener	1
Chauffeur/valet	1
Manager industrial organization	1
Department stores manager	1
Stevedore superintendent	1
Special sales representative	1
Company executive	1
Airline clerk	1
Bookkeeper	1
Clerk	1
Knitter	1
Lay missionary	1
Jockey	2
Horsetrainer	1
Actor	1
Actress	1
Total	903

[1] None listed under third-preference category; one nurse listed under sixth-preference category.

EMBASSY OF THE UNITED STATES OF AMERICA,
Dublin, Ireland, January 16, 1969.

Hon. WILLIAM F. RYAN,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN RYAN: This is in response to your letter of January 7, 1969, in which you request that the Embassy bring up to date the statistics previously sent you for the months of January through September 1968, concerning Irish immigration to the United States. We are pleased to furnish the additional information shown on the attached sheets covering the balance of calendar year 1968; namely, October to December, inclusive, in answer to the specific questions raised in your letter.

If there is any further information which you desire, please do not hesitate to let me know.

Sincerely yours,
LEO J. SHERIDAN,
American Ambassador.

ENCLOSURE NO. 1

1. Number of persons who have made an inquiry regarding immigration from Ireland to the United States:

October 1968	265
November 1968	183
December 1968	(1)

[1] Not available.

2. Number of persons for whom a petition or labor certification has been approved, or who have established their exemption from the provisions of Section 212(a) (14) of the Immigration Act of 1965, i.e., applicants for immigrant visas:

October 1968	115
November 1968	96
December 1968	72

3. The number of immigrant visas issued and refused to Irish applicants by each preference category, as well as Immediate Relatives and Special Immigrants (see enclosure No. 2).

4. The occupations of applicants to whom immigrant visas were issued under the third, sixth and nonpreference categories from October 1 to December 31, 1968: No visas were issued to Irish applicants under the third, sixth or nonpreference categories during October, November or December 1968.

5. The number of preliminary visa questionnaires which gave occupations listed in Schedule B of Title 29, Part 60, Section 60.2 (a)(2), Subtitle A of the Code of Federal Regulations:

October 1968	2
November 1968	1
December 1968	--

ENCLOSURE NO. 2

NUMBER OF IMMIGRANT VISAS ISSUED AND REFUSED TO IRISH APPLICANTS

Classification	Oct. 1–Dec. 31, 1968	
	Issued	Refused
Preference and nonpreference:		
1st	1	
2d	8	
3d		
4th		
5th	58	[1] 20
6th		
Nonpreference		
Total	67	20
Immediate relatives:		
IR–1	17	
IR–2	22	
IR–3	1	
IR–4	3	
IR–5	4	[1] 1
Total	47	1
Special immigrants:		
SA–1		
SA–2		
SA–3		
SB–1	21	
SD–1	20	
Total	41	

[1] All refusals were based on lack of required documents, and either have been, or may be, overcome.

Mr. CAREY. Mr. Speaker, will the gentleman yield?

Mr. RYAN. I am delighted to yield to my colleague from New York (Mr. CAREY).

Mr. CAREY. Mr. Speaker, all of us have listened with great intensity and attention to the remarks of our distinguished colleague from New York in terms of the Irish imigration problem. He has, of course, for many months now been pressing for some relief to this rather unfortunate situation which arose out of the interpretation placed on the last Immigration Act. Many of us who have supported that act and will continue to support the elimination of a national origins system were led to believe that this would not work an adverse effect on smaller nations, particularly nations such as Ireland. Yet we know that this adverse effect has been felt by potential Irish immigrants. It may be that unless something is done here the Irishman of the United States may be as near extinction as the whooping crane is, because we all know that not only do the Irish make attractive immigrants but, because of their congeniality, good humor, and gregariousness, they are quickly assimilated into other strains. Therefore, they are quickly assimilated into the map of America. So we need the Irish seed stock to keep the great Irish tradition going.

More seriously, Mr. Speaker, if we are to have peace in the world, we should somehow reward those peacekeeping nations who have maintained peace in the world over many, many years. We should realize that there has been peace in Ireland and that this has been a peaceful nation for a period of over 50 years. Ireland has not participated in the making of war nor in the councils of war among allied or other nations in all that time. She made her contributions in terms of a Peace Corps which really began working around the world in Ireland by her sending missionaries, surgeons, doctors, and nurses and all kinds of helpful persons into the underdeveloped countries in South America and Africa.

So, Mr. Speaker, I say how unfortunate it is that the great peacemaking nation, which sends her sons and daughters into the far corners of the world to assist those in need, those in privation, those who are hungry and in need of health care—how unfortunate it is that she can no longer send her sons and daughters to the United States.

Mr. Speaker, this works a rather unusual hardship and is an untoward rebuke on the Irish people who did so much for this country and for people all around the world. I think if we brought more Irish to this country now, it might assist all of us in the search for this illusive peace which we now are so heavily in need of.

Mr. Speaker, I say again, for the sake of peace, let us have more Irish come to this country.

Mr. RYAN. Mr. Speaker, I thank the gentleman from New York for his contribution.

Mr. BURKE of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. RYAN. I am glad to yield to my distinguished colleague from Massachusetts.

Mr. BURKE of Massachusetts. Mr. Speaker, I wish to associate myself with the remarks of the gentleman from New York and also the distinguished gentleman from New York who preceded me and say that I believe the Committee on the Judiciary should look into this matter and act favorably on the bill that the gentleman from New York filed and of which I was one of the cosponsors.

It seems to me to be very unfair at this time for the United States to be embarking on a policy that bars immigrants coming here from a nation that has made such outstanding contributions to this country over the years. Not only Ireland but Great Britain, Scotland, Scandanavian countries, Holland, and many others that I can mention are being deprived because of these inequities in this act which is now a law. I believe that the bill filed by the gentleman from New York will correct these inequities. I wish to commend him for being farsighted and leading the fight on this problem. I hope and trust that the Committee on the Judiciary will grant a public hearing on the matter and report a bill out favorably so that we can correct this intolerable situation.

Mr. RYAN. I certainly wish to thank the distinguished gentleman from Massachusetts for his vigorous support of legislation which would correct the inequities. The gentleman has consistently urged the Committee on the Judiciary to take action and appeared before that committee last year in support of this bill.

Mr. Speaker, prompt action is necessary to correct the inequity before the doors are entirely closed on immigration from Ireland. Had this situation existed many years ago, the United States would have been deprived of the service of the great late President of the United States, John F. Kennedy.

Mr. HALPERN. Mr. Speaker, on the opening day of this Congress, I proudly joined with the distinguished gentleman from New York (Mr. RYAN) and 23 of our distinguished colleagues in cosponsoring H.R. 165, a bill which would, in effect, put an end to the outright discrimination which was an unintentional result of the Immigration Act of 1965. Today, I again rise in support of this proposed legislation.

The purpose of the 1965 act was to eliminate the discriminatory features of the old law, which was established on the basis of a 40-year-old national origins quota system, a system whereby the number of visas available to each country was based on the national origins of the American population as determined by the 1920 census.

This system was unwieldy and totally unresponsive to the present day immigration needs of our country. Under it, Great Britain, for example, had used less than half her annual quota, while Italy had a waiting list of several hundred thousand prospective immigrants.

While unquestionably the act erased many other inequities and contributed to a more just form of immigration in the sense of reuniting families and attracting immigrants with needed skills, at the same time, by requiring a labor certificate, it inadvertently set up a barrier against many nations. Specifically, prospective immigrants from Ireland have been adversely affected by the 1965 act.

Under one section of the existing act, immigrants may be accepted for permanent residence if their skilled and unskilled jobs are in short supply, and in great demand.

When the act was passed, it was the intent of Congress that the Labor Department set up broad categories of acceptable and unacceptable skills. Instead, the Department has interpreted the act to make each individual prove his right to enter the United States. As a result, many would-be immigrants who could become good productive citizens are discouraged from coming to the United States.

H.R. 165 would make additional visas available to nationals of countries where the average has sharply declined as a result of the inequitous provisions of the 1965 act. The bill would establish a floor for the number of visas available to any given country. This is the only way left open to us to avoid further discrimination and injustice.

The legislation would particularly assist the Irish. Since from July 1968 to December 31, 1968, only 32 preference and nonpreference visas were issued to Irish applicants. Even if we included the categories of immediate relative and special immigration the total of visas issued in Dublin was only 227. This compares to the 1956–65 yearly average of 7,000 Irish immigrants.

The typical Irish immigrant now is an unmarried, relatively unskilled young man who wants to come to America to better his economic situation. This is exactly the type of immigrant against whom the 1965 amendments discriminate.

Mr. Speaker, I believe it is in the interest of fairness and true justice that we remedy this situation immediately, before the gateway to America is closed in the face of Ireland.

Mr. WOLFF. Mr. Speaker, on the opening day of the 91st Congress, I joined 37 of my colleagues in cosponsoring legislation to amend the Immigration and Nationality Act. The purpose of this proposed legislation is to make additional visas available to countries which have been unintentionally placed at a disadvantage by the 1965 amendments to that act. A similar bill received widespread support during the 90th Congress, and I would like to take this opportunity to urge prompt action during the opening months of this Congress.

The 1965 amendments have eliminated the prejudicial national origins quota system and have brought the number of visas available to most foreign countries considerably more in line with the number requested. However, new and unforeseen difficulties have arisen which require immediate attention. I am referring specifically to the current situation with regard to countries in northern and western Europe, and particularly Ireland.

The 1965 amendments established a seven-category preference system intended to give first priority to reuniting families, second to attracting needed professional talent and skilled labor to this country, and last and least, third priority to admitting refugees. Congress was unaware in enacting this legislation that severe discrimination against some countries would result.

The hardest hit has been Ireland, whose high visa allotment under the old national origins quota system—17,756—reflects the fact that the Irish wave of immigration came early in the century and that most Irish-Americans now are third and fourth generation and have no immediate relatives in Ireland—that is, no relatives eligible for visas in the first, second, fourth, and fifth preference categories. These categories are, respectively, unmarried sons and daughters of U.S. citizens; spouses and unmarried children of aliens admitted to the United States for permanent residence; married children of U.S. citizens; and brothers and sisters of U.S. citizens. Further, the two work-related categories—third preference for professionals and other of exceptional training or talent, and sixth for needed skilled and unskilled labor—are currently oversubscribed, with the few Irish who meet the requirements far behind in the first-come, first-served list because of their privileged position in the past. The result is that very few American visas are going to Ireland.

Mr. Speaker, it is quite important, in considering this legislation, to reflect on the vital and lasting contributions made to this country by Irish-Americans through the generations. You, sir, are such a distinguished American of Irish ancestory.

We are talking here, also, of Irish-Americans such as the great Kennedy family that has given so much for our country. And we are talking of the millions of less reknowned, but equally important Irish-Americans who have been instrumental in the building of our country. These are the merchants, industrial leaders, scientists, policemen, and governmental leaders who are so important in our Nation today.

In an era when we need good, hardworking, dedicated Americans, it is foolish to discriminate against immigrants from Ireland; for from Ireland have come millions of Americans totally committed to their new homeland.

The bill which I am cosponsoring would establish a floor for the number of visas available to each country. This guaranteed annual minimum would be either 75 percent of the annual average of the number of visas issued to a country during the 10-year period 1955–65, or 10,000, whichever is less. The overall limit of 170,000 immigration places for all Eastern Hemisphere countries would not apply to additional visas issued under this legislation, so the number of visas available to other countries would not be affected.

The current severe restriction on the number of visas available to Ireland was completely unforeseen and unintended when we enacted the 1965 amendments to the Immigration and Nationality Act. On the contrary, the amendments were seen as a sweeping and liberal reform of our immigration system, which had for 40 years based the number from a given country allowed through our "golden door" on the national origins of the American population in 1920. The legislative intent behind the 1965 amendments was the elimination of national prejudice in our immigration policy. We clearly were only partially successful, and I urge immediate further amendment of the Immigration and Nationality Act to insure availability of an adequate and realistic number of visas for all countries.

Mr. LONG of Maryland. Mr. Speaker, I am pleased to join my colleagues today in urging immediate action on legislation which will keep America's door open for immigrants from countries whose average immigration into the United States has sharply declined as a result of legislation enacted in 1965.

The Immigration and Nationality Act of 1965 abolished the national origins quota system, replacing it with a preference system based on whether an immigrant has job skills needed here, or will be joining family members who have already emigrated. Although this act generally liberalized our immigration laws, it accorded harsh treatment to potential immigrants from a few countries.

The Irish were particularly hard hit by this law. The typical Irish immigrant is a young man without formal training who sets out alone to seek his fortune in the new world, and to marry and raise a family here, whereas immigrants from other nations arrive with part of their families and earn money here to send for the rest. Irish immigration dropped from a 7,000 annual average during the decade ending in 1965 to 1,800 in 1967. In the 6 months after July 1, 1968, when

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the 1965 law took full effect, only 227 visas were issued to Irish immigrants. This injustice was certainly not the intent of Congress in passing the 1965 immigration act.

H.R. 166 would permit about 5,300 Irish immigrants to enter the United States each year by preventing any nation's immigration from dropping below 75 percent of the average number of immigrants who entered the United States from that country during the 1956–65 period. Immigrants from Great Britain, Germany, the Netherlands, France, Sweden, and Norway would also benefit. The bill would limit the immigrants from any nation affected by the measure to 10,000 and would thus add to the immigrant lists no more than 20,000 to 30,000 people annually.

The enactment of H.R. 166 would not disadvantage the countries that gained additional immigration slots through the 1965 act, nor would it significantly increase the total level of immigration. It would only prevent the choking off of immigration from the few countries adversely affected by the 1965 law.

I urge congressional action to remedy the unfair and unintended byproducts of the 1965 immigration act.

Mr. DELANEY. Mr. Speaker, Public Law 89–236, which became fully effective on July 1 of last year, was designed to remove the national origin quota system. It was understood that many countries were not using their full quotas, and that these unused quotas would be shared among those nations which were oversubscribed with visa applications. Unfortunately, the law has not worked out as expected, and it has had a particularly adverse effect on immigrants from Ireland.

To correct this inequity, I was pleased to join a number of my colleagues in cosponsoring H.R. 165, which would make additional visas available to Irish immigrants.

Between 1956 and 1965, an average of 7,000 Irish immigrated to the United States. However, since the passage of the Immigration Act Amendments of 1965, Irish immigration has fallen off sharply. The State Department informs me that in the first 6 months of fiscal year 1969—July 1968 through December 1968—only 500 visas were issued to Irish immigrants.

It is greatly distressing to find that legislation enacted by Congress to rectify the injustices of our immigration system should bring about new injustices. Yet that is what has been done to the Irish who wish to come to our country. Unlike many other nationality groups, prospective Irish immigrants usually do not have close immediate relatives in this country, such as parents, spouses, brothers, and sisters required by the new law. And there are very few nuclear physicists or computer experts to be found on the banks of the Shannon. Under the present law, it is next to impossible for most Irish men and women who want to come to the United States to qualify as skilled professionals or to obtain employment certification before arrival.

However, there is no question that, once a position is obtained, the Irish immigrant is considered a very desirable and highly valued employee. Over the years Irish Americans have served this Nation with valor and distinction. A proud and hard-working race, they have traditionally disdained public welfare, upheld the mobility of labor, insisting on a full day's work for a full day's pay.

The Irish have greatly enriched the history and culture of America, and to assure that our Nation will not lose the many contributions yet to be made by these great and noble people, I strongly urge that this legislation be reported out favorably as quickly as possible.

Mr. MIKVA. Mr. Speaker, I am happy to join my colleague from the State of New York (Mr. RYAN), in supporting H.R. 165, a bill to make available additional visas to nationals of countries from which immigration has declined because of the Immigration and Nationality Act of 1965. I should make clear, as others have, that I support the rationale of the 1965 act. I believe that it was a vast improvement over the national quota system of immigration which existed prior to 1965. In that respect, the Immigration and Nationality Act helped restore our system to the ideal where race and national origin have no significance in the law.

But as far as the Immigration and Nationality Act attempted to be, and as strongly as I support the broad policy which that act sought to carry out, I believe we must realize that in isolated instances inequities have occurred and unfairness has resulted. I consider myself fortunate that my colleague from New York has brought to my attention the harsh results which the 1965 act would bring about for at least one nationality group—the Irish. With St. Patrick's Day only recently past, it is not inappropriate to note the contributions of the Irish to the Nation. While it is somewhat unlikely that a gentleman with the name of WILLIAM FITTS RYAN would know much about Irish history, I say it would be unfortunate, indeed, if we were to be deprived in future years of the kinds of contributions which these descendants from the Emerald Isle have made to America in the past.

It has been explained to me, Mr. Speaker, that the rapid decline in Irish immigration under the 1965 law was both unintended and unforeseen. I have reviewed the presentations which the gentleman from New York made during the last Congress. He explained that the original projections of the Department of State, made before the Immigration and Naturalization Act was passed, indicated no such decline was likely. Based on this history, it might almost be said that Congress had passed the act with the idea that no nationality group would suffer any rapid decline in immigration into the United States. To the extent that this assumption was in error, I feel that we would be right to correct it even at this late date. It was estimated by the State Department in 1965 that at least 5,200 residents of Ireland would qualify for visas each year; in fact during 1966 and 1967 Irish immigration dropped to only 1,800 per year, and that was before the act was fully in effect. This discrepancy between expectation and reality is too large to be ignored. I agree with Mr. RYAN that something must be done, and I support his call for action at the earliest possible date.

Finally, Mr. Speaker, I was happy to note that yesterday the distinguished chairman of my own committee, Chairman CELLER of the Committee on the Judiciary, introduced a bill which he said would provide "decided relief" to those persons desiring to immigrate to the United States from Ireland. Chairman CELLER's bill, H.R. 9112, would also make changes in the present preference system where that system has been found to work hardship or to operate inequitably.

Mr. ADDABBO. Mr. Speaker, I rise as one of the cosponsors of H.R. 165—to amend the Immigration and Nationality Act to authorize additional visas for immigrants from countries where average immigration has declined since passage of the 1965 Immigration Act amendments.

The 89th Congress earned its place in history as a most productive Legislature and the landmark Immigration Act of 1965 was one reason. By abolishing the unfair national origins quota system, we removed an antiquated and discriminatory procedure.

In the process, however, certain countries have been placed in a difficult position—most notably Ireland. H.R. 165 would alleviate this problem by making additional visas available where in the past the rate of immigration has been much higher than its present rate.

In the 10-year period from 1956 to 1965, an average of 7,000 Irish immigrants received visas to enter the United States. This figure has been drastically reduced as a result of the first come first served principle of the 1965 amendment. While I support that general principle, I do not believe Congress intended to substantially curtail immigration from any nation.

Only slightly over 200 immigrants from Ireland received visas during the last 6 months of 1968. While the Irish example is the most shocking, other countries would benefit from this legislation, including most Northern European nations.

The purpose of this special order is to bring the attention of the House to this problem. More than 60 Members have already joined in cosponsoring bills to modify the 1965 act in order to alleviate this hardship. I urge my colleagues to support early congressional hearings on the proposed legislation so that action can be considered without further delay.

Mr. PATTEN. Mr. Speaker, I am happy to join my colleague, BILL RYAN, in his special order today in support of our legislation to make additional visas available to nationals of countries where the average immigration has sharply declined as a result of the 1965 Immigration and Nationality Act.

In a week which has seen not only the great Irish celebration of St. Patrick's Day, but also the appointment of our Ambassador to Ireland, I think it is altogether fitting to discuss the problem facing Irish immigration. Before the 1965

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act was enacted, an average of 7,000 Irish men and women immigrated to this country each year. Since 1965, however, this figure has been sharply curtailed, with the result that from July 1, 1968, to December 31, 1968, only 72 preference and nonpreference visas were issued in Dublin.

Our bill, H.R. 165, enables nations whose immigration has dropped below 75 percent of their yearly average during the 10-year base period of 1956–65, to be given additional spaces to bring their total up to the 75-percent level. As a cosponsor of the 1965 legislation, I worked to see our immigration laws liberalized. It was certainly not my intent, or the intent of Congress, to keep any nation from getting its fair share of visas. Therefore, I urge today that we take action on this legislation to restore to nations such as Ireland their rightful place in our immigration program.

Mrs. HECKLER of Massachusetts. Mr. Speaker, once again this year, I have cosponsored a bill, H.R. 165, to make additional visas available to countries such as Ireland which has suffered an unusually severe hardship under the provisions of the Immigration and Nationality Act of 1965.

Mr. Speaker, the situation is no less grave now than it was last year; in fact, Irish immigration has continued to decline while prospects for improvement in the number of visas available to the Irish become even less promising.

We are reminded that during the period between 1956 and 1965, Irish immigration averaged approximately 7,000 persons per year. After the 1965 act became effective, statistics showed a continual, sharp decrease to the point that between July and December of 1968, only 72 preference and nonpreference visas were issued in Dublin for a total of 227 for this 6-month period.

While the 1965 legislation was designed to remove inequities by bringing families together or by equalizing the opportunity for immigrants from other countries to come to the United States—worthy goals in themselves—it has at the same time imposed a most unfortunate burden on the Irish who often do not fall within the specially preferred categories.

It is imperative that the Congress act and act swiftly to relieve this burden on the applicant from Ireland by adjusting the operation of the Immigration and Nationality Act for nations which have experienced such a dramatic decline in immigration.

This bill, H.R. 165, would specifically affect those countries like Ireland in which immigration under the new law has dropped to less than 75 percent of the average yearly number of immigrants during the 1956–65 base period. For these nations, additional visas in excess of the latest worldwide limitation would be allotted to equal 75 percent of the base period average for that country. These provisions would apply only to the countries with a decline as marked as 75 percent, and the additional visas would not exceed 10,000 for any one country.

This type of modification is the very least we can do to correct the hardship in our present law. We cannot allow our laws effectively to prevent immigration from a nation like Ireland, which has contributed so much throughout history to the wealth of men, ideas, and progress in the United States.

Mr. BINGHAM. Mr. Speaker, the nation that is being most severely and adversely affected by current immigration laws is Ireland—a land whose sons have done so much to build this country and to make it prosper, and a land with which the United States has had the warmest ties.

Irish immigration has been choked to a mere fraction of what it was in 1965 and before. Since 1965, immigration from Ireland has fallen from an average of over 7,000 per year to almost nothing.

Last April, I warned the House that immigration from Ireland threatened to drop below 400 per year after 1968. Some felt that prediction was exaggerated and alarmist. But now, as my distinguished colleague, the gentleman from New York (Mr. Ryan), has pointed out, that dire prediction has been realized. Sadly, between July 1, 1968, and December 31, 1968, a total of only 227 visas were issued in Dublin. Removing the categories of "immediate relative" and "special immigrant" leaves but 72 preference and nonpreference visas during that period.

The amendments to the U.S. Immigration and Nationality Act enacted in 1965 were clearly intended to make the immigration policies of this Nation more equitable and to end the nation quota system that discriminated against Southern and Eastern Europeans and Asians. But the effect of the amendments—far from eliminating inequities—has been simply to shift the inequities from one group of nations to another.

The American Irish Immigration Committee and other Irish groups did not oppose the 1965 immigration amendments, even though Ireland enjoyed a high quota under the pre-1965 provisions of the law. They realized full well that the old legislation, with its national quota system, discriminated against a few nations, and they were anxious to right that wrong. Had they not been misled by State Department predictions of the impact of the amendments on Irish immigration—which did not foretell the current situation—they would undoubtedly have voiced opposition, perhaps preventing the current injustice.

Mr. Speaker, it is not my desire to see sweeping changes made in the major elements of the Immigration and Nationality Act, as amended in 1965. For the most part, this legislation has worked well. It has provided immigrants from most nations of the world a greater opportunity to gain entrance to the United States based on family relationships and skills in short supply in our country.

It is my desire simply to correct the inequities that have become apparent with additional experience. Now we can see what has happened: a decline in Irish immigration from an average of 7,185 in the years 1956–65 to 227 in the 6-month period ending last December 31.

The reason for the recent decline in Irish immigration is not that Irishmen no longer wish to come to this country. Although it is certainly true that before 1965 Ireland generally did not fill its quota, it is also true that, in the past few years, Ireland as a nation has made great economic progress, creating more jobs and greater prosperity for Irishmen in Ireland.

But since 1965 there have been many more Irish citizens who wished to immigrate to the United States—and who applied for visas to permit them to do so—than were allowed to come. This has been a result of several specific provisions of the 1965 Immigration amendments which—while they have helped immigrants from most other nations—have worked to the selective disadvantage of the Irish.

The new law provides for a system of preference based on family relationships and job skills. The family relationship preference offers no succor at all for the Irish. The sociological facts are that—unlike most immigrant groups—the Irish who have come to this country have been mostly young, unmarried individuals. The family preference was intended to unite divided families—but few Irish immigrants have had families to unite. So, for example of the 1,900 visas issued in Ireland between December 1, 1965 and March 31, 1967, only 499 were family preference visas, and 435 of those were used by brothers and sisters of U.S. citizens.

The job-skill provision under the new law—section 212(2)(14)—that requires an immigrant to have certification from the U.S. Secretary of Labor that his skill is in short supply, and that he will not "adversely affect the wages and working conditions" of American workers, has caused many Irish to be refused visas. The majority of Ireland's immigrants have always been in the category of the less skilled. Those Irish workers have been diligent and responsible citizens who have contributed consistently and well to American society. Very few have been burdens on the public.

Most of the jobs that Irish immigrants have traditionally taken when they came to this country now appear on the Labor Department's Schedule B—the prohibited entry list. As a result, thousands of responsible Irish immigrants who would have been permitted to immigrate to the United States under the old laws now are being rejected.

Ireland is, of course, now eligible to share in any nonpreference visas that are available in the nonpreference pool on a first-come, first-served basis. But again, the Irish are at a distinct disadvantage. Foreign nationals from nations where the quota under the old laws has always created a backlog of applicants have had immigration petitions filed since as early as 1955. There has never been a backlog in Ireland, so it will likely be many years before Irish petitions come up in the nonpreference pool.

The State Department has opposed efforts to correct this imbalance. But it is significant that the Department does not dispute the basic contention of the sponsors of H.R. 165 that the Immigration and Nationality Act amendments have imposed unintended restrictions on immigrants from Ireland and other nations—restrictions that have resulted in a decline in immigration from these na-

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tions far more precipitous than any of the State Department people who urged passage of the amendments and the many Members of Congress who approved them could have anticipated.

The legislation which I have cosponsored and which I strongly support to remedy this situation would in no way change the family preference or job skill requirement provisions of the current Immigration Act as amended. It would simply provide for a floor below which immigration from any country need not fall. That floor would be 75 percent of the average yearly number of immigrants a given nation sent to the United States during the base period of 1956–65, but in no case will that figure exceed 10,000 for any single country.

This legislation will in no way hurt any nation that "gained" immigration positions by terms of the 1965 amendments. Neither will it permit a significant increase in the total level of immigration. It will only prevent further unfortunate declines in immigration from the few countries which have been severely disadvantaged by the 1965 legislation.

I commend my colleague, the gentleman from New York (Mr. RYAN), for his leadership in developing this legislation, and I urge its full support by the Congress.

The Department of State has raised the objection that 41,750 additional immigrants would be admitted under this legislation. This figure is highly misleading, if not inaccurate. It represents the number of additional immigrants that could be admitted to the United States under this legislation, but not the number that would likely apply and be admitted, given current demand for visas in many of the affected countries.

The Department of State brief issued last year fails to point out that not all of the countries that might be affected by this legislation have a full demand for immigrant visas to the United States. Many do not send as many immigrants as they are allowed under current law. It is misleading to assume, therefore, that all of the extra visas that would become available under the provisions of H.R. 165 would actually be used.

The number of additional immigrants that would actually be admitted under terms of this legislation would almost certainly be well below 41,750.

In view of the fact that the State Department—despite its other objections—does not dispute the purposes of this legislation, I am hopeful that some compromise can be developed to accommodate the countries most adversely affected by the current immigration legislation. It seems to me that the objections of the Department of State are objections in detail, not in principle, and that they need not be a serious deterrent to remedial legislation on this problem that would be satisfactory to all concerned.

Mr. O'NEILL of Massachusetts. Mr. Speaker, I commend my colleague, the distinguished gentleman from New York, for taking this special order in order to discuss a serious problem. I am a cosponsor of H.R. 166, a bill to amend the Immigration and Nationality Act of 1965. I cosponsored identical legislation in the 90th Congress. The intention of the 1965 act was not to end the opportunity for nationals of any country to enter the United States but rather to make immigration into the United States more equitable and in a sense more open to the peoples of the world over.

On its face, the 1965 act was an excellent piece of legislation. It was designed to end the country quota system that was deliberately discriminatory. Its aim was admirable and the reforms it brought about were much-needed and long overdue.

However, as a result of that legislation, a new and equally unfair legal discrimination has developed. The people of the nations of northern Europe and the British Isles, who had previously been favored in our immigration policy, now find it extremely difficult to immigrate to the United States.

This situation was unforeseen by the Congress when we considered this legislation in 1965. Ireland is a good case in point. The State Department assured the Congress that immigration from Ireland, after the 1965 act had its full effect on July 1 of this year, would probably be maintained at 5,200 annually.

Yet in the 3 years since the bill was passed, but before it had been completely effected—that is while policy toward Ireland was still more liberal—Irish immigration has steadily declined from 4,004 in 1965 to 1,809 in 1967.

The reasons are apparent. The new immigration law replaced the country quota system with seven categories open on a first-come, first-served basis. Of the total number of immigrants, almost three-quarters will be able to enter the country as close relatives of citizens and permanent residents.

The biggest part of Irish immigration came in the latter half of the 19th century and the earlier part of this century. Consequently, there would be few sons, daughters, parents, brothers and sisters of Irish immigrants who still reside in Ireland and want to come to this country.

Since the Irish do not qualify under refugee status, the only categories left are for members of the arts, sciences, and the professions, and for skilled and unskilled labor, filling a shortage in the United States. The quota for these categories is very small. What has occurred and will continue to occur is that unskilled labor finds it almost impossible to immigrate to the United States.

Our Nation, the great, democratic, open, melting pot of the world was built by the people of all nations. The great American dream for people around the world was that any man willing to work hard had a place in our country. We have become the greatest nation in the world because people from every continent, of every race, creed, and national origin have come here full of hope, and have built America.

The days of completely open immigration are gone. But I do not think our Nation can afford to allow the great decline in immigration among the people of any nation.

I believe this measure is necessary in order to end the unforeseen inequities brought about by the new Immigration and Nationality Act and to bring about the most equitable immigration policies possible.

I am hopeful that the subcommittee and the full committee will soon report this bill to the House so that we may have the benefit of debating it on the floor.

Mr. BIAGGI. Mr. Speaker, the 1965 amendments to the Immigration and Nationality Act constituted a sweeping reform of our immigration policy, replacing the 40-year-old national origins quota system with a new system designed to place top priority on reuniting families and attracting needed talent and skill into the country. The 1965 legislation was both innovative and highly complex, and it is not surprising that, in addition to solving many of the problems it was intended to solve, it has also created some new and unforeseen problems. I want at this time to request immediate action on legislation which I have cosponsored with many of my colleagues, to alleviate the shortage of visas for Ireland and, to a lesser degree, Britain and Germany, resulting from the 1965 amendments.

The 1965 amendments established a seven-category preference system. Unmarried children of U.S. citizens are given first preference; spouses and unmarried children of aliens admitted to the United States for permanent residence are given second preference; members of the professions and scientists and artists of exceptional ability, third; married children of U.S. citizens, fourth; brothers and sisters of U.S. citizens, fifth; needed skilled and unskilled labor, sixth; and refugees, seventh. The legislation prescribed an initial two-and-a-half-year transitional pooling period, designed to eliminate old backlogs. After this period, the preference system was intended to operate on a first-come, first-served basis, with a total of 170,000 visa numbers available to the Eastern Hemisphere, a certain percentage allotted to each preference category, and unused numbers in most categories "dropping down" to the category below.

The transition period came to an end July 1, 1968. All old backlogs had been eliminated except for Italian fifth preference, Italian brothers and sisters—a situation which I have also introduced legislation to correct. However, new backlogs and new problems had arisen. The 1968 report of the State Department's Visa Office describes the situation as follows:

> One of the primary assumptions in 1965 was that 2½ years later applicants all over the globe would be getting off to an even start in the quest for visa numbers.
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> In sharp contrast to that expectation, heavy backlogs developed in the third [professionals and exceptional talent] and sixth needed [skilled and unskilled labor] preferences during the transition period, and applicants from formerly oversubscribed quota areas who constitute those backlogs have a headstart in the race for those preference numbers. This will affect primarily natives of northern and western Europe who, until June 30, 1968, could obtain visas whenever they qualified since national quota numbers were available to them in the "nonpreference" category.
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> The emphasis on family reunification further heightens the shift in the pattern of immigration from northern to southern Eu-

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rope and to Asia, where there is a greater tradition of emigration in family units.

The result is that Ireland, formerly allotted 17,765 visa numbers and using an average of about 6,000 a year, was recently predicted by Mr. John P. Collins, national chairman of the American National Immigration Committee, to receive less than 400 visas during fiscal 1969.

The legislation I am cosponsoring would rectify this situation by establishing a fixed minimum on the number of visas available to a given country. Any additional visas made available under this provision would not fall within the 170,000 limit on Eastern Hemisphere countries, so the number of visas available to other countries would not be affected. Briefly, either 10,000 visas, or 75 percent of the annual average of the number used by a country during the 10-year period prior to July 1, 1965, whichever is less, would be guaranteed to every country.

While I am extremely pleased at the increase in visas now available to Italy—20,000 as opposed to 5,666 under the old system—I think a system which so severely restricts the number of visas available to Ireland, or to any other country, very clearly needs readjustment. It was certainly not the intent of the 89th Congress when they enacted the 1965 amendments to close the door to Ireland. I urge prompt action on this necessary amendment.

Mr. FARBSTEIN. Mr. Speaker, it is with a great deal of concern that I rise today in support of H.R. 165, of which I am a cosponsor. This bill would, I believe, go a long way toward alleviating the adverse consequences of the Immigration and Nationality Act of 1965. While this act was passed with the intention of bringing about a more equitable immigration policy with respect to nationalities without large numbers in the United States, it has had the effect of severely curtailing immigration from Ireland and other countries which have large numbers of former nationals in our country. The new law, in attempting to cure the discrimination of the old law, has now saddled the Irish and other nationalities with an inequitable and unfair U.S. immigration policy.

This situation must not be permitted to continue. Ireland has, in the past, contributed a considerable number of immigrants to the United States who have helped make this Nation what it is today. Now that we are at the height of our prosperity, we are closing the doors on them.

H.R. 165 would rectify this rather unjust limitation. It would provide that those countries whose immigration has fallen below 75 percent of its yearly average during the 10-year period 1956–65 be allocated additional spaces in excess of the worldwide quota to bring its total to 75 percent of the base-year figure.

Now that the chairman of the Judiciary Committee, the Honorable EMANUEL CELLER, has introduced a more comprehensive immigration bill, H.R. 9112, I would like to ally myself to that measure because the reform contained therein is more basic and will benefit a great many people, particularly the new-seed immigrants.

Mr. MINISH. Mr. Speaker, I am pleased to join our distinguished colleague from New York (Mr. RYAN) in urging the Subcommittee on Immigration and Naturalization to report favorably on H.R. 165, a bill to make additional visas available to nationals of countries which have suffered a severe decline in immigration to the United States as a result of the 1965 Immigration and Nationality Act.

This proposal, although granted only a 1-day hearing by the subcommittee last year, has been the subject of extensive debate, discussion, and interest over the past 2 years. During this period, it has gained strong support as the only practical and equitable solution to the serious problems resulting from the 1965 law. Thus far during the 91st Congress, 61 Members of the House, including myself, have sponsored this legislation.

The 1965 amendments to our basic immigration law, which replaced the onerous national origins quota system with a system geared to reunion of families and to the selection of skilled persons, rectified many of the inequities and injustices in our immigration policy. An unexpected result of the new policy, however, has been the denial of admission to "new-seed" immigrants who have traditionally come from Western European countries such as Ireland and Germany and who have contributed so very much to our national life. These individuals are typically young, single, ambitious men and women without the family ties or special skills required for admission under the new law.

The operation of the 1965 amendments since they took full effect last July has made apparent a critical need for additional reforms so as to insure the wholly nondiscriminatory immigration policy intended by Congress in enacting the law. For example, Ireland's annual quota prior to 1965 was 17,756. In average years about 7,000 persons came to the United States from Ireland. During the first half of fiscal year 1969, a total of only 227 visas were issued at our Embassy in Dublin. From 1956 to 1965, German immigrants numbered only slightly less than the 25,814 assigned their nation under the previous system. In contrast, immigration from Germany to the United States fell to 3,391 from July 1 to December 31, 1968.

It is clearly against our national interest to discriminate in this manner against the people of Western Europe when one considers the outstanding contributions of these groups to our Nation. Science, religion, the arts and humanities, government, and industry—all have benefited immeasurably from the legacy of our country's western European immigrants. Surely we would have been the poorer if we had refused admission to these immigrants blessed with such a high degree of ingenuity and initiative.

Mr. Speaker, I respectfully urge the members of the Subcommittee on Immigration and Naturalization to consider favorably H.R. 165 which is designed to alleviate this distressing situation. This legislation would place a floor under immigration from every nation based on 75 percent of its annual average immigration for the 10-year period from fiscal 1956 through fiscal 1965. In no case, however, would the floor for any nation exceed 10,000. This change would, in practice, permit additional immigration from Ireland, Germany, and other nations unfairly discriminated against by the 1965 amendments, without in any way jeopardizing the position of those countries which have benefited from the new law. The legislation is in the spirit of the 1965 Immigration Act and will carry forward more effectively its laudable goals of equality and justice for all persons seeking admission to the United States.

Mr. BURTON of California. Mr. Speaker, I should like to commend my distinguished colleague from New York (Mr. RYAN) and to associate myself with his remarks.

During the last session of the Congress we attempted to correct the hardship which was inadvertently caused to countries such as Ireland by the Immigration Act of 1965. That remedy, as the one we discuss today, corrects this unfortunate and unforeseen situation without adversely affecting the benefits derived from the overall liberalization of our immigration law accomplished by the 1965 act.

It is of the greatest importance that this Congress act expeditiously to correct this situation. Certainly, the contribution of the Irish to our history, our culture, and our political life have earned them the right to seek this relief from the Congress.

The American Irish Immigration Committee is to be commended for the thoughtful and thorough way they have presented this issue and I, as a coauthor of H.R. 165, fully support their efforts.

Mr. BOLAND. Mr. Speaker, I was proud to be among the 37 Members of the House who joined Congressman RYAN on the opening day of the 91st Congress in sponsoring legislation, H.R. 165, to amend the Immigration and Nationality Act. The legislation we proposed would guarantee an annual floor for the number of visas available to any given country, based on the average annual number of visas issued to that country during the 10-year period, 1956–65. Every country would be guaranteed 75 percent of that annual average, or 10,000 visas, whichever was less. These visas would be provided in addition to the quota of 170,000 a year for the Eastern Hemisphere countries, so countries not in need of this safeguard would not be restricted by it in the number of visas available to them.

As an example of the need for this legislation, under the old national origins quota system, Ireland had an annual allotment of 17,765 visas. During the 10-year period, 1956–65, the actual number used averaged about 7,000 a year. Under the preference-category system established by the 1965 immigration amendments, an estimated 500 visas have been issued to Ireland for the first half of fiscal 1969. The legislation which I have cosponsored would guarantee Ireland 75 percent of 7,000, or about 5,300 visas a year.

The beloved late President John Fitz-

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gerald Kennedy, one of our greatest Irish Americans, told Congress in a special immigration message regarding proposed reforms of the inequitable national origins quota system:

> The enactment of this legislation will not resolve all our important problems in the field of immigration. It will, however, provide a sound basis upon which we can build in developing an immigration law that serves the national interest and reflects in every detail the principles of equality and human dignity to which our Nation subscribed.

I believe that this is exactly the point of view we must maintain toward the 1965 amendments to the Immigration and Nationality Act—they provide a sound basis upon which to build. Prompt legislative action should be taken to correct obvious inequities, particularly when—as in the present case—these inequities so obviously violate the intent of the 1965 legislation.

The 1965 amendments abolished the old national origins quota system which dated back to the Immigration Act of 1924, and replaced it with new criteria of eligibility designed, first, to reunite families and, second, to bring professionals and those of exceptional talent, as well as needed skilled and unskilled labor, into the country. Italy, as an example, has benefited immensely from this new system. Whereas under the old system they had an annual allotment of 5,666 and a waiting list of several hundred thousand, they now are eligible for the per-country limit of 20,000 visas a year and, as a result of the two-and-a-half-year transitional pooling period following enactment of the amendments, now have a serious waiting list for only the fifth preference category, brothers and sisters of U.S. citizens.

Irish immigration, in contrast, has been drastically reduced, a consequence of the 1965 amendments which was completely unforeseen and unintended. Given the advantage of hindsight, the causes of this situation are not difficult to assess. The Irish fall through the seven-category preference system like water through a sieve. The categories are simply not applicable to most Irishmen who want to come to America today.

Primary emphasis is on reuniting families. First, fourth, and fifth preference is given to close relatives—unmarried children, married children, and brothers and sisters, respectively—of U.S. citizens. Second preference is given to spouses and unmarried children of aliens admitted here for permanent residence. The 1968 report of the State Department's Visa Office comments as follows on the results:

> The emphasis on family reunification further heightens the shift in the pattern of immigration from northern to southern Europe and to Asia, where there is a greater tradition of emigration in family units.

The typical Irish immigrant—or, to put it more accurately, would-be Irish immigrant—today comes by himself, not with his family or to join his family. Now, as in the past, America holds out to him the promise of adventure and economic opportunity. Mr. John P. Collins, national chairman of the Irish National Immigration Committee, reported in testimony last year before the House Judiciary Subcommittee on Immigration, that of the 1,904 visas isued to Ireland between December 1, 1965 and March 31, 1967, only 499 were of the family preference type, and 435 of them went to brothers and sisters. Mr. Collins told the subcommittee:

> Analyzing Irish families, one finds that a few brothers and sisters from the family emigrate while others remain at home. The Irish emigrant is generally young, unmarried and hence brings no spouse or children. It is a rare case in recent times when a whole Irish family emigrates to the U.S. Thus Ireland's sociological pattern of immigration does not permit it to compete equally with some other nationalities for family preference.

The problem is intensified by the fact that, while there are more than 30 million Irish Americans, the majority have been here for at least three generations. Their close relatives are here, rather than in Ireland. The Irish fought in the Revolutionary War and helped build American industry. There is certainly some irony in the fact that partly because the Irish American has been here so long and is so deeply rooted in America, his countrymen abroad are now barred from entrance.

The third and sixth preference categories are work-related and here the Irish fare little better. Third preference is given to members of the professions and scientists and artists of exceptional ability. Sixth preference is given to skilled and unskilled workers in occupations for which labor is in short supply in the United States. Both these categories are strictly limited to 17,000 a year for all Eastern Hemisphere countries, and the third preference is heavily oversubscribed.

During the first 16 months under the 1965 amendments, Ireland received 11 visas under these two categories. It should be pointed out that while this situation is partly due to the fact that few Irishmen meet the requirements, it is also partly due to the buildup of temporary backlogs, and will improve with their absorption. The new system works on a retroactive first-come, first-served basis and countries like Ireland, which in the past had more visa numbers available to them than they needed, had no waiting lists. Thus, when the 2½-year transitional pooling period came to an end on July 1, 1968, they fell behind the countries with oversubscribed quotas who had been building up backlogs in the preference categories.

In the past, the vast majority of visas issued to Ireland were of the nonpreference, unskilled variety, which have been virtually unavailable under the new system. The State Department's Visa Office reports that nonpreference visas—that is, those left over after consideration of the preference categories—will start being available in April. That is certainly to be hoped. In the meantime, I urge prompt action on this legislation in order that Ireland and any other country suffering as a result of the 1965 amendments be guaranteed a fair and realistic minimum number of visas a year. This is a safeguard which must be written into the legislation.

Mr. MURPHY of New York. Mr. Speaker, New York City has always been the center for the aspirations of the Irish people. It was in New York City in 1916 that the first Irish Race Convention was held at the old Astor Hotel, and from this meeting the Friends of Irish Freedom was formed. This organization played a significant role in gaining political freedom for the Irish people and the eventual establishment of the Irish Republic, the first new state in the 20th century.

Under the famous composer Victor Herbert, its first president, and the Very Reverend Peter Magennis, O. Carm., the second president, both famous New Yorkers, the Friends of Irish Freedom substantially aided the Irish Revolution.

It was no wonder that the present President of Ireland, Eamon de Valera, one of the late President John F. Kennedy's closest friends, would make his headquarters from 1918 to 1920, in New York City.

The close ties between Ireland and America established in these early years led to large-scale Irish immigration to the United States in the first part of the 20th century. These Irish immigrants played a significant role in building this country into the strongest and richest country in the history of the world.

Immigration policies during the first half of the 20th century were arbitrary and unjust, favoring some nations at the expense of others. Finally, in 1965, the Congress passed an Immigration and Nationality Act which reformed America's immigration policies by ending the arbitrary and unjust national origins quota system. It substituted a system of preferences giving priority to the reuniting of families and the admission of immigrants with needed skills.

One incidental effect of the 1965 law, however, resulted in closing the doors to many sons of Ireland desiring to emigrate to the United States.

The law aims at reuniting families that are divided, for example, but the traditional Irish emigrant is not a family man; he crossed the Atlantic alone and found a family here in America.

Furthermore, the new job preference categories discriminate against the Irish because Irish immigrants have traditionally been young and without formal training; they came without a particular skill but they came willing to learn and willing to work.

Now, under the new law, the jobs which they have traditionally held are no longer available.

As a result of the new law, therefore, Irish immigration has been seriously curtailed. In 1964 more than 4,600 Irish immigrants came to the United States. In 1967, after the law was changed, that number had dropped to less than 1,800. Last year only a few hundred Irish were allowed to come to the United States.

I do not accept this trend. I would not have voted for the law in 1965 if I had known the result would be discrimination against the Irish. And so today we must change the law to remedy the situation.

The legislation I have introduced, which has been introduced by many of my colleagues, would insure that no nation would suffer a severe reduction in its level of immigration to the United

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States as a result of the provisions of the Immigration and Nationality Act of 1965.

The bill provides for the establishment of a floor for every nation, which would be 75 percent of its immigration rate for the decade prior to the 1965 act, or 10,000, whichever is less.

This bill is not a return to the old national origins quota system. It would not take away from the quotas of other nations. It would merely provide the Irish equality with other nations.

Over the years Irish immigrants to the United States have given much and asked little. The legislation I have introduced asks little, but means a great deal to those friends of the United States in Ireland who wish to come to this country. I hope my colleagues in the House and the Senate will pass this important legislation immediately so that Irish immigration will not continue to decline as it has since the 1965 act.

PROHIBIT BANKS FROM PERFORMING PROFESSIONAL ACCOUNTING SERVICES

The SPEAKER pro tempore. Under a previous order of the House the gentleman from Hawaii (Mr. MATSUNAGA) is recognized for 10 minutes.

Mr. MATSUNAGA. Mr. Speaker, I wish to call a matter of great importance to the attention of the Nation's taxpayers and the citizens of the United States in general.

For some time now, large banking institutions have been expanding their activities to include numerous functions which are not classifiable as banking. These activities, such as accounting, travel agency business, and others unrelated to banking, are in fields in which the public is offered adequate and specialized service. The banks nevertheless are using their unique and advantageous position as the major source of credit to compete unfairly with business and professional men.

This diversification by the banks into nonbanking activities reached a new high recently when the First National City Bank of New York announced that it is offering personal income tax preparation service to the public at large. A most disturbing feature of the announcement is that First National City Bank is not itself performing the services it advertises. The bank is acting as a sort of broker for the Tax Corp. of America, which actually prepares the returns. First National simply gets customers off the street and obtains some basic information from them to forward to the Tax Corp.

Mr. Speaker, I submit that banks ought to restrict themselves to banking and leave these other activities to those who are prepared and educated and trained to perform them. If banks are to be permitted to offer services such as tax service, they at least should be held to some standard of performance. In the case of the First National City Bank, its brochure invites the customer to have his return prepared in reliance upon the "mathematical accuracy" which the Tax Corp., of America purportedly assures. What the customer does not know is that the return is not being prepared by an accountant or an attorney trained in tax matters. The bank does not really provide any service other than taking down some information which is then fed into the Tax Corp. of America's computer and mechanically cranked out.

Help is not help unless it helps. The First National City Bank's operation appears to be one of simply charging a fee for acting as a broker between the taxpayer and a company which has a machine which will print out a tax return. Yet the public is led to believe that they are receiving professional help. The truth is that under Internal Revenue Service revenue procedure 68–20, the bank would not be able to represent a taxpayer for whom it has prepared a return in the event the return is audited by IRS. Revenue procedure 68–20 governs the limited practice before IRS by "unenrolled" practitioners, such as the banks. It clearly states that one who solicits, as this bank is doing, may not have the privilege of representing a taxpayer before IRS in the event of an audit.

Mr. Speaker, this most recent nonbanking activity of the First National City Bank of New York is illustrative of the continuing encroachment by large financial institutions upon areas which have nothing to do with banking. The American people are entitled to be protected against the spread of this monopolistic web over their lives. H.R. 272, a bill which I have introduced to prohibit banks from performing accounting services, including the preparation of tax returns, would help to restrict banks to banking activities. Let us support this measure to keep bankers bankers.

AIR POLLUTION

The SPEAKER pro tempore. Under a previous order of the House the gentleman from West Virginia (Mr. STAGGERS) is recognized for 5 minutes.

Mr. STAGGERS. Mr. Speaker, for some years the Congress has been viewing the problem of environmental contamination with growing concern. The public is just beginning to be conscious of just how extensive this contamination is, and how dangerous it is to plant and animal life. Already a number of species of the plant and animal worlds have succumbed to the poison put into soil, water, and air by man's unthinking neglect of the consequences of what he is doing. It is a literal fact that man today is more likely to be extinguished by the wastes he puts into his environment than by the wars he permits to break out.

Congress has already made a hesitant beginning on legislation designed to control contamination. This legislation is likely to be extended and strengthened in the near future.

A few days ago Commissioner John T. Middleton of the National Air Pollution Control Administration presented a paper on contamination in general, and particularly on air contamination, before the National Wildlife Federation in convention at Washington. In anticipation of what may be proposed during the current session of Congress, it is my opinion that every Member may find useful information in this paper, and I am, therefore, placing it at this point in the RECORD:

SIGNPOSTS OF PROGRESS IN CONSERVING THE NATURAL ENVIRONMENT

(By John T. Middleton)

I have been asked to speak to you this afternoon about "Signposts of Progress in Conserving the Natural Environment."

Beyond question, the Air Quality Act of 1967—and the opportunity it provides to overcome the vast and complex problem of air pollution—represents one of the most significant signposts of conservation progress in our recent history.

I want to talk to you in some detail about the Act; and I particularly want to explain and underscore the importance of the part that all of us, the general public, can play in the critical decisions which will be made under its provisions in this year of 1969 about controlling air pollution in this country.

But before I do so I would like to point out that another important signpost of conservation progress can be found right here in this room.

Thirty-three years ago, when the National Wildlife Federation held its first annual meeting, anyone suggesting that the problem of air pollution would be a fit topic for discussion by this group would, I am sure, have been escorted to some quiet place for rest and rehabilitation.

The same might well have been true even a dozen years ago.

After all—except for the obvious and obnoxious contamination emanating from isolated mills and factories in rural areas—what possible interest could the problem of air pollution hold for an organization of conservationists primarily concerned with nature and its living things?

But we, all of us, have come a long way and learned a great deal about modern air pollution—about both its obvious and the more insidious, long-time dangers—in a dozen years.

And one of the basic things we have learned is that contaminated air is not just a city problem, for the cities alone to worry about, but a universal problem carried by the wind to threaten all forms of life in every part of this country, however far removed from the large urban-industrial centers, where the air pollution problem is particularly acute.

In practically every part of the country rural and wilderness areas that once were thought to be safely removed from pollution sources are experiencing injury to creatures and crops. In Florida, fluoride pollution from the manufacture of fertilizers threatens the cattle and citrus industries that once thrived in undisturbed areas of Polk and Hillsborough Counties. In New Jersey, pollution injury to living things has been reported in every single county. Damage from photochemical smog has been found in timber stands as far as 100 miles from Los Angeles. Pollution drifting from large cities in California's Central Valley now threatens vegetation in such world-famous parks as Yosemite and Sequoia. In Pennsylvania, the timber-rich areas in the Appalachian Mountains are threatened by airborne pollutant wastes from industries in urban areas many miles away.

The plain fact is that American affluence today is contaminating the air, the water, and the land faster than nature and man's present efforts can cleanse them.

The myriad and random forces that shape our contemporary environment have one common denominator—change—change that accelerates with each passing year and that led Surgeon General Luther Terry to remark as early as the National Conference on Air

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Pollution in 1962: "A decade now brings changes demanding much greater adaptations in our habits of body and mind than a millenium would during the vastly greater portion of man's existence on earth."

Throughout time, civilizations have been built on an orderly system of relationships linking man to nature. Physiologically and emotionally the fundamental requirements of mankind are still today what they have always been. Certain qualities of the environment are essential to his well-being and indeed to his survival because he developed in association with them during his evolutionary past and acquired a dependence on them that he can not quickly outgrow.

Almost every type of disease known to modern science is a direct expression of man's failure to adapt to his environment—and that adaptation becomes more difficult day by day as air, water, and soil are altered more and more rapidly by the new ways of life.

The long history of our universe has shown that no organism can long survive in an environment that has somehow become unfit for it.

Knowledge gained through research—and applied—can enable us to deal with a great number of environmental hazards. But we are still a long way from adequate understanding of the intricate web of life which links plants, animals, and man.

We do know that the wildlife of our land forms an essential link in the ecological chain which insures our own survival. And, knowing this, we can take little comfort from the fact that some 40 species of birds and mammals have been wiped out in the United States and that at least 78 additional species—including reptiles, fish, and amphibians—are on the seriously endangered list.

The living things of our land and water are sensitive indicators of a healthy human environment. They, too, have been struggling to adapt to change, some with more success than others. The European gypsy moth, for example, adapted to pollution in the Birmingham industrial district of England by changing from dominantly light colored to dominantly dark in less than 100 years. The dark form now is safer from preying birds when it rests on soot-blackened trees. Not so fortunate in their effort to escape deadly air pollution, we now have learned, are the lichens, among the simplest form of plant life, and one of the hardiest, which have survived prolonged desiccation in every climate zone and at every altitude, but which could not survive the polluted air we breathe, and are now dying off.

This adds significance, I think, to the recent quiet reminder given us by the noted biologist Rene Dubos when he said, and here I am quoting him: "Modern ecological studies leave no doubt that almost any disturbance of natural conditions are likely to have a large variety of indirect unfavorable effects because all components of nature are interrelated and interdependent." End of quotation.

But if it is obvious that one way to halt the contamination of the environment is to prohibit automobiles, stop the generation of electricity, and shut down industry, it is just as obvious that this way is impossible.

What is possible is to find ways to bring the levels of pollution down to a point compatible with the requirements of human health and welfare—with the least possible disruption to the social, economic, and political structures upon which our way of life depends.

So we turn now to the Air Quality Act of 1967—because this is precisely what the Act is designed to accomplish. As I said at the outset of these remarks, we are going to be making some critical decisions this year about air quality as we move forward with implementation of the new legislation. The Air Quality Act sets forth specific provisions for the public to participate in these decisions. In a moment I want to talk with you very plainly about why it is important for each of you—both as conservationist and private citizen—to take part in this decision-making process. First, however, I think it is necessary, in order to establish a frame of reference for this discussion, to review very briefly the machinery by which the control program authorized by the Air Quality Act is being set in motion.

Under the Act, the Federal Government is to issue to the States criteria of the effects of various air pollutants on health and property, and is to issue information on the most effective and economical methods for controlling the sources of those pollutants. Once the States receive this information, they are expected to set air quality standards and develop plans for achieving them in air quality regions whose boundaries have been drawn by the Federal Government.

The National Air Pollution Control Administration now has issued to the States air quality criteria and control technique information on one of the most important families of air pollutants, the sulfur oxides and particulate matter. Further, we have designated air quality control regions in such major urban areas as New York, Philadelphia, Chicago, Denver, Los Angeles, and Washington, D.C., and we are in the process of drawing the boundaries around several other urban areas. We have established a priority list of 54 urban-industrial centers for designation as air quality control regions—and this means that, as rapidly as possible, every State will be involved in the regional control program established by the Air Quality Act.

This is a critical year, then, in the implementation of the Act. In the months ahead many large urban communities will for the first time be given a very real opportunity to participate in decisions which will affect the quality of the air they breathe for many years to come.

Two months ago I had the pleasure of hearing Senator Edmund Muskie speak at a conference called in Maine to discuss the air pollution problems of New England. Senator Muskie, as you all know, is one of the principal architects of the Air Quality Act, and I would like to repeat for you some of the thoughts he expressed at this New England conference on the campaign we now have underway.

"Whether or not the Air Quality Act Succeeds," Senator Muskie said, "depends upon the degree of commitment and cooperation we get from State and local government, from industry, and from the taxpayer and citizen.

"I suppose," he went on, "there are cynics who would argue that placing so much emphasis upon the development of such commitments runs against the lesson of history, because the lesson of history is that, increasingly, State and local governments tend to slough off responsibility for dealing with public problems until there is no recourse but national policy, national agencies, and national enforcement.

"That may or may not be the lesson of history, but it can be the lesson of the future unless we undertake in ways suggested by the Air Quality Act to revitalize the policy-making processes of our country at the State and local level, and revitalize the idea that public policy is not only the product of public agencies, but of the private sector and of individual citizens, not only on election day, but on a day to day, week by week, month by month basis, as citizens gather, as leaders in the private sector meet, to consider what they will or will not do to promote the public welfare."

The intent of the Air Quality Act, then, and the policy of the National Air Pollution Control Administration, is that air pollution be attacked as an individual problem in each region of the country, and that it be attacked by a combination of State and local governments guided by the explicit desires of the public in the region. The intended primary role of the Federal Government is to provide information and assistance to the States and to local governments to make certain that the machinery of the Act operates at peak efficiency.

I cannot emphasize too strongly the importance of broad participation in the public hearings on air quality standards and implementation plans that the States will hold in the coming months in those areas where air quality control regions have been established.

There are many segments of industry which will be directly affected by requirements for the prevention and control of air pollution. They will surely make their viewpoints and positions known at the hearings. It is proper that they do so. You and I have a personal stake in the continued viability of the private enterprise system which is the foundation stone of this Nation's economy. But we also have a very personal stake in America's health and welfare, and in protecting the environment upon which all of life depends. Not only are private citizens entitled to participate in the public hearings, they are also entitled to have sufficient information to make their involvement truly meaningful. State governments, which are responsible for holding these hearings, have an obligation to encourage all interested groups and individuals to express their views at the hearings; moreover, they have an obligation to take these views into consideration, along with the air quality criteria and reports on control techniques issued by the Federal Government, in setting air quality standards and developing plans for implementing and enforcing the standards.

There is still a period of time before the public hearings get underway. But it is by no means too early to begin preparing the groundwork for these hearings. There will be no time at the hearings themselves to prepare arguments and work out strategies to insure the drawing up of effective standards and plans for their achievement. The hearings, in my view, should be an anticlimax to the efforts which can be launched now. It is time now to undertake a continuing dialogue with the public officials who will be responsible, ultimately, for the decisions that are made—whether those officials are to be found in the Legislature, in departments of the State government, or in City Hall. It is time now, for the public to learn the technical language of air pollution control if they are to participate in a meaningful way in the framing of standards and implementation plans. And it is time to begin making your own decisions about the quality of the air you want to live with, and what kind of regulations you want drawn up to insure that this quality is not only achieved in a reasonable period of time, but also maintained throughout future community growth and development.

I can offer you no ready-made formula today which a region might use in drawing up an optimum set of air quality standards. I can, however, suggest some of the questions which ought to be answered before standards are adopted.

To begin with, I think it is important that we all have a clear understanding of what we are talking about when we speak of standards and implementation plans.

Air quality standards are prescribed maximum limits on the levels of pollution that can be reached in the ambient air during a given period of time. In selecting air quality standards, a region is, in effect, deciding how clean it wants its air to be. In other words, the standards represent the mini-

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mum goals the region wants to reach. One of the more important of these goals is that of protecting people's health. And here there are a number of factors which must be borne in mind. For one thing, a pollution level which might be safe for one person, might not be safe for another. The general population of any community includes special groups of people who may be unusually sensitive to one or more types of air pollutants. Very young and very old persons and persons already afflicted with various chronic diseases are especially likely to be in this category. Exposures which fail to produce an identifiable effect on a group of industrial workers, for example, may significantly aggravate the condition of those with chronic respiratory diseases. Such variables should be taken into account when considering the air quality criteria of the effects of air pollutants on health.

While we are on the subject of the health effects criteria I should inject a caution here against any temptation, in setting standards, to rely on the air quality criteria as an indication of how much air pollution a human being can tolerate. From this position, of course, it is only a short step to the philosophy that there is room for more pollution in those places where the presumed limits of tolerance have not been reached. I cannot overemphasize the danger in such an assumption. Air quality criteria cannot be regarded as an insurance policy for society, particularly not at this point in the evolution of scientific knowledge. If all previous experience in evaluating environmental hazards is any guide, then it is quite likely that improved knowledge will show that there are identifiable health hazards associated with air pollution levels that had been thought to be harmless.

While questions of health protection are essential in setting air quality goals, there are many other decisions to be made in setting standards which will have an important impact both on our economic welfare and the quality of our lives. How much of the beauty and enjoyment of life are we willing to sacrifice to air pollution? We will have to answer this. We will have to examine the ways in which air pollutants affect agriculture, materials, visibility, property values, as well as all of the other ways in which air pollution impinges on man's environment and his general welfare—and then make our decisions and set our goals. We must also be realistic. We must set goals that can be reached, and reached in a reasonable length of time.

This brings us to the matter of developing the implementation plan which will provide a blueprint of the steps that will be taken to reach the goals set forth in the standards.

The heart of the plan for achieving a standard is an emission reduction strategy, which sets forth the sources to be controlled, the degree of control to be accomplished, and the time schedule.

The time it will take to reach the standard for a given type of pollutant will, of course, depend on a number of factors including the degree of difference between existing pollutant levels and those prescribed by the standard. The greater the difference, the longer it may take to close the gap. I think we can all agree, however, that the plan should permit no delay in protecting the public on those occasions when the weather fails us, and the potential for a several day exposure to high levels of pollution threatens. An adequate implementation plan will specify procedures which, although they may be interim procedures, will prevent such a threat from being realized.

Roughly speaking, we would expect the implementation plans to be designed to show significant progress at intervals of, say, every one or two years. And if the total time proposed for reaching the standards not to exceed five to seven years.

Finally, in deciding our own control strategy, we should do everything we can to make sure that it does not achieve control or pollution in one area of the region, at the expense of increasing pollution in another area of the region.

From the viewpoint of this Federation and its basic purposes, I am sure that an area of particular concern might be the inclination, in some regions, to seek a solution to the urban air pollution problem through requiring the location of industrial plants at greater distances from the city boundaries. In some cases this may, of course, be desirable. But moving plants further into the countryside, without strict controls on emission levels, would only serve to spread pollution into new areas. The Air Quality Act requires that we prevent, as well as control air pollution. State plans which would not accomplish this purpose obviously would be unacceptable under the Act, and if submitted, would only serve to further delay the ultimate restoration of an acceptable air quality.

I know that the members of this audience will be taking an active role in the decisions ahead. I know this because the National Wildlife Federation has given ample evidence of its concern with air pollution control. I am reminded, for example, that three years ago Donald Jensen, one of the leaders in California's air pollution control efforts, was honored with one of the coveted National Conservation Awards which you will be distributing here tonight. I am conscious also of the fact that your organization is participating in direction of the national educational program on public involvement in air pollution control which—with partial financing provided by one of our grants—is being conducted by the Conservation Foundation.

In closing, let me simply say that we in the Federal air pollution program are most gratified with the increasing leadership being exerted by the National Wildlife Federation and other organizations in the conservation community in helping to restore and protect the quality of our air.

I am reminded of the opening paragraph of the National Wildlife Creed in which each of you declares: "I pledge myself, as a responsible human, to assume my share of man's stewardship of our natural resources."

You are carrying out that pledge in regard to air pollution. With your leadership—and the help of other responsible private organizations and citizens—I am sure that the Governors of the various States will submit to the Secretary, under the Air Quality Act, standards and implementation plans that he can readily approve, and further that control action under these plans will be taken in a timely fashion.

TWENTY-FIVE ADDITIONAL SPONSORS OF BILL TO ESTABLISH AN INDEPENDENT FEDERAL MARITIME ADMINISTRATION

The SPEAKER. Under a previous order of the House the gentleman from New York (Mr. HALPERN) is recognized for 5 minutes.

Mr. HALPERN. Mr. Speaker, the continued decline of the American merchant marine, which once enjoyed supremacy on the Seven Seas, is—and should be—a matter of shocked concern to Members of Congress and the American public.

Since 1946 we have permitted our once proud merchant fleet to decay and disintegrate to the point where today only 5 percent of our country's import-export commerce is carried in American ships. Ninety-five percent of our trade is moved around the world in ships flying foreign flags.

The result, of course, has been that our maritime economy has suffered, the prosperity of our great port cities has been undermined, and our merchant fleet—in its function as our "fourth arm of defense"—has been weakened to an appalling degree.

But even this does not tell the full story of the deterioration of our maritime industry.

Last week the authoritative Lloyd's Register of Shipping reported that a world's record for total shipbuilding tonnage had been broken in 1968. Japanese shipbuilders also broke a record and remained in first place among nations by launching 17 million tons of shipping.

The United States, once the world's top merchant shipbuilder, did not break any records, however. The United States found itself in 10th place, having launched 441,000 tons of shipping last year.

Mr. Speaker, the contrasting figures deserve repeating. Last year the Japanese launched 17 million tons of shipping. The United States launched 441,000 tons—amounting to 2½ percent of the Japanese ship production.

But even the ships that we do build—or have built for us—we seem to be in a shameful hurry to get rid of. The runaway ship problem is becoming more and more acute. The Maritime Administration recently revealed that for the first time American-owned ships flying foreign flags and registered in foreign countries now have a carrying capacity that surpasses our domestic fleet. At least 434 U.S.-owned ships ply the oceans under foreign flags, and the number is increasing.

This unconscionable practice of runaway ships means the loss of thousands of jobs for Americans and millions of dollars in American tax revenues.

This, Mr. Speaker, is a capsule picture of the continuing disintegration of our one great merchant fleet and maritime industry. No single administration, no single political party is primarily to blame: the dissolution of our maritime strength has persisted, with the exception of the war years, since the turn of the century and has accelerated since 1946.

Because of this and on the basis of other facts and evidence, more and more Members of Congress are becoming convinced that our American merchant marine will never be revived and rehabilitated until we have reestablished the Maritime Administration as an independent, vigorous and autonomous Federal agency.

The reasons and the logic are clear. An independent Maritime Administration would have a much stronger and much more persuasive voice in the Halls of Congress and in the White House.

An independent maritime agency would not be submerged and lost, as it now is, in the bureaucratic jungle of a huge Cabinet department. An independent Maritime Administration would have a sense of purpose and the authority to take effective action against the decline in our shipbuilding and against runaway ships.

I wish to remind my colleagues that

this—an independent Maritime Administration—is actually the sense and sentiment of Congress. Last year this House and the Senate, also, overwhelmingly approved a legislative proposal to restore the Maritime Administration's independence. The bill died as a result of a pocket veto.

Today, Mr. Speaker, I am introducing a new bill, another bill, calling for the creation of an independent Maritime Administration. I am proud to say that my proposal, as offered, has 24 cosponsors, and this, in itself, is gratifying because this brings to approximately 160 the number of cosponsors—in the House of Representatives alone—of legislation designed to create an independent Maritime Administration.

The new sponsors of this legislation are: Mr. AYRES, Mr. BROOMFIELD, Mr. BROYHILL of Virginia, Mr. BUTTON, Mr. CAHILL, Mr. CARTER, Mr. CONABLE, Mr. CORBETT, Mr. DERWINSKI, Mrs. DWYER, Mr. FISH, Mr. FULTON of Pennsylvania, Mr. GUDE, Mr. HORTON, Mr. HUNT, Mr. JOHNSON of Pennsylvania, Mr. MCCLOSKEY, Mr. MCDADE, Mr. MCEWEN, Mr. SAYLOR, Mr. SMITH of New York, Mr. STANTON, Mr. WHALEN, and Mr. ZWACH.

We are hopeful of even more overwhelming approval during this session of Congress than was bestowed on this legislation in 1968; and we are hopeful, too, of White House approval.

We offer this bill with the conviction that it represents a virtually indispensable means and method of restoring the American maritime industry to its former glory and our merchant fleet as a bulwark of America's international trade, prosperity, and, above all, national security.

SOCIAL SECURITY AMENDMENTS

(Mr. BINGHAM asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. BINGHAM. Mr. Speaker, I am today introducing an omnibus bill, similar to the one which I introduced in 1968, calling for extensive amendments to various sections of the Social Security Act so as to enable older Americans to live more comfortable, independent, and dignified retired lives. This bill has been prepared after extensive consultations with the National Council of Senior Citizens.

The 13-percent increase in social security benefits and other changes made in the social security laws through legislation passed by the Congress in 1967 have proved gravely inadequate to meet the needs of older citizens. Benefits were inadequate in 1954, and have improved little since then. The 7-percent increases in 1958 and 1965, plus the 13-percent increase in 1968, amount to a total of less than a 7-percent real increase in benefits over 1954, when cost-of-living increases are taken into account.

Nearly 15 million retired workers and their dependents presently receive social security benefits. For nearly half of them, social security is the sole source of income. It is shocking to realize that between 5 and 7 million retired Americans who have worked and contributed to our current level of general prosperity are being forced to live their final years in poverty.

The bill I am introducing today would raise benefits by about 35 percent above the current level, and would establish a retirement income minimum of $100 a month for an individual and $150 a month for a couple. It would provide average benefits of $133 a month for individuals and $220 a month for couples.

In addition, to end once and for all the persistent gap between real living costs and social security benefits that has plagued social security recipients and the social security program since its inception, I am again proposing an automatic cost-of-living adjustment which would increase social security benefits each year to keep pace with rising consumer prices. This cost-of-living provision should be in addition to an adequate increase in benefits, not a substitute.

To provide further assistance for the many retired individuals who find it necessary to continue working to make ends meet, my legislation provides that the current limit on earnings permitted each year without penalizing deductions from benefits be increased from the current $1,580 to $3,600.

As the National Council of Senior Citizens and other organizations concerned with the problems of the elderly have pointed out, one of the most severe potential drains on the limited incomes of senior citizens is the expense of prescription drugs. The difficulties for many older Americans posed by the exclusion of these drugs from medicare coverage has been clearly and unequivocally illustrated in extensive congressional hearings. The bill I am introducing would extend part B benefits of medicare, for the extra cost of $1 per person per month, to prescription drugs, thus relieving the elderly of the crushing burden of drug costs.

New York State took the lead after 1965 in establishing a progressive and far-reaching program for extending medicaid benefits to the medically indigent under title XIX. By drastically cutting back on the percentage of Federal participation, the Congress in 1967 effectively penalized those States like New York which had organized good medical programs. Many States, including New York, now stand to lose many millions of dollars because of the withdrawal of significant portions of scheduled Federal contributions. The bill I am today introducing would eliminate the restriction and restore full Federal contributions to these programs. It also would make changes in the welfare laws to mitigate the harshest effects of the regressive 1967 amendments in that area, especially the severe restriction on welfare payments for aid to dependent children and Federal contributions to State programs for the medically indigent.

Finally, there are a number of other provisions in this bill which, though more limited in impact, are nevertheless significant for those who would be affected by them. For example: First, dependent parents of social security recipients should be eligible for benefits, just as other dependents now are; my legislation would make them eligible; second, an individual over 65 who is still employed should have the option of continuing his contribution to the social security system to raise his future benefits, or to halt his contributions and thereby freeze his benefit level at the age 65 figure; this legislation would provide that option; third, the inequities against working wives who are forced to choose benefits based on either their own wages or on their status as a wife should be replaced by a method of pooling credits; my legislation would allow such pooling; fourth, those over 65 who receive benefits as widows or widowers should not be penalized because of their subsequent remarriage, and this legislation would end such penalties.

The Congress has now had a full calendar year to recover from the long, hard battle that developed over the 1967 social security amendments. We cannot afford to rest any longer before getting on with the task of correcting the regressive measures contained in the 1967 legislation, and expanding the progressive measures that were enacted. The more than 21 million Americans who rely on social security and social security benefits for protection and income must not be ignored. The legislation I am introducing today would take us a long way toward meeting their minimum needs. The new boundaries of coverage and levels of benefits proposed in this legislation would not permit social security recipients to live in luxury. This legislation would, however, assure a more decent life for those who must subsist wholly or largely on social security benefits, and I appeal to my colleagues for prompt and favorable consideration of its provisions.

THE HONORABLE JOHN W. McCORMACK

(Mr. PRICE of Illinois asked and was given permission to extend his remarks at this point in the RECORD and include a tribute to the Speaker.)

Mr. PRICE of Illinois. Mr. Speaker, this morning, with my colleague from Illinois, the Honorable WILLIAM T. MURPHY, I was privileged to accompany a committee representing the Consulting Engineers Council of Illinois in the presentation of a historic photograph of Uncle Joe Cannon, a predecessor, to our distinguished Speaker.

Speaker MCCORMACK assured the committee that the photograph of former Speaker Cannon would be placed in a prominent place in his office.

In making the presentation the chairman of the Illinois group, Mr. Carter Jenkins, of Springfield, paid tribute to the record of Speaker MCCORMACK in his years of service to his country and drew a parallel between the problems of Speaker Cannon's period and the problems of the present time.

Besides Mr. Jenkins, other members of the presentation committee representing the Illinois consulting engineers were: Charles W. Grungard, Highland Park; Homer L. Chastain, Decatur; Lloyd I. Johnson, Rock Island; Robert G. Burkhardt, East Chicago; Richard Thacker,

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Waukegan; James Van Praag, Decatur; and W. Robert Hahn, Springfield.

I know the full membership of the House agrees with the tribute paid to the Speaker by the engineers. Under unanimous consent I include it herewith with my remarks:

TRIBUTE TO HON. JOHN W. MCCORMACK, SPEAKER OF THE HOUSE OF REPRESENTATIVES OF THE CONGRESS OF THE UNITED STATES, BY THE CONSULTING ENGINEERS COUNCIL OF ILLINOIS

Speaker McCormack, you hold with great distinction and honor a position in our Congress which was established by our Constitution. During your many years of national service, you have played a great part in protecting the freedom and liberty of the people of our country.

The Speaker of the House of Representatives occupies a high position, second in authority and prestige only to the President of the United States. In your 40 years of service as a Representative of the 9th District of Massachusetts, the State where Amreican liberty originated at Plymouth Rock in 1620, you have constantly championed our ideals of liberty, freedom, and democracy in a manner unsurpassed! During your long service in the House, you have been a leader in all causes to extend human rights to every citizen.

Your wisdom enabled you to realize the danger of Hitlerism when he began to rise to power, and your knowledge and judgment played a vital part in winning World War II and in destroying that type of human enslavement. This nation will long remember your contributions to our world position and our tremendous prosperity, as well as your readiness to respond to the call of our country in times of stress and peril.

Other men also have achieved fame as Speakers of the House, many of them known to you personally.

Illinois is one of the few states fortunate enough to have had one of its Representatives elected as Speaker. Our state will long remember Joseph Gurney Cannon who was born in North Carolina on May 7, 1836. He was admitted to the Illinois Bar in 1858 and first practiced law in Terre Haute, Indiana, and then in Shelbyville and Tuscola, Illinois. Later he moved to Danville, Illinois whch was his home for the remainder of his life. He was first elected to the 43d Congress and served with a few breaks through the 67th Congress. Speaker Cannon passed away November 12, 1926.

He rose to great heights through his genius in organization, in party discipline, and through the even greater authority attributed to the Speaker's position in those days. The name, "Uncle Joe" Cannon, recalls the almost 47 years of service of this noted Illinois citizen in the House, including 8 years as Speaker. We are proud of Speaker Cannon, who served under difficult national and international conditions of earlier days. However, the problems he sought to solve were not really similar to the ones which demand the utmost of your ability and patriotism to preserve the integrity and expanded world position of the United States.

Mr. Speaker, these visitors today represent the Consulting Engineers Council of Illinois, which is the state chapter of the Consulting Engineers Council of the United States. We take great pride in our profession and the part that it played in the economy of our nation, aided by constructive legislation passed by Congress, and by the several States. Never before has the Federal Government played so important a part in the economy of our profession as it does today. As citizens and as professional men of Illinois, we look to you to continue your aid to our nation in enacting laws for the benefit of all the people.

You have always been identified with problems of the man in the street, and you have created a record of which all patriots are proud.

In presenting this unique view of Speaker "Uncle Joe" Cannon, we ask that you accept it as our tribute to your own exceptional legislative career.

Some of us are old enough to remember Speaker Cannon and to have read of some of the accomplishments of his days in the Congress. We take the same pride in reading of your accomplishments and the outstanding record you are making as our Speaker.

Permit us, therefore, the Consulting Engineers Council of Illinois, to present this picture of Speaker Joseph G. Cannon, which we hope you will display in your office as being of a colleague who held the office of Speaker with honor and distinction in his day, as you are doing so notably at the present time. Thank you, Speaker McCormack and we wish for you the greatest of success in your high office.

AFL–CIO EXECUTIVE COUNCIL STATEMENT ON HOUSING

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, at its midwinter meeting the AFL–CIO executive council issued an enlightened statement on housing. The AFL–CIO fears the impact of spiraling interest rates and the monetary policies of the Federal Government pose a real threat to home-building.

The council said:

> Most important of all, the 1968 Congress declared that "the highest priority and emphasis should be given to meeting the housing needs of those families for which the national goal has not become a reality."
>
> Residential construction in general—and particularly the building of decent housing for low- and moderate-income families—is now threatened by unprecedented high interest rates and a squeeze on credit. The present monetary policies and practices of the federal government and the banks threaten a home-building recession, instead of a sustained increase of residential construction.

The statement also mentions the AFL–CIO's expansion of its mortgage investment trust fund. This is a coordinated national effort by the AFL–CIO to encourage its affiliates to invest their treasury, pension and welfare funds to provide adequate housing and create jobs. If American business and particularly our lending institutions were to embark on a similar large-scale, socially oriented program they would go a long way toward meeting the impending housing crisis in this country.

The statement is inserted in the RECORD at this point:

STATEMENT BY THE AFL–CIO EXECUTIVE COUNCIL ON HOUSING, BAL HARBOUR, FLA., FEBRUARY 24, 1969

Last year Congress enacted into law by an overwhelming bipartisan vote the historic Housing and Urban Development Act of 1968 to help meet critical housing and urban problems.

This law reaffirmed the national housing goal of "a decent home and a suitable living environment for every American family" proclaimed in a housing law back in 1949. In the Declaration of Policy of the 1968 Act, Congress found that "this housing goal has not been fully realized for many of the Nation's lower income families; that this is a matter of grave national concern; and that there exist in the public and private sectors of the economy the resources and capabilities necessary to the full realization of this goal."

Most important of all, the 1968 Congress declared that "the highest priority and emphasis should be given to meeting the housing needs of those families for which the national goal has not become a reality."

This declaration of intent and purpose of the Housing Act of 1968 must be fulfilled.

Fulfillment of this declaration of intent, however, is faced by several serious obstacles:

Residential construction in general—and particularly the building of decent housing for low- and moderate-income families—is now threatened by unprecedented high interest rates and a squeeze on credit. The present monetary policies and practices of the federal government and the banks threaten a home-building recession, instead of a sustained increase of residential construction.

Implementation of the Housing Act's intent requires full funding and full contract authority in Congressional appropriation acts to all of the laws authorizations. [Yet even such essential Congressional action—basic, as it is to carrying out the intent of the law—can be turned into mockery, unless the government shelters home-building from the ravages of extraordinarily high interest rates and tight money.]

We urge the government to take immediate and effective action to shelter residential construction—particularly low- and moderate-income housing—from the adverse effects of unprecedented interest rates and tight money.

The AFL–CIO has embarked upon an expansion of its Mortgage Investment Trust. A national campaign has begun to attract general treasury and pension and welfare funds of AFL–CIO affiliates and qualified labor-management funds into a mortgage investment program designed to do three principal things; to help provide adequate housing for America's families; to provide a safe, reasonable yield on the investment of union funds; and to create jobs. We encourage the participation of all our affiliates and the allocation of regular percetages of union investments in the AFL–CIO Mortgage Investment Trust.

We commend our building and construction trades affiliates for their cooperation in carrying out the social objectives of such AFL–CIO-backed projects. We note the launching of an AFL–CIO-backed project to rehabilitate 300 run-down houses in a St. Louis ghetto, through our Mortgage Trust Fund loan to a Negro community corporation at sub-market interest rates. This project was made possible by the agreement of our building trades unions, working on this job under a contract with a Negro general contractor, for the hiring of Negro trainees who are ghetto residents.

We also note that the "outreach" programs of our building and construction trades unions designed to give full access to skill training to minority-group youth are being energetically stepped up. These union-sponsored local programs are now in operation in 52 cities, with more than 2,500 in apprenticeship programs. In several cities, programs for ghetto youth and unskilled older workers that will enable them to become skilled craftsmen and to earn journeymen's pay are in operation.

AFL–CIO EXECUTIVE COUNCIL COMMENTS ON APPROPRIATIONS FOR DOMESTIC PROGRAMS

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

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Mr. PATMAN. Mr. Speaker, on February 24, 1969, the AFL–CIO executive council commented on appropriations for domestic programs. They are rightfully concerned that job training and health programs have received less funding than authorized by the Congress. Of primary concern, however, is the fact that the 1968 Housing Act received only one-third of its authorized funds in the face of a 10-year goal of 6 million housing units for low- and moderate-income families.

The AFL–CIO recognizes that defense costs are difficult to hold down. However, they refer to other restraints on domestic programs such as the billions of dollars "committed to such obligations as interest costs on the national debt." They are dismayed at the new administration's indication that further budget cutting is in the offing.

The council's statement, which is inserted at this point in the RECORD, raises questions of concern for all Members of Congress:

STATEMENT BY THE AFL–CIO EXECUTIVE COUNCIL ON APPROPRIATIONS FOR DOMESTIC PROGRAMS, BAL HARBOUR, FLA., FEBRUARY 24, 1969

Congress will soon face a critical moral test in the funding of government programs for the coming fiscal year. The proposed 1970 fiscal budget, subject to change by the new Administration, faces close scrutiny by the nation's legislators and, as in the past, could fall victim to those who are hostile to basic social programs or who use the appropriations process for political mischief. Of critical importance is the future of funds for programs enacted by Congress to combat the nation's domestic ills and to improve the quality of America's lives.

As in the situation perennially, these hard-won programs are caught in an appropriations "crunch." In the proposed budget, billions of dollars are irredeemably committed to such obligations as interest costs on the national debt and to the payments of social security benefits. Other billions are pledged to meet past obligations, such as veterans programs. Still other billions for our national defense will be very difficult to hold in rein from ever-increasing costs. These budget funds alone total approximately $175 billion.

Remaining in the budget is $20 billion, which must finance all other programs, including social and economic commitments to decaying cities, to the schools, to the disadvantaged, the young, the old, the ill and the jobless.

Unfortunately, it is these commitments—enacted through bipartisan support—that will be singled out for the most critical attention and the most severe onslaught, all in the pursuit of "economy."

The fate of some of these programs in 1968 is sad history:

The 1968 Housing Act, for example, received only one-third of its authorized funds, far short of its promised start toward a ten year goal of six million housing units for low and moderate income families.

The Bilingual Education Act, to provide a start for children from homes where the language is other than English, received only one-fifth of its authorization and all other educational assistance programs received less than 50 percent of the funds authorized by law.

The 1968 Fair Housing Act received less than 20 percent of its budget request.

Other programs in job-training and health likewise received far less funding than Congress provided for in authorization legislation.

Contributing to the cutback in these programs was pressure caused by the enactment in 1968 of an expenditure limitation which required a $6 billion cut in federal outlays. The cutback, coupled with locked-in budget commitments, made obvious which programs would fall victim.

Once again these programs face funding crises in the new Congress; virtually all will require considerably greater funds to properly meet the original goals that Congress prescribed.

The AFL–CIO notes with dismay that already the cry for budget cutting has been heard from within the new Administration. Unfortunately, if implemented, the full brunt will be felt by vitally-needed but fiscally vulnerable programs. Educators, community leaders and other concerned Americans are vocally showing their grave concern for the dangers of any Congressional fiscal flirtations with these programs. The political fact of a Republican Administration and a Democratic Congress provides an arena of great political temptation, which will require great statesmanship and responsibility to resist. Budget-cutting for political one-upmanship must not become the sport of Congress and the Administration.

The AFL–CIO Executive Council supports full and adequate funding of all programs whose goals are the social progress of all Americans. We will oppose any attempt and any device to veto full implementation of these programs. For Congress to enact new programs which hold forth promises of a better life and then to cruelly deny the necessary funds is to tempt a disaster that would shatter far more than the nation's budget stability.

OUR FIRST GRAVE CONSTITUTIONAL CRISIS: PROCEEDINGS OF THE VIRGINIA CONVENTION, MARCH 23, 1775

(Mr. RARICK asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RARICK. Mr. Speaker, in his immortal address before the Virginia Convention held at St. John's Church in Richmond on March 23, 1775, Patrick Henry made this profound observation:

> I have but one lamp by which my feet are guided; and that is the lamp of experience. I know of no way of judging the future but by the past.

That was the statesmanlike stance for viewing events that sparked our country's first grave constitutional crisis.

The 1775 Virginia Convention was no ordinary political gathering. Its members included "the tongue, the pen, and the sword" of the war of American independence—Patrick Henry, Thomas Jefferson, and George Washington. Other great Virginians in it were Richard Henry Lee, Thomas Nelson, Jr., Edmund Pendleton, Benjamin Harrison, Richard Bland, Robert Carter Nicholas, and Peter Muehlenburgh.

The convention was not elected as a revolutionary body but was actually the Virginia House of Burgesses meeting as a convention in Richmond to free it from Governor Dunmore's interference at Williamsburg. Richmond at the time was only a small village and St. John's Church the only building suitable for such a meeting.

Although there were few, if any, real Tories, two parties developed in the convention: One, led by Patrick Henry, desiring to make immediate preparations for supporting New England patriots in the impending hostilities; and an opposition desiring to temporize with the hope that war could still be averted. The president of the convention was Peyton Randolph.

It is now 194 years since our first grave constitutional crisis and 108 years since our second and most tragic one—the War Between the States, 1861–1865.

For the past few years, events of transcendent gravity have swelled upon us with increasing frequency and we have dealt with them as they occurred. So serious are their implications that many thoughtful scholars feel that we are now in our third constitutional crisis.

It is indeed fortunate that a group of Virginia scholars prepared the text of the entire proceedings of the 1775 Virginia Convention for the purpose of their reenactment in St. John's Church on March 23, 1927. It is unfortunate that this stirring event is not publicly known as it should be, which fact stresses the importance of teaching basic American history in our institutions of learning.

Mr. Speaker, in order to make the entire proceedings of the 1775 Virginia Convention more readily available, I include it as part of my remarks, together with a list of the members of the convention who were present:

THE PROCEEDINGS OF THE VIRGINIA CONVENTION

(Held on the 23d of March, 1775, at St. John's Church, Richmond, Va.)

President Peyton Randolph: The Convention will come to order. The Reverend Selden will read prayers.

Rev. Miles Selden: O Lord, our heavenly Father, high and mighty ruler, King of Kings, Lord of Lords, the only ruler of Princes, who dost from Thy throne behold all the dwellers upon the earth, most heartily we beseech Thee with Thy favor to behold our most gracious Sovereign Lord King George and so replenish him with the grace of Thy Holy Spirit that he may always incline to Thy will and walk in Thy way. Endue him plenteously with heavenly gifts, grant him in health and wealth long to live, strengthen him that he may vanquish and overcome all his enemies, and finally, after this life, he may attain everlasting joy and felicity through Jesus Christ, our Lord. Amen.

The President: The clerk will read the minutes of yesterday.

The Clerk (John Tazewell): The Convention met according to adjournment. Pursuant to order, the Convention resumed the consideration of the proceedings of the Continental Congress.

A resolution was offered, considered and adopted, returning the thanks of the Convention and the Colony to the Virginia delegation in Congress.

A resolution was offered, considered and adopted, entirely and cordially approving the proceedings of the Continental Congress.

The Convention then adjourned until today at 10 o'clock.

Mr. Richard Bland: I move that the minutes as read by the Clerk be approved and adopted.

The President: All in favor will say aye; all opposed no. The minutes are adopted.

Edmund Pendleton: I have a resolution to present.

The President: The gentleman from Caroline.

Pendleton: The resolution is as follows: "That the unfeigned thanks and most

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grateful acknowledgments of this Convention be presented to the very respectable assembly of the Island of Jamaica for the exceeding generous and affectionate part they have so nobly taken in the unhappy contest between Great Britain and her colonies, and for their truly patriotic endeavors to fix the just claims of the colonists upon the most permanent constitutional principles.

"That the assembly be assured that it is the most ardent wish of this colony (and we are persuaded of the whole continent of North America) to see a speedy return to those halcyon days when we lived a free and happy people."

Robert Carter Nicholas: Mr. President.

The President: The gentleman from James City.

Robert Carter Nicholas: I rise to second the resolution of the gentleman from Caroline. We must stand firm for our country, but what days were happier than those of the near past, when Virginia, under the best of Kings, enjoyed a generous prosperity. I speak as Treasurer of the Colony, and take a natural pride in pointing to the solid condition of our currency compared with that of some other colonies.

(The vote was taken and the resolution adopted.)

The President: The Clerk will transmit a copy of these resolutions to the Speaker of the Jamaica Assembly by the earliest opportunity.

Patrick Henry: Mr. President.

The President: The gentleman from Hanover.

Mr. Henry: I could but unite in the vote of thanks for the truly patriotic address of the Legislature of Jamaica. That address was noble and inspiring, but, in my opinion, it is absurd to rest quietly expecting a return of the halcyon days of old. I beg to offer the following resolutions.

"Resolved, That a well-regulated militia is the natural strength and only security of a free government;

"That the establishment of such a militia is, at this time, peculiarly necessary for the protection and defense of the country, and that the known remissness of the government in calling us together in legislative capacity renders it too insecure in this time of danger and distress to rely that any provision will be made to secure our inestimable rights and liberties from those further violations with which they are threatened.

"Resolved, therefore, That this Colony be immediately put into a state of defense and that a committee be named by the Convention to prepare a plan for embodying, arming and disciplining such a number of men as may be sufficient for that purpose."

Richard Henry Lee: Mr. President.

The President: The gentleman from Westmoreland County.

Mr. Lee: I rise to second the resolutions of the gentleman from Hanover. I think they are timely and highly important. No member can question the fact that our state of affairs is very alarming. Sir, I yield to no man in proper loyalty to the King, but I will not agree to the sacrifice of a single particle of our inalienable privileges to any person on earth. We use but a natural right in making provision for our protection, we mean no aggression, no violence, no treason, but if the powers in England choose to regard this action as such, on them will fall the responsibility of the course taken by them. I hate to contemplate the possibility of collision with the mother country, and I know our weakness. But nature has come to our aid by spreading 3,000 miles of water between us and her, and if we have our disadvantages, so has England. It will put her at a vast disadvantage to have to transport over such a distance, in the contingency of war, her armies and supplies. But, sir, admitting the probable calculations to be against us, I will say with our immortal bard:

"Thrice is he armed that hath his quarrel
just;
And he but naked, though lock'd up in steel,
Whose conscience with injustice is corrupted."

Benjamin Harrison: Mr. President.

The President: The gentleman from Charles City.

Mr. Harrison: I desire to raise my voice in opposition to the adoption of the resolutions at this time. I consider them as rash and inexpedient. The report from England, as we all know, is that our petition to the King passed at the late Convention has been graciously received. No sufficient time has passed for a reply to come to us. I am as warm a friend of liberty as any man in this Convention, and as little disposed to submit, but national civility and filial respect demand that we should do nothing hastily, offer no provocation. I speak as a farmer, for the farmers of Charles City County and throughout the Colony, and I deprecate any step which will stop the production of tobacco and corn and reduce the people to starvation.

Thomas Jefferson: Mr. President.

The President: The gentleman from Albemarle.

Mr. Jefferson: I am sorry to disagree with my friend from Charles City. I love him for his great heart and know his sturdy character for independence. But, sir, the colony should be prepared. I recognize no allegiance to Parliament—only to the King of England. England is tied to the Empire by the tie of the Crown only and is a self-governing dominion; and I regard these acts of Parliament—attempting to tax our people and shutting up the port of Boston, as the acts of a foreign power which should, by all the means in our power, be resisted. I call earnestly upon the Convention to support the resolution.

Mr. Pendleton: Mr. President.

The President: The gentleman from Caroline.

Mr. Pendleton: I hope this Convention will proceed slowly before rushing the country into war. Is this a moment to disgust our friends in England who are laboring for the repeal of the unjust taxes which afflict us, to extinguish all the conspiring sympathies which are working in our favor, to turn their friendship into hatred, their pity into revenge? Are we ready for war? Where are our stores—where our arms—where our soldiers—where our money, the sinews of war? They are nowhere to be found in sufficient force or abundance to give us reasonable hope of successful resistance. In truth, we are poor and defenseless, and should strike when it becomes absolutely necesary—not before. And yet the gentlemen in favor of this resolution talk of assuming the front of war, of assuming it, too, against a nation one of the most formidable in the world. A nation ready and armed at all points; her navy riding in triumph in every sea; her armies never marching but to certain victory. For God's sake, Mr. President, let us be patient—let us allow all reasonable delay, and then if the worse comes to the worst, we will have no feelings of blame. There is no man in this Convention more attached to the liberties of this country than is the man who addresses you. But think before we sacrifice perhaps everything to the spirit of indignation and revenge. Think of the strength and lustre which we derive from our connection with Great Britain—the domestic comforts which we have drawn from the same source—the ties of trade and business—the friends and relatives we have in England. The tyrannies from which we suffer are, after all, the tyrannies of a party in temporary possession of power. Give a little time, take no hostile action, and these tyrants will be overthrown in England and men in sympathy with America will assume authority. Our ills will pass away and the sunshine of the halcyon days of old will come back again. We must arm, you say; but gentlemen must remember that blows are apt to follow the arming, and blood will follow blows, and, sir, when this occurs the dogs of war will be loosed, friends will be converted into enemies, and this flourishing country will be swept with a tornado of death and destruction.

Mr. Nicholas: Mr. President.

The President: The gentleman from James City.

Mr. Nicholas: I agree heartily with the gentleman from Caroline. I consider the resolutions of the gentleman from Hanover as hasty, rash and unreasonable. But, more than that, I deem the militia upon which the gentleman depends as wholly insufficient. It will prove the bane of the war into which the gentleman from Hanover wishes to hurry us. Sir, I hope this resolution will be voted down but, sir, if the colony is to be armed, let us do it in the proper way. The late war with France proved the value of trained soldiers, and Virginia was envied by the other colonies for its two regiments of regular troops under the command of a distinguished gentleman present here. Let Virginia, if she means war, raise at once a force of 10,000 men to be trained and serve for the war. Short enlistments, such as this gentleman contemplates, will prove the bane of the war. But I speak for peace—not war, till it is forced upon us.

Thomas Nelson: Mr. President.

The President: The gentleman from York county.

Mr. Nelson: I am a merchant of Yorktown but I am a Virginian first. Let my trade perish. I call God to witness that if any British troops are landed in the County of York, of which I am lieutenant, I will wait for no orders, but will summon the militia and drive the invaders into the sea.

(*Several arise.*)

George Washington: Mr. President.

The President: The gentleman from Fairfax.

Mr. Washington: Mr. President, I am a soldier and believe in being prepared. For that and other reasons, I will give my vote for the resolutions of the gentleman from Hanover. Rather than submit to the present condition of things, I will raise one thousand men, subsist them at my own expense, and march myself at their head to the relief of Boston.

Patrick Henry: Mr. President.

The President: The gentleman from Hanover.

Mr. Henry: No man thinks more highly than I do of the patriotism, as well as abilities of the very worthy gentlemen who have just addressed the house. But different men often see the same subject in different lights; and, therefore, I hope it will not be thought disrespectful to those gentlemen, if entertaining, as I do, opinions of a character very opposite to theirs, I shall speak forth my sentiments freely, and without reserve. This is no time for ceremony. The question before the house is one of awful moment to this country. For my own part, I consider it as nothing less than a question of freedom or slavery. And in proportion to the magnitude of the subject, ought to be the freedom of debate. It is only in this way that we can hope to arrive at truth and fulfill the great responsibility which we hold to God and our country. Should I keep back my opinions at such a time through fear of giving offense I should consider myself guilty of treason toward my country and of an act of disloyalty toward the majesty of Heaven which I revere above all earthly kings.

Mr. President it is natural for man to indulge in the illusion of hope. We are apt to shut our eyes against a painful truth—and listen to the song of the siren till she transforms us into beasts. Is this the part of wise men engaged in a great and arduous struggle for liberty? Are we disposed to be of the number of those who, having eyes, see not, and,

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having ears, hear not, the things which so nearly concern their temporal salvation? For my part, whatever anguish of spirit it might cost, I am willing to know the whole truth to know the worst and provide for it.

I have but one lamp by which my feet are guided; and that is the lamp of experience. I know of no way of judging the future but by the past. And judging by the past, I wish to know what there has been in the conduct of the British ministry for the last ten years to justify those hopes with which gentlemen have been pleased to solace themselves and the house? Is it that insidious smile with which our petition has been lately received? Trust it not, sir; it will prove a snare to your feet. Suffer not yourselves to be betrayed with a kiss. Ask yourselves how this gracious reception of our petition comports with those warlike preparations which cover our waters and darken our land. Are fleets and armies necessary to a work of love and reconciliation? Have we shown ourselves so unwilling to be reconciled that force must be called in to win back our love? Let us not deceive ourselves, sir. These are the implements of war and subjugation—the last arguments to which kings resort. I ask gentlemen, sir, what means this martial array if its purpose be not to force us to submission? Can gentlemen assign any other possible motive for it? Has Great Britain any enemy in this quarter of the world to call for all this accumulation of navies and armies? No, sir, she has none. They are meant for us; they can be meant for no other. They are sent over to bind and rivet upon us those chains which the British Ministry have been so long forging. And what have we to oppose them? Shall we try argument? Sir, we have been trying that for the last ten years. Have we anything new to offer upon the subject? Nothing. We have held the subject up in every light of which it is capable; but it has been all in vain. Shall we resort to entreaty and humble supplication? What terms shall we find which have not been already exhausted? Let us not, I beseech you, sir, deceive ourselves longer. Sir, we have done everything that could be done to avert the storm which is now coming on. We have petitioned—we have remonstrated—we have supplicated—we have prostrated ourselves before the throne, and have implored its interposition to arrest the tyrannical hands of the ministry and Parliament. Our petitions have been slighted; our remonstrances have produced additional violence and insult; our supplications have been disregarded; and we have been spurned, with contempt, from the foot of the throne. In vain, after these things, may we indulge the fond hope of peace and reconciliation. *There is no longer any room for hope.* If we wish to be free—if we mean to preserve inviolate those inestimable privileges for which we have been so long contending—if we mean not basely to abandon the noble struggle in which we have been so long engaged, and which we have pledged ourselves never to abandon until the glorious object of our contest shall be obtained—we must fight! I repeat it, sir, we must fight! An appeal to arms and to the God of Hosts is all that is left us!

They tell us, sir, that we are weak—unable to cope with so formidable an adversary. But when shall we be stronger? Will it be the next week, or the next year? Will it be when we are totally disarmed, and when a British guard shall be stationed in every house? Shall we gather strength by irresolution and inaction? Shall we acquire the means of effectual resistance by lying supinely on our backs, and hugging the delusive phantom of Hope, until our enemies shall have bound us hand and foot? Sir, we are not weak, if we make a proper use of those means which the God of nature hath placed in our power. Three millions of people, armed in the holy cause of liberty, and in such a country as that which we possess, are invincible by any force which our enemy can send against us. Besides, sir, we shall not fight our battles alone. There is a just God who presides over the destinies of nations, and who will raise up friends to fight our battles for us. The battle, sir, is not to the strong alone; it is to the vigilant, the active, the brave. Besides, sir, we have no election. If we were base enough to desire it, it is now too late to retire from the contest. There is no retreat, but in submission and slavery! Our chains are forged, their clanking may be heard on the plains of Boston! The war is inevitable—and let it come! I repeat it, sir, let it come!

It is in vain, sir, to extenuate the matter. Gentlemen may cry, peace, peace—but there is no peace. The war is actually begun. The next gale that sweeps from the North will bring to our ears the clash of resounding arms! Our brethren are already in the field! Why stand we here idle? What is it that gentlemen wish? What would they have? Is life so dear, or peace so sweet, as to be purchased at the price of chains and slavery? Forbid it, Almighty God! I know not what course others may take; but as for me, give me liberty or give me death!

The President: The question is on the adoption of the resolutions of the gentleman from Hanover. As many as are in favor will say aye—as many as are opposed will say no. The ayes have it and the resolutions are adopted.

MEMBERS OF THE CONVENTION PRESENT ON MONDAY, MARCH 23, 1775

Peyton Randolph, from City of Williamsburg.

Isaac Smith, from Accomac.

Thomas Jefferson and John Walker, from Albemarle.

John Tabb and John Winn, from Amelia.

William Cabell, Jr., and Joseph Cabell, from Amherst.

Thomas Lewis and Samuel McDowell and John Harvie, from Augusta.

John Talbot and Charles Lynch, from Bedford.

Andrew Lewis and John Bowyer, from Botetourt.

Frederick Maclin and Henry Tazewell, from Brunswick.

John Nicholas and Anthony Winston, from Buckingham.

Robert Rutherford and Adam Stephen, from Berkle.

Edmund Pendleton and James Taylor, from Caroline.

Benjamin Harrison and William Acrill, from Charles City.

Paul Carrington and Isaac Read, from Charlotte.

Archibald Cary and Benjamin Watkins, from Chesterfield.

Henry Pendelton and Henry Field, from Culpeper.

William Fleming and John Mayo, from Cumberland.

John Banister and William Watkins, from Dinwiddie.

Johnathan Clarke and Peter Muehlenburgh, Clerk of Dunmore County.

Henry King and Worlich Westwood, from Elizabeth City.

James Edmundson and Merriwether Smith, from Essex.

George Washington and Charles Broadwater, from Fairfax.

Thomas Marshall and James Scott, from Fauquier.

Isaac Zane and Charles Minn Thurston, Clerk of Frederick.

William Christian, from Fincastle.

Thomas Whiting and Lewis Burwell, from Gloucester.

John Woodson and Thomas Mann Randolph, from Goochland.

Nathaniel Terry and Micajah Watkins, from Halifax.

James Mercer, from Hampshire.

Patrick Henry and John Cyme, from Hanover.

Richard Adams and Samuel DuVal, from Henrico.

Robert C. Nicholas and William Norvell, from James City.

John S. Willis and Josiah Parker, from Isle of Wight.

Joseph Jones and William Fitzhugh, from King George.

George Brooker and George Lyne, from King and Queen.

Carter Braxton and William Aylett, from King William.

James Selden and Charles Carter, from Lancaster.

Francis Peyton and Josiah Clayham, from Loudoun.

Thomas Johnson and Thomas Walker, from Louisa.

Richard Claiborne and David Garland, from Lunenburg.

Edmund Berkley, from Middlesex.

Robert Burton and Bennett Goode, from Mecklenburg.

Lemuel Riddick and William Riddick, from Nansemond.

Burwell Bassett and Bartholomew Dandridge, from New Kent.

Thomas Newton, Jr., and James Holt, from Norfolk.

John Burton, from Northampton.

Rodham Nenner and Thomas Jones, from Northumberland.

Thomas Barbour and James Taylor, from Orange.

Peter Perkins and Benjamin Lankford, from Pittsylvania.

Robert Lawson and John Nash, from Prince Edward.

Richard Bland and Peter Poythress, from Prince George.

William Robinson and Christopher Wright, from Princess Anne.

Henry Lee and Thomas Blackburn, from Prince William.

Robert Wormley Carter and Francis Lightfoot Lee, of Richmond.

Edwin Gray and Henry Taylor, from Southampton.

George Stubblefield and Mann Page, Jr., from Spotsylvania.

John Alexander and Charles Carter, from Stafford.

Allen Cocke and Nicholas Faulcon, Jr., from Surry.

David Macon and Henry Gee, from Sussex.

William Langhorne, from Warrick.

Richard Henry Lee and Richard Lee, from Westmoreland.

Dudley Diggs and Thomas Nelson, from York.

Champion Travis, from Jamestown.

John Hutchings, from Norfolk borough.

The Hon. Peyton Randolph was President.

John Tazewell, Clerk.

THE POWER AUTHORITY OF THE STATE OF NEW YORK—PART I: A FUNNY KIND OF PUBLIC POWER

(Mr. OTTINGER asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. OTTINGER. Mr. Speaker, within the past 2 months, it has been revealed that the Power Authority of the State of New York—PASNY—the pioneer agency in the development of public power in this country, has entered into a strange and highly unusual agreement with the private power interests in New York. The record now shows that the effect—and perhaps the purpose—of this arrangement will be to strengthen the

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private power monopoly in the growing nuclear power market in New York and undermine efforts to develop a low-cost public power resource to fight rising consumer electric bills.

The agreement was first exposed this past January as a result of the superb investigative reporting of Alan Emory in the Watertown, N.Y., Daily Times. The agreement calls for PASNY to join with the State's second largest private utility, Niagara-Mohawk Power Corp. in the construction and operation of a 845-megawatt nuclear powerplant on Lake Ontario near Oswego, N.Y.

POWER "WINDFALL"

Such an arrangement between a public agency and a private utility is entirely without precedent in the important and growing nuclear power field. But this is by no means the most remarkable aspect of the arrangement. Its most striking feature is its terms. Under the present proposal, the entire cost of the project—an investment of $222 million—will be borne by PASNY. Niagara Mohawk's only contribution will be to operate the facility. Neither PASNY nor Niagara Mohawk has spelled out the detailed terms under which Niagara Mohawk will provide expert personnel, but it seems highly unlikely that Niagara Mohawk's customers or stockholders would permit the corporation to contribute staff entirely as a public service.

Even better from Niagara Mohawk's point of view, the plant is to be located in the heart of Niagara Mohawk's service area barely 3,000 feet from a soon-to-be-completed Niagara Mohawk plant on a 702-acre plot PASNY has acquired for $805,000 from—guess who—Niagara Mohawk, of course. In very simple terms, the proposed joint facility will be a captive plant in the Niagara Mohawk system. Its power will be transmitted through Niagara Mohawk lines and excess will be available for the private utility's customers.

NUCLEAR WHITE ELEPHANT

As a tasty side dish to this highly unusual arrangement, PASNY has elected not to seek out the very best in modern technological development by acquiring the plant through open competitive bidding. Instead, the public power agency has quietly taken over a 2-year-old nuclear "white elephant" which Niagara Mohawk had contracted for Easton, N.Y., on the Hudson River. When engineering problems forced Niagara Mohawk to abandon the Easton project, the company was left with about $40 million in commitments with General Electric Co. for nuclear components and other equipment, which PASNY has now obligingly assumed.

It seems that the only element of public power in this arrangement is that PASNY is to put up all the money.

When this project was brought to the attention of Vermont's distinguished Senator GEORGE AIKEN, he commented with characteristic understatement, "That's a funny kind of public power."

In fact, the joint proposal is not public power at all. And as new details regarding the joint venture are exposed, it becomes increasingly clear that PASNY's involvement with the private utility interests have become so deep and so clouded as to jeopardize the very concept of public power itself.

INVESTIGATION OPENED

To protect the interests of New York State consumers and ratepayers, the distinguished minority leaders of the New York State Legislature, Senator Joseph Zaretzki and Assemblyman Stanley Steingut, have appointed an outstanding joint minority committee to investigate the PASNY-Niagara-Mohawk arrangement. The members of this committee will include Senators Paul Bookson, New York County, and James E. Powers, Monroe County, and Assemblymen Arthur J. Kremer, Nassau County, and Charles F. Stockmeister, Kings County. I am confident that this committee will thoroughly investigate the PASNY-Niagara-Mohawk "deal" and will recommend appropriate legislative action in the public interest.

The broader implications of this arrangement between a public power agency and a private power utility are quite serious and the public interest demands not only that this particular agreement be fully aired but that the basic questions of the purpose of public power and the responsibility of public power agencies be thoroughly reviewed and discussed. I propose to deal with all of these in a series of statements in the RECORD, beginning today with the introduction of the various news stories which reported the step-by-step exposure of the PASNY-Niagara-Mohawk agreement. The news stories follow:

[From the Watertown (N.Y.) Daily Times. Jan. 13, 1969]

STATE TO CONTRACT NUCLEAR OPERATION WITH POWER FIRM

WASHINGTON.—The New York State Power authority told the atomic energy commission today it planned to have its proposed new nuclear power plant near Oswego operated by the Niagara Power corporation under contract with the state agency.

The state and Niagara Mohawk have applied jointly to the A.E.C. for a permit to build the plant on the southeast shore of Lake Ontario, about seven miles northeast of Oswego on a site adjacent to Niagara Mohawk's nine mile point nuclear power station. The latter is nearing completion.

The application for the new facility placed the estimated cost, including nuclear fuel at $222,000,000. It said the plant was scheduled for commercial operation by May, 1973

It will be known as the James A. FitzPatrick nuclear power plant, named after the chairman of the power authority.

The facility will use a boiling water reactor and have a gross electrical output of about 848,000 kilowatts.

Stone & Weber Engineering corporation is the architect-engineer for the project and will manage plant construction. General Electric company will furnish the nuclear steam supply system, turbine generator and other major components.

The joint application will be reviewed by A.E.C.'s regulatory staff and its advisory committee on reactor safeguards and a public hearing will precede any commission determination.

The new Oswego plant was proposed after Niagara Mohawk dropped plans for an atomic facility at Easton, N.Y., on the Hudson River. Objections had been raised by the state health and conservation departments and private conservation groups.

The land for the new plant was provided by Niagara Mohawk, and the state agreed to use equipment the utility firm had arranged to provide for the Easton operation.

Announcement of the substitute proposal was made early in August.

UTILITY NOT TO OPERATE NINE MILE POINT PLANT POWER AUTHORITY ASSERTS

NEW YORK.—The State Power authority today denied that its proposed 800,000 kilowatt nuclear power facility at Nine Mile Point, Oswego county, would be operated by the Niagara Mohawk Power corporation.

Announcement that the state and Niagara Mohawk had applied to the Atomic Energy commission for permit to build a plant on the shores of Lake Ontario was disclosed in Washington Monday.

A spokesman for the Power authority said that no contract had yet been negotiated with Niagara Mohawk but that whatever arrangement is made will be applicable only to taking advantage of specialized personnel including those highly skilled in the laboratory, technical, safety and maintenance field of nuclear powered electrical generation.

Because of the rigid requirements of the Atomic Energy commission in the above fields, the spokesman declared, it was a matter of "good economics" to take advantage of highly trained people who are associated with the Niagara Mohawk nuclear plant nearing completion at Nine Mile Point.

"This kind of special personnel is very hard to come by," the spokesman said, "and it only makes good sense to make use of those available and nearby."

The arrangement, he added, would be applicable only to the initial operation of the new Power authority plant expected to be ready in 1973.

"We will relinquish none of our authority in the running of the new plant," the spokesman declared.

The administration of the facility will be the responsibility of the Power authority. The spokesman said that the authority had already hired a chief nuclear engineer whose duties at the Nine Mile Point plant will be similar to those of the Power authority's chief resident engineers at Niagara Falls and Massena.

The authority for the sale and distribution of Power will not be relinquished to anyone. "It will remain with the Power authority," the spokesman added.

Heading the operation for the authority, when the facility is completed will be Ira Stubbart, a graduate of the U.S. Naval academy, and a nuclear specialist who has been associated in nuclear work at various points in the United States.

"We haven't got far enough into this yet to know exactly what the A.E.C. will require. We recognize the problem of getting personnel with the proliferation of nuclear power plant construction," the spokesman went on.

"It is only prudent business management," he said, of contracting to get the trained and licensed competent personnel.

Niagara Mohawk has been and is training people needed for this kind of work.

The spokesman emphasized again that the Power authority owns the site for its new plant, bought from Niagara Mohawk, and that the assignment of the General Electric reactor has been taken also from the utility.

How long the contract with the utility will last can not now be determined, the spokesman declared, but presumably it would be terminated at a time reflecting the best interests of the Power authority.

STORMY REACTION EXPECTED TO POWER PLANT APPLICATION

WASHINGTON.—A stormy reaction was predicted here today to the joint application of

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the New York state power authority and the Niagara Mohawk Power corporation for licenses to operate a new atomic power plant near Oswego.

A brief survey of the application, which calls for two licenses, shows the power authority would build the plant and own the site, but would have Niagara Mohawk review the work and operate the plant, under contract, with its own personnel.

The power authority says it might decide to take over operation some time in the future, but leaves this question open and sets no time for a change.

The application says the new plant is designed to "optimize" the power output from the St. Lawrence and Niagara hydro-electric power plants and provide needed electric energy to high-load industry and to municipalities and rural cooperatives.

Any power left over, the application says, will be sold to other members of the New York state power pool.

Operation by Niagara Mohawk personnel, according to the power authority, will permit coordination with the utility firm's nearby facility at Nine Mile Point.

Niagara Mohawk, under the application, would have the responsibility for all safety measures at the production plant.

The application classifies the plant as a "research and development facility," a label formerly sought by utility firms to avoid intensive government regulation.

The question of whether electric power can be sold publicly by a research and development plant has triggered bitter political arguments around the country and is certain to arise again when the application is considered.

Some Washington observers have already called the research and development tag a misnomer since the plant's obvious goal is merely to sell electricity.

The application calls for two 40-year licenses, one to the power authority, the other to Niagara Mohawk.

It authorizes Niagara Mohawk personnel to engage in "appropriate" roles in running the facility and says power company people will initiate plant tests.

Listed as counsel in the application are Thomas Moore, power authority chief counsel, and Arvin E. Upton, member of a Washington law firm that represents Niagara Mohawk.

The application was signed by W. S. Chapin, power authority general manager, and Lauman Martin, Niagara Mohawk's senior vice president.

Senator Aiken Urges Careful Study on Power Unit-Utility Proposal

WASHINGTON.—Sen. George D. Aiken today warned New Yorkers to "consider very carefully" the proposed New York State Power authority-Niagara Mohawk Power corporation plan for a new atomic power plant in Oswego county.

"Otherwise," he declared, "they will find they have bought a pig in a poke."

The Vermont Republican is a member of the joint congressional committee on atomic energy.

Aiken is sponsor of legislation to broaden federal control over atomic power plants. Now regulation is limited to safety, medical and research activities.

The senator called for "good, thorough public hearings" on the James A. FitzPatrick plant, slated to be constructed 3,000 feet east of Niagara Mohawk's Nine Mile Point plant.

The state-utility application says Niagara Mohawk will operate the plant with its own personnel under contract with the state and be responsible for all safety measures. The state. the application says, will act as Niagara Mohawk's "agent" in dealings with the Atomic Energy commission here.

When Aiken was asked if he had ever heard of a similar arrangement, he replied, "I have now."

The senator pointed out that only builders of hydro-electric power plants now have to submit to federal regulation. Operators of steam and atomic plants have no such problem.

"The time has come for a different setup for licensing and regulating power plants so they are operated on a fair and uniform basis," he said.

"Atomic power plants should be considered in a different light than just medical, research and therapy," Aiken declared.

Controversy on Nuclear Plant Arrangement Being Intensified

(By Alan Emory)

WASHINGTON.—Crisscrossing lines of responsibility in the New York State Power authority-Niagara Mohawk Power corporation joint bid to build a nuclear power plant 3,000 feet east of the Nine Mile Point station have intensified the controversy over the proposal.

The plant was promoted as a state project, but the application states that Niagara Mohawk will operate it and have responsibility for its safety and that the state will act as the utility company's agent in dealings with the Atomic Energy commission.

Despite this operating strength by the company, the state is paying for the plant and the land and is the owner.

CONTRACT?

Although Power authority officials deny the state has any contract with Niagara Mohawk to run the plant, the application states flatly, "This facility will be operated by Niagara Mohawk, with Niagara Mohawk personnel, under contract with PASNY."

The Power authority says it "may at some future time make application" to the Atomic Energy commission to become "the sole operator" of the plant.

According to the joint application, Niagara Mohawk designates the Power authority as the utility company's agent to submit pertinent information to the A.E.C. and to receive information and communications from the A.E.C.

The application adds, "Responsibility for the safety and operation of the (James A.) FitzPatrick plant will rest with the production department of Niagara Mohawk. Persons in charge of the operation of the facility will be qualified and licensed as required by the commission."

The application is filed under a section of law that covers non-commercial operations. Reference to the plant as a "utilization" facility is regarded by experts as a neutral label.

FINANCING

The Power authority says $50,000,000 in one-year notes will help finance the project. Costs are listed as $188,000,000 for the plant itself, $7,000,000 for the transmission, distribution and general plant and $27,000,000 for the nuclear fuel inventory for the first core.

The plant will go up on 702 acres of land bought from Niagara Mohawk, with a boiling water reactor using about 240,610 pounds of contained uranium fuel in the first core. Heat produced by the reactor will be used to generate electrical power for sale to high-load-factor industries, municipal and rural electric cooperative customers and other members of the New York power pool.

The reactor will also produce "special nuclear material and by-product material."

Completion of the plant is expected between Dec. 31, 1972, and Sept. 30, 1973.

The output will be about 885 megawatts of electricity and 2,436 megawatts of heat.

NIAGARA MOHAWK

The application states that Niagara Mohawk "has been retained to operate the plant upon completion and perform the initial plant tests in coordination with Stone and Webster," the Boston engineering firm doing the design and engineering.

The power authority said its trustees passed a resolution last Nov. 18 determining that the atomic plant was needed to supply enough energy to make possible maximum use of the St. Lawrence and Niagara projects, to supply low-cost power to high-load-factor industries "which will build new facilities" or expand them in the authority's service area and to supply future needs of the authority's "existing" municipal and rural cooperative customers.

The rest of the power goes to the state power pool and to help meet critical power needs in New York and adjacent states as a result of delays in building several atomic, fossil-fuel and pumped storage power plants, the application says.

The state and utility say the safety of the boiling water-type reactor has been demonstrated by its successful operation and the public will not be endangered. The authority and Niagara Mohawk pledge a joint "comprehensive quality assurance program."

ACTIVITIES

Although the purpose of the plant is to generate electric power for sale, the application states that construction and operation are only "a part" of research and development activities.

These include core spray experiments, work on steam isolation valves and other items, but the application also indicates that the equipment is standard and well tested in other plants.

* * * * *

SAFEGUARDS

Numerous and redundant "safeguards" are incorporated to protect the public from exposure in the event of an accident, the application notes. Radioactivity levels resulting from the combined operation of the FitzPatrick and Nine Mile Point plants will be "within applicable regulatory limits," it adds.

The application also says:

The operator will control the discharge of liquid and gaseous "releases" and radioactive solid wastes will be shipped to a disposal area approved by the A.E.C.

"There are no industrial, agricultural or residential factors present which would tend to limit plant operation."

Two full-size quick-starting on-site diesel engine driven generator systems operate if alternating current service power is lost, and two battery systems come into use with a shutdown or accident.

Earthquake possibilities in the St. Lawrence valley are unlikely to have major impact on the plant. The nearest quake spots are near Lowville, where there was a severe tremor in 1853, and Attica, but the geology of neither has the quake potential of the St. Lawrence area.

STATE ATOM ELECTRICITY

The New York State Power Authority takes a narrow view of its responsibility as an agency of the people. The authority's joint proposal with the Niagara Mohawk power corporation for the authority to build and the utility to operate the Fitzpatrick atomic plant at Oswego is not within the public power policy as enunciated and understood either by the authority or by New York state in the past. By past the reference is to the hydroelectric development at Massena and the redevelopment at Niagara where the power plants generate a total of 2,750,000 kilowatts.

The public power principle is that the resources of the people, the water power of the St. Lawrence and the Niagara, are developed by the public agency in the interests of low-cost electricity. Atomic power is similarly a public resource because it was pioneered and made usable by the federal gov-

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ernment through the investment of public monies, first for purposes of atomic weapons in World War II, and since then for peaceful utilization of atoms.

Niagara Mohawk at Nine Mile Point is in the final phases of construction for its own atomic power plant, an installation that exemplifies the imaginative enterprise of the modern day power corporation. This represents an investment by the utility toward the future electrical requirements of upstate New York. Niagara Mohawk planned and scheduled its huge investment almost six years ago. The decision was both hard and realistic, exactly the kind that a private corporation should make.

The power authority, which we have been led to believe has a separate role in power production, undertook the St. Lawrence and Niagara hydro plants 14 years ago as the first steps in asserting a responsibility toward the electrical energy production, demand for which was growing very fast. The authority at the time made the decision that for the present its best interests would be for hydro plants which would be succeeded in construction at the appropriate time by atomic plants.

Two years ago the authority backslid from its atomic ambitions and its plans for the future seemed only to include hydro and either an acquiescence or an agreement that electricity from nuclear energy would be the sole province of the private utilities. In 1967 protest against this restricted ambition of the authority resulted a year later in establishing through new law an atomic career for the authority.

A few months ago the authority announced that its first nuclear powered plant would be built adjacent to the Niagara Mohawk plant at Oswego. For a public and private plant to be located adjacently was not novel; however, now comes the plan for utilization of the state-owned generating station, a $250,000,000 to $300,000,000 publicly owned power plant. It is no more appropriate for the private utility to operate the public plant than it would be appropriate for the public authority to operate the private utility.

The two systems are based on different philosophies. One is a profit enterprise; the other is non-profit. Nowhere else in the country are private utilities running a public power agency. In view of the citizen concern expressed last year in Albany to make a clear assignment to the authority, it would appear that the biggest single public power agency in the state is showing the back of its hand to the very job it was supposed to do.

Governor Rockefeller should insist that the power authority recall its present application before the Atomic Energy commission and re-do the detail in such a fashion as to assure the federal government, the state of New York, and the people of this state that not only will the Oswego project be public from beginning to end, but that its development will be to expand electricity production at the lowest possible cost in behalf of the public which owns the resource. The application should further indicate that as a part of research and development, this will be the first in a series of state-owned nuclear generating facilities. Further, the application should make clear that the research and development which is undertaken at Oswego will be for the purpose of spawning new authority plants, their equipping, and manning.

Funny Kind of Public Power

(By Alan S. Emory)

The assumption by some of the industrial powers of the country that the people are just suckers at heart or not in the least interested in what is going on around them may or may not be a fact, but a couple of events here make a strong case for the affirmative.

The first is the joint application of the New York State Power authority and the Niagara Mohawk Power corporation for an atomic power plant license from the Atomic Energy commission. It may be untrue that the real plan is for the New York taxpayers to foot a $222,000,000 bill so Niagara Mohawk can have another nuclear power plant without having to pay for it.

It is undoubtedly true that there is a shortage of skilled technical talent although whether the power authority has to borrow from Niagara Mohawk may be open to challenge. The difficulty lies in the way the power authority went about it.

First, the power authority tells people in the utility field the Atomic Energy commission is wrong to say the state plans to have Niagara Mohawk run the plant under contract. Then the power authority tells an inquiring reporter there is no such arrangement with Niagara Mohawk.

The only trouble is, the application on file in Washington says so, in black and white, and in language that every one can understand. What is even worse, the application says the power authority will act as the utility company's "agent" in dealings with the A.E.C., rather than the other way around.

As Vermont Sen. George D. Aiken says, "That's a funny kind of public power."

The other case involves the decision by Alco Products, Inc., and its parent, Studebaker-Worthington corporation, to sell its plants in Schenectady and Auburn, as well as in Pennsylvania and Illinois. One of the top Studebaker-Worthington officials explains it by saying his firm is in the business of buying and selling other businesses, and whether this involves any moral obligations to the communities or people concerned is "a matter of interpretation."

When a corporate monster like Studebaker-Worthington appears everything disappears beneath the layers of corporate maneuvering. Subsidiary companies spring up overnight and the workers rarely realize who they are really working for. The parent firms are looking for quick profits or tax breaks incurred by purchasing, then unloading, a losing company.

Sometimes the result is that workers, like those Studebaker employes in Indiana, wind up with 15 cents on their pension dollar. Others, like those in Schenectady, are offered the alternative of moving to Montreal or risking their pension investments.

Studebaker-Worthington, as a matter of fact, has been gung ho for business for its Montreal plant, even though this meant business the plant in Schenectady would not get. Canada's gain was upstate New York's loss.

The picture was nearly complete when Alco's president, E. C. Forbes, flatly denied he had said, "Today we find ourselves in the difficult position of burying the body that has taken 15 years to die," only to be confronted with the press release he had issued with the exact quote, word for word.

What hope is there for the consumer or the worker and, in both of these cases, the ordinary citizen of New York state? Aiken and other senators are trying to win approval of a bill that would firm up federal regulation of all power plants—atomic and coal-fired, as well as hydroelectric—and provide some uniform control over the whole field.

The Federal Trade Commission and the house judiciary committee are both preparing investigations of the corporate "conglomerates" that play chess games with people, plants and communities as pawns and use tax loopholes for the rule book. The findings could be eye-popping.

Taking on the big guys entails some political risk, but the satisfaction of public service in keeping things on the up-and-up often makes the risk worthwhile.

FitzPatrick Says Authority Trying To Minimize Costs for State's New Nuclear Station

(By John B. Johnson, Jr.)

Oswego.—Flanked by the president and two senior vice presidents of the Niagara Mohawk Power corporation, the chairman of the State Power Authority Tuesday night explained the philosophy that someday may make this lakeside community the nuclear power generating capital of the nation.

James A. FitzPatrick, the Plattsburgh lawyer, and Power authority chairman, told an audience of about 400 packed in the ballroom of the aging Hotel Pontiac that the authority was directing its efforts to minimizing costs in the installation of the 800,000 kilowatt, state nuclear power station.

"The Power authority's task at the Nine Mile Point site will be to provide reliable electric power to its designated customers at the lowest possible cost," Mr. FitzPatrick said.

Continuing, the chairman said:

"Should the arrangements it makes or the methods it employs be inconsistent with this purpose, then we should be properly subject to challenge in the public interest.

NEEDLESS DELAY

"Unless or until such inconsistency can be demonstrated, however, all interested in the success of the project should bear in mind that every premature or needless challenge means needless delay. Every delay means extra costs and every extra cost means a higher price for each kilowatt of electricity produced.

"We do not seek immunity from challenge neither do we claim infallibility. We seek only thoughtful and careful analysis of our activities and an opportunity, in our common interest, to be heard first on questions materially affecting the success of our mission."

The head table for the annual Greater Oswego chamber of commerce dinner was symbolic of the nuclear power arrangement unfolding here. James A. O'Neil, president of Niagara Mohawk, and Mr. FitzPatrick are the heads of the two power agencies developing the Nine Mile Point site.

Mr. O'Neil's private power company is completing the building of a 750,000 kilowatt nuclear facility, and this past summer the Power Authority announced that it would build a plant 3,200 feet away from the Niagara Mohawk plant.

"This is the site of one of the most outstanding examples of cooperation between private and public entities ever in the state of New York," Mr. FitzPatrick said.

SITE UPROAR

This new state-owned facility will be built around a nuclear reactor that Niagara Mohawk had ordered in 1966 for installation at a plant at Easton on the Hudson river.

That plant site was the subject of an uproar from conservationists and despite the advanced state of planning was crossed off the list of plant sites.

At the same time the Power authority was studying possible atomic power sites as part of its 1968 mandate from the state legislature to build atomic generating stations to sell power for the benefit of the people.

"While this study was in progress," Mr. FitzPatcrick said, "it was learned that Niagara Mohawk had encountered delays at Easton . . . These delays caused Niagara Mohawk to postpone its construction and to seek other arrangements for more promptly supplying its needs in the eastern section of its franchise territory.

"Thus, it came about that in August, 1968,

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only two months after enactment of the enabling legislation, the authority entered into an understanding with Niagara Mohawk which later became the subject of a written agreement by which the authority was given assignment of the contractual commitments which Niagara Mohawk had made with the General Electric company for much of the equipment intended for installation at Easton."

CONTRACTS

By picking up the Niagara Mohawk contracts, Mr. FitzPatrick argued that the authority was buying a nuclear power station in 1969 for 1966 prices. He said that the work Niagara Mohawk had already done has meant a savings of two years in total project time and that will mean an ultimate construction cost savings of about $15,000,000.

But the relationship to Niagara Mohawk is significantly closer than use of equipment they could not use profitably, Mr. FitzPatrick explained.

The authority has agreed to hire Niagara Mohawk engineers and maintenance men to run the state plant. Mr. FitzPatrick cited as reason a distinct shortage of trained men who have the necessary knowledge to undertake operation of nuclear power generating facilities.

Furthermore, he said, the authority itself has never generated electricity with steam turbines, only with water-propelled turbines. The authority lacks the experience to operate this type of plant, he added.

Mr. FitzPatrick declared that with the plants on the same site the use of Niagara Mohawk personnel would mean extensive cost savings to both the authority and Niagara Mohawk. The nuclear plants run almost untended except during refueling time, he said. It is in this six-week period that maintenance is done, Mr. FitzPatrick continued. With the plants being refueled at different times in the year, one staff can handle both, he contended.

Asked if the contract had to be put out for bid, the chairman said "no," that the authority had the "responsibility" to "minimize" costs in any way it could, and that there was no other company that "could possibly meet" the price that Niagara Mohawk would be able to submit.

The power that the plant will generate will be owned by the people of state of New York, for use in firming the hydro-electric power from Massena and Niagara Falls, for industry that demands a great deal of electrical power such as aluminum, to supply needs of the municipal and rural cooperatives now buying power, and to assist in maintaining an adequate dependable power supply for the state the chairman said.

COST FACTOR

While Mr. FitzPatrick stressed that minimization of cost was the critical factor in the close alliance between the public and the private utility, he emphasized that elsewhere in the country public and private power generating utilities are building joint facilities.

"No longer is it feasible," Mr. FitzPatrick said, "for each utility to stand alone or for public agencies to remain aloof from the integrated transmission network which now connects the various regions in the United States with each other and with Canada.

"Throughout the country," he declared, "public agencies are attempting to either build large units and sell excess power to private utilities or obtain an interest in large units built and operated by private companies."

Mr. FitzPatrick cited projects in Four Corners, N.M., and Mohave, Nev., as examples of the joint operation of power stations. In these cases the plants are fossil fuel rather than nuclear power plants.

Mr. FitzPatrick was introduced by Rep. Robert C. McEwen, R., Ogdensburg.

STATE POWER AUTHORITY ACCUSED OF FUND USE TO AID MONOPOLY

(By Alan Emory)

WASHINGTON.—Rep. Richard L. Ottinger today accused the New York State Power authority of using public funds "to subsidize the private utility monopoly over nuclear power in New York."

The Westchester County Democrat charged that the authority plan to build a $222,000,000 atomic facility on Lake Ontario—with the Niagara Mohawk Power Corporation operating the plant with its own personnel, under contract to the state—represented "a wholly unwarranted subsidy of a private utility by a public agency of the state."

Ottinger told newsmen at a press conference in New York City the plan was "nothing more than a scheme to prevent the development of a low-cost power source to fight rising electric rates in the state."

The congressman, a member of the house communications and power sub-committee, said he had asked the atomic energy commission to reject the joint state-Niagara Mohawk application for the plant.

TAXPAYERS EXPENSE

Power authority sale of revenue bonds to finance the plant, transmission lines and nuclear core, Ottinger charged, would give the utility a "windfall" at taxpayers expense.

The state proposes to build the 838-megawatt plant on 702 acres of land bought from Niagara Mohawk and located 3,200 feet from the company's 750-megawatt Nine Mile Point plant.

Ottinger said the A.E.C. should reject the application because the project was designed to strengthen the existing private utility monopoly over the rapidly-growing nuclear power market, "it could well strike a death blow at efforts to hold down rising electric power costs by developing a low-cost public power yardstick in the nuclear field" and would do all this at the expense of the New York taxpayer.

"Niagara Mohawk's only investment in this windfall is to supply personnel and to operate the facility," Ottinger said.

The New Yorker called the plan a "partial repetition" of the Rockefeller administration's 1967 effort to shut the Power authority out of the nuclear field. When that failed a special Commission named by Governor Rockefeller recommended Dec. 20, 1967, that a significant role be given to the Power authority in developing atomic power resources.

"FUNNY POWER"

"The only significance in the role of the Power authority in this new plan is that it will put up all the money," said Ottinger. "As Sen. George Aiken of Vermont said, " 'That's a funny kind of public power.' "

Ottinger said the state law placing the Power authority in the nuclear field aimed at selling power "for the benefit of the people," while building a plant for the state's second largest private utility to operate was "nothing more than a traversity of the authority's legislative mandate."

Ottinger said "serious questions" had been raised by the way the Power authority entered into the arrangement with Niagara Mohawk, without any competitive bidding.

He cited Power authority Chairman James A. FitzPatrick's statement the authority obtained contract commitments Niagara Mohawk had already made with the General Electric company two years before because Niagara Mohawk dropped plans to build a plant on the Hudson river near Easton.

The arrangements were made three months after the legislature authorized the authority to get into the nuclear field.

TRAINED PERSONNEL

However, the congressman noted, FitzPatrick had claimed the state lacked trained personnel to plan and operate a nuclear facility.

In that case, he asked, "where did they get the trained personnel to evaluate the acquire Niagara Mohawk's extensive commitments in scarcely three months? This strains credibility beyond reason. Perhaps they got this expertise from the same place they plan to get their operating expertise."

Ottinger said the proposal benefited Niagara Mohawk by allowing it, "at no risk whatsoever and with no capital investment," to boost the capacity of its present Nine Mile Point plant, with excess power from the new plant becoming available for Niagara Mohawk customers.

If, as FitzPatrick claimed, the authority did not have trained men to operate an atomic power facility, Ottinger observed, the power authority should start now to develop the expertise and staffing needed to carry forward aggressively the legislative mandate to develop nuclear power for the people.

He criticized the lack of effective coordinated management that would "never be corrected by the use of personnel from the existing systems" in New York, noting that Niagara Mohawk, while second in plant, generation, sales and revenue in the state, was third from the bottom in profits.

"This is the expertise the power authority wants," he commented sarcastically.

LITTLE INFORMATION

According to Ottinger, the state application is "singularly barren of financial or operating information." He posed these questions today:

What is the extent of Niagara Mohawk's financial benefit from the project, or was it propsing to provide operating personnel and staff on a non-profit basis?

Why didn't the power authority let bids instead of buying land from Niagara Mohawk, taking over existing Niagara Mohawk contracts with General Electric and adopting all the pre-planning Niagara Mohawk had done on the project?

FitzPatrick said in Oswego Wednesday night this saved the state $15,000,000, but Ottinger asked today what evidence the chairman had for his estimate.

Ottinger also wondered aloud who would buy the tax-exempt bonds the power authority would issue to finance the plant, what commercial customers would benefit from the preferential rates authorized for the power authority and what benefits, if any, would get to the average New York citizen.

"It is vital that we dig" to get the answers, he declared.

HIGH RATES

Ottinger pointed out that New York state's electrical rates were second only to Alaska's in some residential categories and were the highest in the nation in one commercial category according to federal power commission figures.

The F.P.C. says that while New York's average monthly bill in one commercial category rose $6.54, the national increase was 44 cents; in neighboring Pennsylvania it dropped three cents.

In a consumer category New York's bill went up 60 cents, compared with three cents nationally, and Pennsylvania's dropped two cents. New York's average residential power bill has jumped from fourth to second highest in the country.

Ottinger said the state's unfavorable position was influenced by "the lack of a strong backbone of public power which can provide both a low-cost source of power and a yardstick to control power costs." He added, 'A public power yardstick is the most effective tool for holding down electric costs. In the Tennessee Valley authority and Bonneville service areas, electric costs are one-half to one-third the cost in New York."

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[From the New York (N.Y.) Post, Feb. 3, 1969]

OTTINGER LAMBASTES UTILITY'S NUCLEAR PLUM

Rep. Ottinger (D-N.Y.), today accused the State Power Authority of "using public funds to subsidize the private utility monopoly over nuclear power in New York."

In remarks prepared for delivery at a news conference at the New York Hilton Hotel, Ottinger said he has called on the Atomic Energy Commission to reject the Power Authority's application to build a $222 million nuclear power plant for the Niagara-Mohawk Power Corp. on Lake Ontario.

"This is nothing more than a scheme to prevent the development of a low-cost public power source to fight rising electric rates in the state," Ottinger said.

The cost of the proposed plant, Ottinger said, would be funded by the sale of state revenue bonds, with Niagara-Mohawk supplying only the personnel to operate the 800-Megawatt facility. The plant would be built on a 702-acre site which the Power Authority has purchased from Niagara-Mohawk, he said.

A BOON TO THE COMPANY

Ottinger noted that Niagara-Mohawk "will, at no risk whatsoever, and with no capital investment, more than double the nuclear capacity of its 750-megawatt Nine Mile Point facility near Oswego, which is nearing completion barely 300 feet from the proposed plant.

"Excess power from the 'joint' venture will be able to serve Niagara-Mohawk's customers," he pointed out.

Ottinger warned of even higher rates for electric power in New York, "outdistanced only by Alaska" in its high cost to the consumer.

He denied that the proposed plant was anything like the "public power yardstick" envisioned by the nuclear generating stations to sell power for the benefit of the people.

"To propose such a facility staffed and operated by the state's second largest private utility is nothing more than a travesty of the Authority's legislative mandate," Ottinger said.

"BACKBONE" NEEDED

He added that both "the lack of a public power backbone" and the lack of effective utility management were responsible for high electric rates in the state. Only the development of better management skills by the Power Authority can correct this situation, he said.

"At the very best," Ottinger said, "Niagara-Mohawk people would be running the plant and serving two masters—public and private power. We cannot permit this conflict to arise."

[From the Albany (N.Y.) Times-Union, Feb. 4, 1969]

OTTINGER RAPS POWER DEAL

NEW YORK.—Rep. Richard L. Ottinger said Monday he has requested the Atomic Energy Commission to reject a State Power Authority application to build a nuclear power plant because of "suspicious" financial arrangements.

The Westchester Democrat charged at a news conference there has been no public revelation of the financial details of an agreement between the authority and the Niagara-Mohawk Power Corp.

(In Albany, a Niagara-Mohawk spokesman said the utility would not comment because it had not seen a text of Ottinger's statement.)

Ottinger, a member of a House communications and power subcommittee, said the authority purchased 702 acres of land on the shores of Lake Ontario from Niagara-Mohawk and plans to finance a $222-million nuclear power plant, which the private firm will operate.

"The project represents a wholly unwarranted subsidy of a private utility by a public agency of the state," Ottinger said. "Niagara-Mohawk's only investment in this 800 megawatt 'windfall' is to supply personnel and to operate the facility."

The authority submitted its application for AEC approval of the project on Dec. 31. If approved, the plant would be in operation sometime in 1972.

Ottinger called the contract arrangement "unusual and disturbing." He charged the Power Authority has not yet revealed the price of the 702 acres of land it purchased from Niagara-Mohawk and that the amount of land "seems a bit excessive."

[From the Watertown (N.Y.) Daily Times, Feb. 4, 1969]

OTTINGER BLASTS NUCLEAR PLAN—LAND AND REACTOR DEALS ARE HIT

(By John Gilmore)

The tale of two nuclear power plants had Oswego in a crossfire between a Westchester congressman and the New York Power Authority chairman today.

However, neither Rep. Richard Ottinger, D-N.Y., nor James A. FitzPatrick of Plattsburgh, authority chairman, managed to touch upon the central feature of their dispute—and the reasons plans for similar nuclear plants have been cancelled on Cayuga Lake near Ithaca and the Hudson River at Easton, across from the Saratoga battlefield.

Those plants were cancelled because of "thermal pollution."

The spat began when Ottinger charged at a New York news conference Monday that "suspicious" financial arrangements had been made between the authority and Niagara Mohawk Power Corp.

Ottinger said he would recommend that the Atomic Energy Commission reject the state permit to build the plant.

FitzPatrick replied that perhaps Ottinger was confused, because there are actually two nuclear power plants at Nine Mile point near Oswego and Lake Ontario.

One is a 750-megawatt plant costing approximately $160 million being built by Niagara Mohawk and scheduled for completion late this year.

The second, announced Aug. 8, 1968, is the James A. FitzPatrick nuclear power plant, named after the chairman. It will be a 880-megawatt affair, costing about $220 million.

The FitzPatrick plant, located about 3,000 feet from the Niagara Mohawk plant in Oswego, is an outgrowth of the now-defunct Easton project.

Niagara Mohawk had proposed the Easton project, but decided against it when the Hudson River Valley Commission recommended last March 22 disapproval of the plant. The commission said heated water—or "thermal pollution"—discharged from the plant would destroy wildlife in the river, with "no legal or administrative safeguard" to prevent it. Thermal pollution of Cayuga Lake, reported by conservation groups, resulted in a Dec. 2 cancellation of New York State Electric & Gas Corp. plans to build a similar nuclear plant on Cayuga.

Although Niagara Mohawk decided not to build at Easton, it had still contracted with General Electric Co. to buy a reactor. On Aug. 7, FitzPatrick solved that problem by announcing the state authority would assume Niagara Mohawk's GE contract, buy Niagara Mohawk land at Nine Mile Point, and build a plant that would "supplement power produced by the Niagara and St. Lawrence hydroelectric facilities" and provide power to high-load factor industries and rural utilities.

This arrangement was characterized by Ottinger as representing "a wholly unwarranted subsidy of a private utility by a public agency of the state." Ottinger charged there had been no financial disclosure of the land and reactor deals, and "Niagara Mohawk's only investment in this 800 megawatt 'windfal' is to supply personnel and to operate the facility."

FitzPatrick, replying in Plattsburgh, said it was possible Ottinger was confusing the two plants.

"We purchased the land from Niagara Mohawk for two reasons: the site has already been studied by the AEC, and, since Nine Mile Point will have been in operation several years (by the time the new plant is completed in 1973), we can utilize Niagara Mohawk's experience for routine plant work," FitzPatrick said.

"The reactor was ordered by Niagara Mohawk when it failed to get approval for a nuclear plant at Easton. Instead, we took over the contract, getting a reactor for prices prevalent in 1966, when Niagara placed the order. This amounts to a savings of $15 million in construction costs alone, and permits us to advance the completion date by two full years."

FitzPatrick also said the authority had bought the 702 acres "at cost from Niagara Mohawk," and denied Ottinger's charge that both plants had been evaluated by the same consulting firm.

Ottinger charged the contract with GE had been taken over without bidding or public hearings. "I think the public deserves to know the details of the arrangement and what Niagara Mohawk's benefits will be," Ottinger told newsmen.

He accused the authority with not making it clear to the public just how electricity would be sold, and called the arrangement "a subterfuge of the intent" of state legislation approved last March giving the authority power to operate nuclear plants.

LEGISLATORS TAKING HARD LOOK AT STATE'S NUCLEAR PLANT PLANS

WASHINGTON.—New Yorkers in congress are taking a hard look at the controversial proposal to the Atomic Energy Commission for a $222,000,000 atomic power facility at Nine Mile Point on Lake Ontario.

Other Democrats may follow the lead of Rep. Richard L. Ottinger, D., Westchester, who has charged the New York State Power authority with trying to subsidize a plant for the Niagara Mohawk Power corporation.

Some Republicans, feeling caught in the middle, are trying to come up with a comment that will indicate their concern without seeming to rebuke the Power authority for its close ties with Niagara Mohawk in the new venture.

The Power authority says it will contract with Niagara Mohawk to have utility company personnel operate the plant and be responsible for its safety. This, plus the purchase of equipment Niagara Mohawk had ordered for its planned, but abandoned, facility at Easton, on the Hudson river, would save at least $15,000,000, plus valuable time, according to Authority Chairman James A. FitzPatrick, after whom the atomic plant will be named.

Sen. Jacob K. Javits, R., N.Y., who was critical of Gov. Nelson A. Rockefeller's abortive plan to shut the Power authority out of the nuclear field two years ago, has expressed private concern over the new controversy.

Javits has not yet made a public comment on the issue, but one is expected following the congressional Lincoln Day recess. The senator favors a significant mix of public and private power.

Aides of Sen. Charles E. Goodell, R., N.Y., are ready to brief the senator on the power situation, and two of Goodell's top staffers have worked in Washington state, where public power has strong bi-partisan support.

Goodell has made it clear he is not afraid of bucking state administration policy if he feels it is wrong.

In the house Rep. Daniel E. Button of Albany has aides looking at the power issue.

Among the questions still unresolved are:

The details of the operating contract between the Power authority and Niagara Mohawk.

The procedure under which Niagara Mohawk abandoned its Easton plant project and agreed to sell the equipment to the Power authority for use on Lake Ontario.

Failure to give the public all the pertinent non-technical details at the outset.

A.E.C. officials say they had been alerted last year to the filing of a State Power authority application and were surprised when it came in signed by the authority and Niagara Mohawk.

[From the Oswego (N.Y.) Palladium-Times, Feb. 15, 1969]

Ottinger Curious—State Power Authority Queried on Proposed Atomic Plant Here

(By Alan Emory)

Washington.—The New York State Power Authority was asked today how Niagara Mohawk Power Corp. employe's would be needed for the new Atomic Power Plant at Nine Mile Point and how much the state agency would have to pay for them.

Rep. Richard L. Ottinger raised the question of whether Niagara Mohawk would reap any profit by providing its employes and whether the operating personnel would be full-time or part-time company men.

The Westchester County Democrat seemed to be asking how Niagara Mohawk could permit workers needed at the company's existing Atomic Plant at Nine Mile Point to leave their posts to work at the new facility or whether the company was going to hire new staff just to rent them out to the Power Authority.

Ottinger has sent Authority chairman James A. FitzPatrick a letter with a dozen questions about the proposed 848-megawatt Atomic Plant that the power authority proposes to build 3,200 feet from the existing Niagara Mohawk facility, using Niagara Mohawk personnel to operate the new one.

The questions covered electricity sales and rates, eventual buyers, whether savings would be passed on to consumers, plant location and staff experts, as well as the employee arrangement with Niagara Mohawk.

FitzPatrick said his agency needed Niagara Mohawk operators because it lacked the staff expertise to operate its own Atomic Plant now.

Ottinger pointed out that the Tennessee Valley Authority entered the nuclear field three years ago with no previous plant experience, but developed its own staff expertise and planned to have its first nuclear facility operating next year.

In that light, the congressman asked FitzPatrick, "What special factors exist that make it impossible for pasny to develop in-house staff expertise to operate its own nuclear facility?"

Ottinger said the questions he raised were of vital concern to all who are interested in assuring New York State of an abundant reliable supply of low-cost power to meet the needs of our growing population. "So far," he added, "the record does not provide Adequate Information."

Ottinger asked FitzPatrick how many employes would be needed to operate the new plant, how many would be provided by Niagara Mohawk and of that number which would also work full or part-time at the nearby company plant or many other Niagara Mohawk facilities.

He wanted to know what power Authority control would be exercised over the pay for Niagara Mohawk employes, how Niagara Mohawk would be reimbursed for the workers' pay and whether the company would receive more than the simple cost of compensation.

These were other questions raised by the congressman in his letter to FitzPatrick:

Would Power sold to private utilities from the Power Authority-Niagara Mohawk plant be cheaper than Power from Niagara Mohawk's own Nine Mile Point operation and, if so, would the ultimate consumer get the saving?

Does the State Public Service Commission have authority to require the utility companies using Power from the new plant to pass on the savings to the consumer?

Will there be any geographical limitations on the sale of the power and, if so, what are they?

Why the Power Authority did not propose building its first Atomic Power Plant "in the generation—short, high-power-cost downstate metropolitan area" and whether it had any plans to build low-cost public power nuclear facilities to meet that area's needs.

Are their any escalator clauses in the General Electric Co. contracts for equipment and, if so, what the increase in cost would be to the Power Authority compared with the original Niagara Mohawk cost?

The average monthly plant capacity available over a year's time.

The annual output of the plant in kilowatt-hours. What part of the energy would be used to firm up Power Authority existing Hydro-Electric capacity, sold to municipalities and rural cooperatives, sold directly to high-load-factor industries already Power Authority customers and to new industries of this type and sold to private power companies for re-sale as dump, firm or peaking power.

Ottinger asked FitzPatrick to specify the potential public system buyers, the potential purchasers of power for re-sale, the potential new industrial buyers and the rates to be charged each category of customer.

He also requested copies of all contracts and memoranda on G.E.-Niagara Mohawk agreements covering the new plant, cost and feasibility studies and contracts or memos covering the provision of Niagara Mohawk employes to run the new plant and how they would be paid.

The congressman said the public interest required "prompt and detailed answers" to the questions.

[From the Schenectady (N.Y.) Gazette, Feb. 17, 1969]

Power Corp. Timing on A-Plant Disputed

(By Alan Emory)

Washington—Questions about how much conservationist opposition contributed to the Niagara Mohawk Power Corp.'s decision not to build a planned atomic power plant at Easton on the Hudson River have been raised by the disclosure that some time before the firm announced it was dropping the Easton plan it had agreed to sell its equipment to the New York State Power Authority.

The disclosure came in a consultant report for the power authority prepared by the firm of S. M. Stoller Associates of New York City.

The report, dated July 25, said Niagara Mohawk had offered the Easton plant equipment to the authority "months before." A power authority official said later the quotation appeared in a "preliminary" Soller report and that the "final" report said "weeks before."

The official said the offer had been made about June 1, just after the State Legislature had passed and Gov. Rockefeller had signed, a bill authorizing the state power agency to build its own nuclear plant.

Early in August—about seven weeks after the Power Authority said it received the Niagara Mohawk offer—the utility company said it was quitting the Easton proposal and the state said it would construct its own plant near Oswego, taking over the General Electric Co. equipment for the Easton plant and constructing the facility on Niagara Mohawk land next to the private company plant.

The Power Authority's application to the Atomic Energy Commission for a plant license was co-signed by Niagara Mohawk. It said the plant would be operated by Niagara Mohawk personnel, that Niagara Mohawk would be responsible for plant safety and the Power authority would act as Niagara Mohawk's "agent" in all dealings with the A.E.C.

Niagara Mohawk placed the blame for the Easton abandonment on license delays it said were caused by conservationist opposition, but private industry sources circulated the report that rising construction costs might have had more to do with the change of plans.

Other industry sources revealed that when Niagara Mohawk started work on its Nine Mile Point plant it had thoughts about constructing a second facility on the same stretch of land later on.

The Stoller report refers to the existing Niagara Mohawk plant as Nine Mile Point 1 and the new facility as Nine Mile Point 3. It makes no reference to Nine Mile Point 2.

Rep. Richard L. Ottinger, D-Westchester, who has called the plans for the new facility a state subsidy for Niagara Mohawk, has written Power Authority Chairman James A. FitzPatrick asking for detailed information on what Niagara Mohawk employes will run the new plant, how much they will get paid, whether Niagara Mohawk will make a profit on the employe compensation, what arrangements are being made for the sale of power, to whom and at what rates, and whether any savings will be passed on to consumers.

FitzPatrick said the Power Authority needed Niagara Mohawk personnel because it had no experts of its own. Ottinger noted that the Tennessee Valley Authority had no experts when it entered the nuclear field three years ago, but got its own and will have a plant operating next year. He asked FitzPatrick what made the New York situation different from T.V.A.'s.

[From the Watertown (N.Y.) Daily Times, Feb. 27, 1969]

No Profit for Utility in Pact Over Personnel at State Plant

Washington.—The New York State Power authority contract with the Niagara Mohawk Power Corporation is expected to show no profit to the utility company for providing personnel to operate the Power authority atomic power plant at Nine Mile Point.

Informed sources told The Times today that the Power authority would hire some of its own personnel to work at the plant along with the Niagara Mohawk employes.

Not all of the Niagara Mohawk workers are expected to come from the company's existing Nine Mile Point facility. Some will be shifted from company steam plants.

In any event, the sources emphasized, the arrangement would limit payments to Niagara Mohawk's personnel costs and would provide no profit.

The sources also expressed some concern that questions raised about the Power authority-Niagara Mohawk tieup might delay approval of a license from the Atomic Energy Commission and imperil the saving on the authority by placing the new plant in operation by mid-1973, instead of 1975.

They said the promise of Niagara Mohawk personnel to run the state-owned and financed plant was essential to obtain an A.E.C. license. The sources said the Tennessee Valley Authority had been able to staff its atomic plant within three years because of its vast "empire," and the Power authority had no similar reservoir of skilled personnel.

Although the state-Niagara Mohawk contract is not final, several key sections have been agreed on, including the cost-of-personnel feature.

Power authority experts have also stressed that some features of the original agreement

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between Niagara Mohawk and the General Electric Company, which is supplying the basic equipment, might have been satisfactory for the utility firm, but do not meet the state's requirements and will have to be modified.

According to one report, Niagara Mohawk was supporting the Power authority construction of the Nine Mile Point plant because it felt power would be available faster and cheaper—and with Niagara Mohawk a potential customer—than if the utility company built the facility on Lake Ontario itself.

The report supported the argument that Niagara Mohawk dropped plans for its atomic plant at Easton, on the Hudson river, because delays prompted by opposition by conservationists had boosted estimated costs.

Power authority experts are also confident that their output can be sold anywhere in New York state and still fall within the legal guideline of its "service area." Modern technology, they agree, make the old ideas of restricting the service area to the Niagara-St. Lawrence region obsolete.

The Power authority is worried that extensive delays on the state atomic plant could jump eventual power prices so high that industry would be more interested in the electricity in some other part of the country.

The argument holds that there are not enough public electric systems to consume the plant's output, so industry must fill the gap, and to make the power attractive to industrial customers the rates must be low enough to compete with rates in other parts of the nation so businesses will remain in New York.

Rep. Richard L. Ottinger, D., Westchester, has asked Power authority Chairman James A. FitzPatrick for a rundown on the agency's personnel arrangement with Niagara Mohawk and the rates it plans to charge for its Nine Mile Point power.

FitzPatrick Says Power Plan Attacks "Hasty, Ill-Conceived"

(By Alan Emory)

Washington.—New York State Power Authority Chairman James A. FitzPatrick has criticized Rep. Richard L. Ottinger for "hasty and ill-conceived attacks" on the proposed state-Niagara Mohawk Power corporation atomic plant on Lake Ontario.

The angry 1,200-word FitzPatrick letter, however, failed to answer any of the questions the congressman posed about power authority payment to Niagara Mohawk for loan of its operating personnel, plans for sale of the power and the monthly and annual generating capacity of the Nine Mile Point facility.

FitzPatrick accused the Westchester Democrat of "deluging the authority with questions" and then "going to the press without waiting for answers."

"This is obviously not conducive to an intelligent exchange of information," he added.

Ottinger's first request for specific information about the Power Authority-Niagara Mohawk contract to run the new atomic plant—to be located 3,200 feet from Niagara Mohawk's present Nine Mile Point operation—was sent to FitzPatrick Feb. 12. A more detailed series of inquiries followed a week later.

The bristling FitzPatrick reply dated Feb. 27, did not answer any of the questions put by Ottinger nearly two weeks before.

The power authority chairman said the volume of the press clips on Ottinger's correspondence to the state agency indicated "more interest in creating issue than concern for the facts."

NO REFERENCE

FitzPatrick made no reference at all to Ottinger's requests about power to firm up the state unit's hydroelectric capacity, sales to public systems and to industry, geographical limits on the power sales, why the Power authority could not create its own nuclear power staff, how many Niagara Mohawk people would run the state-owned plant and what they would be paid.

Instead, he said many of Ottinger's questions could be answered by reading the authority's annual reports, while others "involve policy and determinations not yet made by the authority."

FitzPatrick cited agreements between the Tennessee Valley Authority and the Bonneville Power Administration with private utilities in separate sections of the country, calling them "in no way novel."

Neither agreement cited by the chairman, however, paralleled the Power Authority-Niagara Mohawk situation.

T.V.A. signed a ten-year "coordination agreement" with Middle South Utilities System, mainly providing for an exchange of information and system data, as well as regional studies, according to last month's issue of Republican Power Engineering.

The same publication, cited by FitzPatrick, said Boneville had signed to buy a year's output of a plant clearly owned by Pacific Power and Light Company.

Neither situation cited by FitzPatrick involved a public power plant operated, under contract, by private company personnel with the public unit putting up all the money.

OTTINGER ACCUSED

FitzPatrick accused Ottinger of "completely disregarding information" the Power Authority had furnished him. He charged the congressman with using Plattsburgh as an example of low-cost power and at the same time "berating" the Power Authority, which furnishes Plattsburgh with low-cost power.

Ottinger had pointed out that Plattsburgh bought St. Lawrence power from the Power Authority.

FitzPatrick appeared unhappy about Power Authority sales to public power customers.

He told Ottinger, "We have always provided for all the needs of our municipal and R.E.A. customers even though, by doing so, we have had to curtail deliveries to the private utilities."

The Power Authority chairman declared that a separate transmission system designed only for authority power would be "wasteful" and added that the cost of a high-voltage underground transmission was prohibitive.

The public, he said, had a right to expect "cooperation" between power agencies and the efficient use of rights-of-way without "undue uneconomical paralleling of lines."

FitzPatrick distinguished between the Power Authority role as a "power wholesaler" and that of a public power system or private company as a "retailer."

FitzPatrick said Ottinger's questions "implied" that coordination with private companies in use of generating and transmission facilities "represents an improper activity on the part of the authority" and he "rejected" such implications.

He said the 1965 northeast blackout proved the need to strengthen interconnected power systems, and that the 1968 law authorizing the state agency to build a nuclear plant would require "cooperation and coordination."

FitzPatrick said the Power Authority shared Ottinger's interest in inter-system stability and adequate power supply and felt confident its projects and arrangements would greatly enhance such objectives.

He added it would be "ironic" if Ottinger backed attacks that might "in any way delay or impede provision of large segments of the power which you undoubtedly understand is so badly needed."

Prices Could Be Hiked on Gear for Nuclear Power Facility

(By Alan Emory)

Washington.—The chairman of the New York State Power Authority says there will be no price increase in the nuclear steam supply system ordered for the state's Nine Mile Point atomic power plant, but that other items ordered from The General Electric Co., are still under negotiation and may be subject to price escalation.

James A. FitzPatrick also says it would be "premature" to detail how many employes the authority will hire from the Niagara Mohawk Power Corp., to run the state-financed plant or what their duties will be.

"The authority has not yet finalized its agreement with Niagara Mohawk for use of Niagara Mohawk personnel," FitzPatrick said in a letter to Rep. Richard L. Ottinger, D., Westchester.

"Niagara Mohawk will be paid for the use of its personnel on a reimbursement-of-cost basis."

FitzPatrick told Ottinger it was "not impossible" for the Power Authority to develop its own staff of experts to operate the plant 3,200 feet from Niagara Mohawk's private company plant at Nine Mile Point, but it could not do it now to provide the economy and safety afforded by Niagara Mohawk's staffing it initially.

He cited Niagara Mohawk's experience with steam power and for four years "with a similar nuclear plant," giving assurances the authority "could not have otherwise offered."

FitzPatrick said that, although a public agency, the Power Authority was "not foreclosed . . . from carrying out reasonable dealings with private utility companies."

Ottinger has raised questions about power output and sales provisions in the State-Niagara Mohawk Plan, along with details of payments to the company for use of its personnel. FitzPatrick said in a Feb. 21 letter, a copy of which has just been obtained, that Ottinger was seeking a "great quantity of technical data" and, while it would take a lot of "time and expense" to analyze the requests, the authority would try.

FitzPatrick cited the need to firm up the capacity of the St. Lawrence and Niagara Hydro-Electric Power plants as a major reason for locating the atomic plant upstate. He noted that a chance for "early construction" was provided at Nine Mile Point and the authority "took advantage of the opportunity."

He added that present authority customers were upstate and "in general," "industry using large quantities of electric power does not locate in a metropolitan area."

The chairman conceded that there were no geographical limits for marketing state-produced power in the state law—just the "consideration of economics," but that the law did restrict the authorty to building plants in its "area of service."

As for new Power Authority atomic plants, FitzPatrick said the agency needed an assured market for and revenue from power from present facilities before trying to sell bonds for new projects.

FitzPatrick said he did not yet know what industrial customers would buy authority nuclear power, but added the agency had always maintained "one rate for all customers obtaining hydro power and does not anticipate making any change."

Sale of power will be subject to a public hearing and approval by the governor, he told Ottinger and the authortiy would be "solely responsible for dispatching the power."

The chairman said "that unquestionably" authority power would be cheaper than power from Niagara Mohawk's private Nine Mile Point facility. He said that power sold to Niagara Mohawk and other private utilities from the state-financed plant would be sold "as prescribed in the Authority Act." Information on power sold to utilities would be available to the Public Service Commission, he observed.

Output from the Power Authority-Niagara Mohawk plant will run about 6,000,000,000 kilowatt-hours of energy a year, according to FitzPatrick. Energy needed to firm up the St. Lawrence and Niagara plants will depend on the flow from the Great Lakes watershed he told Ottinger.

According to FitzPatrick, Niagara Mohawk had to sign the liecnse application to the Atomic Energy Commission as a "technical requirement." He insisted however, that to call the plant a "PASNY-Niagara Mohawk" facility was a "distortion of fact," since the authority owned the land and would own the plant "exclusively."

FitzPatrick called the congressman's request for contract memoranda and other details "not . . . reasonable." He defended the "businesslike" operation of his agency by noting it was subject to audit by the state comptroller and had to furnish financial and other data to the Federal Power and Atomic Energy Commission.

Filling detailed requests for information like Ottinger's, he claimed, would drastically impair the authority's "ability to operate effectively and efficiently."

SAVINGS CLAIMED BY POWER UNIT CHIEF SERIOUSLY QUESTIONED

(By Alan Emory)

WASHINGTON.—Federal power experts investigating the proposed New York State-financed atomic plant on Lake Ontario have raised serious questions about claims by Power Authority Chairman James A. FitzPatrick that he can save $15,000,000 by taking over commitments made by the Niagara Mohawk Power Corp.

The probers are zeroing in on major expense items the Power Authority may not require for the proposed $222,000,000 nuclear plant at Nine Mile Point.

One possibility receiving special attention is that the Power Authority might have saved considerable money by soliciting competitive bids for equipment. The authority has argued that assuming Niagara Mohawk's commitments to the General Electric Co. saved both time and money.

At the urging of Rep. Richard L. Ottinger, D., Westchester, the probers are looking into equipment ordered for Niagara Mohawk's now-abandoned atomic plant at Easton, on the Hudson River, and the amount of land the Power Authority is purchasing from Niagara Mohawk on Lake Ontario 3,200 feet from Niagara Mohawk's own private-company plant.

MAJOR ITEM

A major controversial item has been the Power Authority agreement to have Niagara Mohawk personnel run the state-financed atomic plant. Gov. Nelson A. Rockefeller's special committee on power recommended, at the end of 1967, that the Power Authority be authorized to "construct and operate" necessary facilities, including nuclear facilities.

In an interview today, Ottinger said it was "imperative" that the Power Authority launch "an aggressive program to make the benefits of low-cost power available to consumers throughout the state."

The Power Authority-Niagara Mohawk plant near Oswego "will not accomplish this goal," he declared.

Ottinger, replying to criticisms by FitzPatrick, agreed that a separate transmission system to serve the new plant would be wasteful and pointed out he had "never suggested otherwise."

In fact, he noted, he urged the state legislature to give the Power Authority the right to require other utilities to make excess transmission capacity available as needed to make "optimum use" of state produced power.

"I am a strong advocate of coordination and strengthened interconnection of power system," he observed. Ottinger, has sponsored a bill to give the Federal Power Commission authority to assure maximum coordination and interconnection of those systems.

PLATTSBURGH

He cited the low-cost power for the city of Plattsburgh, which buys energy from the state-owned St. Lawrence hydro-electric plant, and said if the Power Authority were to "exercise its legislative mandate to make a strong backbone of public power available throughout all of New York, other consumers could benefit as the residents of Plattsburgh have."

Ottinger said he and FitzPatrick should have equal concern for "halting the outrageous increase in power costs that burden New York consumers." He cited the latest F.P.C. power bill report showing increases in the state as being largely responsible for a rise in the national average.

The congressman took a dig at FitzPatrick's unhappiness over references to the new Nine Mile Point facility as a Power Authority-Niagara Mohawk plant.

Both applied for licenses to the A.E.C., he noted, and the application "repeatedly" described the plant as a joint venture. It was also signed by both.

"If I were FitzPatrick," Ottinger declared, "I should be much more sensitive about having this referred to as the James A. FitzPatrick plant, but I will be glad to do so in the future if he feels so strongly about it."

[From the Oswego (N.Y.) Palladium Times, Mar. 10, 1969]

PROPOSED LAKE ONTARIO PLANT—OTTINGER DEMANDS STATE LEGISLATURE INVESTIGATE NUCLEAR POWER PROJECT

(By Alan Emory)

WASHINGTON.—The New York State Legislature was asked today to conduct "an immediate investigation of the proposed James A. FitzPatrick nuclear power plant on Lake Ontario."

Rep. Richard L. Ottinger charged that New York State Power Authority Chairman FitzPatrick, after whom the proposed plant was named, had greatly inflated claimed savings of $15 million by taking over obligations of the Niagara Mohawk Power Corp.

The Westchester Democrat said the figure was refused by S. M. Stoller, Inc., a New York City consulting firm that prepared a report backing the Power Authority plans.

According to Ottinger, the report showed the Power Authority was assuming more than $4½ million in "built-in costs that could be eliminated by letting the project out for competitive bidding" and $6.3 million in "extras" and "additional components" Niagara Mohawk had specifically ordered for its now-abandoned nuclear plant at Easton on the Hudson River.

The Power Authority agreed to take over Niagara Mohawk's obligations to buy equipment from the General Electric Co., claiming this would save time and money. The $15 million saving figure was used by FitzPatrick at a speech to the Oswego Chamber of Commerce Jan. 28, and applied to "construction costs alone."

Ottinger quoted the Stoller report as saying there were potential savings on the nuclear steam supply system over a new bid of from $500,000 to $3 million.

The Congressman called the Stoller savings estimate "loaded," claiming it did not compare costs with those that might result from open competitive bidding, but "only with costs from 'a new bid from General Electric.'"

Arguing the present price includes "unnecessary and extra hidden costs," Ottinger listed these items in a letter to FitzPatrick:

$200,000 to store equipment made for the Easton plant and not now usable at Nine Mile Point.

Between $664,000 and $918,000 in "extra and unnecessary interest charges."

$3.9 million to "change the firm price to a commercial operation date of October, 1973, and to change the location of the plant from Easton to Nine Mile Point."

$3.5 million in "extras ordered by Niagara Mohawk" for the Easton plant.

$2.8 million for "additional components of the Niagara Mohawk contract for the Easton plant."

$500,000 for "environmental studies."

Ottinger pointed out that the studies had already been conducted by Niagara Mohawk for its own Nine Mile Point plant, 3,200 feet from the proposed FitzPatrick facility, and are part of the public record in Atomic Energy Commission files. He said the Power Authority had "free access to them at no cost whatsoever."

The Power Authority's own figures show that it would cost only $60,000 to train personnel to run the plant, and Ottinger said this proved the saving by using Niagara Mohawk-trained operators would be "negligible."

He said the figure was "less than three-tenths of one per cent of the total cost of the plant" and would represent "a worthwhile permanent investment for PASNY if the Authority intended to carry forward an effective public power program in the nuclear field."

Ottinger also questioned the Authority purchase of 702 acres of land from Niagara Mohawk for $805,000 as the plant site. He said this might be "between seven and 10 times the investment actually needed."

Consolidated Edison needed only 235 acres for three atomic plants with a total capacity of 2,115 megawatts, he observed—about one-third the FitzPatrick plant land to produce two and a half times the capacity of the FitzPatrick plant.

Ottinger cited the Stoller report's references to "reservations" held by the A.E.C. about "plant design features, design methods and quality assurance" on the abandoned Easton facility that might well require "additional engineering evaluations and-or equipment capability or additional safeguards."

The Stoller report says the Power Authority would have to pay for any changes to correct engineering deficiencies in the two-year-old facility it is "taking off Niagara Mohawk's hands," Ottinger notes.

Ottinger said the Stoller report was "heavily biased" in favor of the Power Authority plan, but he said it still revealed FitzPatrick had "misrepresented the proposal's advantages in an apparent effort to win public approval."

He said FitzPatrick had inflated the report's potential savings figure by between 500 and 3,000 per cent.

The congressman is expected to carry his demand for a state legislative investigation to Albany Tuesday in a meeting with Democratic Minority leaders Stanley Steingut of the Assembly and Joseph Zaretzki of the Senate.

[From the New York Times, Mar. 10, 1969]

DISPUTE ON STATE ATOMIC PLANT THREATENS TO RENEW POWER FIGHT

(By Richard L. Madden)

WASHINGTON, March 9.—A dispute over the use of Niagara Mohawk Power Corporation personnel to operate a proposed nuclear power plant of the New York State Power Authority is threatening to reopen a two-year-old political battle over public versus private power in the state.

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Up to now, the controversy has involved Representative Richard L. Ottinger, a Westchester Democrat, who charges that the proposed project is "a wholly unwarranted subsidy of a private utility" by a public agency, and James A. FitzPatrick, chairman of the power authority, who argues that the proposed arrangement will save the authority time and money.

In a letter to Mr. FitzPatrick made public today, Mr. Ottinger accused the authority chairman of "misrepresentations" and said he would ask leaders of the Legislature to begin "an immediate investigation." Mr. Ottinger plans to meet with Democratic legislative leaders in Albany on Tuesday to press his request.

Two years ago Democratic legislators, aided by the late Senator Robert F. Kennedy, quashed a proposal by Governor Rockefeller that would have limited the power authority to hydroelectric projects and reserved the nuclear power field for the private utilities.

After a special committee restudied the matter, the Governor modified his proposal and the Legislature last May enacted the revised measure giving the state a role in the development of nuclear power.

At issue now is a joint request to the Atomic Energy Commission from the power authority and Niagara Mohawk, under which the authority would build and own an 800-megawatt nuclear power plant on the shores of Lake Ontario near Oswego, 3,200 feet from a similar Niagara Mohawk nuclear plant being completed at Nine Mile Point.

According to the joint application, the power authority's facility will be operated by Niagara Mohawk with the private utility's personnel under the contract with the power authority.

According to Mr. Ottinger, the authority bought the 702-acre site from Niagara Mohawk for $805,000 and acquired previous commitments that Niagara Mohawk had made to buy nuclear equipment from the General Electric Company.

Mr. Ottinger has charged that Niagara Mohawk personnel would be "serving two masters" and that the proposed arrangement, circumvents the Legislature's efforts to develop low-cost public power as a "yardstick" against rising electric power costs to consumers.

[From the New York (N.Y.) Post, Mar 11, 1969]

State A-Power Sellout Charged

(By Paul Hoffman)

ALBANY.—Rep. Ottinger charged today that the State Power Authority had "sold out" the nuclear power program pushed by the late Sen. Robert Kennedy.

The Westchester Democrat, appearing at a Capitol press conference with his party's legislative leaders, called for an investigation of the Power Authority's dealings with Niagara Mohawk, the giant upstate utility.

Ottinger said the Power Authority's contract with Niagara Mohawk involved the agency in a "conflict of interest" which made it incapable of providing a "yardstick" on nuclear power prices.

He has already asked the Atomic Energy Commission to deny the authority's application to build a nuclear plant near Oswego, on the Lake Ontario shore.

REOPENS GET FUND

In raising the issue, Ottinger reopened a controversy which seemed settled a year ago when Gov. Rockefeller and Kennedy worked out a compromise for the state's $8 billion nuclear power program.

For more than a year, Democratic lawmakers at Kennedy's behest blocked Rockefeller's bill to develop atomic generating capacity unless the State Power Authority was included along with the private utilities. Rockefeller eventually gave in.

The Oswego plant is one of the first to be built under the program.

Ottinger said the authority had bought the land for the plant from Niagara-Mohawk for $805,000, along with a commitment to purchase some 40 million of equipment for it from General Electric.

The plant—designed to provide a "yardstick" for Niagara-Mohawk's nuclear power prices—actually will be run by Niagara-Mohawk under contract with the Power Authority with "shocking irresponsibility" on the contracts.

He said the land price of $805,000 was "between seven and ten times the investment actually needed," citing an engineering study prepared for the Power Authority, he said that savings of $4.5 million on equipment purchases could be realized through competitive bidding.

The Congressman also challenged the authority's savings on construction costs. He quoted authority chairman James A. FitzPatrick as saying the arrangement with Niagara-Mohawk meant a $15 million savings. Then he noted that the engineering study—prepared by S. M. Stroller, Inc.—said the saving would be $500,000 to $3 million, if new bids were let.

Ottinger called the entire project "a white elephant" which the authority had obligingly taken off Niagara-Mohawk's hands.

He noted that New York's electric bills—already the highest in the continental U.S.—are going up while those in 35 other states are going down.

"It is imperative that the Power Authority undertake an aggressive program to make the benefits of low cost power available to consumers throughout the state," he said. "The present Power Authority—Niagara-Mohawk facility will not accomplish this goal."

Ottinger has frequently feuded with Gov. Rockefeller on issues of conservation and power. He helped block the state-approved nuclear power plant on Storm King mountain in the Hudson Valley. He also pushed through federal legislation for the Hudson River compact over Rockefeller's objections.

[From the Watertown (N.Y.) Daily Times, Mar. 11, 1969]

Study of Power Arrangement Slated by New Committee

(By Frank P. Augustine)

ALBANY.—Minority leadership of the State Legislature today appointed a committee to look at the arrangement between the State Power Authortiy and Niagara Mohawk Power Corp. relative to construction of an 800 megawatt nuclear power plant by the authority at Nine Mile Point.

The committee will launch its study immediately and expects to have the report ready in four to six weeks.

The decision by Senate Minority Leader Joseph Zaretzki and Assembly Minority Leader Stanley Steingut to launch the study was made during remarks at a press conference in the capitol presided over by Congressman Richard Ottinger.

Mr. Ottinger came to Albany this morning to appear for an investigation into the whole power situation as it affects the Power Authority and its contract with Niagara Mohawk Power Corp.

Serving on this special committee are Charles F. Stockmeister, assemblyman from Monroe County, Assemblyman Arthur J. Kremer, New York, Senators Paul Bookson, New York, and James Powers, Monroe County.

Senator Zaretzki in brief comments accused the Power Authority of bringing in a "ringer," Niagara Mohawk, to run a public agency. He attacked the move as defeating the yardstick principle for which purpose the Power Authority was originally created. He referred to the arrangement as a "gimmick."

"We no longer have a public power authority," he said. "What we now have is a semi-public power authority." He expressed confidence that the joint minority committee would come up with some solid answers.

Mr. Steingut, in designating his committee choices, said that it was very important for the legislature to act in determining if there had been circumvention of the intent of the Power Authority role.

ANSWERS ASKED

During the question and answer period, Congressman Ottinger in effect accused Governor Rockefeller of being entirely in favor of the Power Authority's action and he said he was hopeful that perhaps the governor would be more explicit in providing detailed answers to questions the congressman had asked Power Authority Chairman James L. FitzPatrick.

Mr. FitzPatrick received some sympathy from Senator Zaretzki who said, "Jim would like to do a job but he's not being allowed to do it."

The reference by Mr. Zaretzki was in answer to a question about how much control Governor Rockefeller exercised over the Power Authority.

Mr. Kremer expressed the belief that the minority committee could make a substantial contribution with an objective study. He felt that the majority, meaning the Republicans, would not want an objective study at this time. He said that recommendations should be forthcoming as the result of the study for legislative action next year. One purpose of the study, he said, was to keep the public informed of what the intent of the Power Authority is.

Mr. Steingut declared that he expected no difficulty in getting cooperation from persons that the committee would call. He felt that subpoena powers were not essential at this time, but if they became so, they could be obtained.

[From the Watertown (N.Y.) Daily Times, Mar 11, 1969]

Power Authority Accused of Trying To Assist Utility

ALBANY.—Rep. Richard L. Ottinger today accused the New York State Power Authority of trying to "take a nuclear white elephant" off the hands of the Niagara Mohawk Power Corp., with New York electricity consumers picking up the tab.

Ottinger, at a meeting with Democratic state legislative leaders here, challenged the announced agreement under which the Power Authority would assume Niagara Mohawk's two-year-old commitments with the General Electric Co. for $40,000,000 in plant components.

Niagara Mohawk personnel would staff the state-financed atomic power plant at Nine Mile Point, near Oswego, under contract with the Power Authority.

Ottinger called the arrangement "highly unusual."

He said it would allow Niagara Mohawk to benefit from a "captive" nuclear plant and strengthen a private utility monopoly over the growing nuclear power field.

Niagara Mohawk announced in August it was dropping plans to build an atomic plant at Easton on the Hudson River. The Power Authority simultaneously announced its first atomic plant next to Niagara Mohawk's on Lake Ontario.

Ottinger maintains the state assumption of Niagara Mohawk commitments to G.E. contains more than $4,500,000 in "extra hidden costs which could be eliminated by letting the project out for competitive bidding" and $6,300,000 in extras and additional components the Syracuse company had ordered just for the Easton plant.

The congressman urged an independent engineering study to determine how many of

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the extras were actually needed at Nine Mile Point and what savings could result from putting out a "single package" for competitive bidding.

Final costs will not be known until federal power experts complete an analysis of the Power Authority commitments, Ottinger noted, calling the $4,500,000 figure "very conservative."

The upstater, a member of the House Communications and Power sub-committee, said he talked with Assembly Minority Leader Stanley Steingut and Senate Minority Leader Joseph Zaretzki about steps to "halt the power give-away" and extend low-cost public power benefits to "all New York consumers."

[From the New York Times, Mar. 12, 1969]

State Democrats To Investigate Power Proposal

(By William E. Farrell)

ALBANY, March 11—The Democratic leaders in the legislature formed a committee today to investigate a proposed nuclear plant to be owned by the New York State Power Authority and operated by the Niagara Mohawk Power Company.

Assembly Minority Leader Stanley Steingut and Senate Minority Leader Joseph Zaretzki agreed to form the committee, which has no official status in the Legislature, at the request of Representative Richard L. Ottinger, a Westchester Democrat.

At a news conference in the Capitol, Mr. Ottinger charged that the agreement between the Power Authority and Niagara Mohawk contained "more than $4.5-million in unnecessary hidden costs." The agreement calls for the construction of a $222-million nuclear power plant at Oswego, N.Y.

Mr. Ottinger's statement was dismissed by Governor Rockefeller at a news conference he held as "completely inaccurate."

William S. Chapin, general manager and chief engineer of the Power Authority, said in an interview that Mr. Ottinger's charge was "ridiculous."

He declined further comment, saying the authority would release a detailed statement on the Representative's charges when the Power Authority chairman, James A. Fitzpatrick, returned from a vacation, possibly at the end of the week.

Mr. Ottinger, who is a member of the House Communications and Power Subcommittee, said he came here to discuss legislative steps to "halt the power giveaway and extend the benefits of low-cost public power to all New York consumers." He described the proposed venture between a public authority and a private utility as "highly unusual."

Mr. Ottinger distributed copies of a letter to him from Glenn S. Seaborg, chairman of the Atomic Energy Commission, that said that "there are no other nuclear plants operating or being constructed which fall in this category."

The joint agreement was upheld by Governor Rockefeller today at his news conference. Mr. Rockefeller said that the Power Authority was "trying to get as cheap power as they can" and that the authority had "contracted the rendering of the services by an outfit that has an already successful operation in this field."

In announcing the four-man Democratic committee, Mr. Zaretzki said that the agreement was a "gimmick" that would create a "semipublic" authority. "We must maintain the New York Power Authority as a purely public agency," he said.

"HIDDEN COSTS" ITEMIZED

Mr. Steingut said the committee would study "whether there has been a circumvention of the legislative intent when the Power Authority was created."

Mr. Ottinger said he was piqued because the authority, despite repeated requests, had not provided him with the data he had requested.

"I think they have plenty to hide," he said.

Mr. Ottinger itemized the charge of "hidden costs" as follows:

$3.9-million in relocating installations and equipment to Oswego from a plant Niagara-Mohawk abandoned in Easton, N.Y.

$200,000 for storage of equipment for the Easton plant.

$664,000 in "extra and unnecessary interest charges."

Mr. Fitzpatrick, the authority chairman, recently defended the authority's venture with the Niagara Mohawk in an interview here.

He said that by agreeing to purchase equipment contracted for by Niagara Mohawk, there would be an over-all saving of $15-million because the equipment would be bought at 1966 prices.

He also said savings would result by using skilled Niagara Mohawk personnel who will also operate a private nuclear plant very close to the authority's proposed plant.

Mr. Fitzpatrick said the plan would "get the plant on the line faster, safer and cheaper."

[From the Buffalo (N.Y.) Courier-Express, Mar. 12, 1969]

N-Power Plant: Ottinger's Charge Denied by Rocky

(By Dale C. English)

ALBANY.—A congressional charge that State Power authority customers face at least $4.5 million worth of hidden costs over construction of a nuclear power plant near Oswego were branded "completely inaccurate" here Tuesday by Gov. Nelson A. Rockefeller.

The charge was made by Rep. Richard L. Ottinger, D-Westchester County, and centered on an agreement between the SPA and Niagara Mohawk Power Corp. over construction of the huge facility at Nine Mile Point on Lake Ontario near Oswego.

Ottinger, a member of the House Communications and Power Subcommittee, called the $4.5 million figure "very conservative," and said that the final cost will not be known until Federal power experts have completed an analysis of SPA commitments.

NO COMPETITIVE BIDDING

The Courier-Express disclosed last September 19 that no competitive bidding was involved in the transaction—a factor which Ottinger says is part of the $4.5 million extra cost to SPA customers.

Ottinger was in Albany to meet with Democratic leaders of the State Legislature to discuss legislative steps, he said, "to halt the power giveaway and extend the benefits of low-cost public power to all New York consumers."

In the process, Ottinger told the legislators that New York State has the highest power costs in the nation with the exception of Alaska.

He proposed to fight high costs by requiring the authority "to undertake an aggressive public power marketing program which . . . could cut consumer bills in half."

NMP SCRAPS PLANS

Under the agreement between the SPA and Niagara Mohawk, the plant at Nine Mile Point would be built by the authority but operated by Niagara Mohawk.

That situation began in October 1966, when Niagara Mohawk announced plans to build a 750,000-kilowatt nuclear power station at its Easton site on the Hudson River 14 miles north of Troy.

However, last Aug. 8 Niagara President Earle Machold announced the company was scrapping those plans because of difficulty with the Easton site. However, much highly technical equipment worth about $40 million had been ordered from the General Electric Co., one of four firms in the country which makes such hardware.

Negotiations were opened between the SPA, Niagara Mohawk and GE to permit the authority to take over the project, variously estimated to cost between $160 million and $222 million.

NUCLEAR WHITE ELEPHANT

The authority takeover without competitive bidding would result in an undisclosed saving because it permitted the plant to get built two years sooner than it would have under the Niagara Mohawk operation, an SPA spokesman told The Courier-Express last September.

Ottinger charged Tuesday that the plan benefits Niagara Mohawk by taking a "nuclear white elephant" off the company's hands at the expense of the authority and strengthens "the private monopoly over the growing nuclear power field." The Niagara Mohawk equipment intended for the Easton plant would be used at Nine Mile Point.

Ottinger then said SPA data showed "between $4.5 million and $4.7 million in extra hidden costs which could have been eliminated by letting the (Nine Mile Point) project out for competitive bidding."

"HIDDEN COSTS" SPELLED OUT

These include, he said:

—$3.9 million to "change the firm price to a commercial operation date of October 1973 and to change the location of the plant from Easton to Nine Mile Point."

—$200,000 for the storage of equipment already fabricated for Easton but not presently usable at Nine Mile Point.

—Between $664,000 and $918,000 in "extra and unnecessary interest charges."

He said the costs were further padded by $6.3 million in extras for additional components Niagara Mohawk ordered specifically for the now-abandoned Easton plant.

"I think it's just a completely inaccurate statement," Gov. Rockefeller said at a press conference.

Power Authority personnel, Gov. Rockefeller stated, "are trying to get as cheap power as they can, and to build up a high-priced professional staff of their own would take a great deal of money because there is a shortage of top-flight technical personnel in this highly complex field."

The governor pointed out that the authority contracted for the operation of the plant by Niagara Mohawk from "an outfit that has an already successful operation in this field."

[From the Ossining (N.Y.) Citizen Register, Mar. 12, 1969]

On Upstate Contract: Electric Power Fight Renewed

(By Emmet N. O'Brien)

ALBANY.—Electric power yesterday suddenly became a prime issue in the 1970 state elections.

The old fight between private and public power developed rapidly in a day of press conferences during which:

1—Gov. Rockefeller upheld a State Power Authority contract with Niagara Mohawk Power Corp., largest upstate power utility for a nuclear power plant operation on Lake Ontario.

2—Democratic minority leaders named a unique "minority joint legislative committee" to probe the relationship between the two.

3—Rep. Richard L. Ottinger, D-Westchester, who has been delving into the power deal for several months, charged that Rockefeller was the "prime mover" in the contracts.

ISSUE REVIVED

Not since Gov. W. Averell Harriman and the early SPA contracts has the public power issue been raised in New York. It was a traditional Democratic argument under Gov. Alfred E. Smith and was taken over by Republican Gov. Thomas E. Dewey to get the Niagara Falls and Massena SPA power facilities built.

Ottinger has revived it, with bellicose support from Sen. Joseph Zaretzki and Assemblyman Stanley Steingut, minority leaders. Rockefeller joined the issue at his press conference.

Behind it all is the decision of Niagara Mohawk to abandon its plans for a nuclear plant at Easton, Washington County, north of Troy. That was on the upper Hudson River, and conservationists strongly protested that thermal pollution would kill the stream. The utility then had designed a plant and contracted with General Electric for nuclear equipment.

When Easton became unfeasible, Niagara Mohawk sold the plans and contracts to the State Power Authority. At the same time, it also sold a site at Nine Mile Point on Lake Ontario, within 3,000 feet of its own plant now under construction and a contract to use Niagara Mohawk personnel to operate the state nuclear power unit.

SURRENDER SEEN

The last was the main rub yesterday. Democrats charged it surrendered the SPA to the private utility.

Rockefeller took a different view:

"They are trying to get as cheap power as they can, and to build up a high-priced professional staff on their own would take a great deal of money because there is a shortage of top-flight technical personnel in this highly complex field.

"They have contracted for the rendering of the services of an outfit that has an already successful operation in this field.

"Now this is standard procedure in this country for a government to contract for services with engineers, architects and so forth. It is just like the Atomic Space and Development Authority operation in Cattaraugus County. They could have set up their own personnel. It would cost a good deal more. But they contracted with a private corporation in the field to manage and operate the property."

OTTINGER INACCURATE

Asked about an Ottinger charge that there was $4.5 million unnecessary expense in the Niagara Mohawk deal, Rockefeller replied: "Well, I think it's just a completely inaccurate statement."

Ottinger, in town to discuss the power issue with Democratic legislative leaders, Zaretzki and Steingut, took a sharply different view than Rockefeller, whose congressman he is.

"Gov. Rockefeller was the prime mover in trying to hand this nuclear power over to the utility," he said at a joint press conference with the leaders.

"I am sure that he has plenty to hide."

Zaretzki charged that the state was losing a most valuable yardstick in gauging the proper price of electricity by allowing the private utility to operate the state plant.

"We will never know why electricity is three times cheaper in Plattsburgh than in New York City" he said. "They are destroying the yardstick."

He and Steingut announced the appointment of a "minority joint legislative committee" to investigate the SPA-Niagara Mohawk contracts. The committee has no legislative powers and no appropriations ("we will help them from the leader's research staff") but will have the force and influence of the Democratic party asking questions.

The committee named consists of Sens. James E. Powers, Monroe and Paul P. E. Bookson, New York and Assemblymen Charles F. Stockmeister, Monroe and Arthur J. Kremer, Nassau.

[From the Watertown (N.Y.) Daily Times, Mar. 12, 1969]

ROCKEFELLER DENIES APPROVING POWER AUTHORITY-UTILITY PACT

(By Frank P. Augustine)

ALBANY.—Gov. Nelson A. Rockefeller denied Tuesday that he had approved the contract between the State Power Authority and Niagara Mohawk Power Corp., for operation of the authority's proposed 800-megawatt nuclear power facility at Nine Mile Point.

The governor's reply came at a news conference in answer to a question arising over the recent inquiries by Congressman Richard L. Ottinger of Westchester over the arrangements between the Power Authority and the private utility in the function of the state's plant to be completed by 1973.

"This is not an area that comes within my responsibility—the Power Authority has authority in their own name to conduct their own negotiations."

Mr. Rockefeller was willing to comment on what the Power Authority has done.

"I simply say this: That they are trying to get as cheap power as they can, and to build up a high-price professional staff of their own would take a great deal of money because there is a shortage of top-flight technical personnel in this highly complex field."

Mr. Rockefeller, in effect, gave the same reasons for the decision by the authority as that given by the Power Authority chairman, James FitzPatrick.

"They have contracted," the governor continued, "for the rendering of the service by an outfit that has an already successful operation in this field."

"STANDARD PROCEDURE"

He said it "was standard procedure" in this country for a government to contract for services with engineers, architects and others.

"It's just like the power—it's just like the Atomic Space and Development Authority operation in Cattaraugus. They could have set up their own personnel. It would have cost a great deal more. But they contracted with a private corporation in the field to manage and operate the property."

Mr. Rockefeller termed "completely inaccurate" a statement by Congressman Ottinger that there were more than $4,500,000 in unnecessary hidden costs in the authority's agreement with Niagara Mohawk.

Moments after the governor had finished his press conference which covered a variety of subjects, Congressman Ottinger together with Senate Minority Leader Joseph Zaretzki and Assembly Minority Leader Stanley Steingut held a press conference. Theirs dealt solely with the Power Authority issue.

Informed by reporters of the governor's comments on the hidden cost charge, Mr. Ottinger retorted:

"I hope that the governor can be a little more precise than Mr. FitzPatrick."

The Power Authority chairman, the congressman continued, had not given him specific questions sought about a month ago.

INVESTIGATION

Out of the conference came the announcement of a legislative minority committee to conduct an investigation.

"I am sure," Assemblyman Steingut declared, "that we will be able to ascertain all the facts."

The committee will have no funds to work with since it does not have legislative authorization. However, both Senator Zaretzki and Mr. Steingut said the appointees on the committee would have access to the staffs utilized by the minority leadership of both houses.

Questioned that its minority status would make the committee a purely political operation, Mr. Steingut said he believed the job could still be done. Trying to get a bipartisan committee would take time, the assemblyman said.

"We can't afford the luxury of time if we are to be successful," he said.

Mr. Ottinger declared that there will be an investigation into the arrangement between the two power entities by the congress, but that an investigation on the state level was essential.

"There are state aspects in this," he said, "that require this investigation. That's why this (state) committee has been named."

AEC CHIEF KNOWS OF NO PRECEDENT IN POWER ARRANGEMENT

(By Alan Emory)

WASHINGTON.—The chairman of the Atomic Energy Commission says he knows of no precedent for the publicly-financed, privately-operated nuclear power plant proposed for Nine Mile Point.

Glenn S. Seaborg virtually called the plan for the New York State Power Authority to finance and build and the Niagara Mohawk Power Corp. to operate under contract an 838-megawatt atomic plant a one-of-a-kind proposition.

The A.E.C. chief's comment appeared to contradict strongly statements by Power Authority Chairman James A. Fitzpatrick that there were plenty of precedents for the Power Authority-Niagara Mohawk operation.

Both entities signed the application for A.E.C. licenses for the $222,000,000 power project on Lake Ontario.

In a letter to Rep. Richard L. Ottinger, D., Westchester, Seaborg said the new Nine Mile Point project was "the only project under review by the commission submitted by a state public power agency and an investor-owned utility as joint applicants."

"There are no other nuclear plants operating or being constructed which fall in this category," he added.

Fitzpatrick had cited projects in New Mexico and California to support this argument that the New York arrangement was not all that new.

Seaborg called attention to two separate applications filed with the A.E.C. in September, 1967, requesting a review of the proposed Bolsa Island Nuclear and Desalting Plant to be located offshore of Bolsa Chica Beach in Orange County, Calif.

The utilities involved were Southern California Edison Co., San Diego Gas and Electric Co., and Los Angeles Department of Water and Power.

Seaborg said, however, that "Both applications have since been withdrawn by the utilities."

Fitzpatrick has also cited an exchange of information arrangement between the Tennessee Valley Authority and a group of private utility firms and an agreement by the Bonneville Power Authority to purchase the entire output of a private company plant in the Northwest.

FEDERAL "STRIKE FORCES" AGAINST ORGANIZED CRIME GET MORE HELP FROM FBI

(Mr. FASCELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FASCELL. Mr. Speaker, recent news that the FBI has now committed itself to fuller participation in the "strike force" method of attacking organized crime is indeed significant and encouraging.

It is encouraging because, as one of the most effective investigative units in the world, the FBI brings to the "strike

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forces" a wealth of sophisticated investigative tools and expertise sorely needed in the battle against the underworld.

It is significant not only because it enhances the coordination and effectiveness of Federal activities against organized crime, but also because it sets an example for State and local entities currently seeking ways to more effectively cope with that menace.

The Legal and Monetary Affairs Subcommittee of the House Government Operations, of which I am chairman, has, for the past 2 years, conducted a study of the Federal effort against organized crime. Among the conclusions reached pursuant to the study is that "the Federal Government has not borne its obligations with the constancy and force that its role in the overall battle against organized crime demands." This situation was found to result, in large part, from the attitude of some Federal agencies to abstain from total involvement in the overall Federal effort. The report emanating from that study—"Federal Effort Against Organized Crime, Report of Agency Operations," H.R. 1574, 90th Congress, second session—well documents that situation.

In November 1967, as chairman of the subcommittee, I exchanged letters with FBI Director J. Edgar Hoover about the role of the FBI in "strike force" operations. Questions had arisen about the degree of FBI involvement, and indeed, about whether it should be involved in "strike force" operations at all. In pertinent part, Mr. Hoover's letter states:

> With reference to your specific inquiry, we have maintained daily contact with the Department's "Strike Force" assigned to the Buffalo, New York, area since November, 1966, providing the members of that group with information coming to our attention regarding individuals involved in organized crime. It is, therefore, certainly not true that we have failed to cooperate with this task force, even though we do not at the present time have any Agent personnel assigned exclusively to work with it.
>
> The FBI has clearly indicated to the Department that we will handle any investigation which it desires us to conduct and which falls within our investigative jurisdiction. Our position is that the supervision of these investigations should remain within the FBI and that we continue to direct the activities and the assignment of our personnel so that the maximum utilization of available Agents can be achieved at all times.
>
> Historically, our program embodies the separation of the investigative and prosecutive aspects of the drive against organized crime and, as a general rule, we have found it to be true that greater efficiency results and responsibilities become more clearly established when investigators investigate and prosecutors prosecute. Under this system, the supervisory direction and the assignment of personnel are left in the hands of professionals experienced in the handling of sensitive investigations in a most complex field of activity.

Mr. Speaker, in a letter to me, as chairman of the Legal and Monetary Affairs Subcommittee, the former Assistant Attorney General in charge of the Justice Department's Criminal Division, Mr. Fred Vinson, in discussing this problem, stated on December 8, 1967:

> Technically, this is correct, for the FBI has not detailed its agents in the manner required for full participation in any such task force. However, in point of fact, the FBI's contribution to any such task force is very significant as the FBI is the only federal agency which is oriented to development of strategic intelligence in the organized crime field, this intelligence, supplied to the Organized Crime and Racketeering Section and to other agencies on a continuing basis, is indispensable to our organized crime program. I might also add that the position of the FBI is that it will investigate promptly any matter within its jurisdiction which is referred to it by the strike force.
>
> As I am sure you know, the FBI and the Internal Revenue Service have between them carried the major investigative burden of the organized crime program.

The question concerning integration of investigative and prosecutive functions has long been debated in law enforcement circles at all levels of government. Whatever the proper mode of operation may be, it cannot be doubted that organized crime knows no State boundaries or agency jurisdictions. Nor has a significant diminishment in organized crime activities been brought about by the separation of prosecutive and investigative functions at the Federal level. As the committee report pointed out, only through greater coordination among the Federal agencies, working in conjunction with State and local agencies, can there be any real hope for victory in this fight.

The brunt of the battle against the underworld must be carried on by State and local law enforcement agencies. The Federal Government, however, by the very nature of organized crime, has a vital role to play in the overall effort. To maximize the Federal effort, all Federal agencies capable of contributing to the fight must render full devotion and cooperation. To do otherwise would, in my opinion, put a severe strain on the organized-crime-fighting capabilities of State and local law enforcement entities, which are already under intense pressures to utilize their resources to curb street crime and civil disorders.

The assistance rendered by Justice Department "strike forces" to local law enforcement agencies has been quite meaningful and productive. The benefits derived by local law enforcement agencies from these "strike forces" are counted not only in the number of indictments brought against organized crime figures, but also in the rapport established between Federal and local agency personnel. In effect, "strike forces" provide invaluable training to local agency personnel and greater involvement by the FBI in "strike force" activities can only add to this educational byproduct.

The degree of FBI participation in "strike force" activities has not yet been defined. It is to be hoped that it entails the direct assignment of special agents to organized crime operations. In any event, the Bureau's increased participation gives greater assurance that the best available resources at the command of the Federal Government stand ready to be employed in the battle against the underworld.

For this reason, I commend the Director of the FBI for his action.

LEGISLATION TO REPEAL PROVISIONS OF 1967 SOCIAL SECURITY ACT WHICH LIMIT FEDERAL FINANCIAL PARTICIPATION IN AID TO FAMILIES WITH DEPENDENT CHILDREN PROGRAM

(Mr. FRASER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FRASER. Mr. Speaker, I am introducing legislation today to repeal the provisions in the 1967 Social Security Act which limit the Federal financial participation in the aid to families with dependent children program.

The AFDC freeze, when it takes effect, means that the number of children who are eligible for AFDC benefits in any State cannot exceed for Federal matching purposes the proportion of AFDC children to all children in the State as of January 1968. According to the 1967 act, the freeze was to take effect on July 1, 1968. Last year, however, the implementation of the freeze was postponed until July 1 of this year.

Unless we act before July 1 to repeal the freeze we will find that the serious financial problems confronting State and local welfare systems will merely be compounded. In many States, the number of needy children in the under-18 age group is increasing more rapidly than the total under-18 population group. These States will be faced with several alternatives. Either they will have to make the Federal dollars stretch further by cutting assistance for all recipients or they will have to increase the percentage of State and local funds which finance this assistance to make up for the lack of Federal aid for new recipients.

In my State, Minnesota, welfare departments are required by law to provide a specified level of assistance to all eligible recipients. Even now current programs do not meet the existing need and any legislative action cutting assistance levels is highly unlikely. Thus, in Minnesota the freeze will merely result in shifting more of the cost of welfare from the Federal Government to the State and county governments.

Hennepin County, in which my district is located, will be faced with an estimated additional cost of $700,000 for assistance payments during the second half of 1969 as a result of the freeze. The State of Minnesota will face the same cost which represents its share of payments to new recipients living in the county. In 1970 the cost of the freeze to the county and to the State for its share of county expenses is expected to total $2.8 million. I am sure that this situation can be duplicated in hundreds of urban counties throughout the country. During this period when the financial pressures confronting State and local governments are even greater than the pressures confronting the Federal Government, we should be talking about increasing Federal aid, not cutting back.

The long-range objective of the freeze, to reduce the number of AFDC recipients, is certainly laudable. But an arbitrary cut-off of funds is not the way to

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achieve this objective. Instead we should be increasing employment and educational opportunities so there will be less need for welfare and so that more people now receiving assistance will become self-supporting. In general, the 1967 Social Security Act is a move in the right direction—with its provisions for work incentives and day care service for working mothers. Unfortunately, the freeze is a step backward. It should be repealed as soon as possible.

The bill follows:

H.R. 9232

A bill to amend title VI of the Social Security Act to repeal the provisions limiting the number of children with respect to whom Federal payments may be made under the program of aid to families with dependent children

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 403(d) of the Social Security Act is repealed.

(b) Section 403(a) of such Act is amended by striking out "(subject to subsection (d))" in the matter preceding paragraph (1).

INEQUITABLE FEDERAL INCOME TAX SYSTEM

(Mr. DINGELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DINGELL. Mr. Speaker, perhaps the greatest single issue facing the 91st Congress is the grossly inequitable Federal income tax system.

It is imperative that the Congress act to reform the income tax system in order that the burden of paying for Federal services will be more equitably apportioned among our people.

I am one of those who has been working for years to reform our tax system, and to close the many tax-avoidance loopholes in the present statutes. Unfortunately, successive administrations failed to come forward with tax equity proposals and the Congress did not act on its own initiative.

The situation has become so critical that former Secretary of the Treasury Joseph W. Barr has warned of the possibility of a "taxpayers' revolt."

In testimony before the Joint Economic Committee on January 17, 1969, Secretary Barr stated:

> The middle classes are likely to revolt against income taxes, not because of the level or amount of the taxes they must pay but because certain provisions of the tax laws unfairly lighten the burdens of others who can afford to pay.
>
> People are concerned and indeed angered about the high-income recipients who pay little or no Federal income taxes.

Secretary Barr, of course, had in mind the so-called loopholes in the present tax laws which allow some $50 to $70 billion of income to completely escape Federal taxation.

The question arises, "Who is it that enjoys the major benefit of tax loopholes?" We all know that it is not the average wage earner who has his Federal income tax deducted from his paycheck. It is the high-income recipient who too often escapes with little or no Federal income tax liability. In 1967, for example, 21 persons with incomes of more than $1 million paid no Federal income tax whatsoever; 155 individuals and couples with incomes in excess of $200,000 paid no Federal income tax.

A great many profitable corporations are equally adept at avoiding Federal income taxes. As I noted in an earlier address to the House, the 22 largest U.S. petroleum companies in 1966 reported gross profits of $6,809,111,000 but had an income tax liability of only $585,115,000, or 8.5 percent of their gross profit. Most corporations are required to pay regular Federal income taxes at the rate of 48 percent of their gross income.

The Federal Government in theory has a progressive income tax structure for individual taxpayers with rates varying upward to 70 percent for those persons with incomes in the higher brackets. In fact, however, a study of 1966 income tax returns shows clearly that the amount of taxes paid by higher income individuals, on the average, bears little relationship to the graduated tax schedule.

The study of 1966 income tax returns shows that the effective tax rate—on amended adjusted gross income, with certain exceptions—was as follows:

Annual income and average tax

	Percent of income
Under $5,000	7.4
$5,000 to $10,000	9.4
$10,000 to $20,000	12.2
$20,000 to $50,000	18.0
$50,000 to $100,000	27.3
$100,000 to $200,000	31.9
$200,000 to $500,000	32.0
$500,000 to $1,000,000	30.7
$1,000,000 and over	28.4

These figures clearly demonstrate that the concept of progressive taxation is more theoretical than actual. Further, these figures do not take into account the plethora of State and local sales and use taxes, which, in proportion to income, usually fall more heavily upon middle- and low-income families.

While Federal tax rates are lower now than they were 5 years ago, the total tax bite, including Federal, State, and local, has substantially increased in most jurisdictions.

The Nation's 50 million moderate- and low-income taxpayers face the prospect that there will be a 1-year extension of the 10-percent surcharge on Federal income tax payments. The surcharge, unfortunately, merely compounds the unfair bias in the Federal tax system. It is evident that a wealthy person or corporation utilizing tax loopholes to escape regular income tax liabilities will not be hit by the surtax, since 10 percent of nothing is nothing. For these and other reasons, I voted against the surtax bill when it was before the House during the 90th Congress.

The proposed extension of the 10-percent surtax would yield an estimated $9 billion in additional revenues during fiscal year 1970. I am rather dubious about the necessity of extending the surtax for another year. The Federal Government does need the additional revenue which would be provided by this extension, but there are other and more equitable means of raising these funds.

I am referring to tax reform measures which I have introduced, and which are now before the House Committee on Ways and Means.

One of my tax reform measures would produce an estimated $9 billion in new Federal revenue by plugging 13 of the more notorious loopholes in the Federal income tax system. I shall detail the provisions of this bill later in this statement.

Another of my bills would produce at least $7 billion in new revenue if it were made a part of the present tax system. This measure would impose a minimum tax of 10 percent on loophole or tax-sheltered income above $10,000 a year. This is not a complicated proposal. It would not require long study or lengthy hearings. Its prompt enactment would mean that individuals and corporations with substantial incomes would make an immediate, albeit modest, contribution to the operations of the Federal Government. With this measure on the books, the Congress could proceed in better conscience with the lengthy deliberations which will be required to achieve full-scale tax reform.

A third measure I am sponsoring would increase the personal income tax exemption of a taxpayer from $600 to $1,200, including the exemption for a spouse, the exemption for a dependent, and the additional exemptions provided for aged and blind persons. The present exemption of $600 was established in 1948 and is totally unrealistic when considered in terms of 1969 prices and living costs. Establishment of a $1,200 personal income tax exemption is an essential element in our effort to achieve equity in the Federal tax system.

Treasury Department estimates indicate that the proposal to increase the personal income tax exemption would result in a reduction in Federal revenues of about $6 billion. Enactment of my other tax reform measures would more than compensate for this revenue loss.

The broad loophole-closing bill which I mentioned earlier would do the following:

First. Tax capital gains which are otherwise untaxed at the time of death, thereby raising $2.5 billion in additional Federal revenue.

Second. Remove the unlimited charitable deduction device which costs the Treasury some $60 million a year.

Third. Eliminate special tax treatment for stock options thus raising an additional $150 million.

Fourth. Eliminate the $100 dividend exclusion and thereby increase Federal revenues by $225 million.

Fifth. End the benefits derived from multiple corporations which cost the Treasury $200 million a year.

Sixth. Remove the tax exemption on certain industrial development bonds for a savings of $50 million a year.

Seventh. Create a municipal bond guarantee corporation as an alternative to tax-exempt bonds and thus provide the Treasury with $900 million in added income.

Eighth. Reduce the mineral depletion allowance from 27½ to 15 percent for oil and from 23 to 15 percent for 41 other minerals for a savings to the Treasury of $900 million a year.

Ninth. Establish the same rate for gift and estate taxes, thus increasing Federal revenues by $150 million a year.

Tenth. Eliminate arrangements which allow payment of estate taxes by the redemption of Government bonds at par for a savings of $50 million.

Eleventh. Place limitations on hobby farmers' use of farm losses to offset other income for a savings to the Treasury of $400 million per year.

Twelfth. Eliminate accelerated depreciation on speculative real estate for an increase in Federal income of $150 million a year.

Thirteenth. Repeal the 7-percent investment tax credit with a resulting increase in Federal revenues of $3 billion.

In the closing days of the Johnson administration, former Assistant Secretary of the Treasury Stanley Surrey approved a revision in income tax regulations as they relate to commercial banks which will boost Federal revenues by an estimated $100 million a year. The old rules permitted commercial banks to take an automatic deduction equal to 2.4 percent of their outstanding loans as a bad debt reserve. Since experience in recent years has shown that bad debt losses of commercial banks are considerably less than 2.4 percent of outstanding loans, the old formula gave commercial banks what was in effect a tax windfall.

The revised Treasury regulations do not allow the automatic bad debt deduction to be applied to classes of loans, such as U.S. Government obligations, which can be considered almost totally safe. I consider the new regulations to be a step in the right direction; however, I do not feel they go far enough. In my view, the bad debt deduction for tax purposes should be limited to the actual bad debt losses experienced by commercial banks.

Under present income tax laws, mutual savings banks actually come off much better than did the commercial banks. Under a complicated formal arrangement, mutual savings banks as a group are afforded tax treatment of bad debt reserves which is so generous that these institutions are virtually tax exempt—paying an effective rate of tax of about 1 percent of their income.

Proposals have been made to the Ways and Means Committee which would revise the bad debt laws for mutual savings banks to provide somewhat greater equity. Under the proposal, it is estimated that the Federal Government would receive some $40 million in additional revenues each year. Even under this proposal, however, mutual savings banks would continue to enjoy bad debt deductions greatly in excess of actual losses and thus would obtain favorable tax rates. As a result of the proposal, it is expected that the effective tax rate on the "economic income" of mutual savings banks will approximate 13 to 18 percent. I feel this reform is long overdue and, in fact, probably should be made more stringent.

Mr. Speaker, the House Committee on Ways and Means and the Senate Committee on Finance jointly have published a 475-page, 3-part document setting forth the studies and proposals for tax reform which were developed by the Treasury Department during the administration of President Johnson.

In commenting on these tax studies and reform proposals, former Secretary of the Treasury Henry H. Fowler stated:

> Most of our individuals, families, and business firms are paying their fair share of the Federal tax bill which yielded $150 billion in fiscal 1968. They do this primarily by a process of voluntary self-assessment, under a system of tax administration that employs the most modern technology and methods of management, and operates efficiently and at low cost. Furthermore, as a result of major steps that have been taken in recent years . . . our tax system is today better attuned than ever before to the requirements of high-level investment and economic growth.
>
> We can take pride in these facts.
>
> At the same time, however, we must recognize that there are other facts about our tax system which we cannot, by any means, view with pride.

Secretary Fowler cited examples which he said "as believers in justice and fairness we can only deplore." He added:

> Through situations such as these, and other types as well, a minority of the population pays far less than its share of tax while others may bear special hardships to meet their tax liabilities. Many of these special benefits and devices are intricate, subtle, and difficult for the average person to understand. But all of them flaw our tax system and undermine the standards of justice and fairness which should prevail. For the minority who benefit, these special advantages add up to substantial windfalls.

Mr. Speaker, I agree that our Federal tax system is grossly inequitable in many of its provisions. It is of utmost importance that the Congress take prompt action to eliminate tax inequities and bring about renewed confidence on the part of the citizenry in the fairness and justice of the Federal tax laws.

THE ANTI-BALLISTIC-MISSILE SYSTEM

(Mrs. MINK asked and was given permission to extend her remarks at this point in the Record and to include extraneous matter.)

Mrs. MINK. Mr. Speaker, over the past 2 days I have inserted in the Record copies of resolutions expressing my constituents' objections to the location of an ABM site in Hawaii. In the first instance the resolution offered by Councilman Brain Casey was adopted by the city council of the city and county of Honolulu. In the second instance the resolutions offered by members of the house and senate of the State legislature now in session are still being considered. From the numbers of cosponsors on these house and senate resolutions, I feel certain, however, that they will also be adopted.

Today I have the privilege of inserting in the Record a copy of a resolution adopted by the Hawaii County Democratic Party on March 12, 1969, which states as follows:

> Whereas, President Nixon has temporarily suspended activity on the Sentinel Anti-Ballistic Missile system while its cost, effectiveness and international repercussions are studied;
>
> Whereas, most reputable scientists not connected with the military agree that the Sentinel ABM system would be worthless as a protective device since it would send up missiles with atomic warheads to intercept enemy atomic bombs, scattering radioactive fallout over our own land and people;
>
> Whereas, the $5.5 billion authorized for the Sentinel ABM system would be only a start on an ABM system that might ultimately cost $100 billion and would probably be obsolete before it is finished;
>
> Whereas, taxpayers money would better be spent in solving the pressing problems on the home front, such as the decay of our cities, pollution of our environment, poverty of our people, and needed public works;
>
> Whereas, Senator Dan Inouye and Representatives Patsy Mink and Sparky Matsunaga have courageously called for abandonment of the Sentinel ABM project, leaving only Sen. Hiram Fong of the Hawaii congressional delegation uncommitted;
>
> Therefore, be it resolved, that the Democratic Committee of the County of Hawaii commend and support our Democrats in Congress for their opposition to wasting taxpayers' money on an ABM missile system which would benefit only the munitions makers and the military;
>
> Be it further resolved, that copies of this resolution be sent to President Richard Nixon, to Senators Hiram Fong and Dan Inouye, to Representatives Patsy Mink and Sparky Matsunaga, to the Hawaii County Council and to the press.

DROPOUTS SHOW REMORSE

(Mr. MONAGAN asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. MONAGAN. Mr. Speaker, one of my constituents, James M. S. Ullman, Esq., of Meriden, Conn., recently sent me some newspaper clippings regarding an exhaustive survey undertaken by two Meriden schoolteachers of high school dropouts. The two teachers, Patricia Shanahan and Charles Byron, conducted this 4-month-long survey voluntarily. They are to be commended for their diligence and unselfishness.

I recommend these Meriden Journal clippings to anyone interested in the dropout problem and what some teachers might do about it. The chagrin which these dropouts now express regarding their abused opportunities is much to the point in these days of troubled education.

The articles follow:

[From the Meriden (Conn.) Journal, Tuesday, July 30, 1968]

TWO TEACHERS MAKE SURVEY—DROPOUTS: WHY THEY'RE QUITTING

(Editor's Note.—This Spring, two teachers—Miss Patricia Shanahan and Charles Byron—at Lincoln Middle School submitted their own dropout survey to the Board of Education. The co-authors spent more than four months talking with men and women who had dropped out of school.)

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(By Sandy O'Brien)

To the student who has quit school the label "dropout" is bad. It is depressing. To most people "dropout" means trouble.

But two teachers who surveyed 65 students who quit school here found that not one left for disciplinary reasons.

The chief reason for leaving was found to be failure in school subjects due to lack of relevant material in the classroom. A close second was poor teacher relationship. Reading disability was third.

The initiative to compile a report on dropouts came right from the classroom with hopes that the result would focus attention on "this dilemma affecting our schools and society."

The report, which has been submitted to the Board of Education, was written by Miss Patricia Shanahan, a social studies teacher, and Charles Byron, physical education teacher, both at Lincoln Middle School.

Miss Shanahan writes: "Many have asked us in the course of preparing this report, 'But, why are you two doing this?' It is not a nice answer that I have to give. Personally, we were just sick at the number of former students that come back to visit with us informing us that they have 'quit.' Coupled with these students, we have had to stand by and watch our present students leave us. I am an eighth grade teacher. The normal age group for this grade is 12 and 13. This year I began with 23 students in my homeroom, of whom 15 were between the ages of 14 and 15. Now, as a consequence, I have seven 16-year-old students.

"You tell me what they are thinking about as they pass through the corridors filled with students, as young as 9 and 10. What sort of common experience do these young men have a chance of attaining with the rest of the school community? I have already lost five of my students. Unfortunately, I don't expect it to end."

Byron said he identified with the students. "I was a dropout. It took me 35 years to get my high school diploma, and I tell the kids, 'I hope it doesn't take you that long,'" he said. (Byron went on to Arnold College, now Bridgeport University, and received his degree when he was 39. He was awarded a master's degree by the University of Hartford when he was 42.)

"I had a boy for two years, not a bad kid. But he was too old for the eighth grade. Now he's on his way to California." Byron said.

"A lot of my boys wanted to go to Wilcox Technical School, but they couldn't make it. We should use every agency we have and get behind these kids. This is a concern of the complete community—they should not be just the school's concern, but everyone's concern," he said.

Both Miss Shanahan and Byron feel that there are several things that "must be done."

Their report states:

"First and foremost, consideration must immediately be given to a revision of our curriculum. We have worked with these students; to ask them to sit in confined classrooms for eight hours a day is asking the impossible. Why? These are students who will not complete high school, and furthermore, some of these students are unable to read beyond the third grade level. We are not recommending a watered down curriculum, but rather a more pertinent or practical curriculum.

"On the junior high school level such programs as practical English and math, as well as increased trade training should be considered. They have been considered in some schools, but not implemented. On the high school level the work study program could be implemented. Greater emphasis on trades in the high school is recommended. Wilcox, although offering an excellent program, affords no opportunity for the type of student we are discussing. The entrance qualifications alone would prohibit him from receiving any benefit.

"Increased reading emphasis must be instituted on all levels. When a child, never mind a whole class, achieves eighth grade standing unable to read the most basic texts, great problems are bound to occur."

In answer to the question, "Why did you leave school?" several responding to the survey replied poor teacher relationships. "Some consideration should be given to a possible inservice training program to revise or upgrade training teachers received in child psychology. Special emphasis would be placed on the slow-learner or 'problem child.' We are constantly reminded that this is a new generation, yet many teachers are responding to them with techniques learned long ago," the report says.

Byron feels that the new junior and senior distributed education program is a start. "It will be too late for some, but everything has to have a start," he said.

Miss Shanahan added, "I wrote a survey on dropouts, but I know while I've written a report, tomorrow I'll lose another."

[From the Meriden (Conn.) Journal, Aug. 1, 1968]

Today's Students Want Answers

(By Sandy O'Brien)

"I like my kids. They won't accept platitudes. They're sharper than I was at their age and they study a lot harder."

There are miles of differences between students and classrooms when it comes to comparing schools today and the schools as Miss Patricia Shanahan, a Lincoln Middle School teacher, knew them when she was a student less than 10 years ago.

"When I came to Meriden to teach I was totally shocked at how old they were at 13. I remember being a senior and not knowing some of the things these kids know in seventh grade," she pointed out. "And I had never seen poverty or slums."

Miss Shanahan, who grew up in Bennington, Vt., was a member of the first senior class to graduate from the city's parochial school "where the discipline problem was non-existent."

"We (the teachers and the students) were like one big family. We thought nothing of dropping into the principal's office. It never dawned on me that students got lower than a B," she said.

Miss Shanahan is a member of the Meriden Education Association, Connecticut Education Association and the National Education Association. She is the daughter of Mr. and Mrs. William P. Shanahan of Bennington. During the school year she lived at 624 Broad Street. This Fall she will make her home at Lake Beseck, Middlefield.

But for Charles Byron, school was a different story. A native of Meriden, Byron dropped out of school after finishing the eighth grade at St. Rose.

"I was fourteen. I had had it," he recalls. For 17 years he drifted from one factory job to another.

Then in 1942 he joined the army and wound up working in Torney General Hospital in Palm Springs, Calif., as an orderly.

It was there that he met a 19-year-old boy named Leonard Shelhamer from New Jersey.

"And it was this kid who was blind, 50 per cent deaf, and missing an arm, who made me realize how ungrateful I was as I griped about my past. I enrolled in a nearby high school."

"I was 35-years-old when I received my diploma and class book in the mail," Byron said.

When he returned home he enrolled in Arnold College (now the University of Bridgeport) and received his degree in elementary education. In 1952 he received his master's degree from the University of Hartford.

"I couldn't have done it without the encouragement from my wife. Every time I got discouraged she'd say 'Charlie, I know you can do it,' and that's what I tell my students.

"No kid wants to be a nothing."

Byron's leadership has carried him beyond the walls of Lincoln. For the past 17 years he has taught Sunday School at Connecticut School For Boys. He has served as president of the Eagles, president of the Salvation Army Advisory Board and president of the Catholic Diocese Bureau. He is a council member of the Boy Scouts and a former member of the Community Action Agency Board.

He is a member of the Meriden Education Association, the Connecticut Education Association, the National Education Association and the Meriden Federation of Teachers.

Byron and his wife, the former Rae Elizabeth of Rhode Island, live at 265 New Hanover Ave.

The couple has two children, a son Michael, who will be a senior at Danbury Western State College, who plans to teach emotionally disabled children, and a daughter, Kathleen, who graduated this June from Platte High School. The family spends their summers at Lake Beseck in Middlefield.

A breakdown of their survey showing ages, education level and present occupation follows:

Age	Years in school	Other education	Occupation
36	8	Night school	Carpenter.
32	11	do	New Haven Railroad.
31	10	Training school	General foreman.
31	11	Barber school	Barber.
31	11	None	Carpenter.
30	10	do	Equipment operator.
29	10	Wilcox Night School	Tool grinder.
28	11	Night school	Machine operator.
27	11	U.S. Air Force	Foreman.
27	11	None	Insilco.
26	9	Army (2 years) accounting.	Proprietor billiard room, mailman
26	11	Navy	Roofer.
25	12	None	Dry cleaner.
25	12	do	Roofer.
25	10	do	Factory-setup man.
25	11	Night school	Assistant owner-hairdresser.
25	12	do	Transmission mechanic.
		Correspondence and training school.	
24	12	Night school	Cook.
		Training school	
24	13	Navy, training school	Pipefitter-welder.
24	8	None	Carpenter.
23	12	do	Owns business.
23	12	do	Mailman.
23	12	do	Carpenter.
22	9	do	New departure.
22	12	Night school	Unemployed.
22	10	do	Housewife.
21	10	None	Machine operator.
21	10	do	Trucker.
21	13	Night school	Army.
20	10	None	Shipper.
19	13	Night school	Marine Corps.
18	12	None	Army.
20	10	do	Shipper.
18	12	do	Molder.
18	11	Night school	Canada Dry Co.
18	13	None	Machine room.
24	8	Training school	Army.
21	12	None	Cook.
18		Night trade school	Apprentice carpenter.
18	12	None	None.
18	12	Training school	Carpeting.
18	9	do	Machinist.
18	12	do	Floor covering.
18	10	None	None.
17	10	do	Youth Corps.
17	12	do	Bodyman.

[From the Washington (D.C.) Post, June 9, 1967]

Tale of Two Dropouts

(By John Chamberlain)

I've just heard the dropout story to cap all dropout stories. It involves a double-barreled narrative, with two happy endings where even one would have been remarkable.

Dropout No. 1 was a factory worker from Meriden, Connecticut, named Charlie Byron. He had quit high school before graduation, and had puttered along getting nowhere until the U.S. Army grabbed him at age 31. Billeted at Horney General Hospital in Palm Springs, California, in 1943, with an uninspiring job as an orderly, Charlie started griping one day about his wasted life to a blind, one-armed and 50 percent deaf patient named Leonard Shelhamer from North Caldwell, New Jersey. Shelhamer, who had been injured while working as a demolition crew member with the 79th Infantry Division at Camp Laguna, Arizona, when a mine blew up, thought it odd that a man with perfect sight and hearing and two good arms should be quarreling with his fate.

"If you think you're bad off," he told Charlie, "What about me? You can read."

The encounter led to a friendship, and, with some further prodding, Charlie Byron took advantage of his Army orderly off-hours to go back to high school. Eventually he was shipped to the China-Burma theater in the Far Pacific. He took a California high school diploma with him.

The story of Charlie's education didn't stop there. I met him in Washington in 1945, when he came back from the war to marry the girl who happened to be my secretary, Charlie had an idea: He wanted to go in for physical training, but to get the sort of job he wanted in a good school, he had first to get a college degree. Four years later he had one, and, not satisfied with that, he went on for his master's.

Going back to his home town of Meriden, he found his job as coach and director of physical education in Lincoln Junior High School. He and his wife Rae adopted two children who are not school dropouts; the son is a junior in college, the daughter is a National Honor [Society] student as a high school junior.

I've known Charlie's story for a long time. But the other half of the tale came to light only recently. Charlie often wondered what had happened to his blind, one-armed, and partially deaf World War II friend who had encouraged him to go back to school. Tracking him down, Charlie discovered that Shelhamer had become the service officer for the Blinded Veterans of New Jersey. Charlie learned that, where Shelhamer had stimulated him to go back to school, he, in turn, had stimulated Shelhamer to do the same thing. Though badly handicapped by his injuries, Shelhamer had taken a three-year leave from a job with the New Jersey State Employment Agency to get a bachelor's degree from Fairleigh Dickinson University, plus graduate work at Rutgers and Seton Hall. He is currently only two subjects short of a master's degree in employer-employe relations.

Recently Charlie Byron and Len Shelhamer traded compliments at an annual convention of the New Jersey Blinded Veterans Association. Charlie, the principal speaker, and his subject, unsurprisingly, was "High School Dropouts." Pointing to Shelhamer, he said:

"This man changed the whole course of my life." After Charlie's speech, Shelhamer remarked that "when I heard the old boy was going through school at the age of 35, I decided to do something about myself."

Thus the double happy ending of the tale of two dropouts.

FEDERAL GRANTS TO IMPROVE EDUCATIONAL TECHNOLOGY

(Mr. BRADEMAS asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. BRADEMAS. Mr. Speaker, on March 13 I introduced a bill, H.R. 8838, to establish a program of Federal grants for the improvement of educational quality through the more effective use of educational technology. I was joined in the sponsorship of this legislation by the distinguished chairman of the Committee on Education and Labor, the gentleman from Kentucky (Mr. Perkins).

H.R. 8838 is a companion bill to S. 1189, a bill introduced on February 28 by the distinguished chairman of the Senate Labor and Public Welfare Committee, the senior Senator from Texas (Mr. Yarborough).

Chairman Perkins has referred the bill to the Select Subcommittee on Education, of which I have the honor to be chairman, and it is my hope and intention that the subcommittee hold hearings and take other appropriate action on this legislation during this session.

Mr. Speaker, I want at this point to take a moment to make clear that my sponsorship of this bill is not at all intended to convey my support of every word and figure in the proposal. I believe that educational technology holds great promise for the improvement of the quality of American education and for the development of instructional techniques which can be of major significance in surmounting some of education's most pressing problems. I believe, too, that Congress, as a major supporter of education programs, has a responsibility to develop a national policy with regard to educational technology and in particular with regard to its financial support.

I have, therefore, introduced H.R. 8838 in order to provide a vehicle for hearings and for whatever legislative action those hearings indicate is needed in this field. I hope that both those who favor the bill as it now stands and those who have suggestions for changing it will give the members of our subcommittee the benefit of their suggestions as we consider this measure.

Last year, the Honorable Wilbur Cohen, then Secretary of Health, Education, and Welfare, appointed a Commission on Instructional Technology, under the chairmanship of Dr. Sterling McMurrin, dean of the University of Utah Graduate School and formerly U.S. Commissioner of Education. This Commission is expected to file its report during the summer. In order to have the broadest possible base of data and range of alternatives before the subcommittee, we shall defer starting hearings on H.R. 8838 until after the McMurrin Commission's report is available to the members. In the meantime, however, I shall be happy to receive and to make a part of the eventual hearing record any comments that persons concerned about educational technology may wish to let me have, in care of the Select Subcommittee on Education, room B-345A, Rayburn House Office Building, Washington, D.C. 20515.

EDUARDO MONDLANE

(Mr. BRADEMAS asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. BRADEMAS. Mr. Speaker, those of us who watch hopefully for the emergence of balanced, progressive leadership on the African Continent suffered a great loss in the recent assassination of Dr. Eduardo Mondlane of Mozambique.

This extraordinarily able African leader brought to Mozambique's fight for freedom an organizational genius and a humanitarian spirit that are not often found in nationalist movements.

The story of Eduardo Mondlane's emergence as an African leader begins in 1962. At that time he left a teaching post at Syracuse University to return to Dar es Salaam to organize exiled Mozambican refugees into a working political unit. Frelimo—Frente de Libertacao de Mozambique—under his Presidency became the focal point for Mozambique's struggle.

Two years after its first Dar es Salaam Congress, Frelimo had 250 well-trained guerrillas; 5 years later, 8,000 troops able to fight the sophisticated weapons of the Portuguese Army.

Even more surprising than Frelimo's rapid military organization is its well-organized political structure. Under Dr. Mondlane's leadership, political expansion kept pace with military success. This meant that each newly conquered territory became incorporated into Frelimo's political structure. Frelimo workers maintained and expanded health and education facilities in cooperation—very often with missionaries who had been in the territory for some time.

MONDLANE'S HUMANITARIAN SPIRIT

Mr. Speaker, I referred earlier to Dr. Mondlane's humanitarian spirit. With your permission, I would like to elaborate on that spirit.

In spite of the injustice and racial oppression under which he has lived, Dr. Mondlane, as President of Frelimo, established a nonracial policy in its fight against the Portuguese Government. In a 1967 interview in Africa Report, he explains this policy as follows:

> We do not encourage attacks on civilians of any kind, be they black, white, colored, or Asian, so long as they are not armed to fight against us and are not cooperating with the Portuguese army. The reason for our prohibition of attacks on civilians of all races is that we are not fighting against the Portuguese people as such. We are fighting the Portuguese Government and its colonial, exploitative, imperialist establishment in Mozambique. Any Portuguese whites or Asians or any people who are not traditional Mozambican people who may wish to stay in Mozambique after we become free are welcome—even as members of Frelimo.

BACKGROUND

Eduardo Mondlane was born in 1920.

His educational prospects as a young boy did not extend much beyond the level of a primary certificate with a possibility of some kind of vocational training.

That he had by 1953 arrived in the United States to begin study for a B.A. degree from Oberlin College and later received a Ph. D. in sociology from Northwestern University is proof of his determination and strength of will.

I met Dr. Mondlane during this period

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at a national student conference of the Methodist Church.

He joined the staff of the United Nations in 1957 after completing a year of postgraduate study at Harvard University.

Five years later, with the announcement of Tanganyikan independence, Dr. Mondlane became convinced that it would be possible for Mozambique to gain its independence within his lifetime. Toward this end he took a teaching position at Syracuse University while he prepared to return to Africa the next year to organize Frelimo.

Mr. Speaker, Eduardo Mondlane has been for Mozambique far more than a political leader. He has been an educator as well. Together with his wife, Janet, an American whose home is in Indianapolis, Ind., my State, he built in Dar es Salaam the Mozambique Institute with which he hoped to accomplish three goals:

First, to fill the gap between the primary level education of African schools and the secondary level schools of English-speaking African nations.

Second, to help Mozambican students gain scholarships for study abroad.

Third, to provide technical training.

Mr. Speaker, last year while attending a conference in Nairobi, Kenya, I had the pleasure of spending an evening with this extraordinary African leader, a remarkable man by the standards of any nation. He was a compassionate person with the leadership ability to translate his concern for the injustices he witnessed into effective action.

His genius for organization, as well as the foresight and understanding he brought to the troubled contemporary African scene, made him an invaluable contributor to the development of that continent.

His death is a loss to America, for he was a friend of our own country.

Mr. Speaker, I insert at this point in the RECORD several articles concerning Dr. Mondlane:

[From Venture, vol. 21, No. 3, March 1969]

EDUARDO MONDLANE

Africa lost one of its great leaders when Euardo Mondlane, president of the Mozambique Liberation Front was murdered in Dar-es-Salaam on 3 February.

Mondlane's contribution to the struggle for African liberation and development was a vital one. Frelimo has pioneered among the national liberation movements of Southern Africa a coherent revolutionary strategy of integrated activity in the military, political, economic, social and educational fields. Its strategy is inspired and shaped by an identifiably African political philosophy, and shares much with the thinking of Julius Nyerere and the Tanzanian example. Frelimo shares Nycerere's ideals of non-alignment, self-reliance, socialism and democracy and is applying them to the armed struggle to replace Portuguese colonial rule in Mozambique with a new social and political order.

Frelimo's political creed has developed in response to the lessons learned in applying it in the war zones and liberated areas of Mozambique. Frelimo is more than a nationalist movement; it is, in the areas it controls, a government, and no mere government in exile. Party leaders move regularly and freely through the northern provinces of Mozambique. Frelimo has brought an administrative structure, educational and welfare services (albeit rudimentary in the face of obvious handicaps) and the possibility of popular participation, to areas of Mozambique which have known only the stultifying hand of Portuguese colonial rule. More than that the movement has worked to reconstruct the economy of the liberated areas, and is tackling from the base the problems of rural underdevelopment.

Mondlane from the party's beginnings recognised the importance of education, both academic and political, and the urgent need for administrative and vocational training at all levels. The work of the Mozambique Institute under the direction of his wife Janet Rae Mondlane has been a vital element in Frelimo's development. Its activities include wide-ranging educational programmes both in Tanzania and in Mozambique itself, training administrators for the liberated areas, training medical aides and directing welfare work among Mozambican refugees.

This then is the legacy of Eduardo Mondlane who left the soft option of American University life and the corridors of the UN to lead his people in their fight for political and economic independence. (His book *The struggle for Mozambique* will be published by the Penguin African Library in May. He wrote about Frelimo and the war in the July/August 1968 issue of *Venture.*) His intellectual energy and his enthusiastic capacity for human relationships won him many friends in all continents and he learned from many different creeds and social orders, yet his own personal contribution was distinctively African.

Superficial observers tended to assume that Mondlane was Frelimo, and that Frelimo was Mondlane. Yet he had no taste for the cult of personality and constantly emphasised the collectivity of Frelimo's leadership. The ideas and institutions that Mondlane did so much to develop are the organic product of seven years of collective struggle and find their most recent embodiment in the decisions of the second Frelimo congress held in July last year in the Niassa province of Mozambique, and in the subsequent resolutions of the central committee.

Mondlane's living memorial is a soundly structured movement which will be further developed. Frelimo remains a model for other movements engaged in the struggle for self-determination in Southern Africa.

It has inevitably been suggested that Mondlane's death was the result of divisions within Frelimo. Of course no guerilla movement is entirely free from internal differences, and in contemporary Africa it is easy for outside agencies, not least the principle enemy in the struggle, to exploit these. In the last 18 months Frelimo has not escaped such difficulties, but sources of strain were recognised by the collective leadership which successfully worked to correct them by democratic methods. The true nature of difficulties which gave rise to disturbances at Frelimo's secondary school and more seriously in its Dar-es-Salaam office in the first half of 1968 was recognised both by the Tanzanian government and by the Oau liberation committee. The disorders were the work of elements external to Frelimo, but doubts as to Frelimo's unity were not at first easily dispelled.

The July congress eliminated these doubts, and left Frelimo greatly strengthened. Delegates from all over Mozambique expressed their confidence in the policy followed during the six years since the first congress in 1962 and reaffirmed their confidence in the Frelimo leadership (and on issues where there was a division, majority votes were taken). The congress discussed in detail problems arising from the political and social structure developing in the liberated areas, including the working relationship between the military and the civilian administration, methods of increasing production through agricultural and trading cooperatives and the development of local industries.

Frelimo's educational and welfare programmes were also scrutinised. The congress further agreed on important structural reforms which broadened the base of the congress and of the central committee, which was re-established, with elected members and a strictly legislative function. Executive functions now rest with the executive committee, consisting of the president and the vice-president and the secretaries of the specialised departments—defence, organisation, external affairs, social affairs, and so on. These are appointed by the president.

At the end of August 1968 in its new character as a legislative body the central committee met to draw up new lines of action, analysing in detail the work of all departments, changing the structure of some of them and approving their programmes. (Details, which reveal the sophistication of the organisation, can be read in *Mozambique revolution,* official organ of Frelimo, obtainable through the Committee for Freedom in Mozambique, 1 Antrim Road, NW3.) In the field of external relations which was the direct responsibility of Vice-President Simango it was noted with satisfaction that committees of support for the struggle of the Mozambican people have been created in many countries, including recently in the west. The importance of improving understanding of Frelimo's position abroad was stressed.

The practical support which Eduardo Mondlane and other Frelimo spokesmen have succeeded in attracting in the United States, in Scandinavia and recently in Britain are a vital element in Frelimo's struggle. The three Scandinavian governments support the Mozambique Institute's educational and welfare programmes, and a number of religious and humanitarian non-governmental organisations in Europe and the United States also make important contributions. The message that the healthy and stable development of Mozambique, Angola and Guinea-Bissau lies in self-determination has made headway in the west. The shift in the Anglo-American position on the occasion of the last UN vote is some evidence of this (see *Venture,* January 1969).

Indeed the most likely motive underlying the assassination of Eduardo Mondlane is the recognition on the part of the enemies of African advancement in Mozambique that Mondlane and the Frelimo leadership had successfully foiled attempts to sabotage the movement from within and were making diplomatic progress in the west. It was no doubt hoped that the death of Mondlane would check Frelimo's progress.

Western supporters of the struggle for freedom in Portugal's colonies will be helping to carry on the work of Eduardo Mondlane if they continue to contribute materially to Frelimo's programmes, particularly in the field of education and welfare. They should also work for further changes in western policies toward Portugal which continues to derive strength from her position within NATO and EFTA. It is through such channels, particularly NATO, that pressures must be exerted in favour of change. Meanwhile the African people of Mozambique will continue to bury their dead and maintain their struggle in all its aspects. In Mondlane's own words: "It is not that a change of attitude on the part of the west will alter the outcome of the struggle. But it could, we feel, help to determine the time it may take for us to win."

[From the Observer, Feb. 4, 1969]

MOZAMBIQUE REBELLION LOSES A WISE LEADER

(By Colin Legum)

LONDON, February 4.—The killing of the leader of the Mozambique freedom movement, Dr. Eduardo Mondlane, in a beach-hut in Dar-es-Salaam is undoubtedly a major *coup* for the Portuguese who saw this 48-year-old academic-turned-revolutionary as their most formidable revolutionary opponent.

But while his murder on February 3 is a great setback for the National Liberation Front of Mozambique (Frelimo), it is not likely to be a fatal blow.

Mondlane—a soft-spoken, gentle revolutionary with an affection for bow ties and a deep love for his white American wife and their three children—had expected to be killed. He told me so when he was last in London in March 1968. He had lived under the shadow of assassination ever since 1963 when he resigned his comfortable job with the United Nations Trusteeship Committee and severed his relations with his *alma mater*, Syracuse University, New York, where he was a professor of sociology, to become a professional guerrilla leader.

Time and again, he found his movement—which has its headquarters in Tanzania—infiltrated by Portuguese agents—white and black. Recently, too, he told me he had uncovered South African security agents who had offered to serve as volunteers.

While in London, he never slept in the same hotel for more than two nights on the advice of the British security men. In Africa he made a point of never covering the same course during his daily six-mile dawn run to keep fit.

But although he always took precautions against the risk of assassination, he never avoided risks. He insisted on crossing into Mozambique at regular intervals, despite the intensive efforts made each time by the Portuguese security to track him down.

When I once asked him what would happen if he were killed, he replied: "The Portuguese will be making a great mistake if they think that Frelimo's future depends on me. We now have a trained and mature leadership which can pick up wherever I leave off. It is probable—because of the advanced state of our military organisation—that the new leadership will come out of the senior fighting cadres, rather than from the exile, civilian political leaders. We have some outstanding men in the field."

But Frelimo's senior commanding officer, who would undoubtedly have been an automatic choice to succeed Mondlane, was killed in action about 18 months ago.

Eduardo Mondlane's great gift of leadership was to weld four rival liberation groups into a single, united movement—and to keep them united. Only a tiny sectional group, Corema—which has neither real strength nor influence—remained outside the National Front.

Like all national fronts, Frelimo was caught up in internal dissensions. This, as Mondlane explained, was bound to happen. "We have everybody—from Communists to westernised Christians—represented in our movement." It was his achievement that he was able to overcome the periodic crises which disturbed internal relations. But he felt that these difficulties were related mainly to the nature of exile politics. He believed that the ideological differences, sharpened by frustration, would disappear within the discipline of an effective fighting army. "What happens after independence will be determined by the experience of the liberation struggle," he said.

Another of Mondlane's outstanding contributions was his success in retaining Frelimo's position as a non-aligned force. But this wasn't easy, since most of his arms and unconditional support came from the Communist countries. He tried very hard to balance this with Western suppport—especially from unofficial groups in the United States, Britain and Scandinavia. He was criticised, at times, for spending too much time travelling to Western capitals—a suspicion strengthened by his marriage to an American girl. But he argued that this policy was necessary if he was ever to achieve effective international support, not limited to one part of the world. He went regularly also to Russia, Eastern Europe and, on occasion, to Peking as well. He was, perhaps, the only liberation leader who was equally welcome in both Western and Communist capitals. He always insisted on all military and financial supplies intended for Frelimo—from whatever source—being channelled through the Organisation of African Unity.

Though strongly academic in his approach, Mondlane showed a surprising aptitude for the realities of a revolutionary struggle. He was far and away the most outstanding leader thrown up by any of southern Africa's many liberation movements.

From 1963, when he began to take over the leadership of what soon became Frelimo, he based his revolutionary ideas on the simple precept that an effective struggle must be waged on the soil of the country that was being liberated—not from exile outposts; and that it must be based on a military type of administration rooted in the peasant communities.

He spent three years building up this grass-roots organisation, infiltrating his trained men and arms into areas prepared in advance, before he allowed a single shot to be fired.

Though he would never criticise him publicly, he felt that Ché Guevara's campaign in Bolivia was a bit of romanticism which was bound to fail because he had failed to win over the peasants in the area where he was trying to operate before becoming entirely engaged in a military struggle. He looked on many of the so-called revolutionary leaders and movements of today as romanticists given over to amateurish adventurism. It amused him to be accused, as he often was, of being a "bourgeois". But he was tolerant of the "romantic revolutionaries"—especially of those in Europe.

"The only time these revolutionaries bother me," he once told me, "is when they try to take their armchairs into the struggle itself. That gets me really worried."

For a revolutionary, Eduardo Mondlane was surprisingly free of bitterness or violent feelings. "The Portuguese," he used to say, "are as much the victims of their regime as we Africans are. Perhaps our own contribution will be to help them to get rid of their own tyrants one day."

He was essentially a man of moderation and capable of extraordinary objectivity. When he was in London I took him one night for relaxation to see the satirical play "Mrs. Wilson's Diary." While the rest of the audience laughed uproariously, he kept on asking questions: "Does Mr. Wilson (Britain's Prime Minister) really drink so much? Is Mrs. Wilson really such a feather-headed flapper? Is Roy Jenkins (Chancellor of the Exchequer) really interested only in getting rid of Mr. Wilson?"

Afterwards, he said he thought it was outrageous that a play should be staged which did not base itself, at least, on basic truths. "I would never allow it," he said. And this reaction was on the side of the British Prime Minister whom he had every reason to feel badly about.

Mondlane also set an important example to other African leaders by refusing to exaggerate the extent of his movement's successes, or to underestimate the hardness and length of the struggle in which they were engaged.

Thus he never set a time by which he thought Mozambique would be liberated. He knew it wouldn't happen for years to come. "Even when we reached the point where the Portuguese military effort begins to fail," he told me recently, "we are then more than likely to find ourselves up against the tougher military strength of the South Africans".

While Frelimo now claims to be strongly established on ground covering one-fifth of the total area of Mozambique, Mondlane would always point out that this applied only to the rural countryside—not to the towns. The success of the effort, he said, was to deny the Portuguese the ability any longer to make their writ run in the areas we control—the provinces of Cabo Delgado and Niassa. They have been thrown on to the defensive."

Nor did he see the liberation struggle simply as a question of winning militarily. The task was one of creating the conditions for a new society at the same time as waging a military struggle.

New institutions had to be created by the army and the peasants which would, in time, become the framework for a new political system. Cadres had to be trained—not only for the army but also for administration and government. That was why he put so much effort into getting youngsters into the Mozambique Institute in Dar es Salaam for secondary school training, and subsequently for university training. There are young Mozambicans now being educated in both Western and Eastern universities to qualify them for specific jobs.

He saw his rôle as a revolutionary not simply as defeating the colonial power, but in successfully creating a thoroughly decolonised society as part of the total struggle.

He could be ruthlessly tough with his own people, and sharply critical of those who misrepresented what their struggle was about. Yet the main impression he left on those who knew him well was essentially one of great gentleness.

The real tragedy of his death is that it has robbed Mozambique of its natural leader—the peasant son of a minor chief who knew the needs of the peasants and the townsmen, and who was richly experienced in international affairs. He had come to understand the weaknesses of African societies struggling to achieve true independence; and he could combine intellectualism with militancy.

He was the type of leader Africa could ill afford to lose. In time to come, the Portuguese, too, might learn that so far from being their bitterest enemy he might have been the one leader whose essential tolerance could have saved them from something worse than merely having to accept the loss of one of their colonies—for he was always willing to see the settled Portuguese remain in Mozambique, provided they accepted the inevitability of political change. His successors might be a good deal less tolerant.

[From the Observer, Feb. 7, 1969]

BRITISH GOVERNMENT ASKED TO HONOUR FREEDOM FIGHTER

(By Colin Legum)

LONDON, February 7.—Eight British M.P.s—seven Labour and one Liberal—today tabled a motion in the House of Commons deploring the assassination of the Mozambique liberation movement leader, Dr. Eduardo Mondlane, in Dar es Salaam on February 3.

Dr. Mondlane was buried today in Tanzania's capital where President Julius Nyerere ordered a full State funeral in his honour. The huge crowd of mourners was headed by the President and his full Cabinet, as well as by a dozen African Foreign Ministers from East and Central Africa who are attending a conference in Dar es Salaam.

The Labour sponsors of the Mondlane motion are Frank Hooley, Frank Judd, Andrew Faulds, Alex Lyon, Edwin Brookes, Joan Lestor and Roy Hughes; the Liberal is David Steele. They want the British Parliament not only to pay tribute to Mondlane's outstanding leadership in his "fight for democratic freedom in southern Africa"; but to go further in expressing confidence that "this struggle will ultimately succeed, whatever hardships and sacrifices lie ahead."

Since this is an "Early Day" motion there is no certainty that Parliament will, in fact, have an opportunity of debating it. But the sponsors intend it to serve as a reminder to the British Government that its policies in

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southern Africa are not acceptable to many radical backbenchers. It is also intended to flush out Portugal's friends in the House of Commons by challenging them to introduce a conflicting motion of their own.

Meanwhile, the mystery of who fixed the time-bomb to the chair in Mondlane's beach-hut retreat remains unsolved. Not unexpectedly, the Portuguese authorities were quick to dissociate themselves from complicity—although they did not condemn the act. Instead, they sought to focus responsibility on elements within Mondlane's own movement, Frelimo.

President Nyerere has ordered an intensive investigation by his security people to discover the assassins. For Tanzania, the centre of many of southern Africa's liberation movements, this assassination is a grave affair, as it points up possible weaknesses in its internal security.

It has been revealed in Dar that preliminary police inquiries have led them to reject the theory that Mondlane was killed by dissenting elements within Frelimo.

The police now have positive evidence of a book-shaped parcel having been received by Mondlane—either on Saturday or Monday—from a West European country, possibly West Germany. It was marked "private and confidential". But there was no sign of this parcel after the explosion—which was so powerful that it knocked a servant in the garden to the ground.

Tanzania's police are working on the theory that the killing was the work of PIDE—Portugal's special security police. They believe that Mondlane was blown up by either a sophisticated trigger device attached to chair, or by a time-bomb in a package.

The police have kept the American owner of the beach-house in which Mondlane was killed—Miss Bessie King—at the police station where she had been helping with the investigations. Both the Police and the United States Embassy are emphatic that there is no question of her having been arrested, but insist that she is voluntarily helping the police in their work and that she is free to leave at any time. She was absent from the funeral today.

Miss King, a wealthy dealer in gems, has been a long-standing friend of Dr. Mondlane and his American wife, Janet.

It is too soon yet to speculate about Mondlane's successor. The final decision will not be taken until Frelimo's supreme council can be summoned. But since many of its key members are military leaders engaged in operations deep inside Mozambique it might take time before the new leader becomes known.

[From the Tanzania Standard, Feb. 4, 1969]

MONDLANE ASSASSINATED—BOMB BLAST AT BEACH HOUSE

(By David Martin)

Dr. Eduardo Mondlane, the President of the Mozambique Liberation Front (Frelimo), was assassinated in Dar es Salaam yesterday. He died in a beach house on the edge of the city in a bomb explosion.

Police reconstructing Dr. Mondlane's death believe that a time bomb was planted in the chair where he normally worked and that it exploded at 11.20 a.m. killing the liberation leader instantly.

The 49-year-old former university lecturer had gone to work at a beach house owned by an American woman, Miss Betty King, who is a director of International Gems (Tanzania) Ltd., so that he would not be disturbed.

Last night a number of people, including Miss King, her servants and members of Frelimo, were at the Central Police Station helping police with the enquiry which is under the personal supervision of the Director of Criminal Investigations, Senior Assistant Commissioner of Police, Mr. Geoffrey Sawaya.

The Inspector-General of Police, Mr. Elangwa Shaidi, told "The Standard" in an interview late last night: "Many of the circumstances surrounding Dr. Mondlane's death are a mystery, but we are following up a number of clues and a great number of people are undergoing interrogation."

It was understood that a large number of Mozambicans had been taken into custody for questioning. Several hundred police officers in and around the capital were assisting in the inquiry.

CRACKED WALLS

Late last night steel-helmeted Armed Field Force Unit policemen were guarding Miss King's locked beach house, keeping everyone away. But the bomb blast had blown out windows, wrecked and splintered furniture and cracked walls, Mr. Shaidi said.

The Inspector-General appealed to members of the public who had seen anyone in the vicinity of Miss King's house between the time she left for work at 8 a.m. and the time Dr. Mondlane arrived which it is believed to be at about 11 a.m. to report immediately to the nearest police station.

Army bomb disposal experts have removed fragments of the charge for analysis and last night Mr. Shaidi said he believed the explosive may prove to be T.N.T.

The explosion was reported by one of Miss King's house servants. The time has been fixed at about 11:20 a.m. and one of the servants who was standing in the garden was knocked over by the blast.

Dr. Mondlane's American wife, Janet, is in Stockholm and expected to return to Tanzania today.

Last night President Nyerere issued a message of sympathy on behalf of the Tanzanian people and leaders of all 39 Organisations for African Unity countries were being informed of his death.

FORMER TEACHER

Dr. Mondlane has been described as Portugal's most wanted man.

Thin and mild-mannered, he was once a teacher of anthropology at Syracuse University in the United States where he met and married his wife.

Highly sophisticated and a former official of the United Nations, Dr. Mondlane returned to Africa in 1963 to lead Frelimo.

Now, Frelimo is the only Mozambican party officially recognised by the Organisation for African Unity, though there are at least two minor groups.

Dr. Mondlane said recently his forces controlled about a fifth of the territory which occupies a large slice of the eastern part of Southern Africa.

The Front started its guerrilla activities on September 26, 1964.

Another liberation movement, the Movement for the Liberation of Angola, M.P.L.A. cancelled celebrations scheduled for today to mark its eighth anniversary.

MWALIMU PAYS TRIBUTE

President Nyerere yesterday ordered that Dr. Mondlane should be buried with all the honours deserving a fighter who died for his country's freedom.

In a special announcement yesterday he said the death of Dr. Mondlane was a tragedy to all who knew him and all who love Africa's freedom. Those who committed the evil deed were enemies of Africa's freedom.

The President on behalf of the Government and people of Tanzania gave condolences to all Frelimo fighters and the people of Mozambique. "To the people of Tanzania and Mozambique. I would like to say: Mondlane died for uhuru. The best way of crying for him is to increase efforts for the liberation of Africa".

The Zambian Minister for Foreign Affairs, Mr. Elija Mudenda, now in Dar es Salaam for the East and Central African Foreign Ministers' conference said he was shocked and so would be President Kaunda and the people of Zambia.

The Ethiopian Foreign Minister, Dr. Ato Katema Yifru, also in Dar es Salaam said the death would be a drawback to the liberation movements not only in Mozambique but throughout those countries still under colonial rule and also Africa as a whole.

PERSPECTIVES AND RECOMMENDATIONS, BY THE INTER-CITY SEMINAR ON TRAINING THE HARDCORE

(Mr. BRADEMAS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BRADEMAS. Mr. Speaker, more and more leaders in American business and industry and other areas of activity are becoming concerned about the problems associated with training hardcore unemployed.

One of the most thoughtful and valuable contributions to the solution of this important problem in American life is a report prepared recently by a group of businessmen who are actively involved in hiring, training, and upgrading the hardcore unemployed.

In the group—the Inter-City Seminar on Training the Hardcore—are representatives of some of the largest and most important business and industrial firms in the Nation. For nearly a year—since July 1968—members of the group have been meeting monthly in several different cities.

A few weeks ago, the group prepared, on the basis of their common experiences and discussions, a paper that is aimed at defining policy in this general area of national concern. I might here note that much of the work involved in the seminar was done by the Urban Research Corp., Chicago, Ill., whose president, John Naisbitt, was one of the participants in the seminar.

Mr. Speaker, several Members of the House of Representatives and the Senate met with the Inter-City Seminar a few days ago and were greatly impressed by what we learned. For this reason and because I believe this report to be so constructive, I include it at this point in the RECORD:

PERSPECTIVES AND RECOMMENDATIONS BY THE INTER-CITY SEMINAR ON TRAINING THE HARDCORE

The Inter-City Seminar on Training the Hardcore is composed of a group of businessmen who are actively involved in hiring, training and upgrading the hardcore unemployed. The members represent twelve companies and organizations in six different cities:

William J. King, Equal Employment Planning Manager, Ford Motor Company, Detroit, Michigan.

F. R. Kaimer, Manager-Relations, Hotpoint, Chicago, Illinois.

Henry M. Morgan, Manager, Human Relations Division, Polaroid Corporation, Cambridge, Massachusetts.

William Enes, Vice President, Hoffman-La-Roche, Inc., Newark, New Jersey.

William T. Rice, General Staff Supervisor-Urban Affairs, Michigan Bell Telephone Company, Detroit, Michigan.

Ray J. Graham, Director, Special Employment Programs, Sears, Roebuck and Company, Chicago, Illinois.

Frank H. Conway, General Personnel Supervisor, New England Telephone and Telegraph Company, Boston, Massachusetts.

William Ellison, Vice President, Mantua Enterprises, Inc., Philadelphia, Pennsylvania.

John Naisbitt, President, Urban Research Corporation, Chicago, Illinois.

Louie Echols, Director, Operations, Urban Research Corporation, Chicago, Illinois.

Donn Kesselheim, Director, Educational Planning, Urban Research Corporation, Chicago, Illinois.

Walter P. Paul, Jr., Director, Industrial Relations Department, Philadelphia Gas Works, Philadelphia, Pennsylvania.

Herman Wrice, President, Mantua Enterprises, Inc., Philadelphia, Pennsylvania.

Judge Mary Conway Kohler, Director, National Commission on Resources for Youth, Inc., New York, New York.

Ben Miller, Vice President, Urban Research Corporation, Chicago, Illinois.

Richard V. Lawson, Assistant Manager, Inner City, Inc., Roxbury, Massachusetts.

The Seminar has been meeting monthly since July 1968, in two-day sessions held in the cities represented by the various companies. Each session has been spent partly viewing company hardcore programs, partly visiting local minority communities and partly analyzing and discussing what members of the Seminar have learned. While the main emphasis has been on the problem of the hardcore unemployed, we quickly reached a consensus that it was necessary as well to focus on the larger problems of minority employment and of business involvement in urban affairs.

A recent meeting, held in New York City on February 6–7, 1969, was devoted to a recap of what the Seminar members, individually and collectively, have learned to date. The discussion centered on what can be done inside companies in the employment and broader upward mobility of minority group members, but also dealt with possible company activities in the community outside the company itself. In this process, we felt it was important to discuss the activities of other institutions which work wih companies on various problems, including the National Alliance of Businessmen, Plans for Progress, and The Urban Coalition.

This paper is the result of the February discussions. It is not intended as a complete or definitive review of the whole range of business involvement in urban affairs, or even of all the specifics of any one area of involvement. It is rather presented as a working paper trying to define policy for some of the areas of major concern to the Seminar membership. We hope that it may also prove useful to others interested in the same problems.

For purposes of exposition, this paper has been broken down into several sections, with emphasis on business activity and policy. We do not view these sections as being truly separable. Each is part of a larger piece and should be approached with this fact in mind.

SUMMARY

1. There is a need for a national affirmative action policy on urban problems.

2. Such a policy should include a statement that meaningful employment is a basic human right and that such meaningful employment is not only a basic need for a valuable human life but a necessity for the continued growth, prosperity, and well being of society.

3. In approaching urban problems, there is a need for continuing and increasing cooperation and partnership among companies; among business, labor unions and government; and between these groups and the local community groups for whom programs are designed.

4. A company must first maintain itself as a successful business enterprise if it is to work in a significant way to effect solutions to urban problems.

5. The profit motive and a sense of social commitment must be viewed as inseparable entities in a successful company program.

6. Company involvement with the hiring, training and retention of the hardcore, promotion and upgrading of minorities, and urban affairs must be approached as a package.

7. The process of company involvement with urban problems should be approached as one of mutual education and adaptation.

8. The key to a successful company program is the vigorous commitment of top management.

9. A good policy for the *hardcore unemployed* is a good *personnel* policy.

10. There has been an unnecessary emphasis on the negative aspects of the hardcore unemployed and insufficient emphasis on the spectrum of talent available and on other positive aspects.

11. Hiring and promotion requirements and training should be job-related.

12. Too many entry-level jobs are also dead-end jobs.

13. The value of a wide range of support services for all new employees needs strong emphasis.

14. In the long run, upward mobility for minority group personnel is a more important social and company problem than hardcore unemployment alone.

15. As is true of hourly jobs, upward mobility at the paraprofessional and professional levels can be enhanced by more realistic assessment of the actual requirements of a given job.

16. Company involvement in urban problems should be based on a partnership with local (minority) community groups and may perhaps be most effective in job-related and business-related efforts.

17. There is a paramount need for greater business involvement in the problems of public education.

18. The National Alliance of Businessmen can further enhance its efforts by re-examining the hardcore certification requirements and by emphasizing the alliance and partnership nature of its efforts.

19. Plans for Progress should continue and expand its efforts in the area of upward mobility and its role as a forum for business, labor and government.

20. The Urban Coalition has a major role in its efforts to form a genuine partnership for a coordinated attack on the broader problems of the urban environment.

A NATIONAL STATEMENT OF POLICY

As businessmen we have found that a clearly-defined and firmly enunciated policy by top management is a necessary ingredient for any successful company program. Such a policy provides not only the focus of activity for the people who must implement the program, it defines the limit of that activity and thus of the program itself.

On the basis of this experience, we would urge that a national statement of policy, emanating from the very highest level, is a key to any successful attack on social problems. This statement should define a national affirmative action program for attacking urban problems and should include specific statements on such key concerns as employment. In the area of employment a clear statement is needed that meaningful employment is a basic human right and that such meaningful employment is not only a basic need for a valuable human life but a necessity for the continued growth, prosperity, and well being of society.

Such a statement recognizes the national commitment to full employment and the further commitment to equal employment. It also suggests that the development of human resources is valuable not only to the individuals concerned but to the larger society. Ultimately the society's welfare depends on the wealth of these human resources. It should be a source of major national concern that a major pool of such resources has been left often untapped and undeveloped and always under-utilized. Past practices which have largely overlooked racial minority groups and poor whites have not only detrimentally affected these groups, they have deprived the larger society of valuable resources. Seen in this light, an attack on employment problems need not be seen as a matter of legal or moral imperative on the one hand, or as a reaction to fear and crisis on the other. It may be seen as an effort to develop a more productive and ultimately stronger society.

It is a corollary of such an approach that the efforts to hire and train the hardcore unemployed and to upgrade minority group persons cannot be seen as one-shot, short-term commitments. They must be a way of life, a matter of continuing commitment to the larger goal of full and meaningful employment.

We feel that such an approach may help erase some of the stigma which has often been attached to hardcore and equal employment programs. Too often the racial aspect of these programs has been over-emphasized. It would be foolish to overlook the severe racial aspects of unemployment and underemployment. It is equally detrimental so to spotlight the racial underpinnings of valuable programs that these programs become stigmatized in the minds of many people, including many minority group persons. This has too often been the case in the effort to hire and train the hardcore. Many of the "hardcore" feel personally humiliated and stigmatized by some of the approaches made to them. Too many outsiders view the program as an effort to help "these people" or to "cool it in the ghetto." Every effort needs to be made to emphasize the larger goals of our national employment efforts and to undermine the prejudicial feelings which have been directed at these programs.

PARTNERSHIP

There are several key areas of partnership and cooperation which need emphasis:

1. Among businesses;

2. Among business, labor unions and governments; and

3. Between these groups and minority community groups.

Many companies are now involved with various aspects of urban problems. This effort, at least in its magnitude, is of recent vintage. There is a great need for cooperation and exchange of information on problems and projects. In many areas, coordinated effort will be needed if truly significant programs are to be carried out.

Any concentrated attack on social ills must be made on the basis of genuine partnership between business and other groups which are attacking these ills. It should be obvious that business alone cannot solve the urban crisis. Nor can government alone. Nor can either, if they work in an essentially competitive fashion. In the specific field of employment, business, government and the unions must work closely together if anything significant is to be accomplished. In other areas, somewhat different partnerships may have to be fashioned. However, it must be constantly emphasized that cooperative effort is essential. In too many instances, different institutions are working without any clear sense of policy and direction, without coordination and without cooperation. The result has been confusion, ill-will and much unproductive effort.

Based on our experience, there is another area of partnership which needs to be recognized and emphasized, and that is with the community groups, usually minorities, for whom programs are in part designed. We feel that a major weakness of several nationwide efforts is that there has been too little cooperation with community representatives in the initiation, development and evaluation of business-government programs. The point is not only that these groups should have some say in programs that affect them, but that they have knowledge and understanding that can make these programs more effective.

Our own Seminar experience has been an example of the value of cooperative effort. As company representatives, we have learned from each other and have increased our perception and, we hope, our effectiveness as a result of this learning process. At all times, our contact with local community personnel has given us a more realistic grasp of problems and of possible solutions to these problems.

COMPANY ACTIVITIES

General

To have an impact in urban problems, a company must first and foremost maintain itself as a successful business enterprise. It must also approach urban problems with its own business needs and capabilities in mind.

There has been some discussion as to the proper motivation of business in becoming involved in urban affairs, whether it should be the profit motive or a commitment to curing social ill. We have found that the two cannot really be separable in a successful program. On the one hand, profits and the long range existence of a company depend on a healthy, growing, prosperous society and a productive work force. On the other, a social commitment divorced from the traditional goals, standards and methods of business is likely to become one more example of do-goodism. This point of view is dangerously close to being a truism, but there are nevertheless too many instances of company programs that are approached from one point of view to the exclusion of the other and that suffer as a result.

We found consensus that hiring, training and retention of the hardcore, promotion and upgrading of minorities, and community involvement can be approached more effectively with a well-balanced, coordinated program rather than a piece meal project approach. A company's employment practices largely determine its credibility in the community. Similarly, significant involvement in community activities which result in actual improvements can broaden a company's recruiting base and can serve to educate the company about the needs and possibilities of the hardcore and minority communities. Further a broad-gauge commitment across the board, if intelligently conceived, is more likely to be a genuine and lasting commitment than a narrow-gauge approach to one aspect of the total problem.

The process of community involvement should be looked upon as one of mutual education and adaptation. The hardcore and the minorities have a great deal to learn and gain from business. In some cases, substantial adaptation to the company culture may be required. At the same time, many companies are already learning much from these groups about traditional hiring practices, job-related training, patterns of behavior, the bases of retention, the actual requirements of a job, the use of certain support services and the development of productive human resources. Because of costly high turnover in many industries, many traditional practices are being called into question as they apply to all new employees, so that the company culture itself is in the process of changing. This process of mutual education has been too little understood, and deserves more emphasis.

In too many instances, companies have acted upon the basis of stereotypes that, because of conditions of the larger society, have led to requirements and actions that work in a discriminatory fashion. These stereotypes have been operative in hiring practices, job requirements, much traditional training, standards of dress and behavior, in views about race, and in many other areas. They have provided significant barriers to minorities and the "disadvantaged." They have also hurt the companies by screening out or holding down potentially valuable workers, by establishing standards that have little to do with the work at hand, and by preventing an objective analysis of the actual situation that would be beneficial to *all* workers.

We have found that a good *hardcore* policy is a good *personnel* policy, and vice-versa. The same may be said for a good equal employment policy. This is true not only because such a policy can produce a new pool of productive talent, bût because it forces a re-examination of the traditional stereotypes. We feel that one beneficial byproduct of the current efforts to hire the hardcore and to upgrade minorities will be a substantial restructuring of standard personnel practices, to the ultimate profit of business and the total work force.

There are many elements to a successful employment or community involvement program. We would only emphasize, as we have earlier in a slightly different context, the one key ingredient upon which all others depend. There must be a total commitment to the program from top management. This commitment must be clearly defined and presented and carefully explained to all parties. And it must be followed-through, supported, and enforced. In this sense, these programs are no different than any other important company program.

As a part of this commitment, there is a need for an internal organization within a company which has specific responsibility for planning and implementing the company's participation in realistic employment and urban programs. This organization (department, unit) must have clear support from top management and access to other units in the company. The demands of a realistic and meaningful program are too great without such a setup.

There has perhaps been too much emphasis on the recalcitrance and inertia of first-line supervisors and department heads. There is no doubt that problems do exist and that there is a need for careful explanation of company policy and for such things as sensitivity programs. We must again emphasize, however, that top management commitment is the key. Where it exists and where it is enforced, just as a production schedule might be enforced, the first-line supervisor is likely to fall into line. His job depends on it. At the same time, the requirements of this job may need some redefinition, or perhaps the incentives for carrying out this job may have to be altered. In too many cases, supervisors already overwhelmed by work have been handed new duties and told to carry them out. Further overwhelmed and lacking clear guidance, they have approached their jobs as before and have sidestepped their new duties. This is where top management must provide clear guidance, proper support and the big stick.

In any successful employment program, everyone involved in the program must be given a stake in its success. Whether he be a middle-level manager who designs a program, or a first-line supervisor who carries it out, or an employee (hardcore or otherwise) for whom the program is designed, he must clearly see his stake in the program's success. In other words, the program's success must be his success, however that success may be defined.

The hardcore unemployed

There has perhaps been some overemphasis on the concept of the hardcore unemployed, or rather a certain mis-emphasis. This is not to say that there should be any diminution of the critically important efforts being made to hire, train and upgrade the hardcore. This effort must be maintained and even accelerated. We are rather saying that in too many instances a new stereotype has arisen and a misleading equation established: hardcore-black=entry-level=dead-end. There is a dangerous tendency to equate "unemployed" and "unemployable." Under existing government guidelines, a large percentage of the "hardcore" can hardly be considered unemployable except in the light of rigid and rather unrealistic hiring criteria.

In any society, and within groups within that society, there is a whole spectrum of talent available. This is certainly the case in the "hardcore" community defined by the government guidelines. The hardcore are people who traditionally have been chronically unemployed or significantly underemployed even in good times. The reasons for this unemployment often have had little to do with actual or potential ability. There are certainly some people with such severe handicaps that they are only marginally employable, at best, or who need substantial help and training to become employable. There are others who by any objective standards are quite employable, but who may require such support services as transportation aid, day-care centers or counselling on a variety of matters. And so the spectrum continues, in a typical bell-shaped curve, ending with some extraordinarily able people. (It is interesting to note that some college graduates have been certified hardcore. Nor should it come as much of a surprise that many people with criminal records or without high school degrees are actually quite able and intelligent.) In hiring, training, and promoting, it is important to keep this concept of the spectrum in mind.

It follows that there often has been too much emphasis on the entry-level job (with entry-level too often defined as "dead-end"). Given the spectrum, the entry-level job is not meaningful to many employees, nor is it necessarily the best use of human resources. Certainly such a job is not meaningful to many unless it is just a way station on the path to better jobs and unless the reality of such jobs can be seen and grasped. It would be fallacious to assume that all of the hardcore, or for that matter any other group of employees, are capable of starting above the entry-level, or alternatively of progressing rapidly beyond the entry level. It is equally fallacious to assume the opposite, and this has been the more normal assumption.

It further follows that many of the assumptions underlying many of the training programs for the hardcore need to be reexamined. It has been standard practice in most companies and agencies to subject all new trainees to exactly the same training program. Typically, such a program will include many weeks of basic education, orientation, and basic skills, whether the individual trainee needs this training or not and whether or not this training is necessary for the job at hand. For the more able trainees, this process can be demoralizing, debilitating and self-defeating. It can also be a waste of company or government time and money.

To the greatest extent possible, training, like *selection job criteria,* should be job-related. If, in view of a company's specific job openings, a trainee needs basic education in order to carry out a job, he should get basic education, hopefully in a manner directly connected with his job or his life situation. If he needs skills training, he should receive skills training, in a job situation with a minimum of classroom work and a maximum of practice and actual operations. Training in a vacuum is not a useful concept or practice.

The ultimate tests of a hardcore program, which are also sources of major concern, are job performance and the retention rate. Many factors, including company climate, the supervisor, and, of course, the trainees themselves enter into determining retention. Perhaps the most important factor is the opportunity for upgrading and promotion. If the entry-level job is seen as just that, and not as a dead-end or a sop to the "underprivileged," the desire to continue and produce can be assured. Providing such an opportunity may not always be a simple matter, but it is easy to overemphasize the difficulties. It is also an excellent method to cut down on some of the problems of absenteeism, turnover and lack of productivity which the spirit of dead-endism can produce.

It is not inconsistent with the above analysis to point out the need for, and potential of support services, not just for the hardcore but for all employees. Such supports may include aid in transportation, medical help, day-care service, and counselling in its many facets. These support services should not be viewed as handouts, as another form of social service do-goodism. They are rather an investment in staff continuity and in productivity. They can help companies to attract able employees who might otherwise be unavailable, and to keep employees who, without these services, would have to quit. Thus stated, the rationale for support services has an inherent value which makes these services useful for all new employees. This is one of the many areas of general personnel policy that need serious study.

Upward mobility

Upgrading and promotion are essential not only for hardcore employees but for all employees. This is particularly true in the case of minority group employees, who traditionally have been held back from the better jobs, both in hourly and salaried jobs. The activities of the EEOC and the OFCC make action in this area imperative. The increasing activity of minority employee groups, particularly in the automobile industry, further accentuate the situation and the need. However, these partially negative and coercive thrusts may be channelled into constructive forces, as has been the case with union activity in the past. Few companies have a surplus of talent. Few indeed have a sufficient supply. Minority groups remain the greatest untapped source of talent.

Many companies are finding it increasingly difficult to attract and retain minority group employees at any level, but particularly at the salaried level. Typically, a minority group person sees that no one of his race occupies any meaningful middle or upper level job and decides that there is no place for him in the company. Entry level-dead end jobs exist for salaried employees as well as for hourly. The effects can be just as discouraging, and they can be just as damaging for both the individuals concerned and for the companies.

Many of the stereotypes we have mentioned in the discussion on the hardcore also exist at the upper levels. There remain too many meaningless hiring requirements, too many unrealistic job definitions. In too many cases, there is a clear color line in hiring and promotion. Or where there are a few examples of upward mobility, they are limited to a few carefully chosen and segmented fields. Such practices ignore the realities of the current situation in our society, the abilities of a significant number of employees, and the needs of the companies involved. The simple fact is that there is a wealth of underemployed, highly qualified and badly needed personnel either already in industry or readily available for employment.

Much has been written about job analysis at the lower job levels and even at the skill levels. Very little attention has been given to the possibilities at the professional level. Disregarding the question of race, there are many job specifications which have little bearing on the job actually to be performed. Careful attention to such areas could provide a number of possibilities for upward mobility, even where presumably "qualified" personnel are not in ready supply. Further, the potential for the employment of para-professional personnel has only occasionally been surveyed. Numerous professional employees are bogged down in the rather simple details of their job and are thus prohibited from fully concentrating on the more complex demands of their positions. There is a vast potential in this area for both allowing these employees to concentrate more on essentials and for providing new areas of employment for previously unemployed or underemployed personnel. Paraprofessional positions can also be used as a means for selecting and training future professionals.

In the short run, some upgrading and promotion may be dependent upon such job re-analysis and upon significant training efforts beyond those normally provided for employees. There is another area that deserves some attention, that of providing alternative paths up the ladder. Often a college degree and/or a steady progression through the company hierarchy are the prerequisites for entry into middle and upper level jobs. There are other possible sources of supply that should be examined. There are a number of minority group businesses and agencies that are giving their personnel a significant range of experience in many facets of management. Because of the exigencies of the local situation, many of these people find themselves cut off from opportunities for advancement. Companies looking for highly able and truly skilled management personnel would do well to explore the possibilities of this situation. There are also people with experience and proven talent in institutions, including many government agencies and universities, which have traditionally hired minority personnel and given them advancement opportunity.

In the long run, equal employment at all levels is likely to be a more important social matter than hardcore unemployment. This situation may be further emphasized as the number of hardcore hires, mostly minorities, is swelled. The problems of an equal employment program with upward mobility may often be severe, but such a program will help not only to create a better community environment but a better personnel structure.

Community involvement

All companies find themselves involved in community activities. Requests for further involvement are never-ending and are likely to increase. We feel that several guidelines might be useful for companies who wish to be significantly involved in the solution of urban problems.

We have mentioned earlier the need for the participation of community (generally minority) groups in activities that affect them. By encouraging such participation in its own projects, a company can assure realism and the acceptance of these projects, heighten their impact, and contribute toward a more viable community environment. One note of warning should be sounded, however. No minority group community is monolithic, any more than any other community is. Great care should be exercised in dealing with the community representatives in order to insure that they do indeed represent something more than a narrow-gauge interest and that they have a real understanding of the community and its needs.

One of the most fruitful fields of company activity can be in the areas that affect employment. One might mention as a start the critical areas of transportation, open housing, and day-care service. Many companies are trying to deal with these problems for their own employees, but the problems are so severe that more massive businesswide and business-government activity is needed. We might further mention that there are many minority community organizations who are training neighborhood people for employment in self-help situations. They provide a ready-made base for a genuine business-community partnership.

Another fruitful area of involvement can be found in business-related activities. Companies can contribute a great deal in terms of skills and advice to minority group enterpreneurs and economic development groups. Of course, money can be quite useful, if it is provided with insight and understanding and without the wish to dominate. Perhaps a more fruitful line of endeavor may be found in doing business with minority people suppliers and banks. There are a number of these businesses in existence and it appears that there soon will be more. On a purely businesslike basis, a company can help these businesses and itself.

We feel that there is a paramount need for business to become more involved in public education. It is quite apparent that many of our schools are not adequately serving the school children, the larger community, or the needs of business. This inadequacy is one of the major reasons for the existence of the hardcore unemployed and for the substandard qualifications of many other employees. More thought needs to be given to the prevention of this situation, so that less attention will have to be given to curing its effects.

The possibilities here for business involvement are many. They include affiliations with schools, tutorial programs, the often-overlooked potential of cooperative education, and the need in most areas for more adequate and more widespread vocational education. Perhaps most important at this point is the need for a genuine dialogue between business and the school systems, and an expansion of that dialogue to include community people. The present situation is a source of concern for everyone, but to date there has been little attempt at genuine discussion of problems, leading to long-range (and massive) efforts to find solutions. There is no area where business self-interest and the public interest can be more clearly identified.

OTHER AGENCIES

There are a number of agencies that are working in cooperation with business on matters of employment and urban problems. While our main concern is with company policy, we have several suggestions which we feel may enhance the cooperative efforts.

National Alliance of Businessmen

In the short course of a year's time, the NAB has mounted a significant effort to attack the problems of hardcore unemployment. As the NAB effort continues and expands, we feel that there are several considerations (based on the points elaborated in the previous sections of this report) which could further enhance this nationwide cooperative effort.

We would like to see the NAB strongly emphasize the concept of the spectrum of talent among the hardcore unemployed and to make every effort to remove any stigma from the hardcore.

In many instances, the government certification requirements have proved a disservice to both business and the hardcore. Many hardcore have found the process to be insulting, humiliating, and a source of distrust and hostility. Many businesses have found it to be a cause of delay and even a hindrance or obstruction to hiring and training. Among both groups, the low credibility of many certifying agencies has been a source of concern. There are several possible areas of improvement:

1. Where possible, programs, not people, should be certified. This can be done on the basis of clearly defined guidelines and can be enforced by spot-checks of company employment records and training programs.

2. Where this procedure is not feasible, certification should be done on-site either in the community of the trainees or in the company itself. Again, the use of company records, as opposed to a potentially humiliating interview is recommended.

3. The number of certifying agencies can be expanded, with emphasis placed on agencies actually located in the poverty communities.

As we have mentioned on several occasions, we feel that there is a great need for all companies and agencies to cooperate more closely with the community people affected by their programs. Community representatives can be of significant aid in recruitment, in evaluation of programs and in the continuing development of goals and plans.

Many companies have found a need for a greater continuity of NAB and Metro staff with whom they deal. They have also found a need for greater expertise on specific problems. Outside vendors can provide this expertise on occasion, but they are not always available. Nor is it often feasible to consult them on many day-to-day matters.

There is a continuing need for a greater exchange of information and expertise among companies. A NAB information service and a series of meetings and seminars could facilitate this exchange.

In this vein, there is much to be gained by emphasizing the *alliance* nature of the NAB. Information and exchange is needed not only on the specific problems of hiring and training the hardcore, but on long-range matters such as coordinated efforts in the event of a recession, or seasonal layoffs. The experience of the Louisville consortium may be instructive in this respect. The activities of this group in many areas deserves careful study by all Metros.

Public relations activities should be carefully controlled. Where they are necessary, they should be directed solely to the business community. The best source of publicity within the communities of the hardcore is the hiring of the hardcore. Any other publicity which goes beyond actual accomplishment should be avoided.

Any effort on the NAB scale must have accurate statistics in order to measure success. However, statistics are only a tool and should be used as such, not as an end in themselves. Ultimately good statistics depend upon quality programs and a deep nationwide commitment. Insofar as statistics help measure this quality and commitment, they are useful. At all times they should be seen as a secondary, and not a vital area of concern.

Finally, we do not wish to underestimate the importance of summer jobs. At the same time, we feel that the NAB effort has been hurt by a forced attention to the summer job problem. There are other agencies which can handle this problem. We would hope that the NAB would be allowed to concentrate solely on the problem of hiring, training, retaining and upgrading the hardcore, regardless of age.

Plans for progress

We have mentioned the paramount problem of upward mobility for minority group personnel. Plans for Progress is ideally suited to aid in solving this problem. There is a need for a national affirmative action program which will not only meet government guidelines but improve the quality of human resource use among companies. Plans for Progress can provide significant leadership in developing such a policy. It can also serve as a clearing-house for information and programs for upward mobility. It already has made a significant start as a forum for business, unions, government agencies and community groups. In all of these efforts, its effectiveness might be enhanced by the establishment of regional offices along the lines of the NAB.

The urban coalition

The major agency for a coordinated effort with respect to the total urban environment is The Urban Coalition in its many branches. We hope that its activities will continue and increase over the next few years. No other group is so well situated to encourage meaningful dialogue and to aid the planning and implementation of meaningful, coordinated attacks on urban ills.

The use of the Urban Coalition as a forum cannot be overemphasized. The lack of communication and understanding has exacerbated already grave problems.

We have mentioned the prime importance of business involvement with public education, and would hope that The Urban Coalition could play a key role in encouraging and nurturing this involvement.

Federal Government

In an earlier section, we suggested the need for a national statement of policy on employment and other urban problems. Such a policy can only come from the highest reaches of our federal government. We realize the ramifications of this policy and understand how it may occasionally conflict with other national goals. It is nevertheless essential if we are to make a meaningful attack on unemployment and urban blight.

We note with approval the effort to coordinate government programs on urban affairs, particularly in the area of employment. In the past, lack of coordination among government agencies and between these agencies and business has caused unnecessary problems. We trust that the NAB, Plans for Progress, and the Urban Coalition will continue to work with the government to improve this coordination.

We have emphasized that "unemployed" does not equal "unemployable" in most cases. A vast number of the hardcore unemployed are highly employable by objective There remains, nevertheless, a residue of physically, or otherwise severely handicapped persons who are largely unemployable. It is unlikely that business can significantly aid this small percentage. The federal and state governments must undertake to help these persons if their lot is to be improved. We hope that they will not be forgotten while the country works to improve the employment of others.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. FOLEY (at the request of Mr. CAREY), for March 20 and 21, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. STAGGERS, for 5 minutes, today; and to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. BUSH) to address the House and to revise and extend their remarks and include extraneous matter:)

Mr. HALPERN, for 5 minutes, on March 20.

Mr. FISH, for 30 minutes, on March 26.

Mr. HALPERN, for 5 minutes, today.

Mr. FEIGHAN (at the request of Mr. SYMINGTON), for 30 minutes, on March 20; to revise and extend his remarks and to include extraneous matter.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. ZABLOCKI in two instances and to include extraneous matter.

(The following Members (at the request of Mr. BUSH) and to include extraneous matter:)

Mr. PETTIS in two instances.

Mr. SPRINGER.

Mr. ASHBROOK.

Mr. RHODES in five instances.

Mr. PELLY.

Mr. FINDLEY.

Mr. FREY.

Mr. WYMAN in two instances.

Mr. MILLER of Ohio.

Mr. BROCK.

Mr. BROTZMAN.

Mr. BOW.

Mr. ANDREWS of North Dakota.

Mr. WINN.

Mr. GUDE.

Mr. MIZELL.

Mr. MORSE.

Mr. BROYHILL of Virginia in two instances.

(The following Members (at the request of Mr. SYMINGTON) to extend their remarks and to include additional matter in that section of the RECORD entitled "Extensions of Remarks":)

Mr. GARMATZ.

Mr. KYROS in two instances.

Mr. RARICK in four instances.

Mr. CASEY in two instances.

Mr. REES in two instances.

Mr. CORMAN.

Mr. RODINO.

Mr. PODELL in three instances.

Mr. EILBERG.

Mr. BARING.

Mr. LEGGETT.

Mr. FASCELL.

Mr. PREYER of North Carolina in two instances.

Mr. BEVILL in three instances.

Mr. O'NEILL of Massachusetts in three instances.

Mr. GALLAGHER.

Mr. FRASER.

Mr. BROWN of California.

Mr. PICKLE in two instances.

Mr. WILLIAM D. FORD in two instances.

Mr. CELLER.

Mr. GREEN of Pennsylvania in four instances.

Mr. MONTGOMERY.

Mr. ROGERS of Florida in five instances.

Mr. BRADEMAS in six instances.

Mr. JACOBS.

Mr. GONZALEZ in three instances.

Mr. HELSTOSKI in six instances.

Mr. VANIK in two instances.

Mr. EDWARDS of California.

ADJOURNMENT

Mr. SYMINGTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 18 minutes p.m.), the House adjourned until tomorrow, Thursday, March 20, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

598. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report that the appropriation to the Council of Economic Advisers for "Salaries and expenses," for the fiscal year 1969, has been reapportioned on a basis which indicates the necessity for a supplemental esti-

mate of appropriation, pursuant to the provisions of section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

599. A letter from the Comptroller General of the United States, transmitting a report on control over repairs of electronic components and assemblies, Department of the Navy; to the Committee on Government Operations.

600. A letter from the Chairman, Civil Service Commission, transmitting a draft of proposed legislation to amend title 5, United States Code, to provide for additional positions in grades GS-16, GS-17, and GS-18; to the Committee on Post Office and Civil Service.

601. A letter from the Secretary of Health, Education, and Welfare, transmitting an annual report for 1968 on the advisory committees which assist him in carrying out his functions under the Social Security Act, pursuant to the provisions of section 1114(f) of that act, as amended by Public Law 87-543; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. O'NEILL of Massachusetts: Committee on Rules. House Resolution 330. Resolution providing for the consideration of H.R. 515, a bill to amend the National School Lunch Act and the Child Nutrition Act of 1966 to clarify responsibilities related to providing free and reduced-price meals and preventing discrimination against children, to revise program matching requirements, to strengthen the nutrition training and education benefits of the programs, and otherwise to strengthen the food service programs for children in schools and service institutions (Rept. No. 91-107). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FEIGHAN: Committee on the Judiciary. H.R. 2464. A bill for the relief of Elisabeta Horwath, with amendment (Rept. No. 91-102). Referred to the Committee of the Whole House.

Mr. RODINO: Committee on the Judiciary. H.R. 4546. A bill for the relief of Anna Del Baglivo, with amendment (Rept. No. 91-103). Referred to the Committee of the Whole House.

Mr. CAHILL: Committee on the Judiciary. H.R. 6366. A bill for the relief of Mrs. Aranka Mlinko, with amendment (Rept. No. 91-104). Referred to the Committee of the Whole House.

Mr. MESKILL: Committee on the Judiciary. H.R. 6670. A bill for the relief of Teresina Fara, with amendment (Rept. No. 91-105). Referred to the Committee of the Whole House.

Mr. DOWDY: Committee on the Judiciary. H.R. 6931. A bill for the relief of Giuseppe De Stefano, with amendment (Rept. No. 91-106). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BEVILL:

H.R. 9214. A bill to amend chapter 44 of title 18, United States Code, with respect to the sale or delivery of ammunition; to the Committee on the Judiciary.

By Mr. BIESTER:

H.R. 9215. A bill to amend the Federal Power Act to facilitate the provision of reliable, abundant, and economical electric power supply by strengthening existing mechanisms for coordination of electric utility systems and encouraging the installation and use of the products of advancing technology with due regard for the proper conservation of scenic and other natural resources; to the Committee on Interstate and Foreign Commerce.

H.R. 9216. A bill to amend title 39, United States Code, to provide additional free letter mail and air transportation mailing privileges for certain members of the U.S. Armed Forces, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 9217. A bill to amend title 38, United States Code, to increase the amount payable on burial and funeral expenses; to the Committee on Veterans' Affairs.

H.R. 9218. A bill to amend title 38 of the United States Code in order to establish a national cemetery system within the Veterans' Administration, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 9219. A bill to provide special encouragement to veterans to pursue a public service career in deprived areas; to the Committee on Veterans' Affairs.

H.R. 9220. A bill to provide for orderly trade in iron ore, iron and steel mill products; to the Committee on Ways and Means.

By Mr. BINGHAM:

H.R. 9221. A bill to amend title II of the Social Security Act to increase monthly benefits (with subsequent cost-of-living increases), to provide higher widow's benefits, to provide benefits for dependent parents, to permit the payment of benefits to married couples on their combined earnings records, to permit the exemption from coverage of services performed after attaining age 65, to eliminate the new restrictive definition of disability, to raise the wage base, and to otherwise extend and improve the old-age, survivors, and disability insurance system, to amend title XVIII of such act to provide coverage for certain drug expenses under the supplementary medical insurance program, to amend titles IV and XIX of such act to eliminate certain restrictions and limitations added in 1967 to the aid to families with dependent children and medical assistance programs, and to increase the amount of outside earnings permitted each year without any deductions from benefits; to the Committee on Ways and Means.

H.R. 9222. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. BROTZMAN:

H.R. 9223. A bill to amend the Small Business Act to provide assistance for owners and employees of small business concerns displaced or injured by Federal or federally assisted programs; to the Committee on Banking and Currency.

H.R. 9224. A bill to provide for equitable acquisition practices, fair compensation, and effective relocation assistance in real property acquisitions for Federal and federally assisted programs; to the Committee on Public Works.

H.R. 9225. A bill to amend the Internal Revenue Code of 1954 and the Social Security Act to provide for more equitable treatment of persons affected by real property acquisitions in Federal or federally assisted programs, and for other purposes; to the Committee on Ways and Means.

By Mr. COWGER:

H.R. 9226. A bill to change the definition of ammunition for purposes of chapter 44 of title 18 of the United States Code; to the Committee on the Judiciary.

By Mr. DINGELL:

H.R. 9227. A bill to amend the Federal Aviation Act of 1958 to provide for the certification of air freight forwarders: to the Committee on Interstate and Foreign Commerce.

By Mr. EDWARDS of California:

H.R. 9228. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. FARBSTEIN:

H.R. 9229. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 9230. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. FOREMAN:

H.R. 9231. A bill to permit the State of New Mexico to revise its agreement, entered into under section 218 of the Social Security Act, so as to extend social security coverage to certain hospital employees in such State; to the Committee on Ways and Means.

By Mr. FRASER:

H.R. 9232. A bill to amend title IV of the Social Security Act to repeal the provisions limiting the number of children with respect to whom Federal payments may be made under the program of aid to families with dependent children; to the Committee on Ways and Means.

By Mr. HAMILTON:

H.R. 9233. A bill to amend title 5, United States Code, to promote the efficient and effective use of the revolving fund of the Civil Service Commission in connection with certain functions of the Commission, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ICHORD:

H.R. 9234. A bill to amend section 4356 of title 39, United States Code, relating to certain mailings of State departments of agriculture; to the Committee on Post Office and Civil Service.

By Mr. JOELSON:

H.R. 9235. A bill to amend the Internal Revenue Code of 1954 to exclude from gross income compensation of enlisted members of the Armed Forces; to the Committee on Ways and Means.

By Mr. MADDEN:

H.R. 9236. A bill to provide for orderly trade in iron ore, iron and steel mill products; to the Committee on Ways and Means.

By Mr. MESKILL:

H.R. 9237. A bill to amend title 39, United States Code, to provide additional free letter mail and air transportation mailing privileges for certain members of the U.S. Armed Forces, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MURPHY of New York:

H.R. 9238. A bill to expand the definition of deductible moving expenses incurred by an employee; to the Committee on Ways and Means.

By Mr. TEAGUE of Texas (by request):

H.R. 9239. A bill to amend title 38 of the United States Code so as to permit the Administrator of Veterans' Affairs to enter into contracts for the provision of health services for certain dependents and survivors of veterans; to the Committee on Veterans' Affairs.

XUM

By Mr. THOMSON of Wisconsin:

H.R. 9240. A bill to regulate speed of vessels on the Mississippi River; to the Committee on Merchant Marine and Fisheries.

H.R. 9241. A bill to authorize lowering of pools on the Mississippi River to prevent flooding; to the Committee on Public Works.

By Mr. UTT:

H.R. 9242. A bill to amend section 504 of the Internal Revenue Code of 1954, relating to the tax exemption of certain organizations; to the Committee on Ways and Means.

By Mr. WOLFF:

H.R. 9243. A bill to amend the Consumer Credit Protection Act to safeguard consumers in connection with trading stamp practices; to the Committee on Banking and Currency.

By Mr. BOW:

H.R. 9244. A bill to amend title II of the Social Security Act to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Ways and Means.

By Mr. BROCK (for himself, Mr. Eshleman, Mr. Kuykendall, and Mr. Whitehurst):

H.R. 9245. A bill to expand upon the economic freedom and public responsibility of American industry, to encourage the opportunity for the American worker to bargain collectively in his own best interests without economic deprivation, and to guarantee the American consumer and taxpayer protection from the abuse of excessive concentration of power; to the Committee on Education and Labor.

By Mr. BURLESON of Texas:

H.R. 9246. A bill to amend section 358(a) of the Agricultural Adjustment Act of 1938, as amended, to extend the authority to transfer peanut acreage allotments; to the Committee on Agriculture.

By Mr. CÓRDOVA:

H.R. 9247. A bill to amend section 2 of the Automobile Information Disclosure Act so as to include the Commonwealth of Puerto Rico, Guam, and the Virgin Islands within the provisions of such act; to the Committee on Interstate and Foreign Commerce.

By Mr. DENNEY:

H.R. 9248. A bill to amend the Federal Meat Inspection Act as amended by the Wholesome Meat Act; to the Committee on Agriculture.

By Mr. DINGELL (for himself, Mr. Saylor, Mr. Carter, and Mr. Pollock):

H.R. 9249. A bill to amend chapter 44 of title 18, United States Code, to provide that such chapter shall not apply with respect to the sale or delivery of certain ammunition for rifles or shotguns; to the Committee on the Judiciary.

By Mr. EILBERG:

H.R. 9250. A bill relating to withholding, for purposes of the income tax imposed by certain cities, on the compensation of Federal employees; to the Committee on Ways and Means.

By Mr. FINDLEY (for himself, Mr. Dawson, Mr. Arends, Mr. Rostenkowski, Mr. McClory, Mr. Mikva, Mr. Rumsfeld, Mr. Murphy of Illinois, Mr. Erlenborn, Mr. Kluczynski, Mr. Derwinski, Mr. Ronan, Mrs. Reid of Illinois, Mr. Annunzio, Mr. Anderson of Illinois, Mr. Yates, Mr. Collier, Mr. Pucinski, Mr. Michel, Mr. Price of Illinois, Mr. Railsback, Mr. Gray, Mr. Springer, and Mr. Shipley):

H.R. 9251. A bill to authorize the Secretary of the Interior to establish the Lincoln Home National Historic Site in the State of Illinois, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. FOLEY:

H.R. 9252. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Touchet division, Walla Walla project, Oregon-Washington, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 9253. A bill to amend title 28, United States Code, section 753(e), to eliminate the maximum and minimum limitations upon the annual salary of reporters; to the Committee on the Judiciary.

By Mr. HARVEY:

H.R. 9254. A bill to amend the Flood Control Act of 1958 to authorize reimbursement to Frankenmuth, Mich., for certain work on the flood control project on the Saginaw River, Mich.; to the Committee on Public Works.

By Mr. HORTON:

H.R. 9255. A bill to prevent the importation of endangered species of fish or wildlife into the United States, to prevent the interstate shipment of reptiles, amphibians, and other wildlife taken contrary to State law, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. KYL (for himself, Mr. Schadeberg, Mr. Eshleman, Mr. Grover, Mr. King, Mr. Thomson of Wisconsin, Mr. Wiggins, Mr. Kleppe, Mr. Matsunaga, Mr. Olsen, Mr. Beall of Maryland, Mr. Williams, Mr. Brown of California, Mr. Schwengel, Mr. Blackburn, Mr. Helstoski, Mr. Pirnie, Mr. Wright, Mr. McClure, Mr. Sandman, Mr. Corman, Mr. Robison, Mr. Vander Jagt, Mr. Daniels of New Jersey, and Mr. Widnall):

H.R. 9256. A bill to authorize the Secretary of the Interior to establish the Lincoln Home National Historic Site in the State of Illinois, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MARSH:

H.R. 9257. A bill to amend the code of laws of the District of Columbia with respect to facilities for the parking or storage of motor vehicles; to the Committee on the District of Columbia.

By Mr. NICHOLS:

H.R. 9258. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. SAYLOR:

H.R. 9259. A bill to repeal chapter 44 of title 18, United States Code (relating to firearms), and to reenact the Federal Firearms Act; to the Committee on the Judiciary.

By Mr. STAGGERS:

H.R. 9260. A bill to provide for orderly trade in footwear; to the Committee on Ways and Means.

By Mr. UDALL:

H.R. 9261. A bill to amend the Juvenile Delinquency Prevention and Control Act of 1968 in order to make assistance available to Indian tribes on the same basis as to other local governments; to the Committee on Education and Labor.

H.R. 9262. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 in order to make assistance available to Indian tribes on the same basis as to other local governments; to the Committee on the Judiciary.

By Mr. UDALL (for himself, Mr. Corbett, Mr. Hechler of West Virginia, Mr. Wold, Mr. Pollock, Mr. Friedel, Mr. Horton, Mr. Bingham, Mr. Chappell, Mr. Button, Mr. Tiernan, Mr. Burton of Utah, Mr. Goodling, Mr. Reifel, Mr. Brademas, and Mr. Reid of New York):

H.R. 9263. A bill to authorize the Secretary of the Interior to establish the Lincoln Home National Historic Site in the State of Illinois, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BIAGGI:

H.J. Res. 566. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. KYROS:

H.J. Res. 567. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. ST GERMAIN:

H.J. Res. 568. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. STUBBLEFIELD:

H.J. Res. 569. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. GARMATZ (for himself, Mrs. Sullivan, Mr. Pelly, Mr. Clark, Mr. Schadeberg, Mr. Dingell, Mr. Pollock, Mr. Lennon, Mr. Goodling, Mr. Downing, Mr. Bray, Mr. Rogers of Florida, Mr. Stubblefield, Mr. Murphy of New York, Mr. Leggett, Mr. Feighan, Mr. Annunzio, Mr. Biaggi, Mr. Hanna, Mr. St. Onge, Mr. Hathaway, Mr. Button, and Mr. Byrne of Pennsylvania):

H. Con. Res. 173. Concurrent resolution expressing the sense of Congress concerning the return from the Government of Peru of the U.S. destroyer *Isherwood*; to the Committee on Armed Services.

By Mr. COWGER:

H. Res. 328. Resolution to amend the Rules of the House of Representatives to create a standing committee to be known as the Committee on Urban Affairs; to the Committee on Rules.

By Mr. RARICK:

H. Res. 329. Resolution to authorize and direct an investigation of SIECUS and like organizations instructing, indoctrinating, or training minor children in those subjects traditionally the responsibility of the home, including but not by way of limitation, sex, religion, and morals without express consent of their parents; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII,

82. Mr. RHODES presented a memorial of the State Legislature of Arizona, urging the Congress of the United States to enact House Joint Resolution 269, introduced in the first session of the 91st Congress by the Honorable Congressmen John Rhodes and Sam Steiger, and which directs the Bureau of Reclamation to study the engineering feasibility of acquiring riparian rights for the piping and pumping of water from the Gulf of California to Arizona for irrigation purposes, which was referred to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARRETT:

H.R. 9264. A bill for the relief of Michael Ritucci; to the Committee on the Judiciary.

By Mr. BROOMFIELD:

H.R. 9265. A bill for the relief of Mrs. Young Sook Han; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 9266. A bill for the relief of Ottavio Faggion; to the Committee on the Judiciary.

By Mr. HARVEY:

H.R. 9267. A bill for the relief of Louis H. Costa; to the Committee on the Judiciary.

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EXTENSIONS OF REMARKS

A MAN ON THE MOON

HON. LOUIS FREY, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1969

Mr. FREY. Mr. Speaker, a man on the moon—just a few short years ago this was science fiction. Today, the phenomenal success of Apollo 9 has removed the last major technological barrier to this feat, now scheduled for midsummer. Never before had anyone flown a space vehicle designed specifically for operation in a vacuum. When Schweickart and McDivitt were separated from the command module Gumdrop, on March 6, they well knew their lunar landing "spider" could never return to earth, but instead had to rejoin the command module piloted by Scott. The two astronauts simulated their descent to the moon, and rejoined Gumdrop after being separated by as many as 113 miles.

The flight demonstrated the success of the unique docking system, which enabled the two vehicles to join and lock together in space, and allowed the crew to transfer through a tunnel from one spacecraft to the other without actually venturing into space. The life-supporting backdrop, which the astronauts will need after stepping onto the moon, was tested for the first time.

The backdrop will replace the umbilical, and provide them with oxygen, communications, and other vital links.

The flawless flight of Apollo 9 proved that a spacecraft had been developed which will be able to make a safe, controlled landing at a selected site on the moon's surface, provide shelter and support for the astronauts during their brief exploration of the moon, and return them to the orbiting command module for a safe flight back to earth.

This Nation and the world owe a great debt of gratitude to the many men and women whose skill, dedication, and courage have paved the way to the moon.

Certainly all of our astronauts deserve the highest praise. The Apollo 9 astronauts, fellow Americans who share with us such uncomfortable occurrences as headaches and upset stomachs, accomplished the most critical and dangerous phase of the lunar mission to date. But the astronauts would be the first to point out that the success of the entire Apollo mission is dependent on the thousands of Americans in our space program. These are men and women who represent an unequaled partnership of the free enterprise system and our Government.

And while it is true that most Americans think of the space program only when they view a launch or splashdown on television, this is only a small part of the story. The work leading up to the final Apollo mission will not only unlock the secrets of the moon, but has already been of tremendous benefit to man on earth, as has our entire space program. A six-legged vehicle proposed for unmanned exploration of the moon was redesigned as a walking chair for crippled children. An instrument to measure air pressure has been adapted to measure blood pressure, and is so small it can be maneuvered into and through the heart itself. A plastic-metallic spray for attaching heart electrodes to NASA test pilots is used to transmit electrocardiograms of ambulance patients ahead to a hospital receiving room. Our live television from around the world is yet another benefit, with the potential of new and better satellite communications systems just ahead. Safer designs for highway and runway surfaces have resulted in 15 airports modifying their runways, and many States experimenting on treacherous stretches of highway. From miniaturization to computer technology, from Teflon to new long-wearing paint—the space program is helping us with new ideas, new technology and new jobs here on earth. I think it is fitting that we recognize not only the glamors of our space program, but also the spinoff which affects every American at some point every day, and promises new benefits in the future.

A GREAT AMERICAN

HON. WALTER S. BARING

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1969

Mr. BARING. Mr. Speaker, my good friend and longtime booster of Nevada, Tom Miller, has been coming to Washington for various events and purposes for the welfare of Nevada over the past numerous years. He is a devoted man to the cause of the American Legion and just recently had occasion to spend some time with me while the Legionnaires visited the Nation's Capital during the 50th anniversary of the American Legion.

It was on this occasion that the Washington Post reporter Phil Casey met with Miller, Col. Tom Miller, as he is known in Nevada, and wrote a fine article which is worthy of inclusion in the CONGRESSIONAL RECORD as he is not only a fine man but a former colleague of the House of Representatives.

ACTIVE MEMBER

(By Phil Casey)

Tom Miller takes things a bit easier than he used to and tries not to overdo. All he does these days is hunt and fish, serve as chairman of Nevada's Park Commission, oversee his mining and ranching interests and serve the American Legion, which he helped to found 50 years ago this weekend.

Miller is 82. "I don't do any of those calisthenics," he said. "The Lord has been good to me, all my organs are intact, in good shape. I don't want to spoil anything. I get my exercise walking."

Miller, born in Wilmington, Del., is the son of a Delaware Governor and served as a Delaware Congressman from 1915 to 1917 ("I was the youngest member of Congress at the time"). He has been a miner and rancher in Nevada for the past 35 years.

He's here, in a suite at the Sheraton-Park Hotel, for the Ninth Annual Washington Conference of the American Legion and the observance of the Legion's 50th anniversary.

Miller is 6 feet 1½ inches tall, weighs 196 pounds most of the time and doesn't drink or smoke.

"I've been on the wagon since last September," he said. "Drinking was never a problem. I was never a cocktail man, and didn't drink Scotch. I drank bourbon and ditch water. But I quit that and my plumbing's been fine.

"I sympathize," he said, "with alcoholics, because I used to like cigars. I used to smoke six to eight Corona Coronas a day, and I quit one day, overnight, when I was 76.

"I was at a Legion affair and I was smoking a cigar in a Mormon schoolhouse in Utah. A Mormon woman complained, and I threw it away and that night I gave the rest of my cigars away. Haven't smoked since. I never did smoke cigarettes but I still like cigars."

Miller entered the Army as a private after he served his Congressional term and got beaten in a bid for a second term ("by 123 votes, that's all. The Bull Moose ticket did me in"). He rose to lieutenant colonel. He was a machine-gun officer, decorated for meritorious service, and has been very deaf in his right ear ever since his machine-gun days.

"Now the other one's going bad," he said, with no sign of sadness. "I just got a hearing aid for it."

Miller has lived in Reno since the early 1930s. "I was put in charge of CCC camps in northwestern Nevada, the eastern slope of the Sierras and southern Oregon," he said. "And I decided to stay."

He remembers the days when Las Vegas was just a spot on the road. "I used to go there to get out in the sun," he said. "I don't do that anymore, I don't want to criticize Las Vegas, but it's not the same. Reno is wonderful. It has the best climate anywhere. Dry cold and dry heat. But Las Vegas is good, too. You can go skiing on the snow there, drive for an hour and then go water-skiing."

Miller is credited with being a founder not only of the American Legion, but of the Nevada state park system, and he is a strong conservationist and an ardent Nevada booster.

"I hate to sound like the Chamber of Commerce," he said, "But it's a great state. It's really exploding, and the climate is wonderful. I remember when I was a Congressman, I lived at the Army-Navy Club here in Washington, and we used to go up and sit on the roof every night to get cool. There was no air-conditioning then. That's what made Las Vegas, air-conditioning."

Though Miller takes it easy, as he says, he does go hunting every year for deer. "I get my quota—that's one big buck, weighing about 175 pounds," he said.

"I have the meat prepared as venison jerky and venison salami, and I bring it to conventions for my friends. I don't bring the jerky any more (that's like a steak), because I figure it's too hard on my friends' dentures. I bring the salami, though," he said, "and everybody loves it."

"Here," he said, rising and cutting the roll of salami with a fingernail file, "have some." And he handed half a role of wildly aromatic venison salami to a reporter.

"I hope I didn't talk too much," he said, "and I hope you like the salami."

He turned to a photographer half his age and said, "Here, let me help you on with your coat." And he did.

Another veteran Legion member was asked about Miller's venison salami. "Miller is a

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fine man," he said, "and his salami is okay, too. But if you eat too much of it, flies follow you down the street."

LEGISLATION TO RELIEVE UNDUE HARDSHIPS FROM AMERICAN LANDOWNERS

HON. DONALD G. BROTZMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1969

Mr. BROTZMAN. Mr. Speaker, today I am introducing three bills which were drafted to revise and reform the procedures followed by the Federal Government in acquiring real property for Federal and federally assisted projects.

My interest in this legislation arose from an extensive background in eminent domain procedures during my years as an attorney and, more recently, through working with residents of my district and nearby Colorado areas whose property is being acquired for various Federal projects.

Although the enactment of this legislation will not help these people where litigation is pending, I believe their experiences can be helpful in guiding Congress to avoid many human problems in the future, for thousands of persons today are faced with inequities and needless inconvenience because of antiquated policies which exist in various departments and agencies.

Under these policies it is probably true that most landowners eventually receive an equitable settlement. However, far too many people find that they cannot replace their property with the offers made by the Federal Government and—because they also cannot afford the cost of a court fight—they "sell short" and then must use these discounted funds to buy new homes and businesses on an inflated free market.

The provisions of my first bill—which is the keystone of the three-part package—would assure fair compensation, to owners and tenants of property acquired for public programs, for their property and for other losses and necessary expenses incurred. Congress would establish a uniform policy to guide the land-acquisition practices of all Federal agencies in order to assure consistent and equitable treatment. Every reasonable effort would be made to acquire real property by kindly and friendly negotiated purchase to insure bargain and barter. Congress would provide a definition of "market value standard" to serve as a basis for Government acquisition of land that assures compensation shall be the highest price which the property could reasonably be expected to bring if exposed for sale in the open market for a reasonable time, unaffected by the project.

My second bill would amend the Internal Revenue Code of 1954 so as to provide for more equitable treatment of persons affected by capital gains caused by involuntary sales of real property through eminent domain to the Federal Government or for federally assisted programs. The bill provides that an owner of property taken for public use may defer any recognition of gain on the transfer if he reinvested the compensation received for the property in, first, any interest in real property; second, any property used in trade or business; and third, any property to be held by the taxpayer for investment.

The third and final bill of this package is an amendment to the Small Business Act to provide assistance for owners and employees of small business concerns displaced or injured by Federal or federally assisted programs. This assistance would take the form of loans, information, and other aid.

Much of the legislation which I am proposing is based on a 3-year study by the staff of a select subcommittee of the House Public Works Committee. This intensive study was completed at the end of 1964 and its basic recommendations have not been implemented. But the growing number of Federal and federally assisted programs requiring the acquisition of real property under the present problematic policies presents a growing emergency situation that can no longer be ignored.

I would like to add, Mr. Speaker, that a good deal of the spadework which precedes the passage of legislation by this body was accomplished in the 90th Congress. Subsequent to introduction of the same three bills by several Members—myself included—hearings were begun by the Committee on Public Works.

It is my hope that we can complete the work which still needs to be done early in the 91st Congress, for every day which passes brings undue hardships to Americans whose only offense was that they bought property which the Federal Government later needed.

CIGARETTE ADVERTISING

HON. RICHARDSON PREYER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1969

Mr. PREYER of North Carolina. Mr. Speaker, the enclosed editorial from one of North Carolina's finest newspapers, the Greensboro Daily News, presents a balanced view of the question of the FCC proposed ban on cigarette advertising. The discussion of this issue has generally been on the level of emotion and even hysteria and it is refreshing to have it presented in the light of a cool analysis. The editorial follows:

CIGARETTE ADVERTISING

Like every other federal regulatory agency, the Federal Communications Commission is basically an instrument of the will of Congress. Its rulings are also subject to review in the courts.

Those who react so hysterically to an exceedingly iffy FCC threat to ban cigarette advertising from television should bear both facts in mind.

Only if Congress permits present legislation in the cigarette advertising field to expire June 30 would the FCC have power to carry out its threat. And even if the ban went into effect temporarily it is difficult to believe that the courts or Congress would uphold a ban so patently discriminatory against one product.

It is, in any case, a matter of speculation how much impact TV cigarette advertising has on the total consumption of cigarettes. Obviously the manufacturers believe it has some impact or they would not spend $227 million a year. But the function of most cigarette advertising on television is to differentiate what it is difficult to differentiate, not to introduce more non-smokers to the hazards and pleasures of smoking. The usual emphasis of cigarette advertising is that this brand adds glamor, that one ruggedness, or another a certain touch of personal unorthodoxy. There are no pitches to the effect that smoking is good for you.

We continue to feel, when all is said and done, that the interest of the FCC and Congress in smoking and health is not misplaced—and certainly no example of wanton "bureaucratic tyranny." Despite the counter-barrage of the tobacco-boosters, there is little reasonable doubt that too much cigarette smoking can be harmful to health and can increase the statistical possibility of lung and heart disorders.

In our view, spokesmen for tobacco interests should not—and many already do not—expect their advertising efforts to cast doubt on the case against cigarette smoking, or change very many minds or habits. Few smokers smoke because they manage to conceal for themselves the persuasive case made by the Surgeon-General's reports. More of them believe, with Dorothy Parker, that—

"Razors pain you;
Rivers are damp;
Acids stain you;
And drugs cause cramp.
Guns aren't lawful;
Nooses give;
Gas smells awful;
You might as well live."

About all the FCC has done, in signifying its intent to ban cigarette advertising, is put Congress on notice to renew the 1965 legislation when it expires and, moreover, give a talking point to those in Raleigh who desperately—and wrongheadedly—suggest that tobacco be spared its long overdue share of the tax burden in North Carolina.

FIFTY YEARS OF SERVICE

HON. TOM BEVILL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1969

Mr. BEVILL. Mr. Speaker, I wish to associate myself with the remarks already made by several Members with regard to the 50th anniversary of the American Legion. Legionnaires are solid citizens dedicated to advancing the credo of love for flag and country.

Under unanimous consent, Mr. Speaker, I place in the CONGRESSIONAL RECORD an editorial which appeared in a recent issue of the Sand Mountain Reporter in my congressional district. This editorial appropriately points out how much we are indebted to the American Legion:

FIFTY YEARS OF SERVICE

They left wearing those ridiculously flimsy helmets buckled tightly to their heads, carrying arms which would shoot only as fast as the dexterity of the shooter would permit. They sang "Over There," "Long, Long Trail A-Winding." Their nicknames, now an anachronism, were "doughboys."

That was World War I, the war the politicians said would end all wars. Somehow, the politicians had never heard of Adolph Hitler, Mao Tse Tung, Ho Chi Minh and other warlords who were later to throw the world into holocaust.

However, a great organization was spawned in the dust and rubble of that first great war and its founders called it the American Legion.

Fifty years old this year, that patriotic organization has done more perhaps than any other to advance the credo of love for flag and country. While Legionnaires over the world have different accents, are of different religious faiths, they are bound a common bond and that is support of the nation. While the Legionnaire doesn't always agree with the government in power, he is morally obligated to support it with all his strength and character.

The Legion post is a familiar sight in most every hamlet in the nation, but the Sand Mountain Post is conspicuous. Its civic and charitable actions are a tremendous asset to the communities here.

We wonder in just what state the nation would be today without the American Legion. Legionnaires are solid citizens, and we congratulate them on 50 years of loyalty and service to community, state and nation.

AN EXAMPLE WORTHY OF NOTICE

HON. EARL B. RUTH

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1969

Mr. RUTH. Mr. Speaker, the problem of water pollution is one of growing concern to communities all across the Nation. While Government seeks ways to save our streams, the cooperation of industry is even more vital. It is in their hands to keep the waters clean at the very source of the problem.

Therefore, I was delighted to read an editorial in the March 10, 1969, issue of the Laurinburg Exchange of Laurinburg, N.C., which tells of the fine action and the civic concern shown by Springs Mills.

I commend the mills on their effort and thank the Laurinburg editor for telling us of the mills work. The editorial, printed in full, follows:

AN EXAMPLE WORTHY OF NOTICE

In one of the more critical areas of industrial affairs Springs Mills maintains an example which could well be followed by other industries the nation over. The problem of water pollution is becoming more acute as time passes and as national administrations pay too little attention to what the end result could be. In a recent issue of The Springs Bulletin, a report shows just to what lengths this textile organization has gone in order to protect streams which receive its waste water.

According to J. D. Lesslie, director of sanitation and water supply for Springs, this organization has invested nearly $2 million dollars for wastes treatment facilities during the past five years. Much of this total was spent at the Springs complex in Spring Hill Township. Some was invested in a modern disposal plant at the Springfield plant.

"Contrary to the belief many people have regarding the industry's lack of enthusiasm about pollution control, we are very strongly in favor of high standards of stream control," Mr. Lesslie said. "We believe that the vast majority of other industrial users of water feel the same way. We are happy that we can say that all of our waste, throughout our entire company, is treated and meets or exceeds the required standards."

Springs hasn't been doing as well financially as some other textile organizations during the past few years. Perhaps this firm's attention to such matters as employee benefits and community health and beauty has had a bit to do with it. Anyhow, this giant in the industry hasn't lost any friends because of its willingness to assume such a leading position in stream protection. Springs stands tall because of its cooperative spirit in an area where profits in humanity are more immediately apparent than profits in money.

SIXTY-FIVE CONGRESSMEN INTRODUCE BILL ON LINCOLN HOME

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1969

Mr. FINDLEY. Mr. Speaker, bills to establish the Lincoln home area in Springfield, Ill., as a national historic site under the U.S. Department of the Interior introduced today are sponsored by 65 Representatives, including the entire Illinois House delegation. The 65 Congressmen represent 23 States.

This legislation authorizes the Secretary of the Interior to acquire the Lincoln home property together with adjacent lands for the establishment and administration of the property as a national historic shrine. The legislation conforms with previous legislation under which national historic sites have been established for operation by the National Park Service.

The decision to introduce this bill was taken after consultation with Illinois Governor Ogilvie; Mayor Nelson Howarth, of Springfield; and Mr. Marshall Luthringer, president of the Abraham Lincoln Association of Springfield, Ill. The proposal has the endorsement of both Illinois U.S. Senators—EVERETT M. DIRKSEN and CHARLES H. PERCY, who are introducing identical legislation in the Senate—as well as Governor Ogilvie, Mayor Howarth, and Mr. Luthringer.

It is important that affirmative action be taken as soon as possible to safeguard the Lincoln home for future generations. It is truly an international shrine, being one of the 10 top centers of tourist interest in the Nation, and annually attracting many foreign visitors. Its environs are presently inadequate to serve the ever-growing number of visitors and in important respects below the standards that should be maintained for this great shrine.

The importance of complete control and highest protection standards over the immediate area surrounding the home was dramatized a few weeks ago when a house just three doors down from the Lincoln home was ravaged by fire.

The proposed bill, together with existing law, would make possible considerable flexibility as to the ownership of the property. The State of Illinois conceivably could retain title to the Lincoln residence property even though the custody and control of the property would be placed in the Department of the Interior.

Because of the wide bipartisan interest in the proposal, three separate resolutions were introduced in the House. One, sponsored by me, included the names of all 24 Illinois Representatives. The other two were sponsored by members of the House Committee on the Interior—Representative JOHN KYL, Republican, of Iowa, and Representative MORRIS K. UDALL, Democrat, of Arizona.

A national drive for private funds to advance the project is being organized.

A list of cosponsors follows:

Findley bill: Rep. Paul Findley, Republican, chief sponsor; Rep. William L. Dawson, Democrat; Rep. Leslie C. Arends, Republican; Rep. Dan Rostenkowski, Democrat; Rep. Robert McClory, Republican; Rep. Abner J. Mikva, Democrat; Rep. Donald Rumsfeld, Republican; Rep. William T. Murphy, Democrat; Rep. John N. Erlenborn, Republican; Rep. John C. Kluczynski, Democrat; Rep. Edward J. Derwinski, Republican; Rep. Daniel J. Ronan, Democrat; Rep. Charlotte T. Reid, Republican; Rep. Frank Annunzio, Democrat; Rep. John B. Anderson, Republican; Rep. Sidney R. Yates, Democrat; Rep. Harold R. Collier, Republican; Rep. Roman C. Pucinski, Democrat; Rep. Robert H. Michel, Republican; Rep. Melvin Price, Democrat; Rep. Thomas F. Railsback, Republican; Rep. Kenneth J. Gray, Democrat; Rep. William L. Springer, Republican; and Rep. George E. Shipley, Democrat.

Kyl bill: Rep. John Kyl, Republican, of Iowa, chief sponsor; Rep. Henry C. Schadeberg, Republican, of Wisconsin; Rep. Edwin D. Eshleman, Republican, of Pennsylvania; Rep. James Grover, Jr., Republican, of New York; Rep. Carleton J. King, Republican, of New York; Rep. Vernon Thomson, Republican, of Wisconsin; Rep. Charles E. Wiggins, Republican, of California; Rep. Thomas S. Kleppe, Republican, of North Dakota; Rep. Spark M. Matsunaga, Democrat, of Hawaii; Rep. Arnold Olsen, Democrat, of Montana; Rep. J. Glenn Beall, Jr., Republican, of Maryland; Rep. Lawrence G. Williams, Republican, of Pennsylvania; Rep. George E. Brown, Jr., Democrat, of California; Rep. Fred Schwengel, Republican, of Iowa; Rep. Benjamin B. Blackburn, Republican, of Georgia; Rep. Henry Helstoski, Democrat, of New Jersey; Rep. Alexander Pirnie, Republican, of New York; Rep. Jim Wright, Democrat, of Texas; Rep. James McClure, Republican, of Idaho; Rep. Charles W. Sandman, Jr., Republican, of New Jersey; Rep. James C. Corman, Democrat, of California; Rep. Howard W. Robison, Republican, of New York; Rep. Guy Vander Jagt, Republican, of Michigan; Rep. Dominick V. Daniels, Democrat, of New Jersey; Rep. William B. Widnall, Republican, of New Jersey.

Udall bill: Rep. Morris K. Udall, Democrat, of Arizona, chief sponsor; Rep. Robert J. Corbett, Republican, of Pennsylvania; Rep. Ken Hechler, Democrat, of West Virginia; Rep. John Wold, Republican, of Wyoming; Rep. Howard W. Pollock, Republican, of Alaska; Rep. Samuel N. Friedel, Democrat, of Maryland; Rep. Frank Horton, Republican, of New York; Rep. Jonathan Bingham, Democrat, of New York; Rep. Bill Chappell, Jr., Democrat, of Florida; Rep. Daniel Button, Republican, of New York; Rep. Robert O. Tiernan, Democrat, of Rhode Island; Rep. Laurence J. Burton, Republican, of Utah; Rep. George A. Goodling, Republican, of Pennsylvania; Rep. Ben Reifel, Republican, of South Dakota; Rep. John Brademas, Democrat, of Indiana; Rep. Ogden Reid, Republican, of New York.

The text of the bill follows:

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H.R. 9251

A bill to authorize the Secretary of the Interior to establish the Lincoln Home National Historic Site in the State of Illinois, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to preserve and interpret for the benefit of the people the home of Abraham Lincoln in Springfield, Illinois, the Secretary of the Interior is authorized to acquire by donation, purchase with donated or appropriated funds, or exchange, the property at the northeast corner of Eight and Jackson Streets, in the State of Illinois, including improvements thereon, together with such adjacent lands and interests therein as the Secretary may deem necessary for the establishment and administration of the property as a national historic site. The Secretary is further authorized to acquire by any of the above means personal property used and to be used in connection with the national historic site.

SEC. 2. The property acquired pursuant to the first section of this Act shall be known as the Lincoln Home National Historic Site, and it shall be administered by the Secretary of the Interior in accordance with the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented (16 U.S.C. 1, 2–4) and the Act of August 21, 1935 (49 Stat. 666, 16 U.S.C. 461–467).

SEC. 3. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

PELLY POSITION ON THE SENTINEL ABM

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1969

Mr. PELLY. Mr. Speaker, if I thought that in anyway it was necessary to proceed with an anti-ballistic-missile system for our Nation's defense, I would support the President's modified program.

However, testimony has been presented, most notably from Disarmament Control Agency Director Gerald Smith, that a halt in our ABM program will not jeopardize our defense. Therefore, it seems logical to me that we not proceed until after we talk with the Russians about disarmament.

As to the recent announcement by President Nixon of the modified ABM system, this would have been my second choice, and, accordingly, I intend to vote against it.

Mr. Speaker, I believe our second-strike capability is our most powerful deterrent, and this retaliatory capacity should be sufficient warning to the Chinese or the Russians that we have the ability and the will to destroy their society should they decide to launch an attack on the United States. I should add that this second-strike capacity which we now have was constructed at a cost of many billions of dollars.

As to the potential effectiveness of a defensive system, it should be remembered that it always can be neutralized if the enemy strengthens his offense. Russia, in other words, could overcome our defense system simply by flooding an attack zone with more warheads than the ABM's could handle, thus leading to a costly upward spiral of the arms race.

I do believe the President was wise in moving the defensive missiles away from cities and establishing the Sentinel System as a defense of our second-strike force.

But, again, Mr. Speaker, this to me was a second choice and conceivably a very costly one. I believe it would have been far better to continue research and development of the Sentinel System while seeking to achieve meaningful disarmament talks with the Russians.

PERSECUTION OF UKRAINIAN CHRISTIANS CONTINUES

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1969

Mr. RARICK. Mr. Speaker, another Christian martyr has fallen—another at the hands of Russian Communists.

The Most Reverend Wasyl Welychowsky's great "crime" was an act against the state. He had gone into a parishioner's home to hear confession—a fearful crime, indeed, in the eyes of the atheistic Communists.

Since his arrest on January 27, 1969, Archbishop Welychowsky had been confined in a Soviet prison. There he died—remaining true to the Christian faith. He had been the Ukrainian Catholic Archbishop.

The archbishop had his Judas—Judas in the guise of a "French tourist," who actually turned out to be an agent of the MVD—the dreaded secret police. The agent was successful in "conning" the archbishop out of names and addresses of priests and parishoners in the Ukraine.

Subsequently, scores of Ukrainian Christians have been rounded up and herded off to prison camps. Nuns have had severe restrictions placed upon their religious practice.

Mr. Speaker, I insert an Annuario Pontificio release of March 16, 1969, and an article from America, a publication of American-Ukrainian Catholics, following my remarks:

[From the Washington (D.C.) Post, Mar. 16, 1969]

PRIEST'S DEATH IN RED JAIL REPORTED

ROME, March 15.—Reports circulated in church circles today that a Ukrainian Roman Catholic bishop has died in a Soviet prison where he had been confined since Jan. 27.

He was identified as the Most Rev. Wasyl Welychowsky, about 65, who had been secretly consecrated a bishop several years ago and jailed for engaging in religious activities without government permission.

Informants said he died recently in a prison at Leopoli, in the Ukraine.

The Bishop was a member of the Redemptorist religious society. His work was said to be so secret that it did not appear in the Annuario Pontificio, the official Vatican yearbook listing all cardinals and bishops.

[From America, Feb. 27, 1969]

ARCHBISHOP WELYCHKOWSKY ARRESTED IN LVIV—NEW WAVE OF PERSECUTIONS SWEEP OVER UKRAINIAN CATHOLIC CHURCH

PHILADELPHIA.—According to reports received from reliable sources, the Soviet police (MVD) on January 27, 1969, arrested in Lviv Most Rev. Wasyl Welychowsky, Ukrainian Catholic Archbishop of Lviv. The Archbishop had gone to confess a woman in her home. Police agents followed him to the woman's home and arrested him. The Archbishop was then taken back to his apartment where a thorough search was made. When the Archbishop was being taken away, members of the sick woman's family heard one of the agents say: "You'll never see him again."

On the same day a host of other Ukranian Catholic priests were arrested. Their names have not been disclosed as yet.

It is said that about a month and a half before the Archbishop's arrest he was visited by a man, who called himself a tourist. The man spoke French and said he was a priest. He told Archbishop Welychowsky that he had come with a tourist group and had instructions from the Vatican to find out about the activities of the underground Ukrainian Catholic Church in Ukraine. The man said that he would need to have the information recorded on paper.

It soon turned out that the man was no tourist, but an agent of the MVD. Following Archbishop Welychkowsky's arrest he was shown the written notes which he had made for the "tourist."

Following the arrest of the Archbishop, searches and arrests were made in the home of other Ukrainian Catholic priests in Lviv and in other West Ukrainian cities.

In Stanislaviv, members of the Communist Party, on instructions from the MVD, gave out lists of instructions to Ukrainian nuns. The instructions warned the nuns not to attend Masses, receive priests in their homes, baptize children, or persuade people to go to confession.

Failure to comply with the instructions would bring three years imprisonment and the loss of all civil rights.

POCHAYEV SYNOD

Last fall a synod of the Ukrainian Orthodox Church was held in Pochayev. The Orthodox priests, who are under the jurisdiction of the Moscow patriarchate, complained that the underground activities of the Ukrainian Catholic priests make it difficult for them to carry out their activities among the people. They made a joint appeal to Moscow to help them in liquidating the Ukrainian Catholic Church in Western Ukraine. The reply came immediately: "By 1970, the 100th anniversary of Lenin's birth, the Ukrainian Catholic Church will be completely crushed."

In addition, an Orthodox bishop arrived in Western Ukraine from Kiev, and in a meeting with the Orthodox priests attacked them for not having liquidated the Catholic Church in the 30-year period of their activity. The bishop then handed out small tokens of encouragement to the Orthodox priests: watches, clothing, and money.

STATEMENT OF REPRESENTATIVE JOEL T. BROYHILL OF VIRGINIA IN SUPPORT OF HIS BILL TO AUTHORIZE AN INVESTIGATION AND REGULATION OF THE USE OF PLASTIC BAGS IN THE DISTRICT OF COLUMBIA

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1969

Mr. BROYHILL of Virginia. Mr. Speaker, today I am introducing a bill to authorize the District of Columbia Council to investigate and regulate the use of plastic bags by drycleaning and laundry establishments in the District of Columbia.

Recently Col. Gaylord B. Kidwell, chairman of the Arlington Safety Council Committee on Home Safety, in Arlington, Va., conducted a survey of the 50 States and the District of Columbia and determined that at least 166 children across the Nation suffocated in plastic death traps in the years 1965, 1966, and 1967. During the same 36 months, 56 adult deaths due to plastic bag suffocations were reported, mostly suicides. The plastic bags, the survey concluded, came principally from drycleaning and laundry establishments and were used to cover freshly drycleaned or laundered clothes.

Mr. Speaker, the present efforts of the drycleaning industry to print warning labels on plastic bags has not been enough. As the survey found, "babies can not read." Efforts to educate the public have also been disappointing. It is apparent that engineering to redesign present bags in use by the drycleaning industry is required. Obviously, some degree of regulation of the industry is also required.

My bill will authorize the jurisdiction under the direct control of the Congress, the District of Columbia, to investigate this critical safety problem and to regulate the use of plastic bags by drycleaning and laundry establishments. The District of Columbia needs this authority and it is our duty to assist them to stop this needless loss of life to our youngsters. I urge adoption of this bill.

CIGARETTE ADVERTISING BAN

Hon. G. V. (SONNY) MONTGOMERY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1969

Mr. MONTGOMERY. Mr. Speaker, I recently received a thought-stimulating letter from a constituent on mine concerning the Federal Communications Commission's proposed ban on televised advertising of cigarettes. I would like to share his comments with my colleagues:

MEDICAL ARTS CLINIC,
Meridian, Miss., February 11, 1969.

FEDERAL COMMUNICATIONS COMMISSION,
Washington, D.C.

DEAR SIRS: I am writing in regard to your recent proposal to ban cigarette advertising on television and radio broadcasts. I would like it clearly understood that I do not smoke cigarettes nor have I ever smoked. I must, however, bitterly oppose such an action as the one you have taken, not because I completely disagree with some of your claims, but because of your willingness to pick out one specific industry which has some known health hazards and yet completely allow to go untouched the alcohol traffic which is such a much more menacing problem, not only to personal health, but to society in general.

What about cirrhosis, alcoholism, and 70% of the traffic fatalities on our highways related to drinking? At least cigarette smoking is a health hazard only to a person who is willing to consume this product at his own risk. In the case of the problem of alcohol, the general public is at the mercy of the example set by even the occasional beer drinker.

I will not linger at length on this subject, but I must summarize by saying that it is a ridiculous situation to try to ban a product such as cigarettes and at the same time allow a product such as alcoholic beverages to go completely unscathed, considering the relative infrequency of complications of tobacco smoking compared to the direct and indirect effects of alcoholic beverages.

In closing, I would like to add that those persons who smoke as a nervous habit will probably soon begin to over-eat as soon as they have discontinued the smoking habit. Arteriosclerotic heart disease will catch the "rebounders". Thank you very much for your attention.

Sincerely,
JOHN D. MCEACHIN, M.D.

OFFICIALLY OPPOSE OUTSIDE HELP

HON. W. E. (BILL) BROCK

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1969

Mr. BROCK. Mr. Speaker, in a time when this body daily receives petitions for ever-increasing sums of money to be used in urban renewal in the cities, it is with pardonable pride that I call your attention to a group in my hometown of Chattanooga who have done a tremendous improvement job while refusing any public funds whatsoever.

Mr. Speaker, I include in the RECORD a story from the Chattanooga News-Free Press, which gives the details of the job done by the St. Elmo Improvement League in the finest American tradition:

OFFICIALLY OPPOSE OUTSIDE HELP

(By J. B. Collins)

Members of the St. Elmo Improvement League Monday night renewed "for the record" its opposition to "any Community Action Programs" for their neighborhood, renewing their determination to make their own improvements "without outside help."

League president Bernard Wassman asked some 60 persons present for the meeting at the St. Elmo Methodist Church whether this "do it ourselves" attitude was not still the consensus.

While no vote was taken, there were several audible responses of "yes" from the audience. There was no opposition indicated.

The meeting had a twofold purpose: To discuss progress in the community's program of improving all residential structures with private funds (no federal money) and to hear a report by Charles Kendricks, principal of the Lookout Junior High School, which has undergone an improvement program of its own.

Mr. Wassman praised residents and property owners in the community for their response to a program spearheaded by the Chattanooga Better Housing Commission to upgrade all residential structures found to be substandard in St. Elmo, one of the city's oldest neighborhoods.

NO RESTRICTIONS

A member asked Mr. Wassman, who presided, whether anything could be done about discouraging "representatives of the Community Action Program" from making surveys within the neighborhood.

Mr. Wassman said he felt that the community could impose no restrictions on these activities "if they want to come in here."

Someone else observed that "they" get $50 a week for making the survey and the speaker objected to a policy (federal) of "paying for this kind of thing."

Another comment from the audience indicated that "they might as well stay away . . . we don't want what they are offering."

Mr. Wassman said that the improvement program is now about 90 per cent complete and he expects the other 10 per cent to be completed "soon." A survey showed that there are some 942 dwelling units comprising 1,620 units in the neighborhood.

Mr. Kendricks commended the residents for their enterprise and noted that some of their drive for self-improvement had been carried out in the Lookout Junior High School.

He said that, contrary to rumors, the school is not going to close. He said enrollment, which had dropped from "more than 600" to about 100, had increased again to 225.

One of the school's problems, he said, is a "mobility of population." This meant, he said, that some of the children "come and go" during a term, some staying only a week. He said the school is surveying its needs and making an effort to locate agencies offering assistance in these areas.

Among some of the improvements the school has been able to make, according to its principal are: Increase of 1,000 books in its library, better campus lighting (with help from Commissioner Steve Conrad), new lockers in gymnasium and improved physical education facilities including hot water for after-practice showers; additional science equipment, reintroduction of several courses, including typing for eighth graders and shop and home economics alternately among boys and girls, addition of guidance, Spanish and art teachers.

"I believe we are on the way back," the principal said. "We are committed to this . . . if we were not, we shouldn't be there."

Mr. Kendricks said he believes strongly that progress in the community and its schools are closely linked.

PROBELM OF CONTROLLING CIGARETTE LABELING AND ADVERTISING

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1969

Mr. RODINO. Mr. Speaker, I have long been concerned about the health hazards resulting from cigarette smoking, and have consistently supported efforts to require more stringent language on cigarette packages to warn of the health dangers. In this Congress, I am again a cosponsor of this essential legislation—H.R. 5212—and I strongly believe congressional action is needed. The Federal Communications Commission, as we know, has moved on its own to ban cigarette advertising on radio and television after June 30, and this has raised another problem in our efforts to properly protect the public, and particularly young people, in this area. In this connection, I would like to call to the attention of my colleagues an editorial from the February 13, 1969, issue of one of New Jersey's leading newspapers, the Evening News of Newark, N.J. The editorial follows:

FCC'S CENSORSHIP

Among bureaucrats the craze for running practically everything has found its latest expression in the Federal Communications Commission's intention, Congress permitting, to ban cigarette advertising on television and radio.

Cigarettes undoubtedly are injurious to the health. The medical profession generally believes smoking is a factor in cancer, heart and other ills. Statistical support for this position is marshaled regularly, and every cigarette package carries its own warning. Time is provided on the air for admonitions about the perils of cigarettes, and newspapers duly keep the public apprised of developments.

Therefore it may be reasonably assumed that virtually everyone is on notice that cigarettes have no redeeming qualities. That being so, Congress has seen no need for another noble experiment, one to a century being enough. Cigarettes not having been outlawed, there is no legal basis for FCC to impose its own brand of censorship.

Excessive consumption of coffee may be harmful to some persons; ditto beer and wine. Nevertheless, no bureaucracy has attempted to bar this type of advertising from the air. Accordingly, what the FCC offers is another example of what President Eisenhower once decried as "Washington poking its long nose where it has no right to be."

LAW SCHOOL BUILDING IS NAMED FOR DR. MARTIN LUTHER KING, JR.

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1969

Mr. LEGGETT. Mr. Speaker, as we approach the anniversary of the assassination of Dr. Martin Luther King, Jr., one is reminded of the unique contributions of his life and of his sensitive understanding of the times in which he lived.

The University of California at Davis is in my congressional district and it is with a deep sense of pride and satisfaction that I point out to my colleagues that the new law school building on the UCD campus has been named after Dr. King.

King Hall will be dedicated on April 12 by the distinguished dean of the law school, Dr. Edward L. Barrett.

It is my opinion that the students and faculty of the University of California at Davis demonstrated their awareness of Dr. King's love of the law and his commitment to it when they requested that the building in which they will work and study be named for this great man whom we so tragically lost.

An article from the California Aggie, the UCD student newspaper, follows:

> The large new law school building on the University of California campus at Davis has been named in honor of the late Dr. Martin Luther King, Jr.
>
> UC President Charles J. Hitch and Davis Chancellor Emil M. Mrak made the announcement following approval by the Regents.
>
> Martin Luther King, Jr. Hall houses the entire three-year-old law school, including classrooms, faculty offices, a moot court and a law library with space for 100,000 volumes. Students and faculty had asked that the building be named for the civil rights leader, who was assassinated last year. The request followed up on a proposal made last summer by the Martin Luther King coalition, a student movement representing civil rights and political action groups at Davis.
>
> The naming of King Hall marks the first instance in which a Davis campus building has been named after a major world figure. It will be dedicated April 12, with the dean of the school, Edward L. Barrett, Jr. presiding.
>
> In recommending Regental approval, President Hitch said, "Many of Martin Luther King's activities dramatize the need for strengthening civil rights legislation which was subsequently accomplished.
>
> "Periods of great transition, such as the one through which our white-black relations are now passing, are frequently accompanied by public strife and violence. No one understood this better than Martin Luther King or took more foresighted means to blunt the violence and contain the struggle within our legal system. His tremendous influence for achieving legal and peaceful solutions in the early stages of a period of great potential violence was perceptively recognized in the award to him of the Nobel Peace Prize in 1964. Clearly he foresaw the great potential danger which violence and hatred during this period posed for the country and its legal system and, therefore, for his people.
>
> "It may be said, then, that in a period of very dangerous transition, Martin Luther King was a major factor in forcing the law to recognize and to accommodate rationally to the transition and, hence, in preserving respect for the essential justice and practicality of law. It therefore seems singularly appropriate that a building for the teaching of the law should be named 'Martin Luther King, Jr. Hall'."
>
> The $1.9 million, two-story, concrete and brick, u-shaped structure designed by Gardner A. Dailey, is located on Putah Creek, in the southwest section of the main campus area. It includes space for 500 students and 25 faculty members, the ultimate size of the law school.
>
> The current enrollment of 250 students, along with 12 law school faculty members, moved into the building last fall from temporary structures located nearby. The first class will graduate in June.

A TRIBUTE TO MAINE'S WOMEN

HON. PETER N. KYROS

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1969

Mr. KYROS. Mr. Speaker, I am today introducing a joint resolution calling for a constitutional amendment to provide for equal rights for men and women. I am especially proud to introduce this legislation upon the date that Maine's House of Representatives 50 years ago passed a bill giving Maine's women the right to vote in presidential elections. Later in 1919, Maine was the 19th State to ratify the 19th amendment, giving all otherwise qualified women the right to vote in all elections.

I would also like to take this opportunity to congratulate Maine's League of Women Voters, which today begins its 50th anniversary observances. Maine's League of Women Voters has at least one remaining charter member, Mrs. Philip Champman, whom I would like to commend for her early interest in this important organization. Over the 50 years which have ensued since passage of the woman's suffrage amendment, the League of Women Voters in Maine and throughout the Nation has, together with many other women's organizations, given evidence beyond all doubt of the justification for the equal treatment of women at the polls. The 1964 Civil Rights Act provided women with equal treatment in many, although not all, areas of employment. I can think of no better way to honor the women of Maine and the women of the United States than to enact a constitutional guarantee of equal rights in all matters. I urge, therefore, prompt enactment of legislation such as I am introducing today, not as a favor to women, but in recognition of rights which have already been denied too long.

FAVORITE TEACHER

HON. TOM BEVILL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1969

Mr. BEVILL. Mr. Speaker, for the 20th time, the Birmingham Post-Herald has announced a new favorite teacher. This is done to give thanks and pay tribute to our teachers.

Far too often we tend to take our teachers for granted. As the Post-Herald stated, in announcing its selection:

> In a time when the schools and the classroom teachers are being called upon to perform increasingly heavy tasks it is especially appropriate to salute an instructor for the primary grades who must lay the basis for any meaningful education which is to follow.

This could also be said for every teacher in our Nation. At this time, Mr. Speaker, under unanimous consent, I place in the RECORD an editorial from the Post-Herald which pays tribute to our teachers:

> NEW FAVORITE
>
> For the 20th time in as many years The Birmingham Post-Herald has announced a new Favorite Teacher.
>
> This year the honors go to Miss Sarah Ann White who has taught second grade at Robinson School in the Birmingham system for 23 years. Miss White, incidentally, is the first teacher from Jefferson to receive the statewide honor since 1958.
>
> In a time when the schools and the classroom teachers are being called upon to perform increasingly heavy tasks it is especially appropriate to salute an instructor from the primary grades who must lay the basis for any meaningful education which is to follow.
>
> The independent board of judges which makes the annual selection of the Favorite always comes up with a truly outstanding teacher. They have done it again this year.
>
> If we are ever to have the better world and the better society for which we all hope, it will be the Sarah Ann Whites upon whom we shall most depend.
>
> A salute to Sarah Ann White from us is superfluous: the devotion of the youngsters now in her charge and the successes of those she has set upon the proper way are unquestionably the rewards which mean most to the Favorite Teacher.
>
> But we do give her thanks, complete and from the heart. We also express our gratitude in alphabetical order, to Mrs. Connie Barnes of Talladega, to P. L. Hunt of Mill-

XUM

port, to Miss Peggy Murrah of Thorsby and to Mrs. Mabel Phillips of Birmingham, this year's runners-up. They have demonstrated a devotion to their profession and to their fellow man which we all would do well to copy.

PHILIP J. WEAVER

HON. RICHARDSON PREYER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1969

Mr. PREYER of North Carolina. Mr. Speaker, North Carolina lost one of its greatest citizens in the sudden death of Philip J. Weaver, superintendent of the Greensboro, N.C., public schools, this past weekend. In the opinion of many expert schoolmen, Phil Weaver was the finest superintendent of schools in the United States. There is no way to calculate his value to the community; he enriched the lives of all those whom he touched. His friends, his family, and the children of Greensboro will miss this great and modest man.

I inclose an editorial from the Greensboro Daily News of March 18, 1969, which expresses our community's appreciation to Philip J. Weaver:

PHILIP J. WEAVER

When death-in-war comes to able and courageous men it has a special poignancy. Something of the same sense of loss in gallantry struck Greensboro over the weekend in the death of Philip J. Weaver.

Here was a 55-year-old educator at the peak of his competency cut down in mid-flight. One must, in all candor, conclude that the perplexing and frustrating school desegregation controversy played a major part in wearing him out. For the turmoil of clashing principles can be especially taxing on a man of integrity.

Phil Weaver came of a line of distinguished public men devoted above all to their professions. His uncle, Chief Justice Walter P. Stacy, served as one of North Carolina's youngest and most able jurists. Mr. Weaver's father was a college president and one of his brothers carries on that tradition today.

Phil Weaver inculcated qualities of the superior schoolmaster. Almost destined from the beginning to devote his life to education, he rapidly mastered his profession. Nature endowed him with mental and physical attributes of leadership. Handsome in appearance, intelligent, temperamentally reserved, courageous, he quickly made his way to the top of North Carolina's public school system.

Personal modesty was Phil Weaver's becoming trait. Even those who knew him best rarely heard him speak of himself or his own accomplishments, although they were legion. Along with this quality he combined a jovial disposition which, at least on the exterior, dismissed the storm of criticism and complaints normally assailing every school administrator. One close associate said yesterday that during his work with Mr. Weaver over the last 18 years, he had never once seen him lose his temper or storm about in anger.

Another Weaver trait, and one which made him effective in his taxing job, was his candor. Always open with his school board, he was never unwilling to accept an alternative course with equity and good humor. But his fairness, combined with intelligence, seldom made that necessary. As a leader of men he had those essential qualities of command which built a devoted following.

As an administrator Phil Weaver had few peers. At the head of a complex organization comprising hundreds of teachers and thousands of students, he managed his constituency with coolness and efficiency. Under him he built a splendid staff. Greensboro's schools will continue to operate well because their superintendent gave so much of himself to that mission.

Phil Weaver's associates know that he could have long since departed Greensboro for other fields—attractive offers constantly came his way. But for personal reasons in his family life he chose to remain.

The community has been blessed because he lingered here, and because he passed this way.

RESOLUTIONS EXPRESSING THE GRATITUDE OF THE SAN BERNARDINO COUNTY BOARD OF SUPERVISORS

HON. JERRY L. PETTIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1969

Mr. PETTIS. Mr. Speaker, during the February flood in California, many communities in my district were devastated by water, mud slides, and highway washouts. At the same time, roads in the mountain communities of the district were blocked by record snowfall. The disaster, as severe as it was, would have been even worse had it not been for the timely and effective assistance rendered by military units from two bases in the district. The following resolutions by the San Bernardino County Board of Supervisors outlines the aid given by the Army and Marine units and expresses the gratitude of the people of the county:

A RESOLUTION FROM THE BOARD OF SUPERVISORS, COUNTY OF SAN BERNARDINO

Whereas, the Provisional Battalion of the U.S. Marine Corps at Twentynine Palms was quick to answer the call for help during the disastrous snow-piling situation in San Bernardino mountain communities of Big Bear, Lake Arrowhead, Crestline, Running Springs and Mt. Baldy and the flooding conditions in the communities of Loma Linda and Yucaipa during the week of February 23, 1969; and

Whereas, the 425 men and officers of the U.S. Marine Corps wholeheartedly accepted the task of providing access to these devastated communities and worked rapidly and conscientiously to clear debris of trees, rocks, mud and vehicles from road and schools, remove heavy snow-loads from roofs of public buildings, saving lives and aiding the sick and by their very presence reassured the residents that their safety was of prime concern to everyone; and

Whereas, without the assistance of the U.S. Marine Corps, these communities would have been snowbound and isolated for a much longer period of time, with the inevitable danger to health, welfare and morale of the residents; now, therefore, be it

Resolved by the Board of Supervisors of the County of San Bernardino, State of California, that it hereby expresses its deep gratitude and heartfelt thanks to the U.S. Marine Corps of Twentynine Palms for their invaluable help and esprit de corps in aiding their fellow man in time of stress and trouble and further, the members of the Board commend the officers of the Marine Corps for their wise planning which resulted in immediate aid to these communities; be it further

Resolved that this resolution be noted in the minutes of this Board and a copy forwarded to the Commanding Officer of the Marine Corps at Twentynine Palms, California.

RUBEN S. AYALA,
Chairman, Board of Supervisors.

Attest:

W. DENNIS WARDLE,
County Clerk and
ex-officio clerk of said Board.
By MARTIN SPONSLER,
Deputy.

A RESOLUTION FROM THE BOARD OF SUPERVISORS, COUNTY OF SAN BERNARDINO

Whereas, the U.S. Army 78th Engineer Construction Company at Fort Irwin was quick to answer the call for help during the disasterous flood situation in the Lytle Creek area during the week of February 23, 1969; and

Whereas, the 150 men and officers of the U.S. Army wholeheartedly accepted the challenge of providing access to this community which was isolated for almost four weeks due to impassable roads in hazardous mountain areas to permit bringing in food, water, medical aid, clothing and the necessities of life; and

Whereas, this task was estimated to require five days to complete but with diligence, perseverance and excellent planning, the U.S. Army was able to complete this important assignment in one and a half days, thereby not only alleviating danger to the community but, equally as important, reassuring the residents that their safety and welfare was of prime concern to everyone; and

Whereas, without the assistance of the U.S Army this community would have been isolated for many more months with inevitable danger to the health, welfare and morale of the residents; Now, therefore, be it

Resolved by the Board of Supervisors of the County of San Bernardino, State of California, that it hereby expresses its deep gratitude and heartfelt thanks to the U.S. Army 78th Engineer Construction Company for their invaluable help and esprit de corps in aiding their fellow man in time of stress and trouble and further, the members of this Board commend the officers of this Company for their wise planning which resulted in immediate aid for this area. Be it further

Resolved that this resolution be noted in the minutes of this Board and a copy forwarded to the Commanding Officer of the 78th Engineer Construction Company U.S. Army Unit at Fort Irwin, California.

Dated: March 3, 1969.

RUBEN S. AYALA,
Chairman, Board of Supervisors.

Attest:

V. DENNIS WARDLE,
County Clerk and ex-officio Clerk
of said Board.
By MARTIN SPONSLER,
Deputy.

THE 45TH ANNIVERSARY OF PIONEER CHAPTER, ORDER OF DEMOLAY, LOS ANGELES, CALIF.

HON. THOMAS M. REES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1969

Mr. REES. Mr. Speaker, it is my privilege to honor Pioneer chapter, Order of DeMolay, of Los Angeles, Calif., one of the oldest chapters of this honorable organization, on the celebration of its 45th anniversary on March 18, 1969. I would like to take a few moments to call attention to an order personifying those qualities so many of us feel are needed by youths today.

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The DeMolay movement was founded in 1919 by the late Frank S. Land of Kansas City, Mo., with a group of nine high school boys. It has grown now to over 165,000 members in 2,500 chapters in 12 countries around the world. Today, nearly 3 million men have passed through this group and many are leaders in business, government service, the military, entertainment, and athletics. Youths from 14 to 21 are imbued with spiritual ideals and given wholesome occupations in a DeMolay chapter which range from community service projects to social affairs and athletics. In this environment, among worthwhile associates, a young man forms lasting friendships and learns responsibilities and self-reliance. Each DeMolay chapter is sponsored by a group of Masons, who provide advisers and facilities for DeMolay activities.

Two degrees are offered each DeMolay member: the initiatory degree, which is one of great solemnity and dignity in which a young man dedicates himself to unfaltering love of God, home, and country; and the DeMolay degree depicting a great lesson in fidelity.

Mr. Speaker, I ask Congress to join me in honoring all DeMolay and, in particular, the Pioneer chapter and its new master councilor, Michael Glaser.

STATEMENT OF CONGRESSMAN ALLARD LOWENSTEIN

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1969

Mr. JACOBS. Mr. Speaker, I would like to commend to my colleagues a statement prepared by Congressman Allard Lowenstein. The statement follows:

Statement of Allard K. Lowenstein Prepared for Exhibition Titled: "1776: The Challenge to 1969," in the Time-Life Exhibition Center in New York City From January 18 to March 2, 1969

In 1963 when President Kennedy spoke of the work of the Founding Fathers he said:

"Winning independence was only half the job. The harder task was to establish a society which would give the rights of man full protection and full scope, which would provide for man's freedom within a framework of order and progress."

There has been some progress toward completing this other "half of the job" since that comment of President Kennedy's. But the sad fact is that for millions of our people the United States seems farther from this goal now than it was then.

Hunger blights, in ghettoes, in hollows, on reservations. Pollution and decay spread, in urban centers and through the countryside.

Taxes climb, and confidence in the fairness of their collection and the wisdom of their expenditure erodes.

War continues, and some brave men die while others defy their country or leave it.

Hates and fears run riot, and even men of good will flail about, substituting scapegoats for solutions.

The democratic process creaks, in Presidential elections, in Congress, in the opening of opportunity equally to all Americans.

The greatest of our leaders are killed as their greatness touches the land, so the very fact of their greatness comes to stand as an indictment of the land.

So now we face a question as critical to our future as any in our history: the question of whether the promises of the Constitution, the rhetoric of our heritage, can finally be squared with the realities of American life for all our people. If the gap remains between promises and performance, between rhetoric and reality, these promises and this rhetoric, for so long the pride and hope of the Republic, must become tools for its undoing. Not foreign invaders, not communists, not anarchists or yippies, but rather our own national patience with injustice, our material success, would then be responsible for the failure of this greatest experiment in self-government.

Knowing this, it seems unthinkable that any obstacle could further deter us, any task further divert us, from finishing the second "half of the job".

When a nation's most cherished principles and most urgent needs unite to dictate goals, and the direction to move to realize those goals, that nation delays response at her own peril. We know America's goals, we know what direction to move, we know the priorities of effort and resources necessary if we are to move effectively.

We know, too, that time is running out if we are ever to forge a society with liberty and justice for all.

The Constitution of this country—so flexible where change meant survival, so unyielding in its insistence on a society which in President Kennedy's phrase: "would give the rights of man full protection and full scope"—this Constitution provides the best possible framework for forging such a society.

More than that no Constitution can do. The rest *we* do, or it is not done. No people have ever had incentive to do what they ought to do than we have now.

THE 50TH ANNIVERSARY OF THE INTERNATIONAL ORDER OF DeMOLAY

HON. MARK ANDREWS

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1969

Mr. ANDREWS of North Dakota. Mr. Speaker, the International Order of DeMolay is this year celebrating its 50th anniversary, and this week has been set aside as DeMolay Week. Having been a member of this fine organization, I am well aware of the tremendous contribution it has made in developing the fine attributes of our young people. From a modest beginning, DeMolay has grown to a membership of 166,000 in over 2,500 chapters throughout the world.

Today, perhaps more than at any time in our history, we are concerned about our young people—their attitudes, their ambitions, and their goals in life. Far too frequently, I think, the emphasis has been upon the dissidents, the agnostics, the troublemakers, and those who would cast aside all the values and standards which have been established through the years.

This, Mr. Speaker, is why I believe it is so important that we pay proper tribute to an organization of fine young people which emphasizes reverence of God, love of parents, patriotism, and respect for law and order, fidelity, comradeship, courtesy, and cleanliness.

JOHN H. SNIDER RETIRES AFTER 28 YEARS OF SERVICE

HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1969

Mr. CORMAN. Mr. Speaker, out in my district a banquet will take place this Friday, March 21, to honor a man whose life work, in a sense, is a microcosm of of the total historical span of organized labor. This man is John H. Snider, who is retiring after 28 years of service to organized labor, the Government, and the community.

John Snider's working life began for him at the age of 10 when he took a job in a food canning plant, long before the conscience of this Nation was stirred sufficiently to guard against exploitation of child labor. His first union affiliation came at the age of 18 when he became a member of the A.F. of L. Hod Carrier's Union.

Perhaps spurred by his marred childhood, this early affiliation with the cause of labor was to shape the course of his entire professional life. In 1923, he was attracted to the young aircraft industry. He was a mechanic in these early years, but very shortly, after migrating west in 1930 to Lockheed, his deep interest in labor causes led to his being chosen shop steward for the then-fledgling International Association of Machinists. In rapid succession, and in the short span of the years from 1943 to 1947, he became the first president of the newly organized local lodge G, he was elected district trustee a year later, the negotiating committee member the following year, and finally district organizer.

In 1949 he began his long and successful affiliation with IAM, local 727, as president, but also with his ever-increasing capacity to do the work of three men, as grand lodge representative. These representatives work with the international vice presidents in forwarding the objectives of labor on a regional and international basis. His work carried him all over the southwest territory, which included Texas, Arizona, New Mexico, California, and Hawaii.

This is a thumbnail sketch of a remarkable man and his remarkable energies, the signposts along the way being the various and ever-increasing posts of responsibility that gravitated to him as a magnet attracts ionized particles. Although rapidly rising through the structured layers, his concern for his fellow workers and his community enabled him, somehow, to find the additional energy for 12 years to spend his "spare" time at Lockheed, administering the Buck-of-the-Month Club. Each member in this club contributed a buck a month to a fund which was used to assist fellow employees who were having financial problems or to make contributions to such organizations as the Red Cross and other charitable organizations.

In his working career, labor developed from its first tentative objectives of simply seeking fair play and reasonably safe working conditions, to a force which now powerfully protects the interests of every working man and woman. Powerful and humanitarian. Most of the great major social concepts, starting with protecting children from unconscionable labor exploitation, to assuring to retired workers the right to live out their lives in dignity and free from want, have been developed in John Snider's time. He was one of the forces that helped forge these developments we now list as proof that ours is a humanitarian nation. The concept that a working contract is also a social contract has its source in the pioneer efforts of men like John H. Snider.

His friends, who will gather in California on Friday to honor this man's accomplishments, do so knowing that although nominally he is retiring, actually his great fund of experience, knowledge, and humanity will still be there to draw on when the need arises and the cause is great.

WARNING ON INCREASING RUSSIAN FLEET BY MARITIME EDITOR HELEN DELICH BENTLEY

HON. EDWARD A. GARMATZ

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1969

Mr. GARMATZ. Mr. Speaker, in every profession, a chosen few tower above their colleagues. Mrs. Helen Delich Bentley, maritime editor of the Baltimore Sun, is such a person. In addition to demonstrating an outstanding expertise on the highly complex and diversified maritime industry, her writings are characterized by an uninhibited patriotism that is especially gratifying at a time when patriotism is ridiculed and considered passé.

I think it is important to generate more public concern over the very real and growing threat of Soviet seapower; and I think it is equally important for leading Americans to express their true feelings about their flag and their country. Mrs. Bentley handled both of these subjects exceptionally well in a recent speech delivered before the Rudder Club in New York and I submit her remarks for inclusion in the Extensions of Remarks of the RECORD as must reading for every Member of Congress:

REMARKS BY HELEN DELICH BENTLEY, MARITIME EDITOR, THE BALTIMORE (MD.) SUN, BEFORE RUDDER CLUB OF NEW YORK, INTERNATIONAL STEAMSHIP PRESIDENTS NIGHT, MARCH 12, 1969

This is international steamship presidents night—and certainly there is nothing more international than shipping—and there is no group of people who are more competitive and more reminiscent of the pirates of old on the high seas than you people here tonight.

I indeed feel international myself. As a native American born of Yugoslav parents—who had immigrated through the great port of Baltimore and ended up in the high mountains of Nevada deep in mining country because the turbulent trip over on the old immigrant ship made them want to get as far away from water as they could.

Last year after a trip to study shipping in Norway, one, no less than Nicholas Johnson, the former controversial maritime administrator, dropped a note, reading:

"My spies tell me you have almost been accorded honorary Norwegian citizenship."

It was a very educational trip for as you know, the Norwegians today have the largest legitimate merchant fleet, second only to Liberia, with Norway's consisting of 1,352 ships totalling 30,209,000 tons which represents 7.1 per cent of the world's total number of ships and 11.6 per cent of the world's total deadweight tonnage.

The Norwegians have done such a good job with their merchant marine that one of my colleagues on the trip at the end of the briefings on shipping last year quipped, "The easy solution to all of the problems of the American Merchant Marine is to sink all of the old ships and then turn the operation of what's left over to the Norwegians. Let them build it up."

Unfortunately we would find out that there actually wouldn't be much to turn over to the Norwegians or anybody else. There just isn't that much left in the American Merchant Marine that anybody would have, even as an outright gift, because the worn out old rustbuckets composing two-thirds of the American-flag fleet are just too expensive to keep patched up—most of them are at the point now of where the patchups are almost impossible at any price.

Even though most of you people here tonight earn your livelihood by dealing with foreign-flag ships, you are all American citizens or at least making your homes in the United States. Therefore, the condition of the American-flag fleet must be of some concern to you as it must be to everybody living in the United States and to all the citizens of the free world. If the United States of America is supposed to be the keeper of the free world—and this is an honor bestowed upon this great country by the withdrawal of the British from points around the world, and the French before that—the United States must have seapower of her own. She cannot be the world power holding the wall against the Communist line without riding high on the ocean waves. No nation can be a world power without seapower. No nation in that position can afford to depend on another's fleet.

The Russians learned this lesson well. They learned it at the time of the Cuban crisis—in 1962, the Soviets had an immensely powerful ground army and a large rocket force, but they were still militarily handicapped because they lacked strategic mobility. The geographical position of the Soviet Union makes difficult the effective application of military forces. This became so apparent during the Cuban crisis when the lack of a strong surface fleet seriously hindered the U.S.S.R. The Soviets realized that they were incapable of bringing their power fully to bear in remote regions because they lacked ships.

They set out to do something about it. They began building ships, placing orders all over the world.

Eight per cent of the Russian fleet of 11 million tons has been added in the past decade, at the rate of one million tons per year. The Russian fleet since the Cuban missile crisis has moved from 11th to sixth position in the world, right behind that of the United States, and soon will overtake it.

In fact, when comparing the two, the United States has 976 privately-owned merchant ships and about 240 in the reserve fleet which would be usable for the next handful of years, representing about 7 per cent of the world's number of ships. The Russians now have more than 1400 ships representing 7.6 per cent of the ships.

However, Victor Bakayev, Russ minister of mercantile, pointed out that by 1975, the Russian fleet will consist of about 17 to 18 million tons, continuing the 1 million tons per year addition, and by 1980, it will be up to 23 million tons—at the same rate.

Those figures are rather shocking when one realizes that the leading nation in the free world does not have any plans to replace two-thirds of a very sad limping fleet.

Just as they proceed very matter-of-factly in many avenues, the Russians pull no punches as to why they are building up their merchant fleet as they are. In 1968, more than two billion tons of cargo was moved in international trade by 46,000 vessels with a total registered tonnage of more than 190 million tons.

Mr. Bakayev stated that they have taken into consideration the growth of population and the development of world industrial and agricultural production, along with the expansion of trade among the countries of the world, and have reached the conclusion that the scope of international shipping by water will reach 3 billion to 3 billion 500 million tons by 1980.

So when the foreign tonnage movements reach that mark, the Russians intend to have enough ships on hand to more than carry their share of that cargo.

One of the great concerns of the free world today is the hold which the Soviet Union has gained in the Mediterranean. That hold has been developed through its expansion of its seapower—both naval and merchant. This is the first time that all segments of the free world have become worried over the developments in this very important international body of water. They should be worried because unlike the Cuban missile crisis, the Russians today have the mobility.

Tied in with that are recent happenings in Peru. Not since Czarist days has Russia bothered to foster relations with far-away Peru, or has Peru cared about Russia. Now the two are becoming the best of friends. Three weeks ago they agreed to exchange Ambassadors. A two-year trade agreement was signed although the precise products and terms are so far uncertain.

The Russians are able to sign such agreements with the developing nations now because they have the shipping tonnage on which the cargoes can be transported. You may have noticed that the vast numbers of ships the Russians have seems somewhat out of proportion today with the smaller tonnage when one realizes that most of the bulk ships of today begin at 100,000 tons in size. But the Russians are still building 25,000 deadweight ton tankers. Why? Because these small vessels can navigate safely into the shallow draft harbors of underdeveloped countries. Then Russia can transport her own oil and other commodities to these nations, making them more dependent upon her. They can deliver their own arms if arms are to be delivered. They can carry away such cargoes as bananas, coffee, cocoa, and sugar which they are pledged to buy since these are the backbones of Latin American nations.

In four years, Russia has increased her trade with Latin America from $157 million to $260 million and has been opening embassies in Colombia and Chile as well as Peru. Six South American countries now recognize Russia diplomatically.

Why are the Russians still building passenger ships when others are giving up on them except in the cruise trade? The Soviet Union is doing this because it can transport the young people from these developing nations easily and cheaply to the U.S.S.R. to attend the Communist schools. At the same time, they can transport Russian troops, teachers, and experts to these countries to help in their development.

Unfortunately for the free world, too many persons in the upper echelon of the Government of the United States and in European countries pooh-poohed those who raised their eyebrows over the expansion and activities of the Soviet Union on the high seas. They discounted every reference that the Russians had ulterior motives.

Many Europeans changed their minds after last summer when the Soviet Union decided it wanted return cargoes for its ships trans-

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porting weapons of war to North Vietnam. Those return cargoes should come from Australia which was practically on the trade route since the Suez Canal was closed. They were really very polite about it—seeking membership in the conference under the terms that the Soviet ships should have 36 of the existing 72 sailings to Western Europe. The conference naturally turned them down and a rate war ensued.

There is a compromise of sorts now in the mill, but you can bet that the Norwegians and British who operated almost exclusively on that trade route over the decades are now observing the Russians with a jaundiced eye—and constantly afraid of what is forthcoming next.

About four months later, the Soviet Union announced it was ready to start a major third-flag operation to the North American continent—from Japan to Vancouver, Canada. You can bet that the Japanese haven't been too happy about that—and apparently many more Soviet third-flag routes based out of Japan to Far East and Middle East points are in the making.

This is all taking place when the Russian tonnage stands at only 11 million with some 1,300 ships. Think what it is going to do when its tonnage is double that in the next decade—the big question is what formidable force is going to be available to protect the entire free world's interest against that Communist line—It must be Uncle Sam.

Maybe someone else in our Government is going to say that any concern over the Russian activities on the high seas is unwarranted. Fortunately there are those who believe otherwise in such important places as the Georgetown Center for Strategic Studies, the American Security Council, and today, thank goodness, in the White House.

President Nixon, during his campaign, did express sincere interest and concern about the Russian situation.

Realizing all of this and realizing at the same time the desperate plight of the American Merchant Marine, gentlemen, I say to you tonight that as American citizens, you do have something to be concerned about.

We all do. It would be a much easier feeling if we knew that the ships which were going to be competing with the British, Norwegian, Swedes, Italians, Yugoslavs, and French, not only in cargoes but in general strategy were those flying the Stars and Stripes instead of the Hammer and Sickle. At least it would make the picture a healthier one if we could feel that there was going to be a strong Stars and Stripes force moving forward in the area of seapower at least parallel to that force of the Soviet Union. This indeed is vital, for without enough of those Star Spangled Banners flying throughout the world, there is the real possibility that the freedom—on the high seas or elsewhere—provided by the red, white and blue banners, cannot survive for long.

May I make one little personal comment in conclusion—

I'm dismayed at the treatment that is being given the Flag of the United States these days in our own country. I also want to call to your attention the fact that only today it was revealed that some of the evidence gained against people like Rap Brown, Cassius Clay and Benjamin Spock and his supporters, was through wire tapping of the telephones at the Communist Embassies in Washington. These people who are causing so much turmoil and dissension in our country and who are spitting on our flag are being given every protection to continue to do so. Something, somewhere, is wrong—and it is up to people like yourselves to begin fighting back.

Wherever you are, or whoever you are—as an American citizen, never be embarrassed to acknowledge that flag, but treat it with the same respect and awe which helped make the United States the powerful country it is today. It is your flag, just as it is mine.

I'm proud of it. You should be, too.

Thank you for having me tonight. It has indeed been a real pleasure.

ACCENT THE GOOD NEWS

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1969

Mr. DULSKI. Mr. Speaker, I wish to commend to my colleagues a recent editorial of station WGR–TV in my home city of Buffalo, N.Y. It deals with a question that so many of us have often pondered: Why must news be of a sensational nature to capture the reader's eye or ear?

The news media, of course, has a certain responsibility for accurate and fair reporting. Perhaps, more often than not, when a news item is harsh or unjustifiably critical, it was developed before the newsman had an opportunity to obtain and/or assess all the facts on which to base his story.

As the WGR–TV editorial so clearly points out, if all the news now considered of the sensational variety were adulterated or even obliterated, it could well be considered censorship on the part of the news media. As such, it would be a greater threat to our democratic way of life than letting the "sensational" aspect of the news prevail.

Under leave to extend my remarks, I include the February 12 editorial of WGR–TV:

A WGR–TV, BUFFALO, N.Y., EDITORIAL, FEBRUARY 12, 1969

It seems repeatedly, we've been asked a question: Why isn't it possible to accent more good news in Radio and TV newscasts rather than the sensational, dramatic and ominous news that make up the bulk of most of them?

Well, believe it or not, this is what most of our newsmen would like to do and are doing more of, if for no other reason than they're tired of reporting only catastrophies. Contrary to what many believe, we're not in the business of slanting news toward the sensational as a means of gaining greater audience, and, hence, more business.

However, it is an accepted fact that our job isn't to make news but, rather, to report it. If the public reacts negatively to a steady diet of sensationalism, it follows that any station would lose its audience. But this is generally not the case.

In fact, it appears that most people seem to thrive on hearing about bad news. This is why gossips prevail, why crowds gather around accidents, why people freely pass on their personal troubles or problems to anyone who will listen.

To try to put a happy face only on the news, though, has a serious consequence. It would mean that our newsmen would have to censor news; decide what they want to report and what they prefer to delete. This type of news reporting would, in our estimation, present a much greater danger to the public since it comes close to censorship.

Finally, as disturbing as it may be, it is not generally news when a man does his job well and successfully, for this is what he is expected to do.

It is the poor soul who botches the job who makes headlines—not because a newsman decrees it so, but because the public does.

PROPOSALS FOR CUTTING THE 1970 FEDERAL BUDGET

HON. FRANK T. BOW

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1969

Mr. BOW. Mr. Speaker, as we know, the Nixon administration is in the process of reviewing the 1970 fiscal year budget prepared by the former administration in the hope of finding opportunities for significant economies.

Meanwhile, two important studies on the subject have been released, the first by the Council of State Chambers of Commerce, and the second by the American Farm Bureau Federation. The efforts of these experts are always helpful, and I include them with my remarks for the information and consideration of all Members. I do so without endorsing or commenting upon any of the specific recommendations.

The material follows:

COUNCIL OF STATE CHAMBERS OF COMMERCE PROPOSALS FOR CUTTING THE 1970 FEDERAL BUDGET

(By Eugene F. Rinta, Research Director)

One of the most specific pledges made by President Nixon during the presidential campaign last fall was that the ten percent surtax would be terminated on schedule July 1, 1969. This pledge presupposed that his Administration would be able to control expenditures at a level to justify removal of the surtax under prevailing economic conditions.

Promptly upon taking office the new Budget Director, Robert P. Mayo, wrote to all Executive department and agency heads requesting on behalf of President Nixon that they review all programs under their jurisdictions with a view to holding spending plans to bare minimums so long as it remains necessary to retain the surtax. But on February 18 in an appearance before the Congressional Joint Economic Committee Mr. Mayo said that, while results of agency reviews on expenditures were not yet in, he did not expect "dramatic" reductions from amounts budgeted for 1970. At the same time he said the Administration's current position is to support extension of the surtax.

Inasmuch as the agency heads in the new Administration have barely had time to become fully acquainted with the activities under their jurisdictions, they would necessarily have to rely heavily on the career people for recommendations as to possible savings. But the normal vested interest of bureaucrats in continuing, expanding, and creating new programs precludes an aggressive search for spending reductions on their parts. Therefore, it is not surprising that the Budget Director is not optimistic of "dramatic" results from the reviews of spending plans which he requested of the agency heads.

The Federal Finance Committee of this Council believes, however, that the 1970 budget can and should be cut substantially. Toward that end, the Committee offers a series of specific recommendations which would reduce appropriations proposed in the budget by $8.8 billion. In arriving at its recommendations, the Committee selected over 50 budget line items in which it believes 1970 program obligations (spending commitments) should be held at 1969 levels instead of being increased as proposed in the budget.

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Different treatment is recommended in a number of special situations. In some of these the appropriation for 1970 would be greater than for 1969 and in others less. The recommendations follow:

PROGRAMS TO BE HELD AT 1969 LEVELS

It is proposed in the following programs that obligations in 1970 be held at the 1969 program levels. This limitation of 1970 obligations could be accomplished by reductions in the appropriation requests in amounts equal to the cuts in budgeted 1970 obligations. The total of reductions proposed in this manner is $1,250 million.

[In millions of dollars]

Programs	Program levels: Actual 1968	Estimated 1969	Budgeted 1970	Proposed reduction
Funds appropriated to the President:				
Appalachian regional development	244.0	242.4	287.5	43.1
Peace Corps	106.8	103.1	109.8	6.7
Department of Agriculture:				
Co-op State research	58.9	58.9	63.7	4.8
Co-op extension work	93.4	97.1	100.8	3.7
Resource conservation and development	8.1	7.2	10.3	3.1
Meat and poultry inspection	70.1	95.4	119.3	23.9
Food stamp program	184.7	279.9	340.0	60.1
Rural water and waste disposal grants	28.0	28.0	52.0	24.0
Farmers Home Administration, salaries and expenses	58.4	63.2	88.2	25.0
Rural housing loans	9.9	25.0	32.0	7.0
Forest roads and trails	123.5	115.3	125.5	10.2
Department of Commerce:				
Economic development facilities	175.0	180.0	199.3	19.3
Industrial development loans	54.8	50.0	52.7	2.7
Development planning, etc	25.5	25.0	30.5	5.5
Environmental science, salaries and expenses	106.6	118.5	126.8	8.3
Bureau of Standards, research and technical services	32.3	36.1	40.1	4.0
Department of Health, Education, and Welfare:				
Food and Drug Administration, salaries and expenses	67.3	70.4	72.7	2.3
Mental health activities	327.2	367.9	377.3	9.4
Health services, R. & D	30.7	40.9	45.0	4.1
Comprehensive health planning and services	143.2	194.0	216.4	22.4
Regional medical programs	67.7	119.1	120.6	1.5
National Institutes of Health	1,045.6	1,079.1	1,099.8	20.7
Health manpower activities	160.6	206.7	245.5	38.8
Education professions development	72.3	95.0	105.0	10.0
Teacher Corps	13.4	20.9	31.1	10.2
Higher education opportunity grants	131.4	133.8	175.6	41.8
Office of Education, salaries and expenses	35.1	40.8	43.4	2.6
Civil rights education	9.9	10.8	13.8	3.0
Department of Housing and Urban Development:				
Urban renewal grants	958.0	1,100.0	1,350.0	250.0
Open space land programs	76.8	75.3	95.0	19.7
Department of the Interior:				
Geological surveys and investigations	88.4	90.9	97.4	6.5
Fish and wildlife resources	44.8	47.1	48.4	1.3
Park Service, management and protection	43.9	45.0	46.7	1.7
Maintenance and rehabilitation, park resources	30.4	32.9	36.7	3.8
Preservation of historic properties	.8	.6	1.6	1.0
Bonneville Power Administration, construction	110.8	106.4	110.4	4.0
Department of State: Salaries and expenses	195.6	206.3	208.3	2.0
Department of Transportation:				
Coast Guard:				
Operating expenses	354.6	371.6	389.3	17.7
R. & D	1.5	4.0	15.4	11.4
Highway beautification	1.2	26.1	86.3	60.2
Traffic and highway safety	22.1	27.2	38.2	11.0
Federal aid highways, grants	4,068.5	4,769.0	5,044.0	275.0
Urban mass transportation	131.9	177.5	205.0	27.5
Veterans' Administration: Direct loan program	208.7	251.9	255.2	3.3
Civil Service Commission: Salaries and expenses	42.2	45.4	49.4	4.0
Equal Employment Opportunity Commission: Salaries and expenses	6.6	9.0	16.0	7.0
National Foundation on the Arts and the Humanities: Salaries and expenses	14.4	16.9	18.7	1.8
National Science Foundation: Salaries and expenses	505.2	435.0	517.3	82.3
Selective Service System: Salaries and expenses	61.1	65.5	69.7	4.2
Small Business Administration:				
Salaries and expenses	53.5	59.3	67.1	7.8
Business loan and investment fund, capital outlay	397.7	297.5	310.7	13.2
Smithsonian Institution: Salaries and expenses	24.3	26.3	29.0	2.7
U.S. Information Agency: Salaries and expenses	153.5	163.3	165.3	2.0
Corps of Engineers: Civil functions, general investigations	34.6	33.4	43.8	10.4
Total				1,249.7

SPECIAL SITUATIONS

Foreign Economic Assistance: Last year Congress cut the $2,500 million 1969 request for grant and loan programs to $1,382 million. That amount compared to $1,894 million approved for 1968. The request for 1970 is $2,348 million. It is suggested that this request be cut by $1,000 million and that incentives be developed for encouraging greater private investments in underdeveloped areas. This reduction would still allow almost the same new obligating authority for 1970 as Congress approved for 1969.

Economic Opportunity: The appropriation request for 1970 is $2,172 million which reprequests an increase of $227 million over 1969 and $419 million over 1968. The total request for O.E.O. work and training programs in 1970 is $965 million, of which $283 million is for the Job Corps in which the man-year training cost is estimated at $8,086. It is recommended that this program be liquidated and that the other O.E.O. work and training programs be carried out at the budgeted level of $682 million. In addition, $688 million is budgeted for the Labor Department's manpower development and training program.

The 1970 program level budgeted for community action programs is $987 million. This compares to $914 million in 1969 and $859 million in 1968. It is suggested that these programs be held to the 1968 level for a reduction of $128 million from the request.

Rural Electrification Administration: Budget plans call for approval of $345 million loans for electrification purposes in 1970. With about $150 million needed for power distribution facility loans annually, it appears that $195 million is planned for power generating and transmission facility loans. It is recommended that funds for distribution loans be approved but that G & T loan appropriations be denied for a saving of $195 million.

Vocational Rehabilitation: Appropriations for grants to the States for vocational rehabilitation services and facilities have risen from $259 million in 1967 to $312 million in 1968 and $369 million in 1969. A sharp further increase to $564 million is proposed in the budget for 1970. It is questionable whether this increase of $195 million, as compared to increases of $53 million in 1968 and $57 million in 1969, in this specialized field can be efficiently utilized. It is suggested that the increase be held to $60 million for a saving of $135 million.

Model Cities: Appropriations for this program were $212 million in 1968 and $313 million in 1969. The request for 1970 is $750 million. Obligations in 1969, including use of unobligated funds from 1968, are estimated at $400 million and the program level budgeted for 1970 is $871 million. It is suggested that the 1970 appropriation be held to the 1969 amount of $313 million for a reduction of $437 million. This new appropriation together with $121 million of unobligated funds available from 1969 will permit a somewhat higher program level than in 1969. It will permit an evaluation of the results of the current 75 model cities programs before commitments are made for great expansion of such programs.

NASA—Space Programs: Total program costs for space research and development have been receding the last few years and the 1970 total is down to $3,238 million as compared to $3,635 million in 1969 and $3,869 million in 1968. But a number of increases in activities other than manned space flight programs are proposed for 1970. It is suggested that the increases in these other activities totaling $120 million be disallowed.

Department of Defense—Military Programs: The total 1970 appropriation request for the Department of Defense, exclusive of civil programs, is $80,238 million. This amount compares with appropriations of $76,611 million in 1969, including $3,012 million of 1969 supplemental requests yet to be submitted to Congress. The 1968 total was $76,248 million. Assuming enactment of the full 1969 supplemental, which includes $1,191 million for previously unfunded civilian and military pay increases that became effective last July 1, the 1970 appropriation request is $3,627 million more than provided for 1969.

This increase of $3.6 billion is proposed in the budget despite the fact that appropriations for special Vietnam and other Southeast Asia purposes are down to $23.0 billion in 1970 from about $26.9 billion in 1969. This indicates that appropriations requested in 1970 for purposes other than the Vietnam war total $7.5 billion more than in 1969—$57.2 billion in 1970 as compared to $49.7 billion in 1969. It is suggested that appropriations for non-Vietnam purposes be cut by 7.5 percent, or $4,290 million. This would still allow $52,922 million for non-Vietnam purposes in 1970 which is $3.2 billion more than in 1969. It is proposed that the reduction be attained through greater efficiency and elimination of lowest priority programs.

Civilian and Military Pay Increases: Provision is made in the budget in a single item of $2,800 million to cover Federal civilian and military pay increases effective July 1, 1969 under existing law. This will be the third general pay increase for Federal personnel in 19 months. The total cost of direct compensation for civilian and military personnel in 1970, exclusive of the pay increases, is estimated in the budget at $40,250 million. Thus the $2,800 million pay increase cost represents an average increase of 6.96 percent.

It is recommended that the pay increase be limited to the percentage increase in the cost of living during calendar year 1968. U.S. Department of Labor statistics indicate that from December 1967 to December 1968 the cost of living rose 4.65 percent from an index of 118.2 to 123.7. A 4.65 percent average salary increase for civilian and military personnel effective July 1, 1969 would cost $1,872 million, or $928 million less than is proposed in the budget. If Congress should approve more than a 4.65 percent pay increase, the additional cost above such an increase should be offset by a required reduction in budgeted personnel.

Recapitulation of proposed budget reductions

[In millions]

	Cuts in proposed 1970 appropriations
Reductions from holding certain programs at 1969 obligations levels	$1, 250
Foreign economic assistance	1, 000
Economic opportunity:	
Jobs Corps	283
Community action programs	128
Rural Electrification Adm.—G. & T. loans	195
Vocational rehabilitation programs	135
Model Cities	437
NASA—Space programs	120
Department of Defense—military activities	4, 290
Civilian and military pay increases	928
Total reductions	8, 766

EXPENDITURE LIMITATION

The Revenue and Expenditure Control Act of 1968 (P.L. 90-364) required that reductions be made from the fiscal 1969 budget estimates in the amounts of $10 billion in new spending authority and $6 billion in actual expenditures. The Act provided for exceptions from these spending limitations with respect to Vietnam war costs and such relatively uncontrollable costs as interest, social insurance trust fund programs, veterans programs, farm price supports, and public assistance. In setting the amounts of reductions for new spending authority ($10 billion) and expenditures ($6 billion), the fiscal leaders in Congress recognized that not all of the cuts in appropriations or other new spending authority would produce expenditure reductions in the same year and that the normal effect in the first year would be expenditure reductions of about 60 percent.

It is recommended that the $8,766 million proposed 1970 appropriation reductions be accompanied by an expenditure limitation which would require an expenditure reduction of $5.3 billion (60 percent of the appropriation cuts) in non-Vietnam defense programs and in relatively controllable civilian programs.

On the basis of the spending plans in the 1970 budget and the projections of 1970 receipts the budget shows a surplus of $3.4 billion. Adoption of the Council Committee's budget recommendations would increase the surplus to $8.7 billion as a result of the expenditure limitation and would, in addition, be an important step toward control of 1971 spending because of the $8.8 billion appropriation reductions. The Committee submits that such a change in the budget situation should be adequate basis for termination of the surtax on schedule. While the state of the economy a few months hence might dictate retention of a part or all of the surtax, the current objective should be sufficient expenditure reduction to permit its termination at approximate budget balance.

AMERICAN FARM BUREAU FEDERATION RECOMMENDED REDUCTIONS IN THE FEDERAL BUDGET, FISCAL 1970

The Budget for 1970 has created some confusion in that it projects surpluses for both 1969 and 1970, yet the debt will rise in both years. This comes about as a result of the new unified budget first adopted last year. The following table outlines the situation as presented in the Budget.

BUDGET RECEIPTS AND OUTLAYS, BY FUND GROUP

[In millions of dollars]

	Federal fund receipts	Federal fund outlays	(+) or (−)[1]	Trust fund receipts	Trust fund outlays	(+) or (−)	Budget (+) or (−)[2]
Fiscal 1968 actual	114, 723	143, 105	−28, 382	44, 724	41, 529	+3, 195	−25, 187
Fiscal 1969 estimate	141, 198	148, 160	−6, 962	52, 390	43, 037	+9, 353	+2, 391
Fiscal 1970 estimate	147, 874	154, 722	−6, 848	58, 693	48, 431	+10, 262	+3, 414

[1] Represents actual cash difference in Federal expenditures and receipts. Figures reflect impact on total Federal debt.

[2] Represents difference between receipts from the public and Federal payments to the public, including trust fund transactions.

The figures in the first column assume a continuation of the 10% surtax and present excise tax rates through June 30, 1970. If Congress does not extend these two measures, revenue would drop by $9.5 billion. This would indicate that expenditures during 1970 would have to be reduced by more than $16 billion if a balanced budget is to be achieved in the absence of a tax-package extension.

Recognizing there would be a tight budget situation again in 1970, the voting delegates at the annual meeting of the American Farm Bureau Federation in December, 1968 said in part:

"The current fiscal situation calls for action to eliminate inflationary pressures. Congress sought to deal with this problem in 1968 through (1) action directing the administration to cut federal expenditures and (2) passage of the 10 percent income surtax. Nevertheless, inflation has continued and is still our most serious economic problem.

"We therefore urge Congress to pursue inflation control with greater vigor in 1969. In achieving this, major emphasis should be on cutting federal expenditures, but, if necessary to obtain a balanced budget for fiscal 1970, we will support continuation of a surtax for an additional year."

The following pages include recommendations for reductions in New Spending Authority of more than $9.5 billion. These reductions could bring about an expenditure savings of at least $6.5 billion during fiscal 1970. However, due to the inclusion of $1.7 billion of NSA and expenditures for Social Security payments in these reductions, this document reflects a "cash" reduction of $7.8 billion of NSA and $4.8 billion of expenditures.

RECOMMENDED BUDGET REDUCTIONS, FISCAL 1970

[In millions of dollars]

Functional code		Expenditures	New spending authority
051	Military research and development	260	595
	ABM facilities		490
	Military housing		109
057	Military assistance	529	408
152	Foreign aid	40	1, 126
251	Space program	60	60
351	ASCS salaries	4	6
352	Rural waste planning	4	24
	Rural public housing	9	9
	FHA salaries	25	26
401	Corps of Army Engineers	20	20
	Bureau of Reclamation expenses	13	20
405	National Park Service	7	11
409	Geological surveys	5	. 10
501	New airports	150	275
502	Maritime subsidy	38	2
503	Urban mass transit	5	8
	Highway beautification	80	85
505	Postal operations and construction	140	140
506	Secretary of Transportation	21	28
507	Appalachian Development Highway	25	25
551	Community Action, OEO	16	80
552	Model cities	465	438
	Urban renewal	287	250
553	Grants to neighborhood facilities	4	18
554	Planning grants	6	21
	Urban research and technology	6	14
555	Low-rent public housing	126	108
	Rent supplements	81	87
601	Head Start, etc., OEO	33	50
	Aid to elementary and secondary schools	138	242
602	Higher education	36	190
604	Manpower training, OEO	22	97
	Manpower development	100	290
605	National Science Foundation	20	100
651	Environmental control programs	3	3
	Comprehensive health planning	36	36
	Regional medical programs	46	59
	Health manpower programs	57	47
652	Social security payments	1, 700	1, 700
653	Rehabilitation grants	60	140
804	Veterans hospital construction	30	88
908	Law-enforcement grants	172	237
	Other pay increases	1, 400	1, 400
	Contingency funds	250	350
	Total reductions	6, 529	9, 522

VALUE OF THE CONGRESSIONAL RECORD

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1969

Mr. PICKLE. Mr. Speaker, sometimes we forget the value of the CONGRESSIONAL RECORD as an informational vehicle for students of government, civics classes, and constituents. Today, I received some thoughts from Dr. E. A. DeShazo, professor of government at Southwest Texas State College. Mr. DeShazo's remarks are at times whimsical, but always poignant and I wish to enter them into the RECORD at this time:

THE CONGRESSIONAL RECORD

I read the CONGRESSIONAL RECORD.

I read the editorials of a cross-section of the American free press on a daily basis.

I read articles appearing in a representative selection of popular magazines and periodicals devoted to a discussion of contemporary American affairs.

I read the scholarly discussions of the major issues of the day found in the foremost journals of opinion, both American and foreign.

I read reports, analyses, and discussions of contemporary problems presented by a great variety of non-governmental organizations.

I read public addresses, commencement speeches, and remarks made before numerous

> audiences by individuals from every walk of life on every sort of question.
>
> I read discussions of contemporary issues by the leading reporters in all of the leading news media of the world, both free and unfree.
>
> I read the public debates of the representatives of a free people, which discussions cover every issue of the day, large or small.
>
> I read the petitions, memorials, and resolutions of every form of American organization exercising its constitutional right of peaceful assembly and petition for a redress of grievances.
>
> I read the reports, investigations, and criticisms made by hundreds of government officials and agencies in the performance of their duties.
>
> I read the addresses, messages, and proposals for legislative action made by the President of the United States to the Congress.
>
> I read the latest statistical information on a variety of problems, both public and private.
>
> I read the latest court decisions bearing on the significant issues of the day, and the criticisms thereof.
>
> I read the CONGRESSIONAL RECORD.
>
> ELMER ANTHONY DESHAZO, Ph. D.,
> *Professor of Government, Southwest Texas State College.*
> SAN MARCOS, TEX.

TREATY ON MILITARY USE OF SEABED

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1969

Mr. BINGHAM. Mr. Speaker, the New York Times this morning reported on page 1 that the Soviet Union has proposed at Geneva a treaty which would bar all types of military installations from the seabed. This is deservedly page 1 news. For if such an agreement could be reached—and only patient negotiation in good faith can determine its feasibility—it would represent a significant extension of the rule of law and would make this vast area a far less likely source of potential conflict among the nations of the world.

In the light of this, I was disturbed to learn that the American reaction to the Soviet proposal was negative, at least in part. According to the Times, the chief American negotiator, Director Gerard C. Smith of the Arms Control and Disarmament Agency, said at a news conference:

> I am inclined to doubt that we would have very much interest in a treaty which would eliminate the possibility of any military use of the seabed.

According to the Washington Post, Mr. Smith stated:

> It would be very difficult to reach an agreement on the basis of that sort of language [i.e. comprehensive coverage]. I don't detect any interest on the part of the United States government to make an arrangement which would be a complete demilitarization of the ocean floors.

According to the Post:

> The United States apparently does not envisage the removal of fixed navigation aids from the seabed, or accept the Soviet call for reciprocal inspection of all installations on the seabed.

If these press reports correctly convey the sense of the U.S. position, this is a most unfortunate reversal of roles. In the past, it has been the United States that has pressed for comprehensive demilitarization of such areas as the Antarctic and outer space and has consistently been in favor of inspection of arms control measures.

As I indicated, the idea of totally barring military installations from an agreed area is not new. There are two clear precedents in recent international agreements to which the United States is a party. The first of these, the Antarctic Treaty, was signed in 1959 and went into force in 1961. In its preamble, the contracting parties recognized:

> It is in the interest of all mankind that Antarctica shall continue forever to be used exclusively for peaceful purposes and shall not become the scene or object of international discord.

And, in the first paragraph of article 1, the treaty makes clear:

> Antarctica shall be used for peaceful purposes only. There shall be prohibited, *inter alia*, any measures of a military nature such as the establishment of military bases or fortifications, the carrying out of military maneuvers, as well as the testing of any type of weapon.

The second precedent is even more recent. In the Outer Space Treaty, signed and proclaimed in 1967, the signatories "undertake not to place in orbit around the earth any objects carrying nuclear weapons or any other kinds of weapons of mass destruction, install such weapons on celestial bodies, or station such weapons in outer space in any other manner." In addition, article 4 of the treaty provides that—

> The moon and other celestial bodies shall be used by all States Parties to the Treaty exclusively for peaceful purposes. The establishment of military bases, installations and fortifications, the testing of any type of weapons and the conduct of military maneuvers on celestial bodies shall be forbidden.

Mr. Speaker, the United States took the lead in bringing both Antarctica and outer space under the rule of law. The position enunciated in Geneva by Mr. Smith appears on the face of it to be a serious step backward from our traditional support for such extensions of the rule of law. The New York Times suggests, though it does not state specifically, that the authors of the restrictive American proposal may perhaps be found in the Pentagon. For, as the paper notes:

> The Soviet proposal would bar from the ocean floor radar and other navigational devices for aiming rockets, along with missile-launching devices implanted in the seabed that are reported to be under development.

We cannot afford a position in which the rule of law is permitted to go only where the military are not immediately interested in installing new weapons systems. The seabed is the last major area on the globe still largely free of either clashing sovereignties or weapons of war. It would be inexcusable for the United States to become the principal obstacle to keeping it that way by bringing it under the rule of law.

PRESIDENT NIXON'S CHOICES IN VIETNAM

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1969

Mr. RYAN. Mr. Speaker, Richard J. Barnett, codirector of the Institute for Policy Studies in Washington, D.C., has prepared a very thoughtful and well-reasoned analysis of the choices before the Nixon administration with regard to the Vietnam war. Mr. Barnett's statement summarizes his thoughts on the choices before us and cogently discusses the implications of each alternative policy. If Congress is to play a role in shaping our Vietnam policy, I believe it is imperative that the Members of Congress be acquainted with the alternatives. I am, therefore, inserting Mr. Barnett's statement in the RECORD, which I commend to my colleagues for their careful consideration and review:

PRESIDENT NIXON'S CHOICES: THE WAY OUT OF VIETNAM

(By Richard J. Barnett)

After sixty days in office, the Nixon Administration has yet to adopt a strategy for ending the Vietnam War. To end it the President must make some decisions as hard as any American leader has ever faced. He must look coldly at the real choices open to the U.S. and prepare to redefine U.S. war aims in terms of political realities rather than the optimistic fantasies that so misled his predecessor. Unless he is prepared to do this soon, the momentum of war will carry him into a new round of escalation. Johnson's War will have become Nixon's War, the obsession of his Administration and a legacy for his successor.

What are Nixon's choices?

(1) Military Escalation: The familiar one is to concentrate more military power on the enemy to induce him to accept a settlement more to our liking than what his political position in South Vietnam would warrant. To put the matter plainly, Nixon Administration officials say privately that the U.S. objective still is to prevent a coalition government in which the NLF would play any significant role, despite the fact that the communists represent the best organized political force in the country and have the allegiance of the largest single minority, if not a majority, of the population. The Nixon Administration like the Johnson Administration, continues to define "negotiated settlement" to mean something other than the admission of the NLF to a share of power and responsibility in the Saigon government. Why the NLF should accept less has never been clear. How the U.S. hopes to arrange a settlement that denies the fundamental war aim of a movement that has been fighting for a generation without first crushing that movement is equally mysterious. Such a negotiation can take place only as a ratification of a decisive U.S. military victory. The present Tet offensive, like the one last year, is designed not to defeat the U.S.—the NLF has no illusions on that score—but to demonstrate that they are not defeated.

The Nixon Administration could replay the last year of the Johnson Administration and send in the 207,000 troops that the Johnson advisors concluded could not win the war. Or he could send in more and court the risks again of a confrontation with China, worsening relations with the Soviet Union, and a resurgence of domestic opposition in the United States. The events of the past three months show that the U.S. escalation in

B–52 raids on South Vietnam and in offensive operations in the South elicit military responses rather than political concessions. The military option is a totally unreal path to peace and American extrication. To continue the hopeless strategy because we will not face the alternatives is to betray a trust to the fighting men we send there. To continue the present cost of 15,000 to 20,000 American lives and $30 billion, after four years of war, is a tragedy and a scandal. Even for the world's most powerful country a debilitating war without moral purpose or prospect of political victory is a recipe for self-destruction.

(2) Mutual Withdrawals: What about negotiated military withdrawals? The United States has talked recently about the possibility of bringing home 50,000 U.S. troops as the first step in a process of mutual withdrawals. Such a process would help bring about a de-escalation of the war and would therefore be useful. But this strategy cannot rescue the U.S. government from the necessity of choice. The Nixon Administration will still have to answer the fundamental political issue at the heart of the struggle: Are we willing to accept NLF participation in a coalition government? If not, then the withdrawals can be no more than token, because the Thieu government backed by the South Vietnamese Army shows no signs that it will ever be strong enough to keep the NLF from power once U.S. troops are gone.

What kind of coalition government could be arranged? Henry Kissinger has pointed out that a Thieu-Ky-NLF government is the equivalent of an SDS-KKK coalition to run the state of Georgia. Even if such a coalition could come into being, it could not last. Each faction would maintain its own private armies. Once the Americans left Ky and Thieu would have no political base from which to deal with the NLF for they have no reliable support in Vietnam outside the U.S. Embassy except for a small minority who are afraid of retaliation from the Vietcong or who profit enough from the flow of U.S. dollars to back the warrior government.

(3) Imposed coalition: One possible alternative model for arranging a coalition government is the Laos settlement of 1962. An international conference, perhaps an expanded version of the Paris talks, would attempt to put together a cabinet in Saigon. Those who advocate this approach argue that the commitment to such an arrangement of the U.S. and the Soviet Union—perhaps even China—would guarantee its stability. The NLF would try to take over the crucial ministries and the United States would try to interest them in the Ministry of Tourism. Such a negotiation would solve nothing for the United States. Even if the wrangling of the rival great powers and the bitterly hostile internal forces could somehow produce agreement, the United States would be no less committed in Vietnam than it is now. It would have staked its prestige on maintaining the uneasy coalition that it helped to engineer. It is hard to believe that such an imposed coalition would survive. Thus once again the U.S. would face the dilemma whether to intervene to try to save a protege or to dishonor what would now be a clear international commitment. One lesson of the Vietnam war is that the U.S. cannot arrange political structures for other people that will serve their interests or will last. The process of political reconciliation in Vietnam will be improved and American reputation served during the formation of a coalition government if the U.S. Embassy in Saigon devotes its full attention to packing. The less American responsibility there is for the government that emerges in Vietnam and the more such coalition is the product of indigenous Vietnamese forces, the sooner the U.S. can end its destructive involvement and the Vietnamese can begin to reconstruct their tortured country.

(4) Encourage negotiation between broadened Saigon Government and NLF for Coalition: In short, the United States should negotiate with North Vietnam and the NLF for mutual military withdrawals while at the same time encouraging the warring Vietnamese factions to negotiate among themselves for an interim coalition government that will hold elections. If the United States commitment in Vietnam is really self-determination for the Vietnamese people rather than loyalty to a group of discredited leaders who cannot govern without American troops, then the Nixon Administration should insist that negotiation among Vietnamese for a coalition government including the NLF begin immediately.

But what can the U.S. do to get such negotiations started? The government of Thieu, Ky, and Huong adamantly opposes any steps to broaden the present war cabinet so that it could conduct serious peace negotiations. The jails of Saigon are filled with Buddhists, neutralists, former government officials, and students who have pointed out the truth that the leaders of the Saigon government are incapable of making peace because they know that their power will not survive the war. The current NLF proposal at the Paris talks for the establishment of a "peace cabinet" in Saigon representing a broad spectrum of Vietnamese political interests is not original. Similar proposals have been made at considerable personal risk by non-communist students, monks, priests, and professionals in South Vietnam. To anyone who believes that ending the war takes priority over keeping the NLF out of the government, it is clear that the creation of some sort of peace-oriented cabinet in Saigon is an absolutely essential precondition to serious negotiations. If peace is to come through negotiation, at least some members of the Saigon government must want it.

This then is Nixon's dilemma. He cannot get a negotiated peace even if he is willing to accept a coalition with communist participation until Thieu and Ky bring enough moderates into the government to change its essential character, and this they will never do as long as they believe there is any alternative. Administration officials greet the suggestion that they put pressure on Saigon generals to liberalize their government with the remarkable observation that the United States does not intervene in the internal affairs of other countries! The real reason why U.S. officials have treated the Thieu government so gingerly despite its continuing efforts to sabotage the peace talks and suppress those non-communist political forces in South Vietnam who represent the most hopeful stabilizing influences in a post-war government is that the Saigon generals are essential instruments of present U.S. policy. By the standards of its predecessors, the present regime is a reasonably effective government for prosecuting the war and it is fiercely committed to the present U.S. objective of defeating the communists.

As long as military strategies for ending the war take priority over political strategies, Thieu and Ky will continue to hold an effective veto over U.S. policy by threatening to collapse. Once the U.S. changes its basic objective, however, and stands ready to accept a coalition government which includes communists, the Saigon generals lose their power to wreck a settlement. The Saigon government depends on the U.S. completely for cash, gasoline, and credibility. Although the U.S. has always had the power to compel it to take less extreme positions, the exercise of that power has seemed self-defeating because pressure on the Saigon generals to make political accommodations undercuts their effectiveness as warriors. But once the military option is recognized as an expensive illusion, the generals are no longer indispensable and the U.S. can begin to talk honestly to them.

If the President actually communicated his decision that he was prepared to extricate the U.S. from Vietnam even at the price of a communist South Vietnam, the Thieu government would have no choice but to move quickly towards accommodation with these elements in South Vietnam who favor a negotiated peace. One effective way to communicate that the policy change is serious would be to begin significant troop withdrawals. Another would be to protest publicly and privately the mass arrests of political prisoners (which now number about 20,000) and the suppression of political opponents who call for peace. Without such pressure, the Thieu government has no incentive to broaden the government sufficiently to make negotiation wtih the NLF possible. If the President grasps the truth that further escalation of the war will only bring further tragedy to the American and Vietnamese people, he should not shrink from using political power and persuasion to keep a group of self-seeking politicians from prolonging the slaughter.

What is likely to happen in Vietnam if the U.S. encouraged the formation in Saigon of a peace cabinet willing to negotiate with the NLF? The only reliable answer at this point is that we really do not know except that the war would move quickly to an end since no one would have an interest in prolonging it. The U.S. Government has always assumed that the National Liberation Front would take over the government and quickly arrange for the reunification of the country with Hanoi.

A communist-dominated South Vietnam is a distinct possibility which the U.S., once having adopted the proposed strategy would be powerless to prevent. The Administration must not deceive itself or the public that it can control internal politics in South Vietnam once it takes out a substantial number of troops. There are important political groups in Saigon which see themselves as a "third force"—some Buddhists, Catholics, Cao Dai, Hoa Hao, and Montagnards—but whether they have the strength to contain the communists depends upon what happens in Vietnamese politics in the next few months and is quite beyond U.S. influence. The sooner such groups are released from prison and harrassment and can rehabilitate themselves, the sooner they can unite their forces and deal with the communists from greater strength. The NLF is under no illusion that political opposition to them will disappear once the Americans leave. They are going to have to accommodate the various factions or else continue a bloody civil war which it is in the interests of no Vietnamese to prolong.

There are some solid grounds for believing that the NLF cannot eliminate all other elements of Vietnamese society from a share in power. For one thing, strong religious factions, such as the Buddhists Struggle Movement under Thich Tri Quang, and the Cao Dai, are as anti-Communist as they are anti-United States intervention. Presumably, when the intervention ceases, and they are no longer torn between nationalism and anti-Communism, their ideological antagonism to the NLF leadership will grow stronger. The religious groups, along with other semiautonomous factions such as the Hoa Hao, which now runs Angiang Province with virtually no interference from Saigon, are as unlikely to submit to tight NLF control as they are to Ky's. The Catholics, too, who are well organized, are a force which cannot easily be ignored by the NLF. Indeed, the NLF has demonstrated its awareness of the necessity of enlisting the cooperation of these various groups by pointedly including in its own Central Committee representatives of the Buddhists, Cao Dai and Catholics.

The Front recognizes that the two most popular issues, other than simply ending the war, are the termination of all "foreign" in-

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tervention (which to most Vietnamese means Americans, not other Vietnamese who happen to live in the North) and the granting of autonomy to those factions in the society which represent regional, religious and social interests. It may well be that they will be able to construct a monolithic Socialist Vietnam, but they know that this will not be easy and that it will take a long time. The only certainty is that the longer the war goes on and the more fragmented Vietnamese society becomes, the greater power the communists will have.

Reunification according to repeated statements of the NLF, must be delayed a decade or more because of the profound political and economic differences that have developed in the two sections of the country as well as the historic distrust that Northerners and Southerners have had for each other. Normalization of relations between the two zones, the issue over which the communist insurgency began in 1957, would take place much sooner.

As for foreign relations, the NLF has emphasized many times their interest in maintaining a neutrality based on good relations with the three great powers, the Soviet Union, China, and the United States. The Vietnamese communists desire postwar U.S. aid not only to help with the staggering task of reconstruction but also to symbolize a U.S. interest in their country that can be balanced off against Soviet and Chinese influence. Far more than ideology the Vietnamese value national independence. If the U.S. can play a role in helping to preserve it, and they believe that it can, they will welcome that role.

The most difficult issues raised by the proposed strategy concern the future of the United States. How can the President accept the risk of a communist takeover after the huge sacrifice the American people have been asked to make to prevent precisely that result? How can he escape "stab in the back" criticism from the military? Is there no "face-saving formula" that can vindicate the judgment of those officials who committed the national honor in Vietnam? The question can be answered on two levels, one superficial and the other profound. On the superficial level, I am convinced from my talks with the North Vietnamese and the NLF that they understand the problem that occidentals, especially powerful ones, have with face-saving. As long as the basic objectives of independence and freedom from foreign domination are met, they would go to great lengths to make extrication as easy as possible for the U.S. They have too clear a sense of their own interests to try to humiliate us. Indeed, if the Nixon Administration would revise U.S. war aims to anything more modest than the total political defeat of the NLF, they would probably make some ostentatious concessions. If they really believed that we were prepared to leave, they would probably accept some international supervision of the elections or even a token U.S. base or two for a number of years.

But on a more profound level, such "concessions" could not conceal the fact that the U.S. failed to realize the war aims for which so much blood and treasure has been sacrificed. There is no way to mask this fact. If the war is to end in his administration, the President will have to rouse the American people from the long dream of omnipotence and all-righteousness. The President can transcend the post-Vietnam trauma as de Gaulle transcended Algeria only by talking sense to the American people. He can point out that American power and prestige are being damaged by the never-ending war, that a communist Vietnam need not be our enemy, and that America's initiative to end the war will win the gratitude and respect of the whole world. Finally, he can articulate for the public the essential truth that a U.S. foreign policy makes sense only if it serves the interests of the American people. The health of American society in 1969 demands a diplomacy of extrication for it is this society, not the Vietnamese that must become central to our concern.

The alternative is to make this country a warrior state willing to sacrifice its youth, wealth, and the hopes of its people in a vain effort to cover up the past errors of misguided politicians and generals. Neither secret talks nor patience will deliver us from this war until our leaders give up the goal of determining the political future of South Vietnam, an objective which adds nothing to the security of either the Vietnamese people or our own. The Congress has a responsibility to the American people and particularly to those we send to their death in Vietnam to tell the President and the public the truth. Unless voices of sanity are heard in this chamber, there is no possibility for building the political climate for a realistic strategy to end the war. To take the course of statesmanship the President needs your prodding and your help now.

But the constitutional responsibility of Congress goes even beyond this. If it should turn out that the President lacks the courage to end the dishonor that this war is bringing upon the nation, then Congress itself must act. How many thousands more must die and how many billions more must be wasted before the Congress votes no to this war and withholds the money to carry it on?

TAX REFORM AND THE AVAILABILITY OF MORTGAGE FUNDS

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1969

Mr. COHELAN. Mr. Speaker, the problem of meeting the ever-growing demand for housing and the consequent need for mortgage money has caused great concern among all of us who need housing and all of those concerned with providing it.

The Honorable Sherman J. Maisel, Member of the Board of Governors of the Federal Reserve System, a distinguished economist, and one of the foremost experts in the country on housing, discussed the difficulties of the housing money market in a recent speech at New York University's Conference on the Implications of the Changing Money and Mortgage Market.

In analyzing Government policies intended to insure a greater availability of mortgage funds, Governor Maisel points to the impressive support given through the Federal National Mortgage Association, Home Loan Bank Board, Federal Housing Administration, Veterans' Administration, Government National Mortgage Association, and other agencies.

Of special interest to the Congress now, as it deliberates on reform of our tax system, are Governor Maisel's remarks about the tax incentives for housing and homeownership. He concludes:

> It can be conservatively estimated that existing incentives now cost over $4 billion in tax receipts and some estimates even go as high as $6 billion a year.

The questions Governor Maisel raises about the actual benefits which these tax incentives provide are important ones. He points out—

> There is as little agreement on what is obtained by the Government for these sums as there is over whether they should be considered as forgivenesses, subsidies, or simply not proper areas for taxation.

Mr. Speaker, I insert Governor Maisel's speech at this point in the RECORD and urge that it be given careful attention by my colleagues who are concerned about the multibillion-dollar mortgage money problem, as well as its role in the reform of our tax system:

THE AVAILABILITY OF MORTGAGE FUNDS

(Remarks of Sherman J. Maisel, Member, Board of Governors of the Federal Reserve System, at the Conference on the Implications of the Changing Money and Mortgage Market, sponsored by the Mortgage Banking and Investment Institute, the Division of Business and Management, New York University, New York, N.Y., February 24, 1969)

I welcome the opportunity to address you this afternoon so that I can make one of my periodic attempts to bridge what has too frequently been a major communications gap. That is the lack of understanding between those concerned that the flow of money and credit be consistent with the needs of the economy as a whole and those concerned that there be an adequate flow of credit into a specific segment of the economy, namely, housing.

While I will maintain Federal Reserve tradition and avoid a forecast, it probably is fair to say that I will not be surprised if much of this year is filled with a great deal of discussion, debate, and recriminations over the problems of the mortgage market. All this will be enlivened by statements calling attention to shortages of mortgage money, anger about rates, and demands for reforms.

I think it vital that we not simply shrug our shoulders and close our ears because we have heard these problems stated in much the same terms so many times in the past. Rather, we must recognize that the frequent difficulty experienced by residential borrowers in getting adequate funds is a real, major, and recurring problem. We must try to understand why this problem arises so often. In the light of that understanding, we must try to reform the institutional arrangements that underlie the difficulties.

While I am pessimistic over the short run, I am optimistic that we can, over a longer period, make the necessary institutional changes. I think those concerned have a much better understanding of the basic problems than they did in the past. We have made some major improvements which should help ameliorate this year's difficulties. With a concentrated effort, further progress should be possible.

What has caused this communications gap?

Mortgage market difficulties have occurred when demand for output in the overall economy has risen faster than the ability to produce. When such excess demand threatened inflationary price rises, monetary authorities felt it necessary to slow down the increases in demand created by an expansion of money and credit. As a rule, they have believed it proper and necessary simply to limit the pool of funds available and to avoid going beneath the surface to see which specific demands were most affected by the credit slowdown. In some cases they may even have welcomed the fact that certain demands such as that for construction would fall as credit became more difficult to obtain.

On the other hand, those concerned with mortgage lending and housing have paid primary attention to the credit changes in their own markets. They have not been concerned with general inflation or excess demand. They have seen interest rates rise and the credit available to themselves fall. They have

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emphasized the decrease in national welfare which occurs as fewer houses are produced, rents and costs rise, slums get worse.

The gap between these viewpoints has narrowed. Those concerned with overall demand have become far more aware of the vastly differential impacts of credit restraint in individual markets. They have recognized the costs to the national welfare of housing shortages and of delays in correcting our urban problems. They understand that housing shortages may cause sharp increases in the price indexes as rents and house prices are forced up. They no longer look upon the complaints of mortgage and housing people as arising primarily from self-interest. Far fewer than in the past would welcome a cutback in housing construction. Most, I believe, would agree that changes which could spread the effects of credit restraint more evenly over all markets would be welcome.

At the same time, those primarily interested in the mortgage market now recognize general inflation as a more critical problem. They see that a steady creation of money and credit does not guarantee low interest rates. They recognize the threat of rising prices to financial (particularly thrift) institutions. They sense the danger from inflation to the mortgage system as we have known it.

While such progress is helpful, far more is required. We need action in addition to understanding. Let me summarize the problem as I see it and then briefly expand the major points.

Our present overall mortgage system has built-in weaknesses. These cause the availability of funds to fluctuate far more than is desirable.

These weaknesses arise from the manner in which mortgages compete or fail to compete for their share of the general credit supply.

The ability to compete can be improved through institutional change.

In a free market, such competition is likely to mean higher rates. This means a larger share of the population will not be able to afford mortgages or decent housing. They should be aided by a reshaping of the tax incentives now used to aid housing.

THE SUPPLY OF MORTGAGE MONEY

The system through which mortgage money is supplied is closely tied to our financial, particularly thrift, institutions. In recent years, excluding U.S. Government agencies, the four types of financial institutions—savings and loans, commercial banks, mutual savings banks, and life insurance companies—have furnished close to 95 per cent of the net increase in residential mortgage money. This was divided: 48 per cent for S&L's, 22 per cent for commercial banks, 18 per cent for mutual savings banks, and 12 per cent for life insurance companies.

For the past two years savings and loans, on the average, put 79 per cent of their asset gain into residential mortgages. The ratio for mutual savings banks was 43 per cent; for life insurance companies and commercial banks it was between 7 and 9 per cent. All of these percentages are much lower than in the early 1960's when thrift institutions placed nearly 85 per cent; life insurance companies about 17 per cent; and commercial banks about 12 per cent of their net change in assets into residential mortgages.

Under our present system, the availability of mortgage money is primarily determined by the flow of money into financial institutions and the share of their inflow that these institutions place in residential mortgages. Neither flow has been stable.

American households and corporations have become increasingly sophisticated in the choice of savings media. While convenience and liquidity remain important, their significance has diminished. As the gap between rates paid in money markets and those at institutions alters, and as equities vary in favor, the share of savings that flows through financial institutions expands and contracts widely.

Available mortgage funds fluctuate even more since, depending upon relative rates and profitability, institutions shift the percentage of their funds they place in the mortgage market. The joint impact of these forces is only too evident. In 1963–65, financial institutions increased their residential mortgage holdings by over $18 billion per year. The amount fell by over 45 per cent in 1966 and still was down by more than a quarter in the expanded economy of the past two years. The fall in purchases of mortgages on single-family houses was even greater. In 1966, savings and loans' net purchases of residential mortgages fell by more than 60 per cent from their previous three-year average. In the past two years, life insurance companies' average net purchases of residential mortgages were less than one-third of their level in the previous three years. Mutual savings banks have averaged about two-thirds of their previous rate. Commercial banks' net purchases have fluctuated widely, but in 1968 they apparently set a new high.

STICKY RATES

The fact that the availability of mortgage credit shifts far more rapidly and drastically than that of other funds apparently is caused by sticky rates. Both the rates paid by financial institutions for their funds and the rates paid to the institutions by mortgage borrowers fail to follow the market closely. As adverse gaps arise between these rates and the market, the available funds fall sharply. The reverse is also true, of course. In some periods, too much money flowed into mortgages because rates fell more slowly than other market rates.

The special character of thrift institutions has contributed to their sticky rates. Most of their deposits in effect have been payable on demand. If such institutions raised the rates offered in order to maintain their flow of current funds, similarly increased rates would have to be paid on all their accounts both existing and new. On the other hand, the maturities on mortgage portfolios are long. Because an increase in income could be expected not on their outstanding portfolios but only on new acquisitions, inevitably a minor share of the total, an earnings squeeze would result.

The stickiness of mortgage rates has a different cause. Part has been owing to legal constraints. In recent years statutory ceilings on rates in many States were below the market. The special case of the FHA–VA rate ceiling is familiar to all. Considered more broadly, however, mortgages rates are really just one example of the use of administered prices in a diverse market. A characteristic of administered prices is that they are hard to change frequently or rapidly. Their movements tend to be discrete, in larger jumps, and less frequent than rates set more freely by the market. As an example, while most mutual savings banks in recent years probably have not changed their mortgage rates more than a few times, the rate offered them on bonds changes daily or more often.

IMPROVED MORTGAGE FLOWS

There seem to be two major types of solutions to the problem of sticky rates and sharp shifts in available mortgage funds. The first is to attack the problem directly by making more frequent changes in rates feasible. The second is to try an end-run around the problem by making it possible for mortgage lenders and borrowers to obtain the funds they desire directly from capital markets at the going rate.

Both of these possible solutions run into a type of difficulty which has rarely been well expressed or analyzed. National policy attempts to insure each American family a decent home in which to live. Strongly implied in policy is the view that home ownership is a preferable way of meeting this goal. A myriad of governmental programs have been established in an attempt to meet these goals. They include subsidies, tax incentives, insurance, guarantees, special rules for thrift institutions, and many other forms of assistance. One aspect of these operations, rarely spelled out, is an attempt to earmark funds flowing into certain segments of the savings market for mortgage borrowers. If institutions can lend only on homes, prospective house buyers may be able to obtain funds at lower rates. This will be particularly true if the rates charged can be limited by law or regulation. As a quid pro quo, the institutions may be given tax or other subsidies.

The ability to maintain lower than market rates consistent with an adequate flow of funds to mortgages depends on the type of regulation used, the degree to which savers and lenders are locked into particular channels, and the amount of competition for funds within a channel. Past fluctuations in mortgage flows are a result of the difficulties with these arrangements when they attempt to keep rates below the market. Another problem with this system is the lack of relationship between the need for funds and the way they are distributed. Given past difficulties, the question obviously arises whether the objectives of the present system could not be achieved in a more realistic and less contradictory or self-defeating manner.

INSTITUTIONAL CHANGES

I and others have over the years advocated many changes in the way thrift institutions bid for and invest funds. We have also made many suggestions as to how the operations of the mortgage market might be improved. Enough of these changes have already been incorporated to provide some amelioration of this year's mortgage difficulties. Far more are required, however.

In bidding for funds, thrift institutions should be allowed to offer an even greater range of savings instruments at different rates. With a variety of instruments, consideration of amount, convenience, rights to liquidity, and rates could be shaped individually to the needs of separate segments of the savings market. An institution would be able to borrow as much as it deemed worthwhile in each market. Some progress along these lines has been made, but it has been small compared to the needs.

The mortgage needs improvement as an investment instrument. Some but not much action has been taken by States to improve the mechanics of mortgage lending. The ceilings on mortgages—particularly FHA–VA insured or guaranteed—have been made more flexible. Some mortgages have been written with variable interest rates. This has clearly been significant in making loans more available for apartment houses. The ability to write loans with "kickers" is, however, limited. Most thrift institutions cannot do so. Increased use of variable rates over a broader range, including mortgages on individual houses, appears desirable.

There have been suggestions that thrift institutions be allowed to invest in a larger variety of assets. While studies of these proposals are still in progress, many of these studies seem to show that this idea conflicts with the concept of giving mortgage borrowers a more or less protected channel to certain types of savings.

Finally, slightly anticipating the next topic, the mortgage market information gap has been closed somewhat. As you know, FNMA last year through its new auction procedure helped improve pricing practices for mortgages. We now have a better idea of what changes are taking place on a week-to-week basis in at least one segment of the market.

ACCESS TO THE MARKET

Because of the recognized uncertainties in the flow of mortgages from financial institutions, the Government has increasingly attempted to make it possible for more mortgage money to be raised in the general capi-

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tal market. Since these funds have been raised through U.S. agency issues, they may have served to lower mortgage rates slightly. However, the differences in rates are a rather minor factor compared with the contribution of these systems to insuring a greater availability of funds in times of need.

Major funds have been raised through the operations of FNMA and the Home Loan Bank Board, but the FHA and VA plus other minor agencies have also put some funds directly into the market. The magnitude of this support has been impressive. In 1964, a year of more than adequate mortgage funds, the government agencies properly operated at a low level. They furnished less than 2 per cent of the net increase in residential mortgages. On the other hand, in 1966, when the need was great, these agencies furnished about 28 per cent of the net increase in total funds. In dollars the amount grew from under 0.4 billion in 1964 to nearly 3.8 billion in 1966, or a growth of 950 per cent. In 1968, under far less critical mortgage market conditions, the amount stayed close to the level of 1966, but it was, of course, a smaller percentage of the total.

Last year Congress created a new channel which I believe can open a major new source for funds. This involves the authority of the newly created GNMA to insure or guarantee bonds backed by FHA or VA mortgages. I am glad to see that your session this afternoon is devoted to this topic. If this approach can be made to work, it should make it still more possible for mortgage borrowers to compete on a basis of greater equality with other long-term borrowers of funds.

Problems may still arise related to the general availability of savings or because of imbalances between the overall demand and supply for financial funds. However, relatively direct access to the capital markets for mortgage borrowers should reduce the difficulty experienced so often in the past when flows to financial institutions decreased or institutions shifted their lending away from the mortgage market.

PAYING MARKET INTEREST RATES

As I indicated earlier, one major problem in this whole institutional structure seems to me to have been sadly neglected. We have rarely articulated the theory of what supports the Government now gives, should give, or might give to mortgage borrowers. I think such a theory badly needs development. Our existing system of incentives with related ceilings on rates has created too much instability in the mortgage and housing market. At the same time, there is little evidence that benefits are being distributed in accordance with needs.

Particularly if we want to develop a system which assures the availability of funds through the payment of going market rates, a careful re-examination of our existing system is necessary. We all recognize that as rates rise, more and more families are forced out of the market. Could the existing system be reshaped better to meet these needs?

I won't spend any time on direct subsidies or the general concepts of the various financing packages contained in the almost-annual housing acts. I will restrict my remarks to our general scheme of tax incentives to real estate, housing, and home ownership, asking whether the country is getting its money's worth. I do this even though I recognize that the field of tax incentives is a can of worms. A regulation or law that is a tax incentive to one observer, is a subsidy to another, and simply a necessary and legitimate exemption or deduction to a third.

There are three general types of tax exemptions or deductions in the housing sphere. First come the provisions for rapid depreciation plus related capital gains and other special features for rental properties. The Treasury states the cost of these incentives as over $250 million per year. Second comes the special income tax treatment of thrift institutions primarily related to their special function as mortgage lenders. Tax savings in this sphere have been estimated at $200 to $350 million a year or more. Finally, there are deductions allowed owner-occupiers for mortgage interest and real estate taxes from their taxable income. These total over $3.5 billion.

Thus, it can be conservatively estimated that existing incentives now cost over $4.0 billion in tax receipts and some estimates even go as high as $6.0 billion a year. There is as little agreement on what is obtained by the Government for these sums as there is over whether they should be considered as forgivenesses, subsidies, or simply not proper areas for taxation.

The Treasury's tax reform studies argue that the incentives to owners of rental property in many cases have had a negative impact. They tended to decrease the quality of our housing stock. Bankers have attacked the tax status of other financial institutions—particularly those specializing in home finance—as unfair competition. More significantly, the criteria which determine the actual beneficiaries of thsee aids are unclear. Are they the owners of the institutions (the majority are mutuals)? Are they the management and staff? If they are the mortgage lenders, how significant in determining their lending rates is the forgiveness and the related lending restrictions on the institutions compared to market pressures? How many borrowers are aided who need the help to make possible their housing purchases? How do these compare with others who are pleased simply to find their after-tax income increased?

The same problem arises with respect to the deductions granted to homeowners. If mortgage interest rates rise, as an example, the share of the increased interest paid for through a reduced liability for income taxes will be higher the wealthier is the family. There are probably few for whom this incentive is crucial in enabling them to borrow. This will be even more true if the liberalized standard deduction suggested in the Treasury tax studies is passed. The potential owner who would seem most in need of aid—he who is on the line between being able to afford a house or not—will probably receive no benefit at all. The Treasury suggests that with the proposed change, 80 per cent of taxpayers would find it to their advantage to use the standard deduction. This means that the tax advantage for housing would be useful only to those with the highest incomes. These clearly are the ones who can best afford to pay any increase in market mortgage rates even without this additional subsidy.

CONCLUSION

I don't propose to suggest today how our tax incentives should be reshaped. Obviously though it is a multi-billion dollar problem, one worth a great deal more thought than it has been given in the past if our goals for housing and the general welfare are to be realized in a meaningful way.

I do suggest that we press forward with our reforms of the mortgage market. The country will be better off if the burden of a general decline in credit expansion, which unfortunately seems to be facing us, can be spread among more spending groups. The improved access of mortgage borrowers to the capital markets which results from the operations of FNMA and the HLBB can be expanded. Such access should be promoted even though it may involve a higher level of capital market rates than would result from simply rationing potential mortgage borrowers out of the market.

The same statements apply to the new GNMA-guaranteed bonds. The fact that credit may be tight and government bond rates at record levels should not be used as an excuse to halt their development. Potential mortgage borrowers should at least be given the chance to compete for all the credit for which they can and are willing to pay.

CANCION DE LA RAZA

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1969

Mr. BROWN of California. Mr. Speaker, one of the most interesting experiments in educational television that I have seen or heard of recently originates right in my own area in Los Angeles and involves not only an educational approach but a very real and useful action program.

I think the descriptive article written by Mr. Edward Moreno, community relations coordinator for the project, and a recent article from Newsweek magazine—March 10, 1969—as well as the script of one of the programs in the Cancion de la Raza series will best illustrate the work that is being done in this respect. These items follow:

CANCION DE LA RAZA

(By Edward Moreno, community relations coordinator, "Cancion de la Raza" project, KCET, Los Angeles)

On October 14, 1968, under a grant from the Ford Foundation, "CANCION DE LA RAZA," a new experiment in television began at Los Angeles' KCET, Channel 28, to attempt to increase communication within the Mexican American Community, and outside of itself. The program is a daily serial, shown Monday through Friday at 3 p.m., and at 7:30 p.m. Its sixty-five episodes attempt to depict typical situations found among Mexican American barrio families, who are trying to break away from the chains of poverty, ignorance, misunderstanding, maltreatment, and inadequacy of services. In this article, I will try to describe the various phases of the project.

THE SILENT MEXICAN AMERICAN

Of the communications gaps that exist in our culture, perhaps one of the most disturbing is that which occurs between the mass media at large, and the Mexican American communities in the United States. Metropolitan Los Angeles has the largest community of this type, with more than 1 million persons of Mexican American extraction. For very large segments of this population, especially in the ghettos of East Los Angeles, Pacoima, and Azusa, life may be a series of drab experiences, artificially imposed isolation, self alienation, and even resentment, despite the fact that Los Angeles is considered one of the most attractive areas in the nation by most Mexican Americans.

TV and radio broadcasting designed for mass audiences have very little to offer to these people. The image of America offered by the medium is White and middle-class, different and remote from the image of America that the barrio resident perceives in his daily life. Even in the news, the Mexican American is recognized, in general, only when he comes in conflict with the rest of society. Without identification, and positive recognition, the Mexican American, especially if he has language difficulties, turns to the Spanish language stations, which in the majority of cases also serve him, but nominally, at best.

KCET decided to attempt to plug this gap and to plunge into the area of social action among the underprivileged and deprived Mexican Americans—an area thus far neglected by the commercial mass media. It was hoped to establish communication with them. The medium would speak, but would also hear. It would show more adequate ways to deal with community problems and concerns; it would try to increase knowledge among them about agencies of service to their community, and it would suggest remedies for

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the most pressing needs. But while providing mass educational experiences to the Mexican American communities, it would also allow them to select the general orientation for the effort, and the areas for such involvement.

The basis of the attempt was an earlier experiment, successfully conducted at the University of Denver by Dr. Harold Mendelsohn, and Dr. Charles Welch.

Charles Allen, KCET's program director, wrote a proposal entitled "Feedback for Advancement." Essentially, the idea was a daily "soap opera" about a Mexican American family of the barrio, to suggest action, and a one-time per week panel discussion show, supported by an open telephone line, designed to receive and broadcast community feedback. The project was presented to the Ford Foundation in competition with proposals from most of the 150 public TV stations, and it was approved.

Dr. Richard Scott, a physician/TV producer of a closed circuit medical television program, "Res Medica," was put in charge of the production. And since both Allen and Scott required for the new project similar standards of verity and credibility to those attained by "Res Medica," the chief initial emphasis was given to research.

THE INITIAL RESEARCH

A five member team was formed, and their first research task was to compile a mass of sociological data dealing with Mexican Americans, to be used as background for the problems with which the scripts of the series would deal.

The research team, mostly Mexican Americans, read hundreds of reports on the "Mexican American problem" from the scholarly work of the University of California at Los Angeles "The Mexican American Study" to unpublished papers and dissertations from persons interested in the subject. However, much of the literature was found to be obsolescent or dated. Treatment of the problem, it was discovered, was mainly from the Anglo point of view. Not many Mexican Americans were among the authors; not many of them had written much about their community.

The team decided to hear from the Mexican American in Los Angeles, to explore the most salient and relevant problems, and the most realistic solutions. It added several other persons to the staff, to be used as resources. It also conducted various meetings with community active groups whose reactions and suggestions were noted and recorded. At this point, it was decided to adopt the name of "Cancion de la Raza" (The Song of the People) for the forthcoming series.

In their contact with the community, the researchers were able to make various assumptions. The main concerns of the communities seemed to be the condition of local education, the lack of knowledge by the Mexican American about social agencies, already working in the barrios, and the uncertainty of the Mexican American about the effectiveness of techniques and channels available to him for communication with the rest of the community, especially for the expression of social grievances. Another assumption was that Mexican Americans (the label of identification preferred by more persons of Mexican background than any other) have the same desires, feelings, and drives as the Anglo American population, but that they differ from the population at large, in the methods of handling problems.

For example, when problems arise, Mexican Americans are more likely than their Anglo-American counterparts to simply discuss the issue with wives or relatives, and close friends. This seems to be where the process of attempting change stops. Anglos complain in this manner too. However, their complaints are accompanied by an attempt to do something about the problems, either singly, or in groups.

To validate these assumptions, further research was organized and performed by Mendelsohn and Welch, who were selected for their experience in the original model for this project. They prepared and conducted 404 at-random, in-depth interviews in the Los Angeles Mexican American communities. The results of these interviews confirmed the initial findings and explained some of the dynamics involved.

The seeming apathy of the Mexican American, the research showed, could be attributed in part to the following findings:

1) To a large degree, the Mexican American feels that the society at large is Anglo; that it has values different or opposite to his values; and that he is powerless to induce substantial change.

2) More often than not, the Mexican American is basically unaware of the existing channels available for amelioration of his social problems.

3) While he admits that he has problems, he voices considerably more manifest satisfaction with things as they are than his Anglo counterpart. The paradox is that he holds contradictory positions at the same time. He feels, for instance, that things will be much better in the future for himself and for his children, but he argues that he has no method and no say in the betterment process. He states that he is satisfied with political representation in all aspects of government, but shows very little faith in the intentions of the politicians. He also asserts that he must work with his Anglo counterparts and be active, but refuses, at the same time, to see any benefit in joining organizations, or in having his existing organizations join in major efforts of unification of the communities, as an active Mexican American entity.

FROM RESEARCH TO SCRIPT

To express such problems in the scripts and to give them cohesiveness, consistency and form, a writers' workshop was organized, out of which five Mexican Americans were selected. These writers, teachers and social workers by profession, already consious of the problems existing in the barrios, were prodded into further exploration by the popular reaction to the series which had been gaining momentum in the communities. The writers' team was placed under the supervision of Abel Franco, a Mexican American activist, head of the drama department at Pasadena High School, and with long experience in acting and directing.

It was decided that the episodes would have to depict the concerns of the "here and now," in a realistic fashion, and in understandable ways, if the attempt to remedy the situations found by the research was expected to generate community feedback. It was also determined that, to make the series a true social action generator moved mainly by community action, the writers would not attempt to complete the sixty five scripts too far in advance of the broadcast date. Rather, each script would be completed only five to six days ahead of the actual air time. This system was adopted to limit the opportunities for treatment of peripheral issues, to allow daily resorting to fresh audience feedback, and to analyze closer the impact of each episode, so that matters that were not clear in an original presentation would receive reinforcement and clarification in subsequent episodes. Thus the audience was actually contributing to the writing of the story. The actual production of the first episode was accomplished only a week before its airing.

The vehicle selected for the frontal attack, the daily "soap opera", is a familiar and palatable form of entertainment for the Mexican American communities, especially for the more isolated families. It is also a preferred form of expression of dramatic situations and it allows identification. While each episode expressed the possible ramifications of the problems exposed and its extension into areas not originally perceived by the central cast of characters, the fact that cultural "common sense" may have different solutions than those portrayed was never discounted.

The episodes centered around a mythical family in its extended Mexican American form, the Ramos family, their close relatives, and their close friends. The story showed how the family attempted to solve the problems superimposed on it; it presented and suggested solutions, and it showed how some solutions could be gratifying, and what kind of relief might result when the action suggested was taken. But each episode was planned to cause reaction and to generate comment, without necessarily being "open ended."

FROM SCRIPT TO TAPE

The production group was organized, and headed by Charles Polacheck, with a long career in network television, especially in the production of daily soap operas for CBS and NBC. For the direction, Lamar Caselli, from Loyola University was selected for his network experience. To assist Caselli and Polacheck, three leading Mexican American actors, with substantial experience in movies and broadcasting were selected. They were Victor Millan, Francisco Ortega and Natividad Vacio. All three had also extensive experience in teaching dramatics. Millan heads the Drama Department at Santa Monica City College, Ortega and Vacio teach in the Los Angeles School System. Vacio, has been extremely active in the poverty area, encouraging the survival of Mexican American cultural values.

To obtain people from the community who could realistically portray the roles of persons in poverty, an Actors' Workshop was formed. Some seventy barrio residents of all economic levels participated in a six week seminar where they received a total of 18 weekly hours of acting experience. The Mexican American assistant directors were the coaches and instuctors in the workshop. From the group, the final cast of "Cancion de la Raza" was selected.

For the central characters, persons well-known in the community for their activities were selected. Bernarda Ramos, the mother, is Tina Menard; Miguel Ramos, the father, is Mike de Anda. Both are experienced actors involved in community betterment. The supporting roles went to Jon Milo, Priscilla Garcia, Robert de Anda, Richard Yniguez, and Gil Barreto. Incidental characters in the story were played by non-actors, some portraying their own roles, or roles from their professions or vocations, such as high-pressure salesmen, a parish priest, members of militant groups, ex-addicts, members of youth gangs, teachers, etc.

ON THE AIR

It was decided that to increase the number of viewers, each episode would be presented twice daily at 3 and at 7:30 p.m. At midbreak in the programs, a telephone number was given as part of a community news-public service type of spot announcement. The audience was encouraged to call, to solicit information about the community services, and to comment about the episode, its characters and its situations. The name selected for this ancillary service was "Linea Abierta" (Open Line.) It was hoped that the vital element of feedback from the audience, and the beginning of the true dialogue between the people and the project, could be accomplished by such a system. "Linea Abierta" began operating the same day the episodes went on the air, serving the community from 3 until 9 p.m.

From the first day, the reaction of the audience was good. The largest number of calls occurred right after the presentation of each episode, and tapered off after about an

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hour. However, the calls kept coming throughout the scheduled period. Calls that were made to the station outside of the "Linea Abierta" operation were answered by personnel assigned to the project.

Two community workers with experience in the work of agencies operating in the community were assigned to man the open line. They were Ray Chavez and Marcella Gonzalez, who answered questions and recorded comments. If a question required more explanation than a simple answer or address, the line workers postponed it, and handled it through a call-back.

The number of calls increased if the topic was closer or more relevant to the audience. Among the topics producing the greatest number of calls were immigration, consumer education, the Delano grape strike, the problems of education and unemployment.

A constant ratio of 3.5 favorable to 1 unfavorable calls was initially registered. However, when any of the episodes dealt with the problem of "image," the number of unfavorable calls seemed to increase. With the permission of the caller, some of the questions and comments were "banked" for further use in a panel discussion show which also received the title of "Linea Abierta."

In its initial presentation, "Linea Abierta," which aired at 7 p.m. each Monday night, prior to the second presentation of the days episode, consisted of a panel of community resource leaders who discussed some of the accumulated questions. They attempted to offer viewers additional information on each case presented. Up to five different cases were processed on each panel show.

The format was later modified to include live discussion about urgent community matters or concerns, including education, the condition of the barrio schools, the attitude of administrators, housing, police-community relations, immigration and aging. In some instances, audience reaction and audience participation were used to increase feedback. Thus the methodology emerged clearly: the daily episode would discuss general concerns, the panel show would select and discuss specific topics.

The series began on October 14, 1968 and ended on January 17, 1969. An immediate re-run started January 20, 1969.

The combined effort of the writers, the production staff, and the acting team made each situation as precise and as clear as possible. Most of the time the message was also clearly received by the audience. In some isolated instances, however, the message was not totally perceived; in other instances one group perceived it in one manner, another group in a different way. Whenever possible, subjects, especially education, received treatment both in the series and the panel during the same week.

Some interesting examples occurred with scripts such as Number 20, in which the young son, David Ramos, after having been out of school for some time, decides to return and graduate. He is interviewed by an officious clerk and a naive principal who have not learned the language of the barrio—a rather frequent occurrence.

For some activist groups, the initial perception was that the serial had portrayed "very nice people who do not exist in the school system." However, in subsequent indept discussions with these groups, the message intended, ". . . their nicety hides their own remoteness," actually emerged.

Script Number 31 featured Maria Elena asking permission from her father to date an older boy. The adult groups' reactions were very favorable to the need for more dialogue between parent and child. The reaction of the junior high schoolers was a reinforcement of what they consider the problem: the parents worry too much about early dating.

A later script dealt with the topic of immigration, legal and illegal. The chapter was presented on a Wednesday of the same week in which the Monday discussion panel had dealt with a similar subject. During that week the open line registered a great number of questions on how to legalize one's status in this country.

THE PUBLIC REACTION

The public reaction has been of general acceptance of the project. This is shown not only by the tally of the calls to open line, but also by the number of favorable letters received, the personal comments made to the staff, the favorable publicity attained, and other similar measures of opinion.

But criticism has also been high, especially from the more accommodated, non-barrio residents, for whom the portrayal of poverty is tantamount to a "loss of face" for the Mexican American community before Anglo eyes. Criticism emanated too, from the more militant groups which would have liked a more aggressive point of view in the scripts plus a greater attribution of comunal ills to "the Anglo establishment." In each case, a positive effort has been made to search for a central area of mutual understanding and concern, either in the scripts, or through personal contact with the critical groups.

This steady dialogue of the community with a communication medium conditionally accepted before, if at all, is now considered worthy of personal involvement and can be called a major gain for the project.

AUDIENCE RESEARCH AND FEEDBACK

Two more aspects of research are to be considered in the project. Phase II as designed to obtain feedback; to analyze the people's reaction to the episodes; to get the views from the audience for changing direction, characterization; and to validate further the topics dealt with by the drama and its supporting panel programs. Phase II is not yet complete. Phase III will be the final evaluation determining what permanent effects the program has had on the audiences.

For Phase II, several methods have been used to detect penetration, impact and effect of the program on the communities. Random calls were made to secure one-hundred viewers, on October 29, with episode 12, and again on December 2, with episode number 36. A 75-family panel, weighted according to population characteristics, was selected. The panel agreed to keep diaries for the researchers, and to submit to them individual evaluations at various times. The first panel call-back was made on November 2 and 4; the second on December 7 and 9; and the third on January 4 and 6.

Five reaction panels with community groups, using one-half inch helical tape dubs of selected episodes were also accomplished. The panels saw the dubs of episodes 20, 28 and 31, after the episodes had been aired.

Although complete evaluation of the results will not be available until May the primary findings show that 88% of the respondents had a "good" opinion of the program, against only 8% of negative evaluations; 76% believed that the program presented things "as being true." Also, 76% or more of the people in the target area watched the series routinely.

The most frequent negative observation was the feeling that Anglos might intensify their "negative views of Mexican Americans" (less than 20% of the respondents), plus the feeling that the program was not doing much for the people in the barrios (7% of the respondents.)

The most encouraging finding of all was that close to 80% of the respondents indicated that they "had taken some action" as a result of the show, such as visiting an agency, or availing themselves of the services offered by a community facility.

Phase III, debriefing and in-depth interviews, has just begun, following the start of the series rerun.

Feedback was also intensified by personal presentations made to community active groups by the Community Relations Coordinator employed for the project. In these presentations, a promotional tape of the program or a complete episode's dub was used. The group viewed the tape, and made comments which were given to the production staff by the coordinator. Many of these presentations were attended by the writers, members of the production staff or by actors of the cast.

ANCILLARY GAINS

Various ancillary gains resulted from the activities of the project. For instance, the most intensive publicity penetration of the community was attained through the cooperation of the commercial broadcasting media which operate in English or in Spanish, the local newspapers, and the magazines and periodicals of various orientations.

Another gain was the cooperation by the many organizations of service to the community, which formerly had ignored the educational efforts of the station. Even the bus systems that operate in high concentration areas of Mexican Americans donated space inside and outside the buses for the placement of bus cards.

The Actors' Workshop has become an independent unit, and has obtained some opportunities, though limited, for some of its members for commercial movies and television.

The task of increasing communication between the two cultures at the station level was undertaken by a Spanish teacher for the production group. Later, these classes were attended voluntarily by many members of the general station personnel to whom the difficulties of operating in another language and culture are now evident.

Some of the episodes have been used by colleges, high schools and universities for their classes in social studies. Two organizations and one individual researcher have polled the community (independent of the internal research efforts) about their reactions to the project.

Foot and telephone traffic has increased substantially to some of the agencies recognized by the episodes, or mentioned in the open line panel programs, and members of the project's staff have been included as participants in community seminars, workshops and projects for advancement.

It is still too early to predict the final changes in behavior and modifications in attitude that will result from an effort such as this. It is obviously unrealistic to expect total conversion through the sixty-five episodes of the project. Post-series research will reveal if the changes are of lasting value, and how much longer an effort of this kind has to be continued to be permanent.

But the ferments and conditions already at work in the Mexican American communities of Los Angeles, together with this definitive and positive effort to better things, and the amount of traffic generated by the combination of these two elements, appear to predict success for two of the major objectives of the project: to increase internal and external communication in the minority community and to help it perceive its needs and begin taking action to solve them.

[From Newsweek magazine, Mar. 10, 1969]

SONG OF THE PEOPLE

Rafael, just home from Vietnam, can't seem to readjust to ghetto life. Miguel has betrayed the striking grapeworkers by becoming a scab, Jaime has immigration problems. Old Maton lives on welfare checks and booze. But the most crushing blow to the Ramos family comes when 18-year-old David is badly beaten by Los Angeles police during

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a high-school demonstration. Overcome, Mrs. Ramos sinks to the kitchen floor and begins praying to the Virgin of Guadalupe. *"Por favor,* get off your knees, Mama," chides her teen-age daughter. "We need to stand up. We need to be counted." Appalled, Mama Ramos slaps her daughter's face.

For the 257,000 Mexican-Americans living in greater Los Angeles, such supercharged yet pertinent traumas are nightly fare on "Canción de la Raza" (Song of the People), a 65-episode, bilingual soap opera produced by KCET, the city's educational TV station. Now a much bigger slice of the U.S.'s 6 million Spanish-speaking Americans are about to face life with the Ramoses. By April, "Canción" will be unwinding daily on educational channels in six more cities with dense Spanish-American populations.

Gap: The move may be television's first real stirring of wareness for the country's second-largest minority. While programing for and about blacks continues to escalate, the U.S.'s low-income "browns"—many of whom face a linguistic as well as a cultural gap—still recognize woefully little of themselves in TV's mirror. "Its problems are not their problems," says KCET programing director Charles Allen. "Even the news has very little real bearing on their everyday lives. To this degree, TV ceases to be a tool of socialization; it is rather, part of the process of alienation."

The Ford Foundation, which underwrote Allen's prospectus for "Canción" with a $625,000 grant, favored the soap-opera approach because of its potential as an information service. During the 1940s, studies of radio audiences discovered that many rural housewives regarded the soaps as both arbiters of social behavior and vehicles for education. That no longer applies to today's sophisticated soap-watchers, but low-income, ethnic audiences are another matter.

Accordingly, the four Mexican-American writers of "Canción" regularly introduce the names and activities of various community agencies as part of their plots. In one episode, a pregnant wife visits the city's Maternity Infant Care Center while a young man learns about the Horizons program, which recruits drop-outs and prepares them for college. The show also jabs at ghetto villains: high-interest credit shysters, *curanderos* who practice quack medicine and school officials who automatically dismiss young Mexican-Americans as uneducable.

Aid: "Canción" has its critics. Middle-class viewers say that the Ramos home is atypically shabby; political militants dismiss the show as bourgeois brainwashing, and traditionalists worry about its tinkering with tradition (for instance, modern pragmatic daughter challenges old religious mama). No faction, however, has attacked "Linea Abierta" (Open Line), a unique half-hour KCET telephone show that encourages viewers of "Canción" to phone in questions about the various social services mentioned in each episode. During the first thirteen weeks, a staff of bilingual college and graduate students advised 800 callers on where to go and whom to see.

Whether Puerto Ricans and Cubans in the six other cities will relate to "Canción" as well as the Mexican-Americans is uncertain. But if nothing else, the show's exposure should impress on non-Latin viewers that the crisis of the ghettos cannot be viewed in just black and white terms. "Most people still regard us as the happy, quaint, *mañana* people," says Ed Moreno, one of KCET's staffers. "Well, I don't want to be quaint, any more. I don't even know how to play the guitar—and I don't care."

LINEA ABIERTA—"IMMIGRATION AND ILLEGAL RESIDENCY"

Broadcast: 7:00 p.m. Monday, January 6, 1969.

Panel: Mel Sherman, International Institute of Los Angeles; Arthur Camargo, Neighborhood Nationalities Service Center; Judge Philip Newman, Municipal Court of Los Angeles Judicial District.

Host: Eduardo Moreno.

EDUARDO MORENO. Buenos noches amigos y bien venidos a nuestro programa regular de los lunes Linea Abierta.

Good evening ladies and gentlemen and welcome to KCET's regular Monday night program Linea Abierta. Tonight we will discuss the problems of Immigration and Illegal Residency which face a vast number in the Mexican-American community. Our guests are men who are vitally involved in working for solutions for these problems. They are: Mel Sherman of the International Institute, Arthur Camargo of the Nationalities Service Center, and Judge Philip Newman of the Municipal Court of Los Angeles Judicial District.

MORENO. Mr. Sherman, in many instances you have expressed the feelings that the illegal status of many Mexican and Latin American immigrants here is at the root of many of the difficulties for the Mexican-American employment and education, literacy and what have you. Now would you elaborate on this please.

MEL SHERMAN. Well, at the Institute we look at the human problems that these expressions of the problems present to us and we're very concerned because we've had at our agency many people who have lived in mortal fear of being deported. This leads to mental illness, it leads to exportation by employers, it leads to parents being afraid to have their children enrolled in school for fear they will be caught and then deported so we're very concerned about how this affects the total Mexican-American community in the Los Angeles area.

MORENO. You wouldn't say then that the problems the Institute is concerned with is just the problem of the illegal immigrant but the problem that the illegal immigrant also causes in the community; is that so?

SHERMAN. Yes, I think that puts it very well. It's almost like an infectious disease because of the fact that people don't get the proper medical care for fear of discovery. This leads to, in a way, really affecting other parts of the community—poor educational. There is a problem of not getting sufficient educational opportunities because of fear of discovery and this leads to many other social problems and this is what we're very concerned about

Judge **PHILIP NEWMAN.** I might add there Mr. Moreno, the additional sociological economic problems presented by this influx of illegal immigrants also creates a big market for exploitation of the aliens by people who prey upon them, who exploit them financially, economically, promising results by way of adjustment of status or by reimmigration when they are not even able or qualified to resolve these problems but they are getting large fees from people who can't afford it. That's why it's so nice to have people like Mr. Sherman and Mr. Camargo here who are people who know the area of immigration who are accessible to people who have problems and people don't have to resort to unauthorized practitioners and be victims of exploitation.

MORENO. Let me ask Arthur Camargo who is with—what is the name of your organization?

CAMARGO. The Nationalities Service Center.

MORENO. What are you concerned with in this Nationalities Service Center?

CAMARGO. We have been for quite some time trying to take care of the clients or people who come to us for services who reside farther and quite a distance from the International Institute who is located more towards the downtown area of Los Angeles. Our clients come mostly from towns of Pico Rivera, Whittier, Santa Fe Springs and points east from there. We have encountered, as mentioned here before, quite a lot of very serious and large number of immigration problems of people who have come to us with severe immigration problems. A lot of them as mentioned here also have been exploited unnecesarily because we all know that essentially a person does not require the services of a lawyer in order to legalize their residence in this country. Quite often they require possibly a little bit of basic help in completing certain documents and they require sometimes a little bit of moral assistance in being accompanied to an office and since they are sometimes people that are simple essentially and are not accustomed to complete documents to go through legal processes and they are very much ill at ease and uncertain.

NEWMAN. Let me interrupt for a moment perhaps in defense of my profession—my legal profession. I don't want to disagree with Mr. Camargo but I know—I've practiced in this area for twenty some years as a practicing attorney in the field of immigration and there are cases are there not where there are intricate legal questions that may require appeals to the Board of Immigration of Appeals or judicial review where legitimate lawyers now—before I mention the unauthorized practitioners that people who hold themselves out as lawyers were not lawyers—I say that the social worker who is skilled certainly can handle the routine problem but I would also like to say that there are skilled professional lawyers whose services are needed in certain cases.

MORENO. Alright gentlemen. However, one of the points that most of the people that are opposed to any service to the illegal immigrant or to the immigrant in general, one of the points that they frequently make is that the person who comes into the country illegally if he experiences any of the things that you have exposed it's his own fault and therefore his just fault paying what he owes to society or he is taking part of his own medicine. Now how do you react to this feeling because the feeling is not without generalization in the community as such.

SHERMAN. It seems to me this is a most distressing feeling. We have in this country—most of us are descendants of immigrants. I myself am a first generation American. My father came here to make a new life for himself and his family and most of the people who are here illegally are people who want to make a better life for themselves and their family. They want to get better education for their children, they want to make a decent wage. Unfortunately the economic conditions in Mexico are such that many of these people are earning $2.00 to $3.00 per day. To come to our country with its opportunities is just really part of what I used to think was the American dream and I find it very distressing that we don't have the kind of sympathy for the newcomer nowadays; the person who used to be called the new-seed immigrant, the kind of people that made the United States what it is today. Now we have many people who want to make this life for themselves, are willing to work hard, who don't want to go on welfare, who only want the opportunity to become a part of this country and we have found, and Mr. Camargo and his outpost have found, that there are many people who live in fear of discovery who are able to become legal residents.

MORENO. What grounds are there to help a person who is illegally in the country or who has migrated illegally to the country. On what grounds do you decide that you can . . .

NEWMAN. I would say this Mr. Moreno. Technically the illegal immigrant has violated the law. No question about it. He entered without compliance with the legal requirements. But I don't believe you can

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equate a person who has broken the laws for purpose of improving himself and his family with somebody who engages in antisocial conduct and is detrimental to the community and there is no question logically illegally they are in violation of the law but the equities are different. There are people—I agree with Mr. Sherman, people whose only sin against society is seeking a better way of life, so it's more of an equitable difference than a legal difference.

Moreno. Fine. Then you have mentioned some of the problems that the immigrant faces in here. For instance, one of the things that you said is that sometimes he does not register his kids in school because he is afraid that through his kids he is going to be found. What do you do with a problem of this nature?

Camargo. Well, on certain occasions we have been able to make arrangements with the Board of Education to have these children admitted in school on the promise we are going to help the parents attempt to solve their immigration problems.

Moreno. We are talking about children perhaps American born kids?

Camargo. Quite often yes, this is the case exactly—who have not gone to school simply because they are in fear, because the parents are in fear that they are going to be discovered so we have encountered a number of very tragic situations where we have seen children as old as 16 years of age who have not attended a school for five or six years actually.

Moreno. Are there cases where both parents are illegal immigrants?

Camargo. Yes. Occasionally people come to us with hundreds of problems, all sorts of you might say strange and weird combinations of immigration problems. Sometimes both parents may conceivably be here illegally.

Moreno. You have also expressed your feelings about the exploitation—the economic exploitation that the immigrant goes through. Would you elaborate on this point.

Newman. My favorite subject of course is the use or abuse of the so-called commuter or green card holder where a person resides on the other side of the border, that is the Mexican-American border, and is employed on the American side at a lower standard of wages. He is being deprived of the benefits of organized labor with union contracts, he is driving down the wage scales being paid less because of the fact that he lives on the other side of the line and his cost of living is lowered. I think that's one point that should be brought out especially true in the Rio Grande Valley in Texas and Arizona. Now I think Mr. Sherman mentioned other people for example the illegal, who we call the illegal Mexican, the "wet", who is driving wages down. We discussed that earlier, do you want to elaborate upon that?

Sherman. Again, there is where the illegal is, in a way, exploited in a way, the pond of the economic problems that we have in this country, because there are certain minimal jobs that pay minimal wages and it's often difficult because of these minimal wages for the job to be filled. But again, to a person who is making $2.00 to $3.00 a day, $1.50 an hour seems like a fortune so that the illegal is very willing to work for this wage and because of the fact that the job is filled this causes the economic situation to continue, the wage continues to be depressed and this way the whole economic system is poor. The job doesn't meet the law of supply and demand, the wage does not go up because of this because here are these illegal immigrants ready to fill this job. And one thing that I think we have to say is that no one really knows how many illegal immigrants there are in the Los Angeles area. We do know that last year the Immigration Naturalization Department with a relatively small force picked up and deported over 20,000 illegal immigrants. Now, if they actually discovered that many it's incredible to guess as to how many there are. Maybe the Judge would want to guess.

Newman. I think I've heard the figure of 30,000 in the district of Southern California and Arizona. In the previous conference of this type that we had the figure of 30,000 was used as those who are resident deported but unfortunately the matter of the illegal resident, if we can call them that, is kind of paradoxical. It's subject to economic pressures. When this country needs a pool of cheap labor somehow they seem to manage to let them in and keep them here for awhile then when labor conditions tighten up all of a sudden they are discovered and deported when they are no longer needed.

What we lack is an organized system of letting workers here on a permanent basis comparable to what we have in the Law 148, the El Braccero Contract Law, whereby there isn't this constant flow back and forth to the detriment of the people who are uprooted from one country into another.

Moreno. Essentially you are saying then that the system, the economic system also abets, aids and abets the problem.

Newman. That's right.

Moreno. Now, doesn't it happen also that the immigrant is discovered in many places that are known that they hire this type of immigrant?

Newman. No question about it. The Immigration Service knows the type of industry or business where the illegal Mexican is more likely to be hired. It becomes almost like a game. We talked about that before also.

Moreno. Now what kind of industry generally employs this type of immigrant?

Newman. Well, of course, the packing houses and agriculture, the restaurants, some of the manufacturing—garment industry for example, and what others can you think of Mel?

Sherman. I think it's usually light manufacturing you know, where there are unskilled positions, where there is seasonal supply and demand of workers, some of the fish packing industries you know where it is seasonal.

Moreno. Some of the illegal practices that have been mentioned to me are raids on payday. Now is this frequent? In other words, immigration raids on payday so that the individual does not collect his pay for the week that he has worked before.

Newman. I don't think so. It has been my experience to the contrary but I have seen people who are picked up by Immigration for deportation—they made sure they got their pay that was coming to them before they were sent out. I've never come across any specific cases for contention at all.

Moreno. Fine. Now what do we do then to help the immigrant that is illegally in the United States and can the immigrant, the illegal immigrant, be aided at all?

Sherman. I think we have to say that the Immigration and Naturalization Department in the L.A. District really recognizes that this is a problem and that there is an administrative program that they have set up to help the illegal immigrant and it's called the Mexican Equity Visa Program and under this program an illegal immigrant who has what is termed equity in the country can be helped to legalize his family ties. There are family ties, American born children, one or either husband and wife American born or a resident alien and actually the Immigration Department is very concerned about helping these people. They refer many of these people to our Institute for help. Unfortunately they have a rather small number of agents working on this program so that they only process about 250 individuals and families a year and that's a relative drop in the bucket and they're very concerned about this also. They would like to expand the program but they have not been able to get extra resources to hire more aid.

Moreno. How does this equity visa work? Maybe you can say it in Spanish for those people who don't have a good command of English.

(For the next few minutes the participants speak in Spanish. The following is a translation.)

Camargo. The way it works is thus. If, for example, a person is married to a legal resident or citizen of the United States and they have a child born in this country, they can, at the present time, make an application and possibly the relative or family member who is here legally will have the chance to arrange their immigration business, if he can present evidence that he is employed [and] that he won't become a public charge.

Moreno. Let's say that he is employed. Isn't this being employed already a violation of the law and doesn't it work against him?

Camargo. That is one of the aspects of this so complex problem.

Newman. Employment alone isn't a crime.

Moreno. In other words, [if he was employed] he may have the chance to return, let's say, as a legal immigrant.

Newman. If he worked at a legal occupation here, it isn't a record or crime that can hinder his returning legally.

Moreno. And this equity, Mexican equity as you call it, does it also count in helping him solve his illegal problem. Does it count enough and, for example, that a great number is taking this equity?

Camargo. Well, if the person can prove that at the present time he has employment which is sufficient to support his family, and that he [fills] the other requirements that were mentioned previously, the case can be resolved.

Newman. I believe that Mr. Moreno is referring to facilitating the entry if they have relatives here or family roots in a legal way, preference is given to visa applicants. He has preference for his turn in receiving his visa and expediting his return to this country.

(The participants begin speaking English again at this point.)

Newman (to Mr. Sherman). Are we leaving you behind?

Sherman. Somewhat.

Moreno. This is the way sometimes our immigrants feel to be left behind because they do not understand English and I hope that you sense a little bit of the frustration that we Mexicans felt when we were unable to handle English. But going back to the topic. You mention another point of this question of immigration. You mention having relatives in the United States and having those relatives help you immigrate. Would you elaborate on that one.

Sherman. Well there are certain preference categories under our immigration law and under these certain preference categories let's say a minor child of a resident alien can immigrate to the United States, brothers and sisters have certain preferences of resident aliens, also parents of resident aliens or citizens have certain preferences. If anyone has any question about any of these problems they can contact the International Institute . . .

Moreno. Whether they are legally or illegally in the country?

Sherman. Yes, if a person is here illegally and they have no opportunity legally of legalizing their illegal status—if you can get what I'm saying, then we will inform them and we will tell them that they must return to Mexico.

Newman. There is a difference, Mr. Moreno. The person who has no conscience, an unauthorized practioner, and here I am not talking about the legal profession, will string that person along and give me $300.00 today and $300.00 next month and either go to Tijuana or Mexico and wait for me knowing all the time this person has no remedy for adjustment of the immigration status and

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he exploits and exploits that person up to a point then tells the person to go to Mexico and wait for the documents to arrive so of course that person can't get back to complain and he has been milked of all his hard earned funds.

SHERMAN. We often have people who have laid out as much as 3 to 4 to 5 thousand dollars trying to arrange—and again, this is a cultural thing because unfortunately in much of Latin America it is possible to sort of buy certain official favors. Of course this is impossible in our country and we have difficulty getting across to people that this is so and when the Judge was saying about attorneys—unfortunately many attorneys in Latin America are, in addition to being attorneys, notarys so that a person from that culture seeing a notary sign feels that this person is also an attorney and they're willing to trust them when unfortunately many of these notaries are the most terrible offenders.

NEWMAN. I would like to say it in Spanish for the benefit of our audience.

MORENO. Before we go into that it's an important point because I think that our people should have complete information about the International Institute and I hope you are able to give us the address of the International Institute please.

SHERMAN. We're at 435 South Boyle Avenue and our telephone number is 261–4171.

MORENO. And could we get the information of the Neighborhood office of the Nationalities Service?

CAMARGO. We are located at 8830 East Whittier Boulevard in Pico Rivera. We're right at the corner of Whittier and Rosemead Boulevards. The telephone number is 699–7619.

MORENO. Mr. Newman you brought a very good point before.

(The participants begin speaking in Spanish again at this point.)

NEWMAN. Yes, in Spanish, please.

I would like to advise our listening public of that which Mr. Sherman referred. About the coyotes who hide under the title of "notary", in the Latin American countries, and Mr. Sherman said in English, the notary is a lawyer. In order to be a notary, he has to be a licensed lawyer. In this country, in this state in particular, the notary doesn't have to be a lawyer or licensed. Anyone who can read and write can become a notary someday or other. The Latin American often goes and seeks the person who advertises himself—something a lawyer can't do, advertise himself—the notary advertises himself as an authority in immigration matters and actually, they use that in order to exploit the illegal and drain him of all his savings. I want to clarify that a notary isn't necessarily a lawyer.

CAMARGO. Something else that occurs to me is that another result of this situation is that many people don't trust us sometimes because they don't understand why we can give them services without charging them a lot of money.

MORENO. Good, that was the question I was going to ask you, too. Who is giving the funds to you so you can serve the community in that way? Who's paying for your services?

(The participants speak in English again from this point to the end of the program.)

NEWMAN. Well you're a Community Chest agency aren't you?

SHERMAN. Yes, we're a member of the United Way and we get about 70% of our budget from the United Way—give your fair share next time—time for a commercial.

MORENO. So that United Way which is an umbrella organization is actually funding the services of the Nationalities Services.

SHERMAN. We are 55 years old and if we really are the expression—(Mr. Newman, "Please, I'm not that old") of the communities concerned for the immigrant and over the years we've helped different groups as they've come in and now there is no question that the group that needs the most help of the Institute are immigrants from Mexico.

MORENO. Somebody made sort of a parallel between the activities of the International Institute towards the immigrant and the activities in some cases of the old railroad, the underground railroad that used to help the negro, the runaway black slaves.

SHERMAN. Yes, you mentioned that before. I think the parallel is good in human terms but we certainly could not be in the position of doing anything illegal nor do we condone illegality. I think the Judge put it so beautifully when he said that when we do try to help people who try and become legal immigrants we do also tell people who cannot become legal immigrants—we try to warn them against exploitation; we try to tell them that they will have to go back to their country of origin and try to come into the United States in a legal manner.

MORENO. So this incurs or this means the incurring of expenses anyway regardless of whether they receive free services from the Nationalities Services or the International Institute. They are going to have to invest some money in clearing their status.

SHERMAN. Well, the investment of money as far as our agency is concerned could be nothing or could be minimal. If a client cannot afford to pay anything for the services we do not charge at all and in Mr. Camargo's Nationalities Service Center which is funded through the Office of Economic Opportunity we do not charge any funds. We do not charge anything for the services there. At the Institute if a person can pay, and we have a sliding scale and the charge is rather minimal, for the most complicated immigration case the maximum charge would be in the neighborhood of $50.00.

NEWMAN. I might also add since I am a member of the Advisory Committee of the OEO legal services program—I am National Advisor of the Committee—that we do also have legal offices, for example the one on East First Street and another one in the Pacoima area and various areas of the city, staffed by lawyers who are knowledgeable at immigration problems and I am sure that you gentlemen from time to time have referred people to these legal services offices when the services of a lawyer are needed to say in deportation hearings or judicial review of the cases.

SHERMAN. We work very closely with them. Of course, we are unique in that we have a member on our staff who is authorized to act for a person for deportation hearing and for what service we never charge anything and that could cost as much as $2500.00.

MORENO. You're going to have to excuse me. The information is terribly important, however, our time is completely gone. Thank you for having been with me tonight and thank you to you all out there.

Be sure to watch tomorrow's episode of Cancion de la Raza when a cousin of the Ramos family faces serious problems concerning his citizenship similar to the ones we have discussed here and thank you for watching Linea Abierta tonight.

If you are interested in obtaining a free transcript of this program please write Linea Abierta, 1313 North Vine Street, Los Angeles 90028. Next week Linea Abierta will discuss "Housing" so please be with us.

For Linea Abierta this is Eduardo Moreno.

JOURNEY DOWN THE COLORADO

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1969

Mr. HOSMER. Mr. Speaker, the Reverend John Nicholls Booth, minister of the Unitarian Church in Long Beach, Calif., recently wrote an article for UUA Now, the magazine of the Unitarian Universalist Association, on a voyage down the Colorado River.

The trip came 99 years after a similar exploratory journey by Maj. John Wesley Powell. A copy of Reverend Booth's fine article follows for the information of the Members because of the points he makes regarding conservation of the river. It implies that there is a constantly reserved decision between needs of an expanding population and conservation:

MAN: THE EARTH KILLER

(By John Nicholls Booth)

In the summer of 1967, for the first time in the Grand Canyon of the Colorado's century old relationship to the white man, no one dared drink freely of its waters. Pollution had begun.

Of greater seriousness is the potential wrecking of this unique canyon's integrity by human beings who would construct enormous dams across the captive monarch's lifeline. Does the Grand Canyon have only three centuries more of unspoiled existence ahead?

Exactly ninety-nine years to the month after Major John Wesley Powell, in 1869, first explored this chasm of mystery lying deep in Indian territory, a group of us duplicated his exact route aboard two pontoon-type rafts. Our "expedition" sailed the 295 miles from Lees Ferry to Lake Mead in nine days. We shot 161 rapids, portaging none, and lost no one overboard, a tribute to our death grips, ape affinities and river pilot skills. Smashing through boulder-filled rapids, amidst inundating waves, ripping cross currents and suction "holes" on an open raft, combines the experience of over-Niagara-Falls-in-a-barrel, the roller coaster and a momentary tropical hurricane. Insurance covered my photographic equipment damages shooting the king-size Lava Falls rapids. Weathered plaques and a wreck or two dot the canyon to memorialize abruptly ended lives.

For days on end we drifted or hurtled through an oven-hot solitude virtually untouched by mankind and its markings. No telephone wires, settlers' cabins, bridges or humans broke the rhythm of the wilderness. Vertical canyon walls a prison make, and we were happy because of it. Only an occasional vapor trail slashing across the blue ceiling of our world reminded us that we were not on an alien planet.

At night, as we camped on sandbars, the darkened sky glowed with a carpet of diamonds. I recalled the millions of other huge worlds sharing space with us. Looking up, I understood afresh why man can no more resist exploring space that he can stop investigating the mighty Colorado River.

Twice during our Kon Tiki journey down the deep stone slot our silver-gray rafts passed borings in the vertical rock at particularly narrow points in the gorge. Engineers have been testing the stone's strength to act as an anchor for a pair of huge dams proposed by the Bureau of Reclamation.

The government claims that the barriers are obligatory parts of any Colorado River water project. Conservationists, led by the Sierra Club, deny that this is true. After the Congressional hearings on the issue, termed the battle of the century to save the Grand Canyon, the legislators finally passed a bill giving victory to the anti-dam forces. The sites at Marble Gorge and Bridge Canyon remain unchanged.

My sense of spiritual uplift was augmented by ruminating upon this narrow escape; I watched the multi-hued stone fairyland floating by far overhead. Nature's eroded towers defied imagination. Music temples? Oriental pagodas? Buttressed cathedrals? Regal palaces? Row on row, they soared a mile upward into the sky. Drifting through the multi-colored bowels of this ageless rock, with the peace and violence of eternity overwhelmingly felt, a strange power took possession of the spirit. One moment, a rare sense of calm; then a delicious exaltation. Puny as we obviously were, we yet found new wings of faith and courage and insight amidst such dimensions of space, form and magnificence.

Is man going to convert this dynamic river into a dead reservoir and substitute a static museum piece for this living laboratory? Nowhere on earth can the history of our planet's crust be read so far back into time. Each stratum represents a former surface of the earth. Once the ocean rested here; another stratum proves the ancient existence of live volcanoes. The oldest rocks, gneiss and schist, at the waters edge, iron black and as hard as any on earth, are *1.7 billion years old*. We could hardly conceive what those rocks had endured in time.

No organism resembling man walked this globe when most of that rock was laid down. When the next stratum is completed, will any human eyes be left to examine it? Indeed, if all the history currently recorded in those exposed cliffs were telescoped into twenty-four hours, man's presence would come only in the last one-fifth second of the final hour.

The victory of the conservationists in preserving this eighth wonder of the world may be short-lived. Pressures for more water for irrigation and electrical power for industry are compounded relentlessly by the population blast. This Damoclean menace to mankind, polluting, exploiting and destroying our little terrestrial home, begins in the human genes. The Grand Canyon may depend upon the "pill" for survival.

Strangely, the crisis also emerges from man's race against the river's incredible burden of silt and rocks. A half-million tons of suspended silt move every day in that surging current. Another half-million tons of boulders roll every twenty-four hours along the stream bed. Prior to the construction of the Hoover and Glen Canyon Dams, this fantastic mass of material was deposited in the Gulf of California. Today, much of it is piling up behind the two dams and slowly filling in Lakes Mead and Powell, created behind them.

Steep walls around the lakes make dredging presently prohibitive. Perhaps future technology will solve this. If not, the lakes will disappear in silt, rendered useless as reservoirs, and the dams, as power generators, become unworkable. The Bureau of Reclamation insists that additional "clean" dams are the answer. One might accept philosophically this breaking up of canyon and river in sections if the dam building (profanity intentional) would provide lasting benefits.

One old-timer on the river remarked to me: "After a few decades, each dam will eventually be silted-in and useless. In 300 years the Colorado will be a dead river. Its length will be marked by a series of huge earthen steps, tombstones to engineering efforts to supply mankind temporarily with water and power."

Marble Gorge Dam would submerge under eighty-five feet of water such incomparably lovely spots as the mouth of Havasu Creek, Vasey's Paradise, Elves Chasm and Redwall Cavern. Bridge Canyon would back water all the way through the National Monument and thirteen miles into the National Park. All would finally become buried under silt and boulders.

We are living in the sunset years of earth's untouched monuments. Man is hurriedly laying cement, noise and waste over the jewels bequeathed him by ages of unspoiled nature. Unless systematic planning for conservation is respected the wilderness treasures will vanish forever.

On September 1, 1968, exactly ninety-nine years and three days after Major Powell himself, minus three "deserters" lost to Indian arrows, emerged from the Grand Canyon, we too sailed our rafts out onto Lake Mead. Ignominiously, in our moment of triumph, we became stranded on a mudbank, victims ourselves of the river's diabolical silt.

Man! Pollute and disfigure this glorious creation. Engineers and builders! Smother it in grey mountains of cement. Choke the mighty cleft's blazing beauty and touches of wonder into a crumbling dump. Patience? Why wait for nuclear power? We crave electricity now. Besides, the Colorado's bed may be chiseled to sea level by silt and rock in five million years, anyway. . . .

REVISING THE SOCIAL "INSECURITY" SYSTEM

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1969

Mr. EILBERG. Mr. Speaker, on January 3, 1969, I introduced H.R. 201 which would permit social security beneficiaries to earn up to $3,000 a year without reduction of benefits.

As we all know the present law limits such earnings to $1,680, which is indeed inadequate. A recent survey of my own city, Philadelphia, has indicated that a family of four, to maintain "a moderate standard of living," must have income of more than $9,000 annually.

It is easy to understand why one of my constituents have tagged the program the Social "Insecurity" System.

As inflationary pressures mount against fixed incomes, this Congress must act to relieve the plight of many of our senior citizens.

These proud, and often lonely, Americans have woes enough keeping afloat in the swirling seas of change and dislocation.

The Committee on Federal Legislation of the New York State Bar Association has prepared a report on my bill and similar bills introduced by two of my colleagues. I enter that report for the RECORD:

NEW YORK STATE BAR ASSOCIATION, COMMITTEE ON FEDERAL LEGISLATION

REPORT ON BILLS TO INCREASE PERMISSIBLE OUTSIDE EARNINGS OF SOCIAL SECURITY BENEFICIARIES

Several bills have been introduced in the 91st Congress to amend Title II of the Social Security Act to increase from $1,500 to $3,000 the amount of outside earnings permitted without loss or deduction from benefits. H.R. 80 introduced by Mr. Anderson of Illinois makes this change as to both covered beneficiaries and their dependents; H.R. 201 introduced by Mr. Eilberg of Pennsylvania for the breadwinner only. H.R. 1372 introduced by Mr. Thomson of Wisconsin would remove the limitation entirely.

In June 1966 the Committee on Labor and Social Security Legislation of the Association of the Bar of the City of New York unanimously recommended elimination of the limitation. Its report stated in part:

"BILLS TO PERMIT SOCIAL SECURITY BENEFICIARIES TO EARN INCOME TO THE EXTENT OF THEIR ABILITY WITHOUT DEDUCTIONS FROM SOCIAL SECURITY BENEFITS

"Several bills are before the Congress to permit receipt of full Social Security benefits by otherwise qualified employees over 65 who are able to continue to make a contribution to their own welfare and to society by part-time or full-time work. This Committee endorses the purposes of the bills.

"Under present law, persons over 65 receiving Social Security benefits cannot earn more than $1,680 per year without having their benefits reduced. Penalties are provided for failure to report earnings.

"These income limitations were initially enacted in 1935 during the period of the Great Depression, when the notion was widespread that as many persons as possible should be removed from the labor force in order to spread the available work. In our opinion the limitations serve no useful purpose today and should be removed.

"We have found other ways of promoting high employment than discouraging people anxious and willing to work. Social Security benefits are frequently insufficient by themselves to maintain our older citizens in the dignity which should be their lot. These citizens in our opinion should be encouraged in their efforts to supplement their income by constructive work which also redounds to the benefit of society. This seems particularly true today when many employers are reporting a shortage of qualified personnel for many jobs. Older citizens who possess skills accumulated during many years of experience may be especially qualified for many of these very positions. Indeed it is now recognized that an important segment of retired persons as the average life span lengthens, will want and need to continue to work beyond 65 in order to feel a sense of constructive usefulness in their lives.

"The earned income limitation is also contrary to the basic philosophy of the Social Security Act, which has always been that benefits were available as a matter of right on the basis of the contribution paid in through Social Security taxes, without resort to a "Means test" of any kind.

"In addition we note that under present law a person over 65 can receive an unlimited amount of income from investments, whereas he is penalized if he works to earn additional income. Similarly, those over 72 can now earn more than the limit without losing benefits. In our opinion such distinctions have no basis and should be abolished.

"We, therefore, endorse the bills calling for repeal of the income limitation."

We concur with this reasoning. We also note that at least in New York City, welfare authorities have concluded that a family of 4 needs $6,000 for bare necessities.

He believe that an increase in the ceiling to $3,000 would be desirable and we endorse this proposal even though we also favor complete removal of the limitation for the reasons given.

Committee on Federal Legislation: Richard A. Givens, Chairman; Anthony P. Marshall, Secretary; Leslie H. Arps, New York City; Harold Baer, Jr., New York City; Mark K. Benenson, New York City; Edward S. Blackstone, New York City; Vincent L. Broderick, New York City; Mason O. Damon, Buffalo; David M. Dorsen, New York City; John T. Elfvin, Buffalo; Robert B. Fiske, Jr., New York City; Lawrence W. Keepnews, New York City; Norman Kellar, Kingston; Herbert C. Miller, New York City; George W. Myers, Jr., Buffalo; Bernard Nussbaum, New York City; Robert Patterson, Jr., New York City; Arthur C. Stever, Jr., Watertown.

THE LUMBER PRICE CRISIS: A REALISTIC APPRAISAL

HON. WENDELL WYATT

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1969

Mr. WYATT. Mr. Speaker, we are all aware of the difficulties in achieving our

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housing goals in America. Much blame has been directed at the lumber industry.

Mr. R. B. Pamplin, chairman of the board of Georgia-Pacific Corp., is a widely recognized and highly progressive leader in the wood products industry. Recently he issued a statement pointing up some of the realities of the situation, and suggested constructive solutions.

This statement should be of extraordinary interest to my colleagues in the Congress, who, like myself, are plagued with this problem. I present Mr. Pamplin's statement herewith:

MOST PLYWOOD STILL BELOW PRICES OF 20 YEARS AGO—REALISTIC FEDERAL TIMBER POLICY HELD ANSWER TO LUMBER-PLYWOOD SHORTAGE

Recent price increases shared by plywood, lumber and federal timber through competitive bidding in the marketplace "have been blown out of perspective by panic reaction," a major forest industry spokesman declared today.

"The largest part of the industry's plywood production still is selling at mill prices slightly below the level of 20 years ago," it was pointed out by R. B. Pamplin, chairman and president of Georgia-Pacific Corp., "but the recent recovery from near-record lows, caused by the 1966–67 housing recession, has been too rapid for builders' construction programming."

In a supplemental statement to the company's just-published annual report, he said "much of the current imbalance between the supply and demand, despite full plywood and lumber production to the limit of raw material supply, has been caused by temporary conditions.

"But a worse and more permanent shortage faces us in the future if remedial action is not taken now.

"An increase in the allowable harvest of over-ripe federal timber is urgently needed, but it must be done within long-term sustained yield timber growing programs to assure a continuous supply of raw material," Pamplin declared.

He said U.S. forest service studies indicate demand for timber will double during the next 30 years.

Two temporary factors are blamed for much of the current timber shortage and the resulting shortage of plywood and lumber. They are the worst winter logging weather in over half a century, coupled with log exports from federal lands. The latter problem is being eased by Congressional action curtailing exports, it was explained.

"However," Pamplin added, "with the long-range demand for forest products expected to increase sharply, a permanent supply-and-demand squeeze will develop soon if federal timberlands are not brought up to their full growth and harvest potential.

"We also must not lock up too much timber growing land in single-use, wilderness type withdrawals."

Federal lands are the industry's basic raw material supply since they comprise some 65 per cent of all commercial timberlands in the nation, it was pointed out. Industry owns only 15 per cent of the total. The remainder is in farm woodlots, watersheds and other scattered holdings.

"As the basic supplier, the federal government must assume basic responsibility. This means Congress should re-invest more federal timber sale revenues to grow more and better trees, and to provide access roads into over-ripe timber stands. This is a necessary part of our nation's multi-purpose wood fiber, watershed and recreational improvement program."

Plywood sheathing, the industry's basic product accounting for approximately 62 per cent of total 1968 softwood plywood production, also is the basic construction material for walls, floors and roofs. Sheathing's current mill price index is $6 a thousand square feet below 20 years ago, according to market reporting services.

Sanded plywood for cabinetwork and some other interior uses, plus lumber for framing and boards, are approaching 50 per cent above the 20-years-ago mill price index. Many manufacturing costs including wage rates, are up more than 100 per cent.

"We feel sanded plywood and lumber have risen too high too fast for the good of our industry or the construction industry, even though these products remain a bargain compared with vastly greater increases in almost every other construction area," Pamplin said.

Georgia-Pacific in early December instigated a plywood price freeze, rescinded early this year after the abrupt price climb slowed.

"The next 20 years will see much more pressure on raw material supplies to meet the nation's needs. Unless all federal timberlands not vitally needed for other purposes are geared to growing more and better trees faster, as modern timber management can do, we face much more serious supply-demand-price problems," Pamplin declared.

"The private industry tree farms already are helping boost production of needed building products."

Georgia-Pacific's annual report to stockholders underlines the need for increased building product production by totaling, for the first time, a list of 17 new G-P building materials manufacturing facilities on which construction has either started or is about to start under the company's current $220 million capital expansion program.

The new facilities will add 1.21 billion feet of building products to the company's capacity, plus chemicals for plywood, particleboard and hardboard adhesives.

Some of these facilities will be in production this year and most of the remainder by the first half of 1970.

This current expansion includes three new plywood plants and major expansion of three additional plants to add 500 million square feet of capacity, five new particleboard plants to add 400 million square feet, five new sawmills with 125 million board feet of lumber capacity, and a new gypsum plant with 185 million square feet.

The particleboard and gypsum wallboard share some uses with plywood.

The new chemical facilities will produce methanol, phenol, formaldehyde and resins.

Also involved are new pulp, paper, corrugated container, milk carton and safety paper operations to meet market demand and provide better timber utilization.

The Georgia-Pacific annual report shows 1968 net sales of $1,023,930,000 up 15.6 per cent from the previous year, net income of $76,620,000 up 30.9 per cent, cash flow of $138,740,000 up 19.1 per cent and assets of $1,268,890,000 up 10.8 per cent.

BEAM: VICTORY FOR WHOM?

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1969

Mr. RARICK. Mr. Speaker, Jacob Dyneley Beam has now been unanimously confirmed as U.S. Ambassador to the Soviet Union.

Otto Otepka is now a member of the Subversive Activities Control Board.

Assuredly this is a victory—but for whom?

Mr. Speaker, I ask clippings from the Government Employees Exchange for March 19, 1969, and the Manchester Union Leader of March 15, 1969 follow:

[From the Government Employees Exchange, Washington (D.C.) Mar. 19, 1969]

BEAM, CLEAN; OTEPKA UP—UNANIMOUS BEAM "OK" IS BIG ROGERS VICTORY

Secretary of State William P. Rogers scored a "major victory" on March 13 over the Senate Internal Security Subcommittee in the "unanimous voice vote for the confirmation" of Jacob Dyneley Beam as U.S. Ambassador to Moscow, a top official at the State Department stated to this newspaper on March 14.

The victory on the Senate floor followed a "unanimous record vote" the preceding day, March 12, in the Senate Foreign Relations Committee, the source stated.

The "magnitude" of the victory of Secretary Rogers over the Senate Internal Security Subcommittee, which had printed and circulated hundreds of pages of testimony reflecting adversely on Ambassador Beam for his role in the Warsaw "sex and spy scandals", was described by the source as, "highly welcome even if still unbelievable."

He revealed that top officials at the State Department were "gloating in especial glee" over the "obvious absence" from the debate on Ambassador Beam of . . . prominent members of the Senate Internal Security Subcommittee ". . . [who had] . . . built reputations for criticising the State Department's security programs."

Asked to explain why the "victory was unbelievable", the source said that the Internal Security Subcommittee members couldn't possibly have had a better target than Beam. Everything was involved: the old school tie, illicit sex, espionage, bugging, mismanagement. Moreover, nothing was secret about these; everyone on the Hill, down to the messengers, knew about Beam's record. Yet Bill Rogers made them all back down.

* * * * *

The "victory" of Secretary Rogers and the State Department over the Senate Internal Security Subcommittee was "doubly sweet", the top official stated, because Secretary Rogers had also "managed to maneuver things in a way to have Otepka kicked upstairs to membership on the Subversive Activities Control Board."

"We're all impressed and grateful to Bill Rogers," the source said for his "double victory" over the Senate Internal Security Subcommittee. "He's really a professional. What Rusk couldn't do in eight years, he did in less than eight weeks," he concluded.

[From the Manchester Union Leader, Mar. 15, 1969]

BEAM POST APPROVED DESPITE SPY SCANDALS

(By Edith K. Roosevelt)

WASHINGTON.—The Senate unanimously approved the appointment of Jacob Beam as ambassador to Moscow despite disclosures by the Senate Internal Security Subcommittee of sex and spy scandals involving Beam's subordinates while he was ambassador to Poland.

Sen. J. Strom Thurmond (R-S.C.) reminded the Senate of the "serious problems" that had developed in Warsaw while Beam was ambassador to Poland but did not oppose Beam's nomination. Thurmond said:

"I want to give the administration the benefit of the doubt."

The action followed a request by Rep. John R. Rarick (D-La.) for remanding Beam's nomination to the Senate Foreign Relations committee so that some serious questions could be answered. Rarick expressed indignation that the committee had refused to allow Michael D. Jaffe, general counsel for Liberty Lobby, to testify. The Louisiana Democrat said:

"Censorship and denial of free speech . . .

can but alarm more and more Americans who must be asking 'What are they trying to hide about Mr. Beam?' "

Meanwhile, the administration reported that the ease with which Beam's nomination had breezed through the Senate indicated that there would be no difficulty in burying the Otepka case and bypassing promises made by President Nixon during his political campaign of a State Department cleanup.

The attitude of Sen. Everett Dirksen (R-Ill.) towards the Beam appointment was obviously the key inasmuch as he is credited in the Senate with the formula to appoint Otto F. Otepka to the Subversive Activities Control Board.

Another main proposal sponsored by Sens. Dirksen and Sen. James O. Eastland (D-Miss.), chairman of the Senate Judiciary Committee, is a bill to set up a central security agency to carry out all security checks in the federal government including the State Department. Both senators are members of the Senate Internal Security Subcommittee which disclosed in their own publications that Beam's embassy had been bugged with listening devices and that some of his attaches were compromised by mistresses working for Communist intelligence agencies.

Jaffe's statement, which Rarick inserted into the Congressional Record of March 12, said that while Beam was ambassador to Poland, he had asked the State Department to "induce" Radio Free Europe to "cease its Polish broadcasts."

The request was drafted by two foreign officers in Warsaw, Edwards Symans and Thomas A. Donovan. Symans was identified before the Senate Internal Security Subcommittee as a "double agent" for the United States and the Soviet Union, and Donovan, who was identified as being involved in the Warsaw sex and spy scandals, later made unauthorized telephone calls from Communist East Berlin to top Communist officials in the Polish ministry. When Foreign Service Officer Stephen A. Koczak reported Donovan's authorized telephone calls to superiors in Berlin, Koczak was fired from the Foreign Service.

The transcript of the Senate Foreign Relations Committee hearings on Beam, which Rep. Rarick inserted into the Congressional Record on March 11, discloses that no attempt was made to ascertain Beam's qualifications for the post. Many charges which bear directly on his ability to represent the United States in deals with the Kremlin were raised recently in the press by Clark R. Mollenhoff, Pulitzer Prize winning reporter for Cowles Publications, syndicated columnist James J. Kilpatrick: Sidney Goldberg, editor and publisher of Government Employees Exchange, and others.

The perfunctory Senate Foreign Relations hearings consisted mostly of clowning and spoofing between Senators over alleged "monopoly" exercised by eastern states over ambassadorial appointments.

Karl Mundt (R-S.D.) declared "When it has gotten to the point where representatives of eastern states publicly gloat about the monopoly they have, this message should be heard loud and clear in the State Department and in the White House."

By contrast, the Senate Foreign Relations Committee leveled a number of searching questions at Walter H. Annenberg, publisher of the Philadelphia Inquirer, who was nominated by Nixon to the Court of St. James. Sen. J. W. Fulbright (D-Ark.), chairman of the Senate Foreign Relations Committee, cast the lone vote against Annenberg's appointment; later on the floor of the Senate, Sen. Stephen M. Young (D-Ohio) became the lone senator to oppose Annenberg's nomination. Sen. Young said that the Philadelphia publisher had "been consistently, almost vehemently faithful to the Grand Old Party" (the Republican Party) and had supported Gov. Ronald Reagan of California at the GOP Convention in Miami Beach.

EXPLOITATION OF ENDANGERED ANIMALS AND BIRDS MUST BE HALTED

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 26, 1969

Mr. HORTON. Mr. Speaker, more than 60 species or subspecies of mammals have become extinct since the beginning of the 20th century. This is about the same number which have vanished in the 1,900 years following the birth of Christ.

This one-a-year trend of our century does not include the species of birds have become extinct.

The need to protect endangered species of wildlife from extinction is becoming an international crisis.

By stopping the illegal commerce, which is the basic cause of this danger, much of this threat of extinction could be overcome.

I introduced a bill today to provide necessary controls against importation of endangered species of wildlife, or products made from their parts. This bill would move America into a leadership role in international conservation.

It recognizes our responsibility to help prohibit the illegal traffic of all wildlife taken in violation of Federal, State, or foreign laws. The enactment of this measure would encourage other nations to reject the disgraceful commerce and exploitation that poses the most serious threat to rare birds, mammals, amphibians, or reptiles in danger of extinction.

The preservation of endangered species which are being trapped, hunted, and crowded out of their natural habitat by man is important to the beauty of the world and to nature's balance. Each specie can tell us important things about life and its evolution.

In another 50 years, big cats like tigers and leopards may be exterminated if the demand for their fur is not eased. This means the jaguar and ocelot will vanish from Central and South America, the cheetah from Africa, the tiger from Asia, and the leopard from all over the world.

The International Union for the Conservation of Nature and Natural Resources estimates that 10,000 leopards are taken out of Africa each year on license, which is the maximum attrition rate the species can bear and still maintain itself.

But 60,000—six times that number—are taken by poachers each year. And, 30,000 of those are females, taken while their unweaned cubs are left to die of starvation.

Many countries of Africa, Asia, Europe and Latin America are trying to preserve their treasured species. Yet, these rules are almost impossible to enforce when in countries like America, with a large consumer market and purchasing capacity, allow the horns and hides of these illegally taken animals to be sold for high prices without regard to legality of their origin.

My bill would eliminate the major American market in "fun furs" and other such products derived from endangered species. This would reduce the illegal traffic in these products in other countries.

Cats and furred animals are not the only species so endangered. The threat extends to any bird or mammal, amphibian or reptile, which is valued because of its scarcity.

Any rare species is caught in a vicious cycle. Increased poaching means fewer animals. Fewer animals means increased prices because of the scarcity. Increased prices mean more incentive for poaching.

Illegal traffic in rare animals is also a domestic problem. The United States does not prohibit transportation through interstate commerce, of animals taken in violation of the laws of one of our States. There are various State laws protecting the native American alligator, for example, but no law to prevent them from being taken out. Once they get out of the State, they are on the open market.

The only way State regulations can be enforced is for the Federal Government to recognize its responsibility. We must take a leadership role in enacting forceful legislation designed to protect our native wildlife.

The number of endangered species native to the United States is now 78—including 14 mammals, 36 birds, six reptiles and amphibians, and 22 fishes.

On this list are the ivory billed woodpecker, which could possibly be extinct now; the timber wolf, the grizzly bear, the California condor, and the whooping crane.

Let us be reminded of the extermination of the passenger pigeon. This was a tragic example of man's lack of judgment and foresight. If we are to help prevent the wanton destruction and eventual extinction of endangered wildlife species throughout the world, let us move quickly to provide the necessary controls through Federal legislation.

STATEMENT ON THE 50TH ANNIVERSARY OF THE AMERICAN LEGION

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1969

Mr. EDWARDS of California. Mr. Speaker, out of the heritage of the American soldiers and sailors who left their homeland in 1917, 1918, and 1919 to fight for freedom has come a great tradition and great organization. These men, and the Americans who followed in their footsteps during World War II and succeeding conflicts, bear the proud title of veteran and through their veterans'

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organizations have extended their citizenship to improve the quality of the Nation.

We are now celebrating the 50th anniversary of the founding of the American Legion, an organization of 2,600,000 of these citizen veterans, gathered together in 16,200 posts throughout this Nation and throughout the world. Founded on March 13, 14, 15, 16, and 17, 1919, in Paris, the Legion has grown not only in numbers, but in wisdom.

The true strength of the Legion has been not only in the activities in behalf of veterans—great and worthy as those activities have been—but in its efforts to extend the active service of the soldier, sailor, and airman to full participation as a citizen in the vital affairs of Government. Further, the American Legion, through its programs for youth, has helped build a strong and healthy America.

These efforts of the American Legion deserve the greatest of commendation and it is my pleasure to join in saluting the American Legion on its 50th anniversary and to join in its wish that true peace will be found and there will no longer be a need for Americans to die on foreign or domestic soil in the cause of freedom.

RUMANIA'S PRIDE AND PERIL

HON. WILLIAM L. SPRINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1969

Mr. SPRINGER. Mr. Speaker, the world is changing. Failure by big powers to realize this could be the opening wedge for a great conflict in the next decade.

It is almost unbelievable that in an era of the United Nations that one of the two great powers should be trying in every way to take over a smaller member of the United Nations by pressures both political and military.

In Eastern Europe there is a great swell of national pride and independence. Czechoslovakia evidenced some of that last year. Rumania and Yugoslavia are doing it this year. For one of the great powers to attempt to intervene in this situation could cause a world crisis. Rumania, the smaller state, has chosen to take its own position and to decide its future upon its own best self-interest. This is a part of all that is contained in the United Nations Charter and any nation that intervenes with this self-determination is violating that charter.

I submit herewith an editorial from the Washington Post of Wednesday, March 19, entitled, "Rumania's Pride and Peril." I am sure that all of my colleagues in both the House and Senate will want to read it with considerable interest. It sets out the problem perfectly.

RUMANIA'S PRIDE AND PERIL

Rumania has just vetoed, at Budapest, a Soviet proposal to set up a new Moscow-run organization to control the military units which members contribute to the Communist Warsaw Pact. Rumania also blocked a Soviet effort to condemn China in the wake of the Sino-Soviet border fighting. Earlier this year, Rumania had thwarted a Soviet initiative to create new bodies to exert "supernational" authority over the economies of East Europe. And for months Rumania has been fending off Moscow's attempts to conduct "maneuvers"—"maneuvers" paved the way for the invasion of Czechoslovakia—on Rumanian soil.

These various Soviet proposals are logical extensions of the "limited sovereignty" doctrine which Moscow put forth to justify its occupation of Czechoslovakia. The sovereignty to be limited, of course, is East Europe's, not Moscow's own. These proposals have reflected the hardline Kremlin configuration which produced last summer's armed attack on Prague. The insecure Polish and East German leaderships have supported the Soviet moves. Hungary and Czechoslovakia, proud but weak, have equivocated, Rumania, socialist but independent, has quietly and courageously balked.

The situation is cruelly ironic. Merely by standing firm and asserting its legitimate national rights, Rumania has put itself in extreme danger. No one can predict how the Kremlin will respond. It is hard to think that the handful of men who run Russia have become so entangled in their own frustrations that they can think to break out only by launching a second invasion of a European ally. Yet that prospect cannot be dismissed. Or perhaps there are others in the Kremlin capable of offering an alternative to the brutal Stalinist policy of threat and force.

It would be inconceivable that any American Government could continue seeking even limited agreements with the Soviet Union if the Red Army marched on Rumania.

IMPORTS AND EXPORTS

HON. WILLIAM J. GREEN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1969

Mr. GREEN of Pennsylvania. Mr. Speaker, last week, I had occasion to write to the Secretaries of Commerce, Labor, and State, as well as to the Tariff Commission, to urge a collaborative investigation of the pirating of jobs through the overseas operations of American plants.

What concerned me, in particular, was the abuse of an item, No. 807, in the tariff schedule. Through it, American manufactures can be shipped out of the country for assembly abroad. Once assembled, these goods can be returned duty free, except for the value added by the cost of foreign labor or by the inclusion of components of foreign origin.

As I understand it, a number of American firms have been establishing overseas plants in low-wage countries as a means of bypassing the living wages paid workers in this country. This practice is being employed by apparel and electronics firms. And I believe that an investigation is in order to determine whether No. 807 has been working for the best interest of the American people.

I have also discovered that many of the goods shipped under the provisions of No. 807, particularly components of foreign origin, are not being credited against our balance of payments. The result is a somewhat misleading and perhaps more favorable picture of our international trade balance. Because I think the following study on this subject, released this month by the research department of the IUE, AFL-CIO-CLC, does an excellent job of describing the distortions in the trade balance picture, under unanimous consent I submit the study for inclusion in the CONGRESSIONAL RECORD, as follows:

IMPORTS AND EXPORTS

The United States has traditionally enjoyed a favorable international trade balance: our exports have exceeded imports by substantial amounts. Our trade surplus has helped pay for such things as keeping our troops stationed abroad to protect vital American interests and for travel abroad by American citizens. Without a high favorable trade balance, our international payments position would be far worse than it is. The strength of the dollar abroad would be in danger.

In 1968, however, the U.S. trade surplus fell to $100 million from $3.5 billion in 1967, a drop of $3.4 billion. Unless there is a dramatic reversal this year, our trade position will be seriously weakened. Responsible for the sharp 1968 drop in our surplus was a 23.5 percent increase in imports (five times the rate of increase of the preceding year), compared with a 9.4 percent gain in exports (from 5.3 percent in 1967 and an average 1960–67 rise of 6.7 percent). In sum, the rate of gain in imports was substantially higher than the gain in exports.

Figures reported by the U.S. Department of Commerce for Electrical Apparatus show a favorable trade balance in 1968, with exports of about $2¼ billion and imports of $1½ billion. There were export advances in engines and parts (including nonelectrical powered engines), Telecommunications Apparatus (plus 12 percent), Electric Power Machinery (up 4 percent), Electronic Computers and parts (plus 12 percent) and Cooling Equipment (plus 14 percent).

However, the Commerce Department figures are, to some extent at least, misleading. For example, the bulk of the increase in computer exports went to Hong Kong where assembly operations were expanded and to Great Britain and Germany. American firms, in other words, exported parts to their overseas plants—that is, to themselves. Computers previously manufactured in the U.S. are now being manufactured abroad. Similarly, a one-third advance in exports of transistors and semi-conductors largely reflected greater shipments by U.S. companies to their subsidiaries abroad for assembly. Many of these components are returned to the U.S. in the form of finished electronic products.

There is a growing trend—marked in our industry—for an American firm with overseas plants to export and import to itself. One plant exports parts and, after assembly abroad, the company then imports, finishes and sells the completed product. Or, the company will build a plant abroad, close its domestic plant, transfer the product line to the new foreign plant, import and distribute the assembled and finished items in the U.S. market. What happens is that domestic production is being transferred abroad, with a consequent loss of jobs. For example, employment in the Radio and TV receiving sets industry declined from 135,000 in 1966 to 110,000 in 1968. Employment in Components dropped from 287,000 to 262,000. There was a loss of 50,000 jobs in these two industries during a period of rising employment.

Here are some basic consumer product import statistics:

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During the January-September, 1968 period, domestic production of home radios declined by one-fourth (1¼ million sets as against January-September, 1967. During the same period imports rose by almost 3.2 million sets (to about 20 million sets). Imports of radios by American manufacturers from their overseas plants totaled 4,150,761, a 1.1 million increase from the same 1967 period. Ninety percent of the radios sold in the U.S. are manufactured abroad.

Imports of TV sets were up nearly 60 percent in 1968, reaching a total of 2 million sets. Many corporations like Westinghouse, Ford-Philco, Admiral, Sylvania and others are transferring production of color as well as of black and white TV sets to their own plants in other countries or to plants of foreign companies. In effect, they are becoming importers and distributors in this country of TV sets made abroad but previously manufactured in the U.S.

Imports of phonographs carrying a U.S. brand name have almost doubled within the past year, while domestic production of phonographs registered a decline. Imports of phonographs not carrying a U.S. brand name declined 15 percent in 1968.

For each tape recorder produced in the U.S., over 8 are imported, and as many imports carry a U.S. brand name as are produced in this country. While cartridge and cassette recorders make this industry one of the more promising consumer industries in terms of sales growth, domestic production has declined nearly 25 percent. Plans of American corporations indicate practically all tape recorders carrying a U.S. brand name will be produced abroad within the next two or three years.

In summary, the multinational American-based corporation is importing and exporting to itself, allocating markets to its various domestic and overseas subsidiaries, shifting production in search of the country or territory with the lowest paid workers, seeking all kinds of tax, trade, wage and other advantages without regard to the effects on its employees and the impact on the domestic economy.

THE NEW ROLE OF BUSINESS LEADERSHIP IN COMMUNITY AND URBAN AFFAIRS

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1969

Mr. COHELAN. Mr. Speaker, somewhat by chance I recently ran across a speech given by a very prominent member of the country's business community, and, after reading the first few paragraphs, I found it intriguing enough to continue. While I am sure the attitude expressed in this speech is not unique in American business circles, it still does have certain rather special qualities that give it an individuality and a ring of sincerity that catches one up.

I am referring to a speech given by Mr. Roger Lewis, president of the General Dynamics Corp., to the American Management Association on February 4 of this year. General Dynamics is one of the largest manufacturers of defense weapons systems in the world. And I think the fact that this kind of speech by a man almost totally occupied by defense business gives it a special significance.

Those who people Mr. Lewis' speech are the disadvantaged of this country, those who for no reason other than lack of opportunity for education, economic and social discrimination, or perhaps sheer bad luck, have failed to reach even the outer periphery of our affluent society.

Mr. Lewis, referring to the apathy or prejudice that has permitted this situation to become an unhappy part of our social structure, says—and says with warmth and sincerity:

> It is absolutely necessary to get the underprivileged within the large minority groups of our population into the mainstream of American economic life without further delay. Negroes, Mexican Americans, Puerto Ricans and Indians have equality under law. However, large numbers of each group are denied equal economic opportunity.

We have been called a monolithic managerial society. Perhaps this is so. But I, for one, am encouraged by the flutter of a heartbeat of understanding—and an activism—that I find in such a prominent representative of the industrial part of our Nation currently engaged in a significant and often vital part of our productive effort.

Mr. Speaker, I most strongly recommend the reading of Mr. Lewis' speech to all Members of the House, but I recommend it most particularly to those in the House who worry about the role of defense industries in our society:

THE NEW ROLE OF BUSINESS LEADERSHIP IN COMMUNITY AND URBAN AFFAIRS

(By Roger Lewis)

The title of this talk is "The New Role of Business Leadership in Community and Urban Affairs." We selected this as the best of three possibilities last fall when you invited me to appear before this meeting. The three were similarly elegant but, in one way or another, they all came down to our old, old friend—"The Social Responsibility of Business"—1969 Style.

The concept of the social responsibility of business, which developed quite naturally from the settlement of battles of the last century over government regulation of business, has been so often raised and, I am afraid, has become so shopworn, that it has become a cliche—high sounding, but vague—like "turning the other cheek," "doing unto others," or even "be prepared." But it does recognize that life is serious, that the world is a pretty tough place in which to live, and that we must at least try to get along with one another and move in the general direction of truth and light or we won't get along at all. Unfortunately, the phrase is so safe, so general and so long-ranged that it does not carry with it the sense of immediacy vital in 1969.

The theme of this Conference, "The Crisis of Change," and the addition of the phrases "new role" and "community and urban affairs" supply the sense of urgency required. The questions then are—what society are we talking about?—where is it headed?—where does business fit?—what are the peculiar and special responsibilities of business leadership?—how best do we proceed? Before we go any further, it seems to me that business has got to understand both its own nature and its role in society; and to feel and display a healthy self-respect. To many observers, certainly among students and other critics of our society, business has through the years come to mean trading—personal prosperity from an unearned increment—and the trials and tribulations of businessmen are seen as only the troubles of one horse trader trying to get the better of another.

There is too little appreciation that business really means industry—the science, the technology and the capability to produce a never-ending supply of better things that people need and want to make their lives better. Business, i.e., industry, is the primary creator of the resources from whence our defense, our health, education and welfare services, our highways and improvements to our environment, flow. Business is the power station that arms the common defense, lights the hospital and the school, and feeds and clothes us. Business is our great national engine, the importance of which we take for granted until we perceive the social consequences of its fault or failure.

The special virtues of our economic system have in recent years become far more visible to others than they have to us. Perhaps we can learn something by viewing ourselves as others see us. Two years ago, a young French journalist, J. J. Servan-Schreiber, published a book entitled *The American Challenge*, which immediately became a best-seller. Throughout Europe it has provoked a lively and widespread debate on economic policy, and one critic has gone so far as to say that the work of the 44-year-old Frenchman will have the same impact on the revitalization of Europe as Thomas Paine's *Common Sense* had on the American Revolution. The thesis is simple. The third force in the world, after the U.S. and Russia, will be U.S. ownership in Europe—not through investment of U.S. surplus capital, because it is financed in Europe; not by a plan for political domination, for there is none; not by scientific or technological superiority because there are at least as many scientific and technological discoveries in Europe as there are in the U.S.

The basic characteristic of this force, says Servan-Schreiber, is U.S. understanding of the art of organization, the capacity to mobilize intelligence and talent, the release of human energy by the American system of individual initiative, the innovative know-how of teams and the flexibility of business structure; to be more specific, the decentralization of business decision-making in a highly organized system based on large economic units, nourished by an industrial, academic and government complex. Quite simply, says our French critic, American business and industry recognizes that social justice is not the enemy of economic growth, but a necessary condition for growth of an industrial society.

Let us look at an even more remarkable appreciation—one from the Soviet Union. Andrei Sakharov, now 47 years old, is generally considered the father of the Russian H-Bomb—an Edward Teller, Robert Oppenheimer and Hans Bethe all in one. Since 1960 he has been a leader in Russian intellectual life, initially a strong advocate of technological and scientific integrity and, more recently, an observer and critic of Russian institutions and the critical developments in his own and other countries. His paper, entitled "Progress, Coexistence and Intellectual Freedom" has been circulating hand-to-hand in Russia for about a year. While it cannot be bought in Moscow, it has been published in this country by the *New York Times*, and I strongly recommend it to you. Sakharov is an unrepentant Communist. He has high faith in "socialism and the glorification of labor" and he has no use for "the egotistical nature of private ownership and the glorification of private capital."

Nevertheless, insofar as high productivity of labor is concerned, he sees capitalism and socialism as unequal contestants that have played to a tie. For, says he, the relative strength of the two contestants is like that of

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two skiers—one of which went first, picking the course, crossing the ice, breaking the fresh snow; while the other, starting later, was able to follow his track, move more swiftly, and catch up. The USSR, he asserts, is in many areas just catching up with the U.S. and then only in some of the old, traditional industries like coal and steel. In the newer fields such as automation, computers and petrochemicals, she is not only lagging behind, but growing more slowly. Keeping in mind the ski track effect, he concedes that the Soviet Union has adopted the principles of organization and technology previously tested in the U.S.

The great parts of our society are not equal parts. Business and industry is not only the great heart pumping vitality into the whole of our system. It is the greatest such heart the world has even seen, the envy of friend and critic. It is the platform of our present and the launch pad of our future.

Now, what about the crisis of change? What challenges and opportunities does it present? How are businesss and industry to lead, and where?

Having quoted bold and original minds from France and Russia, it is appropriate to give equal time to an American, and I think we would all acknowledge that John Gardner, now head of the Urban Coalition, former Secretary of Health, Education and Welfare, and the author of *Excellence* and *Self-Renewal* should be our spokesman. Fully aware of where the United States stands in the world—and that it is no accident—he is more interested in improving the system we have than in doctrine; more aware of the responsibility of the individual than of the system; more inclined to use "we" and less likely to point to "they" when it comes to action. American in style, he knows that ends must have beginnings, and the time to start a worthy crusade is now.

First, says Gardner, we have to dispose of the notion that change is a process that alters the tranquil status quo. There is no tranquility left to alter. The disruption has occurred and the problem of social change is to find new solutions that will preserve old values. Our status quo has been knocked head over heels by revolutions in science and technology, in transportation, in communication and the processing of information, in industry, agriculture, education and biomedical affairs.

Our social institutions, and business and industry is a social institution, must anticipate and adapt to these revolutionary changes. *Adapt* is the critical word.

Some of today's college-age critics have a feeling that if they could tear down existing institutions, better ones would surely rise; but human experience offers no assurance whatsoever on this point, for the great societies and the enduring institutions have been those which subjected themselves to rigorous self-examination to determine those elements which should be preserved and built upon and those which had become obsolete and should be discarded. When the spring dries up, the farmer doesn't abandon the farm—he looks for a new source of water.

All progress, says Gardner, is inevitably accompanied by a decay of human institutions, and we must be sure that our society has within it the mechanism for self-renewal. In the American society, the ultimate source of social self-renewal is the individual. We should have no fears for our society—a free society—if each of us is trying always to be a better person, to do a better job, improve the community in which we live and build a better nation.

What has been said so far has been intentionally general. The problems which face business and industry are complicated, and they are changing rapidly. Business and industry will be much more responsive to the crisis of change, and we will get much further much faster, if we attack our social problems from a posture of enlightened individual initiative at the local level. For those of us who would like a more specific road map and would like to act in concert, there are three areas, national in scope, where urgent aggressive attention will be beneficial.

First, business has got to start acting like it understood its capabilities and was prepared to assert leadership by making things move. Business, of all our institutions, is best organized to get things done, and it has the greatest stake in seeing that they get done. But the first requisite of credibility is to do, and do well, the job that is peculiarly your own, i.e., efficiency manage your own business.

Second, business must stand up and be counted as good examples of community citizenship. There is no new land, new water or new air on the face of the earth, and if this planet is to continue habitable and we, the people, to enjoy the pursuits of life, liberty and happiness, business and industry must at least see to it that our air, our water—yes—our towns and our cities are left no worse than we found them.

Third, it is absolutely necessary to get the under-privileged within the large minority groups of our population into the mainstream of American economic life without further delay. Negroes, Mexican Americans, Puerto Ricans and Indians have equality under law. However, large numbers in each group are denied equal economic opportunity. On the one hand, large numbers are socially disadvantaged, making it difficult to enter the work force. On the other, apathy or prejudice makes it difficult for individuals to advance. These people who, in total, represent a large part of our population, are a significant and growing burden on our economy and their difficulties generate corrosive effects on American society at large. As more of them move from rural to urban areas, they become the focus of serious problems in our cities.

The percentage of these minority groups to our total population has not markedly changed in this century. The problem is not going to go away. Rather, the consequences of a large underprivileged and frustrated group in our society can be expected to become increasingly troublesome.

What is needed is a nation-wide approach to the central and controlling element of the problem—jobs. It is recognized that the cultural and educational levels of many of these people do not qualify them for jobs in business and industry. It is also recognized that there are vestiges of prejudice or fear which deny individuals from these groups equal opportunity to advance after a job has been secured. These are excuses, not reasons for delay, and the central idea is that the place to start is job opportunity in the private sector, that efforts to match an unemployed individual with a specific job opportunity will set in motion the machinery to upgrade the capacity of the individual prior to entering the labor force and, thereafter, to progressively reduce and finally eliminate the barriers to equal opportunity to advance in accordance with his interest and talent.

The large number of these people will require a commitment from a large number of business leaders to attack these problems in their own businesses. It may not solve the problem, but it will set the solution in motion. It is a unique opportunity for business to demonstrate what it can do without the Government and to evolve a working partnership between Government and business wherein each does what it can do best, in the solution of great national problems.

The historian looking back from the first days of the 21st Century will very likely regard 1969 as a watershed year. He will see that the industrial revolution had run its course in developed nations and that the technotronic revolution was well underway in the most advanced.

He would see that the American nation, erected upon concepts of personal freedom and personal responsibility, had proved itself capable of adjusting to change. He could see as a turning point the realization of business and industrial leadership that our racial problems and our environmental problems were not going to go away by themselves, and had decided to assert leadership in their solution. By illuminating qualifications for integration into an industrial society, business had guided government and education in the attack on the real roots of inequality, ignorance and fear.

He will see the United States standing serene, in a world still reeling with change, because it is at peace with itself.

Most of all, perhaps, the man of the 21st Century will look back on 1969 relieved at danger safely passed, for he will understand that though we had started late, we never really had a choice.

THE ORGANIZATION FOR REHABILITATION THROUGH TRAINING

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1969

Mr. STOKES. Mr. Speaker, I would like to pay tribute to an organization that for some 89 years has given outstanding service to our country in the area of rehabilitation and training. I speak of none other than the Organization for Rehabilitation Through Training. This program has served to uphold human life and dignity by freeing underprivileged, uprooted and persecuted members of the Jewish faith from dependence upon charity and philanthropy of society. The development of talent and ability of individuals has always been a primary objective of democratic thinking and way of life. For too long our society has ignored the importance of vocational training for the welfare and progress of our Nation, and this organization has continued to work diligently toward making man more independent as he strives for the betterment of his life and family.

In view of the applause that we give to the outstanding contributions of our country, I urge all Americans to salute the Women's American ORT for their long lasting contributions to further the development of man.

FOLK HERO FROM HOUSTON

HON. BOB CASEY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1969

Mr. CASEY. Mr. Speaker, all America thrilled to watch Olympic champion George Foreman stand before the world, and in a simple yet symbolic gesture, show how proud he is to be an American.

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It was a wonderful and heartwarming gesture to see this young man then, and in later interviews, express his patriotism and love for our country.

Because I believe my colleagues, and our people, would like to know more about this young man from Houston, I, by unanimous consent, insert the following article from the Office of Economic Opportunity's magazine, Communities in Action, at this point in the RECORD:

FOLK HERO FROM HOUSTON

(By Betty L. MacNabb)

A rundown four-room duplex on bumpy, unpaved Dan Street in Houston's dilapidated old Fifth Ward seems an unlikely place to find America's newest folk hero.

But it is the home of George Foreman's mother, Nancy, and it was here that the Olympic champion came to spend his leave and ponder his future as a boxing pro. Newspapers, magazines, and television have beaten a path to this door, through dust and sometimes mud.

He is big, black, and beautiful, this 19-year-old junior high school dropout who joined the Job Corps and made the world his oyster with his outsized fists.

George Foreman is also gentle, soft-spoken, good-natured, and polite, and he obviously adores his mother who is all of these things.

How is it, then, that Foreman turns into such a tiger in the ring?

He grins a little sheepishly as he settles back on the couch, his long legs protruding half the width of the small living room. Beside him is a table containing his AAU trophy, other trophies, his prized Job Corps Award of Achievement. Foreman carefully removes the gold Olympic medal from the AAU statue and swings it around his neck on its blue ribbon.

"Well, the way I figure it, we all got some violence in us somewhere, and it's gonna come out some time. I guess we're lucky, us guys that get into athletics . . . we don't have to be violent no other way.

"This violence, it's a funny thing . . . it's kinda scary, the way it gets away from you." Foreman pauses, his face sober.

"I got to admit, I even scare myself sometimes," he says suddenly. "When I see myself hitting a guy who's already going down. . . ."

He talks on, slow and easy and unselfconscious. His face is pensive, thoughtful, grave but it lights up suddenly with a warm smile or a delighted grin.

George Foreman was born in Marshall, a little town in the piney woods of deep East Texas. It is an area more Southern in its outlook and its speech patterns than other parts of Texas, where residents prefer to be called Western. Foreman's soft drawl might have come from across the river, from Louisiana.

George was the fifth of seven children, four boys and three girls. The Foremans were poor, dirt poor, as are most Negro families in East Texas, and jobs were scarce. When George was nine months old, his father gave up the struggle to feed so many hungry mouths in the little town, and they moved to Houston.

There the father found a job as a railroad construction worker. Nancy, the mother hired out as a cook for a white family in another part of the city. George and his brothers grew up in the impoverished Fifth Ward neighborhood where they still live.

"I guess we had some pretty hard times, back along the way. But I don't like to think about them now, I like to think about the good things . . . the good times we had when we were kids," he says earnestly.

He attended the Atherton Elementary School with his brothers and sisters, and then entered E. O. Smith Junior High. He got as far as the ninth grade before he decided to quit and get a job to help support his mother and the younger children. By that time, his father and mother had separated and Nancy needed help.

But Foreman couldn't find a job. His limited education outweighed his obvious physical strength where employers were concerned.

"So I just sorta bummed around for awhile . . . but that wasn't no good. I had been hearing these TV commercials about Job Corps, but I wasn't really thinking about that until one day I talked to a counselor at the Employment Commission. He said I oughta get in Job Corps.

"So then I came home here, and talked to my mother. See, we've always been real close, my mother and me, and I always talked to her about what I'm gonna do. She don't pressure me, but she always understands. So when I talked to her about Job Corps, she thought it was a real good idea. She always wanted me to get some more education and be somebody. So I went on down and joined the Job Corps," George explains, smiling warmly at mother Nancy.

The Job Corps sent George Foreman to Fort Vannoy Conservation Center in Oregon for his initial training. George was just 16 years old, and he had never been out of Texas, and only rarely away from Houston. He didn't like Oregon; the grandeur and loneliness of its scenery scared him. He was homesick; he missed his mother and his brothers and sisters.

"I didn't want to stay . . . sometimes I thought I just couldn't stand it up there any more. But I persuaded myself to stay on, to give it a chance, 'cause I knew my mother would want me to stay and get some education."

After six months of outdoor work and basic education, George graduated from the conservation center to the urban Parks Job Corps Center in Pleasanton, California.

"That was much better, and besides by then I had gotten real interested in boxing. I thought maybe if I was any good, I could make it my profession, you know."

What happened after that is by now legendary, a story featured on sports pages all over the country. The tall teenager from Texas took on all the fistswingers the Job Corps had to offer, and slaughtered them all. His coach, Charles "Doc" Broaddus, told him he had a future in boxing, and entered him in the San Francisco Golden Gloves Tournament. Foreman won the tournament.

Meanwhile, he was finishing his Job Corps training. He graduated in June of 1967, and came back to Houston where he took the G.E.D. test for high school equivalency, and passed it. He looked for work again, but found nothing that would allow him to continue his road work and ring training.

Doc Broaddus kept in touch, and when he learned that Foreman couldn't find athletic employment, he asked him to come back to the Parks Job Corps Center as the athletic instructor. Foreman continued training under Doc, who had his eye on the national AAU tourney in Dayton, Ohio, in April, 1968. George Foreman won that one, too.

After that, there loomed the summit—the Olympic Tournament in Mexico City in October. George Foreman scaled that summit, outboxing the Soviet Union's champion for the title and the gold medal.

"That was the proudest day in my whole life . . . that Russian was good, he was very, very good. All I could think about in the ring was that I just had to get around him, that I had to give it all I had."

And when he realized he had done it, he had won the match, there were tears in his eyes and George Foreman impulsively snatched up a small American flag that belonged to his trainer, and waved it to the crowd triumphantly.

"It wasn't a planned thing . . . I just wanted them to know how proud I was that America had the champion, how proud I was to be an American," Foreman recalls.

His unexpected and patriotic gesture made him an instant hero to an America saddened and torn by assassinations and riots; newspapers, commentators, ministers in churches heaped praise upon this youth who unashamedly wanted to show that he loved his country.

Foreman and his mother flew to Washington to receive the Job Corps' first Award of Achievement.

"That was a really great day," he says. "Everything I am, I owe to the Job Corps—my education, my boxing, everything. They really treated me great in Washington, too. They brought my mother up there with me, gave her her first plane ride, and then let her see them giving me honor. She was really proud."

What now for the pride and prize graduate of the Job Corps?

"Well, I'm going on back to Pleasanton to my job at Parks Center for now. And I'm going to enroll in one of the junior colleges out there, to get some more education while I continue my training, my boxing.

"Then, when I think I'm ready, I'm going to turn pro. I'd sure like to shoot for the world's heavyweight title. I'm sure going to try," says George Foreman.

And the interviewer leaves with the strong impression that Job Corps someday may have a proprietary interest in the world's heavyweight boxing crown.

(NOTE.—Betty L. MacNabb, a former reporter with the Houston Post and the Charleston (S.C.) News and Courier, is an information officer with OEO regional office in Austin, Texas.)

BEWARE OF LADIES BEARING GIFTS

HON. CORNELIUS E. GALLAGHER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1969

Mr. GALLAGHER. Mr. Speaker, hiding behind the skirts of Welcome Wagon and Welcome Newcomer hostesses in order to gain personal information about the living habits of Americans is a dishonorable and disreputable business. By using the subterfuge of welcoming new people while disguising their true data-gathering purposes, the employers of these ladies are clearly invading the traditional privacy of the American home.

In the March 19, 1969, issue of the Washington Daily News, a story by Jonathan Cottin disclosed that Welcome Wagon financing comes from merchants and other commercial enterprises which receive detailed reports on the homes visited by hostesses. Mr. Cottin's splendid story shows that the people who welcome the welcomers are unaware that intimate facts about their home life would be widely distributed.

Mr. Speaker, I am particularly distressed to learn that the Associated Credit Bureaus, Inc., owns Welcome Newcomer. My Special Subcommittee on Invasion of Privacy, during our investigations of credit bureau procedures and practices, was frequently assured by the ACB that it did not hire inspectors to compile data for credit reports. In spite

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of their flowered hats and sweet smiles, these hostesses do the work of private investigators. I will certainly raise this issue with the top management of the ACB when they return to testify again in the near future.

In Mr. Cottin's story, Washington Credit Bureau Manager Edward Garretson contends that information given his Welcome Newcomer hostesses is "very much akin to what a guy tells the corner bartender." I would comment that when you fall off the wagon, you may tell a bartender, but it stops there. However, when you fall off Mr. Garretson's version of Welcome Wagon, you fall into a fishbowl where any subscriber of the 2,200 ACB member bureaus can learn your family's innermost secrets.

Mr. Speaker, I am delighted to introduce Mr. Cottin's excellent piece of investigative reporting into the RECORD at this point:

A CREDITABLE WELCOME

(By Jonathan Cottin)

Area greeting services which dispense free gifts and homey chatter to new families earn their money partly by supplying local merchants with personal information about the newcomers.

In many cases, newcomers are unaware that the information they give to welcoming "hostesses" is being turned over to local businessmen.

The two major organizations servicing this area—Welcome Wagon and Welcome Newcomer—offer merchants, for a fee, information on newcomers' lives based on interviews conducted by these firm's "hostesses."

During visits to homes of new residents, these hostesses present the housewife with free gift coupons and samples from local businessmen anxious for their patronage.

The executive vice president of Welcome Wagon refused to answer questions about the company's interviewing policies or to grant The Washington Daily News an interview unless the firm was given the right to read the resulting story before publication. This was denied.

But surveys of area merchants who subscribe to the Welcome Wagon Service, as well as interviews with some housewives visited by these hostesses, show that the nationally-known organization asks and reports on names and ages of family members, address, place of husband's employment, previous family residence, phone number and year and make of the family car or cars.

In addition, merchants say, the report also provides "a sentence or two that gives us information about the family that particularly pertains to our business."

While Welcome Wagon's operation is limited to a middleman status between merchant and prospective new customers, Welcome Newcomer also acts as a clearing house for establishment of credit and charge accounts. It is a member of Associated Credit Bureaus of America, Inc., a national credit reporting service which probes the payment history of individuals and reports the data to subscribers such as department stores.

Edward F. Garretson, spokesman for the Associated Credit Bureau office here, said his Welcome Newcomer hostesses are instructed to ask of new arrivals: All names of family members, address, age of husband and wife, occupation, previous residence, whether home is owned or rented, make and model of car, religion, phone number and what the family says it needs.

Mr. Garretson rejects any speculation that the hostesses violate family privacy by reporting these facts to local merchants and the credit bureau.

"The information we get from Welcome Newcomer is very much akin to what a guy tells the corner bartender," he said.

A principal aim of Welcome Newcomer is to funnel data on the new resident to the parent credit reporting service, which forwards the information to the Credit Bureau office in the region known to be the last residence of the newcomer. At the last place of residence, the past credit history of the newcomer is checked and report returned to Washington.

The system, says Mr. Garretson, allows newly arrived families a fast method of establishing credit.

Mr. Garretson said that housewives are told reports by Welcome Newcomer hostesses will be used to arrange a transfer of credit reports from the family's last residence. He said the hostesses also tell new arrivals that the data will be distributed to sponsoring merchants.

However, housewives visited by hostesses from both services generally indicated no knowledge that the information they provided was going to be sent anywhere.

Mrs. Richard J. Feldman of Derwood, Md., said a Welcome Newcomer hostess asked the family's religion and she objected, but did respond to this as well as other personal questions. (Associated Credit Bureau says the religion information is sent only to churches and synagogs and not made known to merchants.)

Mrs. Feldman said she later "wondered" why she gave the hostess "those personal details."

She refuted the Garretson assertion that hostesses inform newcomers about the reason for the questions.

"What's wrong here is it wasn't stated why they wanted this information," she said. "That reason was to establish a credit rating. If they had been honest with me, perhaps they could have gotten more information."

Mr. Garretson said he couldn't guarantee that every hostess told every new arrival the reason for the questions, but maintained that they were instructed to do so.

HOUSEWIFE TELLS ALL

A Fairfax housewife said she had a very pleasant interview with a Welcome Wagon hostess, but she noticed that her visitor "was making little notes as she went along. She was fairly thoro in her questioning . . . but I didn't know what the information was being requested for."

She said she dropped her guard because she felt at the time: "Here comes a nice lady with nice little gifts. You sit and tell the nice lady these things, thinking she'll probably go home and throw it (the information) away."

Another housewife in Fairfax, Mrs. Richard Neimczyk, visited by Welcome Wagon said her hostess wanted to know her husband's military rank (which could be a short cut to determine family income). When asked the reason for the question, the hostess replied that a top Welcome Wagon official was "a retired military person interested in those things."

Mrs. Bernard J. Davies, of Derwood, said she would have objected if she had been told by her Welcome Newcomer hostess that her answers were going to be distributed to the credit bureau and local merchants. "I remember telling them some things, but I didn't know that it would be given out," she said.

Mrs. James R. Carroll, of Fairfax said her husband was "very annoyed" when a flood of calls and letters began shortly after a Welcome Wagon visit. "We do not like to be beleaguered by salesmen," said Mrs. Carroll.

But she added she freely provided the hostess with the information requested because the visitor was "so charming that you don't know if she's asking the questions out of curiosity or for business purposes."

Informed that Welcome Wagon gets paid for its service, Mrs. Carroll expressed surprise and said: "I thought it was strictly charitable".

OTHER WAYS

In contrast to the operation of the two big services, one of the smaller welcoming companies—Commonwealth Greeting Service, Inc., of Springfield—requires its sponsors to agree not to call, write or send salesmen to homes of newcomers visited by Commonwealth.

One Welcome Wagon sponsor, a Montgomery County businessman, said while he uses the service, he would refuse to cooperate "if somebody came to my house and started asking a lot of questions and started writing things down."

"I would consider it an invasion of privacy and I wouldn't take their goodies or answer their questions—and I hope my wife wouldn't either," he added. He asked that his name be withheld.

In their promotional publications aimed at potential sponsoring businesses, both Welcome Wagon and Welcome Newcomer make no secret of their profit-making motives or the nature of the data they will provide.

In a sales promotion brochure beamed at potential merchant-subscribers, Welcome Wagon explains its daily "Research Program" this way: "It will be continuous, and, in addition, it can (sic) be some special findings of facts wanted by you occasionally. You could learn: How well do the families of Washington know and patronize you? What do they like or dislike? What do they want?"

Welcome Wagon also tells potential merchant-subscribers that it acquaints families with cultural, recreational, educational and religious services in the community while it is making a sales pitch for subscribers' businesses.

Welcome Newcomer, in its memo to merchant-prospects, flatly says it provides:

"First: A newcomer service on the highest level by which a personal call is made in the homes of newcomers to the city."

"Second: An Account Promotion Service. While in the homes, our hostesses personally 'sell' your services and secure a signature for a charge account on your own credit application."

"Third: Credit reporting at its best. You are furnished written up-to-date credit report on all newcomers who have favorable credit records, and at a greatly discounted rate."

Welcome Newcomer says the system helps increase charge sales and gives the merchant "the fastest credit reporting service possible by placing into your files, credit reports prior to a newcomer's request for credit."

Mr. Garretson said a family can ask the Welcome Newcomer hostess not to transfer credit and the service will abide by the request. He said such a request is infrequent and unless it is made, the credit check is done automatically.

Mr. Garretson maintained a housewife "knows why she's being asked questions . . . I don't think any reasonably thinking person could mistake what this is."

Mr. Garretson estimated that the 25–30 hostesses make about 1,000 calls a month in the metropolitan area.

NEW YORK CITY AND ST. PATRICK'S DAY

HON. LEONARD FARBSTEIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1969

Mr. FARBSTEIN. Mr. Speaker, more than 14 centuries ago an old, bearded man, about whom we know so little, departed from this earth; yet each year his memory is venerated on the 17th day of March. This is his day—St. Patrick's Day. Although associated with the Irish, this day has a special meaning to more than just the Irish in our country. This is especially true of the people of New York City.

The celebration of St. Patrick's Day began in Ireland on the occasion of this great saint's death when thousands of mourners came from long distances to his funeral. So many torches and candles were carried in the funeral procession that night that it was said to be as bright as day. And so began the tradition. Each year, the Irish attend mass in honor of St. Patrick, then parade proudly through the streets, and end the procession and the festivities with an evening of dancing, singing, and toasting.

But the spirit of St. Patrick extends far beyond the geographic boundaries of that small island nation. With the emigration of the Irish to all parts of the globe, the celebration of this feast spread and was enjoyed by men of all nationalities.

There is a strong possibility that the first St. Patrick's Day celebration took place in what is now known as New York City. Thomas Dongan, an Irish Roman Catholic, was Governor of the Province of New York from 1683 to 1688. During his tenure of office, it is possible—but there are no records to substantiate the assumption—that Dongan may have invited a few Irishmen to dinner at the Governor's house to celebrate in honor of St. Patrick.

With the establishment of the Irish Society in New York in 1737, celebration of St. Patrick's Day began on a regular basis. By 1766, the first recorded St. Patrick's Day parade in the United States took place; it was in New York City. Of course, it was nothing comparable to the parades of today. The New York Gazette of March 20, 1766, and the New York Mercury of March 24, 1766, both published accounts of the parade:

> Monday last being the Day of St. Patrick, tutelary Saint of Ireland, was ushered in at the Dawn, with Fifes and Drums which produced a very agreeable harmony before the doors of many Gentlemen of that Nation, and others.
>
> Many of them assembled and spent a joyous though orderly Evening at the House of Mr. Bardin in this city where the following healths were drank . . ." (The item then lists twenty different toasts to which the guests drank.)

The celebration is today, in many respects, quite similar, for like then it is not limited to those of Irish ancestry; and the "wearing of the green" is followed by many in New York, whose citizenry includes persons of all nationalities.

The most famous celebration on the holiday is, of course, the parade held annually in New York City. Block after block of famous Fifth Avenue is crowded by a million people, all to see the elaborate process. A hundred thousand people march in the actual parade—bands, pipers, soldiers, and fraternal organizations all play a part. In 1959, Henry O'Meara, the head of Ireland's national police, after seeing this spectacular event, declared:

> I never saw a parade like this in my life!

The day that began as a national feast in honor of a special saint has multiplied with a worldwide commemoration, not only to the man St. Patrick; not only to the spirit of the Irish themselves; but also to include the indomitable spirit of all peoples. On this day, it is not surprising to see persons of all nationalities "wearing the green," for this day has become a time for all to reconfirm their belief in the spirit of mankind.

DEFENSE CRITICS TO EXAMINE MILITARY BUDGET AT CONGRESSIONAL CONFERENCE IN WASHINGTON

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1969

Mr. ROSENTHAL. Mr. Speaker, the growth of the military budget and its effect on the militarization of our society is of ever-deepening concern.

To discuss this problem several Members of Congress have convened a Congressional Conference on the Military Budget and National Priorities on March 28–29 in Washington. We have invited many prominent scholars and scientists to discuss with Members of Congress our concerns over military spending and its effects on the entire society.

At a press conference today the originators of this congressional conference issued a joint statement and press release which describe the origins, procedures and goals of this important meeting. I include below those statements and a list of the participating scholars, with short biographies.

The joint statement was read by Congressman Robert W. Kastenmeier, of Wisconsin, on behalf of himself and Congressmen George E. Brown, Jr., of California, Phillip Burton, of California, John Conyers, Jr., of Michigan, Don Edwards, of California, Donald M. Fraser, of Minnesota, Benjamin S. Rosenthal, of New York, and William F. Ryan, of New York. Senator Gaylord Nelson, of Wisconsin, also associated himself with that statement. These Members of the House and Senate, together with Senator George S. McGovern, of South Dakota, are the originators of this conference and are soliciting other House and Senate Members to cosponsor the 2-day meeting.

The material mentioned follows:

Defense Critics To Examine Military Budget at Congressional Conference in Washington

Over a dozen leading scholars will participate in a Congressional Conference on the Military Budget and National Priorities on March 28–29. A preliminary conference report will be issued on the second day with a final report to follow in several weeks.

Congressional sponsors include: Senators George S. McGovern (S. Dak.), and Gaylord Nelson (Wis.), and Congressmen George E. Brown, Jr. (Calif.), Phillip Burton (Calif.), John Conyers, Jr. (Mich.), Don Edwards (Calif.), Donald M. Fraser (Minn.), Robert W. Kastenmeier (Wis.), Benjamin S. Rosenthal (N.Y.), and William F. Ryan (N.Y.).

In a joint statement issued today, the congressional sponsors said the conference's purposes were:

"(1) To inform Members of Congress more fully on issues of defense policy so that Congress can play a much more active role in opposing escalation of the arms budget.

"(2) To bring together a strong group of scholars and Members of Congress to dramatize for the Administration and the public the concern over these issues;

"(3) To prepare a report that will outline the basic issues of militarism for national citizens' groups and to provide leadership for a movement toward peaceful goals—away from the militarization of our society."

Conference participants include: Richard Barnet, Director, Institute for Policy Studies, Washington, D.C.; Richard Falk, Center for Advanced Study in Behavioral Sciences; Richard Goodwin, writer; George Kahin, Cornell University; George Kistiakowsky, Harvard University; Arthur Larson, Duke University; Hans Morgenthau, University of Chicago; Fred Warner Neal, Claremont Graduate School, California; Gerard Piel, Editor, *Scientific American;* Marcus Raskin, Director, Institute for Policy Studies, Washington, D.C.; George Rathjens, Massachusetts Institute of Technology; Len Rodberg, University of Maryland; Charles L. Shultze, University of Maryland; Jeremy Stone, Stanford University; Murray Weidenbaum, Washington University; and Herbert York, University of California. Larson will be Conference Chairman.

The two-day conference, to be held in Room 2172 of the Rayburn House Office Building, will cover:

Implications for national security in the 1970s of building new weapons systems (ABM, MIRV, SCAD);

Use and limitations of force (primarily non-nuclear) as an instrument of U.S. foreign policy, with emphasis on the example of Vietnam;

Escalating research and development costs and the possibilities of effective checks on the weapons development process;

Impact of the arms race on U.S. society including the problem of militarization of foreign policy.

Additional congressional sponsors are being solicited in both Houses by the above sponsors.

The following participants have been asked to give short presentations on these principal discussion topics:

Professor Kahin: "The Role of Congress in Ending the War in Vietnam."

Professor Kistiakowsky: "National Security and the New Weapons Systems."

Professor Morgenthau: "The Militarization of Foreign Policy."

Professor Rathjens: "National Security and the Arms Race."

Professor Stone: "Political Implications of Weapons Development."

Dr. York: "Political Controls on Escalating Military Technology."

At the opening session, Chairman Larson will describe the aims of the conference and introduce the participants. In the following sessions, which will be closed to the public and press, the congressional and academic participants will examine both individual issues and their interrelations. This examination will continue through the Friday session.

On Saturday morning the participants will reconvene to formulate the preliminary con-

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clusions and recommendations of the conference report. The final version of the report will follow several weeks after the conference.

At a press conference at 1:00 pm Saturday Dr. Larson will give a brief summary of the conference proceedings and participants will also discuss conclusions and recommendations.

The opening conference session (9:30–11:00 AM, Friday, March 28) will be open to the press. All other sessions will be limited to participants and congressional sponsors until the press conference at 1:00 PM Saturday.

Joint Statement of Purpose by the Originators of Congressional Conference on the Military Budget and National Priorities

The Congressional Conference on March 28–29 has its origins in the present great dissatisfaction with the direction of American political and military policy.

Few people believe today that America's vital interests were involved in our decision to spend $30 billion a year and more than 30,000 American lives in Vietnam. Yet the war increases in fury and brutality.

~~Few really~~ believe that the United States had to spend $1,400 billion—$1.4 trillion—for defense since World War II. Yet the military budget increases as the appetite grows for fantastically expensive new weapons systems of dubious value.

Our constituents are asking us to explain how national priorities are determined. They want an end to a war which demands even higher human and financial sacrifices. They ask us too what we are going to do about the arms race with Russia and China—about our plans for the peaceful resolution of disputes between nations—about peace abroad and at home.

What is extraordinary is that the war continues despite a political year whose principal theme was ending the war.

To take another case, the ABM system has been criticized by almost every responsible group of scientists, politicians and scholars in the United States. It has been viewed as a massive WPA project for scientists and engineers. The ABM has been debated, discussed, and analyzed. On their merits, the arguments for the ABM have lost, yet the presidential decision was to proceed.

This decision causes those of us intimately concerned with the formulation and execution of public policy grave concern.

Here are some of the basic facts from which the Conference proceeds:

We spent in 1967 some $100 billion for defense and war related costs.

About two-thirds of all federal tax receipts in 1967 went for defense.

More was spent for defense that year than was spent by all federal, state, and local governments for health, education, old age, and retirement assistance, housing and agriculture.

Defense spending exceeded the profits of all American business.

The Department of Defense alone purchased almost 15% of the finished products of all our industries and over 18% of all industrial durable goods.

Is this the kind of society Americans want? We don't think so.

The discussions during this conference will be aimed at seeking answers to these questions:

(a) How can Congress undertake to make a responsible contribution in ending the Vietnam war? Are there ways to confront the issues of withdrawal directly in the Congress of the United States?

(b) Do proposed additions to the U.S. arsenal of strategic nuclear weapons such as ABM and MIRV mean more security or less?

(c) Does the U.S. need to maintain large standing armies, military alliances, military installations around the world?

(d) What forces built into our national security system provoke unnecessary or dangerous military spending?

(e) What are the social and political costs of maintaining the present and projected national security institutions?

(f) What political steps should be taken to reallocate national priorities?

Our goals, in seeking answers to these questions, are to:

(1) Inform Members of Congress more fully on issues of defense policy so that Congress can play a much more active role in opposing escalation of the arms budget.

(2) Bring together a strong group of scholars and Members of Congress to dramatize for the Administration and the public the concern over these issues.

(3) Prepare a report that will outline the basic issues of militarism for national citizens' groups and to provide leadership for a movement toward peaceful goals—away from the militarization of our society.

The magnitude and urgency of these problems are obvious. The answers are less obvious. Out of the Conference will emerge, we hope, a more positive and better-defined sense of where we are or should be headed, today and in the 1970's.

Participants in Congressional Conference on Military Budget and National Priorities

Dr. Richard Barnet: Co-director, Institute for Policy Studies, Washington, D.C. Graduate of Harvard University & Harvard Law School; Fellow of the Harvard Russian Research Center and the Center for International Studies at Princeton; consultant to the Department of Defense. Formerly with the Arms Control and Disarmament Agency, State Department. Author: *Intervention and Revolution.*

Dr. Richard Falk: Professor at the Center for Advanced Study in the Behavioral Sciences, Stanford University, Stanford, California. Formerly Professor of International Law at Princeton; Counsel to Senate Foreign Relations Committee; US Arms Control and Disarmament Agency; Counsel before the International Court of Justice. Author: *The Strategy of World Order.*

Mr. Richard Goodwin: Writer; Former special assistant to Presidents Kennedy and Johnson; Deputy Assistant Secretary of State for Inter-American Affairs (1961–63). Author: *Triumph or Tragedy: Reflections on Vietnam.*

Dr. George Kahin: Professor of Government, Cornell University, Ithaca, New York. Consultant, Rockefeller Foundation (1964–66); Director, Southern Asia Program, Cornell University. Author: *Nationalism & Revolution in Indonesia; Major Governments of Asia;* and co-author (with John Lewis) of *The U.S. in Vietnam.*

Dr. George Kistiakowsky: Professor of Chemistry, Harvard University, Cambridge, Massachusetts. Former Science advisor to President Eisenhower. Special assistant to President for Science and Technology (1959–61). Member of President's Science Advisory Committee (1957–63). Director, Itek Corporation, The Cabot Corporation.

Dr. Arthur Larson: Director of the World Rule of Law Center at Duke University, Durham, North Carolina; Former Rhodes Scholar (1932–35); Dean of University of Pittsburgh School of Law (1953–54); Under-secretary of Labor (1954–56); Director of USIA (1956–57); Special Assistant to President (1957–58); and Special Consultant to State Department, HEW (1958–61). Author: *Preventing World War III; Some Proposals; Vietnam and Beyond; Sovereignty Within the Law.*

Dr. Hans Morgenthau: Professor of history, government, and international relations at University of Chicago. Author: *The Purpose of American Politics; Politics in the Twentieth Century;* many articles in philosophy, law, and political science.

Dr. Fred Warner Neal: Professor of international relations and government at Clarement Graduate School, Clarement, California. Former Washington correspondent for United Press and *Wall Street Journal,* 1938–43. Consultant in Russian affairs to Chief of Foreign Research, State Department. Consultant to the Center for the Study of Democratic Institutions. Author: *Yugoslavia and the New Communism; War and Peace and Germany.*

Mr. Gerard Piel: Publisher and editor of *Scientific American* 1948 to present. Science editor of Life Magazine 1939–45; Assistant to Henry Kaiser, 1945–47; Appointed by Mayor Lindsay to chairmanship of Commission on Health Services of New York, 1967–69. Author: *Science in the Cause of Man.*

Dr. Marcus Raskin: Co-director of the Institute for Policy Studies, Washington, D.C. Doctorate in law, University of Chicago, 1957. Legislative Counsel to 12 Democratic Congressmen, 1958–61. Staff editor of *The Liberal Papers,* 1961. National Security Council staff, 1961–62. Education Advisor, Office of the President, 1963. Member of U.S. Disarmament delegation at Geneva, 1963. Author: (w/Bernard Fall) *Vietnam Reader*; (w/Arthur Waskow) *Deterrance and Reality.*

Dr. George Rathjens: Visiting Professor of Political Science, Massachusetts Institute of Technology. Staff weapons systems evaluation team, Department of Defense, 1953–58. Special Assistant to the President for science and technology, 1959–60. Chief scientist, Advanced Projects Agency, Department of Defense, 1961. Deputy Assistant Director, U.S. Arms Control and Disarmament Agency, 1962–64. Director of Weapons Systems Evaluation Division, Institute for Defense Analysis, 1965–68. Author: *The Future of the Strategic Arms Race: Options of the 1970's,* published in 1969 by Carnegie Endowment for International Peace.

Dr. Leonard Rodberg: Associate Professor of physics and associate chairman of department, University of Maryland. Doctorate in physics, Massachusetts Institute of Technology, 1956. Chief of Policy Research office in Science and Technology Bureau—Arms Control and Disarmament Agency, 1961–66. Author: *Quantum Theory of Scattering* and recent article in Bulletin of Atomic Scientists "ABM—Some Arms Control Issues."

Dr. Charles L. Schultze: Professor of Economics, University of Maryland; Director of the Bureau of the Budget, 1965–68. Assistant Director of Bureau of the Budget, 1962–65. Member of Staff, Council of Economic Advisors, 1952–58. Author: *National Income Analysis.*

Dr. Jeremy Stone: Professor of economics at Stanford University. Member of the Hudson Institute from 1962–64, and a Research Associate at Harvard Center for International Affairs from 1964–66. Author: *Containing the Arms Race: Some Specific Proposals;* and a recent paper, published by the Institute for Strategic Studies in London, "The Case Against Missile Defense."

Dr. Murray L. Weidenbaum: Chairman, Dept. of Economics, Washington University, St. Louis Mo., Corporate Economist, Boeing Co. (1958–63); Consultant on Economic Consequences of Disarmament (1964); Director Economic Research Program, NASA (1964); Publications on economic impact of defense spending.

Dr. Herbert York: Chancellor of Univer-

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sity of California, San Diego, Calif. Member, research and teaching staff, Lawrence Radiation Lab. University of California (1943–58); Director (1952–58). Research Administrator, Institute for Defense Analysis; Trustee of IDA. Director of Research and Development at Department of Defense (1953–61). Member and Vice Chairman, President's Science Advisory Committee, (1965–66).

PROSPECTS FOR PEACE IN THE MIDDLE EAST

HON. LARRY WINN, JR.

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1969

Mr. WINN. Mr. Speaker, one of the greatest dilemmas threatening world peace since the end of World War II has been the dispute between the State of Israel and her Arab neighbors.

Since 1948, when Britain gave up its rule over Palestine in favor of the creation of an independent Israel, we have witnessed no less than three Arab-Israeli wars—1948, 1956, and 1967.

With each passing day, the tension and the potential for yet another all-out conflict seem to increase. We have watched terrorist raids lead to armed reprisals, and we wonder how it has continued for so long. In the Middle East there is a growing belief that a fourth war is inevitable. Some, there, even look forward to it as the most conclusive possible solution.

As Americans, the Middle East situation is particularly frustrating. We are involved in only a secondary manner, and therefore our ability to help solve the problem is restricted. As I will discuss later, the Soviet Union potentially holds the trump card. But even the Russians—assuming they are willing—may be unable to successfully exert their influence, due to the limited number of alternatives presently acceptable to the Arab governments.

I do believe that a fourth Arab-Israel war can, and must, be prevented.

Before we can intelligently discuss the role of the United States and possible solutions to the conflict, we should explore the questions that are at issue generally, and the specific issues resulting from the 4-day war of June 1967.

The central issue is the question of the state of Israel's right to occupy its geographic location. At the turn of the century, the area became a center of the world Zionist movement—the desire for an independent Jewish state. At the end of World War II—influenced by the shock of Nazi atrocities—Britain granted independence partly for this purpose.

The Arab States, however, feel that the territory historically belongs to them. They believe the State of Israel has no right to exist—at least at that location. For this reason, the Arab States are adamant in their refusal to recognize and conduct diplomatic relations with Israel.

The war of 1949 resulted from Arab attempts to stop the creation of Israel.

The 1956 war came when Egypt attempted to seize the Suez Canal.

The provocation that started the war of June 1967 is still in question. Mostly, it was the believed threat to the security of each side, and the general distrust of each other. The important point is that it seems to take less and less provocation to start the fighting again.

The outcome of the June 1967 war left a number of specific situations that are key factors in developing a Middle East settlement.

Prior to the war, Egypt and most of the other Arab countries had developed their military strength through assistance from the Soviet Union. This created a condition of Arab dependence upon the Soviets. In the war, Israel almost totally destroyed the Arabs' military machinery. That the Soviets completely rearmed the Arabs after the war, has made the Arab States even more dependent upon them. This, it would seem, increases Russia's influence on the Arab States—an important consideration.

The war placed under Israeli control, several geographic areas previously controlled by the Arabs. These include the Sinai Peninsula; the militarily strategic Heights of Golan; and the west bank of the Jordan River which includes the Arab sector of the city of Jerusalem. Israel continues to hold this territory partly because of its strategic military value, and partly because it will enhance their bargaining position in the event of peace talks.

Another important factor is the existence of approximately one and one-half million Arab refugees. These are the former residents of the now captured territory who fled into nearby Arab countries such as Jordan, Egypt, Syria and Lebanon. Guerrilla units, made up of such refugees, are the source of much of the current anti-Israel terrorist activity. The potential for a fourth war is made greater by the fact that the governments of these countries are either unable or unwilling to keep control of these refugee terrorists.

In looking at the specific issues that would be discussed in Mideast peace negotiations, we see four main points:

First, there is the recognition by the Arab governments, of Israel as a sovereign state. At present, the Arabs do not extend diplomatic relations to Israel. Israel, on the other hand, has continuously pressed for negotiations.

Second, there is the subject of the captured territory. It is possible that Israel would agree to release most of it, but would continue to hold some parts that are militarily strategic.

Third, is the question of compensation for the refugees. The Arabs contend that Israel owes this to them for the loss of their land, and the inconveniences their people have suffered.

The fourth main topic would be the need for an agreement to guarantee the free access of international waterways. This includes the Suez Canal, the Red Sea, and the Straits of Tiran.

These are the main issues. There are others. The question now is "What can the United States do?" There is no easy answer. In the interest of a lasting peace, it is important to avoid a rigid alinement, or "choosing of sides" in the Middle-East. The United States and Russia should avoid this because of the confrontation it could lead to. It would be wise to remember the words of President Nixon in his inaugural address, "We cannot expect to make everyone our friend, but we can try to make no one our enemy."

There is general agreement between the Arabs and Israelis that a peace imposed by other powers would be clearly unacceptable. In other words, if talks are to lead to a peaceful settlement, they must be direct talks between the two parties concerned. Our greatest role in the conflict can come by helping to bring them to the conference table. But even in that capacity, our opportunities are limited.

France and the Soviet Union have proposed a "Big Four" conference on the Middle-East situation. The four parties include the Soviet Union, France, England, and the United States.

The purpose of the conference would be to discuss the specific issues of the conflict, and to suggest possible agreements. By keeping open lines of communication with the Arabs and Israelis, these talks could provide an opportunity for both sides to know what concessions and demands the other might make in the bilateral talks that would hopefully follow. This, also could provide an opportunity for the Soviets to attempt to use some of their influence to encourage the Arab governments to negotiate with Israel in a reasonable manner. This implies that it is of vital importance that all parties concerned try to better control the terrorist groups.

If the key to Arab participation in peace talks lies with the Soviet Union, then it is logical to ask, "Why should the Russians cooperate?" Do they not enjoy great influence by having the Arabs obligated to them for military aid? The answer is "Yes." But at the same time the Soviets have other points to consider.

First, there is the danger of another Arab-Israeli war leading to a Soviet-American confrontation.

Second, there is the fact that if a fourth war resulted in a crushing defeat for the Arabs, then Russia's prestige would suffer. It would be a thorn in Russia's side.

And, third, the present situation gives them an opportunity to play the role of peacemaker in the Middle East. The Soviets are very conscious of world public opinion. In the aftermath of their invasion of Czechoslovakia they would be glad to get some favorable publicity—both in the free world and among other Communist countries.

The truly discouraging aspect of the entire situation is the fact that so many of the Arab governments give almost no indication of a desire to negotiate. We must be aware of the possibility that even the four-power talks and the Soviet's influence will not be enough to

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bring Arab cooperation. In spite of the fact that some Arab leaders may want to talk, many Arab citizens and refugees are too emotionally charged to be reasonable. This severely limits the alternative courses of action and increases the danger of war.

The final point I would make is this: Until a peace agreement can be worked out, Israel's military strength is the main reason the Arab governments hesitate to launch a full-scale attack. We must, I feel, try to restore diplomatic relations, cultural exchanges, and trade with the Arab countries. We must not make them our enemies. We must work toward an even-handed Middle East policy. But at the same time, we must continue to recognize the importance of the survival of Israel. We must not abandon our agreement to sell to Israel the materials that are vital to her security. By helping Israel to maintain its strength, we are buying the time that will be necessary to develop a workable peace agreement in the Middle East.

ARAB TERRORISTS: MILITARY FAILURE—POLITICAL MENACE TO ALL MANKIND

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1969

Mr. PODELL. Mr. Speaker, of late, some journals in our country have run articles on the terrorists and alley fighters in the Middle East who pose as "commandos." These articles have at times had the effect of glorifying their activities. Yet it is fairly common knowledge that their efforts have been a dismal failure as far as material harm to Israel and her people are concerned. Fortunately, the reality of these murderers by night does not match the bloodcurdling threats and belligerent poses they strike for photographers.

Alfred Friendly has recently done a very penetrating piece on what is really happening on the borders of Israel. It is worthy of note and most informative. I insert it now for the enlightenment of other Members of the House:

[From the Washington Post, Mar. 16, 1969]

ANTI-ISRAELI GUERRILLAS ARE MOSTLY A NUISANCE

(By Alfred Friendly)

TEL AVIV.—Palestinian commando activities, the Israelis concede morosely, are a bloody nuisance. Their assaults against life and property are to be expected as certainly as the sunrise. At the same time, the Israelis consider the results of those attacks as the biggest Arab military defeat since the Six-Day War.

On the basis of almost two months of reporting in Israel, Egypt, Lebanon and Jordan, that judgment seems correct. Whether measured against their avowed aims, their practical potential, their financial resources or in terms of the damage caused, the guerrilla activities of the several Palestine liberation organizations have been a grotesque failure, militarily and psychologically, within Israel.

SOME 117 KILLED SINCE WAR

According to Israeli figures, commando attacks since June 15, 1967—including both raids and shelling from across the borders—have killed 47 civilians and 70 soldiers, among them four colonels. They have wounded 320 civilians and 274 soldiers. The Israelis say that the commandos have lost 600 dead and 1500 captured.

The figures of the liberation movements, of course, are very different. Al Fatah, the largest, gives none, but admits to the loss of fewer than 300 men. The Popular Front for the Liberation of Palestine, the second major commando organization, issues several bulletins a day giving the picture of Israeli soldiers slaughtered like sheep.

Whose figures can one trust? Israel is a small country with a fiercely democratic tradition despite a censored press. A soldier's death is not a casual event; it is known to his neighborhood, his friends, his city in a matter of hours.

I know of no foreign reporter who feels that he has been deceived on Israeli statistics. Israeli reporters, as suspicious of authority as those of any other country and as good sleuths, express few reservations about the truth of what is announced.

Yet Fatah has an estimated 3000 to 5000 men under arms and the Popular Front, 700. Add those of two or three other commando organizations and the total may be as much as 7000. In such a situation, Israelis shudder at the thought of what the commandos—terrorists, in the Israeli term—might have done.

INCIDENTS ARE WORST

Most of the commando-inflicted casualties are from the cross-border shelling. Since the completion of Israel's defense fence, casualties inflicted by military infiltrators—as distinct from sabotage groups operating deep inside Israel—have been minor, even though the fence is by no means impenetrable.

The worst aspect of the terrorism is those occasional incidents in the cities, such as the bomb in the Tel Aviv bus terminal and the recent explosion in Jeruselum's largest supermarket.

After that deed, some 70 people were arrested. Officials believe that they caught 90 per cent of all the Israel-based agents of the Popular Front, the group responsible for the supermarket bombing and almost all such previous events.

Even so, there will be more such occurrences. What is remarkable is the minimal effects they have on Israeli fears and firmness. The explanation, Israelis say, is that they have been shot at for so long—ever since about 1936, not counting 2500 years of history before that—that it has become a way of life.

REVOLT AND TERROR

The commandos, however, say that something entirely different is happening in Israel. What they say, a weeks-long examination of the Arab press discloses, is that the territories Israel occupied—the West Bank, Gaza and East Jerusalem—are seething with revolt and resistance, that the border settlements are besieged and that the urban population lives in terror.

The evidence for the first is a series of school strikes by chidlren under 18, occasionally joined by teachers, and brief, sporadic strikes of merchants. Israel's response to the school affairs is mainly indifference. If the Arab children don't want to go to school, that's their problem. They are allowed to shout imprecations, display banners or do whatever they like inside the school compounds.

"I won't say they never had it so good," one official said, "but they never had it so liberal under previous governments"—Ottoman, British mandate or Jordanian (or, for Gaza, Egyptian).

As for the settlements on the borders, in the Jordan and Beissan Valleys, the children in the kibbutzim (collective settlements), who sleep in dormitories apart from their families in any event, have been spending the nights in shelters for the last six months. Those in the moshavim (cooperatives) go to the shelters with their families when there is shelling. No one pretends to like it, but not one family has moved out, and production increases month by month.

In the cities, the population is in a fury as a result of the occasional bombings, but terror is about the last word to come to an observer's mind.

THE MAO STRATEGY

From their public statements and from interrogation of prisoners—who the Israelis claim interrogate easier than any other POWs in history—the liberation fighters' objective comes from The Book—The Book of Che Guevera or Mao Tse-tung. The aim is a popular revolution preceded by a weakening of the enemy's will to resist, a disruption of his military machine, his means of production and communication and the creation of general chaos.

The strategy indicates a very bad reading of Israel. Nothing of the sort is happening or is likely to. And the tactic of trying to terrorize the civilian population rather than delivering sharp blows at costly installations or military materiel is little short of insane. If nothing else, it is the cement which Israel is chronically worried about losing in an increasingly affluent life.

Furthermore, for organizations as richly financed as everyone agrees they are—the commandos claim that most of the money comes from individual contributions of Palestinians all over the Arab world; the Israelis claim that 80 per cent comes from governments, large institutions and very rich Arabs—the terrorist incidents are few enough. There have been about half a dozen in Jerusalem since the 1967 war, or what Saigon experiences in a few days.

The guerrillas now operate against Israel on four fronts:

In Egypt, there is a paper unit called the Organization for the Liberation of Sinai. It consists, if at all, of some Bedouins whom Egyptian intelligence officers send across the Canal to lay mines. The Israelis believe that its main purpose is to demonstrate to other Arab states that Egypt is in the commando business.

In Syria, the government held commando incursions into Israel at a level of almost zero until a few weeks ago. Then it was decided to unleash an organization called Siaka, 100 per cent under Syrian army control. It made a few raids and Israel's response was to bomb two Fatah camps near Damascus. Israel believes that Syria got the message.

Lebanon, the Israelis believe, is in a dilemma with the commandos. About 500 commandos from Syria are operating on the northern and western slopes of Mt. Hermon. When they push farther west, the Lebanese army arrests them and lets them loose again back in the eastern area. Their incursions have been reduced in the last few weeks and were never very serious, but the Israelis hope that the Lebanese will not let things get worse.

The biggest concentration, of course, is in Jordan, where, as distinct from Egypt and Syria, the government does not control the commandos, mostly Fatah. King Hussein tried, but an agreement he reached with Fatah last November to end shelling across the river and stop Fatah men from going about in Amman armed and in uniform is now virtually forgotten. The Popular Front, also operating from Jordan, specializes in organizing sabotage and was responsible for the three attacks—the hijacking in Rome and the shooting in Athens and Zurich—against El Al airplanes.

WHY THEY FIGHT

The most interesting question about the liberation movements is whether their leaders appreciate their military failure and the absurdity of trying to cause turmoil in Israel. Unless they are very stupid, they must; Fatah's commander, Yasser Arafat, came close to admitting it publicly a few weeks ago.

If so, why do they continue? One answer, the prevalent one in Israel, is the simplest: because there is nothing else they can do. Resolved to regain land from which they were expelled or fled, filled with patriotic fire, burning with humiliation, the young Palestinians take to arms without any concrete strategy, tactics or even goals.

The effort has glamor, endows the participants with status and glory and is sustained so far by opium dream recitations of accomplishment. Furthermore, the commando idea has struck fire in the countries of the Middle East.

The popularity that the fedayeen have won is the more remarkable because it was achieved in the face of hostility from most of the Arab governments. The fact is that where the fedayeen are most powerful and active, in Jordan, the government loathes them and fears them much worse than it fears Israel.

With Palestinians constituting half of Jordan's population, however, King Hussein dares not move frontally against Fatah, or even against the Popular Front, which is nominally illegal in Jordan. So powerful has Fatah become that Hussein was obliged three weeks ago to receive Yesser Arafat in the palace and to sanction a spread of pictorial evidence of the lovefest in the Amman papers.

INSURANCE FOR NASSER

In Egypt, President Nasser showers the Palestine liberation organizations with adulation and promises of support—and doubtless delivers no little on his promises. But the consensus in the Arab world as well as in Israel is that he has joined them not only because he can't lick them but because he stands a chance of being licked by them.

King Feisal, in Saudi Arabia, backs Fatah heavily and sincerely, but largely because he sees it as a movement that Nasser does not control and that can be used against him. To a lesser extent, the other petroleum princes of the Persian Gulf follow suit, and for the same reasons.

Syria, which doubtless likes the idea of the fedayeen, is entangled in the splits among the Popular Front that parallel the splits in its own political madhouse. But it keeps a very tight rein on all of them and allows no forays from its borders except those it controls itself.

Algeria is solidly behind the commandos and probably gives them much help. Lebanon despises them, since its goal is protection of its national independence and escape from the morass of pan-Arabism. Its establishment, Christian and Muslim, would like peace with Israel. Yet so powerful is the commandos' popular appeal that no Lebanese leader dare speak against them in anything but the most Aesopian language.

A HEADY PROMISE

What has happened, it seems clear, is that 21 months after the Six-Day War, while the Arab states have gotten nowhere in recovering their losses, the fedayeen have come up with a promise. That their promise is chimerical, their strategy ridiculous and their accomplishments negligible is beside the point. In the Arab world, words are so much more important than facts.

The commandos have, for the moment at least, given the Arab a way to build his self-respect and to lift up his soul. When an oil sheik gives his tens of thousands of pounds to Fatah, or a Palestinian refugee kicks in his few piastres, he feels himself participating in a noble, patriotic venture.

How long can this exhilaration continue? Israeli officials, to whom the wish is surely mother to the thought, feel that is is ephemeral—that as the months pass and it becomes clear that the commando activities are measured by two deaths in a supermarket and one seriously wounded in a university library cafeteria, disillusionment will set in. They are inclined to think that the glamor of the commandos, swollen by a good bit of purple prose in the Western press, is at its peak or already over it.

One cannot be sure. Where the will to believe exists so deeply, there will be men from Bagdad to Algiers who are sure their contributions helped kill Levi Eshkol and are making Israeli soldiers bite the dust like Indians in a cowboy movie.

AN INJUSTICE RESURRECTED

But much more importantly, the liberation movements have converted an issue forgotten for 20 years into a reality: Palestine, and the injustice done to the Palestinian refugees. Once aroused, the demand of human dignity has an irrepressible dynamic.

If peace were to be arranged between Israel and the Arab governments, Israeli Foreign Minister Abba Eban told The Washington Post last week, the commando movement would fade at the negotiating stage and wither at the settlement. Would it? It can be argued that there will be no withering of the commandos until the issue they profess to be fighting for, justice to the Palestinians, is resolved.

It probably will not be resolved as the commandos would resolve it, by the destruction of the Jewish state. But at least the Palestinians, and especially the refugees, may obtain a solution that satisfies them. Then, and probably not until then, will the commandos cease fighting.

SAVING THE EVERGLADE GATORS

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1969

Mr. GUDE. Mr. Speaker, I would like to take this opportunity to bring to the attention of the House an editorial in the March 11 Washington Post which commends Secretary of the Interior Hickle for his "declaration of war" against the veritable extinction of the alligator in Florida. As the article points out, such an action on the Secretary's part is indicative of a broader attack by the administration against the elimination of species indigenous to our great land, by indiscriminate hunting, or poaching to use the more pejorative term, by individuals who are trying to exploit some of our most valuable resources for commercial purposes.

On March 17 I joined with several of my colleagues in sponsoring a bill to prevent the importation of fish or wildlife whose species are threatened by worldwide extinction. In 1966, Congress passed legislation to protect our native American endangered species. I hope that we will act now, as did Secretary Hickle with regard to the alligators of Florida, not only to carry out the objective of this act, but also to demonstrate our equally active concern about the indigenous species of nations all over the world.

The editorial follows:

SAVING THE EVERGLADES GATORS

Secretary Hickel's "declaration of war" against the poachers who are slaughtering alligators in the Everglades National Park is a salutary straw in the wind. When the former Governor of Alaska was under fire in connection with his confirmation hearing, he promised the Senate Interior Committee that he would give vigorous attention to the conservation problems of the entire country. His interest in gators at the southern tip of mainland U.S.A. does suggest a Nation-wide concept of his job.

The Secretary has acted none too soon. For some years the snatching of alligators right out of a national park has amounted to a scandal against conservation. The Everglades is an enormous wildnerness which is extremely difficult to police. It will not be easy for even specially trained park rangers to drive out the thieves who are killing alligators and smuggling their hides to shoe and bag industries in New York. But this despicable traffic will have to be halted if a disappearing species so characteristic of the southern Florida swamps is to survive.

The fight should not be left solely to the rangers. An Administration bill before Congress would help the states protect their wildlife against illicit interstate traffic and enable the Secretary of the Interior to set up additional safeguards for species in danger of extinction. The protection of wildlife is a vital part of the broader movement to retain an environment conducive to human survival. It merits thoughtful consideration on Capitol Hill.

ALTERNATE AVENUES FOR THE AIRPORT DILEMMA

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1969

Mr. MOORHEAD. Mr. Speaker, airport traffic is not an isolated phenomenon, but part of today's total urban transportation problems, the subject of the Fourth International Transportation Conference held in Pittsburgh last week.

While the crisis today is congestion in the air, the major obstacles of the future will be on the ground.

Clearly we must design new ways to transport larger volumes of people in the air, and also determine better ways to get them to and from the airport.

An interesting analysis of the problem, with some novel approaches, appears in the January–February issue of Architectural Forum, which I include herewith for the attention of my colleagues:

THE AIRBORNE STAMPEDE

The radarscope view at left of the skies over New York symbolizes (cryptically, for most of us) the traffic that is already jamming our

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major airports. But the rush that is about to begin will demand total revision of our mechanisms for getting passengers up into the air and onward to their ground destinations after landing.

Behind this coming revolution are several factors, each of which multiplies the effect of the others. To begin with, there is the present steep climb in passenger volume (up 29 per cent in the past year). But soon, radically larger aircraft will be introduced, carrying many more passengers per flight. *Passenger* traffic will then rise sharply at airports where *airplane* traffic is already approaching its limit.

By the end of 1969, the Boeing 747 "jumbo jet" is expected to be in service, carrying up to 490 people. Shortly after that will come several versions of the medium-range jet "airbus," with capacities of about 300. In the mid-1970s, the Boeing supersonic transport will arrive, also expected to seat 300. (The Russian and British-French supersonics, scheduled to fly earlier, will have capacities of less than 150.)

By 1980, almost half of the commercial airliners in service are likely to carry more than 200 passengers, roughly the maximum today. Larger passenger loads will lead to reduced fares, further stimulating air travel.

Even greater than the growth in total passenger volume will be the increase in peak volume at major cities. Obviously, the new larger planes will tend to fly over the busiest routes at times of maximum demand. The busiest U.S. airports handle no more than 10,000 passengers in a peak hour; in a few years, this maximum could exceed 25,000.

BREAKING THE GROUND BARRIER

Today's critical congestion may be in the air, but the major obstacles of the future will be on the ground. The new, larger planes may—at least temporarily—ease pressure on the airways, but they will play havoc with facilities on the ground.

No existing airport is equipped to get 490 passengers off the plane and put 490 others aboard in less than an hour. No existing passenger concourses or baggage facilities could handle the load of two or three jets arriving within minutes at adjacent gates. Existing taxi and bus service would be swamped by peak-hour crowds. (Cargo volume, which is increasing much faster than passenger traffic, will raise further problems for the airport planner.)

One way to beat the problem of congestion at the jet airports and on routes to them is to find alternative ways to travel. For trips of up to 200 miles, fast trains are a possible solution. But a faster, more flexible, and immediately available alternative is the "short takeoff and landing" (STOL) aircraft. Planes already exist that can carry up to 60 passengers, cruise at 285 miles per hour, and take off on a 1,800-ft. landing strip.

BYPASSING THE JETPORT

About 27 per cent of all air travelers leaving New York are bound for points within 250 miles. Most of these trips could be made in less time, door-to-door, using STOL craft between downtown airstrips than by taking 600-mile-per-hour jets between metropolitan airports.

In New York, where the need to reduce airport congestion is acute, an "emergency airlift exercise" was carried out in September, 1967, demonstrating that STOL planes could operate from parks, piers, and islands in the harbor.

STOL ports have been proposed for rooftops in the city core, but they would raise problems of approach paths, noise, and safety more severe than those of heliports. More logical sites would be waterfront areas or railroad yards.

Recently Pan American Airways proposed to build a 2,200, to 2,400-ft. strip on the site of abandoned Hudson River piers in Manhattan, only two blocks from Lincoln Center.

With STOL ports downtown at suburban hubs—or even at the jetport—we could reroute much of the air traffic between New York and, say, Boston, Syracuse, or Washington.

STOL FOR SHORTER TRIPS

There are equally likely STOL routes all over the country: Miami to Tampa, St. Louis to Kansas City, Seattle to Portland. STOL routes would, of course, have to avoid major airport traffic patterns—and they might eventually generate STOL congestion—but they would add significantly to our air travel capacity.

Although some future air travelers may benefit from convenient STOL service, the vast majority will still have to find their way to a big jet airport, which will be, if anything, farther from their points of origin than present ones.

Today, most passengers make the trip to the airport by private car or taxi. In New York, where a high percentage of traffic originates in the urban core, an airport bus system with check-in facilities at its Midtown terminals attracts only 13 per cent of the New York area's passengers.

Cars, buses, and taxis all have the same critical flaw: they depend on highways. Airport traffic rarely *causes* jams on the expressways leading to big metropolitan airports—not yet, anyway. The trouble occurs when the vastly larger volume of cars going to and from work (or, as in New York, to and from the beach) grinds to a near standstill.

So far, U.S. cities with extensive transit systems have not built lines to their airports. Boston has long had an "Airport" station in its system, but it is only a stop on a line to somewhere else, separated from the terminal by a ½-mile bus ride. (Nevertheless, it must be a boon to airport workers.)

SUBWAYS TO THE PLANES

Up to now, the volume of travelers willing to plunge from an airplane into a possibly bewildering transit system has been too small to warrant building airport spurs. There was also the problem of handling baggage in a transit system.

Now, however, the volume of "air commuters"—familiar with the cities they travel between and free of heavy baggage—is rising rapidly. The first subway line that will lead directly into an airport terminal is now under construction in Cleveland. New York has just announced plans to build a subway to Kennedy Airport, which has long had a transit line running along one of the boundaries. Kennedy, unfortunately, has a smaller proportion of "commuters" than the other New York airports.

NEW WAYS TO REACH THE AIRPORT

Long before a transit line is completed—possibly by the end of this year—a recently unveiled "rail bus" may be shortening the rush-hour bus run to Kennedy Airport (from 90 minutes to 45, for a 13-mile trip!). The plan is to drive these disconcerting hybrids through the Midtown Tunnel to Queens, where they would lower their railroad wheels and take off over some little-used trackage to a point near the airport; then they would rejoin the highway. The rail bus may be makeshift, but anything would be an improvement.

Another way to get to the jet-port, of course, is by air. New York, Los Angeles, and San Francisco already have helicopter service linking airports and in-town heliports.

Los Angeles may soon be using the "sky-lounge" to get passengers to the airport. As clumsy-looking at first glance as the rail bus, this device may prove to be a long-range improvement. It is made up of an existing "aerial crane" type of helicopter and a 40-passenger "lounge." The lounge can be towed along a passenger pick-up route, then flown to the airport, where it can be towed around to subterminals while the helicopter goes off to pick up another load. The system virtually eliminates on-the-ground loading time for the helicopter itself.

As planes have grown in both numbers and size, the air terminal has had to get bigger. Until recently, the only alternatives to the notorious long walk inside the terminal were the moving sidewalk (strangely underutilized), the decentralized airport (several self-contained subterminals, as at New York's Kennedy), or the bus-to-plane airport (like Washington's Dulles, with its specially designed "mobile lounges"). But decentralization forces transferring passengers to travel between subterminals, and bus systems put all passengers through an additional loading and unloading process.

TRANSIT WITHIN THE TERMINALS

Another, seemingly obvious, solution is finally being tried—the in-terminal transit system. At Tampa International Airport (Reynolds, Smith & Hills, architects; Leigh Fisher Associates, consultants), all passengers will be carried from "airside" satellites to the central "landside" terminal in a smaller, simpler version of the "Transit Expressway." These vehicles will operate like horizontal elevators, shuttling up to 100 passengers (all standing) between the terminal and the satellites in 40 seconds. Each link will have a capacity of 840 people in a ten-minute period. Two pairs of doors on each side of the vehicle will allow rapid unloading from one side and reloading on the other. At both ends of the line, vehicle doors will be synchronized with doors in the buildings that will look—and work—like typical elevator doors.

Houston International Airport (designed by Architects Golemon & Rolfe and Pierce & Pierce) will have a small-scaled, automated subway. It will run along the axis of the decentralized terminal complex, stopping at unit terminals and at the centers of the parking lots between them. Its modest capacity—200 passengers in a ten-minute period—will probably be adequate at Houston, where only passengers bound for other terminals or distant parking lots will have to use it.

Whatever happens to air travel patterns, several cities with high volumes of air traffic are going to need additional jet airports just as soon as they can build them—or sooner. Boston, Chicago, St. Louis, San Francisco, and Miami are already seeking sites. New York's search has been going on for seven years. Sites as far as 70 miles from Midtown Manhattan have been considered, but every one has been rejected by local, state, or Federal authorities. (One is now a National Wildlife Refuge.)

NOBODY LOVES A JETPORT

Most opposition is based, of course, on the noise of approaches and takeoffs, which will get more annoying as planes grow and traffic increases—especially cargo traffic, which is likely to move by night. (Contrary to popular fears, supersonic jets will not produce any "boom" at the airport, but miles away from it.) Air pollution from planes is likely to become more significant, especially if other sources are controlled.

NEW SHAPES, NEW SITES

As open land becomes scarcer and opposition stiffer, conventional ideas about airport form and location may be reconsidered. Airports laid out since the advent of jets have already abandoned the earlier network of runways based on shifting winds, relying instead on sets of parallel runways. Auxiliary cross-runways are often still needed, but they can be relatively short, since the winds that make them necessary also reduce landing and takeoff runs.

Now that runways can be oriented in a single direction, it would be possible to integrate them with highway construction. The airport-over-highway scheme proposed by Robert E. Dudley (of Tracey, Brunstrom & Dudley, Seattle) merges two major land-consuming functions and provides a road to the airport at no additional cost. It also offers the possibility of laying out landing and takeoff runways end-to-end—an ideal way to eliminate time-wasting taxiing. If cross-runways were necessary, the airport could, with coordinated planning, be built over a highway intersection.

Another unconventional source of airport space is water. Chicago is seriously considering an airport island 3½ miles offshore in Lake Michigan. A study of jetport sites for New Orleans by the Gulf South Research Institute proposes an airport in Lake Pontchartrain. Instead of an island, this report suggests a lattice of pier-like structures.

There have also been suggestions that New York build its fourth jetport in the Atlantic, and that Los Angeles put one in the Pacific. These might be drastic solutions, but as hordes of travelers take to the air we may be forced to try them.

—John Morris Dixon.

Dallas-Fort Worth: Two-Mile Trunk With Many Branches

Up to now, every major air terminal has had a basically radial layout—a logical arrangement for the center of a taxiway web. Now, all at once, several schemes of a radically different type have appeared in response to changing runway layouts and increased passenger volumes. The new form is linear, with transfer between air and land vehicles occurring all along it.

The largest-scaled linear terminal yet designed for an actual situation is Tippetts-Abbett-McCarthy-Stratton's proposal for the new Dallas-Fort Worth airport.

The site selected by TAMS for the collaborative effort of two rival cities (an effort that still needs voter approval) lies between two east-west routes linking the two centers. Major runways will run north-south, with a mile-wide corridor between them (to permit simultaneous landings or takeoffs.)

A road through the middle of this corridor will intersect both routes and form the spine of the two-mile-long terminal. At either end, the road will split into service lanes at apron level and passenger lanes two levels higher. Above will be four parking levels.

Running along the axis at the service level will be a transit system, linking points along the length of the terminal and the long-term parking lots at both ends. Potentially, this line could be part of a regional system.

The ideal linear scheme would have direct transfer to ground transportation at every boarding gate. But actually, stops for cars, buses, and transit must be farther apart than the 200-odd ft. required for docking each plane. Moreover, escalators, passenger counters, baggage facilities, etc., must be shared among several gates to serve any adequately.

At Dallas-Ft. Worth, these facilities are in nodes 800 ft. apart, from which lateral passages lead to boarding gates. These extensions accomodate only a few more planes than could line up along the central structure, but they give each airline tenant a chance to arrange boarding areas to fit changing needs.

Hypothetical Airport: the Linear Terminal Without Compromises

The firm of Harry Weese & Associates has worked out a "universal" linear terminal scheme to fit a variety of situations. Weese's purely linear plan would bring the planes right up to the central structure, which would take up as little area as possible. All access roads and parking, transit and baggage equipment would be underground.

The key to Weese's scheme is an adjustable boarding "gondola," which would permit the fastest possible unloading and loading of any jet now flying or on the boards. As a first step, Weese and his staff superimposed the plans of all these planes, lining them up at the leading edge of their wings, the outer limit for any structure resting on the apron.

The gondola they developed could be 60, 120, or 180 ft. long, depending on the size and door locations of the planes it served. Since passengers could assemble in it, there would be no need for the usual boarding lounge.

The overhead beams of the gondola would be supported by adjustable frames on the ground and adjustable cables. Tracks on the apron and on the terminal superstructure would allow the device to be moved along the terminal, to meet changes in aircraft or schedules.

In the Weese scheme, the need to share bus and transit stops, baggage facilities, etc. among several gates is met by centering a passenger transfer point in each 960-ft. segment of the terminal. Escalators leading up to the boarding level would be within 240 ft. of any boarding gate.

The full scheme shown here is intended only for major air hubs. At smaller terminals—with smaller planes—car and bus levels could be combined, transit omitted, and parking reduced. If underground construction were restricted, Weese concedes that vehicle traffic and parking could be stacked above the passenger level. And, although the scheme is "linear" in principle, its segments could be readily arranged in a square—or bent around to form a circle.

THE LUMBER PRICE CRISIS: ANOTHER ASPECT

HON. WENDELL WYATT

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1969

Mr. WYATT. Mr. Speaker, the current crisis in the lumber and wood products field is a two-horned dilemma. The price squeeze not only has adversely affected the consumer, but the industry as well. In reality, an immediate solution would be to the benefit of all parties concerned.

A recent article by the well-known and respected business editor of the Portland Oregonian points out the deleterious effects of the crisis on all parties, and brings to light the little-known aspect of this problem—the critical pressures it has put on the industry.

I would like to commend this authoritative article to the attention of my colleagues in the Congress. It is another aspect of the crisis which should be brought to their attention.

The article follows:

Price Bubble Breaks on Lumber, Plywood

(By Gerry Pratt)

Plywood and lumber prices, soaring along at altitudes where things usually pop, have broken.

Roseburg Lumber Co., one of the major producers of sanded plywood, will be out with a $132-a-thousand list Monday morning. "And that is not going to buy any business," says Kenneth W. Ford, the president.

Scanning the company's order files Saturday, Ford admits, "we are out to book business." The move to lower prices, he says, "is just looking at stars to see which way the wind is blowing. We could be at a $120-a thousand a week from now and two weeks from today it could be $110."

Only a week ago the list for this sanded, quarter-inch, A-D item was $142 a thousand, and in the current boom it has been sold at $144 from the mills. Roseburg is the largest single producer of quarter-inch A-D sanded plywood in the industry.

What happened?

Bob Smith's Crow's Weekly Plywood Letter put it cogently. Reporting a list of $136 a thousand Friday, Crow's said: "It is as though sanded plywood had never been invented." Sales have been that light.

Ford and others like him are looking at order files down to ten days or less, that is just enough business on the books to take care of ten days of manufacturing.

TWO PLANTS ALREADY CLOSED

It is not only sanded plywood that is feeling the supply and demand rollback. Two sheathing plants are already shut down, according to industry reports, Rogue Valley Ply and another plant at Myrtle Creek: Both because of a lack of orders at a price where they can operate at a profit.

Veneer, the sheets of peeled log that make up the sandwich layers of plywood, is due to see a $2 a thousand price cut Monday morning, according to sheathing operators. C-D grade veneer has been going at $21 a thousand and will come out at $19 Monday, "and," Charlie Gardiner, Roseburg's sales manager, "I question whether they are selling all their production. With sheathing at $118 and $120 a thousand, the lay-up sheathing plants cannot pay that price for veneer and come out with a profit."

Roseburg dropped the price to $134 a thousand for sanded plywood at the middle of last week. There was still no business to speak of. "It is now a question of walking the price down as gradually as we can, trying not to do anything that would completely destroy confidence," one sales manager said Saturday.

What the industry must do now, according to Gardiner, is "wait for the time or price that will bring buying pressure back into the market. Consumption is good, warehouse sales are good. What is plaguing everybody is a lack of money. The retail yards are tied up in receivables and the same with the distributors. They just don't have the cash to carry the inventories. They are going to stay within a short order file and with short inventories."

Gardiner said Saturday he heard of one government order for sanded plywood that was filled last week at $128 a thousand and added: "As far as I know the price is now $130 and up. Prices have already broken."

G–P EXPERIENCE RECALLED

The difference between what Roseburg is saying now, and what happened when Georgia-Pacific attempted to get a price roll back going several weeks ago, is that Roseburg and others like them are taking current orders at the rollback prices. G-P, which was extended with a heavy order file, was preaching lower prices but was not in a position to go out and start selling plywood at lower prices. G-P was already committed. Roseburg's new price breaks are not committed and plywood will be there for buying at the lower prices Monday morning.

"We can look for this thing to go on dragging its feet at least until the first of the month (April)," says Gardiner.

But in looking for the "time or the price" to check the slide, there are bullish factors in the way of a total price collapse.

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One is the labor unions. They are rattling their swords as never before, asking for $2-an-hour over the next three years and they have indicated a strike deadline of June. "Give us a contract by then" they say, "or you are going to see the biggest strike in the history of the industry." Just the prospect of that will have considerable impact on turning this decline around again.

Somewhere, as the price fades in the next week or so, there will come the point when the yards and distributors begin to look down the road to a strike threat, at the building demands predicted for this year, and they will find a price where they can begin to build inventories. Says Gardiner, "Everyone recognizes this things as a bubble. It is going to settle down somewhere." The question is the time and the price.

MECHANIZATION AND FARM LABOR

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1969

Mr. COHELAN. Mr. Speaker, in connection with my interest in improving working conditions for farmworkers, and particularly my efforts to terminate the bracero program, I have watched very closely developments in stoop labor, fruit and vegetable agriculture.

You will remember that dire predictions were made of the difficulties these industries would encounter when the supply of foreign labor for harvesting was curtailed in 1964. These predicted labor shortages have not materialized, and indeed the industries have been most successful in finding an adequate, stable work force and in substituting new mechanical devices for many of their harvesting operations. The Department of Labor reports on these developments in the March issue of the Monthly Labor Review, in an article by Mr. Lawrence J. Fulco.

The productivity of workers, as measured in output per man-hour has increased steadily since 1960, and this should allow farm wages to increase.

Noteworthy as these developments are in increasing the efficiency of fruit and vegetable production, the ensuing reduction in the need for seasonal hired labor reminds us that we should focus again on easing the transition of these workers into farmwork off the field or in other industries. Mr. Fulco's report reminds us:

> Migrant workers who now represent an important part of the seasonal labor force for fruit and vegetable crops will find their opportunities for employment reduced as mechanization in these crops becomes more widespread. The migrants and their families will have special problems of adjustment because of a multitude of social and economic factors. These include low income and education, unemployment, underemployment, poor health, and discrimination which sometimes keeps these workers in menial farm jobs.

Modern mechanization methods, while reducing the number of workers, will require workers with greater mechanical skills and specialization, a development which may help these workers to secure the traditional collective bargaining goals enjoyed by their fellow workers in other industries. We can help this transition to higher skill work through increased training programs and through improved labor-management relations within agricultural industries. In the long run, with increased mechanization of the unskilled, low-paid jobs and with more of the workers earning decent living wages in higher skill jobs, the agricultural employer, the workers, and the consumer public will benefit.

Mr. Speaker, I insert Mr. Fulco's article in the RECORD for the careful review of my colleagues:

HOW MECHANIZATION OF HARVESTING IS AFFECTING JOBS

(By Lawrence J. Fulco) *

Mechanization is increasing productivity in fruit and vegetable harvesting, and is being stimulated by a tight domestic labor market, a dwindling supply of foreign farm workers, and the increasing labor costs to growers in many areas of the Nation.

A traditional market for unskilled labor has been the harvesting of fruits and vegetables, one of the least mechanized sectors of agriculture. The production of these crops, including harvesting, made up 13 percent of all farm man-hours in 1967.[1] Harvest mechanization will reduce employment opportunities, especially for those workers who are hired just for the harvesting season, as well as change the nature and content of farm jobs. It will also affect rural manpower development programs.

This article describes technological developments in harvesting of fruits and vegetables, and their implications for productivity, employment, training, and labor-management relations.

THE SETTING FOR CHANGE

Harvest mechanization is not new. The McCormick reaper was patented more than a century ago. However, mechanization was confined mainly to grain crops, since the sheer size of these dictated the use of all available laborsaving devices. In contrast, the labor needs of the fruit and vegetable harvest could be met using local workers on a temporary basis, together with children and migrants who were not part of the local year-round farm labor force. Until quite recently, these sources of labor provided growers with adequate supplies of suitable labor at the appropriate time. And since they could be hired for short periods, the cost was low.[2] As long as growers' requirements for labor were satisfied, there was little incentive for introducing costly new machines that required changes in traditional growing practices.

Mechanization of fruit and vegetable harvesting has lagged behind mechanization in other branches of agriculture for other reasons as well. Irregular topography and small-scale operations often made the switch to mechanical operations uneconomical. Some crops ripen unevenly and must be gone over several times making harvesting machines impractical. Still another factor which retarded the adoption of machines has been the peculiar nature of the harvest labor market. Migrating harvest workers hold a succession of farm jobs as they follow the harvest across the Nation. Reduction in the need for workers in one crop because of mechanization may thus affect the availability of workers for crops that mature later. Rather than upset the chain of jobs, some growers have employed extra workers in early crops, allowing their mechanical harvesters to stand idle,[3] in order to insure an adequate work force later.

Crops which are harvested by mechanical means often cannot be processed in the same way as hand-harvested ones. This may require processors to make costly changes in their equipment and may also defer mechanization. Mechanical harvesting subjects the produce to vigorous handling and produces more bruised fruit. Also, some crops may contain more foreign matter when machine-gathered. New capital investment may thus be required for transportation, processing, and storage facilities on and off the farm. For example, since delays are particularly costly when crops have been machine-gathered, processors sometimes need to add more capacity when growers mechanize, since the whole crop is delivered in a short period of time.

On the other hand, some recent developments affecting labor cost have encouraged fruit and vegetable growers to mechanize their harvesting operations. Among these are the dwindling supply of suitable farm labor and rising costs. Better jobs at higher wages in urban industry are drawing many people away from rural areas. Stiffer entry requirements for foreign workers have practically eliminated Mexican workers (braceros) admitted for temporary employment. The spring of 1968 marked the first season in 27 years that no temporary farm workers were admitted anywhere in the United States for employment. However, about 16,000 Mexican "green card" holders crossed the border on a daily basis for steady employment on American farms.[4]

Foreign workers had been employed in the harvest of fruit and vegetable crops since 1850, when the first Chinese workers were brought into California. Mexican farm workers were first admitted to the United States during World War I. However, beginning in the 1950's, Mexicans admitted under Public Law 78 became the backbone of the harvest labor force for some crops until the law was allowed to lapse in 1964. Thus, harvest vacancies opened up after many American workers had migrated to the cities. The tightening of the farm labor market that has resulted because of these factors encouraged fruit and vegetable growers to make the best use of the available labor supply. In many instances, this has included the introduction of harvesting machines.

TABLE 1.—FOREIGN WORKERS ADMITTED FOR TEMPORARY EMPLOYMENT IN U.S. AGRICULTURE,[1] 1950 TO 1967

Year	Total foreign workers [2]	Mexicans
1950	76,525	67,500
1951	203,640	[3] 192,100
1952	210,210	[3] 197,100
1953	215,321	[3] 201,380
1954	320,737	[3] 309,033
1955	411,966	[3] 398,650
1956	459,850	[3] 455,197
1957	452,205	[3] 436,049
1958	447,513	[3] 432,857
1959	455,420	[3] 437,643
1960	334,729	[3] 315,846
1961	310,375	[3] 291,420
1962	217,010	[3] 194,978
1963	209,218	[3] 186,865
1964	200,022	[3] 177,736
1965	35,871	20,284
1966	23,524	8,647
1967	23,603	6,125

[1] Data compiled from administrative reports of the Bureau of Employment Security, U.S. Department of Labor.

[2] Foreign workers include Mexicans, French Canadians, and British West Indians.

[3] Admitted under Public Law 78.

As Mexican workers were denied entry, vacancies in harvesting jobs were created and American workers took their places. As the competition for workers increased, growers were faced with new demands for better sanitary facilities, living quarters, and

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Footnotes at end of article.

field conditions which have increased costs. For example, Mexican crews were usually made up of single men who could be housed in barracks, but American workers often travel in family groups which require different living arrangements. Wages have also been rising, adding to operating costs. Nationally, according to the Department of Agriculture, average hourly wage rates for farm workers who did not receive room or board from their employers rose from $1.08 in 1964 to $1.33 in 1967.[5] In addition, 1966 amendments to the Fair Labor Standards Act extended Federal minimum wage protection to some agricultural workers[6] for the first time and raised the prospect of further increases in labor costs for some growers. The criteria for coverage[7] established by the law, however, currently excludes many low-wage farm workers, particularly in the South.

TECHNOLOGICAL DEVELOPMENTS

Developments in technology have made available a wide variety of equipment for machine harvesting of a number of crops. New mechanical harvesters represent major outlays for research and development. Since the potential market of some machines is too limited to enable manufacturers to recoup their investment, development costs are often underwritten by government agencies, universities, and growers' associations.

These groups are also striving to make future mechanical pickers more economical, and this represents one important area of research. For example, most harvesters currently in use gather everything in the field indiscriminately. When unripe produce is picked, it represents a loss to growers in potential financial return in addition to direct costs for the wages of sorter crews. Harvesters with the capacity to distinguish between ripe and unripe fruit would solve this problem, but there are few such machines currently available and these represent only a first step in the direction of having truly selective harvesters. The use of light-reflectance instruments for sorting ripe and unripe crops represents an important breakthrough in this area and may be introduced shortly. One such instrument separates red tomatoes from green ones; another takes green tomatoes and distinguishes those that will ripen while in storage from those that will never ripen.

Another approach is the development of crop strains which ripen uniformly and lend themselves to mechanical harvesting methods. Important research breakthroughs have already occurred in tailoring crops to the machines, particularly in the case of tomatoes that are especially grown for good harvesting qualities.

Tree and bush crops present special problems for machine designers, and research and development on a very wide variety of harvesters is underway. Success has already been achieved for some crops. In Oregon, for example, tree-shaking machines are being used to gather prunes, and in the Midwest, tart cherries are picked mechanically, while in Florida research continues on the mechanization of the citrus harvest. A promising harvester for blueberries and other bush crops, a huge over-the-row combine, is currently available. This machine requires a crew of three to do the work of about 125 pickers. However, labor requirements dropped only about 20 percent in areas where it has been introduced because the machine-gathered crops must be carefully sorted to remove foreign matter and substandard berries, a step not necessary when the crop is harvested by hand.

Table 2 presents an overview of the current status and outlook for mechanization of harvesting in several major crops. It illustrates that mechanization of fruit and vegetable harvesting is proceeding very unevenly. Generally, it is most rapid among those crops which are grown for processing rather than for the fresh market. Fruits and vegetables that are processed before they are sold may contain some bruised produce, since processing begins soon enough after picking to prevent spoilage. Fresh market crops, on the other hand, must be in better condition to withstand transportation to market without deterioration. There is likely to be a continuing shift toward processing fruits and vegetables and, according to one expert, most of these crops will be subjected to some degree of mechanical harvesting by 1975. Mechanization of the citrus crop is unlikely by 1975, however, because research in this area is still in the experimental stage.

PRODUCTIVITY IN HARVESTING

U.S. Department of Agriculture estimates of changes in output per man-hour indicate that productivity for fruit and nut workers rose at an average annual rate of 1.3 percent between 1950 and 1966, while the productivity of vegetable workers grew by almost three times as much, 3.5 percent, during the same period.[8] (See table 3.) These statistics take into account man-hours expended in all farm operations, including trimming, weeding, planting and other tasks, as well as harvesting. The rate of introduction of mechanical devices for harvesting has an important effect on growth of productivity, since far more labor is needed for harvest operations than for any other activity during the growing season. This disparity between the rates of growth in productivity for vegetables and fruit and nut crops, which is likely to continue, reflects the slower pace of mechanization due to the greater technical difficulties of developing mechanical harvesters for tree and bush crops. The Department of Agriculture projects that by 1980 total man-hours for fruit and nut workers will have declined about 20 percent below the 1965 levels while man-hour requirements for vegetables will have dropped by 24 percent.[9] These projections for 1980 reflect a continued increase in production of these products.

While these conditions will contribute to a slower rate of growth in output per man-hour for fruits and nuts, continuing basic research in fruit harvesting techniques could soon bring about dramatic increases in worker productivity.

EMPLOYMENT AND MANPOWER EFFECTS

One of the best measures of the total number of people involved in harvest operations is the peak employment figure developed by the Bureau of Employment Security for the various fruit and vegetable crops, as shown in the chart. In 1967, the leading fruit crop in terms of peak seasonal employment was strawberries. The leading vegetable crops were tomatoes and beans. Peak employment figures refer to seasonal workers and include migrants (interstate and intrastate) and local people like school children, housewives, unemployed industrial workers, and other casual workers not normally in the farm work force but who usually participate in the harvest. Peak seasonal employment figures, however, do not represent an unduplicated employment count since many workers harvest several different fruit and vegetable crops during the season. Thus, these figures cannot be added together to arrive at the total number of workers. It must also be remembered that some workers employed at the peak season are engaged in tasks not directly related to harvesting, but these are likely to be a small fraction of peak employment.

Mechanization in harvesting fruits and vegetables will, in all likelihood, further reduce the need for seasonal hired labor, particularly those persons whose only farm-related employment is at harvest time. In 1967, such employment averaged 140,000 workers in vegetable crops and 125,000 in fruit production, representing declines of 17 percent, and 7 percent, respectively, below 1960 levels.

Footnotes at end of article.

TABLE 2.—STATUS AND PROSPECTS OF HARVEST MECHANIZATION IN SELECTED FRUITS AND VEGETABLES

Crop	1967 employment in peak month	Major producing States	The outlook for mechanization
Apples	69,924	California, Michigan, New York, Ohio, Pennsylvania, Virginia, Washington, and West Virginia.	Harvest mechanization growing slowly—may account for 25 percent of the crop grown for processing by early 1970's. Fresh market crops may be hand harvested for some time.
Beans	78,410	California, Maryland, Michigan, New York, Washington, and Wisconsin	Mechanized for some time. Improved combines may replace existing equipment. Complete harvest mechanization is possible by early 1970's; introduction often deferred because of cheap labor available. Some fresh market varieties will continue to be hand harvested.
Bushberries	70,517	California, Oregon, and Washington	Machines and hand-held vibrators widely used in harvesting. In some States 80 percent of the crop will be mechanized by early 1970's.
Cherries	43,973	California, Michigan, Oregon, and Washington	Harvesting mechanization of the crop grown for processing is proceeding rapidly; will be almost complete by the early 1970's.
Citrus fruits	45,450	California, Florida, and Texas	No successful harvesting machine currently available, but research efforts continue.
Cucumbers	52,597	California, Delaware, Maryland, Michigan, North Carolina, Texas, and Wisconsin.	Very limited introduction of machines; those available used mainly for final harvesting.
Grapes	55,990	California and New York	Use of machines for harvesting the crop grown for processing is currently limited but may expand. Fresh-market crop will continue to be hand harvested.
Potatoes	84,689	Grown in many States. Principal in terms of production are California, Idaho, Maine, Minnesota, North Dakota, Oregon, Washington, and Wisconsin.	Harvest mechanization, where possible, now almost complete.
Strawberries	113,563	California, Florida, Louisiana, Michigan, New Jersey, Oregon, Tennessee and Washington.	Dim prospects for harvest mechanization.

Source: Employment, U.S. Department of Labor, Bureau of Employment Security.

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TABLE 3.—OUTPUT PER MAN-HOUR IN VEGETABLES, FRUITS, NUTS, AND RELATED SERIES

[Average annual percent change, 1950–66]

Year	Output per man-hour		Man-hours		Output	
	Vegetables	Fruits and nuts	Vegetables	Fruits and nuts	Vegetables	Fruits and nuts
1950–66	3.5	1.3	−2.6	−0.7	0.8	0.6
1950–58	4.7	1.7	−3.8	−1.2	.8	.5
1958–66	2.3	.8	−1.4	−.1	.8	.7

Source: U.S. Department of Agriculture.

Migrant workers who now represent an important part of the seasonal labor force for fruit and vegetable crops will find their opportunities for employment reduced as mechanization in these crops becomes more widespread. The migrants and their families will have special problems of adjustment because of multitude of social and economic factors. These include low income and education, unemployment, underemployment, poor health, and discrimination which sometimes keeps these workers in menial farm jobs.[10]

The number of migratory workers, many of whom do harvesting of fruits and vegetables, has averaged about 400,000 for many years, though the turnover in the group is very large. The migratory stream consists of former tenant farmers, unemployed workers, displaced farm workers, Negroes, Mexican Americans, Puerto Ricans, and others.

According to the most recent information available (1967) from the U.S. Department of Agriculture, men constituted about three-fourths of all migratory workers. Half the migratory work force were less than 25 years old, and 1 in 4 was a teenager. About one-fifth were nonwhite and many were members of ethnic minority groups such as Spanish-surname Americans and American Indians.

Harvesting machines are reducing the need for hand pickers in many crops, and new openings are being created for sorters, cullers, machine operators, mechanics, and allied workers, as well as food processing and packinghouse workers. Another employment effect of mechanization is the increasing need for shed workers who include sorters, cullers, and packers. Farmers who have mechanized their harvesting operations are finding it advantageous to begin trimming and sorting machine-gathered crops as soon as possible, since they are more likely to spoil than those which are hand-harvested. Field sheds, in which the first processing steps can be performed, may employ a higher proportion of women and young people than traditional field crews, since shed work is physically less demanding. Workers in sheds are not subjected to the weather, so production is generally higher than that of workers doing the same tasks in the open.

Although nationwide employment projections for fruit and vegetable harvest workers are not available, a regional estimate of manpower requirements for fruit and vegetable harvest workers in the States of Kentucky, Michigan, and Ohio illustrates the declining demand for these workers as mechanization advances.[11] In 1965, for example, the total number of jobs in fruit and vegetable crops in these States was 144,000; the estimated number in 1971 is about 100,000 or a decrease of nearly 30 percent. This estimate takes into account differences in requirements for workers in a great variety of crops, some of which may never be successfully harvested mechanically while others are almost completely mechanized today.

EDUCATION AND TRAINING

The trend toward harvest mechanization creates the need to retrain workers whose jobs are becoming obsolete. One indicator of the magnitude of the effort required is the generally low level of education of farm workers. For example, in March 1967, all agricultural workers had a median of only 9 years of schooling, while all workers had 12.3 years. Male farm laborers and foremen had 8.2 years on the average while all male workers had 12.2 years. Low educational attainment and lack of formal occupational training has not represented a barrier to farm employment in the past since most farm tasks, including harvesting operations, could be learned quickly.

As mechanization makes greater headway, there will be a growing need for workers with higher levels of skill to operate and repair farm equipment and to work in agriculturally related occupations for which a knowledge of farming is helpful. Those adult farm workers with very low levels of education and few skills will be unable to qualify for most of the new kinds of openings other than at the very lowest levels. Also, because of their poor education, training has only been given for menial and low skilled jobs. In addition, training activities have been hampered because of the lack of information about future employment needs in rural areas.

A major requirement of all recent Federal legislation is that training and retraining must be for jobs in which there are reasonable prospects for employment. A nationwide survey of agricultural job opportunities is being undertaken by the Department of Labor and other interested Federal agencies to bridge the gap in information about future employment needs in rural areas.

VOCATIONAL PROGRAMS

In too many cases, vocational education in rural areas has been limited to farming and home economics. With the passage of the Vocational Education Act of 1963, however, vocational programs are being designed to qualify students for jobs off the farm as well. Thus, enrollments in courses leading to jobs off the farm in related industries has about tripled since 1964. Enrollment in farm work courses, while still over twice as large, has declined by a fifth over the same period.

Vocational curriculums in agriculture provide training to high school and posthigh school students and to people with special training needs. But it is not likely that the severely disadvantaged adult farm workers will ever benefit from in-school vocational programs. It appears that the main vehicle for retraining rural workers, including displaced harvest workers, will continue to be the Federal Government's Manpower Development and Training Act.

EMPLOYEE COMPENSATION

The introduction of mechanical harvesters will ease the transition to hourly wage minimums where required under the FLSA. The majority of seasonal farm workers employed by fruit and vegetable growers are now paid on a piecework basis. In this connection, studies for a score of crops in Michigan were undertaken to determine worker productivity under the current piecework system, so that equitable hourly rates could be established. Similar efforts for crops in other parts of the country will be necessary. The costs of low worker productivity under hourly pay schemes will limit the employment of the least productive workers, since growers will not hire those whose work will not justify the legal hourly minimum.

Under mechanization, calculation of hourly wage rates is facilitated since the pace of work is often determined by the machine and not by the individual workers alone. This calculation, however, is complicated by the fact that there are many other determinants of productivity which are not easily predicted even when mechanization is complete, such as the weather, the condition of the crop, the stage of the harvest, and a host of other factors.

LABOR-MANAGEMENT RELATIONS

The mechanization of fruit and vegetable harvests will change the structure of labor-management relations in agriculture. With a few notable exceptions in Wisconsin and California, attempts to unionize farm workers have generally met with failure.[12] Traditional grower resistance to unionization and farm workers' suspicion of unfamiliar organizations are among the major factors that prevented unions from taking hold.[13]

Agricultural workers are often the members of crews that travel as a unit from place to place under the supervision of a crew leader, who alone deals with growers directly. Thus, the employee is insulated from his employer and is under the control of a crew leader. Under such conditions, it is difficult for workers to bring grievances to the employer's attention and, lacking any attachment to a given job or employer, workers could seldom be effectively mobilized for concerted action.

The impetus for union organization may come partly from the mechanization of fruit and vegetable harvests. Just as in the early days of other unions, workers with skill and experience on new machines are in an enhanced bargaining position. Experienced harvester crew members are not as easily replaced as stoop laborers. Farm workers organization may also be stimulated by the growing similarity between farm operations and their opposite numbers in industry. This development may make the attainment of traditional collective bargaining goals such as wages and hours a prime concern of agricultural workers. As fruit and vegetable farms get larger they are more likely to be mechanized; this brightens the prospects of unionization in the Nation's fields and orchards.

FOOTNOTES

[*] Lawrence J. Fulco is an economist in the Division of Technological Studies, Bureau of Labor Statistics.

[1] *Changes in Farm Production and Efficiency* (U.S. Department of Agriculture, Economic Research Service, 1968). Agricultural Economic Report 233.

[2] Harold F. Stanley, "Mechanization and the Recruitment of Farm Workers," *Farm Labor Developments* (U.S. Department of Labor, Manpower Administration, August 1968), p. 11.

[3] Ibid.

[4] Stanley M. Knebel, "Restrictive Admission Standards: Probable Impact on Mexican Alien Commuters," *Farm Labor Developments* (U.S. Department of Labor, Manpower Administration, November 1968), pp. 8–20.

[5] *Farm Labor* (U.S. Department of Agriculture, Statistical Reporting Service, January issues, 1965, 1966, 1967, and 1968).

[6] In 1968 the Fair Labor Standards Act covered 2 percent of farms with hired workers and 35 percent of such workers.

[7] The law provides that a minimum wage of $1.15 an hour, effective February 1, 1968, and $1.30 an hour, effective the following February, must be paid to every worker who is employed in covered employment in agriculture by an employer who used more than 500 man-days of farm labor in any calendar quarter of the preceding calendar year. The minimum wage provisions generally do not cover hand-harvest laborers paid at piece rates in an operation recognized as piece work in the region, if (1) they go each day to the farm from their permanent residence, and (2) they have been employed in agriculture less than 13 weeks in the preceding calendar year.

[8] A statistical series showing changes in productivity of harvest workers alone is not available since man-hour measures include workers engaged in all tasks associated with a given crop, not just those in harvesting.

[9] See *Farm Labor in a Changing Agriculture,* Senate Hearings, 90th Congress, First Session, Department of Agriculture and Related Agencies Appropriations, H.R. 10509, Part 4, 1968.

[10] For a fuller discussion of the characteristics and problems of the migratory worker, see "The Migratory Farm Worker," *Monthly Labor Review,* June 1968, pp. 10–12.

[11] Stanley, op, cit., p. 11.

[12] Agriculture and fishing ranked last by extent of unionization in 1966, in a recent BLS listing of major industry groups. See *Directory of National and International Labor Unions in the United States, 1967* (BLS Bulletin 1596, 1968).

[13] See "The Rural Worker in America," *Monthly Labor Review,* June 1968, pp. 3–31.

THE SPANISH BASES

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1969

Mr. RYAN. Mr. Speaker, on March 26, leases expire for U.S. occupancy of four military bases in Spain. Negotiations for an extension of the leases are now in process.

At a time when the extent and character of U.S. commitments abroad is being called into serious question, and moreover, when the imbalance in our present budgetary priorities is clear, I believe it is important that we thoroughly examine the propriety of extending the leases with an eye toward determining both the military need for these bases and the political implications of chan-Franco regime.

I include in the RECORD an editorial from the March 17 Washington Post which discusses several of the issues raised by the negotiations for continued U.S. occupancy of these four Spanish bases. The editorial concludes that renegotiation of the leases "does not appear to be favorable to American interests on any grounds, military, political, or economic."

The editorial follows:

THE SPANISH BASES

This week Spanish Foreign Minister Fernando Castiello Maiz arrives in Washington to conduct the final round of negotiations for the continued American occupancy of four bases in Spain, whose lease expires March 26. These bases—three Air Force, one Navy—have quite a history. They were established in 1953, in the most frigid years of the Cold War as part of the defense system that ringed the Soviet Union, from Spain and Morocco to Turkey. In return for the leased land, the United States pumped $1.2 billion in economic and military assistance into Spain over the next ten years. In 1963 the lease was renewed for five years in return for $100 million in military aid. Last Summer the Spanish came back with a demand for $1 billion for the next five years, a sum that was later scaled down to $700 million in military aid. There were other Spanish demands as well, among them a commitment that the United States come to Spain's defense in case of attack—presumably, and incredibly, from North Africa. The American Government's position on all this has been far from clear, in part because the Johnson Administration apparently authorized a major general to do its diplomatic business in Spain, and it is not at all certain that his views coincide with the Government's. The notion now is that the United States will settle for a five-year extension at $100 million.

It is an astonishing business. No one, not even the Air Force, contends that the three air bases in Spain—in this, the age of the ICBM—are essential to American defense. "Desirable" is about the strongest word one can in good conscience extract, and that largely on the basis that the Department of Defense, the bureaucratic proof of the validity of the territorial imperative, never voluntarily gives up its turf, in this case three air bases. The naval base, useful for the servicing of Polaris submarines, is not essential either; it is marginally less expensive to service the subs in Rota, rather than the Eastern United States, and that is about all. So there is little in the way of persuasive military argument for retention of the bases and the 10,000 men who man them, particularly at a $700 million price tag.

The objections to extension of the lease, however, go way beyond $100 million or $1 billion and four obsolete and obsolescent bases. It is that the money in military aid will go to the Franco regime at precisely the time when it is under heaviest fire from its critics—left, right and center, from anarchist to monarchist—for reinstating the repression so characteristic of "the system" in the years immediately following the civil war. To conclude this agreement now would be to place the weight of Washington behind the generals in Madrid, no matter how many explanatory speeches, statements and backgrounders came from the White House. Beyond that, and not very far beyond it, is the inadvertent stake we acquire in a country once we establish bases and staff them with American soldiers. Diplomacy follows the flag. Who rules in Madrid becomes important not for political reasons but for military ones: What will they do to the bases? It would be interesting to know how the Administration is sorting out these questions. Which comes first: politics or military security, in this case—by most of the evidence—a dubious military security.

In short, this agreement appears to have very little to recommend it. It does not appear to be favorable to American interests on any grounds, military, political or economic, and in fact would tend to bring this country into disrepute with exactly those elements, in Spain and out of it, who should be our allies. A persuasive case for renewal of the leases has yet to be made.

THE PRESIDIO 27

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1969

Mr. COHELAN. Mr. Speaker, yesterday Congressman LEGGETT and I joined with several of our colleagues in a special order to call the attention of the House to the serious events and conditions at the San Francisco Presidio stockade.

Today, I would like to add briefly to that discussion by including in the RECORD a copy of the Army's reply to the letter sent by Congressmen WALDIE, EDWARDS, BURTON, and myself asking that the sentences for the men convicted of mutiny be remitted and that further mutiny trials be halted. Writing for the Secretary of the Army, General Counsel Robert Jordan III, explains the official military appellate procedures and concludes by stating:

> If at a later time, upon careful review of all the facts and circumstances of the cases, the Secretary concludes that any of the sentences are excessive in relation to the offense committed, he is prepared to exercise his power of clemency.

I would like to say I am pleased to note this willingness on the part of the Secretary, but that willingness to consider clemency does not excuse either the over-reaction of Army officials in bringing these charges nor does it explain what appears to be very poor management of prisoners and stockade personnel. The Secretary has, however, been quite responsive to my personal interest and that of other Members in this matter, and I trust that he will continue to exercise his best efforts to remedy these unsatisfactory conditions in the Presidio and other Army stockades.

I would also like to include in the RECORD at the close of my remarks two articles from today's Washington Post. Mr. Robert C. Jensen, the author of one of these articles, dramatizes quite clearly the apparent failure of the Army to provide adequate care and treatment for psychologically disturbed men. I commend this article to the attention of all of those concerned with this serious situation:

DEPARTMENT OF THE ARMY,
OFFICE OF THE GENERAL COUNSEL,
Washington, D.C., March 17, 1969.

Hon. JEFFREY COHELAN,
House of Representatives,
Washington, D.C.

DEAR MR. COHELAN: Secretary Resor has asked me to reply to your letter concerning the recent court-martial trials arising out of an incident which occurred last October at the Presidio of San Francisco.

In order to place the current status of the

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Presidio cases in proper perspective, it may be helpful to describe the process of post-trial review available to a convicted military defendant. In the military justice system the sentence adjudged by a court-martial, as well as the validity of a finding of guilt, is subject to review at several levels. In this regard, the military justice system differs from the practice of civilian appellate courts, which ordinarily have only the power to affirm or reverse a conviction.

The convictions and sentences in the Presidio cases will be reviewed in the first instance by the Commanding General, Sixth U.S. Army, who convened the court-martial. He will act only after receiving the advice of his Staff Judge Advocate. In addition to the power to approve or disapprove the court's actions in toto, he has the power to reduce the finding of guilty of mutiny to a finding of guilty of a lesser included offense, such as willful disobedience of a lawful order, which carries a maximum punishment of five years' confinement. He also has the power, even if he approves the findings of guilt, to reduce the sentence or the finding in his discretion, even if he finds no error of law in the court proceedings.

If the sentence approved by the Commanding General, Sixth U.S. Army, includes either a punitive discharge or confinement of one year or more, the cases will then be referred to a Board of Review consisting of three military judges. The Board also has the power to reduce the sentence or the crime for which the accused was convicted.

Following action by the Board of Review, an accused may petition the Court of Military Appeals, composed of three civilian judges, for discretionary review limited to questions of law. The Court of Military Appeals has the power to approve or set aside the findings and sentence or to approve a finding of guilty of a lesser included offense which carries a lesser penalty.

Finally, apart from the process of appellate review I have just described, the Secretary of the Army has the authority, under Article 74 of the Uniform Code of Military Justice, to remit or suspend all or part of the unexecuted portion of any sentence. In view of the several levels of review available to the defendants in the Presidio cases, it does not appear appropriate for him to consider exercising this authority at this time. However, if at a later time, upon careful review of all the facts and circumstances of the cases, the Secretary concludes that any of the sentences are excessive in relation to the offense committed, he is prepared to exercise his power of clemency.

I appreciate your concern that the sentences in the first three cases to reach decision appeared excessive in relation to the nature of the offense as reported in the press and elsewhere. It is perhaps significant that the fourth trial, which was transferred to Fort Irwin, resulted in a much lower sentence of four years. I hope that this development, together with the information contained in this letter, will allay some of your concern.

Sincerely,

ROBERT E. JORDAN, III,
General Counsel.

[From the Washington (D.C.) Post, Mar. 19, 1969]

MUTINY AT THE PRESIDIO: ORDEAL AND CHALLENGE

(By Robert C. Jensen)

When Pvt. Richard Bunch went absent without leave last spring he told his mother he had died twice, been reincarnated as a warlock, and had walked through the prison walls at the Army's Presidio in San Francisco to visit her.

At the time she tried to get psychiatric care for her son at a civilian hospital in Dayton, Ohio. But Bunch was turned over to military authorities.

By October, the 19-year-old soldier was dead. His death touched off the stockade demonstration in San Francisco that has led to the mutiny trial of 27 soldiers and focused new attention on Army court marital and prison procedures.

Mrs. Bunch had been promised by the Army that her son would receive psychiatric care. Army psychiatrists examined Bunch at the Presidio and found that he was a manic depressive. But he was sent back to the stockade.

In the stockade Bunch wrote a number of scrawled notes that were found under his mattress—"one click and it's over . . . all right America I'll pay . . . If you can't give me love, at least do me the favor of complete annihilation."

On Oct. 11, while Bunch was on a work detail, he kept asking the armed guard "would you shoot me if I ran?" The guard is reported to have told him, "You'd have to run to find out." Bunch is reported to have replied, "Aim for my head."

HEARD FOOTSTEPS

Then, as a fellow prisoner said in a sworn statement, "I heard footsteps, and the click of the shotgun being cocked, and I turned to see the guard aim and fire, hitting Bunch in the small of the back. There was no command of 'halt' given by the guard and Bunch was 25 to 30 feet from the guard when he was shot."

The guard, who never has been publicly identified, was exonerated and the Army declared the killing "justifiable homicide."

That evening there was a disturbance in the stockade when Bunch's death became known. The next morning, Capt. Robert S. Lamont, the officer in charge of the stockade, assembled the prisoners and read Article 94 of the Uniform Code of Military Justice.

MUTINY PENALTIES

This is the section that deals with mutiny. It says "any person found guilty of attempted mutiny, mutiny, or sedition, or failure to suppress or report a mutiny or sedition, shall be punished by death or such other punishment as a court martial may direct."

Capt. Lamont testified later that he had read Article 94 to the prisoners because he believed the disturbance of the night before could possibly have grown into mutinous action.

Mutiny is about the most serious charge that can be made in the armed forces. It rarely is made, since the charges of mutiny generally imply the willful attempt of a group of men to overthrow military authority—not merely the disobedience of military authority.

On Oct. 14, three days after Pvt. Bunch was killed, the Presidio 27 staged the demonstration that led to the charges of mutiny.

The stockade prisoners were assembled for morning rollcall and detail assignments at 7:30 a.m. When the name of the first man in the group was called they all answered "here" and moved over to a corner of the stockade enclosure where they began to sing "We Shall Overcome" and "America the Beautiful."

When they were confronted by a sergeant they asked to see Capt. Lamont and when he arrived Pvt. Walter Palowski of Columbia, Conn., read to him the list of grievances the prisoners had.

In addition to their protest of the killing of Pvt. Bunch, the soldiers asked for the elimination of work details that were supervised by guards carrying shotguns, a psychological evaluation of all stockade personnel, and better sanitary conditions.

DEFENDERS' ACCOUNT

Defenders of the Presidio 27 claim that Lamont refused to listen to the prisoners' complaints and that he then tried to read the mutiny article to prisoners again. He testified at a trial of one of the prisoners that he was unable to read Article 94 because the prisoners were chanting, "We Shall Overcome" and "We Want the Press."

Lamont brought Army photographers to take pictures of the protesting soldiers. And the pictures showed that the demonstration was nonviolent and that the men offered no resistance when they were ordered carried back to their building.

The entire affair lasted about an hour. And that was the extent of the "mutinous action" that Capt. Lamont had feared when he first had Article 94 read to the men.

Nine days later, on Oct. 23, the base legal office prepared the mutiny charges against the 27 soldiers.

A pre-trial investigation was held by Capt. Richard J. Millard and his recommendations were ignored. Also, five of the first six soldiers to receive psychiatric examinations were recommended for discharge by Army psychiatrists.

The psychiatrists' recommendations also were ignored. It is this aspect of the case that has drawn the most severe criticism from defenders of the Presidio 27.

INCOMPLETE RECORDS

Even on the basis of incomplete medical records for all of the prisoners, it appears that Pvt. Bunch, the manic-depressive who sought his own death, was not much different from his fellow prisoners.

The three men convicted at the first court-martial in February received sentences of 14, 15 and 16 years. Yet the records of all three men raise questions about why they were kept in the Army in the first place.

Pvt. Nesery Sood of Oakland, Calif., who was sentenced to 15 years at hard labor (reduced to two years yesterday), had been in the process of obtaining an administrative discharge. But the veteran of Vietnam went AWOL before it came through because he wanted to see his children who were being neglected by his wife.

A 14-YEAR SENTENCE

Pvt. Lawrence Reidel of Crescent City, Calif., was sentenced to 14 years, with a dishonorable discharge and forfeiture of pay and allowances. Army psychiatrists testified that Reidel was psychiatrically disturbed and should be given an administrative discharge.

Almost identical testimony was given by psychiatrists about Pvt. Louis Osczpinski of Florida, N.Y., who was sentenced to 16 years at hard labor.

As if to confirm this testimony, Osczpinski slashed his wrists during a noon recess at his trial. He was bandaged and returned to the court-martial hearing in the afternoon.

The suicidal pattern is not unusual. The Presidio 27 compiled a list of 21 prisoners who attempted suicide at the stockade since last June. Two of them are on trial for mutiny.

ATTEMPTS RECALLED

One of the stockade guards testified at a pretrial investigation that he could recall 30 suicide attempts by 21 prisoners.

A citizens' group headed by two prominent California clergymen said Maj. Harvey Homel, the post Judge Advocate at the Presidio, told them the suicide attempts were "gestures."

Col. John C. Ford, the Presidio's Provost Marshal, has acknowledged that there have been numerous apparent suicide attempts at the post. But he said every case was examined by an Army doctor and "not one was classified as a suicide attempt. They were rather suicidal gestures—people scratching themselves with razor blades or drinking something or other, maybe shampoo, knowing full well they were not endangering their lives."

CHANCE TO ESCAPE

"Some of these guys just wanted to go to the hospital in the middle of the night because it gave them a chance to try and escape," Ford said. "For many of the others, it's just an attempt to get sympathy and attention and perhaps to try to get out of the Army for psychiatric reasons."

One of the men now on trial who tried to commit suicide is Pvt. Ricky Lee Dodd of Hayward, Calif. He first tried to slash his wrists. After being bandaged at the hospital he was returned to the stockade where he hanged himself with the bandages. He was pronounced dead at Letterman General Hospital, but was resuscitated.

Pvt. Keith Mather of San Bruno, Calif., one of the Presidio 27, has testified that when Dodd was in solitary confinement at the stockade, a guard squirted him with a urine-filled water pistol. He also said that Dodd was offered razor blades and told that if he wanted to kill himself "here you go."

Pvt. Richard Gentile of Hampton, Va., went AWOL on the day after Pvt. Bunch's death to attend the GI and Veterans March for Peace being held in San Francisco to protest the Vietnam war. He drank chrome polish and his stomach was pumped. He was put in solitary confinement at the stockade and later slashed his wrists.

After suffering a complete breakdown, Gentile was taken to the psychiatric ward of Letterman and kept under sedation. But when he heard that he was being returned to the Presidio, he escaped. He is still in hiding.

The factor of mental disturbance and personality disorder is mentioned in the pretrial investigation report made by Capt. Richard J. Millard. He recommended that the 27 soldiers either be discharged for psychiatric reasons or be tried by special court-martial on the lesser charge of willful disobedience. Conviction on this charge would carry a maximum sentence of six months.

Millard's recommendations were disregarded.

CAPTAIN'S REPORT

Millard, who is a lawyer, said in his report to Lt. Gen. Stanley Larsen, the Sixth Army Commander:

"The facts of mutiny under Article 94 do not apply to the facts" of the sitdown demonstration of Oct. 14 at the Presidio stockade. "There are three elements to the offense of mutiny, one of which is the intent to override lawful military authority. The element is absent in the present case."

Millard said, "This case has been built up out of all fair proportion. To charge (Pvt. Lawrence) Zaino and the others with mutiny, an offense which has its roots in the harsh admiralty laws of previous centuries, for demonstrating against the conditions which existed in the stockade, is in my opinion, an overreaction by the Army and a misapplication of a statute which could lead to a further miscarriage of justice."

SEPARATION URGED

Millard added that in Zaino's case "Dr. Chamberlain feels that Pvt. Lawrence J. Zaino has a personality disorder which makes it highly unlikely that he will be able to adapt to the Army and therefore recommends that he be separated from the Armed Services as expeditiously as possible . . ."

The Army has said little in public about the case. Reporters are not permitted to see the prisoners. Neither Gen. Larsen nor his subordinates will discuss the case.

But a comment by Army prosecutor Capt. Dean Flippo during one of the trials shed some light on why the Army went ahead with the mutiny charge.

"We must consider the interests of the Government and the Army," he said. "It is the attack on the system that counts."

MUTINY TERM CUT FROM 15 TO 2 YEARS

The Army, faced with a growing storm of criticism for its handling of a mutiny trial at the San Francisco Presidio, sharply reduced the prison sentence of one of the soldiers yesterday.

The sentence of Pvt. Nesery D. Sood, 26, of Oakland Calif., was reduced from 15 years at hard labor to two years. The move came in two unusually quick stages.

The first reduction was made by Lt. Gen. Stanley R. Larsen, the commander of the Sixth Army, who had ordered that Sood and 26 other soldiers who took part in a sit-in at the Presidio stockade last fall be tried for mutiny.

Larsen reduced the 15-year sentence to seven. Then the Pentagon announced that Maj. Gen. Kenneth J. Hodson, the Army's Judge Advocate General, had cut Sood's sentence to two years.

A Pentagon spokesman said Gen. Larsen did not know at the time that he reduced Sood's sentence that Gen. Hodson would order a further reduction.

Sood's case now goes to the Army Review Board. The Board can sustain the sentence or reduce it further. It cannot increase it.

Sood was among the first three of 27 Presidio stockade prisoners to be convicted of mutiny by the court-martial in San Francisco. Two others convicted with him were sentenced to 14 years and 16 years.

A fourth prisoner, convicted at a court-martial held at Fort Ervin in Southern California, was sentenced to four years.

Five other Presidio prisoners will go on trial today at a court-martial being convened at Ft. Lewis, Wash.

PROJECT WORK AIDS THE ELDERLY

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1969

Mr. HOSMER. Mr. Speaker, Project WORK is an eminently successful experimental program being conducted in Long Beach, Calif., to take advantage of the training and talents of our senior citizens, which so often go unused.

The New York Sunday News recently featured this program and pointed up the outstanding work it is doing. The success of Project WORK is a tribute to the Long Beach Commission on Economic Opportunities, the city of Long Beach, the American Association of Retired Persons, and the National Retired Teacher's Association.

The text of the Sunday News article follows:

MAINLY FOR SENIORS

(By Jack Leahy)

RE-EMPLOYING RETIREES

WORK is a four-letter word meaning "Wanted, Older Residents with Know-how." The acronym stands for an experimental job-finding program for senior citizens living in Long Beach, Calif. If it proves successful—and there is ample reason to believe that it will—it could lead to the sponsorship of similar programs in other areas of the country.

Thus far, after roughly four months of existence, project WORK has led to the re-employment of more than 60 retirees. One of them is 66-year-old Stasys Jasutis, who serves as an educational therapy aide in a Veterans Administration Hospital.

"I had been a teacher and a school principal in my native Lithuania," says Jasutis, who came to this country in 1949. "But in America, the only job that I could get was a cloth cutter in a factory in Massachusetts.

"In 1965, I retired and my wife and I decided to escape the cold winters by going to California. Out here, we found our living expenses to be quite high. I was willing to take any kind of a part-time job to supplement our income from Social Security.

"For a while, I made ends meet by mowing other people's lawns. Then I heard about project WORK and I went down and applied for a regular job. On the application form, I listed my backbround in education, but after 20 years away from the field, I never expected to be given a teaching position.

"When they sent me to the VA hospital to help give instruction in basic algebra, geometry and Russian, I can't tell you how happy it made me. Believe me, this is a lot more satisfying than cutting grass!"

Project WORK was made possible by a federal grant of $38,184 matched by a $16,740 contribution from the American Association of Retired Persons and the National Retired Teachers Association (AARP–NRTA) a nonprofit group with more than a million and a half members. Besides helping to fund the operation, AARP–NRTA acts as its administrative agency.

In order to participate in the project, seniors must be 62 years old or older and have annual incomes of less than $1,600. They can earn $1.80 an hour for working 12 hours a week in public facilities.

"We hope to attract those seniors who are most in need of immediate employment," explains Samuel K. Bell, director of the program. "These are the people who feel that retirement has left them without a reason to get up in the morning . . . people who have the physical, mental and emotional capacity as well as the economic drive to remain active in the job market."

As it has been set up, project WORK is designed to have a wide-ranging impact on the lives of hundreds of older people other than those it directly employs.

"Each of our participants has a two-fold mission," explains Bell. "First, they are to carry out the duties delegated to them by their employers. Second, they are to serve as information and referral sources for every older person with whom they come in contact.

"As you well know, one of the geat needs of our complex modern communities is to make the elderly cognizant of the many social services which are available to them.

"Before project WORK participants go out

XUM

on the job, they are supplied with a store of information about Medicare, Social Security, family aid, legal assistance, educational and recreational opportunities, and similar subjects. Every day, they are called on to share this information with fellow oldsters."

XUM